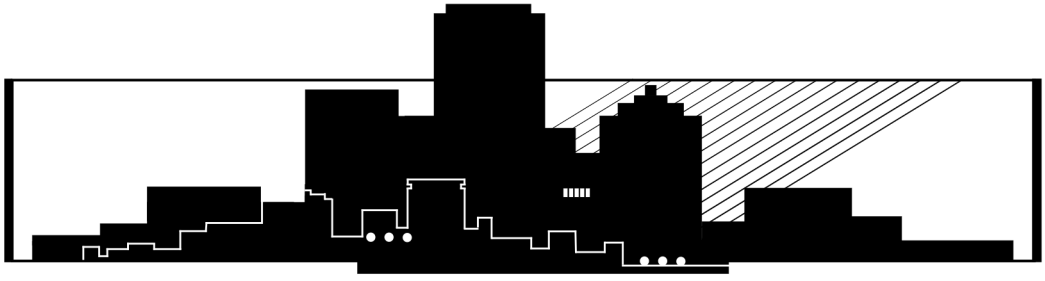
Hybrid Committee of Adjustment Meeting
November 5, 2025 5:30 pm

AGENDA



CITY OF Burlington

COMMITTEE OF ADJUSTMENT AGENDA

Meeting 20 **Meeting Date: November 5, 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-055/25	Re: 4214 Cole Cres., Burlington Ward 6 Pages 4-38
4.2)	5:30 P.M.	A-063/25	Re: 3257 Appollo Rd., Burlington Ward 6 Pages 39-163
4.3)	5:30 P.M.	A-064/25	Re: 409 Pepper Dr., Burlington Ward 2 Pages 164-215

5. **REGULAR ITEMS:**

HEARING NO.	TIME	FILE NO. 540-02-	APPLICATION ADDRESS
5.1)	5:30 P.M.	A-061/25	Re: 550 Burlington Ave., Burlington Ward 2 Pages 216-268

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 20 **AGENDA** **NOVEMBER 5, 2025**

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

File
540-02-A-055/25

APPLICANT: Raghu Krishinakumar and Sridevi Prasanna

PROPERTY: 4214 Cole Crescent,
PLAN M1054 LOT 66
City of Burlington - Regional Municipality of Halton.

PROPSAL: The applicant is proposing the construction of a basement walkout located in the rear and street side yard of the existing detached dwelling. The walkout is not eligible for an encroachment allowance and is therefore subject to principle building setbacks.

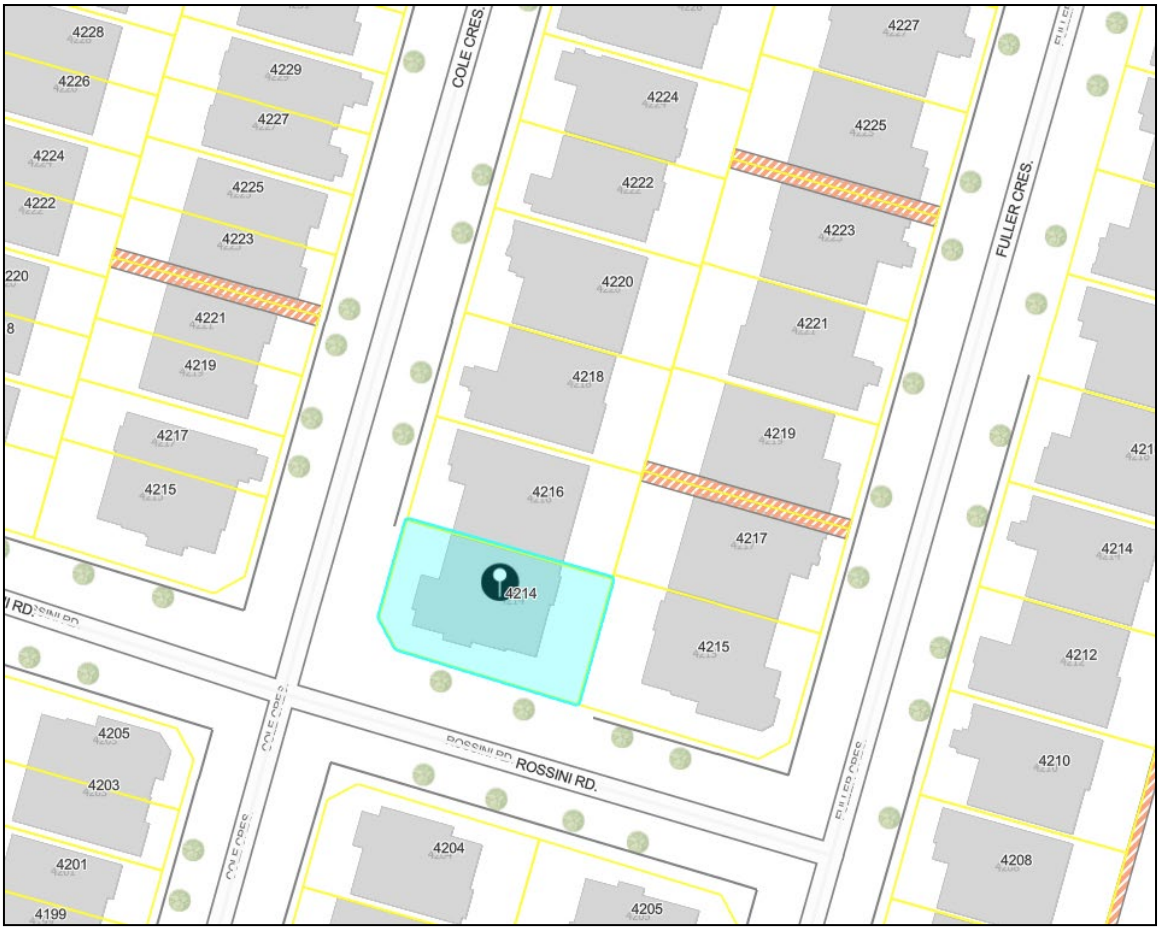
VARIANCES:

1. To permit a street side yard abutting Rossini Road of 2.1m instead of the minimum required 3m for a proposed basement walkout.

2. To permit a rear yard of 5.8 m instead of the minimum required 7 m for a proposed basement walkout.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Raghu Krishinakumar and Sridevi Prasanna
Address: 4214 Cole Crescent, Burlington
File No. **A-055/25**
Ward: 6



Staff Comments

Committee of Adjustment

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

Date: June 25, 2025 Prepared By: E. Shacklette

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Zoning

1) **Background information:**

The subject property is zoned RAL1, Residential Alton Community, under Zoning By-law 2020, as amended. The RAL1 zone requires, among other things, the following:

22.1 LOT WIDTH, AREA, YARDS

Table 2.22.1

Dwelling	Lot Width	Lot Area	Front Yard and Street Side Yard	Rear Yard	Side Yard
Detached	11 m	272 m^2	**3 m dwelling;** 6 m garage	**7 m**	1.2 m one side, 0.6 m other side

2) **Proposal:**

The applicant is proposing the construction of a basement walkout located in the rear and street side yard of the existing detached dwelling. The walkout is not eligible for an encroachment allowance and is therefore subject to principle building setbacks.

3) **Variances required:**

1. To permit a street side yard abutting Rossini Road of 2.1m instead of the minimum required 3m for a proposed basement walkout.

2. To permit a rear yard of 5.8 m instead of the minimum required 7 m for a proposed basement walkout.

4) **Notes and conditions**:

Condition:

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

Notes:

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

2. The variance has been identified based on the plans submitted for zoning review. If the plans change through the review of the Pre-Building Approval that results in additional variances being required, they will be the responsibility of the applicant to obtain.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: September 12, 2025 Prepared By: Danielle Beck

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a basement walkout in the rear and side yards of a lot supporting an existing two-story detached dwelling with an attached garage. The applicant requests approval from the Committee of Adjustment to permit a reduced rear yard setback and a reduced side yard setback for the basement walkout.

The subject lands are an irregular shaped corner lot with a total area of 397.5 m^2 (0.039 hectares) with approximate lot frontage of 12.21 m along Cole Crescent and a frontage of 26 m along Rossini Road. The lands are located on the northeast corner of Cole Crescent and Rossini Road and are known municipally as 4214 Cole Crescent. The subject property is located in an Alton Community Residential (RAL1) zone, which permits detached dwellings, semi-detached dwellings and additional residential units. Adjacent and surrounding land uses include two-story detached dwellings.

Existing land uses on the property consist of a two-story detached dwelling with an attached garage, a double-width driveway and wood board fence. The proposed development includes the addition of basement walkout (staircase) to facilitate access from grade to the basement. The application form indicates that the walkout may “allow the residents to build second dwelling unit if required”, but the owner has signed the ‘Single Dwelling Acknowledgment Letter’ therefore an accessory residential unit is not proposed as part of this application. The walkout has nine steps and a landing and is 4.42m in length and 0.96 m wide and includes an aluminum guardrail. According to the site plan, a portion of the wood board fence enclosing the rear yard and part of the side yard is proposed to be removed to facilitate direct exterior access to the walkout. Staff asked the applicant to specify which portion of the fence would be removed and whether the fence would be relocated, but as of the date of writing this report, the applicant has not provided details. Staff note that there are no new hard surface paths shown on the site plan to connect the walkout to the sidewalk or the path to the Rossini Road entrance.

A site plan (dated September 23, 2024) and elevations and details (dated October 5, 2024) were submitted with the application and illustrate the location and extent of existing and proposed development. A site visit was conducted on October 9, 2025, and existing on-site conditions are summarized in site photos included as Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2009)

The subject lands are located within the Urban Area (Map 1) and within the Built Boundary (Map 1h) of the Regional Official Plan (ROP). The Urban Area (Section 72) policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. The ROP does not address small scale development such as a basement walkout however, given that detached dwellings are a use permitted by the City's Official Plan and Zoning By-law, staff are of the opinion that the requested variances do not conflict with the intent of the ROP.

City of Burlington Official Plan (1997 & 2020)

On April 2, 2024 the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought the "Residential Neighbourhood Areas" policies under "Chapter 8- Land use policies" into force. These policies supersede the "Residential Areas" policies of the Burlington Official Plan, 1997 (BOP, 1997). However, other chapters of BOP, 2020 relevant to the application, such as 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 'Low-Rise Neighbourhoods I', according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended.

The 'Low-Rise Neighbourhoods I' designation (Chapter 8, section 8.3.3) is comprised of residential areas that consist of low-rise, ground-oriented dwellings. The 'Low-Rise Neighbourhoods I' designation is intended to allow for gradual and compatible change in
the form of infill development that respects the existing low-rise character of the city's Neighbourhoods and allows for more housing options to exist. In this designation single-detached and semi-detached dwellings and duplexes may be permitted. Up to four units per residential lot are permitted in this designation

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

Part II, Section 6.5 (Design Guideline Policies) of the BOP, 1997 lists aspects of new development that should be compatible and integrate well with the surrounding area including "the density, form, bulk, height, setbacks, spacing and materials…"

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

The existing detached dwelling will remain largely the same, except for the addition of a proposed basement walkout and an entry door to the basement. In assessing a basement walkout or an exterior staircase, staff consider impacts such as overlook, privacy and massing impacts on adjacent properties. The staircase would be located at grade and would descend to the basement wall of the dwelling. As such, no additional height or overlook impacts are proposed. Similarly, the only visible massing impact would be a railing at the ground level, surrounding the footprint of the stairs. Staff are of the opinion that this would not create a negative impact on surrounding properties.

The existing rear yard and street side yard complies with the Zoning By-law setback requirements, except for the setback to the new staircase. Staff are of the opinion that adequate amenity area would continue to exist in the rear yard and sufficient spatial separation would be maintained between the stairs and the public road allowance and therefore the requested setbacks to the stairs would be appropriate in this case. Staff are of the opinion that the requested variances are in keeping with the general intent and purpose of the Official Plan.

2) City of Burlington Zoning By-law 2020:

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

The subject property is zoned Alton Community Residential ('RAL1') Zone to Map No. 25 of the City of Burlington Zoning By-Law 2020, as amended. Detached dwellings, semi-detached dwellings and additional residential units are permitted uses.

Yes – Variances 1 & 2 (Reduced Rear Yard Setback and Street Side Yard Setback to basement walkout)

The application requests a variance to permit a street side yard abutting Rossini Road of 2.1m instead of the minimum required 3m for a proposed basement walkout and to permit a rear yard of 5.8 m instead of the minimum required 7.0 m for a proposed basement walkout.

Street side yard setbacks ensure dwellings maintain consistent placement along a streetscape while rear yard setbacks allow for appropriately sized outdoor amenity spaces and ensure that these areas are afforded adequate separation from surrounding dwellings. Limiting encroachments into required setbacks helps reinforce principal building setback requirements and ensure that outdoor amenity spaces are not compromised by other building elements.

Staff anticipates that the walkout would pose no impact to adjacent properties or the street due to its below-grade profile. Further, the staircase does not add any height to the house, and therefore overlook and massing are not a concern. A sufficient amount of open space would remain in the rear yard of the property in terms of amenity area and building separation. The proposed street side yard setback is similar to the setback of the existing street side yard porch, encouraging a consistent setback along the Rossini Road frontage. Based on the above, staff is satisfied that the variances would maintain the 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 walkout would create separate access to the basement, without impacting adjacent properties by creating overlook or infringing on privacy. The rear yard of the property would maintain an appropriate amount of amenity area. Staff are of the opinion that the requested minor variances are desirable for the appropriate development of the lands.

4) Minor in Nature:

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

Yes

The proposal is for a walkout staircase, which would provide access to the basement. The requested variances would not add new massing or negative impacts to the dwelling or to the streetscape. Rather, the staircase would facilitate access to existing living space. Staff are of the opinion that the proposed variance is minor in nature.

Cumulative Effects of Multiple Variances and Other Planning Matters:

In the opinion of staff, there are no negative cumulative impacts of the requested variances. The variances are within the scope of the Minor Variance application.

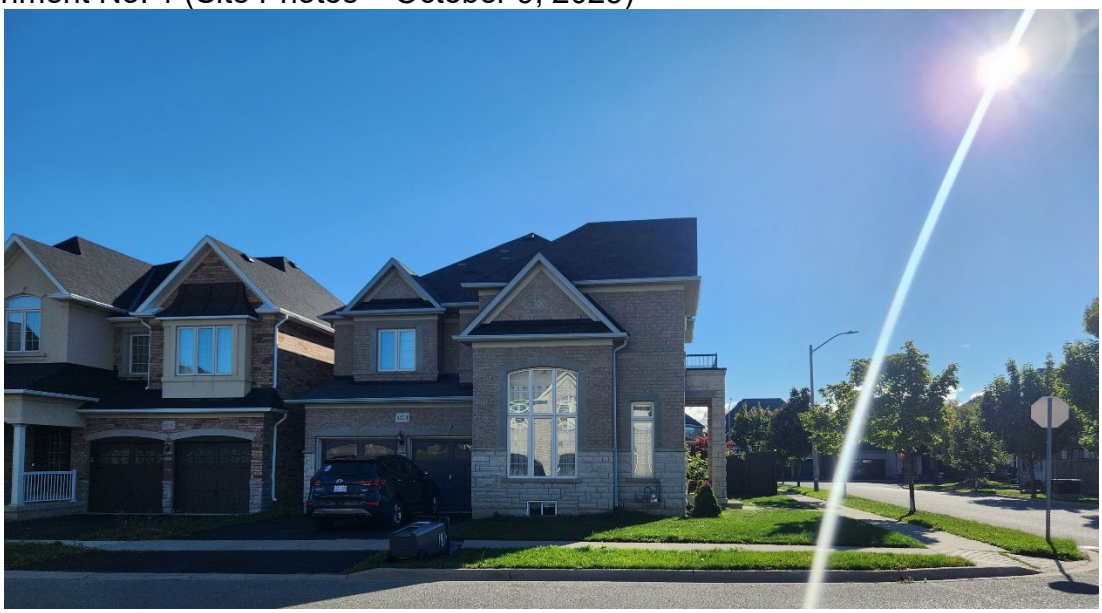
Recommendation:

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

Date: October 10, 2025 Prepared By: Melissa Dalrymple, MCIP, RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos – October 9, 2025)



View of 4214 Cole Crescent from Cole Crescent

View of 4214 Cole Crescent from Rossini Road

View of dwelling from the rear yard.

View of area to accommodate proposed basement walkout.

Development Engineering

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

Date: September 16, 2025 Prepared By: D. Savelli

Forestry

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

Advisory Comments:

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

Date: September 29, 2025 Prepared By: M.Krzywicki

Building

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

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

Date: October 1, 2025 Prepared By: T. Le

Transportation Planning

Deemed Road Width Analysis

Cole Crescent is under the authority of the City of Burlington and the deemed right-of-way width is 17 metres. The right-of-way adjacent to the subject site is approximately 17 metres therefore no additional lands are required.

Rossini Road is under the authority of the City of Burlington and the deemed right-of-way width is 17 metres. The right-of-way adjacent to the subject site is approximately 17 metres therefore no additional lands are required.

Date: June 27, 2025 Prepared By: Stephanie Robinson

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

Date: September 25th 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: September 16, 2025 Prepared By: L. Bray

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a basement walkout located in the rear and street side yard of the existing detached dwelling. The variances are requested to the minimum required rear yard and side yard depths.

- 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.

Date: Ocotober 1, 2025 Prepared By: Navjot Kaur

Burlington Hydro
A response to our request for comments was not received by the time this report was published.

Date: October 16, 2025 Prepared By: E. Shacklette

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-055/25**
Committee of Adjustment
Date of Mailing: October 15 2025

NOTICE OF PUBLIC HEARING

Raghu Krishinakumar and Sridevi Prasanna, the owners of 4214 Cole Crescent, Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **4214 Cole Cres. Burlington** (see map).

The applicant is proposing the construction of a basement walkout located in the rear and street side yard of the existing detached dwelling. The walkout is not eligible for an encroachment allowance and is therefore subject to principle building setbacks. This proposal results in the following variances:

1. To permit a street side yard abutting Rossini Road of 2.1m instead of the minimum required 3m for a proposed basement walkout.

2. To permit a rear yard of 5.8 m instead of the minimum required 7 m for a proposed basement walkout.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after October 20, 2025**.

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

WEDNESDAY NOVEMBER 5, 2025,
This application is scheduled to be heard at or after 5:30 pm.

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

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

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

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **4:30 p.m.**

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

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

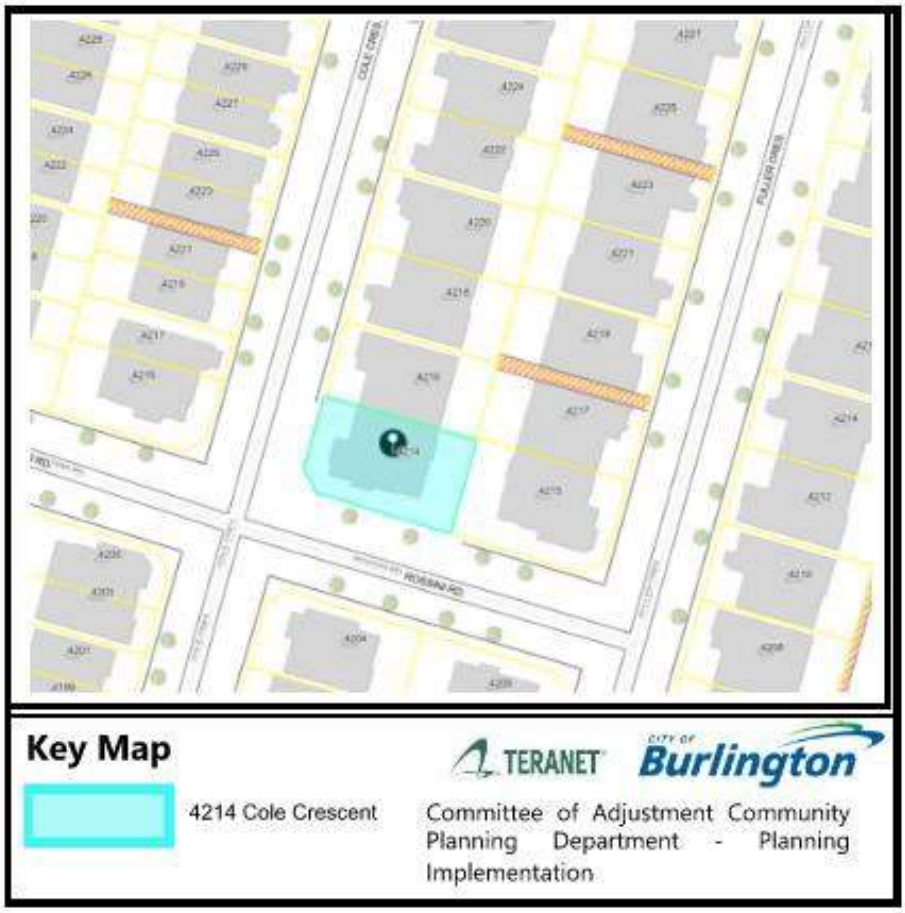
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

Yours truly,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y □ or N □
Name of Planner: Melissa dalrymple Name of Zoning Examiner: Chase Kelly

PROPERTY INFORMATION
Municipal Address(es) of property:

4214.Cole crescent, Burlington, ON,L7M0M6

Legal Description of property:
PLAN M1054 LOT 66

Official Plan Designation: Residential Area Current Zoning Designation RAL1

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

Raghuram Krishnakumar/Sridevi Prasnna

Mailing Address: 4214 Cole Crescent City: Burlington

Postal Code: L7M0M6 Home Phone: _____ Mobile Phone: _____

Work Phone: _____ E-Mail: contact.sridevi@gmail.com

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

Name:
Mayu Balasubramanium

Business Address: 2031-32 South union ville City: Markham

Postal Code: L3R 9S6 Home Phone: _____ Mobile Phone: 14162763802

Work Phone: _____ E-Mail: mayu@viyasisters.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.

A separate basement entrance is proposed, and this open stair is encroaching into both the rear and street side yard. The maximum permitted length for a stair encroaching into a yard is 3.0 metres. The proposed entrance stair length is 4.4 metres, thus exceeding the permitted limit and requiring a minor variance.

Variance(s) Requested	Zoning Bylaw Requirement
The proposed separate basement entrance requires an open stair with a length of 4.4m	The maximum permitted length for a stair encroaching into a yard is 3.0m

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

1. Why is the variance(s) minor in nature? The proposed variance will not have any impact on the neighbourhood or streetscape, and similar variances have been approved for other properties in the area

2. Why are the variance(s) desirable for the appropriate use of the land? The variance is desirable because it will allow the residents to build second dwelling unit if required

3. Do the variance(s) meet the intent and purpose of the Official Plan? Yes, the variance still fits with the city's official plan. Although the stair is slightly longer than allowed, it does not make any significant change to the official plan in terms of density, form, bulk, height, setbacks, spacing or materials

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? Yes, the variance meets the intent and purpose of the Zoning By-law. Although the proposed basement stair exceeds the permitted encroachment length by 1.4 metres, it there is still space for side yard and can manouever around the side yard. Also the property is fenced.

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
5th July 2024 (mmm/dd/yyyy)	2011 (mmm/dd/yyyy)	1st August 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:

Proposed Use of the Land:

Residential use

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☑

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
12.21m	26.0m	397.5 Sq.m	17.0m	17.0m	No widening required	37.9%	Y ☒ N ☐

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

EXISTING (Dwelling/Building)			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	150.85	M^2	Ground Floor Area (incl. attached garage)		M^2
Gross Floor Area:	301.7	M^2	Gross Floor Area:		M^2
Number of Storeys:	2		Number of Storeys:		
Width:	10.62	M	Width:		M
Length:	15.14	M	Length		M
Height:	8.5	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:	3.82	M	Front:	-	M
Rear:	7.04	M	Rear:	5.82	M
Side/Street Side:	2.42	M	Side/Street Side:	2.11	M
Side/Other Side:	0.61	M	Side/Other Side:	9.05	M

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

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

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)				
Frontage	Depth	Area	Actual	Deemed	Required	Density	Have you applied for Site Plan Approval? Y ☐ N ☐ File #:

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

EXISTING (Building)		**PROPOSED (Building/Addition)**	
Ground Floor Area:	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: Mayu Balasubramaniam	Property Address: 4214 Cole Crescent

1. I, Mayu Balasubramaniam (Print Name) In my capacity as agent (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated _____ (mmm/dd/yyyy)

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

OR

B. The site plan, architect's plan or engineer's plan dated 2025/04/23 (mmm/dd/yyyy)

has been revised by: Viya Sisters Inc. (Person or Company Name)

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)

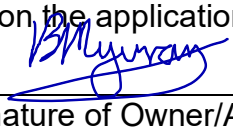
**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: 2025/04/23 (mmm/dd/yyyy)

3. The material submitted shows all measurements in metric, as calculated/converted by: Mayu Balasubramaniam (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): 2025/06/10

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name	Property Address
Raghuram Krishnakumar/Sridevi Prasanna	4214.Cole crescent
K. Raghu Ram	May/02/2025
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: Mayu Balasubramanium

I, Mayu Balasubramanium (print name) of the Region (Region/City/County) of Peel in the City (City/Town/Township) of Mississauga solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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

this 24 day of April 2025.

Poorna Jayasena
Barrister, Solicitor & Notary Public
401 - 134 Queen Street East
Brampton ON L6V 1B2
Ph: (905) 595 1181

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: 4214 Cole crescent

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

Raghuram Krishnakumar/Sridevi Prasanna
Print Name

CITY OF Burlington

MINOR VARIANCE – 2025

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

OWNERS AUTHORIZATION

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

I, Raghuram Krishnakumar/Sridevi Prasanna (print name) being the registered owner of the subject lands, hereby

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

application for a Minor Variance.

K. Raghuram / K. Sridevi
Signature of Owner

May/02/2025
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/yyy)
	2025/06/10

Single Dwelling Unit Acknowledgement Letter

Date: 06/10/2024

Re: Zoning Certificate Application number: 2024 018626 000 00 ZC

Address: 4214 Cole Cres, Burlington, ON L7M 0M6

I/we Raghuram Krishnakumar **, affirm that the scope of the above noted zoning certificate application does not include the proposal of any Additional Residential Units, and that the property does not currently contain more than (1) dwelling unit.**

Dwelling Unit
A self-contained room or suite of rooms located in a building or structure that is operated as a housekeeping unit and is used or intended for use as residential premises by one household and which contains kitchen and bathroom facilities that are intended for the exclusive use of that household, except in the case of an institutional residential use, in which case a dwelling unit shall mean a room or suite of rooms used or intended for use as residential premises with or without exclusive kitchen and/or bathroom facilities. Long-term care facilities are excluded from this definition.

Additional Residential Unit
A self-contained dwelling unit which is located within, and/or on the same parcel of urban residential land as a principal dwelling unit in a detached dwelling, semi-detached dwelling, townhouse or street townhouse.

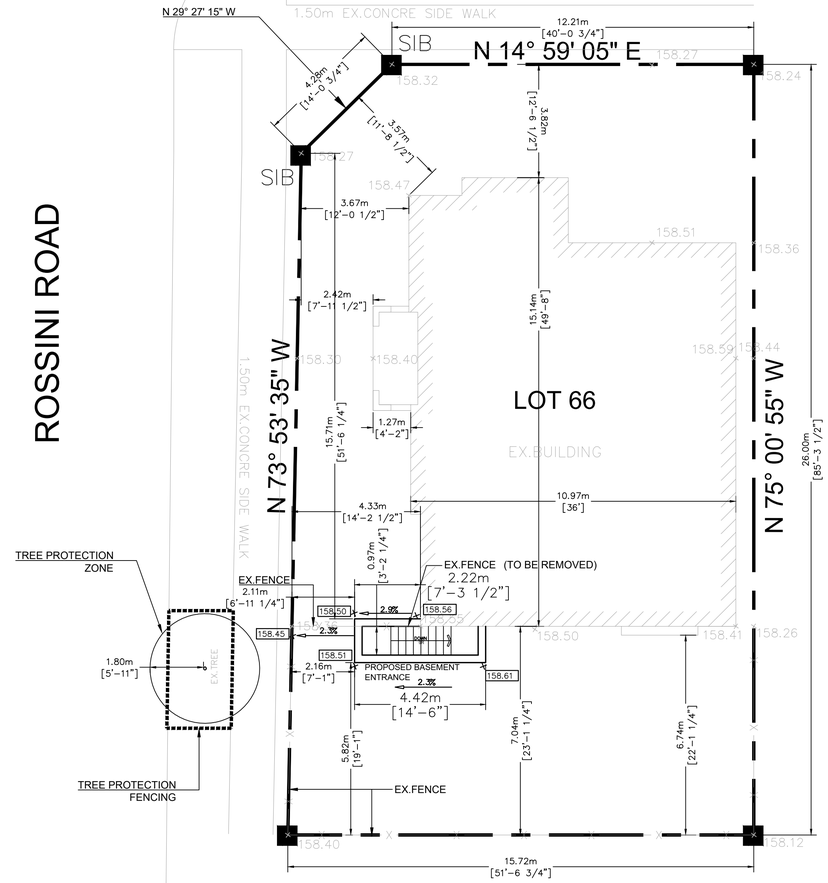
Based on the above, we ask that the property owner acknowledge and confirm your understanding of the following:

I/we understand and acknowledge that a Zoning Clearance Certificate will be required should I choose to build or create any Additional Residential Units which are located within, and/or on the same parcel of urban residential land as a principal dwelling unit.

(Signature of property owner)

Raghuram Krishnakumar
(Name of property owner – please print)

COLE CRESCENT



GENERAL NOTES:

1) ALL DRAWINGS AND DESIGNS ARE COPYRIGHTED AND PROPERTY OF VIYA SISTERS INC. AND CANNOT BE REPRODUCED EXCEPT WITH SPECIFIC WRITTEN CONSENT FROM THE DESIGNER.

2) CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

3) DO NOT SCALE DRAWINGS.

NO.	DESCRIPTIONS	YYYY/MM/DD
01	REVISED AS PER THE CITY	2024/09/23

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
PROVINCE OF ONTARIO

VIYA SISTERS INC
2031-32 SOUTH UNIONVILLE
MARKHAM ONTARIO L3R 9S6
TEL : 4162763802
FOR ALL YOUR DEVELOPMENT NEEDS
PLANNING , ENGINEERING, ARCHITECTURAL, PROJECT MANAGEMENT AND CONSTRUCTION
YOUR DREAM IS OUR PASSION

SITE: 4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

DRAWING:
SITE PLAN

DATE: AUG 02, 2024	TOWN FILE NO.
SCALE : 1:100	DRAWING NO. SP1
DRN BY: KETHIGA.S	
CHK BY: MB	

RIGHT ELEVATION

NO. YYYYMMDD

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R.NO	DESCRIPTIONS	DATE
02	REVISED AS PER THE CITY	10052024
01	REVISED AS PER THE CITY	30042024

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
PROVINCE OF ONTARIO

VIYA SISTERS INC
2031-32 SOUTH UNIONVILLE
MARKHAM ON CANADA L3R 9S6
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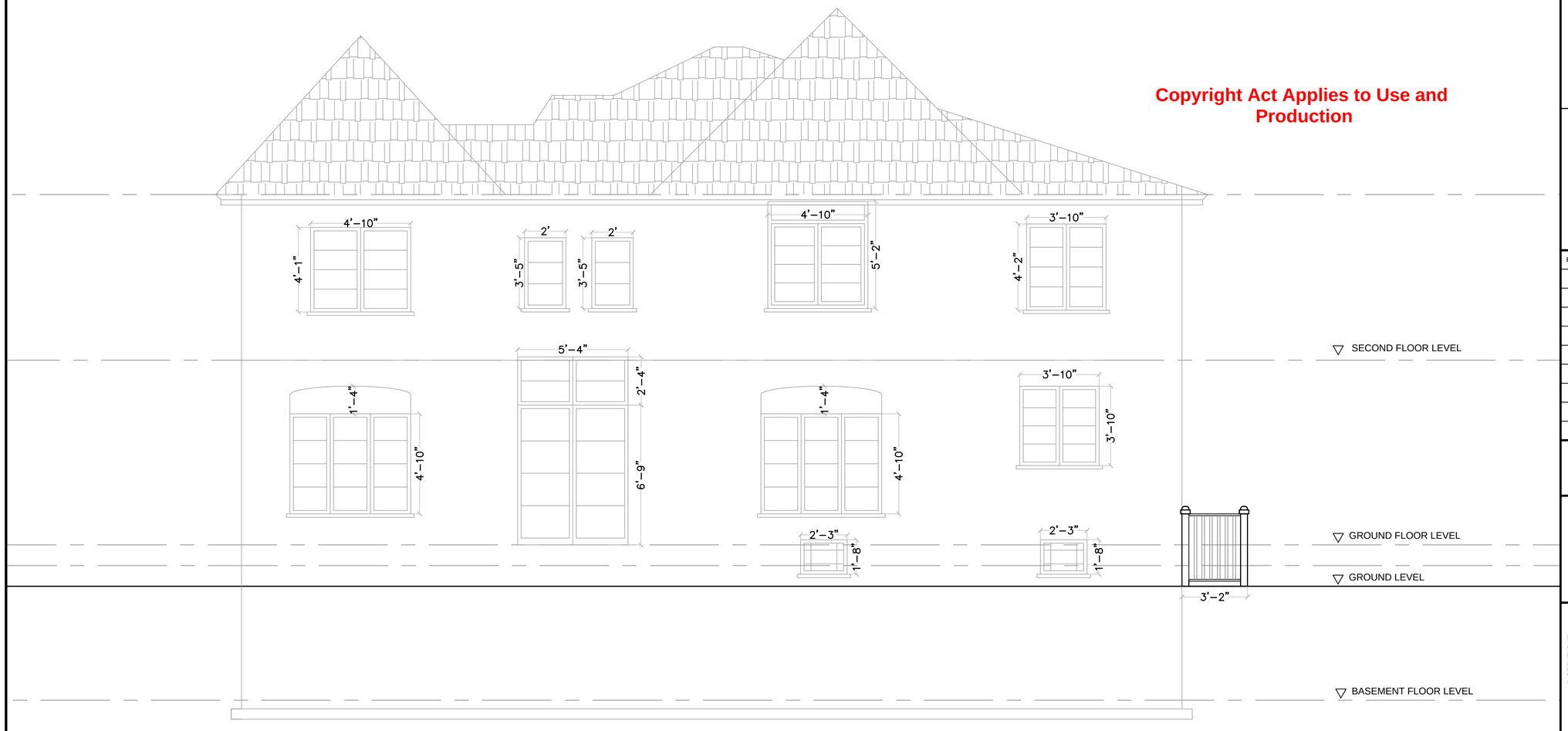
YOUR DREAM IS OUR PASSION

SITE:
4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

DRAWING:
EXISTING RIGHT ELEVATION

DATE: 07 AUG 2024	TOWN FILE NO.
SCALE: 38" = 1'	DRAWING NO. A1
DRN BY: KETHIGA	
CHK BY: MB	



RIGHT ELEVATION

NO. YYYYMMDD

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R.NO	DESCRIPTIONS	DATE
02	REVISED AS PER THE CITY	10052024
01	REVISED AS PER THE CITY	30042024

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
2024/04/18
PROVINCE OF ONTARIO

VIYA SISTERS INC
2031-32 SOUTH UNIONVILLE
MARKHAM ON CANADA L3R 9S6
TEL : 4162763802
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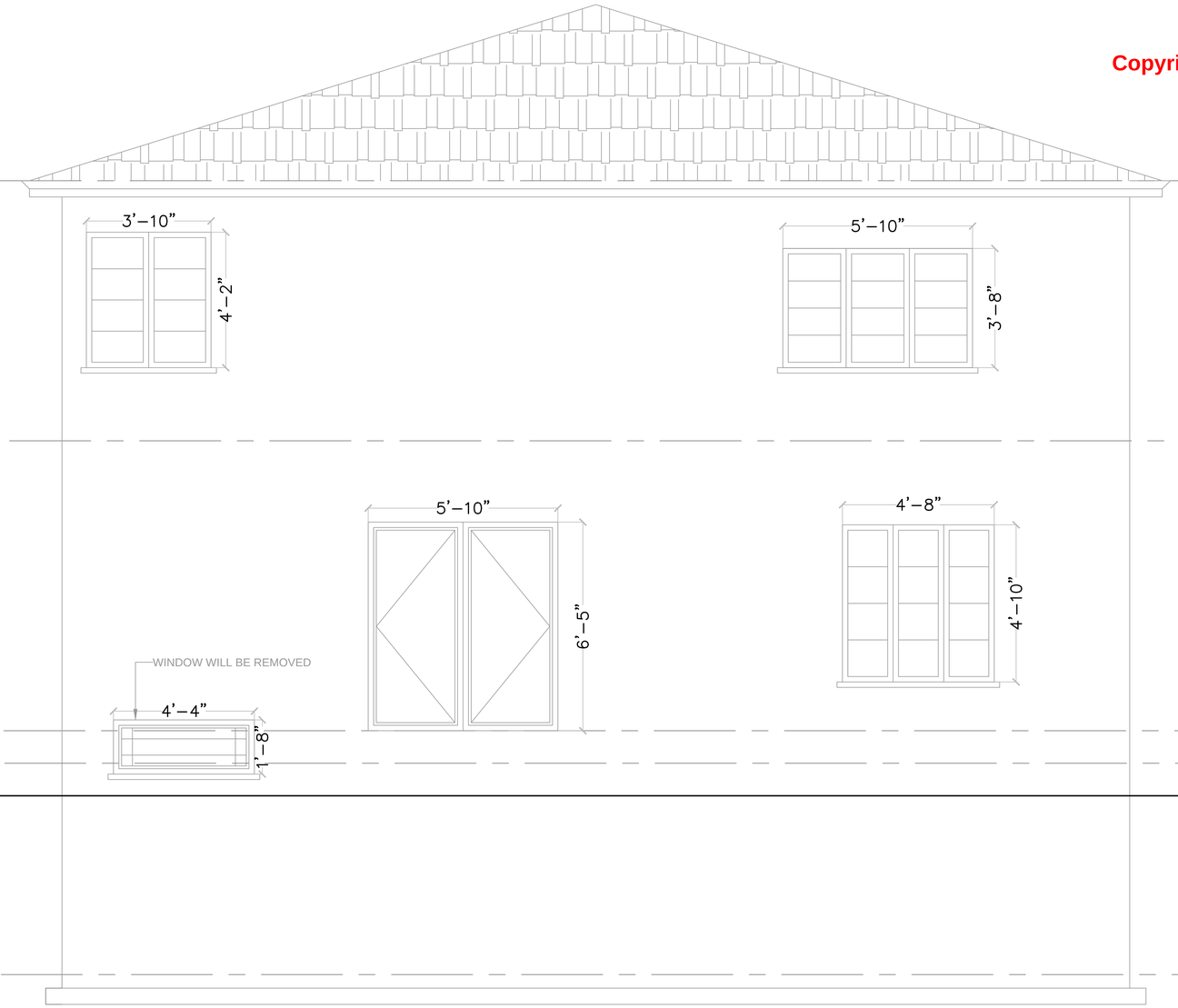
SITE:
4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

DRAWING:
PROPOSED RIGHT ELEVATION

DATE: 07 AUG 2024	TOWN FILE NO.
SCALE: 38" = 1'	DRAWING NO. A2
DRN BY: KETHIGA	
CHK BY: MB	



REAR ELEVATION

NO. YYYYMMDD

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3) DO NOT SCALE DRAWINGS.

R.NO	DESCRIPTIONS	DATE
02	REVISED AS PER THE CITY	10052024
01	REVISED AS PER THE CITY	30042024

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
PROVINCE OF ONTARIO

VIYA SISTERS INC
2031-32 SOUTH UNIONVILLE
MARKHAM ON CANADA L3R 9S6
TEL : 4162763802
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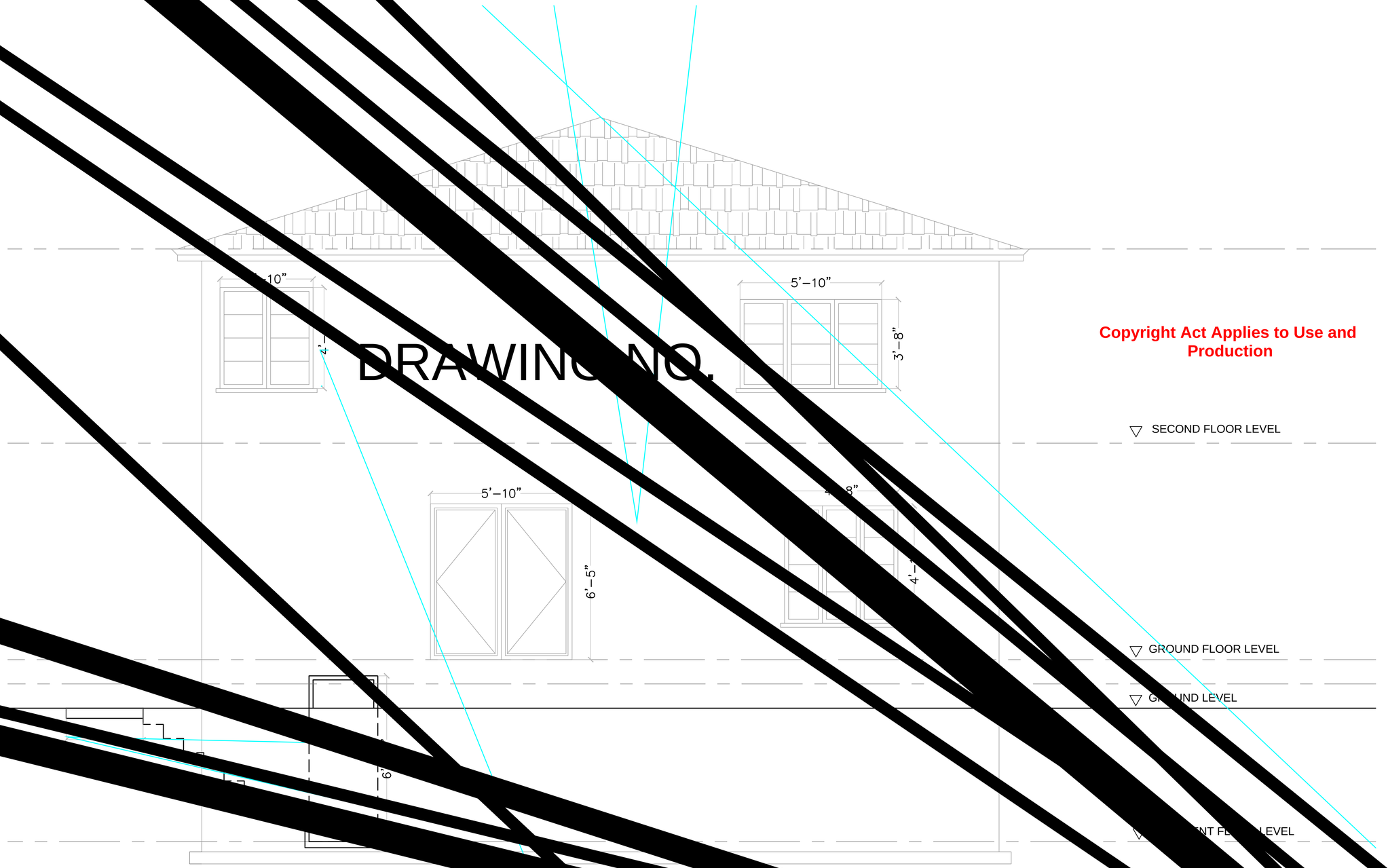
YOUR DREAM IS OUR PASSION

SITE:
4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

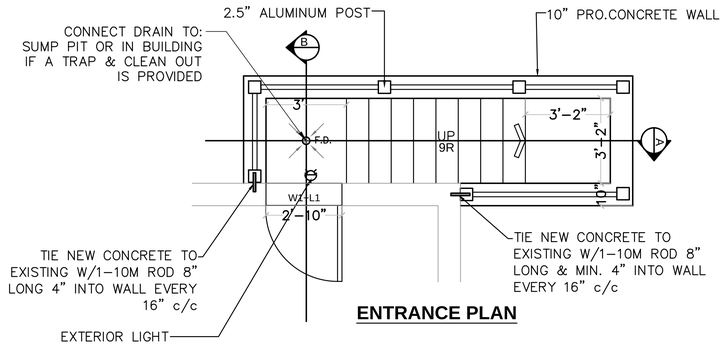
DRAWING:
EXISTING REAR ELEVATION

DATE: 07 AUG 2024	TOWN FILE NO.
SCALE: 12" = 1'	DRAWING NO. A3
DRN BY: KETHIGA	
CHK BY: MB	



DRAWING NO.

REAR ELEVA

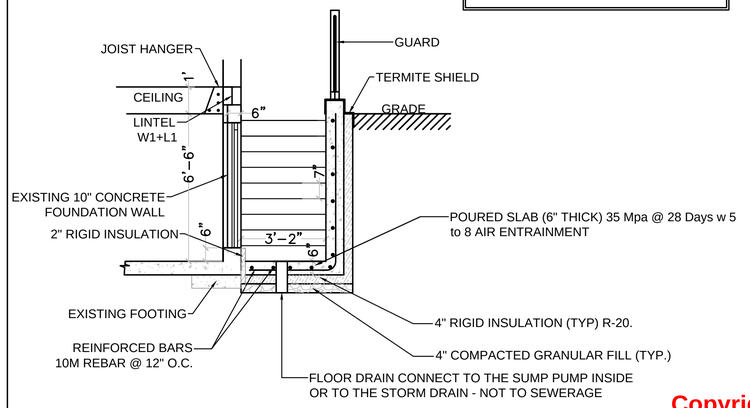


ENTRANCE PLAN

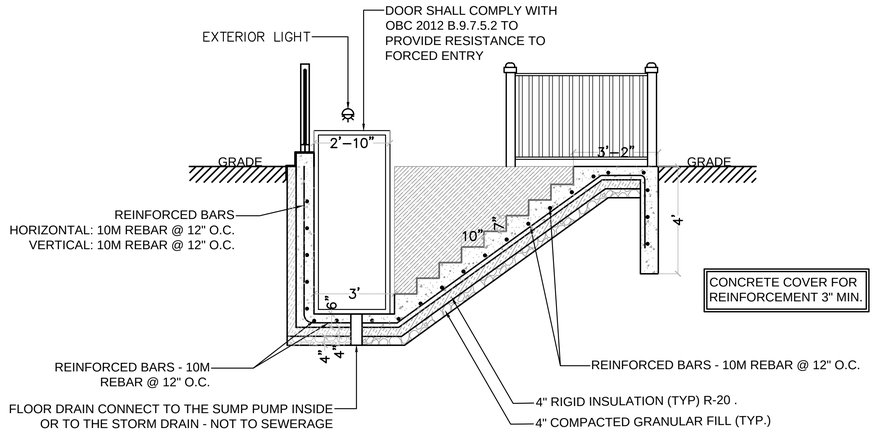
LINTEL SCHEDULE

WOOD LINTEL		LOOSE STEEL LINTEL	
NO.	DESCRIPTION	NO.	DESCRIPTION
W1	2-2"X8" SPF2	L1	L - 89 X 89 X 6.4

INSULATION DETAILS:
RIGID INSULATION TO HAVE FOLLOWING SPECIFICATIONS:
- STYROFOAM™ BRAND SM EXTRUDED POLYSTYRENE FOAM INSULATION
- RSI VALUE OF 0.87/25 MM (R-5 PER 1 INCH)
- BOARD SIZE: (AS INDICATED ON DRAWINGS)
- COMPRESSIVE STRENGTH: 210kpa
- DRAINING CAPACITY: >0.72 $m^3/hr/m$



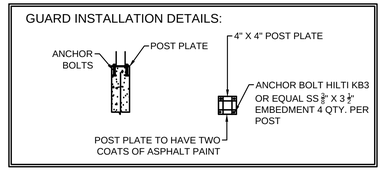
SECTION B-B

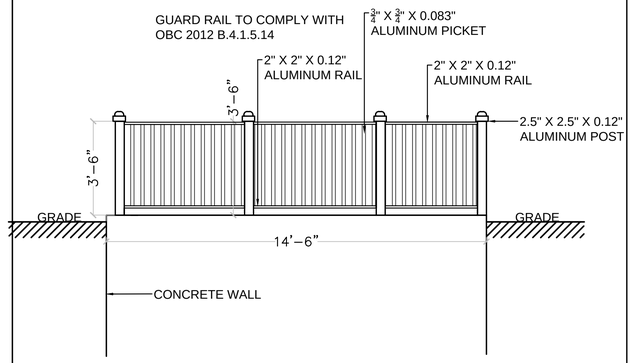


SECTION A-A

EXISTING WINDOW IN THE BASEMENT REMOVED IN THE PROPOSED SEPARATE BASEMENT DRAWING.

GUARD INSTALLATION DETAILS:





RAILING DETAILS

NO. YYYYMMDD

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3) DO NOT SCALE DRAWINGS.

R.NO	DESCRIPTIONS	DATE
02	REVISED AS PER THE CITY	10052024
01	REVISED AS PER THE CITY	30042024

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
2024/07/18
PROVINCE OF ONTARIO

VIYA SISTERS INC
2031-32 SOUTH UNIONVILLE
MARKHAM ON CANADA L3R 9S6
TEL : 4162763802
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YOUR DREAM IS OUR PASSION

SITE:
4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

DRAWING:
PROPOSED EXTERIOR STAIR DETAILS

DATE: 07 AUG 2024	TOWN FILE NO.
SCALE: 38" = 1'	DRAWING NO. A5
DRN BY: KETHIGA	
CHK BY: MB	

Excavation and Backfill

- Excavation shall be undertaken in such a manner so as to prevent damage to existing structures, adjacent property and utilities
- The topsoil and vegetable matter in unexcavated areas under a building shall be removed. The bottom of excavations for foundations shall be free of all organic material
- If termites are known to exist, all stumps, roots and wood debris shall be removed to a minimum depth of 300 mm in excavated areas under a building, and the clearance between untreated structural wood elements and the ground shall be no less than 450 mm
- Backfill within 600 mm of the foundation walls shall be free of deleterious debris and boulders over 250 mm in diameter

Dampproofing and Drainage

- In normal soil conditions, the exterior surfaces of foundation walls enclosing basements and crawl spaces shall be dampproofed. Where hydrostatic pressure occurs, a waterproofing system is required
- Masonry foundation walls shall be parged with 6 mm of mortar coved over the footing prior to dampproofing
- 100 mm dia. foundation drains shall be laid on level, undisturbed ground adjacent to the footings at or below the top of the basement slab or crawl space floor, and shall be covered with 150 mm of crushed stone. Foundation drains shall drain to a storm sewer, drainage ditch, dry well or sump
- Window wells shall be drained to the footing level or to a ditch or sump pump.
- Downspouts not directly connected to a storm sewer shall have extensions to carry water away from the building, and provisions shall be made to prevent soil erosion
- Concrete slabs in attached garages shall be sloped to drain to the exterior
- The building site shall be graded so that surface, sump and roof drainage will not accumulate at or near the building and will not adversely affect adjacent properties

Footings

- minimum 15 MPa poured concrete
- minimum 1.2 m below finished grade
- Footings shall be founded on natural undisturbed soil, rock or compacted granular fill with minimum bearing capacity of 75 kPa
  100 kPa for ICF

Footing Size

Floors Supported	Supporting Ext. Wall(mm)	Supporting Int. Wall(mm)	Column Area(sq.m)
1	250	200	0.4
2	350	350	0.75
3	450	500	1.0

- Increase exterior footing width by 65 mm for each storey of brick veneer supported, by 130 mm for each storey of masonry and by 150 mm for ICF
- Increase interior footing width by 100 mm for each storey of masonry above footing, and by 100 mm for each 2.70m of wall height above 5.50m
- The projection of an unreinforced footing beyond the wall supported shall not be greater than its thickness

Step Footings

- 600 mm max. rise
  600 mm min. run

Foundation Walls

- To be poured concrete, unit masonry, ICF or preserved wood (see drawings for type and thickness)
- Dampproofing shall be a heavy coat of bituminous material.
- Foundation wall to extend minimum 150 mm above finished grade.
- A drainage layer is required on the outside of a foundation wall where the interior insulation extends more than 900 mm below exterior grade. A drainage layer shall consist of
  - Min.19 mm mineral fibre insulation with min. Density of 57.00 Kg/m^3
  - Min.100 mm of free drainage granular material, or
  - An approved system which provides equivalent performance
- Foundation walls shall be braced or have the floor joists installed before backfilling

Concrete Floor Slabs

- Garage, carport and exterior slabs and exterior steps shall be 32 MPa concrete with 5–8% air entrainment
- Basement slab 25 MPa concrete, minimum 75 mm thick, placed on a minimum 100 mm of coarse, clean, granular material
- All fill other than coarse clean material placed beneath concrete slabs shall be compacted to provide uniform support

Masonry Walls

- Where constructed of 90 mm brick, wall shall be bonded with a header course every 600 mm o/c vertically and horizontally and 900 mm o/c for block or tile.
- Provide 50 mm solid masonry, concrete filled top course or continuous 38 mm x 89 mm wood plate under all roof and floor framing members
- Provide 190 mm solid masonry under beams and columns
- Masonry wall to be tied to each tier of joists with 40 mm x 4.76 mm corrosion resistant steel straps, keyed minimum 100 mm into masonry. When joists are parallel to wall, ties are to extend across at least 3 joists @ 2 m
- Inside of wall to be parged and covered with No.15 breather–type asphalt paper
- For reduced foundation walls to allow a brick facing while maintaining lateral support, tie minimum 90 mm brick to minimum 90 mm back–up block with corrosion resistant ties at least 17.8 mm^2 in cross sectional area, spaced 200 mm vertically and 900 mm horizontally, with joints completely filled with mortar
- Masonry over openings shall be supported on corrosion resistant or prime painted steel lintels with a minimum of 150 mm end bearing

Masonry Veneer

- Minimum 90 mm thick if joints are raked and 70 mm thick if joints are not raked
- Minimum 25 mm air space to sheathing
- Provide weep holes @ 800 mm o.c. at the bottom of the cavity and over doors and windows
- Direct drainage through weep holes with 0.5 mm poly flashing extending minimum 150 mm up behind the sheathing paper
- Veneer ties minimum 0.76 mm thick x 22 mm wide corrosion resistant straps spaced @ 406 mm vertically and 610 mm horizontally
- Fasten ties with corrosion resistant 3.18 mm diameter screws or spiral nails which penetrate at least 30 mm into studs

Wood Frame Construction

- All lumber shall be spruce–pine–fir No. 1 & 2, and shall be identified by a grade stamp
- Maximum moisture content 19% at time of installation
- Wood framing members which are supported on concrete in direct contact with soil shall be separated from the concrete with 0.05 mm polyethylene or type 'S' roll roofing

Walls

- Exterior walls shall consist of:
  - cladding
  - air barrier system lapped 100 mm at joints
  - lumber, plywood, OSB or gypsum sheathing
  - 38 mm x 140 mm studs @ 406 mm o.c.
  - R22 insulation
  - 38 mm x 140 mm bottom plate
  - 38 mm x 140 mm double top plate
- Interior loadbearing walls shall consist of:
  - 64 mm x 89 mm studs @ 406 mm o.c.
  - 64 mm x 89 mm bottom plate and double top plate
  - 64 mm x 89 mm mid–girts if not sheathed
  - 12.7 mm gypsum board sheathing

Floors

- See floor plans for floor joist size and spacing requirements
- Joists to have minimum 38 mm of end bearing
- Joists shall bear on a sill plate fixed to foundation with 12.7 mm anchor bolts @ 2.4 m o.c
- Header joists between 1.2 m and 3.2 m in length shall be doubled. Header joists exceeding 3.2 m shall be sized by calculations
- Trimmer joists shall be doubled when supported header is between 800 mm and 2 m Trimmer joists shall be sized by calculations when supported header exceeds 2 m
- 38 mm x 38 mm cross bridging required not more than 2.1 m from each support and from other rows of bridging
- Joists shall be supported on joist hangers at all flush beams, trimmers, and headers.
- Non–loadbearing partitions shall be supported on a joist or on blocking between joists.
- See section/details for subflooring requirements

Roof & Ceilings

- See floor plans for rafter, roof joist and ceiling joist size and spacing requirements
- Hip and valley rafter shall be 50 mm deeper than common rafters
- 38 mm x 89 mm collar ties @ rafter spacing with 19 mm x 89 mm continuous brace at mid span if collar tie exceeds 2.4 m in length
- See section/details for roof sheathing requirements

Notching & Drilling of Trusses, Joists, Rafters

- Holes in floor, roof and ceiling members to be not larger than 1/4 the actual depth of member and not less than 50 mm from edges
- Notches in floor, roof and ceiling members to be located on top of the member within 1/2 the actual depth from the edge of bearing and not greater than 1/3 the joist depth
- Wall studs may be notched or drilled provided that no less than 2/3 the depth of the stud remains, if load bearing, and 40 mm if non–load bearing
- Roof truss members shall not be notched, drilled or weakened unless accommodated in the design

Roofing

- Fasteners for roofing shall be corrosion resistant. Roofing nails shall penetrate through or at least 12 mm into roof sheathing
- Every asphalt shingle shall be fastened with at least 4 nails for 1000 mm wide shingle (or 6, 11 mm staples)
- Eave protection shall extend 900 mm up the roof slope from the edge, and at least 300 mm from the inside face of the exterior wall, and shall consist of Type M or Type S Roll Roofing laid with minimum 100 mm head and end lags cemented together, or glass Fibre or Polyester Fibre coated base sheets, or self sealing composite membranes consisting of modified bituminous coated material or No.15 saturated felt lapped and cemented. Eave protection is not required for unheated buildings, for roofs exceeding a slope of 1 in 1.5, or where a low slope asphalt shingle application is provided
- Open valleys shall be flashed with 2 layers of roll roofing, or 1 layer of sheet metal min. 600 mm wide
- Flashing shall be provided at the intersection of shingle roofs with exterior walls and chimneys
- Sheet metal flashing shall consist of not less than 1.73 mm sheet lead, 0.33 mm galvanized steel, 0.33 mm copper, 0.35 mm zinc, or 0.48 mm aluminum

Columns, Beams & Lintels

- Steel beams and columns shall be shop primed 350W steel.
- Minimum 3 1/2" end bearing for wood and steel beams, with 7 7/8" solid masonry beneath the beam.
- Steel columns to have minimum outside diameter of 73 mm and minimum wall thickness of 4.76 mm
- Wood columns for carports and garages shall be minimum 89 mm x 89 mm in all other cases either 140 mm x 140 mm or 184 mm round, unless calculations based on actual loads show lesser sizes are adequate. All columns shall be not less than the width of the supported member
- Masonry columns shall be a minimum of 290 mm x 290 mm or 240 mm x 380 mm
- Provide solid blocking the full width of the supported member under all concentrated loads

Insulation & Weatherproofing

Ceiling with attic		R 60
Roof without attic		R 31
Exterior Wall		R 22
Foundation Wall		R 20
Foundation > 50% exposed		R 22
Exposed Floor		R 31
Slabs on Grade	(unheated)	R 10
	(heated)	R 10
Supply Ducts in unheated space		R 12

- Insulation shall be protected with gypsum board or an equivalent interior finish, except for unfinished basements where 0.15 mm poly is sufficient for fibreglass type insulations
- Ducts passing through unheated space shall be made airtight with tape or sealant
- Caulking shall be provided for all exterior doors and windows between the frame and the exterior cladding
- Weatherstripping shall be provided on all doors and access hatches to the exterior, except doors from a garage to the exterior
- Exterior walls, ceilings and floors shall be constructed so as to provide a continuous barrier to the passage of water vapour from the interior and to the leakage of air from the exterior

Natural Ventilation

- Every roof space above an insulated ceiling shall be ventilated with unobstructed openings equal to not less than 1/300 of the insulated ceiling area
- Insulated roof spaces not incorporating an attic shall be ventilated with unobstructed openings equal to not less than 1/150 of the insulated ceiling area.
- Roof vents shall be uniformly distributed with min. 25% at top of the space and 25% at bottom of the space designed to prevent the entry of rain, snow or insects
- Unheated crawl spaces shall be provided with 0.1 m^2 of ventilation for each 50 m^2
- Minimum natural ventilation areas, where mechanical ventilation is not provided, are:
  Bathrooms: 0.09 m^2
  other rooms: 0.28 m^2
  Unfinished basement: 0.2% of floor area

Doors and Windows

- Every floor level containing a bedroom and not served by an exterior door shall contain at least 1 window having an unobstructed open area of 0.35 m^2 and no dimension less than 380 mm, which is openable from the inside without tools. Maximum sill height 1000 mm for fin. floors above grade.
- Exterior house doors and windows within 2 m from grade shall be constructed to resist forced entry. Doors shall have a deadbolt lock
- The principal entry door shall have either a door viewer, transparent glazing or a sidelight

Exterior Walls

- No windows or other unprotected openings are permitted in exterior walls less than 1.2 m from property lines
- 15.9 mm type 'x' fire rated drywall shall be installed on the inside face of attached garage exterior walls and gable ends of roofs which are less than 1.2 m and not less than 600 mm from property lines
- Non combustible cladding shall be installed on all exterior walls less than 600 mm from property lines

Ceramic Tile

- When ceramic tile is applied to a mortar bed with adhesive, the bed shall be a minimum of 25 mm thick & reinforced with galvanized diamond mesh lath, applied over polyethylene on subflooring on joists at no more than 406 mm o.c. with at least 2 rows cross bridging

Access to Attics and Crawl Spaces

- Access hatch minimum 1000 mm x 1000 mm to be provided to every roof space which is 10 m^2 or more in area and more than 600 mm in height
- Access hatch minimum 500 mm x 700 mm to be provided to every crawl space

Garage Gasproofing

- The walls and ceiling of an attached garage shall be constructed and sealed so as to provide an effective barrier to exhaust fumes
- All plumbing and other penetrations through the walls and ceiling shall be caulked
- Doors between the dwelling and attached garage may not open into a bedroom and shall be weatherstripped and have a self–closer

Alarms and Detectors

- At least one smoke alarm shall be installed on or near the ceiling on each floor and basement level 900 mm or more above an adjacent level
- Smoke alarms shall be interconnected and located such that one is within 5 m of every bedroom door and no more than 15 m travel distance from any point on a floor
- A carbon monoxide detector shall be installed adjacent to every sleeping area for dwellings with fuel burning fireplace or stove, or an attached garage

Stairs

- Maximum Rise 200 mm
- Minimum Run 255 mm
- Minimum Tread 280 mm
- Minimum Head Room 1950 mm
- Minimum Width 860 mm
- Curved stairs shall have a min. run of 150 mm at any point and a minimum average run of 300 mm
- Winders which converge to a point in stairs must turn through an angle of no more than 90° with no less than 30° or more than 45° per tread. Sets of winders must be separated by 1200 mm along the run of the stair
- A landing is required at the top of any stair leading to the principal entrance to a dwelling and other exterior entrances with more than 3 risers
- Exterior concrete stairs with more than 2 risers require foundations

Handrails and Guards

- A handrail is required for interior stairs containing more than 2 risers and exterior stairs containing more than 3 risers
- Guards are required around every accessible surface which is more than 600 mm above the adjacent level and where the adjacent surface has a slope more than 1:2
- Interior and exterior guards min. 900 mm high. Exterior guards shall be 1070 mm high where height above adjacent surface exceeds 1800 mm
- Guards shall have openings smaller than 100 mm and no member between 140 mm and 900 mm that will facilitate climbing

Plumbing

- Every dwelling requires a kitchen sink, lavatory, water closet, bathtub or shower stall and the installation or availability of laundry facilities
- A floor drain shall be installed in the basement, and connected to the sanitary sewer where gravity drainage is possible. In other cases, it shall be connected to a sewage ejection pump.

Electrical

- An exterior light controlled by an interior switch is required at every entrance
- A light controlled by a switch is required in every kitchen, bedroom, living room, utility room, laundry room, dining room, bathroom, vestibule, hallway, garage and carport. A switched receptacle may be provided instead of a light in bedrooms and living rooms
- Stairs shall be lighted, and except where serving an unfinished basement shall be controlled by a 3 way switch at the head and foot of the stairs
- Basements require a light for each 30 m^2, controlled by a switch at the head of the stairs

Mechanical Ventilation

- A mechanical ventilation system is required with a total capacity at least equal to the sum of:
  - 10.0 L/S each for basement and master bedroom
  - 5.0 L/S for each other room
- A principal dwelling exhaust fan shall be installed and controlled by a centrally located switch identified as such
- Supplemental exhaust shall be installed so that the total capacity of all kitchen, bathroom and other exhausts , less the principal exhaust, is not less than the total required capacity
- A Heat Recovery Ventilator may be employed in lieu of exhaust to provide ventilation. An HRV is required if any solid fuel burning appliances are installed
- Supply air intakes shall be located so as to avoid contamination from exhaust outlets

LINTEL SCHEDULE

WOOD LINTEL

NO.	DESCRIPTION	NO.	DESCRIPTION
W1	2-2X8 SPRUCE 2	W7	3 1/2" X 9 1/2" 2 Ø E PARALLAM PSL
W2	3-2X8 SPRUCE 2	W8	5 1/4" X 9 1/2" 2 Ø E PARALLAM PSL
W3	2-2X10 SPRUCE 2	W9	3 1/2" X 11 7/8" 2 Ø E PARALLAM PSL
W4	3-2X10 SPRUCE 2	W10	5 1/4" X 11 7/8" 2 Ø E PARALLAM PSL
W5	2-2X12 SPRUCE 2		
W6	3-2X12 SPRUCE 2		

STEEL LINTEL

NO.	DESCRIPTION
L1	L 3 1/2" X 3 1/2" X 5/16"
L2	L 4" X 3 1/2" X 5/16"
L3	L 5" X 3 1/2" X 3/8"
L4	L 6" X 4" X 3/8"

NO.	DESCRIPTION
LVL1	2-1 3/4" X 7 1/4"
LVL2	3-1 3/4" X 7 1/4"
LVL3	4-1 3/4" X 7 1/4"
LVL4	2-1 3/4" X 9 1/4"
LVL5	3-1 3/4" X 9 1/4"
LVL6	2-1 3/4" X 11 7/8"
LVL7	3-1 3/4" X 11 7/8"

WOOD CONSTRUCTION NOTES:

1. ALL "I" JOIST AND "LVL" SHALL BE ENGINEERED.
2. CONTRACTOR TO INSTALL "I" JOIST AND "LVL" INSTRICT COMPLIANCE WITH MANUFACTURE'S REQUIREMENTS WITH REGARD TO BEARING, LATERAL SUPPORT, CONNECTOR DETAILS, CUTTING AND MODIFICATION ETC.
3. ALL WOOD FRAMING AND CONSTRUCTION (ie. NAILING, BLOCKING, BRIDGING, BEARING ETC.) SHALL COMPLY WITH OBC SECTION 9.23 WOOD FRAME CONSTRUCTION. WOOD MATERIAL SHALL BE MINIMUM NO. 2 & BTR GRADE SPRUCE.
4. ALL PLYWOOD SHALL BE STAMPED EXTERIOR GRADE.

CONCRETE NOTES:

1. ALL CONCRETE TO HAVE A MINIMUM TWENTY EIGHT (28) DAY COMPRESSIVE STRENGHT AS NOTED ON CONCRETE SCHEDULE DATA

STEEL CONSTRUCTION NOTES:

1. ALL STRUCTURAL STEEL SHALL CONFIRM TO C.S.A. G40.21-92 WITH A MINIMUM YEILD STRENGTH OF 350 MPa.
2. STRUCTURAL STEEL DETAILING AND CONNECTIONS TO CONFIRM TO C.S.A. CAN 3-S16.1-94

   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.

CONCRETE SCHEDULE DATA

LOCATION	STRENGHT
FOOTING	20 Mpa (2900 PSI)
FOUNDATION WALLS	20 Mpa (2900 PSI)
BASEMENT SLAB	25 Mpa (3600 PSI)
PORCH SLAB	32 Mpa (4650 PSI) W 5 - 8 ENTRAINMENT
GARAGE SLAB	32 Mpa (4650 PSI) W 5 - 8 ENTRAINMENT

GUARDS

INTERIOR LANDINGS	=	900 mm
EXTERIOR BALCONY	=	1070 mm
INTERIOR STAIRS	=	900 mm
EXTERIOR STAIRS	=	900 mm
MAX. BETWEEN PICKETS	=	100 mm
GUARD HEIGHT IF DECK TO GRADE IS:		
GREATER THAN 1800 mm	=	1070 mm
1800 mm OR LESS	=	900 mm

NO MEMBER OR ATTACHMENT BETWEEN 140 mm & 900 mm HIGH SHALL FACILITATE CLIMBING

STAIRS INTERIOR/EXTERIOR

MAXIMUM RISE	=	200 mm
MINIMUM RISE	=	125 mm
MINIMUM RUN	=	255 mm
MAXIMUM RUN	=	355 mm
MINIMUM TREAD	=	255 mm
MAXIMUM TREAD	=	280 mm
MAXIMUM NOSING	=	25 mm
MINIMUM WIDTH	=	860 mm
MINIMUM HEADROOM	=	1950 mm

SMOKE ALARM (O.B.C 2012 9.10.19)

SMOKE ALARMS SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT LEVEL, IN EACH SLEEPING ROOM AND IN THE HALLWAY SERVING THE SLEEPING ROOMS, IF NOT SERVED BY A HALLWAY IN A LOCATION BETWEEN SLEEPING ROOMS AND REMAINDER OF THE STOREY. ALL SMOKE ALARMS SHALL HAVE VISUAL SIGNALING COMPONENT. SMOKE ALARMS TO BE WIRED SO THAT ONE ALARM WILL CAUSE ALL ALARMS TO SOUND. SUPPLIED WITH PERMANENT CONNECTIONS TO AN ELECTRICAL CIRCUIT.

CARBON MONOXIDE DETECTOR

CARBON MONOXIDE DETECTOR SHALL BE INSTALLED ON OR NEAR THE CEILING ON EACH FLOOR AND BASEMENT. CARBON MONOXIDE DETECTOR TO BE INTER–CONNECTABLE TYPE–ACTIVATION OF CARBON MONOXIDE DETECTOR ACTIVATES SMOKE ALARM.

* CONTRACTOR TO CHECK BEARING CAPACITY PRIOR TO STARTING WORK

CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS. THE CONTRACTOR SHALL ADVISE THE ENGINEER OF ANY DISCREPANCIES PROIR TO PROCEEDING WITH CONSTRUCTION.

NOTE:
ALL DECK AND STAIR MATERIALS TO BE PRESSURE TREATED OR CEDAR.

NO. YYYYMMDD

GENERAL NOTES:

1) ALL DRAWINGS AND DESIGNS ARE COPYRIGHTED AND PROPERTY OF VIYA SISTERS INC. AND CANNOT BE REPRODUCED EXCEPT WITH SPECIFIC WRITTEN CONSENT FROM THE DESIGNER.

2) CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

3) DO NOT SCALE DRAWINGS.

R.NO	DESCRIPTIONS	DATE
02	REVISED AS PER THE CITY	10052024
01	REVISED AS PER THE CITY	30042024

LICENSED PROFESSIONAL ENGINEER
M.BALASUBRAMANIAM
100083404
PROVINCE OF ONTARIO

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FOR ALL YOUR DEVELOPMENT NEEDS
PLANNING , ENGINEERING, ARCHITECTURAL, PROJECT MANAGEMENT AND CONSTRUCTION
YOUR DREAM IS OUR PASSION

SITE:
4214 COLE CRESCENT
BURLINGTON
ON

PROJECT:
PROPOSED SEPARATE ENTRANCE

DRAWING:
GENERAL NOTES

DATE: 07 AUG 2024	TOWN FILE NO.
SCALE: 14" = 1'	DRAWING NO. A6
DRN BY: KETHIGA	
CHK BY: MB	

COMMITTEE OF ADJUSTMENT

Meeting 20 **AGENDA** **NOVEMBER 5, 2025**

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

File
540-02-A-063/25

APPLICANT: Susanne Hamm

PROPERTY: 3257 Appollo Road,
PLAN M366 LOT 116
City of Burlington - Regional Municipality of Halton.

PROPSAL: The applicant is proposing the construction of a new fence along the south side lot line.

VARIANCES:

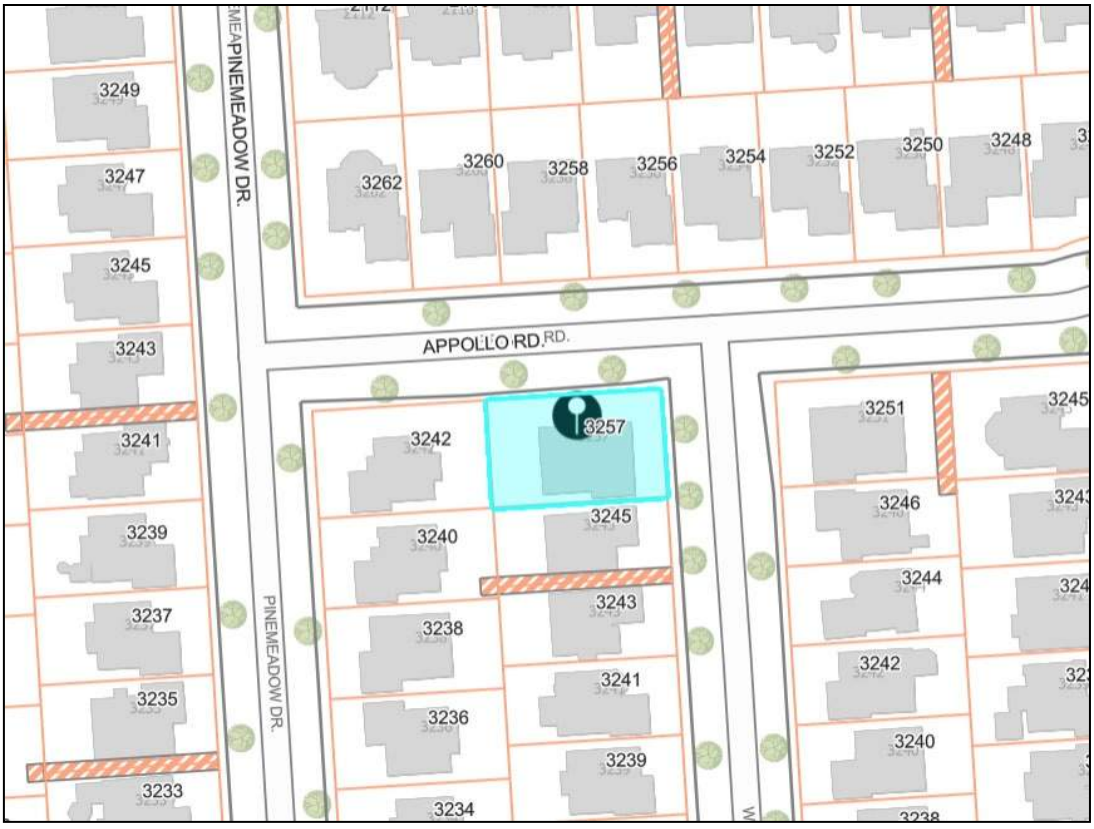
1. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the west lot line (rear), measuring 2.5 m in length from the south-west corner of the lot.

2. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 8 m in length from the south-west corner of the lot.

3. To permit a 3.1 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 11.5 m in length.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Susanne Hamm
Address: 3257 Appollo Rd. Burlington
File No. **A-063/25**
Ward: 6



Staff Comments

Committee of Adjustment

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

Date: August 13, 2025 Prepared By: E. Shacklette

Zoning

1) **Background information:**

The subject property is zoned R3.2, Low Density Residential, under Zoning By-Law 2020, as amended. The R3.2 zone requires, among other things, the following:

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) With attached garage or carport:
(i) One or one and a half storey side: 1.2 m
(ii) Two or more storey side: 1.8 m

2.4 FENCING AND PRIVACY SCREENS

2.4.1 Fences and walls are permitted in all zones subject to the following regulations:

(b) For all residential uses the following regulations apply:

(i) Maximum fence height: **2.0 m**

(ii) Within a front yard, maximum fence height shall be 1.2 m within 3 m of the street line except that where a front yard adjoins the rear yard of a corner lot the maximum fence height along the common property boundary within 3 m of a street line shall be 2.0 m;

2) **Proposal:**

The applicant is proposing the construction of a new fence along the south side lot line.

3) **Variance required:**

1. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the west lot line (rear), measuring 2.5 m in length from the south-west corner of the lot.

2. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 8 m in length from the south-west corner of the lot.

3. To permit a 3.1 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 11.5 m in length.

4) **Notes and conditions**:

1. A Zoning Clearance Certificate is not required provided that a building permit is not required.

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

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

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

5. The proposed fence complies with 2.4.1 b) ii) and is not located within 3 m of the front lot line.

Date: September 2, 2025 Prepared By: J. Parker

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a 3.1 metre noise barrier (fence) adjacent to the side lot line and existing fence on the subject lands. The applicant requests the Committee of Adjustment's approval of three variances because the proposed fence will exceed the maximum permitted height.

The subject lands comprise a rectangular-shaped parcel with a total lot area of 577 m^2 (0.06 hectares) with approximate lot frontage of 30.5 metres along Appollo Road and 18.8 metres along Wentworth Street. The lands are known municipally as 3257 Appollo Road.

The City of Burlington Official Plan, 1997 (BOP, 1997) describes the City structure as being comprised mainly of *residential neighbourhoods*, defined as a residential area sharing similar characteristics with identifiable boundaries, such as arterial or collector roads, hydro corridors, creeks or an area of non-residential uses. While new residential development is required to be compatible with "surrounding properties", many of the Official Plan's development and intensification policies reference the "residential neighbourhood" or "neighbourhood" as an important lens for assessing the compatibility

of a development proposal. The *residential neighbourhood* surrounding the subject property is bounded by Deer Run Avenue to the north, crosstown trail to the east, Headon Forest Drive to the south and west as the street wraps around the residential neighbourhood. The *residential neighbourhood* is characterized by two-storey detached dwellings (with attached garages) and consistent building footprints and dwelling depths. The surrounding area is predominately characterized by properties within the Low Density Residential R3.2 Zone.

The applicants are proposing to construct a new noise attenuation fence along the south side and west rear lot lines of the property to address elevated noise levels associated with adjacent mechanical equipment, including a pool pump and air-conditioning units located on the abutting property.

Following submission of the original application, which proposed a 3.1 m high fence for the full length of the south and west property lines, the applicants met with staff to review the findings of the Noise Impact Study and to discuss opportunities to balance noise mitigation with compatibility and built-form considerations. Through these discussions, the applicants agreed to revise the proposal to a split-height design, with a 3.1 m section located adjacent to the dwelling (where mechanical equipment such as the pool pump and air-conditioning units are located) and a reduced 2.5 m height extending through the rear yard.

As revised through discussions with staff and as shown on the Site Plan, the proposal now consists of a split-height fence design:

- A 3.1 m high section located along the south side lot line, measuring approximately 11.5 m in length, extending up to 1.5 m beyond the projection of the rear wall of the dwelling. This section corresponds to the area identified in the submitted Noise Impact Study as recommending additional height to meet the MECP noise guidelines.
- A 2.5 m high section continuing from the end of the 3.1 m portion to the rear lot line, measuring approximately 8 m in length, with an additional “L”-shaped return of approximately 2.5 m along the west lot line to provide structural support at the rear corner.

A noise study completed by Frank Westaway (Qualified Acoustical Consultant, dated October 2024) was submitted as supporting information by applicant. While the Noise Impact Study references the Ministry of the Environment, Conservation and Parks (MECP) guidelines NPC-300 and NPC-216 to evaluate noise levels on the subject lands, these publications are technical guidelines used to assess environmental noise levels and are not directly implemented through the City’s Zoning By-law or under the Planning Act.

Accordingly, the referenced MECP guidelines are considered supporting technical information that inform staff's analysis of compatibility under the City's Official Plan and Zoning By-law, rather than enforceable criteria for the variance itself.

The total fence length is approximately 22 m. The fence is proposed to be a solid, gap-free structure constructed entirely on the applicants' property using sound-attenuating materials consistent with the recommendations of the Noise Impact Study.
On the Site Plan, the green line represents the location of the proposed fence to be built entirely within the subject property boundaries. The purple line identifies the 3.1 m high section, while the orange line depicts the 2.5 m high section extending into the rear yard and along the west lot line.

This revised proposal replaces the original submission, which proposed a 3.1 m high fence along the full length of the south and west lot lines. The revision reflects ongoing discussions with staff to balance functional noise mitigation with considerations of visual compatibility, height, and overall massing.

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?

Regional Official Plan (2022):

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

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

Official Plan, 1997 & 2020

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 BOP, 1997 provides policy guidance on the review of development applications as they relate to design principles and objectives. Included among these are policies related to compatibility.

Part II, Section 6.2 (Design Objectives) of the City's Official Plan seeks to ensure that "the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods…".

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

Compatible(ity) is defined as 'development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based

on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.'

Yes

Policies under Section 8.3 encourage compatible, context-sensitive change within stable neighbourhoods and acknowledge that all neighbourhoods evolve over time through additions, renovations, and infill. The OP supports development that can co-exist without creating adverse impacts, consistent with the definition of compatibility in Part II, Section 6.5 of the 1997 Plan, which includes noise among measurable forms of incompatibility.

In this case, the applicant has submitted a Noise Impact Study demonstrating that adjacent mechanical equipment exceeds MECP noise guidelines. The proposed fence is intended as a mitigation measure to address this existing functional incompatibility rather than to facilitate new development.

A tiered approach to height 3.1 m closest to the dwelling (where the air-conditioning units and pool equipment are located) and 2.5 m extending through the rear yard—appropriately balances noise mitigation with visual compatibility. It provides adequate noise attenuation at the sensitive location while limiting overall massing and visual dominance along the property boundary.

Staff are satisfied that the revised proposal maintains the general intent and purpose of the Official Plan by:

- Addressing an identified incompatibility (noise) in a manner consistent with the definition of compatibility;
- Limiting height and extent to what is reasonably necessary for mitigation;
- Respecting neighbourhood character through a reduced rear-yard height.

Staff are of the opinion that the proposed variance ensuring the built form is compatible and context-sensitive to the surrounding neighbourhood.

2) City of Burlington Zoning By-law 2020:

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

The subject lands are zoned Low Density Residential ('R3.2') Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use in the applicable zone. A fence is also permitted as an accessory use.

Part 1, Section 2.4.1 (b) (i) (Fencing and Privacy Screens) of the City of Burlington Zoning By-law 2020, stipulates that for all residential uses a maximum fence height of 2.0 metres is permitted.

The intent of the regulation is to provide properties with an appropriate degree of privacy from adjacent development, while also ensuring that fences do not establish negative visual and spacing impacts especially in front yards which are traditionally much more open than rear yard spaces.

In reviewing this application, staff have also been cognizant of other zoning provisions that regulate structures in proximity to side lot lines, which provide context for the reasonableness of the requested heights:

Part 1, Section 2.2.1 (a) (Accessory Buildings up to 10 m² in floor area) stipulates that a maximum height of 2.5 m is permitted, with no required side yard setback.

Part 1, Section 2.2.1 (b) (Accessory Buildings greater than 10 m² and/or greater than 2.5 m in height) stipulates that such structures are not permitted in a side yard and must maintain a 1.2 m setback, with a maximum permitted height of 3.5 m or 4.6 m depending on roof type.

Part 1, Section 2.4.2 (Privacy Screens) stipulates that a maximum length of 12 m is permitted.

These related provisions demonstrate the Zoning By-law's intent to balance the scale of structures permitted near property lines. Smaller-scale elements up to approximately 2.5 m in height are permitted without setbacks, while larger structures must be set back or limited in length to minimize impacts on adjoining lots.

Yes – Variance No. 1 & 2 (2.5-metre Fence Height)

The proposed 2.5 m fence height along the west (rear) lot line and southern side lot line (rear portion) provides additional screening and sound attenuation while maintaining a scale consistent with other structures permitted in close proximity to side and rear lot lines.

The proposed height aligns with Section 2.2.1 (a), which already permits 2.5 m tall accessory structures without setbacks. The limited extent (8 m along the south lot line and 2.5 m along the west lot line) and location within the rear yard ensure the design will not result in visual dominance or shadowing impacts on neighbouring properties.

Yes – Variance No. 3 (3.1-metre Fence Height)

The 3.1 m fence height along the south side lot line extends approximately 11.5 m from the side of the dwelling and corresponds with the area of the property identified in the Noise Impact Study as recommending additional mitigation to achieve the MECP noise guidelines.

The increased height is located within the narrow space between the two dwellings, where the height and built form of the houses already establish the predominant massing along this portion of the property. The additional 3.1 m fence height therefore remains visually subordinate to the surrounding built form and does not materially alter the perception of scale from the adjacent property or the public realm.

The intent of the 2.0 m height limit is, in part, to prevent excessive sun-shadowing; however, in this location, shadowing effects are already primarily influenced by the existing dwellings, which cast the dominant shade pattern in this area. The fence will have a limited impact on light and shadow conditions.

In addition, as shown in the site photos, there is substantial foliage and tree coverage when viewing the property from the Wentworth Street frontage, which provides visual screening and prevents the fence from being readily visible from the road or from surrounding public areas.

The proposed variance maintains the general intent of the zoning by-law.

3) Desirability:

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

Yes

The proposed variances are desirable for the appropriate use of the property as they provide a functional solution to an identified noise incompatibility while maintaining the residential character of the area. The Noise Impact Study confirms that the adjacent pool equipment and air-conditioning units exceed MECP guidelines, resulting in adverse impacts on the use and enjoyment of the outdoor amenity area.

The revised split-height fence design represents a balanced and targeted response: the 3.1 m section is beside the dwelling, where the need for mitigation is greatest, while the 2.5 m section through the rear yard maintains openness, scale, and compatibility. The fence will be constructed of solid, sound-attenuating materials and is largely screened by existing landscaping and mature vegetation along the lot line.

The proposed design will improve the livability of the property by mitigating existing noise impacts without introducing new adverse effects such as visual dominance, overlook, or shadowing on neighbouring lots. Staff therefore find that the proposed variances are desirable and represent appropriate development and use of the land.

4) Minor in Nature:

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

Yes

Quantitatively, the difference between the permitted 2.0 m and proposed 2.5 m and 3.1 m fence heights is small, and applies to a limited area of the property. Qualitatively, the resulting fence design is context-sensitive and visually contained between two existing dwellings whose height and mass already define the predominant built form. The stepped transition from 3.1 m to 2.5 m minimizes visual massing and reduces any sun-shadowing effects beyond those already created by the houses themselves.

The proposal does not alter the residential use of the property, impede views, or create adverse impacts on the adjacent or surrounding properties. With the benefit of existing foliage and tree coverage that further screens the fence from public view, the proposal will not negatively affect the character of the neighbourhood.

The proposed variances are considered minor in both scale and impact and represent a reasonable form of mitigation

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 proposed variances.

Date: October 20, 2025 Prepared By: Ryan Kochuta

Report Schedules & Attachments:

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

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

View of the subject lands from Appollo Road

View of the subject lands from Wentworth Street

View of the existing side yard of the subject lands

View of the existing side yard of the subject lands

View of the existing side and rear yard of the subject lands

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Development Engineering

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

Date: September 11, 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 16, 2025 Prepared By: R. Shaw-Lukavsky

Building

The Building Department has reviewed the proposed application and has no objection.

Date: September 15, 2025 Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

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

Date: August 14th 2025 Prepared By: Taylor Kirchknopf

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

Date: September 18 2025 Prepared 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: September 8, 2025 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the above-referenced Minor Variance application requesting relief from the maximum permitted fence height to facilitate the construction of a new fence along the southern lot line.

- 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 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.

- The Region has attached some reference materials for the applicant related to the Source Water Protection program and the important role landowners play in protecting drinking water sources.

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

Date: September 17, 2025 Prepared By: Amanda Roger

Burlington Hydro

Please see documentation attached to the end of this report for comments.

Date: September 16, 2025 Prepared By: Zakariya Al-Doori

Halton Region

RETHINK WATER
Enjoy Conserve Protect

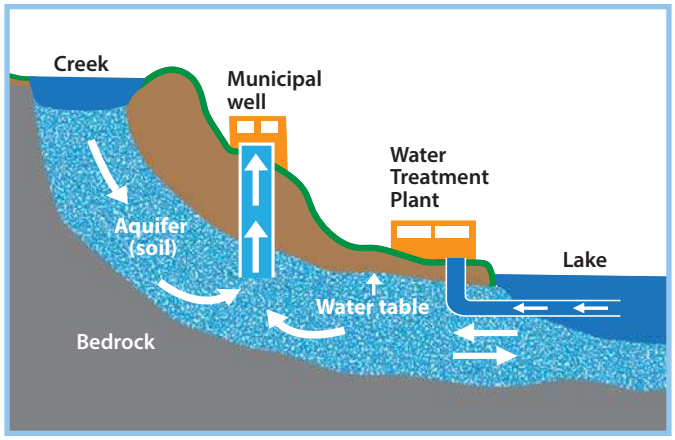
Source Water Protection Factsheet

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.

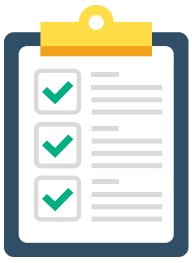
How is my application reviewed?

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 REGION

PW-1813334

Burlington hydro inc.

September 12, 2025

Applicant: Susanne Hamm
Subject: Minor Variance.
File No: 540-02-A-063/25.
Location: 3257 Appollo Rd, Burlington, ON.

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

We have **no objections** to the proposed construction of a new fence along the south side lot line.

We would like to stipulate the following:

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

- ☑ **Service is available under BHI's latest Standard Service Conditions**:
- ☑ https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html

- ☑ Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest Standards and Regulations if possible issues with the clearances arise between existing BHI facilities and existing/proposed building structures.

- ☑ BHI easement (if any) is to remain clear of heavy vehicle traffic, and the customer is responsible for keeping the easement lands free and clear of any trees, fences, buildings, structures, or obstructions unless any of the foregoing 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 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.**

1340 Brant street, Burlington, ON · L7R 3Z7 **burlingtonhydro.com** (905) 332-1851

Burlington**hydro** inc.

- ☑ 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.
- ☑ Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when work is planned to be performed in proximity to the hydro distribution system.
- ☑ Arrange for the disconnect and isolation of the power supply if a person or equipment is to encroach on the minimum distance permitted under the OHSA and OESC.
- ☑ 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, to 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

Sep. 15/2025
RP

1340 Brant street, Burlington, ON · L7R 3Z7 **burlingtonhydro.com** (905)-332-1851

Burlington Hydro Inc

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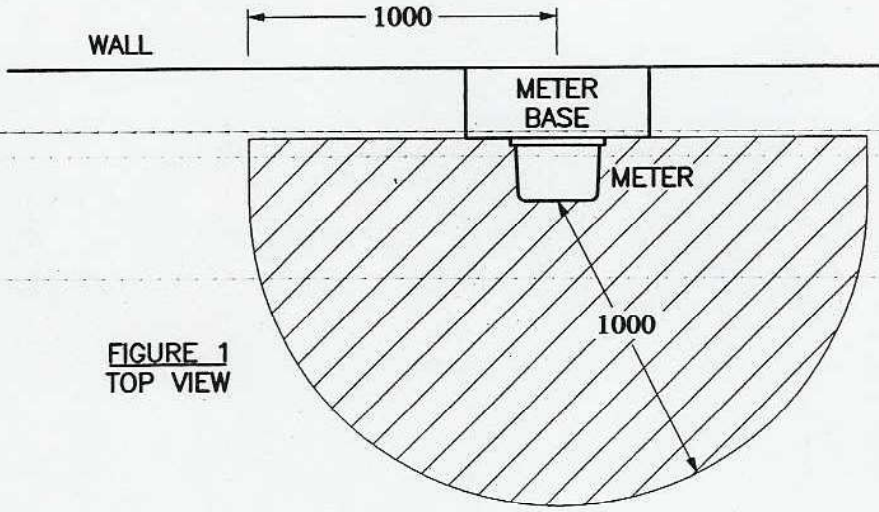


FIGURE 1
TOP VIEW

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.

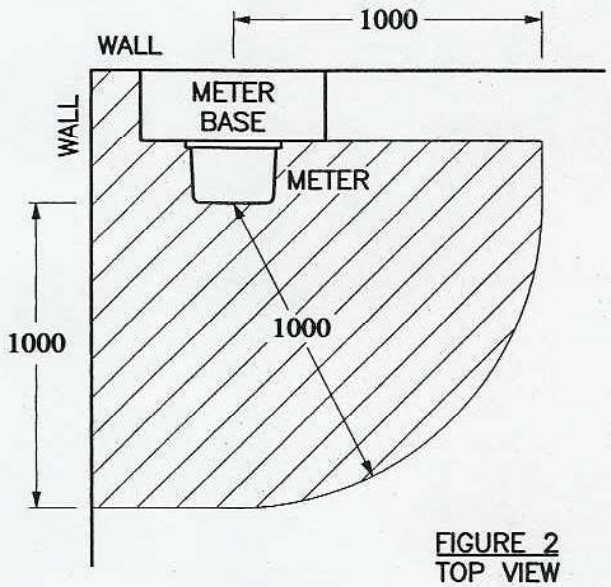


FIGURE 2
TOP VIEW

REQUIRED WORKING CLEARANCE AROUND METERS

METRIC
LINEAR DIMENSIONS SHOWN IN MILLIMETRES

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)

Contact: Engineering Clerk
Email: Permits@BurlingtonHydro.com
www.BurlingtonHydro.com

Burlington**hydro** inc.

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.

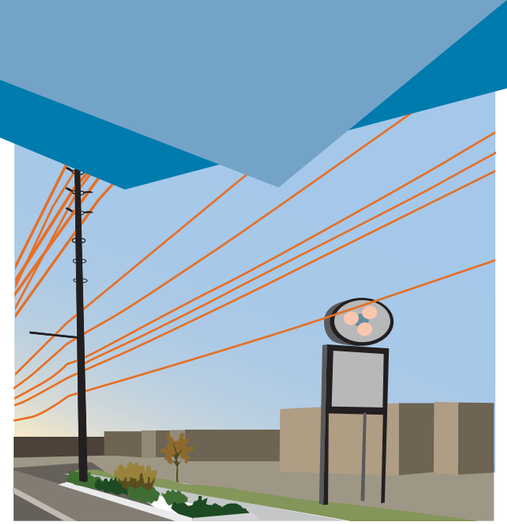
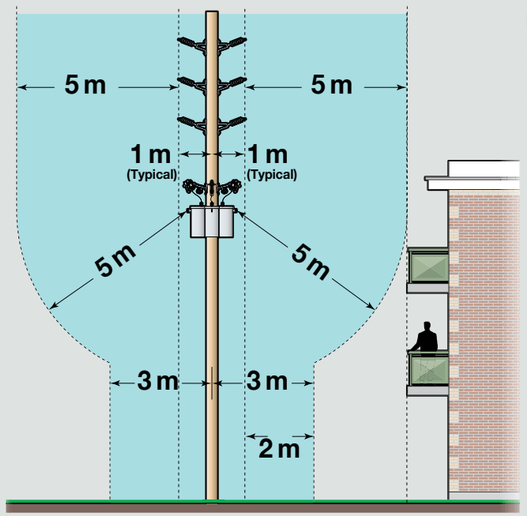
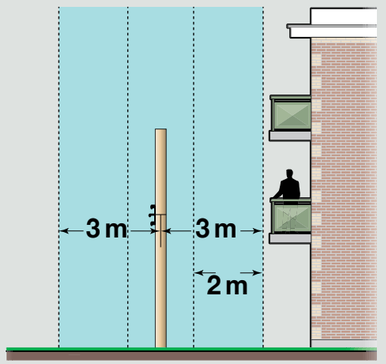


Figure 1: Ontario Building Code Clearance Requirements



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)

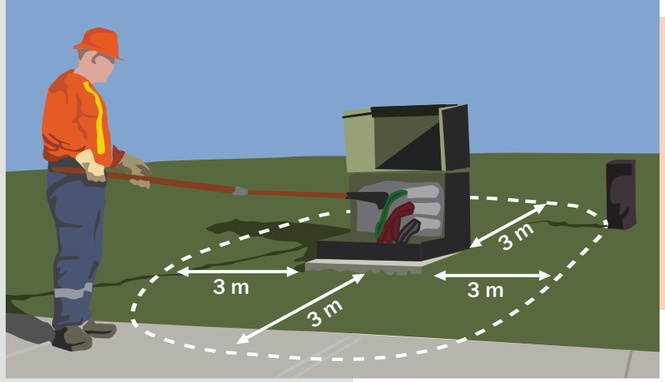
Figure 2: Pad Mount Clearance Concerns

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.

Figure 1: Clearances to Pad Mounted Equipment



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

Figure 3: Pad Mount Clearance Concerns

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.

Contact: Engineering Clerk
Email: Permits@BurlingtonHydro.com
www.BurlingtonHydro.com

Burlington hydro inc.

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.

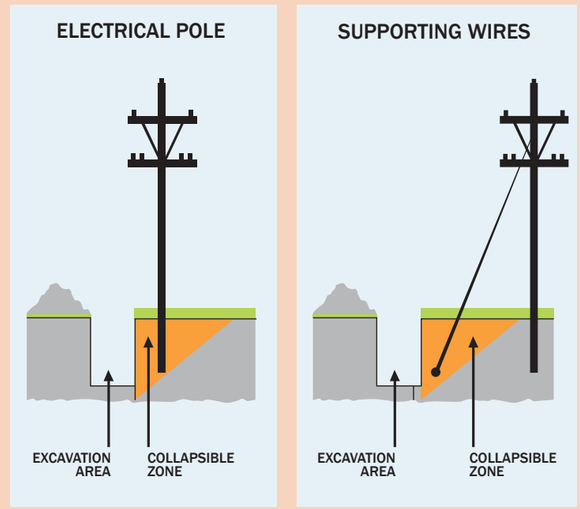


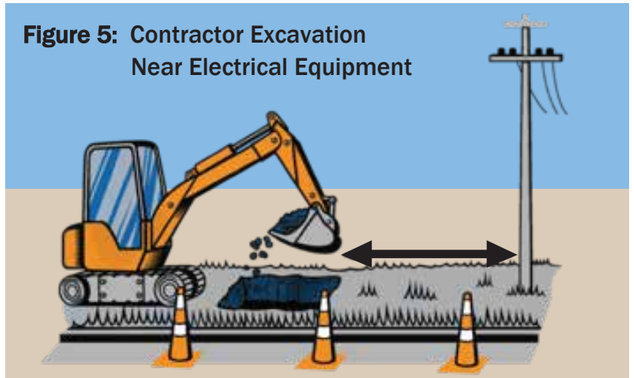
Figure 4: Excavation Near Electrical Equipment

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



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)†

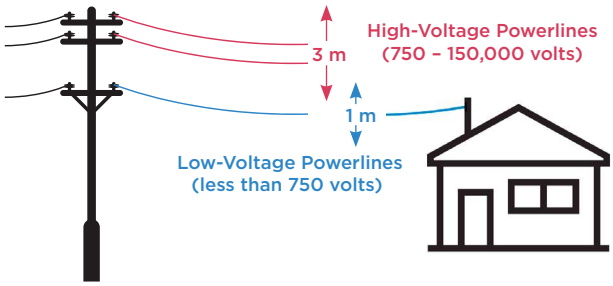
**Recommendation from the Working Group*

†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).

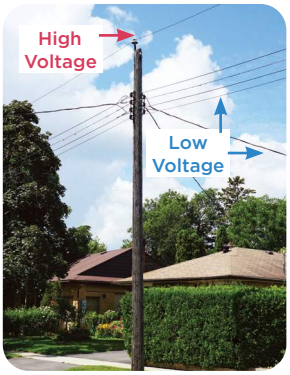
Figure 1



Maintain a safe distance from powerlines in all directions

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.

Figure 2



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!

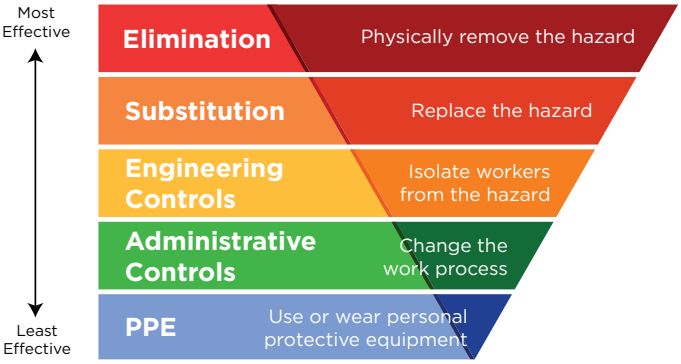
Always contact the owner of the overhead powerline to verify the correct voltage.

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

Labour Management Network

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-063/25**
Committee of Adjustment
Date of Mailing: October 17, 2025

NOTICE OF PUBLIC HEARING

Susanne Hamm the owner of 3257 Appollo Rd. Burlington has applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **3257 Appollo Rd. Burlington** (see map).

The applicant is proposing the construction of a new fence along the south side lot line. This proposal results in the following variances:

1. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the west lot line (rear), measuring 2.5 m in length from the south-west corner of the lot.

2. To permit a 2.5 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 8 m in length from the south-west corner of the lot.

3. To permit a 3.1 m fence height instead of the maximum permitted 2.0 m for a proposed fence located along the south side lot line, measuring 11.5 m in length.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after October 20, 2025**.

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

WEDNESDAY NOVEMBER 5, 2025

This application is scheduled to be heard at or after 5:30 pm.

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

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

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

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **4:30 p.m.**

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

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

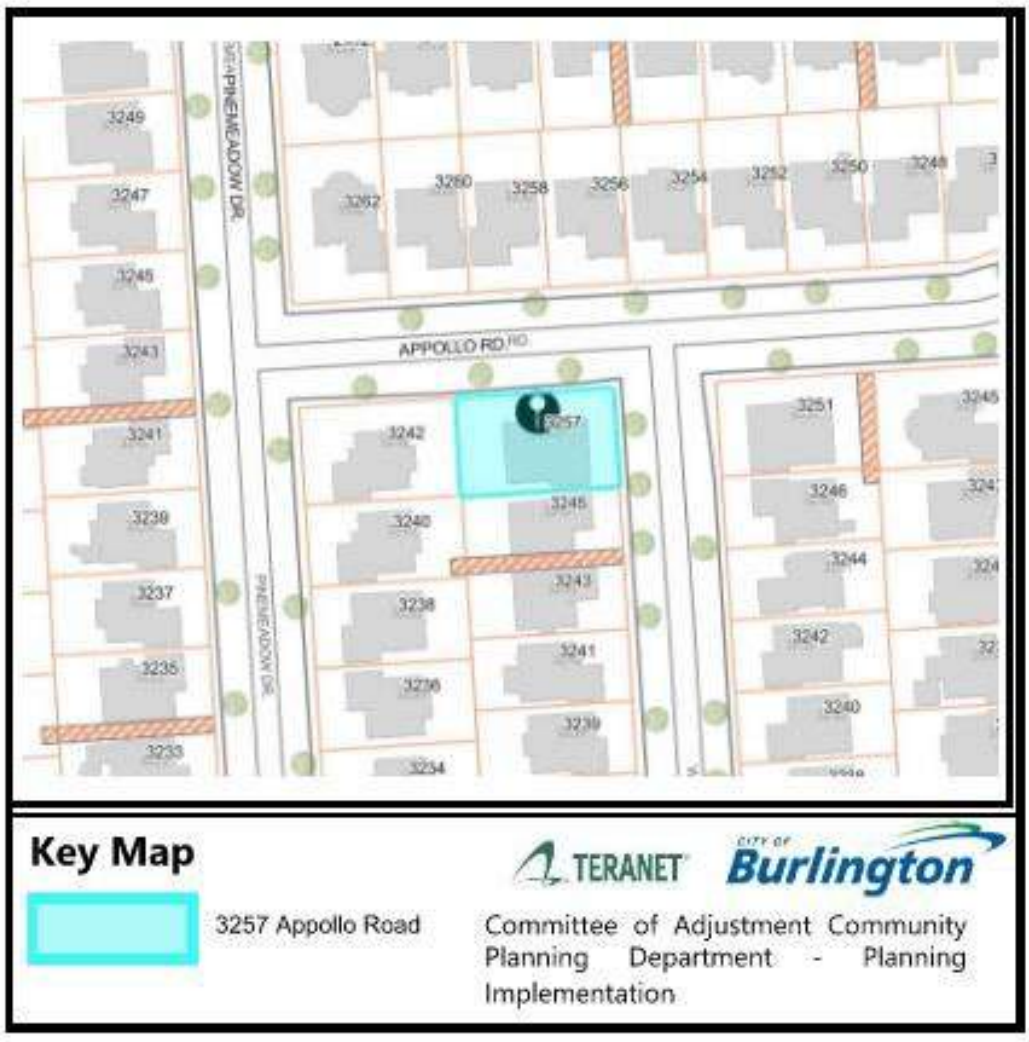
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

Yours truly,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



CITY OF Burlington

MINOR VARIANCE – 2025

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

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y ☒ or N ☐
Name of Planner: MARIANA DA SILVA Name of Zoning Examiner: ERIN RUBY

PROPERTY INFORMATION
Municipal Address(es) of property:

3257 APPOLLO ROAD, BURLINGTON, ONT. L7M 2M9

Legal Description of property:

PCL 116-1, SEC 20M366, PL 20M 366

PIN 07176-0127 LT

Official Plan Designation: (RESIDENTIAL NEIGHBOURHOOD AREA) Current Zoning Designation R3.2 ZONE RESIDENTIAL

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

SUSANNE HAMM (SPOUSE: HENDRIK (GUS) VAN HARTEN)

Mailing Address: 3257 APPOLLO ROAD City: BURLINGTON

Postal Code: L7M 2M9 Home Phone: 289-230-7647 Mobile Phone: 647-273-3266

Work Phone: SAME E-Mail: shamm54@yahoo.ca

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

Name: NA - UNLESS REQUIRED FOR SPOUSE'S PARTICIPATION IN WHICH CASE HENDRIK (GUS) VAN HARTEN

Business Address: SAME AS ABOVE MAILING ADDRESS City: SAME

Postal Code: SAME Home Phone: SAME Mobile Phone: SAME

Work Phone: SAME E-Mail: vanharten2002@yahoo.ca

City of Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

PROPOSED DEVELOPMENT Please outline in detail your proposed development and list each variance you are requesting, as well as the Zoning By-law Requirements. Attach a separate sheet if required. ERECT WOODEN NOISE BARRIER (BASED ON ATTACHED SPECIFICATIONS).

REQUEST VARIANCE FROM FENCE HEIGHT RESTRICTION OF 2.0 METERS.

Variance(s) Requested	Zoning Bylaw Requirement
ALLOW HEIGHT UP TO 3.10 METERS (APPROX. 10 FEET) BETWEEN THE HOUSES AND EXTENDING UP TO 1.5 METERS PAST THE BACK OF THE HOUSE AND A HEIGHT UP TO 2.5 METERS EXTENDING IN THE REMAINING DISTANCE ~~BE~~ TO THE BACK OF THE YARD, WITH A ~~SMALL~~ SINGLE "L" SECTION IN THE CORNER.	PART 1, 2.4.1 (6)(i) MAXIMUM FENCE HEIGHT: 2.0 METERS.

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? A HIGHER FENCE IS NEEDED FOR EFFECTIVE NOISE MITIGATION AS EXPLAINED AND RECOMMENDED IN ATTACHED NOISE IMPACT STUDY. NOISE MITIGATION IS A MATTER OF 'THE HIGHER THE BETTER'.

2. Why are the variance(s) desirable for the appropriate use of the land? IT WILL PERMIT, WE HOPE, AN EFFECTIVE PRACTICAL SOLUTION TO NOISE EMANATING CHRONICALLY FROM ~~NOIS~~ STATIONARY EQUIPMENT ON NEIGHBOURING PROPERTY. NO MORE EFFECTIVE SOLUTION IS AVAILABLE TO US FOR THE IMPACT ON OUR PATIOS, KITCHEN/DINING AREA, AND A BEDROOM.

3. Do the variance(s) meet the intent and purpose of the Official Plan? YES. THEY WILL PERMIT US TO CONTINUE TO ENJOY OUR PROPERTY AS WE DID BEFORE INSTALLATION OF THE STATIONARY EQUIPMENT IN SPRING 2024. AS SUCH, IT WILL RETURN US TO A MUCH HEALTHIER AND PEACEFUL LIFE.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? YES. THE VARIANCE WILL ALLOW US TO MAINTAIN OUR HOUSING CONDITIONS AS 'LIVABLE' WHILE ALLOWING FOR MINIMAL IMPACTS ON NEIGHBOURS BY, FOR EXAMPLE, AVOIDING OTHER NOISE BARRIER DESIGNS (E.G., COMPOSITE OR BRICK) THAT ARE LESS IN KEEPING WITH NEARBY FENCING.

Burlington

MINOR VARIANCE – 2025

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

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
NOV/30/2009 (mmm/dd/yyyy)	~ OCT/01/1986 (mmm/dd/yyyy)	FALL 2025 OR SPRING 2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

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

Length of time the existing uses of the subject property have continued: SINCE PURCHASE OF THE PROPERTY

Proposed Use of the Land:

ERECT WOODEN NOISE BARRIER BESIDE REAR/SIDE PROPERTY LINES

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
≈ 30.5 M	18.8 M	577 M²	20.00 FT	20.00 FT	NA		Y ☒ N ☐

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

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition) NA	
Ground Floor Area (incl. attached garage)	M²	Ground Floor Area (incl. attached garage)	M²
Gross Floor Area:	M²	Gross Floor Area:	M²
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
Garage/Car Port		**Garage/Car Port** NA	
Detached?	Y ☐ N ☐	Detached?	Y ☐ N ☐
Gross Floor Area:	M²	Gross Floor Area:	M²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc)		**Accessory Structures** NA	
Gross Floor Area:	M²	Gross Floor Area:	M²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.)		**Other** NOISE BARRIER FENCE	
Gross Floor Area:	M²	Gross Floor Area:	M²
Width:	M	Width: UP TO ≈ 0.15	M
Length:	M	Length: UP TO ≈ 22	M
Height:	M	Height: UP TO 3.10	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

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
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committeeofadjustment@burlington.ca

N/A

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

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

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

City of Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

NA

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

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

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

Burlington

MINOR VARIANCE – 2025
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EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner: SUSANNE HAMM
HENDRIK (GUS) VAN HARTEN

Property Address: 3257 APOLLO RD.
BURLINGTON, ON L7M 2M9

1. I, SUSANNE HAMM + HENDRIK (GUS) VAN HARTEN (Print Name) In my capacity as OWNER / OWNER AND/OR AGENT (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated _____ (mmm/dd/yyyy)

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

OR

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

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

OR

C. The sketch or plot plan** dated AUG/08/2025 (mmm/dd/yyyy)

**Accepted for applications involving variances for Uses only.

was prepared by: SUSANNE HAMM + HENDRIK (GUS) VAN HARTEN (Person or Company Name)

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

3. The material submitted shows all measurements in metric, as calculated/converted by: SUSANNE HAMM + HENDRIK (GUS) VAN HARTEN (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

AUG/08/2025
Date (mmm/dd/yyyy)

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: SUSANNE HAMM
HENDRIK (GUS) VAN HARTEN

Signature of Owner/Applicant

Property Address: 3257 APPOLLO ROAD
BURLINGTON, ONT.
L7M 2M9

AUG/11/2025
Date (mmm/dd/yyyy)

Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

AFFIDAVIT

*Please fill out at time of submission of application

I have the authority to bind the Corporation (check if applicable) ☐ Signature of Applicant or Authorized Agent: N/A.

I, SUSANNE HAMM (print name) of the CITY (Region/City/County) of BURLINGTON in the MUNICIPALITY (City/Town/Township)

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

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

this 11 day of August. 2025.

S. Gillies

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

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: 3257 APPOLLO ROAD, BURLINGTON, ONT. L7M2M9

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

SUSANNE HAMM
Print Name
HENDRIK(GUS) VAN HARTEN

Burlington

MINOR VARIANCE – 2025

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

* WE REGARD OURSELVES AS CO-OWNERS/CO-APPLICANTS

OWNERS AUTHORIZATION

IF APPLICABLE *

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

I, SUSANNE HAMM being the registered owner of the subject lands, hereby
(print name)

Authorize HENDRIK (GUS) VAN HARTEN to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.

Signature of Owner

AUG/08/2025
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 / SKETCH

- ☑ 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
- N/A ☐ Existing Porch, Stairs and Overhang Setbacks
- NA ☐ Proposed Front Yard Setbacks
- ☑ Proposed Rear Yard Setbacks } OF WOODEN NOISE BARRIER
- ☑ Proposed Side Yard Setbacks }
- NA ☐ Proposed Street Side Yard Setbacks
- NA ☐ Proposed Porch, Stairs and Overhang Setbacks
- ☑ Streets (Public and Private)
- ☑ Street Names
- N/A ☐ Parking (Dimensioned spaces, Driveway Width, Arrangement)
- NA ☐ Railways (Location of them and setbacks to structures)
- NA ☐ 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

} OF PROPOSED WOODEN NOISE BARRIER

ELEVATIONS NA

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

FLOOR PLANS NA

- ☐ 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

SUSANNE HAMM HENDRIK(CUS)VAN HARTEN

AUG/11/2025
Date (mmm/dd/yyy)

CONTEXT AND SUMMARY FOR COMMUNICATIONS WITH NEIGHBOURS – AUGUST 24, 2025
RE: VAN HARTEN-HAMM MINOR VARIANCE APPLICATION SUBMITTED AUGUST 11, 2025

2024

Early May — Our neighbours approached us about changes to the longstanding fence between our properties, related to their planned new pool. We were friendly and accommodating. After a brief conversation, we said they were welcome to enter our backyard to attempt to move a cross board on the fence. No "final" changes were discussed or agreed.

Late May — We noticed that our backyard gate/ door had begun hitting the panel at the end of the fence, suggesting the panels may have started to warp. We noted it as not urgent but as something to discuss with the neighbours.

Early June — We noticed, from the noise, that the neighbour's new pool equipment had been installed in the narrow area or "canyon" between the two 2-story houses. The noise was and has been very disruptive to our dining area/ kitchen, an upstairs bedroom, and our outside back and side patios.

The noise is worst from the pool pump, which is run about 12 hours each day (approx. 8am to 8:15pm) through the pool season. This noise is exacerbated periodically by the neighbours' existing AC unit and/ or the new pool heater, both in the same narrow area.

Essentially, for close to two pool seasons we have endured a steady loud "roar" on our back patio and in frequently-used rooms of our house (when a window is open) and a loud industrial "hum" on our side patio and inside (with all windows closed).

Mid June — We approached the neighbours and politely asked to discuss the noise issue. We stressed we had a good relationship, it did not need to be conflictual, and we could work something out. The neighbours did not take up our offer to meet/ discuss.

In our brief verbal exchanges, when asked what we thought could be done, we suggested options of a sound-proofing enclosure around the pool pump or relocating the equipment to the back of the yard, much farther from any house. Within a day or so, they rejected these options without further discussion.

June 19 — The neighbours began communicating with us in writing. Soon after, they stopped acknowledging or speaking with us outside.

Late June — We wrote the neighbours to renew our proposal for the four of us to meet and discuss possible ways forward. We received no reply.

Late July — We wrote the neighbours to express concern more formally about the fence and noise. We repeated that we preferred to resolve the matter through dialogue and offered to discuss after our pending family trip. We received no reply.

Mid August — We returned from our family trip to see that a new no-trespassing sign had been posted on the neighbours' gate and a new security camera had been attached to the wall of their house in the vicinity of the pool equipment. The camera moves and appears capable of recording our property including our kitchen window and sliding door.

The day after our return from the family trip, we received an aggressively worded letter from the neighbours, indicating again that they were unwilling to meet/ discuss with us.

Late August — Having taken our own sound tests over the summer using borrowed professional equipment, we took the step of hiring a professional noise consultant. The resulting noise study was completed in late October. It found that the noise from the equipment regularly exceeded the limits in provincial Noise Pollution Control documents. A noise barrier was recommended.

September — We wrote the neighbours again, reiterating our offer to meet and suggesting we could use a mediator. We conveyed that we had sought to accommodate them by not making changes to the existing fence until after the pool season. By reply letter, they declined to take up this offer to meet.

2025

Winter — We consulted various fence companies about the design and cost of noise barriers. We also drove around the neighbourhood to look at different fences or noise barriers, comparing their design, look, and apparent effectiveness. This work informed the choice of noise barrier specifications as submitted in our minor variance application, i.e. a cedar tongue-and-groove noise barrier up to 10 feet high.

Based on the recommendations from our noise consultant and noise barrier companies, and our own observations, a noise barrier's height is key to its effectiveness.

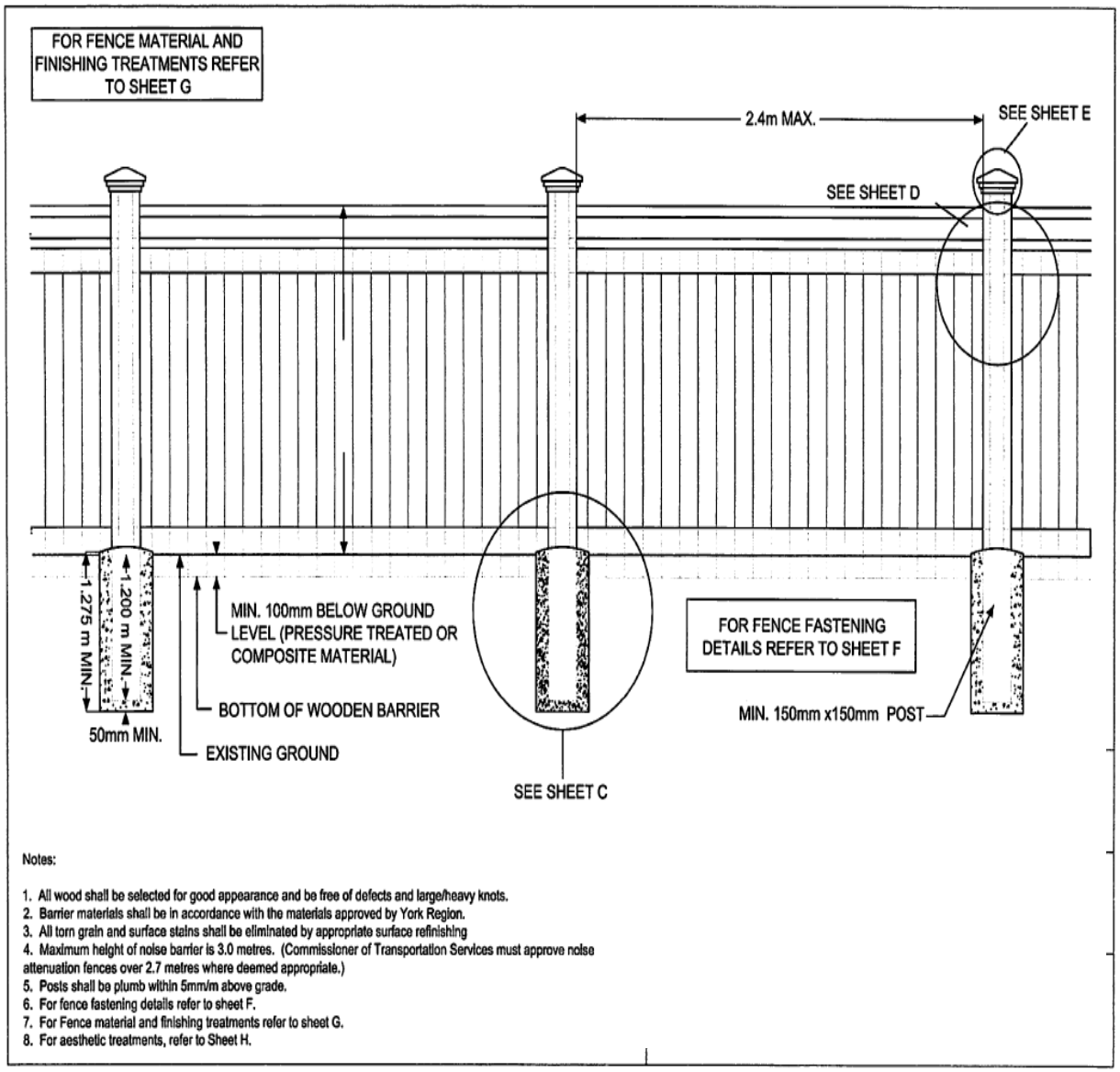
March 17 — We wrote the neighbours again, laying out our plans for the noise barrier and proposing to substitute it in place of the existing fence. We invited input from them while reserving our rights.

March 30 — By reply letter, the neighbours rejected our proposal, saying that any changes to the existing fence required their written approval and threatening us with litigation if we changed the fence or continued our "unsubstantiated claims or unauthorized actions". To reduce the risk of litigation, we delayed our plans for a noise barrier.

April to June — We commissioned a property survey, a purpose of which was to check that any changes to the existing fence, and the erection of a noise barrier, could be done on our property only. The survey was delayed after the neighbour refused access and then made contentious claims to the surveyor, ultimately demanding a copy of the survey.

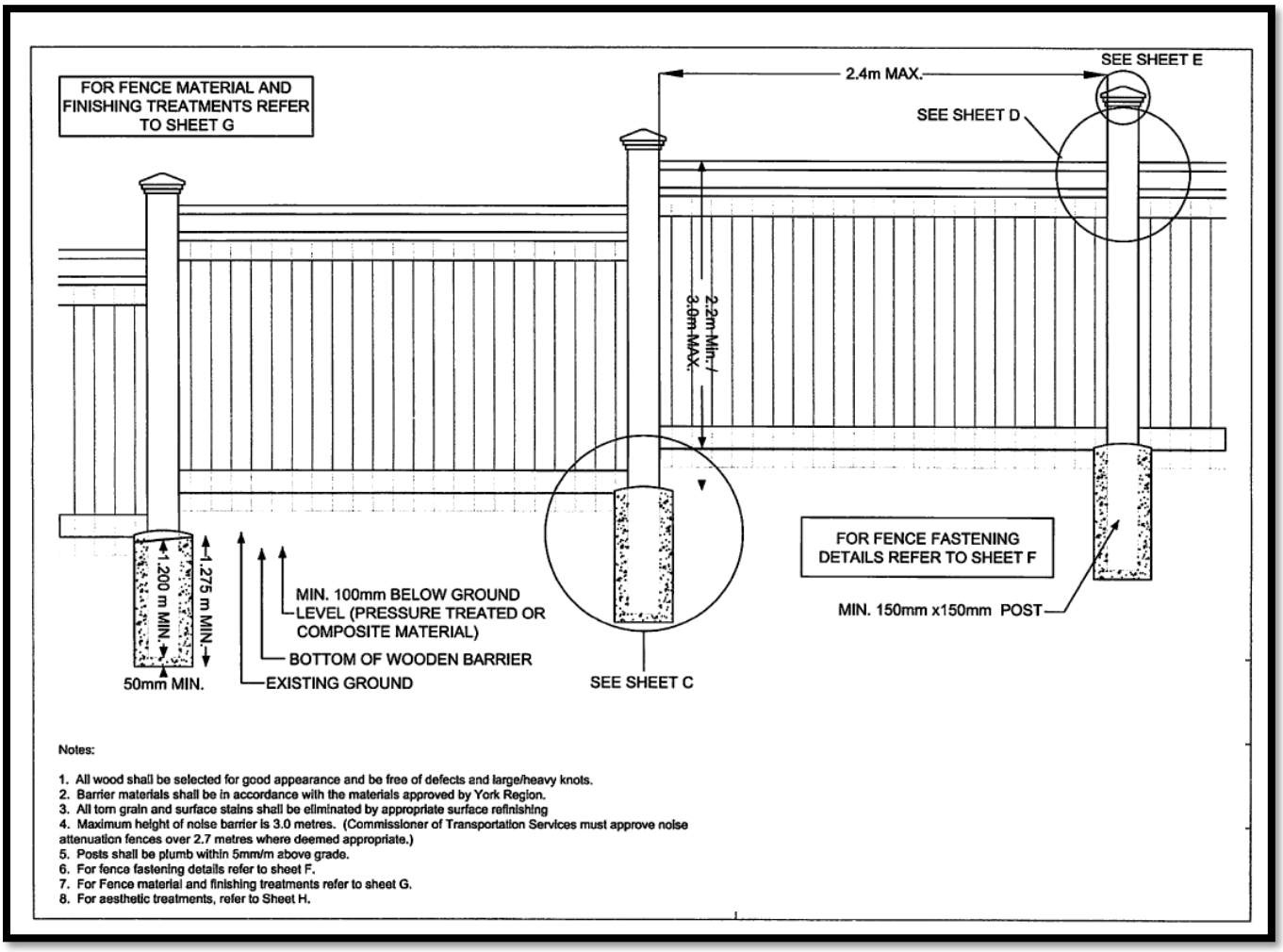
July to August — As a temporary step, we attached cedar panels to sections of the existing fence to experiment with noise reduction. The panels are not specifically designed for noise, e.g., they are much thinner than the recommended panels. However, they do cover gaps between existing panels on the fence. As the results have been modestly positive, we are going ahead with the longer-term plan for a wooden noise barrier, leading to our minor variance application related to the height of the noise barrier.

SAMPLE OF A WOODEN NOISE BARRIER



Notes:

1. All wood shall be selected for good appearance and be free of defects and large/heavy knots.
2. Barrier materials shall be in accordance with the materials approved by York Region.
3. All torn grain and surface stains shall be eliminated by appropriate surface refinishing
4. Maximum height of noise barrier is 3.0 metres. (Commissioner of Transportation Services must approve noise attenuation fences over 2.7 metres where deemed appropriate.)
5. Posts shall be plumb within 5mm/m above grade.
6. For fence fastening details refer to sheet F.
7. For Fence material and finishing treatments refer to sheet G.
8. For aesthetic treatments, refer to Sheet H.



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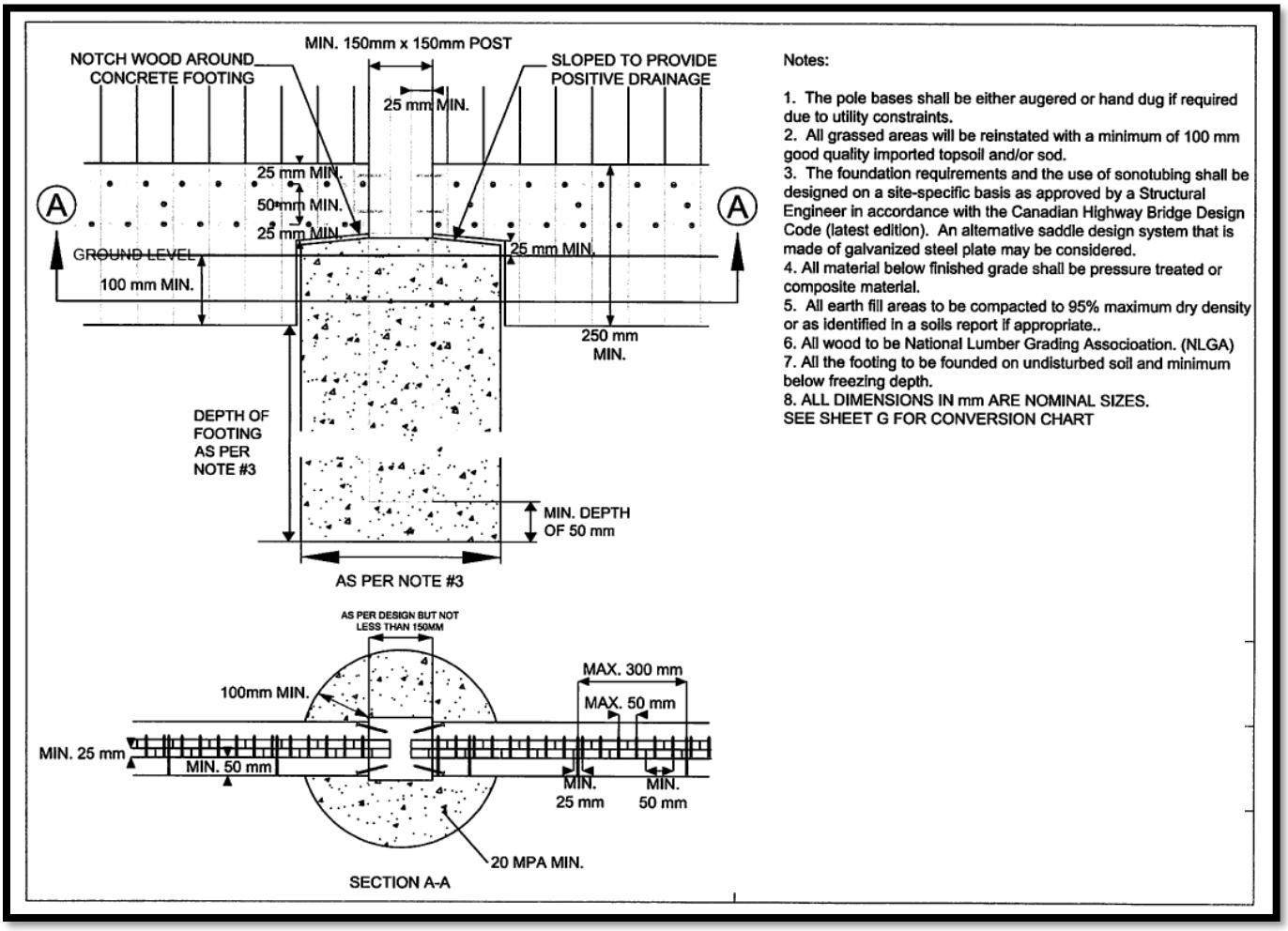
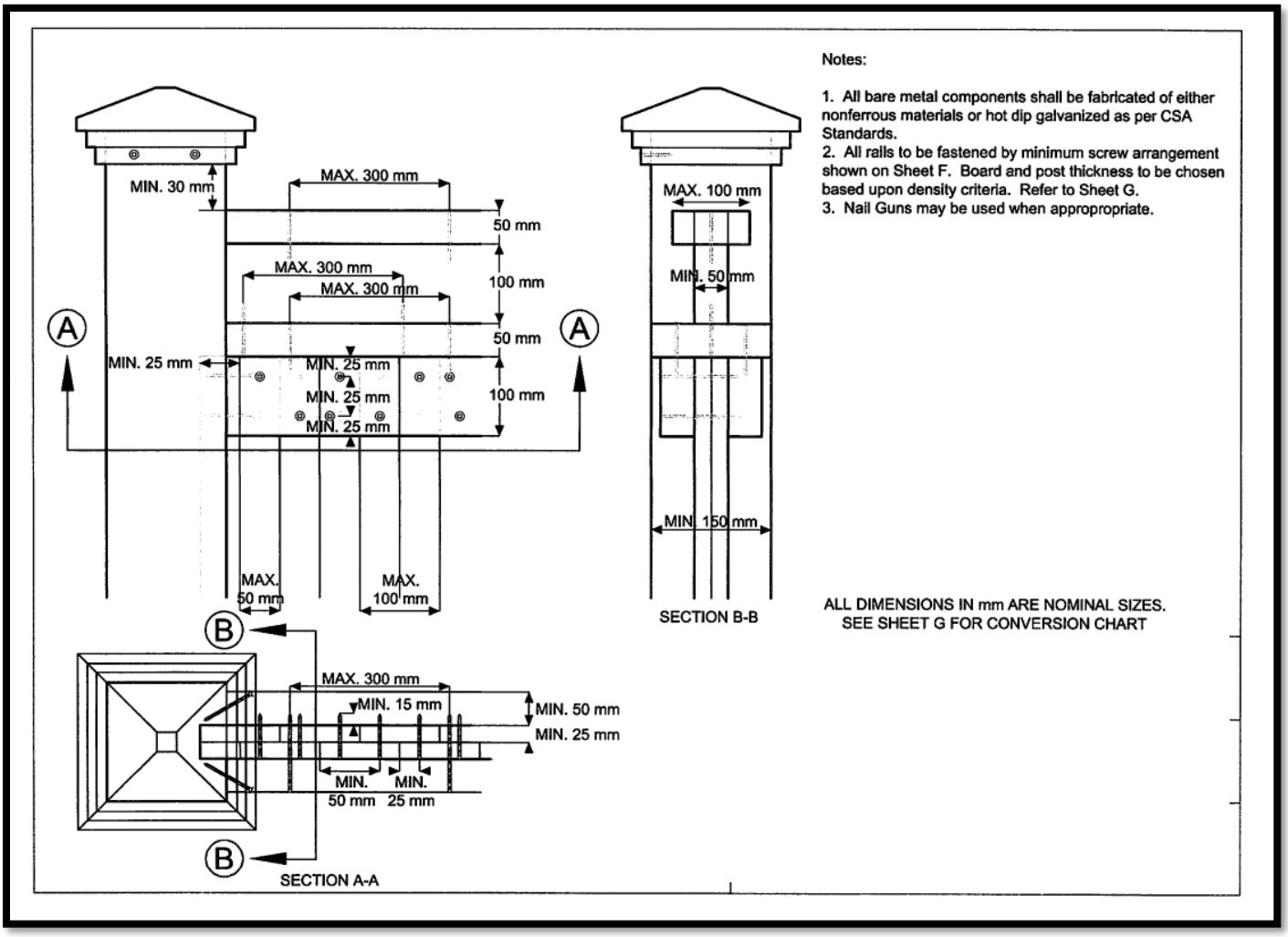
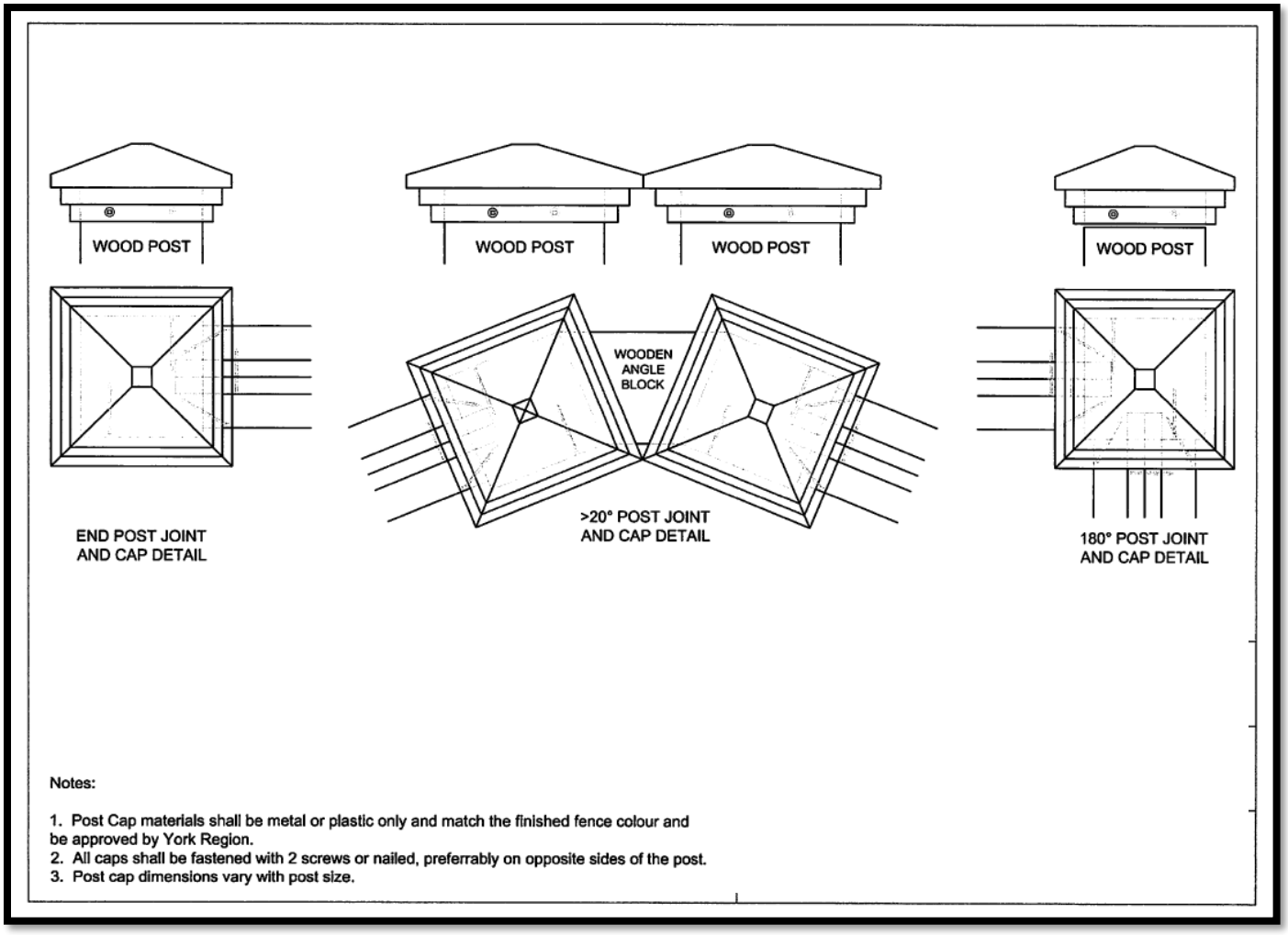
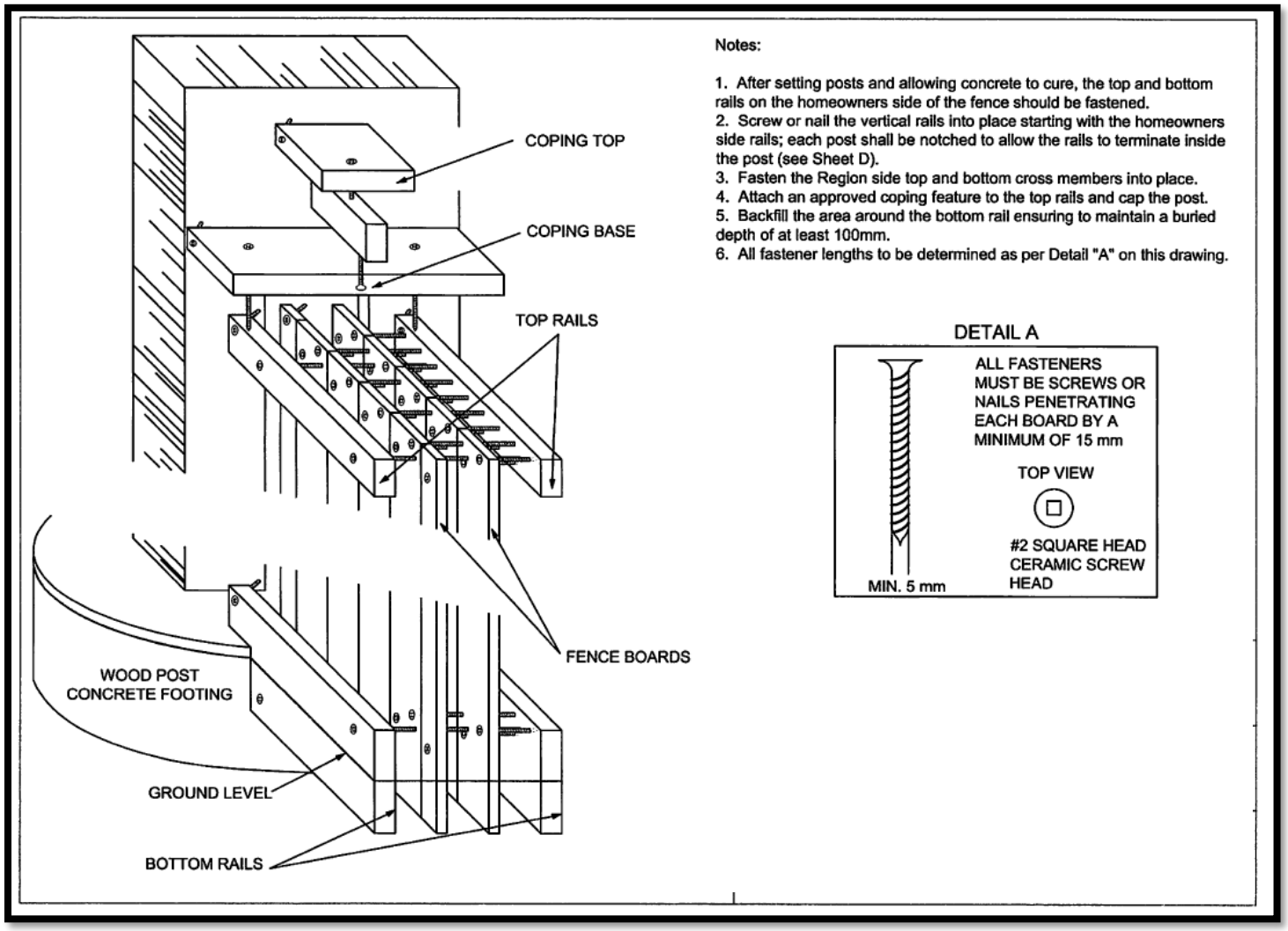






Notes:

1. Post Cap materials shall be metal or plastic only and match the finished fence colour and be approved by York Region.
2. All caps shall be fastened with 2 screws or nailed, preferrably on opposite sides of the post.
3. Post cap dimensions vary with post size.



STAIN FOR WOOD FENCE

SHALL CONSIST OF:

- A BASE OF BLENDED RESINS AND OILS IN A WATER SUSPENSION
- SUSPENDED SOLIDS WHICH ARE NOT LESS THAN 21% AND NOT GREATER THAN 31% BY VOLUME
- V.O.C.'S (VOLATILE ORGANIC COMPOUNDS) WHICH ARE NOT IN EXCESS OF 350g/L IN ACCORDANCE WITH A.S.T.M. D-2369
- LEVELS OF LIQUID MICROBICIDES AND ANY OTHER POTENTIAL TOXIC SUBSTANCES WHICH ARE ENVIRONMENTALLY SAFE (NOT REQUIRING PROVINCIAL OR FEDERAL REGISTRATION)
- NONE OF THE FOLLOWING HAZARDOUS SUBSTANCES:
- FOLPET (N-(TRICHLOROMETHYLTHIO) PHTHALIMIDE)
- BIS (TRIBUTYLTIN) OXIDE
- COPPER NAPHTHENATE
- COPPER 8 QUINOLINOLATE
- ZINC NAPHTHENATE
- SUFFICIENT OXIDE PIGMENTS TO OBTAIN DESIRED COLOUR TONE AND LEVEL OF OPACITY (COLOUR TO BE APPROVED BY YORK REGION FOR EACH INSTALLATION)

APPLICATION OF STAIN:

APPLY TWO (2) COATS ON CLEAN DRY WOOD USING SPRAY, BRUSH OR DIPPING METHODS TO ACHIEVE FULL COVERAGE OF ALL EXPOSED SURFACES. APPLY OUTDOORS ONLY IN SUITABLE WEATHER CONDITIONS DURING WHICH THE TEMPERATURE IS BETWEEN 5° C AND 21° C FOR A PERIOD OF 48 HOURS FOLLOWING APPLICATION.

MINIMUM WOOD BOARD THICKNESS CHART

TO OBTAIN 20KG/m² SOUND ATTENUATION

SPECIES	ACTUAL WOOD THICKNESS
JACK PINE	2 x 22 mm THICKNESS
RED PINE	2 x 22 mm THICKNESS
PONDEROSA PINE	2 x 22 mm THICKNESS
EASTERN PINE	2 x 22 mm THICKNESS
WESTERN PINE	2 x 25 mm THICKNESS
WESTERN CEDAR	2 x 25 mm THICKNESS
EASTERN CEDAR	2 x 28 mm THICKNESS
NORTHERN WHITE CEDAR	2 x 28 mm THICKNESS
RED SPRUCE	2 x 22 mm THICKNESS
WHITE SPRUCE	2 x 25 mm THICKNESS
SPF	2 x 28 mm THICKNESS

DIMENSIONAL LUMBER CONVERSION CHART

NOMINAL (mm)	ACTUAL (mm)	NOMINAL (in.)	ACTUAL (in.)
25	19	1	0.75
50	38	2	1.5
100	89	4	3.5
150	140	6	5.5
200	184	8	7.25
250	235	10	9.25
300	286	12	11.25

GENERAL STRUCTURAL / CONCRETE NOTES:

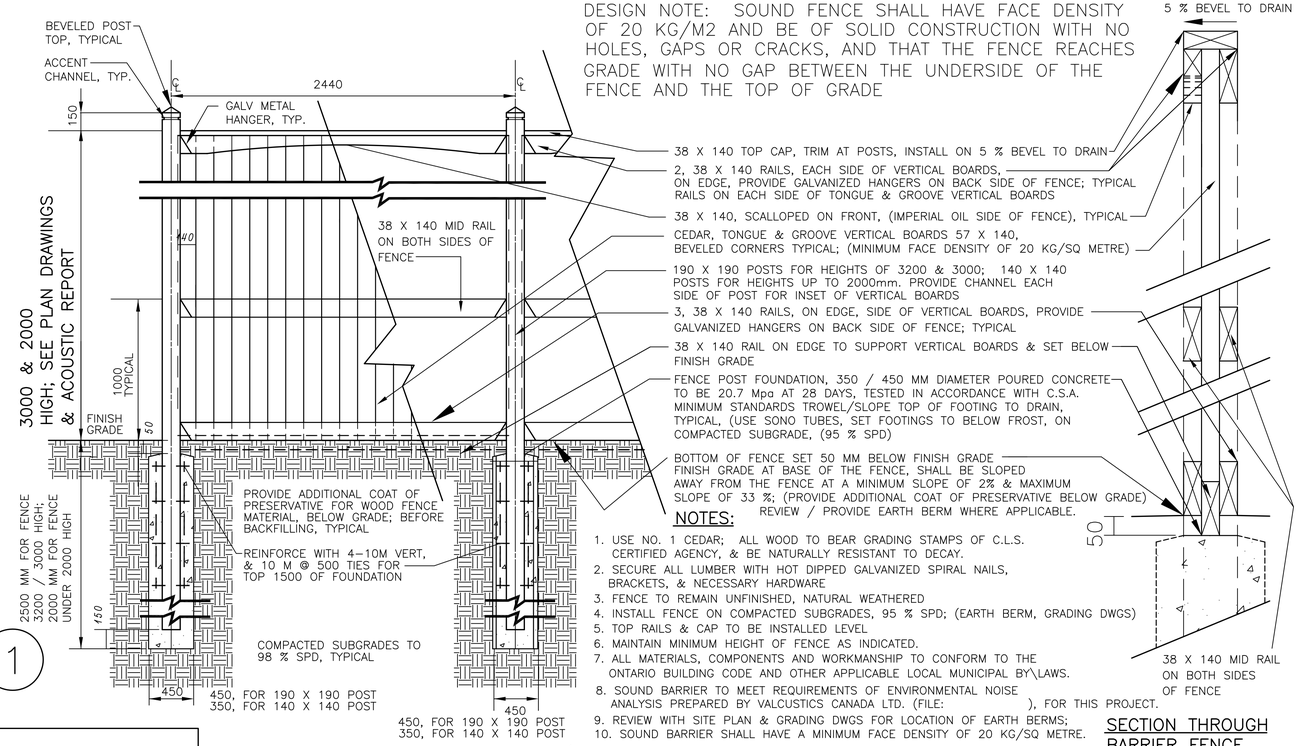
1. THE WORK SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE ACT, 2006 (OBC) AND ALL SUBSEQUENT REGULATIONS MADE UNDER THE ACT PRIOR AND DURING CONSTRUCTION.
2. THE CONTRACTOR SHALL AS PART OF HIS WORK CHECK AND VERIFY ALL DIMENSION AND REPORT ANY DISCREPANCIES TO THE ENGINEER BEFORE PRECEDING WITH CONSTRUCTION.
3. CLARIFY ANY QUESTION REGARDING INTERPRETATION OF THE DRAWINGS AND PROCEED ONLY WHEN THE REQUIREMENTS OF THE PROJECT ARE FULLY UNDERSTOOD.

CONCRETE

1. CONCRETE CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST ISSUE OF CSA – A.23.1 AND A23.2.
2. COORDINATE ARCHITECTURAL AND STRUCTURAL DRAWINGS WHERE THIS AFFECTS THE WORK.
3. CONCRETE MIX:
   STRUCTURAL CONCRETE:
   - CEMENT: A MINIMUM OF 340 KG/M3 OF CEMENTITIOUS MATERIAL USING 70% PORTLAND CEMENT AND 30% SLAG CEMENT. TOTAL CEMENTITIOUS NOT TO EXCEED 360 KG/M3 WITHOUT THE ENGINEER'S APPROVAL.
   - STRENGTH: 32 MPa MINIMUM AT 28 DAYS.
   - ESPOSURE: CLASS F–1, WITH A MAXIMUM WATER–CEMENT RATIO OF 0.38
   - COARSE AGGREGATE: 20 MM NOMINAL.
   - SLUMP: 70 MM +/–20 MM (AFTER ADDITION OF WRA).
   - AIR CONTENT: 6.5% +/– 1.5% AT DISCHARGE.
   - ADMIXTURES: AIR ENTRAINING AGENT QUANTITY TO BE DETERMINED BY SUPPLIER.
4. REINFORCING STEEL SHALL CONFORM TO CSA G30.12M – 1977 GRADE 400.
5. CONCRETE COVER:
   PROTECT ALL REINFORCING STEEL BY THICKNESS OF CONCRETE SPECIFIED ON THE DRAWINGS AND/OR AS FOLLOWS:

LOCATION	COVER
(i) CONCRETE DEPOSITED AGAINST THE GROUND WITHOUT FORMS	75 MM +/– 8 MM
(ii) CONCRETE EXPOSED TO WEATHER, WATER OR GROUND AFTER REMOVAL OF FORMS	50 MM +/– 8 MM

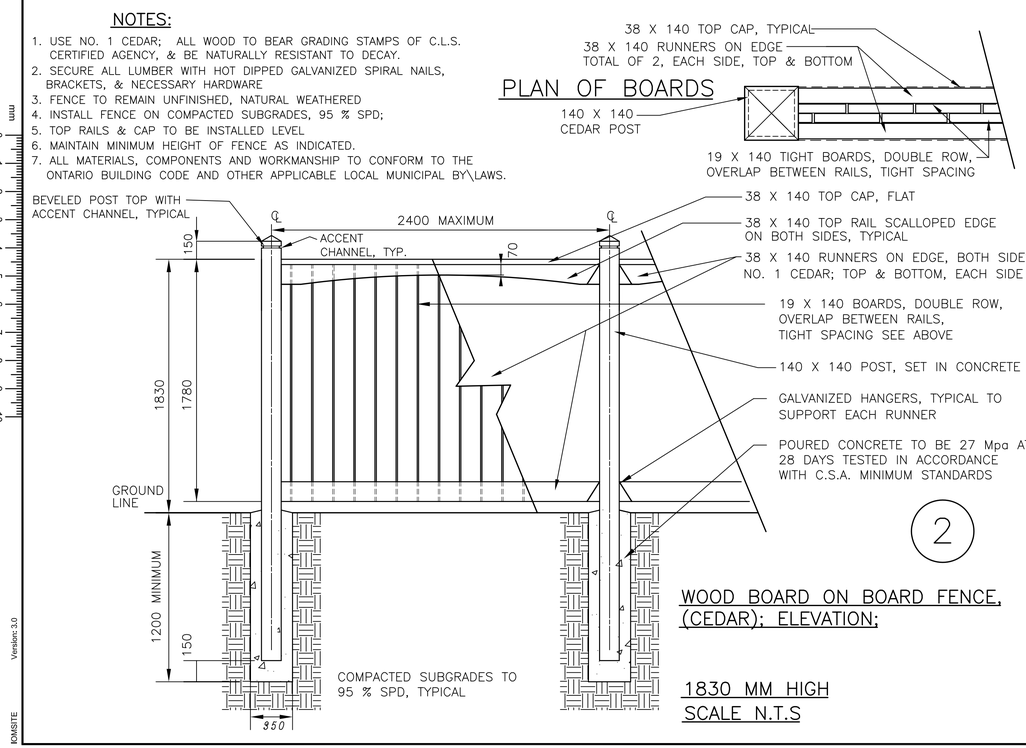
6. MINIMUM LAP LENGTHS OF REINFORCING STEEL SHALL BE
   - 15 M BARS – 640 MM (25")
   - 20 M BARS – 780 MM (30")
7. CHAMFER ALL EXPOSED CORNERS AND EDGES WITH A 20 MM BY 45 DEGREE CHAMFER.



NOTES:

1. USE NO. 1 CEDAR; ALL WOOD TO BEAR GRADING STAMPS OF C.L.S. CERTIFIED AGENCY, & BE NATURALLY RESISTANT TO DECAY.
2. SECURE ALL LUMBER WITH HOT DIPPED GALVANIZED SPIRAL NAILS, BRACKETS, & NECESSARY HARDWARE
3. FENCE TO REMAIN UNFINISHED, NATURAL WEATHERED
4. INSTALL FENCE ON COMPACTED SUBGRADES, 95 % SPD; (EARTH BERM, GRADING DWGS)
5. TOP RAILS & CAP TO BE INSTALLED LEVEL
6. MAINTAIN MINIMUM HEIGHT OF FENCE AS INDICATED.
7. ALL MATERIALS, COMPONENTS AND WORKMANSHIP TO CONFORM TO THE ONTARIO BUILDING CODE AND OTHER APPLICABLE LOCAL MUNICIPAL BY\LAWS.
8. SOUND BARRIER TO MEET REQUIREMENTS OF ENVIRONMENTAL NOISE ANALYSIS PREPARED BY VALCUSTICS CANADA LTD. (FILE:), FOR THIS PROJECT.
9. REVIEW WITH SITE PLAN & GRADING DWGS FOR LOCATION OF EARTH BERMS;
10. SOUND BARRIER SHALL HAVE A MINIMUM FACE DENSITY OF 20 KG/SQ METRE.

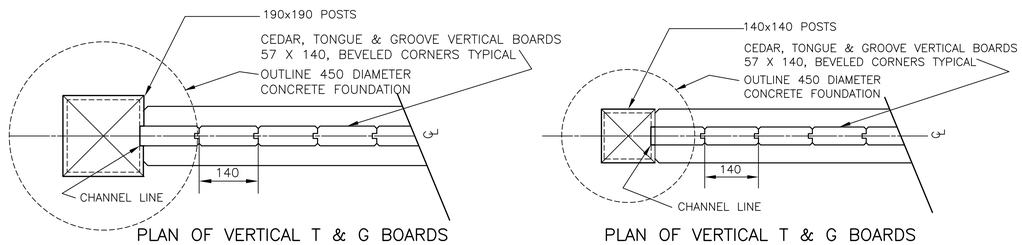
SECTION THROUGH BARRIER FENCE



WOOD BOARD ON BOARD FENCE, (CEDAR); ELEVATION;

1830 MM HIGH
SCALE N.T.S

SOLID WOOD SOUND BARRIER; 3000 / 2000 HIGH; 57 MM THICK, VERTICAL T & G CEDAR BOARDS; SCALE: N.T.S.



PLAN OF VERTICAL T & G BOARDS WHERE HEIGHT OF FENCE IS 3200 & 3000

PLAN OF VERTICAL T & G BOARDS WHERE HEIGHT OF FENCE IS UP TO 2000

PRELIMINARY, FOR REVIEW / APPROVAL BY STRUCTURAL ENGINEER

DWK Douglas W. Kerr & Associates Ltd.
LANDSCAPE ARCHITECT
1595 SIXTEENTH AVENUE, SUITE 301
RICHMOND HILL, ONTARIO L4B 3N9
Tel 416–410–5190, Fax 905–709–7443
email: dwkerr@interlog.com

1520L3R1

OCTOBER 13, 2015

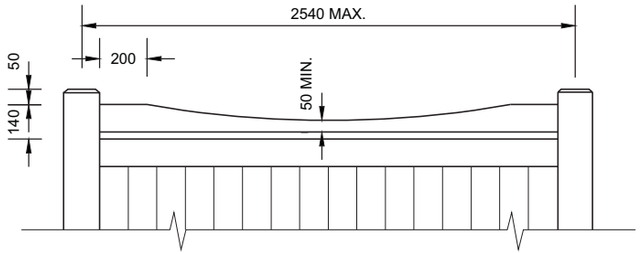
Imperial

STANDARD No. XXXXXN

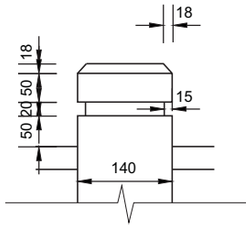
#	Revision	Date	By/Par	Design/Étude	Chk'd/Vérifié
0	PRELIMINARY; BASED ON LANDSCAPE PLAN REV'D # 2 DATED 15 03 30	15 03 30	DWK		
1	PRELIMINARY; REVISE TO SITE PLAN REV'D # 17 DATED 15 09 16	15 10 13	DWK		

Project/Projet: 1545 WOODROFFE AVE. & MEDHURST DR. OTTAWA, ONTARIO
PBL No. PBL 000030228?–06P
SAP No. SAP 88001626–06P
Title/Titre: PROPOSED LANDSCAPE CONSTRUCTION DETAILS & CONSTRUCTION NOTES
Scheme Proposition: 00
Sheet/Feuille: 003
Scale/Échelle: NTS
Scale/Échelle (11"x17"): 1:400
Date: 15 10 13
By/Par: DWK
P.M./G.P.: DG
Rev.No./Rev.: 01

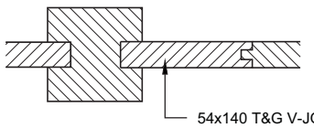
Do not explode, alter or rename titleblock



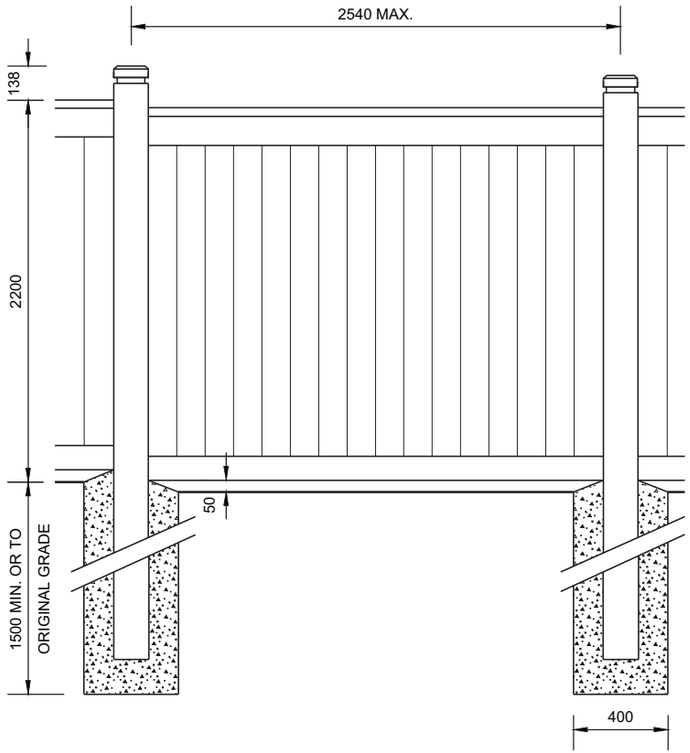
ALTERNATIVE TOP RAIL DESIGN



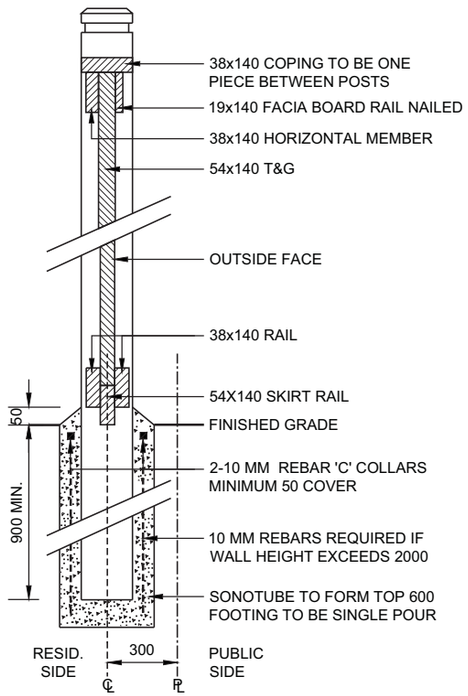
POST TOP DETAIL



PLAN VIEW



FRONT ELEVATION



TYPICAL SECTION

NOTES:

WOOD (GENERAL SPECIFICATIONS) - All wood shall be western red cedar, selected for good appearance and free of wane and bark pockets. All torn grain and surface stain shall be eliminated by sanding or planing. Members with heavy knots and/or sap stain shall be well distributed throughout the installation. The skirt rail shall be pressure treated.

INFILL - T & G select (sound) tight knot NLGA pattern 18-(200) modified 54 mm 2 1/8" (dressed both sides) with bevelled edges on both sides.

HORIZONTAL MEMBERS - Shall be 38x140 mm. dressed to pattern, the grade to be NLGA 204B or better select tight knot grade.

POSTS - Shall be 140x140 mm. dressed to pattern, the grade to be NLGA 131B#1 structural post and timber.

STAIN FOR WOOD FENCE - Stain shall consist of :
- A base of blended resins and oils in a water suspension
- Suspended solids which are not less than 21% and not greater than 31% by volume.
- V.O.C.'s (volatile organic compounds) which are not in excess of 350g/L in accordance with A.S.T.M. D-2369.
- Levels of liquid microbicides and any other potential toxic substances which are environmentally safe (not requiring Provincial or Federal registration).
- None of the following hazardous substances :
  - Folpet [N-(trichloromethylthio) phthalimide]
  - Bis (tributyltin) oxide
  - Copper Naphthenate
  - Copper 8 Quinolinolate
  - Zinc Naphthenate
- Sufficient oxide pigments to obtain desired colour tone and level of opacity (color to be approved by City for each installation).

STAIN APPLICATION - Apply two coats on clean dry wood using spray, brush or dipping methods to achieve full coverage of all exposed surfaces. Apply outdoors only in suitable weather conditions during which the temperature is between 5°C and 21°C for a period of 48 hours following applications.

FASTENERS - Including ardox nails, bolts, nuts and washers, shall be hot-dip galvanized steel.

CONCRETE - Shall be 25 MPA at 28 days minimum.

MASONRY PIERS - Of a design to be approved by the City of Brampton shall be constructed at a minimum spacing of every sixth post location.

EXECUTION:

SOIL - Beneath and within 2 m radius of any footing, shall be certified 95% standard proctor density prior to construction.

POSTS - Shall be plumb within 5 mm/m above grade.

INFILL - Members shall be tight fitted to eliminate all gaps and rattling.

STEP FENCE - On slopes step fence panels a minimum of 50 mm and a maximum of 150 mm at each post.

DOUBLE POST - All direction changes greater than 20 degree.

NAILING - All nails galv. ardox and 75 mm (3") unless noted otherwise. All nails to be evenly spaced and set not less than 25 mm. from edge of any member.
- Rails : 3 nails to post at each end, 3 nails thru bottom front rail to vertical members and 3 nails to skirt board in staggered pattern.
- Skirt Rail : 2 nails to post at each end.
- Facia Board : 2 nails 50mm (2") each end to vertical members and 5 nails in staggered pattern along board.
- Vertical Members : 2 nails 88 mm (3 1/2") per board to bottom rails and 2 nails 50 mm (2") per board for mid-rail at board overlaps.
- Coping : 2 nails thru edges to post at each end and 6 nails thru top to vertical members.

NOTES - In some cases, limited portions of wood acoustic fence may be constructed up to 2.4 m high. 150 x 200 posts are required for any 2.4 m high wood acoustic fences.

WARRANTY - The fence shall be guaranteed for three years as follows : 5 mm/m on plumb of posts and level of infill members. Gaps between infill members shall not exceed 6 mm (1/4"). Infill members shall be tight and free of rattling.

ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.

L837

N.T.S

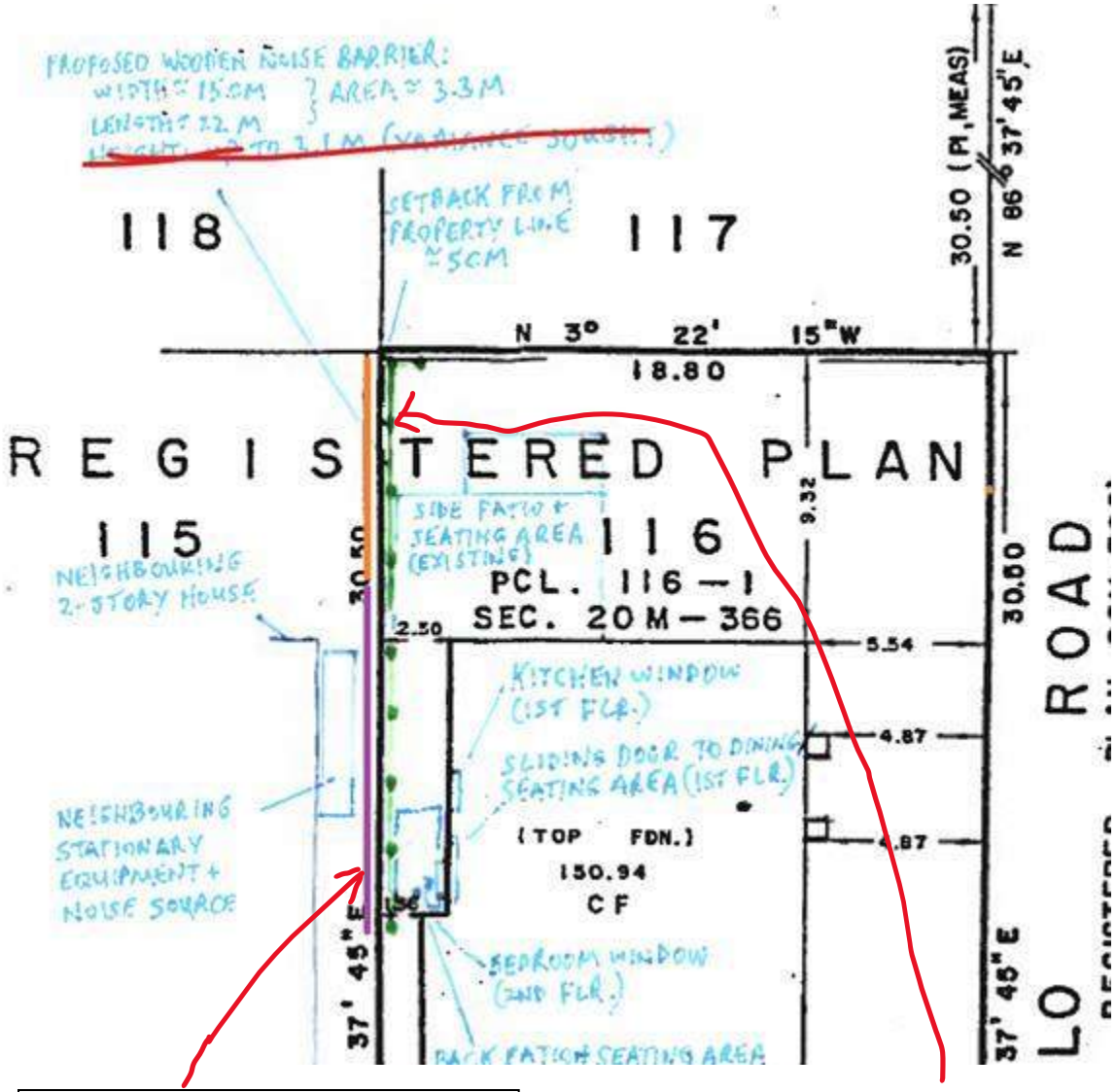
ACOUSTIC WOOD FENCE

SITE AMENITIES - SERIES 800

SEPTEMBER 2014

BRAMPTON Flower City
brampton.ca

HAMM-VAN HARTEN
SKETCH/ PLAN FOR MINOR VARIANCE APPLICATION



Height of purple section: **max of 3.1m** (11.5m long fence section in "canyon" between houses, extending a max of 1.5m past back of house).

Height of orange section: **max of 2.5m** (fence section continuing from end of purple section to back of yard, approx. 8m long; plus "L" section and post, max 2.5m long, running perpendicular from last post at back of yard).

NOISE IMPACT STUDY

VAN HARTEN RESIDENCE
3257 APPOLLO ROAD
BURLINGTON, ON

Prepared for:

Mr. Angus Van Harten
3257 Appollo Road
Burlington, ON

Prepared By:

Frank Westaway
Qualified Acoustical Consultant

Reviewed and sealed by:
Brendan Perusco, P.Eng.

October 2024
Our File No: 24-2095

dBA ACOUSTICAL CONSULTANTS INC.
P.O Box 32059
1447 Upper Ottawa
Hamilton, ON
L8W 3K0

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FIGURE 1 – NOISE MONITORING LOCATION
FIGURE 2 – OVERVIEW OF PROPERTIES

Appendix “A”
Mr. Van Harden’s Daily Log
Noise Monitor Calibration
Noise Monitoring Results
Sample of a Wooden Noise Barrier

Appendix “B”
NPC-216

1.0 INTRODUCTION

dBA Acoustical Consultants Inc. has been retained by Mr. Angus Van Harten, to provide a noise impact study relating to the noise emanating from a neighbour's pool pump and central air conditioning unit located at 3245 Wentworth Street, Burlington, ON.

The purpose of the study will determine whether the neighbour's pool pump and central air conditioning unit comply with the Ministry of Environment Parks and Conservation (MECP) NPC-300 Stationary Noise Guidelines specifically, NPC-216 noise criteria for the central air conditioning unit as well as NPC-300 stationary noise guidelines for the pool pump.

The specific noise concerns have been ongoing for several months without any satisfaction from the abutting neighbour or the City of Burlington By-Law Department. Mr. Van Harten contacted dBA staff in late summer of 2024, to acquire noise levels of the central air conditioner and pool pump to confirm if he has a legitimate noise concern.

Noise monitoring was conducted in the side yard patio of Mr. Van Harten's property approximately 1.5m-3m from the central air conditioner. See Figure 1 Site Location.

2.0 SITE DESCRIPTION

Mr. Van Harten's property is located on the southwest corner lot of Appollo Road and Wentworth Street, Burlington, ON. The pool pump and central air conditioning unit are located on the north side of 3245 Wentworth Street which abuts Mr. Van Harten's side yard. The area is located within a quiet residential neighbourhood with very low vehicular traffic during the day and evening hours.

Mr. Van Harten has a side yard patio as well as a rear yard patio that are approximately 1.5m-3m from the noise sources of the neighbour's side yard. There is a wooden privacy fence separating the patio and units. The wooden fence does not provide any noise mitigation from the central air conditioning unit or the pool pump.

During a site visit on August 28th, 2024, dBA staff conducted a one-hour noise monitoring session, during which both the central air conditioning unit and the pool pump were operating. The central air conditioning unit ran for 50 minutes of that hour and the pool pump ran continuously for that hour. We were requested by Mr. Van Harten not to contact the owner of 3245 Wentworth Street as he did not want to cause any further animosity among the neighbours.

3.0 NOISE MONITORING EQUIPMENT

The noise monitoring equipment used was a Sonitus Systems EM2030 Sound Level Monitor, equipped with a microphone and a wind screen monitor which can capture the hourly Leq (Equivalent Sound Level) noise levels as required by MECP noise guidelines. The unit was calibrated before and after use. The noise monitor was set up according to MECP guidelines and NPC-300 Stationery and Transportation Noise Guidelines.

Extended Noise monitoring commenced at 11:00am August 28, 2024, and ended 9:00am September 6, 2024. The sound meter collected data continuously over each hourly period during the monitoring duration.

4.0 STATIONARY SOURCES

4.1 REGULATORY CONTEXT (RESIDENTIAL)

The MECP Publication NPC-300, Stationary & Transportation Sources-Approval & Planning and NPC-216, Residential Air Conditioning Devices guidelines defines a point of reception/receptor as *"any point on the premises of a person where the sound or vibration originating from other than those premises are received."* The point of reception may be located on any of the following, or zoned for future use, premises including but not limited to the following: residential homes, hospitals, etc.

The area surrounding 3257 Appollo Road is indicative of a "Class 1 Area" as defined in MECP Publication NPC-300, Stationary & Transportation Sources-Approval & Planning guidelines. The applicable sound limits are the higher of:

- The existing ambient sound level; or
- **The minimum values of Table 1.**

No restrictions apply to stationary sources if the one-hour equivalent sound exposure (Leq) is lower than the levels in the following Table 1.

The following Table 1 Minimum Sound Level Limits are used to achieve compliance with MECP Publication NPC-300, Stationary & Transportation Sources-Approval & Planning and NPC-216, Residential Air Conditioning Devices guidelines.

TABLE 1 - Minimum Sound Levels Limits (Class 1 Area)	
Time Period	L_{eq} (dBA)
07:00 - 19:00	50
19:00 - 23:00	50
23:00 – 07:00	45

5.0 STATIONARY NOISE MONITORING RESULTS

Noise monitoring has confirmed that the central air conditioning unit and pool pump are in violation of both NPC-300 and NPC-216 noise guidelines. During the one-hour noise monitoring session from 11am-12pm on August 28th, 2024, the highest dBA recorded was 58.4 dBA. This reading then becomes our baseline level and any reading above this cannot be confirmed to come only from the two units running together. Outside sources would have been responsible for the increase in the recording, such as lawn mower, grass trimmer, sirens, etc.

In addition to dBA conducting noise monitoring of the central air conditioning unit and the pool pump at 11am on August 28th, 2024, Mr. Van Harten took periodic notes to create a daily log of when the different pieces of equipment were running. He advised that he was disturbed by the central air conditioning unit as well as the pool pump but was not able to log every occurrence. See Appendix "A" for his log.

Noise levels from his daily log are noted and included in Appendix "A" as well as our Noise Monitoring Report which shows Mr. Van Harten's disturbance times bolded with an *.

A tonal penalty of 5 dBA was added to the overall noise levels monitored where there was an exceedance according to Mr. Van Harden's log and our noise monitoring results. The tonal penalty is applied when there are two or more sources of noise at the same time with different frequencies.

It should be noted that dBA staff could not confirm the model numbers or make of the central air conditioner unit or pool pump. The central air conditioner was not a requirement of the home when built.

6.0 SUMMARY OF RECOMMENDATIONS

As a result of the noise monitoring and comparing Mr. Van Harten's daily log dBA staff have confirmed that noise mitigation measures at the sources are required.

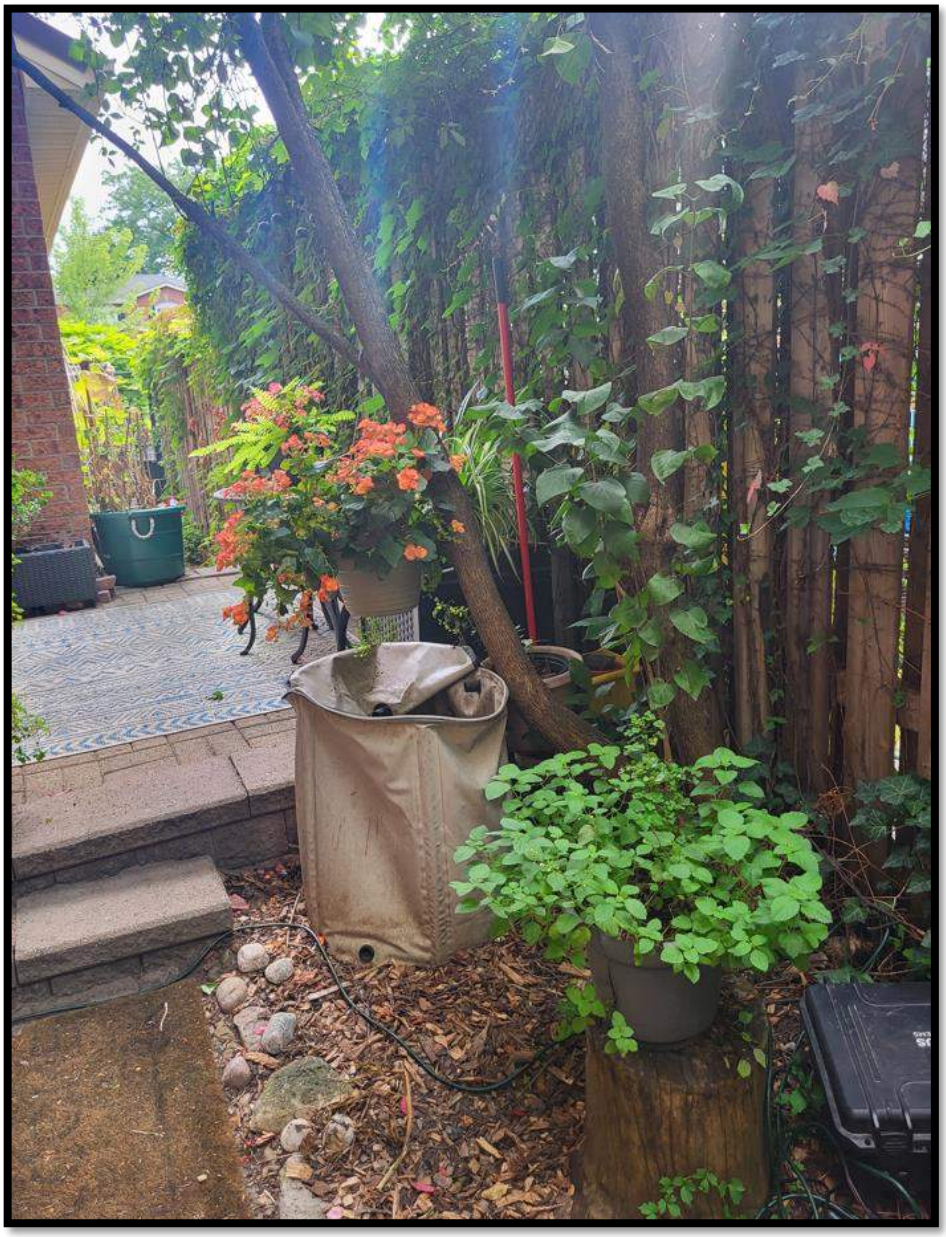
A wooden noise barrier fence will be required to replace the existing privacy fence. This will be the responsibility of the homeowner of 3245 Wentworth Street and not the responsibility of Mr. Van Harten. The minimum 2.43m (8ft) wooden noise barrier fence must mitigate the noise levels to below 50 dBA at the property line as well as at the 2nd storey windows of Mr. Van Harden's home. Attached is a sample of a wooden noise barrier design that meets the MECP guidelines and has a surface density of 20kg/m^2. This site will need its own design to meet the mitigation requirement listed above.

In compliance with MECP guidelines, a noise barrier must have a minimum surface density of 20kg/m^2 and be designed and constructed without cracks or gaps. Any gaps under the noise barrier that are necessary for drainage purposes must be minimized (2") and localized and must not deteriorate acoustical performance.

7.0 CONCLUSIONS

In review of the noise monitoring results and Mr. Van Harten's daily log, we can confirm that there is an exceedance of the MECP Publication NPC-300 and Publication NPC-216. Noise control mitigation measures are required by means of a 2.43m (8ft) minimum wooden noise barrier fence at the property line to comply with the MECP noise regulations.

FIGURE 1
NOISE MONITORING LOCATION



OVERVIEW OF PROPERTIES

APPENDIX ‘A’

MR. VAN HARTEN'S DAILY LOG

Notes on stationary equipment		
Aug 28 to Sept 6/ 2024		
Date	**Time**	**Equipment apparently on**
28-Aug	12:15pm	AC and pool pump
28-Aug	1:31pm	AC and pool pump
28-Aug	after 1:31pm	Periodic machinery noise (saws) in their backyard
28-Aug	5:07pm	Pool pump only
28-Aug	after 5:07pm	Mostly pool pump only (cool day)
28-Aug	7:07pm	Pool pump only
29-Aug	8:37am	Pool pump only
30-Aug	8:30am	Pool pump only
30-Aug	8:45am	Start of construction team in their backyard
30-Aug	afternoon sometime	AC and pool pump
31-Aug	8:51am	Pool pump only
31-Aug	12:38pm	AC and pool pump
01-Sep	12:46am	None of the three equipment on
01-Sep	9:47am	Pool pump only
01-Sep	12:27pm	Pool pump only
01-Sep	6:48pm	Pool pump only
02-Sep	2:01pm	Pool pump only
02-Sep	4:11pm	Pool pump only
02-Sep	6:18pm	Pool pump only (neighbours seem to be away today and possibly yesterday)
02-Sep	7:54pm	Pool pump only
03-Sep	3:58pm	Pool heater on for lengthy period
03-Sep	6:10pm	Pool pump only now, running until sometime after 8pm
04-Sep	8:01am	Pool pump on
04-Sep	9:48am	Machinery noise in their backyard
04-Sep	11:15am	Machinery noise done, pool pump only now
04-Sep	12:19pm	Machinery noise started again
04-Sep	1:20pm	Pool pump only with periodic machinery over afternoon
04-Sep	4:27pm	Pool pump and heater
05-Sep	9:01am	Pool pump only
05-Sep	10:25am	Machinery (saw) just ran for minute or so
05-Sep	6:50pm	Pool pump only
06-Sep	8:53am	Pool pump only when Malcolm picked up equipment a few minutes ago
06-Sep	8:20pm	Pool pump still on
06-Sep	8:24pm	Pool pump just went off

CALIBRATION OF NOISE MONITOR

Model	**Label**	**Location**	**Calibration Date**
EM2030	01507	3257 Appollo Rd Burlington	2024-02-07

NOISE MONITORING

HOURLY AVERAGES

01507 - Hourly Averages

Date	Start Time	End Time	Average dB(A)	Including 5dBA Penalty
2024-08-28	**11:00**	**12:00**	**58.4 ***	**63.4**
2024-08-28	12:00	13:00	62.7	
2024-08-28	13:00	14:00	62.3	
2024-08-28	14:00	15:00	73.9	
2024-08-28	15:00	16:00	61.3	
2024-08-28	16:00	17:00	61.2	
2024-08-28	**17:00**	**18:00**	**56.9***	**61.9**
2024-08-28	**18:00**	**19:00**	**56.8***	**61.8**
2024-08-28	**19:00**	**20:00**	**56.4***	**61.4**
2024-08-28	20:00	21:00	48.2	
2024-08-28	21:00	22:00	41.3	
2024-08-28	22:00	23:00	39.4	
2024-08-28	23:00	00:00	39.6	
2024-08-29	00:00	01:00	37.1	
2024-08-29	01:00	02:00	36.3	
2024-08-29	02:00	03:00	33.2	
2024-08-29	03:00	04:00	33	
2024-08-29	04:00	05:00	38.3	
2024-08-29	05:00	06:00	38.1	
2024-08-29	06:00	07:00	38.1	
2024-08-29	07:00	08:00	38.6	

2024-08-29	**08:00**	**09:00**	**56.7***	**61.7**
2024-08-29	09:00	10:00	51.2	
2024-08-29	10:00	11:00	51.5	
2024-08-29	11:00	12:00	51.6	
2024-08-29	12:00	13:00	51.5	
2024-08-29	13:00	14:00	51.9	
2024-08-29	14:00	15:00	50.9	
2024-08-29	15:00	16:00	50.9	
2024-08-29	16:00	17:00	51	
2024-08-29	17:00	18:00	51	
2024-08-29	18:00	19:00	50.8	
2024-08-29	19:00	20:00	51.1	
2024-08-29	20:00	21:00	47.2	
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2024-08-29	22:00	23:00	41	
2024-08-29	23:00	00:00	39.1	
2024-08-30	00:00	01:00	37.8	
2024-08-30	01:00	02:00	36	
2024-08-30	02:00	03:00	37.1	
2024-08-30	03:00	04:00	37.4	
2024-08-30	04:00	05:00	38.7	
2024-08-30	05:00	06:00	41.4	
2024-08-30	06:00	07:00	45.8	
2024-08-30	07:00	08:00	41.5	
2024-08-30	08:00	09:00	56	
2024-08-30	09:00	10:00	59.5	

2024-08-30	10:00	11:00	56.5	
2024-08-30	11:00	12:00	56.4	
2024-08-30	12:00	13:00	57.9	
2024-08-30	13:00	14:00	50.7	
2024-08-30	14:00	15:00	65.1	
2024-08-30	15:00	16:00	68.4	
2024-08-30	16:00	17:00	68.5	
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2024-08-30	18:00	19:00	61.3	
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2024-08-30	23:00	00:00	55	
2024-08-31	00:00	01:00	47.2	
2024-08-31	01:00	02:00	43.9	
2024-08-31	02:00	03:00	62.4	
2024-08-31	03:00	04:00	59.7	
2024-08-31	04:00	05:00	53.2	
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2024-08-31	06:00	07:00	55	
2024-08-31	07:00	08:00	38.9	
2024-08-31	08:00	09:00	52.1	
2024-08-31	09:00	10:00	51	
2024-08-31	10:00	11:00	50.4	
2024-08-31	11:00	12:00	59.2	

2024-08-31	12:00	13:00	63.5	
2024-08-31	13:00	14:00	63.4	
2024-08-31	14:00	15:00	63.5	
2024-08-31	15:00	16:00	63.4	
2024-08-31	16:00	17:00	63.8	
2024-08-31	17:00	18:00	66.7	
2024-08-31	18:00	19:00	63.6	
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2024-08-31	21:00	22:00	59.4	
2024-08-31	22:00	23:00	59.4	
2024-08-31	23:00	00:00	59.7	
2024-09-01	00:00	01:00	51.8	
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2024-09-01	02:00	03:00	37.2	
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2024-09-01	05:00	06:00	34.6	
2024-09-01	06:00	07:00	37.5	
2024-09-01	07:00	08:00	42.8	
2024-09-01	08:00	09:00	53.1	
2024-09-01	**09:00**	**10:00**	**57.2**	**62.2**
2024-09-01	10:00	11:00	51.5	
2024-09-01	11:00	12:00	54.3	
2024-09-01	**12:00**	**13:00**	**56.3***	**61.3**
2024-09-01	13:00	14:00	51.4	

2024-09-01	14:00	15:00	51.1	
2024-09-01	15:00	16:00	53.3	
2024-09-01	16:00	17:00	52.9	
2024-09-01	17:00	18:00	51.9	
2024-09-01	18:00	19:00	50.7	
2024-09-01	19:00	20:00	50.6	
2024-09-01	20:00	21:00	50.6	
2024-09-01	21:00	22:00	40.4	
2024-09-01	22:00	23:00	39.5	
2024-09-01	23:00	00:00	38	
2024-09-02	00:00	01:00	37.8	
2024-09-02	01:00	02:00	33.6	
2024-09-02	02:00	03:00	32.3	
2024-09-02	03:00	04:00	32	
2024-09-02	04:00	05:00	34.2	
2024-09-02	05:00	06:00	34.2	
2024-09-02	06:00	07:00	35.4	
2024-09-02	07:00	08:00	42.4	
2024-09-02	08:00	09:00	50.3	
2024-09-02	09:00	10:00	50.3	
2024-09-02	10:00	11:00	50.2	
2024-09-02	11:00	12:00	50.3	
2024-09-02	12:00	13:00	49.8	
2024-09-02	13:00	14:00	50	
2024-09-02	14:00	15:00	50.1	
2024-09-02	15:00	16:00	49.7	

2024-09-02	16:00	17:00	49.6	
2024-09-02	17:00	18:00	49.5	
2024-09-02	18:00	19:00	49.7	
2024-09-02	19:00	20:00	49.6	
2024-09-02	20:00	21:00	46.4	
2024-09-02	21:00	22:00	38.6	
2024-09-02	22:00	23:00	37.8	
2024-09-02	23:00	00:00	35.2	
2024-09-03	00:00	01:00	35.4	
2024-09-03	01:00	02:00	32.2	
2024-09-03	02:00	03:00	31.4	
2024-09-03	03:00	04:00	33	
2024-09-03	04:00	05:00	34.7	
2024-09-03	05:00	06:00	39.9	
2024-09-03	06:00	07:00	44	
2024-09-03	07:00	08:00	44.2	
2024-09-03	08:00	09:00	50.5	
2024-09-03	09:00	10:00	50.1	
2024-09-03	10:00	11:00	53.3	
2024-09-03	11:00	12:00	50.4	
2024-09-03	12:00	13:00	54.2	
2024-09-03	13:00	14:00	50.9	
2024-09-03	14:00	15:00	50.1	
2024-09-03	15:00	16:00	53.1	
2024-09-03	**16:00**	**17:00**	**55.5***	**60.5**
2024-09-03	**17:00**	**18:00**	**56.1***	**61.1**

2024-09-03	18:00	19:00	50.6	
2024-09-03	19:00	20:00	49.8	
2024-09-03	20:00	21:00	46.6	
2024-09-03	21:00	22:00	40.6	
2024-09-03	22:00	23:00	42.2	
2024-09-03	23:00	00:00	39.9	
2024-09-04	00:00	01:00	36.5	
2024-09-04	01:00	02:00	36.4	
2024-09-04	02:00	03:00	34.6	
2024-09-04	03:00	04:00	36.5	
2024-09-04	04:00	05:00	37.2	
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2024-09-04	16:00	17:00	53.7	
2024-09-04	17:00	18:00	50.7	
2024-09-04	18:00	19:00	50.2	
2024-09-04	19:00	20:00	50.2	

2024-09-04	20:00	21:00	47.3	
2024-09-04	21:00	22:00	40	
2024-09-04	22:00	23:00	38.8	
2024-09-04	23:00	00:00	36.3	
2024-09-05	00:00	01:00	35.7	
2024-09-05	01:00	02:00	35.3	
2024-09-05	02:00	03:00	35.4	
2024-09-05	03:00	04:00	39.4	
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2024-09-05	05:00	06:00	41.4	
2024-09-05	06:00	07:00	44.3	
2024-09-05	07:00	08:00	44.5	
2024-09-05	08:00	09:00	50.9	
2024-09-05	09:00	10:00	58	
2024-09-05	10:00	11:00	65.6	
2024-09-05	11:00	12:00	51.3	
2024-09-05	12:00	13:00	52.6	
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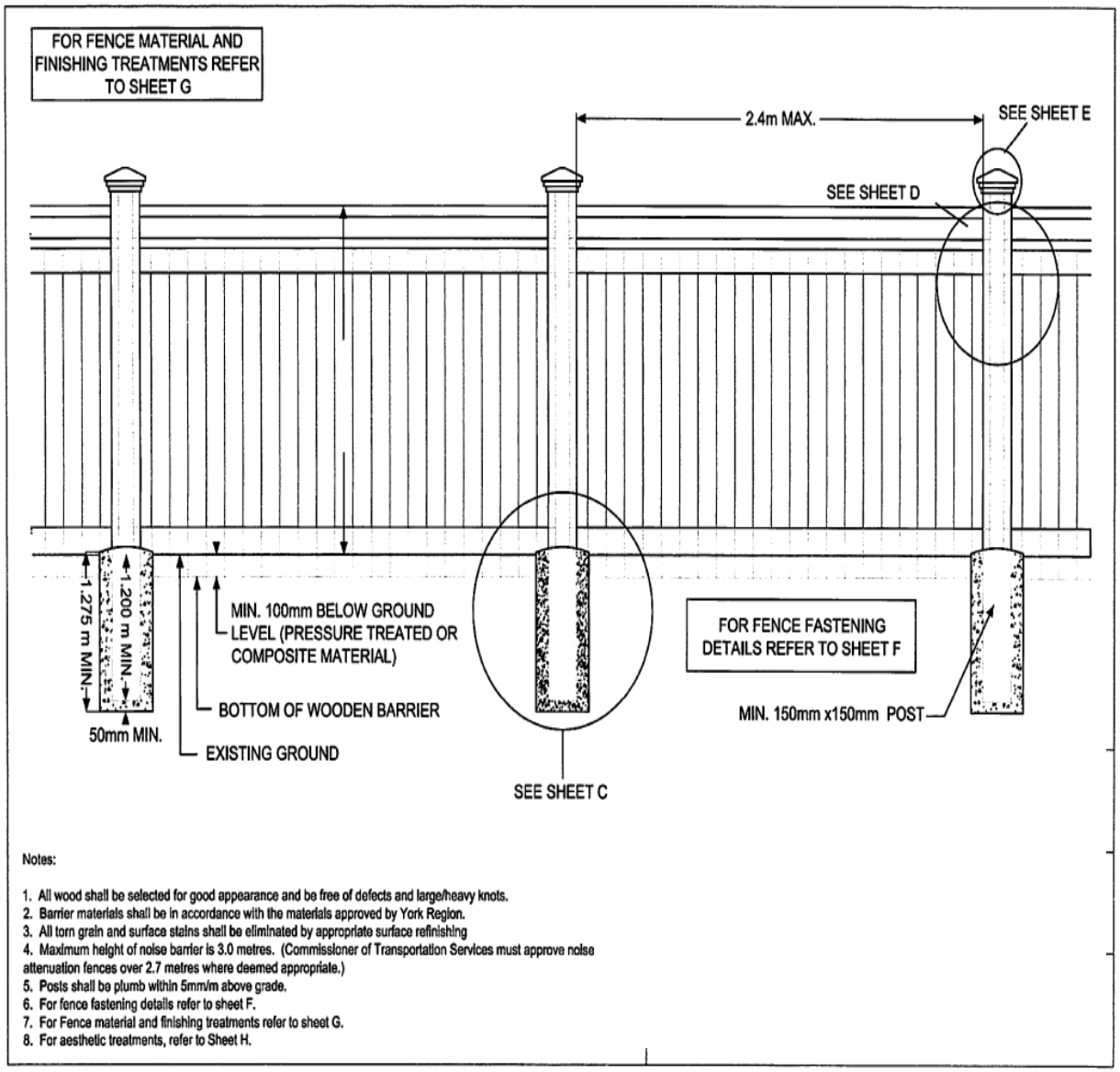
2024-09-05	14:00	15:00	60.1	
2024-09-05	15:00	16:00	60.9	
2024-09-05	16:00	17:00	50.7	
2024-09-05	17:00	18:00	51.5	
2024-09-05	18:00	19:00	50.2	
2024-09-05	19:00	20:00	50.6	
2024-09-05	20:00	21:00	49.5	
2024-09-05	21:00	22:00	46.6	

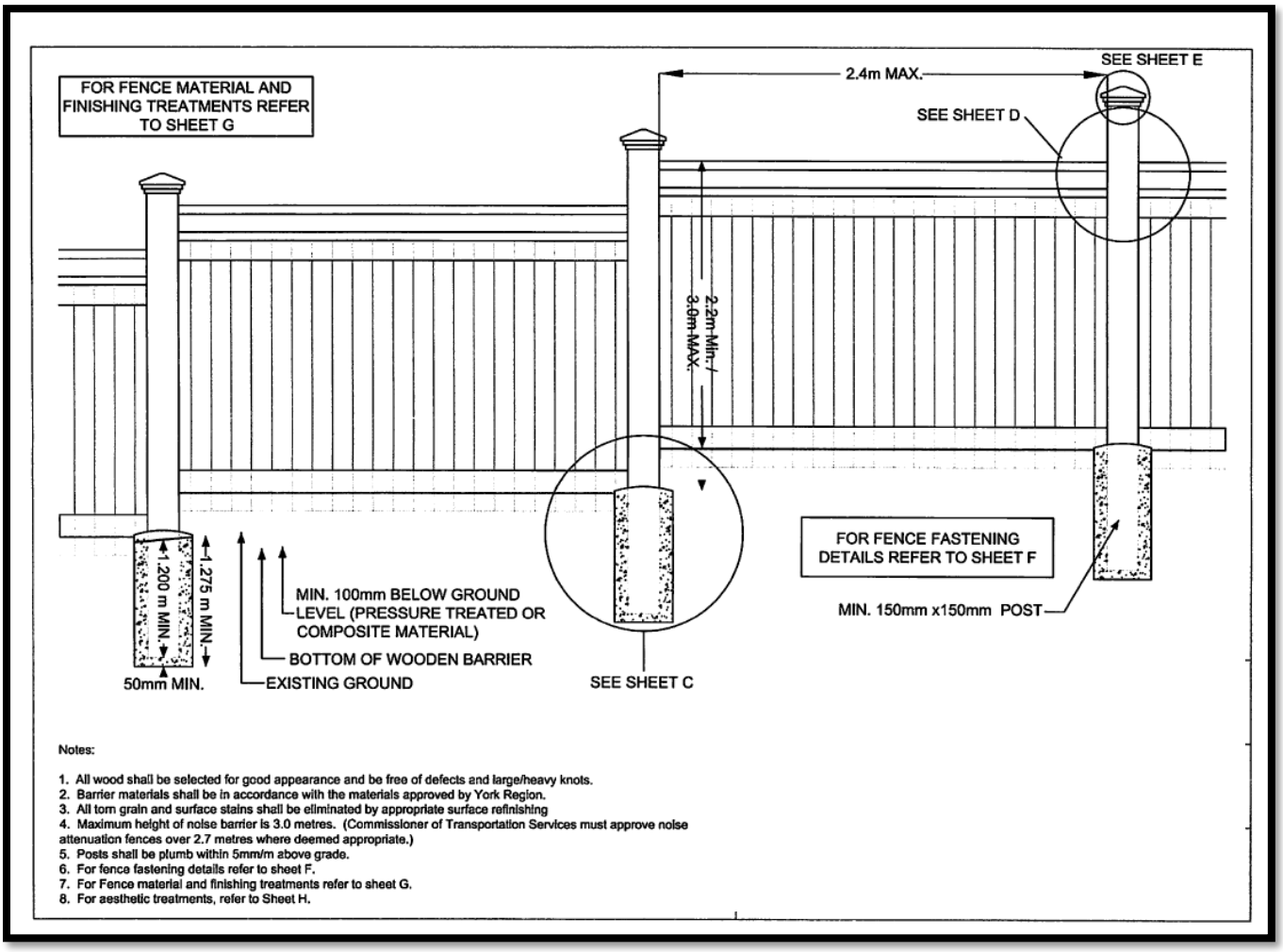
2024-09-05	22:00	23:00	41.1	
2024-09-05	23:00	00:00	40.5	
2024-09-06	00:00	01:00	37.8	
2024-09-06	01:00	02:00	36.1	
2024-09-06	02:00	03:00	36.8	
2024-09-06	03:00	04:00	35.4	
2024-09-06	04:00	05:00	38.8	
2024-09-06	05:00	06:00	41	
2024-09-06	06:00	07:00	42.2	
2024-09-06	07:00	08:00	47.4	
2024-09-06	08:00	09:00	51.7	

SAMPLE OF A WOODEN NOISE BARRIER



Notes:

1. All wood shall be selected for good appearance and be free of defects and large/heavy knots.
2. Barrier materials shall be in accordance with the materials approved by York Region.
3. All torn grain and surface stains shall be eliminated by appropriate surface refinishing
4. Maximum height of noise barrier is 3.0 metres. (Commissioner of Transportation Services must approve noise attenuation fences over 2.7 metres where deemed appropriate.)
5. Posts shall be plumb within 5mm/m above grade.
6. For fence fastening details refer to sheet F.
7. For Fence material and finishing treatments refer to sheet G.
8. For aesthetic treatments, refer to Sheet H.



Notes:

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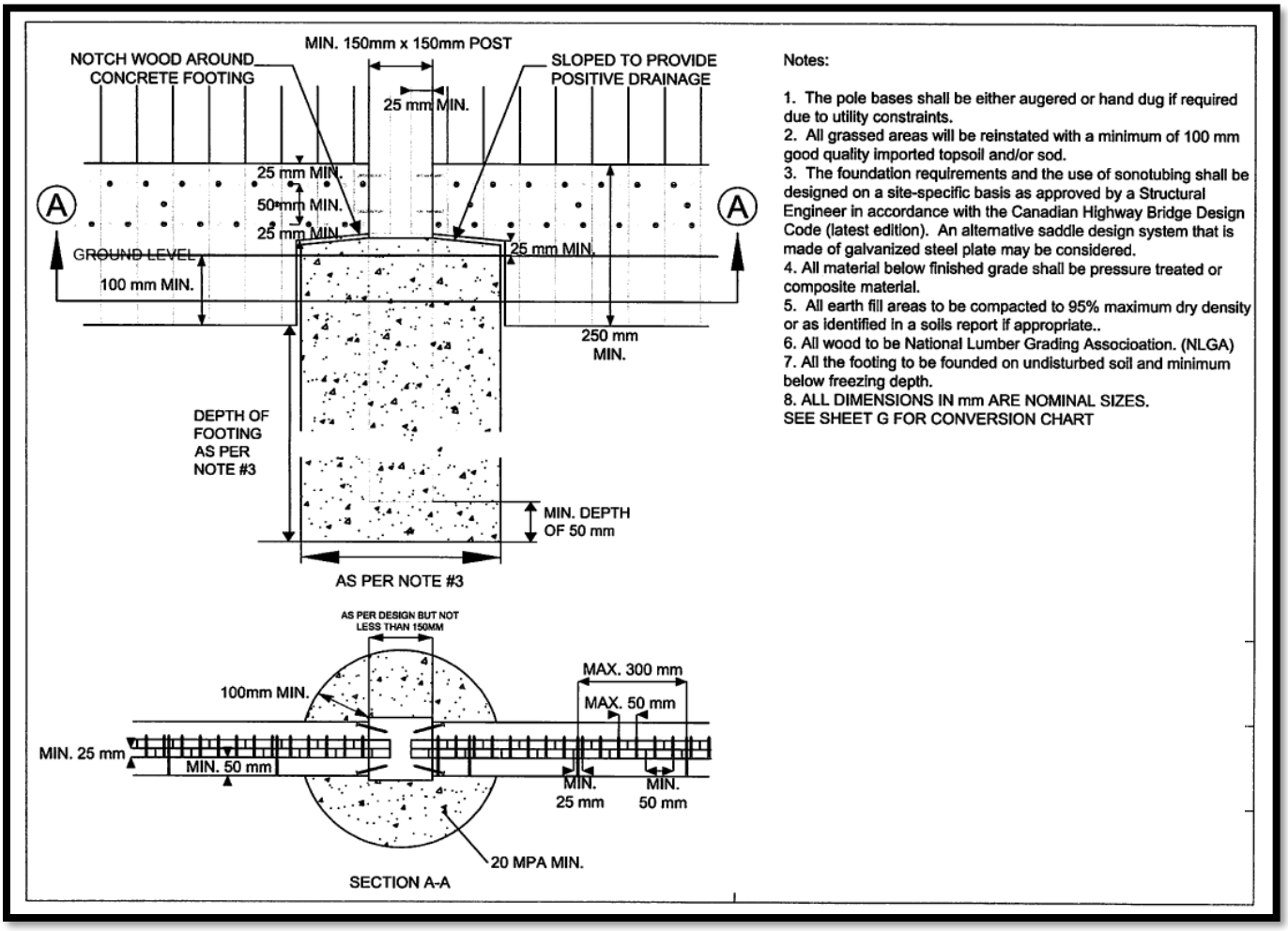
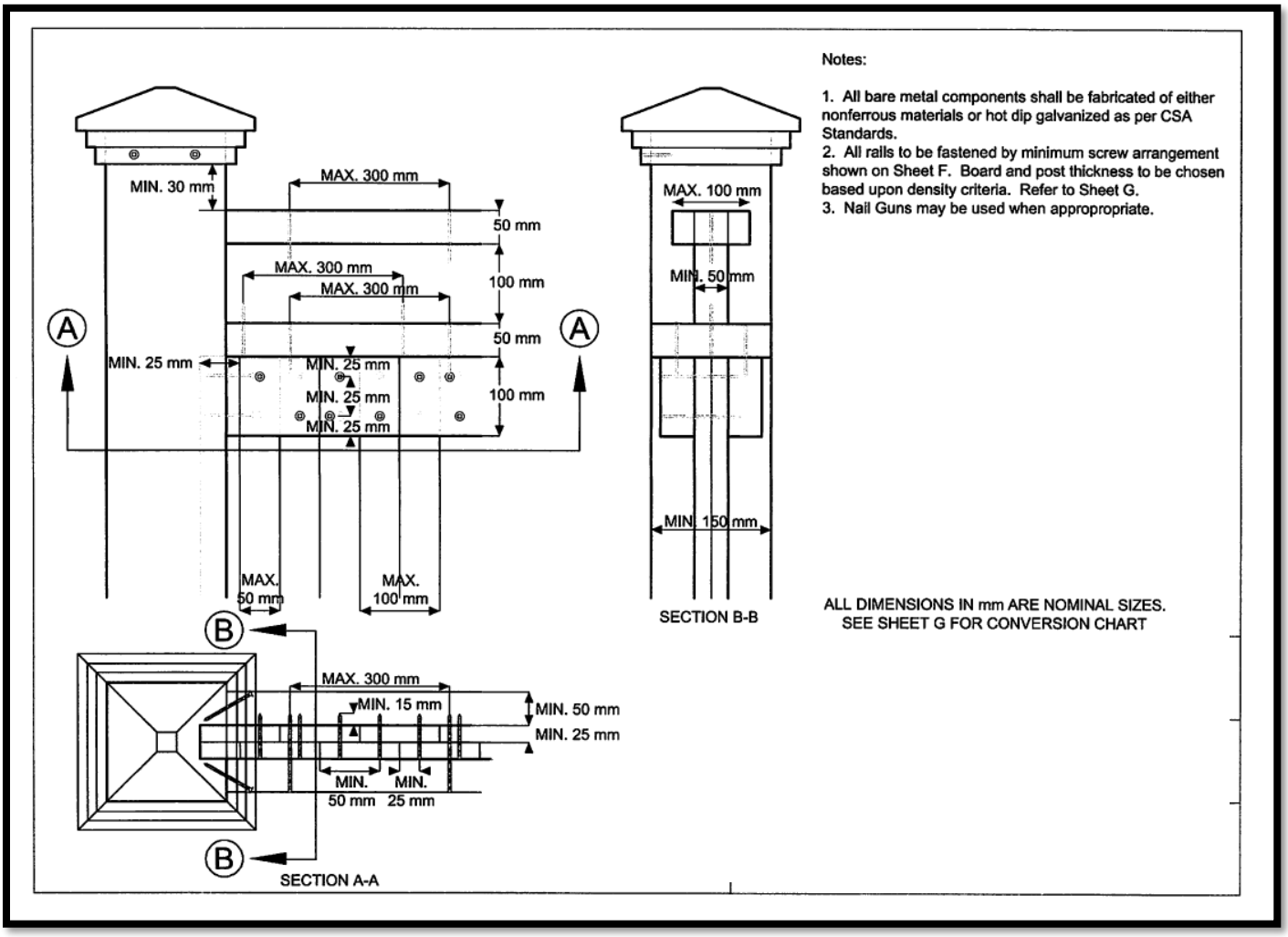
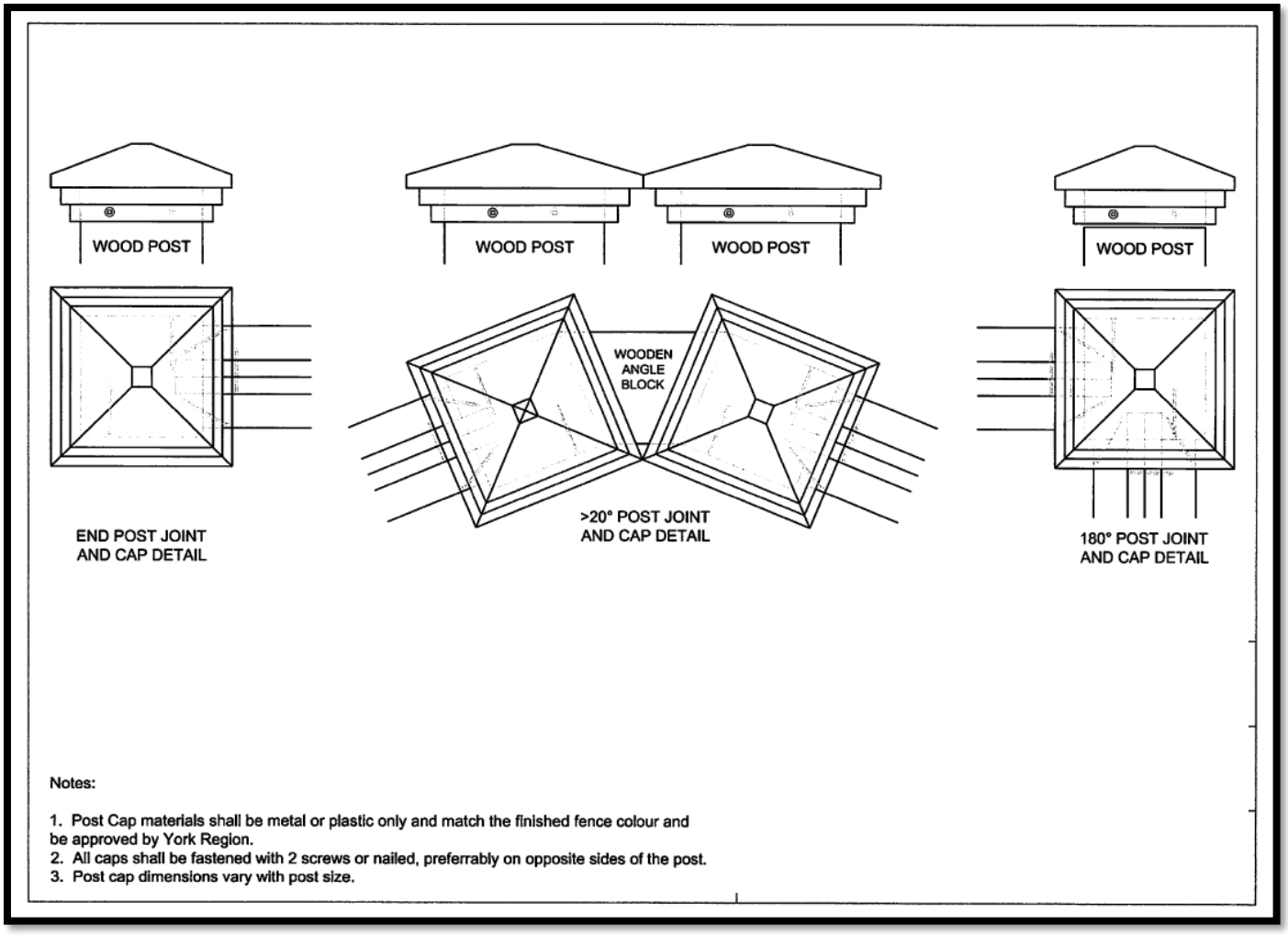
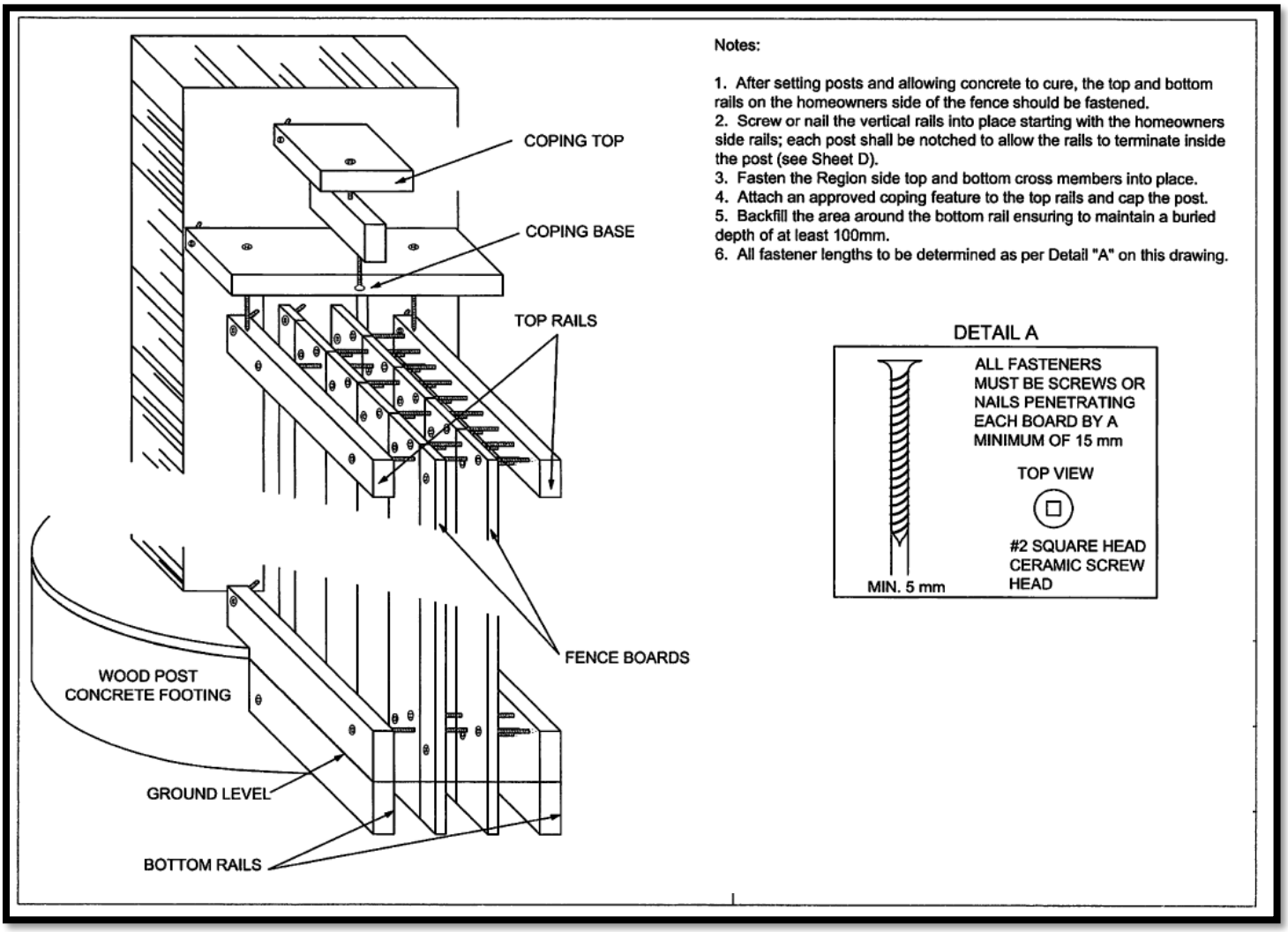

MIN. 150mm x 150mm POST
NOTCH WOOD AROUND CONCRETE FOOTING
SLOPED TO PROVIDE POSITIVE DRAINAGE
25 mm MIN.
25 mm MIN.
50 mm MIN.
25 mm MIN.
25 mm MIN.
A
A
GROUND LEVEL
100 mm MIN.
250 mm MIN.
DEPTH OF FOOTING AS PER NOTE #3
MIN. DEPTH OF 50 mm
AS PER NOTE #3
AS PER DESIGN BUT NOT LESS THAN 150MM
MAX. 300 mm
100mm MIN.
MAX. 50 mm
MIN. 25 mm
MIN. 50 mm
MIN. 25 mm
MIN. 50 mm
20 MPA MIN.
SECTION A-A
Notes:
1. The pole bases shall be either augered or hand dug if required due to utility constraints.
2. All grassed areas will be reinstated with a minimum of 100 mm good quality imported topsoil and/or sod.
3. The foundation requirements and the use of sonotubing shall be designed on a site-specific basis as approved by a Structural Engineer in accordance with the Canadian Highway Bridge Design Code (latest edition). An alternative saddle design system that is made of galvanized steel plate may be considered.
4. All material below finished grade shall be pressure treated or composite material.
5. All earth fill areas to be compacted to 95% maximum dry density or as identified in a soils report if appropriate..
6. All wood to be National Lumber Grading Associoation. (NLGA)
7. All the footing to be founded on undisturbed soil and minimum below freezing depth.
8. ALL DIMENSIONS IN mm ARE NOMINAL SIZES.
SEE SHEET G FOR CONVERSION CHART


Notes:
1. All bare metal components shall be fabricated of either nonferrous materials or hot dip galvanized as per CSA Standards.
2. All rails to be fastened by minimum screw arrangement shown on Sheet F. Board and post thickness to be chosen based upon density criteria. Refer to Sheet G.
3. Nail Guns may be used when appropropriate.
MIN. 30 mm
MAX. 300 mm
50 mm
MAX. 300 mm
MAX. 300 mm
100 mm
50 mm
MIN. 25 mm
MIN. 25 mm
MIN. 25 mm
MIN. 25 mm
100 mm
A
A
MAX. 50 mm
MAX. 100 mm
B
B
MAX. 300 mm
MIN. 15 mm
MIN. 50 mm
MIN. 25 mm
MIN. 50 mm
MIN. 25 mm
SECTION A-A
MAX. 100 mm
MIN. 50 mm
MIN. 150 mm
SECTION B-B
ALL DIMENSIONS IN mm ARE NOMINAL SIZES.
SEE SHEET G FOR CONVERSION CHART


WOOD POST
WOOD POST
WOOD POST
WOOD POST
WOODEN ANGLE BLOCK
END POST JOINT AND CAP DETAIL
>20° POST JOINT AND CAP DETAIL
180° POST JOINT AND CAP DETAIL
Notes:
1. Post Cap materials shall be metal or plastic only and match the finished fence colour and be approved by York Region.
2. All caps shall be fastened with 2 screws or nailed, preferrably on opposite sides of the post.
3. Post cap dimensions vary with post size.


COPING TOP
COPING BASE
TOP RAILS
FENCE BOARDS
WOOD POST
CONCRETE FOOTING
GROUND LEVEL
BOTTOM RAILS
Notes:
1. After setting posts and allowing concrete to cure, the top and bottom rails on the homeowners side of the fence should be fastened.
2. Screw or nail the vertical rails into place starting with the homeowners side rails; each post shall be notched to allow the rails to terminate inside the post (see Sheet D).
3. Fasten the Region side top and bottom cross members into place.
4. Attach an approved coping feature to the top rails and cap the post.
5. Backfill the area around the bottom rail ensuring to maintain a buried depth of at least 100mm.
6. All fastener lengths to be determined as per Detail "A" on this drawing.
DETAIL A
ALL FASTENERS MUST BE SCREWS OR NAILS PENETRATING EACH BOARD BY A MINIMUM OF 15 mm
TOP VIEW
#2 SQUARE HEAD CERAMIC SCREW HEAD
MIN. 5 mm

STAIN FOR WOOD FENCE

SHALL CONSIST OF:

- A BASE OF BLENDED RESINS AND OILS IN A WATER SUSPENSION
- SUSPENDED SOLIDS WHICH ARE NOT LESS THAN 21% AND NOT GREATER THAN 31% BY VOLUME
- V.O.C.'S (VOLATILE ORGANIC COMPOUNDS) WHICH ARE NOT IN EXCESS OF 350g/L IN ACCORDANCE WITH A.S.T.M. D-2369
- LEVELS OF LIQUID MICROBICIDES AND ANY OTHER POTENTIAL TOXIC SUBSTANCES WHICH ARE ENVIRONMENTALLY SAFE (NOT REQUIRING PROVINCIAL OR FEDERAL REGISTRATION)
- NONE OF THE FOLLOWING HAZARDOUS SUBSTANCES:
- FOLPET (N-(TRICHLOROMETHYLTHIO) PHTHALIMIDE)
- BIS (TRIBUTYLTIN) OXIDE
- COPPER NAPHTHENATE
- COPPER 8 QUINOLINOLATE
- ZINC NAPHTHENATE
- SUFFICIENT OXIDE PIGMENTS TO OBTAIN DESIRED COLOUR TONE AND LEVEL OF OPACITY (COLOUR TO BE APPROVED BY YORK REGION FOR EACH INSTALLATION)

APPLICATION OF STAIN:

APPLY TWO (2) COATS ON CLEAN DRY WOOD USING SPRAY, BRUSH OR DIPPING METHODS TO ACHIEVE FULL COVERAGE OF ALL EXPOSED SURFACES. APPLY OUTDOORS ONLY IN SUITABLE WEATHER CONDITIONS DURING WHICH THE TEMPERATURE IS BETWEEN 5° C AND 21° C FOR A PERIOD OF 48 HOURS FOLLOWING APPLICATION.

MINIMUM WOOD BOARD THICKNESS CHART

TO OBTAIN 20KG/m² SOUND ATTENUATION

SPECIES	ACTUAL WOOD THICKNESS
JACK PINE	2 x 22 mm THICKNESS
RED PINE	2 x 22 mm THICKNESS
PONDEROSA PINE	2 x 22 mm THICKNESS
EASTERN PINE	2 x 22 mm THICKNESS
WESTERN PINE	2 x 25 mm THICKNESS
WESTERN CEDAR	2 x 25 mm THICKNESS
EASTERN CEDAR	2 x 28 mm THICKNESS
NORTHERN WHITE CEDAR	2 x 28 mm THICKNESS
RED SPRUCE	2 x 22 mm THICKNESS
WHITE SPRUCE	2 x 25 mm THICKNESS
SPF	2 x 28 mm THICKNESS

DIMENSIONAL LUMBER CONVERSION CHART

NOMINAL (mm)	ACTUAL (mm)	NOMINAL (in.)	ACTUAL (in.)
25	19	1	0.75
50	38	2	1.5
100	89	4	3.5
150	140	6	5.5
200	184	8	7.25
250	235	10	9.25
300	286	12	11.25

APPENDIX "B"

RESIDENTIAL AIR CONDITIONING DEVICES.*

PUBLICATION NPC-216

ONTARIO MINISTRY OF ENVIRONMENT AND ENERGY

* The contents of this document are unchanged from the original publication "Residential Air Conditioning Devices, Publication NPC-216, October 1993" (ISBN 0-7778-0100-0).

ISBN 0-7778-1616-4

ENVIRONMENTAL NOISE GUIDELINES

FOR

INSTALLATION OF

RESIDENTIAL AIR CONDITIONING DEVICES

SEPTEMBER 1994

Cette publication technique
n'est disponible qu'en anglais.

PIBS 2721E01

ACKNOWLEDGEMENTS

The Advisory Committee on Air Conditioner and Heat Pump Noise representing Provincial and Municipal agencies, the National Research Council, the Heating Refrigerating and Air Conditioning Institute of Canada, Consultants, A/C Contractors and Manufacturers acknowledges the use of material from the following sources in the preparation of this guideline document:

- Air-Conditioning and Refrigeration Institute; Arlington, Virginia
- Carrier Corporation, New York

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Chris A. Krajewski	Ministry of Environment and Energy
Chris Andrew	City of Toronto
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Dan Lenover	Climate Master
Darryl McDonnell	DBM Heating and Air Conditioning

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Residential Air Conditioning Devices, Publication NPC-216
Ontario Ministry of Environment and Energy, October 1993.

APPENDIX B

Air Conditioning Device Installation Checklist for Noise Control in Urban Areas.

APPENDIX C

Air Conditioning Device Noise Investigation Checklist.

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1. INTRODUCTION

Noise generated by the outdoor section of AC & HP (air conditioner and heat pump) units is becoming a major concern in most communities as evidenced by the increasing number of complaints lodged by Ontario residents. As available land for the development of new housing in urban areas is in rapid decline, there is an increased trend toward high density housing projects. The close proximity of residential lots, typical for new housing developments, often results in a situation where an AC or HP unit is installed on the lot line or right under the neighbour's open window, generating excessive noise and causing serious annoyance.

According to noise complaint statistics assembled by the City of Toronto Noise Group, HVAC (heating, ventilating and air conditioning) units account for 15% of all noise complaints (an annual average for years 1977 to 1985). Earlier complaint statistics prepared by the Ministry of the Environment indicate that 25% to 27% of all noise complaints lodged by Ontario residents resulted from the operation of AC & HP units.

It became apparent that little information is available about effective noise abatement measures applicable to this type of equipment and the associated cost. The recommended practices for the installation and placement of units in such a way that the resultant noise impact is eliminated, or at least minimized, are often not followed.

Although standards for AC sound rating, noise impact evaluation procedure and recommended installation practices, developed by the Air Conditioning & Refrigeration Institute (ARI) in the U.S., have been available since 1967, only a few installers are familiar with the standard document. The buyers and users of AC & HP units are generally not informed about the potential for noise impact, and the possibility of or method for predicting the noise levels of their purchased installations. Consumers know even less about ways to avoid problems or retrofit their unit for noise control.

2. OBJECTIVE AND SCOPE

2.1. Objective

It is the objective of this publication to provide uniform guidelines for the installation of residential air conditioning systems with regard to environmental noise potential. This publication is also intended to serve as a reference for provincial guidelines, criteria, municipal by-laws, Building Code regulations, consultants, manufacturers, installers, and the public at large.

2.2. Scope

This publication provides information on criteria for acceptable sound level limits due to operation of residential air conditioning systems, environmental noise impact evaluation procedures, and installation guidelines.

References related to legislation, equipment and testing procedures, and other publications provided by the air conditioning industry and regulatory agencies are also included.

3. IDENTIFICATION OF NOISE SOURCES

The major component of environmental noise from the air conditioning system is the condensing equipment. In the case of the central air conditioning "split system", only the outdoor unit is the noise source. The condensing package is also responsible for the noise in window units and through-the-wall incremental units.

A small number of complaints dealing with excessive noise from outdoor units can be attributed to poor workmanship during assembly. Loose or faulty bearings, improperly installed or out of balance compressors, fan wheels or cages, damaged wheels or bent blades may be sources of excessive noise. Generally, the high sound levels are associated with the following equipment:

(i) Fans

Noise from the fan is generated by the fan blades passing through the air. The level of sound generated by the fan operation vary depending on the number of fan blades, fan speed (RPM), wheel diameter, clearance between the fan blade and fan housing, and the rate at which air is being discharged. Higher than normal sound from the fan may also be due to improper balancing of the fan, loss of a bearing, damaged fan blades and from rattling of fan components.

(ii) Compressor

Compressor noise originates from inside the sealed self-contained housing which contains both the electrical motor and the actual refrigerant pump. The noise comes from valves and rubbing surfaces, and from the response of other components to generated sound.

(iii) Turbulence

Part of the sound emitted from a condensing unit is of aerodynamic origin, as the fan discharges air through the cooling fins surrounding the condenser coils. Another sound source that is also associated with air flow is air deflection. The air discharged by the condensing unit may be channelled through duct work and deflectors which could also generate noise.

(iv) Equipment Casing

Although not a source itself, the unit's panelling is often set into sympathetic vibration because of the vibration of the motor, compressor and the fan. The extent of the panel vibration is dependent on the panel stiffness and the degree of vibration isolation attributed to the components.

In the great majority of cases, however, the noise problems could be attributed to the poor choice of location for the outdoor unit and the fact that little, if any, consideration is being given by the installers

to the noise potential of this unit. The recommendations for locating the outdoor unit and details of conventional abatement techniques are discussed in Sections 7 and 8.

4. SOUND TEST REQUIREMENTS

Sound testing of unitary air conditioners and heat pumps must be conducted in accordance with " Discrete-Frequency and Narrow-Band Noise Sources in Reverberation Rooms, Precision Methods for the Determination of Sound Power Levels" (American National Standards Institute, Standard S12.32-1990). The test requirements include both the actual sound level measurement procedure and the specific unit conditions under which the tests must be carried out. This testing is normally done by the manufacturer.

The Air-Conditioning and Refrigeration Institute (ARI) has established a method of sound rating outdoor unitary equipment. Material related to this section can be found in ARI Standard 270-84, "Standard for Sound Rating of Outdoor Unitary Equipment".

5. SOUND RATING PROCEDURE

The Air-Conditioning and Refrigeration Institute developed a Sound Certification Program to rate the noise of air conditioners and heat pumps in terms of tone corrected A-weighted sound power level. In 1967, ARI introduced a Sound Rating Number, which combined a frequency weighting factor for loudness and a pure tone correction for annoyance. In the 1982 version of ARI Standard 270 the pure tone penalty is applied to 1/3 octave band sound power levels of the unit. These sound power levels are then A-weighted and the 1/3 octave levels are then summed into the tone corrected A-weighted single number ARI Sound Rating. The complete rating procedure can be found in ARI Standard 270-84, "Standard for Sound Rating of Outdoor Unitary Equipment" (see reference 21).

6. EVALUATION OF SOUND LEVELS DUE TO AIR CONDITIONER/HEAT PUMP OPERATION FOR A GIVEN INSTALLATION

6.1 Areas of Concern

Sound pressure level estimations should be made for each area of concern to evaluate the equipment installation from an acoustic standpoint. These areas of concern include any point on the premises where sound or vibration originating from other than those premises is received.

Examples of areas of concern include patios, outdoor living areas, balconies, recreational facilities, communal lounges and other developed areas within a site which are judged to be specifically designed to serve as useful areas for active or passive recreation of the residents. Also included in the areas of concern would be all rooms within the residence itself.

6.2 Sound Level Calculation Procedure

The basic procedure for estimating the dBA sound pressure level at a given point of evaluation is described in ARI Standard 275-84 "Standard for Application of Sound Rated Outdoor Unitary Equipment". The sound level of outdoor unitary equipment in various applications is dependent not only upon the ARI Sound Rating but also upon several significant factors related to the application of the equipment. Quantitative values for each of these factors are established to adjust the sound rating as shown in the following summary:

Sound Rating x 10	_____
+ Equipment Location Factor	_____
- Barrier Shielding Factor	_____
- Sound Path Factor	_____
- Distance Factor	_____
Estimated A-Weighted Sound Pressure Level (±5 dB)	_____ dBA

The definition of the application factors and details of the Calculation Procedure are given in the following section.

6.3 Application Factors for Estimating A-Weighted Sound Pressure Level

(i) Equipment Location Factor

This factor takes into consideration the effect of walls and other reflecting surfaces adjacent to the equipment. Factors for typical equipment locations are given in Table 1.

(ii) Barrier Shielding Factor

This factor accounts for the sound reduction benefit of any solid structure that obstructs the line of sight (or sound) from the equipment location to the point of evaluation. Such a barrier may be the corner of a building, the edge of a roof, or a heavy wall of masonry, etc., built for the specific purpose of shielding an area of concern from the unit generated noise. See Table 2 for sketches and the values of barrier factor.

(iii) Sound Path Factor

This factor adjusts for the path of sound from the unit to the point of evaluation. This path may lead to the outdoors only, to a room through open windows, to a room through closed windows, or through a wall. See Table 3 and the sketches included.

(iv) Distance Factor

The direct distance, D, from the equipment location to the point of evaluation is a very significant application factor in determining the estimated A-weighted sound pressure levels resulting from the operation of outdoor equipment in any installation. The distance factor is obtained from Table 4.

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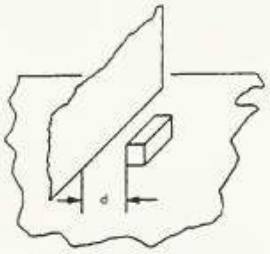
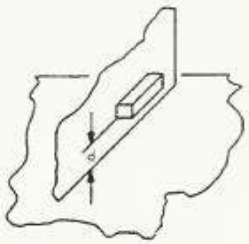
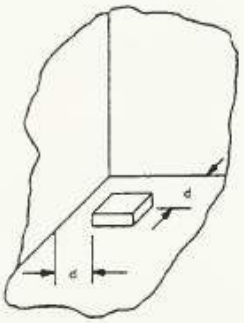
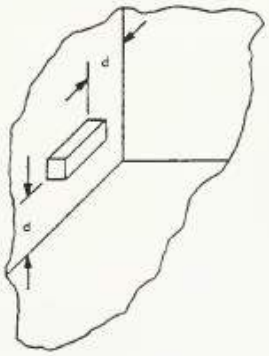
TABLE 1: EQUIPMENT LOCATION FACTOR

Equipment Location Factor	Factor Value
a. Equipment on ground or roof or in side of building wall with *no* adjacent reflective surface within 10 feet (d greater than 10 ft)	0 dB
b. Equipment on ground or roof or in side of building wall with a *single* adjacent reflective surface within 10 feet (d less than 10 ft)	3 dB
 On Ground or Roof Single Reflective Surface  In Side of Building Single Reflective Surface	
c. Equipment on ground or roof or in side of building wall within 10 feet of *two* adjacent walls forming an inside corner (d less than 10 ft to both surfaces)	6 dB
 On Ground or Roof Two Adjacent Reflecting Surfaces  In Side of Building Two Adjacent Reflecting Surfaces	

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1. *Equipment Location Factor* (continued)	Factor Value
d. Equipment on ground or roof or in side of building wall and between two opposite reflecting surfaces less than 15 feet apart	6 dB

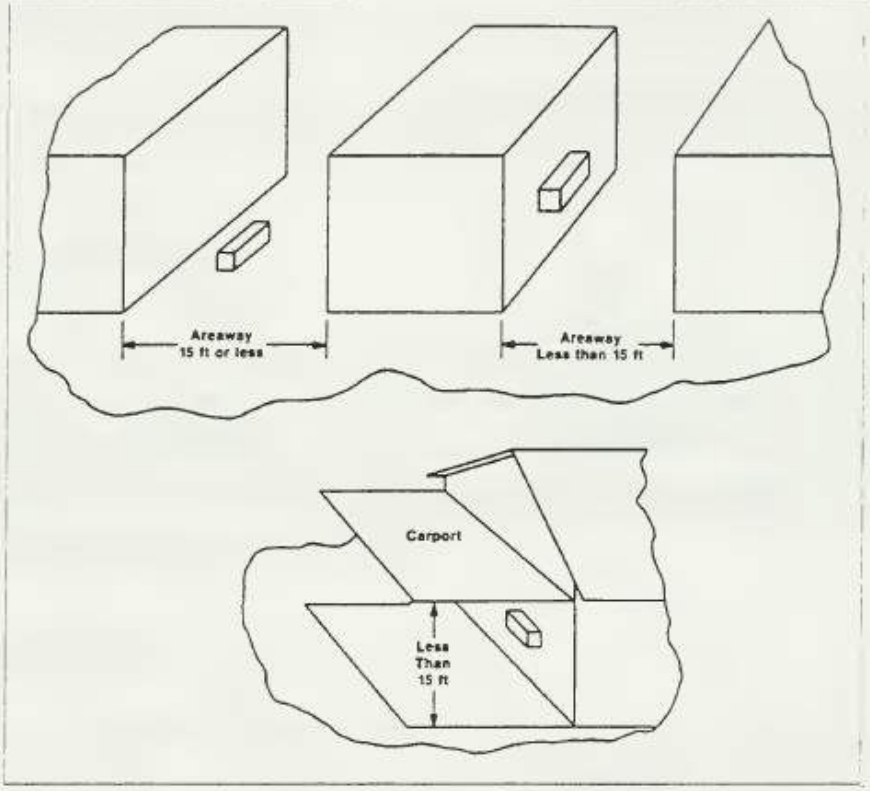

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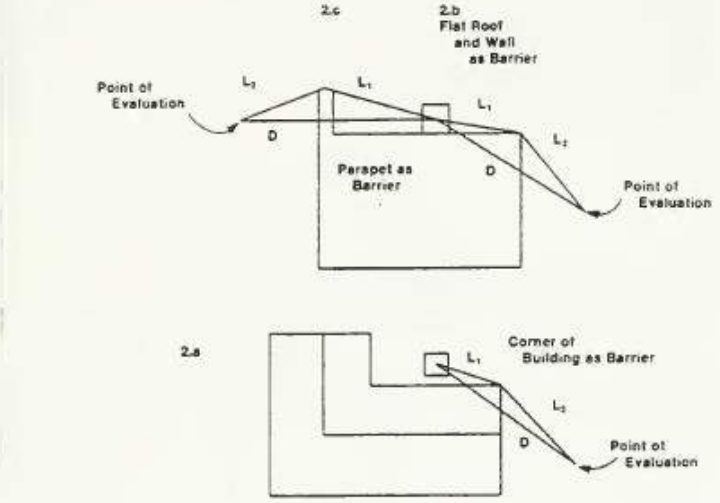
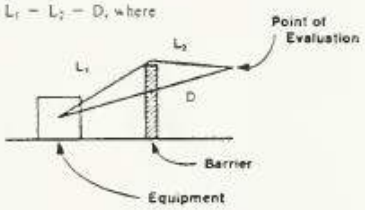
TABLE 2: BARRIER SHIELDING FACTOR

2. *Barrier Shielding Factor* (See Sketches, below). Sound reduction benefits can be gained when a solid structure obstructs the sound path. These structures could be:
   a. Corner of building
   b. Corner of flat roof and wall
   c. Parapet around flat roof
   d. Heavy continuous wall



$L = L_1 - L_2 - D$, where



L	Factor Value
0.5	4 dB
1	7 dB
2	10 dB
5	12 dB
6	15 dB
12	17 dB

$L_1 - L_2$ = distance in feet from equipment to point of evaluation around barrier (Use maximum $L_1 - L_2$ value)

D = Direct distance in feet from equipment to point of evaluation with no barrier. Determine D by layout sketch

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TABLE 3: SOUND PATH FACTOR

3. *Sound Path Factor*	Factor Value
a. To a point of evaluation outdoors	0 dB
b. To room through open window(s) or open door(s)	10 dB
c. To room through closed single glass window(s) or door	17 dB
d. To room through closed double glass window(s) or solid wall	23 dB

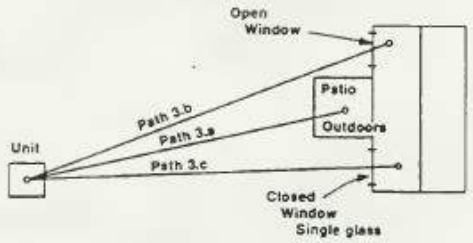

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TABLE 4: DISTANCE FACTOR

Distance Factor		
(ft)	[m]	Factor Value (dB)
4	1.2	9.5
5	1.5	11.5
6	1.8	13.0
7	2.1	14.5
8	2.4	15.5
9	2.7	16.5
10	3.0	17.5
15	4.6	21.0
20	6.1	23.5
25	7.6	25.5
30	9.1	27.0
40	12.2	29.5
50	15.2	31.0
60	18.3	33.0
70	21.3	34.5
80	24.4	35.5
90	27.4	36.5
100	30.5	37.5
125	38.1	39.5
150	45.7	41.0
175	53.3	42.5
200	61.0	43.5
400	122.0	49.5

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6.4 Procedure for Predicting Approximate Sound Pressure Levels of Multiple Units

Sound levels for multiple unit installations at any point of interest can be determined by combining the effects of each unit at the point of evaluation. The procedure for calculation of sound levels from multiple unit installations follows that used for single units except for the additional procedure used to combine sound levels.

The combined sound pressure level for all units is determined as follows:

(i) Determine the numerical difference between the largest and next largest sound pressure levels.

(ii) Using Table 5, find the proper value and add it to the larger sound pressure level. This new value is the combination of the two largest values.

(iii) Determine the numerical difference between this new value and the third largest sound pressure level. Again using Table 5, find the proper value and add it to the new value that was obtained between the two highest sound pressure levels.

(iv) Continue this combining procedure until the value to be added from Table 5 becomes 0.0 or until all numbers have been combined.

(v) The resulting single number represents the combined sound pressure level of all units at the point of evaluation.

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TABLE 5: VALUES USED FOR COMBINING NUMBERS FOR MULTI-UNIT INSTALLATIONS

VALUES USED FOR COMBINING NUMBERS FOR MULTI-UNIT INSTALLATIONS	
Difference Between Numbers (dB)	Value to be Added to Larger Number (dB)
0 to 0.5	3.0
1.0 to 1.5	2.5
2.0 to 3.0	2.0
3.5 to 5.0	1.5
5.5 to 7.0	1.0
greater than 7.0	0.0

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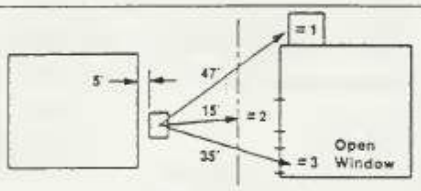
6.5 Examples of Calculation

(i) Installation With No Barrier and One Reflective Surface



Sound Rating of Unit = 6.8

LINE	Distance from equipment to evaluation point (1. 47 ft, 2. 15 ft, 3. 35 ft)	EVALUATION POINTS		
		1	2	3
1	Record Sound Rating × 10	68	68	68
2	Equipment location factor (Table 1, Item 1)	3	3	3
3	Add Lines 1 and 2	71	71	71
4	Barrier Shielding Factor (Table 1, Item 2)	0	0	0
5	Sound Path Factor (Table 1, Item 3)	0	0	10
6	Distance Factor (Table 2)	31	21	28
7	Add Lines 4, 5 and 6	31	21	38
8	Estimated A-weighted sound pressure level (±5 dB) Subtract Line 7 from Line 3	40	50	33

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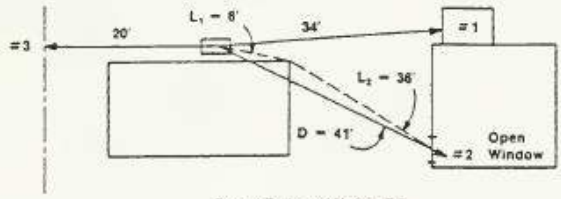
(ii) Installation with Barrier



Sound Rating of Unit = 7.0
$L = L_1 + L_2 - D$

LINE	Distance from equipment to evaluation point (1. 34 ft, 2. 41 ft, 3. 20 ft)	EVALUATION POINTS		
		1	2	3
1	Record Sound Rating × 10	70	70	70
2	Equipment location factor (Table 1, Item 1)	3	3	3
3	Add Lines 1 and 2	73	73	73
4	Barrier Shielding Factor (Table 1, Item 2)	0	7	0
5	Sound Path Factor (Table 1, Item 3)	0	10	0
6	Distance Factor (Table 2)	28	29.5	23.5
7	Add Lines 4, 5 and 6	28	46.5	23.5
8	Estimated A-weighted sound pressure level (±5 dB) Subtract Line 7 from Line 3	45	26.5	49.5

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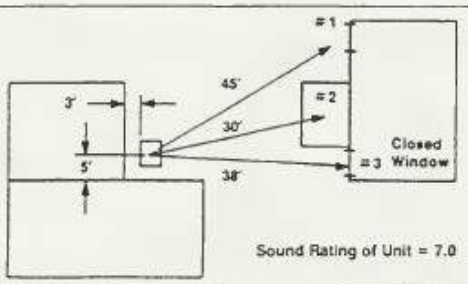
(iii) Installation With Two Reflective Surfaces



Sound Rating of Unit = 7.0

LINE	Distance from equipment to evaluation point { 1. 45 ft 2. 30 ft 3. 38 ft	EVALUATION POINTS		
		1	2	3
1	Record Sound Rating × 10	70	70	70
2	Equipment location factor (Table 1, Item 1)	6	6	6
3	Add Lines 1 and 2	76	76	76
4	Barrier Shielding Factor (Table 1, Item 2)	0	0	0
5	Sound Path Factor (Table 1, Item 3)	0	0	17
6	Distance Factor (Table 2)	30.5	27	29
7	Add Lines 4, 5 and 6	30.5	27	46
8	Estimated A-weighted sound pressure level (± 5 dB) Subtract Line 7 from Line 3	45.5	49	30

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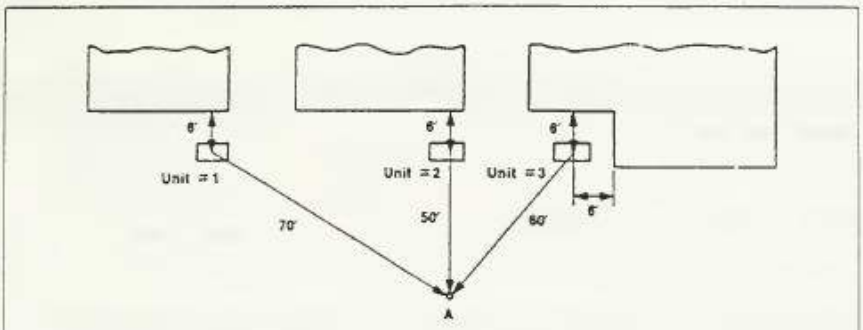
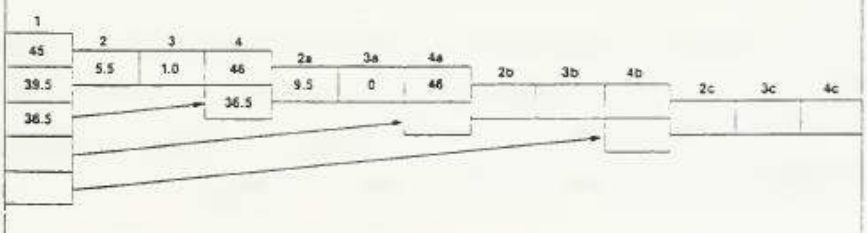
(iv) Multiple Units Installations



LINE	Distance from equipment to evaluation point { 1. 70 ft 2. 50 ft 3. 60 ft	UNITS		
		1	2	3
1	Record Sound Rating of Units × 10	68	68	72
2	Equipment location factor (Table 1, Item 1)	3	3	6
3	Add Lines 1 and 2	71	71	78
4	Barrier Shielding Factor (Table 1, Item 2)	0	0	0
5	Sound Path Factor	0	0	0
6	Distance Factor (Table 2)	34.5	31.5	33
7	Add Lines 4, 5 and 6	34.5	31.5	33
8	Estimated A-weighted sound pressure level (±5 dB) Subtract Line 7 from Line 3	36.5	39.5	45



9	Estimated A-weighted sound pressure level at Point A (±5dB)	46

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(iv) Multiple Units

(a) Calculate estimated A-weighted sound pressure level for each unit.

(b) List estimated level for each unit in column 1 starting with the largest number first and second largest next, etc.

(c) Enter in column 2, the difference of values between the two largest.

(d) Enter in column 3, the value to be added to the largest value from Table 5.

(e) Enter the new value in column 4 below.

(f) If there are more than two units, repeat above procedure (c) through (e), starting in column 2(a).

Continue until a single value exists. Note that the third entry in column 1 is transferred to column 4 as indicated by the arrow, the fourth entry to column 4(a), etc.

7. INSTALLATION GUIDELINES

The majority of noise problems resulting from currently installed residential air conditioners or heat pumps would not exist if the installer and home owner had analyzed the owner's property to determine the location which produced the least noise impact at adjoining properties. The sections that follow outline some simple "do's" and "don'ts" when it comes to installing air conditioners or heat pumps.

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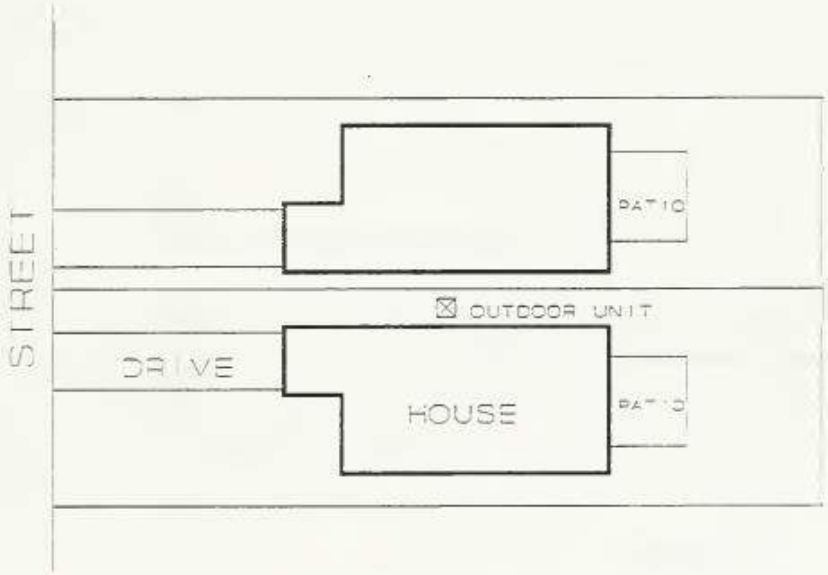
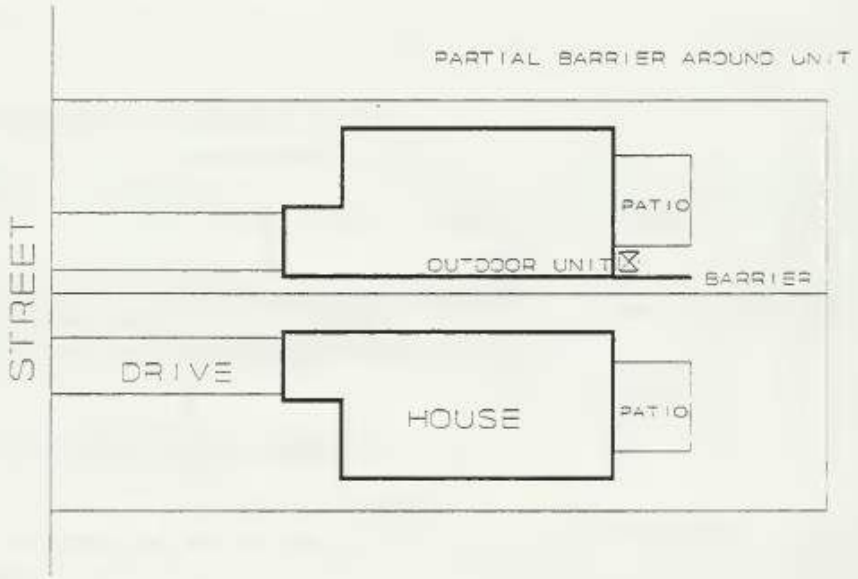
7.1 Do's and Don'ts when Installing Residential AC/HP Units

(a) Do's:

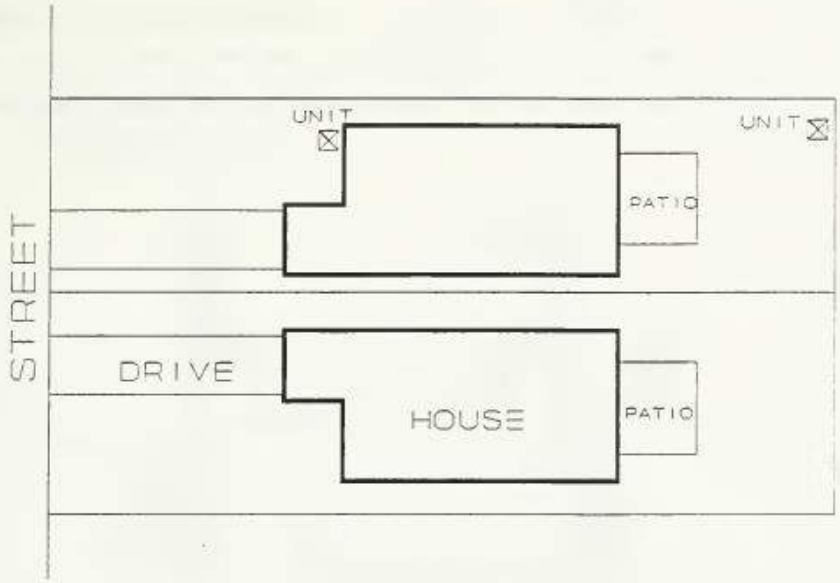
(i) The unit should be positioned such that there are no windows or openings along the direction of sound wave propagation. The solid wall of the neighbour's house in the diagram below acts as a shield to the noise emitted by the unit.



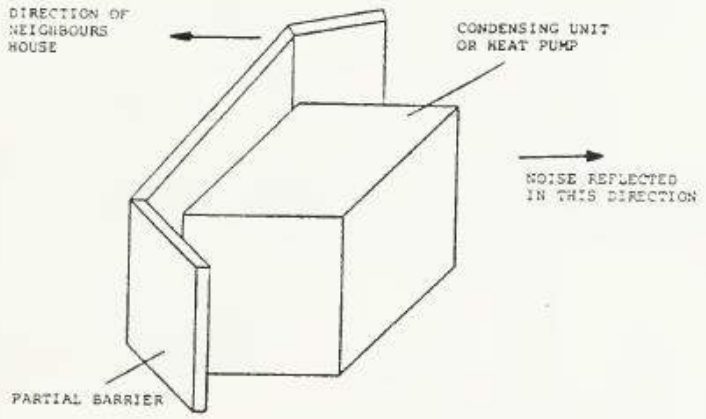
(ii) A partial barrier can be provided for the unit in order to reduce the noise that would otherwise be radiated towards the neighbour's house. Weatherproof absorptive treatment can be provided with the barrier to reduce the noise reflected from the house wall. The sketch below shows the use of the barrier.



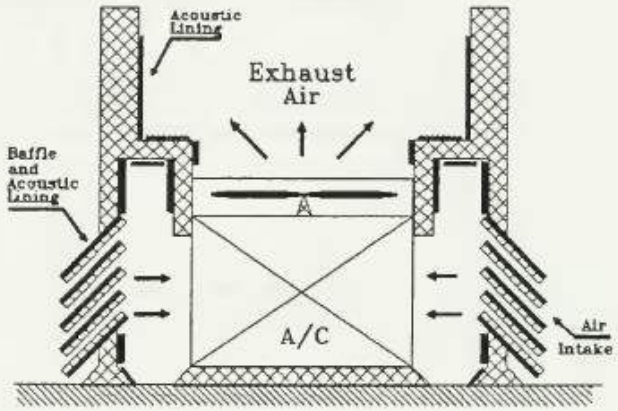
(iii) If possible, an alternative is to place the unit in the front yard or backyard, as shown below, where it would be away from the neighbour's patio.



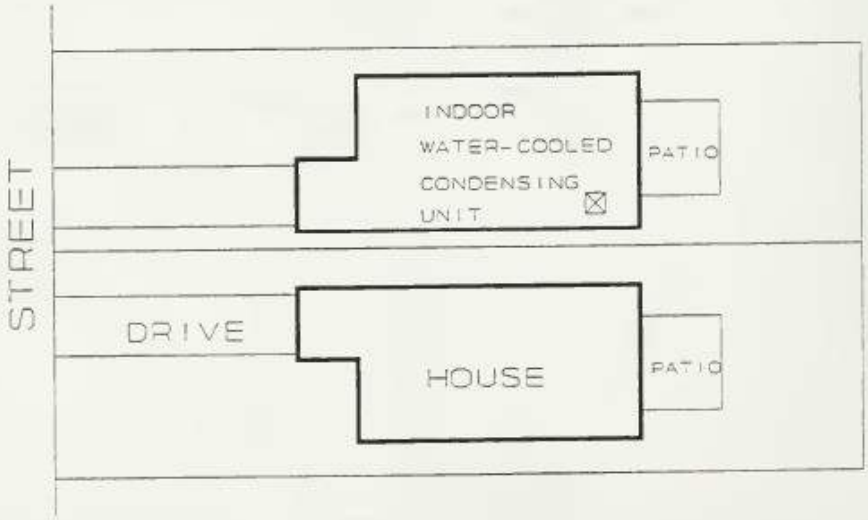
(iv) The following sketch shows a partial barrier which can also be used to deflect noise away from the neighbour's house. Such barrier will only be effective for horizontal discharge units. Care must be taken so that the airflow into and out of the unit is not impeded. For more details refer to section 8.2.



(v) An acoustic enclosure, as shown below, can be used to greatly reduce the noise radiated by the unit. The manufacturer of the unit or a specialist on enclosures for air conditioning equipment should be consulted. For more details refer to section 8.6.



(vi) If possible, use a water-cooled condensing unit located inside the house (where local municipal by-laws permit).



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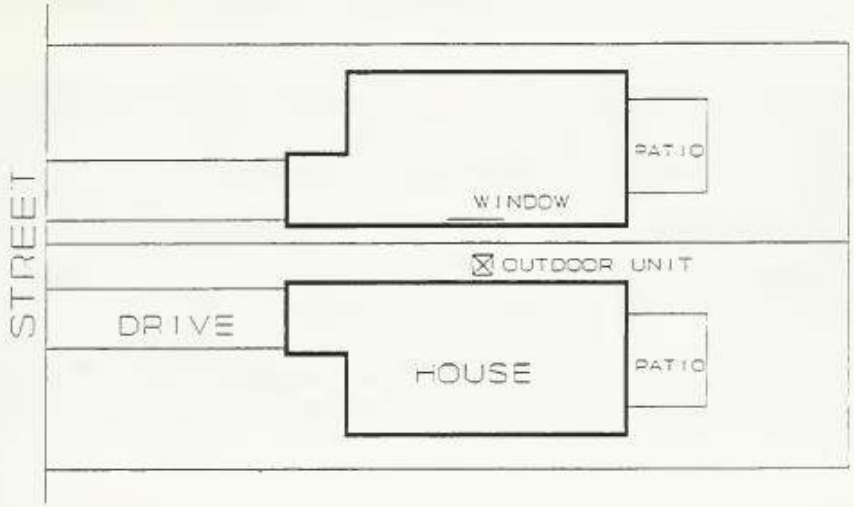
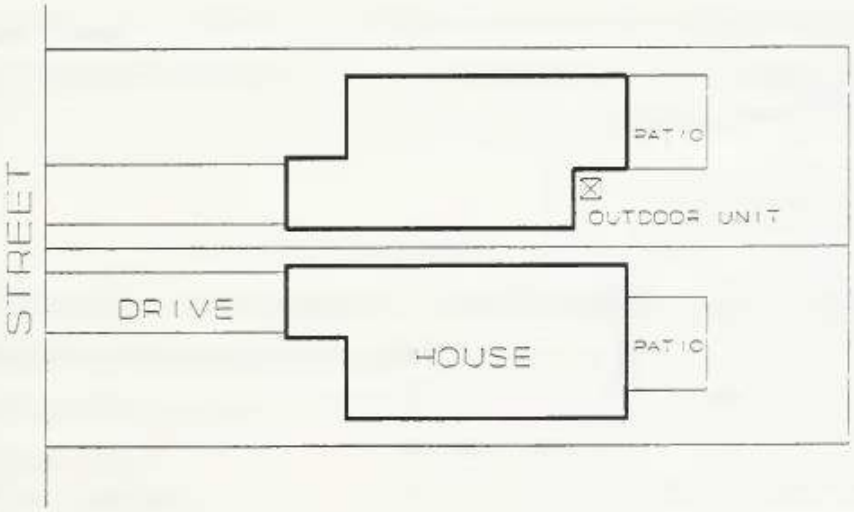
(b) Don'ts

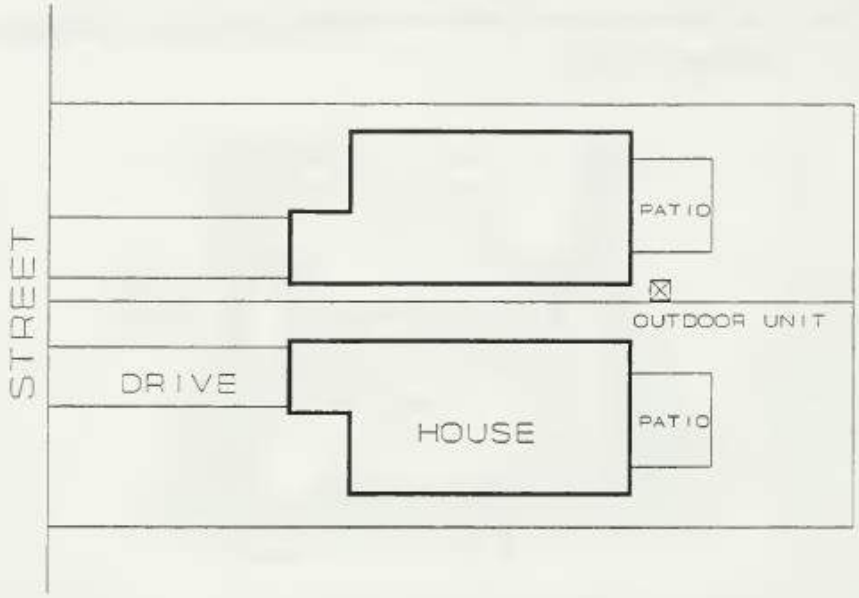
(i) Do not place the unit where the radiated noise may be transmitted through the neighbour's windows.



(ii) Avoid locating the unit close to hard reflecting surfaces.



(iii) Avoid locating the unit close to neighbour's outdoor living area or patio.



8. NOISE CONTROL TECHNIQUES

A detailed description of conventional abatement techniques, including proper equipment selection, application of acoustical barriers and enclosures as well as the use of indoor units and relocation is given in the following subsections.

8.1 Equipment Selection

ARI publishes a Directory of Certified Unitary Air Conditioners and Heat Pumps. The directory lists all eligible models of air conditioners and heat pumps produced by manufacturers participating in the ARI certification program. Information in the directory includes data on cooling cost, thermal capacity and sound rating in bels for each model. The sound rating, as defined in the ARI Standard 270-84, is an indicator of the sound power level of the equipment; the lower the sound rating, the lower the sound

power emitted by the outdoor equipment. The great majority of sound ratings identified in the directory for the respective models fall between 7.2 and 9.0 bels.

Some manufacturers produce AC/HP equipment with comparatively low sound rating; and the installer should use the sound rating information to full advantage when selecting an air conditioner unit.

Table 6 provides a selection guideline on maximum sound rating for units operating under various installation conditions. The selection of a unit by following the guidelines in the table will ensure compliance with the recommended sound level limit at the point of reception in a quiet residential area. It should be noted that some installations are not feasible with units presently available on the market, unless additional noise control measures are included. A properly designed acoustic barrier in the form of a garden shed, property line solid fence, or an acoustic enclosure will typically provide 10 dB reduction in sound levels at the point of reception. The inclusion of these measures in the proposed installation will allow selection of units with sound rating values higher than those recommended in Table 6.

For individual installations proposed in areas with high background sound levels, such as locations close to major transportation corridors or industrial and commercial establishments, requirements for the maximum sound rating of AC/HP units are less stringent. For example, in an area where the background sound level is 60 dBA, a unit can be selected with sound rating of one (1.0) bel and two (2.0) bels higher than those listed in the section of Table 6 referring to Leq=50 dBA limit, for installations without and with additional noise control measures (i.e. barrier or enclosure providing 10 dB reduction) respectively.

The Air Conditioning Device Installation Check List for Noise Control in Urban Areas included in Appendix B provides a step-by-step procedure for selection of the AC/HP unit sound rating for a wide range of installation conditions and the area sound level limits.

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TABLE 6: RECOMMENDED MAXIMUM ARI SOUND RATING VALUES FOR AC AND HP UNITS IN BELS.

NOTE: After 1991-12-31 and before 1995-01-01 the Maximum ARI Standard Sound Rating acceptable in Ontario is 7.6 bels	INSTALLATION CONDITIONS (as defined in Table 1)		
	a) Equipment on ground or roof or in side of building wall with no adjacent reflective surfaces within 3 m.	b) Same as a) but with a single adjacent reflective surface within 3 m. (the unit located near wall of building.)	c) Same as a) but with two adjacent walls forming an inside corner, or between two opposite reflective surfaces less than 5 m apart.
Distance from the unit to receptor in meters	Sound Rating required to ensure Leq = 45 dBA Limit (Class 2 Area as defined in Annex to NPC-216)		
5.0**	6.8	6.4*	6.2*
8.0	7.2	6.8	6.6*
12.5	7.6	7.2	7.0
20.0	8.0	7.6	7.4
	Sound rating required to ensure Leq = 50 dBA Limit (Class 1 Area as defined in Annex to NPC-216)		
4.0**	7.0	6.8	6.4*
6.3	7.4	7.2	6.8
10.0	7.8	7.6	7.2
16.0	8.2	8.0	7.6
	Sound rating required to ensure Leq = 55 dBA Limit (Urban locations where unit was a mandatory requirement for noise control in new land use developments)		
4.0**	7.6	7.2	7.0
6.3	8.0	7.6	7.4
10.0	8.4	8.0	7.8

* Sound rating values for units presently not yet available on the market.

** Distances from the unit to receptor shorter than 4 m are not realistic and, therefore, are not included in the Table.

NOTE: The above maximum sound rating values can be increased in situations where an acoustic barrier or other means reduce the sound level to the acceptable limit.

8.2 Use of Barriers

Barriers, if properly installed, can be the most cost-effective means of noise reduction. Common barrier materials include steel, plywood and concrete. General guidelines for barrier walls include the following:

(i) Place barriers as close to the source as possible without restricting airflow to/from the unit. This will ensure the deflection of most of the sound away from the evaluation point. Care must be taken not to restrict the airflow of the unit as this would lead to a decrease in unit efficiency. The manufacturer should be consulted on minimum distance requirement.

(ii) Barriers must be free of holes, gaps, cracks, etc. Sound would be transmitted through the wall if this condition is not met.

(iii) Single barriers generally do not require sound absorbing surfaces. Absorptive treatment on the source side of the barrier makes only a minor improvement in sound radiation and is generally not cost-effective.

(iv) In situations where house walls will reflect sound back at the barrier, the effectiveness of the barrier shielding will be significantly reduced. To remedy this, wall surfaces facing the unit should be covered with sound absorbing material.

(v) One of the simplest and most effective shielding structures may be a suitably located garden shed.

8.3 Relocation

Relocating the air conditioner is another possible method of reducing the noise in a specific area or direction.

(i) Relocating the Outdoor Condensing Unit or Heat Pump.

As the condenser units produce a continuous, steady sound while operating, the owner will most likely locate the unit as far as possible from his or her bedroom or outdoor living area. This often means that the unit is placed near the adjacent residential property which may result in noise impact and annoyance to the neighbour.

Before permanently installing the unit, a location should be selected that will minimize the noise impact at nearby property lines. There are several installation locations that should be avoided due to their ability to actually increase the noise level. Described briefly, they are a) within 10 feet of a wall; b) within 10 feet of two adjacent walls (such as a corner); and, c) within 15 feet of two opposite walls (such as between two houses). A list of suitable locations were highlighted earlier in Section 7.1.

To assist in determining the potential noise levels at nearby property lines, the installer is referred to Section 6.2, "Sound Level Calculation Procedure" developed by the Air-Conditioning and Refrigeration Institute (ARI). If results of the calculation (following the above procedure) indicate that operation of the unit is in violation of local noise by-law or Ontario MOEE noise criteria, the owner should provide noise abatement measures to reduce sound levels and ensure compliance with environmental noise criteria, or purchase a quieter unit.

(ii) Relocating Window Unit

One method of reducing the noise from a window unit is simply to move the unit to another window. This is easier said than done since moving the air conditioner from the original location may not be possible without reducing cooling, which was the reason for having the air conditioner in the first place. If relocation of the unit is not a feasible solution, other measures such as acoustical barriers or an enclosure should be designed and implemented, to reduce noise levels and to eliminate or minimize noise impact.

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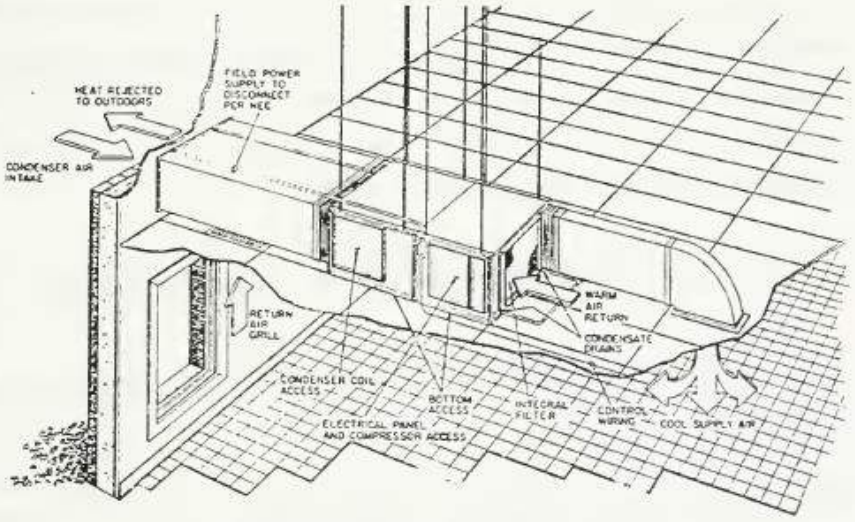
8.4 Indoor Units

The majority of AC/HP equipment available on the market falls into two categories: packaged and split systems. In packaged systems the components are factory assembled into an integrated package which is either window mounted or in the form of self-contained package located outside (with the indoor air supplied to the unit and then returned through ducts).

In the split system, the indoor coil is located inside the residence and is connected through tubing lines to an outdoor coil (condenser).

Recently, a new type of AC/HP system; a horizontal indoor single package unit has been developed and is commercially available. It is a combination of heating/cooling system designed to be used in ceiling spaces of stores, offices and large houses. The unit is hung from the joists and the condenser section is ducted to the exterior surface as shown in the sketch below.



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Due to built-in design, the backyard is protected from the condenser noise.

8.5 AC/HP Unit Maintenance

Proper maintenance of the AC/HP unit will not only ensure efficient operation and durability, but it also will help to minimize the unit's noise emission.

It is strongly recommended that, at the beginning of each cooling season the condenser unit, evaporative coil and indoor unit all be subjected to check-ups and adjustments as specified in the manufacturer's maintenance schedule.

Extended manufacturer's warranties are available to facilitate such check-ups and adjustments by qualified personnel.

8.6 Enclosures

A complete enclosure can provide up to 10 decibel noise reduction provided it is correctly designed and built. Enclosures reduce noise impact by absorbing part of the source sound energy and re-directing some of the remainder to minimize the amount reaching the noise sensitive locations. However, due to potential effects on the AC/HP unit performance, an enclosure should be considered as a last resort.

Enclosures can be made of sheet metal, plywood and an absorptive liner.

Several construction-assembly details should be remembered when designing and building an enclosure:

(i) The enclosure must be designed to provide adequate flow separation between inlet air and discharge air. An appropriate detailed technical evaluation of airflow must be carried out at the initial stage of the enclosure design. An enclosure which is not properly designed may result in reduction of AC/HP unit efficiency, leading to a possible break-down of the unit and voidance of the manufacturer's warranty.

(ii) There should be no cracks or holes in the condenser casing (between panels or at the intersection of panels at corners). Gasket material or silicone sealant application will prevent "sound leaks".

(iii) Panels should be "floating" on a foam gasket material such that they do not make physical contact with each other or the unit frame, except through mounting screws.

(iv) Absorptive duct liner should be securely fastened to the inside of the enclosure on 12" centres using wood screws through washers or nails driven through a 2" square piece of sheet metal.

(v) The enclosure must not touch the unit; otherwise any noise from this unit will be transmitted to the enclosure.

(vi) The enclosure roof, if provided, should be designed to eliminate water penetration into the absorptive liner.

(vii) An open top enclosure type should not be used for HP unit to avoid snow build-up.

9. PROVINCIAL GUIDELINES, CRITERIA AND MUNICIPAL BY-LAWS REGULATING A/C NOISE

Almost every municipality in Ontario enacted some form of a nuisance by-law, designed to restrict unnecessary honking of horns, driving a car with a faulty muffler, loud or boisterous parties, and other activities which generally could be classified as disturbances of the peace. Community reaction to sound of the continuous nature, such as one generated by an AC or HP unit, is far more subtle than these nuisance by-laws have been able to cope with, since, from a legal point of view, such continuous type noise problems are concerned with invasion of privacy (see reference 3) rather than the question of disturbing the peace.

Early ordinances mentioning AC devices were of two specific types: one referred only to the location of outdoor equipment on the property with reference to property lines, the other referred to sound level limits in dB, either on the "A"-weighted scale or by octave-bands.

AC noise ordinances based on acceptable sound level limits have been enacted in a large number of cities and communities in North America. These limits expressed in terms of maximum A-weighted sound levels (except traffic) at a residential boundary range from 35 dBA to 60 dBA.

In 1970, an Air Conditioner Noise Committee was established in Ontario composed of representatives of the Heating, Refrigerating and Air Conditioning Institute of Canada, Ontario Hydro Commission, National Research Council, University of Toronto, Borough of Etobicoke Building Department and other agencies, to review regulatory aspects of AC noise, to discuss future trends in equipment modifications, measurement standards, as well as installation and noise impact assessment procedures. A report prepared by the Committee included a number of recommendations related to standards and guidelines development, and proposed gradually lower maximum acceptable outdoor sound levels (measured at lot line), due to AC units which would represent a reasonable national standard acceptable to the various levels of government. The recommended levels, to be in effect by 1977, were 50 dBA and 45 dBA day and nighttime respectively. A separate limit of 35 dBA was set for indoor noise levels measured in bedroom areas.

Based on the findings and proposals of the Committee, air conditioner noise criteria were incorporated in the 1978 Model Municipal Noise Control By-law, developed by the Ontario Ministry of the Environment. These criteria are part of a comprehensive option of the Model Municipal Noise Control By-Law, and specific sound level limits for AC devices are referred to in Technical Publication NPC-116, Residential Air Conditioners. The essence of these criteria is that the emission of sound from an AC unit should not result in sound levels in excess of 45 dBA and 50 dBA limits for central AC units and window or through-the-wall AC units respectively, when measured at the point of reception on the adjacent residential property. Should the existing ambient level (due to road traffic) be higher than these limits, it will constitute the criterion limit (the less restrictive provision prevails) for that hour.

In addition to sound level limits, sound emission standards for AC/HP units were to be developed for future inclusion in the Ministry's noise criteria under Section 4 of the NPC-116 publication. Development of these emission standards was to be predicated on the manufacturer's co-operation in producing, through design and technological improvements, a significant reduction in the noise levels of AC & HP equipment.

More recently, the construction of new housing, especially in areas of high noise due to surface transportation has resulted in a requirement for residential units to achieve a suitable indoor noise environment with closed windows. Due to close proximity of residential lots, typical for new housing developments, the use of AC/HP results more often in increased noise levels at adjacent residential properties with consequent complaints to the local Municipalities.

Concerns have been raised by the manufacturers and Municipal authorities that the Ministry's noise acceptability criteria for AC/HP equipment were too restrictive to allow for installation of units presently available on the market, in a given layout of closely spaced residential lots. In response to these concerns, the Ministry of the Environment with the co-operation of the Heating Refrigerating and Air Conditioning Institute of Canada, Ontario Home Builders' Association and the Association of Municipalities of Ontario organized in 1987 a Symposium on Air Conditioner Noise. The delegates to the Symposium represented a broad cross-section of the interest groups which included the manufacturers and installers of the AC/HP units, acoustical consultants, municipal planners, bylaw officers and the residential users of AC/HP (see reference 26).

In accordance with the recommendations and resolutions of the Symposium, an Advisory Committee on Air Conditioner Noise has been formed to examine and make recommendations on uniform, practical and enforceable measures leading to the solution of the noise problem identified during this symposium. A number of technical sub-committees have been set up to work on the specific areas of interest such as; manufacturing standards, installation guidelines, training opportunities, building code requirements and jurisdictional constraints.

Also sponsored by the Advisory Committee, a survey of both sound levels and subjective attitudes to residential AC/HP noise was initiated jointly by the National Research Council and the Ontario Ministry of the Environment in 1989. The principal objectives of this survey were:

a) to quantify the relationship between subjective response to neighbour's AC/HP unit noise and the measured noise levels of these units;

b) to provide information to support the setting of acceptable limits for outdoor AC/HP noise levels;

c) to examine how local ambient noise and ownership of an AC/HP influence adverse reactions to the AC/HP noise;

d) to consider the influence of other non-noise factors on adverse reactions to neighbour's AC/HP noise;

e) to compare measured AC/HP noise levels with predictions based on the ARI 275-84 procedure.

The survey was carried out in the Metro Toronto area, and both subjective and objective data were successfully obtained for 550 respondents. A final report on survey findings (see reference 25) was released in 1991.

Tables 216-1 and 216-2 in Appendix A represent conclusions of the Advisory Committee on the issue of acceptability criteria for AC/HP noise.

(a) Sound Level Limits

The recommended specific levels shown in Table 216-2 are expressed in terms of the hourly equivalent energy level (Leq), and apply to receptor locations in Class 1 and Class 2 areas, as defined in Sec. 3 of Publication NPC-216. A separate limit (for central AC/HP devices) applies

to receptor locations in Class 1 areas where the unit was a mandatory requirement for noise control in new land use developments.

To address situations where AC/HP units may be operated in an area of a relatively high ambient noise, a pre-emption or general limits have been included in Table 216-1, setting the existing ambient sound level due to road traffic, higher than the limits in Table 216-2, as the criterion of acceptability for AC/HP unit operation. The general limits are increased by 5 dB for any hour between 07:00 and 21:00.

Verification of compliance by the AC/HP units with the guideline sound level limits can be accomplished through measurements using a properly calibrated sound level meter which meets the required standard specifications. Details of the instrument specification are included in Section 3 of the Technical Publication NPC-102, Instrumentation (see reference 12).

The measurements should be carried out outdoors at a closest point of reception on residential property adjacent to the AC/HP unit. The measurement may also be required at a point of reception in plane of an open window facing the AC/HP unit to ensure that sound levels at noise sensitive indoor spaces in a residence adjacent to the source are not in excess of the guideline limits. Details of the measurement procedure are included in Section 3 of the Technical Publication NPC-103, Procedures (see reference 12)

An assessment of ambient sound levels can be made using either measurement or calculation method. The one hour Leq of road traffic should be obtained in accordance with the procedure described in Section 4 of the Technical Publication NPC-103, Procedures. Alternately, the one hour Leq of road traffic may be calculated on the basis of traffic flows observed on the contributing roads, within one hour of the period when the AC/HP noise is measured. The procedure for calculation of one hour Leq at the point of reception is described in the "Ontario Road Noise Analysis Method for Environment and Transportation". (see reference 24)

The Air Conditioning Device Noise Investigation Checklist included in Appendix C provid step-by-step procedure for measurements of the AC/HP unit noise, ambient noise, and the fo of reporting measurement results, adjustments and conclusion of the measurement surve

b) Sound Emission Standards

The maximum acceptable ARI Standard Sound Ratings shown in Table 216-4 are se accordance with the date of the manufacture. Two emission limits; 8.0 and 7.6 bels specified for AC/HP units built during 1991, and during 1992, 1993 and 1994 respectively. units are sized at less than 38,900 BTUH capacity. The emission limits projected after 1994 under discussion with the industry to assess the feasibility of reduction.

The sound level limits, and sound emission standards are included in the revised Technical Publicat NPC-216 representing a regulatory tool in controlling AC/HP noise. The enforcement of these nc bylaw provisions is a municipal responsibility in the province of Ontario.

10. REFERENCES

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3. A.E. Meling, "Community Noise Ordinances", ASHRAE Journal, May 1967.

4. Borough of Etobicoke Planning Department, Z-113, "Report Regarding Air Conditioner Noise Regulations and General Noise Control", April 1972.

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APPENDIX A

RESIDENTIAL AIR CONDITIONING DEVICES.*

PUBLICATION NPC-216

ONTARIO MINISTRY OF ENVIRONMENT AND ENERGY

* The contents of this document are unchanged from the original publication "Residential Air Conditioning Devices, Publication NPC-216, October 1993" (ISBN 0-7778-0100-0).

COMMITTEE OF ADJUSTMENT

Meeting 20 **AGENDA** **NOVEMBER 5, 2025**

HEARING NO. 4.3 - 5:30 P.M.

File
540-02-A-064/25

APPLICANT: James Michael Duncan and Tairroyn Lyn Childs

PROPERTY: 409 Pepper Drive,
PLAN 625 LOT 7
City of Burlington - Regional Municipality of Halton.

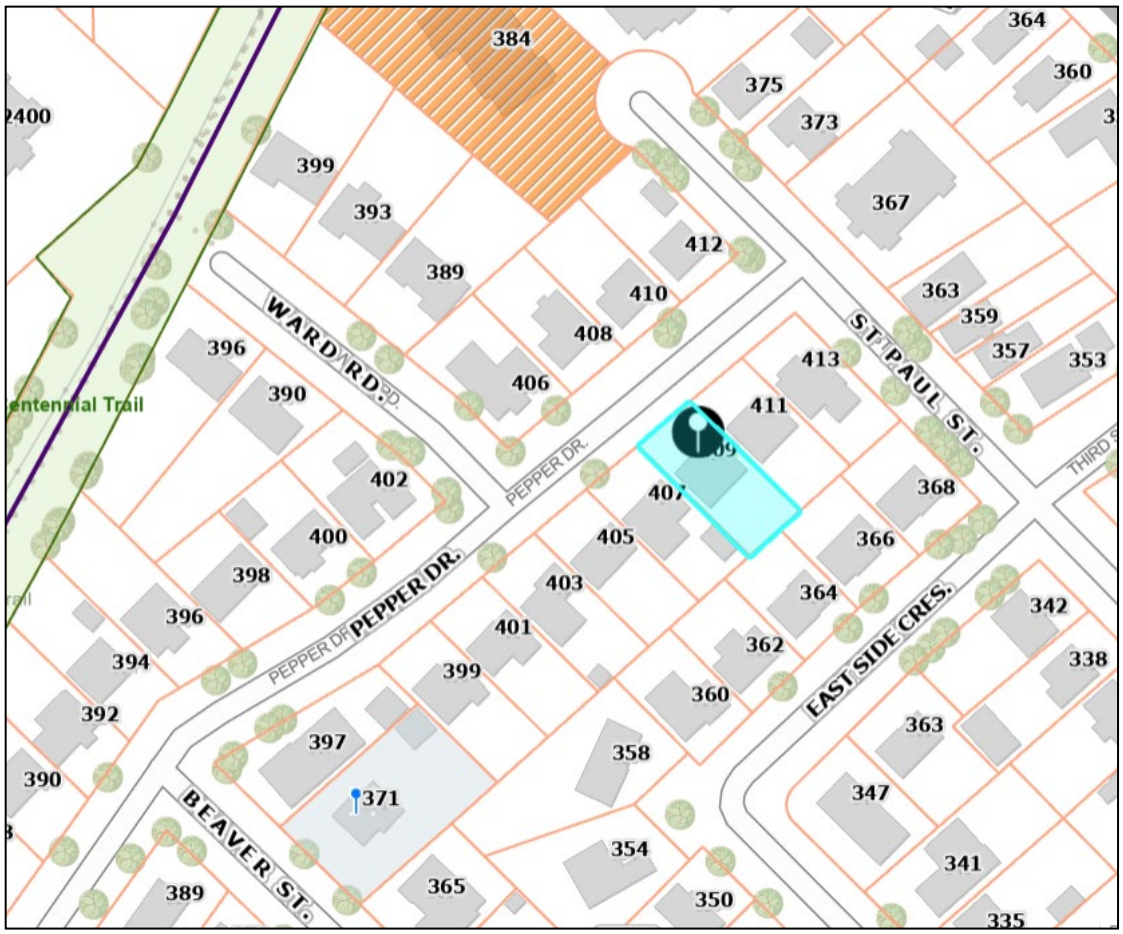
PROPSAL: The applicant is proposing the construction of a second storey addition, two-storey addition and rear covered patio to the existing 1.5 storey dwelling with attached garage.

VARIANCE:

1. To permit a lot coverage of 28.6% instead of the maximum permitted 25% for proposed additions to the existing detached dwelling with attached garage.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): James Michael Duncan and Tairroyn Lyn Childs
Address: 409 Pepper Dr. Burlington
File No. **A-064/25**
Ward: 2



Staff Comments

Committee of Adjustment

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

Date: August 19, 2025 Prepared By: E. Shacklette

Zoning

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 ZONES						
R3.2	15 m	425 m^2	6 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 m^2 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.

Proposal:

The applicant is proposing the construction of a second storey addition, two-storey addition and rear covered patio to the existing 1.5 storey dwelling with attached garage.

Variance required:

1. To permit a lot coverage of 28.6% instead of the maximum permitted 25% for proposed additions to the existing detached dwelling with attached garage.

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: 15 September 2025 Prepared By: Erin Ruby

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a second-storey addition onto an existing detached dwelling with an attached garage. The proposal also includes a new covered patio and two-storey addition in the rear yard. The applicant requests approval from the Committee of Adjustment to permit an increase in lot coverage.

The subject property, municipally known as 409 Pepper Drive, is comprised of a rectangular shaped lot with an area of 640.4 m^2 and a lot width of 16.76 metres. It is located south-west of the intersection at New Street and Guelph Line. Mid-rise apartment buildings and high-rise towers can be found along the periphery of these arterial roads, establishing a vertical built form supportive of intensification. The area is well serviced by public transit with bus routes 3 and 10 running every 15 minutes (during day time service). The nearby Centennial Multi-use Trail provides a continuous pedestrian and cycling connection to the waterfront. As the land use transitions into low-density residential, a fairly consistent lotting fabric develops. The subject property is surrounded predominantly by one and two-storey detached dwellings which vary in age, characteristics and design elements.

A site visit was conducted on Thursday, October 9th, 2025. Existing on-site conditions are included under 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?

Yes

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 to detached dwellings in the Urban Area are not specifically addressed and instead, the ROP defers to local Official Plans and Zoning By-laws.

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.

Under BOP 2020, the property is designated Low-Rise Neighbourhoods I. This designation includes areas with low-rise, ground-oriented homes and supports gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options. The detached dwelling on the subject lands is a permitted use under the Low-Rise Neighbourhoods I designation. The general intent and purpose of the BOP, 2020 is to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods, as they continue to evolve over time.

The Design Guidelines Policies under Part II Section 6.5 of Burlington's OP 1997, which remain in effect, 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 further 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."

The proposed second storey and rear addition includes a scalloped siding gable, architectural trim as well as board and batten cladding. All of these elements integrate well with the finishes of the existing dwelling and are compatible with other designs in the neighborhood (see site photos attached). The sloping rooflines and dormers reduce the overall scale, bulk and massing. When factored against other built form standards, such as height and setbacks, the proposed increase in lot coverage does not contribute to any significant impacts on the surrounding properties - particularly since substantial sun-shadowing already exists in the rear yards due to the existing tree canopy. The siting of the proposed addition is appropriate and offers a suitable transition from the public realm.

Overall, Staff are of the opinion that the proposed variance for lot coverage meets the intent and purpose of the Official Plans.

2) Zoning By-law Designation:

Yes

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 R3.2, or Low-Density Residential, under *Zoning Bylaw 2020*, as amended. It is also in a designated area for lot coverage.

Part 16 of the zoning by-law defines lot coverage as, *the percentage of the lot area covered by buildings measured to the outside of the exterior walls, including all buildings and projections (cantilevered floor space, window projections, etc.). Carports, porches and decks may be excluded from the lot coverage calculation provided there is no floor area above them.* The purpose of establishing maximum lot coverage is to regulate the size of the building footprint to manage its scale, facilitate stormwater management, maintain private amenity space and encourage landscaping. These principles are further enforced with other regulatory tools such as minimum yard requirements, maximum height and floor area ratio.

The submitted application seeks a minor variance for lot coverage only and proposes an increase from 25% (160.1 m^2) to 28.6% (182.81 m^2). This translates to a difference of 22.71 m^2, or less than the size of the proposed covered patio area in the rear yard (31.29m^2 as noted). The variation in roof forms as well as building materials helps reduce the overall massing impacts of the proposed addition on the adjacent properties. From the streetscape, the primary façade largely maintains its original character and scale. Both the existing and proposed side yards are over two metres which exceeds the minimum required 1.8 metres for a two-storey dwelling. This maintains an appropriate separation between buildings while also allowing for sufficient grading and drainage patterns. In the rear yard, the proposed addition infills the location of the existing wood deck and concrete pad (both to be removed), without encroaching further

into the landscaped rear yard. The remaining open space provides adequate amenity area and opportunities for landscaping.

Development Engineering and Forestry staff have also reviewed the requested variance and have no objections. Impacts to the existing tree canopy, if any, will be reviewed through subsequent applications and in accordance with the City's Tree By-laws.

Based on the above, staff is of the opinion that the requested variance maintains 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

Staff is of the opinion that the proposal represents appropriate development and will result in improvements to the subject property. The design of the second storey and rear addition is compatible with the existing neighbourhood character and offers sufficient spacing between adjacent properties. It is staff’s opinion that the proposed minor variance is desirable.

4) Minor in Nature:

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

Yes

The requested variance for lot coverage results in an increase of approximately 23 square metres and does not contribute to any significant impacts on massing, shadowing or drainage. Additionally, the second storey and rear addition exceeds multiple other built form standards, such as minimum side and rear yard requirements. Staff are of the opinion that the proposed variance is considered 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 Plans and the requirements of the Zoning By-law and support the variance as requested.

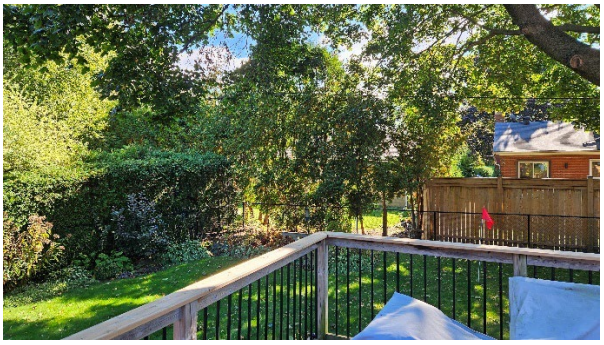
Date: October 14, 2025 Prepared By: Magda Rusin-Hynek

Attachment No. 1 - Site Photos

Front view of the subject property

Rear view of the subject property (looking toward 407 Pepper Dr)

Rear view of the subject property (looking toward 411 Pepper Dr)



View from existing deck (looking toward rear and neighbour at 366 East Side)

View from existing concrete pad and proposed covered patio (looking toward rear and neighbour at 364 East Side)

View from existing deck and proposed Family Room addition (looking toward neighbour at 407 Pepper Dr.)

View from existing deck and proposed Family Room addition (looking toward neighbour at 411 Pepper Dr.)

Nearby dwelling at 402 Pepper Dr

Nearby dwelling at 390 Ward Ave.

Nearby dwelling at 397 Pepper Dr

Nearby dwelling at 388 Pepper Dr

Nearby dwelling at 384 Pepper Dr

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: September 18, 2025 Prepared By: D. Savelli

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

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: October 1, 2025 Prepared By: R. Shaw-Lukavsky

Building

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

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

Date: October 1, 2025 Prepared By: Q. Tan

Transportation Planning

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

Date: September 4, 2025 Prepared By: Derek Napoli

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

Date: September 25 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: September 17, 2025 Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a second storey addition, two-storey addition and rear covered patio to the existing 1.5 storey dwelling with attached garage. The variance is requested to the maximum permitted lot coverage.

- 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.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: October 1, 2025 Prepared By: Navjot Kaur

Burlington Hydro

See attachment at the end of this report for details.

Date: September 30, 2025 Prepared By: Harprett Singh

Halton REGION

RETHINK WATER
Enjoy Conserve Protect

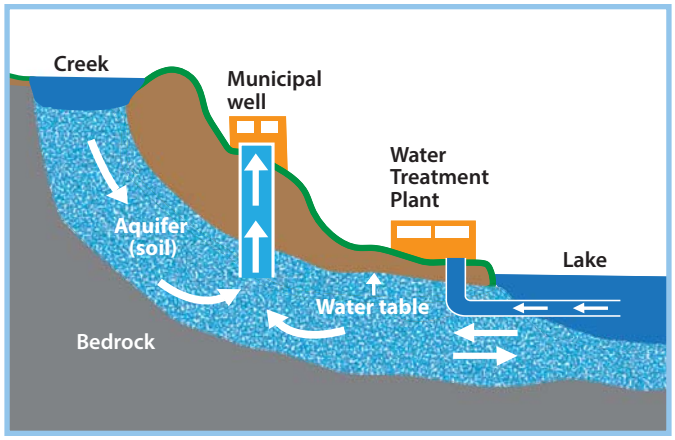
Source Water Protection Factsheet

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.

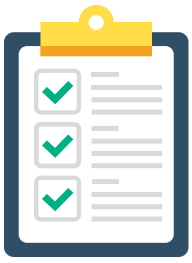
How is my application reviewed?

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 REGION

Burlington hydro inc.

SEPTEMBER 26TH, 2025

ATTENTION: ERIN SHACKLETTE
SUBJECT: Committee of Adjustment
Location: 409 Pepper Dr
File #: A-064-2025

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

Please maintain minimum of 1.0m from existing overhead hydro service mast while working on the roof. If any work is required to be done within 1.0m of hydro service mast, please request isolation of hydro service. 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

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

Rosso Parra, P.Eng.
Engineering Manager

SEP. 29/2025
RP

1340 Brant street, Burlington, ON · L7R 3Z7 burlingtonhydro.com (905)-332-1851

CITY OF Burlington

MINOR VARIANCE – 2025

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

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y☒ or N ☐
Name of Planner: Mariana Da Silva Name of Zoning Examiner: Erin Ruby

PROPERTY INFORMATION
Municipal Address(es) of property:

409 Pepper Drive, Burlington, ON L7R 3E1

Legal Description of property: Plan 625 Lot 7

Official Plan Designation: _____ Current Zoning Designation R3.2

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

James Duncan & Tairroyn Childs

Mailing Address: 409 Pepper Drive City: Burlington

Postal Code: L7R 3E1 Home Phone: _____ Mobile Phone: (647) 554-5023

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

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

Name: John Coppa

Business Address: 175 Stave Crescent City: Richmond Hill

Postal Code: L4C 0S8 Home Phone: _____ Mobile Phone: (647) 898-3447

Work Phone: (416) 587-1073 E-Mail: john@3sixtyarchitect ca

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

Proposed 2 storey rear addition and minor interior alteration to an existing one storey single family dwelling

Variance(s) Requested	Zoning Bylaw Requirement
Lot Coverage of 28.6%	25% as per Part 2, 4.2 Table 2.4.3. Designated Area

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

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

The only variance being requested is for lot coverage where the addition would not extend past the already existing wood deck and still have a remaining rear yard setback of 11.02m where the bylaw requires a minimum of 9m. Also the existing side yard setbacks of +/- 2.24m (which exceed the minimum bylaw requirement of 1.8) will be maintained with the new addition

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

The addition while provided much needed additional square footage and useable space, primarliy for a Family room and additional bedrooms for a growing family, will maintain a low building height and footprint respecting adjacent neighbours property. The intentionally lower building height also respects the 'streetscape' and view from the sidewalk with a design that seems to have 'always been there'

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

We believe so yes

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

We believe so yes

MINOR VARIANCE – 2025

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

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
07/06/2018 (mmm/dd/yyyy)	Unknown (mmm/dd/yyyy)	04/01/2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

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

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

Since first constructed

Proposed Use of the Land:

Detached Dwelling Single Family Dwelling

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

CITY OF Burlington

MINOR VARIANCE – 2025

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
16.76 m	38.14m /38.65m	640.4m2	20m	20m	NA	28.5% (Proposed) 25% (Req'd)	Y ☐ N ☒

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

EXISTING (Dwelling/Building)			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	86.97	M^2	Ground Floor Area (incl. attached garage)	119 + Proposed 32.52	M^2
Gross Floor Area:	123.76	M^2	Gross Floor Area:	223.95	M^2
Number of Storeys:	1 1/2		Number of Storeys:	2	
Width:	12.2	M	Width:	12.8	M
Length:	11.0	M	Length	17.09	M
Height:	5.89	M	Height	4.04	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:	4.4	M^2	Gross Floor Area:	Exist'g To Remain	M^2
Width:	2.11	M	Width:		M
Length:	2.09	M	Length:		M
Height:	2.2	M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:	NA	M	Width:	NA	M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING			PROPOSED		
Front:	9.58 (Closest)	M	Front:	NA	M
Rear:	17.09 (Closest)	M	Rear:	11.02 (Closets)	M
Side/~~Street Side~~:	2.19 (Closest)	M	Side/~~Street Side:~~	2.26	M
Side/Other Side:	2.23 (Closest)	M	Side/Other Side:	2.24	M

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

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

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

EXISTING (Building)		**PROPOSED (Building/Addition)**	
Ground Floor Area:	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

CITY OF Burlington

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

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

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

NA

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, _____ (Print Name) In my capacity as _____ (Owner or agent) do attest to the following:

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated _____ (mmm/dd/yyyy)

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

OR

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

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

OR

C. The sketch or plot plan** dated _____ (mmm/dd/yyyy)

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

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

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

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

_____ Signature of Owner/Applicant

_____ Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: James Duncan & Tairroyn Childs

Property Address: 409 Pepper Drive, Burlington, ON L7R 3E1

J & Tairroy Childs
Signature of Owner/Applicant

08/10/2025
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, Tairroyn Childs (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

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

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

this 7 day of AUGUST 2025.

Tammy Ball
Signature of Commissioner, etc.

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

Tairroyn Childs
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: 409 Pepper Drive, Burlington, ON L7R 3E1

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.

J. Duncan & T. Childs
Signature of Owner

James Duncan & Tairroyn Childs
Print Name

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

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

I, James Duncan & Tairroyn Childs (print name) being the registered owner of the subject lands, hereby

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

application for a Minor Variance.

J & T Childs
Signature of Owner

08/10/2025
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) Existing to remain
- ☐ 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.

Tawny Childs & [signature]
Signature of Owner/Agent

08/10/2025
Date (mmm/dd/yyy)

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF
LOT 7
REGISTERED PLAN 625
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 640mm IN WIDTH BY 520mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

KNOWN AS MUNICIPAL No. 409 PEPPER DRIVE

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

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS – SEPTEMBER 3, 2024

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
– NONE

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

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

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-88964

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

LEGEND

- ■ DENOTES A SURVEY MONUMENT FOUND
- □ DENOTES A SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES REGISTERED PLAN 625
- P2 DENOTES PLAN BY MMP LIMITED DATED JULY 27, 1999 (99H–202)
- P3 DENOTES PLAN BY SEWELL & SEWELL DATED MAY 15, 1978 (78–247)
- P4 DENOTES PLAN BY SEWELL & SEWELL DATED MAY 26, 1960 (60–156)
- P5 DENOTES REGISTERED PLAN 752
- C1 DENOTES CALCULATED FROM P4 & P5
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES ORIGIN UNKNOWN
- DS DENOTES DOOR SILL
- ℄ DENOTES CENTRELINE
- MH DENOTES MANHOLE
- (L.N.T.S.) DENOTES LOCATION NOT TO SCALE
- OHW DENOTES OVERHEAD WIRE
- EC DENOTES EDGE OF CONCRETE
- EA DENOTES EDGE OF ASPHALT
- BF DENOTES BOARD FENCE
- CLF DENOTES CHAIN LINK FENCE
- PR DENOTES PRODUCTION
- DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

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

BENCHMARK NOTE

BENCHMARK No. 0011991U001
ELEVATION = 78.331 METRES (CGVD28:78 ADJUSTMENT)

BURLINGTON BRIDGE OVER RAMBO CREEK ON NORTH SIDE OF LAKESHORE BOULEVARD TABLET IN NORTH FACE OF NORTHWEST ABUTMENT 68 METRES WEST OF CENTRELINE OF TORRENCE STREET, 33 METRES EAST OF CENTRELINE OF INTERSECTION WITH OLD LAKESHORE BOULEVARD, 0.48 METRES FROM WEST EDGE AND 0.28 METRES BELOW BRIDGE SEAT

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF PEPPER DRIVE AS SHOWN ON REGISTERED PLAN 625 HAVING A BEARING OF N50°16'00"E

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 7th DAY OF NOVEMBER, 2024.

NOVEMBER 12, 2024
DATE

ROY C. MAYO
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS LIMITED

E:\(20) Halton\Registered Plans\RP0625\LOT 7\24-192\24-192.dwg

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

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

halton@mmplimited.com
mmplimited.com

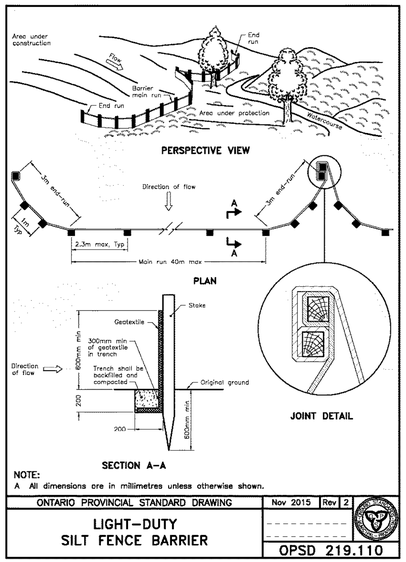
DRAWN BY:	G.S.
PARTY CHIEF:	A.R.
CHECKED BY:	
PROJECT No.:	24–192

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R3.2 DESIGNATED AREA

ZONE	REQUIRED	PROVIDED
LOT WIDTH (@ 9.1m)	15.0m (min)	16.76m
LOT AREA	425.0sq.m. (min)	640.4sq.m.
FRONT YARD	6.0m (min)	9.58m (EXISTING DWELLING)
REAR YARD	9.0m (min)	11.02m
SIDE YARD	1.8m (min) (NORTH/EAST)	2.24m NORTHEAST (PROPOSED 2nd STY ADDITION)
	3.0m (min) (SOUTH/WEST)	2.19m SOUTHWEST (EXISTING DWELLING)
STREET SIDE YARD	4.5m (min)	N/A
BUILDING AREA		119.0 sq.m. (EXISTING DWELLING)
		10.65 sq.m. (EXISTING ACCESSORY)
		63.8 sq.m. (PROPOSED ADDITION)
		193.45 sq.m. (TOTAL AREA)
LOT COVERAGE	25% (max)	28.5%*
BUILDING HEIGHT	10.0m (max) FIXED GRADE	7.48m TOTAL BUILDING HEIGHT FIXED GRADE
	6.0m (max) ADDITION FROM 1ST STY CEILING	4.04m ADDITION FROM 1st STY CEILING REFER TO ARCHITECTURAL DRAWINGS FOR ADDITIONAL BUILDING HEIGHT INFORMATION
FLOOR AREA RATIO	0.45:1 (max)	0.40:1
DWELLING DEPTH	18.00 (max)	17.09m
DEEMED STREET WIDTH	20.0m	20.12m
HARDSCAPE AREA		298.49sq.m.
HARDSCAPE COVERAGE		46.6%

PROPOSED ADDITION = 2 STOREYS

* = VARIANCE MAY BE REQUIRED

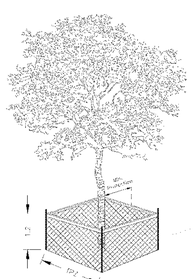


NOTE:
A All dimensions are in millimetres unless otherwise shown.

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

Tree Protection and Preservation
Specification No.: SS12

Detail TP-1 – Tree Protection Detail

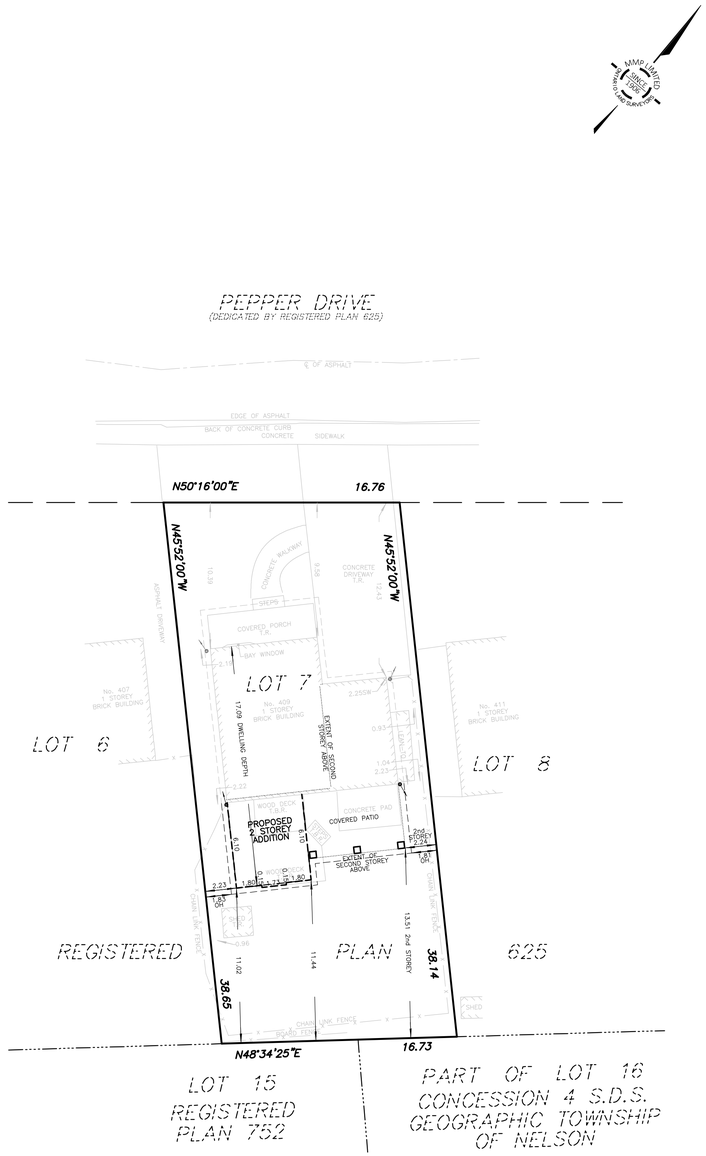


Trunk Diameter (DBH) [2]	Minimum Tree Protection Zone (TPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+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

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

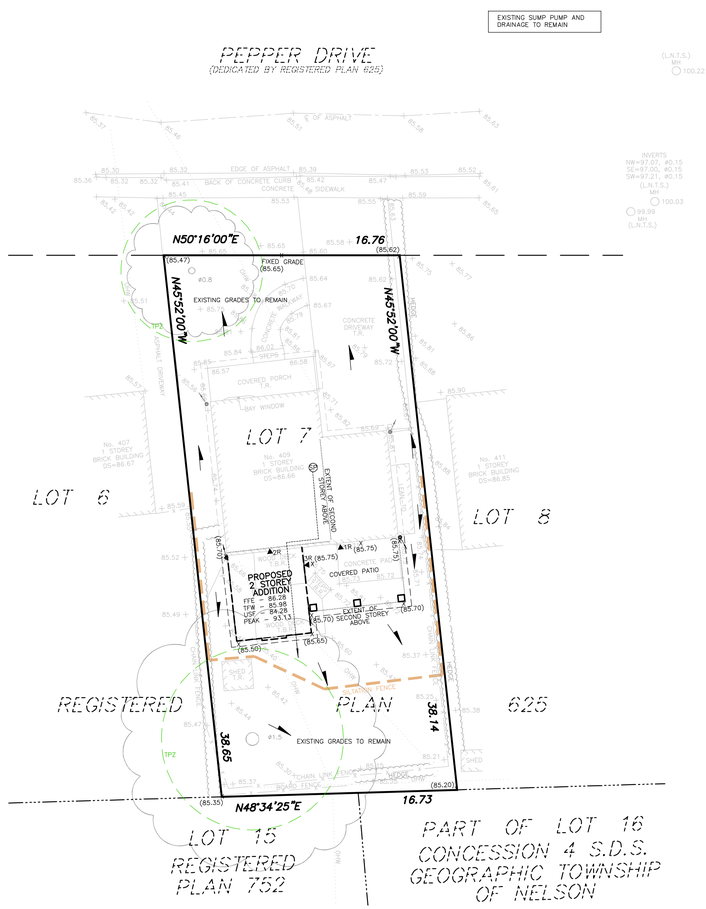
TREE PROTECTION BARRIER

1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O/C max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
2. All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should maximize damage to roots.
3. Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
4. No materials or fill may be stored within the TPZ.
5. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
6. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.



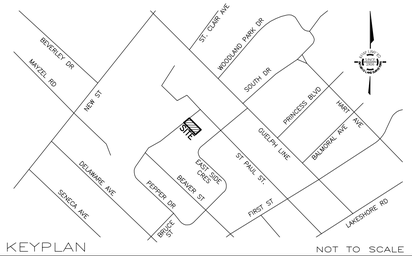
SITE PLAN
SCALE 1:200

EXISTING SUMP PUMP AND DRAINAGE TO REMAIN



GRADING PLAN
SCALE 1:200

409 PEPPER DRIVE
SITE & GRADING PLAN FOR BUILDING PERMIT



GEOGRAPHIC LOCATION NOTE
LOT 7
REGISTERED PLAN 625
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200
0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
COLOUR THE ORIGINAL SIGNED PRINT OF THIS SITE PLAN CONTAINS COLOUR

BENCHMARK NOTE
BENCHMARK No. 0011991U001
ELEVATION = 78.331 METRES (CGVD28:78 ADJUSTMENT)
BURLINGTON BRIDGE OVER RAMBO CREEK ON NORTH SIDE OF LAKESHORE BOULEVARD TABLET IN NORTH FACE OF NORTHWEST ABUTMENT 68 METRES WEST OF CENTRELINE OF TORRENCE STREET, 33 METRES EAST OF CENTRELINE OF INTERSECTION WITH OLD LAKESHORE BOULEVARD, 0.48 METRES FROM WEST EDGE AND 0.28 METRES BELOW BRIDGE SEAT

LEGEND
FFE DENOTES FINISHED FLOOR ELEVATION
TFW DENOTES TOP OF FOUNDATION WALL
TBW DENOTES TOP OF BASEMENT SLAB
USF DENOTES UNDERSIDE OF FOOTING
SP DENOTES SUMP PUMP
R DENOTES RISER
DENOTES DOWNSPOUT
DENOTES DIRECTION OF DRAINAGE
XXX.XX DENOTES EXISTING ELEVATIONS
(XXX.XX) DENOTES PROPOSED ELEVATIONS
T.R. DENOTES TO REMAIN
T.B.R. DENOTES TO BE REMOVED
DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
MH DENOTES MANHOLE
DS DENOTES DOORSILL
AC DENOTES AIR CONDITIONER
DENOTES SILT FENCE
DENOTES TREE PROTECTION ZONE
DENOTES TREE PROTECTION BARRIER
DENOTES MATERIAL STORAGE, FILL PLACEMENT
DENOTES CONSTRUCTION ACCESS

NOTES
- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- BOUNDARY DIMENSIONS ARE AS SHOWN ON SURVEYOR'S REAL PROPERTY REPORT BY MMP LIMITED DATED NOVEMBER 12, 2024 (24–192)
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY

CAUTION
- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK
- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES

CERTIFICATION NOTE
BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY ADDITION LOCATED AT 409 PEPPER DRIVE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN
PROPOSED BUILDING HEIGHT AS SHOWN
PROPOSED LOT COVERAGE AS SHOWN
PROPOSED BUILDING SITE STATISTICS AS SHOWN

SEPTEMBER 2, 2025
DATE

AISAR BHERI, OLS, P.Eng.
FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
2	SEPTEMBER 2, 2025	REVISED PER CLIENT COMMENTS
1	AUGUST 21, 2025	SITE PLAN COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS AISAR BHERI 2020

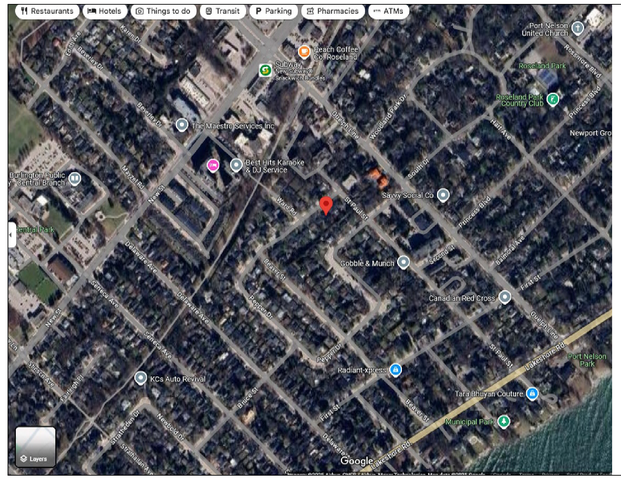
MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

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

halton@mmplimited.com
mmplimited.com

E:\(20) Halton\Registered Plans\RP0625\LOT 7\24-192\SP\24-192-SP.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
A.R.	A.B.	24–192–SP	1



SITE LOCATION PLAN

(NOT TO SCALE)

Proposed Addition & Renovation to Existing One Storey Single Family Dwelling

409 Pepper Drive

Lot 7 Reg Plan 625

Regional Municipality of Halton

City of BURLINGTON, ONTARIO

PROJECT TEAM

Architect:
3 sixty architect Inc., 175 Stave Crescent, Richmond Hill, Ontario
647-898-3447 /416-587-1073
3sixty@3sixtyarchitect.ca

Contact: John Coppa/Frank Montano

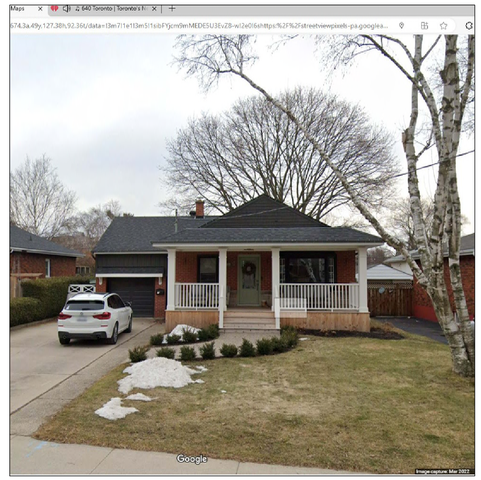
Structural Engineer:
NEL Structural Design Services
32 Lavender Valley Road
King City, Ontario 647-224-9485

Contact: Nick E. Lapadula

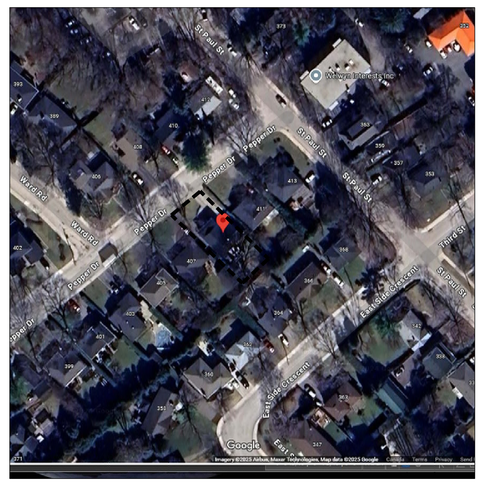
Surveyor:
MMP Land Surveyors & Mappers
3380 South Service Road
Burlington, Ontario 905-639-1375

DRAWING LIST

A0	COVER PAGE, KEYPLAN, OBC MATRIX
A1	PROPOSED SITE PLAN, SITE DATA, SCHEMATIC
A2	~~ENERGY EFFICIENCY CALCS, DETAILS~~
A3.0	EXISTING PLANS
A3.1	EXISTING PLANS
A4	EXISTING ELEVATIONS
A5	PROPOSED BASEMENT PLAN
A6	PROPOSED GROUND FLOOR PLAN
A7	PROPOSED SECOND FLOOR PLAN
A8	PROPOSED ROOF PLAN
A9	PROPOSED ELEVATIONS
A10	PROPOSED ELEVATIONS
A11	~~PROPOSED BUILDING SECTIONS & DETAILS~~
A12	~~PROPOSED BUILDING SECTION & DETAILS~~
A13	~~PROPOSED SECTIONS & DETAILS~~
A14	~~TYPICAL SECTIONS~~
A15	~~GENERAL NOTES~~
A16	~~TYPICAL BRICK VENEER DETAILS~~
A17	~~TYPICAL SIDING DETAILS & NOTES~~
S1	~~STRUCTURAL DETAILS~~
S2	~~STRUCTURAL DETAILS~~



STREET VIEW



SITE KEY PLAN

(NOT TO SCALE)

No.	DATE:	REVISION
1	Jan/25	ISSUED TO OWNER FOR REVIEW AND PRICING
2	Aug 14/2025	ISSUED TO C.O.A. FOR MINOR VARIANCE
3		
4		
5		

FOR MINOR VARIANCE ONLY

3 Sixty architect inc.
175 Stave Crescent
Richmond Hill, Ontario L4C 0S8
416-587-1073 647-898-3447
3sixty@3sixtyarchitect.ca
@3sixty.architect

PROPOSED

ADDITION/RENOVATION

To Existing 1 Story Dwelling

409 Pepper Drive

Lot 7 Reg Plan 625

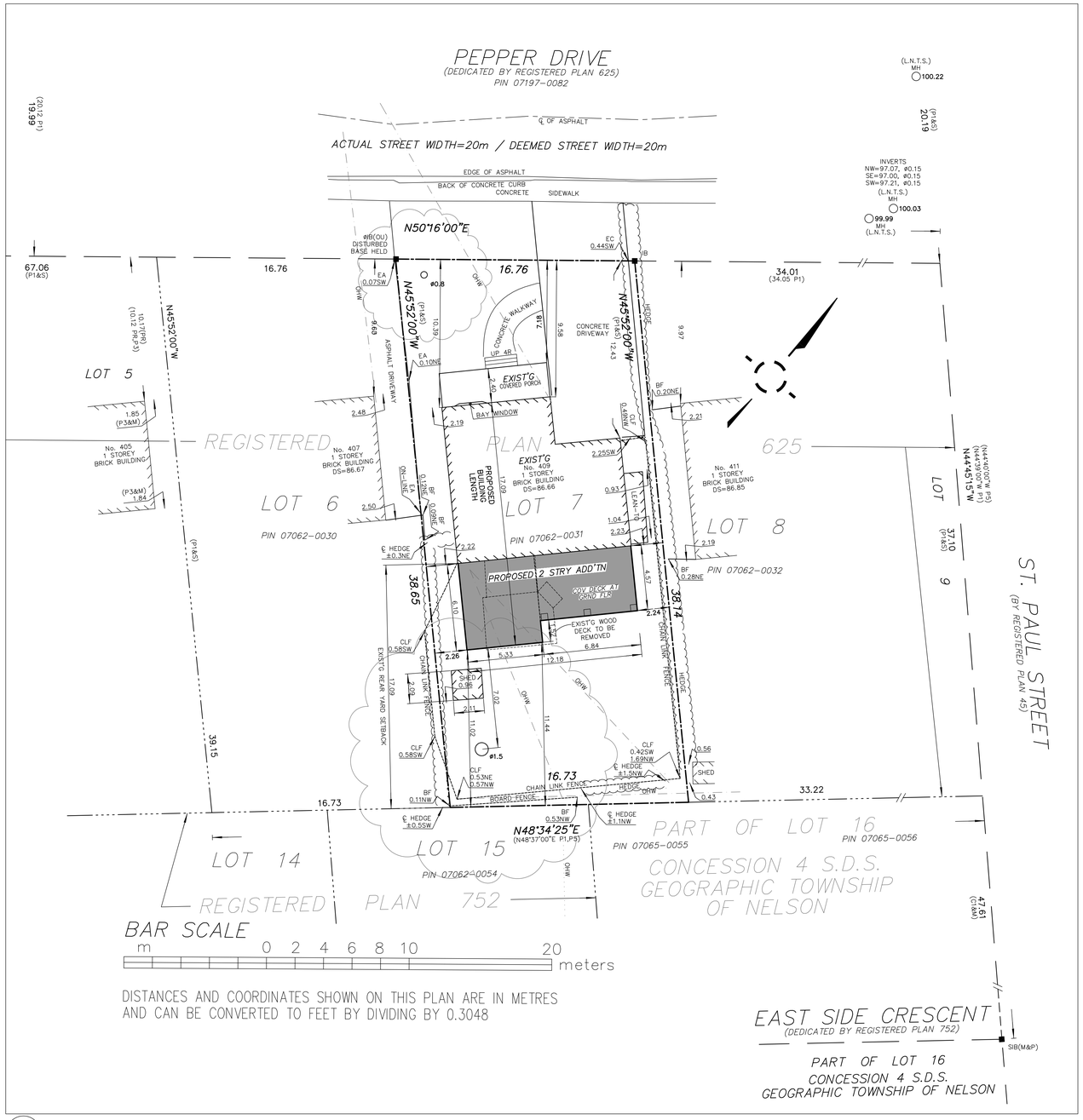
City of Burlington, ON Reg Municipality of Halton

OBC MATRIX
KEY PLAN

COMM. NO. 0294

SCALE AS NOTED | DATE Dec, 2024 | DRAWING NO. A0

DRAWN JC | CHECKED 3 SIXTY



1 / A1 SITE PLAN
N.T.S.

SITE STATISTICS

2024 O.B.C. Classification – Group C Res
2024 O.B.C. Table 9.10.2.1.

ZONING

ZONE R3.2 Low Density

SITE AREA

640.4 m2 (6893.43 SQ.FT.) MIN REQUIRED = 425 m2

INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM 'REAL PROPERTY REPORT' OF LOT 7
REG'D PLAN 625, CITY OF BURLINGTON, REGIONAL MUNICIPALITY OF HALTON

MACKAY, MACKAY & PETERS LIMITED
ONTARIO LAND SURVEYORS
PROJECT No. 24-192, DATED & SIGNED NOV. 12, 2024

LOT FRONTAGE	MIN REQUIRED = 15.0m	PROVIDED = 16.76 m
LOT DEPTH	38.14 m (Shortest side)	

EXISTING DWELLING NUMBER OF STORIES 1
PROPOSED DWELLING DDITION NUMBER OF STORIES 2

EXISTING DWELLING

GROUND FLOOR G.F.A. INCLUDES BAY WINDOW OVERHANG	=	86.97 m2 (936.15 ft2)	
LOFT AREA OVER GARAGE	=	36.79 m2 (396.02 ft2)	
TOTAL EXIST'G G.F.A.	=	123.76 m2 (1332.19 ft2)	
GARAGE	=	32.03 m2 (344.78 ft2)	
FRONT COVERED OPEN PORCH AREA	=	18.42 m2 (198.25 ft2)	
REAR SHED AREA LESS THAN 10m2 AND LESS THAN 2.5m HT	=	4.41 m2 (47.47 ft2)	
EXISTING OVERALL LOT COV GROUND FLR & GARAGE SHED AND PORCH ARE NOT INCLUDED	=	119.0 m2 (1280.94 ft2)	= 18.58%

PROPOSED

GROSS FLOOR AREAS:

BSMNT AREA	=	NA
GROUND FLOOR ADDITION (FAM RM)	=	32.52 m2 (350.0 ft2)
EXISTING GROUND FLOOR	=	86.97 m2 (936.17 ft2)
SECOND FLOOR ADDITION	=	67.67 m2 (728.4 ft2)
EXISTING SECOND FLOOR (LOFT)	=	36.79 m2 (396.0 ft2)
TOTAL PROPOSED OVERALL G.F.A.	=	223.95 m2 (2410.6 ft2)

LOT COVERAGE

OVERALL GROUND AREA HOUSE + GARAGE + FAM RM ADDIT'N 119.0 + 32.52	=	151.52 m2 (1631.0 ft2)	
REAR COVERED GRND FLR PORCH HAS FLOOR ABOVE	=	31.29 m2 (336.8 ft2)	
FRONT COVERED PORCH NO FLOOR ABOVE	=	NA	
SHED	=	NA	
TOTAL PROPOSED LOT COVERAGE	=	182.81 m2 (1967.8 ft2)	= 28.6 %

MAXIMUM ALLOWABLE LOT COVERAGE IN DESIGNATED AREA = 25%

△3

FLOOR AREA RATIO – LOW DENSITY RESIDENTIAL

GROUND FLOOR AREA WITH ATTACHED GARAGE AND REAR ADDITION	=	151.52 m2 (1631.0 ft2)
SECOND FLOOR AREA 63.8 + 3.87 + 36.79	=	104.46 m2 (1124.4 ft2)
TOTAL FLOOR AREA	=	255.98 m2 (2755.4 ft2)
FAR 255.98 / 640.4	=	0.40:1

MAXIMUM ALLOWABLE FAR IN DESIGNATED LOT COV AREAS = 0.45:1

SET BACKS – HOUSE

EXIST'G FRONT YARD (NORTH) SETBACK	REQUIRED = 6.0m MIN PROVIDED = 7.18 m	(TO COVERED PORCH)
WEST SIDE YARD	REQUIRED = 1.8 m PROVIDED = 2.19 m PROVIDED = 2.26 m	FOR 2 STRY WITH ATTACH'D GARAGE EXISTING AT REAR ADDIT'N
EAST SIDE YARD	REQUIRED = 1.8 m PROVIDED = 2.25 m PROVIDED = 2.24 m	FOR 2 STRY WITH ATTACH'D GARAGE EXISTING AT REAR ADDIT'N
REAR (SOUTH) YARD	REQUIRED = 9.0 m PROVIDED = 11.02 m	CLOSESTS
BUILDING HEIGHT	= MAX ALLOWED = 6.0 m AT PEAK OF ROOF FOR 2 STRY MORE THAN 50% OF ROOF IS SLOPED THEREFORE CONSIDERED A PEAKED ROOF PROVIDED 4.04m	
DWELLING LENGTH	= MAX ALLOWED = 18.0 m PROVIDED = 17.09 m	

DRAWINGS MUST NOT BE SCALED.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. THE CONTRACTOR MUST REPORT ALL DISCREPANCIES AND ERRORS OR OMISSIONS TO THE ARCHITECT IN WRITING

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

No.	DATE:	REVISION
1	Jan/25	ISSUED TO OWNER FOR REVIEW AND PRICING
2	Aug 14/2025	ISSUED TO C.O.A. FOR MINOR VARIANCE
3	SEPT 16/25	ISSUED TO UPDATE LOT COV AS PER CITY COMMENT
4		
5		

SURVEY INFORMATION

INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM 'REAL PROPERTY REPORT' OF LOT 7 REG'D PLAN 625, CITY OF BURLINGTON, REGIONAL MUNICIPALITY OF HALTON

MACKAY, MACKAY & PETERS LIMITED
ONTARIO LAND SURVEYORS
PROJECT No. 24-192, DATED & SIGNED NOV. 12, 2024

UNDERGROUND SERVICES

THE LOCATION OF UNDERGROUND SERVICES SHOWN ON THIS PLAN IS ONLY APPROXIMATE AND IS FOR PLANNING & DESIGN PURPOSES ONLY. THIS INFORMATION MUST NOT BE ASSUMED TO BE COMPLETE OR UP TO DATE. 3 SIXTY ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ANY CLAIMS OR LOSSES DUE TO IMPROPER USE OF THE INFORMATION SHOWN. EACH UTILITY MUST BE CONTACTED FOR AN ON-SITE LOCATE PRIOR TO ANY EXCAVATION.

SITE PLAN INDICATES PROPOSED BUILDING LOCATION ONLY – ACTUAL BUILDING LOCATION TO BE LOCATED AND SITE VERIFIED BY ONTARIO LAND SURVEYOR

INFORMATION SHOWN ON THIS SITE PLAN IS FOR REFERENCE PURPOSES ONLY-REFER TO ACTUAL SURVEY PREPARED BY AN ONTARIO LAND SURVEYOR FOR ACTUAL BOUNDARY LINES, UNDERGROUND SERVICES, EASEMENTS, RIGHT-OF-WAYS AND OTHER SITE FEATURES NOT NECESSARILY SHOWN ON ARCHITECTURAL SITE PLAN

NOT FOR CONSTRUCTION

GRADING INFORMATION

REFER TO 'SITE & GRADING PLAN' PREPARED BY ALEX MARTON LIMITED
PROJECT No: 2022-177
DATE: 1-04-2024

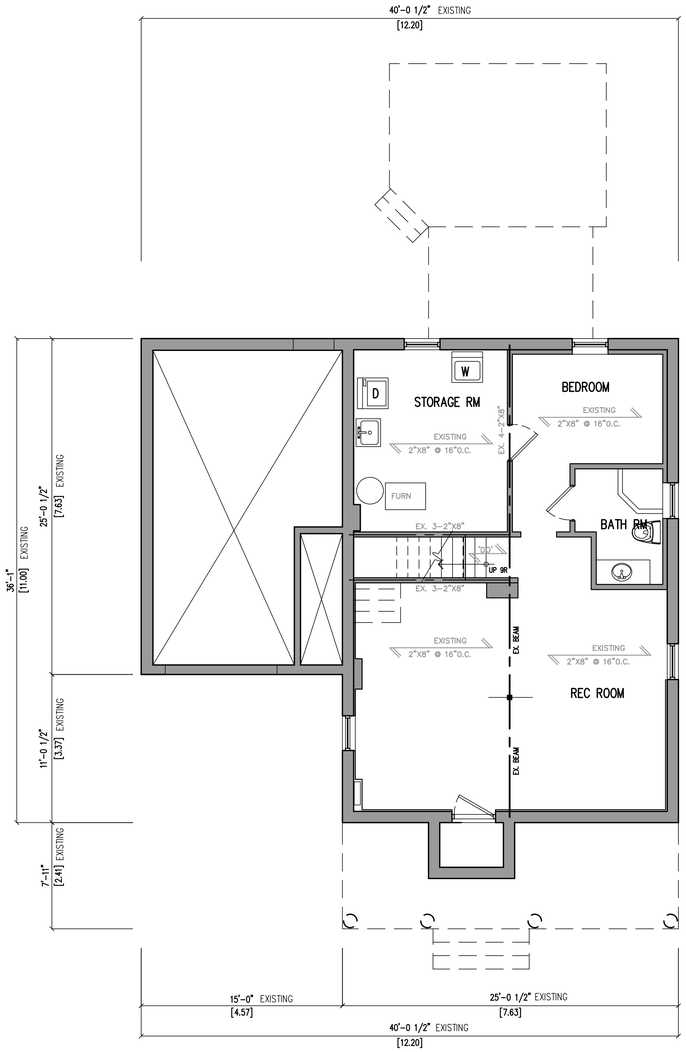
FOR MINOR VARIANCE ONLY

3 Sixty architect inc.
175 Steve Crescent
Richmond Hill, Ontario L4C 0S8
416-587-1073 647-898-3447
3sixty@3sixtyarchitect.ca
@3sixty.architect

ONTARIO ASSOCIATION OF ARCHITECTS
JOHN COPPA
LICENCE
6027

PROPOSED
ADDITION/RENOVATION
To Existing 1 Story Dwelling
409 Pepper Drive
Lot 7 Reg Plan 625
City of Burlington, ON Reg Municipality of Halton

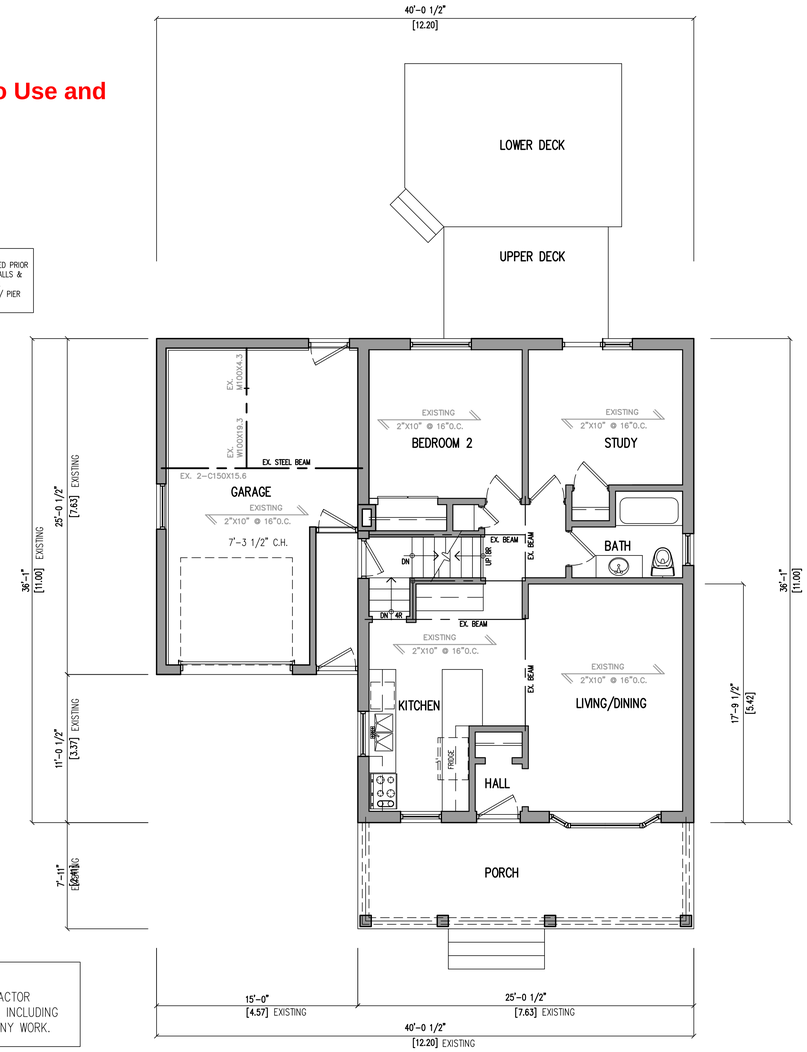
SITE PLAN STATISTICS/DETAILS			COMM. NO. 0294
SCALE AS NOTED	DATE Dec, 2024		DRAWING NO. A1
DRAWN JC	CHECKED 3 SIXTY		



NOTE:
ALL SITE CONDITIONS TO BE SITE VERIFIED PRIOR TO CONSTRUCTION. CONFIRM BEARING WALLS & ALL EXISTING STRUCTURE. SITE CONFIRM, LAYOUT, AND CONFIRM ALL FOUNDATION/ PIER FOOTINGS PRIOR TO CONSTRUCTION.

INFORMATION SHOWN IS ISSUED FOR REFERENCE PURPOSES ONLY. THE CONTRACTOR MUST CHECK AND VERIFY ALL CONDITIONS, INCLUDING SERVICES, PRIOR TO COMMENCEMENT OF ANY WORK.

EXISTING
BASEMENT FLOOR



EXISTING
GROUND FLOOR

1 A3 EXISTING PLANS
3/16" =1'-0"

DRAWINGS MUST NOT BE SCALED.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. THE CONTRACTOR MUST REPORT ALL DISCREPANCIES AND ERRORS OR OMISSIONS TO THE ARCHITECT IN WRITING

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No.	DATE:	REVISION
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Based on On-Site measurements and are for reference purposes only - refer to proposed plans & elevations for additional information

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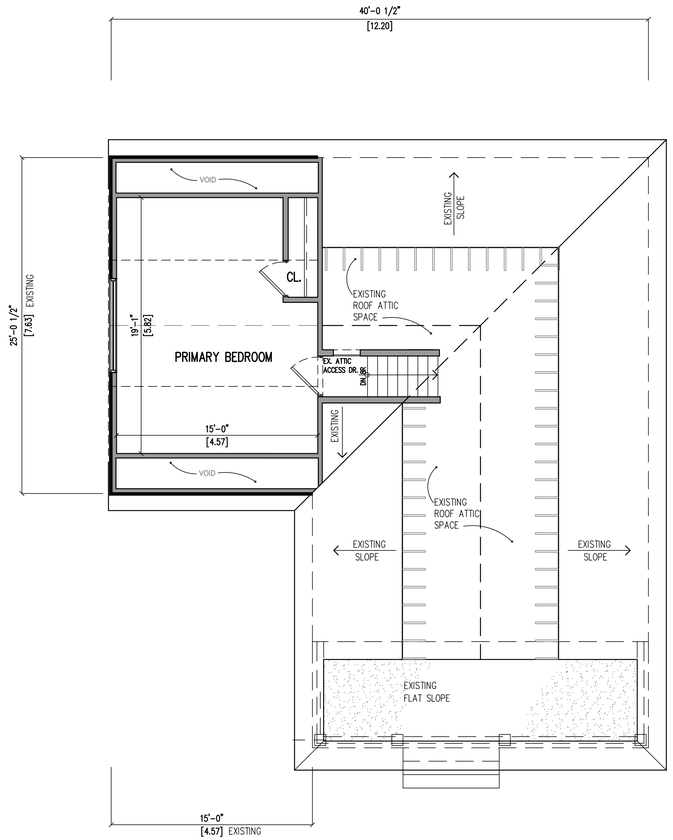
PROPOSED
ADDITION/RENOVATION
To Existing 1 Story Dwelling
409 Pepper Drive
Lot 7 Reg Plan 625
City of Burlington, ON Reg Municipality of Halton

EXISTING PLANS

COMM. NO. 0294

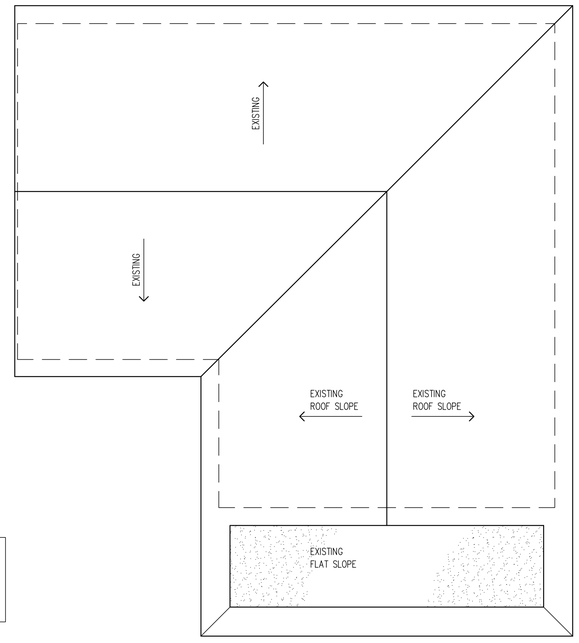
SCALE 3/16"=1'-0" | DATE Dec, 2024 | DRAWING NO. A3.0
DRAWN JC | CHECKED 3 SIXTY



EXISTING
SECOND FLOOR

NOTE:
ALL SITE CONDITIONS TO BE SITE VERIFIED PRIOR TO CONSTRUCTION. CONFIRM BEARING WALLS & ALL EXISTING STRUCTURE. SITE CONFIRM, LAYOUT, AND CONFIRM ALL FOUNDATION/ PIER FOOTINGS PRIOR TO CONSTRUCTION.

INFORMATION SHOWN IS ISSUED FOR REFERENCE PURPOSES ONLY. THE CONTRACTOR MUST CHECK AND VERIFY ALL CONDITIONS, INCLUDING SERVICES, PRIOR TO COMMENCEMENT OF ANY WORK.



EXISTING
ROOF PLAN

1 A3.1 EXISTING PLANS
3/16" =1'-0"

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CONST. NO. 0294

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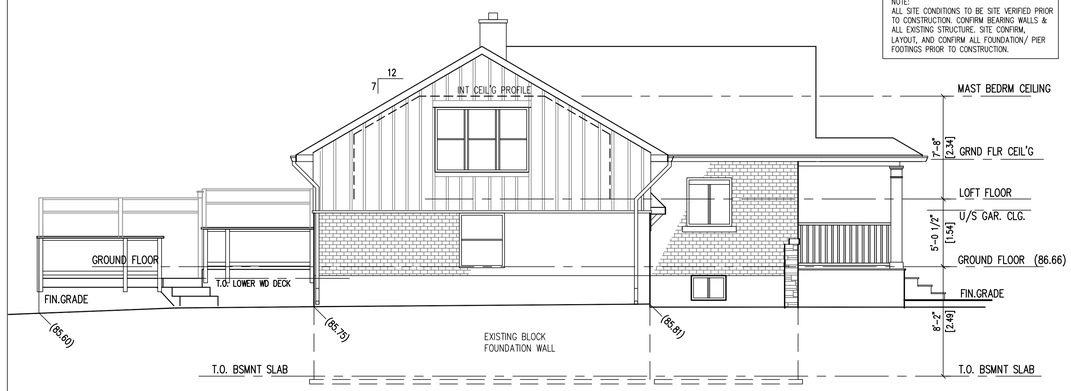
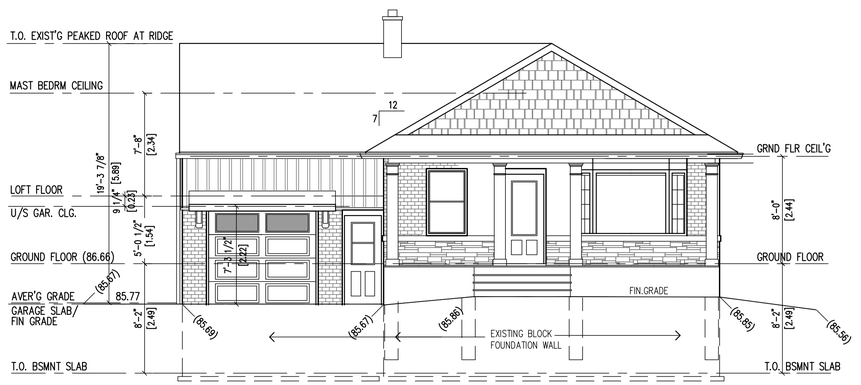


EXIST'G SIDE (EAST) ELEVATION



EXIST'G FRONT (NORTH) ELEVATION

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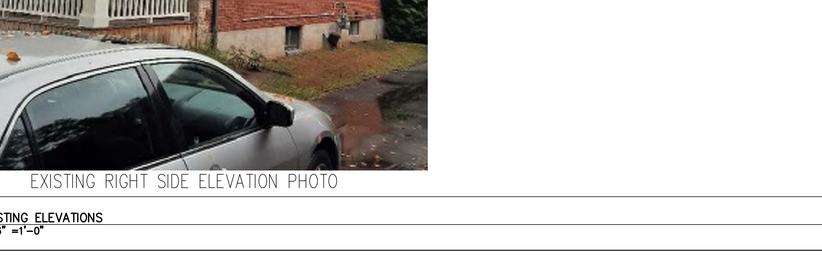
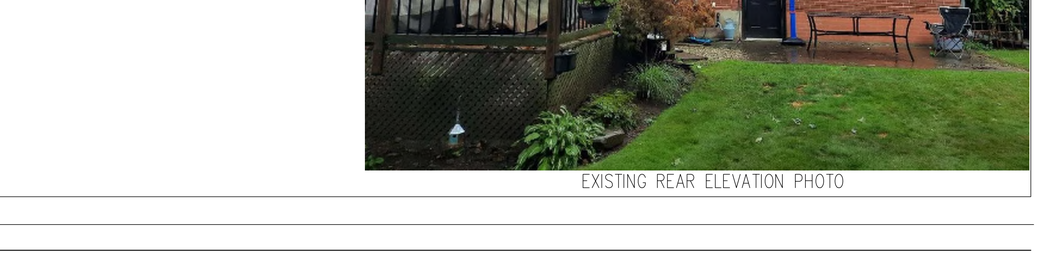


EXIST'G REAR (SOUTH) ELEVATION



EXIST'G SIDE (WEST) ELEVATION

EXISTING RIGHT SIDE ELEVATION PHOTO

EXISTING REAR ELEVATION PHOTO

1 / A4 EXISTING ELEVATIONS
3/16" =1'-0"

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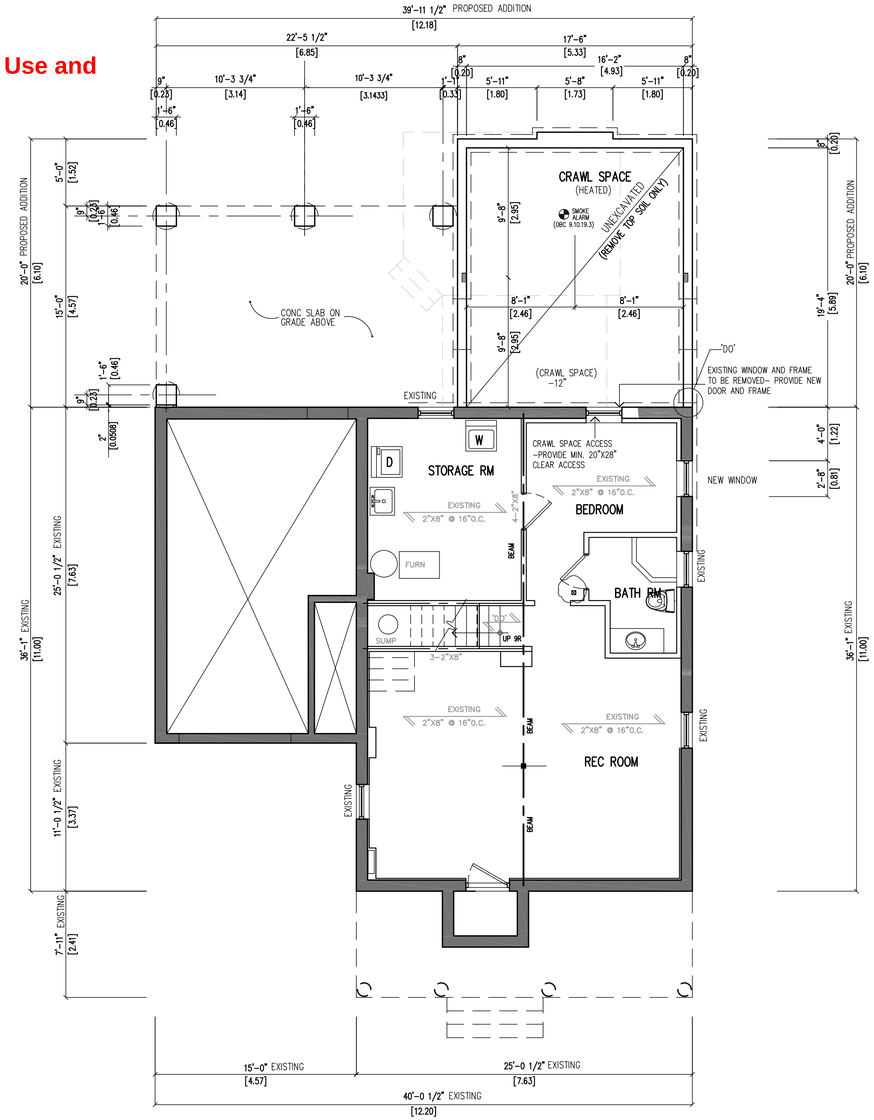
EXISTING ELEVATIONS

COMM. NO. 0294

SCALE 3/16"=1'-0" | DATE Dec, 2024 | DRAWING NO. A4
DRAWN JC | CHECKED 3 SIXTY



BASEMENT FLOOR PLAN FOUNDATION & GROUND FL. FRAMING PLAN

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

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PROPOSED BASEMENT PLAN

COMM. NO. 0294

SCALE 3/16"=1'-0" DATE Dec, 2024

DRAWN JC CHECKED 3 SIXTY

DRAWING NO. A5

WHEN JOISTS ARE PARALLEL TO FOUNDATION WALL TO ENSURE LATERAL FNDTN WALL SUPPORT

FLOOR AREA RATIO – LOW DENSITY RESIDENTIAL

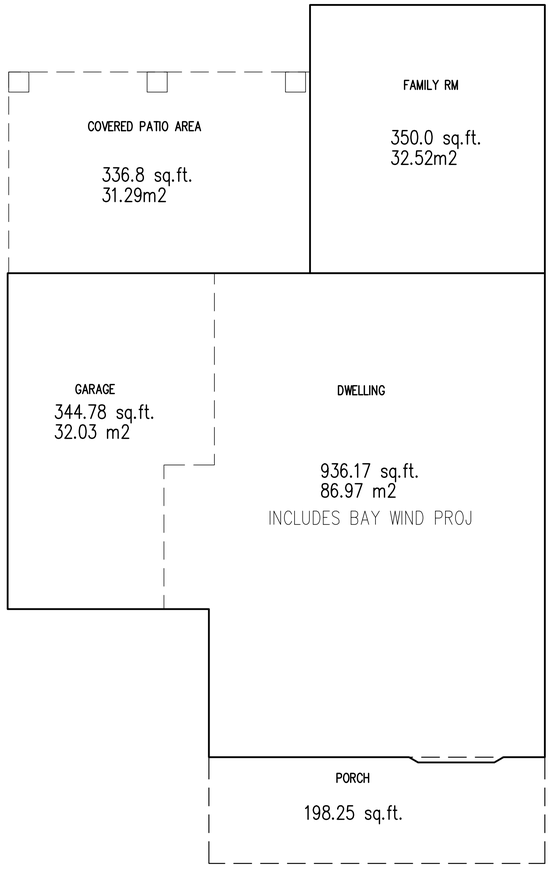
GROUND FLOOR AREA = 151.52 m2 (1631.0 ft2)
WITH ATTACHED GARAGE AND REAR ADDITION

SECOND FLOOR AREA = 104.46 m2 (1124.4 ft2)
63.8 + 3.87 + 36.79

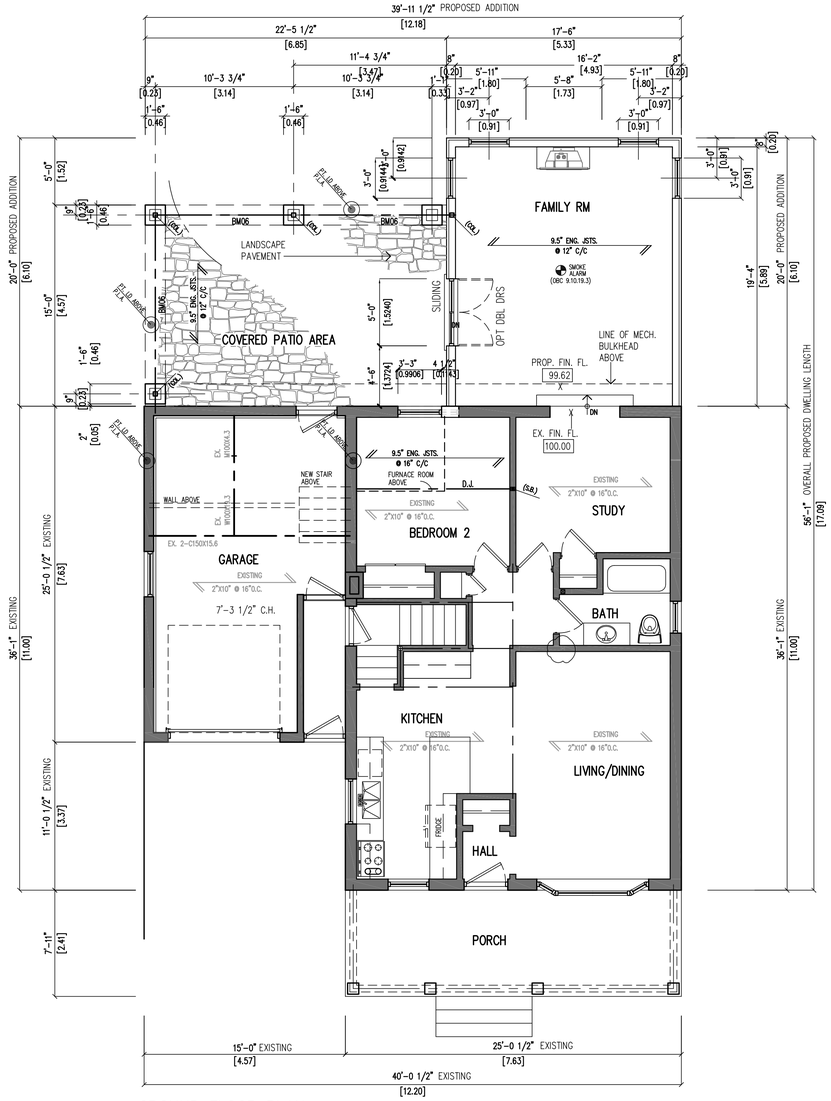
TOTAL FLOOR AREA = 255.98 m2 (2755.4 ft2)

255.98 / 640.4 = 0.40:1

MAXIMUM ALLOWABLE FAR IN DESIGNATED LOT COV AREAS = 0.45:1



GROUND FLOOR AREAS



GROUND FLOOR PLAN
SCND. FL. FRAM'G PLAN/LOW RF. FRAMING SCALE: 3/16"=1'-0"

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PROPOSED GROUND FL PLAN		COMM. NO. 0294
SCALE 3/16"=1'-0"	DATE Dec, 2024	DRAWING NO. A6
DRAWN JC	CHECKED 3 SIXTY	

FLOOR AREA RATIO – LOW DENSITY RESIDENTIAL

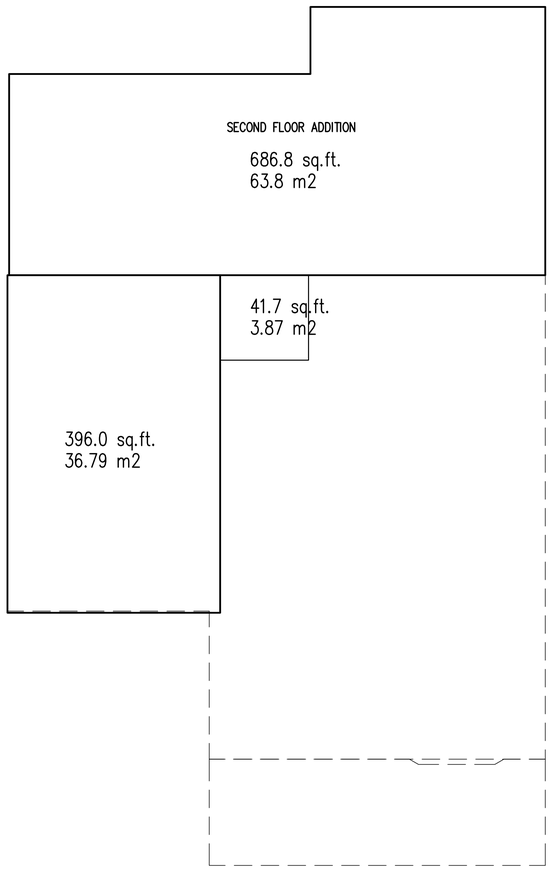
GROUND FLOOR AREA = 151.52 m2 (1631.0 ft2)
WITH ATTACHED GARAGE AND REAR ADDITION

SECOND FLOOR AREA = 104.46 m2 (1124.4 ft2)
63.8 + 3.87 + 36.79

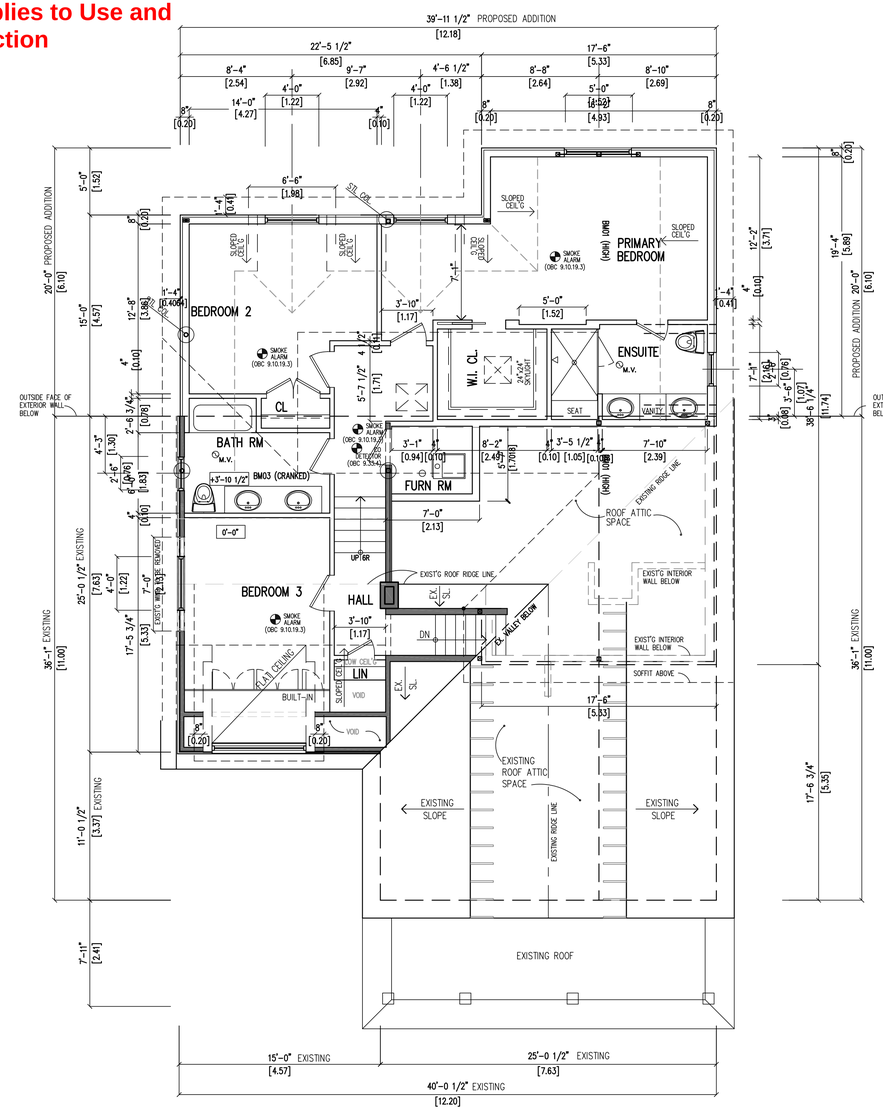
TOTAL FLOOR AREA = 255.98 m2 (2755.4 ft2)

255.98 / 640.4 = 0.40:1

MAXIMUM ALLOWABLE FAR IN DESIGNATED LOT COV AREAS = 0.45:1



SECOND FLOOR AREAS



SECOND FLOOR PLAN
ROOF FRAMING PLAN (HIGH) SCALE: 3/16"=1'-0"

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Masonry Veneer Ties And Spacing

MAXIMUM VERTICAL SPACING, mm (in)	MAXIMUM HORIZONTAL SPACING, mm (in)
406 (16")	813 (32")
508 (20")	610 (24")
610 (24")	406 (16")

TABLE 9.20.9.5

DOOR SCHEDULE
(MIN. SIZES ONLY UNLESS NOTED OTHERWISE)
PER O.B.C. DIV B PART 9, TABLE 9.5.11.1.

ENTRY DOORS	32"x78" –SEE PLANS (INSULATED)
EXT. SLAB DR.	2'-8" x 6'-10" (INSULATED)
GARAGE SLAB DR.	2'-8" x 6'-10" (INSULATED W/CLOSURE)
COLD STGE DR.	2'-8" x 6'-6" (INSULATED)
EXT. SLIDING DR.	5'-8" x 6'-6" (INSULATED)
CLOSET DR.	2'-0" x 6'-6" SEE PLANS
LINEN CLOSET	1'-6" x 6'-6"
BATH/POWDER DR.	2'-0" x 6'-6"
LAUNDRY RM. DR.	2'-8" x 6'-6"
BEDROOM DRS.	2'-8" x 6'-6"

NOTE: SIZES ABOVE ARE MIN OBC SIZES WIDTH ONLY – COORDINATE WITH OWNER AND DOOR MANUF. ACTUAL CUSTOM DOOR, MATERIALS AND COLOURS–HT INDICATED EXCEEDS MIN REQMTS

ALL EXTERIOR DOORS AND WINDOWS SHALL COMPLY WITH O.B.C. 9.6.8 AND 9.7.6 (RESISTANCE TO FORCED ENTRY)

ALL DOORS THAT SEPARATE HEATED SPACE FROM UNHEATED SPACE SHALL HAVE A THERMAL RESISTANCE OF NOT LESS THAN **RSI 0.7 (R4)** WHERE A STORM DOOR IS NOT PROVIDED EXCEPT FOR DOORS IN ENCLOSED UNHEATED VESTIBULES AND COLD CELLARS, AND EXCEPT FOR GLAZED PORTIONS OF DOORS.

WINDOWS, SKYLIGHTS AND SLIDING GLASS DOORS SHALL MEET THE REQUIRED OVERALL COEFFICIENT OF HEAT TRANSFER INDICATED IN O.B.C. MATRIX

LEGEND:

C.F. = CONVENTIONAL ROOF FRAMING
REFER TO FLOOR PLANS
CEILING JOISTS AS PER O.B.C. TABLE –A3
2"x4" @ 16"O.C. FOR MAX. 9'-3" SPAN
~~2"x6" @ 24"O.C. FOR MAX. 15'-3" SPAN~~
~~2"x8" @ 24"O.C. FOR MAX. 20'-5" SPAN~~
2"x4" CENTRE POST TO THE TRUSS BELOW, LATERALLY BRACED AT 6'-0" VERTICALLY.

G.T. = GIRDER TRUSS–SEE ENGINEERED ROOF TRUSS DWGS
D.J. = DOUBLE JOIST
T.J. = TRIPLE JOIST
M.V. = MECHANICAL VENT–SEE MECH DRAWINGS BY OTHERS
(S.B.) = SOLID WOOD BEARING – THE NUMBER OF STUDS IN A WALL DIRECTLY BELOW A GIRDER TRUSS OR ROOF BEAM SHALL CONFORM TO TABLES A–34 TO A37–O1V B PART 9
SEE STRUCT DWGS FOR PART 4 COMPLIANCE
NOTE: THE WIDTH OF STUD POST SHALL BE NOT LESS THAN THE WIDTH OF THE GIRDER OR BEAM THAT IT SUPPORTS
= JOIST DIRECTION
= POINT LOAD (ABOVE) P.L.A.

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PROPOSED SECOND FL PLAN			COMM. NO. 0294
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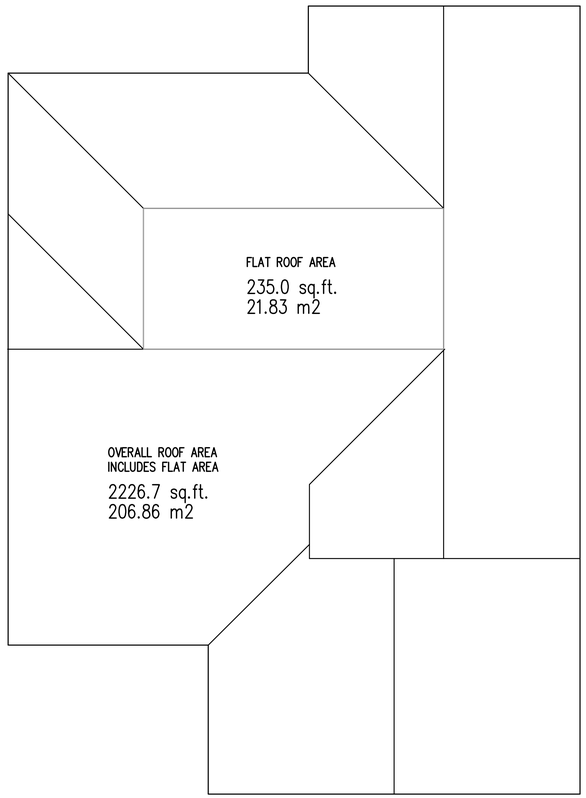
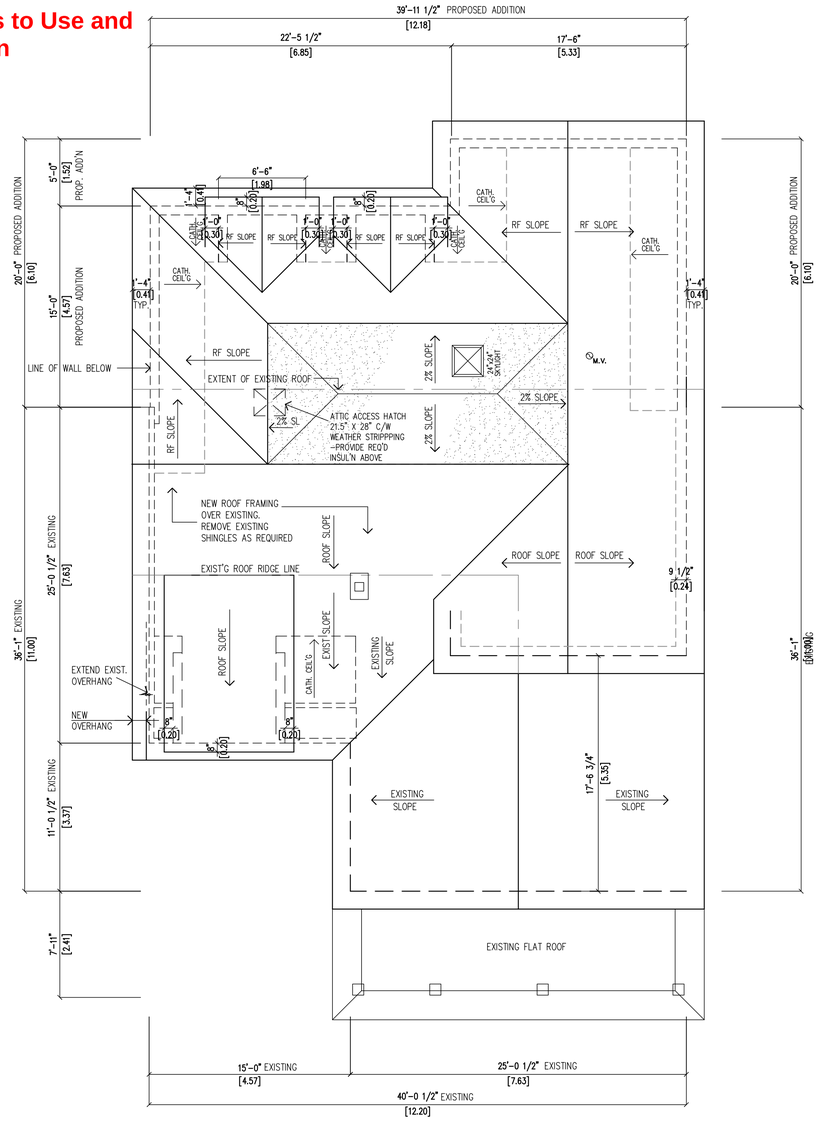
DRAWN JC	CHECKED	3 SIXTY	



ROOF AREAS



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

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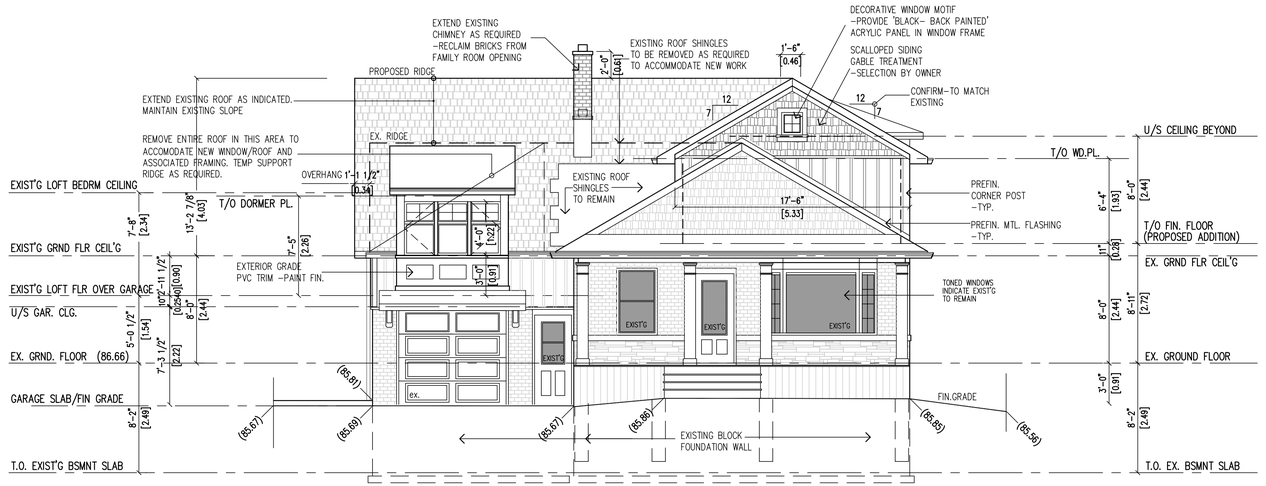
PROPOSED ROOF PLAN

COMM. NO. 0294

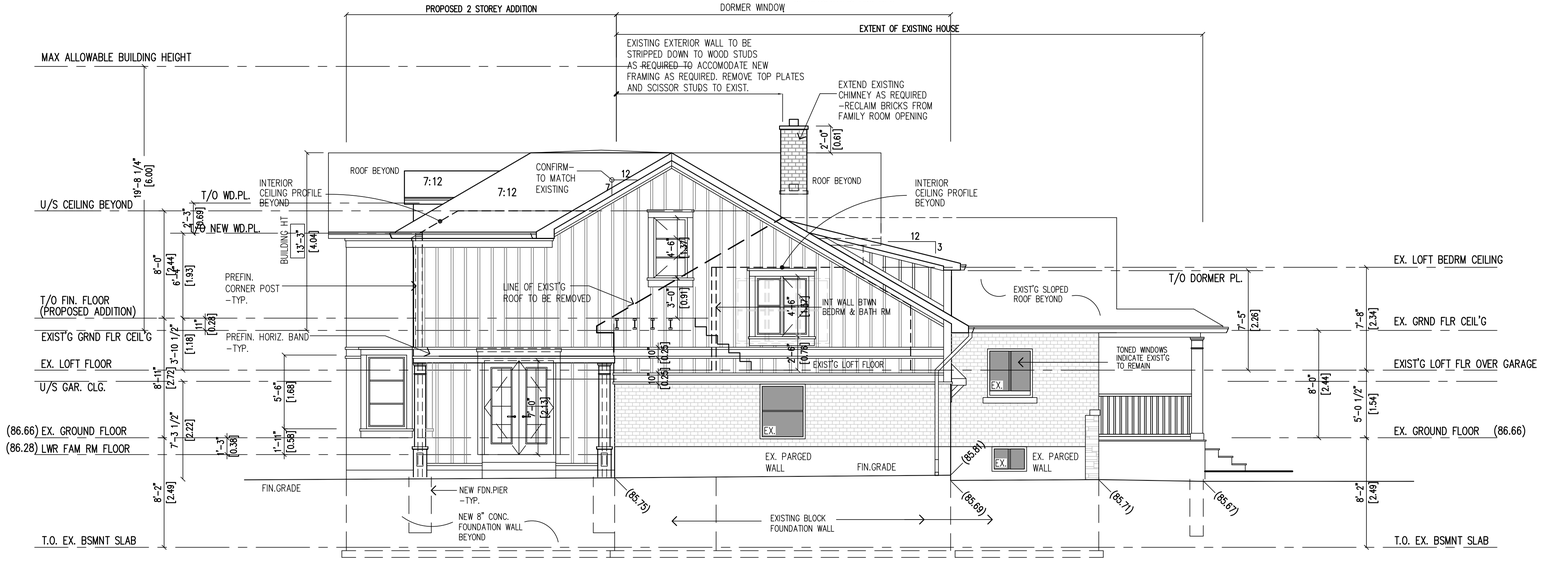
SCALE 3/16"=1'-0" | DATE Dec, 2024 | DRAWING NO. A8

DRAWN JC | CHECKED 3 SIXTY



PROPOSED SOUTH (FRONT) ELEVATION

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



SIDE (WEST) ELEVATION

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

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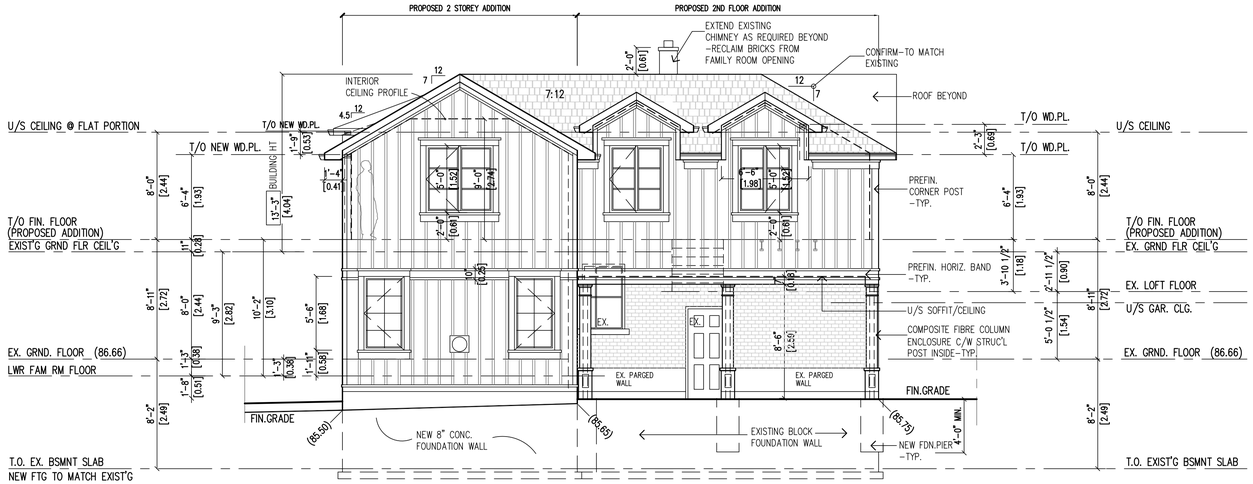
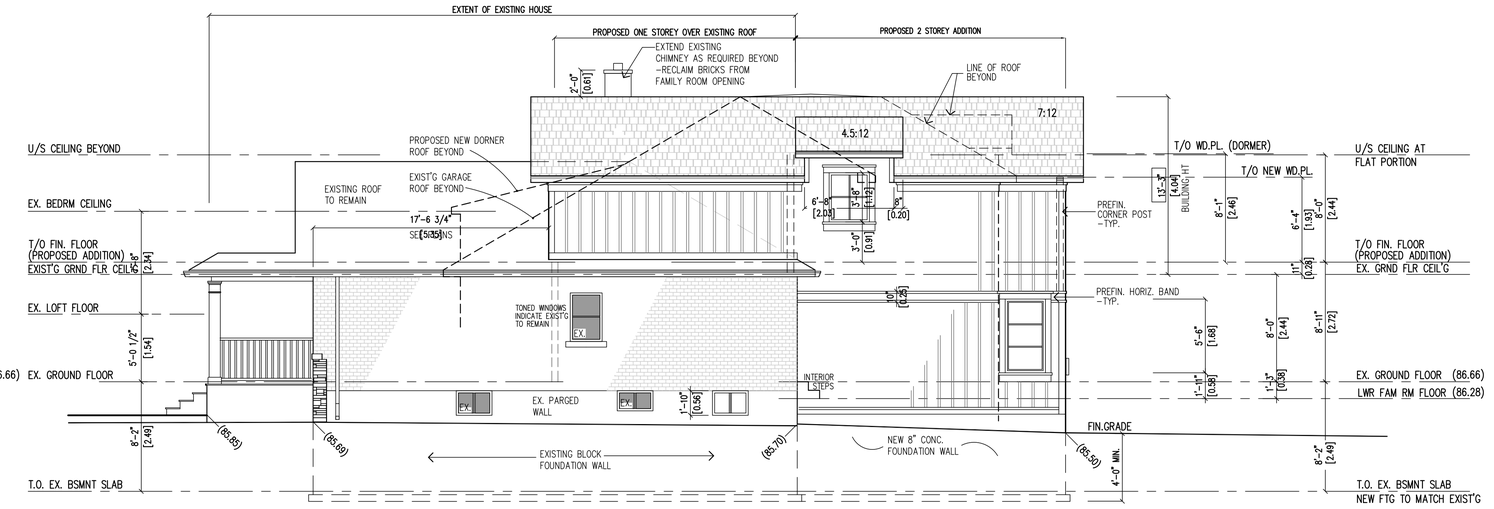


REAR (NORTH) ELEVATION

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



RIGHT (EAST) ELEVATION

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FOR MINOR VARIANCE ONLY

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ONTARIO ASSOCIATION OF ARCHITECTS
JOHN CAPPA
LICENCE
6027

PROPOSED

ADDITION/RENOVATION

To Existing 1 Story Dwelling

409 Pepper Drive

Lot 7 Reg Plan 625

City of Burlington, ON Reg Municipality of Halton

PROPOSED ELEVATIONS

COMM. NO. 0294

SCALE 3/16"=1'-0" | DATE Dec, 2024 | DRAWING NO. A10

DRAWN JC | CHECKED 3 SIXTY

Tree Inventory & Preservation Report 1.0

Prepared For:

Tairryon Childs

Site Address:

409
Pepper Drive
Burlington, ON

Date:

2025/09/03

Summary:

The scope of this report assesses three (3) trees (referred to as the “Subject Trees”) that are or may potentially be affected by the proposed project at 409 Pepper Drive Burlington, ON (referred to as the “Subject Site”). Aberdeen Tree Services conducted a tree inventory and an assessment to evaluate the species, health, and impact on the Subject Trees due to the proposed construction project at the Subject Site.

All inventoried trees are numbered and noted within the attached Tree Inventory Table referred to as Appendix 1 and their locations are noted within the attached Tree Preservation Plan referred to as Appendix 2. Photographs of the Subject Trees are attached within Appendix 3. Reference material from the governing/regulating body, which in this case is the City of Burlington, is linked within Appendix 4. These references have been noted to help assist the applicant/owner of the proposed project during this process and when working with the governing/regulating body.

Assignment:

Aberdeen Tree Services was retained by Tairryon Childs to assess the Subject Trees at or near the Subject Site and compile a Tree Inventory. In addition, a Tree Preservation Plan for this proposed project was created and will contain preservation fencing comments/methodology with locations noted to scale. The field work/report was completed by Owner Steve Burgess, whose qualifications are set out in Appendix 5.

Limitations of the Scope of Work

Aberdeen Tree Services was contracted to conduct an identification, health, and structure assessment of the inventoried trees as well as to provide a preservation report and plan. It is the project contractor's obligation to ensure that the recommendations provided in this report are carried out, as deemed appropriate by the City of Burlington's governing staff.

Anyone reading this report should be familiar with trees and all their potential reactive physiological responses to the proposed project; otherwise, further discussion with the consulting arborist will be required to understand the impact on the Subject Trees.

The trees presented in this report were assessed using conventional arboricultural techniques. This includes a visual examination of all the above ground parts of the tree. In this visual examination arborists look for scars, defects, external indications of decay (i.e. Fungal fruiting bodies), evidence of attack by insects, discolored foliage, the conditions of any visible root structures, the degree and direction of lean (if applicable), the general condition of the tree and surrounding area and the nearness of property and people. Unless otherwise stated, the trees have not been cored, probed, climbed and there was no detailed inspection completed of the root crowns.

Trees are living organisms that are susceptible to changes in health and vitality at any time. They are not immune to the changes in site condition or seasonal variations in weather conditions. Trees will always pose some risk to surrounding property or persons. Only complete removal of all trees would eliminate all risk, and as such, the arborist cannot be liable for any damages caused in whole or in part by tree failure. Most trees have the potential for failure in extreme weather and that risk can only be eliminated if the tree is removed.

Sensible efforts have been made to ensure that the trees listed are healthy from a visual standpoint. Implementation of the report is the responsibility of the client and Aberdeen Tree Services does not hold any responsibility to ensure that the recommendations provided herein are followed.

Arboriculture Considerations

Tree preservation is a pro-active measure that starts at the planning stage and continues throughout the project until completion. It is important to understand that tree root protection affects overall tree health and survivability and is essential to effective tree preservation.

The roots provide nutrients and water to the leaves and branches, while supporting the tree in windstorms and preventing injury. Once a tree is injured, it is never the same. An injured tree allocates a great deal of energy to try to repair itself, often at the expense of its vitality and sometimes leading it into a spiral decline.

Tree Preservation Fencing

The installation of tree preservation fencing is detailed in the Tree Preservation Plan attached as Appendix 2. Each tree in the inventory requires a minimum separation distance for adequate protection, and these requirements are listed in Tree Inventory Table.

Preservation fencing must remain in good condition throughout the construction project until completion and must not be removed for any reason without prior consent from the City of Burlington's approved staff. There must not be any unauthorized access within or storage in the tree protection zone during the project. Design specifications are listed are attached with in Appendix 4.

Staging areas and Construction Access

Staging areas are understood to be outside of all TPZ and at no time are materials, vehicles, traffic, or debris to be stacked, staged, or piled inside the tree preservation fencing. If these areas are required to complete the proposed project they must be listed and shown within the tree preservation plan. Approval of these areas must be approved by the City of Burlington's appropriate governing staff prior to commencement of construction of proposed project.

Observations

On August 8, 2025, arborist Steven Burgess visited the Subject Site and compiled the tree inventory near the proposed construction project. Three (3) Subject Trees near the Subject Site were noted and assessed.

The Subject Trees were assessed for health, structure, and potential effects from the proposed construction project. Also, during the assessment and inspection process, recommended preservation and retention methods were noted. In general, it was the opinion of the onsite consulting arborist that the Subject Trees appeared to have a healthy growth pattern and were developing at a normal rate for their appropriate species in an urban setting.

Recommendations

Please refer to the Field Observations cell row in Appendix 1 –Tree Inventory Table for further details if any on said subjects.

All proposed project construction access will be up the driveway and along the East side of the house into the backyard. Any potential construction material storage will be in the proposed staging area noted within the TPP and at no time will TPP Zones be used for such activity.

One (1) of the inventoried Subject Trees must be removed due to impact from the proposed project, but as noted the subject tree is not large enough to be subject to the current private tree by-law.

Tree #2, a substantial Norway Maple, occupies the entirety of the backyard at this location and will be impacted by the proposed construction. As such, an Intent to Injure has been requested for this tree.

To minimize the incursion, excavation within the minimum tree protection zone (MTPZ), specifically in the outer impact area of the construction, should be performed using low-impact methods such as an air spade or hydro-vac. Any large roots encountered during excavation should be cleanly severed using sharp, sterilized tools such as pruning shears or a handsaw. All work within the MTPZ is to be overseen by a certified arborist.

There is a possibility that construction will affect larger structural roots, which may, in turn, have negative consequences on the canopy. Due to this, proactive canopy pruning of the portion overhanging the construction area may be advisable. While proactive pruning during construction is not typically recommended, in this case, it may be more cost-effective than deferring corrective pruning until after potential canopy decline occurs. This recommendation applies only if it is confirmed that large-diameter roots must be pruned to facilitate the footing installation for the renovation.

Conclusion

If the remaining inventoried Subject Trees on or near the Subject Site are properly cared for and monitored during construction, they will incur no injuries from this proposed project and should continue with an appropriate survival rate. Any alteration to the Tree Preservation Plan or this report recommendations must be approved prior to work commencing by the City of Burlington’s Forestry Manager or approved delegate.

Appendix 1 – Tree Inventory Table

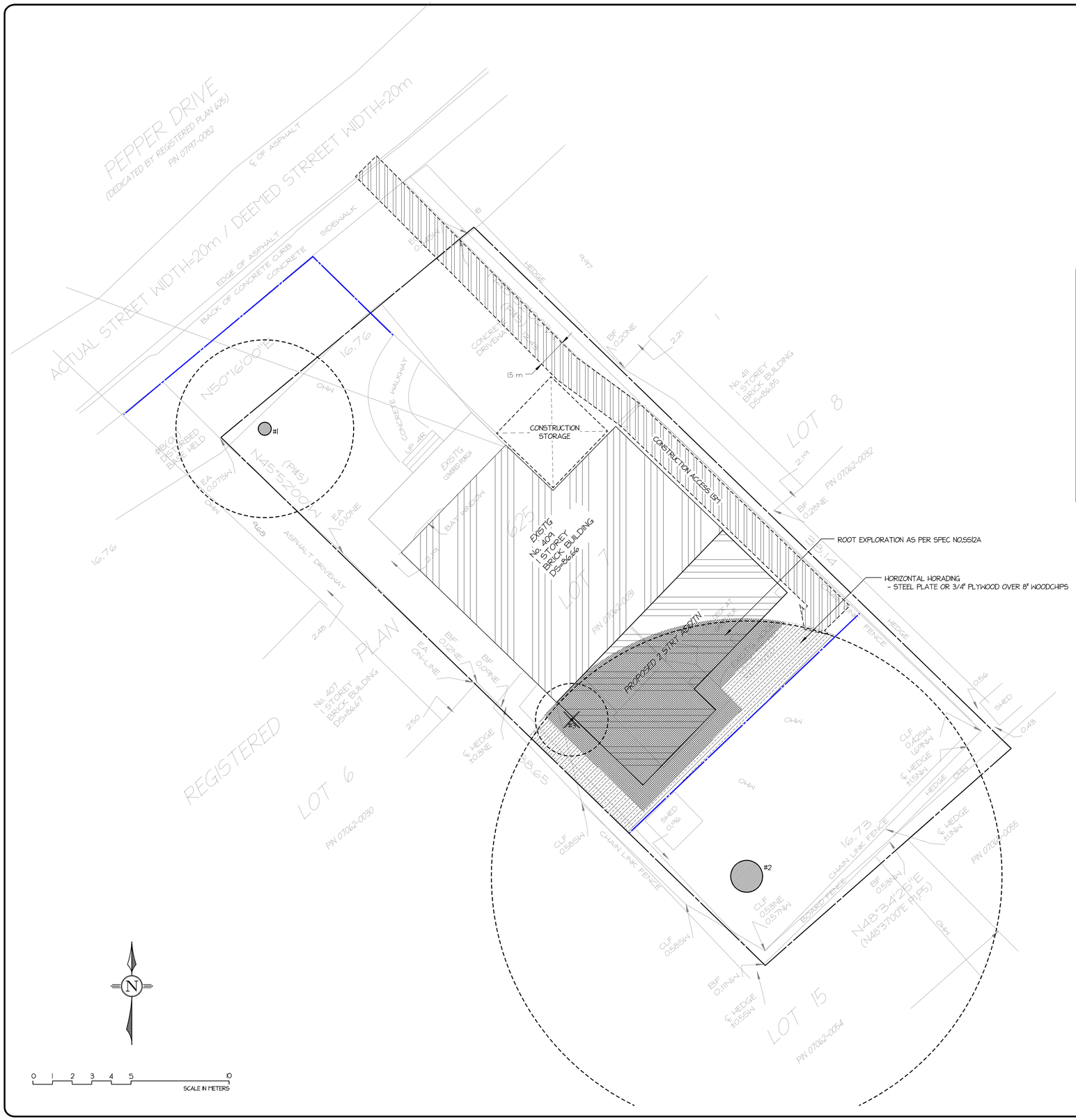
Tree/Tag Number	Botanical Name	DBH (cm)	Tree Ownership	Tree Protection Zone (m) (TPZ)	Health (Rating Out Of 5)	Structure (Rating Out Of 5)	Construction Impact (None, Low, Medium, High)	Preservation Fencing Required	Removal	Multistem DBH (cm)	Field Observations	Recommendations
1	Betula papyrifera	66	S	4.2	4	4	None	Y	N	20, 30.5, 30.5, 33, 33	Good form	Protect
2	Acer platanoides	162	S	12.2	4	4	Med	Y	N	-	Good form	Protect & injure
3	Ilex spp.	<10	S	1.8	5	5	High	N	Y	-	Uncontrolled	Removed

Tree Ownership

S – Subject Property

N – Neighbouring Property

M – Municipal Tree



TREE TRUNK IDENTIFICATION & TREE PROTECTION ZONE –

TREE PROTECTION FENCING –

ROOT EXPLORATION AS PER SPECIFICAION NO.SS12A –

HORIZONTAL HOARDING –
STEEL PLATE OR 3/4" PLYWOOD OVER 8" WOODCHIPS

TREE TO BE REMOVED –

Appendix 1 – Tree Inventory Table

Tree/Tag Number	Botanical Name	DBH (cm)	Tree Ownership	Tree Protection Zone (m) (TPZ)	Health (Rating Out Of 5)	Structure (Rating Out Of 5)	Construction Impact (None, Low, Medium, High)	Preservation Fencing Required	Removal	Multistem DBH (cm)	Field Observations	Recommendations
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Tree Ownership
S – Subject Property
N – Neighbouring Property
M – Municipal Tree

Burlington

TREE PROTECTION ZONE (TPZ)

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

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

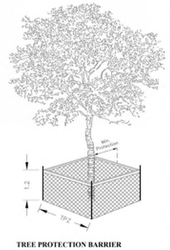
No materials or fill may be stored within the Tree Protection Zone.

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

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

Tree Protection and Preservation Specification No.: SS12A

Detail TP-1 – Tree Protection Detail.



Trunk Diameter (DBH) [1]	Minimum Tree Protection Zone (MTPZ) Distances Required [2]	Critical Root Zone (CRZ) Distance Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

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

TREE PROTECTION BARRIER

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

NOTES

ALL GRADES WITHIN TREE PROTECTION ZONES ARE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.

No.	Date	Description
01	08/28	INITIAL REPORT

REVISIONS

Aberdeen TREE SERVICES

Burlington

PREPARED BY: FOR REVIEW BY:

TREE PROTECTION PLAN

TWO-STOREY ADDITION

409
PEPPER DRIVE
BURLINGTON, ON

SCALE	1:100
DRAWN BY	T.V
CHECKED BY	S.B
DATE	2025/08/28
DATE OF PRINT	

PROJECT NO. AR-25-006

SHEET NO. TPP-01

Appendix 3- Photos

Tree #1

Tree #2

Tree #3

Appendix 4 – References

- City of Burlington By-law 68-2013
- City of Burlington By-law 40-2022
- Corporation of the City of Burlington Specifications Index for Tree Protection and Preservation (SPEC NO. SS12A)

Appendix 5- Arborist Qualifications

Steven Burgess
ISA Certification - #ON-2370A
steven@aberdeentreeservices.ca
(905) 906-9506

COMMITTEE OF ADJUSTMENT

Meeting 20 **AGENDA** **NOVEMBER 5, 2025**

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

File
540-02-A-061/25

APPLICANT: Maurice Desrochers

PROPERTY: 550 Burlington Avenue,
PLAN 117 PT LOTS 69, 70 RP 20R20311 PARTS 4,5
City of Burlington - Regional Municipality of Halton.

PROPSAL: The applicant is proposing the construction of a one storey dwelling with attached garage.

VARIANCES:

1. To permit a lot coverage of 38.3% instead of the maximum permitted 35% for a proposed one-storey detached dwelling with attached garage.

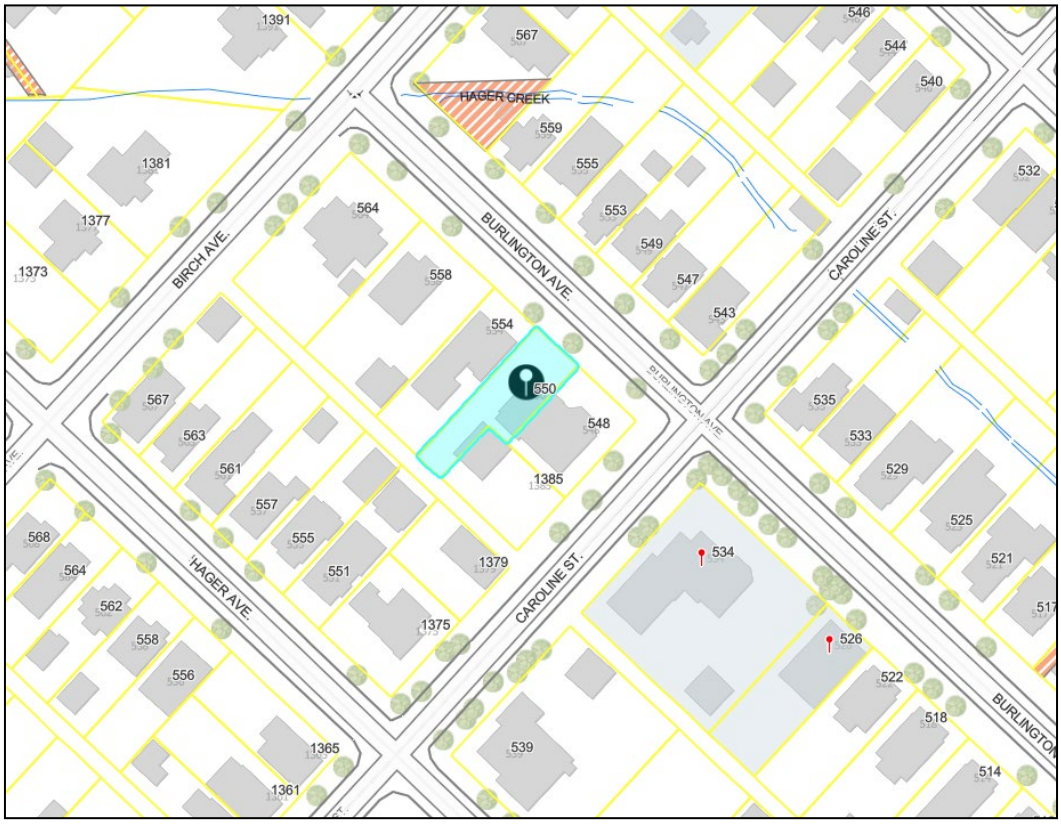
2. To permit a front yard of 4.5 m instead of the minimum required 6.0 m for a proposed one-storey detached dwelling with attached garage.

3. To permit a dwelling depth of 23.4 m instead of the maximum permitted 18 m measured from building wall closest to front lot line to the building wall closest to the rear lot line for a proposed one storey addition.

4. To permit a front yard of 2.5 m instead of the minimum required 5.35 m (6 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Maurice Desrochers
Address: 550 Burlington Ave. Burlington
File No. **A-061/25**
Ward: 2



Staff Comments

Committee of Adjustment

There is one previous minor variance applications on record for this property.

File No. A035/2020 – Partially Approved but

- Approved
    1. To permit lot coverage of 32.2% instead of the maximum permitted 25% for a proposed two storey detached dwelling with attached garage.
    2. To permit a front yard setback of 3.9 m instead of the minimum required 5.35 m (6 m – 0.65 m encroachment) for a proposed roofed over porch including steps and overhang.

3. To permit a north side yard setback of 1.2 m instead of the minimum required 1.8 m for a proposed two storey detached dwelling with attached garage.

4. To permit a south side yard setback of 1.2 m instead of the minimum required 1.8 m for a proposed two storey detached dwelling with attached garage including proposed window wells.

5. To permit a dwelling depth of 20.9 m instead of the maximum permitted 18 m for a proposed two storey detached dwelling with attached garage.

- Refused

1. To permit floor area ratio of 0.64:1 instead of the maximum permitted 0.45:1 for a proposed two storey detached dwelling with attached garage.

This application was appealed to the Ontario Land Tribunal by the Applicant. The OLT dismissed the appeal and refused the variances in their entirety thus rendering the original Committee approved variances refused as well.

Date: July 25 2025 Prepared By: E. Shacklette

Zoning

1) **Background information:**

The subject property is zoned DRL, Downtown Residential Low-Density Zone under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The DRL zone permits a detached dwelling subject to R3.2 zone regulations. 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 ZONES						
R3.2	15 m	425 m^2	6 m	9 m **(c)**	**(b)**	4.5 m

Footnotes to Table 2.4.1

b) With attached garage or carport:
   (i) One or one and a half storey side: 1.2 m

(ii) Two or more storey side: 1.8 m

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**	27% for one storey dwellings plus 8% for accessory buildings

4.6 DWELLING DEPTH

(a) Maximum depth of a dwelling shall be 18m measured from building wall closest to front lot line to building wall closest to rear lot line.

2.13 ENCROACHMENT INTO YARDS

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

c) The following obstructions may project 65 cm maximum into a required yard:

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

2) **Proposal:**

The applicant is proposing the construction of a one storey dwelling with attached garage. Variances to allow for reduced front setback, reduced front porch setback, dwelling depth and lot coverage are required.

3) **Variances required:**

1. To permit a lot coverage of 38.3% instead of the maximum permitted 35% for a proposed one-storey detached dwelling with attached garage.

2. To permit a front yard of 4.5 m instead of the minimum required 6.0 m for a proposed one-storey detached dwelling with attached garage.

3. To permit a dwelling depth of 23.4 m instead of the maximum permitted 18 m measured from building wall closest to front lot line to the building wall closest to the rear lot line for a proposed one storey addition.

4. To permit a front yard of 2.5 m instead of the minimum required 5.35 m (6 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

4) **Notes and conditions**:

Condition:

1. A Pre-Building Approval Application is required.

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. Laneway in rear is considered a public road as per Legal Department. City owned laneway deemed public laneway under Section 26 of Municipal Act and therefore property is considered a through lot.

3. The application has been reviewed under Section 45(1) of the Planning Act.

Date: September 5, 2025 Prepared By: S. Boich

Site Planning

A minor variance application has been submitted to the City of Burlington to facilitate the construction of a new one-storey dwelling with an attached garage. The applicant requests approval of the Committee of Adjustment because the proposed dwelling exceeds the permitted lot coverage, dwelling depth and the front of the dwelling and porch will extend beyond the required front yard and permitted encroachment.

The subject lands comprise a rectangular-shaped parcel with a total lot area of 373.10 square metres (0.03 hectares) with an approximate frontage of 12.19 metres along Burlington Avenue. The property is located on the west side of Burlington Avenue and is known municipally as 550 Burlington Avenue. The subject lands are currently vacant.

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 Brant Street to the northeast, Baldwin Avenue to the northwest, Lakeshore Road to the southeast and Maple Trail to the southwest. Given the location of the property within the Downtown Urban Centre, a mix of residential, retail, office and institutional uses are close by. The subject property is in the Downtown Residential Low-Density Zone (DRL) which permits detached dwellings, offices in an existing building, offices on the ground floor of a residential building and additional residential units. Adjacent uses include one-and-a-half and two-storey detached dwellings.

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?

Regional Official Plan (2022):

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

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

Official Plan, 1997 & 2020

In the City of Burlington Official Plan 2020 (OP, 2020), the subject lands are designated 'Urban Centre' according to Schedule 'C' (Land Use - Urban Area). The lands are designated 'Low-Rise Residential Neighbourhood Precinct' within the St. Luke's and Emerald Neighbourhoods by Schedule 'D' (Land Use – Downtown Urban Centre) of the OP, 2020. The Low-Rise Neighbourhood Precinct policies of the OP, 2020 are not yet in effect, therefore staff have relied on the policies of the City of Burlington Official Plan 1997 (OP, 1997) in the review of the subject application.

The subject property is designated 'Mixed Use Centre – St. Luke's Neighbourhood Precinct' according to Schedule 'E' (Downtown Mixed-Use Centre) of the OP, 1997. Within the St. Luke's Neighbourhood Precinct, detached dwellings to a maximum density of 25 units per net hectare and a maximum building height of 2 ½ storeys are permitted.

The OP, 1997 requires new development to be compatible with the surrounding area. Part II, Section 6.5 outlines Design Guidelines Policies for the City. Subsection a) states that "the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area".

Compatibility is defined in the BOP 1997 as "Development or re-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. 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 potential for serious adverse health impacts on humans or animals."

Within the St. Luke's Neighbourhood Precinct, special consideration is given to the compatibility of buildings. Part III Section 5.5.4 (The St. Luke's and Emerald Neighbourhood Precincts) includes the following objective:

a) To preserve the stable residential and heritage character of these neighbourhoods, and to ensure that any redevelopment is compatible with the existing character of the neighbourhoods.

Section 5.5.4. also contains the following policy:

d) All development and redevelopment shall be compatible with the existing character of these neighborhoods with respect to such matters as heights, setbacks, massing, design and community features.

It is important to note that while the St. Luke's Neighbourhood is an area with special, historic character, it is not a Heritage Conservation District designated under Part V of the *Ontario Heritage Act* and there is no heritage conservation district plan to comply with. The area is subject to a set of guidelines called Keeping Place: Heritage-based Urban Design Guidelines for Downtown Burlington. Section 7.3.1 describes the St. Luke's and Emerald Precincts as an "area where the front yards are considerably shallower than the current zoning would allow" and "in most areas front yard trees are a prominent part of overall character". Staff are satisfied that the proposal is compatible with the existing character of the neighbourhood. The proposal is consistent with the following guidelines:

- The new dwelling maintains a front yard setback consistent with adjacent properties (7.3.1 – Site Planning).
- The proposed design will protect a mature Silver Maple fronting the property (7.3.1 – Site Planning).
- The garage is located toward the rear of the dwelling, with access from the rear laneway, which minimizes its visibility from the Burlington Avenue (7.3.1 – Site Planning).
- The design incorporates rooflines and materials reflective of local heritage styles (7.3.2 – Architectural Style).
- The height and massing are compatible with neighbouring dwellings (7.3.3 – Scale and Massing).

The proposal is consistent with key guidelines. Staff believe the general intent and purpose of the Official Plan is met since the proposed design of the addition is generally in keeping with other properties on the street. The peaked roof of the addition and brick cladding will complement the existing dwelling and heritage character of the area. Therefore, staff are of the opinion that the proposal would not negatively impact the heritage character of the area.

Yes - Variance No. 1 (Lot Coverage)

The surrounding area is characterized by a mix of one- and two-storey detached dwellings. The primary built form in the immediately surrounding area is a mix of one- and two-storey detached dwellings. The area also contains primarily attached garages. The applicant is proposing to construct a one-storey dwelling with an attached garage, which is within the range of built forms in the surrounding area.

The proposed lot coverage variance maintains the general intent and purpose of the Official Plan. The Official Plan encourages compatible forms of intensification that respect the physical character of established residential neighbourhoods. The proposed one-storey, two-bedroom dwelling is similar in scale to abutting properties, ensuring that the built form remains compatible and that the perceived massing is reduced. The lot's irregular "P"-shaped configuration results in a smaller total lot area (373.10 m²) than the 425 m² minimum contemplated by the R3.2 zone, contributing more to the numerical variance than excessive building size. The proposal respects all required setbacks, with the exception of the front yard setback, which aligns with the established streetscape pattern. A good balance of landscaped and pervious surfaces is maintained, and the existing mature Silver Maple at the front of the property will be protected. Overall, the proposed lot coverage reflects a sensitive form of light intensification that fits harmoniously within the existing neighbourhood context and maintains the intent of the Official Plan to ensure compatible development within stable residential areas.

The requested variance maintains the general intent and purpose of the Official Plan.

Yes - Variance Nos. 2 & 4 (Front Yard Setback)

Part III, section 5.5.14 j) stipulates that within the St. Luke's and Emerald Neighbourhoods, existing front yards shall be preserved as landscaped open space rather than parking spots.

Staff note that the surrounding area contains many reduced front yard setbacks; and, in fact, the established front yard setbacks in the neighbourhood context are similar to the front yard setback that is proposed. As noted earlier in the report, the front façade of the dwelling is similar in design to existing dwellings in the area. The proposed front porch contains pillars and stairs and is compatible with the established front porches in the area. Staff are of the opinion that the reduced front yard setback, including to the front porch, is compatible with what is already existing in the current streetscape.

The requested variances maintain the general intent and purpose of the Official Plan.

Yes - Variance No. 3 (Dwelling Depth)

The proposed one-storey dwelling has been designed to match the irregular shape of the lot and is constrained by its configuration. The dwelling will meet the required side yard setbacks and aligns with the established dwelling depths found throughout the surrounding area. As a single-storey design, the increased building depth does not translate into additional perceived mass or height and maintains a low-profile form consistent with adjacent homes. The proposal achieves a built form that fits harmoniously within the St. Luke's Precinct and maintains the intent of the Official Plan by ensuring new development remains compatible with the established residential character.

The requested variance maintains the general intent and purpose of the Official Plan.

2) City of Burlington Zoning By-law 2020:

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

The subject lands are zoned Downtown Residential Low-Density ('DRL') Zone of the City of Burlington Zoning By-law 2020. A detached dwelling is a permitted use in the applicable zone subject to the Low Density Residential ('R3.2') Zone regulations. The subject lands are in an area designated for lot coverage.

Yes - Variance No. 1 (Lot Coverage)

Part 2, Section 4.2 (Table 2.4.3) of the City of Burlington Zoning By-law 2020 stipulates that the maximum permitted lot coverage for a one-storey dwelling with an attached garage, including accessory buildings in Designated Areas, is 35%.

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

The proposed variance maintains the general intent and purpose of the Zoning By-law. The intent of the lot coverage regulation is to control building massing, preserve open space, and ensure compatibility within established neighbourhoods. The proposed one-storey dwelling achieves these objectives by maintaining all required setbacks (with the exception of the front yard, which aligns with the established pattern), protecting a mature front yard tree, and retaining a balance of landscaped and pervious areas. The increase in lot coverage from 35% to 38.3% represents an additional 11.6 m² of building footprint, an inconsequential difference that does not result in any meaningful increase in massing or loss of open space. The small footprint and single-storey form remain consistent with nearby dwellings and do not create an overbuild of the site. The slight numerical variance is largely a function of the lot's irregular "P" shaped configuration and reduced total area of 373.10 m² rather than excess building size. Overall, the proposal maintains the intent of the Zoning By-law by preserving compatible scale, open space, and the established character of the St. Luke's Precinct.

The requested variance maintains the general intent and purpose of the Zoning By-law.

Yes - Variance Nos. 2 & 4 (Front Yard Setback)

Part 2, Section 4.1 (Table 2.4.1) (Lot Width, Area, Yards) of the City of Burlington Zoning By-law 2020 stipulates that the minimum required front yard setback for a dwelling in the R3.2 zone is 6 metres. Additionally, Part 1, Section 2.13.1 (d) (Encroachment Into Yards) stipulates that the following obstructions may project 65 cm maximum into a required yard: A roofed-over or screened but otherwise unenclosed 1-storey porch including steps and roof overhang excluding eaves and gutter.

The intent of this provision is to maintain a consistent streetscape and ensure adequate separation between buildings and the street by requiring a minimum 6-metre front yard setback in the R3.2 zone. At the same time, it allows for minor encroachments of up to 65 cm for features such as roofed-over porches and steps, recognizing the functional and aesthetic value of these elements in enhancing the usability and appearance of front yards without compromising the overall intent of the setback.

In this case, the proposed 4.5 metre front yard setback allows the applicant to maximize the buildable area of the lot while maintaining appropriate separation from the abutting properties, as no side yard setback reductions are requested. The siting also preserves a mature tree within the public right-of-way, contributing to the green, tree-lined character of Burlington Avenue. The overall design remains consistent with the

established streetscape pattern within the St. Luke's Precinct, where front yard setbacks vary, and the reduced setback will not create adverse visual or functional impacts. The variance therefore maintains the intent of the Zoning By-law by achieving an appropriate streetscape relationship and preserving the character of the area.

The additional variance for the roofed-over porch, which results in a 2.5 metre setback to the porch face (a 0.65 metre encroachment beyond the permitted limit), provides a modest, human-scaled entry feature that improves façade articulation without introducing massing or sight-line impacts. Both variances maintain the intent of the Zoning By-law by supporting a compatible streetscape, protecting existing vegetation, and achieving a design that is consistent with the historic residential character of the area.

The requested variances maintain the general intent and purpose of the Zoning By-law.

Yes - Variance No. 3 (Dwelling Depth)

Part 2, Section 4.6 (Dwelling Depth) of the City of Burlington Zoning By-law 2020 stipulates that the maximum depth of a dwelling shall be 18 metres, measured from the building wall closest to the front lot line to the building wall closest to the rear lot line. This provision is intended to regulate the overall length of dwellings to ensure built forms remain appropriately scaled to their lots and do not overwhelm rear yard amenity areas.

The intent of this regulation is to control building massing and prevent elongated floorplates that may create excessive visual bulk or limit private outdoor space. By limiting dwelling depth, the By-law helps maintain compatible building proportions within established neighbourhoods and ensures adequate light, privacy, and open space are preserved for adjacent properties.

In this case, the increased dwelling depth results primarily from the irregular "P"-shaped configuration of the lot. The additional depth is attributable to the attached garage, which extends approximately 5.38 metres beyond the 18-metre maximum and has a width of 4.10 metres. The area associated with this excess portion is approximately 22.1 m². Given the small scale of the one-storey dwelling, the limited width of the projection, and the retention of generous rear yard space, the variance does not result in any adverse impacts on adjacent properties or the overall streetscape. The intent of the Zoning By-law is therefore maintained.

The requested variance maintains 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 - Variance No. 1 (Lot Coverage)

The variance is desirable as it allows for the efficient development of an undersized, irregular lot while maintaining adequate landscaped open space and tree preservation. The proposed one-storey dwelling complements the scale and form of surrounding properties and represents appropriate reinvestment within the St. Luke's Precinct.

Yes - Variance No. 2 & 4 (Front Yard Setback)

The variances are desirable as they facilitate a functional building layout that responds to the lot's configuration and allows for the protection of a mature street tree within the public right-of-way. The resulting siting and front porch contribute positively to the streetscape by maintaining an active, pedestrian-oriented frontage consistent with the established character of Burlington Avenue.

Yes - Variance No. 3 (Dwelling Depth)

The variance is desirable as it accommodates a one-storey dwelling that fits the lot's shape without impacting adjacent properties or reducing amenity space. The increased depth is well-integrated into the overall design and does not alter the established streetscape rhythm.

4) Minor in Nature:

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

Yes - Variance No. 1 (Lot Coverage)

The increase of 3.3% (approximately 11.6 m²) in lot coverage is modest and has no perceptible impact on massing, privacy, or drainage. The dwelling remains low in height and compatible with surrounding properties.

Yes - Variance No. 2 & 4 (Front Yard Setback)

The reduced setbacks are consistent with existing conditions along Burlington Avenue and do not create adverse visual or functional impacts. The variances are limited in scale and preserve mature vegetation, maintaining the established streetscape character.

Yes - Variance No. 3 (Dwelling Depth)

The reduced setbacks are consistent with existing conditions along Burlington Avenue and do not create adverse visual or functional impacts. The variances are limited in scale and preserve mature vegetation, maintaining the established streetscape character.

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 have no objection to the proposed variances.

Date: October 15, 2025 Prepared By: Ryan Kochuta

Report Schedules & Attachments:

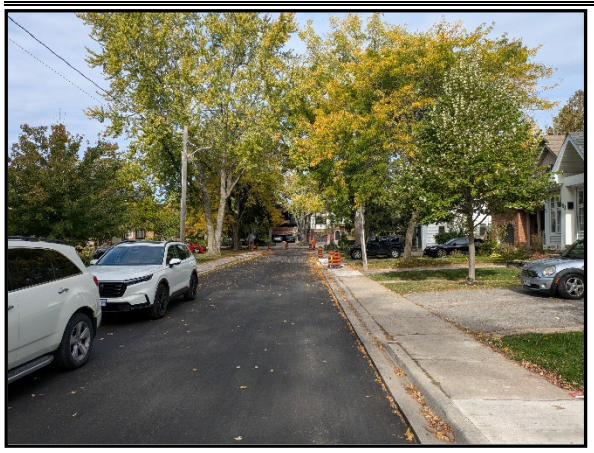
Attachment No. 1 (Site Photos – October 15, 2025)

View of the subject lands from Burlington Avenue

View of the abutting property to the north from the subject lands

View of the abutting property to the south from the subject lands

View of the subject lands from the rear laneway



View of the streetscape looking south

View of the streetscape looking north

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: September 11, 2025 Prepared By: D. Savelli

Forestry

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

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

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

3. The proposed porch and stairs will necessitate a public tree permit due to the proposed injury to the front yard silver maple tree. Conditions, including but not limited to root-sensitive excavation measures, will be established during the review process and incorporated into the issued permit(s).

4. The proposed walkway location and site servicing represents a substantial encroachment within the minimum tree protection zone of the frontyard Public silver maple tree. Be advised that relocation of this walkway and site servicing may be required.

Date: October 1, 2025 Prepared By: R. Shaw-Lukavsky

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

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: October 1, 2025 Prepared By: Q.Tan

Transportation Planning

Deemed Road Width Analysis

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

Date: August 1st 2025 Prepared By: Taylor Kirchknopf

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: September 9, 2025 Prepared By: L. Bray

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a one storey dwelling with attached garage. The variances are requested to the maximum permitted lot coverage and dwelling depth, and minimum required front yard for the dwelling and the porch.

- 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 Highly Vulnerable Aquifer (VS=6).
  - 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.

Date: October 1, 2025 Prepared By: Navjot Kaur

Burlington Hydro

Please see attachment at the end of this report for Burlington Hydro comments.

Date: October 8, 2025 Prepared By: Zakariya Al-Doori

Halton REGION

RETHINK WATER
Enjoy Conserve Protect

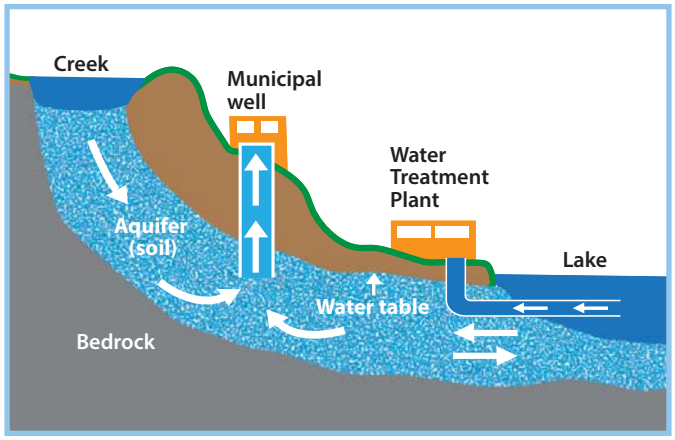
Source Water Protection Factsheet

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.

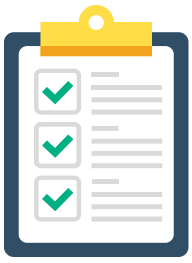
How is my application reviewed?

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 REGION

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-061/25**
Committee of Adjustment
Date of Mailing: October 15, 2025

NOTICE OF PUBLIC HEARING

Maurice Desrochers, the owner of 454 Burlington Ave, Burlington, has applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **550 Burlington Ave, Burlington** (see map).

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

1. To permit a lot coverage of 38.3% instead of the maximum permitted 35% for a proposed one-storey detached dwelling with attached garage.

2. To permit a front yard of 4.5 m instead of the minimum required 6.0 m for a proposed one-storey detached dwelling with attached garage.

3. To permit a dwelling depth of 23.4 m instead of the maximum permitted 18 m measured from building wall closest to front lot line to the building wall closest to the rear lot line for a proposed one storey addition.

4. To permit a front yard of 2.5 m instead of the minimum required 5.35 m (6 – 0.65m encroachment) for a proposed roofed-over 1-storey porch including steps and roof overhang excluding eaves and gutter.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca\coa on or after October 20, 2025**.

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

WEDNESDAY NOVEMBER 5, 2025,
This application is scheduled to be heard at or after 5:30 pm.

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

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

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

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **4:30 p.m.**

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

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

For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

Yours truly,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map

CITY OF Burlington

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

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y ☒ or N ☐
Name of Planner: _____ Name of Zoning Examiner: Steve Boich

PROPERTY INFORMATION
Municipal Address(es) of property:

550 Burlington Avenue

Legal Description of property:

Parts of Lot 69 & 70, Registered Plan No. 117

Official Plan Designation: Mixed Use Centre Current Zoning Designation R3.2

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

Maurice Desrochers

Mailing Address: 454 Burlington Avenue City: Burlington

Postal Code: L7S 1R5 Home Phone: _____ Mobile Phone: 905-541-8586

Work Phone: _____ E-Mail: maurice@burlingtonfurnishedrentals.com

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

Name:
Jenny Bognar

Business Address: 193 East 43rd Street City: Hamilton

Postal Code: L8T 3C3 Home Phone: _____ Mobile Phone: 905-517-6027

Work Phone: _____ E-Mail: jbdraftinganddesign@live.ca

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

New 1 story single family dwelling with attached garage and covered front porch and rear covered patio

Variance(s) Requested	Zoning Bylaw Requirement
Front Yard Setback to dwelling of 4.58 m.	min. 6.0 m. required
Front Yard Setback to covered porch of 2.52 m.	min. 5.35 m. required
Lot Coverage of 38.1%	max 35.0%
Dwelling depth of 23.38m.	max. 18.0m.

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

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

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

See attached

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

See attached

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

See attached

Minor Variance Supplemental Information

550 Burlington Avenue, Burlington

To whom it may concern,

We are kindly requesting consideration for a number of minor variances to build a new 1 story single family dwelling at the above property.

This is a modest 1 story, 2-bedroom dwelling. With just 1226.12 sq. ft. of livable space, this would be one of the smallest houses in the area and is far from being a mansion. The odd shaped lot with the jog in the rear requires a unique floor plan and inventive ways to use the lot in the best way possible.

We feel that this house will add character to the streetscape while paying respect to the small, thin lot that it sits on as well as the older and newer homes in the area. We tried to keep a more traditional look to the home, so that it fits in well with the character of the area.

We recently received variances for #548 on the neighboring lot. The variances with regards to the setbacks are very similar and we feel the two houses side by side will add wonderful character to the street and will finally fill these lots that have sat empty for so very long.

Variances Required

1. To permit a front yard setback of 4.58 m. instead of the minimum required 6.0m for a proposed one-story dwelling.

2. To permit a front yard setback of 2.52 m. instead of the minimum required 5.35m (6.0m – 0.65m encroachment) for a proposed roofed-over one-story front porch including steps and roof overhang excluding eaves and gutter.

3. To permit a lot coverage of 38.1% instead of the required maximum of 35% for a one-story dwelling with attached garage.

4. To permit an overall dwelling depth of 23.38m instead of the required maximum of 18.0m.

Variances

Variance #1: To permit a front yard setback of 4.58m. instead of the minimum required 6.0m for a proposed one-story dwelling.

We are requesting a reduced front yard setback so that we can create a dwelling that has a dedicated vestibule and not take space away from the main living room. The vestibule area is the only space that protrudes to this 4.58m. setback and the remainer of the house still meets the required 6.0m. setback. We feel this vestibule adds character and charm to the dwelling while not visibly feeling like it is encroaching into the front yard as it is built into the front porch structure.

We feel this setback is very much in keeping with the neighborhood. Many of the front facades along Burlington Avenue are at similar setbacks. Houses #535, #543, #547, #549 & #553 for example are all at setbacks between 3.53m. and 4.50m. approx. #548 was recently approved for its own minor variances and has very similar setbacks and style.

We have been sure to meet all the required side yard setbacks as to not negatively impact any neighboring properties and to ensure that access to all yards can be maintained.

Variance #2: To permit a front yard setback of 2.52m instead of the minimum required 5.35m (6.0m – 0.65m encroachment) for a proposed roofed-over one-story front porch including steps and roof overhang excluding eaves and gutter.

We are requesting this variance to be able to build a large covered front porch that will bring character to the dwelling and provide a decent sized outdoor amenity space for the homeowner. The porch will be a positive and interesting feature and will help bring people's attention to the front entrance of the dwelling. This lower soffit and roof helps reducing the massing, also helping to reduce any impact on the streetscape. The front porch suits this craftsman style home and is in keeping with the city's aim as a building style in this St. Lukes Neighbourhood.

Front porches are common on many houses in the downtown area, including many along Burlington Avenue. Many of the houses have large front porches at the same if not closer setbacks, such as #535, #543 & #547 & the future house at #548, some with setbacks as severe as 1.0m. to the front lot line.

Variance #3: To permit a lot coverage of 38.1% instead of the required maximum of 35% for a one-story dwelling with attached garage.

We are requesting this variance to be able to build this small home on a small lot. The lot area is 373.10 sq. m. and is an odd shape, making it difficult to build anything within the zoning constraints. The house is a small 2-bedroom dwelling with a modest open concept kitchen, living and dining room and a small rear entry/laundry room. The livable square footage of the house we are proposing is just over 1200 sq. ft. which can be considered very small for new houses these days and does not boast any oversized rooms or spaces, but rather just functional spaces for a small family or couple to use.

The one-story plan is perfect for aging couples looking to downsize and the one floor plan ensures they can remain in this home for years to come.

Variance #4: To permit an overall dwelling depth of 23.38m. instead of the required maximum of 18.0m.

It would be next to impossible to not exceed this 18.0m. maximum on this thin, deep lot. We'd either be left with just a one-bedroom home or a dwelling without an attached garage, and we feel neither is a good option in this market.

To create a usable plan, it makes the most sense to use the existing alley way as the access to the attached garage. Having the garage accessed from the front (Burlington Ave.) would cause very awkward interior spaces and would also negatively impact the city tree out front, which we are trying to avoid.

As stated above, this dwelling is far from being a monster home and we desire to create just a functional small home with plenty of character on this idyllic street.

We feel these requests are all minor in nature in each request as well as cumulatively and does not overbuild the site in any way. A new home on this street that pays homage to a lovely architectural style will be welcome and appreciated. We appreciate your time and consideration in this manner.

MINOR VARIANCE – 2024

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

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
2010 (mmm/dd/yyyy)	n/a (mmm/dd/yyyy)	ASAP (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:

Always

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)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
12.19	37.39	373.10	20.0	20.0	0.0	38.10%	Y ☐ N ☒

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

EXISTING (Dwelling/Building)		**PROPOSED (Dwelling/Building/Addition)**		
Ground Floor Area (incl. attached garage)	M^2	Ground Floor Area (incl. attached garage)	142.27	M^2
Gross Floor Area:	M^2	Gross Floor Area:		M^2
Number of Storeys:		Number of Storeys:	1	
Width:	M	Width:	8.17	M
Length:	M	Length	23.28	M
Height:	M	Height	7.17	M
Garage/Car Port		**Garage/Car Port**		
Detached?	Y ☐ N ☐	Detached?		Y ☐ N ☒
Gross Floor Area:	M^2	Gross Floor Area:	28.36	M^2
Width:	M	Width:	4.10	M
Length:	M	Length:	6.92	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:	4.58	M
Rear:	M	Rear:	9.45	M
Side/Street Side:	M	Side/Street Side:	1.20	M
Side/Other Side:	M	Side/Other Side:	2.83	M

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name	Property Address
Maurice Desrochers	550 Burlington Ave.
Signature of Owner/Applicant	Date (mmm/dd/yyyy)
	Apr. 12, 2025

CITY OF Burlington

MINOR VARIANCE – 2024

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

AFFIDAVIT

*Please fill out at time of submission of application

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

I, JENNY BOGNAR (print name) of the CITY (Region/City/County) of HAMILTON in the — (City/Town/Township)

of — 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 Halton (Region/City/County) of Halton in the Burlington (City/Town/Township)

this 14 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.

Jenny Bogn
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: 550 Burlington Avenue

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.

M. Desrochers
Signature of Owner

Maurice Desrochers
Print Name

CITY OF Burlington

MINOR VARIANCE – 2024

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

OWNERS AUTHORIZATION

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

I, Maurice Desrochers (print name) being the registered owner of the subject lands, hereby

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

application for a Minor Variance.

M. Desrochers
Signature of Owner

04/12/2025
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.**	X
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)	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

Apr. 12, 2025
Date (mmm/dd/yyy)

REGIONAL APPROVAL

REGION DESIGN OF WATER AND/OR WASTEWATER SERVICES APPROVAL SUBJECT TO DETAIL CONSTRUCTION CONFORMING TO HALTON REGION STANDARDS AND SPECIFICATIONS AND LOCAL APPROVAL FROM AREA MUNICIPALITY.

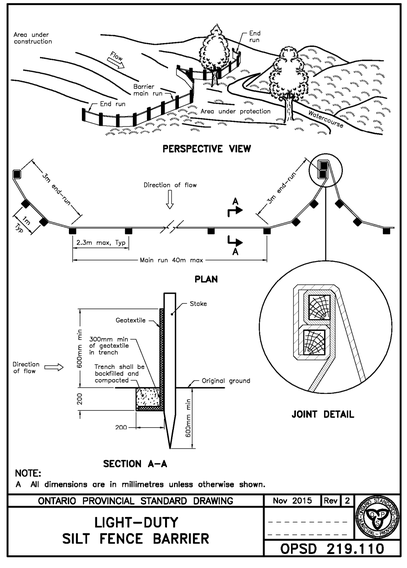
SIGNED:_____ DATED: _____
Development Services

The approval of the water system on private property is the responsibility of the Local Municipality, regardless, the Applicant must ensure that the Region of Halton's standard and specifications are met, (the Water and Wastewater Linear Design Manual may be be obtained on Halton.ca or by calling 311) all water quality tests must be completed to the Region of Halton's satisfaction before the water supply can be turned on.

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - DRL (R3.2)
DESIGNATED AREA FOR LOT COVERAGE
PROVISION No. A-055/15

ZONE	REQUIRED	PROVIDED
LOT WIDTH (@ 9.1m)	12.1 m (min)	12.19 m
LOT AREA	373.0 sq.m. (min)	373.1 sq.m.
FRONT YARD	6.0 m (min)	* 4.58 m
FRONT YARD STEPS	4.0 m (min)	* 2.52 m
REAR YARD	9.0 m (min)	9.50 m
SIDE YARD	1.2 m (min) (NORTH)	1.20 m
	1.2 m (min) (SOUTH)	1.42 m
BUILDING AREA		142.3 sq.m.
LOT COVERAGE	35.0% (max)	* 38.1%
BUILDING HEIGHT	7.5 m (max)	7.17 m
FLOOR AREA RATIO	0.45:1 (max)	0.39:1
DWELLING DEPTH	18.00 (max)	* 23.38 m
HARDSCAPE AREA		220.5 sq.m.
HARDSCAPE COVERAGE		59.1%

PROPOSED DWELLING = 2 STOREYS
* VARIANCE MAY BE REQUIRED

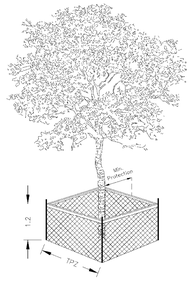


NOTE:
A All dimensions are in millimetres unless otherwise shown.

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

Tree Protection and Preservation
Specification No.: SS12

Detail TP-1 – Tree Protection Detail



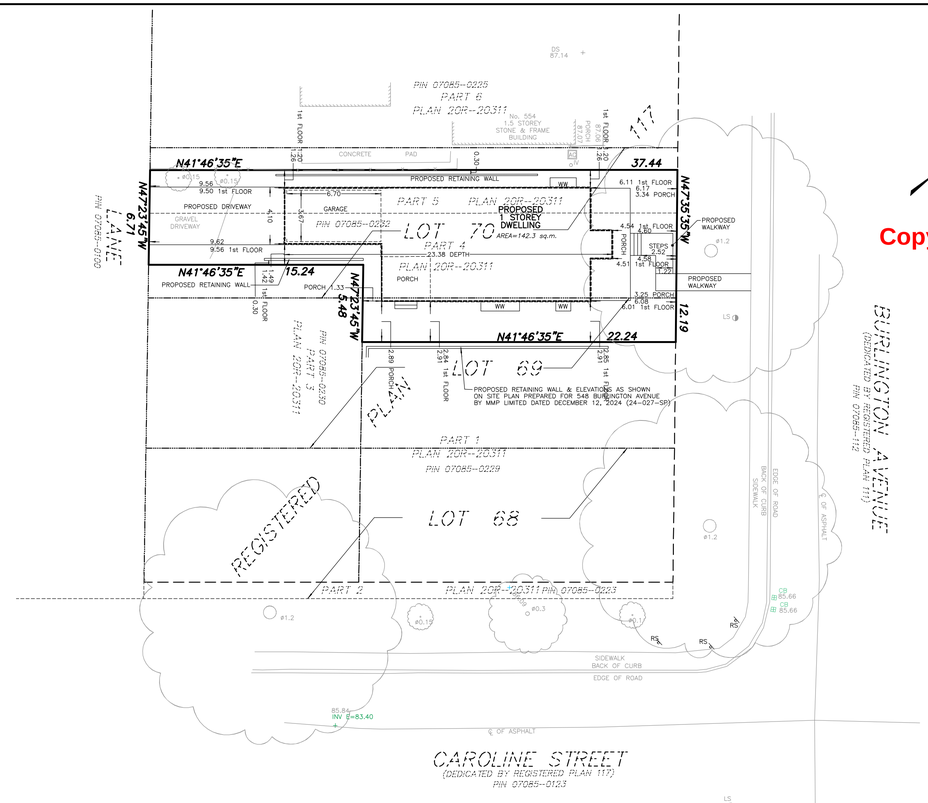
Trunk Diameter (DBH) [2]	Minimum Tree Protection Zone (TPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+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

NOTES:

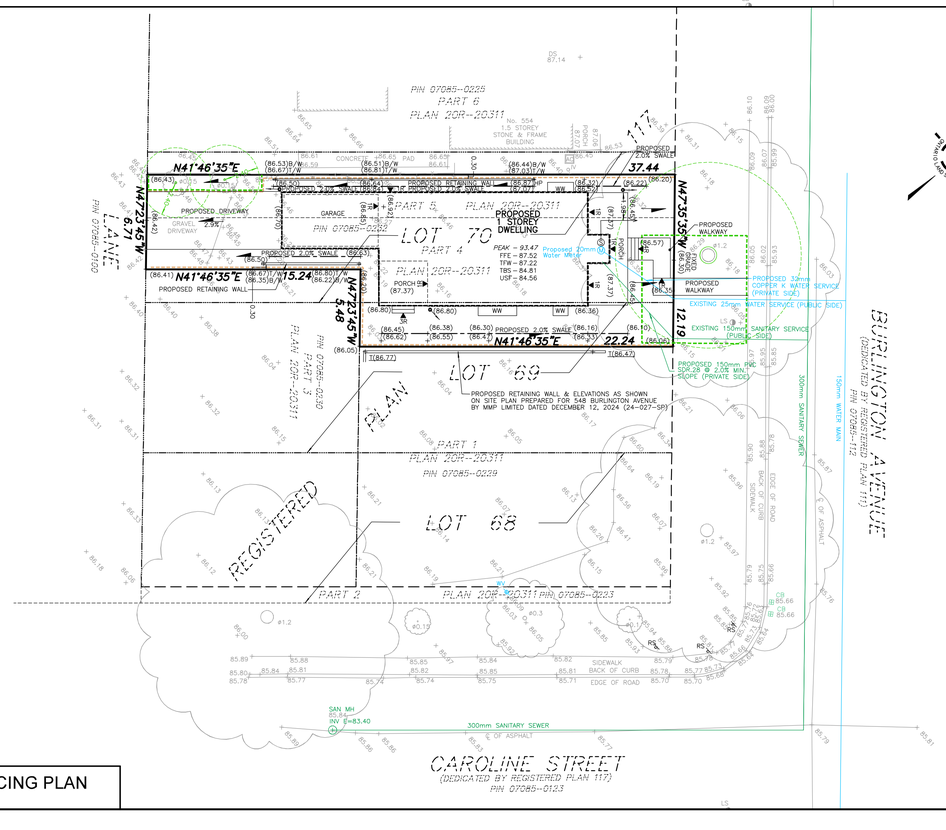
[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3] Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from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

TREE PROTECTION BARRIER

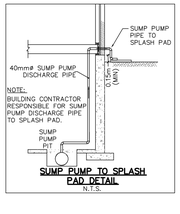
1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O/C max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
2. All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
3. Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
4. No materials or fill may be stored within the TPZ.
5. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
6. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.



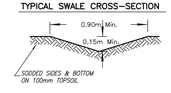
SITE PLAN
SCALE 1:200



GRADING AND SERVICING PLAN
SCALE 1:200

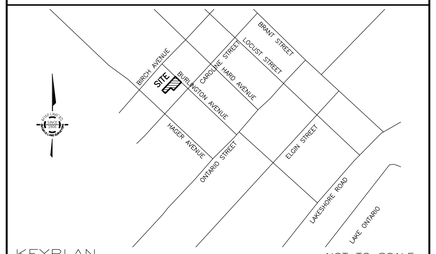


SUMP PUMP TO SPLASH PAD DETAIL
N.T.S.



TYPICAL SWALE CROSS-SECTION

550 BURLINGTON AVENUE
SITE, GRADING & SERVICING PLAN FOR BUILDING PERMIT



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
PART OF LOTS 69 & 70
REGISTERED PLAN 117
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200
0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
© 2025

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048 | COLOUR THE ORIGINAL SIGNED PRINT OF THIS SITE PLAN CONTAINS COLOUR

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 368
ELEVATION = 89.578 METRES (CGVD 1928:1978 ADJUSTMENT)

BRASS PLAQUE ON THE NORTHEAST WING WALL OF THE CONCRETE HEAD WALL OF A CULVERT ON THE NORTH SIDE OF BLAIRHOLM AVENUE, 50 METRES WEST OF COURTLAND AVENUE AND 150 METRES EAST OF BRANT STREET

LEGEND

FFE	DENOTES FINISHED FLOOR ELEVATION	SAN MH	DENOTES SANITARY MANHOLE
TFW	DENOTES TOP OF FOUNDATION WALL	WV	DENOTES WATER VALVE
TBS	DENOTES TOP OF BASEMENT SLAB	AC	DENOTES AIR CONDITIONER
USF	DENOTES UNDERSIDE OF FOOTING	RS	DENOTES ROAD SIGN
S	DENOTES SUMP PUMP	LS	DENOTES LIGHT STANDARD
R	DENOTES RISER	IV	DENOTES IRRIGATION VALVE
WW	DENOTES WINDOW WELL	DS	DENOTES DOOR SILL
→	DENOTES DOWNSPOUT	------	DENOTES SILT FENCE
→	DENOTES DIRECTION OF DRAINAGE	------	DENOTES TREE PROTECTION ZONE
XXX.XX	DENOTES EXISTING ELEVATIONS	▪▪▪▪▪▪	DENOTES TREE PROTECTION BARRIER
(XXX.XX)	DENOTES PROPOSED ELEVATIONS		
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER		
	DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES		
	DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES		

NOTES

- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- SANITARY SEWER SERVICE CONNECTION MUST BE INSTALLED BEFORE BASEMENT EXCAVATION TO ENSURE SERVICING AT BASEMENT LEVEL
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM THE LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED AND WERE VERIFIED IN FIELD ON FEBRUARY 16, 2024
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY
- ANY PROPOSED RETAINING WALLS SHALL BE LOCATED A MINIMUM OF 0.3 METRES FROM THE PROPERTY LINE. ANY PROPOSED RETAINING WALLS GREATER THAN 1 METRE IN HEIGHT SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER. ANY PROPOSED RETAINING WALL GREATER THAN 0.6 METRES IN HEIGHT MAY REQUIRE A BARRIER

CAUTION

- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK
- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 1 STOREY DWELLING LOCATED AT 550 BURLINGTON AVENUE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN

PROPOSED BUILDING HEIGHT AS SHOWN

PROPOSED LOT COVERAGE AS SHOWN

PROPOSED BUILDING SITE STATISTICS AS SHOWN

MAY 1, 2025
DATE

AISAR BHERI, OLS, P.Eng.
FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
2	APRIL 11, 2025	SITE PLAN COMPLETED
1	FEBRUARY 16, 2024	FIELD WORK COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS
AISAR BHERI
2020

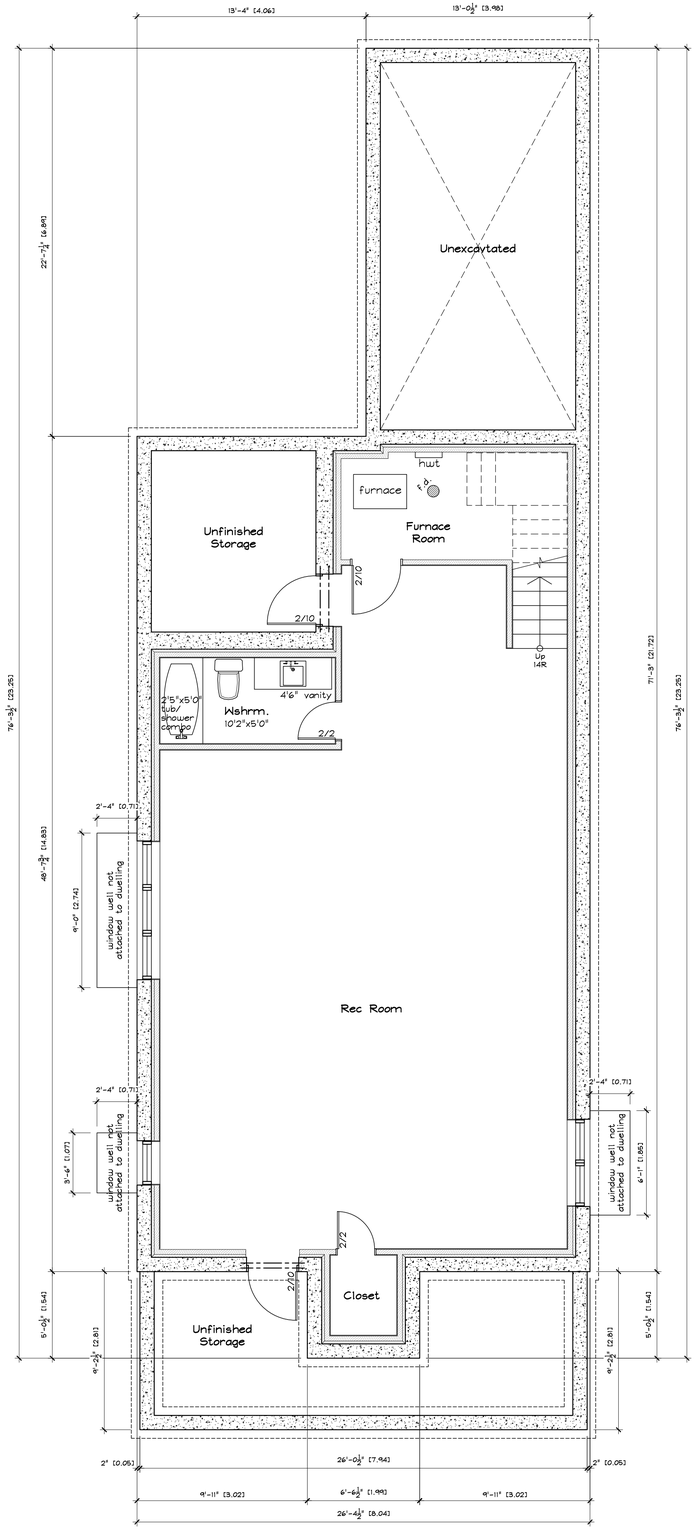
MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

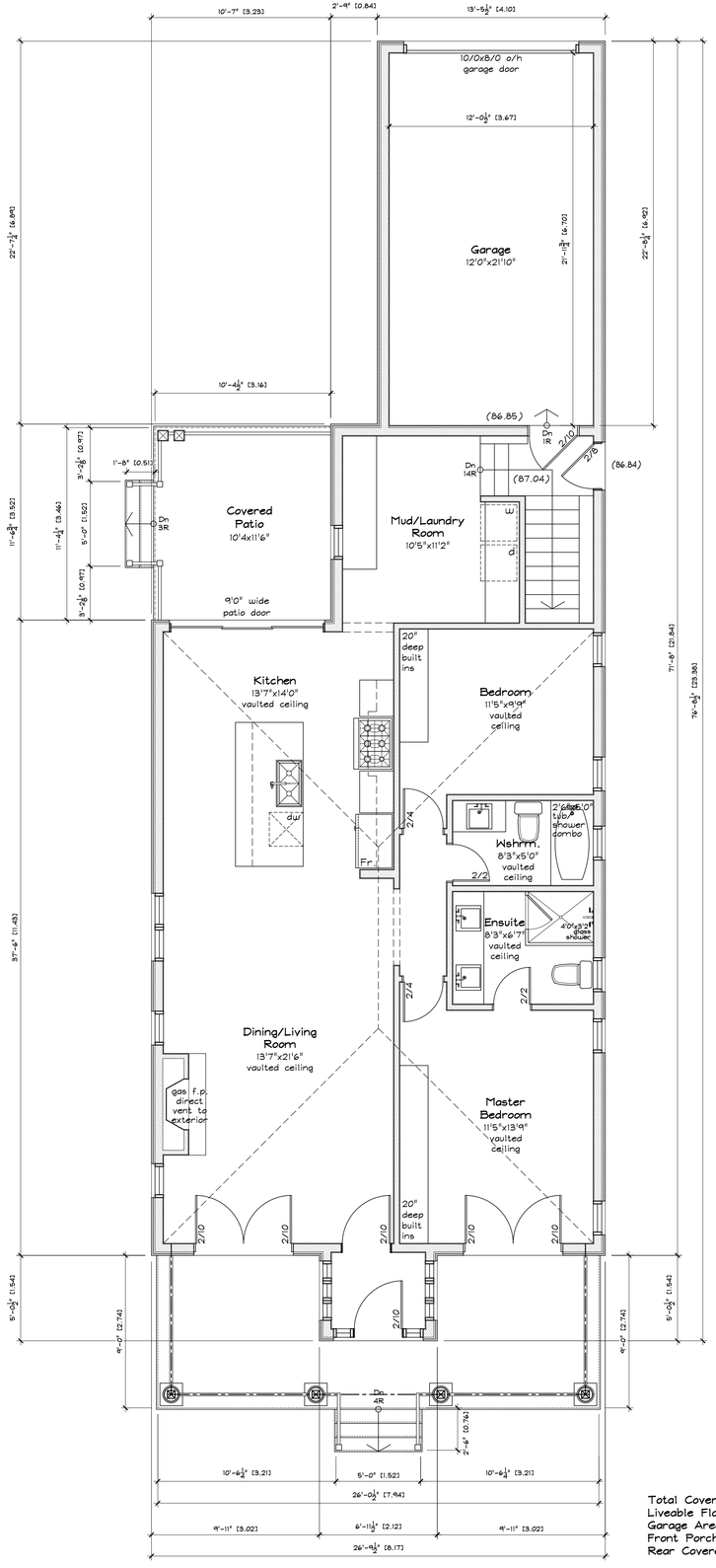
3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

E:\(20) Halton\Registered Plans\RP0117\LOT 68, 69, 70\24-028\24-028-SP.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
A.S.	A.B.	24-028-SP	1





Total Coverage: 1531.39 sq. ft. (142.27 sq. m.)
Liveable Floor Area: 1226.12 sq. ft. (113.91 sq. m.)
Garage Area: 305.28 sq. ft. (28.36 sq. m.)
Front Porch Area: 199.29 sq. ft. (18.51 sq. m.)
Rear Covered Patio Area: 117.80 sq. ft. (10.94 sq. m.)

THE DESROCHERS RESIDENCE

550 BURLINGTON AVENUE
BURLINGTON, ON
L7S 1S1

drafting + design
■ 193 East 43rd Street ■
■ Hamilton, ON ■
■ L8T 3C3 ■
■ jbdraftinganddesign@live.ca ■
■ 905.517.6027 ■

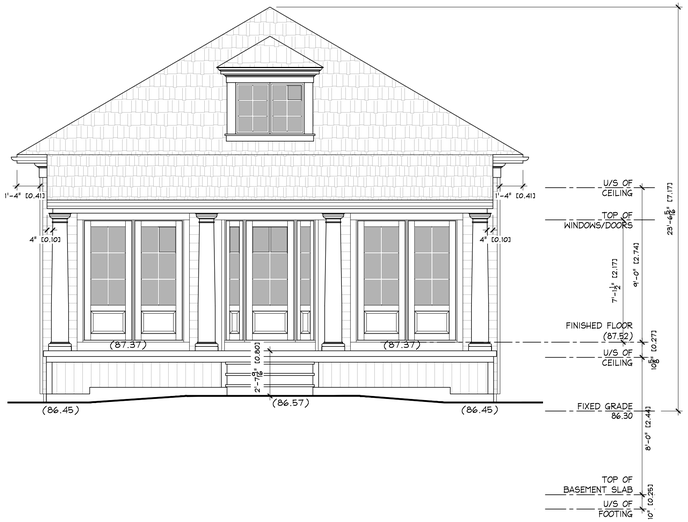
FOR MINOR VARIANCE
05.07.25 signature required

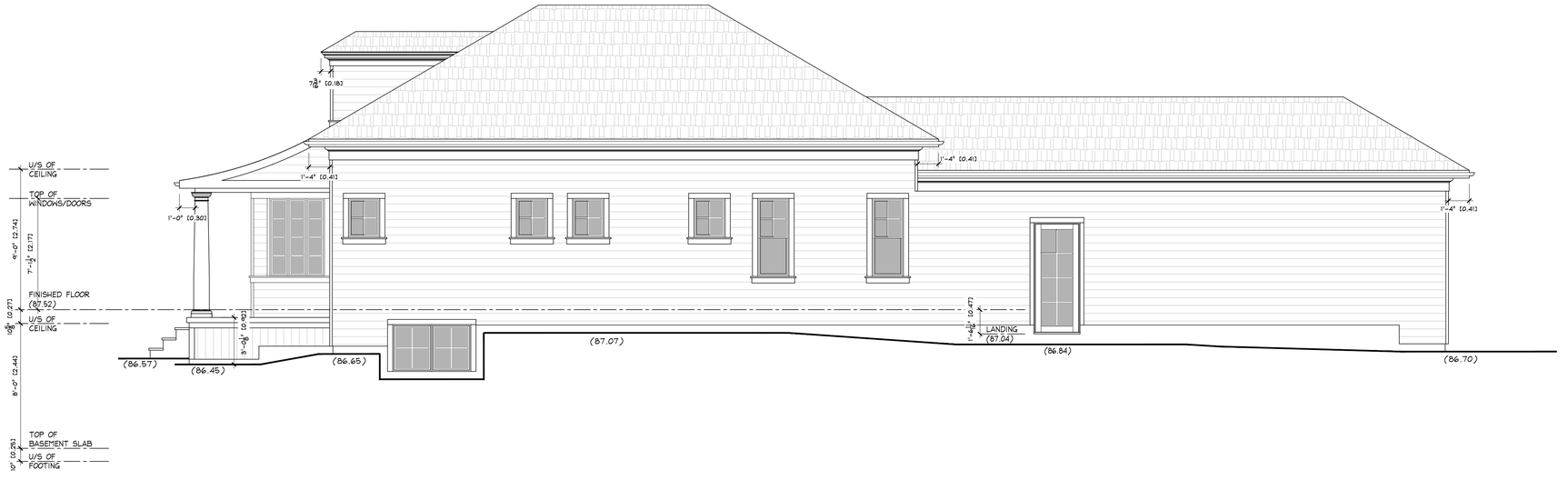
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
03.29.24	ISSUED FOR REVIEW
07.07.24	ISSUED FOR REVIEW
12.06.24	ISSUED FOR REVIEW
05.07.25	ISSUED FOR C. OF A.

PROPOSED FLOOR PLANS
1:50

SHEET
A1
of 3





THE DESROCHERS RESIDENCE

550 BURLINGTON AVENUE
BURLINGTON, ON
L7S 1S1

jb drafting + design
■ 193 East 43rd Street ■
■ Hamilton, ON ■
■ L8T 3C3 ■
■ jbdraftinganddesign@live.ca ■
■ 905.517.6027 ■

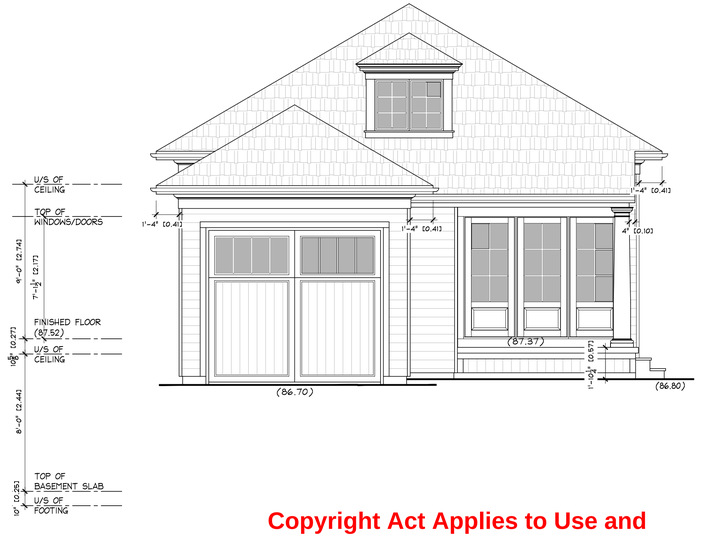
FOR MINOR VARIANCE
05.07.25 signature required

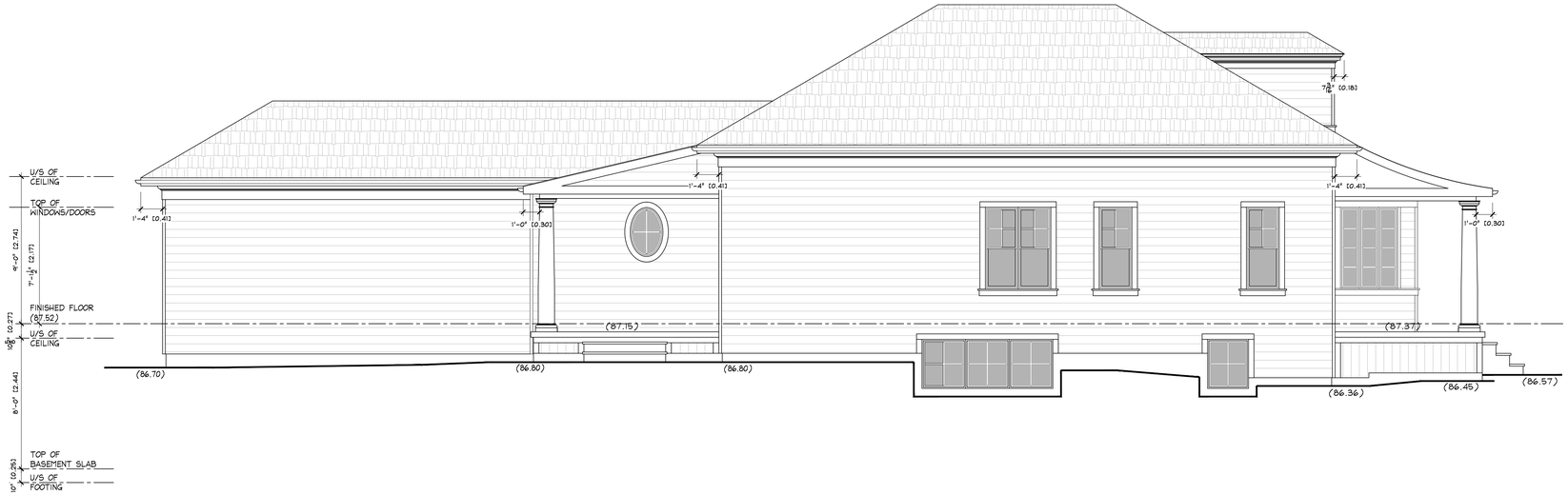
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
01.23.24	ISSUED FOR REVIEW
07.07.24	ISSUED FOR REVIEW
12.06.24	ISSUED FOR REVIEW
05.07.25	ISSUED FOR C. OF A.

PROPOSED ELEVATIONS
1:50

SHEET
A2
OF 3





THE DESROCHERS RESIDENCE

550 BURLINGTON AVENUE
BURLINGTON, ON
L7S 1S1

drafting + design
■ 193 East 43rd Street ■
■ Hamilton, ON ■
■ L8T 3C3 ■
■ jbdraftinganddesign@live.ca ■
■ 905.517.6027 ■

FOR MINOR VARIANCE

05.07.25 signature required

Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
01.23.24	ISSUED FOR REVIEW
07.07.24	ISSUED FOR REVIEW
12.06.24	ISSUED FOR REVIEW
05.07.25	ISSUED FOR C. OF A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNERS KNOWLEDGE AND PERMISSION.

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.

PROPOSED ELEVATIONS
1:50

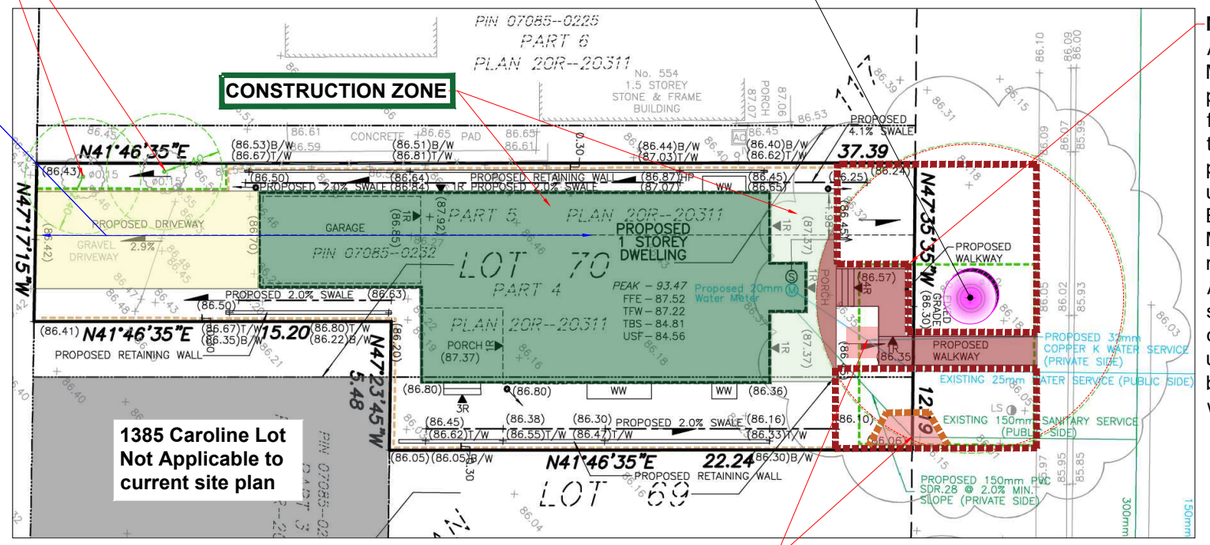
SHEET
A3
OF 3

Tree Removal
Two Ornamental Pear trees have been removed from the site. During the site assessment these trees were determined to be under 20cm in diameter, therefore not protected under bylaw 02-2040 for the City or Burlington.

Site Access
Access to the Construction Zone is via the proposed driveway and will not cause undue damage to the MTPZ of any trees. The site access route is approximately **4.1m** wide. All equipment will operate outside the minimum tree protection zone of all trees.

Fill and excavated material may be staged or stored here to accommodate the build plan.

#1 6.0m (Permit to injure required)



TPF to be adjusted temporarily to allow access for ***non-invasive excavation*** to accommodate water and sanitary connection.

This should be completed using a hydro-vac operated at low pressure (under 500 PSI) and monitored by a Certified Arborist who can produce a tree impact report to surrender to the municipality upon request.

MTPZ Intrusion
A minor intrusion into the MTPZ of T1 has been proposed in order to facilitate the construction of the walkway and front porch and accommodate utility installation. Excavation within the MTPZ to be guided by the recommendations of the Arborist Report including site monitoring by a certified Arborist with uncovered roots pruned back to the exposed soil wall.

In order to facilitate the water connection, excavation within the MTPZ is required. This excavation should be completed following the guidelines of SS12A for the City of Burlington. The excavation should be supervised by a Certified Arborist and all exposed roots should be pruned back to the exposed soil wall.

TPB may need to be temporarily moved in order to facilitate the excavation. Once the excavation is complete and the area has been backfilled the TPB should be replaced to its original location.

All necessary permitting should be acquired prior to commencement of construction. This includes a permit to injure T1. The municipality may request a financial retainer to be held in consideration of proposed tree injury activity. This should be returned to the client upon completion of construction including a site inspection by the CoB Forestry Department.

SCALE BAR 1:250

0 5 10 20 50

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

- All field data have been recorded by Nicholas Lawson ISA Certified Arborist® ON-2361. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
- Refer to the Arborist Report prepared for this project for specific instruction regarding tree protection requirements.

PLAN KEY

- TREE RECOMMENDED FOR REMOVAL
- RETAINED TREE
- CONIFEROUS TREE FOR REMOVAL
- RETAINED CONIFEROUS TREE
- REPLACEMENT TREE
- AREA OF INJURY AND MITIGATIVE WORK
- MATERIAL AND EQUIPMENT STORAGE
- TREE PROTECTION FENCE
- TREE PROTECTION ZONE

N

No.	DATE	BY	REVISIONS
1	04/14/2025	NL	Tree Protection Plan

Urban Forest Solutions.com

TITLE:
Tree Protection Plan
550 Burlington Ave.
Burlington, ON
L7S 1S1

CLIENT:
Jenny Bognar - JB Drafting and Design

DRAWING NO.:	SCALE:
001	1:250
JOB NO.:	SHEET: 1 OF 3

Tree Map Number	Species	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	Minimum Tree Protection Distance (m)	Health	Structure	Overall Condition	Tree Height (m)	Crown Width (m)	Deadwood (%)	Construction inside Min. TPZ *Radial Distance* ? (Y/N)	Construction Impact (None, Low, Medium, High)	Permit Required	Action	Notes and Observations
1	Silver Maple	*Acer saccharinum*	90.5	C	6.0	G	F	F	20	16	30	N	L	N	Protect	Minor lean, unbalanced canopy, broken branches throughout canopy, trunk canker @2.5m, interfering with hydro, poor trunk flare.

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

- All field data have been recorded by Nicholas Lawson ISA Certified Arborist® ON-2361. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
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PLAN KEY

- TREE RECOMMENDED FOR REMOVAL
- RETAINED TREE
- CONIFEROUS TREE FOR REMOVAL
- RETAINED CONIFEROUS TREE
- REPLACEMENT TREE
- AREA OF INJURY AND MITIGATIVE WORK
- MATERIAL AND EQUIPMENT STORAGE
- TREE PROTECTION FENCE
- TREE PROTECTION ZONE

N

No.	DATE	BY	REVISIONS
1	04/14/2025	NL	Tree Protection Plan

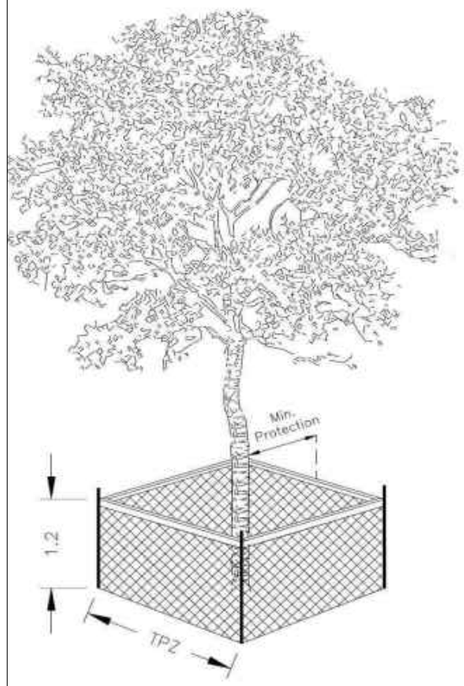
Urban Forest Solutions .com

TITLE:
Tree Protection Plan
550 Burlington Ave.
Burlington, ON
L7S 1S1

CLIENT:
Jenny Bognar - JB Drafting and Design

DRAWING NO.:	SCALE:
001	1:250
JOB NO.:	SHEET: 2 OF 3

Tree Protection and Preservation
Specification No.: SS12A



Detail TP-1 – Tree Protection Detail.

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

NOTES:

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

TREE PROTECTION BARRIER

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

City of Burlington

TREE PROTECTION ZONE (TPZ)

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

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

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

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

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

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

- All field data have been recorded by Nicholas Lawson ISA Certified Arborist® ON-2361. All tree locations are based on the survey supplied by the client and field observation by the arborist.
- This plan shall be used in conjunction with the Tree Protection Action Key (TPAK). Specific information regarding tree species, condition, and protection protocols are listed therein.
- Refer to the Arborist Report prepared for this project for specific instruction regarding tree protection requirements.

PLAN KEY

- TREE RECOMMENDED FOR REMOVAL
- RETAINED TREE
- CONIFEROUS TREE FOR REMOVAL
- RETAINED CONIFEROUS TREE
- REPLACEMENT TREE
- AREA OF INJURY AND MITIGATIVE WORK
- MATERIAL AND EQUIPMENT STORAGE
- TREE PROTECTION FENCE
- TREE PROTECTION ZONE

N

No.	DATE	BY	REVISIONS
1	04/14/2025	NL	Tree Protection Plan

Urban Forest Solutions.com

TITLE:
Tree Protection Plan
550 Burlington Ave.
Burlington, ON
L7S 1S1

CLIENT:
Jenny Bognar - JB Drafting and Design

DRAWING NO.:	SCALE:
001	1:250
JOB NO.:	SHEET: 3 OF 3

Arborist Report

Pre-Construction Assessment

Prepared For:

Jenny Bognar
c/o The Landowner

Site Address:

550 Burlington Ave.
Burlington, ON
L7S 1R9

April 14, 2025

Prepared By:
Nick Lawson

ISA/TRAQ Certified Arborist (ON-2361A)
Phone: (905) 807-8374 | | Email: info@urbanforestsolutions.com

This document must be used in conjunction with the tree inventory lists, and Tree Preservation Plans with arborist comments (these plans are to be printed on correct size to ensure scalability). This document must be used in whole and with all pages.

Prepared for:
550 Burlington Ave. Burlington, ON L7S 1S1

Arborist Report

Assignment

The client, JB Drafting and Design, acting on behalf of the Landowner, has requested Urban Forest Solutions (UFS) to assess and report on all trees that may be impacted by the new home construction of a proposed single-family dwelling located at 550 Burlington Ave in Burlington ON. Before proceeding with the project, the client was advised by the municipality that an Arborist Report and Tree Preservation Plan would need to be produced by an ISA Certified Arborist. At issue are any trees, tree branches or critical root zones that may be impacted through construction or when working in close proximity to the trees. The intent of this report is to provide the designer with the documentation necessary so that the municipality of Burlington, Ontario may issue the required forestry permitting. In this case a tree injury permit pertaining to **one** City owned street tree. A site visit was performed by ISA Certified Arborist Nick Lawson (ON-2361A) on Jan. 26, 2024.

Limitations of Assignment

It must be understood that UFS has provided a tree condition assessment as it relates to the most current industry standards. The inspection of this site pertained strictly to trees who MTPZ may be impacted by proposed construction and any trees where the MTPZ would be within 6m of construction activities. The original Site Plan for this project, provided to the Arborist, does disclose the locations of trees included in this report, however, the Arborist makes no claims toward its accuracy. Scaled mapping has been provided based upon obtained documents. Trees have been omitted from this report where they are over 6m from the construction site unless notable or relevant to the project scope. The client should incorporate the information and recommendations provided in this report into their construction and installation procedures on an ongoing basis.

Observations & Methods

- Site visit occurred on January, 2024 at 4:00 pm by ISA Certified Arborist Nick Lawson (ON-2361 A).
- Weather was 5℃ and overcast.
- All photographs taken are copies of their originals. Some may have been cropped to fit page dimensions.
- Measurements were taken with a metric measuring tape and DBH tape.
- The subject trees of concern are located within the municipal road allowance in front of the property.
- Only one municipally owned tree is applicable to this report
- This tree is in FAIR using the designation methodology assigned by the International Society of Arboriculture.
- Construction is planned to take place within the MTPZ (Minimum Tree Protection Zone) of **1** tree protected under by-law 68-2013.
    - Proposed construction within the MTPZ includes the installation of watering servicing lines and the installation of the porch and walkway to access the home.
- The inspection was completed in consideration of municipal specification SS12A
- At the time of inspection, there were no visible signs that any construction has commenced prior to the site visit.

Prepared by:
Nick Lawson (ON-2361A) c. (905) 807-8374 e. info@urbanforestsolutions.com

1 tree was assessed on site:

- Private Trees at 550 Burlington Ave.: **0**
- Private trees located on neighboring properties: **0**
- City of Burlington Trees: **1**
- Trees considered to have shared ownership: **0**

Scope of Work

The proposed work to take place includes the new build construction of a residential dwelling unit. Before construction is to begin, all required permitting should be obtained and the tree preservation barrier outlined in this document should be erected. Site access and material delivery should utilize the laneway and proposed driveway on the West side of the property thereby avoiding the TPZ of all protected trees. This area has been outlined within the attached TPP (Tree Protection Plan). Construction materials and equipment should then be brought into the brought into the outlined "Construction Zone" on an as needed basis. A minor intrusion into the MTPZ will be necessary to facilitate construction and this activity should be monitored by a Certified Arborist during the excavation to address any exposed roots. Requirement of intrusion into the MTPZ includes installation of the way, non-invasive excavation to facilitate utility connections and install a support system for the front porch. No grade change will take place that would affect water filtration into or out of the root zone of protected trees. Prior to commencement of construction all injury mitigation measures outlined within this document, as mandated by the municipality (SS12A) will take place to ensure injury is minimized during construction. It may also be necessary for the Homeowner to place a security on the tree which will be negotiated with the municipality and will become a condition of permit approval. The fair condition of this tree should be taken into strong consideration when determining the value of said security. A plan to preserve the existing trees has been displayed within the "Tree Preservation Plan" (**Appendix 4**) of this document. Once construction is complete, including a post construction inspection by the City of Burlington, the tree preservation barrier can be removed.

Prepared for:
550 Burlington Ave. Burlington, ON L7S 1S1

Inventory

Tree Map Number	Species	Botanical	DBH (cm) @ 1.4 m	Tree Ownership	Minimum Tree Protection Distance (m)	Health	Structure	Overall Condition	Tree Height (m)	Crown Width (m)	Deadwood (%)	Construction inside Min. TPZ *Radial Distance*? (Y/N)	Construction Impact (None, Low, Medium, High)	Permit Required	Action	Notes and Observations
1	Silver Maple	*Acer saccharinum*	90.5	C	6.0	G	F	F	20	16	30	N	L	N	Protect	Minor lean, unbalanced canopy, broken branches throughout canopy, trunk canker @2.5m, interfering with hydro, poor trunk flare.

Prepared by:
Nick Lawson (ON-2361A)
c. (905) 807-8374 e. info@urbanforestsolutions.com

Conclusion

After a site inspection it has been determined that tree protection will be necessary to ensure the health and preservation of the trees and to ensure that the MTPZ of the trees will receive minimal impact during construction. By-law 040-2020 and 68-2013 define the MTPZ and CRZ (Critical Root Zone) radial distances for all protected trees which is outlined in **Appendix 2** of this document. Tree injury should not take place prior to the issuance of all necessary permitting and associated construction or excavation should be guided by the recommendations of this document. Access to the construction zone is proposed from the front driveway along existing hardscaped surfaces. Any additional ground-breaking activities, including the installation of hardscaping, that is not outlined in this report and will be addressed separately and guided by the tree preservation bylaws under which the tree is applicable. Accompanying this document is a Tree Protection Plan which will provide an approximate location where fencing will need to be installed. An official agent representing the City of Burlington will advise of the exact location of the fencing. Once the fencing is installed it will need to be inspected prior to beginning construction. A diagram of the approved fencing is also provided in **Appendix 2**. Fencing must be erected then inspected by a Certified Arborist or agent representing the City of Burlington, ON. If any undue injury is caused to the protected trees outlined in this document during the construction phase, the injury must be reported to the City and documented by an ISA Certified Arborist. Inspection and corrective action must be undertaken before construction continues.

Recommendations

- Tree protection barrier must be erected as described in **Appendix 2** (Specification No: SS12A) and inspected prior to beginning construction and installation of the proposed addition.
    - This tree protection barrier is to be erected no less than the distances outlined in the By-law.
    - Any tree preservation barrier erected shall be done so to prevent material or equipment storage, foot traffic or construction within the protected areas.
    - Refer to the attached documents for the tree preservation fencing diagram sanctioned by the Municipality of Burlington, ON. In any case where correct and approved procedures cannot be abided by to erect the fencing, contact an ISA certified Arborist to consult and/or construct the proper preservation barrier.
- A "Tree Protection Zone" (**Appendix 3)** sign should be posted on the fencing, as directed by the By-law (refer to **Appendix 2** "Tree Protection Barrier" subsection 8).
- All delivery for materials and equipment needed on this project shall take place to the front driveway and be brought into the construction zone along the pathway outlined within the TPP.
    - No construction materials are to be placed within the MTPZ of any protected trees at any time.
    - No equipment of any sort shall be stored within the MTPZ of the protected trees. This will be done to avoid compaction of the ground.
- All site access should be through the path outlined within the TPP thus avoiding the MTPZ of all trees.
- No grade change shall take place during construction that would impact water drainage, by volume, into the MTPZ of any protected trees.
    - A minor grade change may be required in order to facilitate installation of the front pathway. Little to no excavation should take place to install the pathway however fill or granular may be added to a accommodate grading.
- Any demolition necessary should be completed outside the MTPZ of all protected trees.
- Any necessary excavation within the MTPZ should be completed/supervised by a Certified Arborist and a follow up report should be drafted to advise the municipality of preservation practices, mitigation measures taken and expected impacts.
    - Non-Invasive excavation within the TPZ may be necessary to facilitate utility connection. This will be located at the discretion of the contractor.
    - Excavation should be completed by hydro-vac operated under 500psi.
    - Similar supervising and excavation practices should be utilized to accommodate the installation of the front porch.
    - Long term impacts from construction to this tree are expected to have little impact to the trees health, structure and vigor. This tree is in a senescent stage of its existence and the minor activities proposed are not expected to have great bearing on the overall health and longevity of the tree.

Arborist Qualifications

Nick Lawson is an ISA/TRAQ Certified Arborist (ISA ON-2361A) and Journeyperson Arborist Certified by the Province of Ontario. His formal education includes being an honors graduate of the Arboricultural program at Humber College in Toronto ON. Mr. Lawson has over eight years of varied work experience in the forestry, arboriculture, landscape construction, and ecological assessment fields.

Prepared by:
Nick Lawson (ON-2361A) c. (905) 807-8374 e. info@urbanforestsolutions.com

Appendix 1 – Photographs

Figure 1, Trees #1: This tree has been proposed for injury to accommodate the build plan. Water servicing lines are to be installed within the MTPZ was well as the installation of the porch and front walkway. See the 'Recommendations' section of the report in order to understand the methodologies required for construction to minimize tree impact.

Figure 2, Trees #1: Directional boring will take place to install water servicing lines within the MTPZ. Any daylighting required for this operation should take place outside the MTPZ. If this is not possible then excavation should be completed under the supervision of a certified Arborist using root sensitive excavation techniques. The Arborist should prune exposed roots back to the exposed soil wall leaving all roots over 3cm intact.

Prepared by:
Nick Lawson (ON-2361A) c. (905) 807-8374 e. info@urbanforestsolutions.com

Figure 3 – These trees have been removed. They were present at the time of the initial site assessment but have since been removed from the site. These trees are located on private property and are not protected under any bylaws pertaining to tree preservation in the municipality.

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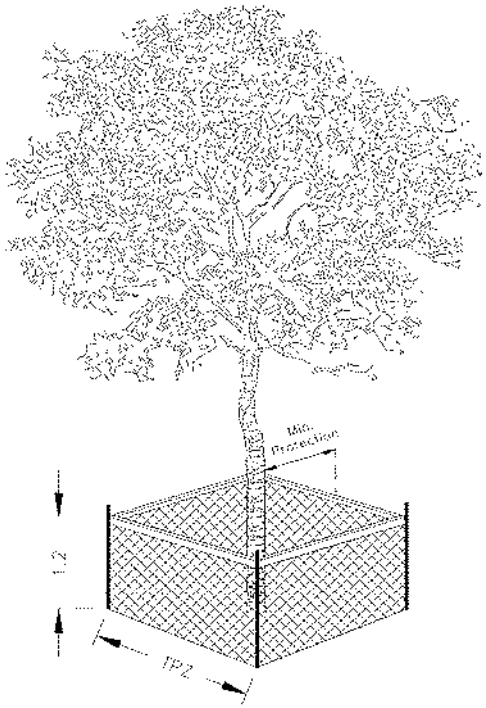
Nick Lawson (ON-2361A) c. (905) 807-8374 e. info@urbanforestsolutions.com

Appendix 2 – Diagrams

Tree Protection and Preservation
Specification No.: SS12A

Detail TP-1 – Tree Protection Detail.



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

NOTES:

[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
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[4] Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

TREE PROTECTION BARRIER

1. The required barrier is a 1.2 metre (4 ft) high orange plastic web snow fencing on 2" x 4" frame. Where orange plastic web snow fencing creates a restriction to sightlines, page wire fencing with reflective tape can be used.
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3. All supports and bracing used to safely secure the barrier should be located outside the MTPZ. All supports and bracing should minimize damage to roots.
4. Where some fill or excavated material must be temporarily located near a MTPZ, a wooden barrier with silt fencing must be used to ensure no material enters the MTPZ.
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Page 6
February 2013

Figure 1 – Ref. Burlington By-law 02-2020 Fencing Diagram

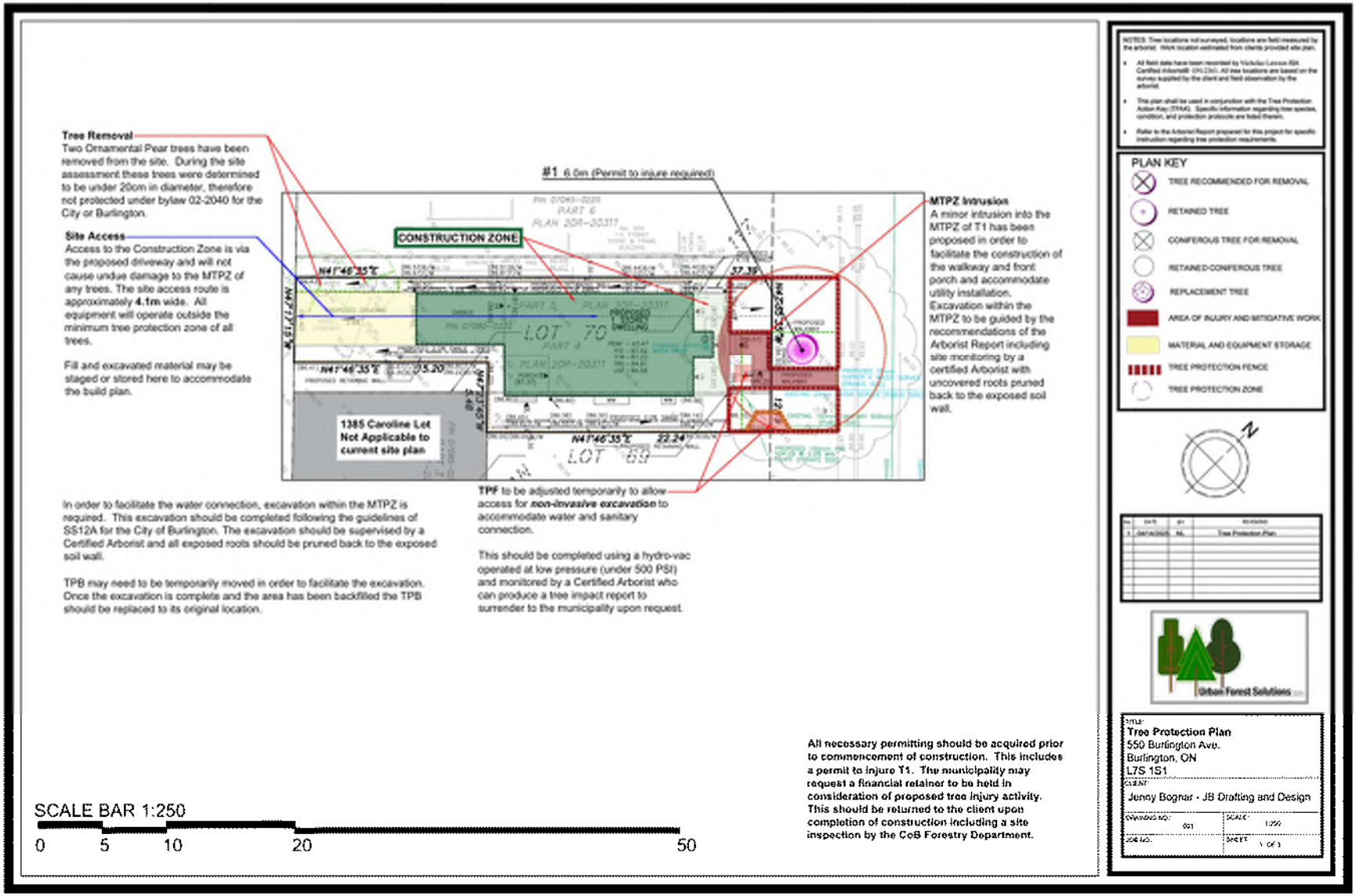
Appendix 3

Figure 1 – Ref. Burlington By-law 02-2020 Tree Protection Sign

Prepared for:
550 Burlington Ave. Burlington, ON L7S 1S1

Appendix 3 – Tree Protection Plan

To be used for preview purposes only



Prepared by:
Nick Lawson (ON-2361A) c. (905) 807-8374 e. info@urbanforestsolutions.com

Prepared for:
550 Burlington Ave. Burlington, ON L7S 1S1

Conditions of the Assessment

This Conditions of the Assessment Agreement is made pursuant to and as a provision of Urban Forest Solutions, providing tree assessment services as agreed to between the parties. The terms and substance of which are incorporated in and made a part of this Agreement (collectively the "Services").

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

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

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

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

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

Acknowledged by:
Name of Customer: _____

Authorized Signature: _____

Date: _____

Prepared by:
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