Committee of Adjustment

Revised Agenda

Date: July 8, 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

5.1 4698 Kurtz Road_A-087-2025

Additional comments from the Building Department

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 4698 Kurtz Road_A-087-2025 1 - 28

Proposal:
The applicant is proposing to legalize the location of an existing 7.2 m2 accessory building less than 2.5 m high.

Variance required:

1. To permit a street side yard abutting Thomas Alton Boulevard of 0.3 m instead of the minimum required 7.5 m for an existing 7.2 m2 accessory
building.

8. Regular Items

8.1 1158 Fisher Avenue_A-088-2025 29 - 81

Proposal:
The applicant is proposing the construction of a 178 m² one-storey rear yard accessory building with uncovered deck. The accessory building is proposed for use as a single Additional Residential Unit which is inclusive of a full basement containing living space. The property will therefore contain one detached dwelling and 3 additional residential units (2 internal and one external).

Variances required:

1. To permit a total floor area of 178 m² instead of the maximum permitted 80 m² for a proposed one-storey detached accessory building containing an Additional Residential Unit with a full basement.
2. To permit a building height of 4.8 m instead of the maximum permitted 4.6 m for a proposed 178 m² one-storey accessory building with a peaked roof.

Proposal

To recognize two accessory buildings on the north portion of the lot—an existing ±42 m2 wood shed and a ±25 m2 steel shed—located within the O3 196 zone, while the dwelling and existing vinyl garage is situated in the RNA1 zone.

Based on the submitted information, the existing accessory buildings meet the zoning requirements for location, including setbacks and placement relative to lot lines. However, the use of accessory buildings within the O3 196 zone is only permitted when accessory to the detached dwelling. As the O3 196 zone does not contain a primary detached dwelling, the accessory structures do not meet the permitted use provisions of that zone.

Lastly, the existing wood shed is located inset to the side of a hill and provides two levels of floor area. The existing accessory building exceeds the maximum number of storeys, floor area and height.

Variances required:

1. Notwithstanding Exception 196, to recognize two existing accessory buildings (wood shed and steel shed) in the O3-196 zone which are not accessory to a detached dwelling.
2. To permit a total floor area of 84 m2 instead of the maximum permitted 50 m2 for an existing two-storey accessory building (wood shed).
3. To permit two storeys instead of the maximum permitted one storey building height for an existing two-storey accessory building (wood shed).
4. To permit a building height of 5.1 m instead of the maximum permitted 4.6 m for an existing two-storey detached accessory building (wood shed) with a peaked roof.

8.3 3544 Commerce Court_A-027-2026 124 - 162

Proposal:

The applicant is proposing revisions to the ground floor building footprint and to expand the rooftop amenity area of a 7-storey apartment building, comprised of 35 residential units with associated parking and landscaping.

Variance required:

1. To permit a Floor Area Ratio of 1.83:1 instead of the maximum permitted 1.5:1 to facilitate the proposed development and revisions.

8.4 276, 284, and 292 Plains Road East_A-029-2026 163 - 225

Proposal:

This development for a proposed 7 storey apartment building containing 141 units was reviewed through a Zoning By-law Amendment application, which was approved under exception 542 to By-law 2020. During the Site Plan Approval phase (535-008/24), it was noted that the proposed balconies projecting into the yard abutting Plains Rd E did not comply, as the amending by-law did not account for their inclusion. The applicant revised the design to comply and removed the non-compliant balcony projections.

Final Site Plan Approval was issued on January 15, 2025, based on the compliant design. The applicant has since initiated revisions to the Site Plan Approval for a slightly modified design. The modified design re-introduces the front yard balcony projections abutting Plains Rd E, which has triggered a minor variance requirement to address the non-conformity as described below:

Variance required:

1. To permit a 2m yard abutting Plains Rd E, West of the QEW, instead of the minimum required 3m yard for proposed balconies on Floors 2-6.

9. Other Business

9.1 Correspondence

9.2 Items for Discussion

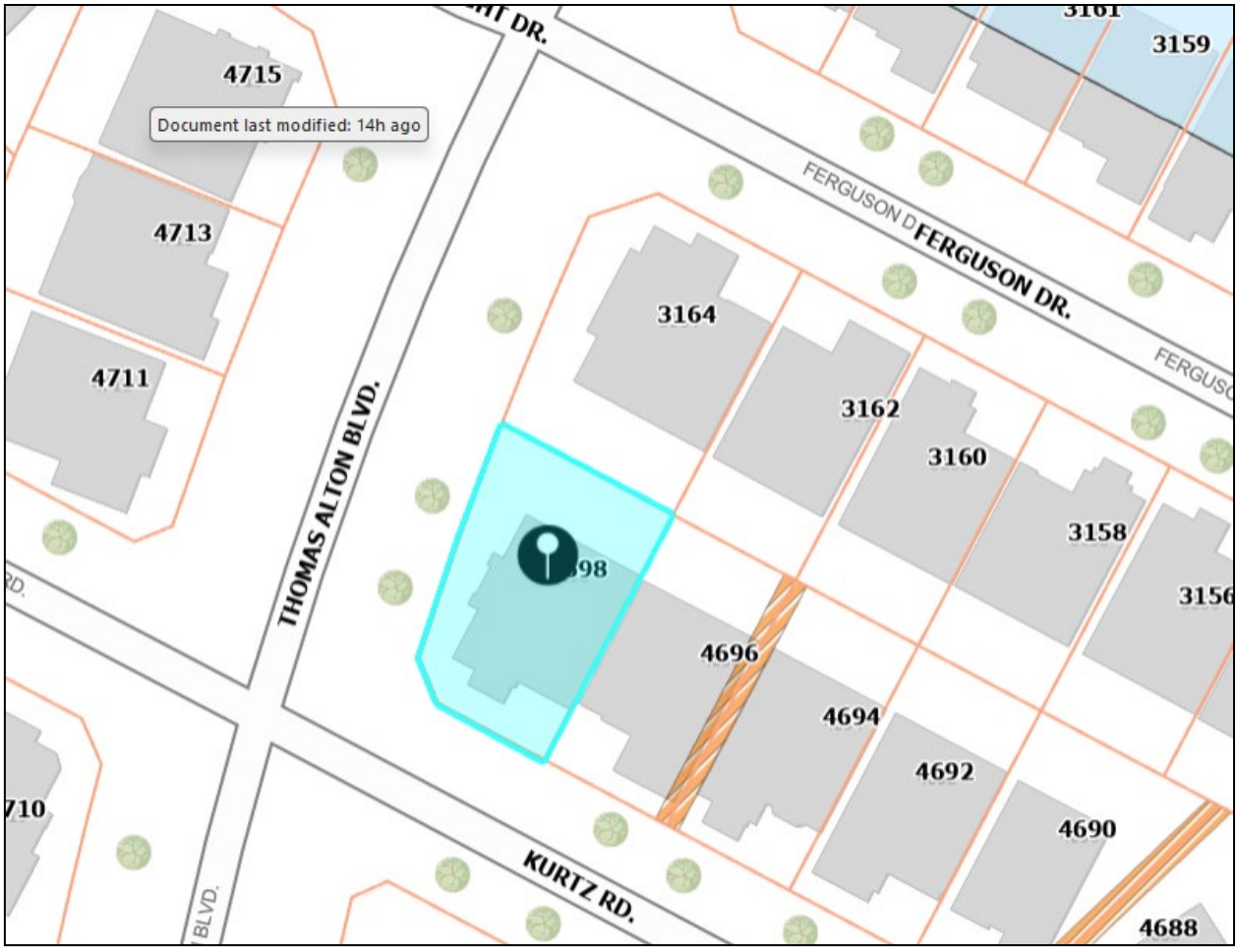
9.3 Date of Next Meeting

9.4 Motion to Approve Committee of Adjustment Meeting Minutes

10. Adjournment

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Daniel Capistrano and Teodoralyn Flores Capistrano
Address: 4698 Kurtz Rd. Burlington
File No. **A-087/25**
Ward: 6



Staff Comments:

Committee of Adjustment

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

Date: December 2, 2025 Prepared By: E. Shacklette

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Zoning

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

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

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

(a) Regulations for Accessory Buildings up to 10 m^2 in floor area:

(i) Setback from a side lot line abutting a street:	**7.5 m**
(ii) Setback from a rear lot line abutting a street:	90 cm
(iii) Setback from a front lot line:	15 m
(iv) Setback from any other lot line:	no minimum
(v) Maximum height:	2.5 m

Proposal:

The applicant is proposing to legalize the location of an existing 7.2 m^2 accessory building less than 2.5 m high.

Variance required:

1. To permit a street side yard abutting Thomas Alton Boulevard of 0.3 m instead of the minimum required 7.5 m for an existing 7.2 m^2 accessory building.

Notes:

1. A Zoning Clearance Certificate is not required provided that a building permit is not required.
2. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified, they will be the responsibility of the applicant to obtain.
3. The zoning review is based on the portion of the site affected by the proposed development only.
4. The variances are being reviewed under Section 45(1) of the *Planning Act*.

Date: 8 April, 2026 Prepared By: Chase Kelly

Site Planning

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Site Characteristics	
Lot Frontage (m)	15.473m
Lot Area (m^2)	422.6m2
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Detached Dwelling, Stone walkway, rear yard patio
Site Grading *(ex. Flat and level, significant grade differences)*	Generally flat and Level
Notable Site Features	Boundary Fence around the rear yard
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low Density Residential / Detached Dwellings
Nearest Major Intersection	Appleby and Dundas
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Palladium Way East: Tributary of Sheldon Creek South: Dundas Street West: Sheldon Creek

Neighbourhood Characteristics:

- The subject property is located within the Alton East Community, a planned residential neighbourhood characterized by contemporary detached dwellings, landscaped yards, privacy fencing, and customary residential accessory features.
- The surrounding neighbourhood is characterized predominantly by detached dwellings that establish a consistent low-rise residential built form.
- Development within the area generally consists of one- and two-storey dwellings that maintain a compatible scale and height relationship throughout the neighbourhood.
- Dwellings are typically set back from both the street and adjacent properties in a manner that provides separation between buildings and contributes to an open suburban character.
- Residential lots generally contain landscaped front and rear yards that contribute to the visual character of the streetscape and neighbourhood.
- Privacy fencing is a common feature throughout the neighbourhood and assists in defining rear yard amenity areas and screening accessory features from public view.
- Accessory structures are a common component of residential properties within the neighbourhood and are generally located toward the rear corners of lots where they remain subordinate to the principal dwelling.
- The neighbourhood exhibits a cohesive residential character through the consistent arrangement of dwellings, landscaping, fencing, and accessory residential features.

A site visit was conducted on June 10, 2026 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

The 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 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).

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

- The site is designated 'Low-Rise Neighbourhoods I' 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 residential development and accessory structures.
    - *The proposal relates to the legalization of a small-scale accessory shed that remains ancillary to the principal residential use of the property and maintains the planned residential function of the site.*
- 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 proposal relates to the legalization of an existing accessory shed that remains subordinate and incidental to the principal residential use of the property.*

- *The shed is small in scale, measuring approximately 7.2 m² in area and less than 2.5 m in height, and therefore does not contribute significant massing or visual impacts.*
- *The structure is largely screened from public view by the existing privacy fence and has limited visibility from the public realm.*
- *Accessory structures are a common feature within the surrounding neighbourhood and are generally located toward the rear portions of residential lots where they remain subordinate to the principal dwelling.*
- *The proposal maintains the established low-rise residential character of the neighbourhood and does not adversely impact adjacent properties or the streetscape.*

- 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 variance relates to an existing accessory shed measuring approximately 7.2 m² in area and less than 2.5 m in height.*
  - *The structure remains clearly subordinate to the principal dwelling and does not contribute significant built form, massing, or visual impacts.*
  - *The shed is located behind an existing privacy fence and is largely screened from the public realm, with only a limited portion visible from Thomas Alton Boulevard.*
  - *The proposal does not result in any changes to the use or intensity of the property and continues to support a low-density residential use.*
  - *The variance does not create adverse impacts related to privacy, overlook, shadowing, drainage, traffic, parking, access, or the use and enjoyment of adjacent properties.*
  - *The proposal does not alter the established character of the surrounding neighbourhood and is capable of co-existing in harmony with surrounding residential development.*
  - *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?

<u>Yes – (Street Side Yard Setback)</u>

The general intent and purpose of the street side yard setback provisions of Zoning By-law 2020 is to ensure that accessory structures are appropriately located on a lot, maintain a suitable relationship with the public realm, preserve the visual character of the streetscape, and minimize potential impacts on adjacent properties. The proposed minor variance is consistent with this intent for the following reasons:

- *The variance relates to an existing accessory shed measuring approximately 7.2 m² in area and less than 2.5 m in height.*
- *The structure remains subordinate to the principal dwelling and does not contribute significant massing or visual impacts within the streetscape.*
- *The shed is largely screened from public view by the existing privacy fence, with only a limited portion visible from Thomas Alton Boulevard.*
- *The proposal does not adversely affect adjacent properties, pedestrian circulation, sightlines, or the use and enjoyment of surrounding lands.*
- *Given the small scale of the structure and its limited visibility from the public realm, the intent of maintaining an appropriate relationship between accessory structures and the streetscape is preserved.*
- *While the structure is located within the required street side yard, its placement toward the rear corner of the lot reflects the typical location of accessory structures on interior residential lots.*

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.

- *While the structure is located within the street side yard as a result of the corner lot configuration, it is positioned toward the rear corner of the property behind the principal dwelling and existing privacy fence. This location is consistent with the typical placement of accessory structures throughout the surrounding neighbourhood, where they remain subordinate to the principal dwelling and have limited visibility from the public realm.*
- *The structure is largely screened from the public realm by the existing privacy fence and has limited visibility from Thomas Alton Boulevard.*
- *Accessory structures are a common feature within the surrounding neighbourhood and are generally located within rear yard areas where they support the use and enjoyment of residential properties.*

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

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/are not minor in nature for the following reasons:

- *While the variance represents a significant numerical reduction from the required 7.5 m street side yard setback to 0.3 m, the practical impact is limited given the small scale of the structure and its limited visibility from Thomas Alton Boulevard.*
- *The variance applies to an existing accessory shed measuring approximately 7.2 m² in area and less than 2.5 m in height, which minimizes concerns related to massing, overlook, shadowing, or visual impacts.*
- *The shed remains subordinate to the principal dwelling and does not contribute significantly to the overall built form of the property.*
- *The structure is largely screened from the public realm by the existing privacy fence, with only a limited portion visible from the street.*
- *While the shed is technically located within the street side yard, its placement near the rear corner of the lot is similar to the location of accessory structures on many interior residential lots and is consistent with the established development pattern of the surrounding neighbourhood.*
- *The variance does not facilitate additional building area, increased intensity of use, or further encroachment into the street side yard beyond what currently exists.*
- *The proposal does not create adverse impacts related to streetscape character, pedestrian circulation, sightlines, privacy, or the use and enjoyment of adjacent properties.*
- *Given the limited scale of the structure and the absence of tangible adverse impacts, staff are of the opinion that the variance is minor from a land use planning perspective.*

Cumulative Effects of Multiple Variances and Other Planning Matters:

NA

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: June 10, 2026 Prepared By: Ryan Kochuta

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Report Schedules & Attachments:
Attachment No. 1 (Site Photos)



View from the front



View of existing street side yard and existing shed



View of existing street side yard and existing shed



Close up view of the Shed



Close up view of the Shed

Technical Reviewer Comments:

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested. Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: May 28, 2026 Prepared By: R. Maximo

Forestry

Forestry has reviewed the proposed minor variance(s) and has no objections.

Date: May 21, 2026 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.

3. Area of unprotected openings and exposure protection shall be designed per Div. B, 9.10.14. OBC 2024

Date: June 18, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis
Thomas Alton Boulevard is under the authority of the City of Burlington, and the deemed right-of-way width is 26 metres. The right-of-way adjacent to the subject site is approximately 26 metres; therefore, no additional lands are required.

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

Date: December 4, 2025 Prepared By: E. Chen

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

Based on the submitted materials, the existing shed on the subject site is located within the existing fenced area. Therefore, it does not negatively impact the sight visibility triangles at driveways or intersections, driveway size, site access, and safety.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: May 21, 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: May 19, 2026 Prepared By: L. Bray

Agency Comments:

Halton Region

Regional Staff have reviewed the Minor Variance application proposing to legalize the location of an existing 7.2 m^2 accessory building less than 2.5 m high. Variance is requested to the minimum required side yard.

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

Date: June 3 2026 Prepared By: Navjot Kaur

Burlington Hydro
Burlington Hydro comments not received by the publication of this report.

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-087/25**
Committee of Adjustment
Date of Mailing: June 22, 2026

NOTICE OF PUBLIC HEARING

Daniel Capistrano and Teodoralyn Flores Capistrano of 4698 Kurtz 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 **4698 Kurtz Rd. Burlington** (see map).

The applicant proposes to legalize the location of an existing 7.2 m^2 accessory building less than 2.5 m high. This proposal results in the following variance:

1. To permit a street side yard abutting Thomas Alton Boulevard of 0.3 m instead of the minimum required 7.5 m for an existing 7.2 m^2 accessory building.

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 22, 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 JULY 8, 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 **5:00 p.m.**

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

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

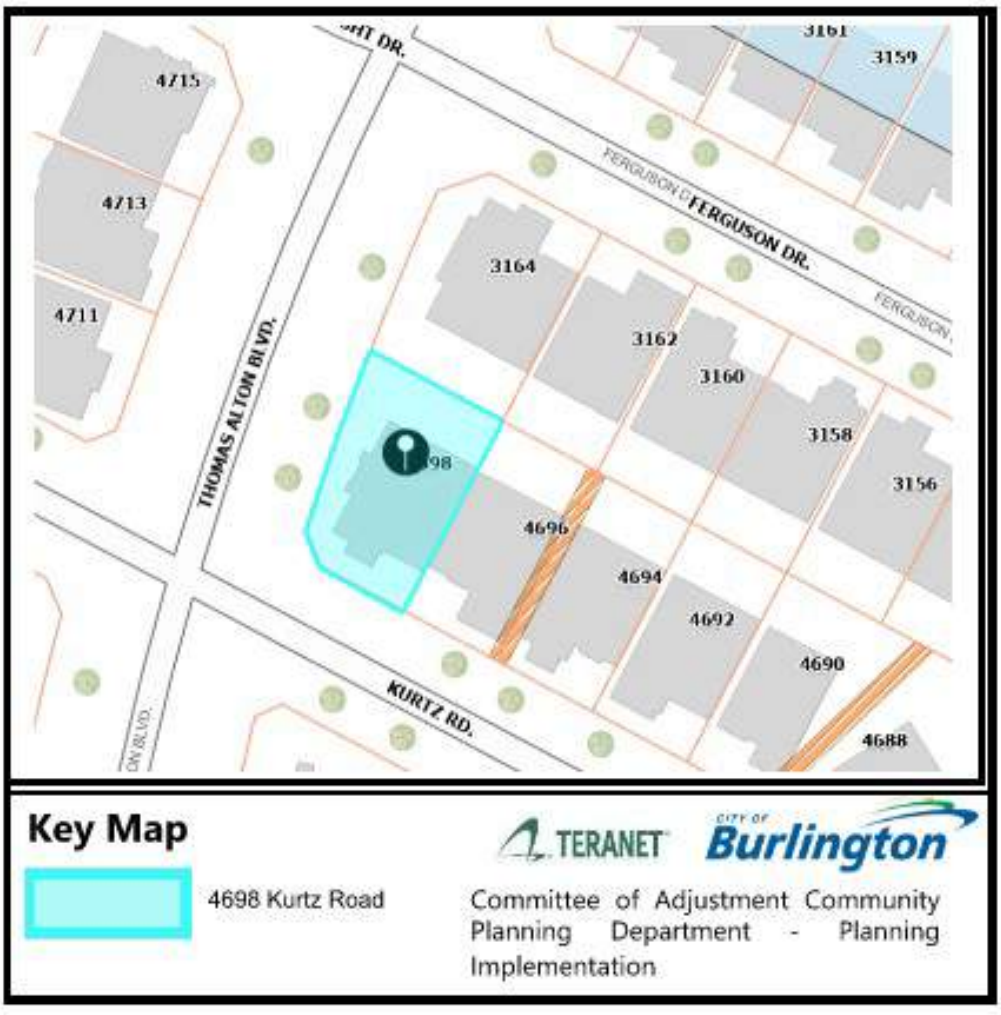
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

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



Burlington

MINOR VARIANCE – 2025

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

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

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

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

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

PROPERTY INFORMATION
Municipal Address(es) of property:

4698 KURTZ RD BURLINGTON

Legal Description of property:

PLAN M995 LOT 229

Official Plan Designation: Residential Medium Density Current Zoning Designation RAL1

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

CAPISTRANO DANIEL / CAPISTRANO TEODORALYN / FLORES

Mailing Address: 4698 KURTZ RD City: BURLINGTON

Postal Code: L7M0G2 Home Phone: _____ Mobile Phone: [redacted]

Work Phone: _____ E-Mail: _____

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

Name:

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

Burlington

MINOR VARIANCE – 2025

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

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

For the shed to remain where it is installed.

Variance(s) Requested	Zoning Bylaw Requirement
Requested distance of 0.2667M on the side abutting a street and 0.2413 M to the back of property line	Section 2.2.1(a)(i) Part 1 of Zoning Bylaw 2020 - Accessory building up to 10 m² in floor area must be setback 7.5m from side line abutting a street

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

1. Why is the variance(s) minor in nature? The shed does not require building permit. The chance of actual instance that there is uncircumventable need to move the shed to gain access is astronomically small to nil.

2. Why are the variance(s) desirable for the appropriate use of the land? a) maximize use of backyard as there are already professionally installed patio. b) blind dog need to do business and need to be picked up.

3. Do the variance(s) meet the intent and purpose of the Official Plan? The variance are in harmony with the community design and functionality and does not impede on other party's rights.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? The by-law on non permit the shed location is outdated and more of a nuisance versus the very low chance of being realistic material concern.

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
04/2009 (mmm/dd/yyyy)	04 2009 (mmm/dd/yyyy)	(mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

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

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

Proposed Use of the Land:
Residential

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

Burlington

MINOR VARIANCE – 2025

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
14 M	26 M	412.6 M	26M	26M		44%	Y ☑ N ☐

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

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	M^2	Ground Floor Area (incl. attached garage)	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
Garage/Car Port		**Garage/Car Port**	
Detached?	Y ☐ N ☒	Detached?	Y ☐ N ☒
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc)		**Accessory Structures**	
Gross Floor Area:	7.419 M^2	Gross Floor Area:	7.419 M^2
Width:	3.048 M	Width:	3.048 M
Length:	2.434 M	Length:	2.434 M
Height:	2.407 M	Height:	2.407 M
Other (pool, additional sheds, decks, driveways, etc.)		**Other**	
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

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

City of Burlington

MINOR VARIANCE – 2025
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EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner: Daniel Capistrano | Property Address: 4698 KURTZ RD

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

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated Dec 16, 2008 (mmm/dd/yyyy)

has been revised by: (Person or Company Name)

OR

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

has been revised by: (Person or Company Name)

OR

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

**Accepted for applications involving variances for Uses only.

was prepared by: Daniel Capistrano (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: 2025/09/10 (mmm/dd/yyyy)

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

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

Signature of Owner/Applicant * Date (mmm/dd/yyyy) 2025/

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: Daniel Capistrano

Property Address: 4698 Kurtz Rd

Signature of Owner/Applicant

Sep/17/2025
Date (mmm/dd/yyyy)

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

AFFIDAVIT

*Please fill out at time of submission of application

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

I, Daniel Capistrano (print name) of the City (Region/City/County) of Burlington in the Region (City/Town/Township)

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

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

this 17th day of September 2025.

Julia Anna Ornat, a Commissioner, etc., Province of Ontario, for The Corporation of the City of Burlington. Expires August 18, 2028.

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: 4698 Kurtz Rd Burlington ON

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

Daniel Capistrano
Print Name

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	

SITE PLAN

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

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

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

ELEVATIONS

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

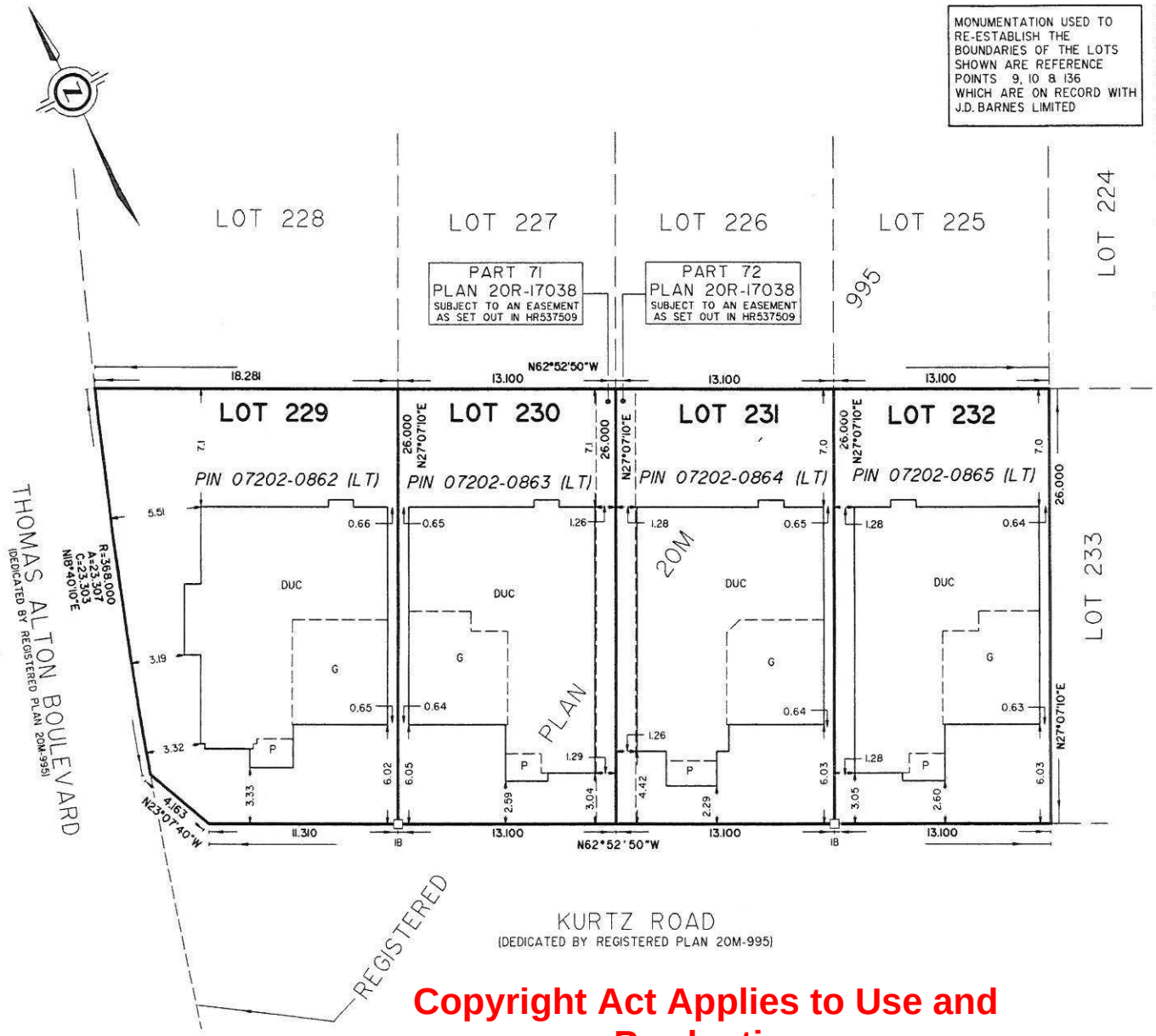
FLOOR PLANS

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

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

Signature of Owner/Agent

September 17, 2025
Date (mmm/dd/yyy)



MONUMENTATION USED TO RE-ESTABLISH THE BOUNDARIES OF THE LOTS SHOWN ARE REFERENCE POINTS 9, 10 & 136 WHICH ARE ON RECORD WITH J.D. BARNES LIMITED

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN SHOWING
LOTS 229, 230, 231 AND 232
REGISTERED PLAN 20M-995
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 250

5 0 5 10 15 metres

J. D. BARNES LIMITED

© COPYRIGHT

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

PART 2 - SURVEY REPORT

- **DESCRIPTION**
  LOTS 229, 230, 231 AND 232 - REGISTERED PLAN 20M-995
- **REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY**
  LOTS 230 AND 231 - SUBJECT TO AN EASEMENT AS IN INST. No. HR537509 DESIGNATED AS PARTS 71 AND 72, PLAN 20R-17038 RESPECTIVELY.
- **ADDITIONAL REMARKS**
  PLAN PREPARED FOR FERNBROOK HOMES INC.

NOTES

BEARINGS ARE GRID BEARINGS AND REFERRED TO THE NORTHERN LIMIT OF KURTZ ROAD HAVING A BEARING OF N62° 52'50"W AS SHOWN ON REGISTERED PLAN 20M-995.

□	DENOTES	SURVEY MONUMENT SET
IB	DENOTES	IRON BAR
DUC	DENOTES	DWELLING UNDER CONSTRUCTION
P	DENOTES	PORCH
G	DENOTES	GARAGE

ALL BUILDING TIES ARE TAKEN TO CONCRETE FOUNDATION

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, 2008.

DATE Dec 16/08

GRANT T. STIDWILL
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
1724619

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

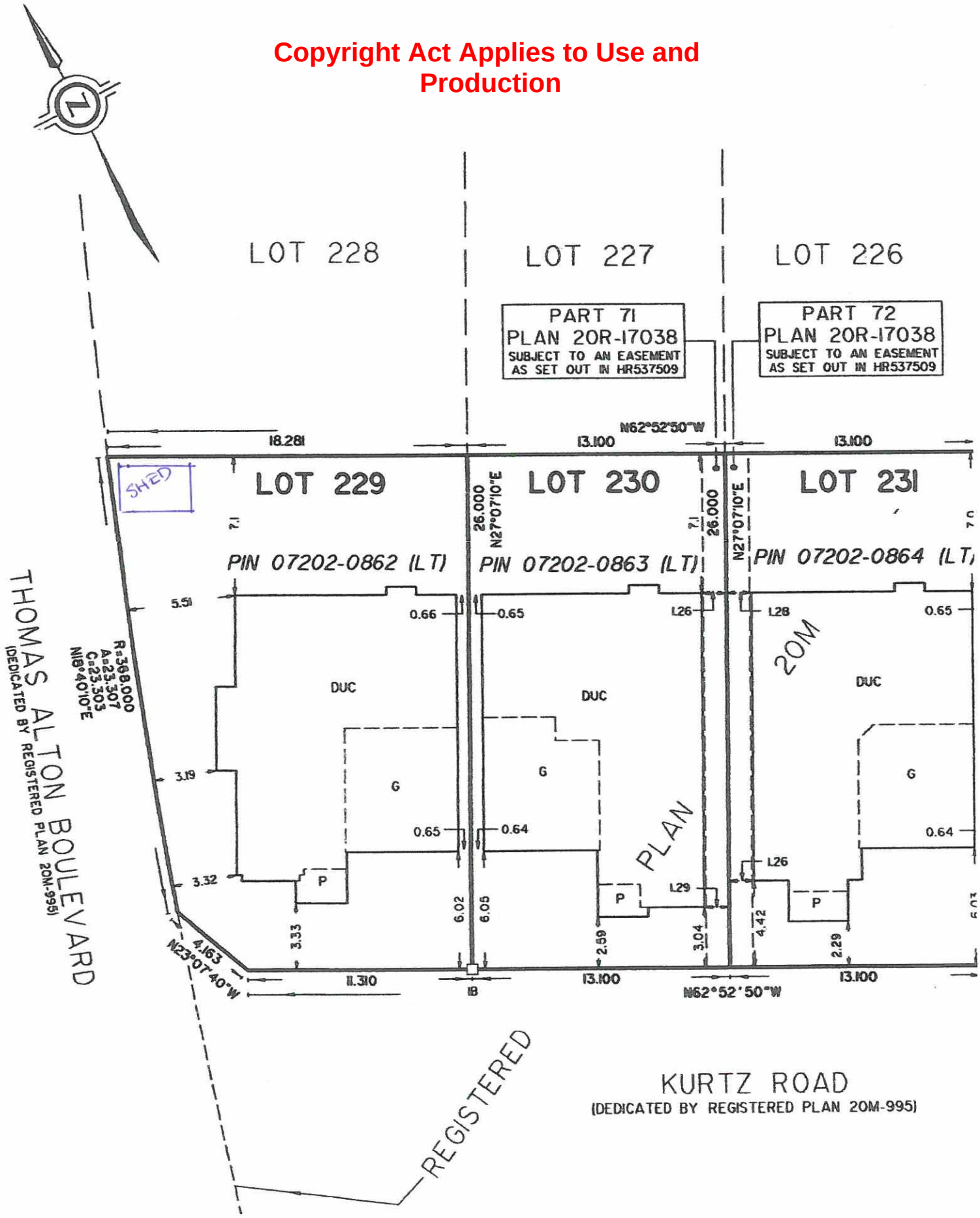
Copyright Act Applies to Use and Production

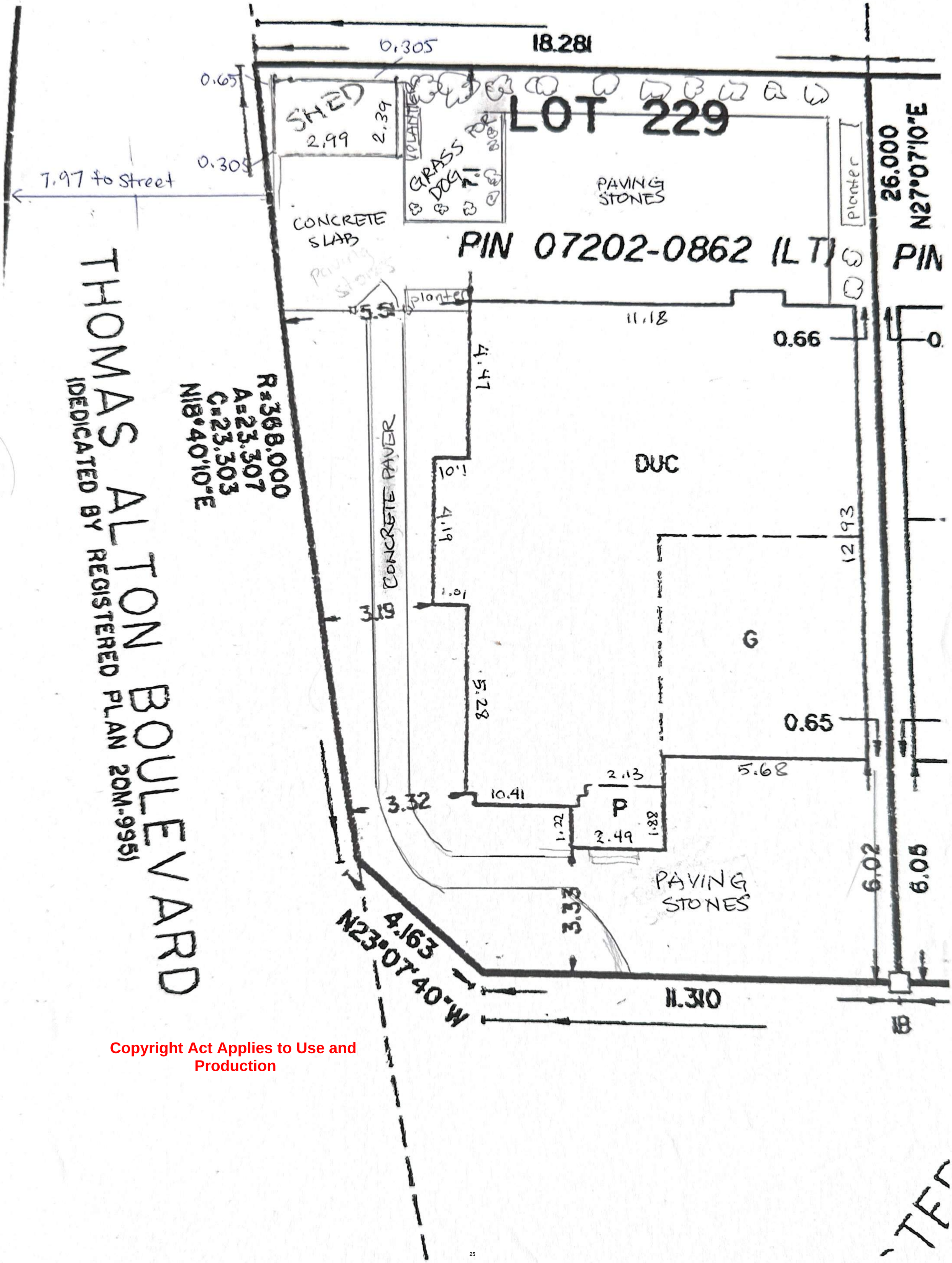
J.D. BARNES LIMITED SURVEYING MAPPING
MARKED BY INNOVATION . MEASURED BY REPUTATION™ GIS
401 WHEELABRATOR WAY SUITE A MILTON ON L9T 3C1
T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

CE DRAWN
GB CHECKED
DATED: DEC. 16, 2008
Ref. No. 06-30-463-00-229

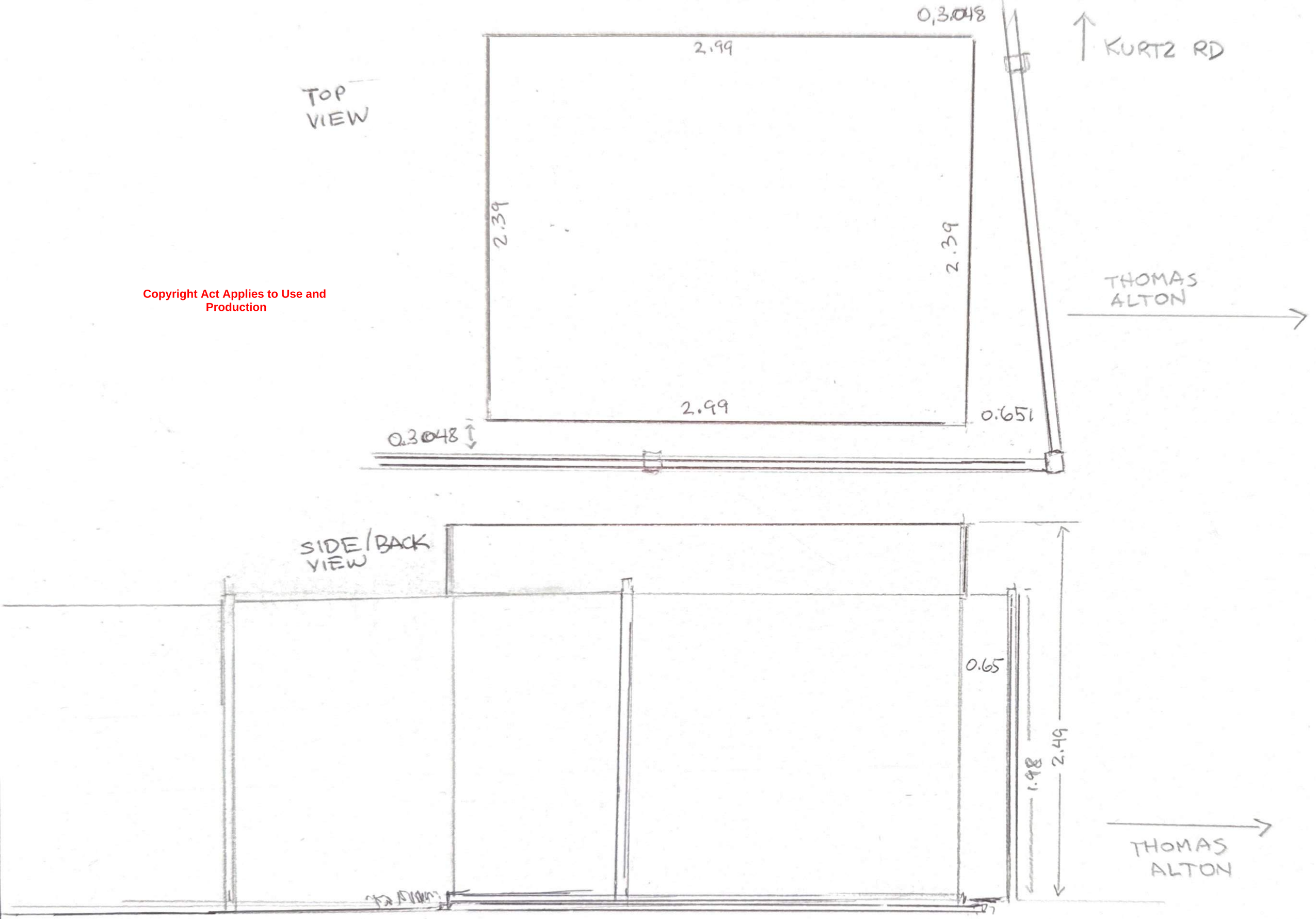
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Copyright Act Applies to Use and Production





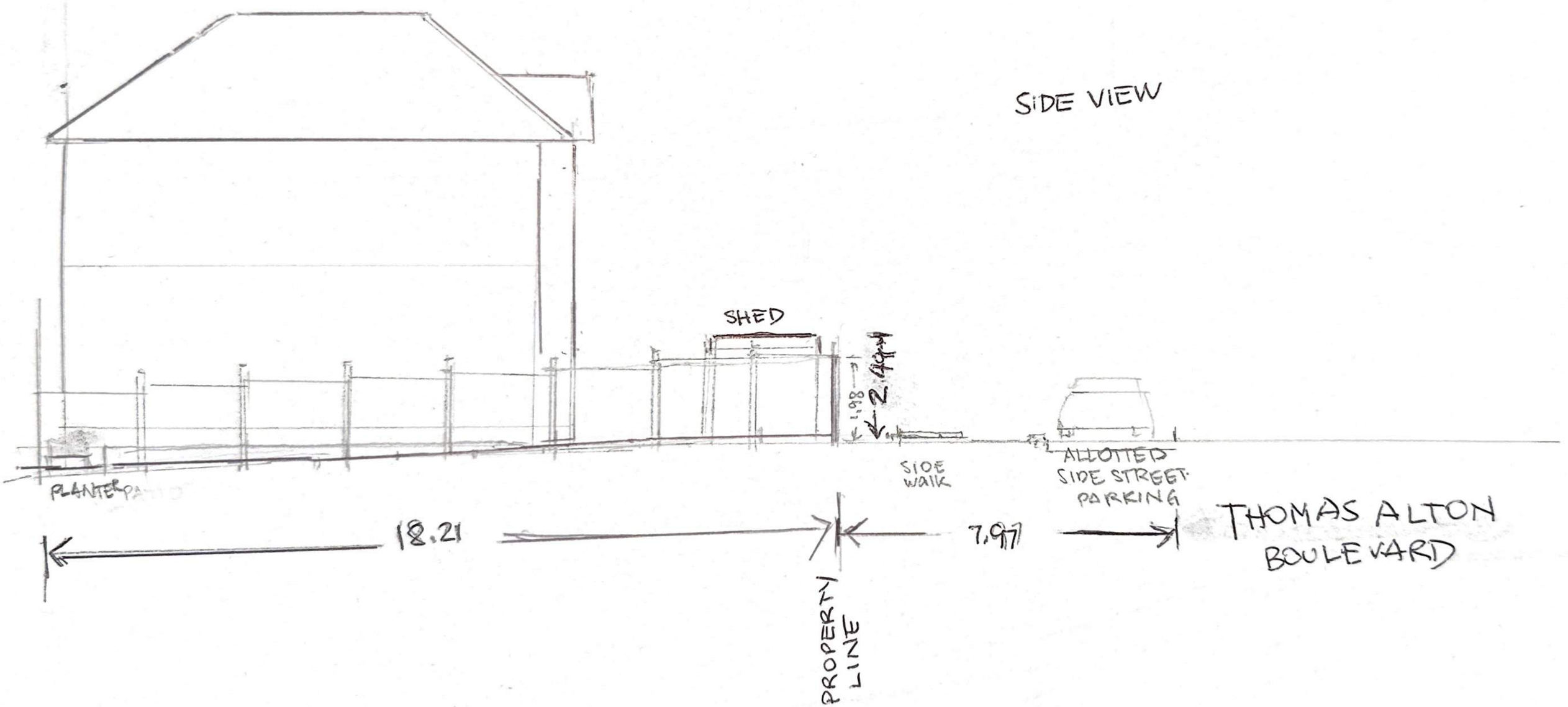
Copyright Act Applies to Use and Production



Copyright Act Applies to Use and Production

Copyright Act Applies to Use and Production

SIDE VIEW



Addendum No. 1
Hearing No. 7.1 – 4698 Kurtz Rd.
File No. A-087-2025

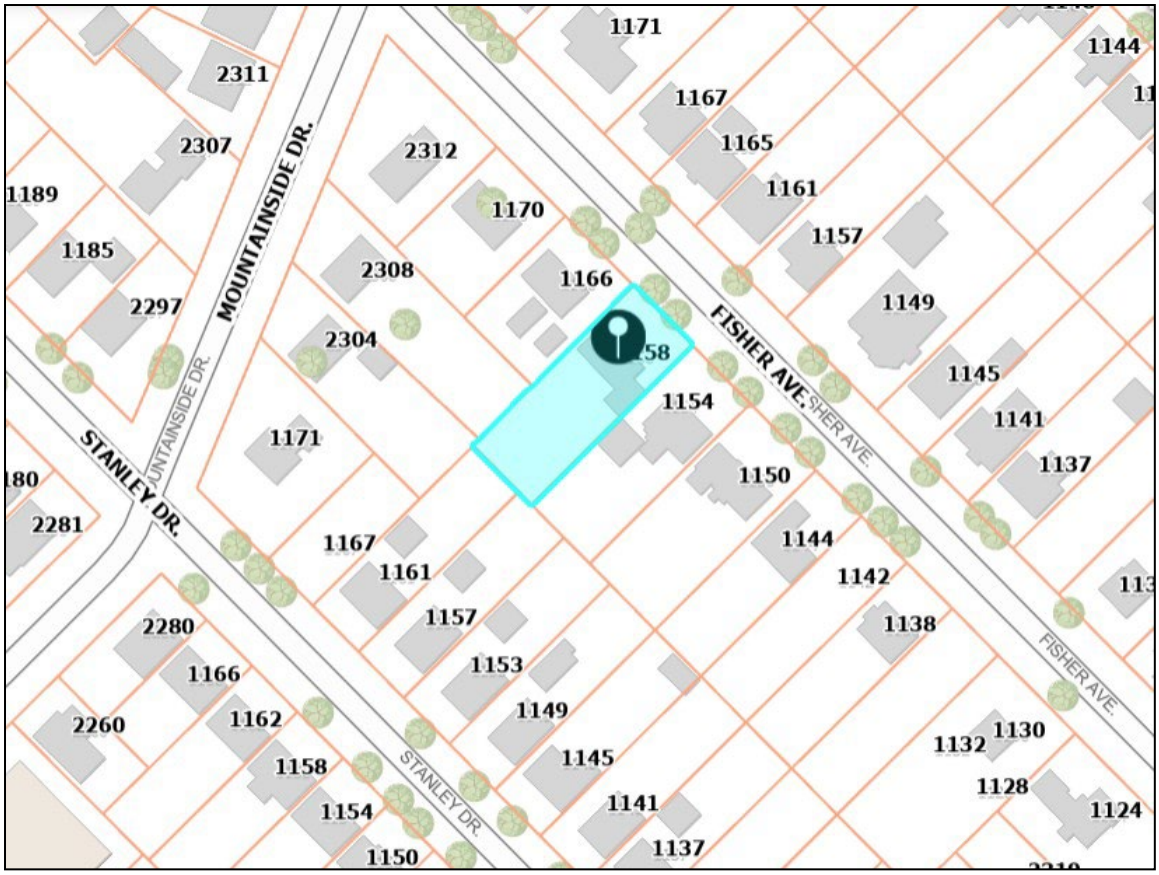
Building Department

A building permit is not required for a detached accessory building or structure associated with a house, provided it is no more than one storey in height, has a gross floor area of less than 15 m², and does not contain any plumbing.

Date: June 24, 2026 Prepared By: Ebtessam Mahrous

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Shashank Kagwad and Kritika Kallimani
Address: 1158 Fisher Ave. Burlington
File No. **A-088/25**
Ward: 3



Staff Comments:

Committee of Adjustment

The minor variance application was deferred from a previous meeting in order to obtain site specific details related to servicing. The application materials have been revised to reflect this information.

Date: May 12, 2026 Prepared By: A.D'Angelo

In light of new information received after the public notice was circulated, Staff recommend **deferral** of this application to a later date.

Date: March 15, 2026 Prepared By: E. Shacklette

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

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

Date: December 10, 2025 Prepared By: E. Shacklette

Zoning

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

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

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

Footnotes to Table 2.4.1

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

2.21 USES PERMITTED IN ALL ZONES

(u) Additional Residential Units

(ix) Notwithstanding Part 1, Subsection 2.2 (b), the floor area of an Accessory Building containing an Additional Residential Unit is permitted up to a **maximum of 80 m^2.**

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

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

(b) Regulations for Accessory Building greater than 10 m2 in floor area and/or greater than 2.5 m in height:

ii. Permitted in a rear yard subject to the following:
- Maximum one storey
- **Maximum height (peaked roof): 4.6 m**
- Maximum height (flat roof): 3.5 m

Floor Area

The total area of the floor measured to the outside of all outside walls or the centre of common walls, excluding any basement, cellar, garage, car port, unenclosed porch, or unenclosed veranda. A basement associated with a restaurant use, used for storage purposes shall not be included in the calculation of permitted floor area. **For Accessory Buildings or Structures, floor area means the total area of all floors measured to the outside of all exterior walls or posts**. Storage area may be included within the roofline.

Proposal:

The applicant is proposing the construction of a 178 m² one-storey rear yard accessory building with uncovered deck. The accessory building is proposed for use as a single Additional Residential Unit which is inclusive of a full basement containing living space.

The property will therefore contain one detached dwelling and 3 additional residential units (2 internal and one external).

Variances required:

1. To permit a total floor area of 178 m² instead of the maximum permitted 80 m² for a proposed one-storey detached accessory building containing an Additional Residential Unit with a full basement.

2. To permit a building height of 4.8 m instead of the maximum permitted 4.6 m for a proposed 178 m² one-storey accessory building with a peaked roof.

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.

3. Part 1, 2.21 USES PERMITTED IN ALL ZONES

   (u) Additional Residential Units

   (xii) Notwithstanding anything in this By-law for all buildings with Additional Residential Units the maximum lot coverage may be the greater of the applicable zone requirement or 45%.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

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

Date: 17 March 2026 Prepared By: Erin Ruby

Site Characteristics	
Lot Frontage (m)	19.51 m
Lot Area (m^2)	1036.90 m^2
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	One-storey detached dwelling incl. attached garage, shed in rear yard.
Site Grading *(ex. Flat and level, significant grade differences)*	Generally flat and level, existing dwelling sits slightly higher than the front property line.
Notable Site Features	Depth of lot 53.53 m. Rear yard is partially fenced and contains screening (trees) along the property lines. Site contains two legally established ARU's, one in the attached garage and one in the dwelling's basement.
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low Density Residential
Nearest Major Intersection	Guelph Line / North Service Road
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Crosstown Trail East: Guelph Line South: Industrial Street West: Crosstown Trail

Neighbourhood Characteristics:

- The prevailing built form consists of one-storey detached bungalows clad with brick or siding and featuring attached or detached garages.
- Interior lots along Fisher Ave generally maintain a consistent pattern and lot depths are considerable (approximately 53 m in depth).
- The neighborhood is adjacent to an employment area fronting on Industrial Street to the south.

A site visit was conducted on February 24, 2026 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

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:

- The subject lands are identified within the Urban Area (Map 1) and within the Built Boundary (Map 1h). The Urban Area (Section 72) policies of the ROP identify that the goal is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity.
- Sections 84 to 86 of the ROP further outline that the primary goal for housing in Halton is to ensure it meets the physical, social and economic needs of its residents. More specifically, sentence 85(4) says that a key objective is "*to make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods."*
- The proposed accessory building containing an Additional Residential Unit (ARU) would promote intensification of existing developed lands while maintaining the character of the existing neighbourhood.
- Given that the use of an ARU in a building or structure accessory to a detached dwelling is encouraged by Provincial legislation and permitted by the City's Official Plan and 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 are satisfied that the proposed ARU can be appropriately serviced and have confirmed that there is sufficient space for waste storage (both internally and curbside).

Official Plan, 1997 & 2020

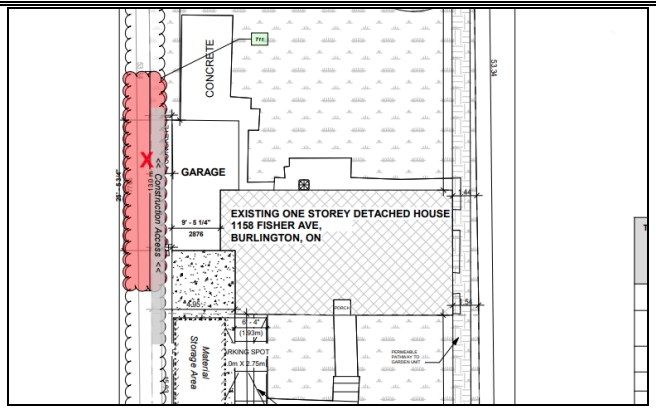
Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

Staff notes that although the building has been designed with four bathrooms (two per level) and one kitchen on the main floor and one basement wet bar, the application form states that only one ARU is proposed. Zoning staff have confirmed with the applicant that the accessory building is to contain one ARU only. The site already has three units in the existing house, including one main dwelling unit and two legally established ARU's- one located in the attached garage, and one located in the basement of the dwelling. OPA 3, policy 8.7.2(2)(a)(i), permits a total of four units on one parcel, (one main unit and three ARU's). The proposal to establish one additional unit for a total of four on the property is in accordance with the BOP 2020.

The proposal meets the general intent and purpose of the Official Plan in the following ways:

- The proposal is a permitted use under the applicable land use designation, which is 'Low-Rise Neighbourhoods I' according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended
- The proposal meets the general objectives of the Residential Neighbourhood Areas in the following ways:
  - The proposal represents intensification and an evolution of a neighbourhood area to support population growth in a manner that is compatible within the existing residential neighbourhood. (Chapter 8.3.1 (a), (b))
  - The proposed ARU, which is a family-sized unit with three bedrooms on the ground floor level is consistent with the goal of accommodating a diverse range of household sizes and incomes. (Chapter 8.3.1 d)
  - The proposed ARU encourages the integration of a wide range of housing types and tenures within Residential Neighbourhood Areas, contributing towards meeting the needs of current and future residents at all stages of life and that are attainable at all income levels, and move the city towards the vision for housing in Burlington. (Chapter 8.3.1 (h))
  - The proposal meets general objectives "to encourage innovative housing design that is designed to accommodate additional residential units to support the creation of new rental units… that can create flexibility to respond to the changing needs of a household, at all stage of life." (Chapter 8.3.1 (j))
- In addition to the general objectives of the Residential Neighborhood Areas in the BOP 2020, the proposal meets the general intent and purpose of the BOP 1997 with respect to Housing Supply (BOP 1997 Part III, subsection 2.3) and Housing Affordability (BOP 1997 Part III, subsection 2.4) in the following ways:
  - Policy 2.3.2(h) states the City shall, in co-operation with other orders of government, encourage the provision of a range of housing types, including rental housing, for individuals and families.
  - The provision of an additional housing unit supports objective 2.4.1(a) of the Housing Affordability section, which is to ensure that a range of housing and tenure types are available to meet the various lifestyle and income group needs of the existing and future population.
  - The proposal also meets the general intent of policy 2.4.2(f) which encourages City Council to establish development standards for residential intensification, re-development and new residential development which minimize the cost of housing and facilitate compact urban form, while maintaining appropriate levels of public health and safety.
- The proposal meets an objective under Chapter 8.7.2(1) of BOP, 2020, which is to "support the creation of additional residential units in ground-oriented building forms within all land use designations that permit residential uses, to increase the supply of affordable housing options in the city"
- One ARU is proposed in a one-storey rear yard accessory building which is consistent with policy 8.7.2(2) (a) (i), that permits three additional units on a lot in addition to the principal unit for a total of four units.

- The general intent of a floor area limit is to create a standard beyond which a building or structure is deemed no longer 'accessory'. This can be measured in the form of a physical size of the building or its use on the property.
- Staff is of the opinion that the proposed building can be considered accessory to the existing detached dwelling given that the building is smaller in terms of floor area; is located within the rear yard, behind the principal dwelling unit; and will contain a use (ARU), which is a use that is permitted and considered accessory to the detached 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 proposed ARU is a compatible use with the adjacent residential properties.
    - Both the ground floor size (88.81 m) and its location in the rear of the property are consistent with its function as an accessory building, ensuring the building remains secondary to the principal use.
    - Despite the requested increase in height, the proposal is one-storey in height, consistent with the vision for 'Low-Rise Neighbourhoods I', which are to contain development up to a maximum height of two storeys.
    - Accessory buildings in the rear yard are common along the street (1166, 1154, 1149, 1145, 1137 Fisher Ave) as well as the street that backs onto the subject lands to the west (1161, 1157, 1153, 1149, 1145, 1137 Stanley Ave) and vary in size.
    - Given the depth of the lot (53.34 m) and the proposed spacing between the existing dwelling and the accessory building (19.32 m) the proposed increase to floor area would not result in overbuilding the lot. Sufficient open space and amenity area are maintained. Setbacks and lot coverage have been provided in compliance with the requirements of the Zoning By-law.
    - The tall and well-established hedgerows along the rear and south side lot lines help to provide a natural buffer between the surrounding properties and the proposed accessory building. At the recommendation of staff, an arborist report has been prepared and submitted for review.
    - The Tree Preservation Plan demonstrates that the hedge along the rear lot line is to remain untouched while a portion of the hedge on the south lot line near the existing dwelling is to be removed for construction access if neighbour consent is obtained:



Location of hedge requiring consent letter

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 for Accessory Building containing ARU)

The general intent and purpose of limiting floor area for accessory buildings under Burlington Zoning Bylaw 2020 is to ensure that they maintain incidental, or subordinate, to the principal building (dwelling). The proposed minor variance to permit a total floor area of 178 m^2 instead of the maximum permitted 80 m^2 is consistent with this intent for the following reasons:

- The proposed accessory structure contains a floor at grade (88.81 m^2) and a basement (88.20 m^2). For zoning purposes, the basement floor area has been included in the floor area calculation, despite being below grade. Although basements are typically excluded from floor area calculations, the zoning bylaw instructs that for accessory buildings, “floor area means the total area of all floors measured to the outside of all exterior walls or posts”. The definition of floor area was changed in 2009 in response to amendments to the Zoning By-law impacting accessory buildings. Generally, the amendments were intended to allow for larger accessory buildings to support a detached garage containing two cars and storage space. There is no rationale specifically provided in the supporting staff report explaining why the definition of floor area was amended to include basements in the calculation of floor area for accessory buildings. However, it is reasonable to believe that the at the time accessory buildings were viewed as “slab on grade” structures that didn’t include basements, therefore basements were not specifically excluded from the calculation of floor area.
- A floor area cap is generally a quantifiable method of applying a standard beyond which a building or structure is deemed no longer ‘accessory’. This can be measured in the form of a physical size/mass of the building or its relative use on the property. In terms of physical size, the site plan indicates that the existing dwelling has a ground floor footprint of approximately 123.23 m^2, which is larger than the

ground floor footprint of the proposed accessory building, being 88.81 m^2 (the rest of the floor area is contained below grade). The overall floor area (ground floor and basement) of the proposed ARU is 178 m^2 which is less than the overall floor area of the detached dwelling being 224.05 m^2. In terms of use, the proposed accessory building would be used for an ARU, which is a residential land use accessory to a detached dwelling.

- As half of the floor area is hidden below grade, the building would not appear to have an excessively large floor area or mass. The requested variance is somewhat technical, as the definition of floor area for accessory structures includes "all floors," unlike the definition for principal structures, which excludes basements. Considering the floor areas are split, staff would evaluate the variance as request for 8.81 m^2 in excess to the required 80m^2 floor area cap, which is a small margin.
- The proposed lot coverage of the existing dwelling and accessory building containing an ARU is 20.45%, which is well below the maximum permitted lot coverage of 45% and will maintain a private and functional backyard space for both the ARUs and existing dwelling while increasing housing options in the community with the creation of a new ARU.
- The proposed accessory building will not alter the existing streetscape and the proposed building meets other applicable zoning provisions such as setbacks and lot coverage.

Yes – Variance No. 2 (Height of Accessory Building containing an ARU)

The intent of the zoning provision related to maximum permitted building height for an accessory building is to ensure that these structures remain subordinate and secondary in height to the dwelling on the property. The proposed minor variance to permit a building height of 4.8 m instead of the maximum permitted 4.6 m is consistent with this intent for the following reasons:

- In this case, the linear height of the existing one-storey dwelling is not known by the applicant.
- The structure is proposed to be sited with side yard setbacks ranging from 1.44 m to 1.49 m. These setbacks provide a buffer that will help mitigate the 20 cm increase in accessory building height, given that the setbacks exceed what would be required for a new one-storey detached dwelling in an R3.2 zone where a dwelling 7.5 m height would be permitted with a 1.2 m side yard setback.
- The increase in maximum permitted accessory building height is mitigated by the physical siting of the structure on the lot. The depth of the existing lot and the location of the proposed development envelope provide for a large setback (19.32 m) from the detached dwelling.

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 be desirable for the appropriate development and use of the building for the reasons below:

- The proposal increases housing supply and mix of housing options in accordance with Provincial, Regional and City goals and objectives.
- Encourages intensification within an existing and established residential land use.
- Preserves the existing front yard, streetscape and character of the neighbourhood.

4) Minor in Nature:

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

Yes

The proposal is minor in nature, for the reasons summarized below:

- The proposed accessory building with an ARU will remain subordinate to the primary detached dwelling use that faces Fisher Avenue.
- Except for the proposed increase in floor area and height, the development otherwise complies with the provisions of the applicable zoning (i.e. setback, lot coverage), maintaining compatibility with the surrounding neighbourhood.

Cumulative Effects of Multiple Variances:

The requested variances would result in an accessory building containing an ARU that is higher and with a larger floor area than permitted. Staff are of the opinion that the cumulative effects are mitigated due to the size of the rear yard, the location of the proposed building and the fact that half of the floor area will be contained within the basement.

Other Planning Matters:

In the new Burlington Residential Zoning By-law Near Rail, the subject lands are zoned (H2) LN4. ARU's are a use permitted in all zones by Part 5.14, subject to a number of regulations. Within Holding Provision H2 lands, ARU's are permitted prior to the removal of the H provision. The maximum gross floor area of an accessory building containing an ARU is in an LN4 zone is 80m^2. The maximum height for a peaked roof accessory building containing an ARU is 7 m.

In the new Burlington Residential Zoning By-law Near Rail, Floor Area, Gross, is defined in Part 4 – Definitions as:

Floor Area, Gross: means the sum of the total horizontal area of each floor of a **building** measured from the exterior face of the exterior walls and the centre line of walls separating two buildings or uses but excluding the following areas: **motor vehicle parking areas**; bicycle **parking areas** located in a parking structure; loading areas; **basements**; **mechanical penthouses** and **floor area** used exclusively for mechanical or electrical systems serving the **buildings** (including mechanical shafts); elevator shafts; stairwells; and non-habitable attics.

This means the new definition of Gross Floor Area (GFA) would exclude the basement floor area and stairwell floor area of the proposed ARU in the calculation of GFA. In this case, staff are of the opinion that it is notable that the Gross Floor Area of the ARU would be 79.96 m^2 and would therefore comply with the maximum Gross Floor Area requirement of the new Zoning By-law. In addition, given that the proposed height of the accessory building (4.8 m) is less than 7 m, the building would comply with the maximum height provisions for an accessory building containing an ARU. The proposed accessory building containing an ARU would not require variances for GFA or height under the new Burlington Residential Zoning By-law Near Rail. Notwithstanding this, variances would be required for reduced interior side yard setback of 1.44 m and 1.46 m whereas 3 m is required and to permit a roof overhang of 0.58 m whereas 0.5 m is permitted.

Recommendation:

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

Date: June 9, 2026 Prepared By: Melissa Dalrymple, MCIP, RPP

Report Schedules & Attachments:
Attachment No. 1 (Site Photos)



View of subject lands from the street.



View of existing dwelling from rear yard.



View of rear yard.



View of trees along south property line.



View of trees along north property line.



Existing dwellings across the street from subject lands.



Existing dwellings south of the subject lands.



Existing dwellings north of the subject lands.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Technical Reviewer Comments:

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: February 5, 2026 Prepared By: D. Savelli

Forestry

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

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

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

Date: February 10, 2026 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: February 13, 2026 Prepared By: Q. Tan

Transportation Planning

Deemed Road Width Analysis

Fisher 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: December 15, 2025 Prepared By: E. Chen

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

Date: February 4, 2026 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: February 3, 2026 Prepared 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 178 m² one-storey rear yard accessory building with uncovered deck. The accessory building is proposed for use as a single Additional Residential Unit which is inclusive of a full basement containing living space. Variances are requested to the maximum permitted floor area and building height for an accessory building.

- 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.

- In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Staff note that a servicing plan/drawing should be submitted for further review.

- To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, this proposal has been reviewed against the Region's Development Design Guidelines for Source Separation of Solid Waste. Based on this review, Regional Staff offer the following comments:
    - Waste Management comments are based on Halton Region's current levels of service as of February 18, 2026. Levels of service remain subject to Regional budget and Council approval.

    - Under Ontario's Blue Box Regulation (O. Reg. 391/21), the responsibility for operating and funding the Blue Box recycling program has transitioned from municipalities to producers. In accordance with the regulation, as of January 1, 2026, Halton Region no longer has operational control over the Blue Box program at properties classified as eligible sources under the regulation. While the regulation includes multi-residential buildings and schools as eligible sources, their full inclusion has been deferred until 2031.

    - All ADUs/ARUs require 3.5m square space curbside and internal storage space, all of which is required to be shown on the site drawings based on the legal number of units.

    - Once satisfied, Region waste will service for garbage and organics collection curbside upon completion of construction and the property being 90% occupied.

- Regional Staff have no objections to the Minor Variance application, subject to the proposal meeting the Region's Servicing and Waste Management requirements.

Date: February 19, 2026 Prepared By: Navjot Kaur

Update
Regional Staff have reviewed the submitted Site Servicing Plan dated May 07,2026 for the development proposed at 1158 Fisher Ave, and note that Staff are satisfied and the proposed can proceed from Regional Servicing perspective.

Staff also note that there will be sufficient space for waste storage (internal and curbside), and are satisfied from the Regional Waste Management perspective.

Date: May 22, 2026 Prepared By: Navjot Kaur

Burlington Hydro
Burlington Hydro comments are attached to the end of this report

Date: February 12, 2026 Prepared By: Carlos Gavaria

Burlington*hydro* inc.

February 10, 2026

1158 Fisher Ave,
Burlington, ON

Attention: Kruti Shah, 647-532-3593, info@rjcadsolutions.com, Agent

Re: Proposed Additional Garden Dwelling Unit

Dear Kruti,

This letter serves as confirmation that Burlington Hydro Incorporated ("BHI") has reviewed the proposed additional garden dwelling unit, it is forming part of building permit file number **540-02-A-088/25** submitted to the City of Burlington's Building Department.

Upon reviewing the submitted permit application drawings, and through review of BHI records, the proposed additional garden unit does not conflict with existing BHI assets.

Before you begin demolition or construction, we would like to stipulate the following conditions:

- Relocation, modification or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest BHI standards, if possible, if issues arise between existing hydro facilities and proposed building structures.
- Hydro easement is to remain clear of heavy vehicle traffic. Construction shall not encroach any easement.
- Customer is to ensure that BHI has access to hydro facilities and easements.
- Customer to acquire any easement for Burlington Hydro, if required.
- Project must meet City of Burlington Standards.
- Machine excavation within one meter of underground plant is not permitted.
- Do not excavate within two meters of Hydro poles and anchors except for the termination pole where the duct structure shall be terminated by the customer under the supervisor of BHI inspector.
- Please arrange for underground hydro cable locates, prior to beginning construction, by contacting Ontario One call at (800) 400-2255.
- To ensure safety, maintain a minimum working clearance of 1 meter (3 feet) from any secondary wire (120V/240V) and a 3-meter (10 feet) minimum clearance from any primary wire (exceeding 750V).
- Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when construction is planned to be performed in the proximity of hydro distribution system.

1340 Brant Street, Burlington, ON . L7R 3Z7 **burlingtonhydro.com** 905-332-1851

GridSmartCity renewing energy
Partner since 2009

- Arrange for disconnect and isolation of the power supply if a person or equipment is to encroach on the minimum distance permitted under the OHSA and OESC.

I may be contacted at (905) 332 1851 ext. 347 should you have additional questions or concerns

Regards,

Carlos Gaviria C.E.T.
Engineering Services Technician

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

FEB. 11/2026
RP

1340 Brant Street, Burlington, ON · L7R 3Z7 burlingtonhydro.com 905·332·1851

GridSmartCity renewing energy
Partner since 2009

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-088/25**
Committee of Adjustment
Date of Mailing: June 22, 2026

NOTICE OF PUBLIC HEARING

Shashank Kagwad and Kritika Kallimani of 1158 Fisher 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 **1158 Fisher Ave. Burlington** (see map).

The applicant proposed the construction of a 178 m² one-storey rear yard accessory building with uncovered deck. The accessory building is proposed for use as a single Additional Residential Unit which is inclusive of a full basement containing living space. This proposal results in the following variances:

1. To permit a total floor area of 178 m² instead of the maximum permitted 80 m² for a proposed one-storey detached accessory building containing an Additional Residential Unit with a full basement.

2. To permit a building height of 4.8 m instead of the maximum permitted 4.6 m for a proposed 178 m² one-storey accessory building with a peaked roof.

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 22, 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 JULY 8, 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 **5:00 p.m.**

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

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

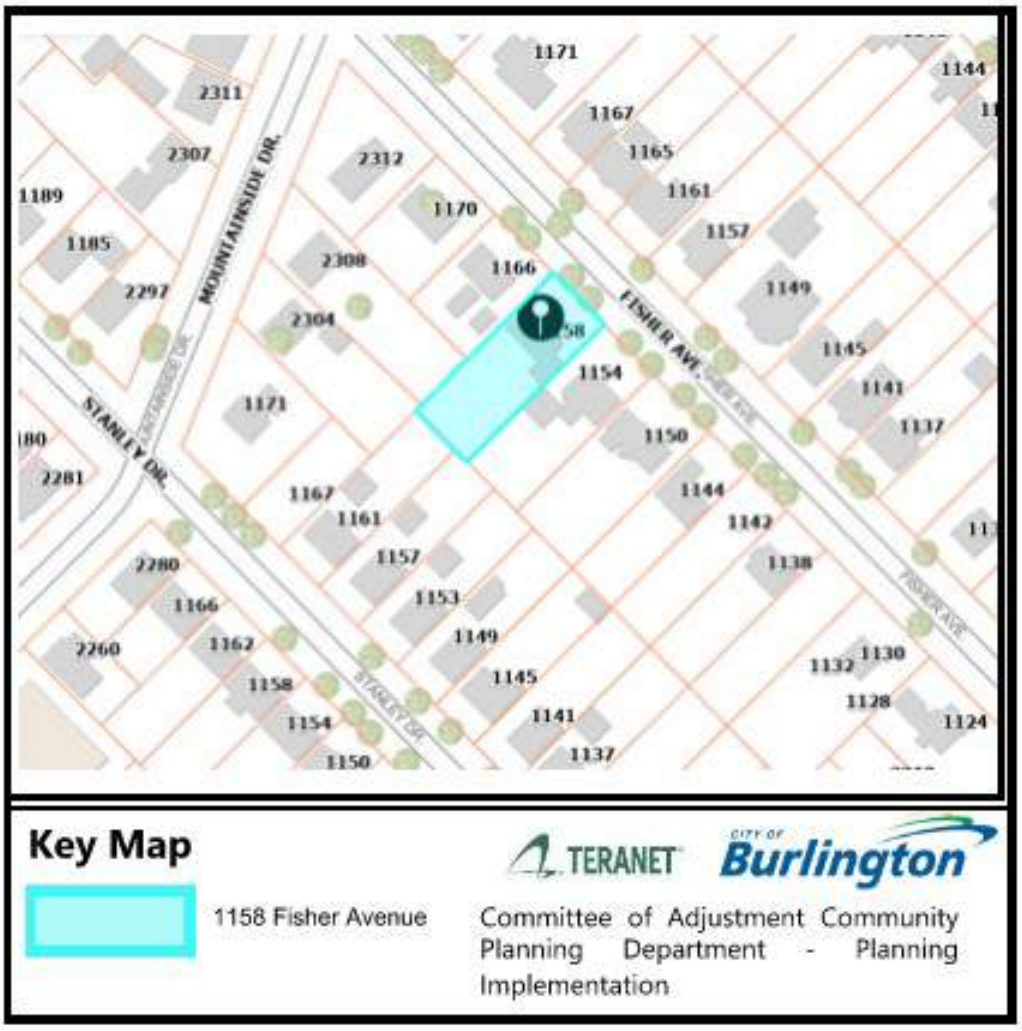
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

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



Burlington

MINOR VARIANCE – 2025

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

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y ■ or N ☐
Name of Planner: Melissa Dalrympl Melissa.Dalrymple@burlington.ca Name of Zoning Examiner: Nathan Dart - Nathan.Dart@burlington.ca

PROPERTY INFORMATION
Municipal Address(es) of property:

1158 FISHER AVE

Legal Description of property:

PT LT 142 , PL 381 , BEING THE NW 64 FEET ; BURLINGTON

Official Plan Designation: _____ Current Zoning Designation R3.2

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

SHASHANK SATISHKUMAR KAGWAD AND KRITIKA KALLIMANI

Mailing Address: 1158 FISHER AVE City: BURLINGTON

Postal Code: L7P 2L1 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: KRUTI SHAH

Business Address: 4 ABACUS RD City: BRAMPTON

Postal Code: L6T 5J6 Home Phone: _____ Mobile Phone: _____

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.

THE PROPOSED ADDITIONAL GARDEN DWELLING UNIT ALONGWITH BASEMENT AT 1158 FISHER AVE IN THE REAR YARD OF THE PROPERTY

Variance(s) Requested	**Zoning Bylaw Requirement**
The proposed detached garden dwelling includes a main-floor and basement area that together is 177.80 sqm which exceeds the maximum accessory-building floor area permitted under Zoning By-law 2020, Part 1, Section 2.2. The proposed height also exceeds to 4.7m. A minor variance is requested to allow the increased floor area and height in order to provide a functional Additional Residential Unit (ARU) that remains compatible with the surrounding residential context.	Zoning By-law 2020, Part 1, Section 2.2 Maximum floor area: 80 m² Maximum height (peaked roof): 4.6m allowable for Accessory Building

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

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

The variance is minor because it does not create any negative impacts on any surrounding properties.

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

The variance is desirable because it helps the city achieve its housing goals.

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

The proposed increase in floor area and height maintains compatibility with surrounding properties and therefore meets the intent and purpose of the Official Plan.

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

The variance meets the intent of the Zoning By-law because it allows for additional floor area without introducing additional massing.

City of Burlington

MINOR VARIANCE – 2025

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

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
03/21/2024 (mmm/dd/yyyy)	1956 (mmm/dd/yyyy)	02/01/2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

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

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

Proposed Use of the Land:

Accessory Residential Unit

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

Burlington

MINOR VARIANCE – 2025

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
19.51 M	53.34 M	1036.90 SQM	20 M	20 M	N/A	215.34 SQM	Y ☐ N ■

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

EXISTING (Dwelling/Building) (EXISTING PRIMARY UNIT) NOTE: GROSS AREA IS INCLU. BASEMENT AREA			PROPOSED (Dwelling/Building/Addition)		
Ground Floor Area (incl. attached garage)	126.33	M^2	Ground Floor Area (incl. attached garage)		M^2
Gross Floor Area:	197.15	M^2	Gross Floor Area:		M^2
Number of Storeys:	1		Number of Storeys:		
Width:	7.5	M	Width:		M
Length:	13	M	Length		M
Height:		M	Height		M
Garage/Car Port (GARAGE UNIT-ADU-2 PERMIT NO. 25 018513 00 SO)			**Garage/Car Port**		
Detached?	Y ☐ N ■		Detached?	Y ☐ N ■	
Gross Floor Area:	26.830	M^2	Gross Floor Area:		M^2
Width:	2.87	M	Width:		M
Length:	7.76	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** (PROPOSED DETACHED ARU IN REAR YARD)		
Gross Floor Area:		M^2	Gross Floor Area:	177.80	M^2
Width:		M	Width:	4.8	M
Length:		M	Length:	16.56	M
Height:		M	Height:	6.62	M

LOCATION of all existing and proposed buildings and structures

EXISTING (EXISTING PRIMARY UNIT'S LOCATION)			PROPOSED (PROPOSED DETACHED ARU IN REAR YARD - LOCATION)		
Front:	11.99	M	Front:	42.91	M
Rear:	33.90	M	Rear:	2.20	M
Side/Street Side:	1.44	M	Side/Street Side:	1.44	M
Side/Other Side:	4.95	M	Side/Other Side:	1.44	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.

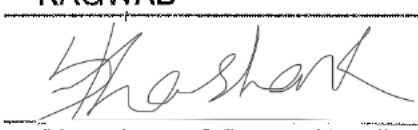
A sign will be made available to you after completion of the zoning review of your application(s) and you are directed to post each sign in a prominent location that will enable the public to observe the sign.

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	SHASHANK SATISHKUMAR KAGWAD	Property Address	1158 FISHER AVE
			12/02/2025
	Signature of Owner/Applicant		Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

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

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

this 01 day of December 2025.

01 December, 2025

Vijay Kumar Sharma
Barrister, Solicitor & Notary Public
4535 Ebenezer Road, Unit 8
Brampton, ON L6P 2P7
T: 905-794-4900 F: 905-794-4964

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: 1158 FISHER 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

SHASHANK SATISHKUMAR KAGWAD
Print Name

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

OWNERS AUTHORIZATION

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

I, SHASHANK SATISHKUMAR KAGWAD being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.

Signature of Owner

12/02/2025
Date (mmm/dd/yyyy)

Notice of collection of personal information

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

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

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	

SITE PLAN

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

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☑ Setbacks
- ☑ Height
- ☑ Area
- ☑ Length
- ☑ Width

ELEVATIONS

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

FLOOR PLANS

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

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

KRUTI SHAH Digitally signed by KRUTI SHAH DN: C=CA, E=kruti@rjcadsolutions.com, CN=KRUTI SHAH Date: 2025.12.01 13:25:35-05'00'

Signature of Owner/Agent

2025/01/12

Date (mmm/dd/yyy)

PART 2: SURVEY REPORT

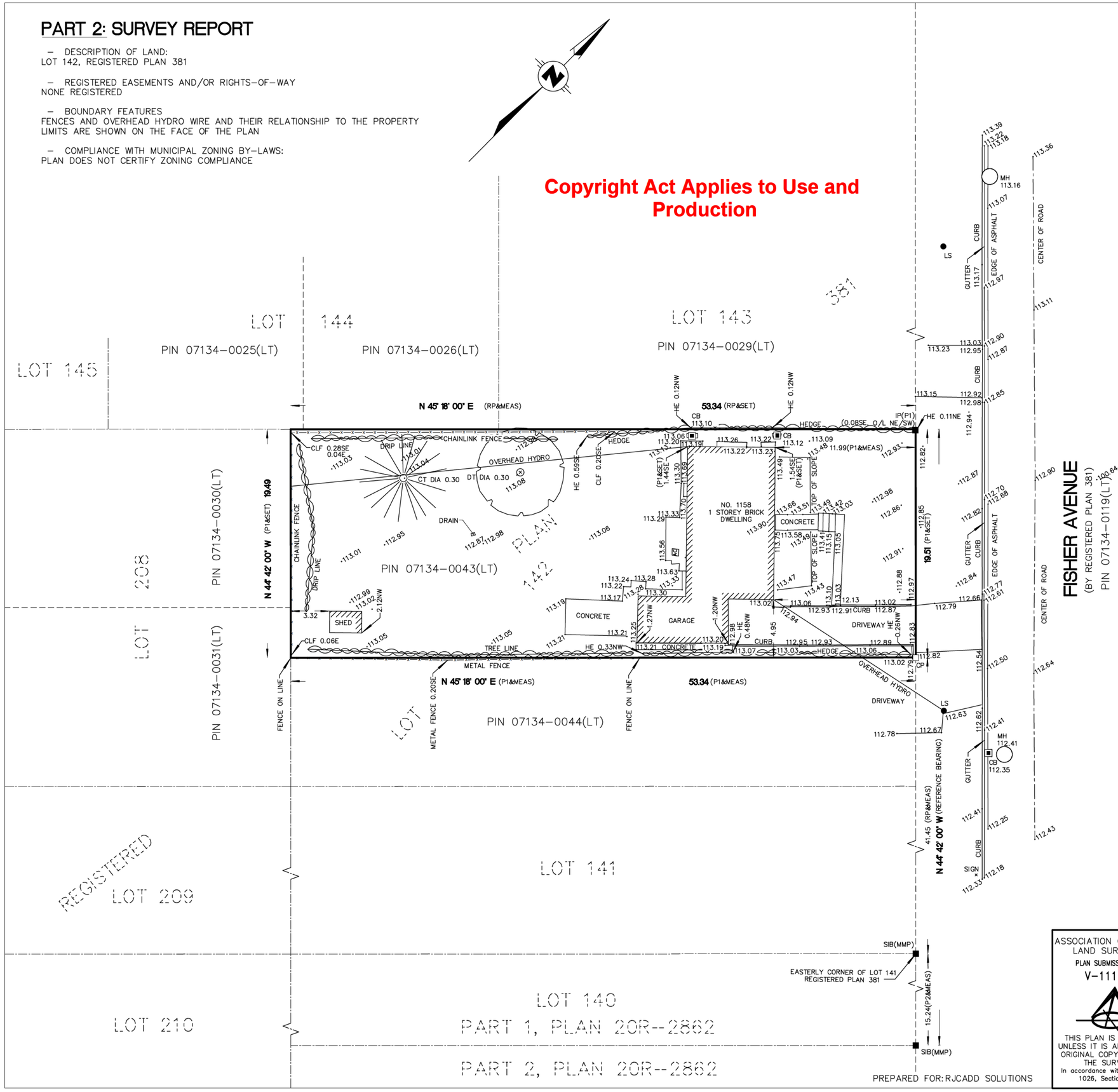
– DESCRIPTION OF LAND:
LOT 142, REGISTERED PLAN 381

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

– BOUNDARY FEATURES
FENCES AND OVERHEAD HYDRO WIRE AND THEIR RELATIONSHIP TO THE PROPERTY LIMITS ARE SHOWN ON THE FACE OF THE PLAN

– COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:
PLAN DOES NOT CERTIFY ZONING COMPLIANCE

Copyright Act Applies to Use and Production



PREPARED FOR: RJCADD SOLUTIONS

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY OF
PART OF **LOT 142**
REGISTERED PLAN No. 381
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1:250
0 1 2 3 4 5 10 15metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 698mm IN WIDTH BY 500mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250

© COPYRIGHT 2025, AK&M SURVEYING LTD.

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

NOTES

1) BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE SOUTH WESTERLY LIMIT OF FISHER AVENUE HAVING A BEARING OF N44°42'00"W AS SHOWN ON REGISTERED PLAN 381
2) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

BENCHMARK NOTE

ELEVATIONS HEREON ARE GEODETIC, RELATED TO MINISTRY OF NATURAL RESOURCES BENCHMARK NO. 0772010049, ELEVATION 85.227(CGVD 28:78)

LEGEND

■	DENOTES FOUND MONUMENT
□	DENOTES PLANTED MONUMENT
CP	DENOTES CONCRETE PIN
CC	DENOTES CUT CROSS
IP	DENOTES IRON PIPE
OU	DENOTES ORIGIN UNKNOWNRP234
CALC	DENOTES CALCULATED
MMP	DENOTES MACKAY MAKAY & PETERS LTD. O.L.S
MEAS	DENOTES MEASURED
WIT	DENOTES WITNESS
PROD	DENOTES PRODUCTION
RP	DENOTES REGISTERED PLAN 381
P1	DENOTES PLAN BY PARKER AND SCHAEFFER O.L.S, INDEXED: B.1256
P2	DENOTES PLAN 20R-2862
AC	DENOTES AIR CONDITIONER
CLF	DENOTES CHAIN LINK FENCE
LS	DENOTES LIGHT STANDARD
CLF	DENOTES CHAIN LINK FENCE
CONC	DENOTES CONCRETE
CT	DENOTES CONIFEROUS TREE
DT	DENOTES DECIDUOUS TREE
MH	DENOTES MANHOLE
PL	DENOTES PIPELINE

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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON 16TH DAY OF NOVEMBER, 2025

November 21, 2025
DATE

ATHITHTHAN KANAGANAYAGAM
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-111174

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

15 Great Plains Street
Brampton, Ontario
L6R-1Z5
Phone: (647) 914-3361
www.akmsurvey.com
Email: info@akmsurvey.com

AK&M SURVEYING LTD.

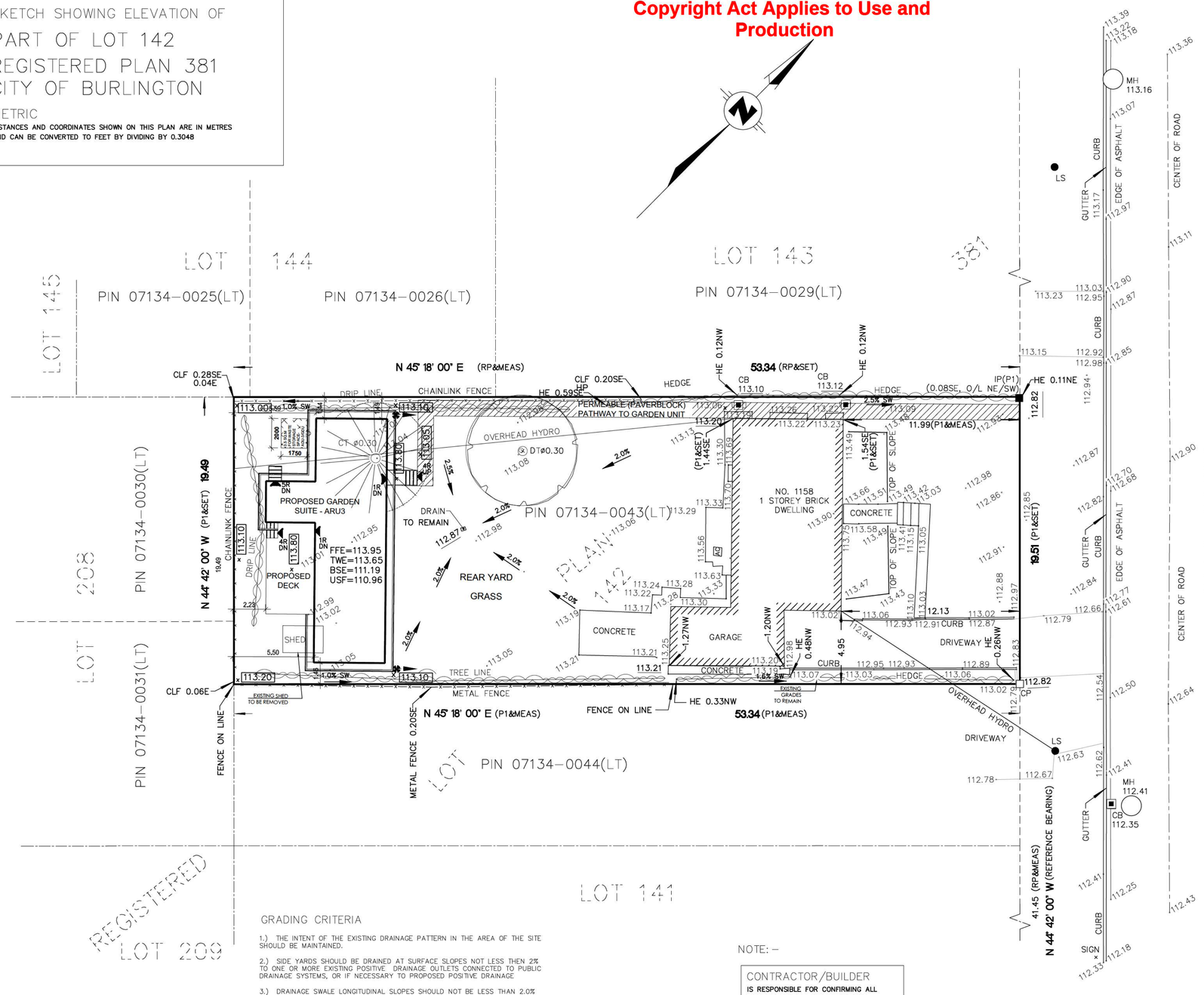
DATE: November 21, 2025 | CHECKED BY: AK | DRAWN BY: NA | PROJECT No.: 2025-96

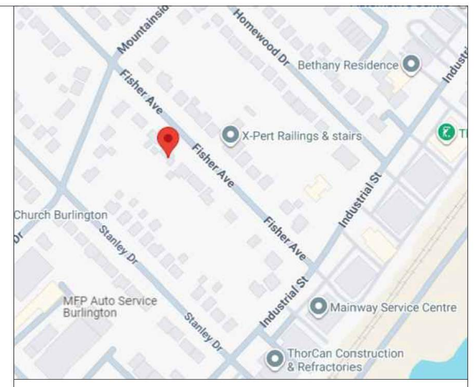
FILE LOCATION: G:\Shared drives\AK&M Survey Ltd. Job Folders(Brampton)\2025\-96\Drawing\2025-96-SRPR\2025-96-final.dwg

SURVEY INFORMATION TAKEN FROM
AK&M SURVEYING LTD.
SKETCH SHOWING ELEVATION OF
PART OF LOT 142
REGISTERED PLAN 381
CITY OF BURLINGTON

METRIC
DISTANCES AND COORDINATES 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





LEGEND

PIN	DENOTES PROPERTY IDENTIFIER NUMBER
F.S.	DENOTES FINISHED SILL ELEVATION
F.F.E	DENOTES FINISHED FLOOR ELEVATION
T.O.W	DENOTES TOP OF FOUNDATION ELEVATION
B.F.E.	DENOTES BASEMENT SLAB ELEVATION
U.S.F	DENOTES UNDERSIDE OF FOOTING ELEVATION
INV.	DENOTES INVERT ELEVATION
H.P.	DENOTES HIGH POINT ELEVATION
TOC	DENOTES TOP OF CURB
R	DENOTES RISER
DN	DENOTES DOWN
UP	DENOTES UP
113.10	DENOTES PROPOSED ELEVATION
⊘113.05	DENOTES EXISTING ELEVATION
⊘113.52	DENOTES EXISTING ELEVATION TO REMAIN
WW	DENOTES WALKWAY
DTO.50⌀	DENOTES DECIDUOUS TREE
C.L.F	DENOTES CHAIN LINK FENCE
B.F.	DENOTES BOARD FENCE
MH	DENOTES MAINTENANCE HOLE
UPW	DENOTES WOOD UTILITY POLE
FH	DENOTES FIRE HYDRANT
WV	DENOTES WATER VALVE
⌀	DENOTES DIAMETER
	DENOTES DRAIN WATER LEADER
	DENOTES DRAIN AREA
	DENOTES OVER HEAD WIRE
CL	DENOTES CENTRELINE
CH	DENOTES CEDAR HEDGE
TOW	DENOTES TOP OF WALL
CLF	DENOTES CHAIN LINK FENCE
BF	DENOTES BOARD FENCE
OHW	DENOTES OVERHEAD WIRE
EOA	DENOTES EDGE OF ASPHALT

BENCHMARK NOTE

ELEVATIONS HEREON ARE GEODETIC, RELATED TO MINISTRY OF NATURAL RESOURCES BENCHMARK NO. 0772010049, ELEVATION 85.227(CGVD 28:78)

THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN WERE COMPLETED ON THE 16th DAY OF NOVEMBER, 2025

GRADING CONSULTANT APPROVAL

I HAVE REVIEWED THE PLANS FOR THE CONSTRUCTION OF A PROPOSED TWO STOREY GARDEN SUITE LOCATE AT 1158 FISHER AVENUE, CITY OF BURLINGTON AND HAVE PREPARED THIS PLAN TO INDICATE THE COMPATIBILITY OF THE PROPOSAL WITH ALL ADJACENT PROPERTIES, IT IS MY BELIEF THAT ADHERENCE TO THE PROPOSED ELEVATIONS AND GRADIENTS AS SHOWN WILL PRODUCE ADEQUATE SURFACE DRAINAGE WITHOUT DETRIMENTAL EFFECT TO THE EXISTING DRAINAGE PATTERNS OF ADJACENT PROPERTIES.

LICENSED PROFESSIONAL ENGINEER
J. Sathiyavadivel
100060934
APR. 25 2026
PROVINCE OF ONTARIO

GRADING CRITERIA

1.) THE INTENT OF THE EXISTING DRAINAGE PATTERN IN THE AREA OF THE SITE SHOULD BE MAINTAINED.

2.) SIDE YARDS SHOULD BE DRAINED AT SURFACE SLOPES NOT LESS THEN 2% TO ONE OR MORE EXISTING POSITIVE DRAINAGE OUTLETS CONNECTED TO PUBLIC DRAINAGE SYSTEMS, OR IF NECESSARY TO PROPOSED POSITIVE DRAINAGE

3.) DRAINAGE SWALE LONGITUDINAL SLOPES SHOULD NOT BE LESS THAN 2.0%

4.) TERRACE AND DRAINAGE SWALE SIDE SLOPES SHOULD NOT EXCEED 33%.

5.) ELEVATIONS AT THE PROPERTY LINE FRONTING THE STREET SHOULD BE SUCH THAT THE AVERAGE SLOPE DOWN TO THE TOP OF ROADWAY CURB SHOULD BE BETWEEN 2% AND 6%.

6.) REAR YARD SLOPE SHOULD NOT EXCEED 5% EXCEPT WHERE EXISTING GRADES ARE NOT BEING ALTERED.

7.) DURING CONSTRUCTION, SILTATION CONTROL METHODS SHOULD BE USED AROUND THE LOT PERIMETER IN ORDER TO PREVENT EROSION OR SILTATION ON ADJACENT PROPERTIES.

8.) IN COMPLIANCE WITH 9.14.6.1. OF THE ONTARIO BUILDING CODE THE SITE IS TO BE GRADED SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR THE BUILDING UNDER CONSTRUCTION AND WILL NOT ADVERSELY AFFECT ANY ADJACENT PROPERTIES.

9.) IN COMPLIANCE WITH SUBSECTION 9.26.18.2. OF THE ONTARIO BUILDING CODE, WHERE STORM SEWER IS NOT AVAILABLE TO WHICH DOWN SPOUTS MAY BE CONNECTED, PROVISIONS SHALL BE MADE TO PREVENT SOIL EROSION.

10.) COVERED SUMP WITH AN AUTOMATIC PUMP SHALL BE INSTALLED TO DISCHARGE WATER FROM FOUNDATION DRAINS, OVERLAND TO CATCH BASIN CONNECTED TO A STORM SEWER LOCATED WITHIN PUBLIC RIGHT OF WAY OR TO A DRAINAGE DITCH OR DRYWELL AS PER ARTICLE 9.14.5.2–3 OF THE ONTARIO BUILDING CODE.

NOTE: TOP OF FOUNDATION WALL ELEVATION MINIMUM 0.15 METRES ABOVE HIGHEST GRADE. REFER TO ARCHITECTURAL PLANS FOR FOUNDATION WALL DESIGN.

NOTE: –

CONTRACTOR/BUILDER
IS RESPONSIBLE FOR CONFIRMING ALL EXISTING GRADES AND ELEVATIONS, THE LOCATION OF ALL EXISTING SERVICES AND UTILITIES, AND THE INVERT ELEVATIONS OF ALL SERVICE CONNECTIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCY SHOULD BE REPORTED IMMEDIATELY TO THE UNDERSIGNED.

CAUTION

1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES.
2. EXISTING SANITARY AND STORM INVERT TO BE CONFIRMED PRIOR TO CONSTRUCTION.
3. ARCHITECT TO CHECK THE ZONNING AND SETBACKS AND ELEVATIONS.
4. ARCHITECT TO CONFIRM DESIGN CONFORMS WITH ARCHITECTURAL PLANS.
5. THE EXISTING STORM AND SANITARY SERVICE LATERAL MUST BE INSPECTED AT THE PROPERTY LINE BY THE BUILDER AND THE INVERT ELEVATION MUST BE VERIFY BEFORE DO ANY EXCAVATION MINIMUM 2.0% FALL REQUIRED. OTHERWISE SEWER EJECTOR TO BE INSTALLED BY THE BUILDER.

SCALE 1:150
5m 0 5 10 METRES
JEY CONSULTING INC. ©

DRAWING TITLE:
PROPOSE GRADING PLAN

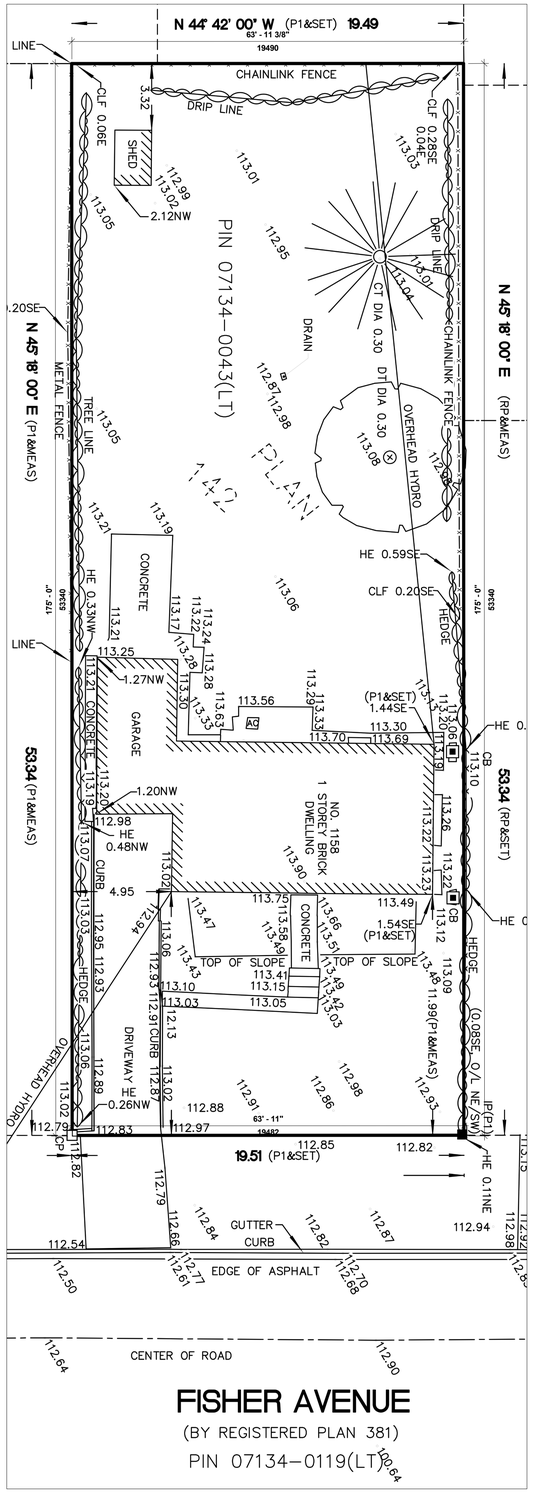
PROJECT NAME:
1158 FISHER AVENUE
CITY OF BURLINGTON, ONTARIO.

OWNERS NAME: –
ADDRESS: – 1158 FISHER AVENUE
CITY OF BURLINGTON
ONTARIO

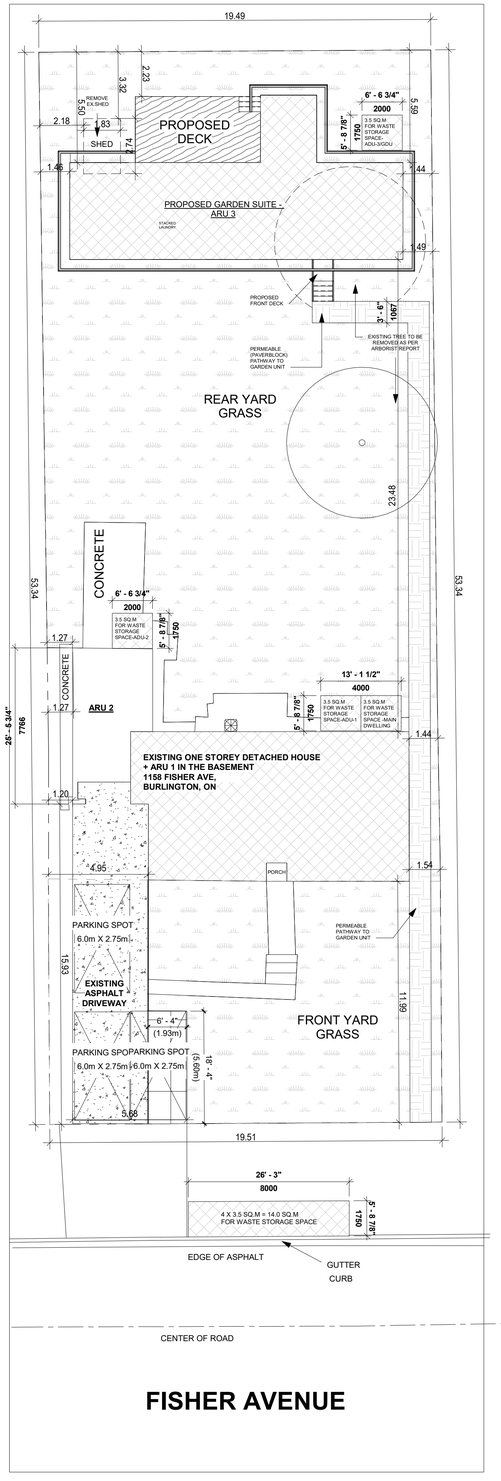
No:	DATE: –	REVISION
1	APRIL 25, 2026	1st SUBMISSION TO THE CITY

JEY CONSULTING INC.
93 EASTVALE DRIVE
MARKHAM, ONTARIO, L3S 4S9
PHONE: 416–526–0062 jey_eng@hotmail.com

DRAWN BY: S.J | CHECKED BY: S.J | CAD NUMBER: 25–060GP | JOB NUMBER: 24–055 | DRAWING No: – PG
SCALE 1:150



1 A1.0 Survey
1 : 140



2 A1.0 SITE PLAN
1 : 140

Copyright Act Applies to Use and Production

SITE DATA	
ZONING	R3.2 ZONE
LOT NO:	PT LT 142
REGISTERED PLAN NO:	381
LOT AREA	1036.90SQ.M (11161.09SQ.FT)
EXISTING (REMAIN)	PROPOSED GARDEN UNIT (ARU-3)
EXISTING LOT COVERAGE EX. DWELLING =98.71SQ.M. GARAGE CONVERSION(ARU-2) =24.52 SQ.M.	PROPOSED LOT COVERAGE (INCL. GARAGE CONVERSION - ARU-2) EXISTING DWELLING(INCLU. PORCH & GARAGE = 123.23SQ.M PROPOSED GARDEN SUITE(ARU-3) = 88.81 SQ.M TOTAL LOT COVERAGE = 212.04 SQ.M = 20.45 %
EX. LOT COV. = 123.23 SQ.M.=11.88%	FLOOR AREA: (GDU/ARU-3) ARU MAIN = 88.81 SQ.M ARU BASEMENT = 88.20 SQ.M TOTAL = 177.01 SQ.M(80 SQ.M MAX TOTAL)
FULL BASEMENT FLOOR AREA(ARU-1) =100.82 SQ.M. PROPOSED UNCOVERED DECK (ARU-3) =19.63 SQ.M.	
REQUIRED PARKING: MAIN DWELLING USE: 2 SPACES REQUIRED ARU-1 : 0 SPACES REQUIRED ARU-2 OR ARU-3: 1 SPACE TOTAL REQUIRED TOTAL REQUIRED PARKING: 3 SPACES TOTAL PROVIDED: 3 SPACES	

No.:	Issued For:	Date:

STAMP:

N
TRUE NORTH

CONSULTANT:

RJ CAD SOLUTIONS INC

Kruti Shah, P.Eng.
Cell:647-532-3593
Office:905-913-5200
4 Abacus Road, Unit # 12
Brampton, ON L6T 5J6
www.rjcadsolutions.com

NOTES:

1. GENERAL CONTRACTOR SHALL CHECK AND VERIFY DIMENSIONS ON SITE AND REPORT ERRORS AND OMISSIONS.
2. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR CONSISTENCY WITH THE INTENT OF THE DRAWINGS AND SPECIFICATIONS.
3. DRAWINGS ARE NOT TO BE SCALED, WORK TO DIMENSIONS ONLY.
4. THE DRAWINGS IS THE PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED OR USED WITHOUT THE EXPRESS OF THE DESIGNER.

OWNER / CLIENT:

-

PROJECT NAME:

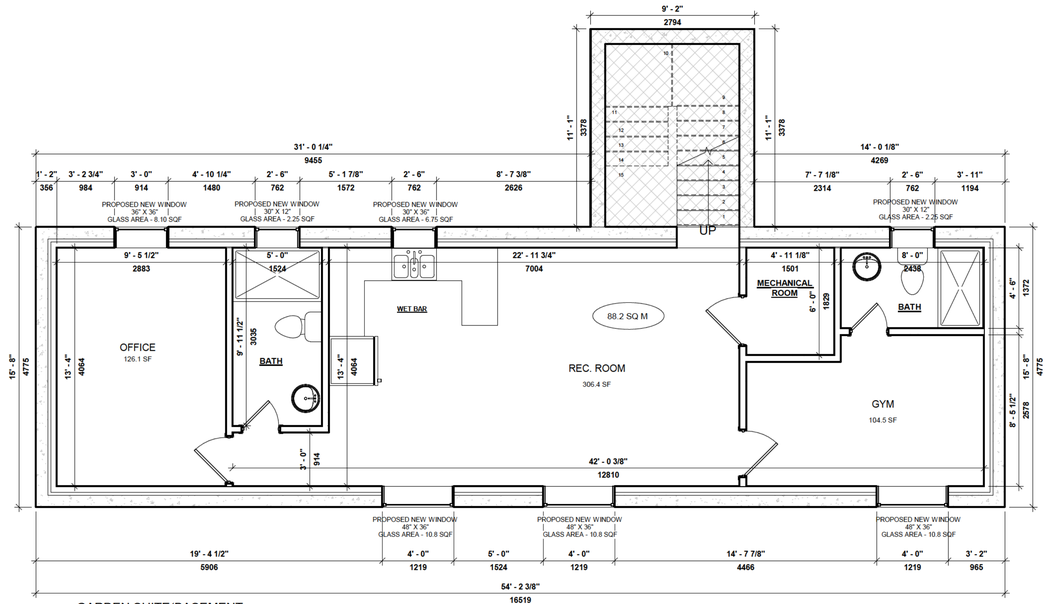
GARDEN SUITE

PROJECT ADDRESS:

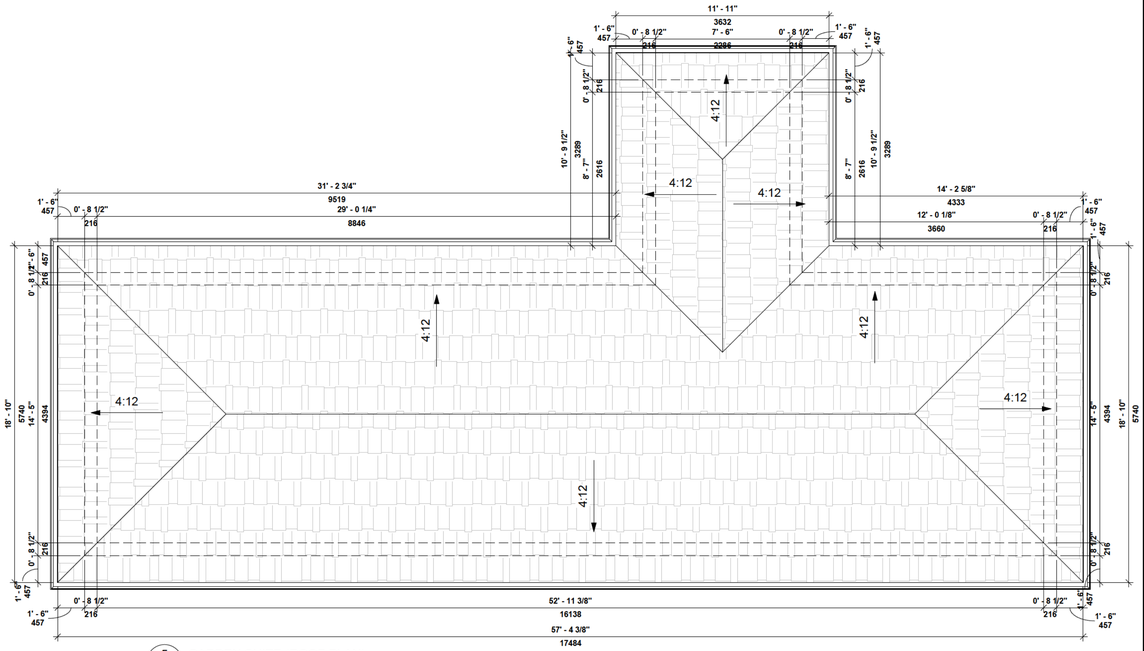
1158 FISHER AVE,
BURLINGTON, ON

DRAWING TITLE: **SITE PLAN**

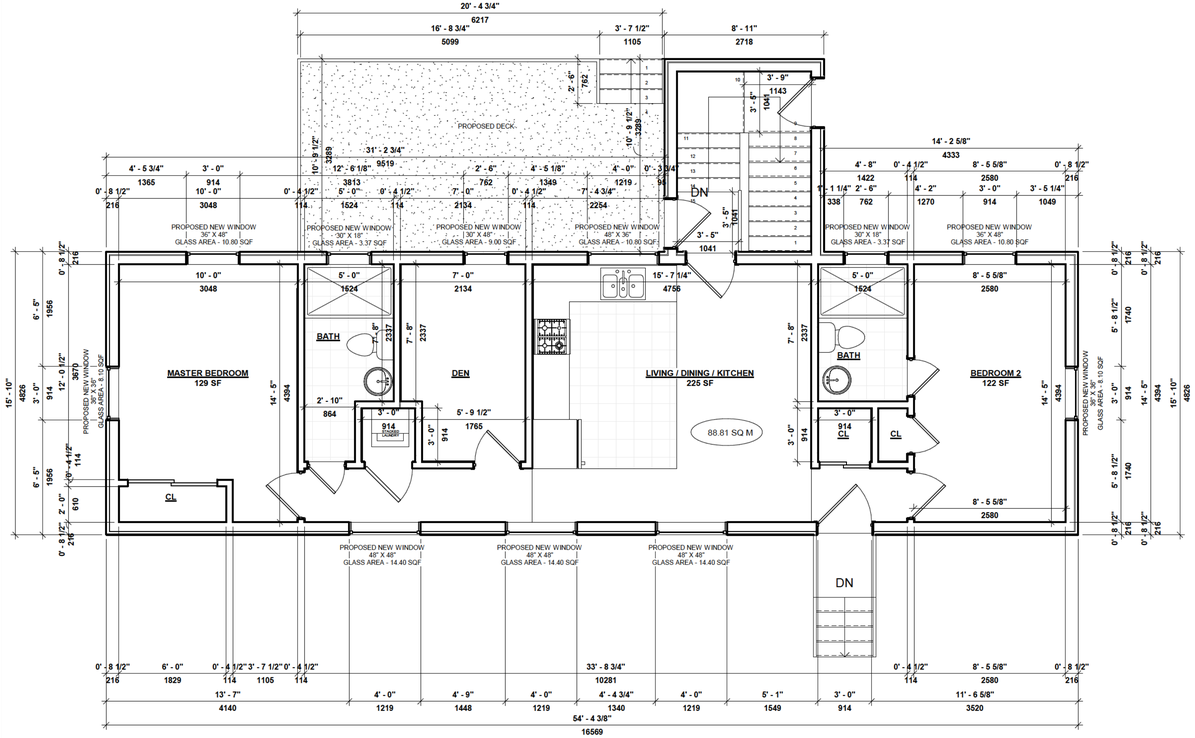
DRAWN BY: KD	DRAWING NO:
CHECKED BY: KS	A1.0
SCALE: 1/4" = 1'-0"	
DATE: 09/01/2026	
PROJECT NO: 032024	



2 A2.0 GARDEN SUITE(BASEMENT FLOOR PLAN)
1/4" = 1'-0"



5 A2.0 GARDEN SUITE (ROOF PLAN)
1/4" = 1'-0"



1 A2.0 GARDEN SUITE (FIRST FLOOR PLAN)
1/4" = 1'-0"

Copyright Act Applies to Use and Production

No.:	Issued For:	Date:

STAMP:

N
TRUE NORTH

CONSULTANT:

RJ CAD SOLUTIONS INC

Kruti Shah, P.Eng.
Cell:647-532-3593
Office:905-913-5200
4 Abacus Road, Unit # 12
Brampton, ON L6T 5J6
www.rjcadsolutions.com

NOTES:

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2. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR CONSISTENCY WITH THE INTENT OF THE DRAWINGS AND SPECIFICATIONS.
3. DRAWINGS ARE NOT TO BE SCALED, WORK TO DIMENSIONS ONLY.
4. THE DRAWINGS IS THE PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED OR USED WITHOUT THE EXPRESS OF THE DESIGNER.

OWNER / CLIENT:

-

PROJECT NAME:

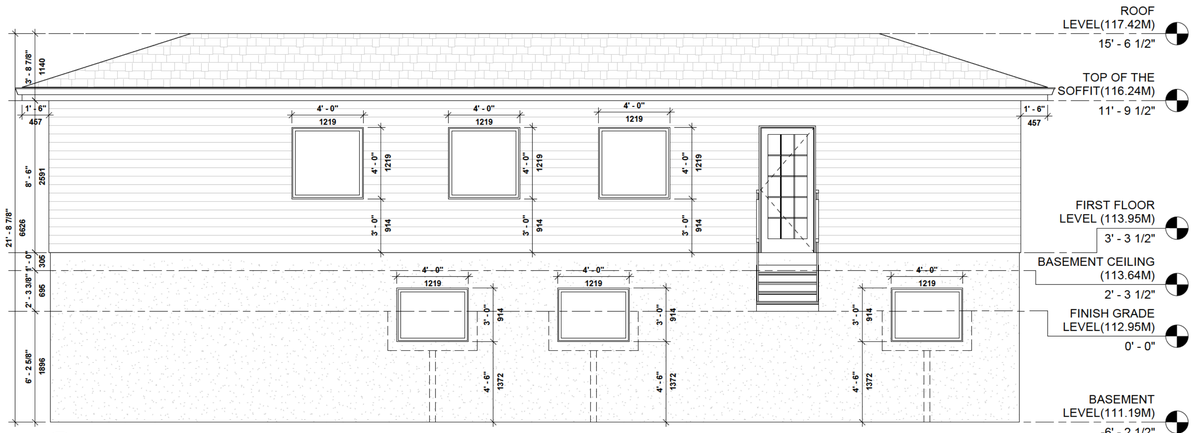
GARDEN SUITE

PROJECT ADDRESS:

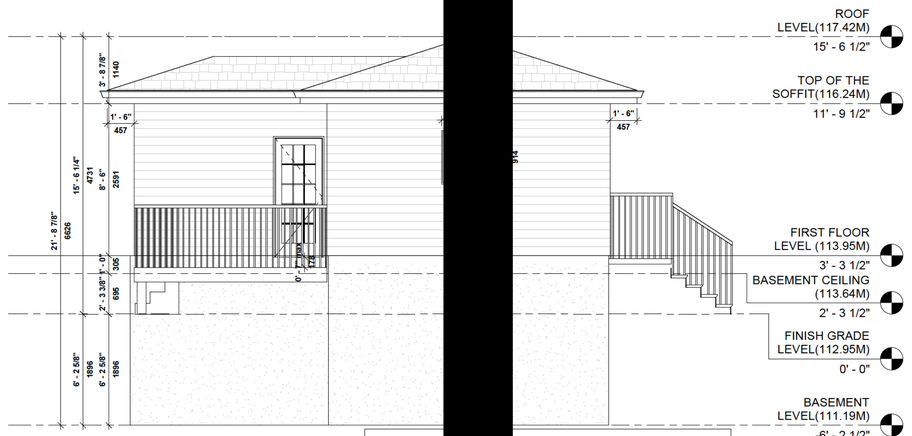
1158 FISHER AVE,
BURLINGTON, ON

DRAWING TITLE: **PROPOSED FLOOR PLAN**

DRAWN BY: KD	DRAWING NO:
CHECKED BY: KS	A2.0
SCALE: 1/4" = 1'-0"	
DATE: 09/01/2026	
PROJECT NO: 032024	



1 A2.1 FRONT ELEVATION
1/4" = 1'-0"

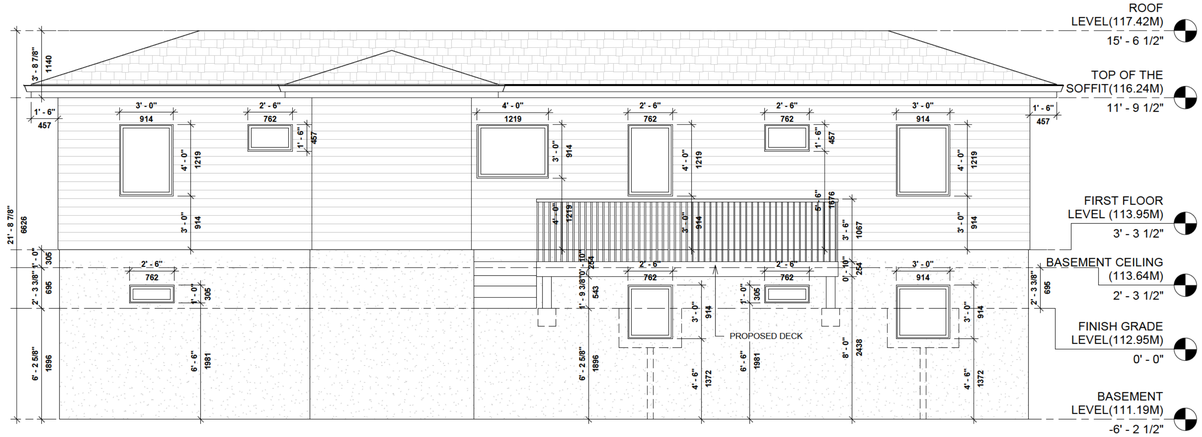


3 A2.1 LEFT SIDE ELEVATION
1/4" = 1'-0"

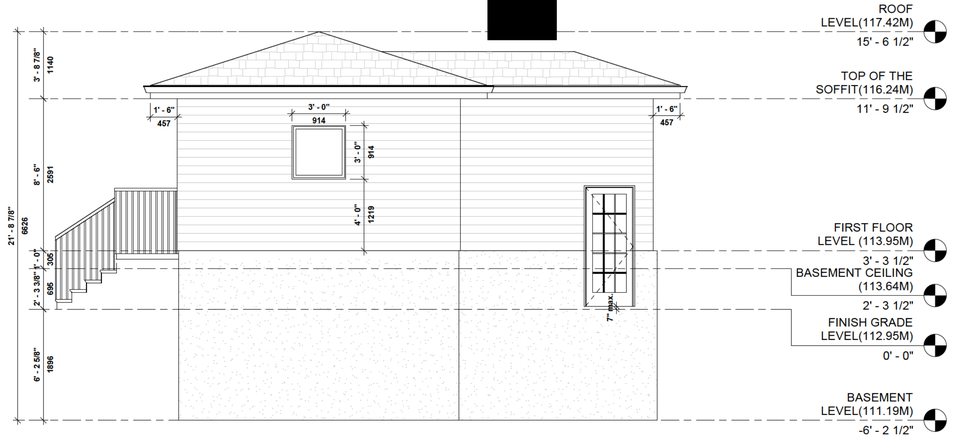
CALCULATIC ECTED OPENINGS OBC 2012 (9.10.15.4)

TOTAL EXPOS	=15.86SQ.M.
UNPROTECTE EA	=0.83SQ.M.
LIMITING DIST	=1.43 M
%AGE ALLOW R 15 SQM	= 10% =1.58SQ.M.

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2 A2.1 REAR ELEVATION
1/4" = 1'-0"



4 A2.1 RIGHT SIDE ELEVATION
1/4" = 1'-0"

CALCULATION OF UNPROTECTED OPENINGS OBC 2012 (9.10.15.4)

TOTAL EXPOSED WALL AREA	=15.86SQ.M.
UNPROTECTED WINDOW AREA	=0.83SQ.M.
LIMITING DISTANCE	=1.44 M
%AGE ALLOWED @ 1.5M OVER 15 SQM	= 10% =1.58SQ.M.

No.:	Issued For:	Date:

STAMP:

N
TRUE NORTH

CONSULTANT:

RJ CAD SOLUTIONS INC
Kruti Shah, P.Eng.
Cell:647-532-3563
Office:905-913-5200
4 Abacus Road, Unit # 12
Brampton, ON L6T 5J6
www.rjcadsolutions.com

NOTES:

1. GENERAL CONTRACTOR SHALL CHECK AND VERIFY DIMENSIONS ON SITE AND REPORT ERRORS AND OMISSIONS.
2. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR CONSISTENCY WITH THE INTENT OF THE DRAWINGS AND SPECIFICATIONS.
3. DRAWINGS ARE NOT TO BE SCALED, WORK TO DIMENSIONS ONLY.
4. THE DRAWINGS IS THE PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED OR USED WITHOUT THE EXPRESS OF THE DESIGNER.

OWNER / CLIENT:

-

PROJECT NAME:

GARDEN SUITE

PROJECT ADDRESS:

1158 FISHER AVE,
BURLINGTON, ON

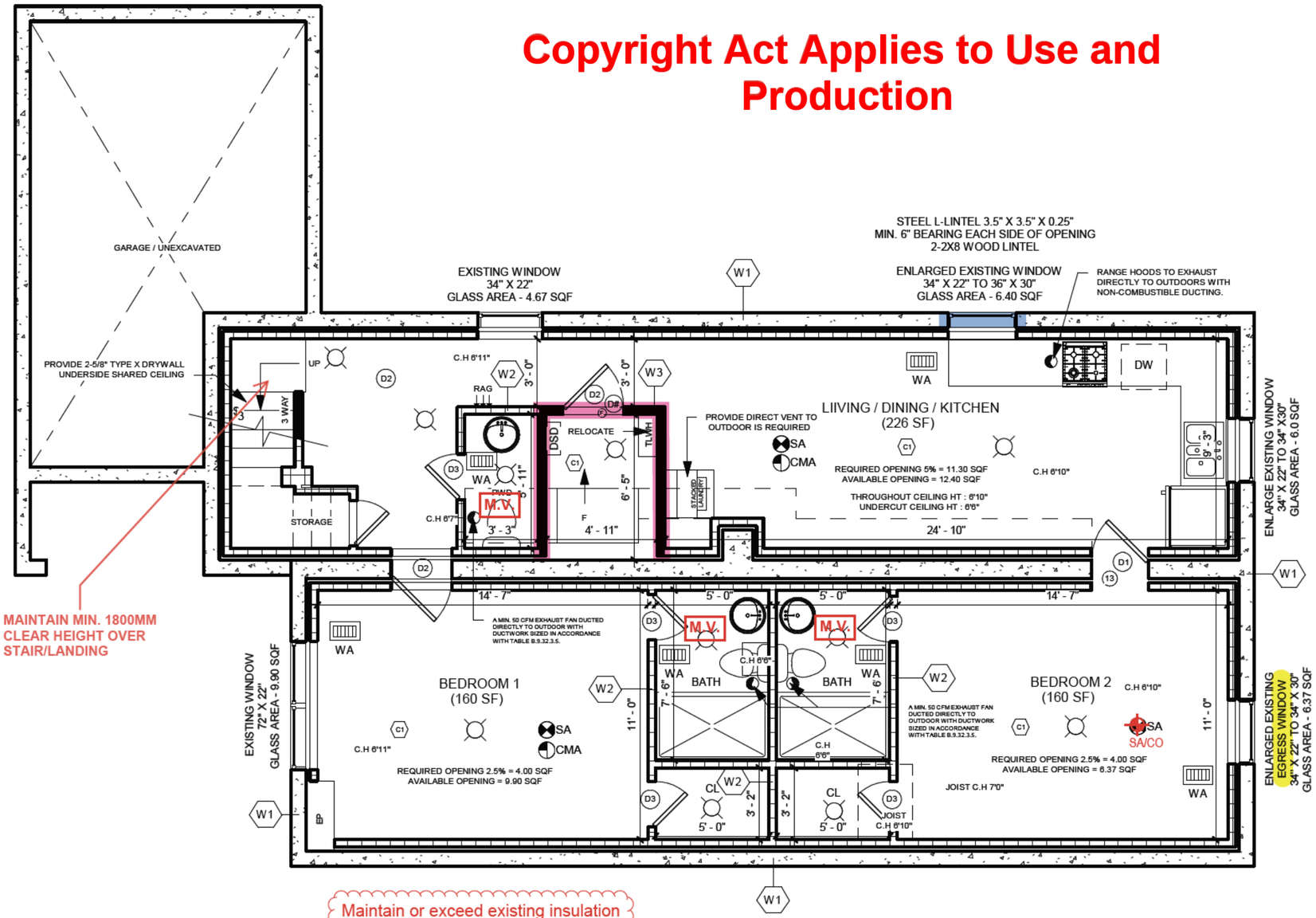
DRAWING TITLE: **PROPOSED ELEVATIONS**

DRAWN BY: KD	DRAWING NO:
CHECKED BY: KS	A2.1
SCALE: 1/4" = 1'-0"	
DATE: 09/01/2026	
PROJECT NO: 032024	

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RECEIVED
Sept 22 2025
CITY OF BURLINGTON
BUILDING DEPARTMENT

ALL CONSTRUCTION TO MEET ONTARIO BUILDING CODE REQUIREMENTS



ALL PLUMBING TO OBC SECTION 7.

MINIMUM 6'-5" CEILING HEIGHT INCLUDING UNDER BEAMS & DUCTS.

PROVIDE SUPPLY AND RETURN AIR OUTLETS AS PER OBC 9.33.6.11.&9.33.6.12.

9.9.10.1. – Egress Windows for Bedrooms
1 window shall provide an unobstructed area of 3.8 sqft with no dimension less than 15". Where window well is required, a minimum outward clearance of 22" shall be provided.

9.5.2.4. – Bathroom walls in a dwelling unit shall have reinforcement to allow for future installation of a grab bar serving the water closet, shower and bathtub.

9.10.19./9.32.3.9. – Smoke & CO Alarms
Smoke and carbon monoxide alarms with a visual and audible signaling component are required within each bedroom, between each bedroom and the remainder of the house, and at least (1) per storey.

INTERCONNECTED AND WIRED SMOKE ALARMS AT EACH FLOOR AND EACH UNIT INCLUDING LEGAL BASEMENT- AS PER OBC 9.10.19

NOTE: WOOD STUDS OR METAL STUDS ARE USED TO ENCLOSE THE 'MAIN BATHROOM' IN A DWELLING UNIT, WALL REINFORCEMENTS SHALL BE PROVIDED AS IT IS REQUIRED BY OBC 2024 B.9.5.2.3

No.	REVISION	DATE
2.		
1.	ISSUED FOR PERMIT	2025/09/18

LICENSED PROFESSIONAL ENGINEER
19/09/2025
K. H. SHAH
100525840
PROVINCE OF ONTARIO

1158 FISHER AVE,
BURLINGTON, ON

PROPOSED BASEMENT PLAN

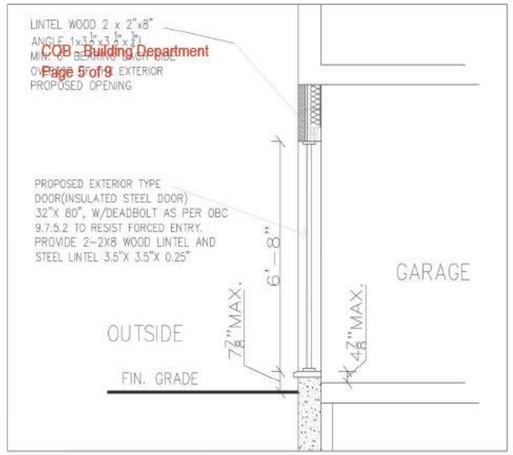
RJ CAD SOLUTIONS

Date	Scale
2025/09/18	3/16" = 1'-0"
Drawn By: FJ	Checked By: KS
Project Number: 0001	
SHEET NUMBER: A2	

COB - Building Department
Page 2 of 6

RECEIVED
DEC 03 2025
CITY OF BURLINGTON
BUILDING DEPARTMENT

ALL CONSTRUCTION TO MEET ONTARIO BUILDING CODE REQUIREMENTS



EXTERIOR SIDE DOOR SECTONAL DETAIL
PROPOSED

COB - Building Department
Page 5 of 9

EXISTING GARAGE WALL REMAIN AS IS

SIDING WALL CONSTRUCTION W/ CONTIN. INSULATION

SIDING MATERIAL FURRING MEMBERS APPROVED AIR/WATER BARRIER AS PER O.B.C. 9.27.3. ON EXTERIOR TYPE RIGID INSULATION (JOINTS UNTAPED) MECHANICALLY FASTENED AS PER MANUFACTURER'S SPECIFICATION 3/8" (9.5) EXT. GRADE SHEATHING ON 2"X6" (38X140) STUDS @ 16" (406) O.C., INSULATION, R22+10ci INSULATION WITH 6 MIL POLYETHYLENE AIR/VAPOUR BARRIER, ON 1/2" (12.7) GYPSUM WALLBOARD INT. FIN. (GYPSUM SHEATHING, RIGID INSULATION, AND FIBERBOARD SHALL NOT BE USED FOR THE ATTACHMENT OF SIDING (9.23.16.3.(1.))

PROPOSED NEW GLASS DOOR FOR ENTRY AND EXIST WITH NEW WALL FOR UNIT 3
32"X 80"
GLASS AREA 9.4 SQ.FT

REMOVE THE GARAGE DOOR

W3

10' - 10"

W1

R60 above

SA

F-01

CMA

C1

UNIT 3
STUDIO APARTMENT
(146 SF)

14' - 2"

12' - 0"

PROPOSED NEW EGRESS WINDOW
30" X36"
GLASS AREA - 6.75 SQFT
STEEL L-LINTEL 3.5" X 3.5" X 0.25"
MIN. 6" BEARING EACH SIDE OF OPENING
2-2X8 WOOD LINTEL

PROVIDE SOFFIT PROTECTION IN ACCORDANCE WITH OBC DIV. B, 9.10.12.4.(3) AS PER 9.10.12.4.(2)

9.10.19./9.32.3.9. – Smoke & CO Alarms
Smoke and carbon monoxide alarms with a visual and audible signaling component are required within each bedroom, between each bedroom and the remainder of the house, and at least (1) per storey.

9.5.2.4. – Bathroom walls in a dwelling unit shall have reinforcement to allow for future installation of a grab bar serving the water closet, shower and bathtub.

W1

REQUIRED OPENING 5% = 7.30 SQF
AVAILABLE OPENING = 16.15 SQF

EXISTING WINDOW
30" X 36" TO BE CLOSED

4' - 4"
(1.3m)

RANGE HOODS TO EXHAUST DIRECTLY TO OUTDOORS WITH NON-COMBUSTIBLE DUCTING.

PROVIDE DIRECT VENT TO OUTDOOR IS REQUIRED

3' - 5"

W2

BTAC & LADR

2' - 2"

7' - 5"

EXISTING GARAGE WALL REMAIN AS IS

D3

BATH

APPROXIMATE LOCATION FOR OF THE ROUGH-IN FOR SUBFLOOR DEPRESSURIZATION SYSTEM

4' - 4"

7' - 5"

EXISTING CONCRETE BLOCK WALL
(8" BARE CONCRETE BLOCK)
FRR - 1.5 HOUR STC - 50
(WALL ASSEMBLY IS B1b
AS PER SB-3 TABLE 9.10.3.1-A)
TO EXTEND TO UNDERSIDE OF ROOF DECK

A MIN. 50 CFM EXHAUST FAN DUCTED DIRECTLY TO OUTDOOR WITH DUCTWORK SIZED IN ACCORDANCE WITH TABLE B.9.32.3.5.

DN

UNIT 2

DN

KITCHEN

BEDROOM 3
SA

CL

BEDROOM 2
SA

CL

W4

BLOCK OPENING WITH MATCHING BRICK CLADDING STAGG. JOINTS W/ EX. BRICKSGALV. METAL TIES @ 16"O.C. HORIZONTAL AND 24" O.C. VERTICAL TIES TO BE CONTACT WITH WOOD STUDS.
APPROVED SHEATHING PAPER
3/8" EXTERIOR TYPE SHEATHING
2"X6" WOOD STUDS @16"O.C
R22+10ci INSULATION WITH 6MIL POLYETHYLENE VAPOUR BARRIER
1/2" GYPSUM BOARD INTERIOR FINISH
WEEP HOLES @32"O.C. BOTTOM COURS AND OVER OPENINGS.
BASE FLASHING UP MIN 6" BEHIND BUILDING PAPER

ENTRY AND EXIT FOR BASEMENT APARTMENT / UNIT 2

REMOVE THE GARAGE DOOR AND PROPOSED THE NEW WALL

REFER TO SEPARATE PERMIT FOR UNIT 2 - #25 017237

CL

CL

CL

SA
CMA

PWD

LIVING / DINING

UNIT 1

FOYER

BEDROOM
SA

BATH

CL

UNIT 1
ENTRANCE

F-01	FLOOR ASSEMBLY FLOOR FINISH RSI 5.46 INSULATION IN FLOOR EXTEND VAPOUR BARRIER SEAL TO JOIST & SUBFLOOR PROVIDE 0.1M2 VENT AREA PER 50M2 OF CRAWL SPACE & 500MMX700MM ACCESS TO CRAWL SPACE
C1	CEILING 1/2" GYPSUM CEILING BOARD INTERIOR FINISH ON 6 MIL POLY VAPOUR BARRIER ON BOTTOM CHORD OF ROOF TRUSSES, R60 (RSI 8.81) MINIMUM BATT INSULATION

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9.10.22. – Fire Protection for Gas, Propane and Electric Cooktops
- **A vertical clearance of not less than 750mm from cooktop shall be provided unless it is protected by a non-combustible hood or finish**
- **Combustible finishes located within 450mm horizontally, shall be protected by a min. 9.5mm gypsum board or splash board/ back plate**

No.	REVISION	DATE
2.		
1.	ISSUED FOR PERMIT	2025/11/07

LICENSED PROFESSIONAL ENGINEER
07/11/2025
K. H. SHAH
100525840
PROVINCE OF ONTARIO

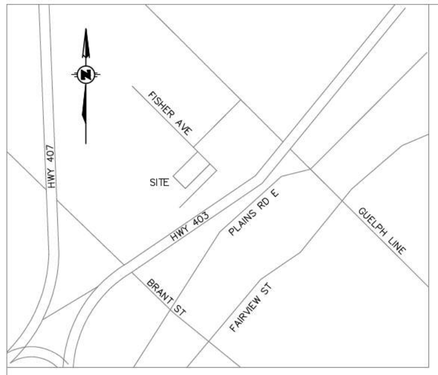
1158 FISHER AVE,
BURLINGTON, ON

GROUND FLOOR PLAN

RJ CAD SOLUTIONS

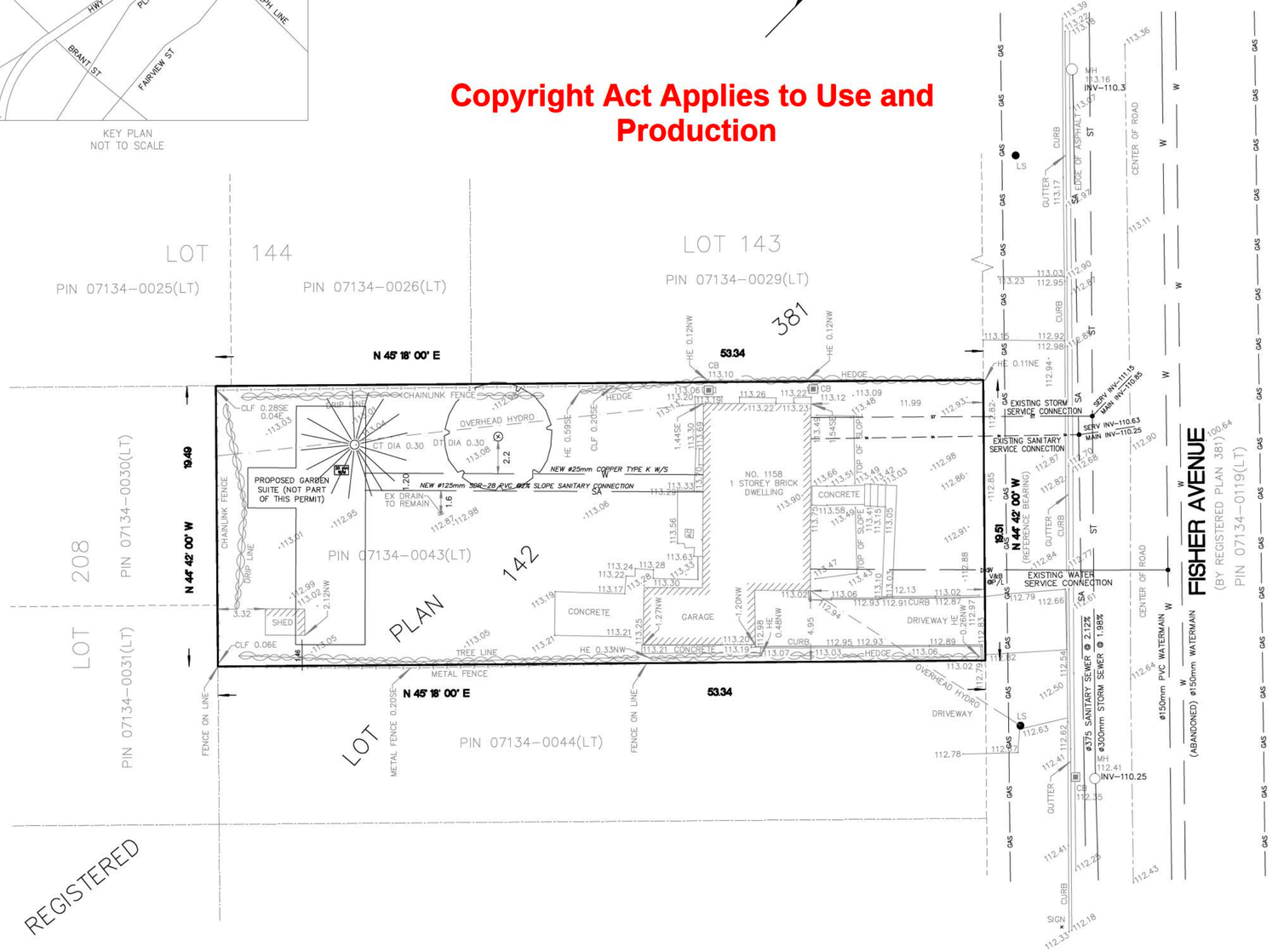
Date	Scale
2025/11/07	3/16" = 1'-0"
Drawn By: FJ	Checked By: KS
Project Number: 0001	
SHEET NUMBER: A2	

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Page 5 of 9



KEY PLAN
NOT TO SCALE

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NOTE

SERVICING INFORMATION SHOWN ON THIS PLAN IS BASED ON THE PLAN AND PROFILE DRAWINGS PROVIDED BY HALTON REGION.

NOTE

THE LOCATION OF UNDERGROUND SERVICES SHOWN ON THIS PLAN IS ONLY APPROXIMATE AND IS FOR PLANING AND DESIGN PURPOSES ONLY. THIS INFORMATION MUST NOT BE ASSUMED TO BE COMPLETE OR UP-TO-DATE AND ON-SITE LOCATE MUST BE ORDERED PRIOR TO ANY EXCAVATION. AK&M SURVEYING LTD. ACCEPTS NO RESPONSIBILITY FOR ANY CLAIMS OR LOSSES DUE TO IMPROPER USE OF THIS INFORMATION.

SERVICING PLAN

LEGAL DESCRIPTION
PART OF **LOT 142**
REGISTERED PLAN No. 381
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1:250
0 1 2 3 4 5 10 15 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 698mm IN WIDTH BY 500mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:250

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

NOTES

1) BEARINGS ARE ASTRONOMIC, AND ARE REFERRED TO THE SOUTH WESTERLY LIMIT OF FISHER AVENUE HAVING A BEARING OF N44°42'00"W AS SHOWN ON REGISTERED PLAN 381
2) TIES ARE TAKEN TO FOUNDATION UNLESS OTHERWISE NOTED.

BENCHMARK NOTE

ELEVATIONS HEREON ARE GEODETIC, RELATED TO MINISTRY OF NATURAL RESOURCES BENCHMARK NO. 0772010049, ELEVATION 85.227(CGVD 28:78)

LEGEND

ST	DENOTES STORM SEWER
SA	DENOTES SANITARY SEWER
WM	DENOTES WATERMAIN
AC	DENOTES AIR CONDITIONER
CLF	DENOTES CHAIN LINK FENCE
LS	DENOTES LIGHT STANDARD
CLF	DENOTES CHAIN LINK FENCE
CONC	DENOTES CONCRETE
CT	DENOTES CONIFEROUS TREE
DT	DENOTES DECIDUOUS TREE
MH	DENOTES MANHOLE
PL	DENOTES PIPELINE

REVISIONS

1.	MAY 07, 2026	6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

May 07, 2026
DATE

ASSOCIATION OF ONTARIO LAND SURVEYORS
ATHI. K
2017

ATHITHTHAN KANAGANAYAGAM
ONTARIO LAND SURVEYOR

15 Great Plains Street
Brampton, Ontario
L6R-1Z5
Phone: (647) 914-3361
www.akmsurvey.com
Email: info@akmsurvey.com

AK&M SURVEYING LTD.

DATE: March 16, 2026 | CHECKED BY: AK | DRAWN BY: NA | PROJECT No.: 2025-96

ARBORIST REPORT

1158 Fisher Avenue
Burlington, Ontario
L7P 2L1

Prepared By:

Noah Frigault, Arborwood Tree Service Inc.

Certified Arborist, TRAQ

ISA # ON-2759A

Prepared For:

Shashank (property owner)

Version: 2.0 - April.23rd 2026

Date: April 23rd, 2026
Arborwood Tree Service
Email: info@arborwood.ca
Address: 7838 Twenty Road, Smithville ON. L0R 2AO

Client: Shashank
Property: 1158 Fisher Avenue, Burlington Ontario. L7P 2L1

Dear Shashank,

Please find attached a brief report prepared for 1158 Fisher Avenue, Burlington. This report includes a tree inventory, tree preservation plan, observations, photos, and recommended actions.

If you have any questions or require further clarification, please let me know.

Kind regards,



Noah Frigault
Arborwood Tree Service Inc.
Plant Health Care Manager
ISA ON-2759A, TRAQ

PURPOSE OF REPORT

This work has been commissioned by Shashank (the Client) and prepared by a Certified Arborist at Arborwood Tree Service Inc. (the Consultant). The client has prepared plans for a proposed backyard garden suite.

It is the responsibility of the property owner and/or contractor to ensure that trees are protected throughout construction. This Arborist Report outlines recommended actions to support compliance with the City of Burlington's Tree Protection Standards.

LIMITATIONS & CONDITIONS

This report has been prepared to provide the professional opinion of the consulting arborist based on the scope of work requested. It is intended to outline the practical and professional limitations associated with tree assessment and preservation.

The subject trees were assessed using generally accepted arboricultural practices, consisting of a visual inspection of above-ground components. The assessment included observation of visible conditions such as structural defects, wounds, signs of decay (including fungal fruiting bodies), insect activity, foliage condition, visible root structures, lean (if present), and overall site conditions, including proximity to surrounding targets.

No invasive or advanced diagnostic procedures were undertaken unless otherwise stated. Trees were not climbed, cored, or probed, and subsurface conditions, including root systems and soil characteristics, were not evaluated.

Tree assessments are limited to the conditions observed at the time of inspection. Trees are living organisms subject to change due to environmental factors, weather events, and site conditions. As such, their health and structural integrity may change over time.

While the assessment has been conducted in accordance with accepted industry standards, no guarantee can be made regarding the ongoing condition or stability of any tree. All trees carry some level of inherent risk.

Arborwood Tree Service Inc. shall not be held responsible for damages resulting from changes in tree condition or failure occurring after the date of assessment.

The implementation of recommendations contained within this report is the responsibility of the Client. Arborwood Tree Service Inc. assumes no responsibility for ensuring that the recommendations are carried out.

PROJECT OVERVIEW

The site assessment was conducted on April 1st, 2026, at approximately 8:30 a.m. and took approximately 25 minutes to complete. The visit was carried out by Certified Arborist Noah Frigault. All regulated trees, in accordance with the City of Burlington's guidelines, were inventoried for the purpose of preparing the Tree Preservation Plan and this Report.

RECOMMENDATIONS

Based on the assessment that took place on April 1st 2026 and the proposed project provided, recommendations are as followed:

- Protect trees 4, 5 & 6.

- Material Storage Area in the driveway

- Construction Route Access along the driveway & through the left side.

- Remove regulated trees 3, 7 & 8
- Remove none-regulated tree 2
- Remove 13 metre section of shared White Cedar hedge (T11) for construction access (marked in red)
- Letter of consent required by the neighbour to remove the marked section of White Cedar hedge (T11. Marked in red).

- It is recommended that tree 1 is pruned / hedged, to ISA best practices, to allow for better clearance of the proposed project

- Compensate for canopy loss by planting replacement trees (6), paying a cash-in-lieu fee, or both

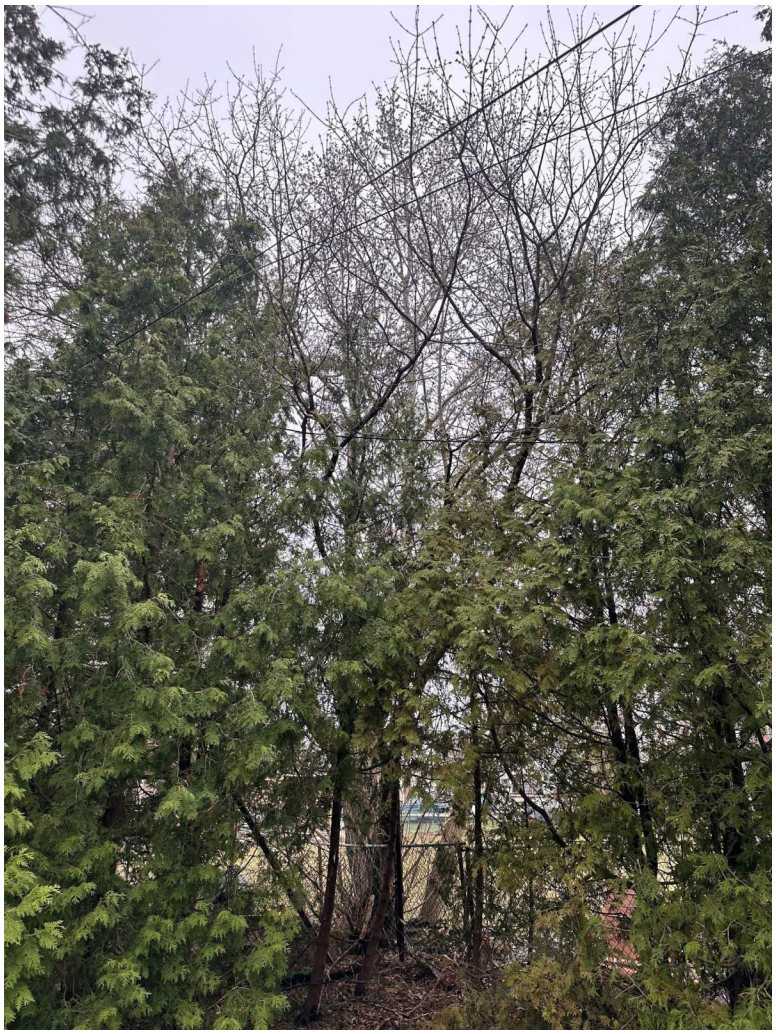
PHOTOS



Site - Front. T1 (Cedar hedge) seen on left. Construction access left of the garage. Section of hedge to be removed seen in left of photo (T11)



T2 & T3 (right to left)



T4 & T5 - West corner.



T6 - South corner.



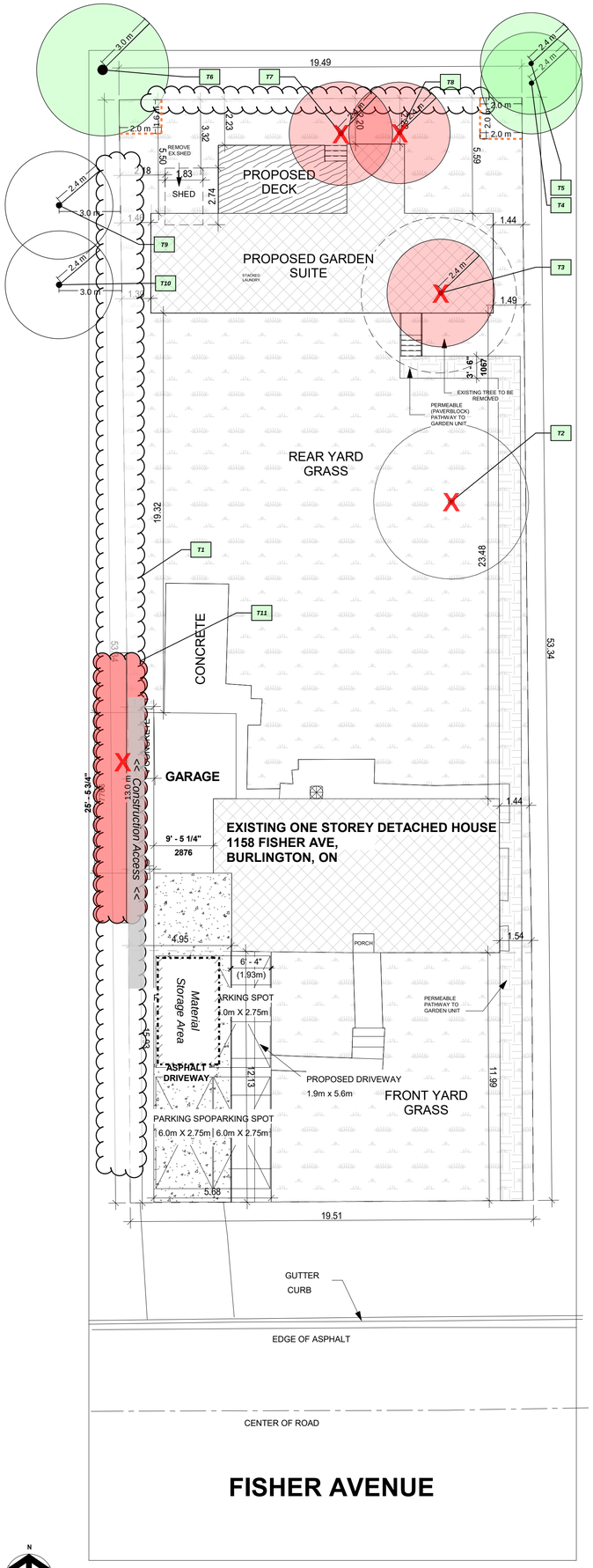
T7 & T8 (right front and right back). Note that trees seen on the left are part of the hedge along the fence and are none-regulated (approx. 16 & 17cm DBH)

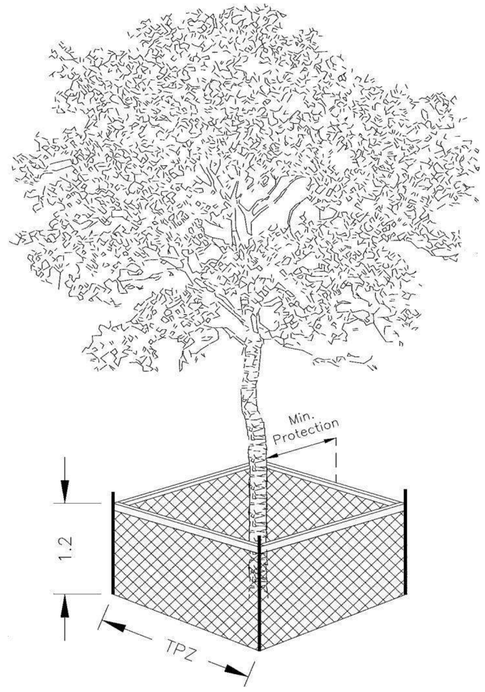


T9 & T10 - behind T1 (Cedar hedge). Canopy seen above the hedge.

SITE MAP & INVENTORY

See next page.





Trunk Diameter (DBH) [2]	Minimum Tree Protection Zone (MTPZ) Distances Required [3]	Critical Root Zone (CRZ) Distances Required [3&4]
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100 cm	6.0 m	10.0 m
100+ cm	6.0m +10cm per 1cm DBH	10.0 m + 10cm per 1cm DBH

DBH Approved for Removal	Tree Replacement Ratio	Total Number of Replacement Trees
20 - 35	2:1	6
36 - 74	3:1	
75 or more	4:1	

Tree No.	Tree Species	Tree DBH (cm)	Tree TPZ (m)	Tree Health (Good, Fair, Poor, Dead)	Tree Structure (Good, Fair, Poor, Dead)	Tree Ownership (Private, Public, Shared, Neighbour)	Action: Protect, Injure, Destroy (Remove)	Notes / Mitigative Measures
T1	White Cedar Hedge	<15	N/A	F	F	Shared	N/A	None-regulated Cedar Hedge. No action required.
T2	Pear	19	N/A	F	F	Private	Remove	None-regulated. No permit required. Client has requested removal.
T3	White Spruce	26	2.4	F	F	Private	Remove	Remove tree due to proposed project.
T4	Manitoba Maple	Approx. 25	2.4	F	P	Neighbour	Protect	Tree Protection Fencing.
T5	Poplar	Approx. 25	2.4	P	P	Neighbour	Protect	Tree Protection Fencing.
T6	Manitoba Maple	Approx. 50	3.0	F	P	Neighbour	Protect	Tree Protection Fencing.
T7	White Cedar	26	2.4	G	F	Private	Remove	Remove tree due to proposed project.
T8	White Cedar	23	2.4	G	F	Private	Remove	Remove tree due to proposed project.
T9	White Spruce	Approx. 30	2.4	G	F	Neighbour	N/A	Approx. 3m from the property line. MTPZ falls outside of clients property. No action required.
T10	White Spruce	Approx. 30	2.4	G	F	Neighbour	N/A	Approx. 3m from the property line. MTPZ falls outside of clients property. No action required.

Tree No.	Tree Species	Tree DBH (cm)	Tree TPZ (m)	Tree Health (Good, Fair, Poor, Dead)	Tree Structure (Good, Fair, Poor, Dead)	Tree Ownership (Private, Public, Shared, Neighbour)	Action: Protect, Injure, Destroy (Remove)	Notes / Mitigative Measures
T11	White Cedar Hedge	<15	N/A	F	F	Shared	Remove	Remove Approx 13m section of hedge to allow clearance for construction route access. Letter of consent required by the neighboring property who share the hedge.

Tree Preservation Plan (TPP)

Site: 1158 Fisher Ave, Burlington, ON
Drawn: April 8th 2026
Prepared by: Arborwood Tree Service
Prepared for: Shashank (property owner)
Version: 1.0
Scale: 1 : 140

Notes:

- Tree Protection Fencing to Neighbouring trees 4, 5 & 6
- Material Storage Area in the driveway
- Construction Route Access along the driveway & through left side.
- Remove regulated trees 3, 7 & 8
- Remove none-regulated tree 2
- Remove 13m section of shared Cedar hedge (T11) for construction access (marked in red)
-Letter of consent required by neighbour to remove section of hedge (marked in red).
- It is recommended that tree 1 is pruned / hedged, to ISA best practices, to allow for better clearance of the proposed project.

Legend:

- Tree Trunk, Identification, & Tree Protection Zone (TPZ)
- Tree Protection Fencing
- Tree Protection Hoarding
- Tree Removal
- Material Storage Area
- Construction Access

ARBORWOOD TREE SERVICE

Tree No.	**Tree Species**	**Tree DBH** (cm)	**Tree TPZ** (m)	**Tree Health** (Good, Fair, Poor, Dead)	**Tree Structure** (Good, Fair, Poor, Dead)	**Tree Ownership** (Private, Public, Shared, Neighbour)	**Action:** Protect, Injure, Destroy (Remove)	**Notes / Mitigative Measures**
T1	White Cedar Hedge	<15	N/A	F	F	Shared	N/A	None-regulated Cedar Hedge. No action required.
T2	Pear	19	N/A	F	F	Private	Remove	None-regulated. No permit required. Client has requested removal.
T3	White Spruce	26	2.4	F	F	Private	Remove	Remove tree due to proposed project.
T4	Manitoba Maple	Approx. 25	2.4	F	P	Neighbour	Protect	Tree Protection Fencing.
T5	Poplar	Approx. 25	2.4	P	P	Neighbour	Protect	Tree Protection Fencing.
T6	Manitoba Maple	Approx. 50	3.0	F	P	Neighbour	Protect	Tree Protection Fencing.
T7	White Cedar	26	2.4	G	F	Private	Remove	Remove tree due to proposed project.
T8	White Cedar	23	2.4	G	F	Private	Remove	Remove tree due to proposed project.
T9	White Spruce	Approx. 30	2.4	G	F	Neighbour	N/A	Approx. 3m from the property line. MTPZ falls outside of clients property. No action required.
T10	White Spruce	Approx. 30	2.4	G	F	Neighbour	N/A	Approx. 3m from the property line. MTPZ falls outside of clients property. No action required.

Tree No.	**Tree Species**	**Tree DBH** (cm)	**Tree TPZ** (m)	**Tree Health** (Good, Fair, Poor, Dead)	**Tree Structure** (Good, Fair, Poor, Dead)	**Tree Ownership** (Private, Public, Shared, Neighbour)	**Action:** Protect, Injure, Destroy (Remove)	**Notes / Mitigative Measures**
T11	White Cedar Hedge	<15	N/A	F	F	Shared	Remove	Remove Approx 13m section of hedge to allow clearance for construction route access. Letter of consent required by the neighboring property who share the hedge.

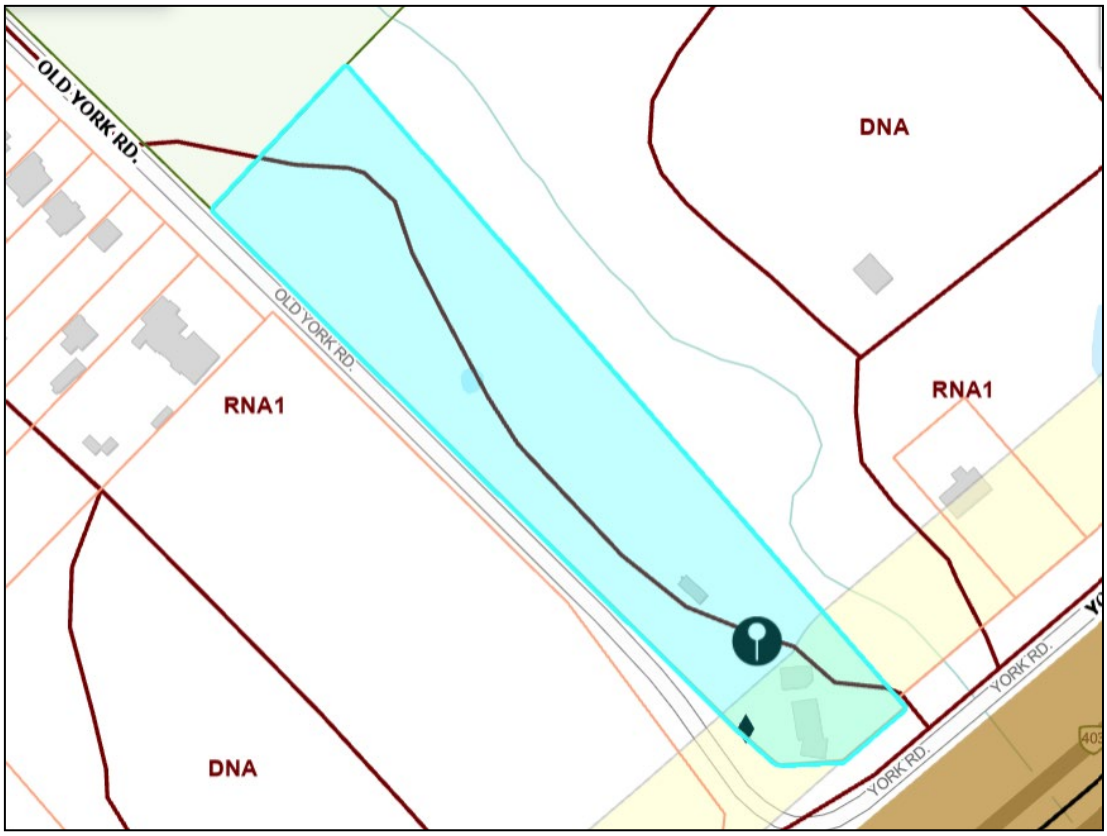
REFERENCES

https://www.burlington.ca/en/home-property-and-environment/resources/Forestry/forest-protection-and-tree-permits/Guide-to-Tree-Protection.pdf

https://www.burlington.ca/en/home-property-and-environment/resources/Forestry/Tree-Protection/City-of-Burlington-Standard-Specification-for-Tree-Protection-and-Preservation.pdf

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Joseph Martin McMahon, Robin Irene Louisa Hinchliffe
Address: 1291 Old York Rd. Burlington
File No. **A-007/26**
Ward: 1



Staff Comments:

Committee of Adjustment

There is 1 land division applications on record for this property. There are 2 previous minor variance applications on record for this property associated with the land division application.

File No. B008/2024 – Approved

- Severance to create 1 new residential lot(8,953 square meters) with the retained lands being 9,989 square meters.

File No. A-089/2024 - Approved

- Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries

between the RNA1 and O3-196 zone with the exception of Part 9, Section 3 (Table 9.3.1-Permitted Uses), Part 10, Section 6.1-Permitted Uses and in Site Exception 196.

File No. A-038/2025 – Approved

- Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the RNA1 and O3-196 zone with the exception of Part 9, Section 3 (Table 9.3.1-Permitted Uses), Part 10, Section 6.1-Permitted Uses and in Site Exception 196.

- Notwithstanding Exception 196, to recognize three existing accessory buildings (brick sheds) on the retained parcel that does not contain an existing detached dwelling on a Lot of Record. (Variance withdrawn by applicant at the hearing)

- To permit a lot width of 45.4 m instead of the minimum required 80 m to facilitate a proposed land severance.

- To permit a front yard of 2.2 m instead of the minimum required 9 m for the existing dwelling to facilitate a proposed land severance.

- To permit a street side yard of 4.2 m instead of the minimum required 7.6 m for the existing dwelling to facilitate a proposed land severance.

Date: January 23, 2026 Prepared By: E. Shacklette

Zoning

1) **Zoning:**

The subject property is zoned O3-196 and RNA1, Open Space with a Site Exception #196 and Rural North Aldershot, under Zoning By-Law 2020, as amended.

2) **Proposal:**

The applicant is proposing to recognize two accessory buildings on the north portion of the lot—an existing ±42 m^2 wood shed and a ±25 m^2 steel shed—located within the **O3-196** zone, while the dwelling and existing vinyl garage is situated in the **RNA1** zone.

Based on the submitted information, the existing accessory buildings meet the zoning requirements for **location**, including setbacks and placement relative to lot lines. However, the **use** of accessory buildings within the **O3-196** zone is only permitted when accessory to the detached dwelling. As the O3-196 zone does not

contain a primary detached dwelling, the accessory structures do not meet the permitted use provisions of that zone.

Lastly, the existing wood shed is located inset to the side of a hill and provides two levels of floor area. The existing accessory building exceeds the maximum number of storeys, floor area and height.

3) **History / Background:**

The property is currently subject to Consent Application 545-02-B008/24, for the creation of a new lot for a future detached dwelling on the northern portion of the lands that received provisional consent on June 4, 2025. Committee of Adjustment granted approval of the consent with the following condition:

> "7. The Applicant shall provide confirmation that all existing accessory structures located within the O3-196 zone have been removed, or that Variance #2 for the Retained Lands (Part 2) of Minor Variance Application A089/24 is approved to the satisfaction of the Zoning Coordinator or designate;"

The existing dwelling on the retained lands will be maintained, along with an existing detached vinyl garage, wood shed and steel shed.

In addition to the consent application, the property was also subject to Minor Variance Application 540-02-A-038/2025, to facilitate the lot creation. Committee of Adjustment granted the following variances on June 4, 2025:

1. Notwithstanding Part 1, Section 1.7.1 (g), to permit all zoning regulations to be taken from the external property boundaries instead of the limit of the zoning boundaries between the RNA1 and O3-196 zone with the exception of Part 9, Section 3 (Table 9.3.1-Permitted Uses), Part 10, Section 6.1-Permitted Uses and in Site Exception 196.

~~2. Notwithstanding Exception 196, to recognize three existing accessory buildings (brick sheds) on the retained parcel that does not contain an existing detached dwelling on a Lot of Record. (WITHDRAWN)~~

3. To permit a lot width of 45.4 m instead of the minimum required 80 m to facilitate a proposed land severance.

4. To permit a front yard of 2.2 m instead of the minimum required 9 m for the existing dwelling to facilitate a proposed land severance.

5. To permit a street side yard of 4.2 m instead of the minimum required 7.6 m for the existing dwelling to facilitate a proposed land severance.

As reflected above, Variance #2 was withdrawn. However, the owner would like to pursue maintaining these accessory buildings. Staff note the wood shed and steel shed were constructed without the benefit of the appropriate approvals.

While Variance #1 was approved, to permit all zoning regulations to be taken from the external property boundaries, it excludes the permitted uses.

Zoning By-law 2020:

1.7 INTERPRETATION OF ZONE BOUNDARIES

1.7.1 Where any uncertainty exists as to the location of any boundary of any zone, the following rules shall apply:

(g) **Where a property or lot has two or more zoning designations, the zoning boundary between the designations shall be the limit from which the zoning regulations shall apply.**

2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

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

(b) Regulations for Accessory Building greater than 10 m^2 in floor area and/or greater than 2.5 m in height:

(i) Not permitted in a front yard, street side yard or required side yard.

(ii) Permitted in a rear yard subject to the following:

- **Maximum floor area:** **50 m^2**
- **Maximum one storey**
- **Maximum height (peaked roof):** **4.6 m**

PART 9: NORTH ALDERSHOT ZONES

3. PERMITTED USES

The uses permitted in a North Aldershot Zone shall be in accordance with Table 9.3.1:

Table 9.3.1

USES	ZONES

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

	RNA1	RNA2	RNA3	SNA	MRNA	CNA	ONA	DNA
Detached Dwelling	✓	✓	✓					

Exception	Zone	Map	Amendment	Enacted
196	O2, O3	3 & 4		

1. A detached dwelling is permitted on an existing Lot of Record subject to the following:

2. Regulations for a Detached Dwelling on a Lot of Record:

Front Yard:	7.5 m
Side Yard:	5 m
Rear Yard:	9 m
Height:	2 storeys maximum

Except as amended herein, all other provisions of this By-law, as amended, shall apply

PART 16: DEFINITIONS

Floor Area
The total area of the floor measured to the outside of all outside walls or the centre of common walls, excluding any basement, cellar, garage, car port, unenclosed porch, or unenclosed veranda. A basement associated with a restaurant use, used for storage purposes shall not be included in the calculation of permitted floor area. **For Accessory Buildings or Structures, floor area means the total area of all floors measured to the outside of all exterior walls or posts. Storage area may be included within the roofline**

4) **Variances required:**

1. Notwithstanding Exception 196, to recognize two existing accessory buildings (wood shed and steel shed) in the O3-196 zone which are not accessory to a detached dwelling.

2. To permit a total floor area of 84 m^2 instead of the maximum permitted 50 m^2 for an existing two-storey accessory building (wood shed).

3. To permit two storeys instead of the maximum permitted one storey building height for an existing two-storey accessory building (wood shed).

4. To permit a building height of 5.1 m instead of the maximum permitted 4.6 m for an existing two-storey detached accessory building (wood shed) with a peaked roof.

5) **Notes and conditions**:

Condition:

1. The applicant shall submit a Pre-Building Approval application.

Note:

1. The property is regulated by Conservation Halton and the Ontario Ministry of Transportation (MTO). A permit or correspondence stating a permit is not required will be required to be submitted with the Pre-Building Approval Application.

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

3. Variance #4 was prepared at the applicant's request. Height will be required to be confirmed with grade point elevations verified by an OLS with the Pre-Building Approval application.

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

Date: April 28, 2026 Prepared By: Danielle Beck, CPT

Heritage Planning

The subject lands are identified as having archaeological potential. An Archaeological Assessment is not required by the City of Burlington, as the subject lands were previously disturbed with the current land use.

Should previously undocumented archaeological resources be discovered, they may be subject to Section 48 (1) of the *Ontario Heritage Act*. Cease activities immediately and contact the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca). The *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 requires that any person discovering human remains must notify the police.

Date: June 3, 2026 Prepared By: Chloe Richer, MCIP, RPP, CAHP

Site Planning

Site Characteristics	
Lot Frontage (m)	45.4 m (Facing York Road)
Lot Area (m^2)	**8,953 m^2 (Subject lands, B008/24)** 9,989 m^2 (retained lands, B008/24) 2,328 m^2 (land conveyance, B008/24) **21,270 m^2 Total** **Note: Property subject to provisional consent*
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Two-storey dwelling, accessory buildings (detached garage, wood shed, steel shed)
Site Grading *(ex. Flat and level, significant grade differences)*	Varied topography
Notable Site Features	Long lot (333.9 m) severed as part of File B-008/2024. Woodland feature and grindstone creek (east side of property)
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Grindstone Creek to the east, low-rise residential further east, vacant lot and low-rise residential to the west, nature sanctuary to the north, Highway 403 and Canadian National Railway to the south.
Nearest Major Intersection	Howard Road and Plains Road West
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Old York Road East: Grindstone Creek South: Highway 403 West: Plains Road West

Neighbourhood Characteristics:

- The lands are surrounded by forested areas and low-rise residential on a variety of lot sizes and shapes.
- Properties in the identified neighbourhood generally contain detached dwellings and are zoned RNA1 (North Aldershot Residential)
- The lands are in proximity to Highway 403 and the Canadian National Railway tracks to the south.

A site visit was conducted on June 4, 2026, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

The accessory buildings that are the subject of this application were constructed without a building permit or zoning review. Based on aerial imagery, both accessory buildings

were constructed approximately sometime between 1995 and 1998 in close proximity to a significant woodland on the property. The date of construction is relevant because on December 16, 2004, the Greenbelt Plan, came into force, which stated that future development or site alteration was not permitted within key natural heritage features like significant woodlands, but *existing uses* were permitted to remain. This will be further discussed under the Regional Official Plan heading.

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) & Greenbelt Plan (2017):

According to the Regional Official Plan (2022), the subject lands fall within the Greenbelt Plan area and are designated Protected Countryside and Natural Heritage System (NHS). The lands form part of a Key Natural Heritage Feature given that they contain significant woodlands adjacent to Grindstone Creek. The accessory buildings are located within a Key Natural Heritage Feature; the metal shed is located within significant woodlands while the wood shed is located within the vegetation protection zone (VPZ) of the significant woodland. The extent of the VPZ represents 30 m from the dripline and was established as part of a previous application for consent under File B-008/2024.

The proposal meets the general intent and purpose of the Greenbelt Plan (2017) (the "Greenbelt Plan") and the Regional Official Plan, 2022 (ROP, 2022) for the following reasons:

- The proposal is consistent with the general intent and purpose of the Greenbelt Plan, which was a future-oriented plan aimed at achieving the "protection, maintenance and enhancement of natural heritage…(1.1.2(2)(a))", starting in 2005, when the plan came into force. The Greenbelt Plan contained grandfathering language that recognized existing uses and permitted them to remain;
- A building permit was not specifically included in the definition of *Existing uses* under the Greenbelt Plan, defined as follows:
    a) uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004; or
    b) for the purposes of lands added to the Greenbelt Plan after December 16, 2004, uses legally established prior to the date the Greenbelt Plan came into force in respect of the land on which the uses are established

  The environmental impacts of the structures on the woodland occurred in the mid 1990's, before the Greenbelt Plan was in force, making the structures more like a legacy condition. The proposal does not include any expansion of the structures

or additional encroachment into the VPZ. No tree removals, injuries or excavations are proposed;

- The land use was legal at the time of construction, only the construction process was deficient:
    - When constructed, the entire subject lands were zoned D (Development) by previous Zoning By-law 4000-3. This zone allowed for a modest list of permitted uses which included detached dwellings and accessory buildings;
- Permits from Conservation Halton were not required at the time;
- Part 3.2.5.1 of the Greenbelt Plan stipulates that development or site alteration is not permitted within Key Natural Heritage Features within the NHS (including any associated vegetation protection zone), except for limited circumstances. Existing uses (uses legally existing prior to December 16, 2004) are permitted within Key Natural Heritage Features within the NHS (including any associated vegetation protection zone);
- Staff are satisfied that the existing accessory buildings are a permitted use for purposes of interpretation of the Greenbelt Plan. Staff would note that to achieve consistency with the Greenbelt Plan in the future, any new accessory buildings or expansions to the existing accessory buildings would not be supportable from a Provincial policy perspective.
- The subject lands are designated Regional Natural Heritage System (RNHS), as delineated on Map 1 of the Region's Official Plan (ROP) 2009, as amended, and are located outside of the Regional Urban Boundary. The subject lands are also within the North Aldershot Policy Area of the ROP, with the objective to limit the amount of development in the area while preserving significant natural areas. Section 138 (10) of the ROP permits accessory buildings and structures in the North Aldershot Policy Area.
- Given the proposed location of the development in relation to the RNHS, the Region's Environmental Impact Assessment (EIA) requirement was triggered in accordance with Sections 118 (3), (3.1) c) and 139.3.7 (4). An EIA was completed for the related consent application under File B-008/2024, however the study was limited to impacts and mitigation of the proposed consent and any future development.
- The purpose of an EIA is to identify, evaluate, and mitigate the potential environmental impacts of a development before it takes place. In this case, the development has already occurred, and staff are of the opinion that there would be no environmental benefit to requiring an EIA to be prepared for the accessory buildings at this time.

Official Plan, 1997 & 2020

On April 2, 2024 the Ontario Land Tribunal issued a decision granting the City's motion for partial approval of the Burlington Official Plan, 2020 (BOP, 2020). This decision brought some policies into force, which supersede their respective policies of the Burlington Official Plan, 1997 (BOP, 1997). The North Aldershot policies of the BOP

1997 remain in effect, and as such, the application has been reviewed in accordance with these policies.

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

- The subject lands are designated as 'Infill Residential' and 'Environmental Protection Area' to Schedule 'D' (Comprehensive Land Use – North Aldershot Planning Area) of the City of Burlington Official Plan (1997) as amended. Both of the accessory buildings under application are located within the 'Environmental Protection Area'
- Whereas Part 5.0 b) (viii) permits accessory buildings within the 'Environmental Protection Area', provided the effects on the natural environment are minimal the Planner notes the following:
    - It is not possible to identify with certainty what impacts construction the existing accessory buildings had on the natural environment at the time of construction. Based on aerial photographs, the metal shed accessory building which is located at the edge of the significant woodland would have likely had more of an impact (potential removal of several trees) than the wood shed accessory building which is located within the 30 m drip line of the significant woodland however appears to be located in an area surrounded by grass.
- 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 will not result in undue physical impacts, as the accessory buildings maintain a subordinate presence to the detached dwelling located on the lot, are appropriately scaled in relation to the lot area and are suitably spaced from Old York Road (17.96 m) and nearest residential property to the east (87 m). Therefore, there are no impacts associated with overlook, privacy, or amenity areas.
    - The accessory buildings do not introduce any functional impacts, including noise, drainage, or servicing concerns, and remain consistent with the established residential use of the immediate area.

2) City of Burlington Zoning By-law 2020:

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

Yes

For information, the entirety of the subject lands were re-zoned from D (Development) by previous Zoning By-law 4000-3 to RNA1 and O3-196 as part of a City initiated Housekeeping amendment implementing the City's five-year Official Plan review by By-law 2020.205 which came into force on April 28, 2008. Up until that time the entire lot was zoned D (Development) and this zone allowed for a modest list of permitted uses which included detached dwellings and accessory buildings.

Variance 1 (To permit two existing accessory buildings in the O3-196 zone)

The application requests a variance to recognize two existing accessory buildings (wood shed and steel shed) in the O3-196 zone which are not accessory to a detached dwelling. They are not accessory to the house on the property because despite being on the retained lot together, the house and the sheds are in two different zone categories. The general intent and purpose of the by-law regulation is to is to ensure that a lot does not exist which contains accessory buildings with no associated principal dwelling unit. Zone boundaries act as lot lines for the purposes of zoning interpretation. The proposed minor variance is consistent with this intent for the following reasons:

- Despite not being in the same zone as detached dwelling, the accessory buildings are located on the same lot and therefore are accessory uses to the detached dwelling, meeting the intent to have accessory buildings associated with a principal dwelling.

Variances 2-4 (To permit an increased floor area, number of storeys and building height for an accessory building).

The application requests variances related to the existing wood shed including to permit an increased floor area of 84m^2 instead of the maximum permitted 50 m^2; to permit two storeys instead of one storey and to permit a building height of 5.1 m instead of a maximum height of 4.6 m. The general intent and purpose of regulations for accessory buildings is to ensure that accessory buildings remain secondary to their associated dwelling units; maintain an appropriate scale and massing; and minimize their visual impact on surrounding properties. The requested minor variances are consistent with this intent for the following reasons:

- The accessory building regulations do not account for lot size. In this case, an increased floor area of 34 m^2 for the accessory building is appropriate given the context of the larger lot size (0.99 ha).
- The requested increased number of storeys and building height is somewhat technical given that the accessory building is built into a hill. Viewed from the front elevation facing Old York Road, the structure maintains the appearance of a 1 storey building 4.6 m in height. The rear elevation faces the woodland and maintains the appearance of a two-storey accessory building. The accessory building is setback approximately 87 m from the lot line of the nearest residential property to the east. Any potential impacts of the increased number of storeys

and height are mitigated by the location of the woodland and distance between properties.
- The accessory building does not present negative visual impacts. Although the accessory building is somewhat visible from Old York Road it is setback 17.96 m and in the opinion of staff does not appear out of place. The building is not visible from the nearest residential property to the east as it is setback approximately 87 m from the lot line.

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 accessory buildings allow for storage while being designed in such a way that is compatible with the residential use of the land, the streetscape and the surrounding area.

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 variances allow for the retention of accessory buildings that complement the residential use of the land.
- The variances would not result in undue massing, shadowing, privacy, or functional impacts, and therefore is minor in overall effect.
- Any environmental impacts from the structures occurred approximately 30 years ago, before the Greenbelt Plan was in force

Cumulative Effects of Multiple Variances and Other Planning Matters:

The requested variances would allow for existing accessory buildings, constructed approximately 30 years ago to remain in place. One of the variances is technical in nature and results from the fact that the accessory buildings are not located within the same zone as the detached dwelling, although they are located on the same lot as a detached dwelling. The existing wood shed accessory building is 34 m^2 larger than permitted, is higher than permitted and has two storeys instead of one. Staff are of the opinion that any cumulative impacts are mitigated given the larger lot size and due to

the siting of the accessory building on the lot relative to Old York Road and the nearest residential neighbour to the east.

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: June 16, 2026 Prepared By: Melissa Dalrymple, MCIP, RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)

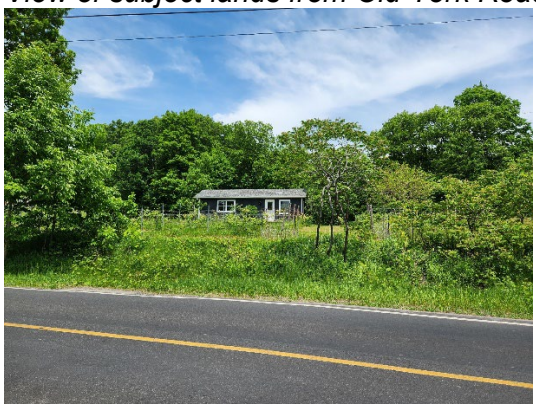
COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS



View of subject lands from Old York Road



View of subject lands from Old York Road



View of wood shed from Old York Road



View of interior of subject lands



View of side elevation of wood shed



View of rear elevation of wood shed



View of metal shed

Technical Reviewer Comments:

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested. Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: May 28, 2026 Prepared By: R. Maximo

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Forestry

Forestry has reviewed the proposed minor variance(s) and has no objections.

Date: May 21, 2026 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.

3. Area of unprotected openings and exposure protection shall be designed per Div. B, 9.10.14. OBC 2024

Date: June 18, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

The deemed right-of-way width through this section of Old York Road is 26 metres. To meet the ultimate deemed width of 13 metres from the center line, a widening ranging from approximately 1-7 metres is required along the frontage of Old York Road adjacent to the subject site.

The deemed right-of-way width through this section of York Road is 26 metres. To meet the ultimate deemed width of 26 metres, a widening of approximately 2 metres is required along the frontage of York Road adjacent to the subject site.

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 whether above, below, or at grade.

Date: February 2, 2026 Prepared By: Thalia Thompson

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

Based on the submitted materials, the two existing sheds (wood and steel) are located at least 18 metres from the property line and are not within visibility triangles. Therefore, the locations of the two sheds do not pose any visibility, safety, or access issues.

COMMITTEE OF ADJUSTMENT
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Date: May 21, 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: May 19, 2026 Prepared By: L. Bray

Agency Comments:

Halton Region

Regional Staff have reviewed the Minor Variance application proposing to recognize two accessory buildings on the north portion of the lot—an existing woodshed and a steel shed—located within the City's O3 196 zone, while the dwelling and existing vinyl garage is situated in the RNA1 zone. Variances are requested to the permitted use, and the maximum permitted floor area, building height and number of storeys.

- 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: June 3, 2026 Prepared By: Navjot Kaur

Burlington Hydro

Burlington Hydro comments are attached to the end of this report.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: June 1, 2026 Prepared By: Zakariya Al-Doori

Ministry of Transportation
Ministry comments not received by the publication of this report.

Conservation Halton
Conservation Halton comment letter is attached to the end of this report. CH has no objection to the approval of the Minor Variance application subject to the following condition:

- An outstanding review fee of $161.00 under CH's Minor Variance – Minor (no site visit or technical review) applies to the administration and review of this application.

Date: June 3, 2026 Prepared By: Justin Dodds

Update: Conservation Halton fee of $161.00 was confirmed paid on June 5 2026 by Michelle Caissie, Service Coordinator, Planning & Regulations, Conservation Halton.

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-007/26**
Committee of Adjustment
Date of Mailing: June 22, 2026

NOTICE OF PUBLIC HEARING

Joseph Martin McMahon and Robin Irene Louisa Hinchliffe of 1291 Old York 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 **1291 Old York Rd. Burlington** (see map).

The applicant is proposing to recognize two accessory buildings on the north portion of the lot—an existing ±42 m2 wood shed and a ±25 m2 steel shed—located within the O3 196 zone, while the dwelling and existing vinyl garage is situated in the RNA1 zone.

Based on the submitted information, the existing accessory buildings meet the zoning requirements for location, including setbacks and placement relative to lot lines. However, the use of accessory buildings within the O3 196 zone is only permitted when accessory to the detached dwelling. As the O3 196 zone does not contain a primary detached dwelling, the accessory structures do not meet the permitted use provisions of that zone.

Lastly, the existing wood shed is located inset to the side of a hill and provides two levels of floor area. The existing accessory building exceeds the maximum number of storeys, floor area and height. This proposal results in the following variances:

1. Notwithstanding Exception 196, to recognize two existing accessory buildings (wood shed and steel shed) in the O3-196 zone which are not accessory to a detached dwelling.

2. To permit a total floor area of 84 m^2 instead of the maximum permitted 50 m^2 for an existing two-storey accessory building (wood shed).

3. To permit two storeys instead of the maximum permitted one storey building height for an existing two-storey accessory building (wood shed).

4. To permit a building height of 5.1 m instead of the maximum permitted 4.6 m for an existing two-storey detached accessory building (wood shed) with a peaked roof.

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 22, 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 JULY 8, 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 **5:00 p.m.**

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

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

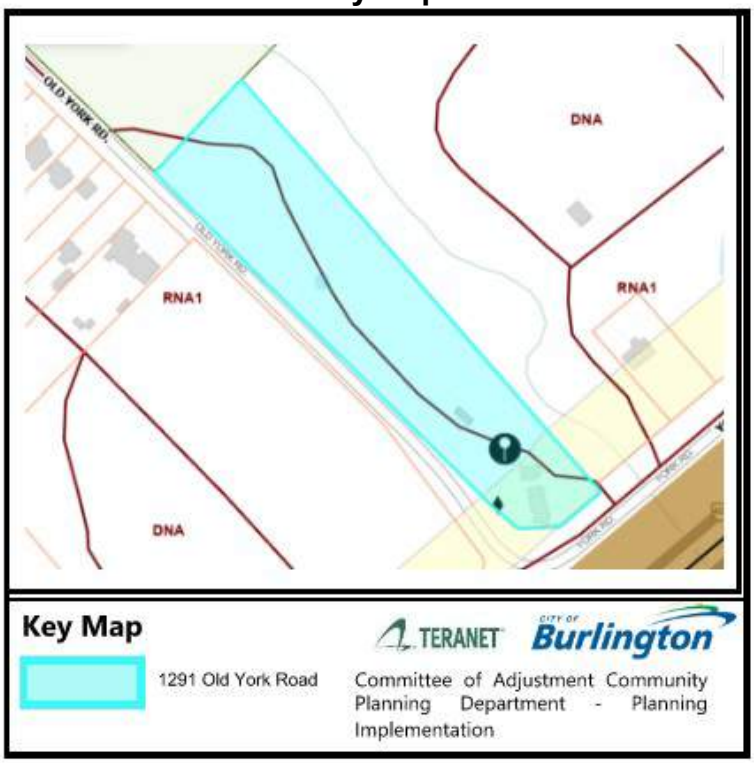
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

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



Docusign Envelope ID: 322BFACE-1850-48B9-8374-AC676566AF25

CITY OF Burlington

MINOR VARIANCE – 2026

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

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

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

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

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

PROPERTY INFORMATION
Municipal Address(es) of property:

1291 Old York Rd, Burlington, Ontario L7P 4Z6

Legal Description of property:

PT LT 10, CON 1, PART 1, 20R7423, BURLINGTON/E FLAM TWP

Official Plan Designation: INFILL RESIDENTIAL Current Zoning Designation RNA-1 / 03-196

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

Joseph Martin McMahon & Robin Irene Louisa Hinchliffe

Mailing Address: 1291 Old York Rd City: Burlington

Postal Code: L7P 4Z6 Home Phone: N/A Mobile Phone: [redacted]

Work Phone: N/A E-Mail: [redacted]

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: _____

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MINOR VARIANCE – 2026

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

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

The proposed development is to recognize and legalize existing accessory buildings located on the retained residential parcel at 1291 Old York Road, Burlington. No new construction, additions, grading, or changes in use are proposed. The buildings have existed on the property for many years and are used for typical residential storage and workshop purposes in support of the rural residential use of the property. This application seeks minor variances to address zoning compliance matters related to the location of the accessory buildings across a zoning boundary and the gross floor area of the existing steel accessory building.

Variance(s) Requested	Zoning Bylaw Requirement
1. To permit existing accessory buildings located within the O3-196 zone to be considered accessory to the existing dwelling located within the RNA-1 zone on the subject property, whereas the Zoning By-law requires accessory buildings to be located within the same zone as the primary dwelling. 2. To permit an existing accessory building (steel shed) to have a gross floor area of 85.32 m², whereas the Zoning By-law permits a maximum gross floor area of 50.0 m² for accessory buildings in the RNA-1 zone.	The subject property is zoned Residential Neighbourhood Area – Rural (RNA-1) with an O3-196 overlay under City of Burlington Zoning By-law 2020, which requires accessory buildings to be located within the same zone as the primary dwelling and limits the maximum gross floor area of accessory buildings to 50.0 m².

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

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

The requested variances are minor in nature as they relate only to existing accessory buildings, with no proposed expansion, intensification, or change in use. The structures are modest in scale relative to the size of the rural property, have existed for many years, and do not create adverse impacts related to access, drainage, servicing, or neighbouring properties. The variances are technical in nature and result in no negative planning impacts.

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

The variances are desirable as they allow the continued use of long-standing accessory buildings that support the residential and rural function of the property. The buildings are appropriate in scale and character for a large rural residential lot and are consistent with surrounding development patterns. Recognizing the buildings provides certainty, improves zoning compliance, and allows the property to continue functioning as intended.

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

Yes. The proposal maintains low-density residential use, preserves the established rural character of the area, and does not introduce new development or intensification. It recognizes existing site conditions and is consistent with the intent of the Official Plan.

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

Yes. The intent of the Zoning By-law is to ensure orderly development, appropriate scale, and compatibility of buildings with surrounding land uses. The accessory buildings remain clearly secondary to the residential use of the property and comply with all other applicable zoning standards. Granting the requested variances maintains the general intent of the By-law while recognizing existing conditions across the zoning boundary and the established size of the steel accessory building.

This application seeks to address existing conditions only. No new development is proposed.

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CITY OF Burlington

MINOR VARIANCE – 2026

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PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
08/15/2019 (mmm/dd/yyyy)	Unknown (mmm/dd/yyyy)	N/A - No new construction Proposed (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling [x] 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:

Long-standing residential use (over 70 years)

Proposed Use of the Land:

No change - existing residential use with accessory buildings

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y [ ] or N [x]

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

Type of Access to the Subject Lands

Provincial Highway [ ]	Municipal Road [x]	Private Road [ ]	Water [ ]	Other(specify) [ ]

Municipal Services Provided

Water	[ ]	If not available, by what means is it provided:	Private well
Sanitary Sewers	[ ]	If not available, by what means is it provided:	Private septic
Storm Sewers	[ ]	If not available, by what means is it provided:	Private drainage / Natural Drainage

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 [x] Previous Minor Variance [x] Consent

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FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
45.4m	330.90m	21,291.60m2		26m		Existing	Y [x] N [ ]

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

EXISTING (Dwelling/Building) Existing Dwelling - no change proposed		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	M^2	Ground Floor Area (incl. attached garage)	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
Garage/Car Port		**Garage/Car Port**	
Detached?	Y [ ] N [ ]	Detached?	Y [ ] N [ ]
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc) Existing Steel Shed		**Accessory Structures**	
Gross Floor Area: 85.32	M^2	Gross Floor Area:	M^2
Width: 4.08	M	Width:	M
Length: 6.06	M	Length:	M
Height: 3.58	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.) Existing Wood Shed		**Other**	
Gross Floor Area: 41.92	M^2	Gross Floor Area:	M^2
Width: 3.85	M	Width:	M
Length: 10.89	M	Length:	M
Height: 4.22	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING		PROPOSED Existing buildings - no change proposed	
Front: See survey	M	Front:	M
Rear: See survey	M	Rear:	M
Side/Street Side: See survey	M	Side/Street Side:	M
Side/Other Side: See survey	M	Side/Other Side:	M

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CITY OF Burlington

MINOR VARIANCE – 2026

Committee of Adjustment
Department of Community Planning
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committeeofadjustment@burlington.ca

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: Joe McMahon

Property Address: 1291 Old York Rd, Burlington, On L7P 4Z6

Signed by: Joe McMahon
Signature of Owner/Applicant

01/20/2026
Date (mmm/dd/yyyy)

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MINOR VARIANCE – 2026
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
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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, Joe McMahon (print name) of the City (Region/City/County) of Burlington in the Region (City/Town/Township)

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

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

this 21 day of January 20 26.

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

S. Gillies
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: 1291 Old York RD, Burlington, On L7P 4Z6

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

Joe McMahon
Print Name

Docusign Envelope ID: 322BFACE-1850-48B9-8374-AC676566AF25

MINOR VARIANCE – 2026

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

Minor Variance Application Checklist Please add a check mark beside the items you have provided with your application. Illegible drawings or those missing required details will be returned to applicant.	**Select (✓)**
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) *** For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.**	☒
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	☒
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	☒

SITE PLAN

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

Docusign Envelope ID: 322BFACE-1850-48B9-8374-AC676566AF25

CITY OF Burlington

MINOR VARIANCE – 2026

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

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

- [x] Setbacks
- [x] Height
- [x] Area
- [x] Length
- [x] Width

ELEVATIONS

- [x] Metric
- [x] Front
- [x] Rear
- [x] Side 1
- [x] Side 2

FLOOR PLANS

- [x] Metric
- [x] North Arrow
- [x] Gross Floor Area Calculation
- [x] Ground Floor Area Calculation
- [x] 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.

Signed by:
Joe McMahon
F78FC4004054418...

Signature of Owner/Agent

01/20/2026

Date (mmm/dd/yyy)

Planning Rationale – Minor Variance Application

1291 Old York Road, Burlington

The subject property is designated for low-density rural residential use and is zoned Residential Neighbourhood Area – Rural (RNA-1) with an O3-196 zoning overlay.

The application seeks minor variance approval to recognize existing accessory buildings located within the O3-196 overlay on the retained parcel as part of the related provisional consent approval. No new construction, additions, or changes in use are proposed.

The accessory buildings comply with the applicable dimensional requirements of the RNA-1 zone, including height, setbacks, and number of structures. A variance is required primarily because the buildings are located within a different zoning category than the primary dwelling and therefore are not considered accessory structures as-of-right under the Zoning By-law, and because the existing steel accessory building has a gross floor area of 85.32 m^2, whereas the Zoning By-law permits a maximum of 50.0 m^2.

Conservation Halton has reviewed the proposal and confirmed that it has no regulatory concerns and no objection to the buildings remaining in their current location on the retained parcel.

The requested variances are minor in nature, as they do not alter the physical form of development, do not intensify land use, and do not generate adverse impacts to neighbouring properties or the surrounding natural environment. The buildings are existing, have been in place for many years, and continue to function in a manner consistent with the rural residential character of the property.

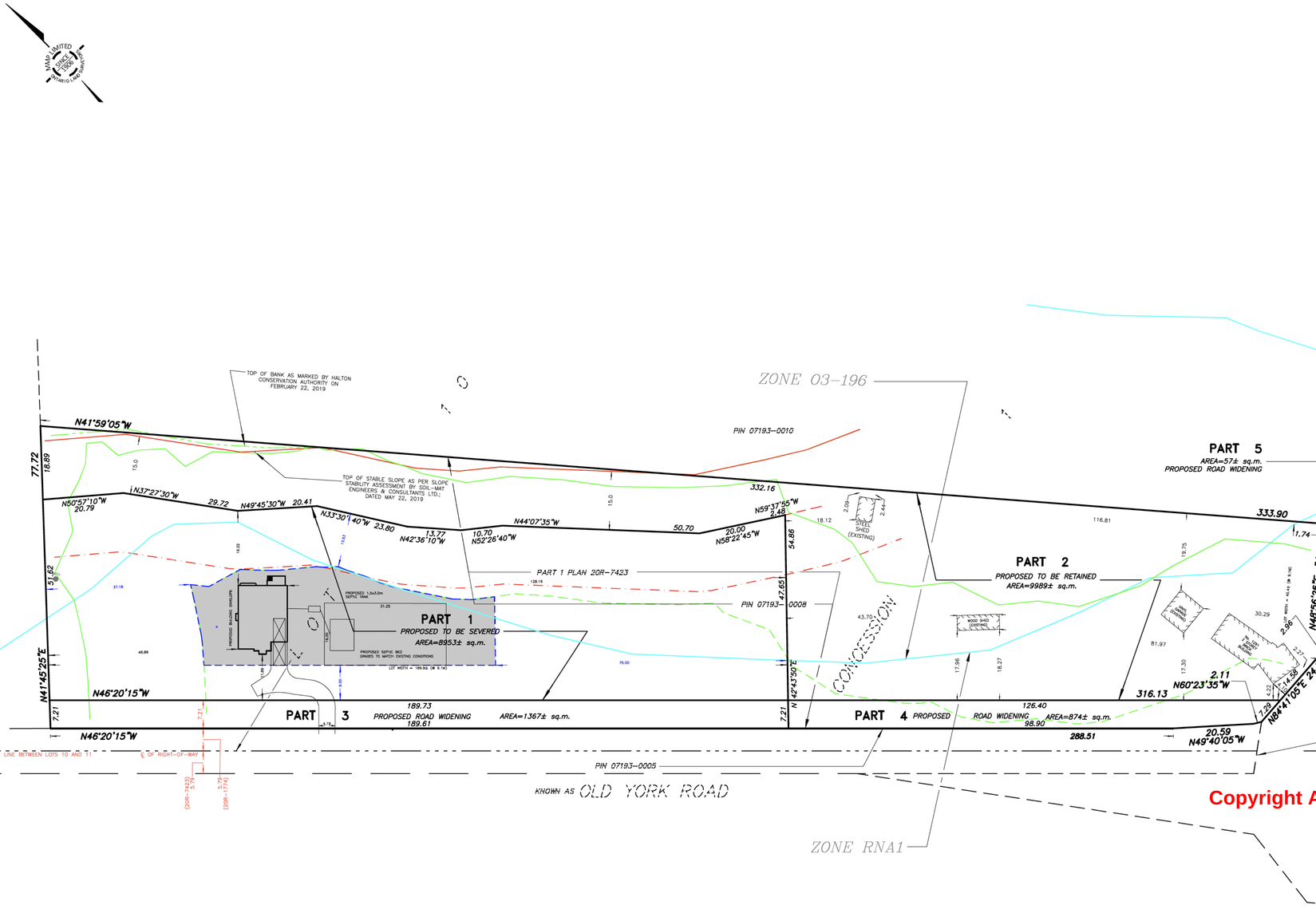
The proposal maintains the intent and purpose of the Official Plan by preserving the established low-density rural residential character of the area, supporting appropriate accessory uses, and avoiding the introduction of new development pressure.

The proposal also maintains the general intent and purpose of the Zoning By-law by ensuring the buildings remain accessory in nature, appropriate in scale, and compatible with the surrounding land use context, while formally recognizing existing site conditions across the zoning boundary and the established size of the steel accessory building.

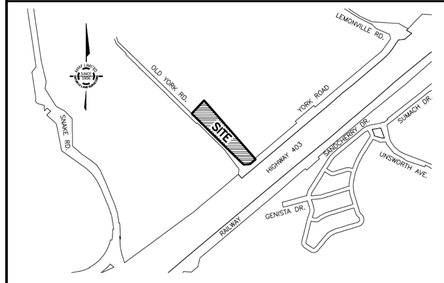
Approval of the application will assist in satisfying Condition #7 of the related provisional consent approval and will allow the retained parcel to be brought into full zoning conformity.

1291 OLD YORK ROAD

SEVERANCE SKETCH



Copyright Act Applies to Use and Production



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE

PART OF LOT 10
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH
NOW IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 600

0 5 10 15 20 30 40 50 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

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

COLOUR *THE ORIGINAL SIGNED PRINT OF THIS SITE PLAN CONTAINS COLOUR*

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 463
ELEVATION = 90.035 METRES (CGVD 1928:1978 ADJUSTMENT)

BRASS PLAQUE LOCATED AT THE NORTHWEST CORNER, SOUTH FACE OF CONCRETE ABUTMENT ON THE NORTHEAST SIDE OF LEMONVILLE ROAD ON BRIDGE OVER GRINDSTONE CREEK ON LEMONVILLE ROAD

LEGEND

- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- DENOTES LONG-TERM STABLE TOP-OF-SLOPE (LTSTOS)
- DENOTES 15m SETBACK FROM LTSTOS
- DENOTES 30m SETBACK FROM LTSTOS
- DENOTES LIMIT OF SIGNIFICANT WOODLANDS (DRIPLINE STAKED BY CH)
- DENOTES 30m SETBACK FROM DRIPLINE
- DENOTES PROPOSED NEW LOT LINE
- DENOTES ZONING LIMIT

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - RNA1 & RO3-196

ZONE	RNA1	O3-196	LANDS TO BE RETAINED	LANDS TO BE SEVERED
LOT WIDTH @ 9.10m	30m with municipal services	N/A	45.4m ± (TO ZONE BOUNDARY) (@9.1 FROM DEEMED ROAD)	189.9m ± (@9.1 FROM DEEMED ROAD)
	80m without municipal services	N/A		
LOT AREA	0.3ha with municipal services	N/A	9989± sq.m. (0.9989± ha)	8953± sq.m. (0.8953± ha)
	0.8ha without municipal services			
FRONT YARD	9.0m (min)	7.5m (min)	2.27m (EXISITING)	9.9m ±
REAR YARD	9.0m (min)	9.0m (min)	108.9m ±	7.6m ±
SIDE YARD	5m (min) 15m combined	5.0m (min)	24.8m ±	27.6m ±, 128.4m
STREET SIDE YARD	7.6m (min)	N/A	4.22m ±	N/A
LOT COVERAGE	40%	N/A	3.0% ±	5.6% ±
BUILDING HEIGHT	2 Storeys (max)	2 Storeys (max)	2 STOREY (EXISITING)	1 Storey

ACCESSORY STRUCTURE SETBACK & SIZE SCHEDULE (EXISTING CONDITIONS)

STRUCUTRE	WIDTH (m)	LENGTH/DEPTH (m)	HEIGHT (m)	REAR LOT LINE SETBACK (m)	SIDE LOT LINE SETBACK (m)
STEEL SHED	4.08	6.06	3.58 (FRONT) 2.95 (BMCK)	116.81	2.09
WOOD SHED	3.85	10.89	4.22	81.97	17.96

CAUTION

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CERTIFICATION NOTE

LOT DIMENSIONS ARE AS SHOWN ON A PRELIMINARY REFERENCE PLAN BY MMP LIMITED ISSUED JUNE 4, 2023

JANUARY 16, 2026
DATE

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

No.	DATE	REVISIONS
10	JANUARY 16, 2026	PLAN UPDATED PER CLIENT COMMENTS
9	MAY, 13, 2025	UPDATE LOCATION OF PROPOSED SEPTIC AND BUILDING
8	MARCH 31, 2025	UPDATE PLAN AND ADD PROPOSED BUILDING
7	JANUARY 16, 2025	ADDED FIXED GRADED TO THE PROPOSED SEVERED PARCEL
6	SEPTEMBER 17, 2024	PLAN UPDATED PER PLANNING COMMENTS
5	MARCH 8, 2024	PLAN UPDATED PER PLANNING COMMENTS
4	FEBRUARY 29, 2024	PLAN REVISED
3	APRIL 1, 2022	PLAN REVISED
2	FEBRUARY 8, 2022	PLAN REVISED
1	APRIL 27, 2021	PREPARED PLAN

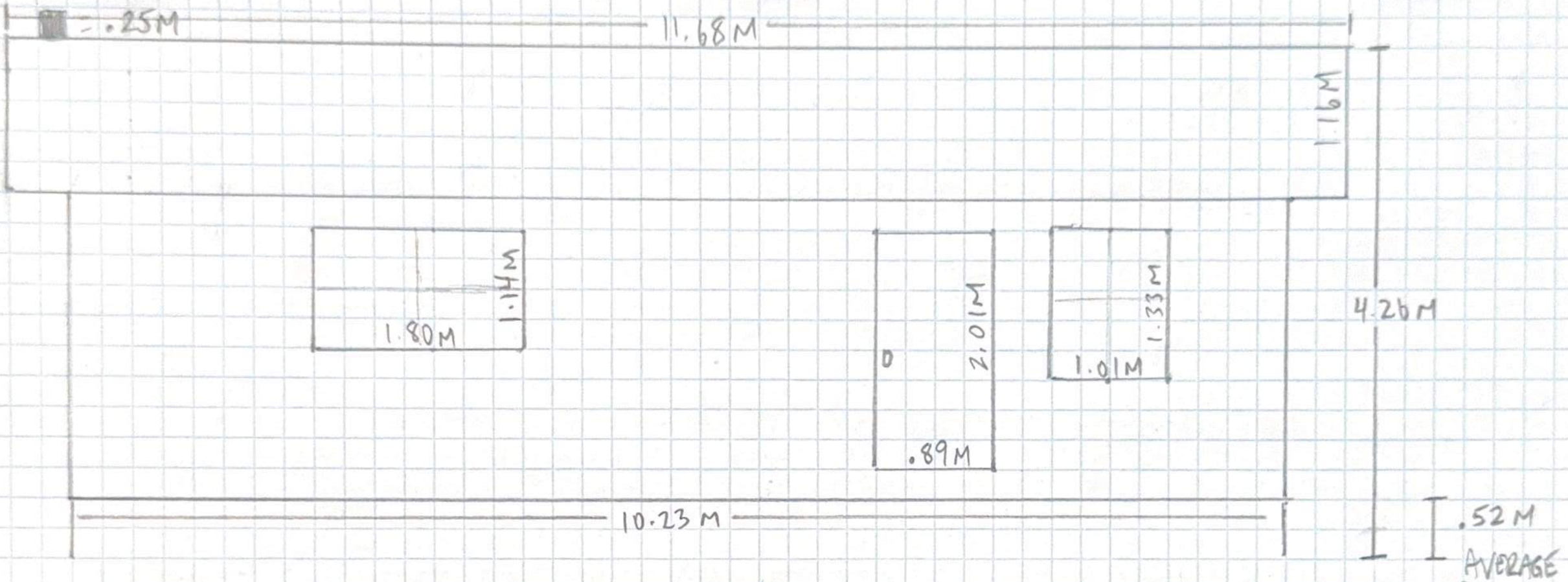
ASSOCIATION OF ONTARIO LAND SURVEYORS ROY C. MAYO 1756

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

CONTACT US:
halton@mmplimited.ca
mmplimited.ca
Phone: (905) 639-1375
Fax: (905) 333 9544

E:\(20) Halton\(TWP) FLAMBOROUGH EAST\CON 1\LOT 10\19-028\19-028-SEV BUILDING ENVELOPE.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
K.J.D.	D.S.R.	19-028-SEV	1



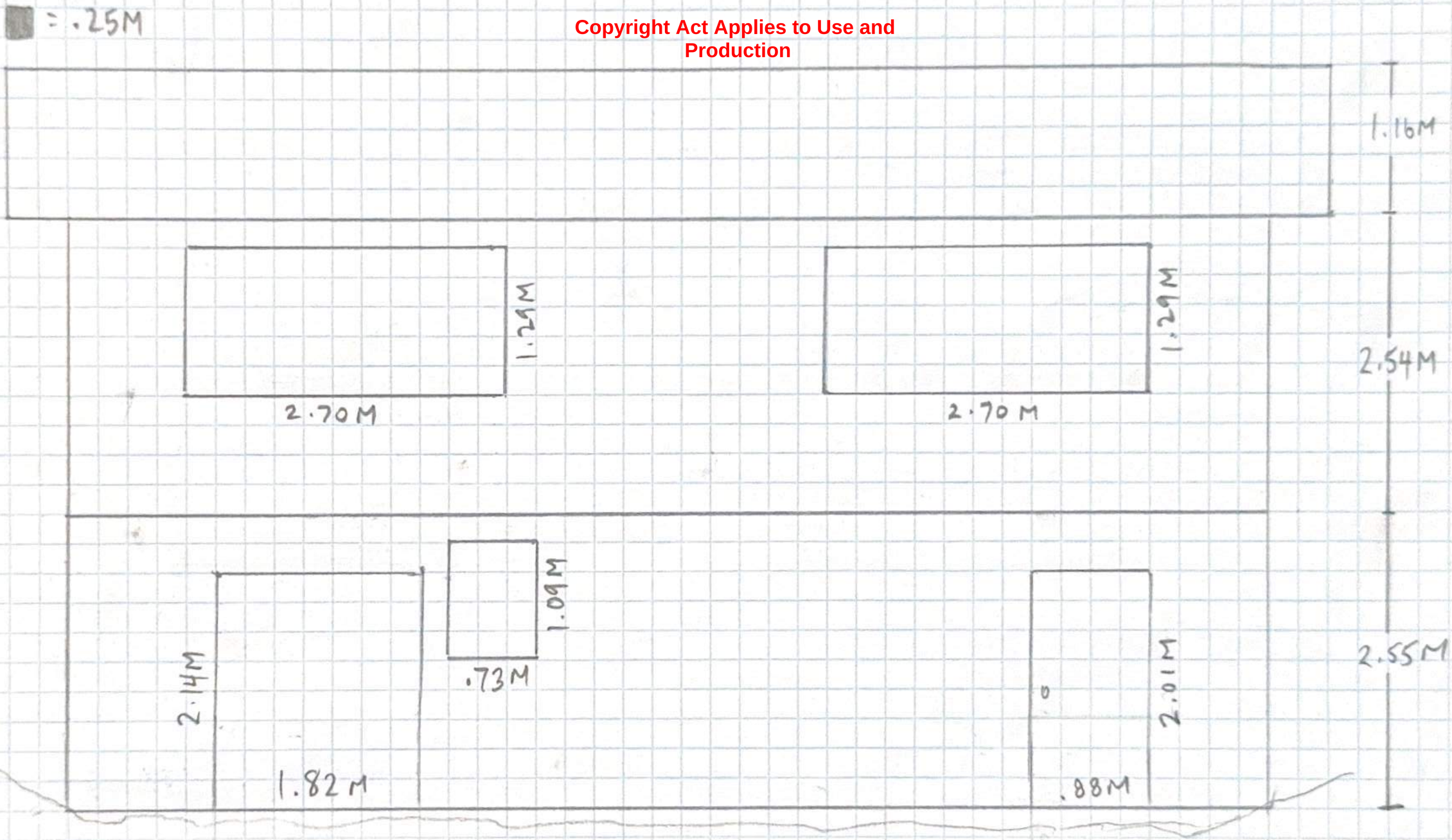
EXISTING
FRONT WOOD SHED
ON CONCRETE BLOCK FOUNDATION

Copyright Act Applies to Use and Production

EXTERIOR WALL MATERIAL : MAIN LEVEL WOOD CLADDING
: LOWER LEVEL CONCRETE BLOCK

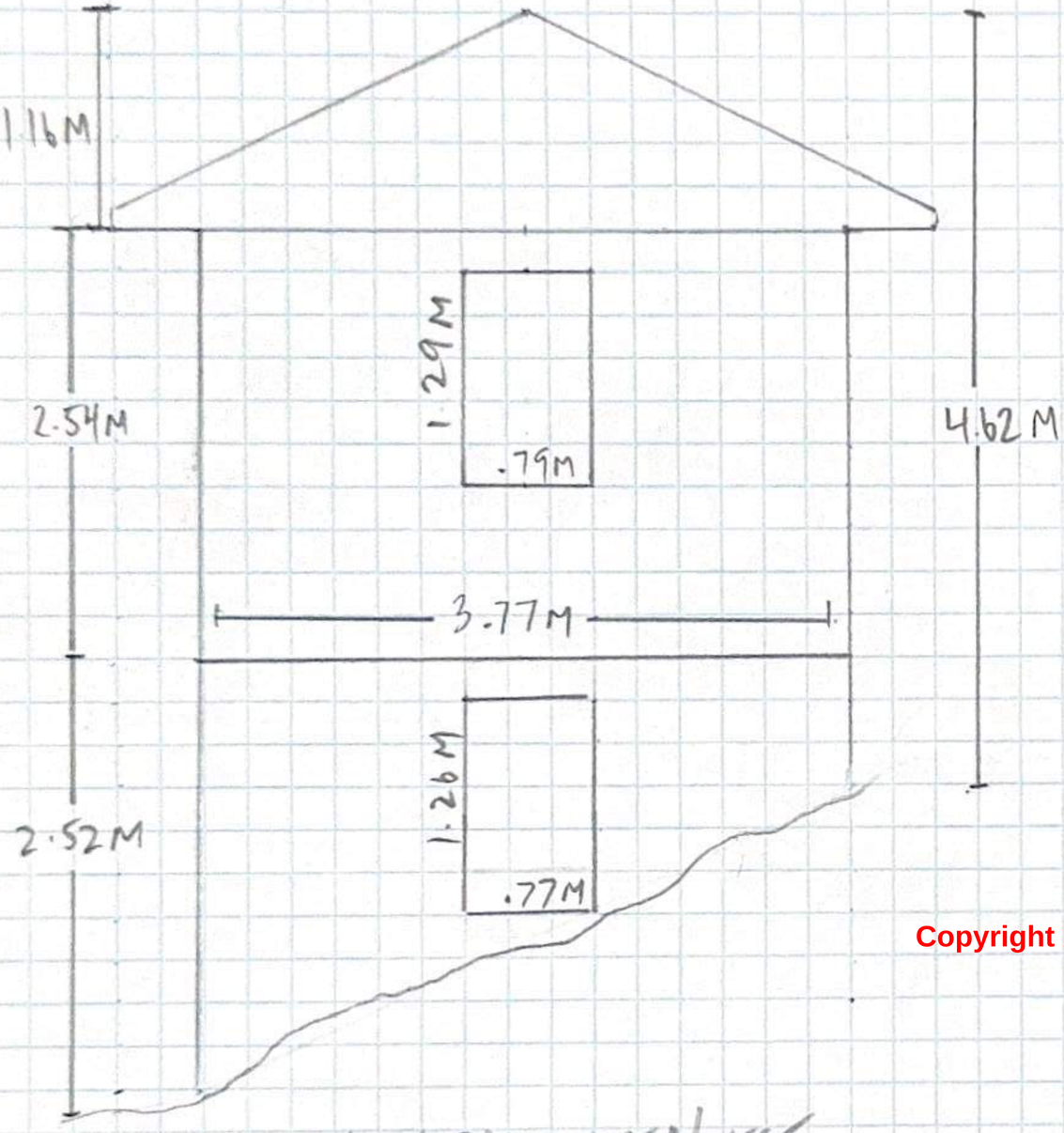
ROOF: ASPHALT SHINGLE

Copyright Act Applies to Use and Production

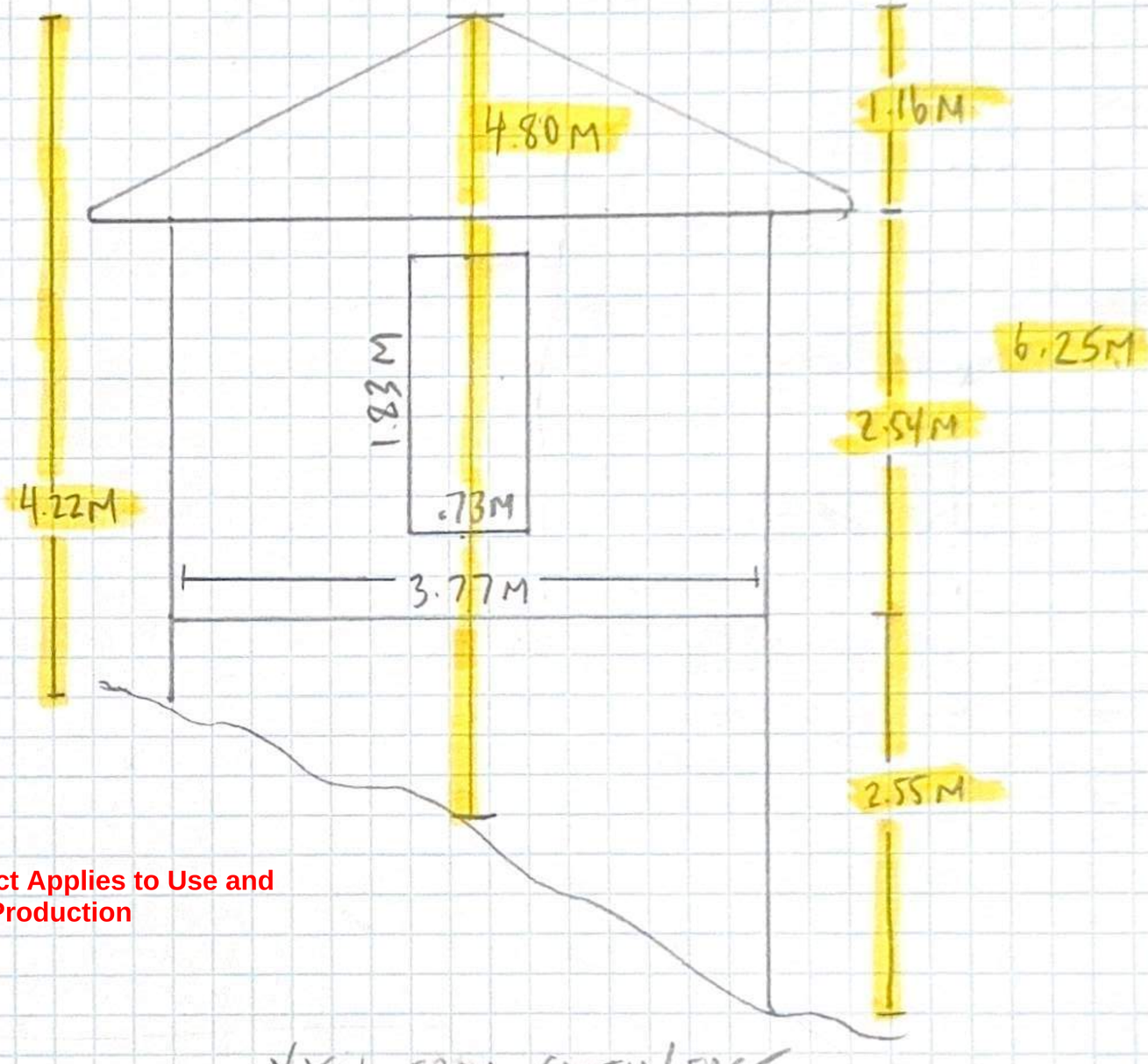


REAR VIEW OF EXISTING STORAGE SHED

■ = .25M



VIEW FROM NORTH/WEST

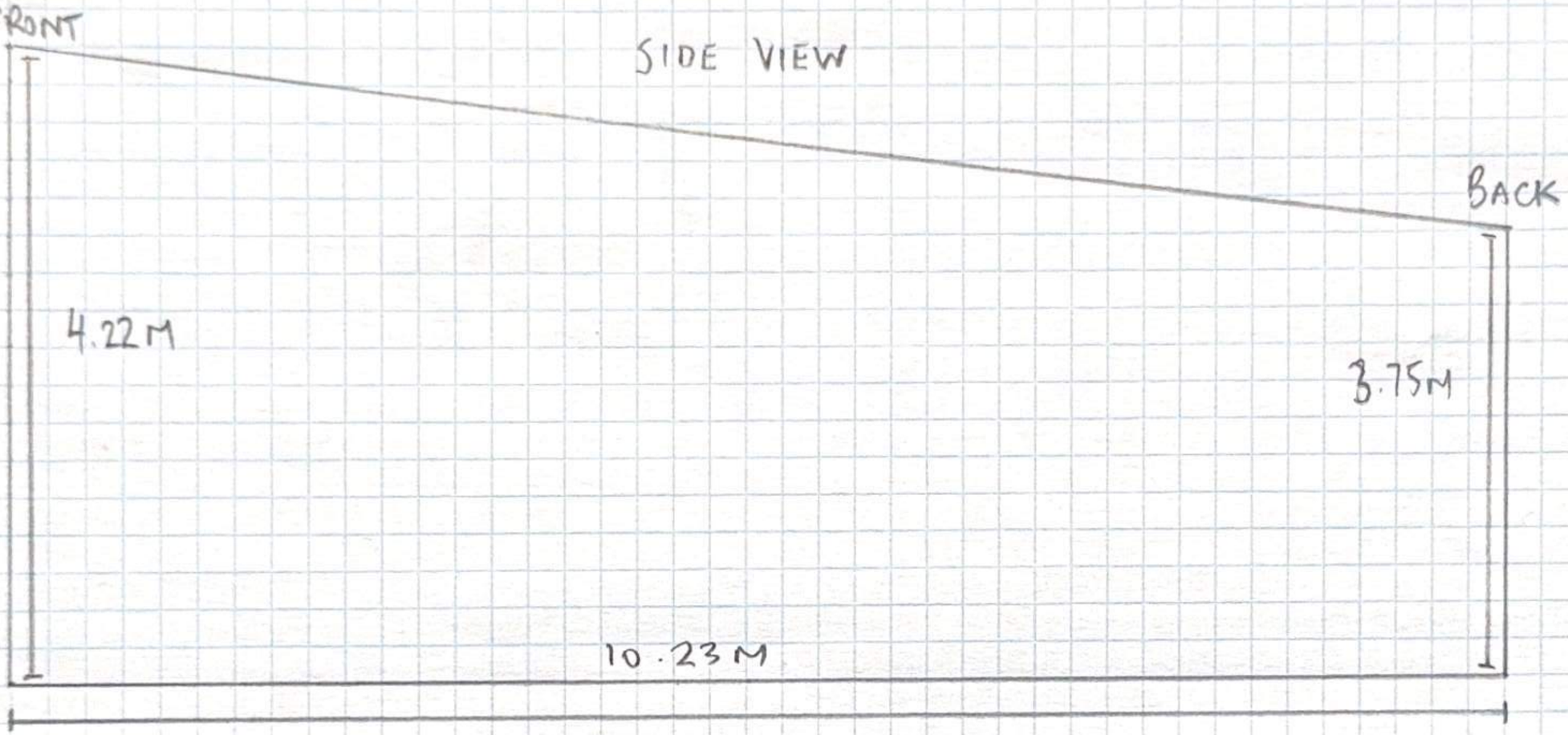


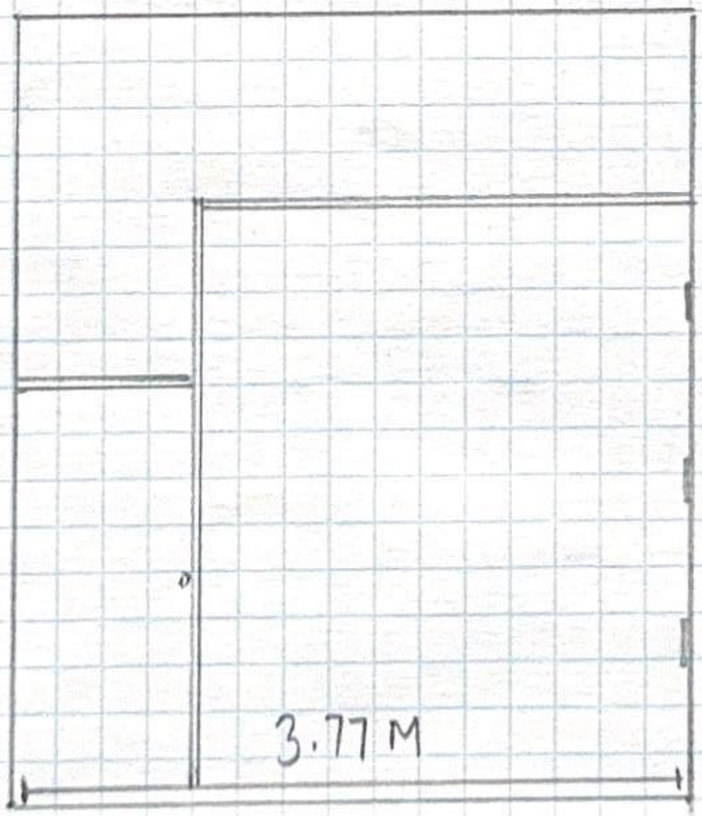
VIEW FROM SOUTH/EAST

5.09m
Average Height

Copyright Act Applies to Use and Production

■ = .25 M²





Copyright Act Applies to Use and Production

STEEL BUILDING

1291 OLD YORK RD

Existing Wood Shed









Existing Steel Shed







From: **Ashley Gallaugher** agallaugher@hrca.on.ca
Subject: RE: Follow-up re: 1291 Old York Rd
Date: January 16, 2026 at 6:18 PM
To: Joe McMahon joe@mcmahonrealestate.ca

AG

Hi Joe,

I hope that you're also well.

I just revisited CH's comments on the consent and minor variance applications and our comments to refamiliarize myself. I have attached them for your reference in case you have not received these directly.

I understand that part of the purpose of the minor variance application was to recognize 3 buildings that were built without prior approval (which will be remaining on the retained lot). In our comments, we noted:

"The three accessory structures (brick sheds) being recognized through this Minor Variance application are located within CH's regulated areas on the retained lot. The smaller structures are less than 15 square metres so would not require a permit from CH under the CA Act and Ontario Regulation 41/24. Although the larger shed may have been subject to a CH permit, no further action is required at this time from a regulatory standpoint as staff understand that the structure has been on site for more than 20 years."

We therefore had no objections to the minor variance application or to the Consent application as proposed, and have no concerns with the accessory structures remaining where they are, on the retained lot.

I'm not sure the City will need this email as they have our comments, but I wanted to share them for your reference. I'm not sure where the condition to remove the buildings came from, but it was not a requirement from CH from a regulatory standpoint.

I hope this helps,

Conservation Halton

Ashley Gallaugher
Environmental Planner

2596 Britannia Road, Burlington, ON L7P 0G3
905.336.1158 ext.2267 | agallaugher@hrca.on.ca
conservationhalton.ca

Hamilton-Niagara's Top Employers 2026

2025 Canada's Greenest Employers

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PROPERTY	1291 Old York Rd. Burlington City of Burlington, Region of Halton

DECISION 545-02-B-008/2024:

Having considered the matters set out under Sections 53 (1), 53(12), and 51(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And after having fully considered any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the *Planning Act,* these have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter; Majority members supported the application therefore;

The Committee **GRANTS** the application under **File 545-02-B-008/2024** at 1291 Old York Rd. Burlington:

To sever a parcel of land to allow for the conveyance of a new lot for a future detached dwelling.

In addition to satisfying the policies outlined in the *Planning Act* and the City's Official Plan, the Committee's rationale for supporting the application include: the rural character of the area would be maintained; the proposed development was considered compatible given the wide range and mix lot sizes in this area of North Aldershot; the resultant severed and retained parcels could support detached development including septic system; the streetscape would remain the same; the variances would facilitate a proposal that was desirable for the appropriate development of the lands.

CONDITIONS OF PROVISIONAL CONSENT:

Subject to the conditions listed on Schedule "A" of this decision and those listed below:

1. All variances under files 540-02-A-089/2024 and 540-02-A-038-2025 shall be finalized.

Please be advised of the following Notes:

1. The Applicant is advised the decision to give provisional consent shall be deemed to be refused if the conditions of provisional consent have not been fulfilled on or before the lapsing date which is two years from giving of notice of approval. This two-year period is a maximum and cannot be extended.

2. The Applicant is advised the decision of the committee is subject to a 20-day appeal period that starts from the date of the mailing of the Decision. The Secretary Treasurer will mail a copy of the decision within 15 days of approval of the consent.

3. The Applicant shall provide one (1) copy of the draft reference plan prepared by an OLS identifying the severed, retained, and any easements that are clearly labeled with part numbers, to the Secretary – Treasurer and Manager of Development Engineering or their delegate for review and approval prior to depositing the plan. (Condition Cleared 2025.04.14)

4. The Applicant is advised Part 9, Section 4.1 Footnotes to Table 9.4.1 (b) of Zoning By-law 2020, the lot width and lot area regulation being applied to the retained and severed lots is subject to an adequate supply of potable water. The Region is to confirm, prior to final consent (Condition Cleared 2025.04.30).

5. The Applicant is advised the subject property is regulated by Conservation Halton (CH). CH permits may be required for any future proposed development activities within CH's regulated areas on the retained lot.

6. The Applicant is advised the subject property is regulated by Ministry of Transportation.

7. The Applicant is advised a Building Permit is required for all building construction and septic system.

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

9. The Applicant is advised the leaching bed area is to be fenced with temporary fencing to protect

10. The Applicant is advised that a Pre-Building Permit Application will be required for the future dwelling on the proposed severed parcel (Part 1).

11. The Applicant is advised that the City of Burlington has public trees along Old York Road. Please be aware that any work requiring the injury and/or removal of public tree(s) will require a public tree permit.

12. The Applicant is advised that additional regulations and approvals may apply to the natural features on or adjacent to your property which may include those pertaining to the Region of Halton's Tree By-law 121-05 (as amended), the Region of Halton's Natural Heritage System, Conservation Halton, and the Niagara Escarpment Commission. Please contact the respective agencies to determine applicability as required for your project.

13. The Applicant is advised that the applicant, owner, its successors and assigns, shall pay cash in lieu of parkland dedication prior to building permit issuance in an amount to be determined by the Manager of Realty Services based on the current parkland dedication policy at that time. The Parkland dedication is applicable to the severed parcel of land.

14. The Applicant is advised that in order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (as applicable) be provided to the Halton Region 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).

Schedule "A" to Decision 545-02-B-008/2024
Conditions of Provision Consent
RE: 1291 Old York Road

1. The Applicant shall submit a surveyor's certificate confirming from an Ontario Land Surveyor that the severed and retained parcels, in their final configuration, meets all the requirements of the applicable Zoning By-law, and that the Secretary-Treasurer receive written confirmation that this condition has been satisfied to the satisfaction of the Zoning Coordinator or designate; and

2. The Applicant shall provide one (1) copy of the Deposited Reference Plan to the satisfaction of the Secretary – Treasurer or designate; and

3. The Applicant shall provide one (1) copy of the draft transfer documents to the satisfaction of the Secretary –Treasurer or designate; and,

4. The Applicant Shall provide one (1) copy of the wording for the certificate of official to the satisfaction of the Secretary – Treasurer or designate; and

5. The Applicant shall make payment of any outstanding property taxes including all installments levied at the time of the issuance of the Consent to the satisfaction of the Finance Department or designate; and

6. The Applicant shall commute all local improvements to the satisfaction of the Finance Department or designate; and

7. The Applicant shall provide confirmation that all existing accessory structures located within the O3-196 zone have been removed, or that Variance #2 for the Retained Lands (Part 2) of Minor Variance Application A089/24 is approved to the satisfaction of the Zoning Coordinator or designate; and

8. The Applicant shall provide a Stage 1 Archaeology Assessment, at minimum, to be prepared by a qualified professional, and confirmation that the report was submitted and received by the Ministry of Tourism, Culture and Gaming, for review and approval by the Senior Planner - Heritage, prior to any and all site disturbance; and

9. The Applicant shall submit a revised Concept Plan, for approval, which locates the proposed building footprint, septic bed and footprint showing the conceptual developable area, outside of the Environmental Protection Area to the satisfaction of the Director of Community Planning or their designate; and

10. The Applicant shall submit written confirmation that Conservation Halton has reviewed and approved the Slope Stability Assessment, by Soil-Mat Engineers & Consultants Ltd., dated 2019.05.22 to the satisfaction of the Director of Development Engineering or their designate; and

11. The Applicant shall provide a PIN report and copies of any agreements/easements on title listed within the PIN report to the satisfaction of the Director of Development Engineering or their designate. This is to ensure that the consent application will not conflict with any previously registered instruments; and

12. The Applicant shall provide a revised Site, Grading & Servicing Plan signed and stamped by a Professional Ontario Land Surveyor to the satisfaction of the Director of Development Engineering or their designate, for the following:

a. Most current house and septic locations. Note, do not direct storm flows towards the proposed septic bed and ensure sump outlets match the architectural plans.

b. Existing services for the retained lands to ensure they do not cross the proposed lot line(s).

15. The Applicant shall enter into an agreement under Section 53 of the Planning Act, or any other agreements required by the City Solicitor dealing with all the facilities or matters, approval of plans and drawings and the conditions set out herein:

Carry out the following to the satisfaction of the Director of Development Engineering and the Director of Community Planning:

Prior to applying for a Building Permit for the new dwelling, obtain a Grading and Drainage Clearance Certificate from Engineering Services. For the issuance of a Grading and Drainage Clearance Certificate the following will be required for the severed lands:

a. A Grading and Drainage Clearance Certificate application fee;

b. A refundable grading, drainage and site maintenance deposit in an amount to be determined for the completion of the approved grading and servicing site work and to ensure that the site is maintained, and the road allowance is not damaged during construction, to the satisfaction of the Director of Engineering Services;

c. A detailed servicing, grading and drainage plan, for approval, which conforms to the overall servicing, grading and drainage plan and shows the proposed building envelop, grading, drainage, servicing layouts and required driveway changes;

d. Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and

e. An Entrance Permit for any new driveway curb depressions.

" F. Capuano"	*"J. Riddell"*	*"V. Tinti"*	*"E. Westerhof"*
F. Capuano, Chair	J. Riddell, Vice Chair	V. Tinti, Member	E. Westerhof, Member

"B. Ursel"	*"A. Rawlings"*
B. Ursel, Member	A. Rawlings, Alt. Member

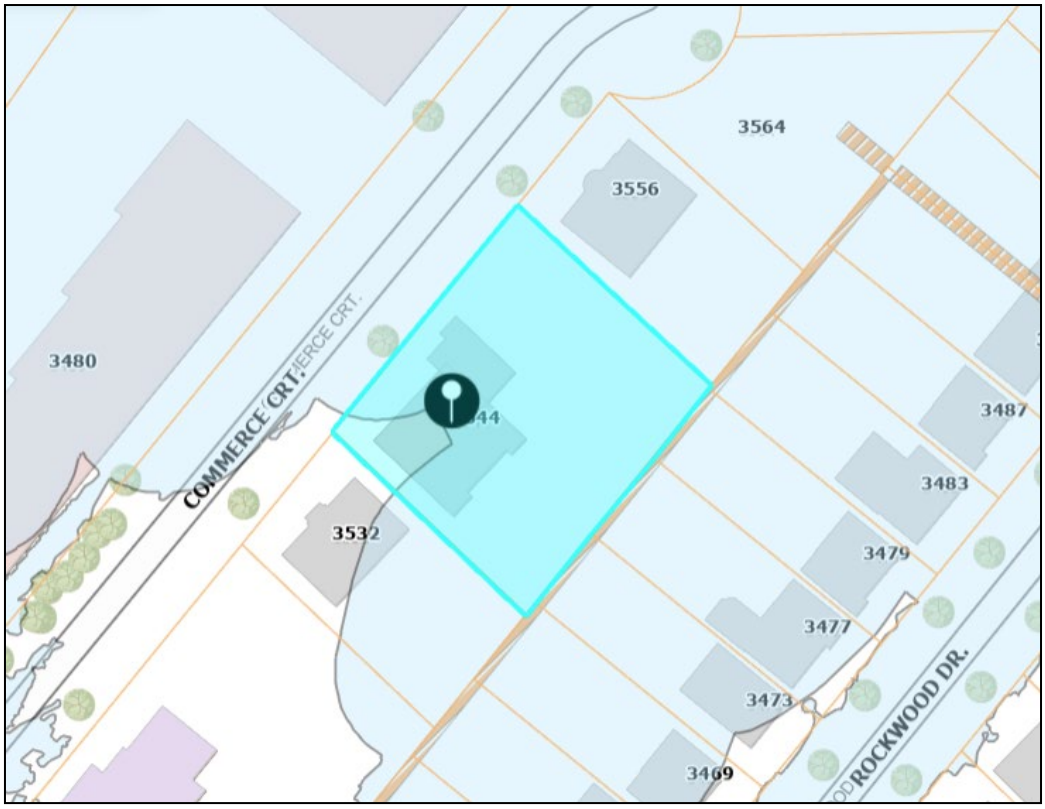
Date of hearing: **June 4, 2025**
Date of Mailing: **June 10, 2025**
Last day to appeal: **June 30, 2025**

I certify this to be a true copy of the committee's decision.

Catherine Susidko-Petriczko, Secretary Treasurer – Committee of Adjustment

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): 2588943 Ontario Limited
Address: 3544 Commerce Crt, Burlington
File No. **A-027/26**
Ward: 4



Staff Comments:

Committee of Adjustment

There are no previous land division on record for this property.

There is one previous minor variance application on record for this property.

File No. A008/2024 – Approved
The applicant is proposing the construction of a 7-storey apartment building, comprised of 35 residential units with associated parking and landscaping.

1. To permit 37 parking spaces instead of the minimum required 44 required occupant and visitor parking spaces for the proposed apartment building.

2. To permit 7-storeys instead of the maximum permitted 6-storeys for the proposed apartment building.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: May 20, 2026 Prepared By: A. D'Angelo

Zoning

1) **Background information:**

The subject property is zoned MXG, Mixed-Use General Zone, under Zoning By-Law 2020, as amended. The MXG zone requires, among other things, the following:

PART 5: MIXED-USE CORRIDOR ZONES

4.3 FLOOR AREA, FLOOR AREA RATIO, AND DENSITY

Table 5.4.2

Requirement	Zone			
	MXG	MXC	MXE	MXT
Maximum Floor Area Ratio for: **Other buildings:**	**1.5:1**	1.5:1	1.0:1	* * *

History / Background:

Site Plan Control Application 535-008/22 received final approval for a 7-storey, 35-unit residential apartment building with associated parking and landscaping on September 11, 2025.

The development was also reviewed through previous Minor Variance Application 540-02-A-008/24, which granted the following variances on June 12, 2024:

1. To permit 37 parking spaces instead of the minimum required 44 required occupant and visitor parking spaces for the proposed apartment building.

2. To permit 7-storeys instead of the maximum permitted 6-storeys for the proposed apartment building.

3. To permit a hydro transformer to be located in the required 3m landscape area abutting a street whereas the definition of landscape area does not permit transformers in a required Landscape Area.

4. To permit walkways to encroach in the required 3m landscape area abutting a street whereas the definition of landscape area permits walkways provided it is substantially perpendicular to the Landscape Area.

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

2) **Proposal:**

The applicant is proposing revisions to the ground floor building footprint and to expand the rooftop amenity area of a 7-storey apartment building, comprised of 35 residential units with associated parking and landscaping.

3) **Variance required:**

1. To permit a Floor Area Ratio of 1.83:1 instead of the maximum permitted 1.5:1 to facilitate the proposed development and revisions.

4) **Notes and conditions**:

Condition:

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

Notes:

1. The proposed rooftop amenity area and mechanical penthouse combined, results in a seventh storey based on the definition of Height, Building.

2. The property is regulated by Conservation Halton and an updated approval / revised permit may be required.

3. The variance was reviewed under section 45 (1) of the *Planning Act*.

Date: May 22, 2026 Prepared By: Danielle Beck, CPT

Site Planning

Site Characteristics	
Lot Frontage (m)	45m
Lot Area (m^2)	1861m^2
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Vacant property with some preliminary site works completed (authorized under site servicing permit) Works include poured concrete curbs around future parking area, construction fencing and other materials
Site Grading *(ex. Flat and level, significant grade differences)*	Flat and level
Notable Site Features	Poured concrete curb, mature trees at rear

	of property protected by fencing.
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	North: One-storey commercial plaza East: two-storey office and educational buildings (dance academy and private school) South: Low-rise residential homes West: two-storey office and institutional buildings (plastic surgeon and private Montessori school)
Nearest Major Intersection	Fairview Street and Walker's Line
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Canadian National Railway Line East: Walker's Line South: LN Zone boundary West: Guelph Line

Neighbourhood Characteristics:

- Commerce Court is a dead-end street with a sidewalk on the north side, which is framed by the rear elevation of a one-storey commercial plaza that faces Fairview Street. The south side features two-storey service commercial, office and educational buildings with large, landscaped front yard setbacks.
- The lands are located in a Mixed-Use Corridor which runs along the north and south sides of Fairview Street and extends just south of Fairview Street to Commerce Court. Properties within the mixed-use corridor are permitted to redevelop to a height of six storeys.
- The subject lands abut the rear yards of a low-density residential area consisting of 1-2 storey detached homes and zoned for detached and semi-detached houses

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

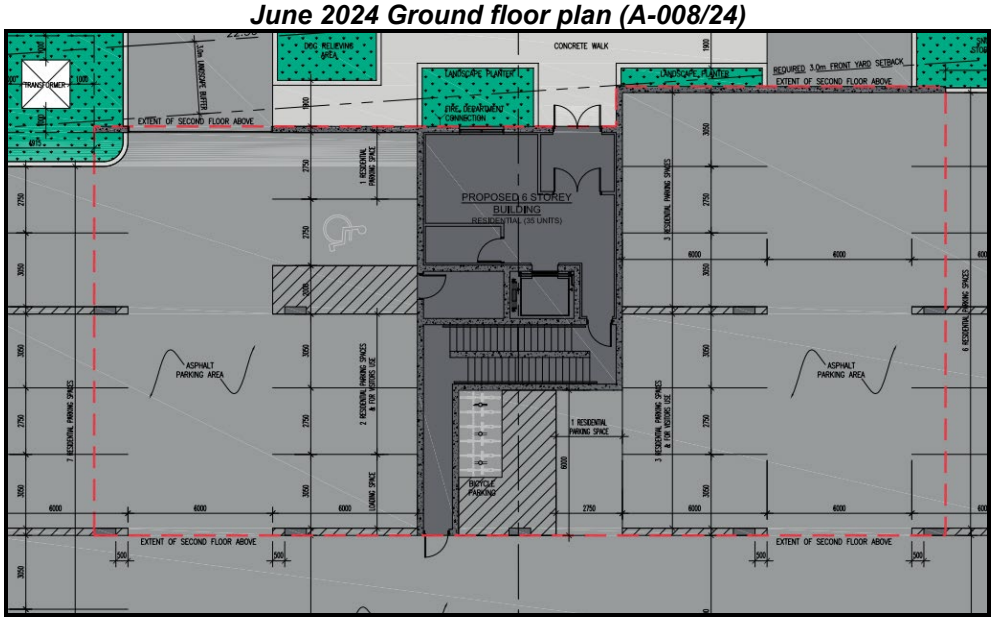
Application History

In 2022, the applicant applied for Site Plan Approval (535-008/22). In 2024, during the site plan review process, the applicant received approval from the Committee of Adjustment for minor variances (Application No. A-008/24) to permit an increased height of seven-storeys, reduced parking, permit a hydro transformer in a landscape area abutting a street and to permit walkways to encroach into this area. The applicant received final site plan approval on July 5, 2025. The applicant then submitted their building permit application, which included 172 m^2 of usable interior amenity space on the seventh storey of the building. According to the applicant, the expansion of amenity space (both indoor and outdoor) at the seventh storey was to make the product competitive and in line with market demands for a modern rental building. Although the applicant applied as a "medium-rise building", the seventh storey qualified it as a "high-rise" building (Group C) under the Ontario Building Code, triggering enhanced smoke

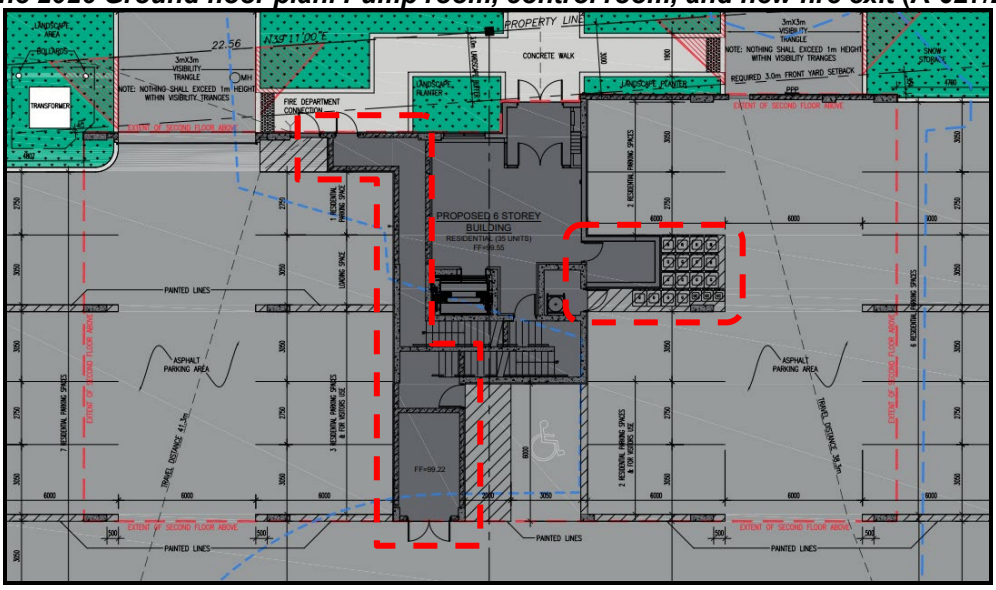
control and mechanical system requirements. The building permit review triggered some changes to the building that were not part of the 2024 Committee of Adjustment proposal, and which further contributed to a gross floor area variance:

- A pump room was added to the ground floor of the building to increase water pressure to the sprinkler system, since municipal water pressure was found to be inadequate
- The applicant added a control room for the fire suppression system on the ground floor.
- a new exit corridor providing egress to the front of the property was added to comply with OBC, since the original fire exit was at the back of the building.

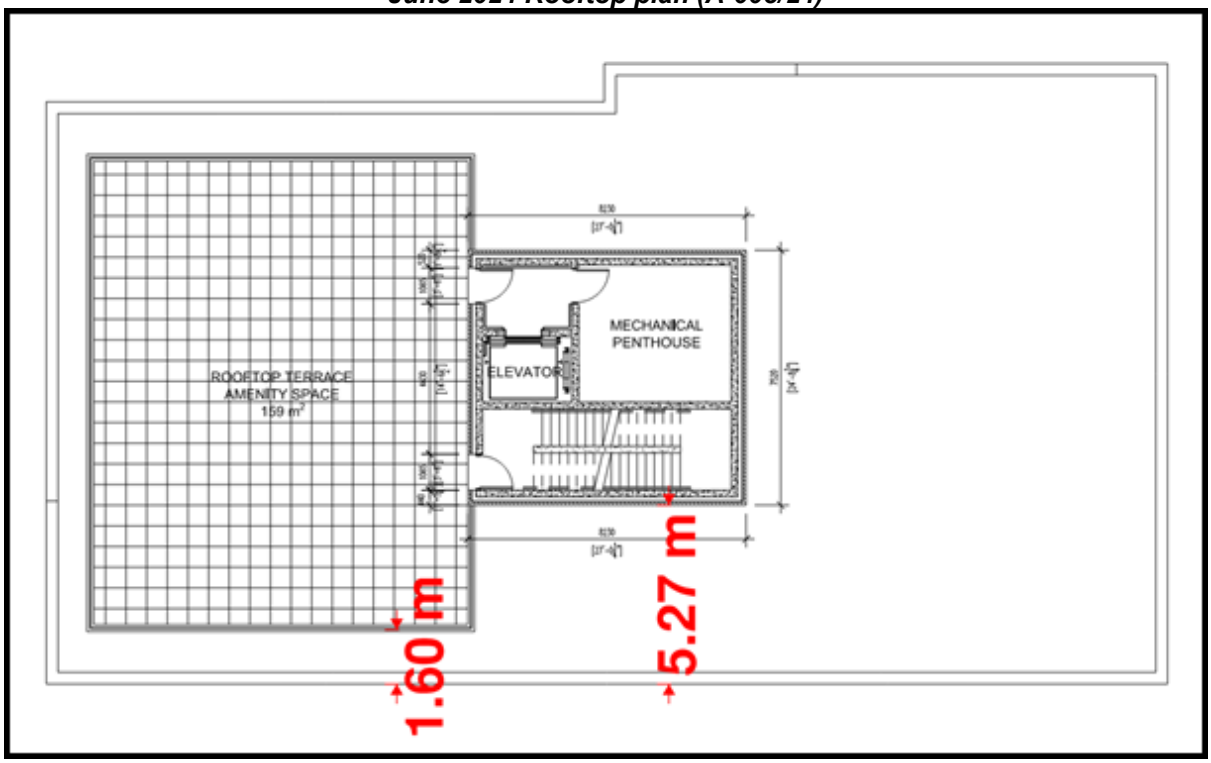
June 2024 Ground floor plan (A-008/24)



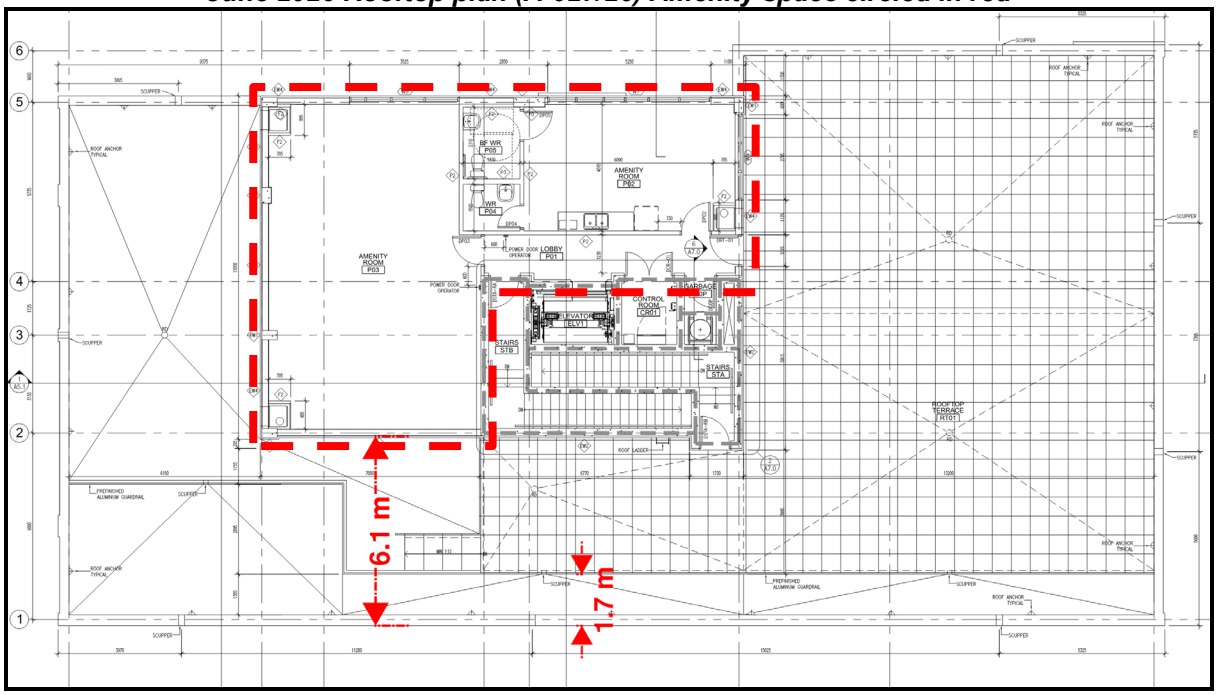
***June 2026 Ground floor plan. Pump room, control room, and new fire exit* (A-027/26)**



June 2024 Rooftop plan (A-008/24)



June 2026 Rooftop plan (A-027/26) Amenity space circled in red



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/does not meet the general intent and purpose of the Regional Official Plan, 2022 (ROP, 2022) for the following reasons:

- The site is within the Urban Area according to Map 1 ROP. The proposal supports the following objectives of the Urban Area:
    - The proposed seven-storey apartment building represents a "form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy" (ROP, 72.1(2))
    - The proposed 35 rental units support the objective of providing a "range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure" 72.1(3))
    - The proposed increased density supports the objective "to facilitate and promote intensification and increased densities. (72.1(9))
- The site proposal to permit a 7-storey apartment building at a higher density than permitted is consistent with the objectives of the Regional Intensification Corridor designation on Map 1h, which includes the following objectives:
    - …. accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context. (82.3(1))
    - To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service (82.3(1))
- The proposal supports the planned function of the Regional Intensification Corridor, which is defined as a type of "Strategic Growth Area identified along major roads, arterials or higher order transit corridors that are planned to accommodate a significant amount of growth in alignment with the delivery of frequent transit and to support future transit projects."

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).

Under the Council-approved BOP, 2020, Schedule B, the Site is designated “Mixed Use Nodes and Intensification Corridors”, and more specifically designated “Urban Corridor”, six-storey buildings are permitted with a maximum floor area ratio of 2:1. Further increases to this ratio are permitted through a minor variance provided the intent of the plan is maintained. Although still under appeal and not in-force, these policies are informative and represent the future council-approved density for this corridor.

Under BOP, 1997, the site is designated ‘Mixed-Use Corridor – General’ according to Schedule ‘B’ (Comprehensive Land Use Plan- Urban Planning Area) of the BOP, 1997, as amended, which permits six-storey apartment buildings with a floor area ratio of 1.5:1. Proposed is a seven-storey building (the increased height was permitted under Minor Variance Application 540-02-A-008/24) with a density of 1.83:1. According to Part VI, section 3.0- Interpretation, policy 3.2(e), “Minor variations from numerical requirements in the Plan may be permitted without a Plan amendment, provided the general intent of the Plan is maintained.” The general intent of the plan is discussed in detail below.

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

- Whereas sites designated Mixed-Use Corridor – General’ are subject to Site plan considerations under Part III, policy 5.3.2(g), the proposal is consistent in the following ways:
    - *The building is three metres from the front property line, which is as close to the street as the Zoning By-law permits, consistent with the policy that buildings should be located in proximity to the street, to provide a sense of human comfort and pedestrian scale and interest, and should be in close proximity to transit services (policy 5.3.2(g)(i))*
    - *policy 5.3.2(g)(ii) requires that the development include “features that integrates the development with surrounding uses”. The development includes the following features and attributes:*
        - *The development preserves 12 trees at the rear of the property according to the approved tree preservation plan and the tree hoarding observed on site, which help to buffer the development from neighbouring properties*
        - *The approved landscape plan includes a new wood board fence at the southeast corner and a continuous row of new coniferous trees in the landscape buffer at the rear of the building*

    - *the site plan includes concrete pathways at the front of the site leading from the door to Commerce Court and to the parking areas, which promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses and to and from transit stops (policy 5.3.2(g)(iii));*

- *The site features one vehicular access point into the parking area and one dead-end driveway, consistent with the policy to limit to minimize disruption to traffic flows and to minimize the impact on local street (policy 5.3.2(g)(iv));*
- *Parking is located in the rear yard and screened from adjacent residential uses, consistent with policy 5.3.2(g)(v));*

- 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 interior amenity space at the seventh storey has no side or rear facing windows, avoiding any overlook to the low residential properties to the rear*
  - *The railing around the enlarged outdoor amenity space is setback 1.7 metres from the parapet edge, and over 20 metres from neighbouring residential yards to the south*
  - *The proposed building provides side and rear yard setbacks that exceed the zoning requirements. Side yard setbacks of 4.8m (west) and 4.7m (east) are provided whereas no minimum is required. A rear yard setback ranging from 18m – 20m is provided for all floors, whereas setbacks of 12m for floor 1-3, 15m for floor 4 and 5 and 18m for floor 6 are required*
  - *Forestry staff have reviewed the proposal for potential tree impacts and do not object.*
  - *Engineering has reviewed the proposal for potential drainage impacts affecting neighbouring properties and does 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

The general intent and purpose of the floor area ratio provision of Burlington Zoning Bylaw 2020 is to control the total mass and scale of the building to avoid overdevelopment of the site. The proposed minor variance is consistent with this intent for the following reasons:

- *The building provides for side and rear yard setbacks that exceed the minimum requirements of the zoning bylaw*
- *The building maintains adequate undeveloped space on the property for landscape buffers, parking, tree preservation and a well-landscaped front yard*

- *The increased floor area on level one is inset significantly from the exterior walls and positioned in the middle of the building footprint*
- *The increased amenity floor area on level seven is set back 6.1 metres from the parapet and 24-30 metres from the low-rise residential neighbourhood, helping limit massing impacts*

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 variance is desirable for the appropriate development and use of the land for the following reasons.

- *facilitates the inclusion of a pump room, control room and fire exit corridors required by the Ontario Building Code at ground level*
- *enables provision of indoor amenity space on the rooftop making the amenity level (floor seven) more usable in cold weather, without creating overlook to neighbouring properties*
- *Enables the construction of a residential rental apartment building, which provides additional housing in the City*

4) Minor in Nature:

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

Yes

The proposed variance is minor in nature for the following reasons:

- *The proposed additional floor area is setback from the exterior walls of the building at the ground level and seventh storey;*
- *The additional floor area on level seven is setback significantly from the rear property line, limiting overlook;*
- *The building complies with all setback requirements under the Zoning Bylaw, while maintaining sufficient undeveloped space on the property for all required parking, landscaped buffer areas, electrical transformers, bike parking, sidewalks and waste storage;*
- *No increase in the number of units is proposed.*

Cumulative Effects of Multiple Variances and Other Planning Matters:

NA

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.

Notes:

The applicant will be required to submit all revised drawings to the supervisor of site plan review to update the package of approved site plan drawings for the project. An approval condition is not required as site plan approval is a building code requirement.

Date: June 23, 2026 Prepared By: John O'Reilly

Report Schedules & Attachments:
Attachment No. 1 (Site Photos)



Photo of site from Commerce Court



Photo of frontage from Commerce Court



Panorama of south side of Commerce Court



View west along Commerce Court toward Montessori school



View of northwest corner of site

Technical Reviewer Comments:

Development Engineering

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

Date: June 5, 2026 Prepared By: P.Dimitroulias

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: June 3, 2026 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: June 18, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

Commerce Court 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: May 26, 2026 Prepared By: E. Chen

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

The Architectural Plan was approved with the maximum FAR ratio of 1.8, and by extension, the associated visibility triangles, safety, access, and driveway size were approved. The submitted materials do not appear to modify these matters.

Date: May 26, 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: May 22, 2026 Prepared 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 revisions to the ground floor building footprint and to expand the rooftop amenity area of a 7-storey apartment building, comprised of 35 residential units with associated parking and landscaping. Variance is requested to the maximum permitted Floor Area Ratio.

- 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 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: June 3, 2026 Prepared By: Navjot Kaur

Conservation Halton
Conservation Halton Comments are attached to the end of this report. Approval is subject to the following condition:

1. A revised permit shall be obtained from CH

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: June 3, 2026 Prepared By: Justin Dodds

Burlington Hydro

BHI has no objections to the variances requested in this application.

Please refer to BHI Comment for Notes.

Date: Roso Parra Prepared By: June 5, 2026

Halton REGION

RETHINK WATER
Enjoy Conserve Protect

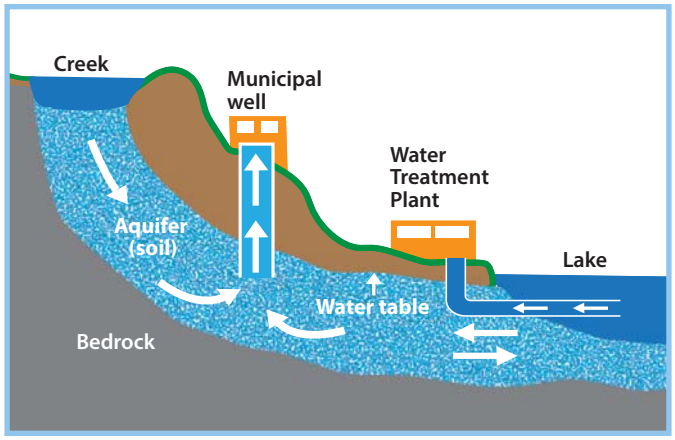
Source Water Protection Factsheet

halton.ca

Planning and Building Applications

Sources of drinking water

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



Protecting Halton's drinking water

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



Source water protection and Planning/Building Applications

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

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

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

Is my property in a vulnerable area?

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

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

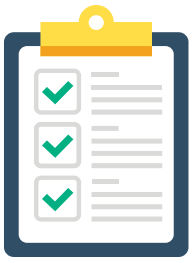
How is my application reviewed?

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

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

Step 1

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



Step 2

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



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

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

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

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

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



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

RETHINK WATER

Enjoy Conserve Protect

Halton REGION

PW-1813334

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-027/26**
Committee of Adjustment
Date of Mailing: June 22, 2026

NOTICE OF PUBLIC HEARING

2588943 Ontario Limited, the owner of 3425 Harvester Rd, Unit 201 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 **3544 Commerce Crt. Burlington** (see map).

The subject lands were subject to Site Plan Application 535-008/22 which received final approval for a 7-storey, 35-unit residential apartment building with associated parking and landscaping on September 11, 2025. The development was also reviewed through previous minor variance application 540-02-A-008/24

The applicant is proposing revisions to the ground floor building footprint and to expand the rooftop amenity area of a 7-storey apartment building, comprised of 35 residential units with associated parking and landscaping. This proposal results in the following variance:

1. To permit a Floor Area Ratio of 1.83:1 instead of the maximum permitted 1.5:1 to facilitate the proposed development and revisions.

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 22, 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 JULY 8, 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 **5:00 p.m.**

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

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

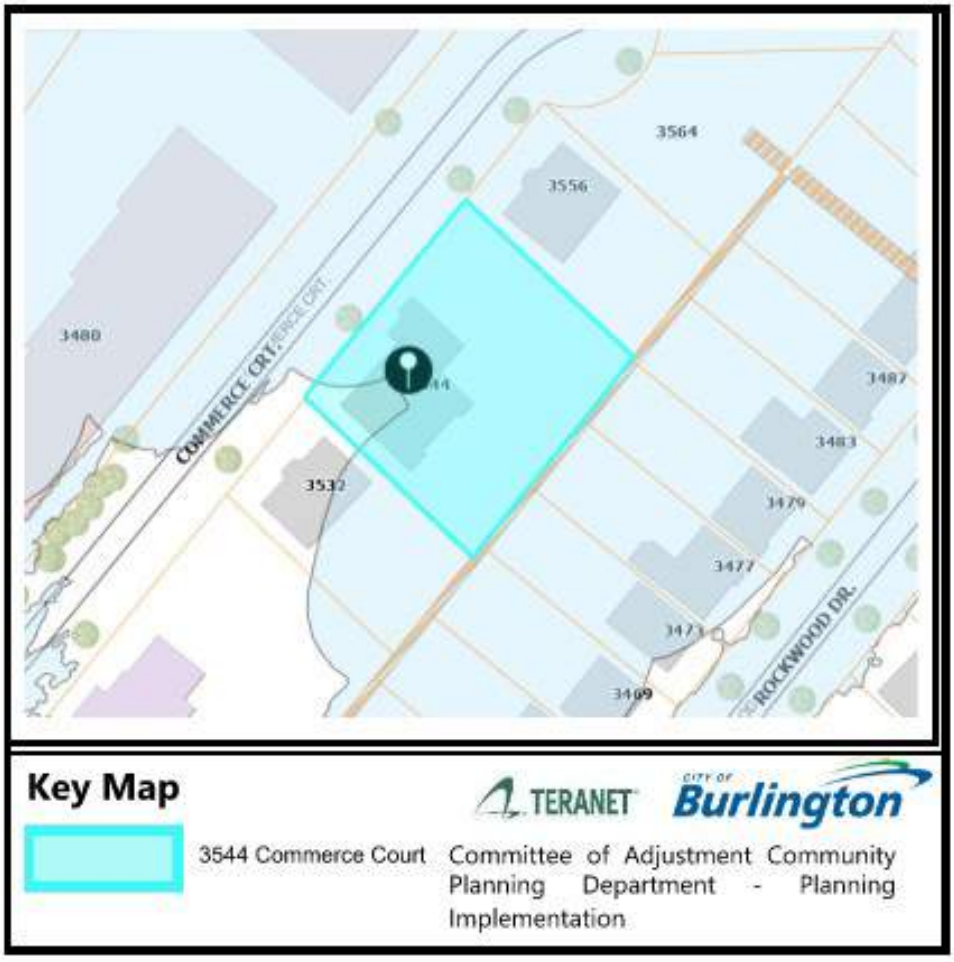
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

Yours truly,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



CITY OF Burlington

MINOR VARIANCE – 2026

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

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y ☑ or N ☐
Name of Planner: John O'Reilly Name of Zoning Examiner: Danielle Beck

PROPERTY INFORMATION
Municipal Address(es) of property:

3544 Commerce Court Burlington

Legal Description of property:
PCL 7-1 Sec M150; Lt 7 & 8 PL M150 Burlington

Official Plan Designation: Secondary Growth area Current Zoning Designation MXG

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

2588943 Ontario Limited
c/- TAG Management
Mailing Address: 3425 Harvester Rd Suite 201 City: Burlington

Postal Code: L7N 3N1 Home Phone: _____ Mobile Phone [redacted]

Work [redacted] E-Mail: [redacted]

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

Name: Trevor Maddern (contact info as above)

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

CITY OF Burlington

MINOR VARIANCE – 2026

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

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

35 residential apartments building rental 1bedrooms

Variance(s) Requested	Zoning Bylaw Requirement
① Relief from zoning by law GFA. to allow a ratio of 1-8	maximum floor area ratio 1-5.1
② Allow increased area of approx 22 M2 on roof level amenity area.	

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

1. Why is the variance(s) minor in nature? City Staff support the two requests as being minor in nature and required to allow the project to proceed to construction

2. Why are the variance(s) desirable for the appropriate use of the land? The variances will permit the redevelopment of the land to provide for much needed rental accomodation

3. Do the variance(s) meet the intent and purpose of the Official Plan? YES
The requested minor variances will have minimal impact on the surrounding area

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

CITY OF Burlington

MINOR VARIANCE – 2026

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

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
APRIL 11, 2017 (mmm/dd/yyyy)	Vacant Land and circa 1985 (mmm/dd/yyyy)	JULY 15 2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached Dwelling ☐ Semi-Detached Dwelling ☐
Townhouse Dwelling ☐ Street Townhouse Dwelling ☐ Stacked Townhouse Dwelling ☐
Apartment ☐ Mixed Use ☐ Hi Rise ☐
Commercial ☐ Industrial ☐ Vacant ☐
Other ☑ VACANT LAND

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

Vacant Land & Building circa 1985

Proposed Use of the Land:

Residential Rental Apartment BUILDING

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☑

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

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

Dimensions of Property			Street Width (see first page of application for how to obtain)				Have you applied for Site Plan Approval?
Frontage	Depth	Area	Actual	Deemed	Required	Density	Y ☐ N ☑ File #:
45.19M	41.25M	1864M2	No Widening Required			~50%	

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

EXISTING (Building)		PROPOSED (Building/Addition)		
Ground Floor Area:	M²	Ground Floor Area:	138	M²
Gross Floor Area:	M²	Gross Floor Area:	3405	M²
Number of Storeys:		Number of Storeys:	5+x(6)	
Width:	M	Width:	17	M
Length:	M	Length	33	M
Height:	M	Height	23.80	M
# of Existing Units:	M²	# of Proposed Units:	35	M²
Floor Area Ratio:	M²	Floor Area Ratio:	1.8	M²
Required Parking Spaces:		Proposed Parking Spaces:	38	
Existing Parking Spaces:				
EXISTING (Other)		**PROPOSED (Other)**		
Ground Floor Area:	M²	Ground Floor Area:		M²
Gross Floor Area:	M²	Gross Floor Area:		M²
Number of Storeys:		Number of Storeys:		
Width:	M	Width:		M
Length:	M	Length		M
Height:		Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)		PROPOSED (Building)	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M
OTHER		**OTHER**	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Side:	M

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner: 2588943 Ontario Limited c/- TREVOR MADDERN

Property Address: 3544 Commerce Court BURLINGTON

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

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated November 23, 2021. (mmm/dd/yyyy)

has been revised by: mmP Land Surveyors (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated MAY 4th 2026 (mmm/dd/yyyy)

has been revised by: SAM ESPOSTO Architect Inc. (Person or Company Name)

OR

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

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

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

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

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

Trevor Madden — Signature of Owner/Applicant

May 19th 2026 — Date (mmm/dd/yyyy)

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: 2588943 Ontario Limited

Property Address: 3544 Commerce Court Burlington

Signature of Owner/Applicant

May 15th 2026
Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

I, TREVOR MADDERN (print name) of the CITY (Region/City/County) of HAMILTON in the TOWN (City/Town/Township)

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

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

this 19th day of May 2026.

NOTARY PUBLIC PROVINCE OF ONTARIO

Signature of Commissioner, etc.

Trevor Maddern
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: 3544 Commerce Court 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.

Trevor Maddern
Signature of Owner

TREVOR MADDERN
Print Name

CITY OF Burlington

MINOR VARIANCE – 2026
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

OWNERS AUTHORIZATION

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

I, 2588943 ONTARIO LIMITED being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.

T Maddern
Signature of Owner

MAY 19 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.**	☑
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	☐
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	☑

SITE PLAN

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

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

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

ELEVATIONS

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

FLOOR PLANS

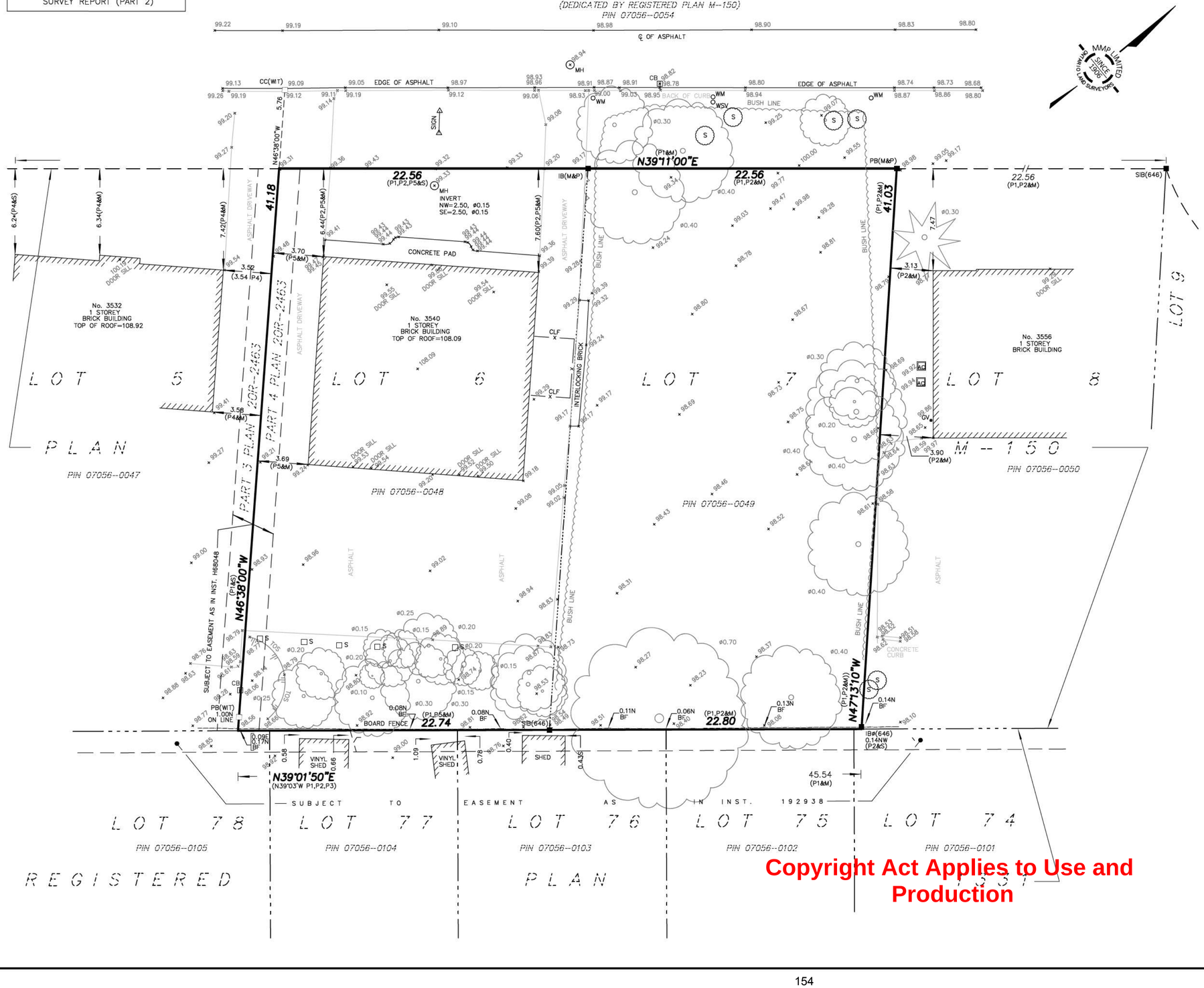
- ☑ Metric
- ☑ North Arrow
- ☑ Gross Floor Area Calculation
- ☑ Ground Floor Area Calculation
- ☑ Floor Area Ratio (where applicable)

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

Trevor Maddern
Signature of Owner/Agent

May 19 2026.
Date (mmm/dd/yyy)

PLAN BEING PART 1
MUST BE READ IN CONJUNCTION WITH SURVEY REPORT (PART 2)



Copyright Act Applies to Use and Production

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY SHOWING TOPOGRAPHY OF
LOTS 6 AND 7
PLAN M-150
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200

0 5 10 20 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 630mm IN WIDTH BY 400mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)

MacKAY, MacKAY & PETERS LIMITED – ONTARIO LAND SURVEYORS
© 2020

KNOWN AS MUNICIPAL No. 3540 & 3548 COMMERCE COURT

REPORT SUMMARY (PART 2) (to be read in conjunction with Part 1)

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS – OCTOBER 6, 2020

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
SUBJECT TO EASEMENT AS IN INST. No. H68048

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

MacKAY, MacKAY & PETERS LIMITED grants TAG (The Active Group) Management ["The Client(s)"], their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client(s)".

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

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2146283

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

Legend

■	DENOTES A SURVEY MONUMENT FOUND
□	DENOTES A SURVEY MONUMENT PLANTED
IB	DENOTES IRON BAR
SIB	DENOTES STANDARD IRON BAR
CC	DENOTES CUT CROSS
PB	DENOTES PLASTIC BAR
WIT	DENOTES WITNESS MONUMENT
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
P1	DENOTES PLAN M-150
P2	DENOTES PLAN BY MMP LIMITED DATED SEPTEMBER 26, 2018 (17-0181-2)
P3	DENOTES REGISTERED PLAN 1331
P4	DENOTES PLAN BY YATES & YATES LIMITED DATED NOVEMBER 13, 1984 (84Y-201)
P5	DENOTES PLAN BY SEWELL & SEWELL DATED DECEMBER 20, 1979 (79-675)
BF	DENOTES BOARD FENCE
CLF	DENOTES CHAIN LINK FENCE
MH	DENOTES MANHOLE
WM	DENOTES WATER MAIN
AC	DENOTES AIR CONDITIONER
WSV	DENOTES WATER SERVICE VALVE
GV	DENOTES GAS VALVE
CB	DENOTES CATCH BASIN
TOS	DENOTES TOP OF SLOPE
℄	DENOTES CENTER LINE
ø	DENOTES ROUND
□S	DENOTES SIGN
S	DENOTES TREE STUMP
	DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
	DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

Benchmark Note

CITY OF BURLINGTON BENCHMARK No. 254
ELEVATION = 98.179 METRES CGVD 1928:1978 ADJUSTMENT

BRASS CAP IN GUTTER OF CONCRETE CURB ON THE WEST SIDE OF CUMBERLAND AVENUE JUST SOUTH OF INTERSECTION OF FAIRVIEW STREET & CUMBERLAND AVENUE, 5.7 METRES SOUTHEAST OF SOUTHEAST BOLT ON TRAFFIC SIGNAL AND 24.0 METRES SOUTHWEST OF THE SOUTHWEST BOLT ON TRAFFIC SIGNAL ON THE SOUTHEAST CORNER OF INTERSECTION

Bearing Reference

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH EASTERLY LIMIT OF COMMERCE COURT AS SHOWN ON PLAN M-150,HAVING A BEARING OF N39°11'00"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 15th DAY OF NOVEMBER, 2021.

NOVEMBER 23, 2021
DATE

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

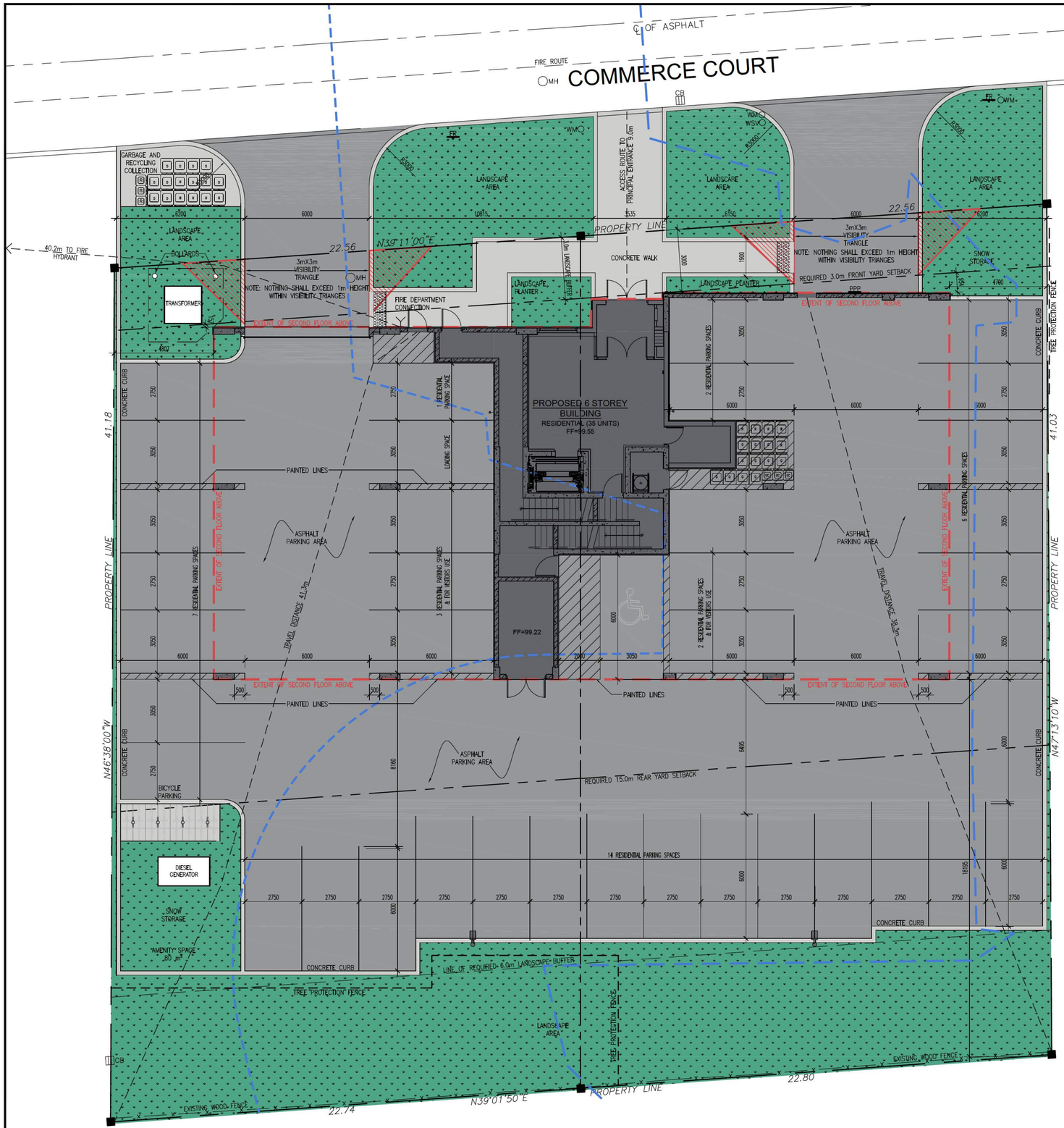
CAD FILE: E:\(20) Halton\M-Plans\ M-0150\LOT 6, 7\20-249\20-249.dwg

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

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

halton@mmplimited.com
mmplimited.com

DRAWN BY:	S.S
PARTY CHIEF:	M.A.
CHECKED BY:	
PROJECT NO.:	20-249



LETTER OF UNDERTAKING

UNDERTAKING
RE: 3544 COMMERCE COURT

I, (We) _____, the owner of the land, hereby undertake and agree without reservation,

(a) To comply with all the content of this plan and drawing and not to vary therefrom;

(b) In the event that the Owner does not comply with the plan dated _____ the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.

(c) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

(d) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the responsible for the relocation of any such facilities or easements at their own cost.

Dated this _____ day of _____ 20___.

Witness (signature) — Owner(s) (signature)

Witness (print) — Owner (print)

Address of Witness

CONSERVATION HALTON NOTES

PHASE 1:

DESIGN, CONSTRUCT, STABILIZE AND HAVE IN OPERATION FLOOD PLAIN ALTERATIONS AND ASSOCIATED GRADING. INSTALL UNDERGROUND SERVICING AND STORMWATER INFRASTRUCTURE THAT INTERSECTS WITH THE FLOOD PLAIN ALTERATION. AS-BUILT DRAWINGS MUST BE PROVIDED TO THE SATISFACTION OF CONSERVATION HALTON PRIOR TO INITIATING ANY PHASE 2 WORKS WITHIN CONSERVATION HALTON'S REGULATED AREA.

PHASE 2:

CONSTRUCT BUILDINGS/STRUCTURES, INSTALL/CONSTRUCT REMAINING SERVICING, PARKING AND GRADING.

e. SITE SERVICING PLAN
f. SITE PLAN
g. SITE GRADING PLAN

Copyright Act Applies to Use and Production

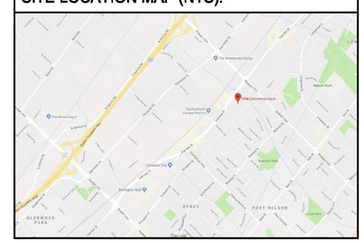
SITE STATISTICS:

	PROVISION	PROPOSED	CONFORMS TO MUNICIPAL BY-LAW
ZONING DESIGNATION	MIXED USE CORRIDOR (MXC) ZONE	APARTMENT BUILDING	YES
MINIMUM LOT WIDTH	25.0 m	45 m	YES
MINIMUM LOT AREA	1,000 m²	1861 m² (0.1861 ha)	YES
YARD REQUIREMENTS	FRONT YARD (NORTH) (ABUTTING A STREET): 3.0 m	NORTH: 3.0 m	YES
	SIDE YARD (EAST & WEST): 0.0 m	EAST: 4.8 m WEST: 4.9 m	YES
	REAR YARD (SOUTH) (ABUTTING A RESIDENTIAL ZONE) FLOORS 1 TO 3: 12 m FLOORS 4 AND 5: 15 m FLOOR 6: 18 m	SOUTH 18.2 m	YES
MAXIMUM FLOOR AREA RATIO	1.5:1	GROUND FLOOR: 138 m² SECOND FLOOR: 619 m² THIRD FLOOR: 619 m² FOURTH FLOOR: 619 m² FIFTH FLOOR: 619 m² SIXTH FLOOR: 619 m² PENTHOUSE 172 m² TOTAL: 3405 m² 3405 m²/1861 m² = 1.8	YES
MINIMUM FLOOR AREA RATIO	0.3:1	3405 m²/1861 m² = 1.8	YES
LANDSCAPE AREA	3 m	3 m	YES
LANDSCAPE BUFFER	6 m	6 m	YES
BUILDING HEIGHT	MINIMUM: 2 STOREYS MAXIMUM: 6 STOREYS	6 STOREYS	YES
FLOOR AREA	FLOOR AREA OF 2ND, 3RD AND 4TH STOREY = MIN 50% OF 1ST FLOOR AREA	2ND, 3RD, 4TH, 5TH AND 6TH FLOORS ARE 403% OF THE 1ST FLOOR AREA	YES
PEDESTRIAN WALKWAY	3 m	3.6 m	YES
FENCING	ABUTTING A RESIDENTIAL ZONE = 1.8 m SOLID SCREEN OR CHAIN LINK & DENSE PLANTING	1.8 m HIGH CHAIN LINK FENCE	YES
AMENITY AREA	20 m² PER 1 BEDROOM DWELLING UNIT = 20 m² x 35 UNITS = 700 m²	SITE 80m² BALCONY AREA 185 m² ROOFTOP TERRACE 392 m² ROOFTOP ROOMS 100 m² TOTAL: 757 m²	YES
OFF-STREET LOADING	1 LOADING SPACE	1 LOADING SPACE	YES
PARKING	35 UNITS X 1.25 = 44 PARKING SPACES	38 PARKING SPACES	YES
PARKING STALL SIZE	MINIMUM WIDTH 2.75 m AND MINIMUM AREA OF 16.5 m²	2.75 m X 6 m = 16.5 m²	YES
DESIGNATED ACCESSIBLE PARKING	5 TO 50 SPACES = 1 ACCESSIBLE PARKING SPACE	1 SPACE	YES
ACCESSIBLE PARKING STALL SIZE	MINIMUM WIDTH 2.75 m AND 2 m ACCESSIBLE WALKWAY	2.75 m X 6 m = 16.5 m² WITH 2 m ACCESSIBLE WALKWAY	YES
BICYCLE PARKING	2 SPACES PLUS 1 SPACE / 1,000 m² = 3 SPACES REQ'D	6 SPACES @ 0.6 m x 1.8 m EACH	YES

SITE LEGEND

SYMBOL	DESCRIPTION
	PROPERTY LINE
	TREE PROTECTION FENCE
	POST DEVELOPMENT REGIONAL FLOOD PLAIN
	15m REGULATORY ALLOWANCE
	BUILDING FOOTPRINT
	ASPHALT AREA
	CONCRETE AREA
	LANDSCAPED AREA
	BUILDING COLUMN
	TACTILE WALKING SURFACE INDICATOR
	NO PARKING PAINT
	CONTINUOUS 200mm CONCRETE CURB
	BUILDING ACCESS POINT
	DIRECTION OF TRAFFIC
FR	FIRE ROUTE SIGN
PPP	PRIVATE PROPERTY PARKING SIGN

SITE LOCATION MAP (NTS):



NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

Revisions

No.:	For:	Date:
CITY (1)	BUILDING PERMIT	2/9/2025
CONT (1)	TENDER	7/25/2025
CITY (1)	BUILDING PERMIT	7/5/2025
To: (version)	For:	Date:

Issue Table

Note:

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.

CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENANT FIT-UP DRAWINGS.

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Seal:

ONTARIO ASSOCIATION OF ARCHITECTS
SAM M. ESPOSTO
LICENCE 5726

North Arrow:

TRUE NORTH
CONSTRUCTION NORTH
NORTH

Architect:

SAM ESPOSTO | ARCHITECT INC.
548 UPPER JAMES ST. HAMILTON, ON. L9C 2Y4
T. 905.383.7500 F. 905.383.5700

Client:

2588943 ONTARIO LIMITED

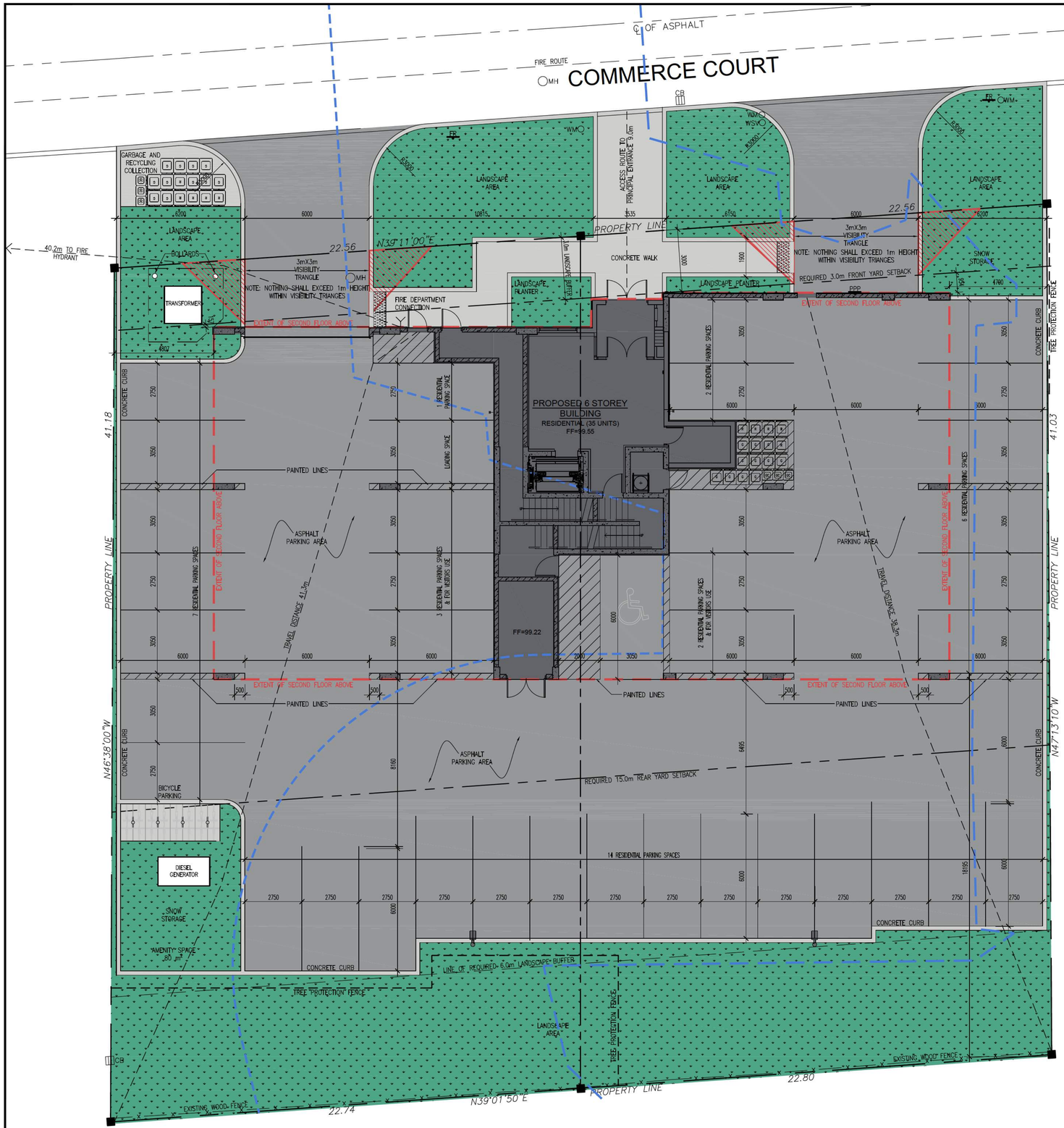
Project:

SOMNIUM SUITES
6 STOREY RESIDENTIAL BUILDING
3544 COMMERCE COURT,
BURLINGTON, ON L7N 3L7

Drawing Title:

SITE PLAN

Drawn By:	MG	Scale:	1:150
Checked By:	SE	Plot Date:	2026.05.12
Project Date:	2017		
Project No.	17-130		
Drawing No.	A1.0	Sheet version.	0



LETTER OF UNDERTAKING

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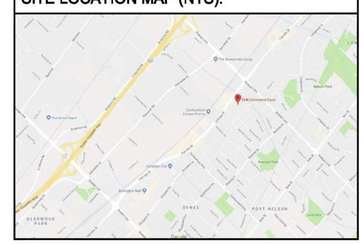
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	NO PARKING PAINT
	CONTINUOUS 200mm CONCRETE CURB
	BUILDING ACCESS POINT
	DIRECTION OF TRAFFIC
FD	FIRE ROUTE SIGN
PRP	PRIVATE PROPERTY PARKING SIGN

SITE LOCATION MAP (NTS):



NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

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2588943 ONTARIO LIMITED

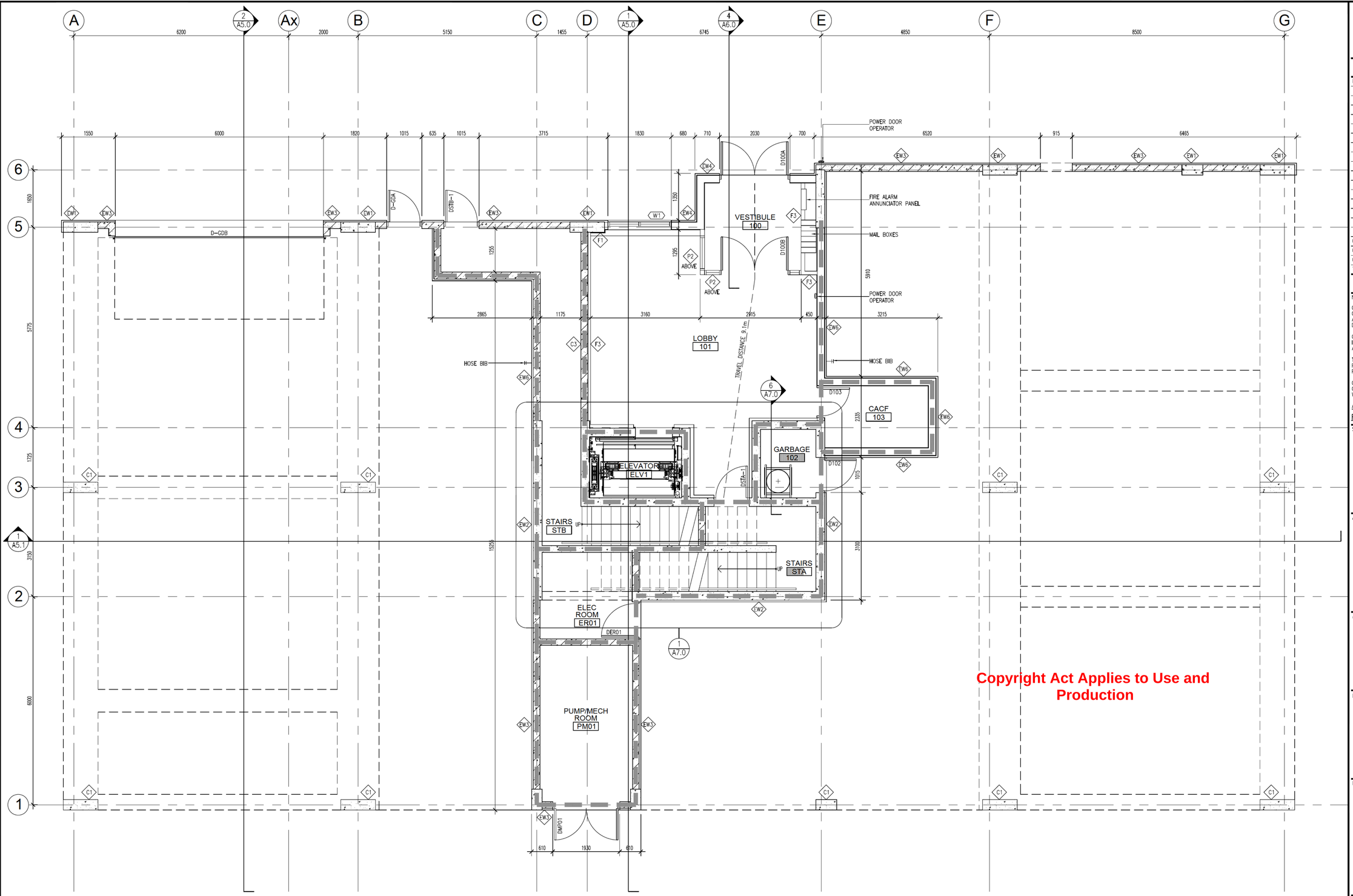
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Drawing Title:

SITE PLAN

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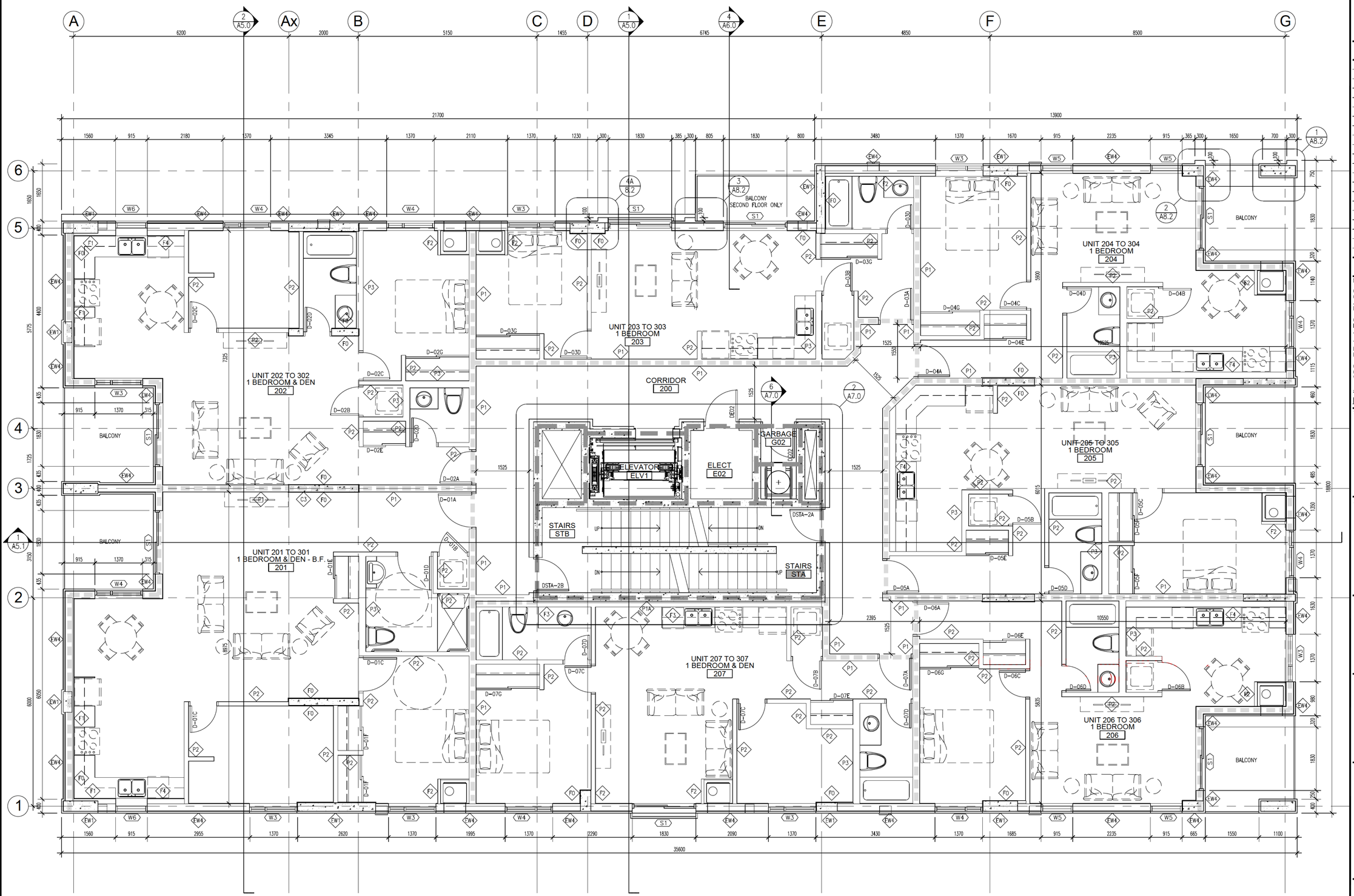
Copyright Act Applies to Use and Production

FIRE SEPARATION LEGEND	
SYMBOL	DESCRIPTION
	2 HOUR FIRE SEPARATION
	1 HOUR FIRE SEPARATION

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Revisions

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North Arrow:

TRUE NORTH
CONSTRUCTION NORTH

Architect:

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T. 905.383.7500 F. 905.383.5700

Client:

2588943 ONTARIO LIMITED

Project:

SOMNIUM SUITES
6 STOREY RESIDENTIAL BUILDING
3544 COMMERCE COURT,
BURLINGTON, ON L7N 3L7

Drawing Title:

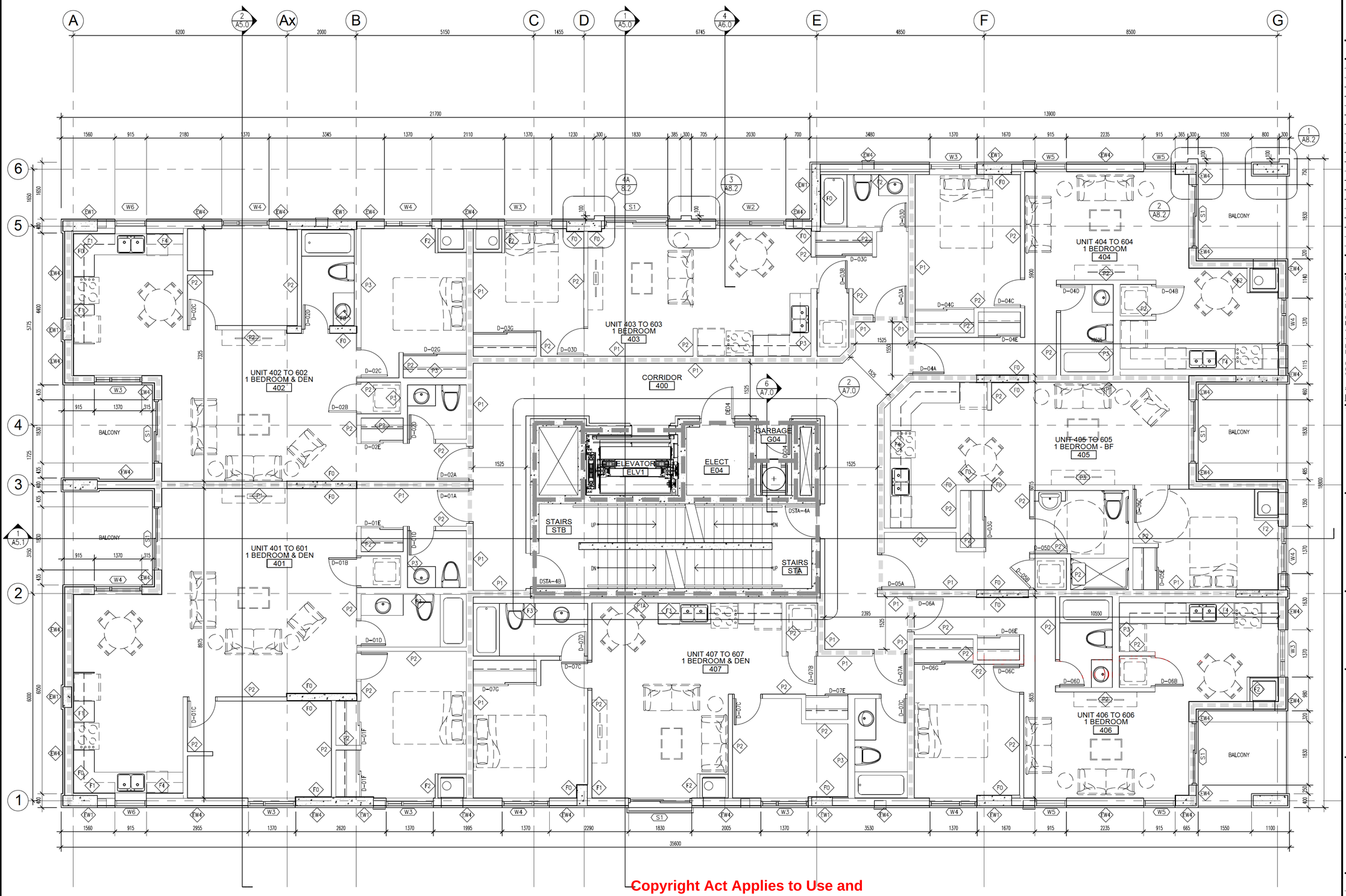
LEVEL 2 TO 3
FLOOR PLANS

Drawn By:	MG	Scale:	1:50
Checked By:	SE	Plot Date:	2026.05.12
Project Date:	2017		
Project No.	17-130		
Drawing No.	A2.2	Sheet version.	0

FIRE SEPARATION LEGEND

SYMBOL	DESCRIPTION
	2 HOUR FIRE SEPARATION
	1 HOUR FIRE SEPARATION

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FIRE SEPARATION LEGEND	
SYMBOL	DESCRIPTION
	2 HOUR FIRE SEPARATION
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Revisions

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CITY (1)	BUILDING PERMIT	2/9/2025
CONT (1)	TENDER	7/25/2025
CITY (1)	BUILDING PERMIT	7/5/2025
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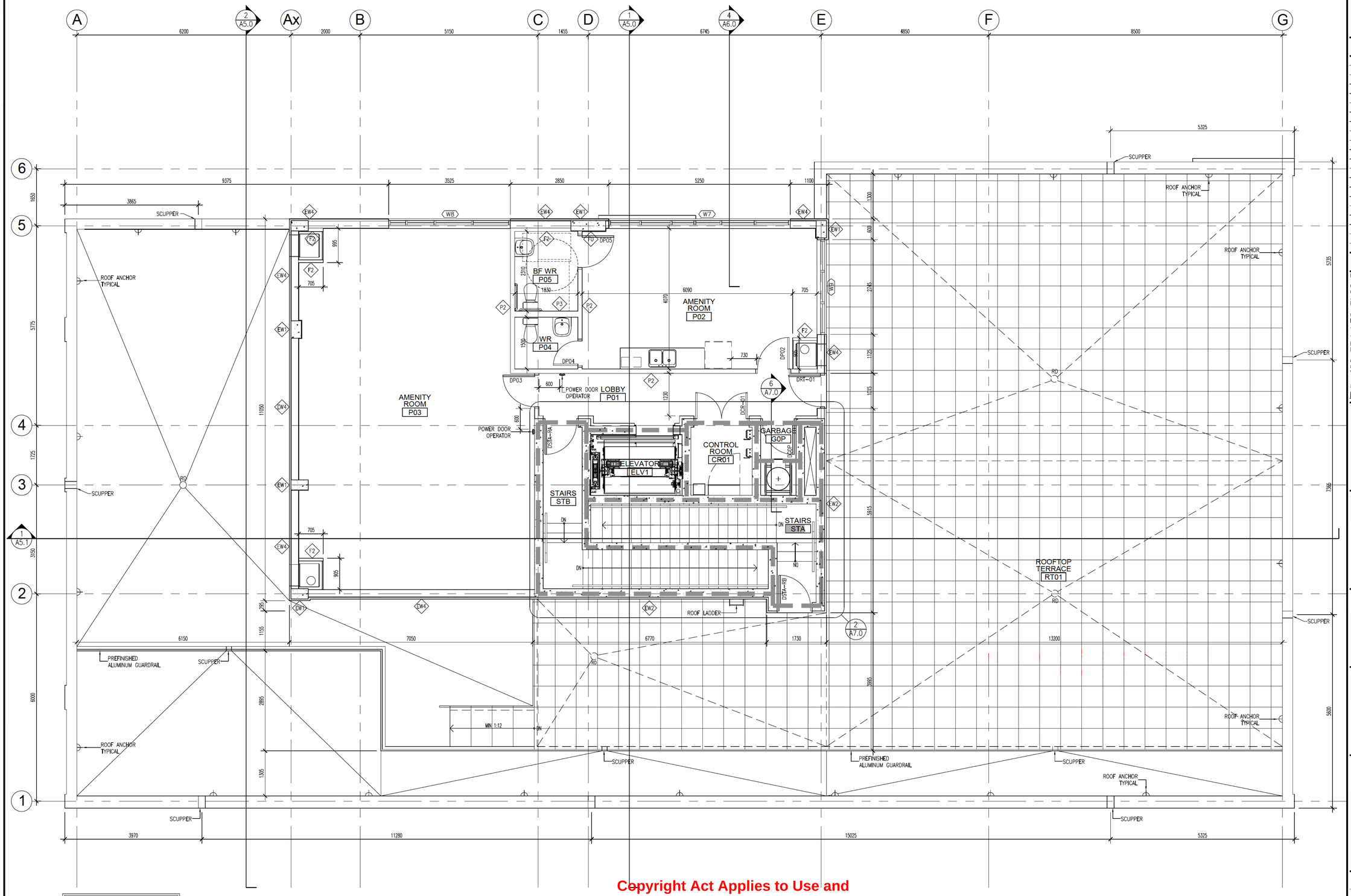
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SOMNIUM SUITES
6 STOREY RESIDENTIAL BUILDING
3544 COMMERCE COURT,
BURLINGTON, ON L7N 3L7

Drawing Title:

LEVEL 4 TO 6
FLOOR PLANS

Drawn By:	MG	Scale:	1:50
Checked By:	SE	Plot Date:	2026.05.08
Project Date:	2017		
Project No.	17-130		
Drawing No.	A2.3	Sheet version.	0



NOTE:
DETAILS FOR ANCHOR SYSTEMS ARE TO BE PROVIDED BY ROOF ANCHOR COMPANY AND MANUFACTURER AND ARE TO BE DESIGNED PER O.B.C. DIVISION B 4.4.4.1.

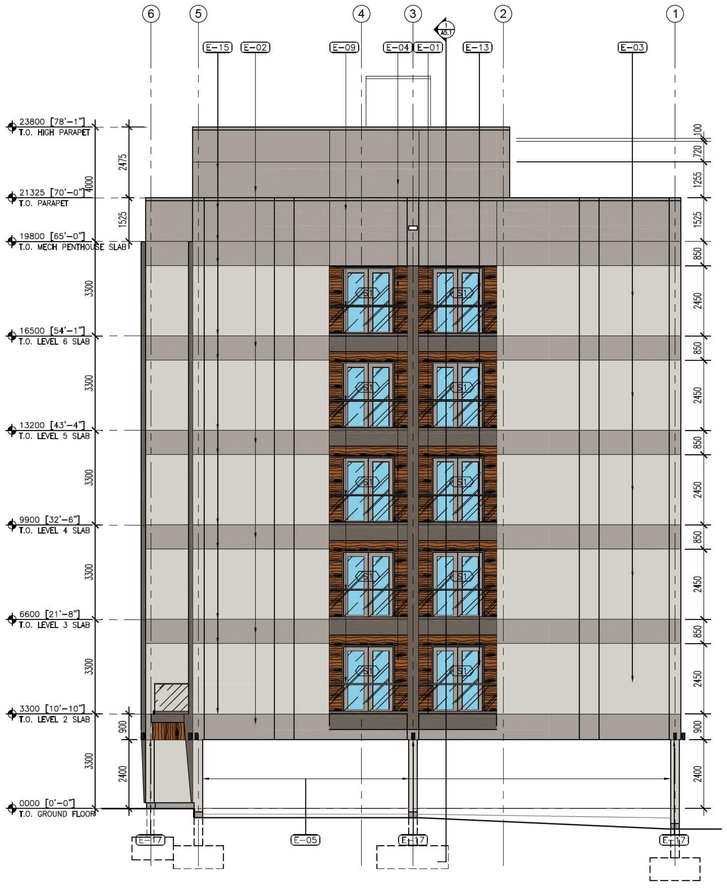
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Revisions

No.:	For:	Date:



2 A4.0 WEST ELEVATION
SCALE: 1:100



1 A4.0 NORTH ELEVATION
SCALE: 1:100

SYMBOL	DESCRIPTION
E-01	EIFS COLOUR: DARK BEIGE
E-02	EIFS COLOUR: MEDIUM BEIGE
E-03	EIFS COLOUR: LIGHT BEIGE
E-04	EIFS COLOUR: WOOD LOOK
E-05	PAINT COLOUR: TO MATCH EIFS LIGHT BEIGE
E-06	PAINT COLOUR: TO MATCH DARK BRONZE
E-07	PREFINISHED ALUMINUM CURTAIN WALL AND WINDOWS COLOUR: DARK BRONZE
E-08	PREFINISHED ALUMINUM CURTAIN WALL C/W SPANDREL PANEL COLOUR: DARK BRONZE
E-09	LAMINATED GLASS GUARD RAIL RAILING COLOUR: DARK BRONZE
E-10	INSULATED FIBERGLASS DOUBLE DOOR COLOUR: WOOD LOOK
E-11	OVERHEAD DOOR COLOUR: WOOD LOOK
E-12	INSULATED HOLLOW METAL DOOR COLOUR: DARK BRONZE
E-13	SLIDING GLASS DOORS FRAME COLOUR: DARK BRONZE
E-14	PREFINISHED METAL CAP FLASHING COLOUR: TO MATCH EIFS MEDIUM BEIGE
E-15	CONTROL JOINT
E-16	ACCESS LADDER PAINTED TO MATCH DARK BRONZE
E-17	LIGHTING FIXTURE
E-18	SCUPPER

3 A4.0 LEGEND

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CITY (1)	BUILDING PERMIT	7/5/2025
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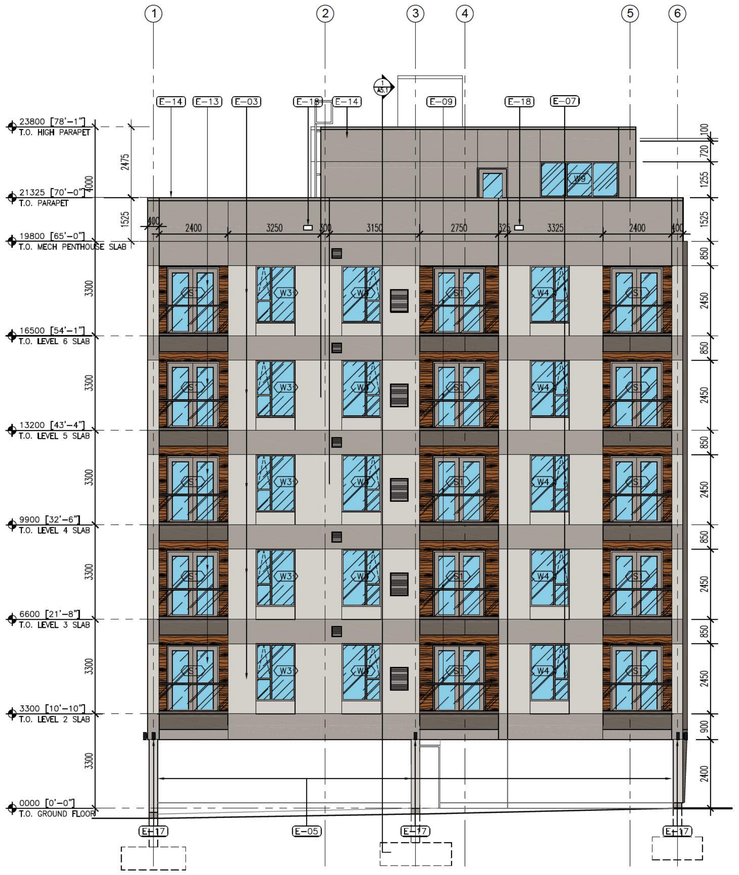
Project:

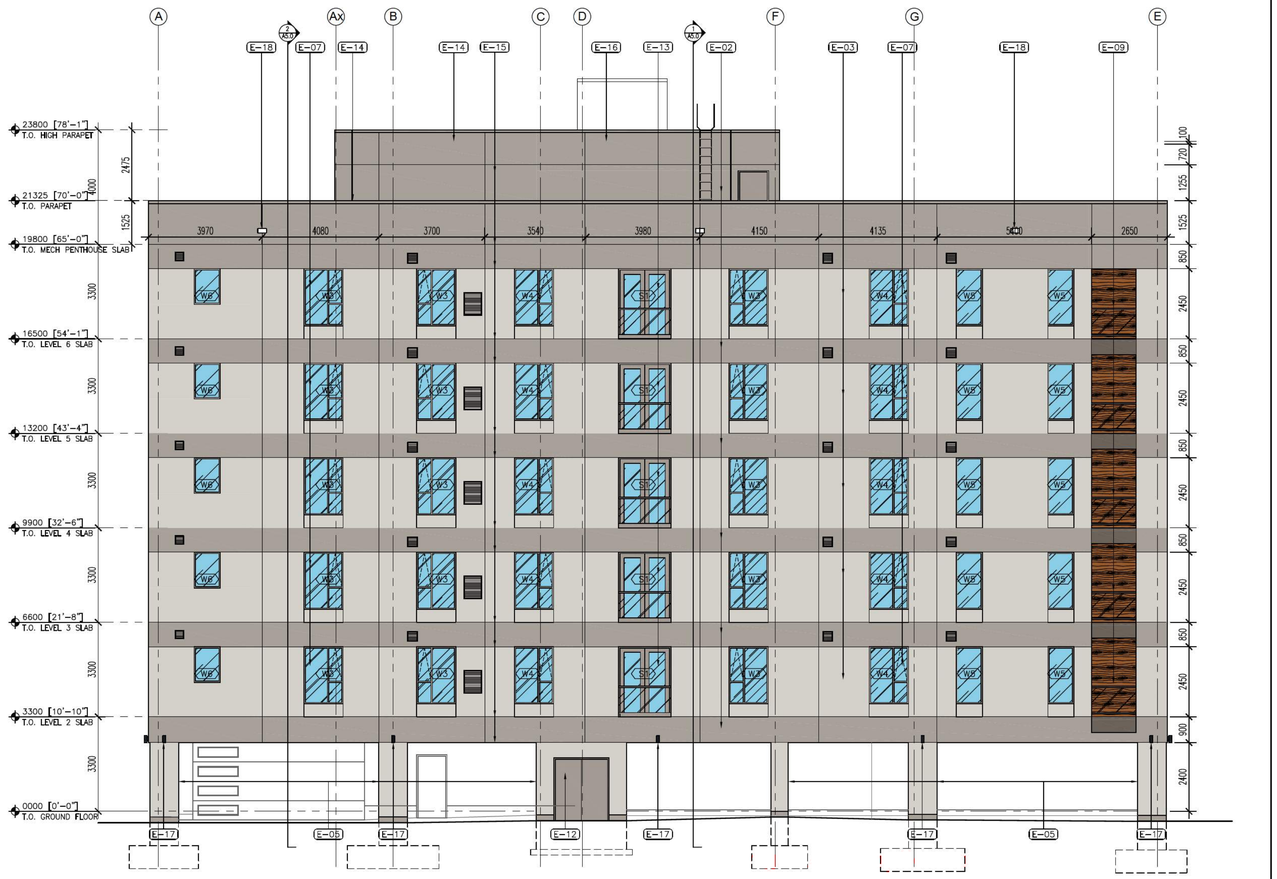
SOMNIUM SUITES
6 STOREY RESIDENTIAL BUILDING
3544 COMMERCE COURT,
BURLINGTON, ON L7N 3L7

Drawing Title:

ELEVATIONS

Drawn By: MG	Scale: 1:100
Checked By: SE	Plot Date: 2025.12.04
Project Date: 2017	
Project No. 17-130	
Drawing No. A4.0	Sheet version. 0





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E-18	SCUPPER

2 / A4.1 EAST ELEVATION
SCALE: 1:100

1 / A4.1 SOUTH ELEVATION
SCALE: 1:100

3 / A4.1 LEGEND

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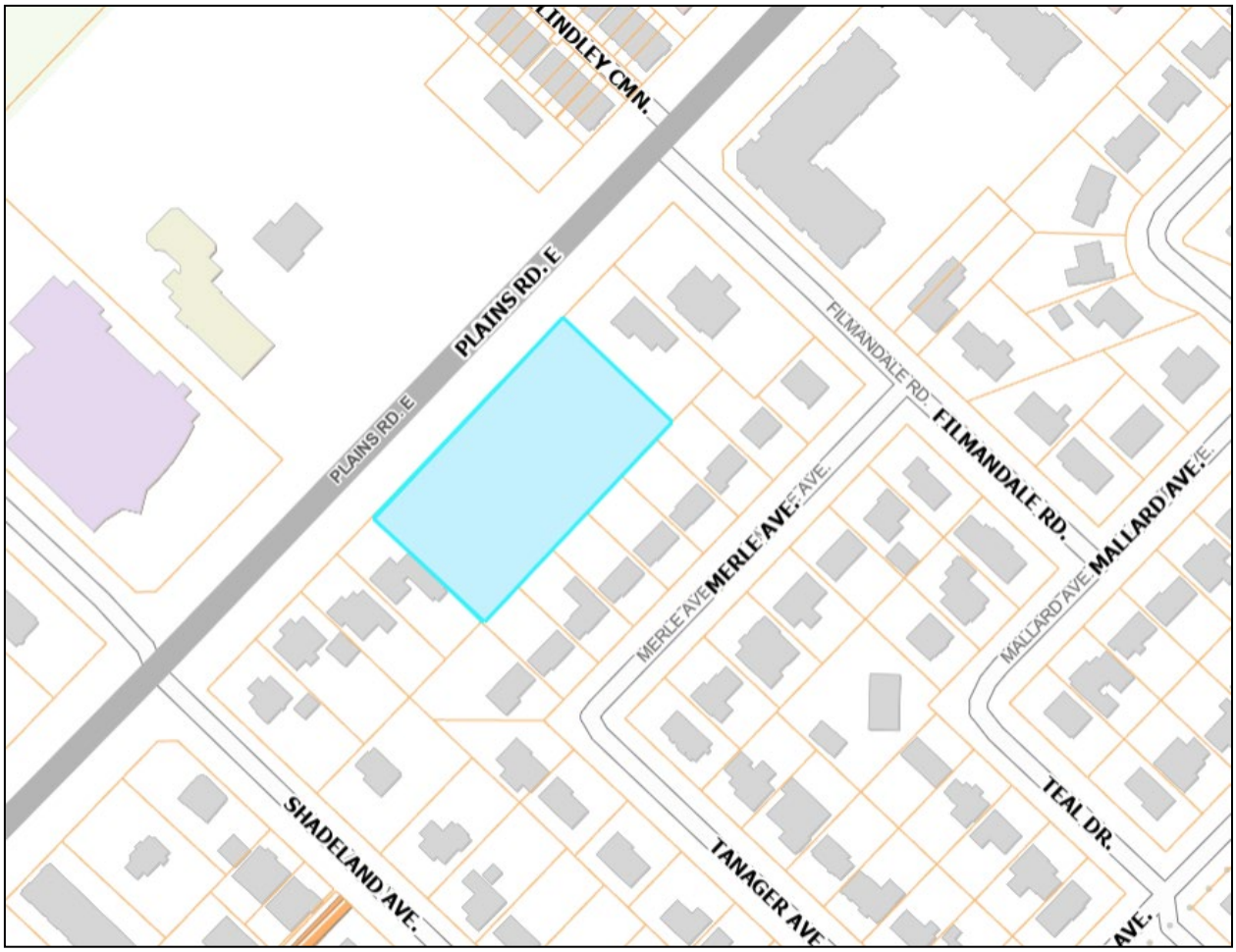
Drawing Title:

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Drawn By:	MG	Scale:	1:100
Checked By:	SE	Plot Date:	2025.12.01
Project Date:	2017		
Project No.	17-130		
Drawing No.	A4.1	Sheet version.	0

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): 284 Plains Road Development Inc
Address: 276, 284, 292 Plains Rd. E.
File No. **A-029/26**
Ward: 1



Staff Comments:

Committee of Adjustment

There is one previous minor variance applications on record for 276 Plains Rd E.
File No. A126/1993 – Approved

- Side and Rear Yard Seatback; Storage Shed

There are no previous land division or minor variance applications on record for this 284 Plains Rd E.

There are four previous minor variance applications on record for 292 Plains Rd E.

File No. A151/1996 – Approved

- To permit marketing office use as a like use to a medical office

File No. A252/1997 – Approved

- To permit the proposed parking lot with a minimum westerly side yard planting strip of 2.1 m instead of the required 6.0 m
- To permit the main driveway to the marketing/advertising office (like use to medical office) to be located on the westerly side of the property instead of the site specific requirement that it be located on the east side of the property.

File No. A162/1999 – Approved

- To permit the proposed office use with the existing site conditions with respect to fencing along the easterly side and the rear lot lines instead of the required regulation under Part 1 – General Conditions and Provisions – 2.19 Office Uses in Residential Zones, (f).

File No. A120/2000 – Approved

- To permit a maximum office floor area of 331.62 m^2 for the existing building and the proposed addition instead of the permitted maximum of 200 m^2.

Date: May 28, 2026 Prepared By: E. Shacklette

Zoning

The subject property is zoned MXG-542, Mixed Use General, under Zoning By-Law 2020, as amended. The MXG-542 zone requires, among other things, the following:

4. MXG, MXC, MXE, MXT ZAONE REGULATIONS

4.1 LOT WIDTH, AREA, AND YARDS

Table 5.4.1

Regulation	Requirement
Yard abutting Plains Road west of the Queen Elizabeth Way	**3 m minimum**; 23 m maximum

2.13 ENCROACHMENT INTO YARDS

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

(c) A bay window, balcony, vestibule, fire escape or open stairway may project 50 cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that:

(i) The sum of the length of these projections does not exceed one third of the permitted length of a building wall

(ii) The length of any one projection does not exceed 3 m.

History / Background:

The development was reviewed through a Zoning By-law Amendment application, which was approved under exception 542 to By-law 2020. A subsequent Site Plan Approval was approved under file 535-008/24, for a proposed 7 storey apartment building containing 141 units. During the Site Plan Approval phase, it was noted that the proposed balconies projecting into the yard abutting Plains Rd E did not comply, as the amending by-law did not account for their inclusion.

The applicant revised the design to comply through the Site Plan Approval process and removed the non-compliant balcony projections. Final Site Plan Approval was issued on January 15, 2025, based on the compliant design. The applicant has since initiated revisions to the Site Plan Approval for a slightly modified design. The modified design re-introduces the front yard balcony projections abutting Plains Rd E, which has triggered a minor variance requirement to address the non-conformity.

Proposal:

The applicant is proposing to revise the approved Site Plan to account for minor design changes including balcony projections into a yard abutting Plains Rd E. Variances are required to account the inclusion of the balconies in a yard abutting Plains Rd E. As the balconies are not eligible for encroachment allowances, they are subject to minimum yard compliance.

Variance required:

1. To permit a 2m yard abutting Plains Rd E, West of the QEW, instead of the minimum required 3m yard for proposed balconies on Floors 2-6.

Condition:

1. A Zoning Clearance Application is required.

Notes:

1. The application is reviewed under section 45(1) of the Planning Act.

2. Zoning comments are based on a scoped review for balcony projections only. A thorough assessment of the development inclusive of all revised plans is required through the Site Plan Approval revision process and future Zoning Clearance process. Any additional variances identified will be the responsibility of the applicant to obtain.

3. The balconies are not eligible for encroachment allowances based on the cumulative length of projections exceeding 1/3 of the building wall. Balconies which are not subject to encroachment allowances are subject to minimum yard compliance.

Date: June 3, 2026 Prepared By:Nathan Dart, CPT

Site Planning

Site Characteristics	
Lot Frontage (m)	95.7 m
Lot Area (m^2)	5043 m^2 (0.50 ha)
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Driveways, two vacant detached dwellings previously converted for office/commercial use.
Site Grading *(ex. Flat and level, significant grade differences)*	Generally flat and level
Notable Site Features	N/A
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low-rise Residential to the south and west, commercial to the west, school and church on the north side of Plains Road East
Nearest Major Intersection	Plains Road East and Waterdown Road
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: CN Rail tracks East: King Road South: North Shore Blvd E West: Waterdown Road

Neighbourhood Characteristics:

- Plains Road East is an identified Mixed Use Corridor/Urban Corridor by the BOP 1997 and BOP 2020. The surrounding neighbourhood consist of a mixture of uses fronting Plains Road East with low-rise residential neighbourhoods to the north and south.

- Between Shadeland Ave and Filmandale Road the built form consists of one storey and two storey detached dwellings. Properties immediately to the west and south of the subject lands are residential uses, while the properties east of the subject lands have been converted into commercial uses.

- A church, school and City park are located north of the site, across Plains Road East.

- The balance of the neighbourhood is comprised of low-rise residential uses, (detached dwellings, townhouses), mid rise residential buildings, commercial plazas.

A site visit was conducted on June 13, 2026, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

The requested minor variance application relates to the development of a seven-storey rental apartment building containing 141 units and one level of underground parking. The site plan application was reviewed under Site Plan File 535-008/24 and received conditional approval on January 15, 2025. A variance is required to permit a 2m yard abutting Plains Rd E, West of the QEW, instead of the minimum required 3m yard for proposed balconies on Floors 2-6. The balconies are not eligible for encroachment allowances therefore they are subject to minimum yard compliance. The balconies are 1.52 m in depth, are partially inset and range in size (5 m^2 to 9.5m^2) based on the size of the unit they are associated with.

Staff note that the architectural plans presented to Council and the public for the September 2023 approval of the Official Plan and Zoning Bylaw Amendments for this site showed balconies that projected 1.2 m into the 3m front yard setback, but the projections were not captured in the site specific zoning bylaw for the property.



2023-07-10 Level 2-3 Plan, 276-292 Plains Rd Development



Rendering of ZBA/OPA approved version of project

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. The subject lands are located along Plains Road East which is identified as a Regional Intensification Corridor in the Regional Urban Boundary by Map 1h of the ROP, 2022. These lands connect other elements of the Regional Urban Structure (MTSA's, Nodes) and support achieving residential and employment densities to ensure the viability of existing and planned transit infrastructure and services. (Section 82.3 (1)). Given that the requested variance would facilitate additional amenity space to support construction of a 7-storey building containing 141 residential units that would provide additional density within a Regional Intensification Corridor to support existing and planned transit, staff is of the opinion that the proposal meets 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 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 'Mixed Use Corridor – General' designation according to Schedule B (Comprehensive Land Use Plan- Urban Planning Area) of the BOP 1997, as amended, which permits, among other uses, high density residential uses and where higher intensity, transit-supportive and pedestrian-oriented mixed use development is encouraged. The proposal is also consistent with site-specific policy (5.3.2 ab) related to the subject lands that allows for a maximum Floor Area Ration of 2.6:1 and a maximum building height of 7 storeys.
- The BOP, 1997 contains a number of factors to be addressed in reviewing site plan application proposals for new development in a Mixed Use Corridor. Although none of the policies relate directly to balconies, the policy is intended to ensure compatibility between Mixed Use Corridor uses and adjacent land uses, particularly residential uses. 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 will not result in undue physical impacts as the residential uses are located to the west and south of the subject lands, whereas the balconies that require a variance are located on the north building elevation which faces Plains Road East. Based on the siting of the proposed building the nearest balcony to the residential properties to the west is setback 9.25 m from the property line. The spacing proposed is sufficient to mitigate any overlook impact.
    - The proposal will not introduce any functional impacts. Although the balconies would be located closer to Plains Road East than is permitted by the Zoning By-law, the proposed balcony location is setback from the road allowance and will not overhang the public sidewalk.

- The Mid-Rise Building Design Guidelines (2019) apply city-wide to developments between five and eleven storeys, except for those in Employment Lands. The objective of the guideline is to provide best practices related to building height, massing, transitions, and building articulation to promote and encourage high quality mid-rise building proposals. The requested variance is consistent with the Mid-Rise Building Design Guidelines (2019) in the following ways:

- The proposed balconies are partially inset and are integrated into the overall building design, reducing the impact on the public realm and massing. (Guidelines 2.3.8, 2.3.9)
- The proposed balconies address Guideline 3.2.3 as they are a projecting architectural element that contribute to façade articulation.
- The proposed balconies are 1.5 in depth, which is sufficient to provide functional private outdoor amenity areas and additional building articulations. (Guideline 3.2.4)
- Despite the reduced setback, the proposed balconies will not overhang the public sidewalk. (Guideline 3.2.5)

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

The general intent and purpose of setback standards as they relate to balconies is to balance building projections with creating livable private amenity areas while limiting impacts on privacy. The proposed minor variance is consistent with this intent for the following reasons:

- The proposed balconies are 1.52 m deep, which is considered deep enough to provide functional private amenity space (3.2.4 of Mid-Rise Building Guidelines).
- The proposed encroachment of the balconies (1 m) into the required front yard setback has a limited impact on the massing of the building given that the balconies are open air features. The balconies provide increased building articulation without expansion to the building envelope.
- The balconies that require a variance are located on the north building elevation which faces Plains Road East, a five lane Multi-Purpose Arterial road. A school and church are located on the north side of Plains Road East, across from the subject development. Overlook would be directed to these non-residential uses and public road allowance therefore staff do not have any concerns with respect to privacy. With respect to side yard setback (which comply with the Zoning By-law), the balconies will continue to maintain a setback of 9.25 m from the west property line which contains residential uses and 11.4 m from the east property line which contains commercial uses. The spacing proposed is sufficient to mitigate any overlook impact.

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 variance is desirable for the appropriate development of the land because:

- The variance would facilitate the construction of a mid-rise building that makes efficient use of underutilized sites located within a Regional Intensification Corridor.
- The variances would allow for the integration of balconies that enhance livability and provide high-quality outdoor private amenity spaces, consistent with the City's Mid-Rise Design Guidelines and Official Plan objectives for compact, transit-supportive growth.
- The variance would result in balconies that increase usable private amenity space for residents while maintaining the same building siting and mid-rise built form contemplated through the prior approvals.

4) Minor in Nature:

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

Yes

The proposed variance is considered minor in nature for the following reasons:

- The requested reductions to front yard setback relate specifically to balconies, which are secondary building elements that do not alter the building siting, use, height, density, access and site layout which remain consistent with the approved zoning and the conditionally approved Site Plan.
- The variance would not result any undue impacts on neighbouring properties in terms of privacy impacts, given the context of adjacent properties.
- The proposed balconies enhance livability and architectural articulation, and their projections are modest in scale when considered in context with the overall building envelope.
- The variance represents small-scale refinement, necessary to implement the Site Plan efficiently. They are therefore appropriately considered minor in both scale and impact.

Cumulative Effects of Multiple Variances and Other Planning Matters:

Not Applicable.

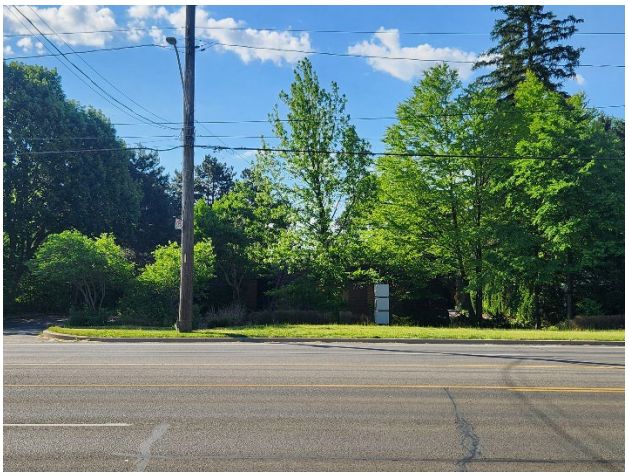
Recommendation:

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.

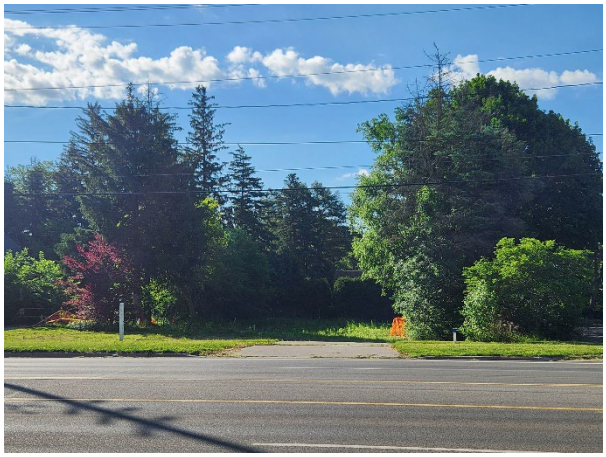
Date: June 12, 2026 Prepared By: Melissa Dalrymple, MCIP, RPP

Report Schedules & Attachments:

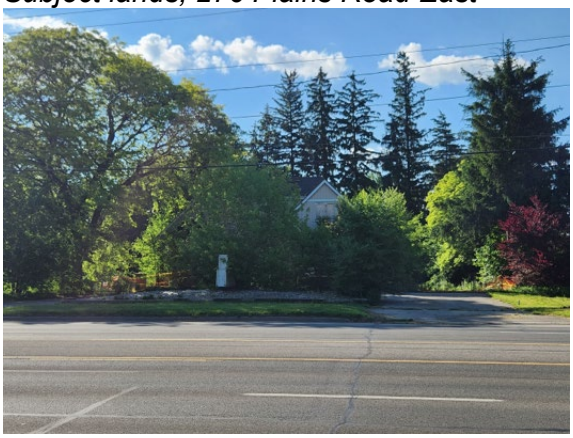
Attachment No. 1 (Site Photos)



Subject lands, 276 Plains Road East



Subject lands, 284 Plains Road East



Subject lands, 292 Plains Road East



Low-rise residential uses to the south on Merle Avenue



Low-rise residential uses to the west on Plains Road East.



Commercial use to the east on Plains Road East.



Commercial use to the east on Plains Road East.



Church on the north side of Plains Road East.



School on the north side of Plains Road East.

Technical Reviewer Comments:

Development Engineering

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

Date: June 12 2026 Prepared By: A.Scott

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: June 9, 2026 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: June 18, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

Plains Road East is under the authority of the City of Burlington, and the deemed right-of-way width is 36 metres. The right-of-way adjacent to the subject site is approximately 36 metres; therefore, no additional lands are required.

Date: June 3, 2026 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: June 10, 2026 Prepared By: D. Napoli

Finance

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

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

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Date: June 4, 2026 Prepared 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 to revise the approved Site Plan to account for minor design changes including balcony projections into a yard abutting Plains Rd E. Variance is requested to the minimum required yard depth with respect to the balcony projections.

- 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: June 12, 2026 Prepared By: Navjot Kaur

Burlington Hydro
As this review is limited to the variance concerning the balconies on the front façade, and as noted in previous comments, the developer must ensure that a minimum horizontal clearance of 5.0 m is maintained between the edge of the building and the closest overhead conductor (running along the east side of Plains Rd E). No part of the proposed development shall encroach upon the required clearance under any circumstances.

Date: June 10, 2026 Prepared By: Michael Hanna

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-029/26**
Committee of Adjustment
Date of Mailing: June 22, 2026

NOTICE OF PUBLIC HEARING

284 Plains Road Development Inc of 1065 Clarke Rd. London have applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The properties in question are **276, 284 and 292 Plains Rd. E Burlington** (see map).

This development for a proposed 7 storey apartment building containing 141 units was reviewed through a Zoning By-law Amendment application, which was approved under exception 542 to By-law 2020. During the Site Plan Approval phase (535-008/24), it was noted that the proposed balconies projecting into the yard abutting Plains Rd E did not comply, as the amending by-law did not account for their inclusion. The applicant revised the design to comply and removed the non-compliant balcony projections.

Final Site Plan Approval was issued on January 15, 2025, based on the compliant design. The applicant has since initiated revisions to the Site Plan Approval for a slightly modified design. The modified design re-introduces the front yard balcony projections abutting Plains Rd E, which has triggered a minor variance requirement to address the non-conformity as described below:

1. To permit a 2m yard abutting Plains Rd E, West of the QEW, instead of the minimum required 3m yard for proposed balconies on Floors 2-6.

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 22, 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 JULY 8, 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 **5:00 p.m.**

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

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

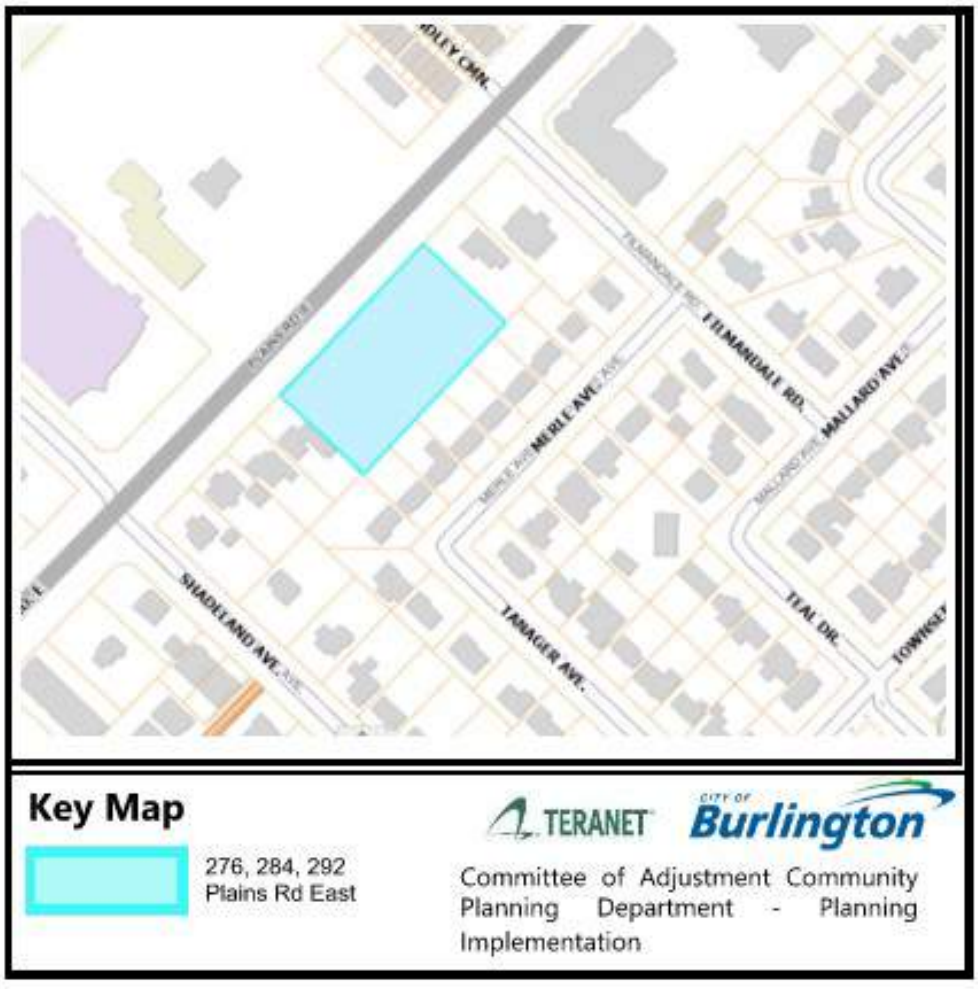
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

Yours truly,

Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



CITY OF Burlington

MINOR VARIANCE -2026

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

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

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

Application made under:
[X]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|X]or N D
Name of Planner: Melissa Dalrymple Name of Zoning Examiner: Nathan Dart

PROPERTY INFORMATION
Municipal Address(es) of property:

276, 284, and 292 Plains Road East, Burlington

Legal Description of property:

276 Plains: PT LT 4 , CON BROKEN FRONT , AS IN 592543 ; BURLINGTON/E FLAM TWP
284 Plains: PT LT 4 , CON BROKEN FRONT , AS IN 213867 ; EXCEPT PT 1 PM426 CITY OF BURLINGTON
292 Plains: PT LT 4 , CON BROKEN FRONT , AS IN 688195 ; BURLINGTON/E FLAM TWP

Official Plan Designation: Mixed Use Corridor- General Current Zoning Designation MXG-542

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

284 Plains Road Development Inc. (Corley Developments)

Mailing Address: 621 Clarke Road city: London

Postal Code: N5V 2E1 Home Phone: Mobile Phone:

Work Phone: [redacted] E-Mail: [redacted]

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

Name:
Weston Consulting, c/o Martin Quarcoopome

Business Address: 201 Millway Avenue, Unit 19 City: Vaughan

Postal Code: L4K 5K8 Home Phone: Mobile Phone:

Work Phone' [redacted] E-Mail: [redacted]

9

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

The conditionally approved Site Plan (File # 535-008/24) contemplates a seven-storey residential building fronting onto Plains Road East, with the seventh floor dedicated to indoor and outdoor rooftop amenity space. A total of 141 residential units are proposed with a total of 145 parking spaces, 52 of which will be located in an underground parking structure. A total of 71 bicycle parking spaces are provided for residents. The requested Minor Variance seeks relief from provision 2.13.1(c) of Zoning By-law 2020 Part 1.

Variance(s) Requested	Zoning Bylaw Requirement
SEE MINOR VARIANCE JUSTIFICATION LETTER	

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 MINOR VARIANCE JUSTIFICATION LETTER

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

SEE ATTACHED MINOR VARIANCE JUSTIFICATION LETTER

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

SEE ATTACHED MINOR VARIANCE JUSTIFICATION LETTER

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

SEE ATTACHED MINOR VARIANCE JUSTIFICATION LETTER

CITY OF Burlington

MINOR VARIANCE -2026

Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadiustment(a>burlington.ca

PROPERTY DETAILS (please complete all fields):

Date property purchased: 'most recent acquisition Oct/02/2024 (mmm/dd/yyyy)	Date property first built on: UNKNOWN (mmm/dd/yyyy)	Date of proposed construction: 2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

Detached DwellingfX] Semi-Detached Dwellingd
Townhouse DwellingEZ Street Townhouse DwellingdStacked Townhouse Dwellingd
Apartmentd Mixed Used Hi Risedd
Commercialdd Industrialdd Vacantd
Otherd

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

Unknown

Proposed Use of the Land:

Residential Apartment Building

Existing Uses of Abutting Properties (check all that apply)

Residential [X] Commercial ☐ Industrial ☐ Multi-Residential d Vacantd Hydro right of-wayd
Railway right-of-way d Provincial Highway d Parkd Otherd _____
Conservation Halton Lands: Lake Ontario d Creek d Storm Water Management Pond/Channel d
Ravine d

Additional Information

Is liquor sold on site? Y d or N d

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

Type of Access to the Subject Lands

Provincial QJ Highway	Municipal |x| Road	Private Road [J	Water [J	Other(specify) |__|

Municipal Services Provided

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

IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: |X] Official Plan Amendment d Zoning By-law Amendment □Building Permit
dSite Development Plan dPlan of Subdivision dPrevious Minor Variance dConsent

MULTI-RESIDENTIAL

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

Dimensions of Property			Street Width (see first page of application for how to obtain)				Have you applied for Site Plan Approval? Y [X] N D
Frontage	Depth	Area	Actual	Deemed	Required	Density	
95.70 m	52.73	5,043 m2	36	36m	0	2.61	File 535-008/2

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

EXISTING (Building)		**PROPOSED (Building/Addition)**	
Ground Floor Area:	M^2	Ground Floor Area: 1,737.5	M^2
Gross Floor Area:	M^2	Gross Floor Area: 12,638.3	M^2
Number of Storeys:		Number of Storeys: 7	
Width:	M	Width: 81.4	M
Length:	M	Length 24.9	M
Height:	M	Height 22.6	M
# of Existing Units:	M^2	# of Proposed Units: 141	M^2
Floor Area Ratio:	M^2	Floor Area Ratio: 2.61	M^2
Required Parking Spaces:		Proposed Parking Spaces: 145	
Existing Parking Spaces:			
EXISTING (Other)		**PROPOSED (Other)**	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Are >\	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:		Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING (Building)		**PROPOSED (Building)**	
Front:	M	Front: 3	M
Rear:	M	Rear: 12	M
Side:	M	Side: 11.2	M
Side:	M	Side: 3	M
OTHER		**OTHER**	
Front:	M	Front:	M
Rear:	M	Rear:	M
Side:	M	Side:	M
Side:	M	Sid©	M

CITY OF Burlington

MINOR VARIANCE -2026
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment(a)burlington.ca

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: 284 Plains Road Development Inc.

Property Address: 276, 284, and 292 Plains Road East

Signature of Owner/Applicant

Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE - 2026
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment(a>burlinqton.ca

AFFIDAVIT

*Please fill out at time of submission of application

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

I, _____ (print name) of the _____ (Region/City/County) of _____ in the _____ (City/Town/Township)

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

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

this _____ day of _____ 20____.

_____
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: 276 >284 >and 292 Plains Road East

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

284 Plains Road Development Inc.
Print Name

CITY OF Burlington

MINOR VARIANCE - 2026

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

OWNERS AUTHORIZATION

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

I, /W ffyt'rnt Road Development being the registered owner of the subject lands, hereby
(print name)

Authorize Weston Consulting 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 K)
LEGAL SURVEY (must be prepared and signed and dated by an Ontario Land Surveyor) * For new development, a Proposed Building Plan stamped by an Ontario Land Surveyor or Professional Engineer may be required.	|x]
OR	
DETAILED SITE PLAN (must be prepared and stamped by Professional Engineer, Ontario Land Surveyor or Professional Architect). A legal survey may still be required at the discretion of staff.	|x]
AND	
PLAN and ELEVATION DRAWINGS which include the following as applicable: (Missing details or illegible drawings will be sent back to the applicant for correction)	|x|

SITE PLAN

- [X] Metric Scale
- [X] North Arrow
- |X] Frontage
- [X] Depth
- [X] Lot Area
- [X] Lot Coverage
- [X] Deemed Street Line
- [X] Existing Front Yard Setbacks
- [X] Existing Rear Yard Setbacks
- [X] Existing Side Yard Setbacks
- [X] Existing Street Side Yard Setbacks
- [X] Existing Porch, Stairs and Overhang Setbacks
- [X] Proposed Front Yard Setbacks
- [X] Proposed Rear Yard Setbacks
- |X] Proposed Side Yard Setbacks
- [X] Proposed Street Side Yard Setbacks
- [X] Proposed Porch, Stairs and Overhang Setbacks
- [X] Streets (Public and Private)
- [X] Street Names
- [X] Parking (Dimensioned spaces, Driveway Width, Arrangement)
- [X] Railways (Location of them and setbacks to structures)
- [X] 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 orthose missing required details will be returned to applicant.

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- □ Setbacks
- □ Height
- □ Area
- □ Length
- □ Width

ELEVATIONS

- [X] Metric
- [X] Front
- [X] Rear
- [X] Side 1
- [X] Side 2

FLOOR PLANS

- [X] Metric
- [X] North Arrow
- [Xj Gross Floor Area Calculation
- [X] Ground Floor Area Calculation
- [X] Floor Area Ratio (where applicable)

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

Signature of Owner/Agent

Date (mmm/dd/yyy)

WESTON CONSULTING

Committee of Adjustment
City of Burlington
426 Brant Street
Burlington, ON L7R 3Z6

May 15, 2026
File 8583-2

Attn: Secretary Treasurer, Committee of Adjustment

RE: 276, 284 & 292 Plains Road East
Minor Variance Application
Related City Files: ZBA 520-08/21, OPA 505-07/21, SPA 535-008/24

Weston Consulting is the planning consultant for the registered owner of the lands municipally addressed as 276, 284 and 292 Plains Road East (the "Subject Lands"). On behalf of the owner, we are pleased to submit the enclosed Minor Variance Application to permit a limited increase to the depth of balconies on the north elevation of the approved residential development.

Description of the Subject Property

The Subject Lands are located on the south side of Plains Road East, east of Shadeland Avenue and west of Filmandale Road in the City of Burlington. The Subject Lands are generally rectangular in shape with a lot area of 0.50 hectares (5,043 square metres) with approximately 95.70 metres of frontage on Plains Road East. The Subject Lands are currently occupied by two vacant single-detached residential dwellings that have been converted for commercial and small-scale office uses. Access to the properties is provided through private ingress/egress driveways onto Plains Road East.



Figure 1 - Aerial Photo

Project Background

Official Plan Amendment and Zoning By-law Amendment applications, File Nos. OPA 505-07/21 and ZBA 520-08/21, respectively, were approved by City Council on May 21, 2024. The approved amendments granted increased density, height, and site-specific development standards to facilitate a 7-storey residential rental apartment building with 141 units and one level of underground parking.

The Site Plan application, File No. 535-008/24 / DA-03-25, received conditional approval on January 15, 2025, and the Applicant is in the process of finalizing the Site Plan Agreement and clearing outstanding conditions. The provided Minor Variance Application is not a condition of Site Plan approval, rather, it is intended to address a modest design refinement to the balcony configuration that will be reflected through the updated Site Plan materials, subject to the Committee's decision.

The submitted Minor Variance application seeks relief from the provisions of By-law 2020 ("ZBL") as it pertains to the proposed development. It is our opinion that the proposed variance meets the four tests set out under Section 45(1) of the *Planning Act*. The rationale contained herein seeks to support this recommendation and planning opinion.

Development Proposal

The proposed development contemplates a 7 storey residential building fronting onto Plains Road East, with the seventh floor dedicated to indoor and outdoor rooftop amenity space. The residential building is proposed to have a Gross Floor Area ("GFA") of 12,638 square metres, and a Floor-Area-Ratio (FAR) of 2.61. A total of 141 residential units are proposed with a total of 145 parking spaces, 52 of which will be located in an underground parking structure.

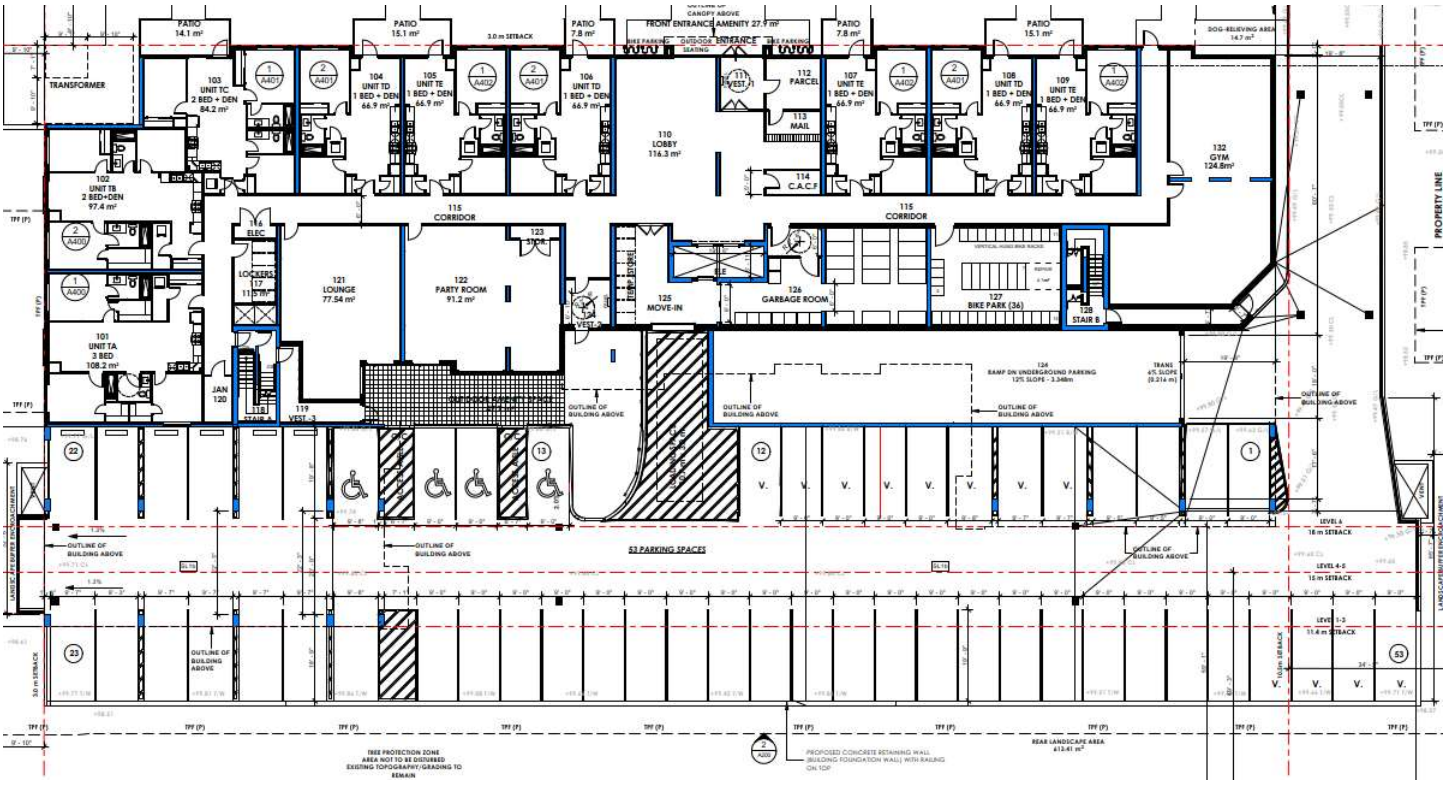


Figure 2 - Site Plan

Policy Framework

The Subject Lands are designated 'Mixed Use Corridor – General' on Schedule B1 of the in-force City of Burlington Official Plan ("OP") as amended by OPA 132 which granted a Floor Area Ratio of 2.6:1 and a maximum building height of 7 storeys. Residential buildings are permitted in the Mixed Use Corridor – General designation and the development will continue to conform with the OP in its entirety with the proposed Minor Variance.

The Subject Lands are currently zoned 'MXG-542 – Mixed Use General, Exception 542' by City of Burlington Zoning By-law 2020 ("ZBL"), as amended by site specific by-law 2020.476. It is important to note that through By-law 2020.476, similar balcony encroachments were granted on the east and west sides of the building. The requested front yard balcony encroachment is therefore generally consistent with the site-specific design already approved by Council for balcony encroachments on the east and west elevations of the building.

Purpose of the Minor Variance Application

The purpose of the variance is to permit the proposed balconies on the north elevation of the building to encroach 1 metre into the required front yard. Section 2.13 – Encroachments Into Yards establishes balcony projections of up to 1.6m into the front yard subject to the criteria listed in the table below. While the proposed encroachment is less than the permitted projections of Section 2.13.1(c), the Applicant is not able to satisfy the criteria; specifically subsections (i) and (ii). Through discussion with City Planning and Zoning staff, it was confirmed that balcony encroachments that cannot meet the provisions of Section 2.13.1(c) are required to meet the setbacks of the principal building which is 3 metres.

No.	Zoning By-law 001-2021 Requirement	Variance Requested
1.	**Section 2.13.1(c):** A bay window, **balcony**, vestibule, fire escape or open stairway may project 50cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that: (i) the sum of the length of these projections does not exceed one third of permitted length of a building wall, (ii) The length of any one projection does not exceed 3 m.	To permit balconies on storeys 2 to 6 to encroach 1 metre into the required front yard.

The requested relief is narrow in scope and relates only to the depth of the north-facing balconies. The underlying building, land use, height, density, site access, parking arrangement, and overall site organization remain consistent with the approved zoning framework and the conditionally approved Site Plan. The revised balcony configuration increases usable private amenity space for residents while maintaining the same building siting and overall mid-rise built form contemplated through the prior approvals.

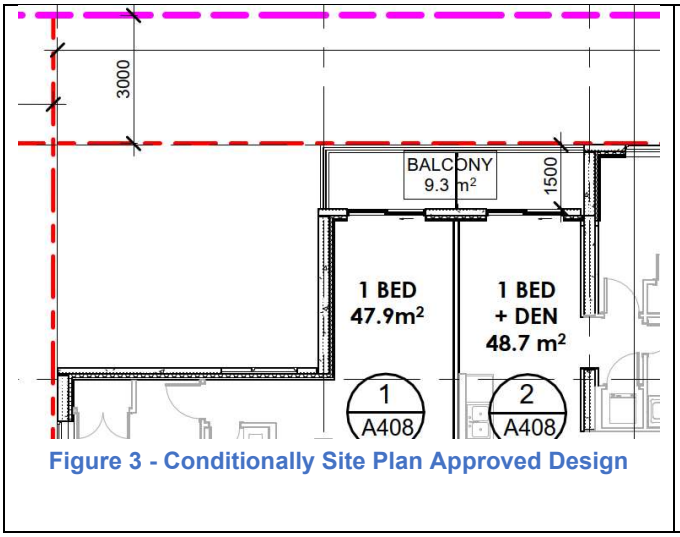


Figure 3 - Conditionally Site Plan Approved Design

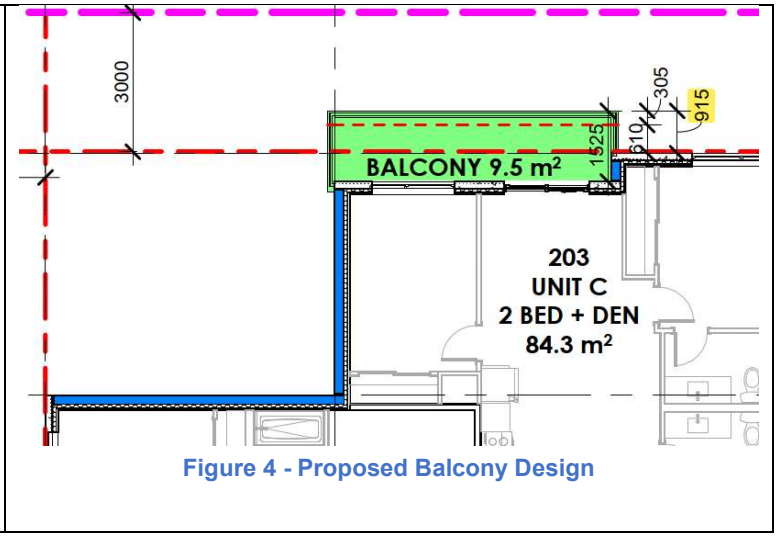


Figure 4 - Proposed Balcony Design

Planning Analysis and Justification of the Proposed Minor Variance Application

Section 45(1) of the Planning Act authorizes the Committee of Adjustment to grant a minor variance from the regulations of the Zoning By-law where the application satisfies the four tests. In our opinion, the requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is desirable for the appropriate development and use of the Subject Lands, and is minor in nature. The following analysis addresses each of these tests.

1. <u>The variances maintain the general intent and purpose of the Official Plan</u>

The first test under Section 45(1) of the Planning Act requires that the requested variance maintain the general intent and purpose of the applicable Official Plan policies. In evaluating this test, consideration is given to whether the proposal continues to conform with the broader land use vision and policy framework established by the Official Plan, including the intended land use designation, built form typology, public realm objectives, and compatibility considerations.

The Subject Lands are designated Mixed Use Corridor - General in the in-force Official Plan. The intent of this designation is to support higher-intensity, transit-supportive and pedestrian-oriented development along multi-purpose arterial corridors, including Plains Road East. The approved 7 storey residential building continues to implement this policy direction by intensifying an underutilized corridor site with a compact mid-rise apartment form in proximity to existing services, transit, and the established Plains Road East urban structure.

Policy 5.3.2 also identifies site plan considerations for development within Mixed Use Corridors, including compatibility with adjacent uses. The requested variance does not alter the approved use, building height, density, front yard relationship, site circulation, or transition to the low-rise residential properties to the south and west. The balconies subject to the variance are located on the north elevation facing the public realm of Plains Road, rather than toward the abutting residential rear yards. As a result, the relief does not undermine the Official Plan's compatibility objectives.

The Official Plan does not establish a specific balcony encroachment standard. Rather, it provides built form compatibility policies to ensure that the interface with adjacent lands and the proposed development remains appropriate. In this case, the additional balcony depth is limited, does not increase the building height or density, and improves the quality of private outdoor amenity space for residents. The change from inset balconies on the conditionally approved plan to a projection of 1m allows for a more functional dwelling unit and private amenity area. The requested variance therefore maintains the general intent and purpose of the Official Plan.

2. The variances maintain the general intent and purpose of the Zoning By-law

The second test requires that the requested variance maintain the general intent and purpose of the applicable Zoning By-law. Zoning standards for setbacks and permitted encroachments regulate the physical form of development, maintain appropriate separation between buildings, address overlook and privacy considerations, and ensure that projections such as balconies remain subordinate to the principal building form.

The Subject Lands are zoned MXG-542 - Mixed Use General, Exception 542. The site-specific zoning permissions were established through the approved Zoning By-law Amendment and continue to permit the proposed residential development. The requested variance does not change the permitted use, height, density, or principal building setbacks established through that site-specific zoning framework.

The intent of the Zoning By-law regulation governing balcony projections into required yards is to ensure that balconies remain modest building projections and do not create undue overlook, massing, separation, or public realm impacts. The proposed 1 metre encroachment maintains this intent as the balconies remain limited, open-air projections attached to the north elevation and do not function as enclosed floor area or as an expansion of the building envelope.

The balconies that are affected by the variance face Plains Road which is a non-residential condition. Any potential overlook is therefore directed toward the Plains Road East public right-of-way, rather than toward sensitive private residential amenity areas. This materially reduces the potential privacy impact associated with the additional balcony depth.

3. The variances are desirable for the appropriate development of the Subject Lands

The third test requires that the requested variance be desirable for the appropriate development or use of the Subject Lands. In this context, desirability is assessed by considering whether the relief facilitates a functional and high-quality residential building, improves resident amenity, and remains compatible with the surrounding land use context.

The requested variance is desirable as it improves the livability of the proposed residential building by increasing the size and usability of private balconies for future residents of the rental apartment. Should the variance not be granted, the additional balcony area would need to be achieved through a reduction to interior unit area or through a more material alteration to the approved building design. This outcome would not represent a better site planning result. The requested relief allows for modest improvement to private outdoor amenity space while preserving the approved building siting, unit layout, site circulation, parking supply, and overall corridor-oriented built form, with no impact to the public realm along Plains Road.

The variance is therefore desirable for the appropriate development and use of the Subject Lands because it supports a more functional residential building and better resident amenity without creating adverse land use compatibility impacts.

4. The proposed variances are minor in nature

The fourth test requires that the requested variance be minor in nature. This assessment is not limited to a numerical comparison; it also considers the physical and planning impacts of the relief on the Subject Lands and surrounding area.

The requested variance is minor when considered quantitatively and qualitatively. The proposed balconies project 1.0 metre into the required front yard and are limited to the north-facing balconies on storeys 2 to 6. The requested relief is narrower than the 1.6 metre front-yard projection p[ermitted by Section 2.13.1(c), however this variance is required because the balcony configuration does not satisfy the applicable projection length and aggregate wall-length criteria. The building remains within the approved zoning framework in all other material respects. Qualitatively, the relief does not change the approved use, height, density, number of units, parking supply, access configuration, or overall massing of the development. The affected balconies face a public right of way. As such, no unacceptable privacy, overlook, shadow, massing, or compatibility impacts are anticipated. The requested variance is therefore minor in nature.

The relief also supports a better residential design outcome by improving private amenity space without increasing the building footprint or introducing additional dwelling units. The increased projection is incremental, localized to the north elevation, and compatible with the Plains Road East public realm condition. On this basis, the variance is minor in both scale and impact.

Comparable Committee of Adjustment Approvals

The planning analysis above has been prepared based on the merits of the requested variance for the Subject Lands. It is understood that each minor variance application is assessed independently against the four tests under Section 45(1) of the Planning Act, and that prior Committee decisions are not determinative. However, previous approvals may provide useful context where the Committee has considered similar built form refinements involving balcony projections, amenity-related design changes, and compatibility with adjacent uses.

Recent approvals demonstrate that the Committee has supported variances of a similar character where the resulting development remained compatible with the surrounding neighbourhood and satisfied the four tests under Section 45(1) of the Planning Act. The example below is provided for contextual purposes only:

Property	File No.	Variance Theme	Status
420 Guelph Line	540-02-A-036/24	Changes to an approved SPA for an 11-storey apartment building: To permit reduced setbacks to terraces which are proposed to provide accessible amenity area, an increased encroachment allowance for front yard balconies, decreased setbacks to rear yard and north side yard balconies, and to permit a building footprint area.	Approved

The minor variance application approved for 420 Guelph Line is relevant because it involved relief related to balcony/terrace setbacks and encroachments for a multi-unit residential building in a primary transit corridor context. While the surrounding conditions are not identical, the decision supports the general planning principle that balcony-related relief may be appropriate where the projections remain subordinate, improve amenity or building function, and do not create adverse privacy, overlook, massing, or compatibility impacts.

Conclusion

The enclosed plans have been prepared to support a limited variance to the balcony encroachment provisions of the Zoning By-law. The requested relief responds to the revised balcony configuration shown on the updated architectural drawings and is intended to facilitate a modest design improvement that increases usable private outdoor amenity space for future residents. The variance applies only to the north-facing balconies on storeys 2 to 6 and does not alter the approved residential use, building height, density, number of units, parking supply, access arrangement, or overall site organization.

Based on the analysis contained herein, it is our opinion that the requested variance satisfies the four tests under Section 45(1) of the Planning Act. The variance maintains the general intent and purpose of the Official Plan by supporting a higher-intensity, corridor-oriented residential development while improving resident amenity. It maintains the general intent and purpose of the Zoning By-law because the balconies remain limited, open-air projections that do not function as additional enclosed floor area and do not create adverse compatibility impacts. The variance is desirable because it improves private outdoor amenity space without requiring material changes to the approved building or site design, and it is minor in nature because the relief is localized, limited in scale, and oriented toward the Plains Road East public realm.

For these reasons, the proposed application has merit, represents good planning, and should be approved.

In support of the Minor Variance application, the following materials have been included with the submission:

No.	Item	Consultant	Date
1.	Minor Variance Justification Letter	Weston Consulting	March 15, 2026
2.	Completed Variance Form		March 15, 2026
3.	Approved Site Plan and Elevations	Reinders and Associates	February 28, 2025
4.	Proposed Balcony and Encroachment Details		March 27, 2025
5.	Legal Survey	David B. Searles Surveying	August 11, 2023

If you have any questions, please do not hesitate to contact the undersigned at extension 266.

Yours Truly,
Weston Consulting
Per:

Martin Quarcoopome, BES, MCIP, RPP
Partner, Team Lead

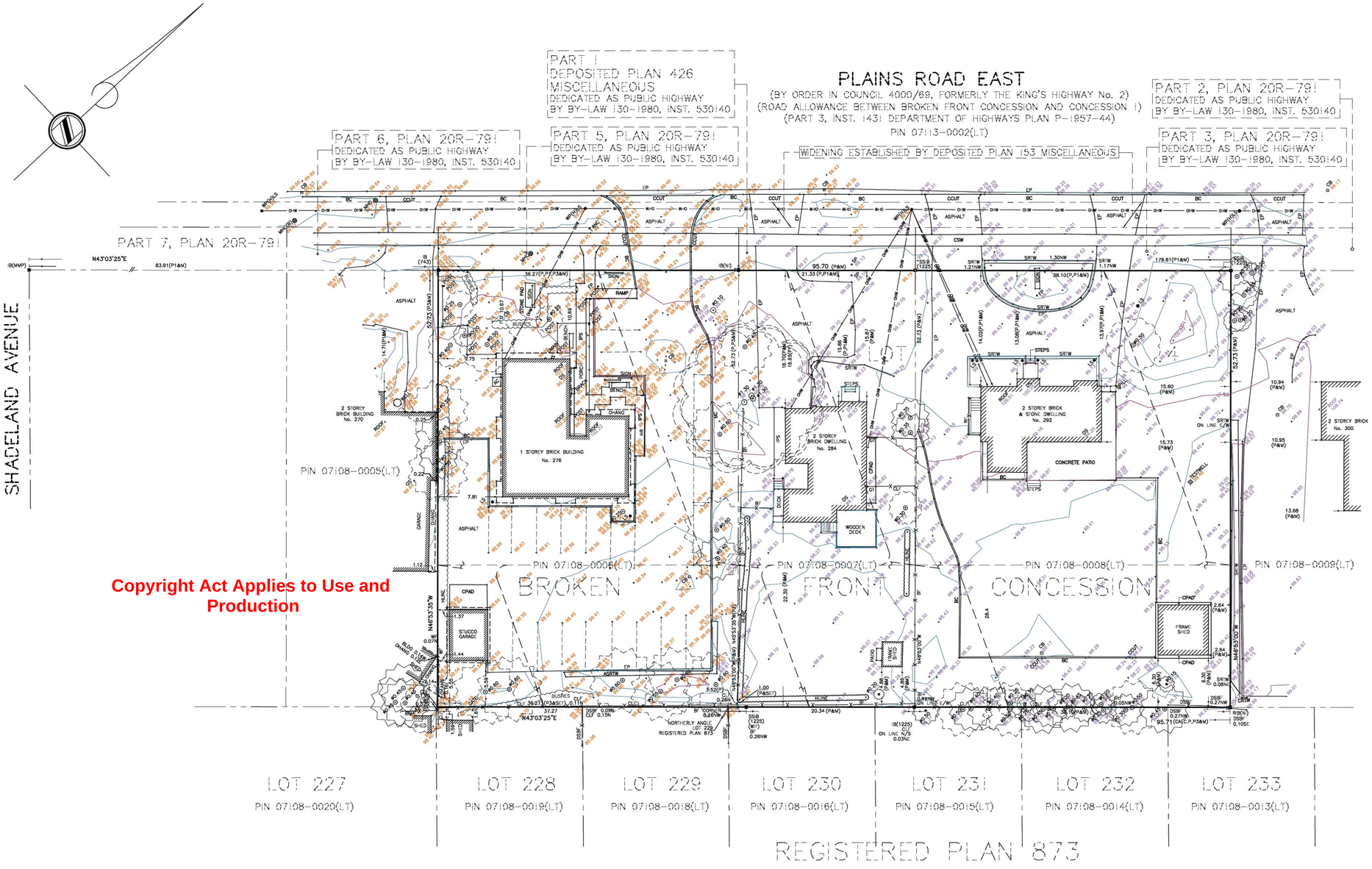
PLAN OF SURVEY OF
PART OF LOT 4
BROKEN FRONT CONCESSION
(FORMERLY IN THE TOWNSHIP OF EAST FLAMBOROUGH)
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1: 250

5 0 5 10 15 20 25 metres

David B. Searles Surveying Ltd.
ONTARIO LAND SURVEYORS

METRIC
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ELEVATIONS ARE REFERRED TO THE CITY OF BURLINGTON BENCHMARK No. BM1075, BEING A BRASS CAP SET HORIZONTALLY IN NORTH WALL AT NORTHEAST CORNER OF ALDERSHOT ARENA. HAVING AN ELEVATION OF 92.67m.

VERTICAL DATUM: CANADIAN GEODETIC DATUM, 1928
(1978 SOUTHERN ONTARIO READJUSTMENT)

BEARING NOTE

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BEARINGS ON PLAN 20R-791 (P1), REGISTERED PLAN 873 (P2) AND PLAN OF SURVEY BY A.J. CLARKE AND ASSOCIATES O.L.S. DATED MARCH 18, 1981 (P3) HAVE BEEN ROTATED 0°48'05" COUNTERCLOCKWISE TO MAKE COMPARISONS.

DISTANCE NOTE

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99972.

NOTE

PROPERTY LIMITS ARE NOT FENCED UNLESS OTHERWISE NOTED ON THE FACE OF THE PLAN.

LEGEND

■	DENOTES	MONUMENT FOUND
IB	DENOTES	IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
RIB	DENOTES	ROUND IRON BAR
NI	DENOTES	NOT IDENTIFIBLE
743	DENOTES	ALLAN G. HALL, O.L.S.
MMP	DENOTES	MACKAY, MACKAY & PETERS, O.L.S.
M	DENOTES	MEASURED
P	DENOTES	PLAN OF SURVEY BY D.B. SEARLES SURVEYING, LTD, O.L.S. DATED FEBRUARY 01, 2018 (FILE: 143-0-17)
P1	DENOTES	PLAN 20R-791
P2	DENOTES	REGISTERED PLAN 873
P3	DENOTES	PLAN OF SURVEY BY A.J. CLARKE AND ASSOCIATES O.L.S. DATED MARCH 18, 1981
D1	DENOTES	INSTRUMENT 592543
ASRTW	DENOTES	ARMOUR STONE RETAINING WALL
BC	DENOTES	BACK OF CURB
BF	DENOTES	BOARD FENCE
BLDG	DENOTES	BUILDING
BP	DENOTES	BRICK PILLAR
BRACK	DENOTES	BIKE RACK
CB	DENOTES	CATCH BASIN
CCUT	DENOTES	CURB CUT
CLF	DENOTES	CHAIN LINK FENCE
CPAD	DENOTES	CONCRETE PAD
CSW	DENOTES	CONCRETE SIDE WALK
DS	DENOTES	DOOR SILL
DSBF	DENOTES	DOUBLE-SIDED BOARD FENCE
GMAIN	DENOTES	GAS MAIN
GT	DENOTES	GATE
EP	DENOTES	EDGE OF PAVEMENT
FP	DENOTES	FLAG POLE
HLINE	DENOTES	HEDGE LINE
HR	DENOTES	HAND RAIL
RF	DENOTES	RAIL FENCE
SP	DENOTES	SIGN POST
IPS	DENOTES	INTERLOCKING PAVING STONE
SRTW	DENOTES	STONE RETAINING WALL
WF	DENOTES	WOODEN FENCE
WP(H)LS	DENOTES	WOODEN POLE (HYDRO) WITH LIGHT STANDARD
⊕	DENOTES	DIAMETER
OHW	DENOTES	OVERHEAD WIRES
	DENOTES	CONIFEROUS TREE
	DENOTES	DECIDUOUS TREE
85.40	DENOTES	FIELDWORK COMPLETED ON 26th DAY OF JANUARY, 2018.
85.40	DENOTES	ADDITIONAL FIELDWORK COMPLETED ON 8th MARCH, 2023.

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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 8th DAY OF MARCH, 2023.

August 11, 2023.
DATE

BONNY CHERIAN
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-52527

David B. Searles Surveying Ltd.
ONTARIO LAND SURVEYORS
4255 Sherwoodtowne Blvd., Suite 206, Mississauga, Ontario L4Z 1Y5
Tel: (905) 273-6840 Fax: (905) 896-4410
Email: info@dbsearles.ca

Calculator BJ	Draftsperson RA		
Editor BJ	Plan Index No. E 17		
Calculation File 143-17CALC.DWG	Drawing File 143-1-17.DWG	File No. 143-1-17	

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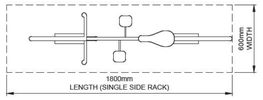
SITE PLAN NOTES

1. LEGAL DESCRIPTION: PART OF LOT 4 BROKEN FRONT CONCESSION
2. SITE INFORMATION TAKEN DAVID B. SEARLES SURVEYING LTD.
3. FOR SITE GRADING, SERVICES & STORM WATER MANAGEMENT REFER TO DRAWINGS PREPARED BY ODAN DETECH CONSULTING ENGINEERS
4. FOR LANDSCAPE WORK REFER TO DRAWINGS PREPARED BY OMC LANDSCAPING.
5. FOR SITE LIGHTING REFER TO DRAWINGS PREPARED BY ANTECH DESIGN & ENGINEERING GROUP
6. ALL ROADS & ISLANDS SHALL HAVE 150mm CURBS UNLESS NOTED OTHERWISE.
7. CURB RADIUS = 1.20m UNLESS OTHERWISE DIMENSIONED.
8. STANDARD PARKING STALLS TO BE 2.75m x 6.0 m. BARRIER FREE PARKING STALLS TO MEET CITY OF BURLINGTON REQUIREMENTS 2.75m x 6.0m INCLUDING ALL APPLICABLE ACCESS AISLES (2.0m WIDE).
9. ALL OUTDOOR LIGHTING MUST BE FULL CUT-OFF AND HAVE NO GLARE.
10. TREE PROTECTION FENCING SHOULD BE ERECTED AROUND ALL EXISTING LANDSCAPED AREAS AND SHOULD REMAIN ON SITE FOR THE DURATION OF THE CONSTRUCTION.
11. ALL ROOF-TOP EQUIPMENT TO BE SCREENED AND/OR LOCATED SO THAT IT CANNOT BE VIEWED FROM THE STREET.
12. SIGNAGE (BUILDING, PYLON & OTHERWISE) NOT APPROVED VIA THE SITE PLAN APPROVAL PROCESS.
13. THERE WILL BE NO OUTDOOR STORAGE OF ANY ITEMS ON SITE.
14. ALL GARBAGE TO BE STORED INTERNALLY AND ROLLED OUT FOR PICKUP.
15. LIGHT FIXTURES & BOLLARDS ARE NOT TO OBSTRUCT PEDESTRIAN MOVEMENT.
16. EXCESS SNOW TO BE REMOVED FROM SITE.
17. INTERIOR OF PARKING GARAGE TO BE PAINTED WHITE IN ENTIRETY.
18. LIGHTING IN PARKING GARAGE TO BE RECESSED AND MUST NOT SPILL OUT, SHOULD NOT "GLARE" OVER TO STREET OR PROPERTIES NOR SHOULD THE LIGHTING BE VISIBLE FROM THE STREET.

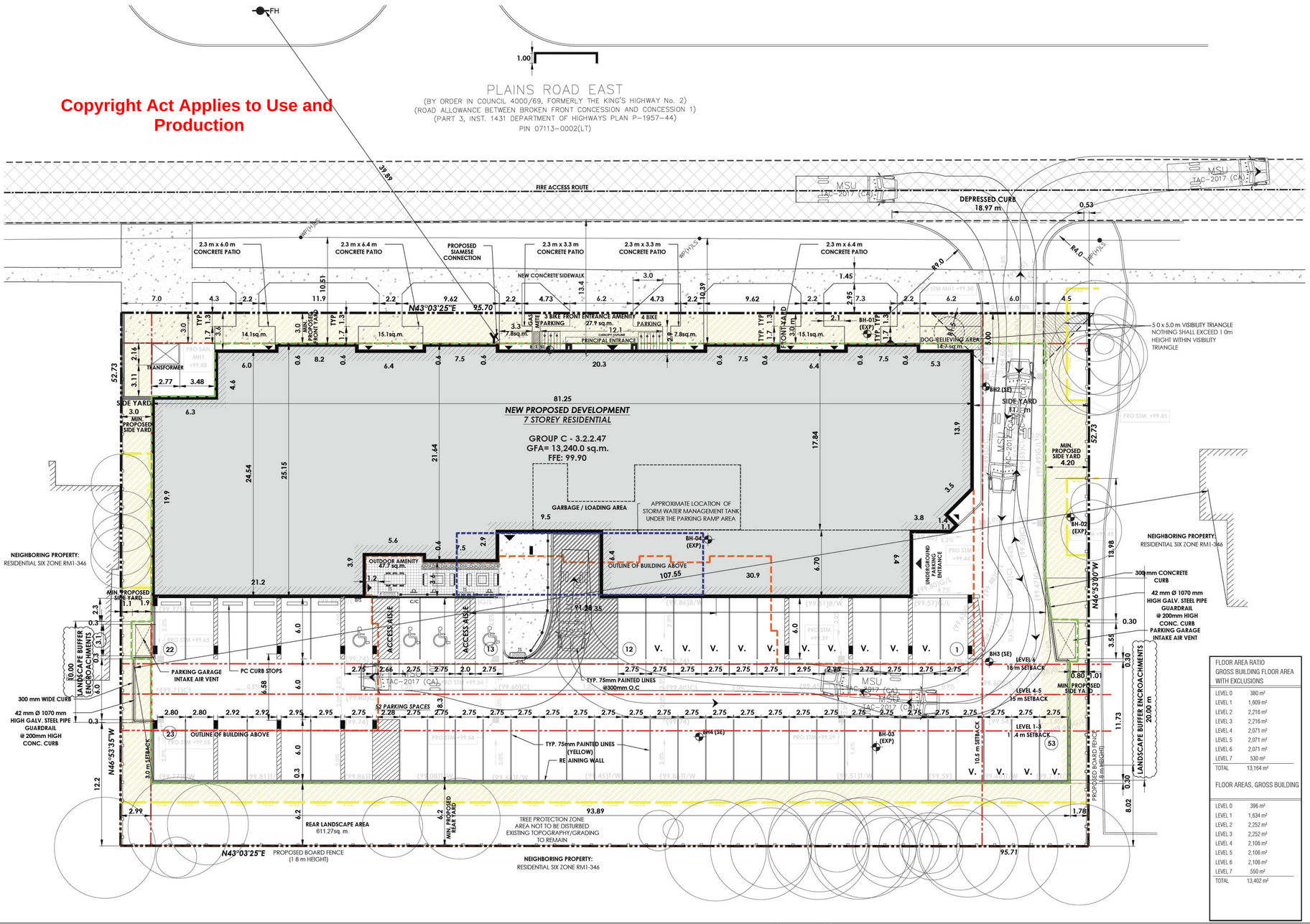
STANDARD NOTES

1. THE DESIGN AND CONSTRUCTION OF ALL WORK ON THIS PROJECT IS TO CONFORM TO THE ONTARIO BUILDING CODE - 2012 INCLUDING ALL AMENDMENTS, AND THE RELEVANT LISTED C.S.A. STANDARDS INCLUDING THE LATEST EDITIONS.
2. READ THESE DRAWINGS IN CONJUNCTION WITH ALL RELATED ARCHITECTURAL, MECHANICAL, ELECTRICAL AND CIVIL DRAWINGS AND CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL CHECK AND VERIFY ALL CONDITIONS AND MEASUREMENTS AT THE SITE AND REPORT TO THE ENGINEER ANY DISCREPANCIES OR UNSATISFACTORY CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE JOB BEFORE PROCEEDING WITH THE WORK.
4. DO NOT SCALE THE DRAWINGS.
5. DESIGN LIVE LOADS FOR EACH PORTION OF THE STRUCTURE ARE AS INDICATED ON THE DRAWINGS. DO NOT EXCEED THESE LOADS DURING CONSTRUCTION.
6. DESIGN LOADS INDICATED ARE UNFACTORED UNLESS NOTED.
7. CONSTRUCTION, FABRICATION AND SHOP DRAWING REVIEW MUST BE PROVIDED AS PER CODE.
8. REFERENCE ELEVATIONS SHOWN CORRESPOND TO ACTUAL GEODETIC ELEVATION.
9. ALL DIMENSIONS ON DRAWINGS ARE IN MILLIMETERS U.N.O.
10. DELIVER, HANDLE AND STORE MATERIALS TO AVOID DAMAGE IN ANY MANNER.
11. MAINTAIN A SET OF DRAWINGS ON SITE & UPDATE FREQUENTLY WITH CONSTRUCTION RECORD INFORMATION
12. ALL DIMENSIONS ON SITE DRAWINGS ARE IN METERS U.N.O.
13. DELIVER, HANDLE AND STORE MATERIALS TO AVOID DAMAGE IN ANY MANNER.
14. MAINTAIN A SET OF DRAWINGS ON SITE & UPDATE FREQUENTLY WITH CONSTRUCTION RECORD INFORMATION

BICYCLE PARKING REQUIREMENTS



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PLAN OF SURVEY OF PART OF LOT 4 BROKEN FRONT CONCESSION

(FORMERLY IN THE TOWNSHIP OF EAST FLAMBOROUGH)

CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON

SCALE 1: 250

0 5 0 5 10 15 20 25 30 35 metres

David B. Searles Surveying Ltd.
ONTARIO LAND SURVEYORS

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LEGEND:

- PROPERTY LINE
- BUILDING SETBACK LINE
- TREE PROTECTION ZONE
- OUTL NE OF BUILD NG ABOVE
- STORMWATER MANAGEMENT TANK BELOW
- OUTLINE OF BUILDING BELOW
- PROPOSED FIRE ROUTE (US NG HEAVY DUTY PAVING)
- HEAVY DUTY PAVING
- LIGHT DUTY PAV NG
- CONCRETE PAD OR SIDEWALK
- PROPOSED CONCRETE CURB
- C/C OR D/C — PROPOSED CONCRETE CURB WITH CURB CUT OR DEPRESSED CURB
- NEW BU LD NG AREA (FOOTPR NT)
- PROPOSED BOARD FENCE
- PRINCIPAL ENTRANCE TO THE BUILDING
- SECONDARY ENTRANCES TO, OR EGRESSES FROM THE BU LDING
- BARR ER FREE LOGO (PAVED ON ASPHALT)
- TS — TACTILE STR PS ON CONCRETE OR ASPHALT SURFACES (AODO COMPLIANT)
- PROPOSED SIAMESE CONNECTION TO SPR NKLER SYSTEM
- FH — F RE HYDRANT (EXISTING)
- AREA OF TREE PROTECTION ZONE ENCROACHMENT EXCAVATION WHICH MAY REQUIRE ROOT PRUNING ARBORIST TO BE PRESENT DURING ANY EXCAVATION IN THESE AREAS.
- BH (SE) — BOREHOLE LOCATION SO L ENGINEERS
- BH (EXP) — BOREHOLE LOCATION EXP. SERVICES
- STOP SIGN RA-1 (60x60) cm SUPPORT: STEEL
- RB-93 (30x45) cm SUPPORT: STEEL (BFS)
- F RE ROUTE SIGN S-5 (30x45) cm SUPPORT: STEEL
- VISITOR PARKING SIGN (30x45) cm SUPPORT: STEEL
- NO RIGHT TURN SIGN (60x60) cm SUPPORT: STEEL
- PARKING COUNT BUBBLE
- 300mm RETAIN NG WALL AS PER CIVIL DRAWINGS

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	MXG-542	MXG-542
LOT AREA (sm)	1,000 m²	5,043 m²
LOT WIDTH (sm)	25 m	95.70 m
GROUND FLOOR AREA (sm)	N/A	1634.0 m²
LOT COVERAGE	N/A	36.3 %
MAXIMUM HEIGHT	7 STOREYS (22.4 m)	7 STOREYS (22.67 m)
MINIMUM FRONT YARD	3.0 m	3.0 m
YARDS ABUTTING A RESIDENT AL ZONE (EAST)	10.5 m	11.4 m
YARDS ABUTTING A RESIDENT AL ZONE (WEST)	3.0 m	3.0 m
YARDS ABUTTING A RESIDENT AL ZONE (REAR) FLOORS 1 TO 3 / FLOORS 4 TO 6 / FLOOR 6 / FLOOR 7	11.4 m / 11.4 m / 16.0 m / 16.0 m	11.4 m / 16.0 m / 16.0 m / 16.0 m
MAXIMUM NUMBER OF DWELLING UN TS	141	141
NUMBER OF PARKING SPACES	0	149 (1.06/unit)
NUMBER OF ACCESSIBLE PARKING SPACES (2 + 5 of 1st required parking)	6	6
PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0m
PARKING AISLE DIMENSIONS (m)	6.0	6.0
ACCESSIBLE PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0 m
ACCESSIBLE PARKING PATHWAY WIDTH (m)	2.0	2.0
LOADING SPACE SIZE	10.7 m x 3.0 m	10.7 m x 3.0 m
LOADING SPACE REQUIRED	1	1
BIKE PARKING (0.5 SPACES PER UNT	71	79
MAXIMUM FLOOR AREA RATIO	2.61	2.61
AMENITY AREA	3355.8 m² (2.0 m /unit)	3389.47 m² (24.0 m²/unit)

FLOOR AREA RATIO GROSS BUILDING FLOOR AREA WITH EXCLUSIONS

LEVEL 0	380 m²
LEVEL 1	1,609 m²
LEVEL 2	2,216 m²
LEVEL 3	2,216 m²
LEVEL 4	2,071 m²
LEVEL 5	2,071 m²
LEVEL 6	2,071 m²
LEVEL 7	530 m²
TOTAL	13,164 m²

FLOOR AREAS, GROSS BUILDING

LEVEL 0	396 m²
LEVEL 1	1,634 m²
LEVEL 2	2,252 m²
LEVEL 3	2,252 m²
LEVEL 4	2,106 m²
LEVEL 5	2,106 m²
LEVEL 6	2,106 m²
LEVEL 7	550 m²
TOTAL	13,402 m²

AMEN TY AREA

GROUND FLOOR AMEN TY	291.9sq.m.
OUTDOOR AMEN TY SPACE	47.7 sq.m.
FRONT ENTRANCE AMEN TY	27.90 sq.m.
DOG RELIEVING AREA	14.70 sq.m.
FRONT YARD PATIOS	59.90 sq.m.
REAR LANDSCAPED AREA	613.41 sq.m.
BALCONIES/TERRACES	784.34 sq.m.
ROOFTOP - INDOOR	261.20 sq.m.
ROOFTOP - OUTDOOR	1,188.42 sq.m.
TOTAL	3,389.47 sq.m.

TOTAL UN TS

		BF	%BF
1 BED	85	13	
1 BED+D	85	13	
2 BED	19	2	
2 BED+D	19	2	
3 BED	33	1	
TOTAL UNITS	141	21	15%

GROUND FLOOR AMEN TY

PARTY ROOM	91.3 sq.m.
LOUNGE	77.7 sq.m.
GYM	122.9 sq.m.
TOTAL	291.9 sq.m.

BALCONIES/TERRACES

LEVEL 2	157.5 sq.m.
LEVEL 3	120.7 sq.m.
LEVEL 4	261.84 sq.m.
LEVEL 5	125.5 sq.m.
LEVEL 6	118.8 sq.m.
TOTAL	784.34 sq.m.

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
2	RE--ISSUED FOR SPA	MAR,27 2025	GR
1	ISSUED FOR SPA	FEB,28 2025	GR
0	ISSUED FOR SPA	NOV,15 2024	KR

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cad file 23027_SP1
date plotted 2025-12-22 plot scale 1:1

ONTARIO ASSOCIATION OF ARCHITECTS
MAY.15.2026
KYLE J. REINDERS
LICENCE
8474

drawn AB
designed GR
reviewed KR
date 2025-12-22
scale 1:200

project
276-292 PLAINS RD. DEVELOPMENT
BURLINGTON, ON

drawing
ARCHITECTURAL SITE PLAN

REINDERS +ASSOCIATES
ARCHITECTURE . ENGINEERING
64 ONTARIO STREET NORTH
MILTON, ON L9T 2T1
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EMAIL@REINDERS.CA WWW.REINDERS.CA

drawing no. 23027_SP1 rev. no. 2

SHEET SIZE: A1 609.6mm X 914.4mm

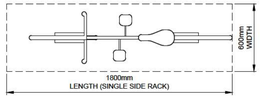
SITE PLAN NOTES

1. LEGAL DESCRIPTION: PART OF LOT 4 BROKEN FRONT CONCESSION
2. SITE INFORMATION TAKEN DAVID B. SEARLES SURVEYING LTD.
3. FOR SITE GRADING, SERVICES & STORM WATER MANAGEMENT REFER TO DRAWINGS PREPARED BY ODAN DETECH CONSULTING ENGINEERS
4. FOR LANDSCAPE WORK REFER TO DRAWINGS PREPARED BY OMC LANDSCAPING.
5. FOR SITE LIGHTING REFER TO DRAWINGS PREPARED BY ANTECH DESIGN & ENGINEERING GROUP
6. ALL ROADS & ISLANDS SHALL HAVE 150mm CURBS UNLESS NOTED OTHERWISE.
7. CURB RADIUS = 1.20m UNLESS OTHERWISE DIMENSIONED.
8. STANDARD PARKING STALLS TO BE 2.75m x 6.0 m. BARRIER FREE PARKING STALLS TO MEET CITY OF BURLINGTON REQUIREMENTS 2.75m x 6.0m INCLUDING ALL APPLICABLE ACCESS AISLES (2.0m WIDE).
9. ALL OUTDOOR LIGHTING MUST BE FULL CUT-OFF AND HAVE NO GLARE.
10. TREE PROTECTION FENCING SHOULD BE ERECTED AROUND ALL EXISTING LANDSCAPED AREAS AND SHOULD REMAIN ON SITE FOR THE DURATION OF THE CONSTRUCTION.
11. ALL ROOF-TOP EQUIPMENT TO BE SCREENED AND/OR LOCATED SO THAT IT CANNOT BE VIEWED FROM THE STREET.
12. SIGNAGE (BUILDING, PYLON & OTHERWISE) NOT APPROVED VIA THE SITE PLAN APPROVAL PROCESS.
13. THERE WILL BE NO OUTDOOR STORAGE OF ANY ITEMS ON SITE.
14. ALL GARBAGE TO BE STORED INTERNALLY AND ROLLED OUT FOR PICKUP.
15. LIGHT FIXTURES & BOLLARDS ARE NOT TO OBSTRUCT PEDESTRIAN MOVEMENT.
16. EXCESS SNOW TO BE REMOVED FROM SITE.
17. INTERIOR OF PARKING GARAGE TO BE PAINTED WHITE IN ENTIRETY.
18. LIGHTING IN PARKING GARAGE TO BE RECESSED AND MUST NOT SPILL OUT, SHOULD NOT "GLARE" OVER TO STREET OR PROPERTIES NOR SHOULD THE LIGHTING BE VISIBLE FROM THE STREET.

STANDARD NOTES

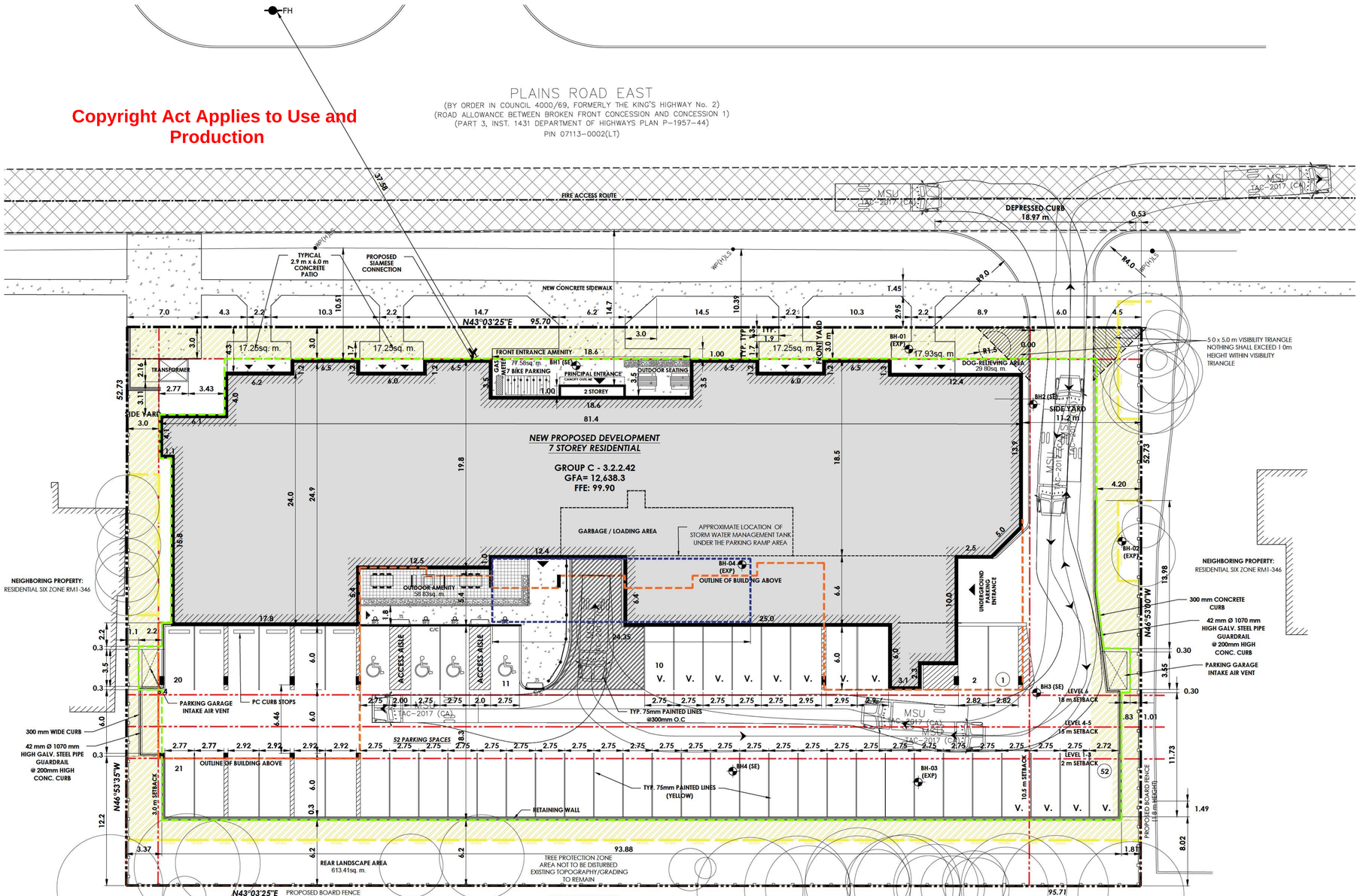
1. THE DESIGN AND CONSTRUCTION OF ALL WORK ON THIS PROJECT IS TO CONFORM TO THE ONTARIO BUILDING CODE - 2012 INCLUDING ALL AMENDMENTS, AND THE RELEVANT LISTED C.S.A. STANDARDS INCLUDING THE LATEST EDITIONS.
2. READ THESE DRAWINGS IN CONJUNCTION WITH ALL RELATED ARCHITECTURAL, MECHANICAL, ELECTRICAL AND CIVIL DRAWINGS AND CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL CHECK AND VERIFY ALL CONDITIONS AND MEASUREMENTS AT THE SITE AND REPORT TO THE ENGINEER ANY DISCREPANCIES OR UNSATISFACTORY CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE JOB BEFORE PROCEEDING WITH THE WORK.
4. DO NOT SCALE THE DRAWINGS.
5. DESIGN LIVE LOADS FOR EACH PORTION OF THE STRUCTURE ARE AS INDICATED ON THE DRAWINGS. DO NOT EXCEED THESE LOADS DURING CONSTRUCTION.
6. DESIGN LOADS INDICATED ARE UNFACTORED UNLESS NOTED.
7. CONSTRUCTION, FABRICATION AND SHOP DRAWING REVIEW MUST BE PROVIDED AS PER CODE.
8. REFERENCE ELEVATIONS SHOWN CORRESPOND TO ACTUAL GEODETIC ELEVATION.
9. ALL DIMENSIONS ON DRAWINGS ARE IN MILLIMETERS U.N.O.
10. DELIVER, HANDLE AND STORE MATERIALS TO AVOID DAMAGE IN ANY MANNER.
11. MAINTAIN A SET OF DRAWINGS ON SITE & UPDATE FREQUENTLY WITH CONSTRUCTION RECORD INFORMATION
12. ALL DIMENSIONS ON SITE DRAWINGS ARE IN METERS U.N.O.
13. DELIVER, HANDLE AND STORE MATERIALS TO AVOID DAMAGE IN ANY MANNER.
14. MAINTAIN A SET OF DRAWINGS ON SITE & UPDATE FREQUENTLY WITH CONSTRUCTION RECORD INFORMATION

BICYCLE PARKING REQUIREMENTS



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PLAINS ROAD EAST
(BY ORDER IN COUNCIL 4000/69, FORMERLY THE KING'S HIGHWAY No. 2)
(ROAD ALLOWANCE BETWEEN BROKEN FRONT CONCESSION AND CONCESSION 1)
(PART 3, INST. 1431 DEPARTMENT OF HIGHWAYS PLAN P-1957-44)
PIN 07113-0002(LT)



SHEET SIZE: A1 609.6mm X 914.4mm

PLAN OF SURVEY OF PART OF LOT 4 BROKEN FRONT CONCESSION

(FORMERLY IN THE TOWNSHIP OF EAST FLAMBOROUGH)
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1: 250

David B. Searles Surveying Ltd.
ONTARIO LAND SURVEYORS

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

BENCHMARK NOTE

ELEVATIONS ARE REFERRED TO THE CITY OF BURLINGTON BENCHMARK No. BM1075, BEING A BRASS CAP SET HORIZONTALLY IN NORTH WALL AT NORTHEAST CORNER OF ALDERSHOT ARENA, HAVING AN ELEVATION OF 92.67m.

VERTICAL DATUM: CANADIAN GEODETIC DATUM, 1928 (1978 SOUTHERN ONTARIO READJUSTMENT)

BEARING NOTE

BEARINGS ARE GRID BEARINGS DERIVED FROM GPS OBSERVATIONS USING THE SMARTNET NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81°00' WEST), NAD83 (CSRS 2010).

BEARINGS ON PLAN 20R-791 (P1), REGISTERED PLAN 873 (P2) AND PLAN OF SURVEY BY A.J. CLARKE AND ASSOCIATES O.L.S. DATED MARCH 18, 1981 (P3) HAVE BEEN ROTATED 0°48'05" COUNTERCLOCKWISE TO MAKE COMPARISONS.

LEGEND:

- PROPERTY LINE
- BUILDING SETBACK LINE
- TREE PROTECTION ZONE
- OUTL NE OF BUILD NG ABOVE
- STORMWATER MANAGEMENT TANK BELOW
- PROPOSED FIRE ROUTE (US NG HEAVY DUTY PAVING)
- HEAVY DUTY PAVING
- LIGHT DUTY PAV NG
- CONCRETE PAD OR SIDEWALK
- PROPOSED CONCRETE CURB
- C/C OR D/C — PROPOSED CONCRETE CURB WITH CURB CUT OR DEPRESSED CURB
- NEW BU LD NG AREA (FOOTPR NT)
- PROPOSED BOARD FENCE
- PRINCIPAL ENTRANCE TO THE BUILDING
- SECONDARY ENTRANCES TO, OR EGRESSES FROM THE BU LDING
- BARR ER FREE LOGO (PAVED ON ASPHALT)
- TS — TACTILE STR PS ON CONCRETE OR ASPHALT SURFACES (AODO COMPLIANT)
- PROPOSED SIAMESE CONNECTION TO SPR NKLER SYSTEM
- FH — F RE HYDRANT (EXISTING)
- AREA OF TREE PROTECTION ZONE: ENCROACHMENT EXCAVATION WHICH MAY REQUIRE ROOT PRUNING ARBORIST TO BE PRESENT DURING ANY EXCAVATION IN THESE AREAS.
- BH (SE) — BOREHOLE LOCATION SO L ENGINEERS
- BH (EXP) — BOREHOLE LOCATION EXP. SERVICES
- STOP SIGN RA-1 (60x60) cm SUPPORT: STEEL
- RB-93 (30x45) cm SUPPORT: STEEL (BFS)
- F RE ROUTE SIGN S-5 (30x45) cm SUPPORT: STEEL
- VISITOR PARKING SIGN (30x45) cm SUPPORT: STEEL
- NO RIGHT TURN SIGN (60x60) cm SUPPORT: STEEL
- PARKING COUNT BUBBLE
- 300mm RETAIN NG WALL AS PER CIVIL DRAWINGS

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	MXG-542	MXG-542
LOT AREA (sm)	1,000 m²	5,043 m²
LOT WIDTH (sm)	25 m	95.70 m
GROUND FLOOR AREA (sm)	N/A	1737.5 m²
LOT COVERAGE	N/A	34.4 %
MAXIMUM HEIGHT	7 STOREYS (22.4 m)	7 STOREYS (22.5* m)
MINIMUM FRONT YARD	3.0 m	3.0 m
YARDS ABUTTING A RESIDENT AL ZONE (EAST)	10.5 m	11.2 m
YARDS ABUTTING A RESIDENT AL ZONE (WEST)	3.0 m	3.0 m
YARDS ABUTTING A RESIDENT AL ZONE (REAR) FLOORS 1 TO 3 / FLOORS 4 TO 6 / FLOOR 6 / FLOOR 7	11.4 m / 11.4 m / 16.0 m / 18.0 m	12.0 m / 16.0 m / 18.0 m / 18.0 m
MAXIMUM NUMBER OF DWELLING UN TS	141	141
NUMBER OF PARKING SPACES	0	145 (1.03/unit)
NUMBER OF ACCESSIBLE PARKING SPACES 2 + % of t tal required parking	6	6
PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0m
PARKING AISLE DIMENSIONS (m)	6.0	6.0
ACCESSIBLE PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0 m
ACCESSIBLE PARKING PATHWAY WIDTH (m)	2.0	2.0
LOADING SPACE SIZE	10.7 m x 3.0 m	10.7 m x 3.0 m
LOADING SPACE REQUIRED	1	1
BIKE PARKING 0.6 SPACES PER UN T	71	71
MAXIMUM FLOOR AREA RATIO	2.61	2.61
AMENITY AREA	3355.8 m² (3.5 m / unit)	3,385.7 (4.0 m²/unit)

AMEN TY AREA		TOTAL UN TS	
GROUND FLOOR AMEN TY	271.1sq.m.	1 BED (EFFICIENCY)	10
OUTDOOR AMEN TY SPACE	56.8 sq.m.	1 BED	77
FRONT ENTRANCE AMEN TY	77.6 sq.m.	1 BED+D	45
DOG RELIEVING AREA	29.8 sq.m.	2 BED	30
BIKE REPAIR AREA	8.0 sq.m.	2 BED+D	27
FRONT YARD PATIOS	69.7 sq.m.	3 BED	2
REAR LANDSCAPED AREA	613.4 sq.m.	TOTAL UNITS	141
BALCONIES/TERRACES	688.5 sq.m.		
ROOFTOP - INDOOR	530.5 sq.m.		
ROOFTOP - OUTDOOR	738.3 sq.m.		
TOTAL	3,385.7 sq.m.		
BALCONIES/TERRACES			
LEVEL 2	152.9 sq.m.		
LEVEL 3	168.8 sq.m.		
LEVEL 4	241.0 sq.m.		
LEVEL 5	184.5 sq.m.		
LEVEL 6	241.3 sq.m.		
TOTAL	988.5 sq.m.		

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
1	ISSUED FOR SPA	FEB,28 2025	GR
0	ISSUED FOR SPA	NOV,15 2024	KR

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date plotted 2025-02-28 plot scale 1:1

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NOV 15, 2024
KYLE J. REINDERS
LICENCE
8474

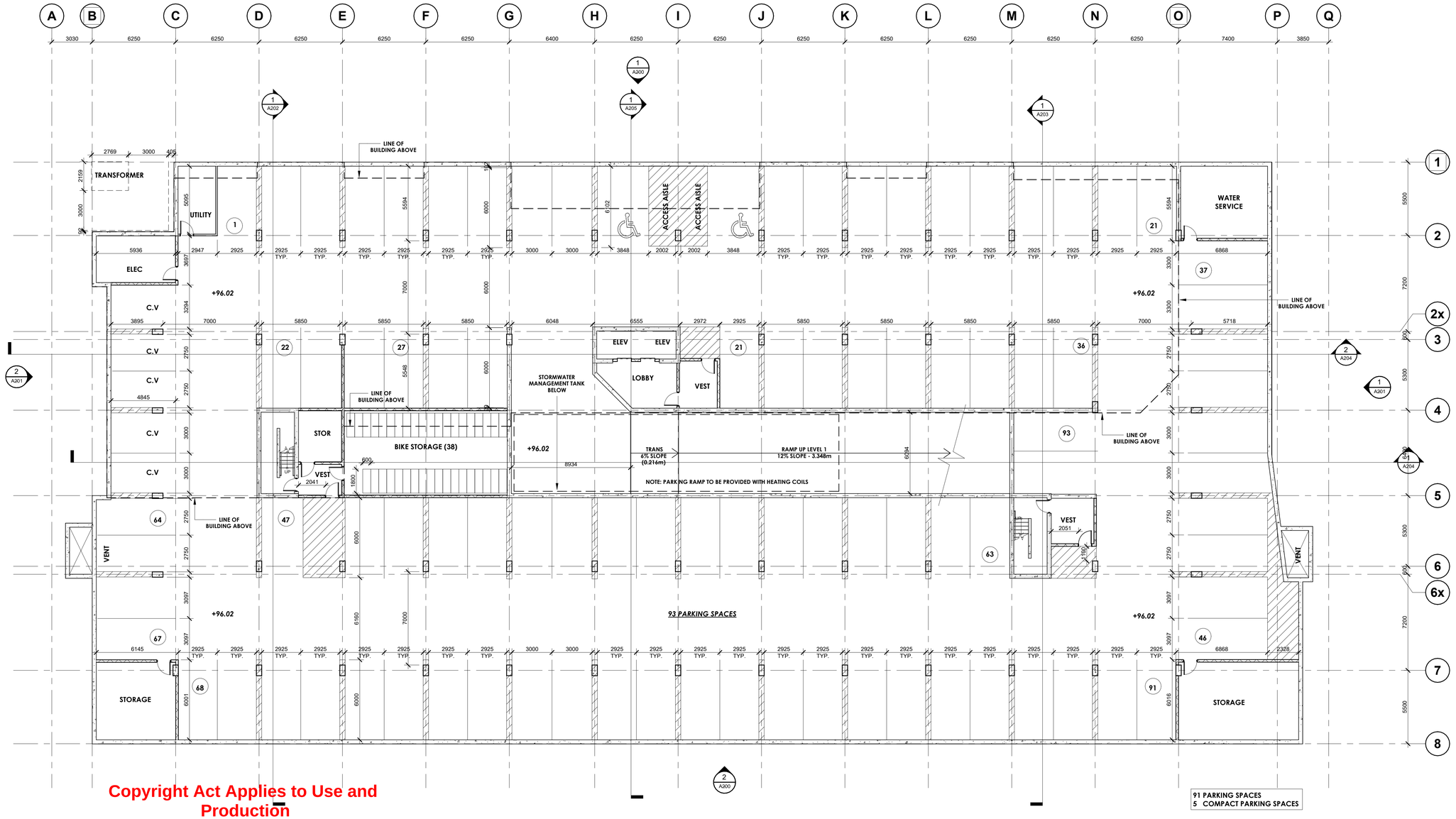
drawn: AC
designed: GR
reviewed: KR
date: 2025-02-28
scale: 1:200

project:
276-292 PLAINS RD. DEVELOPMENT
BURLINGTON, ON

drawing:
ARCHITECTURAL SITE PLAN

REINDERS + ASSOCIATES
ARCHITECTURE.ENGINEERING
REINDERS + ASSOCIATES LTD.
ARCHITECTURE.ENGINEERING
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drawing no. 23027_SP1 | rev. no. 1



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91 PARKING SPACES
5 COMPACT PARKING SPACES

1 LEVEL P1
1 : 150

SHEET SIZE: A1 609.6mm x 914.4mm

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no.	revisions	date	init.
1	ISSUED FOR SPA	2025-02-28	GR
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2025-02-28
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8474

drawn :	SH/AB
designed :	GDR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
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BURLINGTON, ON

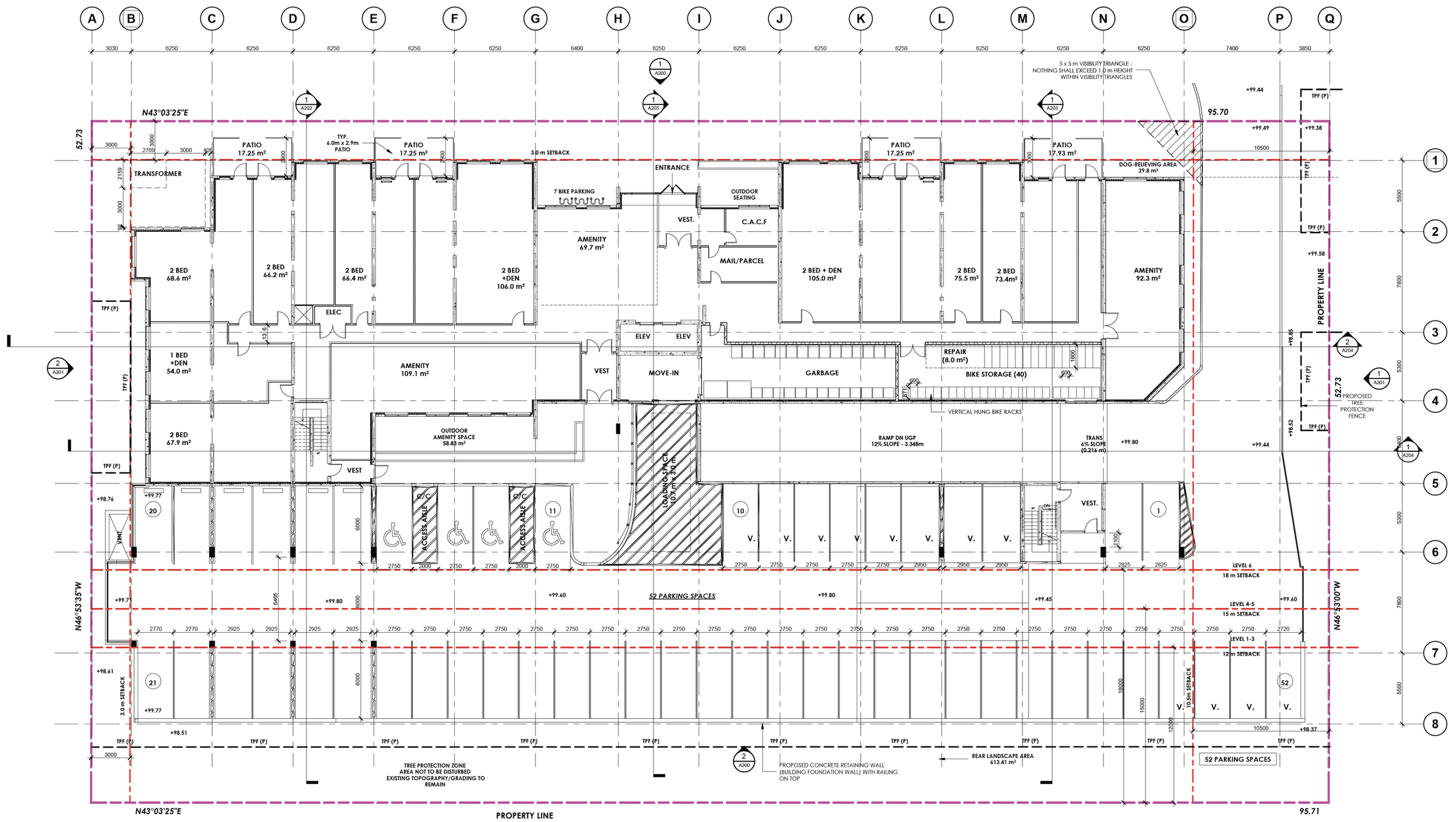
drawing :

LEVEL P1 - UNDERGROUND PARKING

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23027	A100	1



1 LEVEL 1
1 : 150

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KYLE J. REINDERS
LICENCE
8474

drawn : SH

designed : GDR

reviewed : KR

date : 2025-02-28

scale : 1 : 150

project :

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drawing :

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23027	A102	1

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 2
1 : 150

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2025-02-28
KYLE A. REINDERS
LICENCE
8474

drawn :	SH
designed :	GDR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

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272-296 PLAINS RD.
BURLINGTON, ON

drawing :

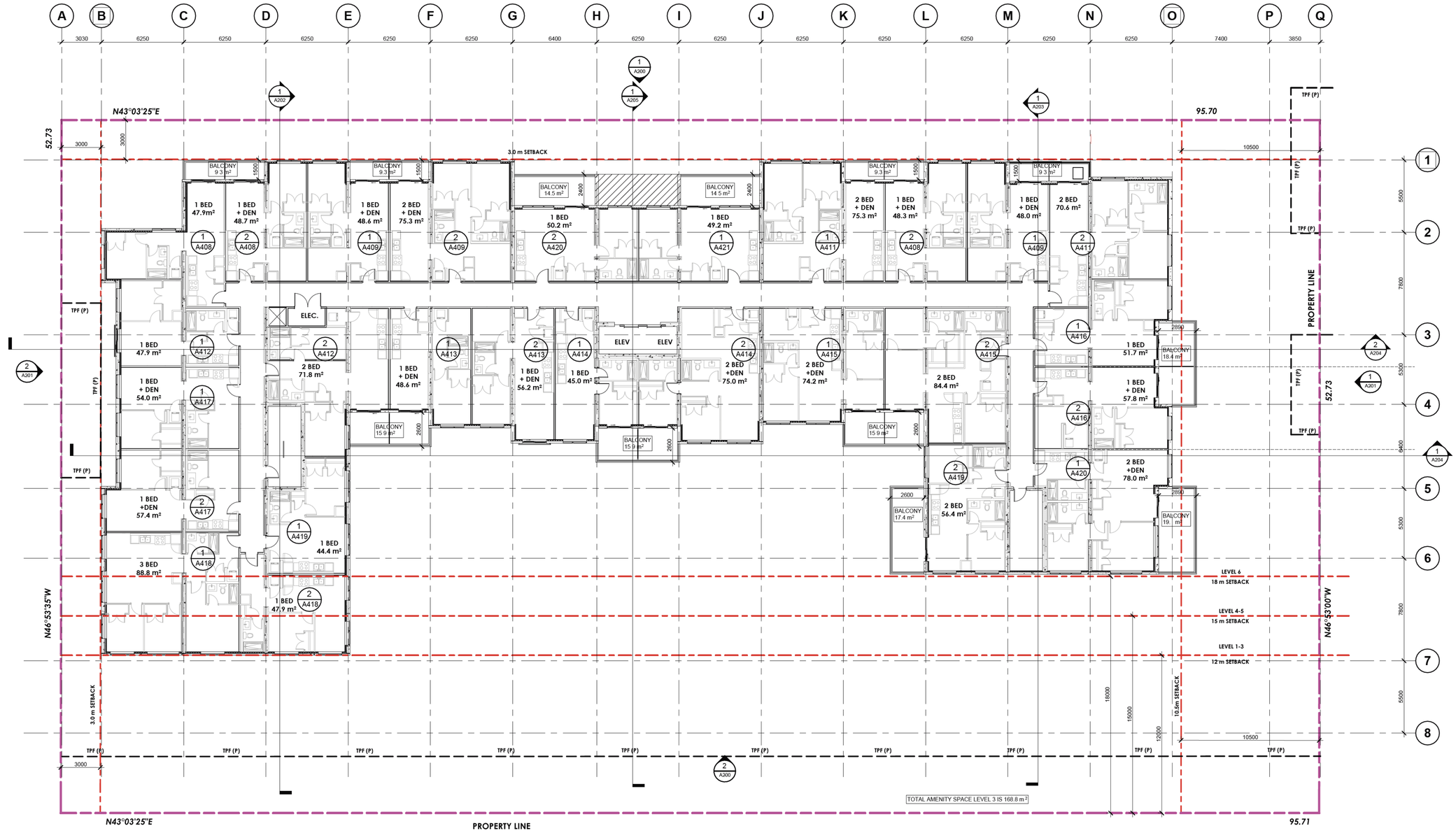
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23027	A103	1

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 3
1 : 150

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KYLE J. REINDERS
LICENCE
8474

drawn :	MD
designed :	KR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

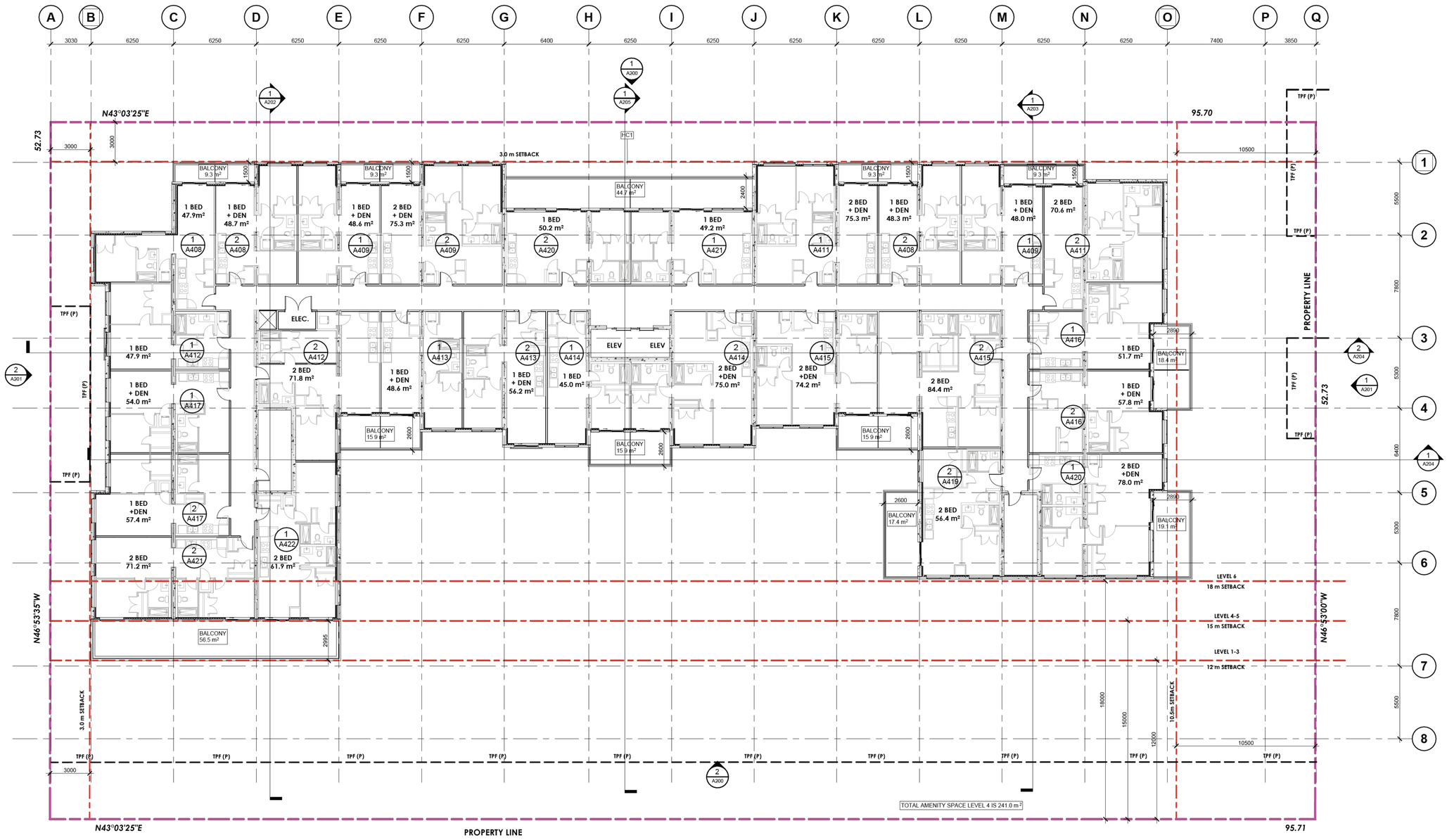
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project no. :	drawing no. :	rev. no. :
23027	A104	0

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 4
1 : 150

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2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn : MD

designed : KR

reviewed : KR

date : 2025-02-28

scale : 1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

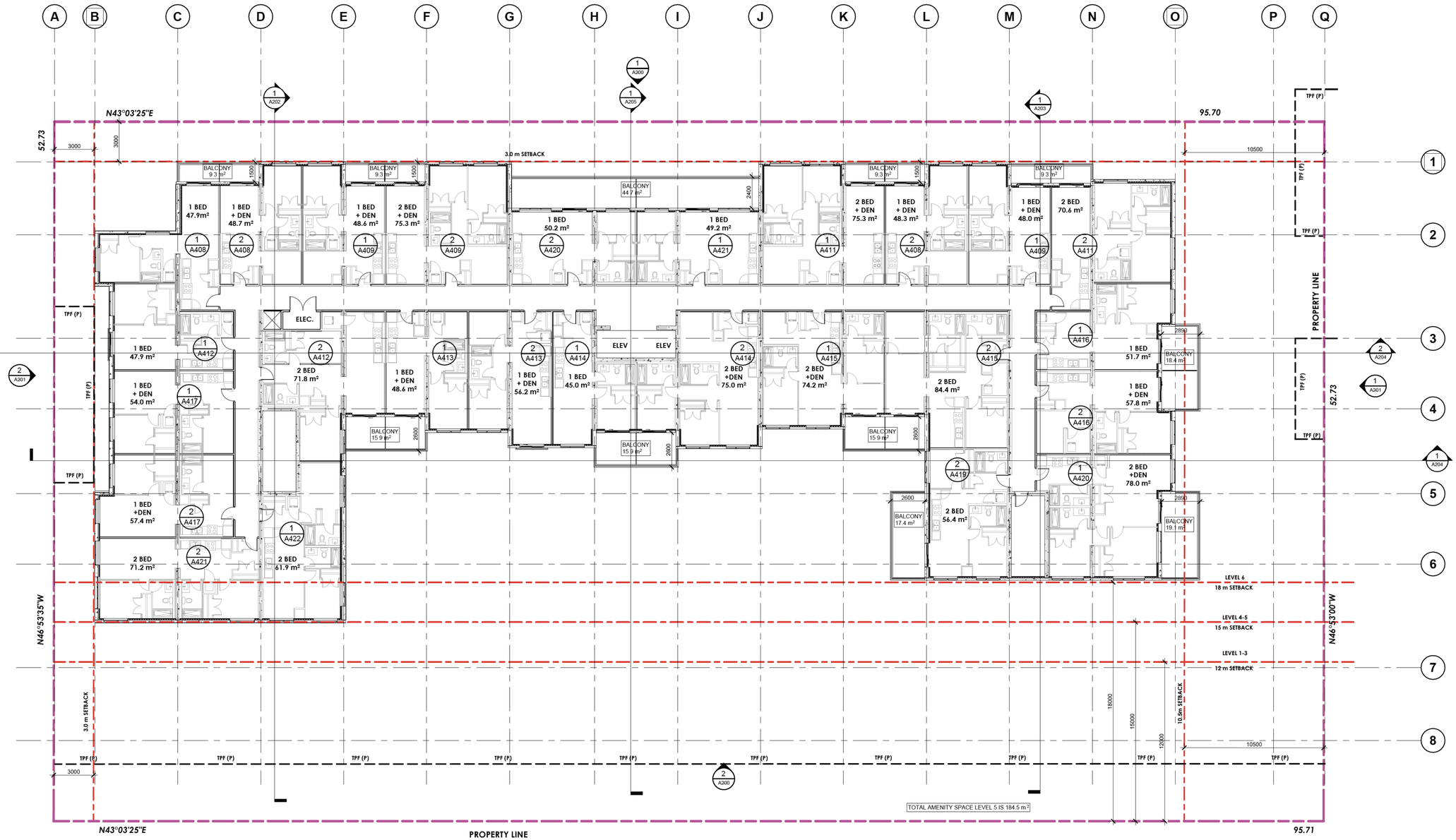
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23027	A105	1

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 5
1 : 150

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ONTARIO ASSOCIATION OF ARCHITECTS
2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn :	MD/AB
designed :	KR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

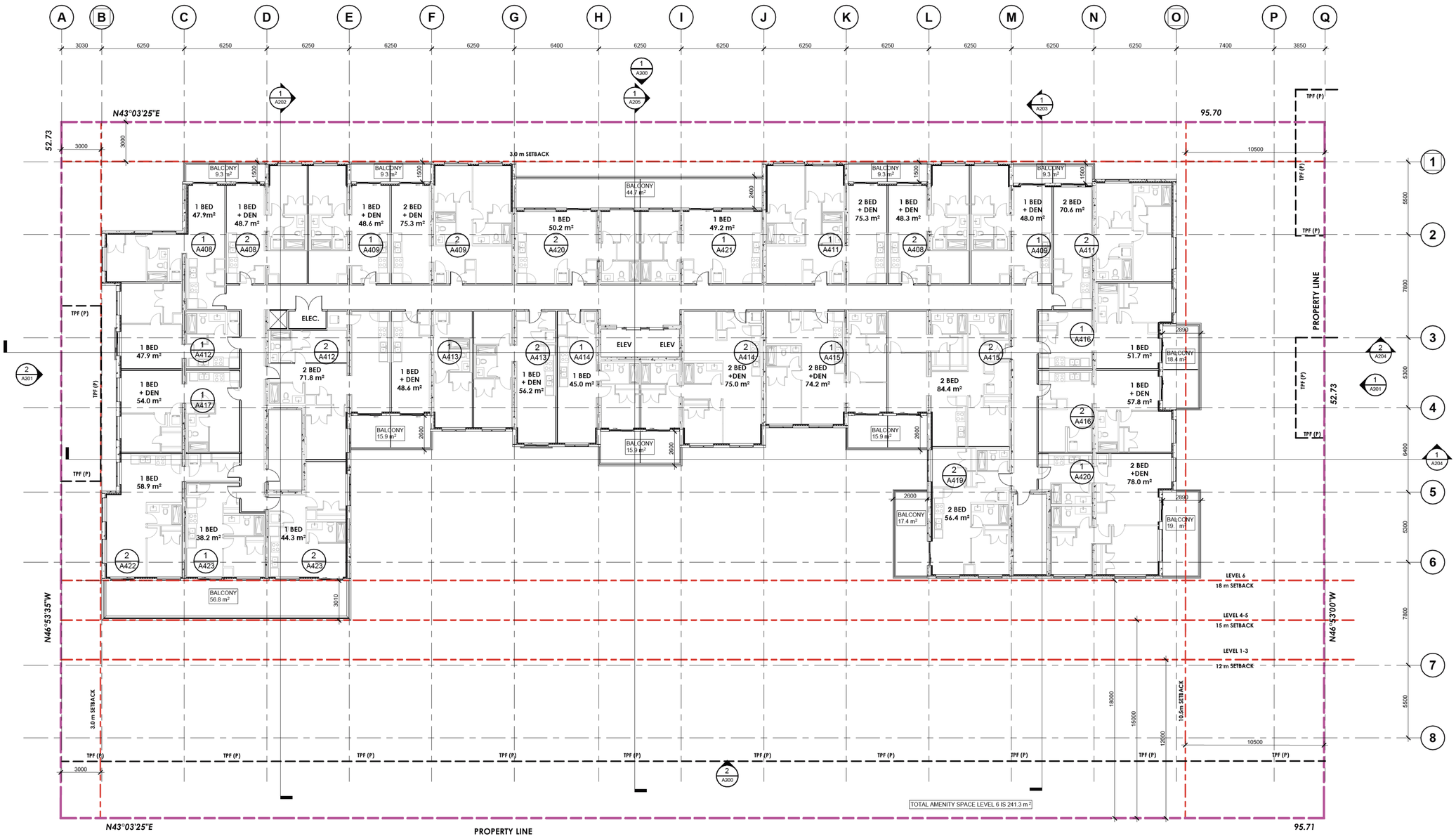
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64 ONTARIO STREET NORTH
MILTON, ON, L9T 2T1
T. 905-457-1618
www.reinders.ca

project no. :	drawing no. :	rev. no. :
23027	A106	1

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 6
1 : 150

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no.	revisions	date	init.
0	ISSUED FOR SPA	2025-02-28	GR

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2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn :	SH
designed :	GDR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

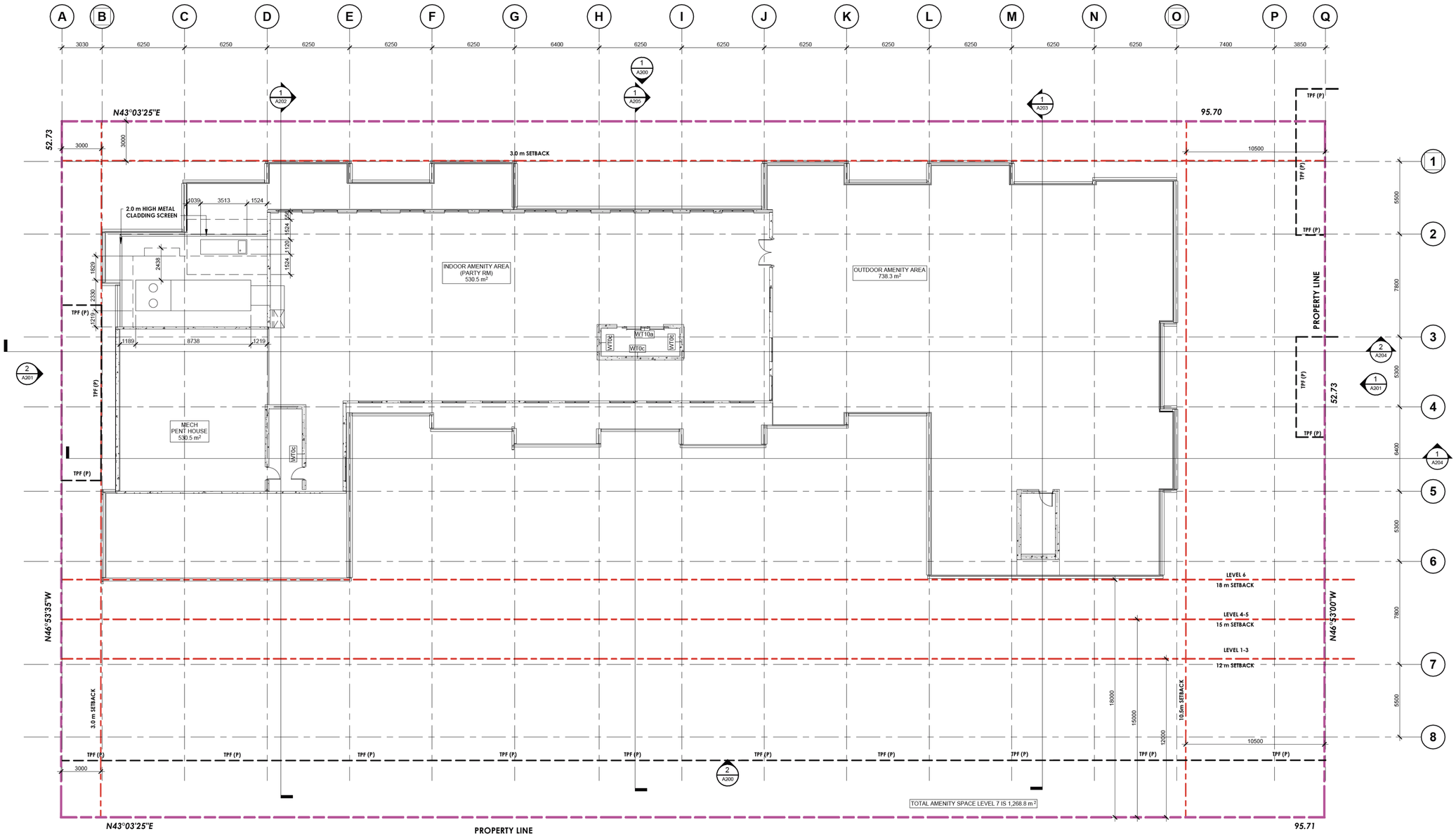
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project no. :	drawing no. :	rev. no. :
23027	A107	0

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 7
1 : 150

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TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
1	ISSUED FOR SPA	2025-02-28	GR
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ONTARIO ASSOCIATION OF ARCHITECTS
2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn : LGJ

designed : GDR

reviewed : KR

date : 2025-02-28

scale : 1 : 150

project :
PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

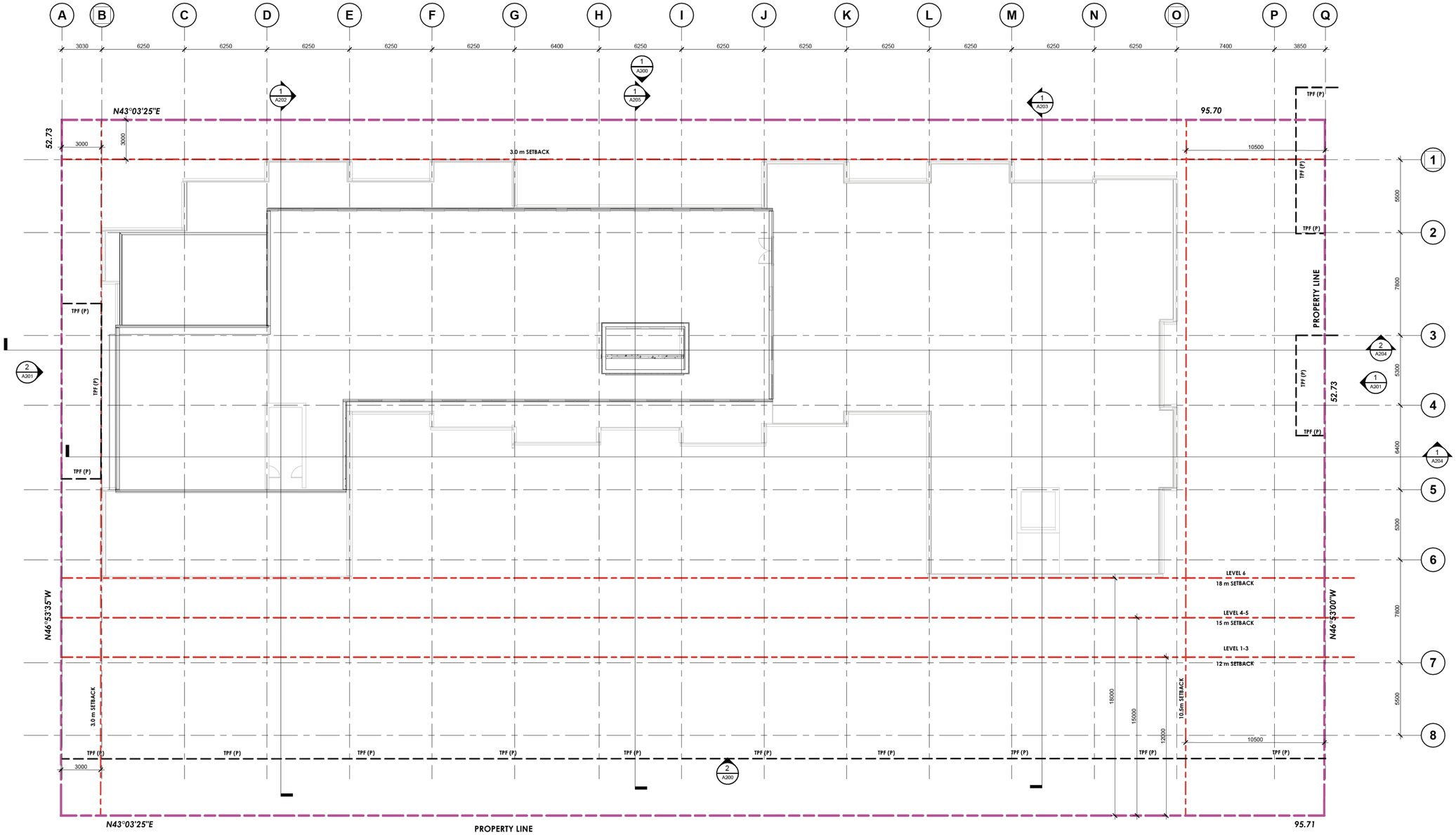
drawing :
LEVEL 7

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project no. :	drawing no. :	rev. no. :
23027	A108	1

SHEET SIZE - A1 609.6mm x 914.4mm



1 ROOF PLAN

1 : 150

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ROOF LEGEND

- SLOPE DOWN — SLOPE ROOF DOWN IN DIRECTION NDICATED
- RD — ROOF DRAINS - REFER TO MECH. DRAWINGS
- RS — ROOF SCUPPER DRAIN
- 2% TAPERED INSULATION UNDER ROOF MEMBRANE TO PROV DE POSITIVE SLOPE TO ROOF DRAIN OR SCUPPER
- PREF NISHED METAL CAP FLASHING
- STANDING SEAM METAL ROOFING AS PER SPEC FICATIONS
- ASPHALT SHINGLES
- 00.00 — UNDERSIDE (U/S) OF METAL DECK

NOTE: ALL RTU'S VISIBLE FROM STREET OR PUBLIC AREAS TO BE SCREENED, USING SIM LAR FINISHES ON BUILDING. FINAL LOCATION OF ALL RTU'S AND EXTENT OF SCREENING (F REQUIRED) TO BE DETERMINED AND VERIFIED DURING BUILDING PERMIT SUBMISSION.

TRUE NORTH

CONSTRUCTION NORTH

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ONTARIO ASSOCIATION OF ARCHITECTS
2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn :	LGJ/AB
designed :	GDR
reviewed :	KR
date :	2025-02-28
scale :	As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

ROOF PLAN

REINDERS +ASSOCIATES
ARCHITECTURE . ENGINEERING

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www.reinders.ca

project no. :	drawing no. :	rev. no. :
23027	A109	1

SHEET SIZE: A1 606.6mm x 914.4mm

MATERIALS LEGEND

#	MATERIAL DESCRIPTION
1	F NISHED GRADE AT BU LDING.
2	POURED CONCRETE FOOT NG & FOUNDATIONS.
3	PRECAST CONCRETE PANEL W/ TEXTURED FACE BRICK FINISH- COLOUR: CHARCOAL GREY
4	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PAINT FINISH- COLOUR: WHITE
5	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PAINT FINISH- COLOUR: DARK GREY
6	PRECAST CONCRETE PANEL W/ HORIZONTAL WOOD SLAT F NISH - 2 TONE STAIN- COLOUR: BROWN
7	ENTRANCE CANOPY - LONGBOARD METAL SIDING WITH WOOD FINISH- COLOUR: BROWN
8	PRECAST CONCRETE BALCONY PAINTED FINISH - COLOUR: DARK GREY
9	PREFINISHED ALUMINUM DECK RA L CW TEMPERED GLASS PANEL
10	THERMALLY BROKEN ALUM NUM WINDOWS WITH CLEAR DOUBLE GLAZED SEALED UNITS-FRAME- COLOUR BLACK
11	PREFINISHED METAL FASCIA PANEL - COLOUR: BLACK
12	PREFINISHED ALUMINUM CURTA N WALL SYSTEM w/ CLEAR NSULATION VISION PANELS
14	HOLLOW METAL DOORS - PAINTED- COLOUR: LIGHT GREY
15	BALCONY PRIVACY DIV DER CLEAR ANODIZED ALUM NUM w/ FROSTED TEMPERED GLASS
16	CLEAR ANODIZED ALUMINUM SL D NG GLASS ENTRANCE SYSTEM
17	PREFINISHED INSULATED GLASS DOOR DOUBLE GLAZ NG - FRAME- COLOUR: BLACK
18	PREFINISHED ALUMINUM OVERHEAD GARAGE DOOR
19	BIKE RACKS (TYPE B)
20	SIGN BOARD "BY OTHERS"
21	PREFINISHED METAL FASCIA PANEL - COLOUR: GREY
23	PREFINISHED INSULATED STEEL DOOR C/W FROSTED DOUBLE GLAZ NG - FRAME COLOUR - BLACK
24	PREFINISHED METAL CLADDING (GREY) SCREEN AROUND MECHANICAL EQU PMENT (2.0m HIGH)
25	PREFINISHED ALUMINUM JUL ET BALCONY.

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1 NORTH
1 : 150



2 SOUTH
1 : 150

SHEET SIZE: A1 609.6mm x 914.4mm

no.	revisions	date	init.
1	ISSUED FOR SPA	2025-02-28	GR
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2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn : SH/AB
designed : KR
reviewed : KR
date : 2025-02-28
scale : 1 : 150

project :
PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :
BUILDING ELEVATIONS

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ARCHITECTURE . ENGINEERING

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T. 905-457-1618
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project no. :	drawing no. :	rev. no. :
23027	A200	1

MATERIALS LEGEND	
#	MATERIAL DESCRIPTION
1	FINISHED GRADE AT BU LDING.
2	POURED CONCRETE FOOT NG & FOUNDATIONS.
3	PRECAST CONCRETE PANEL W/ TEXTURED FACE BRICK FINISH- COLOUR: CHARCOAL GREY
4	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PA NT F NISH- COLOUR: WHITE
5	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PA NT F NISH- COLOUR: DARK GREY
6	PRECAST CONCRETE PANEL W/ HORIZONTAL WOOD SLAT F NISH - 2 TONE STAIN- COLOUR: BROWN
7	ENTRANCE CANOPY - LONGBOARD METAL SIDING WITH WOOD FINISH- COLOUR: BROWN
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9	PREFINISHED ALUMINUM DECK RA L CW TEMPERED GLASS PANEL.
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11	PREFINISHED METAL FASCIA PANEL - COLOUR: BLACK
12	PREFINISHED ALUMINUM CURTA N WALL SYSTEM w/ CLEAR INSULATION VISION PANELS
14	HOLLOW METAL DOORS - PAINTED- COLOUR: LIGHT GREY
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17	PREFINISHED INSULATED GLASS DOOR DOUBLE GLAZ NG - FRAME- COLOUR: BLACK
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24	PREFINISHED METAL CLADDING (GREY) SCREEN AROUND MECHANICAL EQU PMENT (2 0m HIGH)
25	PREFINISHED ALUMINUM JUL ET BALCONY.

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1 EAST
1 : 150



2 WEST
1 : 150

SHEET SIZE: A1 600.0mm x 914.4mm

no.	revisions	date	init.
0	ISSUED FOR SPA	2025-02-28	GR

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ONTARIO ASSOCIATION OF ARCHITECTS
2025-02-28
KYLE J. REINDERS
LICENCE
8474

drawn :	AB
designed :	GDR
reviewed :	KR
date :	2025-02-28
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD.
BURLINGTON, ON

drawing :

BUILDING ELEVATIONS

REINDERS + ASSOCIATES
ARCHITECTURE . ENGINEERING

64 ONTARIO STREET NORTH
MILTON, ON, L9T 2T1
T. 905-457-1618
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project no. :	drawing no. :	rev. no. :
23027	A201	0

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PLAINS ROAD EAST
(BY ORDER IN COUNCIL 4000/69, FORMERLY THE KING'S HIGHWAY No. 2)
(ROAD ALLOWANCE BETWEEN BROKEN FRONT CONCESSION AND CONCESSION 1)
(PART 3, INST. 1431 DEPARTMENT OF HIGHWAYS PLAN P-1957-44)
PIN 07113-0002(LT)

FIRE ACCESS ROUTE

PROPOSED SIAMESE CONNECTION

NEW CONCRETE SIDEWALK

DEPRESSED CURB

TRANSFORMER

PRINCIPAL ENTRANCE

2 STOREY

NEW PROPOSED DEVELOPMENT
7 STOREY RESIDENTIAL

GROUP C - 3.2.2.42
GFA= 12,638.3
FFE: 99.90

GARBAGE / LOADING AREA

APPROXIMATE LOCATION OF STORM WATER MANAGEMENT TANK UNDER THE PARKING RAMP AREA

OUTLINE OF BUILDING ABOVE

UNDERGROUND PARKING ENTRANCE

52 PARKING SPACES

OUTLINE OF BUILDING ABOVE

PROPOSED BOARD FENCE (1.8 m HEIGHT)

N43°03'25"E 95.70

N46°53'35"W

N46°53'00"W 94.00

N43°03'25"E

93.88

95.71

LEGEND:

- PROPERTY LINE
- OUTLINE OF BUILDING ABOVE
- OUTLINE OF BUILDING BELOW
- NEW BUILDING AREA (FOOTPRINT)
- DOOR/ENTRANCE LOCATION
- PROPOSED BOARD FENCE
- CONCRETE PAD OR SIDEWALK
- HEAVY DUTY ASPHALT
- FIRE ROUTE
- FH EXISTING FIRE HYDRANT
- Y FIRE DEPARTMENT CONNECTION
- 5.0x5.0m D.V.T.

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	MXG-542	MXG-542
LOT AREA (sm)	1,000 m²	5,043 m²
LOT WIDTH (sm)	25 m	95.70 m
GROUND FLOOR AREA (sm)	N/A	1737.5 m²
LOT COVERAGE	N/A	34.4 %
MAXIMUM HEIGHT	7 STOREYS (22.5 m)	7 STOREYS (22.5* m)
MINIMUM FRONT YARD	3.0 m	3.0 m
YARDS ABUTTING A RESIDENTIAL ZONE (EAST)	10.5 m	11.2 m
YARDS ABUTTING A RESIDENTIAL ZONE (WEST)	3.0 m	3.0 m
YARDS ABUTTING A RESIDENTIAL ZONE (REAR)		
FLOORS 1 TO 3	11.4 m	12.0 m
FLOORS 4 TO 5	11.4 m	15.0 m
FLOOR 6	15.0 m	15.0 m
FLOOR 7	18.0 m	18.0 m
MAXIMUM NUMBER OF DWELLING UNITS	141	141
NUMBER OF PARKING SPACES	0	145 (1.03/unit)
NUMBER OF ACCESSIBLE PARKING SPACES 2 + 2% of total required parking	6	6
PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0m
PARKING AISLE DIMENSIONS (m)	6.0	6.0
ACCESSIBLE PARKING STALL DIMENSIONS (m)	2.75 m x 6.0 m	2.75 m x 6.0 m
ACCESSIBLE PARKING PATHWAY WIDTH (m)	2.0	2.0
LOADING SPACE SIZE	10.7 m x 3.0 m	10.7 m x 3.0 m
LOADING SPACE REQUIRED	1	1
BIKE PARKING 0.5 SPACES PER UNIT	71	71
MAXIMUM FLOOR AREA RATIO	2.61	2.61
AMENITY AREA	3355.8 m² (23.8 m²/unit)	3,385.7 (24.0 m²/unit)

PLAN OF SURVEY OF
PART OF LOT 4
BROKEN FRONT CONCESSION
(FORMERLY IN THE TOWNSHIP OF EAST FLAMBOROUGH)
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1: 250
David B. Searles Surveying Ltd.
METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

TRUE NORTH

CONSTRUCTION NORTH

REINDERS + ASSOCIATES
ARCHITECTURE . ENGINEERING
REINDERS + ASSOCIATES LTD.
ARCHITECTURE . ENGINEERING
64 ONTARIO STREET NORTH
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T. 905.457.1618 F. 905.457.8852
EMAIL@REINDERS.CA WWW.REINDERS.CA

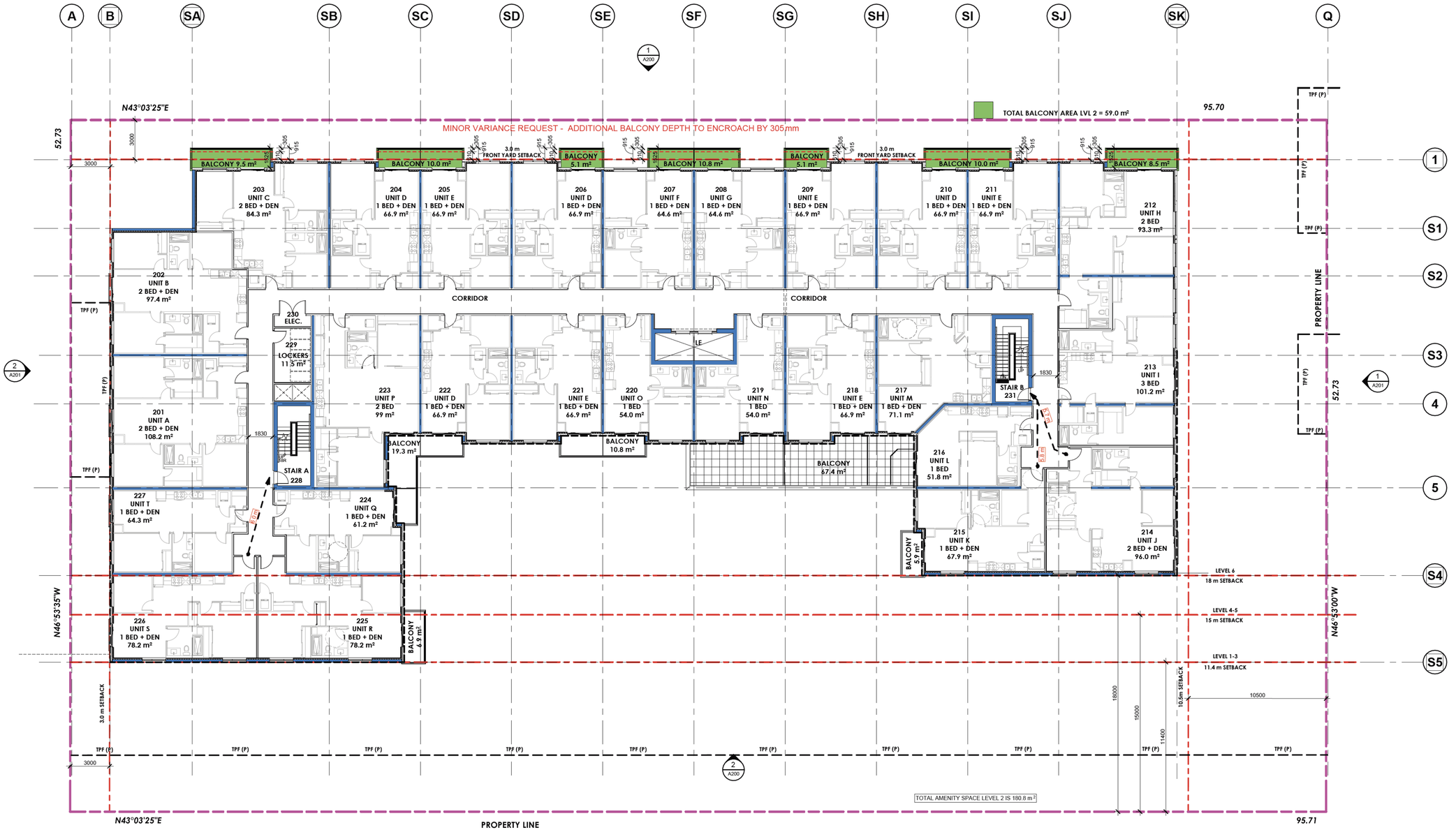
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project
276-292 PLAINS RD.
DEVELOPMENT
BURLINGTON, ON.

drawing
FIRE ROUTE SITE PLAN

ONTARIO ASSOCIATION OF ARCHITECTS
FEB 28, 2025
KYLE J. REINDERS
LICENCE
8474

2025/02/28	plot scale 1:1	drawing scale 1:400	
project number 23027	sheet-number SP2	reference no. 0	rev. no. 0



1 LEVEL 2

1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
LEVEL 1	-	6	-	2	1	-	**9**
LEVEL 2	3	17	2	4	1	-	**27**
LEVEL 3	3	17	2	4	1	-	**27**
LEVEL 4	3	15	5	3	-	-	**26**
LEVEL 5	3	15	5	3	-	-	**26**
LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	**-**	**141**

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
2	RE-ISSUED FOR SPA	2025-03-27	GR
1	ISSUED FOR SPA	2025-02-28	GK
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ONTARIO ASSOCIATION OF ARCHITECTS
2025-12-24
KYLE J. REINDERS
LICENCE
8474

drawn :	SH/AB
designed :	GDR
reviewed :	KR
date :	2025-12-24
scale :	As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

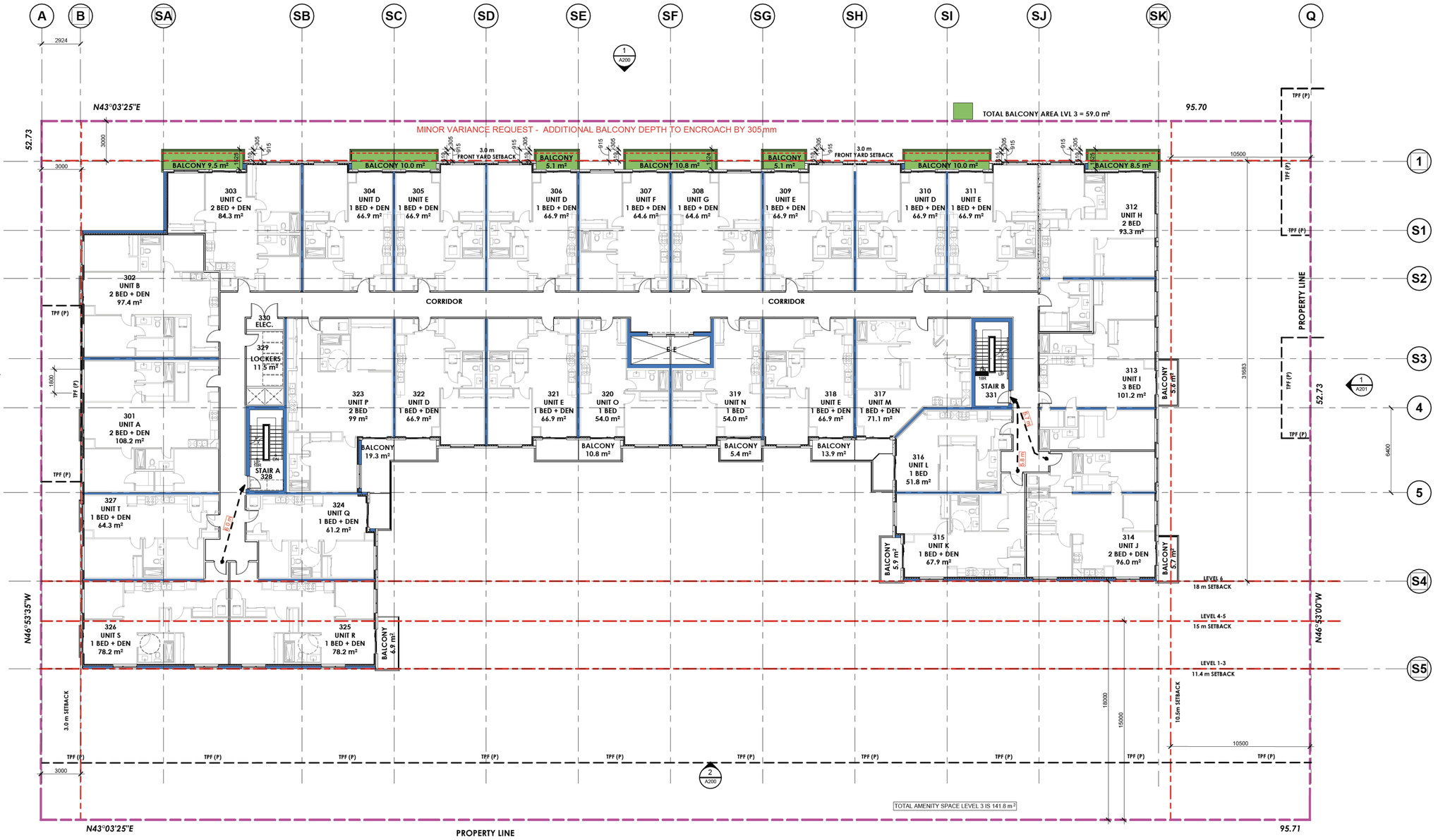
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project no. :	drawing no. :	rev. no. :
23027	A102	2

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 3

1 : 150

Copyright Act Applies to Use and Production

UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
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LEVEL 1	-	6	-	2	1	-	**9**
LEVEL 2	3	17	2	4	1	-	**27**
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LEVEL 4	3	15	5	3	-	-	**26**
LEVEL 5	3	15	5	3	-	-	**26**
LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	**-**	**141**

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CONSTRUCTION NORTH

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ONTARIO ASSOCIATION OF ARCHITECTS
2025-12-24
KYLE J. REINDERS
LICENCE
8474

drawn : MD/AB

designed : KR

reviewed : KR

date : 2025-12-24

scale : As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

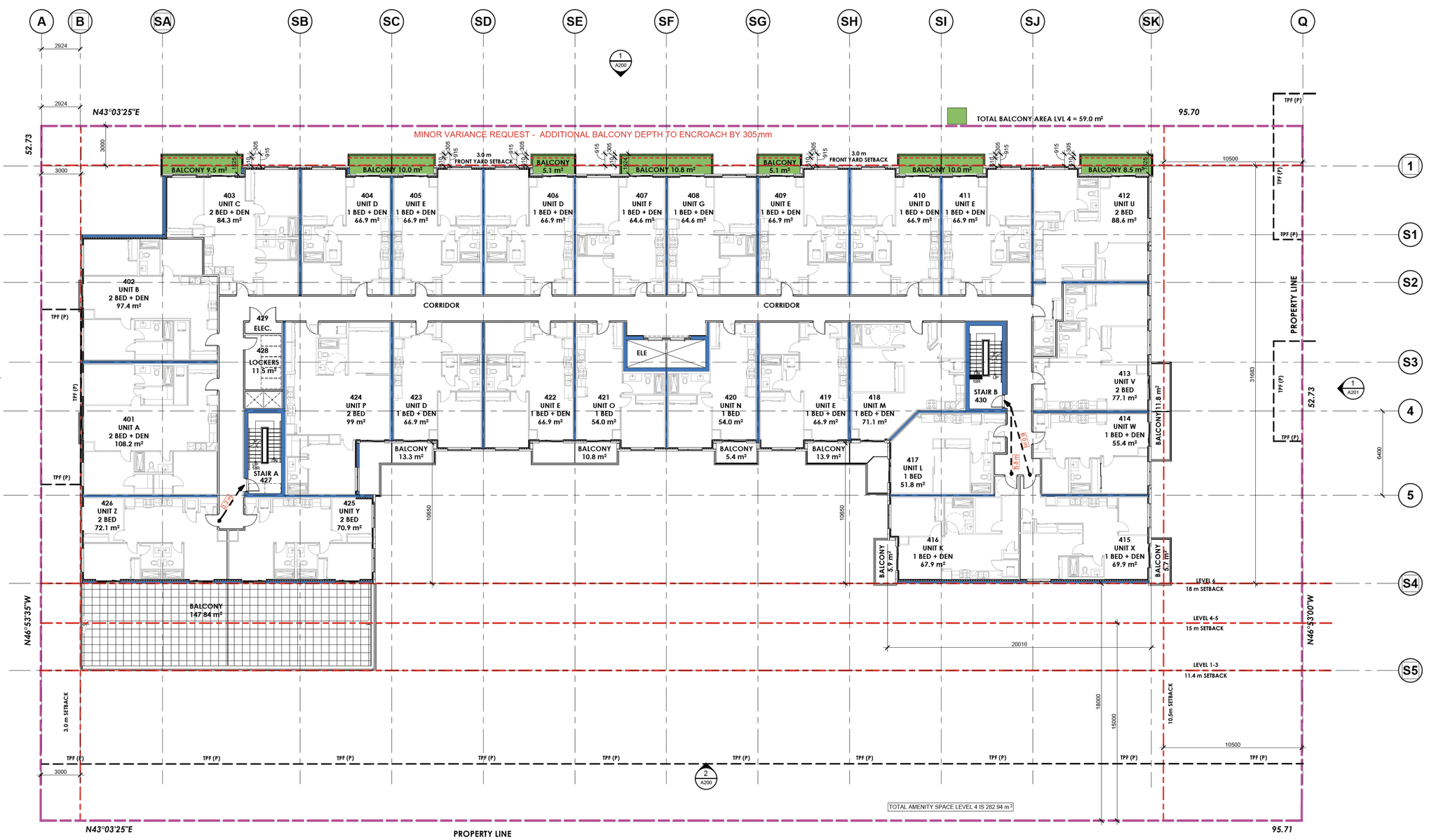
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ARCHITECTURE . ENGINEERING

64 ONTARIO STREET NORTH
MILTON, ON, L9T 2T1
T. 905-457-1618
www.reinders.ca

project no. :	drawing no. :	rev. no. :
23027	A103	2

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 4
1 : 150

Copyright Act Applies to Use and Production

UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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CONSTRUCTION NORTH

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2025-12-24
KYLE J. REINDERS
LICENCE
8474

drawn :	MD/AB
designed :	KR
reviewed :	KR
date :	2025-12-24
scale :	As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

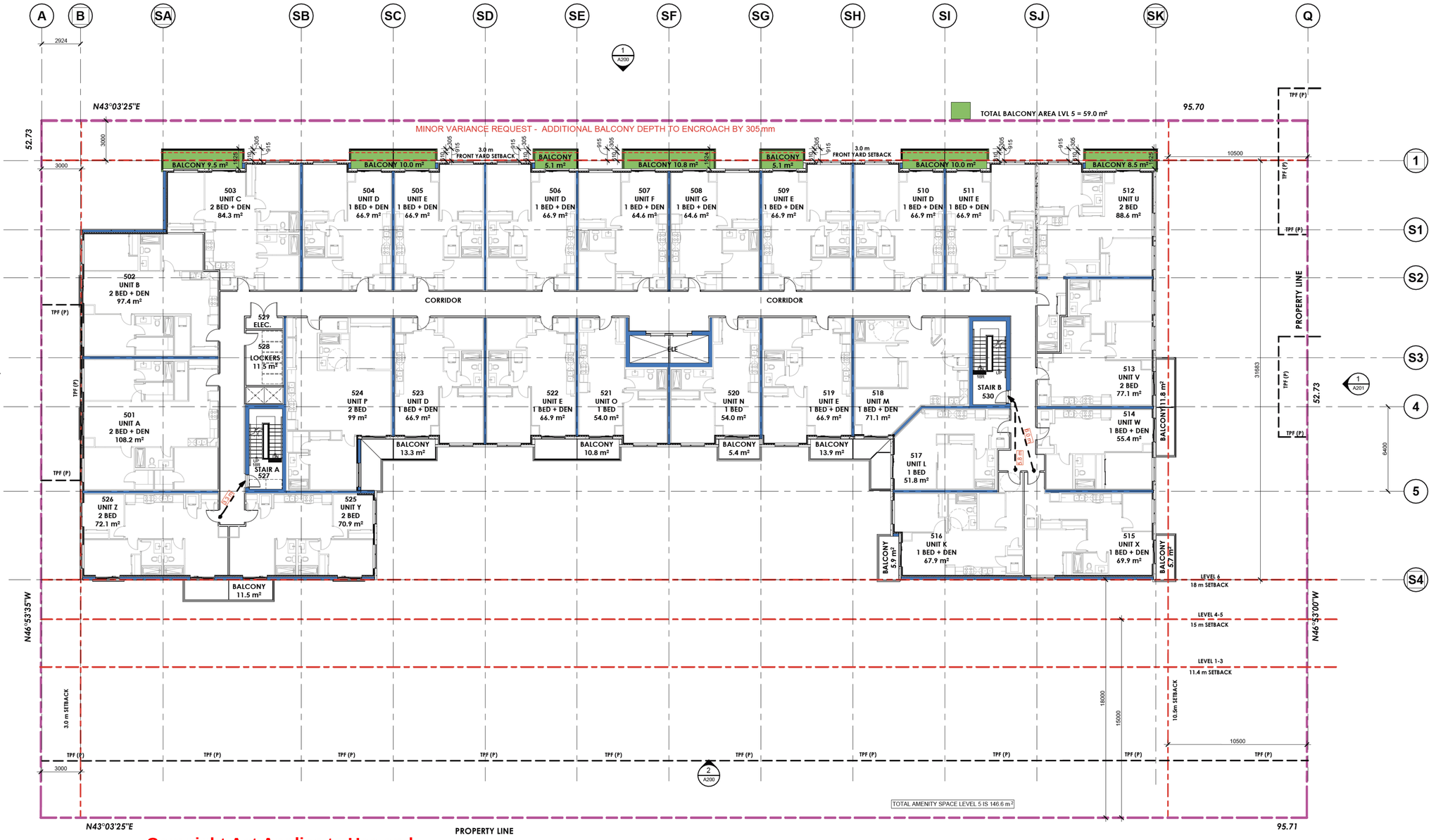
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project no. :	drawing no. :	rev. no. :
23027	A104	2

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 5
1 : 150

Copyright Act Applies to Use and Production

UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
LEVEL 1	-	6	-	2	1	-	**9**
LEVEL 2	3	17	2	4	1	-	**27**
LEVEL 3	3	17	2	4	1	-	**27**
LEVEL 4	3	15	5	3	-	-	**26**
LEVEL 5	3	15	5	3	-	-	**26**
LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	**-**	**141**

TRUE NORTH
CONSTRUCTION NORTH

no.	revisions	date	init.
2	RE-ISSUED FOR SPA	2025-03-27	GR
1	ISSUED FOR SPA	2025-02-28	GK
0	ISSUED FOR SPA	2024-08-02	KR

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2025-12-24
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8474

drawn : MD/AB
designed : KR
reviewed : KR
date : 2025-12-24
scale : As indicated

project :
PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

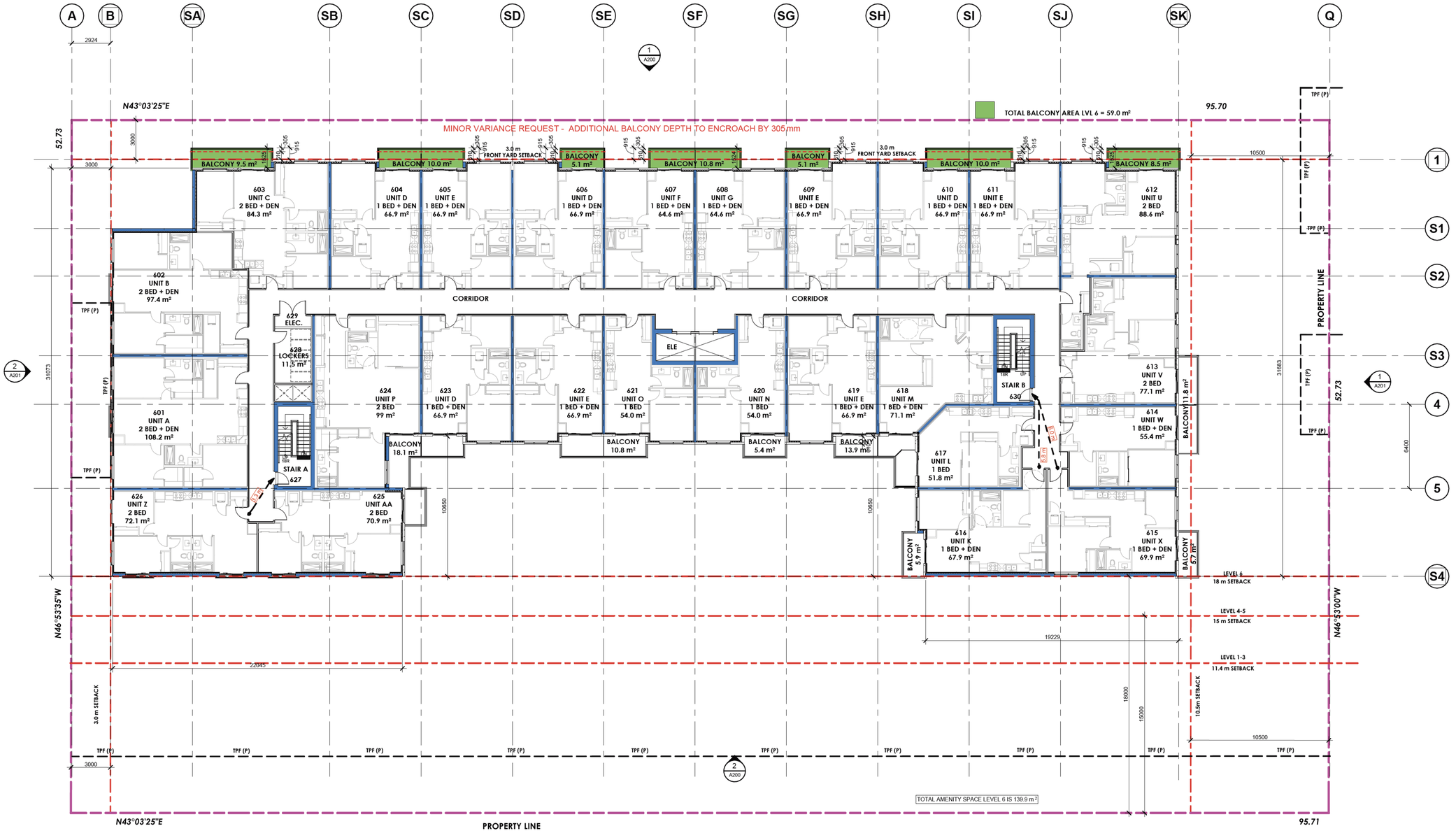
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project no. : 23027
drawing no. : A105
rev. no. : 2

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL 6
1 : 150

Copyright Act Applies to Use and Production

UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
LEVEL 1	-	6	-	2	1	-	**9**
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TOTALS	**15**	**85**	**19**	**19**	**3**	**-**	**141**

TRUE NORTH

CONSTRUCTION NORTH

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1	ISSUED FOR SPA	2025-02-28	GK
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2025-12-24
KYLE J. REINDERS
LICENCE
8474

drawn : SH/AB

designed : GDR

reviewed : KR

date : 2025-12-24

scale : As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

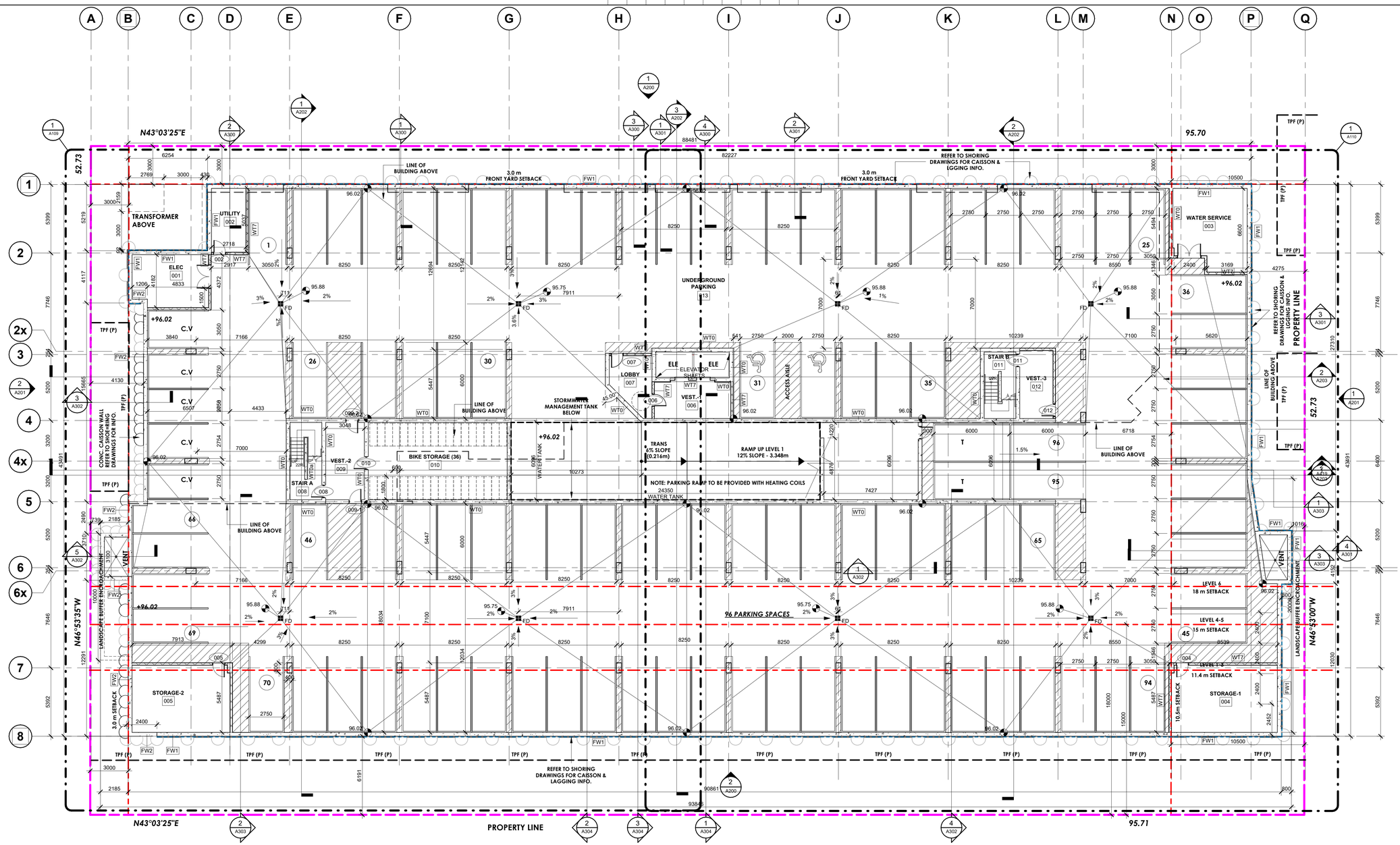
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23027	A106	2

SHEET SIZE: A1 (609.6mm x 914.4mm



1 LEVEL P1

1 : 150

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96 PARKING SPACES

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
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designed :	GDR
reviewed :	KR
date :	2026-07-03
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

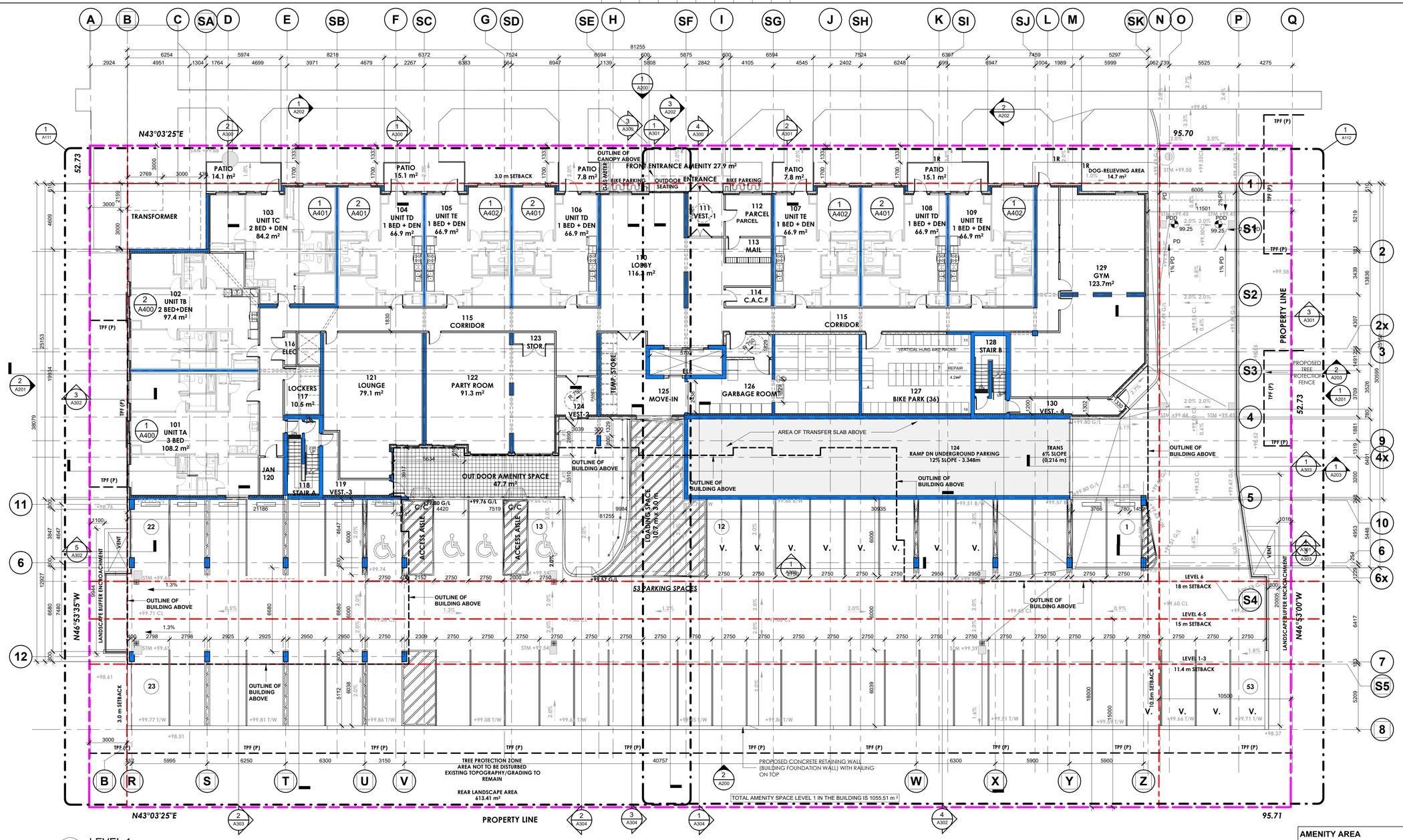
LEVEL P1 - UNDERGROUND PARKING

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23027	A100	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 1

1 : 150

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UNIT TYPE COUNT							
	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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LEVEL 4	3	15	5	3	-	-	26
LEVEL 5	3	15	5	3	-	-	26
LEVEL 6	3	15	5	3	-	-	26
TOTALS	15	85	19	19	3	-	141

53 PARKING SPACES

AMENITY AREA	
GROUND FLOOR AMENITY	294.1 SQ.M.
PARTY ROOM	91.3 SQ.M.
LOUNGE	79.1 SQ.M.
GYM	123.7 SQ.M.
OUTDOOR AMENITY SPACE	47.7 SQ.M.
FRONT ENTRANCE AMENITY	27.90 SQ.M.
DOG RELIEVING AREA	14.70 SQ.M.
FRONT YARD PATIOS	59.90 SQ.M.
REAR LANDSCAPED AREA	613.41 SQ.M.
BALCONIES / TERRACES	823.3 SQ.M.
BALCONIES / TERRACES LVL 2	168.4 SQ.M.
BALCONIES / TERRACES LVL 3	129.4 SQ.M.
BALCONIES / TERRACES LVL 4	270.54 SQ.M.
BALCONIES / TERRACES LVL 5	127.5 SQ.M.
BALCONIES / TERRACES LVL 6	127.5 SQ.M.
ROOFTOP - INDOOR	310 SQ.M.
ROOFTOP - OUTDOOR	1166.3 SQ.M.
TOTALS	3357.35 SQ.M.

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
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reviewed :	KR
date :	2026-07-03
scale :	As indicated

project :

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BURLINGTON, ON

drawing :

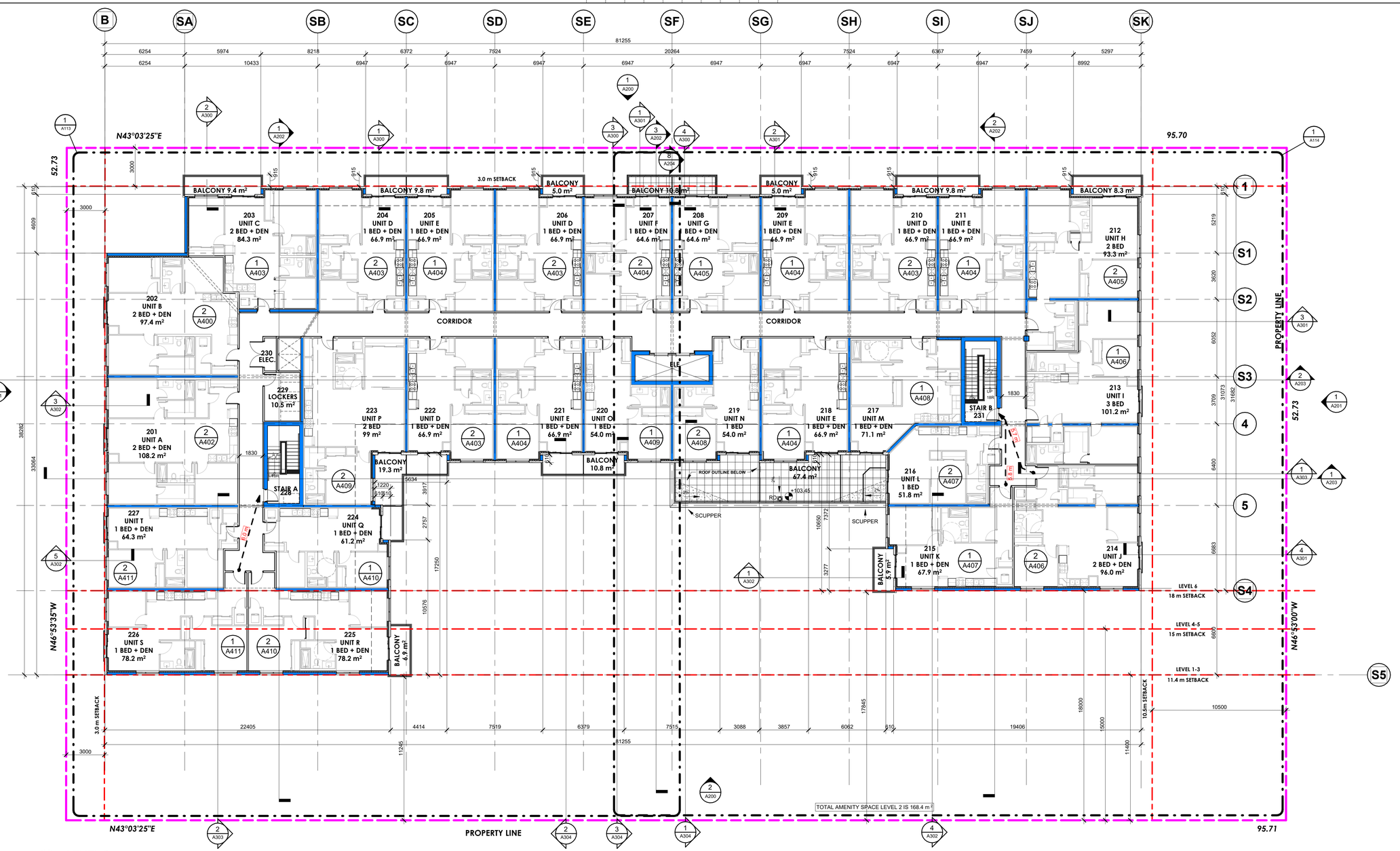
LEVEL 1 - RESIDENTIAL

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23027	A101	3

SHEET SIZE: A1 600.6mm x 914.4mm



1 LEVEL 2

1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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LEVEL 4	3	15	5	3	-	-	**26**
LEVEL 5	3	15	5	3	-	-	**26**
LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	-	**141**

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
2	RE-ISSUED FOR SPA	2025-03-27	GR
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reviewed :	KR
date :	2026-07-03
scale :	As indicated

project :

PLAINS RD. DEVELOPMENT
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BURLINGTON, ON

drawing :

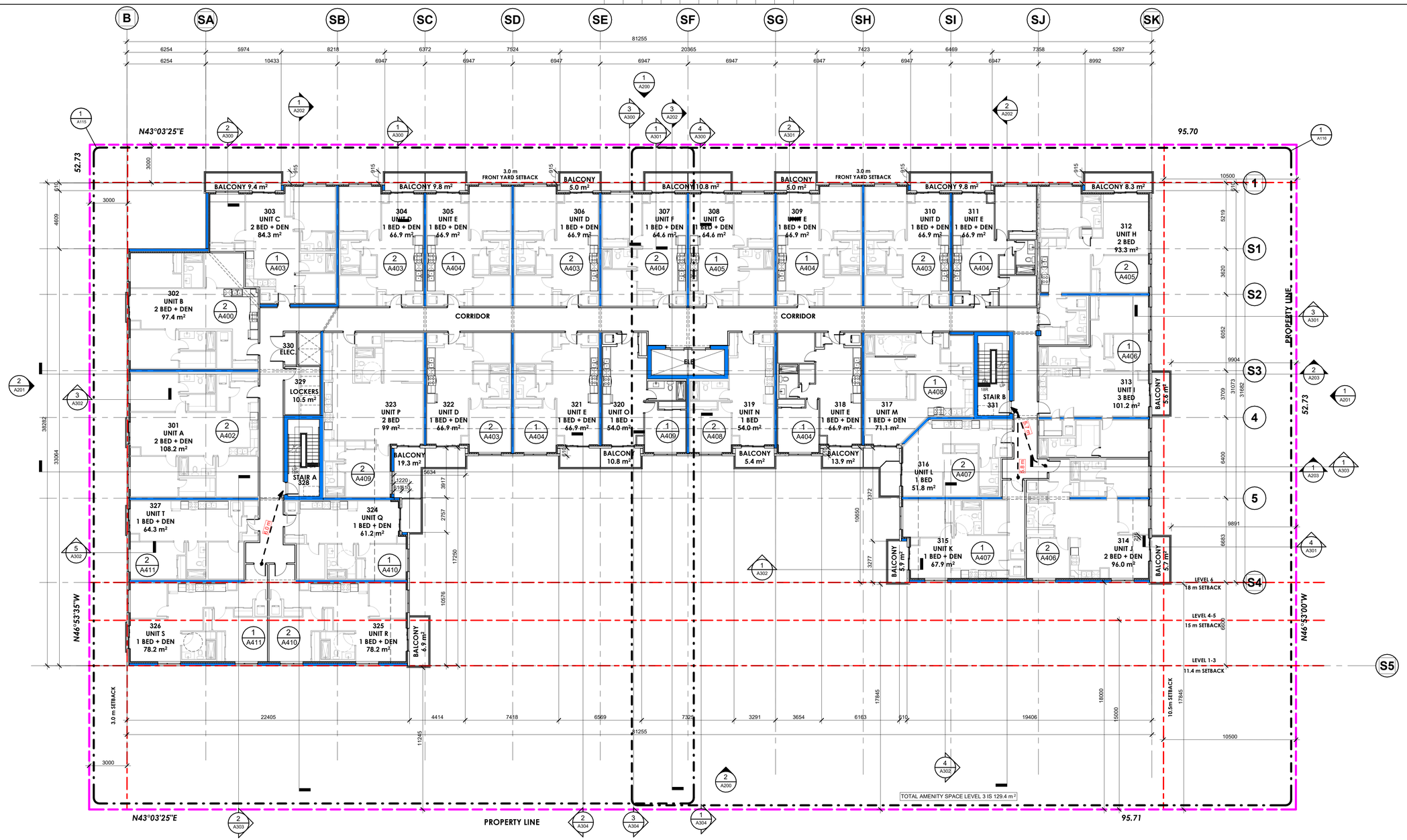
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project no. :	drawing no. :	rev. no. :
23027	A102	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 3
1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
LEVEL 1	-	6	-	2	1	-	**9**
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LEVEL 4	3	15	5	3	-	-	**26**
LEVEL 5	3	15	5	3	-	-	**26**
LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	-	**141**

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
2	RE-ISSUED FOR SPA	2025-03-27	GR
1	ISSUED FOR SPA	2025-02-28	GR
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reviewed : KR

date : 2026-07-03

scale : As indicated

project :

PLAINS RD. DEVELOPMENT
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drawing :

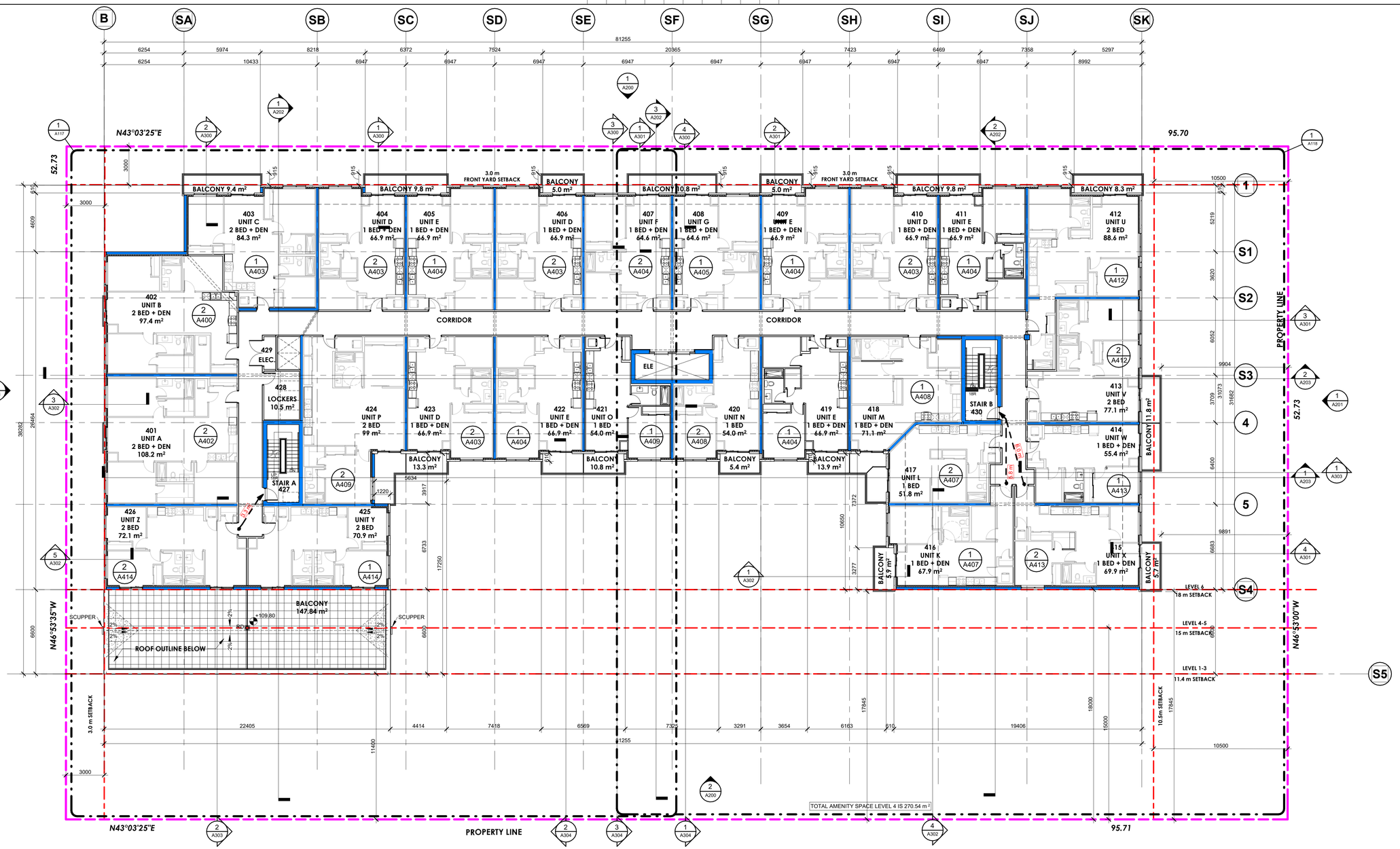
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project no. :	drawing no. :	rev. no. :
23027	A103	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 4

1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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LEVEL 6	3	15	5	3	-	-	**26**
TOTALS	**15**	**85**	**19**	**19**	**3**	**-**	**141**

TRUE NORTH

CONSTRUCTION NORTH

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2	RE-ISSUED FOR SPA	2025-03-27	GR
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project :

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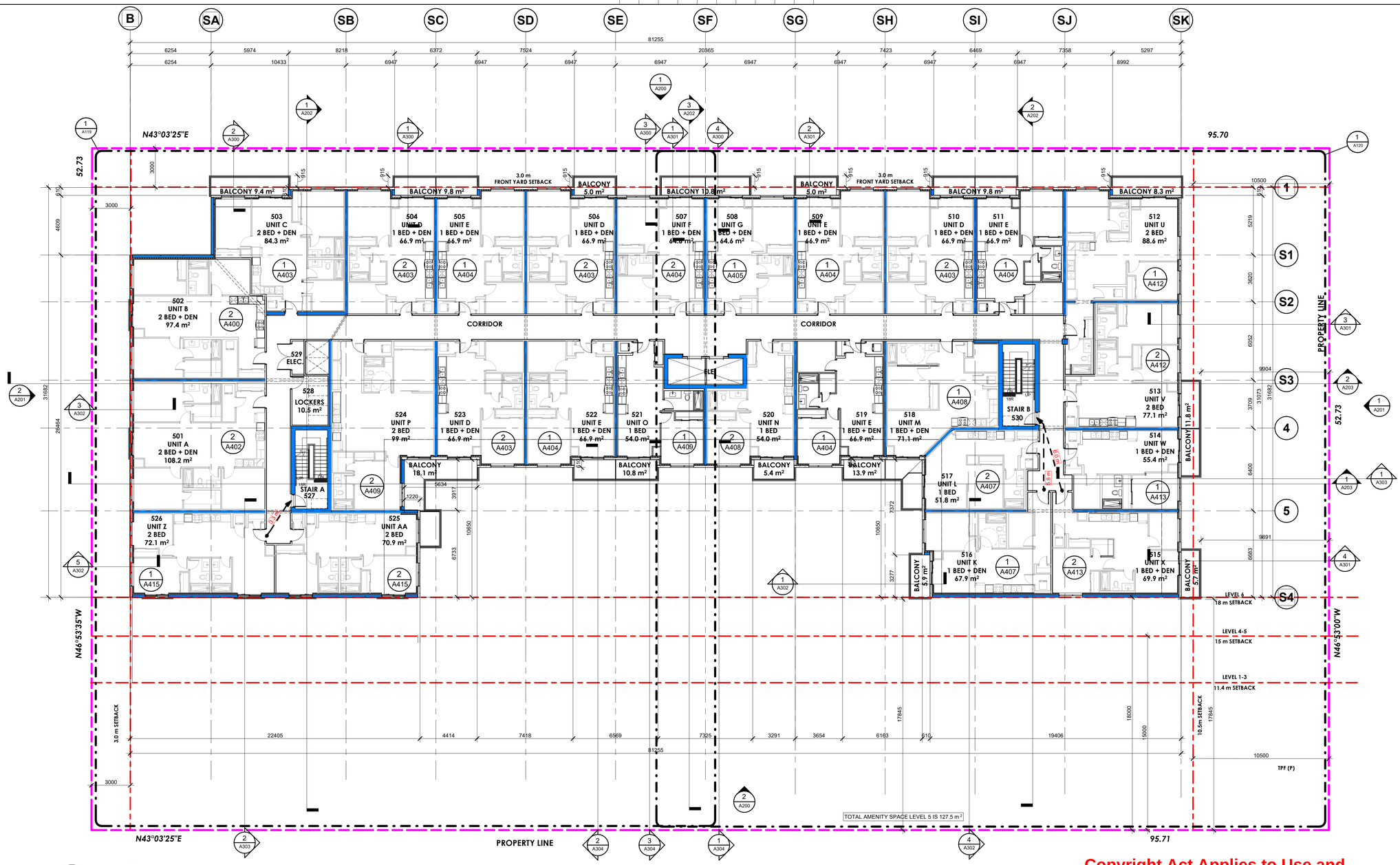
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23027	A104	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 5
1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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LEVEL 6	3	15	5	3	-	-	**26**
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scale : As indicated

project :
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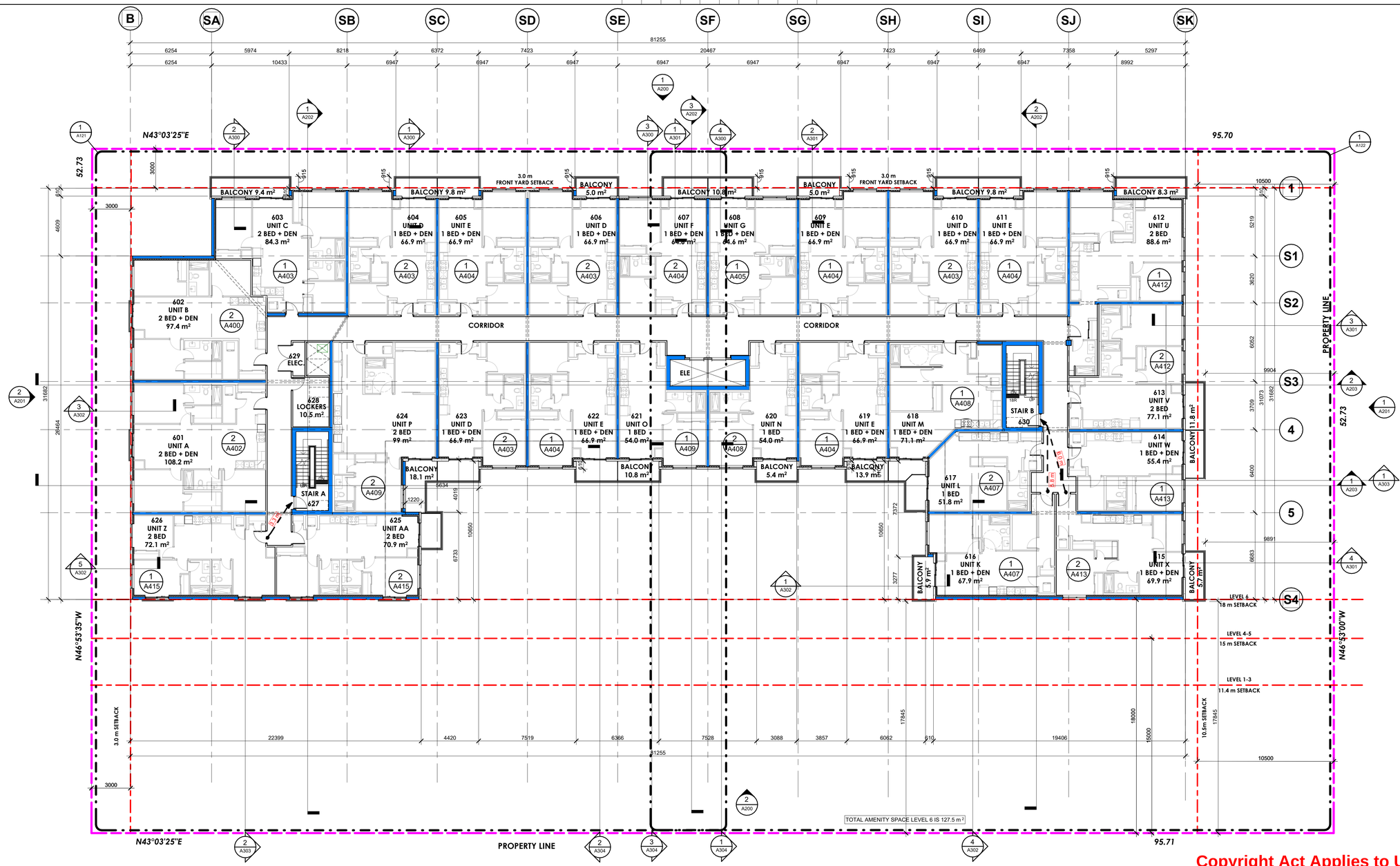
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project no.	drawing no. :	rev. no. :
23027	A105	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 6

1 : 150

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UNIT TYPE COUNT

	1B	1B+D	2B	2B+D	3B	3B+D	
	15 OF 141	85 OF 141	9 OF 141	29 OF 141	1 OF 141	2 OF 141	139 OF 139
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reviewed :	KR
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scale :	As indicated

project :

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BURLINGTON, ON

drawing :

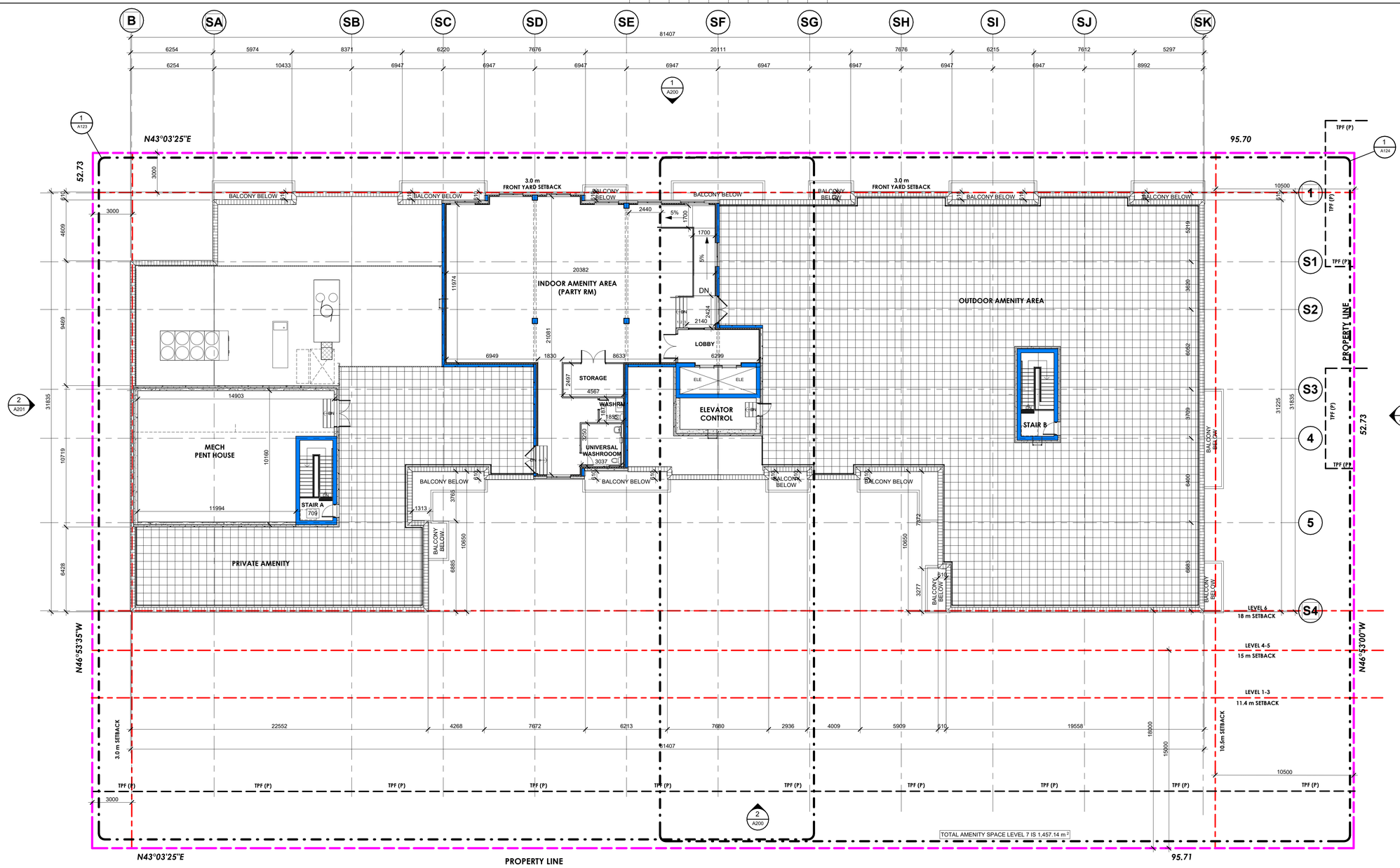
LEVEL 6 RESIDENTIAL

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project no.	drawing no. :	rev. no. :
23027	A106	3

SHEET SIZE: A1 609.6mm x 914.4mm



1 LEVEL 7

1 : 150

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TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
2	RE-ISSUED FOR SPA	2025-03-27	GR
1	ISSUED FOR SPA	2025-02-28	GR
0	ISSUED FOR SPA	2024-08-02	KR

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drawn : SH/AB

designed : GDR

reviewed : KR

date : 2026-07-03

scale : 1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

LEVEL 7 - AMENITY SPACE

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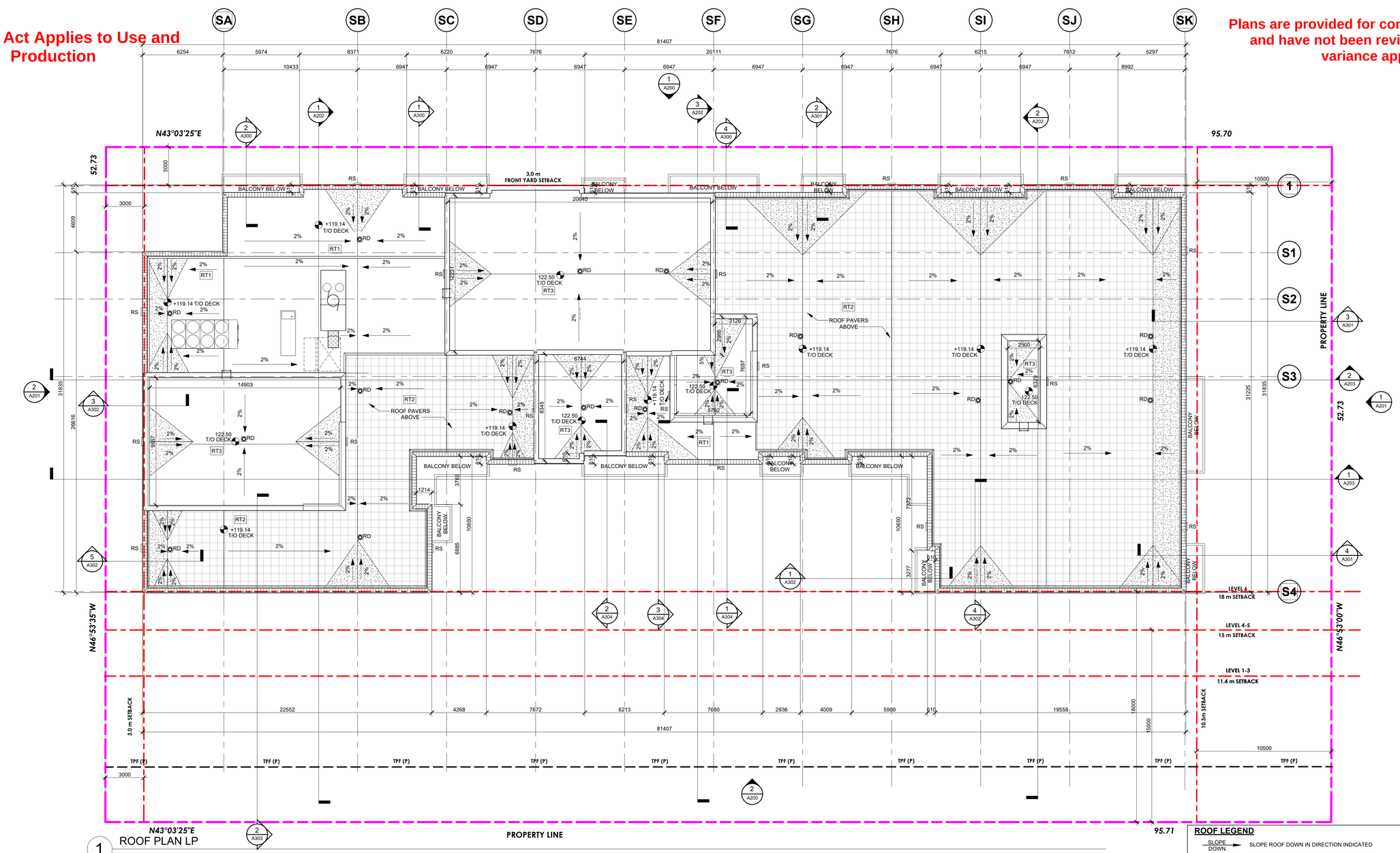
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23027	A107	3

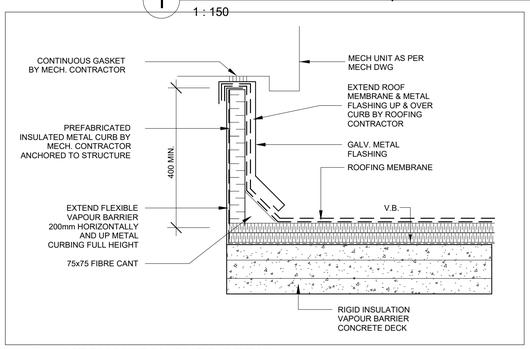
SHEET SIZE: A1 609.6mm x 914.4mm

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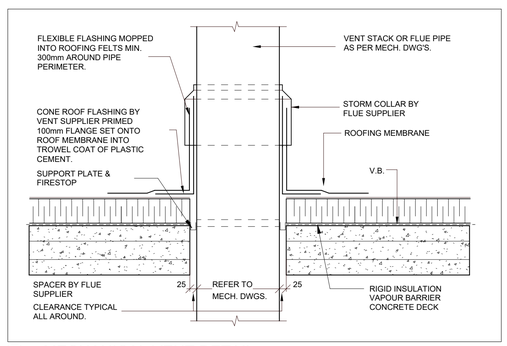
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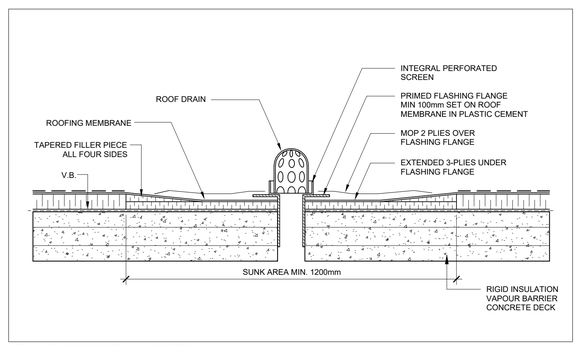
1 ROOF PLAN LP
1 : 150



2 MECHANICAL CURB DETAIL
1 : 20



3 MECHANICAL VENT DETAIL
1 : 20



4 ROOF DRAIN DETAIL
1 : 20

ROOF LEGEND

- SLOPE DOWN — SLOPE ROOF DOWN IN DIRECTION INDICATED
- RD — ROOF DRAINS - REFER TO MECH. DRAWINGS
- RS — ROOF SCUPPER DRAIN
- 2% TAPERED INSULATION UNDER ROOF MEMBRANE TO PROVIDE POSITIVE SLOPE TO ROOF DRAIN OR SCUPPER
- PREFINISHED METAL CAP FLASHING

NOTES:
- COORDINATE MECHANICAL & ELECTRICAL EQUIPMENT LOCATIONS WITH ROOF ANCHOR SYSTEM.
- COORDINATE TAPERED INSULATION UNDER AND AROUND MECHANICAL & ELECTRICAL EQUIPMENT, CURBS, & PADS, SLOPE TO DRAIN.
- ALL RTU'S VISIBLE FROM STREET OR PUBLIC AREAS TO BE SCREENED, USING SIMILAR FINISHES ON BUILDING. FINAL LOCATION OF ALL RTU'S AND EXTENT OF SCREENING (IF REQUIRED) TO BE DETERMINED AND VERIFIED DURING BUILDING PERMIT SUBMISSION.

MECHANICAL PENTHOUSE

EQUIPMENT TO BE INSTALLED ON CONCRETE HOUSE-KEEPING PADS AS SHOWN TO ISOLATE EQUIPMENT FROM THE PRECAST CONCRETE STRUCTURE.

ASSEMBLY:
100 CONCRETE
25 DIMPLE RUBBER MAT (ACOUSTIGUARD ISO-SEP 25HD, PLITEQ GENIEMAT FF25 OR APPROVED EQUAL).
ON PRE-CAST STRUCTURE BELOW

TRUE NORTH

CONSTRUCTION NORTH

no.	revisions	date	init.
3	ISSUED FOR PERMIT	2025-07-03	GR
2	RE-ISSUED FOR SPA	2025-03-27	GR
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drawn : SH/AB

designed : GDR

reviewed : KR

date : 2026-07-03

scale : As indicated

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

ROOF PLAN

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project no. :	drawing no. :	rev. no. :
23027	A108	3

SHEET SIZE: A1 609.6mm x 914.4mm

MATERIALS LEGEND

#	MATERIAL DESCRIPTION
1	FINISHED GRADE AT BUILDING.
2	POURED CONCRETE FOOTING & FOUNDATIONS.
3	PRECAST CONCRETE PANEL W/ TEXTURED FACE BRICK FINISH- COLOUR: CHARCOAL GREY
4	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PAINT FINISH- COLOUR: WHITE
5	PRECAST CONCRETE PANEL W/ 50mm HORIZONTAL AND VERTICAL REVEALS TEXTURED PAINT FINISH- COLOUR: DARK GREY
6	PRECAST CONCRETE PANEL W/ HORIZONTAL WOOD SLAT FINISH - 2 TONE STAIN- COLOUR: BROWN
7	ENTRANCE CANOPY - LONGBOARD METAL SIDING WITH WOOD FINISH- COLOUR: BROWN
8	PRECAST CONCRETE BALCONY PAINTED FINISH - COLOUR: DARK GREY
9	PREFINISHED ALUMINUM DECK RAIL CW TEMPERED GLASS PANEL.
10	THERMALLY BROKEN ALUMINUM WINDOWS WITH CLEAR DOUBLE GLAZED SEALED UNITS-FRAME- COLOUR: BLACK
11	PREFINISHED METAL FASCIA PANEL - COLOUR: BLACK
12	PREFINISHED ALUMINUM CURTAIN WALL SYSTEM w/ CLEAR INSULATION VISION PANELS
13	PREFINISHED ALUMINUM CURTAIN WALL SYSTEM w/ SAAND SPANDREL PANELS OPACICOAT
14	HOLLOW METAL DOORS - PAINTED- COLOUR: LIGHT GREY
15	BALCONY PRIVACY DIVIDER CLEAR ANODIZED ALUMINUM w/ FROSTED TEMPERED GLASS
16	CLEAR ANODIZED ALUMINUM GLASS ENTRANCE SYSTEM
17	PREFINISHED INSULATED GLASS DOOR DOUBLE GLAZING - FRAME- COLOUR: BLACK
18	PREFINISHED ALUMINUM OVERHEAD GARAGE DOOR
19	BIKE RACKS (TYPE B)
20	SIGN BOARD "BY OTHERS"
21	PREFINISHED METAL FASCIA PANEL - COLOUR: GREY
23	PREFINISHED INSULATED STEEL DOOR C/W FROSTED DOUBLE GLAZING - FRAME COLOUR - BLACK
24	PREFINISHED METAL CLADDING (GREY) SCREEN AROUND MECHANICAL EQUIPMENT (2.0m HIGH)
25	PREFINISHED ALUMINUM JULIET BALCONY.
26	OVERHEAD GARAGE DOOR
27	ACOUSTICAL SCREEN (NOISE BARRIER)

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1 NORTH
1 : 150



2 SOUTH
1 : 150

SHEET SIZE: A1 609.6mm x 914.4mm

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drawn :	SH/AB
designed :	KR
reviewed :	KR
date :	2026-07-03
scale :	1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

BUILDING ELEVATIONS

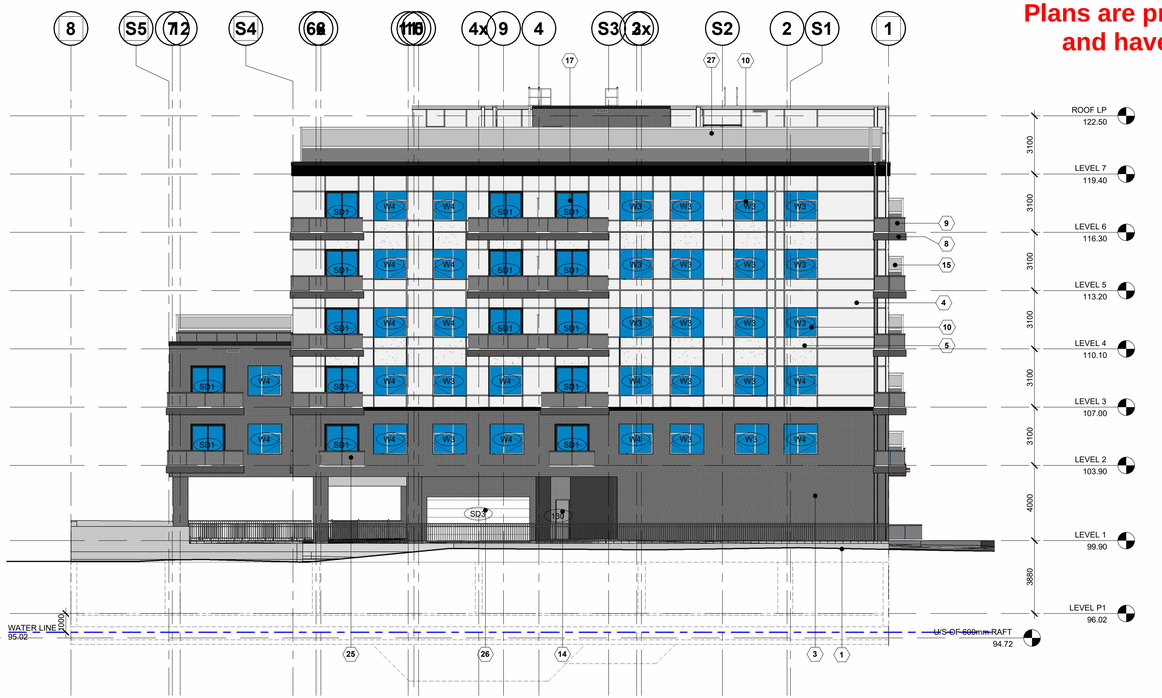
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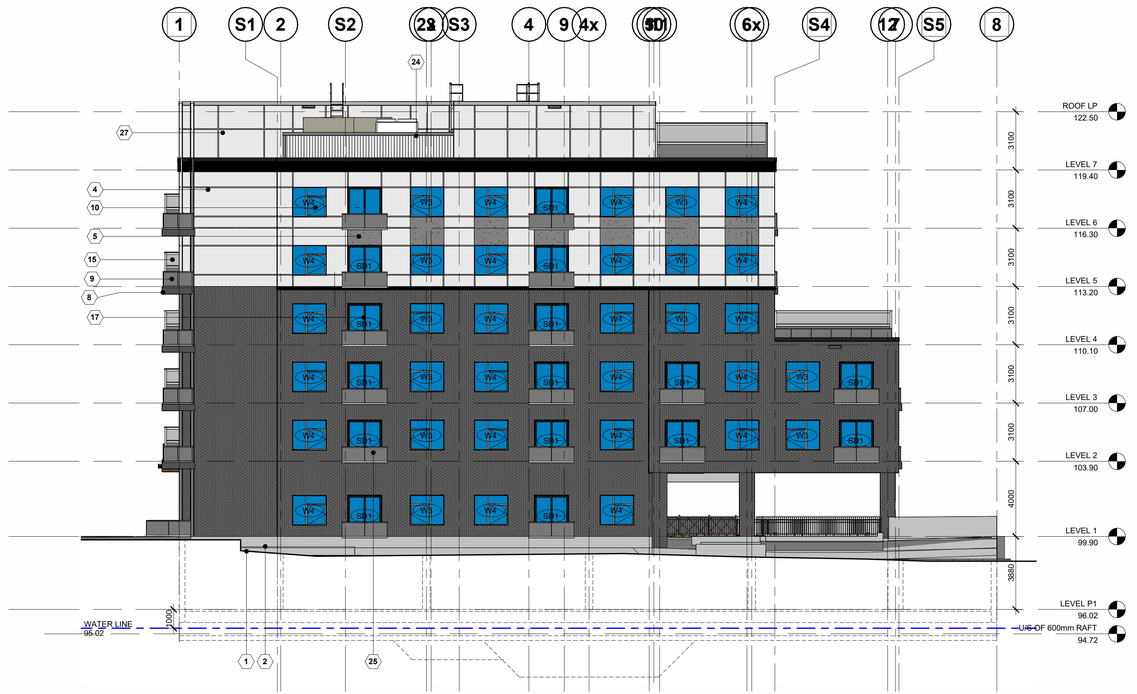
project no. :	drawing no. :	rev. no. :
23027	A200	3

MATERIALS LEGEND

#	MATERIAL DESCRIPTION
1	FINISHED GRADE AT BUILDING.
2	POURED CONCRETE FOOTING & FOUNDATIONS.
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26	OVERHEAD GARAGE DOOR
27	ACOUSTICAL SCREEN (NOISE BARRIER)



1 EAST
1 : 150



2 WEST
1 : 150

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designed : GDR

reviewed : KR

date : 2026-07-03

scale : 1 : 150

project :

PLAINS RD. DEVELOPMENT
272-296 PLAINS RD. EAST
BURLINGTON, ON

drawing :

BUILDING ELEVATIONS

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project no. :	drawing no. :	rev. no. :
23027	A201	3

SHEET SIZE: A1 609.6mm x 914.4mm