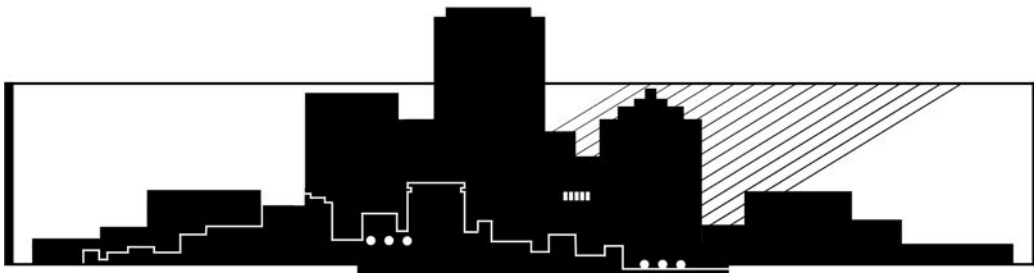


Hybrid Committee of
Adjustment Meeting
October 8, 2025 5:30 pm



AGENDA

COMMITTEE OF ADJUSTMENT AGENDA

Meeting 18

Meeting Date: October 8, 2025

TIME OF MEETING:	5:30 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)	5:30 P.M.	A-060/25	Re: 651 Mullin Way, Burlington Ward 5 Pages 4-35
4.2)	5:30 P.M.	A-056/25	Re: 5157 Mulberry Dr., Burlington Ward 5 Pages 36-75

5. REGULAR ITEMS:

HEARING NO.	TIME	FILE NO. 540-02-	APPLICATION ADDRESS
5.1)	5:30 P.M.	A-040/25	Re: 1006 North Shore Blvd. E, Burlington Ward 1 Pages 76-124
5.2)	5:30 P.M.	A-041/25	Re: 2013 Amherst Heights Dr., Burlington Ward 3 Pages 125-152

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 18

AGENDA

OCTOBER 8, 2025

HEARING NO. 4.1 - 5:30 P.M.

File

540-02-A-060/25

APPLICANT: Melissa Michelle West and Andrew West

PROPERTY: 651 Mullin Way,
PLAN 1339 LOT 196
City of Burlington - Regional Municipality of Halton.

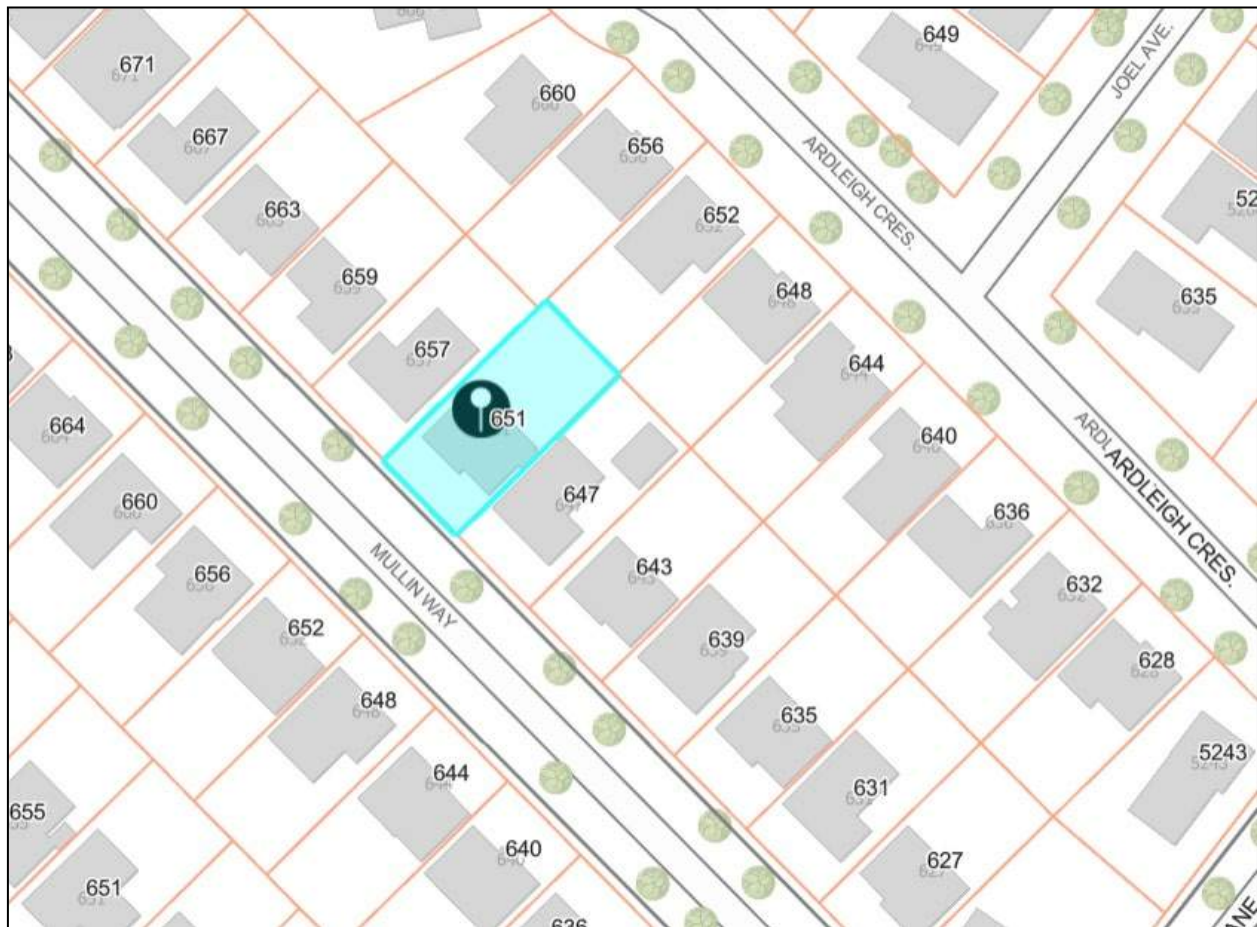
PROPOSAL: The applicant is proposing to legalize the conversion of the attached garage into living space, which was constructed without benefit of approvals.

VARIANCES:

1. To permit lot coverage of 21.9% instead of the maximum permitted 17% for a two-storey detached dwelling without an attached garage.
2. To permit a north-west side yard of 1.9 m instead of the minimum required 3 m for a detached dwelling without an attached garage.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Melissa Michelle West and Andrew John West
Address: 651 Mullin Way Burlington
File No. **A-060/25**
Ward: 5



Staff Comments

Committee of Adjustment

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

Date: July 16, 2025

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

1) Background information:

The subject property is zoned R3.2, Low Density Residential, under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The R3.2 zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

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

Footnotes to Table 2.4.1

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

4.2 MAXIMUM LOT COVERAGE

Table 2.4.3

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

2) Proposal:

The applicant is proposing to legalize the conversion of the attached garage into living space, which was constructed without benefit of approvals.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

3) Variances required:

1. To permit lot coverage of 21.9% instead of the maximum permitted 17% for a two-storey detached dwelling without an attached garage.
2. To permit a north-west side yard of 1.9 m instead of the minimum required 3 m for a detached dwelling without an attached garage.

4) Notes and conditions:

Condition:

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

Notes:

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

Date: August 14, 2025

Prepared By: J. Parker

Site Planning

A minor variance application has been submitted to the City of Burlington to legalize the conversion of the attached garage into living space, which was constructed without the benefit of approvals. To implement the proposal, the applicant requires the following variances from Zoning By-law 2020: to permit lot coverage of 21.9% whereas a maximum of 17% is permitted for a two-storey detached dwelling without an attached garage, and to permit a north-west side yard setback of 1.9 m whereas a minimum of 3.0 m is required for a detached dwelling without an attached garage. No new exterior construction is proposed, but the variances were triggered by the conversion and elimination of the garage. Under the Zoning Bylaw, houses have different setback and lot coverage requirements depending whether they have an attached garage. By converting the garage to living space, the applicant changed it from a house with an attached garage to a house without an attached garage and are now subject to more restrictive side yard setback and coverage requirements.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The subject property, municipally known as 651 Mullin Way, is a rectangular lot with a total area of approximately 510.95 m² and a frontage of 15.24 m. The property is located north of Pinedale Avenue, in close proximity to Sherwood Forest Park and Centennial Trail. The lands are zoned R3.2 under the City of Burlington Zoning By-law 2020.

The neighbourhood is comprised of a combination of one-storey bungalows and two-storey detached dwellings. The dwellings generally present rectangular building forms, with articulation provided through elements such as bay windows, front porches, and varied entry features. Consistent building setbacks and lot frontages establish a regular rhythm along the street while differing building heights provide variety without disrupting the overall low-rise character of the streetscape. Roof forms are predominantly low-pitched gables, with some dwellings incorporating shallow hipped roofs. These roof types are uniform in character and contribute to a cohesive appearance across the neighbourhood. Exterior materials include brick cladding, horizontal siding, and occasional stone accents. Fenestration patterns are regular, with rectangular windows often arranged in pairs or bay configurations, typically framed with light-coloured trim. Entrances are commonly defined by double front doors with steps or porches.

Front yards are landscaped with grass lawns, shrubs, and mature trees that contribute to a green and shaded environment. The presence of established trees throughout the neighbourhood enhances the streetscape by softening the built form and reinforcing the residential character. Driveways are surfaced in asphalt or concrete and provide access to single-car garages or carports integrated into the front elevation. Many driveways have been widened to accommodate two vehicles side-by-side, and front yard parking is a common feature. While garages form part of the main elevation, their impact on the streetscape is mitigated by the consistent setbacks, landscaping, and mature vegetation. Driveways in the neighbourhood are typically wide enough to accommodate two vehicles and, in some cases, are arranged side by side. Bungalows often do not contain attached garages, relying instead on driveway parking.

Existing land uses on the property include a two-storey detached dwelling without an attached garage. Access to the property is provided via a single asphalt driveway from Mullin Way. Required off-street parking for two vehicles is provided on the driveway.

A site visit was conducted on September 5, 2025, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

A site plan, (as prepared July 15, 2025—Revision 6), submitted with the application, illustrates the extent and location of existing and proposed development. A copy of the site plan is included as an attachment in a later section of this report.

Building floor plans and elevations (as prepared July 15, 2025—Revision 6), as submitted with the application, are included as an attachment in a later section of this report.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

The subject lands are designated Urban Area on Map 1 of the Halton Regional Official Plan and fall within the Built Boundary. The Urban Area designation directs growth to established settlement areas in a compact, transit-supportive form while fostering complete, healthy communities. Objectives under Section 72.1 include accommodating growth while maintaining community identity, creating healthy environments, and supporting intensification and reinvestment in the existing housing stock. The proposed garage re-purposing represents a minor form of residential improvement within the Urban Area that is consistent with these objectives. While small in scale, the variance supports the reinvestment and gradual evolution of the housing stock envisioned by the ROP, without altering the residential character of the neighbourhood.

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

Official Plan, 1997 & 2020

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

The subject lands are designated Residential – Low Density under the Burlington Official Plan (1997) and Low-Rise Neighbourhoods I under the Burlington Official Plan (2020, OPA 3), which is partially in force. Both plans recognize the area as one intended primarily for ground-oriented, low-density housing, where compatible infill, modest additions, and renovations are encouraged.

In the 1997 Official Plan, Section 4.3 sets out objectives for Residential Areas, including the provision of opportunities for intensification and minor additions that respect the character and physical form of existing neighbourhoods (s.4.3.2(a)). The Plan also requires that development be compatible with surrounding land uses, ensuring impacts related to privacy, shadowing, and streetscape character are minimized (s.4.3.2(g)).

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Design policies under Part II, Section 6.2(c) further require that additions and alterations be sympathetic to existing neighbourhood character and contribute to an attractive streetscape. The proposed garage conversion and associated variances satisfy these objectives as the changes are internal in nature and do not result in adverse impacts on neighbouring properties or the streetscape.

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

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

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

In the 2020 Official Plan, Section 8.3.3 (Low-Rise Neighbourhoods I) emphasizes gradual neighbourhood evolution through infill development and small-scale improvements, while maintaining compatibility in built form and scale. The policies support residential alterations that fit within the existing context, reinforce the low-rise character, and contribute to reinvestment in the housing stock. Section 7.3 (Design Excellence), though under appeal, also highlights the importance of design outcomes that respect neighbourhood character. The garage conversion is consistent with these policies as it represents a minor internal change that does not significantly alter the dwelling's external appearance, scale, or contribution to the established character of the area.

The proposal maintains the general intent and purpose of the City of Burlington Official Plan, including both the in-force policies of the 1997 Plan and the partially approved 2020 Plan. Policies in both Plans support compatible, small-scale residential improvements and reinvestment in existing housing. The legalization of the garage conversion aligns with this intent, as the change maintains the low-rise, ground-oriented built form of the neighbourhood and does not create adverse physical or functional impacts.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

2) City of Burlington Zoning By-law 2020:**Yes – Variances No. 1 & 2 (Coverage and Northwest Side Setback)**

Although no new exterior construction is proposed, by converting the garage to living space, the applicant changed it from a house with an attached garage to a house without an attached garage which made it subject to more restrictive side yard setback and coverage requirements. A house with an attached garage is only required to maintain a 1.8 metre side yard setback and is permitted a larger coverage of 25%. This is likely to facilitate a built form where a garage projects out beside the main mass of the house and is only one-storey tall.

Variances No. 1 and 2 (lot coverage and north-west side yard setback) maintain the general intent and purpose of the Zoning By-law. The intent of the lot coverage provision is to ensure that the scale of development remains compatible with surrounding properties, preserves adequate amenity space, and avoids overdevelopment of the lot. At 21.9% coverage, the proposed dwelling remains consistent with the built form and massing found within the neighbourhood and continues to provide sufficient landscaped open space. The intent of the side yard setback provision is to ensure adequate separation between dwellings for access, maintenance, drainage, and privacy. The existing 1.9 metre setback will continue to provide functional separation between buildings and maintains an appropriate relationship to the neighbouring property.

The garage conversion has been integrated into the dwelling by replacing the garage doors with windows and materials consistent with the existing façade. This maintains a balanced architectural expression along the front elevation and ensures compatibility with neighbouring homes. The driveway remains functional and continues to provide the required two off-street parking spaces, consistent with the intent of the Zoning By-law. This condition is reflective of the broader neighbourhood pattern, where driveways are typically wide enough to accommodate two vehicles, often arranged side by side, and where many bungalows rely on driveway parking in the absence of attached garages. The north-west side yard setback, while less than the zoning bylaw technically permits, maintains a usable and accessible space between dwellings for passage, landscaping, and services. At the rear of the property, the existing in-ground pool, stone paver patio, and landscaped yard are to remain, ensuring that adequate private amenity space is preserved despite the increase in lot coverage. Together, these conditions demonstrate that the variances represent a minor departure from the By-law standards and that the property continues to meet the underlying objectives of compatibility, amenity, and functionality envisioned by Zoning By-law 2020.

3) Desirability:

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Yes

The proposed variances are desirable for the appropriate development and use of the land, building, and structure. The garage conversion represents a reinvestment in the existing dwelling that improves the functionality of the interior living space while maintaining the external appearance and architectural character of the building. The dwelling continues to present appropriately to the street with balanced massing and materials that are consistent with other homes in the neighbourhood.

The lot coverage variance will enable the house to remain at its current size and does not create an overbuilt condition. Sufficient landscaped open space is preserved to provide outdoor amenity and drainage functions. The north-west side yard setback continues to provide adequate separation between dwellings for access, maintenance, and privacy, and does not result in adverse impacts on neighbouring properties. The proposal supports the ongoing use of the property for low-density residential purposes and aligns with the character of the surrounding neighbourhood. It represents an appropriate and desirable form of small-scale residential improvement that contributes to the long-term viability and continued use of the housing stock.

Development Engineering staff has reviewed the application and has indicated no objection to the requested variance.

4) Minor in Nature:

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

Yes

The increase in lot coverage from 17% to 21.9% arises because the dwelling is now classified as a “detached dwelling without an attached garage” under Table 2.4.3 of Zoning By-law 2020. The conversion of the garage to living space altered the dwelling type category, thereby reducing the maximum permitted lot coverage from 25% (with attached garage) to 17% (without attached garage). As a result, the dwelling exceeded the new coverage standard despite no increase in the overall footprint beyond what already exists on site.

The property continues to function in accordance with the intent of the Zoning By-law, as sufficient landscaped open space, private amenity area, and parking are provided. The change in category is therefore a technical outcome of the garage conversion rather than a result of overbuilding on the lot. Similarly, the reduction of the north-west side yard setback from 3.0 m to 1.9 m maintains adequate separation between dwellings for access, maintenance, drainage, and privacy, and does not result in unacceptable impacts on neighbouring properties or the streetscape.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Taken together, the variances represent adjustments to standards that have arisen from the reclassification of the dwelling type rather than from physical overdevelopment. The variances do not negatively affect the use, functionality, or compatibility of the property within the neighbourhood and are therefore considered minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effect of the requested variances does not result in overdevelopment of the property or adverse impacts on the surrounding neighbourhood. The lot coverage variance arises from the reclassification of the dwelling type due to the elimination of the attached garage, and the side yard reduction continues to provide adequate separation and functionality. Together, the variances represent a minor adjustment to the By-law standards and do not raise additional planning concerns.

Recommendation:

Staff have 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 have no objection to the requested variance.

Date: August 26, 2025, **Prepared By:** Melissa Gasic, MCIP, RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos – September 5, 2025)



View from the driveway



View of the front

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View of the north side



View of the side yard



View of the backyard



View of the dwelling from the rear



View of the infill window



View of the neighbourhood on Mullin Way

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View of the neighbourhood on Mullin Way



View of the neighbourhood on Mullin Way



View of the neighbourhood on Mullin Way



View of the neighbourhood on Mullin Way

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: August 22, 2025

Prepared By: R. Maximo

Forestry

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

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
2. Revisions to the report and/or plans may be required through the tree permit process.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Date: August 29, 2025Prepared By: R. Shaw-Lukavsky**Building**

1. A Building Permit is required for all building construction;
2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

Date: August 29, 2025Prepared By: T. Le**Transportation Planning**Deemed Road Width Analysis

Millin Way 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: July 18th 2025 Prepared By: Taylor Kirchknopf

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

Date: September 18, 2025Prepared 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: August 19, 2025Prepared By: L. Bray

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Halton Region

Regional Staff have reviewed the Minor Variance application proposing to legalize the conversion of the attached garage into living space, which was constructed without benefit of approvals. The variances are requested to the maximum permitted lot coverage and the minimum required side yard.

- Due to Provincial legislation, as of July 1, 2024, the 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.
- Staff have reviewed the application from the Region's Source Water Protection requirements. In accordance with the MOU and to ensure protection of groundwater sources, Halton Region provides the following comments:
 - The property is located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP). The Halton-Hamilton SPP can be accessed online at: <http://www.protectingwater.ca/>
 - The property is located in an Intake Protection Zone 2 (VS= 6.3)
 - Based on the information provided by the applicant, this application is not subject to Section 59 under the Clean Water Act, 2006. Therefore, this application can proceed from a Source Water Protection perspective and Section 59 notice will not be required.
 - Attached to these comments is a factsheet for the applicant, regarding the Source Water Protection program and the important role landowners play in protecting drinking water sources.
- Regional Staff have no objections to the Minor Variance application.

Regional Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if applicable) including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Burlington Hydro

No response to request for comments was received by the time this report was published.

Date: September 18, 2025

Prepared By: E. Shacklette

Source Water Protection Factsheet

halton.ca

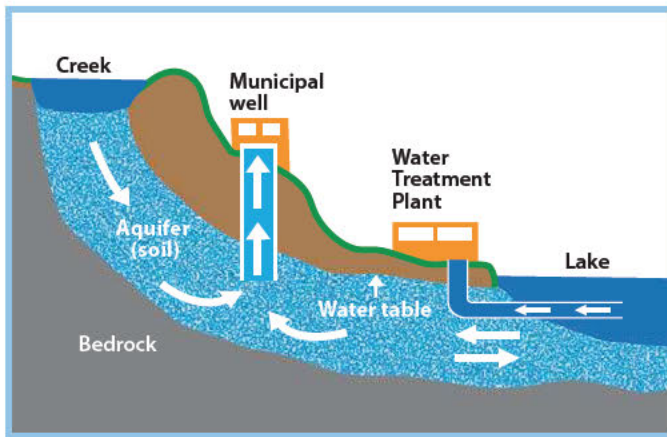


Planning and Building Applications



Sources of drinking water

Sources of drinking water include groundwater from underground aquifers and surface water from streams, rivers and lakes. These water sources are used to supply municipal drinking water systems and private wells in Halton Region, as illustrated below.



Protecting Halton's drinking water

To ensure the consistent delivery of safe and high quality drinking water to our residents and businesses, Halton Region uses a proactive multi-barrier approach to safeguard our municipal drinking water. Under the *Clean Water Act, 2006*, the very first barrier in this approach is **Source Protection**.



Source water protection and Planning/Building Applications

Under the *Clean Water Act, 2006*, additional protection of these drinking water sources from potential contamination or overuse is provided through the mandatory implementation of approved Source Protection Plans. These Plans contain policies to protect municipal sources of drinking water in certain **vulnerable areas**.

Planning/building applications on properties located within **vulnerable areas** may be subject to Source Protection Plan policies if they propose activities identified as significant drinking water threats that may potentially contaminate or overuse municipal drinking water sources such as:

- Applying, handling and storing road salt and snow storage.
- Handling and storing fuels, solvents, hazardous waste and other related chemicals.
- Activities that reduce return of water into the ground.
- Applying, handling, and storing pesticides, fertilizers, agricultural and non-agricultural materials.
- Activities that take water without returning it to the same water source.
- Installing or modifying septic and other sewage systems.
- Use of land for livestock yards and/or pasturing.

Is my property in a vulnerable area?

Applicants can contact their local municipal Planning and Building Departments or Halton Region's Source Protection Office to obtain this information prior to submitting an application. To find out if your property falls within a vulnerable area, such as a wellhead protection area or surface water treatment plant intake zone, visit **halton.ca** or call 311.

Did you know? Compliance with Source Protection Plans is applicable law in the Planning Act and the Ontario Building Code when the property is located in a vulnerable area.

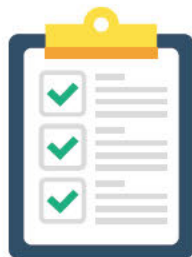
How is my application reviewed?

Municipalities have developed tools to determine whether your application may be subject to Source Protection Plan policies, such as the **Source Protection Checklist** (available at local municipal building/ planning service desks). If the subject property is located in a vulnerable area, applicants will be requested to complete and submit this single page checklist along with other supporting documentation (drawings, details, etc.).

Staff will review the submission and communicate any Source Water Protection requirements to the applicant. In some cases, additional information regarding the proposed activity may be requested to complete the review process.

Step 1

Local municipal staff circulate applications (including Source Protection Checklist) within vulnerable areas to Halton Region's Source Protection Office



Step 2

Halton Region staff will communicate results of Source Protection assessment to applicant and local municipal staff



What do I need to do to comply with Source Water Protection?

Some activities will be managed through traditional methods such as Environmental Compliance Approvals, Permits-To-Take-Water, Nutrient Management Plans and Nutrient Management Strategies. However, depending on the level of risk associated with the proposed activities, some may be prohibited as proposed or require other supporting documents such as:

- Risk Management Plans (see Risk Management Plan fact sheet)
- Site-Specific Salt Management Plans
- Water Balance Assessments
- Hydrogeological Assessments

Where proposed activities are prohibited or regulated through Source Water Protection, municipal staff will provide applicants with detailed feedback regarding what is required.

Did you know? For planning/ building applications located in vulnerable areas, a notice to proceed is required from Halton Region's Risk Management Official before applications are processed.



For more information, visit halton.ca, email sourcewater@halton.ca or call 311.

**RETHINK
WATER**



Enjoy Conserve Protect



halton.ca 311



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

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

Application made under:

☐ Section 45 (1) of the Planning Act

☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☐ or N ☐

Name of Planner: _____ Name of Zoning Examiner: _____

PROPERTY INFORMATION

Municipal Address(es) of property:

Legal Description of property:

Official Plan Designation: _____ Current Zoning Designation _____

OWNER(S) INFORMATION:

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

Mailing Address: _____ City: _____

Postal Code: _____ Home Phone: _____ Mobile Phone: _____

Work Phone: _____ E-Mail: _____

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

Name:

Business Address: _____ City: _____

Postal Code: _____ Home Phone: _____ Mobile Phone: _____

Work Phone: _____ E-Mail: _____

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.

Variance(s) Requested	Zoning Bylaw Requirement

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? _____

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

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

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

PROPERTY DETAILS (please complete all fields):

Date property purchased: _____ mmm/dd/yyyy	Date property first built on: _____ mmm/dd/yyyy	Date of proposed construction: _____ 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: _____

Proposed Use of the Land:

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? Y ☐ N ☐
Frontage	Depth	Area	Actual	Deemed	Required		

Particulars of all buildings and structures on or proposed for the subject lands

(attach additional page if required)

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	M ²	Ground Floor Area (incl. attached garage)	M ²
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Garage/Car Port		Garage/Car Port	
Detached?	Y ☐ N ☐	Detached?	Y ☐ N ☐
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc.)		Accessory Structures	
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.)		Other	
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
LOCATION of all existing and proposed buildings and structures			
EXISTING		PROPOSED	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side/Street Side:	M	Side/Street Side:	M
Side/Other Side:	M	Side/Other Side:	M

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner:

Property Address:

1. I, _____ In my capacity as _____ 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
----	---------------------------------------

mmm/dd/yyyy

has been revised by:

(Person or Company Name)

OR

B.	The site plan, architect's plan or engineer's plan dated
-----------	--

mmm/dd/yyyy

has been revised by:

(Person or Company Name)

OR

C.	The sketch or plot plan** dated
-----------	---------------------------------

****Accepted for applications involving variances for Uses only.**

mmmm/dd/yyyy

was prepared by:

(Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of:

mmmm/dd/yyyy

3. The material submitted shows all measurements in metric, as calculated/converted by:

(Person or Company Name)

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

Signature of Owner/Applicant

Date (mmm/dd/yyyy)

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

Property Address

Signature of Owner/Applicant

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:

I, WARREN SANGER SMITH of the CITY of BURLINGTON in the REGION
(print name) (Region/City/County) (City/Town/Township)

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

Declared before me at the CITY of BURLINGTON in the REGION OF HALTON
(Region/City/County) (City/Town/Township)

this 14 day of JULY 2025.

Tammy Lynn Bell
Signature of Commissioner, etc.

Tammy Lynn Bell, a Commissioner,
etc., Province of Ontario, for The
Corporation of the City of
Burlington.
Expires October 25, 2027

[Signature]
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: 651 MULLIN WAY

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]
Signature of Owner

JULY 15, 2025

Print Name

OWNERS AUTHORIZATION

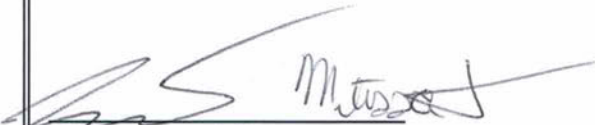
If using an agent, the owner must also complete the following form:

I, ANDREW AND MELISSA WEST being the registered owner of the subject lands, hereby
(print name)

DARREN SANGER-SMITH C/O

Authorize STRUCTURED CREATIONS INC to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.


Signature of Owner

JULY 15, 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 ☐ Metric Scale ☐ North Arrow ☐ Frontage ☐ Depth ☐ Lot Area ☐ Lot Coverage ☐ Deemed Street Line ☐ Existing Front Yard Setbacks ☐ Existing Rear Yard Setbacks ☐ Existing Side Yard Setbacks ☐ Existing Street Side Yard Setbacks ☐ Existing Porch, Stairs and Overhang Setbacks ☐ Proposed Front Yard Setbacks ☐ Proposed Rear Yard Setbacks ☐ Proposed Side Yard Setbacks ☐ Proposed Street Side Yard Setbacks ☐ Proposed Porch, Stairs and Overhang Setbacks ☐ Streets (Public and Private) ☐ Street Names ☐ Parking (Dimensioned spaces, Driveway Width, Arrangement) ☐ Railways (Location of them and setbacks to structures) ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)	

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.

Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

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

ELEVATIONS

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

FLOOR PLANS

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

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

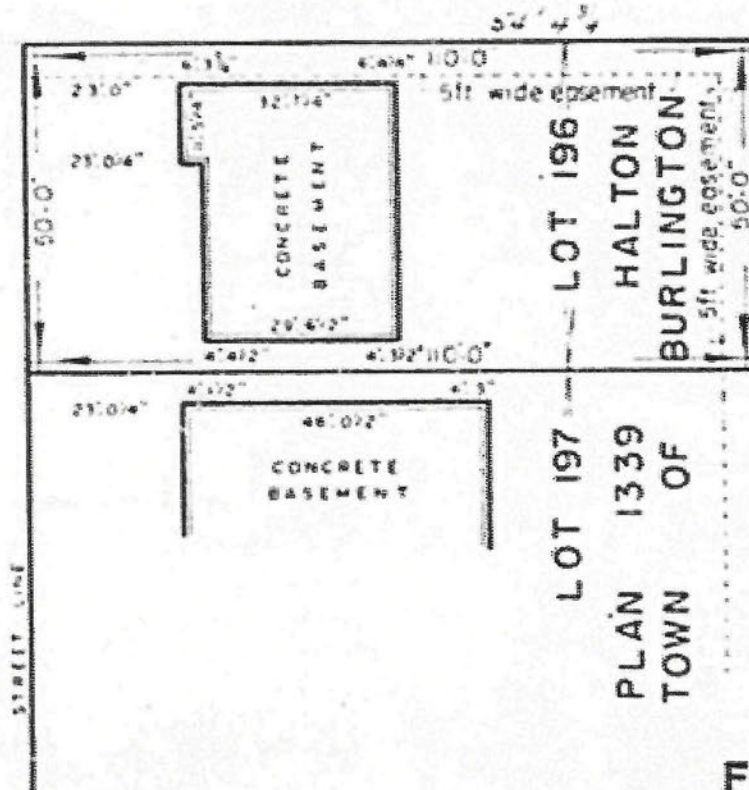
Signature of Owner/Agent

Date (mmm/dd/yyyy)

COPYRIGHT ACT APPLIES TO USE
AND REPRODUCTION

FOR BUILDING
PLAN & ZONING
FILED FOR DETAIL
SHOWING
EXPANSION OF
BUILDING FOOTPRINT
DATE 10/10/83
R 3-7

MULLIN WAY



FILMED

BUILDING SERV.

1111 13 1984 118

BY _____

SCALE 1" = 30'

SEWELL AND SEWELL

ONTARIO LAND SURVEYORS

TORONTO

233 ROBINSON ST. OAKVILLE

H. O. SEWELL

AUGUST 11 1986

86-164

DATE

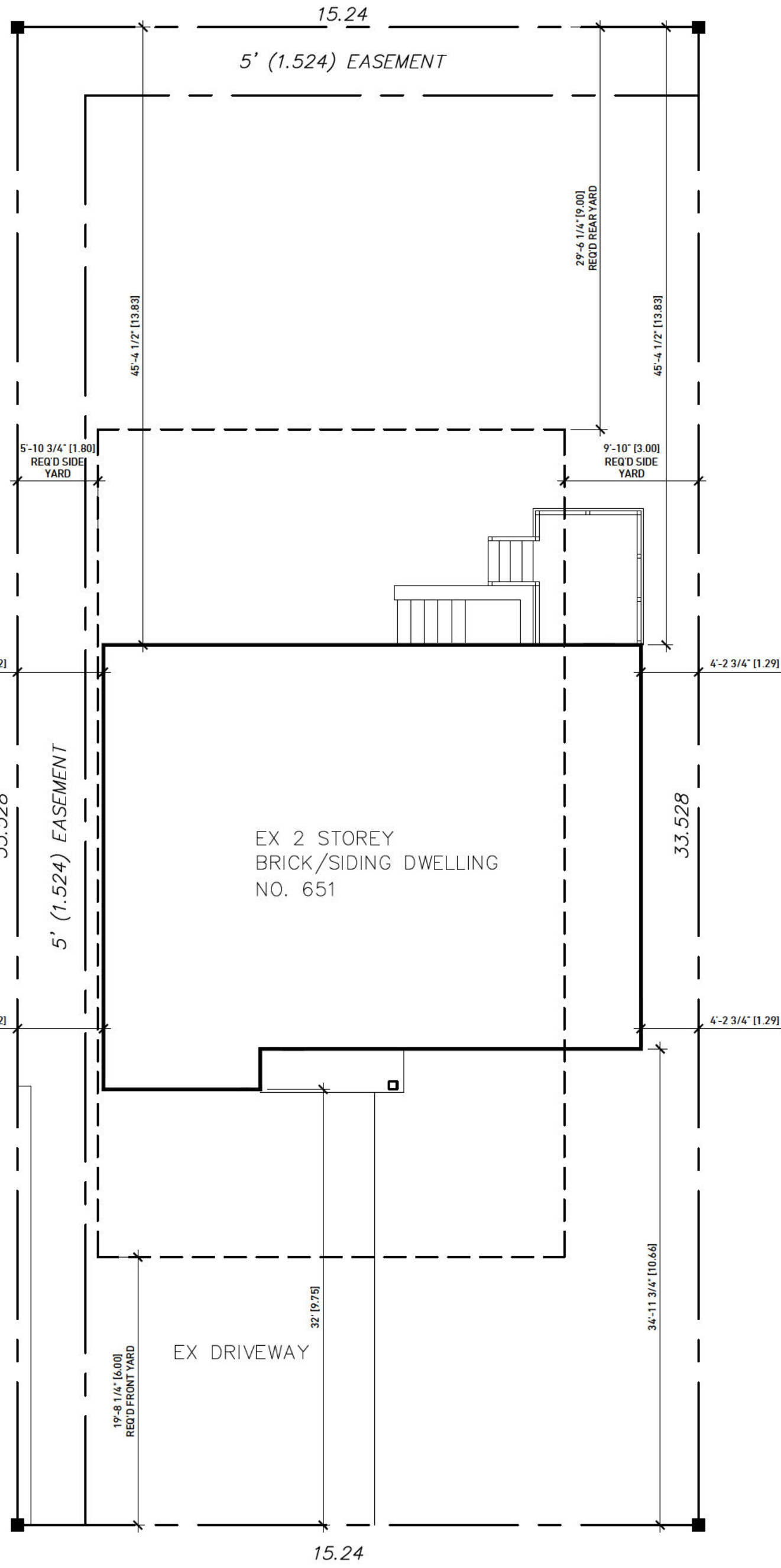
NO

SURVEYOR'S REAL PROPERTY REPORT
WITH TOPOGRAPHIC FEATURES

PLAN OF SURVEY OF
LOTS 196
REGISTERED PLAN 1339

BEING IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

NOTE: SURVEY INFORMATION
TAKEN FROM SURVEY PREPARED
BY SEWELL AND SEWELL O.L.S.
DATED AUGUST 11, 1996



MULLIN WAY

1 SITE PLAN
A0 SCALE 1:100

SITE STATISTICS		
PROJECT NAME:	WEST RESIDENCE	
PROJECT NO:	55-001	
PROJECT ADDRESS:	451 MULLIN WAY, BURLINGTON	
LOT NO:	TBA	
REGISTERED PLAN:	TBA	
ZONING:	R3.2 (DESIGNATED LOT COVERAGE)	
LOT AREA:	510.95 SQM (MIN 425 QM REQ'D)	
LOT FRONTAGE:	15.24M (MIN 15 M REQ'D)	
REG'D SETBACKS		
FRONT YARD:	6.0 M	
SIDE YARD:	1.8 M / 3.0 M	
INTERIOR SIDE YARD:	N/A	
REAR YARD:	9.0 M	
ATTACHED GARAGE OR CARPORT:	NO	
COVERAGE		
MAX. ALLOWABLE COVERAGE:	86.86 SQM / 40.88 SQM	17% / 8%
EXISTING COVERAGE		
EX. RESIDENCE:	89.75 SQM	17.57%
EX. ATTACHED GARAGE:	22.21 SQM	4.35%
EX. FRONT PORCH/DECK:	NA	NA
EX. REAR PORCH/DECK:	NA	NA
EX. ACCESSORY STRUCTURE:	NA	NA
EX. ROOF OVERHAND: (IF APPLICABLE)		
TOTAL EXISTING COVERAGE:	111.96 SQM	21.85%
RESIDENTIAL FLOOR AREA / LOT RATIO		
MAX. ALLOWABLE FLOOR AREA:	229.93 SQM	0.45 : 1
EXISTING RESIDENTIAL FLOOR AREA		
EX. MAIN FLOOR:	89.75 SQM	0.176 : 1
EX. SECOND FLOOR:	48.95 SQM	0.134 : 1
GARAGE:	22.21 SQM	0.043 : 1
(IF APPLICABLE)		
TOTAL EXISTING FLOOR AREA:	180.91 SQM	0.393 : 1
PROPOSED RESIDENTIAL FLOOR AREA		
MAIN FLOOR:		
SECOND FLOOR:		
GARAGE:		
(IF APPLICABLE)		
TOTAL PROPOSED FLOOR AREA:		
TOTAL OVERALL FLOOR AREA:	4000.0 SQUARE METERS	40%

2024 ONTARIO BUILDING CODE GENERAL NOTES

OBC 9.5.2.4. STUDIO WALL REINFORCEMENT

- (1) IF WOOD WALL STUDS OR SHEET STEEL WALL STUDS ENCLOSE THE MAIN BATHROOM IN A DWELLING UNIT, REINFORCEMENT SHALL BE INSTALLED TO PERMIT THE FUTURE INSTALLATION OF THE FOLLOWING:
(a) FOR A WATER CLOSET, A GRAB BAR DESCRIBED IN CLAUSES 9.8.3.8 (3)(a) AND A GRAB BAR DESCRIBED IN CLAUSE 9.8.3.8 (3)(c);
(b) FOR A SHOWER, A GRAB BAR DESCRIBED IN CLAUSE 9.8.3.13 (2)(a); AND
(c) FOR A BATHTUB, A GRAB BAR DESCRIBED IN CLAUSE 9.8.3.13 (2)(a).

OBC 9.5.3. CEILING HEIGHTS

OBC 9.5.3.1. CEILING HEIGHTS OF ROOMS OR SPACES

- (1) EXCEPT AS PROVIDED IN SENTENCES (2) AND (3), THE CEILING HEIGHTS AND CLEAR HEIGHTS IN ROOMS OR SPACES IN RESIDENTIAL OCCUPANCIES AND LIVE WORK UNITS SHALL CONFORM TO TABLE 9.5.3.1.
(2) CEILING HEIGHTS IN SECONDARY SUITES SHALL NOT BE LESS THAN 1.95m [6'-4 3/4"]
(3) CLEAR HEIGHTS UNDER BEAMS AND DUCTS IN SECONDARY SUITES SHALL BE NOT LESS THAN 1.85m [6'-0 3/4"]
(4) AREAS IN ROOMS OR SPACES OVER WHICH CEILING HEIGHT AND CLEAR HEIGHT ARE NOT LESS THAN THE MINIMUM SPECIFIED IN TABLE 9.5.3.1, OR SENTENCE (2) OR (3) SHALL BE CONTIGUOUS WITH THE ENTRY OR ENTRIES TO THOSE ROOMS OR SPACES

TABLE 9.5.3.1.

ROOM OR SPACE	MINIMUM HEIGHTS
LIVING ROOM OR SPACE, DINING ROOM OR SPACE, KITCHEN OR KITCHEN SPACE	2300mm [7'6"] OVER AT LEAST 75% OF THE REQUIRED FLOOR AREA WITH A CLEAR HEIGHT OF 2100mm [6'10"] AT ANY POINT OVER THE REQUIRED AREA
BEDROOM OR BEDROOM SPACE	2300mm [7'6"] OVER AT LEAST 50% OF THE REQUIRED AREA OR 2100mm [6'10"] OVER ALL OF THE REQUIRED FLOOR AREA, ANY PART OF THE FLOOR HAVING A CLEAR HEIGHT OF LESS THAN 1400mm [5'6"] SHALL NOT BE CONSIDERED IN COMPUTING THE REQUIRED FLOOR AREA
BASEMENT SPACE	2100mm [6'10"] OVER AT LEAST 75% OF THE BASEMENT AREA EXCEPT UNDER BEAMS AND DUCTS. THE CLEARANCE IS PERMITTED TO BE REDUCED TO 1950mm [7'8"]
BATHROOM, WATER CLOSET ROOM OR LAUNDRY AREA ABOVE GRADE	2100mm [6'10"] AT ANY AREA WHERE A PERSON WOULD NORMALLY BE IN A STANDING POSITION
PASSAGE, HALL OR MAIN ENTRANCE VESTIBULE AND FINISHED ROOMS NOT SPECIFICALLY MENTIONED ABOVE	2100mm [6'10"]

OBC 9.7.2.3. MINIMUM WINDOW AREAS

- (1) EXCEPT AS REQUIRED IN ARTICLE 9.9.1.0 (1) AND SENTENCE (3), THE MINIMUM WINDOW GLASS AREAS FOR ROOMS IN BUILDINGS OF RESIDENTIAL OCCUPANCY OR ROOMS THAT ARE USED FOR SLEEPING SHALL CONFORM TO TABLE 9.7.2.3.
(2) THE OBSTRUCTED GLASS AREA OF A DOOR OR SKYLIGHT IS CONSIDERED EQUIVALENT TO THAT OF A WINDOW.
(3) WORK AREAS IN LIVE-WORK UNITS SHALL CONFORM TO TABLE 9.7.2.3 (2)(a).
(4) WHERE ROOMS WITH DIFFERENT REQUIREMENTS FOR WINDOW GLASS AREA ARE COMBINED AS DESCRIBED IN SENTENCE 9.5.1.4 (1), THE MORE RESTRICTIVE REQUIREMENT SHALL GOVERN.

TABLE 9.7.2.3.

LOCATION	MINIMUM UNOBSTRUCTED GLASS AREA WITH NO ELECTRIC LIGHTING	MINIMUM UNOBSTRUCTED GLASS AREA WITH ELECTRIC LIGHTING
LAUNDRY, BASEMENT RECREATION ROOM, UNFINISHED BASEMENT	4% OF AREA SERVED	WINDOWS NOT REQUIRED
WATER-CLOSET ROOM	0.37 sqm	WINDOWS NOT REQUIRED
KITCHEN, KITCHEN SPACE (OR ALCOVE)	10% OF AREA SERVED	WINDOWS NOT REQUIRED
LIVING ROOMS AND DINING ROOMS	10% OF AREA SERVED	10% OF AREA SERVED
BEDROOMS AND OTHER FINISHED ROOMS NOT MENTIONED ABOVE	5% OF AREA SERVED	5% OF AREA SERVED

OBC 9.8. STAIRS, RAMPS, HANDRAILS AND GUARDS

OBC 9.8.2.2. HEIGHT OVER STAIRS

- (1) THE CLEAR HEIGHT OVER STAIRS SHALL BE MEASURED VERTICALLY, OVER THE CLEAR WIDTH OF THE STAIR, FROM A STRAIGHT LINE TANGENT TO THE TREAD AND LANDING NOSING TO THE LOWEST POINT ABOVE.
(2) EXCEPT AS PROVIDED IN SENTENCE (3) AND (4), AND ARTICLE 9.8.4.7, THE CLEAR HEIGHT OVER STAIRS SHALL NOT BE LESS THAN 2050mm [6'7"]
(3) EXCEPT AS PROVIDED IN ARTICLE 9.8.4.7, THE CLEAR HEIGHT OVER STAIRS SERVING A SINGLE DWELLING UNIT OR A HOUSE WITH A SECONDARY SUITE INCLUDING THEIR COMMON SPACES SHALL NOT BE LESS THAN 1950mm [7'8"]
(4) THE CLEAR HEIGHT OVER STAIRS THAT ARE LOCATED UNDER BEAMS AND DUCTING IN SECONDARY SUITES SHALL NOT BE LESS THAN 1850mm [7'1"]

OBC 9.8.3.3. MAXIMUM HEIGHT OF STAIRS

- (1) THE VERTICAL HEIGHT OF ANY FLIGHT OF STAIRS SHALL NOT EXCEED 3.7m [12'-1 3/4"]

OBC 9.8.4.1. DIMENSIONS FOR RISERS

- (1) EXCEPT AS PROVIDED IN ARTICLE 9.8.4.7, THE RISE, WHICH IS MEASURED AS THE VERTICAL NOSING-TO-NOSING DISTANCE, SHALL CONFORM TO TABLE 9.8.4.1.

TABLE 9.8.4.1.

STAIR TYPE	MAX. RISE, FOR ALL STEPS	MIN. RISE, FOR ALL STEPS	MAX. RUN, FOR RECTANGULAR TREADS	MIN. RUN, FOR RECTANGULAR TREADS
PRIVATE STAIRS	200mm [7 7/8"]	125mm [4 9/16"]	355mm [13 7/8"]	255mm [10 1/4"]
PUBLIC STAIRS	180mm [7 1/8"]	125mm [4 9/16"]	NO LIMIT	280mm [11 1/8"]
SERVICE STAIRS	NO LIMIT	125mm [4 9/16"]	355mm [13 7/8"]	NO LIMIT

NOTES TO TABLE 9.8.4.1.

- (1) PRIVATE STAIRS ARE:
(a) INTERIOR STAIRS WITHIN A HOUSE WITH A SECONDARY SUITE OR AN INDIVIDUAL DWELLING UNIT,
(b) EXTERIOR STAIRS SERVING A HOUSE WITH A SECONDARY SUITE OR AN INDIVIDUAL DWELLING UNIT, AND
(c) EXTERIOR STAIRS SERVING A GARAGE THAT SERVES A HOUSE WITH A SECONDARY SUITE OR AN INDIVIDUAL DWELLING UNIT.
(2) PUBLIC STAIRS ARE ALL STAIRS NOT DESCRIBED AS SERVICE STAIRS OR PRIVATE STAIRS.
(3) SERVICE STAIRS ARE STAIRS THAT SERVE AREAS USED ONLY AS SERVICE ROOMS OR SERVICE SPACES.

OBC 9.8.4.8. TREAD NOSING

- (1) EXCEPT AS PERMITTED BY SENTENCE (2), THE TOP OF THE NOSINGS OF STAIR TREADS SHALL HAVE A ROUNDED OR REVELED EDGE, EXTENDING NOT LESS THAN 4mm [0.24"] AND NOT MORE THAN 14mm [0.55"] MEASURED HORIZONTALLY FROM THE FRONT OF THE NOSING.
(2) IF RESILIENT MATERIAL IS USED TO COVER THE NOSING OF A STAIR TREAD, THE MINIMUM EXTENSION OF THE ROUNDED OR REVELED EDGE REQUIRED BY SENTENCE (1) IS PERMITTED TO BE REDUCED TO 3mm [0.12"]

OBC 9.8.7.1. REQUIRED HANDRAILS

- (1) HANDRAILS ARE NOT REQUIRED FOR STAIRS AND RAMPS SERVING A SINGLE DWELLING UNIT, WHERE:
(a) INTERIOR STAIRS HAVE NOT MORE THAN 2 RISERS,
(b) EXTERIOR STAIRS HAVE NOT MORE THAN 3 RISERS, OR
(c) RAMPS RISE NOT MORE THAN 400mm [1'6"]

OBC 9.8.7.4. HEIGHT OF HANDRAILS

- (1) THE HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE MEASURED VERTICALLY FROM THE TOP OF THE HANDRAIL TO:
(a) A STRAIGHT LINE DRAWN TANGENT TO THE TREAD NOSINGS OF THE STAIR SERVED BY THE HANDRAIL, OR
(b) THE SURFACE OF THE RAMP, FLOOR OR LANDING SERVED BY THE HANDRAIL.
(2) EXCEPT AS PROVIDED IN SENTENCE (3), CLAUSE 9.8.3.4 (1)(a) AND SENTENCE 9.8.4.7 (1), REQUIRED HANDRAILS SHALL BE 860mm [34 1/8"] TO 1070mm [42 1/8"] HIGH.
(3) HANDRAILS INSTALLED IN ADDITION TO REQUIRED HANDRAILS NEED NOT COMPLY WITH SENTENCE (2).

OBC 9.8.8.1. REQUIRED GUARDS

- (4) EXCEPT AS PROVIDED IN SENTENCE (5), OPENABLE WINDOWS IN BUILDINGS OF RESIDENTIAL OCCUPANCY SHALL BE PROTECTED BY:
(a) A GUARD, OR
(b) A MECHANISM THAT CAN ONLY BE RELEASED WITH THE USE OF TOOLS OR SPECIAL KNOWLEDGE TO CONTROL THE FREE SWINGING OR SLIDING OPERATION OF THE OPERABLE PART OF THE WINDOW SO AS TO LIMIT ANY CLEAR UNOBSTRUCTED OPENING TO NOT MORE THAN 100mm [4"] MEASURED EITHER VERTICALLY OR HORIZONTALLY.
(5) WINDOWS NEED NOT BE PROTECTED IN ACCORDANCE WITH SENTENCE (4), WHERE THE BOTTOM EDGE OF THE OPERABLE PORTION OF THE WINDOW IS LOCATED:
(a) MORE THAN 900mm [36"] ABOVE THE FINISHED FLOOR, OR
(b) LESS THAN 1800mm [7'2"] ABOVE THE FLOOR OR GROUND ON THE OTHER SIDE OF THE WINDOW.
(6) EXCEPT AS PROVIDED IN SENTENCE (7), GLAZING INSTALLED OVER STAIRS, RAMPS AND LANDINGS THAT EXTENDS TO LESS THAN 1070mm [42 1/8"] ABOVE THE SURFACE OF THE TREADS, RAMP OR LANDING SHALL BE:
(a) PROTECTED BY GUARDS IN ACCORDANCE WITH THIS SUBSECTION, OR
(b) NON-OPENABLE AND DESIGNED TO WITHSTAND THE SPECIFIED LATERAL LOADS OF GUARDS AS PROVIDED IN ARTICLE 4.1.5.14.
(7) IN DWELLING UNITS, GLAZING INSTALLED OVER STAIRS, RAMPS OR LANDINGS THAT EXTENDS TO LESS THAN 900mm [36"] ABOVE THE SURFACE OF THE TREADS, RAMP OR LANDING SHALL BE:
(a) PROTECTED BY GUARDS IN ACCORDANCE WITH THIS SUBSECTION, OR
(b) NON-OPENABLE AND DESIGNED TO WITHSTAND THE SPECIFIED LATERAL LOADS OF GUARDS AS PROVIDED IN ARTICLE 4.1.5.14.

OBC 9.8.8.3. HEIGHT OF GUARDS

- (1) EXCEPT AS PROVIDED IN SENTENCES (2) TO (3), ALL GUARDS SHALL BE NOT LESS THAN 1070mm [42 1/8"] HIGH.
(2) ALL GUARDS WITHIN DWELLING UNITS OR WITHIN HOUSES WITH A SECONDARY SUITE INCLUDING THEIR COMMON SPACES SHALL BE NOT LESS THAN 900mm [36"] HIGH.
(3) EXTERIOR GUARDS SERVING NOT MORE THAN ONE DWELLING UNIT OR A HOUSE WITH A SECONDARY SUITE INCLUDING THEIR COMMON SPACES SHALL HAVE A MINIMUM HEIGHT OF 1070mm [42 1/8"] HIGH WHERE THE WALKING SURFACE SERVED BY THE GUARD IS NOT MORE THAN 1800mm [7'2"] ABOVE THE FINISHED GROUND LEVEL.
(3.1) THE HEIGHT OF GUARDS FOR EXTERIOR STAIRS AND LANDINGS MORE THAN 10m [32'-9 3/4"] ABOVE THE ADJACENT GROUND LEVEL SHALL BE NOT LESS THAN 1500mm [4'9"]
(4) THE HEIGHT OF GUARDS FOR FLIGHTS OF STEPS SHALL BE MEASURED VERTICALLY FROM THE TOP OF THE GUARD TO A LINE DRAWN THROUGH THE TREAD NOSING SERVING THE GUARD.

OBC 9.8.8.5 (1) OPENINGS OF GUARDS

- (1) EXCEPT AS PERMITTED IN SENTENCES (3) AND (4), OPENINGS THROUGH GUARDS SHALL BE OF A SIZE THAT PREVENTS THE PASSAGE OF A SPHERICAL OBJECT HAVING A DIAMETER OF 100mm [4"]

OBC 9.8.8.6. GUARDS DESIGNED NOT TO FACILITATE CLIMBING

- (1) GUARDS REQUIRED BY ARTICLE 9.8.8.1, EXCEPT THOSE IN INDUSTRIAL OCCUPANCIES AND WHERE IT CAN BE SHOWN THAT THE LOCATION AND SIZE OF OPENINGS DO NOT REPRESENT A HAZARD, SHALL BE DESIGNED SO THAT NO MEMBER, ATTACHMENT OR OPENING LOCATED BETWEEN 140mm [5 1/2"] AND 900mm [36"] ABOVE THE FLOOR OR WALKING SURFACE PROTECTED BY THE GUARD WILL FACILITATE CLIMBING.

OBC 9.9.10. EGRESS FROM BEDROOMS

OBC 9.9.10.1. EGRESS WINDOWS OR DOORS FOR BEDROOMS

- (1) EXCEPT WHERE A DOOR ON THE SAME FLOOR LEVEL AS THE BEDROOM PROVIDES DIRECT ACCESS TO THE EXTERIOR, EVERY FLOOR LEVEL CONTAINING A BEDROOM IN A SUITE SHALL BE PROVIDED WITH AT LEAST ONE OUTSIDE WINDOW THAT:
(a) IS OPENABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS,
(b) PROVIDES AN INDIVIDUAL UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 0.35sqm [3.77 sq ft] AND DIMENSIONS LESS THAN 300mm [11 3/4"] BY 2100mm [6'10"],
(c) MAINTAINS THE REQUIRED OPENING DESCRIBED IN CLAUSE (b) WITHOUT THE NEED FOR ADDITIONAL SUPPORT,
(2) EXCEPT FOR BASEMENT AREAS, THE WINDOWS REQUIRED IN SENTENCE (1) SHALL HAVE A MAXIMUM SILL HEIGHT OF 1000mm [4'0"] ABOVE THE FLOOR.
(3) WHERE A WINDOW REQUIRED IN SENTENCE (1) OPENS INTO A WINDOW WELL, A CLEARANCE OF NOT LESS THAN 500mm [20"] SHALL BE PROVIDED IN FRONT OF THE WINDOW.
(4) WHERE THE SASH OF A WINDOW REFERRED TO IN SENTENCE (3) SWINGS TOWARDS THE WINDOW WELL, THE OPERATION OF THE SASH SHALL NOT REDUCE THE CLEARANCE IN A MANNER THAT WOULD RESTRICT ESCAPE IN AN EMERGENCY.
(5) WHERE PROTECTIVE ENCLOSURE IS INSTALLED OVER THE WINDOW WELL REFERRED TO IN SENTENCE (3), THE ENCLOSURE SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF KEYS, TOOLS OR SPECIAL KNOWLEDGE OF THE OPENING MECHANISM.
(6) WHEN SLIDING WINDOWS ARE USED, THE MINIMUM DIMENSION DESCRIBED IN SENTENCE (1) SHALL APPLY TO THE OPENABLE PORTION OF THE WINDOW.

OBC 9.10.19. SMOKE ALARMS

OBC 9.10.19.1. REQUIRED SMOKE ALARMS

- (1) EXCEPT AS PERMITTED BY ARTICLE 9.10.19.8, SMOKE ALARMS CONFORMING TO CAN/ULC-5531, "STANDARDS FOR SMOKE ALARMS", SHALL BE INSTALLED IN:
(a) EACH DWELLING UNIT,
(b) EACH SLEEPING ROOM NOT WITHIN A DWELLING UNIT, AND
(c) ALL ANCILLARY SPACES AND COMMON SPACES NOT IN DWELLING UNITS IN A HOUSE WITH A SECONDARY SUITE.

CSA SMOKE ALARM

OBC 9.10.19.3. LOCATION OF SMOKE ALARMS

- (1) EXCEPT AS PERMITTED BY ARTICLE 9.10.19.8, WITHIN DWELLING UNITS, SUFFICIENT SMOKE ALARMS SHALL BE INSTALLED SO THAT:
(a) THERE IS AT LEAST ONE SMOKE ALARM INSTALLED ON EACH STORY, INCLUDING BASEMENTS, AND
(b) ON ANY STORY OF A DWELLING UNIT CONTAINING SLEEPING ROOMS, A SMOKE ALARM IS INSTALLED IN EACH SLEEPING ROOM, AND
(c) IN A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STORY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY.
(1.1) EXCEPT AS PERMITTED IN ARTICLE 9.10.19.8, WITHIN A HOUSE WITH A SECONDARY SUITE THAT CONTAINS AN INTERIOR SHARED MEANS OF EGRESS OR COMMON AREA, A SMOKE ALARM SHALL BE INSTALLED IN EACH SHARED MEANS OF EGRESS OR COMMON AREA.
(2) A SMOKE ALARM REQUIRED IN SENTENCE (1) AND (1.1) SHALL BE INSTALLED IN CONFORMANCE WITH CAN/ULC-5533, "STANDARD FOR INSTALLATION OF SMOKE ALARMS".
(3) SMOKE ALARMS REQUIRED IN ARTICLE 9.10.19.1, AND SENTENCES (1) AND (1.1) SHALL BE INSTALLED ON OR NEAR THE CEILING.
(4) A SMOKE ALARM REQUIRED IN SENTENCE (1) AND (1.1) SHALL HAVE A VISUAL SIGNALING COMPONENT CONFORMING TO THE REQUIREMENTS IN 9.8.3.3 (LIGHT, COLOR AND PULSE CHARACTERISTICS) OF NFPA 72, "NATIONAL FIRE ALARM AND SIGNALING CODE".
(5) THE VISUAL SIGNALING COMPONENT REQUIRED IN SENTENCE (4) NEED NOT:
(a) BE INTEGRATED WITH THE SMOKE ALARM PROVIDED IT IS INTERCONNECTED TO IT,
(b) BE ON BATTERY BACKUP, OR
(c) HAVE SYNCHRONIZED FLASH RATES, WHEN INSTALLED IN A HOUSE WITH A SECONDARY SUITE OR AN INDIVIDUAL DWELLING UNIT.
(6) THE LUMINOUS INTENSITY FOR VISUAL SIGNALING COMPONENTS REQUIRED IN SENTENCE (4) THAT ARE INSTALLED IN SLEEPING ROOMS SHALL BE A MINIMUM OF 175 cd.

OBC 9.10.19.4. POWER SUPPLY

- (1) SMOKE ALARMS DESCRIBED IN SENTENCE 9.10.19.1 (1) AND 9.10.19.3 (1) SHALL:
(a) BE INSTALLED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT,
(b) HAVE NO DISCONNECT SWITCH BETWEEN THE OVERCURRENT DEVICE AND THE SMOKE ALARM, AND
(c) IN CASE THE REGULAR POWER SUPPLY TO THE SMOKE ALARM IS INTERRUPTED, BE PROVIDED WITH A BATTERY AS AN ALTERNATE POWER SOURCE THAT CAN CONTINUE TO PROVIDE POWER TO THE SMOKE ALARM FOR A PERIOD OF NOT LESS THAN 7 DAYS IN THE NORMAL CONDITION, FOLLOWED BY 4 MINUTES OF ALARM.

OBC 9.10.19.5. INTERCONNECTION OF SMOKE ALARMS

- (1) WHERE MORE THAN ONE SMOKE ALARM IS REQUIRED IN A DWELLING UNIT, THE SMOKE ALARMS SHALL BE WIRED SO THAT THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS WITHIN THE DWELLING UNIT TO SOUND.
(2) SMOKE ALARMS IN A HOUSE WITH A SECONDARY SUITE SHALL BE WIRELESSLY INTERCONNECTED OR INTERCONNECTED BY HARD-WIRING SO THAT THE ACTIVATION OF ANY ONE SMOKE ALARM CAUSES ALL SMOKE ALARMS WITHIN THE HOUSE WITH A SECONDARY SUITE TO SOUND.

OBC 9.10.22. FIRE PROTECTION FOR GAS, PROPANE AND ELECTRIC COOKTOPS

OBC 9.10.22.2. VERTICAL CLEARANCES ABOVE COOKTOPS

- (1) EXCEPT AS PROVIDED IN SENTENCE (2), FRAMING, FINISHES AND CABINETS LOCATED DIRECTLY ABOVE THE LOCATION OF THE COOKTOP SHALL BE NOT LESS THAN 750mm [2'6"] ABOVE THE LEVEL OF THE COOKTOP BURNERS OR ELEMENTS.
(2) THE VERTICAL CLEARANCE DESCRIBED IN SENTENCE (1) FOR FRAMING, FINISHES AND CABINETS LOCATED DIRECTLY ABOVE THE LOCATION OF THE COOKTOP IS PERMITTED TO BE REDUCED TO 600mm [2'4"] ABOVE THE LEVEL OF THE ELEMENTS OR BURNERS PROVIDED THE FRAMING, FINISHES AND CABINETS:
(a) ARE NON-COMBUSTIBLE, OR
(b) ARE PROTECTED BY A METAL HOOD THAT PROJECTS 125mm [5"] BEYOND THE FRAMING, FINISHES AND CABINETS.

OBC 9.10.22.3. PROTECTION AROUND COOKTOPS

- (1) EXCEPT AS PROVIDED IN SENTENCES (2) AND (3), COMBUSTIBLE WALL FRAMING, FINISHES OR CABINETS WITHIN 450mm [18"] OF THE AREA WHERE THE COOKTOP IS TO BE LOCATED SHALL BE PROTECTED ABOVE THE LEVEL OF THE HEATING ELEMENTS OR BURNERS:
(a) BY SPAN BOARD NOT LESS THAN 9.5mm [0.37"] THICK, OR
(b) ANY MATERIAL PROVIDING A FIRE-RESISTANCE RATING OF NOT LESS THAN 10 MIN. AND A FLAME-SPREAD RATING OF NOT MORE THAN 25.
(2) COUNTERTOP SPLASH BOARDS OR BACK PLATES THAT EXTEND ABOVE THE LEVEL OF THE HEATING ELEMENTS OR BURNERS NEED NOT BE PROTECTED AS DESCRIBED IN SENTENCE (1).
(3) THE EXCEPT FOR CABINETS DESCRIBED IN ARTICLE 9.10.22.2, CABINETS LOCATED NOT LESS THAN 450mm [18"] ABOVE THE LEVEL OF THE HEATING ELEMENTS OR BURNERS NEED NOT BE PROTECTED AS DESCRIBED IN SENTENCE (1).

OBC 9.18. CRAWL SPACES

OBC 9.18.2.1. ACCESS OPENINGS

- (1) AN ACCESS OPENING OF NOT LESS THAN 500mm [20"] BY 700mm [28"] SHALL BE PROVIDED TO EACH CRAWL SPACE WHERE THE CRAWL SPACE SERVES A SINGLE DWELLING UNIT AND NOT LESS THAN 550mm [22"] BY 900mm [36"] FOR OTHER CRAWL SPACES.
(2) ACCESS OPENINGS SHALL BE FITTED WITH A DOOR OR HATCH WHEN THE CRAWL SPACE IS HEATED AND THE ACCESS OPENING INTO THE CRAWL SPACE IS FROM AN ADJACENT HEATED SPACE.

OBC 9.19. ROOF SPACES

OBC 9.19.2.1. ACCESS

- (1) EVERY ATTIC OR ROOF SPACE SHALL BE PROVIDED WITH AN ACCESS HATCH WHERE THE ATTIC OR ROOF SPACE:
(a) MEASURES NOT LESS THAN:
(i) 10 sqm IN AREA,
(ii) 1000mm [40"] IN LENGTH OR WIDTH, AND
(iii) 400mm [24"] IN HEIGHT OVER AT LEAST THE AREA DESCRIBED IN SUBCLAUSES (i) AND (ii), OR
(b) CONTAINS A FUEL-BURNING APPLIANCE.
(2) THE HATCH REQUIRED IN SENTENCE (1) SHALL BE NOT LESS THAN 550mm [22"] BY 900mm [36"] EXCEPT THAT, WHERE THE HATCH SERVES NOT MORE THAN ONE DWELLING UNIT, THE HATCH MAY BE REDUCED TO 0.32 sqm IN AREA THAT NO DIMENSION LESS THAN 500mm [20"]
(3) HATCHWAYS TO ATTIC OR ROOF SPACES SHALL BE FITTED WITH DOORS OR COVERES.

OBC 9.26. ROOFING

OBC 9.26.1.2. REQUIRED PROTECTION

- (1) ROOFS SHALL BE PROTECTED WITH ROOFING, INCLUDING FLASHING, INSTALLED SO AS TO:
(a) EFFECTIVELY SHED WATER,
(b) PREVENT THE INGRESS OF WATER AND MOISTURE INTO BUILDING ASSEMBLIES AND OCCUPIED SPACE, AND
(c) MINIMIZE THE INGRESS OF WATER DUE TO ICE DAMMING INTO BUILDING ASSEMBLIES.

OBC 9.26.5. EAVE PROTECTION FOR SHINGLES AND SHAKES

- OBC 9.26.5.1. REQUIRED EAVE PROTECTION
(1) EXCEPT AS PROVIDED IN SENTENCE (2), EAVE PROTECTION SHALL BE PROVIDED ON SHINGLE, SHAKE OR TILE ROOFS, EXTENDING FROM THE EDGE OF THE ROOF A MINIMUM OF 900mm [36"] UP THE ROOF SLOPE TO A LINE NOT LESS THAN 300mm [12"] INSIDE THE INNER FACE OF THE EXTERIOR WALL.
(2) EAVE PROTECTION IS NOT REQUIRED:
(a) OVER UNHEATED GARAGES, CARPORTS AND PORCHES,
(b) WHERE THE ROOF OVERHANG EXCEEDS 900mm [36"] MEASURED ALONG THE ROOF SLOPE FROM THE EDGE OF THE ROOF TO THE INNER FACE OF THE EXTERIOR WALL,
(c) ON ROOFS OF ASPHALT SHINGLES INSTALLED IN ACCORDANCE WITH SUBSECTION 9.26.8,
(d) ON ROOFS WITH SLOPES OF 1 IN 15 OR GREATER, OR
(e) IN REGIONS WITH 3500 OR FEWER DEGREE-DAYS.

OBC 9.29.2. WATERPROOF WALL FINISH

OBC 9.29.2.1. WHERE REQUIRED

- (1) WATERPROOF FINISH SHALL BE PROVIDED TO A HEIGHT OF NOT LESS THAN:
(a) 1.8m [5'-10 3/4"] ABOVE THE FLOOR IN SHOWER STALLS,
(b) 1.2m [3'-11 1/4"] ABOVE THE RIMS OF BATHTUBS EQUIPPED WITH SHOWERS, AND
(c) 400mm [16"] ABOVE THE RIMS OF BATHTUBS NOT EQUIPPED WITH SHOWERS.

OBC 9.29.10.4. MOISTURE-RESISTANT BACKING

- (1) CERAMIC AND PLASTIC TILE INSTALLED ON WALLS ABOVE BATHTUBS OR SHOWERS SHALL BE APPLIED OVER MOISTURE-RESISTANT BACKING.

OBC 9.30. FLOORING

OBC 9.30.1.2. WATER RESISTANCE

- (1) FINISHED FLOORING IN BATHROOMS, KITCHENS, PUBLIC ENTRANCE HALLS, LAUNDRY AND GENERAL STORAGE AREAS SHALL CONSIST OF RESILIENT FLOORING, FET-SYNTHETIC-FIBRE FLOOR COVERINGS, CONCRETE, TERRAZZO, CERAMIC TILE, MASTIC OR OTHER TYPES OF FLOORING PROVIDING SIMILAR DEGREES OF WATER RESISTANCE.

OBC 9.32. VENTILATION

OBC 9.32.3.9. APPLICATION OF CARBON MONOXIDE ALARMS

- (1) ARTICLE 9.32.3.9A, APPLIES TO EVERY BUILDING THAT:
(a) CONTAINS A RESIDENTIAL OCCUPANCY, AND CONTAINS A FUEL-BURNING APPLIANCE OR A STORAGE GARAGE, OR
(b) CONTAINS A RESIDENTIAL OCCUPANCY AND IS SERVED BY A FORCED-AIR FUEL-BURNING APPLIANCE NOT CONTAINED WITHIN THE BUILDING.

CSA CARBON MONOXIDE ALARM

OBC 9.32.3.9A. LOCATION OF CARBON MONOXIDE ALARMS

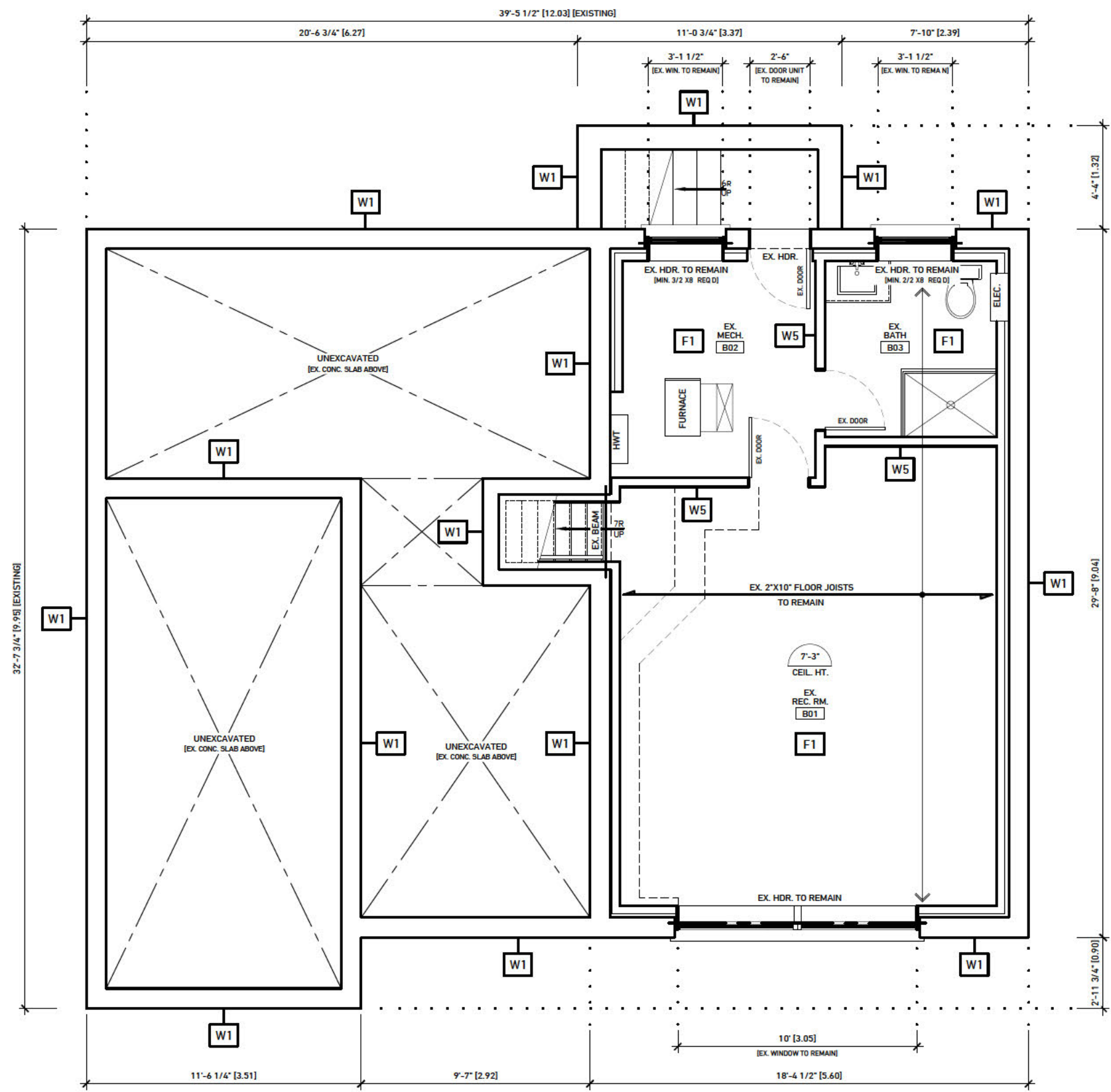
- (1) A CARBON MONOXIDE ALARM SHALL BE INSTALLED IN A SUITE OF RESIDENTIAL OCCUPANCY WHERE:
(a) A FUEL-BURNING APPLIANCE OR A FLUE IS INSTALLED IN A SUITE,
(b) A FORCED-AIR FUEL-BURNING APPLIANCE PROVIDES HEATED AIR DIRECTLY TO THE SUITE,
(c) A FUEL-BURNING APPLIANCE OR A FLUE IS LOCATED IN A ROOM, SUITE OR AREA THAT SHARES A COMMON WALL OR FLOOR OR CEILING ASSEMBLY WITH THE SUITE, OR
(d) A STORAGE GARAGE SHARES A COMMON WALL OR FLOOR OR CEILING ASSEMBLY WITH THE SUITE.
(2) WHERE A CARBON MONOXIDE ALARM IS REQUIRED BY SENTENCE (1), IT TO BE INSTALLED IN A SUITE OF RESIDENTIAL OCCUPANCY OTHER THAN A SUITE THAT CONSISTS OF A COMBINED LIVING AND SLEEPING AREA, A CARBON MONOXIDE ALARM SHALL BE INSTALLED:
(a) ADJACENT TO EACH SLEEPING ROOM IN THE SUITE, AND
(b) ON EACH STORY WITHOUT A SLEEPING ROOM IN THE SUITE.
(3) WHERE A CARBON MONOXIDE ALARM IS REQUIRED BY SENTENCE (1), IT TO BE INSTALLED IN A SUITE OF RESIDENTIAL OCCUPANCY THAT CONSISTS OF A COMBINED LIVING AND SLEEPING AREA, A CARBON MONOXIDE ALARM SHALL BE INSTALLED IN THE COMBINED LIVING AND SLEEPING AREA.
(4) IN ADDITION TO THE CARBON MONOXIDE ALARMS REQUIRED BY SENTENCE (2), A CARBON MONOXIDE ALARM SHALL BE INSTALLED IN EACH SLEEPING ROOM WITHIN THE SUITE WHERE THE SLEEPING ROOM:
(a) CONTAINS A FUEL-BURNING APPLIANCE OR A FLUE, OR
(b) SHARES A COMMON WALL OR FLOOR OR CEILING ASSEMBLY WITH A ROOM, SUITE OR AREA THAT IS LOCATED OUTSIDE THE SUITE AND CONTAINS A FUEL-BURNING APPLIANCE OR A FLUE,
(c) WITH A STORAGE GARAGE, OR
(d) WITH A STORAGE GARAGE OR A FLUE, OR
(e) WITH A STORAGE GARAGE OR A FLUE, OR
(f) WITH A STORAGE GARAGE OR A FLUE, OR
(g) WITH A STORAGE GARAGE OR A FLUE, OR
(h) WITH A STORAGE GARAGE OR A FLUE, OR
(i) WITH A STORAGE GARAGE OR A FLUE, OR
(j) WITH A STORAGE GARAGE OR A FLUE, OR
(k) WITH A STORAGE GARAGE OR A FLUE, OR
(l) WITH A STORAGE GARAGE OR A FLUE, OR
(m) WITH A STORAGE GARAGE OR A FLUE, OR
(n) WITH A STORAGE GARAGE OR A FLUE, OR
(o) WITH A STORAGE GARAGE OR A FLUE, OR
(p) WITH A STORAGE GARAGE OR A FLUE, OR
(q) WITH A STORAGE GARAGE OR A FLUE, OR
(r) WITH A STORAGE GARAGE OR A FLUE, OR
(s) WITH A STORAGE GARAGE OR A FLUE, OR
(t) WITH A STORAGE GARAGE OR A FLUE, OR
(u) WITH A STORAGE GARAGE OR A FLUE, OR
(v) WITH A STORAGE GARAGE OR A FLUE, OR
(w) WITH A STORAGE GARAGE OR A FLUE, OR
(x) WITH A STORAGE GARAGE OR A FLUE, OR
(y) WITH A STORAGE GARAGE OR A FLUE, OR
(z) WITH A STORAGE GARAGE OR A FLUE, OR
(aa) WITH A STORAGE GARAGE OR A FLUE, OR
(ab) WITH A

SURVEYOR'S REAL PROPERTY REPORT
WITH TOPOGRAPHIC FEATURES
PLAN OF SURVEY OF
LOTS 196
REGISTERED PLAN 1339

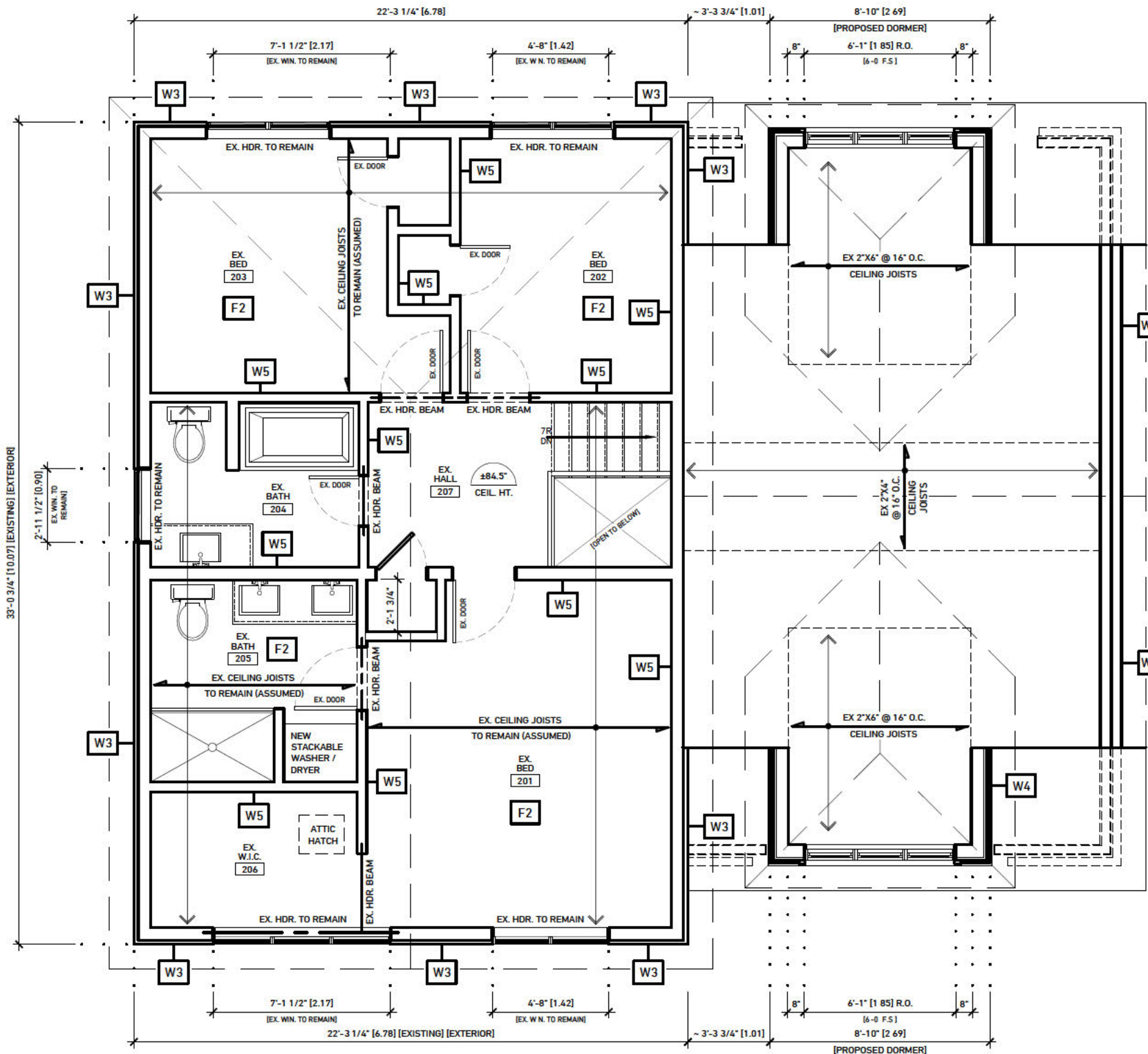
BEING IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

NOTE: SURVEY INFORMATION
TAKEN FROM SURVEY PREPARED
BY SEWELL AND SEWELL O.L.S.
DATED AUGUST 11, 1966

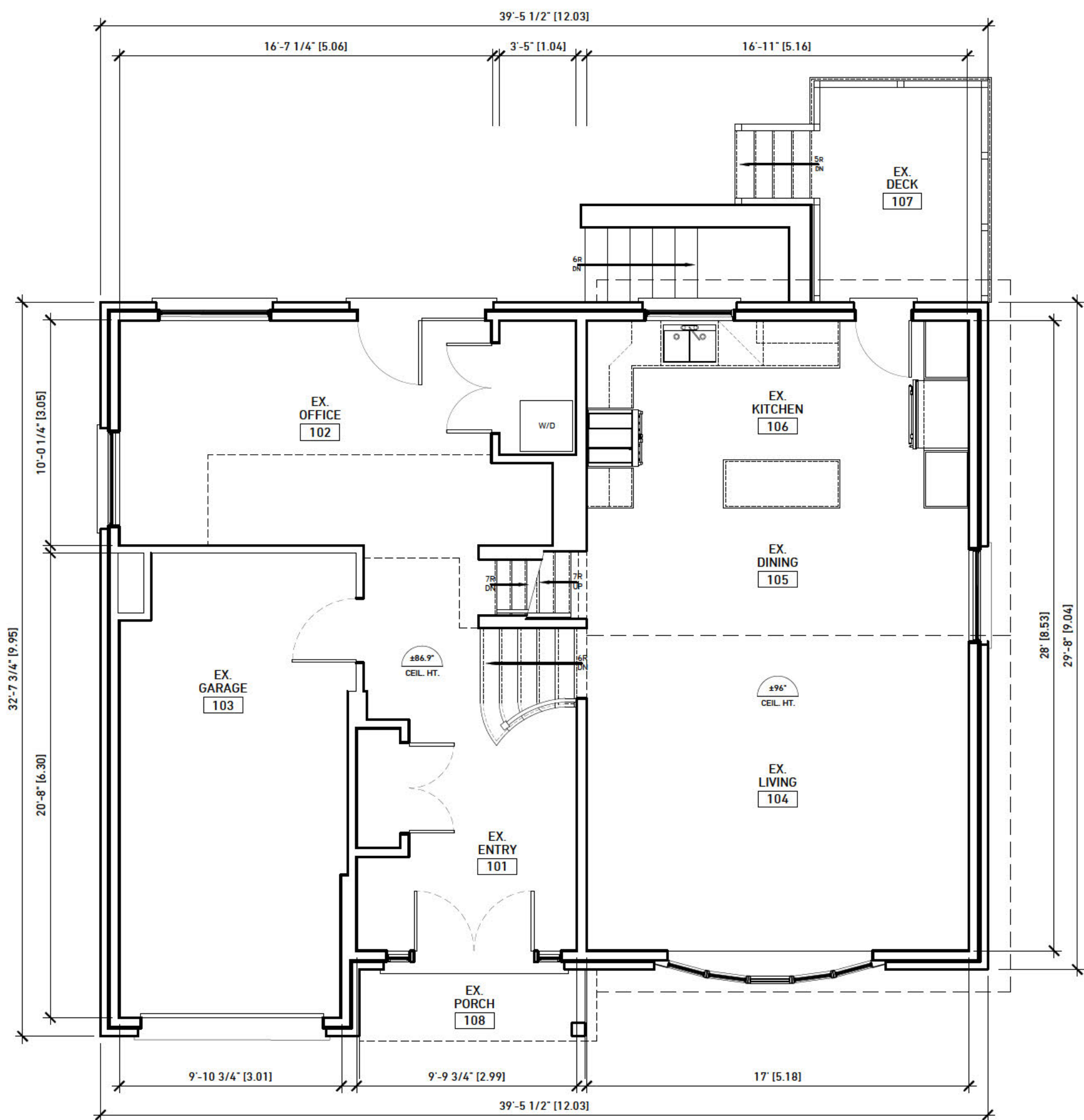
SITE STATISTICS		
PROJECT NAME:	WEST RESIDENCE	
PROJECT NO.:	25-001	
PROJECT ADDRESS:	651 MULLIN WAY, BURLINGTON	
LOT NO.:	TBA	
REGISTERED PLAN:	TBA	
ZONING:	R3.2 (DESIGNATED LOT COVERAGE)	
LOT AREA:	510.95 SQM (MIN 425 SQM REQ'D)	
LOT FRONTAGE:	15.24M (MIN 15 M REQ'D)	
REQ'D SETBACKS		
FRONT YARD:	6.0 M	
SIDE YARD:	1.2 M / 3.0 M	
INTERIOR SIDE YARD:	N/A	
REAR YARD:	9.0 M	
ATTACHED GARAGE OR CARPORT: NO		
COVERAGE		
MAX. ALLOWABLE COVERAGE:	86.86 SQM / 40.88 SQM	17% / 8%
EXISTING COVERAGE		
EX. RESIDENCE:	89.75 SQM	17.57%
EX. ATTACHED GARAGE:	22.21 SQM	4.35%
EX. FRONT PORCH/DECK:	NA	NA
EX. REAR PORCH/DECK:	NA	NA
EX. ACCESSORY STRUCTURE:	NA	NA
EX. ROOF OVERHANG:	IF APPLICABLE	
TOTAL EXISTING COVERAGE:	111.96 SQM	21.85%
RESIDENTIAL FLOOR AREA / LOT RATIO		
MAX. ALLOWABLE FLOOR AREA:	229.93 SQM	0.45 : 1
EXISTING RESIDENTIAL FLOOR AREA		
EX. MAIN FLOOR:	89.75 SQM	0.176 : 1
EX. SECOND FLOOR:	68.35 SQM	0.134 : 1
GARAGE:	22.21 SQM	0.043 : 1
TOTAL EXISTING FLOOR AREA:	180.31 SQM	0.353 : 1
PROPOSED RESIDENTIAL FLOOR AREA		
MAIN FLOOR:		
SECOND FLOOR:		
GARAGE:		
IF APPLICABLE:		
TOTAL PROPOSED FLOOR AREA:		
TOTAL OVERALL FLOOR AREA:	4000.0 SQUARE METERS	40%



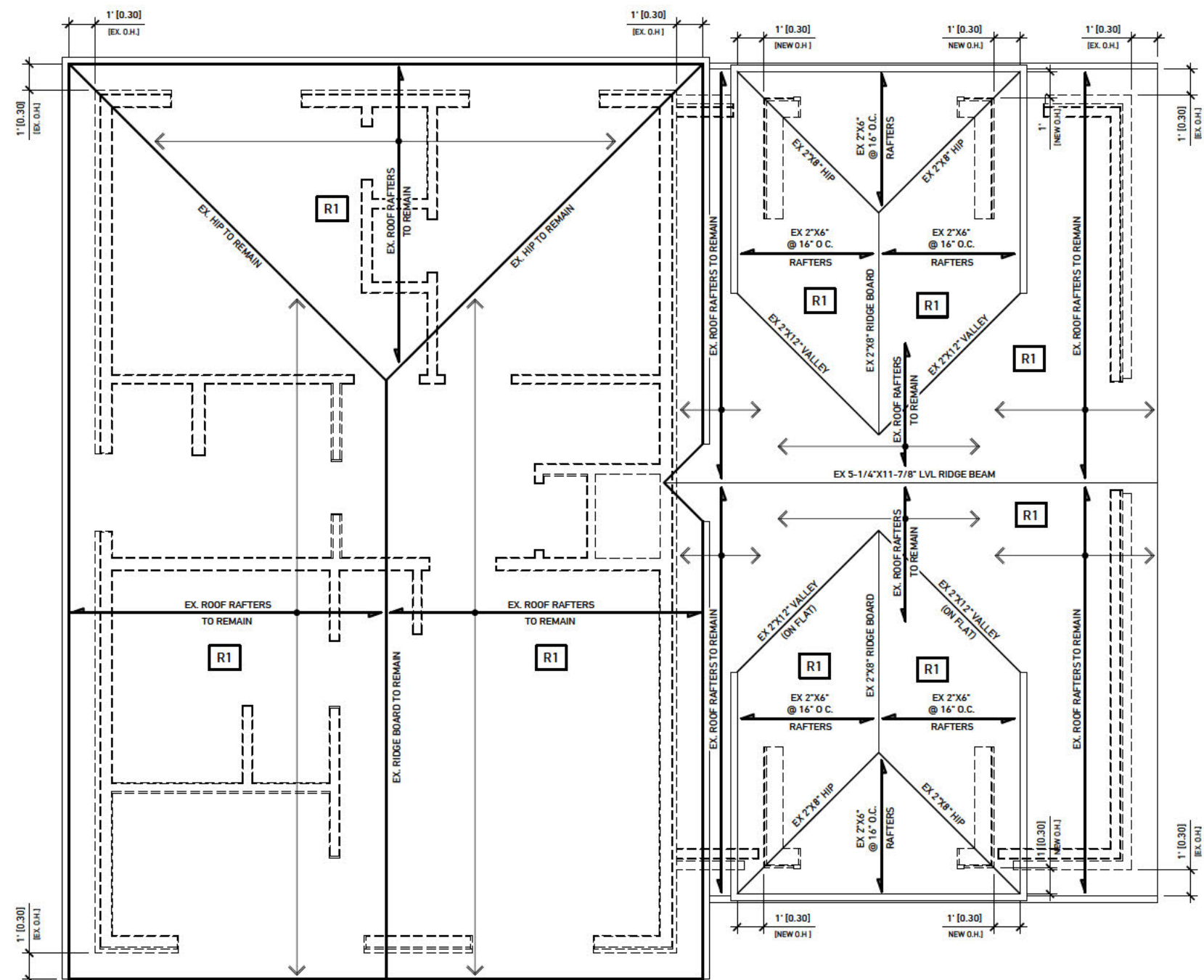
2 EX/DEMO - BASEMENT PLAN
SCALE: 3/16"=1'-0"



4 EX/DEMO - SECOND FLOOR PLAN
SCALE: 3/16"=1'-0"



3 EX/DEMO - FIRST FLOOR PLAN
SCALE: 3/16"=1'-0"



5 EX/DEMO - ROOF PLAN
SCALE: 3/16"=1'-0"

1 SITE PLAN
SCALE: 1/100

STRUCTURED CREATIONS
S - C

416.204.0351 | 502 - 445 ELIZABETH ST., BURLINGTON, ON | info@structuredcreations.com

WEST RESIDENCE
RENO/ADDITION

651 MULLIN WAY
BURLINGTON ONTARIO

PROJECT NORTH ENG. STAMP

BCIN STAMP

OBC REGISTRATION

L DARREN SANGER-SMITH, DECLARE THAT I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN OR BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 3.2.4 OF THE ONTARIO BUILDING CODE. I AM REGISTERED, AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES/CATEGORIES.

SIGNATURE OF DESIGNER

JULY 15/25
DATE

D. SANGER-SMITH, BARCH BCIN 26286
STRUCTURED CREATIONS INC. BCIN 29617

GENERAL NOTES

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE ARCHITECT MUST BE NOTIFIED IMMEDIATELY.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF STRUCTURED CREATIONS. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL REQUIRED ELECTRICAL PERMITS PERTAINING TO THIS PROJECT. ALL WORK PERFORMED AND APPROVALS OF ELECTRICAL PERMITS ARE THE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR TO NOTIFY DESIGNER OF ANY CONFLICTS PERTAINING TO PROPOSED MECHANICAL DUCTWORK AND STRUCTURE PRIOR TO CONSTRUCTION AND INSTALLATION.

CONTRACTOR TO PROVIDE STRUCTURED CREATIONS INC. WITH WINDOW SHOP DRAWINGS FOR REVIEW PRIOR TO ORDERING. CONTRACTOR TO COORDINATE WITH THE WINDOW COMPANY FOR ON-SITE MEASUREMENTS OF FRAMING/CONSTRUCTION CONDITIONS TO CONFIRM ALL NEW AND EXISTING WINDOW SIZES PRIOR TO ORDERING. CONTRACTOR AND WINDOW COMPANY TO VERIFY ALL PROPOSED WINDOW SIZES WITH STANDARD WINDOW COMPANY FRAME SIZES AND INFORM DESIGNER OF ANY COMPLICATIONS DUE TO CUSTOM SIZES AND ASSOCIATED COSTS AS A RESULT PRIOR TO ORDERING.

CONTRACTOR TO REVIEW ALL FINAL DRAWINGS AND CONFIRM AVAILABILITY OF SPECIFIED NOMINAL AND ENGINEERED LUMBER. ANY SUBSTITUTION FOR JOIST OR BEAM SIZE AND/OR TYPE DUE TO TIMING AND/OR AVAILABILITY ISSUES ARE TO BE SUBMITTED TO THE DESIGNER FOR REVIEW AND APPROVAL PRIOR TO ORDERING. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INFORM THE CLIENT AND DESIGNER OF ANY/ALL COST DIFFERENCES ASSOCIATED WITH THE CHANGE PRIOR TO ORDERING. STRUCTURED CREATIONS INC. IS NOT RESPONSIBLE FOR ISSUES PERTAINING TO AVAILABILITY AND/OR TIMING OF SPECIFIED LUMBER AND MATERIAL DELIVERY.

CONTRACTOR TO PROVIDE STRUCTURED CREATIONS INC. WITH TRUSS DRAWINGS PRIOR TO ORDERING FOR REVIEW. CONTRACTOR TO COORDINATE WITH TRUSS COMPANY FOR ON-SITE MEASUREMENTS TO VERIFY ALL NEW/EXISTING FRAMING CONDITIONS AND VERIFY/CONFIRM WITH TRUSS SHOP DRAWINGS.

CONTRACTOR TO REVIEW SUBMITTED FINAL DRAWINGS FOR ANY/ALL HANGER LOCATIONS THROUGHOUT FLOOR, WALL AND/OR ROOF FRAMING AND COORDINATE WITH LUMBER COMPANY FOR THE MANUFACTURING OF ANY CUSTOM HANGERS PRIOR TO CONSTRUCTION.

CONTRACTOR TO COORDINATE WITH STAIR MANUFACTURER FOR ALL STAIR AND LANDING STRUCTURE, HEIGHTS, CONSTRUCTION AND INSTALLATION, AND CONTACT DESIGNER FOR ANY/ALL CLARIFICATIONS. PROVIDE SHOP DRAWINGS UPON REQUEST FOR REVIEW.

SITE PLAN AND SITE
STATS
DEMO/EX P LANS

DESIGN BY	DRAWN BY	APPROVED BY
D.S.S.	J.S.	D.S.S.
SCALE	DATE	PROJECT #
AS NOTED	JULY 15/25	25-001

DRAWING #

A1

25001-WD-Garage.dwg

COMMITTEE OF ADJUSTMENT

Meeting 18

AGENDA

OCTOBER 8, 2025

HEARING NO. 4.2 - 5:30 P.M.

File
540-02-A-056/25

APPLICANT: Jugraj Singh

PROPERTY: 5157 Mulberry Drive,
PLAN 1099 LOT 182
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing to demolish the existing rear sunroom and shed and construct a second storey addition and a two-storey rear yard addition to the existing detached dwelling with attached garage.

VARIANCES:

1. To permit a lot coverage of 27.9% instead of the maximum permitted 25% for proposed additions to the detached dwelling with attached garage.
2. To permit a floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for proposed additions to the detached dwelling with attached garage.
3. To permit a building height of 7.1 m instead of the maximum permitted 6 m for proposed additions to the detached dwelling with attached garage measured from the 1st floor ceiling of the existing dwelling.

An aerial map of a residential neighborhood. The map shows several streets: Beechwood Cres. running diagonally from the top left to the bottom center, Mulberry Dr. running diagonally from the top right to the bottom center, and Mill Breezy Cyn. running diagonally from the top right to the bottom right. Numerous property lots are outlined in yellow, each with a grey house icon and a lot number. The highlighted property is located at the intersection of Beechwood Cres. and Mulberry Dr., with a cyan square outline and a black dot in the center labeled 5157. Other lot numbers visible include 5150, 5144, 406, 396, 392, 388, 384, 380, 385, 381, 377, 373, 397, 393, 389, 5149, 5145, 5139, 403, 401, 399, 5153, 5161, 5167, 5171, 5177, 5181, 5187, 5176, 5172, 5166, 5160, 5156, 5152, 5142, 5161, and 5157.

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

The subject property is zoned R2.3, Low Density Residential, under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The R2.3 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						
R2.3	18 m	680 m ²	7.5 m	9 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 |

4.2 MAXIMUM LOT COVERAGE

Table 2.4.3

Dwelling Type	Dwelling with Attached Garage
All Dwellings in Designated Areas (b)	25% for all other dwelling types including accessory buildings

Footnotes to Table 2.4.3

- (a) One accessory building less than 10 m² and less than 2.5 m in height shall be exempt from the lot coverage requirements of Table 2.4.3.
- (b) Designated Areas are shaded on ZONING MAPS in Part 15.

4.5 FLOOR AREA RATIO

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Table 2.31.1

A) R1, R2, R3, R4 Zones	
Peaked Roof Dwellings	Building Height Maximum
Building Additions	Alternatively, additions and enlargements to existing dwellings are permitted to a maximum height of two storeys measured from the 1st floor ceiling of the existing dwelling. The following height regulations apply: i. A maximum of 6 m at the peak of the roof or a maximum of 3 m to a flat roof, for a two storey and/or second storey addition.

Proposal:

The applicant is proposing to demolish the existing rear sunroom and shed and construct a second storey addition and a two-storey rear yard addition to the existing detached dwelling with attached garage.

Variances required:

1. To permit a lot coverage of 27.9% instead of the maximum permitted 25% for proposed additions to the detached dwelling with attached garage.
2. To permit a floor area ratio of 0.48:1 instead of the maximum permitted 0.45:1 for proposed additions to the detached dwelling with attached garage.
3. To permit a building height of 7.1 m instead of the maximum permitted 6 m for proposed additions to the detached dwelling with attached garage measured from the 1st floor ceiling of the existing dwelling.

Condition:

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

Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a 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: 8 August 2025Prepared By: Erin Ruby

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a two-storey addition. The applicant requests the Committee of Adjustment's approval of three variances because the proposed enlarged house will exceed the maximum permitted lot coverage for a two-storey dwelling, the maximum permitted Floor Area Ratio and the maximum permitted height:

The subject lands comprise a rectangular-shaped parcel with a total lot area of 667.97 m² (0.067 hectares) with approximate lot frontage of 18.29 metres along Mulberry Drive. The lands are known municipally as 5157 Mulberry Drive.

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 New Street to the northwest, Hampton Heath Road to the northeast, Spruce Avenue to the southeast and Appleby Creek to the southwest. The residential neighbourhood is characterized by a mix of one- and two-storey detached dwellings, typically with attached garages. Building footprints are generally rectangular in form and consistently frame the width of each lot. The predominant building type in the neighbourhood is the split-level dwelling, which occurs across both one- and two-storey configurations. Properties in the neighbourhood are generally in the Low Density Residential (R2.3) zone, with a small cluster of properties in the east end of the identified residential neighbourhood being within the Low Density Residential (R3.2) zone.

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) of the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Section 76 of the ROP indicates

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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 are within the intent of the ROP.

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

Official Plan, 1997 & 2020

The subject property is designated Low-Rise Neighbourhood I pursuant to the City of Burlington Official Plan (2020).

Section 8.3 of the BOP, 2020, stipulates All neighbourhoods change over time: through additions and renovations, people moving in and out of the neighbourhood, and infill development. Residential intensification is part of this evolution, and through compatible infill development that may not necessarily be the same as or similar to existing or planned development in the area but can co-exist without causing adverse impacts to the surrounding neighbourhood.

Section 8.3.1 of the City of Burlington Official Plan (2020) stipulates that it is the general objective of the Residential Neighbourhood areas to:

- a) encourage new residential development and residential intensification within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new development must be balanced with other planning considerations, such as the availability of infrastructure and public service facilities, and also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods.
- b) to recognize that the Residential Neighbourhood Areas will evolve over time to accommodate population growth and changing demographics to respond to the changing needs of those who call these neighbourhoods home.

The Low-Rise Neighbourhoods I designation (8.3.3.) permits low-rise, ground-oriented homes. It supports gradual, compatible infill development that maintains the existing low-rise character while allowing for more diverse housing options. In this designation single-detached and semi-detached dwellings, and duplexes may be permitted.

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character."

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.'

Yes - Variance No. 1 & 2 (Lot Coverage and FAR)

The residential neighbourhood is characterized by a mix of one- and two-storey detached dwellings, typically with attached garages. Building footprints are generally rectangular in form with horizontal proportions that are designed to match the width of each lot. The predominant building type in the neighbourhood is the split-level dwelling, which occurs across both one- and two-storey configurations. The proposed fits the prevailing building form of the street.

The subject property is designated Low-Rise Neighbourhood I in the Burlington Official Plan (2020). Both the 1997 and 2020 Plans support modest residential intensification where it is compatible with the surrounding context. The 1997 Plan defines intensification to include the expansion of existing buildings and directs that additions be sympathetic and strengthen neighbourhood character (Sections 6.2 and 6.5). Similarly, Section 8.3 of the 2020 Plan recognizes that neighbourhoods evolve through additions and renovations, and encourages compatible infill that integrates with existing character.

The proposed variance represents a form of light intensification consistent with these policies. The addition largely maintains the existing siting, employs a split-level design with step-backs reflective of the prevalent built form, and incorporates rooflines and materials consistent with the neighbourhood. This design reduces the perceived massing of the dwelling and ensures a compatible streetscape presence. While lot coverage and floor area ratio are increased, all required setbacks are maintained, which mitigates possible impacts from the increased building mass and limits adverse effects. The proposal will not result in adverse effects such as traffic, shadowing, or safety concerns, and the dwelling will continue to co-exist harmoniously with its surroundings.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Staff is of the option that the proposed development is compatible, sympathetic, and maintains the general intent of the Official Plan.

Yes - Variance No. 3 (Height)

The Official Plan (2020), Section 8.3.3 (1)(e)(i) states that on lands designated Low-Rise Neighbourhoods I, in addition to the criteria contained in Subsection 12.1.7(2) of this Plan, the following criterion shall be considered when evaluating minor variance applications for increased height:

- (i) the maximum building height should be comparable to the average height of the highest points of the rooflines of existing residential buildings on the immediately adjoining properties sharing lot lines with the lands under application.

According to the Official Plan (Part VIII – Definitions), the term “should”, contained in the above policy, means that “a convincing reason is required in order not to fully comply with an Official Plan policy”. The intent of this policy is to recognize the built form context of the surrounding area and to ensure that any proposed increase to building height is deemed to be compatible with heights maintained by houses on adjacent lots. Additional height is to be consistent with these adjacent heights. A height study or height survey was not included with the application materials, since it is not required by the policy and not required for a complete minor variance application.

Staff note a difference in the way that zoning staff calculated the height of the second storey addition compared to the way that planning staff are evaluating the proposal’s consistency with policy 8.3.3 (1)(e)(i). Zoning staff always use an alternative zoning regulation, which enables height to be measured from the first floor ceiling to the peak of the roof. This alternate standard was included in the Zoning Bylaw to simplify reviews and submission requirements for additions (i.e. fixed grade data would not be required for additions). For planning purposes, however, planning staff have used the approximate height from fixed grade, based on the historical survey the applicant submitted.

There are four abutting properties, 5161 Mulberry Drive (northeast), 5153 Mulberry Drive (southwest), 397 Beechwood Crescent (northwest), 393 Beechwood Crescent (west).

Address	Storeys	Maximum Permitted Height (metres)
5161 Mulberry Drive	One	7.5
5153 Mulberry Drive	One	7.5
397 Beechwood Crescent	Two	10
393 Beechwood Crescent	Two	10
Average	N/A	8.75

COMMITTEE OF ADJUSTMENT MINOR VARIANCE STAFF REPORTS

While a height survey was not provided, a conservative estimate based on the maximum permitted height is provided in the table above. Based on the existing dwelling typology, staff have conservatively estimated the average permitted height of adjacent buildings at 8.75m. The ultimate height of the proposed is 10.3m from fixed grade, which is 0.3 m in excess of the permitted height and 1.55 m in excess of the average permitted height of nearby buildings.

Although the total proposed building height is 10.3 m, the portion of the dwelling requiring variance relief, is limited to the upper roof peak. This is a relatively small component of the overall structure, and it does not contribute to additional floor area or massing that would affect adjacent properties.



In this case, the convincing reason is in the architectural design and reuse of the existing dwelling. The addition requiring the variance is sited atop the existing first floor and foundation. This approach minimizes disruption, preserves the established siting of the home, and represents an efficient form of intensification consistent with the Official Plan's recognition that neighbourhoods evolve through additions and renovations. The modest increase in height is necessary to achieve a functional split-level roof design while maintaining compatibility with the character of adjoining properties. Importantly, the dwelling continues to respect all setbacks, incorporates stepbacks and roof articulation to mitigate the perception of height, and will not result in adverse impacts such as shadowing or overlook.

The proposed development is 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?

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The subject lands are zoned Low Density Residential (R2.3) Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use

Yes - Variance No. 1 & 2 (Lot Coverage and FAR)

Part 2, 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 25% including accessory buildings.

Part 2, Section 4.5 a) (Floor Area Ratio) of the City of Burlington Zoning By-law 2020 stipulates that a maximum floor area ratio of 0.45:1 shall apply to all properties in Designated Areas for Lot Coverage.

The intent of the zoning provisions related to maximum lot coverage and floor area ratio is to regulate the scale and form of development to prevent overbuilding, maintain a balance between built and landscaped areas, and preserve the open space character of rear yards. These provisions work together to ensure appropriate massing and spatial relationships on lots, contributing to compatible and context-sensitive development.

The requested variances for floor area ratio and lot coverage are modest in scale and do not result in overbuilding. The proposed floor area exceeds the permitted by only 17 m² (317.58 m² proposed versus 300.59 m² permitted), and the proposed lot coverage exceeds the permitted by just 18.75 m² (185.74 m² proposed versus 166.99 m² permitted). Despite these small increases, the dwelling continues to meet all required setbacks, ensuring that outdoor areas remain functional with ample space for landscaping, vegetation, and pervious surfaces. The requested variance for floor area ratio is modest, representing only 17 m² above the permitted (317.58 m² proposed versus 300.59 m² permitted), a 5.6% increase. This additional space is accommodated through a design that incorporates multiple stepbacks and is not expressed as a full two-storey form, which reduces the perception of bulk and creates a more sympathetic relationship with the surrounding dwellings. By distributing the additional floor area in this way, the dwelling maintains a low-rise character, avoids a box-like massing, and presents a context-sensitive design that integrates with the established neighbourhood. The proposal therefore maintains appropriate massing, preserves the open space character of the rear yard, and remains compatible with the surrounding neighbourhood context.

Yes - Variance No. 3 (Height)

Part 1, Section 2.31, Table 2.31.1 B) (Residential Building Height) of the City of Burlington Zoning By-law 2020, stipulates that alternatively, additions and enlargements to existing dwellings are permitted to a maximum height of two storeys measured from the 1st floor ceiling of the existing dwelling. A maximum of 6 m at the peak of the roof for a two storey and/or second storey addition.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The intent of this provision is to ensure that additions remain consistent with the scale of neighbouring dwellings, preserve the low-rise character of residential areas, and prevent new construction from overwhelming adjacent properties.

The requested variance seeks to permit a building height of 7.1 m, whereas the Zoning By-law permits a maximum of 6.0 m when measured from the first-floor ceiling of the existing dwelling for second-storey additions (Part 1, Section 2.31, Table 2.31.1 B)). The intent of this provision is to regulate the scale of additions and ensure they remain consistent with the low-rise character of residential areas. Importantly, the same table also permits a two-storey dwelling to a maximum of 10.0 m measured from fixed grade. The proposed dwelling, at 10.3 m from fixed grade, is generally consistent with the intent of the By-law's standard height framework for two-storey homes and the peaked portion of the roof exceeds the maximum permitted total height by only 0.3 m (1 ft).

The proposal reuses the existing first floor and foundation, with a rear yard first-storey addition and a second-storey addition above the existing footprint. The design remains two storeys in height and incorporates stepbacks and articulated rooflines, which mitigate the perception of massing and ensure the dwelling integrates sympathetically into the neighbourhood. The requested relief of 7.1 m (ceiling-based measure) is technical in nature, as the ultimate built form aligns with the 10 m standard permitted in the By-law.

The additional height does not create adverse impacts such as shadowing or overlook and remains consistent with the Official Plan's direction for context-sensitive, compatible development in Low-Rise Neighbourhoods.

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 - Variance No. 1 & 2 (Lot Coverage and FAR)

The variances are desirable as they allow the homeowner to gain additional living space within a design that is context-sensitive and sympathetic to the established character of the area. The proposal reuses the existing foundation and siting, which minimizes disruption and supports neighbourhood evolution through modest, compatible intensification. The added floor area supports the functional needs of modern households without compromising the planned low-rise form of the community.

Yes - Variance No. 3 (Height)

The requested height variance of 7.1 m arises from the By-law's ceiling-based measurement method. When measured from fixed grade, the total height of 10.3 m aligns with the By-law's general allowance of 10.0 m for two-storey dwellings. The

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

additional height is confined to the roof peak, not the overall building mass, and is mitigated by roof articulation and step-backs to reduce the perception of scale.

Forestry staff has reviewed the application and has indicated no objection to the requested variance. Site Engineering staff has reviewed the application and has indicated no objection to the requested variance. Further review/revisions to plans may be required through the Grading and Drainage Clearance Certificate process.

Staff are of the opinion that the requested variance is desirable, given that the variance is for a small portion of the structure. In staff's opinion certain architectural elements and design features minimize the vertical impact of the increased height and ultimately any adverse impacts to any surrounding properties. Staff view the proposal as compatible and therefore desirable.

4) Minor in Nature:

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

Yes - Variance No. 1 & 2 (Lot Coverage and FAR)

The requested increases in lot coverage (18.75 m²) and floor area ratio (17 m²) are small in scale, representing modest percentage increases over what is permitted. These changes do not result in an overbuilt condition as the dwelling continues to meet all required setbacks, maintain functional outdoor amenity space, and preserve ample landscaped and pervious surfaces. The massing is further softened by stepbacks and the split-level design, ensuring compatibility with the surrounding neighbourhood.

Yes - Variance No. 3 (Height)

The increase is limited to the peak of the roof and does not create additional bulk or massing that would overwhelm the lot or surrounding properties. The design incorporates stepbacks and roof articulation that mitigate perception of height, and no adverse impacts such as shadowing, overlook, or loss of privacy are expected. In consideration of the above, it is staff's opinion that the requested minor variance to the City of Burlington Zoning By-law 2020 be deemed minor.

Cumulative Effects of Multiple Variances and Other Planning Matters:

N/A

Recommendation:

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Date: September 17, 2025

Prepared By: Ryan Kochuta

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



View of the subject lands from Mulberry



Exiting view of the back of the house



View of the abutting lands from the rear yard of the property (looking northwest)



View of the abutting lands from the rear yard of the property (looking southwest)

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View of the abutting lands from the rear yard of the property (looking northeast)



View of 5135 Mulberry Drive



View of 376 Beechwood Crescent

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: August 26, 2025

Prepared By: R. Maximo

Forestry

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

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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

Date: September 5, 2025Prepared By: R. Shaw-Lukavsky**Building**

1. A Building Permit is required for all building construction;
2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

Date: August 29, 2025Prepared By: T. Le**Transportation Planning**Deemed Road Width Analysis

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

Date: July 7, 2025Prepared By: Stephanie Robinson

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

Date: September 18, 2025Prepared 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: August 25, 2025Prepared By: L. Bray

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Halton Region

Regional Staff have reviewed the Minor Variance application proposing to demolish the existing rear sunroom and shed and construct a second storey addition and a two-storey rear yard addition to the existing detached dwelling with attached garage. The variances are requested to the maximum permitted lot coverage, floor area ratio, and the building height.

- Due to Provincial legislation, as of July 1, 2024, the 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.
- Staff have reviewed the application from the Region's Source Water Protection requirements. In accordance with the MOU and to ensure protection of groundwater sources, Halton Region provides the following comments:
 - The property is located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP). The Halton-Hamilton SPP can be accessed online at: <http://www.protectingwater.ca/>
 - The property is located in an Intake Protection Zone 2 (VS= 6.3).
 - Based on the information provided by the applicant, this application is not subject to Section 59 under the Clean Water Act, 2006. Therefore, this application can proceed from a Source Water Protection perspective and Section 59 notice will not be required.
 - Attached to these comments is a factsheet for the applicant, regarding the Source Water Protection program and the important role landowners play in protecting drinking water sources.
- Regional Staff have no objections to the Minor Variance application.

Regional Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if applicable) including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Date: September 2, 2025

Prepared By: Navjot Kaur

Burlington Hydro

See attachment at end of report for comments.

Date: September 12, 2025

Prepared By: Harpreet Singh

Source Water Protection Factsheet

halton.ca

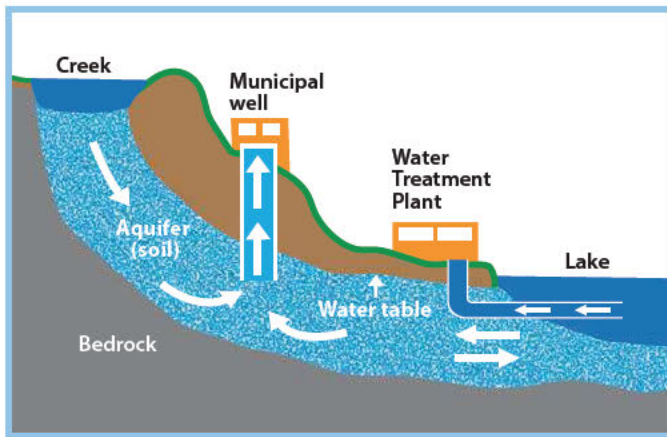


Planning and Building Applications



Sources of drinking water

Sources of drinking water include groundwater from underground aquifers and surface water from streams, rivers and lakes. These water sources are used to supply municipal drinking water systems and private wells in Halton Region, as illustrated below.



Protecting Halton's drinking water

To ensure the consistent delivery of safe and high quality drinking water to our residents and businesses, Halton Region uses a proactive multi-barrier approach to safeguard our municipal drinking water. Under the *Clean Water Act, 2006*, the very first barrier in this approach is **Source Protection**.



Source water protection and Planning/Building Applications

Under the *Clean Water Act, 2006*, additional protection of these drinking water sources from potential contamination or overuse is provided through the mandatory implementation of approved Source Protection Plans. These Plans contain policies to protect municipal sources of drinking water in certain **vulnerable areas**.

Planning/building applications on properties located within **vulnerable areas** may be subject to Source Protection Plan policies if they propose activities identified as significant drinking water threats that may potentially contaminate or overuse municipal drinking water sources such as:

- Applying, handling and storing road salt and snow storage.
- Handling and storing fuels, solvents, hazardous waste and other related chemicals.
- Activities that reduce return of water into the ground.
- Applying, handling, and storing pesticides, fertilizers, agricultural and non-agricultural materials.
- Activities that take water without returning it to the same water source.
- Installing or modifying septic and other sewage systems.
- Use of land for livestock yards and/or pasturing.

Is my property in a vulnerable area?

Applicants can contact their local municipal Planning and Building Departments or Halton Region's Source Protection Office to obtain this information prior to submitting an application. To find out if your property falls within a vulnerable area, such as a wellhead protection area or surface water treatment plant intake zone, visit **halton.ca** or call 311.

Did you know? Compliance with Source Protection Plans is applicable law in the Planning Act and the Ontario Building Code when the property is located in a vulnerable area.

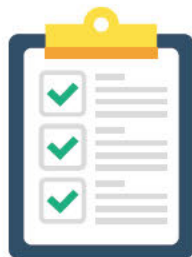
How is my application reviewed?

Municipalities have developed tools to determine whether your application may be subject to Source Protection Plan policies, such as the **Source Protection Checklist** (available at local municipal building/ planning service desks). If the subject property is located in a vulnerable area, applicants will be requested to complete and submit this single page checklist along with other supporting documentation (drawings, details, etc.).

Staff will review the submission and communicate any Source Water Protection requirements to the applicant. In some cases, additional information regarding the proposed activity may be requested to complete the review process.

Step 1

Local municipal staff circulate applications (including Source Protection Checklist) within vulnerable areas to Halton Region's Source Protection Office



Step 2

Halton Region staff will communicate results of Source Protection assessment to applicant and local municipal staff



What do I need to do to comply with Source Water Protection?

Some activities will be managed through traditional methods such as Environmental Compliance Approvals, Permits-To-Take-Water, Nutrient Management Plans and Nutrient Management Strategies. However, depending on the level of risk associated with the proposed activities, some may be prohibited as proposed or require other supporting documents such as:

- Risk Management Plans (see Risk Management Plan fact sheet)
- Site-Specific Salt Management Plans
- Water Balance Assessments
- Hydrogeological Assessments

Where proposed activities are prohibited or regulated through Source Water Protection, municipal staff will provide applicants with detailed feedback regarding what is required.

Did you know? For planning/ building applications located in vulnerable areas, a notice to proceed is required from Halton Region's Risk Management Official before applications are processed.



For more information, visit halton.ca, email sourcewater@halton.ca or call 311.

**RETHINK
WATER**



Enjoy Conserve Protect



halton.ca 311





Burlington **hydro** inc.

SEPTEMBER 10, 2025

ATTENTION: ERIN SHACKLETTE
SUBJECT: Committee of Adjustment
Location: 5157 Mulberry Dr
File #: A-056-2025

In response to your correspondence requesting comments regarding the subject development, Burlington Hydro has the following comments:

The proposed work at this property is in conflict with existing hydro service wire which will need to be disconnected before construction starts. Temporary hydro service can be provided at customer's expense if required for construction purposes. Please contact Burlington Hydro Engineering desk at Engineering@burlingtonhydro.com for disconnection of existing service.

General Comments:

- Relocation, modification or removal of existing hydro facilities, if required, shall be at the owner's expense. BHI will refer to the latest Ontario Electrical Safety Code ("OESC") in the event issues with the clearances appear between existing hydro facilities and existing building structures. For proposed building structures, Burlington Hydro will refer to their standards for clearances from Hydro lines which will meet or exceed the national building code.
- Customer is to ensure that BHI has clear unobstructed access to hydro equipment to operate, maintain and replace as required.
- Planting shrubs, trees or flowers, or build fences or walls in the obstruction free zone of Burlington Hydro equipment is not permitted; also, the obstruction free zone cannot be used for storage at any time.
- Machine excavation within one metre of underground plant is not permitted.
- Do not excavate within two metres of hydro poles and anchors, with the exception of the termination pole, where the duct structure shall be terminated by the customer under the supervision of BHI inspector.
- 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 a work is planned to be performed in the proximity of hydro distribution system.
- Arrange for disconnect and isolation of the power supply if a person or an equipment is to encroach within the minimum distance permitted under the OHSA and OESC.

Should you have any further questions or concerns, please contact me at 289-962-2131 or email HSingh@burlingtonhydro.com.

Sincerely,

Harpreet Singh, C.E.T.
Engineering Services Technician

Rosso Parra, P.Eng.
Engineering Manager

SEP. 11/2025
RP

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

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

Application made under:

☒ Section 45 (1) of the Planning Act

☐ Section 45 (2) of the Planning Act

Discussed the application with a City Zoning Examiner and Development Planner Y ☐ or N ☐

Name of Planner: _____ Name of Zoning Examiner: ERIN RUBY

PROPERTY INFORMATION

Municipal Address(es) of property:

5157 Mulberry Dr. Burlington, ON L7L 3P5

Legal Description of property:

LOT 182 REGISTERED PLAN 1099

Official Plan Designation: LOW-DENISTY RESIDENTIAL Current Zoning Designation R1

OWNER(S) INFORMATION:

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

JUGRAJ SINGH

Mailing Address: 5157 MULBERRY DRIVE City: BURLINGTON

Postal Code: L7L 3P5 Home Phone: _____ Mobile Phone: 647-507-1699

Work Phone: _____ E-Mail: jugraj44@hotmail.com

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

Name: AMRITPAL BANSAL / KHALSA DESIGN INC.

Business Address: 106 FRUITVALE CIRCLE City: BRAMPTON

Postal Code: L7A 5C1 Home Phone: 647-468-2940 Mobile Phone: _____

Work Phone: _____ E-Mail: abansal@tkgeast.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.

The proposed project contains of remove the existing rear sunroom and shed to construct a 2 storey rear addition to the existing dwelling. In addition, a second storey is to be added above the existing single storey dwelling

Variance(s) Requested	Zoning Bylaw Requirement
lot coverage - 28.6%	lot coverage - 25%

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 lot itself does not meet the mimuum lot area and therefore a 3.6% increase is minor.
- Why are the variance(s) desirable for the appropriate use of the land? _____
the addition keeps within the street-scape aesthetics of the surrounding neighborhood maintain the existing footprint.
- Do the variance(s) meet the intent and purpose of the Official Plan? _____
variance is to seek additional lot coverage to increase floor area for a typical family
- Do the variance(s) meet the intent and purpose of the Zoning By-law? _____
give the deficient lot area and addition to the existing dwelling, an increase of 3.6% is viewed as minor and meeting the general intent of the by-law.

PROPERTY DETAILS (please complete all fields):

Date property purchased: 04/30/2025 mmm/dd/yyyy	Date property first built on: unknown mmm/dd/yyyy	Date of proposed construction: 07/07/2025 mmm/dd/yyyy
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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:
UNKNOWN

Proposed Use of the Land:

SINGLE FAMILY DWELLING

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS:

☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit
☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent

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? Y ☐ N ☐
Frontage	Depth	Area	Actual	Deemed	Required		
18.29	36.58	669.0	20.0 m	20.0 m	20.0 m	28.6%	

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)	219.4	M ²	Ground Floor Area (incl. attached garage)	297.57	M ²
Gross Floor Area:		M ²	Gross Floor Area:		M ²
Number of Storeys:	1		Number of Storeys:	2	
Width:	14.62	M	Width:	14.62	M
Length:	9.26	M	Length:	14.23	M
Height:	6.5	M	Height:	9.5	M
Garage/Car Port			Garage/Car Port		
Detached?	Y ☐ N ☒		Detached?	Y ☐ N ☒	
Gross Floor Area:		M ²	Gross Floor Area:		M ²
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Accessory Structures (Shed, Gazebo, etc)			Accessory Structures		
Gross Floor Area:	6.2	M ²	Gross Floor Area:		M ²
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			Other		
Gross Floor Area:		M ²	Gross Floor Area:		M ²
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
LOCATION of all existing and proposed buildings and structures					
EXISTING			PROPOSED		
Front:		M	Front:		M
Rear:		M	Rear:		M
Side/Street Side:		M	Side/Street Side:		M
Side/Other Side:		M	Side/Other Side:		M

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 ☐ N ☐ File #:
Frontage	Depth	Area	Actual	Deemed	Required		

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:	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
Floor Area: Office Space	M ²	Floor Area: Office Space	M ²
Floor Area: Warehouse/Retail/Other:	M ²	Floor Area: Warehouse/Retail/Other:	M ²
# of Existing Units:		# of Proposed Units:	
Floor Area Ratio:		Floor Area Ratio:	
Required Parking Spaces:		Proposed Parking Spaces:	
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:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

OTHER

OTHER

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

MULTI-RESIDENTIAL

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

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

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:	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
# of Existing Units:	M ²	# of Proposed Units:	M ²
Floor Area Ratio:	M ²	Floor Area Ratio:	M ²
Required Parking Spaces:		Proposed Parking Spaces:	
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:		Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)

PROPOSED (Building)

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

OTHER

OTHER

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

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner: **AMRITPAL BANSAL / KHALSA DESIGN INC.**

Property Address: **5157 Mulberry Dr.
Burlington, ON L7L 3P5**

1. I, **AMRITPAL S. BANSAL** In my capacity as **AGENT** 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 _____
has been revised by: _____
mmm/dd/yyyy
(Person or Company Name)
OR

B. The site plan, architect's plan or engineer's plan dated **04/25/2025**
has been revised by: _____
mmm/dd/yyyy
KHALSA DESIGN INC.
(Person or Company Name)
OR

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

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: **04/25/2025**
mmm/dd/yyyy

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

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

Signature of Owner/Applicant

05/20/2025

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.

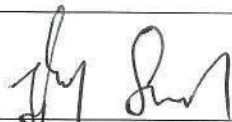
DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

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 JUGRAJ SINGH

Property Address 5157 Mulberry Dr.
Burlington, ON L7L 3P5



Signature of Owner/Applicant



Date (mmm/dd/yyyy)

05-16-2025



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, Jugraj Singh of the City of Mississauga in the Region
(print name) (Region/City/County) (City/Town/Township)

of Peel 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 Brampton in the Region of Peel
(Region/City/County) (City/Town/Township)

this 2nd day of May 2025.

Sumit Bains

Barrister, Solicitor & Notary Public
50 Sunny Meadow Blvd, Unit 322
Brampton, Ontario L6R 0Y7
Tel: 416-613-8908, Fax: 416-613-8907
Email: sumit@sbainslaw.com

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: 5157 Mulberry Dr. Burlington, ON L7L 3P5

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.

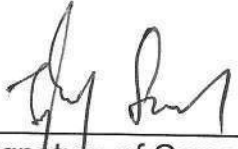
Signature of Owner

JUGRAJ SINGH
Print Name

OWNERS AUTHORIZATION

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

I, JUGRAJ SINGH being the registered owner of the subject lands, hereby
(print name)
Authorize AMRITPAL BANSAL / KHALSA
DESIGN INC. to prepare, submit and act on my behalf with respect to this
(print agent name)
application for a Minor Variance.



Signature of Owner

05-15-2025

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

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.

Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☒ Setbacks
- ☒ Height
- ☒ Area
- ☒ Length
- ☒ Width

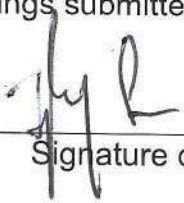
ELEVATIONS

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

FLOOR PLANS

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

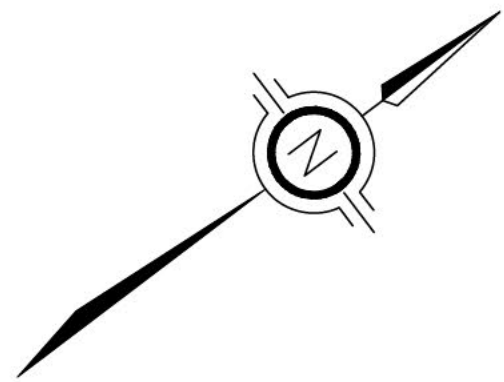
I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.



Signature of Owner/Agent

8025-15-05

Date (mmm/dd/yyyy)



LOT 196
PIN 07010-0083(LT)

LOT 197
PIN 07010-0084(LT)

SURVEYOR'S REAL PROPERTY REPORT
PART 1 – PLAN OF SURVEY SHOWING
TOPOGRAPHY OF
LOT 182
REGISTERED PLAN 1099
CITY OF BURLINGTON

0 4 8 12 16m

SCALE 1:200

THE INTENDED PLOT SIZE OF THIS PLAN IS 559mm IN WIDTH BY 432mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200.

© 2025 PROVISION LAND CONSULTANTS INC.

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

DISTANCES HEREON ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999719.

BEARINGS HEREON ARE GRID AND DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK(RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS)(2010.0).

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83(CSRS)(2010.0)
COORDINATES ARE TO URBAN ACCURACY PER SECTION 14(2) OF O.REG. 216/10

POINT ID	NORTHING (m)	EASTING (m)
ORP A	4 802 622.23	601 529.50
ORP B	4 802 739.47	601 616.92

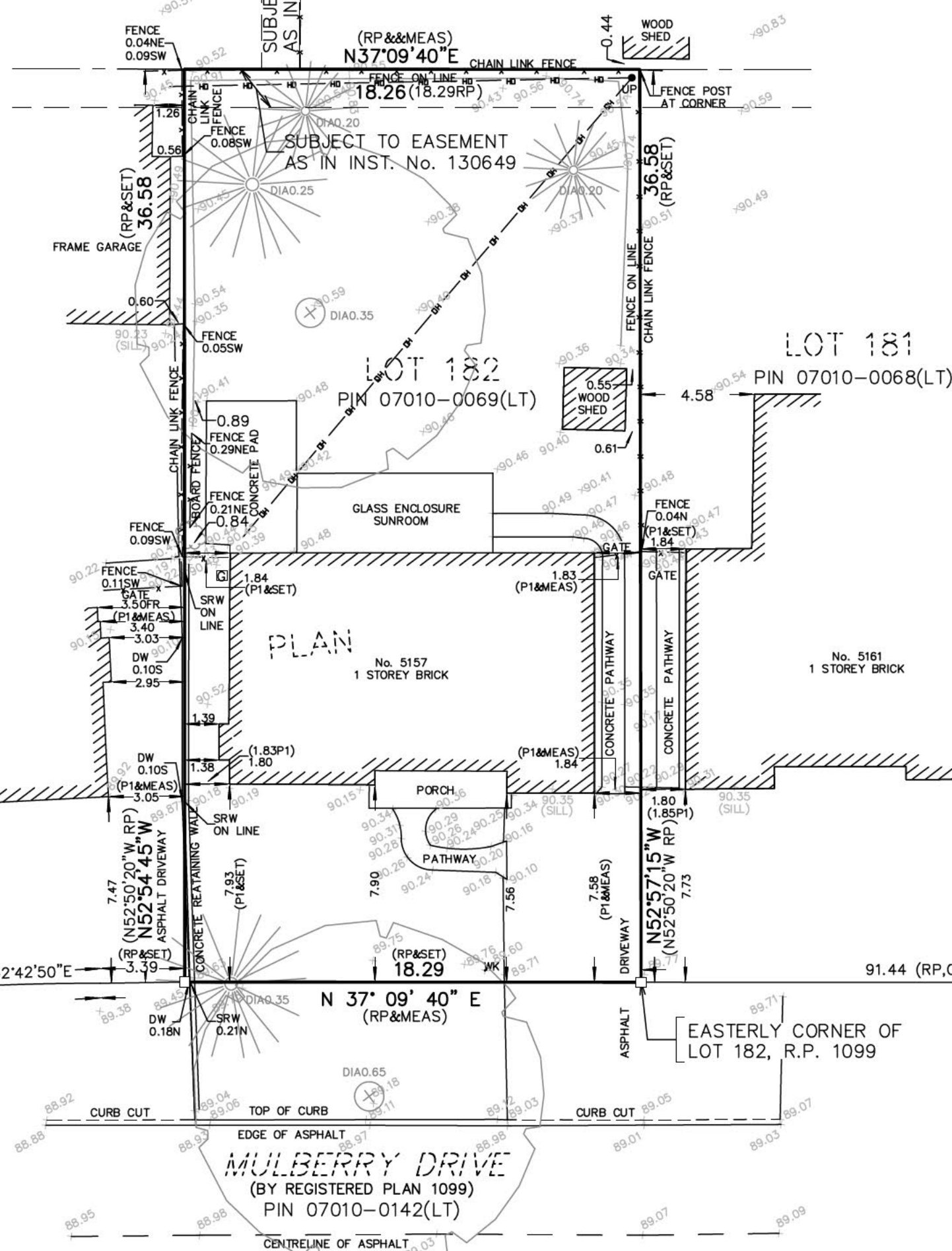
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISONS, A ROTATION OF 0°51'50" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON RP TO CONVERT TO GRID BEARINGS.

LOT 184

REGISTERED

LOT 183
PIN 07010-0070(LT)



1099

LOT 180

LOT 177

LOT 176

CEDARBROOK CRESCENT

PART 2 – SURVEY REPORT

–DESCRIPTION OF LAND

No. 5157 MULBERRY DRIVE, CITY OF BURLINGTON.
LOT 182, REGISTERED PLAN 1099, CITY OF BURLINGTON.
LAND IS COMPRISED OF ALL OF PIN 07010-0069 (LT).

–REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY

SUBJECT TO EASEMENT AS IN INSTRUMENT NUMBER 130649.

–ADDITIONAL COMMENTS

- NOTE THE LOCATION OF FENCE ALONG NORTHWESTERLY, SOUTHWESTERLY AND NORTHEASTERLY PROPERTY LIMITS.
- NOTE THE LOCATION OF CONCRETE RETAINING WALL AND EDGE OF ASPHALT DRIVEWAY ALONG SOUTHWESTERLY PROPERTY LIMIT.
- NOTE THE LOCATION OF OVERHEAD WIRE CONNECTIONS.
- COMPLIANCE WITH ZONING IS NOT CERTIFIED BY THIS REPORT.
- THIS PLAN AND REPORT WAS PREPARED FOR JUGRAJ MAAN AND RELATED PARTIES AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.
- BEFORE DIGGING, UNDERGROUND UTILITIES SHOULD BE LOCATED ONSITE BY THE RESPECTIVE AGENCIES.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- CP DENOTES CONCRETE PIN
- JHG DENOTES J.H. GELBLOOM SURVEYING LTD., O.L.S.
- OU DENOTES ORIGIN UNKNOWN
- RP DENOTES REGISTERED PLAN 1099
- P1 DENOTES PLAN OF SURVEY BY SEWELL&SEWELL, O.L.S., DATED NOV.15th, 1962.
- P2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY J.H. GELBLOOM SURVEYING LTD., O.L.S., DATED AUG.9th, 2021.
- FR DENOTES FRAME
- SRW DENOTES SOUTH SIDE OF RETAINING WALL
- DW DENOTES DRIVEWAY
- OH DENOTES OVERHEAD WIRE
- MH DENOTES MANHOLE
- CB DENOTES CATCHBASIN
- WK DENOTES WATER KEY
- UP DENOTES HYDRO POLE
- ⊗ DIA DENOTES CONIFEROUS TREE with DIAMETER
- DIA DENOTES DECIDUOUS TREE with DIAMETER
- ⊗ DENOTES SHRUB

ALL BUILDING TIES WERE TAKEN TO THE FOUNDATION UNLESS OTHERWISE NOTED.
ALTERNATIVE MONUMENTS WERE SET DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH O.REG. 525/91 SECTION 11(4).

ELEVATIONS HEREON ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM 1928 AND ARE DERIVED FROM CITY OF BURLINGTON BENCHMARK No. 1093, HAVING AN ELEVATION OF 85.987m.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT,

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 14TH DAY OF APRIL, 2025.

APRIL 14TH, 2025
DATE

MAYANK TANDON
ONTARIO LAND SURVEYOR

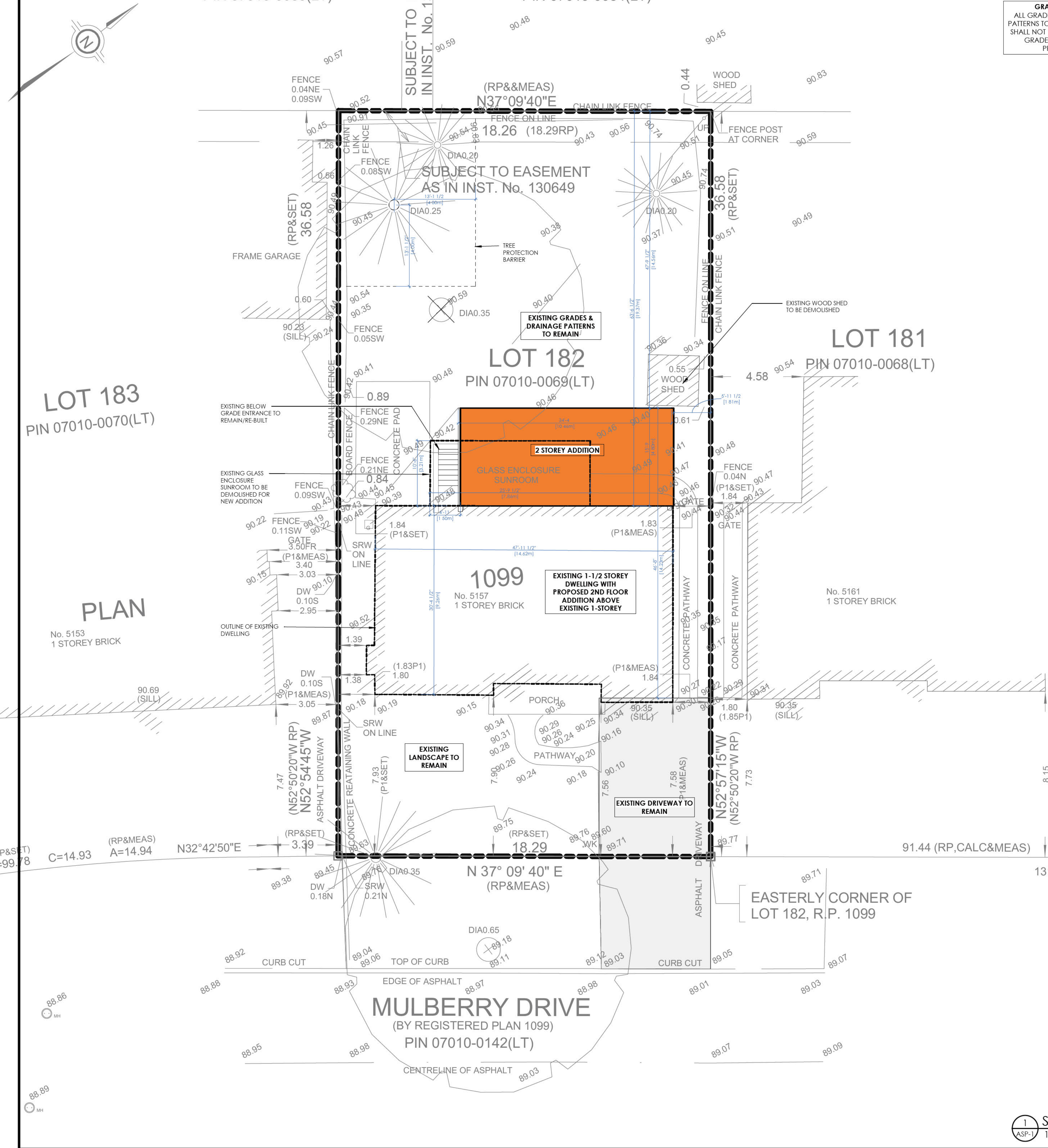
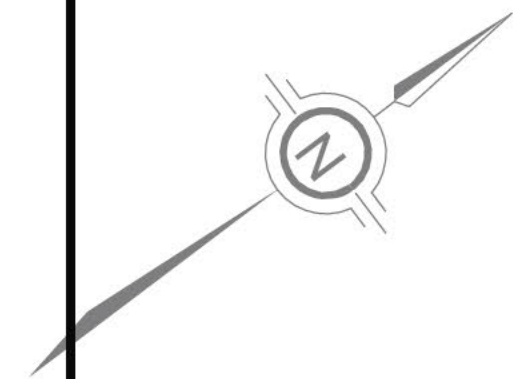
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-92700.

M&M SURVEYING LTD.

TOPOGRAPHIC SURVEYS/SCANNING/CONSTRUCTION SURVEYS
(A DIVISION OF ProVision LAND CONSULTANTS INC.)

Unit 1, 20 Humberwood Blvd., Toronto, ON, M9W 0G1
Phone: (647)233-9575
www.mmsurvey.ca
Email: info@mmsurvey.ca

DATE: APRIL 14TH, 2025 CHECKED BY: MT DRAWN BY: YZ PROJECT No.: 25-011



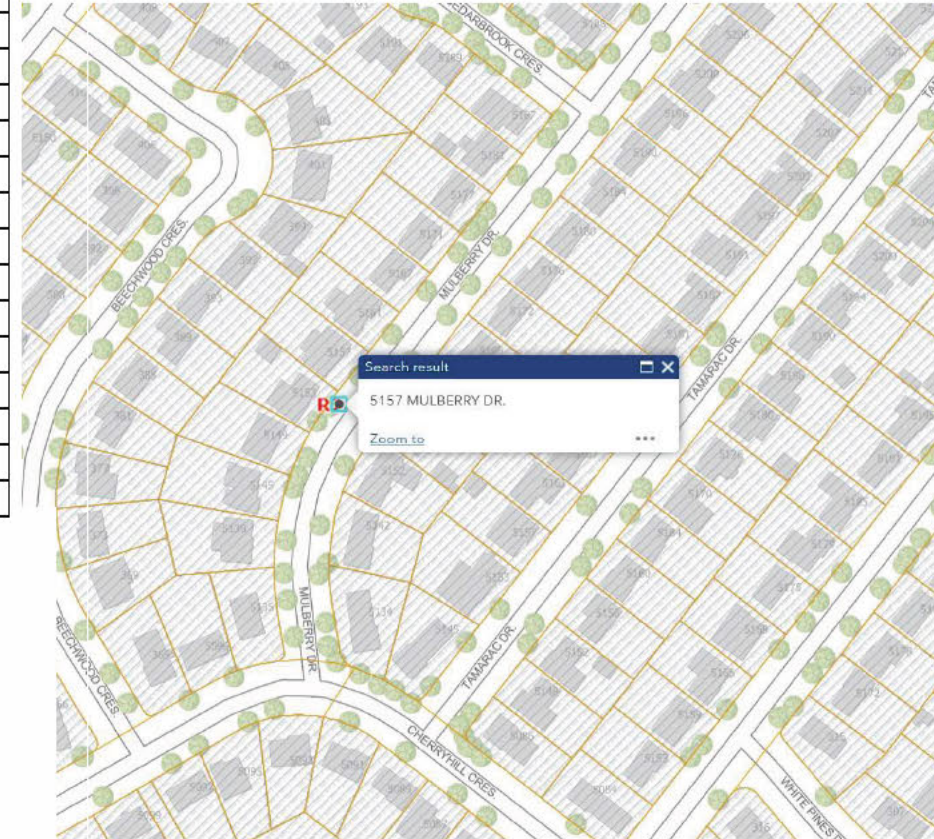
SURVEY NOTE:
EXISTING TOPOGRAPHIC SURVEY
INFORMATION TAKEN FROM
SURVEY PREPARED BY M&M
SURVEYING LTD.

GRADING NOTE:
ALL GRADES AND DRAINAGE
PATTERNS TO REMAIN. ADDITION
SHALL NOT NEGATIVELY EFFECT
GRADES AT ADJACENT
PROPERTIES

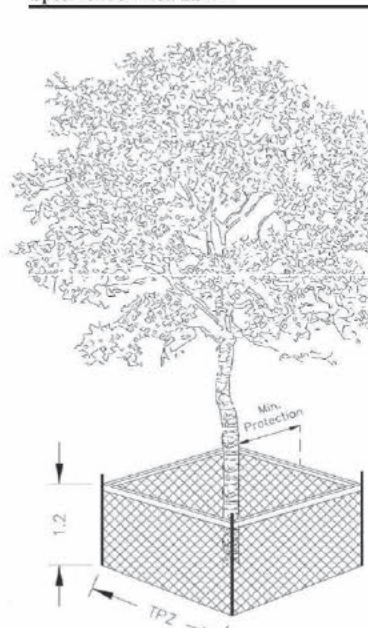
SITE STATISTICS			
ZONE R2.3			
	PL 1	EXISTING	PROPOSED
LOT AREA	680 m²	667.97 m²	667.97 m²
LOT FRONTAGE	18 m	18.29 m	18.29 m
FRONT YARD	7.5m	7.58 m	7.58 m
EXTERIOR SIDE YARD	N/A	N/A	N/A
SIDE YARD	1.8 m	1.8 m	1.8 m
REAR YARD	9 m	19.37 m	14.56 m
BUILDING HEIGHT	10 m	7-6 m	9.53 m
LOT COVERAGE (MAX.)	25%	25.0%	27.61%
	EXISTING DWELLING	161.4 m²	161.4 m²
	EXISTING SHED	6.2 m²	
	PROPOSED ADDITION		50.3 m²
	TOTAL	167.6 m²	191.7 m²
FLOOR AREA RATIO - LOW DENSITY RESIDENTIAL			0.45:1

SITE PLAN APPLICATION NO.

LOT 182
REGISTERED PLAN 1099
CITY OF BURLINGTON



Tree Protection and Preservation
Specification No. S2323



Detail TP-1 - Tree Protection Detail.

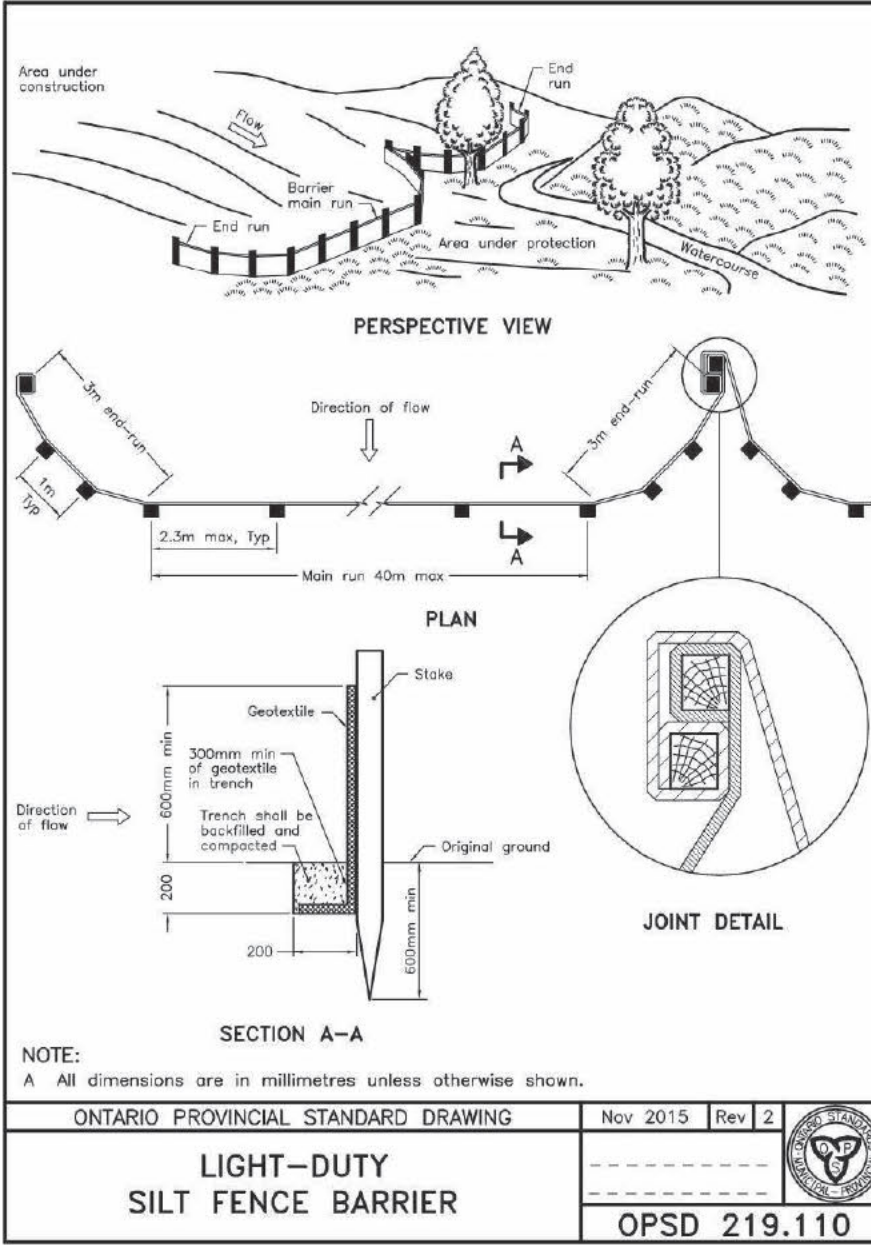
Trunk Diameter (DBH) 1	Minimum Tree Protection Zone (MTPZ) Distances Required 2	Critical Root Zone (CRZ) Distances Required 3
< 18 cm	1.8 m	1.8 m
18 - 30 cm	2.4 m	4.0 m
30 - 40 cm	3.0 m	5.0 m
40 - 50 cm	3.6 m	6.0 m
50 - 60 cm	4.2 m	7.0 m
60 - 70 cm	4.8 m	8.0 m
70 - 80 cm	5.4 m	9.0 m
80 - 90 cm	6.0 m	10.0 m
90 - 100 cm	6.6 m	11.0 m

NOTES:
1. The roots of a tree can extend from the trunk to approximately 2.5 times the diameter of the trunk.
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 trunk to the edge of the site.
4. The barrier shall be maintained erect and in good repair throughout the duration of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barrier shall be supported and braced and to safely secure the barrier should be located outside the MTPZ. All supports and bracing shall be constructed to meet the requirements of the specification.
5. 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.
6. The required barrier is a 1.2 metre (4 ft) high orange plastic with snow fencing on 2" x 4" frame. Where orange plastic with snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
7. 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 barrier shall be maintained erect and in good repair throughout the duration of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barrier shall be supported and braced and to safely secure the barrier should be located outside the MTPZ. All supports and bracing shall be constructed to meet the requirements of the specification.
8. No materials or fill may be stored within the MTPZ.
9. Erection or removal shall not be completed, unless, required, or reflected within the MTPZ.
10. No construction activity, grade changes, surface treatment or excavation of any kind is permitted within the MTPZ without written authorization from the Manager of Urban Forestry or designate.
11. A minimum Minimum Tree Protection Zone sign (See Detail TP-3 - Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection Zone where it will be visible by persons entering the site.
12. Minimum size must be 10"x14".

Tree Protection Barrier

- The required barrier is a 1.2 metre (4 ft) high orange plastic with snow fencing on 2" x 4" frame. Where orange plastic with snow fencing creates a restriction to sightlines, page 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 barrier shall be maintained erect and in good repair throughout the duration of any construction or grading activities on the site and are to remain in place throughout the entire duration of the project. The barrier shall be supported and braced and to safely secure the barrier should be located outside the MTPZ. All supports and bracing shall be constructed to meet the requirements of the specification.
- 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.
- No materials or fill may be stored within the MTPZ.
- Erection or removal shall not be completed, unless, required, or reflected within the MTPZ.
- No construction activity, grade changes, surface treatment or excavation of any kind is permitted within the MTPZ without written authorization from the Manager of Urban Forestry or designate.
- A minimum Minimum Tree Protection Zone sign (See Detail TP-3 - Minimum Tree Protection Zone Sign) must be attached to the side of the Tree Protection Zone where it will be visible by persons entering the site.
- Minimum size must be 10"x14".

Page 6
September 2020



NOTE:
A. All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING		Nov 2015	Rev 2
LIGHT-DUTY SILT FENCE BARRIER			OPSD 219.110

PROJECT NAME

5157 MULBERRY DR.
BURLINGTON ON

PROJECT ADDRESS

5157 MULBERRY DR.
BURLINGTON ON

CLIENT

JUGRAJ

ARCHITECT

KHALSA DESIGN INC.



KHALSA

BRAMPTON, ON

TELEPHONE: 647-468-2940

CONSULTANTS:

STRUCTURAL ENGINEER:
MEM ENGINEERING INC.

STRUCTURAL SEAL:

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ARCHITECT SEAL:



Project number	25005
Date	04/25/2025
Drawn by	ASB
Checked by	KDI
Scale	As indicated

REVISIONS

No.	Description	Date

SITE PLAN

ASP-1

5157 MULBERRY DR.
BURLINGTON ON



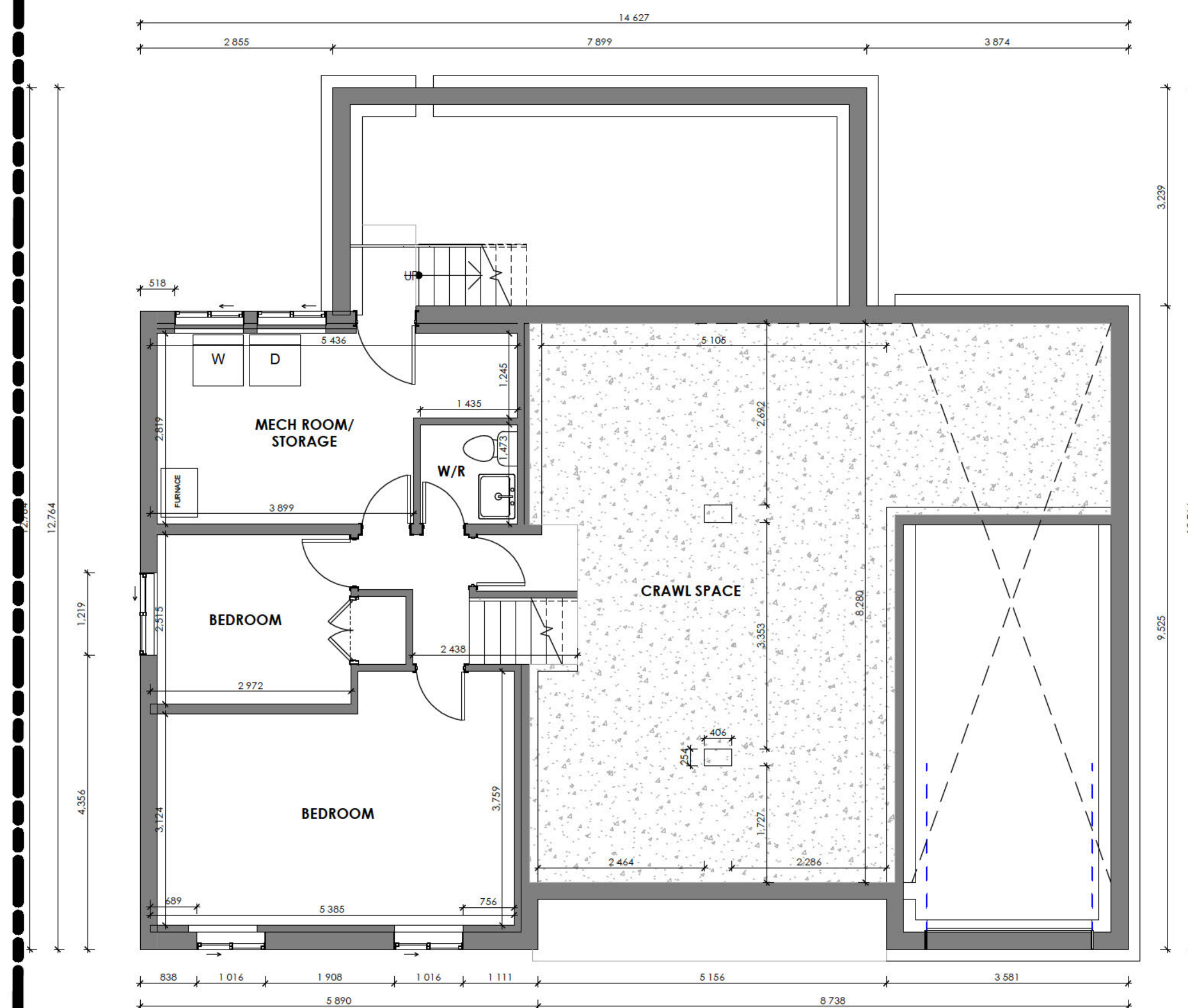
EXISTING GROUND FLOOR

1511 sq ft
GROSS FLOOR AREA
GARAGE FLOOR AREA
SUNROOM
COVERGE W/O PORCH
COVERGE W/ PORCH

1241 sq ft
226 sq ft
270 sq ft
1737 sq ft
1789 sq ft

3 EXISTING- UPPER FLOOR

EX-100 1 : 64



EXISTING SECOND FLOOR

625 sq
GROSS FLOOR AREA
DEDUCT OPEN AREAS
NET AREA

625 sq ft
0 sq ft
625 sq ft

1 EXISTING - BASEMENT FLOOR

EX-100 1 : 64

PROJECT NAME

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BURLINGTON ON

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Date 04/25/2025
Drawn by ASB
Checked by KDI
Scale 1 : 64

REVISIONS

No.	Description	Date

EXISTING FLOOR
PLANS

EX-100

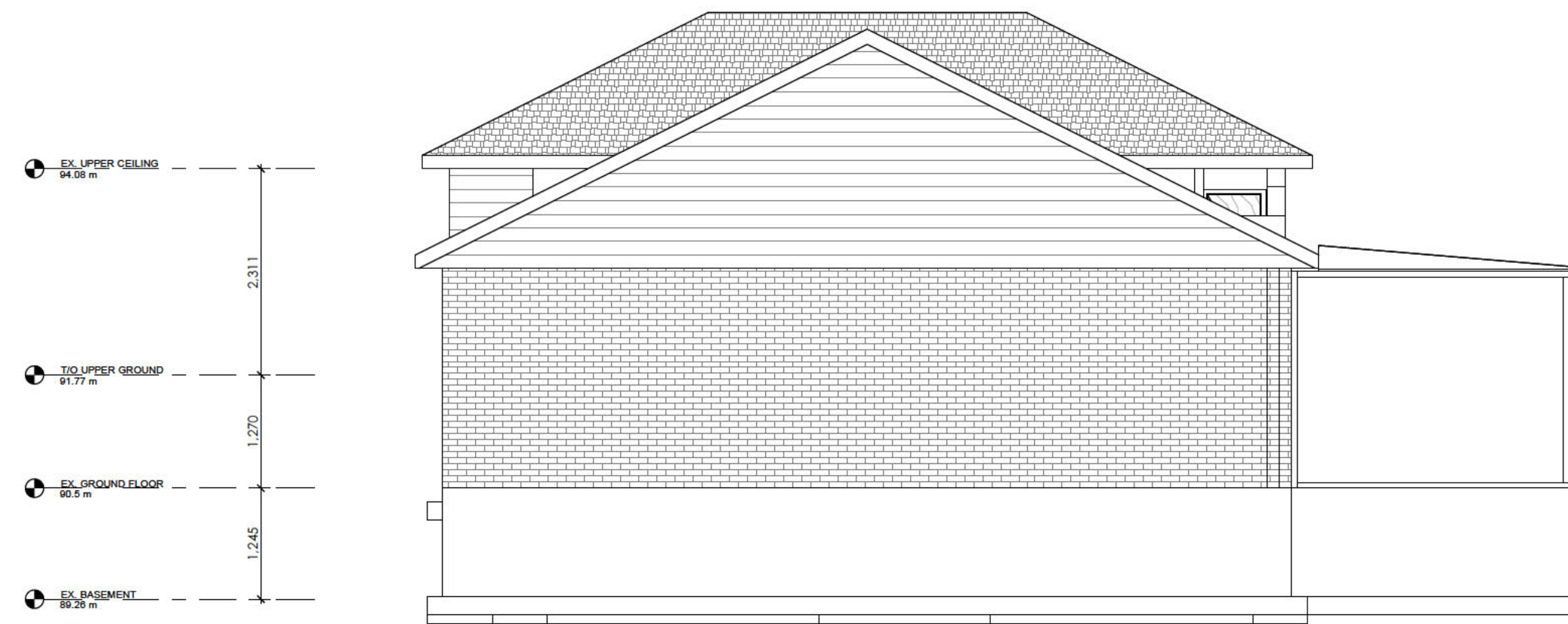
5157 MULBERRY DR.
BURLINGTON ON



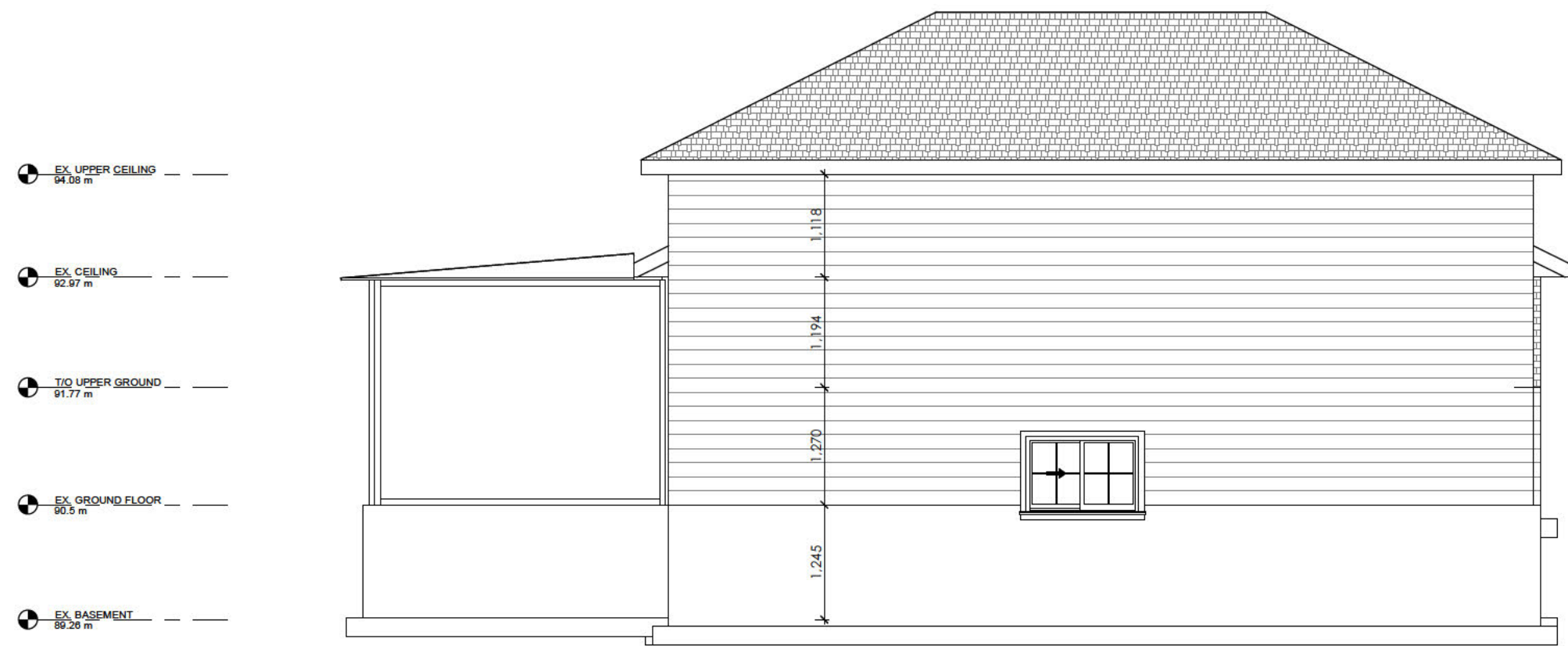
2 EXISTING-REAR ELEVATION
EX-300 1:64



3 EXISTING-FRONT ELEVATION
EX-300 1:64



1 EXISTING-RIGHT SIDE ELEVATIONS
EX-300 1:64



4 EXISTING-LEFT SIDE ELEVATION
EX-300 1:64

PROJECT NAME

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BURLINGTON ON

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Date 04/25/2025
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Scale 1:64

REVISIONS

No.	Description	Date

EXISTING
ELEVATIONS

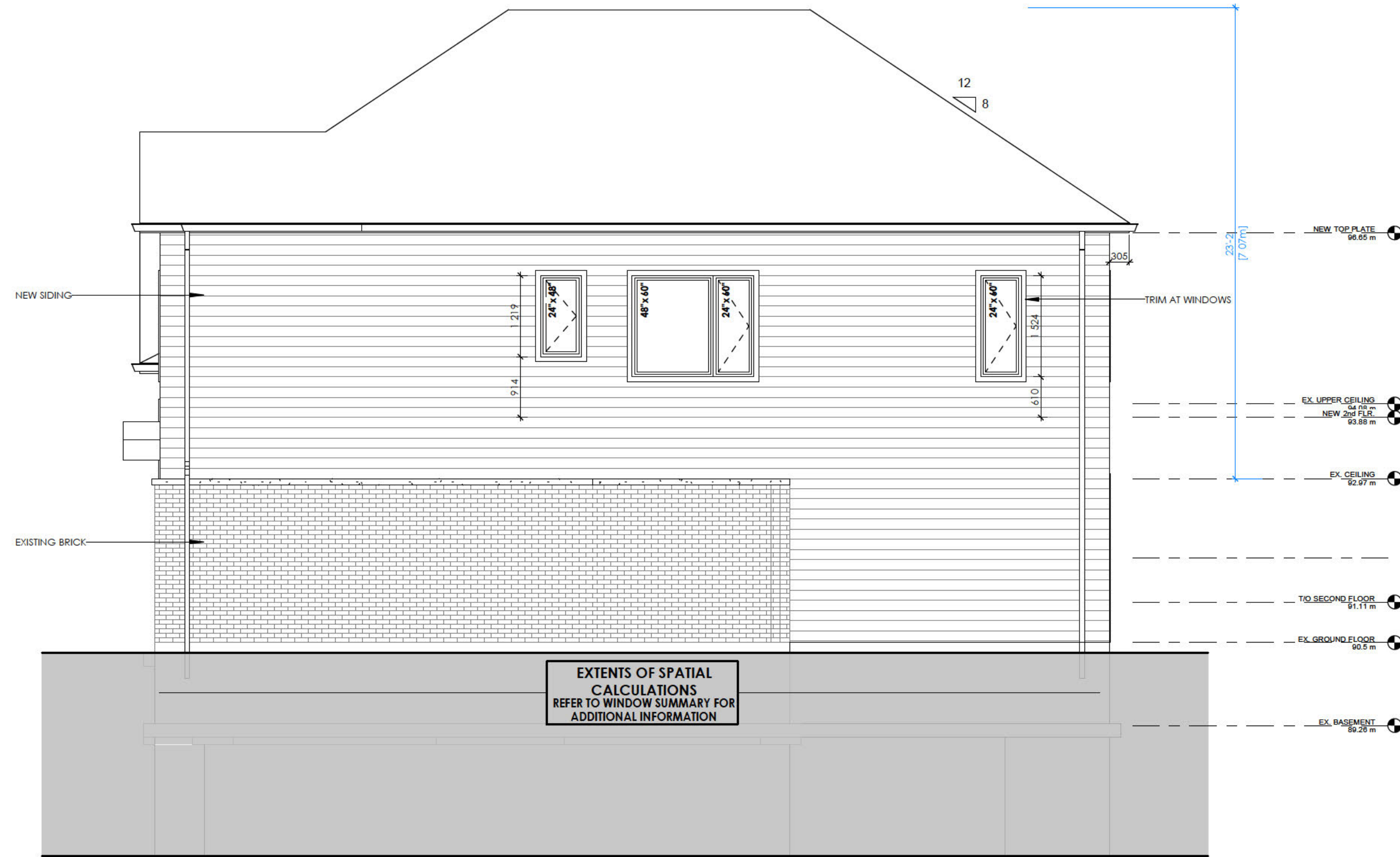
EX-300

5157 MULBERRY DR.
BURLINGTON ON

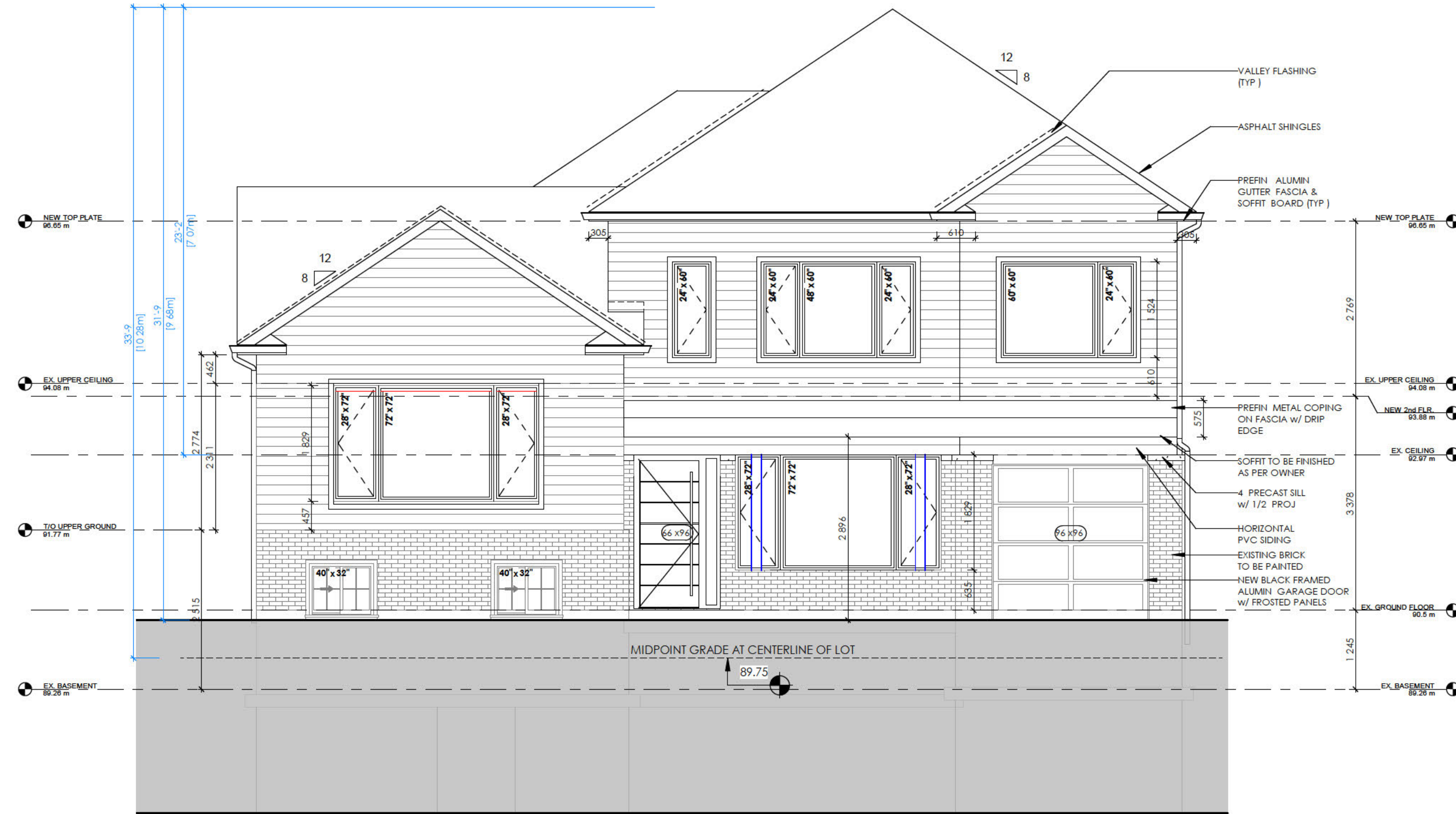
WINDOW SUMMARY			
PER O.B.C. TABLE 9.10.15.4			
RIGHT SIDE ELEVATION			
QUANT.	WIDTH	HEIGHT	WINDOW/ DOOR FRAME SIZE (SF)
1	24"	48"	5 8'
2	24"	80"	15 8'
1	48"	80"	17 8'
1	48"	80"	39 8'

SPATIAL CALCULATION			
EXPOSING BUILDING FACE	582.73	S.F.	
AREA	582.73	S.F.	
PORTION WALL AREA	582.73	S.F.	
LIMITING DISTANCE	15.0	M	
MAX. # OPENINGS	7		
OPENINGS ALLOWED	69.80		
OPENINGS PROVIDED	39.80		

ADDITIONAL NOTES:
GLAZED AREA CALCULATED W/ FRAME SIZE MINUS 2" AROUND ENTIRE PERIMETER



4 PROPOSED-RIGHT SIDE ELEVATIONS
A-300 1 : 64

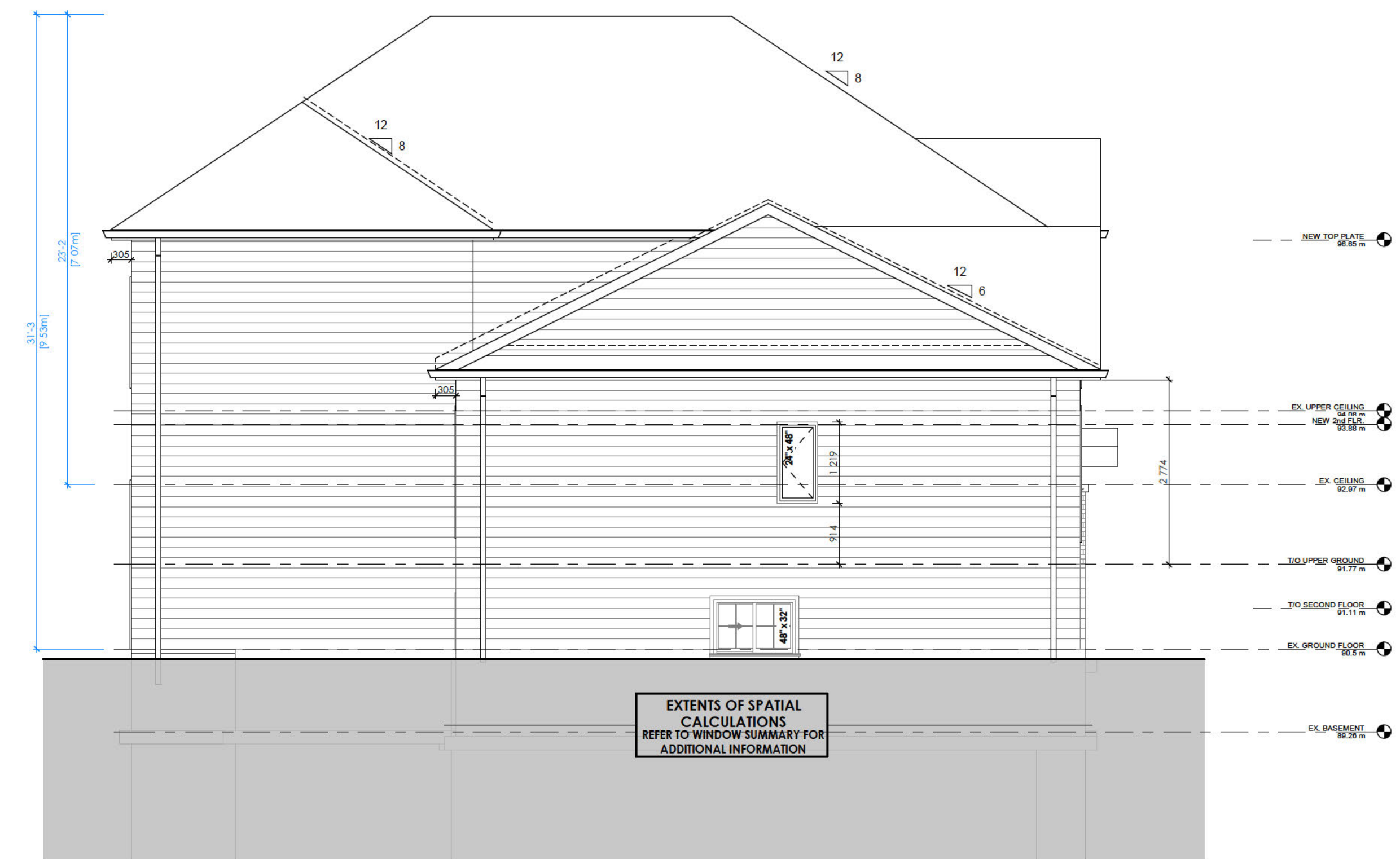


1 PROPOSED-FRONT ELEVATION
A-300 1 : 64

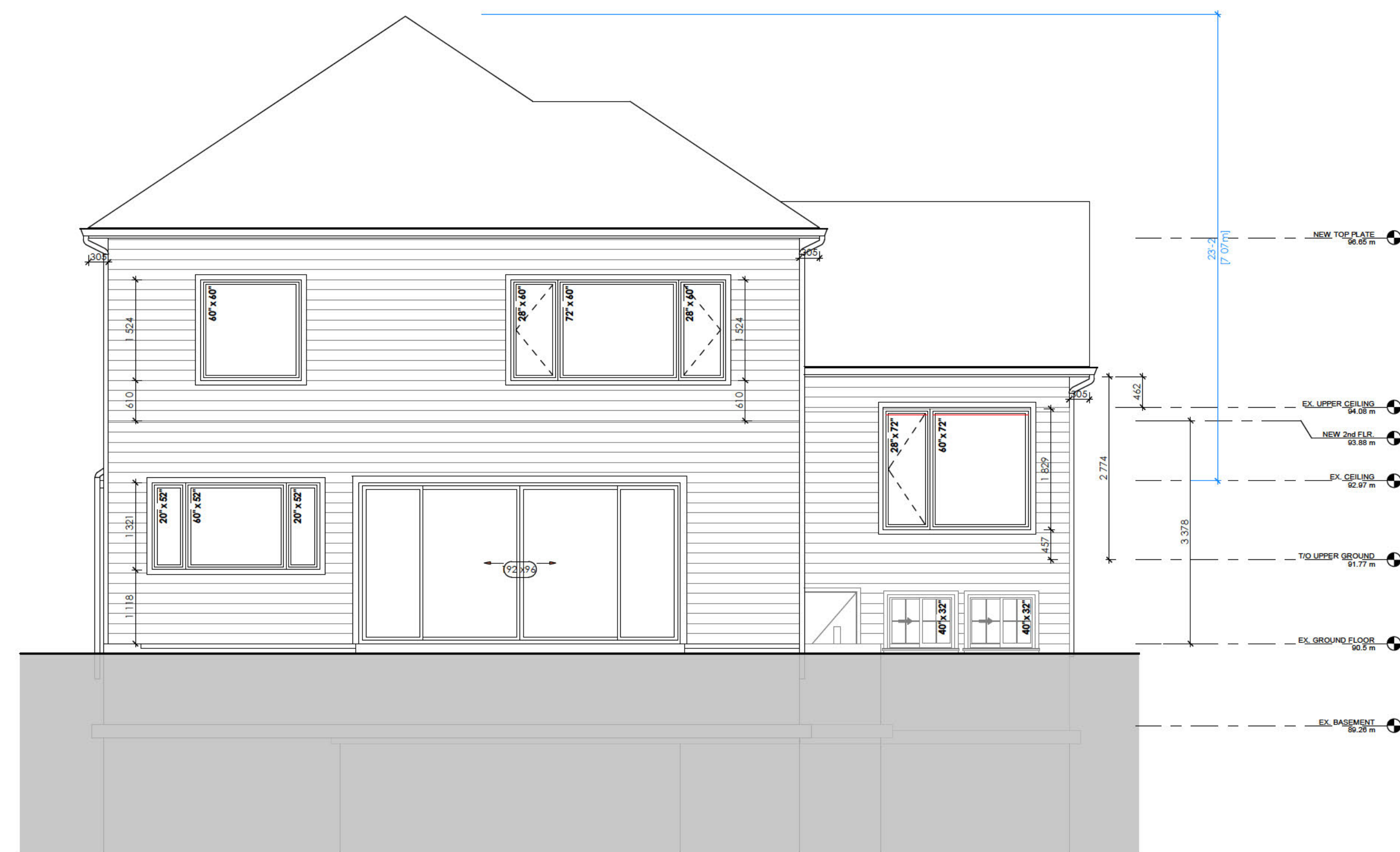
WINDOW SUMMARY			
PER O.B.C. TABLE 9.10.15.4			
LEFT SIDE ELEVATION			
QUANT.	WIDTH	HEIGHT	WINDOW/ DOOR FRAME SIZE (SF)
1	24"	48"	5 8'
1	24"	80"	15 8'
1	48"	80"	17 8'
1	48"	80"	39 8'

SPATIAL CALCULATION			
EXPOSING BUILDING FACE	454.01	S.F.	
AREA	454.01	S.F.	
PORTION WALL AREA	454.01	S.F.	
LIMITING DISTANCE	15.0	M	
MAX. # OPENINGS	7		
OPENINGS ALLOWED	69.80		
OPENINGS PROVIDED	39.80		

ADDITIONAL NOTES:
GLAZED AREA CALCULATED W/ FRAME SIZE MINUS 2" AROUND ENTIRE PERIMETER



3 PROPOSED-LEFT SIDE ELEVATION
A-300 1 : 64



2 PROPOSED -REAR ELEVATION
A-300 1 : 64

PROJECT NAME

5157 MULBERRY DR.
BURLINGTON ON

PROJECT ADDRESS

5157 MULBERRY DR.
BURLINGTON ON

CLIENT

JUGRAJ

ARCHITECT
KHALSA DESIGN INC.



BRAMPTON, ON

TELEPHONE: 647-468-2940

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MEM ENGINEERING INC.

STRUCTURAL SEAL:

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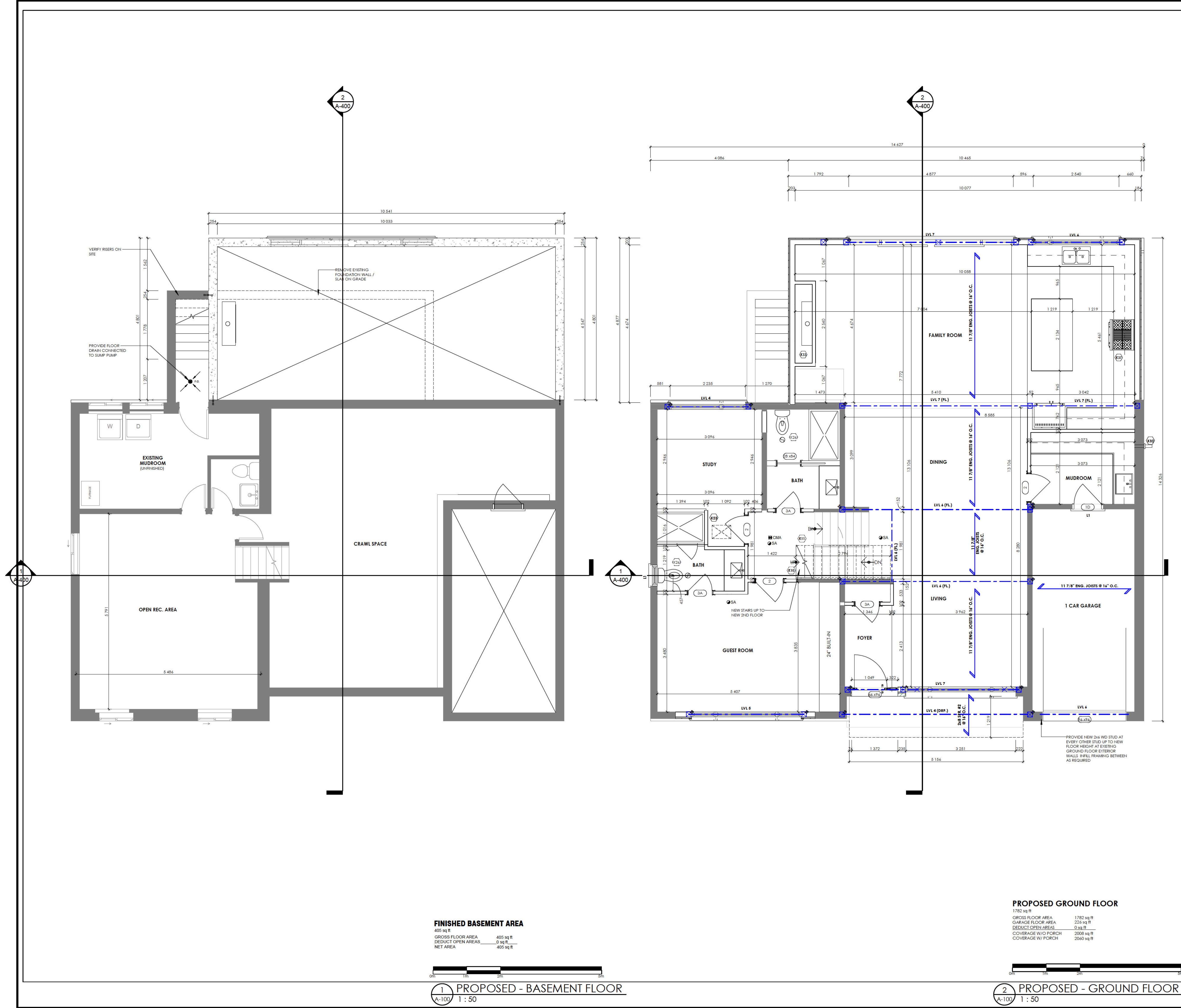
REVISIONS

No.	Description	Date

BUILDING
ELEVATIONS

A-300

5157 MULBERRY DR.
BURLINGTON ON



- LEGEND**
- NEW WALL
 - LOADBEARING WALL
 - DENOTES WELDED CONNECTION
 - DENOTES BOLTED CONNECTION
 - CMA
 - SA
 - CO ALARM
 - SMOKE ALARM
 - STEEL CONNECTION
 - INTERIOR FIRE BLOCKED WALLS
 - WALL TYPE

GENERAL FLOOR PLAN NOTES

1. CONTRACTOR/BUILDER TO REVIEW AND COORDINATE WITH ALL CONSULTANT DRAWINGS PRIOR TO CONSTRUCTION.
2. ALL SMOKE ALARMS TO BE INTERCONNECTED AND HARD WIRED. SEE FLOOR PLANS FOR LOCATIONS AND CONFORM TO 9.10.19 OF THE OBC.
3. FINAL KITCHEN LAYOUT TO BE DETERMINED BY OWNER.
4. ALL INTERIOR FINISHES TO BE DETERMINED BY OWNER.
5. REFER TO CONSTRUCTION NOTES ON SHEET A-002 FOR NOTES AND INFORMATION.
6. MOISTURE RESISTANT GWB, BOARD TO BE USED IN ALL BATHROOMS AND KITCHENS.
7. SEE EXTERIOR ELEVATIONS FOR WINDOW TYPES & CLADDING MATERIALS.
8. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE GWB.
9. ALL EXTERIOR DIMENSIONS ARE FROM EXTERIOR FACE OF EXTERIOR WALL FINISH TYP. U.N.O.
10. REFER TO FLOOR/TRUSS MANUFACTURER DRAWINGS FOR DETAILS AND SPECIFICATIONS.
11. ELECTRICAL OUTLETS ON OPPOSITE SIDE OF WALL SHOULD BE INSTALLED AT LEAST 2' OF FROM EACH OTHER.
12. CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS IN THE FIELD PRIOR TO CONSTRUCTION.
13. CONTRACTOR TO PROVIDE BLOCKING AS REQUIRED FOR CABINETS & FOR FUTURE INSTALLATION OF GRAB BARS.
14. CONTRACTOR TO COORDINATE ALL INTERIOR ACCESSORIES WITH OWNER AND TO SUPPLY ADEQUATE BLOCKING.
15. PROVIDE RESILIENT FLOORING IN CONFORMANCE WITH 9.30.1.2 OF THE OBC.
16. PROVIDE ACOUSTICAL INSULATION BETWEEN HALLWAY AND BEDROOM WALLS AS PER OWNERS REQUEST.
17. PROVIDE FIRE BLOCKING AS PER 9.10.1.6 OF THE ONTARIO BUILDING CODE AT LOCATIONS WITHIN THE WALL SO THAT DISTANCE BETWEEN FIRE BLOCKS DOES NOT EXCEED 20m (65'-6") HORIZONTALLY AND 3m (9'-10") VERTICALLY.
18. ALL DOORS ON PLANS ARE 7'-10" UNLESS NOTED OTHERWISE.
19. REFER TO FLOOR JOIST MANUFACTURER DRAWINGS FOR LAYOUT SPACING BLOCKING & STRAPPING REQUIREMENTS INSTALLATION DETAILS AND HANGER SIZES & SUBFLOOR THICKNESS.
20. PROVIDE SOLID BLOCKING @ 24" O.C. FOR FIRST JOIST SPAN WHEN PARALLEL w/ EXTERIOR WALL.
21. ALL SUBFLOOR TO BE 3/4" OS.B. (COORDINATE w/ FLOOR MANUF. DRAWINGS).
22. POUR IN PLACE CONCRETE STEPS WITH MASONRY VENEER ON SIDES IF REQUIRED BY GRADE.
23. FOOTINGS TO REST ON NATURAL UNDISTURBED SOIL STRENGTH OF 75 KPa (TYPICAL).
24. CONTRACTOR/TRUSS MANUFACTURER TO CONFIRM EXTERIOR OVERALL STUD TO STUD DIMENSION ON SITE TO VERIFY TRUSS DESIGNS PRIOR TO PRODUCTION.

STEEL CONSTRUCTION NOTES:

1. ALL STRUCTURAL STEEL SHALL CONFORM TO C.S.A. G40.21-92 WITH A MINIMUM YIELD STRENGTH OF 350 MPa.
2. STEEL STEEL DETAILING AND CONNECTION TO CONFORM TO C.S.A. CAN-3S16.1-94.
3. ALL WELDING SHALL BE IN CONFORMANCE WITH C.S.A. W59-M1989 AND TO THE REQUIREMENTS OF W47.1-92 AND SHALL UTILIZE E480XX ELECTRODES.

- TW TALL WALL DETAIL**
- WALL HEIGHT LESS THAN 22'-0"**
TALL WALL FRAMED W/2-2x6 @ 16" O.C. FULL HEIGHT WD STUDS 3 ROW OF SOLID BLOCKING C/W 3/4" EXT. GRADE PLYWOOD T&G SHEATHING (3)2x6 FULL HEIGHT WOOD COLUMNS MECHANICALLY FASTENED SILLS COLUMNS & TOP/BOTTOM PL STUDS & HEADER W/ SIMPSON STRONG TIE (A-23 CLIP) AT EACH SIDE
- WALL HEIGHT GREATER THAN 22'-0"**
TALL WALL FRAMED W/2-2x6 @ 16" O.C. LSL FULL HEIGHT WD STUDS 3 ROW OF SOLID BLOCKING C/W 3/4" EXT. GRADE PLYWOOD T&G SHEATHING

3.1. WOOD UNITS AND BUILD-UP WOOD			
(DIVISION 8 PART 9, TABLES A8 TO A10 AND A12, A15 & A16)			
FORMING PART OF SENTENCE 9.23.42 (2), 9.23.42 (4), 9.23.12 (1), (3), 9.23.13 (2), 9.37.31 (1)			
2 x8 SPRUCE #2	2 x10 SPRUCE #2	2 x12 SPRUCE #2	
L1 2'2" x10 (3/38x235)	L3 2'2" x10 (3/38x235)	L5 2'2" x12 (3/38x286)	
B1 3/2" x8 (4/38x184)	B3 3/2" x10 (4/38x235)	B5 3/2" x12 (4/38x286)	
B2 4/2" x8 (4/38x184)	B4 4/2" x10 (4/38x235)	B6 4/2" x12 (4/38x286)	
B7 5/2" x8 (5/38x184)	B8 5/2" x10 (5/38x235)	B9 5/2" x12 (5/38x286)	
ENGINEERED LUMBER SCHEDULE 2 OR 3000 BY GLOBAL LVL OR EQUAL			
1 3/4" x9 1/2" LVL	1 3/4" x11 7/8" LVL	1 3/4" x14" LVL	
WL3 1-1 3/4" x9 1/2"	WL3 1-1 3/4" x11 7/8"	WL3 1-1 3/4" x14"	
WL4 2-1 3/4" x9 1/2"	WL4 2-1 3/4" x11 7/8"	WL4 2-1 3/4" x14"	
WL5 3-1 3/4" x9 1/2"	WL5 3-1 3/4" x11 7/8"	WL5 3-1 3/4" x14"	
WL6 4-1 3/4" x9 1/2"	WL6 4-1 3/4" x11 7/8"	WL6 4-1 3/4" x14"	
WL14 1-1 3/4" x7 1/4"	WL15 2-1 3/4" x7 1/4"	WL16 3-1 3/4" x7 1/4"	
STEEL UNITS SUPPORTING MASONRY UNITS			
(DIVISION 8 PART 9, TABLE 9.20.2.3.3)			
FORMING PART OF SENTENCE 9.20.2.2 (2) & 9.20.2.2 (3)			
CODE	SIZE	BRICK	STONE
L7	3 1/2" x 1/2" x 1/4" (89 x 89 x 6.4)	8"-1" (2' 48")	8"-1" (2' 48")
L8	4 x 3 1/2" x 1/4" (102 x 89 x 6.4)	8"-2" (2' 48")	8"-1" (2' 48")
L9	4 7/8" x 3 1/2" x 5/16" (127 x 89 x 7.9)	10'-10" (3' 31m)	10'-7" (3' 03m)
L10	4 7/8" x 3 1/2" x 3/8" (127 x 89 x 11)	11'-5" (3' 48m)	10'-7" (3' 24m)
L11	5 7/8" x 3 1/2" x 3/8" (152 x 89 x 11)	12'-4" (3' 82m)	11'-7" (3' 54m)
L12	7 1/8" x 4 x 3/8" (178 x 102 x 11)	14'-1" (4' 30m)	13'-1" (3' 99m)

FINISHED BASEMENT AREA
405 sq ft
GROSS FLOOR AREA 405 sq ft
DEDUCT OPEN AREAS 0 sq ft
NET AREA 405 sq ft

PROPOSED GROUND FLOOR
1782 sq ft
GROSS FLOOR AREA 1782 sq ft
GARAGE FLOOR AREA 224 sq ft
DEDUCT OPEN AREAS 0 sq ft
COVERED W/O PORCH 2008 sq ft
COVERED W/ PORCH 2090 sq ft

1 A-100 PROPOSED - BASEMENT FLOOR
1 : 50

2 A-200 PROPOSED - GROUND FLOOR
1 : 50

PROJECT NAME
5157 MULBERRY DR. BURLINGTON ON

PROJECT ADDRESS
5157 MULBERRY DR. BURLINGTON ON

CLIENT
JUGRAJ

ARCHITECT
KHALSA DESIGN INC.

BRAMPTON, ON

TELEPHONE: 647-468-2940

CONSULTANTS:
STRUCTURAL ENGINEER:
MEM ENGINEERING INC.

STRUCUTRAL SEAL:

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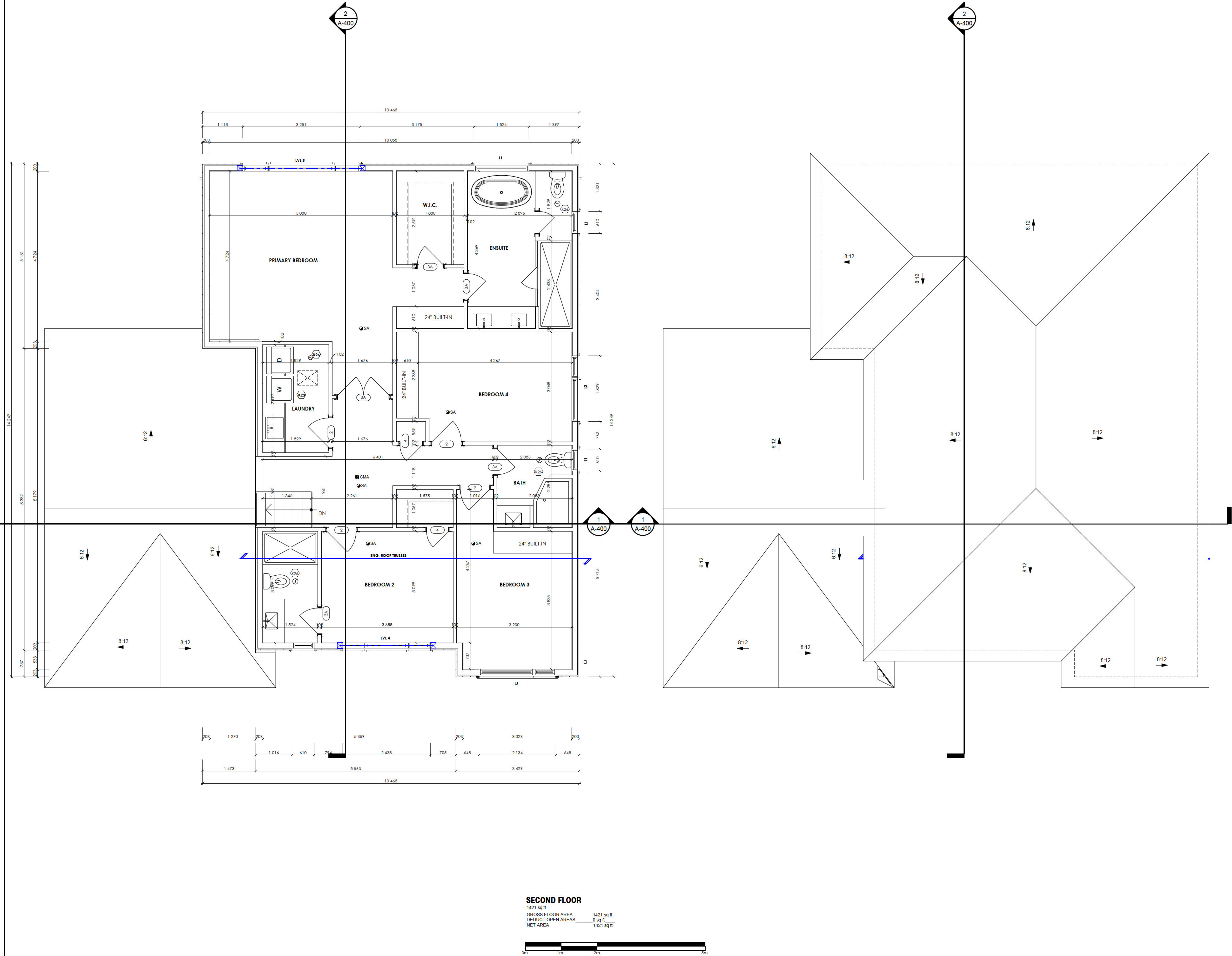
Project number 25005
Date 04/25/2025
Drawn by ASB
Checked by KDI
Scale As indicated

REVISIONS		
No.	Description	Date

PROPOSED BASEMENT & GROUND FLOOR

A-100

5157 MULBERRY DR. BURLINGTON ON



- LEGEND**
- NEW WALL
 - LOADBEARING WALL
 - DENOTES WELDED CONNECTION
 - DENOTES BOLTED CONNECTION
 - CMA
 - SA
 - SMOKE ALARM
 - STEEL CONNECTION
 - INTERIOR FIRE BLOCKED WALLS
 - WALL TYPE

GENERAL FLOOR PLAN NOTES

1. CONTRACTOR/BUILDER TO REVIEW AND COORDINATE WITH ALL CONSULTANT DRAWINGS PRIOR TO CONSTRUCTION.
2. ALL SMOKE ALARMS TO BE INTERCONNECTED AND HARD WIRED. SEE FLOOR PLANS FOR LOCATIONS AND CONFORM TO 9.10.19 OF THE OBC.
3. FINAL KITCHEN LAYOUT TO BE DETERMINED BY OWNER.
4. ALL INTERIOR FINISHES TO BE DETERMINED BY OWNER.
5. REFER TO CONSTRUCTION NOTES ON SHEET A-002 FOR NOTES AND INFORMATION
6. MOISTURE RESISTANT GWB, BOARD TO BE USED IN ALL BATHROOMS AND KITCHENS
7. SEE EXTERIOR ELEVATIONS FOR WINDOW TYPES & CLADDING MATERIALS
8. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE GWB
9. ALL EXTERIOR DIMENSIONS ARE FROM EXTERIOR FACE OF EXTERIOR WALL FINISH TYP. U.N.O.
10. REFER TO FLOOR/TRUSS MANUFACTURER DRAWINGS FOR DETAILS AND SPECIFICATIONS.
11. ELECTRICAL OUTLETS ON OPPOSITE SIDE OF WALL SHOULD BE INSTALLED AT LEAST 2'-0" FROM EACH OTHER.
12. CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS IN THE FIELD PRIOR TO CONSTRUCTION.
13. CONTRACTOR TO PROVIDE BLOCKING AS REQUIRED FOR CABINETS & FOR FUTURE INSTALLATION OF GRAB BARS.
14. CONTRACTOR TO COORDINATE ALL INTERIOR ACCESSORIES WITH OWNER AND TO SUPPLY ADEQUATE BLOCKING.
15. PROVIDE RESILIENT FLOORING IN CONFORMANCE WITH 9.30.1.2 OF THE OBC.
16. PROVIDE ACOUSTICAL INSULATION BETWEEN HALLWAY AND BEDROOM WALLS AS PER OWNERS REQUEST.
17. PROVIDE FIRE BLOCKING AS PER 9.10.1.6 OF THE ONTARIO BUILDING CODE AT LOCATIONS WITHIN THE WALL SO THAT DISTANCE BETWEEN FIRE BLOCKS DOES NOT EXCEED 20m (65'-6") HORIZONTALLY AND 3m (9'-10" FT) VERTICALLY.
18. ALL DOORS ON PLANS ARE 7'-10" UNLESS NOTED OTHERWISE.
19. REFER TO FLOOR JOIST MANUFACTURER DRAWINGS FOR LAYOUT SPACING BLOCKING & STRAPPING REQUIREMENTS INSTALLATION DETAILS AND HANGER SIZES & SUBFLOOR THICKNESS
20. PROVIDE SOLID BLOCKING @ 24" O.C. FOR FIRST JOIST SPAN WHEN PARALLEL W/ EXTERIOR WALL
21. ALL SUBFLOOR TO BE 3/4" OS.B. (COORDINATE W/ FLOOR MANUF. DRAWINGS)
22. POUR IN PLACE CONCRETE STEPS WITH MASONRY VENEER ON SIDES IF REQUIRED BY GRADE.
23. FOOTINGS TO REST ON NATURAL UNDISTURBED SOIL STRENGTH OF 75 KPa (TYPICAL)
24. CONTRACTOR/TRUSS MANUFACTURER TO CONFIRM EXTERIOR OVERALL STUD TO STUD DIMENSION ON SITE TO VERIFY TRUSS DESIGNS PRIOR TO PRODUCTION

STEEL CONSTRUCTION NOTES:

1. ALL STRUCTURAL STEEL SHALL CONFORM TO C.S.A. G40.21-92 WITH A MINIMUM YIELD STRENGTH OF 350 MPa.
2. STEEL STEEL DETAILING AND CONNECTION TO CONFORM TO C.S.A. CAN-3516.1-94
3. ALL WELDING SHALL BE IN CONFORMANCE WITH C.S.A. W59-M1989 AND TO THE REQUIREMENTS OF W47.1-92 AND SHALL UTILIZE E480XX ELECTRODES.

TW TALL WALL DETAIL

WALL HEIGHT LESS THAN 22'-0"

TALL WALL FRAMED W/2-2x6 @ 12" O.C. FULL HEIGHT WD STUDS 3 ROW OF SOLID BLOCKING C/W 3/4" EXT. GRADE PLYWOOD T&G SHEATHING (3)2x6 FULL HEIGHT WOOD COLUMNS MECHANICALLY FASTENED SILLS COLUMNS & TOP/BOTTOM PL STUDS & HEADER W/ SIMPSON STRONG TIE (A-23 CLIP) AT EACH SIDE

WALL HEIGHT GREATER THAN 22'-0"

TALL WALL FRAMED W/2-2x6 @ 12" O.C. LSL FULL HEIGHT WD STUDS 3 ROW OF SOLID BLOCKING C/W 3/4" EXT. GRADE PLYWOOD T&G SHEATHING

3.1. WOOD LUMBER AND BUILT-UP WOOD			
(DIVISION 8 PART 9, TABLES A8 TO A10 AND A12, A15 & A16)			
FORMING PART OF SENTENCE 9.23.42 (2), 9.23.42 (4), 9.23.12 (1), (3), 9.23.13 (2), 9.37.31 (1)			
2-8 SPRUCE #2	2-10 SPRUCE #2	2-12 SPRUCE #2	
L1 2-2 x 8 (3/8x184)	L3 2-2 x 10 (5/8x235)	L5 2-2 x 12 (5/8x286)	
B1 3/2 x 8 (3/8x184)	B3 3/2 x 10 (5/8x235)	B5 3/2 x 12 (5/8x286)	
B2 4/2 x 8 (4/8x184)	B4 4/2 x 10 (4/8x235)	B6 4/2 x 12 (4/8x286)	
B7 5/2 x 8 (5/8x184)	B8 5/2 x 10 (5/8x235)	B9 5/2 x 12 (5/8x286)	
ENGINEERED LUMBER SCHEDULE 2 OR 3000 BY GLOBAL LVL OR EQUAL			
1-3/4 x 9 1/2 LVL	1-3/4 x 11 7/8 LVL	1-3/4 x 14 LVL	
WL3 1-1 3/4 x 9 1/2	WL6 1-1 3/4 x 11 7/8	WL8 1-1 3/4 x 14	
WL4 2-1 3/4 x 9 1/2	WL6 2-1 3/4 x 11 7/8	WL11 2-1 3/4 x 14	
WL5 3-1 3/4 x 9 1/2	WL7 3-1 3/4 x 11 7/8	WL12 3-1 3/4 x 14	
WL6 4-1 3/4 x 9 1/2	WL8 4-1 3/4 x 11 7/8	WL13 4-1 3/4 x 14	
WL14 1-1 3/4 x 7 1/4	WL15 2-1 3/4 x 7 1/4	WL16 3-1 3/4 x 7 1/4	
STEEL LUMBER SUPPORTING MASONRY LUMBER			
(DIVISION 8 PART 9, TABLE 1.20.1.3)			
FORMING PART OF SENTENCE 9.20.5.2 (2) & 9.20.5.2 (3)			
CODE	SIZE	BRICK	STONE
L7	3-1/2 x 3-1/2 x 1/4 (89 x 89 x 6.4)	8-1 (2-4m)	8-1 (2-30m)
L8	4 x 3-1/2 x 1/4 (102 x 89 x 6.4)	8-2 (2-6m)	8-1 (2-40m)
L9	4-7/8 x 3-1/2 x 5/16 (127 x 89 x 7.9)	10-10 (3-31m)	10-1 (3-03m)
L10	4-7/8 x 3-1/2 x 3/8 (127 x 89 x 11)	11-5 (3-48m)	10-7 (3-24m)
L11	5-7/8 x 3-1/2 x 3/8 (152 x 89 x 11)	12-6 (3-82m)	11-7 (3-54m)
L12	7-1/8 x 4 x 3/8 (178 x 102 x 11)	14-1 (4-30m)	13-1 (3-99m)

SECOND FLOOR
1421 sq ft
GROSS FLOOR AREA
DEDUCT OPEN AREAS
NET AREA

PROPOSED - SECOND FLOOR
1 : 50

NEW TOP PLATE
1 : 50

PROJECT NAME

**5157 MULBERRY DR.
BURLINGTON ON**

PROJECT ADDRESS

5157 MULBERRY DR.
BURLINGTON ON

CLIENT

JUGRAJ

ARCHITECT

KHALSA DESIGN INC.



BRAMPTON, ON

TELEPHONE: 647-468-2940

CONSULTANTS:

STRUCTURAL ENGINEER:
MEM ENGINEERING INC.

STRUCUTRAL SEAL:

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ARCHITECT SEAL:

Project number 25005
Date 04/25/2025
Drawn by ASB
Checked by KDI
Scale As indicated

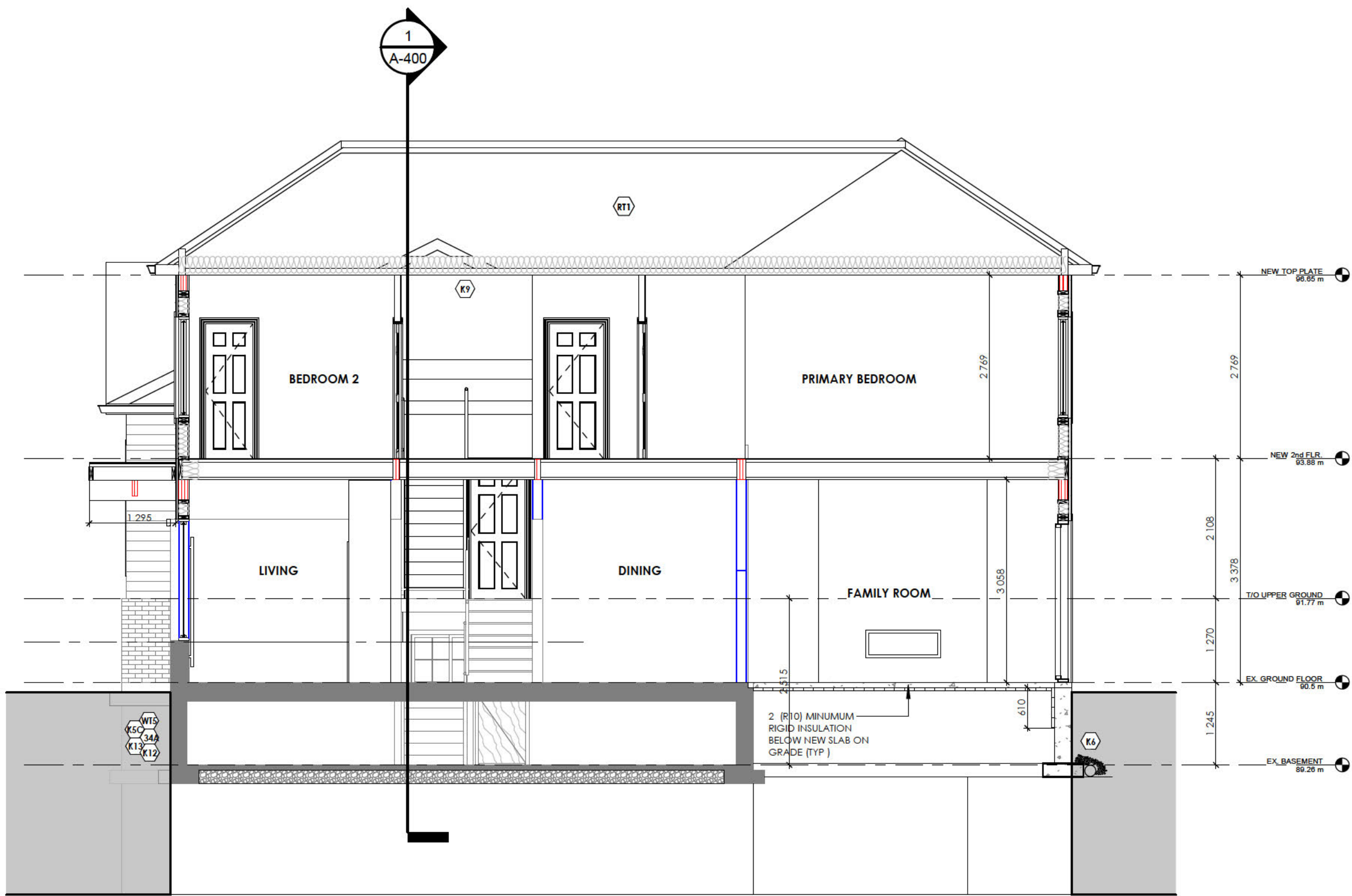
REVISIONS

No.	Description	Date

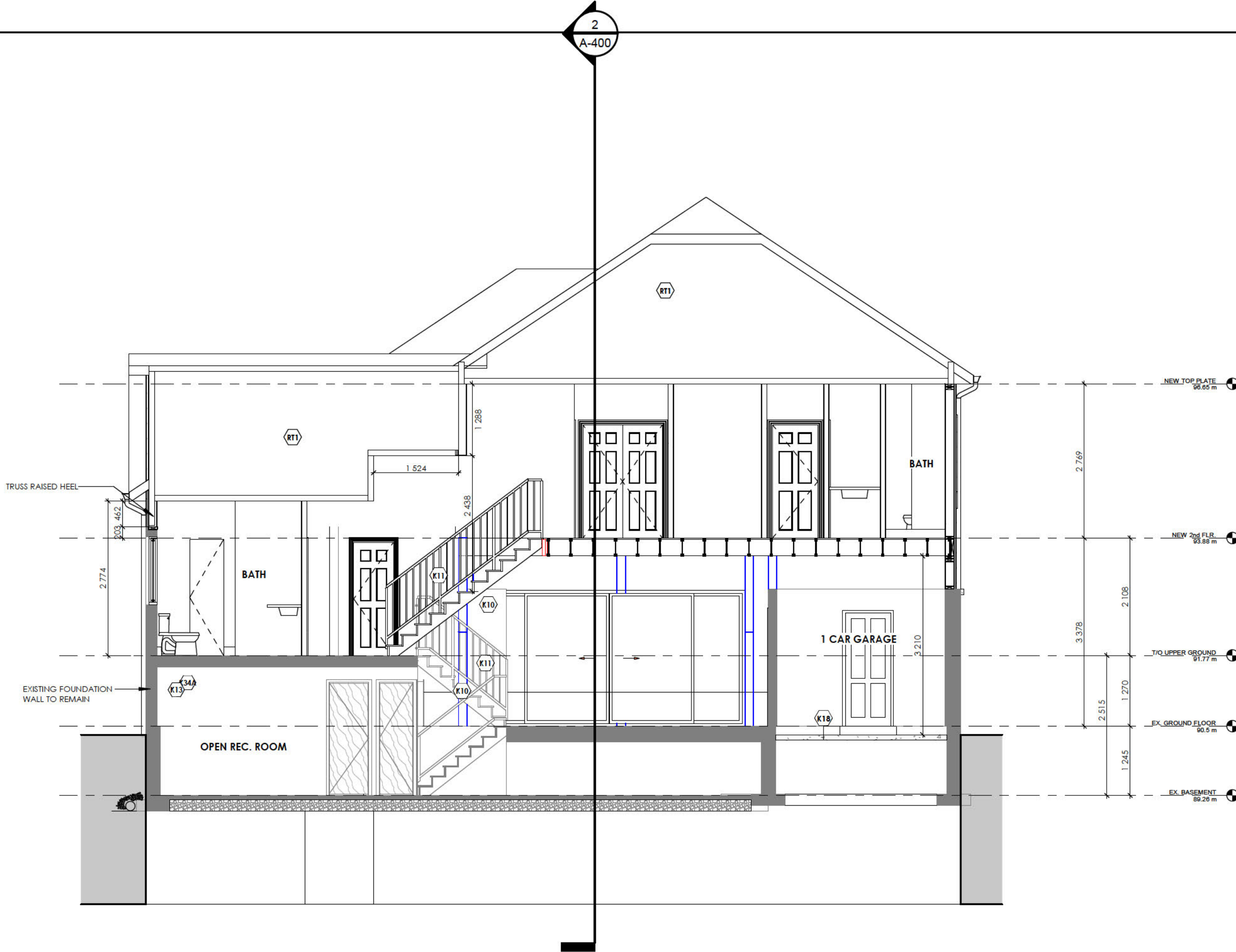
**PROPOSED 2ND
FLOOR & ROOF
PLAN**

A-101

5157 MULBERRY DR.
BURLINGTON ON



2 BUILDING SECTION II
A-400 1 : 64



1 BUILDING SECTION I
A-400 1 : 64

PROJECT NAME

5157 MULBERRY DR.
BURLINGTON ON

PROJECT ADDRESS

5157 MULBERRY DR.
BURLINGTON ON

CLIENT

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ARCHITECT SEAL:

Project number 25005
Date 04/25/2025
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Checked by KDI
Scale 1 : 64

REVISIONS

No.	Description	Date

BUILDING
SECTION

A-400

5157 MULBERRY DR.
BURLINGTON ON

COMMITTEE OF ADJUSTMENT

Meeting 18

AGENDA

OCTOBER 8, 2025

HEARING NO. 5.1 - 5:30 P.M.

File

540-02-A-040/25

APPLICANT: Sahil Preet Kahlon and Ripudaman Singh,

PROPERTY: 1006 North Shore Boulevard E,
PLAN 180 PT LOTS 4,5,6
City of Burlington - Regional Municipality of Halton.

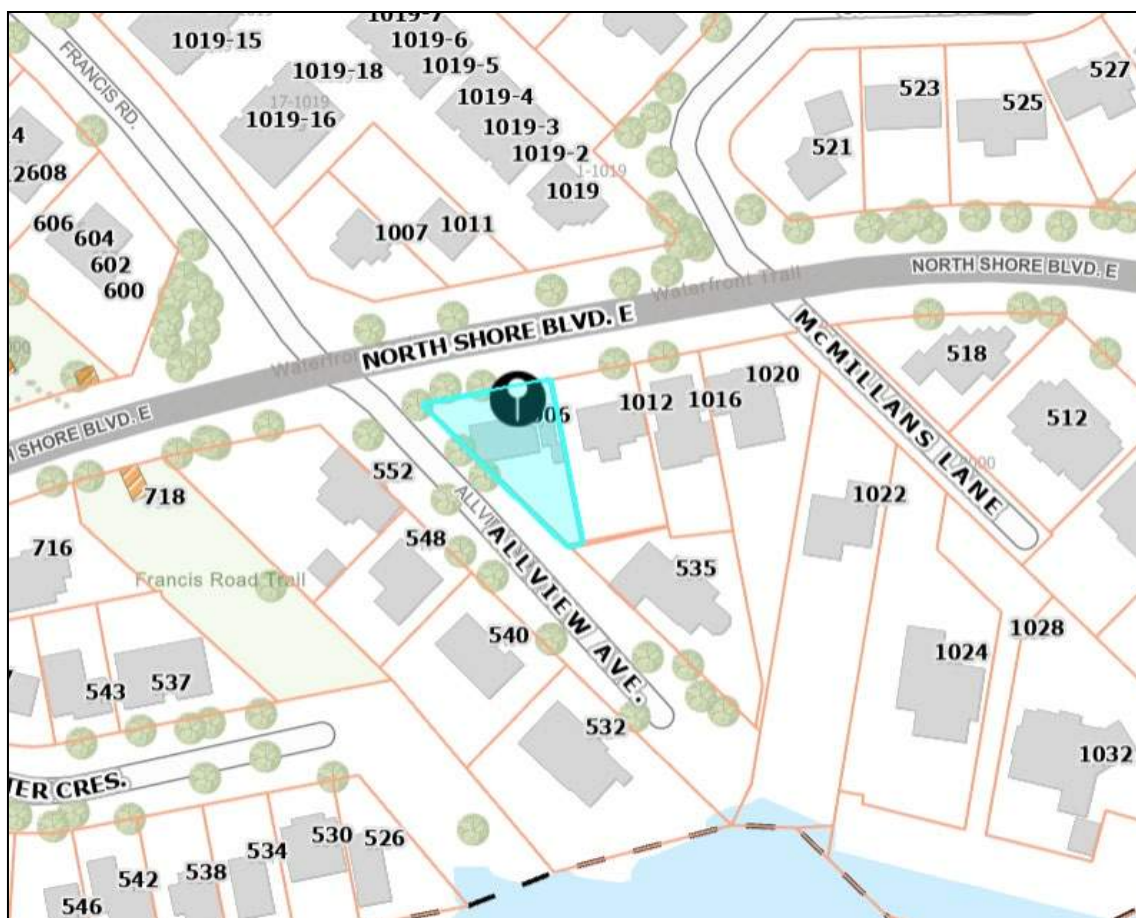
PROPOSAL: The applicant is proposing the construction of a one storey attached garage in the side yard which requires relief from the front yard and side yard minimum required setbacks. In constructing the proposed attached garage, the existing shed will be reduced in size and requires an additional variance to be located in the required side yard. The applicant is also looking to recognize the existing rear yard balcony which was constructed without approvals.

VARIANCES

1. To permit a front yard of 8.3 m instead of the minimum required 11 m for a proposed one storey attached garage addition.
2. To permit an east side yard of 1.3 m instead of the minimum required 2.309 m for a proposed one storey attached garage addition.
3. To permit an accessory building to be located in the required 2.309 m side yard whereas Zoning By-law 2020, does not permit an accessory building greater than 10 m² in floor area and/or greater than 2.5 m in height to be located in a required side yard.
4. To permit an existing 12.2 m² balcony located above the first storey on a wall facing the rear yard whereas Zoning By-law 2020 does not permit balconies to be located above the first storey on a wall facing the side and rear yard of detached dwellings.
5. To permit a street side yard abutting Allview Avenue of 1.3 m instead of the minimum required 4.5 m for an existing 12.2 m² balcony.

COMMITTEE OF ADJUSTMENT MINOR VARIANCE STAFF REPORTS

Owner(s): Sahil Preet Kahlon and Ripudaman Singh
 Address: 1006 North Shore Blvd. E Burlington
 File No. **A-040/25**
 Ward: 1



Staff Comments

Committee of Adjustment

There are 3 previous minor variance applications on record for this property.

File No. A51/1974 – Approved

- Modification of the requirements of By-law 40100-3, as amended, to permit a swimming pool on a triangular shaped lot having an easterly side yard of 5 ft. and a westerly side yard of 9 ft., whereas By-law 4000-3, as amended, requires a minimum side yard of 5 ft. from an interior lot line and 20 ft. from a street line.

File No. A35/1975 – Approved

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- Reduce south side yard setback from 20' to 9' for an 8' x 8' addition to an attached garage;
- Reduce easterly side yard from 7.58' to 4' and allow a building addition to be located not closer than 54' 6" from the centre line of North Shore Blvd rather than 85'

File No. A106/1984 – Approved

- Allow the existing pool built in 1975 to be within 1.37m (4' 6") of eastern lot line and within 2.6m (8' 6") of Allview Avenue.
- Allow existing mudroom built in 1975 to be within 2.10m (6' 11") of Allview Avenue.

Date: June 5, 2025

Prepared By: E. Shacklette

Zoning

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	Street Side Yard
R2 ZONES						
R2.1	18 m	700 m ²	11 m	10 m (c)	(a)	4.5 m

Footnotes to Table 2.4.1

(a) With attached garage or carport:
10% of actual lot width (23.09 m x 10% = 2.309 m)

(c) On a corner lot the rear yard may be: 4.5 m

2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL

2.3.3 Balconies are permitted in all zones, provided:

- Accessory to dwelling unit
- Must meet principal building setback with encroachment allowance permitted in Part 1, Section 2.13 (c)

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- a) **Balconies located above the first storey on a wall facing the side and rear yard of detached dwellings are not permitted.**

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

2.2.1 The following regulations shall apply to buildings and structures, when accessory to detached, semi-detached, duplex, triplex, fourplex or street townhouse dwellings:

- (a) Regulations for Accessory Building greater than 10 m² in floor area and/or **greater than 2.5 m in height:**
- (i) **Not permitted** in a front yard, street side yard or **required side yard.**

History:

Assessment records indicate that the original dwelling was constructed in 1922. A minor variance was granted in 1985 (file no. A106/1984) to allow for the existing mudroom to be within 2.1 m of the street side yard property line abutting Allview Avenue.

Proposal:

The applicant is proposing the construction of a one storey attached garage in the side yard which requires relief from the front yard and side yard minimum required setbacks. In constructing the proposed attached garage, the existing shed will be reduced in size and requires an additional variance to be located in the required side yard. The applicant is also looking to recognize the existing rear yard balcony which was constructed without approvals.

Variances required:

1. To permit a front yard of 8.3 m instead of the minimum required 11 m for a proposed one storey attached garage addition.
2. To permit an east side yard of 1.3 m instead of the minimum required 2.309 m for a proposed one storey attached garage addition.
3. To permit an accessory building to be located in the required 2.309 m side yard whereas Zoning By-law 2020, does not permit an accessory building greater than 10 m² in floor area and/or greater than 2.5 m in height to be located in a required side yard.
4. To permit an existing 12.2 m² balcony located above the first storey on a wall facing the rear yard whereas Zoning By-law 2020 does not permit balconies

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

to be located above the first storey on a wall facing the side and rear yard of detached dwellings.

5. To permit a street side yard abutting Allview Avenue of 1.3 m instead of the minimum required 4.5 m for an existing 12.2 m² balcony.

Conditions:

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

Notes:

1. Conservation Halton approval is required.
2. 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.
3. The variances are being reviewed under Section 45(1) of the *Planning Act*.

Date: 19 August 2025

Prepared By: Erin Ruby

Site Planning

A minor variance application has been submitted to the City of Burlington seeking relief from minimum front and side yard requirements in order to accommodate a one-storey garage addition on the side of an existing detached dwelling. Additionally, the Owner is seeking to recognize a second floor balcony constructed without the benefit of approvals and recognize a storage shed currently located in the required side yard.

The subject property, municipally known as 1006 North Shore Boulevard East, is comprised of an irregular shaped corner lot with an approximate area of 616.4 m² and a lot width of 23.09 metres, measured 9.1 metres back from the front lot line. Allview Avenue which abuts the property on the west, has a gradual slope down towards the water of Hamilton Harbour.

The immediate neighbourhood consists predominantly of one and two storey detached dwellings situated on lots that vary significantly in size and shape. Both North Shore Boulevard East and Allview Avenue are lined with mature trees and well-maintained front yards. The wide range of architectural styles and construction periods further add to the unique character of this community. An important feature of the neighbourhood is the nearby Burlington Golf and Country Club west of the site.

The existing land uses on the subject property include a detached dwelling and accessory swimming pool. The two-storey home has a white stucco finish and corresponding trim, eaves and windows. Contrasting features include a brown brick

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

chimney, matching roof shingles and updated front door. The dwelling is assessed as being constructed approximately one hundred years ago and has undergone multiple improvements and additions in recent years. Namely, a 12.2 m² balcony was constructed at the rear of the building overtop of the flat roof of a ground level mudroom. Sometime after 2022, it appears that an existing second storey window was converted into a full-height door to provide access to the platform. The shed has existed on the property as long ago as 1998, according to aerial photos.

A site visit was conducted on Friday, September 5th, 2025. Existing on-site conditions and surrounding streetscape are summarized in the site photos included as Attachment No. 1 (Site Photos).

1) Official Plan Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Official Plan?

Regional Official Plan

The subject lands are identified within the Urban Area as per Map 1 of the Regional Official Plan (Office Consolidation May 16, 2024). Section 72 of the ROP states 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.” Since the Plan is intended to provide a long-term vision for Halton Region, additions and modifications to established dwellings are not specifically addressed. Staff is of the opinion that the proposal is small enough in scale to meet the general intent and purpose of the ROP’s land use designation policies and objectives under Part III.

City of Burlington staff have no concerns with the proposal from a Regional Official Plan perspective.

City of Burlington Official Plan 1997 & 2020

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

The subject property is located within an area designated “Residential Neighbourhood Areas”, which the BOP, 2020 states are intended to provide a variety of housing options and related supportive uses that enhance residents’ quality of life. Although these

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

neighbourhoods aren't targeted for major growth, they are expected to gradually evolve through infill development (adding new homes in existing areas), renovations, and residential intensification. Section 8.3 also states that all residential land uses are considered compatible "as the use provides the same housing function: a place to live and call home". Burlington's Residential Neighbourhood Area is further divided by OPA 3 into three categories based on building form: Low-Rise Neighbourhoods I, Low-Rise Neighbourhoods II and High-Rise Neighbourhoods. These are shown on Schedule C: Land Use – Urban Area of the Official Plan.

The general objectives for Burlington's Residential Neighbourhood Areas under Section 8.3.1, as they pertain to this application, include the following:

- Encourage new residential development and residential intensification

The Low-Rise Neighbourhoods I designation (8.3.3.) includes areas with low-rise, ground-oriented homes. It supports gradual, compatible infill development that maintains the existing low-rise character while allowing for more diverse housing options. In this designation, single-detached and semi-detached dwellings, and duplexes may be permitted. The general intent and purpose of the BOP, 2020 is to encourage new residential development, including new structures in residential neighbourhood areas while recognizing that the form of development must be balanced with other considerations like compatibility and integration within existing residential neighbourhoods.

The Design Guidelines Policies under Part II Section 6.5 of Burlington's OP 1997 also indicate that new development should be compatible and integrate well with the surrounding area including "the density, form, bulk, height, setbacks, spacing and materials..."

Compatibility is defined in OP 1997 as, "development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impact on humans or animals."

Yes – Variances 1, 2 and 3 (Reduced Yards for Garage Addition and Shed)

Although setbacks are not specifically prescribed in Official Plans, compatibility and streetscape are to be considered with any intensification, infill or redevelopment proposal within existing neighbourhoods. The existing dwellings along North Shore Boulevard East have a variety of footprints, both with and without garages. The proposed one storey, one-car garage addition contemplated as part of this application is consistent with the prevailing size of garages on Allview Avenue and subservient to the existing residence by being shorter, smaller and setback further from the front property line than the front façade.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

At present, the subject lands do not offer any shelter for motor vehicles and parking is provided on the driveway only. If approved, the proposed garage and shed would provide opportunities for more orderly yard storage and concealed vehicle parking, contributing to a more attractive streetscape and overall aesthetic. This also meets the policies under Part II Section 6.5 g) of the OP which state that, “the location, amount, position and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact.”

Staff are of the opinion that the proposed reduction in yards to facilitate the garage addition and shed meet the intent and purpose of the Official Plans.

Yes – Variances 4 and 5 (Balcony)

For development to be considered compatible, it must not detract or cause an undue functional or physical adverse impact to the surrounding neighbourhood. Although the existing balcony projects 2.9 metres from the main building wall and is open on all sides, the unique characteristics of this irregular shaped lot make the requested variances compatible. As further explained in the report below, the spatial separation of the balcony from the easterly neighbour, the orientation of the balcony towards Allview Avenue, combined with the existing buffering measures, such as the well-established hedgerow and a substantial tree canopy, help mitigate potential concerns. The additional outdoor amenity space created on the upper level platform, does not introduce any new massing nor does it contribute to a loss of privacy or overlook onto the neighbouring properties.

Therefore, staff are of the opinion that the variances to recognize the balcony meet the intent and purpose of the Official Plans.

2) Zoning By-law Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Zoning By-law?

The subject property is currently zoned R2.1, or Low-Density Residential, under *Zoning Bylaw 2020*, as amended. Subject to all applicable regulations, detached dwellings are a permitted use in this zone.

Yes – Variance 1 (Reduced Front Yard for Garage Addition)

Zoning by-laws commonly set out regulations for minimum front yards, the intent of which is to allow for adequate spatial separation between a building and the public right-of-way as well as to provide consistent streetscape setbacks and a unified neighbourhood character.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

As part of this application, the proposed setback from the front lot line to the face of the garage wall is shown to be 8.3 metres which leaves sufficient driveway length to meet parking requirements. The main dwelling has an existing front yard of 7.68 metres, or 6.56 metres if measured to the front facing kitchen bump-out. As such, the proposed configuration does not result in the attached garage projecting beyond the longest portion of the wall facing a street – a condition which is generally discouraged.

The proposed reduction in front yard is also consistent with the existing setbacks of adjacent properties. The submitted survey dated April 21, 2025 shows homes on the neighbouring lots at 1012 and 1016 North Shore Boulevard East with front yards of 8.57 m and 8.00 m, respectively. Further down at 1020 North Shore Boulevard, the front yard setback is only 6.51 metres at the nearest point. Collectively, the three adjacent lots have an average front yard of 7.69 metres, which is similar to the main dwelling at the subject property. This confirms that the proposed garage setback of 8.3 metres will be compatible with the established streetscape and will not interfere with the Owners ability to park vehicles on the driveway.

Based on the above, staff is of the opinion that the variance requested maintains the general intent and purpose of the Zoning By-law with respect to the front yard setback requirements.

Yes – Variance 2 and 3 (Reduced Side Yard for Garage Addition and Shed)

Side yard setbacks serve as a separation between buildings and lot boundaries in order to accommodate appropriate grading, drainage and landscaping. Additionally, they are an important measure to prevent the spread of fire and if necessary, to provide access for emergency services.

Under Zoning By-law 2020, the minimum side yard for larger lots, such as those found in the R2.1 zone, are directly related to the lot width. Since this part of Burlington was developed prior to the introduction of planning or zoning as we know it today, there is a wide range of lots sizes and configurations. This contributes to the unique character of the neighbourhood and the variation in side yards seen along North Shore Boulevard East.

A dwelling *without* an attached garage in the R2.1 zone, requires a minimum side yard of 10% of actual lot width on one side plus a minimum of 3 m on the other. This is intended to ensure adequate width for parking and/or vehicular access to a detached garage in the rear yard, as exists across the street at 1011 North Shore Blvd E for example. The current side yard at the subject property is a generous 5.89 metres and it is worth noting that a detached garage in the rear yard is not possible due to the location of the existing swimming pool. Any desire to provide vehicle shelter or reduce the amount of surface parking necessitates an attached garage or carport. Inclusion of an attached garage triggers a different side yard setback requirement where the side yard must measure 10% of the actual lot width on both sides of the dwelling. In the case of the subject property at 1006 North Shore Blvd E, this decreases the side yard

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

setback requirement from 3 metres down to 2.309 metres. The proposed garage addition is seeking a further reduction to 1.3 metres.

The drawings submitted as part of this application illustrate a garage with an interior width of 3.9 metres at the narrowest point which exceeds the Zoning By-law 2020 requirement of 3.0 metres wide. The proposed garage does not visually dominate the front building elevation and is consistent with some of the other single-car garages in the vicinity. The modest height and proposed hip roof do not contribute to massing or shadowing which would pose significant impact on the neighbour. Additionally, since no windows or openings are shown on the garage wall facing the abutting property, there is no concern for loss of privacy and adequate spatial separation is preserved.

In order to also provide functional access at the rear of the proposed garage, the size of the existing shed needs to be reduced to accommodate a separation of 0.91 metres between the two structures. At its present location, near the swimming pool and outdoor amenity areas, the shed offers much needed storage space as well as an opportunity to enclose pool equipment. Although the height of the shed is to remain unchanged, the size is reduced from 9.2 m² to 5.68m² effectively lessening the impact on the neighbouring property and ensuring functional access between the shed and the back of the new garage.

Based on the above, staff are of the opinion the variances to reduce side yard requirements for the attached garage and existing shed meet the intent and purpose of the Zoning By-law.

Yes – Variance 4 and 5 (Balcony)

Finally, the application also requests two variances related to a balcony which was constructed without the benefit of approvals. The first is to permit the balcony location on the second level and the second is to legalize the setback from the street side yard.

Part 16 of the Zoning By-law defines a balcony as, *a platform having at least one (1) side open that may be covered by either a roof or another balcony and shall have no direct access to the ground*. Part 1 Section 2.3.3 states that balconies shall meet the principal building setback and in the case of detached dwellings, are not permitted above the first storey on a wall facing the side or rear yards. The intent of this regulation is to maintain privacy and discourage overlook onto nearby properties.

Although second floor balconies in low-density neighbourhoods are generally discouraged based on the factors listed above, several unique features exist here which shall be considered; irregular shaped lot, the orientation of nearby properties along Allview Avenue as well as existing landscape buffers.

1006 North Shore Boulevard East is a corner lot and because of its irregular shape and narrowing rear yard, the views from the existing balcony are directed toward Hamilton Harbour instead of the neighbour directly to the rear at 535 Allview Avenue. Since this

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

abutting lot is also irregular in shape, it has been developed in a way to also maximize the waterfront vistas from the outdoor amenity space. The garage of 535 Allview Avenue is oriented toward the rear yard of 1006 North Shore Blvd E. Given that private garages and associated driveways are public facing anyway, the balcony on the subject lands does not create additional overlook onto these features than would normally be expected from the street.

In a similar way, the remaining dwellings along Allview Avenue, or across the road from the street side lot line, do not risk any loss of privacy either. With their amenity areas already sheltered away from public view, any overlook from the balcony is onto the front yards and driveways of these properties. The well-established hedgerow and large, mature trees provide important buffering and direct the gaze out and toward the water. The extensive tree canopy shared with the neighbour at 1012 North Shore Blvd E also filters views and mitigates any potential for overlook as a result of the proposed variances.

Based on the above, staff is of the opinion that the variances associated with the balcony meet the general intent and purpose of the Zoning By-law.

3) Desirability:

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

Yes

The proposed minor variances facilitate the construction of an attached garage in a manner that is both functional and compatible with the surrounding residential context. The proposed improvements and exterior finishes include white stucco and asphalt shingles to match the existing dwelling, which contribute to an overall cohesive aesthetic. The modest height and size of the proposed garage addition does not result in significant massing or shadow impacts on the neighbouring property.

Furthermore, although second floor balconies are generally not encouraged in low-density zones, minor variance decisions are based on their own merits and site context. In this particular instance, staff are of the opinion that several distinctive characteristics of the lot and surrounding landscape mitigate potential privacy impacts on adjacent properties.

4) Minor in Nature:

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

Yes

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The proposed variances are considered minor in nature both in terms of quantitative impact and the resulting physical and functional implications on related lands. Each of the five requested variances aim to maintain compatibility with the neighbourhood character and do not result in any unacceptable adverse impacts related to privacy, shadowing, drainage or functionality. As such, staff are of the opinion that the impact of the proposed minor variances is minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

As reviewed and considered, the combined effects or potential effects of the proposed development are minor enough in scope to proceed by way of a Minor Variance Application (vs. rezoning).

Recommendation:

Staff have reviewed the proposed variances in accordance with the Planning Act, the policies of the Official Plans and the requirements of the Zoning By-law and support the variances as requested.

Date: September 19, 2025

Prepared By: Magda Rusin-Hynek

Attachment No. 1 - Site Photos



Front view of 1006 North Shore Boulevard East, neighbouring properties and shared tree canopy in rear

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



Front entry at upgraded door and location of proposed garage addition and existing shed



View of similar one-storey garage addition at 1020 North Shore Blvd E



View towards the house from rear yard incl. tree canopy

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View from the rear deck towards rear lot line and neighbour at 535 Allview Ave



View of balcony from driveway entrance at 535 Allview Avenue including hedgerow and trees



View of balcony from driveway entrance at 540 and 552 Allview Ave

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Development Engineering

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

Date: August 22, 2025Prepared By: D. Savelli**Forestry**

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

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
2. Revisions to the report and/or plans may be required through the tree permit process.

Date: September 5, 2025Prepared By: R. Shaw-Lukavsky**Building**

1. A Building Permit is required for all building construction;
2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

Date: September 3, 2025Prepared By: Q. Tan**Transportation Planning**Deemed Road Width Analysis

North Shore Boulevard E is under the authority of the City of Burlington and the deemed right-of-way width is 26 metres. The right of-way adjacent to the subject site is approximately 26 metres therefore, no additional lands are required.

Date: June 4, 2025Prepared By: Stephanie Robinson

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

Date: September 9th 2025Prepared By: Taylor Kirchknopf

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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: August 21, 2025Prepared By: L. Bray**Halton Region**

Regional Staff have reviewed the Minor Variance application proposing the construction of a one storey attached garage in the side yard. The variance is requested to the minimum required front yard and side yard setbacks.

- Due to Provincial legislation, as of July 1, 2024, the 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.

Regional Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if applicable) including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

Date: September 2, 2025Prepared By: Navjot Kaur

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Burlington Hydro

Burlington Hydro has no objections to proposing the construction of a one-storey attached garage.

See attached documents at the end of this report for further information.

Date: September 3, 2025_____ Prepared By: Zakariya Al-Doori



Burlingtonhydro inc.

August 26, 2025

Applicant: Sahil Preet Kahlon & Ripudaman Singh

Subject: Minor Variance.

File NO: 540-02-A-040/25

Location: 1006 North Shore Blvd E, 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 proposing the construction of a one-storey attached garage.

Please note: The applicant is proposing an attached garage. During construction, Workers will be working within 1 m (3') of energized overhead secondary service wires. Prior to starting construction, please contact Burlington Hydro Inc. (BHI) at Engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.

For reference, see the attached drawing **BHI-250826-01ZA** and Guideline for Working Near Overhead Electrical Powerlines and Equipment (**Page 1**).

However, the customer'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. 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.
2. A building, permanent structure or building apparatus shall maintain minimum horizontal clearance from existing power lines (Refer to the 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 the 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.

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



Burlingtonhydro inc.

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.
- ☒ 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 ("OHS") 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 OHS and OESC.
- ☒ Please arrange for a site meeting with a BHI representative, by sending an email to Eng. Desk Engineering@burlingtonhydro.com, prior to beginning any construction/demolition near existing overhead or underground hydro facilities get approved BHI service layout/consent and avoid any possible service complications or safety issues.

Regards,
Zakariya Al-Doori
Engineering Services Technician

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



GridSmartCity

partner since 2009

Guideline for Working near Overhead Electrical Powerlines & Equipment on Construction Projects

Working near overhead powerlines can be dangerous—even deadly—if proper safety precautions are not taken. Being aware of the hazards and keeping a safe distance from electrical powerlines and equipment are the best means of protection.

Powerline Technicians need specialized training and equipment to protect themselves when working on or near powerlines. Construction workers may also have to work near powerlines. However, they may not know the hazards of working around powerlines or have the knowledge, training, and experience to protect themselves.



This guideline can help construction workers protect themselves and their co-workers from electrical hazards when working near powerlines.

STEP 1 Identify Electrical Hazards

The first step is to recognize where electrical hazards exist and identify the precautions that need to be taken to avoid contact. Ideally, this should be done at the planning stage before work begins. Look around the work area to see if powerlines are close by. Then, consider whether the type of work being done or the type of equipment being used may come close enough to powerlines to present an electrical hazard.

Table 1 shows the minimum safe distances to powerlines based on their voltage. The distance for 750 volts and above is taken from the Construction Projects regulation (O. Reg. 213/91, s. 188(2)) under the OHSA. A distance of 1 metre (3.3 ft) is recommended for less than 750 volts.

Table 1: Minimum Distances to Powerlines

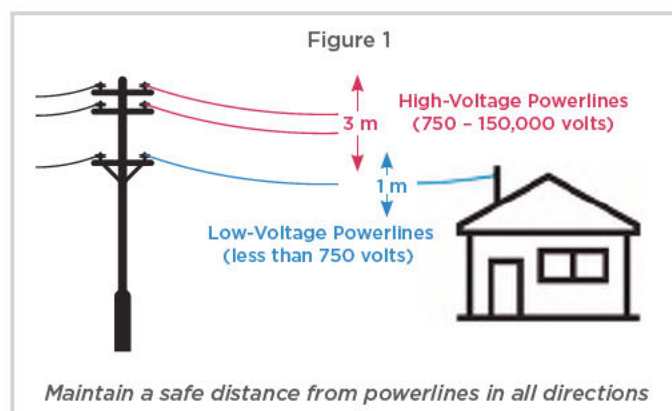
Voltage Rating	Minimum Distance
Less than 750 volts	1 metre (3.3 feet)*
750 to 150,000 volts	3 metres (10 feet)†
More than 150,000 volts, but no more than 250,000 volts	4.5 metres (15 feet)†
More than 250,000 volts	6 metres (20 feet)†

*Recommendation from the Working Group

†Source: O. Reg. 213/91, s. 188 (2)

Employers must take every reasonable precaution to prevent hazards to workers from energized electrical equipment, installations, and conductors (O. Reg. 213/91, s. 183). This means keeping the minimum distance as required by Table 1.

Powerlines or electrical equipment rated at less than 750 volts are considered **low voltage**, while those rated at 750 volts or above are considered **high voltage**. Workers must keep a safe distance of at least 1 metre (3.3 feet) from low-voltage powerlines to be protected from exposure to electrical shock or arc flash burn. For high-voltage powerlines, the distance is 3 metres (10 feet) or more, depending on the voltage (Figure 1).

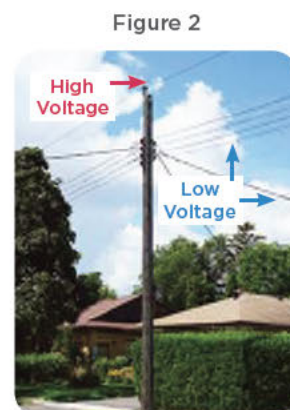


High-voltage powerlines are usually located higher on a pole than low-voltage powerlines (Figure 2). However, some high-voltage lines can look like low-voltage lines and can be located below low-voltage lines on a pole.

Misidentifying the voltage of powerlines can cause workers to go beyond the minimum safe distance and lead to an electrical incident.

In addition, workers have been known to focus on maintaining their distance from low-voltage lines, only to make contact with high-voltage lines.

If you are uncertain of the voltage, get help from an electrically qualified person or contact the owner.



Respect Electricity!

Every wire that brings ELECTRICITY to a business, home, or area CAN KILL YOU. No matter the voltage, keep a safe distance from powerlines to avoid electrical contact, shock, and burns.

The type of equipment being used when working near overhead powerlines may indicate that precautions need to be taken to prevent electrical injury. This includes tall or long-reach equipment such as:

- Cement trucks, concrete pumps, hydro-vac trucks (Figure 3)
- Excavators, backhoes, front-end loaders
- Cranes, drill rigs, boom trucks, bucket trucks
- Ladders, scaffolds
- Dump trucks, waste material/recycling trucks, material delivery trucks
- Swing stages, scissor lifts, forklifts, zoom booms
- Snow-removal equipment, paving machines, farm machinery (including augers).

Figure 3



In addition to the type of equipment being used, the type of work being done near overhead powerlines may indicate that electrical hazards need to be identified and assessed. This type of work can include:

- Siding and painting (Figure 4)
- Roofing and eavestroughing
- Framing
- Stucco and brick work
- Window cleaning and balcony work
- Tree pruning, tree removal, and landscaping.

Figure 4



STEP 2

Complete a Hazard Assessment

Electrical incidents can result in serious injuries or fatalities caused by:

- direct contact from touching energized equipment
- contact with an electrical arc
- exposure to an arc flash.

Completing a **Job Safety Analysis (JSA)** or a **Hazard Risk Assessment (HRA)** is a good way to ensure that hazards have been identified and safe work procedures have been put in place to prevent electrical incidents.

Keep the following points in mind when doing a hazard assessment on overhead powerlines:

- Electrical hazards can sometimes be hard to identify. Electricity is invisible in its usual state and any wire that contains electricity looks exactly the same as a wire without electricity.
- Electricity can jump through the air and into objects and people nearby. Direct contact is not required to make it an electrical hazard.
- Wind and weather can cause wires to swing and heat, ice, or changing electrical demand can cause them to sag. Higher-voltage wires have been known to sag as much as three metres in one hour from heating up during high-demand conditions.
- Long building materials and equipment such as ladders, boards, poles, or scaffold members can be extended or repositioned to the point where they may contact or come near enough to electrical equipment to cause an electrical arc.
- A slip or a fall can move a worker or their tools, equipment, and materials closer than the recommended distance to an electrical hazard.
- Electricity is not only carried by the wires on an electric pole but also by other electrical equipment such as transformers, which can be shaped like a box (Figure 5) or a steel barrel (Figure 6).

Figure 5



Figure 6



A JSA or HRA can also help when estimating the costs associated with a project. Early detection of the hazards and pre-planning control options to prevent these hazards can affect the quote because health and safety concerns must always be taken into consideration. Before work begins, consideration should be given to questions such as:

- How will materials be brought in or removed from the site?
- How will workers access the work location?
- Will wires have to be moved or disconnected for work to be completed safely?
- Are workers knowledgeable/qualified or will assistance be needed to determine voltage/proper clearance distances, etc.?

Don't Guess. Do it Right!

Always contact the owner of the overhead powerline to verify the correct voltage.

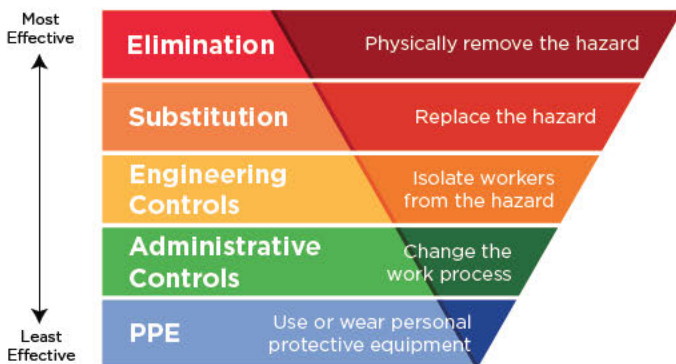
STEP 3

Eliminate or Control the Hazards

Once the electrical hazards have been identified and the workers have been made aware of them, the hazards need to be eliminated. If this is not possible, the hazards should be controlled. This means using barriers or other controls to reduce the possibility of a hazard or lessen its severity as much as possible.

Before putting controls in place to address health and safety hazards, consideration should also be given to their effectiveness. Figure 7 below shows the **hierarchy of controls**, which ranks control options from most effective to least effective.

Figure 7



Hierarchy of Controls

Eliminating the hazards of working near overhead powerlines is most effective because the hazard no longer exists. This can be done by:

- Relocating the work to another location that is farther away from overhead powerlines.
- Having a **qualified** person (e.g., a Powerline Technician) who has been **authorized** by the owner of the powerline shut the electricity off, verify that it is off, and ensure that all stored energy is removed.

If the hazard cannot be eliminated, **engineering controls** may be put in place to isolate the worker from the hazard. This can include asking the owner of the powerline to raise or move them, making it more difficult to go beyond the minimum safe work distance.

The utility owner may provide additional assistance, such as installing powerline coverups to protect workers from accidental contact with energized components (Figure 8).

Figure 8



If engineering controls are not practicable, the next best option is putting **administrative controls** in place to change the work process. This may include the following:

- Taking additional precautions to ensure workers keep a safe distance away from powerlines (i.e., the minimum distance shown in Table 1 and Figure 1).
- Designating a signaller (Figure 9) to make sure that workers, loads, and equipment do not go beyond the minimum safe distance from powerlines. (Refer to the requirements of a signaller in O. Reg. 213/91, s. 188(8)).

Figure 9



- Ensuring that all workers are aware of the location of overhead electrical hazards, know how to protect themselves, and are familiar with the safe work procedures.

- Installing warning signs (Figure 10) or flags to remind workers about the dangers of working near powerlines.
- Ensuring that the emergency response plan deals with treating electrical injuries and that proper first aid supplies are available.

Figure 10



Although using or wearing **PPE** (personal protective equipment) is not the most effective method of injury prevention according to the Hierarchy of Controls (Figure 7), it can still minimize exposure to a hazard or reduce its severity.

Some PPE is required by law. Depending on the possible hazards workers may encounter, this can include:

- A Class E hard hat
- Grade 1 work boots with dielectric protection (i.e., an Omega tag)
- CSA-approved safety glasses with side shields
- A high-visibility safety vest
- Protective work gloves
- Hearing protection devices.



As best practice, always consider electricity to be on and electrical wires to be live unless a qualified electrical worker who is authorized by the owner of the electrical equipment confirms that it is off.

STEP 4 Ensure that All Legal Requirements Are Met

Under Ontario's *Occupational Health and Safety Act* (OHSA) and its associated regulations, employers and supervisors have a legal duty to identify hazards (including electrical hazards), inform workers about these hazards, and protect workers from them.



Employers and supervisors must ensure that their legal duties under the OHSA and the requirements of the Construction Projects regulation (213/91) are met

Duties of Employers and Supervisors under the OHSA

Section 25 of the OHSA requires the **employer** to:

- Acquaint a worker or a person in authority with any hazard in the work
- Provide information, instruction, and supervision to workers to protect their health or safety
- Ensure the equipment, materials, and protective devices prescribed by law are provided, are used as prescribed, and are maintained in good condition
- Ensure the measures and procedures prescribed by law are carried out
- Take every reasonable precaution to protect workers.

Section 27 requires the **supervisor** to:

- Advise workers if they are aware of potential or actual danger to their health or safety
- Where prescribed by the health and safety legislation, provide workers with written instructions on protective measures and procedures
- Ensure that workers follow protective measures and procedures and use the required protective devices.

Regulatory Requirements for Employers and Supervisors

Additional requirements are found in the Construction Projects regulation (O. Reg. 213/91):

- The **supervisor** will inspect all machinery and equipment, including electrical installations, at least once a week (s. 14).
- The **employer** will ensure that workers wear and use protective clothing, equipment, and devices, and be trained in their care and use (s. 21). This includes protective headwear (s. 22), protective footwear (s. 23), and eye protection when there is a risk of eye injury to the worker (s. 24).
- Do not store material or equipment moved by a crane or hoisting device near an energized overhead electrical conductor (s. 37 (2)).
- Post a sign where there is a potential hazard from an energized overhead electrical conductor at more than 750 volts (s. 44 (3)).
- The **employer** will ensure that the site-specific work plan for a suspended work platform system or boatswain's chair includes identification of electrical hazards (s. 141.5).
- The **constructor** and **employer** will take every reasonable precaution to prevent hazards from energized electrical equipment (s. 183).
- The **supervisor** will authorize any person who is permitted to enter a room or enclosure containing exposed energized electrical parts (s. 184 (1)).
- Do not store tools, equipment, or materials capable of conducting electricity so close to energized electrical equipment that they can make electrical contact (s. 187).
- Do not bring any object closer to an energized overhead electrical conductor than the minimum distances in Table 1 (s. 188 (2)).
- Designate a competent worker as a signaller to warn the equipment operator if part of the equipment or its load may encroach on the minimum distance to powerlines (s. 188 (8)).

NOTE: This is not a complete list of relevant legislation. Always consult a current version of the OHSA and its associated regulations.

Developed by a collaborative working group from IHSA's Labour-Management Network in partnership with IHSA



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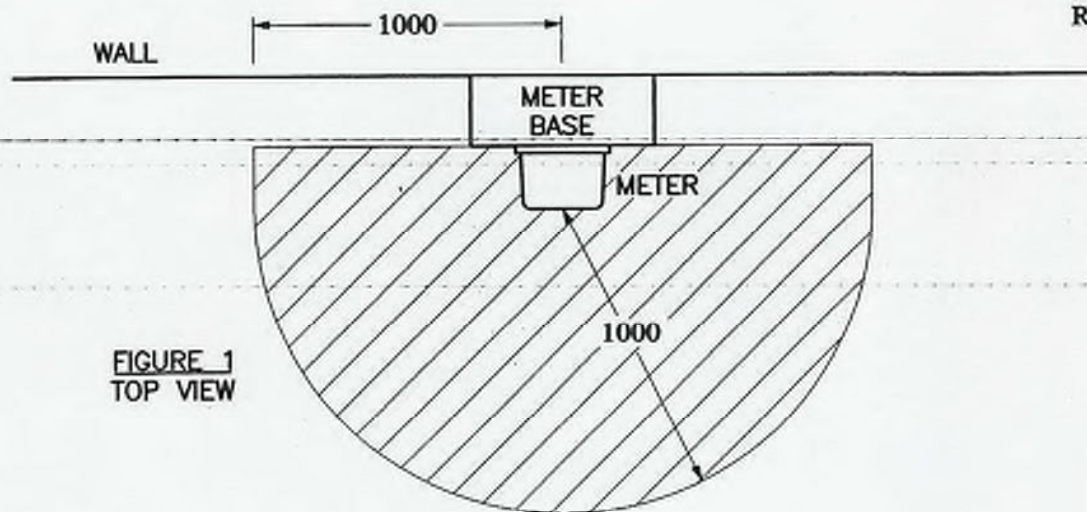


FIGURE 1
TOP VIEW

NOTES

1. HATCHED AREA TO BE KEPT CLEAR OF ANY OBSTRUCTION TO ALLOW FOR SAFE WORKING CLEARANCE.
2. WHERE MULTIPLE METERS ARE INSTALLED, CLEARANCES ARE REQUIRED AROUND EACH METER.
3. WHERE METERS ARE INSTALLED IN CABINETS, ALL DOORS MUST BE ABLE TO BE OPENED 100 DEGREES.

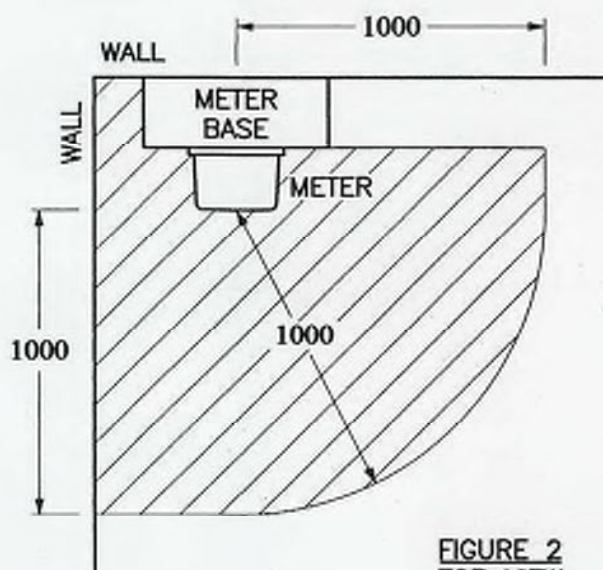


FIGURE 2
TOP VIEW

REQUIRED WORKING CLEARANCE AROUND METERS

Clearances to Overhead Electrical Infrastructure

Communication between all parties involved in the design, construction, renovation, for the use and maintenance of buildings near overhead (OH) electrical infrastructure is key. Planners, architects, developers / contractors, and property owners must be informed and work together to ensure all laws, regulations and local requirements are met for the safety of workers and occupants.

New Buildings or Additions to Buildings

It is essential that Burlington Hydro Inc. is notified on proposed projects early in the design phase to review and provide feedback. Site plan applications should be provided, including the drawings, to capture any conflicts before any permit is issued by the municipality. Ideally, Burlington Hydro Ince. will be asked to provide pre-design input.

For any new building or additions to existing buildings, there are a number of codes and regulations that govern the proximity to overhead electrical infrastructure that must be adhered to by all stakeholders. The Ontario Building Code (OBC), Ontario Electrical Safety Code (OESC), Ontario Occupational Health and Safety Act (OHSA), and Ontario Regulation 22/04 all have the same requirements regarding clearances. These clearances take into account the conductor swing as per the OBC and apply to the outermost part of the building, which includes the balconies, fire escapes, flat roofs, or other projections beyond the face of the building as shown in Figure 1.

The OBC regulates the design and construction of all new buildings and for additions, alterations and change of use of existing buildings. Applying Article 3.1.19.1, Above Ground Electrical Conductors; Clearances to Buildings, minimum horizontal clearances to OH electrical infrastructure are as follows:

Clearance from the OH Power Line	<750V	>750V
Radial to conductor	3 m (10 ft)	5 m (16.5 ft)
Along the OH pole line (from a vertical line drawn from power line to ground level)	2 m (6.5 ft)	5 m (16.5 ft)

All stakeholders should contact Burlington Hydro Inc. to determine the requirements for the specific design scenario.

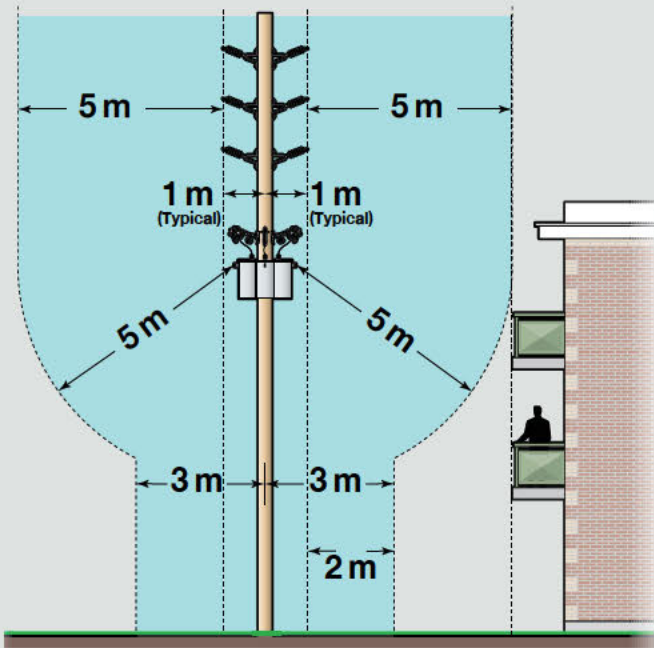
According to CSA C22.3 No. 1, permanent or temporary structures / buildings or their extensions, should not be over or underneath overhead electrical infrastructure.

Examples of instances when these clearances become necessary for workers and occupants:

- **Workers** – using scaffolding during construction, putting up signs and lighting, or other equipment to maintain the building, i.e. resurfacing, window washing or use of cranes.
- **Occupants** – using clothes lines, business signs, flags, or general reach from a balcony

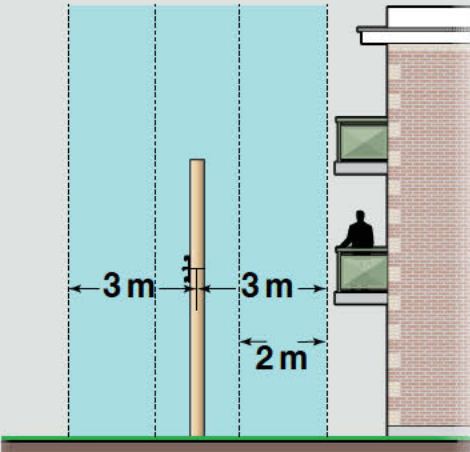
Burlington Hydro Inc. should be contacted prior to any activity within 3 m of the OH electrical infrastructure, such as tree trimming or working on the sides of a building. According to the Ministry of Labour's Occupational Health and Safety Act and the Electrical Safety Code, only Burlington Hydro's employees or approved contractors can work in proximity to these lines.

Figure 1: Ontario Building Code Clearance Requirements



Clearance from Medium Voltage (>750V)

Maximum swing: The greatest horizontal displacement of any point on a power line, from its position at rest. In other words, the maximum swing is the distance a wire strung on a pole can potentially swing in any direction.



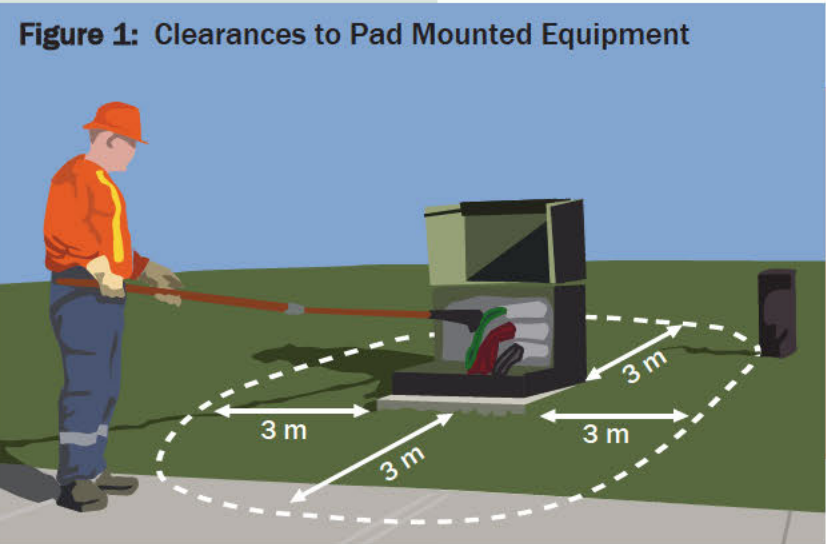
Clearance from Low Voltage (<750V)



Clearances to Underground Electrical Infrastructure

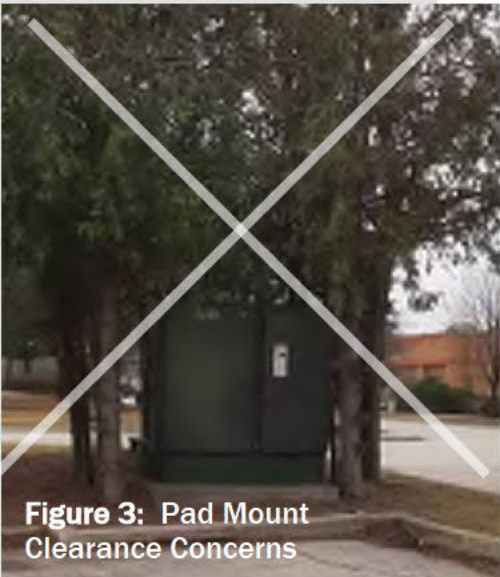
Clearances around underground (UG) electrical infrastructure as per Burlington Hydro's specifications and standards must be met by planners, architects, developers / contractors, municipalities, and property owners.

Electrical workers must be able to safely access equipment to operate, maintain or replace it, see Figure 1. The property owner will be responsible for any costs related to removing an obstruction, or if power restoration is delayed due to the obstruction.



The following clearances around pad mounted electrical equipment mitigate all risks associated with working space and hazards related to the ground grid. This area must remain free of any structures, obstructions, or plantings:

3 m (10 ft) on all sides



Other UG Utilities

Burlington Hydro Inc. and all other UG utility stakeholder infrastructure including communications, water, wastewater, and gas facilities must **meet the clearances to UG electrical infrastructure as per CSA C22.3 No.7 Underground Systems.**

In order to meet these requirements, coordination of all facilities within proximity of other UG equipment is essential.

Municipalities & Property Owners

Above ground obstructions or hiding the electrical equipment is not permitted, see **Figures 2 and 3.** Municipalities and property owners must be aware of the clearances for the safety of its assets in proximity to UG electrical infrastructure, including but not limited to:

Municipalities: bus shelters, traffic signs

Property Owners: decks or patio blocks, retaining walls, pool equipment, hot tubs, storage sheds, metallic objects like mail-boxes, flag posts, outdoor patio seating (temporary and permanent)

Locates

It is important to know where UG electrical infrastructure and other utilities are located before work begins, regardless of the project size. Examples include but are not limited to:

Contractors: excavating for an addition, new building, sidewalks, or repairing buried infrastructure

Property Owners: planting a tree, landscaping, installing a fence, deck, driveway, or repairing buried infrastructure (pools, heated driveways, irrigation and sprinkler systems)

To protect the project from unnecessary damage, injuries, and financial penalties, contractors and property owners involved in the above activities must contact Ontario One Call at:

Request a locate
Ontario One Call or 1-800-400-2255
www.ontarioonecall.ca

The various utilities will mark the location of buried UG infrastructure so the dig can be done safely.

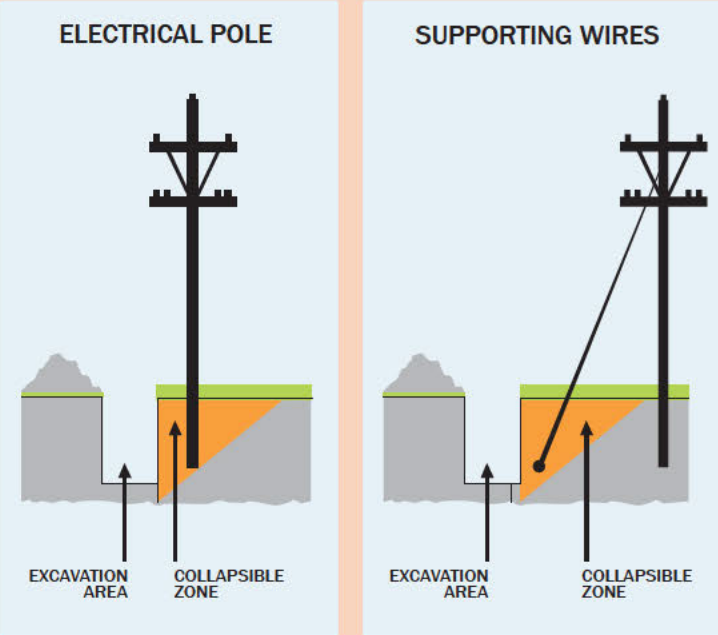


Figure 4: Excavation Near Electrical Equipment

Excavating & Digging

Extreme caution should be used when digging near the marked UG infrastructure or electrical pole (including guy wires, ground grid) see **Figures 4 and 5.** **Contact with a sharp shovel or excavation equipment could easily damage electrical infrastructure and could result in harmful electrical current.**

See ESA's "Guideline for Excavating in the Proximity of UG Distribution Lines" www.esasafe.com and contact Burlington Hydro Inc. for guidance before excavation in the proximity of electrical infrastructure.

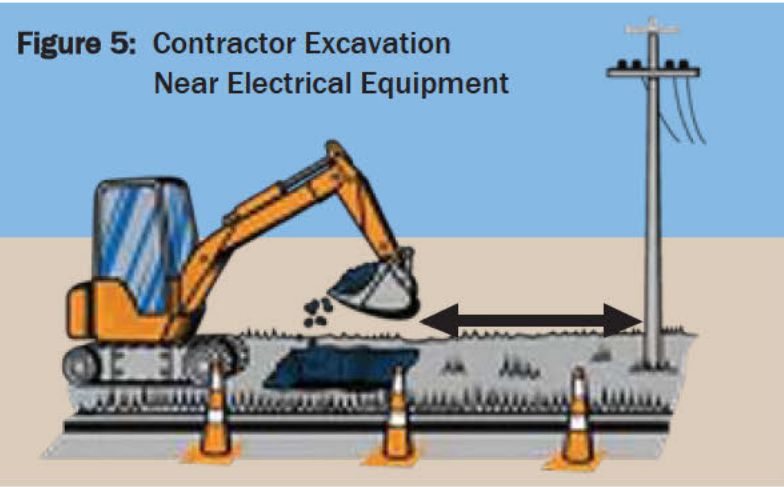


Figure 5: Contractor Excavation Near Electrical Equipment

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: THOMAS DOUGLASName of Zoning Examiner: ERIN RUBY**PROPERTY INFORMATION**

Municipal Address(es) of property:

1006 North Shore Blvd E, Burlington, ON L7T 1X7

Legal Description of property:

ALL OF LOT 5 AND PART OF LOTS 4 & 6; REGISTERED PLAN 180Official Plan Designation: RESIDENTIAL LOW DENSITY Current Zoning Designation R2.1**OWNER(S) INFORMATION:**

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

Ripudaman Singh and Sahil Preet Kahlon

Mailing Address: _____ City: _____

Postal Code: _____ Home Phone: _____ Mobile Phone: 249-994-0000Work Phone: _____ E-Mail: s.rips786@gmail.com sahilkahlon93@gmail.com**AGENT INFORMATION** (if applicable): (This person will be the primary point of contact if provided)Name: JOSEPH DOMB OF JD COA CONSULTINGBusiness Address: 207-133 TORRESDALE AVE City: NORTH YORKPostal Code: M2R 3T2 Home Phone: _____ Mobile Phone: 647-228-8460Work Phone: _____ E-Mail: jdcoaconsulting@gmail.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.

Attached single car garage

Variance(s) Requested	Zoning Bylaw Requirement
1) FRONT YARD SETBACK OF 8.3m	MINIMUM REQUIRED SETBACK OF 11.0m
2) SIDE YARD (EAST) SETBACK OF 1.3m	MINIMUM REQUIRED SETBACK OF 2.309m
3) ACCESSORY BUILDING (SHED) LOCATED IN REQUIRED SIDE YARD	ACCESSORY BUILDING GREATER THAN 2.5m IN HEIGHT NOT PERMITTED IN REQUIRED SIDE YARD
4) TO PERMIT EXISTING 12.2 m ² BALCONY	BALCONY NOT PERMITTED >1ST STOREY FACING SIDE AND REAR YARD OF DETACHED DWELLINGS
5) BALCONY STREET SIDE YARD SETBACK OF 1.3m	MINIMUM REQUIRED SETBACK OF 4.5m

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? _____

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? _____

PROPERTY DETAILS (please complete all fields):

Date property purchased:	NOV/15/2023 mmm/dd/yyyy	Date property first built on:	01/01/1963 mmm/dd/yyyy	Date of proposed construction:	08/01/2025 mmm/dd/yyyy
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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:

APPROX 60 YRS

Proposed Use of the Land:

NO CHANGE; RESIDENTIAL.

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐
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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? Y ☒ N ☐
Frontage	Depth	Area	Actual	Deemed	Required		
29.49m	38.10m	616.4m ²	0m-North Shore Blvd E 20m-Allview Ave	26m-North Shore Blvd E 20m-Allview Ave	May be Required Not Required	144.9m ² (proposed)	

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)	198	M ²		Ground Floor Area (incl. attached garage)	227.8	M ²	
Gross Floor Area:	198	M ²		Gross Floor Area:	198	M ²	
Number of Storeys:	2			Number of Storeys:	2		
Width:	13.75	M		Width:	18.30	M	
Length:	10.99	M		Length:	10.99	M	
Height:	8.29	M		Height:	8.29	M	
Garage/Car Port				Garage/Car Port			
Detached?	Y ☐ N ☒			Detached?	Y ☒ N ☐		
Gross Floor Area:		M ²		Gross Floor Area:	29.8	M ²	
Width:		M		Width:	4.44	M	
Length:		M		Length:	6.69	M	
Height:		M		Height:	4.35	M	
Accessory Structures (Shed, Gazebo, etc)				Accessory Structures			
Gross Floor Area:	9.2	M ²		Gross Floor Area:	6.1	M ²	
Width:	2.49	M		Width:	2.49	M	
Length:	3.72	M		Length:	2.46	M	
Height:	2.8	M		Height:	2.8	M	
Other (pool, additional sheds, decks, driveways, etc.)				Other			
Gross Floor Area: pool		M ²		Gross Floor Area: pool		M ²	
Width:	5.98	M		Width:	5.98	M	
Length:	10.02	M		Length:	10.02	M	
Height:		M		Height:		M	
LOCATION of all existing and proposed buildings and structures							
EXISTING				PROPOSED			
Front:	6.56	M		Front:	6.56	M	
Rear:	21.9	M		Rear:	21.9	M	
Side/Street Side:	0.00	M		Side/Street Side:	0.00	M	
Side/Other Side:	5.77	M		Side/Other Side:	1.35	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.

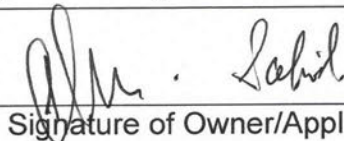
I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name

Ripudaman Singh and Sahil Preet Kahlon

Property Address

1006 North Shore Blvd E

A handwritten signature in black ink, appearing to read "Ripudaman Singh".

Signature of Owner/Applicant

05/01/2025

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: _____

I, RIPUDAMAN SINGH/SAHIL PREET KAHLON of the BURLINGTON of HALTON in the MISSISSAUGA
(print name) (Region/City/County) (City/Town/Township)

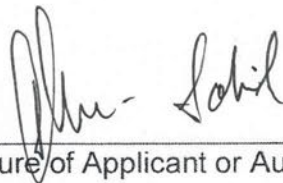
of PEEL solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Peel of — in the MISSISSAUGA
(Region/City/County) (City/Town/Township)

this 2nd day of May 2025.



Signature of Commissioner, etc.
Chetan Chauhan



Signature of Applicant or Authorized Agent

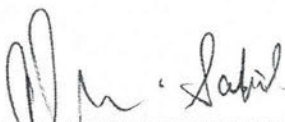
Barrister Solicitor Notary Public
In and for the province of Ontario
30 Eglinton Ave, West Suite 401
Mississauga Ontario Canada L5R 3E7
www.ParamountLaw.ca

PERMISSION TO ENTER

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

Municipal Address of Subject Lands: 1006 North Shore Blvd E, Burlington, ON L7T 1X7

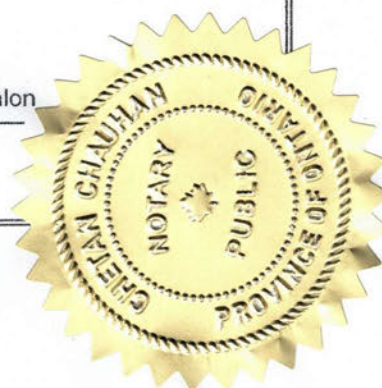
I hereby authorize the Committee of Adjustment members, City of Burlington and Region of Halton staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.



Signature of Owner

Ripudaman Singh and Sahil Preet Kahlon

Print Name



OWNERS AUTHORIZATION

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

I, Ripudaman Singh and Sahil Preet Kahlon being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.


Signature of Owner

05/01/2025
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 ☒ Metric Scale ☒ North Arrow ☒ Frontage ☒ Depth ☒ Lot Area ☒ Lot Coverage ☐ Deemed Street Line ☒ Existing Front Yard Setbacks ☒ Existing Rear Yard Setbacks ☒ Existing Side Yard Setbacks ☒ Existing Street Side Yard Setbacks ☒ Existing Porch, Stairs and Overhang Setbacks ☒ Proposed Front Yard Setbacks ☒ Proposed Rear Yard Setbacks ☒ Proposed Side Yard Setbacks ☒ Proposed Street Side Yard Setbacks ☒ Proposed Porch, Stairs and Overhang Setbacks ☒ Streets (Public and Private) ☒ Street Names ☒ Parking (Dimensioned spaces, Driveway Width, Arrangement) ☐ Railways (Location of them and setbacks to structures) ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)	

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.

Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

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

ELEVATIONS

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

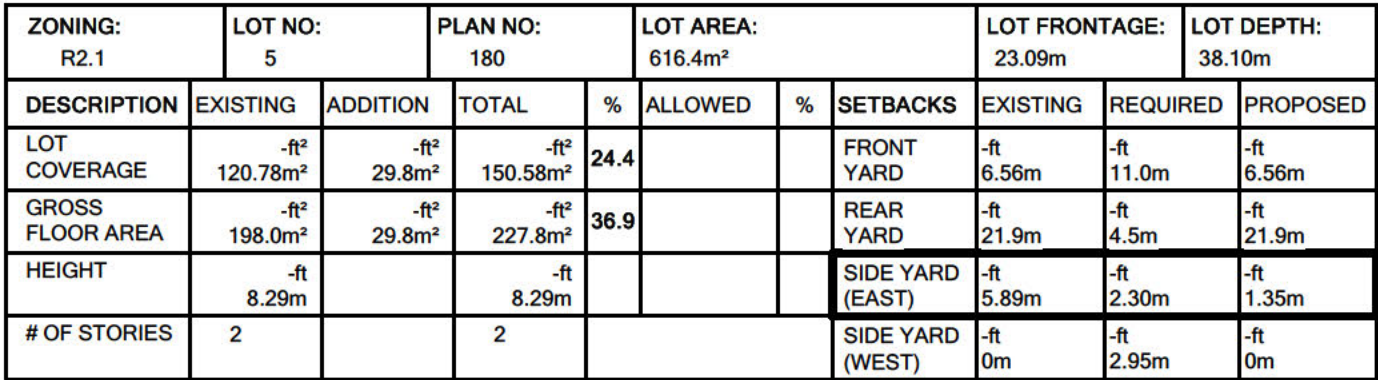
FLOOR PLANS

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

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

Signature of Owner/Agent

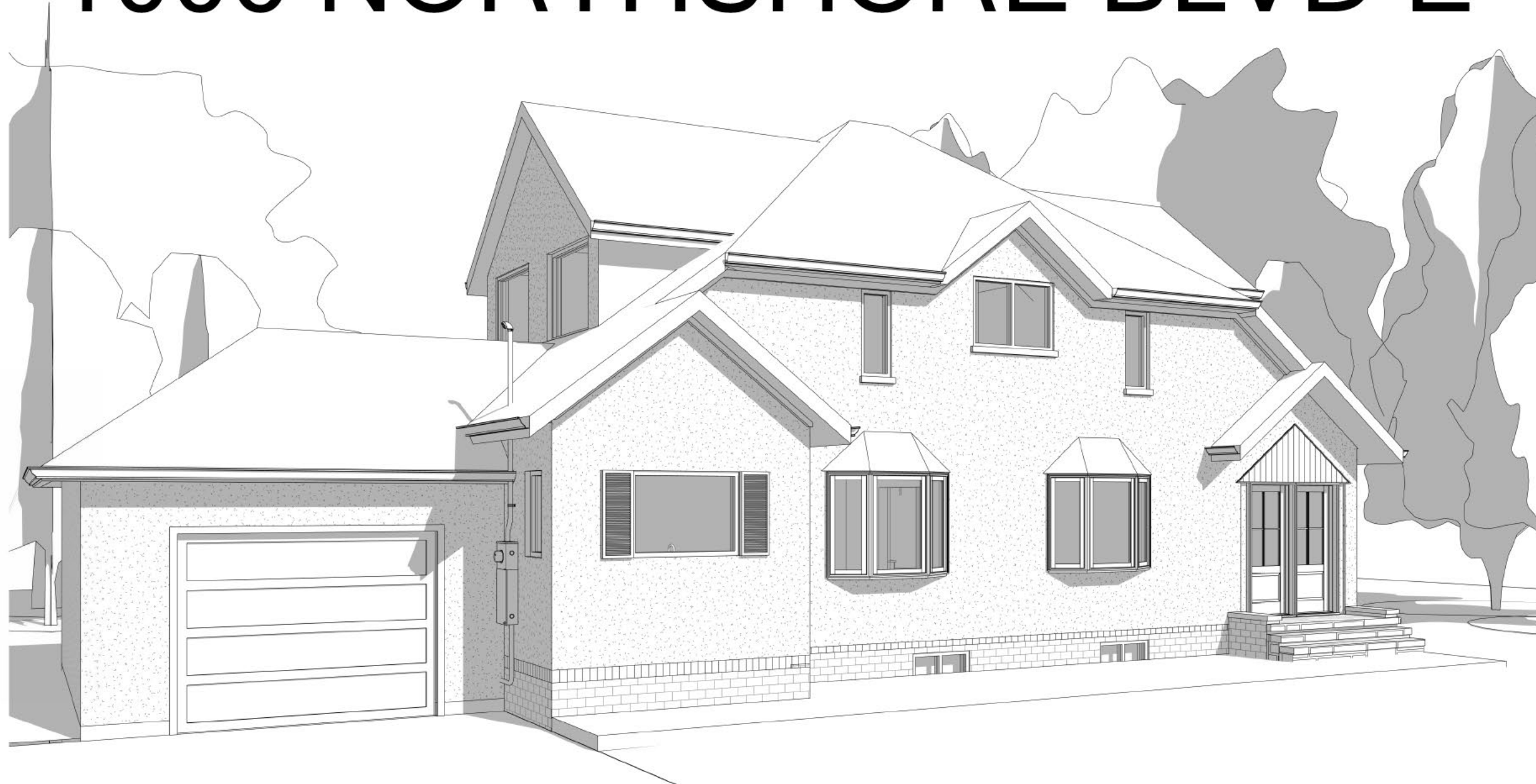
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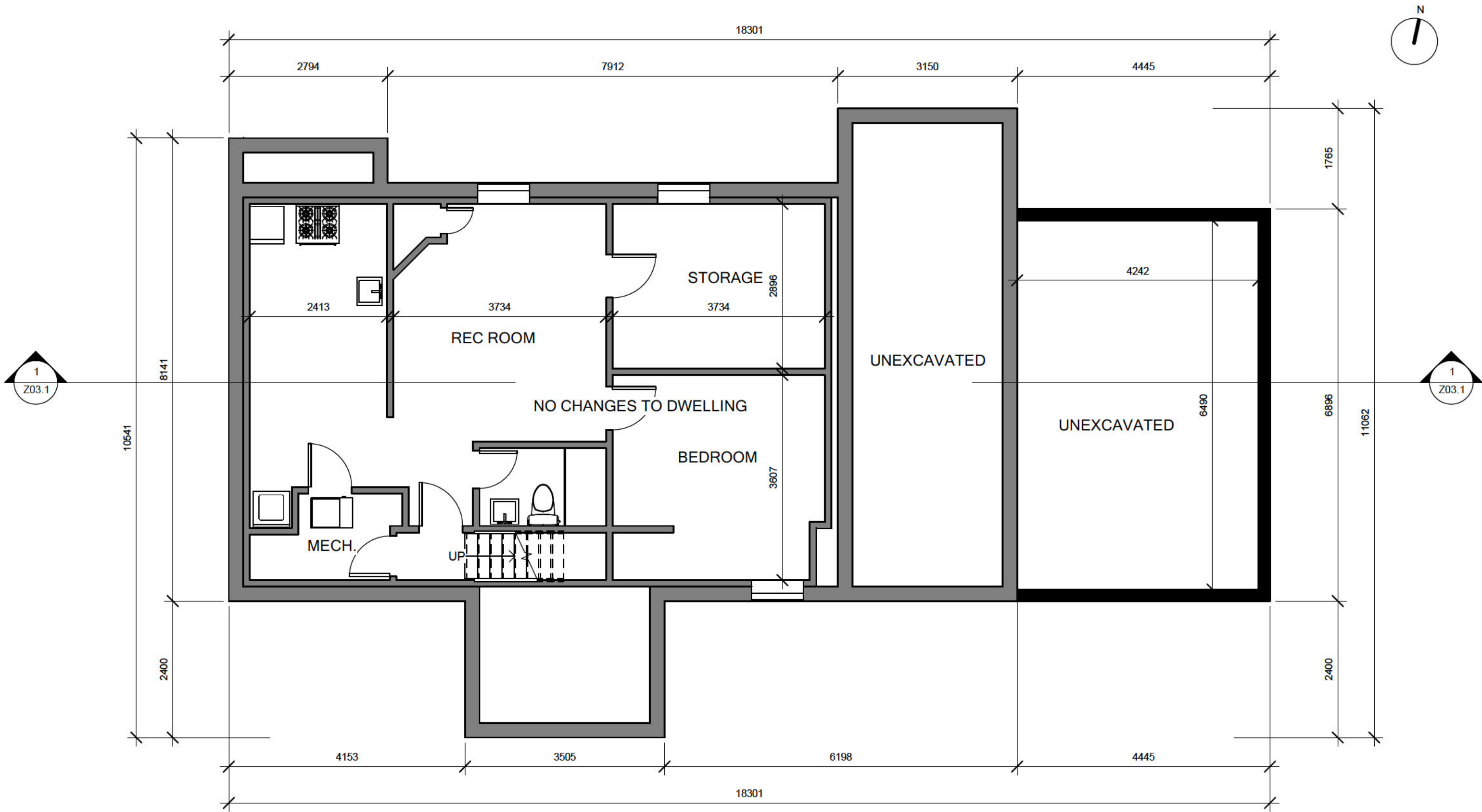
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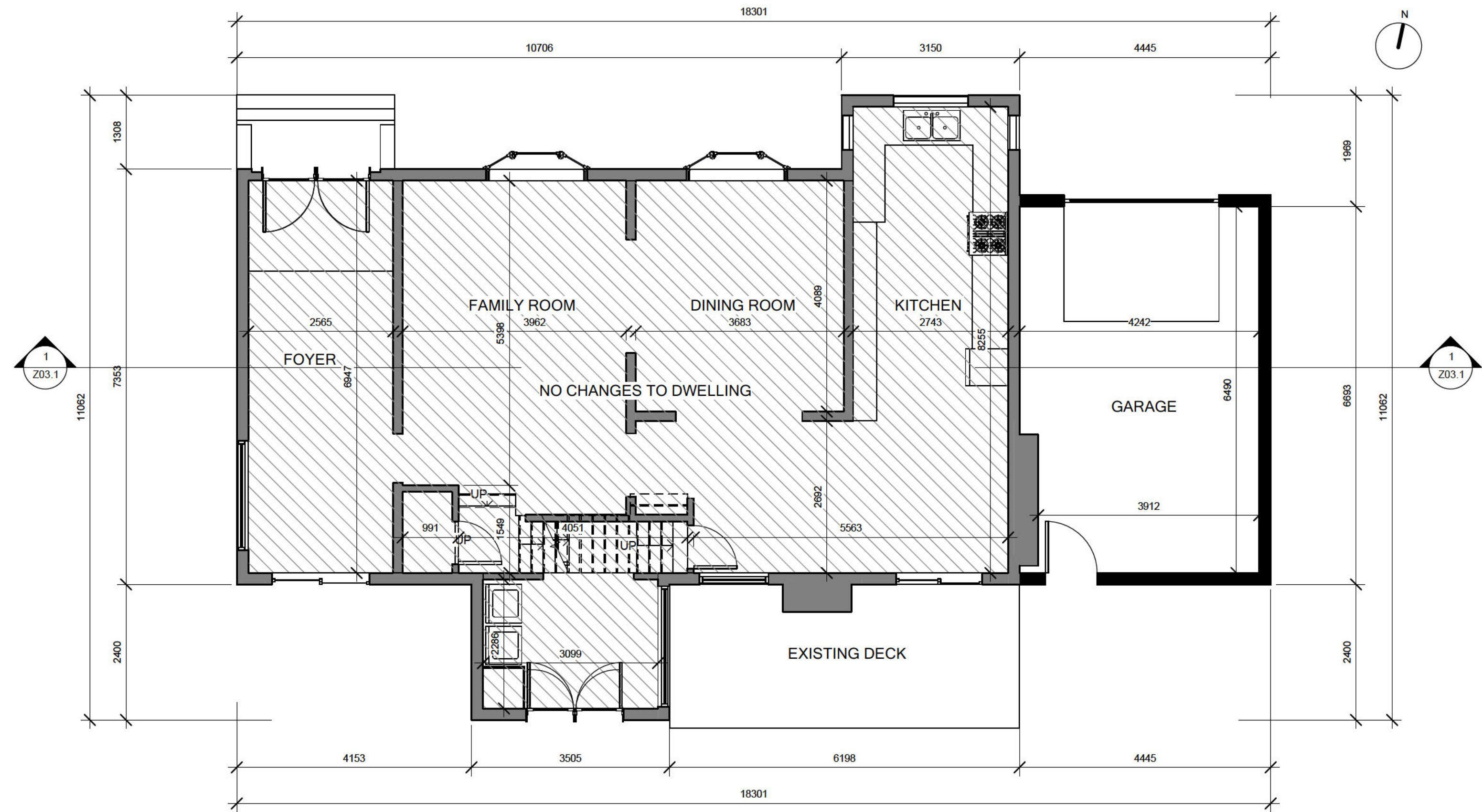
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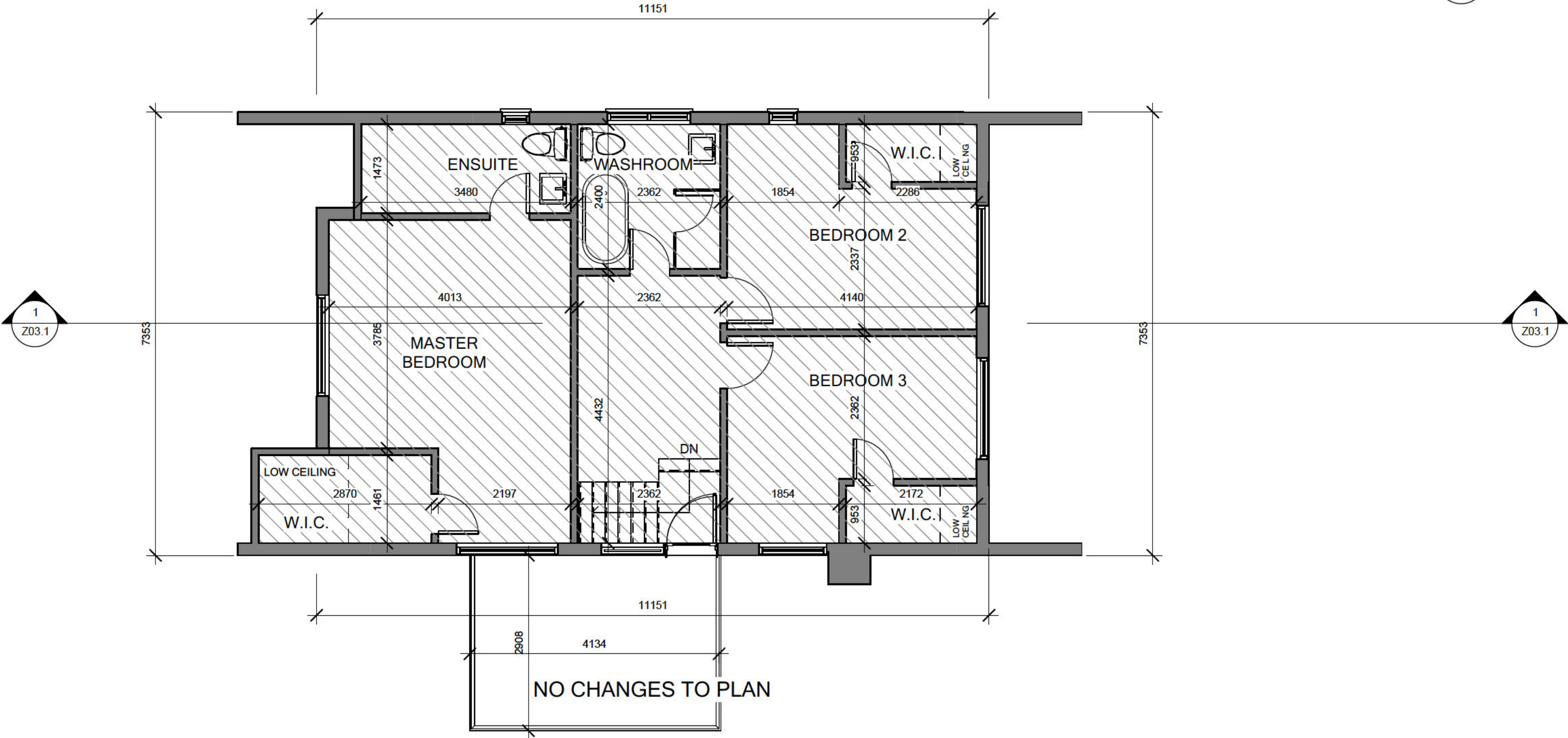
1006 NORTSHORE BLVD E

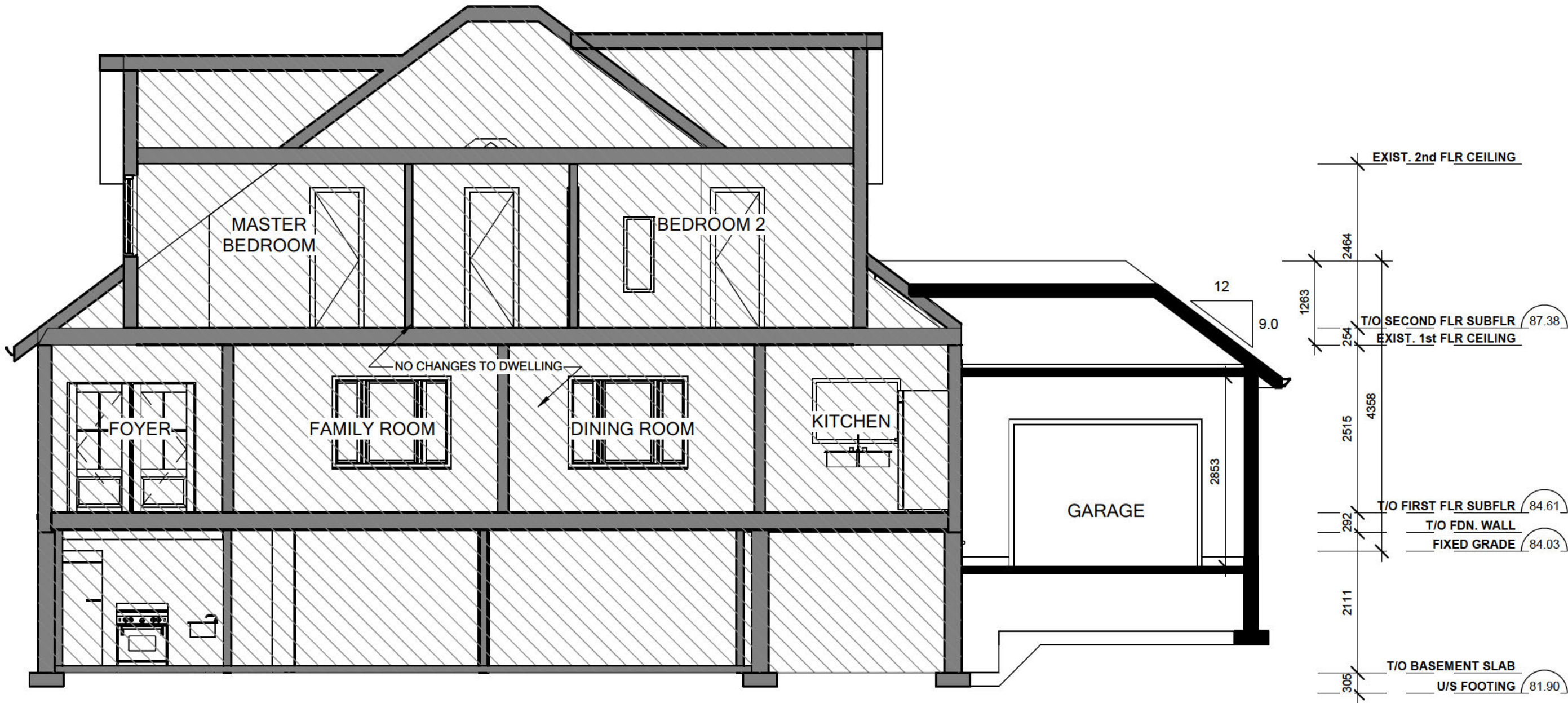


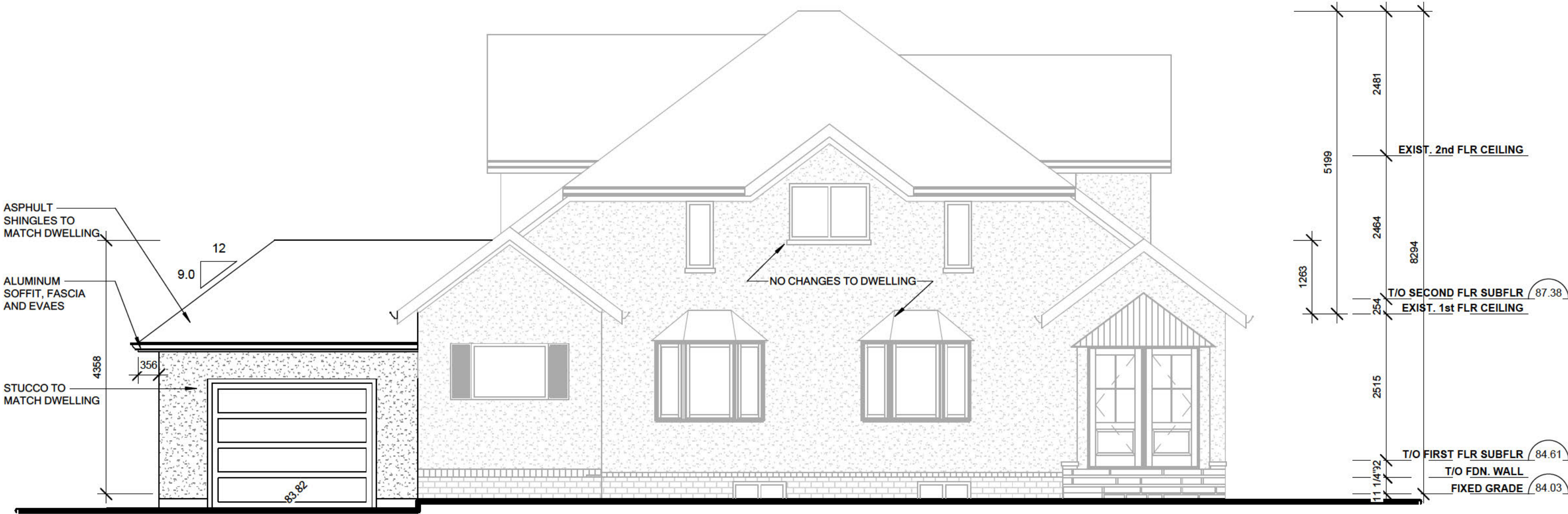
Zoning Certificate Application

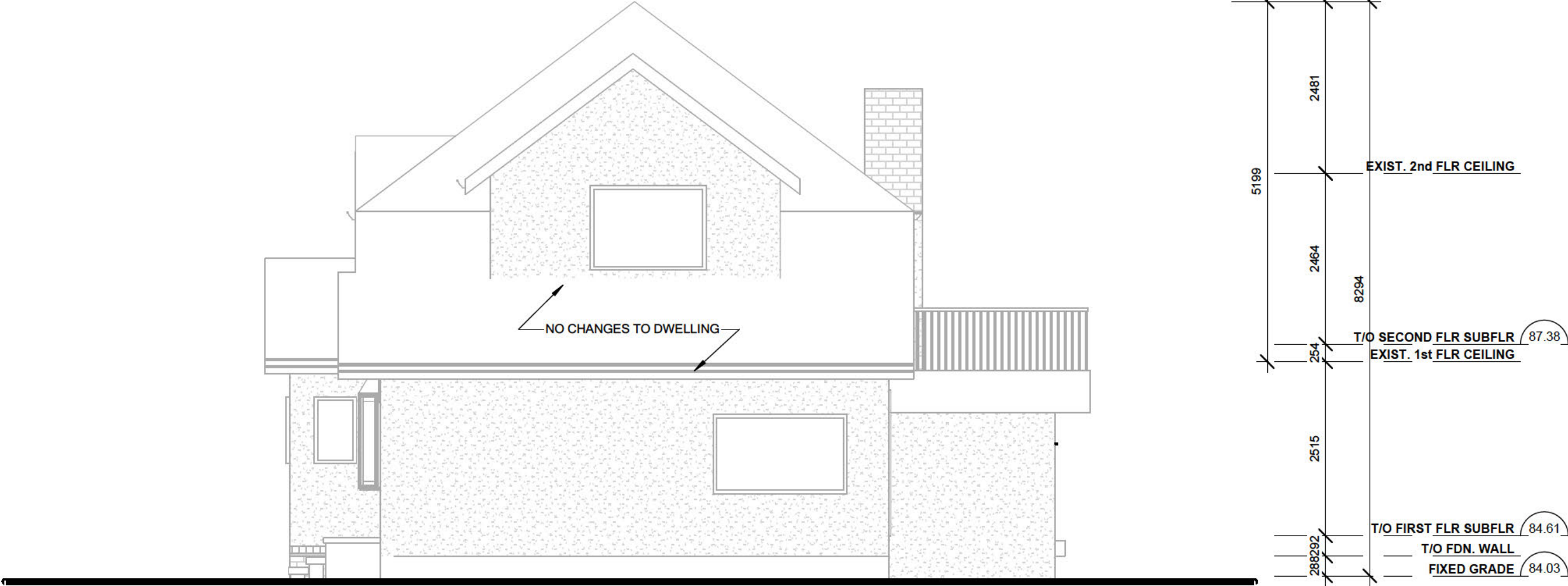




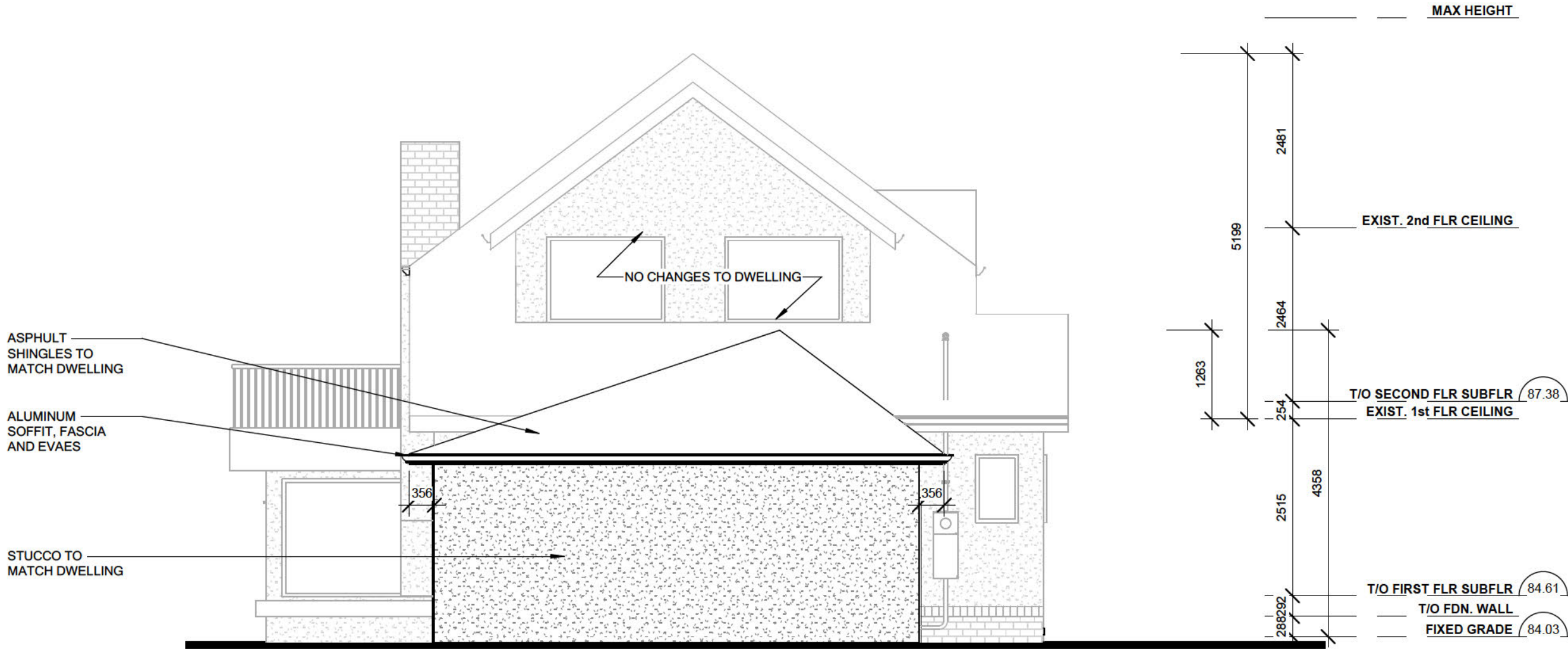


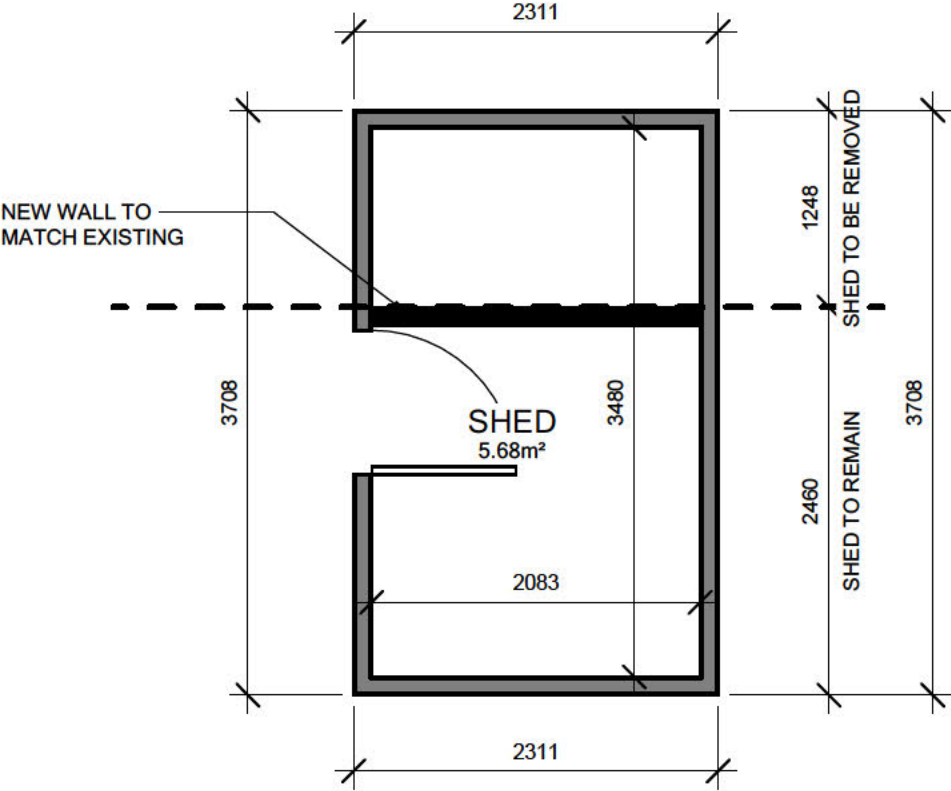








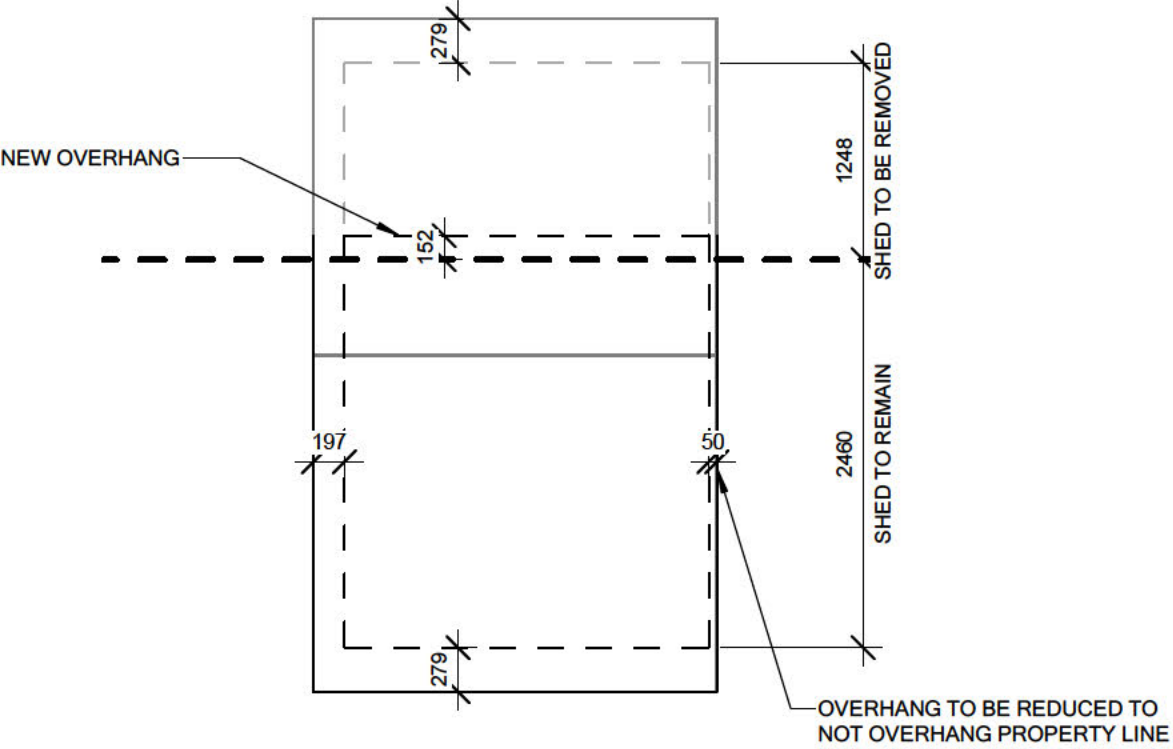




1

FLOOR PLAN

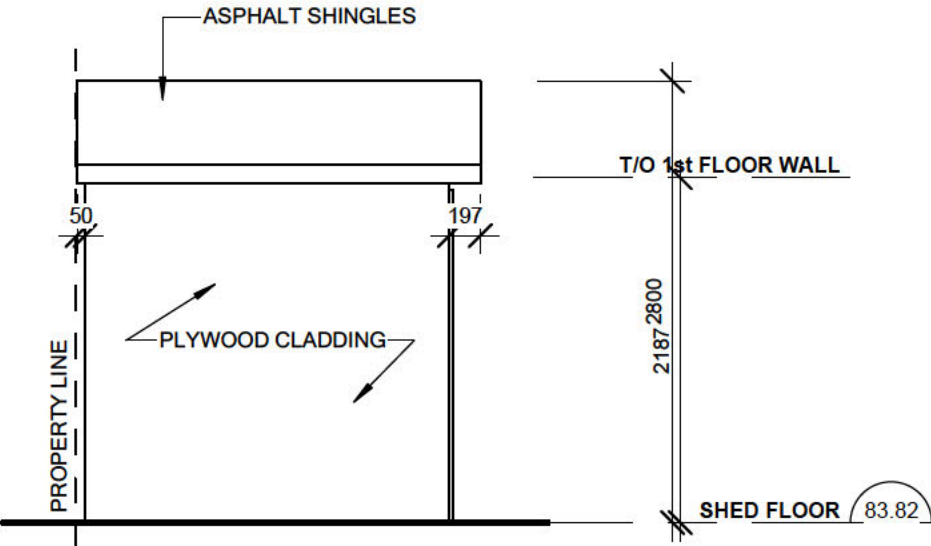
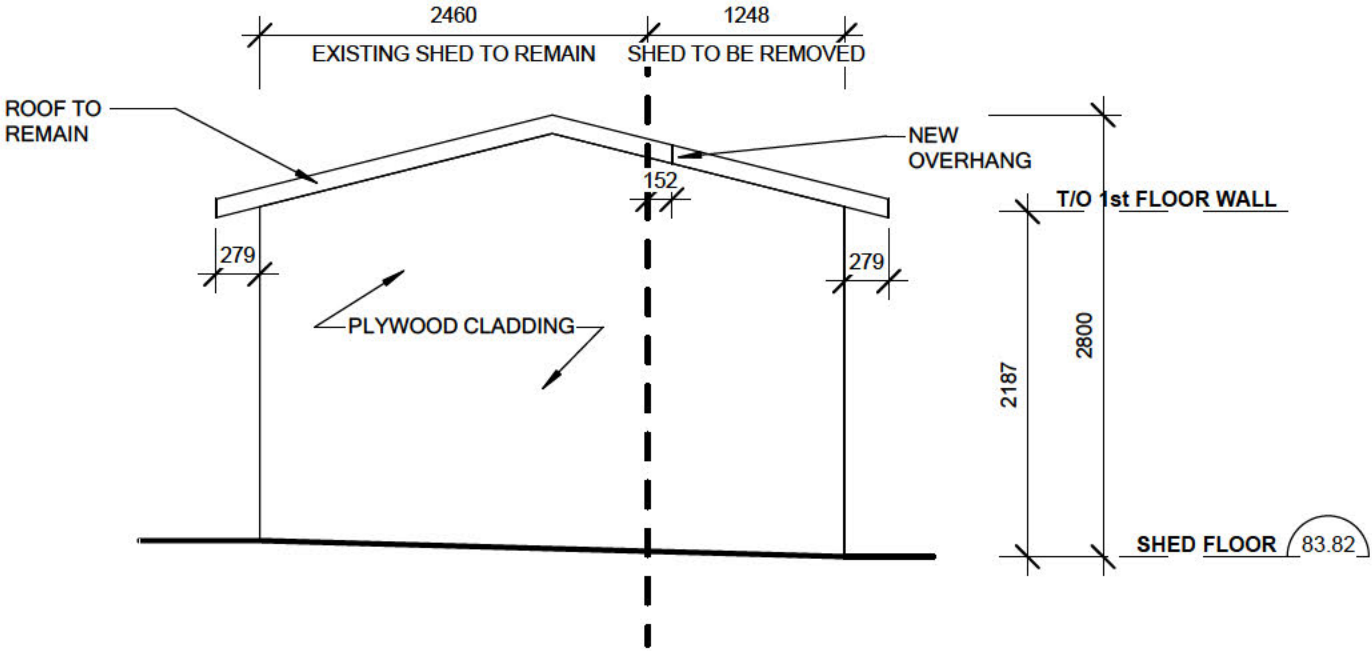
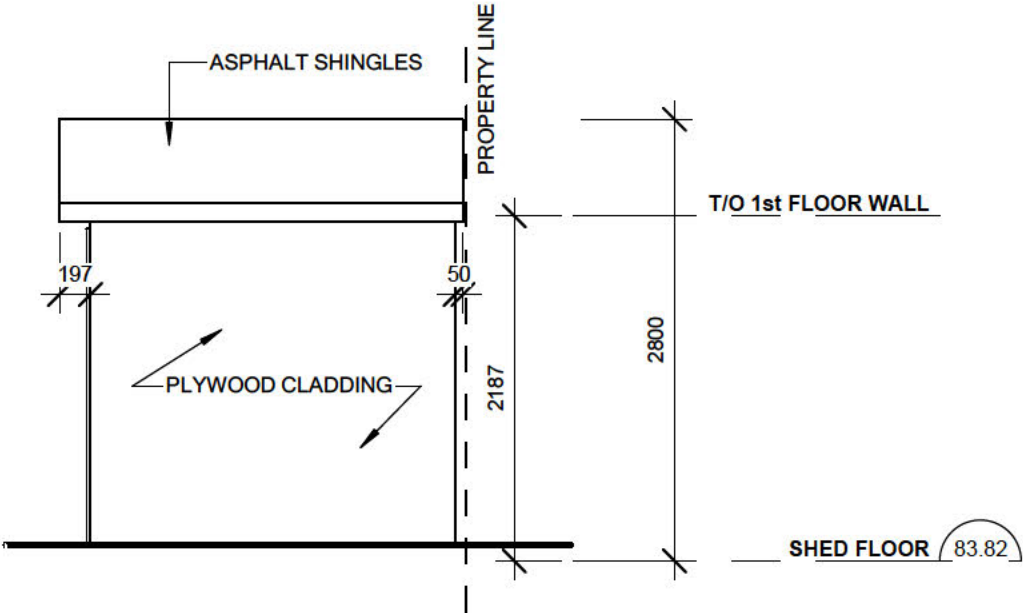
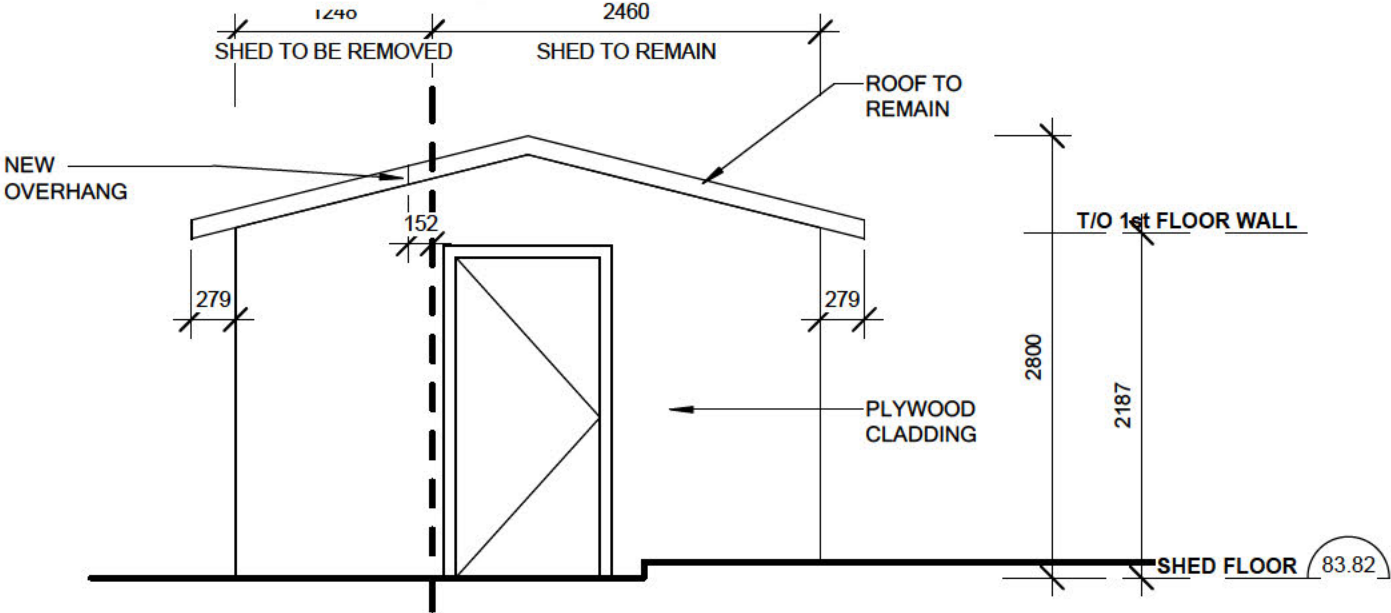
1/4" = 1'-0"



2

ROOF PLAN

1/4" = 1'-0"



COMMITTEE OF ADJUSTMENT

Meeting 18

AGENDA

OCTOBER 8, 2025

HEARING NO. 5.2 - 5:30 P.M.

File

540-02-A-041/25

APPLICANT: Nicole Banjavcic and Mauricio Martinez

PROPERTY: 2013 Amherst Heights Drive,
PLAN M142 LOT 7
City of Burlington - Regional Municipality of Halton.

PROPOSAL: The applicant is proposing the re-grading and widening of the existing driveway and walkway for an existing street townhouse dwelling.

VARIANCE:

1. To permit the combined width of all hard surfaces to be 7.2 m instead of the maximum permitted 4.5 m to expand an existing driveway and walkway.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Nicole Banjavcic and Mauricio Martinez
Address: 2013 Amherst Heights Dr. Burlington
File No. **A-041/25**
Ward: 3



Staff Comments

Committee of Adjustment

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

Date: June 3, 2025_____

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

1) Background information:

The subject property is zoned RM4, Low Density Residential, under Zoning By-Law 2020, as amended. The RM4 zone requires, among other things, the following:

2.24 DRIVEWAY WIDTHS AND LANDSCAPED OPEN SPACE AREA

- 4) Unless otherwise specified in this by-law, the following combined maximum width of all hard surfaces (driveways plus walkways) and landscaped open space area requirements shall apply for detached, semi-detached, duplex, triplex, fourplex, common element townhouse, common element back-to-back townhouse, and street townhouse dwellings:
 - (a) For front or street side lot lines less than 9 metres in width:
 - (i) The combined maximum width of all hard surfaces is **4.5 m**.
 - (ii) The remaining lot area between a street line and a building elevation facing a street shall be landscaped open space area.

History:

The existing street townhouse block was constructed in the 1970s and each unit was constructed with an attached garage. The subject property has a reverse driveway sloping toward the house, where the garage was located in the basement level. Two parking spaces per unit were required for the original development; one space located in the attached garage, and one space located on the driveway.

The existing garage was converted into living space over 18 years ago without benefit of approvals. As a result, the existing property only provides one parking space instead of the minimum required two parking spaces.

The current proposal seeks to legalize the garage conversion and includes re-grading and widening the existing driveway to provide the minimum required two parking spaces. The combined driveway and walkway width to accommodate the required parking exceeds the maximum permitted in the By-law.

2) Proposal:

The applicant is proposing the re-grading and widening of the existing driveway and walkway for an existing street townhouse dwelling.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

3) **Variance required:**

1. To permit the combined width of all hard surfaces to be 7.2 m instead of the maximum permitted 4.5 m to expand an existing driveway and walkway.

4) **Notes and conditions:**

Condition:

1. The applicant shall apply for a Pre-Building Approval Application to legalize the garage conversion.

Notes:

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

Date: August 21, 2025

Prepared By: J. Parker

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate re-grading and the widening of hard surfaces in the front yard to accommodate two parking spaces for an existing street townhouse dwelling.

The subject lands are located just east of Brant Street and north of Highway 407 with frontage along Amherst Heights Drive. The lot backs onto a Hydro Corridor and is mostly rectangular in shape with an approximate lot area of 358m² and lot width of 7.62 metres.

Existing land uses on the property include an end-unit townhouse with a reverse slope driveway providing off-street parking for a single vehicle. Under previous ownership, the attached garage, located in the basement level, was converted into living space without the benefit of approvals. The existing driveway slopes towards this additional living space and is currently framed by a wood retaining wall and landscaping. A paver walkway provides access to an uncovered front porch and steps.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The street is characterized by other townhouse blocks as well as high-rise apartment buildings to the south along Brant Street. Nearby Amherst Park offers public amenity space as well as a local community garden. A little further north along Brant Street, Upper Brant and Tyandaga Plazas offer shopping and services within a 15 minute walking distance of the site. Most townhouse dwellings on the street include an attached garage with private driveway and appear to provide off-street parking for at least two vehicles. The City has no record of any other minor variance applications along Amherst Heights Drive.

Amherst Heights Drive is approximately 20 m wide and can accommodate some street parking. A pedestrian sidewalk is available on both sides of the road and the area is well served by public transit. The nearest bus stop is approximately 50 metres away and offers an alternative to the private automobile. For example, Bus Route 2 provides service from Downtown Burlington to the 407 Carpool Lot every 15 minutes. Route 12 is a little less frequent but is also well connected with travel between Burlington GO Station and SmartCentres Burlington North, at Appleby Line and Dundas Street.

Staff also note that on March 18, 2025, City Council approved a “Citywide On-street Residential Parking Permit” system (Report PWS-10-25), with the following intentions:

- Support and encourage the creation of additional residential units (ARUs) and consider opportunities to increase as of right permissions (\$ units as of right) on all residential lots within the urban area;
- To develop a parking solution for a small subset of residents who have more vehicles than available parking spaces on their property;
- To alleviate the long-standing issue of residents illegally expanding driveways onto front lawns in order to meet their parking demands on-site. the report further notes “This is a long-standing concern which has negative impact on the natural environment and increases flood potential through the introduction of additional non-permeable surfaces.”

The permit system enables residents to buy an on-street parking permit from the City for \$350 / year, which enables them to park overnight.

The Owner is seeking to bring the property into conformity by re-grading and widening the existing driveway to accommodate two off-street vehicle parking spaces. Currently, only one parking space is available, whereas the minimum requirement under the zoning bylaw is two. Through this submission, a combined width of 7.2 m is proposed for all hard surfaces in the front yard instead of the maximum permitted 4.5 m.

A site visit was conducted on Friday, September 5th, 2025. Existing on-site conditions and surrounding streetscape are summarized in the site photos included as Attachment No. 1 (Site Photos).

1) Official Plan Designation:

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Official Plan?

No

Regional Official Plan

The subject lands are identified within the Urban Area as per Map 1 of the ROP (Office Consolidation May 16, 2024). Section 72 of the Plan states 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.” The objectives under 72.1 (2), further state that Urban Areas shall be supportive of transit usage and non-motorized modes of travel as well as, reduction of dependence on the automobile. It is also worth noting that Map 1H, shows this section of Brant Street as a *Regional Intensification Corridor* supporting a *Strategic Growth Area*.

The Halton ROP is intended to provide a long-term vision for Halton's physical form and community character. As such, driveway widenings are not specifically addressed. Instead, the Plan refers to the Official Plan(s) and Zoning By-law of each local municipality. City staff do note however, that the broad policies of the ROP support increased transit usage and a reduction in dependence on the private automobile.

City of Burlington staff have no concerns with the proposal from a Regional Official Plan perspective.

City of Burlington Official Plan 1997 & 2020

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

The subject lands are designated *Residential – Medium Density* according to ‘Schedule C’ (Land Use – Urban Area) of BOP 2020, as amended. As per Section 8.3.4(1), townhouses and street townhouses are permitted under this designation. The general policies of “Residential Neighbourhood Areas” under Section 8.3.2 d) state that, “the preservation and enhancement of on-site trees and vegetation will be encouraged in order to assist in maintaining the character of the surrounding neighbourhood.”

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

In a similar way, one of the key Design Objectives listed in Part II Section 6.2 of Official Plan 1997 is to, “ensure that the design of the built environment preserves, enhances and connects natural features and landscapes” and that the principles of Sustainable Development are considered in the built environment. The Design Guidelines Policies listed under Section 6.5 g) further state that, “the location, amount, position and design of parking areas shall be reviewed to minimize the potential to erode the qualities of the public streetscape, and to lessen their visual impact.”

The subject property is not wide enough to support the proposed hard surfaces without significantly restricting the potential for any vegetation or greenspace. Combined, the asphalt driveway and adjoining paver walkway would account for 95% of the lot width leaving only 0.4 m for vegetation. The preservation of soft landscaping is integral to promoting a healthy environment and supporting stormwater management by absorbing rainwater and preventing runoff. The various colours and textures also provide interest and contribute to an attractive public streetscape. If approved, the proposed driveway would result in a front yard visually dominated by a parking area which is not aesthetically pleasing and does not meet the intent and purpose of the Official Plans.

2) Zoning By-law Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Zoning By-law?

No

The subject property is currently zoned RM4, or Medium Density Residential, under Zoning Bylaw 2020, as amended.

The zoning bylaw typically restricts hard surfaces based on lot width. As per Part 1 Section 2.24 a), where a front lot line is less than 9 metres in width, the maximum combined width of all hard surfaces shall be 4.5 metres. The applicant is seeking approval to permit a total width of 7.2m for the proposed asphalt driveway, paver walkway and associated concrete curbs.

The general intent of the zoning bylaw with respect to limiting driveway width is;

- To ensure that driveways in front yards throughout the neighbourhood are visually balanced by vegetation and soft landscaping to create a more visually pleasing streetscape
- To provide some front yard amenity area
- To ensure some of the front yard facilitates stormwater or snowmelt infiltrating into the soil instead of running into the storm drain or over the sidewalk
- That the driveway take up no more than 50% of the lot width to prevent it from being the most visually dominant landscape feature of the front yard

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- To improve pedestrian safety by protecting at least half of the sidewalk length in front of the house from potential pedestrian-vehicle conflicts that can occur when a driveway intersects a sidewalk

In this particular scenario, the proposal contemplates a hard surface widening 1.6 times the maximum permitted under the zoning bylaw resulting in a minimal Landscaped Open Space Area, as required. The bylaw defines Landscaped Open Space Area as, “an open, unobstructed space between a property line and a building elevation facing a street, excluding any permitted encroachment into a required yard, which is dedicated to the growth and maintenance of grass, flowers, shrubs, trees and other landscaping, but does not include a walkway, driveway, ramp, or parking area, whether surfaced or not, or any open space beneath a building or structure”. The submitted site plan indicates a maximum garden width of 50cm which appears to be insufficient for any substantial vegetation or planting.

Part 1 Table 1.2.6 of the bylaw requires a minimum of two parking spaces per unit which shall be provided and maintained on the property. The original development would have had the same requirement, with one parking space located on the driveway and one internal to the original attached garage. Staff note that the garage was converted into additional living space over 18 years ago without the benefit of approvals resulting in a parking deficiency. While an attempt to bring the site back to minimum parking standard is certainly encouraged, the proposed widening of the hard surfaces in the front yard will not meet the intent and purpose of the Zoning By-law, as outlined above.

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?

No

Any necessary re-grading to eliminate reverse slope driveways is generally desirable, provided it is to the satisfaction of the Director of Development Engineering and any associated works, if applicable, are in compliance with the *Ontario Building Code*. The proposed minor variance however, requests an expansion of hard surfaces in the front yard resulting in a significant reduction in landscape open space area and vegetation, which is undesirable.

Furthermore, staff note that a below-grade distribution vault is currently encroaching into the side of the existing driveway on the public side. If the additional surface parking was approved, it may restrict any future replacement of the submersible vault with a padmounted transformer. Consideration should be given to potential vehicular maneuverability and any required clearances to the transformer. Planning staff did reach out to Burlington Hydro directly via email on September 3rd but at the time of this report, did not receive confirmation.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Minor variance applications are based on their own merits and site context. In this instance, staff are of the opinion that the proposed widening of hard surfaces is not desirable given the width of the lot and location of existing transformer.

4) Minor in Nature:

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

No

The submitted Site Plan illustrates two asphalt parking spaces with a proposed width of 2.75 m each, which is the minimum standard under the zoning bylaw. Combined with the adjoining paver walkway and associated concrete curbs, the total proposed width of all hard surfaces is 7.2 metres, or approximately 95% of the frontage. With a lot width of only 7.62m, very little remains for landscaping between the front property line and the building elevation facing the street, as required under the zoning by-law and official plans. Therefore, staff are of the opinion that the impact of the proposed minor variance is significant and not minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

n/a

Recommendation:

Staff have reviewed the proposed variance in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and object to the variance requested.

Date: September 18, 2025

Prepared By: Magda Rusin-Hynek

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Attachment No. 1 - Site Photos



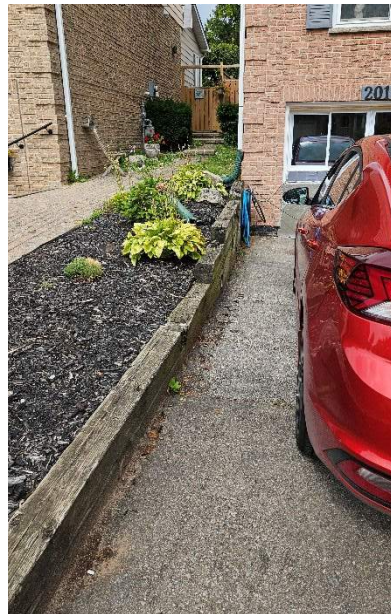
Front view including transformer vault



Front landscaping



Reverse slope driveway



Wood retaining wall

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



Views across the street



Street parking

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



Route 2 and bus stop at the corner of Brant Street and Amherst Heights

Development Engineering

Development Engineering has reviewed the proposed minor variances and no objections, provided detailed grading information is submitted for review to the satisfaction of the Director of Engineering.

Date: August 25, 2025

Prepared By: D. Savelli

Forestry

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

1. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
2. Revisions to the report and/or plans may be required through the tree permit process.

Date: September 5, 2025

Prepared By: R. Shaw-Lukavsky

Building

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

-
2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

Date: September 3, 2025

Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

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

Date: June 3, 2025

Prepared By: Stephanie Robinson

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

Date: September 18th, 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: August 21, 2025

Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the re-grading and widening of the existing driveway and walkway for an existing street townhouse dwelling. The variance is requested to the maximum permitted combined width of all hard surfaces.

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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.

Regional Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if applicable) including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

Date: September 2, 2025

Prepared By: Navjot Kaur

Burlington Hydro

A response to request for comment has not been received by the time this staff report was published.

Date: September 19, 2025

Prepared By: E. Shacklette

Enbridge

Enbridge Gas does not object to the proposed application(s), however, we reserve the right to amend or remove development conditions.

Please always call before you dig, see web link for additional details: <https://www.enbridgegas.com/safety/digging-safety-for-contractors>

Date: August 21, 2025

Prepared By: Enbridge

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 ☒ or ☐

Name of Planner: Melissa Gasic

Name of Zoning Examiner: Jennifer Parker

PROPERTY INFORMATION

Municipal Address(es) of property:

2013 Amherst Heights Drive Burlington ON L7P 3R3

Legal Description of property:

Lot 7 M-142, City of Burlington

Official Plan Designation

Residential - Medium Density in the Official Plan ('97) and within the Low-Rise Neighbourhood designation under OPA 3 that amended the 2020 OP

Current Zoning Designation

RM4

OWNER(S) INFORMATION:

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

Mauricio Martinez & Nicole Barbara Banjavcic

Mailing Address: 2013 Amherst Heights Drive

City: Burlington

Postal Code: L7P 3R3

Home Phone: _____

Mobile Phone: 647-993-4863

Work Phone: _____

E-Mail: Mauricio98.m@gmail.com

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

Name: _____

Business Address: _____

City: _____

Postal Code: _____

Home Phone: _____

Mobile Phone: _____

Work Phone: _____

E-Mail: _____

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.

Variance(s) Requested	Zoning Bylaw Requirement

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? _____

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? _____

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

Apr/13/2025

Date (mmm/dd/yyyy)

PROPERTY DETAILS (please complete all fields):

Date property
purchased:

Nov/18/2024

mmm/dd/yyyy

Date property
first built on:

Jan/31/1979

mmm/dd/yyyy

Date of
proposed
construction:

May/18/2025

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:

46 years

Proposed Use of the Land: Residential

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT

APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit
☐ Site Development Plan ☐ Plan of Subdivision ☒ Previous Minor Variance ☐ Consent

MULTI-RESIDENTIAL

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

Dimensions of Property			Street Width (see first page of application for how to obtain)			Density	Have you applied for Site Plan Approval? Y ☐ N ☒ File #:
Frontage	Depth	Area	Actual	Deemed	Required		
7.62m	45.97m	350.29m ²	20m	20m	20m	0.0029 units/m ²	

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

EXISTING (Building)

Ground Floor Area:	63.17	M ²
Gross Floor Area:	190.08	M ²
Number of Storeys:	2	
Width:	6.096	M
Length:	9.144	M
Height:	10.668	M
# of Existing Units:	1	M ²
Floor Area Ratio:	0.0543	M ²
Required Parking Spaces:	2	
Existing Parking Spaces:	1	

PROPOSED (Building/Addition)

Ground Floor Area:	63.17	M ²
Gross Floor Area:	190.08	M ²
Number of Storeys:	2	
Width:	6.096	M
Length:	9.144	M
Height:	10.668	M
# of Proposed Units:	1	M ²
Floor Area Ratio:	0.0543	M ²
Proposed Parking Spaces:	2	

EXISTING (Other)

Ground Floor Area:	M ²
Gross Floor Area:	M ²
Number of Storeys:	
Width:	M
Length:	M
Height:	M

PROPOSED (Other)

Ground Floor Area:	M ²
Gross Floor Area:	M ²
Number of Storeys:	
Width:	M
Length:	M
Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)

Front:	7.16	M
Rear:	7.16	M
Side:	45.9	M
Side:	45.9	M

PROPOSED (Building)

Front:	7.16	M
Rear:	7.16	M
Side:	45.9	M
Side:	45.9	M

OTHER

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

OTHER

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

EXEMPTION FROM NEW SURVEY REQUIREMENT



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

Applicant/Owner:
Owner

Property Address:
2013 Amherst Heights Drive

1. I, Mauricio Martinez In my capacity as 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 mmm/dd/yyyy
has been revised by: (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated Apr/08/2025
has been revised by: mmm/dd/yyyy
CastleRock Landscapes Inc.
(Person or Company Name)

OR

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

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: Apr/08/2025
mmm/dd/yyyy

3. The material submitted shows all measurements in metric, as calculated/converted by: Apr/08/2025
(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.

Mauricio Martinez

Apr/13/2025

Signature of Owner/Applicant

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

Mauricio Martinez

Property Address

2013 Amherst Heights Drive



Signature of Owner/Applicant

Apr/13/2025

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: _____

I, Mauricio Martinez of the Region 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 of Burlington
(Region/City/County) (City/Town/Township)

this fourteenth day of April 20 25.

Roxanne Marie Gosse, a
Commissioner, etc., Province of
Ontario, for The Corporation of the
City of Burlington.
Expires October 25, 2027.

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

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

Municipal Address of Subject Lands: 2013 Amherst Heights Drive

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

Signature of Owner

Print Name

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	Select (✓)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓
SITE PLAN ☐ Metric Scale ☐ North Arrow ☐ Frontage ☐ Depth ☐ Lot Area ☐ Lot Coverage ☐ Deemed Street Line ☐ Existing Front Yard Setbacks ☐ Existing Rear Yard Setbacks ☐ Existing Side Yard Setbacks ☐ Existing Street Side Yard Setbacks ☐ Existing Porch, Stairs and Overhang Setbacks ☐ Proposed Front Yard Setbacks ☐ Proposed Rear Yard Setbacks ☐ Proposed Side Yard Setbacks ☐ Proposed Street Side Yard Setbacks ☐ Proposed Porch, Stairs and Overhang Setbacks ☐ Streets (Public and Private) ☐ Street Names ☐ Parking (Dimensioned spaces, Driveway Width, Arrangement) ☐ Railways (Location of them and setbacks to structures) ☐ All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc)	

Minor Variance Application Checklist

Please add a check mark beside the items you have provided with your application.

Illegible drawings or those missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

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

ELEVATIONS

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

FLOOR PLANS

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

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

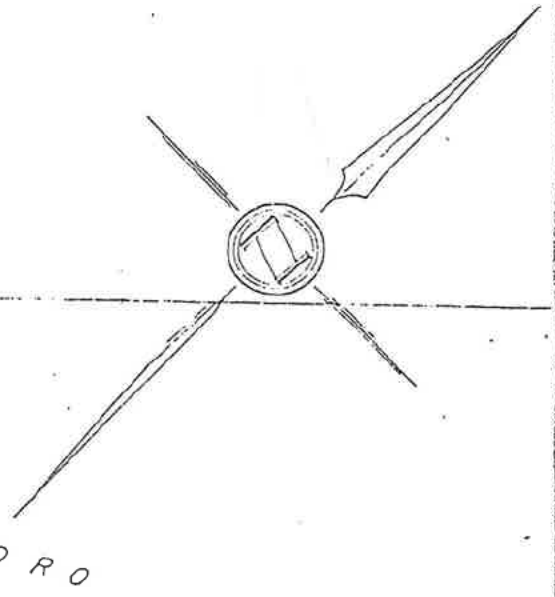


Signature of Owner/Agent

Apr/13/2025

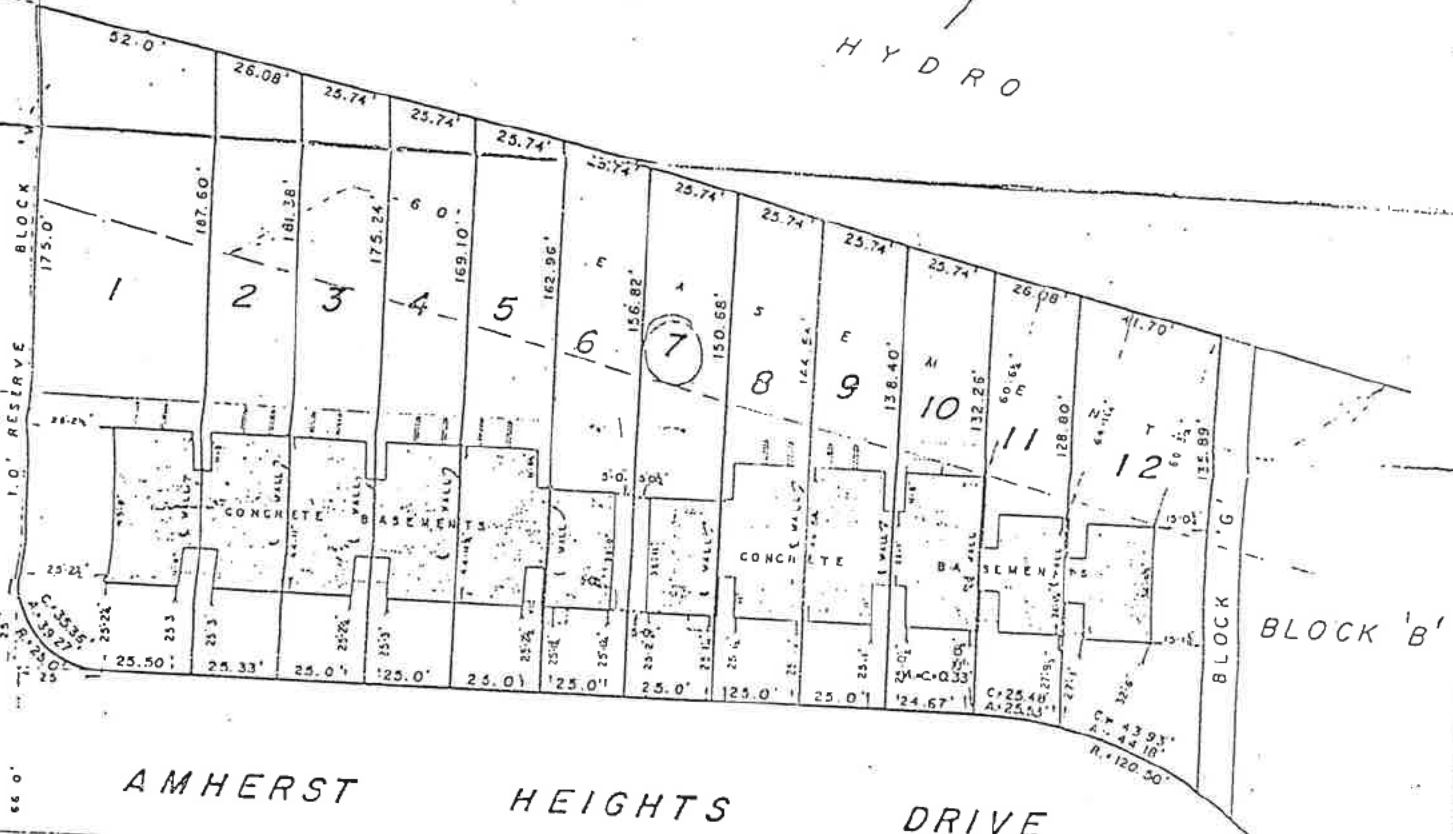
Date (mmm/dd/yyyy)

Plan of Survey
SHOWING
LOTS 1 TO 23 INCLUSIVE
LAND TITLES PLAN M-142
ROLLING MEADOWS PHASE 3
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE: 1" = 30'

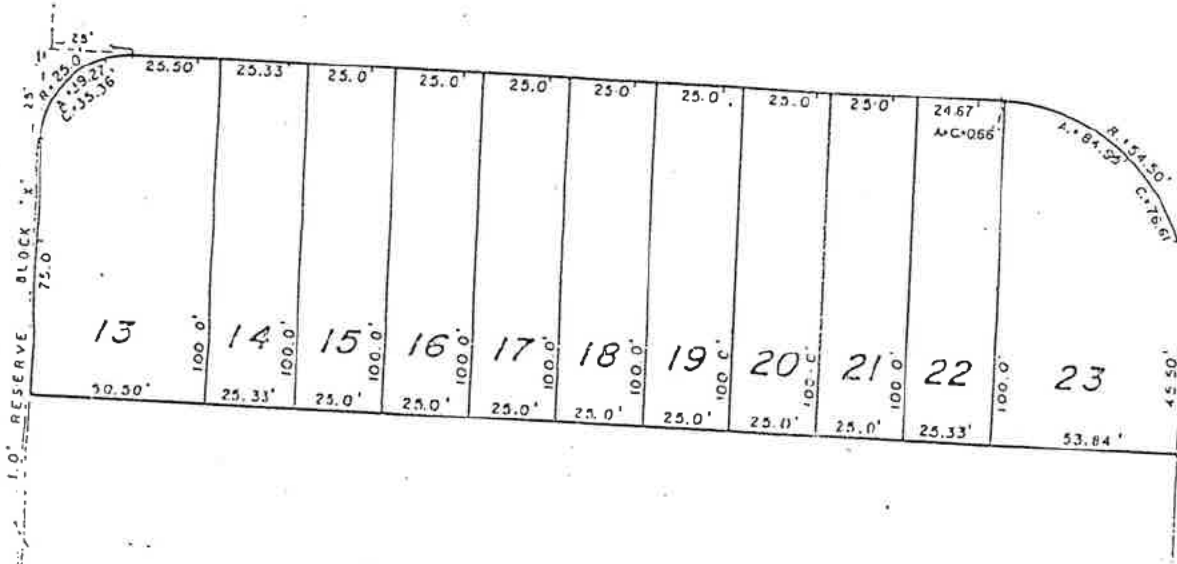


ONTARIO

HYDRO



AMHERST HEIGHTS DRIVE



BLOCK 'A'

Lot 7 only
CITY OF BURLINGTON
RECEIVED
JUN 31 1989
R15-167 400-3
C/A A55/76

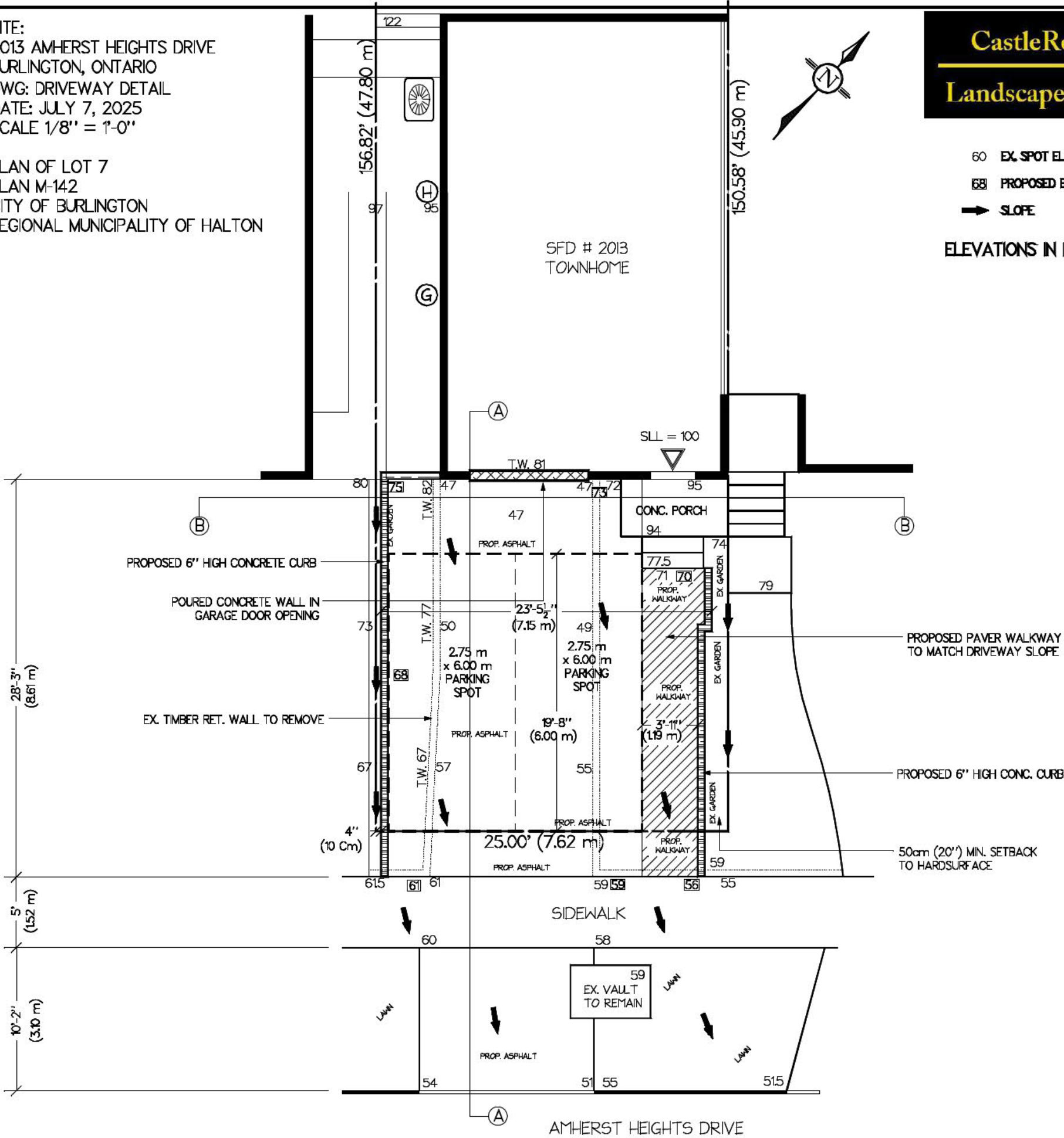
SEWELL & SEWELL
J. H. Sewell
LAND SURVEYOR
JUN 21 1989
JUN 21 1989

SITE:
2013 AMHERST HEIGHTS DRIVE
BURLINGTON, ONTARIO
DWG: DRIVEWAY DETAIL
DATE: JULY 7, 2025
SCALE 1/8" = 1'-0"

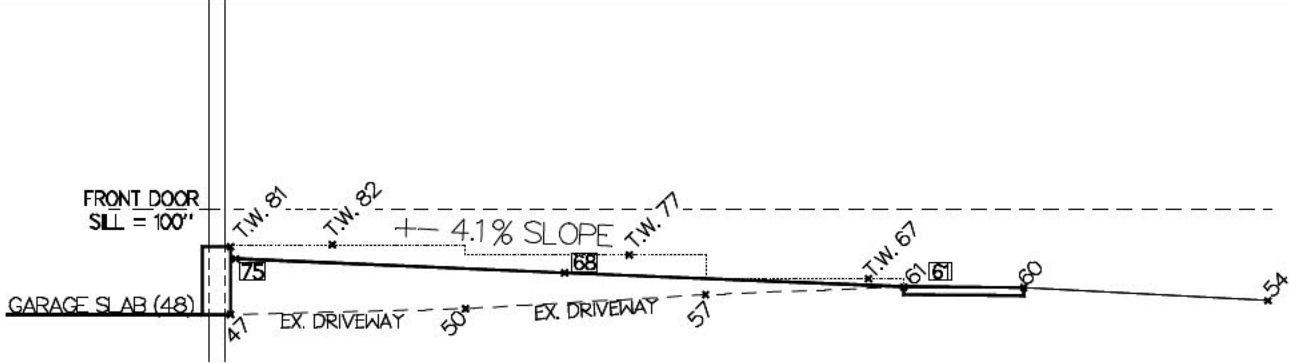
PLAN OF LOT 7
PLAN M-142
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

CastleRock
Landscapes Inc.

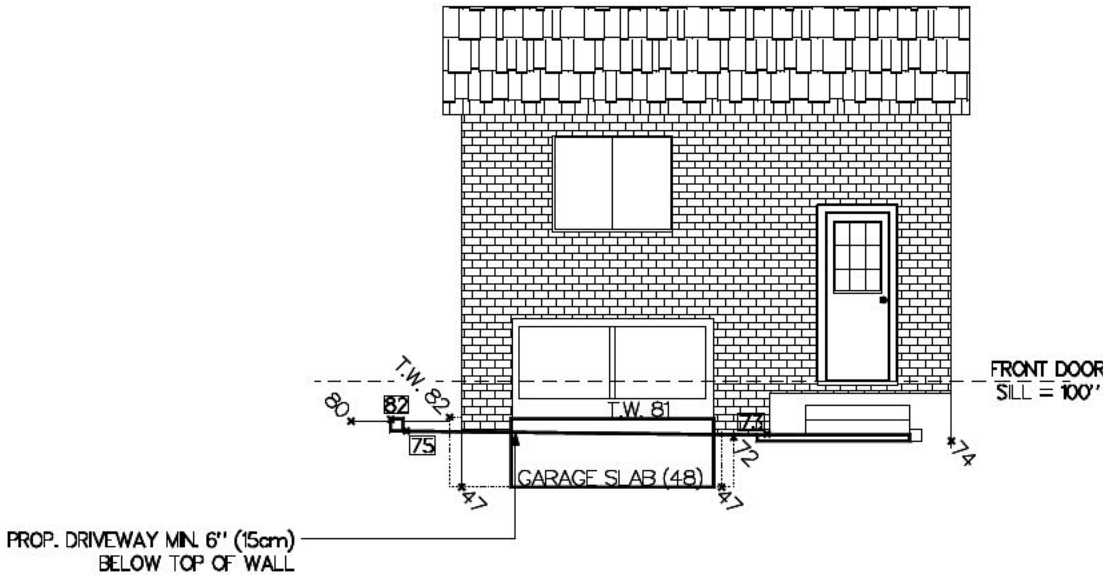
60 EX. SPOT ELEVATION
68 PROPOSED ELEVATION
→ SLOPE
ELEVATIONS IN INCHES



SECTION A-A



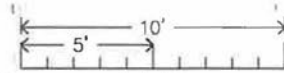
SECTION B-B



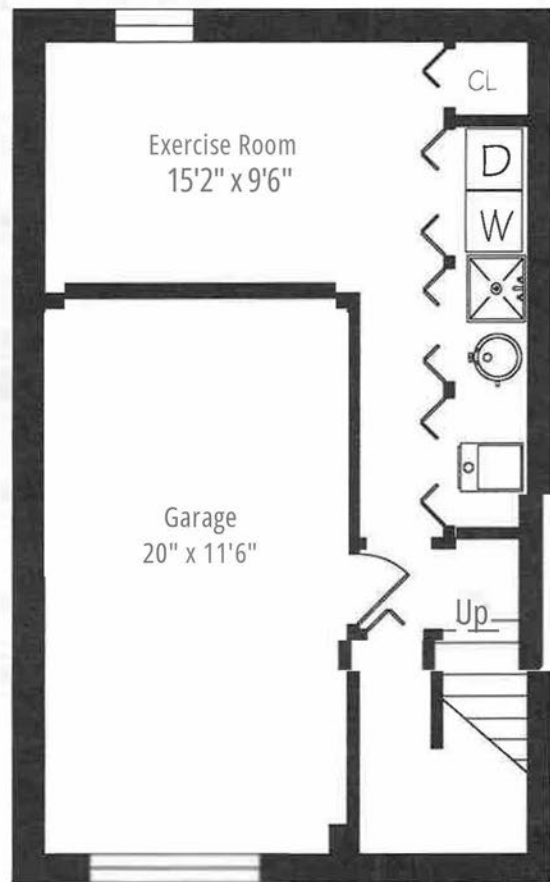
2013

Amherst Heights Drive

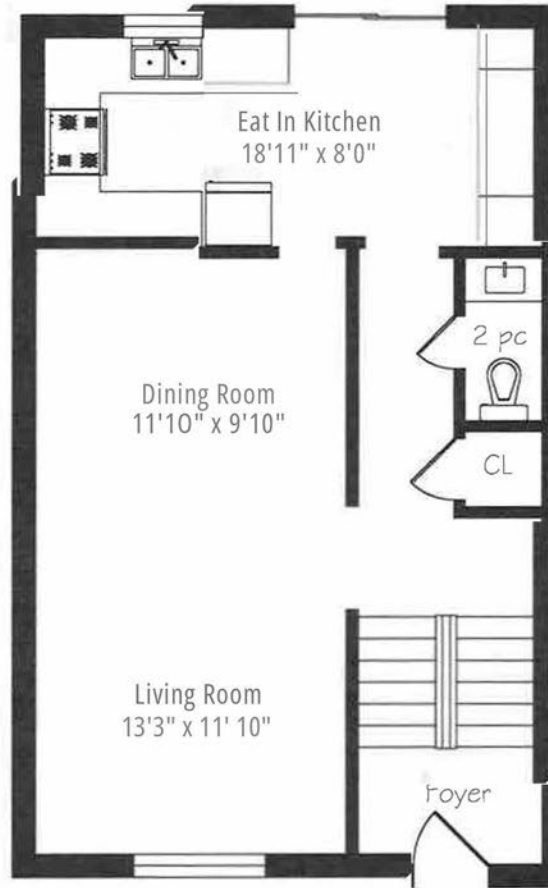
BURLINGTON, ONTARIO



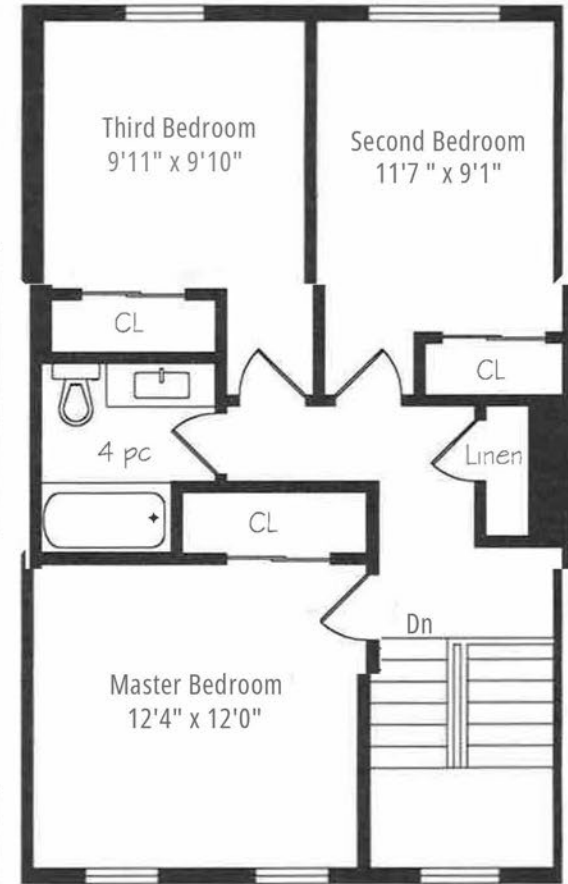
Measurements and calculations are approximate. To be used as guidelines only.



Lower Level
680 Square Feet



Main Floor
680 Square Feet

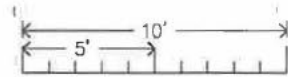


Second Floor
686 Square Feet

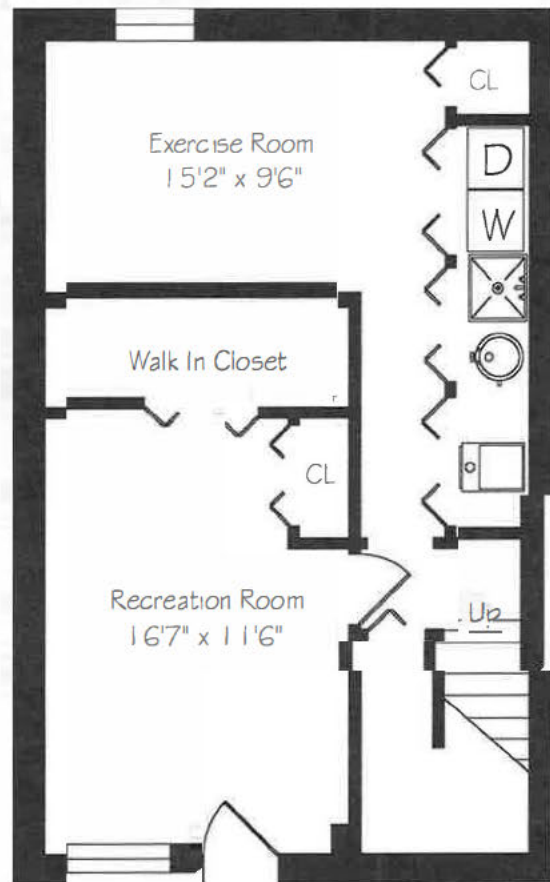
2013

Amherst Heights Drive

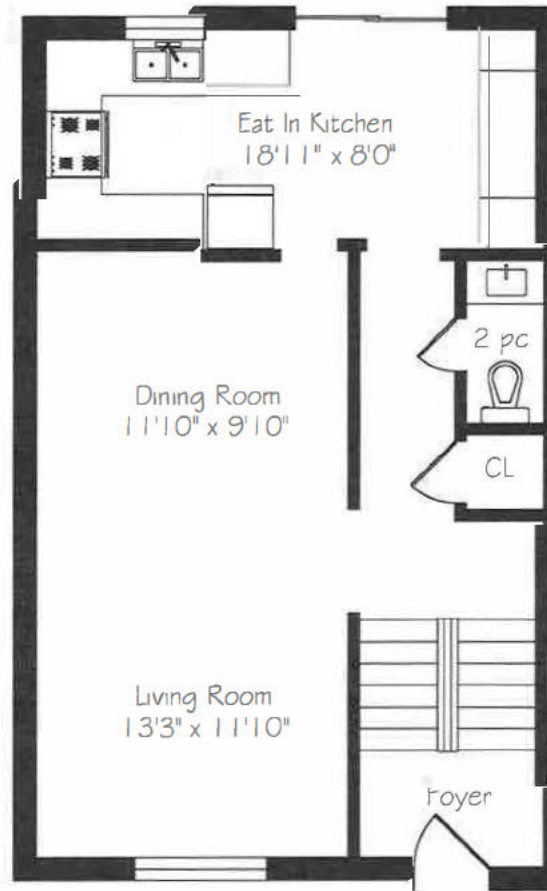
BURLINGTON, ONTARIO



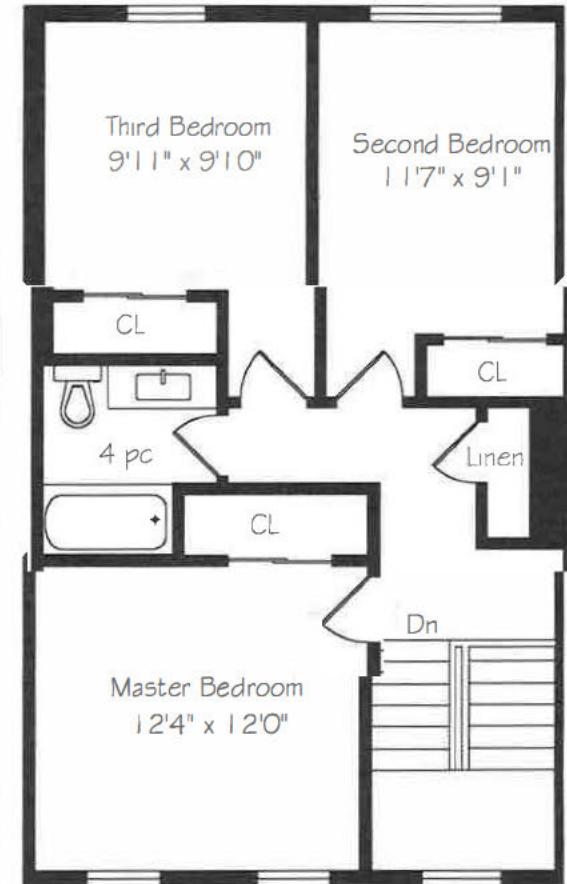
Measurements and Calculations are approximate
To be used as guidelines only



Lower Level
680 Square Feet



Main Floor
680 Square Feet



Second Floor
686 Square Feet