

COMMITTEE OF ADJUSTMENT

Meeting #15

MINUTES

August 21, 2024

MEETING: Held on Wednesday August 21, at 1:00 P.M. Virtually via Zoom Video Conferencing Technology.

PRESENT:

| | |
|---------------|----------------------------------|
| J. Riddell | - Chair |
| V. Tinti | - Vice Chair |
| N. Leblovic | - Member |
| F. Capuano | - Member |
| E. Westerhof | - Member |
| E. Shacklette | - Secretary-Treasurer |
| C. Kabel | - Committee Clerk |
| J. O'Reilly | - Supervisor of Site Plan Review |
| Ryan Kochuta | - Planner, Site Plan Review |

ABSENT: None

1. DECLARATION OF INTEREST:

2. ADDENDUMS:

3. REQUEST FOR DEFERRALS:

4. CONSENT ITEMS:

5. REGULAR ITEMS:

| HEARING NO. | FILE NO. 540-02- | ADDRESS |
|-------------|------------------|---|
| 4.1 | A-019/24 | Re: 5294 Joel Ave., Burlington Ward 5 Pages 2-5 |
| 5.1 | A-095/23 | Re: 4350 Elm Cres., Burlington Ward 4 Pages 6-9 |
| 5.2 | A-098/23 | Re: 5381 Bird Cage Walk, Burlington Ward 5 Pages 10-13 |
| 5.3 | A-124/23 | Re: 1167 Stanley Dr., |

6. OTHER BUSINESS:

6.1 Correspondence

6.2 Items for Discussion

6.3 Date of Next Meeting

6.4 Approval of Minutes from the previous Committee of Adjustment meeting

7. ADJOURNMENT:

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Chair called the Committee of Adjustment meeting no. 15 to order at 1:00 pm.

Secretary Treasurer provided introductory remarks; Committee Clerk advised of housekeeping items.

1. **DECLARATION OF INTEREST:** None
2. **ADDENDUMS:** None
3. **DEFERRALS:** There was one deferral.

MOTION NO. 19/2024

BE IT RESOLVED THAT the application under File: 545-02-A-095/2023 at municipal address 4350 Elm Crescent be DEFERRED at the request of the applicant;

That the \$685.00 deferral fee be PAID prior to rescheduling;

That the application (as may be revised) * be proceeded with by August 21, 2025 at the latest (or earlier at the call of the Chair), failing which the Committee will consider the application withdrawn and the file closed.

4. **CONSENT ITEMS:** None. Public feedback resulted in all applications being reviewed as part of the Regular Agenda process.

Secretary Treasurer invited the public if they wished to speak to an item on the Consent Agenda; None.

Chair invited the Committee Members if they wished to pull an item from the Consent Agenda; None.

Items in the minutes are not represented in chronological order, as per the agenda, but in the order that the Item was heard.

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5. REGULAR ITEMS:

HEARING NO. 4.1 - FILE NO. 540-02-A-019/24

APPLICANTS: Mohanad Al-Janabi and Iman Al-Sumaidae

PROPERTY: 5294 Joel Ave.,
 PLAN 1339 LOT 228,
 City of Burlington, Regional Municipality of Halton.

TO HEAR AND DETERMINE an application by the Owners of the above-described property, for a Minor Variance to the requirements of the Zoning By-Law 2020, as amended, as follows:

1. To permit lot coverage of 25.9% instead of the maximum permitted 25% for proposed additions to a two-storey detached dwelling with attached garage.
2. To permit floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for proposed additions to a two-storey detached dwelling with attached garage.
3. To permit a south-west side yard of 1.2 m instead of the minimum required 1.8 m for proposed additions to a two-storey detached dwelling with attached garage.

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| PRESENT: | Mohanad Al-Janabi, Iman Al-Sumaidae – Owners Raed Al-Rawi of Professional Floor Plans Inc. – Agent |
| MATERIALS: | Staff reports containing advice of Planning Department – (Committee of Adjustment, Zoning, Site Planning, and Building) Site Engineering, and Transportation Services. |
| EVIDENCE: | Letters of support from Paul Dawn of 5298 Joel Ave, Suzanne Punnett of 5293 Joel Ave, Grant Kielbiski of 5290 Joel Ave, Douglas Hatlon of 5297 Joel Ave. Letter of concern from David and Marietta Redding of 5286 Joel Ave. |
| HEARING: | Started at approximately 1:08 pm |

Discussion:

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Chair noted pertinent details outlined in the application and on the plans and evidence received.

Raed Al-Rawi of Professional Floor Plans Inc appeared on behalf of the owners and provided evidence in support of the application.

No one appeared before the Committee in support or opposition to the request.

Chair asked if any Members had any questions: None.

Comments from Committee:

Chair asked Members if they had comments on the application:

E. Westerhof **supported** the application as noted for the following reasons: design was sympathetic to neighbourhood, existing home and surroundings; satisfied the application met all 4 tests of a minor variance under the *Planning Act*.

V. Tinti **supported** the application as noted for the following reasons: concurred with colleagues; fit in with neighbourhood characteristics; no concerns with massing; felt the application met all 4 tests of a minor variance under the *Planning Act*.

N. Leblovic **supported** the application as noted for the following reasons: concurred with colleagues' comments; felt the application met all 4 tests of a minor variance under the *Planning Act*.

F. Capuano **supported** the application as noted for the following reasons: concurred with Member Westerhof; City has capable professional engineers to help address flooding and drainage concerns; felt the application met all 4 tests of a minor variance under the *Planning Act*.

Chair **supported** the application as noted for the following reasons: Concurred with colleagues' comments and staff report; felt the application met all 4 tests of a minor variance under the *Planning Act*.

Chair asked the Committee for a Motion. Member Westerhof moved for approval with condition; Member Tinti seconded.

Committee members voted unanimously that the variance application met the four tests of the *Planning Act* for similar reasons as the staff reports in the agenda and evidence presented at the hearing.

Chair read the decision; advised of the conditions and 20-day appeal period.

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DECISION 540-02-A-019/2024:

Having regard for the requirements of Section 45 Sub-section (1) of the *Planning Act*, RSO. 1990, c. P.13, as amended;

And after having fully considered as part of their deliberations and final decision on this matter any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision, and any and all oral submission related to this application that were made at the public hearing held under the *Planning Act*;

Members unanimously supported the application therefore;

The Committee **GRANTS** the application under **File 540-02-A-019/2024** at **5294 Joel Avenue, Burlington:**

1. To permit lot coverage of 25.9% instead of the maximum permitted 25% for proposed additions to a two-storey detached dwelling with attached garage.
2. To permit floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for proposed additions to a two-storey detached dwelling with attached garage.
3. To permit a south-west side yard of 1.2 m instead of the minimum required 1.8 m for proposed additions to a two-storey detached dwelling with attached garage.

In addition to satisfying the four tests, the Committee's rationale for supporting the application include: sufficient amenity space and pervious surfaces will remain onsite; design features of the building helped reduce visual impacts of an increase in overall building size.

The reasons for the Committee's decision are that:

1. The general intent and purpose of the Official Plan **will** be maintained.
2. The general intent and purpose of the zoning by-law **will** be maintained.
3. The requested variances **are** desirable for the appropriate development or use of the property.
4. The requested variances **are** minor.

CONDITIONS:

The decision of the subject minor variance application is subject to the following conditions. Conditions as listed below must be fulfilled within the time period specified

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which period begins from the last date of appeal. Any time period given is a maximum period only and cannot be extended.

These variances are for the life and repair of the single detached residential use only; any construction associated with this approval shall be substantially in accordance with the plans submitted in support of the application.

The Applicant is advised of the following notes:

1. A building permit is required for all building construction.
2. A grading and drainage clearance certificate may be required.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.

The decision of the Committee is subject to a 20-day appeal period that starts today. The Secretary-Treasurer will mail a copy of the decision within 10 days of this meeting.

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HEARING NO. 5.1 - FILE NO. 540-02-A-095/23

APPLICANT: 2656557 Ontario Inc

PROPERTY: 4350 Elm Cres.,
PLAN 524 LOT 30A,
City of Burlington, Regional Municipality of Halton.

TO HEAR AND DETERMINE an application by the Owners of the above-described property, for a Minor Variance to the requirements of the Zoning By-Law 2020, as amended, as follows:

1. To permit lot coverage of 28.7% instead of the maximum permitted 25% for a proposed two-storey detached dwelling with attached garage.
2. To permit floor area ratio of 0.5:1 instead of the maximum permitted 0.4:1 for a proposed two-storey detached dwelling with attached garage located within the Shoreacres Character Area.
3. To permit a front yard of 8.1 m instead of the minimum required 8.35 m (9 m – 0.65 m encroachment) for a proposed roofed-over porch including steps and roof overhang excluding eaves and gutter.

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| PRESENT: | 2656557 Ontario Inc – Owner Shane Edwards of Huis Design Studio Ltd. – Agent |
| MATERIALS: | Staff reports containing advice of Planning Department – (Committee of Adjustment, Zoning, Site Planning, and Building) Site Engineering, and Transportation Services. |
| EVIDENCE: | Letters of Support from Suzanne Snyder of 4349 Elm Cres; Dareen & Greg Kuchma of 4342 Elm Cres; R Scott of 4354 Spruce Ave; Maria DaSilva of 4344 Elm Cres; and Terry & Laura Hunter of 4338 Elm Cres. Letters of Opposition from Season Snyder of 4349 Elm Crescent; Nella and John Cannito of 4364 Spruce Ave; Rosanna and Steve Dewey of 4369 Spruce Ave; Elizabeth Hamidbasha of 309 Wilson Ave; Leslie Heathcote and Ryan Neill of 4348 Elm Cres; Mary-Alice St James, Co-Chair of the Arbour/Shoreacres Community Association; Catherine and Gordon van der Pol of 4368 Spruce Ave; and a neighbourhood petition signed by 34 residents. |
| HEARING: | Started at approximately 1:20 pm |

Discussion:

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Chair noted pertinent details outlined in the application and on the plans and evidence received.

Shane Edwards of Huis Designs Studio Ltd appeared on behalf of the owners and provided evidence in support of the application.

Ryan Neill of 4348 Elm Cres appeared before the Committee in opposition to the request.

Audience member NLF submitted a written question asking the Committee what the rear terrace height would be and what the policies are related to tree removal.

Audience member Mary Alice St James, Co-Chair of the Arbour and Shoreacres Community Association requested to speak; expressed concerns related to past flooding due to recent new builds in the Shoreacres area as well as concerned about potential future flooding.

Chair asked if any Members had any questions.

Chair and Member Tinti asked questions of the agent and staff.

Comments from Committee:

Chair asked Members if they had comments on the application:

E. Westerhof **supported** the application as noted for the following reasons: reviewed previous minutes and reasons for the initial deferral request; recognized that 2-storey homes were permitted; drainage and grading were not a concern; applicant addressed previous concerns of Planning Staff and Committee including changing design to move the driveway to preserve the boulevard tree; reduced square footage and depth of building; reduced side yard windows. While neighbourhood was dominated by bungalows and side-split homes, that was a reflection of the time when the community was built; new construction in neighbourhood tended to be more modern in look and size.

V. Tinti **did not support** Variances 1 (Lot Coverage) or 2 (FAR); **supported** Variance 3 (front yard setback) as noted for the following reasons: Concurred with Member Leblovic; understood definition of the word 'existing' and while open to interpretation, the Shoreacre Character Study language was very specific in its attempt to retain the established character of the Shoreacres area; disagreed with staff report regarding Variance 1 and 2; felt Variance 3 met the 4 tests of a minor variance under the *Planning Act*.

N. Leblovic **did not support** Variances 1 or 2; **supported** Variance 3 the application as noted for the following reasons: understood that neighbourhoods evolved over time;

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took into consideration public comments; did not feel the changes the applicant made from their previous submission went far enough to reduce impact of the variances; FAR and lot coverage were still too high and excessive; felt Variance 3 met the 4 tests of a minor variance under the *Planning Act*.

F. Capuano supported the application in its entirety as noted for the following reasons: concurred with Member Westerhof; supported staff report and trusted staff's professional capabilities in the matters of grading and drainage; felt application met 4 tests of a minor variance under the *Planning Act*.

Chair **did not support** Variances 1 or 2; **supported** Variance 3 as noted for the following reasons: appreciated the applicant worked with staff to address their and Committee member's concerns from the previous submission; agreed with Member Leblovic, felt changes were not enough to reduce the impact of the proposed FAR and lot coverage especially with the proposed permitted 2-storey height; The requested increase in FAR was well above the 0:40.1 which was the permitted ratio in the Shoreacres Character Area but lower than the other areas of the City; appreciated staffs comments that most performance standards were being adhered to but did not feel the increase in FAR met the intent of the Official Plan to control overbuilding, regardless of the setbacks being maintained; not considered good development; did not protect the existing character of the area; accepted staff recommendation for Variance 3, felt it met the 4 tests of a minor variance under the *Planning Act*.

The Applicant was permitted an opportunity to comment again prior to the vote. Mr. Edwards requested a deferral to give him and his client a chance to consult further with staff and further reduce impacts of their proposal.

Chair asked the Committee for a Motion to Defer at the request of the applicant. Member Leblovic moved for approval with condition that the deferral fee of \$685.00 be paid; Member Tinti seconded.

Committee members voted unanimously to support the request for deferral with the deferral fee.

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DATE: August 7, 2024

MOTION NO. 19/2024

BE IT RESOLVED THAT the application under File: 545-02-A-095/2023 at municipal address 4350 Elm Crescent be DEFERRED at the request of the applicant;

That the \$685.00 deferral fee be PAID prior to rescheduling;

That the application (as may be revised) * be proceeded with by August 21, 2025 at the latest (or earlier at the call of the Chair), failing which the Committee will consider the application withdrawn and the file closed.

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| HEARING NO. 5.2 - FILE NO. 540-02-A-098/23 |
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APPLICANTS: Emdadul Haque Chowdhury and Shipu Rahman

PROPERTY: 5381 Bird Cage Walk,
PLAN 607 LOT 512,
City of Burlington, Regional Municipality of Halton.

TO HEAR AND DETERMINE an application by the Owners of the above-described property, for a Minor Variance to the requirements of the Zoning By-Law 2020, as amended, as follows:

1. To permit lot coverage of 26.6% instead of the maximum permitted 25% for a proposed two-storey dwelling with attached garage.
2. To permit floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for a proposed dwelling.
3. To permit a height of 4.9 m instead of the maximum permitted 2.5 m for a proposed privacy screen associated with a rear covered deck measured from grade.

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| PRESENT: | Emdadul Haque Chowdhury and Shipu Rahman – Owners Duy Nguyen and Ethan Stokes of N-Cubed Services Inc. – Agent |
| MATERIALS: | Staff reports containing advice of Planning Department – (Committee of Adjustment, Zoning, Site Planning, and Building) Site Engineering, and Transportation Services. |
| EVIDENCE: | Letter of Opposition from Ray and Lynda Roper of 5373 Bird Cage Walk. |
| HEARING: | Started at approximately 2:17 pm |

Discussion:

Chair noted pertinent details outlined in the application and on the plans evidence received.

Ethan Stokes and Duy Nguyen of N-Cubed Services Inc. appeared on behalf of the owners and provided evidence in support of the application.

No one appeared before the Committee in support or opposition to the request.

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Chair asked if any Members had any questions.

Member Westerhof asked questions of the agent. Chair asked questions of staff.

Comments from Committee:

Chair asked Members if they had comments on the application:

E. Westerhof **supported** the application as noted for the following reasons: concurred with Member Capuano; applicant has addressed previous concerns from original submission reduced dwelling depth and removed rear yard balcony; felt application met 4 tests of a minor variance under the *Planning Act*.

V. Tinti **supported** the application as noted for the following reasons: concurred with colleagues; addressed previous staff concerns; reduced list of variances and overall impact; felt submission met 4 tests of a minor variance under the *Planning Act*.

N. Leblovic **supported** the application as noted for the following reasons: concurred with colleagues; was initially concerned with the FAR but generally felt the changes made since the previous application helped to address staff and Committee concerns; felt application met 4 tests of minor variance under the *Planning Act*.

F. Capuano **supported** the application as noted for the following reasons: concurred with staff report; agreed with evidence provided by applicant; met 4 tests of a minor variance under the *Planning Act*.

Chair **did not support** Variance 2(FAR); **supported** Variances 1 (lot coverage) and 3 (height) as noted for the following reasons: based on elevations and staff report the application initially appeared reasonable but based off 3D renderings provided by applicant during their presentation was concerned with the massing of the home, specifically with FAR; felt house was too large and out of character for the surrounding area; it was a large house on a large lot surrounded by smaller homes on smaller lots; felt Variance 1 and 3 met the 4 tests of a minor variance under the *Planning Act*.

Chair asked the Committee to split the vote and called for a Motion for Variances 1 and 3. Member Tinti moved for approval with condition; Member Capuano seconded.

Committee members voted unanimously in favour of Variances 1 and 3 and felt they met the four tests of the *Planning Act* for similar reasons as the staff reports in the agenda and evidence presented at the hearing.

Chair asked the Committee for a Motion for Variance 2. Member Tinti moved for approval with condition; Member Capuano seconded.

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The majority of Committee members supported Variance 2 and felt it met the four tests of the *Planning Act* for similar reasons as the staff reports in the agenda and evidence presented at the hearing. Members Westerhof, Tinti, Leblovic and Capuano were in favour; Chair was opposed.

Chair read the decision; advised of the conditions and 20-day appeal period.

DECISION 540-02-A-098/2023:

Having regard for the requirements of Section 45 Sub-section (1) of the *Planning Act*, RSO. 1990, c. P.13, as amended;

And after having fully considered as part of their deliberations and final decision on this matter any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision, and any and all oral submission related to this application that were made at the public hearing held under the *Planning Act*;

The Majority of Members supported the full application therefore;

The Committee **GRANTS** the application under **File 540-02-A-098/2023** at **5381 Bird Cage Walk, Burlington:**

1. To permit lot coverage of 26.6% instead of the maximum permitted 25% for a proposed two-storey dwelling with attached garage.
2. To permit floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for a proposed dwelling.
3. To permit a height of 4.9 m instead of the maximum permitted 2.5 m for a proposed privacy screen associated with a rear covered deck measured from grade.

In addition to satisfying the four tests, the Committee's rationale for supporting the application include: addressed previous concerns identified by staff and the Committee, reduced the number of variances; reduced impact of massing by using a variety of design features to break up the elevations through the use of larger windows, stepbacks and articulations.

The reasons for the Committee's decision are that:

1. The general intent and purpose of the Official Plan **will** be maintained.
2. The general intent and purpose of the zoning by-law **will** be maintained.
3. The requested variances **are** desirable for the appropriate development or use of the property.

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4. The requested variances **are** minor.

CONDITIONS:

The decision of the subject minor variance application is subject to the following conditions. Conditions as listed below must be fulfilled within the time period specified which period begins from the last date of appeal. Any time period given is a maximum period only and cannot be extended.

These variances are for the life and repair of the single detached residential use only; any construction associated with this approval shall be substantially in accordance with the plans submitted in support of the application.

The following conditions must be satisfied within 2 years for the subject site:

1. The Applicant shall apply for a Pre-Building Permit Application.

The Applicant is advised of the following notes:

1. A building permit is required for all building construction.
2. A grading and drainage clearance certificate may be required.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
4. The building height and building footprint has not been confirmed on a plan stamped by an Ontario Land Surveyor or Professional Engineer. A stamped plan confirming all site statistics will be required at the time of Pre-Building Approval Application. It will be the applicant's responsibility to ensure the stamped plan matches the minor variance approval.

The decision of the Committee is subject to a 20-day appeal period that starts today. The Secretary-Treasurer will mail a copy of the decision within 10 days of this meeting.

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| HEARING NO. 5.3 - FILE NO. 540-02-A-124/23 |
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APPLICANT: Pawel Zenon Jasica

PROPERTY: 1167 Stanley Dr.,
PLAN 381 PT LOT 145 RP 20R 22070 PART 2,
City of Burlington, Regional Municipality of Halton.

TO HEAR AND DETERMINE an application by the Owners of the above-described property, for a Minor Variance to the requirements of the Zoning By-Law 2020, as amended, as follows:

1. To permit lot coverage of 27.1% instead of the maximum permitted 25% for a proposed two-storey detached dwelling with attached garage.
2. To permit floor area ratio of 0.52:1 instead of the maximum permitted 0.45:1 for a proposed two-storey detached dwelling with attached garage.
3. To permit the width of a front loading attached garage to be 6.1 m (52.4%) of the width of its building elevation instead of the maximum permitted 5.82 m (50%) for a proposed two-storey detached dwelling with attached garage.
4. To permit the combined width of all hard surfaces to be 8.1 m instead of the maximum permitted 7.5 m for a proposed driveway and walkway.

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| PRESENT: | Pawel Zenon Jasica – Owner Marco Vieira of Epic Designs Inc. – Agent |
| MATERIALS: | Staff reports containing advice of Planning Department – (Committee of Adjustment, Zoning, Site Planning, and Building) Site Engineering, and Transportation Services. |
| EVIDENCE: | Applicant sketch renderings of proposal |
| HEARING: | Started at approximately 2:50 pm |

Discussion:

Chair noted pertinent details outlined in the application and on the plans and evidence received.

Marco Vieira of Epic Designs Inc appeared on behalf of the owners and provided evidence in support of the application.

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No one appeared before the Committee in support or opposition to the request.

Chair asked if any Members had any questions:

V. Tinti and E. Westerhof asked questions of the agent.

Comments from Committee:

Chair asked Members if they had comments on the application:

E. Westerhof **did not support** Variances 1 (lot coverage) and 2 (FAR) but **supported** Variances 3 (garage) and 4 (hard surfaces) as noted for the following reasons: recognized that the lot was one of the more narrower lots on Stanley Ave; acknowledged that the applicant had done work to reduce lot coverage and FAR in an attempt to address staff concerns from the previous deferred application, however did not feel the applicant made enough reductions and combined with the increase in lot coverage, could not support these variances; had no concerns with variances 3 and 4 and felt they met the 4 tests of a minor variance under the *Planning Act*.

V. Tinti **did not support** Variances 1 and 2 **but supported** Variances 3 and 4 as noted for the following reasons: concurred with Member Westerhof in that the applicant did not go far enough to reduce lot coverage and FAR; felt that Variances 3 and 4 met the 4 tests of a minor variance under the *Planning Act*.

F. Capuano **supported** the application as noted for the following reasons: concurred with staff report; applicant did a good job with varying the building material, met the 4 tests of a minor variance under the *Planning Act*.

N. Leblovic **supported** the application in its entirety as noted for the following reasons: acknowledged property was not located in a Character Area; smallest lot on the block and home would not be out of place with neighbouring properties; consistent with other buildings in area; met 4 tests of a minor variance under the *Planning Act*.

Chair **supported** the application as noted for the following reasons: applicant has gone to great lengths to justify increase in FAR and lot coverage; since their previous submission the applicant incorporated building design changes and addressed elevation concerns related to surrounding lots and made changes in building material to be used; felt the application met the 4 tests of a minor variance under the *Planning Act*.

Chair asked the Committee for a Motion to split the vote and called for a motion to vote on Variances 1 and 2. Member Capuano moved for approval with condition; Member Leblovic seconded.

The majority of members voted in favour of Variances 1 and 2 and concurred that the variances application met the four tests of the *Planning Act* for similar reasons as the

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staff reports in the agenda and evidence presented at the hearing. Members Capuano, Leblovic and Chair were in favour; Members Westerhof and Tinti were opposed.

Chair asked the Committee for a Motion to vote on Variances 3 and 4. Member Capuano moved for approval with condition; Member Westerhof seconded.

Committee members voted unanimously that Variances 3 and 4 met the four tests of the *Planning Act* for similar reasons as the staff reports in the agenda and evidence presented at the hearing.

Chair read the decision; advised of the conditions and 20-day appeal period.

DECISION 540-02-A-124/2023:

Having regard for the requirements of Section 45 Sub-section (1) of the *Planning Act*, RSO. 1990, c. P.13, as amended;

And after having fully considered as part of their deliberations and final decision on this matter any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision, and any and all oral submission related to this application that were made at the public hearing held under the *Planning Act*;

The majority of members supported the full application therefore;

The Committee **GRANTS** the application under **File 540-02-A-124/2023** at **1167 Stanley Drive, Burlington:**

1. To permit lot coverage of 27.1% instead of the maximum permitted 25% for a proposed two-storey detached dwelling with attached garage.
2. To permit floor area ratio of 0.52:1 instead of the maximum permitted 0.45:1 for a proposed two-storey detached dwelling with attached garage.
3. To permit the width of a front loading attached garage to be 6.1 m (52.4%) of the width of its building elevation instead of the maximum permitted 5.82 m (50%) for a proposed two-storey detached dwelling with attached garage.
4. To permit the combined width of all hard surfaces to be 8.1 m instead of the maximum permitted 7.5 m for a proposed driveway and walkway.

In addition to satisfying the four tests, the Committee's rationale for supporting the application include: the applicant did a good job in varying building material to visually reduce the appearance of massing; elevation concerns from prior submission have been addressed; the lot was one of the smaller lots and felt the design was compatible with neighbouring buildings; the extra hard surface of the walkway allowed for access to a rear walkout.

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The reasons for the Committee's decision are that:

1. The general intent and purpose of the Official Plan **will** be maintained.
2. The general intent and purpose of the zoning by-law **will** be maintained.
3. The requested variances **are** desirable for the appropriate development or use of the property.
4. The requested variances **are** minor.

CONDITIONS:

The decision of the subject minor variance application is subject to the following conditions. Conditions as listed below must be fulfilled within the time period specified which period begins from the last date of appeal. Any time period given is a maximum period only and cannot be extended.

These variances are for the life and repair of the single detached residential use only; any construction associated with this approval shall be substantially in accordance with the plans submitted in support of the application.

The following conditions must be satisfied within 2 years for the subject site:

1. The Applicant shall apply for a Pre-Building Permit Application.

The Applicant is advised of the following notes:

1. A building permit is required for all building construction.
2. A grading and drainage clearance certificate may be required.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws. A tree protection plan will be required and an arborist report may be required.
4. The building height and building footprint has not been confirmed on a plan stamped by an Ontario Land Surveyor or Professional Engineer. A stamped plan confirming all site statistics will be required at the time of Pre-Building Approval Application. It will be the applicant's responsibility to ensure the stamped plan matches the minor variance approval.

The decision of the Committee is subject to a 20-day appeal period that starts today. The Secretary-Treasurer will mail a copy of the decision within 10 days of this meeting.

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6. OTHER BUSINESS:

6.1 Correspondence:

Copies of Minutes for Meeting No. 14 on August 7, 2024

6.2 Items for Discussion:

6.3 Date of Next Meeting:

Wednesday September 11, 2024 at 5:30 p.m., Virtual Meeting via Zoom Video Conferencing Technology.

6.4 Approval of Minutes:

After conferring with the Members, the Chair directed the minutes of August 7, 2024 be approved as distributed.

7. ADJOURNMENT:

The meeting was adjourned at 3:21 p.m.

CERTIFIED CORRECT



E. Shacklette
Secretary-Treasurer

CONFIRMED



J. Riddell
Chair