



Committee of Adjustment

Agenda

Date: June 17, 2026
Time: 1:00 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

Applications placed on the Consent Agenda are of a routine nature, require no discussion and/or debate, have staff support, have received no objections as a result of the public notice or delegation requests, and are accepted by Committee members as meeting the four tests of the Planning Act. All other applications are placed on the Regular Agenda

7.1 176 Walker's Line_A-017-2026

1 - 29

Proposal:

The applicant is proposing the construction of a 5.95 m² accessory building and an inground swimming pool in the front yard. Variances are required to permit an accessory building and swimming pool to be located in the front yard.

Variances:

1. To permit a swimming pool to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit a swimming pool to be located in a front yard.
2. To permit an accessory building to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit an accessory building to be located within a front yard.

8. Regular Items

8.1 None

9. Other Business

9.1 Correspondence

9.2 Items for Discussion

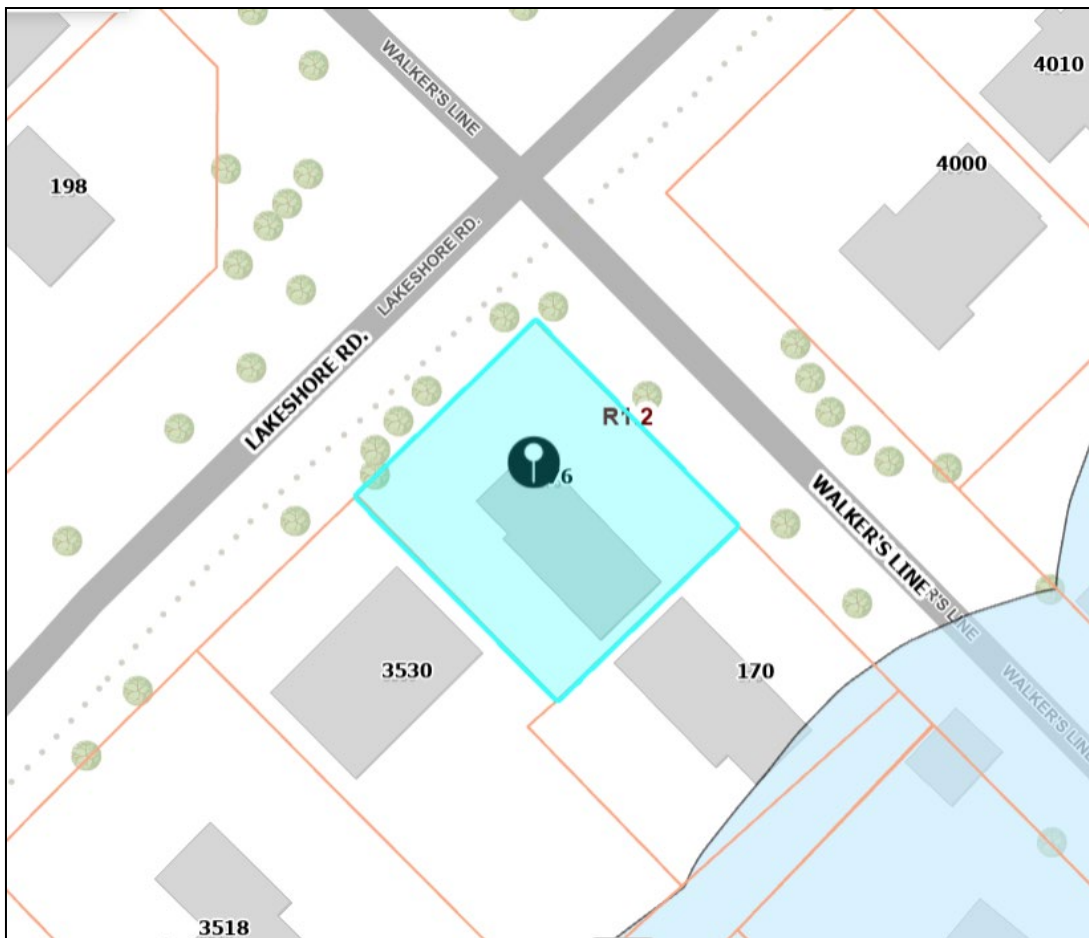
9.3 Date of Next Meeting

9.4 Motion to Approve Committee of Adjustment Meeting Minutes

10. Adjournment

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Allan Cook and Melanie Smith
Address: 176 Walker's Line Burlington
File No. **A-017/26**
Ward: 4



Staff Comments:

Committee of Adjustment

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

Date: April 7, 2026

Prepared By: E. Shacklette

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Zoning

Background:

The subject property is zoned **LN6**, Low-Rise Neighbourhood, under Zoning By-Law 09-2026. The **LN6** zone requires, among other things, the following:

PART 5, Section 5.2, Accessory Buildings and Structures

The erection, alteration, enlargement, maintenance and **use** of **accessory buildings or structures** shall comply with the regulations of the applicable **zone**, except as otherwise provided for in this section.

- b) An **accessory building or structure** shall not be located within a **front yard** or required **exterior side yard**.

PART 5, Section 5.6, Swimming Pools

- a) A **swimming pool** shall be permitted as an **accessory use** to any residential **use**, in accordance with the following regulations:
 - i) Not permitted in a **front yard** or required **exterior side yard**.

Lot Line, Front: means the lot line dividing a lot from a street. On a corner lot, the shorter lot line abutting a street is the front lot line; if such lines are equal, the front lot line shall be designated by the City. On a through lot, the front lot line is typically the one providing primary vehicular access to the principal use, but may be otherwise designated by the City.

Proposal:

The applicant is proposing the construction of a 5.95 m² accessory building and an inground swimming pool in the front yard. Variances are required to permit an accessory building and swimming pool to be located in the front yard.

Variances required:

1. To permit a swimming pool to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit a swimming pool to be located in a front yard.
2. To permit an accessory building to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit an accessory building to be located within a front yard.

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Condition:

1. The applicant shall apply for a combined residential swimming pool application.

Notes:

1. A Pre-Building Approval Application will be required for the accessory building if a building permit is required.
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: May 4, 2026Prepared By: Nataliya Yatsenko**Site Planning**

Site Characteristics	
Lot Frontage (m)	27.432 m
Lot Area (m²)	881.20 m ² (# indicated on Site Plan)
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Two storey detached dwelling with an attached garage; existing driveway; board fence.
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Mostly flat, with slight upward slope from both Lakeshore Road and Walker's Line
Notable Site Features	North of a "Windows-to-the-Lake" park site at the foot of Walker's Line
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-rise residential
Nearest Major Intersection	Walker's Line and Lakeshore Road
Neighbourhood Boundaries*	North: New Street East: Shoreacres Creek South: Lake Ontario West: Tuck Creek
*Based on OP, 1997 residential neighbourhood definition	

Neighbourhood Characteristics:

- The surrounding area is characterized by large-lot single-detached dwellings with a spacious, low-density residential pattern. Homes are generally one to two

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storeys in height, with larger building footprints, and are separated by generous side yards that create a consistent rhythm of open space between dwellings.

- The streetscape along Lakeshore Road is defined by deep front yard setbacks and mature landscaping. Mature trees, hedges, shrubs, and lawn areas contribute to the visual character of the neighbourhood and screen views of homes and buildings from the public realm.
- Other nearby properties have amenity areas (rear or side yards) facing Lakeshore Road, which contain accessory structures or pools. For example, properties on the north side of Lakeshore Road, including 4008, 4020, and 4026 Apple Valley Lane, contain pools and outdoor amenity areas in the rear yard backing onto Lakeshore Road. Similarly, 198 Walker's Line, a corner lot located opposite the subject site, also contains a rear yard pool positioned relatively close to Lakeshore Road.

A site visit was conducted on May 20, 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:

- Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that accessory structures and pools 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.

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:

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- The proposed use is consistent with the property's 'Low-Rise Neighbourhoods I' designation under 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 accessory structures, and where compatible infill, small-scale additions, and renovations are encouraged.
- Whereas General Objectives for Residential Neighbourhood Areas under Section 8.3.1 of the BOP, 2020 directs that new development "be balanced with other planning considerations" and achieve "compatibility and integration within existing residential neighbourhoods" (a), while considering the "surrounding *physical character*", the proposal is consistent with these objectives in the following ways:
 - The proposed accessory structures are forms of "new residential *development*", encouraged by this general objective, which due to their low profile (0m tall and 2.59m tall) are visually subordinate to the principal dwelling, helping them to achieve compatibility with the existing residential neighbourhood
 - The proposal reflects the surrounding physical character of the neighbourhood, which is defined by large lots, generous setbacks, spacing between dwellings, and private rear yard amenity areas, including pools on nearby properties backing onto or located close to Lakeshore Road.
 - Due to the corner lot orientation, the affected yard functions as a rear/side yard in physical and visual terms, notwithstanding its front yard status under the Zoning By-law. This is typical of other corner lots in the neighbourhood, and is also consistent with properties on the north side of Lakeshore Road, which frequently have their amenity areas backing onto the street
- 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 pool and shed are small in scale, subordinate to the dwelling, and mostly screened by continuous board fencing, such that they will not be visually prominent from the street or unduly alter the character of the property or neighbourhood.
 - The proposal involves accessory residential uses that do not generate impacts beyond those normally associated with a detached dwelling and are not expected to create undue adverse effects on surrounding properties.
 - The proposal consists of a low-profile shed and an in-ground pool and will not create any material overlook, shadow, or massing impacts on adjacent properties.
 - Transportation Planning has reviewed the application and has no concerns, noting that the proposed additions are located within the

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- existing fenced area and do not negatively affect driveway sightlines, access, or intersection visibility.
- 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.

2) City of Burlington Zoning By-law 2020:

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

Yes – Variance No. 1 Pool in the Front Yard (Part 5, Section 5.6)

The general intent and purpose of the swimming pool location provision of Burlington Zoning By-law 2020 is to ensure that pools are located discretely on a property, away from the streetscape, and avoid undue visual or functional impacts on adjacent properties and the public realm. The proposed minor variance is consistent with this intent for the following reasons:

- Although deemed to be in the front yard for zoning purposes, the pool is proposed in an area of the lot that functions as a rear/side yard in practical terms due to the unique corner lot orientation.
- The pool is located to the rear of the dwelling and is contained within an established private amenity area.
- The proposal reflects an existing neighbourhood pattern in which pools and rear yard amenity areas are located on properties backing onto or close to Lakeshore Road, including 4008, 4020, and 4026 Apple Valley Lane and 198 Walker's Line.
- Continuous board fencing and existing landscaping (cedars, mature trees) provide screening and reduce visibility of the pool from the street and neighbouring properties.

Yes – Variance No. 2 Shed in the Front Yard (Part 5, Section 5.2)

The general intent and purpose of the accessory building location provision of Burlington Zoning By-law 2020 is to ensure that accessory buildings remain subordinate to the principal dwelling, are located in appropriate yard areas, and do not detract from the character of the streetscape or create undue impacts on adjacent properties. The proposed minor variance is consistent with this intent for the following reasons:

- The proposed shed is small in scale and subordinate to the principal dwelling.
- While located in the front yard for zoning purposes, the shed is situated within an area that functions more as a side yard because of the lot's corner condition and orientation.
- The shed is integrated into an existing private amenity area and does not alter the established low-rise detached character of the property or the surrounding neighbourhood.

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- Continuous board fencing (1.5m tall) screens most of the shed (2.59m tall) from public view and helps minimize its visual impact on the streetscape.

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 proposal facilitates typical accessory residential uses, an in-ground pool and a small shed, that are appropriate for a large detached residential property and enhance the use and enjoyment of the site without changing its residential function.
- The desirability of the proposal is influenced by the unique configuration of the corner lot. While the affected area is deemed to be the front yard under the Zoning By-law, because Lakeshore Road has the shorter frontage, the area functions more as a rear/side yard in physical and visual terms, given that the dwelling is oriented toward Walker's Line and the main access is from that frontage.
- The proposed pool and shed are located within an established private amenity area surrounded by a wood board fence and landscaping, which is consistent with the broader pattern of rear and side yard amenity features in the neighbourhood, including nearby properties where pools are located in rear yards backing onto or close to Lakeshore Road. As such, the proposal is appropriate to the site context and does not introduce a form of development that is out of character with the area.
- The application has been reviewed by Development Engineering, Forestry, Transportation Planning, and Halton Region, all of whom have no objection. Transportation Planning notes that the proposed additions do not negatively impact sight visibility, driveway access, or safety, while Engineering has not identified drainage concerns.

4) Minor in Nature:

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

Yes

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

- The impact of the variances is limited, as the pool and shed are proposed as accessory residential uses that do not alter the principal use of the property.

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- Although the variances relate to front yard placement, the affected area functions differently than the nearby lots due to the lot's corner configuration and frontage (shorter lot frontage) on Lakeshore Road, within the fenced off area already functioning as a side/rear yard, reducing the overall impact of the variances.
- The proposal does not result in tangible adverse impacts related to access, safety or drainage. Forestry staff have noted that the shed may be within the protection zone of a mature tree on the other side of the fence, but are recommending that this be reviewed as part of a tree permit application.
- The application has been reviewed by Development Engineering, Forestry, Transportation Planning, and Halton Region, none of whom object to the proposal.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effect of the variances is minor, and staff are supportive, as the proposed pool and shed can be accommodated on the lot without creating adverse impacts on the surrounding area.

Recommendation:

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

Date: May 22, 2026

Prepared By: Melissa Gasic, MCIP RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)

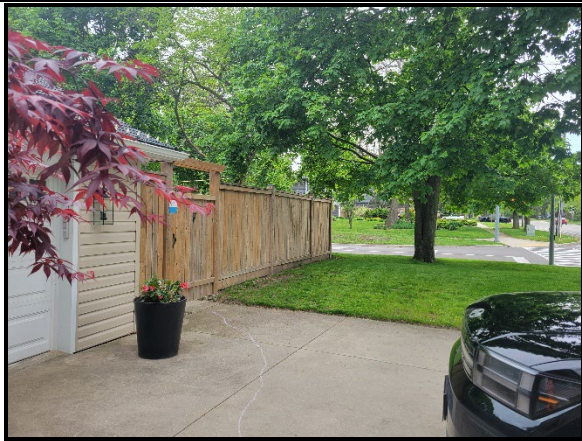


View of the front



View of the front from the driveway

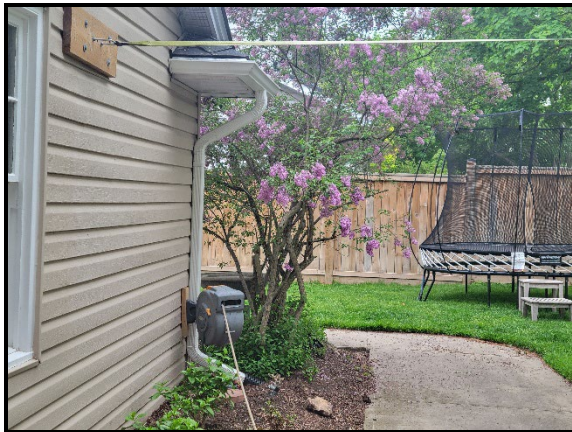
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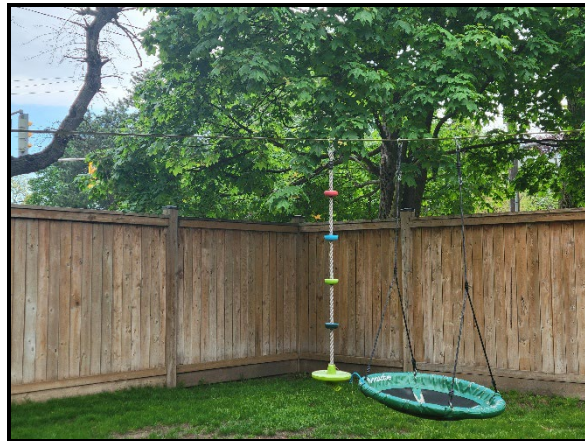
View of the northeasterly corner



View of 4000 Lakeshore Road, on the opposite side of Walkers Line



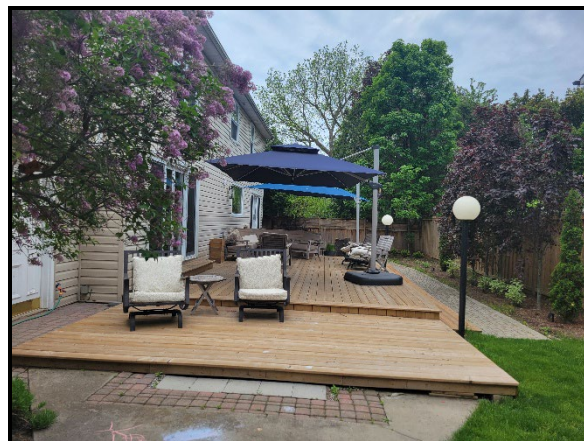
View of the enclosed front yard



View of the enclosed front yard NE corner (future shed location)



View of the abutting westerly property



View of the backyard

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View of neighbourhood context (198 Walkers Line)



View of neighbourhood context (4008 Apple Valley Lane); NE corner of the Walkers Line and Lakeshore Road intersection

Technical Reviewer Comments:

Development Engineering

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

Date: May 6, 2026

Prepared By: D. Savelli

Forestry

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

Advisory Comments:

1. The proposed shed may be within the minimum tree protection zone of a regulated tree. A tree permit will be required for any and all work around regulated trees in accordance with the City's Public and Private Tree By-laws.

Date: May 12, 2026

Prepared By: J. Lee

Building

Building has reviewed the proposed minor variances and has no objections.

Date: May 28, 2026

Prepared By: A. Kuzmichuk

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Transportation Planning

Deemed Road Width Analysis

Walker's Line 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.

Lakeshore Road is under the authority of the City of Burlington and the deemed right-of-way width is 30 metres. The right of-way adjacent to the subject site is approximately 28.5 metres. To meet the ultimate deemed width of 15 metres from the center line, a widening of approximately 1.5 metres would be required along the north frontage Lakeshore Road with a future development application (i.e., opposite the subject site). Finally, Walker's Line and Lakeshore Road are under the authority of the City of Burlington and a 5 metres x 5 metres daylight triangle is required to be conveyed to the City and dedicated to the right-of-way.

While Minor Variances do not require lands be conveyed to the City, it shall be noted that private infrastructure is not permitted within the lands of deemed width or the daylight triangle whether above, below, or at grade.

Date: April 17, 2026

Prepared By: D. Napoli

Transportation Planning have reviewed the proposed Minor Variance application and have no concerns about the application.

Based on the submitted materials, the proposed additions to the subject site are located within the existing fenced area. Therefore, the proposed additions do not negatively impact the sight visibility triangles at driveways or intersections, driveway size, site access, and safety.

Date: May 12, 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.

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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: May 6, 2026Prepared By: L. Bray**Agency Comments:****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 5.95 m² accessory building and an inground swimming pool in the front yard. Variances are requested to permit an accessory building and swimming pool to be located in the front yard.

- Due to Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities has been signed that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.
- Staff have reviewed the application from the Region's Source Water Protection requirements. In accordance with the MOU and to ensure protection of groundwater sources, Halton Region provides the following comments:
 - The property is located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP). The Halton-Hamilton SPP can be accessed online at: <http://www.protectingwater.ca/>
 - The property is located in an Intake Protection Zone 2 (VS= 6.3) 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

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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: May 15, 2026

Prepared By: Navjot Kaur

Burlington Hydro

Comments not received by the publication of this report. The applicant/owner is responsible for connecting with Burlington Hydro regarding their proposed development.

NOTICE OF PUBLIC HEARING

Allan Cook and Melanie Smith of 176 Walker's Line 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 **176 Walker's Line Burlington** (see map).

the construction of a 5.95 m² accessory building and an inground swimming pool in the front yard. This proposal results in the following variances:

1. To permit a swimming pool to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit a swimming pool to be located in a front yard.
2. To permit an accessory building to be located in a front yard (Lakeshore Road), whereas Zoning By-law 09-2026 does not permit an accessory building to be located within a front yard.

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 **June 1, 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 JUNE 17, 2026,

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

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

2. In person Oral Submissions

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

Attend or View the Committee of Adjustment Hearing:

If you do not wish to participate, but would like to follow along, the hearing will be held in person at City Hall in Council Chambers and live through a Zoom Webinar. Instructions, links and phone numbers for joining the meeting will be posted on the Committee of Adjustment webpage the day prior to the scheduled meeting. The link will be active at **12:30 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.

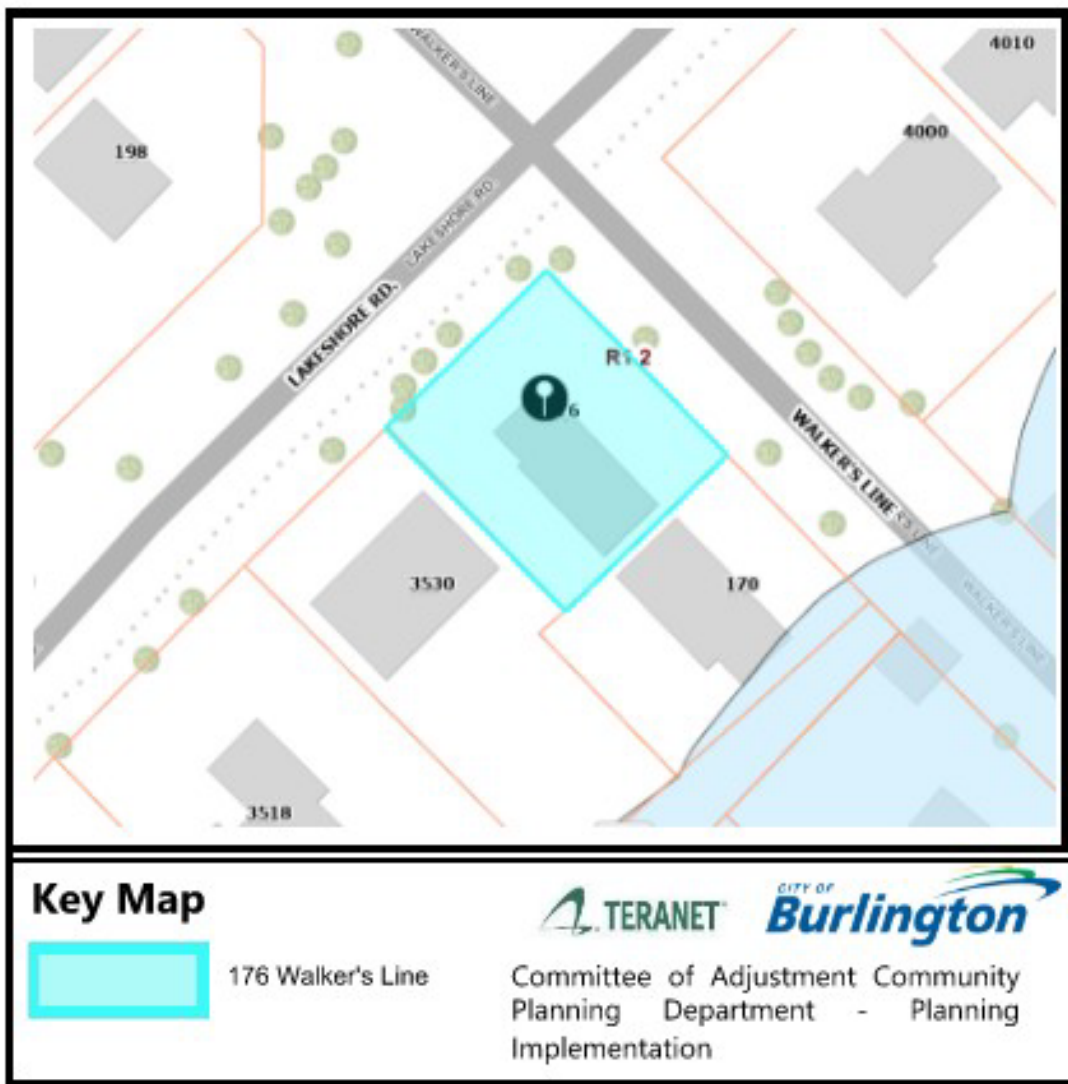
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

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: JOHN O'REILLY

Name of Zoning Examiner: JOE BUORDOLONE

PROPERTY INFORMATION

Municipal Address(es) of property:

176 Walkers Line

Legal Description of property:

CON 4 SDS PT LOT 11

Official Plan Designation: RESIDENTIAL MEDIUM DENSITY Current Zoning Designation R2.3 + RM2

OWNER(S) INFORMATION:

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

Melanie Smith and Allan Cook

Mailing Address: 176 Walkers Line

City: Burlington

Postal Code: L7N2C2

Home Phone: _____

Mobile Phone: [REDACTED]

Work Phone: _____

E-Mail: [REDACTED]

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

Name:

Jeremy Snowball, Pioneer Family Pools

Business Address: 4265 Fairview Street

City: Burlington

Postal Code: L7L2A4

Home Phone: _____

Mobile Phone: [REDACTED]

Work Phone: [REDACTED]

E-Mail: [REDACTED]

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.

pool construction permit -5.6 Swimming Pool a) i)

Variance(s) Requested	Zoning Bylaw Requirement
Minor Variance to allow swimming pool on corner lot	5.6 Swimming Pool a) i)

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

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

Variance needed for placement of permitted accessory due to unique configuration of the property being a corner lot and the orientation of the dwelling. Proposed pool placement complies with all set back requirements from hydro, fencing and existing trees. No impact on neighbors privacy, drainage or streetscape.
 Use of property unchanged.

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

Due to the orientation of the dwelling on the corner lot property, there are no practical alternative on the property to locate a pool. The area deemed to be the side yard abutting Walker's Line functions as the front yard and accommodates the primary driveway and vehicular access to the dwelling, making it unsuitable for pool placement. The remaining rear and interior side yard areas do not provide sufficient space to accommodate a pool.

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

Yes, proposal is consistent with and conforms to the Official Plan, which supports the reasonable use of residential properties and allows for minor adjustments where site-specific conditions constrain development. The variance represents an appropriate and desirable form of development that is compatible with the surrounding neighborhood.

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

Yes, proposed pool will function as a customary residential accessory without adverse impact on adjacent properties.

PROPERTY DETAILS (please complete all fields):

Date property purchased: <u>APR/01/2013</u> mmm/dd/yyyy	Date property first built on: <u>1965?</u> mmm/dd/yyyy	Date of proposed construction: <u>JUN 1, 2026</u> mmm/dd/yyyy
---	--	---

Existing Use of the Subject Property (check one):

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

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

since 1965?

Proposed Use of the Land:

residential- installation of pool

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y or N

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

Type of Access to the Subject Lands

Provincial Highway Municipal Road Private Road Water Other(specify)

Municipal Services Provided

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

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

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

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

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

(attach additional page if required)

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	M ²	Ground Floor Area (incl. attached garage)	M ²
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Garage/Car Port		Garage/Car Port	
Detached?	Y <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:	M ²	Gross Floor Area:	M ²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.)		Other	
Gross Floor Area:	M ²	Gross Floor Area: 33.65	M ²
Width:	M	Width: 4.26	M
Length:	M	Length: 7.9	M
Height:	M	Height: 12cm above ground	M
LOCATION of all existing and proposed buildings and structures			
EXISTING		PROPOSED	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side/Street Side:	M	Side/Street Side:	M
Side/Other Side:	M	Side/Other Side:	M

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner:

Melanie Smith

Property Address:

176 Walkers Line, Burlington, ON L&N 2C2

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

Please complete Section A, B, or C

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

OR

B. The site plan, architect's plan or engineer's plan dated _____ mmm/dd/yyyy
has been revised by: _____
(Person or Company Name)

OR

C. The sketch or plot plan** dated 2/28/2026
**Accepted for applications involving variances for Uses only. mmm/dd/yyyy
was prepared by: Jeremy Snowball (Pioneer Pools)
(Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: 02/28/2026
mmm/dd/yyyy

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

4. Should the need arise during application processing for a 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.

Melanie Smith
Signature of Owner/Applicant

APR 1, 2026
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

Melanie Smith

Property Address

176 Walkers Line, Burlington



Signature of Owner/Applicant

APR 1, 2024

Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

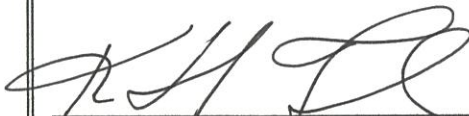
Agent: _____


I, Melanie Smith of the Region of Halton in the City
 (print name) (Region/City/County) (City/Town/Township)

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

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

this 1 day of APRIL 2026.


 Signature of Commissioner, etc.
Katherine E Ford 5167E


 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: 176 Walkers Line, Burlington

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


 Signature of Owner

Melanie SMITH
 Print Name

OWNERS AUTHORIZATION

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

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

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

application for a Minor Variance.

M. Smith
Signature of Owner

APR 1, 2026
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.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
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)	<input checked="" type="checkbox"/>
SITE PLAN <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 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 type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input type="checkbox"/> Proposed Street Side Yard Setbacks <input 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

ELEVATIONS

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

FLOOR PLANS

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

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

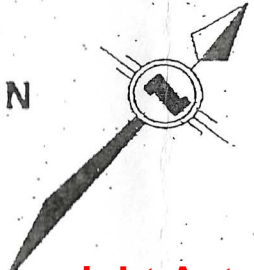
[Handwritten Signature]

Signature of Owner/Agent

APR, 1, 2026

Date (mmm/dd/yyyy)

BUILDING LOCATION SURVEY
 OF PART OF
LOT II, CONCESSION 4, SOUTH OF DUNDAS STREET
 FORMERLY IN THE
 TOWNSHIP OF NELSON
 NOW IN THE
CITY OF BURLINGTON
 REGIONAL MUNICIPALITY OF
 HALTON
 SCALE: 1 INCH = 20 FEET
 A. T. McLAREN, O.L.S. - 1985.



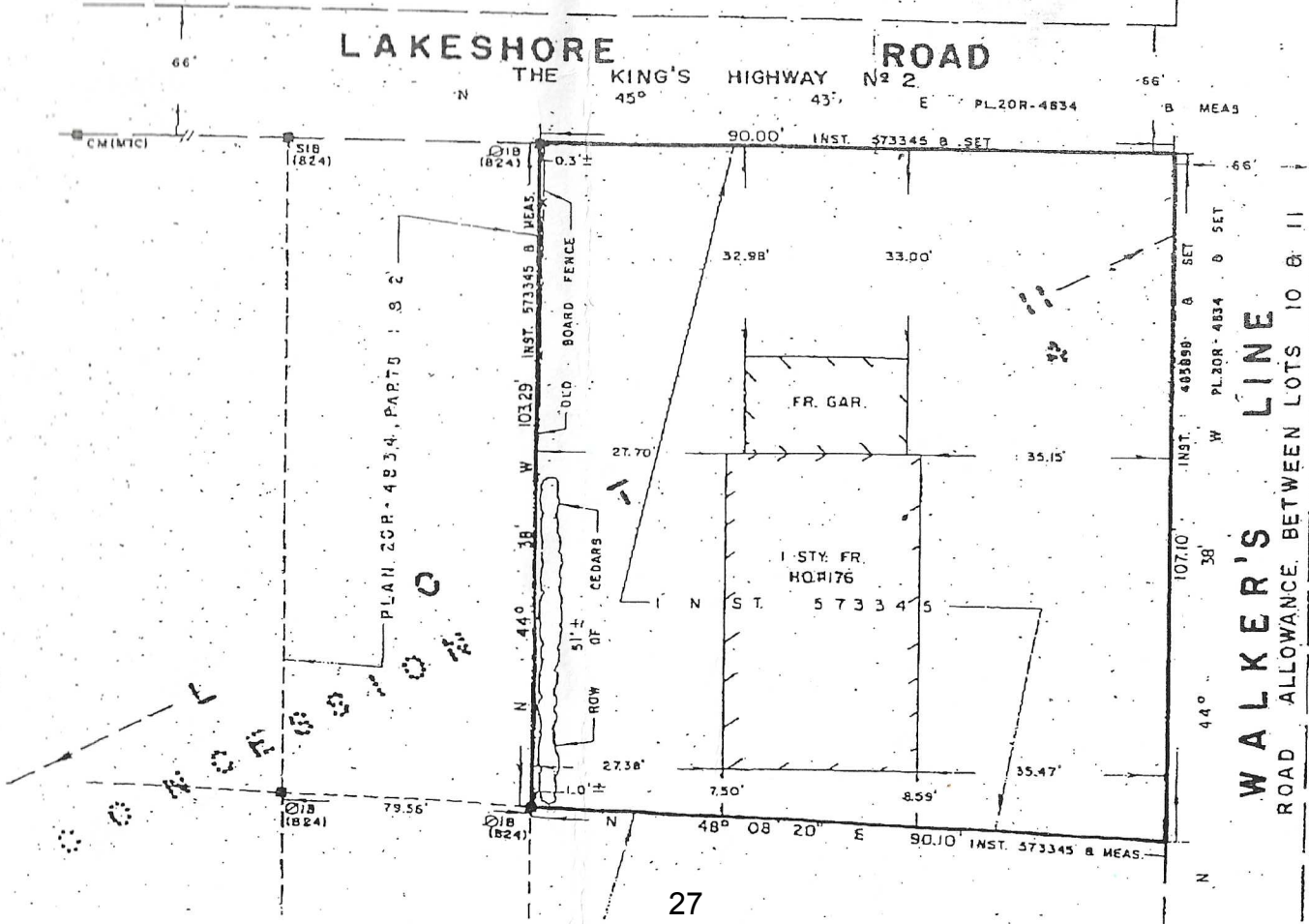
NOTE:
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF LAKESHORE ROAD AS SHOWN ON PL 20R-4834 AS BEING N 45° 43' E
LEGEND:
 □ DENOTES MONUMENT SET
 ○ DENOTES MONUMENT FOUND
 SIB ROUND IRON BAR
 CM STANDARD IRON BAR
 (B24) CONCRETE MONUMENT
 (MTC) A. T. McLAREN, O.L.S.
 MINISTRY OF TRANSPORTATION AND COMMUNICATION

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 11TH DAY OF OCT. 1985
 OCT. 15 1985
 DATE A. T. McLAREN, O.L.S.

A. T. McLAREN
 ONTARIO LAND SURVEYOR
 25 HUGHSON ST. SO.
 HAMILTON, ONT.
 527-8559, 527-

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Copyright Act Applies to Use and Production

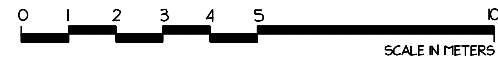


Smith Residence

client: 176 Walkers Line Burlington, On. L7N 2C2

scale: 1/50 date: Apr. 16, 2026 revision:

drawn by: AC checked by: MC drawing #: GRA_3



PRINT DRAWING ON 11 X 17

Copyright Act Applies to Use and Production

1.8m WOOD GATE TO SPRING LOADED & SELF LATCHING/CLOSING

EXISTING WOOD FENCE 1.5m

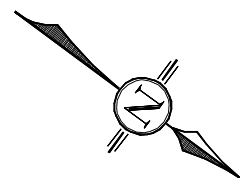
PROPERTY LINE

PROPERTY LINE

EXISTING WOOD FENCE MEETS POOL CODE

HYDRO POLE

PROPERTY LINE



WALKERS LINE

