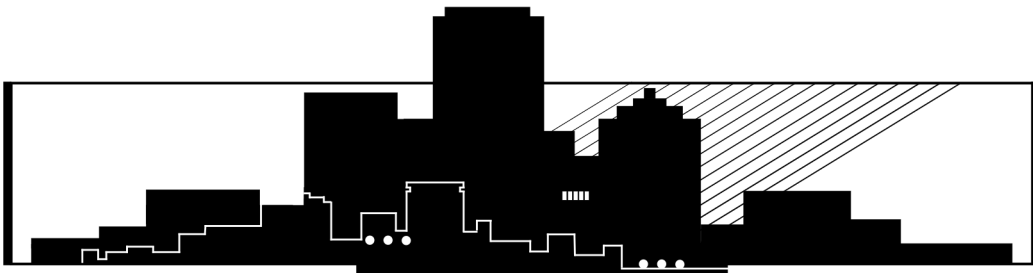


Hybrid Committee of Adjustment
Meeting
April 23, 2025 at 1:00 pm



AGENDA

COMMITTEE OF ADJUSTMENT AGENDA

Meeting #07

Meeting Date: April 23, 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-005/25	Re: 1235 Appleford Lane, Burlington Ward 1 Pages 1 - 12

5. REGULAR ITEMS:

HEARING NO.	TIME	FILE NO. 540-02-	APPLICATION ADDRESS
5.1)	1:00 P.M.	A-080/23	Re: 1172 Bellview Cres., Burlington Ward 1 Pages 13 - 31
5.2)	1:00 P.M.	A-081/23	Re: 1178 Bellview Cres., Burlington Ward 1 Pages 32 - 50
5.3)	1:00 P.M.	A-088/24	Re: 664 Spring Gardens Rd., Burlington Ward 1 Pages 51 - 77

6. OTHER BUSINESS:

6.1 Correspondence

6.2 Items for Discussion

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 #07****AGENDA****APRIL 23, 2025**

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

File**540-02-A-005/25**

APPLICANTS: Christopher Dowling, Ryan Dowling and Cory Dowling

PROPERTY: 1235 Appleford Lane,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a second storey addition to the existing detached dwelling with attached garage.

VARIANCE: 1. To permit a front yard of 9.3 m instead of the minimum required 11 m for a proposed second storey addition.

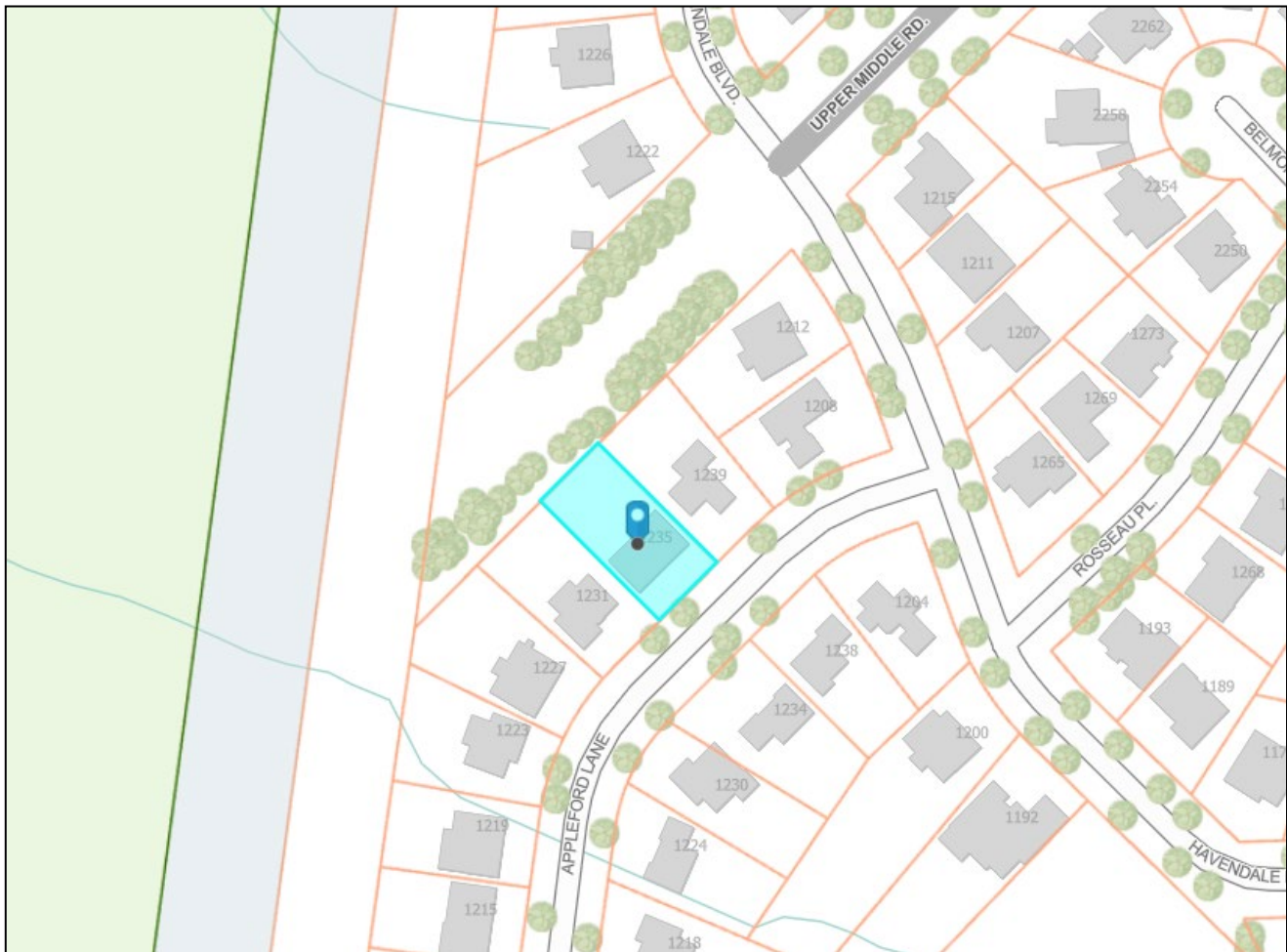
COMMITTEE OF ADJUSTMENT

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APRIL 23, 2025

Owners: Christopher Dowling, Ryan Dowling and Cory Dowling
Address: 1235 Appleford Lane, Burlington
File No. **A-005/25**
Ward: 1

**Staff Comments****Committee of Adjustment**

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

Date: January 17th, 2025Prepared By: C. Kabel

COMMITTEE OF ADJUSTMENT

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APRIL 23, 2025

Zoning**1) Background information:**

The subject property is zoned **R2.2**, Low Density Residential, under Zoning By-Law 2020, as amended. The **R2.2** 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
R2 ZONES						
R2.2	18 m	700 m ²	11 m	10 m	(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 to the existing detached dwelling with attached garage.

3) Variance required:

2. To permit a front yard of 9.3 m instead of the minimum required 11 m for a proposed second storey addition.

4) Condition:

1. The applicant shall apply for a Pre-Building Approval application.

5) Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval is made, they will be the responsibility of the applicant to obtain.
2. The variances are being reviewed under Section 45(1) of the *Planning Act*.

Date: 26 February 2025Prepared By: Erin Ruby

COMMITTEE OF ADJUSTMENT

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Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a second storey addition to an existing detached dwelling with an attached garage. The proposed second storey addition is to be sited over the existing garage. The proposed addition will increase the total living area within the home and result in a total gross floor area (GFA) of 295.57 m². The addition would enable the applicant to enlarge the second floor of the dwelling to accommodate an additional bedroom, walk-in-closet and two bathrooms. The applicant requests approval from the Committee of Adjustment to permit a reduced front yard setback for the second storey addition.

The subject lands are a rectangular shaped lot with a total area of 943.22 m² (0.115 hectares) with approximate lot frontage of 21.34 m along Appleford Lane. The lands are located on the northwest side of Appleford Lane, west of Havendale Boulevard and are known municipally as 1235 Appleford Lane.

The City of Burlington Official Plan, 1997 describes the City structure as being comprised mainly of *residential neighbourhoods*, defined as a residential area sharing similar characteristics, which is defined by 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 Kerncliff Park and Mansfield Park to the west and north, Tyandaga Golf Course to the south and Brant Street to the east. Low and medium density residential and commercial uses are permitted in the neighbourhood, and the subject property is located in a Low Density Residential (R2.2) zone, which permits detached dwellings and additional residential units. Adjacent and surrounding land uses include two-storey detached dwellings to the northeast, southwest, southeast and municipally owned green space (unopened road allowance) to the northwest.

Existing land uses on the property consist of a two-storey detached dwelling with an attached two-car garage. Access to the property is via a driveway from Appleford Lane. A site plan, elevation and floor plans (dated, August 7, 2024) were submitted with the application and illustrate the location and extent of existing and proposed development. A site visit was conducted on March 21, 2025, and existing on-site conditions are summarized in site photos included as Attachment No. 1 (Site Photos).

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?

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Yes**Regional Official Plan (2009)**

The subject lands are identified in the Regional Official Plan (ROP) within the Urban Area (Map 1) and within the Built Boundary (Map 1h). 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. 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. Detached dwellings are a permitted use in the Zoning By-law and therefore staff are of the opinion the proposed variance meets the intent of the ROP in terms of use.

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- Urban Area 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, Chapter 8- Land Use – Urban Area 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.

Part II, Section 6.5 (Design Guideline Policies) of the BOP, 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 BOP, 1997 as: "development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical

COMMITTEE OF ADJUSTMENT

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(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, surrounding properties, and in accordance with the policies of the Official Plan. Appleford Lane is a curvilinear street where front yard setbacks are generally in the 9 m range with the exception of the bulb at the end of the street where dwellings are setback further, up to 32 m from the curb of the road (1194 Appleford Lane).

The proposed addition would be sited over the existing garage and would extend the length of the second storey. The location of the dwelling including the front and side yard setbacks would be maintained. Staff are satisfied that the proposed front yard setback for the second storey addition will continue to provide sufficient transition between dwellings and are of the opinion that the proposed second storey addition would not result in significant massing impacts to the streetscape or neighbouring properties. Staff are of the opinion that the proposed minor variances would facilitate a building addition that is compatible with the surrounding area in terms of scale, massing and siting and therefore the requested 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(s) from the zoning by-law maintain the general intent and purpose of the Zoning By-law?**

The subject property is zoned Low Density Residential ('R2.2') Zone to Map No. 12 of the City of Burlington Zoning By-Law 2020, as amended. Detached dwellings are a permitted use and are subject to a front yard setback of 11 m, rear yard setback of 10 m and side yard setbacks of 1.8 m for two-storey dwellings with an attached garage.

Yes – Variance 1 (Reduced Front Yard Setback to second storey addition)

The application requests a variance to permit a front yard of 9.3 m instead of the minimum required 11 m for a proposed second storey addition. The intent of minimum front yard setbacks is to ensure the appropriate siting and massing of development in the front yard and to ensure adequate space is maintained in the front yard to provide for an attractive streetscape as well as site requirements such as landscaping, driveways and amenity area.

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At its closest point, the existing dwelling is setback 9.3 m from Appleford Lane. The requested reduction would allow for the second storey addition to be built in line with the location of the existing attached garage. The existing streetscape on the northwest

upper portion of Appleford Lane features a consistent alignment of dwellings which are setback approximately 9 m from the street. In the opinion of staff, since the spacing of the proposed second storey addition is aligned with the existing dwelling, the addition will integrate well with the existing streetscape. Staff is of the opinion that the variance meets the general intent of the Zoning By-law, as an attractive streetscape will be maintained and sufficient space will remain for functional elements such as landscaping, driveways and amenity area.

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 on the neighbourhood. Staff are of the opinion that the requested variance is desirable, given that it will result in improvements to an existing dwelling while maintaining compatibility with surrounding neighbourhood.

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. Staff is of the opinion that the requested variance would establish a built form, scale, and massing effect that is compatible with the area. Impacts to the site and the surrounding area will be minimal. Therefore, it is staff's opinion that the requested variance can be considered minor.

Cumulative Effects of Multiple Variances and Other Planning Matters:

N/A

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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: March 24, 2025Prepared By: Melissa Dalrymple, MCIP, RPP**Report Schedules & Attachments:**

Attachment No. 1 (Site Photos – March 2, 2025)



View of subject lands from Appleford Lane.

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View of streetscape around 1235 Appleford Lane.



View of streetscape across the street from 1235 Appleford Lane.

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Area of proposed addition (above garage).

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: February 27, 2025

Prepared By: R. Maximo

Forestry

Forestry has no objection to the proposed variance requested. However, forestry provides the following advisory comments:

Advisory Comments:

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Public and Private Tree By-laws.
2. The rear yard tree (Tree #1 as identified in the report by Davey Resource Group dated September 5, 2024) proposed for removal is greater than 75cm Diameter

COMMITTEE OF ADJUSTMENT**Meeting #07****AGENDA****APRIL 23, 2025**

at Breast Height (DBH) and as such will be reviewed under our Significant Tree Review process during the tree permit application process.

3. Revisions to the reports/plans may be required through the tree permit application process.

Date: March 10, 2025Prepared By: M.Krzywicki**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: Mar 20, 2025Prepared By: T. Le**Transportation Planning**Deemed Road Width Analysis

Appleford Lane 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: February 3, 2025 Prepared By: Derek Napoli

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

Date: March 18, 2025Prepared By: Derek Napoli**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.

COMMITTEE OF ADJUSTMENT**Meeting #07****AGENDA****APRIL 23, 2025**

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: February 26, 2025Prepared By: C. Schoenhals**Halton Region**

Regional Staff have reviewed the Minor Variance application proposing the construction of a second storey addition to the existing detached dwelling with attached garage. A variance to the front yard is requested.

- Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development matters has changed. The Region is no longer 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 has been signed 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.

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

Date: March 19th, 2025Prepared By: Shiza Mushtaq**Burlington Hydro Inc. (BHI)**

BHI have no objections to the proposal to construct a second-storey addition to the existing detached dwelling with an attached garage.

Please see attached comments package from Burlington Hydro at the end of this report for additional information.

Date: March 7th, 2025Prepared By: Zakariya Al-Doori



Burlington**hydro**
inc.

March 6, 2025

Applicants: Christopher Dowling, Ryan Dowling, Cory Dowling
Subject: Minor Variance.
File NO: 540-02-A-005/25
Location: 1235 Appleford Lane, Burlington, ON.

In response to your correspondence(s), a member of our Engineering Department has reviewed the information and has the following comments.

We have no objections to the proposal to construct a second-storey addition to the existing detached dwelling with an attached garage.

We want to stipulate the following:


Customers and their agents planning and designing for electricity service must refer to all applicable Provincial and Canadian electrical codes, all applicable federal, provincial, municipal laws, regulations, codes, and by-laws to ensure compliance. All work on the BHI distribution system, shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act (OSHA), the Regulations for Construction Projects, the Regulations for Industrial Establishments and the Electrical Utility safety Rules published by the Infrastructure Health and Safety Association (IHSA).

- ☒ **Service is available under BHI's latest Standard Service Conditions:**
- ☒ <https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html>
- ☒ **Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest Standards and Regulations if possible issues with the clearances arise between existing BHI facilities and existing/proposed building structures.**
- ☒ BHI easement (if any) is to remain clear of heavy vehicle traffic and the customer is responsible for keeping the easement lands free and clear of any trees, fences, buildings, structures, or obstructions unless any of forgoing is approved in writing by Burlington Hydro Inc. Further, the Customer shall remove the same upon the request of Burlington Hydro Inc.
- ☒ The customer is to ensure that **Burlington Hydro Inc (BHI)** has access to the hydro facilities.
- ☒ The customer is to acquire any easements for BHI if required.
- ☒ The project must meet City of Burlington Standards.
- ☒ Machine excavation within one meter of the underground plant is not permitted.



Burlington **hydro** inc.

- ☒ Do not excavate within two meters of BHI's transformer, poles and anchors.
- ☒ Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call @ (800) 400-2255.
- ☒ **Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when work is planned to be performed in proximity of the hydro distribution system.**
- ☒ Arrange for disconnect and isolation of the power supply if a person or equipment is to encroach on the minimum distance permitted under the OHSA and OESC.
- ☒ Be advised that the above information represents only a portion of the servicing requirements that is expected of the Developer. Further details and requirements will be provided when the Developer makes contact with Burlington Hydro.

Regards,

Zakariya Al-Doori
Engineering Services Technician


MAR. 06/2025
Cc: Rosso Parra, P. Eng **RP**
Engineering Manager, Customer Connections
& Key Accounts

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: _____

PROPERTY INFORMATION

Municipal Address(es) of property:

1235 Appleford Lane, Burlington ON, L7P 3M1

Legal Description of property:

PCL 150-1, SEC M104; LT 150, PL M104;

S/T H36283 Burlington

Official Plan Designation: Residential - Low density Current Zoning Designation R2.2

OWNER(S) INFORMATION:

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

Christopher Dowling, Ryan Dowling, Cory Dowling

Mailing Address: 1235 Appleford Lane City: Burlington

Postal Code: L7P 3M1 Home Phone: N/A Mobile Phone: 905 320 7686

Work Phone: N/A E-Mail: chris@dowlingrealestategroup.com

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

Name: Christopher Dowling

Business Address: 1455 Lakeshore rd. unit 201 S City: Burlington

Postal Code: L7S 2S1 Home Phone: NA Mobile Phone: 905 320 7686

Work Phone: 905 320 7686 E-Mail: chris@dowlingrealestategroup.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.

We have submitted an application to propose a 1 (one) storey residential addition on top of our existing garage.

Variance(s) Requested	Zoning Bylaw Requirement
Minor Variance requesting a front yard setback of 9.32m.	Burlington Zoning By-Law Part 2, Section 4.1: Minimum front yard Setback of 11m

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:

- Why is the variance(s) minor in nature? The ~~proposed~~ setback from the street is being proposed to allow a 9.32 m setback instead of 11m.
- Why are the variance(s) desirable for the appropriate use of the land? Most of the homes on the street have a residential dwelling above the garage. The proposed addition will flow better with the homes on the street and reducing the setback will not effect parking in any way.
- Do the variance(s) meet the intent and purpose of the Official Plan? Yes and will conform with existing homes on Appleford Lane.
- Do the variance(s) meet the intent and purpose of the Zoning By-law? Yes and this will increase home value and additional tax and fees to the City.

PROPERTY DETAILS (please complete all fields):

Date property
purchased:

2/2/2022
mmm/dd/yyyy

Date property
first built on:

1979
mmm/dd/yyyy

Date of
proposed
construction:

4/1/2025
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:

1979 - 2025

Proposed Use of the Land:

Residential addition on top
of existing parking garage.

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot?
Frontage	Depth	Area	Actual	Deemed	Required		
21.34 m	44.20 m	943.22 m ²	20 m	20 m	20 m	189.60 m ²	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>

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)	125.63 M ²	Ground Floor Area (incl. attached garage)	125.63 M ²
Gross Floor Area:	219.79 M ²	Gross Floor Area:	295.57 M ²
Number of Storeys: 2		Number of Storeys: 2	
Width:	16.53 M	Width:	16.53 M
Length:	11.35 M	Length:	11.35 M
Height:	7.77 M	Height:	7.90 M
Garage/Car Port		Garage/Car Port	
Detached?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Detached?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Gross Floor Area:	40.00 M ²	Gross Floor Area:	40.00 M ²
Width:	6.32 M	Width:	6.32 M
Length:	6.32 M	Length:	6.32 M
Height:	2.74 M	Height:	2.74 M
Accessory Structures (Shed, Gazebo, etc) N/A		Accessory Structures N/A	
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 N/A	
Gross Floor Area:	63.19 M ²	Gross Floor Area:	63.19 M ²
Width:	10.36 M	Width:	M
Length:	6.07 M	Length:	M
Height:	0.381 M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING		PROPOSED	
Front:	16.53 M	Front:	16.53 M
Rear:	16.68 21.34 M	Rear:	16.68 M
Side/Street Side:	11.32 11.35 M	Side/Street Side:	11.32 M
Side/Other Side:	8.58 8.58 M	Side/Other Side:	8.58 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: Christopher Dowling

Property Address: 1235 Appleford Lane

1. I, Christopher Dowling In my capacity as Agent & Owner do attest to the following:
Print Name (Owner or agent)

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated 6/18/2024
has been revised by: Chris Beresniawicz at Avanti Surveying, inc
OR (Person or Company Name)

B. The site plan, architect's plan or engineer's plan dated 8/7/2024
has been revised by: Agostino Monteleone of Antech engineering
OR (Person or Company Name)

C. The sketch or plot plan** dated _____
**Accepted for applications involving variances for Uses only. mmm/dd/yyyy
was prepared by: _____
(Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: 8/7/2024
3. The material submitted shows all measurements in metric, as calculated/converted by: Agostino Monteleone of Antech engineering
(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.

Christopher Dowling
Signature of Owner/Applicant

1/8/2025
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

Christopher Dowling

Property Address

1235 Appleford Lane


Signature of Owner/Applicant

1/8/2025
Date (mmm/dd/yyyy)

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: Christopher Dowling

I, Christopher Dowling of the Region Halton of 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 Burlington
(Region/City/County) (City/Town/Township)

this 14 day of Jan 20 25.

DEBRA WYNNE HAWKINS, a
Commissioner, etc., Province of
Ontario, for Brechin & Huffman,
Barristers and Solicitors.
Expires August 19, 2026.

Debra Wynne Hawkins
Signature of Commissioner, etc.

Christopher Dowling
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: 1235 Appleford Lane, Burlington L7P 3M1

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.

Christopher Dowling
Signature of Owner

Christopher Dowling
Print Name


OWNERS AUTHORIZATION

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

I, Christopher Dowling being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.


Signature of Owner

1/14/2025
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 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) N/A <input type="checkbox"/> Railways (Location of them and setbacks to structures) N/A <input type="checkbox"/> 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

1/8/2025

Date (mmm/dd/yyyy)

NOTICE OF PUBLIC HEARING

Christopher Dowling, Ryan Dowling and Cory Dowling, the owners of 1235 Appleford Lane, 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 **1235 Appleford Lane, Burlington** (see map).

The applicant is proposing the construction of a second storey addition to the existing detached dwelling with attached garage. This proposal results in the following variance:

1. To permit a front yard of 9.3 m instead of the minimum required 11 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 April 7th, 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 APRIL 23, 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

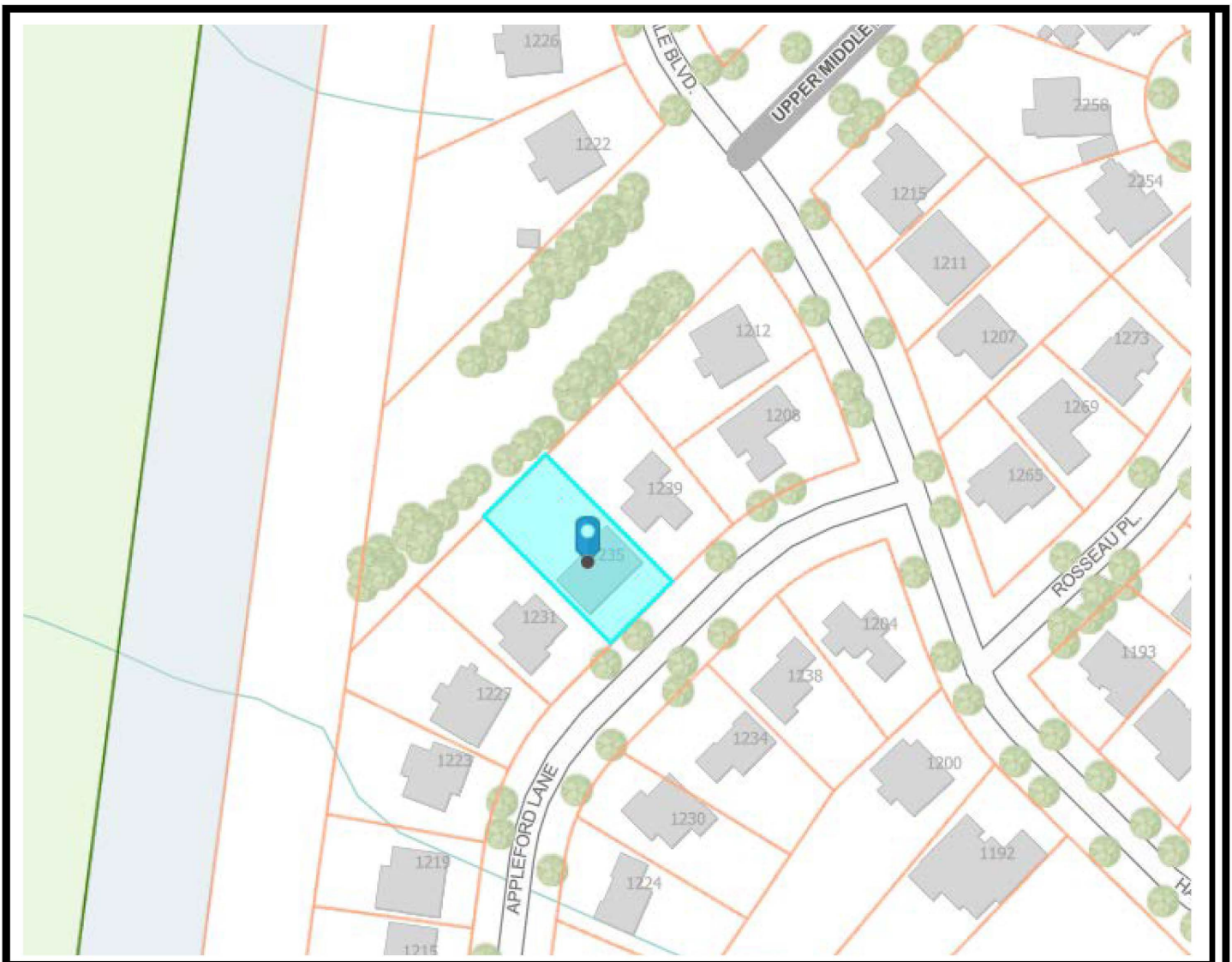
Yours truly,



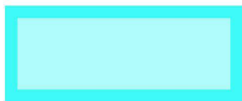
Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

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



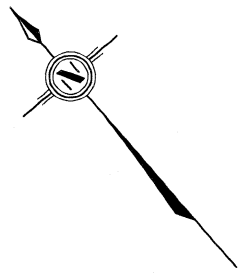
Key Map



1235 Appleford Lane



Committee of Adjustment Community
Planning Department - Planning
Implementation



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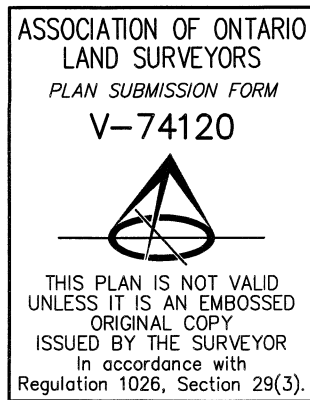
UPPER MIDDLE ROAD
(By Registered Plan M-104)
P.I.N. 07129-0420

APPLEFORD LANE
(By Registered Plan M-104)
P.I.N. 07129-0419

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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 4th DAY OF JUNE, 2024.

JUNE 06, 2024
DATE
CHRIS BERESNIEWICZ
ONTARIO LAND SURVEYOR



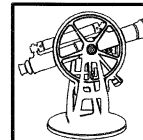
LEGEND
■ DENOTES SURVEY MONUMENT FOUND
□ RP REGISTERED PLAN M-104
PL PLAN 20R-1194
P.I.N. PROPERTY IDENTIFIER NUMBER
SIB STANDARD IRON BAR
IB IRON BAR
CC CUT CROSS
OU ORIGIN UNKNOWN
N,S,E,W NORTH,SOUTH,EAST, WEST
M MEASURED
WIT WITNESS
BF BOARD FENCE
WIF WROUGHT IRON FENCE
TRW TIMBER RETAINING WALL

LEGEND (...cont.)
TC DENOTES TOP OF CURB
BC BOTTOM OF CURB
DSE DOORSILL ELEVATION
TRE TOP OF ROOF ELEVATION
DT DECIDUOUS TREE
CT CONIFEROUS TREE
BT BELL TELEPHONE
Ø DIAMETER
CH PLAN BY CARTER HORWOOD LTD., O.L.S. DATED JANUARY 9, 1979
CH2 PLAN BY CARTER HORWOOD LTD., O.L.S. DATED MARCH 20, 1978

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF APPLEFORD LANE, HAVING A BEARING OF N45°00'00"E ACCORDING TO REGISTERED PLAN M-104.

ELEVATION NOTE
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE CITY OF BURLINGTON BENCHMARK NO. BM1085 HAVING A PUBLISHED ELEVATION OF 191.07 METRES.

THIS PLAN WAS PREPARED FOR CHRIS DOWLING
PART 2 - SURVEY REPORT
1) PLEASE NOTE LOCATION OF FENCES
2) REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY: SUBJECT TO EASEMENT AS IN H36283
3) THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS



AVANTI
SURVEYING INC.

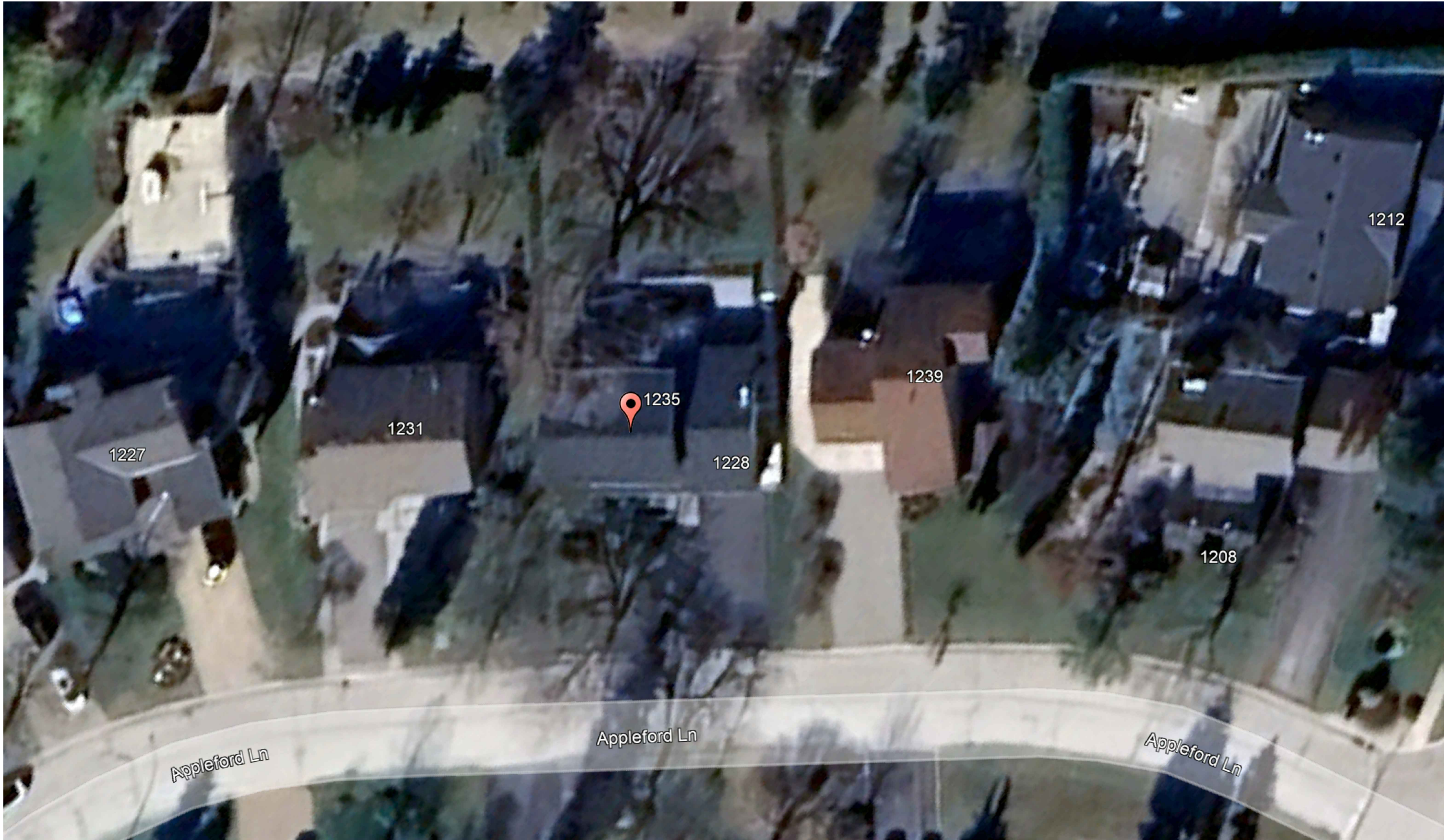
310 North Queen St., Unit 102, Toronto, ON M5C 5K4
Tel: (416) 231-1174 - Fax: (416) 621-3360
E-MAIL: info@avantisurveying.com

DRAWN: E.C. CHECKED: A.M./C.B. PROJECT 24-116



PROPOSED NEW SECOND FLOOR ADDITION
OVER EXISTING GARAGE

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1 SITE PLAN
CP SCALE : NTS

DRAWING INDEX	
DWG. NO.	DESCRIPTION
CP	COVER PAGE
SP1	EX SITE PLAN
SP2	EX/PROP SITE PLAN
S1	BASEMENT PLANS
S2	GROUND FLOOR PLANS
S3	SECOND FLOOR PLANS
S4	ROOF PLANS
S5	EX FRONT ELEVATION
S6	EX REAR ELEVATION
S7	EX SIDE ELEVATION (WEST)
S8	EX SIDE ELEVATION (EAST)
S9	EX/PROP FRONT ELEVATION
S10	EX/PROP REAR ELEVATION
S11	EX/PROP SIDE ELEVATION (WEST)
S12	EX/PROP SIDE ELEVATION (EAST)
S13	CROSS SECTION
S14	CROSS SECTION
S15	DESIGN SCHEDULE
D1	DETAILS
N1	NOTES

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CONSULTANT:



1500 Royal York Rd, Unit 48,
Toronto, ON. M9P 3B5.
(416)-245-2333
<http://www.amtecengineering.ca>

ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

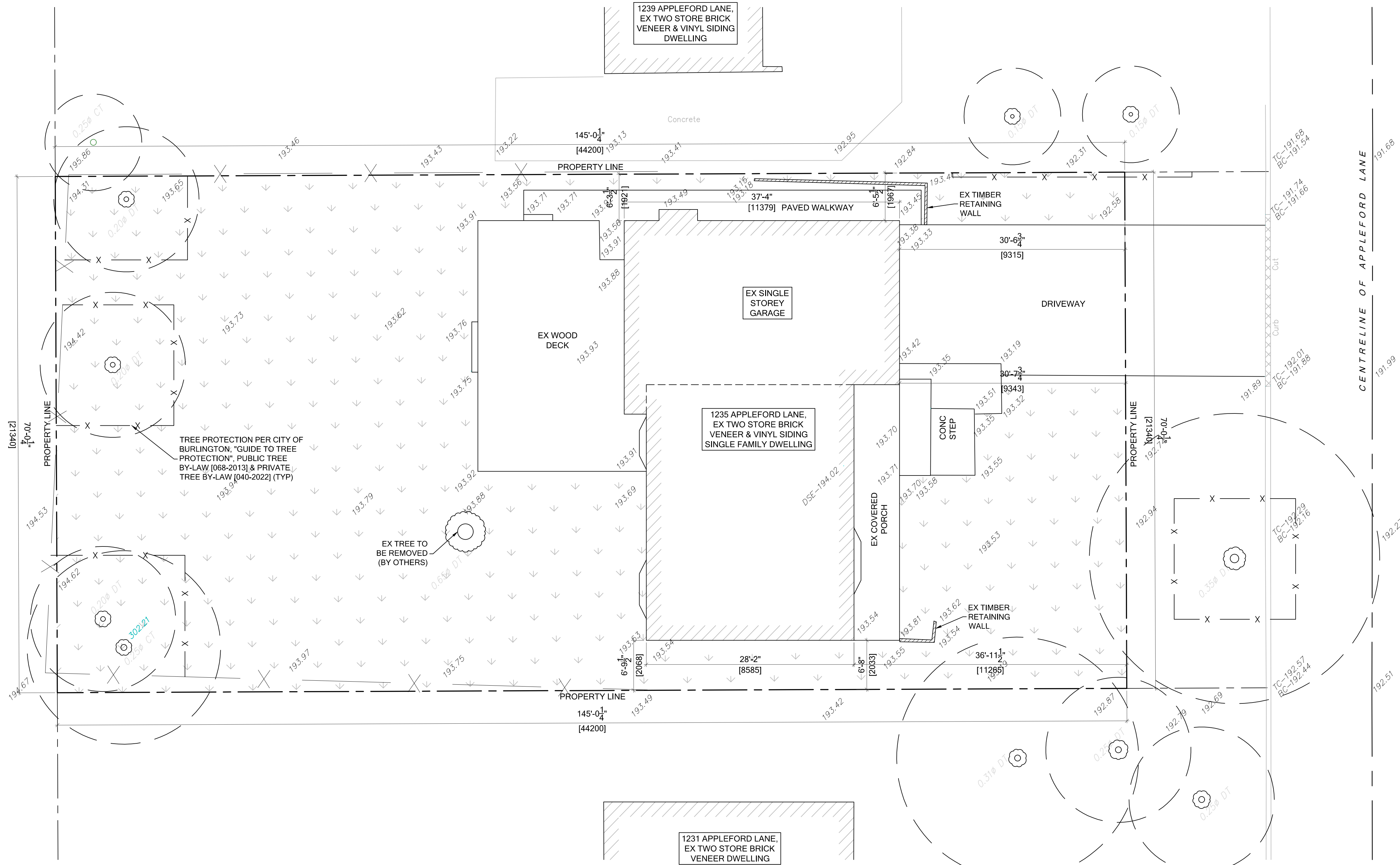
DRAWING DESCRIPTION:
COVER PAGE

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER: 202324-58	
DRAWING NUMBER: CP	



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1 EX SITE PLAN
SP1 SCALE : 1/8" = 1'-0"

SITE PLAN IS BASED OFF SURVEY PREPARED
BY "AVANTI SURVEYING INC", DATED JUNE 6, 2024.

R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION

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ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX SITE PLAN

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

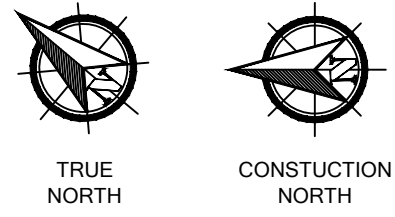
DRAWN BY:	CHECKED BY:
EL	AM

SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER: 202324-58

DRAWING NUMBER: SP1



LOT AREA	10,152.78	SQ.FT	[943.22	SQ.M]
COVERAGE			0.00	
EXIST COVERAGE:	1,844.44	SQ.FT	[171.35	SQ.M]
PROP COVERAGE:	1,844.44	SQ.FT	[171.35	SQ.M]
LOT COVERAGE PERCENTAGE (%):			18.17%	
GROSS MAIN FLOOR AREA				
EXIST GFA:	1,352.23	SQ.FT	[125.63	SQ.M]
PROP GFA:	1,352.23	SQ.FT	[125.63	SQ.M]
GROSS SECOND FLOOR AREA				
EXIST GFA:	1,013.53	SQ.FT	[94.16	SQ.M]
PROP GFA:	1,829.21	SQ.FT	[169.94	SQ.M]
EXIST TOTAL GFA:	2,365.76	SQ.FT	[219.79	SQ.M]
PROP TOTAL GFA:	3,181.44	SQ.FT	[295.57	SQ.M]
EX/PROP TOTAL GFA (%):			31.3%	

EXISTING LANDSCAPED OPEN SPACE:				
LOT AREA:	10,152.78	SQ.FT	[943.22	SQ.M]
EX/PROP COVERAGE	- 1,844.44	SQ.FT	[171.35	SQ.M]
AREA OF DRIVEWAY/WALKWAY	- 837.02	SQ.FT	[77.76	SQ.M]
AREA OF FRONT STAIRS:	- 179.80	SQ.FT	[16.70	SQ.M]
AREA OF DECK:	- 680.13	SQ.FT	[63.19	SQ.M]
AREA OF LANDSCAPING:	6,611.39	SQ.FT	[614.22	SQ.M]

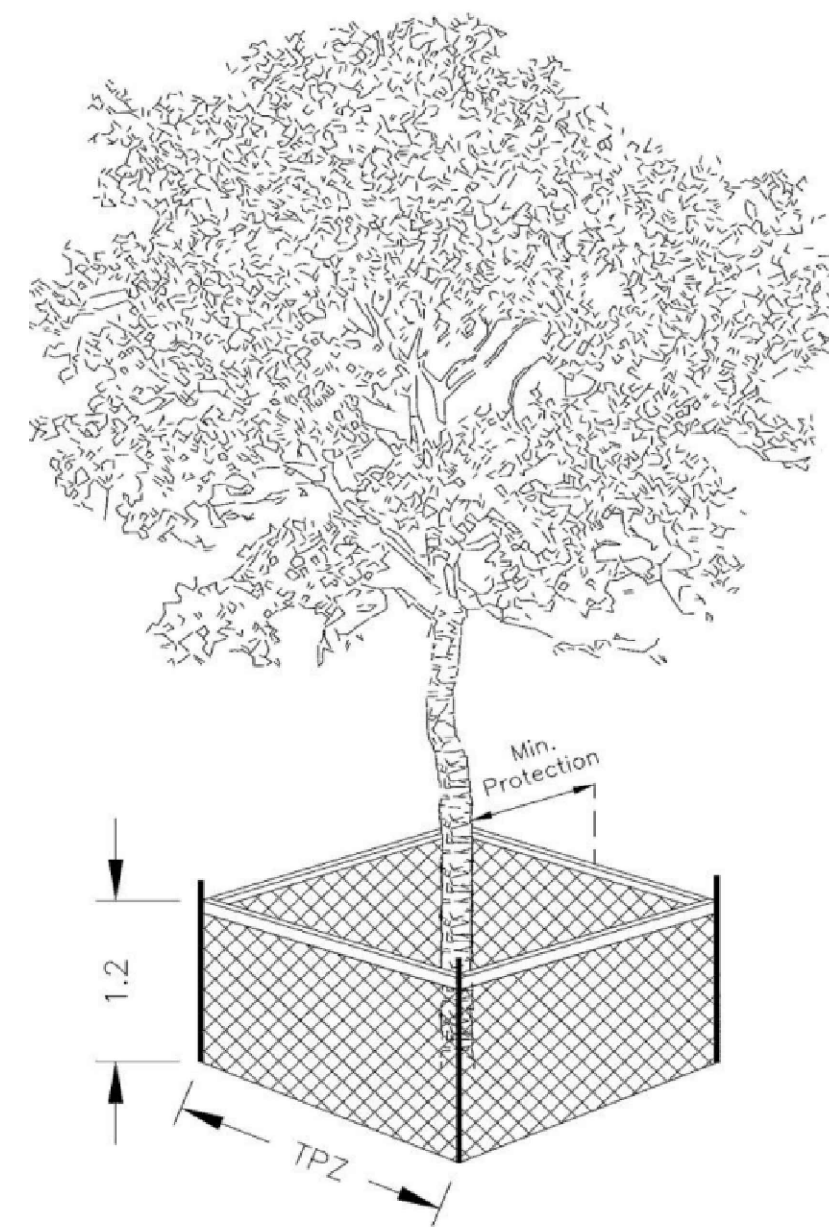
EX/PROP PERCENTAGE OF LANDSCAPING (%): 65.1% (NO CHANGE)

EX/PROP REAR YARD LANDSCAPED:				
EX REAR LOT AREA:	5,601.10	SQ.FT	[520.36	SQ.M]
EX/PROP COVERAGE	- 66.75	SQ.FT	[6.20	SQ.M]
AREA OF DRIVEWAY/WALKWAY:	- 86.49	SQ.FT	[8.04	SQ.M]
AREA OF STAIR:	- 0.00	SQ.FT	[0.00	SQ.M]
AREA OF DECK:	- 680.13	SQ.FT	[63.19	SQ.M]
AREA OF LANDSCAPING:	4,767.73	SQ.FT	[442.94	SQ.M]

EXIST PARKING SPACES: 1
PROP PARKING SPACES: 2

SETBACKS: AS NOTED

Tree Protection and Preservation Specification No.: SS12A



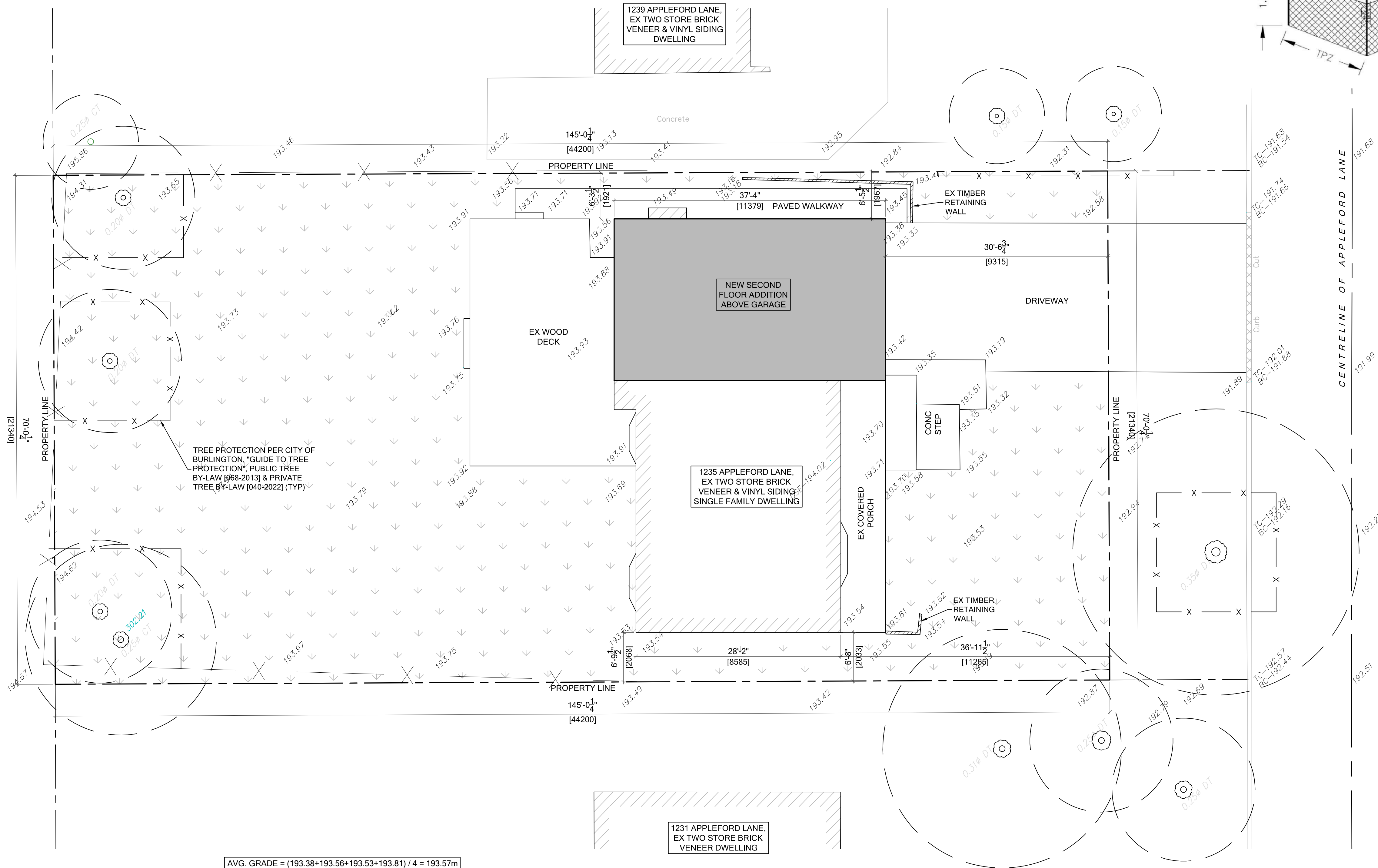
Detail TP-1 – Tree Protection Detail.

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.

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1 EX/PROP SITE PLAN
SP2 SCALE : 1/8" = 1'-0"

RO	08/07/24	Issued For Review
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Toronto, ON. M9P 3B5.
(416)-245-2333
<http://www.amtecengineering.ca>

ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX/PROP SITE PLAN

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:
202324-58 1235 Appleford Lane_3

DRAWN BY: EL CHECKED BY: AM

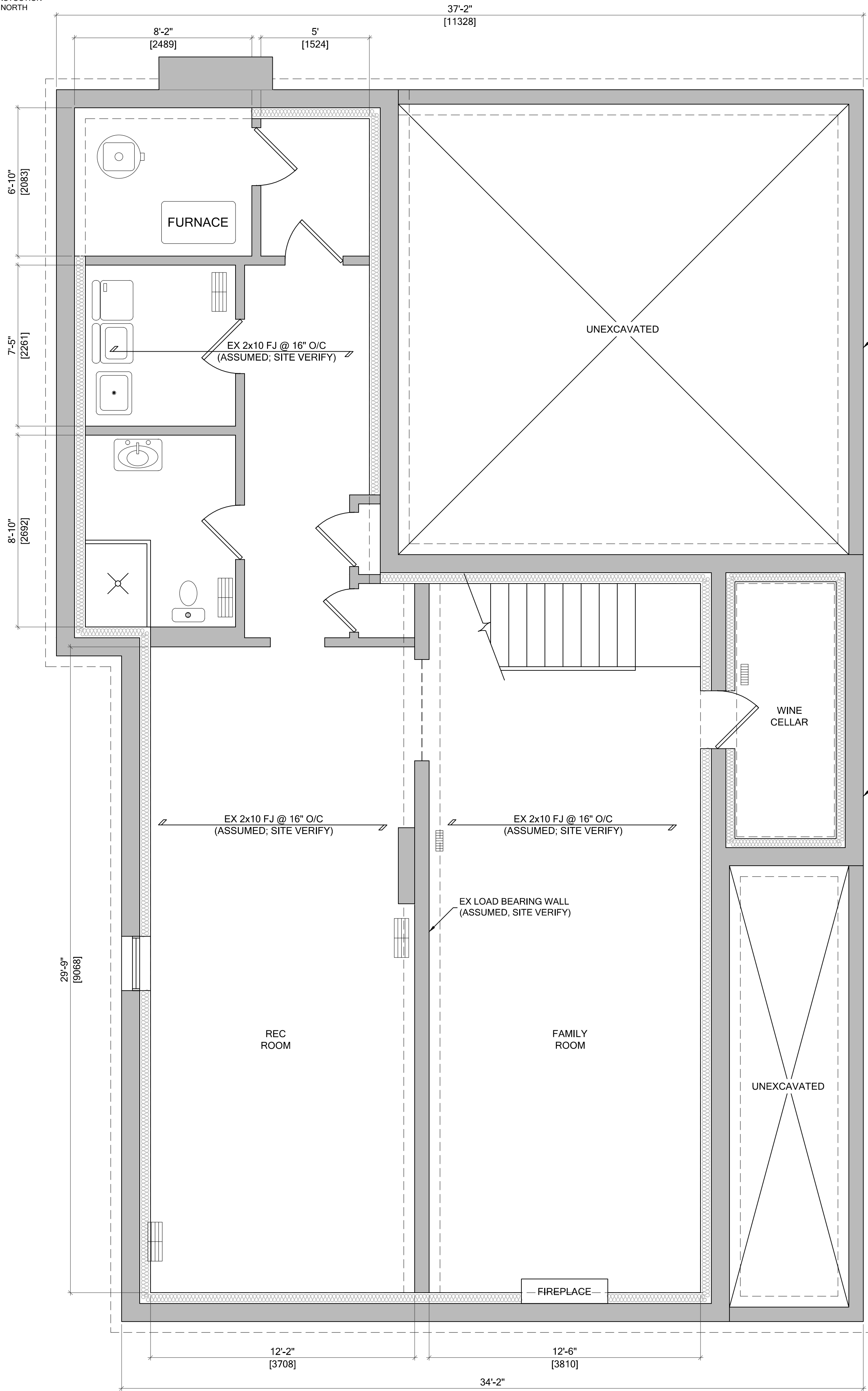
SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER: 202324-58

DRAWING NUMBER: SP2

SITE PLAN IS BASED OFF SURVEY PREPARED
BY "AVANTI SURVEYING INC", DATED JUNE 6, 2024.



1
S1 EX BASEMENT PLAN
SCALE : 5/16" = 1'-0"

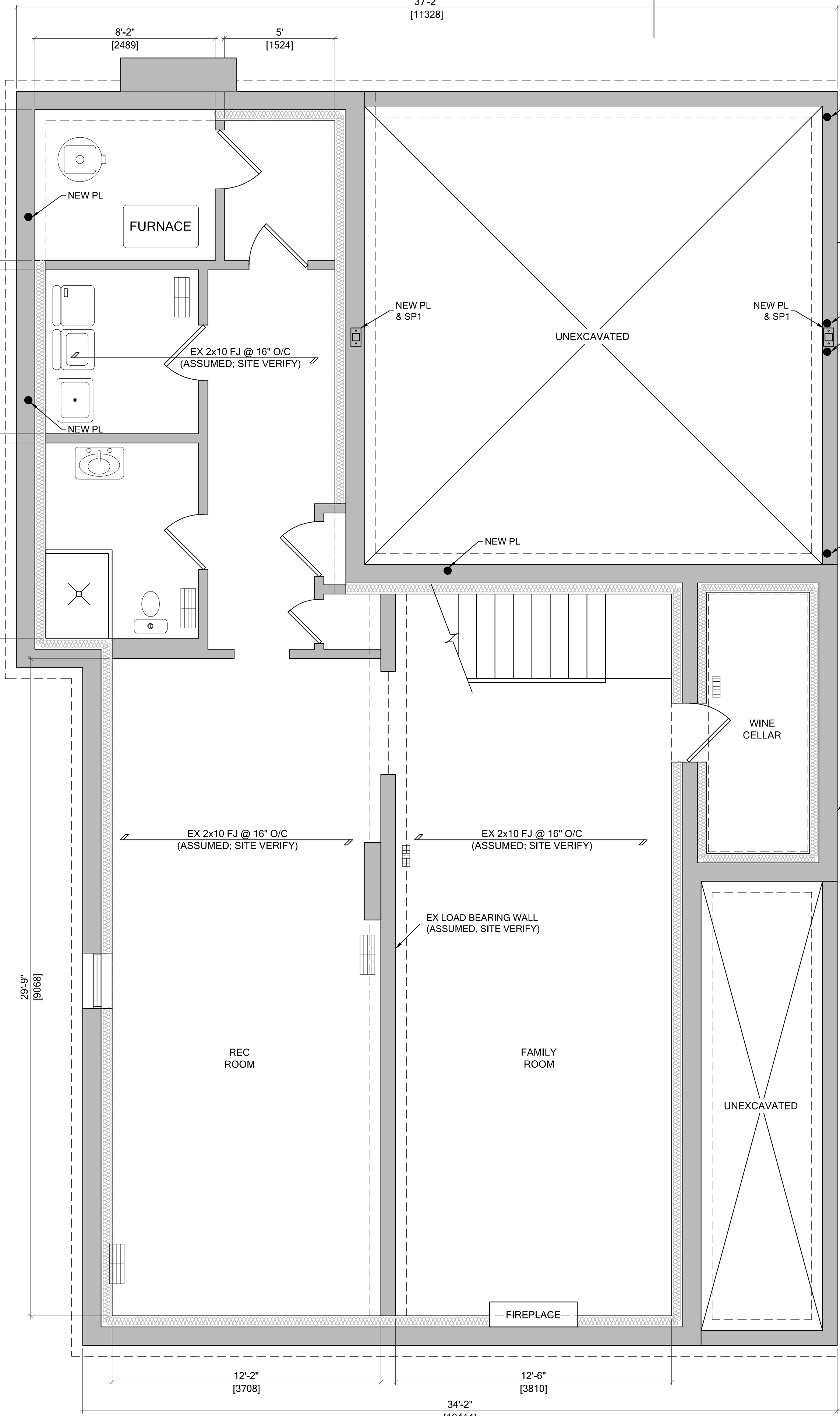
LEGEND:

- REMOVE ASSUMED NON-STRUCTURAL WALL. SITE VERIFY PRIOR TO REMOVAL. REPORT ANY DISCREPANCIES TO THE ENGINEER.
- REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS. (BY OTHERS).
- PL DENOTES NEW POINT LOAD

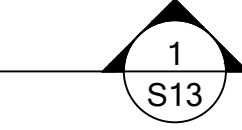
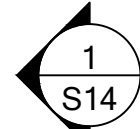
EX 10" CMU FDN WALL (ASSUMED; SITE VERIFY, REPORT ANY DISCREPANCIES TO THE ENGINEER) (TYP. GARAGE)

EX 24"x8" CONC STRIP FOOTING (ASSUMED, SITE VERIFY, REPORT ANY DISCREPANCIES TO THE ENGINEER) (TYP. GARAGE)

EX 10" CMU FDN WALL (ASSUMED; SITE VERIFY) (TYP. MAIN HOUSE)



2
S1 EX/PROP BASEMENT PLAN
SCALE : 5/16" = 1'-0"



R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION

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CONSULTANT:



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Toronto, ON. M9P 3B5.
(416)-245-2333
<http://www.amtecengineering.ca>

ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
BASEMENT PLANS

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

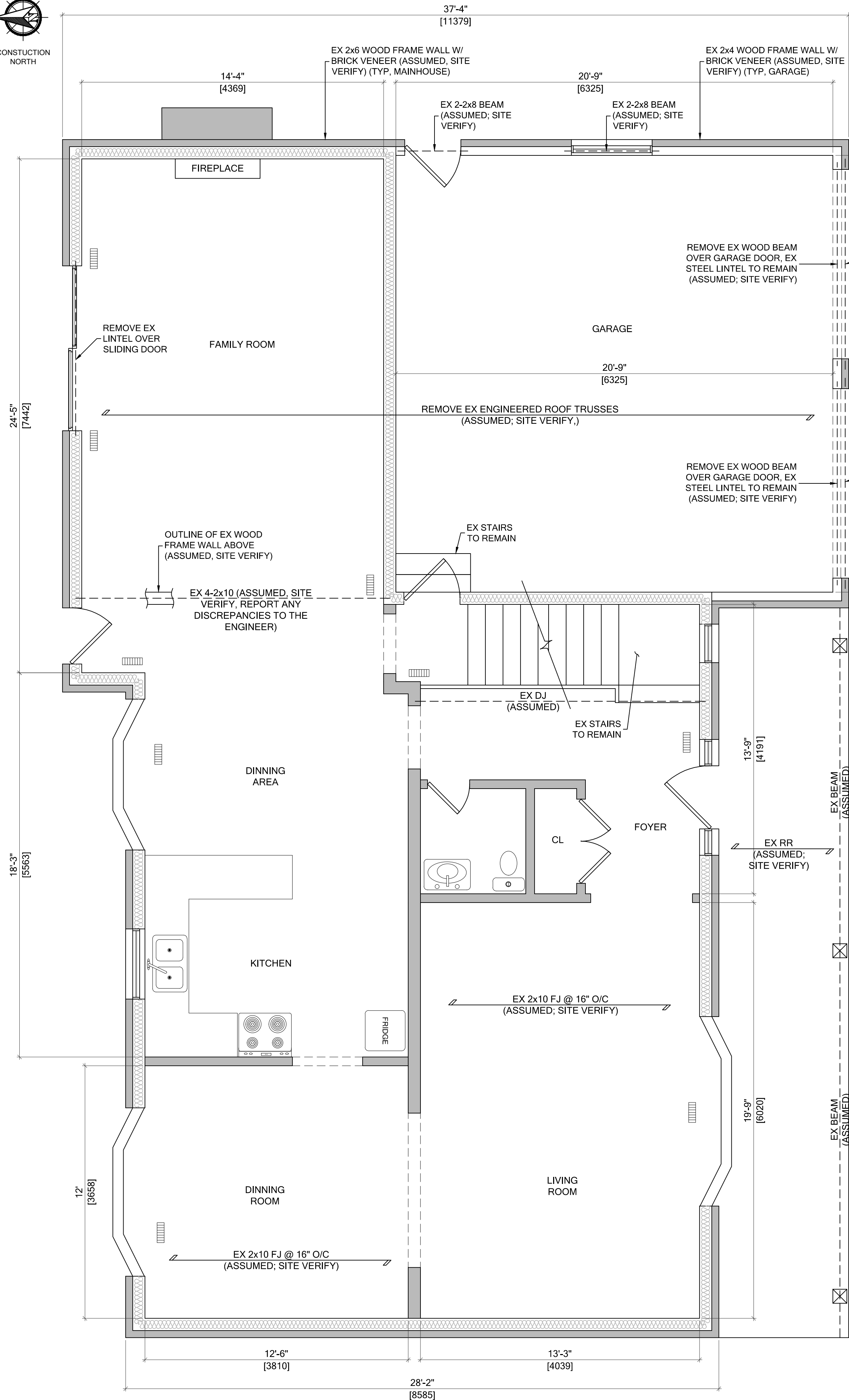
DRAWN BY:	CHECKED BY:
EL	AM

SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER: 202324-58

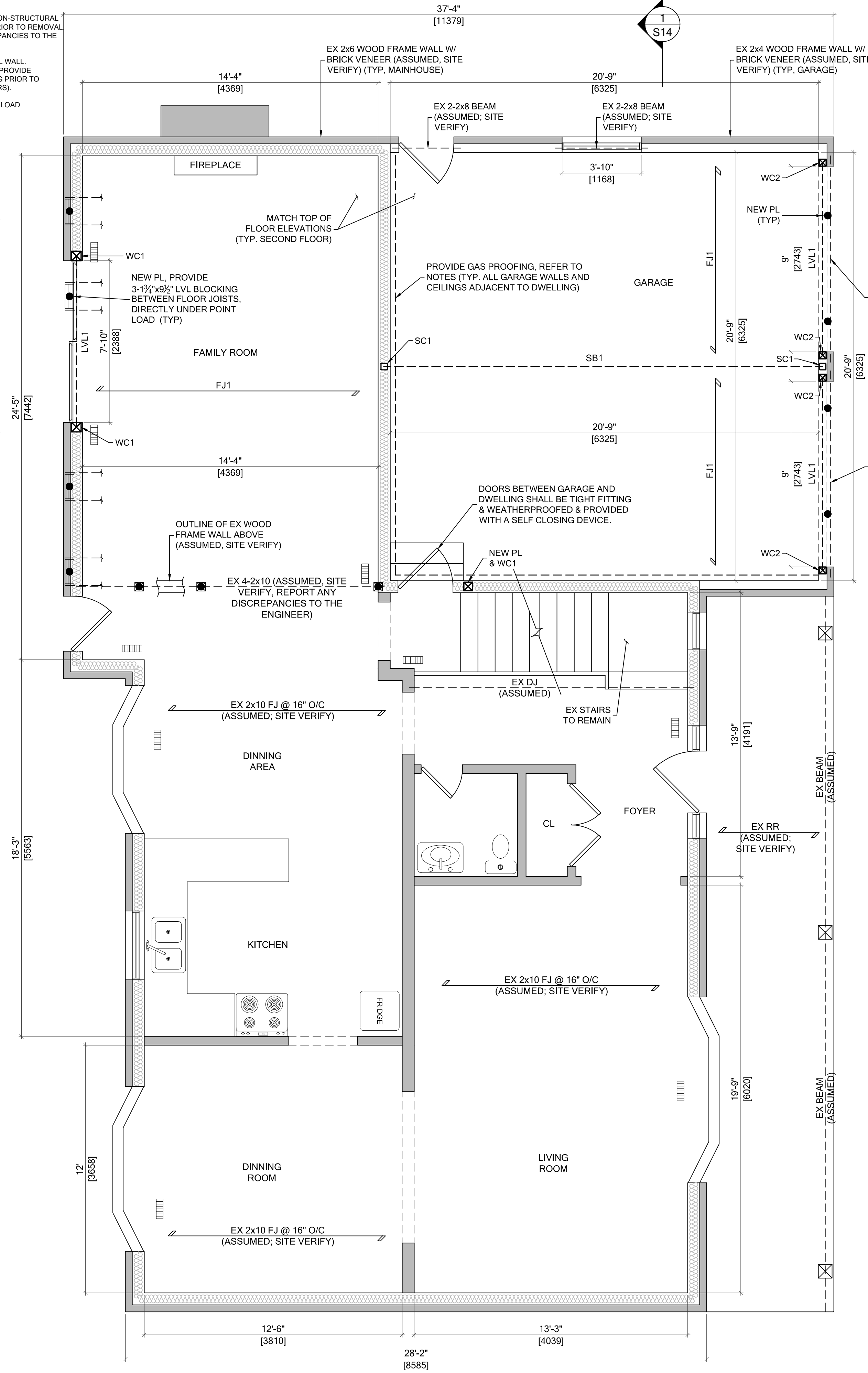
DRAWING NUMBER: S1



1
S2 EX GROUND FLOOR PLAN
SCALE : 5/16" = 1'-0"

LEGEND:

- REMOVE ASSUMED NON-STRUCTURAL WALL. SITE VERIFY PRIOR TO REMOVAL. REPORT ANY DISCREPANCIES TO THE ENGINEER.
- REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS (BY OTHERS).
- PL DENOTES NEW POINT LOAD



2
S2 EX/PROP GROUND FLOOR PLAN
SCALE : 5/16" = 1'-0"

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- | Revised | Date | Description |
|---------|----------|-------------------|
| 1 | 08/07/24 | Issued For Review |
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ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
GROUND FLOOR PLANS

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:
202324-58 1235 Appleford Lane_3

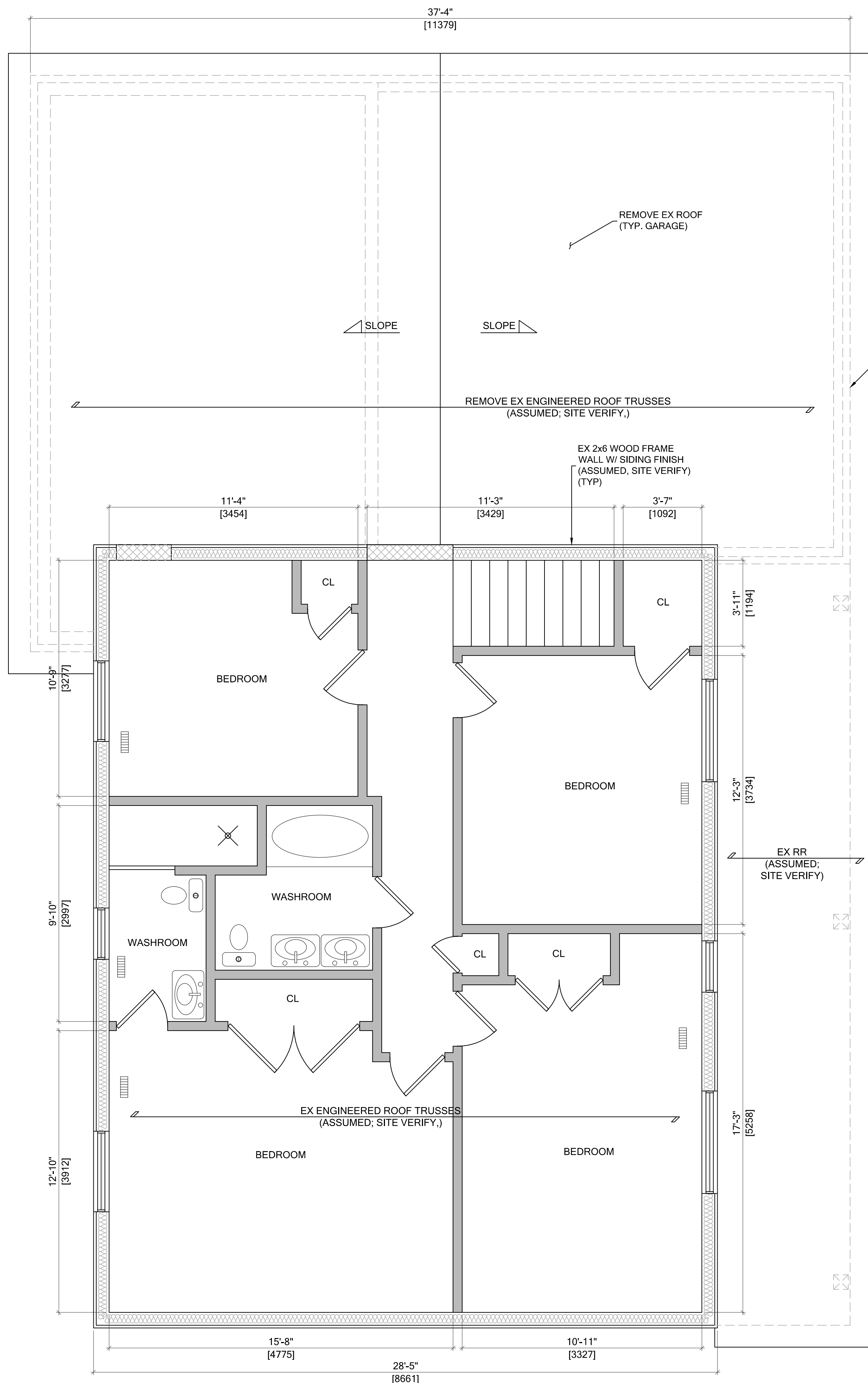
DRAWN BY: EL	CHECKED BY: AM
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SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER: 202324-58

DRAWING NUMBER: S2



1
S3 EX SECOND FLOOR PLAN
SCALE : 5/16" = 1'-0"

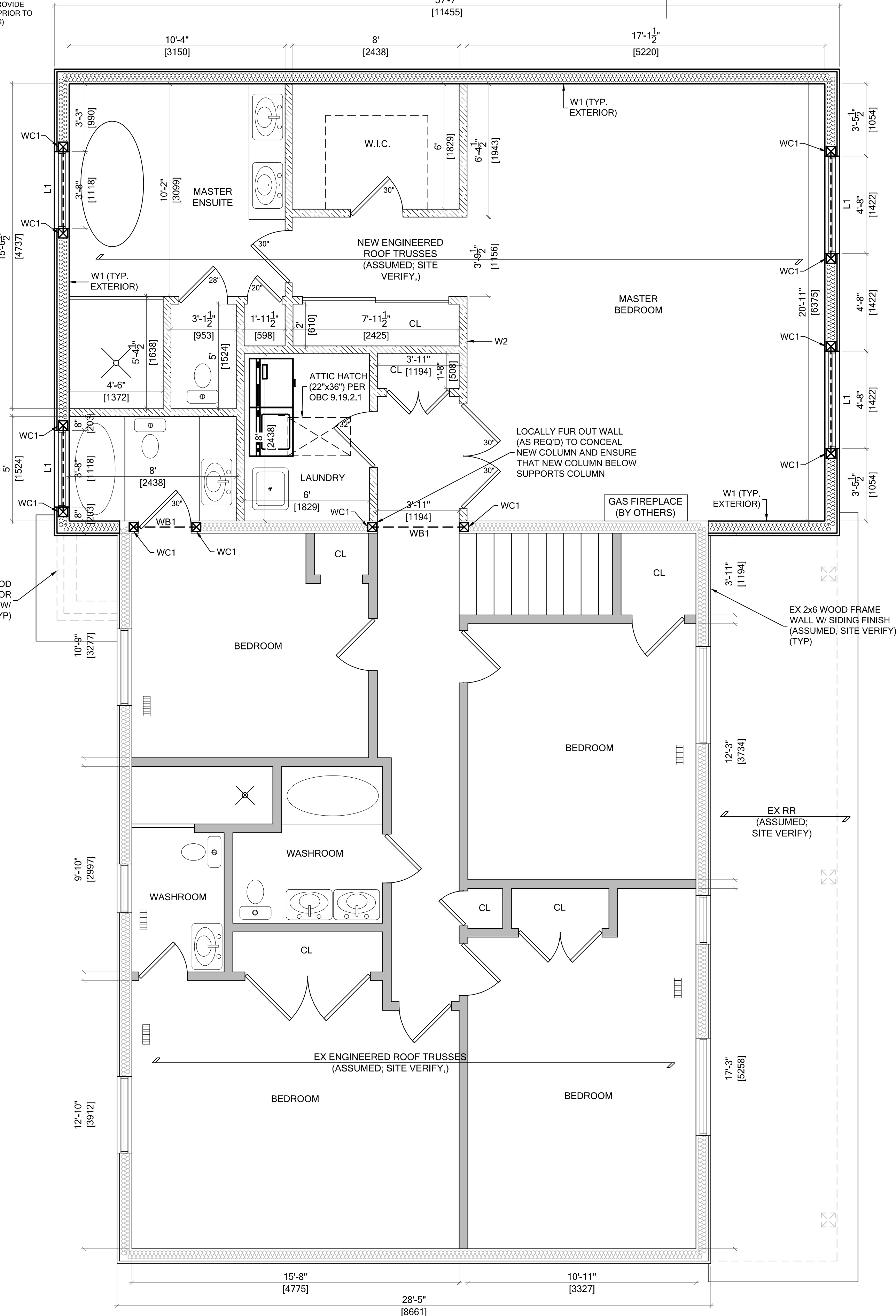
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LEGEND:

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- REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS. (BY OTHERS)

OUTLINE OF WOOD FRAME EXTERIOR WALL BELOW W/ BRICK VENEER (TYP)

OUTLINE OF WOOD FRAME EXTERIOR WALL BELOW W/ BRICK VENEER (TYP)



2
S3 PROP SECOND FLOOR PLAN - OPTION 1
SCALE : 5/16" = 1'-0"

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ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
SECOND FLOOR PLANS

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:
202324-58 1235 Appleford Lane_3

DRAWN BY: EL CHECKED BY: AM

SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

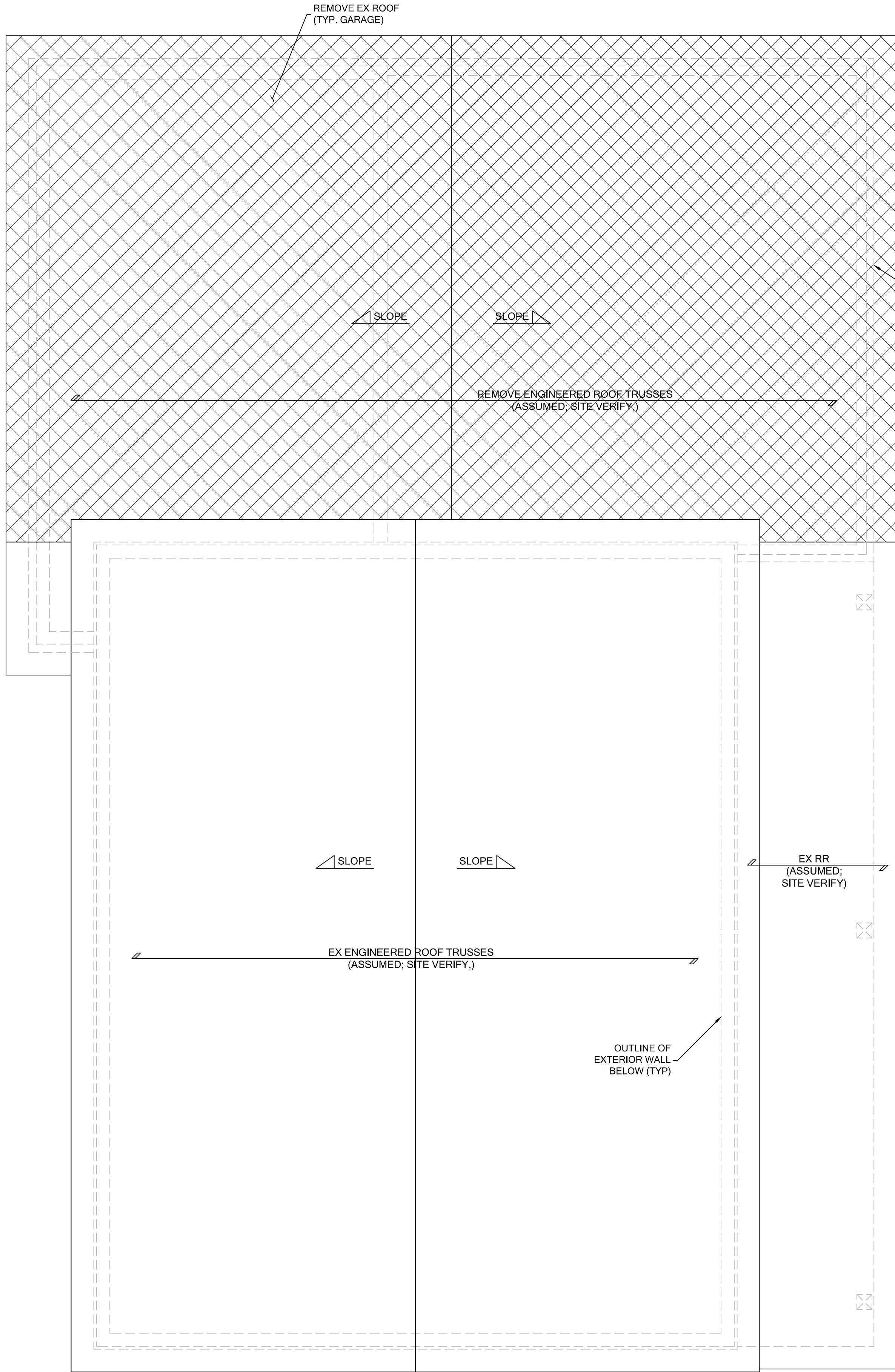
PROJECT NUMBER: 202324-58

DRAWING NUMBER: S3



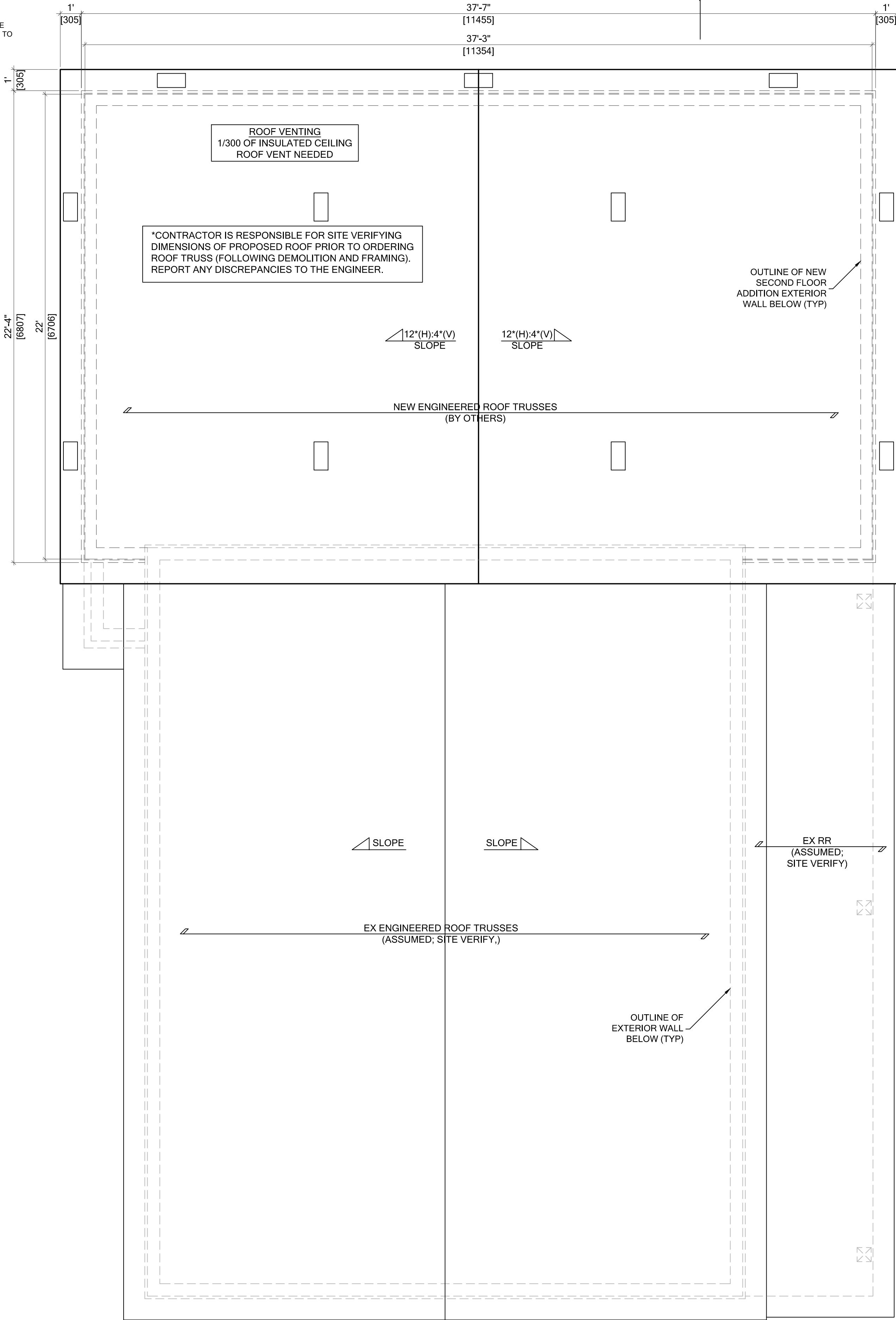
LEGEND:

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- REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS. (BY OTHERS)



1 EX ROOF PLAN
SCALE : 5/16" = 1'-0"

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2 PROP ROOF PLAN
SCALE : 5/16" = 1'-0"

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<http://www.amtecengineering.ca>

ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
ROOF PLANS

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER: 202324-58	
DRAWING NUMBER: S4	



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1 EX FRONT (SOUTH) ELEVATION
S5 SCALE : 5/16" = 1'-0"

LEGEND:

REMOVE ASSUMED NON-STRUCTURAL WALL. SITE VERIFY PRIOR TO REMOVAL. REPORT ANY DISCREPANCIES TO THE ENGINEER.

REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS. (BY OTHERS)

R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION

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ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX FRONT ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER : 202324-58	
DRAWING NUMBER : S5	



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1 EX REAR (NORTH) ELEVATION
S6 SCALE : 5/16" = 1'-0"

LEGEND:

- REMOVE ASSUMED NON-STRUCTURAL WALL. SITE VERIFY PRIOR TO REMOVAL. REPORT ANY DISCREPANCIES TO THE ENGINEER.
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<http://www.amtecengineering.ca>

ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX REAR ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

DRAWN BY:

EL

CHECKED BY:

AM

SCALE:

AS NOTED

DATE STARTED:

AUG 07, 2024

PROJECT

NUMBER :

202324-58

DRAWING

NUMBER :

S6

 REMOVE ASSUMED NON-STRUCTURAL WALL. SITE VERIFY PRIOR TO REMOVAL. REPORT ANY DISCREPANCIES TO THE ENGINEER.

 REMOVE STRUCTURAL WALL. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING PRIOR TO REMOVALS. (BY OTHERS)



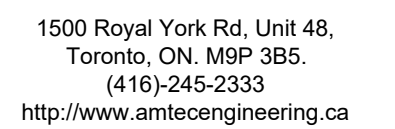
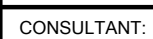
1
S8

EX SIDE (EAST) ELEVATION
SCALE : 5/16" = 1'-0"

No.	DATE	DESCRIPTION
	DD/MM/YY	

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7. AMTEC ENGINEERING LTD. WILL TAKE NO RESPONSIBILITY FOR ANY CHANGES TO THIS DRAWING FROM THIS DATE ONWARDS UNLESS APPROVED BY OUR OFFICE IN WRITING.



ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX SIDE ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:
202324-58 1235 Appleford Lane_2

DRAWN BY: EL	CHECKED BY: AM
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SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER	202324-58
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DRAWING NUMBER :	S8
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1 EX/PROP FRONT (SOUTH) ELEVATION
S9 SCALE : 5/16" = 1'-0"

R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION
REVISION / ISSUED:		

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CONSULTANT:

AMTEC ENGINEERING

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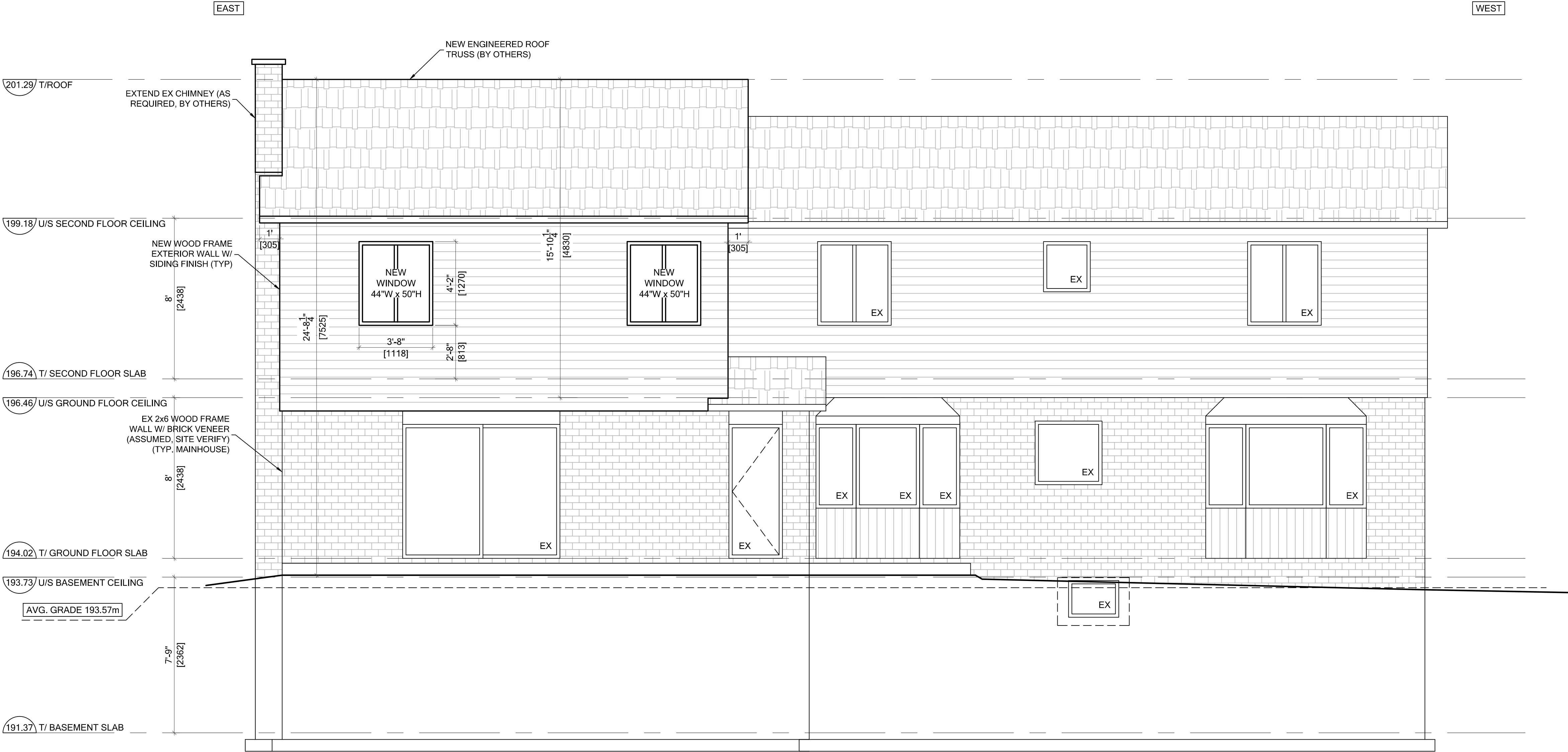
ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX/PROP FRONT ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER : 202324-58	
DRAWING NUMBER : S9	



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1 EX/PROP REAR (NORTH) ELEVATION
S10 SCALE : 5/16" = 1'-0"

R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION

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CONSULTANT:

AMTEC ENGINEERING

1500 Royal York Rd, Unit 48,
Toronto, ON. M9P 3B5.
(416)-245-2333
<http://www.amtecengineering.ca>

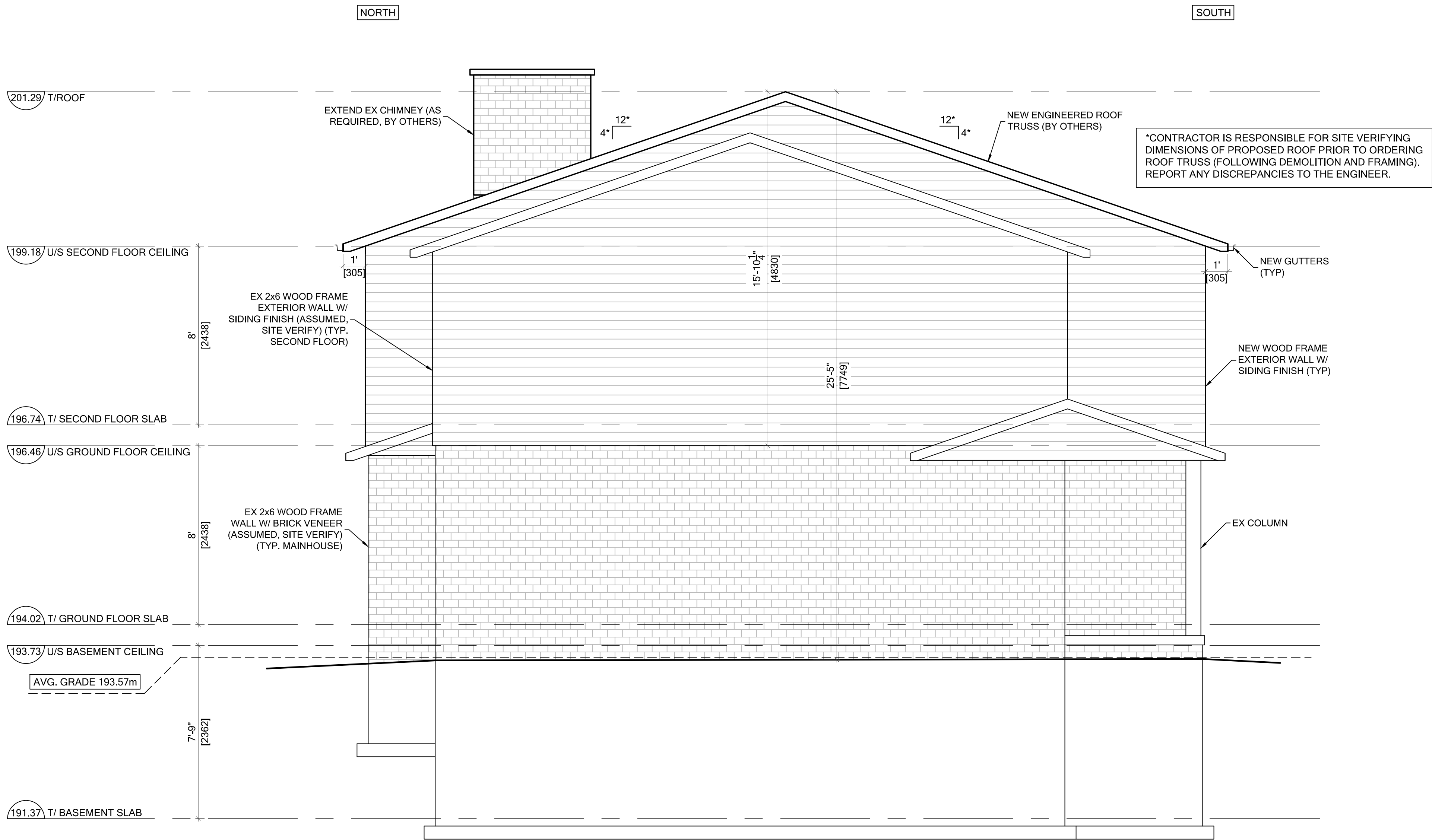
ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX/PROP REAR ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER : 202324-58	
DRAWING NUMBER : S10	



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1 EX/PROP SIDE (WEST) ELEVATION
S11 SCALE : 5/16" = 1'-0"

R0	08/07/24	Issued For Review
No.	DATE	DESCRIPTION

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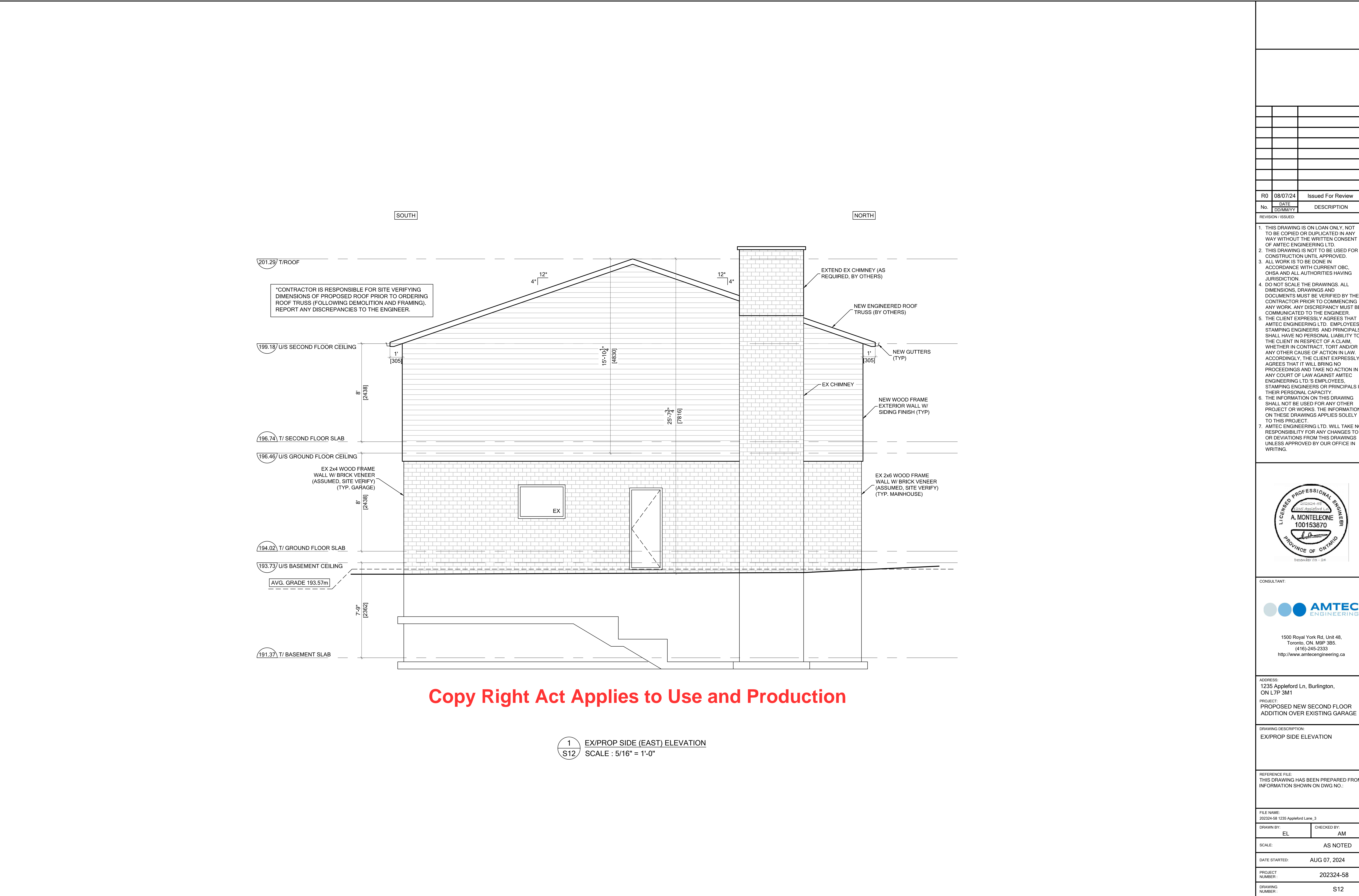
ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1

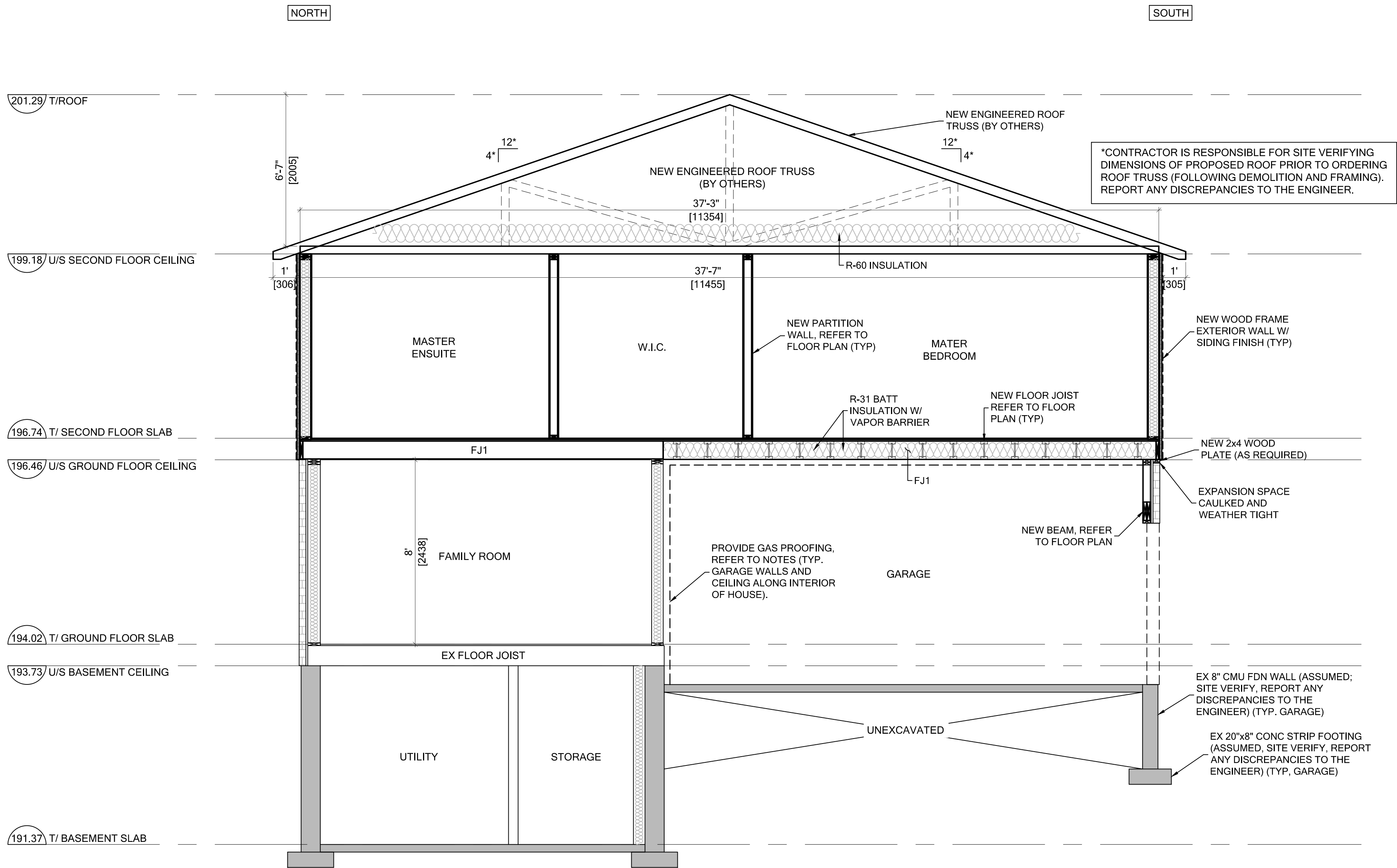
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
EX/PROP SIDE ELEVATION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME: 202324-58 1235 Appleford Lane_3	
DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER: 202324-58	
DRAWING NUMBER: S11	





- GASPROOFING NOTES:**
ATTACHED GARAGES MUST BE COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING
- PROVIDE 2LB SPRAY FOAM (FULL DEPTH OF JOIST), 12.7mm DRYWALL W/ MIN. 2 COATS OF JOINT COMPOUND AT ALL WALL ADJACENT TO DWELLING, AND CEILING ABOVE.
 - CAULK BETWEEN GYPSUM BOARD AND OTHER SURFACES W/ ACOUSTIC SEALANT.
 - CAULK ALL PENETRATIONS SUCH AS HOSE BIB W/ FLEXIBLE CAULKING.
 - DOORS BETWEEN GARAGE AND DWELLING SHALL BE TIGHT FITTING & WEATHERPROOFED & PROVIDED WITH A SELF CLOSING DEVICE. DOOR MUST NOT OPEN DIRECTLY INTO A ROOM INTENDED FOR SLEEPING.
 - GARAGE SLAB SHALL BE SLOPED TO DRAIN OUTDOORS.
 - WHERE AN ATTACHED GARAGE IS ADJACENT TO AN ATTIC SPACE, CARRY DRYWALL UP TO ROOF SHEATHING & CAULK W/ FLEXIBLE CAULKING.
 - UNIT MASONRY WALLS FORMING THE SEPARATION BETWEEN THE DWELLING & ATTACHED GARAGE SHALL BE PROVIDED W/ 2 COATS OF A SEALER OR COVERED W/ PLASTER OR GYPSUM BOARD ON THE GARAGE SIDE.

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1 CROSS SECTION
S13 SCALE : 5/16" = 1'-0"

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No.	DATE	DESCRIPTION

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ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
CROSS SECTION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

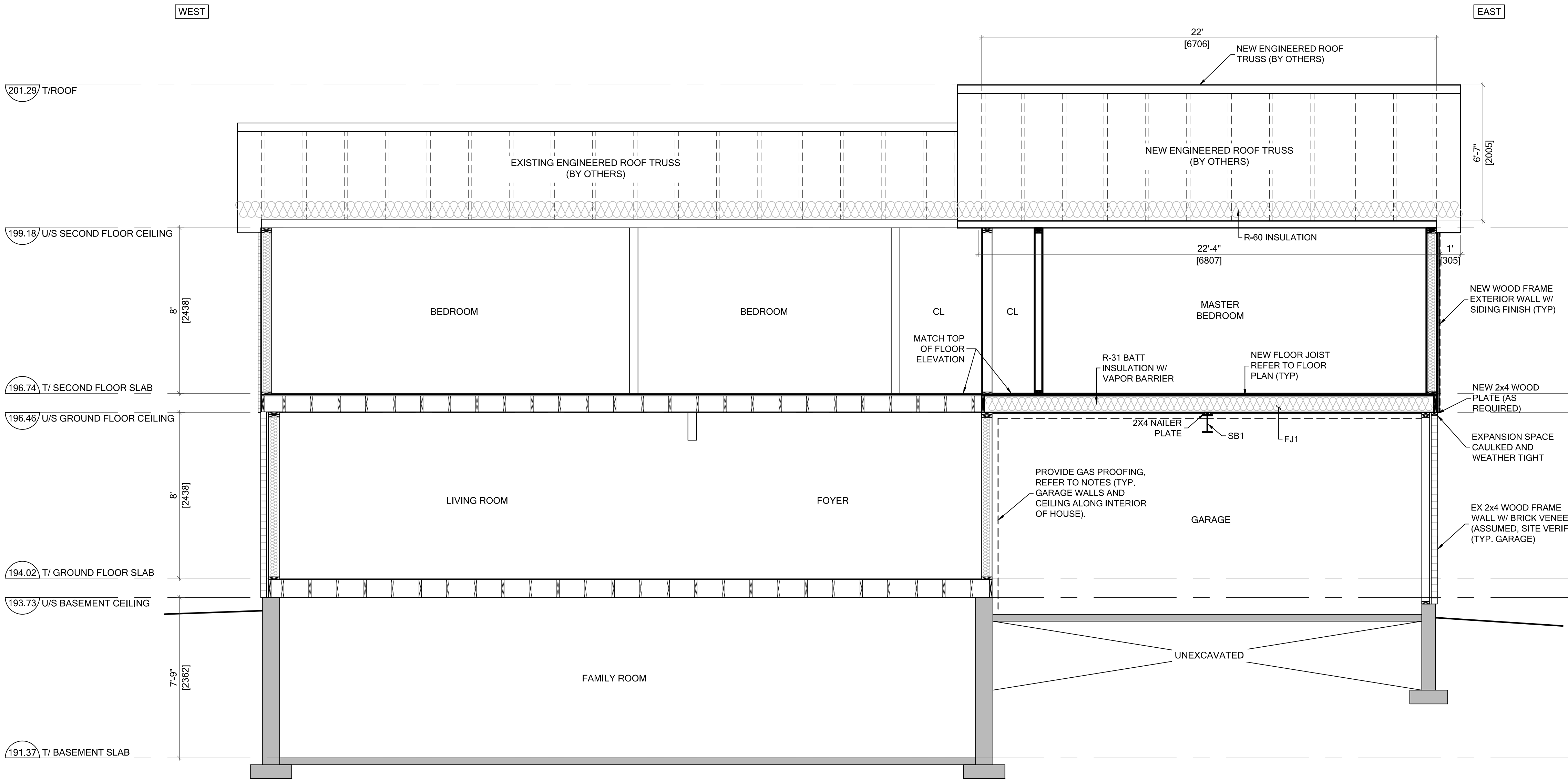
DRAWN BY:	CHECKED BY:
EL	AM

SCALE: AS NOTED

DATE STARTED: AUG 07, 2024

PROJECT NUMBER: 202324-58

DRAWING NUMBER: S13



- GASPROOFING NOTES:**
ATTACHED GARAGES MUST BE COMPLETELY SEALED TO PREVENT THE INFILTRATION OF CARBON MONOXIDE & GASOLINE FUMES INTO THE DWELLING
- PROVIDE 2LB SPRAY FOAM (FULL DEPTH OF JOIST), 12.7mm DRYWALL W/ MIN. 2 COATS OF JOINT COMPOUND AT ALL WALL ADJACENT TO DWELLING, AND CEILING ABOVE.
 - CAULK BETWEEN GYPSUM BOARD AND OTHER SURFACES W/ ACOUSTIC SEALANT.
 - CAULK ALL PENETRATIONS SUCH AS HOSE BIB W/ FLEXIBLE CAULKING.
 - DOORS BETWEEN GARAGE AND DWELLING SHALL BE TIGHT FITTING & WEATHERPROOFED & PROVIDED WITH A SELF-CLOSING DEVICE. DOOR MUST NOT OPEN DIRECTLY INTO A ROOM INTENDED FOR SLEEPING.
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 - WHERE AN ATTACHED GARAGE IS ADJACENT TO AN ATTIC SPACE, CARRY DRYWALL UP TO ROOF SHEATHING & CAULK W/ FLEXIBLE CAULKING.
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ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
CROSS SECTION

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

DRAWN BY:

EL

CHECKED BY:

AM

SCALE:

AS NOTED

DATE STARTED:

AUG 07, 2024

PROJECT
NUMBER :

202324-58

DRAWING
NUMBER :

S14

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1 CROSS SECTION
S14 SCALE : 5/16" = 1'-0"

WOOD BEAM SCHEDULE:

GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING WITH PROPERTY OWNER (PRIOR TO CONSTRUCTION) IF THE ASSUMED BEAM INSTALLATION ASSEMBLY (I.E. FLUSH WITH FJ OR DROP BEAM) REMAINS. REPORT ANY DISCREPANCIES TO THE ENGINEER.

WB1: 2-2x8 SPF GRADE NO.2 (DROP BEAM), PROVIDE MIN 4" END BEARING.

LVL BEAM SCHEDULE:

GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING WITH PROPERTY OWNER (PRIOR TO CONSTRUCTION) IF THE ASSUMED BEAM INSTALLATION ASSEMBLY (I.E. FLUSH WITH FJ OR DROP BEAM) REMAINS. REPORT ANY DISCREPANCIES TO THE ENGINEER.

LVL1: 2-1¾"x9½" LVL 2.0E (DROP BEAM). FASTEN LVL PLY'S W/ 3 ROWS OF 16d x 3.5"LG COMMON WIRE NAILS @ 6" O/C. PROVIDE MIN 4" END BEARING.

LINTEL SCHEDULE:

L1: 2-2x10 SPF GRADE NO.2, PROVIDE MIN 4" END BEARING.

COLUMN SCHEDULE:

WC1: 3-2x6 SPF GRADE NO.2 (CONCEAL IN FRAME WALL).
WC2: 5-2x4 (OR 5-2X6) SPF GRADE NO.2 TO MATCH EXISTING FRAME WALL (CONCEAL IN FRAME WALL).

FLOOR JOIST SCHEDULE:

FJ1: 9½" NI-40X @ 16" O/C W/ ¾" THK OSB SHEATHING (GLUE-NAILED), ADHESIVE SHALL MEET THE REQUIREMENTS GIVEN IN CGBS-71.26 STANDARD, PROVIDE MINIMUM 2" END BEARING OR JOIST HANGER CONNECTION.

WALL SCHEDULE:

W1: EXTERIOR FRAME WALL
2x6 STUDS @ 16" O/C;
2-2x6 TOP PLATE;
1-1x6 BOTTOM PLATE;
½" EXTERIOR TYPE PLYWOOD SHEATHING;
R-19 BATT INSULATION IN CONTACT W/ PLYWOOD SHEATHING;
6 MIL POLY CONTINUOUS VAPOUR / AIR BATTIER;
SIDING FINISH OVER CONTINUOUS RIGID INSULATION WITH DRAINAGE GROOVE (R-5 MIN) OVER PLYWOOD SHEATHING;
PAPER OVERLAY EACH OTHER.

W2: INTERIOR PARTITION WALL;
2x4 STUDS @ 16" O/C;
2-2x4 TOP PLATE;
1-2x4 BOTTOM PLATE;
½" GYPSUM BOARD (EACH FACE).

ROOF SCHEDULE

ENGINEERED ROOF TRUSSES ARE DESIGNED BY OTHERS. ALL DRAWINGS AND CALCULATIONS SHALL BE SEALED BY A PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE PROVINCE OF ONTARIO. GENERAL CONTRACTOR / PROPERTY OWNER IS RESPONSIBLE FOR SUBMITTING A COPY OF ALL ROOF TRUSS DRAWINGS / CALCULATIONS TO THE ENGINEER OF RECORD FOR RECORD PURPOSES ONLY

ROOF TRUSS DESIGN PARAMETERS:

- PRE-ENGINEERED ROOF TRUSSES SHALL BE DESIGNED TO ALL APPLICABLE OBC LOADING REQUIREMENTS (AS DETERMINED APPROPRIATE BY THE ROOF TRUSS ENGINEER). MINIMUM LOADING REQUIREMENTS INCLUDE (CALCULATED IN ACCORDANCE WITH OBC PARTS 4 AND 9):
 - SELF-WEIGHT LOAD OF ROOF TRUSSES
 - ALL SUPERIMPOSED DEAD LOADS ACTING ON ROOF TRUSSES (I.E. SHEATHING, SHINGLES, ETC).
 - SNOW OR LIVE LOADS
- TRUSSES TESTED OR ANALYZED IN CONFORMANCE WITH OBC SENTENCES 9.23.13.11.(1) TO (6) SHALL BE DEEMED CAPABLE OF SUSTAINING THE DESIGN LOADS SPECIFIED ABOVE.
- WHERE THE DESIGN EXCEEDS SPAN FOR WOOD CONSTRUCTION AS PER 9.23.1.(1), THE DESIGN OF THE FRAMING AND FASTENING SHALL CONFORM TO SUB-SECTION 4.3.1.

STEEL PLATE SCHEDULE

SP1: STEEL BOTTOM PLATE (REFER TO COLUMN DESIGN SCHEDULE). FASTEN INTO SOUND MASONRY WITH 2 - 5/8" DIA ANCHOR BOLTS INTO HILT HIT-HY 270 MASONRY ADHESIVE ANCHORING SYSTEM (MIN 5" EMBEDMENT INTO SOUND MASONRY).

STEEL COLUMN SCHEDULE

SC1: HSS3.5x3.5x0.188" GRADE 350W W/ 6"x5.25"x0.25" TOP PLATE AND 8"x5.25"x0.25" BOTTOM PLATE WELDED TO THE COLUMN (CONCEAL IN FRAME WALL). WELD BOTTOM PLATE OF COLUMN TO TOP FLANGE OF EXISTING STEEL BEAM.

STEEL BEAM SCHEDULE

GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING WITH PROPERTY OWNER (PRIOR TO CONSTRUCTION) IF THE ASSUMED BEAM INSTALLATION ASSEMBLY (I.E. FLUSH WITH FJ OR DROP BEAM) REMAINS. REPORT ANY DISCREPANCIES TO THE ENGINEER.

SB1: W250x39 GRADE 350W (DROP BEAM). FASTEN 2x4 NAILER PLATE TO TOP FLANGE. PROVIDE MINIMUM 4" END BEARING.

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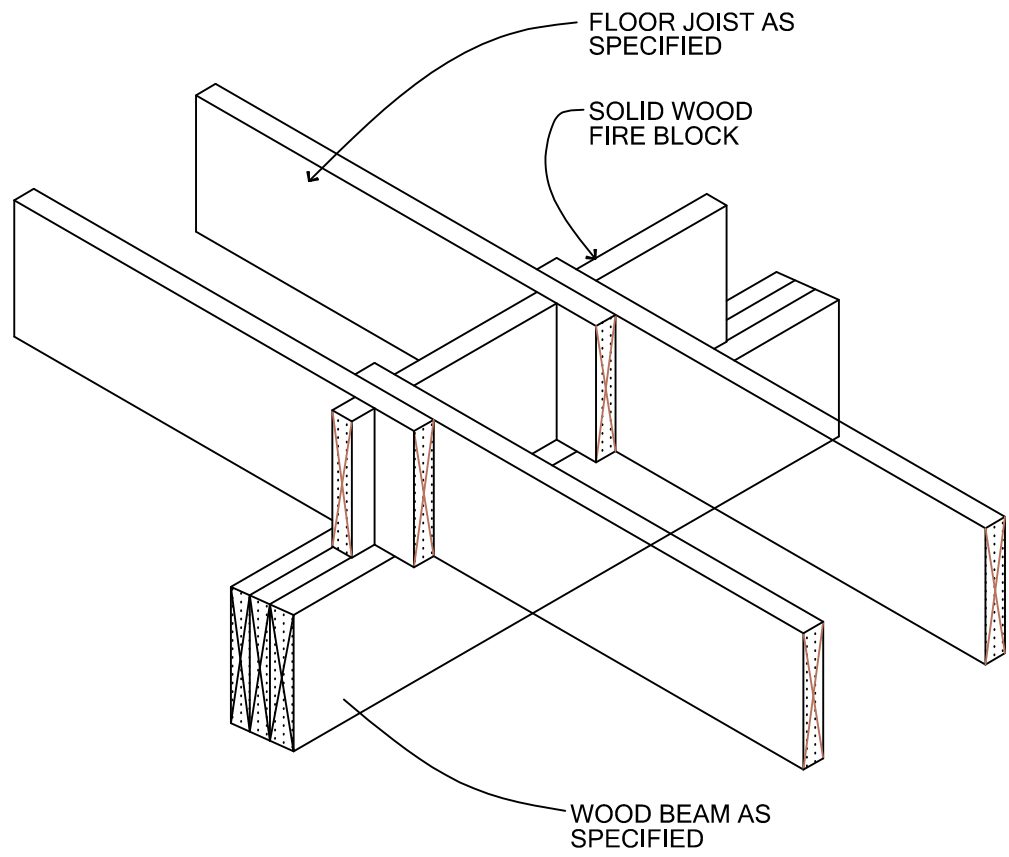
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PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

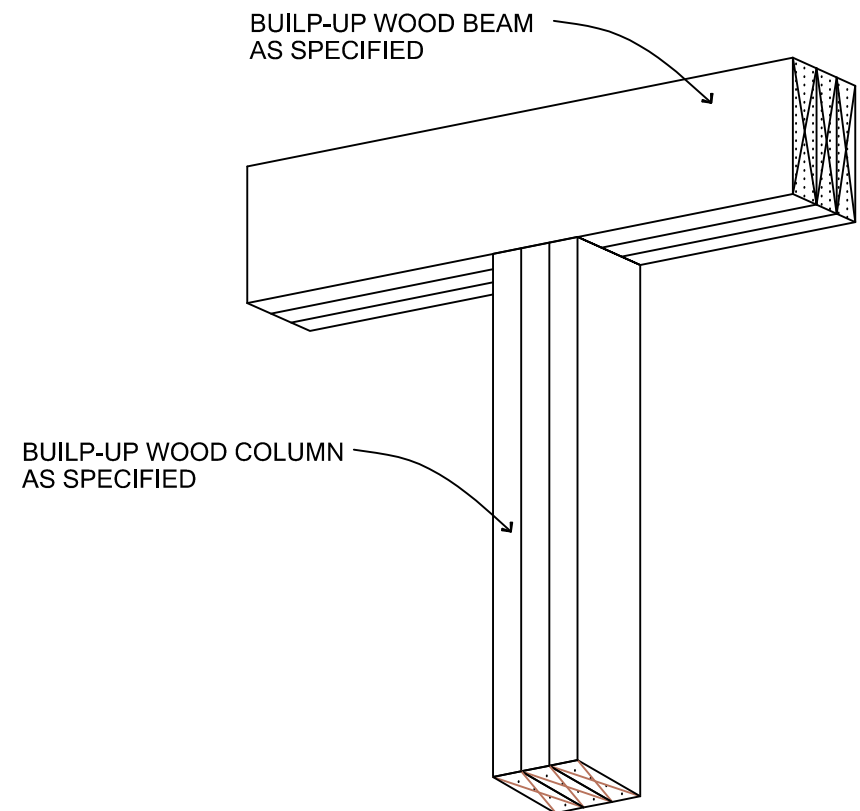
DRAWING DESCRIPTION:
DESIGN SCHEDULE

REFERENCE FILE:
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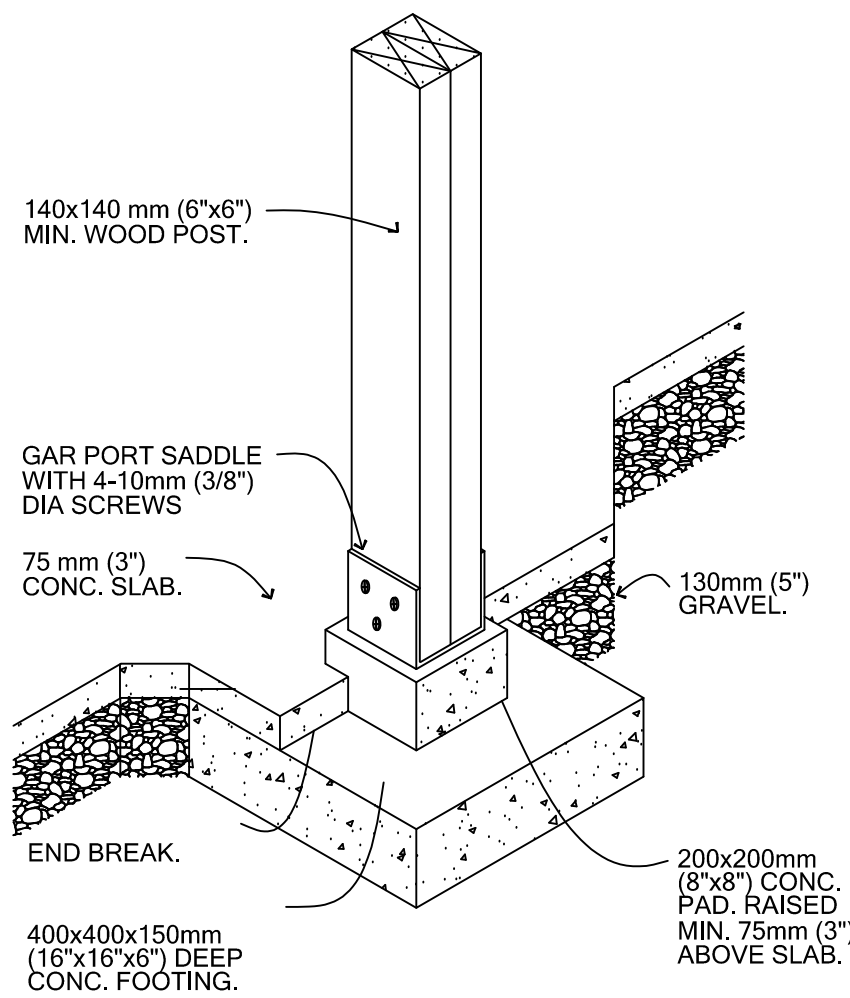
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DRAWN BY: EL	CHECKED BY: AM
SCALE: AS NOTED	
DATE STARTED: AUG 07, 2024	
PROJECT NUMBER: 202324-58	
DRAWING NUMBER: S15	



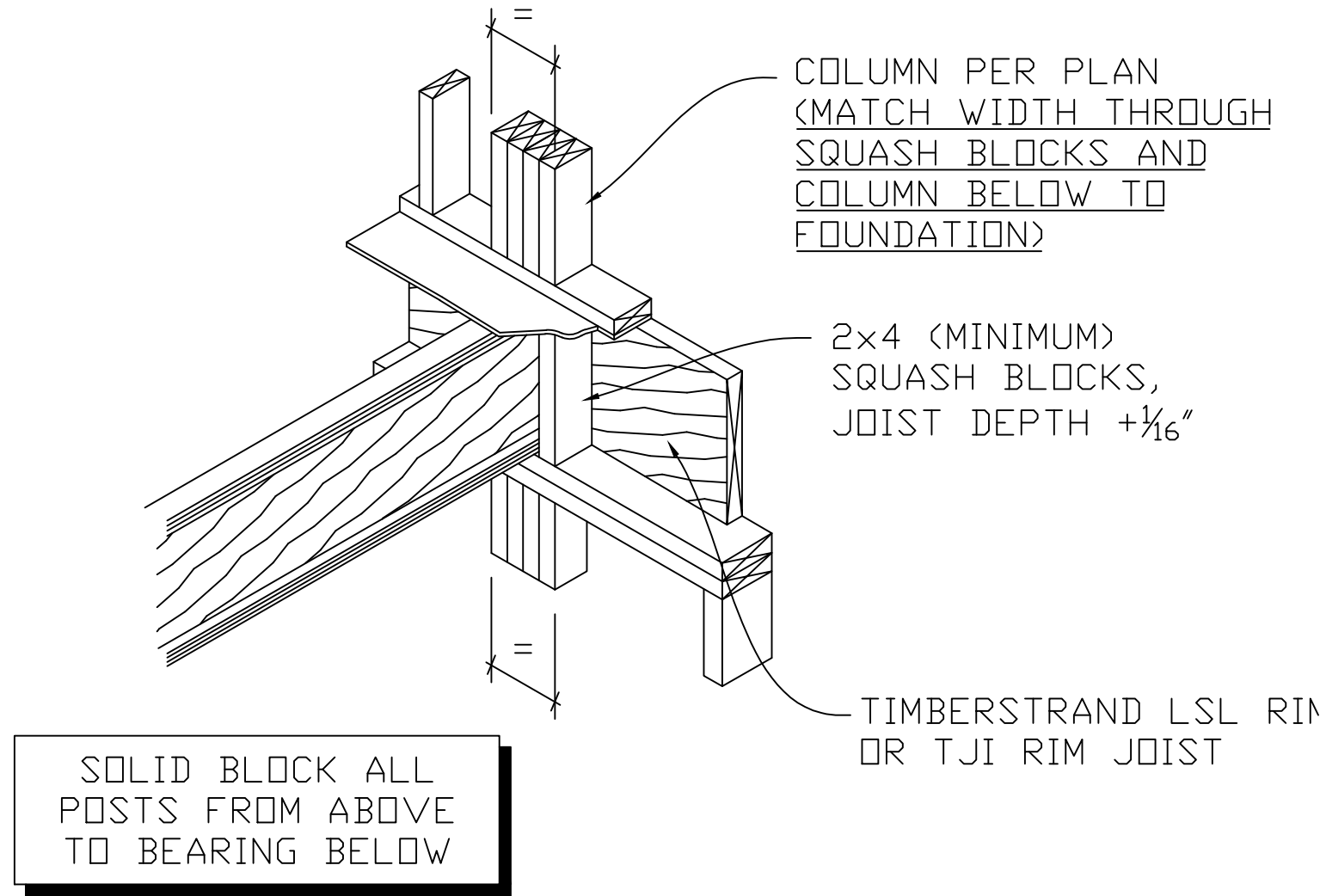
1 WOOD FRAMING ON WOOD DROP BEAM
D1 SCALE : NTS



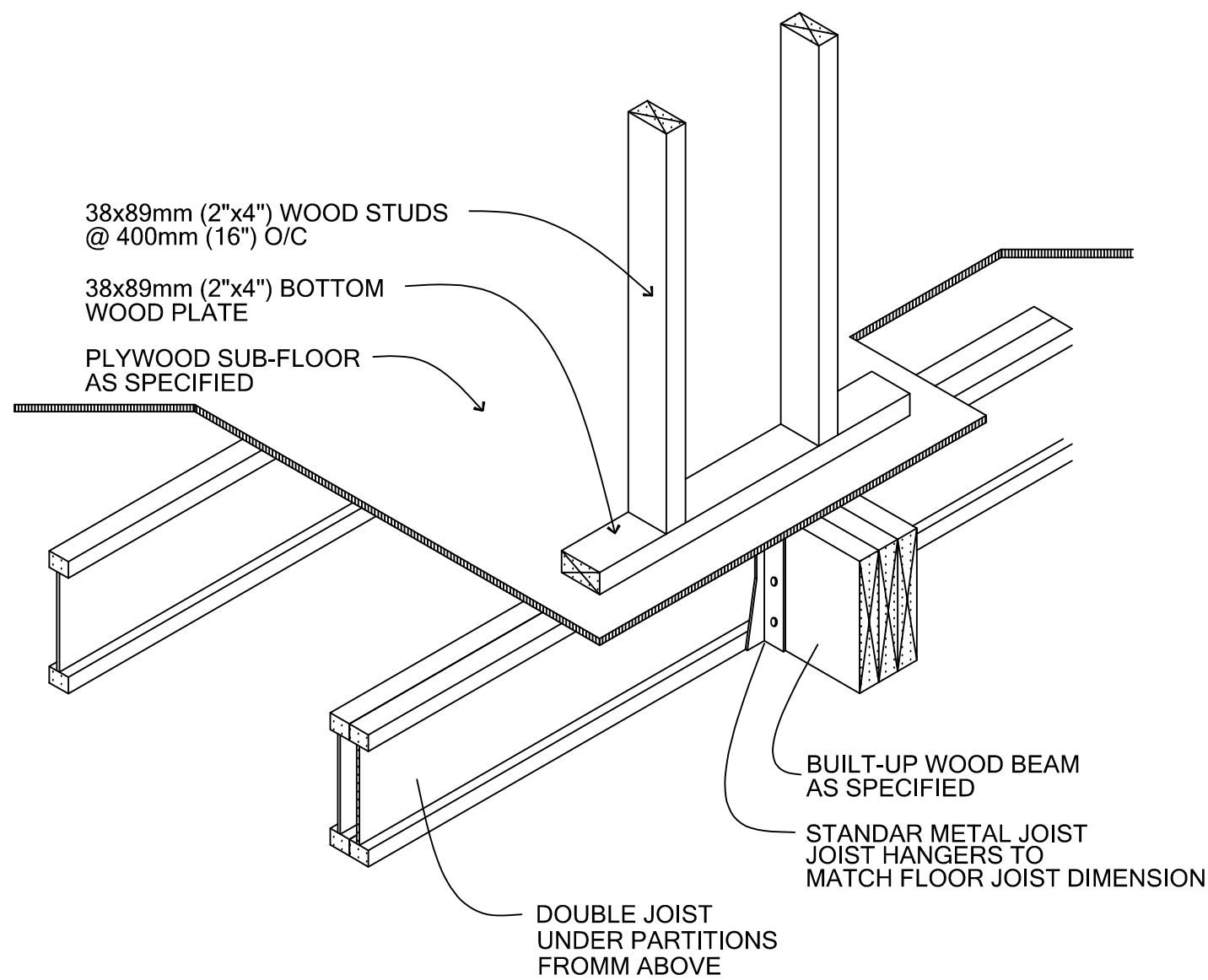
2 WOOD COLUMN SUPPORTING WOOD BEAM
D1 SCALE : NTS



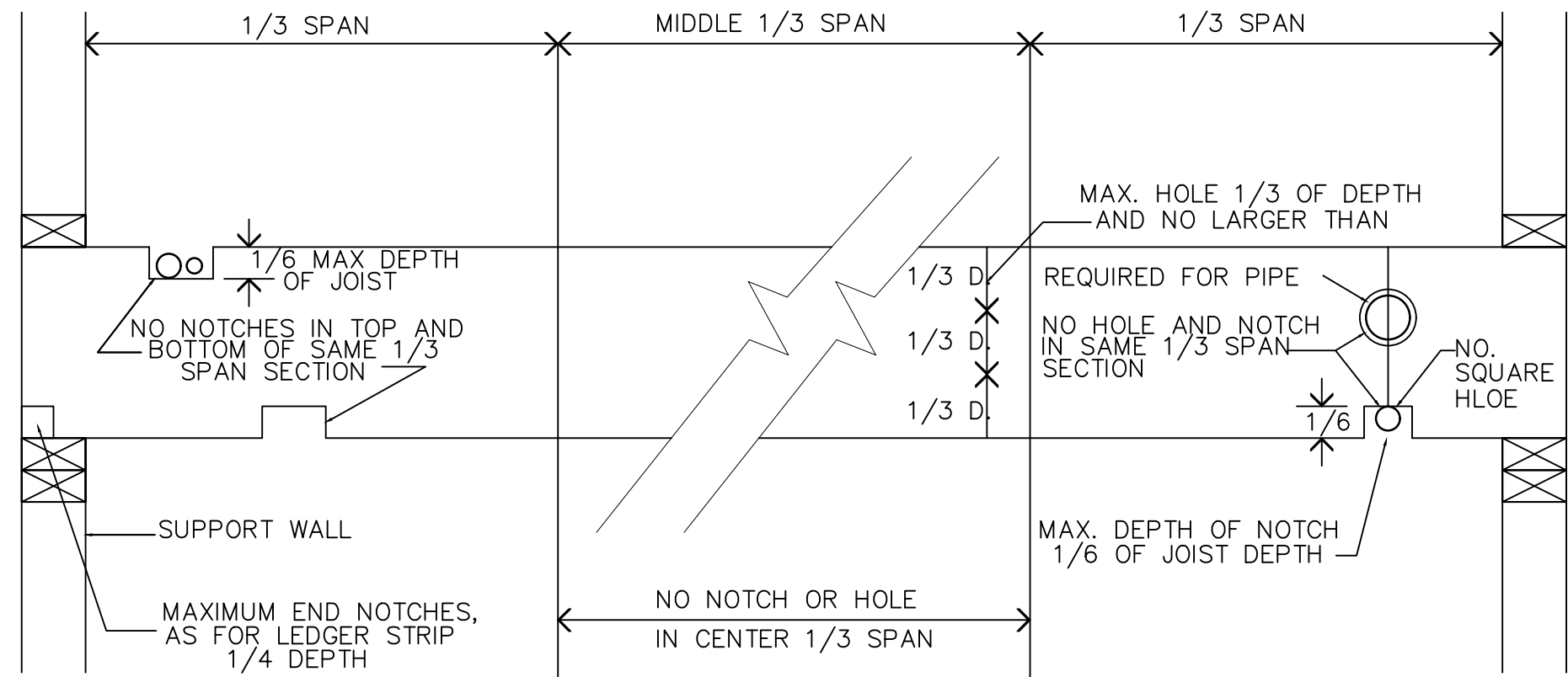
3 LANDING SUPPORT AND CONCRETE PAD DETAIL
D1 SCALE : NTS



4 POST LOAD TRANSFER DETAIL
D1 SCALE : NTS



5 WOOD FRAMING ON WOOD FLUSH BEAM
D1 SCALE : NTS



Cutting openings in wood floor joistes

JOIST SIZE	MAX. HOLE	MAX. NOTCH DEPTH	MAX. END NOTCH
2x4	NONE	NONE	NONE
2x6	2"	1"	1 1/2"
2x8	2 1/2"	1 1/4"	2"
2x10	3"	1 1/2"	2 1/2"
2x12	4"	2"	3"

*HOLES BORED FOR PIPES OR CABLE SHALL NOT BE WITHIN 2" OF THE TOP OR BOTTOM OF JOIST

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ADDRESS:
1235 Appleford Ln, Burlington,
ON L7P 3M1
PROJECT:
PROPOSED NEW SECOND FLOOR
ADDITION OVER EXISTING GARAGE

DRAWING DESCRIPTION:
DETAILS

REFERENCE FILE:
THIS DRAWING HAS BEEN PREPARED FROM
INFORMATION SHOWN ON DWG NO.:

FILE NAME:

202324-58 1235 Appleford Lane_3

DRAWN BY:	CHECKED BY:
EL	AM

SCALE: AS NOTED

DATE STARTED: OCT 04, 2024

PROJECT NUMBER: 202324-58

DRAWING NUMBER: D1

GENERAL NOTES

- UNLESS OTHERWISE NOTED, THE FOLLOWING NOTES SHALL APPLY .
- ALL WORK ON THIS PROJECT SHALL CONFORM TO THE 2012 ONTARIO BUILDING CODE, ALL LOCAL REGULATIONS AND BYLAWS, AND THE LATEST EDITION OF THE OCCUPATIONAL HEALTH AND SAFETY ACT (OHSA) FOR CONSTRUCTION PROJECTS.
- THIS SET OF DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELATED CONTRACT DOCUMENTS AND ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS.
- THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND MEASUREMENTS AT THE SITE AND VERIFY ALL DIMENSIONS GIVEN ON THE STRUCTURAL DRAWINGS WITH ANY OTHER DRAWINGS, REPORT TO THE ENGINEER ANY DISCREPANCIES OR UNSATISFACTORY CONDITIONS WHICH MAY ADVERSELY AFFECT THE SUCCESSFUL AND PROPER COMPLETION OF THE PROJECT BEFORE PROCEEDING WITH THE WORK, AND/OR ORDERING ANY MATERIALS.
- IF ANY STRUCTURAL DISCREPANCIES ON THE DRAWINGS EXIST, THE MORE STRINGENT SHALL APPLY.
- DRAWINGS SHALL NOT TO BE SCALED.
- CONSTRUCTION AND SHOP DRAWINGS SHALL BE PROVIDED AS PER CODE.
- SHOP DRAWINGS SHALL BE CERTIFIED BY A PROFESSIONAL ENGINEER WHERE REQUIRED AND REVIEWED BY THE CONTRACTOR FOR DIMENSIONAL CORRELATION WITH THE DRAWINGS AND FIELD CONDITIONS PRIOR TO SUBMITTING TO AMTEC ENGINEERING LTD. FABRICATION OF ELEMENTS ON SHOP DRAWINGS MAY NOT PROCEED UNTIL SHOP DRAWINGS HAVE BEEN REVIEWED AND APPROVED BY AMTEC ENGINEERING LTD FOR THE FOLLOWING:
 - STRUCTURAL STEEL ERECTION DRAWINGS (CONNECTIONS CERTIFIED BY A PROFESSIONAL ENGINEER)
 - REINFORCING STEEL
 - MISCELLANEOUS METALS (CERTIFIED BY A PROFESSIONAL ENGINEER).
- CONSTRUCTION LOADING SHALL NOT EXCEED THE SPECIFIED DESIGN LOADS WHEN INDICATED ON THE DRAWINGS. THE CONTRACTOR SHALL MAKE ADEQUATE PROVISION FOR CONSTRUCTION LOADS AND TEMPORARY BRACING TO KEEP STRUCTURE PLUMB AND IN TRUE ALIGNMENT AT ALL PHASES OF CONSTRUCTION. ANY BRACING MEMBERS SHOWN ON THE DRAWINGS ARE REQUIRED FOR THE FINISHED STRUCTURE AND MAY NOT BE SUFFICIENT FOR ERECTION PURPOSES.

ROOF RAFTERS (WHERE NO CEILING IS INSTALLED)

MAXIMUM CLEAR SPAN					
RAFTER SIZE	ROOF SNOW LOAD 21 PSF		RAFTER SPACING		
	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.
2x4	10'-2"	9'-3"	8'-1"	8'-11"	8'-1"
2x6	16'-0"	14'-7"	12'-9"	14'-0"	12'-9"
2x8	21'-1"	19'-2"	16'-9"	18'-5"	16'-9"

ROOF JOISTS (WHERE CEILING IS INSTALLED)

MAXIMUM CLEAR SPAN					
JOIST SIZE	ROOF SNOW LOAD 21 PSF		JOIST SPACING		
	12" O.C.	16" O.C.	24" O.C.	12" O.C.	16" O.C.
2x4	8'-1"	7'-4"	6'-5"	7'-1"	6'-5"
2x6	12'-9"	11'-6"	10'-1"	11'-1"	10'-1"
2x8	16'-9"	15'-2"	13'-5"	14'-7"	13'-5"

FLOOR JOISTS

JOIST SIZE	1"x3" STRAPPING OR DRYWALL CLG.	2"x2" CROSS BRIDGING	BOTH STRAPPING & BRIDGING	1 1/2"-2" CONCRETE TOPPING
	JOIST SPACING	JOIST SPACING	JOIST SPACING	JOIST SPACING
2x4	12'-0" 16'-0" 24'-0"	12'-0" 16'-0" 24'-0"	12'-0" 16'-0" 24'-0"	12'-0" 16'-0" 24'-0"
2x6	8'-1"	8'-2"	10'-3"	8'-2"
2x8	11'-7"	11'-0"	10'-6"	11'-9"
2x10	15'-7"	14'-11"	12'-4"	14'-6"
2x12	19'-7"	18'-5"	14'-5"	18'-1"

CEILING JOISTS

JOIST SIZE	JOIST SPACING		SUBFLOORING	
	12" O.C.	16" O.C.	PLYWOOD	LUMBER
2x4	10'-2"	9'-3"	5/8"	1 1/8"
2x6	16'-0"	14'-7"	5/8"	3/4"
2x8	21'-1"	19'-2"	5/8"	3/4"
2x10	26'-11"	24'-6"	3/4"	3/4"

ROOF SHEATHING

ROOF FRAMING	ROOF SHEATHING	ROOF SHEATHING
	UNADJUSTED DOORS	ADJUSTED DOORS
12" O.C.	5/8" PLYWOOD, WATER BD. OR 1 1/4" LUMBER	5/8" PLYWOOD, 3/4" W/ATER BD. OR 1 1/4" LUMBER
16" O.C.	5/8" PLYWOOD, 7/16" W/ATER BD. OR 1 1/4" LUMBER	5/8" PLYWOOD, 7/16" W/ATER BD. OR 1 1/4" LUMBER
24" O.C.	5/8" PLYWOOD, 7/16" W/ATER BD. OR 3/4" LUMBER	5/8" PLYWOOD, 7/16" W/ATER BD. OR 3/4" LUMBER

GENERAL NOTES

- ALL LUMBER TO BE NO. 1&2 SPF OR BETTER.
- STRAPPING & CROSS BRIDGING MAXIMUM 6"-10" FORM END SUPPORT & OTHER.
- CEILING JOIST TABLE MAY BE APPLIED ONLY WHERE ATTIC IS NOT ACCESSIBLE BY A STAIRWAY.
- WHERE FINISHED FLOORING CONSISTS OF 3/4" WOOD STRIPS, SUBFLOOR MAY BE REDUCED TO 1/2".

EXCAVATION, CONCRETE AND MASONRY

- EXCAVATION AND BACKFILL**
- EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTING STRUCTURES, ADJACENT PROPERTY, AND UTILITIES
 - THE TOPSOIL AND VEGETABLE MATTER IN UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED. THE BOTTOM OF EXCAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIAL
 - IF TERMITES ARE KNOWN TO EXIST, ALL STUMPS, ROOTS AND WOOD DEBRIS SHALL BE REMOVED TO A MINIMUM DEPTH OF 500MM IN EXCAVATED AREAS UNDER A BUILDING, AND THE CLEARANCE BETWEEN UNTREATED STRUCTURAL WOOD ELEMENTS AND THE GROUND SHALL BE NO LESS THAN 450MM
 - BACKFILL WITHIN 600MM OF THE FOUNDATION WALLS SHALL BE FREE OF DELETERIOUS DEBRIS AND BOULDERS OVER 250MM IN DIAMETER
- DAMP-PROOFING AND DRAINAGE**
- IN NORMAL SOIL CONDITIONS, THE EXTERIOR SURFACES OF FOUNDATION WALLS ENCLOSING BASEMENTS AND CRAWL SPACES SHALL BE DAMPROOFED, WHERE HYDROSTATIC PRESSURE OCCURS, A WATERPROOFING SYSTEM IS REQUIRED
 - MASONRY FOUNDATION WALLS SHALL BE PARGED WITH 6MM OF MORTAR CAVED OVER THE FOOTING PRIOR TO DAMPROOFING
 - 100MM DIAMETER FOUNDATION DRAINS SHALL BE LAID ON LEVEL, UNDISTURBED GROUND ADJACENT TO THE FOOTINGS AT OR BELOW THE TOP OF THE BASEMENT SLAB OR CRAWL SPACE FLOOR, AND SHALL BE COVERED WITH 150MM OF CRUSHED STONE
 - FOUNDATION DRAINS SHALL DRAIN TO A STORM SEWER, DRAINAGE DITCH, DRAIN WELL OR PUMP
 - WINDOW WELLS SHALL BE DRAINED TO THE FOOTING LEVEL OR TO A DITCH OR SUMP
 - DOWNSPOUTS NOT DIRECTLY CONNECTED TO A STORM SEWER SHALL HAVE EXTENSIONS TO CARRY WATER TO THE STREET
 - CONCRETE SLABS IN ATTACHED GARAGES SHALL BE SLOPED TO DRAIN TO THE EXTERIOR
 - THE BUILDING SITE SHALL BE GRADED SO THAT SURFACE, SUMP AND ROOF DRAINAGE WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES
- FOOTINGS**
- FOOTINGS 15 MPA POURED CONCRETE (UNLESS OTHERWISE NOTED)
 - MINIMUM 1200MM BENEATH FINISHED GRADE (UNLESS OTHERWISE NOTED)
 - FOOTINGS SHALL BE FOUND ON NATURAL UNDISTURBED SOIL, ROCK OR COMPACTED GRANULAR FILL WITH MINIMUM BEARING CAPACITY OF 75 KPA OR 100 KPA (FOR ICF).

- FOOTING SIZE**
- | FLOORS SUPPORTED | SUPPORTING EXT. WALL | SUPPORTING INT. WALL | COLUMN AREA |
|------------------|----------------------|----------------------|---------------------|
| 1 | 250 MM | 200 MM | 0.40 m ² |
| 2 | 350 MM | 350 MM | 0.75 m ² |
| 3 | 450 MM | 500 MM | 1.00 m ² |
- NOTING & DRILLING OF TRUSSES, JOISTS, RAFTERS**
- HOLE IN FLOOR, ROOF AND CEILING MEMBERS TO BE NOT LARGER THAN 1/4" THE ACTUAL DEPTH OF MEMBER AND NOT LESS THAN 20MM FROM CORNER
 - NOTCHES IN FLOOR, ROOF AND CEILING MEMBERS TO BE COATED AND BY 150MM FOR ICF
 - INCREASE INTERIOR FOOTING WIDTH BY 65MM FOR EACH STOREY OF BRICK VENER SUPPORTED, BY 130MM FOR EACH STOREY OF MASONRY ABOVE FOOTING, AND BY 100MM FOR EACH STOREY OF MASONRY ABOVE FOOTING, AND BY 100MM FOR EACH 2700MM OF RISE ABOVE 500MM
 - THE PROJECTION OF AN UNREINFORCED FOOTING BEYOND THE WALL SUPPORTED SHALL NOT BE GREATER THAN ITS THICKNESS
- STEP FOOTINGS**
- 600MM MAXIMUM RISE
 - 600MM MINIMUM RUN
- FOUNDATION WALLS**
- TO BE POURED CONCRETE, UNIT MASONRY, ICF OR PRESERVED WOOD (SEE DRAWINGS FOR TYPE AND THICKNESS)
 - DAMP-PROOFING SHALL BE A HEAVY COAT OF BITUMINOUS
 - FOUNDATION WALL TO EXTEND MINIMUM 150MM ABOVE FINISHED GRADE
 - A DRAINAGE LAYER IS REQUIRED AN THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 900MM BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF:
 - MINIMUM 19MM MINERAL FIBRE INSULATION WITH MINIMUM DENSITY OF 51KG/M³
 - MINIMUM 100MM OF FREE DRAINAGE GRANULAR MATERIAL, OR
 - AN APPROVED SYSTEM WHICH PROVIDES EQUIVALENT PERFORMANCE
 - FOUNDATION WALLS SHALL BE BRACED OR HAVE THE FLOOR JOISTS INSTALLED BEFORE BACKFILLING

- CONCRETE FLOOR SLABS**
- GARAGE, CARPORT AND EXTERIOR SLABS AND EXTERIOR STEPS SHALL BE 32MPA CONCRETE WITH 5-8% AIR ENTRAINMENT
 - BASEMENT SLAB 25MPA CONCRETE, MINIMUM 15MM THICK, PLACED ON A MINIMUM 100MM OF COARSE, CLEAN, GRANULAR MATERIAL
 - ALL FILL OTHER THAN COARSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT
- MASONRY WALLS**
- WHERE CONSTRUCTED OF 90MM BRICK, WALL SHALL BE BONDED WITH A HEADER COURSE EVERY 600MM ON-CENTRE VERTICALLY AND HORIZONTALLY AND 900MM ON-CENTRE FOR BLOCK OR TILE
 - PROVIDE 50MM SOLID MASONRY, CONCRETE FILLED PACT COURSE OR CONTINUOUS 38X89MM WOOD PLATE UNDER ALL ROOF AND FLOOR FRAMING MEMBERS
 - PROVIDE 190MM SOLID MASONRY UNDER BEAMS AND COLUMNS
 - MASONRY WALL TO BE TIED TO EACH TIER OF JOISTS WITH 40MMX4-76MM CORROSION RESISTANT STEEL STRAPS, KEYED MINIMUM 100MM INTO MASONRY, WHEN JOISTS ARE PARALLEL TO WALL, TIES ARE TO EXTEND ACROSS AT LEAST 3 JOISTS @ 2000MM ON-CENTRE
 - INSIDE OF WALL TO BE PARGED AND COVERED WITH NO. 15 BREATHER-TYPE ASPHALT PAPER
 - FOR REDUCED FOUNDATION WALLS TO ALLOW A BRICK FACING WHILE MAINTAINING LATERAL SUPPORT, THE MINIMUM 90MM BRICK TO MINIMUM 90MM BACKUP BLOCK WITH CORROSION RESISTANT TIES AT LEAST 17.8MM2 IN CROSS SECTIONAL AREA, SPACED 200MM VERTICALLY AND 900MM HORIZONTALLY, WITH JOINTS COMPLETELY FILLED WITH MORTAR
 - MASONRY OVER OPENINGS SHALL BE SUPPORTED ON CORROSION RESISTANT OR PRIME PAINTED STEEL LINTELS WITH A MINIMUM OF 150MM END BEARING

- MASONRY VENER**
- MINIMUM 70MM THICK IF JOINTS ARE NOT RAKED AND 90MM THICK IF JOINTS ARE RAKED
 - MINIMUM 25MM AIR SPACE TO SHEATHING
 - PROVIDE WEEP HOLES @ 800MM ON-CENTRE AT THE BOTTOM OF THE CAVITY AND OVER DOORS AND WINDOWS
 - DIRECT DRAINAGE THROUGH WEEP HOLES WITH 0.5MM POLY FLASHING EXTENDING MINIMUM 150MM UP BEHIND THE SHEATHING PAPER
 - VENER TIES MINIMUM 0.76MM THICK X 22MM WIDE CORROSION RESISTANT STRIPS SPACED @ 500MM VERTICALLY AND 600MM HORIZONTALLY
 - FASTEN RENOVATION AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR

WOOD FRAME CONSTRUCTION AND INSULATION

- WOOD FRAME CONSTRUCTION**
- ALL LUMBER SHALL BE SPURCE-PINE-FIR NO. 1/N2.0.2 OR BETTER, AND SHALL BE TREATED TO GRAD 05&MP
 - MAXIMUM MOISTURE CONTENT 19% AT TIME OF INSTALLATION
 - WOOD FRAMING MEMBERS WHICH ARE SUPPORTED ON CONCRETE IN DIRECT CONTACT WITH SOIL SHALL BE SEPARATED FROM THE CONCRETE WITH 0.050MM POLYETHYLENE OR TYPE 'S' ROLL ROOFING

- WALLS**
- EXTERIOR WALLS SHALL CONSIST OF:
 - CLADDING
 - AIR BARRIER SYSTEM LAPPED 100MM AT JOINTS
 - LUMBER, PLYWOOD, OSB OR GIBBS SHEATHING
 - 38X140 STUDS @ 400MM ON-CENTRE
 - R51 3.54 INSULATION
 - 38X140 BOTTOM PLATE
 - 38X140 DOUBLE TOP PLATE

- INTERIOR LOADBEARING WALLS SHALL CONSIST OF:
 - 38X89 STUDS @ 400MM ON-CENTRE
 - 38X89 BOTTOM PLATE & DOUBLE 38X89 TOP PLATE
 - 38X89 MID-GIRTS IF NOT SHEATHED
 - 12.7MM GYPSUM BOARD SHEATHING

- FLOORS**
- SEE TABLE FOR FLOOR JOIST SIZE AND SPACING REQUIREMENTS
 - JOISTS TO HAVE MINIMUM 38MM OF END BEARING
 - JOISTS SHALL BEAR ON A SILL PLATE FIXED TO FOUNDATION WITH 12.7MM ANCHOR BOLTS @ 2400MM ON-CENTRE
 - HEADER JOISTS BETWEEN 1200MM AND 3200MM IN LENGTH SHALL BE DOUBLED, HEADER JOISTS EXCEEDING 3200MM SHALL BE SIZED BY CALCULATIONS
 - TRIMMER JOISTS SHALL BE DOUBLED WHEN SUPPORTED HEADER IS BETWEEN 800MM AND 2000MM, TRIMMER JOISTS SHALL BE SIZED BY CALCULATIONS WHEN SUPPORTED HEADER EXCEEDS 2000MM
 - 38X38 CROSS BRIDGING REQUIRED NOT MORE THAN 2100MM FROM EACH SUPPORT AND FROM OTHER ROWS OF BRIDGING
 - JOISTS SHALL BE SUPPORTED ON JOIST HANGERS AT ALL FLUSH BEAMS, TRIMMERS, AND HEADERS
 - EXTERIOR WALLS LESS THAN 600MM FROM PROPERTY LINES
 - JOIST OR ON BLACKING BETWEEN JOISTS
 - SEE TABLE FOR SUBFLOORING REQUIREMENTS

- ROOF AND CEILINGS**
- SEE TABLE FOR RAFTER, ROOF JOIST AND CEILING JOIST SIZE AND SPACING REQUIREMENTS
 - HIP AND VALLEY RAFTER SHALL BE 38MM DEEPER THAN COMMON RAFTERS
 - 38X89 COLLAR TIES @ RAFTER SPACING WITH 19X89 CONTINUOUS BRACE AT 12MM SPAN COLLAR IT EXCEEDS 2400MM IN LENGTH
 - SEE TABLE FOR ROOF SHEATHING REQUIREMENTS

- NOTING & DRILLING OF TRUSSES, JOISTS, RAFTERS**
- HOLE IN FLOOR, ROOF AND CEILING MEMBERS TO BE NOT LARGER THAN 1/4" THE ACTUAL DEPTH OF MEMBER AND NOT LESS THAN 20MM FROM CORNER
 - NOTCHES IN FLOOR, ROOF AND CEILING MEMBERS TO BE COATED AND BY 150MM FOR ICF
 - INCREASE INTERIOR FOOTING WIDTH BY 65MM FOR EACH STOREY OF BRICK VENER SUPPORTED, BY 130MM FOR EACH STOREY OF MASONRY ABOVE FOOTING, AND BY 100MM FOR EACH STOREY OF MASONRY ABOVE FOOTING, AND BY 100MM FOR EACH 2700MM OF RISE ABOVE 500MM
 - THE PROJECTION OF AN UNREINFORCED FOOTING BEYOND THE WALL SUPPORTED SHALL NOT BE GREATER THAN ITS THICKNESS
- STEP FOOTINGS**
- 600MM MAXIMUM RISE
 - 600MM MINIMUM RUN
- FOUNDATION WALLS**
- TO BE POURED CONCRETE, UNIT MASONRY, ICF OR PRESERVED WOOD (SEE DRAWINGS FOR TYPE AND THICKNESS)
 - DAMP-PROOFING SHALL BE A HEAVY COAT OF BITUMINOUS
 - FOUNDATION WALL TO EXTEND MINIMUM 150MM ABOVE FINISHED GRADE
 - A DRAINAGE LAYER IS REQUIRED AN THE OUTSIDE OF A FOUNDATION WALL WHERE THE INTERIOR INSULATION EXTENDS MORE THAN 900MM BELOW EXTERIOR GRADE. A DRAINAGE LAYER SHALL CONSIST OF:
 - MINIMUM 19MM MINERAL FIBRE INSULATION WITH MINIMUM DENSITY OF 51KG/M³
 - MINIMUM 100MM OF FREE DRAINAGE GRANULAR MATERIAL, OR
 - AN APPROVED SYSTEM WHICH PROVIDES EQUIVALENT PERFORMANCE
 - FOUNDATION WALLS SHALL BE BRACED OR HAVE THE FLOOR JOISTS INSTALLED BEFORE BACKFILLING

- ROOFING**
- FASTENERS FOR ROOFING SHALL BE CORROSION RESISTANT
 - ROOFING WALLS SHALL PENETRATE THROUGH OR AT LEAST 12MM INTO ROOF SHEATHING
 - EVERY ASPHALT SHINGLE SHALL BE FASTENED WITH AT LEAST 5 NAILS FOR ROOFS WITH WIDE SHINGLE (OR 6-LLMM STAPLES)
 - EAVE PROTECTION SHALL EXTEND 900MM UP THE ROOF SLOPE FROM THE EDGE, AND AT LEAST 300MM FROM THE GABLE END AND END LAPs CEATED TOGETHER, OR GLASS FIBRE OR POLYESTER FIBRE COATED BASE SHEETS, OR SELF SEALING COMPOSITE MEMBRANES CONSISTING OF MODIFIED BITUMINOUS OR WATER MATERIAL OR NO-LS SATURATED FELT LAPPED AND CEMENTED. EAVE PROTECTION IS NOT REQUIRED FOR UNHEATED BUILDINGS, FOR ROOFS EXCEEDING A SLOPE OF 1 IN 1.5, OR WHERE A LOW SLOPE ASPHALT SHINGLE APPLICATION IS PROVIDED
 - OPEN VALICYS SHALL BE FLASHED WITH 2 LAYERS OF ROLL ROOFING, OR 1 LAYER OF SHEET METAL MINIMUM 600MM WIDE
 - LASHING SHALL BE PROVIDED AT THE INTERSECTION OF SHINGLE ROOFS WITH EXTERIOR WALLS AND CHIMNEYS
 - SHEET METAL FLASHING SHALL CONSIST OF NOT LESS THAN 1.73MM SHEET LEAD, 0.33MM GALVANIZED STEEL, 0.33MM COPPER, 0.35MM ZINC, OR 0.48MM ALUMINUM

- COLUMNS, BEAMS & LINTELS**
- STEEL BEAMS AND COLUMNS SHALL BE SHOP PRIMED 350W STEEL
 - MINIMUM 80MM END BEARING FOR WOOD AND STEEL BEAMS, WITH 100MM SOLID MASONRY BENEATH THE BEAM
 - STEEL COLUMNS TO HAVE MINIMUM OUTSIDE DIAMETER OF 73MM AND MINIMUM WALL THICKNESS OF 4.76MM
 - WOOD COLUMNS FOR CARPORTS AND GARAGES SHALL BE MINIMUM 89MM X 89MM; IN ALL OTHER CASES EITHER 140MM X 140MM OR 184MM ROUND, UNLESS CALCULATIONS BASED ACTUAL LOADS SHOW LESSER SIZES OR ADEQUATE
 - ALL COLUMNS SHALL BE NOT LESS THAN THE WIDTH OF THE SUPPORTED MEMBER
 - MASONRY COLUMNS SHALL BE A MINIMUM OF 290MMX290MM OR 240MMX380MM
 - PROVIDE SOLID BLOCKING THE FULL WIDTH OF THE SUPPORTED MEMBER UNDER ALL CONCENTRATED LOADS

- INSULATION & WEATHERPROOFING**
- | | |
|--------------------------------|-------------|
| CEILING WITH ATTIC | R51 R60 |
| ROOF WITHOUT ATTIC | R51 R51 |
| EXTERIOR WALL | R51 R19+5CI |
| FOUNDATION WALL | R51 N/A |
| FOUNDATION > 50% EXPOSED | R51 N/A |
| EXPOSED FLOOR | R51 R31 |
| SLABS ON GRADE (UNHEATED) | R51 N/A |
| SLABS ON GRADE (HEATED) | R51 N/A |
| SUPPLY DUCTS IN UNHEATED SPACE | R51 2.11 |

- INSULATION SHALL BE PROTECTED WITH GYPSUM BOARD OR AN EQUIVALENT INTERIOR FINISH, EXCEPT FOR UNFINISHED BASEMENTS WHERE 0.15MM POLY IS SUFFICIENT FOR FIRE/REGASS TYPE INSULATIONS
- DUCTS PASSING THROUGH UNHEATED SPACE SHALL BE MADE AIRTIGHT WITH TAPE OR SEALANT
- CAULKING SHALL BE PROVIDED FOR ALL EXTERIOR DOORS AND WINDOWS BETWEEN THE FRAME AND THE EXTERIOR CLADDING
- WEATHERSTRIPPING SHALL BE PROVIDED ON ALL DOORS AND ACCESS HATCHES TO THE EXTERIOR, EXCEPT DOORS FROM A GARAGE TO THE EXTERIOR
- EXTERIOR WALLS, CEILINGS AND FLOORS SHALL BE CONSTRUCTED SO AS TO PROVIDE A CONTINUOUS BARRIER TO THE PASSAGE OF WATER VAPOUR FROM THE INTERIOR AND TO THE LEAKAGE OF AIR FROM THE EXTERIOR

GENERAL INFORMATION, ELECTRICAL, MECHANICAL

NATURAL VENTILATION

- EVERY ROOF SPACE ABOVE AN INSULATED CEILING SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO NOT LESS THAN L/300 OF THE INSULATED CEILING AREA
- INSULATED ROOF SPACES NOT INCLUDING AN ATTIC SHALL BE VENTILATED WITH UNOBSTRUCTED OPENINGS EQUAL TO NOT LESS THAN 1/150 OF THE INSULATED CEILING AREA
- ROOF VENTS SHALL BE UNIFORMLY DISTRIBUTED WITH MIN. 25% AT TOP OF THE SPACE AND 25% AT BOTTOM OF THE SPACE
- DESIGNED TO PREVENT THE ENTRY OF RAIN, SNOW OR INSECTS
- UNHEATED CRAWL SPACES SHALL BE PROVIDED WITH 0.1M2 OF VENTILATION FOR EACH 50M2
- MINIMUM NATURAL VENTILATION AREAS, WHERE MECHANICAL VENTILATION IS NOT PROVIDED, ARE:
 - BATHROOMS: 0.09M2
 - OTHER ROOMS: 0.28M2
 - UNFINISHED BASEMENT: 0.2% OF FLOOR AREA

DOORS AND WINDOWS

- EVERY FLOOR LEVEL CONTAINING A BEDROOM AND NOT SERVED BY AN EXTERIOR DOOR SHALL CONTAIN AT LEAST WINDOW HAVING AN UNOBSTRUCTED OPEN AREA OF 0.35M2 AND NO DIMENSION LESS THAN 380MM, WHICH IS OPENABLE FROM THE INSIDE WITHOUT TOOLS. MAXIMUM SILL HEIGHT 1000MM FOR FIN. FLOORS ABOVE GRADE
- EXTERIOR HOUSE DOORS AND WINDOWS WITHIN 2000MM FROM GRADE SHALL BE CONSTRUCTED TO RESIST FORCED ENTRY. DOORS SHALL HAVE A DEADBOLT LOCK
- THE PRINCIPAL ENTRY DOOR SHALL HAVE EITHER A DOOR VIEWER, TRANSPARENT GLAZING OR O SIGHTLIGHT
- MAXIMUM U-VALUE 1.8 FOR WINDOWS AND SLIDING GLASS DOORS

EXTERIOR WELLS

- NO WINDOWS OR OTHER UNPROTECTED OPENINGS ARE PERMITTED IN EXTERIOR WALLS LESS THAN 1200MM FROM PROPERTY LINES
- 15.9MM TYPE 'X' FIRE RATED DRYWALL SHALL BE INSTALLED ON THE INSIDE FACE OF ATTACHED GARAGE EXTERIOR WALLS AND DOUBLE ENDS OF ROOF SLOPE SHALL PROVIDE A GRAVITY FLOW OF NOT LESS THAN 600MM FROM PROPERTY LINES
- NON COMBUSTIBLE CLADDING SHALL BE INSTALLED ON ALL EXTERIOR WALLS LESS THAN 600MM FROM PROPERTY LINES

CERAMIC TILE

- WHEN CERAMIC TILE IS APPLIED TO A MORTAR BED WITH ADHESIVE, THE BED SHALL BE A MINIMUM OF 12.5MM THICK AND REINFORCED WITH GALVANIZED DIAMOND MESH LATH, APPLIED OVER POLYETHYLENE ON SUBFLOORING ON JOISTS WITH NO MORE THAN 400MM ON-CENTRE WITH AT LEAST 2 ROWS CROSS BRIDGING

ACCESS TO ATTICS AND CRAWL SPACES

- ACCESS HATCH MINIMUM 545MMX1582 MM TO BE PROVIDED TO EVERY ROOF SPACE WHICH IS 100MM OR MORE IN AREA AND MORE THAN 400MM IN HEIGHT
- ACCESS HATCH MINIMUM 500MMX700MM TO BE PROVIDED TO EVERY CRAWL SPACE

GARAGE GASPROOFING

- THE WALLS AND CEILING OF AN ATTACHED GARAGE SHALL BE CONSTRUCTED AND SEALED SO AS TO PROVIDE AN EFFECTIVE BARRIER TO EXHAUST FUMES
- ALL PLUMBING AND OTHER PENETRATIONS THROUGH THE HALLS AND CEILING SHALL BE CAULKED
- DOORS BETWEEN THE DWELLING AND ATTACHED GARAGE MAY NOT OPEN INTO A BEDROOM AND SHALL BE WEATHERSTRIPPED AND HAVE A SELF-CLOSER

ALARMS AND DETECTORS

- AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT LEVEL 900MM OR MORE ABOVE FINISHED FLOOR
- SMOKE ALARMS SHALL BE INTERCONNECTED AND LOCATED SUCH THAT ONE IS WITHIN 5M OF EVERY BEDROOM DOOR AND NO MORE THAN 15M TRAVEL DISTANCE FROM ANY SLEEPING AREA
- A CARBON MONOXIDE DETECTOR SHALL BE INSTALLED ADJACENT TO EVERY SLEEPING AREA FOR DWELLINGS WITH FUEL BURNING HEATLACE OR STOVE, OR AN ATTACHED GARAGE

STAIRS

- MAXIMUM RISE: 200MM
 - MINIMUM RUN: 255MM
 - MINIMUM HEAD ROOM: 1950MM
 - MINIMUM WIDTH: 860MM
 - CURVED STAIRS SHALL HAVE A MINIMUM RUN OF 150MM AT ANY POINT AND A MINIMUM AVERAGE RUN OF 200MM
 - WINDERS WHICH CONVERSE TO A POINT IN STAIRS MUST TURN THROUGH AN ANGLE OF NO MORE THAN 90°, WITH NO LESS THAN 30° OR MORE THAN 150° PER TREAD. SETS OF WINDERS MUST BE SEPARATED BY 1200MM ALONG THE RUN OF THE STAIR
 - A LANDING IS REQUIRED AT THE TOP OF ANY STAIR LEADING TO THE PRINCIPAL ENTRANCE TO A DWELLING AND OTHER EXTERIOR ENTRANCES WITH MORE THAN 2 STAIRS
 - EXTERIOR CEMENT STAIRS WITH MORE THAN 2 RISERS REQUIRE FOUNDATIONS
- HANDRAILS AND GUARDS**
- A HANDRAIL IS REQUIRED FOR INTERIOR STAIRS CONTAINING MORE THAN 2 RISERS AND EXTERIOR STAIRS CONTAINING MORE THAN 3 RISERS
 - GUARDS ARE REQUIRED AROUND EVERY ACCESSIBLE SURFACE WHICH IS MORE THAN 600MM ABOVE THE ADJACENT LEVEL AND WHERE THE ADJACENT SURFACE HAS A SLOPE MORE THAN 1:2
 - INTERIOR AND EXTERIOR GUARDS MINIMUM 900MM HIGH. EXTERIOR GUARDS SHALL BE 1010MM HIGH WHERE HEIGHT ABOVE ADJACENT SURFACE EXCEEDS 1800MM
 - GUARDS SHALL HAVE OPENINGS SMALLER THAN 100MM AND NO MEMBER BETWEEN 140MM AND 900MM THAT WILL FACILITATE CLIMBING

PLUMBING

- EVERY DWELLING REQUIRES A KITCHEN SINK, LAVATORY, WATER CLOSET, BATHTUB OR SHOWER STALL AND THE INSTALLATION OR AVAILABILITY OF LAUNDRY FACILITIES
- A FLOOR DRAIN SHALL BE INSTALLED IN THE BASEMENT, AND CONNECTED TO THE SANITARY SEWER DRAINAGE SYSTEM IF POSSIBLE. IN OTHER CASES, IT SHALL BE CONNECTED TO A SEWAGE EJECTION PUMP

ELECTRICAL

- AN EXTERIOR LIGHT CONTROLLED BY AN INTERIOR SWITCH IS REQUIRED AT EVERY ENTRANCE
- A LIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM, BATHROOM, VESTIBULE, HALLWAY, GARAGE AND CARPORT. A SWITCHED RECEPTACLE MAY BE PROVIDED INSTEAD OF A LIGHT IN BEDROOMS AND LIVING ROOMS
- STAIRS PASSING THROUGH UNHEATED SPACE SERVING ON UNFINISHED BASEMENT SHALL BE CONTROLLED BY A 3 WAY SWITCH AT THE HEAD AND FOOT OF THE STAIRS
- BASEMENTS REQUIRE A LIGHT FOR EACH 30M2 CONTROLLED BY A SWITCH AT THE HEAD OF THE STAIRS

MECHANICAL VENTILATION

- A MECHANICAL VENTILATION SYSTEM IS REQUIRED WITH A TOTAL CAPACITY AT LEAST EQUAL TO THE SUM OF:
 - 1.0 L/S EACH FOR BASEMENT AND MASTER BEDROOM;
 - 5.0 L/S FOR EACH OTHER ROOM
- A PRINCIPAL DWELLING EXHAUST FAN SHALL BE INSTALLED AND CONTROLLED BY A CENTRALLY LOCATED SWITCH IDENTIFIED AS SUCH
- SUPPLEMENTAL EXHAUST SHALL BE INSTALLED SO THAT THE TOTAL CAPACITY OF ALL KITCHEN, BATHROOM AND OTHER EXHAUSTS, INCLUDING THE PRINCIPAL EXHAUST, IS NOT LESS THAN THE TOTAL REQUIRED CAPACITY
- A HEAT RECOVERY VENTILATOR MAY BE EMPLOYED IN LIEU OF EXHAUST TO PROVIDE VENTILATION. AN HRV IS REQUIRED IF ANY SOLID FUEL BURNING APPLANCES ARE INSTALLED
- SUPPLY AIR INTAKES SHALL BE LOCATED SO AS TO AVOID CONTAMINATION FROM EXHAUST OUTLETS

PLUMBING SPECIFICATIONS

1. MATERIALS AND EQUIPMENT

- IF FITTING SHALL NOT BE USED IN A DRAINAGE SYSTEM EXCEPT TO CONNECT A VENT PIPE
- A CROSS FITTING SHALL NOT BE USED IN A DRAINAGE SYSTEM
- NO "Y" DOUBLE "Y", DOUBLE "T" OR DOUBLE WASTE FITTING SHALL BE INSTALLED IN A NOMINALLY HORIZONTAL SOIL OR WASTE PIPE

2. DRAINAGE SYSTEM

- EVERY SANITARY DRAINAGE SYSTEM AND STORM DRAINAGE SYSTEM SHALL BE PROVIDED WITH CLEANOUTS THAT WILL PERMIT CLEANING OF THE ENTIRE SYSTEM
- A CLEANOUT FITTING SHALL BE PROVIDED ON THE UPSTREAM SIDE AND DIRECTLY OVER EVERY RUNNING TRAP. HORIZONTAL SOIL OR WASTE PIPE
- WHERE THERE IS A CHANGE OF DIRECTION GREATER THAN 45 DEGREES IN A SANITARY BUILDING DRAIN OR SANITARY BUILDING SEWER, A CLEANOUT SHALL BE INSTALLED AT EACH CHANGE IN DIRECTION
- EVERY SANITARY BUILDING DRAIN OR STORM BUILDING DRAIN SHALL BE PROVIDED WITH A CLEANOUT FITTING THAT IS LOCATED AS CLOSE AS PRACTICAL TO THE PLACE WHERE THE DRAIN LEAVES THE BUILDING
- EVERY SOIL OR WASTE STACK SHALL BE PROVIDED WITH A CLEANOUT FITTING AT THE BOTTOM OF THE STACK
- A CLEANOUT SHALL BE INSTALLED ON A FIXTURE DRAIN SERVING A KITCHEN SINK
- WHEN GRAVITY DRAINAGE TO A SANITARY DRAINAGE SYSTEM IS POSSIBLE, A FLOOR DRAIN SHALL BE INSTALLED IN A BASEMENT, FORMING PART OF A DWELLING UNIT
- SANITARY UNITS, BATHTUBS AND SHOWER BATHS SHALL NOT BE INSTALLED AGAINST TO WALL AND FLOOR SURFACES THAT ARE PERVIOUS TO WATER
- EVERY FIXTURE SHALL BE PROTECTED BY A SEPARATE TRAP
- PROVISION SHALL BE MADE FOR MAINTAINING THE TRAP SEAL OF A FLOOR DRAIN BY THE USE OF A TRAP SEAL PRIMER
- EVERY DRAINAGE PIPE THAT HAS A SIZE OF 3 INCHES (75mm) OR LESS, SHALL BE INSTALLED WITH A DOWNWARD SLOPE IN THE DIRECTION OF FLOW OF AT LEAST 1 IN 50 (1/4 INCH PER FOOT), WHERE IT IS NOT POSSIBLE TO COMPLY WITH 1 IN 50 SLOPE, A DOWNWARD SLOPE OF 1 IN 100 SHALL BE PROVIDED
- EVERY SANITARY BUILDING DRAIN AND EVERY SANITARY BUILDING SEWER SHALL BE AT LEAST 4 INCHES IN SIZE
- EVERY STORM BUILDING DRAIN AND EVERY STORM BUILDING SEWER SHALL BE AT LEAST 4 INCHES IN SIZE
- INDIRECT CONNECTIONS OR ANY TRAP THAT MAY OVERFLOW SHALL NOT BE LOCATED IN A CRAWL SPACE OR ANY OTHER UNFREQUENTED AREA
- THERE SHALL BE NO UNUSED OPEN ENDS IN A DRAINAGE SYSTEM AND LOAD ENDS SHALL BE SO GRADED THAT WATER WILL NOT COLLECT IN THEM
- ONLY PIPING THAT IS TOO LOW TO DRAIN INTO A BUILDING SEWER BY GRAVITY SHALL BE DRAINED TO A SUMP OR RECEIVING TANK
- WHERE THE SUMP OR TANK RECEIVES SANITARY SEWAGE IT SHALL BE WATER AND AIR-TIGHT AND SHALL BE VENTED
- THE DISCHARGE PIPE FROM EVERY PUMPED SANITARY SEWAGE PUMP SHALL BE EQUIPPED WITH A UNION, A CHECK VALVE AND A SHUT-OFF VALVE INSTALLED IN THAT SEQUENCE IN THE DIRECTION OF DISCHARGE
- A SUBSOIL DRAINAGE PIPE THAT DRAINS INTO A SANITARY DRAINAGE SYSTEM THAT IS SUBJECT TO SURCHARGE SHALL BE CONNECTED IN SUCH A MANNER THAT SEWAGE CANNOT BACK UP INTO THE SUBSOIL DRAINAGE PIPE
- THE DEVELOPED LENGTH OF EVERY FIXTURE OUTLET PIPE SHALL NOT EXCEED 1200mm
- WHERE CLOTHES WASHERS DO NOT DRAIN TO A LAUNDRY TRAY, THE TRAP INLET SHALL BE FITTED WITH A VERTICAL STANDPIPE THAT IS NOT LESS THAN 600mm LONG MEASURED FROM THE TRAP WEIR AND THE TOP OF THE STANDPIPE SHALL TERMINATE ABOVE THE FLOOD LEVEL RIM OF THE CLOTHES WASHER IT SERVES.

Arborist Report

Pre-Construction Assessment

Prepared For:

Chris Downing

Site Address:

1235 Appleford Ln,
Burlington, ON
L7P 3M1

September 5, 2024

Prepared by:

Pawan Paudyal

ISA Certified Arborist (ON-3015N)

Phone: (289) 689-6050 || Email: pawan.paudyal@Davey.com

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Summary

This Arborist Report pertains to the proposed construction at 1235 Appleford Ln, Burlington, ON, which includes a new second-floor addition above the existing garage. The report assesses the condition of trees on and around the property and offers recommendations for their preservation in preparation for the upcoming construction.

12 trees were assessed on site:

- Privately-owned trees at 1235 Appleford Ln, Burlington, ON: 5
- Neighbor-owned trees: 6
- City-owned trees: 1
- **3 trees (#7-9)** are recommended to be fully protected. These trees are not expected to be injured so long as the Tree Protection Plans (TPP) are properly followed.
 - Recommended to have Tree Protection Fencing (TPF) installed around their Tree Protection Zones (TPZ), to protect their roots from soil compaction and damage during construction and movement of equipment or materials.
- **Tree #1** is recommended for removal due to its root system causing structural damage to the existing house. The roots have extended into the foundation area, potentially compromising the integrity of the building, and removal is necessary to prevent further damage.
 - Tree #1 is regulation size therefore a permit is required. To account for the proposed removal of the 1 by-law regulated trees, the city may request up to 3 replacement trees be planted or that cash-in-lieu be paid if on-site planting cannot fulfill the replacement tree requirement.
 - Replacement trees must be the following minimum sizes at the time of installation:
 - 30 mm caliper if deciduous (broadleaf)
 - 125 cm tall if coniferous (evergreen)
- **8 trees (#2-6 and 10-12)** are recommended to be preserved without Tree Protection Fencing. No TPZs are to be encroached by construction or material storage/transport at any time.

Material storage will be in existing driveways only throughout the duration of construction, outside of all Tree Protection Zones (TPZs). The construction access route will be through the driveway. No TPZs are to be encroached by construction or material storage/transport at any time.

A survey map in the Tree Protection Plan will reference the tree inventory numbers. Tree protection zone distances from trees will allow contractors to plan future designs around preserving the most trees possible. It is imperative for all crew contracted to perform this construction to thoroughly understand this report and the recommendations stated within.

Introduction

Davey Resource Group (DRG) was retained by the client, Chris Downing, to develop an Arborist Report and Tree Protection Plan (TPP) for the proposed construction at 1235 Appleford Ln, Burlington, ON, which includes a new second-floor addition above the existing garage. The intent of this report is to provide the client with the documentation necessary for work to continue.

An inventory and assessment of all the trees within the scope of the assignment was conducted. The Arborist was to document the current condition, size, and location of the trees as they relate to the proposed work. All trees within the scope of the survey were included in an inventory and assessed for protection or removal needs. Small ornamental shrubs and trees were not surveyed for this report.

Recommendations for tree preservation or removal are to be provided. This report must be accompanied by the following additional documents:

1. A full printing of the tree inventory performed by Davey Resource Group (DRG), otherwise known as the Tree Protection Action Key (TPAK). (Appendix 1)
2. The construction maps with the Arborist Comments, otherwise known as the Tree Protection Plan (TPP). (Appendix 2)

Limitations of the Assignment

It must be understood that DRG is the assessor of the trees in relation to tree preservation practices. The construction supervisors should incorporate the information and recommendations provided within this report into their construction methodology to complete their project in a reasonable manner.

This Arborist Report is based on the project scope and details for tree preservation as discussed. All proposed construction methods are limited to what was provided in the site plans. Estimates, measurements and comments regarding tree preservation were based on the proposed construction plans and field observations.

This Arborist Report was compiled from field data collected from the ground. A basic visual assessment of the tree was performed. No level of ISA Tree Risk Assessment was performed. More data on risk may be obtained through a basic or advanced ISA Tree Risk Assessment.

Methods

- Tools used to assess the trees included a metric DBH measuring tape, metric measuring tape, and camera.
- All trees 10 cm or greater DBH on the property and within 6 meters of planned construction work were included in the inventory, as well as all within 3 meters of the property boundary.
- Trees were studied for their proximity to existing and planned structures to determine recommendations or precautions for trees requiring removal or injury.
- For trees with multiple trunks at 1.37 m, DBH was calculated as the sum of all trunk diameter measurements at 1.37 m. The individual trunk measurements are included in the 'Notes and Observations' column in the TPAK.

Observations

1. The site was inspected on September 5, 2024, by Arborist Pawan Paudyal.
2. No evidence of construction was present, and work had not yet started.
3. No material storage or soil compaction within Tree Protection Zones was observed.
4. The construction site access route is to be through the Asphalt driveway. The staging area for equipment will be in the driveway outside of the Tree Protection Zones.
5. 12 trees were assessed for this report and labeled #1-12 in the Tree Protection Action Key and Tree Protection Plan included within Appendices 1 and 2.
6. All the trees are in good condition.
 - Trees #1-6 are in the back yard of the property and tree # 6 belongs to the neighbor.
 - Trees #7-8 on the east side of the property and belongs to the neighbor,
 - Tree #9 is in the front yard and belongs to the city.
 - Trees #10-12 on the west side of the property and belongs to the neighborhood.
7. For further details and observations, refer to the Tree Protection Action Key (Appendix 1).

To preserve and protect trees, proper recommendations must be followed and abided by the client for the duration of the project.

Regulatory context

The City of Burlington Private Tree By-law 02-2020 states that a permit is required to injure or remove:

- a) Any private tree 20 cm or greater in single stem diameter or combined cross sectional stem diameters (using sum-of-squares) at breast height (DBH).

Fees are exempt for trees that are dead or terminally diseased.

The City of Burlington Public Tree By-law 68-2013 states that no person shall injure or remove a public tree without a Tree Permit. The tree's size as well as the overall condition rating will impact the total number of cm required to be replaced. Generally, one replacement tree is required for every 10 cm diameter removed. If there is no room for the replacement trees, there will be a charge of \$400 per replacement tree. The Tree Permit may include a requirement that a tree to be removed be replaced by a tree of a certain size and species.

Tree Protection Zones

Tree Protection Zones surrounding each tree are defined by the City of Burlington's Private Tree By-law 02-2020. Tree Protection Zones and must be kept free of all construction activity above and below ground. If work is proposed within 6 meters of a tree but not within its TPZ, it is in the best interest of the client to protect it using a Tree Protection Fence built to city standards (depicted in Appendix 2). This serves to prevent any incidental contact or harm to a protected tree that would constitute a contravention of a by-law and may result in fines or a stop-work order.

Tree Protection Fencing (Appendix 3)

It is in the best interest of the client to take every precaution possible to minimize damage to trees where work is taking place, and to avoid any unnecessary injury to trees outside of work areas. On this construction site, Tree Protection Fencing (TPF) is recommended to protect trees from soil compaction and root cutting. The distance from trees that TPF is installed is typically defined by the dripline pursuant to a city by-law. However, it must be understood that sometimes this distance is not achievable due to infrastructure being too close. In most situations, TPF does not need to be installed beyond the closest extent of impermeable and/or paved surfaces. It must be further understood the TPF distance sometimes must accommodate a larger TPZ (than the typical MTPZ distance) due to a limited root growing area/volume (this area is typically defined by the project arborist).

TPF locations will be indicated on the Tree Protection Plan (Appendix 2) which has been included in this report but will be printed to-scale for use on-site and in permit applications. Within the

scope of this project, TPF is recommended to be established around trees at variable distances indicated on the tree protection plan. These distances may be achieved across softscapes and hardscapes surrounding trees, protecting their Tree Protection Zones.

Problems will arise for tree preservation efforts when anyone removes the TPF, even temporarily. It takes one instance of soil compaction from a heavy machine for roots to suffer from air and water deprivation and for the tree to become stressed. It is imperative to install and maintain in good condition the TPF to prevent this from happening by utilizing horizontal hoarding whenever necessary.

City of Burlington Tree Protection Fencing Specifications

Trees within Minimum Tree Protection Zones shall be protected by means of a “tree protection barrier” meeting the following specifications:

- a) 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.
- b) 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 removed prior to the completion of construction without written authorization from the City Arborist.
- c) 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.
- d) 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.
- e) No materials or fill may be stored within the MTPZ.
- f) Equipment or vehicles shall not be operated, parked, repaired, or refueled within the MTPZ.
- g) No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the City Arborist.
- h) A laminated Minimum Tree Protection Zone sign (see attached) must be attached to the most visible side of the Tree Protection, where it will be visible by those persons entering the site. Minimum size must be 10”x14”.

Root Pruning

Similar to pruning the upper canopy of the tree, roots are best removed (if needed) via target pruning practices and not by being torn off. Using mechanical tools or excavation equipment to remove or prune roots often leaves ragged edges, stripped bark, or splintered tissue. These surfaces are difficult for a tree to heal over and provide a high surface area for potential decay pathogens (bacteria, fungus, insects), to enter a tree. Minimizing the cross section of pruned roots allows for the most efficient recovery for the tree. Roots that are larger in diameter than 20% of its parent trunk’s DBH are structurally integral to a tree and must be pruned with discretion. Root pruning is

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recommended to be carried out by a licensed professional, such as an ISA Certified Arborist.

City of Burlington Root Pruning Specifications

When any site works, are within the limits of the TPZ and have the potential to damage tree roots, root pruning using a hydro vacuum unit or air powered soil excavation tools is acceptable, provided it is operated by a qualified arborist or under an arborist's supervision and completed to a depth of 300mm.

- a) Root pruning within the Minimum Tree Protection Zone of any tree requires root exploration via supersonic air tool or hydro vacuum unit to first remove the soil and expose the roots.
- b) Roots under 2 cm in diameter can be pruned using a sharpened tool such as hand pruners or a sharpened spade under the supervision of the Construction Inspector.
- c) Roots between 2 and 8 cm in diameter can be pruned by the arborist using a sharp tool, such as a handsaw, hand pruner or loppers and under the supervision of the Construction Inspector and the advisement of the Project Arborist.
- d) All roots over 8 cm in diameter must be assessed by the Project Arborist prior to pruning unless the arborist on-site can confidently assess the effect of the removal of the root as not detrimental to the tree.
- e) Root pruning within the Critical Root Zone and outside of the MTPZ, typically requires the use of a sharpened garden spade, cutting a line to a depth of about 30 cm by the on-site arborist under the advisement of the Project Arborist if needed. However, the same pruning protocol for the size of roots encountered (in the MTPZ) applies to the roots found within this area.**
- f) Exposed roots from excavation must be covered with soil, mulch or burlap and watered within 24 hours of exposure to prevent drying out.
- g) The trenches are typically backfilled with the same excavated soil or new topsoil, or compost and hoarding should be installed along this trench to protect the remaining roots.

Tree Protection Signage

It is recommended for the client to affix Tree Protection Signs to tree protection fencing. The signage should remain in place and in good repair throughout construction. The City of Burlington standard sign format is displayed in Appendix 4 within this report.

Staging Areas

All staging areas are understood to be outside the TPZ. At no time are materials, vehicles, traffic or debris to be stacked, staged, or piled inside the Tree Protection Fencing.

Conclusion and Recommendations

To account for to the proposed construction at 1235 Appleford Ln, Burlington, ON, which includes a new second-floor addition above the existing garage. We assessed 12 trees for retention, protection, injury, or removal.

- Trees to be fully protected are specified with “Protect” in the “Action” column in the TPAK.
 - We recommend the client install and properly maintain Tree Protection Fencing (TPF) and horizontal hoarding (Appendix 3) following the Tree Protection Plan (Appendix 2) prior to and during construction work. We recommend all materials stored be kept outside of TPZs at all times during construction. The existing driveway can act as the designated material storage area.
 - We recommend the fencing be built of 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.
 - The Tree Protection Signage provided should be affixed to all Tree Protection Fences.
- Tree #1 is recommended for removal due to its root system causing structural damage to the existing house. The roots have extended into the foundation area, potentially compromising the integrity of the building, and removal is necessary to prevent further damage.
 - The City is expected to request approximately replacement 3 trees be planted on the subject property to compensate for the removals of Trees (exact number to be determined by City).
 - Replacement trees must be able to grow to a minimum of 4.5 m height at maturity. Replacement trees must be the following minimum sizes at the time of installation:
 - 30 mm caliper if deciduous (broadleaf)
 - 125 cm tall if coniferous (evergreen)

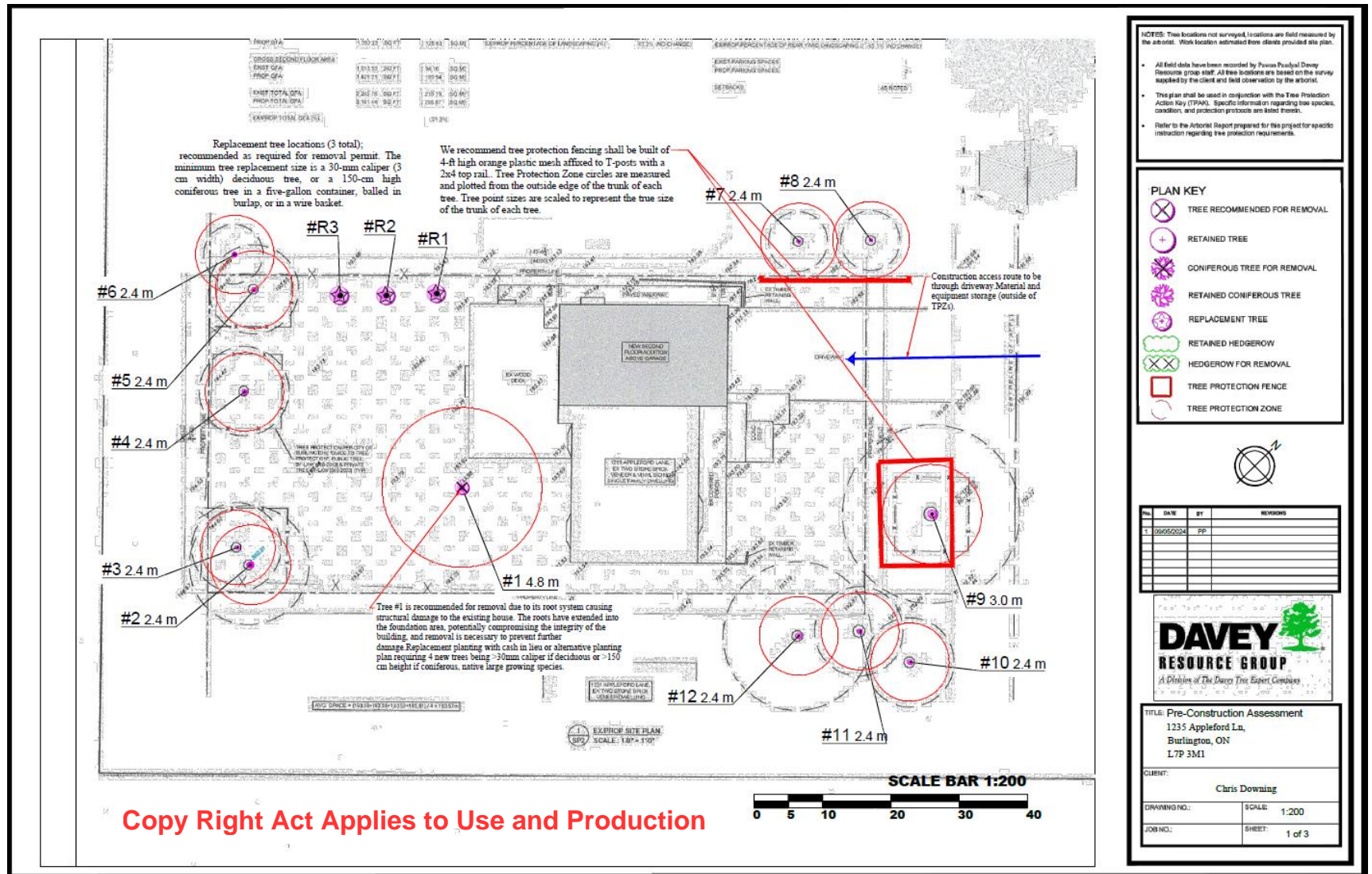
The access point and all staging for materials and equipment needed on this project shall take place in the driveway.

- No equipment of any sort shall be stored within the MTPZ of the protected trees except where hard surfaces are already present. This will be done to avoid compaction of the ground throughout the MTPZ.

Appendix 1 – Tree Protection Action Key (TPAK)

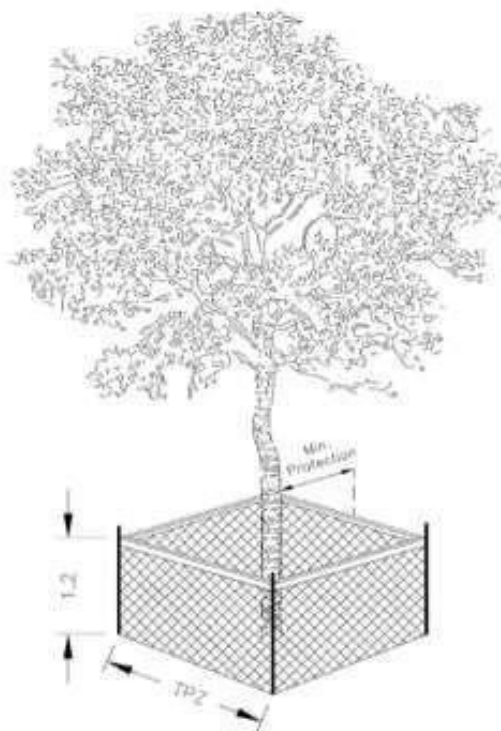
Tree Map Number	Inventory name	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	Minimum Tree Protection Distance (m)	Health	Structure	Overall Condition	Tree Height (m)	Crown Width (m)	Live Crown Ratio (%)	Deadwood (%)	Construction inside Min TPZ? (Y/N)	Construction Impact (None, Low, Medium, High)	Action	Permit Required? (Y/N)	Recommendations and Observations
1	silver maple	<i>Acer saccharinum</i>	78	Private	4.8	Good	Good	Good	25	18	65	0	N	None	Remove	Y	Tree is recommended for removal due to its root system causing structural damage to the existing house. The roots have extended into the foundation area, potentially compromising the integrity of the building, and removal is necessary to prevent further damage.
2	austrian pine	<i>Pinus nigra</i>	34	Private	2.4	Good	Good	Good	10	8	60	0	N	None	Preserve	N	
3	buckthorn	<i>Rhamnus cathartica</i>	15	Private	2.4	Good	Good	Good	6	6	70	0	N	None	Preserve	N	Multistems: 10 stems (Est.DBH)
4	norway maple	<i>Acer platanoides</i>	26	Private	2.4	Good	Good	Good	7	5	65	0	N	None	Preserve	N	
5	crab apple	<i>Malus sylvestris</i>	20	Private	2.4	Good	Good	Good	5	6	60	0	N	None	Preserve	N	Multistems: 8 stems (Est.DBH)
6	austrian pine	<i>Pinus nigra</i>	25	Neighbour	2.4	Good	Good	Good	8	5	65	0	N	None	Preserve	N	Est.DBH
7	norway maple	<i>Acer platanoides</i>	15	Neighbour	2.4	Good	Good	Good	5	4	60	0	N	None	Preserve	N	Est.DBH
8	norway maple	<i>Acer platanoides</i>	15	Neighbour	2.4	Good	Good	Good	4	4	60	0	N	None	Preserve	N	Est.DBH
9	honey locust	<i>Gleditsia triacanthos</i>	43	City	3.0	Good	Good	Good	18	12	65	0	N	None	Preserve	N	
10	crab apple	<i>Malus sylvestris</i>	24	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH
11	crab apple	<i>Malus sylvestris</i>	22	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH
12	crab apple	<i>Malus sylvestris</i>	28	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH

Appendix 2 – Tree Protection Plan (TPP – Preview only, to be provided as separate PDF to scale at 11x17")



Appendix 3 – Hoarding (TPF) Detail

Tree Protection and Preservation Specification No.: SS12A



Detail TP-1 – Tree Protection Detail.

Trunk Diameter (DBH) ¹	Minimum Tree Protection Zone (MTPZ) Distances Required ²	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, pipe 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".



Appendix 4 – Tree Protection Zone Sign Detail



Appendix 5 – References

1. ISA, 2001-2011. Best Management Practices, Books 1-9, Companion publications to ANSI A300 Standards for Tree Care
2. Dujesiefken, Dr. Dirk, 2012. Director of the Institute for Tree Care in Germany, The CODIT Principle, research presented on cambial regrowth on trees after injury at the Annual ISA Conference in Kingston Ontario
3. Sinclair and Lyon, 2005. Diseases of Trees and Shrubs, Second Edition
4. ISA, 2010. Glossary of Arboricultural Terms
5. Neely and Watson, ISA, 1994 and 1998. The Landscape Below Ground 1 and 2
6. Matheny and Clark, ISA, 1994. A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas, 2nd Edition
7. Matheny and Clark, ISA 1998. Trees and Development, A Technical Guide to Preservation of Tree During Land Development
8. PNW-ISA, 2011. Tree Risk Assessment in Rural Areas and Urban/Rural Interface, Version 1-5
9. Todd Hurt & Bob Westerfield, 2005. Tree Protection During Construction and Landscaping Activities

Appendix 6 – Glossary of Common Arboricultural Terms

Arborist	A professional who possesses the technical competence gained through experience and related training to provide for or supervise the management of trees and other woody plants in residential, commercial, and public landscapes.
ANSI A300	Acronym for American National Standards Institute. In the United States, industry-developed, national consensus standards of practice for tree care.
Bark Tracing	Cutting away torn or injured bark to leave a smooth edge.
Branch Bark Ridge	Raised strip of bark at the top of a branch union, where the growth and expansion of the trunk or parent stem and adjoining branch push the bark into a ridge.
Callus wood	Undifferentiated tissue formed by the cambium, usually as the result of wounding.
Clinometer	A device used to calculate the height of trees.
Consulting Arborist	An Arboricultural consultant is one of the following: <ul style="list-style-type: none"> American Society of Consulting Arborists, Registered Consulting Arborist (ASCA RCA#___) International Society of Arboriculture, Board Certified Master Arborist (ISA BCMA #____B) ISA Certified Arborist/Municipal Specialist in good standing for a minimum of 6 years with 6 years of proven experience in a management role related to arboriculture, and has attested and signed to a code of ethics related to arboriculture (ISA#_____)
Compartmentalization	Natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms
Critical Root Zone – (CRZ)	Area of soil around a tree where the minimum amounts of roots considered critical to the structural stability or health of the tree are located. CRZ determination is sometimes based on the drip line or a multiple of dbh (12:1, 12cm of ground distance from the trunk for every cm of dbh) but because root growth is often asymmetric due to site conditions, on-site investigation is preferred.
Daylighting	Also known as Hydro-vac, this is the process by which soil is vacuumed up. In the context of tree care this allows workers to access the soil below the roots without mortal damage to significant roots.
DBH	Acronym for tree diameter at breast height. Measured at 1.4m above ground.
Decurrent	Rounded or spreading growth habit of the tree crown.
Directional Pruning	Providing clearance by pruning branches that could significantly affect the integrity of utility facilities or other structures and leaving in place branches that could have little or no effect.
Dripline	Imaginary line defined by the branch spread of a single parent or group of plants

Excurrent	Tree growth habit characterized by a central leader and a pyramidal crown.
Included bark	Bark that becomes embedded in a crotch (union) between branch and trunk or between codominant stems. Causes a weak structure.
Lion's Tailing	Poor pruning practice in which an excessive number of branches are thinned from the inside and lower part of specific limbs or a tree crown, leaving mostly terminal foliage. Results in poor branch taper, poor wind load distribution, and higher risk of branch failure.
MTPZ	Acronym for Minimum Tree Protection Zone, also known as the Structural Root Zone (SRZ), which is the distance from the tree equal to 6 times the dbh, within which the likelihood of encountering roots that are structural supports for the tree.
Moment	Rotational force that is created by any line force on a body. The magnitude of a moment is defined as the product of the force magnitude and perpendicular distance from the line of action of the force to the axis of which the moment is being calculated.
Mortality Spiral	A sequence of stressful events or conditions causing the decline and eventual death of a tree.
Mulch	Material that is spread of sometimes sprayed on the soil surface to reduce weed growth, to retain soil moisture and moderate temperature extremes, to reduce compaction from pedestrian traffic or to prevent damage from lawn-maintenance equipment, to reduce erosion or soil spattering onto adjacent surfaces, to improve soil quality through its eventual decomposition, and/or to improve aesthetic appearance of the landscape. Mulch can be composed of chipped, ground, or shredded organic material such as bark, wood, or recycled paper; unmodified organic material such as seed hulls; organic fiber blankets or mats; or inorganic material such as plastic sheeting.
Organic Matter	Material derived from the growth (and death) of living organisms. The organic components of the soil.
CRZ	Acronym for Critical Root Zone, also known as the Critical Root Zone (see definition above), within which there is a high likelihood of encountering roots that are necessary for the survival for the tree.
Project Arborist	The consulting arborist retained to provide all tree preservation recommendations to the project manager or contractors on a given construction project.
Qualified Arborist	An arborist who has documented related training (i.e. ISA, MTCU, or equivalent) and on-the-job experience (minimum of 5 years)
Radial trenching	Technique for aerating the soil or alleviating compaction around a tree by removing and replacing soil (which may be amended) in trenches (typically 300mm deep and 150mm wide) made in a spoke like pattern (radially from the trunk) in the root zone to improve conditions for root growth.
Reaction Wood	Wood formed in leaning or crooked stems or on lower or upper sides of branches as a means of counteracting the effects of gravity.

Removal Cut	A cut that removes a branch at its point of origin. Collar cut.
Reduction Cut	A pruning cut that reduces the length of a branch or stem back to a lateral branch large enough to assume apical dominance.
Resistograph®	A brand name of a device consisting of a specialized micro-drill bit that drills into trees and graphs density differences that are used to detect decay.
Soft-Scaped	Landscaping practices that do not involved solid or deeply dug foundations. Patios consisting of slab rocks laid on-top of the soil with minimal excavation and base (less than 10cm) and causing minimal damage to existing tree roots.
Static Support System	Cabling system that utilizes rigid materials such as rods and steel cables to limit movement and provide constant support of limbs.
Structural cells	Modular system consisting of units of soil and integrated support structures that serve both as a foundation for paved surfaces and a hospitable environment for tree root growth,
Structural pruning	Pruning to establish a strong arrangement or system of scaffold branches.
Structural Soil™	Pavement substrate that can be compacted to meet engineering specifications yet remains penetrable be tree roots in the urban environment. Composed of angular crushed stone, clay loam, and hydrogel mixed in a weight ratio of 100:20:0.03. Developed at the Urban Horticulture Institute, Cornell University, Ithaca, NY.
Supersonic Air Excavation Techniques (SSAT)	A methodology using a device that directs a jet of highly compressed air to excavate soil. Used within the root zone of trees to avoid or minimizing damage to the roots, or near underground structures such as pipes and wires to avoid or minimize damage to them.
Tree Protection Zone (TPZ)	Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction. TPZ is sometimes based on a minimum multiple of dbh (e.g. 6:1, 6cm of ground distance from the trunk for 1cm of dbh)
Walls	<p>Trees have 4 walls in a process known as compartmentalization.</p> <ul style="list-style-type: none"> • Wall 1 prevents decay moving up and down in a tree • Wall 2 prevents decay moving inward in a tree • Wall 3 prevents decay moving laterally in a tree • Wall 4 is the new growth formed on the outside of the tree, callus growth.
Woundwood	Lignified, differentiated tissues produced on woody plants after wounding.

Appendix 7 – Arborist Qualifications



Pawan Paudyal is a Consulting Arborist with Davey Resource Group. His formal education includes a Bachelor of Science in forestry from Hemwati Nandan Bahuguna Garhwal University, India and a Master in forest Ecology and Management from Helsinki University. Mr. Paudyal has 10 years of varied work experience in forestry, climate change and environment assessment fields. Mr. Paudyal has worked with DRG as Consulting Arborist.

Appendix 8 – Photographs



Figure 1 Tree #1



Figure 2 Trees #2-3



Figure 3 Tree #4



Figure 4 Trees #5-6



Figure 5 Trees #10-12



Figure 6 Trees #7-8



Figure 7 Tree #9

Conditions of Assessment Agreement

This Conditions of Assessment Agreement is made pursuant to and as a provision of Davey Resource Group, a division of The Davey Tree Expert Co. of Canada, Limited (“Davey”), providing tree assessment services as agreed to between the parties, the terms and substance of which are incorporated in and made a part of this Agreement (collectively the “Services”).

Trees are living organisms that are subject to stress and conditions and which inherently impose some degree or level of risk. Unless a tree is removed, the risk cannot be eliminated entirely. Tree conditions may also changeover time even if there is no external evidence or manifestation. In that Davey provides the Services at a point in time utilizing applicable standard industry practices, any conclusions and recommendations provided are relevant only to the facts and conditions at the time the Services are performed. Given that Davey cannot predictor otherwise determine subsequent developments, Davey will not be liable for any such developments, acts, or conditions that occur including, but not limited to, decay, deterioration, or damage from any cause, insect infestation, acts of god or nature or otherwise.

Unless otherwise stated in writing, assessments are performed visually from the ground on the above-ground portions of the tree(s). However, the outward appearance of trees may conceal defects. **Therefore, to the extent permitted by law, Davey does not make and expressly disclaims any warranties or representations of any kind, express or implied, with respect to completeness or accuracy of the information contained in the reports or findings resulting from the Services beyond that expressly contracted for by Davey in writing, including, but not limited to, performing diagnosis or identifying hazards or conditions not within the scope of the Services or not readily discoverable using the methods applied pursuant to applicable standard industry practices.** Further, Davey’s liability for any claim, damage or loss caused by or related to the Services shall be limited to the work expressly contracted for.

In performing the Services, Davey may have reviewed publicly available or other third- party records or conducted interviews and has assumed the genuineness of such documents and statements. Davey disclaims any liability for errors, omissions, or inaccuracies resulting from or contained in any information obtained from any third- party or publicly available source.

Except as agreed to between the parties prior to the Services being performed, the reports and recommendations resulting from the Services may not be used by any other party or for any other purpose. The undersigned also agrees, to the extent permitted by law, to protect, indemnify, defend and hold Davey harmless from and against any and all claims, demands, actions, rights and causes of action of every kind and nature, including actions for contribution or indemnity, that may hereafter at any time be asserted against Davey or another party, including, but not limited to, bodily injury or death or property damage arising in any manner from or in any way related to any disclaimers or limitations in this Agreement.

By accepting or using the Services, the customer will be deemed to have agreed to the terms of this Agreement, even if it is not signed.

Acknowledged by:

Name of Customer: _____

Authorized Signature: _____

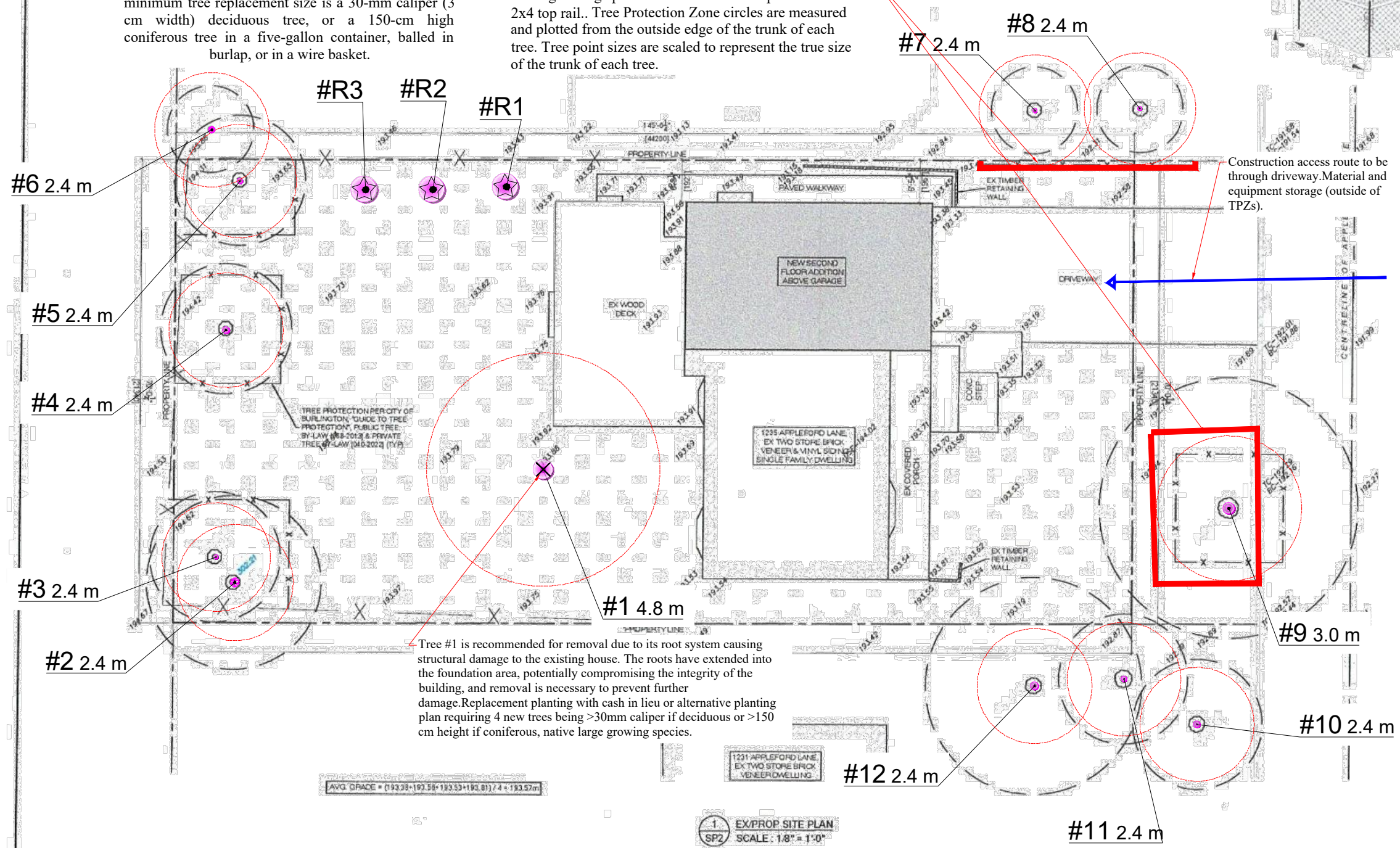
Date: _____

PROP GFA	1,352.23	SQ. FT.	125.53	SQ. M.	EX/PROP PERCENTAGE OF LANDSCAPING (%)	63.2% (NO CHANGE)	EX/PROP PERCENTAGE OF REAR YARD LANDSCAPING (%)	65.1% (NO CHANGE)
GROSS SECOND FLOOR AREA	1,013.53	SQ. FT.	94.16	SQ. M.	EXIST. PARKING SPACES	1	EXIST. PARKING SPACES	2
EXIST. GFA	1,829.21	SQ. FT.	169.94	SQ. M.	PROP. PARKING SPACES	1	PROP. PARKING SPACES	2
PROP. GFA	2,365.76	SQ. FT.	219.73	SQ. M.	SETBACKS	AS NOTED	SETBACKS	AS NOTED
EXIST. TOTAL GFA	3,181.44	SQ. FT.	295.57	SQ. M.				
PROP. TOTAL GFA								
EX/PROP TOTAL GFA (%)								

Replacement tree locations (3 total); recommended as required for removal permit. The minimum tree replacement size is a 30-mm caliber (3 cm width) deciduous tree, or a 150-cm high coniferous tree in a five-gallon container, balled in burlap, or in a wire basket.

We recommend tree protection fencing shall be built of 4-ft high orange plastic mesh affixed to T-posts with a 2x4 top rail. Tree Protection Zone circles are measured and plotted from the outside edge of the trunk of each tree. Tree point sizes are scaled to represent the true size of the trunk of each tree.

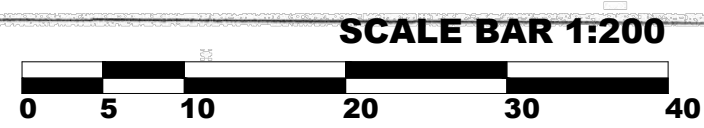
Construction access route to be through driveway. Material and equipment storage (outside of TPZs).



Tree #1 is recommended for removal due to its root system causing structural damage to the existing house. The roots have extended into the foundation area, potentially compromising the integrity of the building, and removal is necessary to prevent further damage. Replacement planting with cash in lieu or alternative planting plan requiring 4 new trees being >30mm caliber if deciduous or >150 cm height if coniferous, native large growing species.

Copy Right Act Applies to Use and Production

1 EX/PROP SITE PLAN
SP2 SCALE: 1:8" = 1'-0"



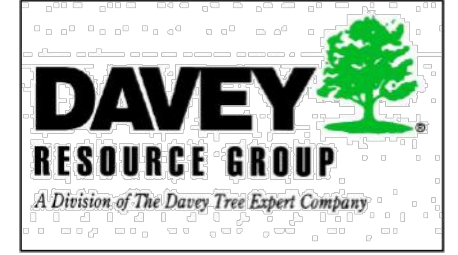
NOTES: Tree locations not surveyed, locations are field measured by the arborist. Work location estimated from clients provided site plan.

- All field data have been recorded by Pawan Paudyal Davey Resource group staff. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
- Refer to the Arborist Report prepared for this project for specific instruction regarding tree protection requirements.

PLAN KEY

- TREE RECOMMENDED FOR REMOVAL
- RETAINED TREE
- CONIFEROUS TREE FOR REMOVAL
- RETAINED CONIFEROUS TREE
- REPLACEMENT TREE
- RETAINED HEDGEROW
- HEDGEROW FOR REMOVAL
- TREE PROTECTION FENCE
- TREE PROTECTION ZONE

No.	DATE	BY	REVISIONS
1	09/05/2024	PP	



TITLE: Pre-Construction Assessment
1235 Appleford Ln,
Burlington, ON
L7P 3M1

CLIENT: Chris Downing










DRAWING NO.:	SCALE: 1:200
JOB NO.:	SHEET: 1 of 3

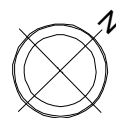
Tree Map Number	Inventory name	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	Minimum Tree Protection Distance (m)	Health	Structure	Overall Condition	Tree Height (m)	Crown Width (m)	Live Crown Ratio (%)	Deadwood (%)	Construction inside Min TPZ? (Y/N)	Construction Impact (None, Low, Medium, High)	Action	Permit Required? (Y/N)	Recommendations and Observations
1	silver maple	<i>Acer saccharinum</i>	78	Private	4.8	Good	Good	Good	25	18	65	0	N	None	Remove	Y	Tree is recommended for removal due to its root system causing structural damage to the existing house. The roots have extended into the foundation area, potentially compromising the integrity of the building, and removal is necessary to prevent further damage.
2	austrian pine	<i>Pinus nigra</i>	34	Private	2.4	Good	Good	Good	10	8	60	0	N	None	Preserve	N	
3	buckthorn	<i>Rhamnus cathartica</i>	15	Private	2.4	Good	Good	Good	6	6	70	0	N	None	Preserve	N	Multistems: 10 stems (Est.DBH)
4	norway maple	<i>Acer platanoides</i>	26	Private	2.4	Good	Good	Good	7	5	65	0	N	None	Preserve	N	
5	crab apple	<i>Malus sylvestris</i>	20	Private	2.4	Good	Good	Good	5	6	60	0	N	None	Preserve	N	Multistems: 8 stems (Est.DBH)
6	austrian pine	<i>Pinus nigra</i>	25	Neighbour	2.4	Good	Good	Good	8	5	65	0	N	None	Preserve	N	Est.DBH
7	norway maple	<i>Acer platanoides</i>	15	Neighbour	2.4	Good	Good	Good	5	4	60	0	N	None	Preserve	N	Est.DBH
8	norway maple	<i>Acer platanoides</i>	15	Neighbour	2.4	Good	Good	Good	4	4	60	0	N	None	Preserve	N	Est.DBH
9	honey locust	<i>Gleditsia triacanthos</i>	43	City	3.0	Good	Good	Good	18	12	65	0	N	None	Preserve	N	
10	crab apple	<i>Malus sylvestris</i>	24	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH
11	crab apple	<i>Malus sylvestris</i>	22	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH
12	crab apple	<i>Malus sylvestris</i>	28	Neighbour	2.4	Good	Good	Good	7	6	60	0	N	None	Preserve	N	Est.DBH

NOTES: Tree locations not surveyed, locations are field measured by the arborist. Work location estimated from clients provided site plan.

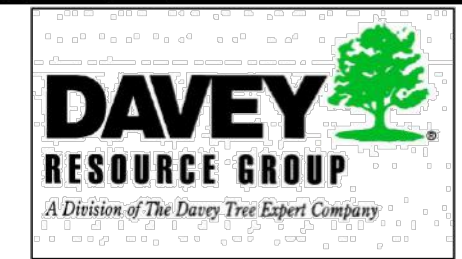
- All field data have been recorded by Pawan Paudyal Davey Resource group staff. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
- Refer to the Arborist Report prepared for this project for specific instruction regarding tree protection requirements.

PLAN KEY

-  TREE RECOMMENDED FOR REMOVAL
-  RETAINED TREE
-  CONIFEROUS TREE FOR REMOVAL
-  RETAINED CONIFEROUS TREE
-  REPLACEMENT TREE
-  RETAINED HEDGEROW
-  HEDGEROW FOR REMOVAL
-  TREE PROTECTION FENCE
-  TREE PROTECTION ZONE

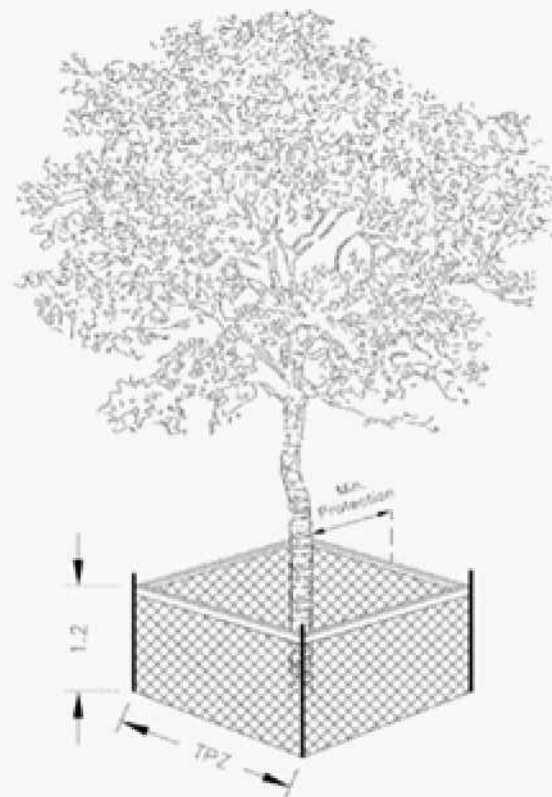


No.	DATE	BY	REVISIONS
1	09/05/2024	PP	



TITLE: Pre-Construction Assessment 1235 Appleford Ln, Burlington, ON L7P 3M1	
CLIENT: Chris Downing	
DRAWING NO.:	SCALE: 1:200
JOB NO.:	SHEET: 2 of 3

Tree Protection and Preservation
Specification No.: SS12A



Detail TP-1 – Tree Protection Detail.

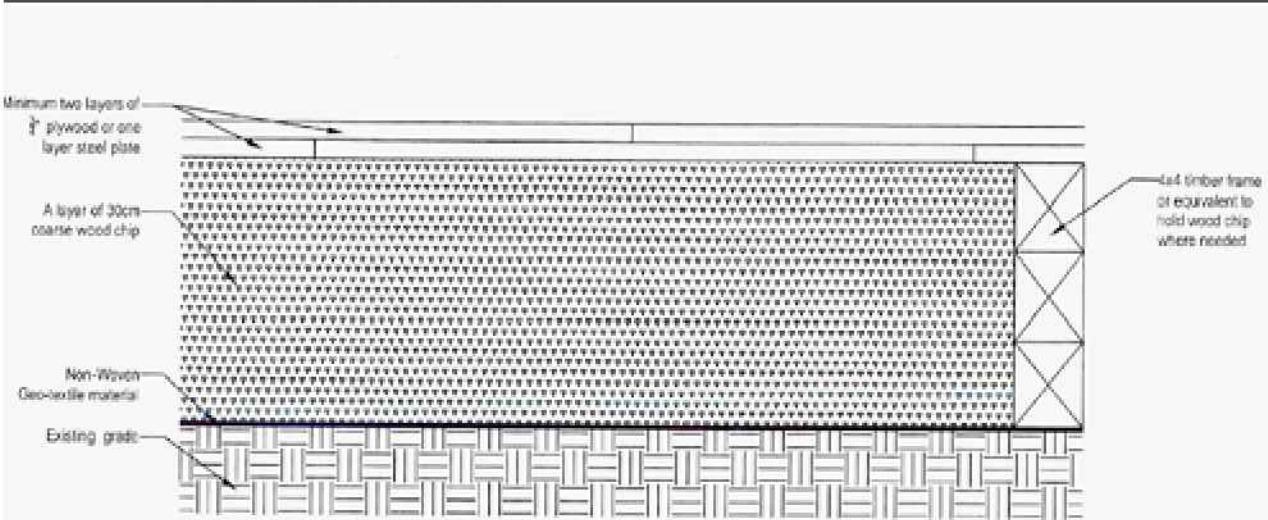
Trunk Diameter (DBH) ²	Minimum Tree Protection Zone (MTPZ) Distances Required ³	Critical Root Zone (CRZ) Distances Required ^{3,4}
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm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

- 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, pipe wire fencing with reflective tape can be used.
- 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.
- 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.
- 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.
- No materials or fill may be stored within the MTPZ.
- Equipment or vehicles shall not be operated, parked, repaired, or refueled within the MTPZ.
- No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the MTPZ without written authorization from the City Arborist.
- 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".



Horizontal Tree Protection (Wood Chip)



TREE PROTECTION ZONE (TPZ)

No equipment or vehicles shall be operated, parked, repaired or refueled within the Tree Protection Zone.

No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the Tree Protection Zone.

No materials or fill may be stored within the Tree Protection Zone.

This tree protection barrier must not be removed prior to the completion of construction without written authorization from the City of Burlington, Urban Forestry Department.

For information, contact:
City of Burlington, Development and Infrastructure Division,
905-335-7642.



NOTES: Tree locations not surveyed, locations are field measured by the arborist. Work location estimated from clients provided site plan.

- All field data have been recorded by Pawan Paudyal Davey Resource group staff. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
- Refer to the Arborist Report prepared for this project for specific instruction regarding tree protection requirements.

PLAN KEY

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- CONIFEROUS TREE FOR REMOVAL
- RETAINED CONIFEROUS TREE
- REPLACEMENT TREE
- RETAINED HEDGEROW
- HEDGEROW FOR REMOVAL
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No.	DATE	BY	REVISIONS
1	09/05/2024	PP	



TITLE: Pre-Construction Assessment
1235 Appleford Ln,
Burlington, ON
L7P 3M1

CLIENT: Chris Downing	
DRAWING NO.:	SCALE: 1:200
JOB NO.:	SHEET: 3 of 3

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

HEARING NO. 5.1 - 1:00 P.M.

File
540-02-A-080/23

APPLICANT: 2274641 ONTARIO INC.

PROPERTY: 1172 Bellview Crescent, Burlington,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a two-storey detached dwelling with an attached garage.

VARIANCES:

1. To permit a front yard of 9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.9 m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.7% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage

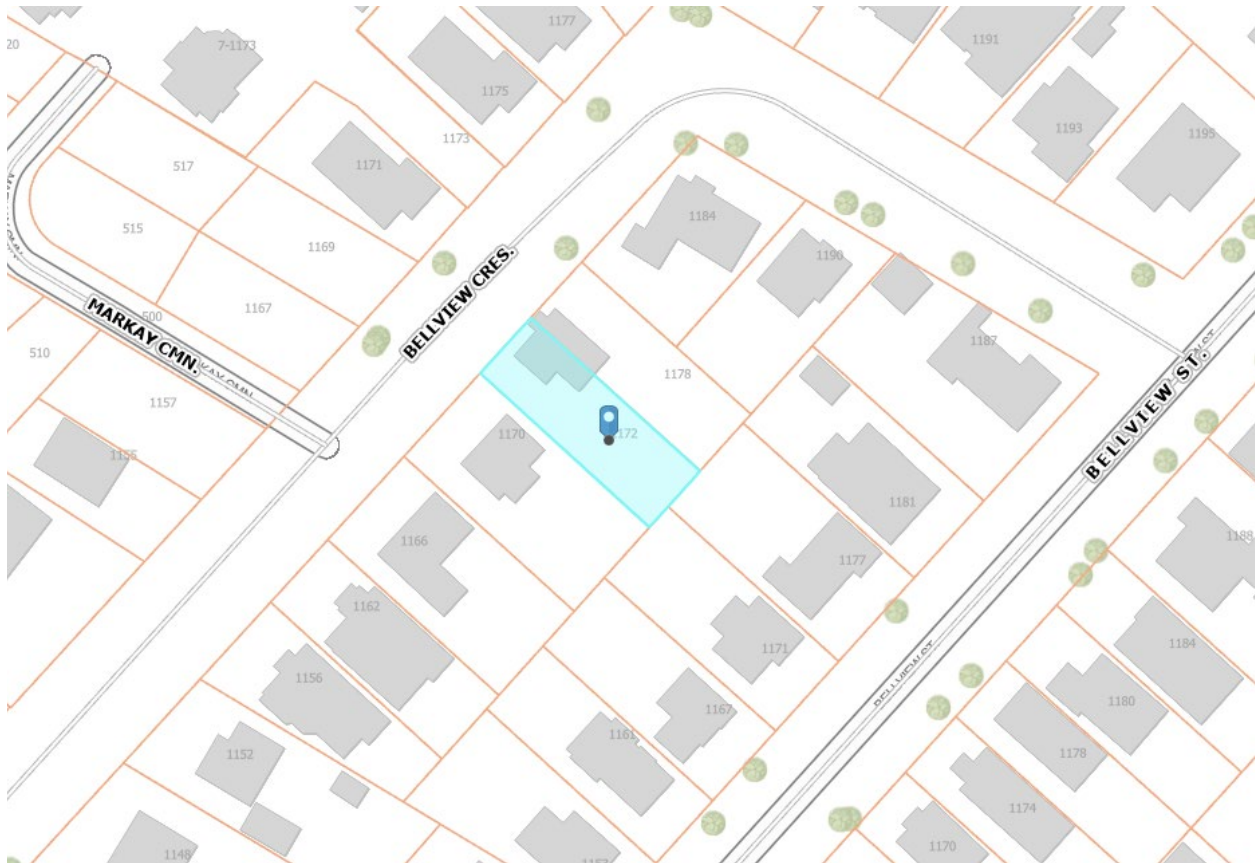
COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

Owner: 2274641 Ontario Inc.
Address: 1172 Bellview Crescent, Burlington
File No. **A-080/23**
Ward: 1

**Staff Comments****Committee of Adjustment**

There are 2 previous minor variance applications on record for this property.

File No. A118/2021 – Approved

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 452.8m² instead of the minimum required 700m² to facilitate a proposed land severance.

File No. A118/2021 – Denied

1. To permit a west side yard setback of 0.3m instead of the minimum required 1.219m for a proposed two-storey detached dwelling with attached garage.

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2. To permit a front yard setback of 9.5m instead of the minimum required 11m for a proposed two-storey detached dwelling with attached garage.
3. To permit a front yard setback of 7.9m instead of the minimum required 10.35m (11m – 0.65m encroachment) for a proposed covered porch including steps and roof overhang excluding eaves and gutter.
4. To permit a west side yard setback of 0m instead of the minimum required 1.2m for a roofed over rear patio including roof overhang.
5. To permit a lot coverage of 38% instead of the maximum permitted 35% for a proposed two storey detached dwelling with attached garage.

File No. A119/2021 – Approved

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 451.5m² instead of the minimum required 700m² to facilitate a proposed land severance.

File No. A119/2021 – Denied

1. To permit a west side yard setback of 0.3m instead of the minimum required 1.219m for a proposed two-storey detached dwelling with attached garage.
2. To permit a front yard setback of 9.3m instead of the minimum required 11m for a proposed two-storey detached dwelling with attached garage.
3. To permit a front yard setback of 7.7m instead of the minimum required 10.35m (11m – 0.65m encroachment) for a proposed covered porch including steps and roof overhang excluding eaves and gutter.
4. To permit an east side yard setback of 0.9m instead of the minimum required 1.2m for a roofed over rear patio including roof overhang.
5. To permit a lot coverage of 38% instead of the maximum permitted 35% for a proposed two storey detached dwelling with attached garage.

There is 1 land division application on record for this property.

File No. B-014/2021 – Consent Granted

- Proposed to create 1 new lot to accommodate a new detached dwelling on each lot(retained and severed)

Date: July 27, 2023Prepared By: E. Shacklette

COMMITTEE OF ADJUSTMENT

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AGENDA

APRIL 23, 2025

Zoning**1) Background information:**

The subject property is zoned R2.1, Low Density Residential, under Zoning By-Law 2020, as amended. The R2.1 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
R2.1	18 m	700 m ²	11 m	10 m	(a)

4.2 MAXIMUM LOT COVERAGE**Table 2.4.3**

Dwelling Type	Dwelling with Attached Garage
Two or more storeys	35% including accessory buildings

4.8 GARAGES

(a) The width of a front loading attached garage shall not exceed 50% of the width of its building elevation.

2.13 ENCROACHMENT INTO YARDS

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

(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

History / Background:

The subject lands are proposed to be created through Consent Application B014/21. The application received provisional consent on April 27, 2022. The lands were also

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

subject to a Minor Variance Application under file 540-02-A118/21. The variance application granted approval of the following:

A118/21(for the severed portion):

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 452.8m² instead of the minimum required 700m² to facilitate a proposed land severance.

2) **Proposal:**

The applicant is proposing the construction of a two-storey detached dwelling with an attached garage.

3) **Variances required:**

1. To permit a front yard of 9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.9 m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.7% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

4) **Notes and conditions:**

Condition:

1. The applicant shall apply for a Pre-Building Approval application.

Notes:

1. The subject property is regulated by the Ontario Ministry of Transportation (MTO). Development approval may be required prior to the application of a Pre-Building Approval Application.

COMMITTEE OF ADJUSTMENT

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AGENDA

APRIL 23, 2025

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

Date: February 27, 2025Prepared By: Danielle Beck, CPT**Site Planning**

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a new two storey dwelling on **1172 Bellview Crescent (Part 1 Severed Lands)**, which was created through consent application B014/21. There is a related minor variance application for the other lot (part 2, application A-081/23), which proposes a nearly identical new house and list of variances and is discussed in a separate report. The applicant requests approval of the Committee of Adjustment because the proposed new home is deficient to the required front yard setback, will exceed the permitted lot coverage, and exceed the maximum permitted garage width relative to the front elevation:

1. To permit a front yard of 9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.9 m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.7% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

The subject lands comprise a rectangular-shaped parcel with a total lot area of 452.85 m² (0.045 hectares) with approximate frontage of 12.19 metres along Bellview Crescent. The property is located on the southeast side of Bellview Crescent and is known municipally as 1172 Bellview Crescent. Adjacent land uses include primarily low-density residential development consisting of a mix of one and two-storey dwellings.

Existing land uses on the property include a detached one-storey dwelling (without an attached garage) with a front uncovered porch and accessory structures (i.e. rear yard shed and deck). Although the existing house appears to have a large front yard setback, the survey shows that the property line is situated 6 metres from the curb. The house is setback only 2.04 metres from the front lot line with the steps of the porch encroaching onto the Municipal Right of way. Access to the property is via a single wide asphalt driveway from Bellview Avenue. Off-street parking is currently provided on

COMMITTEE OF ADJUSTMENT

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AGENDA

APRIL 23, 2025

the driveway, which can accommodate the required two (2) parking spaces. No additional entrances are contemplated by the application. A site visit was conducted on March 17, 2025 and existing on-site conditions are summarized in site photos included as Attachment No. 1 (Site Photos).

The City of Burlington Official Plan, 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 Lockhart Road to the north, Maple Avenue to the east, North Shore Boulevard east to the south and the Queen Elizabeth Way to the west. This neighbourhood is characterized by a mix of one- and two-storey detached dwellings with different sized building footprints and building depths. Older homes such as the existing tend to be more compact, with a smaller building footprint, while newer homes such as 1156 and 1162 Bellview Avenue have deeper footprints. The primary built form on the immediately adjoining properties is a one-storey detached dwelling, although the Zoning Bylaw permits up to two-storeys as-of-right. The area also contains primarily attached garages. Emphasis in the review is placed on the houses along Markay Common, Bellview Crescent and Bellview Street since they form a self-contained group of three interconnected local streets, who share a single connection to the larger street network via Maple Avenue. Within this area lots are zoned low density residential and residential medium density (R2.1, R3.2 and RM1).

As summarized in the zoning section of the report, the property was the subject of a previous minor variance application for seven variances (A118/2021). Two of the variances pertained to the lot fabric (lot area and width) and were approved. The remaining five variances were rejected. They included a reduced west side yard setback (0.3m to the main house and 0m to a rear patio vs 1.2m permitted), a reduced front yard setback of 9.5m and 7.9m for the porch and an increased coverage of 38%.

Staff’s position was that the variances represented overdevelopment of the lot and that the side yard setbacks would not adequately convey stormwater flows. These factors led to the refusal of the application. In comparison, the current proposal results in the elimination of both side yard setback variances, and a lower lot coverage. The front yard setback has been reduced.

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?

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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, subject to a condition requiring that the applicant obtain a services permit from the Region of Halton public works department.

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.

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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.'

To assess the proposal's compatibility and consistency with the surrounding area and the appropriateness of the design, policies 6.2 c) and 6.5 a) under Part II of the Official Plan require staff to consider multiple factors. Staff must consider predominant building patterns and common features of development in the neighbourhood, but also the potential form and scale of the neighbourhood represented by the as-of-right zoning permissions. Staff must also consider the range or variety of different building characteristics that coexist harmoniously and without adversely impacting the neighbourhood character area.

The surrounding area is characterized by a mix of one- and two-storey detached dwellings with different sized building footprints and building depths. The immediately adjoining property at 1172 Bellview Crescent is developed with a one-storey detached dwelling, but the southwest end of the street is developed with two-storey homes and the Zoning Bylaw permits up to two-storeys as-of-right. The area also contains primarily attached garages. The applicant is proposing to construct a two-storey dwelling with an attached garage. Staff also note that the emerging pattern of development in the surrounding area are two storey dwellings with attached garages.

The proposed detached dwelling is a permitted use. The design is compatible in scale, massing and location as adjacent and surrounding residential development, and maintains the compatibility policies of the immediate area. The dwelling maintains similar design and built form elements to newer dwellings in the surrounding area, particularly with respect to its windows, roofline, front porch, garage and window shapes and sizes. The proposed two storey dwelling and roofed-over porch will provide depth and variety to the front façade while having minimal impacts to the streetscape. Visually,

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the proposed includes similar materials to other structures in the surrounding area. The proposed is similar in design, both architectural style and massing characteristics to other newer built houses in the surrounding area.

The proposed dwelling complies with the side yard setback requirements, and as such, would be located an appropriate distance away from the abutting residential properties to the northeast and southwest. While the proposed two storey dwelling would encroach into the front yard setback, it would be increasing the setback compared to where the existing house is sited. Further, the proposed covered porch would only extend across a portion of the front of the house and would provide depth and variety to the front of the house, which improves the dwelling's presentation to the street and de-emphasizes the garage, maintaining consistency with Part II, Objective 6.2(c) and contributes to the design of the dwelling. Although there is a discrepancy between the depth of the new house and the adjacent, older one storey house, the house does not exceed the maximum depth permitted in the Zoning Bylaw. Differences in dwelling depth between old and new homes are a typical condition in the neighbourhood and the windows of the primary bedroom at the second floor are oriented towards the rear property line instead of directly overlooking the adjacent rear yard.

Staff are of the opinion that the proposed minor variances would facilitate development that is compatible with the surrounding streetscape in terms of scale and siting 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?**

The subject lands are zoned Low Density Residential ('R2.1') Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use in the applicable zone.

Yes – Variance 1 & 2 (Front Yard Setback & Front Porch Setback)

Part 2, Section 3, Table 2.4.1(Lot Width, Area, Yards) of the City of Burlington Zoning By-law 2020, stipulates that the required front yard setback is 11 metres.

Part 1, Section 2.13.1(d) of the City of Burlington Zoning By-law 2020, stipulates that the following obstructions may project up to 65 cm into a required 6 m front yard: A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter.

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The applicant is proposing a setback of 9 metres to the front elevation of the house and 6.9 metres to the front porch, in comparison to the existing house that is setback 2.04 metres from the front lot line. The existing porch encroaches into the City Right-of-Way.

The intent of the provision for front yard setbacks is to ensure a consistent streetscape, consistent spacing between dwellings and to mitigate potential impacts on surrounding development.

As noted, the setback of the proposed house is a significant improvement to the existing situation on the lot and more closely aligns with the other dwellings on the street with respect to setbacks and siting. As shown on the site plan, the house to the southwest (1170 Bellevue) is setback 7.86 metres from the front lot line, excluding the front porch. The property to the northeast is 1178 Bellview and formed part of a previously approved severance application and is proposing a setback of 8.9 metres to the front elevation and 6.4 metres to the front porch. The setback as part of the subject proposal on the subject lands (1172 Bellview) is intended to generally match the setback of the proposed structure on 1178 Bellview to the northeast. On a broader context front yard setbacks in the surrounding area range from approximately 6 – 12 metres. The proposed is within the identified range. Additionally, the subject lands are within a broad area that contain properties within the Low Density Residential R2.1 zone. The subject lands are at the periphery of the R2.1 zone. Across the street are properties that fall within the R3.2 zone which has a base permission of a 6 metre front yard setback. While the subject lands are not within the R3.2 zone, the properties across the street contribute to the character of the neighbourhood and streetscape of Bellview Crescent. Staff is of the opinion that the variances would maintain the general intent of the Zoning By-law.

Yes - Variance 3 (Lot Coverage)

The subject lands are zoned Low Density Residential ('R2.1') Zone within the City of Burlington Zoning By-law 2020. A detached dwelling is permitted within the applicable zoning.

Section 4.2 (Table 2.4.3) (Maximum Lot Coverage) of the City of Burlington Zoning By-law 2020 stipulates that the maximum permitted lot coverage for a two storey dwelling is 35% including accessory buildings. The applicant is proposing a lot coverage of 37.7%.

Lot Coverage is defined in the zoning by-law as 'the percentage of the lot area covered by buildings measured to the outside of the exterior walls, including all buildings and projections (cantilevered floor space, window projections, etc.). Carports, porches and decks may be excluded from the lot coverage calculation provided there is no floor area above them'.

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The intent of the zone provision related to maximum permitted lot coverage is to ensure an appropriate balance between built form and natural or landscape features with the objective of regulating the over-development of lots. The measure of lot coverage can

be assessed on a technical basis (i.e., permeable vs. non-permeable area) or in balancing land uses in conjunction with other regulations (i.e., setbacks; minimum distance separation).

Staff note the approval of 4 separate zoning bylaw amendments in the surrounding area which resulted in special permissions. The separate zoning by-law amendments pertain to 9 different properties in the immediate vicinity which have varied the lot coverage permission. The table below summarizes the addresses and depicts the lot coverage permission. While the properties are within a different zone they contribute to the context and character of the surrounding area.

Address	Lot coverage permission	Zone
1167 & 1169 Bellview Cres.	37%	R3.2-458
1157 Bellview Cres.	37%	R3.2-483
1155 Bellview Cres.	40%	R3.2-483
515-520 Markay Common	40%	R3.4-459

For staff to consider increases to lot coverage, the application must demonstrate among other things, that the increase has minimal impact to surrounding development. In this case, the building envelopes shown on the plans submitted in support of the subject application show that the requested lot coverage variance represents a 12.22m² increase in coverage, is in line with the surrounding front yard setbacks, meets the required rear and side yard setbacks, indicating that the proposed maintains an adequate balance of permeable and non-permeable surfaces.

Staff note that the proposed house extends beyond the footprint of the abutting house to the southwest, which is an undersized footprint for the permitted lot coverage. The proposal meets the required 10-metre rear yard setback and complies with side yard setbacks. Additionally, due to the subject lands being narrower than surrounding properties, the design incorporates a deeper footprint. It's reasonable to expect with a narrower parcel to accommodate a deeper building footprint.

Staff are of the opinion that proposal meets the general intent of the Zoning By-law.

Yes - Variance 4 (Garage Width)

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Part 2, Section 3.8, (Garages) of the City of Burlington Zoning By-law 2020, stipulates that the width of a front-loading garage shall not exceed 50% of the width of its building elevation.

The intent of this zoning provision is to prioritize the visual prominence of the residential portion of a dwelling rather than the attached garage when viewed from the street. By preventing the garage from becoming a dominating feature, this provision encourages a streetscape that is more pedestrian-friendly and aesthetically appealing, reducing the dominance of garages and enhancing the focus on the home's living space.

The request is for an additional 0.59 metres of garage width. The proposed design achieves this intent through several key elements. The inclusion of a prominent front entryway helps to draw attention away from the garage, ensuring that it does not become the dominant feature. Additionally, the two-storey design increases the overall percentage of the façade dedicated to living space, further reducing the visual impact of the garage. Furthermore, the surrounding neighborhood contains multiple homes with a similar architectural style, including large garages, demonstrating that the proposed design is consistent with the established streetscape. Given these factors, the dwelling maintains a pedestrian-friendly and aesthetically appealing streetscape while respecting the intent of the zoning provision.

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 property, as they facilitate the development of the subject lands, while maintaining compatibility with existing development patterns. Notwithstanding, the dwelling will be designed in such a way that is compatible with the surrounding neighbourhood character by incorporating similar physical features, and by siting the dwelling in a manner that respects the existing streetscape, including front yard setbacks and front porch design.

Staff further note that development engineering, Urban Forestry and Transportation have no objections to the proposed variances.

Staff are of the opinion that the proposal has been designed in such a way that is desirable for the development of the subject lands.

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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 requested variances establish a built form, scale, and massing effect that is compatible with the area. Impacts to the site and the surrounding area will be minimal. As such, staff are of the opinion that the proposed variances are 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 variances.

Date: April 4, 2025

Prepared By: Ryan Kochuta

Report Schedules & Attachments:

Attachment No. 1 (Site Photos – March 17th, 2025)



View of the subject lands from Bellview Crescent.



View of the abutting property to the southwest and streetscape

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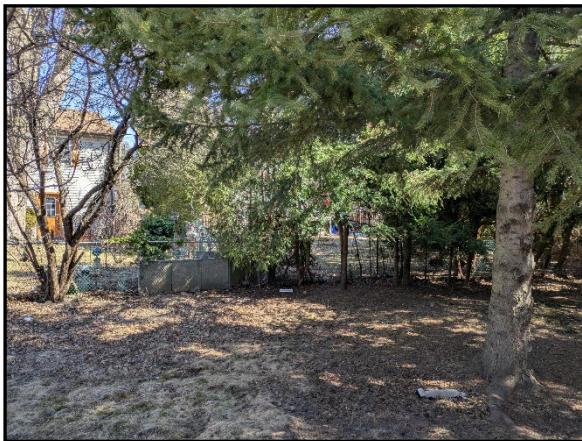
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View of the subject lands and the house to the southwest



View of the streetscape



View of the abutting properties to the northeast



View of the abutting properties to the southeast



View of the abutting property to southwest

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Development Engineering

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

Date: March 6, 2025Prepared By: D. Savelli**Forestry**

Forestry has reviewed the application and has no objection to the proposed minor variance(s) and provides the following 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.
- An Arborist Report and Tree Protection Plan will be required through the tree permit application process
- A consent letter is required to be supplied with a tree permit application where the applicant is not the sole owner of the tree(s). This includes boundary and/or neighbouring trees. Should an applicant not obtain consent from the adjacent owner(s), it may necessary to relocate the limits of excavation and associated disturbance outside of the minimum tree protection zone(s) of the tree(s).

Date: March 11, 2025Prepared By: M.Krzywicki**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: March 19, 2025Prepared By: Q. Tan**Transportation Planning**Deemed Road Width Analysis

As per the Official Plan and Zoning By-Law, the deemed width of Bellview Crescent is 20 metres. The existing right-of-way of Bellview Crescent at the subject property is approximately 20 metres. Therefore, widening is not required.

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Date: August 22/2023Prepared By: Dan Ozimkovic

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

Date: March 19, 2025Prepared By: Derek Napoli**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: March 5, 2025Prepared By: C. Schoenhals**Halton Region**

Regional Staff have reviewed the Minor Variance application proposing the construction of a two-storey detached dwelling with an attached garage. Variances to the front yard, maximum lot coverage and width of the front loading attached garage are required.

- Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development matters has changed. The Region is no longer 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 has been signed 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.
- Regional staff are of the understanding that the subject lands were previously subject to Consent application 545-02-B-014/2021.

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- Regional Waste Management:
 - Regional waste will service the proposed home for full curbside waste collection services once construction is completed and units are occupied.
- It is the expectation of Halton Region that both the severed and retained parcel shall be on full municipal services. Therefore, Regional staff request the following condition be added to the Committee of Adjustment's decision for the subject lands:
 - That the owner must contact Halton's Public Works Department, Services Permits Group, (905) 825-6000 extension 7878, Services Permits Technician, to supply copies of their detailed servicing drawings, to review any water and wastewater servicing concerns, obtain a Services Permit(s) and pay all necessary fees.
 - Any water or wastewater service connections that currently exist to the property, that will not be utilized, currently exist in duplication or are deemed substandard, will be required to be disconnected at their respective mains by the Owner.
 - The Owner can at any time investigate with their builder and contractor, and by obtaining utility locates, the size and location of existing services within the road allowance in order to design the Owner's individual site servicing.
- Regional Staff have no objections to the Minor Variance application, subject to the above-noted condition being included.

Date: March 19th, 2025Prepared By: Shiza Mushtaq**Ministry of Transportation**

The MTO has reviewed the site location and has determined it is within MTO permit jurisdiction. MTO review, approvals and permits will be required for any development at the above address.

Date: March 18th, 2025Prepared By: David Pillay**Burlington Hydro Inc. (BHI)**

At the time of the staff report being completed, no comments were received by Burlington Hydro Inc.

Date: April 4th, 2025Prepared By: C. Kabel

COMMITTEE OF ADJUSTMENT

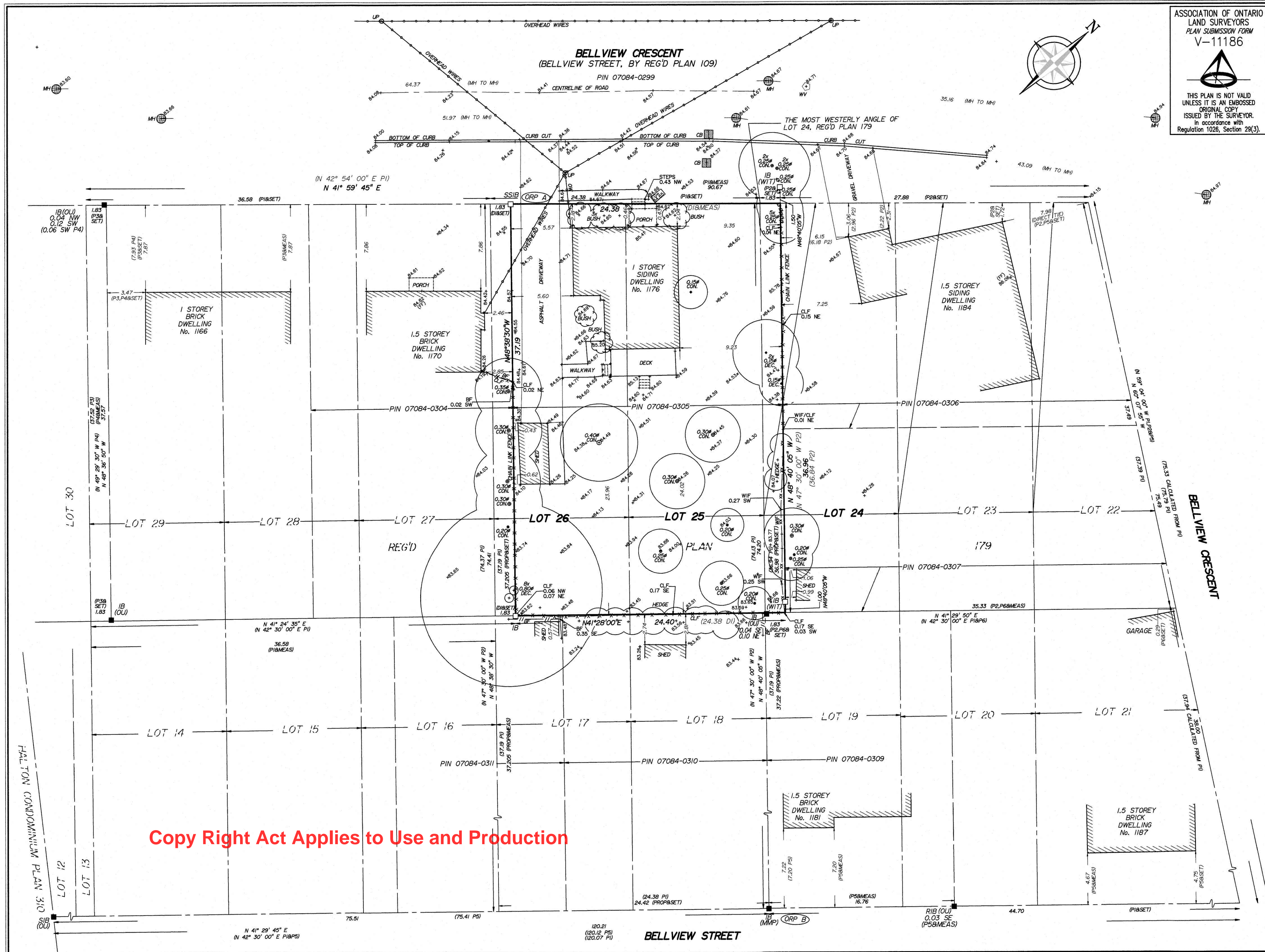
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APPENDIX

Appendix 1_ Plan of Survey (April 21, 2021)



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-11186

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR.
In accordance with
Regulation 1026, Section 29(3).

SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF SURVEY AND TOPOGRAPHY OF
LOT 25 AND PART OF LOTS 24 & 26
REGISTERED PLAN 179
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor 2021

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the written permission of J. H. Gelbloom Surveying Limited is Strictly Prohibited.

SURVEYOR'S REAL PROPERTY REPORT - PART 2
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
None

NOTABLES
Note the location of the Fences around the Subject Property.
Note the location of the Overhead Wires servicing House No. 1170
at the Westerly corner of the Subject Property.
Note the location of the Steps along the Northwestern Limit of
the Subject Property.

LEGEND

Survey Monument Found	WIF	Wrought Iron Fence
Survey Monument Set	N	Denotes North
Standard Iron Bar	S	Denotes South
Iron Bar	E	Denotes East
Round Iron Bar	W	Denotes West
(OU)		Origin Unknown
(MMP)		Mackay Mackay & Peters O.L.S.
P1		Registered Plan 179
P2		Plan of Survey by Sewell & Sewell O.L.S., dated October 11, 1972
P3		Plan of Survey by Mackay & Mackay O.L.S., dated March 8, 1954
P4		Plan 20R-21041
P5		Plan of Survey by Mackay Mackay & Peters O.L.S., dated April 12, 2019
P6		Plan of Survey by A.J. Clarke, O.L.S., dated November 16, 1964
DI		Inst. No. 855273
FF		Finished Floor
FG		Fixed Grade
BF		Board Fence
UP		Utility Pole
DEC.		Deciduous
PROP.		Denotes Proportion Distance
CON.		Coniferous
CLF		Chain Link Fence
MH		Maintenance Hole
WV		Water Valve
CB		Catch Basin
OW		Overhead Wires

BENCHMARK
Elevations are Referred to the City of Burlington Benchmark No. 212, having
an Elevation of 85.626 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 the foundation and are perpendicular to property
lines, unless otherwise noted.

This REPORT was prepared for Katherine & Mark Babony 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 UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B,
BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD 83 (CSRS) (2010).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4 796 830.19	596 704.98
ORP B	4 796 797.95	596 775.79

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Distances shown on this plan are Ground Distances and can be converted to Grid
Distances by Multiplying the Combined Scale Factor of 0.999708

SURVEYOR'S CERTIFICATE
I certify that:
1: This survey and plan are correct and in accordance with the Surveyors
Act, the Surveyors Act, and the Regulations made under them.
2: The survey was completed on the 9th day of April, 2021.

21 April 2021
Date
Jaime Gelbloom, O.L.S.
Party Chief: N.A./A.M. Drawn By: M.A. Checked By: J.G. Project: 21-046
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



EXEMPTION FROM NEW SURVEY REQUIREMENT

Applicant/Owner: 2274641 Ontario Inc Property: 1172 Bellview Crescent (Severed Lands under Files 545-02-B-014/2021 and 540-02-A-118/2021)
Part 1

In consideration of the committee's policy to accept applications without the provision of a new OLS survey (except land severance applications), one copy of this form shall be completed and returned to the Secretary-Treasurer with the application. Please consult with the Secretary-Treasurer regarding the plans required for the application.

1. I, Michael Barton in my capacity as Agent do attest to the following:
(Owner or Agent)

Please complete A, B or C

- A) The OLS survey/sketch of survey dated _____
(month/day/year)
has been revised by _____
(person or company)
- B) The site plan, architect's plan or engineer's plan dated 04/04/2023
(month/day/year)
has been revised by Hunt Design Associates Inc.
(person or company)
- C) The sketch or plot plan** dated _____
(month/day/year)
was prepared by _____
(person or company)

****NOTE:** PLOT PLANS OR SKETCHES WILL BE ACCEPTED ONLY FOR APPLICATIONS INVOLVING USES (NO PHYSICAL CHANGE). FOR VARIANCES RELATED TO LAND SEVERANCE, A PROPER OLS SURVEY OR SKETCH OF SURVEY IS REQUIRED AND MAY ONLY BE MARKED UP/AMENDED BY THE SURVEYOR.

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of 04/04/2023
(month/day/year)
3. The material submitted shows all measurements in metric, as calculated/converted by Davide Cirocco
(name of person)
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

April 10, 2023

Date



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 may result in deferral of the application.

Thank you for your co-operation,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

2274641 Ontario Inc

Property

1172 Bellview Crescent (Severed
Lands under Files 545-02-B-014/2021
and 540-02-A-118/2021) Part 1

A handwritten signature in black ink, appearing to be "MS", written over a horizontal line.

Signature of Owner/Agent

April 10, 2023

Date



File No.:

A

**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 ActDiscussed the application with a city zoning examiner and development planner Y ☐ or N ☐Name of Planner: Melissa MorganName of Zoning Examiner: Erin Ruby**PROPERTY INFORMATION:**

Address(es) of property:

1172 Bellview Crescent (Severed Lands under Files 545-02-B-014/2021 and 540-02-A-118/2021) Part 1Legal description of property (registered plan number and lot number or other legal description):
_____**OWNER(S) INFORMATION:**Name: 2274641 Ontario Inc.1176 Burnhamthorpe Rd. West Oakville, ON L6M 4L1Postal Code: L6M 4L1Home Phone: _____ Work Phone: 905-257-1220Mobile: _____ E-mail: nicole@markayhomes.com**AGENT INFORMATION (If Any): Unless otherwise required, all communications will be sent to the agent.**Name: Michael Barton c/o MB1 Development Consulting Inc.Address: 1489 Abbeywood Drive, Oakville, ONPostal Code: L6M 2M6Work Phone: _____ Mobile: 905-599-9973E-mail: michael@mb1consulting.comOfficial Plan Designation:
Residential - Low Density / Established Neighbourhood AreaCurrent Zoning Designation: R2.1Contact Owner: ☐ (check one)Agent: ☒**PROPOSED DEVELOPMENT:** Construction of new single detached dwelling on lot created through Files 545-02-B-014/2021 and 540-02-A-118/2021)**Outline each variance you are requesting as well as the Zoning By-law requirements (Example: Reduction of front yard setback from 6m to 3m.) Attach a separate sheet if required.**

1. Lot coverage of 37.7% instead of the maximum permitted 35%
2. Front yard of 9m instead of the minimum required 11m to the dwelling
3. Front yard of 6.9m instead of the minimum required 10.35m to the front porch and stairs
4. Permit a garage width of 56% instead of the maximum permitted 50% of the width of its building elevation

In your own words, explain what you are proposing to do and why you cannot 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
2. Why are the variance(s) desirable for the appropriate use of the land?
3. Do the variance(s) meet the intent and purpose of the Official Plan?
4. Do the variance(s) meet the intent and purpose of the Zoning By-law (Attach separate sheet if required)

When justifying your reasons for approval, consider if the minor variances have any impact on the surrounding area? If you wish, you can include pictures or photos or letters of support with your application materials.

Please refer to Planning Justification Report submitted with application

Date property was purchased: _____ (month/day/year)	Date property was first built on: _____ (month/day/year)	Date of proposed construction on property: _____ (month/day/year)
EXISTING USE OF THE SUBJECT PROPERTY (check one): Detached Dwelling <input checked="" type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Stacked Townhouse Dwelling <input type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi-Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant (New Home) <input type="checkbox"/> Other <input type="checkbox"/> _____		Length of time the existing uses of the subject property have continued: Since lot creation _____ PROPOSED USE OF LAND: Single detached dwelling
EXISTING USES OF ABUTTING PROPERTIES (check all that apply) Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>		
ADDITIONAL INFORMATION (where applicable): Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/> Is the property on the heritage inventory list for the Heritage Burlington? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>		

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway ☐ Municipal Road ☒ Private Road ☐ Water ☐ Other (Specify) _____

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

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: _____

IF KNOWN, IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS:

	Yes	No	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	Permit Issued? Yes <input type="checkbox"/> No <input type="checkbox"/>
Consent (Land Division Committee)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	545-02-B-014/2021
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	540-02-A-118/2021

FOR A RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLING**Dimensions of property:****Street width: (See 1st page of application for how to obtain deemed street width)**

Frontage: 12.19 m	Depth: 37.08 m	Area: 0.045 ha	Actual:	Deemed: 20 m	Required:	Lot Coverage 38%	Corner lot: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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PARTICULARS of all buildings and structures on or proposed for the subject land**EXISTING (Dwelling & Buildings)** N/A

Ground Floor Area: (including garage if attached)	M2
Gross Floor Area:	M2
Number of Storeys:	
Width:	M
Length:	M
Height:	M

Garage/Car port (if applicable)Detached ☐

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

Accessory Structure (Shed, Gazebo, etc.)

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

Other (Pool, 2nd Shed, Deck, Driveway, etc.)

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

PROPOSED (Dwelling/Building/Addition)

Ground Floor Area:	135.36	M2
Gross Floor Area:	304.63	M2
Number of Storeys:	2	
Width:	9.7	M
Length:	17.98	M
Height:	9.7	M

Garage/Car port (if applicable)Detached ☐

Gross Floor Area:	35.12	M2
Width:	5.23	M
Length:	6.1	M
Height:		M

Accessory Structure (Shed, Gazebo, etc.)

Gross Floor Area:		M2
Width:		M
Length:		M
Height:		M

Other (Pool, 2nd Shed, Deck, Driveway, etc.)

Gross Floor Area:		M2
Width:		M
Length:		M
Height:		M

LOCATION of all buildings and structures on or proposed for the subject land**EXISTING****Dwelling**

Front:	M
Rear:	M
Side/Street Side	M
Side/Other Side	M

Other

Front:	M
Rear:	M
Side/Street Side	M
Side/Other Side	M

PROPOSED**Dwelling**

Front:	9.09	M
Rear:	10.05	M
Side/Street Side	1.24	M
Side/Other Side	1.25	M

Other

Front:		M
Rear:		M
Side/Street Side		M
Side/Other Side		M

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, Michael Barton of the Town of Oakville in the Region 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 of Oakville in the Province of Ontario
this 12 day of May 2023Signature of Commissioner, etc. LSO 741075

Signature of Applicant or Authorized Agent _____

OWNER'S AUTHORIZATION***If an agent is used, the owner must also complete the following:***I, 2274761 Ontario Inc. 2274641 Ontario Inc***being the registered owner of the subject lands hereby******authorize*** Michael Barton c/o MB1 Development Consulting Inc.
(name of agent)***to prepare, submit and act on my behalf with respect to this application******for Minor Variance.***J Cohen
SignatureApril 4, 2023

Date

PERMISSION TO ENTERPermission to Enter – This **MUST** be completed for all applications and signed by the **OWNER**.1172 Bellview CrescentMunicipal Address of Subject Lands: 1176 Bellview Crescent (Severed Lands under Files 545-02-B-014/2021 and 540-02-A-118/2021) Part 1

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/Agent _____

Michael Barton

Please Print Name

Mandatory	Provided	Not Applicable	MINOR VARIANCE APPLICATION CHECKLIST Please ensure all materials and measurements are included in your submission. Check with staff if you have any questions about required material
✓			TWO (1) COPIES OF A NEW SURVEY (which includes proposal)
			To Scale
			Metric
			North Arrow
			Easements
OR			
✓			TWO (1) COPIES OF ORIGINAL SURVEY
			Completed Exemption Form
			To Scale
			Metric
			North Arrow
			Easements
OR			
✓			DETAILED SITE PLAN (reviewed by zoning examiner)
	x		Site Plan Stamped by a Certified Architect or Engineer
	x		Elevations Stamped by a Certified Architect or Engineer
✓			1 COPY OF PLANS (MUST be true to scale and in metric)
Which include:			
✓			SITE PLAN
	x		Metric
	x		North Arrow
	x		Frontage
	x		Depth
	x		Lot Area
	x		Lot Coverage **
	x		Deemed Street Line
		x	Existing Front Yard Setbacks
		x	Existing Rear Yard Setbacks
		x	Existing Side Yard Setbacks
		x	Existing Street Side Yard Setbacks
		x	Existing Porch, Stairs and Overhang Setbacks

Mandatory	Provided	Not Applicable	MINOR VARIANCE APPLICATION CHECKLIST
			Page 2 of 2
	<input checked="" type="checkbox"/>		Proposed Front Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Rear Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Side Yard Setbacks
		<input checked="" type="checkbox"/>	Proposed Street Side Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Porch, Stairs and Overhang Setbacks
	<input checked="" type="checkbox"/>		Streets (Public and Private)
	<input checked="" type="checkbox"/>		Street Names
	<input checked="" type="checkbox"/>		Parking (Dimensioned spaces, Driveway Width, Arrangement)
		<input checked="" type="checkbox"/>	Railways (Location of them and setbacks to structures)
		<input checked="" type="checkbox"/>	All Watercourses and/or Conservation Halton Areas (creek, lake,
<input checked="" type="checkbox"/>			LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES
	<input checked="" type="checkbox"/>		Setbacks
	<input checked="" type="checkbox"/>		Height
	<input checked="" type="checkbox"/>		Area
	<input checked="" type="checkbox"/>		Length
	<input checked="" type="checkbox"/>		Width
<input checked="" type="checkbox"/>			ELEVATIONS
	<input checked="" type="checkbox"/>		Metric
	<input checked="" type="checkbox"/>		Front
	<input checked="" type="checkbox"/>		Rear
	<input checked="" type="checkbox"/>		Side 1
	<input checked="" type="checkbox"/>		Side 2
<input checked="" type="checkbox"/>			FLOOR PLANS
	<input checked="" type="checkbox"/>		Metric
	<input checked="" type="checkbox"/>		North Arrow
	<input checked="" type="checkbox"/>		Gross Floor Area Calculation
	<input checked="" type="checkbox"/>		Ground Floor Area Calculation
	<input checked="" type="checkbox"/>		Finished Floor Calculation
	<input checked="" type="checkbox"/>		Floor Space Index (where applicable)
	<input checked="" type="checkbox"/>		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.

Owner/Agent Signature:  Date: April 10, 2023

NOTICE OF PUBLIC HEARING

2274641 Ontario Inc., the owner of 1176 Burnhamthorpe Rd., Oakville, 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 **1172 Bellview Cres., Burlington** (see map).

The applicant is proposing the construction of a two-storey detached dwelling with an attached garage. This proposal results in the following variances:

1. To permit a front yard of 9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.9 m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.7% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

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.calcoa** on or after April 7th, 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 APRIL 23, 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

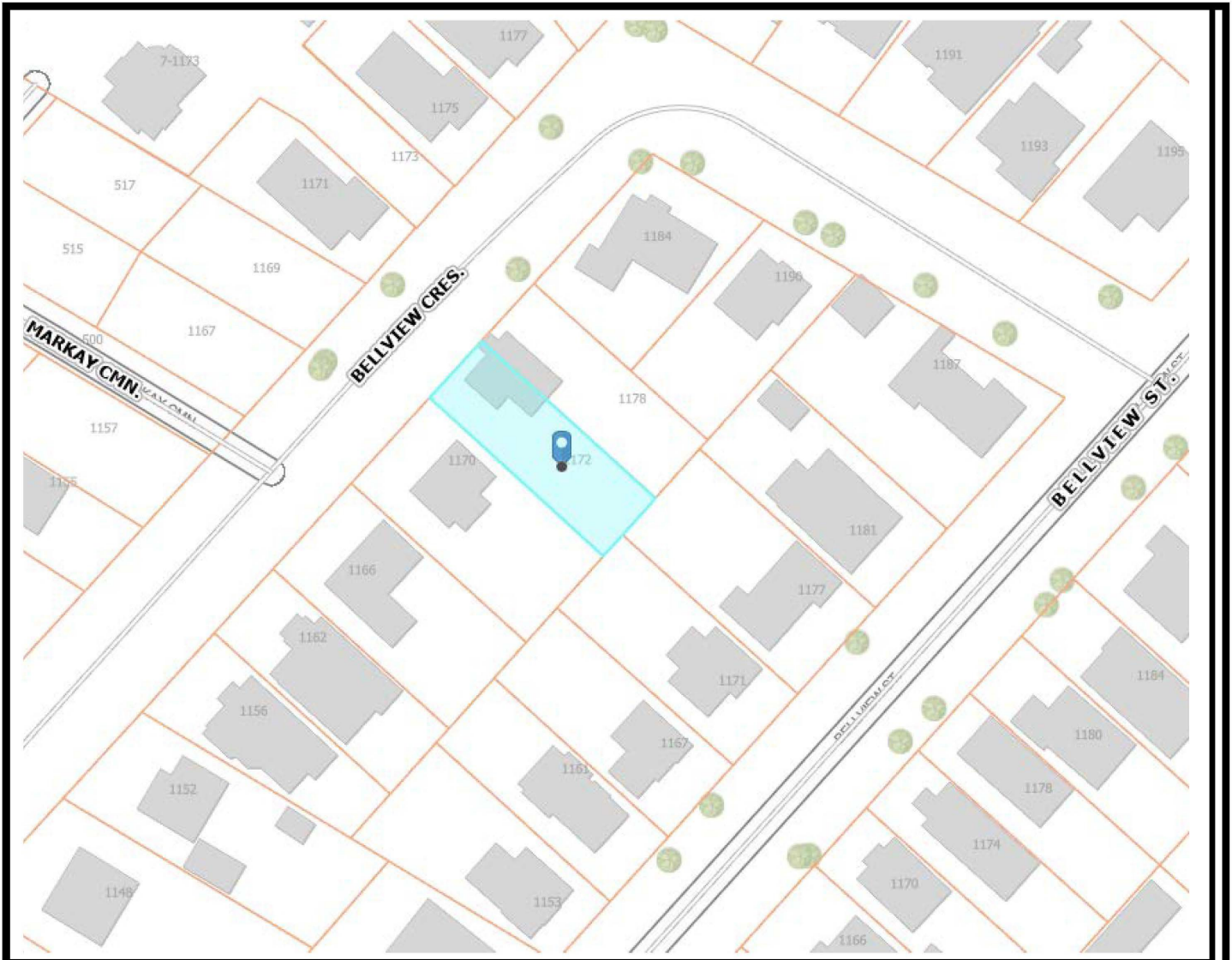
Yours truly,



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



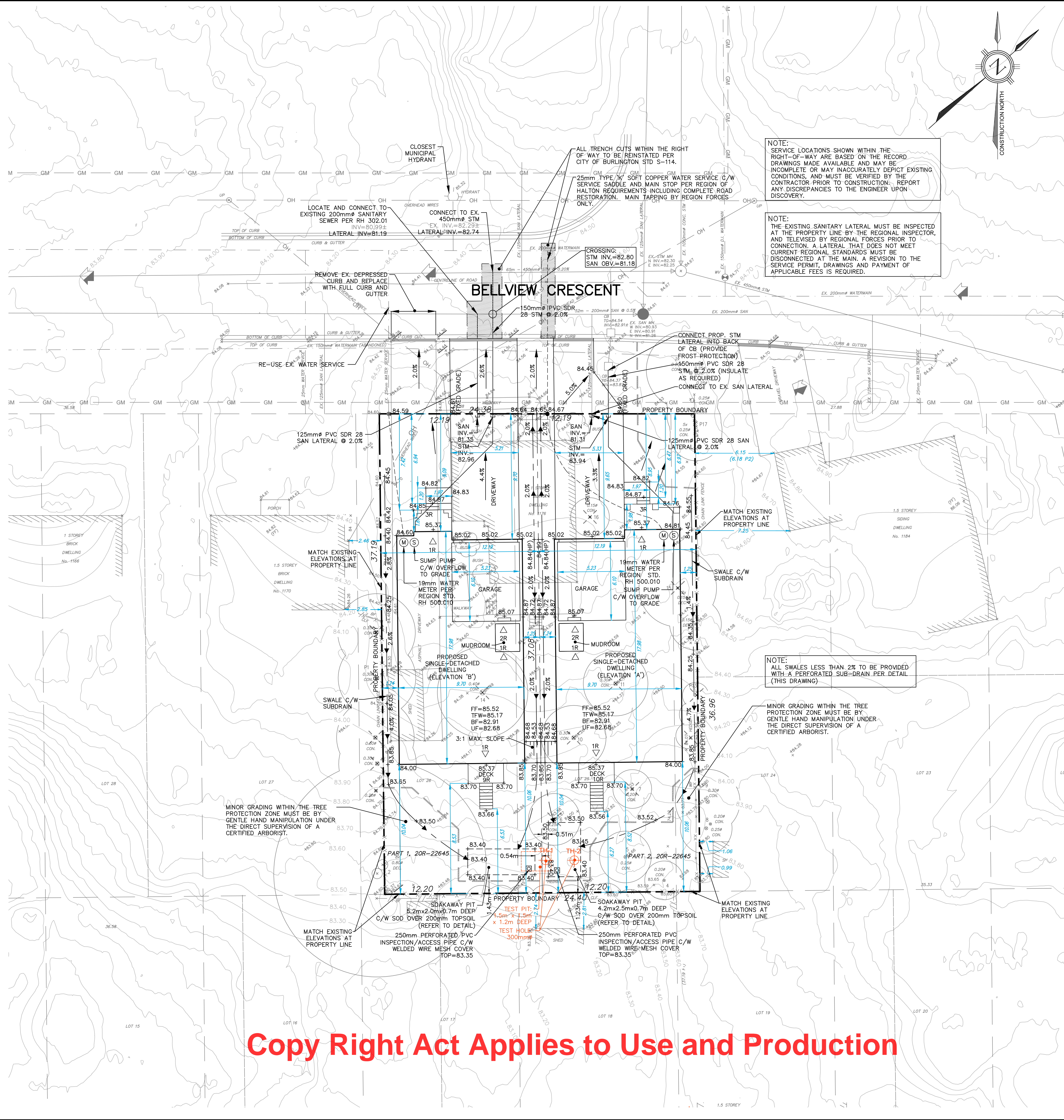
Key Map



1172 Bellview Cres.

Committee of Adjustment Community
Planning Department - Planning
Implementation





GENERAL NOTES:

1. ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES FOUND PRIOR TO OR DURING CONSTRUCTION SHALL BE CLARIFIED WITH THE ENGINEER.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST STANDARDS OF THE REGIONAL MUNICIPALITY OF HALTON (INCLUDING REGION OF HALTON'S CONTRACTOR INFORMATION PACKAGE), THE CITY OF BURLINGTON, AND THE ONTARIO BUILDING CODE (PART 7). ONTARIO PROVINCIAL STANDARD SPECIFICATIONS AND DRAWINGS (OPSS & OPSD) SHALL BE USED IN ABSENCE OF LOCAL STANDARDS.
3. RESTORE ROAD AS PER THE CITY OF BURLINGTON ROAD CUT PERMIT.
4. ALL INFORMATION SHOWING THE LOCATION AND SIZE FOR EXISTING UTILITIES AND/OR SERVICES HAS NOT BEEN VERIFIED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF UTILITIES PRIOR TO CONSTRUCTION, AND PROTECTING AND MAINTAINING THE UTILITIES DURING CONSTRUCTION.
5. ALL REMOVED OR DAMAGED CURBS, SIDEWALK, GRANULARS, ASPHALT AND SOD RESULTING FROM SERVICE INSTALLATION SHALL BE REINSTATED BY SERVING CONTRACTOR TO THE CITY OF BURLINGTON STANDARDS.
6. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL, MECHANICAL AND LANDSCAPE DRAWINGS.
7. THE CONTRACTOR SHALL CHECK AND VERIFY ALL GIVEN GRADES AND ELEVATIONS, PRIOR TO CONSTRUCTION AND REPORT ALL DISCREPANCIES TO THE ENGINEER.
8. ALL GRADING CHANGES SHALL BE APPROVED BY THE ENGINEER AND CITY OF BURLINGTON PRIOR TO IMPLEMENTATION.
9. THE CONTRACTOR SHALL CLEAN ALL MUD TRACKED ON TO ADJACENT ROADWAYS.

SERVICING NOTES:

1. ALL TRENCHES SHALL BE BACKFILLED WITH APPROVED NATIVE BACKFILL COMPACTED TO 92% SPMOD.
2. BACKFILLING AND RESTORATION WITHIN THE PUBLIC ROW SHALL BE IN ACCORDANCE WITH THE CITY OF BURLINGTON ROAD CUT PERMIT AND TO THE SATISFACTION OF THE ENGINEERING & CONSTRUCTION DEPARTMENT.
3. SURROUND ALL MANHOLES WITH A MINIMUM OF 1.5m COMPACTED GRANULAR 'C' BACKFILL.

SANITARY NOTES:

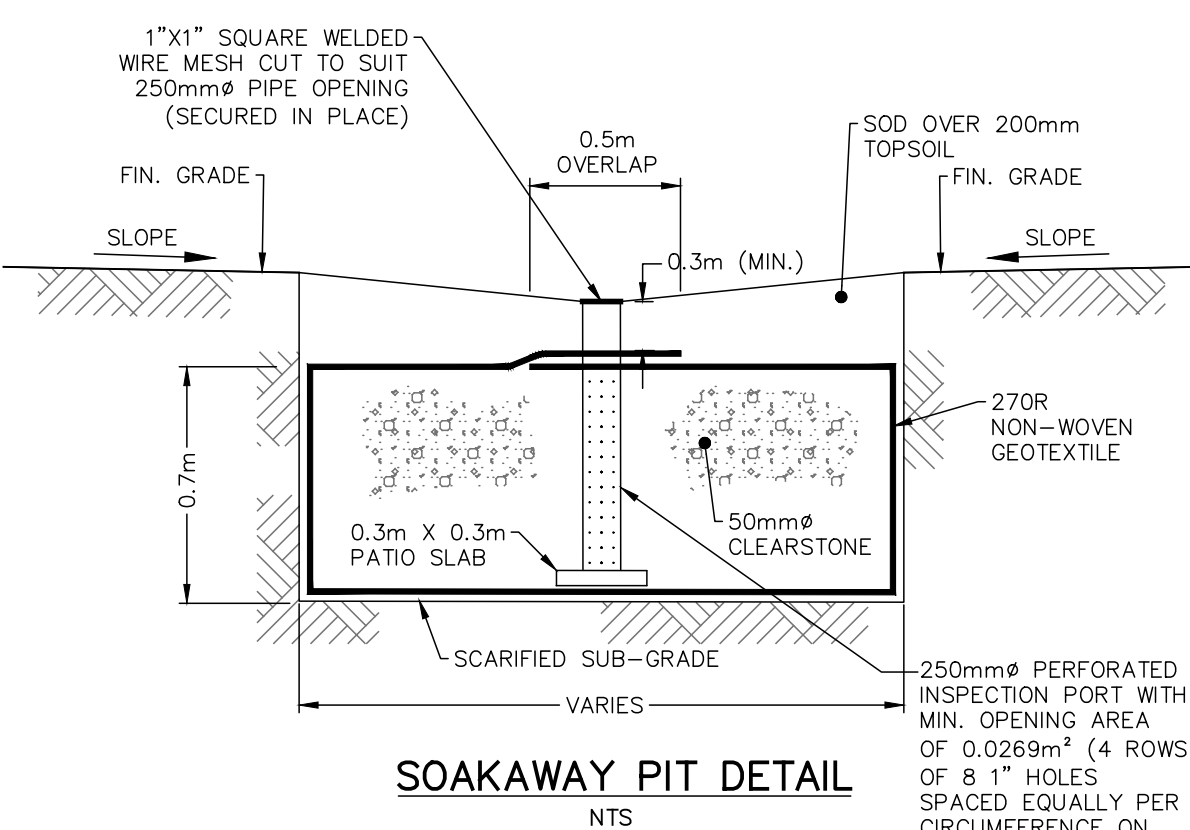
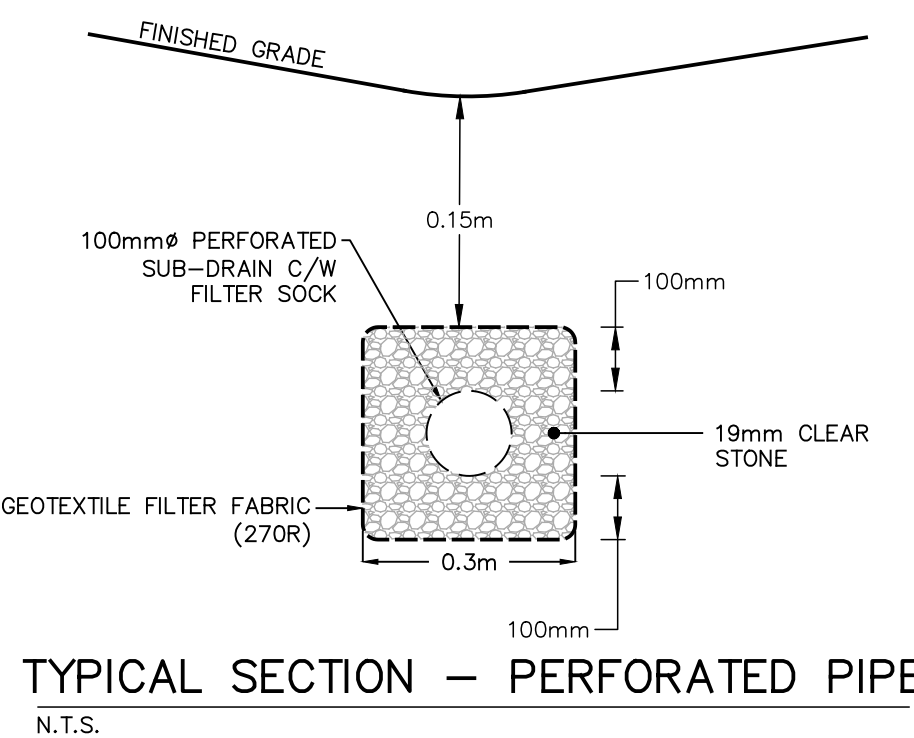
1. ALL SANITARY SEWERS SHALL BE PVC SDR35 AND BEDDING PER OPSD 802.010*.
2. ALL SANITARY MANHOLES SHALL BE 1200mm PER OPSD 701.010 c/w COVER PER OPSD 401.010, UNLESS OTHERWISE NOTED.
3. SERVICE LATERALS ARE TO BE 125mm PVC SDR-28 PIPE AT 2.0% MINIMUM (UNLESS OTHERWISE NOTED) AND SHALL BE GREEN AS PER REGION OF HALTON STANDARDS.
4. BENCHING IN MANHOLES IS THROUGHOUT TO THE CROWN OF ALL PIPES ON A VERTICAL PROJECTION FROM SPRING LINE.
5. ASTERISK (*) INDICATES OPSD CAN BE USED MODIFIED BY REGION OF HALTON.

WATERMAIN NOTES:

1. WATER SERVICE CONNECTION SHALL BE 25mm COPPER, TYPE 'K' SOFT COPPER TUBING.
2. BEDDING ON WATER SERVICE SHALL BE PER OPSD 802.010*.
3. COVER SHALL BE 1.7m MIN. UNLESS OTHERWISE NOTED.
4. MINIMUM LATERAL SEPARATION FROM OTHER UTILITIES IS 2.5m.
5. ANODE INSTALLATION PER RH 420.04.
6. WATERMAIN SHALL BE PRESSURE TESTED TO 150psi FOR 3 HOURS AND WITNESSED BY REGION OF HALTON.
7. WATERMAIN SHALL BE TESTED AND DISINFECTED AS PER REGION OF HALTON REQUIREMENTS.

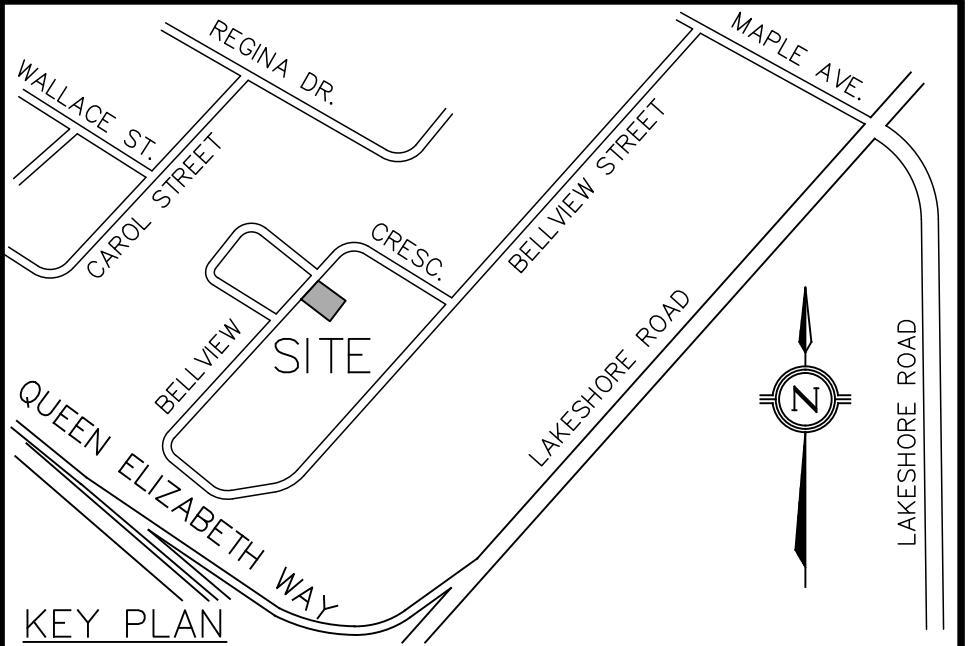
GRADING NOTES:

1. ALL AREA GRADING AND RESULTING DRAINAGE PATTERNS SHALL NOT ADVERSELY AFFECT ADJACENT LANDS. EXISTING GRADES AND DRAINAGE PATTERNS SHALL BE MAINTAINED.
2. MINIMUM GENERALLY ACCEPTED GRADIENT 2.0%.
3. MAXIMUM GENERALLY ACCEPTED GRADIENT 5.0%.
4. MAXIMUM ACCEPTABLE SLOPE 3 PARTS HORIZONTAL TO 1 PART VERTICAL.
5. MINIMUM SWALE GRADIENT - 2.0%.
6. MINIMUM SWALE DEPTH - 150MM.
7. THE MINIMUM GRADIENT ON ANY DRIVEWAY SHALL BE 2.0%. THE MAXIMUM DRIVEWAY GRADIENT IS 8.0%.
8. RETAINING WALLS SHALL BE CONSTRUCTED ENTIRELY ON THE UPPER PROPERTY SO THAT THE BACKS (IF REQUIRED) DO NOT CROSS PROPERTY BOUNDARIES.



TREE PROTECTION LEGEND

- (REFER TO ARBORIST REPORT PREPARED BY KUNTZ FORESTRY CONSULTING INC.)
- TREE TO BE REMOVED
 - TREE PROTECTION FENCE
 - TREE NUMBER PER ARBORIST REPORT



LEGEND	
	PROPOSED CATCHBASIN
	PROPOSED DOUBLE CATCHBASIN
	PROPOSED STORM MANHOLE
	PROPOSED SANITARY MANHOLE
	PROPOSED FIRE HYDRANT
	PROPOSED VALVE & BOX
	PROPOSED PLUG
	PROPOSED SINGLE HOUSE SERVICE
	PROPOSED WATER SERVICE
	PROPOSED STORM SEWER
	PROPOSED SANITARY SEWER
	PROPOSED WATERMAIN
	PROPERTY BOUNDARY
	EXISTING ELEVATION
	EXISTING ELEVATION TO REMAIN
	PROPOSED FINISHED ELEVATION
	INTERPOLATED ELEVATION TO REMAIN
	PROPOSED LOTLINE GRADE DIRECTION
	PROPOSED DRAINAGE DIRECTION
	PROPOSED SWALE DRAINAGE DIRECTION
	EXISTING OVERLAND FLOW DIRECTION
	PROPOSED SLOPE
	PROPOSED WATER METER
	PROPOSED SUMP PUMP
	EXISTING CONTOUR INTERVALS (EVERY 0.10m - DERIVED FROM LIDAR)
	TEST HOLE LOCATION
	SETBACK DIMENSIONS PER SITE PLAN (PART 1 & 2) BY HUNT DESIGN ASSOCIATES INC., DATED FEB. 5 2025

NO.	DATE	BY/DRAWN	REVISIONS
4	25/02/07	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
3	24/09/26	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
2	24/04/24	PC/MF	REVISED PER CITY COMMENTS
1	24/02/27	PC/MF	ISSUED FOR CONDITIONS OF PROVISIONAL CONSENT

CAD FILE: 1843GS.dwg | PLOT SCALE: 1:1 | PLOT DATE: Feb 07, 2025

BENCHMARK
ELEVATIONS ARE REFERRED TO THE CITY OF BURLINGTON BENCHMARK No. 212, HAVING AN ELEVATION OF 85.626m.
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010).
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD 83 (CSRS) (2010). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

NOTE
SURVEY COMPLETED APRIL 9, 2021 BY J. H. GELBLOOM SURVEYING LIMITED LIMITED, ONTARIO LAND SURVEYOR, PROJECT NO. 21-046

DESIGNED BY

APPROVED BY

CONSULTANT **TRAFALGAR ENGINEERING**
81-481 MORDEN ROAD, OAKVILLE, ON, L6K 3W6
www.trafalgareng.com

PROJECT TITLE **MARKAY HOMES RESIDENTIAL DEVELOPMENT**

LOCATION **1176 Bellview Crescent, Burlington, Ontario**

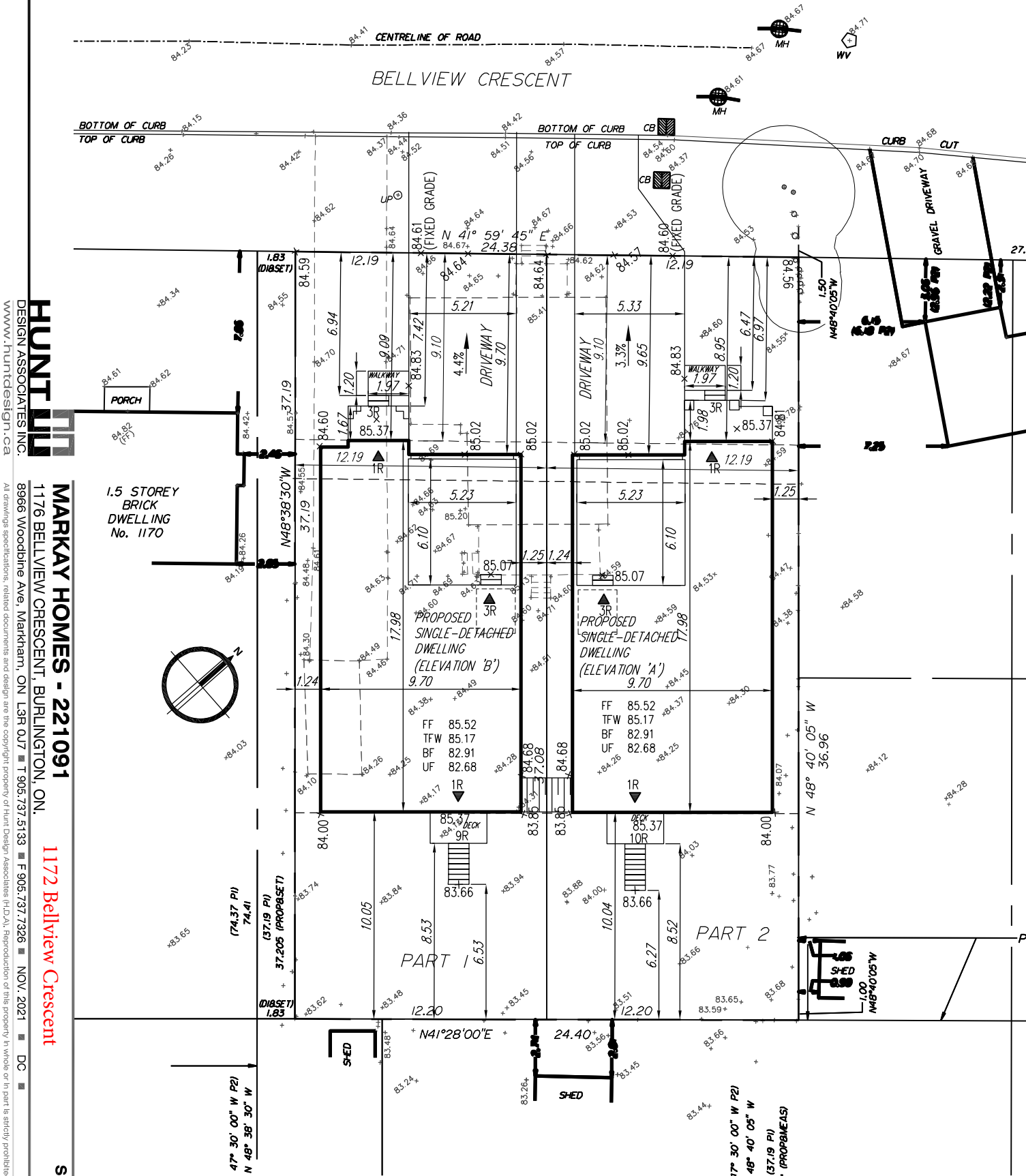
ACB0/23 & A081/23 FILE NO.: 545-02-B-014/2021

DRAWING TITLE **GRADING AND SERVICING**

SCALE 1:150	DESIGN BY PC	PROJECT No. 1843
DRAWN BY GL	CHECKED BY PC	PLAN No. GS1
DATE 2024/01/08	SHEET 1 OF 1	

SITE STATISTICS	
LOT AREA (sq.m)	452.85 sq m
LOT COVERAGE (sq.m)	170.48 sq m
LOT COVERAGE (%)	37.65%
FLOOR AREA (FOR FAR CALC.)	339.75 sq m
FLOOR AREA RATIO (FAR)	0.75
FIXED GRADE ELEVATION	84.61
HIGHEST ROOF PEAK ELEVATION	94.16
BUILDING HEIGHT (m)	9.55m

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8966 Woodbine Ave., Markham, ON L3R 0J7 ■ T 905.737.5133 ■ F 905.737.7326 ■ NOV. 2021 ■ DC ■

1172 Bellview Crescent

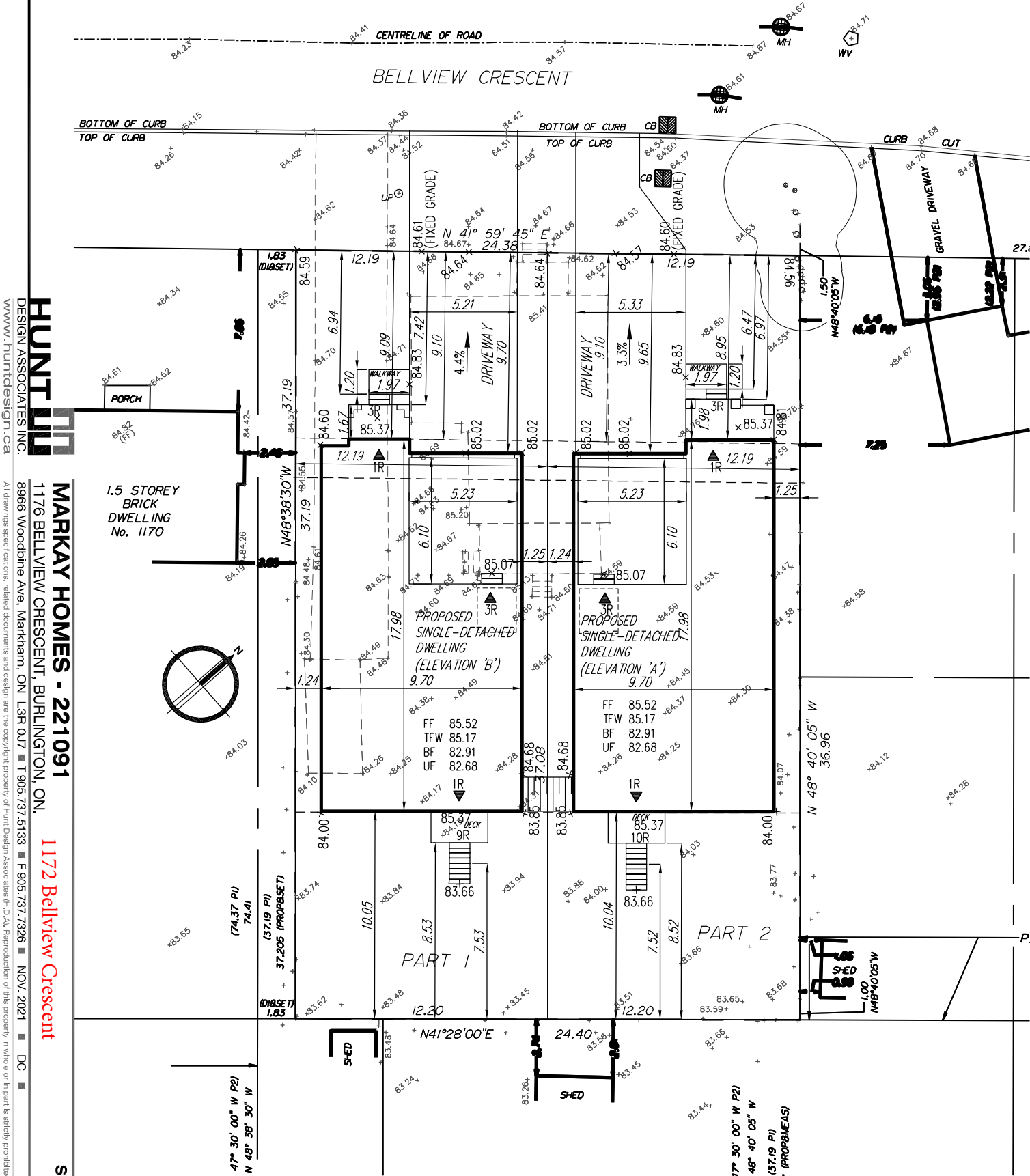
SITE PLAN - PART 1
SCALE 1:250

221091_SP

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SITE STATISTICS	
LOT AREA (sq.m)	452.85 sq m
LOT COVERAGE (sq.m)	170.48 sq m
LOT COVERAGE (%)	37.65%
FLOOR AREA (FOR FAR CALC.)	339.75 sq m
FLOOR AREA RATIO (FAR)	0.75
FIXED GRADE ELEVATION	84.61
HIGHEST ROOF PEAK ELEVATION	94.16
BUILDING HEIGHT (m)	9.55m

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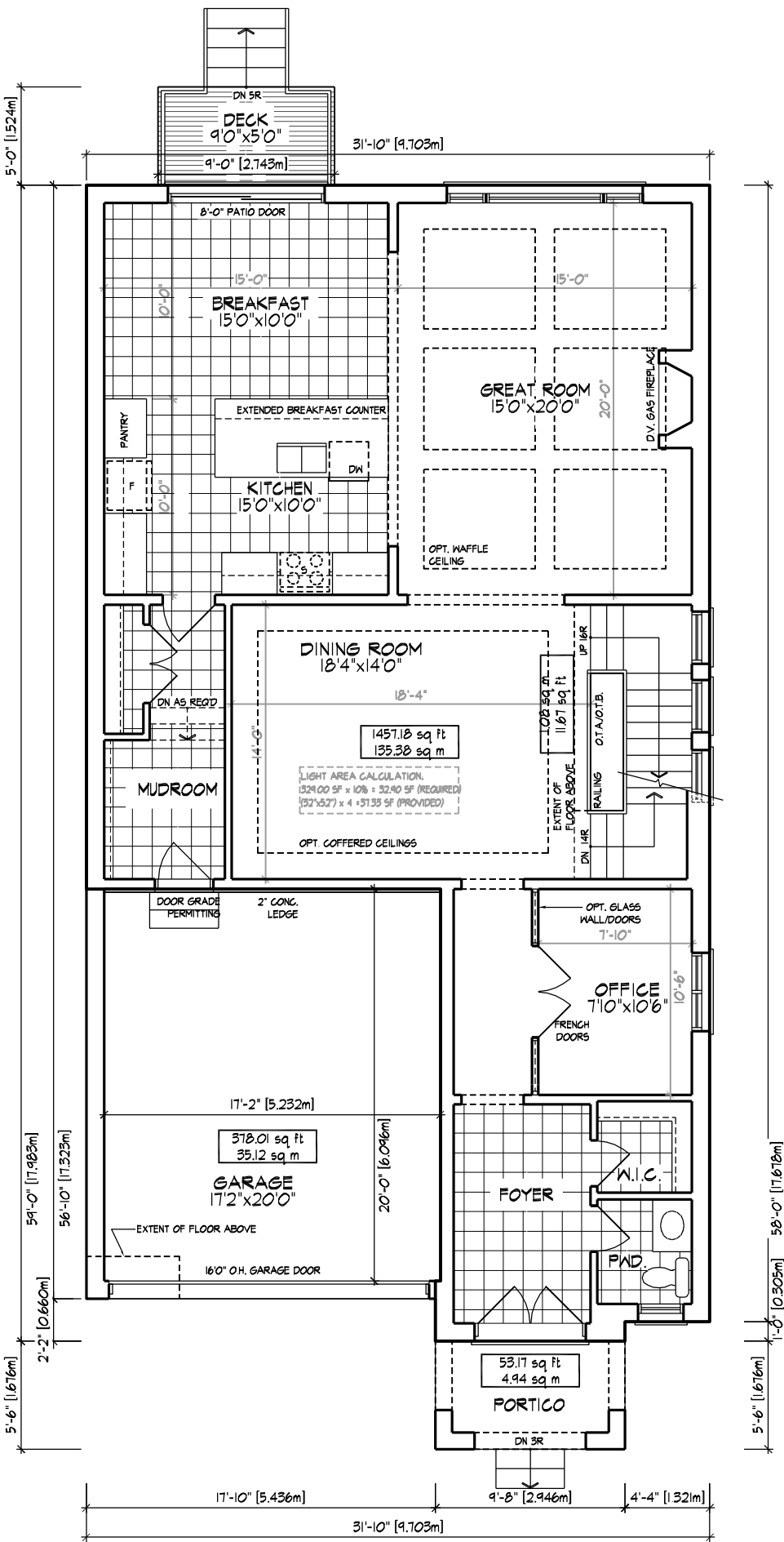
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SITE PLAN - PART 1
SCALE 1:250
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GROUND FLOOR PLAN, EL. 'B'

1446 sq ft	
GROSS FLOOR AREA	1451 sq ft
DEDUCT OPEN AREAS	12 sq ft
NET AREA	1446 sq ft
COVERAGE W/O PORCH	1835 sq ft
COVERAGE W/ PORCH	1888 sq ft
MAX. COVERAGE ON PART I @ 38% : 1850 SF	

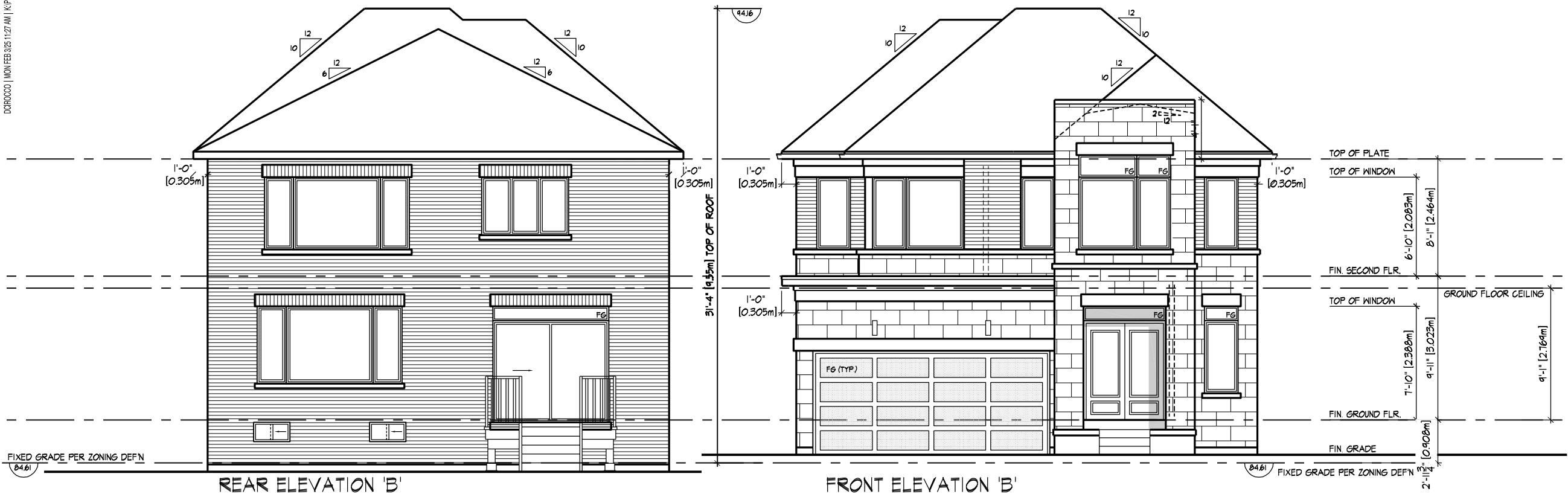
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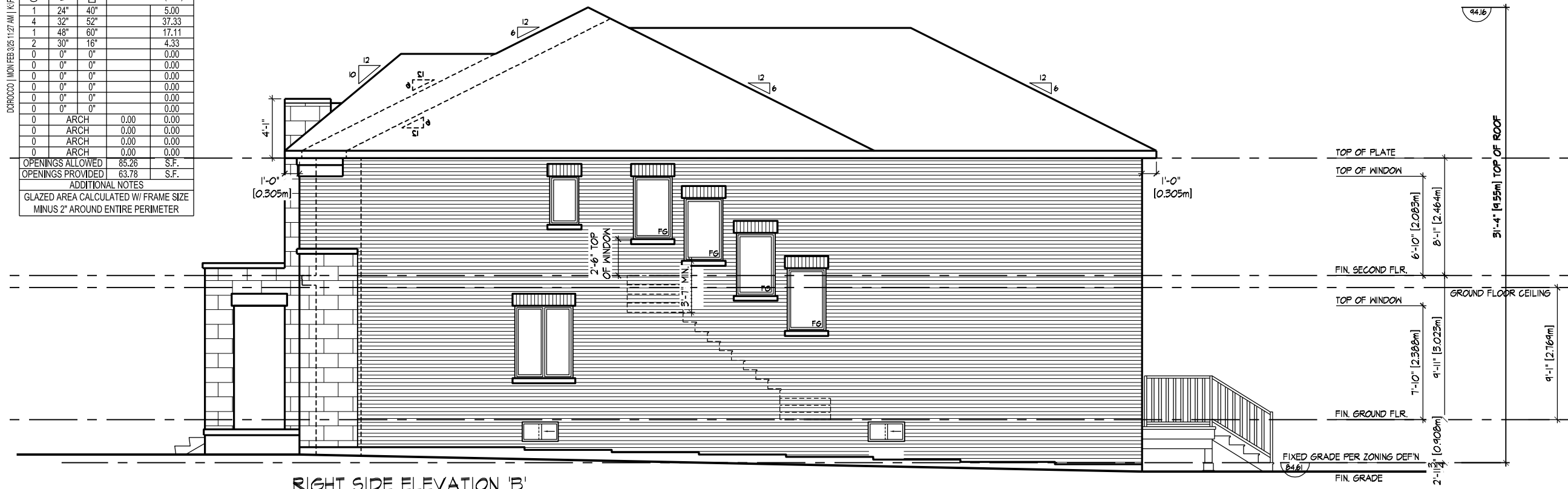
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EXTENTS OF SPATIAL
CALCULATIONS.
REFER TO WINDOW SUMMARY FOR
ADDITIONAL INFORMATION

221091.DS4001.DWG | K:\PROJECTS\2021\221091.MARKAY HOMES\221091.DS4001.DWG | MON FEB 20 11:27 AM

SPATIAL CALCULATION			
PER O.B.C. TABLE 9.10.15.4			
LEFT SIDE ELEVATION B			
EXPOSING BUILDING	1193.50		S.F.
FACE AREA	110.88		S.M.
PORTION WALL AREA	1193.50		S.F.
	110.88		S.M.
LIMITING DISTANCE	1.2 m		
MAX. % OPENINGS	7		%
QUAN.	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F.)
1	24"	40"	5.00
1	48"	48"	13.44
1	24"	40"	5.00
1	24"	60"	7.78
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
OPENINGS ALLOWED	83.55		S.F.
OPENINGS PROVIDED	31.22		S.F.
ADDITIONAL NOTES			
GLAZED AREA CALCULATED W/ FRAME SIZE MINUS 2" AROUND ENTIRE PERIMETER			



LEFT SIDE ELEVATION 'B'

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COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

HEARING NO. 5.2 - 1:00 P.M.

File

540-02-A-081/23

APPLICANT: 2274641 ONTARIO INC.

PROPERTY: 1178 Bellview Crescent, Burlington,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the construction of a two-storey detached dwelling with an attached garage.

- VARAINCES:
1. To permit a front yard of 8.9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
 2. To permit a front yard of 6.4m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
 3. To permit lot coverage of 37.9% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
 4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

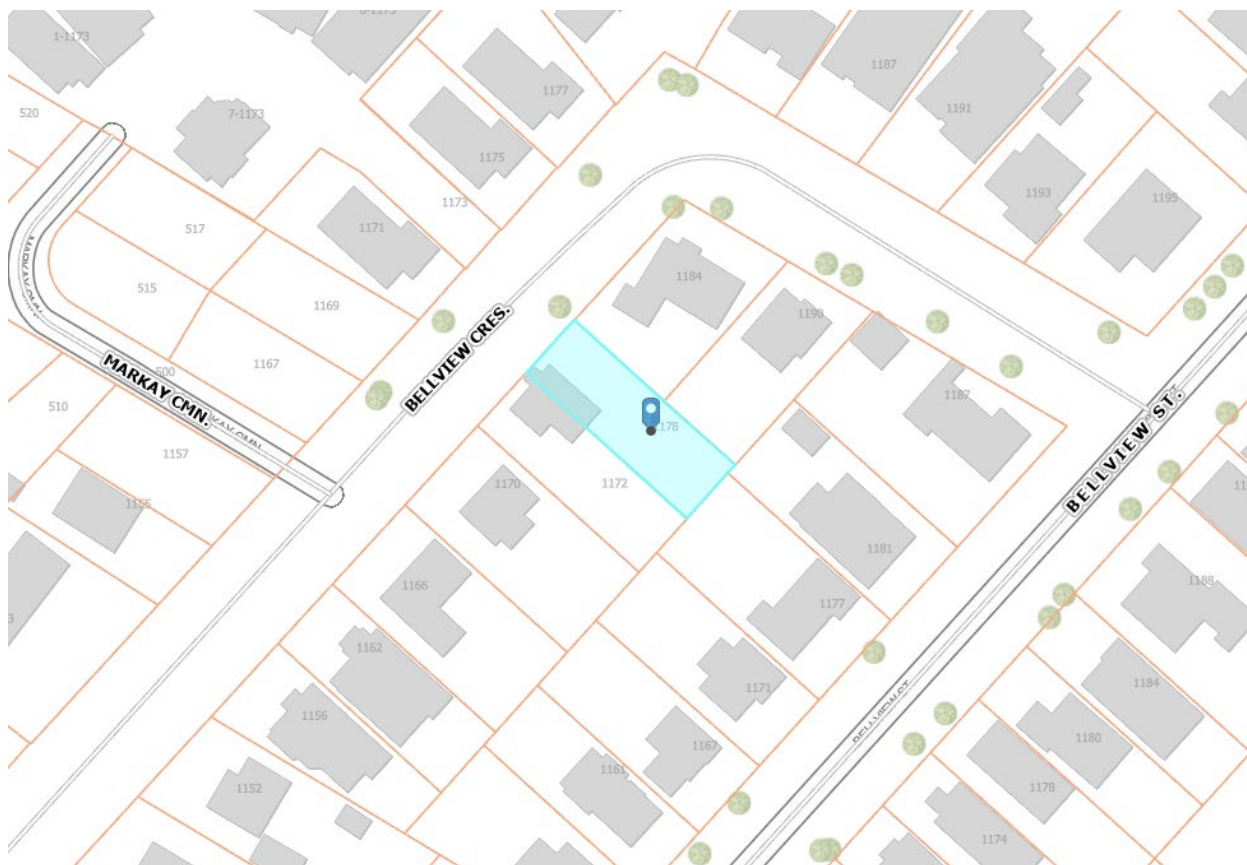
COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

Owner: 2274641 Ontario Inc.
 Address: 1178 Bellview Crescent, Burlington
 File No. **A-081/23**
 Ward: 1

**Staff Comments****Committee of Adjustment**

There are 2 previous minor variance applications on record for this property.

File No. A118/2021 – Approved

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 452.8m² instead of the minimum required 700m² to facilitate a proposed land severance.

File No. A118/2021 – Denied

1. To permit a west side yard setback of 0.3m instead of the minimum required 1.219m for a proposed two-storey detached dwelling with attached garage.

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2. To permit a front yard setback of 9.5m instead of the minimum required 11m for a proposed two-storey detached dwelling with attached garage.
3. To permit a front yard setback of 7.9m instead of the minimum required 10.35m (11m – 0.65m encroachment) for a proposed covered porch including steps and roof overhang excluding eaves and gutter.
4. To permit a west side yard setback of 0m instead of the minimum required 1.2m for a roofed over rear patio including roof overhang.
5. To permit a lot coverage of 38% instead of the maximum permitted 35% for a proposed two storey detached dwelling with attached garage.

File No. A119/2021 – Approved

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 451.5m² instead of the minimum required 700m² to facilitate a proposed land severance.

File No. A119/2021 – Denied

1. To permit a west side yard setback of 0.3m instead of the minimum required 1.219m for a proposed two-storey detached dwelling with attached garage.
2. To permit a front yard setback of 9.3m instead of the minimum required 11m for a proposed two-storey detached dwelling with attached garage.
3. To permit a front yard setback of 7.7m instead of the minimum required 10.35m (11m – 0.65m encroachment) for a proposed covered porch including steps and roof overhang excluding eaves and gutter.
4. To permit an east side yard setback of 0.9m instead of the minimum required 1.2m for a roofed over rear patio including roof overhang.
5. To permit a lot coverage of 38% instead of the maximum permitted 35% for a proposed two storey detached dwelling with attached garage.

There is 1 land division application on record for this property.

File No. B-014/2021 – Consent Granted

- Proposed to create 1 new lot to accommodate a new detached dwelling on each lot (retained and severed)

Date: July 27, 2023Prepared By: E. Shacklette

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Zoning**1) Background information:**

The subject property is zoned R2.1, Low Density Residential, under Zoning By-Law 2020, as amended. The R2.1 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
R2.1	18 m	700 m ²	11 m	10 m	(a)

4.2 MAXIMUM LOT COVERAGE**Table 2.4.3**

Dwelling Type	Dwelling with Attached Garage
Two or more storeys	35% including accessory buildings

4.8 GARAGES

(b) The width of a front loading attached garage shall not exceed 50% of the width of its building elevation.

2.13 ENCROACHMENT INTO YARDS

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

(e) 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

History / Background:

The subject lands are proposed to be created through Consent Application B014/21. The application received provisional consent on April 27, 2022. The lands were also

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subject to a Minor Variance Application under file 540-02-A119/21. The variance applications granted approval of the following:

A119/21 (for the retained portion):

1. To permit a lot width of 12.1m instead of the minimum required 18m to facilitate a proposed land severance.
2. To permit a lot area of 451.5m² instead of the minimum required 700m² to facilitate a proposed land severance

2) **Proposal:**

The applicant is proposing the construction of a two-storey detached dwelling with an attached garage.

3) **Variances required:**

1. To permit a front yard of 8.9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.4m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.9% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

4) **Notes and conditions:**

Condition:

1. The applicant shall apply for a Pre-Building Approval application.

Notes:

1. The subject property is regulated by the Ontario Ministry of Transportation (MTO). Development approval may be required prior to the application of a Pre-Building Approval Application.

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

Date: February 27, 2025Prepared By: Danielle Beck, CPT**Site Planning**

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a new two storey dwelling on **1178 Bellview Crescent (Part 2 Retained Lands)**. There is a related minor variance application for the other lot (part 1, application A-080/23), which proposes a nearly identical new house and list of variances and is discussed in a separate report. The applicant requests approval of the Committee of Adjustment because the proposed home is deficient to the required front yard setback, will exceed the permitted lot coverage, and exceed the maximum permitted garage width relative to the front elevation:

1. To permit a front yard of 8.9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.4m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.9% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage

The subject lands comprise a rectangular-shaped parcel with a total lot area of 451.45 m² (0.045 hectares) with approximate frontage of 12.19 metres along Bellview Crescent. The property is located on the southeast side of Bellview Crescent and is known municipally as 1178 Bellview Crescent. Adjacent land uses include primarily low-density residential development consisting of a mix of one and two-storey dwellings.

Existing land uses on the property include a detached one-storey dwelling (without an attached garage) with a front uncovered porch and accessory structures (i.e. rear yard shed and deck. Although the existing house appears to have a large front yard setback, the survey shows that the property line is situated 6 metres from the curb. The house is setback only 2.04 metres from the front lot line with the steps of the porch encroaching onto the Municipal Right of way. There is currently no access to the property or on-site parking spaces. An additional entrance is proposed to be located off Bellview Crescent and will be able to accommodate the required two parking spaces. A site visit was

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conducted on March 17, 2025 and existing on-site conditions are summarized in site photos included as Attachment No. 1 (Site Photos).

The City of Burlington Official Plan, 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 Lockhart Road to the north, Maple Avenue to the east, Lakeshore Boulevard east to the south and the Queen Elizabeth Way to the west. This neighbourhood is characterized by a mix of one- and two-storey detached dwellings with different sized building footprints and building depths. Older homes such as the existing tend to be more compact, with a smaller building footprint, while newer homes such as 1156 and 1162 Bellview Avenue have deeper footprints. The primary built form on the immediately adjoining properties is a one-storey detached dwelling, although the Zoning Bylaw permits up to two-storeys as-of-right. The area also contains primarily attached garages. Emphasis in the review is placed on the houses along Markay Common, Bellview Crescent and Bellview Street, since they form a self-contained group of three interconnected local streets, who share a single connection to the larger street network via Maple Avenue. Within this area lots are zoned low density residential and residential medium density (R2.1, R3.2 and RM1).

As summarized in the zoning section of the report, the property was the subject of a previous minor variance application for seven variances (A119/2021). Two of the variances pertained to the lot fabric (lot area and width) and were approved. The remaining five variances were rejected. They included a reduced east and west side yard setback (0.3m to the main house and 0.9m to a rear patio vs 1.2m permitted), a reduced front yard setback of 9.3m and 7.7m for the porch, and an increased coverage of 38%.

Staff’s position was that the variances represented overdevelopment of the lot and that the side yard setbacks would not adequately convey stormwater flows. These factors led to the refusal of the application. In comparison, the current proposal results in the elimination of both side yard setback variances, and a lower lot coverage. The front yard setback has been reduced.

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

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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, subject to a condition requiring that the applicant obtain a services permit from the Region of Halton public works department.

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.

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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.'

To assess the proposal's compatibility and consistency with the surrounding area and the appropriateness of the design, policies 6.2 c) and 6.5 a) under Part II of the Official Plan require staff to consider multiple factors. Staff must consider predominant building patterns and common features of development in the neighbourhood, but also the potential form and scale of the neighbourhood represented by the as-of-right zoning permissions. Staff must also consider the range or variety of different building characteristics that coexist harmoniously and without adversely impacting the neighbourhood character area.

The surrounding area is characterized by a mix of one- and two-storey detached dwellings with different sized building footprints and building depths. The immediately adjoining property at 1176 Bellview Crescent is developed with a one-storey detached dwelling, but the southwest end of the street is developed with two-storey homes and the Zoning Bylaw permits up to two-storeys as-of-right. The area also contains primarily attached garages. The applicant is proposing to construct a two-storey dwelling with an attached garage. Staff also note that the emerging pattern of development in the surrounding area are two storey dwellings with attached garages.

The proposed detached dwelling is a permitted use. The design is compatible in scale, design, massing and location as adjacent and surrounding residential development, and maintains the compatibility policies of the immediate area. The dwelling maintains similar design and built form elements to newer dwellings in the surrounding area, particularly with respect to its windows, roofline, front porch, garage and window shapes and sizes. The proposed two storey dwelling and roofed-over porch will provide depth and variety to the front façade while having minimal impacts to the streetscape. Visually, the proposed includes similar materials to other structures in the surrounding area. The proposed is similar in design, both architectural style and massing characteristics to other newer built houses in the surrounding area.

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The proposed dwelling complies with the side yard setback requirements, and as such, would be located an appropriate distance away from the abutting residential properties to the northeast and southwest. While the proposed two storey dwelling would encroach into the front yard setback, it would be increasing the setback compared to where the existing house is sited. Further, the proposed covered porch would only extend across a portion of the front of the house and would provide depth and variety to the front of the house, which improves the dwelling's presentation to the street and de-emphasizes the garage, maintaining consistency with Part II, Objective 6.2(c) and contributes to the design of the dwelling. Although there is a discrepancy between the depth of the new house and the adjacent, older one storey house, the house does not exceed the maximum depth permitted in the Zoning Bylaw. Differences in dwelling depth between old and new homes are a typical condition in the neighbourhood and the windows of the primary bedroom at the second floor are oriented towards the rear property line instead of directly overlooking the adjacent rear yard.

Staff are of the opinion that the proposed minor variances would facilitate development that is compatible with the surrounding streetscape in terms of scale and siting 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?**

The subject lands are zoned Low Density Residential ('R2.1') Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use in the applicable zone.

Yes – Variance 1 & 2 (Front Yard Setback & Front Porch Setback)

Part 2, Section 3, Table 2.4.1(Lot Width, Area, Yards) of the City of Burlington Zoning By-law 2020, stipulates that the required front yard setback is 11 metres.

Part 1, Section 2.13.1(d) of the City of Burlington Zoning By-law 2020, stipulates that the following obstructions may project up to 65 cm into a required 6 m front yard: A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter.

The applicant is proposing a setback of 8.9 metres to the front elevation of the house and 6.4 metres to the front porch, in comparison to the existing house that is setback

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2.04 metres from the front lot line. The existing porch encroaches into the City Right-of-Way.

The intent of the provision for front yard setbacks is to ensure a consistent streetscape, consistent spacing between dwellings and to mitigate potential impacts on surrounding development.

As noted, the setback of the proposed house is a significant improvement to the existing situation on the lot and more closely aligns with the other dwellings on the street with respect to setbacks and siting. As shown on the submitted drawings, the one-and-a-half storey house on the corner property at 1184 Bellview Crescent is setback 1.72 metres from the exterior side lot line facing Bellview. While this setback is an exterior side lot line and it is being compared to the front lot line of the subject lands, the siting of the dwelling contributes to the streetscape of Bellview Crescent. The property to the southwest is 1172 Bellview and formed part of a previously approved severance application, and is proposing a setback of 9 metres to the front elevation and 6.9 metres to the front porch. The proposed setback for 1178 Bellview Crescent is intended to generally match the setback of the proposed structure on 1172 Bellview to the southwest. On a broader context front yard setbacks in the surrounding area ranges from approximately 6 – 12 metres. The proposed is within the identified range. Additionally, the subject lands are within a broad area that contain properties within the Low Density Residential R2.1 zone with the subject lands being at the periphery of the R2.1 zone. Across the street are properties that fall within the R3.2 zone which has a base permission of a 6 metre front yard setback. While the subject lands are not within the R3.2 zone, the properties across the street contribute to the character of the neighbourhood and streetscape of Bellview Crescent. Staff is of the opinion that the variances would maintain the general intent of the Zoning By-law.

Yes - Variance 3 (Lot Coverage)

The subject lands are zoned Low Density Residential ('R2.1') Zone within the City of Burlington Zoning By-law 2020. A detached dwelling is permitted within the applicable zoning.

Section 4.2 (Table 2.4.3) (Maximum Lot Coverage) of the City of Burlington Zoning By-law 2020 stipulates that the maximum permitted lot coverage for a two storey dwelling is 35% including accessory buildings. The applicant is proposing a lot coverage of 37.9%.

Lot Coverage is defined in the zoning by-law as 'the percentage of the lot area covered by buildings measured to the outside of the exterior walls, including all buildings and projections (cantilevered floor space, window projections, etc.). Carports, porches and

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decks may be excluded from the lot coverage calculation provided there is no floor area above them’.

The intent of the zone provision related to maximum permitted lot coverage is to ensure an appropriate balance between built form and natural or landscape features with the objective of regulating the over-development of lots. The measure of lot coverage can be assessed on a technical basis (i.e., permeable vs. non-permeable area) or in balancing land uses in conjunction with other regulations (i.e., setbacks; minimum distance separation).

Staff note the approval of 4 separate zoning bylaw amendments in the surrounding area which resulted in special permissions. The separate zoning by-law amendments pertain to 9 different properties in the immediate vicinity which have varied the lot coverage permission. The table below summarizes the addresses and depicts the lot coverage permission. While the properties are within a different zone they contribute to the context and character of the surrounding area.

Address	Lot coverage permission	Zone
1167 & 1169 Bellview Cres.	37%	R3.2-458
1157 Bellview Cres.	37%	R3.2-483
1155 Bellview Cres.	40%	R3.2-483
515-520 Markay Common	40%	R3.4-459

For staff to consider increases to lot coverage, the application must demonstrate among other things, that the increase has minimal impact to surrounding development. In this case, the building envelopes shown on the plans submitted in support of the subject application show that the requested lot coverage variance represents a 13.09m² increase in coverage, is in line with the surrounding front yard setbacks, meets the required rear and side yard setbacks, indicating that the proposed maintains an adequate balance of permeable and non-permeable surfaces.

Staff note that the proposed house extends beyond the footprint of the abutting house to the southwest, which is an undersized footprint for the permitted lot coverage. The proposal meets the required 10-metre rear yard setback and complies with side yard setbacks. Additionally, due to the subject lands being narrower than surrounding properties, the design incorporates a deeper footprint. It’s reasonable to expect with a narrower parcel to accommodate a deeper building footprint.

Staff are of the opinion that proposal meets the general intent of the Zoning By-law.

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Yes - Variance 4 (Garage Width)

Part 2, Section 3.8, (Garages) of the City of Burlington Zoning By-law 2020, stipulates that the width of a front-loading garage shall not exceed 50% of the width of its building elevation.

The intent of this zoning provision is to prioritize the visual prominence of the residential portion of a dwelling rather than the attached garage when viewed from the street. By preventing the garage from becoming a dominating feature, this provision encourages a streetscape that is more pedestrian-friendly and aesthetically appealing, reducing the dominance of garages and enhancing the focus on the home's living space.

The request is for an additional 0.59 metres of garage width. The proposed design achieves this intent through several key elements. The inclusion of a prominent front entryway helps to draw attention away from the garage, ensuring that it does not become the dominant feature. Additionally, the two-storey design increases the overall percentage of the façade dedicated to living space, further reducing the visual impact of the garage. Furthermore, the surrounding neighborhood contains multiple homes with a similar architectural style, including large garages, demonstrating that the proposed design is consistent with the established streetscape. Given these factors, the dwelling maintains a pedestrian-friendly and aesthetically appealing streetscape while respecting the intent of the zoning provision.

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 property, as they facilitate the development of the subject lands, while maintaining compatibility with existing development patterns. Notwithstanding, the dwelling will be designed in such a way that is compatible with the surrounding neighbourhood character by incorporating similar physical features, and by siting the dwelling in a manner that respects the existing streetscape, including front yard setbacks and front porch design.

Staff further note that development engineering, Urban Forestry and Transportation have no objections to the proposed variances.

Staff are of the opinion that the proposal has been designed in such a way that is desirable for the development of the subject lands.

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

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 requested variances establish a built form, scale, and massing effect that is compatible with the area. Impacts to the site and the surrounding area will be minimal. As such, staff are of the opinion that the proposed variances are 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 variances.

Date: April 4, 2025Prepared By: Ryan Kochuta**Report Schedules & Attachments:**Attachment No. 1 (Site Photos – March 17th, 2025)

View of the subject lands from Bellview Crescent.



View of the abutting property to the southwest and streetscape

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

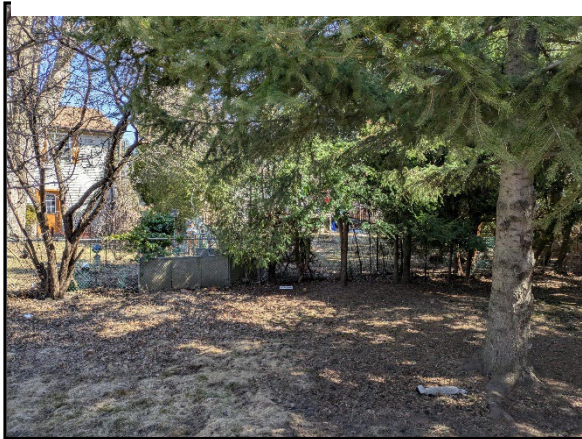
APRIL 23, 2025



View of the subject lands and the house to the southwest



View of the streetscape



View of the abutting properties to the northeast



View of the abutting properties to the southeast



View of the abutting property to southwest

COMMITTEE OF ADJUSTMENT**Meeting #07****AGENDA****APRIL 23, 2025**

Development Engineering

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

Date: March 6, 2025Prepared By: D. Savelli**Forestry**

Forestry has reviewed the application and has no objection to the proposed minor variance(s) and provides the following 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.
- An Arborist Report and Tree Protection Plan will be required through the tree permit application process
- A consent letter is required to be supplied with a tree permit application where the applicant is not the sole owner of the tree(s). This includes boundary and/or neighbouring trees. Should an applicant not obtain consent from the adjacent owner(s), it may necessary to relocate the limits of excavation and associated disturbance outside of the minimum tree protection zone(s) of the tree(s).

Date: March 11, 2025Prepared By: M.Krzywicki**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: March 19, 2025Prepared By: Q. Tan**Transportation Planning**Deemed Road Width Analysis

As per the Official Plan and Zoning By-Law, the deemed width of Bellview Crescent is

COMMITTEE OF ADJUSTMENT**Meeting #07****AGENDA****APRIL 23, 2025**

20 metres. The existing right-of-way of Bellview Crescent at the subject property is approximately 20 metres. Therefore, widening is not required.

Date: August 22/2023Prepared By: Dan Ozimkovic

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

Date: March 19, 2025Prepared By: Derek Napoli**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: March 5, 2025Prepared By: C. Schoenhals**Halton Region**

Regional Staff have reviewed the Minor Variance application proposing the construction of a two-storey detached dwelling with an attached garage. Variances to the front yard, maximum lot coverage and width of the front loading attached garage are required.

- Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development matters has changed. The Region is no longer 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 has been signed 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.

COMMITTEE OF ADJUSTMENT**Meeting #07****AGENDA****APRIL 23, 2025**

- Regional staff are of the understanding that the subject lands were previously subject to Consent application 545-02-B-014/2021.
- Regional Waste Management:
 - Regional waste will service the proposed home for full curbside waste collection services once construction is completed and units are occupied.
- It is the expectation of Halton Region that both the severed and retained parcel shall be on full municipal services. Therefore, Regional staff request the following condition be added to the Committee of Adjustment's decision for the subject lands:
 - That the owner must contact Halton's Public Works Department, Services Permits Group, (905) 825-6000 extension 7878, Services Permits Technician, to supply copies of their detailed servicing drawings, to review any water and wastewater servicing concerns, obtain a Services Permit(s) and pay all necessary fees.
 - Any water or wastewater service connections that currently exist to the property, that will not be utilized, currently exist in duplication or are deemed substandard, will be required to be disconnected at their respective mains by the Owner.
 - The Owner can at any time investigate with their builder and contractor, and by obtaining utility locates, the size and location of existing services within the road allowance in order to design the Owner's individual site servicing.
- Regional Staff have no objections to the Minor Variance application, subject to the above-noted condition being included.

Date: March 19th, 2025Prepared By: Shiza Mushtaq**Ministry of Transportation**

The MTO has reviewed the site location and has determined it is within MTO permit jurisdiction. MTO review, approvals and permits will be required for any development at the above address.

Date: March 18th, 2025Prepared By: David Pillay**Burlington Hydro Inc. (BHI)**

At the time of the staff report being completed, no comments were received by Burlington Hydro Inc.

Date: April 4th, 2025Prepared By: C. Kabel

COMMITTEE OF ADJUSTMENT

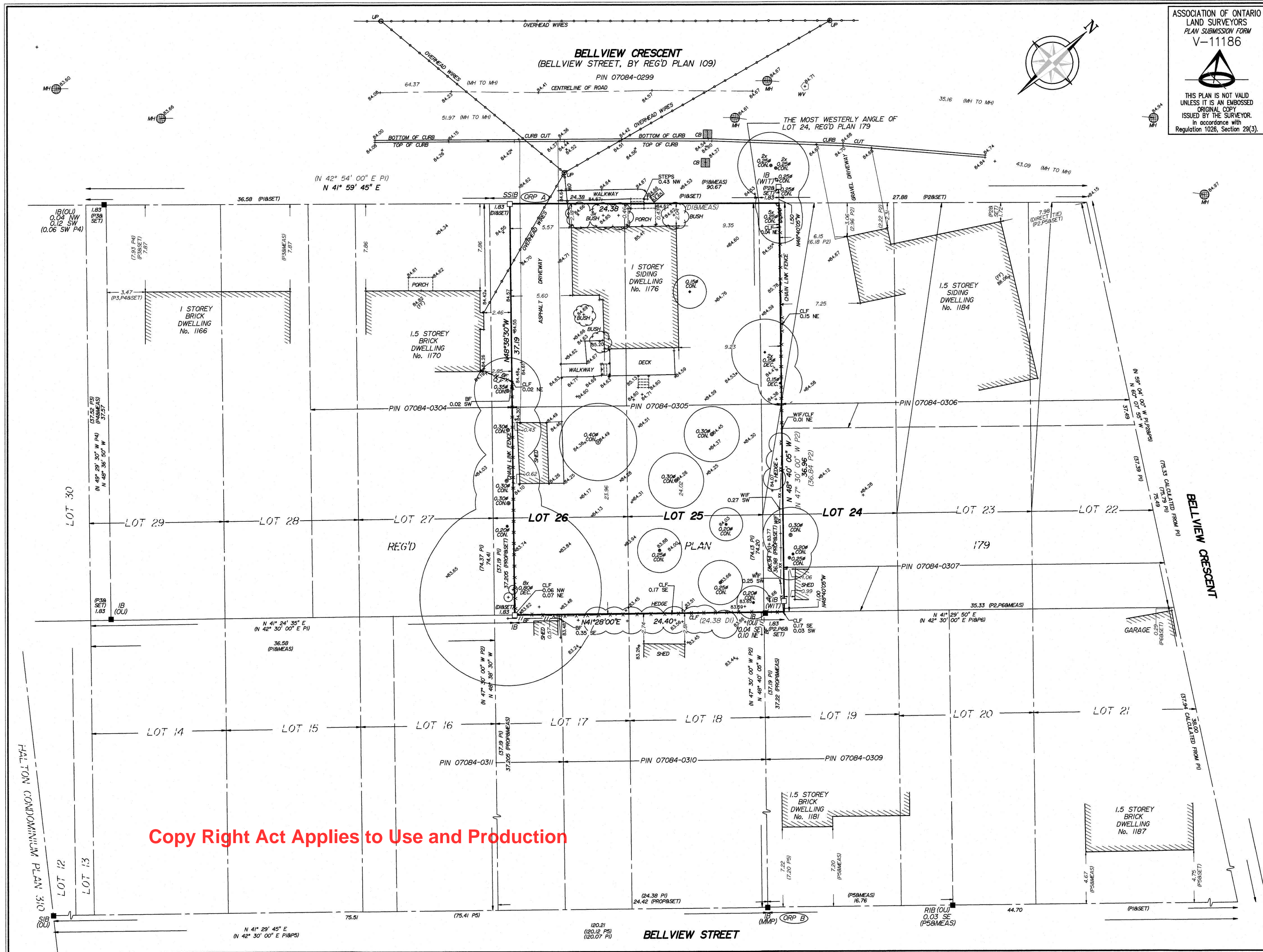
Meeting #07

AGENDA

APRIL 23, 2025

APPENDIX

Appendix 1_ Plan of Survey (April 21, 2021)



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-11186

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR.
In accordance with
Regulation 1026, Section 29(3).

SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF SURVEY AND TOPOGRAPHY OF
LOT 25 AND PART OF LOTS 24 & 26
REGISTERED PLAN 179
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor 2021

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the written permission of J. H. Gelbloom Surveying Limited is Strictly Prohibited.

SURVEYOR'S REAL PROPERTY REPORT - PART 2
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
None

NOTABLES
Note the location of the Fences around the Subject Property.
Note the location of the Overhead Wires servicing House No. 1170
at the Westerly corner of the Subject Property.
Note the location of the Steps along the Northwestern Limit of
the Subject Property.

LEGEND

■	Survey Monument Found	WIF	Wrought Iron Fence
□	Survey Monument Set	N	Denotes North
SIB	Standard Iron Bar	S	Denotes South
IB	Iron Bar	E	Denotes East
RIB	Round Iron Bar	W	Denotes West
(OU)	Origin Unknown		
(MMP)	Mackay Mackay & Peters O.L.S.		
P1	Registered Plan 179		
P2	Plan of Survey by Sewell & Sewell O.L.S., dated October 11, 1972		
P3	Plan of Survey by Mackay & Mackay O.L.S., dated March 8, 1954		
P4	Plan 20R-21041		
P5	Plan of Survey by Mackay Mackay & Peters O.L.S., dated April 12, 2019		
P6	Plan of Survey by A.J. Clarke, O.L.S., dated November 16, 1964		
DI	Inst. No. 855273		
FF	Finished Floor		
FG	Fixed Grade		
BF	Board Fence		
UP	Utility Pole		
DEC.	Deciduous		
PROP.	Denotes Proportion Distance		
CON.	Coniferous		
CLF	Chain Link Fence		
MH	Maintenance Hole		
WV	Water Valve		
CB	Catch Basin		
OW	Overhead Wires		

BENCHMARK
Elevations are Referred to the City of Burlington Benchmark No. 212, having
an Elevation of 85.626 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 the foundation and are perpendicular to property
lines, unless otherwise noted.

This REPORT was prepared for Katherine & Mark Babony 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 UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B,
BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD 83 (CSRS) (2010).
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4 796 830.19	596 704.98
ORP B	4 796 797.95	596 775.79

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Distances shown on this plan are Ground Distances and can be converted to Grid
Distances by Multiplying the Combined Scale Factor of 0.999708

SURVEYOR'S CERTIFICATE
I certify that:
1: This survey and plan are correct and in accordance with the Surveyors
Act, the Surveyors Act, and the Regulations made under them.
2: The survey was completed on the 9th day of April, 2021.

21 April 2021
Date
Jaime Gelbloom, O.L.S.
Party Chief: N.A./A.M. Drawn By: M.A. Checked By: J.G. Project: 21-046

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

EXEMPTION FROM NEW SURVEY REQUIREMENT



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 may result in deferral of the application.

Thank you for your co-operation,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

2274641 Ontario Inc

Property

1178 Bellview Crescent (Retained Lands
under Files 545-02-B-014/2021 and
540-02-A-119/2021) Part 2

A handwritten signature in black ink, appearing to be "MS", written over a horizontal line.

Signature of Owner/Agent

April 10, 2023

Date



File No.:

A

**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 ActDiscussed the application with a city zoning examiner and development planner Y ☐ or N ☐Name of Planner: Melissa MorganName of Zoning Examiner: Erin Ruby**PROPERTY INFORMATION:**

Address(es) of property:

_1178 Bellview Crescent (Retained Lands under Files 545-02-B-014/2021 and 540-02-A-119/2021) Part 2Legal description of property (registered plan number and lot number or other legal description):
_____**OWNER(S) INFORMATION:**Name: 2274641 Ontario IncAddress: 1176 Burnhamthorpe Rd. West Oakville, ON L6M 4L1Postal Code: L6M 4L1

Home Phone: _____

Work Phone: _____

905-257-1220

Mobile: _____

E-mail: nicole@markayhomes.com**AGENT INFORMATION (If Any): Unless otherwise required, all communications will be sent to the agent.**Name: Michael Barton c/o MB1 Development Consulting Inc.Address: 1489 Abbeywood Drive, Oakville, ONPostal Code: L6M 2M6

Work Phone: _____

Mobile: _____

905-599-9973E-mail: michael@mb1consulting.com

Official Plan Designation:

Residential - Low Density / Established Neighbourhood Area

Current Zoning Designation:

R2.1Contact Owner: ☐ (check one)Agent: ☒**PROPOSED DEVELOPMENT:** Construction of new single detached dwelling on lot created through Files 545-02-B-014/2021 and 540-02-A-119/2021**Outline each variance you are requesting as well as the Zoning By-law requirements (Example: Reduction of front yard setback from 6m to 3m.) Attach a separate sheet if required.**

1. Lot coverage of 37.9% instead of the maximum permitted 35%.
2. Front yard of 9.6m instead of the minimum required 11m to the dwelling.
3. Front yard of 6.4m instead of the minimum required 10.35m to the front porch and stairs
4. Permit a garage width of 56% instead of the maximum permitted 50% of the width of its building elevation.

In your own words, explain what you are proposing to do and why you cannot 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
2. Why are the variance(s) desirable for the appropriate use of the land?
3. Do the variance(s) meet the intent and purpose of the Official Plan?
4. Do the variance(s) meet the intent and purpose of the Zoning By-law (Attach separate sheet if required)

When justifying your reasons for approval, consider if the minor variances have any impact on the surrounding area? If you wish, you can include pictures or photos or letters of support with your application materials.

Please refer to Planning Justification Report submitted with application

Date property was purchased: _____ (month/day/year)	Date property was first built on: _____ (month/day/year)	Date of proposed construction on property: _____ (month/day/year)
EXISTING USE OF THE SUBJECT PROPERTY (check one): Detached Dwelling <input checked="" type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Stacked Townhouse Dwelling <input type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi-Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant (New Home) <input type="checkbox"/> Other <input type="checkbox"/> _____		Length of time the existing uses of the subject property have continued: Since lot creation _____ PROPOSED USE OF LAND: Single detached dwelling
EXISTING USES OF ABUTTING PROPERTIES (check all that apply) Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>		
ADDITIONAL INFORMATION (where applicable): Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/> Is the property on the heritage inventory list for the Heritage Burlington? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>		

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway ☐ Municipal Road ☒ Private Road ☐ Water ☐ Other (Specify) _____

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

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: _____

IF KNOWN, IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS:

	Yes	No	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	Permit Issued? Yes <input type="checkbox"/> No <input type="checkbox"/>
Consent (Land Division Committee)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	545-02-B-014/2021
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	540-02-A-118/2021

FOR A RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLING**Dimensions of property:****Street width: (See 1st page of application for how to obtain deemed street width)**

Frontage: 12.19 m	Depth: 37.08 m	Area: 0.045 ha	Actual:	Deemed: 20 m	Required:	Lot Coverage 38%	Corner lot: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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PARTICULARS of all buildings and structures on or proposed for the subject land**EXISTING (Dwelling & Buildings)** N/A

Ground Floor Area: (including garage if attached)	M2
Gross Floor Area:	M2
Number of Storeys:	
Width:	M
Length:	M
Height:	M

Garage/Car port (if applicable)Detached ☐

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

Accessory Structure (Shed, Gazebo, etc.)

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

Other (Pool, 2nd Shed, Deck, Driveway, etc.)

Gross Floor Area:	M2
Width:	M
Length:	M
Height:	M

PROPOSED (Dwelling/Building/Addition)

Ground Floor Area:	135.36	M2
Gross Floor Area:	304.63	M2
Number of Storeys:	2	
Width:	9.7	M
Length:	17.98	M
Height:	9.7	M

Garage/Car port (if applicable)Detached ☐

Gross Floor Area:	35.12	M2
Width:	5.23	M
Length:	6.1	M
Height:		M

Accessory Structure (Shed, Gazebo, etc.)

Gross Floor Area:		M2
Width:		M
Length:		M
Height:		M

Other (Pool, 2nd Shed, Deck, Driveway, etc.)

Gross Floor Area:		M2
Width:		M
Length:		M
Height:		M

LOCATION of all buildings and structures on or proposed for the subject land**EXISTING****Dwelling**

Front:	M
Rear:	M
Side/Street Side	M
Side/Other Side	M

Other

Front:	M
Rear:	M
Side/Street Side	M
Side/Other Side	M

PROPOSED**Dwelling**

Front:	9.09	M
Rear:	10.05	M
Side/Street Side	1.24	M
Side/Other Side	1.25	M

Other

Front:		M
Rear:		M
Side/Street Side		M
Side/Other Side		M

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, Michael Barton of the Town of Oakville in the Region 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 of Gevelph in the Province of Ontario
this 12 day of Aug 20 23

Signature of Commissioner, etc.

LSO 741075

Signature of Applicant or Authorized Agent

OWNER'S AUTHORIZATION***If an agent is used, the owner must also complete the following:***I, 2274761 Ontario Inc. 2274641 Ontario Inc***being the registered owner of the subject lands hereby******authorize*** Michael Barton c/o MB1 Development Consulting Inc.
(name of agent)***to prepare, submit and act on my behalf with respect to this application******for Minor Variance.***J Cohen

Signature

April 4, 2023

Date

PERMISSION TO ENTERPermission to Enter – This **MUST** be completed for all applications and signed by the **OWNER**.1178 Bellview CrescentMunicipal Address of Subject Lands: 1178 Bellview Crescent (Severed Lands under Files 545-02-B-014/2021 and 540-02-A-119/2021) Part 2

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/Agent

Michael Barton

Please Print Name

Mandatory	Provided	Not Applicable	MINOR VARIANCE APPLICATION CHECKLIST Please ensure all materials and measurements are included in your submission. Check with staff if you have any questions about required material
✓			TWO (1) COPIES OF A NEW SURVEY (which includes proposal)
			To Scale
			Metric
			North Arrow
			Easements
OR			
✓			TWO (1) COPIES OF ORIGINAL SURVEY
			Completed Exemption Form
			To Scale
			Metric
			North Arrow
			Easements
OR			
✓			DETAILED SITE PLAN (reviewed by zoning examiner)
	x		Site Plan Stamped by a Certified Architect or Engineer
	x		Elevations Stamped by a Certified Architect or Engineer
✓			1 COPY OF PLANS (MUST be true to scale and in metric)
Which include:			
✓			SITE PLAN
	x		Metric
	x		North Arrow
	x		Frontage
	x		Depth
	x		Lot Area
	x		Lot Coverage **
	x		Deemed Street Line
		x	Existing Front Yard Setbacks
		x	Existing Rear Yard Setbacks
		x	Existing Side Yard Setbacks
		x	Existing Street Side Yard Setbacks
		x	Existing Porch, Stairs and Overhang Setbacks

Mandatory	Provided	Not Applicable	MINOR VARIANCE APPLICATION CHECKLIST
			Page 2 of 2
	<input checked="" type="checkbox"/>		Proposed Front Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Rear Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Side Yard Setbacks
		<input checked="" type="checkbox"/>	Proposed Street Side Yard Setbacks
	<input checked="" type="checkbox"/>		Proposed Porch, Stairs and Overhang Setbacks
	<input checked="" type="checkbox"/>		Streets (Public and Private)
	<input checked="" type="checkbox"/>		Street Names
	<input checked="" type="checkbox"/>		Parking (Dimensioned spaces, Driveway Width, Arrangement)
		<input checked="" type="checkbox"/>	Railways (Location of them and setbacks to structures)
		<input checked="" type="checkbox"/>	All Watercourses and/or Conservation Halton Areas (creek, lake,
<input checked="" type="checkbox"/>			LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES
	<input checked="" type="checkbox"/>		Setbacks
	<input checked="" type="checkbox"/>		Height
	<input checked="" type="checkbox"/>		Area
	<input checked="" type="checkbox"/>		Length
	<input checked="" type="checkbox"/>		Width
<input checked="" type="checkbox"/>			ELEVATIONS
	<input checked="" type="checkbox"/>		Metric
	<input checked="" type="checkbox"/>		Front
	<input checked="" type="checkbox"/>		Rear
	<input checked="" type="checkbox"/>		Side 1
	<input checked="" type="checkbox"/>		Side 2
<input checked="" type="checkbox"/>			FLOOR PLANS
	<input checked="" type="checkbox"/>		Metric
	<input checked="" type="checkbox"/>		North Arrow
	<input checked="" type="checkbox"/>		Gross Floor Area Calculation
	<input checked="" type="checkbox"/>		Ground Floor Area Calculation
	<input checked="" type="checkbox"/>		Finished Floor Calculation
	<input checked="" type="checkbox"/>		Floor Space Index (where applicable)
	<input checked="" type="checkbox"/>		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.

Owner/Agent Signature:  Date: April 10, 2023

NOTICE OF PUBLIC HEARING

2274641 Ontario Inc., the owner of 1176 Burnhamthorpe Rd., Oakville, 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 **1178 Bellview Cres., Burlington** (see map).

The applicant is proposing the construction of a two-storey detached dwelling with an attached garage. This proposal results in the following variances:

1. To permit a front yard of 8.9 m instead of the minimum required 11m for a proposed two-storey detached dwelling with an attached garage.
2. To permit a front yard of 6.4m instead of the minimum required 10.35m (11 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.
3. To permit lot coverage of 37.9% instead of the maximum permitted 35% for a proposed two-storey detached dwelling with an attached garage.
4. To permit the width of a front loading attached garage to be 5.436m (56.02%) of the width of its building elevation instead of the maximum permitted 4.8515m (50%) for a proposed two-storey detached dwelling with attached garage.

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 April 7th, 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 APRIL 23, 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

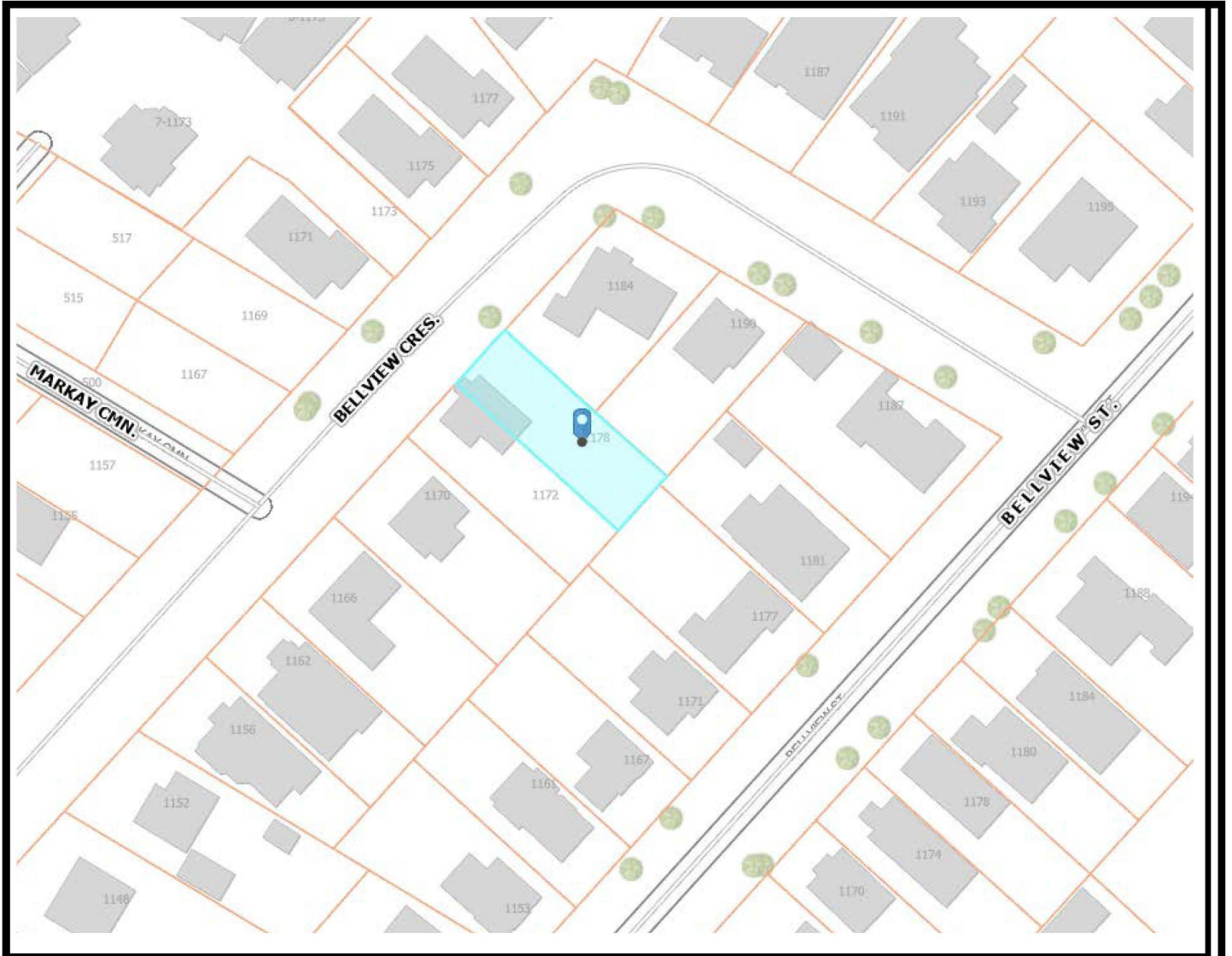
Yours truly,



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



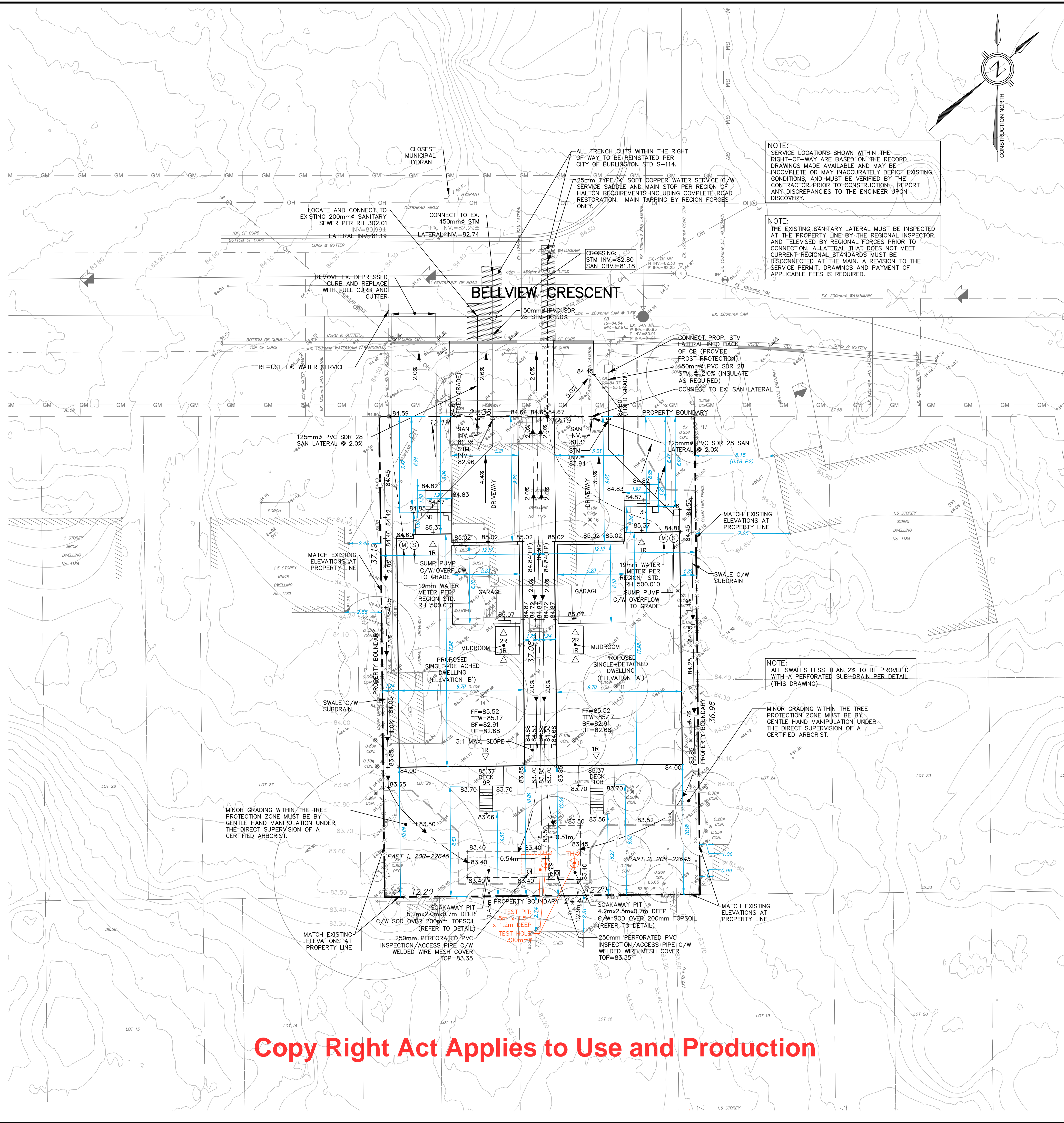
Key Map



1178 Bellview Cres.



Committee of Adjustment Community
Planning Department - Planning
Implementation



GENERAL NOTES:

1. ALL DIMENSIONS AND ELEVATIONS TO BE VERIFIED PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES FOUND PRIOR TO OR DURING CONSTRUCTION SHALL BE CLARIFIED WITH THE ENGINEER.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST STANDARDS OF THE REGIONAL MUNICIPALITY OF HALTON (INCLUDING REGION OF HALTON'S CONTRACTOR INFORMATION PACKAGE), THE CITY OF BURLINGTON, AND THE ONTARIO BUILDING CODE (PART 7). ONTARIO PROVINCIAL STANDARD SPECIFICATIONS AND DRAWINGS (OPSS & OPSD) SHALL BE USED IN ABSENCE OF LOCAL STANDARDS.
3. RESTORE ROAD AS PER THE CITY OF BURLINGTON ROAD CUT PERMIT.
4. ALL INFORMATION SHOWING THE LOCATION AND SIZE FOR EXISTING UTILITIES AND/OR SERVICES HAS NOT BEEN VERIFIED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF UTILITIES PRIOR TO CONSTRUCTION, AND PROTECTING AND MAINTAINING THE UTILITIES DURING CONSTRUCTION.
5. ALL REMOVED OR DAMAGED CURBS, SIDEWALK, GRANULARS, ASPHALT AND SOD RESULTING FROM SERVICE INSTALLATION SHALL BE REINSTATED BY SERVING CONTRACTOR TO THE CITY OF BURLINGTON STANDARDS.
6. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL, MECHANICAL AND LANDSCAPE DRAWINGS.
7. THE CONTRACTOR SHALL CHECK AND VERIFY ALL GIVEN GRADES AND ELEVATIONS, PRIOR TO CONSTRUCTION AND REPORT ALL DISCREPANCIES TO THE ENGINEER.
8. ALL GRADING CHANGES SHALL BE APPROVED BY THE ENGINEER AND CITY OF BURLINGTON PRIOR TO IMPLEMENTATION.
9. THE CONTRACTOR SHALL CLEAN ALL MUD TRACKED ON TO ADJACENT ROADWAYS.

SERVICING NOTES:

1. ALL TRENCHES SHALL BE BACKFILLED WITH APPROVED NATIVE BACKFILL COMPACTED TO 95% SPMOD.
2. BACKFILLING AND RESTORATION WITHIN THE PUBLIC ROW SHALL BE IN ACCORDANCE WITH THE CITY OF BURLINGTON ROAD CUT PERMIT AND TO THE SATISFACTION OF THE ENGINEERING & CONSTRUCTION DEPARTMENT.
3. SURROUND ALL MANHOLES WITH A MINIMUM OF 1.5m COMPACTED GRANULAR 'C' BACKFILL.

SANITARY NOTES:

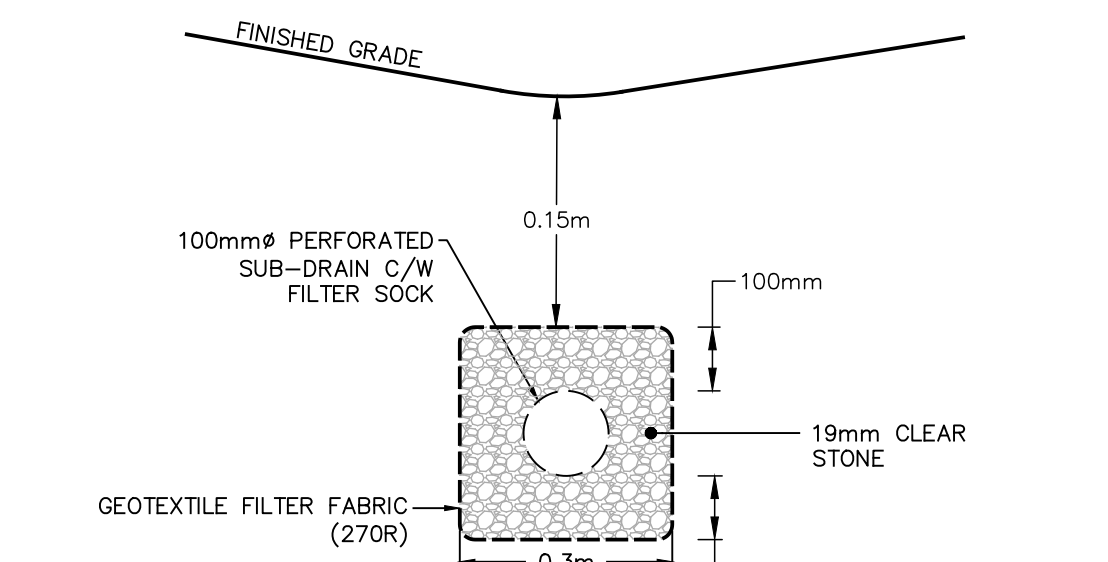
1. ALL SANITARY SEWERS SHALL BE PVC SDR35 AND BEDDING PER OPSD 802.010*.
2. ALL SANITARY MANHOLES SHALL BE 1200mm PER OPSD 701.010 c/w COVER PER OPSD 401.010, UNLESS OTHERWISE NOTED.
3. SERVICE LATERALS ARE TO BE 125mm PVC SDR-28 PIPE AT 2.0% MINIMUM (UNLESS OTHERWISE NOTED) AND SHALL BE GREEN AS PER REGION OF HALTON STANDARDS.
4. BENCHING IN MANHOLES IS THROUGHOUT TO THE CROWN OF ALL PIPES ON A VERTICAL PROJECTION FROM SPRING LINE.
5. ASTERISK (*) INDICATES OPSD CAN BE USED MODIFIED BY REGION OF HALTON.

WATERMAIN NOTES:

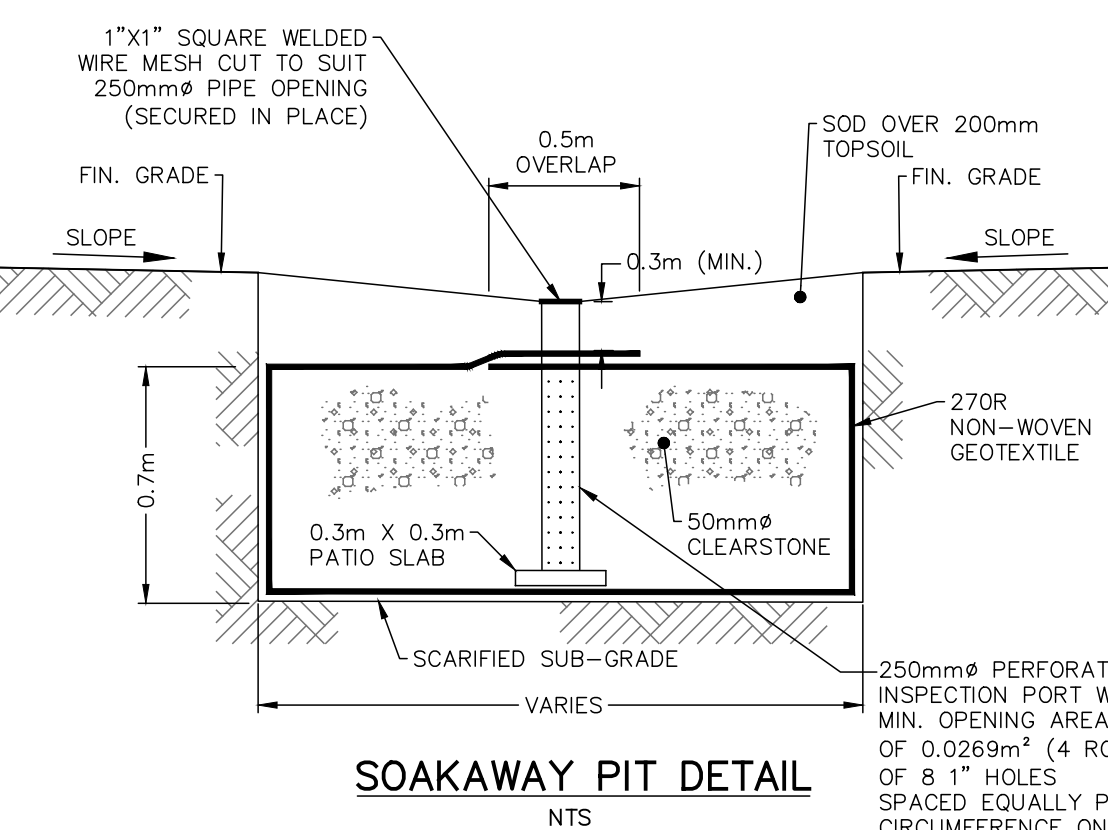
1. WATER SERVICE CONNECTION SHALL BE 25mmØ COPPER, TYPE 'K' SOFT COPPER TUBING.
2. BEDDING ON WATER SERVICE SHALL BE PER OPSD 802.010*.
3. COVER SHALL BE 1.7m MIN. UNLESS OTHERWISE NOTED.
4. MINIMUM LATERAL SEPARATION FROM OTHER UTILITIES IS 2.5m.
5. ANODE INSTALLATION PER RH 420.04.
6. WATERMAIN SHALL BE PRESSURE TESTED TO 150psi FOR 3 HOURS AND WITNESSED BY REGION OF HALTON.
7. WATERMAIN SHALL BE TESTED AND DISINFECTED AS PER REGION OF HALTON REQUIREMENTS.

GRADING NOTES:

1. ALL AREA GRADING AND RESULTING DRAINAGE PATTERNS SHALL NOT ADVERSELY AFFECT ADJACENT LANDS. EXISTING GRADES AND DRAINAGE PATTERNS SHALL BE MAINTAINED.
2. MINIMUM GENERALLY ACCEPTED GRADIENT 2.0%.
3. MAXIMUM GENERALLY ACCEPTED GRADIENT 5.0%.
4. MAXIMUM ACCEPTABLE SLOPE 3 PARTS HORIZONTAL TO 1 PART VERTICAL.
5. MINIMUM SWALE GRADIENT - 2.0%.
6. MINIMUM SWALE DEPTH - 150MM.
7. THE MINIMUM GRADIENT ON ANY DRIVEWAY SHALL BE 2.0%. THE MAXIMUM DRIVEWAY GRADIENT IS 8.0%.
8. RETAINING WALLS SHALL BE CONSTRUCTED ENTIRELY ON THE UPPER PROPERTY SO THAT THE BACKS (IF REQUIRED) DO NOT CROSS PROPERTY BOUNDARIES.



TYPICAL SECTION - PERFORATED PIPE
N.T.S.

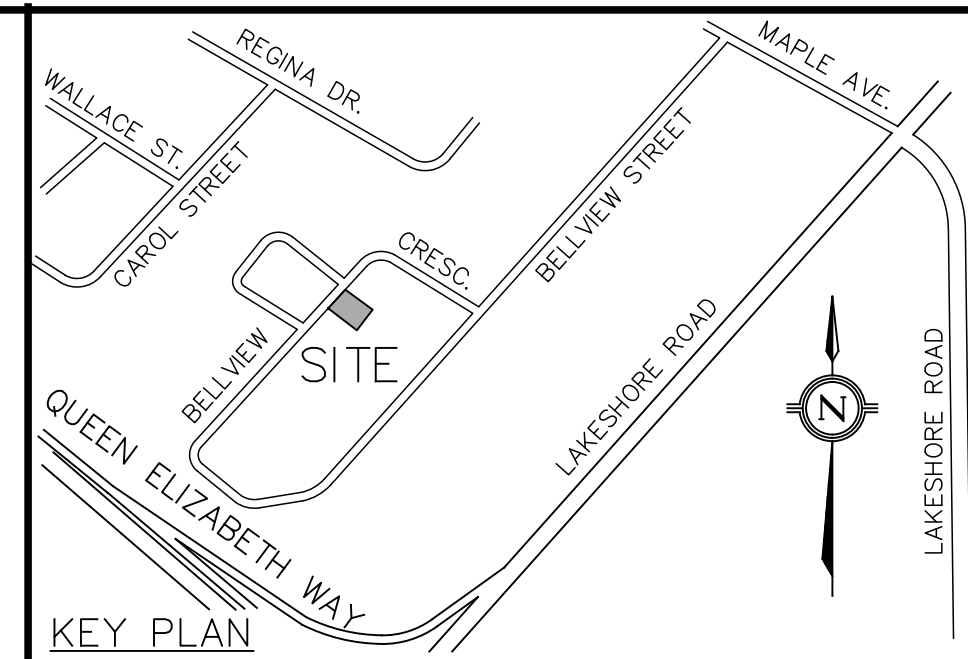


SOAKAWAY PIT DETAIL
N.T.S.

TREE PROTECTION LEGEND

(REFER TO ARBORIST REPORT PREPARED BY KUNTZ FORESTRY CONSULTING INC.)

- TREE TO BE REMOVED
- TREE PROTECTION FENCE
- TREE NUMBER PER ARBORIST REPORT



- LEGEND
- PROPOSED CATCHBASIN
 - PROPOSED DOUBLE CATCHBASIN
 - PROPOSED STORM MANHOLE
 - PROPOSED SANITARY MANHOLE
 - PROPOSED FIRE HYDRANT
 - PROPOSED VALVE & BOX
 - PROPOSED PLUG
 - PROPOSED SINGLE HOUSE SERVICE
 - PROPOSED WATER SERVICE
 - PROPOSED STORM SEWER
 - PROPOSED SANITARY SEWER
 - PROPOSED WATERMAIN
 - PROPERTY BOUNDARY
 - EXISTING ELEVATION
 - EXISTING ELEVATION TO REMAIN
 - PROPOSED FINISHED ELEVATION
 - INTERPOLATED ELEVATION TO REMAIN
 - PROPOSED LOTLINE GRADE DIRECTION
 - PROPOSED DRAINAGE DIRECTION
 - PROPOSED SWALE DRAINAGE DIRECTION
 - EXISTING OVERLAND FLOW DIRECTION
 - PROPOSED SLOPE
 - PROPOSED WATER METER
 - PROPOSED SUMP PUMP
 - EXISTING CONTOUR INTERVALS (EVERY 0.10m - DERIVED FROM LIDAR)
 - TEST HOLE LOCATION
 - SETBACK DIMENSIONS PER SITE PLAN (PART 1 & 2) BY HUNT DESIGN ASSOCIATES INC., DATED FEB. 5 2025

NO.	DATE	BY/DRAWN	REVISIONS
4	25/02/07	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
3	24/09/26	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
2	24/04/24	PC/MF	REVISED PER CITY COMMENTS
1	24/02/27	PC/MF	ISSUED FOR CONDITIONS OF PROVISIONAL CONSENT

NO.	DATE	BY/DRAWN	REVISIONS
4	25/02/07	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
3	24/09/26	PC/MF	REVISED PER MINOR VARIANCE COMMENTS
2	24/04/24	PC/MF	REVISED PER CITY COMMENTS
1	24/02/27	PC/MF	ISSUED FOR CONDITIONS OF PROVISIONAL CONSENT

CAD FILE: 1843GS.dwg | PLOT SCALE: 1:1 | PLOT DATE: Feb 07, 2025

BENCHMARK
ELEVATIONS ARE REFERRED TO THE CITY OF BURLINGTON BENCHMARK No. 212, HAVING AN ELEVATION OF 85.626m.
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010).
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD 83 (CSRS) (2010). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

NOTE
SURVEY COMPLETED APRIL 9, 2021 BY J. H. GELBLOOM SURVEYING LIMITED LIMITED, ONTARIO LAND SURVEYOR, PROJECT NO. 21-046

DESIGNED BY
TRAFALGAR ENGINEERING
81-481 MORDEN ROAD, OAKVILLE, ON, L6K 3W6
www.trafalgareng.com

PROJECT TITLE
MARKAY HOMES RESIDENTIAL DEVELOPMENT

LOCATION
**1176 Bellview Crescent
BURLINGTON, ONTARIO**

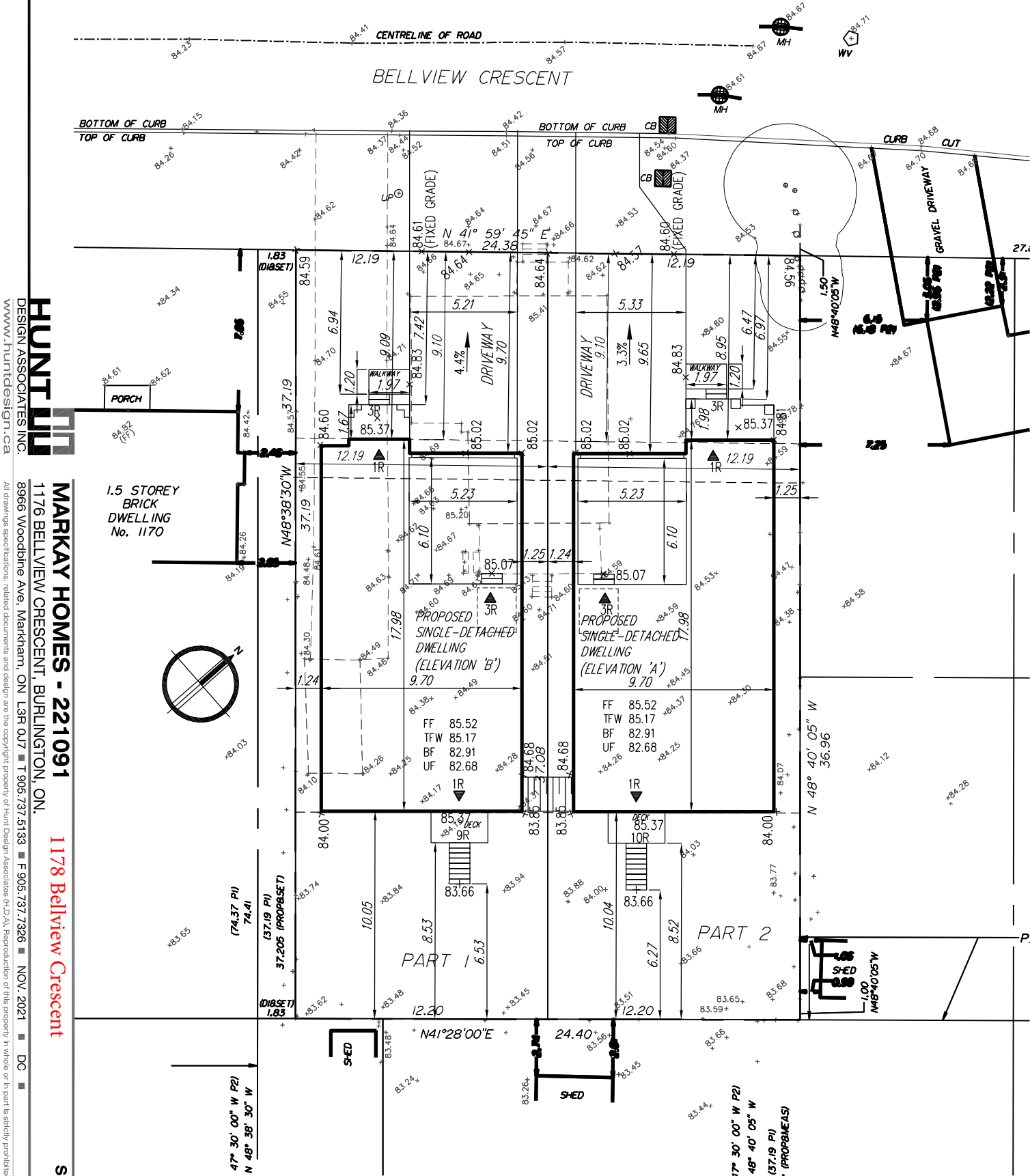
ACB0/23 & A081/23 FILE NO.: 545-02-B-014/2021

DRAWING TITLE
GRADING AND SERVICING

SCALE	1:150	DESIGN BY	PC	PROJECT No.	1843
DRAWN BY	GL	CHECKED BY	PC	PLAN No.	GS1
DATE	2024/01/08	SHEET	1 OF 1		

SITE STATISTICS	
LOT AREA (sq.m)	451.45 sq m
LOT COVERAGE (sq.m)	170.94 sq m
LOT COVERAGE (%)	37.86%
FLOOR AREA (FOR FAR CALC.)	339.75 sq m
FLOOR AREA RATIO (FAR)	0.75
FIXED GRADE ELEVATION	84.60
HIGHEST ROOF PEAK ELEVATION	94.32
BUILDING HEIGHT (m)	9.72m

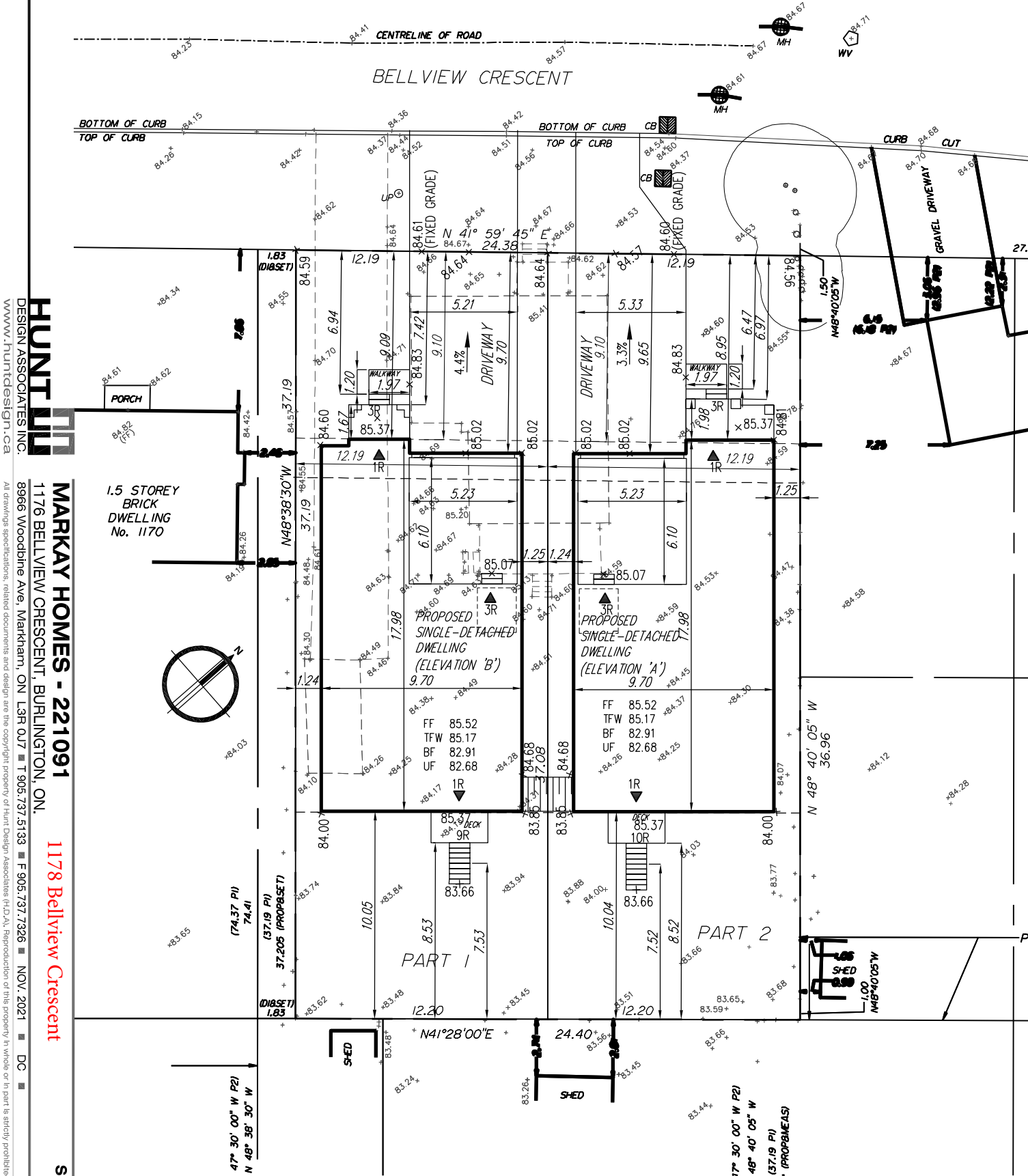
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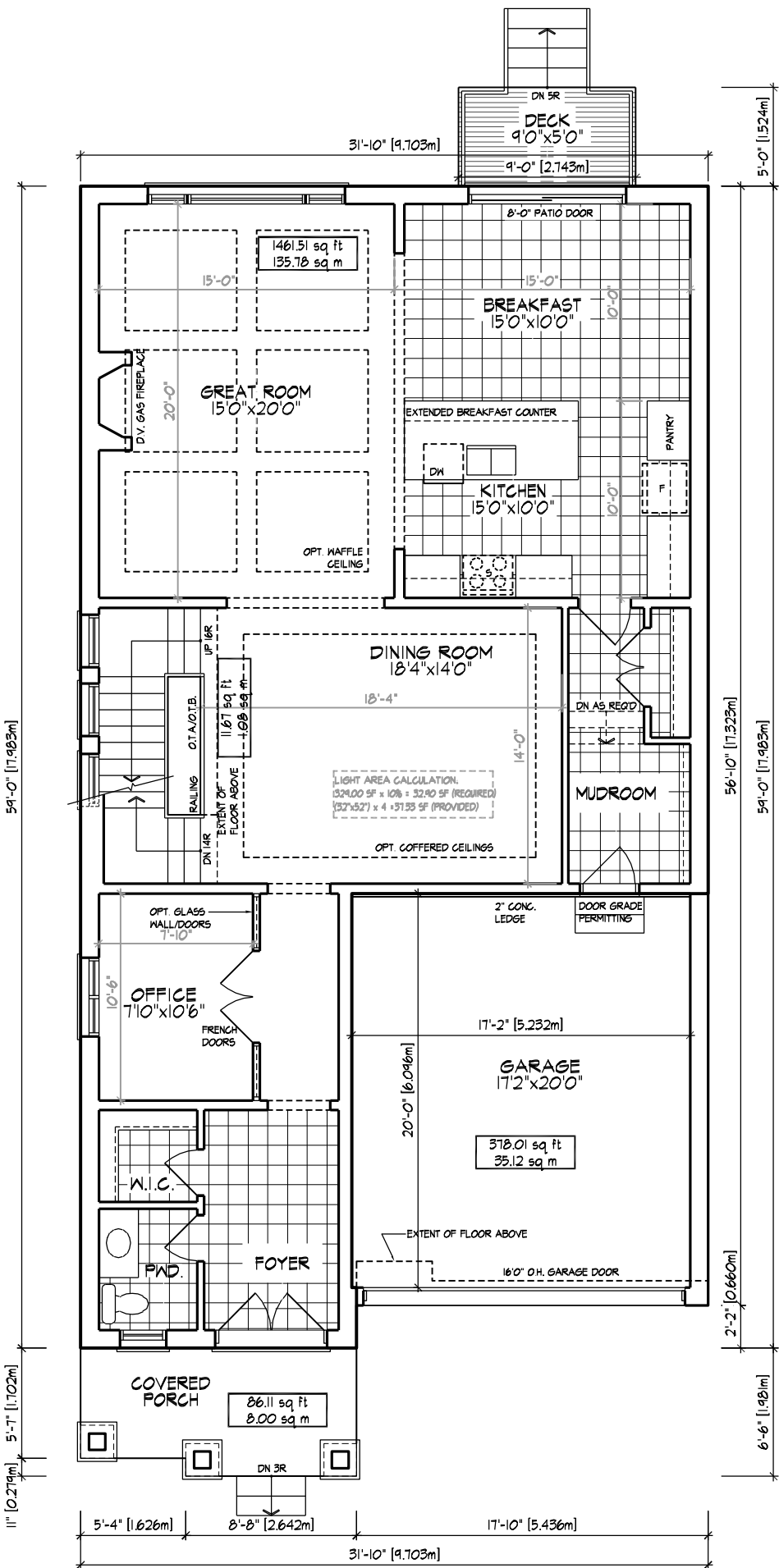
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BUILDING HEIGHT (m)	9.72m

Copy Right Act Applies to Use and Production



Copy Right Act Applies to Use and Production

Copy Right Act Applies to Use and Production



GROUND FLOOR PLAN, EL. 'A'

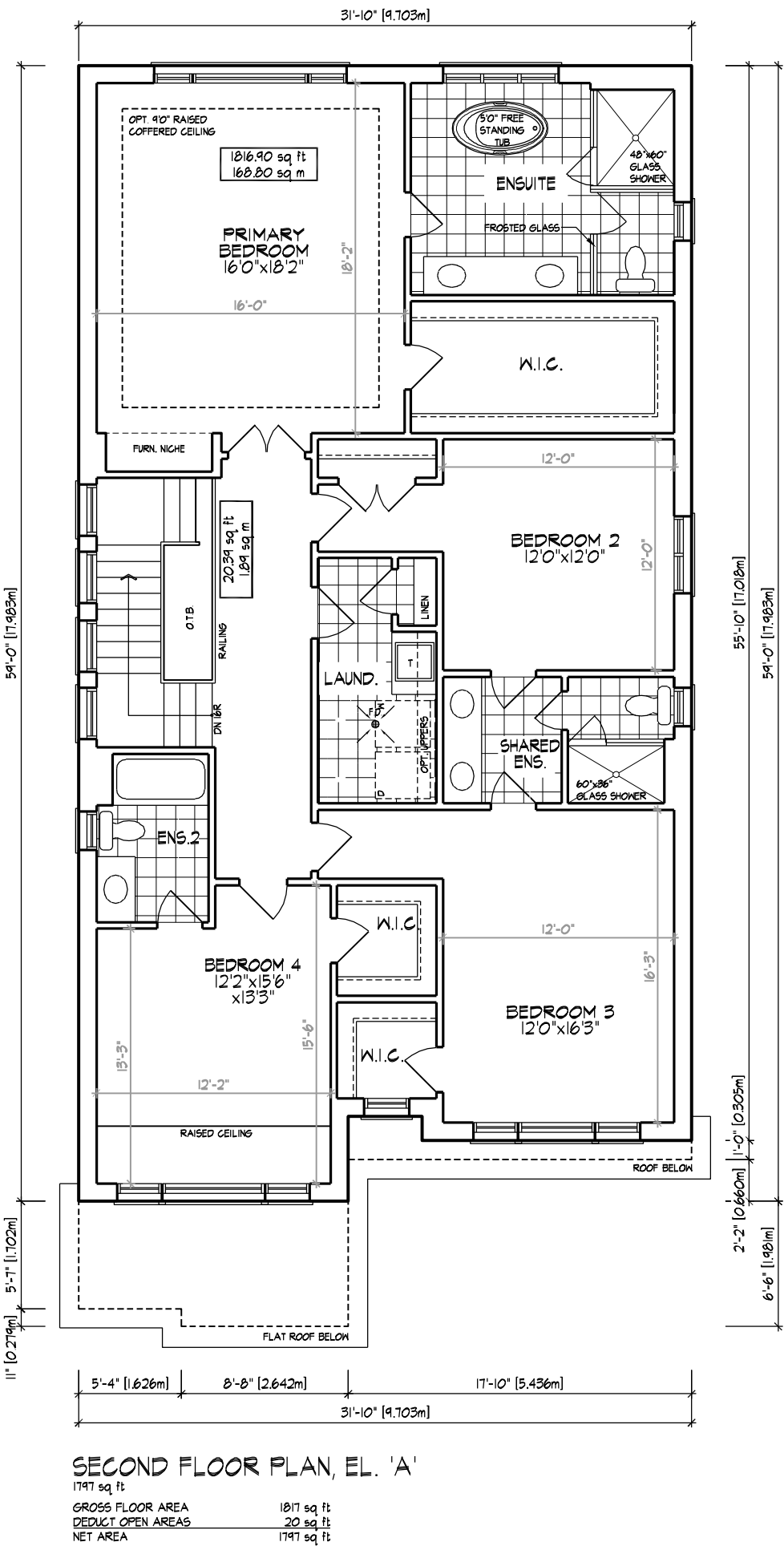
1450 sq ft

GROSS FLOOR AREA	1462 sq ft
DEDUCT OPEN AREAS	12 sq ft
NET AREA	1450 sq ft

COVERAGE W/O PORCH	1840 sq ft	MAX. COVERAGE ON PART 2 @ 38% : 1842 SF
COVERAGE W/ PORCH	1926 sq ft	

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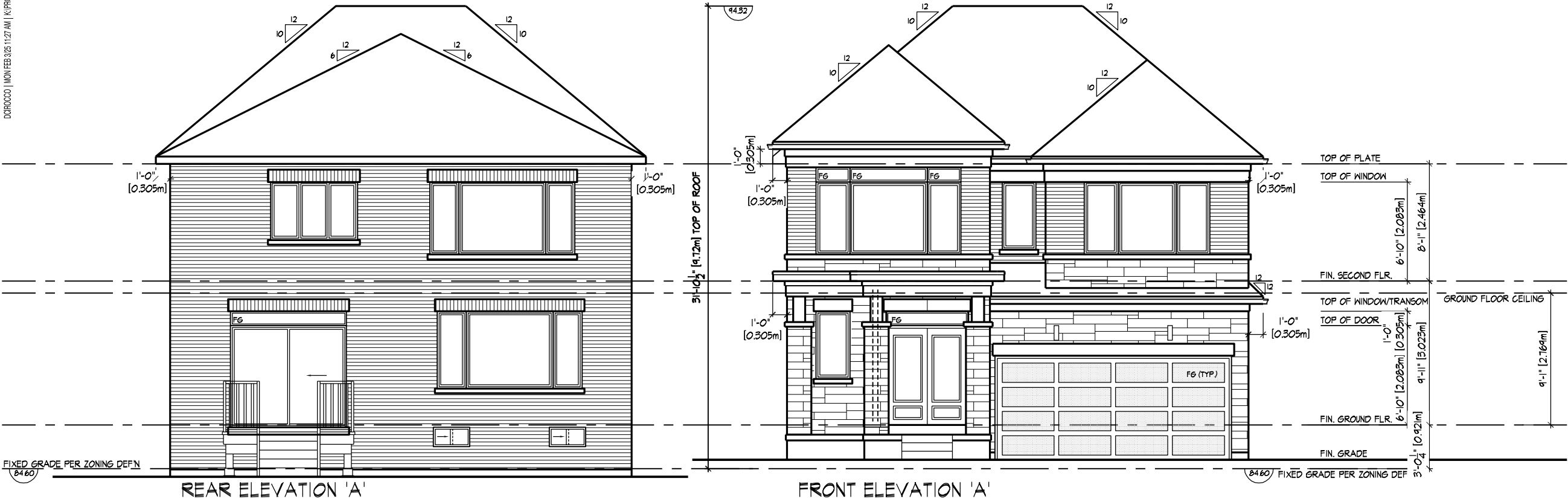


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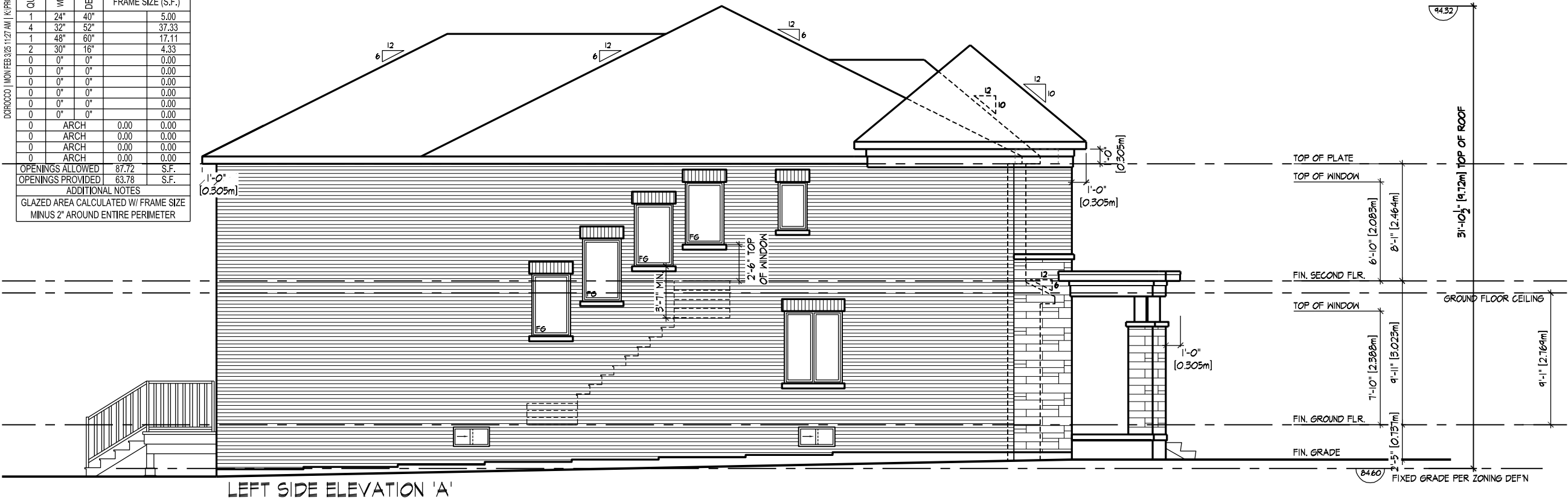
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Copy Right Act Applies to Use and Production

K:\PROJECTS\2021\221091 MARKAY HOMES\47221091DS4001.DWG
D:\PROJECTS\2021\221091 MARKAY HOMES\47221091DS4001.DWG
D:\PROJECTS\2021\221091 MARKAY HOMES\47221091DS4001.DWG

SPATIAL CALCULATION			
PER O.B.C. TABLE 9.10.15.4			
LEFT SIDE ELEVATION A			
EXPOSING BUILDING	1253.08	S.F.	
FACE AREA	116.41	S.M.	
PORTION WALL AREA	1253.08	S.F.	
	116.41	S.M.	
LIMITING DISTANCE	1.2 m		
MAX. % OPENINGS	7	%	
QUAN.	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F.)
1	24"	40"	5.00
4	32"	52"	37.33
1	48"	60"	17.11
2	30"	16"	4.33
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
OPENINGS ALLOWED	87.72	S.F.	
OPENINGS PROVIDED	63.78	S.F.	
ADDITIONAL NOTES			
GLAZED AREA CALCULATED W/ FRAME SIZE MINUS 2" AROUND ENTIRE PERIMETER			



221091.DS4001.DWG
K:\PROJECTS\2021\221091.MARKAY HOMES\221091.DS4001.DWG
MON FEB 20 11:27 AM

SPATIAL CALCULATION			
PER O.B.C. TABLE 9.10.15.4			
RIGHT SIDE ELEVATION A			
EXPOSING BUILDING	1239.27	S.F.	
FACE AREA	115.13	S.M.	
PORTION WALL AREA	1239.27	S.F.	
	115.13	S.M.	
LIMITING DISTANCE	1.2 m		
MAX. % OPENINGS	7	%	
QUAN.	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F.)
1	24"	40"	5.00
1	48"	48"	13.44
1	24"	40"	5.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	0"	0"	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
0	ARCH	0.00	0.00
OPENINGS ALLOWED	86.75	S.F.	
OPENINGS PROVIDED	23.44	S.F.	
ADDITIONAL NOTES			
GLAZED AREA CALCULATED W/ FRAME SIZE MINUS 2" AROUND ENTIRE PERIMETER			



RIGHT SIDE ELEVATION 'A'

EXTENTS OF SPATIAL
CALCULATIONS.
REFER TO WINDOW SUMMARY FOR
ADDITIONAL INFORMATION

Copy Right Act Applies to Use and Production

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

HEARING NO. 5.3 - 1:00 P.M.

File**540-02-A-088/24**

APPLICANT: Zelaya Lofts Inc.

PROPERTY: 664 Spring Gardens Road,
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing an addition to construct a four-storey residential building with a non-residential office component in the basement level.

VARAINCES:

1. To permit dwelling units on the first, second, third and fourth floors in a building containing a non-residential use in the basement, whereas the by-law permits dwelling units on the second and third floors only.
2. To permit a building height of four storeys up to 13.4 m, measured from fixed grade to top of the roof, instead of the maximum permitted 3 storeys up to 12 m.
3. To permit 12.3 m² of amenity area per unit for nine proposed dwelling units located on the first, second, third and fourth floors instead of the minimum required 20 m² per unit for dwelling units located on the second or third floors.
4. To permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue) whereas the zoning by-law does not permit a building or structure for the storage of garbage to be located in the street side lot line.
5. To permit 0 off-street loading spaces instead of the minimum required one off-street loading space

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

HEARING NO. 5.3 - 1:00 P.M.

File**540-02-A-088/24**

APPLICANT: Zelaya Lofts Inc.

PROPERTY: 664 Spring Gardens Road,
City of Burlington - Regional Municipality of Halton.VARAINCES:

6. To permit 1 occupant space per three-bedroom unit instead of the minimum required 1.5 occupant spaces per unit.
7. To permit 0.11 visitor spaces per unit instead of the minimum required 0.25 visitor spaces per unit.

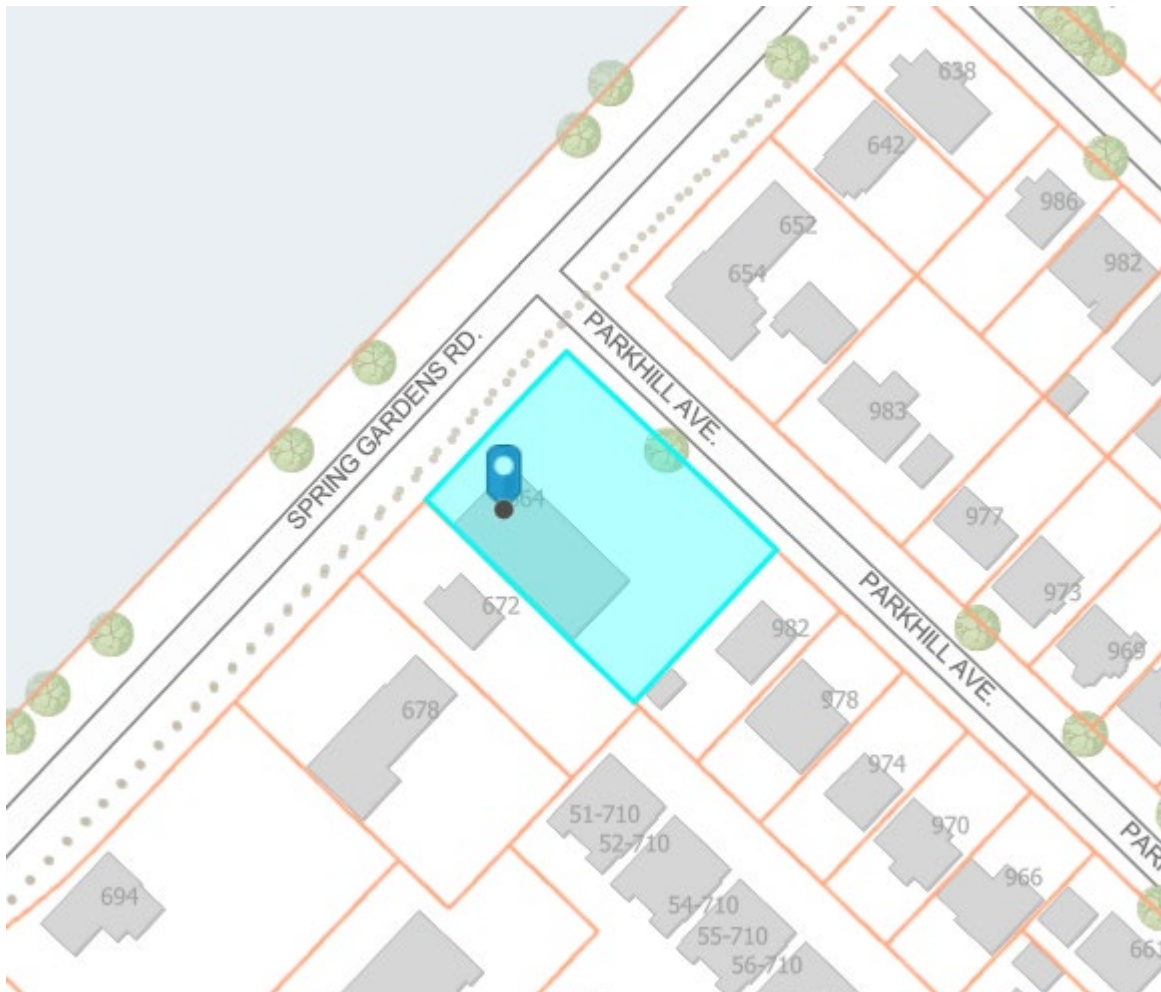
COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

Owner: Zelaya Lofts Inc.
Address: 664 Spring Gardens Rd., Burlington
File No. **A-088/24**
Ward: 1

**Staff Comments****Committee of Adjustment**

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

Date: November 13, 2024Prepared By: C. Kabel

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

Zoning

1) Background information:

The subject property is zoned CN2, or Neighbourhood Commercial, under Zoning By-Law 2020, as amended. The CN2 zone requires, among other things, the following:

2. PERMITTED USES

The uses permitted in Commercial Zones shall be in accordance with Table 4.2.1.

Table 4.2.1

USES	ZONES					
	CR	CE	CC1	CC2	CN1	CN2
Residential						
Dwelling Units on second & third floors	✓		✓	✓	✓	✓
Apartment Building per RH4 zone			✓ (f)			

4.2 BUILDING HEIGHT

Building Height: 3 storeys up to 12 m maximum

4.9 AMENITY AREA

Where dwelling units are located on the second or third floors above commercial uses a minimum amenity area of 20m² per unit shall be provided.

Number of units: 9	Required: 20 m ² x 9 units = 180 m ²	Proposed: 12.3 m ² x 9 units = 110.7 m ²
--------------------	--	--

Part 1 – General Conditions and Provisions

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

2.2.3 Where a building or structure for the storage of garbage for all other uses not mentioned in 2.2.1, would be **permitted only in a rear or side yard, not in the front or street side lot line** and shall comply with the following regulations:

- (a) Shall be located outside a required landscape area, landscape buffer and landscape open space
- (b) Minimum setback from a rear lot line: 1 m
- (c) Minimum setback from a side lot line: 1 m
- (d) Minimum setback from a residential zone: 15 m

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

(e) Maximum height: 3.7 m

(f) Shall not be located in any required parking area or obstruct any required parking or drive aisles

2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.3 At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high.

Table 1.2.6: Off-Street Parking Standards

USE	PARKING STANDARD
Apartment Building	<p>For all areas outside of Primary and Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended:</p> <p>1 occupant spaces per one-bedroom unit 1.25 occupant spaces per two-bedroom unit 1.5 occupant spaces per three or more bedroom unit 0.25 visitor spaces per unit 1 additional space per 75 units for the use of maintenance vehicles servicing the site.</p>
Office: Medical Other	<p>6 spaces per 100 m² gross floor area 3 spaces per 100 m² gross floor area</p>

Use	Required	Proposed
Office (Other): 3 spaces per 100 m ² gross floor area	235.68 m ² /100 = 2.356 x 3 = 7.07 = 8 spaces	8 spaces, including one designated accessible space
Occupant: 1.25 occupant spaces per two-bedroom unit 1.5 spaces per three or more bedroom unit	<p>8 two-bedroom x 1.25 = 10 spaces</p> <p>1 three-bedroom x 1.5 = 2 spaces</p> <p>Total: 12 spaces</p>	<p>11 spaces, including one designated accessible space</p> <p>2 Bedroom: 1.25 x 8 = 10 spaces</p> <p>3 bedroom: 1.0 x 1 = 1 space</p>

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

		Total: 11 spaces
Visitor: 0.25 visitor spaces per unit	9 units x 0.25 = 2.25 = 3 spaces	1 space (0.11 visitor spaces per unit)
Loading:	One space	0 spaces
Total:	24 spaces	20 spaces

Proposal:

The applicant is proposing an addition to construct a four-storey residential building with a non-residential office component in the basement level. Current submission indicates a total of nine, two-storey residential units with approximately 235.68m² of office space at basement level.

Variances required:

1. To permit dwelling units on the first, second, third and fourth floors in a building containing a non-residential use in the basement, whereas the by-law permits dwelling units on the second and third floors only.
2. To permit a building height of four storeys up to 13.4 m, measured from fixed grade to top of the roof, instead of the maximum permitted 3 storeys up to 12 m.
3. To permit 12.3 m² of amenity area per unit for nine proposed dwelling units located on the first, second, third and fourth floors instead of the minimum required 20 m² per unit for dwelling units located on the second or third floors.
4. To permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue) whereas the zoning by-law does not permit a building or structure for the storage of garbage to be located in the street side lot line.
5. To permit 0 off-street loading spaces instead of the minimum required one off-street loading space.
6. To permit 1 occupant space per three-bedroom unit instead of the minimum required 1.5 occupant spaces per unit.
7. To permit 0.11 visitor spaces per unit instead of the minimum required 0.25 visitor spaces per unit.

Condition:

1. The Applicant shall apply for a Zoning Clearance Certificate.

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Notes:

1. This application has been reviewed under Section 45 (1) of the Planning Act.
2. 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.
3. Height from Fixed Grade to top of roof has not been verified by Ontario Land Surveyor. Updated survey required prior to issuance of the zoning clearance certificate.
4. Landscape Area and Landscape Buffer shall meet planting requirements as per definitions under Part 16 of the zoning by-law. Snow storage and transformers are not permitted in a required landscape buffer or landscape area. Any additional variances required will be the applicant's responsibility to obtain.
5. Parking requirements are based on office as the non-residential use in the basement. Any other uses such as medical office, service commercial, etc, may result in additional parking requirements.
6. The Applicant has confirmed the proposal is not to demolish the existing building but to provide additional floors on the existing building. A letter may be required to be submitted, from a qualified professional, confirming the existing exterior main floor walls can support the proposed addition.

Date: February 25, 2025Prepared By: M. Rusin-Hynek**Site Planning**

A minor variance application has been submitted to the City of Burlington to facilitate the construction of three additional storeys onto an existing one-storey building to make a four-storey mixed-use building with nine residential rental units on floors 1-4, and a non-residential office component in the basement level. The office use at the bottom level will be partially below grade and is considered the basement for the purposes of Zoning. The residential units are intended to be affordable and each unit will be two storeys and include its own loft. The units will be broken down into eight (8) two-bedroom units, and one (1) three-bedroom unit. As a result of using the existing foundation, neither the office use nor the first level of residential units will be aligned with the existing grade. Instead, both will be accessed from the ground level with a small set of stairs going down for the office uses, and up for the residential units.

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The applicant is seeking seven variances to permit an increased building height; residential uses on floors 1-4; reduced amenity area; a fenced garbage storage in the street side yard; and a reduced number of parking and loading spaces.

The subject lands comprise a rectangular-shaped corner lot with a total lot area of 0.18 hectares with approximate frontage of 35.9 metres along Spring Gardens Road and 50 metres along Parkhill Avenue. The lands are located on the south side of Spring Gardens Road and are known municipally as 664 Spring Gardens Road. The lands are located in a part of a neighbourhood designated as a “Neighbourhood Commercial Area”, which permits commercial and mixed-use buildings. The site is surrounded by a range of uses including commercial uses (an art gallery and studio) to the east; medium density residential uses (townhouses) to the south; a commercial office use and fast food restaurant to the west; and the Royal Botanical Gardens parking lot to the north. In the midst of this section of Spring Gardens Road, which is zoned and designated for commercial and mixed uses, are remnant detached dwellings including a two-storey detached dwelling located directly to the west of the subject property (672 Spring Gardens Road).

Existing land uses on the property include the Burlington Continental Austrian Club. The building is currently one storey in height, with a partially above-grade basement. The site also supports a parking lot with approximately 29 spaces. Existing on-site conditions and surrounding streetscape are summarized in site photos included as Attachment No. 1 (Site Photos).

The subject development would include an addition to the existing building and use the existing foundation and exterior walls. By utilizing portions of the building structure, the applicant states that they can reduce construction costs, which will contribute to the goal of delivering units that are “affordable”. To be considered “affordable”, a unit must meet a definition set by a level of government (municipal, regional, provincial or federal). Each level has different funding or other incentives to support affordable housing, conditional on the applicant entering into an agreement securing the units as affordable for a minimum number of years. The City of Burlington’s Housing Strategy defines “affordable” in accordance with provincial and regional definitions. The Provincial Policy Statement, 2024 definition is:

In the case of rental housing, the least expensive of:

1. A unit for which the rent does not exceed 30 percent of gross annual household income for low- and moderate-income households; or,

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2. A unit for which the rent is at or below the average market rent of a unit in the regional market area.

The Province sets out income-based affordable rents for communities across Ontario in an annual bulletin.

The City also uses a provincial definition from the *Development Charges Act* when determining if a builder qualifies for a development charge exemption. If a development charge exemption is granted, the builder must enter into an agreement that requires the residential unit to be affordable for a period of 25 years.

The owner has expressed interest in the Canada Mortgage and Housing Corporation (CMHC) Affordable Housing Fund, and/or a development charge exemption for the project. Accessing any incentive program will trigger a requirement to enter into an agreement, which is a mechanism to verify and guarantee that units in the development will remain affordable long-term. In considering whether to factor affordability into the planning rationale, staff worked with the City's Manager of Housing to understand the above options for securing the affordable units.

In addition to reducing construction costs, preserving the existing foundation can also prevent major changes to the site related to regrading and parking, as well as disruption to the streetscape.

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?

Regional Official Plan (2009)

The subject property is in the Urban Area (Map 1), within the Built Boundary and is covered by the *Regional Intensification Corridor* overlay according to Map 1h.

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.

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-

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laws. All development, however, shall be subject to all other relevant policies of the ROP.

Section 78 of the ROP identifies a Regional Urban Structure that directs growth to Strategic Growth Areas. The Regional Urban Structure as shown on Map 1h implements Halton's planning vision and growth management strategy and sets out a hierarchy in which to direct population and employment growth to ensure efficient use of land and infrastructure while supporting transit, and the long-term protection of lands for employment uses.

Regional Intensification Corridors are identified conceptually on map 1h in the ROP and are recognized as forming part of the plan's Strategic Growth Areas. They consist of *Higher Order Transit Corridors* and selected Arterial Roads within the Urban Area, which connect other elements of the Regional Urban Structure, and are intended to accommodate higher-density mixed use development. On map 1h, Plains Road West is identified as a *Regional Intensification Corridor* using an overlay that appears to cover areas on either side of the corridor without direct frontage on it. Detailed mapping 6a-6p shows a more scoped corridor overlay limited to Plains Road West alone, but there is no definitive policy clarifying the geographic limit of the corridor overlay. The subject property is located approximately 100 metres (a 2-minute walk) away from Plains Road West and bus stop #698 in front of the Royal Botanical Gardens. The property is identified as 'Neighbourhood Commercial' (BOP, 1997) and 'Local Centre' (BOP, 2020). Staff believe the proposed development would support the *Regional Intensification Corridor* function.

Sections 82.3 to 82.7 of the ROP apply to Regional Intensification Corridors, and include the following objectives:

- (1) To recognize Strategic Growth Areas in the Region which are an integral component of the Regional Urban Structure, and serve an existing or planned higher order transit function, connecting other elements of the Regional Urban Structure, and accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context.
- (2) To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.
- (3) To achieve a mix of residential, office, institutional and commercial development, where appropriate.

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(4) To accommodate local services, including recreational, cultural and entertainment uses, where appropriate.

(5) To reflect and reinforce Local Urban Structures.

Section 84 of the ROP speaks to the goal of housing to supply the Region with an adequate mix of housing types. Additional housing policies in the ROP speak to making efficient use of serviced lands to increase the supply of housing, and encouraging Local Municipalities and the development industry to be innovative in housing designs and tenures. The proposed development represents an increase in housing within short walking distance of Plains Road West and frequent transit service, therefore staff are of the opinion that the intent of the Regional Official Plan is maintained.

1) 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 some of the policies of the BOP 2020 into force. These policies supersede the equivalent policies of the Burlington Official Plan, 1997 (BOP, 1997). The BOP, 2020 designates the lands as 'Local Centre', in accordance with 'Schedule C – Land Use Urban Area', however these policies remain under appeal. Other chapters of BOP, 2020 relevant to the application also remain under appeal so the application has been reviewed against a combination of in-force policies under both Official Plans as applicable.

Given the above, the lands are currently designated as 'Neighbourhood Commercial' in accordance with Schedule 'B' (Land Use – Urban Planning Area) of the City of BOP, 1997, as amended. This designation seeks to provide opportunities for limited neighbourhood commercial centres within and at the periphery of residential neighbourhoods in locations that meet residents' day-to-day and weekly goods and service needs.

Yes – Variances 1 and 2

The proposed building will be designed in such a way that utilizes the existing building foundation and exterior walls. The proposed office use, which is at the bottom level, is partly below grade (1.7 metres below) and considered for the purposes of Zoning to be a basement. However, the office space would not be entirely located underground, and 1.5 metres of its total floor-to-ceiling height is above grade. The main entrance would

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contain partial stairs leading either down into the basement or up to the residential units above. Although the office is partially beneath the ground, staff are satisfied that it can be easily accessed by the public from the ground level and contains windows looking out from this level. By maintaining the access for the office space from the sidewalk, and having windows visible from ground level looking into the office, staff are of the opinion that the intent of the Neighbourhood Commercial designation would still be maintained.

Four residential storeys would be located above the office level. These storeys would consist of nine large, two-storey residential units. According to Part III, Subsection 4.6.2 (b), residential uses may be permitted in the second and/or third storey of retail or commercial buildings. The proposed building would be four storeys in height; and all four storeys would be located above the commercial component, consistent with the general intent of the policy. However, BOP, 1997 only envisions a second and third storey of residential uses and not a fourth, so the policy is not technically met.

Part VI, subsection 3.2 e) of the BOP 1997 states that 'minor variations from numerical requirements in the Plan may be permitted without a Plan amendment, provided the general intent of the Plan is maintained'. Staff believe that one additional storey represents a minor variation and that the building remains a low-rise building (1-4 storeys) rather than a mid-rise building (5-12 storeys).

As previously noted, the BOP, 2020 designates the lands as 'Local Centre', in accordance with 'Schedule C – Land Use Urban Area', however these policies remain under appeal. Notwithstanding, it is important to note that according to Subsection 8.1.3(5.2)(e), 'the City will encourage a minimum building height of two (2) storeys and the maximum building height shall not exceed four (4) storeys'. Furthermore, Subsection 8.1.3(5.2)(b)(ii) states that 'residential dwelling units in the upper storeys of retail/commercial buildings' are permitted. It is important to note that while not determinative, given that they are under appeal, these policies can be informative to the review as they represent Council's vision for the future of these lands. Staff believe that variances one and two maintain the general intent of the Official Plan, which is to encourage mixed-use buildings in Neighbourhood Commercial Areas, where the bottom level of the building is commercial and the upper levels are residential.

The proposal to increase the building height enables the applicant to make units 5-9 larger and more functional than they would otherwise be. The extra storey contains the two bedrooms for each of the units. The creation of nine units including the four large rental units split between the third and fourth floor meets the general intent and purpose

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of the Official Plan with respect to Housing Affordability, in which the objective is to encourage the development of affordable housing throughout the City (Part III, subsection 2.4.1(b)). The proposed rental units also support objective 2.3.1(b) of the Housing Supply section, which states that the City should encourage the construction of new rental housing. Policy 2.3.2(h) states the City shall, in co-operation with other orders of government, encourage the provision of a range of housing types, including rental housing, for individuals and families. Lastly, the proposal meets the intent of policy 2.4.2(f) which encourages City Council to establish development standards for residential intensification, re-development and new residential development which minimize the cost of housing and facilitate compact urban form, while maintaining appropriate levels of public health and safety.

Although the number of residential storeys exceeds what the BOP (1997) envisions, staff acknowledge the need for more housing units, as outlined in the City of Burlington's Housing Pledge to create 29,000 residential units by the year 2031. The proposal will incorporate large, two-storey affordable units which contributes to the housing pledge and adds affordable housing stock to the City. To provide additional assurances of the affordability component, staff recommend that any approval be conditional on the applicant providing sworn statements affirming that they are committed to securing funding and other incentives from one or more levels of government to designate most units in the development as "affordable" units.

Compatible(ity) is defined in the BOP, 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."

In addition to the number of storeys, the applicant is seeking a variance to permit a building height of 13.4 metres instead of the maximum permitted 12 metres. Staff have assessed the potential impacts of this additional height on surrounding uses. It is important to note that the building addition is to be constructed over the existing foundation, and the existing building has a functional height of 1.5 storeys plus a peaked roof already. The building has a significant setback from the east property line abutting Parkhill Avenue and from the art gallery on the other side of the road. Staff are not concerned with the additional height from this perspective. Similarly, to the north the

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property fronts onto Spring Gardens Road and is across the street from the Royal Botanical Gardens.

The property is adjacent to one detached dwelling to the west and south. On the west side of the proposed building, the first and third storeys will not contain windows.

Although the second and fourth storeys will contain windows, the mature deciduous trees along the shared property line will provide some screening and a side yard setback of 1.2 metres is provided, whereas no setback is required. The south side of the building would not contain any windows. Staff are therefore not concerned about overlook on this side.

With respect to the built form, staff have commented on the proposed height from the perspective of the Official Plan. The area contains a range and mix of uses and building heights; the OP, 1997 permits three-storey mixed use buildings with 0 metre side yard setbacks as-of-right, and the four-storey height is envisioned for these particular areas (Local Centres within the OP, 2020), in the future. Staff are satisfied that a four-storey built form, with a 1.2 metre side yard setback is appropriate for the area.

Staff are of the opinion that Minor Variances 1 and 2 are in keeping with the general intent and purpose of the Official Plan.

Yes – Variance 3

The development is seeking a variance for a reduced amenity area for the proposed residential units. The subject property is close to the Royal Botanical Gardens; Lake Ontario; and a number of walking trails, such as the Waterfront Trail; which provide multiple opportunities for outdoor recreation. Given the surplus of outdoor amenity space surrounding the site, staff are of the opinion that this variance would continue to meet the general intent and purpose of the City of Burlington Official Plan.

Yes – Variance 4

The applicant is proposing a minor variance to permit waste storage within a street side yard, whereas this is not permitted. In this case, the setback to the building from the street side property line is 21.91 metres. The garbage storage would be located approximately 18.55 metres from the street and screened by a fence. The applicant is seeking to use the existing foundation, and as such, there are limited options for location of waste storage. Staff are of the opinion that no negative impacts will be

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created for the properties on the other side of Parkhill Avenue as a result of the waste storage being in its proposed location and are of the opinion that the general intent and purpose of the Official Plan are maintained. To ensure that the fence around the waste storage area effectively screens it from view, staff are recommending that approval be conditional on the applicant submitting a landscape plan depicting a solid screen enclosure.

Yes – Variances 5, 6 and 7

The applicant is seeking a reduction in parking which would include no loading space, and a reduction in occupant and visitor parking spaces. In total, the proposal would be deficient by four spaces. The reductions would be as follows:

Parking Space Type	Required	Proposed
Occupant	12	11
Visitor	3	1
Loading	1	0

Although the proposal is deficient in occupant spaces, staff note that there are nine residential units, and 11 occupant spaces proposed. Staff are satisfied that there is at least one parking space per unit, and that the parking complies for the two-bedroom units, which amounts to eight of the proposed nine residential units. Staff does not object to the reduction of one occupant parking space and is satisfied that parking can still be allocated to each unit.

Planning staff also recognize that the parking for the office would not be utilized at all times, and that during the evenings and weekends these spaces could be used by visitors to the apartments.

Staff do not anticipate that the proposed office use would necessitate frequent shipments and are satisfied that a loading space would not be required for this use. However, there is an on-street parking area directly in front of the site that could be used by a delivery vehicle. With respect to the loading space for the purposes of the residential units, a loading space is required for a residential building that is four storeys tall or greater (Zoning Bylaw, Part 1, 2.25.3); but the regulation does not anticipate two-storey apartment units. As such, although the building is four-storeys, it does not contain the unit count that would typically be expected within a four-storey building. This zoning provision will be discussed further in the next section of this report, however staff are satisfied that a loading space would not be required for the nine units proposed.

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It is important to note that staff have considered the opinion of Transportation Planning staff, who have no objection to the proposed variances as they relate to parking.

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 lands are zoned 'Neighbourhood Commercial (CN2)' per Map 1 of the City of Burlington Zoning By-law, 2020. This designation permits office uses as well as dwelling units on the second and third floors.

Yes – Variances 1 and 2

The applicant is seeking to permit dwelling units on the first, second, third and fourth floors and a non-residential use in the basement; and a height of four storeys up to 13.4 metres; whereas the by-law permits a residential dwelling units on the second and third storeys only, and a maximum height of 12 metres. The intent of these provisions is to maintain a low-rise mixed-use character within the neighbourhood commercial areas.

As previously noted, the proposed building will utilize the existing building foundation. The proposed office use would be considered for the purposes of Zoning to be a basement as it is located partially underground. However, the office space would not be entirely located underground given the grading of the site. The main level would contain stairs that lead up for the residential uses, or down for the office uses. As a result, although the office is partially beneath the ground, staff are satisfied that it can be accessed by the public from the ground floor, thus maintaining the general intent of having commercial uses easily accessible from grade-level. As noted in the Official Plan section of the report, staff are satisfied that the provision of affordable units, and the four-storey built form represents the City's vision for the future.

Given the range and mix of surrounding uses and building heights, staff are satisfied that the linear height increase of 1.4 metres is appropriate for the surrounding area and contributes to this mix. It is important to note that the setbacks, particularly where adjacent to low-density residential on the south and west sides, already exist; it is the additional height that would result in impacts. With respect to privacy and overlook, staff note that no windows are proposed on the south side, and views from windows on the west side will be partly screened by mature trees along the shared property line.

Staff are of the opinion that variances 1 and 2 are in keeping with the general intent and

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purpose of the Zoning By-law, subject to a condition that the applicant design a solid screen enclosure for it.

Yes – Variance 3

The applicant is seeking an amenity area of 12.3 m² per unit instead of the minimum required 20 m² per unit. The intent of the regulation for amenity area per unit is to ensure that residents of units have adequate space for indoor or outdoor recreation, in the absence of having front or rear yards. Staff have noted that the subject property is across from the Royal Botanical Gardens, which offers expansive outdoor recreational space, including many walking trails. The Waterfront Trail also passes by the property, and the property is close to the Lake Ontario waterfront which provides many opportunities for outdoor recreation and amenity space. Staff are satisfied that despite the decreased amenity area proposed for the site, the location of the subject lands offers this access for residents.

Yes – Variance 4

The applicant is seeking to permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue) whereas the Zoning By-law does not permit a building or structure for the storage of garbage to be located in the street side lot line. The intent of this regulation is to prevent negative impacts, such as noise, odour or unsightliness for the streetscape or surrounding neighbours.

The garbage storage is proposed to be located alongside the building on the east side of the property and would be located approximately 18.55 metres from the east property line. Staff are of the opinion that this is a significant distance that would not have negative impacts on the streetscape. Beyond Parkhill Avenue is a low-density residential area; however, staff are satisfied that the distance between these uses and the garbage storage is enough to mitigate these impacts.

Staff have evaluated the other yards as alternatives for garbage storage. Garbage storage in the front yard is not permitted; and, if located in this yard it would be much closer to the street. The west and south side yards directly abut residential. The setback on the west side of the property is not large enough to accommodate waste storage or pick-up. Waste storage at the rear of the property would require additional asphalt, or the removal of snow storage area, amenity area of landscape buffer area. This location would also facilitate a situation whereby the waste storage is in closer proximity to low-density residential uses.

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Staff are satisfied that the proposed location is appropriate, and that the variance meets the general intent and purpose of the Zoning By-law.

Yes – Variances 5, 6 and 7

The applicant is seeking to permit 0 off-street loading spaces instead of the minimum required one off-street loading space, to permit one occupant space per three-bedroom unit instead of the minimum required 1.5 occupant spaces per unit, and to permit 0.11 visitor spaces per unit instead of the minimum required 0.25 visitor spaces per unit. The intent of these provisions is to ensure that each of the uses on the property has adequate parking to support them.

As previously noted, the proposed relief from the parking ratio requirements would amount to one deficient occupant space for the proposed three-bedroom unit, two visitor spaces and a reduction of one loading space (resulting in 0 loading spaces). The proposed parking would accommodate sufficient parking for the office use and the two-bedroom units. Staff are satisfied that each of the residential units would have at least one parking space allocated, even with the reduction.

Transportation staff are satisfied that the parking for the office uses would generally be limited to certain hours during the weekday, and that during the times that the office is not occupied, the remainder of the parking spaces could be used for visitors for the residential portion if needed. Staff are therefore not concerned about the reduction of two visitor parking spaces.

The regulation in the Zoning By-law that speaks to loading spaces, which is applicable to the proposal, states that 'at least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high. The intent of this provision, which specifically speaks to buildings which are four storeys or higher, is to ensure that the number of units that would typically be located within a building of this size have adequate space for loading/unloading activities. Buildings under four storeys in height are typically understood to have less units, and therefore less need for a loading space. The proposed building is unique in that it is four storeys tall; however, each of the units within the building are two-storeys in height. Effectively, the building could be considered to have the number of units that would be found in a two-storey building. As a result, staff are satisfied that the demand for the loading space would be less than that of a four-storey residential or mixed-use building, and that the intent of the provision is still met.

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Staff are satisfied that the proposed office use would not have regular shipments or deliveries, and that demand for a loading space for this use would be low, and could be met by the layby parking area directly in front of the property. Staff are satisfied that a loading space is not necessary in this case.

Staff concur with the findings of Transportation Planning staff, and are of the opinion that the proposed variances related to reductions in occupant parking, visitor parking and the loading space are 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 approval of minor variances to facilitate the development of a mixed-use development located within a Neighbourhood Commercial designation which seeks to provide large, affordable housing units. Staff have evaluated the extent of the minor variances required and are of the opinion that the proposal would result in a built form that is compatible with the surrounding area and would deliver the intended uses that meet the objectives and permissions of both the Official Plan and Zoning By-law.

The applicant is proposing minimal disturbance to the site, including the use of the existing foundation, grading and parking; to minimize disruption during construction, improve affordability, and facilitate construction that is more sustainable. The provision of new housing, particularly affordable housing units, is important to the City of Burlington, and represents a desirable use of the subject lands.

For the reasons noted throughout this report, staff are of the opinion that the proposal is a desirable redevelopment of the subject lands.

4) Minor in Nature:

Is the proposed minor variance from the Zoning By-law considered minor in nature?

Yes

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The applicant is seeking to redevelop an underused parcel of land by proposing an addition to an existing building foundation. The development proposal would include an office use at the bottom level, with four storeys of residential uses above. Although the applicant is seeking an increase to the permitted height and additional floors of residential uses beyond the permitted residential on the second and third storeys, staff are of the opinion that nine (9) units would not represent a significant increase to the density, and that the intent of the regulations would be maintained.

It is important to note that the building would maintain its existing foundation and exterior walls. The proposed increase to the massing would be an additional two storeys beyond what already exists, and in the same location. The setbacks would remain the same as what currently exists, as well as the location of the parking areas. The additional massing would be in the form of two additional storeys beyond what is existing. The additional massing-related impacts have been evaluated throughout the report.

Overall, staff are of the opinion that the proposed variances are minor in nature.

Cumulative Impact:

Throughout the writing of this report, staff have considered the potential cumulative impact of the proposed variances, particularly around parking, and believe that any cumulative impacts are minor and within the scope of a minor variance application.

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 objection to the proposed minor variances subject to the below conditions.

Date: March 27, 2025Prepared By: Melissa Morgan, MCIP RPP**Conditions:**

1. That the property owner shall provide the following documents affirming that they are committed to securing funding and other incentives from one or more levels of government to designate most units in the development as “affordable” units, to the satisfaction of the Director of Community Planning:

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- i. A sworn statement from the owner that they have been actively seeking to secure an “affordable” designation through CMHC or other levels of government and that the owner will continue to do so in good faith, contingent on the availability of viable government programs;
 - ii. A commitment that if no formal agreement can be secured due to program inaccessibility, the owner will notify the City and demonstrate the efforts made.
2. That the applicant shall provide a landscape plan depicting a Landscape Area and Landscape Buffer that meet planting requirements under Part 16 of the zoning by-law, and that depicts a solid screen enclosure around the waste storage area, to the satisfaction of the Director of Community Planning.

Attachments:**Attachment No. 1 – Site Photos from Site Visit of March 6, 2025****Existing Building**

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Existing Parking Area on East Side



East Side of Building

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West Side of Building



Southeast Corner of Property (Facing East)

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Southeast Corner of Property (Facing South)



Facing East from Spring Gardens Road

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Development Engineering

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

Date: March 19, 2025Prepared By: P.Dimitroulias**Forestry**

Forestry has reviewed the application and has no objection to the proposed minor variance(s) and provides the following advisory comment(s) to the applicant:

- There are regulated trees on and/or adjacent to the subject lot, and a tree permit(s) will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
- The construction of the proposed building, with its increase in height, may conflict with regulated trees. A consent letter is required to be supplied with a tree permit application where the applicant is not the sole owner of the tree. This includes boundary and/or neighbouring trees. Should an applicant not obtain consent from the adjacent owner(s), it may be necessary to relocate the limits of disturbance to avoid the requirement of an injury and/or destruction permit.

Date: March 21, 2025Prepared By: J. Lee**Building**

1. A Building Permit is required for all building construction;
2. The proposed building exceeds 3 storeys and is considered a Part 3 building. The current drawing package is not sealed by a designer with sufficient BCIN qualifications for this type of building.
3. The proposed building shall be designed and reviewed by a registered Architect and Professional Engineer as per OBC Div. C, Table 1.2.1.1.
4. Interior bedrooms are proposed for individual suite designs, which may not comply with 3.7.2.1.(1). It is recommended for the designer to refer to the Building Department's Technical Standards CBO-04.

Date: Mar. 20, 2025Prepared By: T. Le

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

Transportation PlanningDeemed Road Width Analysis

Spring Gardens 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: November 20th 2024 Prepared By: Taylor Kirchknopf

Transportation Planning has reviewed and supports the minor variance to permit 0 off-street loading spaces instead of the minimum required one off-street loading space.

Transportation Planning has reviewed the minor variance report and supports the reduction of 1 residential parking space, and 2 visitor parking spaces for a total of 21 parking spaces instead of the required 23 parking spaces.

Transportation Planning has no objections to the proposed Minor Variance applications.

Date: March 20th 2025 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: February 27, 2025 Prepared By: C. Schoenhals

Halton Region

Regional Staff have reviewed the Minor Variance application proposing an addition to construct a four-storey residential building with a non-residential office component in the

COMMITTEE OF ADJUSTMENT

Meeting #07

AGENDA

APRIL 23, 2025

basement level. Variances to the dwelling units, building height, amenity area, garbage storage, loading spaces, occupant space, and visitor's space are required.

- Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development matters has changed. The Region is no longer 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 has been signed 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.
- Regional Staff have no objections to the Minor Variance application.

Date: March 19th, 2025Prepared By: Shiza Mushtaq**Sun Canada Pipeline**

Sun-Canadian Pipe Line has no objections the variance application for 664 Spring Gardens Road. Sun-Canadian operates a high pressure pipeline approximately 150m east of the property, but outside of our consultation zone.

Date: March 20th, 2025Prepared By: Ray Currie**Burlington Hydro Inc. (BHI)**

BHI have no objections to the proposal, an addition to construct a four-storey residential building with a non-residential office component in the basement level.

Note: Before starting construction, please reach out to Burlington Hydro Inc. (BHI) via email at engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.

Please see attached comments package from Burlington Hydro at the end of this report for additional information.

Date: March 7th, 2025Prepared By: Zakariya Al-Doori



Burlington**hydro**
inc.

March 5, 2025

Applicant: Zelaya Lofts Inc.

Subject: Minor Variance.

File NO: 540-02-A-088/24

Location: 664 Spring Gardens Rd, Burlington, ON.

In response to your correspondence(s), a member of our Engineering Department has reviewed the information and has the following comments.

We have no objections to the proposal, an addition to construct a four-storey residential building with a non-residential office component in the basement level.

Note: Before starting construction, please reach out to Burlington Hydro Inc. (BHI) via email at Engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.

However, the developer's requirements are not limited to the following items. Burlington Hydro will provide all applicable standards, guidelines, and specifications in the Offer to Connect package that will be provided by Burlington Hydro, following the customer's formal request for hydro service and submission of approved site plan drawings to Burlington Hydro.

1. Additional information is needed from the customers for the proposed building, including details on service size, voltage and load schedule, electrical room location, and proposed transformer vault location if available.
2. The proposed new service might be fed from the 27.6kV primary system located on Spring Gardens Road. However, system modifications might be required to accommodate the proposed load. These modifications could include feeder load transfers, system expansion, installation of new hydro poles, or relocation of existing hydro poles. If any modifications are needed, additional charges will apply, and these costs will be at the customer's expense.
3. The transformer location is to be approved by Burlington Hydro. Details of the clearance between the transformer and the property line as well as details of the proposed fencing or barriers are to be provided for final approval.
4. Padmounted Transformer (if applicable) is to be located 2 meters from the nearest edge of the pad to the back of each curb. The transformer shall be protected by bollards when the edge of the transformer is within 2 meters (but not less than 1.5m) of a curb (due to space restrictions) or if the curb is not installed. Curb or bollards to be installed prior to energization of the transformer. Refer to the attached sketch.
5. The Electrical Room shall have a minimum size of 1.83m by 2.44m and have immediate access from the outside (required for safe operation in the metering area). The electrical room access door must be locked and accessible by key, which must be provided by the customer and delivered to BHI prior to the service being energized.



Burlington**hydro**
inc.

6. Temporary service is available upon the customer's request. The temporary service may be supplied overhead or underground, at BHI's discretion. Early consultation should be made with the BHI Engineering Department to confirm the availability of supply arrangements. The Customer will be responsible for all associated costs for the installation and removal of connection assets required for temporary service to BHI's distribution system. Payment for these costs shall be made in advance.
7. The customer shall be required to rectify any conflicts that may occur for any reason at no expense to Burlington Hydro.
8. A building, permanent structure or building apparatus shall maintain minimum horizontal clearance from existing power lines (Refer to Burlington Hydro brochure, notice that the clearances shown on the standard are minimum, additional clearances are required to allow conductor swing, scaffold installation and future building maintenance). Please arrange for a site meeting with BHI representative, calling Eng. Desk at 905 332-2250, to validate the required minimum clearances to existing power lines, obtain approved hydro service layout/consent and avoid any possible safety issues
9. A meeting with a Burlington Hydro representative to go over the supply points is recommended. Please, contact our Engineering Service Technician, Zakariya Al-Doori at ZDoori@burlingtonhydro.com or 289-962-7561 to arrange for the meeting.
10. Early discussions for the revenue metering and electrical room requirements should be arranged between the Developer and BHI before the building plans are finalized to ensure clearances and access that meets Burlington Hydro requirements.

In addition, we want to stipulate the following:

Customers and their agents planning and designing for electricity service must refer to all applicable Provincial and Canadian electrical codes, all applicable federal, provincial, municipal laws, regulations, codes, and by-laws to ensure compliance. All work, on the BHI distribution system, shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act (OSHA), the Regulations for Construction Projects, the Regulations for Industrial Establishments and the Electrical Utility safety Rules published by the Infrastructure Health and Safety Association (IHSA).

- ☒ **Service is available under BHI's latest Standard Service Conditions:**
- ☒ <https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html>
- ☒ **Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest Standards and Regulations if possible issues with the clearances arise between existing BHI facilities and existing/proposed building structures.**



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Burlington**hydro**_{inc.}

- ☒ BHI easement (if any) is to remain clear of heavy vehicle traffic and the customer is responsible for keeping the easement lands free and clear of any trees, fences, buildings, structures, or obstructions unless any of forgoing is approved in writing by Burlington Hydro Inc. Further, the Customer shall remove the same upon the request of Burlington Hydro Inc.
- ☒ The customer is to ensure that **Burlington Hydro Inc (BHI)** has access to the hydro facilities.
- ☒ The customer is to acquire any easements for BHI if required.
- ☒ The project must meet City of Burlington Standards.
- ☒ Machine excavation within one meter of the underground plant is not permitted.
- ☒ Do not excavate within two meters of BHI's transformer, poles and anchors.
- ☒ Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call @ (800) 400-2255.
- ☒ **Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when work is planned to be performed in proximity of the hydro distribution system.**
- ☒ Arrange for disconnect and isolation of the power supply if a person or equipment is to encroach on the minimum distance permitted under the OHSA and OESC.
- ☒ Be advised that the above information represents only a portion of the servicing requirements that is expected of the Developer. Further details and requirements will be provided when the Developer makes contact with Burlington Hydro.

Regards,
Zakariya Al-Doori
Engineering Services Technician

Cc: Rosso Parra, P. Eng
Engineering Manager, Customer Connections
& Key Accounts

MAR.06/2025
RP



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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 Morgan

Name of Zoning Examiner: Magda RusinHynek

PROPERTY INFORMATION

Municipal Address(es) of property:

664 Spring Gardens Road

Legal Description of property:

Lot 3 and Part of Lots 1 & 2 Registered Plan PF529, City of Burlington, Regional Municipality of Halton

Official Plan Designation: Local Centre

Current Zoning Designation CN2

OWNER(S) INFORMATION:

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

Zelaya Lofts Inc.

Mailing Address: 1744 Waterdown Road

City: Burlington

Postal Code: L7P 5A1

Home Phone: _____

Mobile Phone: 905-334-5445

Work Phone: _____

E-Mail: mariozelaya@gmail.com

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

Name:

Design Plan Services Inc. (c/o Addison Milne-Price)

Business Address: 87 Skyway Avenue, Suite 200

City: Toronto

Postal Code: M9W 6R3

Home Phone: _____

Mobile Phone: _____

Work Phone: 416-626-5445

E-Mail: addison@designplan.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.

Proposed four storey residential addition with a non-residential component. There will be a total of 9 affordable rental units proposed with approximately 235 sq.m. of office space at basement level.

Variance(s) Requested	Zoning Bylaw Requirement
1. To permit dwelling units on the first, second, third and fourth floors in a building containing a non-residential use in the basement.	By-law permits dwelling units on the second and third floors.
2. To permit a building height of four storeys up to 13.4 m.	By-law permits maximum 3 storeys up to 12m.
3. To permit 12.3 m ² of amenity area per unit for dwelling units located on the first, second, third and fourth floors.	By-law requires 20 m ² per unit for dwelling units located on the second or third floors.
4. To permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue)	By-law requires a setback of 15m from a residential zone.
5. To permit 0 off-street loading spaces.	By-law requires 1 off-street loading space.
6. To permit 1 occupant space per three-bedroom unit	By-law requires 1.5 occupant spaces per three-bedroom unit.
7. To permit 0.11 visitor spaces per unit	By-law requires 0.25 visitor spaces per unit.

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? Refer to Planning Justification Letter

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

Refer to Planning Justification Letter

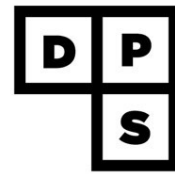
3. Do the variance(s) meet the intent and purpose of the Official Plan? _____

Refer to Planning Justification Letter

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

Refer to Planning Justification Letter

City of Burlington
Community Planning Department
(c/o Melissa Morgan, Senior Planner)
426 Brant Street
P.O Box 5013
Burlington, ON
L7R 3Z6



**DESIGN
PLAN
SERVICES**

TOWN
PLANNING
CONSULTANTS

November 6th, 2024 (Revised 26-FEB-2025)
DPS File: 24107

**RE: 664 Spring Gardens Road
Minor Variance Application
Planning Justification Letter**

On behalf of our client, Zelaya Lofts Inc., the registered property owner of 664 Spring Gardens Road, we are pleased to submit herewith, this cover letter, application form, and architectural drawings, as part of our formal submission for a minor variance application for a mixed-use development, located on lands municipally known as 664 Spring Gardens Road ("Subject Property") in the City of Burlington. Through a pre-consultation application, we received comments from various City and external departments/agencies on July 18th, 2024. Prior to submitting this minor variance application, DPS staff discussed the proposal with Planning Staff, and it was determined that a minor variance application was required to obtain variances to permit the proposed development, prior to submitting a formal Site Plan Application. Further, our client discussed this proposal with the adjacent neighbour at 672 Spring Gardens Road. Through these discussions, the adjacent neighbour is in support of the proposed development and a letter of support has been submitted. This Planning Justification Letter has been prepared to provide both clarification and justification of the proposed development and associated minor variances.

Site and Area Description

The Subject Property is located in the City of Burlington, within the Region of Halton. The legal description of the Subject Property is "LT 3, PL PF529 ; PT LTS 1 & 2, PL PF529 , AS IN 365035 ; BURLINGTON". The Subject Property has an approximate lot frontage of 35.90 metres, an approximate lot depth of 50.27 metres and an approximate lot area of 1820.34 square metres (≈0.18 hectares). Currently, the Subject Property consists of a two-storey building, which is occupied by a commercial use and an existing surface parking lot. The Subject Property fronts onto Spring Gardens Road and is generally north of Lake Ontario, east of York Boulevard, south of Plains Road W and west of Bonnieview Avenue.

In terms of the immediate context along Spring Gardens Road, the adjacent lots are zoned as commercial (CN2) and residential (R2 and RM3). To the north of the Subject Property is the Royal Botanical Gardens, which is zoned as Open Space (O1). The properties directly adjacent to the east and west of the Subject Property are zoned as commercial (CN2), however please note that there appears to be a legal non-conforming single detached dwelling currently used for residential purposes located directly west of the Subject Property. To the south and south-west of the Subject Property (adjacent to the rear property line) are residential dwellings, which are zoned R2 and RM1. Further, the Subject Property has access to public transit, along Spring Gardens Road. Specifically, the bus stop is approximately 200 metres north-west of the Subject Property and provides transit connections to the GO Transit network. The Subject Property is also in close proximity to Highway 403 and the Queen Elizabeth Way (QEW).

Policy Background & Proposal Description

Policy Background

On November 30th, 2020, the *Burlington Official Plan, 2020*, was approved by Halton Region. However, parts of the plan were appealed and are currently not in effect until they are resolved by the Ontario Land Tribunal. As such, parts of the previous *Burlington Official Plan, 1997* remain in effect, although the policies in the *Burlington Official Plan, 2020* may be considered informative, but not determinative.

Halton Region Official Plan, 2024 (Office Consolidation)

Within the Halton Region Official Plan (“ROP”), the Subject Property is designated as “Urban Area” and is located within an identified Regional Intensification Corridor. Considering the Subject Property is located within the Plains-Fairview Regional Intensification corridor, policies within sections 82.3 to 82.7 are applicable. It is our opinion that the proposed mixed-use building conforms to these policies and meets the objective of “to achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service”. In this case, the proposal seeks to introduce office and residential uses on the Subject Property, which will conform to the Regional Intensification Corridor policies. Further, Section 84 notes “the goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs”. Considering the proposal to introduce 9 affordable residential units on the Subject Property, it is our opinion the proposed development conforms to Section 84 and conforms to the ROP.

Burlington Official Plan, 1997

Within the *Burlington Official Plan, 1997*, the Subject Property is designated as “Neighbourhood Commercial”. As per Policy 4.6.2. (b)., “residential uses may be permitted in the second and/or third storey of retail/commercial buildings”. The proposed development will feature a ground related office use, with dwelling units located above this use (the dwelling units are not directly

accessible through the ground floor). Therefore, the proposed development reflects the current policy of the Official Plan.

Burlington Official Plan, 2020 & Burlington Zoning By-law, 2020

Within the *Burlington Official Plan, 2020*, the Subject Property is designated as “Local Centres”. Although the policies related to Local Centres are under appeal, it is important to review both Official Plans to ensure that the proposal reflects the direction of the Official Plan, 2020. As per Policy 8.1.3.(5.2).b.iii, residential dwelling units in upper storeys of retail/commercial building would be permitted. The proposal conforms to Policy 8.1.3.(5.2).b.iii as 9 residential units above the office space will be constructed. Further, Policy 8.1.3.(5.2).e, notes the City will encourage a minimum building height of two storeys and a maximum building height shall not exceed four storeys. From a street-level perspective, the building will be perceived as a three storey building because the north and east side windows on the fourth floor will not have direct access by the future occupants (note that this is also the case for lofts on the second floor.). As such, the proposal conforms with Policy 8.1.3.(5.2).e. The Subject Property is currently zoned as “CN2 – Neighbourhood Commercial” under By-law 2020. Under the CN2 zone, residential uses are permitted on the second and third floors.

Based on the above justification, it is our opinion that the proposed development conforms to the Burlington Official Plan, 1997, Burlington Official Plan, 1997. As discussed within later sections of this letter, it is our opinion that the proposed development meets the general intent of Burlington Zoning By-law 2020.

Proposal Description

As per the Architectural drawings prepared by Fine Lines Designs, dated February 10th, 2025, the proposal consists of an addition to the current building. The addition will introduce 9 affordable family-sized units on the Subject Property, while maintaining the existing functional layout of the existing building. Specifically, there will be eight (8), two-bedroom units and one (1) three-bedroom unit, which will range from 81 square metres (867 square feet) to 178 square metres (1,914 square feet). Further, the proposal seeks to introduce non-residential (office space, with a GFA of 235.68 sq.m.) on the first floor and residential units above the first floor. The proposed residential units will be accessed from an elevator and/or stairs from the ground floor and have been architecturally designed as lofts with 2 to 3 bedrooms per unit.

The total proposed GFA is 1297.48 square metres, which represents a Floor Space Index of 0.71 and a lot coverage of 20.9%. A total of 20 parking spaces are proposed to accommodate the office space and residential units, including visitor spaces and new accessible parking spaces. For additional site/project statistics, please refer to the attached architectural package, prepared by Fine Lines Designs, dated February 10th, 2025.

Justification for Variances - Section 45(1) of the *Planning Act*

Through discussions with Zoning Staff, it was identified the proposed development will result in eight (8) variances. However, the proposal has since been revised to reduce the number of variances to seven (7), since the first review from Zoning Staff. The following variances have been listed/justified below:

Variance #1 is to *permit dwelling units on the first, second, third and fourth floors in a building containing a non-residential use in the basement, whereas the by-law permits dwelling units on the second and third floors;*

As per the Architectural drawings prepared by Fine Lines Designs, dated November 5th, 2024, the existing grading is to remain unchanged. Variance #1 is to permit residential units on the first, second, third and fourth floors. This variance has been triggered, in part, due to the proposed addition being constructed on the existing foundation. The existing and proposed layout has been designed wherein the proposed office level is being considered as the “basement level” due to the existing grading and layout. From a zoning perspective, the proposed residential units are proposed on the first floor. However, as depicted on the first-floor plan (partial snippet shown below), the residential units will function as if they were on the second floor as future residents will need to access the building through a shared space from the main entrance and will need to either use an elevator or stairs to access their units. There will not be direct access from the proposed dwelling units to the ground floor. As a result, from a functional perspective, the ground floor would be the proposed office space and the proposed residential units will be located above, which meets the general intent of the Official Plan Policy 4.6.2 and meets the general intent of the Zoning By-law.

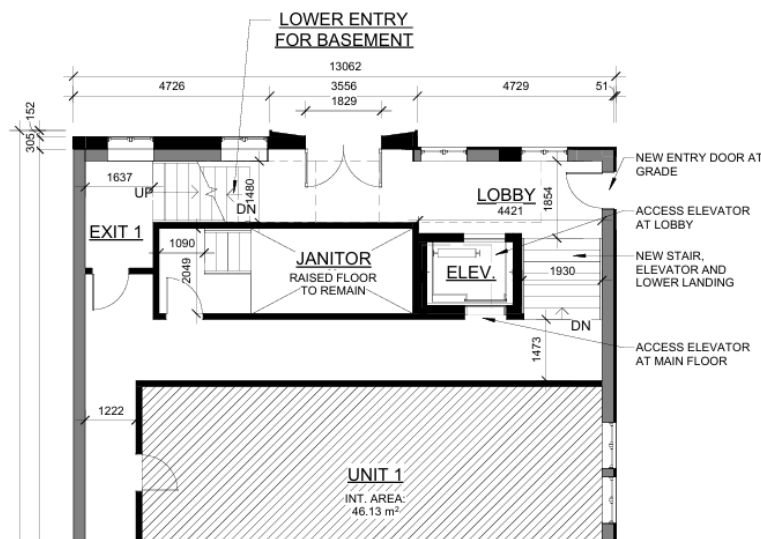


Figure 1. (shown above) is a snippet of the first-floor plan prepared by Fine Lines Designs, dated November 5th, 2024.

Variance #2 is to *permit a building height of four storeys up to 13.4 m instead of the maximum permitted 3 storeys up to 12 m.*

As depicted within the Architectural drawings prepared by Fine Lines Designs, dated February 10th, 2025, the north elevation (snippet shown below), illustrates there will be living space above the roof line (the lofts). However, from a street-level perspective, the building will be perceived as a three storey building because the north and east side windows on the fourth floor will not have direct access by the future occupants (note that this is also the case for lofts on the second floor.). Moreover, the architectural designs have been implemented to not create any additional massing impacts associated with the proposed lofts, by incorporating dormer windows. The proposed additional 1.4 metres of height above the maximum height, being 12 metres, will allow the units to be family sized.

Often, affordable housing units are smaller than market rate units, however, the proposed design of the building and units will provide additional affordable units to the City of Burlington, with various unit sizes further increasing the mix and range of dwelling units available. It should also be noted that west and south sides of the building (which are the sides directly adjacent to existing residential uses) have a reduced number of windows and openings compared to the other sides, which was a choice made to mitigate any potential privacy or overlook concerns. Moreover, the existing zoning on the Subject Property and the adjacent property to the west permits a side yard setback of 0.0 m, however this proposal will retain the existing side yard setbacks of 1.21 m and 21.91 m. As noted previously, Policy 8.1.3.(5.2).e of the Burlington Official Plan, 2020, states the City will encourage a minimum building height of two storeys and a maximum building height shall not exceed four storeys. The proposed increase in height meets the general intent of the Official Plan, as it will provide residential units above the office space and meets the general intent of the Zoning By-law.



Figure 2. (shown above) is a snippet of the north elevation prepared by Fine Lines Designs, dated November 5th, 2024.

Variance #3 is to *permit 12.3 m² of amenity area per unit for dwelling units located on the first, second, third and fourth floors instead of the minimum required 20 m² per unit for dwelling units located on the second or third floors.*

Considering there are 9 residential dwelling units being proposed, the total amenity space required is 180 square metres of amenity space. Through this proposal, a total of 110.99 square metres of amenity space is being proposed. Although the amenity space is deficient by 69.01 square metres, the proposed building is in close proximity to the Royal Botanical Gardens and other open spaces to the north and south of the Subject Property. As previously noted, the proposed units have been designed for families, as the units will range from 81 square metres (867 square feet) to 178 square metres (1,914 square feet). As illustrated on the Architectural drawings prepared by Fine Lines Designs, dated November 5th, 2024, there are landscape buffers along the front lot line, east side lot line and rear lot line. The landscape buffer areas included in the proposal are approximately 391.31 m² in area. Although from a Zoning perspective, landscape buffers are not calculated towards amenity space, however, from a functional perspective, residents can access these landscape buffers and use these areas for leisure purposes. Furthermore, as per Policy 8.8.1(2).c, of the Burlington Official Plan, 2020, “the City will encourage the development of affordable housing by means of innovative housing designs and residential development that consider such matters as more modest amenities, materials and finishes and an examination of innovative building design”. Considering the Official Plan encourages development of affordable house which considers modest amenities, it is our opinion that the proposed amenity area conforms to the Official Plan and provides adequate space for future residents.

Variance #4 is to *permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue) whereas the zoning by-law does not permit a building or structure for the storage of garbage to be located in the street side lot line;*

As noted in Variance #4, garbage storage is not permitted to be located in the street side lot line. Considering there are residential zones to the south-east and south of the Subject Property, the proposal was designed to provide a 15-metre setback to the residential property line to the south and to the east. However, because the street side yard is defined as the area extending from the front yard to the rear yard between the nearest wall, above grade, of any building and side yard immediately adjoining a public street, the majority of the property (including the entirety of the parking lot) is considered the ‘street side yard’. Due to this, the proposed storage of garbage is considered to be in the street side yard, but features a setback of 18.55 m to the lot line adjoining Parkhill Avenue. Considering the setback, the proposal meets the general intent of the Zoning By-law by providing an adequate separation distance for garbage storage from residential uses and the adjoining street.

Variance #5 is to *permit 0 off-street loading spaces instead of the minimum required one off-street loading space.*

This variance is requested as the proposal seeks to maintain the existing surface parking lot. Currently, no loading space exists on the Subject Property. This variance has been identified by Zoning Staff as the proposal is for a mixed-use building, and the proposed height of four storeys. See section 2.25.3 of the zoning by-law:

2.25.3: At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high.

Considering the proposed commercial space will be occupied by an Office Space, it is not anticipated that the proposed office will receive regular shipments, as compared to other commercial uses permitted within the CN2 zone and associated with a mixed use building, which would require regular shipments. Furthermore, the fourth storey has been provided to increase the amount of living space per unit and not to increase the number of units in the development. As such, the development will not include the number of units typically associated with a four storey apartment building, and therefore the proposal meets the general intent of the Zoning By-law.

Variance #6 is to permit 1 occupant (parking) space per three-bedroom unit instead of the required 1.5 occupant (parking) spaces per three-bedroom unit.

Variance #7 is to permit 0.11 visitor (parking) space per unit instead of the required 0.25 visitor spaces per unit.

The proposed development includes a shortfall of 3 parking spaces. However, the proposal has exceeded the required bicycle parking. In addition, as previously stated, the proposal is in close proximity to a public transit stop, with connections to the GO Transit network. Further, the proposal provides at least 1 parking space for every unit. The proposal complies with the required office parking spaces (8 spaces proposed, 8 spaces required) and is deficient by 2 resident (10 spaces proposed, 12 spaces required) and 2 visitor parking spaces (1 spaces proposed, 3 spaces required). As per the survey enclosed with this application, the existing parking lot does not feature any accessible parking spaces. This proposal features two accessible parking spaces, as per the by-law requirement. However, the width requirement for accessible parking spaces is larger than standard parking spaces and therefore fewer can be accommodated on the revised parking lot.

Therefore, the proposed reduction of 3 parking spaces is minor in nature and meets the general intent of the Zoning By-law.

Should zoning staff identify additional variances through a formal zoning review, DPS will provide an addendum to this Planning Justification letter, if required. For the justification noted above, it

is my opinion that the proposed addition meets the 4 tests under Section 45(1) of the *Planning Act*.

Supporting Documents

In support of this minor variance submission, we have enclosed the following information/materials:

- Application Form;
- Architectural package, prepared by Fine Lines Designs, dated February 10th, 2024;
- Survey, prepared by GTA Surveying Inc., dated March 5th, 2024;
- Letter of Support (Property Owner of 672 Spring Gardens Road), dated November 5th, 2024; and
- Letter from Property Owner of Subject Property regarding Affordable Units Proposed, dated November 5th, 2024.

Please note, that all information/materials listed above are being submitted electronically only. We trust that the information/materials provided are sufficient for a minor variance submission. We would appreciate the acknowledgement of receipt of this minor variance submission. Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,



**Addison Milne-Price, BURPI
Planner**

Design Plan Services Inc.
AMP/rt

Encl.

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Unknown	Date property first built on:	Unknown	Date of proposed construction:	Unknown
	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 ☐
 Apartment ☐ Mixed Use ☐ Hi Rise ☐
 Commercial ☒ Industrial ☐ Vacant ☐
 Other ☐ _____

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

At least 17 years

Proposed Use of the Land:

Mixed-use building.

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

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

Dimensions of Property			Street Width (see first page of application for how to obtain)			Density	Have you applied for Site Plan Approval? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Frontage	Depth	Area	Actual	Deemed	Required		
35.90m	50.27m	1820.34 sq.m.	26m	20m	N/A		File #:

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:	370.90 M ²	Ground Floor Area:	375.69 M ²
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Number of Storeys:	4	Number of Storeys:	4
Width:	13.06 M	Width:	13.06M
Length:	30.65 M	Length	30.65 M
Height:	13.50 M	Height	13.50 M
Floor Area: Office Space	235.68M ²	Floor Area: Office Space	235.68M ²
Floor Area:	M ²	Floor Area:	1287.48 M ²
Warehouse/Retail/Other:		Warehouse/Retail/Other	
# of Existing Units: 0 residential units		# of Proposed Units: 9 residential units	
Floor Area Ratio:		Floor Area Ratio:	
Required Parking Spaces:		Proposed Parking Spaces: 21	
Existing Parking Spaces:			
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:	7.06 M	Front:	7.06 M
Rear:	12.71 M	Rear:	12.71 M
Side:	1.21 M	Side:	1.21 M
Side:	21.68 M	Side:	21.68 M
OTHER		OTHER	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

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

Zelaya Lofts Inc.

Property Address

664 Spring Gardens Road

X

Signature of Owner/Applicant

10 / 25 / 2024

Date (mmm/dd/yyyy)

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: Design Plan Services Inc. (c/o Addison Milne-Price)

I, Addison Milne-Price of the City of Toronto in the Province
(print name) (Region/City/County) (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 City of Toronto in the Province of Ontario
(Region/City/County) (City/Town/Township)

this 25 day of Oct. 2024.

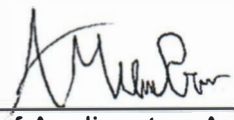
NADINE CIECIURA, A COMMISSIONER, ETC.,

PROVINCE OF ONTARIO.

FOR DESIGN PLAN SERVICES INC

AUGUST 8, 2024


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: 664 Spring Gardens Road

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.

X 
Signature of Owner

Zelaya Lofts Inc.
Print Name


OWNERS AUTHORIZATION

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

I, Zelaya Lofts Inc. being the registered owner of the subject lands, hereby
(print name)

Authorize Addison Milne-Price to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.

X 
Signature of Owner

10 / 25 / 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 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) <input type="checkbox"/> 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

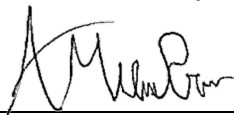
ELEVATIONS

- ☐ 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

10-25-2024

 Date (mmm/dd/yyyy)

NOTICE OF PUBLIC HEARING

Zelaya Lofts Inc., the owner of 1744 Waterdown Rd., 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 **664 Spring Gardens Rd., Burlington** (see map).

The applicant is proposing an addition to construct a four-storey residential building with a non-residential office component in the basement level. This proposal results in the following variances:

1. To permit dwelling units on the first, second, third and fourth floors in a building containing a non-residential use in the basement, whereas the by-law permits dwelling units on the second and third floors only.
2. To permit a building height of four storeys up to 13.4 m, measured from fixed grade to top of the roof, instead of the maximum permitted 3 storeys up to 12 m.
3. To permit 12.3 m² of amenity area per unit for nine proposed dwelling units located on the first, second, third and fourth floors instead of the minimum required 20 m² per unit for dwelling units located on the second or third floors.
4. To permit a building or structure for the storage of garbage to be located in the street side lot line (Parkhill Avenue) whereas the zoning by-law does not permit a building or structure for the storage of garbage to be located in the street side lot line.
5. To permit 0 off-street loading spaces instead of the minimum required one off-street loading space.
6. To permit 1 occupant space per three-bedroom unit instead of the minimum required 1.5 occupant spaces per unit.
7. To permit 0.11 visitor spaces per unit instead of the minimum required 0.25 visitor spaces per unit.

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 April 7th, 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 APRIL 23, 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

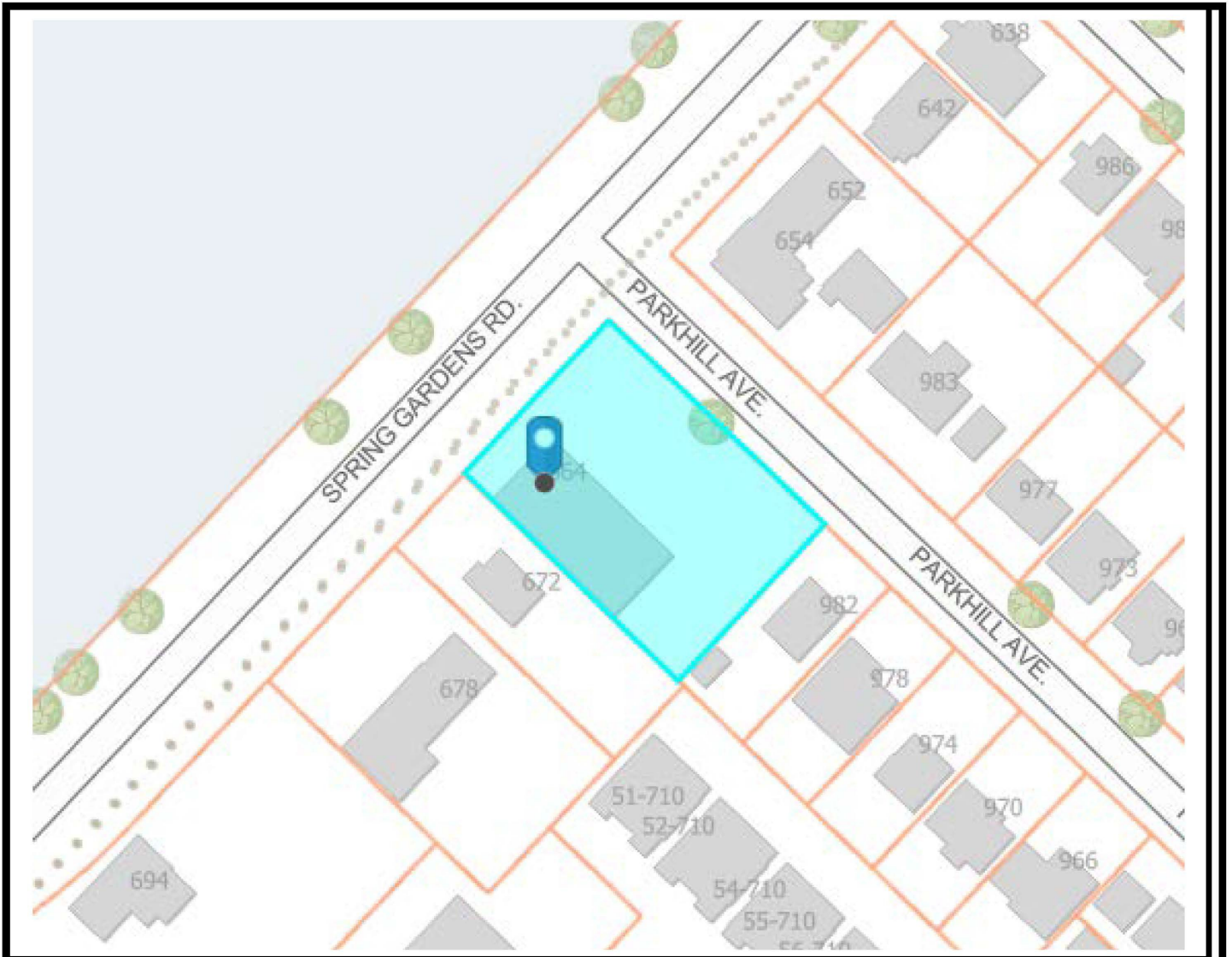
Yours truly,



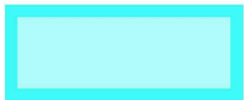
Erin Shacklette
Secretary-Treasurer
Committee of Adjustment

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



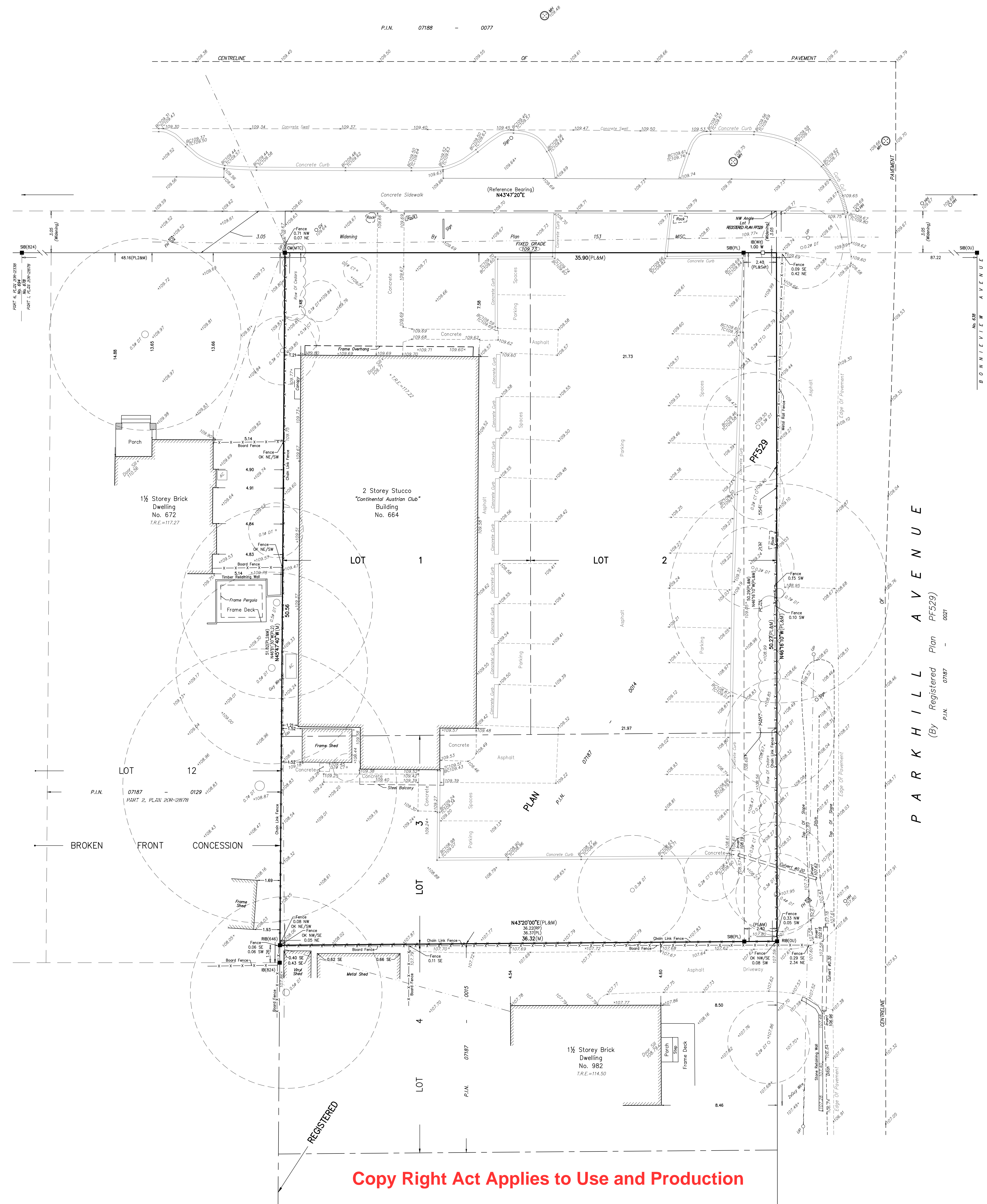
664 Spring Gardens Rd.



Committee of Adjustment Community
Planning Department - Planning
Implementation



(Road Allowance Between Concession 1 and Broken Front Concession)
(Named by By-Law No. 2130, Instrument No. FH202001)
(Formerly Old Guelph Road, Plains Road, Toronto & Hamilton Highway)



THIS PLAN OF SURVEY RELATES TO
AOLS PLAN SUBMISSION FORM NUMBER V-73198

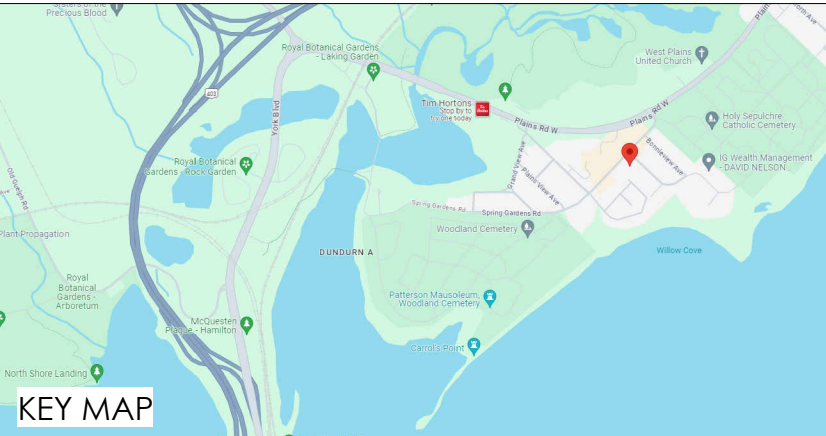
BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
SOUTH-EAST LIMIT OF SPRING GARDENS ROAD, HAVING
A BEARING OF N43°47'20"E ACCORDING TO PLAN 20R-5541

GTA
Greater Toronto Acres
SURVEYING Inc.
7003 Steeles Ave. West, Unit 12, Toronto ON M9W 0A2
Tel: (416) 679-0572
E-MAIL: jw@gtasurveying.ca

664 SPRING GARDENS ROAD

ZONING REVIEW & COMMITTEE OF ADJUSTMENT

Copy Right Act Applies to Use and Production



DRAWING LIST - ZONING		
TITLE SHEET		Z01.1
SITE PLAN		Z02.1
GRADING PLAN		Z02.2
PARKING PLAN		Z02.3
BASEMENT & ROOF PLANS		Z02.4
MAIN FLOOR & 2ND FLOOR (LOFT) PLANS		Z02.5
3RD FLOOR & 4TH FLOOR (LOFT) PLAN		Z02.6
CROSS SECTION		Z03.1
ELEVATIONS 1		Z04.1
ELEVATIONS 2		Z04.2

Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 | ZONING

structural notes:

DO NOT SCALE DRAWINGS.
Contractor must verify all drawings, dimensions, details and specifications, and report any discrepancies to FLD Inc. before proceeding with work. Materials may not be substituted without written approval from FLD Inc.

All drawings and specifications are instruments of service and the property of FLD Inc., these drawings may not be used for any other project than for what they were prepared

The undersigned has reviewed and takes responsibility for this design, and has qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under Division C - 3.2.5.1. of the 2012 Ontario Building Code

Joshua Theriault
DESIGNER
SIGNATURE
35482
BCIN

REGISTRATION INFORMATION
Required unless design is exempt under Division C - 3.2.4.1. of the 2012 Ontario Building Code

Fine Lines Design
FIRM
37701
BCIN



FINE LINES DESIGN
699 THE QUEENSWAY | TORONTO, ONTARIO
P: 416.391.1841 | F: 416.391.8035 | E: info@finedesign.com

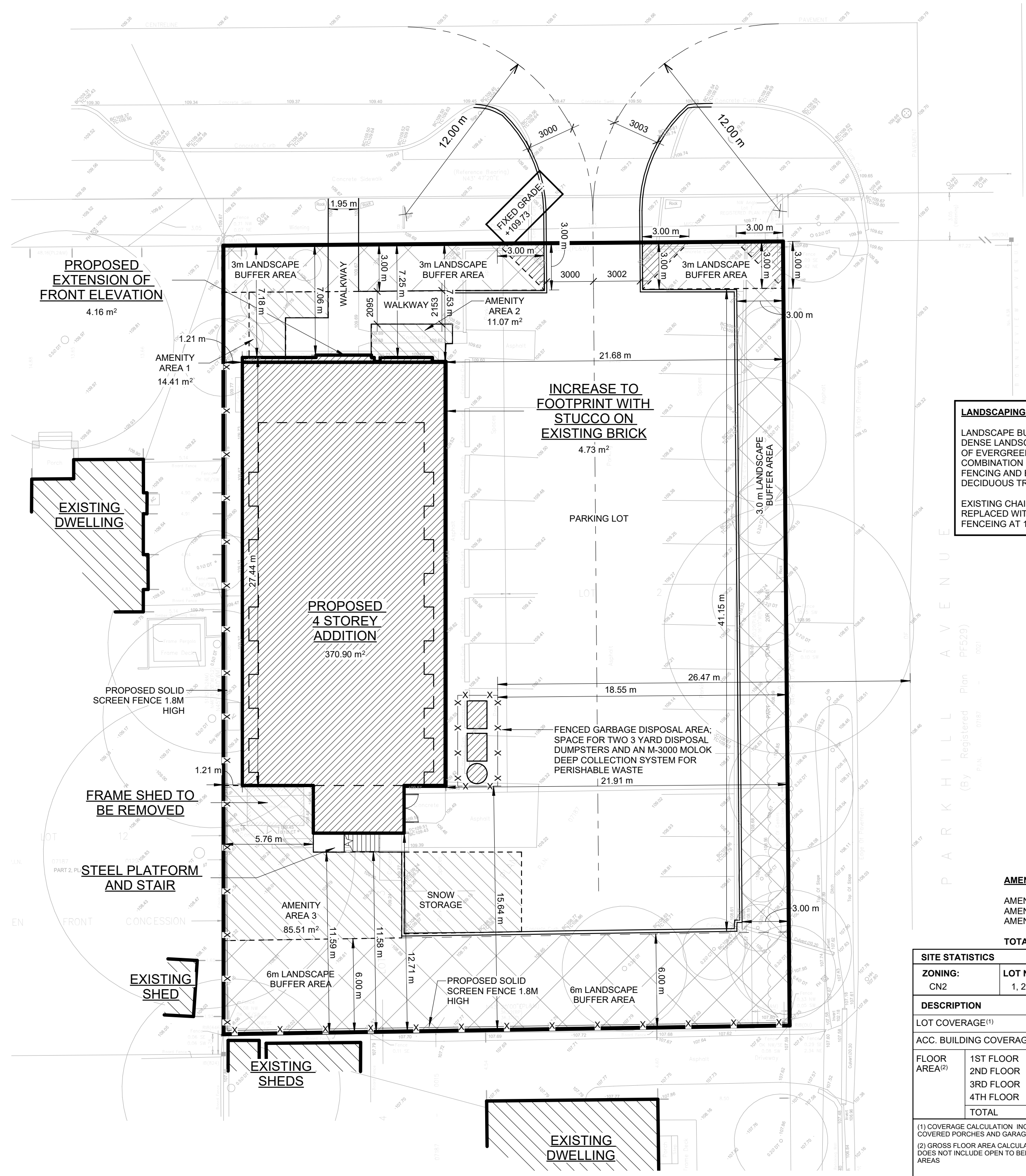
plot date: 2025-02-10 4:32:05 PM
project No: 24 - 019

project address:
664 SPRING GARDENS ROAD, BURLINGTON
project name:
COMMERCIAL SPACE WITH 9 UNIT ADD.

drawing:
TITLE SHEET

scale:
true north: const. north:

drawing no.:
Z01.1



LANDSCAPING NOTES:

LANDSCAPE BUFFER AREAS TO INCLUDE DENSE LANDSCAPE SCREEN CONSISTING OF EVERGREEN TREES OR A COMBINATION OF SOLID SCREEN FENCING AND EVERGREEN OR DECIDUOUS TREES.

EXISTING CHAINLINK FENCES TO BE REPLACED WITH SOLID SCREEN FENCEING AT 1.8m HIGH.

UNIT AREAS		
COMMON AREA		
1ST FLOOR	129 m ²	1386 ft ²
2ND FLOOR	108 m ²	1164 ft ²
	237 m ²	2551 ft ²
UNIT 1		
1ST FLOOR	49 m ²	523 ft ²
1ST FLOOR LOFT	59 m ²	631 ft ²
	107 m ²	1154 ft ²
UNIT 2		
1ST FLOOR	49 m ²	525 ft ²
1ST FLOOR LOFT	43 m ²	462 ft ²
	92 m ²	987 ft ²
UNIT 3		
1ST FLOOR	49 m ²	525 ft ²
1ST FLOOR LOFT	43 m ²	462 ft ²
	92 m ²	987 ft ²
UNIT 4		
1ST FLOOR	88 m ²	947 ft ²
1ST FLOOR LOFT	84 m ²	902 ft ²
	172 m ²	1849 ft ²
UNIT 5		
2ND FLOOR	49 m ²	524 ft ²
2ND FLOOR LOFT	62 m ²	668 ft ²
	111 m ²	1192 ft ²
UNIT 6		
2ND FLOOR	49 m ²	527 ft ²
2ND FLOOR LOFT	45 m ²	488 ft ²
	94 m ²	1015 ft ²
UNIT 7		
2ND FLOOR	49 m ²	527 ft ²
2ND FLOOR LOFT	45 m ²	488 ft ²
	94 m ²	1015 ft ²
UNIT 8		
2ND FLOOR	48 m ²	520 ft ²
2ND FLOOR LOFT	45 m ²	482 ft ²
	93 m ²	1002 ft ²
UNIT 9		
2ND FLOOR	41 m ²	439 ft ²
2ND FLOOR LOFT	44 m ²	473 ft ²
	85 m ²	912 ft ²
TOTAL	1177 m ²	12664 ft ²

AMENITY AREA CALCULATIONS:

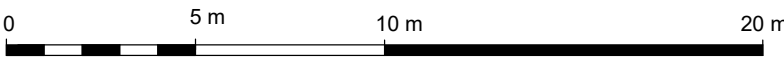
AMENITY AREA 1 (OPEN SPACE) = 14.41m²

AMENITY AREA 2 (OPEN SPACE) = 11.07m²

AMENITY AREA 3 (COMMUNAL SITTING AREA) = 85.51m²

TOTAL = 110.99m²

SITE STATISTICS						
ZONING:	LOT NO:	PLAN NO:	LOT AREA:	LOT FRONTAGE:	LOT DEPTH:	
CN2	1, 2, & 3	PF529	1820.34m ²	35.90 m	50.27 m	
DESCRIPTION	EXISTING	PROPOSED	%	SETBACKS	REQUIRED	EXISTING
LOT COVERAGE ⁽¹⁾	370.90 m ²	379.79 m ²	20.9	FRONT YARD	6.00 m	7.06 m ^{PROP}
ACC. BUILDING COVERAGE	8.89 m ²	0.00 m ²	0.00	REAR YARD	3.00 m	12.71 m
FLOOR AREA ⁽²⁾	1ST FLOOR	370.90 m ²	375.69 m ²	SIDE YARD (WEST)	0.00 m	1.21 m
	2ND FLOOR		280.02 m ²	SIDE YARD (EAST)	6.00 m	21.68 m ^{PROP}
	3RD FLOOR		396.62 m ²			
	4TH FLOOR		245.15 m ²			
	TOTAL		1297.48 m ²	71.3	FIXED GRADE	109.73
(1) COVERAGE CALCULATION INCLUDES COVERED PORCHES AND GARAGE			REQ'D.	PROP.	HEIGHT	12.00 m
(2) GROSS FLOOR AREA CALCULATION DOES NOT INCLUDE OPEN TO BELOW AREAS						13.38 m ^{PROP}
BLDG. STOREYS	3	4	AMENITY AREA			
OFFICE/ SERV COMM PARKING	8	8	110.99 m ²			
TENANT PARKING	12	11				
VISITOR PARKING	3	1				



Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 ZONING

structural notes:

DO NOT SCALE DRAWINGS.

Contractor must verify all drawings, dimensions, details and specifications, and report any discrepancies to FLD Inc. before proceeding with work. Materials may not be substituted without written approval from FLD Inc.

All drawings and specifications are instruments of service and the property of FLD Inc., these drawings may not be used for any other project than for what they were prepared

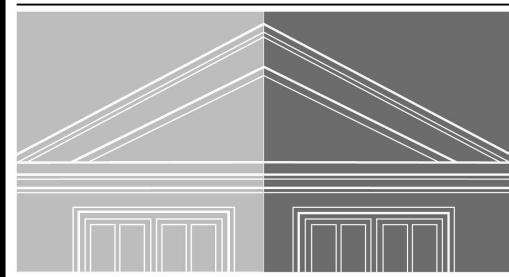
The undersigned has reviewed and takes responsibility for this design, and has qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under Division C - 3.2.5.1. of the 2012 Ontario Building Code

Joshua Theriault
DESIGNER SIGNATURE 35482 BCIN

REGISTRATION INFORMATION
Required unless design is exempt under Division C - 3.2.4.1. of the 2012 Ontario Building Code

Fine Lines Design FIRM 37701 BCIN



FINELINESDESIGN
699 THE QUEENSWAY | TORONTO, ONTARIO
416.361.1841 | 416.361.8035 | info@finelinesdesign.ca

plot date: 2025-02-10 4:32:08 PM project No: 24 - 019

project address:
664 SPRING GARDENS ROAD, BURLINGTON
project name:
COMMERCIAL SPACE WITH 9 UNIT ADD.

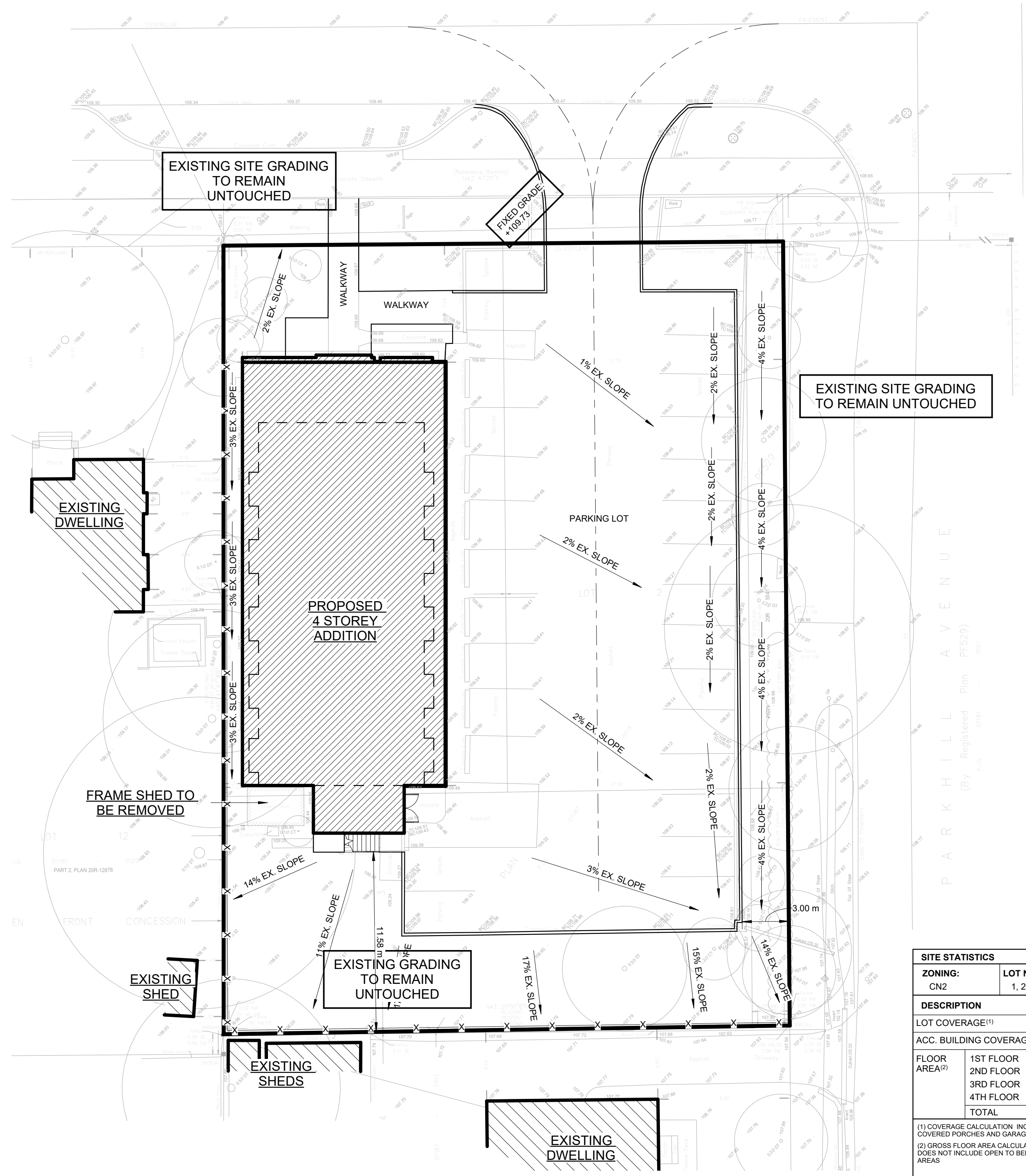
drawing:
SITE PLAN

scale: As indicated

true north: const. north:



drawing no.: **Z02.1**



EXISTING SITE GRADING
TO REMAIN UNTOUCHED

EXISTING SITE GRADING
TO REMAIN UNTOUCHED

FIXED GRADE
+109.73

PROPOSED
4 STOREY
ADDITION

EXISTING
DWELLING

FRAME SHED TO
BE REMOVED

EXISTING
SHED

EXISTING GRADING
TO REMAIN
UNTOUCHED

EXISTING
SHEDS

EXISTING
DWELLING

SITE STATISTICS						
ZONING:	LOT NO:	PLAN NO:	LOT AREA:	LOT FRONTAGE:	LOT DEPTH:	
CN2	1, 2, & 3	PF529	1820.34m ²	35.90 m	50.27 m	
DESCRIPTION		EXISTING	PROPOSED	%	SETBACKS	REQUIRED EXISTING
LOT COVERAGE ⁽¹⁾		370.90 m ²	379.79 m ²	20.9	FRONT YARD	6.00 m 7.06 m ^{PROP}
ACC. BUILDING COVERAGE		8.89 m ²	0.00 m ²	0.00	REAR YARD	3.00 m 12.71 m
FLOOR AREA ⁽²⁾	1ST FLOOR	370.90 m ²	375.69 m ²		SIDE YARD (WEST)	0.00 m 1.21 m
	2ND FLOOR		280.02 m ²		SIDE YARD (EAST)	6.00 m 21.68 m ^{PROP}
	3RD FLOOR		396.62 m ²			
	4TH FLOOR		245.15 m ²			
TOTAL			1297.48 m ²	71.3	FIXED GRADE	109.73
(1) COVERAGE CALCULATION INCLUDES COVERED PORCHES AND GARAGE			REQ'D.	PROP.	HEIGHT	12.00 m 13.38 m ^{PROP}
(2) GROSS FLOOR AREA CALCULATION DOES NOT INCLUDE OPEN TO BELOW AREAS						
BLDG. STOREYS		3	4		AMENITY AREA	110.99 m ²
OFFICE/ SERV COMM PARKING		8	8			
TENANT PARKING		12	11			
VISITOR PARKING		3	1			

UNIT AREAS		
COMMON AREA		
1ST FLOOR	129 m ²	1386 ft ²
2ND FLOOR	108 m ²	1164 ft ²
	237 m ²	2551 ft ²
UNIT 1		
1ST FLOOR	49 m ²	523 ft ²
1ST FLOOR LOFT	59 m ²	631 ft ²
	107 m ²	1154 ft ²
UNIT 2		
1ST FLOOR	49 m ²	525 ft ²
1ST FLOOR LOFT	43 m ²	462 ft ²
	92 m ²	987 ft ²
UNIT 3		
1ST FLOOR	49 m ²	525 ft ²
1ST FLOOR LOFT	43 m ²	462 ft ²
	92 m ²	987 ft ²
UNIT 4		
1ST FLOOR	88 m ²	947 ft ²
1ST FLOOR LOFT	84 m ²	902 ft ²
	172 m ²	1849 ft ²
UNIT 5		
2ND FLOOR	49 m ²	524 ft ²
2ND FLOOR LOFT	62 m ²	668 ft ²
	111 m ²	1192 ft ²
UNIT 6		
2ND FLOOR	49 m ²	527 ft ²
2ND FLOOR LOFT	45 m ²	488 ft ²
	94 m ²	1015 ft ²
UNIT 7		
2ND FLOOR	49 m ²	527 ft ²
2ND FLOOR LOFT	45 m ²	488 ft ²
	94 m ²	1015 ft ²
UNIT 8		
2ND FLOOR	48 m ²	520 ft ²
2ND FLOOR LOFT	45 m ²	482 ft ²
	93 m ²	1002 ft ²
UNIT 9		
2ND FLOOR	41 m ²	439 ft ²
2ND FLOOR LOFT	44 m ²	473 ft ²
	85 m ²	912 ft ²
TOTAL	1177 m ²	12664 ft ²

Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 ZONING

structural notes:

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Joshua Theriault
DESIGNER SIGNATURE 35482 BCIN

REGISTRATION INFORMATION
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Fine Lines Design
FIRM 37201 BCIN



FINE LINES DESIGN
699 THE QUEENSWAY | TORONTO, ONTARIO
P: 416.391.1841 | F: 416.391.8035 | E: info@finelinesdesign.ca

plot date: 2025-02-10 4:32:10 PM project No: 24 - 019

project address:
664 SPRING GARDENS
ROAD, BURLINGTON
project name:
COMMERCIAL SPACE
WITH 9 UNIT ADD.

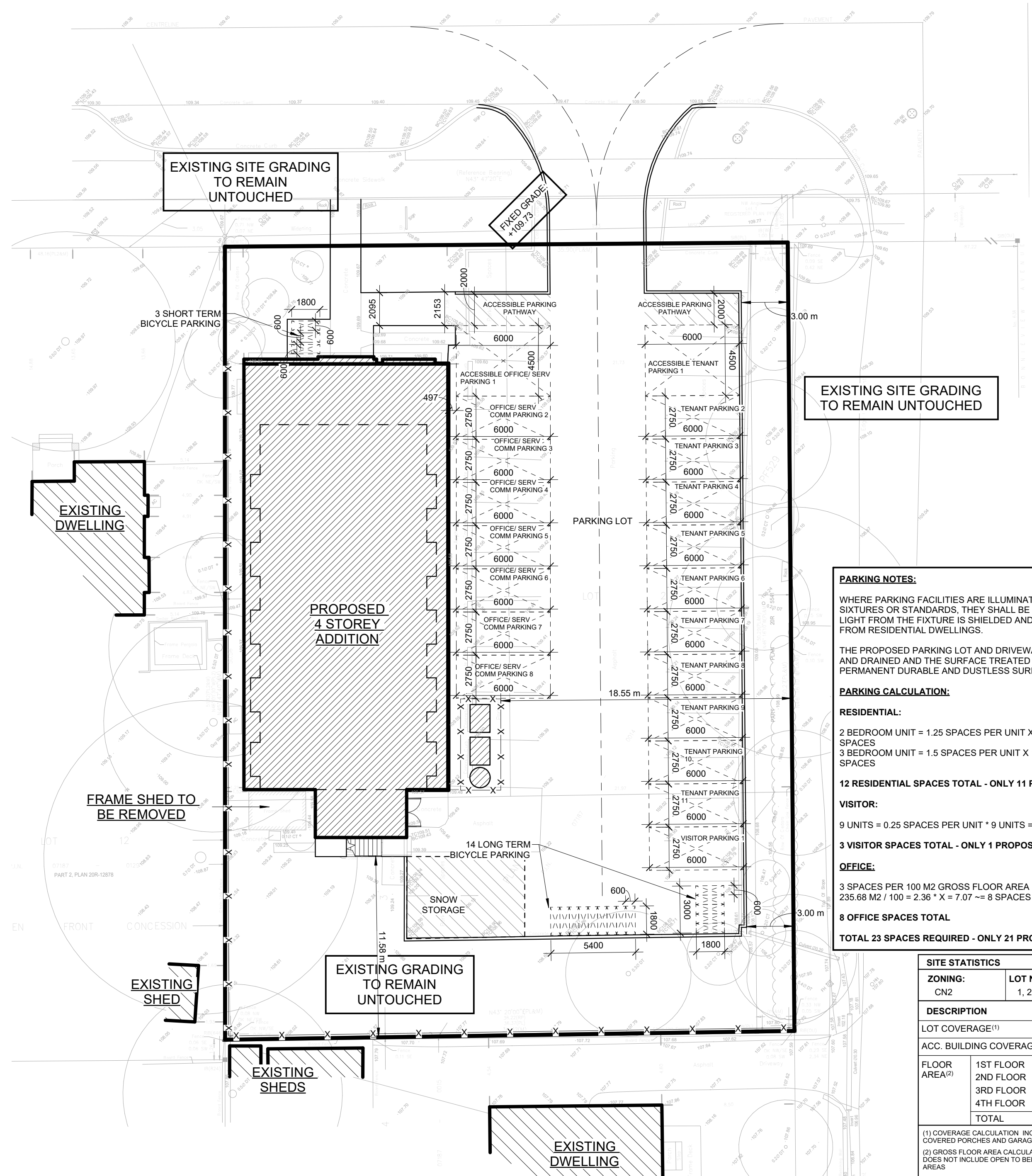
drawing:
GRADING PLAN

scale: As indicated

true north: const. north:



drawing no.: Z02.2



EXISTING SITE GRADING
TO REMAIN UNTOUCHED

PARKING NOTES:

WHERE PARKING FACILITIES ARE ILLUMINATED BY LIGHTING FIXTURES OR STANDARDS, THEY SHALL BE ARRANGED SO THAT LIGHT FROM THE FIXTURE IS SHIELDED AND/ OR DIRECTED AWAY FROM RESIDENTIAL DWELLINGS.

THE PROPOSED PARKING LOT AND DRIVEWAY SHALL BE GRADED AND DRAINED AND THE SURFACE TREATED SO AS TO PROVIDE PERMANENT DURABLE AND DUSTLESS SURFACE.

PARKING CALCULATION:

RESIDENTIAL:

2 BEDROOM UNIT = 1.25 SPACES PER UNIT X 8 UNITS = 10 ~ 10 SPACES
3 BEDROOM UNIT = 1.5 SPACES PER UNIT X 1 UNIT = 1.5 ~ 2 SPACES

12 RESIDENTIAL SPACES TOTAL - ONLY 11 PROPOSED

VISITOR:

9 UNITS = 0.25 SPACES PER UNIT * 9 UNITS = 2.25 ~ 3

3 VISITOR SPACES TOTAL - ONLY 1 PROPOSED

OFFICE:

3 SPACES PER 100 M2 GROSS FLOOR AREA
235.68 M2 / 100 = 2.36 * X = 7.07 ~ 8 SPACES

8 OFFICE SPACES TOTAL

TOTAL 23 SPACES REQUIRED - ONLY 21 PROPOSED

UNIT AREAS		
COMMON AREA		
1ST FLOOR	129 m²	1386 ft²
2ND FLOOR	108 m²	1164 ft²
	237 m²	2551 ft²
UNIT 1		
1ST FLOOR	49 m²	523 ft²
1ST FLOOR LOFT	59 m²	631 ft²
	107 m²	1154 ft²
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	93 m²	1002 ft²
UNIT 9		
2ND FLOOR	41 m²	439 ft²
2ND FLOOR LOFT	44 m²	473 ft²
	85 m²	912 ft²
TOTAL	1177 m²	12664 ft²

SITE STATISTICS						
ZONING:	LOT NO:	PLAN NO:	LOT AREA:	LOT FRONTAGE:	LOT DEPTH:	
CN2	1, 2, & 3	PF529	1820.34m²	35.90 m	50.27 m	
DESCRIPTION	EXISTING	PROPOSED	%	SETBACKS	REQUIRED	EXISTING
LOT COVERAGE(1)	370.90 m²	379.79 m²	20.9	FRONT YARD	6.00 m	7.06 m ^{PROP}
ACC. BUILDING COVERAGE	8.89 m²	0.00 m²	0.00	REAR YARD	3.00 m	12.71 m
FLOOR AREA(2)	370.90 m²	375.69 m²		SIDE YARD (WEST)	0.00 m	1.21 m
		280.02 m²		SIDE YARD (EAST)	6.00 m	21.68 m ^{PROP}
		396.62 m²				
		245.15 m²				
TOTAL		1297.48 m²	71.3	FIXED GRADE	109.73	
(1) COVERAGE CALCULATION INCLUDES COVERED PORCHES AND GARAGE		REQ'D.	PROP.	HEIGHT	12.00 m	13.38 m ^{PROP}
(2) GROSS FLOOR AREA CALCULATION DOES NOT INCLUDE OPEN TO BELOW AREAS						
BLDG. STOREYS	3	4		AMENITY AREA	110.99 m²	
OFFICE/ SERV COMM PARKING	8	8				
TENANT PARKING	12	11				
VISITOR PARKING	3	1				

Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 ZONING

structural notes:

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Joshua Theriault
DESIGNER SIGNATURE 35482 BCIN

REGISTRATION INFORMATION
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Fine Lines Design FIRM 37701 BCIN



FINE LINES DESIGN
699 THE QUEENSWAY | TORONTO, ONTARIO
416.361.1841 | 416.361.4035 | info@finelinesdesign.ca

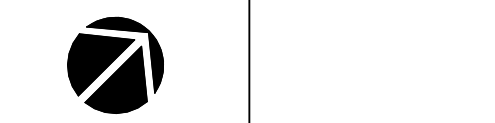
plot date: 2025-02-10 4:32:12 PM project No: 24 - 019

project address:
664 SPRING GARDENS ROAD, BURLINGTON
project name:
COMMERCIAL SPACE WITH 9 UNIT ADD.

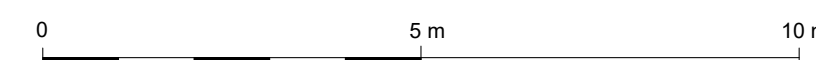
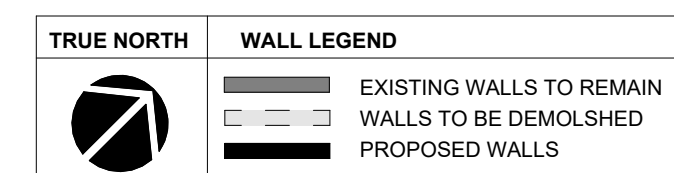
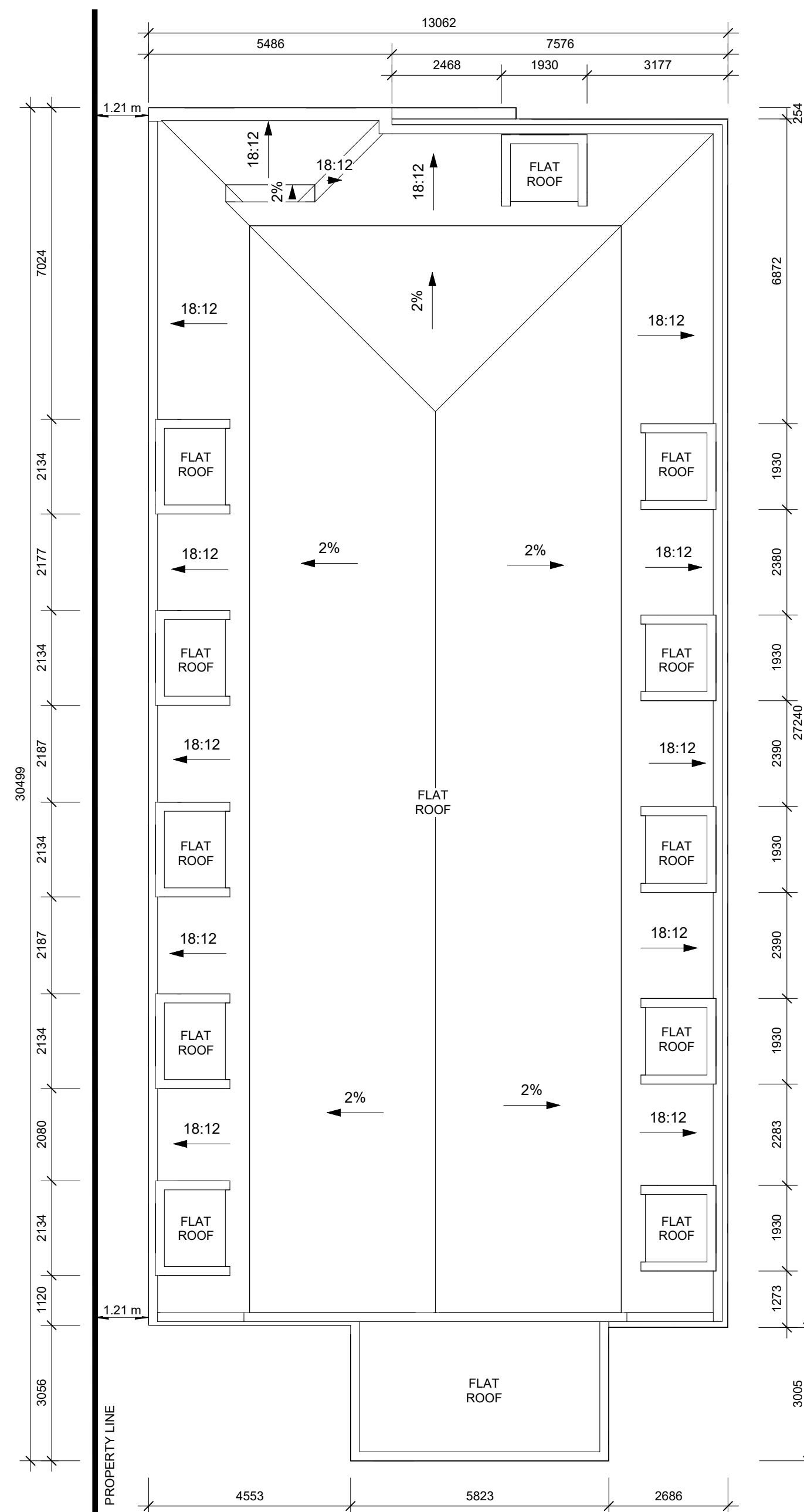
drawing:
PARKING PLAN

scale: As indicated

true north: const. north:

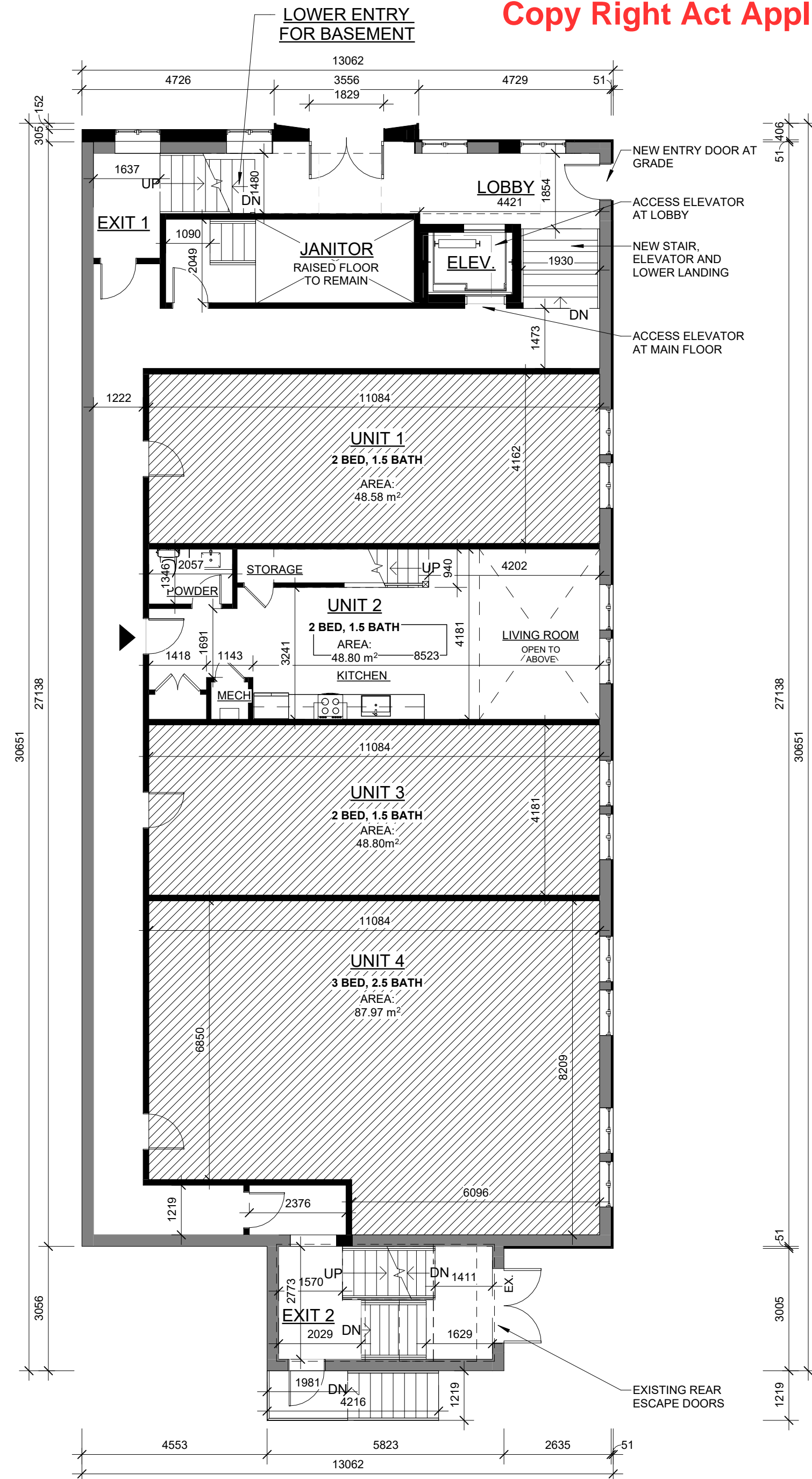


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drawing no.: **Z02.4**

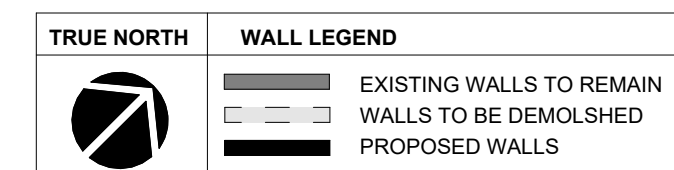
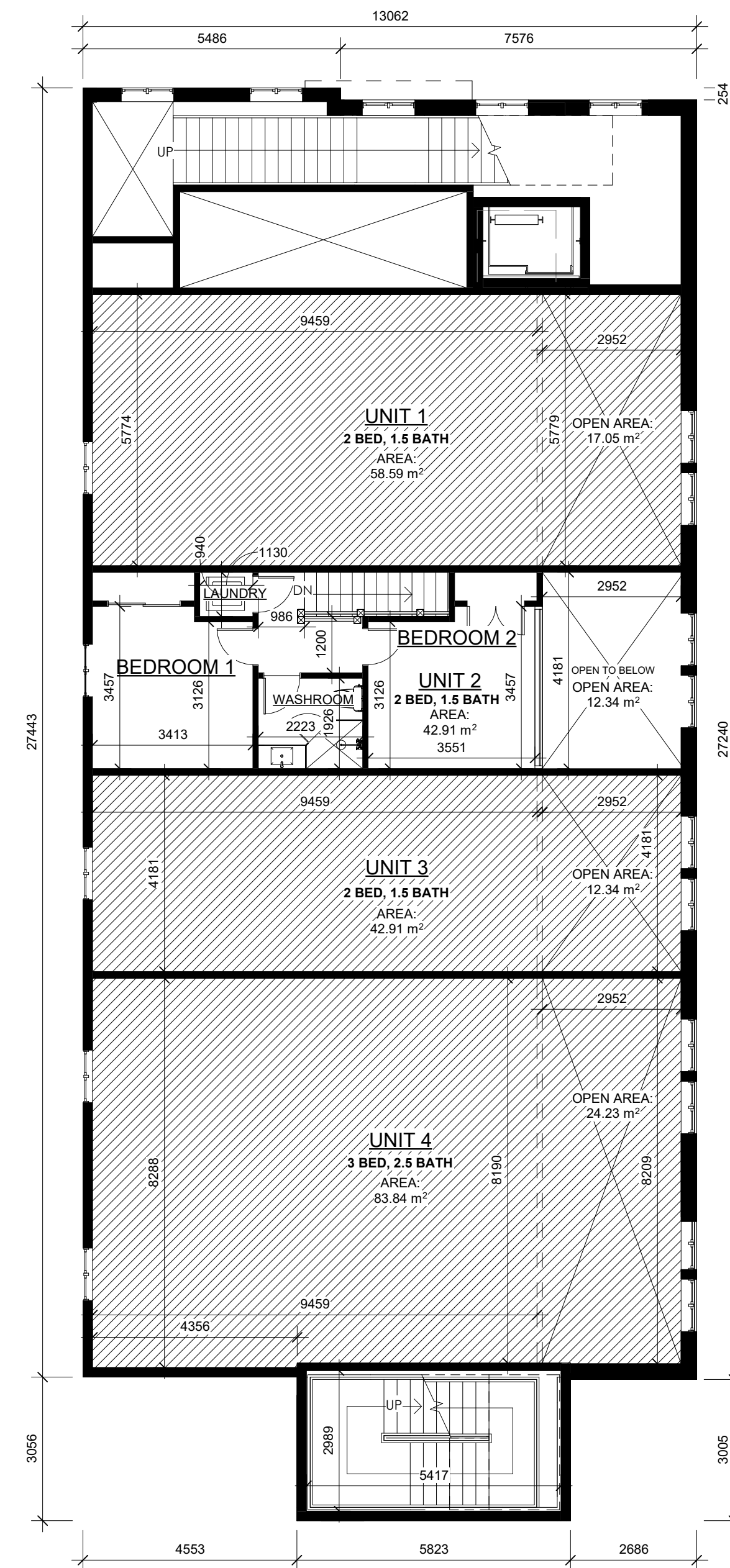
2 ROOF PLAN
1 : 100



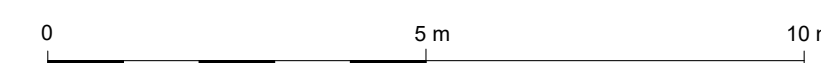
Copy Right Act Applies to Use and Production

Copy Right Act Applies to Use and Production

1 1ST FLOOR PLAN
1 : 100



2 2ND FLOOR (LOFT) PLAN
1 : 100



Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 ZONING

structural notes:

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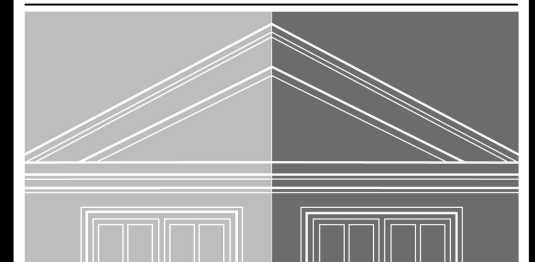
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DESIGNER SIGNATURE 35482 BCIN

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Fine Lines Design
FIRM 37701 BCIN



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P: 416.391.1841 | F: 416.391.8035 | E: info@finelinesdesign.ca

plot date: 2025-02-10 4:32:14 PM project No: 24 - 019

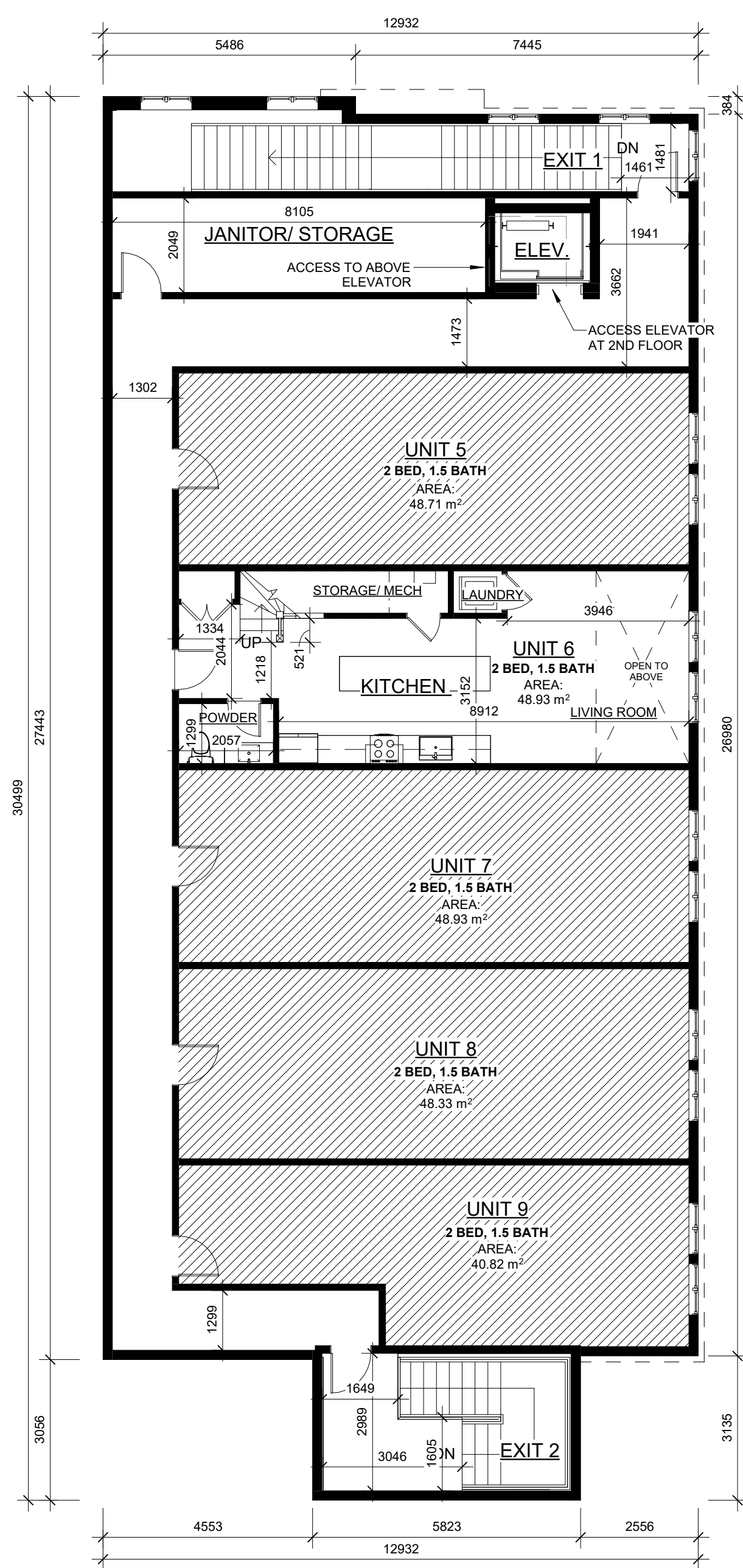
project address:
664 SPRING GARDENS
ROAD, BURLINGTON
project name:
COMMERCIAL SPACE
WITH 9 UNIT ADD.

drawing:
MAIN FLOOR & 2ND
FLOOR (LOFT) PLANS

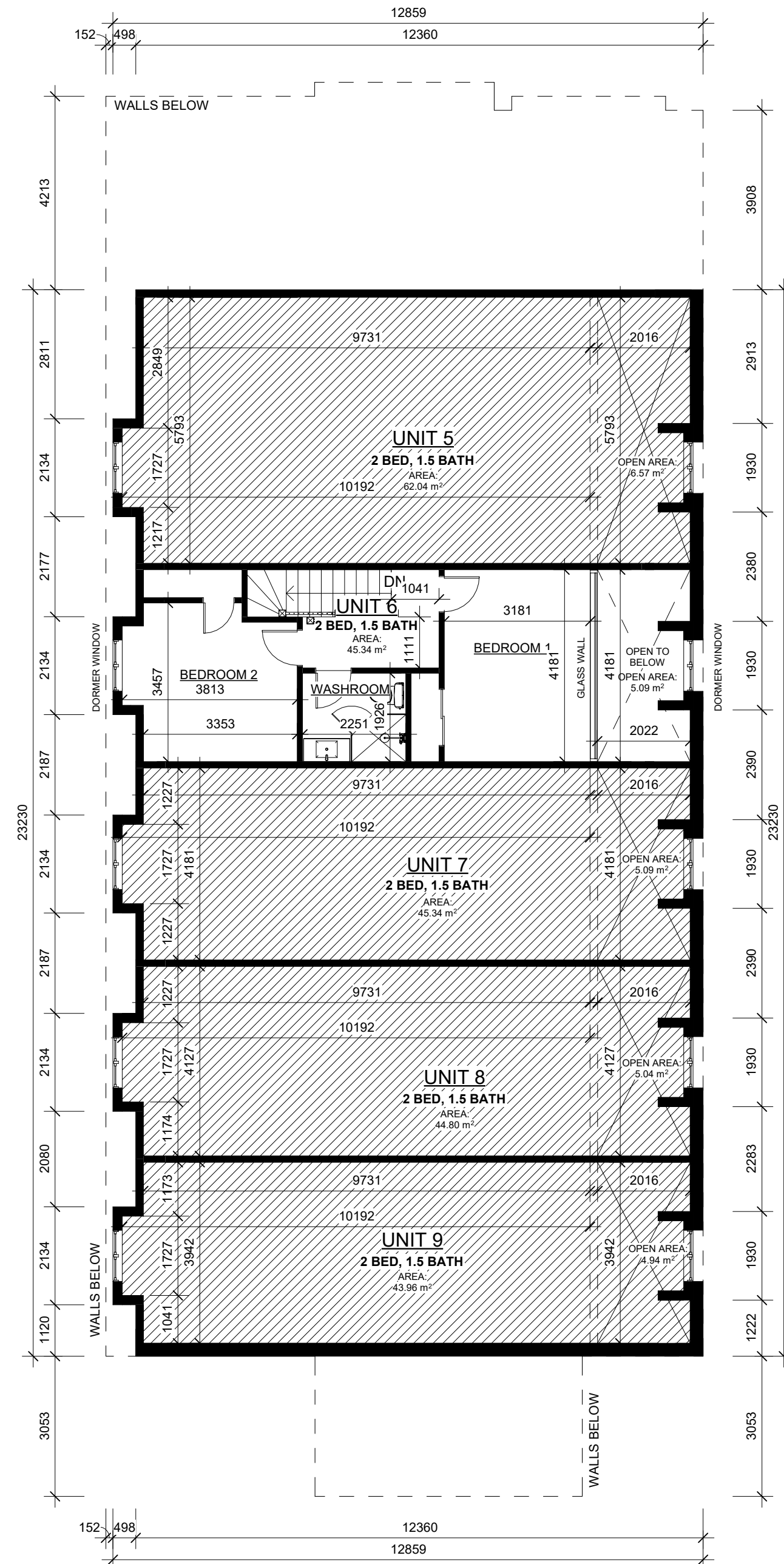
scale: 1 : 100
true north: const. north:

drawing no.: Z02.5

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Copy Right Act Applies to Use and Production



TRUE NORTH

WALL LEGEND

- EXISTING WALLS TO REMAIN
- WALLS TO BE DEMOLISHED
- PROPOSED WALLS



Revision schedule:

No.	Date	Description

project status:
10 FEB. 2025 | ZONING

structural notes:

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Joshua Theriault
DESIGNER

SIGNATURE

35482
BCIN

REGISTRATION INFORMATION
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Fine Lines Design
FIRM

37701
BCIN



plot date: 2025-02-10 4:32:15 PM

project No: 24 - 019

project address:
664 SPRING GARDENS ROAD, BURLINGTON
project name:
COMMERCIAL SPACE WITH 9 UNIT ADD.

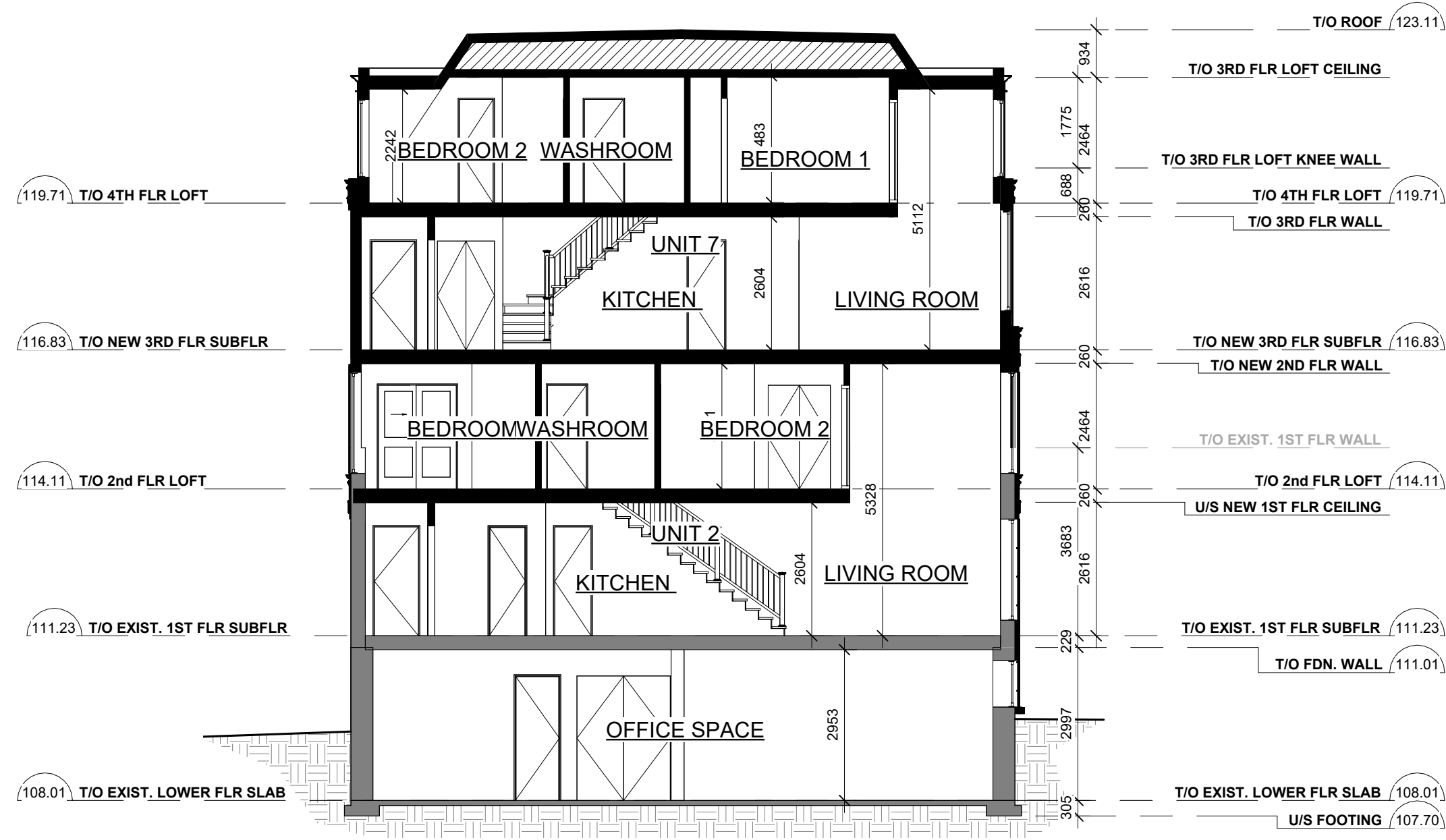
drawing:
3RD FLOOR & 4TH FLOOR (LOFT) PLAN

scale: 1 : 100

true north:

const. north:

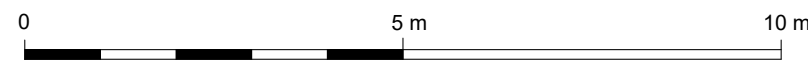
drawing no.: Z02.6



1 CROSS SECTION
1 : 100

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WALL LEGEND	
	EXISTING WALLS TO REMAIN
	WALLS TO BE DEMOLISHED
	PROPOSED WALLS



Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 | ZONING

structural notes:

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Joshua Theriault
DESIGNER

SIGNATURE 35482 BCIN

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Fine Lines Design
FIRM 37701 BCIN



plot date: 2025-02-10 4:32:16 PM
project No: 24 - 019

project address:
664 SPRING GARDENS
ROAD, BURLINGTON
project name:
COMMERCIAL SPACE
WITH 9 UNIT ADD.

drawing:
CROSS SECTION

scale: 1 : 100
true north: const. north:

drawing no.:
Z03.1

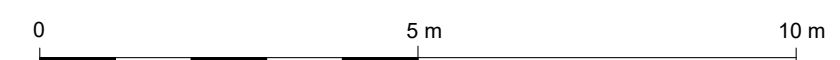


1 EAST ELEVATION
1 : 100

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2 NORTH ELEVATION
1 : 100



Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 ZONING

structural notes:

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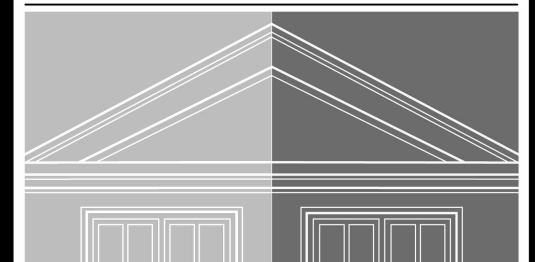
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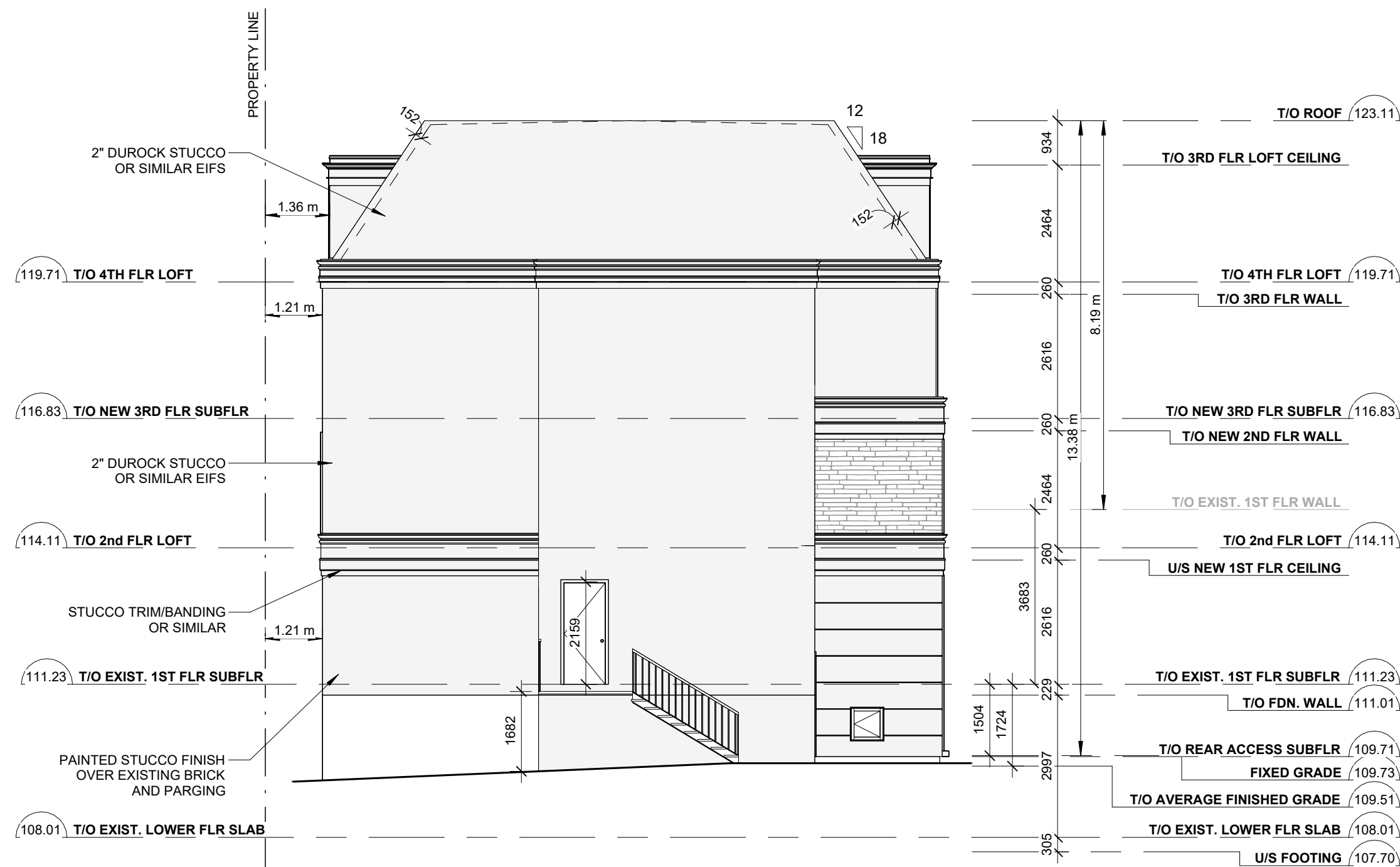
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2025-02-10 4:32:19 PM 24 - 019

project address:
664 SPRING GARDENS
ROAD, BURLINGTON
project name:
COMMERCIAL SPACE
WITH 9 UNIT ADD.

drawing:
ELEVATIONS 1

scale: 1 : 100
true north: const. north:

drawing no.:
Z04.1

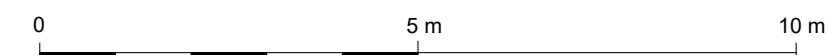


1 SOUTH ELEVATION
1 : 100

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2 WEST ELEVATION
1 : 100



Revision schedule:		
No.	Date	Description

project status:
10 FEB. 2025 | ZONING

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Joshua Theriault
DESIGNER
SIGNATURE
35482
BCIN

REGISTRATION INFORMATION
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Fine Lines Design
FIRM
37201
BCIN



plot date: 2025-02-10 4:32:22 PM
project No: 24 - 019

project address:
664 SPRING GARDENS
ROAD, BURLINGTON
project name:
COMMERCIAL SPACE
WITH 9 UNIT ADD.

drawing:
ELEVATIONS 2

scale: 1 : 100
true north: const. north:

drawing no.:
Z04.2

November 5th, 2024

City of Burlington
Planning and Building Department
426 Brant Street
Burlington, ON L7R 3Z6

Dear Planning Department, Committee of Adjustments

Re: Application for Variance in Support of Affordable Housing Development at 664 Spring Gardens Road, Burlington

I am writing to express my intent to proceed expeditiously with the proposed 9-unit residential development at 664 Spring Gardens Road. The aim is to make use of the Canada Mortgage and Housing Corporation (CMHC) affordable housing program, which provides essential funding for projects designed to deliver affordable yet upscale and spacious housing units. This project represents a unique opportunity to create Burlington's first affordable lofts—an innovative and attractive model for housing that aligns with the city's vision of progressive urban development.

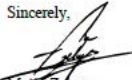
The support of the City of Burlington is a critical component in obtaining CMHC funding for this project. The CMHC program requires demonstration of local government support as a fundamental criterion in granting approvals and resources for affordable housing initiatives. Acceptance of the variance we are requesting would signify the City's backing of this development and would greatly assist in moving forward with CMHC funding.

Our goal is to contribute positively to the community by delivering affordable housing that does not compromise on quality or aesthetic value. These loft units will offer a modern, spacious feel that is both functional and appealing, thereby setting a new standard for affordable housing in Burlington. We believe this project will reflect positively on the City's commitment to addressing housing needs in an innovative, community-focused manner.

Approval of this variance will enable us to proceed with the development and us being secure in the knowledge that we have the support of the City of Burlington. This project has the potential to enhance the city's image as a forward-thinking community that prioritizes diverse and inclusive housing solutions. I am excited to work alongside the City in achieving this vision.

Thank you for your consideration and for your continued support in building a brighter future for Burlington.

Sincerely,



Mario Zelaya
President & CEO
Zelaya Lofts Inc

November 1st, 2024

November 5th, 2024

City of Burlington
Planning and Building Department
426 Brant Street
Burlington, ON L7R 3Z6

Dear Planning Department/Minor Variance Committee

Re: Support for 9-Unit Development Proposal at 664 Spring Gardens Road, Burlington

I, Michelle Coupe residing at 672 Spring Gardens Road, Burlington, am writing to express my full support for the proposed 9-unit residential development at 664 Spring Gardens Road. As a nearby resident, I believe this project will bring positive value to our community and align with the neighborhood's growth and character.

I am encouraged by the developer's commitment to designing a project that respects the existing architecture and natural landscape of Spring Gardens Road. The proposed scale of this development is thoughtfully planned to blend well with the surrounding homes, which I feel will enhance the area while respecting the unique qualities that we, as residents, deeply value.

Furthermore, the addition of this development could improve local infrastructure and bring positive community-focused improvements to Spring Gardens. I am confident that this project will contribute to the vitality of our neighborhood, attracting new families and residents who will appreciate and care for the community as much as we do.

I fully support the variance application for this project and respectfully encourage the City of Burlington to grant approval for this development. I am optimistic about the future of our neighborhood and believe this proposal will be a valuable and harmonious addition.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Michelle Coupe', with a stylized flourish extending to the right.

Name: Michelle Coupe

Address:
672 Spring Gardens Road
Burlington, ON
L7T 1J3

November 5th, 2024