



Committee of Adjustment & Consent

Agenda

Date: February 4, 2026
Time: 5:30 pm
Location: Council Chambers, City Hall, second floor

Pages

1. Call to Order

2. Land Acknowledgement

Burlington as we know it today is rich in history and modern traditions of many First Nations and the Métis. From the Anishinaabeg to the Haudenosaunee and the Métis – our lands spanning from Lake Ontario to the Niagara Escarpment are steeped in Indigenous history.

The territory is mutually covered by the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy, the Ojibway and other allied Nations to peaceably share and care for the resources around the Great Lakes.

We acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

3. Roll Call

4. Declarations of Interest

5. Addendums

6. Request for Deferrals

7. Consent Items

Hearings of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

Proposal:

The applicant is proposing the construction of a roofed-over rear yard patio with a privacy screen.

Variations Required:

1. To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio less than 1.2 m high.
2. To permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

Proposal:

The applicant is proposing to legalize the construction of a one-storey front yard addition which was constructed without benefit of approvals.

Variance Required:

1. To permit a front yard of 5.1 m instead of the minimum required 7.5 m for a proposed one-storey addition.

8. Regular Items

Proposal:

The applicant is proposing the construction of a second storey addition over the existing enclosed breezeway between the attached garage and the main building. The applicant is also seeking to recognize the existing north-west side yard to the attached garage, which was not constructed in accordance with building permit 02-425169 for the addition of the attached garage and second storey storage attic to the existing dwelling.

Variances Required:

1. To permit a floor area ratio of 0.49:1 instead of the maximum permitted 0.45:1 for a proposed second storey addition to the detached dwelling with attached garage.
2. To permit a north-west side yard of 0.8 m instead of the minimum required 1.8 m for the existing detached dwelling with attached garage.

Proposal:

The applicant is proposing the construction of a second storey addition and two storey side addition to the existing two storey detached dwelling with attached garage. The proposed reduction in the south-west side yard from 1.8 m to 1.3 m exceeds the 10% as-of-right permission under Ontario Regulation 257/25 ($1.8 \text{ m} \times 90\% = 1.62 \text{ m}$).

Variances Required:

1. To permit a lot coverage of 28.2% instead of the maximum permitted 25% for a proposed second storey addition to the existing detached dwelling with attached garage.
2. To permit a floor area ratio of 0.50:1 instead of the maximum permitted 0.45:1 for a proposed second storey addition to the existing detached dwelling with attached garage.
3. To permit a south-west side yard of 1.3 m instead of the minimum required 1.8 m for a proposed second storey addition to the existing detached dwelling with attached garage.

9. Other Business

9.2 Items for Discussion

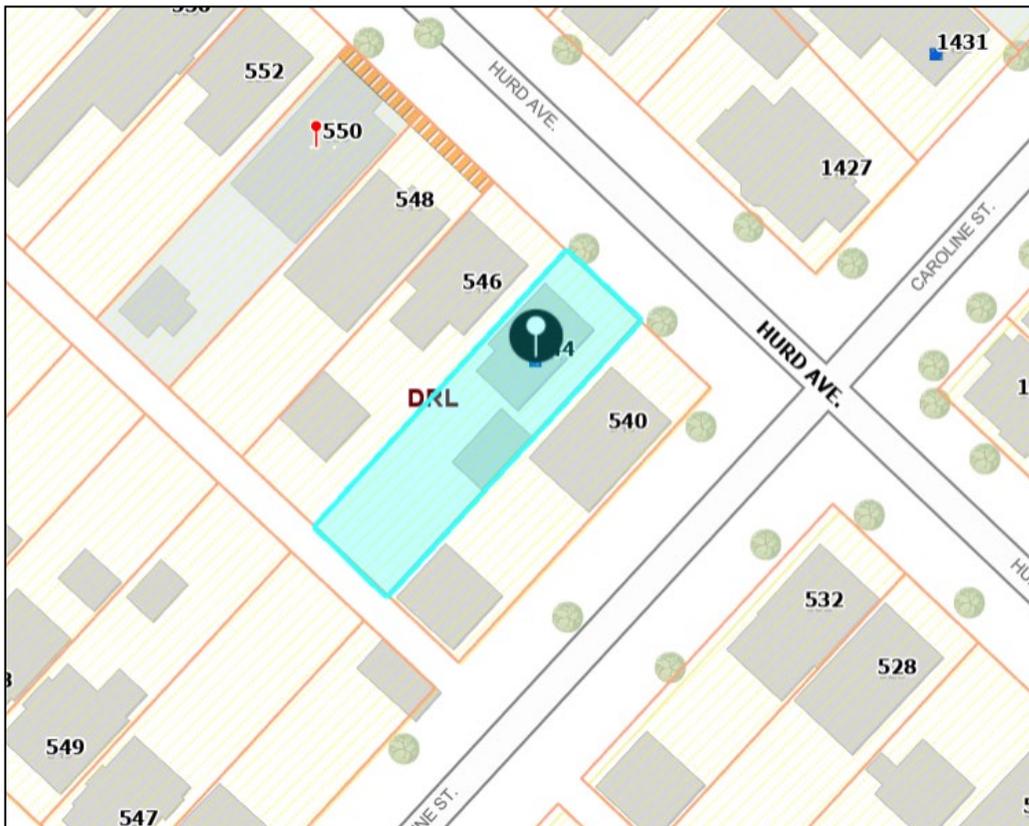
9.3 Date of Next Meeting

9.4 Motion to Approve Committee of Adjustment Meeting Minutes

10. Adjournment

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Franci-Lynn Mueller
Address: 544 Hurd Ave. Burlington
File No. **A-070/25**
Ward: 2



Staff Comments

Committee of Adjustment

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

Date: September 8 2025

Prepared By: E. Shacklette

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Zoning
1) Background information:

The subject property is zoned DRL, Downtown Residential Low-Density, under Zoning By-Law 2020, as amended and is located in the designated area for lot coverage and floor area ratio. A detached dwelling in the DRL zone is permitted 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
R3.2	15 m	425 m ²	6 m	9 m	(b)	4.5 m

Footnotes to Table 2.4.1

(a) Without attached garage or carport:

- (i) One or one and a half storey side: 1.2 m, 3 m other side
(ii) Two or more storey side: 1.8 m, 3 m other side

2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL

2.3.1 Patios, as defined in Part 16, are permitted in all zones.

(a) Patio roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

Table 1.2.1

Regulations for Decks associated with Detached, Semi-Detached, Duplex, Triplex, Fourplex, and Street Townhouse Dwelling Units			
Regulation	Deck Requirements		
	Over 60 cm to 1.2 m High	Over 1.2 m High	
		Up to 15 m²	Over 15 m²
Maximum Deck Area (a)	no maximum	15 m ²	30 m ²
Permitted in a Front Yard	no	no	no
Permitted in a Rear Yard	yes	yes	yes
Permitted in a Side Yard	yes	yes	yes
Setback from a Street Line	3 m	4.5 m	6 m
Setback from a Rear Lot Line	1.8 m	4.5 m	6 m
Setback from a Side Lot Line	1.2 m (b)	1.8 m (b)	3 m
Maximum coverage (c)	50% of the yard area in which decks are located		

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Footnotes to Table 1.2.1

- (a) Total combined area of all platforms over 1.2 m high (excluding stairs)
- (b) Where a side lot line extends from a common wall dividing attached dwelling units the setback shall not apply.
- (c) Coverage means the surface area of a yard which may be covered by decks.

2.4 FENCING AND PRIVACY SCREENS

2.4.2 Privacy screens are permitted on decks and balconies for detached, semi-detached, duplex, triplex, fourplex, townhouse, street townhouse, back-to-back and stacked townhouse dwellings subject to the following regulations:

- | | |
|--|--------------|
| (a) Maximum height from grade: | 2.5 m |
| (b) Maximum height from platform: | 1.8 m |
| (c) Enclosed on two sides only | |
| (d) Setback from the street line: | 9 m |
| (e) Setback from side lot line: | 1 m |
| (f) Setback from a side lot line that extends from
a common wall dividing dwelling units: | 0 m |
| (g) Setback from a rear lot line: | 1.5 m |
| (h) Combined length of privacy screens (per unit): | 12 m |

2) **Proposal:**

The applicant is proposing the construction of a roofed-over rear yard patio with a privacy screen.

3) **Variations required:**

1. To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio less than 1.2 m high.
2. To permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

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4) **Notes and conditions:**

Condition:

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

Notes:

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

Date: January 5, 2026

Prepared By: J. Parker

Site Planning

Site Characteristics	
Lot Frontage (m)	10.65 m
Lot Area (m²)	6422.3 m ²
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Two storey detached-dwelling with detached garage in rear yard accessed via driveway from Hurd Avenue
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Flat and level
Notable Site Features	Rear lane
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-density residential with a mix of one-and-a-half and two-storey dwellings
Nearest Major Intersection	Caroline and Brant Street
Neighbourhood Boundaries*	North: Baldwin Street East: Locust Street South: Ontario Street West: Maple Trail / Hydro Corridor
*Based on OP, 1997 residential neighbourhood definition	

Neighbourhood Characteristics:

- The subject property is part of St. Luke's Neighbourhood Precinct, which is of historical significance

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- The area was originally developed lot-by-lot which results in some variety of styles, sizes and ages of houses next door to each other
 - The prevailing built form consists of one-and-a-half and two-storey detached dwellings with separate garages in the rear yard
 - Front yards are generally shallower than the current zoning would allow and mature trees form an important part of the streetscape
 - This block along Hurd Avenue is mostly Edwardian in style, partly characterized by minimal decorative elements and a generous front porch with wood column supports

A site visit was conducted on October 21st, 2025 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

Although the roofed-over rear yard patio and privacy screen has been constructed without the benefit of the necessary approvals, the proposal has been evaluated as if it has not been constructed.

1) City of Burlington Official Plan:

Do the proposed minor variances from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

The proposal meets the general intent and purpose of the Regional Official Plan, 2022 (ROP, 2022) for the following reasons:

- 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 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

Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

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The proposal meets the general intent and purpose of the Official Plan for the following reasons:

- According to BOP 1997, Schedule “B” – Comprehensive Land Use Plan Urban Planning Area, the property is within the *Downtown Mixed-Use Centre*. Schedule “E” further identifies the lands to be within the *St. Luke’s Neighbourhood Precinct*, which permits detached dwellings to a maximum density of 25 units per net hectare and a maximum building height of 2 ½ storeys.
 - The proposed roofed-over rear yard patio does not increase the density or overall height of the existing 2 storey detached dwelling
- Part III Section 5.5.4 a) states that the objective of St. Luke’s Precinct is to “preserve the stable residential and heritage character of these neighbourhoods, and to ensure that any re-development is compatible with the existing character of the neighbourhood.” Sentence d) further clarifies that “all development and re-development shall be compatible with the existing character of these neighbourhoods with respect to such matters as heights, setbacks, massing, design and community features.”
 - The proposed rear yard addition of the roofed-over patio with privacy screen provides a transitional space between the indoor and outdoor environment and does not increase the overall building height nor result in significant massing. The two variances facilitate the extension without impacting the front façade, streetscape or overall character of the precinct.
 - Although St. Luke’s Neighbourhood is an area with special, historic character it is not considered to be a Heritage Conservation District under the *Ontario Heritage Act* and the existing dwelling is not considered a heritage structure. Heritage staff have also reviewed the proposal and have no concerns
- Whereas *compatible* is defined 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”, which is evaluated in accordance with measurable/objective standards, the planner notes the following:
 - The design does not impact the architectural style of the dwelling, the existing front yard nor tree canopy, which is a prominent part of the overall character in the St. Luke’s Precinct
 - The proposed setback does not deviate from the prevailing development patterns on the block nor disrupt the spatial rhythm of the neighbourhood as detached structures and covered outdoor areas are common in rear yards (see for example 560, 552, 550, 546, and 540 Hurd Ave)

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- The proposed patio, consisting of a concrete/stone base and roofed structure supported by wood columns as well as a privacy wall with siding finish, ensures continuity and compatibility with the existing dwelling
- Any anticipated adverse effects related to noise or overlook are minimized by the existing wood fence, detached garage and proposed privacy wall

2) City of Burlington Zoning By-law 2020:

Do the proposed minor variances from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes – Variance No. 1 (Side Yard)

The general intent and purpose of deck and patio setbacks under Burlington Zoning By-law 2020 is to ensure adequate spatial separation between structures, preserve appropriate grading and drainage, and to maintain a consistent development pattern which supports privacy and compatibility. The proposed minor variance to permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio, less than 0.6 m above grade as shown on the architectural drawings, is consistent with the general intent and purpose of this provision for the following reasons:

- The roofed-over structure is subordinate to the main dwelling, replaces an existing wood deck with similar footprint and does not introduce additional habitable floor area or any apparent privacy concerns
- The rear yard continues to facilitate natural airflow between buildings and preserves its function as an outdoor amenity area for the residents, accessible via the existing walkway on the driveway side
- In consultation with City staff, the Applicant has amended the previously submitted grading and drainage plan to the satisfaction of Development Engineering

Yes – Variance No. 2 (Privacy Screen)

The general intent and purpose of the provisions limiting maximum height of privacy screens under Burlington Zoning By-law 2020 is to ensure that they do not create any negative visual impacts or shadowing on adjacent properties. The proposed minor variance to permit a 2.8 metre high privacy screen instead of the maximum permitted 1.8 metres, measured from the platform, is consistent with the general intent and purpose of this provision for the following reasons:

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- The setback of the proposed privacy screen, including posts and beams of the roof structure, is in line with the exterior wall of the existing dwelling, which helps minimize negative visual impacts on the adjoining neighbours
- The height of the proposed roofed-over structure, including the underside of the associated support beams, was designed to avoid obstructions to the existing ground floor window opening facing the rear yard
- In order to ensure design continuity and overall cohesion, the proposed privacy wall extends up to the underside of the support beams which further dampens noise impacts and offers privacy for both the residents and neighbours.

3) Desirability:

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

Yes

The proposed minor variances are desirable for the appropriate development and use of the building for the following reasons:

- The proposed roofed-over patio creates a protected and functional outdoor living space and replaces an existing wood deck of approximately the same size
- Design compatibility is maintained by incorporating similar finishes, namely wood posts and exterior siding, as well as mimicking the roof slope and overhang of the main dwelling
- The proposed built form is sensitive to the nearby properties and the impacts are further mitigated by the existing perimeter wood fence as well as detached garage in the rear yard, which frames a courtyard atmosphere

4) Minor in Nature:

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

Yes

The proposed minor variances are minor in nature for the following reasons:

- The existing two storey dwelling, including associated outdoor amenity area, is a permitted land use and the raised wood deck, which is to be replaced by the roofed-over covered patio, is already encroaching into the side yard

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- The location and scale is appropriate for the context of the area given that it will not result in significant massing impacts on abutting properties
- Development Engineering staff have no objection
- The character of St. Luke's Neighbourhood Precinct is preserved as the scope of work is limited to the rear yard only and does not alter the architectural character of the home, the streetscape nor front yard trees.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effect of the variances is minor and staff are supportive for the following reasons:

- The two requested variances, both related to a roofed-over covered patio, improve the function and usability of the existing rear yard without compromising the intent of the Zoning By-law or Official Plan.
- There is no substantial cumulative impact due to the requested variances, whether considered individually or collectively, and the proposed is within the scope of a Minor Variance Application.

Recommendation:

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

Date: January 15, 2026

Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)

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Front view of the subject property, on side of driveway and detached garage



Front view of the subject property



Front view of the subject property, on side of proposed roofed-over patio at rear



View of existing streetscape and tree canopy along Hurd Avenue



View of roofed-over covered patio from the rear yard



View of existing rear yard amenity space behind detached garage

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Nearby dwelling at 548 Hurd Avenue



Nearby dwelling at 551 Hurd Avenue



Nearby dwelling at 555 Hurd Avenue



Nearby dwelling at 1427 Birch Avenue



Nearby dwelling at 1411 Birch Avenue



Nearby dwelling at 1406 Birch Avenue as well as accessory buildings at rear of 560 Hurd Avenue (at entrance to laneway on northerly side)

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Garage extension at rear yard of 556 Hurd Avenue, accessible via rear laneway



Detached accessory building in rear yard of 550 Hurd Avenue, accessible via rear laneway



Two storey accessory building at 546 Hurd Avenue, accessible via rear laneway



Two storey accessory building at 546 Hurd Avenue, looking towards property requesting variances at 544 Hurd Avenue



View from rear yard looking towards existing two storey accessory building at abutting property at 546 Hurd Avenue



View from rear yard looking towards abutting property at 540 Hurd Avenue

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View from rear yard looking towards laneway

Development Engineering

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

Date: December 16, 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:

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

Date: October 10, 2025 Prepared By: J. Lee

Building

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

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

Transportation Planning

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Deemed Road Width Analysis

Hurd Avenue is under the authority of the City of Burlington, and the deemed right-of-way width is 16 metres. The right-of-way adjacent to the subject site is approximately 16 metres therefore no additional lands are required.

Date: October 6, 2025

Prepared By: E. Chen

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

Date: January 13, 2026

Prepared By: E. Chen

Finance

Notice regarding Development Charges:

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

Tax

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

Date: October 1, 2025

Prepared By: L. Bray

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a roofed-over rear yard deck with a privacy screen. Variances are requested to the minimum required side yard and maximum permitted privacy screen height.

- Due to Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities has been signed that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.

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- 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) and 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 14, 2025Prepared By: Navjot Kaur**Burlington Hydro**

See comments at the end of this report.

Date: January 21, 2026Prepared By: Zakariya Al-Doori

Source Water Protection Factsheet

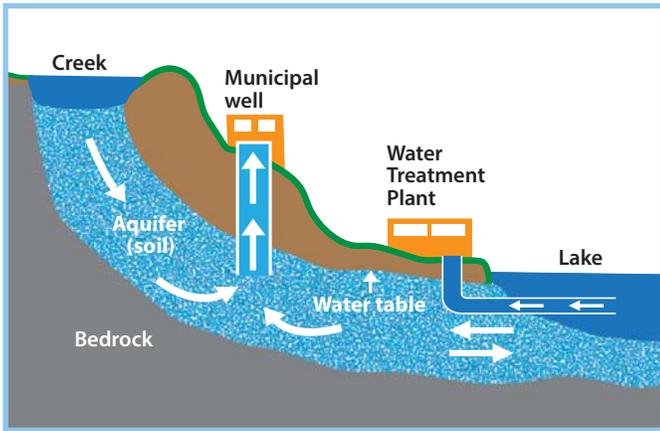
halton.ca

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





October 1, 2025

Applicants: Franci-Lynn Mueller
Subject: Minor Variance.
File No: 540-02-A-070/25
Location: 544 Hurd Ave, 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 objection** to the proposed construction of a roofed-over rear yard deck with a privacy screen.

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.**

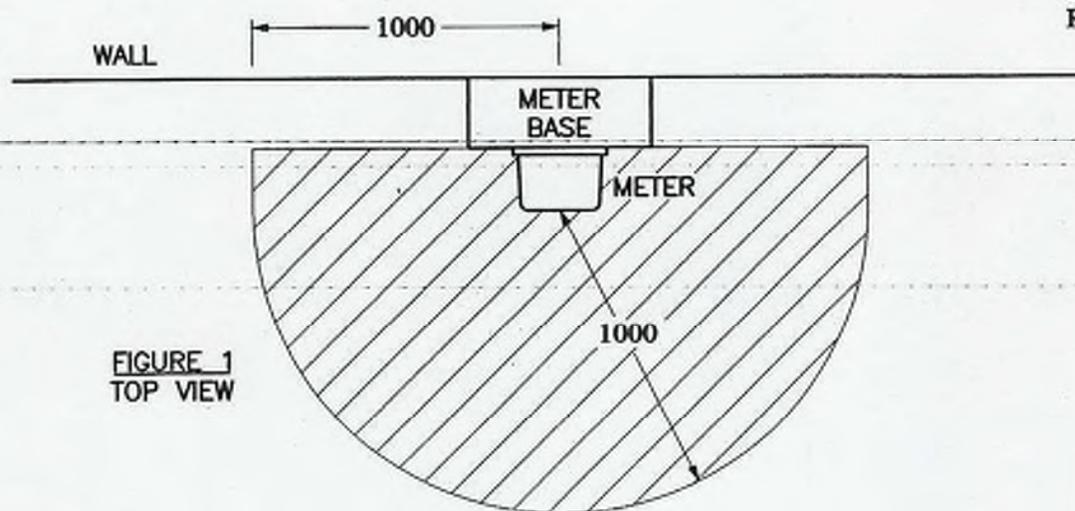


- ☑ A building, permanent structure or building apparatus shall maintain minimum horizontal clearance from existing power lines (Refer to the Burlington Hydro brochure, notice that the clearances shown on the standard are minimum; additional clearances are required to allow conductor swing, scaffold 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.

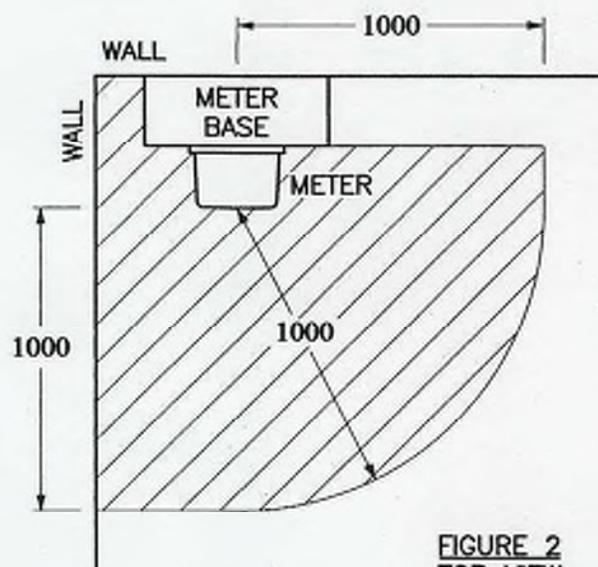
Regards,
Zakariya Al-Doori
Engineering Services Technician


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

Oct. 01/2025

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 Inc. will be asked to provide pre-design input.

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

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

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

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

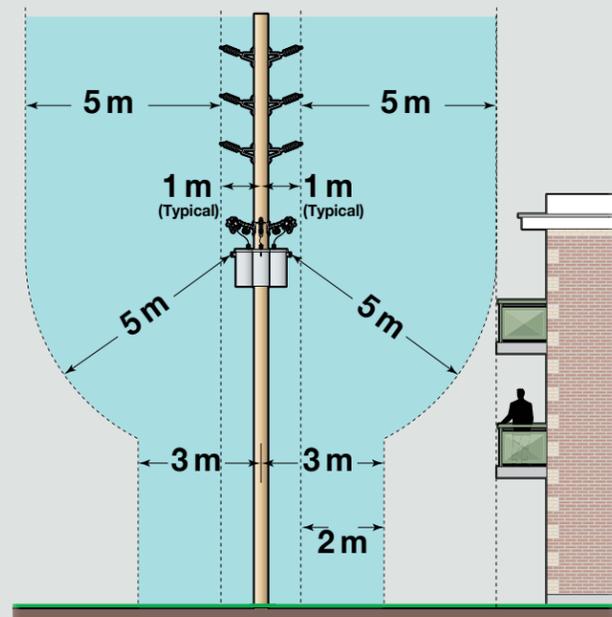
According to CSA C22.3 No. 1, permanent or temporary structures / buildings or their extensions, should not be over or underneath overhead electrical infrastructure.

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

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

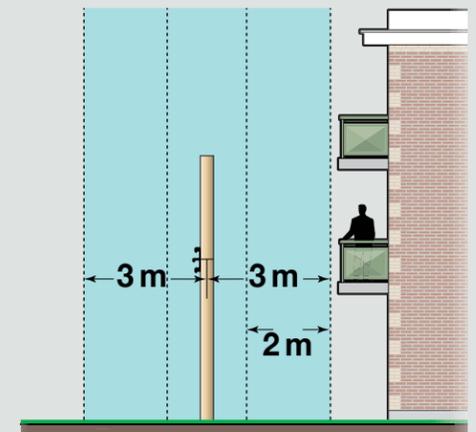
Burlington Hydro Inc. should be contacted prior to any activity within 3 m of the OH electrical infrastructure, such as tree trimming or working on the sides of a building. According to the Ministry of Labour's Occupational Health and Safety Act and the Electrical Safety Code, only Burlington Hydro's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

Figure 1: Ontario Building Code Clearance Requirements



Clearance from Medium Voltage (>750V)

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



Clearance from Low Voltage (<750V)

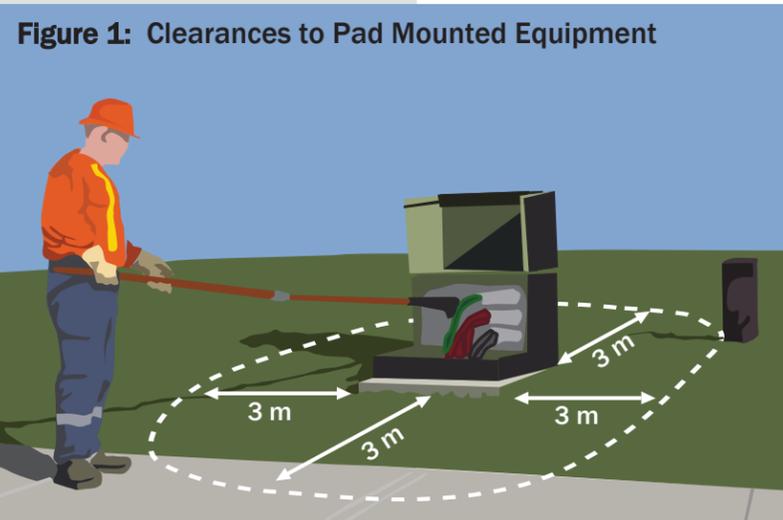




Clearances to Underground Electrical Infrastructure

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

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



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

3 m (10 ft) on all sides



Other UG Utilities

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

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

Municipalities & Property Owners

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

Municipalities: bus shelters, traffic signs

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

Locates

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

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

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

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

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

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

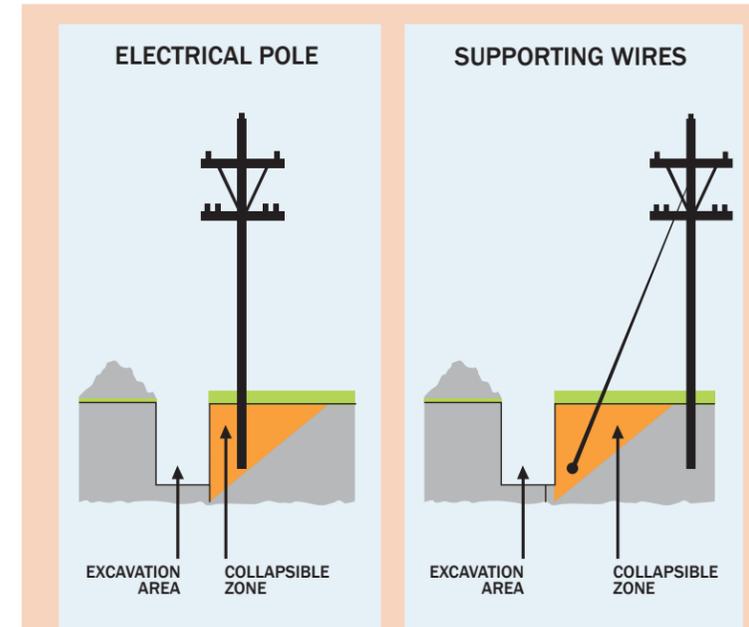


Figure 4: Excavation Near Electrical Equipment

Excavating & Digging

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

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

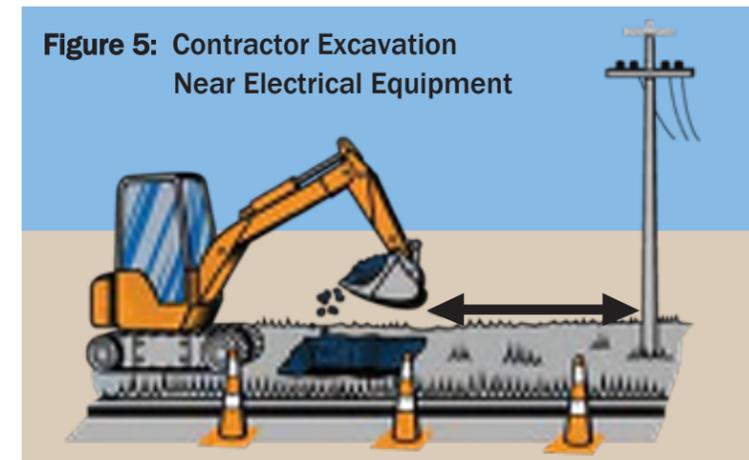


Figure 5: Contractor Excavation Near Electrical Equipment

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

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

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



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

STEP 1 Identify Electrical Hazards

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

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

Table 1: Minimum Distances to Powerlines

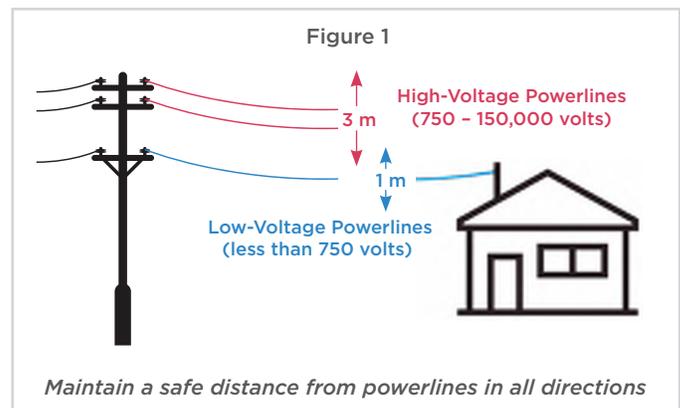
Voltage Rating	Minimum Distance
Less than 750 volts	1 metre (3.3 feet)*
750 to 150,000 volts	3 metres (10 feet)†
More than 150,000 volts, but no more than 250,000 volts	4.5 metres (15 feet)†
More than 250,000 volts	6 metres (20 feet)†

*Recommendation from the Working Group

†Source: O. Reg. 213/91, s. 188 (2)

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

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

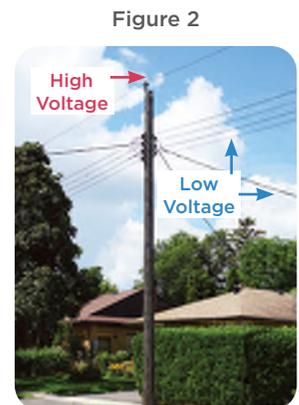


High-voltage powerlines are usually located higher on a pole than low-voltage powerlines (Figure 2). However, some high-voltage lines can look like low-voltage lines and can be located below low-voltage lines on a pole.

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

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

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



Respect Electricity!

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

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

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

Figure 3



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

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

Figure 4



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.?

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.

Don't Guess. Do it Right!

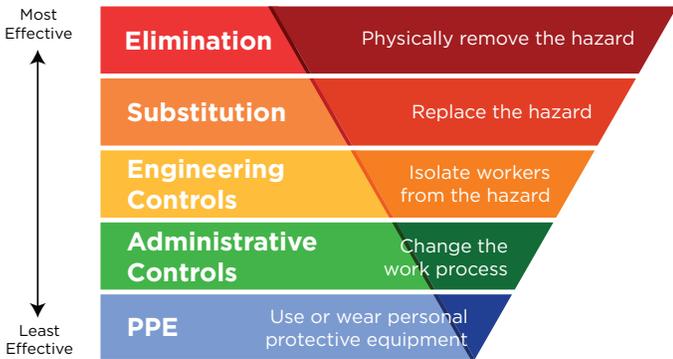
Always contact the owner of the overhead powerline to verify the correct voltage.

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).

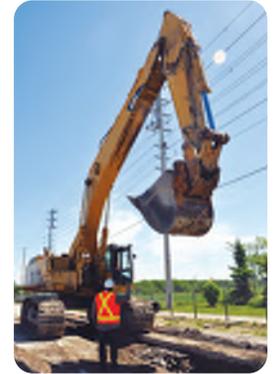
Figure 8



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.

Figure 10



- Ensuring that the emergency response plan deals with treating electrical injuries and that proper first aid supplies are available.

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* (OHS) 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 OHS and the requirements of the Construction Projects regulation (213/91) are met

Duties of Employers and Supervisors under the OHS

Section 25 of the OHS 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 OHS and its associated regulations.

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



© Infrastructure Health and Safety Association, 2022

NOTICE OF PUBLIC HEARING

Franci-Lynn Mueller, the owner of 544 Hurd 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 **544 Hurd Ave. Burlington** (see map).

The applicant is proposing the construction of a roofed-over rear yard patio with a privacy screen. This proposal results in the following variances:

1. To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio less than 1.2 m high.
2. To permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca/coa** on or after **January 19, 2026**.

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 FEBRUARY 4, 2026,

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



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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y or N
Name of Planner: _____ Name of Zoning Examiner: Jennifer Parker

PROPERTY INFORMATION

Municipal Address(es) of property:

544 Hurd Avenue

Legal Description of property:

Plan 117 & Lot 99

Official Plan Designation: Downtown Residential - Low Density Current Zoning Designation DRL

OWNER(S) INFORMATION:

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

FRANCI-LYNN MUELLER

Mailing Address: 544 Hurd Avenue City: Burlington

Postal Code: L7S 1R9 Home Phone: _____ Mobile Phone: 289-285-1297

Work Phone: _____ E-Mail: franci.lynne@icloud.com

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

Name: Matthew Fratarcangeli

Business Address: 107 Gladstone Avenue City: Hamilton

Postal Code: L8M 2H8 Home Phone: _____ Mobile Phone: 905-699-7371

Work Phone: _____ E-Mail: matt@tenhousebw.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.

New rear yard covered patio (attached to house). Concrete patio 24" above grade.

Wood framed roof structure over concrete patio. Patio to align with existing house which is why

it is not possible to comply with the setback requirement (existing house not conforming).

Variance(s) Requested	Zoning Bylaw Requirement
proposed side yard setback: 0.42 m	min side yard setback: 1.2 m
proposed privacy screen height: 2.81 m	max privacy screen height: 1.8 m

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

- Why is the variance(s) minor in nature? The proposed variances do not appear to adversely affect neighboring prpoerties and the impact appears to be minor in nature. The proposed rear yard massing appears to match neighboring properties. No over massing proposed.
- Why are the variance(s) desirable for the appropriate use of the land? Allows for a covered outdoor area appropriate for accessory residnetial use. Enhaces the residential property for residential use. Does not impact overland drainage or management of storm water.
- Do the variance(s) meet the intent and purpose of the Official Plan? Yes.
Official plan states low density residential which the proposal is consistent with.
- Do the variance(s) meet the intent and purpose of the Zoning By-law? Yes. Intent is to limit over massing and over development. Proposal is consistent with this intent and does not adversely affect nieghbours.

1. The proposed variance for the covered patio is minor in nature because it represents a small increase in lot coverage and a reduced side yard setback that do not result in any negative impacts to adjacent properties. The covered patio is a single-storey, open structure located in the rear yard, which minimizes any concerns related to privacy, massing, or shadowing. It is a typical residential feature that enhances the usability of outdoor space while maintaining the residential character of the neighborhood. The variance supports a modest and functional addition that remains compatible with surrounding homes.
2. The proposed variance is desirable as it allows for the construction of a covered patio that enhances the functionality and enjoyment of the rear yard, providing sheltered outdoor space for the homeowners. The structure is modest in scale and thoughtfully integrated with the existing dwelling. It supports year-round use without negatively affecting adjacent properties. The covered patio contributes to a livable and practical residential design that reflects common features found in the surrounding neighborhood, making it an appropriate and desirable improvement to the property.
3. The proposed variance maintains the general intent and purpose of the Official Plan by supporting reinvestment in existing residential properties in a way that is compatible with the surrounding neighborhood. The Official Plan encourages enhancements that contribute to livable, functional, and attractive communities. The covered patio provides outdoor living space that improves the usability of the home, aligns with the character of the area, and does not detract from the stability or planned function of the residential zone. The proposed development supports the broader goals of maintaining vibrant, complete communities.
4. The proposed covered patio variance maintains the general intent and purpose of the Zoning By-law by supporting low-density residential use and ensuring that the built form remains compatible with the surrounding area. The structure is located in the rear yard, where accessory and outdoor features are commonly permitted, and it respects the overall massing, height, and separation from neighbouring properties. While the side yard setback slightly exceed the by-law limits, the overall scale, open space, and access are preserved, fulfilling the by-law's intent to regulate orderly development and protect adjacent land uses.

PROPERTY DETAILS (please complete all fields):					
Date property purchased:	05/01/2022 <small>mmm/dd/yyyy</small>	Date property first built on:	Approx. 1950 <small>mmm/dd/yyyy</small>	Date of proposed construction:	November 2025 <small>mmm/dd/yyyy</small>
Existing Use of the Subject Property (check one): Detached Dwelling <input checked="" type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Stacked Townhouse Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Other <input type="checkbox"/> _____			Length of time the existing uses of the subject property have continued:		
			Since construction/development of property		
			Proposed Use of the Land:		
			SFD - New covered patio		
Existing Uses of Abutting Properties (check all that apply)					
Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>					
Additional Information					
Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/>					
Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>					
Type of Access to the Subject Lands					
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other(specify) <input type="checkbox"/>	
Municipal Services Provided					
Water	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
Sanitary Sewers	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
Storm Sewers	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS:					
<input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Zoning By-law Amendment <input type="checkbox"/> Building Permit <input type="checkbox"/> Site Development Plan <input type="checkbox"/> Plan of Subdivision <input type="checkbox"/> Previous Minor Variance <input type="checkbox"/> Consent					

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Frontage 10.65 m	Depth 36.69	Area 422.9	Actual 16 m	Deemed 16 m	Required		

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

(attach additional page if required)

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	68.5 M ²	Ground Floor Area (incl. attached garage)	M ²
Gross Floor Area:	136.6 M ²	Gross Floor Area:	M ²
Number of Storeys:	2	Number of Storeys:	
Width:	6.3 M	Width:	M
Length:	10.8 M	Length:	M
Height:	M	Height:	M
Garage/Car Port		Garage/Car Port	
Detached?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Detached?	Y <input type="checkbox"/> N <input type="checkbox"/>
Gross Floor Area:	25.1 M ²	Gross Floor Area:	M ²
Width:	3.7 M	Width:	M
Length:	7.4 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, <u>driveways</u>, etc.)		Other Covered Patio	
Gross Floor Area:	M ²	Gross Floor Area:	22.9 M ²
Width:	3.9 M	Width:	4.17 M
Length:	20.7 M	Length:	5.49 M
Height:	M	Height:	4.67 M

LOCATION of all existing and proposed buildings and structures

EXISTING HOUSE		PROPOSED Covered Patio	
Front:	4.5 M	Front:	M
Rear:	24.3 M	Rear:	18.6 M
Side/Street Side:	0.8 M	Side/Street Side:	0.42 M
Side/Other Side:	3.4 M	Side/Other Side:	5.5 M

LOCATION of all existing and proposed buildings and structures			
EXISTING GARAGE		PROPOSED	
Front:	M	Front:	M
Rear: 14.98 M	M	Rear:	M
Side/Street Side: 6.3 M	M	Side/Street Side:	M
Side/Other Side: 0.5 M	M	Side/Other Side:	M
EXISTING COVERED FRONT PORCH		PROPOSED	
Front: 2.5 M	M	Front:	M
Rear:	M	Rear:	M
Side/Street Side: 0.9 M	M	Side/Street Side:	M
Side/Other Side: 3.4 M	M	Side/Other Side:	M

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name	FRANCI-LYNN MUELLER	Property Address	544 HURD AVENUE
	<i>FRANCI MUELLER</i>		2025-08-07
	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: Matthew Fratarcangeli (Tenhouse Building Workshop)

I, Matthew Fratarcangeli of the Region of Hamilton in the City
(print name) (Region/City/County) (City/Town/Township)

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

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

this 4 day of SEPT 2025.



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



Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

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

Municipal Address of Subject Lands: 544 HURD 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.

FRANCI-MUELLER
 Signature of Owner

FRANCI-LYNN MUELLER
 Print Name

OWNERS AUTHORIZATION

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

I, FRANCI-LYNN MUELLER being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.

FRANCI MUELLER

Signature of Owner

2025-08-07

Date (mmm/dd/yyyy)

Notice of collection of personal information

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

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

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	Select (✓)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	
SITE PLAN <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) <input type="checkbox"/> All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc) 	

<p>Minor Variance Application Checklist</p> <p>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.</p>
<p>LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Setbacks <input checked="" type="checkbox"/> Height <input checked="" type="checkbox"/> Area <input checked="" type="checkbox"/> Length <input checked="" type="checkbox"/> Width
<p>ELEVATIONS</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric <input type="checkbox"/> Front <input checked="" type="checkbox"/> Rear <input checked="" type="checkbox"/> Side 1 <input checked="" type="checkbox"/> Side 2
<p>FLOOR PLANS</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric <input checked="" type="checkbox"/> North Arrow <input type="checkbox"/> Gross Floor Area Calculation <input type="checkbox"/> Ground Floor Area Calculation <input type="checkbox"/> Floor Area Ratio (where applicable)

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

M. Fratarcangeli

Signature of Owner/Agent

2025-08-07

Date (mmm/dd/yyyy)

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

**Copyright Act Applies to Use and
 Production**

PLAN OF TOPOGRAPHY OF
LOT 99
REGISTERED PLAN 117
 CITY OF BURLINGTON
 REGIONAL MUNICIPALITY OF HALTON



TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

© COPYRIGHT, 2025

ELEVATION NOTE

ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM-1928
 (1978 ADJUSTMENT), AND WERE DERIVED FROM CITY OF BURLINGTON
 BENCHMARK No. 505, HAVING A PUBLISHED ELEVATION OF 85.605 metres.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY
 LIMIT OF HURD AVENUE AS SHOWN ON REGISTERED PLAN 117,
 HAVING A BEARING OF N45°03'00"W.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
IB	DENOTES	IRON BAR
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
CCT	DENOTES	CURB CUT
WV	DENOTES	WATER VALVE
P1	DENOTES	REGISTERED PLAN 117
P2	DENOTES	SEWELL & SWELL, O.L.S., JUNE 6, 1975
P3	DENOTES	PLAN 20R-6545

○ 0.20φ	DENOTES	DECIDUOUS TREE WITH TRUNK DIAMETER
◐ 0.20φ	DENOTES	CONIFEROUS TREE WITH TRUNK DIAMETER

TREE CANOPIES ARE DRAWN TO SCALE.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :
 1. THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
 COMPLETED ON JULY 2, 2025.

JULY 10, 2025
 DATE

Simeon Mitrev
 SIMEON MITREV
 ONTARIO LAND SURVEYOR



TARASICK McMILLAN KUBICKI LIMITED

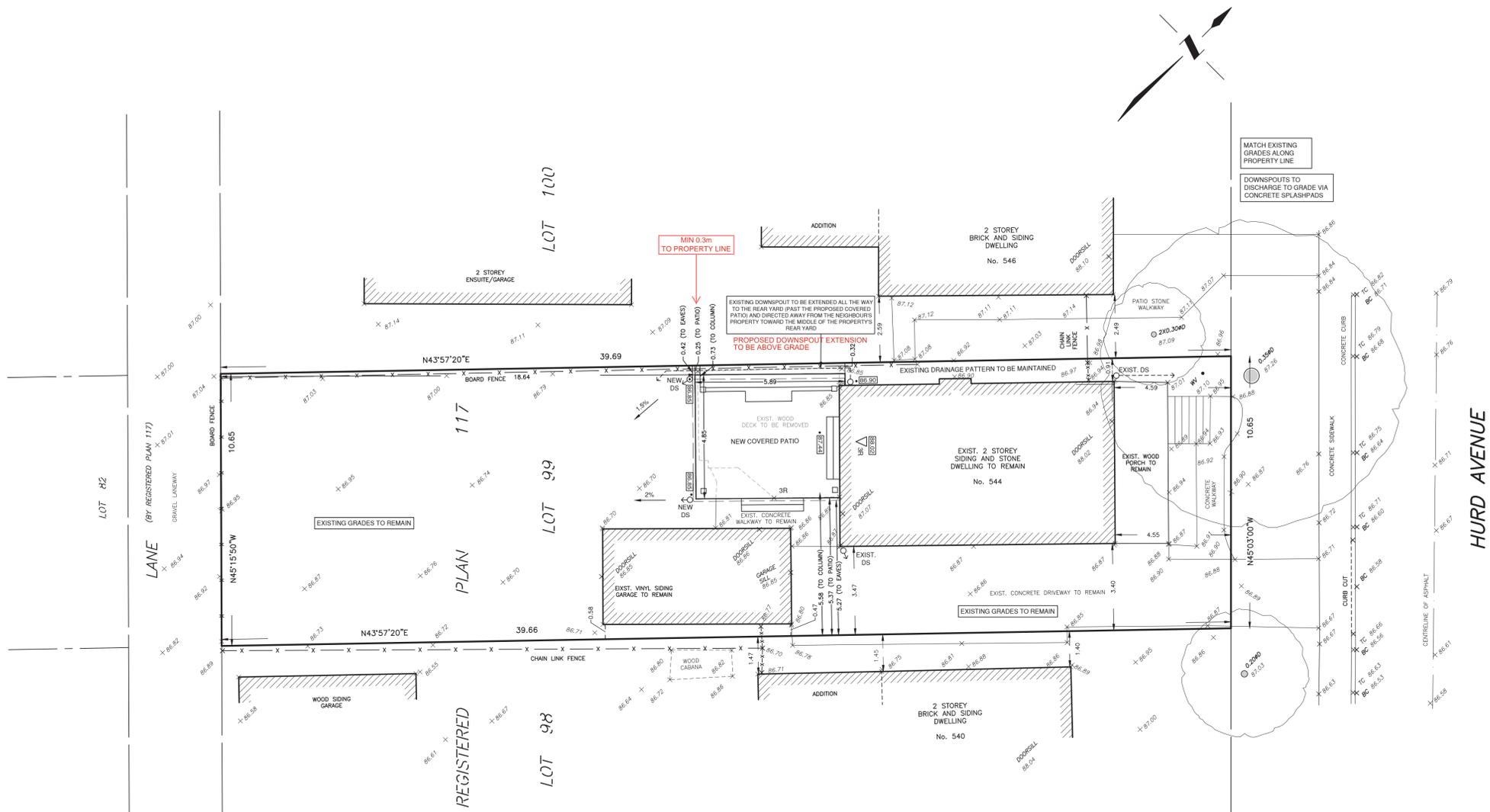
ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2
 TEL: (905) 569-8849 FAX: (905) 569-3160
 E-MAIL: office@tmksurveyors.com

DRAWN BY: JMH

FILE No. 10478-T

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



LEGAL DESCRIPTION:
LOT 99
REGISTERED PLAN 117
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 100
1 0 1 2 3 4 5 6 metres

SURVEY INFORMATION
SURVEY INFORMATION IS TAKEN FROM PLAN PREPARED BY TARASICK McMILLAN KUBICKI LIMITED, ONTARIO LAND SURVEYORS, DATED JULY 10, 2025.

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO GEODETIC DATUM AND WERE DERIVED FROM CITY OF BURLINGTON BENCHMARK No. 525, HAVING A PUBLISHED ELEVATION OF 86.605 METRES.

LEGEND

CB	DENOTES	CATCH BASIN
FH	DENOTES	FIRE HYDRANT
MH	DENOTES	MANHOLE
WUP	DENOTES	WOOD UTILITY POLE
WV	DENOTES	WATER VALVE
▲	DENOTES	ENTRY POINT AT LOWER LEVEL
△	DENOTES	ENTRY POINT AT GROUND FLOOR
•	DENOTES	EXISTING SPOT ELEVATION
•	DENOTES	PROPOSED SPOT ELEVATION
○	DENOTES	PROPOSED RAINWATER DOWNSPOUT
●	DENOTES	AREA DRAIN
○	DENOTES	0.300 CONIFEROUS TREE WITH TRUNK DIAMETER
○	DENOTES	0.300 DECIDUOUS TREE WITH TRUNK DIAMETER
⊗	DENOTES	TREE TO BE REMOVED
⊗	DENOTES	REPLACEMENT TREE
⊗	DENOTES	TREE PROTECTION ZONE
→	DENOTES	DIRECTION AND GRADIENT OF DRAINAGE
→	DENOTES	DIRECTION OF SWALE

DO NOT SCALE DRAWINGS

- 1) CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, SPECIFICATIONS AND DRAWINGS ON SITE AND REPORT ANY DISCREPANCIES TO THE ENGINEER/ARCHITECT PRIOR TO PROCEEDING WITH ANY OF THE WORK.
- 2) THESE PLANS ARE TO REMAIN THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. THESE PLANS MUST NOT BE USED IN ANY OTHER LOCATION WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.
- 3) ALL WORKS TO BE DONE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE.

REVISIONS

CERTIFICATION FOR PROPOSED GRADING
I HAVE REVIEWED THE PLANS FOR THE CONSTRUCTION OF A BUILDING LOCATED AT 544 HURD AVENUE AND HAVE PREPARED THIS PLAN TO INDICATE THE COMPATIBILITY OF THE PROPOSAL TO EXISTING ADJACENT PROPERTIES AND MUNICIPAL SERVICES. I BELIEVE THAT ADHERENCE TO THE PROPOSED GRADES AS SHOWN WILL PROTECT ADJACENT DRAINAGE AND PROPER FACILITY OF MUNICIPAL SERVICES WITHOUT ANY DETRIMENTAL EFFECT TO THE EXISTING DRAINAGE PATTERNS OR ADJACENT PROPERTIES.

S. Mitrev
DATE: DECEMBER 10, 2025
MISSISSAUGA, ONTARIO
SIMEON MITREV, Ontario Land Surveyor

APPLICANT/ OWNER
MATTHEW FRATARCANGELI
107 GLADSTONE AVENUE
HAMILTON, ON
L8M 2H8

SHEET TITLE:
SITE GRADING PLAN

PROJECT:
PROPOSED COVERED PATIO
544 HURD AVENUE, BURLINGTON

TARASICK McMILLAN KUBICKI LIMITED
ONTARIO LAND SURVEYORS
4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2
TEL: (905) 569-8849 FAX: (905) 569-3160
E-MAIL: office@trmsksurveyors.com

SCALE: 1:100
DRAWN BY: D.H. FILE No. 10478-SGP-2025-12-10

EROSION AND SILTATION NOTES

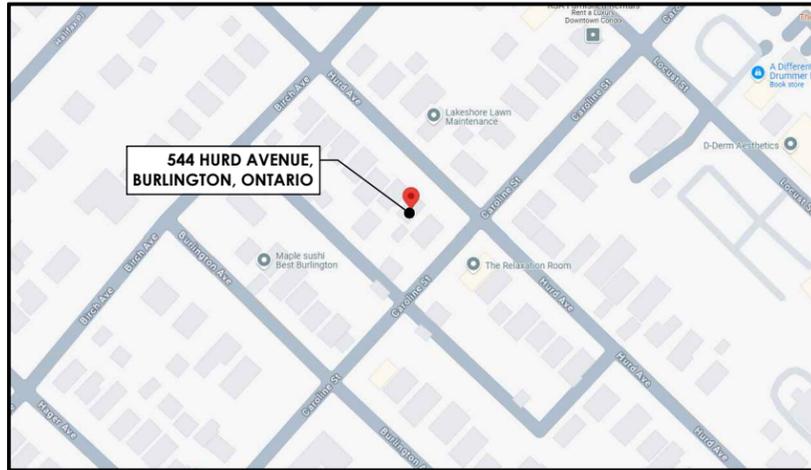
1. ALL EROSION AND SEDIMENT CONTROLS ARE TO BE INSTALLED ACCORDING TO APPROVED PLANS PRIOR TO COMMENCEMENT OF ANY EARTH MOVING WORK ON THE SITE AND SHALL REMAIN IN PLACE UNTIL ALL DISTURBED AREAS ARE STABILIZED WITH THE INTENDED FINAL GROUND COVER.
2. EROSION AND SEDIMENT CONTROLS SHALL BE INSPECTED BY THE BUILDER/DEVELOPER:
 - A) WEEKLY
 - B) BEFORE AND AFTER ANY PREDICTED RAINFALL EVENT
 - C) FOLLOWING AN UNPREDICTED RAINFALL EVENT
 - D) DAILY, DURING EXTENDED DURATION RAINFALL EVENTS
 - E) AFTER SIGNIFICANT SNOW MELT EVENTS
3. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED IN PROPER WORKING ORDER AT ALL TIMES. DAMAGED OR CLOGGED DEVICES SHALL BE REPAIRED WITHIN 48 HOURS.
4. WHERE A SITE REQUIRES DEWATERING AND WHERE THE EXPULSED WATER CAN BE FREELY RELEASED TO A SUITABLE RECEIVER, THE EXPULSED WATER SHALL BE TREATED TO CAPTURE SUSPENDED PARTICLES GREATER THAN 40micron IN SIZE. THE CAPTURED SEDIMENT SHALL BE DISPOSED OF PROPERLY PER MOECC GUIDELINES. THE CLEAN EXPULSED WATER SHALL BE FREELY RELEASED TO A SUITABLE RECEIVER IN A MANNER THAT DOES NOT CREATE DOWNSTREAM ISSUES INCLUDING BUT NOT LIMITED TO: EROSION, FLOODING - NUISANCE OR OTHERWISE, INTERFERENCE ISSUES, ETC.
5. EXISTING STORM SEWERS AND DRAINAGE DITCHES ADJACENT TO THE WORKS SHALL BE PROTECTED AT ALL TIMES FROM THE ENTRY OF SEDIMENT/SILT THAT MAY MIGRATE FROM THE SITE. FOR STORM SEWERS: ALL INLETS (REAR LOT CATCHBASINS, ROAD CATCHBASINS, PIPE INLETS, ETC.) MUST BE SECURED/FITTED WITH SILTATION CONTROL MEASURES. FOR DRAINAGE DITCHES: THE INSTALLATION OF ROCK CHECK DAMS, SILTATION FENCING, SEDIMENT CONTAINMENT DEVICES MUST BE INSTALLED TO TRAP AND CONTAIN SEDIMENT. THESE SILTATION CONTROL DEVICES SHALL BE INSPECTED AND MAINTAINED PER ITEMS 2 AND 3 ABOVE.
6. IN THE EVENT OF A SPILL (RELEASE OF DELETERIOUS MATERIAL) ON OR EMANATING FROM THE SITE, THE OWNER OR OWNERS AGENT SHALL IMMEDIATELY NOTIFY THE MOECC AND FOLLOW ANY PRESCRIBED CLEAN UP PROCEDURE. THE OWNER OR OWNERS AGENT WILL ADDITIONALLY IMMEDIATELY NOTIFY THE TOWN.

GENERAL NOTES

- A) SILTATION CONTROL MEASURES SHALL BE IMPLEMENTED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF SITE GRADING WORKS, TO SATISFACTION OF THE CITY AND HALTON CONSERVATION.
- B) IF CONSTRUCTION IS INTERRUPTED AND/OR INACTIVITY EXCESS 30 DAYS, STRIPPED/ BASE AREAS SHALL BE STABILIZED BY SEEDING.
- C) THE SEDIMENT CONTROL DEVICES SHALL BE INSPECTED AFTER EVERY RAINFALL AND/ OR EVERY WEEK.
- D) THE SEDIMENT CONTROL DEVICES MUST BE REPAIRED, CLEANED AND/ OR REPLACED IF NECESSARY OR AS DIRECTED BY THE ENGINEER, CONSERVATION AUTHORITY OR THE CITY.
- E) ALL SEDIMENT CONTROL DEVICES SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION, GRADING, TOPSOILING AND SODDING ARE COMPLETE.
- F) WHEN ALL CONSTRUCTION, GRADING AND SODDING IS COMPLETED, THE SEDIMENT CONTROL DEVICES SHALL BE REMOVED AND THE DISTURBED AREAS REINSTATED.
- G) ALL CATCH BASINS ON SITE SHALL HAVE PROPER SEDIMENT CONTROLS AS NOTED HEREON.

1. THE EROSION & SEDIMENT CONTROL FENCE SHALL BE AS DETAILED.
2. ALL CATCH BASINS ON SITE SHALL HAVE PROPER SEDIMENT CONTROLS AS NOTED HEREON.
3. THE EROSION & SEDIMENT CONTROL FENCE SHALL BE AS DETAILED.
4. CONTRACTOR TO OBTAIN ALL NECESSARY ROAD OCCUPANCY PERMITS FOR PROPOSED WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCES.

Copyright Act Applies to Use and Production



1 AREA MAP
A0.01 NTS

Copyright Act Applies to Use and Production



2 544 HURD AVENUE
A0.01 NTS

PROJECT DESCRIPTION:

- THESE DRAWINGS OUTLINE A NEW REAR YARD ROOFED OVER PATIO AND A NEW EXTERIOR DOOR AT 544 HURD AVENUE, BURLINGTON, ONTARIO.
- THERE ARE NO CHANGES TO THE EXISTING BUILDING OR SITE CONDITIONS UNLESS OTHERWISE NOTED ON THE SITE PLAN.
- EXISTING SITE DRAINAGE PATTERNS TO REMAIN UNCHANGED.

GENERAL NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT ONTARIO BUILDING CODE AND ONTARIO CONSTRUCTION SAFETY ACT, AS REQUIRED.
2. CONTRACTOR TO TAKE ALL NECESSARY PRECAUTIONS TO COMPLY WITH LOCAL SAFETY AUTHORITIES HAVING JURISDICTION (I.E. OCCUPATIONAL HEALTH & SAFETY ACT).
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MINIMUM STANDARD AND SPECIFICATIONS OF THE MUNICIPALITY'S ENGINEERING DEPARTMENT.
4. VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE PROPERTY OWNER BEFORE PROCEEDING WITH ANY WORK. DO NOT SCALE FROM DRAWINGS.
5. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THERE IS NO INTERRUPTION OF ANY SURFACE OR SUBSURFACE DRAINAGE FLOW THAT WOULD ADVERSELY AFFECT NEIGHBOURING PROPERTIES.
6. ALL EXISTING UNDERGROUND UTILITIES WITHIN THE LIMITS OF CONSTRUCTION SHALL BE LOCATED AND MARKED. ANY DAMAGED OR DISTURBED UTILITIES SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE GOVERNING BODY AT CONTRACTOR'S EXPENSE.
7. SAFEGUARD ALL EXISTING STRUCTURES, SERVICES, AND ADJACENT PROPERTY AFFECTED BY THE CONSTRUCTION.
8. ALL CONCRETE WORK, INCLUDING FORMING, REINFORCING, PREPARATION, MIXING, PLACING, CURING AND FINISHING SHALL CONFORM TO CSA CAN 3-A23.1-M90 (M94).
9. ALL MASONRY WORK TO BE DONE IN ACCORDANCE WITH CAN3-5304-M90.
10. IF THERE ARE ANY DEVIATIONS FROM WHAT IS DEPICTED ON THESE DRAWINGS, THE CONTRACTOR IS TO NOTIFY TENHOUSE BUILDING WORKSHOP AND SEEK INSTRUCTION BEFORE PROCEEDING.
11. DEMOLITION SHALL BE PERFORMED IN COMPLIANCE WITH CSA S350-M1980(R2003) AND MINISTRY OF LABOUR REQUIREMENTS.
12. IF REQUIRED, CONTRACTOR IS TO PROVIDE SUPPORTS OR SHORING WHERE NECESSARY, BEFORE ANY CLEANUP, DEMOLITION, OR REPAIR ACTIVITIES.
13. ALL DIMENSIONS ARE IN IMPERIAL UNLESS OTHERWISE NOTED.
14. ALL DIMENSIONAL LUMBER TO BE SPRUCE, PINE, FIR (SPF) NO. 1 OR NO. 2 GRADE.
15. THE CONTRACTOR SHALL SEEK FURTHER DIRECTION, IF REQUIRED, REGARDING DETAILS OR MATERIAL SELECTION. TENHOUSE BUILDING WORKSHOP DOES NOT TAKE RESPONSIBILITY FOR ANY ADDITIONAL DETAILS NOT INCLUDED IN THESE DRAWINGS.
16. ALL SPECIFICATIONS AND MATERIALS PROPOSED BY ENGINEERS SHALL BE USED IN PLACE OF SPECIFICATIONS AND MATERIALS IDENTIFIED IN THE CONSTRUCTION NOTES.
17. ALL MANUFACTURED ITEMS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS. SUBMIT ALL INSTALLATION INSTRUCTIONS TO OWNER UPON COMPLETION OF JOB.
18. ALL HAZARDOUS MATERIALS TO BE IDENTIFIED BY THE CONTRACTOR AND PROPERLY DISPOSED OF.
19. ALL WORK AND TRADES SHALL BE COORDINATED BY THE GENERAL CONTRACTOR TO ENSURE ALL WORK IS COMPLETED TO THE HIGHEST STANDARD POSSIBLE.
20. ALL NEW STRUCTURAL MEMBERS ARE TO BE FRAMED, FASTENED, TIED, BRACED, AND ANCHORED TO PROVIDE NECESSARY STRENGTH, RIGIDITY, AND STABILITY PER THE CURRENT ONTARIO BUILDING CODE.
21. GENERAL CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY AND REQUIRED INSPECTIONS.
22. ALL MATERIAL TO BE NEW AND FREE OF DEFECTS.

ABBREVIATIONS:

AFF	ABOVE FINISHED FLOOR	HB	HOSE BIB
ALUM	ALUMINIUM	INSUL	INSULATED OR INSULATION
BBSE	BEAM BY STRUCTURAL ENGINEER	INT	INTERIOR
BM	BEAM	JST	JOIST
BH	BEAM HANGER	LVL	LAMINATED VENEER LUMBER
CLG	CEILING	LSL	LAMINATED STRAND LUMBER
CRF	CONVENTIONAL ROOF FRAMING	MAX	MAXIMUM
CMU	CONCRETE MASONRY UNIT	MIN	MINIMUM
COL	COLUMN	MTL	METAL
CONC	CONCRETE	OBC	ONTARIO BUILDING CODE
CONT	CONTINUOUS	OC	ON CENTER
CW	COMPLETE WITH	OSB	ORIENTED STRAND BOARD
DEMO	DEMOLISH	OTA	OPEN TO ABOVE
DIM	DIMENSION	OTB	OPEN TO BELOW
DJ	DOUBLE JOIST	PLFA	POINT LOAD FROM ABOVE
DN	DOWN	PT	PRESSURE TREATED
DO	DO OVER	PTD	PAINT OR PAINTED
DR	DOOR	REQD	REQUIRED
DROP	DROPPED	RM	ROOM
DS	DOWNSPOUT	RT	ROOF TRUSS
DWG	DRAWING	RWL	RAIN WATER LEADER
EA	EACH	SB	SOLID BEARING
EFS	EXTERIOR INSULATED FINISH SYSTEM	SBFA	SOLID BEARING FROM ABOVE
ELEV	ELEVATION	SJ	SINGLE JOIST
ENC	ENCLOSED	SPEC	SPECIFIED OR SPECIFICATION
ENG	ENGINEER OR ENGINEERED	SPF	SPRUCE, PINE, FIR
EQ	EQUAL	STL	STEEL
EST	ESTIMATED	T&G	TONGUE AND GROOVE
EXT	EXTERIOR	TJ	TRIPLE JOIST
FD	FLOOR DRAIN	T/O	TOP OF
FG	FIXED GLASS	TYP	TYPICAL
FL	FLUSH	UNO	UNLESS NOTED OTHERWISE
FLR	FLOOR	U/S	UNDERSIDE
GA	GAUGE	WIC	WALK-IN CLOSET
GALV	GALVANIZED	WP	WEATHER PROOF
GWB	GYPSUM WALL BOARD		



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QUALIFICATION INFORMATION

MATTHEW FRATARCANGELI
BCIN#:44839

REGISTRATION INFORMATION

TENHOUSE BUILDING WORKSHOP
BCIN#:112916

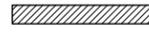
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0	08-07-2025	PRE-BUILDING APP

PROJECT:
NEW REAR YARD ROOFED OVER PATIO AND NEW EXTERIOR DOOR AT 544 HURD AVENUE, BURLINGTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 08-07-2025

COVER PAGE
A0.01

LEGEND:

-  SOFTSCAPE
-  HARDSCAPE
-  NEW WALLS
-  NEW POST
-  EXISTING TREE
-  EXISTING FENCE




TENHOUSE
BUILDING WORKSHOP

TENHOUSE BUILDING WORKSHOP
107 GLADSTONE AVENUE
HAMILTON, ON L8M 2H8
T: 905-699-7371

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Matthew Fratarcangeli

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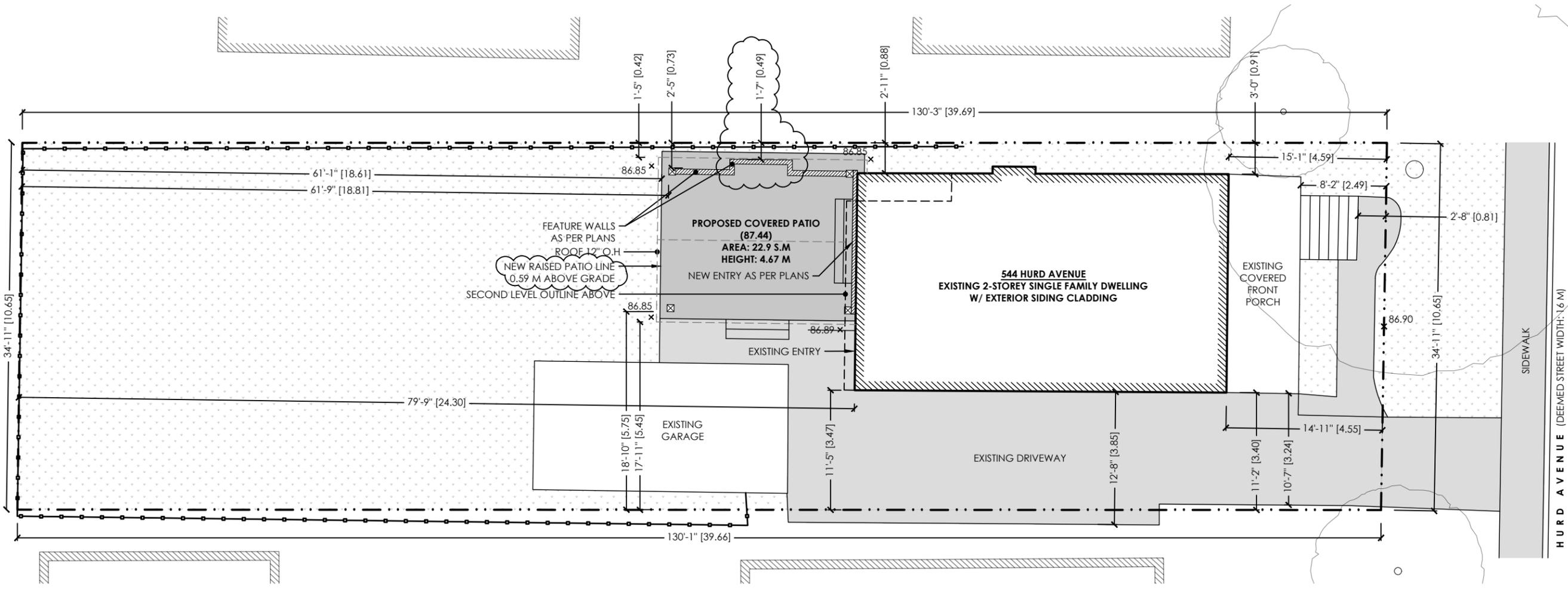
NO.	DATE	REVISION/ISSUE
0	25-08-07	MINOR VARIANCE

PROJECT:

NEW REAR YARD COVERED PATIO
AND NEW EXTERIOR DOOR
AT 544 HURD AVENUE,
BURLINGTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 2025-08-07

PROPOSED SITE PLAN
SP1.01



GENERAL SITE PLAN NOTES:

1. LOT LINE AND HOUSE FOOTPRINT DATA IS TAKEN FROM A CERTIFIED OLS SURVEY.
2. ONLY SITE WORK RELATED TO THE CONSTRUCTION OF THE SUBJECT COVERED PATIO TO BE CARRIED OUT.
3. EXISTING SITE DRAINAGE PATTERNS TO REMAIN UNCHANGED.
4. ALL DOWNSPOUTS ON SITES DRAIN DIRECTLY INTO SOFT LANDING. NO DOWNSPOUTS ARE TO CROSS WALKWAYS OR PATIOS OR DRAIN ONTO/ACROSS WALKWAYS OR PATIOS.

PROJECT STATISTIC			
ADDRESS: 544 HURD AVENUE			
MUNICIPALITY: BURLINGTON			
DESIGNATED ZONE: DRL			
LOT AREA:	422.3 S.M		
LOT FRONTAGE:	10.6 M		
BUILDING HEIGHT			
FIXED GRADE:	86.90		
LOT COVERAGE			
	EXISTING	PROPOSED	TOTAL
HOUSE:	70.2 m ²	0 m ²	70.2 m ²
GARAGE:	27.7 m ²	0 m ²	27.7 m ²
COVERED PATIO:	0 m ²	22.9 m ²	22.9 m ²
TOTAL LOT COVERAGE:	28.6%		120.8 m ²
MAX LOT COVERAGE:	17% FOR HOUSE PLUS 8% FOR ACCESSORY BUILDINGS		105.5 m ²

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1 PROPOSED SITE PLAN
SP1.01 1:125

STRUCTURAL FRAMING NOTES FOR CONVENTIONAL LUMBER:

1. ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23. U.N.O. ON THE DRAWINGS.
2. LUMBER SHALL BE SPF No. 1/2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
3. LUMBER SHALL NOT BE NOTCHED OR DRILLED IN THE FIELD WITHOUT PERMISSION OF TACOMA ENGINEERS.
4. WOOD IS NOT PERMITTED TO BEAR DIRECTLY ON MASONRY OR CONCRETE WITHOUT PROTECTION. PROVIDE EITHER PRESSURE TREATED LUMBER, SUITABLE WOOD PRESERVATIVE OR 6 MIL (0.152mm) POLYETHYLENE SHEET.
5. ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
6. ALL STEEL CONNECTORS (UPLIFT CLIPS, BRACKETS, JOIST HANGERS etc.) SHALL BE SIMPSON STRONG TIE CONNECTORS UNLESS NOTED OTHERWISE.
7. ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 75mm (3") SPIRAL NAILS AT 300mm (12") O.C. FOR EVERY PLY UNLESS NOTED OTHERWISE. MULTI-PLY ENGINEERED LUMBER BEAMS TO BE FASTENED AS PER THE MANUFACTURER'S SPECIFICATIONS.
8. ALL PRE-ENGINEERED STEEL CONNECTORS (EG. SIMPSON STRONG TIE) ARE TO HAVE THE CORRECT NUMBER AND SIZE OF FASTENERS, AS PER THE MANUFACTURER'S PRODUCT CATALOGUE.MOVEMENT OR ROTATION.

BEAM SCHEDULE

- B1- ROOF BEAM**
3-PLY 1.75" x 9.25" 2.0E LVL BEAM (DROPPED)
TO HAVE FULL BEARING (MIN 3") ON POST
CONNECTED TO POST AS PER POST MANUFACTURER INSTALL INSTRUCTIONS
EXTERIOR FINISH AS SPECIFIED BY OWNER
- B2- ROOF BEAM**
2-PLY 1.75" x 9.25" 2.0E LVL BEAM (DROPPED)
TO HAVE FULL BEARING (MIN 3") ON POST
CONNECTED TO POST WITH METAL SST CLIPS
EXTERIOR FINISH AS SPECIFIED BY OWNER

ROOF SCHEDULE

- R1- ROOF**
ASPHALT SHINGLE W/ SHINGLE UNDERLAYMENT AS PER MANUFACTURER
3/8" ROOF SHEATHING W/ MIN 1.5" NAIL PENETRATION INTO ROOF RAFTER
2 x 8 AT 16" O.C ROOF RAFTER, NAILED TO SUPPORTING BEAMS
APPROVED EXTERIOR FINISH AS SPECIFIED BY OWNER

LEGEND:

- x PLFA POINT LOAD FROM ABOVE
- BH BEAM HANGER

POST SCHEDULE

- P1 - HELICAL PILE**
PROVIDE MIN. 3/8" HELICAL PILE SADDLE HEAD TO FASTEN POST
C/W TACK WELDS OR SELF TAPING SCREWS
REVIEW POST MANUFACTURER INSTALL INSTRUCTIONS
- P2 - FIBERGLASS POST AS PER MANUFACTURER SPECIFICATION**
PROVIDE CONNECTIONS AT TOP AND BOTTOM AS PER MANUFACTURER
- P3 - PRESSURE TREATED 4 x 4 POST**
PROVIDE METAL BRACKET CONNECTION TO BEAM
APPROVED EXTERIOR FINISH AS SPECIFIED BY OWNER
- P4 - PRESSURE TREATED BUILT-UP POST**
3-PLY 2 x 6 POST WITHIN STUD CAVITY
W/ SOLID TRANSFER BLOCKING TO BEAM BELOW
ENSURE POST IS CONCENTRIC TO BEAM BELOW
- P5 - PRESSURE TREATED BUILT-UP POST**
4-PLY 2 x 6 POST W/ SOLID BEARING TO FOUNDATION
ENSURE POST IS CONCENTRIC TO STRUCTURAL BELOW
- P6 - ARCHITECTURAL POST**
FIBERGLASS TO MATCH P2
NON-LOAD BEARING

LINTEL SCHEDULE

- L1 - NEW LINTEL**
3-PLY 2 x 8
1 JACK 2 KINGS
WITH SOLID BEARING TO FOUNDATION

WALL SCHEDULE

- W1 - EXTERIOR WALL**
SIDING AS PER MANUFACTURER (ON BOTH SIDES)
1 x 4 STRAPPING AT 16" O.C., FASTENED TO STUDS (ON BOTH SIDES)
WEATHER BARRIER AS PER MANUFACTURER (ON BOTH SIDES)
3/8" EXTERIOR GRADE SHEATHING (ON BOTH SIDES)
2 x 4 STUDS AT 16" O.C., DBL TOP PLATE
SINGLE BTM PLATE, PRESSURE TREATED
BTM PLATE FASTENED TO PAVERS/HARDSCAPE W/ 1/4" TAPCONS AT 12" O.C.,
(MIN. 2" EMBEDMENT INTO PAVERS)
PROVIDE SILL GASKET
PROVIDE BTM OF WALL FLASHING AS PER SIDING MANUFACTURER
AND UP BEHIND WEATHER BARRIER MIN 6"
- W2 - THIN STONE WALL**
THIN STONE FINISH
GROUT IN PLACE AS PER MANUFACTURER'S SPECIFICATIONS
WEATHER BARRIER AS PER MANUFACTURER
3/8" EXTERIOR GRADE SHEATHING
2 x 4 WOOD STUD WALL AT 16" O.C., DBL TOP PLATE
SINGLE BTM PLATE, PRESSURE TREATED
BTM PLATE FASTENED TO PAVERS/HARDSCAPE W/ 1/4" TAPCONS AT 12" O.C.
(MIN. 2" EMBEDMENT INTO PAVERS)
PROVIDE SILL GASKET



TENHOUSE
BUILDING WORKSHOP

TENHOUSE BUILDING WORKSHOP
107 GLADSTONE AVENUE
HAMILTON, ON L8M 2H8
T: 905-699-7371

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BCIN#:44839

REGISTRATION INFORMATION
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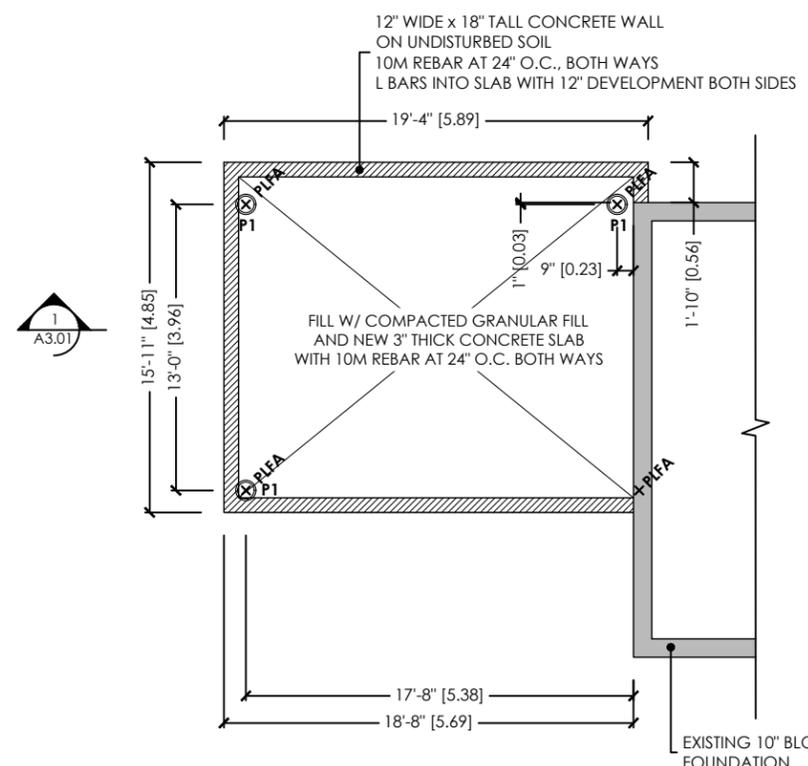
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DRAWN: J.T	APPROVED: M.D.F
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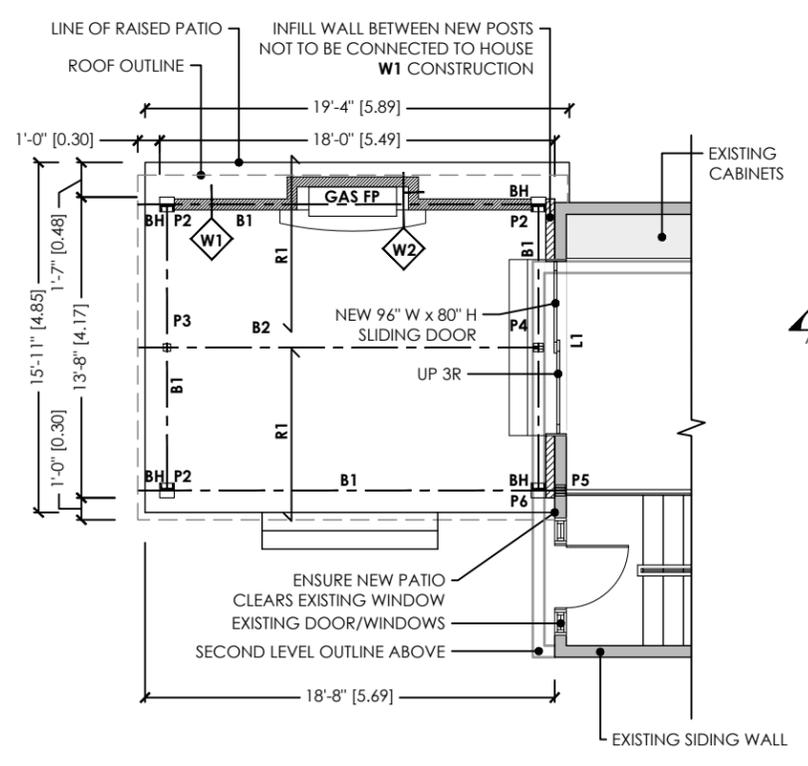
FOUNDATION, FRAMING & ROOF PLAN

A1.01

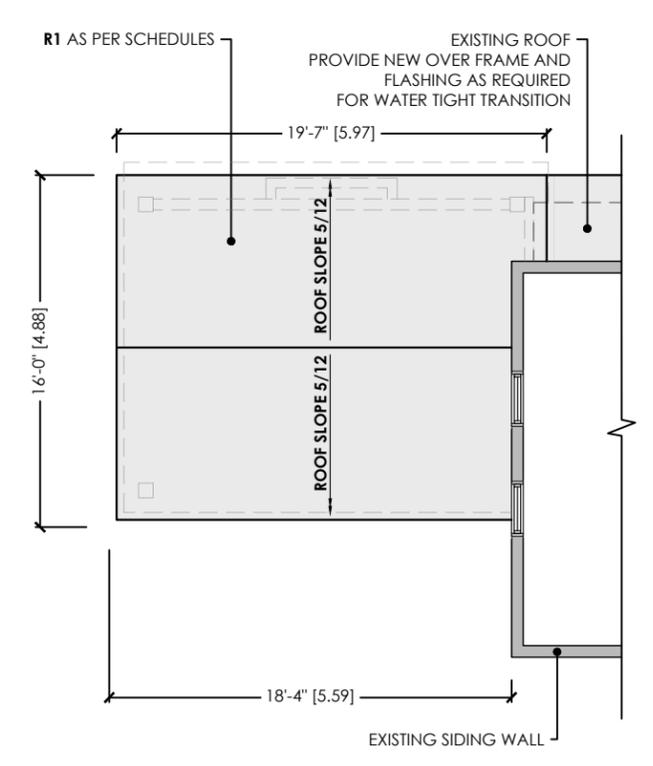
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1 FOUNDATION PLAN
A1.01 1:100



2 FRAMING PLAN
A1.01 1:100



3 ROOF PLAN
A1.01 1:100



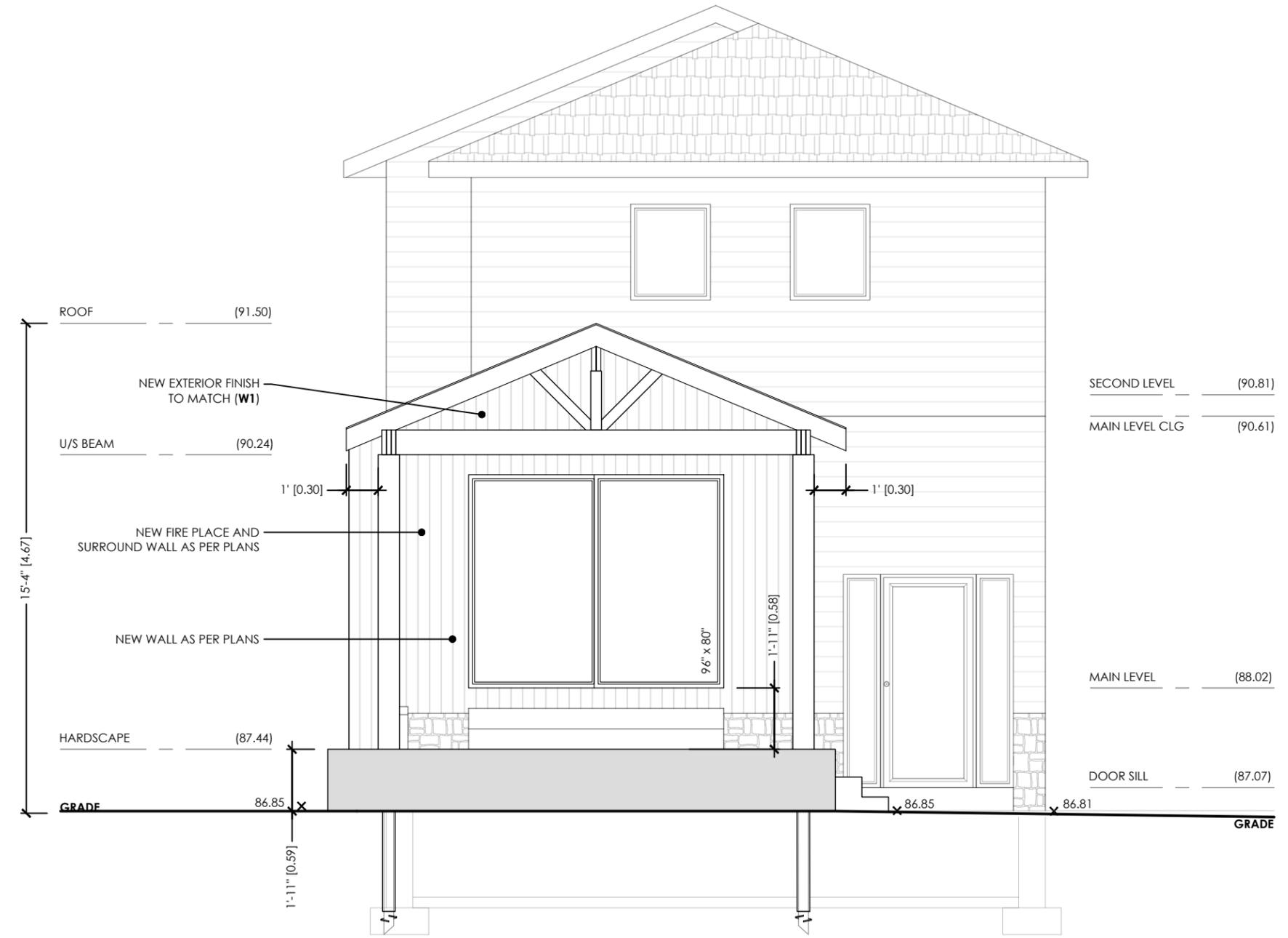
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1 REAR ELEVATION (WEST)
 A2.01 1:50

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REAR ELEVATION
A2.01



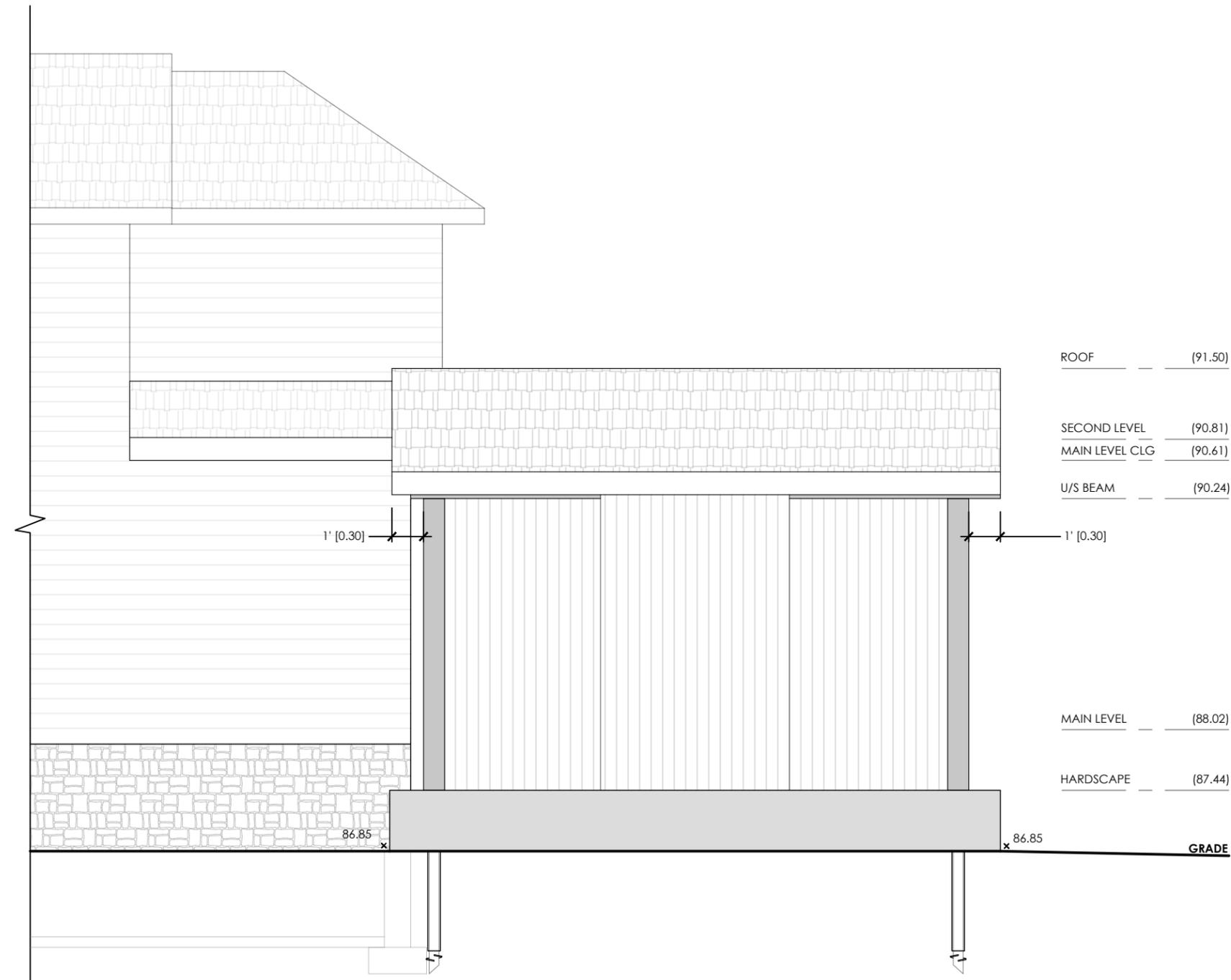
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1 SIDE ELEVATION (NORTH)
 A2.02 3/16" - 1'-0"

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SIDE ELEVATION
A2.02



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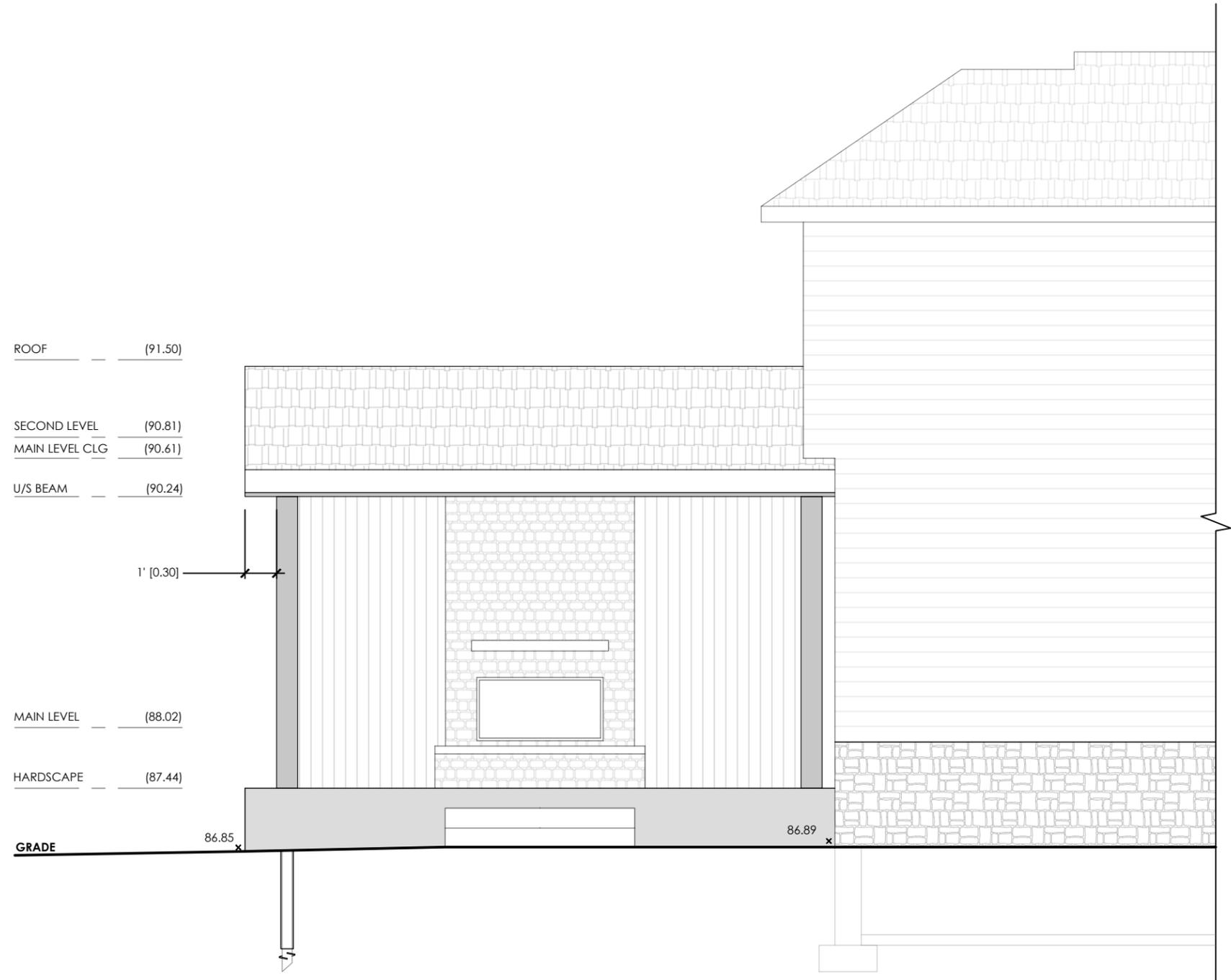
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SIDE ELEVATION
A2.03



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1 SIDE ELEVATION (SOUTH)
 A2.03 1:50



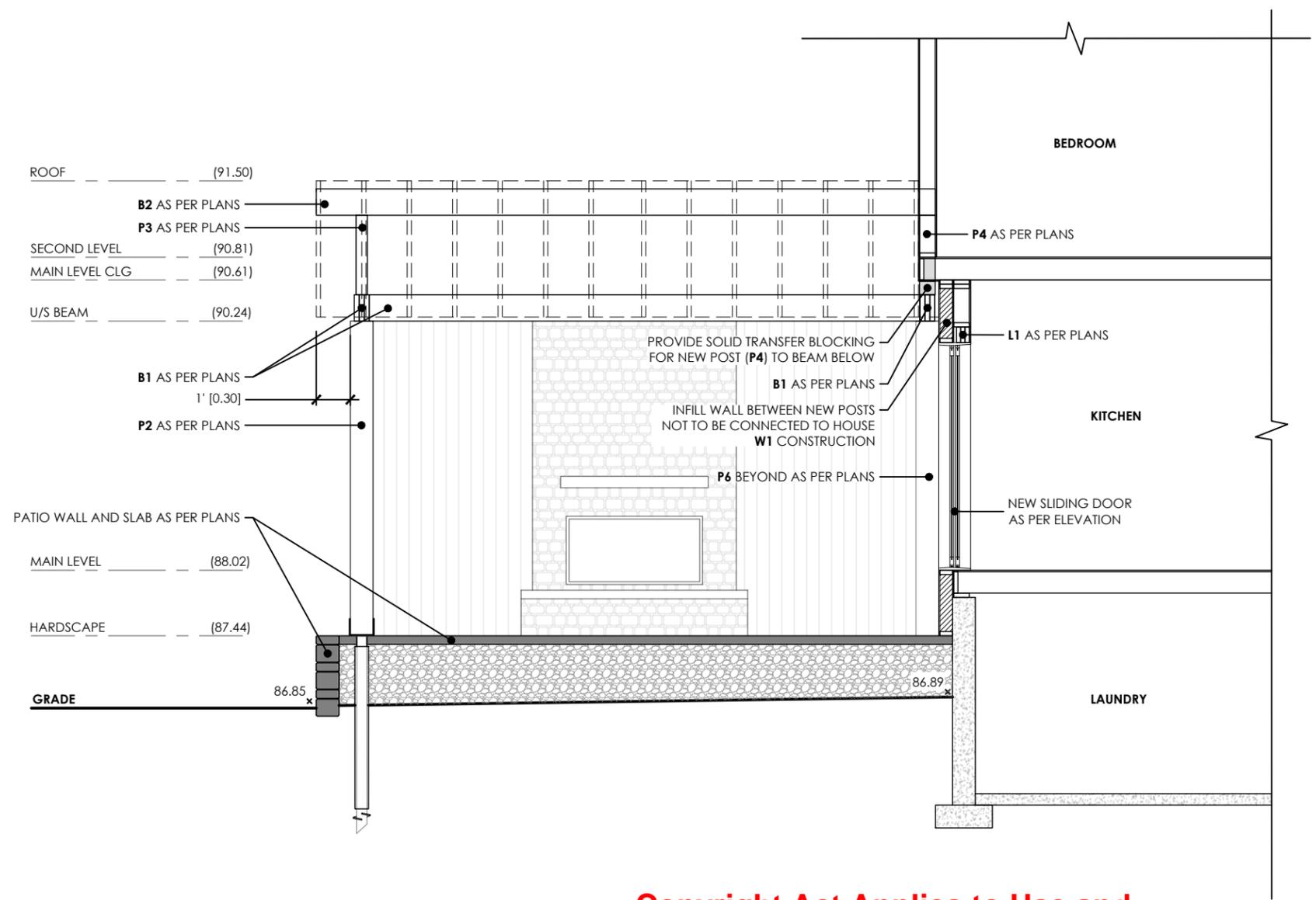
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1 SECTION A
 A3.01 1:50

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SECTION A
A3.01

GENERAL CONSTRUCTION NOTES:

1. CONCRETE

- 1.1. UNLESS SPECIFIED ELSEWHERE THE COMPRESSIVE STRENGTH OF UNREINFORCED CONCRETE SHALL BE NOT LESS THAN 15 MPA, AFTER 28 DAYS AS PER SENTENCE 9.3.1.6.(1).
- 1.2. GARAGE FLOORS, CARPORT FLOORS AND ALL EXTERIOR FLATWORK SHALL BE NOT LESS THAN 32 MPA CONCRETE WITH 5 TO 8 PERCENT AIR ENTRAINMENT AS PER SENTENCES 9.3.1.6.(1) AND (2).
- 1.3. PROVIDE BOND-BREAKING MATERIAL BETWEEN CONCRETE FLOOR SLAB AND FOOTINGS AS PER SENTENCE 9.16.4.4.(1)
- 1.4. WHERE DAMPPROOFING IS NOT PROVIDED, THE CONCRETE USED FOR FLOORS-ON-GROUND SHALL HAVE A COMPRESSIVE STRENGTH OF NOT LESS THAN 25 MPA AFTER 28 DAYS AS PER SENTENCE 9.16.4.5.(1).
- 1.5. CONCRETE SLABS IN ATTACHED OR BUILT-IN GARAGES SHALL BE SLOPED TO DRAIN TO THE EXTERIOR AS PER SENTENCE 9.35.2.2.(1).

2. EXCAVATION

- 2.1. EVERY EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER TO PREVENT DAMAGE TO ADJACENT PROPERTY, EXISTING STRUCTURES, UTILITIES, ROADS AND SIDEWALKS AT ALL STAGES OF CONSTRUCTION SEE 9.12.1.4.(1).
- 2.2. THE TOPSOIL AND VEGETABLE MATTER IN ALL UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED SEE 9.12.1.1.(1).
- 2.3. THE BOTTOM OF EVERY EXCAVATION SHALL BE FREE OF ALL ORGANIC MATERIAL SEE 9.12.1.1.(3).
- 2.4. MATERIAL SHALL NOT BE PLACED NOR SHALL EQUIPMENT BE OPERATED OR PLACED IN OR ADJACENT TO AN EXCAVATION IN A MANNER THAT MAY ENDANGER THE INTEGRITY OF THE EXCAVATION OR ITS SUPPORTS SEE 9.12.1.4.(2).
- 2.5. BACKFILL SHALL BE GRADED TO PREVENT DRAINAGE TOWARDS THE FOUNDATION AFTER SETTLING SEE 9.12.3.2.(1).
- 2.6. BACKFILL WITHIN 600 MM OF THE FOUNDATION SHALL BE FREE OF DELETERIOUS DEBRIS AND BOULDERS LARGER THAN 250 MM DIAMETER SEE 9.12.3.3.(1).

3. DRAINAGE

- 3.1. THE BUILDING SHALL BE LOCATED OR THE BUILDING SITE GRADED SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR THE BUILDING AND WILL NOT ADVERSELY AFFECT ADJACENT PROPERTIES (9.14.6.1.).
- 3.2. EVERY WINDOW WELL SHALL BE DRAINED TO THE FOOTING LEVEL OR OTHER SUITABLE LOCATION (9.14.6.2.).
- 3.3. WHERE DOWNSPOUTS ARE PROVIDED AND ARE NOT CONNECTED TO A SEWER, EXTENSIONS SHALL BE PROVIDED TO CARRY RAINWATER AWAY FROM THE BUILDING IN A MANNER THAT WILL PREVENT SOIL EROSION (9.26.18.2.).

4. FOUNDATIONS

- 4.1. FOOTINGS AND FOUNDATIONS SHALL CONFORM TO SECTION 9.15.
- 4.2. PROVIDE 100MM PLASTIC WEeping TILE WITH FILTER FABRIC AND 150MM CRUSHED STONE COVER.
- 4.3. ALL FOOTINGS SHALL REST ON UNDISTURBED SOILS WITH AN ALLOWABLE BEARING PRESSURE OF 75 KPA OR GREATER FOR BUILDINGS OF WOOD FRAME OR MASONRY CONSTRUCTION (SEE SOILS REPORT WHERE APPLICABLE)
- 4.4. FOOTING SIZES SHALL BE ADJUSTED AS PER SUBSECTION 9.15.3., WHERE APPLICABLE.
- 4.5. WHERE STEP FOOTINGS ARE USED, THE VERTICAL RISE SHALL NOT EXCEED 600 MM, AND THE HORIZONTAL DISTANCE BETWEEN RISERS SHALL BE NOT LESS THAN 600 MM AS PER ARTICLE 9.15.3.9.
- 4.6. MAXIMUM HEIGHT OF BACKFILL FOR FOUNDATION WALLS SHALL CONFORM TO SUBSECTION 9.15.4.
- 4.7. EXTERIOR FOUNDATION WALLS SHALL EXTEND NOT LESS THAN 150 MM ABOVE FINISHED GROUND LEVEL AS PER SENTENCE 9.15.4.6.(1).
- 4.8. EXTERIOR SURFACES OF CONCRETE BLOCK FOUNDATION WALLS SHALL BE PARGED WITH NOT LESS THAN 6 MM OF MORTAR, AND FINISHED AS PER SUBSECTION 9.15.6.
- 4.9. ROOF DRAINS, DOWN SPOUTS (ROOF GUTTERS) SHALL CONFORM TO SUBSECTION 9.26.18 (ALSO SEE DEFINITIONS IN ARTICLE 1.4.1.2. OF DIVISION A - PART 1).
- 4.10. SURFACE AND SUBSURFACE DRAINAGE SHALL CONFORM TO SECTION 9.14.
- 4.11. DRAIN TILES OR PIPES SHALL BE INSTALLED AS PER ARTICLE 9.14.3.3.

5. MASONRY

- 5.1. WHERE TOP OF FOUNDATION WALL IS REDUCED IN THICKNESS TO INSTALL MASONRY EXTERIOR FACING, FILL VOIDS BETWEEN WALL AND FACING WITH MORTAR AS PER ARTICLE 9.15.4.7.
- 5.2. MASONRY SUPPORTING BEAMS AND COLUMNS SHALL CONFORM TO ARTICLE 9.20.8.4.
- 5.3. CORBELLING OF SOLID MASONRY UNITS SHALL CONFORM TO SUBSECTION 9.20.12.
- 5.4. PROVIDE WEEP HOLES SPACED NOT MORE THAN 800 MM APART IN MASONRY VENEER WALLS AS REQUIRED IN ARTICLE 9.20.13.8.
- 5.5. EXPOSED FLASHING MATERIALS SHALL CONFORM TO ARTICLE 9.20.13.1. PROVIDE FLASHING FOR WEEP HOLES IN MASONRY VENEER/MASONRY WALLS AS PER ARTICLES 9.20.13.5.
- 5.6. FLASHING BENEATH WEEP HOLES IN MASONRY VENEER OVER WOOD FRAME WALLS SHALL BE INSTALLED SO THAT IT EXTENDS FROM A POINT NOT LESS THAN 5 MM BEYOND THE OUTER FACE OF THE BUILDING ELEMENT BELOW THE FLASHING TO A POINT 150 MM UP THE WOOD FRAME WALL AS PER SENTENCE 9.20.13.6.(2).
- 5.7. PROVIDE DRIP EDGE AT WINDOWS SILLS AS PER ARTICLE 9.20.13.12.
- 5.8. MASONRY AND CONCRETE CHIMNEYS AND FLUES SHALL CONFORM TO SECTION 9.21
- 5.9. PROVIDE LATERAL STABILITY FOR CHIMNEYS PER ARTICLE 9.21.4.5. CHIMNEY CAPS SHALL CONFORM TO ARTICLE 9.21.4.6. BRICK THICKNESS FOR CHIMNEYS SHALL CONFORM TO ARTICLE 9.21.4.8.
- 5.10. MASONRY FIREPLACES CONSTRUCTED ON SITE SHALL CONFORM TO SECTION 9.22.
- 5.11. INTERSECTIONS OF ROOFS AND MASONRY WALLS SHALL CONFORM TO ARTICLES 9.26.4.4. AND 9.26.4.6.

6. BUILDING STRUCTURE

- 6.1. UNLESS NOTED OTHERWISE LUMBER AND WOOD PRODUCTS SHALL CONFORM TO SUBSECTION 9.3.2.
- 6.2. BUILT-UP WOOD COLUMNS SHALL CONFORM TO SENTENCE 9.17.4.2.(2).
- 6.3. ALL MEMBERS SHALL BE SO FRAMED, ANCHORED, FASTENED, TIED AND BRACED TO PROVIDE THE NECESSARY STRENGTH AND RIGIDITY. SEE ARTICLE 9.23.2.1.
- 6.4. STEEL BEAMS SHALL AT LEAST MEET THE REQUIREMENTS FOR GRADE 350 W STEEL IN CAN/CSA G40.21. "STRUCTURAL QUALITY STEEL." SEE ARTICLE 9.23.4.3.
- 6.5. PROVIDE LATERAL SUPPORT FOR STEEL BEAMS AS PER SENTENCE 9.23.4.3.(3).
- 6.6. BUILDING FRAMES SHALL BE ANCHORED TO THE FOUNDATION, BY FASTENING THE SILL PLATE WITH 12.7 MM DIAM. ANCHOR BOLTS SPACED MAX. 2.4 M O.C. AND EMBEDDED MINIMUM 100 MM IN THE FOUNDATION. SEE ARTICLE 9.23.6.1.

- 6.7. PROVIDE A CONTINUOUS AIR BARRIER FROM EXTERIOR WALL, BELOW SILL PLATE AND SEALED TO INSIDE FACE OF FOUNDATION WALL.
- 6.8. COLUMNS SHALL BE SECURELY FASTENED TO THE BEAM TO PREVENT LATERAL MOVEMENT. ANCHORAGE OF EXTERIOR COLUMNS AND POSTS SHALL CONFORM TO ARTICLE 9.23.6.2.
- 6.9. PROVIDE ADEQUATE LEVEL BEARING FOR ALL BEAMS AT THE END SUPPORTS AS PER ARTICLE 9.23.8.1.
- 6.10. POSTS SUPPORTING BEAMS SHALL BE PROVIDED WITH CONTINUOUS SOLID SUPPORT TO THE TOP OF FOUNDATION WALL OR FOOTING.
- 6.11. NAILING/BOLTING PATTERNS FOR BUILT-UP WOOD BEAMS SHALL CONFORM TO SENTENCES 9.23.8.3.(7) AND (8).
- 6.12. JOISTS FRAMED INTO THE SIDE OF A STEEL BEAM SHALL CONFORM TO SENTENCES 9.23.9.2.(3),(4),(5).
- 6.13. PROVIDE JOIST TWISTING RESTRAINT AS PER ARTICLE 9.23.9.3.
- 6.14. NON-LOADBEARING WALLS SHALL BE SUPPORTED BY JOISTS BENEATH THE WALL OR ON BLOCKING BETWEEN THE JOISTS AS PER ARTICLE 9.23.9.8.
- 6.15. THE SIZE AND SPACING OF WALL STUDS SHALL CONFORM TO TABLE 9.23.10.1. STUDS FOR WALLS NOT LISTED IN TABLE 9.23.10.1. AND SUPPORTING ROOF LOADS SHALL CONFORM TO TABLES A-30 TO A-33.
- 6.16. PROVIDE CONTINUITY OF STUDS AS PER ARTICLE 9.23.10.4.
- 6.17. PROVIDE EDGE SUPPORT FOR SUBFLOOR AS PER ARTICLE 9.23.14.3.
- 6.18. ROOF SHEATHING SHALL CONFORM TO SUBSECTION 9.23.15, AND WALL SHEATHING SHALL CONFORM TO SUBSECTION 9.23.16.
- 6.19. SHEATHING MEMBRANE SHALL CONFORM TO CAN/CGSB-51.32-M, "SHEATHING, MEMBRANE, BREATHER TYPE" AS PER ARTICLE 9.27.3.2.
- 6.20. INSTALLATION OF ROOF TRUSSES AND/OR ENGINEERED FLOOR FRAMING SYSTEMS SHALL CONFORM TO THE MANUFACTURER'S APPROVED SPECIFICATIONS AND THE OBC.
- 6.21. ALL CONVENTIONAL ROOF FRAMING MEMBERS THAT MEET OR CROSS OVER TRUSSES SHALL DISTRIBUTE THE ROOF LOADS UNIFORMLY TO THE ROOF BELOW AND SHALL BE SPACED AT MAXIMUM 600 MM O.C.
- 6.22. PROVIDE EAVES PROTECTION FOR SHINGLES, SHAKES OR TILE ROOFS AS PER SUBSECTION 9.26.5
- 6.23. WOOD FRAMING NOT TREATED WITH WOOD PRESERVATIVE, OR IN CONTACT WITH CONCRETE SHALL BE SEPARATED FROM THE CONC. BY AT LEAST 2 MIL. POLYETHYLENE FILM NO.50 (45 LBS) ROLL FORMING OR OTHER DAMPPROOFING MATERIAL, EXCEPT WHERE THE WOOD MEMBER IS AT LEAST 150 MM (6") ABOVE THE GROUND.
- 6.24. IN LOCATIONS WHERE TERMITES ARE KNOWN TO OCCUR, CLEARANCE BETWEEN STRUCTURAL WOOD ELEMENTS AND THE FINISHED GROUND LEVEL DIRECTLY BELOW THEM SHALL BE NOT LESS THAN 450MM (17-3/4") AND ALL SIDES OF SUPPORTING ELEMENTS SHALL BE VISIBLE TO INSPECTION.
- 6.25. LUMBER SHALL BE SPF No. 1/2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
- 6.26. ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
- 6.27. BOLTED CONNECTIONS SHALL BE MADE USING GRADE A307 BOLTS, UNLESS NOTED OTHERWISE.
- 6.28. ALL STEEL CONNECTORS (JUPLIFT CLIPS, BRACKETS, JOIST HANGERS etc.) SHALL BE SIMPSON STRONG TIE CONNECTORS UNLESS NOTED OTHERWISE.

1. NOTCHING AND DRILLING

- 1.1. FOR NOTCHING AND DRILLING OF PREMANUFACTURED PRODUCTS, REFER CNE MANUFACTURRS DOCUMENTATION.
- 1.2. HOLES IN FLOOR, ROOF AND CEILING MEMBERS TO BE NOT LARGER THAN 1/4 THE DEPTH OF MEMBER AND NOT LESS THAN 50MM FROM EDGES (9.23.5.1.).
- 1.3. NOTCHES IN FLOOR, ROOF AND CEILING FRAMING MEMBERS ARE TO BE LOCATED ON THE TOP OF THE MEMBER WITHIN HALF THE JOIST DEPTH FROM THE EDGE OF BEARING AND IS NOT DEEPER THAN ONE-THIRD THE JOIST DEPTH (9.23.5.2.).
- 1.4. WALL STUDS MAY BE NOTCHED OR DRILLED PROVIDED THAT NO LESS THAN 2/3 THE DEPTH OF THE STUD REMAINS, IF LOAD BEARING, AND 40MM IF NON-LOAD BEARING, UNLESS THE WEAKENED STUDS ARE SUITABLY REINFORCED (9.23.5.3.).
- 1.5. ROOF TRUSS MEMBERS SHALL NOT BE NOTCHED, DRILLED OR WEAKENED UNLESS ACCOMMODATED IN THE DESIGN. (9.23.5.4)

2. DOORS WINDOWS AND INTERIOR FINISHES

- 2.1. ROOMS AND SPACES SHALL CONFORM TO SECTION 9.5.
- 2.2. FOR DOORS AND WINDOWS RESISTANCE TO FORCED ENTRY SEE ARTICLES 9.7.5.2. AND 9.7.5.3.
- 2.3. FLAME SPREAD RATING SHALL NOT EXCEED 150 ON WALLS AND CEILINGS. SEE ARTICLE 9.10.17.1.
- 2.4. DOORS BETWEEN GARAGES AND DWELLING UNITS SHALL BE TIGHT FITTING, WEATHERSTRIPPED AND HAVE A SELF-CLOSING DEVICE CONFORMING TO SENTENCES 9.10.13.15.(1) AND (2).
- 2.5. WATERPROOF FINISH SHALL BE PROVIDED ON WATER RESISTANT BACKING, AROUND SHOWERS AND BATHTUBS AS PER ARTICLES 9.29.2.2 AND 9.29.10.4.
- 2.6. CERAMIC SHALL BE SET IN A MORTAR BED OR APPLIED TO A SOUND SMOOTH BASE WITH A SUITABLE ADHESIVE AS PER SENTENCE 9.30.6.1.(1)
- 2.7. PANEL-TYPE SUBFLOOR TO WHICH CERAMIC TILE IS TO BE APPLIED WITH ADHESIVE SHALL HAVE ITS EDGES SUPPORTED ACCORDING TO ARTICLE 9.23.14.3.
- 2.8. EXCEPT FOR BATHROOMS OR WATER-CLOSET ROOMS, FINISHED ROOMS SHALL BE PROVIDED WITH A MINIMUM 0.28 M2 UNOBSTRUCTED OPENABLE VENTILATION AREA TO THE OUTDOORS WHERE SUCH ROOMS ARE NOT VENTILATED MECHANICALLY. SEE SUBSECTION 9.32.2. AND TABLE 9.32.2.1.
- 2.9. ALL WINDOW SIZES ON DRAWINGS REFER TO FINISHED DIMENSIONS. PLEASE REFER TO WINDOW MANUFACTURER'S SPECIFICATIONS FOR ALL REQUIRED ROUGH OPENING SIZES.

3. ELECTRICAL

- 3.1. ELECTRICAL FACILITIES SHALL CONFORM TO SECTION 9.34.

4. BEDROOM WINDOWS

- 4.1. BEDROOMS SHALL HAVE A MINIMUM UNOBSTRUCTED WINDOW GLASS AREA OF 5% OF AREA SERVED AS PER SENTENCE 9.7.2.3.(1) AND TABLE 9.7.2.3.
- 4.2. EXCEPT WHERE A DOOR ON THE SAME FLOOR LEVEL AS THE BEDROOM PROVIDES DIRECT ACCESS TO THE EXTERIOR, EVERY FLOOR LEVEL CONTAINING A BEDROOM IN A SUITE SHALL BE PROVIDED WITH AT LEAST ONE OUTSIDE WINDOW THAT IS OPENABLE FROM INSIDE WITHOUT THE USE OF TOOLS, WITH AN UNOBSTRUCTED OPEN PORTION HAVING A MINIMUM AREA OF 0.35 M² WITH NO DIMENSION LESS THAN 380 MM. SEE ARTICLE 9.9.10.1.
- 4.3. PROVIDE A 1000 MM HIGH X 550 MM WIDE WINDOW OPENING WITH A SILL AT MAXIMUM 1000 MM ABOVE THE FLOOR AND MAXIMUM 7.0 M ABOVE THE ADJACENT GROUND LEVEL, WHERE IT IS NECESSARY TO TRAVEL DOWN MORE THAN ONE STOREY TO REACH AN EXIT DOOR FROM THAT STOREY. SEE SENTENCE 9.9.9.1.(2).

5. GUARDS

- 5.1. GUARDS SHALL CONFORM TO SUBSECTION 9.8.8.
- 5.2. GUARDS SHALL BE DESIGNED TO RESIST THE LOADS SPECIFIED IN TABLE 9.8.8.2., OR CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS IN MMAH SUPPLEMENTARY STANDARD SB-7, "GUARDS FOR HOUSING AND SMALL BUILDINGS." SEE SENTENCES 9.8.8.2.(1) AND (5).
- 5.3. GUARDS SHALL BE NOT LESS THAN 1070 MM HIGH. ALL GUARDS WITHIN DWELLING UNITS SHALL BE NOT LESS THAN 900 MM HIGH. EXTERIOR GUARDS SERVING NOT MORE THAN ONE DWELLING UNIT SHALL BE NOT LESS THAN 900 MM HIGH WHERE THE WALKING SURFACE SERVED BY THE GUARD IS NOT MORE THAN 1 800 MM ABOVE THE FINISHED GROUND LEVEL. GUARDS FOR EXTERIOR STAIRS AND LANDINGS MORE THAN 10 M ABOVE ADJACENT GROUND LEVEL SHALL BE NOT LESS THAN 1500 MM. SEE ARTICLE 9.8.8.3.
- 5.4. OPENINGS THROUGH ANY GUARD WHICH IS REQUIRED BY ARTICLE 9.8.8.1 SHALL BE OF THE SIZE WHICH WILL PREVENT THE PASSAGE OF A SPHERICAL OBJECT HAVING A DIAMETER OF 100 MM. SEE SENTENCE 9.8.8.5.(1).

6. STAIRS (INTERIOR/EXTERIOR)

- 6.1. AT LEAST ONE STAIR BETWEEN EACH FLOOR LEVEL WITHIN A DWELLING UNIT, AND EXTERIOR STAIRS AND REQUIRED EXIT STAIRS SERVING A SINGLE DWELLING UNIT, SHALL HAVE A WIDTH OF NOT LESS THAN 860 MM. SEE SENTENCE 9.8.2.1.(2).
- 6.2. MINIMUM HEIGHT OVER STAIRS AND LANDINGS WITHIN DWELLING UNITS SHALL BE 1950 MM.
- 6.3. SEE SENTENCES 9.8.2.2.(1) AND 9.8.6.4.(1).
INTERIOR/EXTERIOR STAIRS IN SINGLE DWELLING UNITS (TABLE 9.8.4.1.)

	MAX (MM)	MIN (MM)
RISE	200	125
RUN	355	255
TREAD DEPTH	355	280

- 6.4. CURVED STAIRS SHALL HAVE AN AVERAGE RUN OF NOT LESS THAN 200 MM AND A MINIMUM RUN OF 150 MM AS PER SENTENCE 9.8.4.3.(2).
- 6.5. HEIGHT OF HANDRAILS ON STAIRS AND RAMPS SHALL BE NOT LESS THAN 865 MM AND NOT MORE THAN 965 MM AS PER SENTENCE 9.8.7.4.(2).
- 6.6. HEIGHT OF HANDRAILS ON LANDINGS (WHERE GUARDS ARE REQUIRED) SHALL BE NOT MORE THAN 1070 MM AS PER SENTENCE 9.8.7.4.(3).
- 6.7. GUARDS FOR FLIGHTS OF STEPS, EXCEPT IN REQUIRED EXIT STAIRS, SHALL BE NOT LESS THAN 900 MM HIGH AS PER SENTENCE 9.8.8.3.(4).

7. SMOKE ALARMS AND CARBON MONOXIDE ALARMS

- 7.1. SMOKE ALARMS CONFORMING TO CAN/ULC-S531, "SMOKE ALARMS" SHALL BE INSTALLED IN EACH DWELLING UNIT, IN EACH SLEEPING ROOM NOT WITHIN A DWELLING UNIT, AND IN EACH INTERIOR SHARED MEANS OF EGRESS AND COMMON AREA IN A HOUSE. WITHIN DWELLING UNITS, THERE SHALL BE AT LEAST ONE SMOKE ALARM ON EACH STOREY, INCLUDING BASEMENTS, AND ON ANY STOREY OF A DWELLING UNIT CONTAINING SLEEPING ROOMS, A SMOKE ALARM IS INSTALLED IN EACH SLEEPING ROOM, AND IN A LOCATION BETWEEN THE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AND IF THE SLEEPING ROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE INSTALLED IN THE HALLWAY. SMOKE ALARMS ARE TO BE CONNECTED TO AN ELECTRICAL CIRCUIT AND INTERCONNECTED SO THAT THE ACTIVATION OF ONE ALARM WILL CAUSE ALL ALARMS WITHIN THE DWELLING UNIT TO SOUND. SMOKE ALARMS ARE REQUIRED TO BE PROVIDED WITH A BATTERY AS AN ALTERNATE POWER SUPPLY. SMOKE ALARMS SHALL HAVE A VISUAL SIGNALLING COMPONENT. SEE SUBSECTION 9.10.19.
- 7.2. CARBON MONOXIDE ALARMS CONFORMING TO SUBSECTION 6.2.12 AND/OR SUBSECTION 9.33.4 SHALL BE INSTALLED.

8. ROOFING

- 8.1. FASTENERS FOR ROOFING SHALL BE CORROSION RESISTANT. ROOFING NAILS SHALL PENETRATE THROUGH OR AT LEAST 12MM INTO ROOF SHEATHING.
- 8.2. EAVE PROTECTION SHALL BE PROVIDED ON SHINGLE, SHAKE OR TILE ROOFS, EXTENDING FROM THE EDGE OF THE ROOF A MINIMUM OF 900 MM UP THE ROOF SLOPE TO A LINE NOT LESS THAN 300 MM INSIDE THE INNER FACE OF THE EXTERIOR WALL SEE 9.26.5.1.(1).
- 8.3. ASPHALT SHINGLES ON SLOPES OF LESS THAN 1 IN 3 (4:12) SHALL CONFORM TO SECTION 9.26.8.
- 8.4. OPEN VALLEYS SHALL BE FLASHED WITH 2 LAYERS OF ROLL ROOFING, OR 1 LAYER OF SHEET METAL MIN. 600MM WIDE SEE 9.26.4.3.(5).
- 8.5. THE INTERSECTION OF SHINGLE ROOFS AND MASONRY WALLS OR CHIMNEYS SHALL BE PROTECTED WITH FLASHING SHALL CONFORM TO SECTION 9.26.4.4.
- 8.6. THE INTERSECTION OF SHINGLE ROOFS AND WALLS CLAD WITH OTHER THAN MASONRY SHALL BE PROTECTED WITH FLASHING SHALL CONFORM TO SECTION 9.26.4.5.

9. ROOF SPACES AND VENTILATION

- 9.1. EXCEPT WHERE IT CAN BE SHOWN TO BE UNNECESSARY, WHERE INSULATION IS INSTALLED BETWEEN A CEILING AND THE UNDERSIDE OF THE ROOF SHEATHING, A SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE SHEATHING, AND VENTS SHALL BE INSTALLED TO PERMIT THE MOVEMENT OF AIR FROM THE SPACE TO THE EXTERIOR. THE UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA. WHERE THE ROOF SLOPE IS LESS THAN 1 IN 6 OR IN ROOFS THAT ARE CONSTRUCTED WITH ROOF JOISTS, THE UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/150 OF THE INSULATED CEILING AREA. NOT LESS THAN 25% OF THE VENTS SHALL BE LOCATED NEAR THE ROOF RIDGE. SEE ARTICLES 9.19.1.1 AND 9.19.1.2.
- 9.2. PROVIDE A NATURAL VENTILATION AREA OF 0.1M2 PER 50 M2 OF UNHEATED CRAWL SPACE AREA AS PER SENTENCE 9.18.3.1.(2).
- 9.3. PROVIDE MINIMUM 0.2 PER CENT OF UNFINISHED BASEMENT FLOOR AREA, AS UNOBSTRUCTED NATURAL VENTILATION TO THE OUTDOORS AS PER TABLE 9.32.2.1.
- 9.4. ATTIC ACCESS HATCH SHALL BE MINIMUM 0.32 M2 IN AREA WITH NO DIMENSION LESS THAN 545 MM, OR 500 MM X 700 MM. SEE ARTICLE 9.19.2.1.

10. BASEMENT WALKOUT AND LOOKOUT CONDITIONS

- 10.1. LATERAL STABILITY TO FOUNDATION WALLS SHALL CONFORM TO ARTICLES 9.15.4.2 AND 9.15.4.3. BRICK VENEER SHALL NOT BE LOADBEARING. PROVIDE A 1070 MM HIGH GUARD. AT WALKOUTS PROVIDE A THREE-WAY SWITCH AT THE BOTTOM OF THE BASEMENT STAIRS AND AT EXTERIOR DOORS. STRIP FOOTINGS SHALL CONFORM TO TABLE 9.15.3.4 AND ARTICLES 9.15.3.4. AND 9.15.3.5. PROVIDE ADEQUATE SIZE OF STEEL COLUMNS ON TOP OF THE FOUNDATION WALLS IN ORDER TO SUPPORT THE STEEL BEAMS. PROVIDE WOOD AND STEEL LINTELS OVER BASEMENT WINDOWS PER ARTICLES 9.23.12.3. AND TABLE 9.20.5.2.B.
11. STUD WALL REINFORCEMENT
- 11.1. PROVIDE STUD WALL REINFORCEMENT IN BATHROOMS CONFORMING TO ARTICLE 9.5.2.3 FOR THE INSTALLATION OF GRAB BARS.



TENHOUSE BUILDING WORKSHOP
107 GLADSTONE AVENUE
HAMILTON, ON L8M 2H8
T: 905-699-7371

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

QUALIFICATION INFORMATION

MATTHEW FRATARCANGELI
BCIN#:44839

REGISTRATION INFORMATION

TENHOUSE BUILDING WORKSHOP
BCIN#:112916

NO.	DATE	REVISION/ISSUE
0	25-08-07	MINOR VARIANCE

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PROJECT:
NEW REAR YARD COVERED PATIO AND NEW EXTERIOR DOOR AT 544 HURD AVENUE, BURLINGTON, ON

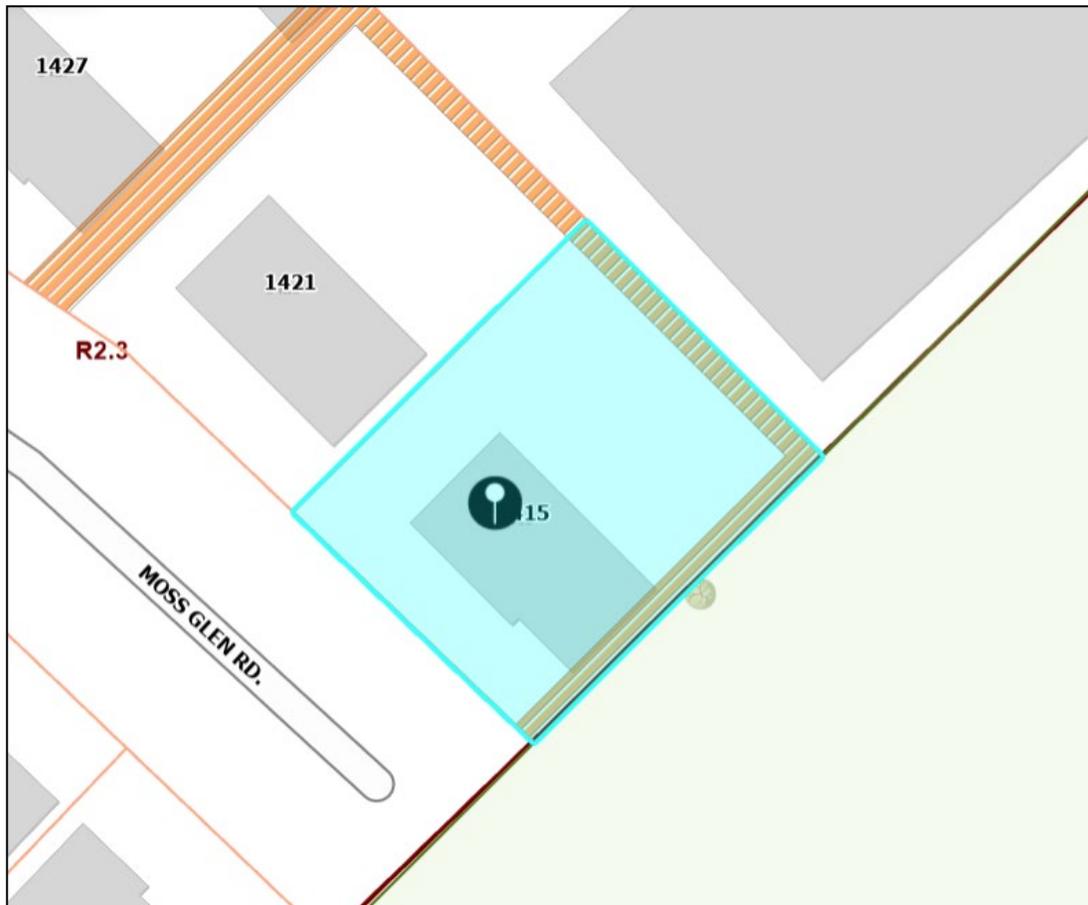
DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 2025-08-07

GENERAL CONSTRUCTION NOTES

A4.01

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Jonathon Norgard and Rachel Norgard
Address: 1415 Moss Glen Rd. Burlington
File No. **A-083/25**
Ward: 3



Staff Comments

Committee of Adjustment

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

Date: November 14, 2025

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

1) Background information:

The subject property is zoned R2.3, Low Density Residential, under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The R2.3 zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R2.3	18 m	680 m ²	7.5 m	9 m	(b)	4.5 m

Footnotes to Table 2.4.1

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

2) Proposal:

The applicant is proposing to legalize the construction of a one-storey front yard addition which was constructed without benefit of approvals.

3) Variances required:

1. To permit a front yard of 5.1 m instead of the minimum required 7.5 m for a proposed one-storey addition.

4) Notes and conditions:

Condition:

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

Notes:

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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

Date: November 19, 2025

Prepared By: Chase Kelly

Site Planning

Site Characteristics	
Lot Frontage (m)	23.46 m
Lot Area (m²)	677.5 m ²
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Single storey detached dwelling with an attached garage; existing (two-car width) driveway; shed and wood deck in the rear; board fence along the rear and north; chain-link fence along the south next to the park
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Flat and level
Notable Site Features	Abutting Mountainside Park
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-rise Residential
Nearest Major Intersection	Mount Forest Road and Brant Street
Neighbourhood Boundaries*	North: Upper Middle Road East: Crosstown Trail South: QEW West: Brant Street
*Based on OP, 1997 residential neighbourhood definition	

Neighbourhood Characteristics:

- The neighbourhood contains a mix of one-storey bungalows, split-level homes, and two-storey dwellings.
- Several homes appear original, while others have undergone renovations or additions, creating a varied but cohesive low-rise residential character.
- Building massing is generally modest and horizontally oriented, with wide façades and low overall height profiles.
- A cluster of townhouse-style units is present along Meadowbrook Road, introducing additional built form variation while remaining consistent in scale.
- The roofscape includes a mix of gable, hip, shallow-pitched, and a few mansard-influenced roof forms.
- Rooflines are low to moderate in height, contributing to a visually consistent low-rise streetscape.
- Many homes feature front porches or covered entry areas, providing weather protection and adding architectural interest. Some dwellings include full-width porches, while others have smaller covered entrances with columns or railings.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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- Front entries are oriented towards the street (except on bungalows with carports), maintaining a traditional residential frontage and enhancing street engagement.
 - Porches are generally integrated into the roof forms of split-level and bungalow-style homes, while newer homes occasionally feature more prominent gabled porch projections.
 - Driveways are typically single-width, leading to carports, attached garages, or side-yard parking. Some properties have widened driveways to accommodate additional vehicles, but these remain visually compatible with lot sizes.
 - Carports appear frequently and are integrated into the massing of the dwelling.
 - Mature trees are a defining feature, both in front yards and in the boulevard, creating a strong green canopy. Front yards are predominantly lawn, with plantings, shrubs, and garden beds appearing throughout. Minimal hardscaping reinforces the soft, park-like streetscape character.
 - Despite variations in architectural style and age, the neighbourhood maintains a cohesive appearance due to consistent setbacks, similar lot widths, and predominantly low-rise built form.
 - Renovated homes with updated façades—such as new siding, porches, or enlarged windows—blend with original structures and contribute to a varied yet compatible character.

A site visit was conducted on January 9, 2025, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

The proposal meets the general intent and purpose of the Regional Official Plan, 2022 (ROP, 2022) for the following reasons:

- Detached dwellings are permitted by the City's Zoning By-law, which is consistent with section 76 of the ROP indicating 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.

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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Official Plan, 1997 & 2020

Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

The proposal/variance meets the general intent and purpose of the Official Plan for the following reasons:

- The existing land use, as altered by the proposed porch enclosure is consistent with the 'Low-Rise Neighbourhoods I' land use designation under Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, which consists of low-rise, ground-oriented dwellings and encourages additions to existing single-detached dwellings, where compatible.
- Whereas Part II, Section 8.3.2(1)(a)–(d) of the BOP, 2020 (Low-Rise Neighbourhoods I) directs that new development and additions shall be compatible with the surrounding context and maintain the predominant character of the neighbourhood with respect to height, massing, and setbacks, the proposal is consistent with these objectives in the following ways:
 - The enclosed porch remains within the footprint of the previously open porch, resulting in no new forward projection and preserving the established front yard relationship along the street.
 - The addition is one storey in height and maintains the dwelling's existing low-rise built form, ensuring massing remains compatible with surrounding homes.
 - The reduced setback reflects an existing condition rather than new encroachment, thereby maintaining the neighbourhood's general pattern of spacing and streetscape rhythm.
 - The redesign, including upgraded exterior materials (stone veneer on the porch enclosure and partial vertical siding replacement), enhances the façade without increasing building scale or altering the character of the dwelling.

Whereas *compatible* is defined 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", which is evaluated in accordance with measurable/objective standards, the planner notes the following:

- The proposal maintains the existing building's overall height, roof form, and massing, ensuring that the dwelling continues as a low-rise, split-level home consistent with surrounding built form.
- The front yard addition remains one storey and is fully contained within the footprint of the original uncovered porch, resulting in no increase in building massing or scale as perceived from the street.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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- The redesigned front entry improves the architectural coherence of the dwelling, introducing a modest gable roof and stone cladding that provide clearer definition to the entry without overwhelming the façade. The height of the entry feature remains subordinate to the main roofline, maintaining appropriate massing hierarchy.
 - The western façade complements the porch enclosure through added vertical emphasis; the replacement of existing brick veneer with new blue vertical siding complements the vertical accentuation of the porch enclosure massing and introduces a more contemporary expression. This siding treatment breaks up the horizontal massing of the upper level and provides continuation between storeys, improving façade expression while remaining compatible with the neighbourhood's varied cladding styles.
 - The extent of exterior changes is limited to material upgrades and architectural refinement, with no expansion to the second storey or alteration of the primary roof form.
 - The dwelling continues to reflect the scale and form of nearby split-level and two-storey homes.
 - The reduced front yard setback does not result in adverse streetscape impacts, as the addition maintains the established alignment of the dwelling and does not project beyond neighbouring homes.
 - The overall setback continues to fit within the range of front yard conditions found on the street.
 - The proposal enhances streetscape presence without altering functional relationships on the lot, such as driveway placement, access, or grading.

2) City of Burlington Zoning By-law 2020:

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

Yes – (Front Yard (Section 4.1, Table 2.4.1))

The general intent and purpose of the front yard setback regulation in Zoning By-law 2020 is to maintain a consistent and harmonious streetscape by ensuring adequate separation between dwellings and the public realm; preserving sightlines, openness, and the landscaped character of front yards; providing sufficient space for soft landscaping, drainage, utilities, and pedestrian circulation; and ensuring that additions remain subordinate to the main dwelling and do not visually or functionally dominate the streetscape. The requested decrease in the front yard from 7.5m to 5.1m continues to meet this intent for the following reasons:

- The proposed front addition, despite introducing a vertical accentuation of the entry into a largely horizontal massing, remains low-profile and subordinate to the main dwelling. The one-storey enclosed entry enclosure is modest in height and scale, ensuring the massing facing the street remains consistent with the existing split-level form and with nearby dwellings.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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- The addition is contained within the footprint of the original open porch. Because the structure does not extend further into the front yard than the pre-existing porch projection, the functional and visual openness of the front yard is maintained.
 - The reduced setback continues to fall within the general range of front yard conditions observed along the street. Based on neighbourhood review, several dwellings exhibit varied front setbacks due to split-level configurations, front porches, carports, or projecting façade elements (e.g., 1449 and 1461 Moss Glen Rd.). The proposed setback therefore does not disrupt the established front yard rhythm.
 - Streetscape impacts are minimal due to the limited height (one storey) and modest architectural expression of the addition. The new entry introduces improved materials and articulation without altering the overall massing or imposing a visually dominant form closer to the street.
 - Sufficient front yard space remains for landscaping, drainage, pedestrian access, and utilities. The variance does not compromise the functional performance of the front yard, nor does it interfere with driveway access or grading patterns.
 - The proposal preserves compatibility with adjacent dwellings. The dwelling continues to present as a low-rise residential form with a clear entry, appropriate massing hierarchy, and setbacks comparable to neighbouring homes.

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 development of the land because:

- The addition is small in scale (approximately 1.43 m × 3.227 m) and represents a modest enclosure of an existing front entry area, resulting in a functional improvement without introducing massing that would appear intrusive or incompatible with neighbouring dwellings.
- The enclosure improves the usability and livability of the dwelling, providing weather protection and a defined entry vestibule, while maintaining the existing circulation pattern at the front of the home.
- The modification enhances the architectural character of the façade, introducing upgraded materials (stone veneer and new siding) and a more pronounced entry treatment that contributes positively to the streetscape. The addition remains visually subordinate to the overall dwelling, maintaining the existing roofline, preserving the original building form, and limiting projection into the front yard to below-grade porch conditions that are common in older neighbourhoods.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

-
- No adverse impacts are anticipated on adjacent properties with respect to shadowing, privacy, drainage, or views, given the small footprint, limited height, and its location directly over an existing porch footprint.
 - The front yard continues to function as intended, with ample landscaped open space, unobstructed access, and no interference with driveway operations or municipal infrastructure.
 - The improvement supports reinvestment in the existing housing stock, consistent with Official Plan policy direction encouraging modest, compatible residential enhancements that extend the functional life of established homes.

4) Minor in Nature:

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

Yes

The proposed variances are considered minor in nature for the following reasons:

- The numerical relief is modest, reducing the front yard from 7.5 m to 5.1 m—an encroachment of approximately 2.4 m limited solely to a small, enclosed entry area measuring 1.43 m × 3.227 m, representing a very small percentage of the overall building footprint and lot depth.
- The addition occupies the footprint of the former open porch, meaning the functional front-yard condition remains substantially unchanged, and the spatial separation from the street is still generous relative to neighbouring homes.
- The scale and height of the enclosure are minimal, resulting in a negligible massing increase and no perceptible adverse impacts on the streetscape or adjacent properties.
- The small projection does not affect site function, as driveway access, sightlines, grading, drainage, and landscaping remain unaffected.
- The variance does not alter the established character of the dwelling, as the small entry enclosure is consistent with common front-entry projections found throughout similar neighbourhoods.

In summary, while the variance represents a deviation from the standard, it is minor in both magnitude and impact, does not undermine the intent of the Zoning By-law, and results in a form of development that is compatible, appropriate, and desirable for the property and the neighbourhood.

Cumulative Effects of Multiple Variances and Other Planning Matters:

- N/A

Recommendation:

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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

Date: January 9, 2026

Prepared By: Melissa Gasic, MCIP RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos – January 9, 2026)



View of the front



View of the front and the abutting park to the south



View of the property across the street



View of the neighbourhood properties

**COMMITTEE OF ADJUSTMENT
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STAFF REPORTS**



**View of the neighbourhood properties
(bungalow with a carport)**



View of the townhomes on Meadowbrook Road



**View of the neighbourhood properties (front
door under mansard roof)**



View of 1471 Moss Glen Road



View of 2161 Parkway Drive



View of 2276 Parkway Drive

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View of 2277 Parkway Drive



View of the porch enclosure



View of the neighbourhood properties (two storey with continuous porch)



View of the neighbourhood properties (side split with integrated porch)

Development Engineering

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

Date: December 1, 2025

Prepared By: D. Savelli

Forestry

Forestry has reviewed the application and has no objection to the proposed minor variances and provides the following advisory comments to the applicant:

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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

Date: December 15, 2025Prepared By: M.Krzywicki**Building**

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

Date: January 2, 2026Prepared By: Q.Tan**Transportation Planning**Deemed Road Width Analysis

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

Date: November 26, 2025Prepared By: Thalia Thompson

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

Date: December 2, 2025Prepared By: E. Chen**Finance****Notice regarding Development Charges:**

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Tax

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

Date: November 28, 2025Prepared By: L. Bray**Halton Region****Regional Contaminated Sites Database:**

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

Regional Staff have reviewed the Minor Variance application proposing to legalize the construction of a one-storey front yard addition which was constructed without benefit of approvals. Variance is requested to the minimum required front yard depth.

- 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: January 5, 2026Prepared By: Navjot Kaur**Burlington Hydro**

Comments not received by the date this report was published.

NOTICE OF PUBLIC HEARING

Jonathon Norgard and Rachel Norgard, the owners of 1415 Moss Glen Rd, Burlington, have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **1415 Moss Glen Rd. Burlington** (see map).

The applicant is proposing to legalize the construction of a one-storey front yard addition which was constructed without benefit of approvals. This proposal results in the following variance:

1. To permit a front yard of 5.1 m instead of the minimum required 7.5 m for a proposed one-storey addition.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca** on or after **January 19, 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 FEBRUARY 4, 2026,

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.

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

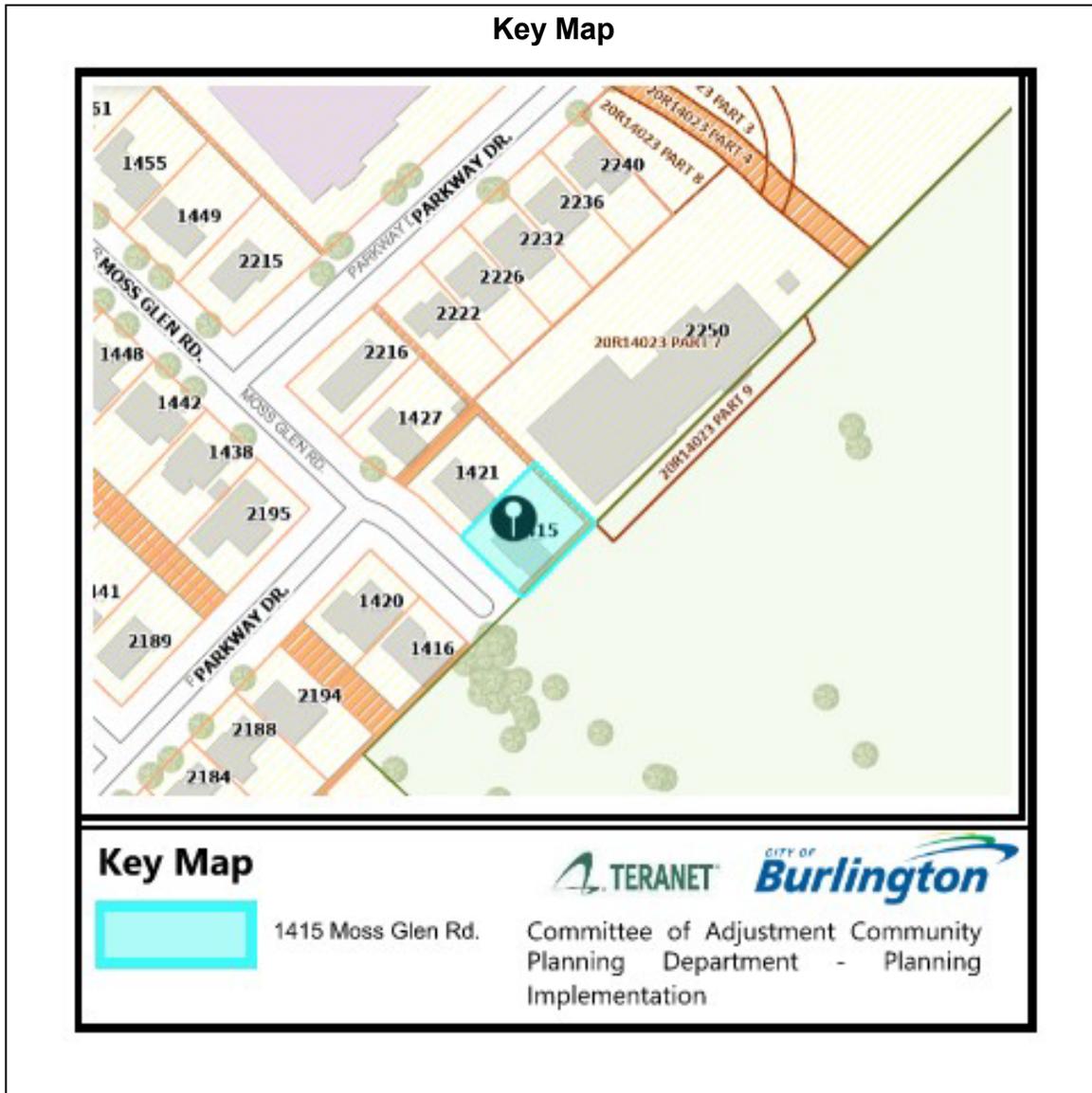
Yours truly,



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.



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

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

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

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

PROPERTY INFORMATION

Municipal Address(es) of property:

1415 Moss Glen Road, Burlington, ON

Legal Description of property:

LOT 53 REGISTERED PLAN 1006

Official Plan Designation: _____ Current Zoning Designation R2.3

OWNER(S) INFORMATION:

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

Jonathon Norgard & Rachel Norgard

Mailing Address: 1415 Moss Glen Rd City: Burlington

Postal Code: L7P 2B8 Home Phone: _____ Mobile Phone: 905-617-4687

Work Phone: _____ E-Mail: norgardrachel1983@gmail.com

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

Name: _____

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

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

Proposed Front Addition, created by converting the existing front porch into an enclosed entry

Variance(s) Requested	Zoning Bylaw Requirement
Front yard setback = 5.19m	7.5m

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

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

Porch was enclosed on existing footprint of home, total heated space of home increased by less than 4.65m²

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

Front elevation modernization, increased property value of neighborhood

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

Yes, building footprint has not changed.

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

, footprint has not changed.

PROPERTY DETAILS (please complete all fields):				
Date property purchased:	Date property first built on:	Date of proposed construction:		
Feb, 10, 2021 <small>mmm/dd/yyyy</small>	est. 03/31/1961 <small>mmm/dd/yyyy</small>	 <small>mmm/dd/yyyy</small>		
Existing Use of the Subject Property (check one):		Length of time the existing uses of the subject property have continued:		
Detached Dwelling <input checked="" type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Stacked Townhouse Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Other <input type="checkbox"/> _____		Continuous		
		Proposed Use of the Land:		
		Detached Residential		
Existing Uses of Abutting Properties (check all that apply)				
Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>				
Additional Information				
Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/>				
Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>				
Type of Access to the Subject Lands				
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other(specify) <input type="checkbox"/>
Municipal Services Provided				
Water <input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
Sanitary Sewers <input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
Storm Sewers <input checked="" type="checkbox"/>	If not available, by what means is it provided: _____			
IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS:				
<input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Zoning By-law Amendment <input type="checkbox"/> Building Permit <input type="checkbox"/> Site Development Plan <input type="checkbox"/> Plan of Subdivision <input type="checkbox"/> Previous Minor Variance <input type="checkbox"/> Consent				

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot? Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Frontage 23.45m	Depth 29.89m (avg)	Area 677.5 m ²	Actual 20m	Deemed 20m	Required 20m		

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)	99.3 M ²	Ground Floor Area (incl. attached garage)	103.7 M ²
Gross Floor Area:	147.2 M ²	Gross Floor Area:	151.6 M ²
Number of Storeys:	2	Number of Storeys:	2
Width:	14.5m M	Width:	no change M
Length:	6.7m M	Length:	8.1m M
Height:	6.44m M	Height:	no change M
Garage/Car Port		Garage/Car Port	
Detached?	N/A no change Y <input type="checkbox"/> N <input type="checkbox"/>	Detached?	Y <input type="checkbox"/> N <input type="checkbox"/>
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:	N/A no change 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:	N/A no change 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:	6.47 M	Front:	5.19 M
Rear:	15.41 M	Rear:	no change M
Side/Street Side:	6.49 M	Side/Street Side:	no change M
Side/Other Side:	2.39 M	Side/Other Side:	no change M

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name Rachel Norgard

Property Address 1415 Moss Glen Rd


Signature of Owner/Applicant

Oct 19, 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:

Agent: _____

I, Rachel Norgard of the City of Burlington in the region
(print name) (Region/City/County) (City/Town/Township)

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

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

this 3rd day of November 2025.

Lisa Palermo, Manager of
Committee Services, Deputy Clerk
The Corporation of the City of
Burlington, Region of Halton
A Commissioner of Oaths pursuant
to s.228(4) of the Municipal Act

L. Palermo
Signature of Commissioner, etc.

Rachel Norgard
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: 1415 Moss Glen Rd Burlington

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

Rachel Norgard
Signature of Owner

Rachel Norgard
Print Name

OWNERS AUTHORIZATION

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

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

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

application for a Minor Variance.

Signature of Owner

Date (mmm/dd/yyyy)

Notice of collection of personal information

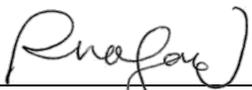
Personal information contained on this form is collected under the authority of the Planning Act, RSO 1990, c. P.13, to process applications and make decisions. Applications made under the Planning Act, are considered part of the public record and shall be made available to the public. Questions about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

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

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	Select (✓)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	
SITE PLAN <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) (N/A) <input type="checkbox"/> All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc) (N/A) 	

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 <input type="checkbox"/> Setbacks <input type="checkbox"/> Height <input type="checkbox"/> Area <i>N/A - no changes, not in scope</i> <input type="checkbox"/> Length <input type="checkbox"/> Width
ELEVATIONS <input checked="" type="checkbox"/> Metric <input checked="" type="checkbox"/> Front <input checked="" type="checkbox"/> Rear <input checked="" type="checkbox"/> Side 1 <input checked="" type="checkbox"/> Side 2
FLOOR PLANS <input checked="" type="checkbox"/> Metric <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Gross Floor Area Calculation <i>(Included in lot statistics)</i> <input checked="" type="checkbox"/> Ground Floor Area Calculation <i>(Included in lot statistics)</i> <input checked="" type="checkbox"/> Floor Area Ratio (where applicable) <i>(Included in lot statistics)</i>

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

Oct 19, 2025

 Date (mmm/dd/yyyy)

PART OF
CONCESSION
SOUTH OF DUNDAS STREET
GEOGRAPHIC TOWNSHIP OF NELSON

2 STOREY
BRICK & STUCCO
BUILDING
No. 2250

PART 7
PLAN 20R-14023 PIN 07141-0025 (LT)

PART 9
PLAN 20R-14023

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY OF
LOT 53
REGISTERED PLAN 1006
IN THE
CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON
SCALE & NOTES
Scale 1:150

BARICH GRENKIE SURVEYING LTD.
A DIVISION OF GEOMAPLE
© COPYRIGHT 2025

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

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH-EASTERLY
LIMIT OF MOSS GLEN ROAD AS SHOWN ON REGISTERED PLAN 1006 HAVING A
BEARING OF N46°20'00"W.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
CC	DENOTES	CUT CROSS
WIT	DENOTES	WITNESS
OU	DENOTES	ORIGIN UNKNOWN
P1	DENOTES	REGISTERED PLAN 1006
P2	DENOTES	PLAN 20R-14023
D1	DENOTES	INSTRUMENT No. 112285
M&P	DENOTES	MACKAY, MACKAY & PETERS
546	DENOTES	R. G. SEWELL, O.L.S.
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
OH	DENOTES	OVERHEAD UTILITY
UP	DENOTES	UTILITY POLE

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-101152



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
in accordance with
Regulation 1926, Section 29(3)

THIS PLAN WAS PREPARED FOR JONATHON & RACHEL NORGARD AND THE
UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
PART 2
DESCRIPTION SUMMARY - LANDS DESCRIBED IN PIN 07141-0015 (LT).
LOT 53, REGISTERED PLAN 1006

REGISTERED EASEMENTS/RIGHTS-OF-WAY - SUBJECT TO
EASEMENT AS IN INSTRUMENT No. 112285

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND
HEDGES AS SHOWN ON THE FACE OF THE PLAN.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS -
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BYLAWS

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 MARCH 13, 2025.

MARCH 14, 2025


ERIC G. SALZER
O.L.S., O.L.I.P

Barich Grenkie
Surveying Ltd.
301 HWY No. 8 (2ND FLOOR) STONEY CREEK, ON
L8G 1E5 (905) 662-6767

DWN BY: EWA
CHK BY: EGS
JOB No. 25-3327

PARKWAY DRIVE

REGISTERED

LOT 52
PIN 07141-0016 (LT)

LOT 53
PIN 07141-0015 (LT)

REGISTERED BLOCK PLAN 533

PIN 07141 - 0071 (LT)

Copyright Act Applies to Use and
Production

MOSS GLEN ROAD
(REGISTERED PLAN 1006)
PIN 07141-0019 (LT)

0.30 RESERVE
PIN 07141-0028 (LT)

LOT 55

LOT 54

Proposed Addition

Location: 1415 Moss Glen Rd., Burlington, ON

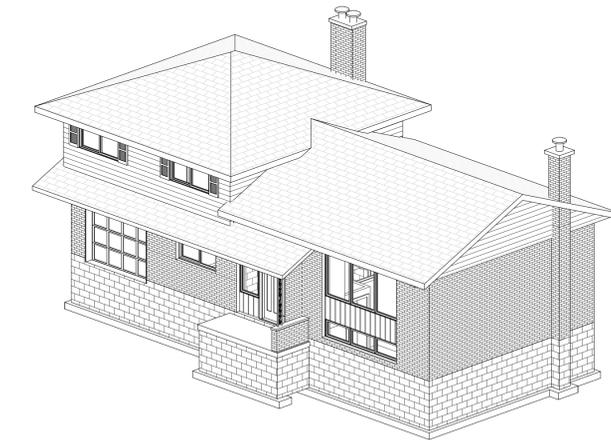
Sheet List	
Sheet Number	Sheet Name
0 General	General - Information
1 Existing Conditions	
A1-100	Architectural Existing - Plans
A1-200	Architectural Existing - Elevations
4 Restoration	
A4-100	Architectural Addition - Plans
A4-200	Architectural Addition - Elevations



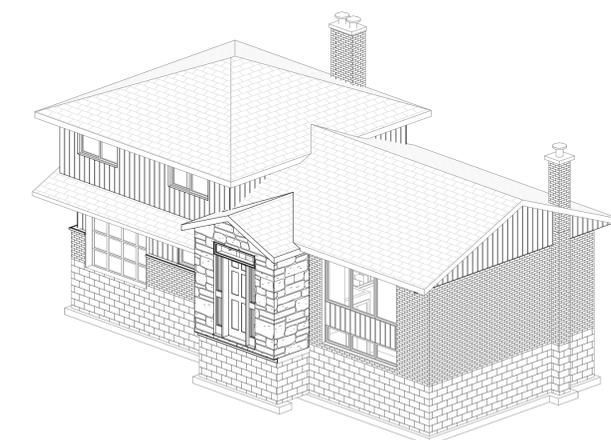
707 Kipling Ave. Toronto, ON, M8Z 5G4
Tel. (416) 798-8770
tSmithEngineering.com

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Phase 1 - Existing Conditions
3D View, 1_A_3D - View 1



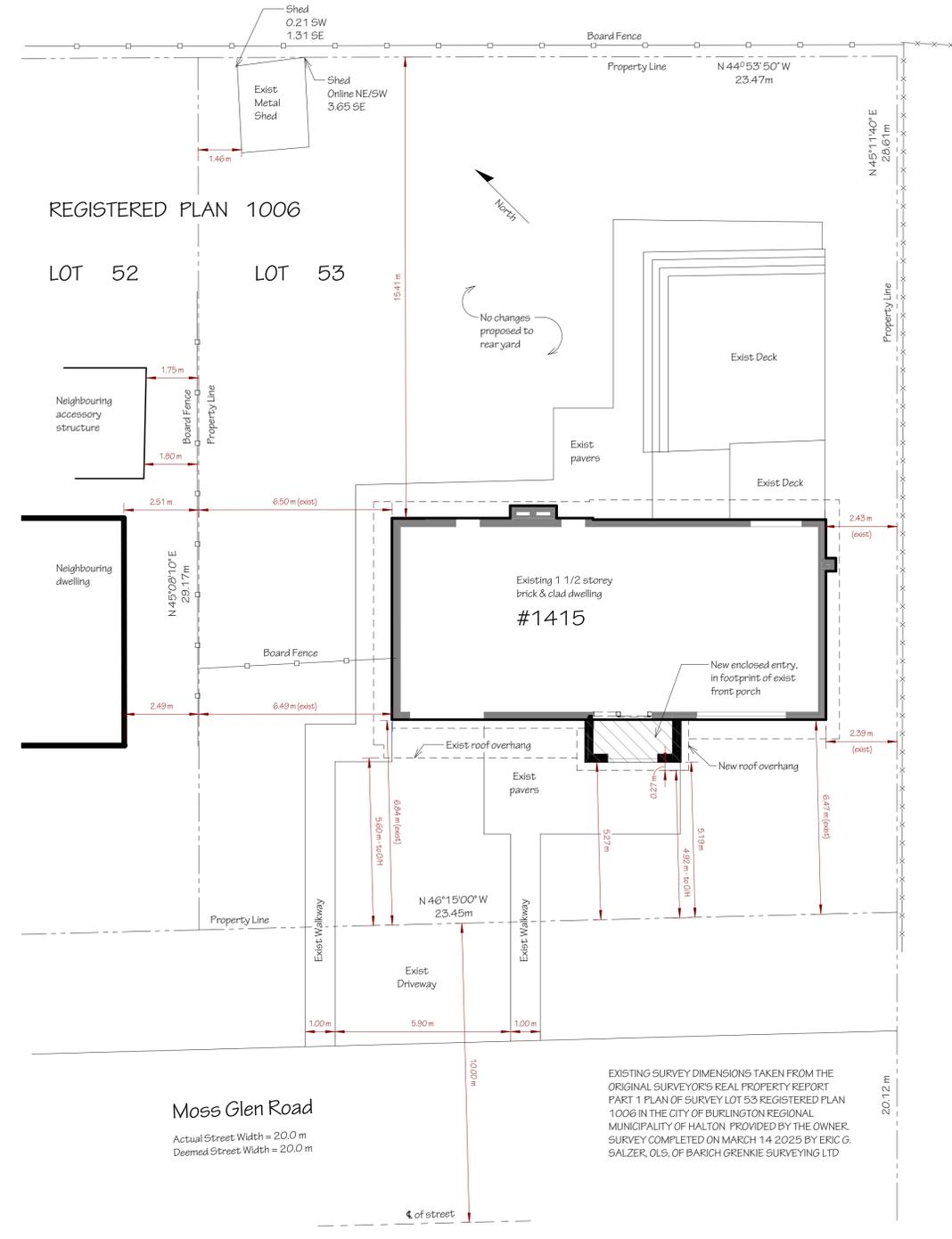
Phase 4 - Addition
3D View, 4_A_3D - View 1



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ITEM	Allowable	Existing	Proposed
Lot Area		677.5m ²	no change
Lot Width		23.46m	no change
Lot Coverage (total %) (2 storey building in designated coverage area)	max 25.0%	16.1%	16.8%
TOTAL (Area)		107.8m ²	112.4m ²
Main building (including floor overhang)		101.1m ²	105.7m ²
Decks and Porches = exempt by definition		0 m ²	0 m ²
Accessory Structures (Area)		6.7m ²	no change
Floor Area Ratio (total %)	max 45.0%	22.1%	22.7%
TOTAL Floor Area		147.2m ²	151.6m ²
Basement = exempt		0 m ²	0 m ²
Level 1 (Area)		99.3m ²	103.7m ²
Level 2 (Area)		47.9m ²	no change
Setbacks			
Front yard setback	min 7.5m	6.47m	5.19m
Front setback to roof overhangs	min 7.0m	5.60m	4.92m
Side yard setback 1		6.49m	no change
Side yard setback 2		2.39m	no change
Rear yard setback		15.41m	no change

Legend of Abbreviations			
ABOLT = Anchor Bolt	DHW = Domestic Hot Water	HVAC = Heating Ventilating & Air Conditioning	FL = Flute
ACT = Acoustic Ceiling Tile	EL = Elevation	INSUL = Insulation	FLA = Flange Load Above
AFF = Above Fin Floor	ELV = Elevator	INT = Intertier	FC = Precast Concrete
AH = Attic Hatch	ELEC = Electrical	JT = Joint	PROJ = Projection
ALT = Alternate	EQ = Equal	LL = Live Load	PT = Pressure Treated
ARCH = Architectural	EX = Existing	MAX = Maximum	REF = Reference
ASL = Adj. Snow Load	EXPJT = Expansion Joint	MECH = Mechanical	REIN = Reinforcement
BLDG = Building	EXT = Exterior	MEZZ = Mezzanine	REQD = Required
BM = Beam	FD = Floor Drain	MIN = Minimum	REV = Revision
B/O = Bottom Of	FDN = Foundation	MISC = Miscellaneous	RO = Rough Opening
BRDG = Bridging	FEE = Fin Floor Elevation	MO = Masonry Opening	RISW = Reinforce With
BSMT = Basement	FIN = Finished	NC = Non-Combustible	RJ = Roof Joint
BPL = Base (bearing) Plate	FIS = Floor Joist	NO = Not In Contact	RR = Roof Rafter
CL = Centre Line	FRK = Fire Resistance Rating	NUM = Number	SDF = Step Down Footing
CANT = Cantilever	FTG = Footing	NOM = Nominal	SECT = Section
CJ = Construction Joint	FTS = Fire Separation	NTS = Not To Scale	SIM = Similar
CL = Closet	FW = Fume	OBC = Ontario Building Code	SL = Slab
CLG = Ceiling	FWB = Gypsum Wall Board	O.C. = On Centre	SOG = Slope On Grade
CLR = Clear	HC = Hollow Core	OH = Overhang	SPECS = Specifications
COL = Column	HM = Hollow Metal	OPEN = Opening	STC = Sound Transmission Classification
CONC = Concrete		OWSJ = Open Web Steel Joist	STD = Standard
CONSTR = Construction			STRUC = Structural
CONT = Continuous			SQ = Square
CON = Connect With			T&G = Tongue and Groove
Complete With			T/O = Top Of
CJT = Construction Joint			TEMP = Temporary
DET = Detail			TYP = Typical
DAG = Diagonal			UIS = Underside
DIA.Ø = Diameter			



Phase 4 - Addition
Site Plan, Site Plan
1:100

EXISTING SURVEY DIMENSIONS TAKEN FROM THE ORIGINAL SURVEYOR'S REAL PROPERTY REPORT PART 1 PLAN OF SURVEY LOT 53 REGISTERED PLAN 1006 IN THE CITY OF BURLINGTON REGIONAL MUNICIPALITY OF HALTON PROVIDED BY THE OWNER. SURVEY COMPLETED ON MARCH 14 2025 BY ERIC G. SALZER, OLS, OF BARICH GRENKIE SURVEYING LTD.

#	Description	Date
2	Issued for Zoning Variance App	Oct 10, 2025
1	Issued for Client Review	Sept 23, 2025

Client	Rachel Norgard
Address	1415 Moss Glen Rd., Burlington, ON
File	25-07045PR
Title	General - Information
Sheet	.G-100
Drawings Remain The Property Of T Smith Engineering Inc	

Window Schedule, Existing					
On site measurements for all openings taken from inside trim to inside trim. Contractor to verify dimensions where opening replacement required.					
Window Number	Approximate Size		Sill Height	Head Height	Level
	Width	Height			
2	118"	21"	62"	83"	Basement
4	37"	21"	63"	84"	Basement
5	37"	21"	63"	84"	Basement
1	30"	65"	24"	89"	Floor 1 Lower
7	63"	33"	38"	71"	Floor 1 Lower
8	39"	27"	48"	76"	Floor 1 Lower
3	118"	66"	14"	80"	Floor 1
10	51"	39"	42"	81"	Floor 1
11	51"	39"	42"	81"	Floor 1
12	63"	33"	42"	75"	Floor 1 Upper
13	63"	33"	42"	75"	Floor 1 Upper
14	63"	33"	42"	75"	Floor 1 Upper
15	32"	26"	49"	75"	Floor 1 Upper

Door Schedule, Existing					
On site measurements for all openings taken from inside trim to inside trim. Contractor to verify dimensions where opening replacement required.					
Door #	Function	Width	Height	Sill Height	Level
10	Exterior	36"	84"	0"	Floor 1 Lower
11	Exterior	96"	84"	-5"	Floor 1 Lower
12	Exterior	32"	82"	0"	Floor 1 Lower
15	Exterior	32"	82"	0"	Floor 1 Lower
16	Exterior	68"	77"	0"	Floor 1
1	Interior	36"	48"	0"	Basement
2	Interior	30"	78"	0"	Basement
3	Interior	32"	80"	0"	Basement
4	Interior	36"	80"	0"	Basement
5	Interior	30"	80"	0"	Basement
6	Interior	30"	80"	0"	Basement
7	Interior	30"	80"	0"	Basement

Door Schedule, Existing					
On site measurements for all openings taken from inside trim to inside trim. Contractor to verify dimensions where opening replacement required.					
Door #	Function	Width	Height	Sill Height	Level
8	Interior	64"	80"	0"	Basement
9	Interior	64"	80"	0"	Basement
13	Interior	32"	80"	0"	Floor 1 Lower
14	Interior	36"	80"	0"	Floor 1 Lower
17	Interior	37"	80"	0"	Floor 1 Upper
18	Interior	30"	80"	0"	Floor 1 Upper
19	Interior	45"	80"	0"	Floor 1 Upper
20	Interior	45"	80"	0"	Floor 1 Upper
21	Interior	30"	80"	0"	Floor 1 Upper
22	Interior	30"	80"	0"	Floor 1 Upper
23	Interior	24"	80"	0"	Floor 1 Upper
24	Interior	46"	80"	0"	Floor 1 Upper
25	Interior	28"	80"	0"	Floor 1 Upper

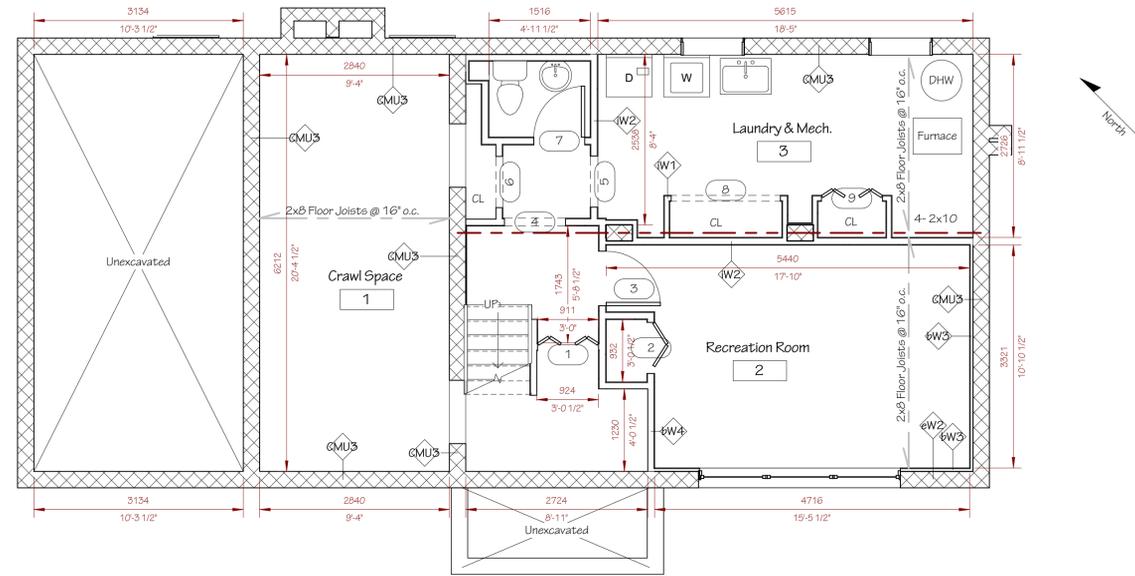
Wall Assemblies, Existing			
Type	Assembly Image	Description	Assembly
Exterior		CMU wall (typ)	8" concrete unit masonry
Exterior		CMU wall (typ)	10" concrete unit masonry
Interior		Masonry wall	face brick, single layer mechanical ties @ 16" oc
Interior		Masonry wall	backer brick, with 6th course headers or mechanical ties @ 16" oc
Interior		Masonry wall	backer block face brick, 6th course headers or mechanical ties @ 16" oc
Exterior		Exterior wall	1/2" gypsum board 6 mil polyethylene vapor retarder / air barrier 2x4 @ 16" oc (double top plate) fiberglass batt insulation (fill cavity) sheathing membrane (existing or tyvec) aluminum siding

Wall Assemblies, Existing			
Type	Assembly Image	Description	Assembly
Exterior		Exterior wall	1/2" gypsum board 6 mil polyethylene vapor retarder / air barrier 2x4 @ 16" oc (double top plate) fiberglass batt insulation (fill cavity) sheathing membrane (existing or tyvec) aluminum siding
Interior		Bulkout wall	1/2" gypsum board 1x2 strapping @ 16" oc (applied to core wall as specified)
Interior		Bulkout wall	1/2" gypsum board 2x2 strapping @ 16" oc (applied to core wall as specified)
Interior		Bulkout wall	1/2" gypsum board 2x4 stud @ 16" oc Mw dampproof poly below plate
Interior		Interior partition	1/2" gypsum board 2x3 @ 16" oc 1/2" gypsum board
Interior		Interior partition (typ)	1/2" gypsum board 2x4 @ 16" oc 1/2" gypsum board

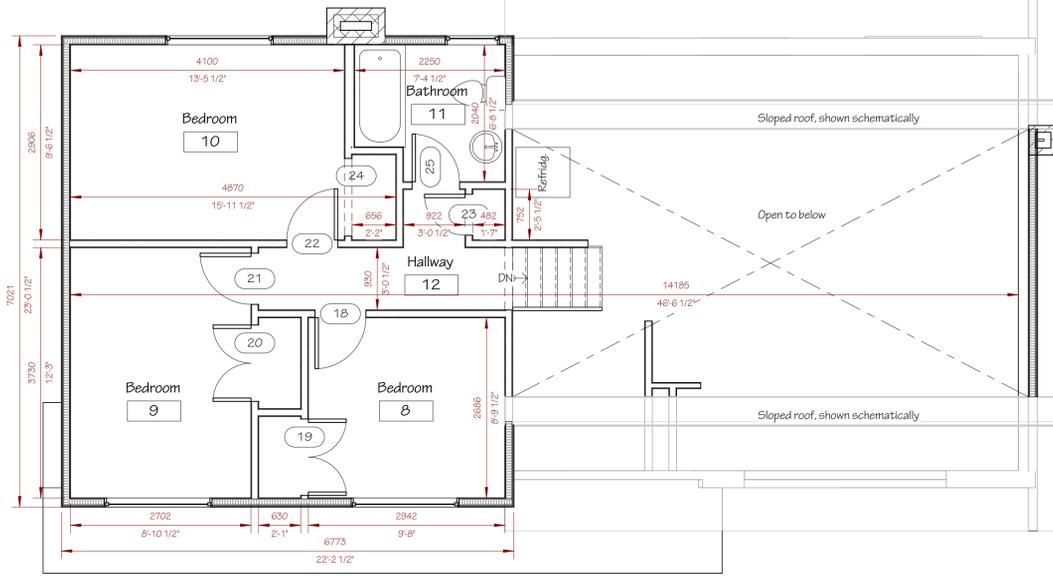
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Tel: (416) 798-8770
tSmithEngineering.com

General Notes:

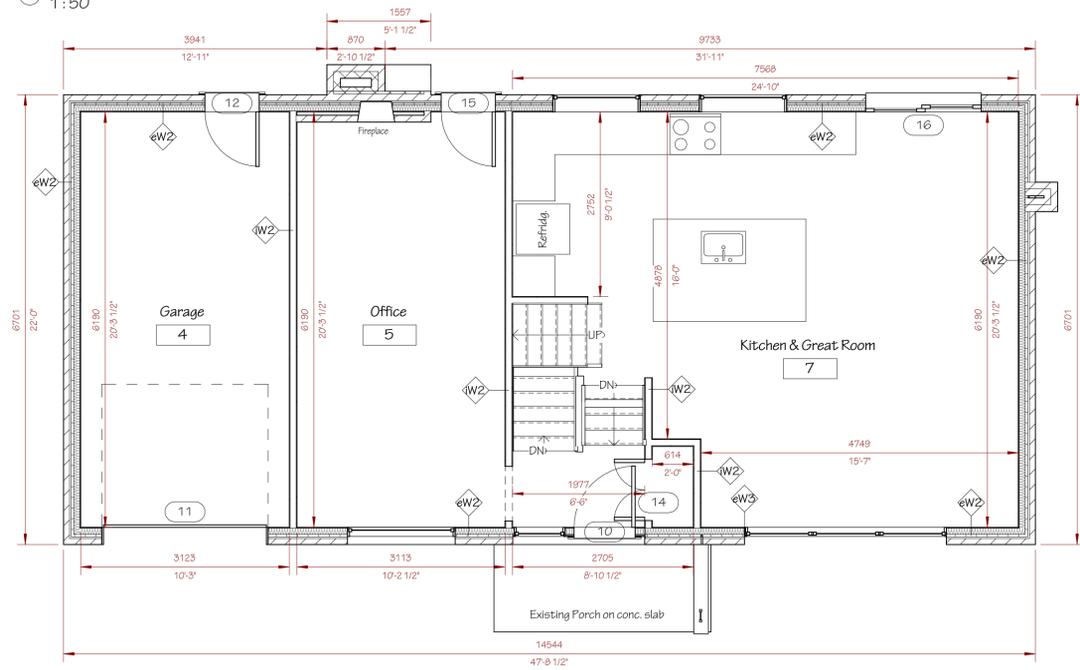
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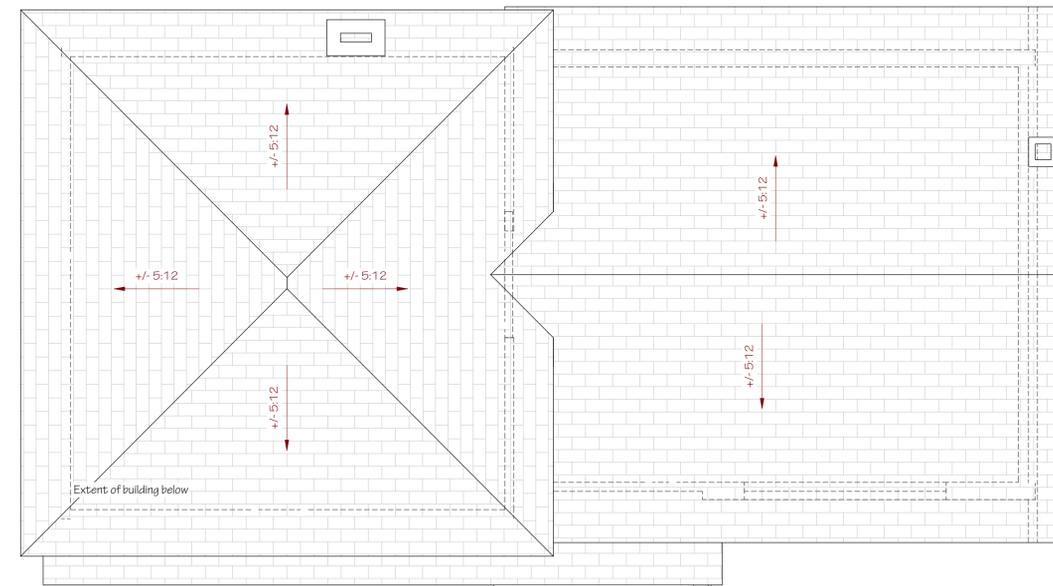
Phase 1 - Existing Conditions
Architectural Floor Plan, 1_A_Basement
1:50



Phase 1 - Existing Conditions
Architectural Floor Plan, 1_A_Floor 1 Upper
1:50



Phase 1 - Existing Conditions
Architectural Floor Plan, 1_A_Floor 1
1:50



Phase 1 - Existing Conditions
Architectural Roof Plan, 1_A_Roof
1:50

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FOR REFERENCE ONLY

Oct 10/25

#	Description	Date
2	Issued for Zoning Variance App	Oct 10, 2025
1	Issued for Client Review	Sept 23, 2025

Client: Rachel Norgard

Address: 1415 Moss Glen Rd., Burlington, ON

File: 25-07045PR

Title: Architectural Existing - Plans

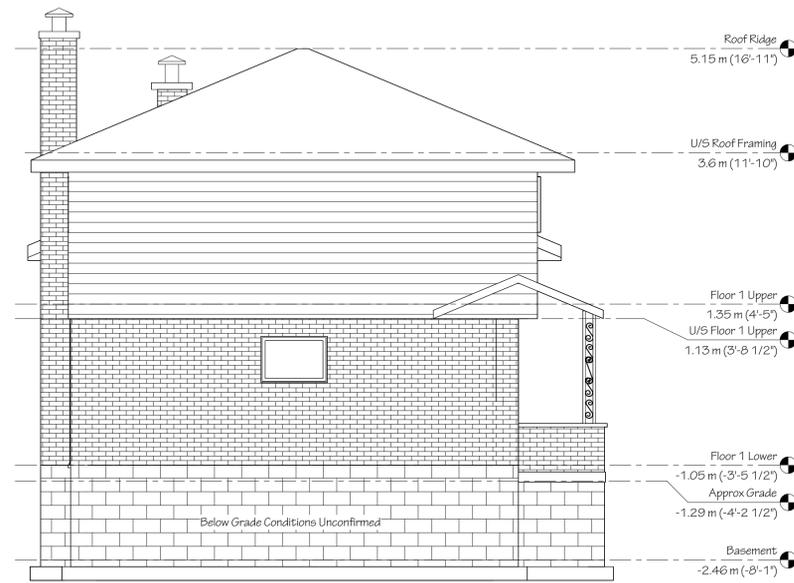
Sheet: A1-100

Drawings Remain The Property Of T. Smith Engineering Inc.

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Phase 1 - Existing Conditions
Building Elevation, 1_A_Elevation A (Front)
1:50



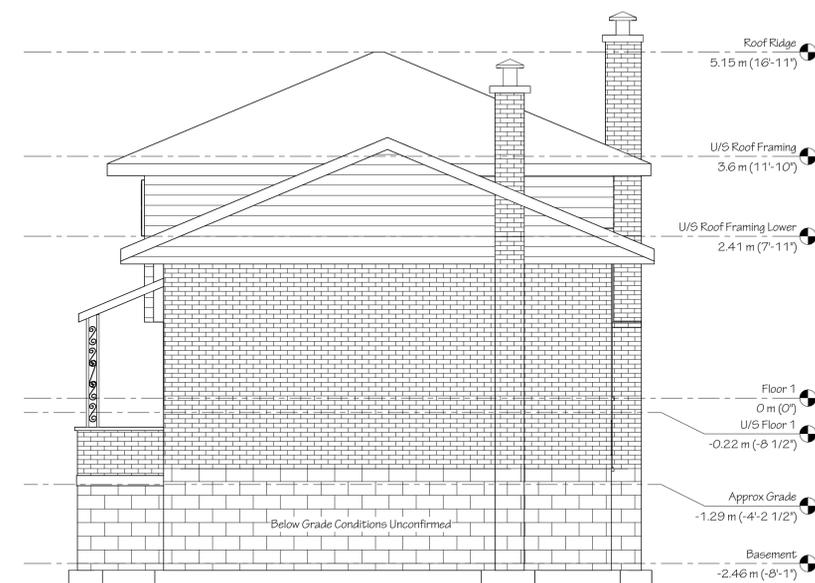
Phase 1 - Existing Conditions
Building Elevation, 1_A_Elevation B (Side)
1:50

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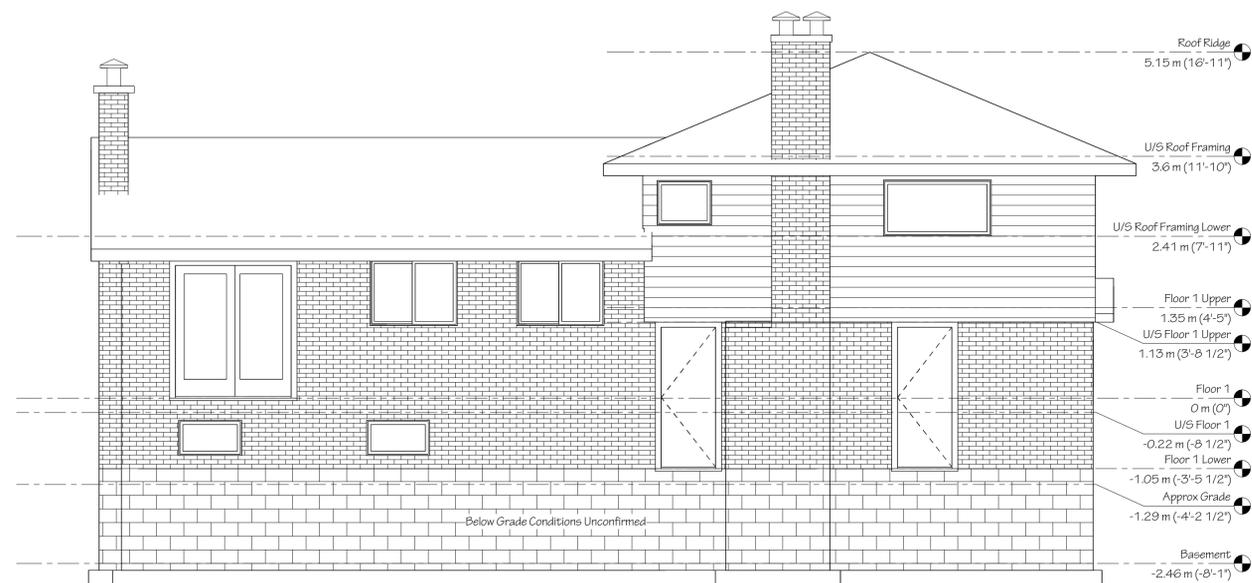
FOR REFERENCE ONLY

Oct 10/25

#	Description	Date
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1	Issued for Client Review	Sept 23, 2025



Phase 1 - Existing Conditions
Building Elevation, 1_A_Elevation D (Side)
1:50



Phase 1 - Existing Conditions
Building Elevation, 1_A_Elevation C (Rear)
1:50

Client: Rachel Norgard

Address: 1415 Moss Glen Rd., Burlington, ON

File: 25-07045PR

Title: Architectural Existing - Elevations

Sheet: A1-200

Drawings Remain The Property Of
T Smith Engineering Inc

Legend - Architectural Plans

	Existing to remain
	New / reconstructed
	Primary area of work
	Wall tag
	Window #s & Door #s (see schedule for details)
	Ceiling Height
	Smoke Alarm
	Interconnected Smoke Alarm & CO2 Detector
	Attic Hatch

Wall Assemblies, Proposed

Type	Assembly Image	Description	Assembly
Exterior		Exterior wall	1/2" gypsum board 6 mil polyethylene vapor retarder /air barrier 2x4 @ 16" oc (double top plate) fiberglass batt insulation (fill cavity) sheathing (existing or 1/2" plywood) sheathing membrane (existing or tyvec) aluminum siding
Exterior		Exterior wall	1/2" gypsum board 6 mil polyethylene vapor retarder /air barrier 2x2 @ 16" oc fiberglass batt insulation (fill cavity) sheathing (existing or 1/2" plywood) sheathing membrane (existing or tyvec) Siding

Wall Assemblies, Proposed

Type	Assembly Image	Description	Assembly
Exterior		Exterior wall	1/2" gypsum board 6 mil polyethylene vapor retarder /air barrier 2x6 @ 16" oc (double top plate) fiberglass batt insulation (fill cavity) sheathing (existing or 1/2" plywood) sheathing membrane (existing or tyvec) airspace (1" minimum) 3 1/2" stone veneer (install brick ties @ 16" oc horizontally and vertically and within 6" of the top of the wall, thru wall flashing and weep holes @ 3' 1" oc)
Interior		Buildout wall	1/2" gypsum board 2x4 stud @ 16" oc Mw damproof poly below plate

Door Schedule, Proposed

On site measurements for all openings taken from inside trim to inside trim. Contractor to verify dimensions where opening replacement required.

Door #	Function	Width	Height	Sill Height	Level	FRR
P.1	Exterior	66"	96"	0"	Floor 1 Lower	

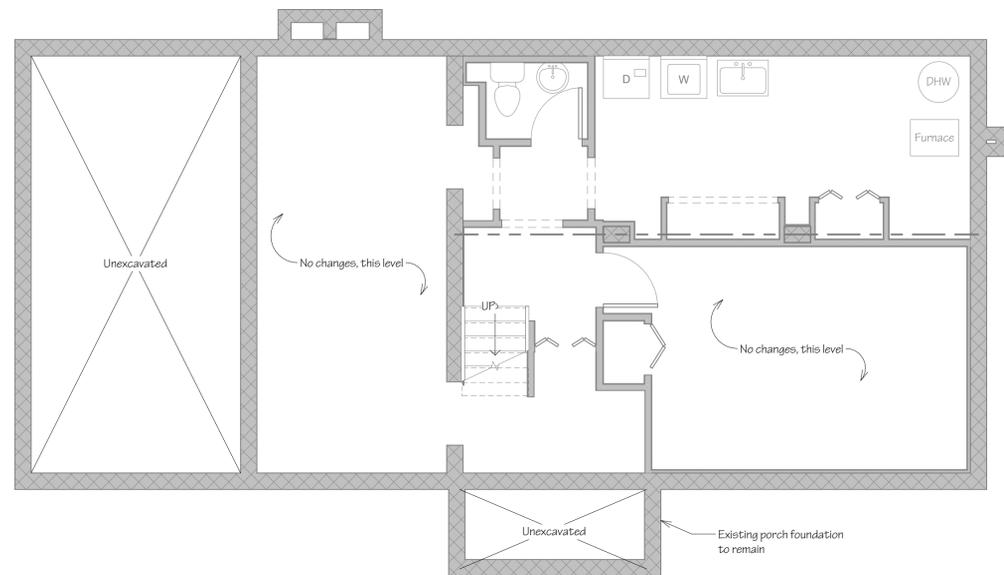
Window Schedule, Proposed

On site measurements for all openings taken from inside trim to inside trim. Contractor to verify dimensions where opening replacement required.

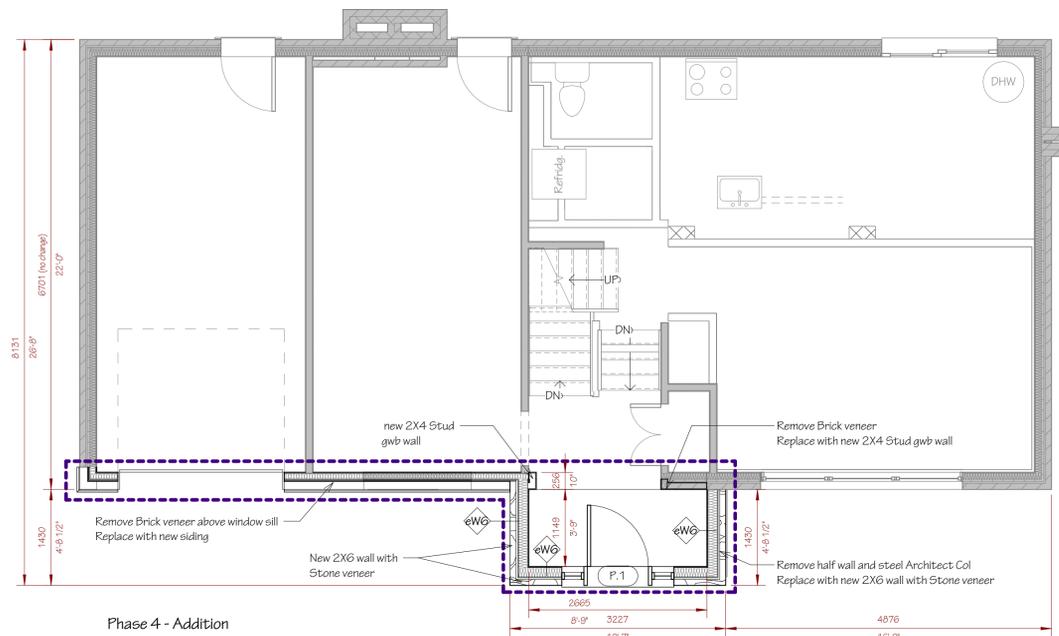
Window Number	Approximate Size Width	Height	Sill Height	Head Height	Level
P.1	66"	15"	56"	71"	Floor 1

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Tel: (416) 798-8770
tSmithEngineering.com

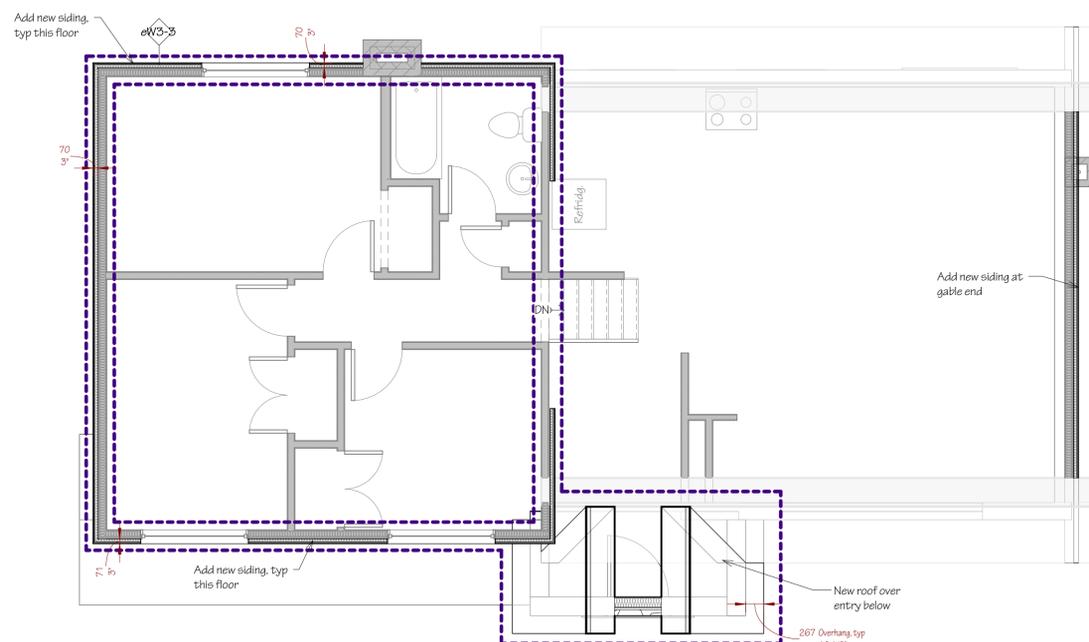
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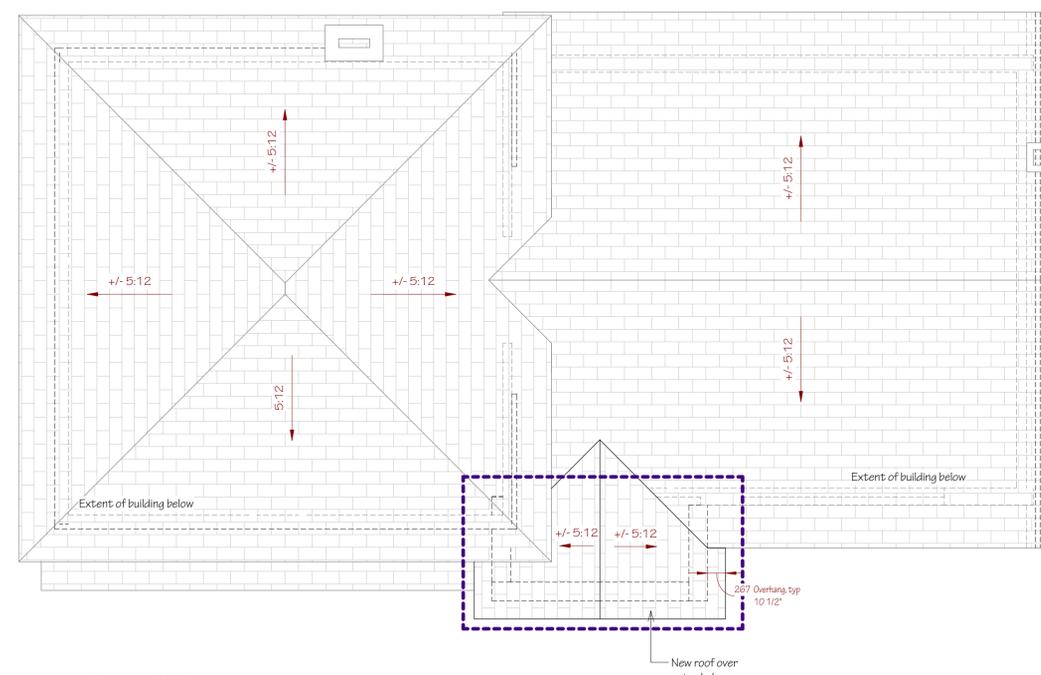
Phase 4 - Addition
Architectural Floor Plan, 4_A_Basement
1:50



Phase 4 - Addition
Architectural Floor Plan, 4_A_Floor 1
1:50



Phase 4 - Addition
Architectural Floor Plan, 4_A_Floor 1 Upper
1:50



Phase 4 - Addition
Architectural Roof Plan, 4_A_Roof
1:50

General Notes:

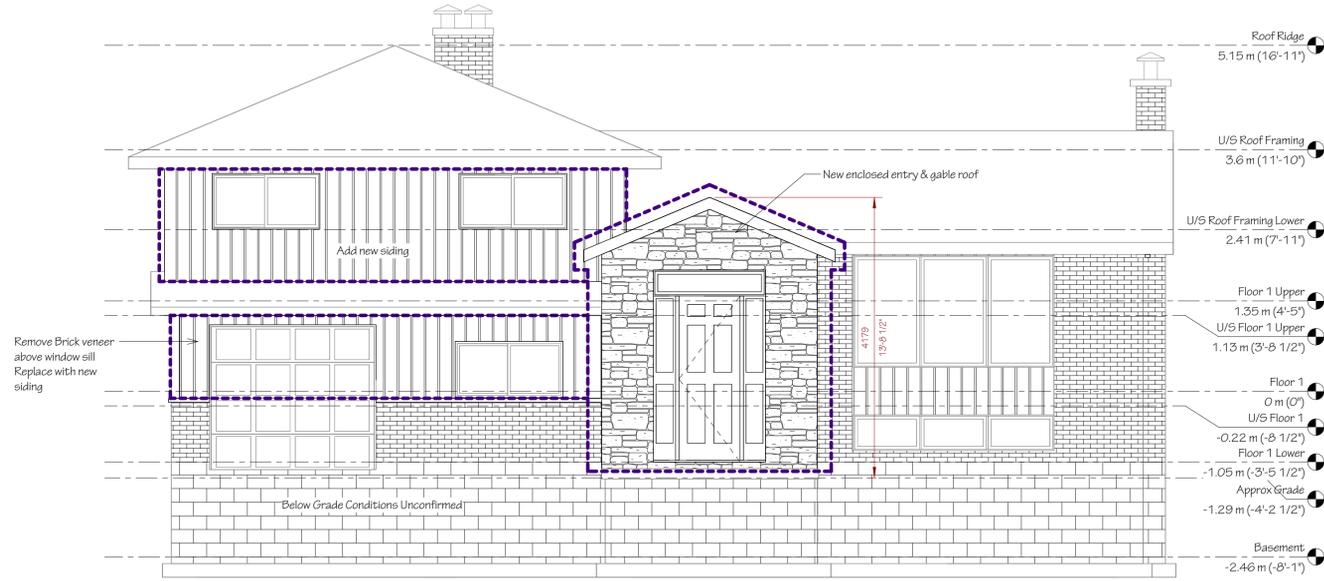
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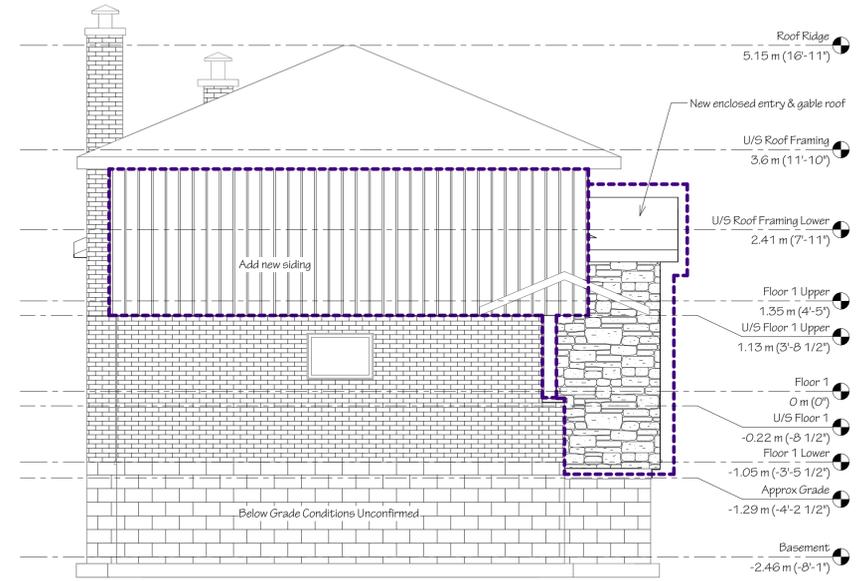
#	Description	Date
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1	Issued for Client Review	Sept 23, 2025

Client	Rachel Norgard
Address	1415 Moss Glen Rd., Burlington, ON
File	25-07045PR
Title	Architectural Addition - Plans
Sheet	A4-100
Drawings Remain The Property Of T Smith Engineering Inc	

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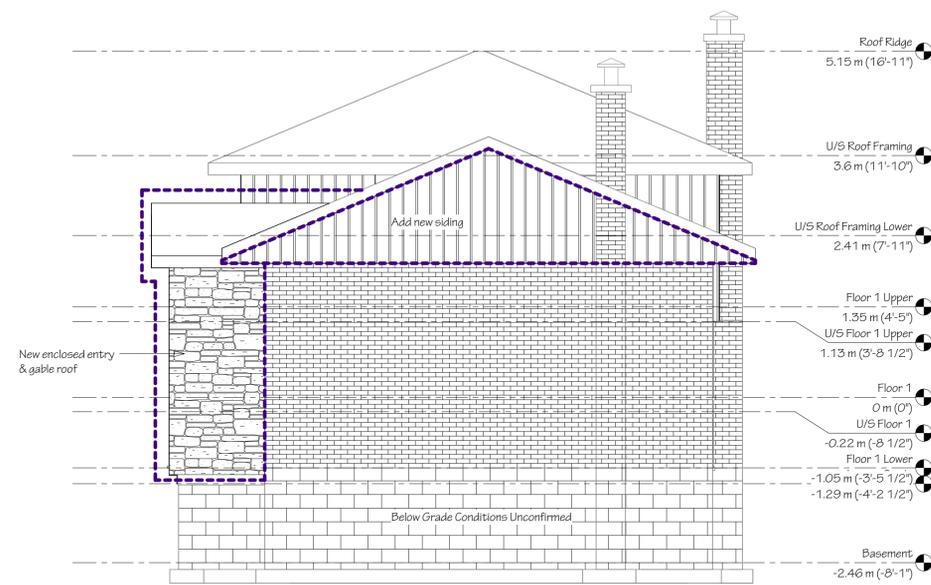


Phase 4 - Addition
Building Elevation, 4_A_Elevation A (Front)
① 1:50

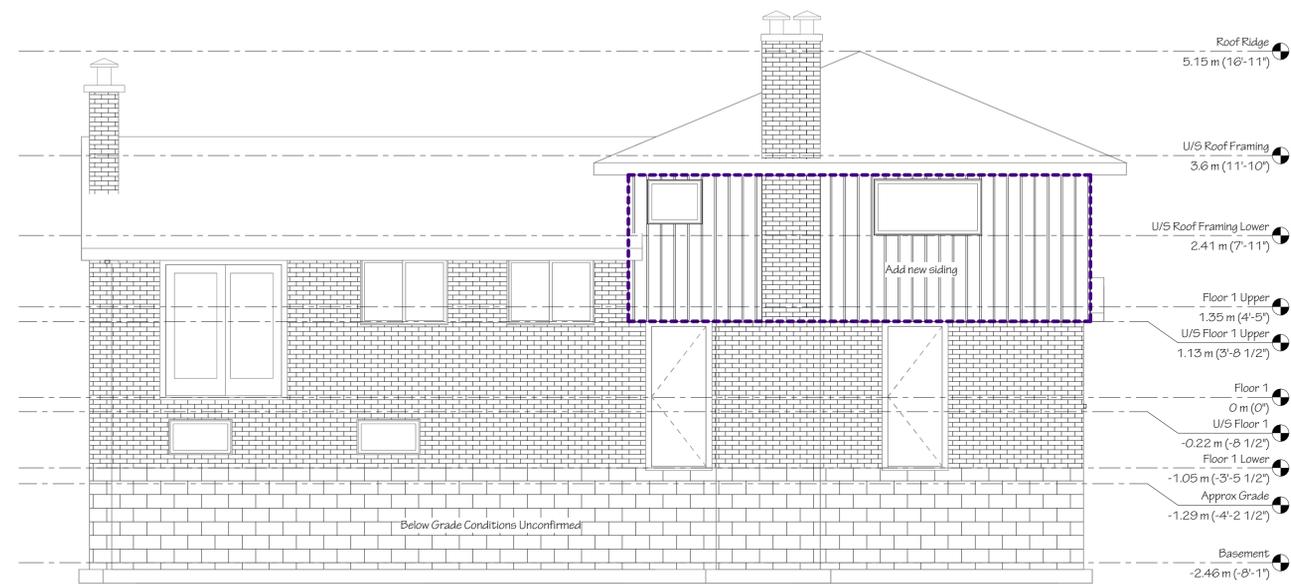


Phase 4 - Addition
Building Elevation, 4_A_Elevation B (Side)
② 1:50

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Phase 4 - Addition
Building Elevation, 4_A_Elevation D (Side)
③ 1:50



Phase 4 - Addition
Building Elevation, 4_A_Elevation C (Rear)
④ 1:50



#	Description	Date
2	Issued for Zoning Variance App	Oct 10, 2025
1	Issued for Client Review	Sept 23, 2025

Client: Rachel Norgard

Address: 1415 Moss Glen Rd., Burlington, ON

File: 25-07045PR

Title: Architectural Addition - Elevations

Sheet: A4-200

Drawings Remain The Property Of
T Smith Engineering Inc

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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 |

4.5 FLOOR AREA RATIO

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

Proposal:

The applicant is proposing the construction of a second storey addition over the existing enclosed breezeway between the attached garage and the main building.

The applicant is also seeking to recognize the existing north-west side yard to the attached garage, which was not constructed in accordance with building permit 02-425169 for the addition of the attached garage and second storey storage attic to the existing dwelling. The 2002 approved site plan was not completed by an Ontario Land Surveyor, and the lot width and both side yards were shown incorrectly.

Variance required:

1. To permit a floor area ratio of 0.49:1 instead of the maximum permitted 0.45:1 for a proposed second storey addition to the detached dwelling with attached garage.
2. To permit a north-west side yard of 0.8 m instead of the minimum required 1.8 m for the existing detached dwelling with attached garage.

Condition:

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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: 25 November 2025Prepared By: Erin Ruby**Site Planning**

Site Characteristics	
Lot Frontage (m)	19.54 m
Lot Area (m²)	655 m ²
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Two storey detached-dwelling with garage attached via breezeway and accessed by driveway from Crosby Ave
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Flat and level
Notable Site Features	n/a
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-density residential with a mix of one, one-and-a-half and two-storey dwellings
Nearest Major Intersection	New Street / Martha Street
Neighbourhood Boundaries*	North: Caroline St East: Drury Lane South: New St West: Martha St
*Based on OP, 1997 residential neighbourhood definition	

Neighbourhood Characteristics:

- The prevailing form consists of one, one-and-a-half-storey and two-storey detached dwellings
- Multiple properties in the neighbourhood have been redeveloped or have been altered with an addition. Examples include 498, 496, 486, 485, 482, 479, 469 and 465 Crosby Avenue
- Varied architectural character with a mix of roof styles and exterior finishes
- Rectangular shaped lots with some variation in lot size, lot width and front yard setbacks

A site visit was conducted on January 9th, 2026 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

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1) City of Burlington Official Plan:

Do the proposed minor variances from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

The proposal meets the general intent and purpose of the Regional Official Plan, 2022 (ROP, 2022) for the following reason:

- Detached dwellings are permitted by the City's Zoning By-law, which is consistent with section 76 of the ROP indicating 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.

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

Official Plan, 1997 & 2020

Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

The proposal meets the general intent and purpose of the Official Plan for the following reasons:

- The proposed land use is consistent with the 'Low-Rise Neighbourhoods I' land use designation under Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, which consists of low-rise, ground-oriented dwellings and encourages additions to existing single-detached dwellings, where compatible.
- Whereas Part 8, Section 8.3.1 a) states that the General Objectives are "to encourage new residential development and residential intensification within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while...also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods."
 - The proposed second storey addition over the existing breezeway and the new attic dormer are minor forms of intensification that do not add significantly to the massing of the house, and are well integrated into the house and the low-rise neighbourhood overall

- Whereas *compatible* is defined 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,

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existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health”, which is evaluated in accordance with measurable/objective standards, the planner notes the following:

- The design will preserve the existing architectural style of the dwelling and maintain visual continuity by incorporating matching finishes, roofline and height
- There is no physical change to the side yard setback. The breezeway connection will connect the second floor of the house to an existing attic storage space over a garage that was built in 2002 too close to the side property line.
- The attic dormer is oriented away from the neighbour’s property line
- While the existing garage was mistakenly built too close to the side lot line, the reduction from 1.8 metres to 0.8 metres recognizes a condition that has existed for 24 years and does not result in any disturbances to access, grading or drainage patterns. Engineering has reviewed the proposed setback and has no objections
- There are no anticipated adverse effects related to shadowing, noise or overlook, since the second floor of the garage is intended for storage, has no windows facing the northerly neighbour, and the two windows on the gable ends are small and centered in the gables
- The proposed variances result in a very minor change and support the ongoing pattern of gradual residential reinvestment.

2) City of Burlington Zoning By-law 2020:

Do the proposed minor variances from the zoning by-law maintain the general intent and purpose of the Zoning By-law?

Yes – Variance No. 1 (Floor Area Ratio)

The general intent and purpose of the floor area ratio provision under Burlington Zoning Bylaw 2020 is to mitigate massing impacts, prevent overdevelopment and ensure compatibility with the scale of the neighbourhood. The proposed second storey addition translates to an additional 46.63 square metres of floor area, of which 38.92 square metres is located within an existing storage attic above the garage, currently accessible via exterior ladder only. The attic was previously excluded from the floor area calculation because of the steep pitch of the roof and because it was accessible only by a ladder. Now that the attic is connected directly by a breezeway to the second floor and because a dormer is being added to increase the ceiling height and make the interior of the attic more usable, the entire attic is included in the floor area calculation. The proposed minor variance to permit a maximum floor area ratio of 0.49:1 instead of the maximum permitted 0.45:1 is consistent with this intent for the following reasons:

- The proposed hallway over the existing breezeway, will connect this second storey attic area to the main dwelling and will be the only visible change from the street

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-
- The balance between the built and natural features will be preserved since the proposal does not alter the building footprint or reduce open landscaped area

Yes – Variance No. 2 (Side Yard)

The general intent and purpose of the side yard provision of Burlington Zoning Bylaw 2020 is to ensure adequate separation between buildings for access, maintenance, drainage, privacy and the provision of light and air between neighbouring dwellings. The proposed minor variance to permit a north-west side yard of 0.8 m instead of the minimum required 1.8 m is consistent with the general intent and purpose of this provision for the following reasons:

- The proposed reduction is required to recognize the existing side yard to the attached garage and second storey storage attic, which has existed on site for 24 years
- No negative privacy, overlook or shadow impacts are anticipated as the garage wall and attic roof are already existing and no new openings are proposed
- The dwelling on the adjoining lot at 493 Crosby Avenue is well separated and will continue to receive adequate sunlight and ventilation

3) Desirability:

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

Yes

The proposed minor variances are desirable for the appropriate development and use of the building for the following reasons:

- They facilitate residential reinvestment that supports the ongoing renewal and gradual evolution of the existing Low-Rise Neighbourhood
- The addition enhances the usability of the existing dwelling and provides safe access into the second storey attic without increasing the building footprint nor contributing to excessive massing
- The side yard reduction recognizes an existing condition and strives to bring the dwelling in conformity with up-to-date drawings on record (the previous approval referenced an incorrect lot width and side yard).

4) Minor in Nature:

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

Yes

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The proposed minor variances are minor in nature for the following reasons:

- The exterior walls, roof and footprint of the garage and second storey attic space remain unchanged
- The proposal maintains orderly development and compatibility with both the existing dwelling and surrounding neighborhood
- Development Engineering and Urban Forestry and Landscaping staff have reviewed the application and have indicated no objection

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effect of the variances is minor and staff are supportive for the following reasons:

- The requested variances improve the usability of the second-storey attic space over an existing garage without compromising the intent of the Zoning By-law or Official Plan

Recommendation:

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

Date: January 9, 2026

Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



Front view of the subject property



Front view of the subject property, including existing breezeway connecting garage and main dwelling

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Existing side yard of abutting property at 493 Crosby Avenue



View of the subject property, on driveway side



View of the dwelling from abutting property at 487 Crosby Avenue (no changes proposed)



Existing side yard of abutting property at 487 Crosby Avenue



View along Crosby Avenue looking south



View towards neighbouring properties at 495 and 493 Crosby Avenue



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View of dwellings across the street at 488 and 492 Crosby Avenue



View of nearby dwellings at 496 and 498 Crosby Avenue



View of nearby dwellings 484, 486 and 488 Crosby Avenue



Nearby dwellings at 485 and 479 Crosby Avenue



Nearby dwellings at 468, 472 and 474 Crosby Avenue



Nearby dwellings at 469 and 465 Crosby Avenue



View of existing breezeway and second storey garage attic access (currently accessible via exterior ladder only)

View of existing side yard (on garage side)

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View from rear yard towards existing breezeway and proposed addition



View from rear yard towards main dwelling



View from rear yard towards abutting neighbour at 487 Crosby Avenue



View from rear yard towards neighbours at 480 and 484 Woodland Avenue



View from rear yard towards neighbours at 484 and 488 Woodland Avenue



View from rear yard towards neighbours at 488 and 494 Woodland Avenue as well as abutting 493 Crosby Avenue

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View of existing breezeway and proposed second floor addition



View of existing breezeway and proposed second floor addition

Development Engineering

Development Engineering has reviewed the application and has no objection to the proposed minor variance(s).

Date: January 2nd, 2026

Prepared By: Garry R. Colorado Hernandez

Forestry

Forestry has reviewed the application and has no objection to the proposed minor variances and provides the following advisory comments to the applicant:

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

Date: December 15, 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: Jan. 2, 2026

Prepared By: A. Kuzmichuk

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Transportation Planning

Deemed Road Width Analysis

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

Date: September 26th 2025

Prepared By: Taylor Kirchknopf

Transportation Planning have reviewed the proposed minor variance application and have no comments because the application has no impact on parking, the driveway, or the adjacent street.

Date: December 5, 2025

Prepared By: Thalia Thompson

Finance

Notice regarding Development Charges:

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

Tax

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

Date: November 28, 2025

Prepared By: L. Bray

Halton Region

Regional Contaminated Sites Database:

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

**COMMITTEE OF ADJUSTMENT
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Regional Staff have reviewed the Minor Variance application proposing the construction of a second storey addition over the existing enclosed breezeway between the attached garage and the main building, and to recognize the existing north-west side yard to the attached garage. Variances are requested to the maximum permitted FAR and minimum required side yard setback.

- 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) and 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 a 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: January 5, 2026

Prepared By: Navjot Kaur

Burlington Hydro

Please see attachment at the end of this report for Burlington Hydro comments

Date: December 4 2025

Prepared By: Zakariya Al-Doori

Source Water Protection Factsheet

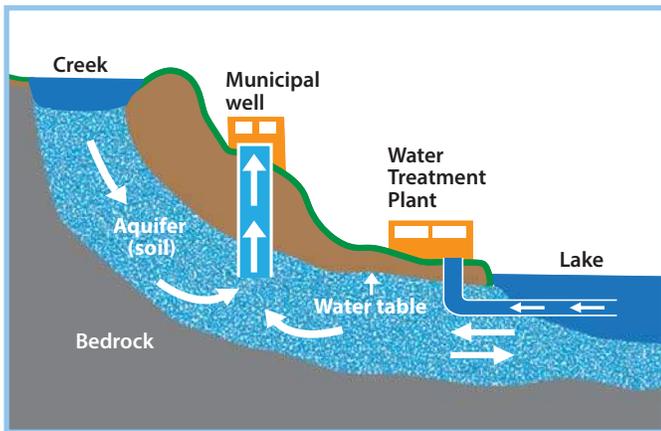
halton.ca

Planning and Building Applications



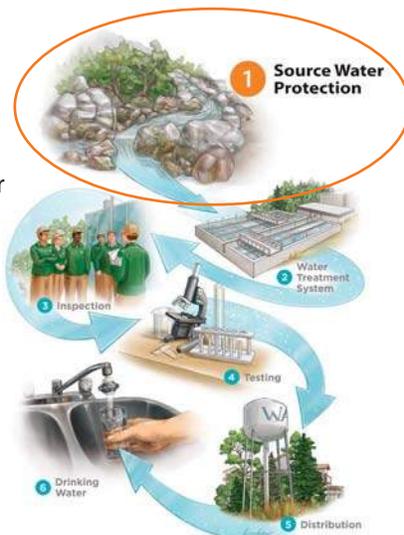
Sources of drinking water

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





December 3, 2025

Applicant: Gary Hughes, Stephanie Fraim Hughes

Subject: Minor Variance.

File NO: 540-02-A-071/25

Location: 489 Crosby Ave., 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 second-storey addition over the existing enclosed breezeway between the attached garage and the main building.
- **Please Note:** If the construction works within 1m (3') of the overhead secondary service wire. Please do not hesitate to contact Burlington Hydro Inc. (BHI) via email at Engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.

In addition, we want to stipulate the following:

- Customers and their agents planning and designing for electricity service must refer to all applicable Provincial and Canadian electrical codes, all applicable federal, provincial, municipal laws, regulations, codes, and by-laws to ensure compliance.
- All work on the BHI distribution system shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act (OSHA), the Regulations for Construction Projects, the Regulations for Industrial Establishments and the Electrical Utility safety Rules published by the Infrastructure Health and Safety Association (IHSA).
- Service is available under BHI's latest Standard Service Conditions:**
<https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html>
- Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest Standards and Regulations if possible issues with the clearances arise between existing BHI facilities and existing/proposed building structures.
- 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 the hydro facilities.
- The customer is to acquire any easements for BHI if required.
- The project must meet City of Burlington Standards.



- ☑ Machine excavation within one meter of the underground plant is not permitted.
- ☑ Do not excavate within two meters of BHI's transformer, poles and anchors.
- ☑ Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call (800) 400-2255.
- ☑ Please refer to the latest edition of the Occupational Health and Safety Act ("OHS") and Regulations for Construction Projects when work is planned to be performed in proximity of the hydro distribution system.
- ☑ Arrange for the disconnect and isolation of the power supply if a person or equipment is to encroach on the minimum distance permitted under the OHS and OESC.
- ☑ 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 or emailing Engineering@burlingtonhydro.com, to validate the required minimum clearances to existing power lines, obtain approved hydro service layout/consent and avoid any possible safety issues.
- ☑ Please arrange for a site meeting with a BHI representative by sending an email to Eng. Desk Engineering@burlingtonhydro.com, prior to beginning any construction/demolition near existing overhead or underground hydro facilities, get approved BHI service layout/consent and avoid any possible service complications or safety issues.

Regards,
 Zakariya Al-Doori
 Engineering Services Technician

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

DEC. 03 / 2025
RP



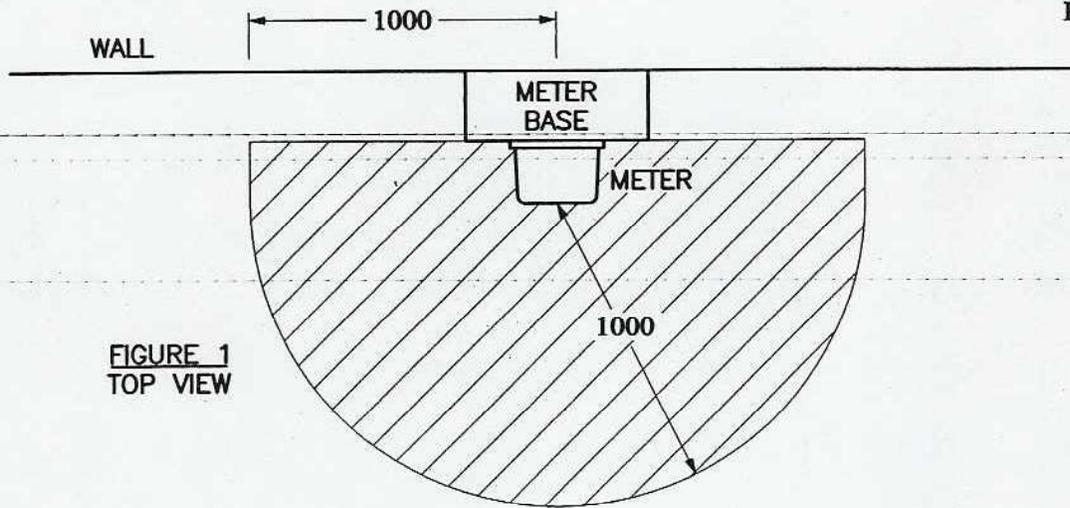


FIGURE 1
TOP VIEW

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.

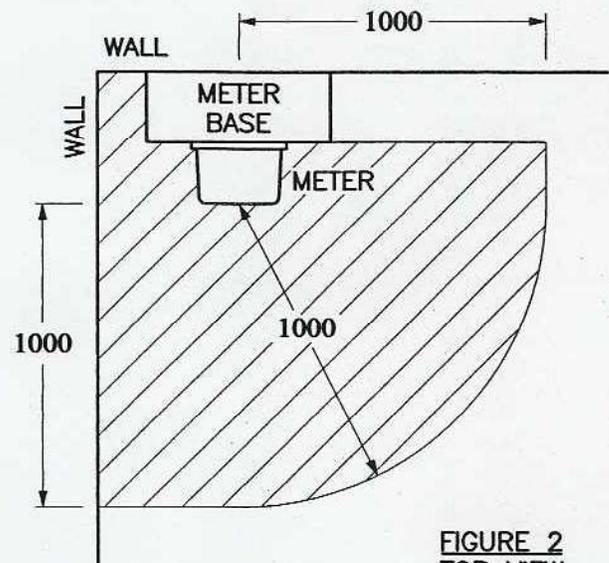


FIGURE 2
TOP VIEW

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)

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

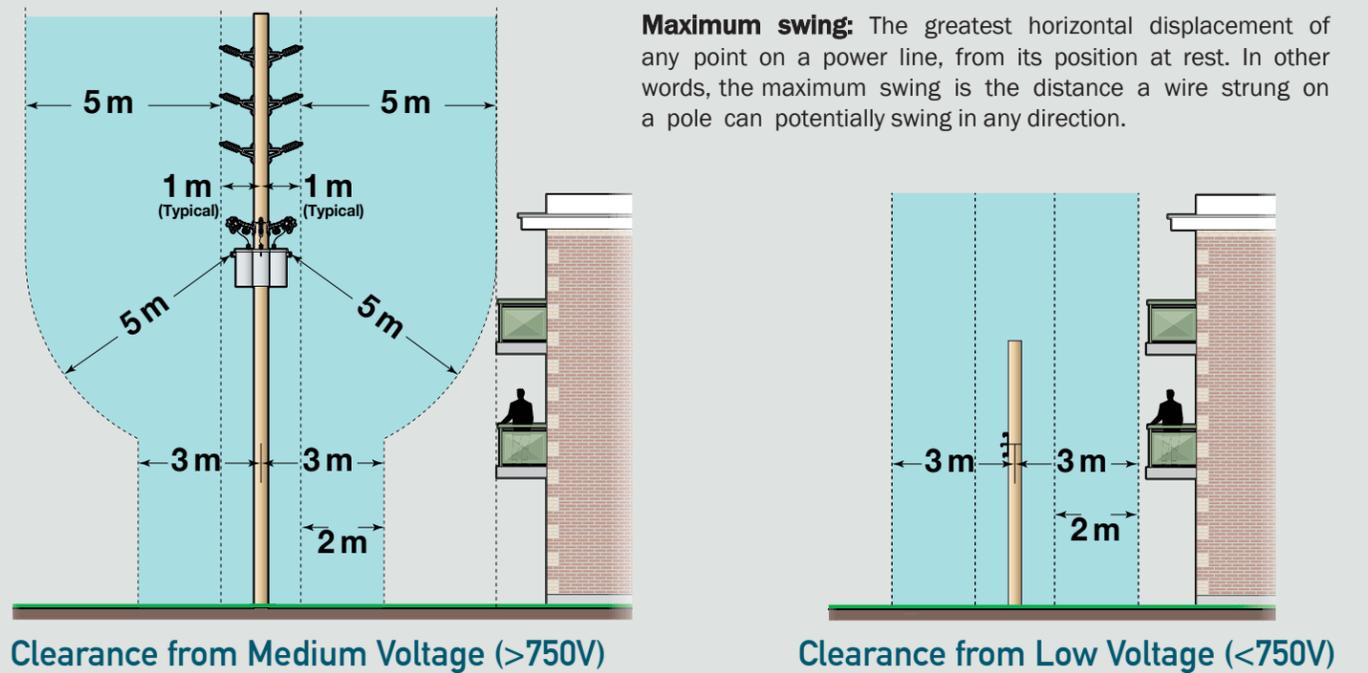
According to CSA C22.3 No. 1, permanent or temporary structures / buildings or their extensions, should not be over or underneath overhead electrical infrastructure.

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



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

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

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



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

STEP 1 Identify Electrical Hazards

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

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

Table 1: Minimum Distances to Powerlines

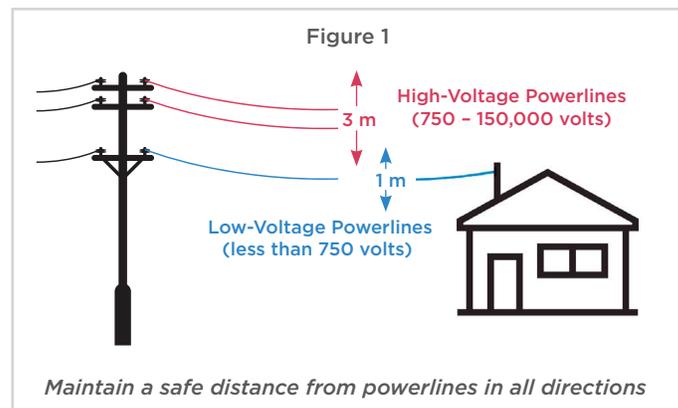
Voltage Rating	Minimum Distance
Less than 750 volts	1 metre (3.3 feet)*
750 to 150,000 volts	3 metres (10 feet)†
More than 150,000 volts, but no more than 250,000 volts	4.5 metres (15 feet)†
More than 250,000 volts	6 metres (20 feet)†

*Recommendation from the Working Group

†Source: O. Reg. 213/91, s. 188 (2)

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

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

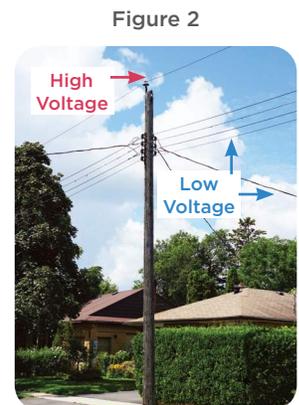


High-voltage powerlines are usually located higher on a pole than low-voltage powerlines (Figure 2). However, some high-voltage lines can look like low-voltage lines and can be located below low-voltage lines on a pole.

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

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

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



Respect Electricity!

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

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

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

Figure 3



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

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

Figure 4



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.?

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.

Don't Guess. Do it Right!

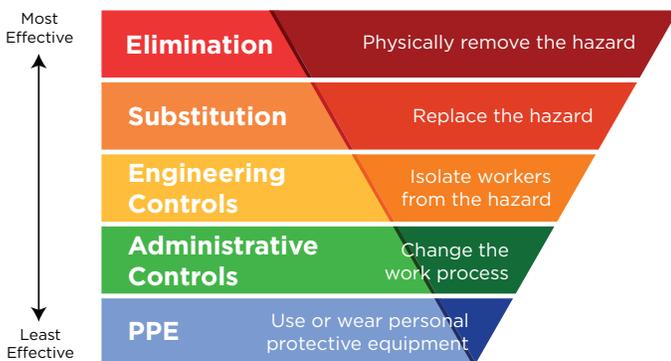
Always contact the owner of the overhead powerline to verify the correct voltage.

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 covers 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.

Figure 10



- Ensuring that the emergency response plan deals with treating electrical injuries and that proper first aid supplies are available.

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* (OHS) 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 OHS and the requirements of the Construction Projects regulation (213/91) are met

Duties of Employers and Supervisors under the OHS

Section 25 of the OHS 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 OHS and its associated regulations.

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



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

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

Application made under:

Section 45 (1) of the Planning Act

Section 45 (2) of the Planning Act

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

Name of Planner: _____ Name of Zoning Examiner: _____

PROPERTY INFORMATION

Municipal Address(es) of property:

489 Crosby Avenue

Legal Description of property:

Part of Lot 40 & 41, Registered Plan No. 134

Official Plan Designation: Residential Areas Current Zoning Designation R3.2

OWNER(S) INFORMATION:

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

Gary & Stephanie Hughes

Mailing Address: 489 Crosby Avenue City: Burlington

Postal Code: L7R 2R6 Home Phone: _____ Mobile Phone: 905-467-0012

Work Phone: _____ E-Mail: metrowestcustominteriors@gmail.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.

See attached

Variance(s) Requested	Zoning Bylaw Requirement
Gross Floor Area of 0.49:1	Max. 0.45:1
Lot Coverage of 30.67%	Max 25%
Left side yard setback to existing garage of 0.87m.	Required 1.2m.

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

489 Crosby Avenue, Burlington

To whom it may concern,

We are kindly requesting consideration for two minor variances to facilitate the construction of a second-floor addition to provide access from the existing second floor of the main dwelling, to the existing attic space above the current attached garage, as well as legalize the current side yard setback to the existing garage.

This lot is located in a lovely, older and established area of the city. The area consists of many different types of homes of varying shapes and sizes, including bungalows, 1.5 stories, 2 stories. There are many with attached garages, no garages at all and many with detached garages.

It is very important for the homeowner to maintain the character of the craftsman style home and it's specific detailing that the homeowner has lovingly maintained throughout the years.

Currently the second-floor attic space of the garage is accessible from the second-floor door off the front façade which is getting difficult for the home owner and is quite unsafe. The homeowner desires to provide better access to the second floor, through the main dwelling, and make better use of the storage space that was provided above the garage, when it was constructed years ago. We also feel that this gives an option for a future homeowner, if the current homeowner ever decides to sell, to finish this space as a good-sized bedroom or family room as the current bedroom we'll be attaching to, is on the smaller size.

Variations Requested

A variance to permit a gross floor area of 0.49:1 (rounded up) instead of the required 0.45:1 for a dwelling with attached garage

We are proposing to construct a hallway above the current enclosed breezeway, from the main dwelling to the current second floor of the garage as well as adding a dormer on the interior side of the garage, but hidden from the street view, to obtain more full height head room in the existing second floor space.

We feel that finally connecting the two spaces with this hallway makes the house look more cohesive and connected to the existing garage, which sits tall on it's own. It's clear there is attic space up there but feels disconnected from the rest of the house without knowing how one would get up to that space. It provides much needed safe and secure access to the space above the garage, which is much needed storage space for the current homeowner.

These additions do very little to negatively affect the overall look and feel of the lot and streetscape. Very little square footage is actually being added with our proposal, but the gross floor area is heightened because the accessible attic space is now counted towards the GFA calculation. However, the actual look and feel of the lot is only changing in the slightest.

The hallway is set back from both the front façade of the garage and the main dwelling, ensuring plenty of differing wall planes which helps reduce the massing and maintains the character of the dwelling.

The dormer to add more headroom to the second floor space above the garage, has been kept to the rear of the hallway addition to keep the garage looking the same as it does now from the front of the property.

We feel this increase in the gross floor area does very little to change the look and feel of the current property set up and is minor in nature. We also feel the use and intent is in keeping with the official plan and poses no overbuilding or negative affects on the site or the surrounding properties.

A variance to legalize the left side yard setback to the existing garage, as it has now been discovered that it was built closer to the lot line than previously allowed.

Through this process and preparation of the site plan for this addition, it has been discovered that the existing garage was not built at the required side yard setback of 1.2m., when it was constructed over 20 years ago.

We strive to keep everything above board with regards to both existing structures and new. We feel this 12" reduction in the side yard is quite minimal and has had very little impact on the neighbouring property and will continue to impact them very little as the garage backs onto the neighbouring properties driveway. We are not doing any work on this side of the garage, which will help maintain the existing look and feel.

We appreciate your time and attention to this proposal.

PROPERTY DETAILS (please complete all fields):				
Date property purchased:	Dec. 30, 1988	Date property first built on:	1980's	Date of proposed construction:
	_____		_____	ASAP
	mmm/dd/yyyy		mmm/dd/yyyy	mmm/dd/yyyy
Existing Use of the Subject Property (check one):		Length of time the existing uses of the subject property have continued:		
Detached Dwelling <input type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input checked="" type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Other <input type="checkbox"/> _____		Always		
		Proposed Use of the Land:		
		Single family detached		
Existing Uses of Abutting Properties (check all that apply)				
Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>				
Additional Information				
Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/>				
Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>				
Type of Access to the Subject Lands				
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other(specify) <input type="checkbox"/>
Municipal Services Provided				
Water	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____		
Sanitary Sewers	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____		
Storm Sewers	<input checked="" type="checkbox"/>	If not available, by what means is it provided: _____		
IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS:				
<input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Zoning By-law Amendment <input checked="" type="checkbox"/> Building Permit <input type="checkbox"/> Site Development Plan <input type="checkbox"/> Plan of Subdivision <input type="checkbox"/> Previous Minor Variance <input type="checkbox"/> Consent				

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: Jenny Bognar

Property Address: 489 Crosby Avenue

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

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated _____
mmm/dd/yyyy
 has been revised by: _____
(Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated 2025/04/29
mmm/dd/yyyy
 has been revised by: Landsmith Engineering Ltd.
(Person or Company Name)

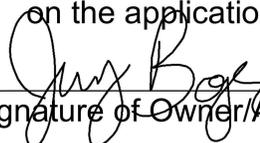
OR

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: 2025/04/29
mmm/dd/yyyy

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

2025/08/19

Date (mmm/dd/yyyy)

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name	Gary Hughes	Property Address	489 Crosby Avenue
			2025/08/19
	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:

Agent: JENNY BOGNAR

I, JENNY BOGNAR of the CITY of BURLINGTON in the REGION
(print name) (Region/City/County) (City/Town/Township)

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

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

this 20 day of Aug 2025.

Tammy Lynn Ball
Signature of Commissioner, etc.

Tammy Lynn Ball, a Commissioner, etc., Province of Ontario, for the Corporation of the City of Burlington.

Jenny Bognar
Signature of Applicant or Authorized Agent

Expires October 25, 2027

PERMISSION TO ENTER

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

Municipal Address of Subject Lands: 489 Crosby Ave.

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

[Signature]
Signature of Owner

Stefaniethorne
GARY HUELLES
Print Name

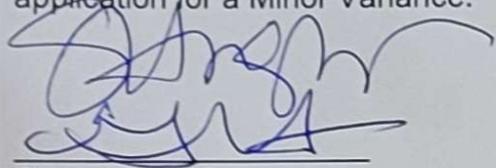
OWNERS AUTHORIZATION

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

I, Stephanie Hughes
GARY HUGHES being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.



Signature of Owner

July 22, 2025

Date (mmm/dd/yyyy)

Notice of collection of personal information

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

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

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	Select (✓)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	X
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	
SITE PLAN <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) <input type="checkbox"/> All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc) 	

<p>Minor Variance Application Checklist</p> <p>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.</p>
<p>LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Setbacks <input checked="" type="checkbox"/> Height <input checked="" type="checkbox"/> Area <input checked="" type="checkbox"/> Length <input checked="" type="checkbox"/> Width
<p>ELEVATIONS</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric <input checked="" type="checkbox"/> Front <input checked="" type="checkbox"/> Rear <input checked="" type="checkbox"/> Side 1 <input checked="" type="checkbox"/> Side 2
<p>FLOOR PLANS</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Gross Floor Area Calculation <input checked="" type="checkbox"/> Ground Floor Area Calculation <input checked="" type="checkbox"/> 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

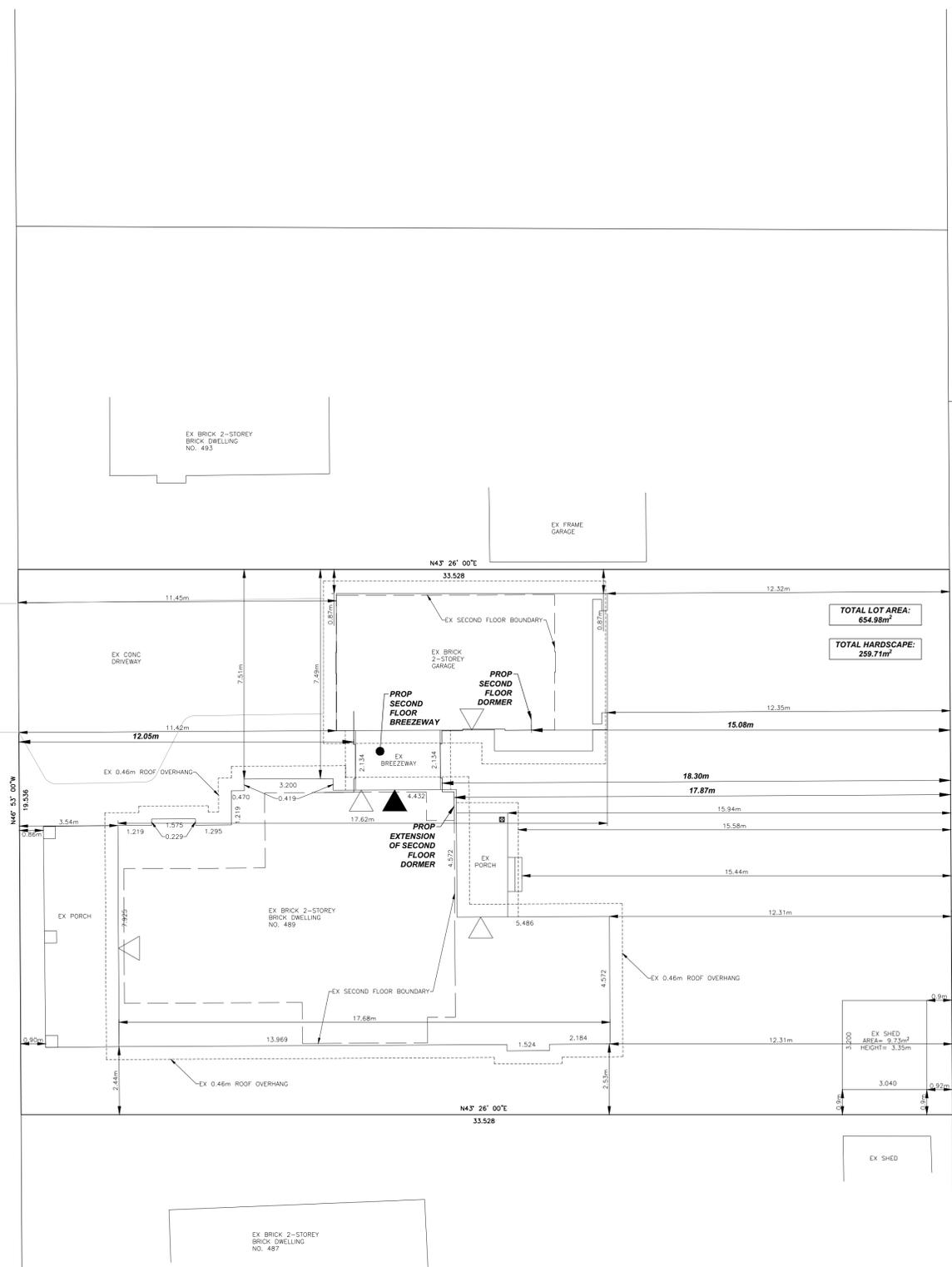
2025/08/19

 Date (mmm/dd/yyyy)



KEY PLAN N.T.S.

Copyright Act Applies to Use and Production



TOTAL LOT AREA:
654.98m²
TOTAL HARDSCAPE:
259.71m²

NO:	DATE:	DESCRIPTION:
3	2025-10-29	MINOR VARIANCE UPDATES
2	2025-09-15	MINOR VARIANCE UPDATES
1	2025-09-02	MINOR VARIANCE APPLICATION SUBMISSION
0	2025-06-23	FIRST SUBMISSION

REVISIONS

SEAL

LANDSMITH ENGINEERING & CONSULTING LTD.
1059 UPPER JAMES STREET, SUITE 207
HAMILTON, ON L9C 3A6
ANDREW@LANDSMITHEC.COM
289-309-3632

CLIENT: JBL DRAFTING

MUNICIPALITY: CITY OF BURLINGTON

PROJECT NAME: 489 CROSBY AVENUE, BURLINGTON

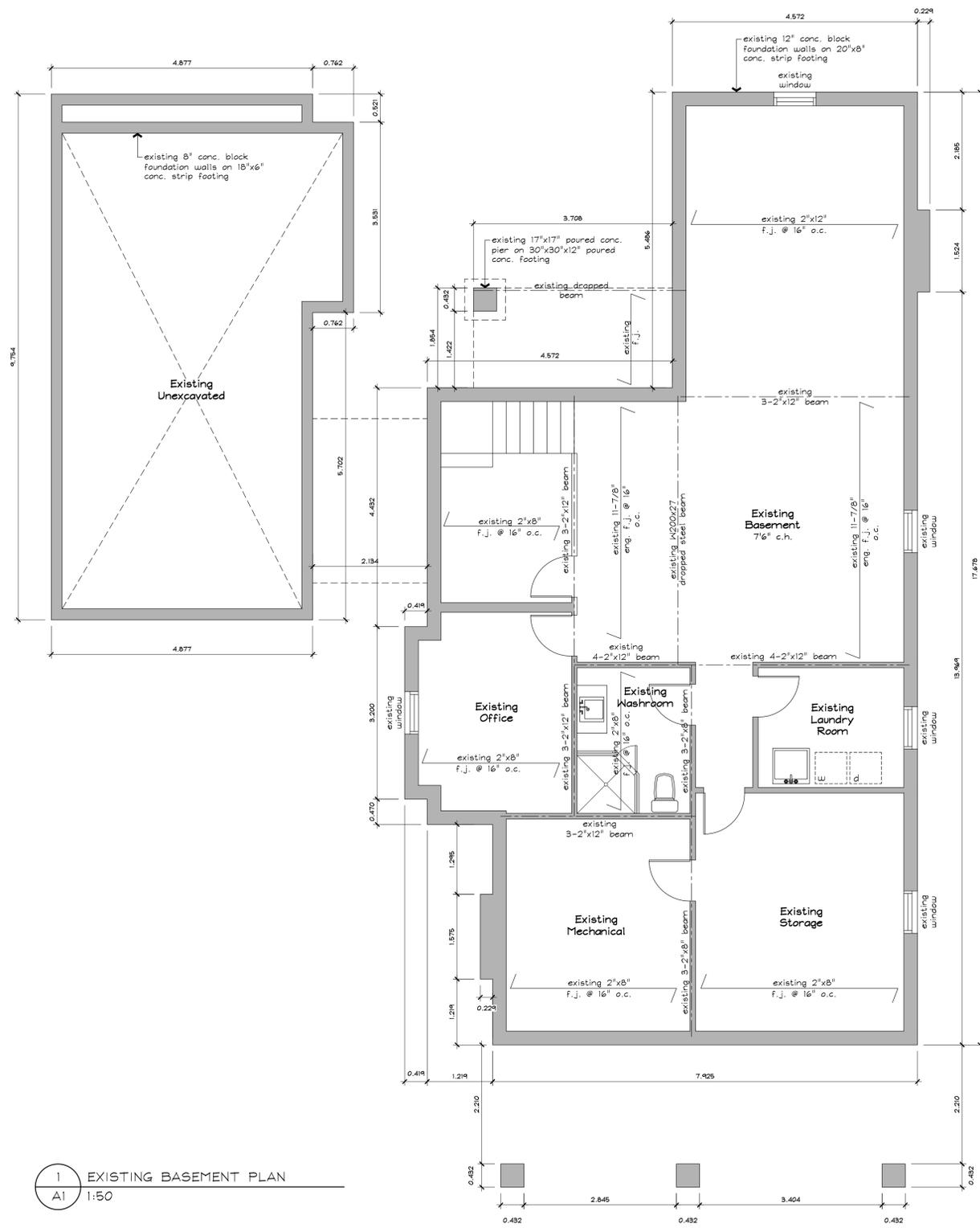
TITLE: SITE PLAN

SCALE: 1:100 DATE: 2025-04-29

CHECKED BY: AS DESIGNED BY: OJ

DWG No: 25036Bog SHEET No: G1

ITEM	EXISTING	REQUIRED	PROPOSED	COMMENTS
LOT AREA	654.98 SQ. M	425.00 SQ. M	-----	
FRONT YARD SETBACK	EXISTING DWELLING 3.54 M	6.0 M MIN.	-----	
EXISTING DETACHED GARAGE	11.42 M	6.0 M MIN.	-----	
PROPOSED ADDITIONS	-----	6.0 M MIN.	12.05 M (TO ADDITION ABOVE BREEZEWAY)	
REAR YARD SETBACK	EXISTING DWELLING 12.31 M	9.0 M MIN.	-----	
EXISTING DETACHED GARAGE	12.31 M	-----	-----	
PROPOSED ADDITIONS	-----	9.0 M MIN.	15.07 M (TO NEW GARAGE DORMER) 18.30 M (TO ADDITION ABOVE BREEZEWAY)	
R SIDE YARD SETBACK	EXISTING DWELLING 2.44 M	1.2/1.8 M MIN.	2.44 M	
EXISTING DETACHED GARAGE	-----	-----	-----	
PROPOSED ADDITIONS	-----	1.8 M MIN.	-----	
L SIDE YARD SETBACK	EXISTING DWELLING 7.49 M	1.2/1.8 M MIN.	-----	
EXISTING DETACHED GARAGE	0.87 M	-----	-----	
PROPOSED ADDITIONS	-----	1.2/1.8 M MIN.	5.78 M	
BUILDING HEIGHT	6.00 M APPROX.	MAX. 6.0 M TO EAVE; FIRST FLOOR CEILING	3.87 M	
FLOOR AREA RATIO	26.03 SQ. M. = 0.40:1	MAX. 0.45:1	31.46 SQ. M. = 0.49:1	*VARIANCE REQUIRED
DWELLING DEPTH	17.68 M	MAX. 18.0 M	17.68 M (EXISTING DWELLING) 17.64 M (INCLUDING NEWLY ATTACHED GARAGE)	
LOT COVERAGE	MAIN DWELLING + "ENCLOSED" BREEZEWAY + ATTACHED GARAGE = 190.92 SQ. M. = 29.15%	25.0% MAX. (INCLUDING ACCESSORY BUILDINGS FOR DWELLING &/ ATTACHED GARAGE)	TO REMAIN UNALTERED	
	ACCESSORY BUILDINGS (SHED) = 9.73 SQ. M. = 1.49%			
	TOTAL COVERED = 200.65 SQ. M. = 30.63%			



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1 EXISTING BASEMENT PLAN
A1 1:50

THE HUGHES RESIDENCE
489 CROSBY AVE.
BURLINGTON, ON
L7R 2R6

drafting + design

- 193 East 43rd Street
- Hamilton, ON L8T 3C3
- ibdraftinganddesign@live.ca
- 905.517.6027

FOR MINOR VARIANCE
09.15.25 signature required
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firm bcjn 103416 individual bcjn 33001

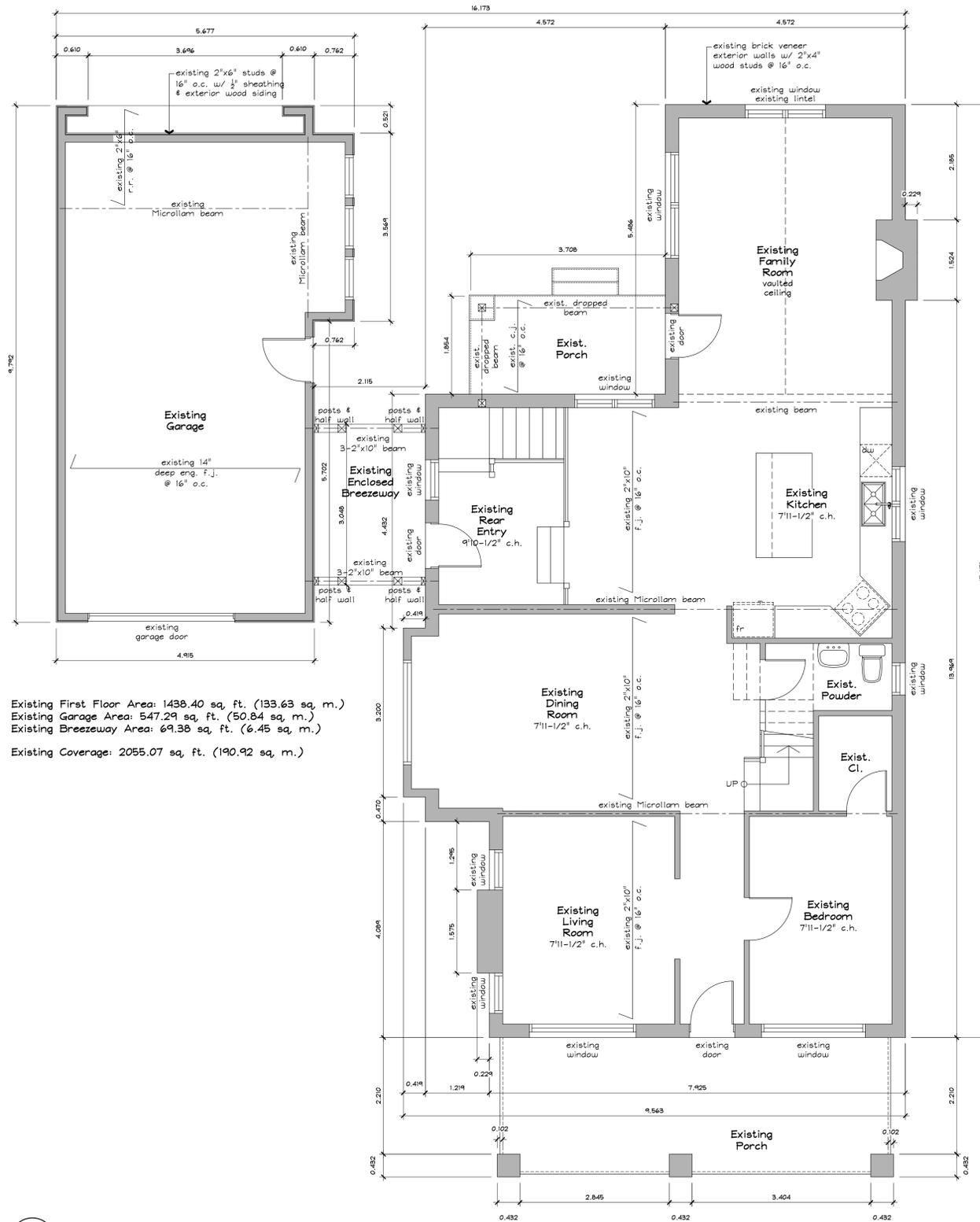
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EXISTING BASEMENT PLAN



Existing First Floor Area: 1438.40 sq. ft. (133.63 sq. m.)
 Existing Garage Area: 547.29 sq. ft. (50.84 sq. m.)
 Existing Breezeway Area: 69.38 sq. ft. (6.45 sq. m.)
 Existing Coverage: 2055.07 sq. ft. (190.92 sq. m.)

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1 EXISTING FIRST FLOOR PLAN
 A2 1:50

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 489 CROSBY AVE.
 BURLINGTON, ON
 L7R 2R6

drafting + design
 ■ 193 East 43rd Street ■
 ■ Hamilton, ON ■ L8T 3C3 ■
 ■ jbdraftinganddesign@live.ca ■
 ■ 905.517.6027 ■

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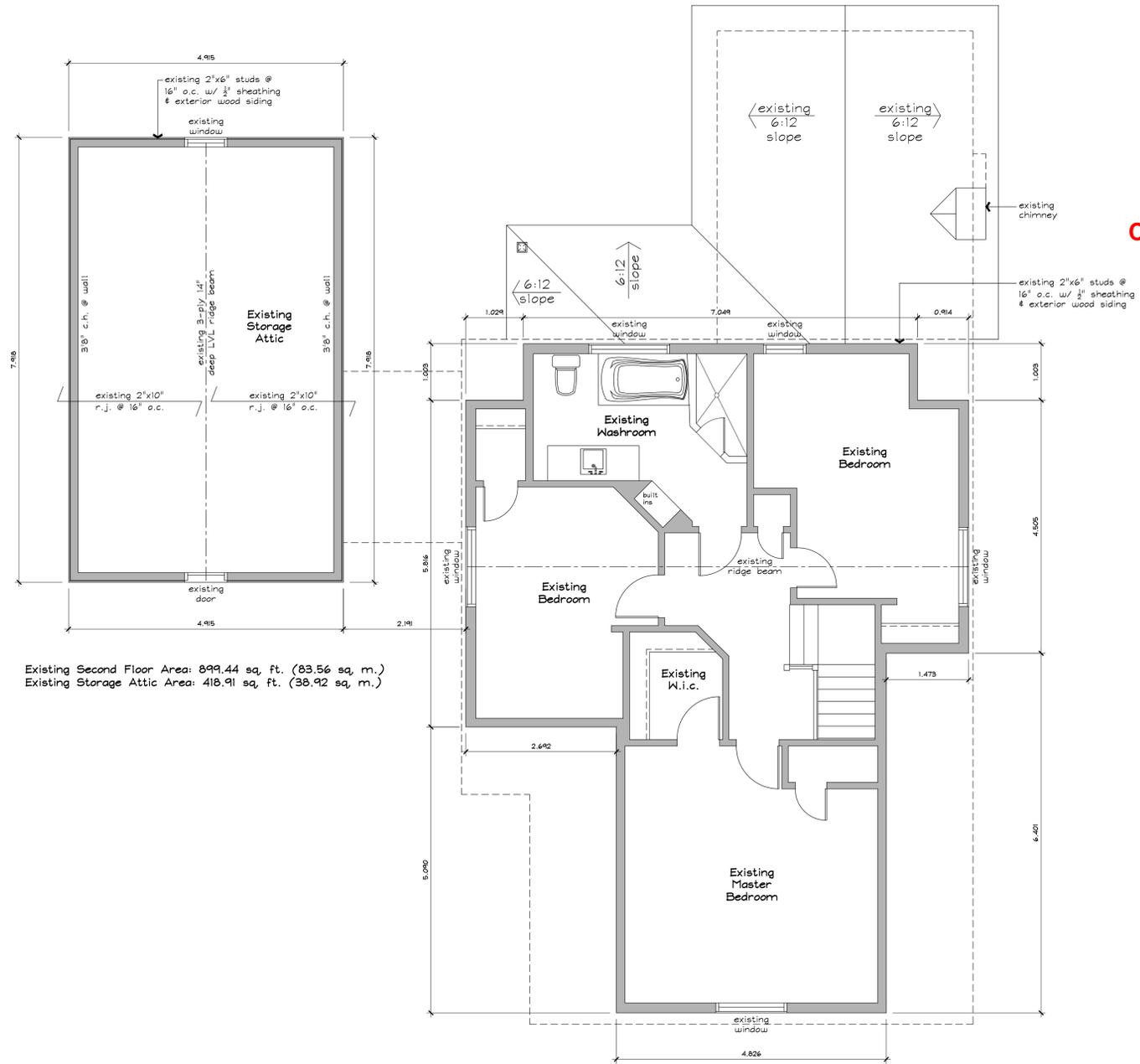
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EXISTING FIRST FLOOR PLAN
 SHEET
A2
 6



Existing Second Floor Area: 899.44 sq. ft. (83.56 sq. m.)
 Existing Storage Attic Area: 418.91 sq. ft. (38.92 sq. m.)

1 EXISTING SECOND FLOOR PLAN
 A3 1:50

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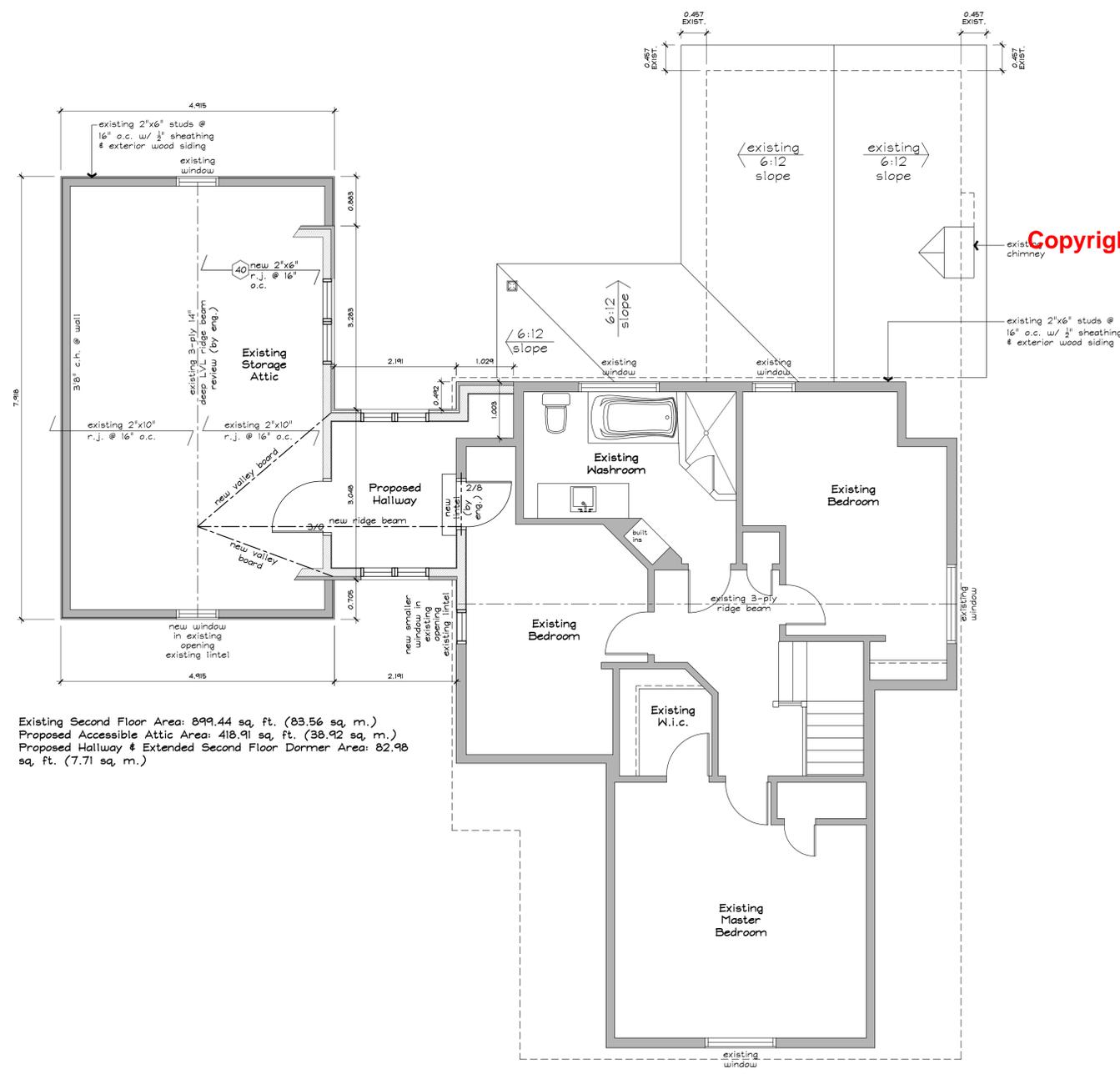
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EXISTING SECOND FLOOR PLAN
 SHEET
A3
 OF 6



Existing Second Floor Area: 899.44 sq. ft. (83.56 sq. m.)
 Proposed Accessible Attic Area: 418.91 sq. ft. (38.92 sq. m.)
 Proposed Hallway & Extended Second Floor Dormer Area: 82.98 sq. ft. (7.71 sq. m.)

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1 PROPOSED SECOND FLOOR PLAN
 A4 1:50

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PROPOSED ELEVATIONS

SHEET

A5 of 6



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1 PROPOSED SIDE ELEVATION
A6 1:50

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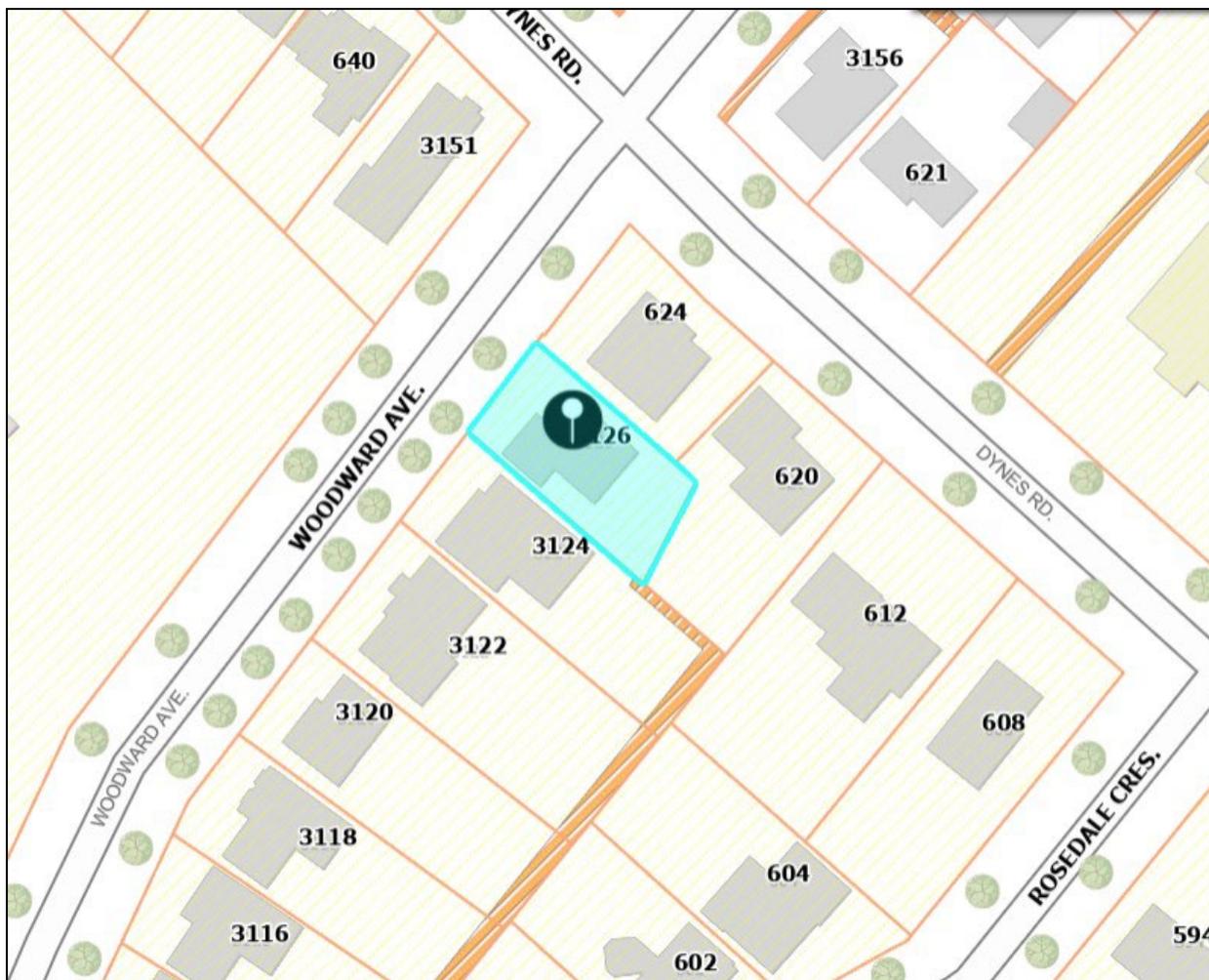
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PROPOSED SIDE ELEVATION

SHEET
A6 of 6

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Shaun Burns and Ashley Burns
Address: 3126 Woodward Ave. Burlington
File No. **A-081/25**
Ward: 4



Staff Comments

Committee of Adjustment

There is 1 previous minor variance applications on record for this property.

File No. A2422/1979 – Approved (as part of a consent application for 624 Dynes Rd)

- To allow a lot having a frontage of 16.09 m (52.8')

Date: _____

Prepared By: _____

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

The subject property is zoned **R3.1**, 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 **R3.1** zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R3 ZONES						
R3.1	15 m	500 m ²	6 m	9 m	(b)	4.5 m

Footnotes to Table 2.4.1

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

4.2 MAXIMUM LOT COVERAGE

Table 2.4.3

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

Footnotes to Table 2.4.3

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

4.5 FLOOR AREA RATIO

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

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Background:

On November 25, 2026, the province announced further action to streamline planning approvals established under Bill 17 to amend Ontario Regulation 545/06, to allow variations to be permitted “as-of-right” if a proposal is within 10% of setback requirements applicable to any parcel of urban residential lands outside of the Greenbelt Area. The changes in Ontario Regulation 257/25 were filed on November 21, 2025, and took effect upon filing.

Any variances sought beyond the prescribed percentage of the setback requirement would be subject to the usual minor variance process.

Proposal:

The applicant is proposing the construction of a second storey addition and two storey side addition to the existing two storey detached dwelling with attached garage. The proposed reduction in the south-west side yard from 1.8 m to 1.3 m exceeds the 10% as-of-right permission under Ontario Regulation 257/25 (1.8 m x 90% = 1.62 m).

Variances required:

1. To permit a lot coverage of 28.2% instead of the maximum permitted 25% for a proposed second storey addition to the existing detached dwelling with attached garage.
2. To permit a floor area ratio of 0.50:1 instead of the maximum permitted 0.45:1 for a proposed second storey addition to the existing detached dwelling with attached garage.
3. To permit a south-west side yard of 1.3 m instead of the minimum required 1.8 m for a proposed second storey addition 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 zoning review is based on the portion of the site affected by the proposed development only.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

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

Date: 9 December 2025

Prepared By: Erin Ruby

Site Planning

Site Characteristics	
Lot Frontage (m)	16.09m
Lot Area (m²)	514.79m ²
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Two storey dwelling, paving stone driveway, front walkway and porch, rear yard wood deck
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Generally flat and level with small amounts of undulation and grade change
Notable Site Features	N/A
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-rise residential and institutional
Nearest Major Intersection	New Street and Guelph Line
Neighbourhood Boundaries*	North: Prospect Street East: Cumberland Avenue South: New Street West: Guelph Line
*Based on OP, 1997 <i>residential neighbourhood</i> definition	

Neighbourhood Characteristics:

- The prevailing form consists of one-storey and one-and-a-half-storey detached dwellings with a mix of original bungalows and newer, two-storey dwellings with attached garages
- The property is across the street from a school and around the corner from a church property and within an area with a range of lot sizes and residential building types including cluster homes, townhouses and apartment buildings
- Other properties in the surrounding area typically range in size from 560m² - 1,000m², whereas the subject lands is smaller than average at 514.79m²
- Despite the Zoning Bylaw permitting equal-sized 1.2-1.8m interior side yard setbacks for houses with attached garages, many properties in the area have unequal side yard setbacks, with a narrow setback on one side being a typical condition
- There are a range of zones and residential building types in the surrounding area within 250m of the subject site, with different heights and setback requirements. Examples include cluster homes located at 581 Dynes Road (R5-199), townhomes on Dynes Road and Arlington Boulevard (RM2)

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

A site visit was conducted on January 7 2026, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

The proposal meets the general intent and purpose of the Regional Official Plan, 2022 (ROP, 2022) for the following reasons:

- Detached dwellings are permitted by the City's Zoning By-law, which is consistent with section 76 of the ROP indicating 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.

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

Official Plan, 1997 & 2020

Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

The proposal/variances meet the general intent and purpose of the Official Plan for the following reasons:

- The proposal is consistent with the permitted uses under the property's 'Low-Rise Neighbourhoods I' land use designation according to Schedule 'C'/Schedule 'B' (Land Use - Urban Area/Comprehensive Land Use Plan- Urban Planning Area) of the BOP, 1997/BOP, 2020, as amended, which permits ground-oriented, low-density housing, and where compatible infill, small-scale additions, and renovations are encouraged.
- Whereas Section 8.3.2(1)(a)–(d) of the BOP, 2020 (Low-Rise Neighbourhoods I) directs that new development and additions shall be compatible with the surrounding context and maintain the predominant character of the neighbourhood with respect to height, massing, and setbacks, the proposal is consistent with these objectives in the following ways:
 - The subject property is within an area in transition that supports a mixture of one, one and a half, and two-storey dwellings.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- There are existing houses in the area having similar massing to the proposed such as 641 Dynes Road, which is a newer two-storey dwelling.
 - Except for a small addition behind the garage, the proposed partial second-storey addition is situated over the existing dwelling footprint, maintaining the established front and side yard setbacks and preserving the existing building orientation to the street.
 - The massing and height are consistent with the pattern of nearby dwellings, several of which feature second-storey or one-and-a-half-storey designs with similar roof pitches and proportions.
 - The overall design maintains a human-scale street presence, with the existing single-storey elements and covered porch continuing to frame the streetscape and provide visual transition to adjacent bungalows
 - The proposed addition will provide an additional element to the design which will de-emphasise the garage as the prominent architectural feature along the frontage of the property.
 - The proposed addition will match the architectural style of the existing two storey dwelling and the broader neighbourhood.
- Whereas *compatible* is defined 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”, which is evaluated in accordance with measurable/objective standards, the planner notes the following:
 - The proposed addition will match the architectural style of the existing two storey dwelling and the broader neighbourhood with respect to rooflines and window shapes and overall architectural style
 - The property is undersized in comparison to the surrounding properties. Other properties in the surrounding area range from 560m² - 1,000m² (subject lands 514.79m²)
 - The proposed variances are not anticipated to create any compatibility issues with adjacent properties or the streetscape.
 - While the proposed is requesting a reduction to a side yard setback, the proposal will be matching the existing southwest side yard setback
 - The proposed side yard reduction from 1.8 m to 1.3 m, does not adversely affect the adjacent property, as adequate separation is maintained for light, privacy, and access.
 - On the side of the house with the reduced setback, there are no second storey windows, and the setback does not extend the full depth of the house
 - The proposed lot coverage of 28.2% represents a small increase that allows reinvestment in the existing dwelling without overbuilding the lot or compromising landscaped open space. The resulting dwelling will remain within the range of built form and site coverage present along the street.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

2) City of Burlington Zoning By-law 2020:

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

Yes – (Lot coverage (Section 4.2, Table 2.4.3))

The intent of lot coverage regulations is to ensure that an appropriate balance is maintained between built form and open space on a lot. By limiting the portion of a property that may be covered by buildings or structures, lot coverage standards help preserve adequate areas for landscaping, drainage, access, and outdoor amenity space, while also mitigating potential impacts related to stormwater runoff, massing, and neighbourhood character. The proposed minor variance to permit a lot coverage of 28.2% instead of the maximum permitted of 25% maintains the general intent and intent and purpose of this provision for the following reasons:

- The increase in lot coverage is small (**3.2%**) and results primarily from a second-storey addition and limited rearward extension, rather than a substantial expansion of the building footprint.
- The proposal maintains adequate landscaped open space on the lot, ensuring continued opportunities for grading, drainage, and outdoor amenity areas.
- The subject property is undersized relative to many surrounding lots, and the requested increase allows for a building footprint that is similar to surrounding properties and facilitates reasonable reinvestment in the existing dwelling without resulting in an overbuilt condition.
- The resulting lot coverage remains consistent with the built form character along the street, where similar dwellings exhibit comparable site coverage.
- The proposed development does not result in adverse impacts related to stormwater management, access, or neighbourhood character and continues to reflect a low-density residential form.

Yes – (Floor Area Ratio (Section 4.5))

The intent of floor area ratio regulations is to control the overall intensity and scale of development on a property in relation to lot size. FAR standards regulate the total amount of gross floor area permitted, helping to ensure that buildings are proportionate to their site and compatible with surrounding development patterns. By managing building bulk and massing rather than footprint alone, FAR regulations support orderly development, appropriate density, and the efficient use of land while minimizing adverse impacts such as shadowing, privacy loss, and visual dominance. The proposed minor variance to permit a floor area ratio of 0.50 instead of the maximum permitted of 0.45 maintains the general intent and intent and purpose of this provision for the following reasons:

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- The increase in floor area is small in scale, representing approximately 25.3 m² above what is permitted, and does not result in an over-scaled or disproportionate dwelling relative to the lot size.
- The additional floor area is primarily accommodated through a partial second-storey addition rather than a substantial expansion of the building footprint, limiting impacts related to massing and site coverage.
- The subject lands are undersized in comparison to many surrounding properties, which range from approximately 560 m² to 1,000 m², whereas the subject lot has an area of 514.79 m². This smaller lot size inflates metrics such as floor area ratio, despite the building remaining compatible in form and scale with surrounding dwellings.
- The resulting dwelling remains compatible with the surrounding development pattern, which includes a mix of one, one-and-a-half, and two-storey dwellings with similar overall floor areas.
- The requested increase in FAR represents an efficient and appropriate use of land while maintaining the low-rise residential character and scale envisioned by the zoning by-law.

Yes – (South Side Yard (Section 4.1, Table 2.4.1))

The general intent and purpose of the side yard setback provision of Burlington Zoning By-law 2020 is to ensure adequate separation between buildings for access, maintenance, drainage, privacy, and the provision of light and air between neighbouring dwellings. The proposed minor variance to permit a south side yard of 1.3 m instead of the minimum required 1.8 m maintains the general intent and purpose of this provision for the following reasons:

- The proposed side yard setback aligns with the existing south side yard setback of the dwelling, maintaining the established siting pattern on the lot.
- Adequate separation is maintained between the subject dwelling and the adjacent property to allow for light, air, drainage, and building maintenance.
- The reduced setback does not introduce new overlook or privacy impacts, as the addition is designed to integrate with the existing built form.
- The proposal respects the prevailing pattern of development in the area, where similar side yard relationships are present.
- No adverse impacts on access, fire safety, or functionality of the adjacent property are anticipated.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

3) Desirability:

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

Yes

The proposed minor variances are desirable for the appropriate development and use of the land for the following reasons.

- The variances facilitate a modest second-storey addition that allows for reinvestment in the existing dwelling and improved functionality, while maintaining the low-rise residential character of the neighbourhood.
- The subject property is undersized relative to many surrounding lots, which generally range from 560 m² to 1,000 m², compared to 514.79 m² for the subject lands. The addition translates into higher numerical lot coverage and floor area ratio values despite the built form remaining compatible in scale and massing.
- The proposed development is largely accommodated within the existing building footprint and height envelope, minimizing impacts related to lot coverage, massing, and site disturbance.
- The reduced side yard setback aligns with the existing building condition and does not introduce new impacts related to privacy, light, access, or drainage.
- Engineering has reviewed the proposal for potential drainage impacts affecting neighbouring properties and does not object.
- Forestry staff have reviewed the proposal for potential tree impacts and do not object.

4) Minor in Nature:

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

Yes

The proposed minor variance(s) are minor in nature for the following reasons:

- The requested relief from the Zoning By-law provision are modest, including a 3.2% increase in lot coverage, a 0.05 increase in floor area ratio, and a 0.5 m reduction in side yard setback, and does not represent a significant increase, or reduction in the case of the side yard setback, from the applicable regulations.
- No functional impacts are anticipated to be introduced from the proposed addition
- The reduced side yard setback aligns with the existing condition of the dwelling and does not create new or worsened impacts on the abutting property.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Cumulative Effects of Multiple Variances and Other Planning Matters:

The requested variances are cumulatively linked in that they relate to the scale and placement of a second-storey addition, which results in an increase to floor area and lot coverage, along with a reduced side yard setback in proximity to the abutting property to the southwest. When considered together, the variances have the potential to affect the built form relationship with the neighbouring dwelling. However, the proposed addition remains well within the maximum permitted building height, aligns with the existing southwest side yard setback, and is largely accommodated within the existing building footprint. As a result, the proposal does not introduce new or worsened functional impacts related to privacy, access to light, drainage, or building maintenance. Staff are satisfied that the cumulative effect of the variances is appropriate and maintains compatibility with the abutting property and the surrounding neighbourhood.

Recommendation:

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

Date: January 12, 2025

Prepared By: Ryan Kochuta

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



View from the front



*View of existing side yard and 4156
Inglewood Drive*

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



View of existing side yard and 4170 Inglewood Drive



View of the back of the house



View of the existing southwest side yard



View from back of the house looking towards 4156 Inglewood Drive



4156 Inglewood Drive



4170 Inglewood Drive

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**



4165 Inglewood Drive



4155 Inglewood Drive



4194 Inglewood Drive



4210 Inglewood Drive



Streetscape view



Streetscape view

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: December 12, 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: December 23, 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: January 2, 2026

Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

Woodward 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: October 30, 2025

Prepared By: E. Chen

Transportation Planning have reviewed the proposed minor variance application and have no comments because the application has no impact on parking, the driveway, or the adjacent street.

Date: December 19, 2025

Prepared By: Thalia Thompson

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.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax

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

Date: December 12, 2025 Prepared By: Corrie Schoenhals

Halton Region

Regional Contaminated Sites Database:

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

Regional Staff have reviewed the Minor Variance application proposing the construction of a second storey addition and two storey side addition to the existing two storey detached dwelling with attached garage. Variances are requested to the maximum permitted lot coverage and floor are ratio, and minimum required side yard setback.

- 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), and Highly Vulnerable Aquifer (VS=6).

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- 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 a 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: January 5, 2026

Prepared By: Navjot Kaur

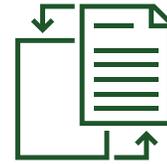
Burlington Hydro

Comments not received by the date this report was published.

Source Water Protection Factsheet

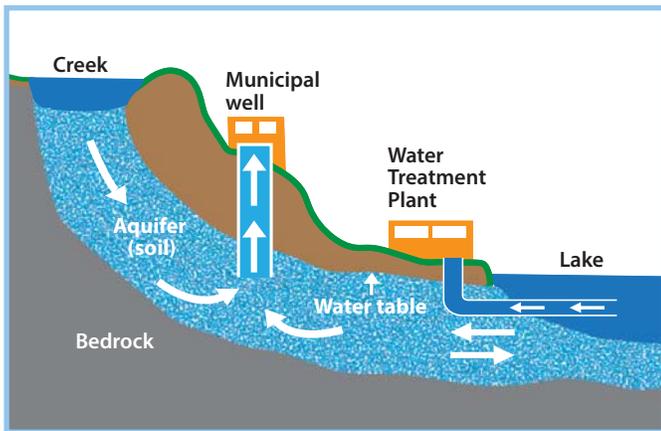
halton.ca

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



NOTICE OF PUBLIC HEARING

Shaun Burns and Ashley Burns, the owners of 3126 Woodward Ave. 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 **3126 Woodward Ave. Burlington** (see map).

The applicant is proposing the construction of a second storey addition and two storey side addition to the existing two storey detached dwelling with attached garage. The proposed reduction in the south-west side yard from 1.8 m to 1.3 m exceeds the 10% as-of-right permission under Ontario Regulation 257/25 (1.8 m x 90% = 1.62 m). This proposal results in the following variances:

1. To permit a lot coverage of 28.2% instead of the maximum permitted 25% for a proposed second storey addition to the existing detached dwelling with attached garage.
2. To permit a floor area ratio of 0.50:1 instead of the maximum permitted 0.45:1 for a proposed second storey addition to the existing detached dwelling with attached garage.
3. To permit a south-west side yard of 1.3 m instead of the minimum required 1.8 m for a proposed second storey addition to the existing detached dwelling with attached garage.

You have received this notice as stipulated by the *Planning Act* because your property is within 60 metres of the property noted above. The application materials are available on request by contacting Committee of Adjustment staff by one of the methods listed above. A copy of the Agenda, containing staff reports and drawings, can be viewed online under the Meeting Agenda tab at **Burlington.ca/coal** on or after **January 19, 2026**.

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 FEBRUARY 4, 2026,

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

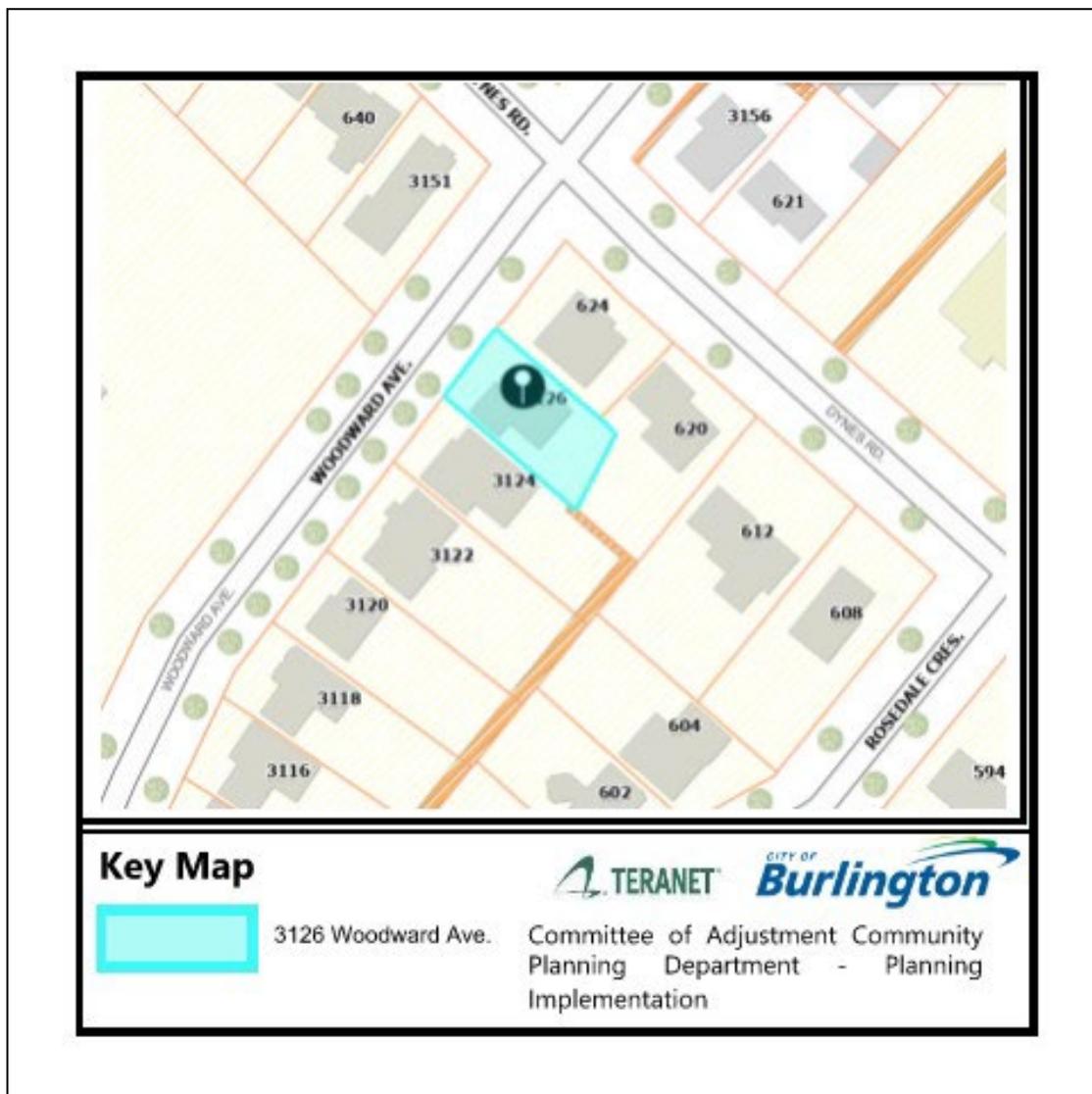
Yours truly,



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



**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: Elyse Meneray

Name of Zoning Examiner: _____

PROPERTY INFORMATION

Municipal Address(es) of property:

3126 Woodward Ave Burlington, ON L7N 2M4

Legal Description of property:

PART OF LOT 14, CONCESSION 3 SOUTH OF DUNDAS STREET

Official Plan Designation: RESIDENTIAL LOW DENSITY Current Zoning Designation R3.1

OWNER(S) INFORMATION:

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

Ashley Burns and Shaun Burns

Mailing Address: 3126 Woodward Ave

City: Burlington

Postal Code: L7N2M4

Home Phone: _____

Mobile Phone: 416-723-8886

Work Phone: _____

E-Mail: aksburns@gmail.com

shaun.k.burns@gmail.com

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

Name: JOSEPH DOMB OF JD COA CONSULTING

Business Address: 207-133 TORRESDALE AVE

City: NORTH YORK

Postal Code: M2R 3T2

Home Phone: _____

Mobile Phone: 647-228-8460

Work Phone: _____

E-Mail: jdcoaconsulting@gmail.com

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

2nd storey addition with an area overhanging behind the existing garage

Variance(s) Requested	Zoning Bylaw Requirement
SIDE YARD (WEST) SETBACK OF 1.3m	MINIMUM REQUIRED SETBACK OF 1.8m
LOT COVERAGE OF 28.2%	LOT COVERAGE OF 25%
FLOOR AREA RATIO OF 0.50:1	FLOOR AREA RATIO OF 0.45:1

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

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

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

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

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

PROPERTY DETAILS (please complete all fields):

Date property purchased: <u>NOV/30/2018</u> mmm/dd/yyyy	Date property first built on: <u>01/01/1974</u> mmm/dd/yyyy	Date of proposed construction: <u>01/03/2026</u> mmm/dd/yyyy
---	---	--

Existing Use of the Subject Property (check one): Detached Dwelling <input checked="" type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Other <input type="checkbox"/> _____	Length of time the existing uses of the subject property have continued: APPROX 50 YRS
	Proposed Use of the Land: NO CHANGE; RESIDENTIAL.

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y or N

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

Type of Access to the Subject Lands

Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other(specify) <input type="checkbox"/>
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Municipal Services Provided

Water <input checked="" type="checkbox"/>	If not available, by what means is it provided:	_____
Sanitary Sewers <input checked="" type="checkbox"/>	If not available, by what means is it provided:	_____
Storm Sewers <input checked="" type="checkbox"/>	If not available, by what means is it provided:	_____

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Frontage 16.09m	Depth 32.19m	Area 514.79m ²	Actual 20m	Deemed 20m	Required Not Required		

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

(attach additional page if required)

EXISTING (Dwelling/Building)

PROPOSED (Dwelling/Building/Addition)

Ground Floor Area (incl. attached garage)	92.59	M ²	Ground Floor Area (incl. attached garage)	93.51	M ²
Gross Floor Area:	162.33	M ²	Gross Floor Area:	215.93	M ²
Number of Storeys:	2		Number of Storeys:	2	
Width:	12.03	M	Width:	-	M
Length:	13.73	M	Length:	13.96	M
Height:	7.39	M	Height:	8.05	M
Garage/Car Port			Garage/Car Port		
Detached?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>		Detached?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	
Gross Floor Area:	41.14	M ²	Gross Floor Area:	41.14	M ²
Width:	6.54	M	Width:	6.54	M
Length:	6.29	M	Length:	6.29	M
Height:	4.78	M	Height:	4.78	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:	23.81	M ²	Gross Floor Area:	23.81	M ²
Width:	3.81	M	Width:	3.81	M
Length:	6.25	M	Length:	6.25	M
Height:	0.23	M	Height:	0.23	M

LOCATION of all existing and proposed buildings and structures

EXISTING

PROPOSED

Front:	6.28	M	Front:	6.14	M
Rear:	10.11	M	Rear:	10.11	M
Side/Street Side:	1.34	M	Side/Street Side:	1.34	M
Side/Other Side:	2.64	M	Side/Other Side:	2.64	M

POSTING OF ADVISORY SIGN

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

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

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

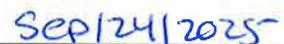
DO NOT POST THE SIGN INSIDE THE BUILDING BY A WINDOW. The sign must be outdoors by the roadway in order to be visible and readable.

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

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

Owner Name Ashley Burns and Shaun Burns Property Address 3126 Woodward Ave


Signature of Owner/Applicant


Date (mmm/dd/yyyy)

OWNERS AUTHORIZATION

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

I, Ashley Burns and Shaun Burns being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.



Signature of Owner

Sep/24/2025

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.

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: _____

W/I, ASHLEY BURNS AND Shaun Burns of the CITY of BURLINGTON in the REGION
(print name) (Region/City/County) (City/Town/Township)

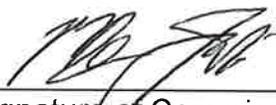
of HALTON solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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

this 24th day of SEPT 2025.

WALK-IN NOTARY 1888-383-0383 (City/Town/Township)
www.walkinnotary.com
info@walkinnotary.com
200-4145 North Service Road,
Burlington, ON., L7L 6A3

Michael De Fabrizio
Barrister & Solicitor
Notary Public and Commissioner of Oaths
in and for the Province of Ontario.
My commission is of unlimited duration.
No legal advice given.



Signature of Commissioner, etc.



Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

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

Municipal Address of Subject Lands: 3126 Woodward Ave

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



Signature of Owner

Ashley Burns and Shaun Burns

Print Name

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	Select (✓)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	✓
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	✓
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	✓
SITE PLAN <ul style="list-style-type: none"> <input type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) <input type="checkbox"/> All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc) 	

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- Setbacks
- Height
- Area
- Length
- Width

X

ELEVATIONS

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

X

FLOOR PLANS

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

X

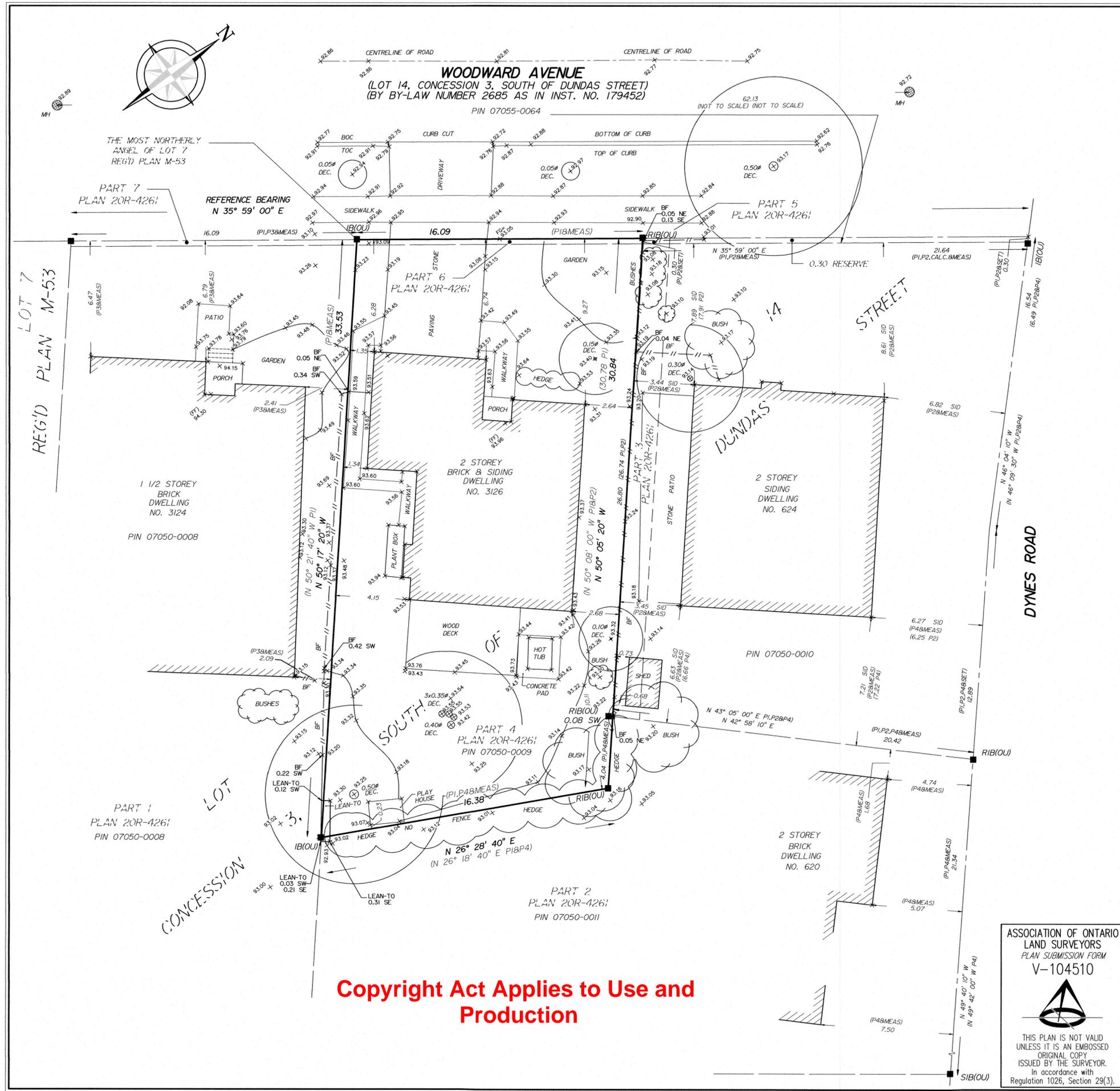
I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.



Signature of Owner/Agent

Sep/24/2025

Date (mmm/dd/yyyy)



Copyright Act Applies to Use and Production

SURVEYOR'S REAL PROPERTY REPORT - PART 1

PLAN OF SURVEY & TOPOGRAPHY OF
PART OF LOT 14, CONCESSION 3
SOUTH OF DUNDAS STREET
 (TOWNSHIP OF NELSON)

CITY OF BURLINGTON
 REGIONAL MUNICIPALITY OF HALTON

0 5 10 15 M

SCALE 1 : 150

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor

2025

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SURVEYOR'S REAL PROPERTY REPORT - PART 2

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY

None

NOTABLES

Note the location of the fences around the subject property.
 Note the location of the Lean-To at the southerly corner of the subject property.

LEGEND

- Survey Monument Found
- Survey Monument Set
- SIB Standard Iron Bar
- IB Iron Bar
- RIB Round Iron Bar
- (OU) Origin Unknown
- P1 Plan 20R-4261
- P2 Plan of Survey by Sewell & Sewell O.L.S. dated by April, 1981
- P3 Plan of Survey by Yates & Yates Ltd., O.L.S. dated by September 25, 1992
- P3 Plan of Survey by Yates & Yates Ltd., O.L.S. dated by September 25, 1992
- P4 Plan of Survey by Guido Consoli Surveying Ltd., O.L.S. dated by July 6, 1990
- FF Finished Floor
- BF Board Fence
- DEC. Deciduous
- MH Maintenance Hole
- HYD Hydrant
- BOC Bottom Of Curb
- TOC Top Of Curb
- SID Siding
- FG Finished Grade
- N Denotes North
- S Denotes South
- E Denotes East
- W Denotes West

BENCHMARK

Elevations are Geodetic and are Referred to the City of Burlington Benchmark No. 182, having an Elevation of 94,854m.

NOTE

This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
 All building ties are from the foundation perpendicular to property lines unless otherwise noted.

This REPORT was prepared for Ashley Burns and the undersigned accepts no responsibility for use by other parties.

NOTE

Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE

Bearings are astronomic, and are referred to the Southeasterly limit of Woodward Avenue as shown on Plan 20R-4261, having a Bearing of N 35° 59' 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 6th day of August, 2025.

August 25, 2025
 Date

A. Musil
 Andrew Musil, O.L.S.

Party Chief: D.L.	Drawn By: R.A./S.A.	Checked By: A.M.	Project: 25-137
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ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-104510

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

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor
 476 Morden Road, Unit 102, Oakville, Ont., L6K 3W4
 office@jhgsurveying.ca
 Phone:(905) 338-8210

3126 WOODWARD AVENUE

BURLINGTON

NEW 2ND STOREY ADDITION

DRAWING LIST

- Z0.1 TITLE SHEET
- Z1.1 SITE PLAN
- Z1.2 BASEMENT FLOOR PLAN
- Z1.3 FIRST FLOOR PLAN
- Z1.4 SECOND FLOOR PLAN
- Z1.5 ROOF PLAN
- Z2.1 NORTH ELEVATION
- Z2.2 EAST ELEVATION
- Z2.3 SOUTH ELEVATION
- Z2.4 WEST ELEVATION

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KEY MAP



FRONT



REAR



PROJECT ADDRESS:
3126 WOODWARD AVE., BURLINGTON

SCOPE OF WORK:
2ND STOREY ADDITION

PROJECT STATUS:
ZONING & COA

ISSUE DATE:
01 DEC 2025



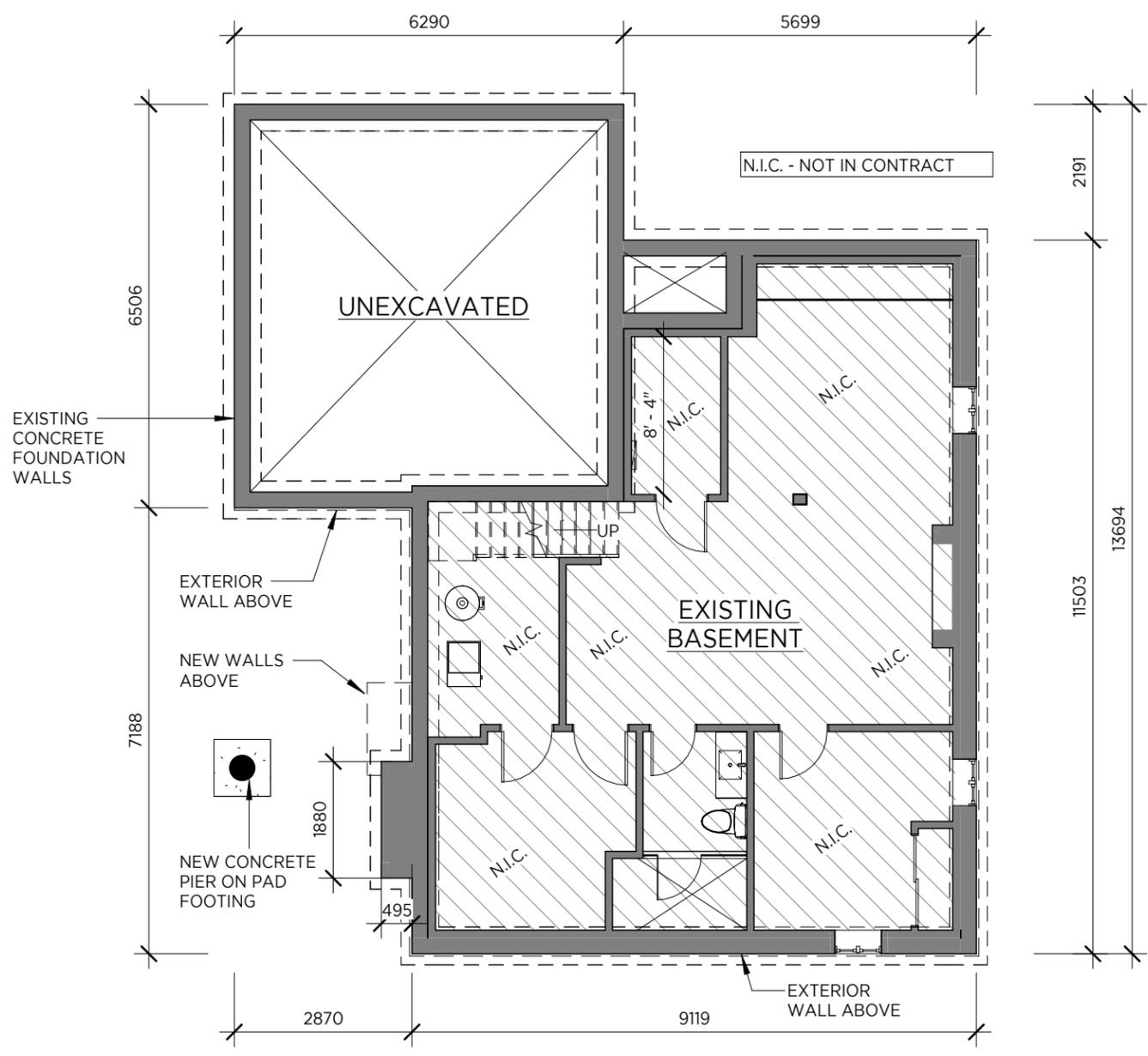
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TITLE SHEET

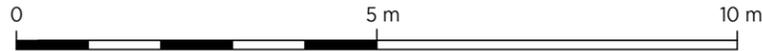
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Z0.1



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1 BASEMENT PLAN
1 : 100



TRUE NORTH	WALL LEGEND
	EXISTING WALLS TO REMAIN
	WALLS TO BE DEMOLISHED
	PROPOSED WALLS

PROJECT ADDRESS:
3126 WOODWARD AVE., BURLINGTON

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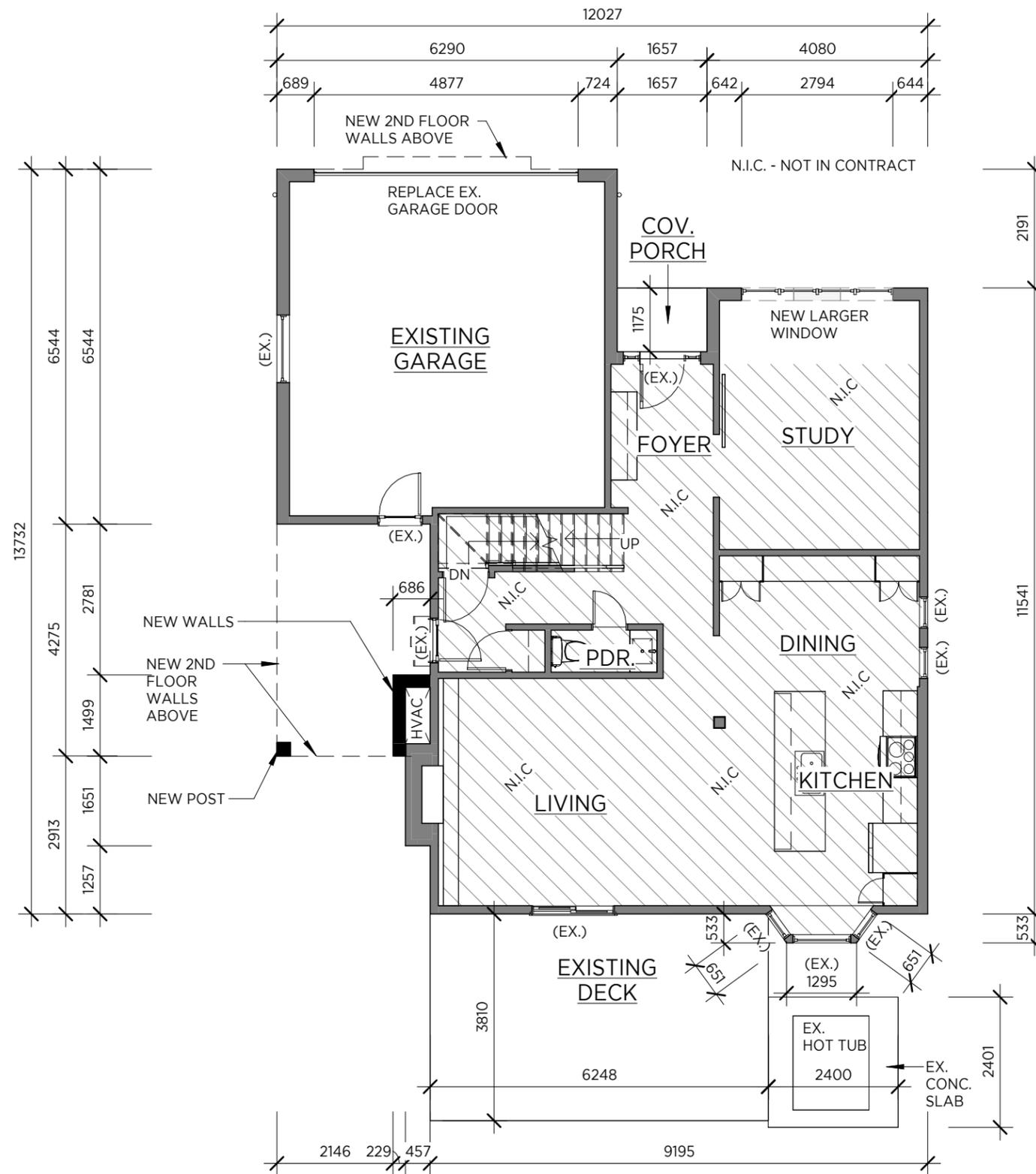
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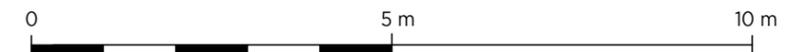
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BASEMENT FLOOR PLAN

SCALE: AS INDICATED

Z1.2



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TRUE NORTH	WALL LEGEND
	EXISTING WALLS TO REMAIN
	WALLS TO BE DEMOLISHED
	PROPOSED WALLS

① 1ST FLOOR PLAN
1 : 100

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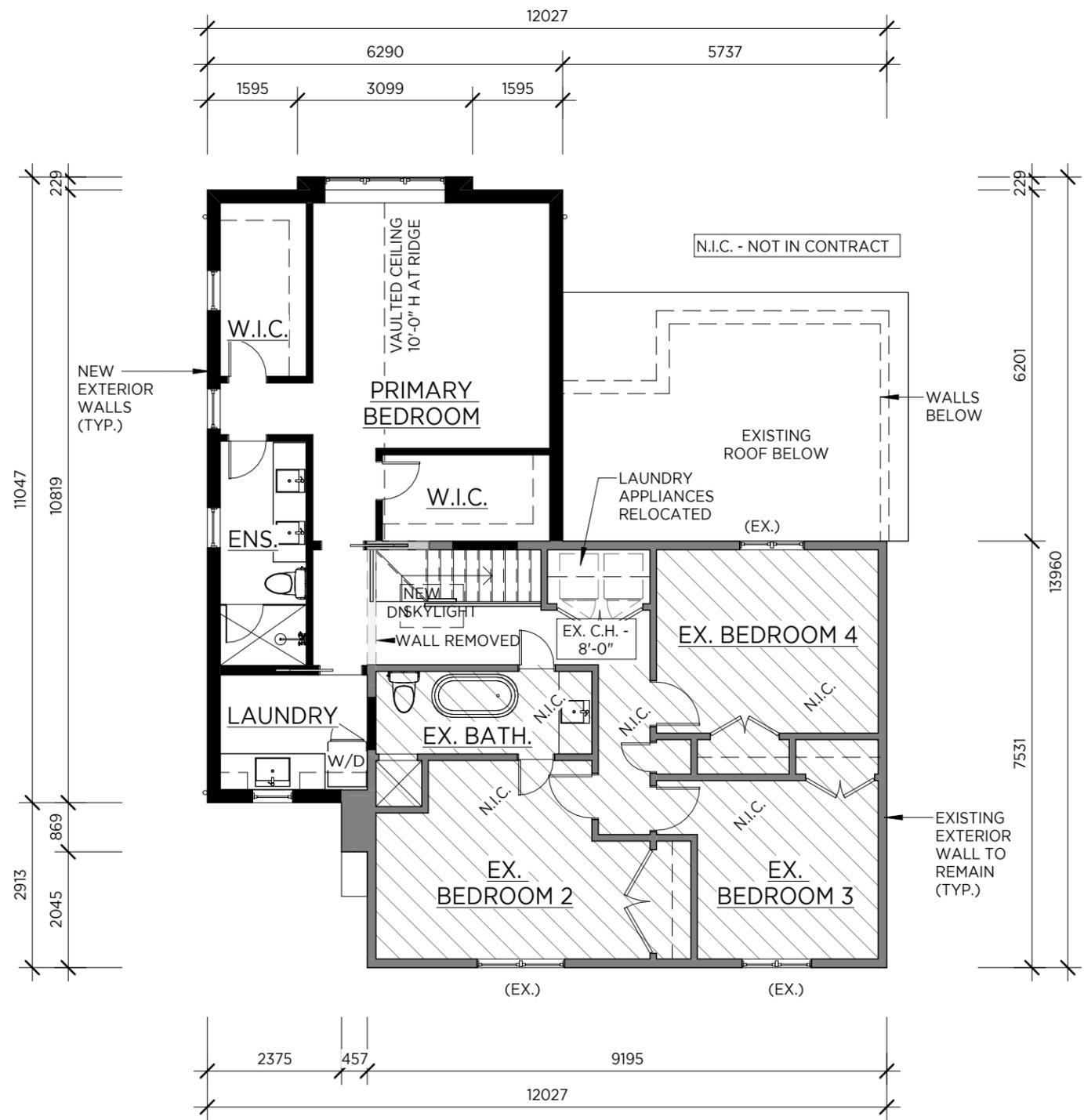
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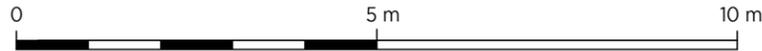
SHEET NAME:
FIRST FLOOR PLAN

SCALE: AS INDICATED

Z1.3



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① 2ND FLOOR PLAN
1 : 100

TRUE NORTH	WALL LEGEND
	EXISTING WALLS TO REMAIN
	WALLS TO BE DEMOLISHED
	PROPOSED WALLS

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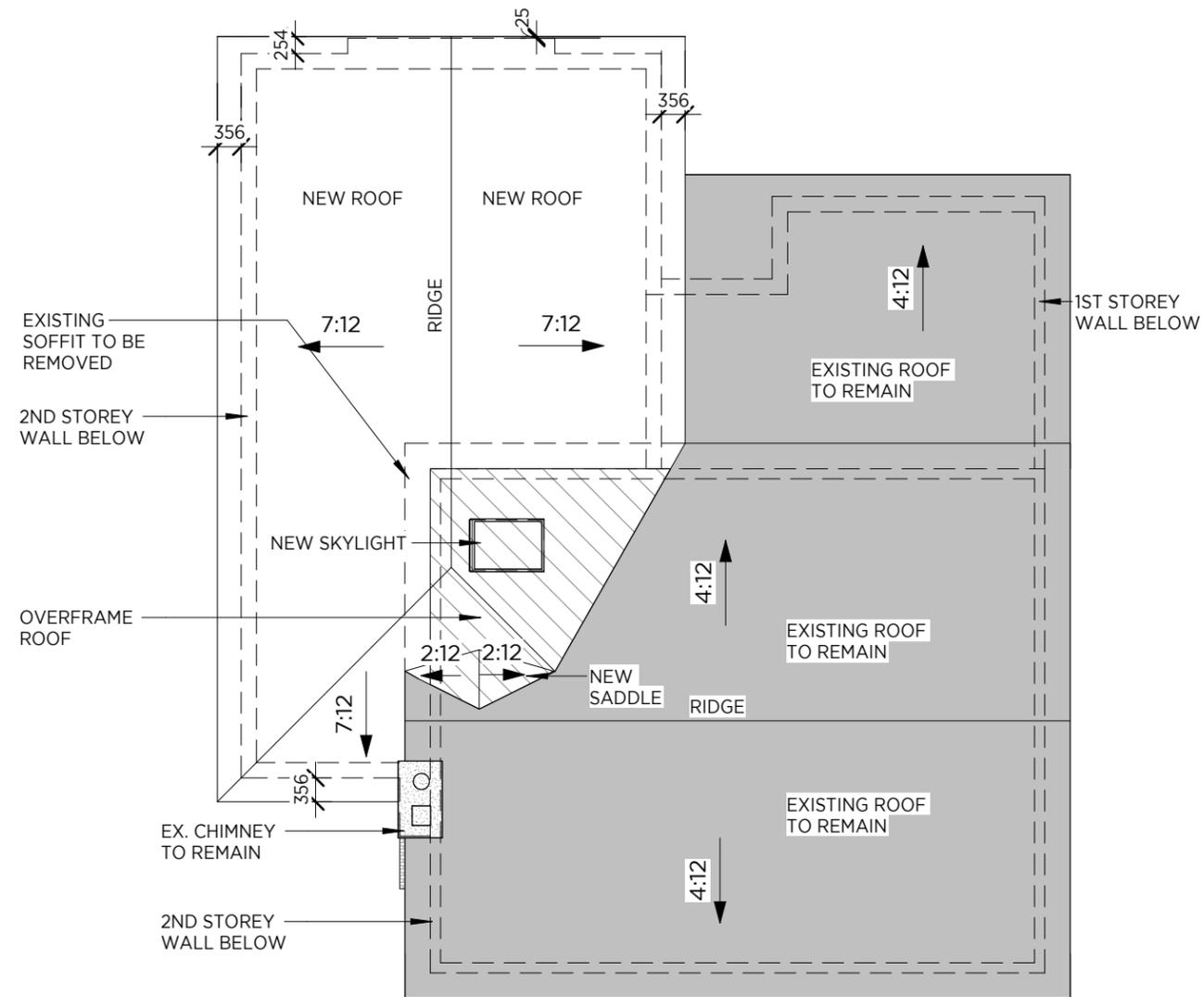
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SHEET NAME:
SECOND FLOOR PLAN

SCALE: AS INDICATED

Z1.4



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① ROOF PLAN
1 : 100



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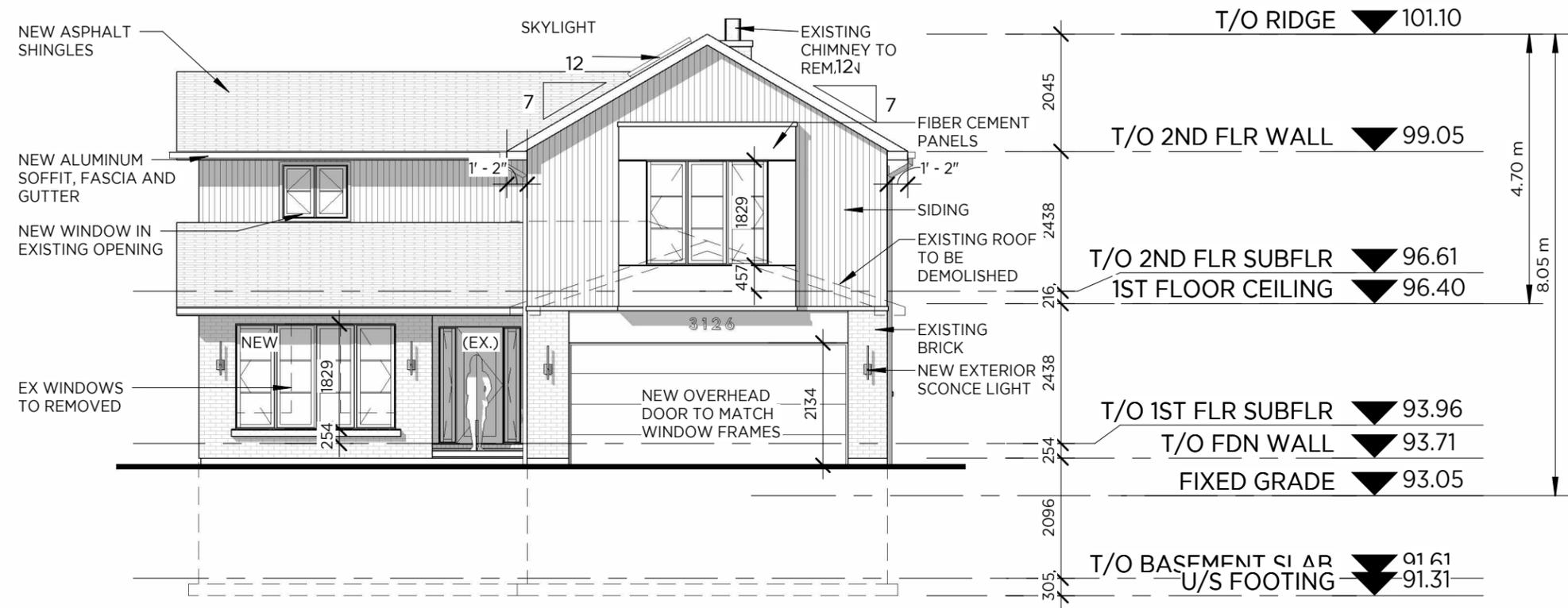
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ROOF PLAN

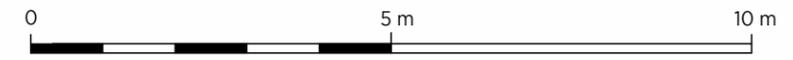
SCALE: 1 : 100

Z1.5



① NORTH ELEVATION
1 : 100

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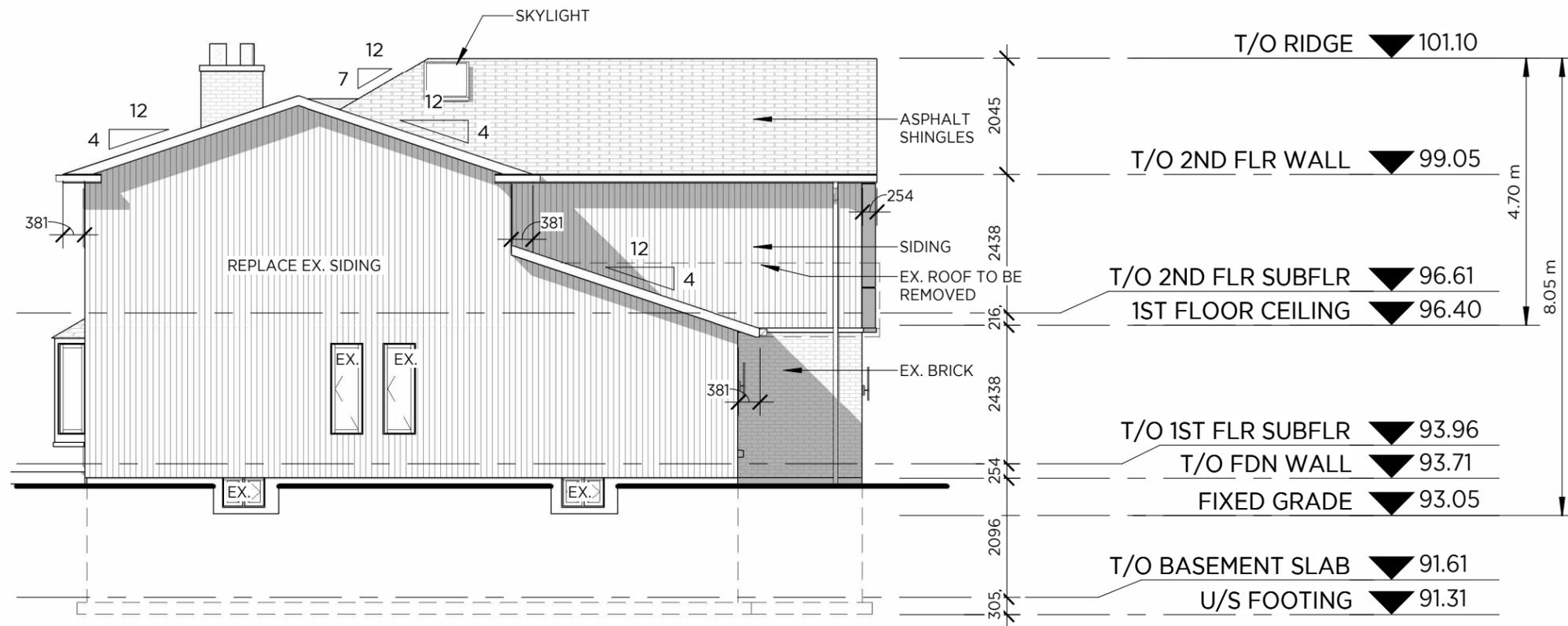
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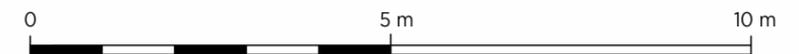
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Z2.1



1 EAST ELEVATION
1 : 100

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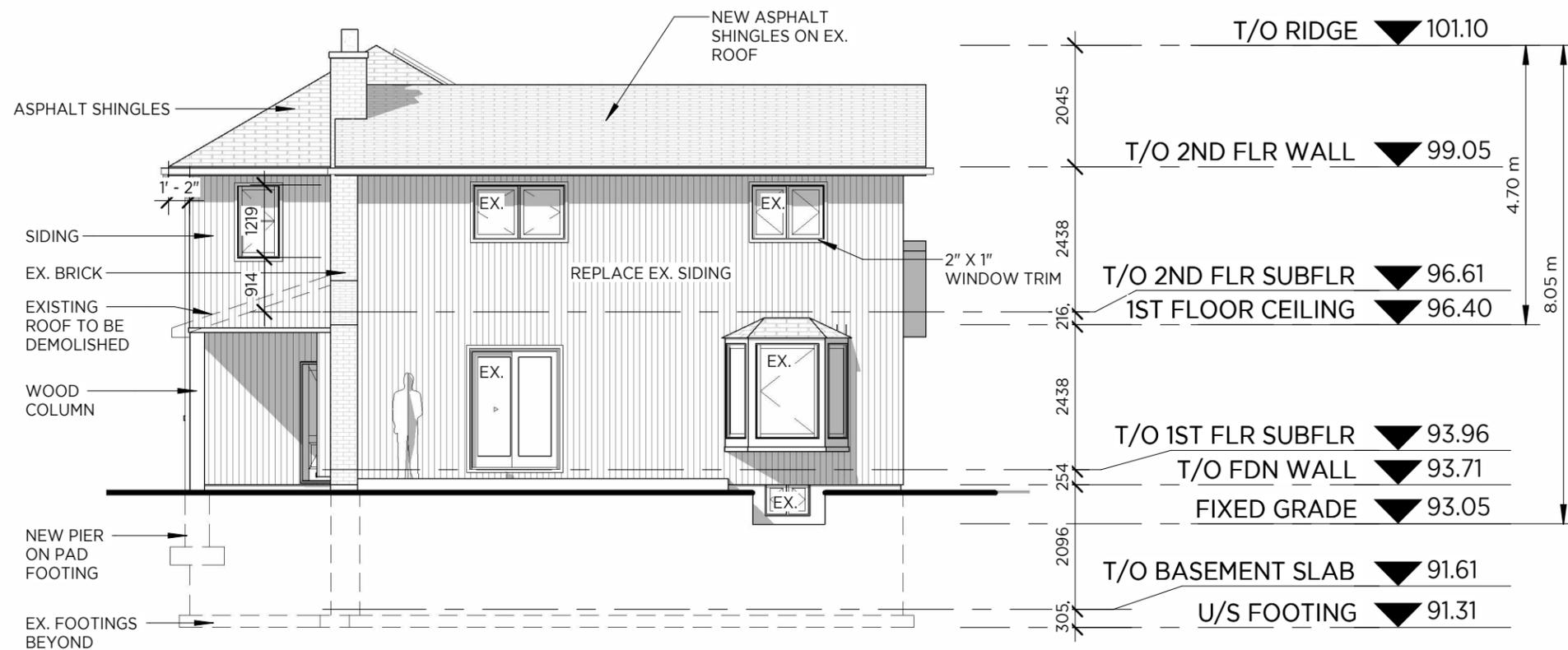
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SHEET NAME:
EAST ELEVATION

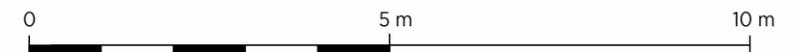
SCALE: 1 : 100

Z2.2



① SOUTH ELEVATION
1 : 100

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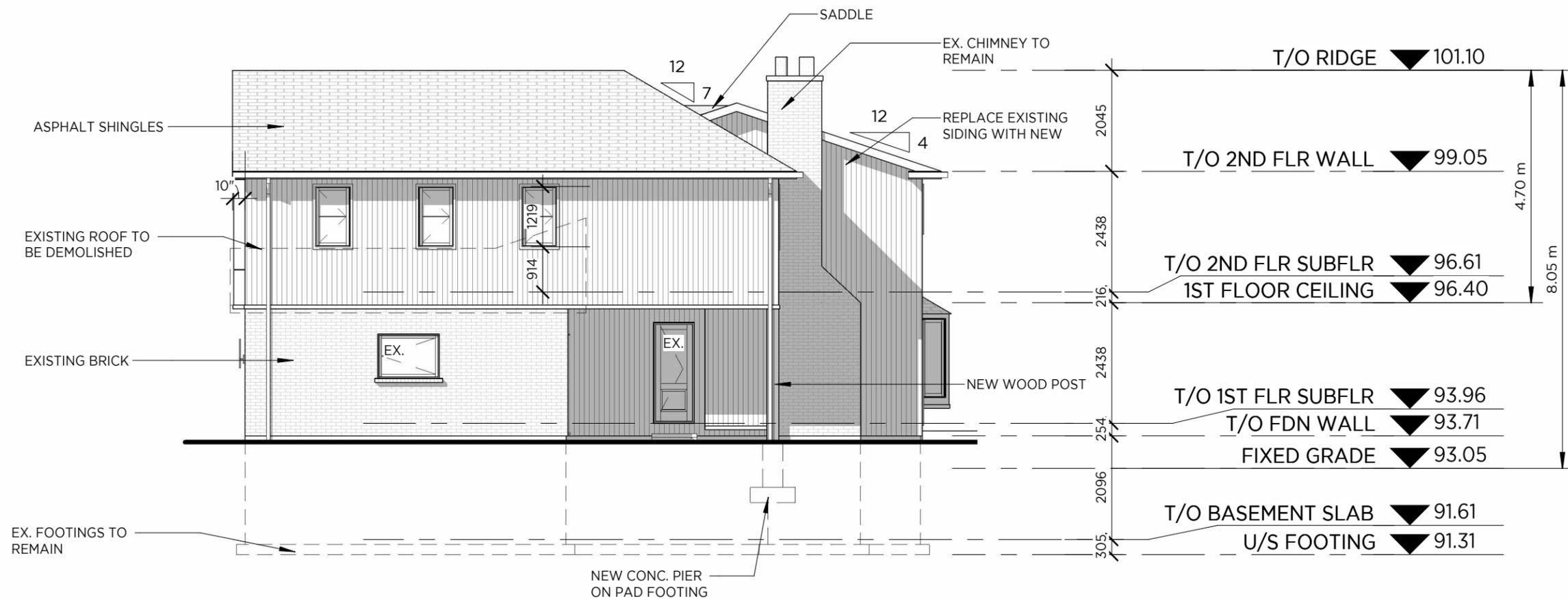
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SHEET NAME:
SOUTH ELEVATION

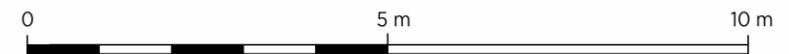
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Z2.3



① WEST ELEVATION
1 : 100

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SHEET NAME:
WEST ELEVATION

SCALE: 1 : 100

Z2.4