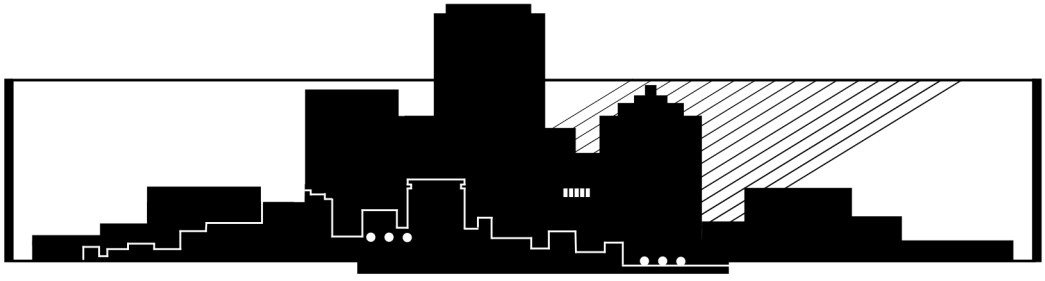
Hybrid Committee of Adjustment Meeting
January 22, 2025 at 1:00 pm

AGENDA



CITY OF Burlington

COMMITTEE OF ADJUSTMENT AGENDA

Meeting #01 **Meeting Date: January 22, 2025**

TIME OF MEETING:	**1:00 P.M.**
PLACE OF MEETING:	**Council Chambers and Zoom**

1. **DECLARATION OF INTEREST:**
2. **ADDENDUMS:**
3. **REQUEST FOR DEFERRALS:**
4. **CONSENT ITEMS:**

HEARING NO.	TIME	FILE NO. 540-02-	APPLICATION ADDRESS
4.1)	1:00 P.M.	A-055/24	Re: 476 Holtby Ave., Burlington Ward 2 Pages 1 - 30
4.2)	1:00 P.M.	A-066/24	Re: 675 Dynes Rd., Burlington Ward 4 Pages 31 - 43
4.3)	1:00 P.M.	A-079/24	Re: 146 Birett Dr., Burlington Ward 4 Pages 44 - 57
4.4)	1:00 P.M.	A-083/24	Re: 492 Shannon Cres., Burlington Ward 4 Pages 58 - 69
4.5)	1:00 P.M.	A-085/24	Re: 3223 Renton Rd., Burlington Ward 6 Pages 70 - 83

4.6)	1:00 P.M.	A-090/24	Re: 2103 Paisley Ave., Burlington Ward 2 Pages 84 - 100

5. REGULAR ITEMS:

HEARING NO.	TIME	FILE NO. 540-02-	APPLICATION ADDRESS
5.1)	1:00 P.M.	A-047/24	Re: 4450 Paletta Crt., Burlington Ward 4 Pages 101 -134
5.2)	1:00 P.M.	A-048/24	Re: 4480 Paletta Crt., Burlington Ward 4 Pages 101 -134
5.3)	1:00 P.M.	A-049/24	Re: 4500 Paletta Crt., Burlington Ward 4 Pages 101 -134

6. OTHER BUSINESS:

6.1 Correspondence

6.2 Items for Discussion
- Selection of Chair and Vice Chair for the 2025 year for Committee of Adjustment, Property Standards Committee and Committee of Revisions.

6.3 Date of Next Meeting

6.4 Motion to Approve Minutes of the previous Committee of Adjustment Meeting:

7. ADJOURNMENT:

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.1 - 1:00 P.M.

File
540-02-A-055/24

APPLICANTS: Albert and Helen McDonagh

PROPERTY: 476 Holtby Avenue
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of first storey and half storey additions to an existing dwelling without an attached garage; reconstructed front porch; and new front walkway.

VARIANCES:

1. To permit lot coverage of 41.2% instead of the maximum permitted 22% for a one and a half storey detached dwelling without an attached garage.

2. To permit floor area ratio of 0.65:1 instead of the maximum permitted 0.45:1 for a one and a half storey detached dwelling without an attached garage.

3. To permit a front yard of 3.7 m instead of the minimum required 6 m for proposed additions to a detached dwelling without an attached garage.

4. To permit a rear yard of 7.8 m instead of the minimum required 9 m for proposed additions to a detached dwelling without an attached garage.

5. To permit a north-west side yard of 0.6 m instead of the minimum required 1.2 m for proposed one and a half storey additions to a detached dwelling without an attached garage.

6. To permit a south-east side yard of 1.2 m instead of the minimum required 3 m for proposed additions to a detached dwelling without an attached garage.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.1 - 1:00 P.M.

File
540-02-A-055/24

VARIANCES:

7. To permit a front yard of 0.7 m instead of the minimum required 5.35 m (6 m – 0.65 m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

8. Notwithstanding the definition of Dormer (a), to permit the sum length of the projection to be 3.4 m instead of the maximum permitted one third of the permitted length of a building wall (1.34 m) for a proposed dormer addition.

9. Notwithstanding the definition of Dormer (b), to permit the length of the projection to be 3.4 m instead of the maximum permitted 3.1 m for a proposed dormer addition.

10. To permit a south-east side yard encroachment of 1 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

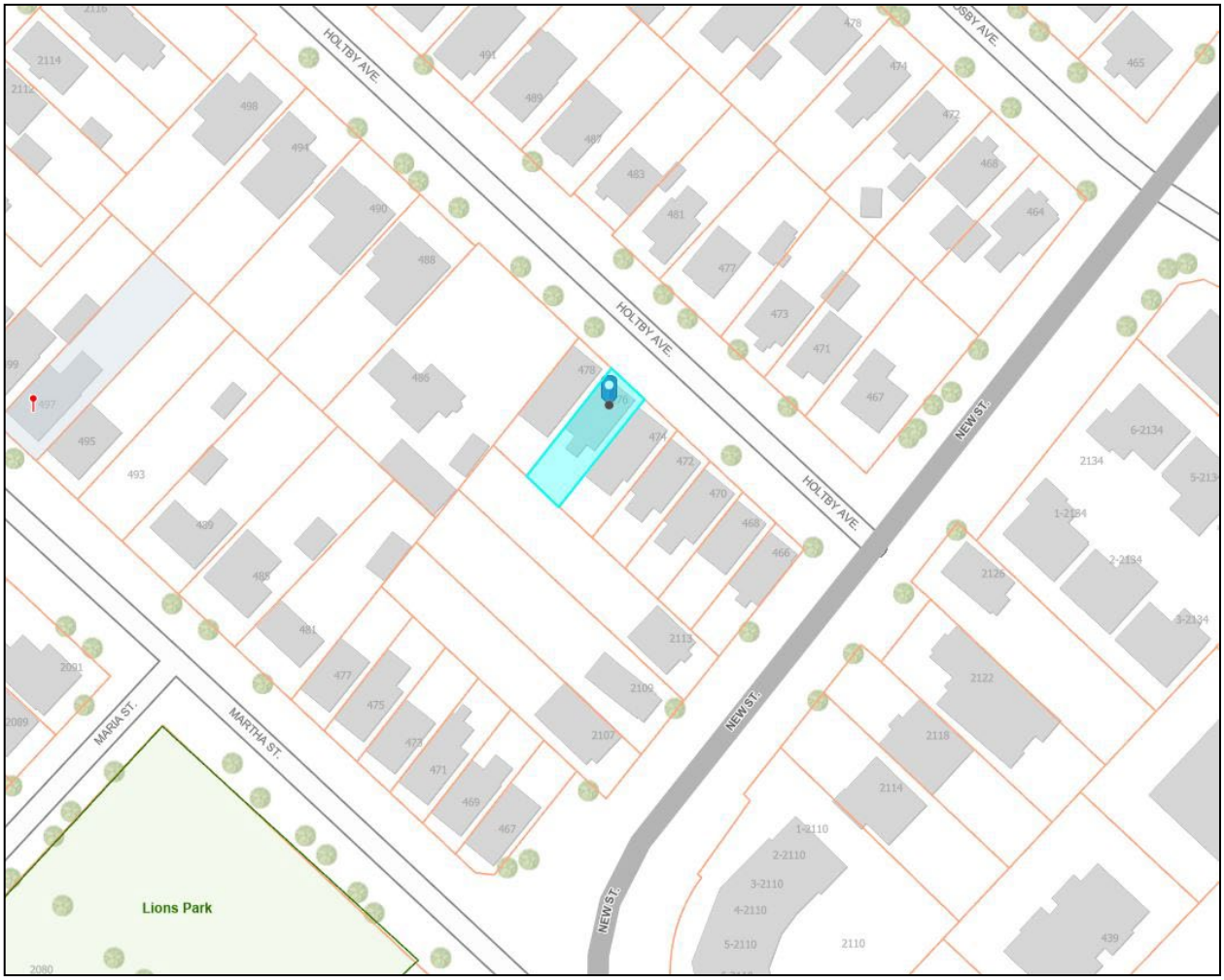
11. To permit a driveway length of 1.2 m instead of the minimum required 6 m.

12. To permit the combined width of all hard surfaces to be 6.2 m instead of the maximum permitted 4.5 m for an existing driveway and proposed walkway.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: Albert and Helen McDonagh
Address: 476 Holtby Ave, Burlington
File No. **A-055/24**
Ward: 2



Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: July 24, 2024 Prepared By: E. Shacklette

Zoning

1) **Background information:**

PART 2: RESIDENTIAL ZONES

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R3.2	15 m	425 m^2	**6 m**	9 m	**(b)**	4.5 m

Footnotes to Table 2.4.1

(b) Without attached garage or carport:
- (i) One or one and a half storey side: **1.2 m, 3 m other side**
- (ii) Two or more storey side 1.8 m, 3 m other side

4.2 MAXIMUM LOT COVERAGE

Table 2.4.3

Dwelling Type	Dwelling with Attached Garage	Dwelling without Attached Garage
All Dwellings in Designated Areas (b) (c)	35% for one storey dwellings including accessory buildings 30% for one and a half storey dwellings including accessory buildings 25% for all other dwelling types including accessory buildings	27% for one storey dwellings plus 8% for accessory buildings **22% for one and a half storey dwellings plus 8% for accessory buildings** 17% for all other dwelling types plus 8% for accessory buildings

4.5 FLOOR AREA RATIO

(a) A maximum floor area ratio of **0.45:1** shall apply to all properties in Designated Areas for Lot Coverage.

PART 1: GENERAL CONDITIONS AND PROVISIONS

2.13 ENCROACHMENT INTO YARDS

2.13.1 Every part of a required yard shall be unobstructed with respect to the following encroachments:

(a) The following obstructions may project **50 cm maximum into a side yard** and 1 m maximum into any other yard from the wall of the building:

chimney	pilaster	belt course	**roof overhang excluding eaves and gutter**
sill	lintel	cornice	ornamental projection

(d) The following obstructions may project **65 cm** maximum into a required yard:

A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter
A terrace or unroofed porch
A carport

2.24 DRIVEWAY WIDTHS AND LANDSCAPED OPEN SPACE AREA

3) Unless otherwise specified in this by-law, driveways shall be a minimum of **6 m** in length.

4) Unless otherwise specified in this by-law, the following combined maximum width of all hard surfaces (driveways plus walkways) and landscaped open space area requirements shall apply for detached, semi-detached, duplex, triplex, fourplex, common element townhouse, common element back-to-back townhouse, and street townhouse dwellings:

(a) For front or street side lot lines less than 9 metres in width:
- (i) The combined maximum width of all hard surfaces is **4.5 m.**
- (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

PART 16: DEFINITIONS

Dormer
A window projection which is situated on either the side, front, or rear roof elevations of a dwelling, and are subject to the following:

(a) the sum of the length of the dormer(s) does not exceed **one third of the permitted length of a building wall**;

(b) the length of any projection does not exceed **3.1 metres**.

2) **Proposal:**

The applicant is proposing the construction of first storey and half storey additions to an existing dwelling without an attached garage; reconstructed front porch; and new front walkway.

The proposed half storey addition changes the lot coverage requirement from 27% maximum for a one storey dwelling without attached garage in a Designated Area to 22% maximum for a one and a half storey dwelling without attached garage in a Designated Area.

3) **Variances required:**

1. To permit lot coverage of 41.2% instead of the maximum permitted 22% for a one and a half storey detached dwelling without an attached garage.

2. To permit floor area ratio of 0.65:1 instead of the maximum permitted 0.45:1 for a one and a half storey detached dwelling without an attached garage.

3. To permit a front yard of 3.7 m instead of the minimum required 6 m for proposed additions to a detached dwelling without an attached garage.

4. To permit a rear yard of 7.8 m instead of the minimum required 9 m for proposed additions to a detached dwelling without an attached garage.

5. To permit a north-west side yard of 0.6 m instead of the minimum required 1.2 m for proposed one and a half storey additions to a detached dwelling without an attached garage.

6. To permit a south-east side yard of 1.2 m instead of the minimum required 3 m for proposed additions to a detached dwelling without an attached garage.

7. To permit a front yard of 0.7 m instead of the minimum required 5.35 m (6 m – 0.65 m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

8. Notwithstanding the definition of Dormer (a), to permit the sum length of the projection to be 3.4 m instead of the maximum permitted one third of the permitted length of a building wall (1.34 m) for a proposed dormer addition.

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10. To permit a south-east side yard encroachment of 1 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

11. To permit a driveway length of 1.2 m instead of the minimum required 6 m.

12. To permit the combined width of all hard surfaces to be 6.2 m instead of the maximum permitted 4.5 m for an existing driveway and proposed walkway.

4) **Notes and conditions**:

Condition:

1. A Pre-Building Approval Application is required.

Notes:

1. The upper-level addition meets the definition of a half storey, notwithstanding the dormer width.

2. The existing dwelling is assessed as being constructed in 1929. Zoning notes the existing lot area, lot width, front yard, side yards, lot coverage, and driveway do not comply with current regulations.

3. There are no existing parking spaces located on the property. Variance 11 is due to new front yard landscaping.

4. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval Application is made, they will be the responsibility of the applicant to obtain.

5. The zoning review is based on the portion of the site affected by the proposed development only.

6. The variances are being reviewed under 45(1) of the *Planning Act*.

Date: October 22, 2024 Prepared By: J. Parker

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of ground floor and half storey additions to the side, rear and above the existing one-storey detached dwelling without a garage. The applicant requests approval from the Committee of Adjustment to permit increased lot coverage and floor area ratio, along with reduced front, rear, and side yard setbacks for the proposed additions and structures. Additional requests include adjustments to front yard setbacks for a porch, deviations from dormer size and projection limits, and an increased side yard encroachment for a roof overhang. The variances also involve a reduced driveway length and a greater combined width of hard surfaces for the existing driveway and proposed walkway.

The subject lands at 476 Holtby Avenue comprise an irregular lot with a total area of approximately 222.17 m² (0.022 hectares) and an approximate lot frontage of 8.54 metres. The property is located on the westerly side of Holtby Avenue, between New Street and Caroline Steet, close to Lions Park. The neighborhood consists predominantly of one- to two-storey homes. Single-storey bungalows are common, with some homes featuring dormer windows (ie. 466 Holtby Avenue) to introduce light into attic spaces on upper levels. There are also two-storey dwellings, which are generally larger and more prominent in terms of massing compared to the bungalows. Gable roofs dominate the neighborhood, characterized by their triangular shape and sloping sides while some homes have steeper roof pitches. There are also a few hipped roofs, with slopes on all sides and create a softer, more compact look. Many homes feature front porches, with some incorporating decorative railings or columns. The porches vary in size, from small, simple steps leading to the door to larger, covered areas used for outdoor seating or decoration. The homes are generally compact and closely spaced, which is common in this neighborhood. The frontage of the lot, like five others surrounding it is 8.54m, and this cluster of seven properties from 466 to 478 Holtby Avenue are the narrowest lots on the street. The massing of the buildings is relatively consistent, with most homes having a horizontal emphasis, especially the bungalows. The larger, two-storey homes introduce some verticality to the streetscape, adding diversity to the overall appearance of the street. The use of brick, stucco, and siding varies between homes, offering a mix of traditional and modern materials. Overall, the neighborhood showcases a mix of styles. The variations in roof types, porches, and building heights add visual interest while maintaining a cohesive residential feel.

Existing land uses on the property include a one-storey (approximately 68.8 m² gfa) detached dwelling without an attached garage. Access to the property is provided via a single asphalt driveway from Holtby Avenue. Off-street parking is available on the portion of the driveway within the property boundary.

The ground floor additions are proposed along the southeasterly side (6.26 m by 0.7 m) to create room for a primary suite, and in the rear (5.85 m by 4.26 m) for a new living room. The proposed half storey, situated within a mansard roof, is proposed to contain two additional bedrooms and a bath and have 52.3 m^2 in area.

The area subject to the proposed development comprises a grassed and landscaped yard. The yard features a mix of vegetation, fencing, a shed, and a wooden deck. Vegetation includes grass covering most of the area and some mature trees, with scattered shrubs and plants, particularly near the fences. The fences along the property are predominantly wooden (northerly and southerly sides), with vertical slats and lattice tops, showing signs of weathering and supporting climbing plants in sections. A small green-and-white metal shed is positioned in the backyard, appearing slightly worn. The wooden deck adjacent to the house, with its boards slightly uneven in places. The southern side includes more vegetation near the fence and a clear path leading alongside the house. There is a chain link fencing along the south westerly side (rear) of the property which separates the subject property from the perpendicularly oriented abutting property in the rear.

A site visit was conducted on November 29, 2024, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

A site plan, (as prepared July 4, 2024 – Rev. No. 2), submitted with the application, illustrates the extent and location of existing and proposed development. A copy of the site plan is included as an attachment in a later section of this report.

Building floor plans and elevations (as prepared July 4, 2024 – Rev. No. 2), as submitted with the application, are included as an attachment in a later section of this report.

A tree protection plan, (as prepared June 19, 2024), submitted with the application, illustrates the surrounding trees. A copy of the tree protection plan is included as an attachment in a later section of this report.

1) City of Burlington Official Plan:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

Due to recent Provincial legislation the Region of Halton's role in land use planning and development matters has changed. The Region is longer responsible for the Regional Official Plan, which has become the responsibility of Halton's four local municipalities. During this period of transition, regional staff are still working with municipal staff to provide comments on applications.

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) in the Regional Official Plan (ROP). The proposal to build additions to an existing detached dwelling is small enough in scale that it is not specifically addressed by ROP policies but is a modest form of intensification that meets the general intent and purpose of the ROP's land use designation policies and objectives under Part III. Specifically, the proposal is consistent with the objective to "facilitate and promote *intensification* and increased densities" (policy 72.1(9)), which contributes to complete *communities* (72).

The subject lands fall within an identified area of archaeological potential. Section 167(6) of the ROP requires that prior to development occurring in or near areas of archaeological potential, assessment and mitigation activities must be undertaken in accordance with Provincial requirements and the Regional Archaeological Management Plan. However, the lands subject to the application are disturbed with existing development. As such, an Archaeological Assessment is not recommended as required. The proponent is cautioned that during any future development activities, should archaeological materials be found on the property, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (archaeology@ontario.ca). In the event that human remains are encountered during construction or development activities, the owner shall immediately notify the police or coroner, the Registrar, the Ontario Ministry of Public and Business Service Delivery (who administers provisions of the Funeral, Burial and Cremation Services Act), and the MCM. All soil disturbance must stop to allow for the authorities to investigate.

Regional Staff have also reviewed this application and have no objections to the Minor Variance application.

Official Plan, 1997 & 2020

On April 2, 2024, the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (OP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans.

The subject lands are designated ‘Residential – Low Density’ according to Schedule ‘C’ (Land Use - Urban Area) of the BOP, 2020, as amended.

Section 8.3.3 (1) (Residential Neighbourhood Area Policies) of the BOP, 2020, states that among the permitted uses within the ‘Residential Low Density’ designation are single detached housing units (with a maximum permitted residential density of 25 units per hectare). The proposed is a permitted use and the proposed minor variance does not impact the density.

The general intent and purpose of the BOP, 2020 is to encourage new residential development, including new structures, in residential neighbourhood areas while recognizing that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

The term ‘compatible’ does not mean the ‘same as’ in either OP, 1997 or BOP, 2020. BOP, 2020 Chapter 13- Definitions, which is not in-force and currently under appeal defines compatible or compatibility as “development which may not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co–exist without causing adverse impacts to the surrounding area”.

To interpret definitions in the BOP, 2020, staff are using OP, 1997, Part VIII- Definitions, which is in force. The OP, 1997 definition of compatibility defines it as development that is “… capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health”. According to this definition, compatibility is to be evaluated in accordance with measurable/objective standards such as “aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.

Part II, Section 6.0 (Design) of OP, 1997 provides policy guidance on the review of development applications as they relate to design principles and objectives. Included among these are policies related to compatibility.

Part II, Section 6.2.c) (Design Objectives) of OP, 1997 aims to ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character. The plan also aims to ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression (6.2.f)).

Part II, Section 6.5.a) (Design Guideline Policies) of the City’s Official Plan states that ‘the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.’

The proposed minor variances maintain the general intent and purpose of both the Burlington Official Plan (OP) with respect to compatibility and integration of new development within existing neighbourhoods.

The OP focuses on ensuring that new development is compatible with its surroundings, and compatibility is defined broadly as the ability of the development to coexist harmoniously without undue adverse impacts. The proposed additions, including the main level and half storey expansion within a new mansard roof, and the adjustments in setbacks, do not significantly deviate from the prevailing development patterns in the area. The lot, being among the smallest on the street and unique in its size—almost a half of what is required (222.17 m^2 vs. 425 m^2 min. required; 8.54 m wide vs. 15m min. required)—leads to creative use of available space on the lot while remaining largely consistent with the neighbouring properties in terms of height, massing, and scale.

The variances requested for the proposed development at 476 Holtby Avenue meet the general intent and purpose of the Burlington Official Plan (OP) through alignment with its key principles of compatibility and integration into the neighbourhood.

The requested lot coverage of 41.2% and floor area ratio of 0.65:1 exceed the zoning by-law limits but remain consistent with the intent of the OP. These limits are meant to prevent overwhelming development on a lot and to maintain compatibility with the surrounding area in terms of massing and scale. In this case, the proposed additions make efficient use of the irregular and undersized lot (222.17 m^2 versus the minimum required 425 m^2), aligning with the OP's emphasis on contextual infilling. The additions respect the character of the neighborhood, which includes a mix of one- and two-storey homes with similar massing and scale. The rear wall of the expanded house lines up well with the rear limits of neighbouring homes at 474 and 478 Holtby Avenue.

The proposed reductions in front, rear, and side yard setbacks maintain the general intent of ensuring adequate separation between buildings to preserve privacy, access to sunlight, consistent rear yard open space, and harmony with the streetscape. The reduced front yard setback aligns with the existing streetscape pattern where each house from 466 to 478 Holtby has an angled lot line, resulting in a smaller front yard setback dimension at one corner of the porch and a larger setback at the opposite corner. Additionally, the staircase front of the porch consistently projects even closer to the front lot line. The typical front yard setback dimensions in this cluster of properties are approximately 1.5m at one corner and over 2 metres at the other, with the staircase to the porch further projecting into this setback, coming within 1m or less of the front property line. The proposed porch setback is consistent with others on the street, and the dimension of 0.7m is measured to the closest corner of the bottom step of the projecting staircase rather than the porch columns. Similarly, the rear and side yard reductions are modest and do not compromise privacy or sunlight access, reflecting the compact nature of the neighborhood. These adjustments allow for a functional and appropriately scaled expansion while maintaining compatibility with adjacent properties.

The proposed porch setback and roof overhang encroachment contribute to the character and functionality of the property without causing significant impacts. The reduced front yard porch setback promotes an inviting and usable front entry that blends with the neighborhood's architectural styles. Similarly, the minor encroachment of the roof overhang along the southeast does not adversely affect adjacent properties and maintains the OP's goal of fostering compatibility and diverse design expressions.

The slightly larger dormers, while exceeding the permitted projection limits, are designed to integrate seamlessly with the new mansard roof. The enlarged dimensions are required to create a functional master bedroom with compact dimensions of 2.9m x 3.66m. These dormers provide additional usable space while maintaining a harmonious roofline consistent with the neighborhood's character. This aligns with the OP's principle of allowing flexibility and creativity in architectural design while ensuring compatibility.

Being a modest older home constructed in 1929, the subject property and its neighbours were not designed with sufficient side or front yard space to accommodate a vehicle on site, and all properties between 466 and 478 Holtby Avenue have undersized driveway lengths within the property boundaries, resulting in parking spaces that encroach over the property line. The shorter driveway length and increased hard surface width reflect practical adaptations to the historical constraints of this small lot. The shortened driveway accommodates off-street parking without detracting from functionality or aesthetics, while the wider hard surface provides necessary access and is consistent with similar conditions in the neighborhood. These adjustments align with the OP's focus on integration and compatibility within the surrounding residential area.

Overall, the proposed variances collectively balance efficient land use with preserving the character of the neighborhood. The additions and adjustments respect the compact and varied nature of the area while expanding the dwelling on an undersized lot. This approach aligns with the Burlington Official Plan's intent to integrate new development harmoniously into established neighborhoods, ensuring that it coexists without causing adverse impacts.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes – Variances No. 1 & 2 (Lot Coverage and Floor Area Ratio)

The proposed minor variances for increased lot coverage and floor area ratio (Variances No. 1 and 2) maintain the general intent and purpose of the City of Burlington Zoning By-law 2020. The Zoning By-law establishes limits for lot coverage and floor area ratio to ensure that the size and scale of developments are compatible with the character of the neighborhood and do not result in overdevelopment of the site. These provisions also aim to maintain adequate outdoor amenity space, mitigate

massing impacts and preserve the balance between built and natural features on residential lots.

In this case, the proposed lot coverage of 41.2% (compared to the permitted 22%) and the floor area ratio of 0.65:1 (compared to the permitted 0.45:1) exceed the zoning limits. However, these increases are appropriate given the unique conditions of the property. The lot is significantly smaller than the minimum lot size required under the Zoning By-law, with an area of 222.17 m² instead of the required 425 m². This necessitates a creative approach to designing functional living space while staying within the intent of the Zoning By-law.

The proposed mansard roof, with slopes of 6/12 at the peak and 32/12 at the sides, plays a key role in ensuring that the development remains compatible with the surrounding neighborhood. The design effectively creates a transition in terms of massing between the proposed one-and-a-half-storey dwelling and the two adjacent bungalows. This roof design reduces the perceived bulk of the structure, ensuring it does not overwhelm the neighboring properties while providing additional interior living space. The sloping rooflines blend harmoniously with the gable and hipped roofs prevalent in the area, respecting the architectural diversity of the neighborhood.

The proposed additions make efficient use of the available space while maintaining compatibility with the surrounding homes. The one-and-a-half-storey design aligns with the existing neighborhood character, where both single-storey bungalows and two-storey homes are common. Despite the increased lot coverage and floor area ratio, the proposal maintains adequate separation from adjacent properties, retains usable outdoor space, and ensures the scale of the dwelling remains harmonious with neighboring properties. Additionally, the modest size of the lot and the thoughtful design of the mansard roof and additions mitigate any potential negative impact of the increased coverage and ratio on the surrounding area.

By balancing the need for additional living space and efficient land use with the preservation of neighborhood character, the proposed variances respect the general intent and purpose of the Zoning By-law while allowing the property to function effectively within its unique constraints. The incorporation of the mansard roof design further enhances the compatibility of the development, ensuring a smooth transition in massing with the adjacent bungalows. Thus, Variances No. 1 and 2 maintain the general intent and purpose of the Zoning By-law.

Yes – Variances No. 3 & 7 (Front Yard and Porch Setbacks)

The Zoning By-law establishes front yard and porch setback requirements to ensure that developments maintain an appropriate relationship with the streetscape, provide sufficient open space at the front of properties, and preserve the overall character of the neighborhood.

In this case, the proposed front yard setback of 3.7 m (instead of the required 6 m) and the porch setback of 0.7 m (instead of the required 5.35 m, accounting for encroachments) exceed the permitted reductions. Due to the slightly irregular shape of the subject and neighbouring lots, both the existing and abutting dwellings are skewed in relation to the front property line and staggered in relation to each other. The new porch is designed to respect the footprint of the existing porch that will be removed and is approximately in line with an imaginary line that connects the porch corners of the abutting dwellings. This approach ensures that the addition does not further encroach into the front yard beyond the existing condition, maintaining the established streetscape pattern and minimizing the visual impact of the change.

The reduced setbacks for the porch also enhance the functionality of the front entryway, providing a welcoming and usable space that is compatible with the character of the neighborhood. Many homes in the area feature porches or entryways that vary in size and setback, contributing to a streetscape with diverse, yet harmonious, architectural features. The new porch aligns with this pattern, offering an updated design that integrates seamlessly with the surrounding homes while respecting the original footprint. The reduced front yard setback for the main structure and the porch ensures that the development aligns with the compact nature of the neighborhood while maintaining a functional and aesthetically pleasing frontage. By adhering to the footprint of the existing porch and ensuring compatibility with the surrounding streetscape, the proposed variances achieve the Zoning By-law's intent of preserving neighborhood character and streetscape cohesion.

Yes – Variance No. 4 (Rear Yard)

The proposed minor variance for the reduced rear yard setback (Variance No. 4) maintains the general intent and purpose of the City of Burlington Zoning By-law 2020. Rear yard setback requirements are intended to ensure adequate separation between buildings, preserve access to sunlight, provide sufficient private outdoor amenity space, and maintain compatibility with neighboring properties.

The variance seeks to reduce the rear yard setback to 7.8 m from the required 9 m to accommodate the proposed additions. Despite this reduction, the proposed design continues to provide adequate separation between the subject property and the adjacent rear property. The remaining rear yard space ensures that there is still sufficient outdoor amenity area for the residents, and the reduced setback does not impede privacy or sunlight access for either the subject property or neighboring properties since it approximately aligns with the rear limit of both neighbouring homes. Furthermore, the rear yard design integrates landscaping features to enhance its functionality and aesthetic value.

According to the tree protection plan, the roots of neighboring tree #4 will be the only roots impacted by the proposed addition. Measures are in place to mitigate this impact, including preserving as much of the tree's root structure as possible and using the

existing 6-foot wooden fence as a sufficient barrier to minimize additional disturbances. These measures demonstrate the careful consideration given to protecting the natural environment and maintaining compatibility with the surrounding neighborhood.

Moreover, the lot's small, irregular size (222.17 m² compared to the minimum required 425 m²) necessitates creative use of available space. The proposed addition is proportionate to the scale of the property and aligns with the compact nature of the neighborhood. Many homes in the surrounding area have similar rear yard setbacks, ensuring that the proposal does not deviate from the established development pattern.

The variance for the reduced rear yard setback is a reasonable and context-sensitive adjustment that allows the property to be used more effectively while preserving the intent of the Zoning By-law. By maintaining privacy, sunlight access, outdoor space, and implementing measures to protect neighboring tree #4, the proposal aligns with the neighborhood character and ensures compatibility with adjacent properties. Thus, Variance No. 4 maintains the general intent and purpose of the Zoning By-law.

Yes – Variances No. 5 & 6 (Side Yard Setbacks)

The intent of the Zoning By-law with respect to side yard setbacks is to ensure adequate spatial separation between properties to allow for drainage, light, air circulation, privacy, and access for maintenance. The by-law also regulates side yard setbacks to maintain the rhythm and pattern of built form in the neighbourhood.

Side yard setbacks are intended to ensure adequate separation between buildings, preserve access to sunlight and ventilation, provide privacy for neighboring properties, and maintain the overall character of the streetscape.

Variance No. 5 reduces the north-west side yard setback to 0.6 m from the required 1.2 m, while Variance No. 6 reduces the south-east side yard setback to 1.2 m from the required 3 m. These reduced setbacks are consistent with the compact nature of the street, where homes are closely spaced, and similar side yard conditions are prevalent (all dwellings from 466 to 478 Holtby Ave. along the westerly side). The reduced setbacks allow for the proposed additions to fit harmoniously within the site's unique constraints while maintaining functionality and compatibility with the surrounding properties.

The design ensures that the reduced setbacks will not result in significant adverse impacts on neighboring properties. Houses between 466 and 478 Holtby were positioned consistently to have unequal setbacks- smaller on one side, larger on the other. The smaller setback on one property is next to the larger setback on the other. The proposal maintains this pattern with the proposed reduced northwest side yard setback of 0.6m being next to an approximately 2m setback on the neighbouring property. Adequate separation between buildings is maintained to allow for sunlight, ventilation, and privacy. Additionally, the proposed mansard roof design, with slopes of

6/12 at the peak and 32/12 at the sides, helps to transition the scale of the new structure to adjacent properties, including the nearby bungalows, reducing the visual impact of the reduced side yard setbacks.

The measures outlined in the tree protection plan also demonstrate sensitivity to the surrounding environment. The proposed addition in the rear is pulled back from the existing northerly wall by 0.55 m and the rear addition will only impact the roots of neighboring tree #4. To mitigate this, protective measures such as the retention of the existing 6-foot wooden fence as a barrier are being implemented to minimize disturbances, ensuring that the natural character of the area is respected. In addition, as per Forestry requirements, a consent letter from the abutting owner is to be supplied for the tree proposed to be injured (tree #4). To this effect, the applicant has provided a consent letter from the abutting owner at 478 Holtby Avenue where tree #4 is located.

Overall, the reduced side yard setbacks provide a balanced approach that accommodates the efficient use of the property while maintaining the neighborhood's character. The variances align with the Zoning By-law's intent by preserving essential elements of privacy, ventilation, and sunlight access, ensuring the proposal integrates harmoniously with its surroundings. Thus, Variances No. 5 and 6 maintain the general intent and purpose of the Zoning By-law.

Yes – Variances No. 8 & 9 (Length and Projection of Dormer)

The proposed minor variances for the length and projection of the dormer (Variances No. 8 and 9) maintain the general intent and purpose of the City of Burlington Zoning By-law 2020. Dormer design regulations are intended to ensure that such architectural features are subordinate to the primary roofline, maintain the aesthetic proportions of the building, and limit visual massing to ensure compatibility with surrounding properties.

Variance No. 8 allows the sum of the dormer length to exceed one-third of the permitted length of the building wall (3.4 m instead of 1.34 m), and Variance No. 9 permits the projection length of a single dormer to exceed 3.1 m (3.4 m proposed). While these dimensions exceed the by-law limits, the proposed dormer is designed to integrate harmoniously within the overall massing of the dwelling and enhance the functionality of the new mansard roof addition.

The dormer projection has been designed to remain proportional to the building's roofline and overall structure. The mansard roof, with its steep side slopes (32/12) and gentler peak slope (6/12), effectively mitigates the visual impact of the dormer by blending it into the broader roof design. This reduces the perceived bulk and ensures the dormer complements rather than overwhelms the structure. Additionally, the dormer provides much-needed functional living space in the half-storey addition, aligning with the Zoning By-law's broader objectives of facilitating functional and efficient design.

In terms of neighborhood compatibility, the dormer maintains visual harmony with the surrounding area, where variations in rooflines and dormer designs are present. The addition respects the character of the neighborhood, which features a mix of architectural styles, including homes with dormers that vary in size and placement.

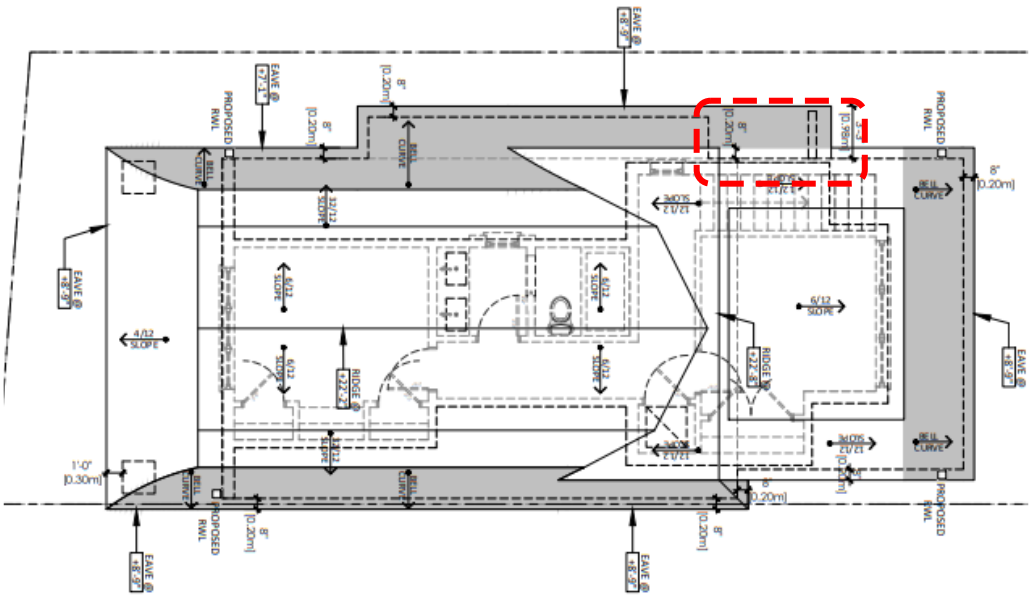
The variances do not compromise the intent of the Zoning By-law to maintain aesthetically balanced and proportionate rooflines. Instead, they allow for a practical and context-sensitive design solution that aligns with the building's scale and function while integrating seamlessly into the neighborhood. Thus, Variances No. 8 and 9 maintain the general intent and purpose of the Zoning By-law.

Yes – Variance No. 10 (Side Yard Encroachment)

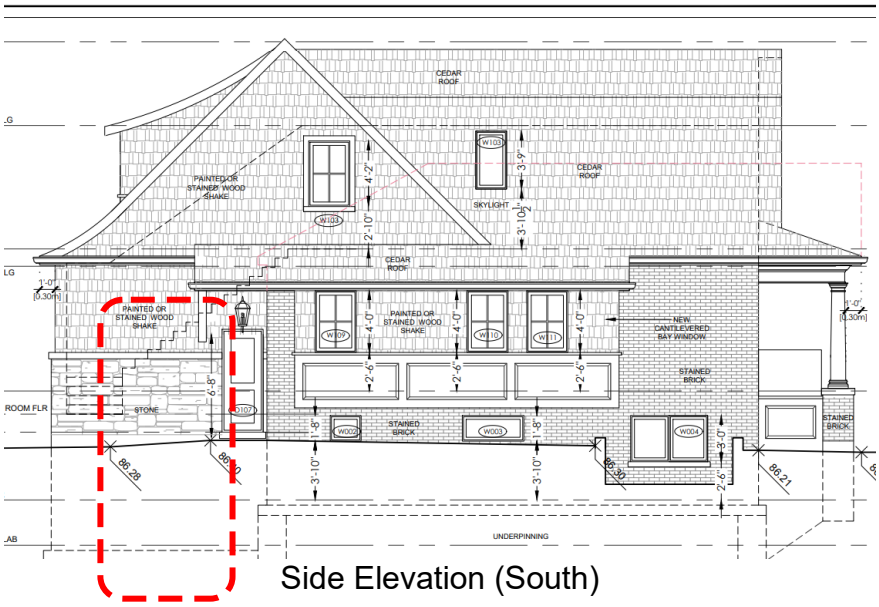
Encroachment regulations are intended to limit the intrusion of architectural features into required side yards to ensure adequate separation between buildings, preserve privacy, and maintain access to sunlight and ventilation.

The variance seeks to permit a side yard encroachment of 1.0 m for the roof overhang at one small corner of the house (see below), where the roof of the box bay window has been extended to shelter a door in the main wall. The projection of the roof exceeds the maximum allowed encroachment of 0.5 m. While most of the roof projects only 0.2m from the wall and complies with the Zoning Bylaw, the proposed encroachment is localized to a small area of the house, and represents an extension of another feature rather than an additional bump-out. The general intent and purpose of zoning bylaw is met by this variance.

The roof overhang is an essential architectural feature, as it provides protection from the elements and enhances the overall appearance of the dwelling. The design ensures that the encroachment will not create undue impacts on adjacent properties. The encroachment is located on the south-east side, where a 1.2 m side yard setback (reduced from 3.0 m by Variance No. 6) still provides sufficient separation between properties. This separation ensures that sunlight access, ventilation, and privacy are not significantly affected by the overhang.



Plan A203 Roof Plan



Side Elevation (South)

Additionally, the overhang is in keeping with the character of the neighborhood, where similar roof designs and side yard conditions exist (all dwellings from 466 to 478 Holtby Ave. along the westerly side). The compact nature of the area's homes means that thoughtful and modest design adjustments, such as this roof overhang, are consistent with the surrounding built environment.

By allowing for a roof overhang that integrates seamlessly with the proposed addition while maintaining the broader intent of preserving space, functionality, and privacy, the variance achieves the balance envisioned in the Zoning By-law. Thus, Variance No. 10 maintains the general intent and purpose of the Zoning By-law.

Yes – Variance No. 11 (Driveway Length)

The By-law requires a minimum driveway length of 6 m to ensure sufficient space for off-street parking without obstructing sidewalks or roadways, as well as to maintain an orderly and functional streetscape.

The variance seeks to reduce the driveway length to 1.2 m, which is a significant reduction from the required 6 m. However, the unique constraints of the lot, including its small size and the location of the existing dwelling, necessitate creative adjustments to maximize the functionality of the property. Despite the reduced driveway length, off-street parking is accommodated in the existing driveway, beyond the property boundary.

The reduced driveway length does not negatively impact the functionality or safety of the streetscape. The area beyond the property line provides additional parking space that is consistent with the current condition and typical of similar compact lots in the neighborhood, especially the abutting lots on Holtby Avenue. The variance also ensures that the property remains accessible without creating obstructions or encroachments that would disrupt pedestrian or vehicular movement along the street.

The reduced driveway length is consistent with the compact nature of the lot and its surroundings. By maintaining functional access to parking and minimizing the impact on the streetscape, the proposal aligns with the general intent and purpose of the Zoning By-law. Thus, Variance No. 11 successfully balances the need for efficient land use with maintaining compatibility with the neighborhood.

Yes – Variance No. 12 (Width of Hard Surfaces)

The intent of the Zoning By-law related to the maximum permitted width of hard surfaces is to limit the amount of impermeable surface in front yards, helping to preserve green space, promote stormwater absorption, and maintain the aesthetic quality of the streetscape. The By-law establishes a maximum combined width of all hard surfaces (driveways and walkways) to 4.5 m for lots with a front or street-side lot line less than 9 m in width. This regulation is intended to preserve sufficient landscaped open space at the front of properties, contribute to stormwater management by minimizing impermeable surfaces, and maintain the aesthetic balance of the streetscape.

The variance seeks to permit a combined width of hard surfaces of 6.2 m, exceeding the By-law's limit by 1.7 m. This increase is due to the inclusion of a unit paver type pathway adjacent to the driveway, which is designed to improve access while minimizing the environmental impact. While it is not clear from the drawing that the proposed pavers are permeable type installation, their use nevertheless ensures better stormwater infiltration compared to conventional hard surfaces, thereby addressing the intent of the By-law to minimize impermeable surface areas.

The design of the pathway mirrors the configuration found at the northerly neighboring property, where a similar permeable pathway abuts the driveway and leads to the center of the porch, aligning with the stairs. It is important to note that all properties from 466 to 478 Holtby Ave. along the westerly side appear to exceed the width of hard surfacing at the front. The continuity in design ensures that the proposed configuration is visually harmonious with the surrounding streetscape and consistent with neighborhood patterns. Additionally, the proposal retains a portion of landscaped open space, preserving the aesthetic quality and functionality of the front yard.

Planning is supportive of integrating permeable materials for the pathway and reflecting a design pattern already present in the neighborhood, to align with the intent of the By-law to balance functionality, aesthetics, and environmental considerations. The slight increase in hard surface width is context-sensitive and maintains compatibility with the surrounding properties provided that a condition seeking to implement a permeable material is satisfied. Thus, Variance No. 12 would be a reasonable adjustment that supports the property's functional needs while preserving the general intent and purpose of the Zoning By-law.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The proposed minor variances are desirable for the appropriate development and use of the land, building, and structure at 476 Holtby Avenue. The variances allow for functional improvements to the property while ensuring compatibility with the existing neighborhood context. They support the efficient use of the land, particularly given the lot's small size and the location of the existing dwelling in close proximity to the front lot line, by enabling small additions that enhance the livability of the dwelling without causing adverse impacts on neighboring properties.

The proposed additions, including the primary suite, living room, and half-storey within the mansard roof, provide much-needed space for the current and future use of the property. These improvements align with the neighborhood's character, where one- and two-storey homes are prevalent, and some properties have undergone similar expansions to meet contemporary living needs. Features such as the dormer design, reduced setbacks, and driveway and walkway access are in keeping with the compact and diverse nature of the area.

Additionally, the use of permeable pavers (provided the condition is met) for the pathway adjacent to the driveway not only mitigates the impact of increased hard surface coverage but also demonstrates a commitment to environmentally conscious design. The pathway configuration mirrors a similar layout at the neighboring property,

reinforcing the proposal's compatibility with the existing streetscape. These design choices ensure that the development integrates harmoniously with the surrounding environment.

By balancing functional improvements, architectural compatibility, and environmental considerations, the proposed variances contribute positively to the neighborhood while enhancing the usability of the subject property. The adjustments make efficient use of the land and allow for a design that respects both the built and natural environment, making the proposal a desirable and appropriate development for the site.

Development Engineering and Urban Forestry & Landscape staff (subject to the consent letter which the applicant has provided) have reviewed the application and have indicated no objection to the requested variance.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

The proposed minor variances are considered minor in nature because they do not result in any significant adverse impacts on the subject property, adjacent properties, or the overall neighborhood. While the variances represent deviations from the Zoning By-law, they are proportional to the unique constraints of the lot and have been thoughtfully designed to minimize their impact.

The increased lot coverage and floor area ratio, as well as the reduced setbacks, are reasonable given the property's small and irregular size (222.17 m², significantly less than the required 425 m²). These variances are not excessive in scale and remain consistent with the compact and closely spaced character of the surrounding neighborhood. The proposed additions, including the mansard roof and dormer, are designed to integrate harmoniously with the streetscape, mitigating any perceived bulk or massing concerns.
The reduced driveway length and increased hard surface width are practical solutions for providing access and functionality on a narrow lot. The use of permeable pavers (provided the condition is met) for the pathway adjacent to the driveway ensures that environmental impacts are minimized, addressing concerns about stormwater management and preserving landscaped open space. This approach balances functional needs with the intent of the Zoning By-law.

Furthermore, the design elements, such as the dormer and roof overhang, are minor encroachments stemming from the roof design that maintain compatibility with the neighborhood's architectural character and do not create undue impacts on adjacent properties in terms of privacy, sunlight, or ventilation. The proposal mirrors similar half

storey and dormer configurations found in the neighborhood, ensuring that the variances align with established patterns.

Overall, the proposed variances allow for modest additions to the property while maintaining compatibility with the surrounding area and ensuring no undue impacts. By respecting the intent of the Zoning By-law and addressing site-specific constraints, the variances are minor in nature and appropriate for the development of the property.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effects of the proposed variances have been carefully evaluated to ensure they collectively maintain the intent and purpose of the City of Burlington Zoning By-law and the Official Plan while addressing site-specific challenges. The variances work together to facilitate additional floor area while preserving compatibility with the neighborhood and ensuring no significant adverse impacts on the surrounding properties or streetscape.

The proposed adjustments to lot coverage, floor area ratio, and setbacks are proportional to the unique characteristics of the lot, which is significantly smaller and narrower than what is typically required by the Zoning By-law. While individually these variances may seem substantial, their cumulative effect is mitigated through thoughtful design. The proposed mansard roof with dormers ensures that the additions integrate harmoniously with the surrounding neighborhood, providing a transition between the scale of the existing adjacent bungalows. This design minimizes visual massing and maintains the character of the streetscape.

The variance for the increased width of hard surfaces, which includes a permeable paver pathway (as a condition) adjacent to the driveway, addresses functionality while mitigating environmental impacts. The cumulative effect of this variance, combined with the reduced driveway length, ensures practical access to the property without compromising the visual or environmental quality of the front yard. This is consistent with similar configurations in the neighborhood, ensuring compatibility and maintaining the established streetscape.

The reduced side yard and rear yard setbacks are designed to accommodate functional living spaces while maintaining adequate separation between properties. The impact of these variances is further mitigated by the preservation of existing landscaping, including measures to minimize root disturbance to neighboring tree #4, demonstrating sensitivity to the natural environment.

Thus, the cumulative effect of the proposed variances supports the efficient and appropriate use of the property without overwhelming the site or creating undue impacts on adjacent properties.

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variances subject to the following condition:

1. The applicant is to provide details and specifications for the walkway portion of the hard surfacing, in line with the site plan, that is to be comprised of permeable pavers to the satisfaction of the Director of Community Planning

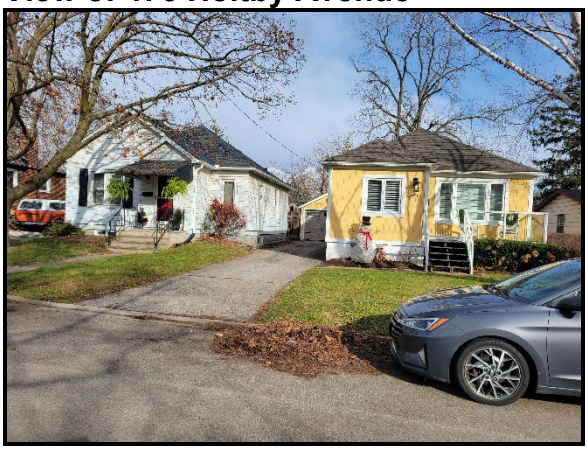
Date: December 10, 2024, Prepared By: Melissa Gasic

Report Schedules & Attachments:

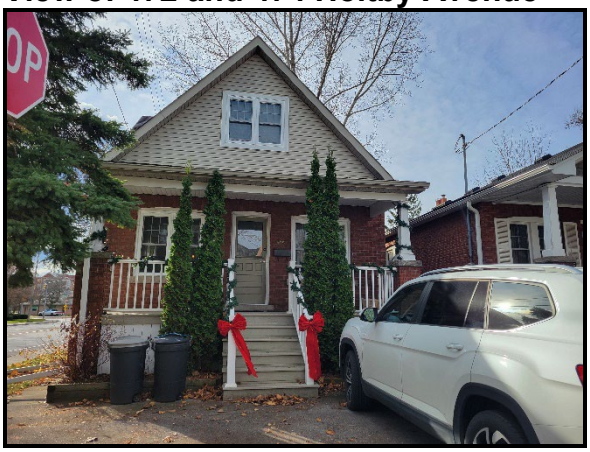
Attachment No. 1 (Site Photos – November 29, 2024)

View of 476 Holtby Avenue

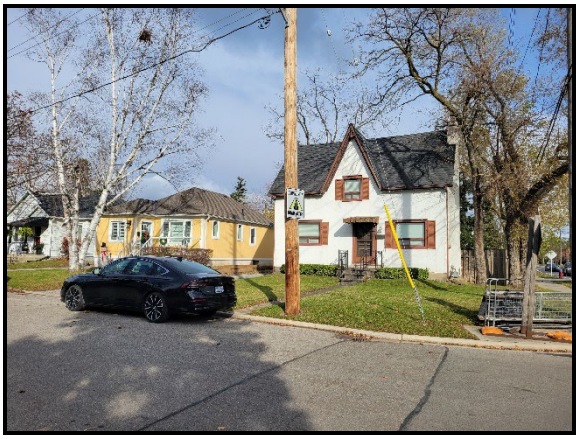
View of 472 and 474 Holtby Avenue



View of the neighbourhood



View of the neighbourhood (466 Holtby)



View of the neighbourhood (467 and 471 Holtby)

View of the neighbourhood (481 Holtby)

View of the neighbourhood

View of the neighbourhood

View of the neighbourhood

View of the neighbourhood

View of the neighbourhood

View of the neighbourhood

View of the rear, towards north

View of the rear, towards sough

View of the backyard

View towards the southerly neighbour

View towards the northerly neighbour

View of the front porch

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objections. Changes to the plans may be required via review for the Grading and Drainage Clearance Certificate.

Date: October 29, 2024 Prepared By: D. Savelli

Forestry

Forestry has no objection to the proposed minor variance(s) and provides the following condition(s) to the applicant:

- A consent letter shall be supplied where the applicant is not the owner of the tree proposed for injury (Tree #4 identified within the submitted Tree Protection Plan, dated June 19, 2024). Should an applicant not obtain consent from the adjacent owner, it may be necessary to relocate the limits of excavation and associated disturbance outside of the minimum tree protection zone(s) of the tree.

Advisory comment(s) to the applicant:

- A tree permit(s) will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.

- Revisions to plans and/or reports may be required through the tree permit application process.

Date: November 4, 2024 Prepared By: R. Shaw-Lukavsky

Building

1. A Building Permit is required for all building construction;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012.

3. Note: No unprotected openings permitted in exterior wall less than 1.2m to property line.

4. Note: 45-minute fire resistance rating required for exterior wall where limiting distance is less than 1.2m but not less than 0.6m.

Date: December 17, 2024 Prepared By: Q.Tan

Transportation Planning

Deemed Road Width Analysis

Holtby Avenue is under the authority of the City of Burlington and the deemed right-of-way width is 18 metres. The right of-way adjacent to the subject site is approximately 18 metres therefore no additional lands are required.

Date: July 26th 2024 Prepared By: Taylor Kirchknopf

Transportation Planning have reviewed the proposed minor variance application and have no comments.

Date: December 18th 2024 Prepared By: Taylor Kirchknopf

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: October 28, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 476 Holtby Avenue where the application is proposing the construction of a first storey and half storey additions to an existing dwelling. Variances for lot coverage, floor area ratio, front yard, rear yard, north-west side yard, south-east side yard, front yard, south-east side yard, driveway length, combined width of driveway and proposed walkway and dormer projections are required.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility

of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

Trans Northern Pipeline Inc

Trans-Northern Pipelines Inc. (TNPI) can confirm that TNPI has no infrastructure in the mentioned area.

Date: October 29, 2024 Prepared By: Renee Flowerday

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y □ or N □
Name of Planner: Melissa Gasic Name of Zoning Examiner: _____

PROPERTY INFORMATION
Municipal Address(es) of property:

476 HOLTBY AVE

Legal Description of property:

REGISTERED PLAN 134, LOT B

Official Plan Designation: LOW-RISE RESIDENTIAL Current Zoning Designation R3.2

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Albert McDonagh and Helen McDonagh

Mailing Address: 2429 Redfern Road City: Burlington

Postal Code: L7R 1Y1 Home Phone: _____ Mobile Phone: 647 717 2429

Work Phone: _____ E-Mail: maureenmcdv@gmail.com

AGENT INFORMATION (if applicable)**:** (This person will be the primary point of contact if provided)

Name: LAUREN BOYER ARCHITECT

Business Address: 3378 GUILDWOOD DRIVE City: BURLINGTON

Postal Code: L7N 1L5 Home Phone: 289 242 2116 Mobile Phone: _____

Work Phone: _____ E-Mail: lauren@laurenboyerarchitect.ca

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

TO CONSTRUCT A SECOND FLOOR ADDITION OVER AN EXISTING ONE-STOREY DWELLING. SCOPE OF WORK INCLUDES EXPANDING THE BUILDING FOOTPRINT INTO THE REAR YARD, AND A CANTILEVERED ADDITION IN THE SIDEYARD.

Variance(s) Requested	Zoning Bylaw Requirement
REFER TO LIST OF VARIANCES ON LAST PAGE OF DOCUMENT	

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? _____

These variances are minor in nature because most are existing conditions, or they are consistent with neighbouring properties. The front, porch, and sideyard (n) setbacks are existing conditions and consistent on neighboring sites. The rear yard setback and proposed coverage match the houses on each side of the project site. Although the FSI is larger than permitted, the second floor is mostly within the roof line and does not contribute to a larger massing.

2. Why are the variance(s) desirable for the appropriate use of the land? _____

The variances are desirable because they are consistent with the existing streetscape and neighbourhood context. We are matching the setbacks, and coverage of the neighboring properties but adding a second floor within the roof line to transition the home from a one-bedroom to 3-bedroom family home.

3. Do the variance(s) meet the intent and purpose of the Official Plan? _____

Yes the variances meet the intent of the Official Plan. We are adding density within an urban center which is walkable, close to transit, parks and amenities.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? _____

Yes the variances create a building form that is consistent in footprint, height, and coverage with the neighboring homes. The proposed second floor increases the FSI but the habitable space is within the roof line and does not contribute to a building that is inconsistent in scale with the neighborhood.

LAUREN BOYER
ARCHITECT

1. To permit lot coverage of 41.2% instead of the maximum permitted 22% for a one and a half storey detached dwelling without an attached garage.

2. To permit floor area ratio of 0.65:1 instead of the maximum permitted 0.45:1 for a one and a half storey detached dwelling without an attached garage.

3. To permit a front yard of 3.7 m instead of the minimum required 6 m for proposed additions to a detached dwelling without an attached garage.

4. To permit a rear yard of 7.8 m instead of the minimum required 9 m for proposed additions to a detached dwelling without an attached garage.

5. To permit a north-west side yard of 0.6 m instead of the minimum required 1.2 m for proposed one and a half storey additions to a detached dwelling without an attached garage.

6. To permit a south-east side yard of 1.2 m instead of the minimum required 3 m for proposed additions to a detached dwelling without an attached garage.

7. To permit a front yard of 0.7 m instead of the minimum required 5.35 m (6 m – 0.65 m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

8. Notwithstanding the definition of Dormer (a), to permit the sum length of the projection to be 3.4 m instead of the maximum permitted one third of the permitted length of a building wall (1.34 m) for a proposed dormer addition.

9. Notwithstanding the definition of Dormer (b), to permit the length of the projection to be 3.4 m instead of the maximum permitted 3.1 m for a proposed dormer addition.

10. To permit a south-east side yard encroachment of 1 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

11. To permit a driveway length of 1.2 m instead of the minimum required 6 m.

12. To permit the combined width of all hard surfaces to be 6.2 m instead of the maximum permitted 4.5 m for an existing driveway and proposed walkway.

LAUREN BOYER ARCHITECT
3378 Guildwood Drive, Burlington, ON L7L 1L5
info@laurenboyerarchitect.ca
(o) 905 361 9053 (m) 289 242 2116

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
DEC, 8 1978 (mmm/dd/yyyy)	1929 (mmm/dd/yyyy)	SPRING 2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☑ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued:
95 YEARS

Proposed Use of the Land:
SINGLE FAMILY DWELLING

Existing Uses of Abutting Properties (check all that apply)

Residential ☑ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☑	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water ☑ If not available, by what means is it provided: _____
Sanitary Sewers ☑ If not available, by what means is it provided: _____
Storm Sewers ☑ If not available, by what means is it provided: _____

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐Building Permit ☐Site Development Plan ☐Plan of Subdivision ☐Previous Minor Variance ☐Consent

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
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FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
8.54m	26.1m	222.17 m2	18.0	18.0	N/A	41.2%	Y ☐ N ☑

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Dwelling/Building)			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	68.8	M^2	Ground Floor Area (incl. attached garage)	91.6	M^2
Gross Floor Area:	68.8	M^2	Gross Floor Area:	143.9	M^2
Number of Storeys:	1		Number of Storeys:	1.5	
Width:	6.4m	M	Width:	7.18m	M
Length:	12.8m	M	Length	13.98m	M
Height:	5.7m	M	Height	7.96m	M
Garage/Car Port			**Garage/Car Port**		
Detached?	Y ☐ N ☑		Detached?	Y ☐ N ☑	
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Accessory Structures (Shed, Gazebo, etc)			**Accessory Structures**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING			PROPOSED		
Front:	3.77m	M	Front:	3.77m	M
Rear:	9.21m	M	Rear:	7.89m	M
Side/Street Side:	0.08m	M	Side/Street Side:	0.65m	M
Side/Other Side:	2.0m	M	Side/Other Side:	1.2m	M

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: Maureen McDonagh-Vella POA for Albert + Helen McDonagh

Property Address: 476 HOLTBY AVE

POA
Signature of Owner/Applicant

June 9/24
Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☐ Signature of Applicant or Authorized Agent: LAUREN BOYER ARCHITECT

I, Lauren Boyer (print name) of the city (Region/City/County) of Burlington in the region (City/Town/Township)

of Halton solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City (Region/City/County) of Burlington in the Region (City/Town/Township)

this Halton day of 21 20 24.

Suzanne Gillies, Committee Clerk
The Corporation of the City of
Burlington, Region of Halton
A Commissioner of Oaths pursuant
to s.228(4) of the Municipal Act

S. Gillies
Signature of Commissioner, etc.

L. Boyer C.
Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 476 HOLTBY AVE

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POA
Signature of Owner

Maureen McDonagh-Vella (POA)
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Maureen McDonagh-Vella (POA) being the registered owner of the subject lands, hereby
(print name)

Authorize Lauren Boyer to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.

POA
Signature of Owner

June 9/2024
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	✓
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☑ Deemed Street Line
- ☑ Existing Front Yard Setbacks
- ☑ Existing Rear Yard Setbacks
- ☑ Existing Side Yard Setbacks
- ☑ Existing Street Side Yard Setbacks
- ☑ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☑ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☑ Railways (Location of them and setbacks to structures)
- ☑ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

ELEVATIONS

- ☑ Metric
- ☑ Front
- ☑ Rear
- ☑ Side 1
- ☑ Side 2

FLOOR PLANS

- ☑ Metric
- ☑ North Arrow
- ☑ Gross Floor Area Calculation
- ☑ Ground Floor Area Calculation
- ☑ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

MAY 9, 2024

Date (mmm/dd/yyy)

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-055/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Albert and Helen McDonagh, the owners of 441 Brant St. Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **476 Holtby Ave., Burlington** (see map).

The applicant is proposing the construction of first storey and half storey additions to an existing dwelling without an attached garage; reconstructed front porch; and new front walkway. This proposal results in the following variances:

1. To permit lot coverage of 41.2% instead of the maximum permitted 22% for a one and a half storey detached dwelling without an attached garage.

2. To permit floor area ratio of 0.65:1 instead of the maximum permitted 0.45:1 for a one and a half storey detached dwelling without an attached garage.

3. To permit a front yard of 3.7 m instead of the minimum required 6 m for proposed additions to a detached dwelling without an attached garage.

4. To permit a rear yard of 7.8 m instead of the minimum required 9 m for proposed additions to a detached dwelling without an attached garage.

5. To permit a north-west side yard of 0.6 m instead of the minimum required 1.2 m for proposed one and a half storey additions to a detached dwelling without an attached garage.

6. To permit a south-east side yard of 1.2 m instead of the minimum required 3 m for proposed additions to a detached dwelling without an attached garage.

7. To permit a front yard of 0.7 m instead of the minimum required 5.35 m (6 m – 0.65 m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

8. Notwithstanding the definition of Dormer (a), to permit the sum length of the projection to be 3.4 m instead of the maximum permitted one third of the permitted length of a building wall (1.34 m) for a proposed dormer addition.

9. Notwithstanding the definition of Dormer (b), to permit the length of the projection to be 3.4 m instead of the maximum permitted 3.1 m for a proposed dormer addition.

10. To permit a south-east side yard encroachment of 1 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

11. To permit a driveway length of 1.2 m instead of the minimum required 6 m.

12. To permit the combined width of all hard surfaces to be 6.2 m instead of the maximum permitted 4.5 m for an existing driveway and proposed walkway.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,

This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

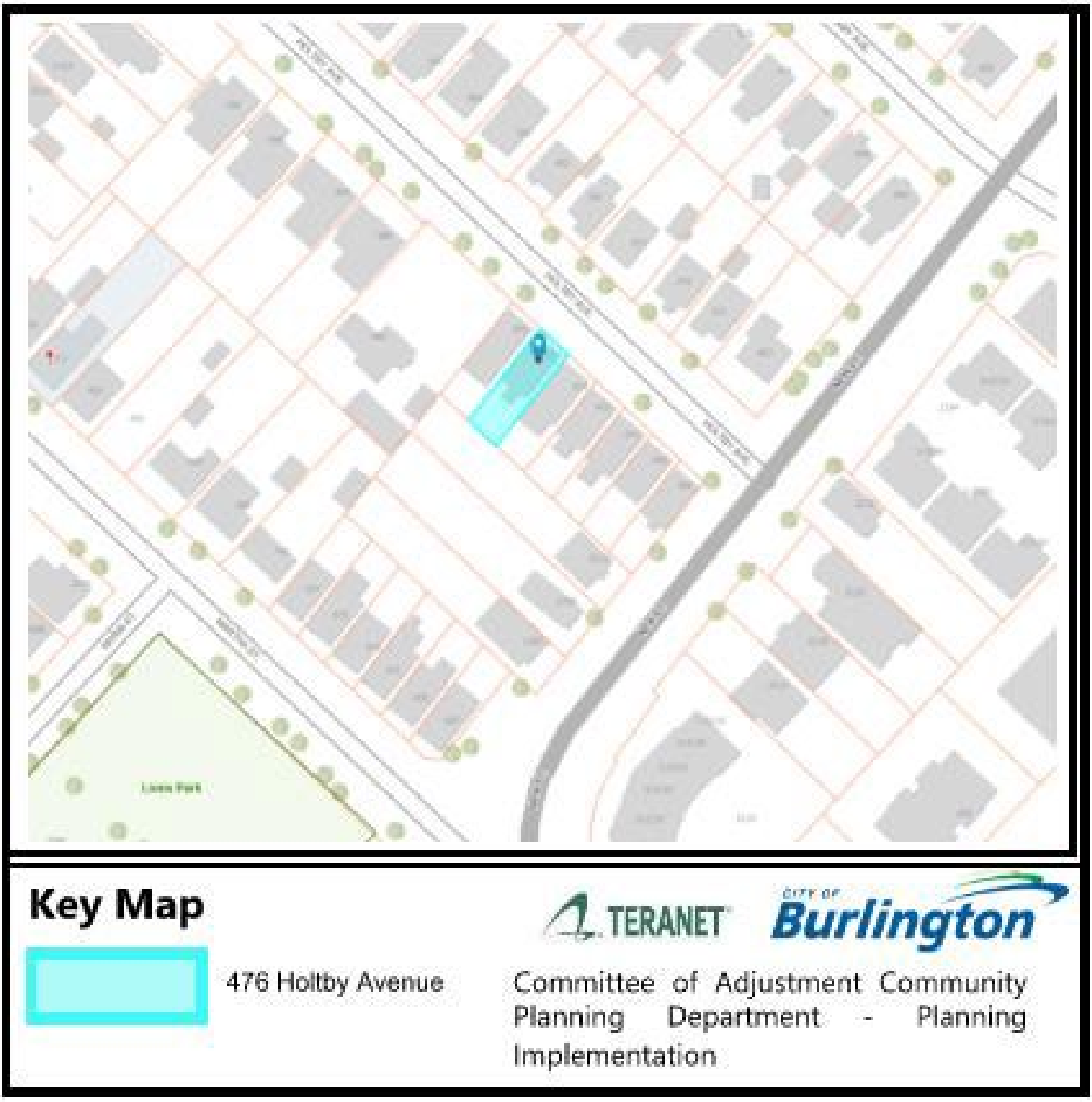
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map


Key Map
476 Holtby Avenue
TERANET
City of Burlington
Committee of Adjustment Community Planning Department - Planning Implementation

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF PART OF
LOT 'B'
REGISTERED PLAN 134
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 100

0 1 2 3 4 5 10 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 670mm IN WIDTH BY 560mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:100 (INCLUDING 15mm BEYOND EACH BORDER)

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2023

KNOWN AS MUNICIPAL No. 476 HOLTBY AVENUE

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS – JUNE 29, 2023

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
– SUBJECT TO AND TOGETHER–WITH RIGHTS TO ALLOW ENCROACHMENT AS IN INST. No. 793589

ADDITIONAL REMARKS:
– REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

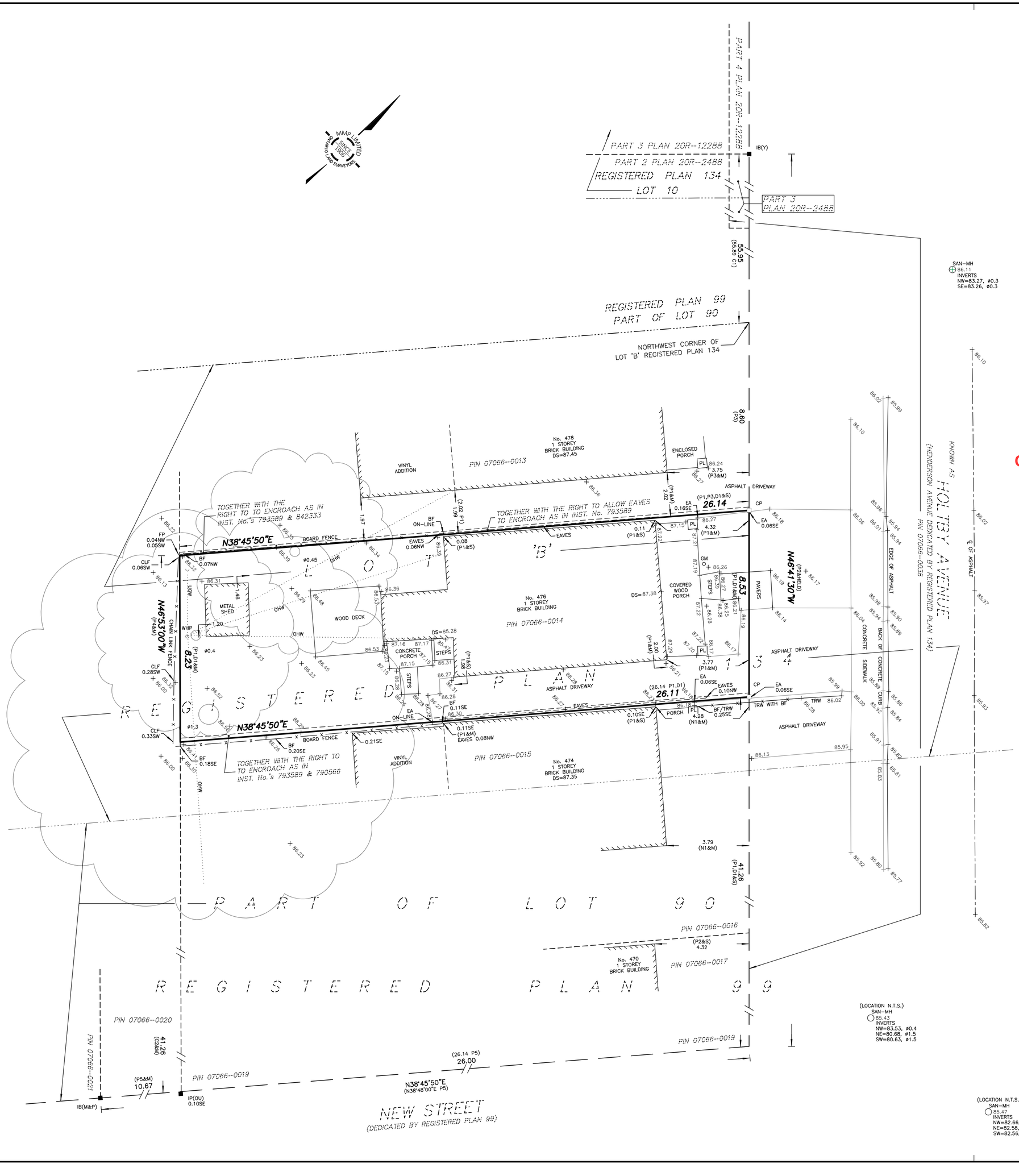
MacKAY, MacKAY & PETERS LIMITED grants ALBERT & HELEN MCDONAGH ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client".

METRIC *DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048*

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-58262

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3)

Copy Right Act Applies to Use and Production



LEGEND

- ■ DENOTES A SURVEY MONUMENT FOUND
- □ DENOTES A SURVEY MONUMENT PLANTED
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- CP DENOTES CONCRETE PIN
- P1 DENOTES PLAN BY SEWELL & SEWELL DATED OCTOBER 8, 1976 (76–617)
- P2 DENOTES PLAN BY YATES & YATES LIMITED DATED MARCH 7, 1988 (88Y–234)
- P3 DENOTES PLAN BY YATES & YATES LIMITED DATED SEPTEMBER 27, 1984 (84Y–508)
- P4 DENOTES PLAN BY A.T. McLAREN LIMITED DATED OCTOBER 29, 1975
- P5 DENOTES PLAN BY MMP LIMITED DATED NOVEMBER 19, 1997 (97H–403–1B)
- P6 DENOTES PLAN 20R–2488
- N1 DENOTES NOTES FROM MMP LIMITED DATED FEBRUARY 20, 1980 (80–59)
- D1 DENOTES INST. No. 793589
- D2 DENOTES INST. No. 662953
- C1 DENOTES CALCULATION OF P6 & D2
- C2 DENOTES CALCULATION OF P1, P3, & P4
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES ORIGIN UNKNOWN
- N.T.S. DENOTES NOT TO SCALE
- BF DENOTES BOARD FENCE
- CLF DENOTES CHAIN LINK FENCE
- TRW DENOTES TIMBER RETAINING WALL
- EA DENOTES EDGE OF ASPHALT
- PL DENOTES PILLAR
- ℄ DENOTES CENTRLINE
- GM DENOTES GAS METER
- DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 207
ELEVATION = 84.866 METRES (CGVD28:78 ADJUSTMENT)

SET ON HORIZONTAL GEODETIC CONTROL MONUMENT No. 001653063 IN THE CITY OF BURLINGTON LOCATED ON THE WEST SIDE OF MARTHA STREET AT THE INTERSECTION OF MARTHA STREET AND NEW STREET. 5.15 METRES NORTH OF NEW STREET CENTRELINE 36.49 METRES NORTHEAST OF THE NORTHEAST CORNER OF THE LIONS CLUB HALL AND 20.3 METRES SOUTHEAST OF A HYDRO/PARK LIGHT POLE

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF HOLTBY AVENUE AS SHOWN ON P2 HAVING A BEARING OF N46°41'30"W

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 18th DAY OF JULY, 2023.

AUGUST 25, 2023
DATE

F.K RAD
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS LIMITED

E:\(20) Halton\Registered Plans\RP0134\LOT B\23-152\23-152.dwg

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

DRAWN BY:	G.S.
PARTY CHIEF:	A.C.
CHECKED BY:	FK
PROJECT No.:	23–152

SCHEDULE 1: ZONING PARAMETERS AND STATISTICS (PAGE 1)

CITY OF BURLINGTON
ZONING AND DEVELOPMENT STATISTICS (LOW DENSITY RESIDENTIAL ZONES)

476 HOLTBY AVENUE
BURLINGTON, ON

ZONING BY-LAW 2020
R3-2

LOT WIDTH (15m min.)	LOT AREA (425 m² min.)
8.54 m	222.17 m²
DEEMED STREET WIDTH	**ACTUAL STREET WIDTH**
18.0 m	18.0 m²

ZONING REFERENCE: PART 15; 2.27

			PERMITTED	EXISTING	PROPOSED	
SETBACKS	FRONT	HOUSE	6m	3.77m	3.77 m	4.1 TABLE 2.4.1
	REAR	HOUSE	9.0m	9.21 m	7.84 m	
WITHOUT ATTACHED GARAGE	SIDE (N)	1 - 1.5 STOREY SIDE	1.2m / 3m *	0.08 m	0.65 m	
	SIDE (S)	1 - 1.5 STOREY SIDE	1.2m / 3m *	1.98 m	1.2 m	
*ONE SIDE MUST HAVE 3m SETBACK						
WITH ATTACHED GARAGE	SIDE (N)	1 - 1.5 STOREY SIDE	1.2m			
	SIDE (S)	1 - 1.5 STOREY SIDE	1.2m			
	DEPTH		18m	12.08 m	14.0 m	
	CREEK	EVERY BUILDING, OTHER THAN AN ACCESSORY BUILDING, SHALL MAINTAIN A MINIMUM SETBACK OF 4.5 M FROM THE TOP-OF-BANK OF A CREEK WHICH IS NOT WITHIN A CREEK BLOCK. FOR YARDS ABUTTING CREEK BLOCK ALLOW 7.5m, OR 4.5m IF BLOCK INCLUDES 3M BUFFER.				2.3.7

LOT COVERAGE ■ DESIGNATED AREA	PERMITTED ATTACHED GARAGE	PERMITTED NO/DETACHED GARAGE		EXISTING	PROPOSED	
1-STRY	35%	27+8%	HOUSE (mx 22%)	(31%) 68.8m²	(10.2%) 22.7m²	4.2 TABLE 2.4.3
1.5 STRY	30%	22+8%				PART 15
2 STRY	25%	17+8%				
NOTE: IN DESIGNATED AREAS, LOT COVERAGE INCLUDES ACCESORY BUILDINGS EXCEPT FOR ONE BLDG LESS THAN 10m2 AND 2.5M IN HEIGHT. ACCESORY STRUCTURES, COVERED PORCHES AND DECKS EXCLUDED.			TOTAL	(41.2%) 91.5 m²		

BUILDING HEIGHT (R1,R2,R3,R4 ZONES) MEASURED FROM FIXED GRADE (ELEVATION AT MIDPOINT OF LOT LINE)			PERMITTED PEAKED	PERMITTED FLAT	PROPOSED PEAKED	PROPOSED FLAT	2.31
	NEW DWELLINGS	1 STOREY	7.5 M	4.5 M			
		1.5 STOREY	8.5 M	N/A			
		2 STOREY	10 M	7 M			
		2.5 STOREY	ON SELECT LOTS ONLY - SEE 2.31.1 (A)				
MEASURED FROM CEILING OF EXISTING DWELLING	ADDITIONS	1 / 1.5 STOREY	4.5 M	2.25 M	4.45 M		
		2 STOREY	6.00 M	3 M			

COLUMN HEIGHT ON THE FIRST STOREY DOES NOT EXCEED THE HEIGHT OF THE CEILING OF THE FIRST STOREY ■ YES ☐ NO — 4.7

GROSS FLOOR AREA ■ DESIGNATED AREA * BASEMENT NOT INCLUDED IN FLOOR AREA RATIO * GARAGE INCLUDED IN FLOOR RATIO		PERMITTED	EXISTING	PROPOSED	TOTAL	4.5
	GROUND		68.8 m²	22.8 m²	91.6 m² (0.41:1)	
	SECOND		0.0 m²	52.3 m²	52.3 m²	PART 15
	RATIO	0.45:1			143.9m² (64.8%)	

HARDSCAPE WIDTH * HARDSCAPE WIDTH = DRIVEWAY + WALKWAY WIDTH MEASURED PERPENDICULR TO PATH OF TRAVEL	PERMITTED	PROPOSED	2.24
50% OF FRONT LOT LINE	4.27 M	6.17m	
CIRCULAR DRIVEWAY ☐ YES ■ NO (LOTS >21m) A+B=9.0			1.13 - N^{O} 4
HAMMERHEAD DW ☐ YES ■ NO (LOTS >18m)			1.13 - N^{O} 5
DRIVEWAY LENGTH TO BE MIN. 6M ☐ YES ■ NO (exist)			

WIDTH OF FRONT LOADING ATTACHED GARAGE IS LESS THAN 50% OF THE WIDTH OF ITS BUILDING ELEVATION. ☐ YES ☐ NO ■ N/A — 4.8

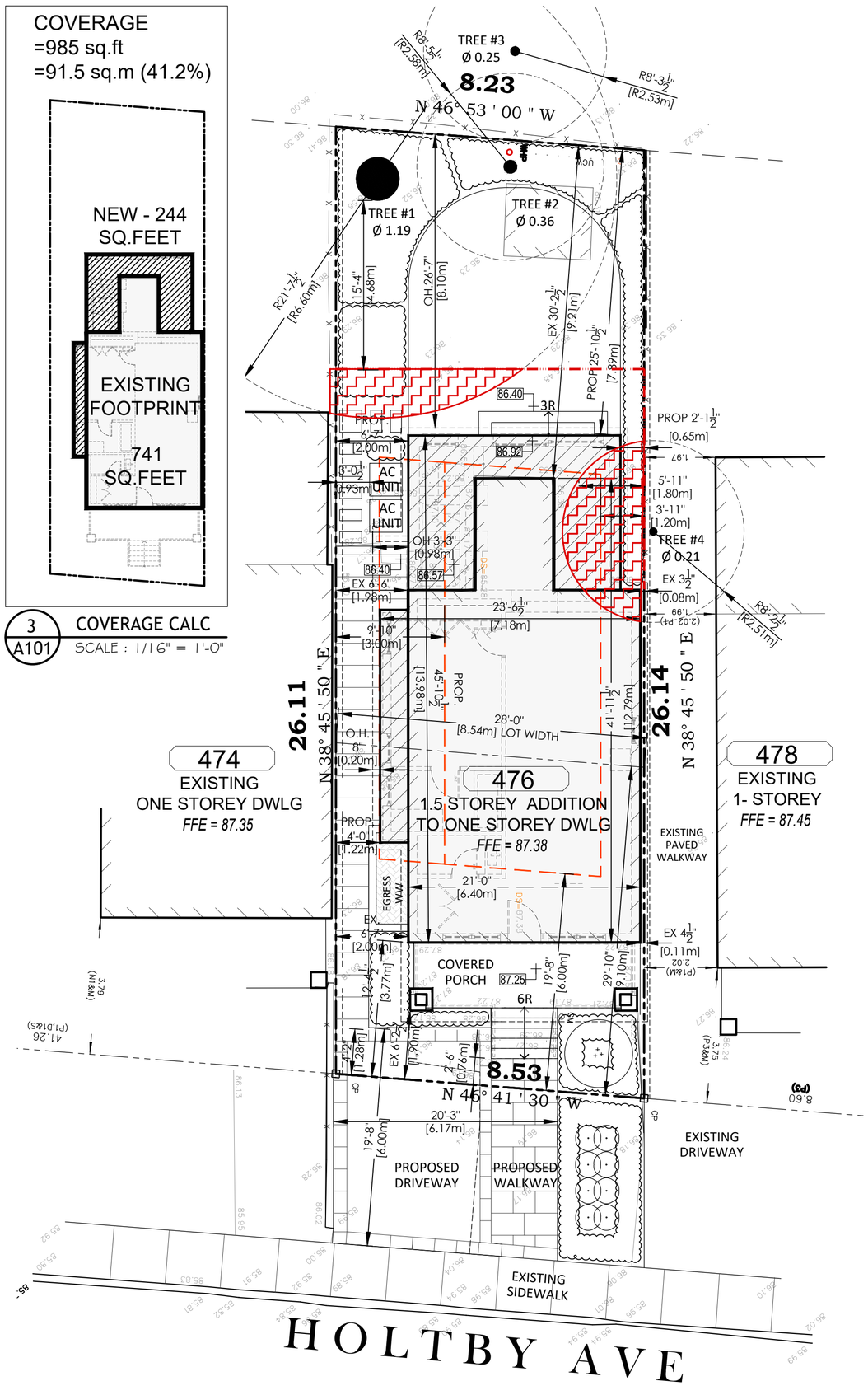
ATTACHED GARAGE WITH DOOR FACING THE STREET DOES NOT PROJECT BEYOND THE FRONT WALL OF THE FIRST STOREY ☐ YES ☐ NO ■ N/A — 4.8

PORCHES MUST MEET PRINCIPAL BUILDING SETBACK WITH 0.65M ENCROACHMENT ALLOWANCE PERMITTED (OVERHANG+STAIRS INCLUDED)		PERMITTED	EXIST./PROPOSED	2.3.4
	FRONT YARD SETBACK	(6-0.65m*) 5.35m	0.76m (TO STAIRS)	
	AREA (NO ROOF)	MAX. 20m²		
	AREA (ROOFED OVER)	N/A		

2 / A101 DEVELOPMENT STATISTICS
NTS

COVERAGE
=985 sq.ft
=91.5 sq.m (41.2%)

3 / A101 COVERAGE CALC
SCALE : 1/16" = 1'-0"



1 / A101 SITE PLAN
SCALE : 1/8" = 1'-0"

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1	27/03/2024	CONSULTATION
No.	DATE (D/M/Y)	ISSUED FOR

ONTARIO ASSOCIATION OF ARCHITECTS
LAUREN KRISTINA BOYER
LICENCE 924

LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

SITE PLAN & PROJECT STATS

PROJECT No: 23-07
SCALE: 1/8" = 1'-0"
DRAWN BY/CHECK BY: LB / LB
PLOT DATE: OCT 25, 2024

DRAWING No: A101

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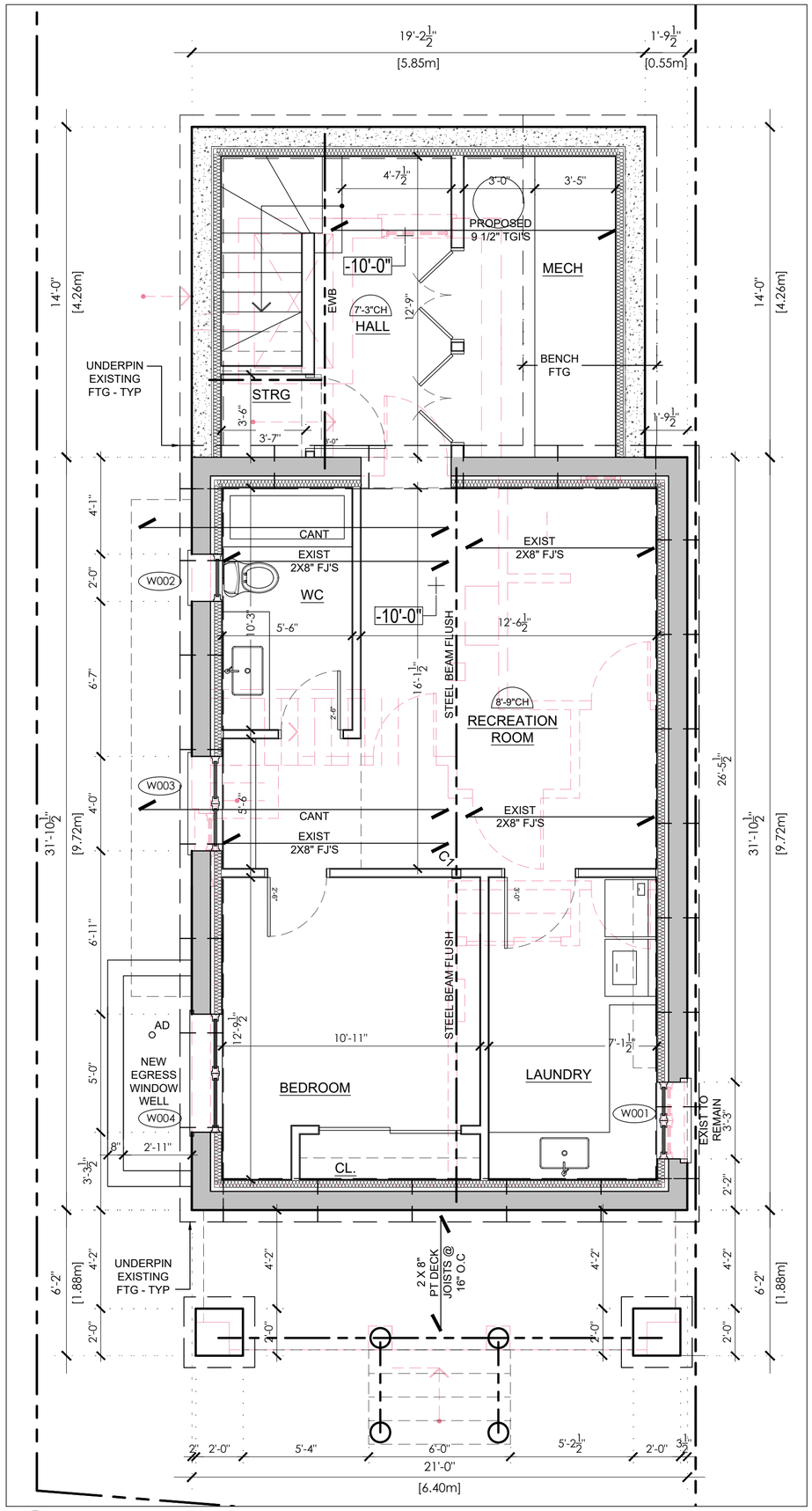

1 A200 **BASEMENT PLAN**
SCALE : 1/4" = 1'-0"

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LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

PROPOSED
BASEMENT FLOOR
PLAN

PROJECT No: 23-07
SCALE: 1/4" = 1'-0"
DRAWN BY/CHECK BY: LB / LB
PLOT DATE: OCT 09, 2024

N

DRAWING No:

A200

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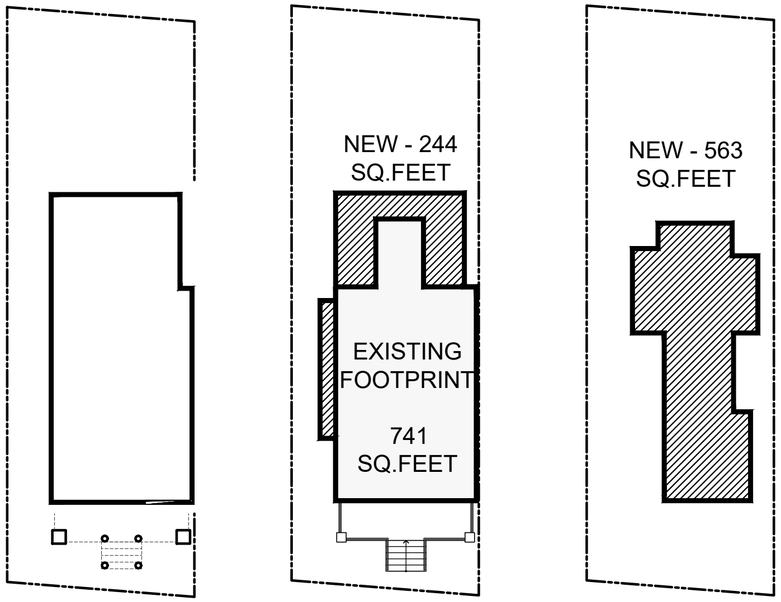
COVERAGE SUMMARY
=985 sq.ft
=91.5 sq.m (41.2%)

*COVERED PORCH EXCLUDED
FROM TOTAL COVERAGE

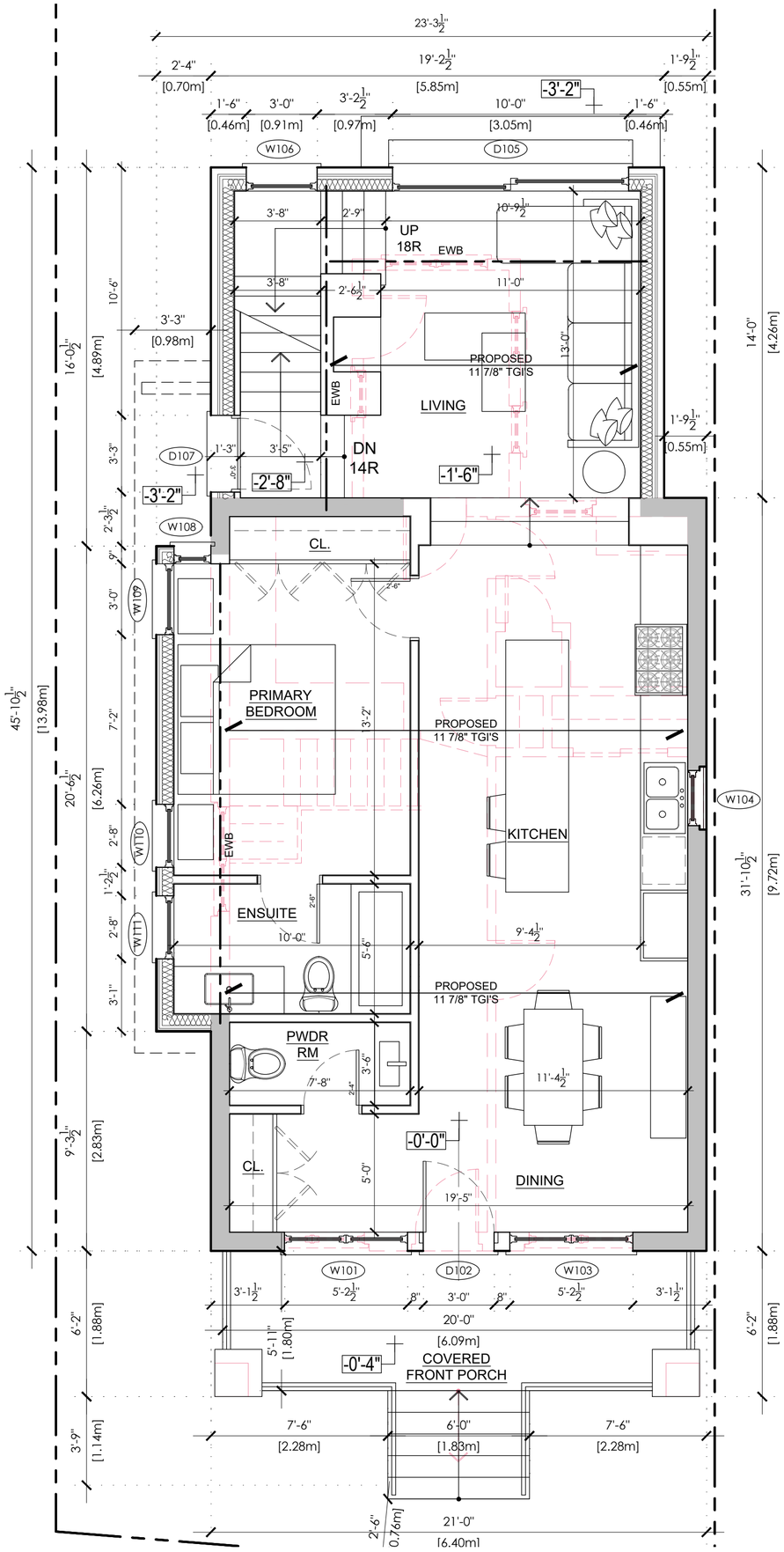


BASEMENT
FLOOR AREA 938 SQ.FT

GROUND FLOOR
FLOOR AREA 985 SQ.FT

SECOND FLOOR
FLOOR AREA 563 SQ.FT

2 / A201 COVERAGE AND FLOOR AREA SUMMARY
SCALE : 1/16" = 1'-0"



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ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

GROUND FLOOR
PLAN

PROJECT No:
23-07

SCALE:
1/4" = 1'-0"

DRAWN BY/CHECK BY:
LB / LB

PLOT DATE
OCT 09, 2024

N

DRAWING No:

A201

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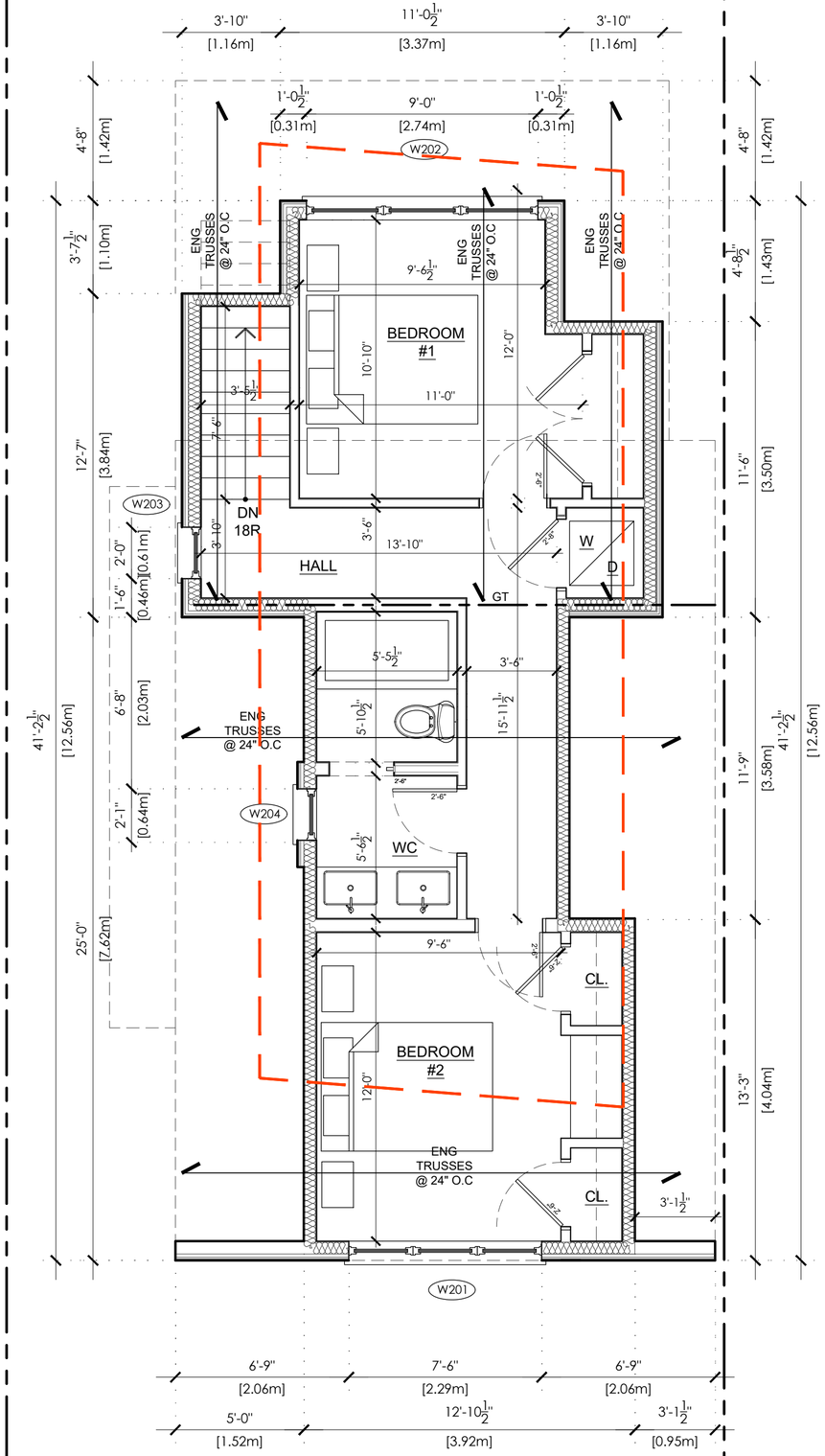

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LICENCE
924

LAUREN BOYER
ARCHITECT
3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

SECOND FLOOR PLAN

PROJECT No: 23-07

SCALE: 1/4" = 1'-0"

DRAWN BY/CHECK BY: LB / LB

PLOT DATE: OCT 09, 2024

N

DRAWING No:

A202

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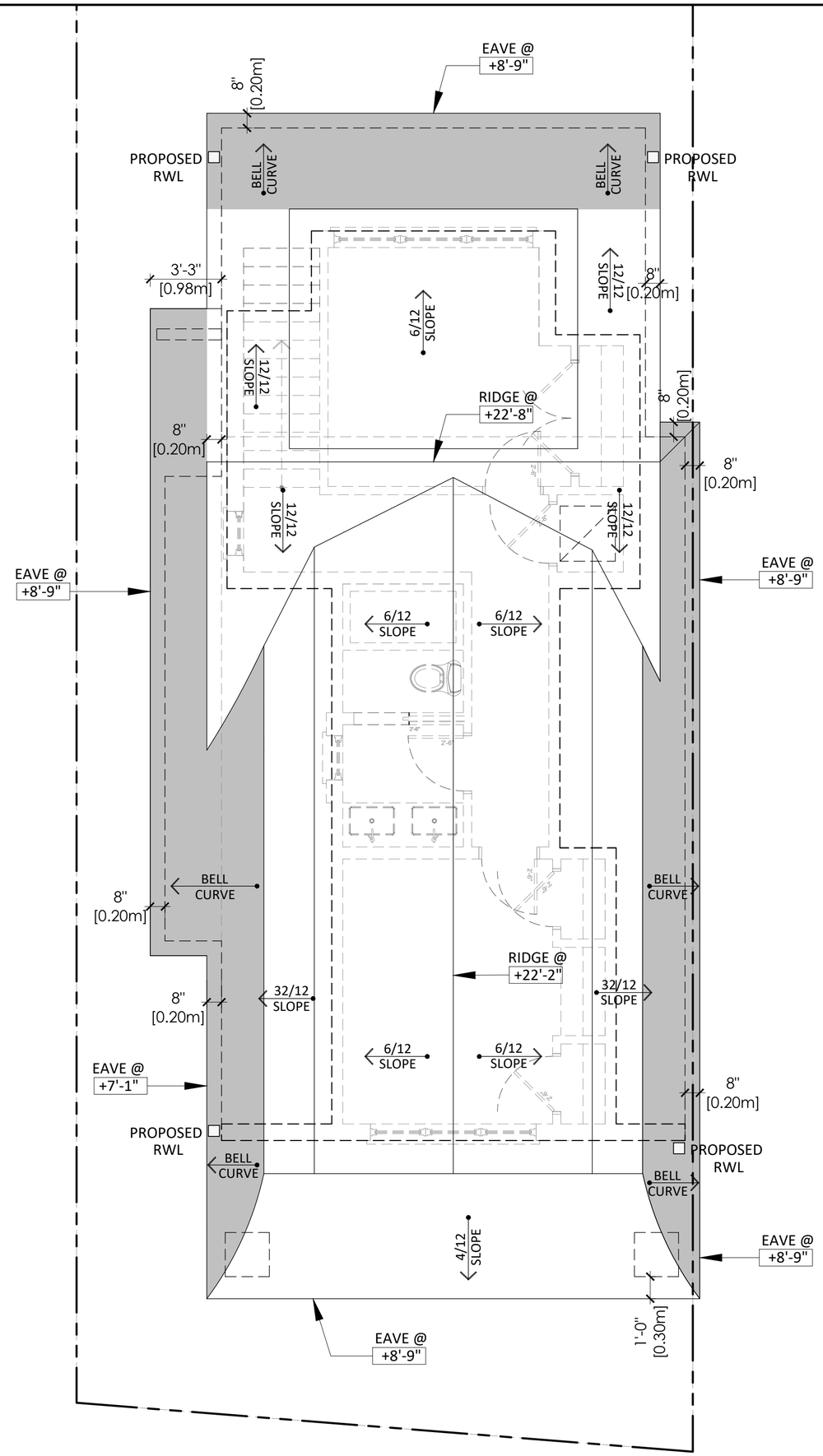

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LAUREN BOYER
ARCHITECT

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BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

ROOF PLAN

PROJECT No:
23-07

SCALE:
1/4" = 1'-0"

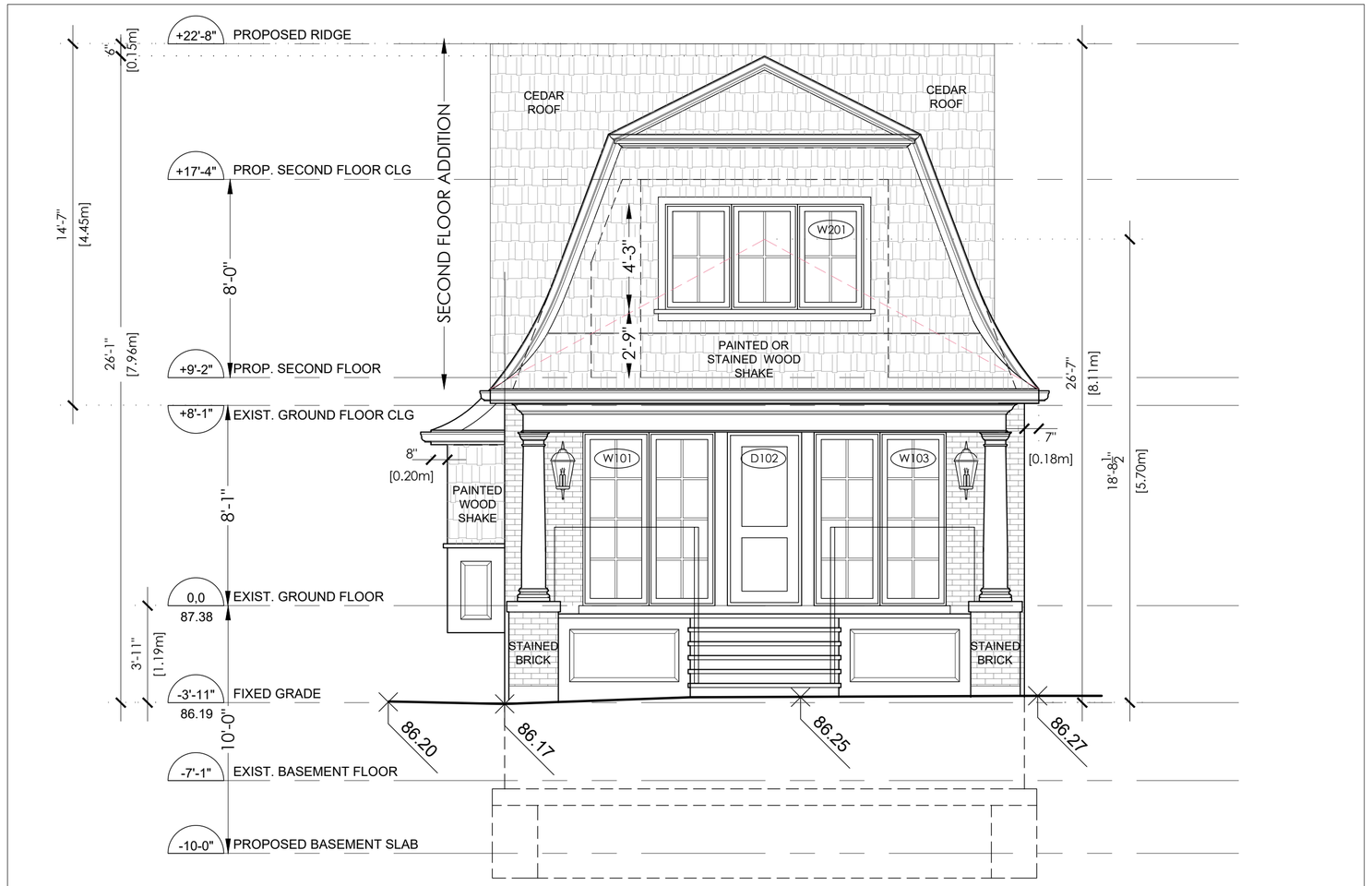
DRAWN BY/CHECK BY:
LB / LB

PLOT DATE
OCT 09, 2024

N

DRAWING No:

A203



1 A301 PROPOSED FRONT ELEVATION

SCALE : 1/4" = 1'-0"

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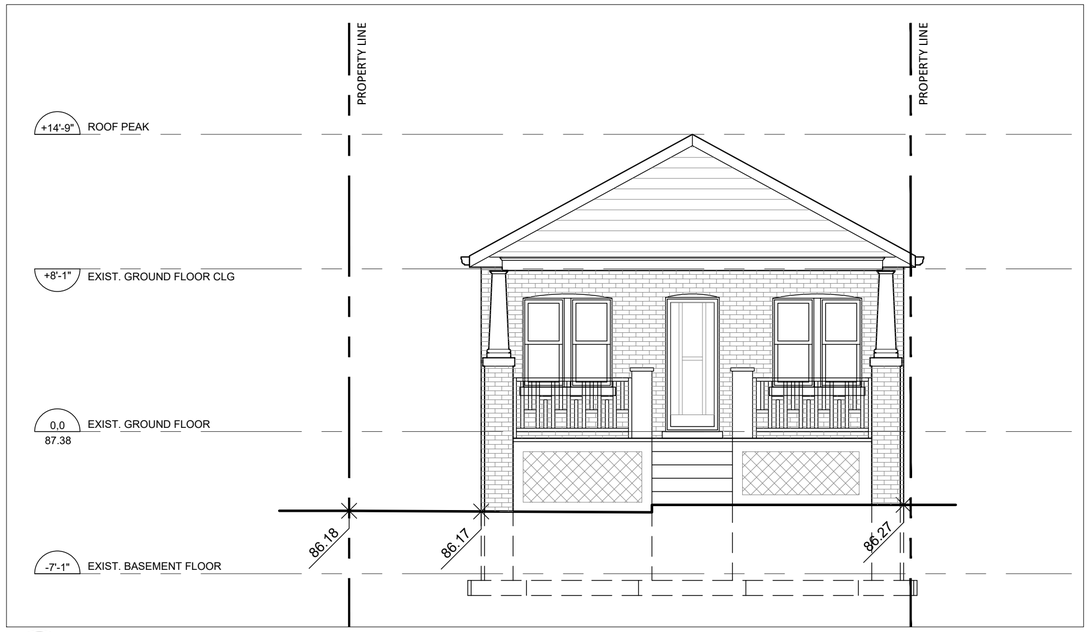

2 A301 EXISTING FRONT ELEVATION

SCALE : 3/16" = 1'-0"

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LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

FRONT ELEVATION
EXISTING AND
PROPOSED

PROJECT No:
23-07

SCALE:
AS NOTED

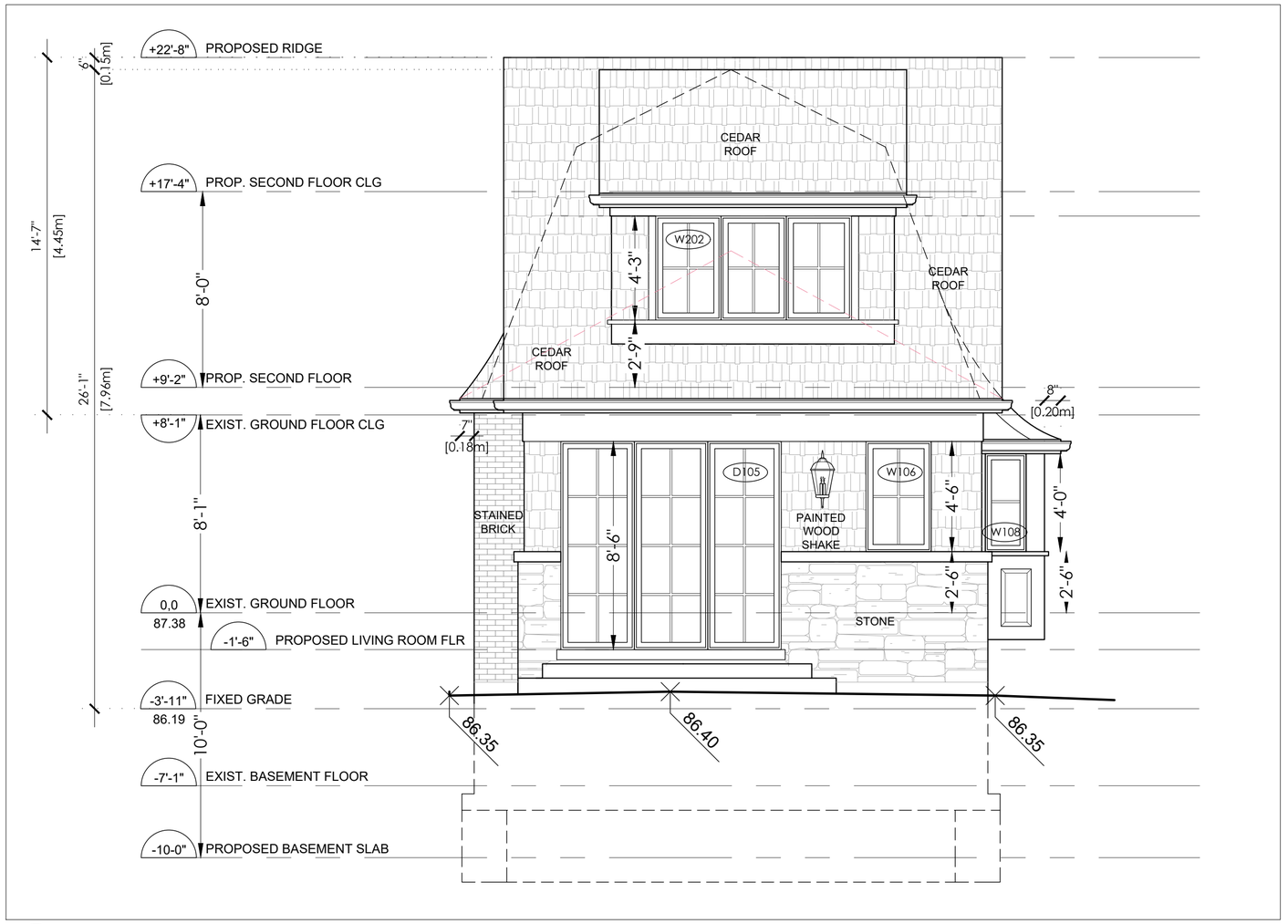
DRAWN BY/CHECK BY:
LB / LB

PLOT DATE
OCT 09, 2024

N

DRAWING No:

A301



1 A302 PROPOSED REAR ELEVATION

SCALE : 1/4" = 1'-0"

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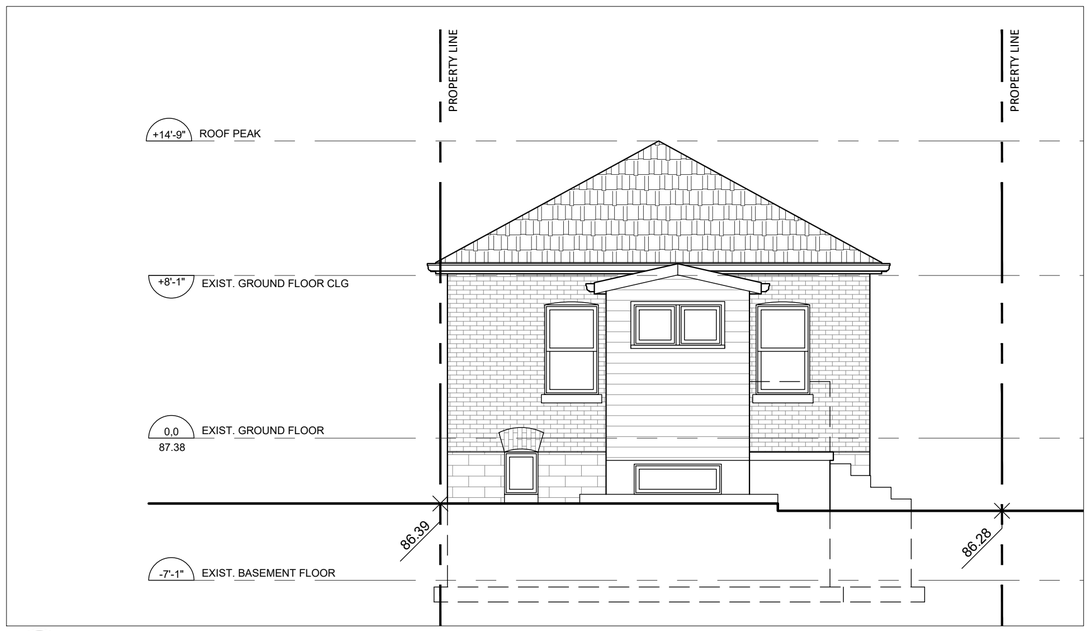

2 A302 EXISTING REAR ELEVATION

SCALE : 3/16" = 1'-0"

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LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

REAR ELEVATION

PROJECT No:
23-07

SCALE:
AS NOTED

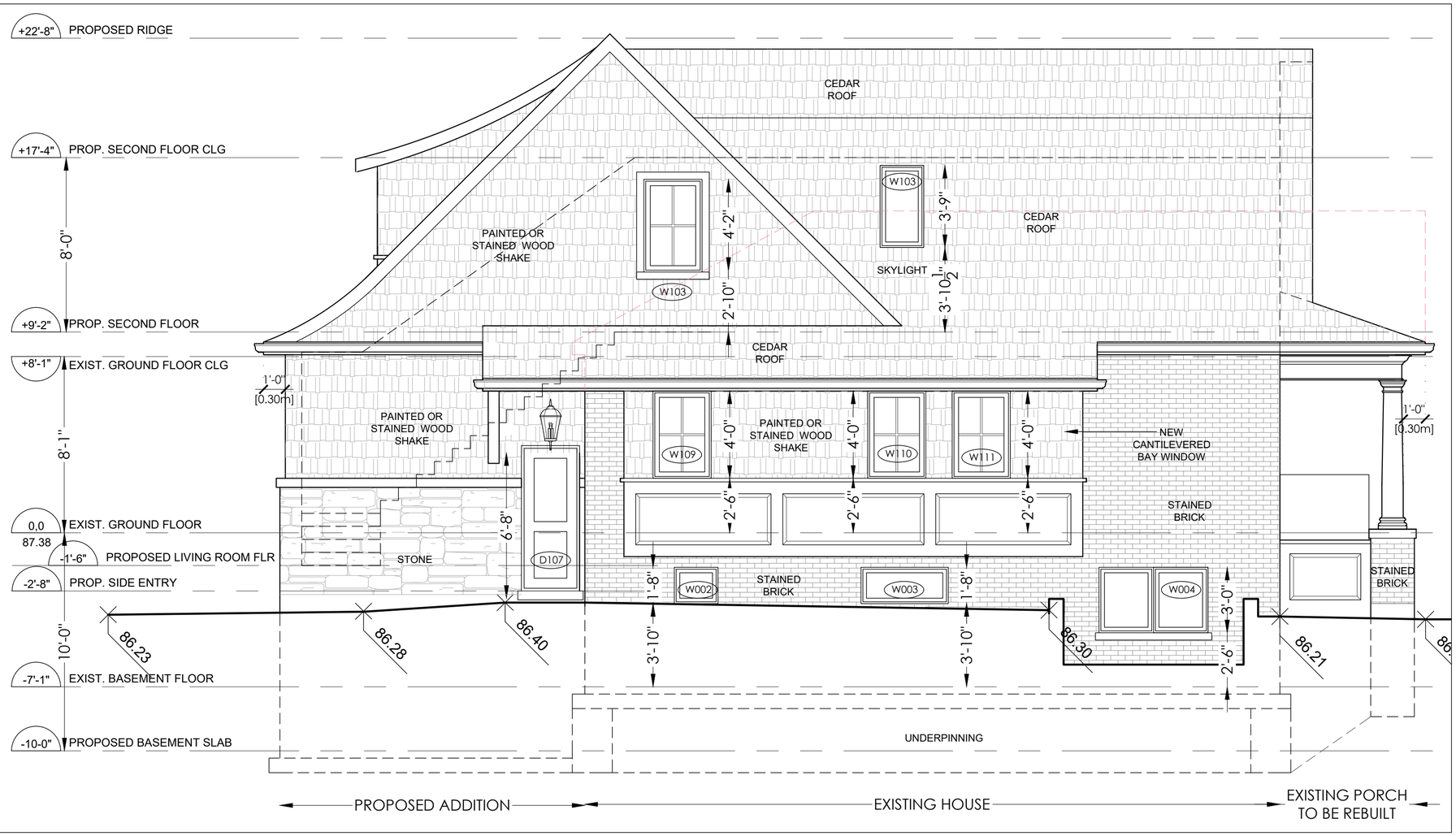
DRAWN BY/CHECK BY:
LB / LB

PLOT DATE
OCT 09, 2024

N

DRAWING No:

A302



1 A303 **PROPOSED SIDE ELEVATION (SOUTH)**

SCALE : 1/4" = 1'-0"

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2 A303 **EXISTING SIDE ELEVATION (SOUTH)**

SCALE : 1/4" = 1'-0"

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No.	DATE (D/M/Y)	ISSUED FOR

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LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH
PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

SIDE ELEVATION
(SOUTH)

PROJECT No: 23-07

SCALE: 1/4" = 1'-0"

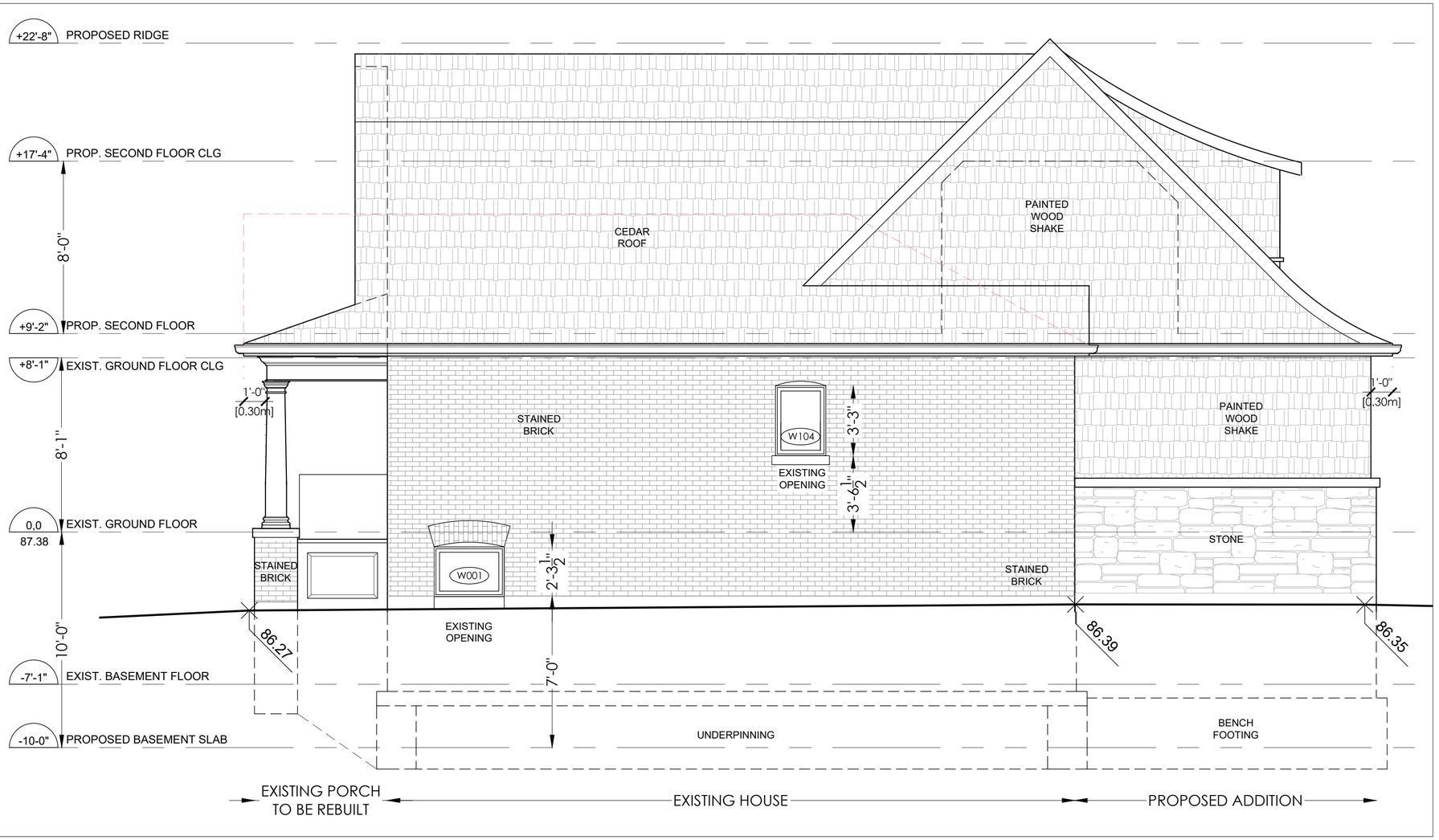
DRAWN BY/CHECK BY: LB / LB

PLOT DATE: OCT 09, 2024

N

DRAWING No:

A303



1 A304 PROPOSED SIDE ELEVATION (NORTH)

SCALE : 1/4" = 1'-0"

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2 A304 EXISTING SIDE ELEVATION (NORTH)

SCALE : 3/16" = 1'-0"

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1	27/03/2024	CONSULTATION
No.	DATE (D/M/Y)	ISSUED FOR

ONTARIO ASSOCIATION OF ARCHITECTS
LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

A. MCDONAGH PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

SIDE ELEVATION (NORTH)

PROJECT No: 23-07

SCALE: 1/4" = 1'-0"

DRAWN BY/CHECK BY: LB / LB

PLOT DATE: OCT 09, 2024

N

DRAWING No:

A304

1 A305 PROPOSED FRONT ELEVATION - STREETSCAPE RENDER
NTS

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2 A305 PROPOSED FRONT ELEVATION - 3D
NTS

3 A305 PROPOSED REAR ELEVATION - 3D
NTS

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LAUREN KRISTINA BOYER
LICENCE
924

LAUREN BOYER
ARCHITECT

3378 GUILDWOOD DRIVE
BURLINGTON, ON (T) 289 242 2116

PROJECT/ADDRESS:

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PROJECT MGMT
476 HOLTBY AVE
BURLINGTON, ON

DRAWING TITLE:

FRONT AND REAR
ELEVATIONS
3D VIEWS

PROJECT No: 23-07

SCALE: 1/4" = 1'-0"

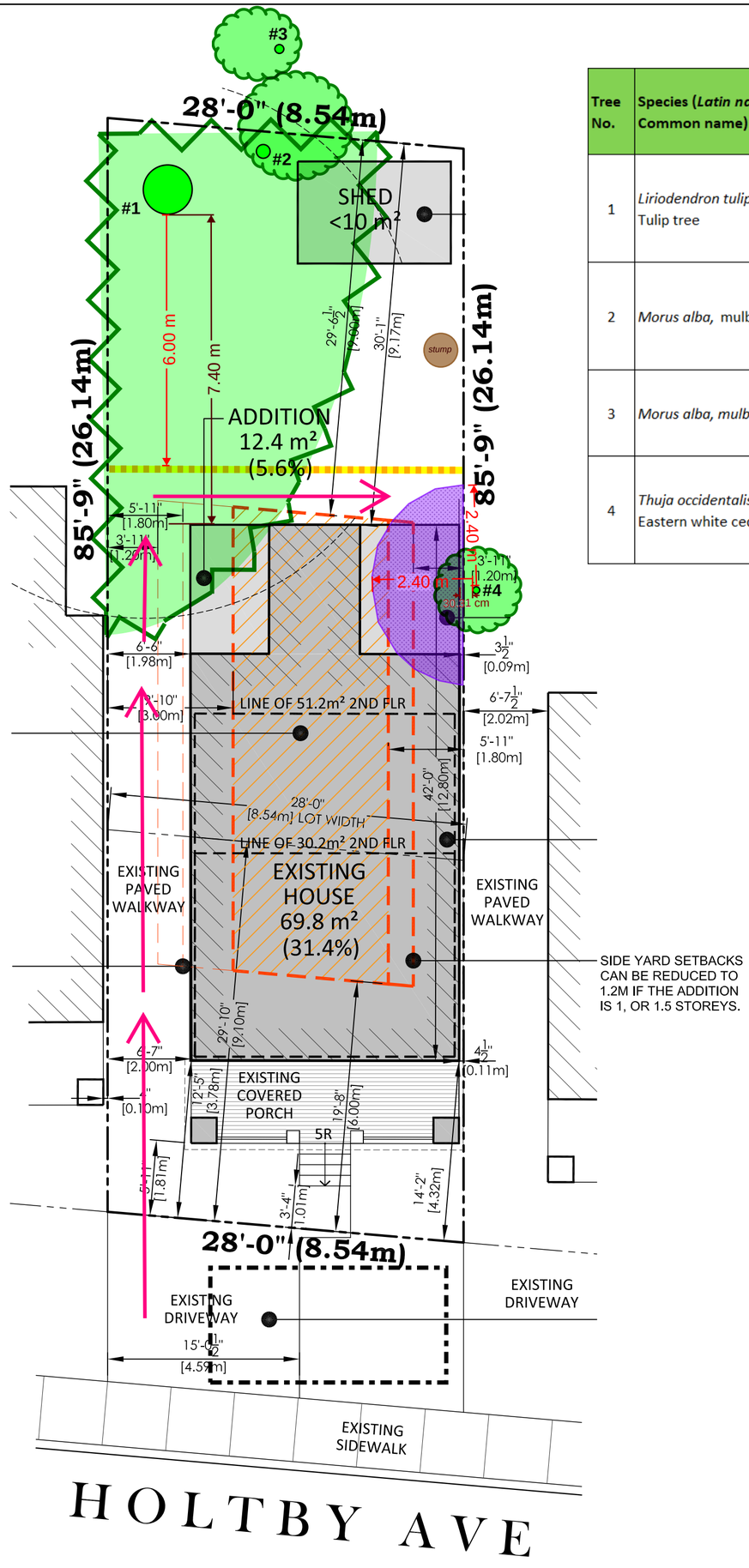
DRAWN BY/CHECK BY: LB / LB

PLOT DATE: OCT 09, 2024

N

DRAWING No:

A305



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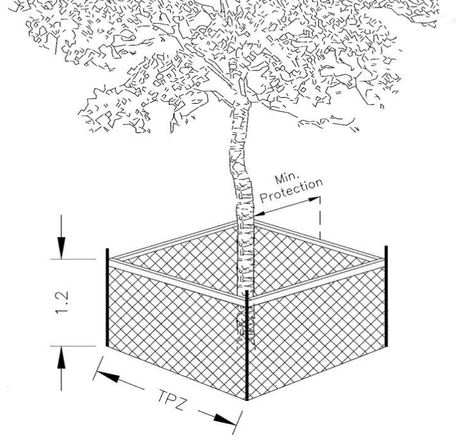
TREE INVENTORY TABLE (To be read in conjunction with the Arborist Report)

Tree No.	Species (*Latin name*, Common name)	DBH (cm)	Crown Radius (m)	Owner-ship	Biological Condition Rating	Structural Condition Rating	Comments	Recommended Actions	Min TPZ (m)
1	*Liriodendron tulipifera*, Tulip tree	119	11	Private	Good	Good	Uneven canopy from previous pruning for aerial wires and previous branch failures. Some deadwood and dieback, not uncommon for this species at this size and age.	Protect - tree protection barrier	6.0
2	*Morus alba*, mulberry	36	3	Private	Fair	Fair	Trunk bifurcates at 1m, included bark at union; tree growing into a railing post, pressing it up against hydro pole. Uneven canopy, leaning entirely over back neighbour's yard.	Protect - tree protection barrier	2.4
3	*Morus alba, mulberry*	25	3	Private, neigh-bour	Fair	Fair	Downslope from subject property. Uneven canopy from aerial wire clearance pruning. Deadwood. Canopy entirely over back neighbour's yard.	Preserve - existing chain link fence sufficient barrier	2.4
4	*Thuja occidentalis*, Eastern white cedar	21	1	Private, neigh-bour	Good	Good	Multi-stem. Trunk base is approximately 20cm from the neighbour's existing fence.	Injure - up to 40% root loss to accomodate addition; existing 6ft wood fence sufficient barrier	2.4

Tree Protection and Preservation Specification No.: SS12A



Detail TP-1 – Tree Protection Detail.

Trunk Diameter (DBH) [2]	Minimum Tree Protection Zone (MTPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3] Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
[4] Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

TREE PROTECTION BARRIER

1. The required barrier is a 1.2 metre (4 ft) high orange plastic web snow fencing on 2" x 4" frame. Where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
2. Tree protection barriers are to be erected prior to the commencement of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barriers shall be maintained erect and in good repair throughout the duration of construction operations with breaks and unsupported sections repaired immediately. Tree protection may be not be removed prior to the completion of construction without written authorization from the Manager of Urban Forestry or designate.
3. All supports and bracing used to safely secure the barrier should be located outside the MTPZ. All supports and bracing should minimize damage to roots.
4. Where some fill or excavated material must be temporarily located near a MTPZ, a wooden barrier with silt fencing must be used to ensure no material enters the MTPZ.
5. No materials or fill may be stored within the MTPZ.
6. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the MTPZ.
7. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the Manager of Urban Forestry or designate.
8. A laminated Minimum Tree Protection Zone sign (See Detail TP-3 – Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection where it will be visible by persons entering the site. Minimum size must be 10"x14".

APPENDIX II
TREE PROTECTION PLAN

(To be read in conjunction with the Arborist Report)

476 Holtby Avenue,
Burlington, ON L7R 2R3

Legend

- Tree Trunk, Tree #, and Tree Protection Zone (TPZ)
- Tree Protection Barrier
- Construction Access: width required for equipment
- Material Storage Area
- Tree Removal
- Canopy edge of Tree 1 over subject property
- Area of proposed root loss

Prepared by:
ARBORWOOD TREE SERVICE
Arborwood Tree Service Inc.
7838 Twenty Rd
Smithville, ON L0R 2A0
905-957-5663
info@arborwood.ca

IMPORTANT

Tree protection comments were added by the arborist to a site plan provided by Graham Alexander Architects via AM Engineering.

Tree protection barriers must remain in place and in good condition throughout all site disturbance, including landscaping, unless/until authorized by City of Burlington Urban Forestry.

If any tree roots are encountered during construction, care must be taken to minimize their disturbance. Tearing roots with machinery will compound their injury and can compromise the tree's structural integrity.

Drawing Details

Drawn: June 19, 2024
Drawn by: Lindsay Dandridge
Version: 01
Scale = 1:100

N

5.00 m

LAUREN BOYER
ARCHITECT

LETTER OF CONSENT

To the Owners of 478 Holtby Avenue
On behalf of Maureen and Albert McDonagh
Owners of 476 Holtby Avenue, Burlington, ON

Re: Consent for injury of a neighbouring or boundary tree to facilitate an addition to the residence at 476 Holtby Avenue.

Dear Neighbour,

The owners of 476 Holtby Avenue are proposing an addition which would extend Southwest into the backyard and add 6 feet from the furthest existing building face. This addition does not extend into the side lot lines further than the original dwelling and, in total, increases the ground floor area by 244 sq. feet.

The location of this addition is within the required tree protection zone for an Eastern White Cedar located on your property. We have had an arborist review the proposed construction relative to the existing tree and they have concerns that the proposed construction will impact the tree's health. Up to 40% root loss and injury is predicted and the tree has currently been assessed to be in good condition. In the event the tree does not survive the impacts of construction, the owners of 476 Holtby will remove the tree and its root structure and provide a new 30 mm caliper replacement tree (species and location to be chosen by owner of 478 Holtby Ave). Please reference the Arborist report and Tree Protection Plan attached.

Details of tree(s) to be injured:

1. Injury of Tree #4 (21 cm diameter, Eastern White Cedar)

Consent:

My name is Patty Austin
(name)

and I am the property owner at 478 Holtby Avenue, Burlington ON
(address)

I/we understand and are agreeable to the or injury of the tree(s) identified above.

Sincerely,

(signature)

(date)
December 3, 2024

(contact information; email, phone number)

A copy of this letter will be sent to the City of Burlington,

Forestry Department to facilitate the issuance of a consolidated Pre-Building Permit.

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LAUREN BOYER ARCHITECT
3378 Guildwood Drive, Burlington, ON L7L 1L5
info@laurenboyerarchitect.ca
(o) 905 361 9053 (m) 289 242 2116

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.2 - 1:00 P.M.

File
540-02-A-066/24

APPLICANTS: 401700 Ontario Limited and 401701 Ontario Limited,

PROPERTY: 675 Dynes Road, Unit 793
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the conversion of the attached garage to a superintendent office for the property management company to meet with new tenants. The renovations will include, but not be limited to, a garage door replacement with new window and man door.

VARIANCES:

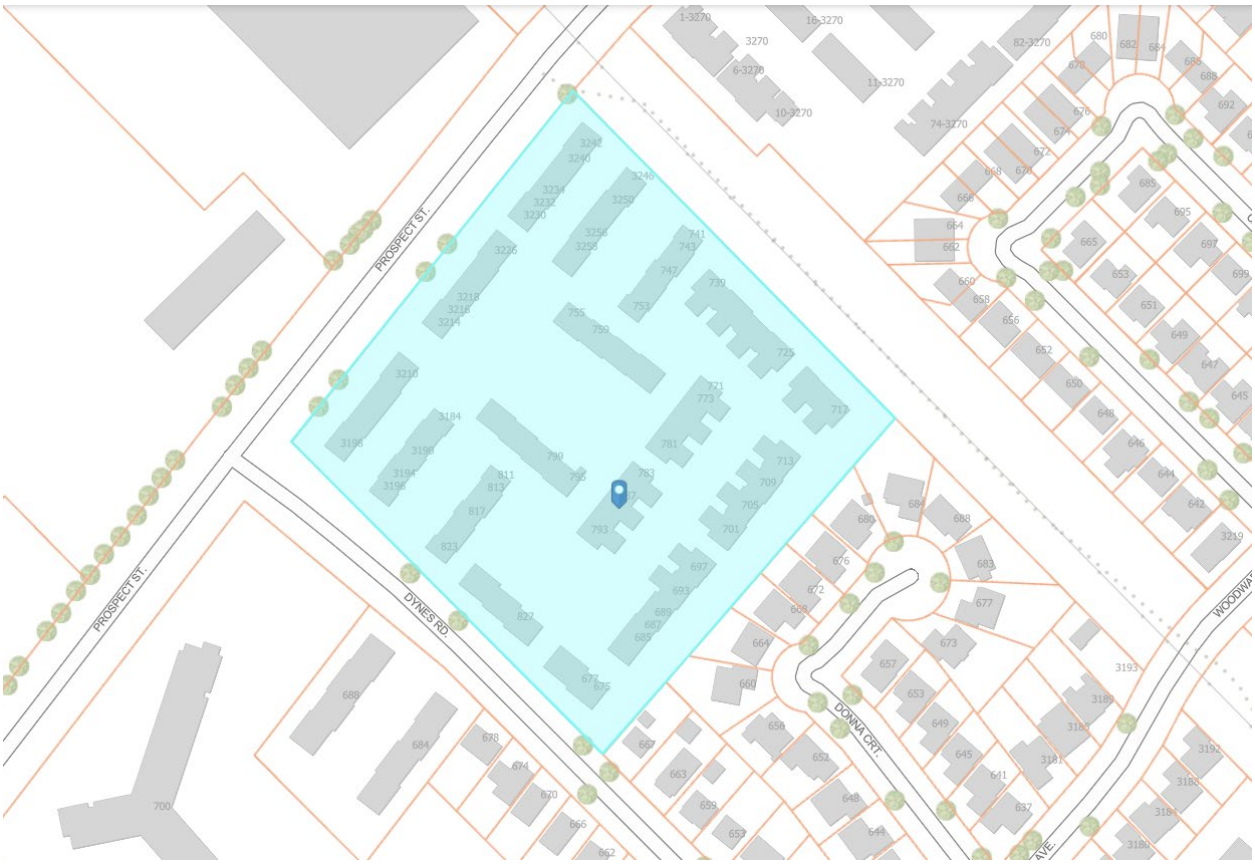
1. To permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage.

2. To permit exterior alternations to the existing dwelling (attached garage) for a home based business (office) whereas Part 1 Section 2.18.1 (a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: 401700 Ontario Limited and 401701 Ontario Limited
Address: 675 Dynes Road, Unit# 793
File No. **A-066/24**
Ward: 4



Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: August 27, 2024 Prepared By: C.Kabel

Zoning

1) **Background information:**

The subject property is zoned RM2, Residential Medium-Density Zone, under Zoning By-Law 2020, as amended. The RM2 zone requires, among other things, the following:

PART 16: DEFINITIONS

Home-Based Business
An office or personal service use, excluding a body-rub parlour, conducted from a residential dwelling unit by a person or persons residing in the dwelling unit, which is secondary to the primarily residential use of the dwelling.

Office
A building or part of a building where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration.

PART 1: GENERAL CONDITIONS AND PROVISIONS

2.18 HOME-BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY

2.18.1 **A Home-Based Business** and Cottage Industry shall be permitted in all zones within a dwelling unit. A Home Industry shall be permitted as an accessory use to a commercial farm only in RA zones. A Home-Based Business, Cottage Industry and Home Industry shall comply with the following provisions:

(a) **Residential Character and Compatibility**
The residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, **which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.**

(b) **Parking**
Off-Street parking shall be provided in accordance with Subsection 2.25.

(c) **Size**
A Home-Based Business, Cottage Industry or Home Industry **shall not be permitted within an attached garage, but may be conducted within a dwelling unit from a basement or cellar and up to 25% of the floor area above grade, excluding an attached garage.** A Home-Based Business or Cottage Industry in an RA or RG Zone shall have a maximum floor area of 100 m^2 or 25% of the residential living area, whichever is less. In addition, a

Home Industry may be conducted from an accessory building having a maximum floor area of 200 m^2.
Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be 3. For pet grooming and pet training, a maximum of 4 pets is permitted, including personal dogs and/or cats.

2) **Proposal:**

The applicant is proposing the conversion of the attached garage to a superintendent office for the property management company to meet with new tenants. The renovations will include, but not be limited to, a garage door replacement with new window and man door.

3) **Variances required:**

1. To permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage.

2. To permit exterior alternations to the existing dwelling (attached garage) for a home based business (office) whereas Part 1 Section 2.18.1 (a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

4) **Notes and conditions**:

Condition:

1. The applicant shall apply for a Zoning Clearance Certificate Application.

Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Zoning Clearance Application is made, they will be the responsibility of the applicant to obtain.

2. If in the future the tenant of unit #793 is no longer the superintendent of the property and no other home-based business is established, no other tenant of the property can operate the superintendent office from unit #793 to ensure compliance with Part 1, Subsection 2.18 d) as no other employee other than a resident of the dwelling may be employed or have their services retained.

3. The proposed conversion of the attached garage does not result in any variances related to parking.

4. The variances are being reviewed under 45(1) of the *Planning Act*.

Date: November 24, 2024 Prepared By: Danielle Beck, CPT

Site Planning

A minor variance application has been submitted to the City of Burlington to allow for the conversion of the attached garage of unit 793 located at 675 Dynes Road into a home-based business (office). Renovations will include the existing garage door being replaced with a new door and window. The purpose of the application is to create an office space for tenant of the unit, who is superintendent of the surrounding rental townhouse development. Creation of the office will enable the superintendent to meet with tenants in an office setting, instead of inside their private residence. The site does not contain a standalone superintendent office. The application requests a variance to permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage. In addition, a variance is required to permit exterior alterations to the attached garage for the proposed home-based business (office) whereas Part 1, Section 2.18.1(a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

The subject lands are a rectangular shaped lot with a total lot area of 3.1 hectares with approximate lot frontage of 176.91 m along Prospect Street and 173.42 m along Dynes Road. The property contains 120 rental townhouse units developed in the early 1970s. The lands are known municipally as 675 Dynes Road. The property is in a *residential neighbourhood* bounded by Prospect Street to the north, Cumberland Avenue to the east, New Street to the south and Guelph Line to the west. The subject property is located in the RM2 zone (Residential Medium Density) and is on the periphery of a neighbourhood consisting primarily of detached dwellings. Adjacent uses include commercial and retail uses to the north, a hydro corridor and trail to the east, detached dwellings to the south and apartment and townhouses to the west.

Existing land uses on the property consist of 120 two-storey townhouse units, an underground parking garage, surface parking spaces and a parkette. Access to the property is via driveways from Prospect Street and Dynes Road. A site visit was conducted on December 12, 2024, and existing on-site conditions are summarized in site photos included as Attachment No. 1 (Site Photos).

The total floor area of the townhouse unit subject to this application (unit 793) is 165.17 m^2, including the basement floor area. The floor area of the single car garage proposed for conversion is 18.7 m^2. A site plan, floor plans and existing and proposed elevations (dated June 2, 2024) are included as an attachment in a later section of this report.

1) City of Burlington Official Plans:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2009)

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) of the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that home-based businesses are a use permitted by the City's Zoning By-law, staff are of the opinion that the requested variances are within the intent of the ROP.

City of Burlington Official Plan (1997 & 2020)

On April 2, 2024, the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (BOP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as policies related to home-based businesses and the definition of compatibility remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans.

The subject lands are designated 'Residential – Medium Density' according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended.

Section 8.3.4 (1) (Residential Neighbourhood Area Policies) of the BOP, 2020, states that among the permitted uses within the 'Residential Medium Density' designation are, townhouses with a maximum height of three storeys. The existing development, being a site developed with two-storey townhouses, is in accordance with the policies of the BOP 2020 in terms of use and height.

Home occupations that are compatible with and complementary to the primarily residential neighbourhood are permitted subject to the policies of Subsection 8.3.7 of the BOP 2020, which are under appeal. Given these policies are not in force, the proposal has been reviewed against policies that apply to home occupations in BOP, 1997.

Part III, Section 2.2.2 a) (Residential Areas General Policies) of the BOP 1997, permits uses other than residential in Residential Areas such as home occupations, provided the uses are compatible with, complementary to and serving the primary residential use of the land. Regulations relating to home occupations are contained in the Zoning By-law (Part III, 2.7.2 (a)), but the BOP, 1997 outlines the following criteria that Zoning regulations must be consistent with:

(i) persons employed by the home occupation or cottage industry shall be limited to residents of the household from which the home occupation or cottage industry is conducted;

(ii) the home occupation or cottage industry use shall be accessory to the primary residential use of the dwelling unit, and the size of the area devoted to the home occupation and cottage industry shall be restricted to a percentage of the size of the dwelling unit;

(iii) outside storage and display shall be prohibited, and exterior signage restricted; and

(iv) the home occupation or cottage industry shall be limited to those that are compatible with adjacent residential uses with respect to noise, odour, traffic levels and parking.

While the zoning regulations based on these criteria will be reviewed in the next section, staff can confirm that the proposed home occupation meets the above criteria. The office is for the exclusive use of the unit occupant, it is much smaller in floor area than the main unit (11% of the total GFA).

Home Occupation is defined in Part VIII (Definitions) of the BOP 1997 as “an office or personal service use conducted from a residential dwelling unit by a person or persons residing in the dwelling unit, which is secondary to the primarily residential use of the dwelling.” The definition also includes policies for home occupations in the Rural Planning Area and North Aldershot Planning Area that are not applicable to the subject application.

Compatible(ity) is defined in the OP, 1997 as: “development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health.

Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals."

Staff have reviewed the proposal in the context of the surrounding residential neighbourhood, adjacent properties, and in accordance with the policies of the Official Plan. The proposed home-based office would enable the resident of the unit (site superintendent) to meet with tenants or prospective tenants of the rental development. Staff are of the opinion that the proposed home-based office use would maintain a subordinate presence within the existing townhouse unit due to its size, being 18.7 m^2 of a 165.12 m^2 unit. Further, staff are of the opinion that the proposed home-based office use would support the surrounding rental development therefore serve the primary residential use of the land. In terms of compatibility, in the opinion of staff, the proposed home-based office would not generate any physical or functional adverse impacts on the existing development. Staff is satisfied that the variances will maintain the intent of the Burlington Official Plan.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

The subject lands are zoned Medium Density Residential (RM2) to Map No.18 of the City of Burlington Zoning By-law 2020. Regulations for Home Based Businesses are provided in Part 1 (General Conditions and Provisions), Section 2.18 (Home-based Businesses, Cottage Industry, Home Industry). Home-based businesses are permitted in all zones within a dwelling unit, subject to several regulations related to residential character and compatibility, parking, size, employees, retail sales, location restrictions, storage and display, and nuisance.

<u>Yes</u> - Variance 1 (To permit a home-based business in an attached garage)

The application requests a variance to permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage. The intent of this regulation is to maintain sufficient space for vehicle storage so that a site is self-sufficient in terms of parking.

Townhouse dwellings require 2 occupant spaces per unit and 0.25 visitor spaces per unit. There are no changes to visitor parking because of the subject application. Currently the townhouse unit supports one occupant parking space in the single-width garage and the other on the driveway. The conversion of the garage into a home-based office would remove one of these spaces. Zoning staff have confirmed that there are two surplus tenant spaces provided in one of the onsite surface parking areas, of which one will be assigned to unit 793. On this basis, staff is of the opinion that sufficient

parking for unit 793 will be maintained and therefore the variance meets the general intent and purpose of the Zoning By-law.

Yes - Variance 2 (To permit exterior alterations to the existing dwelling)

The application requests a variance to permit exterior alterations to the existing dwelling (attached garage) for a home-based business (office) whereas Part 1, Section 2.18.1(a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling. The intent of the regulation is to ensure that a residential appearance and character is maintained.

The proposed renovation includes removal of the existing garage door which is to be replaced by a metal framed glazed door, window and EFIS panel. Although the garage door is being removed, staff are of the opinion that the premises will maintain the appearance of the residential dwelling unit given that the mansard roof with a shingle finish and brick masonry walls will be maintained and no new signage is proposed. Staff is of the opinion that the requested variance meets the general intent and purpose of the Zoning By-law.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The proposed conversion of the garage to home-based business provides space for tenant interactions which in the opinion of staff is more appropriate than the superintendent taking meetings with tenants within their private residential unit. Staff regard the home-based office as a required element of any rental development, much like a superintendent's office that would be provided in a rental apartment building. Staff is of the opinion that the variances to facilitate the conversion of the garage of unit 793 into a home-based office that serves the surrounding rental development are desirable for the use of the land.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

Staff is of the opinion that the variances can be considered minor, given that the proposed home-based business would serve the primary residential use of the land, without generating negative physical or functional adverse impacts on the existing development.

Cumulative Effects of Multiple Variances and Other Planning Matters:

Staff is of the opinion there is no negative cumulative impact of the requested variances. Reviewed individually or collectively, staff is of the opinion that the variances are within the scope of a minor variance application.

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variances.

Date: December 19, 2024 Prepared By: Melissa Dalrymple, MCIP, RPP

Attachment No. 1 (Site Photos – December 12, 2024)

View of front elevation of subject unit, unit 793.

View of garage side elevation of unit 793.

View of townhouse block containing unit 793.

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objections.

Date: December 4, 2024 Prepared By: D. Savelli

Forestry

Forestry has reviewed the proposed minor variance(s) and have no objections.

Date: Dec 4, 2024 Prepared By: J. Lee

Building

1. A Building Permit is required for all building construction and/or change of use;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012.

3. It is advised for the designer to review the definition of a 'Live/Work Unit' under the OBC for applicability to this project. Where the scope of work is not a 'Live/Work Unit', it will be considered a mixed-use building and may require fire separations, exits, barrier free design, etc.

Date: Dec 19, 2024 Prepared By: T. Le

Transportation Planning

Deemed Road Width Analysis

Dynes Road is under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Date: August 29th 2024 Prepared By: Taylor Kirchknopf

Transportation Planning have reviewed the proposed minor variance application and have no comments.

Date: December 18th 2024 Prepared By: Taylor Kirchknopf

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: Dec 2, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 675 Dynes Road where the application is proposing the conversion of the attached garage to an office including a garage door replacement, new window and man door. Variances are required to permit a home-based business in an attached garage and exterior alterations to the existing dwelling (attached garage).

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☒ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☒ or N ☐
Name of Planner: Chase Kelly Name of Zoning Examiner: Danielle Beck

PROPERTY INFORMATION
Municipal Address(es) of property:

675 Dynes Road Unit 793, Burlington, ON L7N 2V7

Legal Description of property:

Multi-Tenant Residential Property Located at 675-835 Dynes Road

Official Plan Designation: Registered Plan 293 Current Zoning Designation RM2

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

401700 Ontario Limited and 401701Ontario Limited - Amelin Property Mangement Michael Holzberg

Mailing Address: 155 Balliol St. City: Toronto

Postal Code: M4S 1C4 Home Phone: Mobile Phone:

Work Phone: 416-487-4461 X 405 E-Mail: michael@amelinproperties.com

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name:
Andy Ghadban, P.Eng. - Remy Consulting Engineers Ltd.

Business Address: 3425 Harvester Road City: Burlington

Postal Code: L7N 3M7 Home Phone: Mobile Phone: 905-379-2817

Work Phone: 905-639-1911 X 301 E-Mail: andy@remyeng.com

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

Interior renovations to existing single car garage for conversion to a superintendent office, an extension of the existing residential unit which includes new finished floor on slab-on-grade, insulated walls and ceiling, garage door replacement with new window and man-door, new door from garage to interior of residential unit, new electrical recepticles and lighting, and a new split system heating and air conditioning unit.

Variance(s) Requested	Zoning Bylaw Requirement
1. To permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage.	Refer to attached supplemental sheet
2. To permit exterior alternations to the existing dwelling (attached garage) for a home based business (office) whereas Part 1 Section 2.18.1 (a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.	

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature?

This is minor in nature as it still maintains and complies with the zoning bylaw intent in general.

2. Why are the variance(s) desirable for the appropriate use of the land?

It is desirable as it offer some privacy for the superintendent family members when the superintendent needs to meet with tenants. The land is zoned multi-tenant residential and needs to be appropriately serviced. This will aid in the servicing of the residential complex. Additional parking based on parking calculation at time of construction.

3. Do the variance(s) meet the intent and purpose of the Official Plan?

In our opinion the variance will still meets the intent of the official plan. No changes to the official plan are being executed.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law?

The variance meets and maintains the intent and purpose of the bylaw.

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

Zoning Bylaw Requirement

PART 1: GENERAL CONDITIONS AND PROVISIONS

2.18 HOME-BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY

2.18.1 A Home-Based Business and Cottage Industry shall be permitted in all zones within a dwelling unit. A Home Industry shall be permitted as an accessory use to a commercial farm only in RA zones. A Home-Based Business, Cottage Industry and Home Industry shall comply with the following provisions:

(a) Residential Character and Compatibility

The residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

(b) Parking

Off-Street parking shall be provided in accordance with Subsection 2.25.

(c) Size

A Home-Based Business, Cottage Industry or Home Industry shall not be permitted within an attached garage, but may be conducted within a dwelling unit from a basement or cellar and up to 25% of the floor area above grade, excluding an attached garage. A Home-Based Business or Cottage Industry in an RA or RG Zone shall have a maximum floor area of 100 m2 or 25% of the residential living area, whichever is less. In addition, a Home Industry may be conducted from an accessory building having a maximum floor area of 200 m2.

Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be 3. For pet grooming and pet training, a maximum of 4 pets is permitted, including personal dogs and/or cats.

Notes and Conditions

Conditions:

1. The applicant shall apply for a Zoning Clearance Certificate Application.

Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Zoning Clearance Application is made, they will be the responsibility of the applicant to obtain.

2. If in the future the tenant of unit #793 is no longer the superintendent of the property and no other home-based business is established, no other tenant of the property can operate the superintendent office from unit #793 to ensure compliance with Part 1, Subsection 2.18 d) as no other employee other than a resident of the dwelling may be employed or have their services retained.

3. The proposed conversion of the attached garage does not result in any variances related to parking.

4. The variances are being reviewed under 45(1) of the Planning Act.

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
01/19/1991 (mmm/dd/yyyy)	Early 1970 (mmm/dd/yyyy)	September 30, 2024 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☐ Semi-Detached Dwelling ☐
Townhouse Dwelling ☒ Street Townhouse
Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued:

54 years

Proposed Use of the Land:

Remains and Multi-Tenet Residential

Existing Uses of Abutting Properties (check all that apply)

Residential ☒ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☒

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☒
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water	☒	If not available, by what means is it provided:
Sanitary Sewers	☒	If not available, by what means is it provided:
Storm Sewers	☒	If not available, by what means is it provided:

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit ☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

MULTI-RESIDENTIAL
(STREET TOWNHOUSE, HI-RISE, STACKED TOWNHOUSES, DUPLEXES, etc)

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Density	Have you applied for Site Plan Approval? Y ☐ N ☒ File #:
176.91m	173.42m	3.1 Hectares	20	20	20	RM2	

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Building)			PROPOSED (Building/Addition)		
Ground Floor Area:	5,416.62	M^2	Ground Floor Area:	5,435.38	M^2
Gross Floor Area:	13,765.62	M^2	Gross Floor Area:	13,784.38	M^2
Number of Storeys:	2		Number of Storeys:	2	
Width:	6.1 per unit	M	Width:	6.1 per unit	M
Length:	9.3 per Unit	M	Length	9.3 per unit	M
Height:	6.7	M	Height	6.7	M
# of Existing Units:	120	M^2	# of Proposed Units:	120	M^2
Floor Area Ratio:	0.856	M^2	Floor Area Ratio:	0.856	M^2
Required Parking Spaces:	174		Proposed Parking Spaces:	205	
Existing Parking Spaces:	205				

EXISTING (Other)			PROPOSED (Other)		
Ground Floor Area:		M^2	Ground Floor Area:		M^2
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Number of Storeys:			Number of Storeys:		
Width:		M	Width:		M
Length:		M	Length		M
Height:			Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)			PROPOSED (Building)		
Front:	10.67	M	Front:	10.67	M
Rear:	15.25	M	Rear:	15.25	M
Side:	4.57	M	Side:	4.57	M
Side:	7.62	M	Side:	7.62	M

OTHER		OTHER	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

EXEMPTION FROM NEW SURVEY REQUIREMENT

Minor additions to an existing dwelling or for a proposed accessory building or structure (i.e., deck, driveway, pergola, shed), may be exempt from having to provide a new survey. Please refer to Page 3 of this application package for more details. Minor Variances with concurrent Consent applications require a new survey.

Applicant/Owner:	401701 Ontario Limited and 1388010 Ontario Limited - Amelin Property Mangement	Property Address:	675 Dynes Road Unit 793 Burlington, ON

1. I, Remy Consulting Engineers Ltd. Andy Ghadban, P.Eng. (Print Name) In my capacity as Agent (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated December 21, 1993 (mmm/dd/yyyy)

has been revised by: Existing OLS Survey prepared by S.D. McLaren, O.L.S (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated _____ (mmm/dd/yyyy)

has been revised by: _____ (Person or Company Name)

OR

C. The sketch or plot plan** dated May 1971 & December 1988 Site Plans (mmm/dd/yyyy)

**Accepted for applications involving variances for Uses only.

was prepared by: 1971 Site Plan - Prepared by Engineering Design and Construction Managers Ltd
1988 Site Plan prepared by International Design Network. (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: _____ (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: _____ (Person or Company Name)

4. Should the need arise during application processing for an new OLS survey, the applicant/agent agree to provide the survey as required by Committee or city staff in order to receive a decision on the application.

Signature of Owner/Applicant — July 31, 2024 Date (mmm/dd/yyyy)

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name	401701 Ontario Limited and 1388010 Ontario Limited - Amelin Property Mangement	Property Address	675 Dynes Road Unit 793 Burlington, ON L7N 2V7
	Signature of Owner/Applicant		July 31, 2024 Date (mmm/dd/yyyy)

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) [X] Signature of Applicant or Authorized Agent: Remy Consulting Engineers Ltd.

I, Andy Ghadban, P.Eng (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Region (Region/City/County) of Halton in the ~~City~~ City of Burlington (City/Town/Township)

this Burlington day of Aug 20 24.

WALY IS NOTARY 1 888 383-0383 www.walynotary.com info@walynotary.com 200-4145 North Service Road, Burlington, ON., L7L 6A3

ANTHONY VAN PHAM B.A. LL.B BARRISTER & SOLICITOR Notary Public & Commissioner of Oaths for the Province of Ontario My commission is of unlimited duration; No personal advice given

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 675 Dynes Road, Burlinton On L7N 2V7

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Michael Holzberg
Signature of Owner

Michael Holzberg
Print Name

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Michael Holzberg (print name) being the registered owner of the subject lands, hereby

Authorize Andy Ghadban, P.Eng (print agent name) to prepare, submit and act on my behalf with respect to this

application for a Minor Variance.

Michael Holzberg
Signature of Owner

07 / 31 / 2024
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☐ Metric Scale
- ☐ North Arrow
- ☐ Frontage
- ☐ Depth
- ☐ Lot Area
- ☐ Lot Coverage
- ☐ Deemed Street Line
- ☐ Existing Front Yard Setbacks
- ☐ Existing Rear Yard Setbacks
- ☐ Existing Side Yard Setbacks
- ☐ Existing Street Side Yard Setbacks
- ☐ Existing Porch, Stairs and Overhang Setbacks
- ☐ Proposed Front Yard Setbacks
- ☐ Proposed Rear Yard Setbacks
- ☐ Proposed Side Yard Setbacks
- ☐ Proposed Street Side Yard Setbacks
- ☐ Proposed Porch, Stairs and Overhang Setbacks
- ☐ Streets (Public and Private)
- ☐ Street Names
- ☐ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☐ Railways (Location of them and setbacks to structures)
- ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☐ Setbacks
- ☐ Height
- ☐ Area
- ☐ Length
- ☐ Width

ELEVATIONS

- ☐ Metric
- ☒ Front
- ☐ Rear
- ☒ Side 1
- ☐ Side 2

FLOOR PLANS

- ☐ Metric
- ☒ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

July 31, 2024
Date (mmm/dd/yyy)

Document Ref: 7VDJF-CVWBA-V2QPE-ZTGCX

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-066/24**
Committee of Adjustment
Mailing Date: January 6, 2025

NOTICE OF PUBLIC HEARING

401700 Ontario Limited and 401701 Ontario Limited, the owners of 155 Balliol St., Suite 1, Toronto, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **675 Dynes Rd., Unit 793, Burlington** (see map).

The applicant is proposing the conversion of the attached garage to a superintendent office for the property management company to meet with new tenants. This proposal results in the following variances:

1. To permit a home-based business in an attached garage whereas Zoning By-law 2020 does not permit a home-based business in an attached garage.

2. To permit exterior alternations to the existing dwelling (attached garage) for a home based business (office) whereas Part 1 Section 2.18.1 (a) requires that the residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

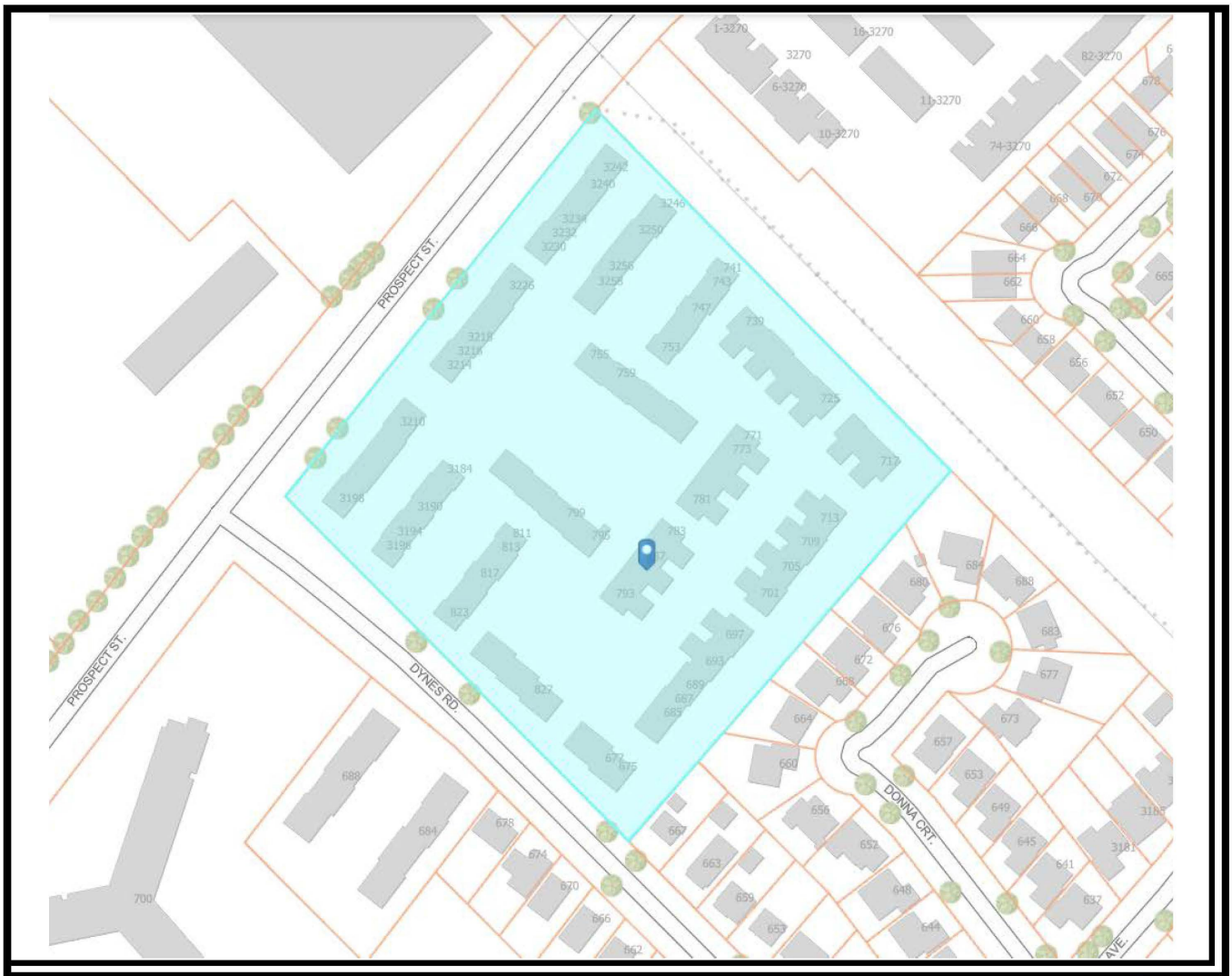
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map



Key Map

675 Dynes Rd, Unit 793

Committee of Adjustment Community Planning Department - Planning Implementation

REMY CONSULTING ENGINEERS LTD.

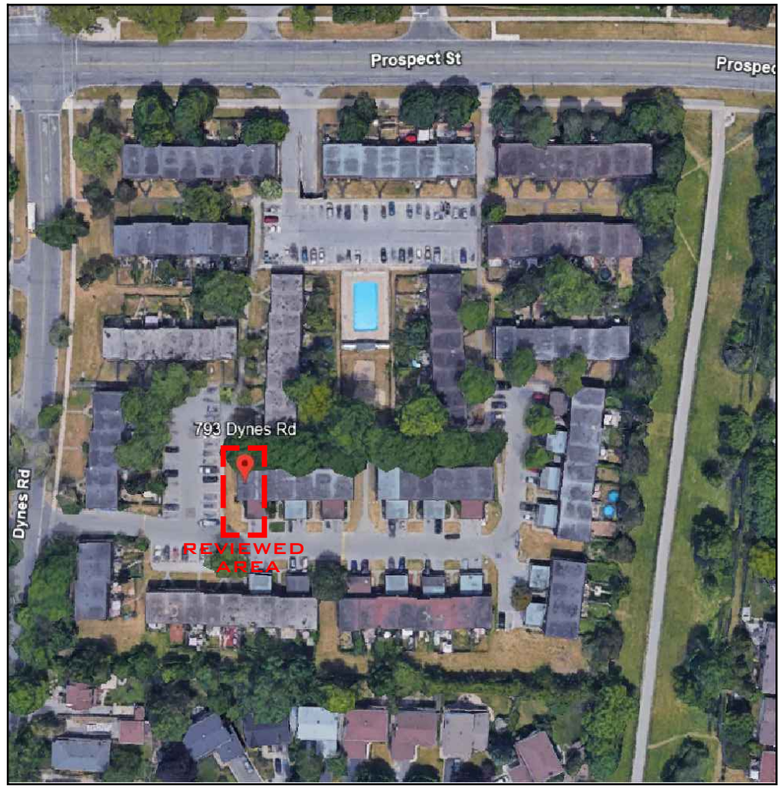
20 YEARS IN BUSINESS

TFA

TIM FANSTONE
ARCHITECT

Single Car Garage Rehabilitation & Proposed Change Of Use Project c/o Amelin Property Management Inc.

793 Dynes Road, Burlington, Ontario
RCEL Project No.: 2378A-24



SOURCE OF IMAGE: GOOGLE MAPS

GENERAL SITE PLAN

Copy Right Act Applies to Use and Production

DRAWING SCHEDULE

DRAWING NO.	DRAWING TITLE	REVISION	DATE
A-000	COVER PAGE		06/04/2024
A-001	GENERAL NOTES		06/04/2024
A-100	EXISTING PARTIAL SITE PLAN & PROPOSED CHANGE OF USE		06/04/2024
A-200	EXISTING FLOOR PLANS		06/04/2024
A-300	EXISTING NORTH & WEST ELEVATIONS		06/04/2024
S-100	DEMOLITION, STRUCTURAL PLAN, SECTIONS & DETAILS		06/04/2024

GENERAL NOTES AND TYPICAL DETAILS

THE GENERAL NOTES AND TYPICAL DETAILS ARE APPLICABLE TO ALL STRUCTURAL CONDITIONS NOT SPECIFICALLY DETAILED OR REFERENCED ON STRUCTURAL DRAWINGS.

THESE NOTES, DETAILS AND DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS.

THESE DRAWINGS ARE FOR THE USE OF THE CONSULTANT'S CLIENT ONLY. ALL INFORMATION SHOWN APPLIES TO THIS PROJECT ONLY AND REFLECT THE BEST JUDGEMENT OF THE CONSULTANT IN LIGHT OF THE AVAILABLE INFORMATION AT THE TIME OF PREPARATION. DECISIONS OR ACTIONS MADE BY THIRD PARTIES BASED ON THE DRAWINGS ARE THE SOLE RESPONSIBILITY OF SUCH PARTIES.

THESE DRAWINGS ARE THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

CODES AND STANDARDS

DESIGN AND CONSTRUCTION TO BE IN ACCORDANCE WITH THE 2012 ONTARIO BUILDING CODE.

PROJECT CITY: BURLINGTON, ONTARIO

GENERAL NOTES:

1. STANDARD DETAILS THAT ARE PROVIDED WITH THESE PLANS ARE PROVIDED TO ILLUSTRATE A SPECIFIC DETAIL OR CONSTRUCTION CONCEPT. THEY WERE NOT DRAWN SPECIFICALLY FOR THIS PROJECT AND MAY SHOW BACKGROUND DETAILS THAT ARE NOT IDENTICAL TO THIS PROJECT.
2. WHERE A DISCREPANCY EXISTS BETWEEN THE PLANS, DETAILS, SCHEDULES, TABLES AND/OR SPECIFICATIONS, THE MOST STRINGENT REQUIREMENT SHALL APPLY. ALL SUCH DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
3. ALL WORK SHALL COMPLY WITH THE CURRENT ONTARIO BUILDING CODE AND ALL GOVERNING STANDARDS & REGULATIONS.
4. CHECK ALL DIMENSIONS SHOWN ON THE STRUCTURAL DRAWINGS AND REPORT ANY INCONSISTENCIES TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.
5. READ STRUCTURAL DRAWINGS IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS.
6. CLARIFY WITH THE ENGINEER ANY QUERIES REGARDING INTERPRETATION OF THE DRAWINGS BEFORE PROCEEDING WITH ANY WORK.
7. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND SHALL REPORT ANY DISCREPANCY TO THE ENGINEER BEFORE PROCEEDING WITH ANY WORK.

CONCRETE

1. ALL STRUCTURAL CONCRETE ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD CAN/CSA A23.3 "DESIGN OF CONCRETE STRUCTURES".
2. CONCRETE WORK SHALL CONFORM TO CAN/CSA A23.1, A23.2, A23.3 FOR MATERIALS AND WORKMANSHIP.
3. CONCRETE SHALL CONFORM TO CLASS C-1 AND HAVE A 28 DAY COMPRESSIVE STRENGTH OF 35 MPa, A W/C RATIO OF 0.40 AND AIR ENTRAINMENT OF 5% TO 8%. ADJUST AIR ENTRAINMENT PERCENTAGE FOR AGGREGATE SIZE BASED ON CAN/CSA A23.1 TABLE 4.
4. CONCRETE SHALL BE MIXED, PLACED & CURED IN ACCORDANCE WITH CSA STANDARD A23.1 "CONCRETE MATERIALS AND METHODS OF CONCRETE CONSTRUCTION".
5. THE MAXIMUM NOMINAL AGGREGATE SIZE FOR CONCRETE SHALL BE 20mm (3/4").
6. CALCIUM CHLORIDE MUST NOT BE USED.
7. DO NOT ADD WATER TO CONCRETE ON SITE.
8. CONCRETE FLOORS SHALL BE COVERED WITH PLASTIC AND KEPT MOIST FOR THE FIRST THREE (3) DAYS OF CURING.
9. WELDED STEEL WIRE FABRIC: CSA G30.5
10. WELDED WIRE MESH SHALL BE INSTALLED AND SECURELY SUPPORTED BY SPACERS CONFORMING TO CAN/CSA - A23.1 AT THE SPECIFIED ELEVATION BEFORE THE CONCRETE IS PLACED. PLACING THE REINFORCING AT THE BOTTOM OF THE SLAB AND LIFTING IT AS THE CONCRETE IS PLACED WILL NOT BE PERMITTED.
11. AT SPLICES IN WELDED WIRE MESH, THE LENGTH OF OVERLAP MEASURED BETWEEN THE OUTERMOST CROSS WIRES OF EACH SHEET SHALL BE NOT LESS THAN ONE SPACING OF CROSS WIRES PLUS TWO INCHES (50mm).
12. ADHESIVE ANCHORS SHALL BE BONDED TO CONCRETE ELEMENTS USING HILTI HY150 INJECTION ADHESIVE (OR APPROVED EQUIVALENT) IN ACCORDANCE WITH MANUFACTURER'S WRITTEN INSTRUCTIONS.

COLD WEATHER CONCRETE NOTES:

1. CARRY OUT COLD WEATHER CONCRETING IN ACCORDANCE WITH THE REQUIREMENTS OF CLAUSE 21 OF CAN/CSA A23.1/A23.2 LATEST EDITIONS AND ACI STANDARD 306R-16, "RECOMMENDED PRACTICE FOR COLD WEATHER CONCRETING."
2. WHENEVER AIR TEMPERATURE IS BELOW OR IS LIKELY TO FALL BELOW 50C WITHIN 24 HOURS OF PLACING, EMPLOY SUITABLE MEANS TO MAINTAIN TEMPERATURE OF PLACED CONCRETE AT NOT LESS THAN 100C FOR AT LEAST 5 DAYS AFTER PLACING. PROVIDE SUFFICIENT THERMOMETERS TO MONITOR TEMPERATURES. DO NOT ALLOW CONCRETE TO FREEZE FOR 7 DAYS. DO NOT PLACE CONCRETE AGAINST FROZEN MATERIAL.
3. PERFORM STANDING SLUMP, AIR CONTENT AND COMPRESSIVE STRENGTH TESTING IN ACCORDANCE WITH CSA A23.1/A23.2 LATEST EDITIONS. CAST ONE SET OF CONCRETE TEST CYLINDERS FOR EACH CONCRETE PLACEMENT, TO BE STORED ON SITE AT SITE CONDITIONS. PROVIDE TEST RESULTS TO OWNER AND CONSULTANT.
4. CONCRETE WHICH WILL NOT BE PLACED WITHIN ONE (1) HOUR OF MIXING SHALL CONTAIN SUFFICIENT RETARDANT AGENT TO DELAY THE INITIAL SET FOR A TIME REQUIRED TO PLACE AND VIBRATE CONCRETE.
5. MATERIALS
   a. CONCRETE: TYPE C1 WITH 35MPa COMPRESSIVE STRENGTH AT 28 DAYS, 5-8% ENTRAINED AIR, 3" SLUMP (±1").

MASONRY NOTES:

1. ALL STRUCTURAL MASONRY ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA STANDARD S304.1 "MASONRY DESIGN FOR BUILDINGS (LIMIT STATES DESIGN)".
2. MASONRY CONSTRUCTION SHALL CONFORM TO CSA STANDARD A371.
3. CONNECTORS SHALL CONFORM TO CSA STANDARD A370.
4. CONCRETE MASONRY UNITS SHALL BE TYPE H/15/A/M.
5. MORTAR SHALL BE TYPE S. TYPE O MORTAR MAY BE USED WHERE APPROPRIATE AND ONLY WITH THE APPROVAL OF THE MASONRY SPECIALIST.
6. STACK BOND SHALL NOT BE USED WITHOUT THE PRIOR APPROVAL OF THE STRUCTURAL ENGINEER.
7. ALL MORTAR JOINTS IN CONCRETE BLOCK WORK SHALL BE TOOLED CONCAVE TYPE.
8. MORTAR JOINTS SHALL BE 10mm THICK (± 3mm). BED JOINTS OF THE STARTING COURSE SHALL NOT BE LESS THAN 6mm NOR MORE THAN 20mm.
9. MORTAR & GROUT FOR UNIT MASONRY SHALL CONFORM TO THE REQUIREMENTS OF CSA STANDARD A179-M.
10. GROUT NOT PLACED WITHIN 1 ½ HOURS AFTER WATER IS FIRST ADDED TO THE BATCH SHALL BE DISCARDED.
11. GROUT FOR UNIT MASONRY: TYPE S BASED ON PROPORTION SPECIFICATIONS, OR 13.3 MPa BASED ON PROPERTY SPECIFICATIONS.
12. ALL MASONRY WORK TO BE OVERSEEN BY A QUALIFIED MASONRY SPECIALIST WITH EXPERIENCE IN HERITAGE BUILDINGS

WOOD CONSTRUCTION

1. WOOD FRAMING DESIGN AND CONSTRUCTION SHALL CONFORM TO THE CAN/CSA-O86 "ENGINEERING DESIGN IN WOOD"
2. LUMBER SHALL BE SPF No. 1 / 2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
3. WALL SHEATHING SHALL BE 9.5mm (3/8") PLYWOOD CONFORMING TO CSA 0151 "CANADIAN SOFTWOOD PLYWOOD" OR 11MM (7/16") 0-2 OSB TO CSA 0452 "DESIHN RATED OSB", UNLESS NOTED OTHERWISE.
4. ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
5. ALL NAILS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE TO BE HOT DIP GALVANIZED (TO CSA-G164) OR STAINLESS STEEL.
6. FASTENERS SHALL PENETRATE A MINIMUM OF 50% OF THE LAST MEMBER OR NOT LESS THAN 89mm LONG, WHICHEVER IS GREATER.
7. SCREWS MUST CONFORM TO ANSI/ASME B18.6.1 FOR WOOD SCREWS (INCH SERIES)
8. ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 75MM (3") SPIRAL NAILS AT 300MM O.C. FOR EVERY PLY UNLESS NOTED OTHERWISE.
9. ALL WOOD MEMBERS PERMANENTLY EXPOSED TO WEATHER, SILL PLATES, OR ANY WOOD IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.
10. BOLTS CONNECTING TO WOOD MEMBERS SHALL COMPLY WITH ASTM A307.

REINFORCING STEEL

1. ALL REINFORCING STEEL SHALL BE DEFORMED BARS CONFORMING TO G30.18 WITH A MINIMUM YIELD OF 400 MPa.
2. REINFORCING STEEL SHALL BE FABRICATED BY A SUPPLIER EXPERIENCED IN BAR BENDING. ALL BEND DIAMETERS SHALL CONFORM TO CAN/CSA-A23.1.
3. ALL REBAR SHALL BE DETAILED, FABRICATED AND PLACED IN ACCORDANCE WITH REINFORCING STEEL MANUAL STANDARD PRACTICE, BY RSIC.
4. MAINTAIN THE FOLLOWING CLEAR COVER TO REINFORCEMENT (U.N.O):
   a. 40 mm (1.5") FOR CONCRETE PLACE IN FORMWORK FOR 20M OR SMALLER BARS.
   b. 50 mm (2") FOR CONCRETE PLACE IN FORMWORK FOR 25M OR LARGER BARS.
   c. 65mm (2.5") FOR SLAB ON GRADE, TOP OF SLAB TO TOP LAYER OF REINFORCING STEEL.
   d. 75mm (3") FOR CONCRETE PLACED AGAINST THE EARTH (BOTTOM OF FOOTING).

   CHAIRS SHALL BE USED TO MAINTAIN THE SPECIFIED CONCRETE COVER.
5. MINIMUM BAR LAP LENGTH (25 MPa, NORMAL DENSITY, NON COATED BARS) SHALL BE:
   a. 450 mm (18") FOR 10M BARS
   b. 600 mm (24") FOR 15M BARS
   c. 750 mm (30") FOR 20M BARS
   d. 1200 mm (48") FOR 25M BARS
   e. 1400 mm (56") FOR 30M BARS
6. LAP ALL HORIZONTAL BARS AT CORNERS WITH BENT DOWELS MEETING THE MINIMUM LAP REQUIREMENTS IN BOTH DIRECTIONS.

FORMWORK AND SHORING NOTES

1. SHORES SHALL BE DESIGNED AND DETAILED BY A PROFESSIONAL ENGINEER LICENSED IN THE PROVINCE OF ONTARIO. DRAWINGS ILLUSTRATING THE SHORING SYSTEM AND SEQUENCING SHALL BE SIGNED AND SEALED BY SAID ENGINEER.
2. DESIGN AND ERECT FORMS AND SHORES IN ACCORDANCE WITH CSA STANDARD CAN/CSA S269.1-16 AND THE APPROPRIATE O.H.S.A. REGULATIONS. DESIGN FORMS AND SHORES FOR HORIZONTAL CONCRETE MEMBERS FOR NOT LESS THAN DEAD LOAD PLUS 2.4 kPa CONSTRUCTION LOAD AND FOR THE CUMULATIVE LOADS OF SUPPORTING FLOOR SLABS. DESIGN SHORES WITH A MIN. FACTOR OF SAFETY OF 3.
3. PROVIDE TEMPORARY BRACING AS NEEDED TO ENSURE STABILITY OF STRUCTURE DURING CONSTRUCTION.
4. FORMING, SHORING AND RE-SHORING SHALL BE INSPECTED BY THE PROFESSIONAL ENGINEER WHO PREPARES THE SAID DRAWINGS. THEY SHALL SUBMIT A STATEMENT TO THE ENGINEER THAT THIS WORK WAS PERFORMED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS.

GENERAL DEMOLITION NOTES

THE FOLLOWING "GENERAL NOTES" APPLY TO ALL WORK TO BE PERFORMED, AND ARE NOT REFERENCED TO SPECIFIC LOCATIONS.

1. EXISTING MATERIALS ARE NOTED AS SUCH. ALL OTHER MATERIALS SHALL BE UNDERSTOOD TO BE NEW WORK.
2. UNLESS INDICATED OTHERWISE, ALL MATERIALS AND FINISHES REQUIRED FOR WORK AT, WITHIN, OR INVOLVING THE EXISTING BUILDING SHALL MATCH THE CORRESPONDING EXISTING MATERIALS AND FINISHES.
3. CONDUCT DEMOLITION OPERATIONS CAREFULLY AND WITH DUE REGARD FOR THE SAFETY AND INTEGRITY OF THE EXISTING STRUCTURE.
4. VERIFY EXISTING CONDITIONS AND DIMENSIONS AT EACH AREA OF THE EXISTING STRUCTURE PRIOR TO BEGINNING WORK
5. PROTECT ALL EXISTING EQUIPMENT, FIXTURES, AND FINISHES TO REMAIN FROM DAMAGE DURING DEMOLITION AND CONSTRUCTION OPERATIONS. IF DAMAGE OCCURS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING THE DAMAGED SURFACES AND/OR MATERIALS AS REQUIRED TO RESTORE THEM TO THEIR ORIGINAL CONDITIONS.
6. AS DEMOLITION OPERATIONS PROCEED, NOTIFY THE ENGINEER IMMEDIATELY IF THE ACTUAL EXISTING CONDITIONS AND/OR DIMENSIONS ARE FOUND TO BE SUBSTANTIALLY DIFFERENT FROM, OR IN CONFLICT WITH, THESE DRAWINGS. IF DIMENSIONAL ADJUSTMENTS ARE REQUIRED, OR IF ADDITIONAL WORK MAY BE NECESSARY (DUE TO UNFORESEEN CONDITIONS, HIDDEN DAMAGE AND THE LIKE), DO NOT PROCEED WITHOUT THE SPECIFIC AUTHORIZATION OF THE ARCHITECT FOR THE ARE IN QUESTION.
7. WHERE CUTTING OF EXISTING MATERIALS IS REQUIRED, REPAIR CUT ENDS TO MATCH EXISTING SURFACES TO REMAIN OR TO BUTT TIGHTLY TO ADJOINING NEW CONSTRUCTION (AS APPLICABLE). ALL EVIDENCE OF CUTTING AND PATCHING SHALL BE CONCEALED IN THE FINISHED WORK.

1 A-001 GENERAL NOTES
SCALE: N.T.S

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NO.	MM/DD/YYYY	DESCRIPTION
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0	05/08/2024	ISSUED FOR CLIENT REVIEW

APPROVED BY

LICENSED PROFESSIONAL ENGINEER
Andy Ghadban
1502307
06.04.2024
PROVINCE OF ONTARIO

CLIENT

Amelin Property Management Inc.

PROJECT

Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE

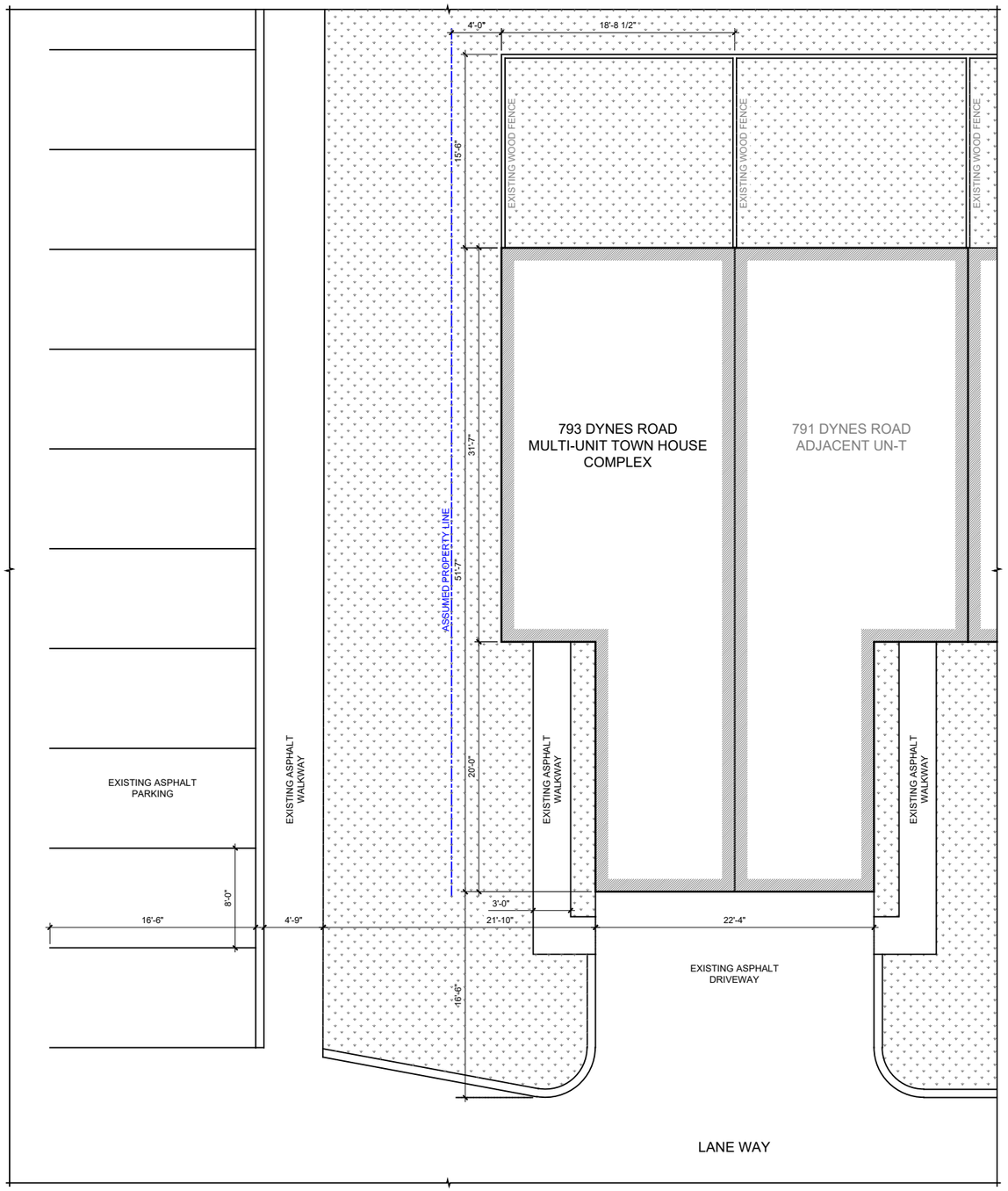
GENERAL NOTES

DISCIPLINE	ARCHITECTURAL
PROJECT NUMBER	2378A-24
DATE	06/04/2024
DRAWN BY	JK
DESIGNED BY	JK
CHECKED BY	AG

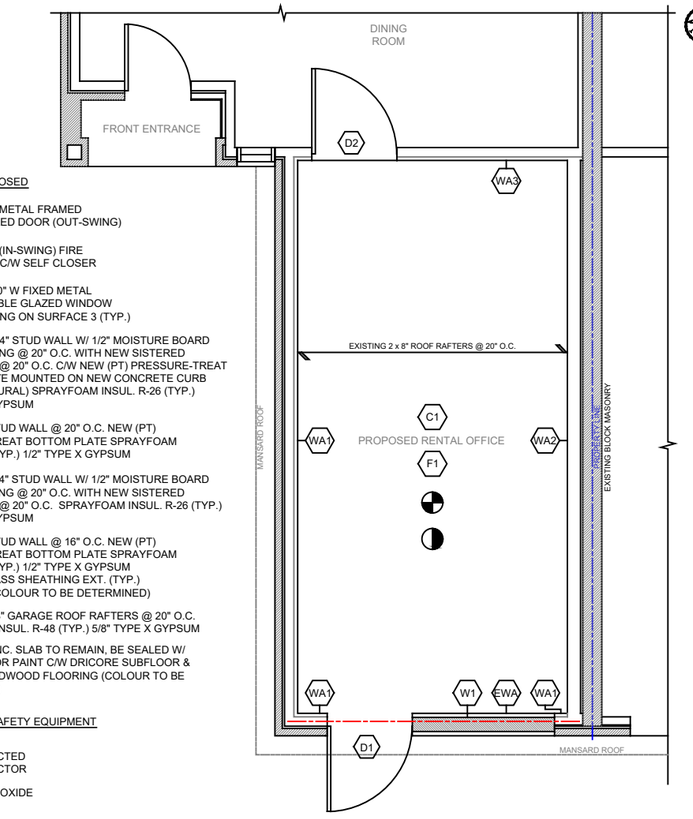
A-001

REVISION NO.

SCALE AS SHOWN



1 A-100 PARTIAL SITE PLAN
SCALE: 3/32" = 1'-0"



PROPOSED

- D1 — NEW 36" x 80" METAL FRAMED DOUBLE GLAZED DOOR (OUT-SWING)
- D2 — NEW 36" x 80" (IN-SWING) FIRE RATED DOOR C/W SELF CLOSER
- W1 — NEW 48" H x 60" W FIXED METAL FRAMED DOUBLE GLAZED WINDOW LOW 'E' COATING ON SURFACE 3 (TYP.)
- WA1 — EXISTING 2" x 4" STUD WALL W/ 1/2" MOISTURE BOARD EXT. SHEATHING @ 20" O.C. WITH NEW SISTERED 2" x 6" STUDS @ 20" O.C. C/W NEW (PT) PRESSURE-TREAT BOTTOM PLATE MOUNTED ON NEW CONCRETE CURB (SEE STRUCTURAL) SPRAYFOAM INSUL. R-26 (TYP.) 1/2" TYPE X GYPSUM
- WA2 — NEW 2" x 6" STUD WALL @ 20" O.C. NEW (PT) PRESSURE-TREAT BOTTOM PLATE SPRAYFOAM INSUL. R-26 (TYP.) 1/2" TYPE X GYPSUM
- WA3 — EXISTING 2" x 4" STUD WALL W/ 1/2" MOISTURE BOARD EXT. SHEATHING @ 20" O.C. WITH NEW SISTERED 2" x 6" STUDS @ 20" O.C. SPRAYFOAM INSUL. R-26 (TYP.) 1/2" TYPE X GYPSUM
- EWA — NEW 2" x 6" STUD WALL @ 16" O.C. NEW (PT) PRESSURE-TREAT BOTTOM PLATE SPRAYFOAM INSUL. R-26 (TYP.) 1/2" TYPE X GYPSUM 1/2" DENS GLASS SHEATHING EXT. (TYP.) EFIS FINISH (COLOUR TO BE DETERMINED)
- C1 — EXISTING 2 x 8" GARAGE ROOF RAFTERS @ 20" O.C. SPRAYFOAM INSUL. R-48 (TYP.) 5/8" TYPE X GYPSUM
- F1 — EXISTING CONC. SLAB TO REMAIN, BE SEALED W/ DRYLOK FLOOR PAINT C/W DRICORE SUBFLOOR & LAMINAE HARDWOOD FLOORING (COLOUR TO BE DETERMINED)

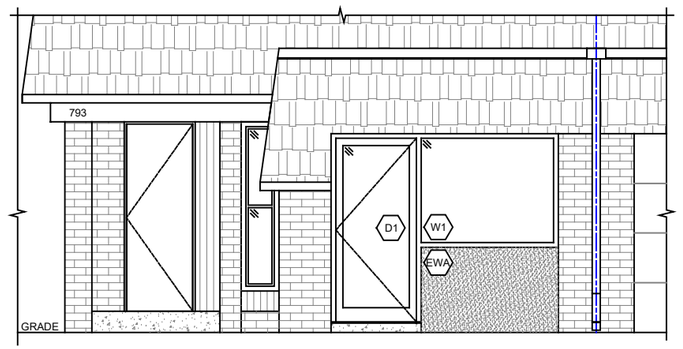
PROPOSED FIRE SAFETY EQUIPMENT

- INTERCONNECTED SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR

2 A-100 PART. PROPOSED GARAGE PLAN: CHANGE OF USE
SCALE: N.T.S.

PROPOSED

- D1 — NEW 36" x 80" METAL FRAMED DOUBLE GLAZED DOOR (OUT-SWING)
- W1 — NEW 48" H x 60" W FIXED METAL FRAMED DOUBLE GLAZED WINDOW LOW 'E' COATING ON SURFACE 3 (TYP.)
- EWA — NEW 2" x 6" STUD WALL ON CONC. CURB EFIS FINISH (COLOUR TO BE DETERMINED)



3 A-100 PART. PROPOSED NORTH ELEVATION
SCALE: N.T.S.

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APPROVED BY

LICENSED PROFESSIONAL ENGINEER
Andy Ghadban
15902307
06.04.2024
PROVINCE OF ONTARIO

CLIENT
Amelin Property Management Inc.

PROJECT
Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE
SITE PLAN & PROPOSED
CHANGE OF USE

DISCIPLINE	ARCHITECTURAL
PROJECT NUMBER	2378A-24
DATE	06/04/2024
DRAWN BY	JK
DESIGNED BY	JK
CHECKED BY	TF

A-100

REVISION NO.
SCALE AS SHOWN

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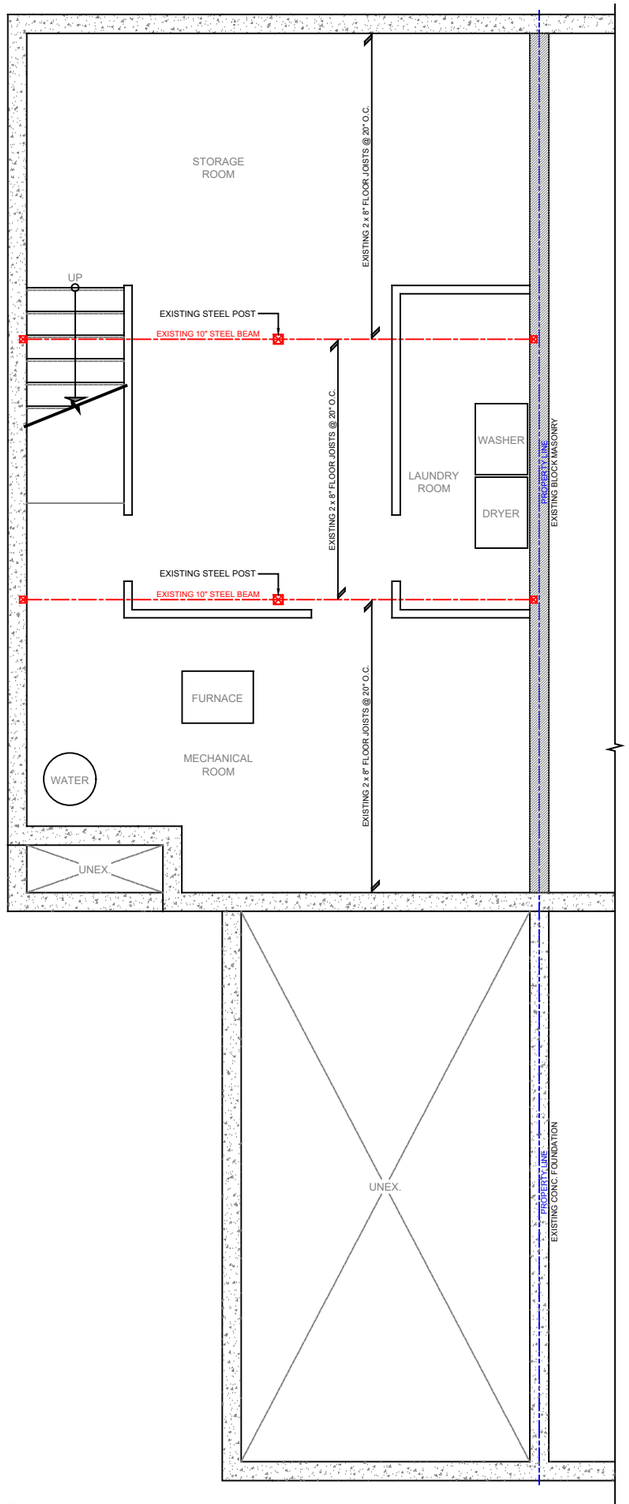
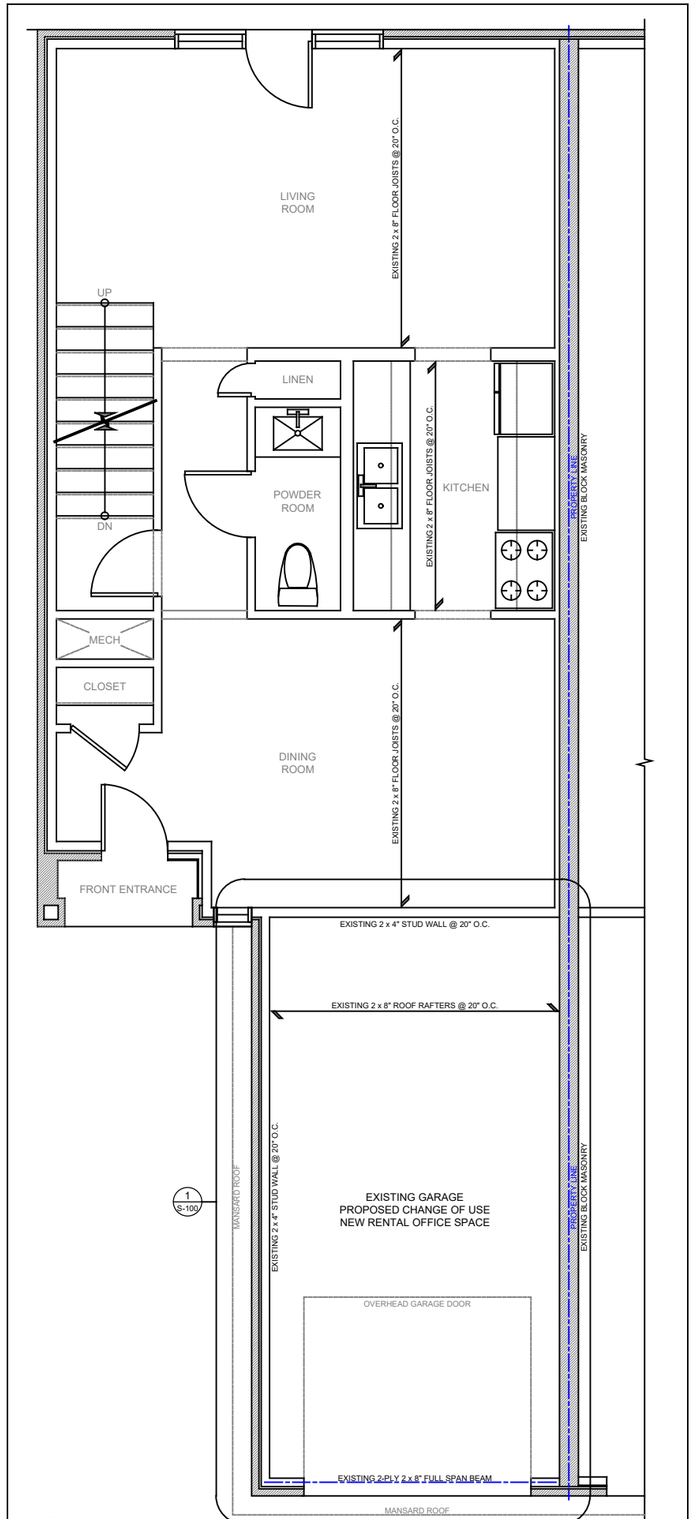
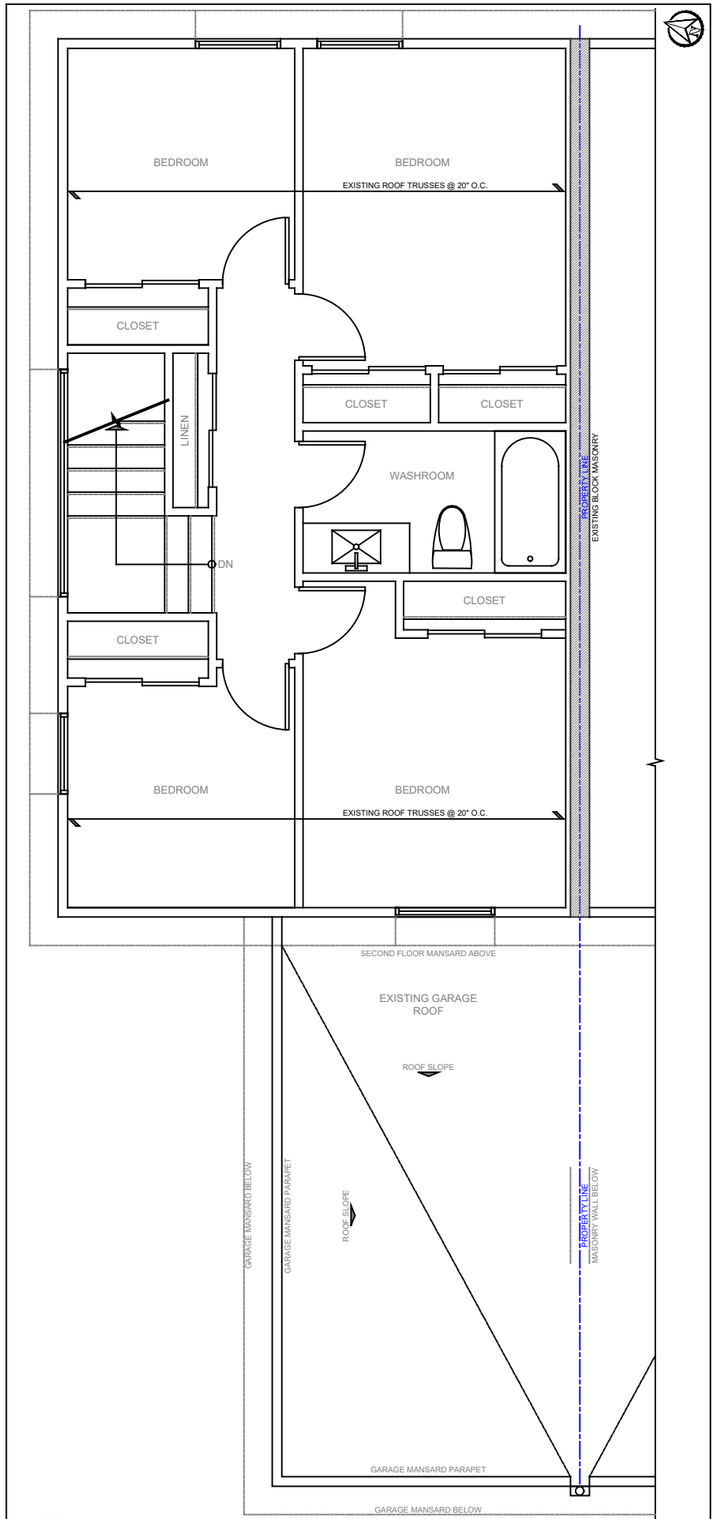


1 A-200 EXISTING BASEMENT FLOOR PLAN
SCALE: 3/16" = 1'-0"



2 A-200 EXISTING FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



3 A-200 EXISTING SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

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15902307
06.04.2024
PROVINCE OF ONTARIO

CLIENT
Amelin Property Management Inc.

PROJECT
Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE
EXISTING FLOOR PLANS

DISCIPLINE	ARCHITECTURAL
PROJECT NUMBER	2378A-24
DATE	06/04/2024
DRAWN BY	JK
DESIGNED BY	JK
CHECKED BY	TF

A-200

REVISION NO.
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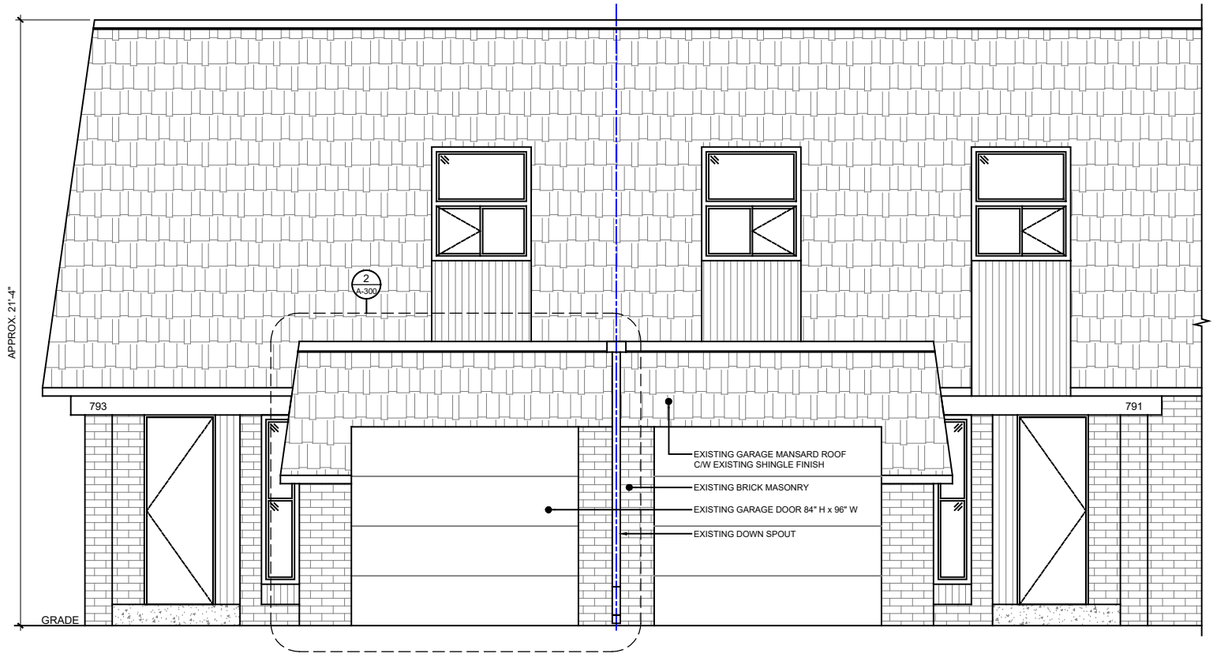


1 A-300 EXISTING NORTH ELEVATION
SCALE: 3/16" = 1'-0"

PROPOSED

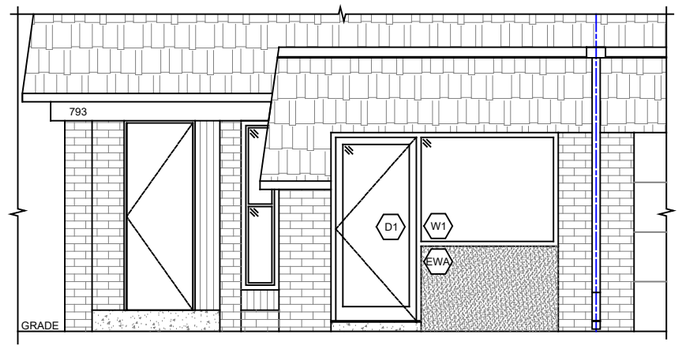
D1 NEW 36" x 80" METAL FRAMED DOUBLE GLAZED DOOR (OUT-SWING)

W1 NEW 48" H x 60" W FIXED METAL FRAMED DOUBLE GLAZED WINDOW LOW 'E' COATING ON SURFACE 3 (TYP.)

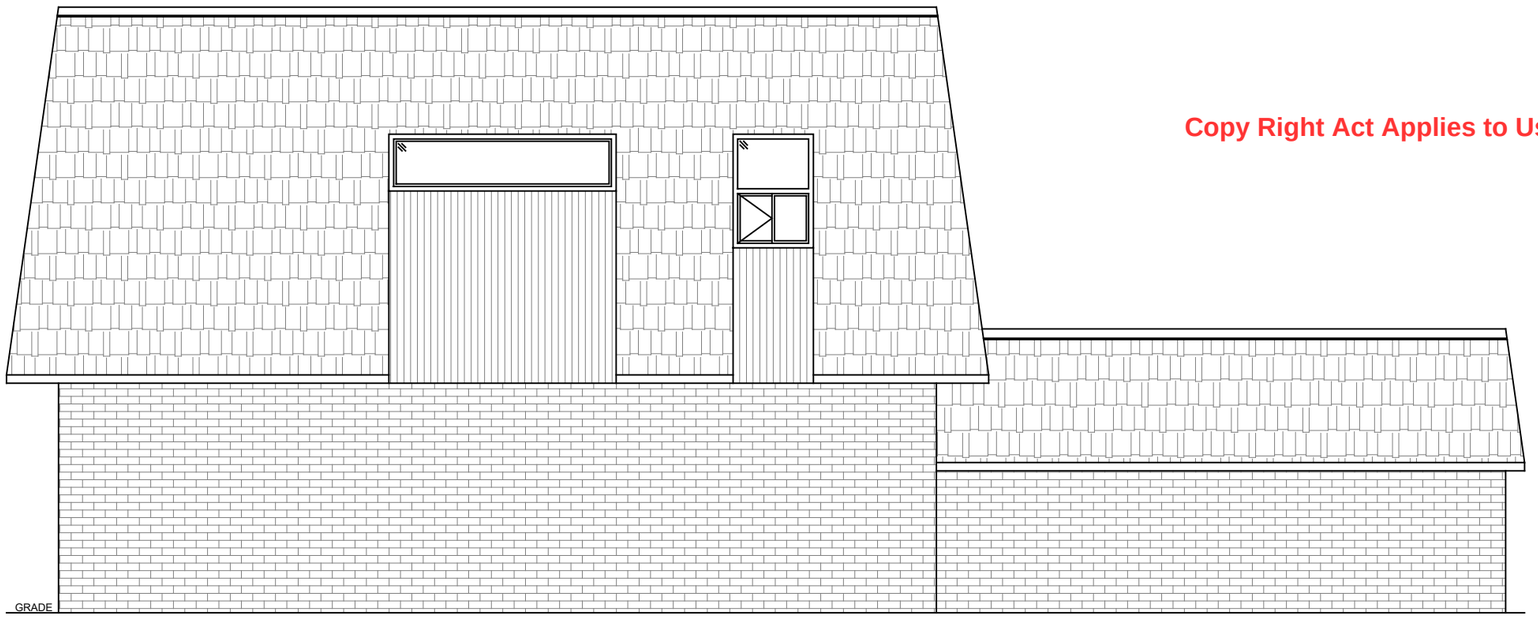
EWA NEW 2" x 6" STUD WALL ON CONC. CURB EFIS FINISH (COLOUR TO BE DETERMINED)

WALL SPECIFICATIONS:

EXIST. NORTH ELEVATION	APPROX. 402 sq/ft - 37.3 m²
EXIST. GLAZING	APPROX. 94.3 sq/ft - 8.7 m² = 23.3 %
PROPOSED GLAZING	APPROX. 80.1 sq/ft - 7.4 m² = 19.9%
LIMITING DISTANCE	5 m
MAX. OPENING	50%



2 A-300 PROPOSED ELEVATION
SCALE: 3/16" = 1'-0"



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3 A-300 EXISTING WEST ELEVATION (FOR REFERENCE ONLY)
SCALE: 3/16" = 1'-0"

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LICENSED PROFESSIONAL ENGINEER
Andy Ghadban
100192307
06.04.2024
PROVINCE OF ONTARIO

CLIENT
Amelin Property Management Inc.

PROJECT
Single Car Garage Rehabilitation
& Proposed Change Of Use Project

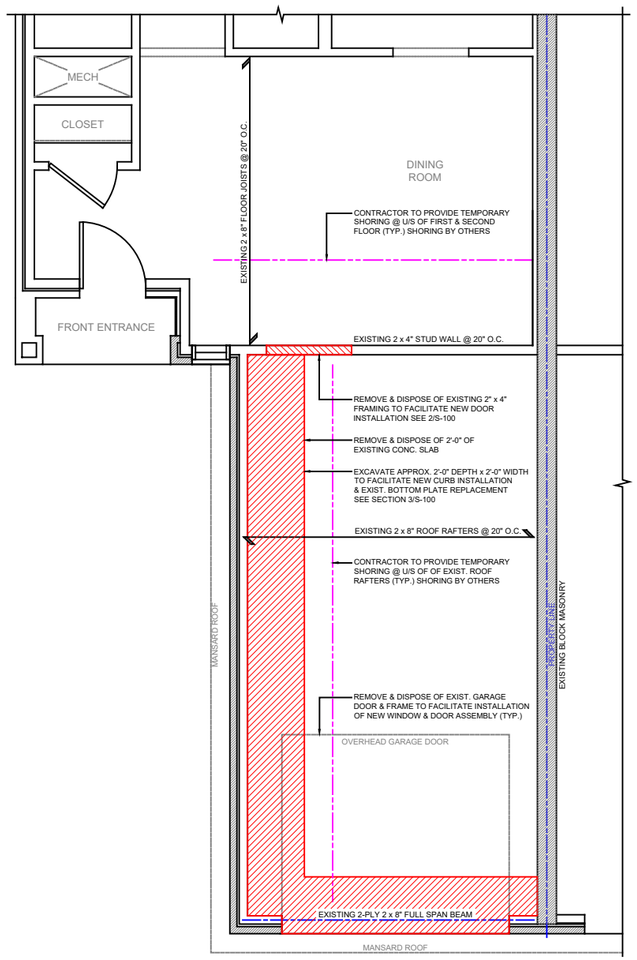
793 Dynes Road, Burlington, Ontario

TITLE
EXISTING & PROPOSED ELEVATIONS

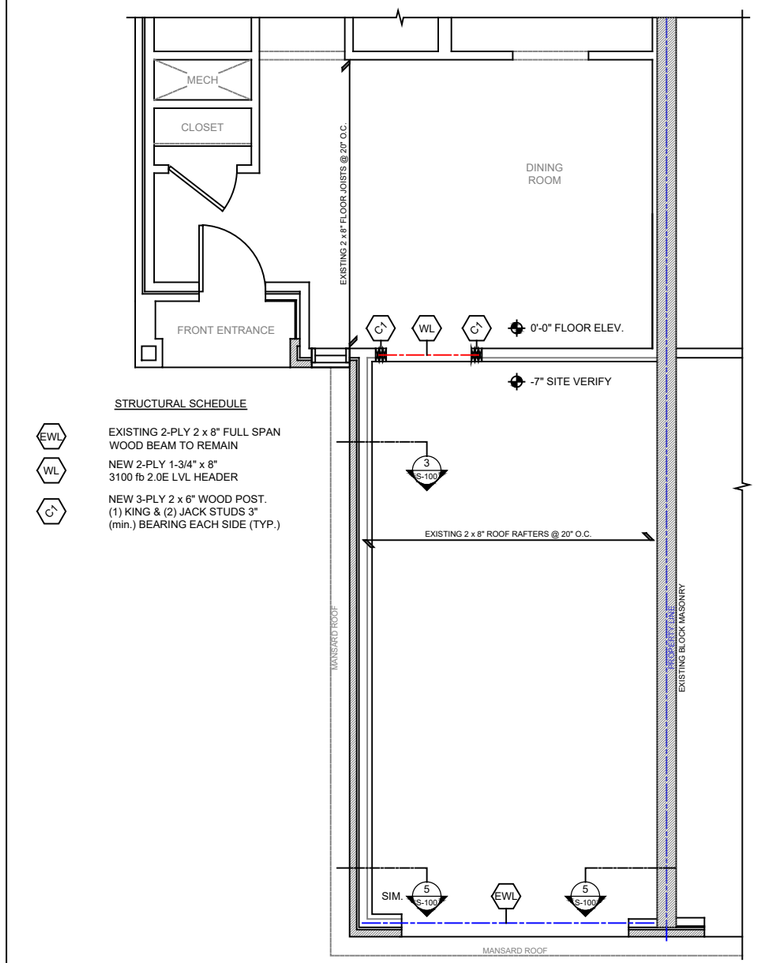
DISCIPLINE	ARCHITECTURAL
PROJECT NUMBER	2378A-24
DATE	06/04/2024
DRAWN BY	JK
DESIGNED BY	JK
CHECKED BY	TF

A-300

REVISION NO.
SCALE AS SHOWN



1 S-100 GARAGE DEMOLITION PLAN
SCALE: 3/16" = 1'-0"



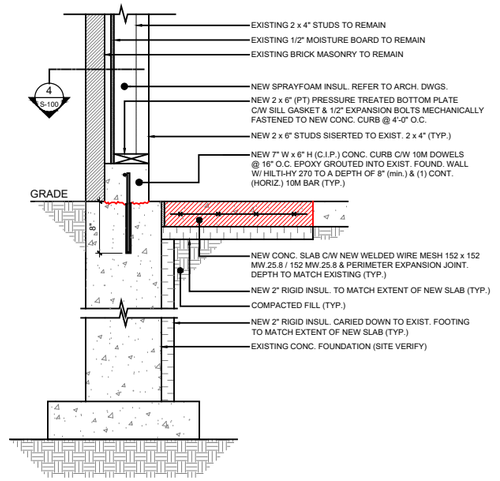
STRUCTURAL SCHEDULE

EWL — EXISTING 2-PLY 2 x 8" FULL SPAN WOOD BEAM TO REMAIN

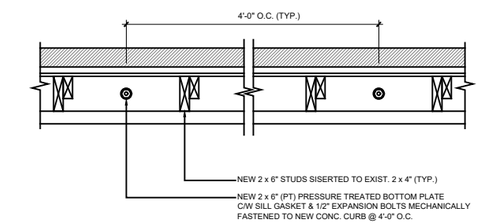
WL — NEW 2-PLY 1-3/4" x 8" 3100 fb 2.0E LVL HEADER

C1 — NEW 3-PLY 2 x 6" WOOD POST. (1) KING & (2) JACK STUDS 3" (min.) BEARING EACH SIDE (TYP.)

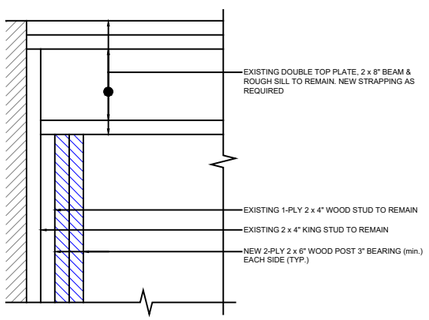
2 S-100 GARAGE STRUCT. REHAB. PLAN
SCALE: 3/16" = 1'-0"



3 S-100 NEW REHAB. WALL SECTION
SCALE: 1/2" = 1'-0"



4 S-100 NEW REHAB. WALL (PLANVIEW)
SCALE: 1/2" = 1'-0"



5 S-100 PARTIAL BEAM ELEVATION: @ EXIST. FULL SPAN WOOD LINTEL
SCALE: 1/2" = 1'-0"

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16902307
06.04.2024
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CLIENT
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PROJECT
Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE
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DISCIPLINE	ARCHITECTURAL
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DATE	06/04/2024
DRAWN BY	JK
DESIGNED BY	JK
CHECKED BY	AG

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REVISION NO.
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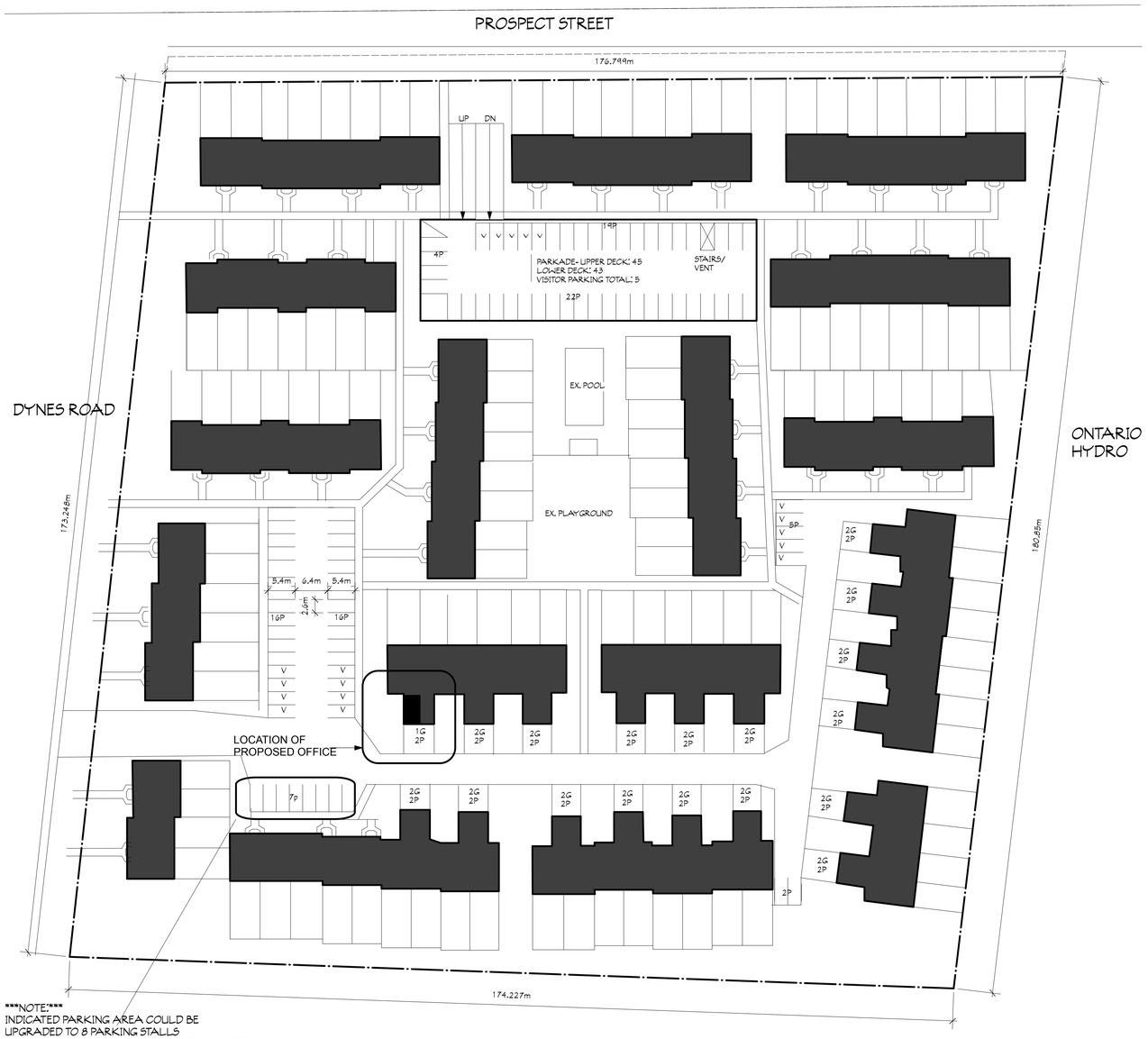

NOTE:
INDICATED PARKING AREA COULD BE UPGRADED TO 8 PARKING STALLS WITH EACH STALL WIDTH BEING 2.75M (AS PER CURRENT PARKING BY-LAW)

SITE PLAN

SCALE 1:500

1
A1

LOCATION PLAN

SCALE NTS

2
A1

Provided Parking Spaces at Time of Construction						
			Surface Parking Spaces			
			Tenant Spaces	Visitor Spaces		
Total No. of Townhouse Units	Total Driveway Parking Spaces	Total Garaged Unit Parking Spaces	69	18	No. of Spaces in Underground Parking Garage	Overall No. of Parking Spaces at 675 Dynes Road
			Total No. of Surface Parking Spaces			
120	36	36	87		43	202

Provided Parking Spaces - Current On Site						
			Surface Parking Spaces			
			Tenant Spaces	Visitor Spaces		
Total No. of Townhouse Units	Total Driveway Parking Spaces	Total Garaged Unit Parking Spaces	71	18	No. of Spaces in Underground Parking Garage	Overall No. of Parking Spaces at 675 Dynes Road
			Total No. of Surface Parking Spaces			
120	36	36	89		43	204

Proposed Parking Spaces						
			Surface Parking Spaces			
			Tenant Spaces	Visitor Spaces		
Total No. of Townhouse Units	Total Driveway Parking Spaces	Total Garaged Unit Parking Spaces	71	18	No. of Spaces in Underground Parking Garage	Overall No. of Parking Spaces at 675 Dynes Road
			Total No. of Surface Parking Spaces			
120	36	35	89		43	203

NOTE:
INDICATED PARKING AREA COULD BE UPGRADED TO 8 PARKING STALLS WITH EACH STALL WIDTH BEING 2.75M (AS PER CURRENT PARKING BY-LAW

STATISTICS

SCALE NTS

3
A1

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UNLESS OTHERWISE NOTED, NO INVESTIGATION HAS BEEN CARRIED OUT OR REPORTED ON BY **RCEL** WITH RESPECT TO THE ENVIRONMENTAL CONDITION OF THE EXISTING SITE AND STRUCTURES.

NO	DATE	DESCRIPTION
1	17/10/24	UPDATES

TIM FANSTONE ARCHITECT
56 Bertram Dr.
Dundas, ON
L9H 4T3
tel: (905) 627 7166
tim@fanstone.ca
www.TimFanstoneArchitect.com
ONTARIO ASSOCIATION OF ARCHITECTS
TIM FANSTONE
LICENCE
4687

CLIENT

AMELIN PROPERTY MANAGEMENT

PROJECT

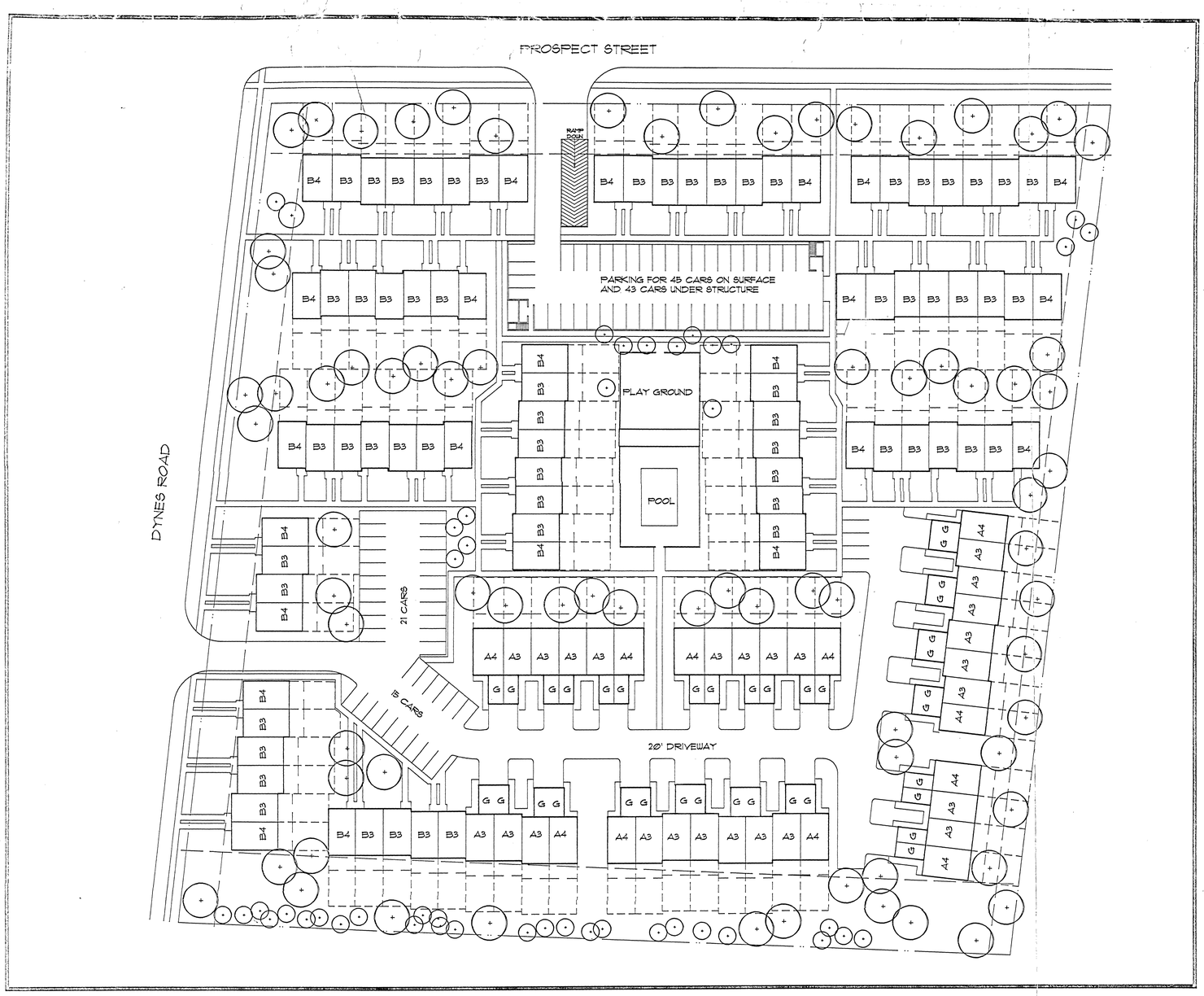
ON-SITE OFFICE

675 DYNES RD,
BURLINGTON, ON

TITLE

SITE PLAN- PARKING

DISCIPLINE	ARCHITECTURAL
PROJECT NUMBER	2078A-24
DATE	10/01/2024
DRAWN BY	TF
DESIGNED BY	TF
CHECKED BY	TF
REVISION NO.	A
SCALE	N.T.S.



This drawing must not be scaled.
The contractor shall verify all levels, datums and dimensions prior to commencement of work. All errors and inconsistencies must be reported to the architects immediately.

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consultant.

revisions/issued.

project title.

SunLife of Canada

BURLINGTON TOWNHOUSES

AS-BUILTS

drawing title.

SITEPLAN
(EXISTING)

date. DEC. 1988
scale. 1"=40'-0"
drawn by. TC
checked by. AC
project number. 8803

idn
INTERNATIONAL
DESIGN
NETWORK
607, 170 Attwell Drive
Etobicoke, Ontario
M9W 5Z5
416-674-6740
FAX: 416-674-6552

A1
drawing number

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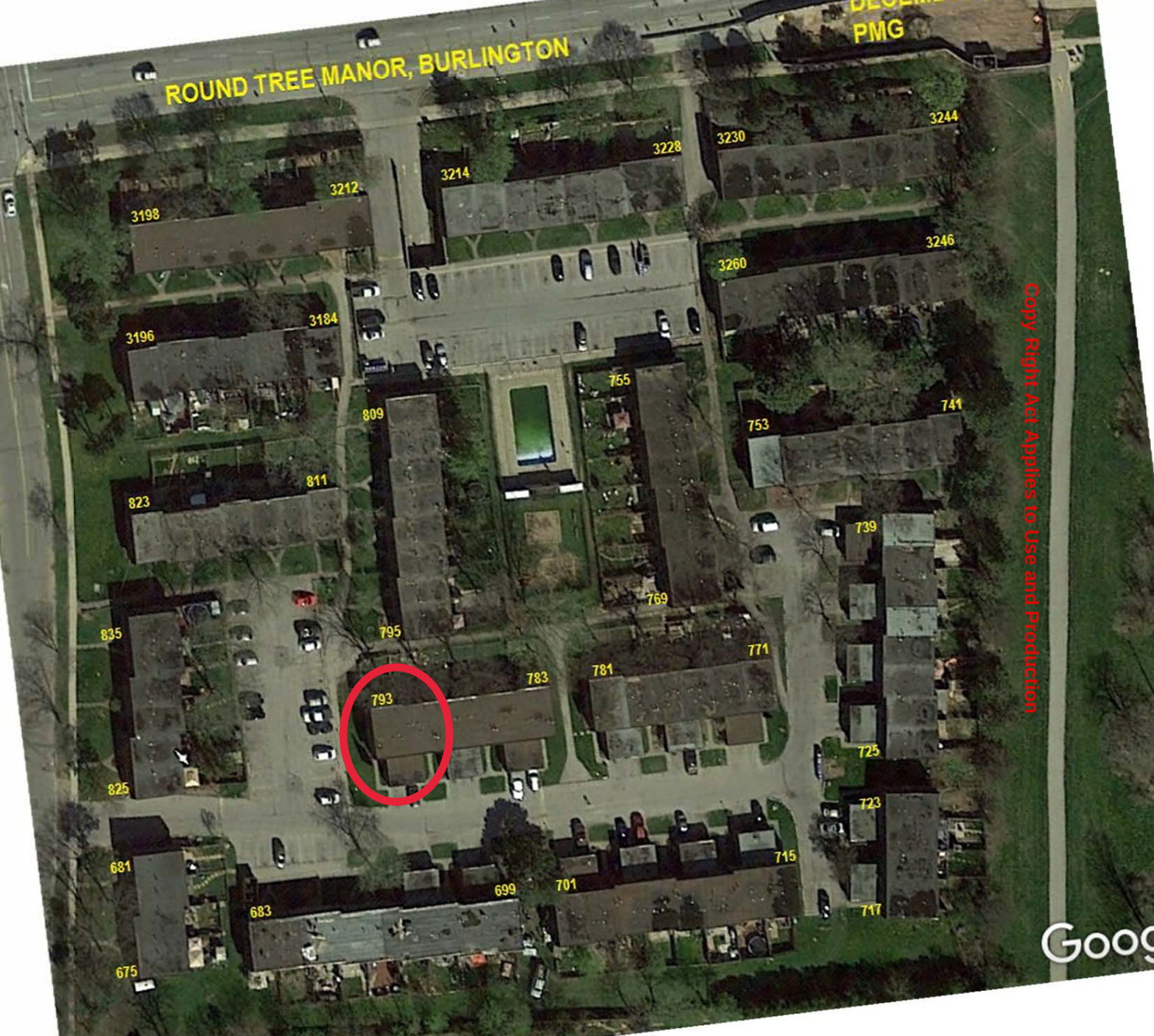
ROUND TREE MANOR, BURLINGTON
PMG
3244
3230
3228
3214
3212
3198
3246
3260
3196
3184
755
809
741
753
811
823
739
769
835
795
771
781
783
793
725
825
723
681
715
699
701
683
717
675
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GENERAL DATA

LOCATION: PART LOTS 7 & 8 R.P. 293
TOWN OF BURLINGTON, ONT.
LOT AREA: 7.667 ACRES (333,974.52 ft)
MAX. DENSITY PERMITTED: 14 UNITS/ACRE + 1 ADD'L UNIT/3 UG PARKING SPACES
NO. OF UNITS PROVIDED - 120 (42 U/G PARKING SPACES)

SUITE BREAKDOWN:

3 BEDROOM TYPE A	25
3 BEDROOM TYPE B	61
4 BEDROOM TYPE A	11
4 BEDROOM TYPE B	23
	120

PARKING BREAKDOWN:

REQUIRED:		PROVIDED	
TENNANT @ 1.30 :	156 SPACES	SURFACE -	87 SPACES
VISITOR @ 0.15 :	18 "	DRIVEWAYS -	26 SPACES
TOTAL	174 SPACES	GARAGES	36
		UNDERGROUND	43 SPACES
		TOTAL	202

AMENITY AREA:

3 BEDROOM UNITS - 86 @ 950 ft :	81,700 ft	
4 " " - 34 @ 1325 ft :	45,050 ft	
		126,750 sq ft.
BUILDING COVERAGE -	81,392 ft	
PARKING & DRIVEWAYS -	47,180 ft	
		128,572 sq ft.
PLAYGROUND - 471 BERMS @ 20 ft -		5,420 sq ft.
COMMUNAL OPEN SPACE		73,172 sq ft.
TOTAL LOT AREA:		333,974 sq ft.

GROSS FLOOR AREA.

86 UNITS @	1216 ft	:	104,576 ft
34 UNITS @	1250 ft	:	42,500 ft
	TOTAL		146,076 sq ft.

Engineering Design and Construction Managers Ltd
3500 DUFFERIN ST., DOWNSVIEW, ONTARIO TEL 630-6514

SITE PLAN

REVISIONS

PROFILE-UNITED REALTY HOLDINGS LTD.

BURLINGTON TOWNHOUSES

DATE	MAY 1971
SCALE	
DRN	A.J.
CHKD	

E D / C M 1 D

ABSO 175H-1M-1-70

PLAN OF SURVEY
OF PART OF
LOTS 7 AND 8 , REGISTERED PLAN 293
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 INCH = 40 FEET
S.D. McLAREN , O.L.S. - 1993 ©

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PROSPECT STREET

100' 100'

N44°54'50"W 52.32' (Plan 1) WESTERLY CORNER OF LOT 8, R.P. 293 (N37°25'30"E R.P. 293) N 38°42'40" E (REFERENCE BEARING) EXPROPRIATION PLAN BY-LAW 3080, INST. NO. 201378 NOW INST. NO. 245660 580.25' (Plan 1 & Meas.) (580.10' INST. 757181) BY-LAW 3564 INST. NO. 249877

(743) SIB 1B(743) NO FENCE

31' 66' (R.P. 293)

WIDENING

ROAD (ESTABLISHED BY R.P. 293 INST. 757181 & Meas.)

568.98' (621.75' R.P. 293)

36.10' 36.11' 36.15' 36.09' 36.12' 36.06'

27.21' 49.00' 24.10' 21.35'

2.00' 38.67' 75.33' 38.67' 32.00' 1

30.92' 49.04' 24.15' 17.53'

38.00' 2.00' 76.67' 2.00' 38.00' 2 3

20.70' 20.70'

49.27' 49.11' 49.17' 49.23'

2.00' 2.00' 2.00' 2.00' 16.00' 27.15'

19.0' 38.67' 18.33' 38.67' 19.0' 32.0' 4

19.67' 37.33' 19.67' 37.33' 19.67' 16.00' 30.85'

2.00' 2.00' UNDERGROUND PARKING 5 6 21.20' 17.42'

10.96' 11.00' 17.00' 11.00' 10.70'

1 2 7 6 8' 51.34' 51.34'

INGROUND POOL (TIES TO WATERS EDGE)

LOT 70.95' 70.97' 71.01' 71.02' 8

2.0' 38.0' 38.67' 2.0' 320'

27.32' 33.77' 7 8 10 33.65' 11 20.97'

2.0' 38.0' 38.0' 2.0' 30.88' 31.83' 31.60' 17.30'

LOT LINE 25.80' 29.43'

2.0' 38.00' 38.0' 2.0' 37.12'

2.0' 38.67' 38.0' 2.0'

25.02' 32.0' INSTRUMENT NO. 757181 HYDRO

38.0' 38.67' 4.0' 25.31' 4.0'

16 38.0' 38.0' 4.0' 15 FENCE

4.0' 25.55' 4.0' 38.67' 38.0' 38.0' 38.67' 4.0'

(N46°12'W R.P. 293) N44°52'20"W 29.95' 32.0' (N44°35'30"W Plan 1)

LOT 41.65' 41.65' 41.63' 41.68' 7 NO

122.94' 26.65' 114.67' 71.95'

13 14 32.0' 32.0'

122.90' 26.53' 114.67' 114.67' 68.23'

G. G. G. G. G. G.

37.33' 37.35' REG'D. PLAN 293 PLAN 203-8272, O.H. Plan 203-8272

27.25' 32.0' 95.15' 98.12' 98.10' 21.20'

38.0' 38.67' 4.0' 12 40' 41.03' 2.0' 2.0' 2.0

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REMY CONSULTING ENGINEERS LTD.

Parking Breakdown for 675 Dynes Road, Burlington ON

Provided Parking Spaces at Time of Construction					
Total No. of Townhouse Units	Total Driveway Parking Spaces	Total Garaged Unit Parking Spaces	Total No. of Surface Parking Spaces	No. of Spaces in Underground Parking Garage	Overall No. of Parking Spaces at 675 Dynes Road
120	36	36	87	43	202

Provided Parking Spaces - Current On Site					
Total No. of Townhouse Units	Total Driveway Parking Spaces	Total Garaged Unit Parking Spaces	Total No. of Surface Parking Spaces	No. of Spaces in Underground Parking Garage	Overall No. of Parking Spaces at 675 Dynes Road
120	36	36	90	43	205

Required No. of Parking Spaces Per Associated By-Law					
	No. of Resident Parking Spaces Required per Townhouse Unit	No. of Visitor Parking Spaces Required Per Townhouse Unit	Total No. of Resident Parking Spaces Required	Total No. of Visitor Parking Spaces Required	Total No. of Parking Spaces Required at 675 Dynes Road
Per By-Law at time of Construction	1.3	0.15	156	18	174
Per Current By-Law 2020.XXXX	2.0	0.25	240	30	270

104-3425 Harvester Road, Burlington, Ontario L7N 3T7 • Telephone: 905-639-1911 • Facsimile: 905-634-1911 •
www.remyeng.com

SINGLE CAR GARAGE REHABILITATION & PROPOSED CHANGE OF USE PROJECT C/O AMELIN PROPERTY MANAGEMENT INC.

793 Dynes Road, Burlington, Ontario
RCEL Project No.: 2378A-24

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GENERAL NOTES AND TYPICAL DETAILS

THE GENERAL NOTES AND TYPICAL DETAILS ARE APPLICABLE TO ALL ELECTRICAL SYSTEMS. NOT SPECIFICALLY DETAILED OR REFERENCED ON MECHANICAL & ELECTRICAL DRAWINGS.

THESE NOTES, DETAILS AND DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS.

THESE DRAWINGS ARE FOR THE USE OF THE CONSULTANT'S CLIENT ONLY. ALL INFORMATION SHOWN APPLIES TO THIS PROJECT ONLY AND REFLECT THE BEST JUDGEMENT OF THE CONSULTANT IN LIGHT OF THE AVAILABLE INFORMATION AT THE TIME OF PREPARATION. DECISIONS OR ACTIONS MADE BY THIRD PARTIES BASED ON THE DRAWINGS ARE THE SOLE RESPONSIBILITY OF SUCH PARTIES.

THESE DRAWINGS ARE THE PROPERTY OF THE CONSULTANT AND MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

CODES AND STANDARDS

DESIGN AND CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE.

PROJECT CITY: BURLINGTON, ON

REMY CONSULTING ENGINEERS LTD.
3425 HARVESTER ROAD, UNIT-105
BURLINGTON, ONTARIO
L7N 3M7
(905) 639-1911
www.remyeng.com

TIM FANSTONE ARCHITECT
908 Falcon Boulevard, Burlington L7T 3B7
Tel/Fax: (905) 627 7166
tim@fanstone.ca
www.TimFanstoneArchitect.com

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THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY **RCEL** OF ANY VARIATIONS FROM THE INFORMATION CONTAINED WITHIN.

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ALL WORK MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION.

UNLESS OTHERWISE NOTED, NO INVESTIGATION HAS BEEN CARRIED OUT OR REPORTED ON BY **RCEL** WITH RESPECT TO THE ENVIRONMENTAL CONDITION OF THE EXISTING SITE AND STRUCTURES.

NO.	MM/DD/YYYY	DESCRIPTION
1	06/19/2024	ISSUED FOR PERMIT

APPROVED BY

LICENSED PROFESSIONAL ENGINEER
M. GREENHILL
June 20 2024
PROVINCE OF ONTARIO
PEO # 90528175

CLIENT

Amelin Property Management Inc.

PROJECT

Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE

COVER PAGE

DISCIPLINE	MECHANICAL & ELECTRICAL
PROJECT NUMBER	2378A-24
DATE	06/11/2024
DRAWN BY	AE
DESIGNED BY	MG
CHECKED BY	MG

M&E-000

REVISION NO.

SCALE

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1. INTRODUCTION

1.1.1. THIS SPECIFICATION, ATTACHMENTS, AND REFERENCES NOTED HEREIN DEFINE THE MINIMUM GENERAL REQUIREMENTS FOR MATERIALS, INSTALLATION, INSPECTION, TESTING AND TOUCH-UP PAINTING OF THE STEEL SUPPORTS, CONDUIT, TRAY, POWER, INSTRUMENT AND CONTROL CABLES, DATA, COMMUNICATION SIGNAL AND FIBER OPTIC CABLE, INSTRUMENTS, PLC EQUIPMENT, ENCLOSURES, MOTORS, LIGHTING, GROUNDING AND ELECTRICAL EQUIPMENT.

1.1.2. THE SUMMARY OF WORK, TECHNICAL STANDARDS AND SPECIFICATIONS, MATERIALS, METHODS AND DOCUMENTS ARE DEFINED AND DESCRIBED BY THE DOCUMENTS LISTED IN THE SECTION 00 01 10 - ELECTRICAL SPECIFICATION INDEX.

1.1.3. THE REQUIREMENTS OF THIS SPECIFICATION ARE INTENDED TO SUPPLEMENT THE REQUIREMENTS OF THE APPLICABLE CODES. IT IS NOT THE INTENT OF THIS SPECIFICATION TO RELAX ANY REQUIREMENTS SPECIFIED IN THE APPLICABLE CODES, ON THE REFERENCE DRAWINGS OR IN THE PURCHASE ORDER.

1.1.4. COMPLIANCE WITH THIS SPECIFICATION DOES NOT RELIEVE THE CONTRACTOR/SUPPLIER OF THEIR RESPONSIBILITY TO FOLLOW THE APPLICABLE CODES, USE SOUND ENGINEERING, INSTALLATION, TESTING AND FABRICATION PRACTICES THROUGHOUT IN ORDER TO INSTALL ALL ELECTRICAL EQUIPMENT AND INSTRUMENTS AS DEFINED IN THE SCOPE OF WORK, WHICH IS DURABLE, SAFE AND RELIABLE FOR THE SERVICE DESCRIBED.

1.1.5. THE CONTRACTOR/SUPPLIER SHALL ASSUME FINAL RESPONSIBILITY FOR THE INSTALLATION, FABRICATION, AND CONFORMANCE WITH CODE AND LEGAL REQUIREMENTS FOR THE ELECTRICAL EQUIPMENT AND INSTRUMENTS AS DEFINED IN THE SCOPE OF WORK.

1.1.6. IF CONFLICTS ARISE BETWEEN DOCUMENTS, THE CONTRACTOR/SUPPLIER SHALL OBTAIN A CLARIFICATION OF THE GOVERNING REQUIREMENTS IN WRITING FROM THE OWNER PROJECT MANAGER.

1.1.7. UNLESS THE CONTRACTOR/SUPPLIER TAKES SPECIFIC EXCEPTION TO THE REQUIREMENTS IN THE SPECIFICATION PACKAGE, STRICT CONFORMANCE IS IMPLIED AND WILL BE ENFORCED.

1.1.8. UNITS OF MEASURE SHALL BE IN METRIC, U.S. ENGLISH.

2. SAFETY

2.1. GENERAL

2.1.1. THE CONTRACTOR SHALL ENSURE THAT THE RELEVANT SAFETY RULES OF THE OWNER ARE ADHERED TO.

2.1.2. IN ADDITION TO THE REQUIREMENTS LISTED IN THIS DOCUMENT, ALL REQUIREMENTS IN THE SAFETY SECTION OF THE ATTACHED SPECIAL PROVISIONS 0700 SHALL BE FOLLOWED.

2.1.3. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL OF HIS WORKERS HAVING THE PROPER "PERSONAL PROTECTIVE EQUIPMENT" FOR WORKING IN THE AREA, NAMELY:

2.1.3.1. PERSONNEL WEAR HARD HATS AND PROTECTIVE GLASSES IN DESIGNATED AREA.

2.1.3.2. PERSONNEL WEAR PROTECTIVE BOOTS AT ALL TIMES.

2.1.3.3. PERSONNEL WEAR CLOTHING THAT HAS NO TEARS AND/OR LOOSE ENDS.

2.1.4. THAT CONTRACTOR'S ELECTRICAL TOOLS ARE IN GOOD WORKING CONDITION AND HAVE NO BARE WIRES OR FRAYED ENDS.

2.1.5. PERSONNEL WORK IN STRICT ACCORDANCE WITH THE OWNER'S WORK TO PERMIT RULES AND ISOLATION PROCEDURE.

2.1.6. THE CONTRACTOR MUST BE FAMILIAR WITH ALL ASPECTS OF THE SAFETY PROGRAM THAT IS IN PLACE FOR THE AREA IN WHICH HE IS WORKING. HE WILL BE RESPONSIBLE TO SCHEDULE ALL HIS WORKERS FOR REQUIRED TRAINING.

2.2. SAFETY SIGNS

2.2.1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TEMPORARY AND PERMANENT SAFETY SIGNS AS REQUIRED BY LOCAL REGULATIONS OR STIPULATED BY THE ENGINEER.

2.2.2. SIGNAGE AND WARNING LABELS

2.2.2.1. SIGNS INDICATING ELECTRICAL DANGERS, HIGHEST VOLTAGE PRESENT AND WARNINGS OR INFORMATION SHALL BE LOCATED AT THE FOLLOWING LOCATIONS:

2.2.2.1.1. ON DOORS, GATES, AND FENCE LOCATIONS FOR SUBSTATIONS AND MCC ROOMS.

2.2.2.1.2. ON DOORS TO SWITCHGEAR ROOMS OR OTHER SIMILAR COMPARTMENTS WHERE EXPOSED, ENERGIZED ELECTRICAL PARTS ARE LOCATED.

2.2.2.1.3. ON TRANSMISSION, DISTRIBUTION AND BARRIER STRUCTURES WHERE AFFECTED PERSONS OR THE PUBLIC MAY BE PRESENT.

2.2.2.1.4. SIGNS SHALL USE INTERNATIONALLY ACCEPTED SYMBOLS AS MUCH AS IS PRACTICABLE AND BE LOCATED ON ALL SIDES SO THAT A SIGN IS VISIBLE FROM ANY APPROACH DIRECTION.

2.2.2.2. WHERE AN ELECTRICAL BUS IS SUPPLIED FROM TWO OR MORE SOURCES AND AN INTERLOCK SYSTEM IS NOT PROVIDED THEREBY CREATING A BACK FEED OPPORTUNITY TO THE SUPPLY SYSTEM, SIGNS WARNING OF THIS POTENTIAL PROBLEM SHALL BE CONSPICUOUSLY DISPLAYED. INFORMATION SIGNS WITH DIAGRAMS EXPLAINING COMPLEX INTERLOCKING SCHEMES, KEY EXCHANGE, SHALL BE PROVIDED.

2.2.2.3. PERMANENT FRAMED COPIES OF MAIN SUPPLY POWER DISTRIBUTION (UPSTREAM) AND LOCAL DISTRIBUTION (DOWNSTREAM) SINGLE LINE DIAGRAMS SHALL BE WALL MOUNTED IN EACH SUBSTATION, MCC ROOM AND POWER DISTRIBUTION CENTER.

2.2.2.4. WARNING LABELS SHALL BE PROVIDED INSIDE EACH EQUIPMENT ENCLOSURE WHICH CONTAINS CIRCUITS SUPPLIED FROM MORE THAN ONE SOURCE.

2.2.3. WARNING SIGNS

2.2.3.1. EXTERNAL WARNING SIGN MATERIAL SHALL BE AN ENGRAVED PHENOLIC (WHITE ON RED) WITH TWO INCH LETTERS.

2.2.3.2. WARNING SIGNS AND OPERATING INSTRUCTIONS SHALL BE PROVIDED FOR THE GROUND AND TEST DEVICES.

2.2.3.3. ALL DOORS AND HINGED BOLTED PANELS PROVIDING ACCESS TO HIGH VOLTAGE SHALL BE PROVIDED WITH "DANGER - HIGH VOLTAGE 25 KV - QUALIFIED PERSONS ONLY" SIGNS.

2.2.3.4. ALL DOORS PROVIDING ACCESS TO MAIN BREAKERS AND TIE BREAKERS SHALL BE PROVIDED WITH WARNING SIGNS INDICATING "WARNING - THIS BREAKER MAY BE ENERGIZED FROM EITHER SIDE".

2.2.3.5. IN ADDITION, EACH BREAKER CELL SHALL BE PROVIDED WITH THE FOLLOWING WARNING LABEL ADJACENT TO THE BREAKER RACKING MECHANISM ACCESS DOOR: "WARNING - PERSONNEL SHALL WEAR FLASH PROTECTION SUITS WHEN RACKING BREAKERS IN OR OUT". THE LABEL SHALL BE ENGRAVED PHENOLIC (WHITE ON RED), SIZE 125 MM X 100 MM, LETTERING 12.5 MM HIGH.

2.2.4. ARC FLASH AND SHOCK HAZARD WARNING LABELS

2.2.4.1. ARC FLASH AND SHOCK HAZARD WARNING LABELS, IN ACCORDANCE WITH CEC AND NFPA REQUIREMENTS, SHALL BE APPLIED TO ELECTRICAL EQUIPMENT COMPARTMENT DOORS AND PANELS COVERING EXPOSED ENERGIZED COMPONENTS. THE LABELS SHALL INCLUDE THE FOLLOWING INFORMATION:

2.2.4.1.1. FLASH HAZARD BOUNDARY DISTANCE.

2.2.4.1.2. INCIDENT ENERGY AT PRESCRIBED DISTANCE OF 450 MM.

2.2.4.1.3. CEC Z462, NFPA 70E CLASS OF PPE AND LIST OF SPECIFIC ARC FLASH PPE REQUIRED.

2.2.4.1.4. INSULATED GLOVE CLASS.

2.2.4.1.5. LIMITED APPROACH DISTANCE.

2.2.4.1.6. RESTRICTED APPROACH DISTANCE.

2.2.4.1.7. PROHIBITED APPROACH DISTANCE.

3. CODES AND STANDARDS

3.1. GENERAL

3.1.1. THIS SPECIFICATION PACKAGE REFERENCES CODES AND STANDARDS TO ESTABLISH MINIMUM ACCEPTABLE REQUIREMENTS OF MATERIALS AND WORKMANSHIP, WHERE THE SPECIFICATION PACKAGE DOES NOT OTHERWISE ESTABLISH SUCH REQUIREMENTS. THE CONTRACTOR/SUPPLIER SHALL COMPLY WITH THE LATEST PUBLISHED EDITION AND SUPPLEMENTS OF THE REFERENCED CODES AND STANDARDS, EFFECTIVE AT THE DATE OF CONTRACT AWARD, UNLESS OTHERWISE STATED.

3.1.2. IN THE EVENT OF A CONFLICT BETWEEN THIS SPECIFICATION PACKAGE AND ANY OF THE REFERENCED CODES AND STANDARDS, THE CONTRACTOR/SUPPLIER SHALL CONTACT THE OWNER PROJECT MANAGER IN WRITING FOR INTERPRETATION AND RESOLUTION.

3.2. INDUSTRY STANDARDS AND CODES

3.2.1. THE ELECTRICAL INSTALLATION IN GENERAL SHALL CONFORM TO THE LATEST EDITION OF THE CANADIAN ELECTRICAL CODE (CEC).

3.2.2. OTHER SPECIFICATIONS AND STANDARDS GOVERNING DESIGN, INSTALLATION, FABRICATION AND TESTING SHALL INCLUDE: AMERICAN NATIONAL STANDARD INSTITUTE (ANSI), AND THE SPECIFICATIONS OF THE INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS (IEEE), THE LATEST EDITION OR REVISION OF THE CODES AND STANDARDS, OR SPECIFICATIONS SHALL APPLY.

3.2.3. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST EDITION AND ADDENDA OF ALL APPLICABLE STANDARDS AND CODES INITIATED AND ISSUED BY THE FOLLOWING ORGANIZATIONS:

3.2.3.0.1. AISC AMERICAN INSTITUTE OF STEEL CONSTRUCTION, MANUAL OF STEEL CONSTRUCTION

3.2.3.0.2. AISE ASSOCIATION OF IRON AND STEEL ENGINEERS

3.2.3.0.3. ANSI AMERICAN NATIONAL STANDARDS INSTITUTE

3.2.3.0.4. EPA ENVIRONMENTAL PROTECTION AGENCY

3.2.3.0.5. NEMA NATIONAL ELECTRICAL MANUFACTURER ASSOCIATION

3.2.3.0.6. ULC UNDERWRITERS LABORATORY, INC.

3.2.3.0.7. CSA CANADIAN STANDARDS ASSOCIATION

3.2.3.0.8. ICEA INSULATED CABLE ENGINEERS ASSOCIATION

3.2.3.0.9. ASTM AMERICAN SOCIETY OF TESTING AND MATERIALS

3.2.3.0.10. NFPA NATIONAL FIRE PROTECTION AGENCY

3.2.3.0.11. OSHA OCCUPATIONAL SAFETY AND HEALTH ACT

3.2.3.0.12. AWS AMERICAN WELDING SOCIETY

3.2.3.0.13. IRI INDUSTRIAL RISK INSURERS

3.2.3.0.14. ISA INSTRUMENTATION, SYSTEMS, AND AUTOMATION SOCIETY

4. DRAWINGS AND SPECIFICATIONS

4.1.1. THE DRAWINGS LISTED IN DRAWING G01 (COVERSHEET) FORM PART OF THIS SPECIFICATION.

4.1.2. THE CONTRACTOR/SUPPLIER SHALL THOROUGHLY STUDY THE DRAWINGS AND SPECIFICATIONS THAT HAVE BEEN INCORPORATED AND MADE PART OF THE CONTRACT DOCUMENTS AND SHALL FAMILIARIZE HIMSELF AS TO THE SCOPE, SCHEDULE, METHOD OF SHIPMENT OF ELECTRICAL EQUIPMENT AND INSTRUMENTS.

4.1.3. CONTRACT VALUE IS TO BE BASED ON CABLING AS LISTED IN THE CABLE SCHEDULE, ON LAYOUTS, ONE LINE DIAGRAMS, P&I DIAGRAMS, INSTRUMENT LISTS AND SPECIFICATIONS, LOOP DRAWINGS AND EQUIPMENT VENDOR'S DRAWINGS.

4.1.4. THE CONTRACTOR WILL ASSUME, WHEN FORMULATING HIS CONTRACT VALUE, THAT EACH CONDUCTOR OF A MULTICORE CABLE, INDIVIDUAL CONDUCTORS, POWER AND INSTRUMENT CABLES ARE ALL TO BE TERMINATED AT BOTH ENDS. EQUIPMENT FOR WHICH VENDOR DRAWINGS ARE NOT YET AVAILABLE, SIZE, WEIGHT AND LOCATION OF INSTALLATION WILL BE GIVEN ON THE LAYOUT DRAWINGS.

4.1.5. DRAWINGS WHICH ARE FOR INFORMATION ONLY AND NOT ESSENTIAL FOR PRICING SHALL BE ISSUED WITH/OR AFTER THE CONSTRUCTION ISSUE PACKAGE. THE FOLLOWING DRAWINGS ARE IN THIS CATEGORY:

4.1.5.1. ELEMENTARY CONNECTION DIAGRAMS.

4.1.5.2. I/O SCHEMATIC DIAGRAMS.

4.1.6. PANEL WIRING DIAGRAMS, ETC.

4.1.7 IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE INTERFACE OF ITS WORK WITH OTHER RELATED WORK TO BE PERFORMED UNDER OTHER SECTIONS AND THE SPECIFICATIONS.

4.1.8 ELECTRICAL DRAWINGS INDICATE GENERAL LOCATION AND ROUTING OF CONDUITS AND WIRE, INCLUDING FITTINGS AND BOXES. THEY DO NOT INDICATE STRUCTURAL, ARCHITECTURAL, AND MECHANICAL EQUIPMENT LOCATION INTERFACES.

4.1.9 IN ORDER TO PROVIDE SUFFICIENT DETAIL AND MAXIMUM DEGREE OF CLARITY ON DRAWINGS, ELECTRICAL DEVICES ARE SHOWN BY THE USE OF STANDARD ENGINEERING SYMBOLS INDICATING THEIR APPROXIMATE LOCATION. THE CONTRACTOR SHALL REFER TO DIMENSIONS ON DETAIL DRAWINGS, OR TAKE FIELD MEASUREMENTS FOR EXACT PLACEMENT OF EQUIPMENT.

4.1.10 THE CONTRACTOR SHALL BE RESPONSIBLE FOR QUANTITY TAKE-OFFS. THE LENGTHS INDICATED ON THE CABLE AND TRAY SCHEDULES ARE NOT TO BE TAKEN BY THE CONTRACTOR AS EXACT LENGTHS.

4.1.11 STRUCTURAL, ARCHITECTURAL, MECHANICAL, VENDOR AND OTHER DRAWINGS AND RELATED WORK OF OTHER TRADES SHALL BE EXAMINED BY THE CONTRACTOR TO ENSURE THE WORK CAN BE SATISFACTORILY CARRIED OUT. CONFLICTS OR ADDITIONAL WORK BEYOND LIMITS OF WORK COVERED BY THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR RESOLUTION.

5. HAZARDOUS LOCATIONS

5.1.1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT WORK UNDERTAKEN BY HIM IN HAZARDOUS AREAS MEETS THE NECESSARY STANDARDS AND CONDITIONS APPLICABLE TO SUCH AN INSTALLATION AS OUTLINED IN THE LATEST EDITION OF CANADIAN ELECTRICAL CODE (C22.1).

6. QUALITY ASSURANCE

6.1. GENERAL

6.1.1. WORK SHALL BE EXECUTED IN A NEAT AND WORKMANLIKE MANNER BY QUALIFIED ELECTRICAL/ INSTRUMENT TRADES PEOPLE, AND SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST EDITIONS AND REVISIONS OF THE ISO 9001 AND ALL APPLICABLE STANDARDS THAT MAY APPLY TO THIS SPECIFICATION.

6.1.2. ALL MATERIALS USED IN THE FABRICATION AND/OR ASSEMBLY OF THE ELECTRICAL WORK SHALL BE NEW AND OF THE TYPE AND GRADE SPECIFIED ON THE CONTRACTOR/SUPPLIER DRAWINGS AND DATA SHEET.

6.1.3. MATERIALS AND WORKMANSHIP SHALL BE OF GOOD INDUSTRIAL QUALITY, SUITABLE FOR THE PURPOSE INTENDED AND IN ACCORDANCE WITH THE HIGHEST STANDARDS AND PRACTICES FOR ITEMS ON THIS DATA SHEET. MATERIALS OF CONSTRUCTION SHALL BE SELECTED BY THE CONTRACTOR/SUPPLIER BASED ON THE CONTRACT DRAWINGS, EXPERIENCE IN SIMILAR APPLICATIONS AND THE OPERATING CONDITIONS DEFINED IN THIS SPECIFICATION.

6.1.4. THE OWNER SHALL HAVE THE RIGHT TO REQUIRE, AT NO ADDITIONAL COST, COMPLETE RECHECKING, INSPECTION AND REPLACEMENT OF ANY PART OF THE WORK, WHICH DOES NOT CONFORM TO DRAWINGS, SPECIFICATIONS, OR CURRENTLY ACCEPTED CONCEPTS OF HIGH QUALITY PERFORMANCE, MATERIALS OR WORKMANSHIP. ANY CONFLICTS BETWEEN SPECIFICATION AND/OR DRAWINGS ARE TO BE RESOLVED IN A TIMELY FASHION PRIOR TO START OF ANY CONSTRUCTION BY CONTACTING THE OWNER.

6.1.5. WAIVING ALL OR PART OF THE INSPECTION, FAILURE ON THE PART OF THE OWNER TO INSPECT, AND/OR FAILURE TO REJECT ON INSPECTION, WORK WHICH LATER PROVES TO BE DEFECTIVE SHALL NOT RELEASE THE CONTRACTOR/SUPPLIER FROM WARRANTEES, COMMITMENTS OR OBLIGATIONS STIPULATED BY THE PURCHASE DOCUMENTS. THE CONTRACTOR/SUPPLIER IS SOLELY RESPONSIBLE FOR THE ACCURACY, QUALITY AND COMPLETENESS OF HIS WORK AND SUPPLY.

6.2. NON-CONFORMANCES

6.2.1. THE CONTRACTOR SHALL SUBMIT A PLAN TO THE OWNER FOR APPROVAL BY THE ENGINEER FOR THE REPAIR OF ALL ELECTRICAL INSTALLATION WHICH DID NOT MEET THE DESIGN OR MANUFACTURER REQUIREMENTS. THIS SUBMITTAL SHALL INCLUDE A CLEAR STATEMENT OF THE PROBLEM, MARKED -UP DRAWINGS TO ILLUSTRATE THE PROBLEM, AND THE PROPOSED METHOD OF REPAIR.

7. PRODUCTS AND MATERIALS

7.1. CONTRACTOR SUPPLIED MATERIALS AND EQUIPMENT

7.1.1. THE CONTRACTOR SHALL SUPPLY ALL MATERIALS AND EQUIPMENT, NOT OTHERWISE SUPPLIED BY THE OWNER, REQUIRED FOR THE COMPLETE INSTALLATION.

7.1.2. THE CONTRACTOR MUST ENSURE THAT MATERIALS ARE SUPPLIED IN A TIMELY MANNER TO SUPPORT THE INSTALLATION SCHEDULE. CONTRACTOR MUST KEEP THE ENGINEER/OWNER APPRISED OF ANY DELAYS IN DELIVERY OF MATERIAL THAT WOULD AFFECT THE COMPLETION OF WORK.

7.2. GENERAL

7.2.1. MATERIALS SHALL BE NEW, OF THE QUALITY SPECIFIED AND SHALL CONFORM TO THE APPLICABLE NEMA, ANSI/IEEE STANDARD AND CARRY A CANADIAN STANDARDS ASSOCIATION (CSA) OR UNDERWRITERS LABORATORIES (ULC) LABEL OF CERTIFICATION. WHERE EQUIPMENT OR MATERIALS ARE SPECIFIED BY TECHNICAL DESCRIPTION ONLY, THEY SHALL BE OF THE BEST INDUSTRIAL QUALITY OBTAINABLE FOR THE PURPOSE.

7.2.2. THE CONTRACTOR SHALL BE COMPLETELY RESPONSIBLE FOR ASCERTAINING THAT EQUIPMENT AND MATERIALS COMPLY, IN ALL RESPECTS, WITH THE SPECIFICATIONS AND DRAWINGS.

7.2.3. METHODS OF FABRICATION, ASSEMBLY AND INSTALLATION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, PROVIDED THAT THIS WORK ACHIEVES ITS INTENDED PURPOSE AND IS CO-ORDINATED WITH OTHER ONGOING WORK IN ORDER TO AVOID DELAYS.

8. SUBMITTALS BY CONTRACTOR

8.1.1. THE CONTRACTOR SHALL REGULARLY SUBMIT TO THE ENGINEER FOR REVIEW SUCH INFORMATION AND DRAWINGS AS ARE NECESSARY FOR THE PROPER PERFORMANCE OF THE WORK OR AS REQUIRED BY LAWS, ORDINANCES OR REGULATIONS GOVERNING THE WORK, AS REQUIRED BY OTHER SPECIFICATION SECTIONS AND IN THE CONTRACT.

8.1.2. PRIOR TO SUBMISSION TO THE ENGINEER, THE CONTRACTOR SHALL REVIEW THE CONTRACTOR'S SUBMITTALS. BY THIS REVIEW, THE CONTRACTOR REPRESENTS THAT HE HAS DETERMINED AND VERIFIED FIELD MEASUREMENTS, FIELD CONSTRUCTION CRITERIA, MATERIALS, CATALOGUE NUMBERS AND SIMILAR DATA AND THAT HE HAS CHECKED AND COORDINATED EACH DRAWING WITH THE REQUIREMENTS OF THE WORK AND OF THE CONTRACT DOCUMENTS. THE REVIEW BY THE CONTRACTOR OF EACH DRAWING SHALL BE INDICATED BY STAMP, DATE AND SIGNATURE OF A PERSON AUTHORIZED FOR SUCH PURPOSE BY THE CONTRACTOR.

8.1.3. THE CONTRACTOR SHALL SUBMIT CONTRACTOR'S SUBMITTALS TO THE ENGINEER IN ORDERLY SEQUENCE FOR REVIEW IN SUFFICIENT TIME AS DETERMINED BY THE ENGINEER. AT THE TIME OF SUCH SUBMISSION THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DEVIATIONS IN THE CONTRACTOR'S SUBMITTALS FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

8.1.4. CHANGES TO CONTRACTOR'S DRAWINGS MADE BY THE CONTRACTOR SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW.

8.1.5. REVIEW OF THE DRAWINGS BY THE ENGINEER SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR ANY ERRORS CONTAINED THEREIN NOR FROM THE CONTRACTOR'S OBLIGATION TO PERFORM THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

8.1.6. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER FOR EVALUATION PURPOSES FOUR COPIES OF LITERATURE FROM THE MANUFACTURER APPLICABLE TO ITEMS TO BE PROVIDED BY THE CONTRACTOR.

8.1.7. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER, SAMPLES REQUIRED BY THE ENGINEER TO ENABLE THE ENGINEER TO EVALUATE THE ITEM PROPOSED TO BE FURNISHED BY THE CONTRACTOR.

8.1.8. DOCUMENTATION SUCH AS EQUIPMENT DETAILS, TEST RESULTS, CERTIFICATES, REPORTS, DELIVERY TICKETS, AS SPECIFIED IN THE VARIOUS SECTIONS OF THESE SPECIFICATIONS SHALL BE SUBMITTED TO THE ENGINEER, FOR USE AND REVIEW.

9. "AS-BUILT" DRAWINGS

9.1.1. THE CONTRACTOR SHALL MAINTAIN CURRENT TWO SETS OF PRINTS MARKED UP TO SHOW THE "AS-BUILT" STATUS, TAKING INTO ACCOUNT ALL VARIATIONS FROM THE CONTRACT DRAWINGS.

9.1.2. THE CONTRACTOR SHALL MAINTAIN TWO FULL-SIZE SETS OF AS-BUILT DRAWINGS, WHICH SHALL BE UPDATED ON A CONTINUOUS BASIS, TAKING INTO ACCOUNT ALL VARIATIONS FROM THE CONTRACT DRAWINGS, AND SHALL PROVIDE THE OWNER MARKED-UP COPIES WEEKLY. COMPLETED DRAWINGS MARKED AS-BUILT SHALL BE SUBMITTED TO THE OWNER AT THE END OF THE PROJECT.

9.1.3. THE CONTRACTOR/SUPPLIER SHALL LEGIBLY MARK EACH ITEM TO RECORD ACTUAL CONSTRUCTION, INCLUDING:

9.1.3.1. FIELD CHANGES OF DIMENSION AND DETAIL.

9.1.3.2. CHANGES MADE BY CHANGE ORDERS.

9.1.3.3. DETAILS NOT ON ORIGINAL CONTRACT DRAWINGS.

9.1.3.4. REFERENCES TO RELATED SHOP DRAWING AND MODIFICATIONS.

10. INSTALLATION AND WORKMANSHIP - GENERAL

10.1. MOUNTING

10.1.1. ELECTRICAL EQUIPMENT MOUNTED ON CHANNELS EMBEDDED IN SLABS SHALL BE PLUG-WELDED TO THE CHANNELS. ELECTRICAL EQUIPMENT MOUNTED DIRECTLY ON FINISHED SLABS SHALL BE FASTENED WITH EXPANSION ANCHORS, RAMSET OR SIMILAR DEVICES. IN EITHER CASE, THE FINISHED WORK SHALL RESULT IN AN INSTALLATION WHICH IS TRUE, PLUMB AND SECURE.

10.1.2. MANUFACTURER'S INSTRUCTIONS FOR THE INSTALLATION OF EMPLOYER-SUPPLIED EQUIPMENT SHALL BE MADE AVAILABLE TO THE CONTRACTOR. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARISE THEMSELVES WITH THESE INSTRUCTIONS AND TO FOLLOW THEM IN THE WORK OF INSTALLATION, TESTING AND OPERATION.
REPLACEMENT OF ANY PART OF THE WORK, WHICH DOES NOT CONFORM TO DRAWINGS, SPECIFICATIONS, OR CURRENTLY ACCEPTED CONCEPTS OF HIGH QUALITY PERFORMANCE, MATERIALS OR WORKMANSHIP. ANY CONFLICTS BETWEEN SPECIFICATION AND/OR DRAWINGS ARE TO BE RESOLVED IN A TIMELY FASHION PRIOR TO START OF ANY CONSTRUCTION BY CONTACTING THE OWNER.

10.1.5. WAIVING ALL OR PART OF THE INSPECTION, FAILURE ON THE PART OF THE OWNER TO INSPECT, AND/OR FAILURE TO REJECT ON INSPECTION, WORK WHICH LATER PROVES TO BE DEFECTIVE SHALL NOT RELEASE THE CONTRACTOR/SUPPLIER FROM WARRANTEES, COMMITMENTS OR OBLIGATIONS STIPULATED BY THE PURCHASE DOCUMENTS. THE CONTRACTOR/SUPPLIER IS SOLELY RESPONSIBLE FOR THE ACCURACY, QUALITY AND COMPLETENESS OF HIS WORK AND SUPPLY.

10.2. NON-CONFORMANCES

10.2.1. THE CONTRACTOR SHALL SUBMIT A PLAN TO THE OWNER FOR APPROVAL BY THE ENGINEER FOR THE REPAIR OF ALL ELECTRICAL INSTALLATION WHICH DID NOT MEET THE DESIGN OR MANUFACTURER REQUIREMENTS. THIS SUBMITTAL SHALL INCLUDE A CLEAR STATEMENT OF THE PROBLEM, MARKED -UP DRAWINGS TO ILLUSTRATE THE PROBLEM, AND THE PROPOSED METHOD OF REPAIR.

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7.2. GENERAL

7.2.1. MATERIALS SHALL BE NEW, OF THE QUALITY SPECIFIED AND SHALL CONFORM TO THE APPLICABLE NEMA, ANSI/IEEE STANDARD AND CARRY A CANADIAN STANDARDS ASSOCIATION (CSA) OR UNDERWRITERS LABORATORIES (ULC) LABEL OF CERTIFICATION. WHERE EQUIPMENT OR MATERIALS ARE SPECIFIED BY TECHNICAL DESCRIPTION ONLY, THEY SHALL BE OF THE BEST INDUSTRIAL QUALITY OBTAINABLE FOR THE PURPOSE.

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8.1.3. THE CONTRACTOR SHALL SUBMIT CONTRACTOR'S SUBMITTALS TO THE ENGINEER IN ORDERLY SEQUENCE FOR REVIEW IN SUFFICIENT TIME AS DETERMINED BY THE ENGINEER. AT THE TIME OF SUCH SUBMISSION THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DEVIATIONS IN THE CONTRACTOR'S SUBMITTALS FROM THE REQUIREMENTS OF THE CONTRACT DOCUMENTS.

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8.1.7. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER, SAMPLES REQUIRED BY THE ENGINEER TO ENABLE THE ENGINEER TO EVALUATE THE ITEM PROPOSED TO BE FURNISHED BY THE CONTRACTOR.

8.1.8. DOCUMENTATION SUCH AS EQUIPMENT DETAILS, TEST RESULTS, CERTIFICATES, REPORTS, DELIVERY TICKETS, AS SPECIFIED IN THE VARIOUS SECTIONS OF THESE SPECIFICATIONS SHALL BE SUBMITTED TO THE ENGINEER, FOR USE AND REVIEW.

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9.1.3.1. FIELD CHANGES OF DIMENSION AND DETAIL.

9.1.3.2. CHANGES MADE BY CHANGE ORDERS.

9.1.3.3. DETAILS NOT ON ORIGINAL CONTRACT DRAWINGS.

9.1.3.4. REFERENCES TO RELATED SHOP DRAWING AND MODIFICATIONS.

10. INSTALLATION AND WORKMANSHIP - GENERAL

10.1. MOUNTING

10.1.1. ELECTRICAL EQUIPMENT MOUNTED ON CHANNELS EMBEDDED IN SLABS SHALL BE PLUG-WELDED TO THE CHANNELS. ELECTRICAL EQUIPMENT MOUNTED DIRECTLY ON FINISHED SLABS SHALL BE

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10.3. BURIED SERVICES

10.3.1. ALL BURIED CONDUITS AND CABLES TO BE INSPECTED BY OWNER/CONSULTANT AS SPECIFIED.

10.4. PAINTING AND RESTORING

10.4.1. THE CONTRACTOR/SUPPLIER SHALL THOROUGHLY CLEAN AND PAINT ANY STRUCTURAL STEEL SUPPORTS AND DUCTWORK FABRICATED AND INSTALLED BY THE CONTRACTOR/SUPPLIER.

10.4.2. MISCELLANEOUS SUPPORT OR STRUCTURAL STEELWORK INSTALLED BY THE CONTRACTOR SHALL BE TREATED AND PAINTED PER THE OWNER'S PAINTING STANDARDS.

10.4.3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TOUCH-UP OF ANY PAINT SURFACES DAMAGED DURING INSTALLATION SUBJECT TO AN INSPECTION AND ACCEPTANCE BY THE OWNER.

10.4.4. GALVANIZED METAL FINISHES SHALL BE REPAIRED WITH ZINC RICH COLD GALVANIZING COMPOUND, APPLIED IN A MINIMUM OF THREE COATS. ITEMS REQUIRING REPAIR INCLUDES CONDUIT THREADS, EXPOSED SAW CUT EDGES, TOOL MARKS, ETC.

10.4.5. PAINT FOR TOUCH-UP OF OWNER SUPPLIED EQUIPMENT WILL BE PROVIDED.

10.5. INTERFERENCE

10.5.1. CIRCUMSTANCES MAY PREVENT MOUNTING AN ELECTRICAL DEVICE OR APPARATUS IN THE LOCATION SHOWN ON THE DRAWINGS. IN SUCH CASES THE EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BY THE CONTRACTOR AND APPROVED BY THE ENGINEER.

10.5.2. PRIOR TO COMMENCING INSTALLATION, THE CONTRACTOR/SUPPLIER SHALL THOROUGHLY EXAMINE THE WORK UPON WHICH THIS WORK IS DEPENDENT. REPORT ANY DEFICIENCIES DISCOVERED AND PROPOSE ADJUSTMENTS TO THE MANAGER AND OBTAIN WRITTEN AUTHORIZATION BEFORE PROCEEDING.

10.5.3. THE CONTRACTOR/SUPPLIER SHALL CHECK THAT THE POSITION OF ANCHOR BOLT SETTINGS.

10.6. DEMOLITION AND RELOCATION

10.6.1. RELOCATION WORK SHALL INCLUDE DISCONNECTING EXISTING CABLES, REROUTING AND RECONNECTION OR REPLACEMENT IF EXISTING LENGTH ARE NOT SUFFICIENT FOR REROUTING, AS DIRECTED BY THE ENGINEER.

10.6.2. THE CONTRACTOR SHALL DEMOLISH AND REMOVE EXISTING INSTRUMENTS, CONTROL DEVICES, CONTROL STATIONS, CABLES, WIRING, SUPPORT DEVICES AND OTHER MATERIALS AS INDICATED ON THE DRAWINGS, SPECIFICATIONS OR IMPLIED BY VIRTUE OF RELATED WORK WHICH MAKE ANY ITEM REDUNDANT OR REPLACED BY A NEW DEVICE. RETURN REMOVED MATERIALS TO THE OWNER'S SALVAGE YARD.

10.7. FIELD WELDING

10.7.1. DURING WELDING OPERATIONS THE SURROUNDING AREA SHALL BE PROTECTED IN ACCORDANCE WITH THE OWNER'S STANDARDS FOR FIRE SAFETY.

10.7.2. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH AWS, AISC, ASME CODES AND OTHER APPLICABLE REQUIREMENTS OF THE STANDARDS, CODES AND SPECIFICATIONS REFERENCED HEREIN OR IN OTHER CONTRACT DOCUMENTS.

10.7.3. STRUCTURAL STEEL WELDING SHALL BE PERFORMED BY QUALIFIED WELDERS AND WELDING OPERATORS AND IN ACCORDANCE WITH WRITTEN PROCEDURES AND AWS CODE REQUIREMENTS.

10.7.4. THE CONTRACTOR/SUPPLIER SHALL PROVIDE WELDING PROCEDURE SPECIFICATIONS, PROCEDURE QUALIFICATION RECORDS AND WELDER QUALIFICATION RECORDS PRIOR TO COMMENCING WORK.

10.7.5. THE OWNER RESERVES THE RIGHT TO PRECLUDE USE OF OTHER WELDING PROCESSES.

10.7.6. ALL SURFACES TO BE WELDED SHALL BE FREE OF OIL, GREASE, MILL SCALE, DIRT, PAINT AND ALL OTHER DETRIMENTAL MATERIALS BEFORE WELDING.

10.7.7. THE CONTRACTOR/SUPPLIER SHALL HAVE ALL WELD JOINT EDGE PREPARATIONS MADE BY MACHINING, GRINDING, OR THERMAL CUTTING IN THE FABRICATION SHOP. WHEN THERMAL CUTTING IS PERFORMED, THE JOINT SURFACES SHALL BE GROUND TO SOUND METAL AND CHECKED FOR THE PRESENCE OF CRACKS OR OTHER INJURIOUS DEFECTS PRIOR TO WELDING.

10.7.8. ALL FILLER METALS AND CONSUMABLE MATERIALS USED IN THE PERFORMANCE OF THE WORK SHALL BE SUITABLE FOR THE INTENDED APPLICATION AND IN ACCORDANCE WITH AWS AND AISC CODES.

10.7.9. COMPONENTS SHALL NOT BE WELDED UNTIL THEY HAVE BEEN PROPERLY ALIGNED. THE SEQUENCE OF PLACING WELDS SHALL BE SUCH AS TO AVOID DISTORTION OF THE COMPONENTS.

10.7.10. TACK WELDS NOT INCORPORATED IN FINAL WELDS SHALL BE REMOVED AND THE AREA GROUND SMOOTH.

10.7.11. COMPLETED WELDS SHALL BE REGULAR IN APPEARANCE, SMOOTH AND FREE OF UNDERCUTTING, CAVITIES, INCLUSIONS, DEPRESSIONS, OR CRACKS.

10.7.12. AFTER WELDING, THE SURFACES SHALL BE CLEANED FREE OF WELD SPLATTER, FLUX, SLAG, AND OTHER SUCH MATERIALS.

10.7.13. PREPARE SURFACES OF BOTH EXISTING STEEL AND NEW STEEL IN ACCORDANCE WITH ANSI//AWS D1.1.

10.7.14. STORE ALL OPEN CONTAINERS OF ELECTRODES IN DRYING OVENS. SUPPLY WELDERS WITH ONLY ENOUGH ELECTRODES FOR 3 HOURS AT ANY TIME. USE THOROUGHLY DRY ELECTRODES ONLY.

10.7.15. PERFORM STRUCTURAL WELDING AND WELD INSPECTION IN ACCORDANCE WITH ANSI//AWS D1.1.

10.7.16. COMPLETE WELDED CONNECTIONS ON SITE IN ACCORDANCE WITH THE FINAL SHOP AND ERECTION DRAWINGS.

10.7.17. REMOVE SLAG, SPLATTER, SCALE AND DISCOLORATION.

10.7.18. THE ENGINEER WILL INSPECT, AND APPROVE IN WRITING ALL FIELD WELDING NOT SPECIFICALLY CALLED FOR ON THE DRAWINGS. THE CONTRACTOR SHALL MAKE GOOD PLATED OR GALVANISED METAL FINISHES AND PAINTED SURFACES DAMAGED BY FIELD WELDING.

10.7.19. FIELD WELDING SHALL BE PERFORMED BY WELDERS QUALIFIED IN ACCORDANCE WITH AWS QC1.

10.1.3. ELECTRICAL EQUIPMENT AND THEIR SUPPORTING BRACKET SHALL BE AFFIXED TO STRUCTURAL STEEL MEMBERS WITH BOLTS THROUGH DRILLED OR TAPPED HOLES ONLY. TORCH CUTTING AND WELDING OF ANY KIND IS NOT PERMITTED.

10.1.4. WALL AND COLUMN MOUNTED ELECTRICAL EQUIPMENT MAY BE FASTENED WITH EXPANSION ANCHORS, RAMSET, ON METAL BRACKETS OR OTHER APPROVED MEANS SO LONG AS THE FINISHED WORK RESULTS IN AN INSTALLATION THAT IS TRUE, PLUMB AND SECURE.

10.1.5. BRACKETS, ANCHORS, GASKETS, NUTS, BOLTS, SHIMS AND OTHER SIMILAR MATERIALS INCIDENTAL TO OR NEEDED FOR THE COMPLETE INSTALLATION OF EQUIPMENT SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR.

10.2. FASTENERS

10.2.1. NUTS, BOLTS, ETC., FORMING PART OF AN ASSEMBLY OR SUB-ASSEMBLY WILL NORMALLY BE SUPPLIED BY THE MANUFACTURER OF THE PIECES OF MACHINERY CONCERNED. HOWEVER, OTHER FASTENERS MAY BE REQUIRED TO FASTEN THE ASSEMBLY TO SUPPORTING STEELWORK AND IN THESE CASES, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SUPPLY THESE FASTENERS.

10.2.2. FASTENERS SUPPLIED BY THE CONTRACTOR ARE TO BE STAINLESS STEEL, ELECTRO-GALVANIZED OR OTHER NON_CORRODING MATERIAL, WHICH SHALL BE APPROVED IN WRITING BY THE ENGINEER BEFORE USE.

10.3. BURIED SERVICES

10.3.1. ALL BURIED CONDUITS AND CABLES TO BE INSPECTED BY OWNER/CONSULTANT AS SPECIFIED.

10.4. PAINTING AND RESTORING

10.4.1. THE CONTRACTOR/SUPPLIER SHALL THOROUGHLY CLEAN AND PAINT ANY STRUCTURAL STEEL SUPPORTS AND DUCTWORK FABRICATED AND INSTALLED BY THE CONTRACTOR/SUPPLIER.

10.4.2. MISCELLANEOUS SUPPORT OR STRUCTURAL STEELWORK INSTALLED BY THE CONTRACTOR SHALL BE TREATED AND PAINTED PER THE OWNER'S PAINTING STANDARDS.

10.4.3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TOUCH-UP OF ANY PAINT SURFACES DAMAGED DURING INSTALLATION SUBJECT TO AN INSPECTION AND ACCEPTANCE BY THE OWNER.

10.4.4. GALVANIZED METAL FINISHES SHALL BE REPAIRED WITH ZINC RICH COLD GALVANIZING COMPOUND, APPLIED IN A MINIMUM OF THREE COATS. ITEMS REQUIRING REPAIR INCLUDES CONDUIT THREADS, EXPOSED SAW CUT EDGES, TOOL MARKS, ETC.

10.4.5. PAINT FOR TOUCH-UP OF OWNER SUPPLIED EQUIPMENT WILL BE PROVIDED.

10.5. INTERFERENCE

10.5.1. CIRCUMSTANCES MAY PREVENT MOUNTING AN ELECTRICAL DEVICE OR APPARATUS IN THE LOCATION SHOWN ON THE DRAWINGS. IN SUCH CASES THE EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BY THE CONTRACTOR AND APPROVED BY THE ENGINEER.

10.5.2. PRIOR TO COMMENCING INSTALLATION, THE CONTRACTOR/SUPPLIER SHALL THOROUGHLY EXAMINE THE WORK UPON WHICH THIS WORK IS DEPENDENT. REPORT ANY DEFICIENCIES DISCOVERED AND PROPOSE ADJUSTMENTS TO THE MANAGER AND OBTAIN WRITTEN AUTHORIZATION BEFORE PROCEEDING.

10.5.3. THE CONTRACTOR/SUPPLIER SHALL CHECK THAT THE POSITION OF ANCHOR BOLT SETTINGS.

10.6. DEMOLITION AND RELOCATION

10.6.1. RELOCATION WORK SHALL INCLUDE DISCONNECTING EXISTING CABLES, REROUTING AND RECONNECTION OR REPLACEMENT IF EXISTING LENGTH ARE NOT SUFFICIENT FOR REROUTING, AS DIRECTED BY THE ENGINEER.

10.6.2. THE CONTRACTOR SHALL DEMOLISH AND REMOVE EXISTING INSTRUMENTS, CONTROL DEVICES, CONTROL STATIONS, CABLES, WIRING, SUPPORT DEVICES AND OTHER MATERIALS AS INDICATED ON THE DRAWINGS, SPECIFICATIONS OR IMPLIED BY VIRTUE OF RELATED WORK WHICH MAKE ANY ITEM REDUNDANT OR REPLACED BY A NEW DEVICE. RETURN REMOVED MATERIALS TO THE OWNER'S SALVAGE YARD.

10.7. FIELD WELDING

10.7.1. DURING WELDING OPERATIONS THE SURROUNDING AREA SHALL BE PROTECTED IN ACCORDANCE WITH THE OWNER'S STANDARDS FOR FIRE SAFETY.

10.7.2. ALL WELDING SHALL BE PERFORMED IN ACCORDANCE WITH AWS, AISC, ASME CODES AND OTHER APPLICABLE REQUIREMENTS OF THE STANDARDS, CODES AND SPECIFICATIONS REFERENCED HEREIN OR IN OTHER CONTRACT DOCUMENTS.

10.7.3. STRUCTURAL STEEL WELDING SHALL BE PERFORMED BY QUALIFIED WELDERS AND WELDING OPERATORS AND IN ACCORDANCE WITH WRITTEN PROCEDURES AND AWS CODE REQUIREMENTS.

10.7.4. THE CONTRACTOR/SUPPLIER SHALL PROVIDE WELDING PROCEDURE SPECIFICATIONS, PROCEDURE QUALIFICATION RECORDS AND WELDER QUALIFICATION RECORDS PRIOR TO COMMENCING WORK.

10.7.5. THE OWNER RESERVES THE RIGHT TO PRECLUDE USE OF OTHER WELDING PROCESSES.

10.7.6. ALL SURFACES TO BE WELDED SHALL BE FREE OF OIL, GREASE, MILL SCALE, DIRT, PAINT AND ALL OTHER DETRIMENTAL MATERIALS BEFORE WELDING.

10.7.7. THE CONTRACTOR/SUPPLIER SHALL HAVE ALL WELD JOINT EDGE PREPARATIONS MADE BY MACHINING, GRINDING, OR THERMAL CUTTING IN THE FABRICATION SHOP. WHEN THERMAL CUTTING IS PERFORMED, THE JOINT SURFACES SHALL BE GROUND TO SOUND METAL AND CHECKED FOR THE PRESENCE OF CRACKS OR OTHER INJURIOUS DEFECTS PRIOR TO WELDING.

10.7.8. ALL FILLER METALS AND CONSUMABLE MATERIALS USED IN THE PERFORMANCE OF THE WORK SHALL BE SUITABLE FOR THE INTENDED APPLICATION AND IN ACCORDANCE WITH AWS AND AISC CODES.

10.7.9. COMPONENTS SHALL NOT BE WELDED UNTIL THEY HAVE BEEN PROPERLY ALIGNED. THE SEQUENCE OF PLACING WELDS SHALL BE SUCH AS TO AVOID DISTORTION OF THE COMPONENTS.

10.7.10. TACK WELDS NOT INCORPORATED IN FINAL WELDS SHALL BE REMOVED AND THE AREA GROUND SMOOTH.

10.7.11. COMPLETED WELDS SHALL BE REGULAR IN APPEARANCE, SMOOTH AND FREE OF UNDERCUTTING, CAVITIES, INCLUSIONS, DEPRESSIONS, OR CRACKS.

10.7.12. AFTER WELDING, THE SURFACES SHALL BE CLEANED FREE OF WELD SPLATTER, FLUX, SLAG, AND OTHER SUCH MATERIALS.

10.7.13. PREPARE SURFACES OF BOTH EXISTING STEEL AND NEW STEEL IN ACCORDANCE WITH ANSI//AWS D1.1.

10.7.14. STORE ALL OPEN CONTAINERS OF ELECTRODES IN DRYING OVENS. SUPPLY WELDERS WITH ONLY ENOUGH ELECTRODES FOR 3 HOURS AT ANY TIME. USE THOROUGHLY DRY ELECTRODES ONLY.

10.7.15. PERFORM STRUCTURAL WELDING AND WELD INSPECTION IN ACCORDANCE WITH ANSI//AWS D1.1.

10.7.16. COMPLETE WELDED CONNECTIONS ON SITE IN ACCORDANCE WITH THE FINAL SHOP AND ERECTION DRAWINGS.

10.7.17. REMOVE SLAG, SPLATTER, SCALE AND DISCOLORATION.

10.7.18. THE ENGINEER WILL INSPECT, AND APPROVE IN WRITING ALL

10.7.20. WELDING ELECTRODES SHALL BE OF THE E70 SERIES.

10.8. CLEAN-UP

10.8.1. THE CONTRACTOR SHALL PROVIDE PROTECTIVE COVERINGS AND EQUIPMENT COVERS CLOSED WHENEVER POSSIBLE TO PREVENT ENTRY OF WATER, DUST AND FOREIGN DEBRIS.

10.8.2. UPON COMPLETION OF THE WORK:

10.8.2.1. THE CONTRACTOR SHALL THOROUGHLY CLEAN ELECTRICAL ROOMS. HOLES AND OPENINGS IN THE FLOORS AND WALLS OF THESE ROOMS SHALL BE COMPLETELY SEALED WITH FIRE RESISTING MATERIAL E.G. FLAMASTIC, SELASTIC OR APPROVED EQUAL.

10.8.2.2. THE CONTRACTOR SHALL MAKE A THOROUGH INSPECTION OF ELECTRICAL EQUIPMENT, REMOVE ANY LEFT-OVER PACKING BRACES OR SHIPPING SUPPORTS AND THOROUGHLY CLEAN EQUIPMENT BY HAND-OPERATED VACUUM MACHINE.

10.8.2.3. THE CONTRACTOR SHALL REMOVE DUST FROM DEVICES, TERMINALS, ETC., AND VACUUM THE INSIDE OF CONTROL PANELS AND ENCLOSURES.

10.8.2.4. THE CONTRACTOR SHALL CLEAN AND VACUUM POWER AND DISTRIBUTION PANEL BOARDS, AND MAKE SURE THAT DIRECTORY CARDS ARE NEATLY TYPED SHOWING THE FINAL CIRCUIT DESIGNATION; AND PLACED IN THE CARD HOLDER ON THE INSIDE OF THE DOOR OF EACH PANEL BOARD.

10.8.2.5. CONTRACTOR SHALL DISPOSE OF DEBRIS AND WASTE MATERIAL FROM HIS AREA OF WORK.

10.8.2.6. CONTRACTOR SHALL TOUCH UP PAINTED SURFACES WHERE REQUIRED.

10.8.2.7. CONTRACTOR SHALL ENSURE PRIOR TO SWITCH-ON OF EQUIPMENT, THAT NO CONDENSATION THAT COULD FORM INSIDE EQUIPMENT.

GENERAL

11. SUBMITTALS

11.1. COORDINATION STUDY DETAILING ELECTRICAL SYSTEM EVALUATION AND PROTECTION, PROTECTIVE EQUIPMENT SELECTIVITY AND ARC FLASH HAZARD ANALYSIS STUDIES.

THE REPORT SHALL INCLUDE THE FOLLOWING SECTIONS:

11.1.1. ONE-LINE DIAGRAM SHOWING PROTECTIVE DEVICE AMPERE RATINGS AND ASSOCIATED DESIGNATIONS, CABLE SIZE & LENGTHS, TRANSFORMER KVA & VOLTAGE RATINGS, MOTOR & GENERATOR KVA RATINGS, AND SWITCHGEAR/SWITCHBOARD/PANELBOARD DESIGNATIONS

11.1.2. DESCRIPTIONS, PURPOSE, BASIS AND SCOPE OF THE STUDY

11.1.3. SHORT CIRCUIT AND PROTECTIVE DEVICE EVALUATIONS (PASS/FAIL)

11.1.4. TABULATIONS OF THE WORST-CASE CALCULATED SHORT CIRCUIT DUTIES AS A PERCENTAGE OF THE APPLIED DEVICE RATING (AUTOMATIC TRANSFER SWITCHES, CIRCUIT BREAKERS, FUSES, ETC.); THE SHORT CIRCUIT DUTIES SHALL BE UPWARD-ADJUSTED FOR X/R RATIOS THAT ARE ABOVE THE DEVICE DESIGN RATINGS

11.1.5. PROTECTIVE DEVICE TIME VERSUS CURRENT COORDINATION CURVES WITH ASSOCIATED ONE-LINE DIAGRAM IDENTIFYING THE PLOTTED DEVICES (MAKE, MODEL AND TAGNAME), TABULATIONS OF ANSI PROTECTIVE RELAY FUNCTIONS AND ADJUSTABLE CIRCUIT BREAKER TRIP UNIT SETTINGS

11.1.6. FAULT STUDY INPUT DATA, CASE DESCRIPTIONS, AND CURRENT CALCULATIONS INCLUDING A DEFINITION OF TERMS AND GUIDE FOR INTERPRETATION OF THE COMPUTER PRINTOUT

11.1.7. INCIDENT ENERGY AND FLASH PROTECTION BOUNDARY CALCULATIONS

11.1.8. COMMENTS AND RECOMMENDATIONS FOR SYSTEM IMPROVEMENTS, WHERE NEEDED

11.1.9. EXECUTIVE SUMMARY FOR EACH SECTION, INCLUDING SOURCE OF INFORMATION AND ASSUMPTIONS MADE.

12. DEFINITIONS

12.1. X/R – RATIO OF SYSTEM IMPEDANCE TO SYSTEM RESISTANCE AT A POINT IN THE DISTRIBUTION SYSTEM. THE RATIO IS USED TO CALCULATE THE PEAK ASYMMETRICAL FAULT.

12.2. THREE PHASE BOLTED FAULT – A FAULT WHERE ALL THREE PHASES ARE SHORTED TOGETHER WITH NO FAULT RESISTANCE BETWEEN PHASES.

12.3. LINE TO GROUND BOLTED FAULT – A FAULT WHERE ONE PHASE IS SHORTED TO GROUND WITH NO FAULT RESISTANCE BETWEEN THE PHASE AND GROUND.

13. QUALITY ASSURANCE

13.1. CODES AND STANDARDS:

13.1.1. NFPA COMPLIANCE: COMPLY WITH APPLICABLE REQUIREMENTS OF NFPA 70E ELECTRICAL SAFETY.

13.1.2. IEEE 1584 GUIDE FOR PERFORMING ARC-FLASH HAZARD CALCULATIONS.

13.1.3. NATIONAL ELECTRICAL CODE

13.1.4. IEEE STANDARDS 141, RECOMMENDED PRACTICE FOR ELECTRIC POWER DISTRIBUTION FOR INDUSTRIAL PLANTS.

14. COORDINATION STUDY

14.1. INCLUDE AS PART OF CONTRACT A COMPLETE COORDINATION AND SHORT CIRCUIT STUDY FROM INCOMING POWER LINES THROUGH THE HIGH VOLTAGE SWITCHGEAR, UNIT SUBSTATIONS, AND THE MOTOR CONTROL CENTERS BRANCH CIRCUITS. OBTAIN AVAILABLE SHORT CIRCUIT CURRENT, INRUSH CURRENT, AND UPSTREAM PROTECTIVE DEVICE TIME CURRENT CURVES FROM THE POWER COMPANY. INCLUDE POWER COMPANY CURRENT DATA AND PROTECTIVE DEVICE CURVE AS PART OF STUDY. STUDY SHALL INCLUDE ALL COORDINATING CURVES WITH EACH FUSE SIZE, TRIP SETTINGS, AND THERMAL OVERLOADS

GIVEN FOR CONNECTED LOADS. CURVES SHALL INCLUDE FEEDER WIRE MELTING CURVES AND TRANSFORMER ANSI RATING POINTS. THE STUDY SHALL ALSO INCLUDE VARIABLE FREQUENCY DRIVES FOR MOTORS LARGER THAN 40 HP, HARMONIC FILTERS, POWER FACTOR CORRECTION EQUIPMENT, TRANSFORMERS AND PROTECTIVE DEVICES ASSOCIATED WITH VARIABLE FREQUENCY DRIVES, EMERGENCY AND STANDBY GENERATORS ASSOCIATED PARALLELING EQUIPMENT AND DISTRIBUTION SWITCHGEAR. FUSE SIZES ON MOTOR CONTROL CENTERS SHALL BE THOSE SHOWN IN DRAWINGS THROUGHOUT THE SHORT CIRCUIT AND COORDINATION STUDY. CHANGES IN LOADS FROM THOSE SHOWN ON DRAWINGS SHALL BE INCORPORATED IN STUDY.

4.2. CONTRACTOR SHALL FURNISH ALL FIELD DATA AS REQUIRED FOR THE POWER SYSTEM STUDIES AND ARC FLASH HAZARD ANALYSIS STUDIES. INCLUDE FAULT CONTRIBUTION OF EXISTING MOTORS IN THE STUDY, WITH MOTORS < 50 HP GROUPED TOGETHER. THE CONTRACTOR SHALL OBTAIN REQUIRED EXISTING EQUIPMENT DATA, IF NECESSARY, TO SATISFY THE STUDY REQUIREMENTS.

4.3. STUDIES SHALL BE PERFORMED BY A LICENSED ELECTRICAL PROFESSIONAL ENGINEER EMPLOYED BY THE CONTRACTOR, A MAJOR ELECTRICAL SUPPLIER (I.E., S&C, G.E., WESTINGHOUSE), OR EQUAL. STUDY RESULTS SHALL BE SUBMITTED TO ENGINEER FOR APPROVAL. THE REGISTERED/LICENSED PROFESSIONAL ELECTRICAL ENGINEER SHALL HAVE A MINIMUM OF FIVE (5) YEARS OF EXPERIENCE IN PERFORMING POWER SYSTEM STUDIES.

4.4. AFTER APPROVAL, ALL RECOMMENDED EQUIPMENT SETTINGS, THERMAL OVERLOADS, AND FUSES SHALL BE MADE TO CONFORM TO APPROVED RESULTS BY THE CONTRACTOR. CONTRACTOR SHALL TEST ALL TRIP SETTINGS, TIME DELAYS, AND INDICATING DEVICES ON ALL SWITCHGEAR, UNIT SUBSTATIONS, AND MOTOR CONTROL CENTERS. TESTS SHALL BE WITNESSED BY ENGINEER.

4.5. DATA SHEETS FOR TEST ARE TO BE FURNISHED BY CONTRACTOR AND SHALL BE FILLED OUT SHOWING THE DESIRED SETTINGS FROM COORDINATION STUDY AND RESULTS OBTAINED FROM WITNESSED TEST. DATA SHEETS SHALL BE SIGNED BY THOSE PERFORMING TEST AND WITNESS. TEST DATA SHEETS AND MOTOR LIST SHOWING FUSES, THERMAL OVERLOAD SIZES, ETC. SHALL BE SUBMITTED TO ENGINEER AS PART OF CONTRACT.

5. ARC FLASH HAZARD ANALYSIS

5.1. INCLUDE AS PART OF CONTRACT A COMPLETE ARC FLASH HAZARD ANALYSIS FROM INCOMING POWER LINES THROUGH THE SWITCHGEAR, UNIT SUBSTATIONS, AND THE MOTOR CONTROL CENTERS BRANCH CIRCUITS. OBTAIN AVAILABLE SHORT CIRCUIT CURRENT, INRUSH CURRENT, AND UPSTREAM PROTECTIVE DEVICE TIME CURRENT CURVES FROM THE POWER COMPANY. INCLUDE POWER COMPANY CURRENT DATA AND PROTECTIVE DEVICE CURVE AS PART OF STUDY. ANALYSIS SHALL INCLUDE ALL FUSE SIZES, TRIP SETTINGS, AND THERMAL OVERLOADS GIVEN FOR CONNECTED LOADS, AND SHALL INCLUDE FEEDER WIRE DISTANCES AND TRANSFORMER ANSI RATING POINTS. THE STUDY SHALL ALSO

INCLUDE VARIABLE FREQUENCY DRIVES FOR MOTORS LARGER THAN 40 HP, HARMONIC FILTERS, POWER FACTOR CORRECTION EQUIPMENT, TRANSFORMERS AND PROTECTIVE DEVICES ASSOCIATED WITH VARIABLE FREQUENCY DRIVES AND DISTRIBUTION SWITCHGEAR. FUSE SIZES AND CIRCUIT BREAKERS ON MOTOR CONTROL CENTERS SHALL BE THOSE SHOWN IN DRAWINGS THROUGHOUT THE ANALYSIS. CHANGES IN LOADS FROM THOSE SHOWN ON DRAWINGS SHALL BE INCORPORATED IN ANALYSIS.

5.2. THE CONTRACTOR SHALL FURNISH ALL FIELD DATA AS REQUIRED FOR THE POWER SYSTEM STUDIES AND ARC FLASH HAZARD ANALYSIS STUDIES. INCLUDE FAULT CONTRIBUTION OF EXISTING MOTORS IN THE STUDY, WITH MOTORS < 50 HP GROUPED TOGETHER. THE CONTRACTOR SHALL OBTAIN REQUIRED EXISTING EQUIPMENT DATA, IF NECESSARY, TO SATISFY THE STUDY REQUIREMENTS.

5.3. STUDIES SHALL BE PERFORMED BY A LICENSED ELECTRICAL PROFESSIONAL ENGINEER EMPLOYED BY THE CONTRACTOR, A MAJOR ELECTRICAL SUPPLIER (I.E., S&C, G.E., WESTINGHOUSE), OR EQUAL STUDY RESULTS SHALL BE SUBMITTED TO ENGINEER FOR APPROVAL PRODUCTS

6. SHORT-CIRCUIT AND PROTECTIVE DEVICE EVALUATION STUDY

6.1. USE ACTUAL CONDUCTOR IMPEDANCES IF KNOWN. IF UNKNOWN, USE TYPICAL CONDUCTOR IMPEDANCES BASED ON IEEE STANDARDS 141, LATEST EDITION. TRANSFORMER DESIGN IMPEDANCES AND STANDARD X/R RATIOS SHALL BE USED WHEN TEST VALUES ARE NOT AVAILABLE.

6.2. PROVIDE THE FOLLOWING INFORMATION IN THE STUDY REPORT:

6.2.1. CALCULATION METHODS AND ASSUMPTIONS.

6.2.2. BASE PER UNIT QUANTITIES.

6.2.3. ONE-LINE DIAGRAM OF THE SYSTEM BEING EVALUATED WITH AVAILABLE FAULT AT EACH BUS, AND INTERRUPTING RATING OF DEVICES NOTED.

6.2.4. SOURCE IMPEDANCE DATA, INCLUDING ELECTRIC UTILITY SYSTEM AND MOTOR FAULT CONTRIBUTION CHARACTERISTICS.

6.2.5. TYPICAL CALCULATIONS AND TABULATIONS OF CALCULATED QUANTITIES.

6.2.6. RESULTS, CONCLUSIONS, AND RECOMMENDATIONS.

6.3. CALCULATE SHORT-CIRCUIT MOMENTARY AND INTERRUPTING DUTIES FOR A THREE-PHASE BOLTED FAULT AT EACH:

6.3.1. ELECTRIC UTILITY'S SUPPLY TERMINATION POINT.

6.3.2. INCOMING SWITCHGEAR.

6.3.3. UNIT SUBSTATION PRIMARY AND SECONDARY TERMINALS.

6.3.4. LOW VOLTAGE SWITCHGEAR.

6.3.5. MOTOR CONTROL CENTERS.

6.3.6. STANDBY GENERATORS AND AUTOMATIC TRANSFER SWITCHES.

6.3.7. BRANCH CIRCUIT PANELBOARDS.

6.3.8. OTHER SIGNIFICANT LOCATIONS THROUGHOUT THE SYSTEM.

6.4. ON GROUNDED SYSTEMS, PROVIDE A BOLTED LINE-TO-GROUND FAULT CURRENT STUDY FOR AREAS AS DEFINED FOR THE THREE-PHASE BOLTED FAULT SHORT-CIRCUIT STUDY.

6.5. PROTECTIVE DEVICE EVALUATION:

6.5.1. EVALUATE EQUIPMENT AND PROTECTIVE DEVICES AND COMPARE TO SHORT CIRCUIT RATINGS.

6.5.2. ADEQUACY OF SWITCHGEAR, MOTOR CONTROL CENTERS, AND PANELBOARD BUS BRACING TO WITHSTAND SHORTCIRCUIT STRESSES.

6.5.3. ADEQUACY OF TRANSFORMER WINDINGS TO WITHSTAND SHORT-CIRCUIT STRESSES.

6.5.4. CABLE AND BUSWAY SIZES FOR ABILITY TO WITHSTAND SHORT-CIRCUIT HEATING.

6.5.5. NOTIFY OWNER IN WRITING, OF EXISTING CIRCUIT PROTECTIVE DEVICES IMPROPERLY RATED FOR THE CALCULATED AVAILABLE FAULT CURRENT.

7. PROTECTIVE DEVICE COORDINATION STUDY

7.1. PROVIDE AN EXECUTIVE SUMMARY AND TABLE OF CONTENTS. EXECUTIVE SUMMARY SHALL INCLUDE ALL PERTINENT VALUES AND SETTINGS INFORMATION.

7.2. PROPOSED PROTECTIVE DEVICE COORDINATION TIME-CURRENT CURVES SHALL BE DISPLAYED ON LOG-LOG SCALE GRAPHS.

7.3. INCLUDE ON EACH CURVE SHEET A COMPLETE TITLE AND ONE-LINE DIAGRAM WITH LEGEND IDENTIFYING THE SPECIFIC PORTION OF THE SYSTEM COVERED.

7.4. TERMINATE DEVICE CHARACTERISTIC CURVES AT A POINT REFLECTING MAXIMUM SYMMETRICAL OR ASYMMETRICAL FAULT CURRENT TO WHICH DEVICE IS EXPOSED.

7.5. IDENTIFY DEVICE ASSOCIATED WITH EACH CURVE BY DEVICE ID, MANUFACTURER, MODEL, TYPE, FUNCTION, AND TAP, TIME DELAY, AND INSTANTANEOUS SETTINGS RECOMMENDED.

7.6. PLOT THE FOLLOWING CHARACTERISTICS ON THE CURVE SHEETS, WHERE APPLICABLE:

7.6.1. ELECTRIC UTILITY'S PROTECTIVE DEVICE

7.6.2. MEDIUM VOLTAGE EQUIPMENT RELAYS

7.6.3. MEDIUM AND LOW VOLTAGE FUSES INCLUDING MANUFACTURER'S MINIMUM MELT, TOTAL CLEARING, TOLERANCE, AND DAMAGE BANDS

7.6.4. LOW VOLTAGE EQUIPMENT CIRCUIT BREAKER TRIP DEVICES, INCLUDING MANUFACTURER'S TOLERANCE BANDS

7.6.5. TRANSFORMER FULL-LOAD CURRENT, MAGNETIZING INRUSH CURRENT, AND ANSI TRANSFORMER WITHSTAND PARAMETERS

7.6.6. CONDUCTOR DAMAGE CURVES

7.6.7. GROUND FAULT PROTECTIVE DEVICES, AS APPLICABLE

7.6.8. PERTINENT MOTOR STARTING CHARACTERISTICS AND MOTOR DAMAGE POINTS

7.6.9. PERTINENT GENERATOR SHORT-CIRCUITS DECREMENT CURVE AND GENERATOR DAMAGE POINT

7.6.10. OTHER SYSTEM LOAD PROTECTIVE DEVICES FOR THE LARGEST BRANCH CIRCUIT AND THE LARGEST FEEDER CIRCUIT BREAKER IN EACH MOTOR CONTROL CENTER

7.7. PROVIDE ADEQUATE TIME MARGINS BETWEEN DEVICE CHARACTERISTICS SUCH THAT SELECTIVE OPERATION IS PROVIDED, WHILE PROVIDING PROPER PROTECTION.

8. ARC FLASH HAZARD ANALYSIS

8.1. THE ARC FLASH HAZARD ANALYSIS SHALL BE PERFORMED ACCORDING TO THE IEEE 1584 EQUATIONS THAT ARE PRESENTED IN THE LATEST VERSION OF NFPA70E.

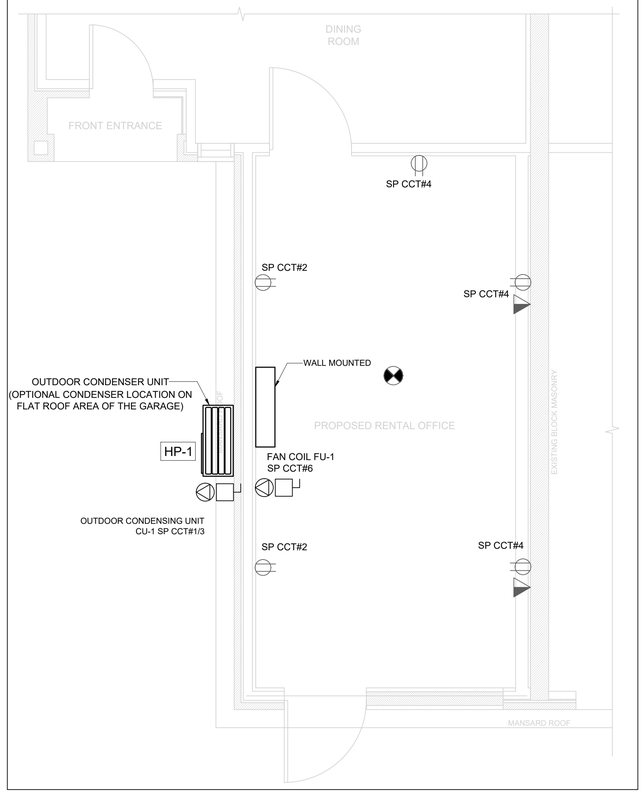
8.2. WHEN APPROPRIATE, THE SHORT CIRCUIT CALCULATIONS AND THE CLEARING TIMES OF THE PHASE OVERCURRENT DEVICES WILL BE RETRIEVED FROM THE SHORT-CIRCUIT AND COORDINATION STUDY MODEL. ALTERNATIVE METHODS SHALL BE PRESENTED IN THE PROPOSAL.

8.3. THE FLASH PROTECTION BOUNDARY AND THE INCIDENT ENERGY SHALL BE CALCULATED AT ALL SIGNIFICANT LOCATIONS IN THE ELECTRICAL DISTRIBUTION SYSTEM (SWITCHBOARDS, SWITCHGEAR, MOTOR CONTROL CENTERS, PANELBOARDS, BUSWAY AND SPLITTERS) WHERE WORK COULD BE PERFORMED ON ENERGIZED PARTS.

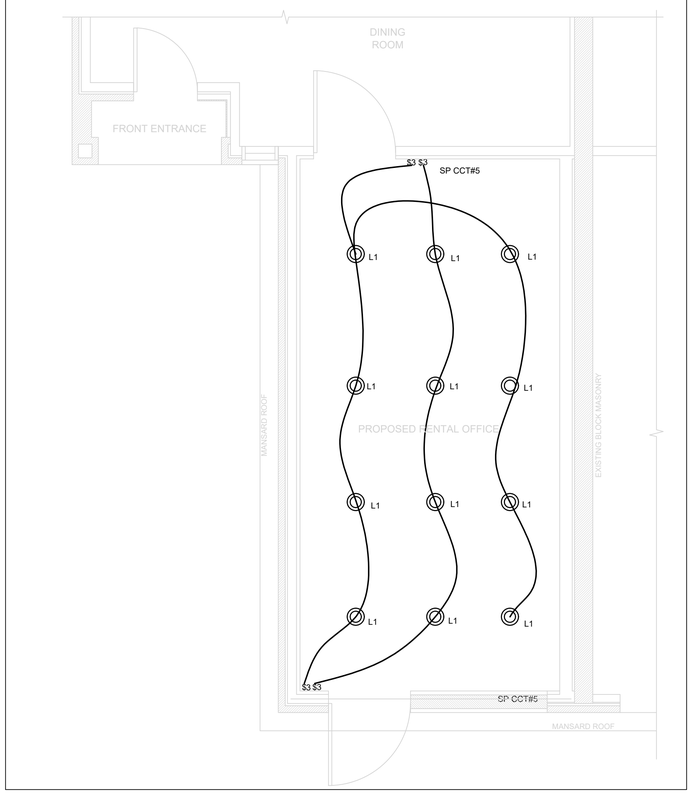
8.4. THE ARC-FLASH HAZARD ANALYSIS SHALL INCLUDE ALL MEDIUM VOLTAGE AND 480 VOLT LOCATIONS AND SIGNIFICANT LOCATIONS IN 240 VOLT AND 208 VOLT SYSTEMS.

8.5. SAFE WORKING DISTANCES SHALL BE SPECIFIED FOR CALCULATED FAULT LOCATIONS BASED UPON THE CALCULATED ARC FLASH BOUNDARY CONSIDERING AN INCIDENT ENERGY OF 1.2 CAL/CM².

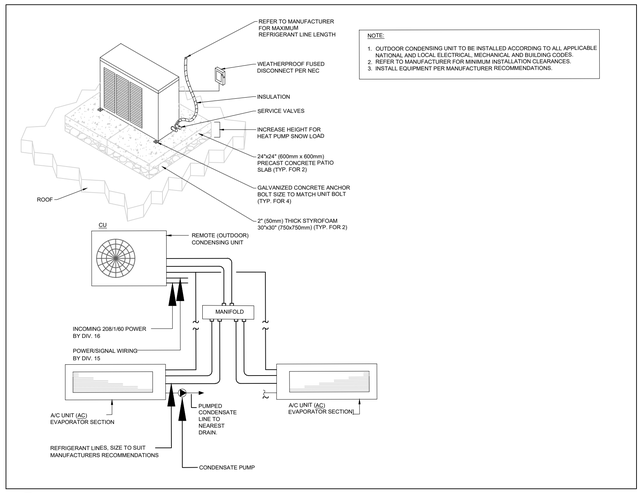
8.6. THE ARC FLASH HAZARD ANALYSIS SHALL INCLUDE CALCULATIONS FOR MAXIMUM AND MINIMUM CONTRIBUTIONS OF FAULT CURRENT MAGNITUDE. THE MINIMUM CALCULATION SHALL ASSUME THAT THE UTILITY CONTRIBUTION IS AT A MINIMUM AND SHALL ASSUME A MINIMUM MOTOR LOAD. CONVERSELY, THE MAXIMUM CALCULATION SHALL ASSUME A MAXIMUM CONTRIBU



1 M&E-100 POWER PLAN
SCALE: 3/16" = 1' - 0"



2 M&E-100 LIGHTING PLAN
SCALE: 3/16" = 1' - 0"



NOTE:
1. OUTDOOR CONDENSING UNIT TO BE INSTALLED ACCORDING TO ALL APPLICABLE NATIONAL AND LOCAL ELECTRICAL, MECHANICAL AND BUILDING CODES.
2. REFER TO MANUFACTURER FOR MINIMUM INSTALLATION CLEARANCES.
3. INSTALL EQUIPMENT PER MANUFACTURER RECOMMENDATIONS.

3 M&E-100 SPLIT A/C DETAIL
SCALE: N.T.S

LIGHTING SYMBOLS		
SYMBOL	SPACE DESCRIPTION	FIXTURE TYPE AND PART NUMBER
L1	OFFICE LIGHT	LITHONIA LDN6 STATIC WHITE 6" 2500 LUMENS 28.3W OR SIMILAR

ELECTRIC HEAT PUMP SCHEDULE

TAG	QUANTITY	SERVICE	MANUFACTURER	MODEL NUMBER	COOLING	HEATING	POWER SOURCE	MCA (A)	WEIGHT (lbs)	REMARKS
					NOMINAL CAPACITY (BTUH)	NOMINAL CAPACITY (BTUH)				
HP-1	1	HEATING & COOLING	SAMSUNG	AR09CSDACWKXCV	9,000	11,000	1 /208-230 /60	12	71.4	-

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NO.	MM/DD/YYYY	DESCRIPTION
1	06/19/2024	ISSUED FOR PERMIT

APPROVED BY

LICENSED PROFESSIONAL ENGINEER
M. GREENHILL
June 20 2024
PROVINCE OF ONTARIO
PEO # 90528175

CLIENT
Amelin Property Management Inc.

PROJECT
Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE
POWER PLAN AND LIGHTING PLAN

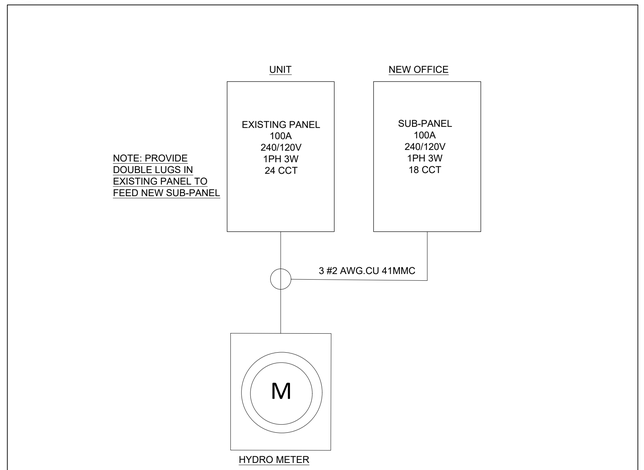
DISCIPLINE	MECHANICAL & ELECTRICAL
PROJECT NUMBER	2378A-24
DATE	06/11/2024
DRAWN BY	AE
DESIGNED BY	MG
CHECKED BY	MG

M&E-100

REVISION NO.	
SCALE	AS SHOWN

FPE TYPE: CSA TYPE 1 TOTAL LOAD: 6.8 kW TOTAL CIRCUITS:18			SP (OFFICE PANEL) TYPE:120/240 V, 1PH 3W, 10kA MAIN BREAKER: 100 A						FED FROM: HYDRO METER MOUNTING: WALL LOCATION: BASEMENT		
LOAD(kW)	SERVICE DESC.	WIRE	BRKR	CCT	L1	L2	CCT	BRKR	WIRE	SERVICE DESC.	LOAD (kW)
4.8	A/C HEAT PUMP	3#12(NMD90)	20A	1			2	15A	2#12(NMD90)	RECEPTACLES	0.5
				3			4	15A	2#12(NMD90)	RECEPTACLES	0.5
0.35	POT LIGHTS	3#12(NMD90)	15A	5			6	15A	2#12(NMD90)	FAN COIL FU-1	0.2
	SPARE	3#12(NMD90)	15A	7			8	15A	2#12(NMD90)	SPARE	
	SPARE	3#12(NMD90)	15A	9			10	15A	2#12(NMD90)	SPARE	
	SPACE			11			12			SPACE	
	SPACE			13			14			SPACE	
	SPACE			15			16			SPACE	
	SPACE			17			18			SPACE	

1 M&E-200 PANEL SCHEDULE
SCALE: N.T.S



1 M&E-200 SINGLE LINE DIAGRAM
SCALE: N.T.S

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NO.	MM/DD/YYYY	DESCRIPTION
1	06/19/2024	ISSUED FOR PERMIT

APPROVED BY

LICENSED PROFESSIONAL ENGINEER
M. GREENHILL
June 20 2024
PROVINCE OF ONTARIO
PEO # 90528175

CLIENT

Amelin Property Management Inc.

PROJECT

Single Car Garage Rehabilitation
& Proposed Change Of Use Project

793 Dynes Road, Burlington, Ontario

TITLE

SINGLE LINE DIAGRAM AND
PANEL SCHEDULE

DISCIPLINE	MECHANICAL & ELECTRICAL
PROJECT NUMBER	2378A-24
DATE	06/11/2024
DRAWN BY	AE
DESIGNED BY	MG
CHECKED BY	MG

M&E-200

REVISION NO.	
SCALE	AS SHOWN

Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act,1992*

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: Regional Municipality of Halton - City of Burlington
(Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information

Building number, street name	Unit number	Lot/con.
793 Dynes Road		Lot 7&8

Municipality	Postal code	Plan number/other description
Regional Municipality of Halton	L7N 2V7	Registered Plan 293

Project value est. $	Area of work (m^2)
$10,000.00	18.75

B. Purpose of application

☐ New construction ☐ Addition to an existing building ☑ Alteration/repair ☐ Demolition ☐ Conditional Permit

Proposed use of building	Current use of building
Rental Office attached to Site Superintendent Residence	Single Car Garage

Description of proposed work

Interior renovations to existing single car garage for conversion to a rental office, which includes new finished floor on slab-on-grade, insulated walls and ceiling, garage door replacement with new window and man-door, new door from garage to interior of residential unit, new electrical recepticals and lighting, and a new split system heating and air conditioning unit.

C. Applicant

Applicant is: ☑ Owner or ☐ Authorized agent of owner

Last name	First name	Corporation or partnership
Holzberg	Michael	Amelin Property Management

Street address	Unit number	Lot/con.
155 Balliol St.		

Municipality	Postal code	Province	E-mail
Toronto	M4S 1C4	ON	Michael@amelinproperties.com

Telephone number	Fax	Cell number
416-487-4461 Ext 405	416-487-3486	

D. Owner (if different from applicant)

Last name	First name	Corporation or partnership

Street address	Unit number	Lot/con.

Municipality	Postal code	Province	E-mail

Telephone number	Fax	Cell number

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E. Builder (optional)

Last name	First name	Corporation or partnership (if applicable)	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax	Cell number	

F. Tarion Warranty Corporation (Ontario New Home Warranty Program)

i. Is proposed construction for a new home as defined in the *Ontario New Home Warranties Plan Act*? If no, go to section G.	☐ Yes	☑ No
ii. Is registration required under the *Ontario New Home Warranties Plan Act*?	☐ Yes	☑ No

iii. If yes to (ii) provide registration number(s): _____

G. Required Schedules

i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.

ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.

H. Completeness and compliance with applicable law

i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted).	☑ Yes	☐ No
Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the *Building Code Act, 1992*, to be paid when the application is made.	☑ Yes	☐ No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992.*	☑ Yes	☐ No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992* which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.	☑ Yes	☐ No
iv) The proposed building, construction or demolition will not contravene any applicable law.	☑ Yes	☐ No

I. Declaration of applicant

I Michael Holzberg declare that:
(print name)

1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

June 6, 2024 _____
Date Signature of applicant

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

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COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.3 - 1:00 P.M.

File
540-02-A-079/24

APPLICANTS: Karin and Donald Bennett

PROPERTY: 146 Birett Drive,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a new one storey single detached dwelling with attached garage.

VARIANCE:

1. To permit a building height of 5.9 m instead of the maximum permitted 4.5 m for a proposed one storey dwelling with a flat roof.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: Karin and Donald Bennett
Address: 146 Birett Dr., Burlington
File No. **A-079/24**
Ward: 4

Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: September 19, 2024 Prepared By: C. Kabel

Zoning

The subject property is zoned **R1.2**, Low Density Residential, under Zoning By-Law 2020, as amended. The **R1.2** zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R1 ZONES						
R1.2	24 m	925 m^2	9 m	9 m	(a)	9 m

Footnotes to Table 2.4.1

(c) With attached garage or carport: 10% of actual lot width (24 m x 10% = 2.4 m)

2.31 RESIDENTIAL BUILDING HEIGHT (Part 1)

A) R1, R2, R3, R4 Zones					
Flat Roof Dwellings	**Building Height Maximum**				
Detached Semi-Detached Cluster	**1 storey to 4.5 m**	N/A	2 storey to 7 m	N/A	N/A

Proposal:

The applicant is proposing the construction of a new one storey single detached dwelling with attached garage.

Variance required:

1. To permit a building height of 5.9 m instead of the maximum permitted 4.5 m for a proposed one storey dwelling with a flat roof.

Condition:

1. The applicant shall apply for a Pre-Building Approval application.

Notes:

1. An e-mail dated July 13, 2023 was received stating that the property is not regulated by Conservation Halton. Applicant shall consult with Conservation

Halton to confirm that their comments are still valid as there have been recent regulation limit changes.

2. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval Application is made, they will be the responsibility of the applicant to obtain.

3. Owner to submit a single dwelling unit information letter to confirm the application does not include the proposal of an additional residential unit.

4. A Demolition Permit is required.

5. A Pre-Building Approval Application will be required for the proposed future pool cabana.

6. A Combined Residential Swimming Pool Application will be required.

7. The variances are being reviewed under 45(1) of the *Planning Act*.

Date: 4 November 2024 Prepared By: Erin Ruby

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a one-storey dwelling with an attached garage. The applicant requests the Committee of Adjustment's approval of one variance because the proposed house will exceed the maximum permitted height for a one-storey dwelling:

1. To permit a building height of 5.9 m instead of the maximum permitted 4.5 m for a proposed one storey dwelling with a flat roof.

The subject lands comprise a rectangular-shaped parcel with a total lot area of 1,027.94 m^2 (0.10 hectares) with approximate lot frontage of 24 metres along Birett Drive. The lands are known municipally as 146 Birett Drive.

The City of Burlington Official Plan, 1997 (BOP, 1997) describes the City structure as being comprised mainly of *residential neighbourhoods*, defined as a residential area sharing similar characteristics with identifiable boundaries, such as arterial or collector roads, hydro corridors, creeks or an area of non-residential uses. While new residential development is required to be compatible with "surrounding properties", many of the Official Plan's development and intensification policies reference the "residential

neighbourhood" or "neighbourhood" as an important lens for assessing the compatibility of a development proposal. The property is in a residential neighbourhood bounded by Spruce Avenue to the north, Appleby Line to the east, Lake Ontario to the south and the Paletta lakefront park and Shoreacres Road to the west. The neighbourhood is characterized by a mixture of one to two-storey detached dwellings (with attached garages), and different building footprints and depths. The area south of Lakeshore Road has a similar characteristic, but features larger lot sizes. Properties in the neighborhood are generally in the Low Density Residential (R1.2) zone.

The proposed development includes the construction of new one-storey dwelling with a total gross floor area (GFA) of 241.9 m^2. The variance requested is for the proposed one-storey flat-roof dwelling to be constructed with an additional 1.4 metres in height. As described by the applicant, the portion of the roof which exceeds the maximum height is for a skylight for the purposes of increasing the amount of light which hits the entryway and courtyard in the centre of the house. The area of the structure which exceeds the maximum height provision of 4.5 metres is 24m^2.

Building Elevations and Floor Plans (dated October 24, 2024, Rev 2.) are included as an attachment in a later section of this report.

1) City of Burlington Official Plan:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) of the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that detached dwellings are a use permitted by the City's Zoning By-law, staff are of the opinion that the requested variances meet the general intent and purpose of the ROP.

Regional Staff have also reviewed this application and have no objections to the Minor Variance application.

Official Plan, 1997 & 2020

On April 2, 2024 the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the BOP, 1997. However, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal, so the application has been reviewed against a combination of in-force policies under both Official Plans.

The subject lands are designated 'Residential – Low Density' according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended. Section 8.3.3 (1) (Residential Neighbourhood Area Policies) of the BOP, 2020, states that among the permitted uses within the 'Residential Low Density' designation are single detached housing units (with a maximum permitted residential density of 25 units per hectare). The proposed new detached dwelling is a permitted use and the proposed minor variance does not impact the density.

The general intent and purpose of the BOP, 2020 is to encourage new residential development, including new structures in residential neighbourhood areas while recognizing that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

Part II, Section 6.0 (Design) of the BOP, 1997 provides policy guidance on the review of development applications as they relate to design principles and objectives. Included among these are policies related to compatibility.

Part II, Section 6.2 (Design Objectives) of the City's Official Plan seeks to ensure that "the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods…".

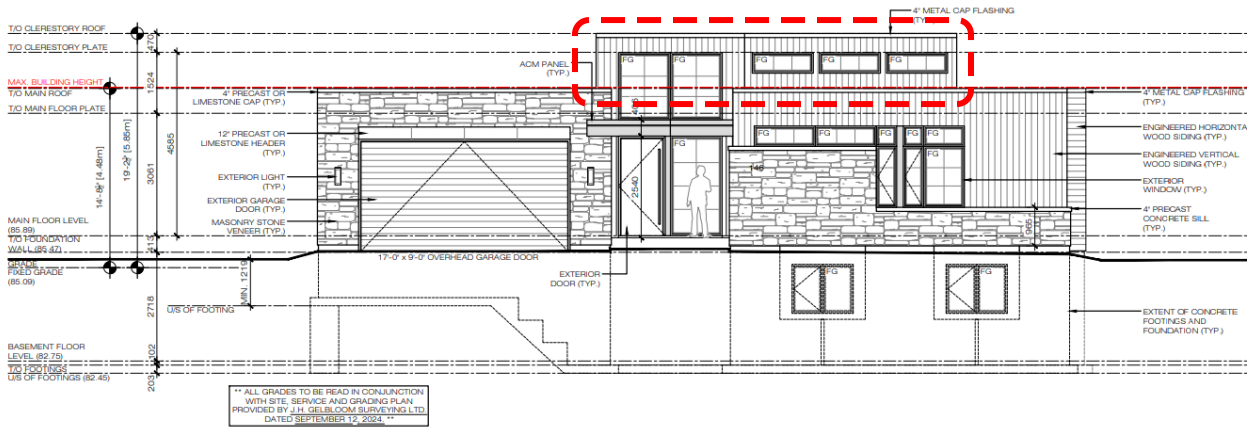
Part II, Section 6.5 (Design Guideline Policies) of the City's Official Plan states that "the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area."

Compatible(ity) is defined as 'development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.'

BOP, 1997, Part III, Subsection 2.5.2 (e)(i) states that the following criteria shall be considered when evaluating minor variance applications for increased height to detached or semi-detached dwellings in low density residential designations "the maximum building height **should not exceed the average height** of the highest points

of the rooflines of existing residential buildings on the immediately adjoining properties sharing lot lines with the lands under application". According to the Official Plan (Part VIII – Definitions), the term "should", contained in the above policy, means that "a convincing reason is required in order not to fully comply with an Official Plan policy". The intent of this policy is to recognize the built form context of the surrounding area and to ensure that any proposed increase to building height is deemed to be compatible with heights maintained by houses on adjacent lots. Additional height is to be consistent with these adjacent heights.

In this case, most of the dwelling complies with the maximum height provision in the Zoning By-law, with a small part of the building, outlined in red below, exceeding the limit.



FRONT ELEVATION

There are three immediately adjoining properties: 140 Birett Drive, 152 Birett Drive and 4420 Lakeshore Road. The properties on Birett Drive are both one-storey detached dwellings with sloped roofs. The property fronting Lakeshore Road is a two-storey detached dwelling with a sloped roof. As the surrounding properties are peaked roof dwellings and this proposal is for a flat roof, the heights are difficult to compare. The triangular profile of a peaked roof creates a more gradual but also prominent form due to the additional vertical element. The massing impact of a peaked roof is lessened since the roof slopes inwards from the exterior walls. In contrast, a flat roof is a planar surface, which can add significantly to the massing of a building because it does not include any cutaway portions and is an extrusion of the massing below. While the

Zoning Bylaw permits a maximum height of 4.5 m for a one-storey, flat-roof building, a peaked roof building is permitted reach a much greater height of 9 m at the ridgeline. Although a height study or height survey was not included with the application materials, the gables and ridgelines (the highest point) of the adjacent peaked roof homes add significantly to their maximum height and staff believe it is likely that they exceed the height of the clerestory portion of the proposed home.

With respect to compatibility, the surrounding area is characterized by large lots with a mixture of one to two-storeys detached dwellings (with attached garages) with a variety of building footprints. In the immediate area, there are a mixture of built forms, including one to two-storeys detached dwellings. The proposal is in keeping with the identified neighbourhood character.

The proposal incorporates architectural features and design elements which minimize the perception of excessive mass. As noted previously, the majority of the proposal complies with the required height of 4.5 metres. The feature that exceeds the maximum height is a clerestory window feature. The applicant has stated the purpose of the feature is to bring in more light to the entryway and central courtyard. Since height is measured relative to fixed grade, staff will prioritize assessing the impacts of additional massing at the front lot line, where the perceived increase in mass could have adverse effects. Staff have also assessed the impacts to the shared property lines. The proposed skylight, measuring 24m², is small compared to the overall roof footprint of 293.32 m² and is centrally located. Due to its size and placement, staff anticipate no adverse impacts on neighboring properties. From the street, the skylight does not span the full width of the dwelling. Additionally, multiple windows help to break up the overall massing. Staff do not identify any adverse impacts relating to the increase of the requested height.

Staff are of the opinion that the proposed development is generally compatible in scale, design, massing and location as adjacent and surrounding development of similar land use (residential) and is compatible with the surrounding area.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes

The subject lands are zoned Low Density Residential (‘R1.2’) Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use in the applicable zone.

Part 1, Section 2.31, Table 2.31.1 B) (Residential Building Height) of the City of Burlington Zoning By-law 2020, stipulates that maximum permitted height for a one storey dwelling with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall have a maximum height up to 2 ½ storeys in accordance with the provisions of "All Other Zones", Table 2.31.1 B). For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation. The proposed one-storey flat roof dwelling is permitted to a height of 4.5 metres. The applicant requests a variance to permit a building height of 5.9 metres instead of the maximum permitted height of 4.5 metres for a one storey flat roof.

The intent of houses with different numbers of storeys having different maximum height limits in metres is to limit the bulk of the roof and the proportions of the roof relative to the front elevation and exert some influence over the architecture of the house. The provision is specifically measured from fixed grade to account for the perceived height of the dwelling from the street as well as the impact. As the house is proposed to be a flat roof, the maximum height is lower than a peaked roof to account for the additional massing from the rectilinear form. However, staff note that flat roofs are not afforded the same height increase a peaked roof dwelling would have within the "all other zones" category.

Staff also note that within Part 1, Section 2.31, Table 2.31.1 B) (Residential Building Height) of the City of Burlington Zoning By-law 2020, the maximum permitted height of one-storey peaked roofs south of Lakeshore Road is 9-metres, whereas a one-storey peaked roof north of Lakeshore Road has a lower height permission of 7.5 metres. The increased height permissions that apply to peaked roofs south of Lakeshore Road do not apply to flat roof dwellings, which have the same height limit on both sides of the road. Therefore, a peaked roof dwelling south of Lakeshore Road could vastly exceed the massing of a flat roof dwelling.

The height of the structure is measured from fixed grade to the top of the flat roof. Fixed grade is defined as the elevation of the ground at the street line measured at the midpoint of a lot, or in the case of multiple unit developments, means the elevation of the ground at the street or common driveway line measured at the midpoint of the dwelling unit. As shown on the elevations and as described by the applicant the portion of the roof which exceeds the maximum height is for a skylight for the purposes of increasing the amount of light which hits the entryway and courtyard in the centre of the house. The area of the clerestory windows is approximately 24m^2, and when considered in relation to the rest of the roof, it is not a large structure. While the permitted height of a one-storey flat roof house is 4.5 metres, staff view the maximum permitted height as a

soft architectural guideline that influences the proportions of the house, without the intent of limiting architectural freedom. As previously noted, there are a number of features and design elements which minimize the perception of excessive mass and in staffs opinion support the proposal maintaining the general intent of the Zoning By-law.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The subject application has been reviewed in the context of immediate neighbouring properties and the larger neighbourhood context. As noted previously, the applicant is proposing a variance to permit the proposed house to have a height of 5.9 metres measured relative to fixed grade at the frontage of the site. The portion of the roof which exceeds the maximum height is for a clerestory window feature for the purposes of increasing the amount of light which hits the entryway and courtyard in the centre of the house. The house maintains good architectural proportions and massing, in staff's opinion.

Forestry staff has reviewed the application and has indicated no objection to the requested variance. Site Engineering staff has reviewed the application and has indicated no objection to the requested variance. Further review/revisions to plans may be required through the Grading and Drainage Clearance Certificate process.

Staff are of the opinion that the requested variance is desirable, given that the variance is for a small portion of the structure. In staff's opinion certain architectural elements and design features minimize the vertical impact of the increased height and ultimately any adverse impacts to any surrounding properties. Staff view the proposal as compatible and therefore desirable.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

The proposed development is intended to continue the use of the property for residential purposes with minimal land use impacts anticipated. With the exception of the proposed height, the development otherwise complies with the provisions of the

applicable zoning. In consideration of the above, it is staff's opinion that the requested minor variance to the City of Burlington Zoning By-law 2020 is minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

N/A

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variance.

Date: January 7, 2025 Prepared By: Ryan Kochuta

Report Schedules & Attachments:
Attachment No. 1 (Site Photos – November 28th, 2024)

View of the subject lands from Birett Drive

View of the abutting property to the northwest (152 Birett Drive)

View of the abutting property to the southeast (140 Birett Drive)

View of the abutting property to the southwest (4420 Lakeshore Road)

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objections. Changes to the plan may be required through the Grading and Drainage Clearance Certificate process.

Date: November 8, 2024 Prepared By: D. Savelli

Forestry

Forestry has no objection to the proposed minor variance(s) and provides the following advisory note(s) to the applicant:

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.

2. Revisions to the report and/or plans may be required through the tree permit process.

Date: November 7, 2024 Prepared By: R. Shaw-Lukavsky

Building

1. A Building Permit is required for all building construction;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012.

Date: December 17, 2024 Prepared By: Q.Tan

Transportation Planning

Deemed Road Width Analysis

Birett Drive is under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Date: September 24, 2024 Prepared By: Taylor Kirchknopf

Transportation Planning have reviewed the proposed minor variance application and have no concerns with it.

Date: November 23/2024 Prepared By: Dan Ozimkovic

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: November 4, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 146 Birett Drive where the application is proposing the construction of a new one storey single detached dwelling with attached garage. Variances are required to permit an increase to the maximum permitted building height for a proposed one storey dwelling with a flat roof.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 26, 2024 Prepared By: Shiza Mushtaq

Conservation Halton

Based on review of the materials submitted and our Approximate Regulation Limit (ARL) mapping at this area, I have confirmed that our regulation limit on our mapping is overstated in this area. As such, the property is not regulated by CH and we will not be providing comments.

Date: November 6, 2024 Prepared By: Ashley Gallaugher

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☒ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☐ or N ☒
Name of Planner: _____ Name of Zoning Examiner: _____

PROPERTY INFORMATION
Municipal Address(es) of property:

146 Birett Drive

Legal Description of property:

Lot 4, Registered Plan 588

Official Plan Designation: Residential-Low Density Current Zoning Designation R1.2

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Karin Bennett + Donald Bennett

Mailing Address: 146 Birett Drive City: Burlington

Postal Code: L7L 2T1 Home Phone: 905-630-2040 Mobile Phone: _____

Work Phone: _____ E-Mail: Karin@Karinbennettdesigns.com

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name: Alex Blanchard / Carrothers and Associates

Business Address: 3-505 York Boulevard City: Hamilton

Postal Code: L8R 3K4 Home Phone: _____ Mobile Phone: _____

Work Phone: 905-574-1504 E-Mail: alex@carrothersandassociates.com

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

New custom Single family dwelling

Variance(s) Requested	Zoning Bylaw Requirement
Maximum Building Height = 5.85m	4.50 m

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? See attached justification report

2. Why are the variance(s) desirable for the appropriate use of the land? See attached

3. Do the variance(s) meet the intent and purpose of the Official Plan? See attached

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? See attached

CARROTHERS + ASSOCIATES
ARCHITECTURAL DESIGN + INTERIORS

CARROTHERS AND ASSOCIATES INC.
505 York Boulevard, Unit 3
HAMILTON, ONTARIO L8R 3K4
P: 905-574-1504

September 17th, 2024

Committee of Adjustment – Planning Services

City of Burlington 426 Brant Street, PO Box 5013, Burlington ON. L7R3Z6

Attn: Secretary Treasurer

Project Address: 146 Birett Drive, Burlington, ON. L7L 2T1

Carrothers and Associates Inc. are the consultants to Karin Bennett (the owner) of the lands municipally known as 146 Birett Drive in Burlington, Ontario. On behalf of the owner, we are pleased to provide this submission letter to address items #1 through #4 on page 10 of the Minor Variance application.

1. **Why is the variance(s) minor in nature:**
   The minor variance will facilitate the construction of a new single family custom home that is consistent and compatible with the existing community-built form character and will not result in adverse impacts to the neighboring properties. The variance required represents a minor departure from what is currently permitted and there is no combination of any other variances that will result in the over-building on the Subject Property to the detriment of the community, it is my opinion that the requested variances are minor in nature.

2. **Why are the variance(s) desirable for the appropriate use of the land?**
   It is my opinion that the proposal will maintain compatibility with the surrounding area and will facilitate a new single-family dwelling on the property without creating any excessive additional massing impacts. The increase in building height is only for a small area of the roof and will not be a dominant feature of the house from the street. The rest of the home has been designed within the parameters of the Zoning By-Law and the massing is consistent with the existing community built-form. Overall, it is my opinion that the proposed variance is appropriate and desirable with the Subject Lands.

3. **Do the variance(s) meet the intent and purpose of the Burlington Official Plan?**
   The Subject Property is located within an established residential neighbourhood and our proposal is consistent and compatible with the existing community character.
   The general intent and purpose of the BOP, 2020, is to encourage new residential development, including new homes, in residential neighbourhood areas while recognising that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods. The majority of homes in this area are one (1) storey dwellings and the proposed development will “fit in” with these built forms. There are no natural heritage features on or adjacent to the subject property that will be adversely impacted by our proposal. The increase in building height is only for a small portion of the home to allow exterior windows and natural light into the hallway and the rest of our proposal will stay well within the setback’s requirements for the property. The result will not give a sense of overbuilding.

4. **Do the variance(s) meet the intent and purpose of the Zoning By-law?**
   The general purpose and intent of the Zoning By-Law is to implement the policies of the Official Plan through specific permissions and regulations. The Subject Property is currently zoned “Residential (R1.2)” and permits the existing detached dwelling and allows for expansion of the dwelling on the lot. “

CARROTHERS + ASSOCIATES
ARCHITECTURAL DESIGN + INTERIORS

CARROTHERS AND ASSOCIATES INC.
505 York Boulevard, Unit 3
HAMILTON, ONTARIO L8R 3K4
P: 905-574-1504

Variance 1 – Building Height of 5.85m instead of the maximum height of 4.50m (for a flat roof)
While the numerical values of 5.85m vs the 4.50m may not seem to meet the general Zoning intent. The additional 1.35m in building height is only for a small percentage of overall roof structure (7%). The increase in height in this area - will allow natural light into the space below thru clerestory windows. It is important to note that the majority (93%) of the house roof is under the maximum roof height.

Conclusion

As described above, the requested variances will allow for reinvestment to occur on the Subject lands in a matter that is compatible and in keeping with the current streetscape of the neighbourhood.

The requested variances satisfy the four tests of Section 45 (1) of the Planning Act and in our opinion represent good design and planning.

Regards,

David Carrothers
Carrothers and Associates Inc.
905.574.1504 ext. 1

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
June 2023 (mmm/dd/yyyy)	+/- 1950 (mmm/dd/yyyy)	Spring 2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☒ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued: +/- 75 years

Proposed Use of the Land:

Residential SFD

Existing Uses of Abutting Properties (check all that apply)

Residential ☒ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☒

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☒
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water	☒	If not available, by what means is it provided:
Sanitary Sewers	☒	If not available, by what means is it provided:
Storm Sewers	☒	If not available, by what means is it provided:

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit ☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
23.99 m	42.72 m	1028.2 m²	20.0 m	20.0 m	N/A	32.9%	Y ☐ N ☒

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Dwelling/Building) T.B.R.		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	211.2 M²	Ground Floor Area (incl. attached garage)	320.2 M²
Gross Floor Area:	184.2 M²	Gross Floor Area:	241.9 M²
Number of Storeys:	1	Number of Storeys:	1
Width:	19.9 M	Width:	19.2 M
Length:	14.2 M	Length	18.1 M
Height:	+/- 6.0 M	Height	5.85 M
Garage/Car Port T.B.R.		**Garage/Car Port**	
Detached?	Y ☐ N ☒	Detached?	Y ☐ N ☒
Gross Floor Area:	23.5 M²	Gross Floor Area:	45.0 M²
Width:	5.5 M	Width:	6.7 M
Length:	6.0 M	Length:	6.7 M
Height:	+/- 5.1 M	Height:	4.48 M
Accessory Structures (Shed, Gazebo, etc) T.B.R.		**Accessory Structures** Cabana	
Gross Floor Area:	3.3 M²	Gross Floor Area:	30.7 M²
Width:	1.4 M	Width:	4.6 M
Length:	2.3 M	Length:	4.6 M
Height:	+/- 2.2 M	Height:	3.5 M
Other (pool, additional sheds, decks, driveways, etc.) T.B.R.		**Other**	
Gross Floor Area:	5.7 M²	Gross Floor Area:	M²
Width:	3.1 M	Width:	M
Length:	1.8 M	Length:	M
Height:	+/- 2.2 M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING Dwelling		PROPOSED Dwelling	
Front:	9.50 M	Front:	9.22 M
Rear:	19.14 M	Rear:	15.49 M
Side/Street Side:	2.02 M	Side/Street Side:	2.44 M
Side/Other Side:	2.06 M	Side/Other Side:	2.44 M

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
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EXEMPTION FROM NEW SURVEY REQUIREMENT

Minor additions to an existing dwelling or for a proposed accessory building or structure (i.e., deck, driveway, pergola, shed), may be exempt from having to provide a new survey. Please refer to Page 3 of this application package for more details. Minor Variances with concurrent Consent applications require a new survey.

Applicant/Owner: Alex Blanchard | Property Address: 146 Birett Dr.

1. I, Alex Blanchard (Print Name) In my capacity as Agent (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated _____ (mmm/dd/yyyy)

has been revised by: _____ (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated 09/10/2024 (mmm/dd/yyyy)

has been revised by: J.H. Gelbloan Surveying (Person or Company Name)

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: _____ (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: _____ (Person or Company Name)

4. Should the need arise during application processing for an new OLS survey, the applicant/agent agree to provide the survey as required by Committee or city staff in order to receive a decision on the application.

Signature of Owner/Applicant — Date (mmm/dd/yyyy): 09/10/2024

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: Karin Bennett

Property Address: 146 Birett Dr.

Signature of Owner/Applicant

July 25 /24
Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☐ Signature of Applicant or Authorized Agent: Alex Blanchard

I, Alex Blanchard (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township) of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City (Region/City/County) of Burlington in the Region of Halton (City/Town/Township)

this 17 day of September 20 24.

Tammy Ball, Technology Analyst
The Corporation of the City of
Burlington, Region of Halton
A Commissioner of Oaths pursuant
to s.228(4) of the Municipal Act

Tammy Ball
Signature of Commissioner, etc.

Alex Blanchard
Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 146 Birett Drive

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

KBen
Signature of Owner

Karin Bennett
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Karin Bennett (print name) being the registered owner of the subject lands, hereby

Authorize Alex Blanchard + David Carrothers (print agent name) to prepare, submit and act on my behalf with respect to this

application for a Minor Variance.

KBa
Signature of Owner

09/11/2024
Date (mmm/dd/yyyy)

Notice of collection of personal information
Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☐ Deemed Street Line
- ☐ Existing Front Yard Setbacks
- ☐ Existing Rear Yard Setbacks
- ☐ Existing Side Yard Setbacks
- ☐ Existing Street Side Yard Setbacks
- ☐ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☐ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☐ Railways (Location of them and setbacks to structures)
- ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- [x] Setbacks
- [x] Height
- [x] Area
- [x] Length
- [x] Width

ELEVATIONS

- [x] Metric
- [x] Front
- [x] Rear
- [x] Side 1
- [x] Side 2

FLOOR PLANS

- [x] Metric
- [x] North Arrow
- [x] Gross Floor Area Calculation
- [x] Ground Floor Area Calculation
- [ ] Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

07/25/24
Date (mmm/dd/yyy)

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-079/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Karin and Donald Bennett, the owners of 146 Birett Dr., Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **146 Birett Dr., Burlington** (see map).

The applicant is proposing the construction of a new one storey single detached dwelling with attached garage. This proposal results in the following variances:

1. To permit a building height of 5.9 m instead of the maximum permitted 4.5 m for a proposed one storey dwelling with a flat roof.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

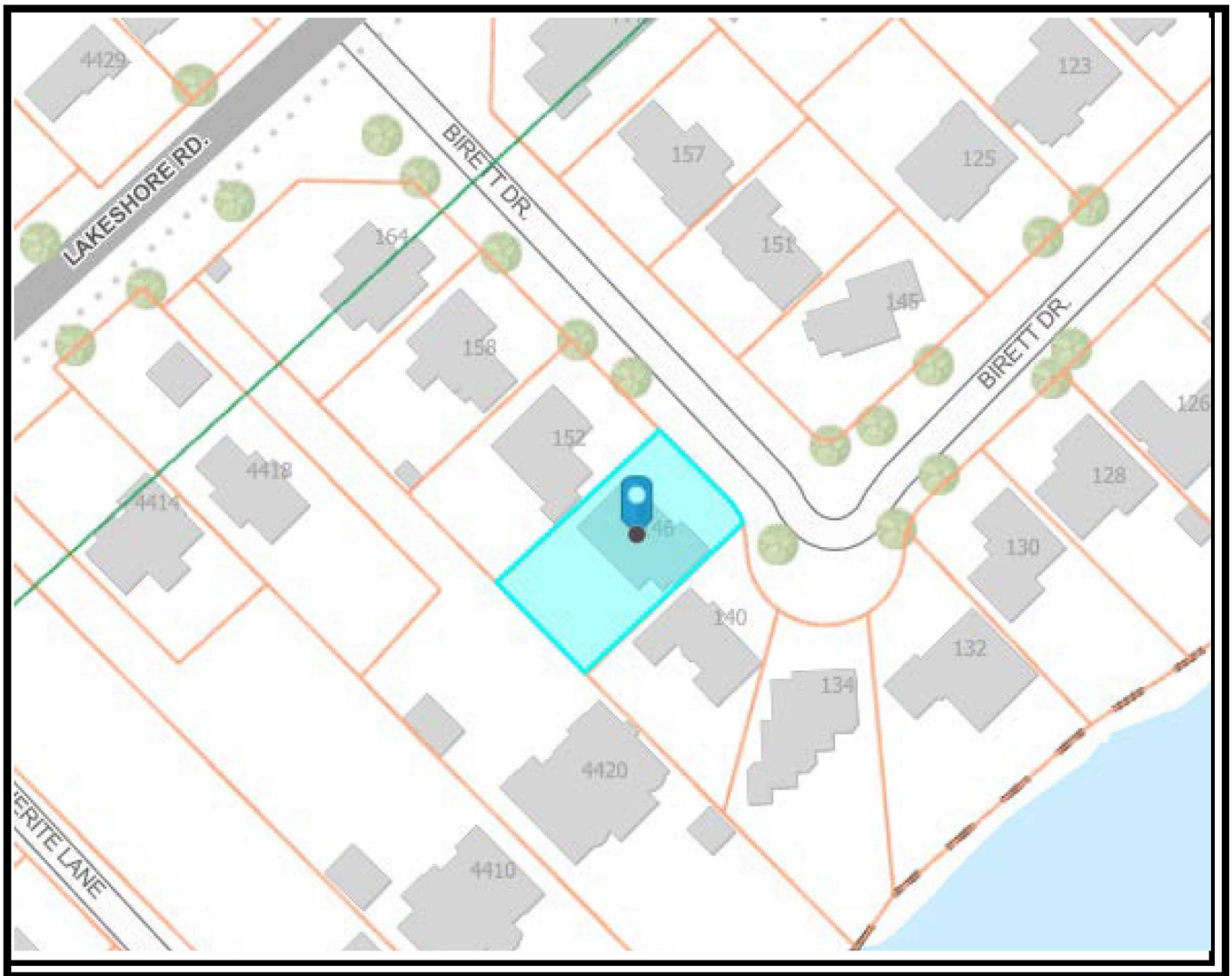
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map



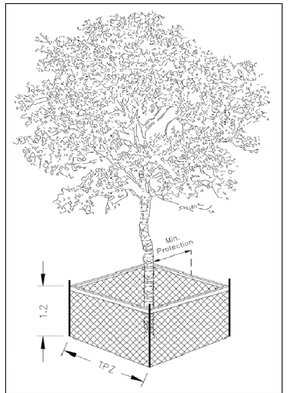
Key Map

146 Birett Drive

TERANET

CITY OF Burlington

Committee of Adjustment Community Planning Department - Planning Implementation



TREE PROTECTION BARRIER

1. The required barrier is a 1.2 meter (4 ft) high orange plastic web snow fencing on 2" x 4" frame. Where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
2. Tree protection barriers are to be erected prior to the commencement of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barriers shall be maintained erect and in good repair throughout the duration of construction operations with breaks and unsupported sections repaired immediately. Tree protection may be not be removed prior to the completion of construction without written authorization from the City Arborist.
3. All supports and bracing used to safely secure the barrier should be located outside the MTPZ. All supports and bracing should minimize damage to roots.
4. Where some fill or excavated material must be temporarily located near a MTPZ, a wooden barrier with silt fencing must be used to ensure no material enters the MTPZ.
5. No materials or fill may be stored within the MTPZ.
6. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the MTPZ.
7. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the City Arborist.
8. A laminated Minimum Tree Protection Zone sign (See Detail TP-3 – Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection where it will be visible by persons entering the site. Minimum size must be 10"x14".

TREE PROTECTION NOTE

1. ALL EXISTING TREES WHICH ARE TO REMAIN SHALL BE FULLY PROTECTED WITH HOARDING, ERECTED BEYOND THEIR DRIP LINE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT. GROUPS OF TREES AND OTHER EXISTING PLANTINGS TO BE PROTECTED, SHALL BE TREATED IN A LIKE MANNER, WITH THE HOARDING AROUND THE ENTIRE CLUMP(S). AREAS WITHIN THE PROTECTIVE FENCING SHALL REMAIN UNDISTURBED AND SHALL NOT BE USED FOR THE STORAGE OF THE BUILDING MATERIAL AND EQUIPMENT.
2. NO RIGGING CABLES SHALL BE WRAPPED AROUND OR INSTALLED IN TREES AND SURPLUS SOIL, EQUIPMENT, DEBRIS OR MATERIALS SHALL NOT BE PLACED OVER ROOT SYSTEMS OF THE TREES WITHIN THE PROTECTIVE FENCING. NO CONTAMINANTS WILL BE DUMPED OR FLUSHED WHERE FEEDER ROOTS OF TREES EXIST.
3. THE DEVELOPER OR HIS/HER/ITS AGENTS SHALL TAKE EVERY PRECAUTION NECESSARY TO PREVENT DAMAGE TO TREES OR SHRUBS TO BE RETAINED.
4. WHERE LIMBS OR PORTIONS OF TREES ARE REMOVED TO ACCOMODATE CONSTRUCTION WORK, THEY WILL BE REMOVED CAREFULLY IN ACCORDANCE WITH ACCEPTED ARBORICULTURAL PRACTICE.
5. WHERE ROOT SYSTEMS OF PROTECTED TREES ARE EXPOSED DIRECTLY TO, OR DAMAGED BY CONSTRUCTION WORK, THEY SHALL BE TRIMMED NEATLY AND THE AREA BACKFILLED WITH APPROPRIATE MATERIAL TO PREVENT DESICCATION.
6. WHERE NECESSARY, THE TREES WILL BE GIVEN AN OVERALL PRUNING TO RESTORE THE BALANCE BETWEEN ROOTS AND TOP GROWTH OR TO RESTORE THE APPEARANCE OF THE TREES.
7. IF GRADES AROUND TREES TO BE PROTECTED ARE LIKELY TO CHANGE, THE OWNER SHALL BE REQUIRED TO TAKE SUCH PRECAUTIONS AS DRY WELLING, RETAINING WALLS AND ROOT FEEDING TO THE SATISFACTION OF THE PLANNING AND BUILDING DEPARTMENT OF THE CITY OF BURLINGTON.
8. GRADE CHANGES WILL NOT OCCUR WITHIN THE TREE PROTECTION ZONE (TPZ)
9. UTILITY ACCESS CORRIDOR MUST BE OUTSIDE THE TPZ AND/OR NO OPEN TRENCH METHOD OF CONSTRUCTION BELOW-GROUND AS WELL AS NO ABOVE-GROUND LINES WITHIN THE TPZ.

NOTE: TREE PROTECTION ZONES FOR THE PURPOSES OF THIS BY-LAW, THE TREE PROTECTION ZONE (TPZ) FOR ANY TREE SHALL BE DETERMINED AS FOLLOWS:

TRUNK DIAMETER (DBH)*	MINIMUM TREE PROTECTION ZONE (MTPZ) DISTANCES REQUIRED+	CRITICAL ROOT ZONE (CRZ) DISTANCES REQUIRED+
<10 CM	1.8 M	1.8 M
11–30 CM	2.4 M	4.0 M
31–50 CM	3.0 M	5.0 M
51–60 CM	3.6 M	6.0 M
61–70 CM	4.2 M	7.0 M
71–80 CM	4.8 M	8.0 M
81–90 CM	5.4 M	9.0 M
91–100+ CM	6.0 M	10.0 M

UTILITIES CONNECTION

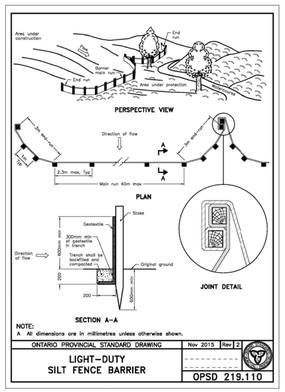
1. SANITARY: (A) MUNICIPAL SANITARY SEWER AVAILABLE ON THE SITE.
2. WATER: (A) SERVICE CONNECTIONS TO BE 25mm DIA. TYPE 'K' SOFT COPPER TUBING UNLESS OTHERWISE NOTED AS PER REGION OF HALTON STANDARDS.
3. SUMP: (A) A SUMP PUMP MAY BE REQUIRED TO DRAIN THE BASEMENT FACILITIES.

REGIONAL APPROVAL

REGION DESIGN OF WATER AND/OR WASTEWATER SERVICES APPROVAL SUBJECT TO DETAIL CONSTRUCTION CONFORMING TO HALTON REGION STANDARDS & SPECIFICATIONS & LOCAL APPROVAL FROM AREA MUNICIPALITY.

SIGNED: _____ *DATED:* _____
Development Services

The approval of the water system on private property property is the responsibility of the Local Municipality, Regardless, the Applicant must ensure that the Region of Halton's standards and specifications are met, (the Water and Wastewater Linear Design Manual may be obtained on Halton.ca or by calling 311) all water quality tests must be completed to the Region of Halton's satisfaction before the water supply can be turned on.



"SILT FENCE DETAIL"

KEY PLAN (NOT TO SCALE)

NOTES:

1– The roots of a tree can extend from the trunk to approximately 2–3 times the distance of the drip line.

2– Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 meters above ground.

3– Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to section 6 of this specification.

4– Where work is being performed beyond the Minimum Tree Protection Zone the works are subject to Section 8 of this specification.

General Notes

All work shall conform to the Ontario Building Code AND Fire Code as noted, latest edition, and all other regulations of authorities having jurisdiction.

All work shall be carried out in accordance with best trade practice by trades skilled in the type of work being performed. No work shall proceed prior to the issuance of a building permit.

These drawings shall be read in conjunction with specifications, schedules, details and other instructions prepared by the Architect, Structural Consultant, Mechanical Consultant and other consultants who have provided service for this project.

All dimensions and information shown on these drawings must be checked and verified on site by the Contractor and any discrepancies shall be reported to the Architect prior to construction and fabrication of its components. Should existing conditions or services be found to vary from that indicated on the drawings, the Architect must be notified immediately.

Features of construction not fully shown are assumed to be the same character as those noted for similar conditions.

Unless specifically noted otherwise on the drawings, no provision has been made in the design for conditions occurring during construction. It shall be the responsibility of the contractor to provide all necessary bracing, shoring, sheet piling or other temporary supports, to safeguard all existing or adjacent structures affected by this work.

The contractor shall be responsible for ensuring that all safety regulations and precautions applying to the work site and work are maintained continuously for the duration of the work.

Changes in the Work
All changes in the work must be approved by the Architect and the Chief building official.

Dimensions
Unless specifically noted otherwise all dimensions to framing are taken to the face of studs.

Foundation walls are measured to the exterior face of masonry or poured concrete.

Unless specifically noted otherwise, rough opening dimensions are nominal. Actual rough opening sizes provided by the manufacturer must be verified by the Contractor prior to framing. Window sizes that vary by 1 1/2" must be reported to the Architect to determine the suitability of lintel sizes and design intent.

Copy Right Act Applies to Use and Production

GRADING NOTES:

1. ROOF DRAINS TO DISCHARGE ONTO THE GRASSED AREA BY MEANS OF SPLASH PADS TO DIRECT WATER AWAY FROM FOUNDATION WALLS AND NOT CONFLICT WITH WALKWAYS. ROOF DRAINS SHALL NOT BE CONNECTED TO STORM OR SANITARY DRAINS.

2. PROVIDE 5.0m OF FLAT AREA (2%–4%) ADJACENT TO REAR OF HOUSE AND 0.6m FLAT AREA AT SIDE OF HOUSE

3. DRIVEWAY SLOPE 2.0% MINIMUM TO 7.0% MAXIMUM UNLESS OTHERWISE NOTED.

4. CHECK AND VERIFY ALL GIVEN GRADE ELEVATIONS AND DRAINAGE PRIOR TO COMMENCEMENT OF CONSTRUCTION.

5. FOOTINGS TO BEAR ON NATURAL UNDISTURBED SOIL OR ROCK OR PER A GEOTECHNICAL CONSULTANT RECOMMENDATION AND BE A MINIMUM OF 1.22m BELOW FINISHED GRADE. UNDERSIDE OF FOOTINGS SHOWN ARE TAKEN FROM ARCHITECTURAL PLANS AND MAY NOT REPRESENT ACTUAL FOOTING LEVELS.

NOTE: CO-ORDINATE ALL GRADING AND HOUSE ELEVATIONS WITH GRADING PLAN PREPARED BY J.H. GELBLOOM SURVEYING LTD.

*REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY

GENERAL NOTES

1. THE MUNICIPAL BOULEVARD WILL BE RESTORED BACK TO ITS ORIGINAL CONDITION WITH TOPSOIL AND SOD

2. WATER MAINS AND/OR WATER SERVICES ARE TO HAVE A MINIMUM DEPTH OF 1.7 m WITH A MINIMUM HORIZONTAL SPACING OF 2.5 m FROM THEMSELVES AND OTHER UTILITIES. SEWER CONTRACTOR TO VERIFY IN THE FIELD AND PROVIDE 2.5 m (MIN.) SEPARATION BETWEEN THE WATER AND SANITARY LINES.

3. IF THE EXISTING SANITARY SERVICE LATERAL IS USED, IT MUST BE INSPECTED AT THE PROPERTY LINE BY THE REGIONAL INSPECTOR, AND TELEVISED BY REGIONAL FORCES PRIOR TO CONNECTION.

4. ANY WATER OR SANITARY SERVICE THAT DOES NOT MEET CURRENT REGIONAL STANDARDS MUST BE DISCONNECTED AT THE MAIN AND A NEW SERVICE CONSTRUCTED AT THE SITE DEVELOPER'S EXPENSE.

5. PRIOR TO CONSTRUCTION, CONTRACTOR TO VERIFY IN FIELD THE EXACT SIZE AND INVERTS OF THE EXISTING WATER SERVICE CONNECTION AND SEWER CONNECTIONS AND REPORT IT TO THE CONSULTANT.

6. ALL WATER MAINS AND WATER SERVICE MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT REGION OF HALTON STANDARDS AND SPECIFICATIONS.

7. ALL WATER AND SANITARY MAIN TAPS ARE TO BE PERFORMED BY REGION OF HALTON FORCES ONLY.

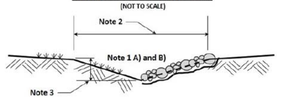
HEIGHT DIMENSIONS AND LAYOUT

All height dimensions shall be referenced from the approved finished ground floor level, which has been established with respect to building height and approved grading design.

Dimensions are provided on the architectural drawings for floor to floor heights. Building component locations including, but not limited to, bottom or top of footings, slab depths, top plate and sill plate heights, lintels and beams, top of foundation walls, maximum roof heights, and other height dimensions shall be calculated by the General Contractor to suit the framing material and other building elements referenced against floor to floor heights. The General Contractor must verify all grades relative to the finish floor to ensure approved grading and clearances are achieved. The General Contractor must review all approved grading drawings, architectural drawings and site conditions prior to laying out the building and prior to erecting components. Report discrepancies to the Architect before proceeding with the work. The General Contractor shall ensure the surveyor laying out the building is provided with the latest set of approved construction drawings.

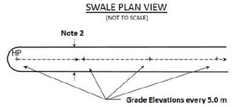
Swale Information

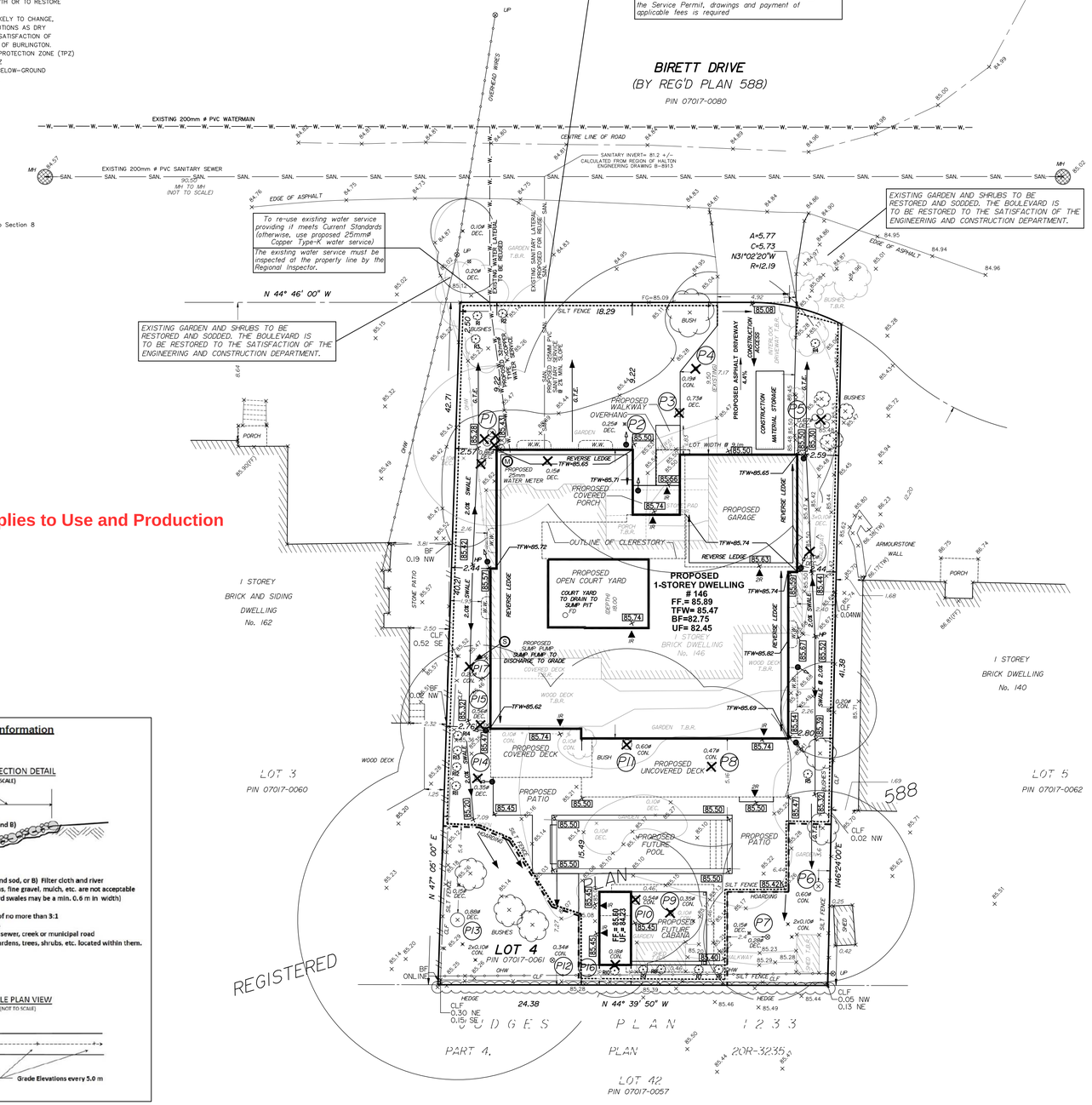
SWALE CROSS SECTION DETAIL
(NOT TO SCALE)



All swales are to:
1. **Be stabilized with either: A) Topsoil and sod, or B) Filter cloth and river rock (potato stone) . Materials such as, fine gravel, mulch, etc. are not acceptable**
2. **Have a width of 1.2 to 2.0 m (Side yard swales may be a min. 0.6 m in width)**
3. **Have a depth of 150 to 600 mm**
4. **Be defined as a "V" with side slopes of no more than 3:1**
5. **Have a minimum linear slope of 2.0%**
6. **Max. length of 60 m before outfall to sewer, creek or municipal road**
7. **Have no walkways, retaining walls, gardens, trees, shrubs, etc. located within them.**

SWALE PLAN VIEW
(NOT TO SCALE)




BIRETT DRIVE
(BY REG'D PLAN 588)
PIN 07017-0080
EXISTING 200mm ø PVC WATERMAIN
EXISTING 200mm ø PVC SANITARY SEWER
MH TO MH (NOT TO SCALE)
CENTRE LINE OF ROAD
SANITARY INVERT= 81.2 +/- CALCULATED FROM REGION OF HALTON ENGINEERING DRAWING B-8913
EDGE OF ASPHALT
OVERHEAD WIRES
The existing sanitary lateral must be inspected at the property line by the Regional Inspector, and televised by Regional forces PRIOR to connection.
A lateral that does not meet current Regional standards must be disconnected at the main. A revision to the Service Permit, drawings and payment of applicable fees is required
To re-use existing water service providing it meets Current Standards (otherwise, use proposed 25mmø Copper Type-K water service)
The existing water service must be inspected at the property line by the Regional Inspector.
EXISTING GARDEN AND SHRUBS TO BE RESTORED AND SODDED. THE BOULEVARD IS TO BE RESTORED TO THE SATISFACTION OF THE ENGINEERING AND CONSTRUCTION DEPARTMENT.
EXISTING GARDEN AND SHRUBS TO BE RESTORED TO THE SATISFACTION OF THE ENGINEERING AND CONSTRUCTION DEPARTMENT.
N 44° 46' 00" W
N 47° 08' 00" E
N 46°24'00"E
N 44° 39' 50" W
A=5.77
C=5.73
N31°02'20"W
R=12.19
SILT FENCE 18.29
PROPOSED WALKWAY OVERHANG
PROPOSED ASPHALT DRIVEWAY
CONSTRUCTION ACCESS 4.4m
CONSTRUCTION MATERIAL STORAGE
PROPOSED 1-STOREY DWELLING # 146
FF.= 85.89
TFW= 85.47
BF=82.75
UF= 82.45
PROPOSED OPEN COURT YARD
COURT YARD TO DRAIN TO SUMP PIT
PROPOSED SUMP PUMP TO DISCHARGE TO GRADE
PROPOSED COVERED PORCH
PROPOSED GARAGE
OUTLINE OF CLERESTORY
PROPOSED COVERED DECK
PROPOSED UNCOVERED DECK
PROPOSED PATIO
PROPOSED FUTURE POOL
PROPOSED FUTURE CABANA
PROPOSED 25mm WATER METER
REVERSE LEDGE TFW=85.65
TFW=85.71
TFW=85.74
TFW=85.72
TFW=85.69
TFW=85.62
TFW=85.65
REVERSE LEDGE 85.63
LOT WIDTH @ 9.0m SETBACK
I STOREY BRICK AND SIDING DWELLING No. 162
I STOREY BRICK DWELLING No. 140
2 STOREY BRICK DWELLING No. 146
ARMOURSTONE WALL
PORCH
STONE PATIO
WOOD DECK
GARDEN
BUSHES
LOT 3
PIN 07017-0060
LOT 4
PIN 07017-0061
LOT 5
PIN 07017-0062
LOT 42
PIN 07017-0057
588
REGISTERED PLAN 1233
PART 4, 20R-3235
24.38
42.71
41.39
12.57
12.55
2.55
4.92
4.96
4.99
5.00
5.02
5.03
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PRIVATE RESIDENCE

NEW CUSTOM SINGLE FAMILY DWELLING

146 BIRETT DRIVE, BURLINGTON, ONTARIO L7L 2T1

ISSUED FOR COMMITTEE OF ADJUSTMENT

LOCATION MAP:

AREA CALCULATIONS

BASEMENT	= 2573.8 sqft (239.1 m2)
MAIN FLOOR PLAN	= 2603.8 sqft (241.9 m2)
TOTAL GFA	= 2603.8 sqft (241.9 m2)
FOOTPRINT	= 3505.0 sqft (325.6 m2)
GARAGE	= 484.0 sqft (45.0 m2)
FRONT PORCH	= 58.0 sqft (5.4 m2)
COVERED DECK	= 196.2 sqft (18.2 m2)
COURTYARD	= 297.5 sqft (27.6 m2)
CABANA	= 330.0 sqft (30.7 m2)

FRONT ELEVATION (FOR REFERENCE ONLY):

REAR ELEVATION (FOR REFERENCE ONLY):

ZONING AND PROPERTY STATISTICS

ADDRESS:	146 BIRETT DRIVE, BURLINGTON, ON.
ZONING:	R1.2

	BY-LAW:	**EXISTING:**
MIN. LOT AREA:	925 m^2	1027.94 m^2
MIN. LOT WIDTH:	24 m	24.00 m

GROSS FLOOR AREA		
	BY-LAW:	**PROPOSED:**
BASEMENT (NOT INCLUDED)		239.1 m^2
GARAGE (NOT INCLUDED)		45.0 m^2
MAIN FLOOR		241.9 m^2
TOTAL GFA :	**N/A**	**241.9 m^2**
POOL CABANA	50.0 m^2	9.06 m^2

COVERAGE		
	BY-LAW:	**PROPOSED:**
HOUSE (MINUS COURTYARD)		293.32 m^2 (28.53%)
POOL CABANA (ENCLOSED AREA)		9.06 m^2 (0.9%)
TOTAL COVERAGE:	**N/A**	**302.38 m^2 (29.42%)**

SETBACKS		
	BY-LAW:	**PROPOSED:**
FRONT YARD TO HOUSE	9 m	9.22 m
REAR YARD TO HOUSE	9 m	15.49 m
RIGHT YARD TO HOUSE	2.4 m	2.47 m
LEFT YARD TO HOUSE	2.4 m	2.47 m
REAR YARD TO CABANA	1.2 m	1.26 m
RIGHT YARD TO CABANA	1.2 m	10.04 m
LEFT YARD TO CABANA	1.2 m	7.61 m
DWELLING UNIT DEPTH	N/A	18.06 m
MAX. BUILDING HEIGHT (1 STOREY FLAT ROOF DWELLING)	4.5 m	** 5.85 m
MAX. CABANA HEIGHT	3.5 m	3.50 m
REQUIRED PARKING SPACES	2	2

** MINOR VARIANCE REQUIRED

** TO BE READ IN CONJUNCTION WITH SITE, SERVICE AND GRADING PLAN PROVIDED BY J.H. GELBLOOM SURVEYING LTD. DATED SEPTEMBER 12, 2024. **

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ISSUED FOR COMMITTEE OF ADJUSTMENT

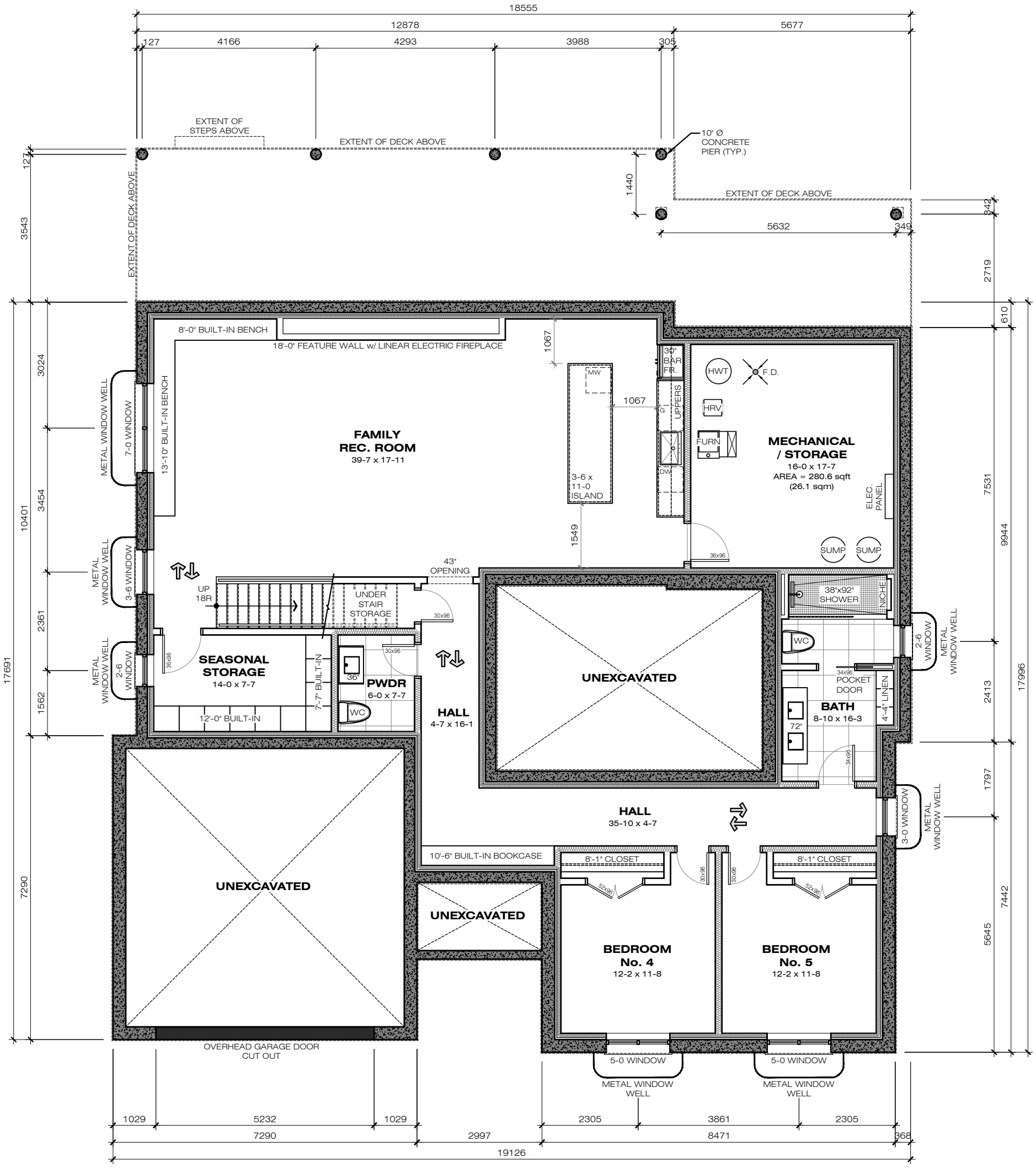
Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:
COVER PAGE

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: N.T.S.
Date: OCT 2024
Project No. 2024-11

A1



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N

BASEMENT / FOUNDATION PLAN

AREA = 2573.8 sqft (239 sqm)

FOOTPRINT = 3505.0 sqft (326 sqm)
(INCLUDES GARAGE, PORCH + COURTYARD AREAS)
CEILING HEIGHT = 9'-0" UNO.

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:
BASEMENT / FOUNDATION PLAN

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
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Scale: 1:100
Date: OCT 2024
Project No. 2024-11

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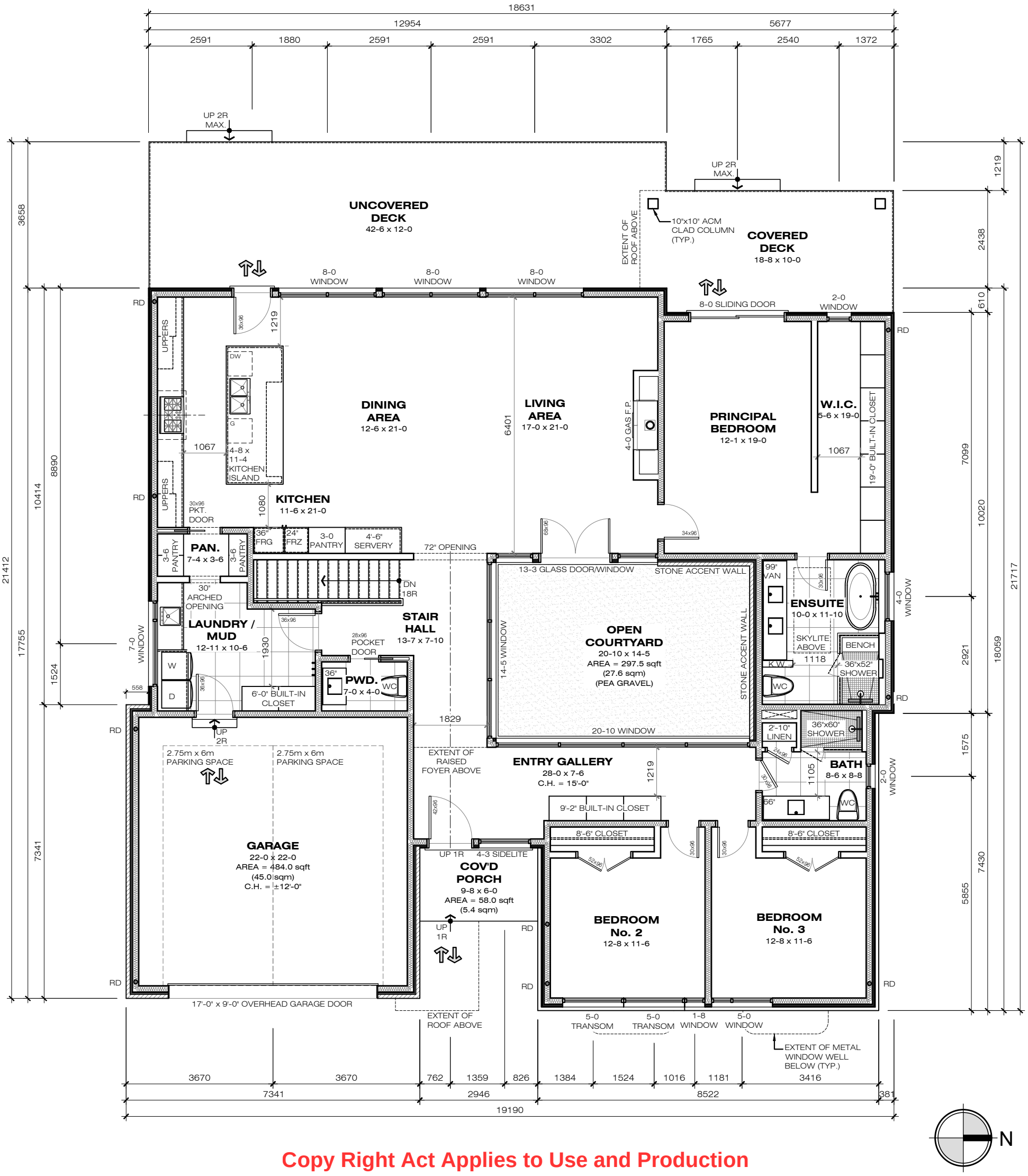

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MAIN FLOOR PLAN

AREA = 2603.8 sqft (242 sqm)

FOOTPRINT = 3505.0 sqft (326 sqm)
(INCLUDES GARAGE, PORCH + COURTYARD AREAS)
CEILING HEIGHT = 10'-0" UNO.

TOTAL GFA: 2604 sqft

ISSUED FOR COMMITTEE OF ADJUSTMENT

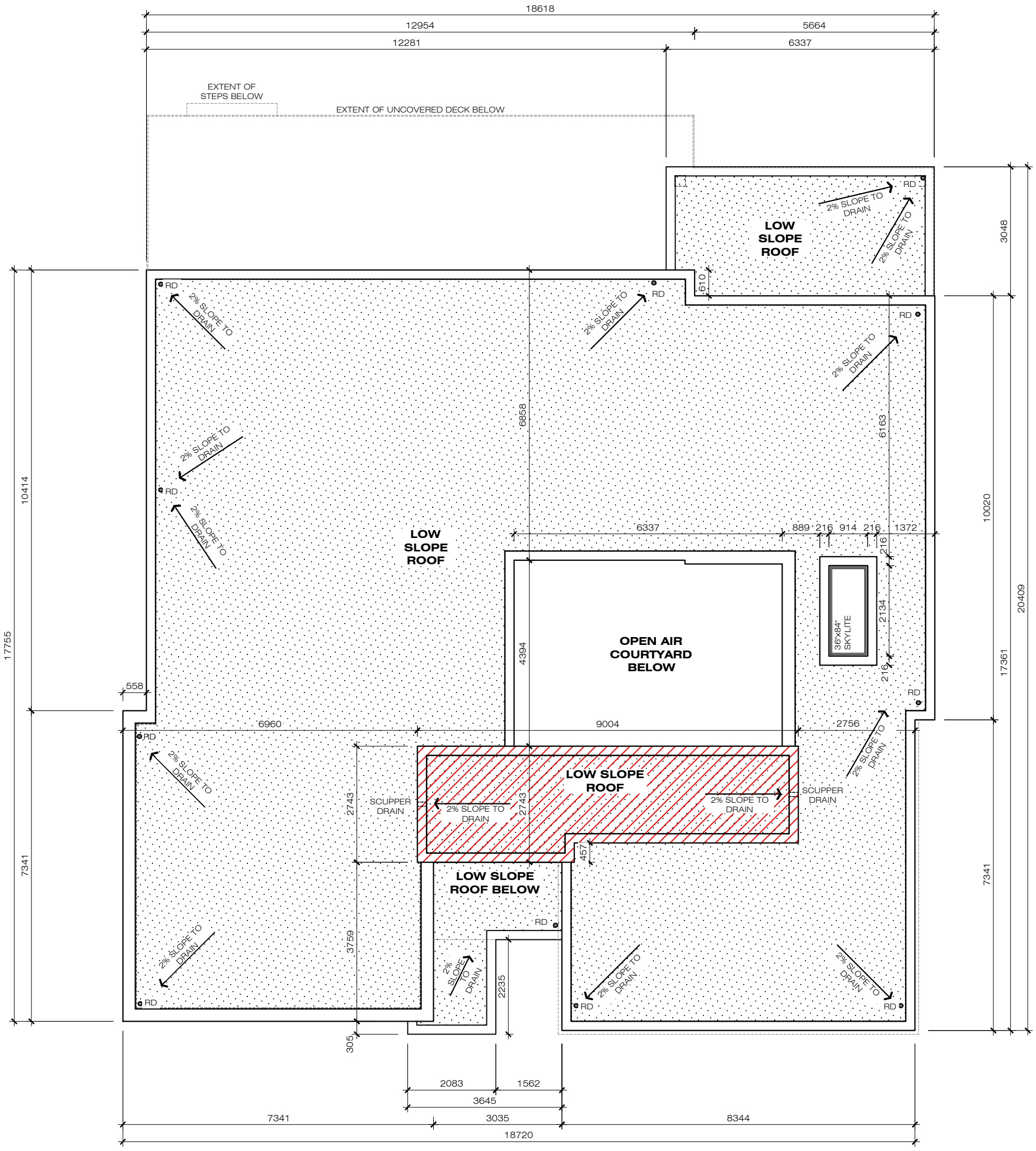
Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:
MAIN FLOOR PLAN

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A3



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ROOF LEGEND

- LOW SLOPED ROOF
- AREA OF LOW SLOPE ROOF REQUIRING A HEIGHT VARIANCE

N

ROOF PLAN

ISSUED FOR COMMITTEE OF ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:
ROOF PLAN

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

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Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A4

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COMMITTEE OF
ADJUSTMENT

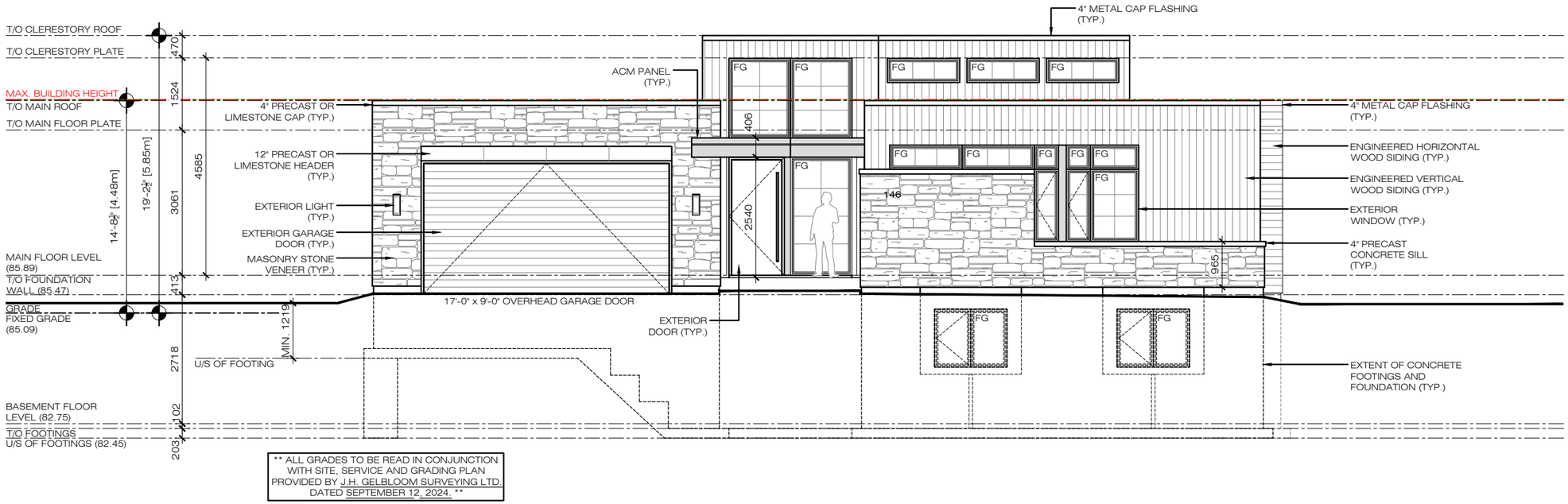
Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE
FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:
FRONT ELEVATION

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A5



** ALL GRADES TO BE READ IN CONJUNCTION WITH SITE, SERVICE AND GRADING PLAN PROVIDED BY J.H. GELBLOOM SURVEYING LTD. DATED SEPTEMBER 12, 2024. **

FRONT ELEVATION

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ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name:

PRIVATE RESIDENCE
NEW CUSTOM SINGLE
FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

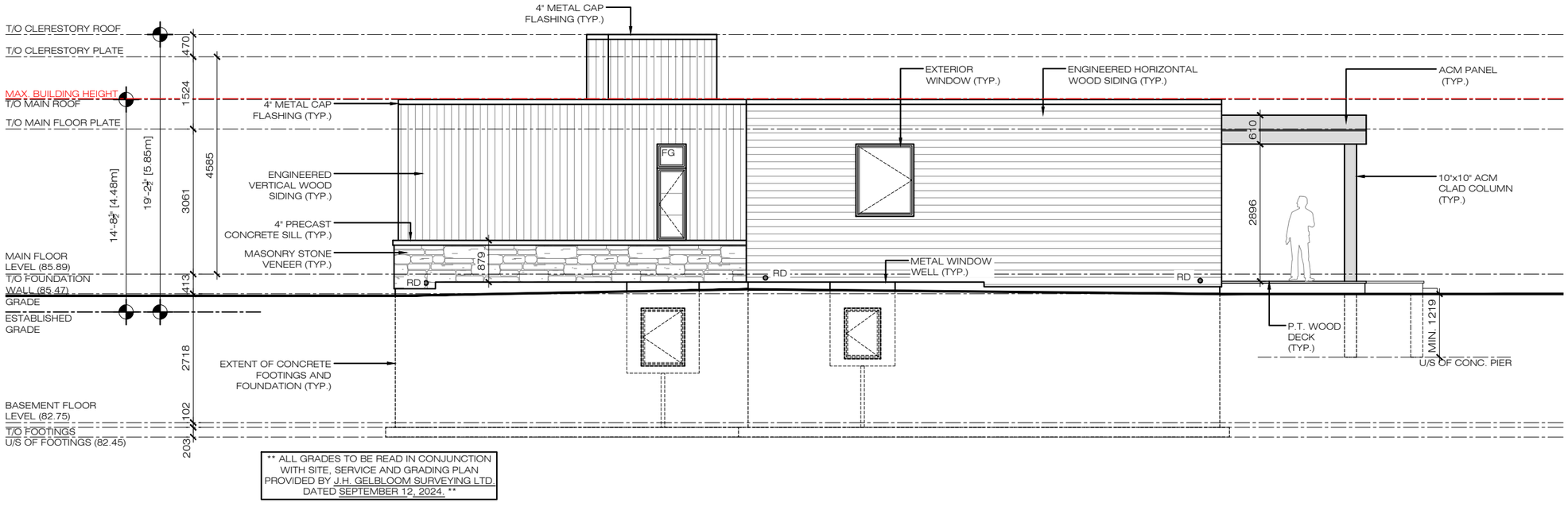
Sheet Title:

RIGHT SIDE ELEVATION

No.	Date:	Issue/Revision	By:
1	SEP 12/24	ISSUED FOR C OF A	
2	OCT 24/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A6



** ALL GRADES TO BE READ IN CONJUNCTION WITH SITE, SERVICE AND GRADING PLAN PROVIDED BY J.H. GELBLOOM SURVEYING LTD. DATED SEPTEMBER 12, 2024. **

RIGHT SIDE ELEVATION

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ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name:

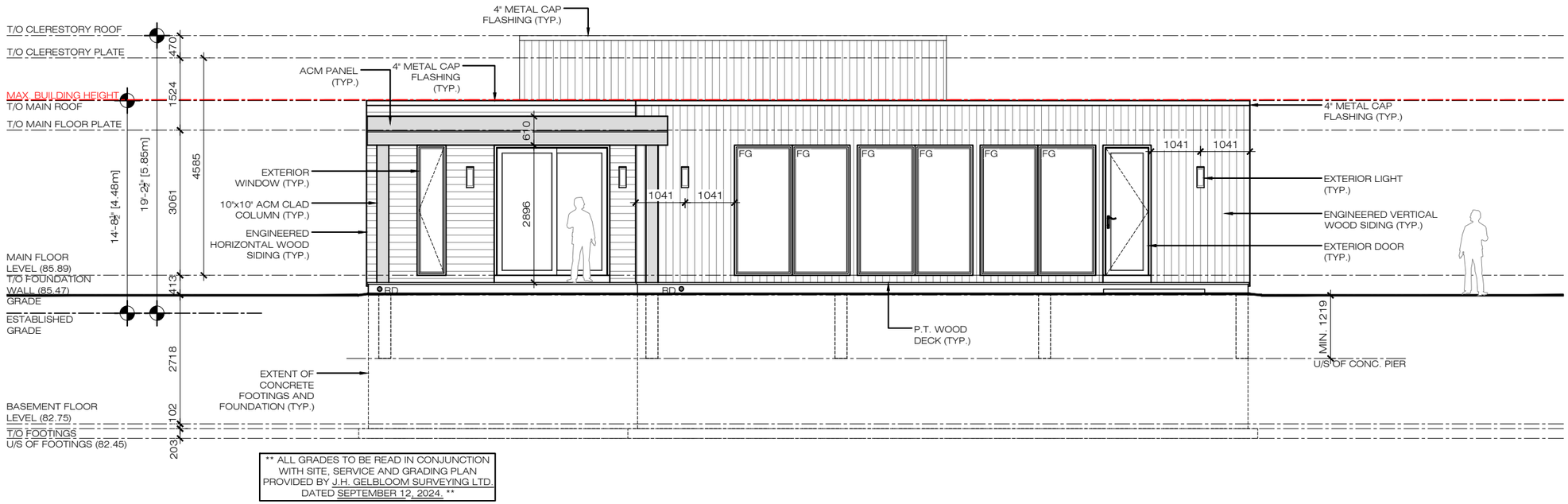
PRIVATE RESIDENCE

NEW CUSTOM SINGLE
FAMILY DWELLING

146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:

REAR ELEVATION



** ALL GRADES TO BE READ IN CONJUNCTION WITH SITE, SERVICE AND GRADING PLAN PROVIDED BY J.H. GELBLOOM SURVEYING LTD. DATED SEPTEMBER 12, 2024. **

No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A7

REAR ELEVATION

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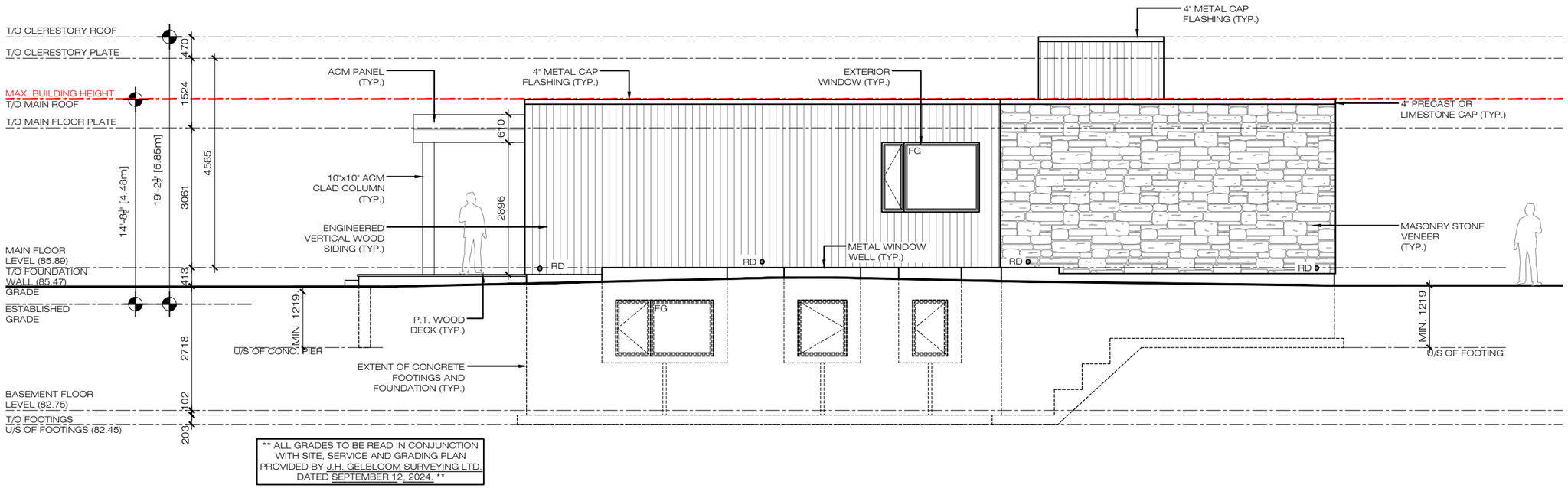
ADJUSTMENT

Project Name:

PRIVATE RESIDENCE
NEW CUSTOM SINGLE
FAMILY DWELLING
146 BIRETT DRIVE
BURLINGTON, ON. L7L 2T1

Sheet Title:

LEFT SIDE ELEVATION



** ALL GRADES TO BE READ IN CONJUNCTION WITH SITE, SERVICE AND GRADING PLAN PROVIDED BY J.H. GELBLOOM SURVEYING LTD. DATED SEPTEMBER 12, 2024. **

LEFT SIDE ELEVATION

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No.	Date:	Issue/Revision	By:
2	OCT 24/24	ISSUED FOR C OF A	
1	SEP 12/24	ISSUED FOR C OF A	

Drawn By:
Checked By:
Scale: 1:100
Date: OCT 2024
Project No. 2024-11

A8

Alex Blanchard

From: Cassandra Connolly <cconnolly@hrca.on.ca>
Sent: July-13-23 12:11 PM
To: Alex Blanchard
Cc: David Carrothers
Subject: RE: [EXTERNAL]146 Birret Drive, Burlington

Hi Alex,

I can confirm that the property 146 Birett Drive, Burlington is **not regulated by Conservation Halton.** Therefore, our approval is not required prior to development on site, such as the scope of woks you have outlined below.

I trust this email can be used as proof of contact with us, should you require it to move forward with any necessary municipal approvals.

Do not hesitate to contact me should you require anything further, or have any questions.

Regards,

Conservation Halton

Cassandra Connolly
Regulations Officer / CLOCA Project Lead and Record Digitization

2596 Britannia Road West, Burlington, ON L7P 0G3
905.336.1158 ext.2301 | cconnolly@hrca.on.ca
conservationhalton.ca

RECOGNIZED AS ONE OF HAMILTON-NIAGARA'S TOP EMPLOYERS 2023
Find out more about our recent award here!

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601535 4801251

From: Alex Blanchard <alex@carrothersandassociates.com>
Sent: Thursday, July 13, 2023 12:00 PM
To: Cassandra Connolly <cconnolly@hrca.on.ca>
Cc: David Carrothers <dcarrothers@carrothersandassociates.com>
Subject: [EXTERNAL]146 Birret Drive, Burlington

Hi Cassandra,

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.4 - 1:00 P.M.

File
540-02-A-083/24

APPLICANTS: Cameron Leslie and Christine Ann Ryan

PROPERTY: 492 Shannon Crescent,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a second storey addition onto an existing two storey dwelling with attached garage.

VARIANCE:
1. To permit an east side yard of 1.2 m instead of the minimum required 1.8 m for a proposed second-storey addition.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: Cameron Leslie and Christine Ann Ryan
Address: 492 Shannon Cres. Burlington
File No. **A-083/24**
Ward: 4

Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: October 11th, 2024 Prepared By: C.Kabel

Zoning

1) **Background information:**

The subject property is zoned R3.1, Low Density Residential, under Zoning By-Law 2020, as amended. The R3.1 zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R3 ZONES						
R3.1	15 m	500 m^2	6 m	9 m **(c)**	**(b)**	4.5 m

Footnotes to Table 2.4.1

b)

With attached garage or carport:
(i) One or one and a half storey side: 1.2 m
(ii) Two or more storey side: **1.8 m**

2) **Proposal:**

The applicant is proposing the construction of a second storey addition onto an existing two storey dwelling with attached garage.

3) **Variances required:**

1. To permit an east side yard of 1.2 m instead of the minimum required 1.8 m for a proposed second-storey addition.

4) **Notes and conditions**:

Condition:

1. The applicant shall apply for a Pre-Building Approval application.

Notes:

1. Minor variances have been identified based on the plans submitted for zoning review. If changes to the plans are made after minor variance approval that result in the need for additional minor variances, they will be the responsibility of the applicant to obtain.

2. The zoning review is based on the portion of the site affected by the proposed development only.

3. The variances are being reviewed under 45(1) of the *Planning Act*.

Date: November 4, 2024 Prepared By: S. Boich

Site Planning

A minor variance application has been submitted to the City of Burlington to permit a second storey addition onto an existing two-storey dwelling with an attached garage. The following minor variance is required to facilitate the proposal:

1. To permit an east side yard of 1.2 metres instead of the minimum required 1.8 metres for a proposed second storey addition.

The subject lands comprise a rectangular-shaped lot with a total lot area of 556.95 m^2 with approximate frontage of 16.76 metres along Shannon Crescent. The property is located on the south side of Shannon Crescent and is municipally known as 492 Shannon Crescent. It is in a “Residential Neighbourhood”, with the surrounding area being characterized by low-density residential development consisting of both one- and two-storey dwellings.

Existing land uses on the property include a two-storey detached dwelling with attached garage. Existing on-site conditions and surrounding streetscape are summarized in site photos included as Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan:

The subject lands are located within the Urban Area (Map 1) in the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Furthermore, Section 72.1(4) states that it is the objective of the Urban Area to ensure that growth takes place commensurately both within and outside of the Built Boundary.

Per Section 76 of the ROP, the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP.

Staff have no concerns with the proposal from a Regional Official Plan perspective.

City of Burlington Official Plan 1997 & 2020:

On April 2, 2024 the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land Use Policies – Urban Area" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (BOP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans. The subject lands are designated 'Residential – Low Density' according to schedule "C" of BOP, 2020.

Section 8.3.3 (1) (Residential – Low Density) of the BOP, 2020, states that among the permitted uses within the 'Residential Low Density' designation are single detached and semi-detached housing units with a permitted residential density of up to 25 units per net hectare.

Under section 8.3.1(a) (General Objectives) of BOP, 2020, it states that new residential *development* and *intensification* are encouraged in Residential Neighbourhood Areas, but must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

Part II, Section 6.5 (Design Guideline Policies) of the OP, 1997 lists aspects of new development that should be compatible and integrate well with the surrounding area including “the density, form, bulk, height, setbacks, spacing and materials…”

Compatible(ity) is defined in the OP, 1997 as: “development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.”

The subject neighbourhood is characterized by both one- and two-storey detached dwellings. Most garages are one-car, attached garages. Many of the dwellings are of a similar style and incorporate similar elements such as a combination of brick and siding, similar-shaped windows with shutters and similar front yard setbacks, creating a consistent streetscape.

The applicant is proposing to add a partial second storey to the existing two-storey dwelling. The existing dwelling would maintain its current form and design, with the exception of the addition. The design of the addition is consistent with both the existing dwelling and surrounding development and is characterized by horizontal siding, similar window shapes and a sloped roofline. The existing and proposed second storey would be slightly stepped back from the first storey, and the height of the second storey varies. This creates visual interest and helps to break up the massing.

Although the applicant is seeking relief from the Zoning By-law for a side yard setback, it is important to note that the setback itself is not changing. Rather, the Zoning By-law prescribes different setbacks for both the first and second storey, which will be discussed within the next section of this report.

The side of the addition would not include any windows, and it should also be noted that the first storey on this side does not either. The side yard would be adjacent to a one-storey dwelling with a large depth. The absence of windows on the side elevation of the new addition mitigates potential privacy impacts on the rear yard.

Overall, staff are of the opinion that the proposed addition would remain compatible with the existing dwelling, and that the subject dwelling is compatible with the surrounding

area. The dwelling would remain in keeping with the existing neighbourhood character, and staff are of the opinion that the proposed variance is in keeping with the general intent and purpose of the Official Plan.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Zoning By-law?

Yes

The subject lands are zoned Low-Density Residential ('R3.1') Zone in accordance with Map No. 22 of Zoning By-law 2020, as amended. A detached dwelling is a permitted use pursuant to the applicable zoning. The applicant is seeking a variance in order to facilitate the construction of a second storey addition to an existing two-storey dwelling.

The proposed setback is 1.2 metres, whereas the minimum required setback in the Zoning By-law is 1.8 metres. It is important to note that the setback requirement for the first storey is 1.2 metres. Therefore, the existing setback to the first storey complies. It is only the second storey that requires relief. The intent of this provision, and for differentiating the setbacks to the first and second storeys, is to reduce massing impacts by stepping back the upper storey.

In the case of the subject lands, the dwelling is designed in such a way that already reduces massing impacts. For example, the second storey is stepped back from the first storey at the front, creating a condition where the roof above the first storey is visible from the front yard. Furthermore, similar to surrounding development, the first storey of the dwelling consists of brick, and the second storey is comprised of siding. This also assists in breaking up the impacts of potential massing from the streetscape.

With respect to the east side yard, where the relief is proposed, the dwelling is adjacent to a one-storey dwelling. The one-storey dwelling, located at 490 Shannon Crescent, has a large depth, and the entirety of the side of the proposed dwelling at 492 Shannon Crescent would be adjacent to the dwelling to the east. No part of the side elevation of the subject dwelling would directly overlook the rear yard of the property to the east. Furthermore, the dwelling contains no windows on the east side on either the first or second storey.

Besides the side yard setback to the second storey, the dwelling complies with the Zoning By-law in every other respect, including lot coverage, all other setbacks and height.

Based on the reasons noted above, staff are of the opinion that the proposed addition would result in a dwelling that continues to be compatible with the streetscape and overall neighbourhood character and has regard for impacts on the property to the east. Staff are of the opinion that the proposed variance is in keeping with the general intent and purpose of the Zoning By-law.

3) Desirability:

Is the proposed minor variance from the Zoning By-law desirable for the appropriate development or use of the land, building or structure?

Yes

The applicant is seeking to add more living space to the existing dwelling by proposing an addition while maintaining the existing design of the dwelling. The existing dwelling is not proposed to change. The addition would incorporate similar materials, window shapes and sizes, siding materials and design elements as the original house. It has also been noted in this report that the dwelling is similar to other dwellings in the surrounding area.

Staff have assessed the potential impacts on both the streetscape and the property to the east and are satisfied that the addition can be incorporated in such a way that minimizes massing impacts, including overlook and privacy. Staff are of the opinion that the proposed variance is desirable for the appropriate development of the lands.

4) Minor in Nature:

Is the proposed minor variance from the Zoning By-law considered minor in nature?

Yes

The applicant is proposing a reduced side yard setback for the second storey of the existing dwelling. The existing dwelling is not proposed to change as a result with respect to its current design elements, such as exterior cladding and windows. As noted

throughout this report, the addition is proposed to be incorporated in such a way that maintains consistent design features to what is existing on the subject lands and in the surrounding area.

Staff note that the dwelling is in keeping with all other requirements of the Zoning By-law, including height, lot coverage, dwelling depth and all other setbacks; which helps to mitigate massing impacts. The second storey addition also maintains the setback that is already existing on the first storey, which complies with the by-law, and does not introduce windows that might create overlook. Staff are of the opinion that the proposal is minor in nature.

Recommendation:

Staff have reviewed the proposed variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and have no objections to the proposed variance.

Date: December 3, 2024 Prepared By: Melissa Morgan, MCIP RPP

Attachments:

Attachment No. 1 – Site Photos from Site Visit of November 26, 2024

Subject Property – 492 Shannon Crescent

Interface with Neighbour to the East

Interface with Neighbour to the West

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested. Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: November 8, 2024 Prepared By: R. Maximo

Forestry

Forestry has no objection to the proposed minor variance(s) and provides the following advisory note(s) to the applicant:

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.

2. Revisions to the report and/or plans may be required through the tree permit process.

Date: November 14, 2024 Prepared By: R. Shaw-Lukavsky

Building

1. A Building Permit is required for all building construction;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012.

Date: December 17, 2024 Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

Shannon Crescent is under the authority of the City of Burlington and the deemed right-of-way width is 20 meters. The right-of-way adjacent to the subject site is approximately 20 meters, therefore no additional lands are required.

Date: 15 October 2024 Prepared By: Smeeta Adiga

Transportation Planning have reviewed the proposed minor variance application and have no comments.

Date: November 12th 2024 Prepared By: Taylor Kirchknopf

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: November 7, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 492 Shannon Crescent where the application is proposing the construction of a second storey addition onto an existing two storey dwelling with attached garage. Variances to the east side yard are required.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☒Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☒ or N ☐
Name of Planner: _____ Name of Zoning Examiner: **Jennifer Parker**

PROPERTY INFORMATION
Municipal Address(es) of property:

492 Shannon Cres

Legal Description of property:
PLAN 1355 LOT 289

Official Plan Designation: **Residential - Low Density** Current Zoning Designation **R3.1**

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Cameron Clifford Leslie and Christine Ann Ryan

Mailing Address: 492 Shannon Cres City: Burlington

Postal Code: L7L 2R8 Home Phone: _____ Mobile Phone: 905-599-7845

Work Phone: _____ E-Mail: cam.c.leslie@gmail.com christine.ann.ryan@gmail.com

AGENT INFORMATION (if applicable)**:** (This person will be the primary point of contact if provided)

Name: **Nutima Design & Project Management Inc. Wes KOVALOU**

Business Address: **4198 wakefield cres** City: **Mississauga**

Postal Code: _____ Home Phone: _____ Mobile Phone: _____

Work Phone: **289-327-1311** E-Mail: **Wes@nutima.ca**

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

New Second Floor addition over existing dwelling footprint.

Variance(s) Requested	Zoning Bylaw Requirement
Minimum side yard 1.23M proposed	**1.8m required**

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature?

Variance requested for 0.57m as we are not building closer than then current existing dwelling

2. Why are the variance(s) desirable for the appropriate use of the land?

Yes as it retains the single family design that fits the neighbourhood overall plan

3. Do the variance(s) meet the intent and purpose of the Official Plan?

Yes as it keeps the contextural nature of the area

4. Do the variance(s) meet the intent and purpose of the Zoning By-law?

yes as we are not going past what the existing foundation is currently constructed.

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
06/01/2015 (mmm/dd/yyyy)	08/01/1967 (mmm/dd/yyyy)	05/01/2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☒ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued:

since original development

Proposed Use of the Land:

Single family residential

Existing Uses of Abutting Properties (check all that apply)

Residential ☒ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☒

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☒
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water ☒ If not available, by what means is it provided: _____
Sanitary Sewers ☒ If not available, by what means is it provided: _____
Storm Sewers ☒ If not available, by what means is it provided: _____

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit ☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
16.76m	33.53m	556.95	20.00	20.00	n/a	36.74%	Y ☐ N ☒

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Dwelling/Building)			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	109.58	M^2	Ground Floor Area (incl. attached garage)	109.58	M^2
Gross Floor Area:	157.19	M^2	Gross Floor Area:	208.17	M^2
Number of Storeys:	2		Number of Storeys:	2	
Width:	14.192m	M	Width:	14.192m	M
Length:	8.995m	M	Length	8.995m	M
Height:	6.5m	M	Height	7.649m	M
Garage/Car Port			**Garage/Car Port**		
Detached?	Y ☐ N ☒		Detached?	Y ☐ N ☐	
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:	3.74m	M	Width:	3.74m	M
Length:	7.8m	M	Length:	7.8m	M
Height:	single level	M	Height:	single level	M
Accessory Structures (Shed, Gazebo, etc)			**Accessory Structures**		
Gross Floor Area:	10.26	M^2	Gross Floor Area:	10.26	M^2
Width:	2.7m	M	Width:	2.7m	M
Length:	3.8m	M	Length:	3.8m	M
Height:	2.1m	M	Height:	2.1m	M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING			PROPOSED		
Front:	7.598	M	Front:	7.598	M
Rear:	18.02	M	Rear:	18.02	M
Side/Street Side:	1.23	M	Side/Street Side:	1.23	M
Side/Other Side:	1.22	M	Side/Other Side:	1.22	M

EXEMPTION FROM NEW SURVEY REQUIREMENT

Minor additions to an existing dwelling or for a proposed accessory building or structure (i.e., deck, driveway, pergola, shed), may be exempt from having to provide a new survey. Please refer to Page 3 of this application package for more details. Minor Variances with concurrent Consent applications require a new survey.

Applicant/Owner:	Property Address:
Wes Kovalou @ Nutima Design & Project Management Inc.	**492 shannon Cres**

1. I, **Wes Kovalou** (Print Name) In my capacity as **Agent** (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated **06-06-2023** (mmm/dd/yyyy)

has been revised by: **J.H. Gelbloom Surveyor** (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated **03-20-2024** (mmm/dd/yyyy)

has been revised by: **Nutima Design** (Person or Company Name)

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)

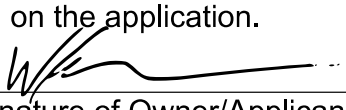
**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: _____ (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: _____ (Person or Company Name)

4. Should the need arise during application processing for an new OLS survey, the applicant/agent agree to provide the survey as required by Committee or city staff in order to receive a decision on the application.



Signature of Owner/Applicant

23-09-2024

Date (mmm/dd/yyyy)

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name	**Cameron Leslie**	Property Address	**492 Shannon Cres**
			23-09-2024
	Signature of Owner/Applicant		Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☐ Signature of Applicant or Authorized Agent:_____

I, Cameron Leslie (print name) of the Region (Region/City/County) of Halton. in the Burlington (City/Town/Township)

of Ontario solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Region (Region/City/County) of Halton. in the Burlington (City/Town/Township)

this 2nd day of October 2024.

Simone Daniella Hodgson, a
Commissioner, etc., Province of Ontario,
for Aird & Berlis LLP, Barristers and Solicitors.
Expires September 4, 2027.

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 492 SHANNON CREST.

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner

Cameron Leslie
Print Name

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Cameron Leslie being the registered owner of the subject lands, hereby
(print name)

Authorize Wes Kovalou to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.

Signature of Owner

09/11/2024
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	**YES**
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	**YES**
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	**YES**

SITE PLAN

- ☐ Metric Scale
- ☐ North Arrow
- ☐ Frontage
- ☐ Depth
- ☐ Lot Area
- ☐ Lot Coverage
- ☐ Deemed Street Line
- ☐ Existing Front Yard Setbacks
- ☐ Existing Rear Yard Setbacks
- ☐ Existing Side Yard Setbacks
- ☐ Existing Street Side Yard Setbacks
- ☐ Existing Porch, Stairs and Overhang Setbacks
- ☐ Proposed Front Yard Setbacks
- ☐ Proposed Rear Yard Setbacks
- ☐ Proposed Side Yard Setbacks
- ☐ Proposed Street Side Yard Setbacks
- ☐ Proposed Porch, Stairs and Overhang Setbacks
- ☐ Streets (Public and Private)
- ☐ Street Names
- ☐ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☐ Railways (Location of them and setbacks to structures)
- ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☐ Setbacks
- ☐ Height
- ☐ Area
- ☐ Length
- ☐ Width

ELEVATIONS

- ☐ Metric
- ☐ Front
- ☐ Rear
- ☐ Side 1
- ☐ Side 2

FLOOR PLANS

- ☐ Metric
- ☐ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

2024-07-11

Date (mmm/dd/yyy)

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-083/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Cameron Leslie and Christine Ryan, the owners of 492 Shannon Cres., Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **492 Shannon Cres., Burlington** (see map).

The applicant is proposing the construction of a second storey addition onto an existing two storey dwelling with attached garage. This proposal results in the following variances:

1. To permit an east side yard of 1.2 m instead of the minimum required 1.8 m for a proposed second-storey addition.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

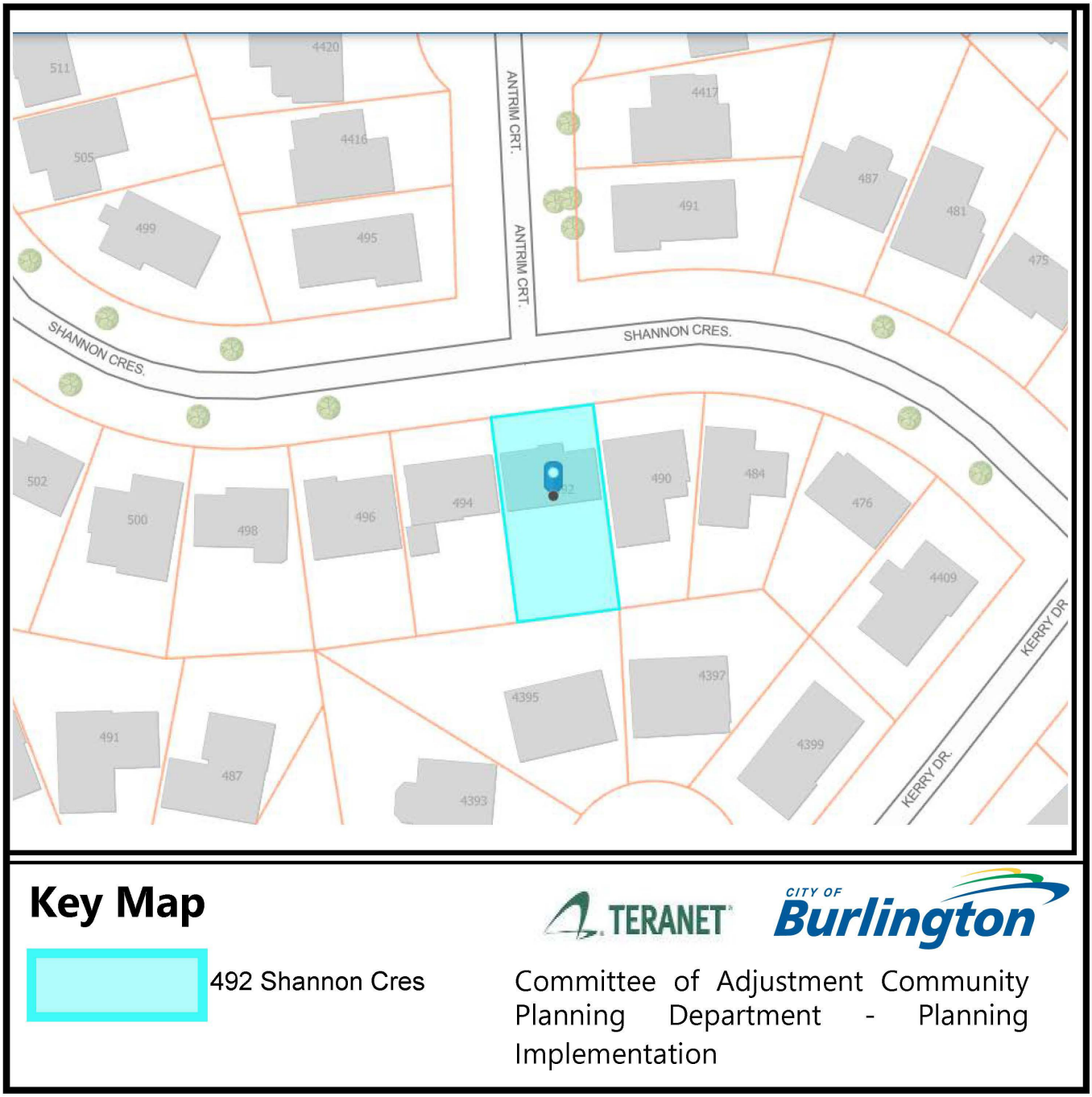
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map



Key Map

492 Shannon Cres

TERANET

CITY OF Burlington

Committee of Adjustment Community Planning Department - Planning Implementation

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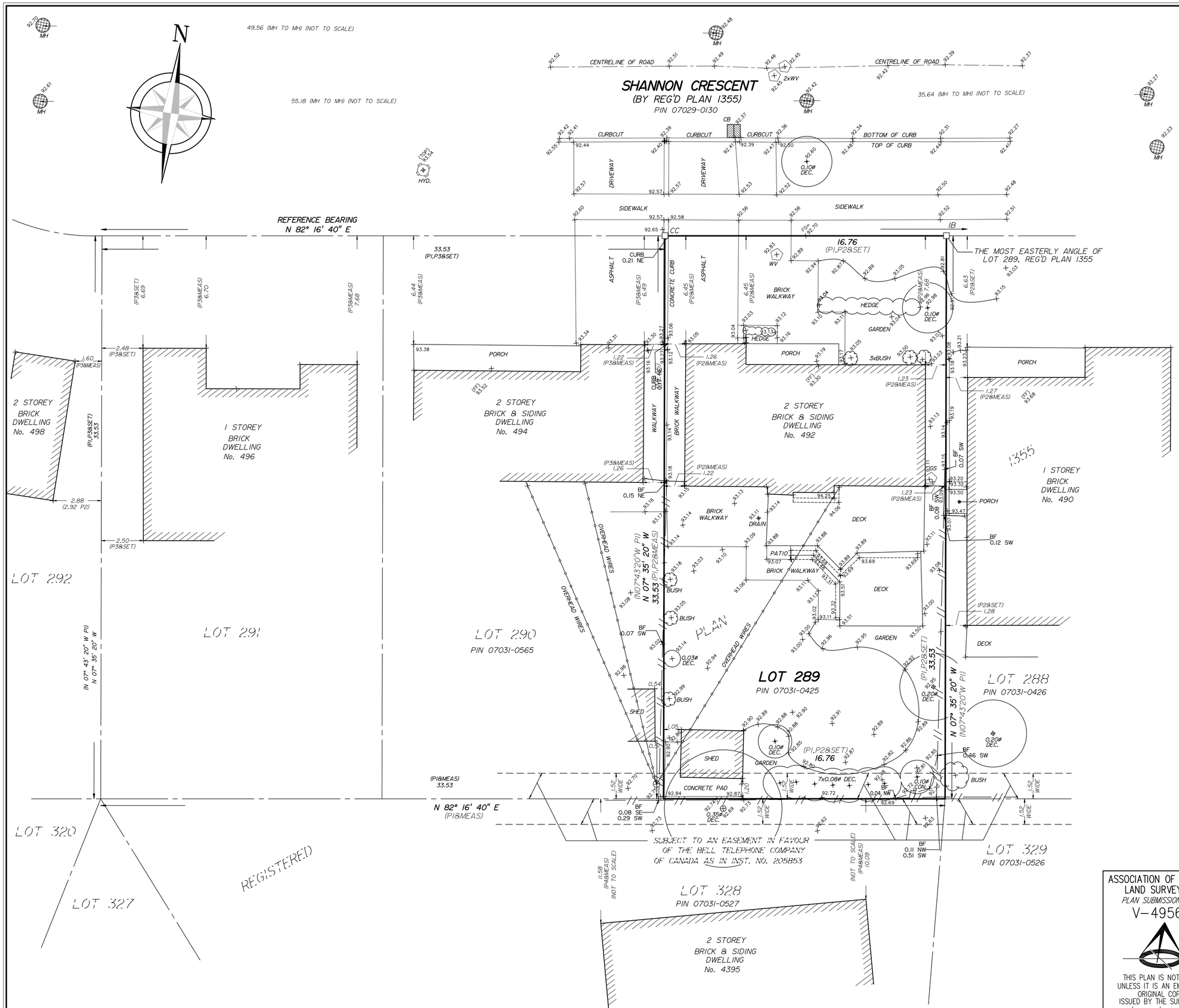

SURVEYOR'S REAL PROPERTY REPORT – PART 1

PLAN OF SURVEY AND TOPOGRAPHY OF

LOT 289
REGISTERED PLAN 1355
CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON

0 5 10 15 Metres

SCALE 1 : 150

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor 2023

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SURVEYOR'S REAL PROPERTY REPORT – PART 2

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY

Subject to a 1.52m wide Easement in favour of the Bell Telephone Company of Canada as in Inst. No. 205853

NOTABLES

Note the Location of the Fences around the Subject Property.
Note the Location of the Concrete Curb along the Westerly limit of the Subject Property.
Note the Location of the Shed within the Easement at the rear of the Subject Property.

LEGEND

■	Survey Monument Found
□	Survey Monument Set
SIB	Standard Iron Bar
IB	Iron Bar
CC	Cut Cross
(OU)	Origin Unknown
P1	Registered Plan 1355
P2	Plan of Survey by Unwin, Murphy & Esten, O.L.S., dated August 11, 1967 (Lots 285 to 289)
P3	Plan of Survey by Unwin, Murphy & Esten, O.L.S., dated August 11, 1967 (Lots 290 to 294)
P4	Plan of Survey by Dunning & Taylor Ltd., O.L.S., dated January 5, 1990
WV	Water Valve
GV	Gas Valve
CB	Catch Basin
MH	Maintenance Hole
HYD.	Hydrant
FF	Finished Floor
FG	Fixed Grade
BF	Board Fence
UP	Utility Pole
DEC.	Deciduous
CON.	Coniferous
N	Denotes North
S	Denotes South
E	Denotes East
W	Denotes West

BENCHMARK

Elevations are Referred to the City of Burlington Benchmark No. 226, having an Elevation of 91.921 m.

NOTE

This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
All building ties are from foundation and perpendicular to property lines unless otherwise noted.

This REPORT was prepared for Mattamy Homes and the undersigned accepts no responsibility for use by other parties.

NOTE

Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE

Bearings are Astronomic, and are Referred to the Southerly limit of Shannon Crescent as shown on Reg'd Plan 1355, having a Bearing of N 82° 16' 40" E.

SURVEYOR'S CERTIFICATE

I certify that:
1: This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act, and the Regulations made under them.
2: The survey was completed on the 29th day of May, 2023.

June 6, 2023
Date

A. Rizk
Ashraf Rizk, O.L.S.

Party Chief:	Drawn By:	Checked By:	Project:
D.L.	M.K.	A.R.	23-085

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-49566

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR. In accordance with Regulation 1026, Section 29(3).

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor
476 Morden Road, Unit 102, Oakville, Ont., L6K 3W4
office@jhgsurveying.ca
Phone:(905) 338-8210 Fax:(905) 338-9446

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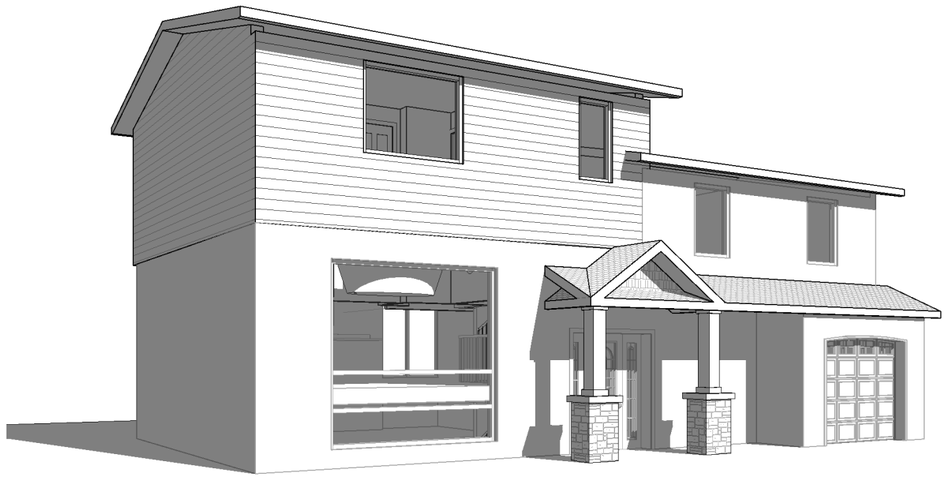

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5.) DO NOT SCALE THE DRAWINGS.

Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:

Project.: **ZONING**

492 SHANNON CRES

Address:

492 SHANNON CRES

Nutima Design & Project Management Inc.
289-327-1311

Project No:

2023-02

Drawn By: Author | *Date:* 2023

Chkd By: Checker | *Scale:*

Drawing No.:

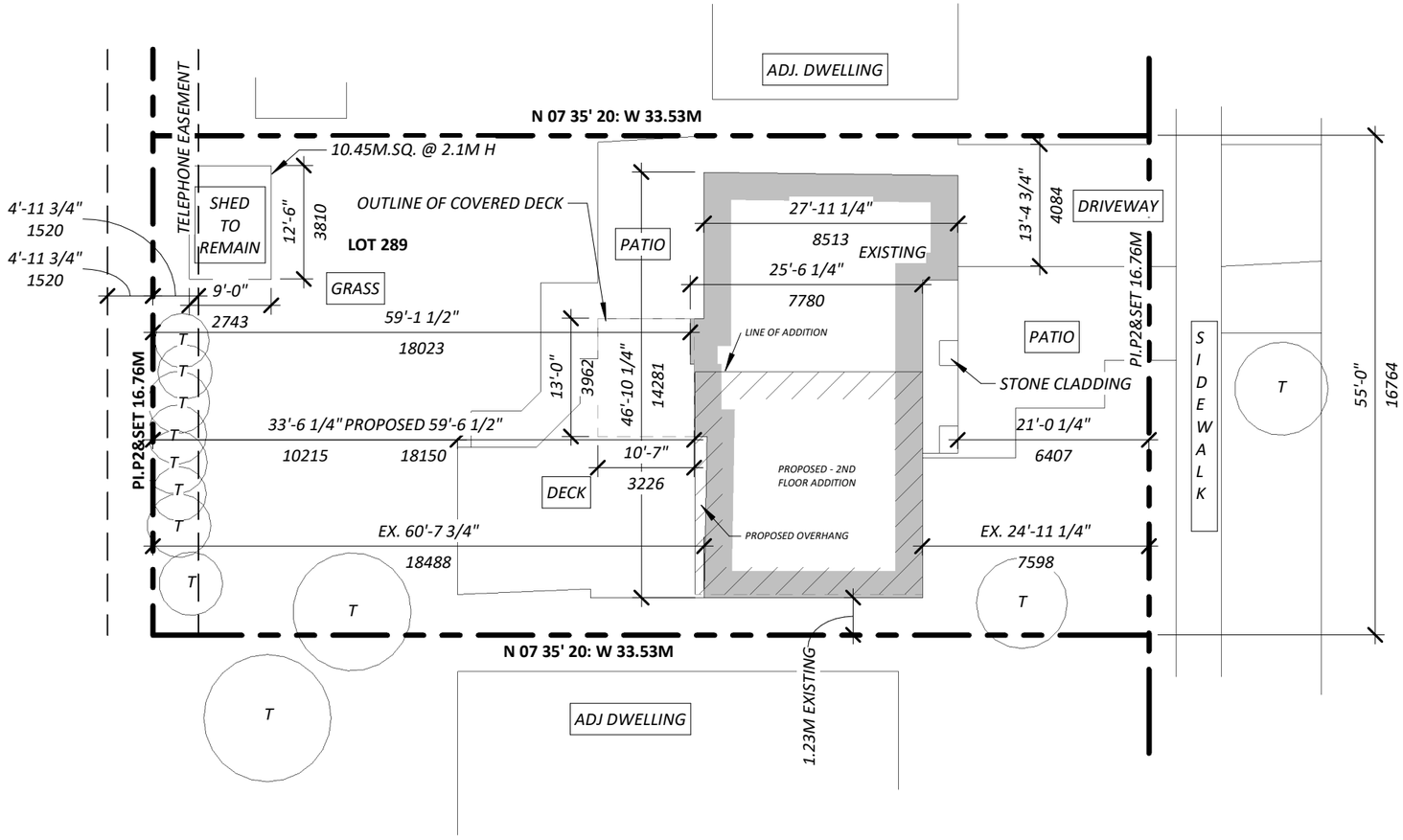
Z0

Dwg Title:

VIEWS

Revision:

1



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1 *SITE PLAN*
Scale: 1/16" = 1'-0"

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Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:
Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

NUTIMA DESIGN & PROJECT MANAGEMENT

Nutima Design & Project Management Inc.
289-327-1311

Project No:
2023-02

Drawn By: Author	*Date: 2023*
Chkd By: Checker	*Scale: 1/16" = 1'-0"*

Drawing No.: Z1

Dwg Title: SITE PLAN

Revision: 1

PROJECT STATISTICS

ADDRESS: 492 SHANNON CRES, BURLINGTON, ON

ZONING: R3.1 Residential

LOT AREA:	556.95m²
LOT FRONTAGE:	16.76m
BUILDING HEIGHT	
ESTABLISHED GRADE:	EX
AVERAGE GRADE:	EX
HEIGHT AT MID-POINT:	3.82m
HEIGHT AT HIGHEST POINT:	7.64m
HEIGHT AT UNDERSIDE OF EAVES:	6.45m

	REQUIRED	PROPOSED	
FRONT YARD SETBACK	6.0M	6.4M	
REAR YARD SETBACK	9.0M	18.0M	
SIDE YARD SETBACK	1.8M	1.23 M EX.	

LOT COVERAGE

	EXISTING	PROPOSED	TOTAL
DWELLING FOOTPRINT:	109.58m²	0m²	109.58m²
GARAGE:	29.78m²	0m²	29.78m²
PORCH:(FRONT / REAR)	6.68m²	0m²	6.68m²
DECK (GREATER THAN 600mm/24" HEIGHT):	56.29m²	0m²	56.29m²
OTHER (BALCONY,FLOOR PROJECTIONS ETC):	0m²	2.34m²	2.34m²
TOTAL LOT COVERAGE:	(202.33m²) 36.32%	(2.34m²) 0.42%	(204.67m²) 36.74%

LANDSCAPED SOFT AREA		
FRONT YARD AREA:		114.54m²
REAR YARD AREA:		306.69m²
HARD SURFACED AREAS:		88.07m²
TOTAL LANDSCAPED SOFT AREA	**79.09%**	**333.16m²**

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SITE STATS
Scale: 1/4" = 1'-0"

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Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:
Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

Nutima Design & Project Management Inc.
289-327-1311

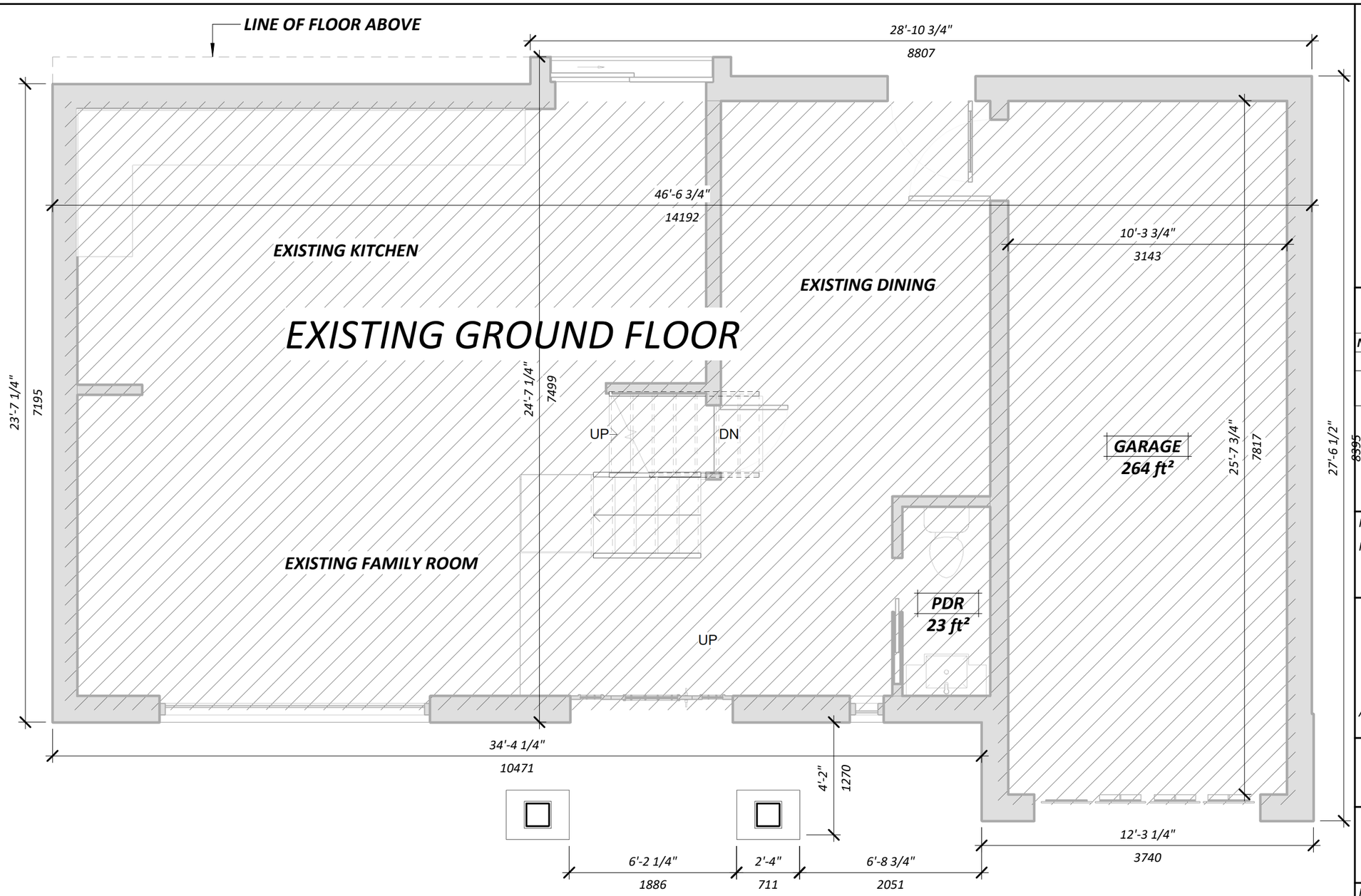
Project No:
2023-02

Drawn By: Author | Date: 2023
Chkd By: Checker | Scale: 1/4" = 1'-0"

Drawing No.: Z1.1

Dwg Title: Zoning Chart

Revision: 1



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Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:

Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

NUTIMA DESIGN & PROJECT MANAGEMENT

Nutima Design & Project Management Inc.
289-327-1311

Project No:

2023-02

Drawn By: Author	Date: 2023
Chkd By: Checker	Scale: 1/4" = 1'-0"

Dwg Title: GROUND FLOOR PLAN EXISTING

Drawing No.: Z2

Revision: 1

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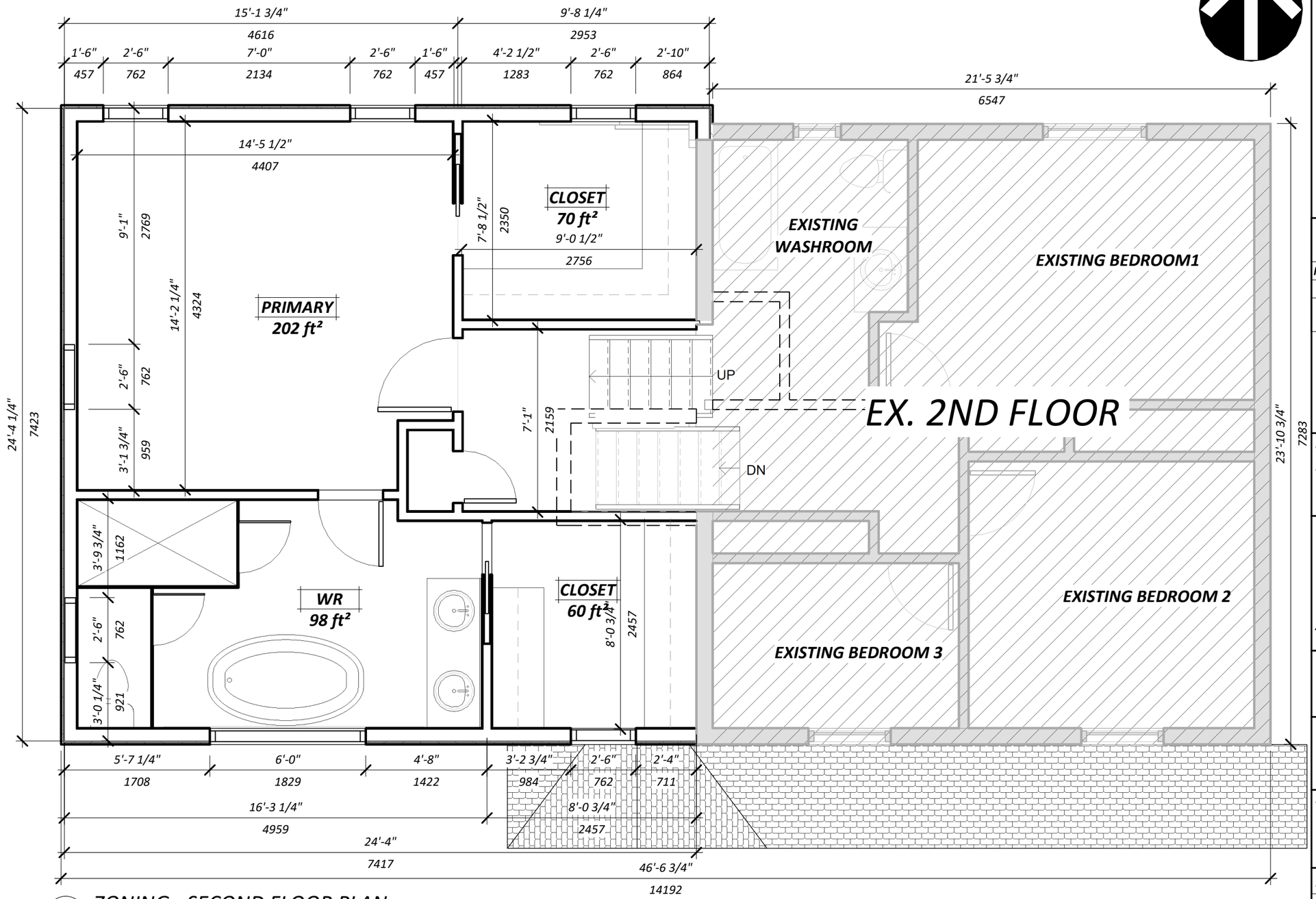
1 ZONING - GROUND FLOOR
Scale: 1/4" = 1'-0"



1 ZONING - SECOND FLOOR PLAN

Scale: 1/4" = 1'-0"

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Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:

Project.:

PRELIMINARY

492 SHANNON CRES

Address:

492 SHANNON CRES

Nutima DESIGN & PROJECT MANAGEMENT

Nutima Design & Project Management Inc.
289-327-1311

Project No:

2023-02

Drawn By: Author	Date: 2023
Chkd By: Checker	Scale: 1/4" = 1'-0"

Drawing No.: Z3

Revision: 1

Dwg Title: SECOND FLOOR PLAN

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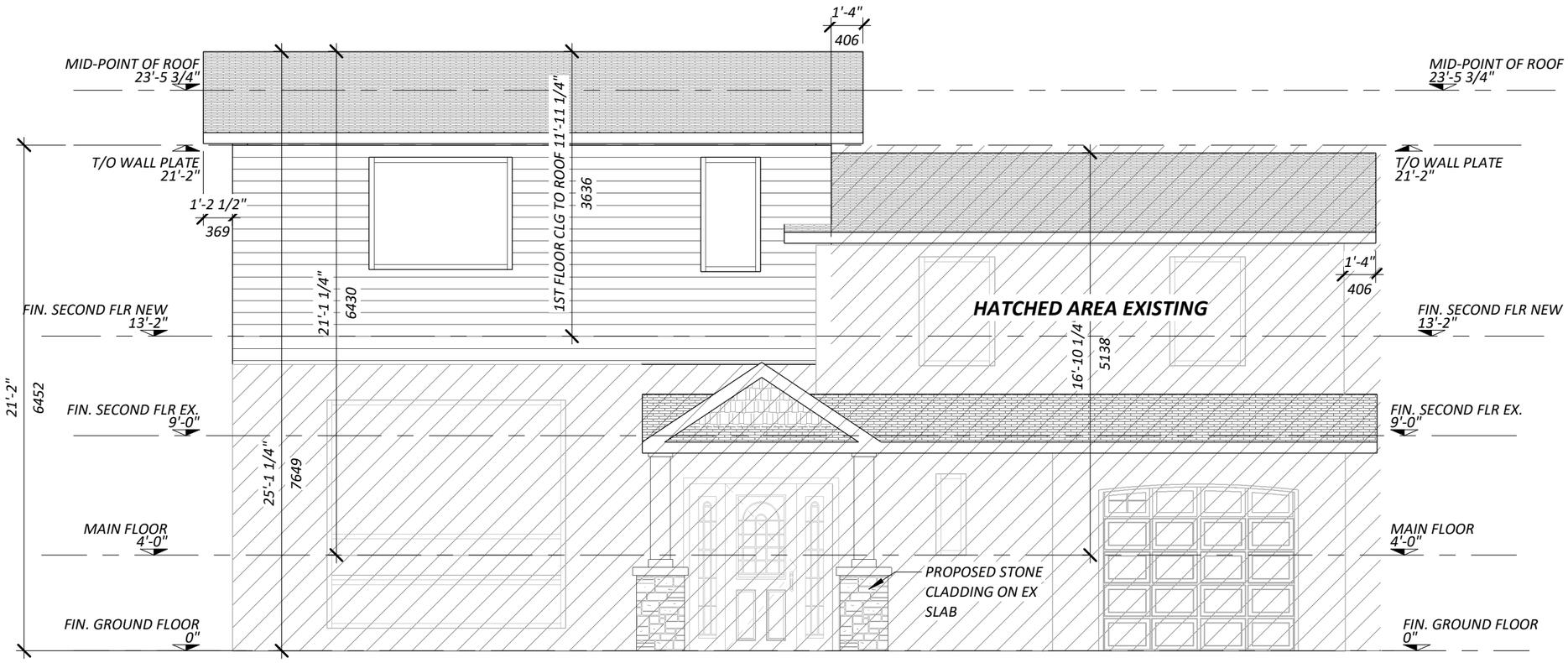

1 *FRONT ELEVATION*

Scale: 3/16" = 1'-0"

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Revision Schedule

No.	Description	Date
1	Issued for CLIENT REVIEW / ZONING	2024-03-20

Project Status:

Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

NUTIMA DESIGN & PROJECT MANAGEMENT

Nutima Design & Project Management Inc.
289-327-1311

Project No:

2023-02

Drawn By: W.K | *Date:* 2023

Chkd By: Checker | *Scale:* 3/16" = 1'-0"

Drawing No.: Z4

Dwg Title: FRONT ELEVATION

Revision: 1

1 *REAR ELEVATION*

Scale: 3/16" = 1'-0"

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Project Status:

Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

Nutima Design & Project Management Inc.
289-327-1311

Project No:
2023-02

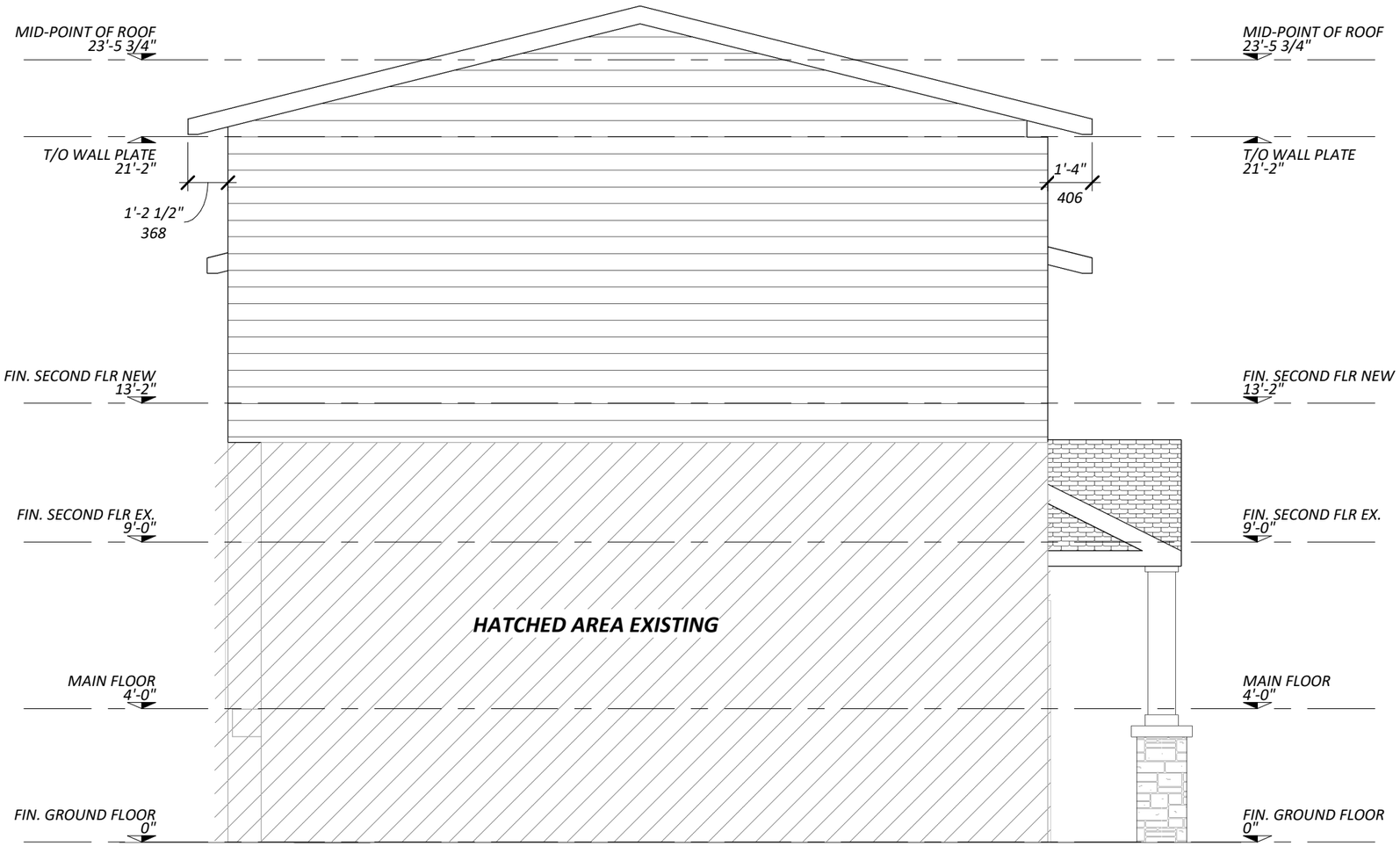
Drawn By: W.K. | Date: 2023

Chkd By: Checker | Scale: 3/16" = 1'-0"

Drawing No.: Z5

Dwg Title: REAR ELEVATION

Revision: 1



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1 *LEFT ELEVATION*
Scale: 1/4" = 1'-0"

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Project Status:
Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

NUTIMA DESIGN & PROJECT MANAGEMENT

Nutima Design & Project Management Inc.
289-327-1311

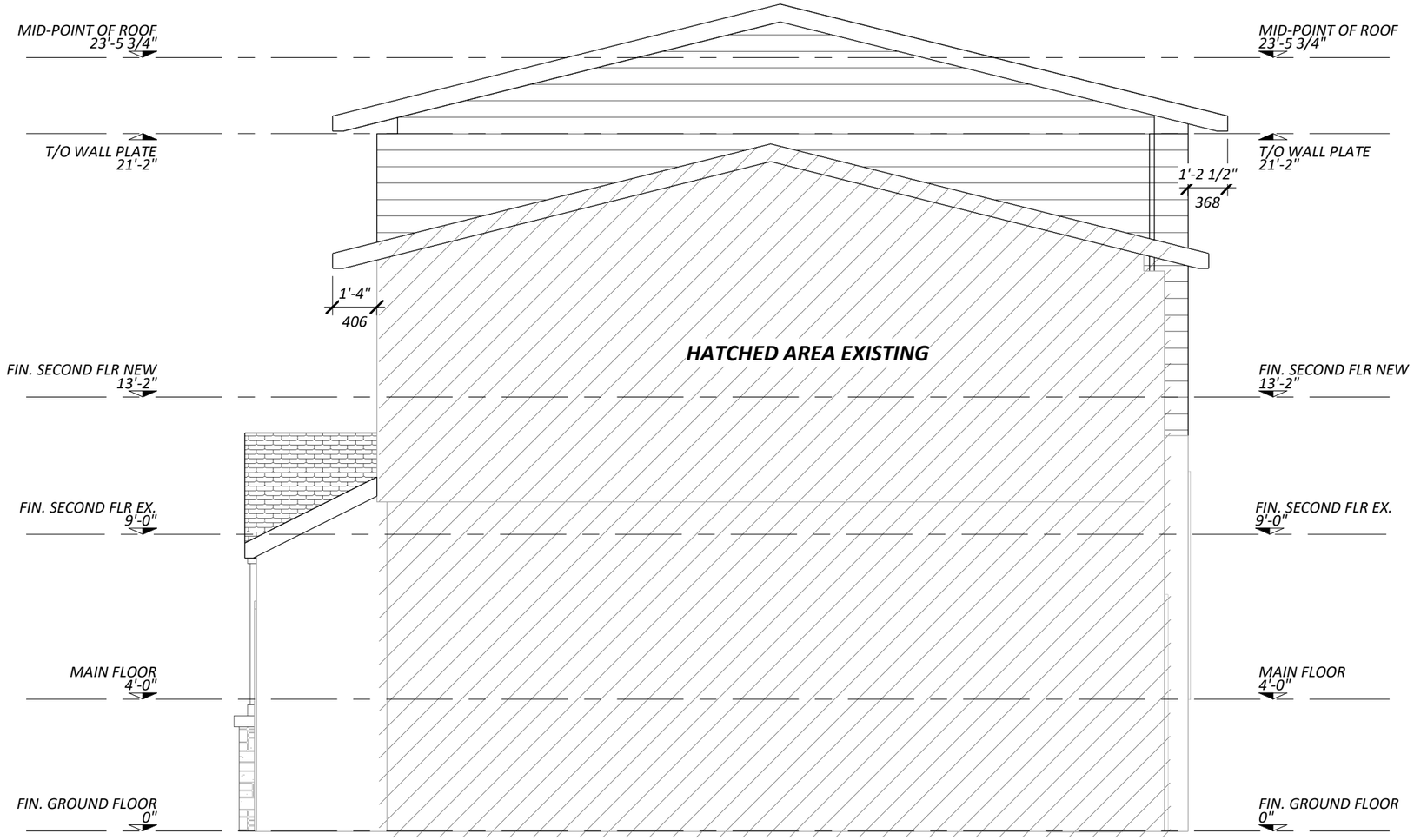
Project No:
2023-02

Drawn By: W.K.	*Date: 2023*
Chkd By: Checker	*Scale: 1/4" = 1'-0"*

Drawing No.: Z6

Revision: 1

Dwg Title: LEFT ELEVATION



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1 RIGHT ELEVATION

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Project Status:

Project.: **ZONING**

492 SHANNON CRES

Address:
492 SHANNON CRES

Nutima Design & Project Management Inc.
289-327-1311

Project No:
2023-02

Drawn By: WES	Date: 2023
Chkd By: WES	Scale: 1/4" = 1'-0"

Drawing No.: Z7

Dwg Title: RIGHT ELEVATION

Revision: 1

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.5 - 1:00 P.M.

File
540-02-A-085/24

APPLICANTS: Roman and Ewa Furmanczyk

PROPERTY: 3223 Renton Road,
City of Burlington - Regional Municipality of Halton.

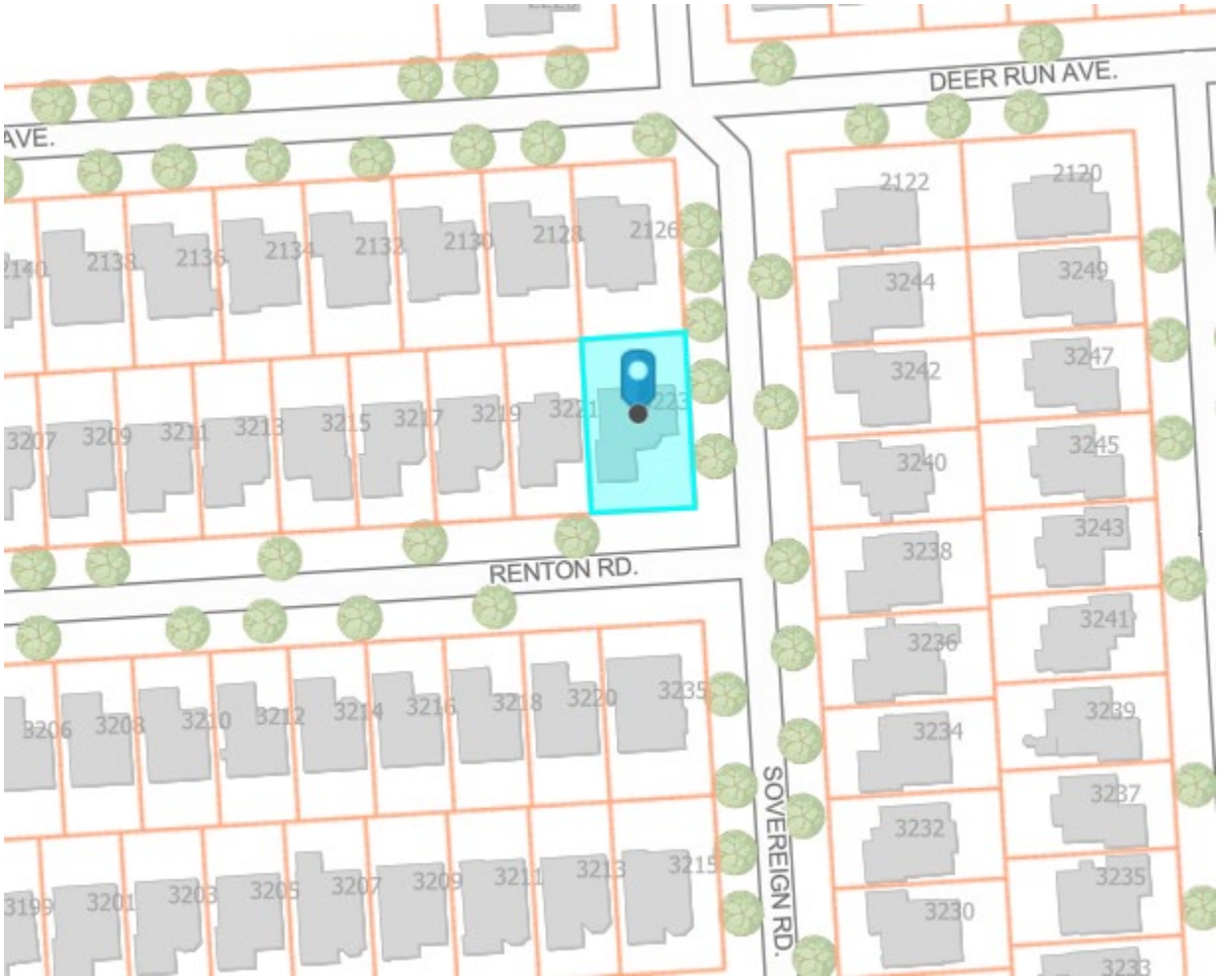
PROPOSAL: The applicant is proposing the construction of a wooden patio and accessory structure (pergola) in the rear yard.

VARIANCE:
1. To permit a street side yard abutting Sovereign Road of 0.3 m instead of the minimum required 7.5 m for a proposed accessory structure.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: Roman and Ewa Furmanczyk
Address: 3223 Renton Rd. Burlington
File No. **A-085/24**
Ward: 6



Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: October 31st, 2024 Prepared By: C. Kabel

Zoning

1) **Background information:**

The subject property is zoned R3.2, Low Density Residential, under Zoning By-Law 2020, as amended. The R3.2 zone requires, among other things, the following:

PART 1: GENERAL CONDITIONS AND PROVISIONS

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

2.2.1 The following regulations shall apply to buildings and structures, when accessory to detached, semi-detached, duplex, triplex, fourplex or street townhouse dwellings:

(c) Regulations for Accessory Structures:

(i) Not permitted in required front, side, street side yards.

(ii) Permitted in a rear yard subject to the following:

- Setback from a rear lot line: 90 cm
- Setback from a side lot line: 90 cm
- Setback from a street side yard: **7.5 m**
- Maximum floor area: 42 m^2
- Maximum height: 3.7 m
- Maximum roof overhang encroachment: 0.5 m

PART 16: DEFINITIONS

Accessory Building or Structure
A detached building or structure that is not used for human habitation, unless it has been approved as an additional residential unit, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot. Accessory Buildings are 50% or more enclosed by walls or privacy screens and may include a detached garage, workshop, shed, additional residential unit, and/or pool house. Accessory Structures may include arbours, unenclosed gazebos, pergolas, play structures, and/or detached car ports exclusive of patios or decks.

History:

A rear yard wooden deck and pergola were constructed in the rear yard without benefit of approvals. The existing structures do not comply with zoning regulations. The applicant is proposing to remove the existing structures to construct a new wooden patio and pergola in the same location. The proposed wooden patio is a reduction in height from the existing deck. The patio itself does not require variances.

2) **Proposal:**

The applicant is proposing the construction of a wooden patio and accessory structure (pergola) in the rear yard.

3) **Variances required:**

1. To permit a street side yard abutting Sovereign Road of 0.3 m instead of the minimum required 7.5 m for a proposed accessory structure.

4) **Notes and conditions**:

1. A Zoning Clearance Certificate is not required provided that a building permit is not required.
2. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval Application is made, they will be the responsibility of the applicant to obtain.
3. The zoning review is based on the portion of the site affected by the proposed development only.
4. The variances are being reviewed under 45(1) of the *Planning Act*.

Date: November 28, 2024 Prepared By: J. Parker

Site Planning

A minor variance application has been submitted to the City of Burlington to recognize the construction of a 23.1m^2 accessory structure (pergola) in the rear yard of the subject lands. The property has been assessed as an accessory structure rather than a privacy screen, due to the overhead elements (pergola rafters) that are part of the design. The applicant requests the Committee of Adjustment's approval of one variance because the pergola is currently deficient to the minimum street side yard setback:

1. To permit a street side yard abutting Sovereign Road of 0.3 m instead of the minimum required 7.5 m for a proposed accessory structure.

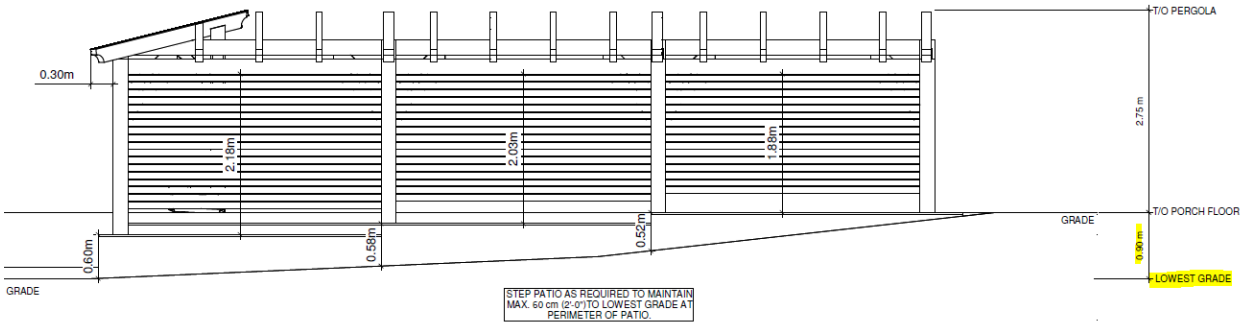
The rear yard pergola is existing but was installed without a permit. A complaint was filed with the City regarding these features and upon inspection, an area of non-compliance with the zoning by-law was identified. The applicant now wishes to obtain Committee of Adjustment approval of the proposed minor variance to recognize the existing non-compliance. No new development is proposed. However, staff have evaluated the structure as if it has not been constructed and herein refer to the pergola as proposed.

The subject lands comprise a rectangular-shaped parcel with a total lot area of 556 m^2 (0.05 hectares) with approximate lot frontage of 18.23 metres along Renton Road. The lands are known municipally as 3223 Renton Road.

Adjacent and surrounding land uses include low-density residential land uses. Notably, several nearby properties include rear yard accessory buildings and structures, including inground pools. Staff were not able to identify other privacy screens or pergolas in the surrounding area, however the grading and exposure of the subject property, which is a corner lot, is significantly different than nearby interior lots to the west. The subject lands exhibit a unique situation with respect to the grade change from west to east.

The proposed structure will be located in the property's rear yard, which currently contains an in-ground pool surrounded by a concrete and wood pool deck structure. The property naturally slopes downwards from west to east towards Sovereign Road. The pool deck has been designed as a level surface in the rear yard for the purposes of providing safe access around the pool, but this means that the pool deck is elevated higher than the fence, the sidewalk and Sovereign Road. As indicated in the submitted drawings, the northside elevation shows a 0.9-metre grade change from the west side of the property to the east (Drawing A 1.05- Elevations). The pool deck matches the grade along the western portion of the property.

NORTH ELEVATION



A fence runs along the entire periphery of the property at grade. Along the eastern lot line, the pool and pool deck are elevated to about half the height of the fence, meaning that a swimmer standing on the pool deck could be seen by the Sovereign Road right-of-way and 2126 Deer Run Ave (see site photos).

The proposed development includes the construction of a 2.75m tall pergola. The floor area of the pergola is measured from the outside of the supporting posts to the inner posts and measures 23.1m^2. The pergola is proposed to have horizonal slats with a small amount of space between them to provide privacy screening.

The applicant has provided a site plan and elevations (dated November 19, 2024) showing the extent and location of the existing pergola. Photos and sketches were submitted by the applicant showing additional details regarding the height, size and location of the pergola. Existing on-site conditions and surrounding streetscape are summarized in site photos included as Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) of the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Section 76 of the ROP indicates

that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that accessory structures are a use permitted by the City's Zoning By-law, staff are of the opinion that the requested variances meet the general intent and purpose of the ROP.

Official Plan, 1997 & 2020

On April 2, 2024 the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (OP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans.

The subject lands are designated 'Residential – Low Density' according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended.

Section 8.3.3 (1) (Residential Neighbourhood Area Policies) of the BOP, 2020, states that among the permitted uses within the 'Residential Low Density' designation are single detached housing units (with a maximum permitted residential density of 25 units per hectare). As such, the existing dwelling is a permitted use, and the proposed minor variance for the accessory structure does not impact the density.

The general intent and purpose of the BOP, 2020 is to encourage new residential development, including new structures, in residential neighbourhood areas while recognizing that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

Part II, Section 6.5 (Design Guideline Policies) of the OP, 1997 lists aspects of new development that should be compatible and integrate well with the surrounding area including "the density, form, bulk, height, setbacks, spacing and materials…"

Compatible(ity) is defined in the OP, 1997 as: "development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals."

The area is characterized primarily by two-storey detached dwellings. All of the dwellings within this neighbourhood have a similar size and fenced-in rear yards. The

subject property has one abutting neighbor to the north (2126 Deer Run Ave.) and a public right-of-way to the east (Sovereign Road).

The proposed structure is located in the rear yard, which features an in-ground pool with a surrounding concrete structure or pool deck that creates a level surface in the sloping rear yard. As previously noted, the property naturally slopes from west to east, creating a 0.9-metre grade change, as shown on the northside elevation. The pool deck complies with the zoning by-law provisions and elevates the rear yard surface 0.9 metres above grade at the eastern property line where the property is at its lowest point. The top of the deck is almost half the height of the privacy fence, which has a maximum permitted height of 2.0 metres under the fence bylaw. The structure is defined as an accessory structure but is intended to function as a privacy screen. Due to the grade change, the rear yard and its users are highly visible from the right-of-way of Sovereign Road and neighboring property to the North. In staff's opinion the pergola provides both privacy benefits and safety benefits in response to the elevated yard and the pool deck. Staff do not anticipate any changes to the use of the property as a result of the location of the pergola structure. While most of the structure extends above the fence, it serves as essentially a privacy screen rather than an accessory building which would be used for the purposes of storing of household goods.

With respect to the streetscape, there are a number of deciduous trees along the west side of Sovereign Road, both on the subject lands and in the right-of-way, which are taller than the structure and result in the pergola being less prominent in the spring, summer and fall. Additionally, staff note that the horizontal slats help soften the appearance of the structure compared to other materials, such as siding, or if the structure were fully enclosed along the side facing the street.

Staff are satisfied that due to its visually permeable design, in which the horizontal wood slats are spaced out, and due to the decorative elements of the structure, that it does not have a negative visual impact on its surroundings.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes

The subject lands are zoned Low Density Residential ('R3.2') Zone of the City of Burlington Zoning By-law 2020. Accessory structures are a permitted use in the applicable zone.

Part 1, Section 2.2.1 c) ii) (Regulations for Accessory Structures) of the City of Burlington Zoning By-law 2020, stipulates that the minimum required setback from a street side yard is 7.5 metres.

The zoning by-law contains regulations for accessory buildings, such as sheds or detached garages and accessory structures, such as pergolas or gazebos. The regulations relate primarily to height, area and setbacks.

The requirement that accessory structures be setback at least 7.5 metres from the street side yard dates back as far as the 1969 Burlington Zoning Bylaw. The general intent and purpose of this regulation is likely to ensure that accessory structures are visually subordinate to the main dwelling and to achieve a more gradual transition between the generous front yard open space of interior lots to the street side yards of corner lots at the end of the block. A greater setback to accessory structures, avoids a sharp or abrupt reduction in open space. In this case, the proposed structure is not a solid wall or a four-sided, roofed structure, and has been designed to allow for limited visual permeability, so does not have the same impact as a solid structure.

Staff note there is no relief needed for the setback to the northern property line, nor is there any relief required for the structure's height. Additionally, staff note that the zoning by-law requires that an accessory structure to be setback 7.5 metres from a street side yard whereas the principal structure is required to be setback a minimum of 4.5 metres to the street side yard.

The pergola is regulated as an accessory structure rather than a privacy screen because it has rafters that extend over the pool deck, forming a partial roof, so staff have considered how the "massing" of the screen plus rafters impacts the streetscape as well as how the structure impacts privacy. The street-side yard borders a sidewalk along Sovereign Road, which runs beyond it. While much of the structure is visible from the sidewalk, a number of large deciduous trees along the eastern property line assists with the proposed structure blending in with the surrounding elements and reduces the angles which the structure can be seen from. This vegetation in conjunction with the pergola provides a consistent privacy screen for the property, shielding both the pool area and passersby on Sovereign Road.

Staff note that the primary use of the structure is for privacy while the swimming pool is in use. The structure is open to the elements and will not be used for the storage of vehicles, tools, or other equipment. Staff do not anticipate any adverse land use compatibility issues as a result of the proposed reduction in setback. Staff are of the opinion that the application to recognize the location of the existing pergola is in keeping with the intent of the zoning by-law given there are no anticipated negative impacts to surrounding land uses.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The applicant is requesting approval of a minor variance to recognize the existing size, location of the accessory structure in the rear yard of the subject property.

The property abuts Sovereign Road to the east, where a side yard reduction is being requested. Throughout this report, the impacts of the existing development on the streetscape have been discussed, and staff is of the opinion that the impacts on the streetscape would be minimal.

Due to the height of the pool deck and slope of the rear yard there is a unique situation where an additional structure is needed to provide both safety and privacy for pool users. As shown in the site photos, the pool deck rises to about halfway up the fence line. Rather than the applicant proposing a solid, impermeable privacy screen or fence which is taller than the existing fence, they have proposed a visually permeable pergola, which in staff's opinion is a better outcome. The pergola has more architectural interest and a non-uniform appearance. It is stepped back from the lot line and is not one large mass i.e.: a tall 3-metre tall fence. A taller fence would have a greater impact to the streetscape in staff's opinion.

With respect to the property to the north, there is no variance related to the northern property line. However, staff recognize that the purpose of the pergola as is relates to the northern abutting property is prevent any overlook into the subject property or from the subject property. Given the existing elevations, the subject property is at a higher elevation than the property to the north. As such, there is increased potential for overlook into the neighbouring yard. Staff are of the opinion that the increased structure height will prevent overlook into neighbouring yards as well as assist in preventing additional potential impacts related to the accessory building or structure.

For the reasons noted throughout this report, staff are of the opinion that the existing development and proposed minor variances are desirable for the appropriate use of the land.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

The proposed development is intended to continue the use of the property for residential purposes with minimal land use impacts anticipated. With the exception of the proposed setback, the development otherwise complies with the provisions of the applicable zoning. In consideration of the above, it is staff's opinion that the requested minor variance to the City of Burlington Zoning By-law 2020 is minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

N/A

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variance.

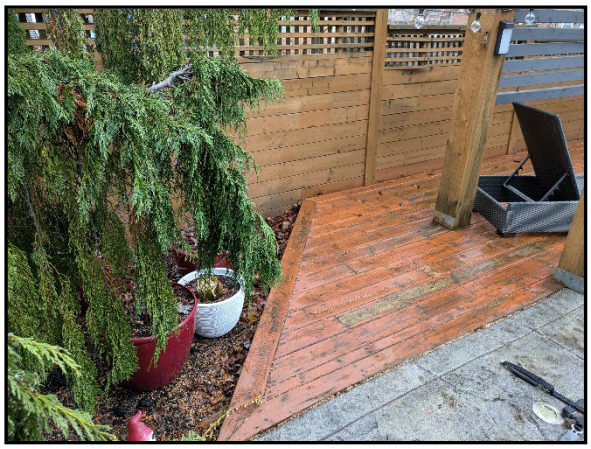
Date: January 9, 2024 Prepared By: Ryan Kochuta

Report Schedules & Attachments:

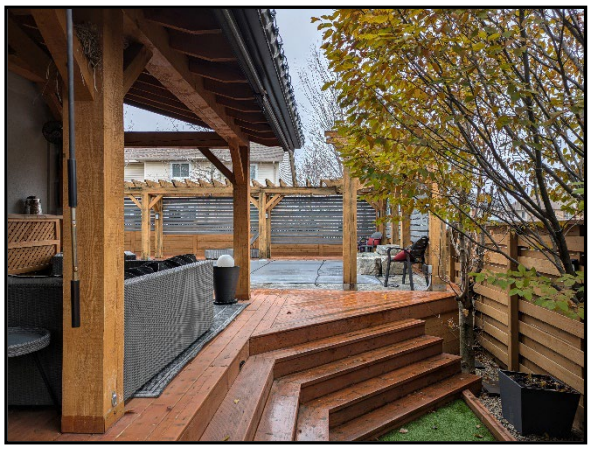
Attachment No. 1 (Site Photos – December 11, 2024)

View of the existing structure from the rear yard

View of the existing structure looking north



View of the rear yard pool deck, showing the deck matching grade along the west side of the property



View of the rear yard pool deck, showing the deck matching grade along the east side of the property

View of the subject pergola from the streetscape, looking north

View of the subject pergola from the streetscape, looking west

View of the subject pergola from the streetscape, looking south

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested. Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: December 4, 2024 Prepared By: R. Maximo

Forestry

Forestry has reviewed the proposed minor variance(s) and have no objections.

Date: Dec 4, 2024 Prepared By: J. Lee

Building

A Building Permit may be required where the structure falls within the definition of a 'building' under the Building Code Act, 1992; It is recommended to consult directly with the Building Department prior to construction to confirm if a building permit is required.

Date: Dec 19, 2024 Prepared By: T. Le

Transportation Planning

Deemed Road Width Analysis

Renton Road is under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Sovereign Road is under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Date: October 31st 2024 Prepared By: Taylor Kirchknopf

Transportation Planning have reviewed the proposed minor variance application and have no comments.

Date: December 18th 2024 Prepared By: Taylor Kirchknopf

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: Dec 3, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 3223 Renton Road where the application is proposing the construction of a wooden patio and accessory structure (pergola) in the rear yard. Variances are required to permit a decrease to the street side yard for the proposed accessory structure.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☑ or N ☐
Name of Planner: MARIANA DA SILVA Name of Zoning Examiner: JENNIFER PARKER.

PROPERTY INFORMATION
Municipal Address(es) of property:
3223 RENTON RD, BURLINGTON, ON L7M-3C7

Legal Description of property:
PLAN M365 LOT 125

Official Plan Designation: Low Density Residential Current Zoning Designation R3.2

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):
ROMAN FURMANCZYK / JENA FURMANCZYK

Mailing Address: 3223 RENTON RD City: BURLINGTON, ON

Postal Code: L7M-3C7 Home Phone: 9053326513 Mobile Phone: 289-440-0730

Work Phone: 9056701190 E-Mail: roman@fertransport.ca

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name:

Business Address: City:

Postal Code: Home Phone: Mobile Phone:

Work Phone: E-Mail:

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

DECK AND PERGOLA TO BE BUILT ON OUR PROPERTY FOR PRIVACY AND SAFTY REASONS AROUND THE POOL.

Variance(s) Requested	Zoning Bylaw Requirement
TO PERMIT A STREET SIDE YARD ABUTTING SOVEREIGN RD OF 0.3 M FOR PROPOSED ACCESSORY STRUCTURE (PERGOLA)	7.5 M

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? IT DOES NOT INTERFEER WITH ANY OF THE NEIGHBOURS AS IT IS ONLY ON OUR SIDE OF THE PROPERTY
2. Why are the variance(s) desirable for the appropriate use of the land? FOR PRIVACY AS WELL AS SAFTY REASONS AS OUR PROPERTY SLOPES
3. Do the variance(s) meet the intent and purpose of the Official Plan? YES, AS THE REDUCTIONS IN SET BACKS WILL MAINTAIN COMPATIBLE WITH THE URBAN DESIGN AND COMMUNITY FEATURES DUE TO THE SETBACKS BEING REQUESTED ARE INSIDE OUR PROPERTY AND THEY WILL NOT INTERFEERE. ALL THEY WILL DO IS TO PROVIDE SAFTY AND PRIVACY.
4. Do the variance(s) meet the intent and purpose of the Zoning By-law? YES THEY DO AS THE SETBACKS DO NOT CHANGE THE INTENDED PURPOSE OF THE ZONNING BYLAW. AS THE MATTER OF FACT THEY WILL ENHANCE THE APPROPRIATE SEPARTION. WE HAVE SPOKEN TO THE NEIGHBOURS AND THEY ENCOURAGED US TO BUILD THE PERGOLA AS IT GIVES THEM ADDED PRIVACY. THE SET BACKS WILL NOT BE INTERFEERED WITH MAINTINANCE AS THE LAYOUT OF THE PROPERTY WILL NOT CHANGE AT ALL.

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
2016/15/SEPT (mmm/dd/yyyy)	08/06/1986 (mmm/dd/yyyy)	11/15/2024 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☑ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued:
38 YEARS

Proposed Use of the Land:
DETACHED DWELLING

Existing Uses of Abutting Properties (check all that apply)

Residential ☑ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☑	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water	☑	If not available, by what means is it provided:
Sanitary Sewers	☑	If not available, by what means is it provided:
Storm Sewers	☑	If not available, by what means is it provided:

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☑ Zoning By-law Amendment ☐ Building Permit
☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
18.30	30.50		20m	20m	✓		Y ☑ N ☐

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	M^2	Ground Floor Area (incl. attached garage)	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
Garage/Car Port		**Garage/Car Port**	
Detached?	Y ☐ N ☐	Detached?	Y ☐ N ☐
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc) "L Shaped"		**Accessory Structures**	
Gross Floor Area: 23.1	M^2	Gross Floor Area:	M^2
Width: 7.43	M	Width:	M
Length: 11.1	M	Length:	M
Height:	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.) "L" Shaped		**Other**	
Gross Floor Area: 28.15	M^2	Gross Floor Area:	M^2
Width: 7.1.89	M	Width:	M
Length: 13.74	M	Length:	M
Height: 600cm	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING		PROPOSED		
Front:	M	Front:		M
Rear: V.O	M	Rear:	V	0 M
Side/Street Side: V.O	M	Side/Street Side:	V	0 M
Side/Other Side:	M	Side/Other Side:		M

EXEMPTION FROM NEW SURVEY REQUIREMENT

Minor additions to an existing dwelling or for a proposed accessory building or structure (i.e., deck, driveway, pergola, shed), may be exempt from having to provide a new survey. Please refer to Page 3 of this application package for more details. Minor Variances with concurrent Consent applications require a new survey.

Applicant/Owner:	Property Address:
ROMAN FURMANCZYK	3223 DENTON RD. BURLINGTON ON, L7M-3Y6

1. I, ROMAN FURMANCZYK (Print Name) In my capacity as OWNER (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated AUGUST. 06. 1986 (mmm/dd/yyyy)

has been revised by: YATES AND YATES LTD. (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated _____ (mmm/dd/yyyy)

has been revised by: _____ (Person or Company Name)

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: _____ (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: _____ (Person or Company Name)

4. Should the need arise during application processing for an new OLS survey, the applicant/agent agree to provide the survey as required by Committee or city staff in order to receive a decision on the application.

Signature of Owner/Applicant

10/30/2024
Date (mmm/dd/yyyy)

City of Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: ROMAN FURMANCZYK

Property Address: 3223 RENTON RD. BURLINGTON, ON L7M-3C7

Signature of Owner/Applicant

Date (mmm/dd/yyyy): 10/21/2024

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☐ Signature of Applicant or Authorized Agent: _____

I, Doreen Farnworth of the ~~City~~ Region of ~~Burlington~~ Halton in the City
(print name) (Region/City/County) (City/Town/Township)

of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Region of Halton in the City of Burlington
(Region/City/County) (City/Town/Township)

this 27 day of October 2024

Signature of Commissioner, _____ Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 3223 Renton Rd Burlington, ON L7M-3C7

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

_____ Doreen Farnworth
Signature of Owner Print Name

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

ELEVATIONS

- ☑ Metric
- ☑ Front
- ☑ Rear
- ☑ Side 1
- ☑ Side 2

FLOOR PLANS

- ☑ Metric
- ☑ North Arrow
- ☑ Gross Floor Area Calculation
- ☑ Ground Floor Area Calculation
- ☑ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

10/22/2023
Date (mmm/dd/yyy)

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-085/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Roman and Ewa Furmanczyk, the owners of 3223 Renton Rd. Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **3223 Renton Rd. Burlington** (see map).

The applicant is proposing the construction of a wooden patio and accessory structure (pergola) in the rear yard. This proposal results in the following variances:

1. To permit a street side yard abutting Sovereign Road of 0.3 m instead of the minimum required 7.5 m for a proposed accessory structure.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,

This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

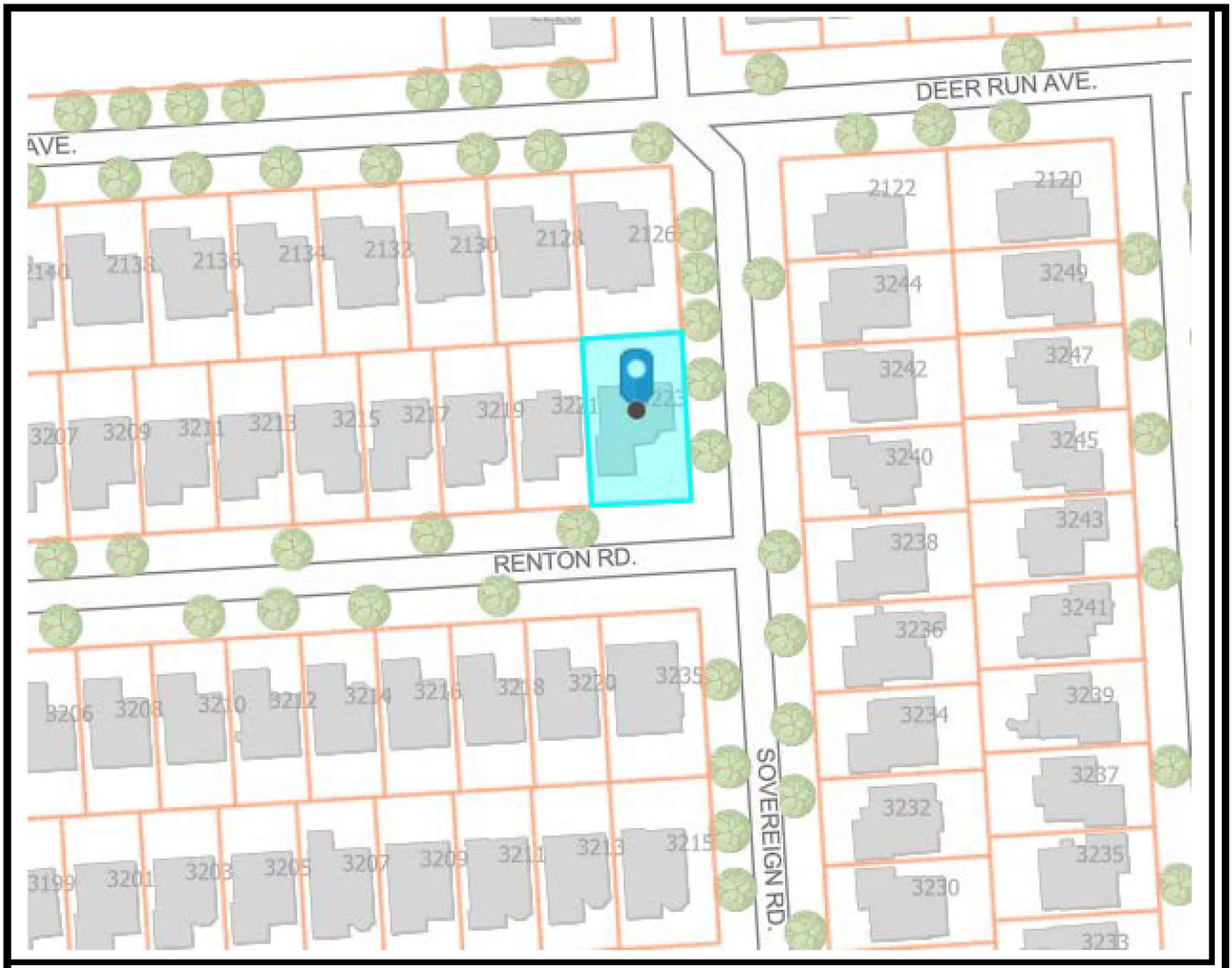
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map



Key Map

3223 Renton Rd.

Committee of Adjustment Community Planning Department - Planning Implementation

Copy Right Act Applies to Use and Production

BUILDING LOCATION SURVEY OF

LOTS 125, 126, 127 AND 128
REGISTERED PLAN 20M-365

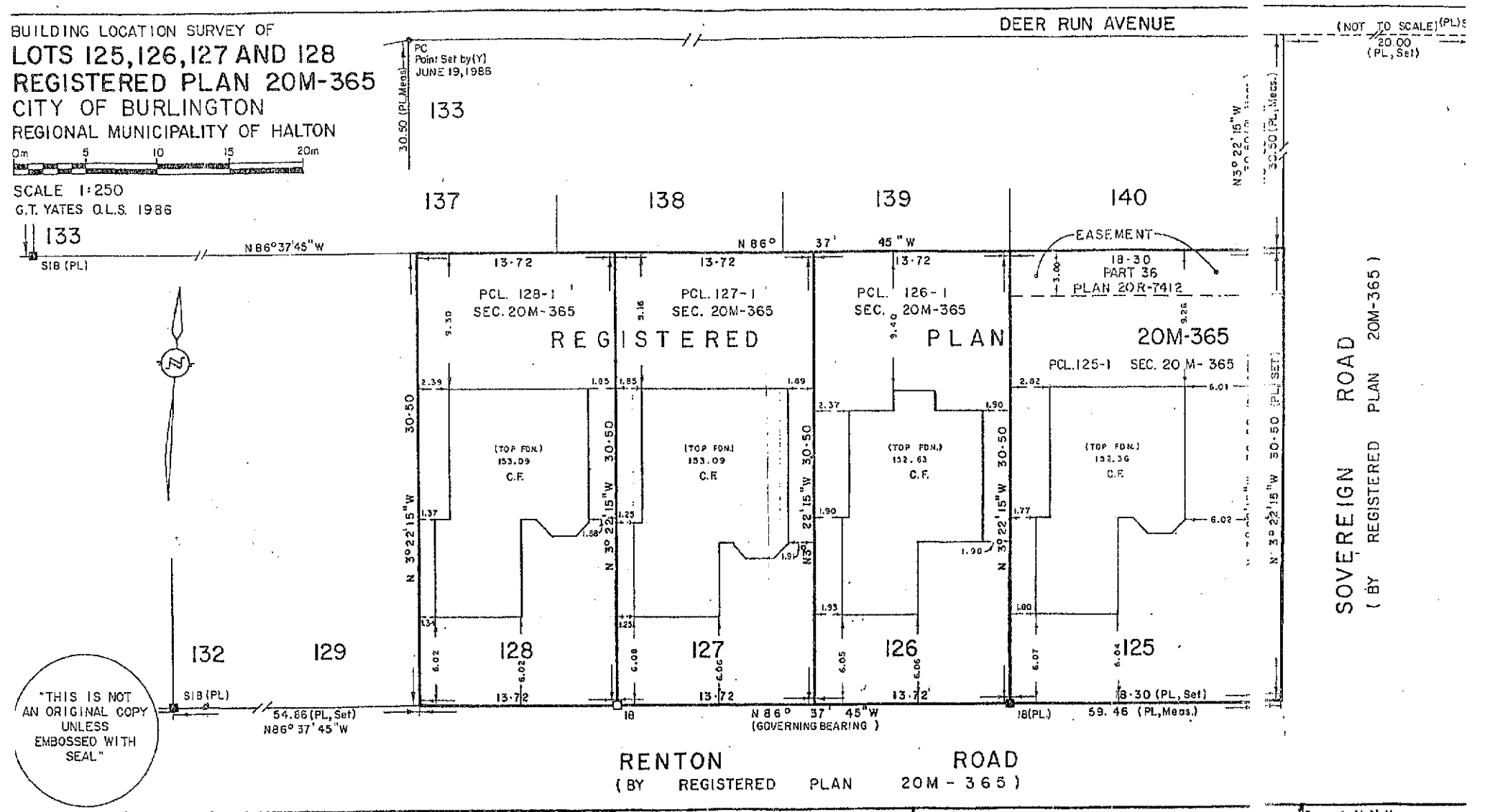
CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON

0m 5 10 15 20m

SCALE 1:250

G.T. YATES O.L.S. 1986



"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

NOTE BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE N 86°37' 45" E OF THE NORTH LIMIT OF RENTON ROAD AS SHOWN ON REG'D. PLAN 20M-365

ELEVATIONS HEREON ARE REFERRED TO GEODETIC DATUM

LIMITS OF LOTS 125 TO 128 INCL. HAVE BEEN RE-ESTABLISHED IN ACCORDANCE WITH R.P. 20M-365

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- ■ – DENOTES SURVEY MONUMENT FOUND
- □ – DENOTES SURVEY MONUMENT SET
- SIB – DENOTES STANDARD IRON BAR
- SSIB – DENOTES SHORT STANDARD IRON BAR
- IB – DENOTES IRON BAR
- CC – DENOTES CUT CROSS
- WIT – DENOTES WITNESS
- CF – DENOTES CONCRETE FOUNDATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 5 DAY OF Aug. 198 6

Aug. 6/86 — G.T. YATES, O.L.S.
DATE

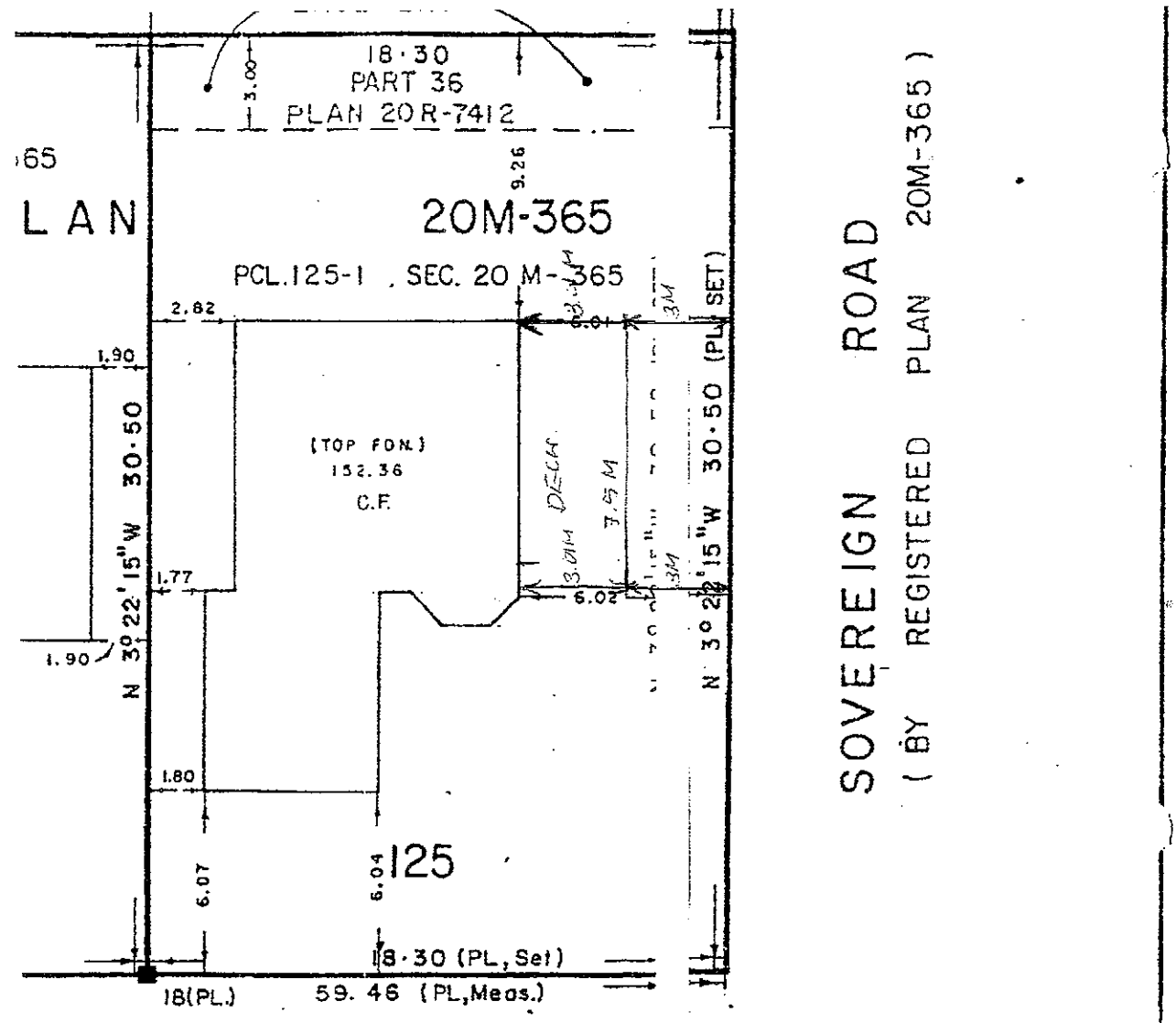
YATES & YATES LIMITED
ONTARIO LAND SURVEYORS
SUITE 402, 250 CONSUMERS ROAD
WILLOWDALE, ONTARIO M2J 4V6
(416) 498-9240

CAD

Drawn: M.M.M.
Checked: J.D.Martin, O.L.S.

NO ONE MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN WITHOUT THE WRITTEN PERMISSION OF YATES & YATES LIMITED, ONTARIO LAND SURVEYOR

W.O.	FILE
86-126	20M-365 Halton 2



SOVEREIGN ROAD
(BY REGISTERED PLAN 20M-365)

ROAD
· 365)

ATES & YATES LIMITED

ONTARIO LAND SURVEYORS

SUITE 402, 250 CONSUMERS ROAD

WILLOWDALE, ONTARIO M2J 4V6

(416) 498-9240

Drawn: M.M.M.

Checked: J.D.Martin, O.S.T.

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W.O.	FILE
86-126	20M-365 Halton 2

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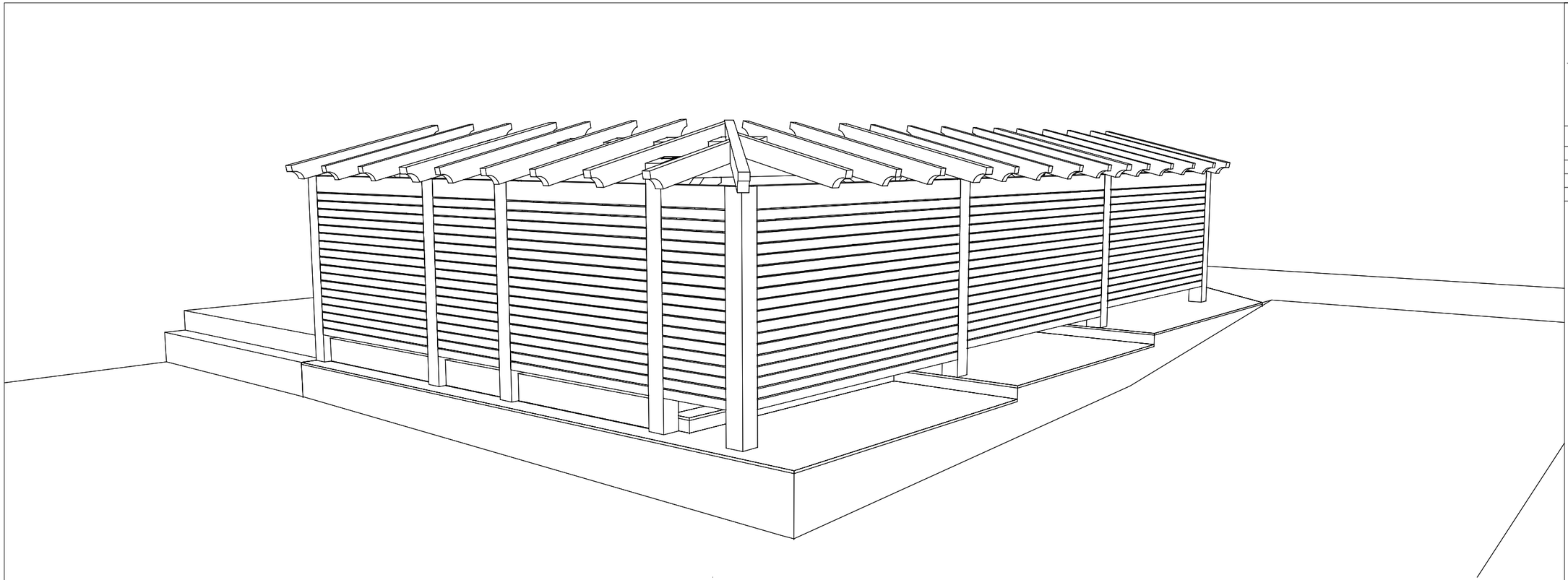
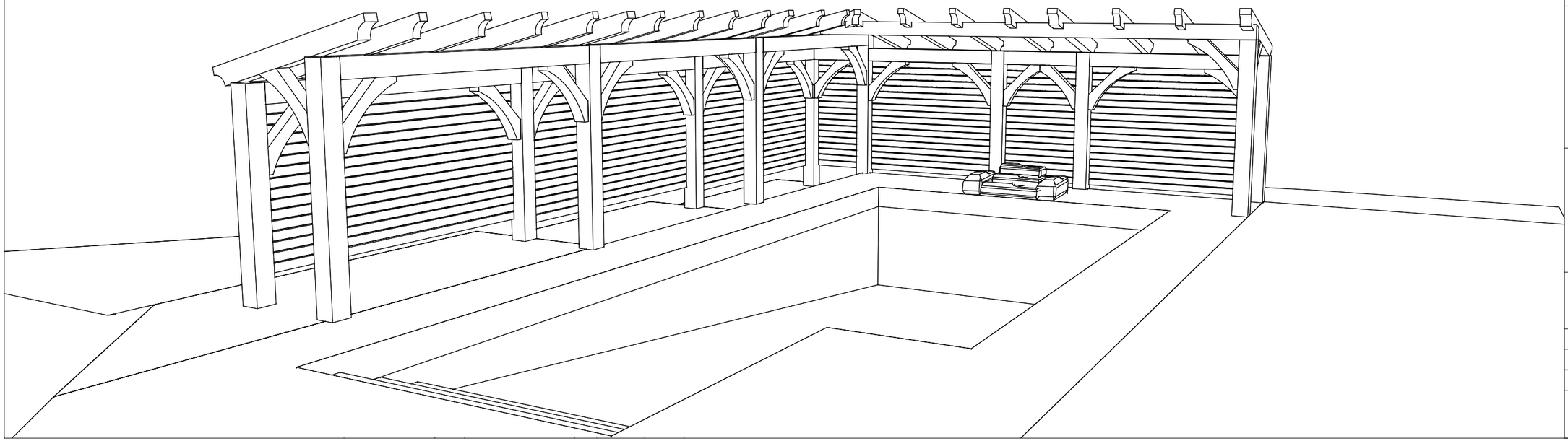




Copy Right Act Applies to Use and Production

Project North	True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

Cover Sheet

Date: November 19, 2024

Drawn By: M. Becker

Scale: NTS

Sheet Number: A1.01

SITE DATA

TOWNSHIP	ZONE
CITY OF BURLINGTON	R3.2
PERMITTED USES	
DETACHED DWELLING, ACCESSORY USES	

REGULATIONS	REQUIRED	ACTUAL
LOT AREA, MINIMUM	425 m²	556 m²
LOT WIDTH, MINIMUM	15 m	18.23 m
LOT COVERAGE, MAXIMUM	35 %	35.39

ACCESSORY STRUCTURE REQUIREMENTS

REGULATIONS	REQUIRED	ACTUAL
SIDE YARD, MINIMUM	0.90 m	SEE PLAN
STREET SIDE YARD, MINIMUM	7.5 m	SEE PLAN
REAR YARD, MINIMUM	0.90 m	SEE PLAN
HEIGHT, MAXIMUM	3.7 m	2.75 m
AREA, MAXIMUM	42 m²	23.1 m²
ROOF OVERHANG ENCROACHMENT, MAX.	0.50 m	0.30 m

DECK REQUIREMENTS

NOTE: ALL DECKS < 60cm HIGH SHALL BE CONSIDERED PATIOS

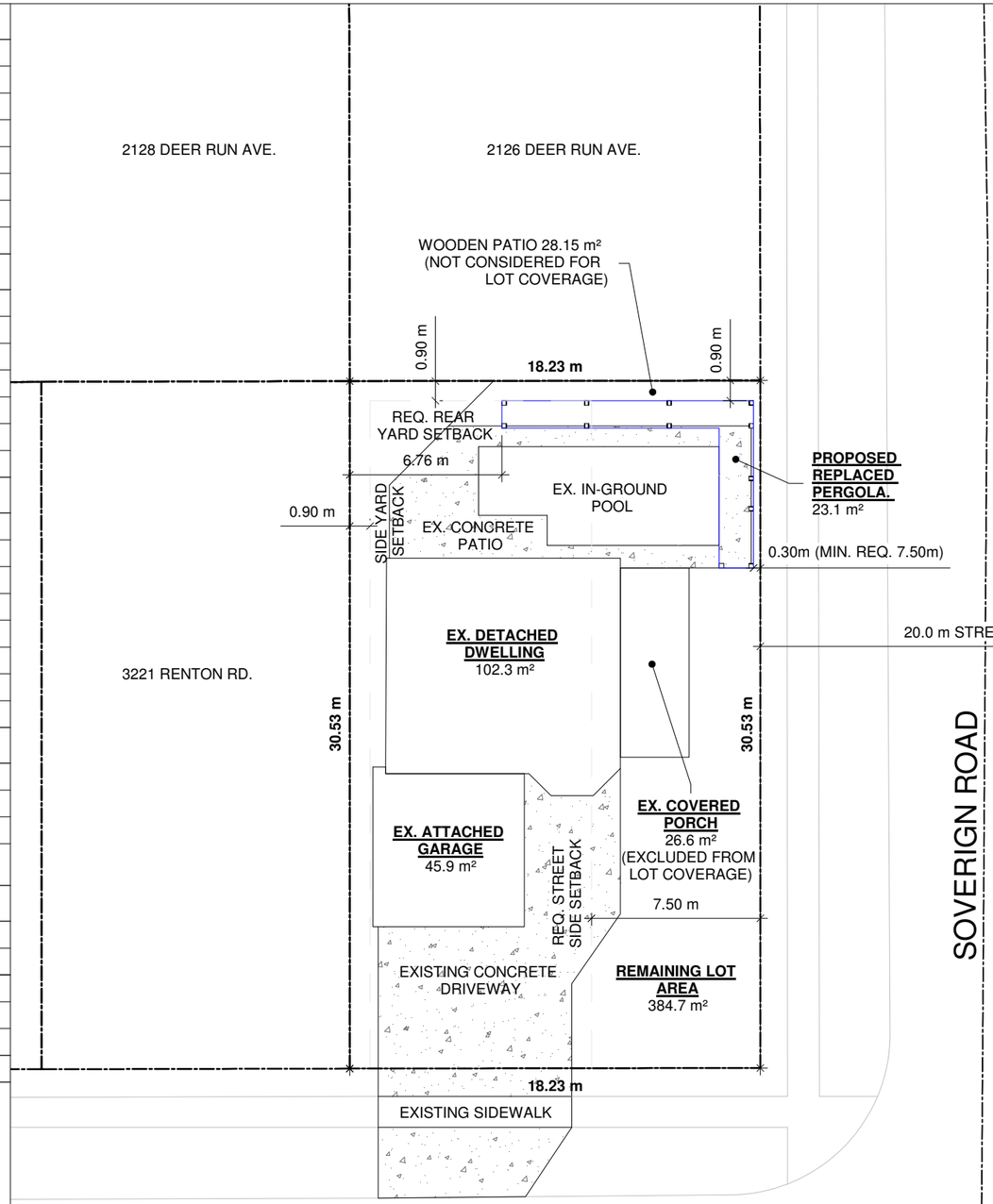
REGULATIONS (OVER 60cm TO 1.2m HIGH)	REQUIRED	ACTUAL
SIDE YARD, MINIMUM	1.2 m	N/A
STREET LINE SETBACK, MINIMUM	3 m	N/A
REAR YARD, MINIMUM	0.90 m	N/A
SIDE YARD COVERAGE, MAXIMUM	50 %	N/A
REAR YARD COVERAGE, MAXIMUM	50 %	N/A
AREA, MAXIMUM	N/A	N/A

SITE NOTES

#	NOTE
1	ALL DIMENSIONS ARE APPROXIMATE, THIS IS NOT A SURVEY
2	ALL SURFACE TREATMENTS ARE NATIVE GRASS U.N.O.
3	ALL DIMENSIONS ARE PROVIDED IN METERS AND CAN BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084

AREA SCHEDULE: SITE

NAME	AREA m²	AREA SF	AREA %
EX. ATTACHED GARAGE	45.9 m²	494 SF	8.26 %
EX. DETACHED DWELLING	102.3 m²	1101 SF	18.40%
PROPOSED REPLACED PERGOLA	23.1 m²	249 SF	4.16 %
REMAINING LOT AREA	384.7 m²	4141 SF	69.19 %
TOTAL:	556 m²	5985 SF	100 %



Copy Right Act Applies to Use and Production

NORTH — Project North

NORTH — True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

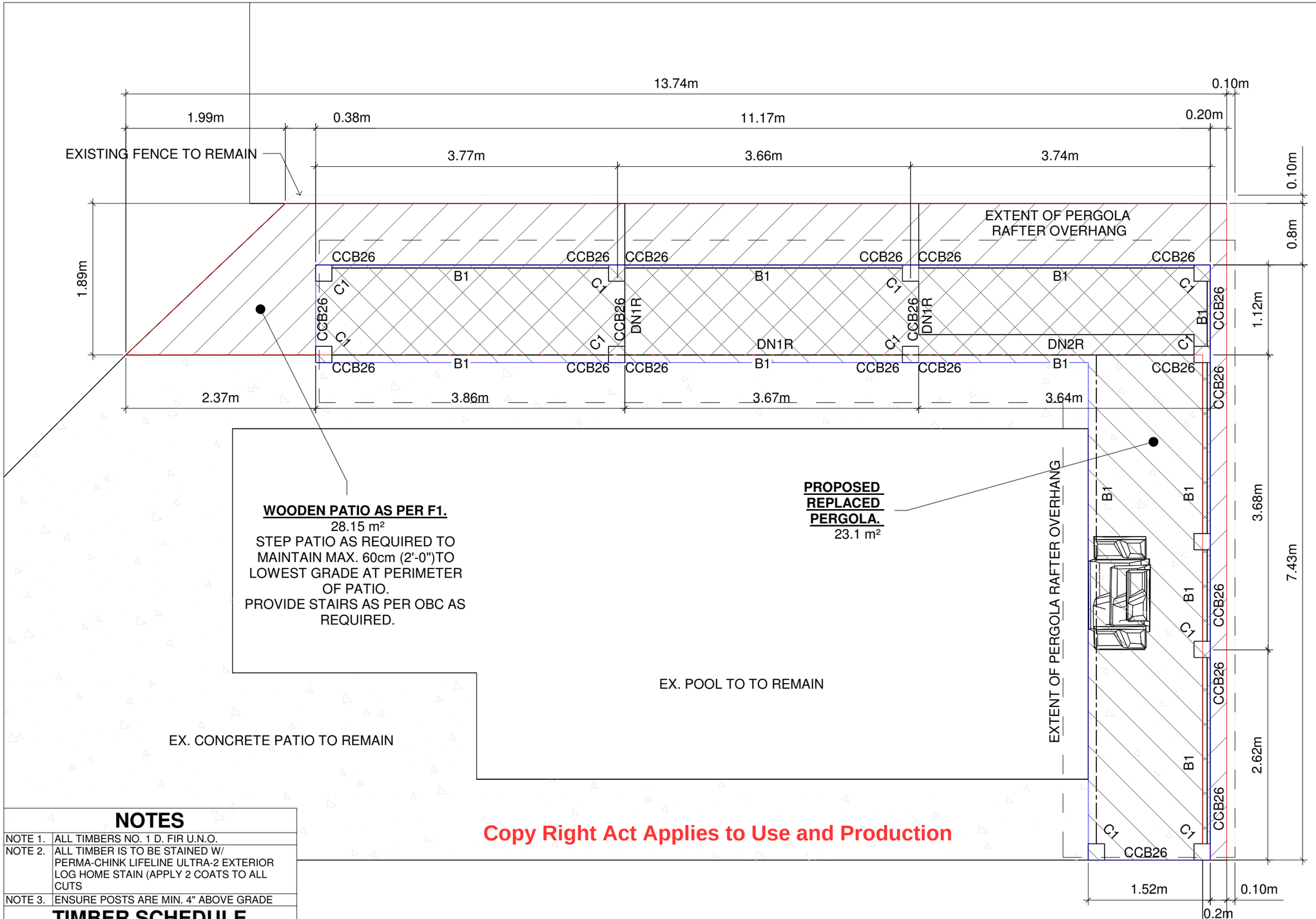
Site Plan

Date: November 19, 2024

Drawn By: M. Becker

Scale: 1:250

Sheet Number: A1.02



NOTES

NOTE 1.	ALL TIMBERS NO. 1 D. FIR U.N.O.
NOTE 2.	ALL TIMBER IS TO BE STAINED W/ PERMA-CHINK LIFELINE ULTRA-2 EXTERIOR LOG HOME STAIN (APPLY 2 COATS TO ALL CUTS
NOTE 3.	ENSURE POSTS ARE MIN. 4" ABOVE GRADE

TIMBER SCHEDULE

P1	8x8 POST
B1	8x8 BEAM
R1	8x8 PERGOLA RAFTER
R2	4x8 PERGLOA RAFTER
CCB26	6x10 CURVED KNEE BRACE

FLOOR SCHEDULE

F1	WOODEN PATIO (BY OTHERS)

Copy Right Act Applies to Use and Production

Project North | True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

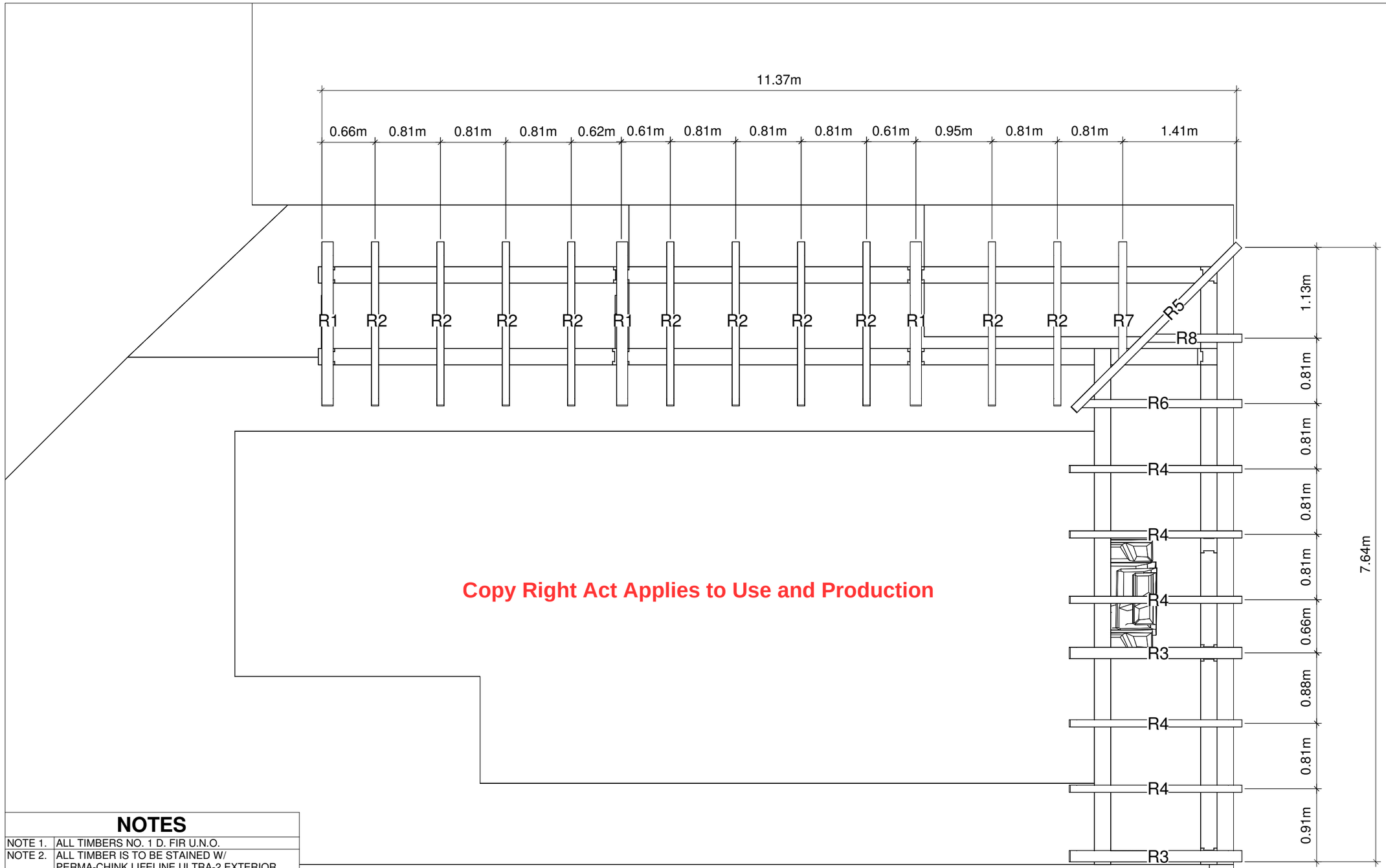
Floor Plan

Date: November 19, 2024

Drawn By: M. Becker

Scale: 1:48

Sheet Number: A1.03



Copy Right Act Applies to Use and Production

NOTES

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R1	8x8 PERGOLA RAFTER
R2	4x8 PERGLOA RAFTER
CCB26	6x10 CURVED KNEE BRACE

FLOOR SCHEDULE

F1	WOODEN PATIO (BY OTHERS)

Project North | True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

Rafter Plan

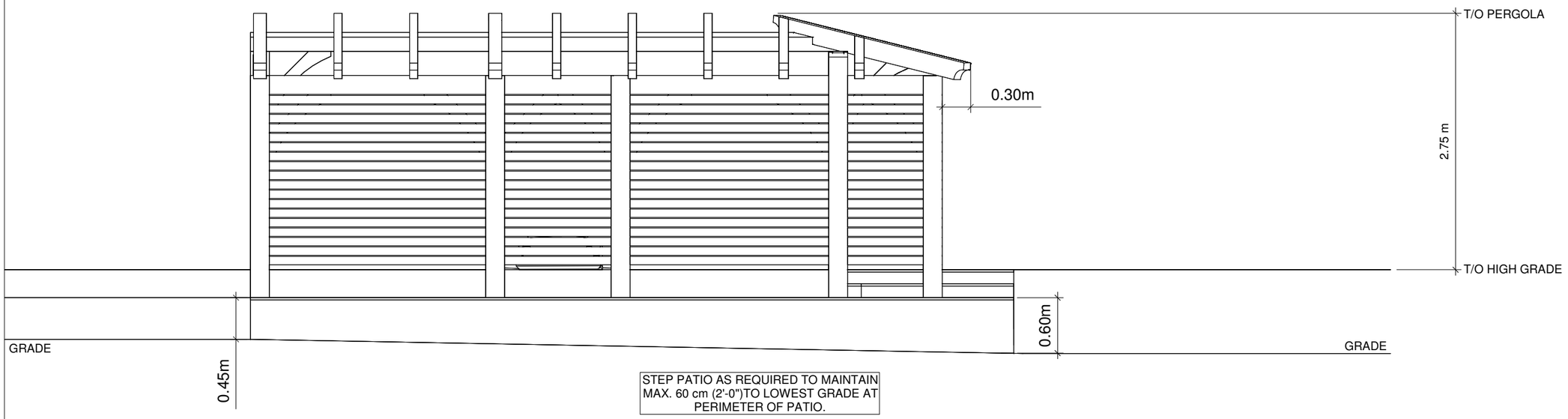
Date: November 19, 2024

Drawn By: M. Becker

Scale: 1:48

Sheet Number: A1.04

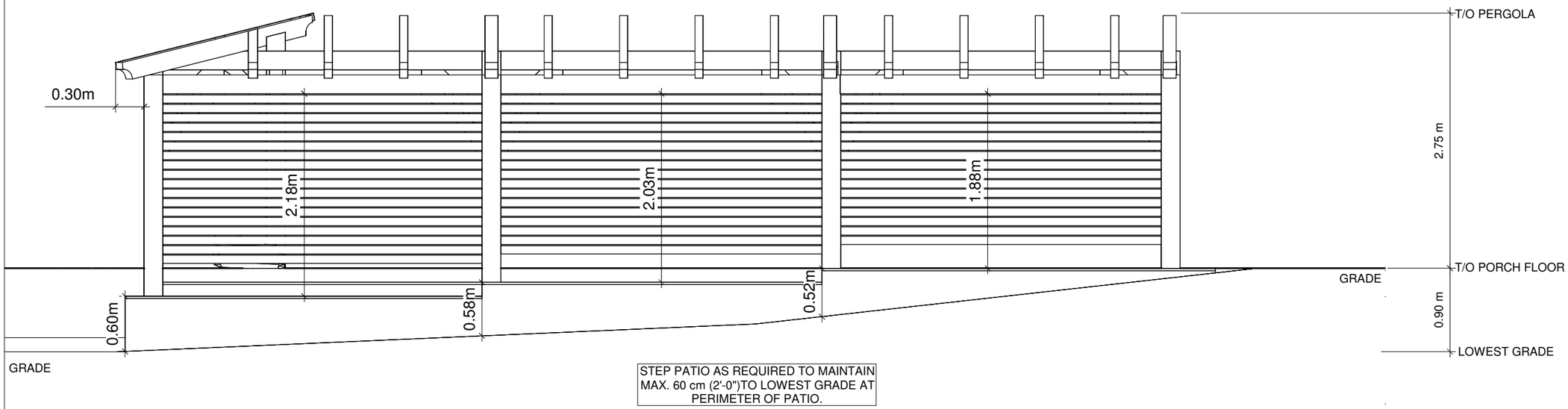
EAST (STREET SIDE) ELEVATION



STEP PATIO AS REQUIRED TO MAINTAIN MAX. 60 cm (2'-0")TO LOWEST GRADE AT PERIMETER OF PATIO.

NORTH ELEVATION

Copy Right Act Applies to Use and Production



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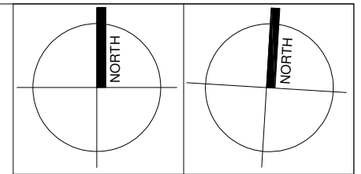


Project North | True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

Elevations

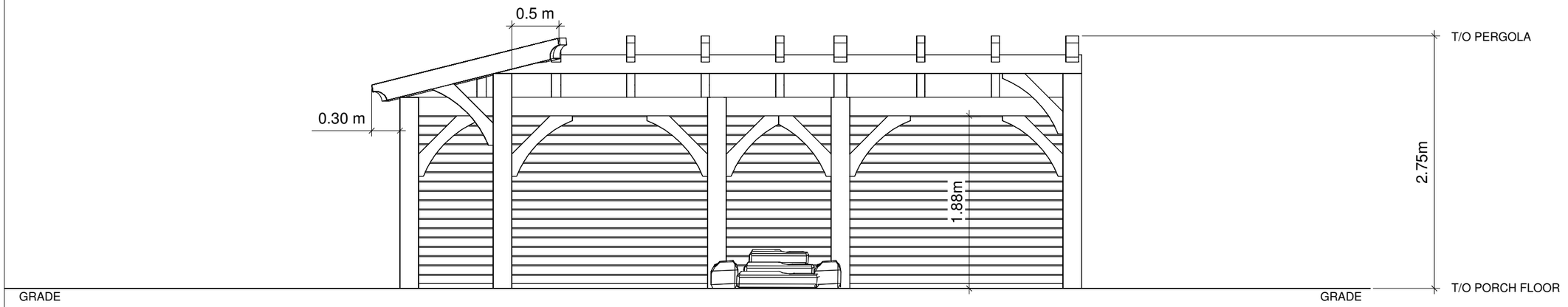
Date: November 19, 2024

Drawn By: M. Becker

Scale: 1:48

Sheet Number: A1.05

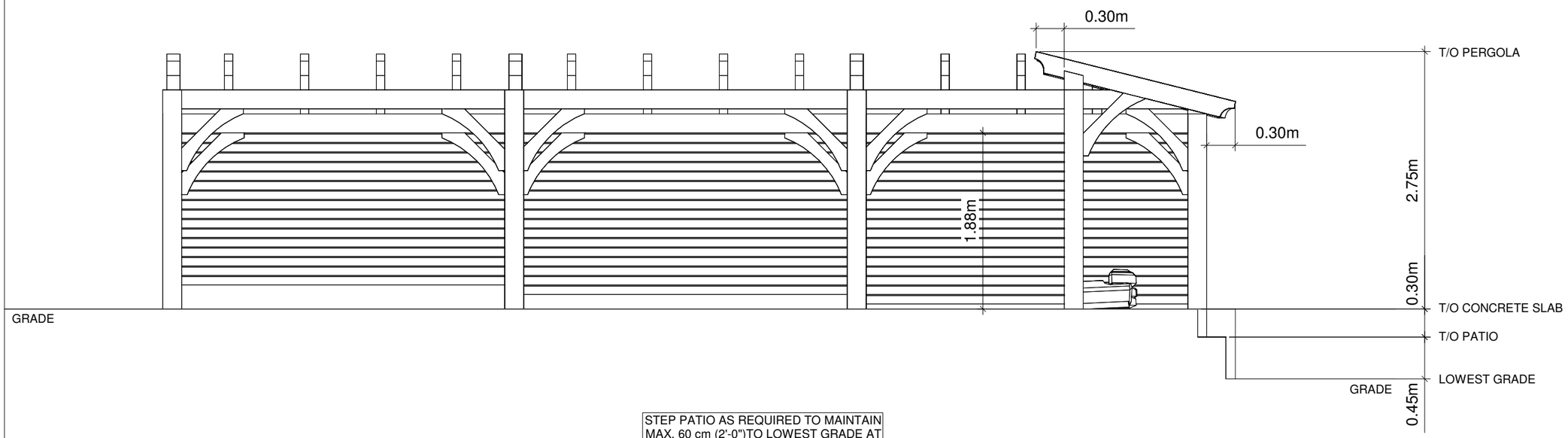
WEST ELEVATION



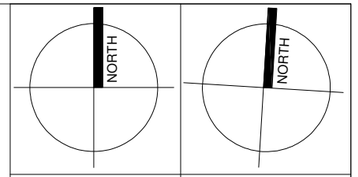
STEP PATIO AS REQUIRED TO MAINTAIN MAX. 60 cm (2'-0")TO LOWEST GRADE AT PERIMETER OF PATIO.

Copy Right Act Applies to Use and Production

SOUTH (FRONT) ELEVATION



STEP PATIO AS REQUIRED TO MAINTAIN MAX. 60 cm (2'-0")TO LOWEST GRADE AT PERIMETER OF PATIO.



Project North | True North

No.	Description:	Date:

Designed By:

J-M BUILDING CONTRACTORS INC

Project:

Roman Furmanczyk
Pergola Replacement

3223 Renton Rd
Burlington, ON
L7M 3C7

Drawing Title:

Elevations

Date: November 19, 2024

Drawn By: M. Becker

Scale: 1:48

Sheet Number: A1.06

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 4.7 - 1:00 P.M.

File
540-02-A-090/24

APPLICANT: Deborah Vesely

PROPERTY: 2103 Paisley Avenue,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a one storey rear addition onto the existing two storey detached dwelling with attached garage. Minor Variances for increased lot coverage and floor area ratio are required.

VARAINCES:

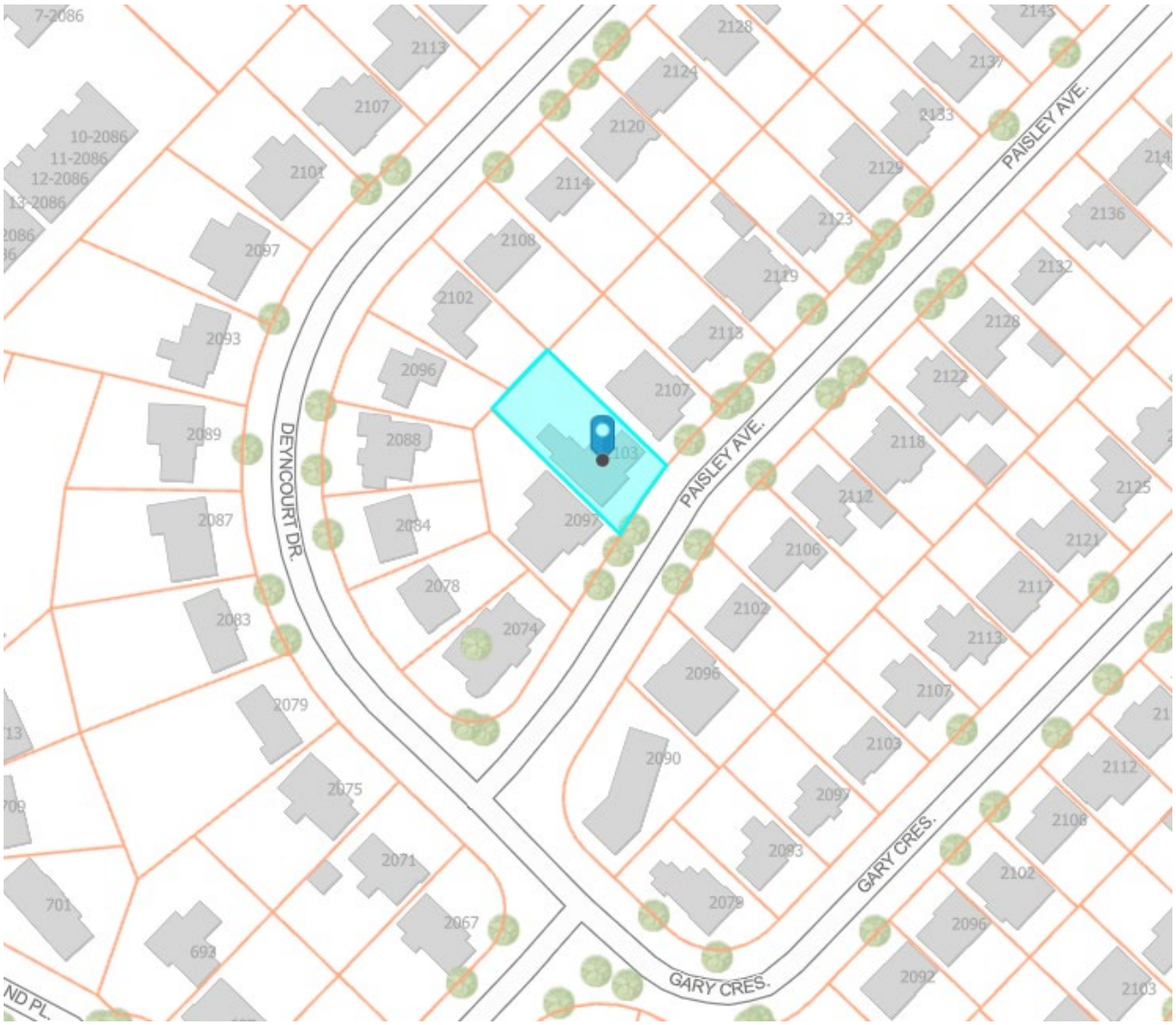
1. To permit lot coverage of 28.0% instead of the maximum permitted 25% for a proposed addition to an existing two-storey detached dwelling with attached garage.

2. To permit floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for a proposed addition.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owner: Deborah Vesely
Address: 2103 Paisley Ave., Burlington
File No. **A-090/24**
Ward: 2



Staff Comments

Committee of Adjustment

There are no previous land division or minor variance applications on record for this property.

Date: November 21, 2024 Prepared By: C. Kabel

Zoning

1) **Background information:**

The subject property is zoned R3.2, Low Density Residential, under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The R3.2 zone requires, among other things, the following:

4.2 MAXIMUM LOT COVERAGE

Table 2.4.3

Dwelling Type	Dwelling with Attached Garage	Dwelling without Attached Garage
All Dwellings in Designated Areas (b) (c)	35% for one storey dwellings including accessory buildings 30% for one and a half storey dwellings including accessory buildings **25% for all other dwelling types including accessory buildings**	27% for one storey dwellings plus 8% for accessory buildings 22% for one and a half storey dwellings plus 8% for accessory buildings 17% for all other dwelling types plus 8% for accessory buildings

4.5 FLOOR AREA RATIO

(b) A maximum floor area ratio of 0.45:1 shall apply to all properties in Designated Areas for Lot Coverage.

(c) Notwithstanding subsection a) above, properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps shall have a maximum floor area ratio of 0.4:1.

2) **Proposal:**

The applicant is proposing the construction of a one storey rear addition onto the existing two storey detached dwelling with attached garage. Minor Variances for increased lot coverage and floor area ratio are required.

3) **Variances required:**

1. To permit lot coverage of 28.0% instead of the maximum permitted 25% for a proposed addition to an existing 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 a proposed addition.

4) **Notes and conditions**:

Condition:

1. The applicant shall apply for a Pre-Building Approval application.

Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Consolidated Pre-Building Permit Application is made, they will be the responsibility of the applicant to obtain.

2. The zoning review is based on the portion of the site affected by the proposed development only.

3. The variances identified are based on the plans provided. Any changes to the plans resulting in additional variances will be the responsibility of the applicant to obtain.

4. The application has been reviewed under Section 45(1) of the Planning Act.

Date: December 2, 2024 Prepared By: S. Boich

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a one-storey addition in the rear of an existing two-storey detached dwelling with a garage. The applicant requests approval from the Committee of adjustment to permit increased lot coverage and floor area ratio.

The subject lands at 2103 Paisley Avenue comprise an irregular lot with a total area of approximately 885.80 m² (0.088 hectares) and an approximate lot frontage of 20.81 metres. The property is located on the northwest side of Paisley Avenue, east of Brant Street and north of Courtland Drive, close to Central Park. The neighborhood features a significant number of larger, multi-storey homes, with a single-storey bungalows interspersed, contributing to a varied built form pattern. The massing varies between more horizontal (lower rooflines and smaller linear footprint) and more vertically pronounced two storeys (larger footprints, steeper pitched roofs or contemporary rectilinear forms) with houses well-spaced to accommodate individual driveways and

landscaped front yards. Second floors often incorporate dormer windows or extended rooflines, adding visual interest to the overall designs.

The roofs are predominantly pitched, with gable and hip (i.e.. 2096, 2097, 2113 Paisley Avenue) configurations being the most common. Other design elements include dormers and overhangs, providing additional architectural interest. Some contemporary homes in the neighborhood break from tradition, featuring flat or low-pitched roofs. The exterior finishes are varied, with many homes clad in stone or brick veneer for a traditional look, while others incorporate wood siding. Modern-style homes stand out with smooth stucco finishes or other contemporary materials such as metal/composite finishes. The use of multiple materials and complementary tones creates dynamic and engaging facades. Windows range in style from traditional double-hung designs to floor-to-ceiling modern features. Black window frames and grid patterns are prominent, reflecting contemporary architectural designs. Doors similarly show a range of styles, from sleek and minimalist entries in modern homes to paneled designs with sidelights in more traditional structures. Overall, the neighborhood reflects a blend of traditional and contemporary architectural styles, showcasing a balance between traditional elements and more recent design influences. Landscaped front yards and paved driveways leading to attached or detached garages further encapsulate the neighbourhood character, creating an architecturally cohesive streetscape.

Existing land uses on the property include a two-storey (324.01 m² gfa) detached dwelling with an attached garage (59.14 m^2). Total existing coverage, including the garage, is 23.88% and is within the permitted 25%. Access to the property is provided via a single asphalt driveway from Paisley Avenue. Off-street parking is provided within the garage.

The ground floor addition is proposed at the northerly side (6.97 m by 5.15 m) to create room for a new study and an expanded laundry room (total of 32.74 m^2). The addition will have one-storey massing with a flat roof. Underneath this footprint expansion, the dwelling will contain a new exercise room in the basement.

The rear yard contains a mixture of functional and landscaping elements. The yard is framed by horizontal wooden fencing, which provides a sense of privacy. The yard features a combination of paved and landscaped areas, with a broad stone pathway surrounding a rectangular in-ground pool. Adjacent to the pool is a well-maintained lawn that adds a green, open space to the backyard. A raised wooden deck extends from the dwelling, incorporating a covered seating area supported by masonry columns, creating an outdoor dining and lounging space. The landscaping appears to be minimalist with small shrubs and cleanly defined borders further enhancing the contemporary aesthetic of the space.

A site visit was conducted on December 16, 2024, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

A site plan/survey, (as prepared November 13, 2024 – Rev. No. 2), submitted with the application, illustrates the extent and location of existing and proposed development. A copy of the site plan is included as an attachment in a later section of this report.

Building floor plans and elevations (as prepared September 16, 2024 – Rev. No. 3), as submitted with the application, are included as an attachment in a later section of this report.

1) City of Burlington Official Plan:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

Due to recent Provincial legislation the Region of Halton's role in land use planning and development matters has changed. The Region is longer responsible for the Regional Official Plan, which has become the responsibility of Halton's four local municipalities. During this period of transition, regional staff are still working with municipal staff to provide comments on applications.

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) in the Regional Official Plan (ROP). The proposal to build additions to an existing detached dwelling is small enough in scale that it is not specifically addressed by ROP policies but is a modest form of intensification that meets the general intent and purpose of the ROP's land use designation policies and objectives under Part III. Specifically, the proposal is consistent with the objective to "facilitate and promote *intensification* and increased densities" (policy 72.1(9)), which contributes to complete *communities* (72).

Regional Staff have also reviewed this application and have no objections to the Minor Variance application.

Official Plan, 1997 & 2020:

On April 2, 2024, the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (OP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans.

The subject lands are designated ‘Residential – Low Density’ according to Schedule ‘C’ (Land Use - Urban Area) of the BOP, 2020, as amended.

Section 8.3.3 (1) (Residential Neighbourhood Area Policies) of the BOP, 2020, states that among the permitted uses within the ‘Residential Low Density’ designation are single detached housing units (with a maximum permitted residential density of 25 units per hectare). The proposed is a permitted use and the proposed minor variance does not impact the density.

The general intent and purpose of the BOP, 2020 is to encourage new residential development, including new structures, in residential neighbourhood areas while recognizing that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

The term ‘compatible’ does not mean the ‘same as’ in either OP, 1997 or BOP, 2020. BOP, 2020 Chapter 13- Definitions, which is not in-force and currently under appeal defines compatible or compatibility as “development which may not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co–exist without causing adverse impacts to the surrounding area”.

To interpret definitions in the BOP, 2020, staff are using OP, 1997, Part VIII- Definitions, which is in force. The OP, 1997 definition of compatibility defines it as development that is “… capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health”. According to this definition, compatibility is to be evaluated in accordance with measurable/objective standards such as “aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.

Part II, Section 6.0 (Design) of OP, 1997 provides policy guidance on the review of development applications as they relate to design principles and objectives. Included among these are policies related to compatibility.

Part II, Section 6.2.c) (Design Objectives) of OP, 1997 aims to ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character. The plan also aims to ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression (6.2.f)).

Part II, Section 6.5.a) (Design Guideline Policies) of the City’s Official Plan states that ‘the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.’

The proposed minor variances maintain the general intent and purpose of both the OPs with respect to compatibility and integration of new development within existing neighbourhoods. The addition is consistent with the designation of the property as 'Residential – Low Density' within the BOP, 2020, which permits single detached housing units and supports modest forms of infilling. The proposed addition maintains the residential character of the area, ensuring compatibility with surrounding properties.

The design of the one-storey addition is integrated with the existing two-storey detached dwelling. The use of a flat roof and the modest, one-storey scale of the addition ensure that it does not create an undue physical or functional impact on neighboring properties. The addition's location at the rear of the dwelling minimizes visibility from the street, preserving the neighborhood's established aesthetic and character.

The design of the proposed addition reflects a careful balance between functionality and aesthetic compatibility, aligning with the principles outlined in the Official Plan. By incorporating a flat roof and horizontal cladding, the design introduces a modern element that complements the existing dwelling's traditional pitched roof and materials. This blend of styles supports the Official Plan's objectives of allowing diverse design expressions while maintaining compatibility with the surrounding neighborhood. The addition's design fills the void in the northeast corner of the dwelling, creating a (squared-off) rectangular footprint that is compatible with the overall massing and proportions of the house. This design choice ensures that the addition integrates seamlessly into the existing structure, contributing to the visual coherence of the property and respecting the OP's principles of harmonious development. The one-storey height and rear-yard location further reflect the OP's emphasis on maintaining the character of established residential areas by minimizing visibility and impact on the streetscape.

The large, contemporary windows in the addition align with the neighborhood's evolving character and ensure adequate natural light for the new spaces. These features adhere to the OP's design policies, which promote functional, well-designed spaces that strengthen the character of the built environment. The addition follows a context-sensitive approach, enhancing the usability of the dwelling while adhering to the principles of compatibility, integration, and quality design set forth in the Official Plan.

Also, the proposed addition meets the OP's objectives by harmonizing with the surrounding built form and maintaining consistency in the density, form, and bulk of development in the area. The proposal enhances the functionality of the existing dwelling while respecting key design principles outlined in the OP, including strengthening and enhancing the character of the neighborhood and providing opportunities for diverse design expressions.

Further, the proposed variances for increased lot coverage (28% instead of 25%) and floor area ratio (0.48:1 instead of 0.45:1) represent minor increases that do not undermine the intent of the zoning by-law. These adjustments facilitate a modest, well-

integrated addition that supports the broader goal of preserving residential neighborhoods while allowing for reasonable adaptability to contemporary living needs. Thus, the minor variances maintain the general intent and purpose of the Burlington Official Plan, contributing positively to the neighborhood's character and functionality without causing adverse impacts.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes – Variances No. 1 & 2 (Lot Coverage and Floor Area Ratio)

The proposed minor variances maintain the general intent and purpose of the City of Burlington Zoning By-law 2020. The intent of the lot coverage and floor area ratio (FAR) provisions is to ensure that developments remain proportionate to the lot size, maintain adequate open space, and uphold the character and functionality (i.e.. Drainage patterns, sunlight access) of the surrounding neighborhood.

Positioned at the rear of the property, the addition is not visible from the street, preserving the streetscape's established character. The addition also has a greater rear yard setback than the abutting easterly dwelling and maintains a significant 4.74 metre side yard setback to the easterly neighbouring property. The horizontal cladding and flat roof design of the proposed one-storey addition helps to ensure that the addition is subordinate to the main dwelling, and compatible in scale. The flat roof contrasts subtly with the pitched rooflines of the main structure, adding a contemporary touch without overpowering the traditional aesthetic of the home. This variation aligns with the neighborhood's architectural diversity, where both traditional and modern elements coexist. The use of horizontal cladding on the addition complements the siding on the main house, creating visual continuity between the new and existing structures. The scale of the addition is modest, ensuring it remains subordinate to the two-storey massing of the primary dwelling. This consideration of proportion helps the addition blend seamlessly with the overall form of the house, maintaining harmony with its immediate context.

The variance for lot coverage, permitting 28% instead of the maximum 25%, allows for a modest increase that accommodates the proposed addition without overwhelming the lot. The remaining open space, including the backyard with its combination of landscaped and paved areas, ensures that the property retains a balance of built and unbuilt space, preserving the neighborhood's character and supporting stormwater management. Similarly, the variance for the floor area ratio, permitting 0.48:1 instead of the maximum 0.45:1, supports the addition of functional interior space (e.g., a study and an expanded laundry room) while ensuring that the massing of the dwelling remains consistent with adjacent properties. The one-storey nature of the addition, located at the rear of the property, minimizes any visual or physical impact on neighboring lots,

maintaining compatibility with the surrounding context.

The inclusion of large, rectangular windows in the addition mirrors the contemporary window designs present in the main house, reinforcing cohesion in the architectural language. These windows also introduce natural light into the new spaces, enhancing the functionality of the addition. Overall, the design of the addition successfully balances contemporary elements with respect for the existing dwelling's character and the broader neighborhood. By carefully integrating materials, scale, and design elements, the addition contributes to a harmonious and well-integrated residential environment.

These minor variances respect the Zoning By-law's overarching goals to regulate density, bulk, and lot utilization. They strike an appropriate balance between providing flexibility for property owners and protecting the character and functionality of the neighborhood. As such, the proposed variances for lot coverage and floor area ratio are consistent with the general intent and purpose of the Zoning By-law.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The proposed minor variances are desirable for the appropriate development and use of the land, building, or structure. The addition provides functional improvements to the dwelling, such as a new study, an expanded laundry room, and a basement exercise room, enhancing the livability and utility of the home. These features align with the homeowner needs and contribute to the long-term usability of the property.

The design and placement of the addition ensure that it integrates well with the existing dwelling and surrounding neighborhood by essentially filling in the existing void/indentation at the northeast corner, and approximately squaring of the exiting dwelling. Its modest scale and rear-yard location minimize its visual impact on adjacent properties and the streetscape, preserving the character of the area while adding additional floor space to the property. The flat roof and contemporary materials introduce a modern element that complements the existing design without detracting from the overall cohesiveness of the design. The addition makes efficient use of the land, balancing built and open spaces to maintain the property's aesthetic and functional integrity. The preservation of landscaping elements, such as the pool, lawn, screening fencing, and deck, ensures that the yard remains a usable outdoor area while maintaining the existing character and compatibility.

The proposal supports the goal of facilitating reasonable infilling while respecting the neighborhood's established character, making the variances appropriate and desirable for the property’s development and use.

Development Engineering and Urban Forestry & Landscape staff have reviewed the application and have indicated no objection to the requested variance.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

The proposed minor variances are considered minor in nature due to their limited scope and lack of adverse impacts on the surrounding properties or neighborhood character. The increase in lot coverage from 25% to 28% and floor area ratio from 0.45:1 to 0.48:1 represents a modest change that remains well within the scale and massing typical of the area. These variances facilitate a small addition that improves the functionality and usability of the dwelling while maintaining a balanced ratio of built and unbuilt spaces on the lot.

The addition's design and placement further ensure its minor nature. By filling in the existing void at the northeast corner of the dwelling and essentially squaring off the footprint, the addition harmonizes with the existing structure without creating significant visual or physical bulk. Its one-storey height and rear-yard location minimize its visibility from the street and neighboring properties, reducing any potential perception of overdevelopment. The addition is setback 4.74 metres from the side lot line, significantly exceeding the required side yard setback.

Importantly, the variances do not create any undue impacts, such as shadowing, loss of privacy, or overcrowding, on adjacent properties. They align with the intent of the zoning by-law to maintain compatibility and proportionality within the neighborhood. As such, the proposed variances are appropriately scaled to the context of the property and can be reasonably considered minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effects of the proposed variances are minimal and do not result in any significant adverse impacts on the property, the neighboring lots, or the broader neighborhood. While the application includes two variances — an increase in lot coverage and floor area ratio — their combined effect remains within reasonable limits and does not compromise the intent or purpose of the zoning by-law or the overall character of the area.

The slight increase in lot coverage (28% instead of 25%) is balanced by the retention of sufficient open space in the rear yard, which continues to accommodate functional and landscaped elements such as the pool, lawn, and deck. The increase in floor area ratio (0.48:1 instead of 0.45:1) facilitates a modest expansion that does not create an

imposing or oversized structure relative to the lot or surrounding properties. The variances work together to achieve functional improvements while maintaining harmony with the existing dwelling and neighborhood.

The addition's design ensures it integrates seamlessly with the existing structure by filling in the northeast corner void and squaring off the footprint, a design choice that prevents the addition from feeling extraneous or tacked on. Its one-storey height and flat roof ensure it remains visually subordinate to the main structure, preserving proportionality and compatibility. The variances contribute to a modest form of infilling consistent with broader municipal objectives to enhance residential usability while respecting neighborhood character. The variances do not set a precedent for excessive development and remain within the framework of the Official Plan and Zoning By-law, ensuring they are appropriate within the specific context of the property and its surroundings. Overall, the cumulative effects of the variances are appropriate, resulting in a well-integrated and compatible development that aligns with good planning principles.

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variances.

Date: December 10, 2024, Prepared By: Melissa Gasic

Report Schedules & Attachments:
Attachment No. 1 (Site Photos – December 16, 2024)

View of 2103 Paisley Avenue

View of the westerly abutting property

View of the neighbourhood

View of the neighbourhood

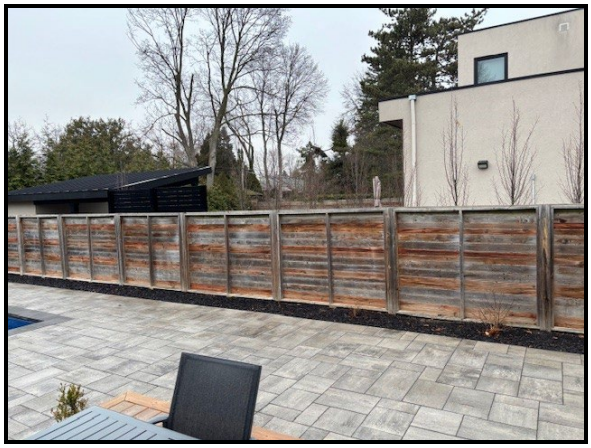
View of the neighbourhood

View of the neighbourhood

View of the easterly abutting property

View of the easterly side yard

View of the westerly side yard



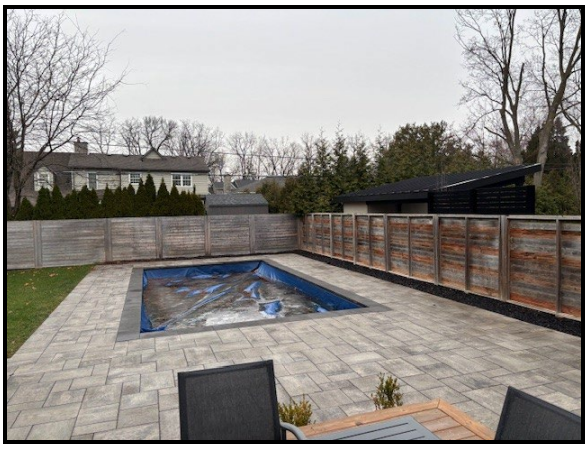
View towards the easterly neighbour

View towards the easterly neighbour form the rear

View of the porch from the rear

View towards the westerly neigbour from the rear

View towards the easterly neigbour from the rear



View of the pool

View towards the northerly neighbour

View towards the existing porch

View towards the westerly neigbour

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested. Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: December 4, 2024 Prepared By: R. Maximo

Forestry

Forestry has reviewed the proposed minor variance(s) and have no objections.

Date: December 10, 2024 Prepared By: J. Lee

Building

1. A Building Permit is required for all building construction;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012.

Date: December 17, 2024 Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

Paisley Avenue under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Date: November 25, 2024 Prepared By: Taylor Kirchknopf

Transportation Planning has reviewed the proposed minor variance application and has no comments.

Date: December 18th 2024 Prepared By: Taylor Kirchknopf

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: Dec 2, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 2103 Paisley Ave where the application is proposing the construction of a one storey rear addition onto an existing two storey detached dwelling with attached garage. Variances are required to permit an increase to the lot coverage and an increase to the floor area ratio.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y☑ or N ☐
Name of Planner: THOMAS DOUGLAS Name of Zoning Examiner: JENNIFER PARKER

PROPERTY INFORMATION
Municipal Address(es) of property:

2103 PAISLEY AVE

Legal Description of property:

LOT 111 REGISTERED PLAN 458

Official Plan Designation: LOW DENSITY Current Zoning Designation R3.2

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

DEBORAH VESELY

Mailing Address: 2103 PAISLEY AVE City: BURLINGTON

Postal Code: L7R 1W1 Home Phone: _____ Mobile Phone: _____

Work Phone: _____ E-Mail: dvesely@@icloud.com

AGENT INFORMATION (if applicable)**:** (This person will be the primary point of contact if provided)

Name: DARREN SANGER-SMITH C/O STRUCTURED CREATIONS INC

Business Address: 502-445 ELIZAVETH ST City: BURLINGTON

Postal Code: L7R 2L8 Home Phone: _____ Mobile Phone: 289-962-3040

Work Phone: 416-204-0351 E-Mail: darrenss@structuredcreations.com

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.

CONSTRUCTION OF A SINGLE STOREY FLAT ROOF REAR ADDITION WITH FINISHED BASEMENT

Variance(s) Requested	Zoning Bylaw Requirement
1. TO PERMIT A LOT COVERAGE OF 27.58%	PART 2, 4.2, TABLE 2.4.3 A MAX LOT
	LOT COVERAGE OF 25% FOR 2 STOREY DWELLING
2. TO PERMIT A FLOOR AREA RATIO OF 0.472 : 1	PART 2, 4.5 A MAX FLOOR AREA RATIO 0F 0.45 : 1

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature?
SEE ATTACHED JUSTIFICATION REPORT

2. Why are the variance(s) desirable for the appropriate use of the land?
SEE ATTACHED JUSTIFICATION REPORT

3. Do the variance(s) meet the intent and purpose of the Official Plan?
SEE ATTACHED JUSTIFICATION REPORT

4. Do the variance(s) meet the intent and purpose of the Zoning By-law?
SEE ATTACHED JUSTIFICATION REPORT

Variance List / Justification Report – 2103 Paisley Ave

Attached, please find our comments regarding our minor variance application for 2103 Paisley Ave

SCOPE / CONTEXT

The project at the above address consists of the following elements:

1. Addition of a single storey flat roof rear addition with full basement

VARIANCES

The proposed scope of work includes for a rear addition in the north east corner of the building, located behind the garage. The addition has been designed to fit seamlessly within the original design of the home with the integration of siding as well as a flat roof that ties into the existing flat room. The proposed addition is 32.74 sqm or 352.42 sqft. The initial design was under the allowable coverage of 25% and the allowable FAR. The proposed addition will require a variance, as a result, for these two zoning regulations.

The proposed addition exceeds the allowable coverage by 2.58% or 22.82 sqm (245.64 sqft)

The proposed addition exceeds the FAR by 0.022 : 1 or 17.28 sqm (186.00 sqft)

These two zoning regulations help control the size and massing of the dwelling unit in relationship to the adjacent homes. Since the proposed is a single storey addition located in the crux of the rear yard behind the garage, the massing and visual impact to the street is zero. It also does not create a visual impact to the neighbor immediately to the east as it does not project past the existing conditions. The proposed addition is also set back from the side yard and complies with all other required zoning regulations, in particular, height and building depth.

As such, we feel that the variances requested are appropriate for the use of the land and have taken extra measures to preserve the design integrity within the neighborhood. We also believe that these variances are minor and meet the intent and purpose of the Official Plan an Zoning By-law and as such, should be granted under this application.

Thank you for your consideration.

Darren Sanger-Smith
Structured Creations Inc

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
SEPT 2024 (mmm/dd/yyyy)	CURRENT HOME 2019 / ORIG HOME 70+ (mmm/dd/yyyy)	MARCH 2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☑ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☐ _____

Length of time the existing uses of the subject property have continued:

70+ YEARS

Proposed Use of the Land:

RESIDENTIAL - SFD

Existing Uses of Abutting Properties (check all that apply)

Residential ☑ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☑	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water ☑ If not available, by what means is it provided: _____
Sanitary Sewers ☑ If not available, by what means is it provided: _____
Storm Sewers ☑ If not available, by what means is it provided: _____

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐Building Permit ☐Site Development Plan ☐Plan of Subdivision ☐Previous Minor Variance ☐Consent

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			MAX - 25% PROP - 27.58%	
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
20.81	41.59	885.80	20M	20M	NOT RQD		Y ☐ N ☑

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Dwelling/Building)			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	211.53	M^2	Ground Floor Area (incl. attached garage)	32.74	M^2
Gross Floor Area:	383.15	M^2	Gross Floor Area:	32.74	M^2
Number of Storeys:	2		Number of Storeys:	1	
Width:	16.83	M	Width:	5.15	M
Length:	17.97	M	Length	6.97	M
Height:	10	M	Height	4.28 FOR FLAT ROOF FROM FIXED GR	M
Garage/Car Port			**Garage/Car Port**		
Detached?	Y ☐ N ☐		Detached?	Y ☐ N ☐	
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Accessory Structures (Shed, Gazebo, etc)			**Accessory Structures**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING		PROPOSED	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side/Street Side:	M	Side/Street Side:	M
Side/Other Side:	M	Side/Other Side:	M

EXEMPTION FROM NEW SURVEY REQUIREMENT

Minor additions to an existing dwelling or for a proposed accessory building or structure (i.e., deck, driveway, pergola, shed), may be exempt from having to provide a new survey. Please refer to Page 3 of this application package for more details. Minor Variances with concurrent Consent applications require a new survey.

Applicant/Owner: DARREN SANGER-SMITH C/O STRUCTURED CREATIONS INC | Property Address: 2103 PAISLEY AVE

1. I, DARREN SANGER-SMITH C/O STRUCTURED CREATIONS INC (Print Name) In my capacity as AGENT (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated NOV 13, 2024 (mmm/dd/yyyy)
has been revised by: MACKAY MACKAY & PETERS (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated _____ (mmm/dd/yyyy)
has been revised by: _____ (Person or Company Name)

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)
**Accepted for applications involving variances for Uses only.
was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: _____ (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: MACKAY MACKAY & PETERS (Person or Company Name)

4. Should the need arise during application processing for an new OLS survey, the applicant/agent agree to provide the survey as required by Committee or city staff in order to receive a decision on the application.

Darren Sanger-Smith — Signature of Owner/Applicant — NOV 13, 2024 — Date (mmm/dd/yyyy)

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name	DEBORAH VESELY	Property Address	2103 PAISLEY AVE
Signature of Owner/Applicant	Darren Sanger-Smith (digitally signed by darren sanger-smith)	Date (mmm/dd/yyyy)	NOV 13, 2024

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☑ Signature of Applicant or Authorized Agent: DARREN SANGER-SMITH C/O STRUCTURED CREATIONS INC

I, Deborah Vesely (print name) of the City (Region/City/County) of Toronto in the Province (City/Town/Township) of Ontario solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED remotely by
Deborah Vesely
stated as being located
in the City of Toronto
in the Province of Ontario
before me
at the City of Markham
in the Regional Municipality of York
on the 24 day of October, 2024,
in accordance with O. Reg 431/20,
Administering Declaration Remotely.

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 2103 PAISLEY AVE, BURLINGTON

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner

DEBORAH VESELY
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, DEBORAH VESELY (print name) being the registered owner of the subject lands, hereby

Authorize DARREN SANGER-SMITH C/O STRUCTURED CREATIONS INC (print agent name) to prepare, submit and act on my behalf with respect to this application for a Minor Variance.

Signature of Owner

SEPT 16, 2024
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☑ Deemed Street Line
- ☑ Existing Front Yard Setbacks
- ☑ Existing Rear Yard Setbacks
- ☑ Existing Side Yard Setbacks
- ☑ Existing Street Side Yard Setbacks
- ☑ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☐ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☐ Railways (Location of them and setbacks to structures)
- ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☐ Setbacks
- ☐ Height
- ☐ Area
- ☐ Length
- ☐ Width

NA

ELEVATIONS

- ☐ Metric
- ☐ Front
- ☐ Rear
- ☐ Side 1
- ☐ Side 2

NA

FLOOR PLANS

- ☐ Metric
- ☐ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

BA

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Darren Sanger-Smith

Digitally signed by Darren Sanger-Smith
DN: cn=Darren Sanger-Smith, o=Structured Creations Inc, ou, email=darren@structuredcreations.com, c=CA
Date: 2024.11.15 10:29:55 -05'00'

Signature of Owner/Agent

NOV 13, 2024

Date (mmm/dd/yyy)

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-090/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Deborah Vesely, the owner of 2103 Paisley Ave., Burlington, has applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **2103 Paisley Ave. Burlington** (see map).

The applicant is proposing the construction of a one storey rear addition onto the existing two storey detached dwelling with attached garage. This proposal results in the following variances:

1. To permit lot coverage of 28.0% instead of the maximum permitted 25% for a proposed addition to an existing 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 a proposed addition.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read “Comments_Your Name_File No._Address of the Property”.

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map

Key Map

2103 Paisley Ave.

TERANET

CITY OF Burlington

Committee of Adjustment Community Planning Department - Planning Implementation

REGIONAL APPROVAL

REGION DESIGN OF WATER &/OR WASTEWATER SERVICES APPROVED SUBJECT TO DETAIL CONSTRUCTION CONFORMING TO HALTON REGION STANDARDS & SPECIFICATIONS & LOCATION APPROVAL FROM AREA MUNICIPALITY.

SIGNED:_____ DATED:_____

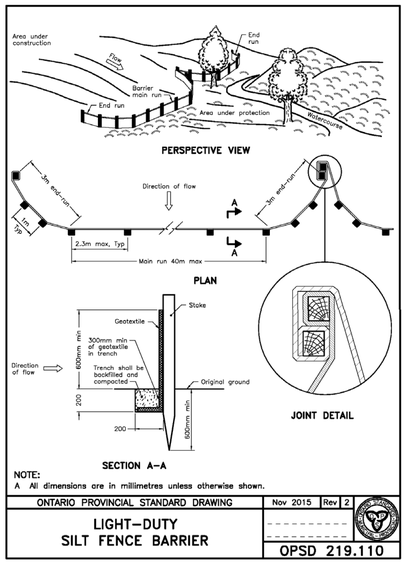
INFRASTRUCTURE PLANNING & POLICY

THE APPLICANT SHOULD BE AWARE THAT THE APPROVAL OF THE WATER SYSTEM ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE LOCAL MUNICIPALITY. REGARDLESS, THE APPLICANT MUST ENSURE THAT THE REGION OF HALTON'S STANDARDS AND SPECIFICATIONS ARE MET. (THE WATER AND WASTEWATER LINEAR DESIGN MANUAL MAY BE OBTAINED FROM DATA MANAGEMENT GROUP AT 905-825-6032) FURTHERMORE, ALL WATER QUALITY TESTS MUST BE COMPLETED TO THE REGION OF HALTON'S SATISFACTION, BEFORE THE WATER SUPPLY CAN BE TURNED ON.

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION – R3.2 DESIGNATED AREA

ZONE	REQUIRED	PROVIDED
LOT WIDTH	15.0 m (min)	20.81 m
LOT AREA	425 sq.m. (min)	885.8 m
FRONT YARD	6.0 m (min)	6.80 m
REAR YARD	9.0 m (min)	19.27 m
SIDE YARD	1.8 m (min) (NORTHEAST)	1.80 m
	(SOUTHWEST)	1.91 m
STREET SIDE YARD	4.5 m (min)	N/A
BUILDING AREA		217.8 sq.m. (BUILDING COVERAGE INCLUDING SECOND STOREY OVERHANG)
		211.53 sq.m. (FIRST FLOOR & GARAGE)
		171.21 sq.m. (SECOND FLOOR)
		382.74 sq.m. (TOTAL FLOOR AREA)
LOT COVERAGE	25% (max)	24.5%
BUILDING HEIGHT	10.0 m (max)	10.0 m
GARAGE HEIGHT (FLAT ROOF)		4.28 m
FLOOR AREA RATIO	0.45:1 (max)	0.432:1
DWELLING DEPTH	18.00 (max)	17.89 m
DEEMED STREET WIDTH	20.00 (min)	20.12m (EXISTING)

PROPOSED DWELLING = 2 STOREYS

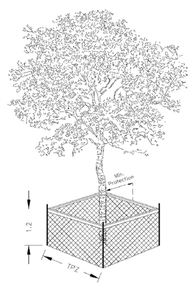


NOTE:
A All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2015	Rev	2
LIGHT-DUTY SILT FENCE BARRIER			OPSD 219.110

Tree Protection and Preservation Specification No.: SS12

Detail TP-1 – Tree Protection Detail



Trunk Diameter (DBH) [1]	Minimum Tree Protection Zone (TPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

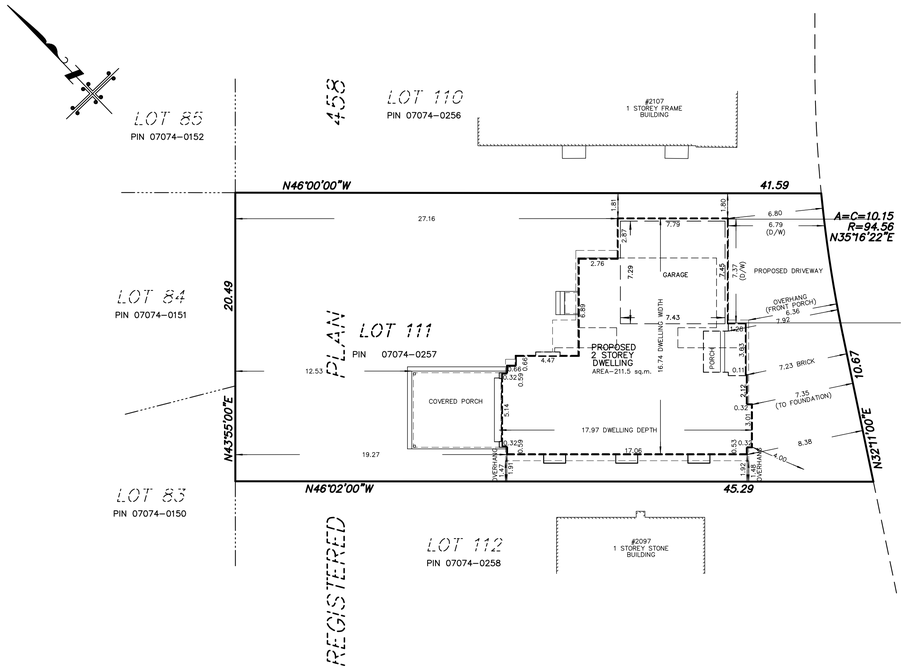
NOTES:

[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3] Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
[4] Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

TREE PROTECTION BARRIER

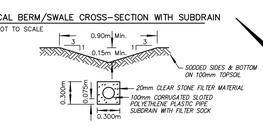
1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O/C max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
2. All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
3. Where some fill or excavated material must be temporarily loated near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
4. No materials or fill may be stored within the TPZ.
5. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
6. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.

SITE PLAN
SCALE 1:200

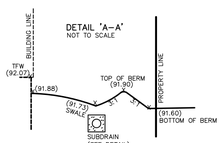


Copy Right Act Applies to Use and Production

TYPICAL BERM/SWALE CROSS-SECTION WITH SUBDRAIN
NOT TO SCALE



DETAIL 'A-A'
NOT TO SCALE



DETAIL 'B-B'
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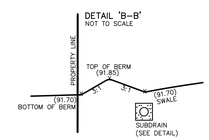
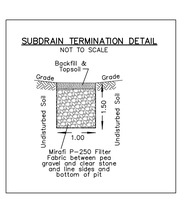
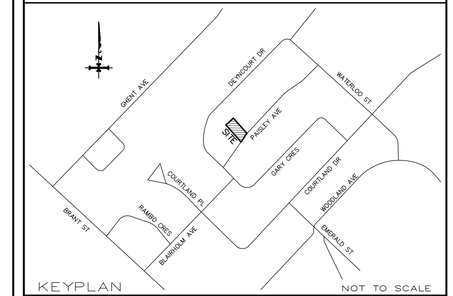


SUBDRAIN TERMINATION DETAIL
NOT TO SCALE



GRADING AND SERVICING PLAN
SCALE 1:200

2103 PAISLEY AVENUE
SITE PLAN FOR BUILDING PERMIT



GEOGRAPHIC LOCATION NOTE
LOT 111
REGISTERED PLAN 458
BEING IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200

0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED – ONTARIO LAND SURVEYORS
© 2019
"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE

CITY OF BURLINGTON B.M. #368 — ELEVATION 89.578 METRES (CGVD 1928 :1978 ADJUSTMENT)

BRASS PLAQUE ON THE NORTHEAST WING OF THE CONCRETE HEADWALL OF A CULVERT ON THE NORTH SIDE OF BLARHOLM AVENUE, 50 METRES WEST OF COURTLAND AVENUE AND 150 METRES EAST OF BRANT STREET.

LEGEND

STMH	DENOTES STORM MANHOLE
UP	DENOTES UTILITY POLE
FFE	DENOTES FIRST FLOOR ELEVATION
AC	DENOTES AIR CONDITIONER
SP	DENOTES SUMP PUMP
—o	DENOTES DOWNSPOUT
	DENOTES DIRECTION OF DRAINAGE
XXX.XX	DENOTES EXISTING ELEVATIONS
(XXX.XX)	DENOTES PROPOSED ELEVATIONS
HP	DENOTES HIGH POINT
SNMH	DENOTES SANITARY MANHOLE
GM	DENOTES GAS METER
HYPW	DENOTES HYDRO POLE WOOD
WSV	DENOTES WATER SERVICE VALVE
CLF	DENOTES CHAIN LINK FENCE
FFSILL	DENOTES FIRST FLOOR DOOR SILL
℄	DENOTES CENTRE LINE

NOTES

- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY.
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT.
- EXISTING ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE SURVEY REAL PROPERTY REPORT ISSUED BY MACKAY, MACKAY & PETERS LIMITED, DRAWING No. 18-099, DATED JUNE 14, 2018.
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS.
- SANITARY SEWER SERVICE CONNECTION MUST BE INSTALLED BEFORE BASEMENT EXCAVATION TO ENSURE SERVICING AT BASEMENT LEVEL.
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL TIES ARE TO FOUNDATION UNLESS OTHERWISE NOTED
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MACKAY, MACKAY AND PETERS PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

CAUTION

- THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED.
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

CERTIFICATION NOTE

1. BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM THE MACKAY, MACKAY & PETERS LIMITED, DRAWING No. 18-099, DATED JUNE 14, 2018.
2. PROPOSED BUILDING SETBACKS, BUILDING HEIGHT, LOT COVERAGE AND SITE STATISTICS AS SHOWN.
3. WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY DWELLING LOCATED AT 2103 PAISLEY AVENUE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES.

MACKAY, MACKAY & PETERS LIMITED

SEPTEMBER 12, 2019
DATE

PER: ROSS A. CLARKE, O.L.S.

No.	DATE	REVISIONS
8	SEPTEMBER 12, 2019	REVISED PER ENGINEERING COMMENTS
7	SEPTEMBER 6, 2019	CATCH BASIN REMOVED AND GRADING REVISED
6	AUGUST 28, 2019	REVISION AS PER ARCHITECTS COMMENTS
5	AUGUST 16, 2019	REVISED AS PER ENGINEERING COMMENTS
4	AUGUST 6, 2019	REVISED AS PER ZONING COMMENTS
3	JULY 17, 2019	REVISED AS PER CITY COMMENTS
2	JUNE 24, 2019	REVISION AS PER ARCHITECTS COMMENTS
1	JUNE 13, 2019	SITE PLAN COMPLETED

STAMP

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmpsurveyors.ca
mmplocators.ca

CAD FILE: E:\(20) Halton\Registered Plans\RP0458\LOT 111\19-138-SP

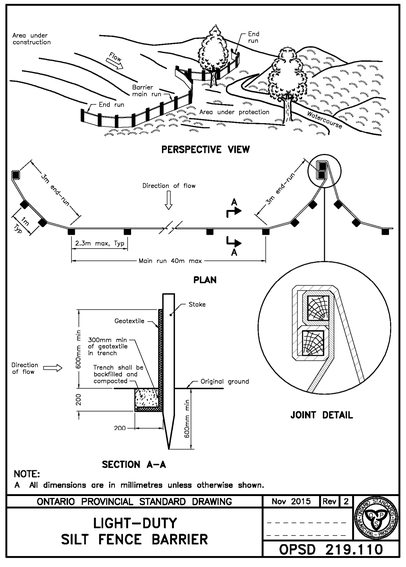
DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. NO.
A.R.	K.J.D.	19-138-SP	1

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R3.2 DESIGNATED AREA

ZONE	REQUIRED		PROVIDED	
LOT WIDTH (@ 9.1m)	15.0m (min)		20.81m	
LOT AREA	425.0 sq.m. (min)		885.80sq.m.	
FRONT YARD	6.0m (min)		6.76m	EXISTING
REAR YARD	9.0m (min)		18.83m	EXISTING
SIDE YARD	1.2m (min)	1 STOREY SIDE	1.82m	EXISTING
	1.8m (min)	2 STOREY SIDE	1.85m	EXISTING
STREET SIDE YARD	4.5m (min)		N/A	
BUILDING AREA			211.53 sq.m.	(EXISTING DWELLING)
			32.74 sq.m.	(PROPOSED ADDITION)
			244.27 sq.m.	(TOTAL AREA)
LOT COVERAGE	25% (max)		27.6%*	
BUILDING HEIGHT	10.0m (max)		EXISTING	
			4.37m	PROPOSED ADDITION
FLOOR AREA RATIO	0.45:1 (max)		0.47:1*	AS PROVIDED
DWELLING DEPTH	18.00 (max)		17.89m	EXISTING
DEEMED STREET WIDTH	20.0m (max)		20.12m	EXISTING
HARDSCAPE AREA			562.5sq.m.	
HARDSCAPE COVERAGE			63%	

PROPOSED ADDITION = 1 STOREY

* = VARIANCE REQUIRED

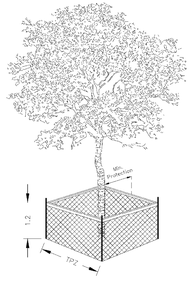


NOTE:
A All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2015	Rev 2
LIGHT–DUTY SILT FENCE BARRIER		OPSD 219.110

Tree Protection and Preservation
Specification No.: SS12

Detail TP-1 – Tree Protection Detail

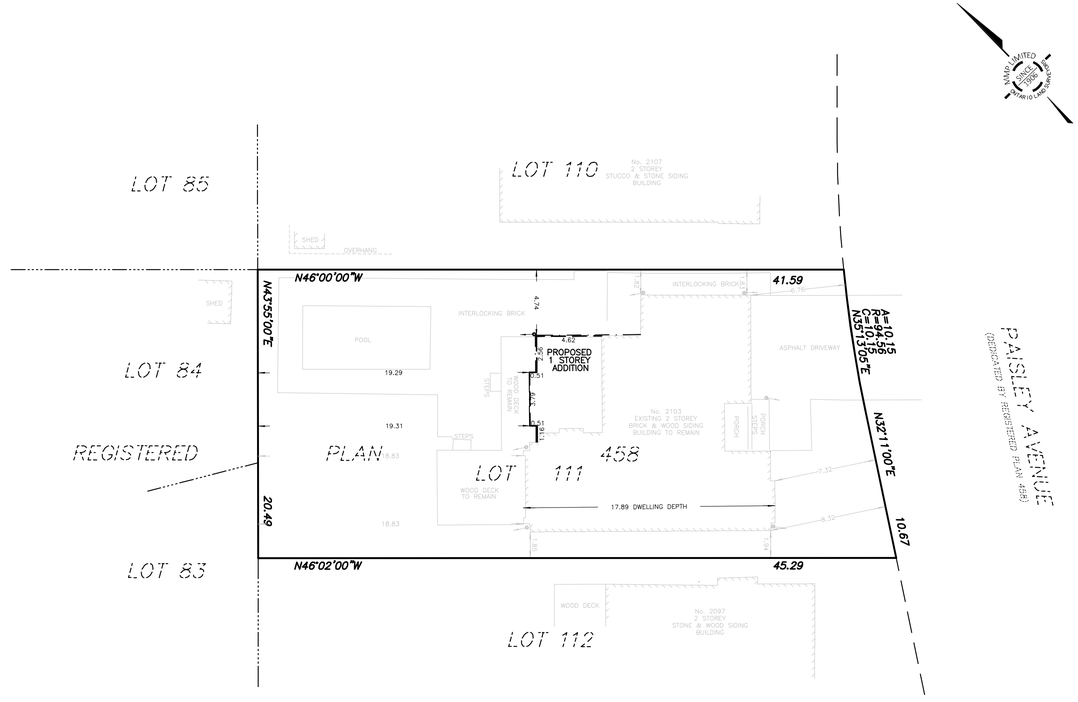


Trunk Diameter (DBH)[2]	Minimum Tree Protection Zone (TPZ) Distances Required[3]	Critical Root Zone (CRZ) Distances Required[3,4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:
[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3] Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
[4] Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

TREE PROTECTION BARRIER

1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O/C max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
2. All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
3. Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
4. No materials or fill may be stored within the TPZ.
5. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
6. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.



SITE PLAN
SCALE 1:200

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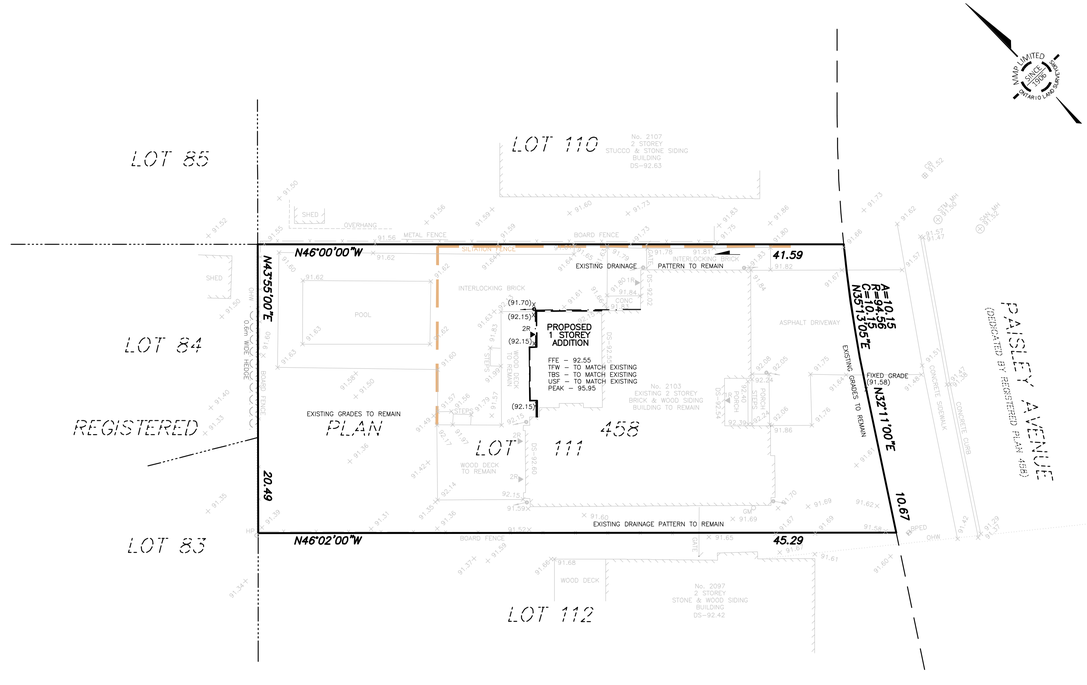
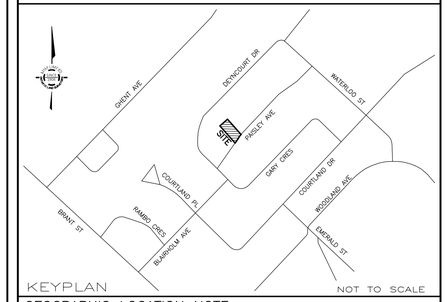


GRADING PLAN
SCALE 1:200

2103 PAISLEY AVENUE
SITE & GRADING PLAN FOR BUILDING PERMIT



GEOGRAPHIC LOCATION NOTE
LOT 111
REGISTERED PLAN 458
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200
0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2024

METRIC *DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048*
COLOUR *THE ORIGINAL SIGNED PRINT OF THIS SITE PLAN CONTAINS COLOUR*

BENCHMARK NOTE
CITY OF BURLINGTON BENCHMARK No. 368
ELEVATION = 89.578 METRES (CGVD 1928:1978 ADJUSTMENT)

BRASS PLAQUE ON THE NORTHEAST WING WALL OF THE CONCRETE HEAD WALL OF A CULVERT ON THE NORTH SIDE OF BLAIRHOLM AVENUE, 50 METRES WEST OF COURTLAND AVNEUE AND 150 METRES EAST OF BRANT STREET

LEGEND

FFE	DENOTES FINISHED FLOOR ELEVATION	STM MH	DENOTES STORM MANHOLE
TFW	DENOTES TOP OF FOUNDATION WALL	UP	DENOTES UTILITY POLE
TBS	DENOTES TOP OF BASEMENT SLAB	AC	DENOTES AIR CONDITIONER
USF	DENOTES UNDERSIDE OF FOOTING		DENOTES SILT FENCE
S	DENOTES SUMP PUMP		DENOTES TREE PROTECTION ZONE
R	DENOTES RISER		DENOTES TREE PROTECTION BARRIER
	DENOTES DOWNSPOUT		DENOTES MATERIAL STORAGE, FILL PLACEMENT
	DENOTES DIRECTION OF DRAINAGE		DENOTES CONSTRUCTION ACCESS
XXX.XX	DENOTES EXISTING ELEVATIONS		
(XXX.XX)	DENOTES PROPOSED ELEVATIONS		

DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

NOTES
- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- SANITARY SEWER SERVICE CONNECTION MUST BE INSTALLED BEFORE BASEMENT EXCAVATION TO ENSURE SERVICING AT BASEMENT LEVEL
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY
- BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM THE LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED AND WERE VERIFIED IN FIELD ON SEPTEMBER 17, 2024

CAUTION
- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK
- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE
BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 1 STOREY ADDITION LOCATED AT 2103 PAISLEY AVENUE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN
PROPOSED BUILDING HEIGHT AS SHOWN
PROPOSED LOT COVERAGE AS SHOWN
PROPOSED BUILDING SITE STATISTICS AS SHOWN

NOVEMBER 13, 2024
DATE

AISAR BHERI, OLS, P.Eng.
FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
3	NOVEMBER 13, 2024	WALKOUT REMOVED
2	OCTOBER 30, 2024	WALKOUT ADDED
1	OCTOBER 17, 2024	SITE PLAN COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS
AISAR BHERI
2020

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

E:\(20) Halton\Registered Plans\RP0458\LOT 111\19-138-SP\SPF\19-138-SPF.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
A.R.	A.B.	19–138–SPF	1

SITE STATISTICS		
PROJECT NAME: PROJECT NO:	VESELY RESIDENCE 24-032	
PROJECT ADDRESS: LOT NO: REGISTERED PLAN:	2103 PAISLEY AVE, BURLINGTON 111 458	
ZONING:	R3.2 (DESIGNATED AREA)	
LOT AREA: LOT FRONTAGE:	885.80 SQM 20.81 M	
REQ'D SETBACKS		
FRONT YARD: SIDE YARD: INTERIOR SIDE YARD: REAR YARD:	6.0M 1.8M WITH ATTACHED GARAGE N/A 9.0 M	
ATTACHED GARAGE OR CARPORT:	YES	
COVERAGE		
MAX. ALLOWABLE COVERAGE:	221.45 SQM (2383.7 SQFT)	25%
EXISTING COVERAGE		
EX. RESIDENCE: EX. ATTACHED GARAGE: EX. FRONT PORCH/DECK: EX. REAR PORCH/DECK: EX. ACCESSORY STRUCTURE: EX. ROOF OVERHANG: (IF APPLICABLE)	152.39 SQM 59.14 SQM NA NA NA NA	17.20% 6.68% NA NA NA NA
TOTAL EXISTING COVERAGE:	211.53 SQM	23.88%
PROPOSED COVERAGE		
RESIDENCE: ATTACHED GARAGE: ACCESSORY STRUCTURE: SECOND FLOOR OVERHANG: (IF APPLICABLE)	32.74 SQM NA NA NA	3.70% NA NA NA
TOTAL PROPOSED COVERAGE:	32.74 SQM	3.70%
TOTAL OVERALL COVERAGE:	244.27 SQM	27.58%
RESIDENTIAL FLOOR AREA / LOT RATIO		
MAX. ALLOWABLE FLOOR AREA:	398.61 SQM	0.45 : 1
EXISTING RESIDENTIAL FLOOR AREA		
EX. MAIN FLOOR: EX. SECOND FLOOR: GARAGE: (IF APPLICABLE)	152.39 SQM 171.62 SQM 59.14 SQM	0.172 : 1 0.194 : 1 0.069 : 1
TOTAL EXISTING FLOOR AREA:	383.15 SQM	0.435 : 1
PROPOSED RESIDENTIAL FLOOR AREA		
MAIN FLOOR: SECOND FLOOR: GARAGE: (IF APPLICABLE)	32.74 SQM NA NA	0.037 : 1 NA NA
TOTAL PROPOSED FLOOR AREA:	32.74 SQM	0.037 : 1
RESIDENTIAL FLOOR AREA / LOT RATIO		
MAX. ALLOWABLE FLOOR AREA:	415.89 SQM	0.472 : 1
BUILDING HEIGHT		
MAX. BUILDING HEIGHT: FIXED GRADE:	10.0 M (91.58 - 101.58) 91.58	
HIGHEST FLAT ROOF DECK: PROPOSED BUILDING HEIGHT: (ROOF PEAK)	N/A 10.0 M	
BUILDING DEPTH		
MAX. BUILDING DEPTH: PROPOSED BUILDING DEPTH:	17.97 M 18.0 M	

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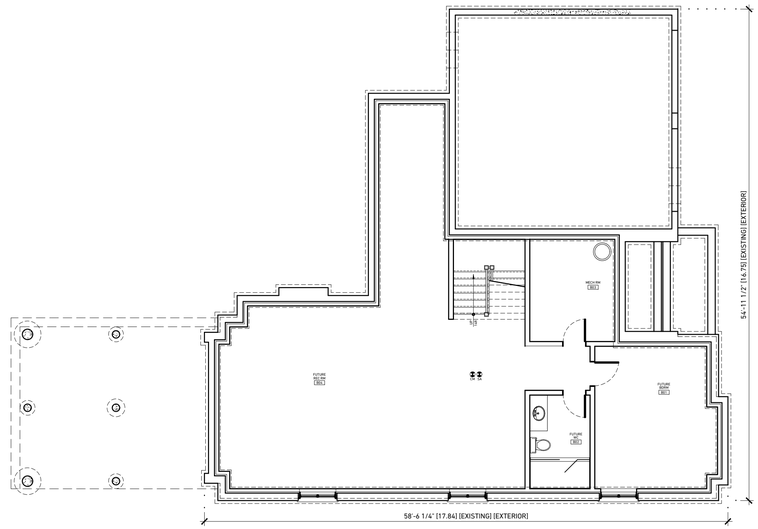
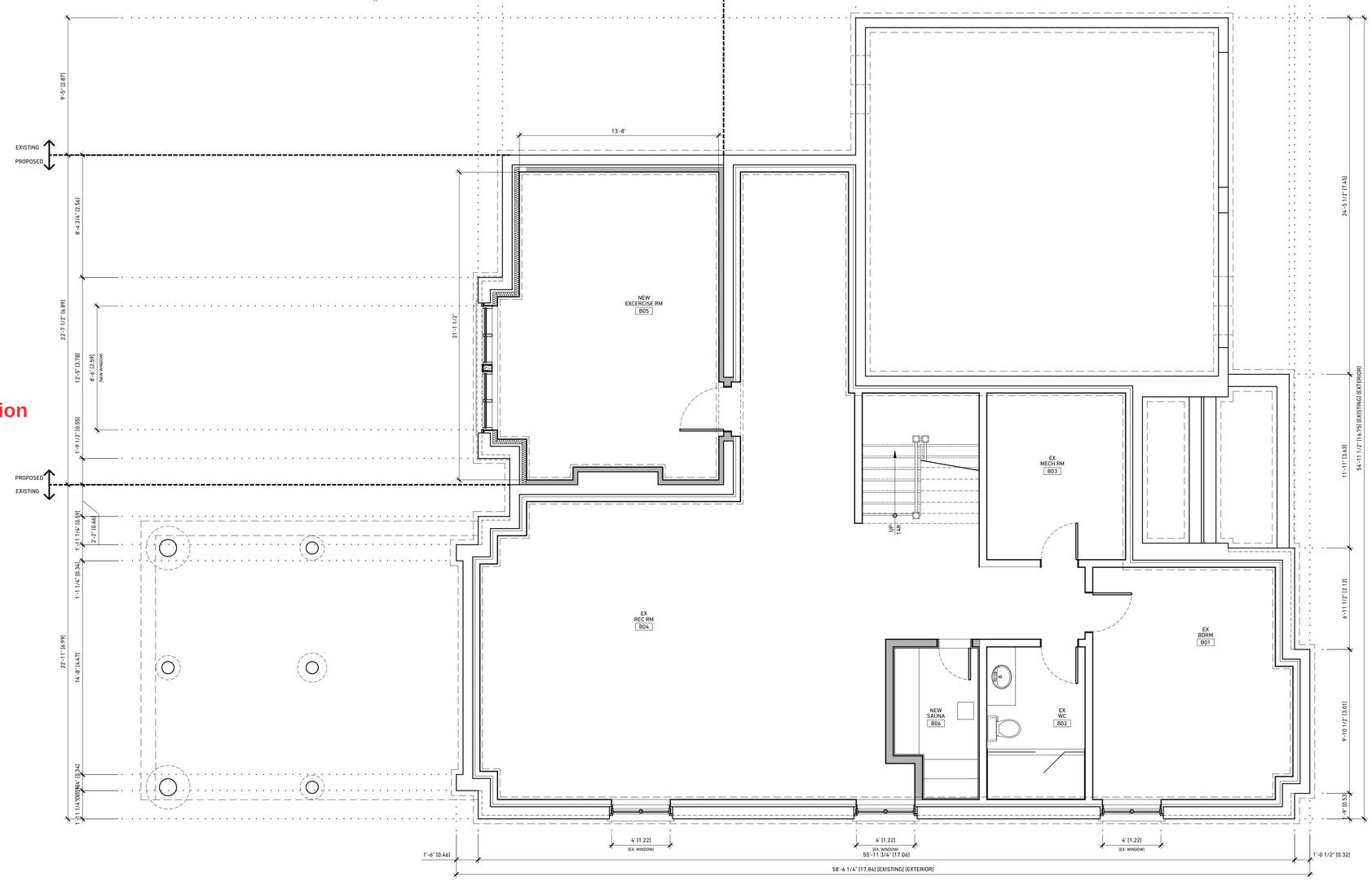


1 | EX/DEMO BASEMENT PLAN
A1 | SCALE: 1/8"=1'-0"



2 | PROPOSED BASEMENT PLAN
A1 | SCALE: 1/4"=1'-0"

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416.204.0351 | 502 - 445 ELIZABETH ST., BURLINGTON, ON | info@structuredcreations.com

VESELY RESIDENCE RENO/ADDITION

2103 PAISLEY AVE
BURLINGTON ONTARIO

PROJECT NORTH | ENG. STAMP:

BCIN STAMP

OBC REGISTRATION

I, DARREN SANGER-SMITH, DECLARE THAT I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4 OF THE ONTARIO BUILDING CODE. I AM REGISTERED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES.

SEPT 16/24 — DATE
SIGNATURE OF DESIGNER

D. SANGER-SMITH, B.ARCH — BCIN 26286
STRUCTURED CREATIONS INC. — BCIN 29617

GENERAL NOTES

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FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

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CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL REQUIRED ELECTRICAL PERMITS PERTAINING TO THIS PROJECT. ALL WORK PERFORMED AND APPROVALS OF ELECTRICAL PERMITS ARE THE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR TO NOTIFY DESIGNER OF ANY CONFLICTS PERTAINING TO PROPOSED MECHANICAL DUCTWORK AND STRUCTURE PRIOR TO CONSTRUCTION AND INSTALLATION.

CONTRACTOR TO PROVIDE STRUCTURED CREATIONS INC. WITH WINDOW SHOP DRAWINGS FOR REVIEW PRIOR TO ORDERING. CONTRACTOR TO COORDINATE WITH THE WINDOW COMPANY FOR ON-SITE MEASUREMENTS OF FRAMING/CONSTRUCTION CONDITIONS TO CONFIRM ALL NEW AND EXISTING WINDOW SIZES PRIOR TO ORDERING. CONTRACTOR AND WINDOW COMPANY TO VERIFY ALL PROPOSED WINDOW SIZES WITH STANDARD WINDOW COMPANY FRAME SIZES AND INFORM DESIGNER OF ANY COMPLICATIONS DUE TO CUSTOM SIZES AND ASSOCIATED COSTS AS A RESULT PRIOR TO ORDERING.

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No.	DATE	ISSUE/REVISION	BY
3	16/09/24	SUB FOR MV	D.S.S.
2	15.08.24	REV 1 ISSUED FOR APPROVAL	D.S.S.
1	14.08.24	INITIAL DESIGN PRES	D.S.S.

DRAWING ISSUES | REVISIONS

PROP FLOOR PLANS AND NOTES

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	SEPT 16/24	24-032

DRAWING #

A1

24-032-MVR2.dwg

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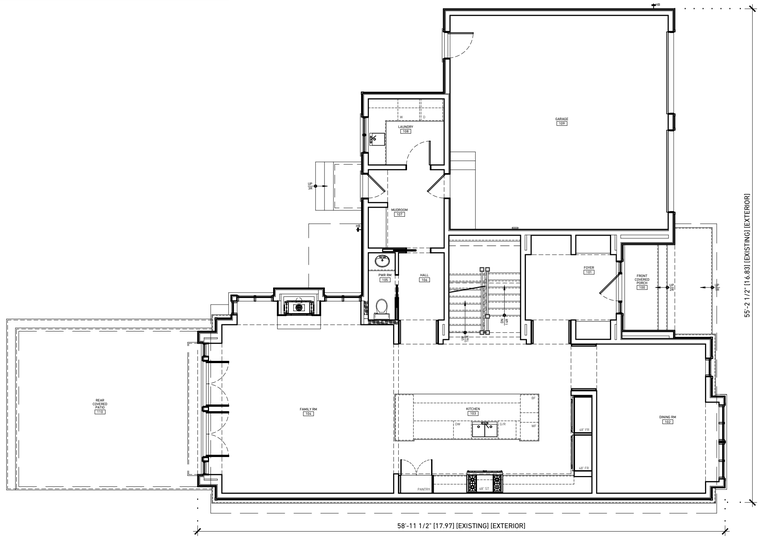

1 | EX/DEMO FIRST FLOOR PLAN
A2 | SCALE: 1/8"=1'-0"

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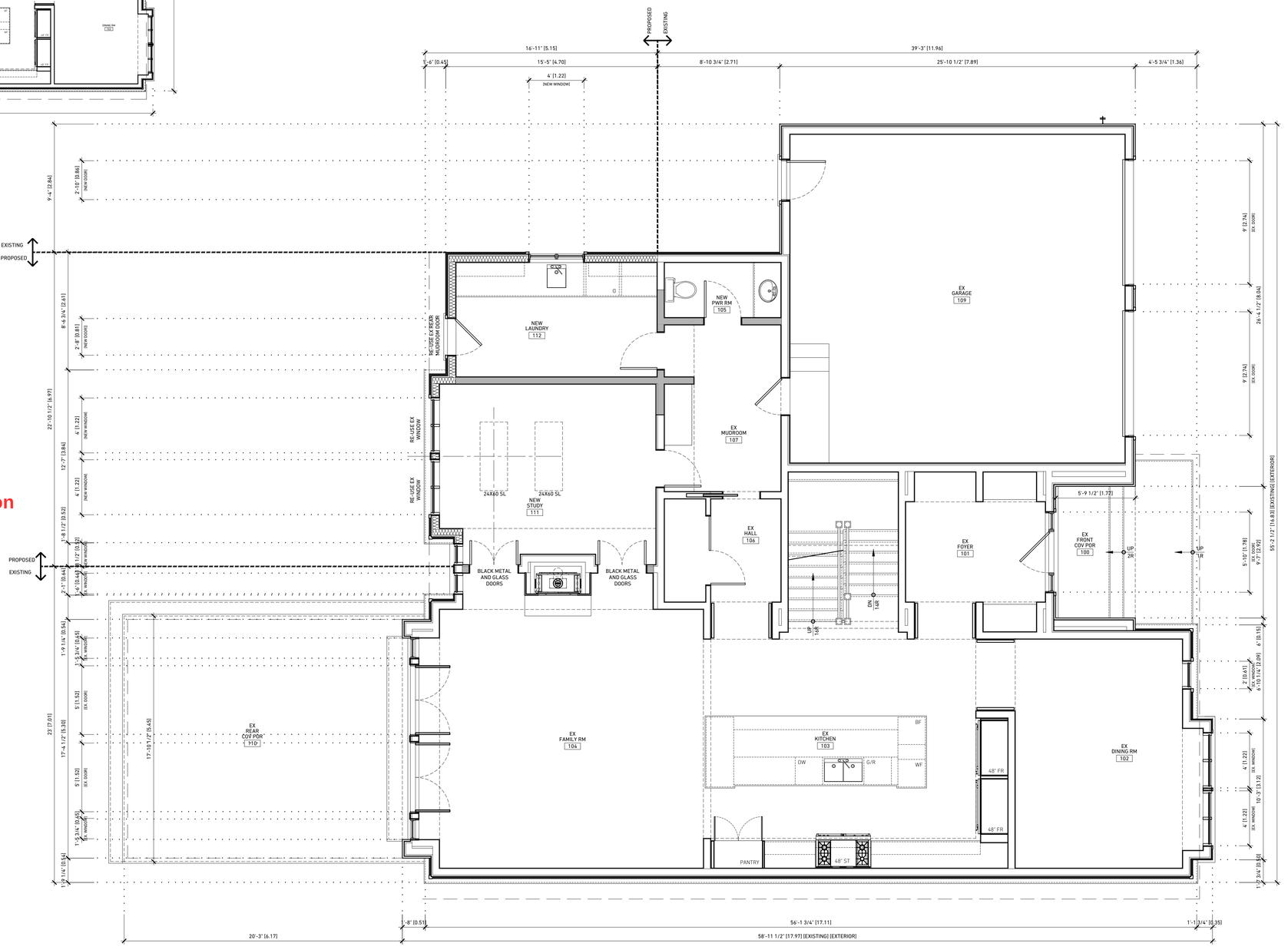

2 | PROPOSED FIRST FLOOR PLAN
A2 | SCALE: 1/4"=1'-0"

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ENG. STAMP:

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SEPT 16/24 — DATE
SIGNATURE OF DESIGNER

D. SANGER-SMITH, B.ARCH — BCIN 26286
STRUCTURED CREATIONS INC. — BCIN 29617

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2	15.08.24	REV 1 ISSED FOR APPROVAL	D.S.S.
1	14.08.24	INITIAL DESIGN PRES	D.S.S.

DRAWING ISSUES | REVISIONS

PROP FLOOR PLANS AND NOTES

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
1/4"=1'-0"	SEPT 16/24	24-032

DRAWING #

A2

24-032-MVR2.dwg

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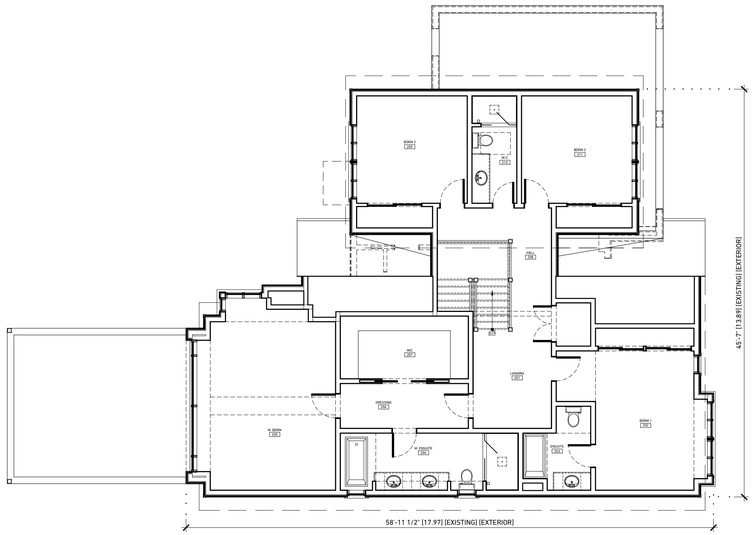

1 | EX/DEMO SECOND FLOOR PLAN
A3 | SCALE: 1/8"=1'-0"

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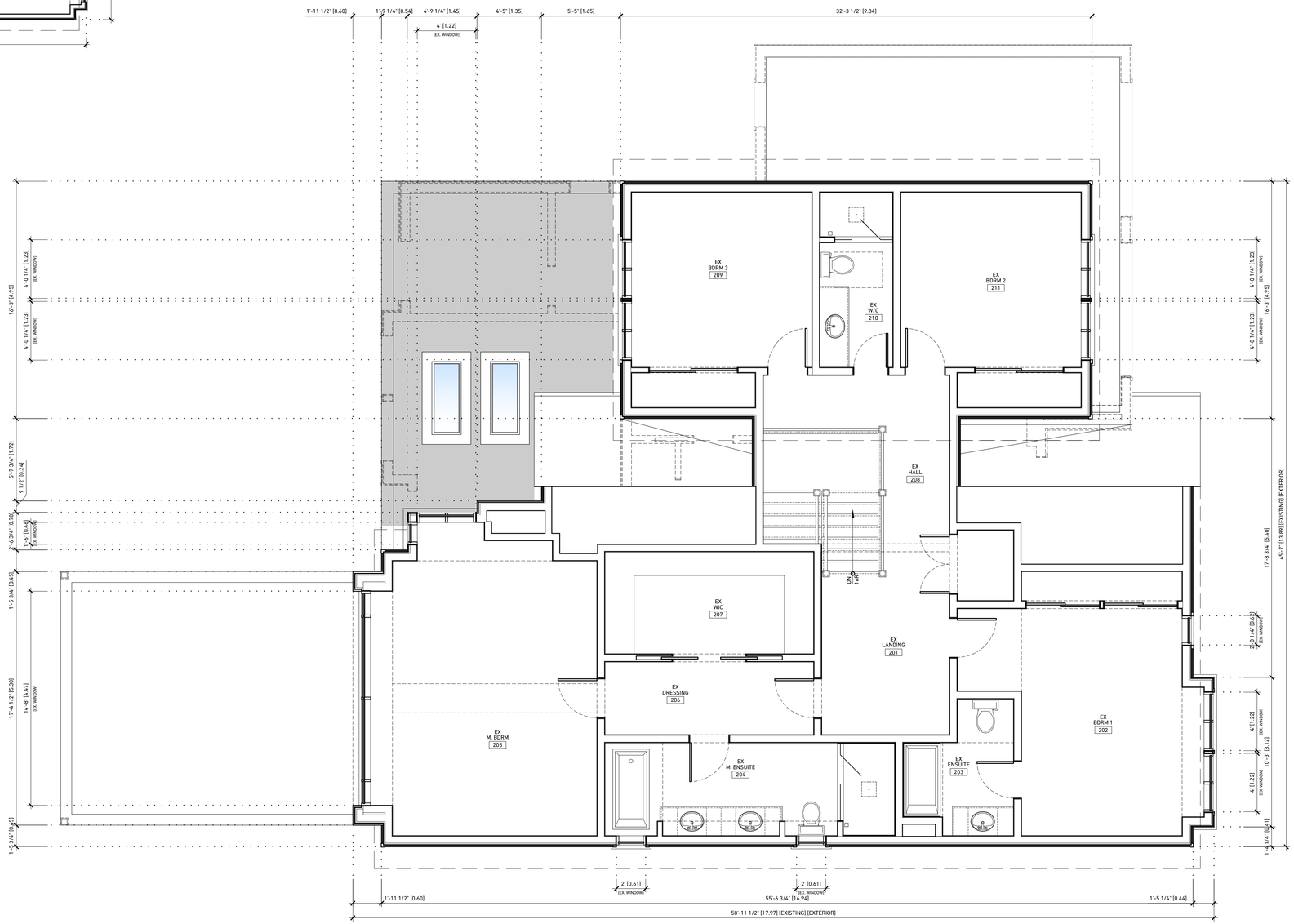

2 | PROPOSED SECOND FLOOR PLAN
A3 | SCALE: 1/4"=1'-0"

STRUCTURED CREATIONS

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VESELY RESIDENCE RENO/ADDITION

2103 PAISLEY AVE
BURLINGTON ONTARIO

PROJECT NORTH | ENG. STAMP:

TRUE

BCIN STAMP

OBC REGISTRATION

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SEPT 16/24 — DATE
SIGNATURE OF DESIGNER

D. SANGER-SMITH, B.ARCH — BCIN 26286
STRUCTURED CREATIONS INC. — BCIN 29617

GENERAL NOTES

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DRAWING ISSUES | REVISIONS

PROP FLOOR PLANS AND NOTES

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D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
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DRAWING #

A3

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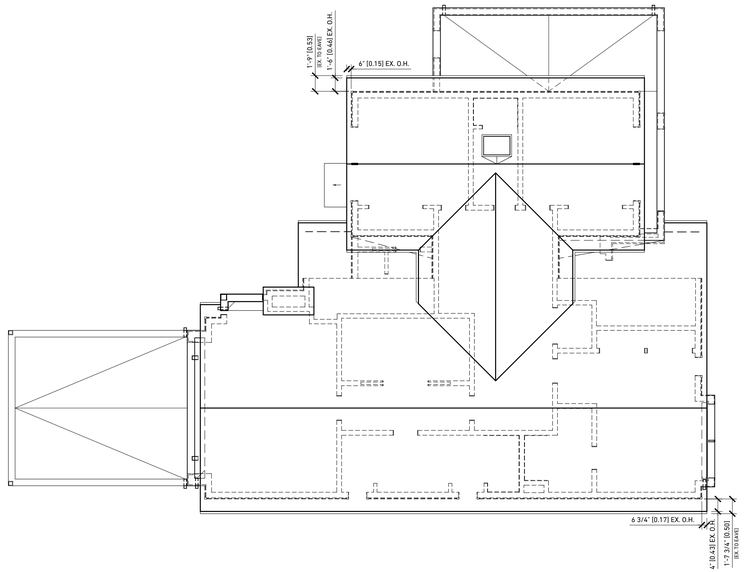

1 | EX/DEMO ROOF PLAN
A4 | SCALE: 1/8"=1'-0"

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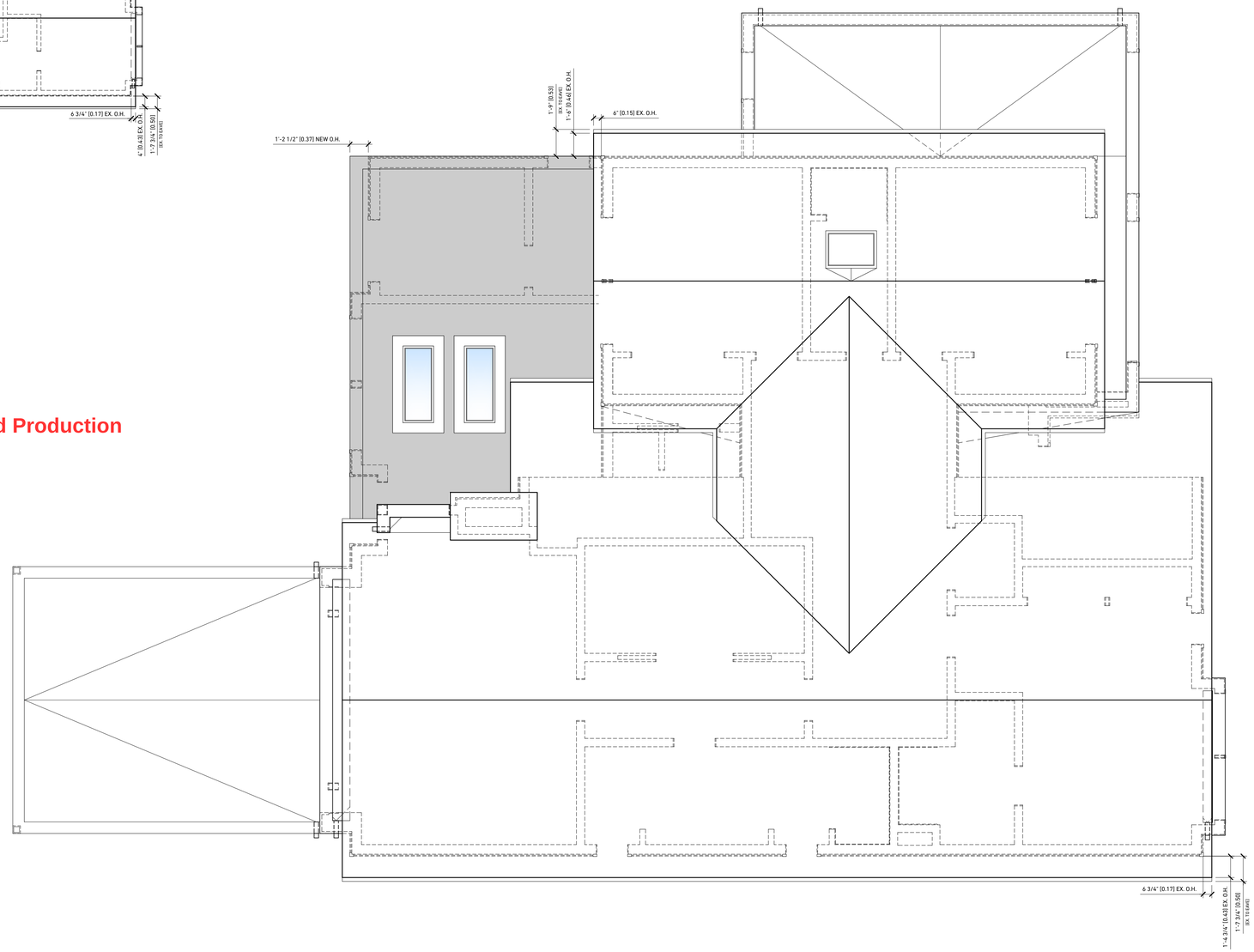

2 | PROPOSED ROOF PLAN
A4 | SCALE: 1/4"=1'-0"

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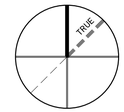
VESELY RESIDENCE
RENO/ADDITION

2103 PAISLEY AVE
BURLINGTON ONTARIO

PROJECT NORTH



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SCALE	DATE	PROJECT #
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DRAWING #

A4

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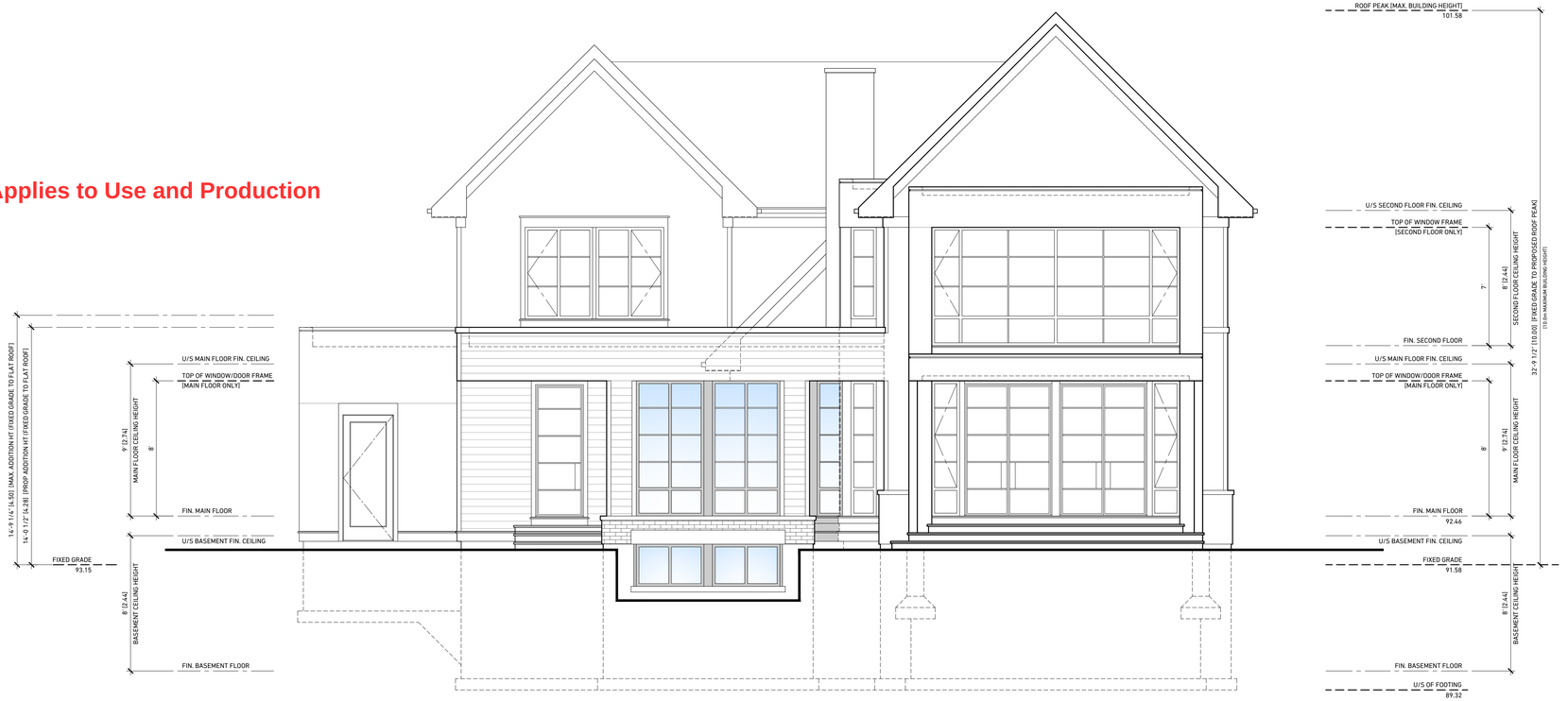
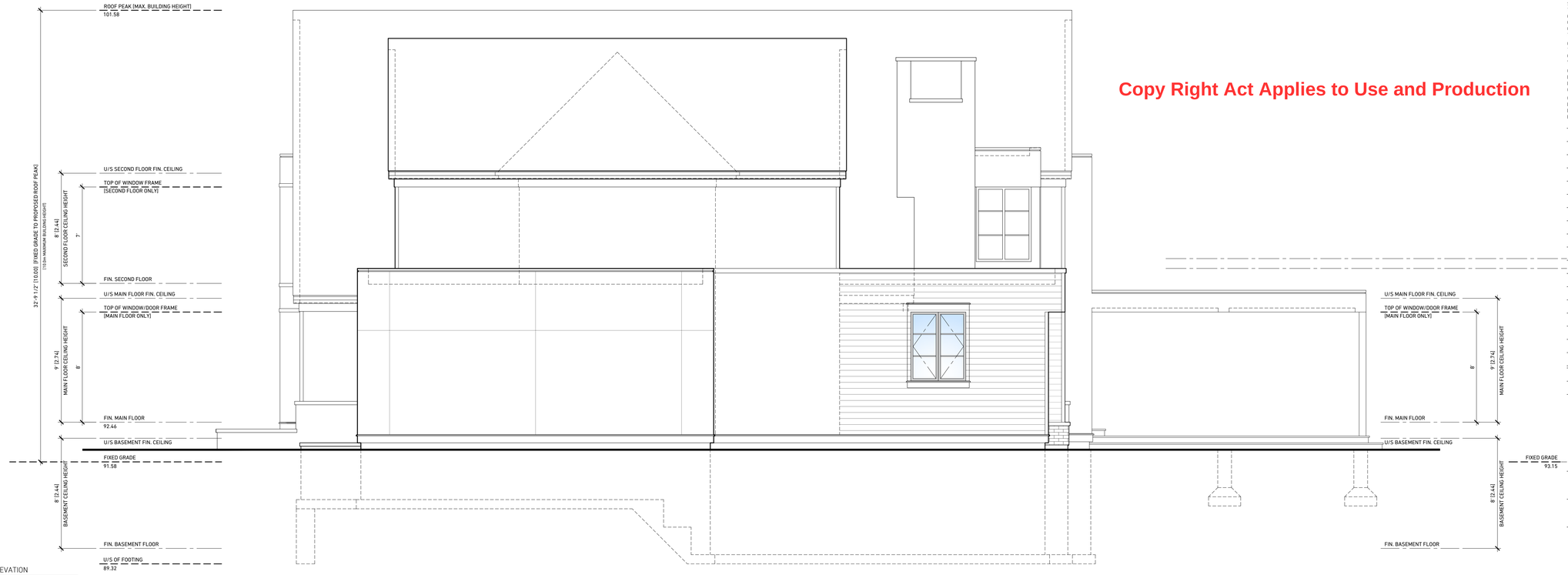


1 | PROPOSED REAR (NORTH) ELEVATION
A5 | SCALE: 1/4"=1'-0"



2 | PROPOSED SIDE (EAST) ELEVATION
A5 | SCALE: 1/4"=1'-0"

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VESELY RESIDENCE RENO/ADDITION

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SCALE	DATE	PROJECT #
1/4"=1'-0"	SEPT 16/24	24-032

DRAWING #

A5

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1 | PROPOSED FRONT (SOUTH) ELEVATION
A6 | SCALE: 1/4"=1'-0"

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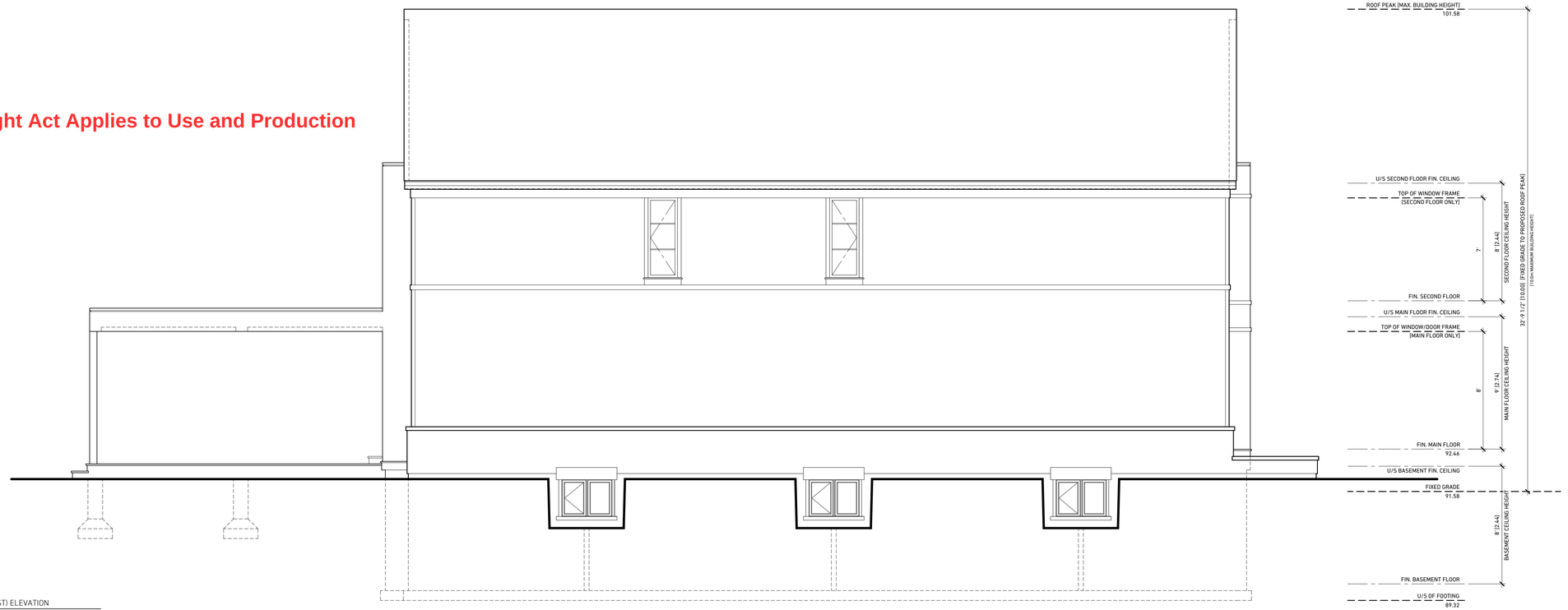

2 | PROPOSED SIDE (WEST) ELEVATION
A6 | SCALE: 1/4"=1'-0"

S - C STRUCTURED CREATIONS

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SCALE	DATE	PROJECT #
1/4"=1'-0"	SEPT 16/24	24-032

DRAWING #

A6

24-032-MVR2.dwg

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 5.1, 5.2, 5.3 - 1:00 P.M.

Files
540-02-A-
047/048/049-24

APPLICANTS: Paletta International (1990) Inc. and Paletta Bros Four Limited.

PROPERTIES: 4450, 4480, 4500 Paletta Court,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing to re-develop the properties as a comprehensive development containing three one-storey industrial buildings and one four-storey office building. The subject lands are currently comprised of three separate properties: 4450 Paletta Ct, 4480 Paletta Crt and 4500 Paletta Crt.

VARIANCES:

1. Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the BC1 and GE1 zone with the exception of Part 3, Section 2 (Table 3.2.1 – Permitted Uses).

2. To permit a 7.3m yard abutting a street with a deemed width of less than 26m (Zelco Drive) instead of the minimum required 9m for a proposed industrial building (Building A).

3. To permit a 10.7m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed office building (Building D).

4. To permit a 14m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for two proposed industrial buildings (Building A and B).

5. To permit a 19.5m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed industrial building (Building C).

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

HEARING NO. 5.1, 5.2, 5.3 - 1:00 P.M.

File
540-02-A-
047/048/049-24

VARIANCES:

6. To permit a 5.7m landscape area abutting a street adjacent to the Queen Elizabeth Way or Highway 403 instead of the minimum required 15m.

7. To permit one hydro transformer to be located in a required landscape area abutting a street (Zelco Drive) whereas the definition of landscape area does not permit transformers in a required Landscape Area.

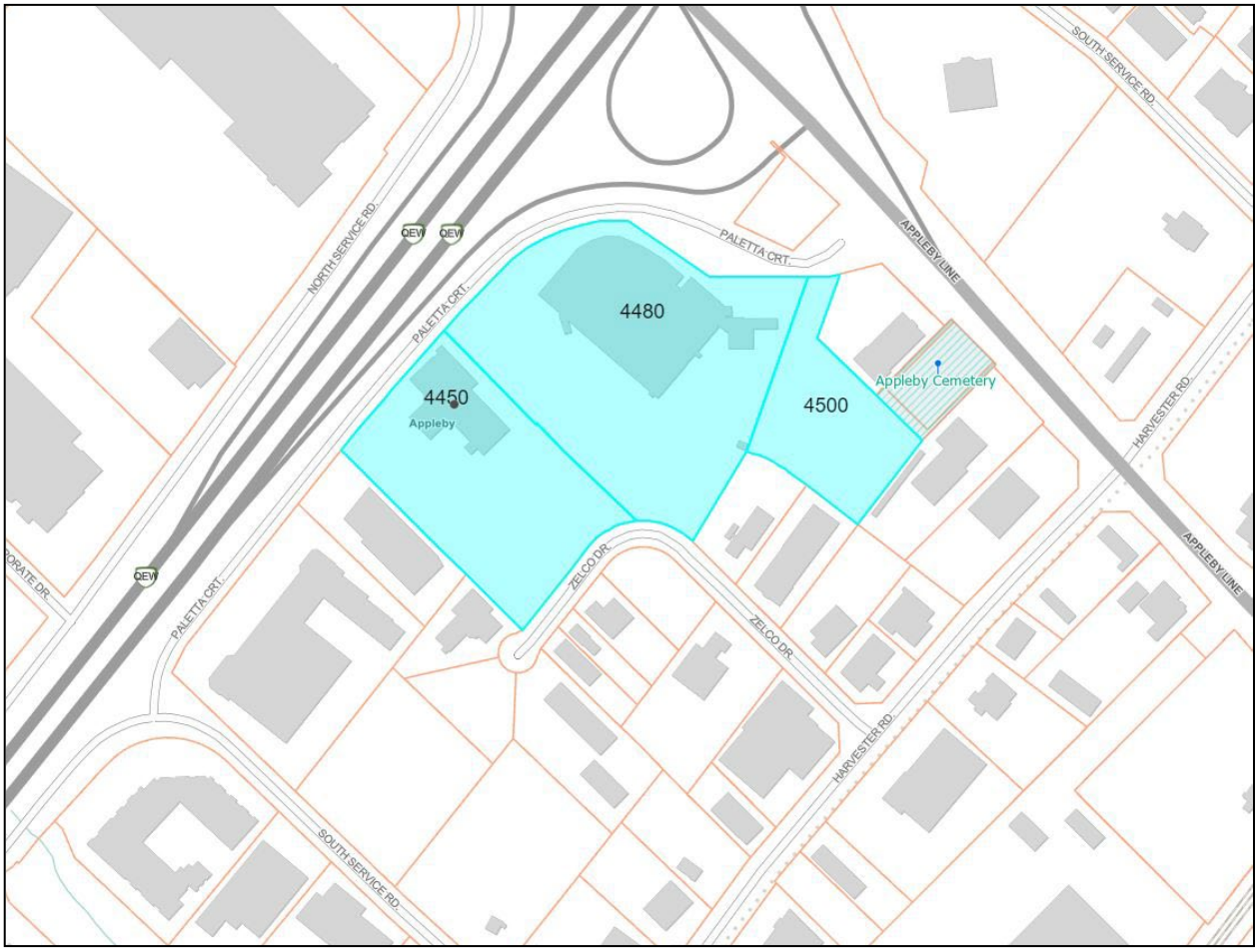
8. To permit 1.72 parking spaces per 100 m2 of gross floor area instead of the minimum required 2 spaces per 100 m2 of gross floor area for a proposed multi-unit business park.

9. Notwithstanding Part 3, Section 4.9 (c), to permit parking areas with a maximum of 488 spaces separated from adjoining parking areas by a 3m landscape area whereas the Zoning By-law requires parking areas to contain a maximum of 150 parking spaces separated from adjoining parking areas by a 3 m landscape area.

COMMITTEE OF ADJUSTMENT

Meeting #01 **AGENDA** **JANUARY 22, 2025**

Owners: Paletta International (1990) Inc. and Paletta Bros Four Limited.
Address: 4450 Paletta Crt, 4480 Paletta Crt & 4500 Paletta Crt, Burlington
File No. **A-047/24, A-048/24 and A-049/24**
Ward: 4



Staff Comments

Committee of Adjustment

This application was deferred from the November 6, 2024 Committee meeting at the request of the applicant.

Date: January 13, 2025 Prepared By: C Kabel

There is one previous minor variance applications on record for 4450 Paletta Court

File No. A106/1985 – Approved

- Permit reduction in front yard to 21.3m instead of the required 30.4m for a proposed addition;

- Permit a parking area and driveway for siz cars, to encroach into the required 15.2 m landscape strip abutting Paletta Court, with a minimum setback of 6m from the street line.

There are four previous minor variance applications on record for 4480 Paletta Court

File No. A155/1992 – Approved
- To allow the processing of organic waste materials as a like use to meat processing and rendering which zoning bylaw exception MB2-182 and MB1-182 permits.

File No. A161/1999 – Approved
- To permit a proposed decorative wall with a maximum height of 6.1 m +/- whereas the zoning by-law allows 3.0m.

File No. A054/2002 – Approved
- To permit the GE1 portion of the subject property to be used for a parking lot as a principal use in connection with the existing development on the BC1-41 portion of the subject property;

- To permit required and surplus parking for the BC1-41 portion of the subject property to be located on the GE1 portion of the subject property.

File No. A168/2002 – Approved
- To permit a guard house addition 0m from the internal zoning line whereas the by-lay required 7.5m.

There are no previous minor variance or land division applications on record for 4500 Paletta Court.

Date: November 29, 2024 Prepared By: C. Kabel

Zoning

The subject lands are comprised of three parcels which are zoned GE1, BC1, and BC1-41, under Zoning By-Law 2020, as amended. The GE1, BC1, and BC1-41 zones require, among other things, the following:

1.7 INTERPRETATION OF ZONE BOUNDARIES

1.7.1 Where any uncertainty exists as to the location of any boundary of any zone, the

following rules shall apply:

(g) **Where a property or lot has two or more zoning designations, the zoning boundary between the designations shall be the limit from which the zoning regulations shall apply.**

2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except, within the "Downtown Parking Exemption Area" shown on Diagram 1A, Subsection 2.25 shall only apply to residential uses.

Table 1.2.6: Off-Street Parking Standards

USE	PARKING STANDARD
Multi-Unit Business Park	**2 spaces per 100 m^2 of gross floor area**

Requirement:	Proposed:
2 parking spaces per 100m2 of gross floor area **34,121.51m2/100 x 2 = 682.43 spaces** **= 683 total spaces**	**1.72 spaces per 100m2 of gross floor area:** **34,121.51m2/100x1.73 = 587 spaces**

Note: plans provide a total of 588 parking spaces outside of the MTO 14m setback. 38 parking spaces are provided within the MTO setback, but have not been counted towards the parking calculation relating to the requested variance as they would be subject to MTO approval.

4. BC1 ZONE REGULATIONS (BUSINESS CORRIDOR)

4.2 YARDS

Table 3.4.2

Yard	Requirement
Yard abutting:	
Highway 407	15 m
A street adjacent to Queen Elizabeth Way or Highway 403	**30 m**
Other streets having a deemed width of 26 m or greater	15 m

4.8 LANDSCAPE AREA AND BUFFER

Landscape Area:
Abutting a street adjacent to the Queen Elizabeth Way or Highway 403: **15 m**

4.9 PARKING

(a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”

(b) Parking of trucks and vehicles is not permitted within 15 m of a residential zone when the truck or vehicle exceeds any one of the following:
- a registered gross vehicle weight of 3000 kg;
- an overall length of 6 m;
- an overall height of 2.6 m.

(c) Parking areas shall contain a maximum of 150 parking spaces and shall be separated from adjoining parking areas by a 3 m landscape area. Notwithstanding the definition of Landscape Area, a landscape area separating parking areas within a comprehensive development may contain a 2.0 m wide walkway which runs parallel to and within the landscape area provided that the landscape area has a minimum width of 4.5 m. Where more than one parking area is required the average parking area size shall be 100 parking spaces. Connecting driveways may cross a landscape area.

4.15 CONTIGUOUS LOTS

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this by-law that govern the lot itself and all of the regulations and prohibitions of this by-law that govern the entire development.

6. GE1, GE2 ZONE REGULATIONS (GENERAL EMPLOYMENT)

6.1 LOT WIDTH, AREA, YARDS

Table 3.6.1

Regulation	GE1 Zone	GE2 Zone
Yard abutting a street having a deemed width less than 26 m	**9 m**	9 m

6.5 LANDSCAPE AREA AND BUFFER

Landscape Area:
Abutting a street having a deemed width less than 26 m: 3 m

6.14 CONTIGUOUS LOTS

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this by-law that govern the lot itself and all of the regulations and prohibitions of this by-law that govern the entire development.

Part 16 Definitions

Landscape Area
An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a Landscape Area. A Landscape Buffer may be included in the calculation of Landscape Area. **Snow storage and transformers are not permitted in a required landscape area.**

Proposal:

The applicant is proposing to re-develop the properties as a comprehensive development containing three one-storey industrial buildings and one four-storey office building. The subject lands are currently comprised of three separate properties: 4450 Paletta Ct, 4480 Paletta Crt and 4500 Paletta Crt. The subject lands contain three separate zones, GE1, BC1 and BC1-41.

The development was reviewed under the Contiguous Lots regulations of the Zoning By-law, under Part 3, Sections 4.15 and 6.14, as one comprehensive development under a single Site Plan Approval application (file number 535-013/23). The Site Plan Approval was draft approved with conditions on March 4, 2024.

Variances are required to allow zoning regulations to apply from the external site boundary, to permit reduced yards to Zelco Drive and Paletta Crt, to permit a reduced landscape area abutting Paletta Crt, to allow for one hydro transformer within the required landscape area abutting Zelco Drive, and to permit a required parking reduction and to permit a parking area with a maximum of 488 parking spaces to be separated by a landscape area from another parking area.

Variances required:

1. Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the BC1 and GE1 zone with the exception of Part 3, Section 2 (Table 3.2.1 – Permitted Uses).

2. To permit a 7.3m yard abutting a street with a deemed width of less than 26m (Zelco Drive) instead of the minimum required 9m for a proposed industrial building (Building A).

3. To permit a 10.7m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed office building (Building D).

4. To permit a 14m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for two proposed industrial buildings (Building A and B).

5. To permit a 19.5m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed industrial building (Building C).

6. To permit a 5.7m landscape area abutting a street adjacent to the Queen Elizabeth Way or Highway 403 instead of the minimum required 15m.

7. To permit one hydro transformer to be located in a required landscape area abutting a street (Zelco Drive) whereas the definition of landscape area does not permit transformers in a required Landscape Area.

8. To permit 1.72 parking spaces per 100 m^2 of gross floor area instead of the minimum required 2 spaces per 100 m^2 of gross floor area for a proposed multi-unit business park.

9. Notwithstanding Part 3, Section 4.9 (c), to permit parking areas with a maximum of 488 spaces separated from adjoining parking areas by a 3m landscape area whereas the Zoning By-law requires parking areas to contain a maximum of 150 parking spaces separated from adjoining parking areas by a 3 m landscape area.

Condition:

1. The applicant shall apply for a Zoning Clearance Certificate for each building.

Notes:

1. This application was reviewed under section 45(1) of The Planning Act.

2. 38 parking spaces are located within the 14m MTO setback shown as a red hatch on the site plan and have not been included in the required parking calculation. As the parking spaces are within an area of MTO regulation, they are subject to MTO approval prior to being finalized.

3. Hydro Transformer locations are not finalized at this time.

4. MTO approval will be required prior to Zoning Clearance issuance.

5. The variances identified are for the comprehensive development reviewed under Site Plan #535-013/23 only. Additional planning approvals may be required if the development scope or lot configuration are modified through future applications.

6. The approval of the variances shall be substantially in accordance with the conditional site plan approval dated March 4, 2024.

7. The approval of variances 2 through 5 shall be in accordance with the building locations and setbacks as set out on Schedule “A”, dated November 29, 2024 and forming part of this submission.

8. The approval of variance 6 shall be in accordance with the landscape area as shown on Schedule “A”, dated November 29, 2024 and forming part of this submission.

9. The approval of variance #9 shall be in accordance with the parking area shown on Schedule “A”, dated November 29, 2024 and forming part of this submission.

Date: December 5, 2024 Prepared By: Nathan Dart, CPT

Cultural Heritage Planning – Archaeological Potential

As an advisory, the Subject Property is identified as having archaeological potential and falls under the Historic Towns overlay. Should deeply buried archaeological artifacts or remains be found on the subject lands during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism should be notified immediately.

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate a new four-building office/industrial complex with associated parking. The applicant requests approval of the Committee of Adjustment because the proposal is deficient with respect to zone boundaries, setbacks from Zelco Dr. and the QEW, has smaller landscaped areas adjacent to the QEW, has fewer parking spaces than required and is lacking the required landscape separation between parking areas. This application was originally heard and deferred at the November 6, 2024, Committee of Adjustment hearing. The deferral allowed time for the applicant to revise and resubmit the applications and work with the city to revise the wording of certain variances.

While the exterior design of the buildings has not changed, the updated variances are scoped to the specific areas of the site or buildings that they relate to, and best efforts have been made to avoid granting blanket permissions. Variance 1 clarifies that Part 3, Section 2 (Table 3.2.1 – Permitted Uses) is not one of the zoning regulations that would be taken from external property boundaries. Variance 2 remains unchanged, allowing a 7.3m yard abutting Zelco Drive instead of the required 9m for Building A, but a condition has been proposed stating that the setback is to be provided in accordance with the building locations and setbacks set out on Schedule “A”. Variances 3, 4, 5, and 6 would permit reduced yard setbacks and landscape areas adjacent to the Queen Elizabeth Way or Highway 403 but are now restricted by Schedule “A”. Variance 7 now requests permission for only one hydro transformer within the required landscape area abutting Zelco Drive whereas the previous variance was worded such that multiple transformers could be installed in this area. Variance 8 has been updated to request a slightly reduced parking rate of 1.72 spaces per 100 m² of gross floor area, compared to 1.73 previously requested. The original parking review was based on an older version of the site plan submitted as part of the site plan application, so the updated variance 8 represents a correction to the variance rather than a change in plans. Lastly, Variance 9 introduces a maximum of 488 parking spaces, separated by a 3m landscape area, instead of the general allowance to exceed 150 spaces.

In addition, Schedule “A” has been prepared by the applicant to illustrate the specific conditions outlined in the proposed variances. It provides a detailed depiction of the site layout, including the locations of Buildings A, B, C, and D and their respective setbacks from property lines and streets. The green-shaded areas identify the landscape zones, which are exclusive of any building footprints or parking encroachments, in accordance with the site plan approved landscape requirements. Furthermore, Schedule “A” highlights the defined parking areas that are subject to Variance 9, which permits parking areas with up to 488 spaces separated by 3-meter landscape buffers, as opposed to the typical maximum of 150 spaces. This visual reference ensures clarity in how the variances relate to the proposed site plan.

The subject lands include three parcels, 4450, 4480 & 4500 Paletta Crt., having an approximate total area of 7.58 hectares. The lands are in between Paletta Court (north)

and Zelco Drive (south) and front the bends of both Paletta Court (approximately 470 meters) and Zelco Drive (approximately 175 meters). A one-story employment building now occupies 4450 Paletta Court and it is currently vacant. At 4480 Paletta Court, there is presently a two-story office building on the property. The building's former meat plant functioning section was destroyed by fire (4480 Paletta Court) in December 2017.

To the north of the subject lands is Paletta Court and Highway 403. To the east are an industrial building and the Appleby Pioneer Cemetery, with Appleby Line and additional employment uses beyond. Zelco Drive is located directly south, with more industrial and employment uses further south. To the west, there are industrial and employment-related properties.

The proposal has been reviewed through the site plan application process and was approved with conditions on March 4, 2024 (File no. 535-013/23). Included in the conditions is a requirement that the applicant complete a consent application to re-draw the property boundaries and create necessary easements to reflect the proposed layout of new buildings. The applicant has chosen to first proceed with an application for minor variances before submitting a consent application. To solve the problem of current lot boundaries not reflecting the future development configuration, staff are able to rely on section 6.14 of the Zoning Bylaw, 2020, which states that ”where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations…”

The proposal encompasses four buildings on the single comprehensive site plan, three of which are labelled “industrial” and one of which is labelled “office”. Staff note that in both the BC1 and GE1 zoning, “all office uses” are permitted, along with a variety of industrial uses, office, hospitality and automotive uses. Although the list of industrial uses permitted in BC1 and GE1 zones is not identical, of the 36 different industrial uses listed in Part 3 (Table 3.2.1), 29 are permitted in both zones. An identical list of retail, service commercial and recreation uses are permitted in each zone to a maximum of 15% of the gross floor area of each building. Overall, the applicant describes the development and its intended mix of uses as a “multipurpose business park”. Building ‘A’ (9,012.58 m²), Building ‘B’ (9,093.85 m²) and Building ‘C’ (8,580.05 m²) are identified as industrial buildings. Building ‘D’ (7,435.03 m²) is an office building measuring four-storeys tall and will contain “corporate office space, an atrium, common/event space, a fitness facility, and first-floor enclosed parking facilities”.

New shared driveways and parking aisles will straddle future lot lines and provide shared connections to the buildings. A total of 588 parking spots are still proposed across the entire site. Three accesses are proposed from Zelco Drive and five accesses from Paletta Court. A total of 12,805.05 square meters of landscaping is proposed, most of which faces Paletta Court, the QEW and Appleby Line. The applicant states in their planning justification letter of September 11, 2024, that the site will be developed comprehensively.

A site plan submitted with the application (as prepared March 28, 2024 – Rev. No. 2), illustrates the extent and location of existing and proposed development. A copy of the site plan is included as an attachment in a later section of this report.

Building elevations and floor plans (as prepared December 15, 2024 – Rev. No. 1), submitted with the application, are included as an attachment in a later section of this report. The proposed exterior design and material finishes are noted on the elevations.

Landscaping plans (as prepared April 3, 2024 – Rev. No. 2), submitted with the application, are included as an attachment in a later section of this report.
Schedule A (as prepared November 29, 2024), submitted with the application, is included as an attachment in a later section of this report.

A site visit was conducted on October 4, 2024, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

The owner retained C.F. Crozier & Associates Inc. to prepare a Parking Justification Letter in March of 2024, to support the minor variance submission. The letter states that the planned development is required to have 682 parking spaces for all buildings however, a shortfall of 94 parking places is being proposed, as the site plan continues to allot 588 parking spaces for all four structures. This letter focusses on the rates for the industrial buildings, identified on the site plan as Buildings A, B, and C, since most of the shortfall is attributed to them.

The Parking Justification Letter describes how parking surveys were conducted at three other industrial buildings with comparable gross floor area. Using the parking rates determined at the surrogate sites, the letter concludes that peak parking demand at buildings A, B, and C can be supported by the number of proposed parking spaces for the development. The proposed accessible and bicycle parking supply exceeds the requirements of the Zoning By-Law.

1) City of Burlington Official Plans:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Region of Halton Official Plan, 2009

The subject lands are in the Urban Area (Map 1), within the Built Boundary and designated Regional Employment Areas according to Map 1h of the Regional Official Plan (ROP). 4480 and 4500 Paletta Court are included in the Appleby GO Major Transit Station Area (the “MTSA”) according to Map 6E, whereas 4450 is not.

The Regional Structure policies in the ROP set an intensification and density target of 33 jobs per hectare in employment areas (Part II, Table 2, page 56) and a higher target of 72 jobs per hectare in MTSA's (60% of 120 people and jobs per hectare per Part III, table 2b). The general intent and purpose of the ROP with respect to Employment Areas is to "ensure the availability of sufficient land for employment to accommodate forecasted growth to support Halton's and its Local Municipalities' economic competitiveness" (83(1)). The general intent and purpose of the ROP with respect to employment uses in MTSA's is to require local Official Plans to achieve minimum density targets for these areas and direct developments with higher densities and mixed uses to these areas (Part III, section 81.2(1) and 81.2(2)(a).

The Region's policy (83.2(6)(c)) is to encourage greater intensification and higher densities in both new and established Employment Areas by supporting compact, transit-oriented development, enhancing active transportation networks, and reducing the reliance on surface parking.

The proposed new development meets this general intent because it proposes an intensification of the site with larger employment type buildings than currently exist, which supports the creation of new jobs and reduces the reliance on surface parking.

City of Burlington Official Plan 1997 & 2020:

On April 2, 2024, the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). The subject lands are designated 'Business Corridor' according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended. The plan aims to maintain an adequate supply of employment land, support aesthetically pleasing and compatible development, encourage intensification, and ensure efficient use of infrastructure and land to sustain long-term viability of employment areas without reducing designated employment lands for non-employment uses. However, the relevant policies of the plan that pertain to 'Business Corridor' designation are not yet in effect. Also, other chapters of BOP, 2020 relevant to the application, such as Chapter 7- Design Excellence, remain under appeal so the application has been reviewed against the general aim of the designation, as described above, and the policies of the OP, 1997.

According to OP, 1997, Schedule 'B', the subject lands have split designations that delineate approximately the northerly and southerly areas of the parcels. The development site is designated 'Business Corridor' abutting Paletta Crt. and 'General Employment' abutting Zelco Dr.

Part III, Section 3.2.1. a) (Objectives- Economic development strategy) of the City of Burlington Official Plan, as amended, states that its objective is to encourage an economic development strategy that is focused on maintaining and expanding the City's manufacturing base while also promoting the expansion of corporate and professional business offices.

Part III, Section 3.4.2. a) (Permitted Uses) of the City of Burlington Official Plan, as amended, states that within the ‘Business Corridor’ designation, a wide range of employment uses including office, industrial (assembling, fabricating, manufacturing, processing, warehousing and distribution uses, research and information processing, communications, utilities and transportation uses, and service trades), and related uses are permitted. Similarly, the ‘General Employment’ (4.5.2 a)) designation permits industrial activities such as manufacturing, warehousing, and distribution, as well as office, research, recreational, large-scale motor vehicle dealerships, and adult entertainment uses. A limited range of retail and service commercial uses, like convenience stores, restaurants, and banks, are also allowed. In areas adjacent to residential zones, only low-impact uses are permitted. The main objective of the ’General Employment’ designation aims to provide locations for a broad range of industrial and office uses, separate these from sensitive uses like residential, and allow for low intensity uses near residential areas with proper mitigation. It also supports locations for traditional industrial activities like manufacturing and distribution. The ‘Business Corridor’ designation focuses on providing sites for high-visibility, prestige offices and industrial uses, allowing a wide range of employment-related activities, while promoting high design and development standards along major transportation routes.

> ***Staff Analysis:*** The proposal supports the economic development strategy of expanding both the manufacturing base and office uses, as envisioned in the OP. The ‘Business Corridor’ designation, which encourages prestige office and industrial uses along major transportation routes with high visibility, is reflected in the design of Building D, a 4-story office building that includes corporate office space, an atrium, and additional amenities such as a fitness facility and parking. This high-visibility office structure meets the OP's objective of developing prominent, highly visible employment spaces along arterial streets and transportation corridors.
>
> The ‘General Employment’ designation, which accommodates a broad range of industrial and office uses, is supported by the design of Buildings A, B, and C, which are intended for multipurpose industrial and business park uses. These buildings are consistent with the OP's aim to provide suitable locations for industrial uses like manufacturing and warehousing, and their design promotes efficient use of land and existing infrastructure.

A range of building heights and development intensities are permitted in business corridors (Business Corridor general policy 3.4.2d). Policies 3.3.2f) and 3.4.2f) require that the design and development of General Employment areas ensure compatibility between the General Employment areas and adjacent land uses whereas Business Corridor areas need to ensure a high degree of compatibility between new prestige industrial and office uses and adjacent non-industrial uses. Key design considerations for both designations include:

(i) off-street parking shall be located away from adjacent uses;

(ii) loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent uses and adjoining roads;

(iii) outdoor storage areas shall be fenced and/or screened;

(iv) the number and location of vehicular access points shall be limited to minimize disruption to traffic flows;

(v) lighting shall be directed to minimize impacts on adjacent uses;

(vi) the proposal provides convenient access to public transit services;

(vii) the proposal includes features to promote public safety;

(viii) off-street parking areas, loading areas and site service areas shall be screened and landscaped; and

(ix) urban design considerations contained in Part II, Section 6.0.

Staff Analysis: The proposal for the subject lands aligns with the policies of both the Business Corridor and General Employment designations, which allow for a range of building heights and intensities. The four-building development respects these policies, providing a mix of business park and industrial uses. Buildings A, B, and C are single-story structures, while Building D is a four-story office complex, demonstrating the permitted variation in building height within business corridors.

The design ensures compatibility with adjacent industrial, and employment uses, as required by policies 3.3.2f) and 3.4.2f). Key design considerations are addressed through site planning, including off-street parking away from adjacent uses, loading areas positioned to minimize conflicts between pedestrians and vehicles, and extensive landscaping and buffers along the frontages. The proposal also includes new vehicular access points, with three from Zelco Drive and five from Paletta Court, minimizing traffic disruption. Public safety (e.g. access points visibility triangles) and Transportation Demand Management measures (included as conditions of site plan approval) are or will be incorporated into the design, while urban design considerations (e.g. materiality, accessibility) ensure that the proposal fits within the character of the area.

Furthermore, the site plan includes provisions for securing truck maneuvering and parking areas (retaining walls and guardrails, southeasterly and westerly sides) minimizing the visual impact on adjacent uses. With 12,805.05 m² of landscaping and the retention of offices at the location of the former structure at

4480 Paletta Court, the development integrates well with the surrounding employment and industrial uses, while promoting a cohesive and functional employment hub.

Part II, Section 6.0 (Design) of the City of Burlington Official Plan, as amended, provides policy guidance on the review of development applications as they relate to design principles and objectives. Included among these are policies related to compatibility.

Part II, Section 6.2 f) (Design Objectives) of the City of Burlington Official Plan, as amended, indicates that the goal is to ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.

Part II, Section 6.5 (Design Guideline Policies) of the City's Official Plan states that 'the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.' In addition, in relation to Scale, Comfort and Safety (6.5 c)), the design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views. In relation to Street Level Activity (6.5 d)), the creation of a continuous and harmonious streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings.

Part II, Section 6.5 e) (Design Guidelines Policies) of the City of Burlington Official Plan, as amended, indicates that all developments shall be designed with regard for public transit accessibility in the Urban Planning Area, convenience and comfort, access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed. Similarly, according to 6.5. g), parking spaces' placement, size, arrangement, and design will all be examined to reduce their visual effect and reduce the possibility that they would degrade the public streetscape. Large parking lot designs shall include screening and planted islands, per the City's requirements. In addition, buildings are encouraged to locate their main building facades on major, multipurpose, and minor arterial highways as well as collector streets, or to improve their treatment to prevent the appearance of blank buildings at service entrances, in order to improve the streetscape appearance of these roads (6.5 h)). Also, buildings with sides facing major, multi-purpose and minor arterial and collector roads should avoid the use of blank walls facing these roads while their setbacks from the street are to be minimized along pedestrian and transit-oriented streets (6.5 i)).

The term 'compatible' does not mean the 'same as' in either OP, 1997 or BOP, 2020. BOP, 2020 Chapter 13- Definitions, which is not in-force and currently under appeal defines compatible or compatibility as "development which may not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co–exist without causing adverse impacts to the surrounding area".

To interpret definitions in the BOP, 2020, staff are using OP, 1997, Part VIII- Definitions, which is in force. The OP, 1997 definition of compatibility defines it as development that is "… capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health". According to this definition, compatibility is to be evaluated in accordance with measurable/objective standards such as "aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.

Staff Analysis:

Variance 1: External Property Boundaries

The intent of 'Part 1, Section 1.7.1(g)' of the Zoning Bylaw is to separate zones that allow different land uses to ensure compatibility between uses and minimize adverse impacts on surrounding areas. In this case, the variances seek to unify the zoning boundaries between 'Business Corridor (BC1)' and 'General Employment (GE1)' to allow for a cohesive development approach. Evaluating this through the lens of the Official Plan (OP), compatibility is interpreted as the ability for different land uses to coexist without adverse effects. Given that both the BC1 and GE1 zones share similar employment-based uses and are intended for industrial and office purposes, this variance aligns with the OP's definition of compatibility by allowing for harmonious development without creating undue physical or functional impacts. The cohesive development across zoning boundaries respects the surrounding industrial context, which is in line with the City of Burlington's goals for economic expansion and maintaining employment lands.

To further address the Committee's concerns, Variance #1 has been clarified to ensure that permitted uses remain restricted to their respective zone boundaries, with the exception of Part 3, Section 2 (Table 3.2.1 – Permitted Uses). This clarification reinforces the intent of the Zoning Bylaw while allowing flexibility for permitted uses, ensuring that the variance does not inadvertently introduce conflicts or incompatible uses within the BC1 and GE1 zones. This approach intends to strike a balance between enabling cohesive development and maintaining zoning integrity.

Variance 2: Yard Abutting Zelco Drive

The intent of the yard setback regulation is to ensure that buildings maintain a consistent setback from the street, contributing to an orderly streetscape, pedestrian safety, and visual appeal. Reducing the setback from 9m to 7.3m on Zelco Drive for Building 'A' could appear inconsistent with the surrounding industrial landscape. However, given that Zelco Drive is not a high-traffic or major arterial road, this minor reduction will likely not disrupt the streetscape or cause

adverse effects. On the opposite side of the road, buildings at 944-950 Zelco Dr. have similarly reduced yards ranging from 7.5 to 8m. Evaluated against the OP's design objectives, which emphasize compatibility, safety, and quality, the reduced setback allows for efficient land use while preserving access, sightlines, and pedestrian safety, meeting the general intent of both ‘Part II, Section 6.2 f)’ and ‘Section 6.5’ of the ‘Burlington Official Plan’.

Variances 3-5: Yards Abutting the Queen Elizabeth Way (QEW)

The significant reduction in setbacks abutting the QEW from 30m to 10.7m, 14m, and 19.5m for Buildings D, A, B, and C requires careful analysis. The intent of this provision is to ensure that larger setbacks to buffer employment uses from high-traffic highways, providing both a visual and physical separation. However, these setbacks do not abut sensitive residential uses but instead face a major highway that is additionally separated from the subject lands by Paletta Crt. and the Appley Line off ramp. It is important to note that the existing buildings at 4480 and 4450 Paletta Crt. already have reduced setbacks and that in the case of building ‘D’ the new setback will approximately align with the existing building that was damaged by fire, along the curved portion, while the setbacks of new buildings ‘A’ and ‘B’ will be improved in relation to the existing building at 4450 Paletta Crt. (14m vs. 6m). The OP, 1997 defines compatibility as development that can coexist without adverse impacts, and the reduced setbacks still allow for landscape buffers and visual screening. Additionally, the high degree of urban design, landscaping, and modern building materials proposed (precast concrete panels, longboard siding, aluminum composite panels, and glass) will ensure that the buildings contribute positively to the streetscape, even with reduced setbacks. Part II, Section 6.2 of the OP emphasizes design quality, and the project’s urban design features will mitigate the reduced setbacks, maintaining consistency with OP goals.

The Ministry of Transportation Ontario (MTO) requires that all future critical infrastructure and buildings be set back 14m from the Paletta Court right-of-way. Landscaping is allowed within this setback, but by-law required parking is not. The additional parking spaces (38) are allowed within the setback as they are not deemed to be “by-law required parking” for the purposes of the parking calculations. The reduced landscape buffer of 5.7m at the northwest corner is acceptable, as is the 10.7m setback for Building D.

Variance 6: Landscape Area Abutting the QEW

The intent of requiring a 15m landscape area is to provide aesthetic buffering and environmental benefits, such as stormwater management and visual screening. Reducing this buffer to 5.7m raises concerns about adequate landscape provision. However, since the development is located in an industrial area, adjacent to a highway, the reduction is less likely to affect residential or sensitive

uses. During site plan review it was determined that the owner would be required to provide 243 trees, at 50mm caliper each, and/or cash-in-lieu contribution in the specified amount. The landscape plan denotes a large number of trees, clustered primarily around the perimeter of the site. With the proposal including landscape provisioning, retaining walls and guardrails (southeasterly and westerly side, where required), and pedestrian-friendly walkways at access points, the OP's emphasis on maintaining high-quality streetscapes is still upheld. Furthermore, the inclusion of features such as tree planting and green areas will help mitigate visual impacts, ensuring that the development remains compatible with surrounding areas, in accordance with Part II, Section 6.5 of the OP.

Variance 7: Hydro Transformers in Landscape Area

The OP defines compatibility in terms of minimizing adverse effects, and the installation of a hydro transformer within the landscape area could compromise the aesthetic and functional goals of this space. However, given that transformers are essential infrastructure, their inclusion in a landscape area, with appropriate screening and design, does not significantly detract from the overall design. The OP's guidelines for pedestrian safety, accessibility, and convenience are maintained, as one transformer that is proposed can be integrated into the design in a way that minimizes visual and functional impacts.

Variance 8: Parking Supply Reduction

The variance to permit 1.72 parking spaces per 100m² instead of the required 2 spaces per 100m² is justified by the 'Parking Justification Letter' which demonstrates that the proposed supply exceeds the anticipated demand based on comparable sites. This variance aligns with the Regional and OP's goals for efficient land and sustainable development and reduces the reliance on surface parking. By exceeding bicycle and accessible parking requirements, the project supports the policies related to sustainability and accessibility.

The subject development is well-served by Burlington Transit, with connections to key transit hubs like Appleby GO station, Burlington GO station, Hamilton GO station, and the 407 GO carpool lot. Local transit routes (80, 50, and 11) operate Monday to Saturday with peak-hour headways of 30 minutes to 1 hour. The nearest bus stops on Harvester Road are an 11-minute walk from the site, while another stop on Appleby Line is a 24-minute walk. The area offers convenient access to both local and regional transit options, making it easily accessible for employees and visitors.

The OP, 1997 also contains functional policies related to transportation in Part II, Section 3.0. Subsection 3.2.2 j), which states that reduced parking ratios and/or standards and/or on-street parking ratios and/or standards may be permitted subject to evaluation by the City of the appropriateness of such standards and

implemented through the approval of development applications.

Planning staff relies on the analysis of the City's Transportation Planning group when evaluating proposals for reductions in off-street parking. In this case, Transportation Planning has offered no objection to the variance for parking quantity. Transportation Planning evaluated and accepted a Parking Justification Letter from C.F. Crozier & Associates Inc., dated December 15, 2023, as part of the Site Plan Approval application (File no. 535-013/23). Transportation Planning determined that the projected parking decrease may be supported by implementing the following Transportation Demand Management measures as a requirement of the Site Plan application:

a) Off Peak Shift Changes, if possible/feasible
b) Bicycle Parking Spaces, as per Transportation Planning comments
c) Shower and Change Room Facilities
d) Preferential Carpool and Rideshare Parking Spaces
e) Information Package
f) Smart Commute.

Variance 9: Lack of 3m Landscape Area in Parking Lots

The intent of the 3m landscape area between parking sections is to reduce the visual impact of large parking lots and to provide space for landscaping. Although the site will exceed 150 parking spaces without separation (area between building B, C and D), the proposed design includes landscape features and islands that will visually break up the parking area. Additionally, the overall site design emphasizes screening provided by the buildings that partially enclose parking areas, and landscaping, mitigating the visual impact of parking. This approach remains consistent with the OP's design policies, particularly Part II, Section 6.5 g), which emphasizes reducing the visual impact of large parking areas.

In staff's opinion, the Official Plan's intent and purpose are upheld by the proposed variances.

2) City of Burlington Zoning By-law 2020:

Does the proposed minor variance(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes – Variance No. 1 (Zone boundaries)

To address the Committee's concerns, Variance #1 has been revised to clarify and limit the scope of the permitted zoning regulations. Specifically, this variance ensures that the permitted uses within the BC1 and GE1 zones are restricted to their respective zone

boundaries, maintaining the integrity of each zoning area.

This revision ensures that the zoning regulations remain consistent with the intended land-use designations, avoiding unintended encroachments or conflicts between the BC1 (Business Commercial) and GE1 (General Employment) zones. By clearly defining the limits of permitted uses, the reworded variance balances flexibility for development with the Committee's concerns that the variance had the effect of expanding the number of permitted uses in the BC1 zone. This approach provides greater clarity for implementation, preserving the functional and operational intent of each zone while ensuring adherence to the broader planning framework.

The general intent and purpose of the Zoning By-law with respect to split zoning the property Business Corridor (BC1 and BC1-41) and General Employment (GE1) is to permit an appropriate range of uses on each of the property's two very different frontages. The north half of the property is visible from Paletta Court and the QEW, and the Official Plan vision for employment areas that have "high visibility along major transportation routes" is to be places for "prestige-type offices and industrial uses". The south half of the property is less visible from Paletta Court and the QEW and has frontage on a much less significant transportation route (Zelco Drive). It is therefore appropriate for the south half to permit a longer list of industrial uses that are not necessarily "prestige-type" industrial or office uses. The change in variance wording permits building parameters (setbacks, building heights, etc…) to be taken from the external property boundaries to enable the site to be developed comprehensively, while preserving the different list of uses permitted on each half of the property.

Yes – Variance No. 2 (Yard Abutting a Street)

To address the Committee's concerns, a new condition is proposed as part of this variance's approval. It requires that the permitted minimum setback be implemented in strict accordance with the building locations and setbacks detailed on Schedule "A".

This condition ensures that the reduced setbacks approved through the variance are applied precisely as shown in the approved site plan, providing a clear and enforceable standard for development. By tying the setback requirements directly to Schedule "A," the condition eliminates ambiguity and offers greater assurance that the buildings will be positioned as planned, preserving the intended spatial relationships, access points, and visual alignments on the site. This approach addresses the Committee's concerns about deviations from the zoning regulations and reinforces the importance of adhering to the established site layout during construction and final implementation.

The intent of the Zoning By-law regarding yard setbacks abutting streets is to ensure that sufficient space is provided for landscaping, safety, visibility, and aesthetic appeal while maintaining an appropriate relationship between buildings and the streetscape. In this case, the variance allows a 7.3m yard abutting Zelco Drive instead of the required 9m. The setback is limited to the pinch point of Zelco Drive bend, at the middle access,

while the remainder of the yard is largely compliant. Given that the affected yard portion is at the bend of the road and close to its cul-de-sac terminus, the reduced setback still provides adequate room for landscaping and does not compromise the functionality or safety of the site.

Furthermore, the reduced yard maintains an appropriate scale and relationship to the street and surrounding industrial uses, aligning with the character of the area. The design and landscaping plan, to be examined in detail and cleared as part of satisfying site plan conditions, will help soften the visual impact, ensuring the development remains compatible with the adjacent streetscape and upholds the general intent of the Zoning By-law in terms of maintaining aesthetic quality and functionality along street frontages.

Yes – Variances No. 3, 4 and 5 (Yards abutting a street adjacent to the Queen Elizabeth Way)

To address the Committee's concerns, a new condition has been added to the approval of Variances 3, 4, and 5. These variances are now subject to the condition that ensures compliance with the building locations and setbacks as shown on Schedule "A". By tying each variance to Schedule "A", the condition ensures that the reduced setbacks are implemented as depicted, providing clarity during the development process. This approach attempts to address the Committee's concerns, ensuring that the spatial layout, visual buffers, and site organization remain consistent with the approved site plan.

The intent of the Zoning By-law for larger yard setbacks adjacent to highways, such as the Queen Elizabeth Way (QEW), is to ensure appropriate buffering between high-traffic corridors and developments. This buffering contributes to visual quality, noise mitigation, and safety. The variances requested reduce the required 30m setback to 10.7m for Building D (Variance 3), 14m for Buildings A and B (Variance 4), and 19.5m for Building C (Variance 5).

While these setbacks are less than the by-law standard, they still provide substantial distance from the highway when combined with the road width of Paletta Court, ensuring the safety and functionality of the development. Additionally, these reduced setbacks do not compromise the visual relationship between the buildings and the QEW. Landscape buffers and building design features help maintain the intended aesthetic and functional separation, thereby preserving the visual quality along the highway corridor. The proposal, with appropriate landscaping, building positioning, and site design, in the opinion of staff, will meet the general intent of the Zoning By-law by providing adequate separation and mitigating any potential negative impacts of reduced setbacks.

Yes – Variance No. 6 (Landscape area abutting a street adjacent to the Queen Elizabeth Way)

To address the Committee's concerns, a new condition has been introduced as part of the variance approval. It stipulates that any permitted reduction in the required landscape area must strictly adhere to the landscape layout and dimensions as shown on Schedule "A".

This condition ensures that the reduced landscape areas are implemented exactly as depicted on the approved site plan, providing consistency and clarity in the development process. By tying the variance to Schedule "A," the condition guarantees that the landscaping remains in line with the approved design, preserving its intended function as a visual buffer, enhancing site aesthetics, and mitigating potential impacts on surrounding areas. This measure directly addresses the Committee's concerns about landscape encroachments and reinforces the importance of maintaining defined landscape standards in the final site implementation.

The intent of the Zoning By-law's landscape area provision adjacent to major highways like the Queen Elizabeth Way (QEW) is to create a visual buffer, enhance aesthetics, and help mitigate noise and environmental impacts. The required 15m landscape area serves as an important transition between the highway and the development, contributing to both the appearance of the streetscape and the overall quality of the urban environment.

The property is buffered from the direct contact with the eastbound highway lanes by Paletta Crt. and an off ramp to Appleby Ln. The proposed reduction to a 5.7m landscape area, while a deviation from the standard, still allows for substantial landscaping to be implemented. The reductions are located at the encroaching areas of parking (e.g. northwesterly corner) while the majority of required landscaping can be accommodated in the remaining areas along the highway. The site plan drawing denotes the 14m MTO required setback (hatching abutting Paletta Crt.) which highlights the fact that landscaping setback is either being met or approaches meeting the setback along several portions of the frontage. With proper planting and screening techniques, the reduced landscape area can continue to serve as an effective buffer between the development and the highway, in addition to the aforementioned barriers of Paletta Crt. and the off ramp. The proposed landscaping plan, which includes appropriate plantings and visual screening, will ensure that the general intent of the Zoning By-law is met by maintaining an aesthetically pleasing streetscape and mitigating any potential negative impacts from the highway proximity.

Yes – Variance No. 7 (Hydro transformers to be located in a required landscape area)

As part of the revised submission, Variance #7 has been modified to limit the placement of hydro transformers within the required landscape area. Specifically, this variance now

allows for the installation of only one hydro transformer within the designated landscape area. Additionally, the scope of Variance #7 has been further refined to clarify that it applies exclusively to the required landscape area abutting Zelco Drive.

This revision ensures that the variance is tailored to minimize any impacts on the overall landscape design while accommodating the functional requirements of the site. By limiting the transformer placement to a single unit and restricting its location, the intent of the landscaping provisions is largely preserved, maintaining the visual quality and buffering provided by the landscape area along Zelco Drive. This approach attempts to address the Committee's concerns while providing a clear and enforceable condition for the site development.

The intent of the Zoning By-law's restriction on placing transformers in a landscape area is to preserve the visual integrity and function of these green spaces. Landscape areas are designed to enhance aesthetics, provide environmental benefits, and act as buffers between land uses.

While placing hydro transformers in the required landscape area is a minor intrusion into the green space, the overall intent of the By-law can still be maintained if the transformers are effectively screened with landscaping elements. Proper plantings, such as shrubs or trees, can conceal the transformers and ensure that they do not detract from the visual quality of the streetscape. This approach ensures that the proposed variance maintains the general intent of the By-law by balancing necessary utility infrastructure with preserving the aesthetic and functional qualities of the landscape area.

Yes – Variance No. 8 (1.72 parking spaces per 100 m^2 of gross floor area)

The original MHBC planning justification letter of September 11, 2024 requested a variance for a parking rate of 1.72 parking spaces per 100 m2 of gross floor area instead of the minimum required 2 spaces per 100 m² of gross floor area. This would have permitted a parking supply of 588 spaces rather than the 684 parking spaces required by the Zoning Bylaw. The total of 588 excluded 38 spaces that were within the MTO setback. During the City's zoning review, the zoning examiner counted 592 spaces, excluding the 38 within the MTO setback, so the parking rate was calculated as 1.73 spaces per 100 m². There are no differences between the September 2024 parking layout and the current layout, and the original number of 588 spaces has been confirmed during this review, which means the parking rate has been slightly adjusted from 1.73 to 1.72 spaces per 100 m² of gross floor area. This adjustment ensures that the proposed parking supply aligns with the revised calculations while maintaining overall consistency with the original intent. The parking justification for the provision of 588 spaces, which reflects the updated rate, remains valid and continues to demonstrate that the proposed parking supply is sufficient to meet the anticipated needs of the development.

The intent of the Zoning By-law's parking space requirement is to ensure that there is sufficient parking to meet the needs of the site's users without creating excessive overflow into adjacent areas. A total of 684 parking spaces are required however only 588 are being proposed. Reducing the required number of parking spaces to 1.72 per 100 m² (resulting in 588.24 parking spaces) from the minimum of 2 spaces per 100 m² (resulting in 684 parking spaces in total) is justified through the Parking Justification Letter provided by C.F. Crozier & Associates. The letter, which included an analysis of similar industrial buildings, demonstrates that the proposed parking will sufficiently meet demand based on actual usage patterns.

Additionally, while 38 extra parking spaces are being provided within the lands regulated by the Ministry of Transportation (MTO) that abut the highway, these spaces are not being counted towards the required parking supply. This further supports the overall parking capacity on the site without affecting the required calculations. The proposed parking shortfall is also mitigated by the inclusion of additional accessible and bicycle parking spaces, which exceed the By-law's requirements, encouraging alternative transportation methods and reducing the need for traditional parking spaces. Therefore, the variance maintains the general intent and purpose of the Zoning By-law while supporting a more efficient and sustainable use of the site.

Yes – Variance No. 9 (parking area separation)

As part of the revised submission, Variance #9 has been modified to establish a clear limit on the size of parking areas before a 3-meter-wide landscape area is required. This limit has been defined to align with the areas currently depicted on the site plan, specifically the parking zones located between Buildings B, C, and D, as well as the area to the south of Buildings B and C.

The intent of this revision is to provide greater clarity and ensure compliance with the Committee's expectations regarding landscape separation within large parking areas. This variance will be subject to a condition, which stipulates that the parking areas approved under this variance must be provided in accordance with the designated parking layout shown on the site plan. This ensures that the landscape areas and parking configurations remain consistent with the approved plans and adhere to the intent of the zoning regulations.

The intent of the Zoning By-law provision requiring parking areas with more than 150 spaces to be separated by a 3m landscaped area is to break up large expanses of pavement, improve aesthetics, and manage stormwater runoff. The proposed variance seeks to exceed this threshold without the 3m landscape separation between parking areas. However, the overall site design incorporates significant landscaping along the periphery of the site, with some parking islands in between.

Based on the foregoing, staff is of the opinion that the intent and purpose of the Zoning Bylaw are being met.

3) Desirability:

Is the proposed minor variance from the zoning by-law desirable for the appropriate development or use of the land, building or structure?

Yes

The subject application has been reviewed in the context of existing and surrounding land uses as well as potential impacts affecting the orderly development of the property.

The proposed minor variances are desirable for the appropriate development or use of the land, building, or structure. The variances allow for a flexible and efficient site design that supports the functionality of the multi-unit business park while ensuring that it meets the needs of employment uses. By reducing yard setbacks and landscape areas, the proposal maximizes the use of the available land, allowing for optimal building placement and site circulation, which is critical for industrial and business operations. The parking variance is well-supported by the Parking Justification Letter, and although fewer spaces are proposed than required by the Zoning By-law, the parking supply is adequate for the anticipated demand based on comparable developments. Additionally, the extra 38 parking spaces provided on the MTO-regulated lands abutting the highway, although not counted toward the required parking, provide further flexibility in accommodating parking needs without impacting the overall design.

The proposed development maintains compatibility with the surrounding employment uses, and the design enhancements such as landscaping buffers, building setbacks, and screening of service areas ensure the development will blend seamlessly into the existing streetscape. Moreover, the proposal addresses the need for employment intensification in a way that is both practical and aesthetically consistent with the City’s broader urban design policies. Overall, the variances contribute to the efficient use of the land and improve the site's overall utility, making the proposal desirable for its intended use.

Development Engineering, Forestry, and Transportation Planning have no objections to the proposed minor variance.

4) Minor in Nature:

Is the proposed minor variance(s) from the zoning by-law considered minor in nature?

Yes

The proposed new buildings and associated variance application are intended to further facilitate the use of the property for office/industrial purposes with minimal land use impacts anticipated.

The proposed minor variances are considered minor in nature. Each of the requested variances represents modest deviations from the requirements of the Zoning By-law, allowing for adjustments in yard setbacks, parking requirements, landscaping provisions, and transformer placement. These changes are not excessive and do not compromise the overall intent of the by-law to ensure a functional, safe, and aesthetically pleasing development.

Importantly, the variances do not result in any undue impacts on adjacent properties or the surrounding area. The adjustments maintain appropriate separation distances, access, and circulation, as well as compatibility with the surrounding land uses. The reduction in parking spaces is supported by a parking justification study, and the additional parking in areas regulated by the MTO, though not counted toward required parking, provides further relief.

In consideration of the above, it is the staff’s opinion that the requested minor variance to the City of Burlington Zoning By-law 2020 be deemed minor.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effects of the multiple variances do not result in any significant adverse impact on the functionality, safety, or compatibility of the development with its surroundings.

The reduced yard setbacks, landscape area, and parking requirements have been carefully evaluated to ensure they do not compromise site functionality or the visual quality of the development. The additional parking spaces within MTO-regulated lands provide further flexibility, mitigating concerns related to parking capacity. Moreover, the requested variances maintain the overall intent of the Zoning By-law, ensuring that the development remains compatible with adjacent uses, promotes efficient land use, and meets the City's urban design and employment objectives.

Thus, the proposed variances work together to support the development without leading to cumulative negative impacts, ensuring the project remains in line with the City’s planning and design goals.

Recommendation:

Staff has reviewed the subject application in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection to the requested variances subject to a condition listed below.

Condition:

The variances associated with this approval shall be substantially in accordance with the site plan approval dated March 4, 2024, and Schedule 'A' dated November 29th, 2024 that was submitted in support of this application.

Date: December 18, 2024, Prepared By: Melissa Gasic

Report Schedules & Attachments:

Attachment No. 1 (Site Photos – October 4, 2024)

View of 4450 Paletta Crt.

View of Paletta Crt. frontage

View of the highway

View towards 4480 Paletta Crt.

Access point in between 4450 and 4480 Paletta Crt.

View of the rear of 4450 Paletta Crt.

View towards 4480 Paletta Crt.

View towards 4480 Paletta Crt. (NE corner)

View of 914 Appleby Line (south of 4480 Paletta Crt.)

Rear view at 4480 Paletta Crt.

Rear view at 4480 Paletta Crt.

View of 921 Zelco Dr. (rear)

View towards 890 Appleby Line (south)

Appleby Pioneer Cemetery

View of the damaged are at 4480 Paletta Crt.

4450 Paletta Crt. Access from Zelco Dr.

View of the neighbouring properties (Paletta Crt.)

View of the neighbouring properties (Zelco Dr.)

Development Engineering

Development Engineering has reviewed the proposed minor variances and have no objections.

Date: December 18, 2024 Prepared By: A. Scott

Forestry

Forestry has reviewed the proposed minor variance(s) and have no objections.

Date: Dec 13, 2024 Prepared By: J. Lee

Building

Building has reviewed the proposed minor variance(s) and have no objections. Please note that the scope of work will be reviewed in-depth for Ontario Building Code Compliance after a Building Permit application is received.

1. A Building Permit is required for all building construction/demolition;

2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2012. An/or an Architect and/or a Professional Engineer.

Date: December 16, 2024 Prepared By: T. Le

Transportation Planning

Deemed Road Width Analysis

Paletta Court:

Paletta Court is under the authority of the City of Burlington. The deemed width of Paletta Court is 20 meters, or 10 meters from the centerline of the right of way. The distance from the centerline of the right-of-way to the subject property limits is approximately 10 meters; therefore, no additional land is required.

Zelco Drive:

Zelco Drive is under the authority of the City of Burlington. The deemed width of Zelco Drive is 20 meters, or 10 meters from the centerline of the right of way. The distance

from the centerline of the right-of-way to the subject property limits is approximately 10 meters; therefore, no additional land is required.

Date: September 17, 2024, Prepared By: Smeeta Adiga

Transportation Planning have reviewed the proposed minor variance application and have no objections to the requested variances.

Note:
A parking Justification Letter from C.F.Crozier & Associates Inc., dated December 15, 2023 was reviewed and approved by Transportation Planning as part of the Site Plan Approval application (File no. 525-013/23). Transportation Planning determined that the proposed parking reduction is supportable, subject to the implementation of Transportation Demand Management (TDM) and an Implementation Strategy as a condition of the Site Plan application.

Date: December 16, 2024, Prepared By: S. Adiga

Finance

Notice regarding Development Charges:
The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax
All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: December 10, 2024 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application for 4450 Paletta Crt, 4480 Paletta Crt & 4500 Paletta Crt where the application to re-develop the properties as a comprehensive development containing three one-storey industrial buildings and one four-storey office building. Variances are required to allow zoning regulations to apply from the external site boundary, to permit reduced yards to Zelco Drive and Paletta Crt, to permit a reduced landscape area abutting Paletta Crt, to allow for one hydro transformer within the required landscape area abutting Zelco Drive, and to permit a required parking reduction and to permit a parking area with a maximum of 488 parking spaces to be separated by a landscape area from another parking area.

- Due to recent Provincial legislation, as of July 1, 2024, the Region is no longer be responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional Staff have no objections to the Minor Variance application.

Date: December 16, 2024 Prepared By: Shiza Mushtaq

Ministry of Transportation (MTO)

Revised comments from the MTO were not received at the time of this staff report being completed.

Below are the comments provided by the MTO from the initial submission:

MTO has reviewed the minor variances and have the following comments, in accordance with the Public Transportation and Highway Improvement Act (Ontario):

- The MTO previously provided comments on the site application for this site. All of those comments will have to be addressed prior to issuance of the MTO Building and Land Use permit.

- All building, above/below ground structures and essential site features (by-law required parking and other by-law required site features, loading areas, turn around areas, essential drive lanes, fire lanes, retaining walls, utilities, essential drainage features, etc.) should be setback a minimum of 14m from the Paletta Court right-of-way.

- If there is a planned municipal widening of Paletta Court, the 14m setback should be measured from the future property line.

- By-law required parking is not permitted within the 14m setback. Sufficient parking must be provided on-site to meet this requirement.

- Generally, landscaping is permitted within the 14m setback.

- The reduced minimum landscape buffer of 5.8m at the north/west corner of the property is acceptable, granted no essential site features are within the 14m setback.

- Building D may follow the existing building. The proposed reduced building setback of 10.7m is acceptable.

- No comment on any proposed variances at the rear of the lot as they do not impact MTO requirements.

Date: September 18, 2024 Prepared By: Usman Akhtar

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☑ or N ☐
Name of Planner: Melissa Gasic Name of Zoning Examiner: Nathan Dart

PROPERTY INFORMATION
Municipal Address(es) of property:

4450 Paletta Court

Legal Description of property:
Part of Lot 6 Concession 3 S.D.S, Lot 11 &12

Official Plan Designation: Business Corridor Current Zoning Designation BC1 and GE1

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Paletta International (1990) Inc. c/o Paul Paletta, Alinea Land Corporation

Mailing Address: 4480 Paletta Court City: Burlington

Postal Code: L7L ~~5R~~ 5R2 Home Phone: Mobile Phone:

Work Phone: E-Mail:

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name: MHBC Planning c/o Melinda MacRory

Business Address: 12 James Street North City: Hamilton

Postal Code: L8R 2J9 Home Phone: Mobile Phone:

Work Phone: 905-639-8686 E-Mail: mmacrory@mhbcplan.com

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.
In combination with this application, a Site Plan Application has been submitted for the Subject Lands to facilitate the development of 4 employment buildings for office, multi-unit business park and industrial uses. Please see accompanying Justification Letter for more information.

Variance(s) Requested	Zoning Bylaw Requirement
Please see accompanying Justification Letter	

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? The proposed variances both individually and cumulatively do not create any undue adverse impacts and are minor in nature. Please see accompanying Justification Letter for more information.

2. Why are the variance(s) desirable for the appropriate use of the land? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively are desirable for the appropriate development and use of the land.

3. Do the variance(s) meet the intent and purpose of the Official Plan? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Official Plan.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Zoning By-law.

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
December 1992 (mmm/dd/yyyy)	Prior to 1992 (mmm/dd/yyyy)	2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling □ Semi-Detached Dwelling □
Townhouse Dwelling □ Street Townhouse
Dwelling □ Stacked Townhouse Dwelling □
Apartment □ Mixed Use □ Hi Rise □
Commercial □ Industrial □ Vacant □
Other ☑ Employment

Length of time the existing uses of the subject property have continued:
Since construction.

Proposed Use of the Land:

Employment

Existing Uses of Abutting Properties (check all that apply)

Residential ☐ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☑ Park ☐ Other ☑ Employment
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☑	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water ☑ If not available, by what means is it provided: _____
Sanitary Sewers ☑ If not available, by what means is it provided: _____
Storm Sewers ☑ If not available, by what means is it provided: _____

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit
☑ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

Dimensions of Property			Street Width (see first page of application for how to obtain)				Have you applied for Site Plan Approval?
Frontage	Depth	Area	Actual	Deemed	Required	Density	Y ☑ N ☐
Paletta - ± 120 m Zelco - ±	± 195 m	24,070.7 m²	Paletta - 20 m Zelco - 20 m	Paletta - 20 m Zelco - 20 m	Paletta - 0 m Zelco - 0 m	N/A	File #: 535-013-23

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Building)		PROPOSED (Building/Addition)	
Ground Floor Area:	± 3,200 M²	Ground Floor Area:	9,012.58 M²
Gross Floor Area:	unknown M²	Gross Floor Area:	9,012.58 M²
Number of Storeys:	1	Number of Storeys:	1
Width:	± 55 M	Width:	49.10 M
Length:	± 80 M	Length	169.00 M
Height:	unknown M	Height	11.34 M
Floor Area: Office Space	unknown M²	Floor Area: Office Space	0 M²
Floor Area: Warehouse/Retail/Other:	unknown M²	Floor Area: Warehouse/Retail/Other	9,0125.58 M²
# of Existing Units:	1	# of Proposed Units:	1
Floor Area Ratio:	unknown	Floor Area Ratio:	0.4 :1
Required Parking Spaces:	unknown	Proposed Parking Spaces:	124
Existing Parking Spaces:	unknown		

EXISTING (Other)		PROPOSED (Other)	
Ground Floor Area:	M²	Ground Floor Area:	M²
Gross Floor Area:	M²	Gross Floor Area:	M²
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)		PROPOSED (Building)	
Front:	± 4 M	Front:	14 M
Rear:	± 100 M	Rear:	7.5 M
Side:	± 55 M	Side:	22.23 M
Side:	± 9 M	Side:	0 M

OTHER		OTHER	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: Paul Paletta

Property Address: 4450 Paletta Court

Signature of Owner/Applicant

Date (mmm/dd/yyyy): June 26/24

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☑ Signature of Applicant or Authorized Agent: MHBC Planning c/o Melinda MacRory

I, Melinda MacRory (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City (Region/City/County) of Hamilton in the _____ (City/Town/Township)

this 3rd day of July, 20 24.

Lauren Amanda Pasic,
a Commissioner, etc., Province of Ontario,
for MHBC Planning Limited,
Expires May 6, 2027.

L Pasic
Signature of Commissioner, etc.

M MacRory
Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 4450 Paletta Court

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner

Paul Paletta
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Paul Paletta (print name) being the registered owner of the subject lands, hereby

Authorize MHBC Planning (print agent name) to prepare, submit and act on my behalf with respect to this

application for a Minor Variance.

Signature of Owner

June 26/24
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	✓
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☑ Deemed Street Line
- ☑ Existing Front Yard Setbacks
- ☑ Existing Rear Yard Setbacks
- ☑ Existing Side Yard Setbacks
- ☑ Existing Street Side Yard Setbacks
- ☑ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☑ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☑ Railways (Location of them and setbacks to structures)
- ☑ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

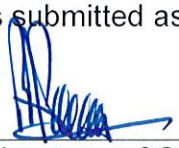
ELEVATIONS

- ☐ Metric
- ☐ Front
- ☐ Rear
- ☐ Side 1
- ☐ Side 2

FLOOR PLANS

- ☐ Metric
- ☐ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.



Signature of Owner/Agent

June 26/24

Date (mmm/dd/yyy)

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☑ or N ☐
Name of Planner: Melissa Gasic Name of Zoning Examiner: Nathan Dart

PROPERTY INFORMATION
Municipal Address(es) of property:

4480 Paletta Court

Legal Description of property:
Part of Lot 6 Concession 3 S.D.S, Lot 13

Official Plan Designation: Business Corridor Current Zoning Designation BC1-41

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Paletta Bros. Four Limited c/o Paul Paletta, Alinea Land Corporation

Mailing Address: 4480 Paletta Court City: Burlington

Postal Code: L7L 5R2 Home Phone: Mobile Phone:

Work Phone: E-Mail:

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name: MHBC Planning c/o Melinda MacRory

Business Address: 12 James Street North City: Hamilton

Postal Code: L8R 2J9 Home Phone: Mobile Phone:

Work Phone: 905-639-8686 E-Mail: mmacrory@mhbcplan.com

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.
In combination with this application, a Consent and Site Plan Application has been submitted for the Subject Lands to facilitate the development of 4 employment buildings for office, multi-unit business park and industrial uses. Please see accompanying Justification Letter for more information.

Variance(s) Requested	Zoning Bylaw Requirement
Please see accompanying Justification Letter	

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? The proposed variances both individually and cumulatively do not create any undue adverse impacts and are minor in nature. Please see accompanying Justification Letter for more information.

2. Why are the variance(s) desirable for the appropriate use of the land? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively are desirable for the appropriate development and use of the land.

3. Do the variance(s) meet the intent and purpose of the Official Plan? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Official Plan.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Zoning By-law.

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
December 1992 (mmm/dd/yyyy)	Prior to 1992 (mmm/dd/yyyy)	2025 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☐ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse
Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☑ Employment

Length of time the existing uses of the subject property have continued:
Since construction.

Proposed Use of the Land:

Employment

Existing Uses of Abutting Properties (check all that apply)

Residential ☐ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☑ Park ☐ Other ☑ Employment
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway	Municipal Road	Private Road	Water	Other(specify)
☐	☑	☐	☐	☐

Municipal Services Provided

Water	☑	If not available, by what means is it provided:
Sanitary Sewers	☑	If not available, by what means is it provided:
Storm Sewers	☑	If not available, by what means is it provided:

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐Building Permit
☑Site Development Plan ☐Plan of Subdivision ☐Previous Minor Variance ☑Consent

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

Dimensions of Property			Street Width (see first page of application for how to obtain)				Have you applied for Site Plan Approval?
Frontage	Depth	Area	Actual	Deemed	Required	Density	Y ☑ N ☐
Paletta - ± 325 m Zelco - ± 45 m	± 245 m	39,910.95 m²	Paletta - 20 m Zelco - 20 m	Paletta - 20 m Zelco - 20 m	Paletta - 0 m Zelco - 0 m	N/A	File #: 535-013-23

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Building)		PROPOSED (Building/Addition)	
Ground Floor Area:	± 10,470 M^2	Ground Floor Area:	± 15,065 M^2
Gross Floor Area:	± 20,940 M^2	Gross Floor Area:	± 19,960 M^2
Number of Storeys:	2	Number of Storeys:	1 for industrial / 4 for office
Width:	± 85 M	Width:	See Site Plan. 3 buildings proposed M
Length:	± 120 M	Length	See Site Plan. 3 buildings proposed M
Height:	unknown M	Height	See Site Plan. 3 buildings proposed M
Floor Area: Office Space	unknown M^2	Floor Area: Office Space	± 7,435 M^2
Floor Area: Warehouse/Retail/Other:	unknown M^2	Floor Area: Warehouse/Retail/Other	± 12,525.87 M^2
# of Existing Units:	1	# of Proposed Units:	3 Buildings Proposed
Floor Area Ratio:	unknown	Floor Area Ratio:	0.4:1
Required Parking Spaces:	unknown	Proposed Parking Spaces:	464
Existing Parking Spaces:	unknown		

EXISTING (Other)		PROPOSED (Other)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)		PROPOSED (Building)	
Front:	± 10 M	Front:	10.72 M
Rear:	± 95 M	Rear:	25.49 M
Side:	± 65 M	Side:	0 M
Side:	± 10 M	Side:	0 M

OTHER		OTHER	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

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A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

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I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: Paul Paletta

Property Address: 4480 Paletta Court

Signature of Owner/Applicant
for Paul Paletta

Date (mmm/dd/yyyy): June 26/24

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☑ Signature of Applicant or Authorized Agent: MHBC Planning c/o Melinda MacRory

I, Melinda MacRory (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City (Region/City/County) of Hamilton in the _____ (City/Town/Township)

this 3rd day of July 20 24.

Lauren Amanda Pasic,
a Commissioner, etc., Province of Ontario,
for MHBC Planning Limited,
Expires May 6, 2027.

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 4480 Paletta Court

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner

Paul Paletta
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Paul Paletta (print name) being the registered owner of the subject lands, hereby

Authorize MHBC Planning (print agent name) to prepare, submit and act on my behalf with respect to this

application for a Minor Variance.

Signature of Owner

June 26/24
Date (mmm/dd/yyyy)

Notice of collection of personal information

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The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	✓
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☑ Deemed Street Line
- ☑ Existing Front Yard Setbacks
- ☑ Existing Rear Yard Setbacks
- ☑ Existing Side Yard Setbacks
- ☑ Existing Street Side Yard Setbacks
- ☑ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☑ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☑ Railways (Location of them and setbacks to structures)
- ☑ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

ELEVATIONS

- ☐ Metric
- ☐ Front
- ☐ Rear
- ☐ Side 1
- ☐ Side 2

FLOOR PLANS

- ☐ Metric
- ☐ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

June 26 / 24
Date (mmm/dd/yyy)

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

Application made under:
☑ Section 45 (1) of the Planning Act ☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☑ or N ☐
Name of Planner: Melissa Gasic Name of Zoning Examiner: Nathan Dart

PROPERTY INFORMATION
Municipal Address(es) of property:

4500 Paletta Court

Legal Description of property:
Part of Lot 6 Concession 3 S.D.S, Parts 1 & 2

Official Plan Designation: Business Corridor Current Zoning Designation BC1-41

OWNER(S) INFORMATION:
Legal Name (as it appears on the title for the property):

Paletta Bros. Four Limited c/o Paul Paletta, Alinea Land Corporation

Mailing Address: 4480 Paletta Court City: Burlington

Postal Code: L7L ~~5R~~ 5R2 Home Phone: Mobile Phone:

Work Phone: E-Mail:

AGENT INFORMATION (if applicable): (This person will be the primary point of contact if provided)

Name: MHBC Planning c/o Melinda MacRory

Business Address: 12 James Street North City: Hamilton

Postal Code: L8R 2J9 Home Phone: Mobile Phone:

Work Phone: 905-639-8686 E-Mail: mmacrory@mhbcplan.com

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required.
In combination with this application, a Site Plan Application has been submitted for the Subject Lands to facilitate the development of 4 employment buildings for office, multi-unit business park and industrial uses. Please see accompanying Justification Letter for more information.

Variance(s) Requested	Zoning Bylaw Requirement
Please see accompanying Justification Letter	

In your own words, please explain why you are unable to comply with the provisions of the Zoning By-law and how the minor variance(s) meet the four (4) tests under the Planning Act:

1. Why is the variance(s) minor in nature? The proposed variances both individually and cumulatively do not create any undue adverse impacts and are minor in nature. Please see accompanying Justification Letter for more information.

2. Why are the variance(s) desirable for the appropriate use of the land? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively are desirable for the appropriate development and use of the land.

3. Do the variance(s) meet the intent and purpose of the Official Plan? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Official Plan.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? Based on the analysis provided in the accompanying Justification Letter, the proposed variances both individually and cumulatively meet the general intent and purpose of the Zoning By-law.

CITY OF Burlington

MINOR VARIANCE – 2024

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
December 1992	Prior to 1992	2025
mmm/dd/yyyy	mmm/dd/yyyy	mmm/dd/yyyy

Existing Use of the Subject Property (check one):

Detached Dwelling ☐ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse
Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☑ Employment

Length of time the existing uses of the subject property have continued:
Since construction.

Proposed Use of the Land:

Employment

Existing Uses of Abutting Properties (check all that apply)

Residential ☐ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐
Railway right-of-way ☐ Provincial Highway ☑ Park ☐ Other ☑ Employment
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☑
Unknown ☐

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☑	Private Road ☐	Water ☐	Other(specify) ☐

Municipal Services Provided

Water	☑	If not available, by what means is it provided:
Sanitary Sewers	☑	If not available, by what means is it provided:
Storm Sewers	☑	If not available, by what means is it provided:

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐Building Permit
☑Site Development Plan ☐Plan of Subdivision ☐Previous Minor Variance ☐Consent

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Density	Have you applied for Site Plan Approval? Y ☑ N ☐ File #: 535-013-23
Paletta - ± 25 m	± 90 m	11,866 m²	Paletta - 20 m Zelco - 20 m	Paletta - 20 m Zelco - 20 m	Paletta - 0 m Zelco - 0 m	N/A	

Particulars of all buildings and structures on or proposed for the subject lands
(attach additional page if required)

EXISTING (Building)		PROPOSED (Building/Addition)	
Ground Floor Area:	0 M^2	Ground Floor Area:	± 3,432 M^2
Gross Floor Area:	0 M^2	Gross Floor Area:	± 3,432 M^2
Number of Storeys:	0	Number of Storeys:	1
Width:	0 M	Width:	± 70 M
Length:	0 M	Length	± 60 M
Height:	0 M	Height	13.99 M
Floor Area: Office Space	0 M^2	Floor Area: Office Space	0 M^2
Floor Area: Warehouse/Retail/Other:	0 M^2	Floor Area: Warehouse/Retail/Other	± 3,432 M^2
# of Existing Units:	0	# of Proposed Units:	1
Floor Area Ratio:	0	Floor Area Ratio:	0.3:1
Required Parking Spaces:	0	Proposed Parking Spaces:	2
Existing Parking Spaces:	0		

EXISTING (Other)		PROPOSED (Other)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)		PROPOSED (Building)	
Front:	M	Front:	± 25 M
Rear:	M	Rear:	8 M
Side:	M	Side:	8 M
Side:	M	Side:	± 72 M

OTHER		OTHER	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or agents on each property under application.

A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

The location of each sign will depend on the lot and location of structures on it, however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign. For commercial or industrial buildings it may be appropriate to post the sign on the front wall of the building at its entrance. Please contact the undersigned if you have any queries on the sign location.

DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

Each sign must remain posted beginning 10 days prior to the hearing, until the day following the hearing. Please fill in the form below indicating your agreement to post the sign(s) as required. This form must be submitted with the application so that it may be placed on file as evidence that you have met the committee's requirements. Failure to post the sign as required will result in deferral of the application.

I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: Paul Paletta

Property Address: 4500 Paletta Court

Signature of Owner/Applicant

Date (mmm/dd/yyyy): June 26/24

CITY OF Burlington

MINOR VARIANCE – 2024
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☑ Signature of Applicant or Authorized Agent: MHBC Planning c/o Melinda MacRory

I, Melinda MacRory (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

of Burlington solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City (Region/City/County) of Hamilton in the _____ (City/Town/Township)

this 3rd day of July 20 24.

Lauren Amanda Pasic,
a Commissioner, etc., Province of Ontario,
for MHBC Planning Limited,
Expires May 6, 2027.

L Pasic
Signature of Commissioner, etc.

M MacRory
Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 4500 Paletta Court

I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

Signature of Owner

Paul Paletta
Print Name

OWNERS AUTHORIZATION

If using an agent, the owner must also complete the following form:

I, Paul Paletta (print name) being the registered owner of the subject lands, hereby

Authorize MHBC Planning (print agent name) to prepare, submit and act on my behalf with respect to this

application for a Minor Variance.

Signature of Owner

June 26/24
Date (mmm/dd/yyyy)

Notice of collection of personal information

Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about this collection can be directed to the Manager of Development Planning, City of Burlington, 426 Brant Street, Burlington, Ontario, L7R 3Z6, 905-335-7600.

The applicant acknowledges that an application, all supporting information and materials, including studies and drawings, submitted under the Planning Act, pursuant to s. 1.0.1 of the Planning Act, RSO 1990, c.P.13, as amended, shall be made available to the public.

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	✓
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓

SITE PLAN

- ☑ Metric Scale
- ☑ North Arrow
- ☑ Frontage
- ☑ Depth
- ☑ Lot Area
- ☑ Lot Coverage
- ☑ Deemed Street Line
- ☑ Existing Front Yard Setbacks
- ☑ Existing Rear Yard Setbacks
- ☑ Existing Side Yard Setbacks
- ☑ Existing Street Side Yard Setbacks
- ☑ Existing Porch, Stairs and Overhang Setbacks
- ☑ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks
- ☑ Proposed Side Yard Setbacks
- ☑ Proposed Street Side Yard Setbacks
- ☑ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- ☑ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- ☑ Railways (Location of them and setbacks to structures)
- ☑ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.
Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

ELEVATIONS

- ☐ Metric
- ☐ Front
- ☐ Rear
- ☐ Side 1
- ☐ Side 2

FLOOR PLANS

- ☐ Metric
- ☐ North Arrow
- ☐ Gross Floor Area Calculation
- ☐ Ground Floor Area Calculation
- ☐ Floor Area Ratio (where applicable)

I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Signature of Owner/Agent

June 26/24
Date (mmm/dd/yyy)

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

November 29, 2024

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment
City of Burlington
426 Brant Street
Burlington, ON

Via email: committeeofadjustment@burlington.ca

Dear Ms. Shacklette:

RE: APPLICATION FOR MINOR VARIANCE – RESPONSE LETTER
4450, 4480 AND 4500 PALETTA COURT, BURLINGTON
CITY FILE: 545-02-A-047/2024, 545-02-A-048/2024 and 545-02-A-049/2024
OUR FILE: 1886G

On behalf of our client, Alinea Land Corporation, we are pleased to submit this Response Letter in support of Minor Variance Applications 545-02-A-047/2024, 545-02-A-048/2024 and 545-02-A-049/2024 for the properties municipally addressed as 4450, 4480 and 4500 Paletta Court in the City of Burlington (the "Subject Lands").

On November 6, 2024, a Committee of Adjustment hearing was held for the applications. At that meeting, the Committee raised a number of concerns and requested that the applications be deferred. A motion was made to defer the applications until January 22, 2025.

As requested by the Committee, the proposed variances have been revised in an effort to address the noted concerns. The table below provides the original requested variance wording, the proposed revised variance wording and the reasoning as to how the concerns raised by the Committee have been considered and addressed.

#	*Original Wording*	*Proposed Wording*	*Notes*
1	Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the BC1 and GE1 zone.	Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the BC1 and GE1 zone **with the exception of Part 3, Section**	To address the Committee's concerns, Variance #1 has been re-worded to ensure the permitted use for the BC1 and GE1 are limited to their respective zone boundaries (added wording shown in bold).

		2 (Table 3.2.1 – Permitted Uses).	
2	To permit a 7.3m yard abutting a street with a deemed width of less than 26m (Zelco Drive) instead of the minimum required 9m for a proposed industrial building (Building A).	To permit a minimum 7.3m yard abutting a street with a deemed width of less than 26m (Zelco Drive) instead of the minimum required 9m for a proposed industrial building (Building A).	To address the Committee's concerns, a new Condition has been added to this variance's approval. This variance will be subject to Condition 2, which states that the permitted minimum setback is to be provided in accordance with the building locations and setbacks as set out on Schedule "A".
3	To permit a 10.7m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed office building (Building D).	To permit a 10.7m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed office building (Building D).	Addressed as noted above
4	To permit a 14m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for two proposed industrial buildings (Building A and B).	To permit a 14m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for two proposed industrial buildings (Building A and B).	Addressed as noted above
5	To permit a 19.5m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed industrial building (Building C).	To permit a 19.5m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed industrial building (Building C).	Addressed as noted above
6	To permit a 5.7 m landscape area abutting a street adjacent to the Queen Elizabeth Way or Highway 403 instead of the minimum required 15m.	To permit a 5.7m landscape area abutting a street adjacent to the Queen Elizabeth Way or Highway 403 instead of the minimum required 15m.	To address the Committee's concerns, a new Condition has been added to this variance approval. This variance will be subject to Condition 3, which states that the permitted reduction in landscape area is to be provided in accordance with the landscape area as set out on Schedule "A".
7	To permit hydro transformers to be located in a required landscape area abutting a street whereas the definition of landscape area does not permit	To permit **one** hydro transformer to be located in a required landscape area abutting **Zelco Drive** whereas the definition of landscape area	To address the Committee's concerns, Variance #7 has been revised so that only **one** hydro transformer can be located within the required landscape

	transformers in a required Landscape Area.	does not permit transformers in a required Landscape Area.	area. Variance #7 has been further scoped to note this variance only applies to the required landscaped area abutting Zelco Drive.
8	To permit 1.73 parking spaces per 100 m^2 of gross floor area instead of the minimum required 2 spaces per 100 m^2 of gross floor area for a proposed multi-unit business park.	To permit **1.72 parking spaces** per 100 m^2 of gross floor area instead of the minimum required 2 spaces per 100 m^2 of gross floor area for a proposed multi-unit business park.	The parking rate has been slightly revised from 1.73 to 1.72 spaces per 100 m^2 of gross floor area to address a minor adjustment to the plans. The parking justification for the 588 spaces to be provided which reflects this rate remains in place.
9	Notwithstanding Part 4, Section 4.9 (c), to permit parking areas to exceed 150 parking spaces that are not separated by a 3m landscape area whereas the Zoning By-law requires parking areas to contain a maximum of 150 parking spaces separated from adjoining parking areas by a 3 m landscape area.	Notwithstanding **Part 3**, Section 4.9 (c), to permit **a maximum of 488 parking spaces separated from adjoining parking areas by a 3 m landscape area**, whereas the Zoning By-law requires parking areas to contain a maximum of 150 parking spaces separated from adjoining parking areas by a 3 m landscape area.	This variance has been revised to reference the correct regulation. To address the Committee's concerns, Variance #9 has been re-worded to set a limit the size of the parking area before a 3 m wide landscape area is required. This limit accounts for the area currently shown in between Building B, C and D and to the area South of Building B and C. This variance will be subject to Condition 4, which states the parking area subject to the approval of the variance is to be provided in accordance with the parking area as shown on Schedule "A"

In addition to the proposed revisions to the requested variances, we propose the following conditions that provide for clarity on how the variances are applied in relation to the site plan.

Proposed Revised Conditions:

1. The approval of the variances shall be substantially in accordance with the conditional site plan approval dated December 15, 2023.
2. The approval of variances 2 through 5 shall be in accordance with the building locations and setbacks as set out on Schedule "A".
3. The approval of variance 6 shall be in accordance with the landscape area as shown on Schedule "A".

4. The approval of variance 9 shall be in accordance with the parking area shown on Schedule "A".

Schedule "A" has been prepared to accompany the above noted conditions. Schedule "A" identifies building locations and setbacks, the landscape area exclusive of building and parking encroachments, and the defined parking area subject to variance 9.

One further concern raised by the Committee was in relation to the design of the facades of Buildings A and B. We have attached the updated elevations for these buildings as well as the proposed landscaping design at the front of these buildings. The combined building and landscaping elements ensure a high quality design and an appropriate streetscape as the site transitions from Appleby Line to the west.

Based on the revised variances and additional conditions, we maintain that the proposed minor variances, both individually and cumulatively, meet the requirements of 45(1) of the Planning act. We trust the information provided with this resubmission assists the Committee in addressing its concerns.

If you require further information, please do not hesitate to contact us.

Yours truly,

MHBC

Dana Anderson, FCIP, RPP
Partner

cc: Dave Pitblado, The Alinea Group

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-047/24, A-048/24, A-049/24**
Committee of Adjustment
Mailing Date: January 6th, 2025

NOTICE OF PUBLIC HEARING

Paletta International (1990) Inc. and Paletta Bros Four Limited, the owners of 4480 Paletta Crt. Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The properties in question are **4450, 4480 and 4500 Paletta Crt. Burlington** (see map).

The applicant is proposing to re-develop the properties as a comprehensive development containing three one-storey industrial buildings and one four-storey office building. This proposal results in the following variances:

1. Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the BC1 and GE1 zone with the exception of Part 3, Section 2 (Table 3.2.1 – Permitted Uses).

2. To permit a 7.3m yard abutting a street with a deemed width of less than 26m (Zelco Drive) instead of the minimum required 9m for a proposed industrial building (Building A).

3. To permit a 10.7m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed office building (Building D).

4. To permit a 14m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for two proposed industrial buildings (Building A and B).

5. To permit a 19.5m yard abutting a street adjacent to the Queen Elizabeth Way or 403 instead of the minimum required 30m for a proposed industrial building (Building C).

6. To permit a 5.7m landscape area abutting a street adjacent to the Queen Elizabeth Way or Highway 403 instead of the minimum required 15m.

7. To permit one hydro transformer to be located in a required landscape area abutting a street (Zelco Drive) whereas the definition of landscape area does not permit transformers in a required Landscape Area.

8. To permit 1.72 parking spaces per 100 m2 of gross floor area instead of the minimum required 2 spaces per 100 m2 of gross floor area for a proposed multi-unit business park.

9. Notwithstanding Part 3, Section 4.9 (c), to permit parking areas with a maximum of 488 spaces separated from adjoining parking areas by a 3m landscape area whereas the Zoning By-law requires parking areas to contain a maximum of 150 parking spaces separated from adjoining parking areas by a 3 m landscape area.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after January 6th, 2025**.

Committee of Adjustment Hearings will be hybrid-conducted in person and virtually. All members of the public, applicants and their agents will now have the option to participate in the public meeting process in person at City Hall in Council Chambers, or remotely via Zoom Webinar Video Conferencing technology. The Committee of Adjustment will meet to consider the above application under Section 45 of the Planning Act, 1990, as amended on:

WEDNESDAY JANUARY 22, 2025,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to send written comments regarding the application by e-mail to committeeofadjustment@burlington.ca with the subject line to read "Comments_Your Name_File No._Address of the Property".

Alternatively, written comments can be sent by regular mail addressed to the Secretary-Treasurer. Include your name, address, application number and address of the property for which you are providing comments.

City of Burlington Committee of Adjustment - Community Planning
426 Brant Street P.O. Box 5013 Burlington, Ontario, L7R 3Z6
committeeofadjustment@burlington.ca

To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating virtually through Zoom via computer or phone, or by attending the Hearing in-person. Participation virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions
   To register as a delegate, please contact the Secretary-Treasurer no later than 12:00 p.m. (noon) the day before the hearing date. The following information is required to register; Committee of Adjustment file number, hearing date, name, and mailing address of each person wishing to speak, if participation will be by phone or video. All requests to delegate must contain a copy of your intended remarks which will be circulated to all members of Committee in advance.

2. In person Oral Submissions
   Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please

note that you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:00 p.m.**

If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request to the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal Hearing. In accordance with the Planning Act, the Committee of Adjustment decision may be appealed to the Ontario Land Tribunal by the owner, the Minister of Municipal Affairs and Housing, a specified person or public body that has an interest in the matter.

The applicant is advised that it is **mandatory** that either the applicant or an authorized agent of the applicant must be present at the hearing either in person or virtual.

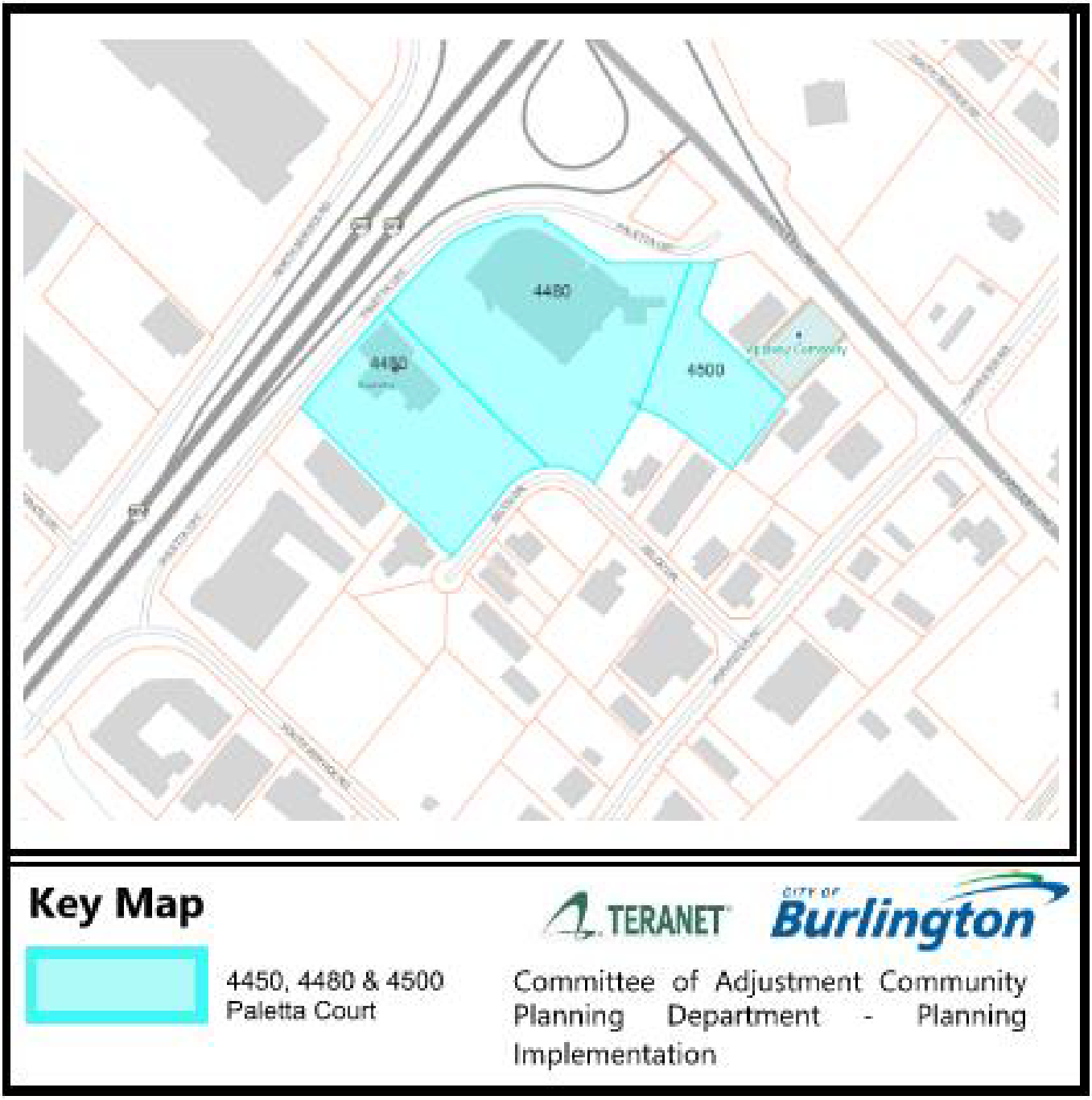
For more information about this matter, contact Erin Shacklette at committeeofadjustment@burlington.ca

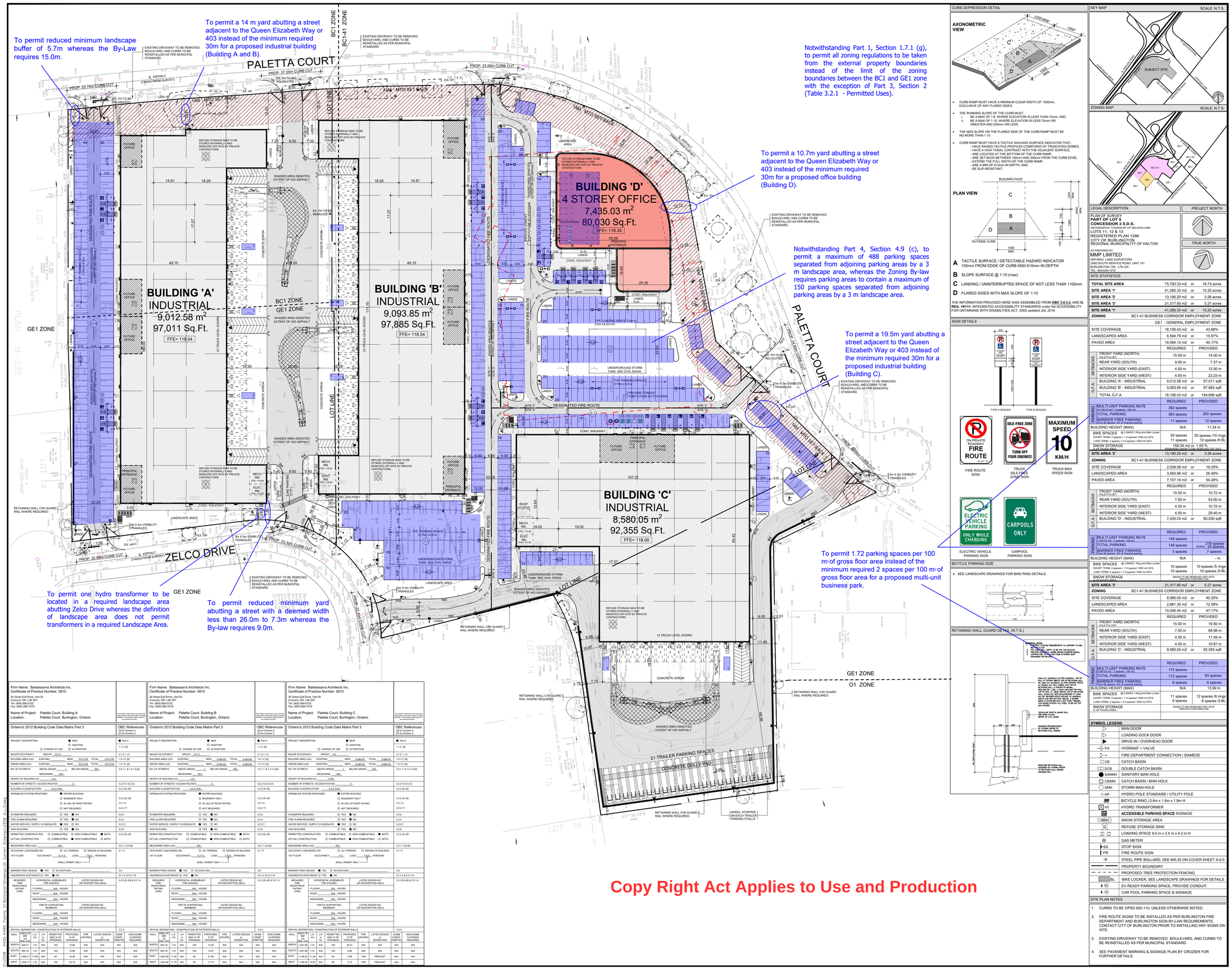
Yours truly,

Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

Personal information including comments and public feedback, is collected under the legal authority of the Planning Act, R.S.O. 1990, Chapter c. P.13, as amended, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended, which will be used to process the application and in the decision making process and becomes the property of the City of Burlington, and is considered to be a public record and will be disclosed to any individual (including being posted on the internet) upon request. Questions about this collection should be directed to the Secretary-Treasurer, Burlington Committee of Adjustment, Community Planning Department, 426 Brant Street, P.O. Box 5013, Burlington, Ontario; L7R 3Z6 (905) 335-7629.

Key Map


4480
4450
4500
Key Map
TERANET
Burlington
4450, 4480 & 4500
Paletta Court
Committee of Adjustment Community Planning Department - Planning Implementation



CURB DEPRESSION DETAIL

- CURB RAMP MUST HAVE A MINIMUM CLEAR WIDTH OF 1500mm, EXCLUSIVE OF ANY FLARED SIDES.
- THE RUNNING SLOPE OF THE CURB MUST,
  i. BE A MAX OF 1:8, WHERE ELEVATION IS LESS THAN 75mm, AND
  ii. BE A MAX OF 1:10, WHERE ELEVATION IS LESS 75mm OR GREATER AND 200mm OR LESS.
- THE MAX SLOPE ON THE FLARED SIDE OF THE CURB RAMP MUST BE NO MORE THAN 1:10.
- CURB RAMP MUST HAVE A TACTILE WALKING SURFACE INDICATOR THAT,
  - HAVE RAISED TACTILE PROFILES COMPOSED OF TRUNCATED DOMES.,
  - HAVE A HIGH TONAL CONTRAST WITH THE ADJACENT SURFACE,
  - ARE LOCATED AT THE BOTTOM OF THE CURB RAMP,
  - ARE SET BACK BETWEEN 150mm AND 200mm FROM THE CURB EDGE,
  - EXTEND THE FULL WIDTH OF THE CURB RAMP,
  - ARE A MIN OF 610mm IN DEPTH, AND
  - BE SLIP-RESISTANT.

A TACTILE SURFACE / DETECTABLE HAZARD INDICATOR 150mm FROM EDGE OF CURB AND 610mm IN DEPTH

B SLOPE SURFACE @ 1:10 (max)

C LANDING / UNINTERRUPTED SPACE OF NOT LESS THAN 1100mm

D FLARED SIDES WITH MAX SLOPE OF 1:10

THE INFORMATION PROVIDED HERE WAS ASSEMBLED FROM **OBC 3.8.3.2.** AND **O. REG. 191/11**: INTEGRATED ACCESSIBILITY STANDARDS under the ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT, 2005 updated JUL 2016.

SIGN DETAILS

BICYCLE PARKING SIZE

- SEE LANDSCAPE DRAWINGS FOR BIKE RING DETAILS.

RETAINING WALL GUARD DETAIL (N.T.S.)

KEY MAP

SCALE: N.T.S.

ZONING MAP

SCALE: N.T.S.

LEGAL DESCRIPTION

PLAN OF SURVEY
PART OF LOT 5
CONCESSION 3 S.D.S.
GEOGRAPHIC TOWNSHIP OF NELSON AND
LOTS 11, 12 & 13
REGISTERED PLAN 1286
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

AS PREPARED BY:
MMP LIMITED
ONTARIO LAND SURVEYORS
3380 SOUTH SERVICE ROAD, UNIT 101
BURLINGTON ON., L7N 3J5
905.639.8686

PROJECT NORTH

TRUE NORTH

SITE STATISTICS

TOTAL SITE AREA	75,793.33 m2	or	18.73 acres
SITE AREA '1'	41,285.33 m2	or	10.20 acres
SITE AREA '2'	13,190.20 m2	or	3.26 acres
SITE AREA '3'	21,317.80 m2	or	5.27 acres
SITE AREA '1'	41,285.33 m2	or	10.20 acres
ZONING	BC1-41 BUSINESS CORRIDOR EMPLOYMENT ZONE		
	GE1 - GENERAL EMPLOYMENT ZONE		
SITE COVERAGE	18,106.43 m2	or	43.86%
LANDSCAPED AREA	6,594.78 m2	or	15.97%
PAVED AREA	16,584.12 m2	or	40.17%
	REQUIRED		PROVIDED
SETBACKS — FRONT YARD (NORTH) PALETTA CRT.	15.00 m		14.00 m
SETBACKS — REAR YARD (SOUTH)	9.00 m		7.37 m
SETBACKS — INTERIOR SIDE YARD (EAST)	4.50 m		12.00 m
SETBACKS — INTERIOR SIDE YARD (WEST)	4.50 m		22.23 m
G.F.A. — BUILDING 'A' - INDUSTRIAL	9,012.58 m2	or	97,011 sqft
G.F.A. — BUILDING 'B' - INDUSTRIAL	9,093.85 m2	or	97,885 sqft
G.F.A. — TOTAL G.F.A.	18,106.43 m2	or	194,896 sqft
	REQUIRED		PROVIDED
PARKING — MULTI-UNIT PARKING RATE (1.75 SPACES PER 100m2 GFA)	363 spaces		
PARKING — TOTAL PARKING	363 spaces		262 spaces
PARKING — BARRIER FREE PARKING (over 36 spaces 2% of required parking)	11 spaces		12 spaces
BUILDING HEIGHT (MAX)	N/A		11.34 m
BIKE SPACES — SHORT TERM- 2 spaces + 1.0 spaces/ 1000 m2 GFA; LONG TERM- 2 spaces + 0.5 spaces/ 1000 m2 GFA	20 spaces 11 spaces		20 spaces /10 rings 12 spaces /6 RL
SNOW STORAGE (MINIMUM 10% OF THE PARKING AREA)	159.34 m2 or 1.00 %		
SITE AREA '2'	13,190.20 m2	or	3.26 acres
ZONING	BC1-41 BUSINESS CORRIDOR EMPLOYMENT ZONE		
SITE COVERAGE	2,539.08 m2	or	19.25%
LANDSCAPED AREA	3,493.96 m2	or	26.49%
PAVED AREA	7,157.16 m2	or	54.26%
	REQUIRED		PROVIDED
SETBACKS — FRONT YARD (NORTH) PALETTA CRT.	15.00 m		10.72 m
SETBACKS — REAR YARD (SOUTH)	7.50 m		53.00 m
SETBACKS — INTERIOR SIDE YARD (EAST)	4.50 m		10.72 m
SETBACKS — INTERIOR SIDE YARD (WEST)	4.50 m		29.40 m
G.F.A. — BUILDING 'D' - INDUSTRIAL	7,435.03 m2	or	80,030 sqft
	REQUIRED		PROVIDED
PARKING — MULTI-UNIT PARKING RATE (1.4 SPACES PER 100m2 GFA)	149 spaces		
PARKING — TOTAL PARKING	149 spaces		219 spaces (indoor) 24 spaces
PARKING — BARRIER FREE PARKING (over 36 spaces 2% of required parking)	5 spaces		7 spaces
BUILDING HEIGHT (MAX)	N/A		- m
BIKE SPACES — SHORT TERM- 2 spaces + 1.0 spaces/ 1000 m2 GFA; LONG TERM- 2 spaces + 0.5 spaces/ 1000 m2 GFA	10 spaces 10 spaces		10 spaces /5 rings 10 spaces /5 RL
SNOW STORAGE (MINIMUM 10% OF THE PARKING AREA)	7,157.16 m2 % OF PAVED AREA		
SITE AREA '3'	21,317.80 m2	or	5.27 acres
ZONING	BC1-41 BUSINESS CORRIDOR EMPLOYMENT ZONE		
SITE COVERAGE	8,580.05 m2	or	40.25%
LANDSCAPED AREA	2,681.30 m2	or	12.58%
PAVED AREA	10,056.45 m2	or	47.17%
	REQUIRED		PROVIDED
SETBACKS — FRONT YARD (NORTH) PALETTA CRT.	15.00 m		19.50 m
SETBACKS — REAR YARD (SOUTH)	7.50 m		68.98 m
SETBACKS — INTERIOR SIDE YARD (EAST)	4.50 m		11.49 m
SETBACKS — INTERIOR SIDE YARD (WEST)	4.50 m		10.87 m
G.F.A. — BUILDING 'C' - INDUSTRIAL	8,580.05 m2	or	92,355 sqft
	REQUIRED		PROVIDED
PARKING — MULTI-UNIT PARKING RATE (1.2 SPACES / 100 m2)	172 spaces		
PARKING — TOTAL PARKING	172 spaces		83 spaces
PARKING — BARRIER FREE PARKING (over 36 spaces 2% of required parking)	6 spaces		6 spaces
BUILDING HEIGHT (MAX)	N/A		13.99 m
BIKE SPACES — SHORT TERM- 2 spaces + 1.0 spaces/ 1000 m2 GFA; LONG TERM- 2 spaces + 0.5 spaces/ 1000 m2 GFA	11 spaces 6 spaces		12 spaces /6 rings 6 spaces /3 RL
SNOW STORAGE (MINIMUM 10% OF THE PARKING AREA)	% OF PAVED AREA		TO BE REMOVED OFF-SITE BY PRIVATE CONTRACTOR

SYMBOL LEGEND

▷	MAN DOOR
▷	LOADING DOCK DOOR
▶	DRIVE-IN / OVERHEAD DOOR
→◇ FH	HYDRANT + VALVE
◇→	FIRE DEPARTMENT CONNECTION / SIAMESE
□ CB	CATCH BASIN
□ DCB	DOUBLE CATCH BASIN
⬤ SANMH	SANITARY MAN HOLE
⬡ CBMH	CATCH BASIN / MAN HOLE
◎ SMH	STORM MAN HOLE
○ HP	HYDRO POLE STANDARD / UTILITY POLE
##	BICYCLE RING / 0.6m x 1.8m x 1.9m H.
⊠ HT	HYDRO TRANSFORMER
♿	**ACCESSIBLE PARKING SPACE** SIGNAGE
SNW	SNOW STORAGE AREA
G	REFUSE STORAGE BINS
	LOADING SPACE 9.0 m x 3.5 m x 4.2 m H
G	GAS METER
▶SS	STOP SIGN
▶FR	FIRE ROUTE SIGN
▪B	STEEL PIPE BOLLARD, SEE NRS-25 ON COVER SHEET A-0.0
	PROPERTY BOUNDARY
	PROPOSED TREE PROTECTION FENCING
BL	BIKE LOCKER, SEE LANDSCAPE DRAWINGS FOR DETAILS
EV	EV READY PARKING SPACE, PROVIDE CONDUIT.
CP	CAR POOL PARKING SPACE & SIGNAGE

SITE PLAN NOTES

1. CURBS TO BE OPSD 600.110, UNLESS OTHERWISE NOTED.
2. FIRE ROUTE SIGNS TO BE INSTALLED AS PER BURLINGTON FIRE DEPARTMENT AND BURLINGTON SIGN BY-LAW REQUIREMENTS. CONTACT CITY OF BURLINGTON PRIOR TO INSTALLING ANY SIGNS ON SITE.
3. EXISTING DRIVEWAY TO BE REMOVED. BOULEVARD, AND CURBS TO BE REINSTALLED AS PER MUNICIPAL STANDARD.
4. SEE PAVEMENT MARKING & SIGNAGE PLAN BY CROZIER FOR FURTHER DETAILS.

No.	ISSUED	DATE
1	ISSUED FOR SPA	DEC. 15, 2023
2	RE-ISSUED FOR SPA	MAR. 28, 2024

No.	REVISION	DATE

BALDASSARRA Architects Inc.
30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7
T. 905.660.0722 | **www.baldassarra.ca**
ONTARIO ASSOCIATION OF ARCHITECTS A. BALDASSARRA LICENSE 3654

OWNERS INFORMATION:

4450-4480 PALETTA CRT
BURLINGTON, ON

SITE PLAN

DATE:	DRAWN BY:	CHECKED:	SCALE:
OCT. 2023	HP		1:750

PROJECT No. O 23-38

DRAWING No. A-1.0

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Firm Name: Baldassarra Architects Inc. Certificate of Practice Number: 5810 30 Great Gulf Drive, Unit 20 Concord, ON L4K 0K7 Tel: (905) 660-0722 Fax: (905) 660-7019 Name of Project: Paletta Court- Building A Location: Paletta Court, Burlington, Ontario	The architect noted above has examined statements noted with respect to design activities and has found them to be correct. The architect initials below to confirm review of the architectural BCDN.

Ontario's 2012 Building Code Data Matrix Part 3	OBC References (A) for Division A (B) for Division B	Part 3 1.1.2. [A]
PROJECT DESCRIPTION: ■ NEW ☐ ADDITION ☐ CHANGE OF USE ☐ ALTERATION		
MAJOR OCCUPANCY: GROUP F-2	3.1.2.1. (1)	
BUILDING AREA (m2): EXISTING: NEW: 9,012.58 TOTAL: 9,012.58	1.4.1.2. [A]	
GROSS AREA (m2): EXISTING: NEW: 9,012.58 TOTAL: 9,012.58	1.4.1.2. [A]	
NO. OF STOREYS: ABOVE GRADE: 1 BELOW GRADE: N/A MEZZANINE: N/A	3.2.1.1. & 1.4.1.2.[A]	
HEIGHT OF BUILDING (m): 4.9m		
NUMBER OF STREETS / ACCESS ROUTES: 2	3.2.10. & 3.2.5.	
BUILDING CLASSIFICATION: 3.2.2.50.B.	3.2.2.20.-83.	
SPRINKLER SYSTEM PROPOSED: ■ ENTIRE BUILDING ☐ BASEMENT ONLY ☐ IN LIEU OF ROOF RATING ☐ NOT REQUIRED	3.2.2.20.-83. 3.2.1.5. 3.2.2.17.	
STANDPIPE REQUIRED: ☐ YES ■ NO	3.2.5.	
FIRE ALARM REQUIRED: ☐ YES ■ NO	3.2.4.	
WATER SERVICE / SUPPLY IS ADEQUATE: ■ YES ☐ NO	3.2.5.7.	
HIGH BUILDING: ☐ YES ■ NO	3.2.6.	
PERMITTED CONSTRUCTION: ☐ COMBUSTIBLE ☐ NON-COMBUSTIBLE ■ BOTH ACTUAL CONSTRUCTION: ☐ COMBUSTIBLE ■ NON-COMBUSTIBLE ■ BOTH	3.2.20.-83.	
MEZZANINE AREA (m2): N/A	3.2.1.1.(3)-(6)	
OCCUPANT LOAD BASED ON: ☐ m2 / PERSON ☐ DESIGN OF BUILDING 1ST FLOOR OCCUPANCY: F-2 LOAD: 1 p.p. PERSONS SHELL PERMIT ONLY	3.1.17.	
BARRIER FREE DESIGN: ■ YES ☐ NO (EXPLAIN)	3.8.	
HAZARDOUS SUBSTANCES: ☐ YES ■ NO	3.3.1.2. & 3.3.1.19.	

REQUIRED RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FIRE RESISTANCE	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	
	FIRE OF SUPPORTING MEMBERS: N/A HOURS	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	

3.2.2.20.-83 & 3.2.1.4.

SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS — 3.2.3.

WALL	AREA OF WALL (m2)	L/D or H	L/H or H	PERMITTED % OF OPENINGS	LIMITING DISTANCE (m)	FIRE RESISTANCE RATING (HOURS)	LISTED DESIGN NO. OR DESCRIPTION	COMB. CONST.	NON-COMB. CLADDING
NORTH	926.47	n/a	N/A	100	13.80	N/A	N/A	N/A	N/A
SOUTH	850.16	n/a	N/A	100	13.80	N/A	N/A	N/A	N/A
EAST	1,649.17	11.68	N/A	65	18.58	N/A	N/A	N/A	N/A
WEST	1,649.17	n/a	N/A	100	24.19	N/A	N/A	N/A	N/A

Firm Name: Baldassarra Architects Inc. Certificate of Practice Number: 5810 30 Great Gulf Drive, Unit 20 Concord, ON L4K 0K7 Tel: (905) 660-0722 Fax: (905) 660-7019 Name of Project: Paletta Court- Building B Location: Paletta Court, Burlington, Ontario	The architect noted above has examined statements noted with respect to design activities and has found them to be correct. The architect initials below to confirm review of the architectural BCDN.

Ontario's 2012 Building Code Data Matrix Part 3	OBC References (A) for Division A (B) for Division B	Part 3 1.1.2. [A]
PROJECT DESCRIPTION: ■ NEW ☐ ADDITION ☐ CHANGE OF USE ☐ ALTERATION		
MAJOR OCCUPANCY: GROUP F-2	3.1.2.1. (1)	
BUILDING AREA (m2): EXISTING: NEW: 9,093.85 TOTAL: 9,093.85	1.4.1.2. [A]	
GROSS AREA (m2): EXISTING: NEW: 9,093.85 TOTAL: 9,093.85	1.4.1.2. [A]	
NO. OF STOREYS: ABOVE GRADE: 1 BELOW GRADE: N/A MEZZANINE: N/A	3.2.1.1. & 1.4.1.2.[A]	
HEIGHT OF BUILDING (m): 4.9m		
NUMBER OF STREETS / ACCESS ROUTES: 2	3.2.10. & 3.2.5.	
BUILDING CLASSIFICATION: 3.2.2.50.B.	3.2.2.20.-83.	
SPRINKLER SYSTEM PROPOSED: ■ ENTIRE BUILDING ☐ BASEMENT ONLY ☐ IN LIEU OF ROOF RATING ☐ NOT REQUIRED	3.2.2.20.-83. 3.2.1.5. 3.2.2.17.	
STANDPIPE REQUIRED: ☐ YES ■ NO	3.2.5.	
FIRE ALARM REQUIRED: ☐ YES ■ NO	3.2.4.	
WATER SERVICE / SUPPLY IS ADEQUATE: ■ YES ☐ NO	3.2.5.7.	
HIGH BUILDING: ☐ YES ■ NO	3.2.6.	
PERMITTED CONSTRUCTION: ☐ COMBUSTIBLE ■ NON-COMBUSTIBLE ■ BOTH ACTUAL CONSTRUCTION: ☐ COMBUSTIBLE ■ NON-COMBUSTIBLE ■ BOTH	3.2.20.-83.	
MEZZANINE AREA (m2): N/A	3.2.1.1.(3)-(6)	
OCCUPANT LOAD BASED ON: ☐ m2 / PERSON ☐ DESIGN OF BUILDING 1ST FLOOR OCCUPANCY: F-2 LOAD: 1 p.p. PERSONS SHELL PERMIT ONLY	3.1.17.	
BARRIER FREE DESIGN: ■ YES ☐ NO (EXPLAIN)	3.8.	
HAZARDOUS SUBSTANCES: ☐ YES ■ NO	3.3.1.2. & 3.3.1.19.	

REQUIRED RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FIRE RESISTANCE	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	
	FIRE OF SUPPORTING MEMBERS: N/A HOURS	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	

3.2.2.20.-83 & 3.2.1.4.

SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS — 3.2.3.

WALL	AREA OF WALL (m2)	L/D or H	L/H or H	PERMITTED % OF OPENINGS	LIMITING DISTANCE (m)	FIRE RESISTANCE RATING (HOURS)	LISTED DESIGN NO. OR DESCRIPTION	COMB. CONST.	NON-COMB. CLADDING
NORTH	850.16	n/a	N/A	100	12.50	N/A	N/A	N/A	N/A
SOUTH	850.16	n/a	N/A	100	12.67	N/A	N/A	N/A	N/A
EAST	1,852.06	11.63	N/A	63	21.90	N/A	N/A	N/A	N/A
WEST	1,852.06	11.75	N/A	65	17.15	N/A	N/A	N/A	N/A

Firm Name: Baldassarra Architects Inc. Certificate of Practice Number: 5810 30 Great Gulf Drive, Unit 20 Concord, ON L4K 0K7 Tel: (905) 660-0722 Fax: (905) 660-7019 Name of Project: Paletta Court- Building C Location: Paletta Court, Burlington, Ontario	The architect noted above has examined statements noted with respect to design activities and has found them to be correct. The architect initials below to confirm review of the architectural BCDN.

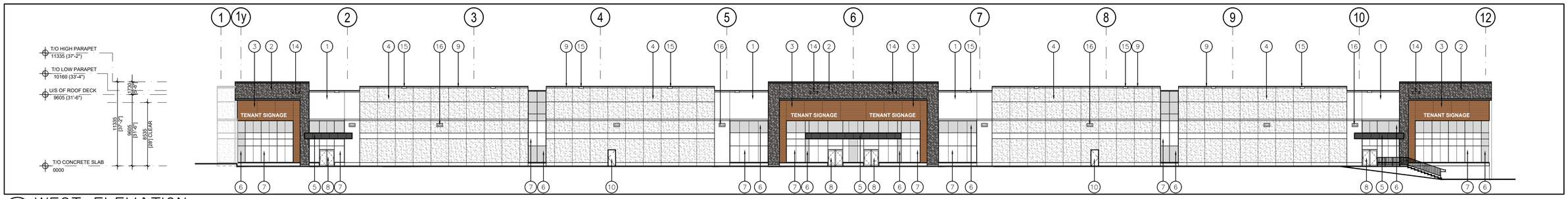
Ontario's 2012 Building Code Data Matrix Part 3	OBC References (A) for Division A (B) for Division B	Part 3 1.1.2. [A]
PROJECT DESCRIPTION: ■ NEW ☐ ADDITION ☐ CHANGE OF USE ☐ ALTERATION		
MAJOR OCCUPANCY: GROUP F-2	3.1.2.1. (1)	
BUILDING AREA (m2): EXISTING: NEW: 8,580.05 TOTAL: 8,580.05	1.4.1.2. [A]	
GROSS AREA (m2): EXISTING: NEW: 8,580.05 TOTAL: 8,580.05	1.4.1.2. [A]	
NO. OF STOREYS: ABOVE GRADE: 1 BELOW GRADE: N/A MEZZANINE: N/A	3.2.1.1. & 1.4.1.2.[A]	
HEIGHT OF BUILDING (m): 13.99		
NUMBER OF STREETS / ACCESS ROUTES: 2	3.2.10. & 3.2.5.	
BUILDING CLASSIFICATION: 3.2.2.50.B.	3.2.2.20.-83.	
SPRINKLER SYSTEM PROPOSED: ■ ENTIRE BUILDING ☐ BASEMENT ONLY ☐ IN LIEU OF ROOF RATING ☐ NOT REQUIRED	3.2.2.20.-83. 3.2.1.5. 3.2.2.17.	
STANDPIPE REQUIRED: ☐ YES ■ NO	3.2.5.	
FIRE ALARM REQUIRED: ☐ YES ■ NO	3.2.4.	
WATER SERVICE / SUPPLY IS ADEQUATE: ■ YES ☐ NO	3.2.5.7.	
HIGH BUILDING: ☐ YES ■ NO	3.2.6.	
PERMITTED CONSTRUCTION: ☐ COMBUSTIBLE ■ NON-COMBUSTIBLE ■ BOTH ACTUAL CONSTRUCTION: ☐ COMBUSTIBLE ■ NON-COMBUSTIBLE ■ BOTH	3.2.20.-83.	
MEZZANINE AREA (m2): N/A	3.2.1.1.(3)-(6)	
OCCUPANT LOAD BASED ON: ☐ m2 / PERSON ☐ DESIGN OF BUILDING 1ST FLOOR OCCUPANCY: F-2 LOAD: 1 p.p. PERSONS SHELL PERMIT ONLY	3.1.17.	
BARRIER FREE DESIGN: ■ YES ☐ NO (EXPLAIN)	3.8.	
HAZARDOUS SUBSTANCES: ☐ YES ■ NO	3.3.1.2. & 3.3.1.19.	

REQUIRED RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FIRE RESISTANCE	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	
	FIRE OF SUPPORTING MEMBERS: N/A HOURS	LISTED DESIGN NO. OR DESCRIPTION (SB-2)
	FLOORS: N/A HOURS	
	ROOF: N/A HOURS	
	MEZZANINE: N/A HOURS	

3.2.2.20.-83 & 3.2.1.4.

SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS — 3.2.3.

WALL	AREA OF WALL (m2)	L/D or H	L/H or H	PERMITTED % OF OPENINGS	LIMITING DISTANCE (m)	FIRE RESISTANCE RATING (HOURS)	LISTED DESIGN NO. OR DESCRIPTION	COMB. CONST.	NON-COMB. CLADDING
NORTH	1,291.88	n/a	N/A	100	20.41	N/A	N/A	N/A	N/A
SOUTH	1,291.88	n/a	N/A	100	9.98	N/A	N/A	N/A	N/A
EAST	1,148.60	11.48	N/A	64	2.96	1HR	PRECAST	N/A	N/A
WEST	1,148.60	10.97	N/A	65	3.13	1HR	PRECAST	N/A	N/A



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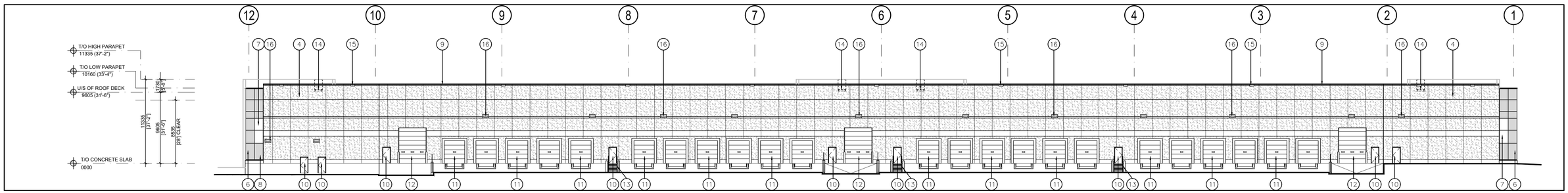

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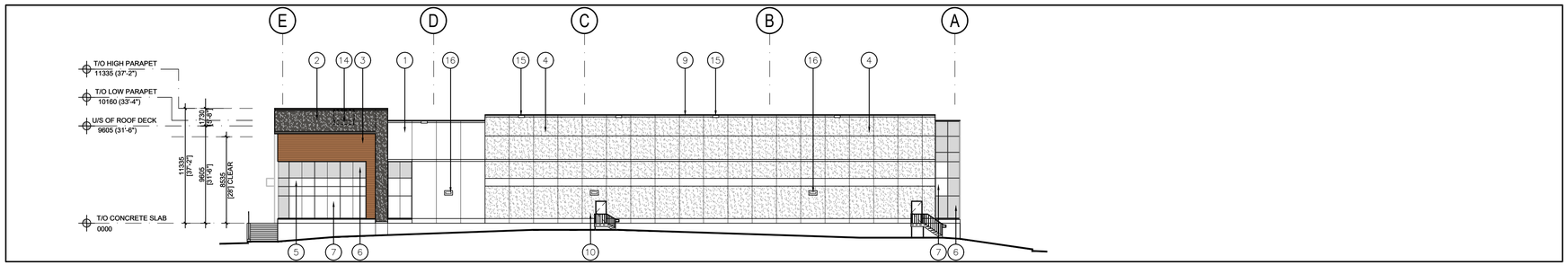

3 A-3.0 SOUTH ELEVATION
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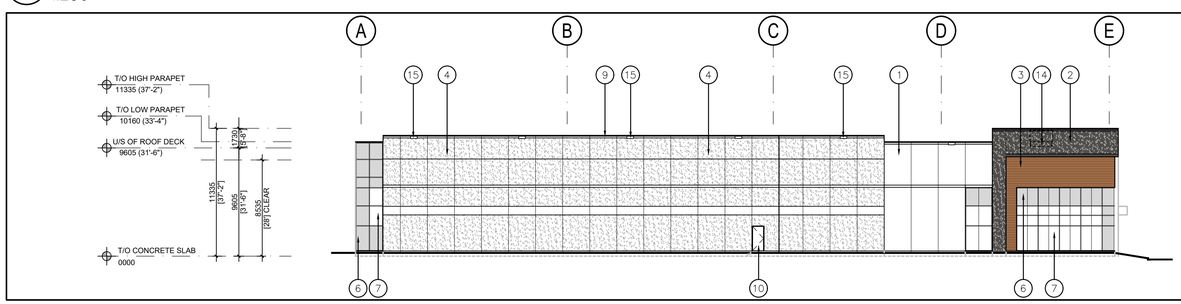

4 A-3.0 NORTH ELEVATION
1:250

LEGEND

1. INSULATED PRECAST CONCRETE PANEL W/ SMOOTH FINISH. COLOUR TO BE WHITE.
2. INSULATED PRECAST CONCRETE PANEL W/ EXPOSED AGGREGATE FINISH. COLOUR TO BE CHARCOAL.
3. LONGBOARD SIDING OR APPROVED EQUAL. COLOUR TO BE BROWN. SAMPLE TO BE SUBMITTED FOR ARCHITECT'S APPROVAL.
4. INSULATED PRECAST CONCRETE PANEL W/ EXPOSED AGGREGATE FINISH. COLOUR TO BE WHITE.
5. CANOPY CLAD IN ALUMINUM COMPOSITE PANELS (COLOUR: CHARCOAL)
6. SPANDREL GLAZING IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF SPANDREL: GREY TINT; COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
7. THERMAL DOUBLE GLAZING (GREY TINT) IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
8. CLEAR TEMPERED THERMAL GLASS AND ALUMINUM DOOR(S). COLOUR OF ALUMINUM TO MATCH CURTAIN WALL CAPS.
9. PREFINISHED METAL CAP FLASHING. COLOUR TO MATCH PRECAST BELOW.
10. INSULATED HOLLOW METAL MAN DOOR IN THERMAL PRESSED STEEL FRAME. DOOR AND FRAME PAINTED TO MATCH ADJACENT INSULATED PRECAST.
11. INSULATED HOLLOW METAL OVERHEAD DOOR C/W DOCK SEAL, DOCK LEVELLER, DOCK BUMPERS. 2590mm (W) X 2745 (H). COLOUR TO BE GREY.
12. INSULATED HOLLOW METAL OVERHEAD DOOR. 4270mm (W) X 4880mm (H). COLOUR TO BE GREY.
13. STEEL GRATE EXTERIOR STAIR. PRIMED & MARINE OIL BASE PAINTED GREY.
14. ROOF TOP UNITS (RTU), EXACT LOCATION AND NUMBER OF RTUS TO BE VERIFIED DURING TENANT FIT-OUT, ROOF TOP UNITS TO BE COMPLETELY SCREENED FROM PUBLIC VIEW BY HIGH PARAPET.
15. SCUPPER.
16. WALL PACS, SEE ELECTRICAL DRAWINGS FOR MOUNTING HEIGHTS.

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No.	ISSUED	DATE
1	ISSUED FOR SPA	DEC. 15, 2023

No.	REVISION	DATE

BALDASSARRA Architects Inc.
30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7
T. 905.660.0722 | **www.baldassarra.ca**
OWNERS INFORMATION:

ONTARIO ASSOCIATION OF ARCHITECTS
A. BALDASSARRA
LICENSE
3654

PALETTA COURT

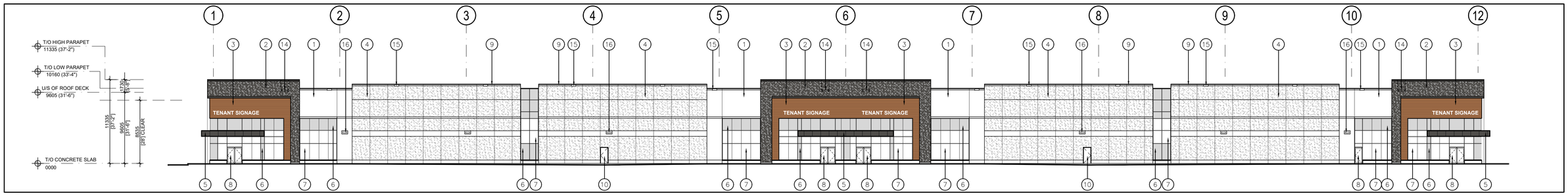
BURLINGTON, ON

ELEVATION BUILDING 'A'

DATE:	DRAWN BY:	CHECKED:	SCALE:
NOV. 2023	YC		AS SHOWN

PROJECT No. O 2338

DRAWING No. A-3.0 A



1 A-3.0 EAST ELEVATION
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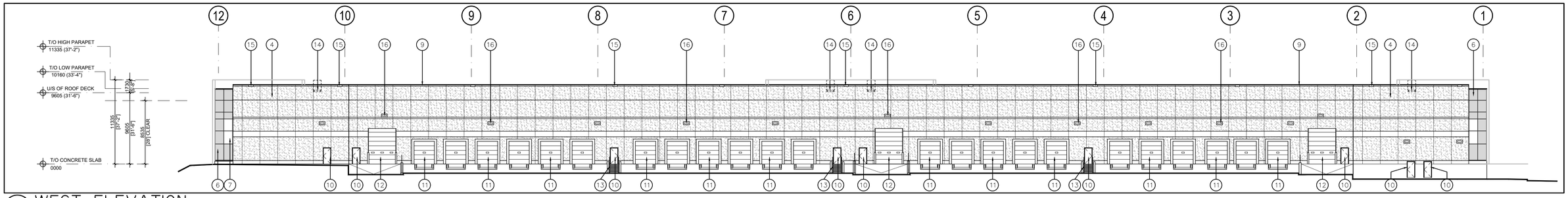

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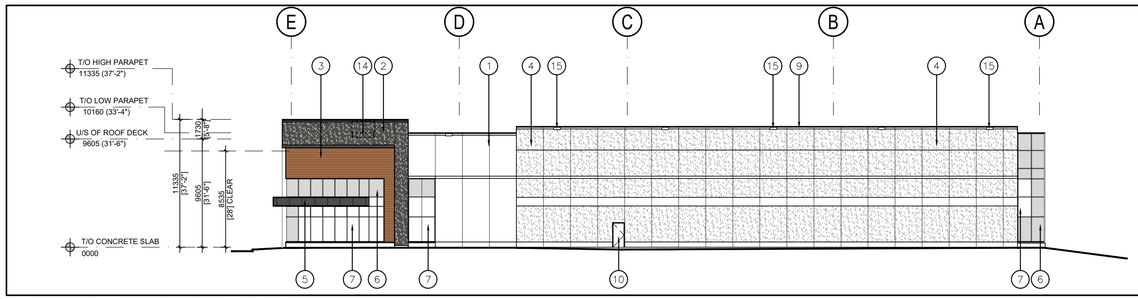

3 A-3.0 NORTH ELEVATION
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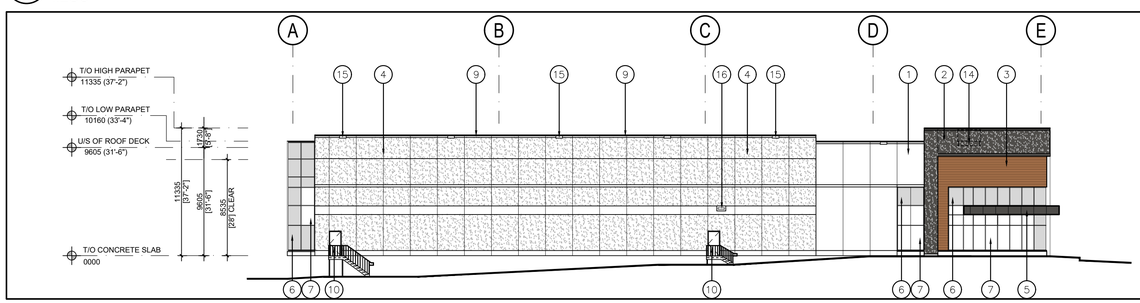

4 A-3.0 SOUTH ELEVATION
1:250

LEGEND

1. INSULATED PRECAST CONCRETE PANEL W/ SMOOTH FINISH. COLOUR TO BE WHITE.
2. INSULATED PRECAST CONCRETE PANEL W/ EXPOSED AGGREGATE FINISH. COLOUR TO BE CHARCOAL.
3. LONGBOARD SIDING OR APPROVED EQUAL. COLOUR TO BE BROWN. SAMPLE TO BE SUBMITTED FOR ARCHITECT'S APPROVAL.
4. INSULATED PRECAST CONCRETE PANEL W/ EXPOSED AGGREGATE FINISH. COLOUR TO BE WHITE.
5. CANOPY CLAD IN ALUMINUM COMPOSITE PANELS (COLOUR: CHARCOAL)
6. SPANDREL GLAZING IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF SPANDREL: GREY TINT; COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
7. THERMAL DOUBLE GLAZING (GREY TINT) IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
8. CLEAR TEMPERED THERMAL GLASS AND ALUMINUM DOOR(S). COLOUR OF ALUMINUM TO MATCH CURTAIN WALL CAPS.
9. PREFINISHED METAL CAP FLASHING. COLOUR TO MATCH PRECAST BELOW.
10. INSULATED HOLLOW METAL MAN DOOR IN THERMAL PRESSED STEEL FRAME. DOOR AND FRAME PAINTED TO MATCH ADJACENT INSULATED PRECAST.
11. INSULATED HOLLOW METAL OVERHEAD DOOR C/W DOCK SEAL, DOCK LEVELLER, DOCK BUMPERS. 2590mm (W) X 2745 (H). COLOUR TO BE GREY.
12. INSULATED HOLLOW METAL OVERHEAD DOOR. 4270mm (W) X 4880mm (H). COLOUR TO BE GREY.
13. STEEL GRATE EXTERIOR STAIR. PRIMED & MARINE OIL BASE PAINTED GREY.
14. ROOF TOP UNITS (RTU), EXACT LOCATION AND NUMBER OF RTUS TO BE VERIFIED DURING TENANT FIT-OUT, ROOF TOP UNITS TO BE COMPLETELY SCREENED FROM PUBLIC VIEW BY HIGH PARAPET.
15. SCUPPER.
16. WALL PACS, SEE ELECTRICAL DRAWINGS FOR MOUNTING HEIGHTS.

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No.	ISSUED	DATE
1	ISSUED FOR SPA	DEC. 15, 2023

No.	REVISION	DATE

BALDASSARRA Architects Inc.
30 Great Gulf Drive, Unit 20 | Concord ON | L4K 0K7
T. 905.660.0722 | **www.baldassarra.ca**
OWNERS INFORMATION:

ONTARIO ASSOCIATION OF ARCHITECTS
A. BALDASSARRA
LICENSE
3654

PALETTA COURT

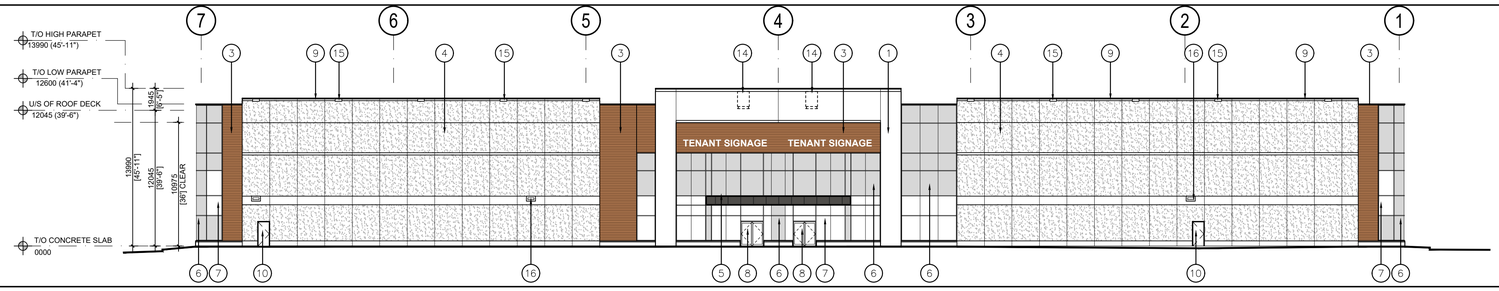
BURLINGTON, ON

ELEVATION BUILDING 'B'

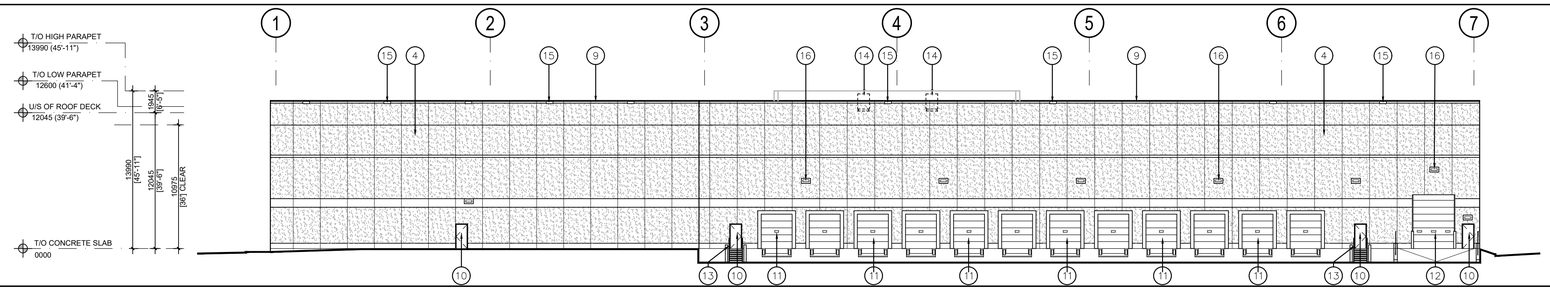
DATE:	DRAWN BY:	CHECKED:	SCALE:
NOV. 2023	YC		AS SHOWN

PROJECT No. O 2338

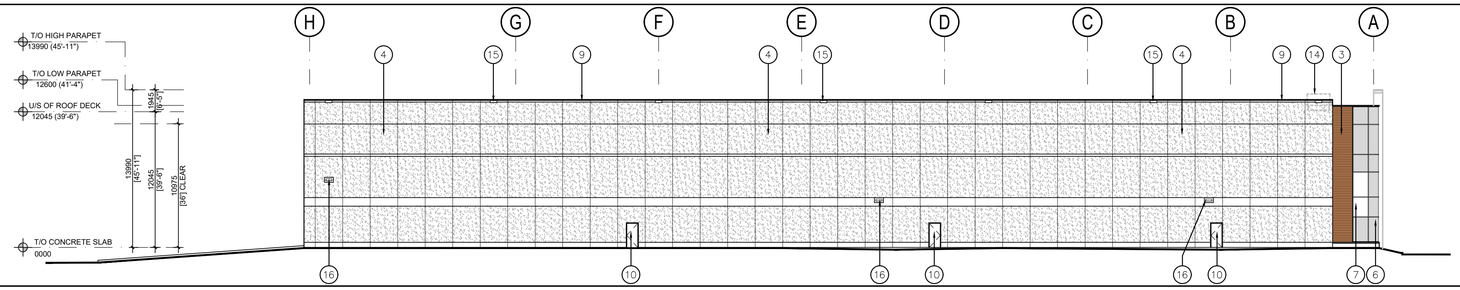
DRAWING No. A-3.0 B



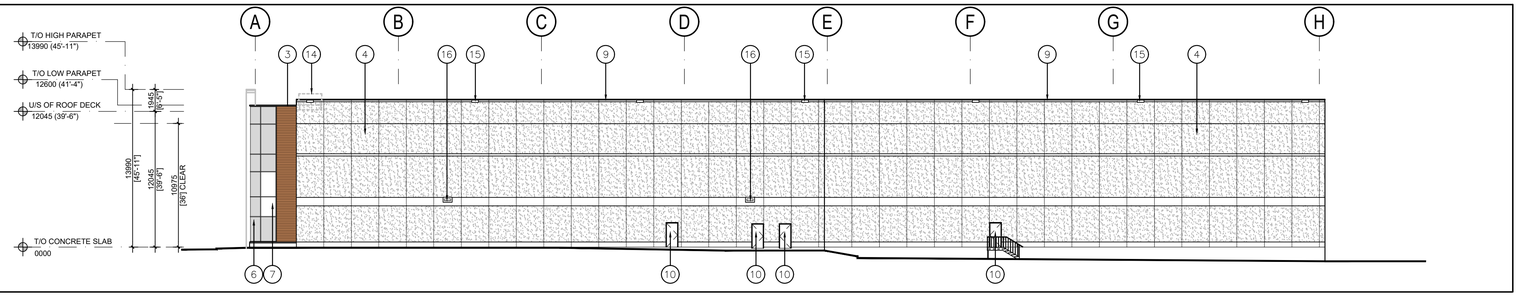
1 A-3.0 NORTH ELEVATION
1:250



2 A-3.0 SOUTH ELEVATION
1:250



3 A-3.0 EAST ELEVATION
1:250



4 A-3.0 WEST ELEVATION
1:250

LEGEND

1. INSULATED PRECAST CONCRETE PANEL W/ SMOOTH FINISH. COLOUR TO BE WHITE.
2. RESERVED
3. LONGBOARD SIDING OR APPROVED EQUAL. COLOUR TO BE BROWN. SAMPLE TO BE SUBMITTED FOR ARCHITECT'S APPROVAL.
4. INSULATED PRECAST CONCRETE PANEL W/ EXPOSED AGGREGATE FINISH. COLOUR TO BE WHITE.
5. CANOPY CLAD IN ALUMINUM COMPOSITE PANELS (COLOUR: CHARCOAL)
6. SPANDREL GLAZING IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF SPANDREL: GREY TINT; COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
7. THERMAL DOUBLE GLAZING (GREY TINT) IN PREFINISHED ALUMINUM CURTAIN WALL FRAMES. COLOUR OF CURTAIN WALL CAPS: CHARCOAL ANODIZED ALUMINUM
8. CLEAR TEMPERED THERMAL GLASS AND ALUMINUM DOOR(S). COLOUR OF ALUMINUM TO MATCH CURTAIN WALL CAPS.
9. PREFINISHED METAL CAP FLASHING. COLOUR TO MATCH PRECAST BELOW.
10. INSULATED HOLLOW METAL MAN DOOR IN THERMAL PRESSED STEEL FRAME. DOOR AND FRAME PAINTED TO MATCH ADJACENT INSULATED PRECAST.
11. INSULATED HOLLOW METAL OVERHEAD DOOR C/W DOCK SEAL, DOCK LEVELLER, DOCK BUMPERS. 2590mm (W) X 2745 (H). COLOUR TO BE GREY.
12. INSULATED HOLLOW METAL OVERHEAD DOOR. 4270mm (W) X 4880mm (H). COLOUR TO BE GREY.
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15. SCUPPER.
16. WALL PACS, SEE ELECTRICAL DRAWINGS FOR MOUNTING HEIGHTS.

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No.	REVISION	DATE

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A. BALDASSARRA LICENSE 3654

PALETTA COURT

BURLINGTON, ON

ELEVATION BUILDING 'C'

DATE:	DRAWN BY:	CHECKED:	SCALE:
NOV. 2023	YC		AS SHOWN

PROJECT No. O 2338

DRAWING No. A-3.0 C

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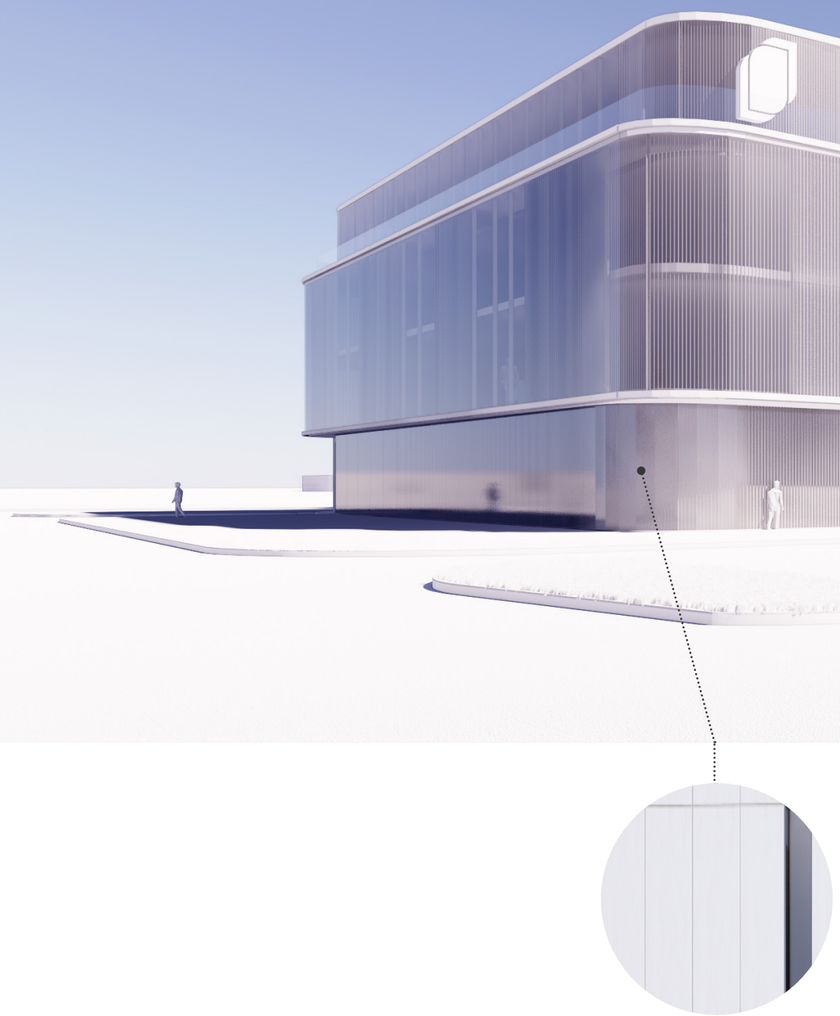
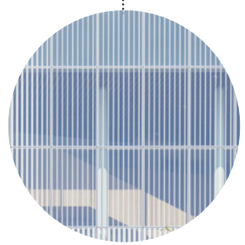


Solid

Clear



Frit

South West Perspective

Alinea HQ
CD Presentation

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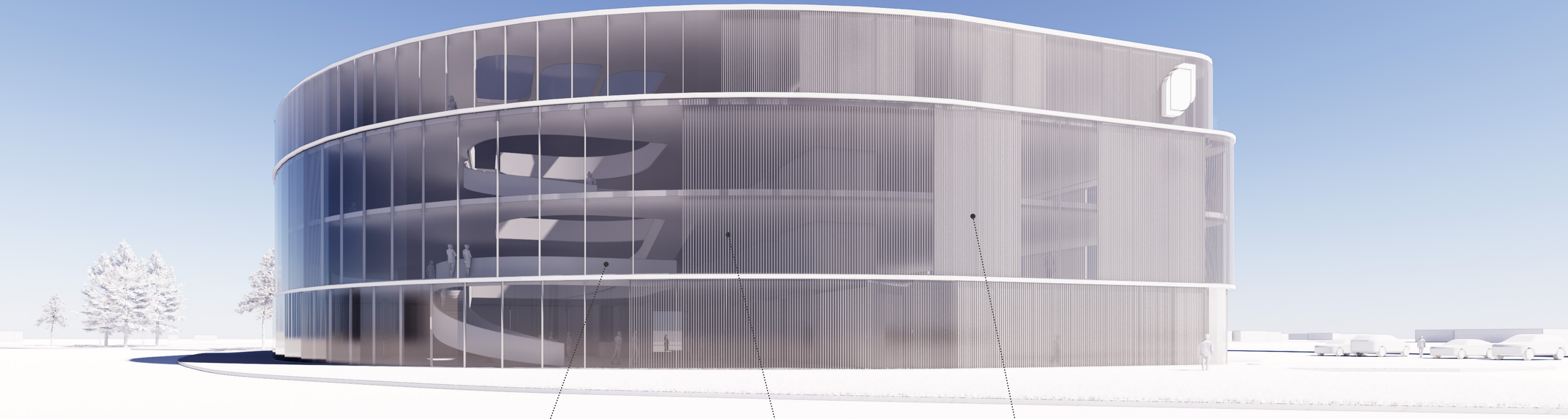
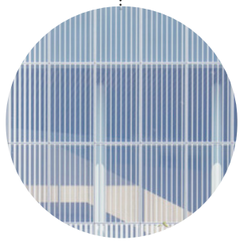


Cear



Frit

Solid

View from QEW

Alinea HQ
CD Presentation

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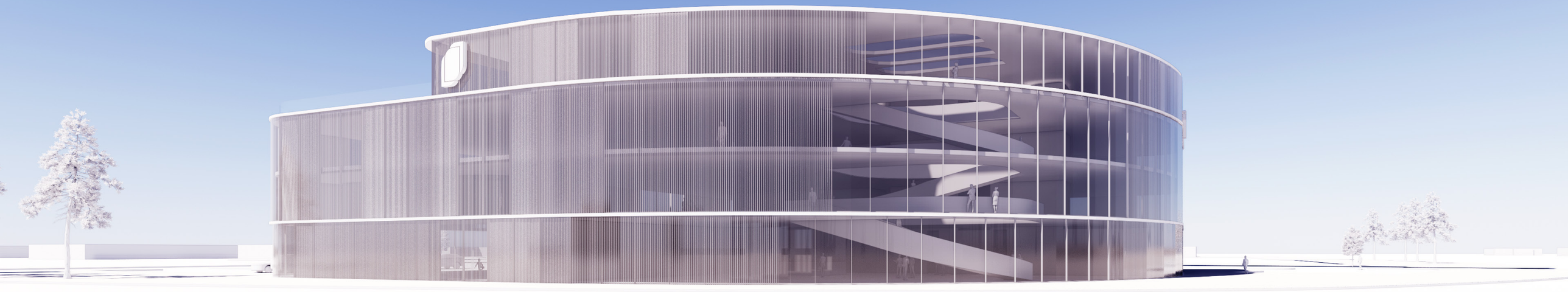

View from QEW

Alinea HQ
CD Presentation

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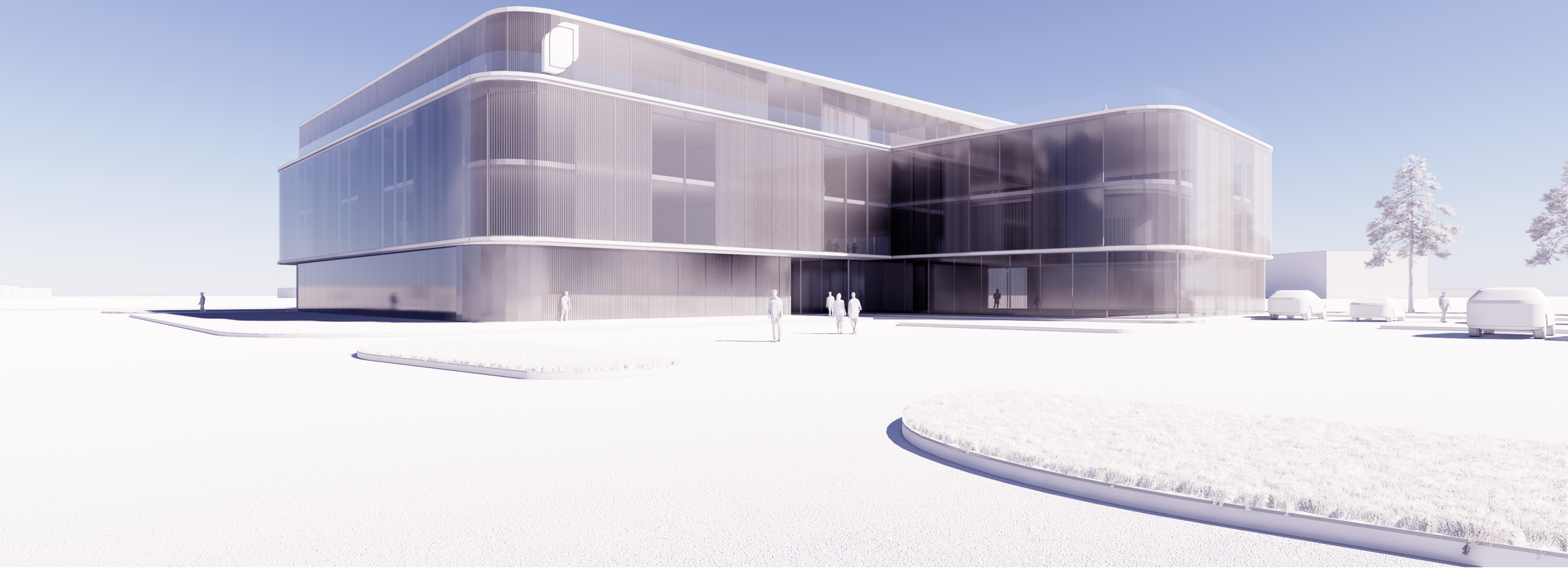

South West Perspective

L1E

L1B

L1C

L1D

L1F

PALETTA COURT

ZELCO DRIVE

14M MTO SET BACK

BUILDING 'A'
INDUSTRIAL

BUILDING 'B'
INDUSTRIAL

BUILDING 'C'
INDUSTRIAL

BUILDING 'D'
OFFICE

DESIGNATED FIRE ROUTE

CONC. WALKWAY

CONCRETE APRON

TYP. PARKING SPACE
2.75m x 6.0 m

TYP. LOADING SPACE
3.5m x 9.0m x4.2m (H)

23 TRUCK LEVEL DOORS

21 TRAILER PARKING SPACES

REFUSE STORAGE BINS TO BE STORED INTERNALLY AND REMOVED OFF-SITE BY PRIVATE CONTRACTORS

EXISTING DRIVEWAY TO BE REMOVED. BOULEVARD, AND CURBS TO BE REINSTALLED AS PER MUNICIPAL STANDARD.

RETAINING WALL C/W GUARD RAIL WHERE REQUIRED.

RETAINING WALL C/W GUARD RAIL WHERE REQUIRED, REFER TO CIVIL

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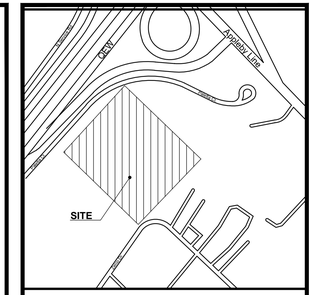

KEY-PLAN

LEGEND

- EXISTING PROPERTY LINE
- MTO SETBACK
- EXISTING DECIDUOUS TREE TO BE RETAINED
- EXISTING CONIFEROUS TREE TO BE RETAINED
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PROPOSED SOD
- PROPOSED SEED
- PROPOSED GRANULAR MULCH
- PROPOSED TREES BY OTHERS
- TREE PROTECTION FENCE
- SN SNOW STORAGE
- FH FIRE HYDRANT
- FR FIRE ROUTE SIGNAGE
- SS STOP SIGN
- TR TRUCK ROUTE
- BR BIKE RACK
- BL BIKE LOCKER
- WASTE RECEPTACLE ON CONCRETE PAD

SOURCE OF BASE INFORMATION:

Provided by BALDASSARRA Architects, Drawings 2338 A-1_0, dated March 2024.

Field work completed by MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS.

Refer to Arborist file Jackson Arboriculture Inc., Project P448, dated 03/18/2024 for TPP & Arborist Report.

No.	DATE	DESCRIPTION	BY
3	07/05/2024	ISSUED FOR SPA	RG
2	03/04/2024	ISSUED FOR SPA	RG
1	20/12/2023	ISSUED FOR SPA	RG

REVISIONS

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Telephone: 905.681.7604 Fax: 905.681.2944 www.omcla.ca
LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING RESOURCE ANALYSIS

PALETTA COURT
4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

LANDSCAPE KEY PLAN

ISSUED FOR - SPA

SCALE : 1:600	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L1A
DRAWN : RG	PROJECT : 1626

Plotted: May 07, 2024 - 1:51 pm Last Saved By: mpierce Filename: N:\0-PROJECTS\1626 - 4480 Paletta Ct, New Office, Bay\04-PLANS - L1 - PLANTING PLAN\1626 - L1 - Working Dwg's.dwg

L1B

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EXISTING DRIVEWAY TO BE REMOVED. BOULEVARD, AND CURBS TO BE REINSTALLED AS PER MUNICIPAL STANDARD.

PALETTA COURT

℄ ASPHALT (TAKEN FROM SURVEY)

MATCH LINE - REFER TO L1E

EX. FH TO BE RELOCATED

EX. FH TO BE REMOVED

11 *Juniperus communis var depressa 'Aurea'*
5 *Juniperus sabina 'Calgary Carpet'*
13 *Juniperus communis var depressa 'Aurea'*
5 *Ostrya virginiana*
16 *Taxus x media 'Wardii'*
2 *Quercus macrocarpa*
27 *Cornus sericea 'Arctic Fire'*
26 *Juniperus sabina 'Calgary Carpet'*
12 *Cornus sericea 'Arctic Fire'*
40 *Hemerocallis fulva*
2 *Picea glauca*
11 *Cornus sericea 'Arctic Fire'*
18 *Juniperus sabina 'Calgary Carpet'*
1 *Ostrya virginiana*
1 *Picea glauca*
39 *Taxus x media 'Wardii'*
4 *Prunus serotina*
28 Spirea x *'Gold Mound'*
8 *Prunus virginiana*
20 *Taxus cuspidata 'Nana'*
44 *Diervilla splendens 'Firefly'*
8 *Juniperus virginiana 'Grey Owl'*
7 *Juniperus virginiana 'Grey Owl'*

GRANULAR MULCH (1000mm WIDE) 1 L3

SOD REPAIR

EX. HP

14M MTO SET BACK

FH

FR

SS

sod

SWALE

3000

1000

1350

39.64 m2 SNW

44.90 m2 SNW

REFUSE STORAGE BINS TO BE STORED INTERNALLY AND REMOVED OFF-SITE BY PRIVATE CONTRACTORS

REFER TO TREE PRESERVATION PLAN, SHEET 1

PROPOSED CONCRETE SIDEWALK (REFER TO ARCHITECTURAL DRAWINGS)

EXISTING SHRUBS

EXISTING TO BE REMOVED

FUTURE OFFICE

RTU

CONC. WALKWAY

TYP. PARKING SPACE 2.75m x 6.0 m

DESIGNATED FIRE ROUTE

STONE RETAINING WALL

TACTILE WARNING PLATES (REFER TO ARCHITECTURAL DRAWINGS)

CONCRETE APRON

23 TRUCK LEVEL DOORS

BUILDING 'A'
INDUSTRIAL

BUILDING 'B'
INDUSTRIAL

STRUCTURE – (761)

STRUCTURE – (749)

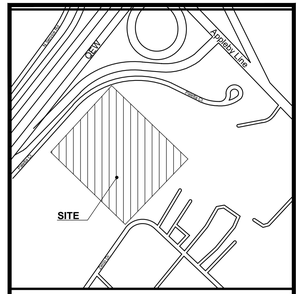
STRUCTURE – (750)

CB109

101 102 103 104 105 106 107 108 109 110

A B CP

KEY-PLAN



LEGEND

- EXISTING PROPERTY LINE
- MTO SETBACK
- EXISTING DECIDUOUS TREE TO BE RETAINED
- EXISTING CONIFEROUS TREE TO BE RETAINED
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PROPOSED SOD
- PROPOSED SEED
- PROPOSED GRANULAR MULCH
- PROPOSED TREES BY OTHERS
- TREE PROTECTION FENCE

SN SNOW STORAGE
FH FIRE HYDRANT
FR FIRE ROUTE SIGNAGE
SS STOP SIGN
TR TRUCK ROUTE
BR BIKE RACK
BL BIKE LOCKER
WASTE RECEPTACLE ON CONCRETE PAD

SOURCE OF BASE INFORMATION:

Provided by BALDASSARRA Architects, Drawings 2338 A-1_0, dated March 2024.

Field work completed by MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS.

Refer to Arborist file Jackson Arboriculture Inc., Project P448, dated 03/18/2024 for TPP & Arborist Report.

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3	07/05/2024	ISSUED FOR SPA	RG
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REVISIONS

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Innovative, outside thinking. SINCE 1984
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LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING RESOURCE ANALYSIS

PALETTA COURT
4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

LANDSCAPE PLAN

ISSUED FOR - SPA

SCALE : 1:300	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L1B
DRAWN : RG	PROJECT : 1626

Date: May. 07, 2024 - 1:53 pm Plotted by: mgarcia Last Saved By: mgarcia Filename: 310 - PROJECTS\1626 - 4480 Paletta Crt, New Office, Bldg\ A\Arch Dwgs\L1 - PLANTING PLAN.dwg

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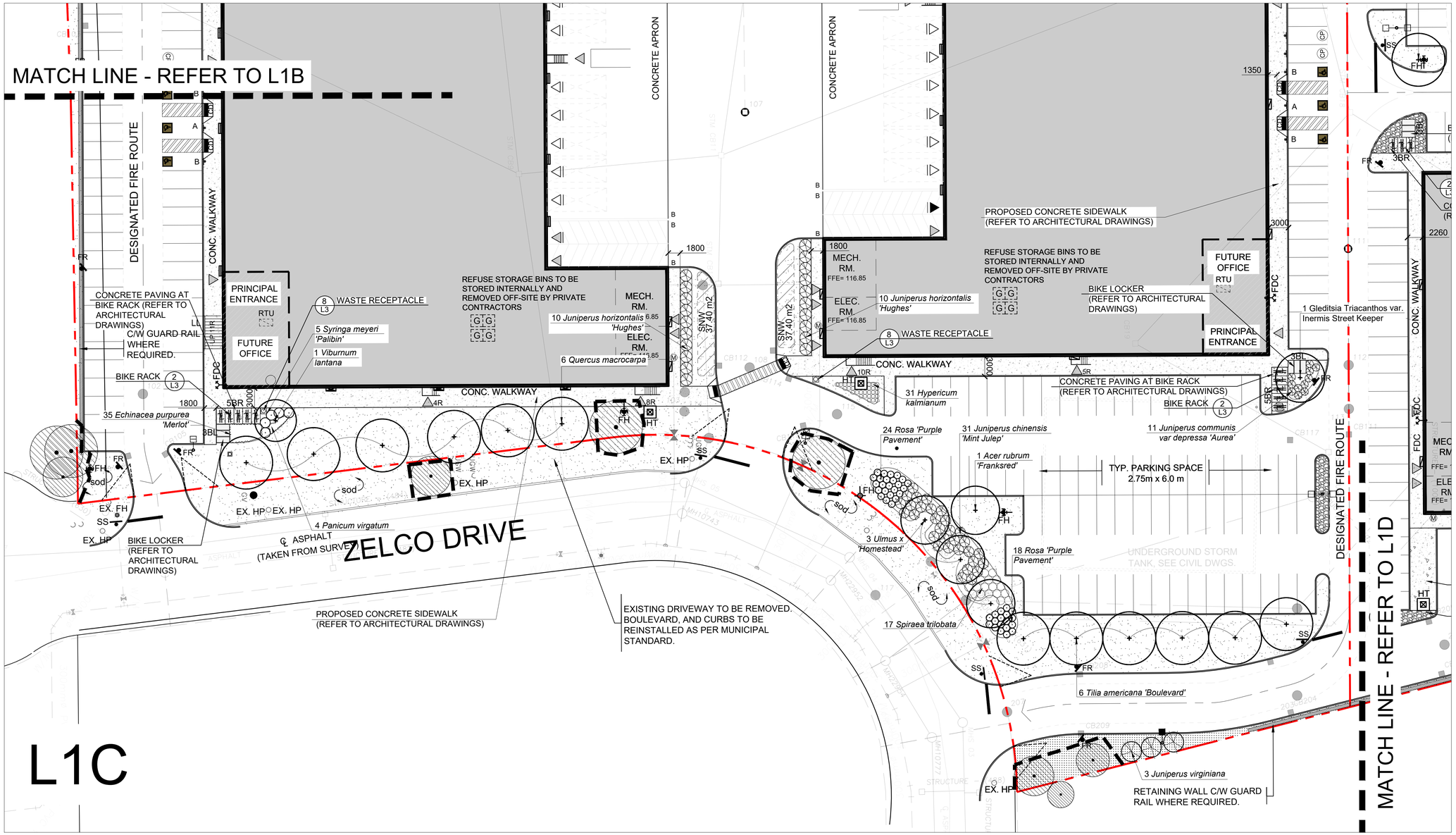

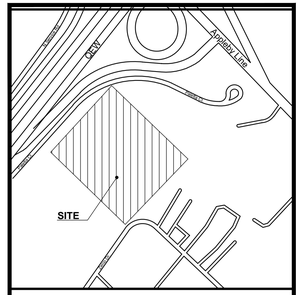

KEY-PLAN

LEGEND

- EXISTING PROPERTY LINE
- MTO SETBACK
- EXISTING DECIDUOUS TREE TO BE RETAINED
- EXISTING CONIFEROUS TREE TO BE RETAINED
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PROPOSED SOD
- PROPOSED SEED
- PROPOSED GRANULAR MULCH
- PROPOSED TREES BY OTHERS
- TREE PROTECTION FENCE

SN SNOW STORAGE
FH FIRE HYDRANT
FR FIRE ROUTE SIGNAGE
SS STOP SIGN
TR TRUCK ROUTE
BR BIKE RACK
BL BIKE LOCKER
WASTE RECEPTACLE ON CONCRETE PAD

SOURCE OF BASE INFORMATION:

Provided by BALDASSARRA Architects, Drawings 2338 A-1_0, dated March 2024.

Field work completed by MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS.

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REVISIONS

ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS — MARIANNE MORRISEY — OALA MEMBER

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LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING RESOURCE ANALYSIS

PALETTA COURT
4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

LANDSCAPE PLAN

ISSUED FOR - SPA

SCALE : 1:300	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L1C
DRAWN : RG	PROJECT : 1626

Date: May 07, 2024 - 1:53 pm Plotted By: mgarcia Last Saved By: mgarcia Filename: 1626 - PROJECTS \ 1626 - 4480 Paletta Crt - New Office - Bldg - ACAD - DWGS \ L1 - PLANTING PLAN.dwg

MATCH LINE - REFER TO L1E

DESIGNATED FIRE ROUTE

BIKE LOCKER
(REFER TO ARCHITECTURAL DRAWINGS)

WASTE RECEPTACLE 8 L3

CONC. WALKWAY

PRINCIPAL ENTRANCE

FUTURE OFFICE

RTU

FUTURE OFFICE

2 L3 BIKE RACK

CONCRETE PAVING AT BIKE RACK
(REFER TO ARCHITECTURAL DRAWINGS)

2 L3 BIKE RACK

CONCRETE PAVING AT BIKE RACK
(REFER TO ARCHITECTURAL DRAWINGS)

5 Juniperus sabina 'Moor-Dense'

FUTURE OFFICE

RTU

PRINCIPAL ENTRANCE

1 Gleditsia Triacanthos var. Inermis Street Keeper

11 *Juniperus communis var depressa 'Aurea'*

BIKE RACK 2 L3

CONC. WALKWAY

CONC. WALKWAY

DESIGNATED FIRE ROUTE

BUILDING 'C'
INDUSTRIAL

MECH. RM.
FFE= 117.90

ELEC. RM.
FFE= 117.90

CONCRETE PAVING
(REFER TO ARCHITECTURAL DRAWINGS

6 L3 GRANULAR MULCH

REFUSE STORAGE BINS TO BE STORED INTERNALLY AND REMOVED OFF-SITE BY PRIVATE CONTRACTORS

12 TRUCK LEVEL DOORS

SOD REPAIR

EX. HP

14M MTO SET BACK

SWALE

1 *Celtis occidentalis*

1 *Celtis occidentalis*

SOD REPAIR

EX. HP

10 *Juniperus virginiana*

RETAINING WALL C/W GUARD RAIL WHERE REQUIRED, REFER TO CIVIL

1 *Picea pungens*

3 *Juniperus virginiana*

RETAINING WALL C/W GUARD RAIL WHERE REQUIRED.

MATCH LINE - REFER TO L1C

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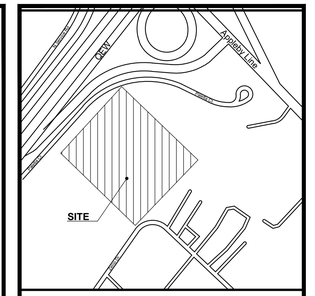
L1D



KEY-PLAN

LEGEND

- EXISTING PROPERTY LINE
- MTO SETBACK
- EXISTING DECIDUOUS TREE TO BE RETAINED
- EXISTING CONIFEROUS TREE TO BE RETAINED
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED DECIDUOUS SHRUB
- PROPOSED CONIFEROUS SHRUB
- PROPOSED SOD
- PROPOSED SEED
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- PROPOSED TREES BY OTHERS
- TREE PROTECTION FENCE

SN SNOW STORAGE
FH FIRE HYDRANT
FR FIRE ROUTE SIGNAGE
SS STOP SIGN
TR TRUCK ROUTE
BR BIKE RACK
BL BIKE LOCKER
WASTE RECEPTACLE ON CONCRETE PAD

SOURCE OF BASE INFORMATION:

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Field work completed by MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS.

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REVISIONS

ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS
MARIANNE MCINTOSH
OALA
MEMBER

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SINCE 1994
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PALETTA COURT
4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

LANDSCAPE PLAN

ISSUED FOR - SPA

SCALE : 1:300	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L1D
DRAWN : RG	PROJECT : 1626

Plotted By: mpierce Last Saved By: mpierce Plotted On: May 07, 2024 - 1:53 pm
Filename: 2X3D - PROJECTS\1626 - 4480 Paletta Crt. New Office Bldg - ALNDS_GROUP\1 - Working Drwgs\1626 - L1 - PLANTING PLAN.dwg

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18 *Hypericum kalmianum*
23 *Juniperus sabina 'Moor-Dense'*
3 *Sambucus canadensis*
5 *Diervilla lonicera*
1 *Nyssa sylvatica*
14 Juniperus sabina 'Moor -Dense'
55 *Hypericum kalmianum*
1 Quercus alba
14 Taxus x media 'Wardii'
1 Ulmus x 'New Horizon'
4 *Viburnum trilobum*
5 Platanus × acerifolia 'Bloodgood')
4 Ulmus × 'Homestead'
6 Juglans nigra
5 Amelanchier canadensis (Multi-stemmed form)
34 *Hydrangea Quercifolia 'Munchkin'*
3 *Picea glauca*
3 *Gleditsia Triacanthos var. Inermis Street Keeper*
13 *Rosa rugosa*
3 *Celtis occidentalis*
1 *Gleditsia Triacanthos var. Inermis Street Keeper*
1 *Gleditsia Triacanthos var. Inermis Street Keeper*

Existing Spruce in mulched bed

14M + MTO SET BACK
14M MTO SET BACK
SOD REPAIR
SOD
sod
EX. FH
EX. HP
EX. FH TO BE RELOCATED
SWALE
(TAKEN FROM SURVEY)

REFUSE STORAGE BINS TO BE STORED INTERNALLY AND REMOVED OFF-SITE BY PRIVATE CONTRACTORS

BUILDING 'D'
OFFICE

GRANULAR MULCH (1000mm WIDE) 1/L3

CONCRETE PAVING: REFER TO ARCHITECTURAL DRAWINGS.
2 BIKE RACK L3
8 WASTE RECEPTACLE L3

BIKE LOCKER (REFER TO ARCHITECTURAL DRAWINGS)

TYP. LOADING SPACE
3.5m x 9.0m x4.2m (H)

TYP. PARKING SPACE
2.75m x 6.0 m

TYP. PARKING SPACE 2.75m x 6.0 m

PROVIDE CONDUIT FOR FUTURE EV STATIONS

CONC. WALKWAY

DESIGNATED FIRE ROUTE

MATCH LINE - REFER TO L1A

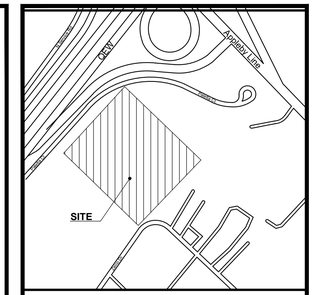
MATCH LINE - REFER TO L1D
(REFER TO ARCHITECTURAL DRAWINGS)

UNDERGROUND STORM TANK. SEE CIVIL DWGS.

EXISTING DRIVEWAY TO BE REMOVED. BOULEVARD, AND CURBS TO BE REINSTALLED AS PER MUNICIPAL STANDARD.

PALETTA COURT

L1E



KEY-PLAN

LEGEND

- EXISTING PROPERTY LINE
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- EXISTING DECIDUOUS TREE TO BE RETAINED
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- PROPOSED CONIFEROUS SHRUB
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SOURCE OF BASE INFORMATION:

Provided by BALDASSARRA Architects, Drawings 2338 A-1_0, dated March 2024.

Field work completed by MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS.

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REVISIONS

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LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING RESOURCE ANALYSIS

PALETTA COURT
4450 & 4480 PALETTA COURT
SPA-DC-16-23

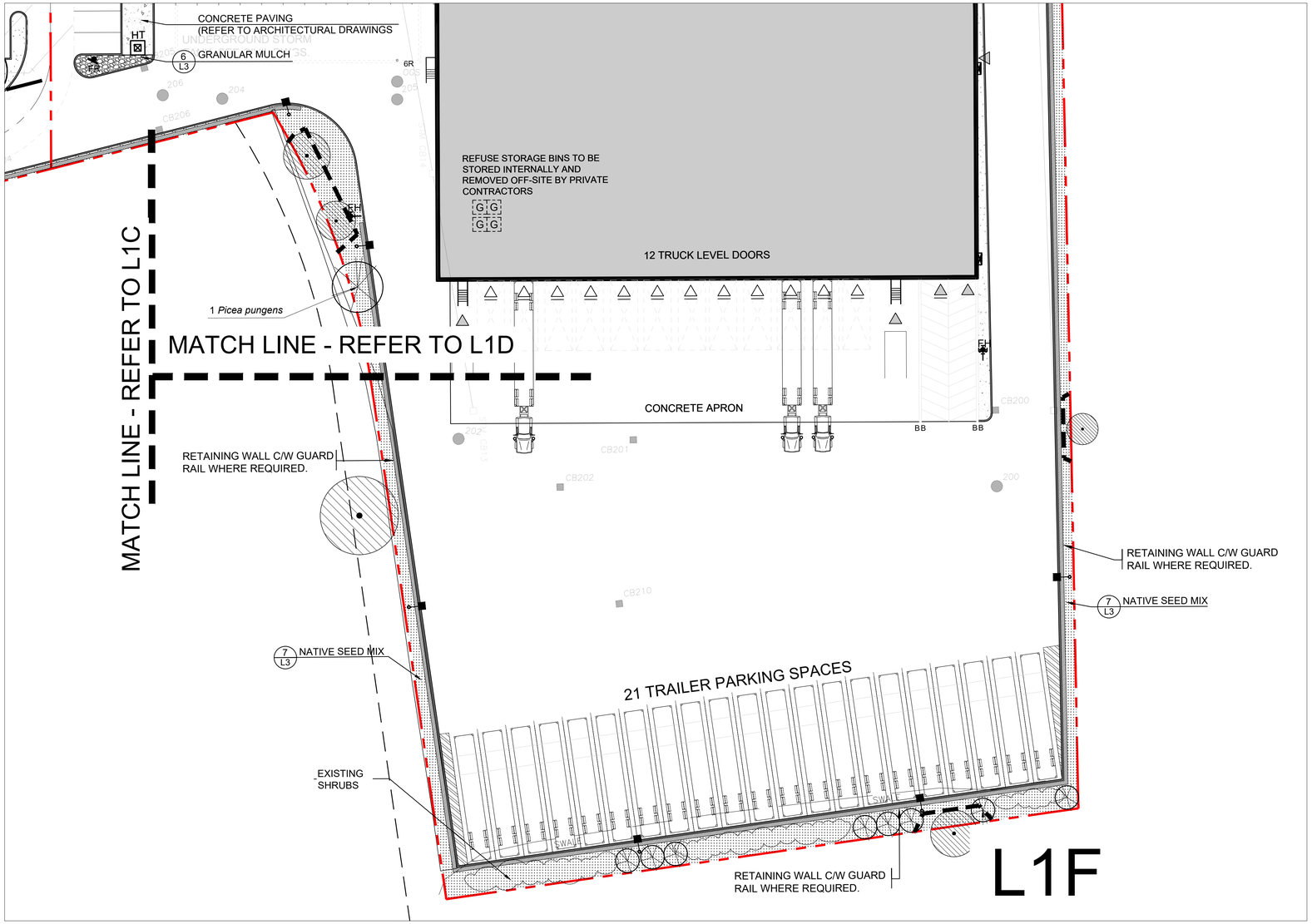
BURLINGTON, ON

LANDSCAPE PLAN

ISSUED FOR - SPA

SCALE : 1:300	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L1E
DRAWN : RG	PROJECT : 1626

Date: May 07, 2024 - 1:54 pm Plotted By: mgarcia Last Saved By: mgarcia Filename: N:\0 - PROJECTS\1626 - 4480 Paletta Crt, New Office Bldg - ALDER, Design\1 - Working Drgs\1626 - L1 - PLANTING PLAN.dwg



Paletta Court — PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
	WITHIN PROPERTY				
DECIDUOUS TREES					
1	Acer rubrum 'Frankared'	Frankared Red Maple	70mm	WB	Uniform, symmetrical
5	Celtis occidentalis	Common Hackberry	70mm	WB	Uniform, symmetrical
6	Gleditsia triacanthos var. inermis Street Keeper'	Street Keeper Honeylocust	70mm	WB	Uniform, symmetrical
6	Juglans nigra	Black Walnut	70mm	WB	Uniform, symmetrical
1	Nyssa sylvatica	Sourgum	70mm	WB	Uniform, symmetrical
6	Ostrya virginiana	Ironwood	50mm	WB	Uniform, symmetrical
5	Platanus x acerifolia 'Bloodgood'	August Roser Plane Tree	70mm	WB	Uniform, symmetrical
4	Prunus serotina	Black Cherry	50mm	WB	Uniform, symmetrical
8	Prunus virginiana	Common Chokecherry	50mm	WB	Uniform, symmetrical
1	Quercus alba	White Oak	50mm	WB	Uniform, symmetrical
8	Quercus macrocarpa	Burr Oak	60mm	WB	Uniform, symmetrical
6	Tilia americana 'Boulevard'	Boulevard Elm	70mm	WB	Uniform, symmetrical
7	Ulmus x 'Homestead'	Homestead Elm	70mm	WB	Uniform, symmetrical
1	Ulmus x 'New Horizon'	New Horizon Elm	70mm	WB	Uniform, symmetrical
CONIFEROUS TREES					
21	Juniperus virginiana	Eastern Red Cedar	175cm	WB	Uniform, symmetrical
6	Picea glauca	White spruce	250cm	WB	Dense, full skirt
1	Picea pungens	Colorado Spruce	250cm	WB	Dense, full skirt
DECIDUOUS SHRUBS					
5	Amelanchier canadensis (Multi-stemmed form)	Serviceberry	175cm	WB	2500mm o.c. spacing
50	Cornus sericea 'Arctic Fire'	Artic Fire Dogwood	50cm	3 gal.	1200mm o.c. spacing
5	Diervilla lonicera	Bush Honeysuckle	40cm	3 gal.	1200mm o.c. spacing
44	Diervilla splendens 'Firefly'	Firefly Bush Honeysuckle	40cm	3 gal.	800mm o.c. spacing
34	Hydrangea quercifolia ' Munchkin'	Dwarf Oakleaf Hydrangea	40cm	3 gal.	1200mm o.c. spacing
104	Hypericum kalmianum	Pot O' Gold	40cm	3 gal.	600mm o.c. spacing
42	Rosa 'Purple Pavement'	Purple Pavement Rose (rugosa cultivar)		2 gal.	1000mm o.c. spacing
13	Rosa rugosa	Rugosa Rose	40cm	3 gal.	1200mm o.c. spacing
17	Spiraea trilobata	Dwarf Vanhouttei Spirea	40cm	3 gal.	1200mm o.c. spacing
28	Spiraea x 'Gold Mound'	Gold Mound Spirea	40cm	3 gal.	900mm o.c. spacing
5	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	80cm	7 gal.	1500mm o.c. spacing
1	Viburnum lantana	Wayfaring Tree	150cm	WB	as shown on plan
4	Viburnum trilobum	Highbush Cranberry	40cm	3 gal.	3000mm o.c. spacing
CONIFEROUS SHRUBS					
35	Juniper communis var. depressa 'Aurea'	Canadian Golden Juniper	40cm	3 gal.	1100mm o.c. spacing
20	Juniperus horizontalis 'Hughes'	Hughes Juniper	50cm	3 gal.	1750mm o.c. spacing
31	Juniperus chinensis 'Mint Julep'	Mint Julep Juniper	40cm	3 gal.	1500mm o.c. spacing
49	Juniperus sabina 'Calgary Carpet'	Calgary Carpet Juniper	40cm	3 gal.	1200mm o.c. spacing
42	Juniperus sabina 'Moor Dense'	Moor Dense Juniper	40cm	3 gal.	1200mm o.c. spacing
15	Juniperus virginiana 'Grey Owl'	Grey Owl Juniper	40cm	3 gal.	2000mm o.c. spacing
20	Taxus cuspidata 'Nana'	Dwarf Japanese Yew	50cm	3 gal.	1500mm o.c. spacing
69	Taxus x media 'Wardii'	Ward's Yew	40cm	3 gal.	1300mm o.c. spacing
PERENNIALS AND GRASSES					
35	Echinacea purpurea 'Merlot'	Merlot Coneflower	1 gal.		400mm o.c. spacing
4	Panicum virgatum	Switch Grass	1 gal.		1000mm o.c. spacing

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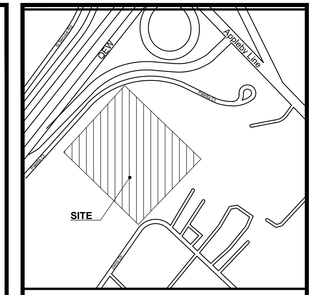

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ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS — MARIANNE MORTSON — OALA — MEMBER

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PALETTA COURT

4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

LANDSCAPE PLAN

ISSUED FOR - SPA

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DATE : 07-MAY-24	DRAWING : L1F
DRAWN : RG	PROJECT : 1626

Date: May 07, 2024 - 1:54 pm Plotted by: mpanico Last Saved By: mpanico Filename: X:\0 - PROJECTS\1626 - 4480 Paletta Crt, New Office Bldg - AMEC GROUP\5 - Working Dwgs\1626 - L1 - PLANTING PLAN.dwg

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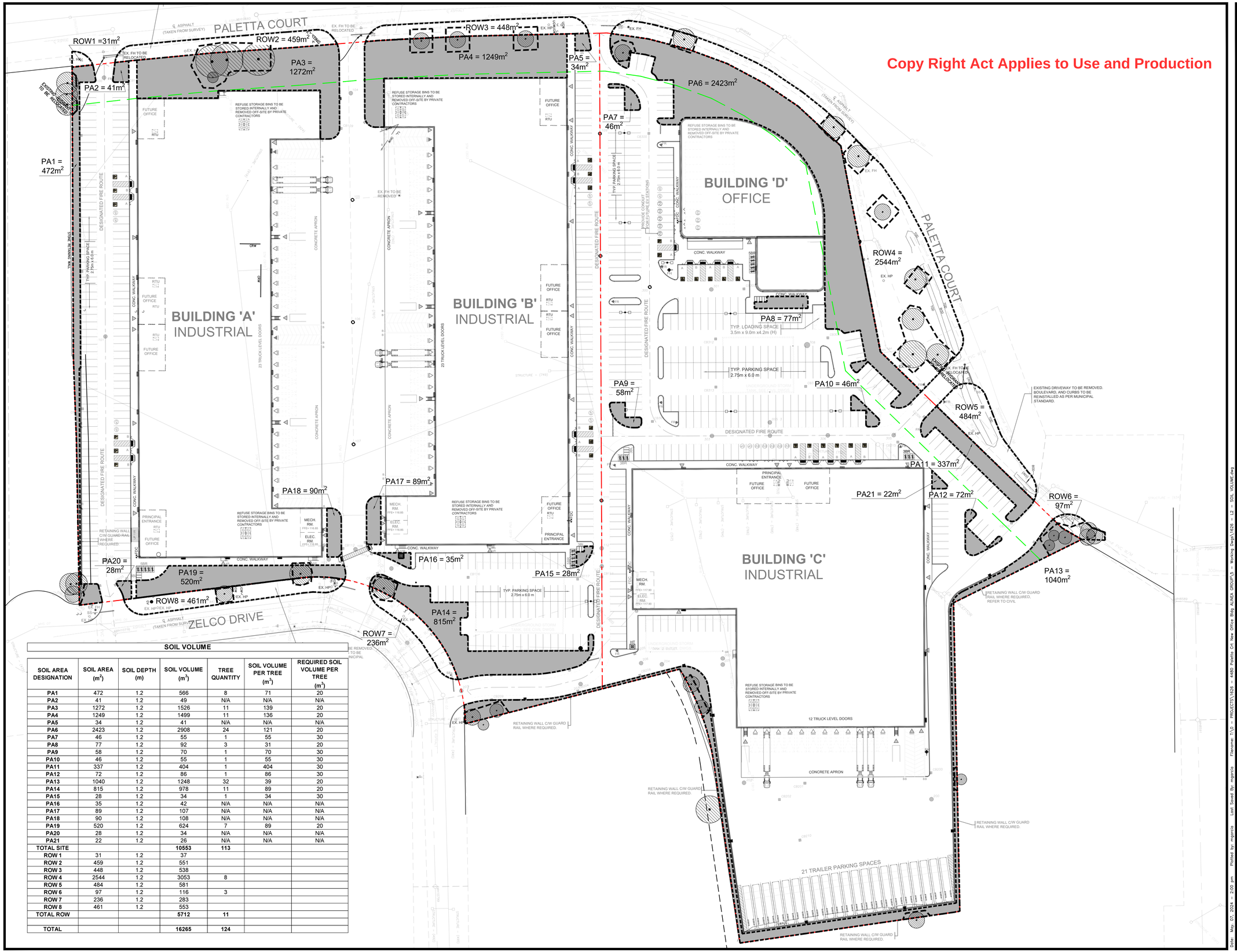
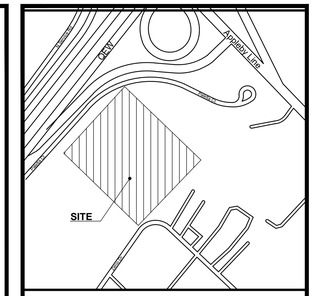


SOIL VOLUME

SOIL AREA DESIGNATION	SOIL AREA (m^2)	SOIL DEPTH (m)	SOIL VOLUME (m^3)	TREE QUANTITY	SOIL VOLUME PER TREE (m^3)	REQUIRED SOIL VOLUME PER TREE (m^3)
PA1	472	1.2	566	8	71	20
PA2	41	1.2	49	N/A	N/A	N/A
PA3	1272	1.2	1526	11	139	20
PA4	1249	1.2	1499	11	136	20
PA5	34	1.2	41	N/A	N/A	N/A
PA6	2423	1.2	2908	24	121	20
PA7	46	1.2	55	1	55	30
PA8	77	1.2	92	3	31	20
PA9	58	1.2	70	1	70	30
PA10	46	1.2	55	1	55	30
PA11	337	1.2	404	1	404	30
PA12	72	1.2	86	1	86	30
PA13	1040	1.2	1248	32	39	20
PA14	815	1.2	978	11	89	20
PA15	28	1.2	34	1	34	30
PA16	35	1.2	42	N/A	N/A	N/A
PA17	89	1.2	107	N/A	N/A	N/A
PA18	90	1.2	108	N/A	N/A	N/A
PA19	520	1.2	624	7	89	20
PA20	28	1.2	34	N/A	N/A	N/A
PA21	22	1.2	26	N/A	N/A	N/A
TOTAL SITE			**10553**	**113**		
ROW 1	31	1.2	37			
ROW 2	459	1.2	551			
ROW 3	448	1.2	538			
ROW 4	2544	1.2	3053	8		
ROW 5	484	1.2	581			
ROW 6	97	1.2	116	3		
ROW 7	236	1.2	283			
ROW 8	461	1.2	553			
TOTAL ROW			**5712**	**11**		
TOTAL			**16265**	**124**		



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PALETTA COURT

4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

SOIL VOLUME PLAN

ISSUED FOR - SPA

SCALE : 1:600	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L2
DRAWN : RG	PROJECT : 1626

Plotted: May 07, 2024 - 2:00 pm | Last Saved By: mpierce | Filename: J:\JOB - PROJECTS\1626 - 4480 Paletta Crt, New Office Bldg - PLANS - PROJECT\Working Dwgs\1626 - L2 - SOIL VOLUME.dwg

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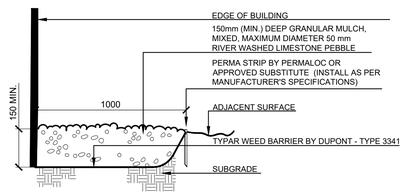
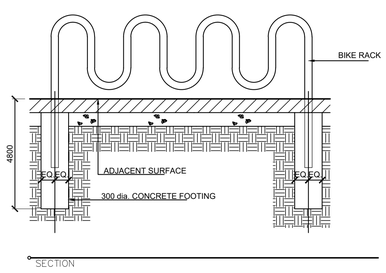
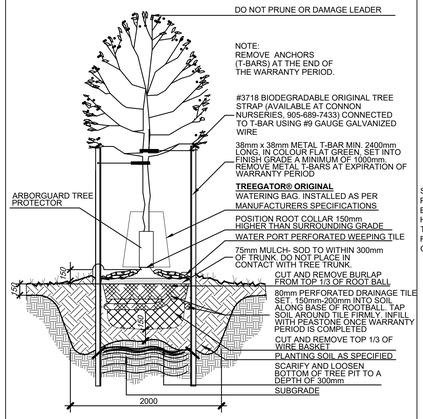


1 GRANULAR MULCH (1000mm WIDE)
N.T.S.



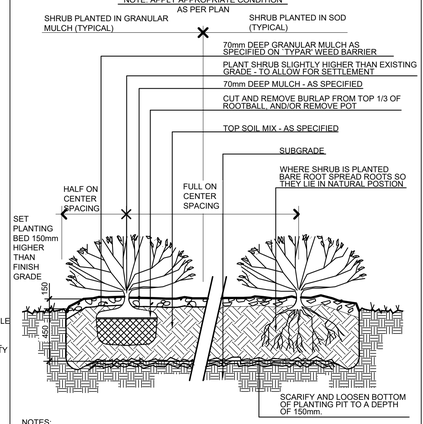
LOOP BIKE RACK MODEL
NO. H-2544BL
BY ULINE

2 BICYCLE RACK
NTS



THIS TREE DOES NOT REPRESENT ANY PARTICULAR SPECIES

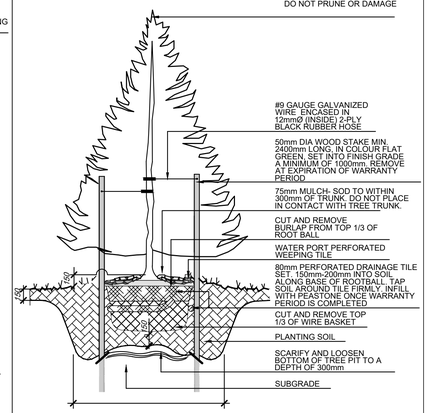
3 DECIDUOUS TREE PLANTING W/ DRAINAGE
N.T.S.



NOTES:
1. SHRUBS SHALL BEAR SAME RELATION TO FINISHED GRADE AS THEY BORE TO PREVIOUS EXISTING GRADE
2. ALL SHRUBS IN BEDS, NO INDIVIDUAL PITS
3. USE 70mm DEEP RIVERSTONE MULCH ON `TYPAR' WEED BARRIER BY DUPONT, TYPE #3341

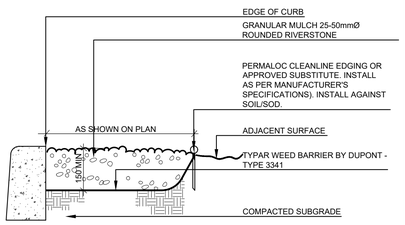
THESE SHRUBS DO NOT REPRESENT ANY PARTICULAR SPECIES

4 SHRUB PLANTING IN BEDS
N.T.S.



THIS TREE DOES NOT REPRESENT ANY PARTICULAR SPECIES

5 CONIFEROUS TREE PLANTING W/ DRAINAGE
N.T.S.



PERMALOC CLEANLINE EDGING,
⅛" (4.8mm) THICK, 203mm DEPTH
& 457mm STAKE LENGTH.

6 GRANULAR MULCH
N.T.S.

CONSERVATION HALTON UPLAND DRY MEADOW MIX

APPROXIMATE AREA 1260m²

AVAILABLE FROM:

1. OSC, 330 Phillip St. P.O. Box 7, Waterloo, ON, N2J 3Z6. Phone: (519) 886-0557
2. Pickseed, P.O. Box 304, Lindsay, ON, K9V 4S3. Phone: (705) 878-9240
3. Prairie Nursery, P.O. Box 306, Westfield, WI, 53964. Phone: (608) 296-3679

CONSERVATION HALTON UPLAND DRY MEADOW MIX

BOTANICAL NAME	COMMON NAME	PERCENTAGE
Andropogon gerardii	Big Bluestem	30%
Asclepias syriaca	Common Milkweed	5%
Clematis virginiana	Virgins Bower	5%
Monarda fistulosa	Wild Bergamont	5%
Rudbeckia hirta	Black-Eyed Susan	15%
Solidago canadensis	Canada Goldenrod	8%
Schizachyrium scoparium	Little Bluestem	30%
Symphyotrichum cordifolius	Blue Wood Aster	1%
Symphyotrichum novae-angliae	New England Aster	1%

CONSERVATION HALTON NURSE CROP MIX

BOTANICAL NAME	COMMON NAME	PERCENTAGE
Agrostis stolonifera	Creeping Bent Grass	20%
Avena sativa	Annual Oats	25%
Elymus canadensis	Canada Wild Rye	35%
Festuca rubra	Red Fescue	20%

SEEDING RATES:

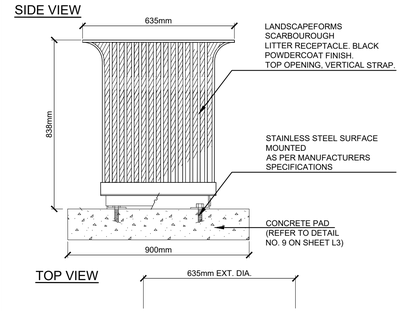
25kg/ha Old Field Meadow to Meadow Marsh Transition Mix

25kg/ha Nurse Crop - Canada Wild Rye (Elymus canadensis)

NOTES:

1. Till soil, removing all weeds and rake smooth. Add fertilizer if the soil is devoid of nutrients. Keep seeded areas consistantaly moist for 4-6 weeks during the germination period.
2. When planting in established grassa to achieve a meadow effect, mow close to the ground, remove clippings and drag the soil with a rake or harrow to expose the soil before seeding.
3. Mix seed with several times its bulk of fine grain sand for even distribution After sowing, rake the seed lightly into the soil. Keep soil moist until the seedings appear, usually within 3-4 weeks.
4. Care after planting - keep the soil moist for 4-6 weeks after sowing. Germination should occur in the first 2 to 3 weeks and the first flowers in 6 to 8 weeks. Mow the bed in late fall after plants have bloomed-out. This will help scatter the ripe seeds for next year's growth.

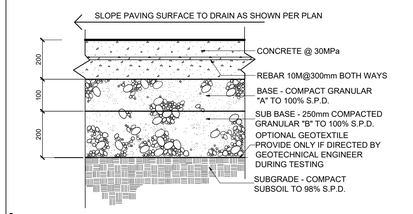
7 SEED MIX



NOTE

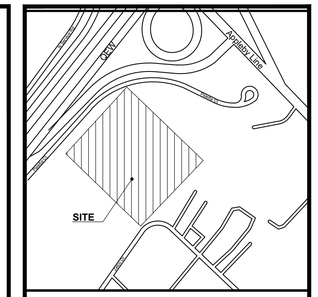
1. INSTALL WHERE DIRECTED.
2. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.
3. GARBAGE BINS ARE LANDSCAPEFORMS SCARBOROUGH MODEL, BLACK POWDERCOATED, TOP OPENING, VERTICAL STRAP

8 WASTE RECEPTACLE
NTS



NOTES:
PROVIDE CLEAN STRAIGHT EXPANSION JOINTS BETWEEN EXISTING AND NEW CONCRETE PAVING AND WALLS.
CAULK ALL EXPANSION JOINTS BETWEEN NEW AND EXISTING CONCRETE PAVING OR STRUCTURES WITH APPROVED ELASTIC JOINT SEALANT.
CONTROL JOINTS AT 1000mm MAX O.C. FORM USING PROPER HAND TOOL.

9 CONCRETE PAD AT WASTE BINS
N.T.S.



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4450 & 4480 PALETTA COURT
SPA-DC-16-23

BURLINGTON, ON

DETAILS

ISSUED FOR - SPA

SCALE : NTS	CHECKED : MM
DATE : 07-MAY-24	DRAWING : L3
DRAWN : RG	PROJECT : 1626

Date: May 07, 2024 - 2:50 pm Plotted by: mgarcia Last Saved By: mgarcia Filename: L:\3 - PROJECTS\1626 - 4450 Paletta Crt Near Office Bldg ALNEX GROUP\3 - Working Dwgs\1626 - L3 - DETAILS.dwg

SCHEDULE 'A'

4450 & 4480 Paletta Court,
Burlington, Ontario

LEGEND

- Subject Lands
- Landscape Area Exclusive of Building and Parking Area Encroachments (15 m)
- Parking Area subject to Parking Variance and Subject to Landscape Area (15 m) Variance

Note: Per the Landscape Area definition in Zoning By-law 2020, a Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area.

Date: November 29, 2024

Scale: 1:1,500

Z:\1888\G - 4400 & 4480 PALETTA COURT\1 - MHBC DOCUMENTS\TECHNICIAN DATA\MV SKETCH\1888G_MINOR VARIANCE SKETCH_20241129.DWG

Data Source:

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