



Regular Meeting of Council
Additional Items

Date: March 21, 2023
Time: 9:30 am
Location: Council Chambers Level 2, City Hall

City Council meetings are now being conducted using a hybrid model, allowing members of Council, city staff and the public the option of participating remotely or in-person. The meeting will be live web streamed, as usual, and archived on the city website.

Pages

5. Proclamations:

5.5 100 Year Celebration of The Festival of New Beginnings: March 21, 2023

10. Delegations:

- 10.1 Serge Langevin will speak regarding Official Plan Amendment and rezoning applications for 441 Maple Avenue (PL-12-23)*
- 10.2 Jim Thomson will speak regarding former Robert Bateman High School adaptive reuse update (EICS-02-23)*
- 10.3 Jim Thomson will speak regarding Procedure By-law Review (CWC-01-23)*
- 10.4 Michael Sobhi will speak regarding Eligibility of 488 Locust Street for heritage designation (PL-23-23)*
- 10.5 Atif Aqeel will speak regarding Eligibility of 496 Walker's Line for Heritage Designation (PL-25-23)*

19. Motion to Receive and File Information Items:

- 19.1 Delegation material from Serge Langevin regarding Official Plan Amendment and rezoning applications for 441 Maple Avenue (PL-12-23)* 1 - 9
- 19.2 Delegation material from Jim Thomson regarding regarding former Robert Bateman High School adaptive reuse update (EICS-02-23)* 10 - 19

19.3	<i>Delegation material from Jim Thomson regarding Procedure By-law Review (CWC-01-23)</i>	20 - 31
19.4	<i>Delegation material from Michael Sobhi speak regarding Eligibility of 488 Locust Street for heritage designation (PL-23-23)</i>	32 - 33
19.6	<i>Staff presentation regarding Item Eligibility of 496 Walker's Line for Heritage Designation (PL-25-23)</i>	34 - 49

Note: This presentation relates to item 14.2

21. Motion to Approve By-Laws:

21.11	<i>2020.452: A by-law to amend By-law 2020, as amended, for 441 Maple Avenue, for the purposes of facilitating the development of a mid-rise residential building</i>	50 - 54
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e. **Official Plan Amendment and rezoning applications for 441 Maple Avenue (PL-12-23)**

Approve the applications for Official Plan Amendment and Zoning By-law Amendment for the property located at 441 Maple Avenue for the development of an 11-storey, 140-unit residential building; and

Approve Official Plan Amendment No. 129 to the City of Burlington Official Plan, as contained in Appendix D of community planning department report PL-12-23, to add a site specific policy to the Downtown Residential – Medium and/or High Density Precinct designation for the lands located at 441 Maple Avenue; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 129, as contained in Appendix D of community planning department report PL-12-23; and

Approve Zoning By-law 2020.452 attached as Appendix E to community planning department report PL-12-23, to add a site specific exception to the Downtown Residential High-Density (DRH) Zone for the lands located at 441 Maple Avenue; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 129 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 129 is adopted.

Section 17(21) of The Planning Act

Comments

(21) The council shall provide to any person or public body that the council considers may have an interest in the plan adequate information and material, including a copy of the plan and, before adopting the plan, shall give them an opportunity to submit comments on it up to the time specified by the council. 1996, c. 4, s. 9; 2006, c. 23, s. 9 (3).

Adequate information and Material ???

Four browser screenshots of the City of Burlington website are shown side-by-side, illustrating a search for information. Each screenshot shows the top navigation bar with the City of Burlington logo and links for Accessibility, Translate, and a search icon. The main content area is divided into two sections: 'Public Meetings' and 'Supporting Documents'. The 'Supporting Documents' section includes a search bar and a list of results.

Screenshot 1 (Leftmost): The search bar in the 'Supporting Documents' section contains the text 'Official Plan Amendment'. Below the search bar, it says 'No results found.'

Screenshot 2: The search bar in the 'Supporting Documents' section contains the text 'Zoning Bylaw Amendment'. Below the search bar, it says 'No results found.'

Screenshot 3: The search bar in the 'Supporting Documents' section contains the text 'Official Plan Amendment and Rezoning applications for 441 Maple Avenue'. Below the search bar, it says 'No results found.'

Screenshot 4 (Rightmost): The search bar in the 'Supporting Documents' section contains the text 'Burlington By-law 08-2023'. Below the search bar, it says 'No results found.'

The 'Public Meetings' section in all screenshots shows a '+ Statutory Public Meeting' link.

Where is the analysis to support this position?

Height and Transition

The subject proposal requests a building height of 11 storeys and 36 metres plus a mechanical penthouse, whereas the Zoning By-law permits a maximum height of 22 metres. As such, it is important to consider the potential impacts of the additional proposed height. In this case, the subject property is located adjacent to mid-rise and high-rise development as well as a parking lot. To the northwest of the subject lands, on the corner of Maple Avenue and Bellview Street, there is an existing single detached dwelling. It should be noted that the building is proposed to step down to 9 storeys along Maple Avenue. Given that the low-density residential property is approximately 30 metres from the subject lands at its closest point, staff are satisfied that an appropriate height transition is provided and combined with the scale and massing points noted above, the building is appropriate for the lands.

Where is the analysis to support this position?

Zoning Regulation	Required	Proposed	Staff Comment
	(uph) minimum 185 uph maximum		<p>to 140, thereby reducing the proposed density to 500 units per hectare. The City of Burlington Zoning By-law 2020 and Official Plan both permit a maximum density of 185 units per hectare within a high-density zone category or designation.</p> <p>It has been noted throughout this report that the lands are surrounded by a variety of uses and built forms including high-density residential uses to the north and south, and nearby low, medium and other high-density residential development. The development proposes a density increase in the form of an 11-storey residential building. It is the opinion of staff that the applicant has demonstrated that the site can appropriately support the proposed use, and that the proposal is compatible with the surrounding area. Staff are of the opinion that the proposed density is appropriate.</p>

Section 22(7) of The Planning Act

Appeal to O.M.B.

(7) When a person or public body requests an amendment to the official plan of a municipality or planning board, any of the following may appeal to the Municipal Board in respect of all or any part of the requested amendment, by filing a notice of appeal with the clerk of the municipality or the secretary-treasurer of the planning board, if one of the conditions set out in subsection (7.0.2) is met:

1. The person or public body that requested the amendment.
2. The Minister.
3. The appropriate approval authority. 2006, c. 23, s. 11 (5).

Section 17(35 & 36) of The Planning Act

(35) If the approval authority makes a decision under subsection (34) it shall ensure that written notice of its decision containing the prescribed information is given to,

- (a) the council or planning board that adopted the plan;
- (b) each person or public body that made a written request to be notified of the decision;
- (c) each municipality or planning board to which the plan would apply if approved; and
- (d) any other person or public body prescribed. 1996, c. 4, s. 9.

Appeal to O.M.B.

(36) Any of the following may, not later than 20 days after the day that the giving of notice under subsection (35) is completed, appeal all or part of the decision of the approval authority to the Municipal Board by filing a notice of appeal with the approval authority:

1. A person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
2. The Minister.
3. In the case of a request to amend the plan, the person or public body that made the request. 2006, c. 23, s. 9 (6).

The Corporation of the City of Burlington By-law

Burlington By-law 08-2023

A by-law to adopt Official Plan Amendment No. 129 to facilitate the development of an apartment building consisting of 140 residential units.

File: 505-02/19 (PL-12-23)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved the recommendation in community planning department report PL-12-23 at its meeting held on March 21, 2023.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Amendment No. 129 to the Official Plan (1994) of the Burlington Planning Area consisting of the attached amendment and supporting documentation is hereby adopted.
2. That this by-law shall come into full force and take effect of the final day of passing thereof.

Conclusion

- I understand and agree with the need to redevelop the 441 Maples
- I just want to understand the analysis to support this modification of the bylaw
- I am willing to wait 7 days before making my Appeal at the Ontario Land Tribunal to get the analysis to support that project.

From: Jim Thomson

St. Patrick's Day, 2023

To: Council

Re: EICS-02-23

I am generally in favour of the Staff Directions that accompany the Report.

SD-08-23 I don't believe the 7 listed items were necessary. It is not the role of council to micro-manage the staff. It is bad for esprit de corps.

SD-09-23 this violates the spirit of the Community Engagement Charter.

SD-10-23 again you are telling staff how to do the work. It should be:

Direct Staff to report on emerging community outdoor recreation needs and how they might be accommodated on the Bateman Site. Due Date: ????

Councillors Kearns and Sharman are always asking for more data and benchmarking against neighbouring communities. These were published last week about plans in Mississauga

[New track and field facility could be coming for this City Centre area high school in Mississauga | insauga](#)

[\\$3.3 million track and field facility will 'finally' be built beside Mississauga high school | insauga](#)

As a former soccer player this pitch looks like it might need a bit of work on the turf, but I've played on much worse. It will certainly be less expensive to refurbish the playing surface, than to build a new field somewhere else.

SD-11-23 This should be required at the March 30 EICS meeting. It shouldn't be pushed to Q2, which could be the end of June.

SD-12-23 Why don't you just direct staff to produce the engagement plan for the project that was identified and funded in EICS-20-21

Regards

Jim Thomson

Conversion of Bateman

EICS-02-23

To : Council

March 21, 2023

At Committee

- Councillor Sharman asked if it was possible that Staff haven't been clear because they are not yet clear.
- I agreed but I would like to add Staff were quite clear at the public meeting:
- Allan Magi: What we have known at this point in time are the uses that we have identified here this evening and to meet those needs we have sufficient parking supply on site.
- Guess they didn't do their due diligence. Hence their current confusion.

Conversion of Bateman

- Generally in favour of the of spirit of the Staff Directions
- Concerned that Council is trying to micro-manage staff.
- Rather than giving general direction you are telling specific members of staff how they should do their job.
- Perhaps this has some impact on your ability to retain s

Active Transit?



Ascension of our Lord- \$3.3 Million



Mississauga- TL Kennedy Being Studied?



Burlington – Bateman Being Studied?



Burlington- Central Why Not Joint use?



In Conclusion

- Council needs to direct staff to hold public information sessions on entirety of the Bateman Conversion ASAP.

Procedure Bylaw Review

CWC-01-23

To : Council

March 21, 2023

Is it the Procedures Bylaw or the Council?

- 37-2014 04-2020 (1)
- 64-2016 13-2020 (2)
 - 21-2020 (3)
 - 68-2020 (4)
 - 89-2020 (5)
 - 90-2020 (6)
 - 31-2021 (7)
 - 72-2021 (8)
 - 86-2022 (9)

Sequencing

- Before reviewing Bylaw Learn how to use it.
- This is an item in the purple highlights Section 5 Chair
- There should be a Workshop to Train Council on The Procedure Bylaw and Robert's Rules before the bylaw review goes any further.

How to Keep a Meeting on Track

- Robert's Rules is the Gold Standard
- Key Point of Privilege not mentioned in our Procedure Bylaw
- Motion to Recess
- Example: The time is 11:55, I move we recess for lunch and reconvene at 1:00.

Robert's Rules is a Brick

- Clerk should have a copy at the meeting and be familiar with it.
- Cheat sheets are available as well as “readers digest” versions
- I like Robert's Rules for Dummies
- Council would probably prefer Robert's Rules in Plain English by Doris P. Zimmerman
- Chair should refer questions to Clerk when they are unclear
- Clerk/Members should raise a point of order when Chair is in error.

Workshop not a Standing Committee

- Despite what Item 8.1 says the 5th Standing Committee is the Committee of the Whole.
- Committee of the Whole is the place for deciding actions not covered in the other 4 Standing Committees
- Workshops are for learning and discussing, not taking action.

Community Engagement

- Workshops prevent Community Engagement by not permitting delegation
- Procedure Bylaw is too important to restrict the citizens ability to engage.
- You need an Engagement Plan for your Procedure Bylaw review.
- It needs to include Consultation with the Citizens of Burlington
- Too important to leave to the “experts” but you need an expert to go through and clean up the contradictions and omissions that already exist.

Engaged Citizens

- When your called for jury duty and your name is drawn by lot
 - When you vote in an election or freely voice your thought
 - Don't take these rights for granted for dearly they were bought
 - Remember Thomas Muir of Huntershill.
-
- Thomas Muir of Huntershill by Dick Gaughan.
-
- Eternal Vigilance is the Price of Liberty. - various philosophers.

From: Jim Thomson

St Patrick's Day 2023

To: City Council

Re: CWC-01-23 Procedure Bylaw Review

The workshop that was held put the cart before the horse.

The workshop should have been on the purple item Section 5 Chair.

That is the proper role of a workshop -Training.

One of the biggest problems I see is that the Chairs do a poor job of conducting the meeting according to the procedures you already have. Basically most of Council don't know the rules and the Clerks don't speak up when items are not done according to the Rules.

At the March 2, EICS meeting Councillor Kearns suggested you all need to get together to discuss keeping the meetings on schedule. I agree with her sentiment, but the answer isn't to have a quarter day workshop as the Chair suggested, it's simply to follow the rules you already have.

This is the place where a Privilege Motion should be used.

The actual wording would be a Motion to Recess.

Example: The time is 12:00, I move we recess for Lunch and reconvene at 1:00.

Over the time since the March 2, meeting I have sent you all copies of other times where the Procedures Bylaw had been broken.

I believe that before you undertake revision of the bylaw you should all take a course on what the proper procedure is under Roberts Rules.

The Engineering Undergraduate Society Council at McGill, to which I was a representative, operated under Roberts Rules and the was much more efficient than the City of Burlington council has been since I have been delegating.

I used to cringe when reports got tabled. That's what happens in the Parliament of Canada, under Roberts Rules to table a report means to put it aside, and not deal with it.

The Clerk should have copy of Roberts Rules available to consult. I personally have found Robert's Rules in Plain English by Doris P. Zimmerman to be an easy to use guide.

I also have concerns about the Workshop format as it restricted public engagement on this item. It should properly have been conducted as a Committee of the Whole. Workshops are not a standing committee despite what item 8.1 says.

I have attached some thoughts I shared with Jacqueline Johnson about what input the Citizens of Burlington should have in the Revision of the Bylaws.

Regards

Jim Thomson

Subject: Workshop on Procedures Bylaw
From: "Jim Thomson" <jim.thomson@burlington.ca>
Sent: 2023-03-11 10:41:59 PM
To: "Johnson, Jacqueline" <Jacqueline.Johnson@burlington.ca>;
CC: "Lisa Kearns (lisa.kearns@burlington.ca)" <lisa.kearns@burlington.ca>;

You need to develop an engagement plan for the Procedures Bylaw review.

Issuing a report and expecting delegation at committee/council to be the extent of engagement doesn't cut it.

Do the Citizens of Burlington want Deputy Mayors with Portfolio?
Are the Citizens of Burlington happy with the delegation process?
Should the Chair of a meeting be in Council Chambers to better control the hybrid meeting?
Should the chair be responsible for ruling on points of order/privilege?
How can we hold the politicians and staff accountable?
What's the point of the Engagement Charter if there are no means to enforce it?

That's just a few questions off the top of my head.

To often we hear nobody spoke against it as justification for Councils action. For example I got this from Shelby of the Mayor's team after I complained about the public engagement on Bateman back in December

We have kept the public informed of this project throughout and we haven't heard from anyone who believes we should have passed up the opportunity to purchase it, which would have let it open to be developed by private interests.

Engagement isn't just providing information. That's an important step, but Engagement requires soliciting feedback after the information is provided. Around 15% of the aborted survey Disagreed with the swap.

The Procedures Bylaw regulates the power in the city. As the Mayor said at the Workshop "also procedure can help to make sure that the rules are applied equally. And not in a way that you know, we'll have a different set of rules for people we'd like and agree with and a different set of rules for people that we don't."

"Eternal vigilance is the price of liberty; power is ever stealing from the many to the few.

The manna of popular liberty must be gathered each day or it is rotten. The living sap of today outgrows the dead rind of yesterday. The hand entrusted with power becomes, either from human depravity or esprit de corps, the necessary enemy of the people. Only by continued oversight can the democrat in office be prevented from hardening into a despot; only by

unintermitted agitation can a people be sufficiently awake to principle not to let liberty be smothered in material prosperity.”

Back around 2013 the Ontario Ombudsman André Marin released a scathing report highlighting the lack of accountability in the local governments of cities and towns across the province.

The Procedures Bylaw is too important to be left only to the few on Council and the Clerks.

Regards

Jim Thomson

From: [Michael Sobhi](#)
To: [Mailbox, Clerks](#); [O'Reilly, John](#)
Subject: Re: 488 Locust Street - proposed revised heritage designation
Date: Friday, March 17, 2023 11:44:28 AM
Attachments: [488 LOCUST ST- ELEVATIONS.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear city Council

After extensive consultation with my architect to find a reasonable solution to my original plan to build 3 unit for my children and my wife and I; he suggested that it is still possible if we could only keep the front side elevation facing Locust Street heritage rather than the front side and the two side. **Please see attached rendering.**

Therefore, I am writing to ask that we keep the only the front face as the heritage wall intact . The ARA report does not explicitly state that the sides have the same historical significance as the front heritage wall. Therefore, I ask the council to support the decision to not include the sides of house as heritage , while still preserving the front face wall and allowing development on the back.

In addition, I believe that the new development can be designed in a way that complements the existing heritage wall and adds to the beauty of our City. By preserving the front heritage wall and incorporating it into the new development, we can achieve a balance between preserving our history and promoting progress.

Therefore, I urge you to consider this alternative solution and to find ways to preserve the front heritage wall while also allowing me to build my new home. Let us work together to honor our heritage and promote the growth and development of our city.

Thank you for your consideration.

Sincerely,

Michael Sobhi



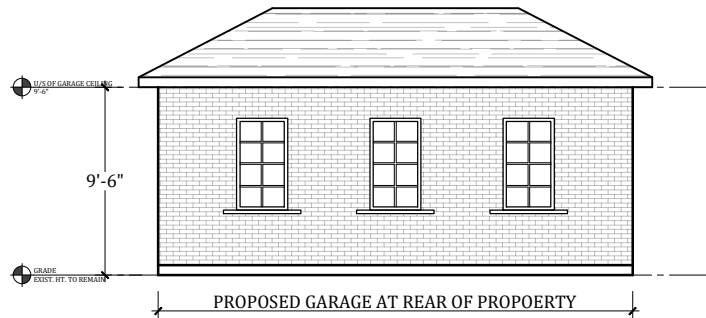
3
A101 REAR ELEVATION
SCALE: N.T.S



2
A101 FRONT ELEVATION
SCALE: N.T.S



1
A101 SIDE ELEVATION
SCALE: N.T.S



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REVISIONS		
NO.	DESCRIPTION	DATE
1	PRELIM. REVIEW	2023-03-16
2		
3		
4		
5		

TITLE NAME:
PROPOSED ELEVATIONS

DRAWING NAME:
488 LOCUST ST., BURLINGTON, ONT.

SCALE: AS NOTED	DATE: 3/17/2023
DRAWN BY: ML	CHECKED BY: ML

DRAWING No.

Item 14.2- Eligibility of 496 Walker's Line for Heritage Designation (PL-25-23)

City Council meeting

March 21, 2023

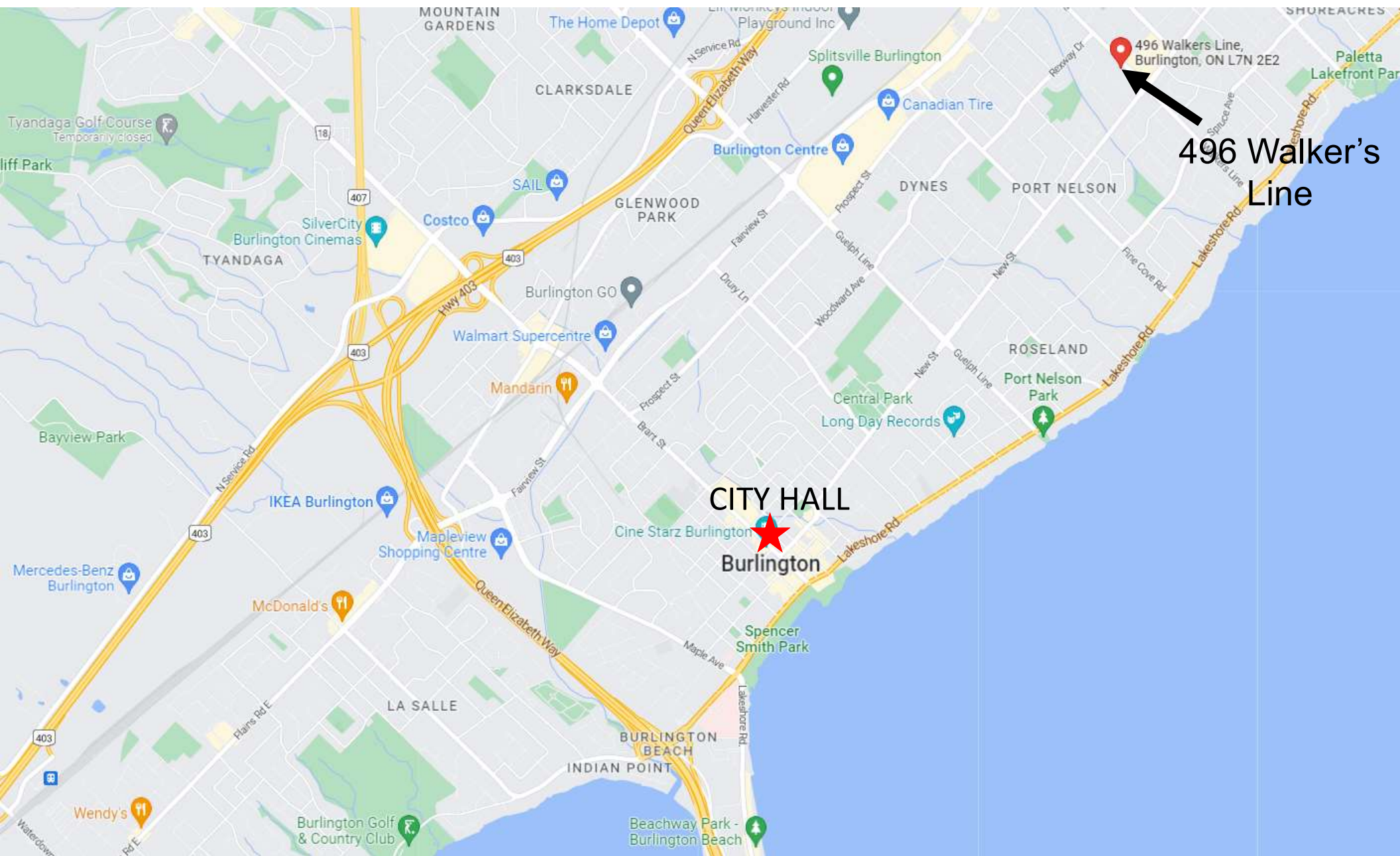
496 WALKER'S LINE- Eligibility for Heritage Designation

At the February 1, 2023 COTW meeting, Council recommended that City Council ratify the following motion:

Direct the Director of Community Planning to:

1. Review the current condition of 496 Walker's Line, assess its continued eligibility for designation under Part IV, Section 29 of the Ontario Heritage Act and update the statement of significance for the property to reflect current property conditions and legislative requirements.
2. Consult the Heritage Burlington Advisory Committee to obtain their recommendations concerning the eligibility of 496 Walker's Line for inclusion on the Heritage Register under Part IV, Section 27(3) of the Ontario Heritage Act and for heritage designation under Part IV, Section 29 of the Ontario Heritage Act.
3. Report back to City Council in Q2 2023 with the Heritage Burlington Advisory Committee recommendations and the updated statement of significance for the property.

496 WALKER'S LINE- Eligibility for Heritage Designation



496 WALKER'S LINE- Eligibility for Heritage Designation

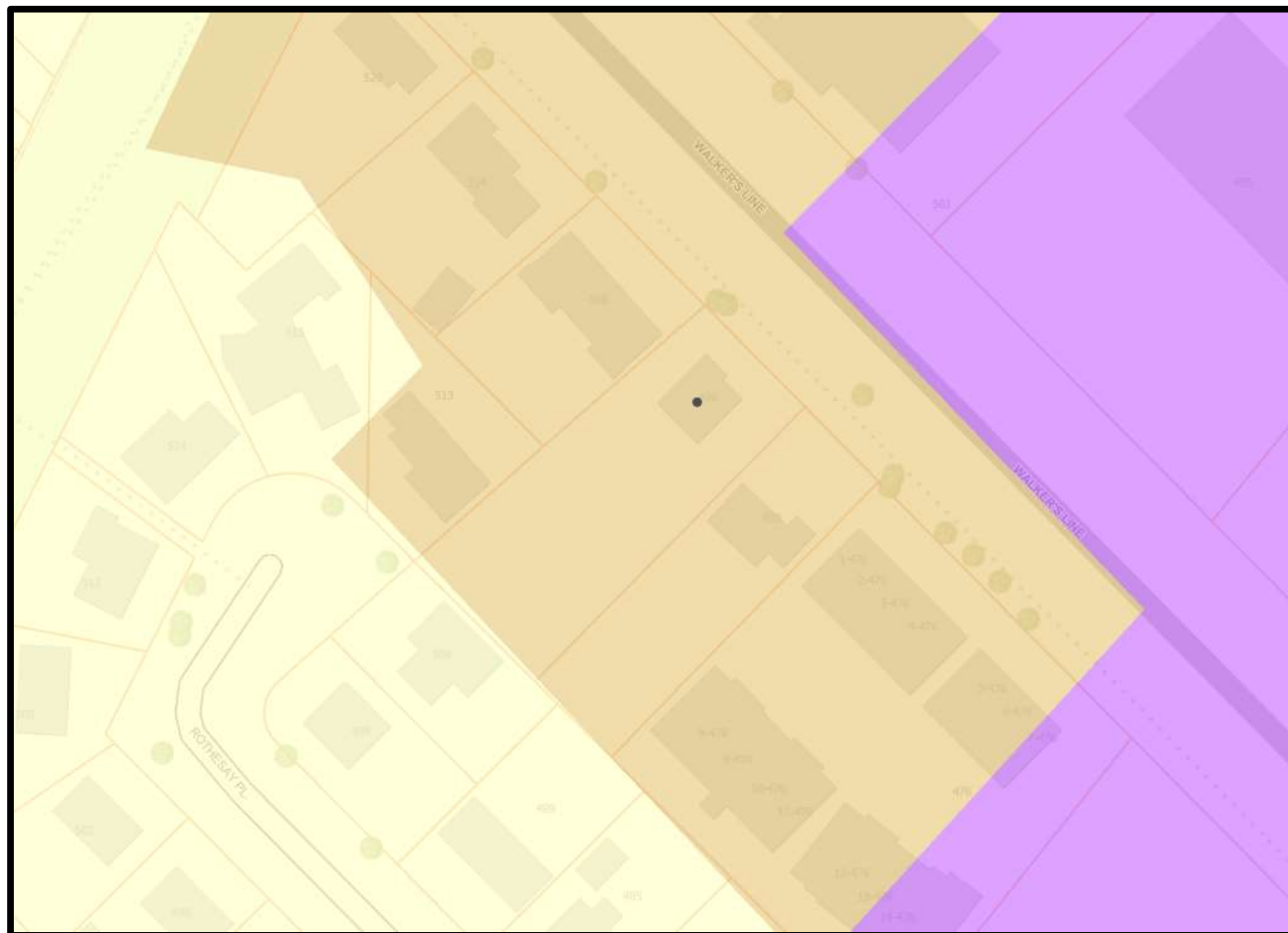


496 WALKER'S LINE- Eligibility for Heritage Designation



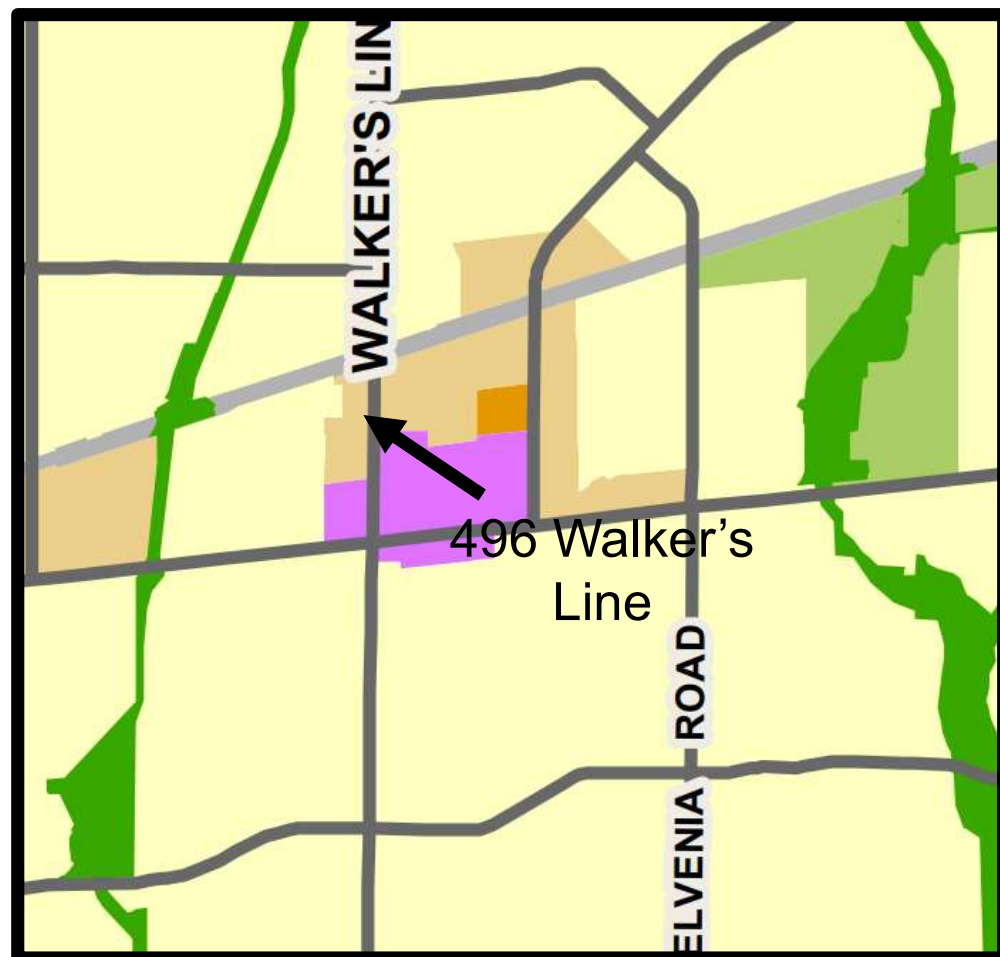
496 WALKER'S LINE- Eligibility for Heritage Designation

Official Plan



496 WALKER'S LINE- Eligibility for Heritage Designation

Official Plan, 2020 (Appealed)






Legend

MIXED USE INTENSIFICATION AREAS

-  Urban Centres
- Mixed Use Nodes and Intensification Corridors**
 -  Mixed Use Commercial Centre
 -  Neighbourhood Centre
 -  Local Centre
 -  Employment Commercial Centre
 -  Urban Corridor
 -  Urban Corridor - Employment

RESIDENTIAL NEIGHBOURHOOD AREAS

-  Residential - Low Density
-  Residential - Medium Density
-  Residential - High Density

496 WALKER'S LINE- Eligibility for Heritage Designation

Zoning Bylaw, 2020



Table 2.9.1

Regulation	Fourplex	Townhouse	Retirement Home
Lot Width	18 m	45 m	30 m
Lot Area	700 m ²	0.4 ha	0.2 ha
Front Yard	6 m (a)	7.5 m (a)	7.5 m (a)
Rear Yard	9 m	9 m	9 m
Side Yard	3 m	4.5 m	4.5 m
Street Side Yard	6 m	6 m	6 m
Yard abutting R1, R2, R3 Zone	***	9 m	12 m
Density	25 units/ha	(b)	***
Floor Area Ratio	***	***	1.25:1 maximum
Amenity Area	***	25 m ² /bedroom 15 m ² /efficiency	***
Privacy Area	***	20 m ² per unit	***

496 WALKER'S LINE- Eligibility for Heritage Designation

Designation History

- House and Barn designated in 1992 (Bylaw 137-1992)
- Designation removed in 2012 at owner's request to permit the demolition of barn and the sale of the property to developers
- Heritage Burlington and staff recommended the designation of the house be maintained



Photos of barn

496 WALKER'S LINE- Eligibility for Heritage Designation

The John Henry Walker House

Heritage Value

- Historical/Associative value for its connection to the Walker Family
- William Walker immigrated from North Carolina as a United Empire Loyalist in 1796 and settled in Grimsby
- The current house was built circa 1913 for John Henry Walker Jr. and his wife Beatrice
- Architectural/Design value as a good example of late Queen Anne style architecture from Edwardian times
- Contextual value for links with surroundings



496 WALKER'S LINE- Eligibility for Heritage Designation



496 WALKER'S LINE- Eligibility for Heritage Designation



496 WALKER'S LINE- Eligibility for Heritage Designation



Front Porch

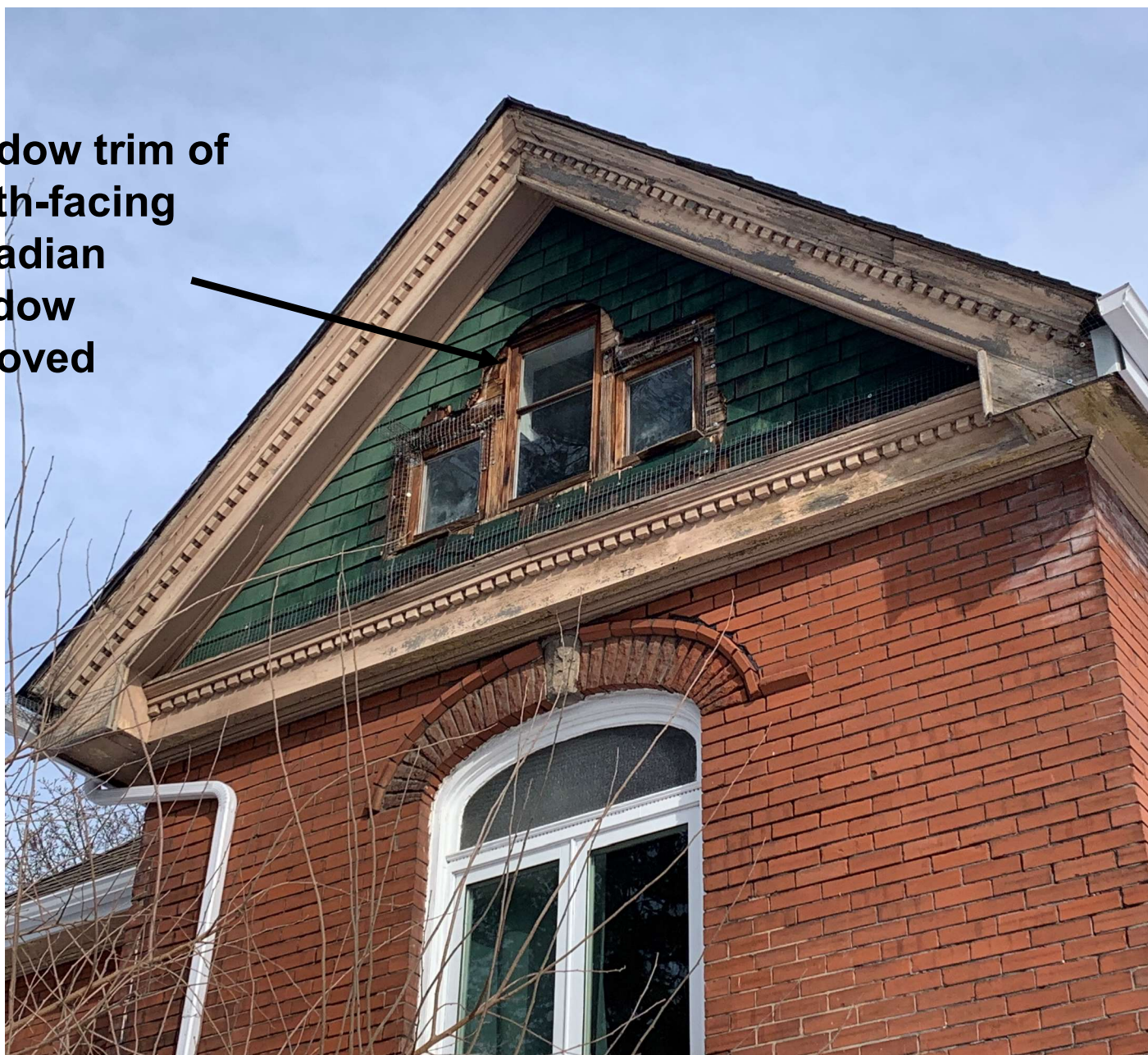


Palladian
window trim
damaged

Front Elevation main gable

496 WALKER'S LINE- Eligibility for Heritage Designation

Window trim of
south-facing
Palladian
window
removed



496 WALKER'S LINE- Eligibility for Heritage Designation



Side (north) elevation

496 WALKER'S LINE- Eligibility for Heritage Designation

Recommendation:

State an intention to designate the property at 496 Walker's Line under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Reasons for Designation for 496 Walker's Line attached to report PL-25-23 as Attachment B; and

Direct the Director of Community Planning to provide notice of Council's intention to designate 496 Walker's Line, in accordance with section 29 (3) and 29 (4) of the Ontario Heritage Act; and

Direct the City Clerk to present the draft designation by-law to Council for approval within 120 days after the date of publication of the notice of intention to designate 496 Walker's Line, provided there is no objection or withdrawal; and

Direct the City Clerk to take the necessary actions in the event of any objection to the notice of intention to designate pursuant to Part IV of the Ontario Heritage Act, sections 29 (5) and 29 (6).

The Corporation of The City of Burlington

By-Law Number 2020.452

A By-law to amend By-law 2020, as amended, for 441 Maple Avenue, for the purposes of facilitating the development of a mid-rise residential building
File No.: 520-03/19 (PL-12-23)

Whereas Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

Whereas the Council of the Corporation of the City of Burlington approved PL-12-23, on March 21, 2023, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential building consisting of 140 units.

The Council of The Corporation of The City of Burlington hereby enacts as follows:

1. Zoning Map Number 9-A of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from DRH to DRH-517.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 517 as follows:

Exception 517	Zone DRH	Map 9-A	Amendment 2020.452	Enacted March 21, 2023
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1. Only the following uses shall be permitted:

Apartment building

2. Regulations for Apartment Building

- | | |
|---------------------------------------|--|
| a) Maximum Number of Dwelling Units: | 140 |
| b) Front Yard: | |
| i) Storeys 1 and 2: | 4.4 m |
| ii) Storeys 3-9: | 7.4 m to building, 4.4 m to balcony |
| iii) Storey 10: | 29 m to building, 16 m to terrace |
| iv) Storey 11: | 29 m |
| v) Storey 12: | 32 m |
| vi) Below-Grade Parking Structure: | 0.1 m |
| c) Rear Yard: | |
| i) Storey 1 | 9.5 m |
| ii) Storey 2-11: | 5.7 m including terraces / balconies |
| iii) Storey 12: | 18 m |
| iii) Below-Grade Parking Structure: | 0.1 m |
| d) South Side Yard: | |
| i) Storeys 1-12: | 4.5 m including terraces / balconies |
| ii) Below-Grade Parking Structure: | 1.7 m |
| e) North Side Yard: | |
| i) Storeys 1-12: | 3 m including terraces / balconies |
| ii) Below-Grade Parking Structure: | 0 m |
| f) Maximum Height: | 12 storeys, including mechanical penthouse, up to 43.4 m maximum |
| g) Maximum Density: | 500 units per hectare |
| h) Landscape Area abutting Maple Ave: | 0 m |
| i) Required Parking: | 1.15 spaces per unit inclusive of visitor parking |

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

4. a) When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;
- b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

Enacted and passed this 21st day of March 2023.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____

Explanation of Purpose and Effect of By-Law 2020.452

By-law 2020.452 rezones lands on 441 Maple Avenue, to permit a 12-storey residential building, including Mechanical Penthouse.

For further information regarding By-law 2020.452, please contact Melissa Morgan of the Burlington Community Planning Department at (905) 335-7600, extension 7788.

Schedule 'A' to By-law 2020.452

