Committee of Adjustment

Agenda

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

Pages

1. Call to Order

2. Land Acknowledgement

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

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

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

3. Roll Call

4. Declarations of Interest

5. Addendums

6. Request for Deferrals

7. Consent Items

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 3104 First Street_A-020-2026 1 - 42

Proposal:

The applicant is proposing the construction of two, one-storey additions on the north-east side as well as a new front yard porch for the existing two storey dwelling with attached garage.

Variances required:

1. To permit a front yard of 5.9 m instead of the minimum required 6.3 m measured from the established front yard for a proposed one storey addition.

1. To permit a north-east side yard of 0.3 m instead of the minimum required 2.4 m for proposed additions.

1. To permit a 0 m north-east side yard instead of the minimum required 0.3 m for a proposed roof overhang.

1. To permit a roof encroachment of 2.4 m into the required north-east side yard instead of the maximum permitted 1 m.

1. To permit a front yard of 3.4 m instead of the minimum required 4.3 m (6.3 – 2.0 m encroachment) measured from the established front yard for a proposed porch with a platform less than or equal to 1.2 m above grade.

8. Regular Items

8.1 1405 Niels Avenue_A-089-2025 43 - 87

Proposal:

The applicant is proposing the construction of a one storey screened in rear deck, an accessory building located within the interior side yard, and new and expanded driveways and walkways in conjunction with the existing one storey dwelling without attached garage.

Variances required:

1. To permit a setback of 10.1 m instead of the minimum required 15.0 m from the front lot line (Mount Royal Ave) for a proposed accessory building up to 15 m2 in floor area.

2. To permit a driveway length of 1.1 m instead of the minimum required 6.0 m.

3. To permit one parking space for existing detached dwelling instead of the minimum required two parking spaces.

8.2 1325 Fisher Avenue_B-002-2026 88 - 141

Proposal:

The applicant is proposing to create two new parcels of land by severing one approximately 1, 625.9 m^2, 30.48 m wide existing lot being 1325 Fisher Avenue.

This will result in a severed lot (Part 1) of approximately 813.0 m^2 in area with a width of 15.24 m and a retained lot (Part 2) of 813.0 m^2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require a minor variance for lot width.

8.3 1325 Fisher Avenue_A-023-2026 142 - 191

Severed Parcel (Part 1)

The proposed severed parcel complies with the minimum requirement for lot area. It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

8.4 1325 Fisher Avenue_A-024-2026 192 - 241

Retained Parcel (Part 2)

The proposed retained parcel complies with the minimum requirement for lot area.It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

9. Other Business

9.1 Correspondence

9.2 Items for Discussion

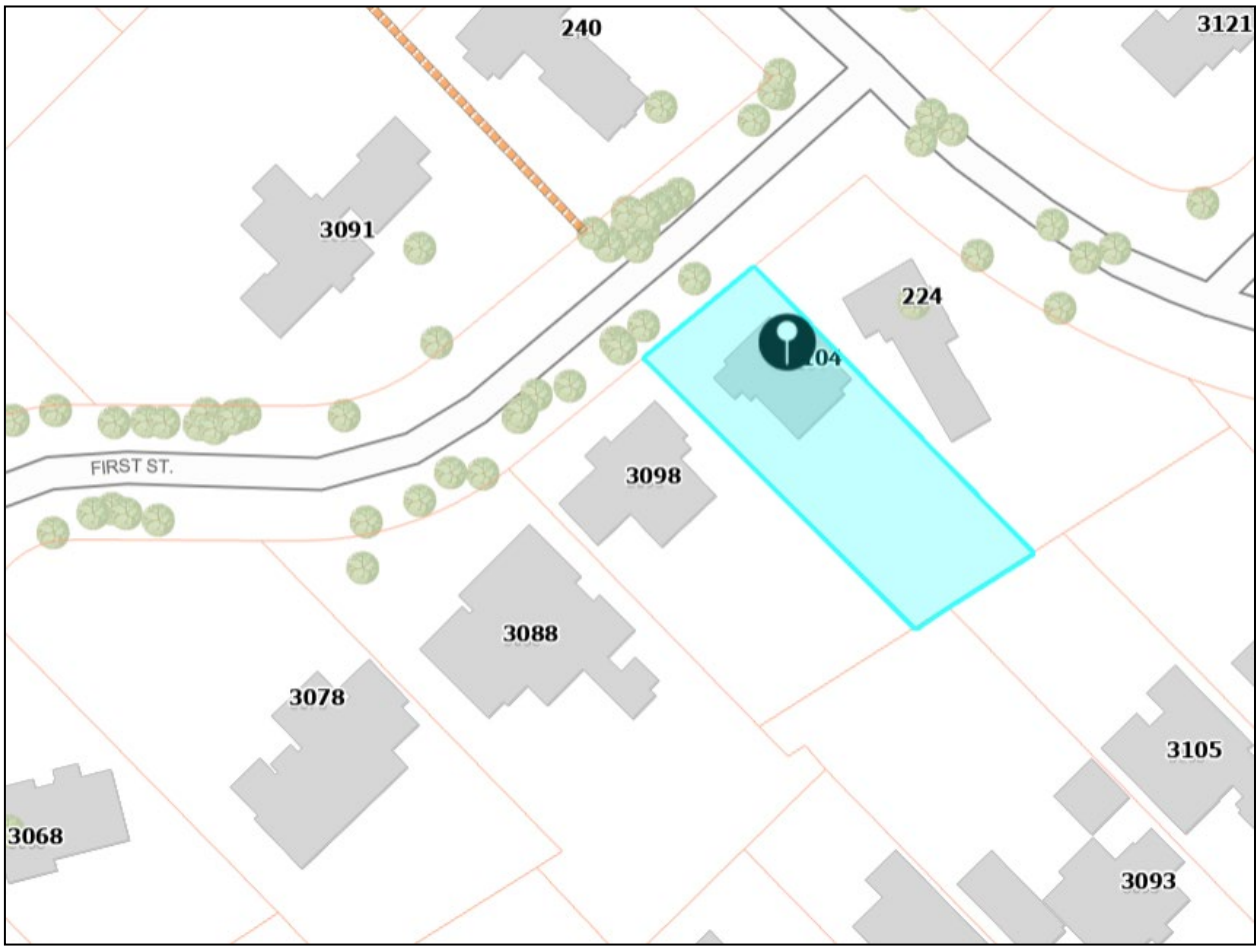
9.3 Date of Next Meeting

9.4 Motion to Approve Committee of Adjustment Meeting Minutes

10. Adjournment

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): David Bibic
Address: 3104 First St. Burlington
File No. **A-020/26**
Ward: 4



Staff Comments:

Committee of Adjustment

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

File No. A145/2006 – Approved

- To permit a 7.3 m ± front yard setback instead of the minimum required 9.0 m for a proposed window projection to an existing 2 storey detached dwelling;
- To permit a 6.3 m ± front yard setback instead of the minimum required 8.35m (9.0 m – 0.65m encroachment) for a proposed roof over an existing front porch on an existing 2 storey detached dwelling;

- To permit a 5.4 m ± front yard setback instead of the minimum required 7.4m (9.0 m – 1.6m encroachment) for an open stairway to an existing 2 storey detached dwelling.

Date: April 29 2026 Prepared By: E. Shacklette

Zoning

1) **Background information:**

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

Table 8: Provisions for Detached Dwellings

	LN6
Minimum **Lot Area**	925 m^2
Minimum **Lot Frontage**	24 m
Minimum **Front Yard**	**9 m** (1)
Maximum **Lot Coverage**	35% (2)
Minimum **Rear Yard**	9 m (3)
Minimum **Interior Side Yard**	**2.4 m** (4)
Minimum **Exterior Side Yard**	9 m (1)
Minimum **Front Yard Soft Landscaped Open Space**	50%
Maximum **Building Height**	10 m for a **peaked roof** or 7.5 m for a **flat roof** (6)

Notes:

(1) The minimum required front yard or exterior side yard may be reduced to the established front or exterior side yard, provided there is a minimum setback of 1 metre from the street line.

Established front yard or exterior side yard: means, in the case of an interior lot, the average distance from the street line to the wall of the buildings situated on the two lots on either side of the subject lot, or where one of those lots is vacant, the next adjacent occupied lot. In the case of a corner lot, the distance from the street line to the wall of the building situated on the lot adjacent to the subject lot, or where that lot is vacant, then next adjacent occupied lot.

5.9 Encroachments and Projections

a) Every part of a required **yard** shall be unobstructed except for the encroachments or projections permitted in this By-law.

d) Roof overhangs:

i) May encroach a maximum of 1 metre into any required yard.

ii) Shall maintain a minimum 0.3 metre setback from any lot line.

iii) Eavestroughs shall be included as part of the roof overhang.

5.4 Balconies, Decks, Residential Patios, and Porches

d) Additional regulations for a **balcony**, **deck**, or **porch** with a platform less than or equal to 1.2 metres above **grade**:

i) **Maximum 2 metres encroachment into a required front yard or exterior side yard.**
Required: 2.4 m – 1 m = 1.4 m; Proposed: 0 m (2.4 m encroachment)

2) **Proposal:**

The applicant is proposing the construction of two, one-storey additions on the north-east side as well as a new front yard porch for the existing two storey dwelling with attached garage.

3) **Variances required:**

1. To permit a front yard of 5.9 m instead of the minimum required 6.3 m measured from the established front yard for a proposed one storey addition.

2. To permit a north-east side yard of 0.3 m instead of the minimum required 2.4 m for proposed additions.

3. To permit a 0 m north-east side yard instead of the minimum required 0.3 m for a proposed roof overhang.

4. To permit a roof encroachment of 2.4 m into the required north-east side yard instead of the maximum permitted 1 m.

5. To permit a front yard of 3.4 m instead of the minimum required 4.3 m (6.3 – 2.0 m encroachment) measured from the established front yard for a proposed porch with a platform less than or equal to 1.2 m above grade.

4) **Notes and conditions**:

Condition:

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

Notes:

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

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

3. The variances identified are based on the plans provided. Any changes to the plans resulting in additional variances will be the responsibility of the applicant to obtain.

4. The application has been reviewed under Section 45(1) of the Planning Act.

5. Upon submission of a Pre-Building Approval application, height for proposed additions is to be shown from Established Grade to confirm compliance. A survey endorsed by an O.L.S that includes Established Grade is required, alternatively, a surveyors certificate would be accepted.

Date: June 16, 2026 Prepared By: S. Boich

Heritage Planning

Background and Development Concept

The subject property, 3104 First Street, is comprised of a circa 1925 Craftsman-style dwelling and is listed on the Municipal Heritage Register as a non-designated property. The subject Minor Variance application proposes:

- The construction of two, one storey additions on the north-east side as well as a new front yard porch for the existing two storey dwelling with attached garage.

For provincial and municipal cultural heritage policies, see Appendix “A” – Provincial and Municipal Cultural Heritage Policies.

Archaeology

No comments.

Built Heritage Resources and Cultural Heritage Landscapes

As noted, the circa 1925 Craftsman-style dwelling is listed on the Municipal Heritage Register as a non-designated property. As per the 2014 Municipal Heritage Register Property Evaluation, the property is:

- Representative of the Craftsman style
- Has a gable roof with offset front door
- Front door opening is arched and contains a fanlight
- Roof features two large dormers and a chimney
- New additions of a rounded hood over the door and
- Projecting multi-pane window on the façade

Staff Comments and Requirements

Heritage Planning staff have reviewed the submission materials. As the property is not designated under the *Ontario Heritage Act*, a Heritage Permit application is not required.

Staff are satisfied that the changes proposed do not require submission of a Heritage Impact Statement; the garage extension, porch extension and mudroom addition appear to generally match the existing features/detailing. Staff recommend an approach of

respect for historical materials and original fabric, and to follow best heritage conservation practices.

Heritage Planning staff have no further comments on the submission materials at this time.

(CR 2026-07-02)

Appendix "A" – Provincial and Municipal Cultural Heritage Policies

Provincial Planning Statement, 2024

The *Provincial Planning Statement, 2024* (PPS, 2024) contains policies on Cultural Heritage and Archaeology in Section 4.6, including the following policy:

- 4.6.4 Planning authorities are encouraged to develop and implement:
  b) proactive strategies for conserving significant built heritage resources and cultural
  heritage landscapes.

The *PPS, 2024* contains the following relevant definitions:

- **Built heritage resource:** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.
- **Conserved:** means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.
- **Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:
  a) activities that create or maintain *infrastructure* authorized under an environmental assessment process or identified in provincial standards; or
  b) works subject to the *Drainage Act*; or
  c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Halton Region Official Plan

The *Halton Region Official Plan* contains policies on Cultural Heritage Resources in Part IV, Healthy Communities Policies, including the following policy:

- 167 (1) Maintain, in conjunction with the Local Municipalities, local historical organizations,
  and municipal heritage committees a list of documented *Cultural Heritage Resources* in *Halton*.

The following relevant definitions are contained in the *Halton Region Official Plan*:

- **Cultural heritage resources:** means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include *built heritage resources*, *cultural heritage landscapes*, and *archaeological resources*.
- **Development:** means the creation of a new *lot*, a change in land use, or the construction of buildings and structures, any of which requires approval under the Planning Act, or that are subject to the Environmental Assessment Act, but does not include:
  (1) activities that create or maintain infrastructure authorized under an environmental assessment process,
  (2) works subject to the Drainage Act, or
  (3) within the Greenbelt Plan Area, the carrying out of agricultural practices on land that was being used for *agricultural uses* on the date the Greenbelt Plan 2005 came into effect.

City of Burlington Official Plan, 1997

The City's *Official Plan, 1997* contains policies on Cultural Heritage Resources in Section 8.0, including the following objectives and policies:

- 8.3.3 a) An inventory of buildings, structures and *cultural heritage landscapes* designated
  under The Ontario Heritage Act or worthy of designation, and buildings, structures and *cultural heritage landscapes* of architectural, historical and contextual interest *shall* be maintained in consultation with the municipal heritage committee (Heritage Burlington).
- 8.4.1 a) All *development shall* consider *cultural heritage resources* and wherever feasible,
  incorporate these resources into any *development* plans in a way that conserves the character-defining elements of the *cultural heritage resource*.

The following relevant definitions are contained in the *City of Burlington Official Plan, 1997*:

- **Built Heritage Resources:** One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources *may* be identified through designation or heritage conservation easement under The Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.
- **Conservation or Conserve:** The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under The Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/ or cultural heritage impact assessment or cultural heritage landscape impact assessment. Mitigative measures and/or alternative *development* approaches can be included in these plans and assessments.
- **Cultural Heritage Resource:** A building, structure, monument, natural feature (including those that have been modified by humans, such as parks, gardens, rows of trees, etc.), an archaeological and historical site, or remains, either individually or in groups, which is considered to be of architectural and/or historical significance.
- **Development:** (1) The creation of a new *lot*; (2) the making of an addition or alteration to a building or structure; (3) the construction, erection or placing of a building or structure; or (4) the change in use or intensity of use of any building, structure or premises, requiring approval under The Planning Act, but does not include: (1) activities that create or maintain infrastructure authorized under an environmental assessment process; (2) works subject to The Drainage Act; or (3) for the purposes of Section 41 of The Planning Act, the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

City of Burlington Official Plan, 2020

The City's *Official Plan, 2020* contains policies on Cultural Heritage Resources in Section 3.5, including the following objectives and policies:

- 3.5.2(1) e) *Cultural heritage resources shall* be protected and *conserved*, in accordance with
  the Standards and Guidelines for the Conservation of Historic Places in Canada and other recognized heritage protocols and standards.

- 3.5.2(1) f) The *City shall* use criteria established by Provincial regulation under The Ontario Heritage Act for determining cultural heritage value or interest and for identifying and evaluating properties for listing on the Municipal Register and for designation under The Ontario Heritage Act. The *City may* further refine these criteria and provide guidelines for their use.
- 3.5.2(3) b) The Municipal Register *shall* contain all properties designated under The Ontario Heritage Act and *may* contain properties that are believed to be of cultural heritage value or interest to the *City* or a community, in accordance with The Ontario Heritage Act. To ensure effective protection and to maintain its currency, the Municipal Register will be updated regularly and be accessible to the public.
- 3.5.2(5) a) All *development shall* consider *cultural heritage resources* and, wherever feasible, incorporate these resources into any *development* plans in a way that *conserves* the *heritage attributes* of the *cultural heritage resource*.

The following relevant definitions are contained in the City's *Official Plan, 2020*:

- **Built Heritage Resource:** A building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. *Built heritage resources* are located on property that may be designated under Parts IV or V of The Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.
- **Conservation or Conserved:** The identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under The Ontario Heritage Act. This *may* be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/ or cultural heritage impact assessment or *cultural heritage landscape* impact assessment. Mitigative measures and/or alternative *development* approaches can be included in these plans and assessments.
- **Cultural Heritage Resources:** *Built heritage resources*, *cultural heritage landscapes* and *archaeological resources* that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some *cultural heritage resources* may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.
- **Development:** The creation of a new *lot*, a change in land use, or the construction of buildings and structures requiring approval under The Planning Act, but does not include:

1. activities that create or maintain infrastructure authorized under an environmental assessment process; or
2. works subject to The Drainage Act.

- **May:** There is discretion and flexibility or that criteria are to be satisfied in the application of an Official Plan policy.
- **Shall:** The policy is mandatory or it is required to comply with an Official Plan policy.

Date: July 2, 2026 Prepared By: C. Richer MCIP, RPP, CAHP

Site Planning

Site Characteristics	
Lot Frontage (m)	21.34m
Lot Area (m^2)	1248.95m2
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Detached Dwelling constructed in 1925, circular driveway, pool, accessory building in rear yard
Site Grading *(ex. Flat and level, significant grade differences)*	Flat and level
Notable Site Features	Circular driveway, vegetation and hedges along property lines
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low rise Residential
Nearest Major Intersection	Lakeshore Road and Guelph Line
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: South Drive East: Roseland Creek South: Lakeshore Road West: Guelph Line

Neighbourhood Characteristics:

- The neighbourhood is characterized by low-rise residential development consisting primarily of detached dwellings, including one-storey bungalows, split-level dwellings, and two-storey homes, with a mix of original and renovated residences.
- The neighbourhood exhibits a spacious residential character, with large, well-maintained lots, large building setbacks, and substantial landscaped open space between dwellings.
- Building forms vary in size and configuration, reflecting additions, renovations, and redevelopment over time, while maintaining an overall low-rise residential character.
- Exterior materials are predominantly brick, stone, and siding, with high-quality architectural finishes and well-maintained façades.

- Properties are generally well landscaped, with manicured lawns, ornamental planting, mature trees, and established vegetation contributing to an attractive streetscape.
- Driveways are generally wider than those found in more compact neighbourhoods and provide access to attached front-facing garages, reflecting the larger lot sizes and dwelling footprints.
- Front yard setbacks exhibit some variation, while maintaining a consistent and orderly streetscape with generous separation between the roadway and dwellings.
- The surrounding neighbourhood contains a range of dwelling footprints and architectural styles, reflecting the evolution of the neighbourhood over time while maintaining a cohesive, low-rise residential character.

Staff note that the existing two-storey house on the site was constructed in 1925 and the current east side yard setback does not conform to the 2020 zoning bylaw. The house is listed on the Burlington Municipal Cultural Heritage Register, but is not designated through a municipal bylaw. A heritage permit is not required to permit the proposed alterations and heritage staff do not object to the proposal.

A site visit was conducted on June 29, 2026 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

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

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

Staff note that the property is located in an area formerly designated as the Roseland Neighbourhood Character Area, however OPA 3 approved in 2025 withdrew these policies from the Official Plan, and they are no longer in force.

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 housing, and where compatible infill, small-scale additions, and renovations are encouraged.
- 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 proposed one-storey additions maintain a low-rise built form and massing that is consistent with the surrounding neighbourhood, which is characterized by one- and two-storey dwellings.
    - The surrounding neighbourhood exhibits a variety of dwelling footprints, building configurations, and setbacks, reflecting an established pattern of incremental additions and renovations over time. Recent approvals within the neighbourhood include:
        - 3098 First Street received approval in 2023 for a reduced south-west side yard setback of 2.0m instead of the minimum required 3.974m to facilitate a proposed two-storey addition.
        - 3078 First Street received approval for minor variances to permit a reduced 1.1m east side yard setback and an increased 0.6 m east side yard eave or gutter encroachment to facilitate a second storey addition
    - The proposed one-storey addition represents a small expansion of the existing dwelling and is compatible with the varied built form that exists throughout the surrounding neighbourhood.
    - The proposal does not establish a new development pattern, but rather reflects the evolution of detached dwellings that is evident within the surrounding residential area.
    - The front porch addition maintains the existing detached dwelling use and represents a small expansion of the existing home that is compatible with the surrounding low-rise residential neighbourhood.

- The proposed one-storey additions are limited in scale and do not substantially increase the overall massing of the dwelling.
- Although relief is required for the front yard setback, the proposed setback falls within the range of the adjacent dwellings (approximately 5.83 m and 6.21 m) and maintains the established pattern of development along the street.
- The proposed one-storey additions maintain the low-rise built form characteristic of the surrounding neighbourhood.
- The addition aligns with the existing north-east wall of the dwelling and does not extend the reduced side yard condition to the second storey.
- The proposal provides additional functional living space (pantry and garage extension) while maintaining the established character of the existing dwelling and surrounding residential neighbourhood.
- The proposal is not anticipated to adversely affect the massing or overall appearance of the dwelling when viewed from the public realm.
- The proposed roof overhang is a continuation of the existing roof design and will align with the existing roof overhang, maintaining the established architectural character of the dwelling.
- The proposal does not introduce a new relationship between the buildings, but rather extends an existing building condition along the north-east side of the dwelling.
- As the addition is limited to one storey, the proposal does not extend the existing reduced side yard condition to the second storey.
- The proposed additions are not anticipated to result in undue impacts on the streetscape or the character of the surrounding neighbourhood.

- Whereas compatible is defined as “Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health”, which is evaluated in accordance with measurable/objective standards, the planner notes the following:
  - The proposal maintains the existing residential use and is compatible with the surrounding pattern of detached dwellings.
  - The proposed front yard setback remains consistent with the established streetscape and has a similar setback to the neighbouring dwelling at 3098 First Street
  - The one-storey additions are limited in scale and are not expected to create undue impacts related to massing or neighbourhood character.
  - Staff are satisfied that the proposal can coexist with the surrounding development without resulting in undue physical or functional adverse impacts.
  - The proposed addition follows the existing building line along the north-east side of the existing 100-year-old dwelling, limiting changes to the established relationship between the dwelling and the adjacent property.

- As the addition is limited to one storey, it is not anticipated to result in undue impacts related to overlook, visual massing, or shadowing beyond the existing dwelling.
- Engineering staff have identified no concerns with the proposal, provided there is no change to the existing drainage pattern.
- The existing dwelling and neighbouring garage already establish the prevailing spatial relationship along the shared property line. The proposed roof overhang maintains this established condition rather than creating a new encroachment.
- The roof overhang is not anticipated to result in additional adverse impacts beyond those associated with the proposed one-storey addition, as it follows the existing roofline and maintains the established separation between the buildings.
- The proposal does not introduce undue massing, overlook, or shadow impacts to adjacent properties, as the addition is modest in scale and maintains appropriate separation from neighbouring dwellings.

2) City of Burlington Zoning By-law 2020:

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

Yes – Variance No.1 & 5 (Front Yard Setback & Encroachment)

The general intent and purpose of the minimum front yard setback provisions of Residential Zoning By-law 2026 is to establish a consistent streetscape, maintain the established character of residential neighbourhoods, provide an appropriate relationship between dwellings and the public realm, and ensure adequate space for landscaping, drainage, and access. Staff are of the opinion that the requested variances maintain the general intent and purpose of the Zoning By-law for the following reasons:

- The Zoning By-law establishes the required front yard setback by averaging the setbacks of the principal buildings on the abutting properties. In this case, the adjacent dwellings have front yard setbacks of approximately 5.83 m and 6.21 m, resulting in an established front yard of 6.3 m. While the proposed addition requires a minor reduction from the calculated average, the proposed 5.9 m setback remains within the range established by the adjacent dwellings and therefore maintains the existing pattern of development and the intent of the established front yard provision.
- The proposed front yard setback remains within the range of the front yard setbacks established by the adjacent dwellings, maintaining the existing building line along First Street.
- The proposed porch functions as an entrance feature and does not materially alter the relationship between the dwelling and the public realm.
- The proposal is not anticipated to adversely affect the streetscape or the established character of the neighbourhood.

- The additions maintain adequate space within the front yard for landscaping, access and drainage.

Yes – Variance No.2 (North East side yard Setback)

The general intent and purpose of the minimum side yard setback provisions of Residential Zoning By-law 2026 is to provide appropriate separation between buildings, maintain access for maintenance and drainage, reduce potential impacts between neighbouring properties, and ensure development remains compatible with the surrounding residential neighbourhood. Staff are of the opinion that the requested variance maintains the general intent and purpose of the Zoning By-law for the following reasons:

- The proposed addition is limited to one storey and is a small massing element compared to the existing two-storey dwelling.
- The proposed addition follows the existing north-east wall of the dwelling and does not introduce a new building projection toward the property line.
- The garage expansion provides additional functional space while the associated pantry and mudroom addition improves the usability of the existing dwelling.
- The proposal does not extend the existing reduced side yard condition to the second storey, thereby limiting its visual and physical impact. The addition represents a small 17 square metre expansion of the existing dwelling that provides additional functional living space while maintaining the established residential use.
- Engineering staff have identified no concerns with the proposal, provided there is no change to the existing drainage pattern.
- The proposal is not anticipated to result in undue impacts on the adjacent property or alter the established character of the surrounding neighbourhood.

Yes – Variance No.3 & 4 (Overhang setback and Roof Encroachment)

The general intent and purpose of the roof overhang and roof encroachment provisions of the Residential Zoning By-law 2026 is to permit limited architectural projections into required yards while ensuring they do not result in undue impacts on adjacent properties, maintain appropriate building separation, and preserve neighbourhood compatibility. Staff are of the opinion that the requested variances maintain the general intent and purpose of the Zoning By-law for the following reasons:

- The proposed roof overhang is a continuation of the existing roofline and eave projection, maintaining the established architectural design of the dwelling.
- The requested roof encroachment relates to the proposed one-storey addition and follows the existing roof overhang rather than creating a new architectural condition.
- The proposed roof overhang does not extend the reduced side yard condition to the second storey and remains a small functional element needed for adequate drainage.

- The proposal maintains the existing relationship between the subject dwelling and the neighbouring garage and is not anticipated to result in additional adverse impacts beyond those associated with the proposed one-storey addition.
- Staff are satisfied that the proposed roof overhang and roof encroachment will not result in undue impacts on adjacent properties or alter the established character of the surrounding neighbourhood.
- The requested roof overhang setback and roof encroachment are connected to the proposed one-storey addition and do not create independent planning impacts beyond those considered through the reduced side yard setback.

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.

- Excluding the vestibule entry, the proposal represents a small 17 square metre expansion of the existing detached dwelling that improves the functionality of the dwelling by providing additional space for the garage, pantry, and mudroom, allowing the home to better meet the needs of its occupants.
- The proposed additions are limited in scale and do not substantially increase the overall massing of the dwelling or alter its low-rise residential character.
- The proposal maintains the established pattern of development along First Street and is compatible with the surrounding residential neighbourhood.
- The proposal is not anticipated to result in undue functional impacts on adjacent properties or the surrounding neighbourhood.

4) Minor in Nature:

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

Yes

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

- While the requested reduction to the north-east side yard setback is significant in numerical terms, the practical impact is limited as the proposed addition follows the existing north-east wall of the existing 101-year-old dwelling rather than introducing a new building projection toward the property line.

- The proposed additions are limited in scale and do not substantially increase the overall massing of the dwelling or create undue functional impacts on adjacent properties.
- The proposed front yard setback remains within the range established by the adjacent dwellings, maintaining the existing streetscape and pattern of development.
- The proposed one-storey additions do not extend the reduced side yard condition to the second storey, thereby limiting potential impacts related to overlook, visual massing, and shadowing.
- The proposed roof overhang continues the existing roofline and is consequential to the proposed one-storey addition, without introducing independent planning impacts.
- Engineering staff have identified no concerns with the proposal, provided there is no change to the existing drainage pattern.
- Staff are satisfied that the proposal will not result in undue physical or functional impacts on adjacent properties.

Cumulative Effects of Multiple Variances and Other Planning Matters:

Variance No.'s 2, 3 and 4 have the following cumulative effect/s:

- Collectively, the proposed one-storey addition and associated roof overhang represent a small expansion of the existing dwelling that improves the functionality of the garage, pantry, and mudroom.
- The proposed addition follows the existing north-east wall of the dwelling, while the roof overhang continues the existing roofline, maintaining the established relationship between the dwelling and the adjacent property.
- The cumulative effect of the requested variances does not substantially increase the overall massing of the dwelling or result in undue physical or functional impacts on adjacent properties.
- The proposal does not extend the reduced side yard condition to the second storey, thereby limiting potential impacts related to overlook, shadowing, and visual massing.
- Engineering staff have identified no concerns with the proposal, provided there is no change to the existing drainage pattern.

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: July 15 2026 Prepared By: Ryan Kochuta

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



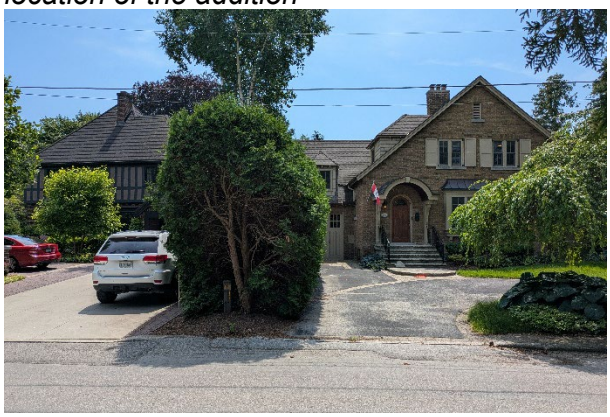
View from the front



View of existing side yard and proposed location of the addition



View of the front of the house and the location of the proposed addition



View of the northeastern lot line



View of the Back of the House



View of the Back of the House


View of the existing side yard


View of the existing side yard

Technical Reviewer Comments:

Development Engineering

Development Engineering has reviewed the proposed minor variances and has no objection to the variance(s) requested, please ensure that existing drainage patterns not to be altered along northern side yard.

Revisions to the plans may be required through the Grading and Drainage Clearance Certificate process.

Date: June 30th 2026 Prepared By: R.Bardaloo

Forestry

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

Advisory Comments:

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

Date: June 29, 2026 Prepared By: M.Krzywicki

Building

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

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

3. Spatial separation between houses and construction of exposing building face of houses shall comply with Div. B, 9.10.15.

Date: July 17, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

First Street 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 1, 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 provision, the driveway, or the adjacent street.

Date: June 23, 2026 Prepared By: T. 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: June 17, 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 two, one storey additions on the north-east side as well as a new front yard porch for the existing two storey dwelling with attached garage. Variance is requested to the minimum required front yard, and side yard depths.

- Due to Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan – as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities has been signed that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.
- 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: July 2 2026 Prepared By: Navjot Kaur

Burlington Hydro

Comments not received from Burlington Hydro by the time this report was published. The applicant/owner is responsible for engaging with Burlington Hydro as part of their development proposal.

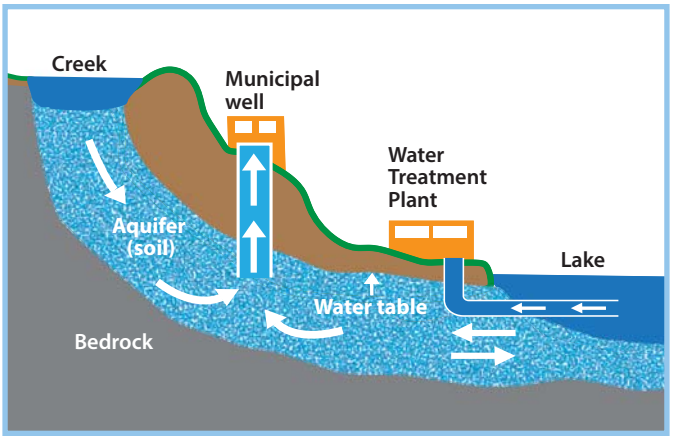
Source Water Protection Factsheet

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.

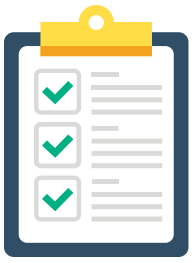
How is my application reviewed?

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-020/26**
Committee of Adjustment
Date of Mailing: July 20, 2026

NOTICE OF PUBLIC HEARING

David Bibic of 3104 First St. 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 **3104 First St. Burlington** (see map).

The applicant proposes the construction of two, one-storey additions on the north-east side as well as a new front yard porch for the existing two-storey dwelling with attached garage. This proposal results in the following variances:

1. To permit a front yard of 5.9 m instead of the minimum required 6.3 m measured from the established front yard for a proposed one storey addition.

2. To permit a north-east side yard of 0.3 m instead of the minimum required 2.4 m for proposed additions.

3. To permit a 0 m north-east side yard instead of the minimum required 0.3 m for a proposed roof overhang.

4. To permit a roof encroachment of 2.4 m into the required north-east side yard instead of the maximum permitted 1 m.

5. To permit a front yard of 3.4 m instead of the minimum required 4.3 m (6.3 – 2.0 m encroachment) measured from the established front yard for a proposed porch with a platform less than or equal to 1.2 m above grade.

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 July 20, 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 AUGUST 5, 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

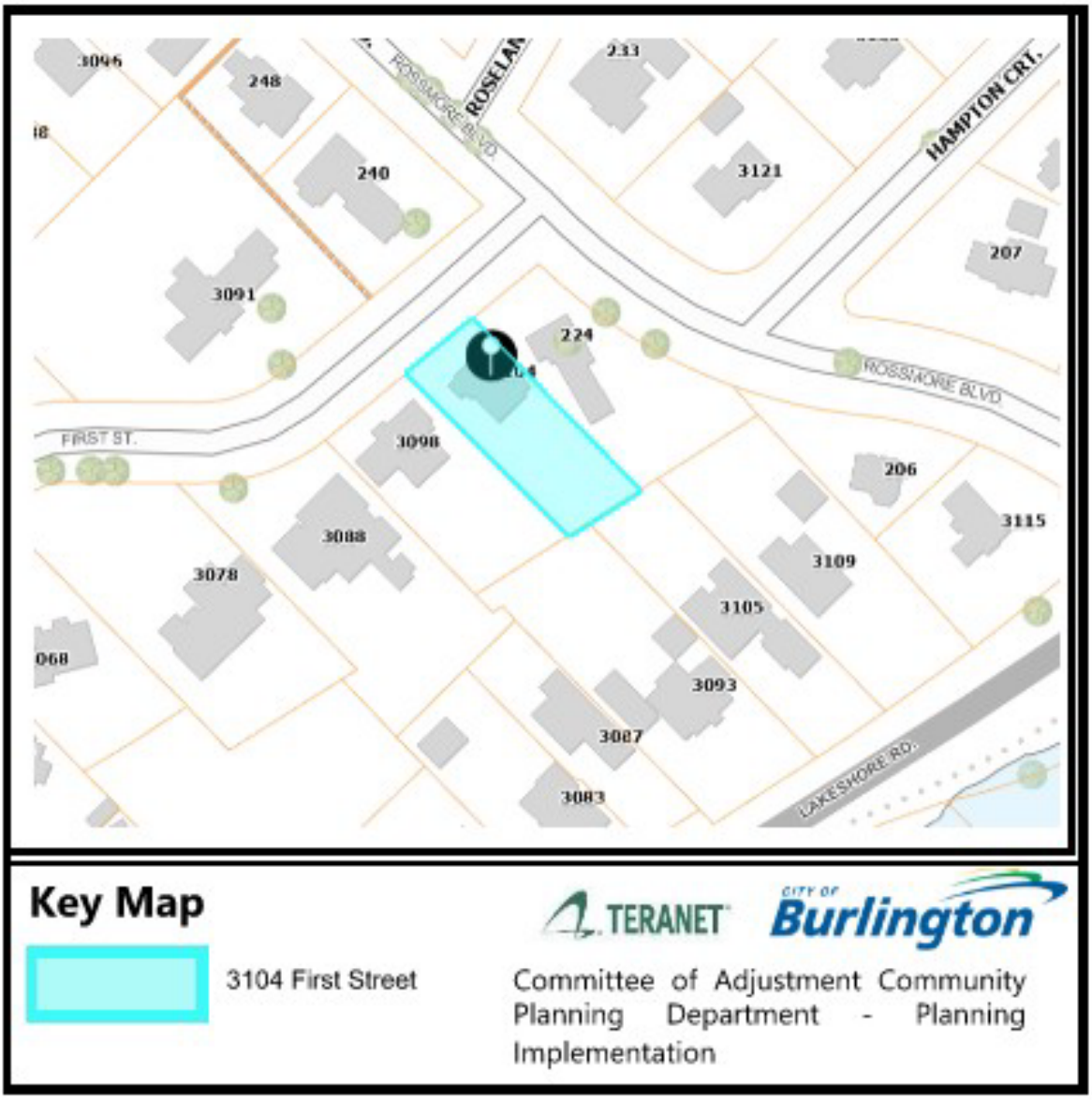
Yours truly,



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



Key Map

3104 First Street

TERANET

City of Burlington

Committee of Adjustment Community Planning Department - Planning Implementation

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: _____

PROPERTY INFORMATION
Municipal Address(es) of property:

3104 FIRST STREET

Legal Description of property:
LOT 21 AND PART OF LOT 22, REGISTERED PLAN 205

Official Plan Designation: LOW RISE NEIGHBOURHOOD Current Zoning Designation LN6

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

DAVID BIBIC

Mailing Address: 3104 FIRST STREET City: BURLINGTON

Postal Code: L7N 1C6 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:
JASON HUETHER - HDS DWELL INC

Business Address: 20 GILMOUR ROAD City: PUSLINCH

Postal Code: N0B 2J0 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.

ADDITIONS TO EXISTING SINGLE FAMILY DWELLING. ADDITIONS WILL INCLUDE THE FOLLOWING
1. GARAGE EXPANSION OUT THE FRONT OF THE HOME FOR A DEEPER PARKING SPACE
2. EXTENSION ON THE REAR OF THE GARAGE FOR A NEW PANTRY MUDROOM EXPANSION
3. EXTEND NEW VESTIBULE STRUCTURE OFF FRONT DOOR AND REBUILD PORCH/ STAIRS AND ROOF TO MATCH EXISTING DESIGN

Variance(s) Requested	Zoning Bylaw Requirement
FRONT YARD SETBACK TO DWELLING - 5.97M	ESTABLISHED FRONT YARD 6.30M ALLOWABLE
FRONT YARD SETBACK TO PORCH STAIRS - 3.42M	ALLOWABLE SETBACK TO PORCH STAIRS - 4.30M
EAST SETBACK TO MATCH EXISTING - 0.32M	ALLOWABLE SETBACK - 2.4M

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 VARIANCES ARE ALL RELATED TO THE NEW FRONT PORCH REBUILD AND PROJECTION. IT IS GOING TO BE REBUILD TO LOOK EXACTLY AS IT DOES CURRENTLY WHILE ALLOWING FOR A VESTIBULE INTO THE HOME. IT IS SINGLE STOREY AND CENTER MASS TO THE HOME. IT POSES NO IMPACT TO NEIGHBOURS. THE SIDE YARD VARIACNE WILL LEGALIZE AND EXISTING CONDITION.

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

THE VARIANCES CREATE A DESIREABLE FRONT FACADE THAT WILL MATCH CURRENT LOOK AND FEEL.

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

YES THEY MEET THE INTENT FOR RESIDENTIAL NEIGHBOURHOODS AND WILL NOT IMPACT STRUCTURES NEXT DOOR

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

YES THEY ARE MINOR IN NATURE

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:
10/17/2025 (mmm/dd/yyyy)	1924 (mmm/dd/yyyy)	FALL 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:

ALWAYS

Proposed Use of the Land:

SINGLE FAMILY DETACHED DWELLING

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

CITY OF Burlington

MINOR VARIANCE – 2026

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?
21.34	60.11	1248	20	20	20	223SQM	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) 190	M^2	Ground Floor Area (incl. attached garage) 209	M^2
Gross Floor Area: 346	M^2	Gross Floor Area: 366	M^2
Number of Storeys: 2		Number of Storeys: 2	
Width: 15.39	M	Width: 15.39	M
Length: 16.09	M	Length 17.17	M
Height: 9.96	M	Height 9.96	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: 11.58	M^2	Gross Floor Area:	M^2
Width: 3.72	M	Width:	M
Length: 3.13	M	Length:	M
Height: 2	M	Height:	M
Other (pool, additional sheds, decks, driveways, etc.)		**Other**	
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

EXISTING			**PROPOSED**		
Front:	7.49	M	Front:	5.97M DWELLING. 3.42M TO STEP	M
Rear:	33.85	M	Rear:	33.85	M
Side/Street Side:	5.22	M	Side/Street Side:	5.22	M
Side/Other Side:	0.34	M	Side/Other Side:	0.32	M

CITY OF Burlington

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name	Property Address
DAVID BIBIC	3104 FIRST STREET
Jason Huether	04/14/2026
Signature of Owner/Applicant	Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

I, JASON HUETHER (print name) of the COUNTY (Region/City/County) of WELLINGTON in the TOWNSHIP (City/Town/Township)

of PUSLINCH 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 MISSISSAUGA in the REGION OF PEEL (City/Town/Township)

this 15TH day of APRIL 2026.

MANROOP CHAHAL LAW
Professional Corporation
250 Dundas St. W, Suite 402
Mississauga, ON, L5B1J2
Tel: 905-273-4441 | Fax: 905-273-6785

Signature of Commissioner, etc.

Jason Huether

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: 3104 FIRST STREET

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

DAVID BIBIC
Print Name

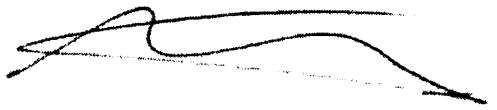
OWNERS AUTHORIZATION

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

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

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

application for a Minor Variance.



Signature of Owner

04/14/2026
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)

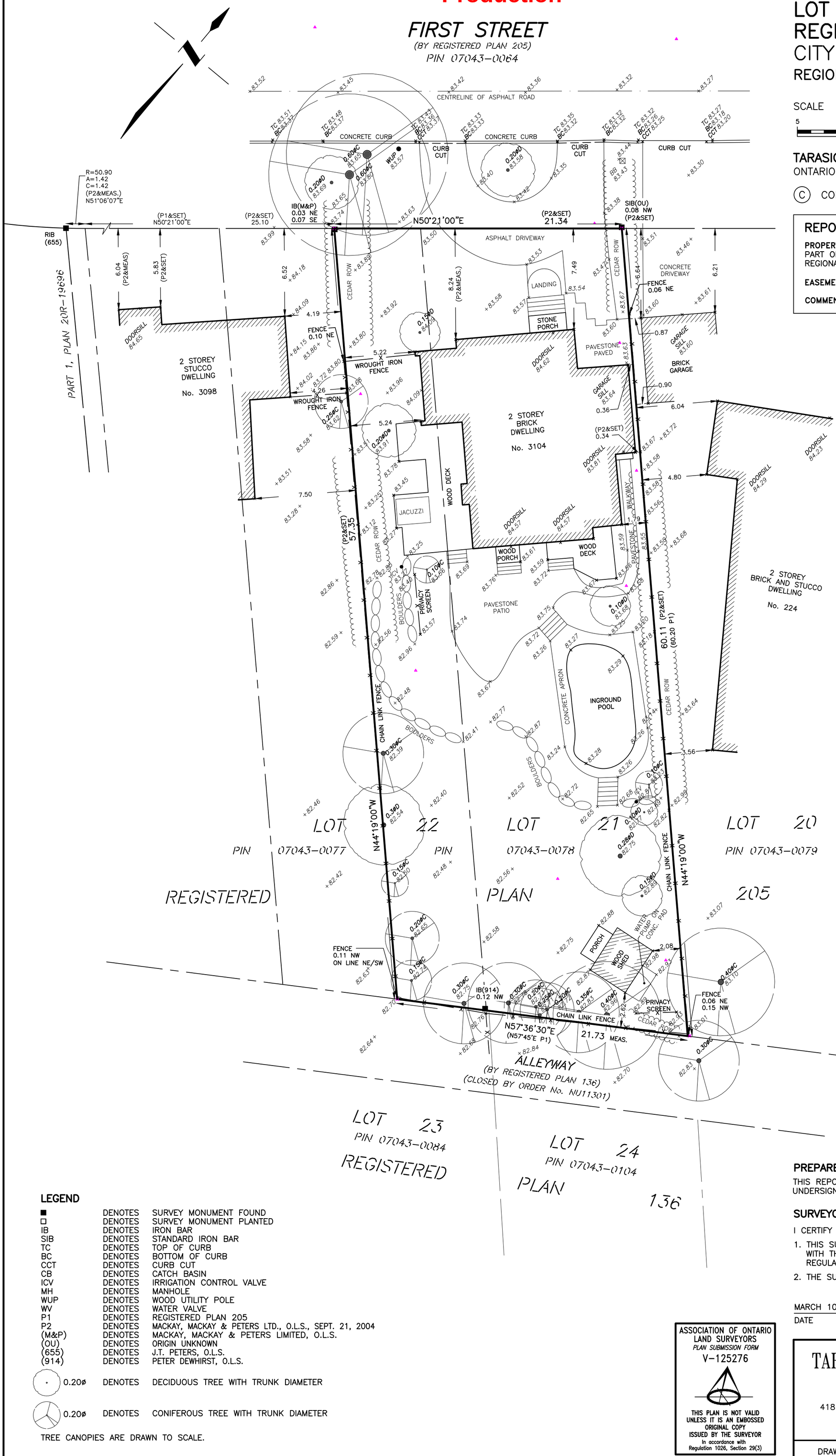
I have reviewed the minor variance checklist and ensure all the applicable information is shown on the drawings submitted as part of this application.

Jason Huether
Signature of Owner/Agent

04/14/2026
Date (mmm/dd/yyy)

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

Copyright Act Applies to Use and Production



SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY WITH TOPOGRAPHY OF

LOT 21 AND PART OF LOT 22 REGISTERED PLAN 205 CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

5 0 5 10 metres

TARASICK McMILLAN KUBICKI LIMITED
ONTARIO LAND SURVEYORS

© COPYRIGHT, 2026

REPORT SUMMARY

PROPERTY DESCRIPTION: 3104 FIRST STREET, BEING LOT 21 AND PART OF LOT 22, REGISTERED PLAN 205, CITY OF BURLINGTON, REGIONAL MUNICIPALITY OF HALTON, PIN 07043–0078.

EASEMENTS/RIGHTS–OF–WAY: NONE REGISTERED ON TITLE.

COMMENTS: NOTE LOCATION OF FENCES.

ELEVATION NOTE

ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM–1928, AND WERE DERIVED FROM CITY OF BULINGTON BENCHMARK No. 155, HAVING A PUBLISHED ELEVATION OF 84.153 metres.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHEASTERLY LIMIT OF FIRST STREET AS SHOWN ON REGISTERED PLAN 205, HAVING A BEARING OF N50°21'00"E.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
CCT	DENOTES	CURB CUT
CB	DENOTES	CATCH BASIN
ICV	DENOTES	IRRIGATION CONTROL VALVE
MH	DENOTES	MANHOLE
WUP	DENOTES	WOOD UTILITY POLE
WV	DENOTES	WATER VALVE
P1	DENOTES	REGISTERED PLAN 205
P2	DENOTES	MACKAY, MACKAY & PETERS LTD., O.L.S., SEPT. 21, 2004
(M&P)	DENOTES	MACKAY, MACKAY & PETERS LIMITED, O.L.S.
(OU)	DENOTES	ORIGIN UNKNOWN
(655)	DENOTES	J.T. PETERS, O.L.S.
(914)	DENOTES	PETER DEWHIRST, O.L.S.
0.20ø	DENOTES	DECIDUOUS TREE WITH TRUNK DIAMETER
0.20ø	DENOTES	CONIFEROUS TREE WITH TRUNK DIAMETER

TREE CANOPIES ARE DRAWN TO SCALE.

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V–125276
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3)

PREPARED FOR:

THIS REPORT WAS PREPARED FOR W.R. HICKS DESIGN INC. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

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 FEBRUARY 27, 2026.

MARCH 10, 2026
DATE

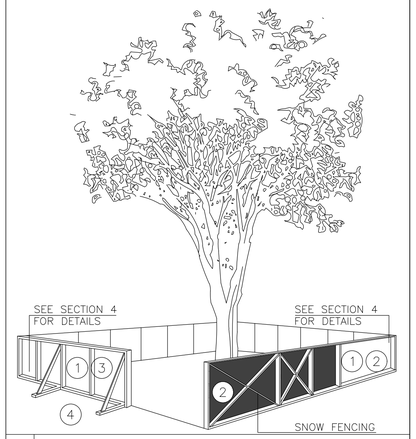
BORYS KUBICKI
ONTARIO LAND SURVEYOR

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

DRAWN BY: F.B. | FILE No. 10675–SRPR–T

C (18"x24")

TREE PROTECTION



TREE PROTECTION BARRIERS

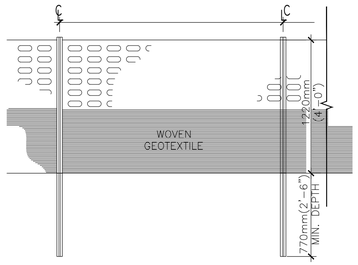
1. TREE PROTECTION BARRIERS MUST BE 1.2m (4'–0") HIGH, WAFERBOARD HOARDING OR AN EQUIVALENT APPROVED BY URBAN FORESTRY SERVICES.
2. TREE PROTECTION BARRIERS FOR TREES SITUATED ON THE TOWN ROAD ALLOWANCE WHERE VISIBILITY MUST BE MAINTAINED CAN BE 1.2m (4'–0") HEIGHT AND CONSIST OF ORANGE PLASTIC WEB SNOW FENCING ON A WOOD FRAME MADE OF 2"X4"'S.
3. WHERE SOME EXCAVATE OR FILL HAS TO BE TEMPORARILY LOCATED NEAR A TREE PROTECTION BARRIER, PLYWOOD MUST BE USED TO ENSURE NO MATERIAL ENTERS THE TREE PROTECTION ZONE.
4. ALL SUPPORTS AND BRACING SHOULD BE OUTSIDE THE TREE PROTECTION ZONE. ALL SUCH SUPPORTS SHOULD MINIMIZE DAMAGING ROOTS OUTSIDE THE TREE PROTECTION BARRIER.
5. NO CONSTRUCTION ACTIVITY, GRADE CHANGES, SURFACE TREATMENT OR EXCAVATIONS OF ANY KIND IS PERMITTED WITHIN THE TREE PROTECTION ZONE.
6. ALL LOCATES MUST BE OBTAINED PRIOR TO THE INSTALLATION OF THE PROPOSED HOARDING WITHIN THE MUNICIPAL RIGHT OF WAY.

SECTION 4, SIGNAGE

1. A SIGN (AS PER BELOW) MUST BE MOUNTED ON ALL SIDES OF A TREE PROTECTION BARRIER FOR THE DURATION OF THE PROJECT. THE SIGN SHOULD BE A MINIMUM OF 40cmX60cm AND MADE OF WHITE GATOR BOARD OR EQUIVALENT MATERIAL.

"TREE PROTECTION ZONE
NO GRADE CHANGE, STORAGE OF MATERIALS OR EQUIPMENT IS PERMITTED WITHIN THIS AREA. THE TREE PROTECTION BARRIER MUST NOT BE REMOVED WITHOUT THE WRITTEN AUTHORIZATION."

1 / A1.2 TREE PROTECTION
SCALE: NTS

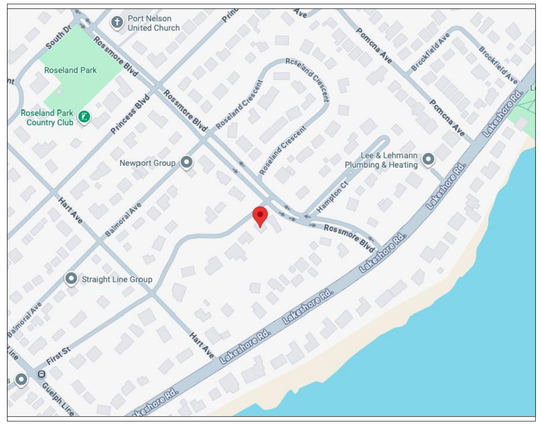


2 / A1.1 HOARDING - SEDIMENT CONTROL
SCALE: DNS

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3 / A1.2 SITE PLAN
SCALE: 1 : 200



4 / A1.2 KEYPLAN
SCALE: NTS

DESIGNER	**APPLICANT:**	**OWNER:**
HDS DWELL INC	**HDS DWELL INC**	**DAVID BIBIC**
20 GILMOUR ROAD	**20 GILMOUR ROAD**	**3104 FIRST STREET**
PUSLINCH, ON, N0B 2J0	**PUSLINCH, ON, N0B 2J0**	**BURLINGTON, ON.**
ATTENTION: JASON HUETHER	**ATTENTION: JASON HUETHER**	**L7N 1C6**
PH: 226 979-4493	**PH: 226 979-4493**	

SITE STATISTICS								
ADDRESS:	**3104 FIRST STREET BURLINGTON, ON. L7N 1C6**							
LEGAL DESCRIPTION:	**LOT 21 AND PART 22 PLAN 205**							
ZONING:	**LN6**							
DESCRIPTION	**PERMITTED**		**EXISTING - DEMO**		**PROPOSED**			
	METRIC	**IMPERIAL**	**METRIC**	**IMPERIAL**	**METRIC**	**IMPERIAL**		
LOT AREA:								
LOT AREA	**925.000**	**9,957**	**1,248.950**	**13,444**	**1,248.950**	**13,444**		
LOT FRONTAGE:								
1. AT STREET			**21.34**	**70**	**21.34**	**70**		
2. AS PER DEFINITION (7.5m back from property line)	**24**	**79**	**21.34**	**70**	**21.34**	**70**		
LOT COVERAGE:								
EXISTING DWELLING			**190.820**	**2,071**	**190.820**	**2,071**		
EXISTING ENTRY PORCH (T.B.R)			**5.760**	**63**	**5.760**	**63**		
ADDITIONS TO DWELLING					**17.440**	**189**		
NEW ENTRY PORCH					**7.810**	**84**		
TOTAL	**437.133**		**198.255**	**2,134**	**223.624**	**2,407**		
COVERAGE (%)	**35%**		**15.87%**		**17.90%**			
	GROSS FLOOR AREA:							
	EX . GROUND FLOOR (INCL GARAGE)				**190.916**	**2,055**		
	MAIN FLOOR ADDITIONS				**11.746**	**126**		
	SECOND FLOOR				**156.635**	**1,686**		
	TOTAL				**359.296**	**3,867**		
	RESIDENTIAL FLOOR AREA RATIO							
	TOTAL				**359.296**	**3867**		
	G.F.A (%)				**28.77%**			
ON JW 20								
DWELLING DEPTH	**20.0**				**17.170**			
BASEMENT								
FINISHED AREA					**140.562**	**1,513**		
UNFINISHED AREA					**0.000**	**0**		
TOTAL BASEMENT					**140.562**	**1,513**		
YARDS:								
MINIMUM FRONT YARD								
ESTABLISHED FRONT YARD	**6.30**	**20.7**	**7.49**	**24.6**	**5.97**	**19.6**		
REAR YARD	**9.0**	**29.5**	**33.85**	**111.1**	**33.85**	**111.1**		
SIDE YARD EAST	**2.4**	**7.9**	**0.34**	**1.1**	**0.32**	**1.0**		
SIDE YARD WEST	**2.4**	**7.9**	**5.22**	**17.1**	**5.22**	**17.1**		
MAXIMUM HEIGHT:								
MAXIMUM HEIGHT TO RIDGE	**10.00**	**32.81**	**9.960**	**32.7**	**9.960**	**32.7**		
GARAGE WALL PROJECTION:	**0**	**0.00**			**0.00**	**0.0**		

5 / A1.2 SITE STATISTICS
SCALE: N.T.S

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

SITE LEGEND:

- PROPERTY LINE
- 83.00 EXISTING GRADE
- 83.37 FINISHED GRADE
- F.F.E. FINISHED FLOOR ELEVATION
- F.B.E. FINISHED BASEMENT ELEVATION
- F.D.E. FINISHED DECK ELEVATION
- MAIN ENTRANCE
- SECONDARY ENTRANCE
- EXISTING STRUCTURES TO BE REMOVED
- BH 5 BORE HOLE LOCATION & No. PER SOILS REPORT
- DS ROOF DOWNSPOUT LOCATION, DISCHARGE ON 600X600 CONC. PAVER
- 12.09 PROPOSED DIMENSIONS TO NEW STRUCTURES
- 12.09 EXISTING DIMENSIONS TO EXISTING STRUCTURES
- S NEW SUMP WITH DISCHARGE DIRECTION
- TREE HOARDING
- TR 7 TREE NUMBER PER ARBOURIST REPORT
- EXISTING TREE TO REMAIN – DASHED LINE INDICATES TPZ (TREE PROTECTION ZONE PER ARBOURIST REPORT
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO BE REMAIN.

REF.	DATE:	DESCRIPTION:
2	06.06.26	REISSUED FOR C OF A
1	04.14.26	ISSUED FOR C OF A

REVISIONS / ISSUANCE:

HDS DWELL INC.
HDS DWELL INC
20 GILMOUR ROAD, PUSLINCH ON, CAN N0B 2J0
WWW.HICKSDESIGNSTUDIO.CA T.(226)979-4493

CLIENT:

RENOVATIONS & ADDITIONS TO THE BIBIC RESIDENCE

ADDRESS: 3104 FIRST STREET
CITY: BURLINGTON

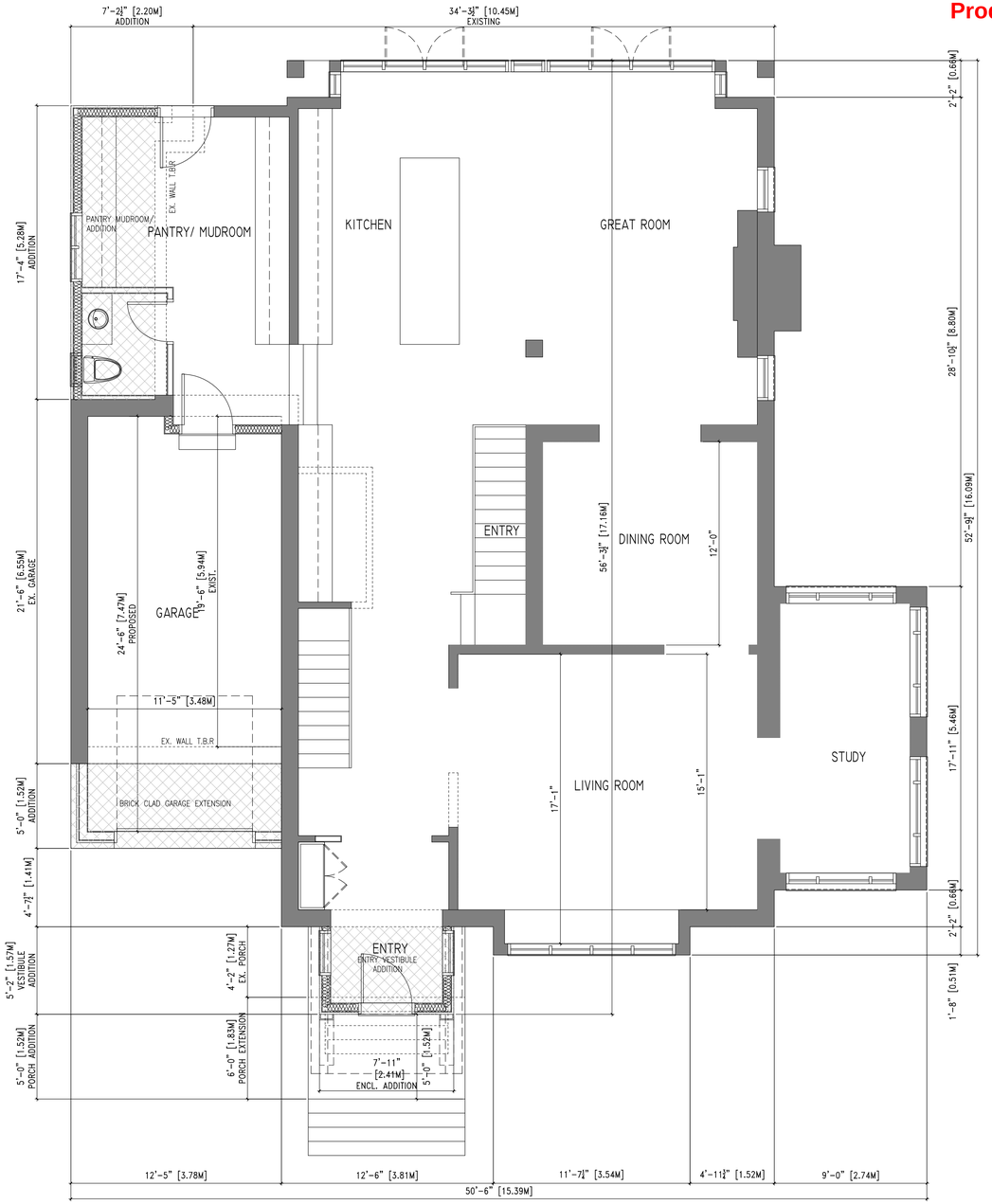
DRAWING TITLE:

SITE PLAN

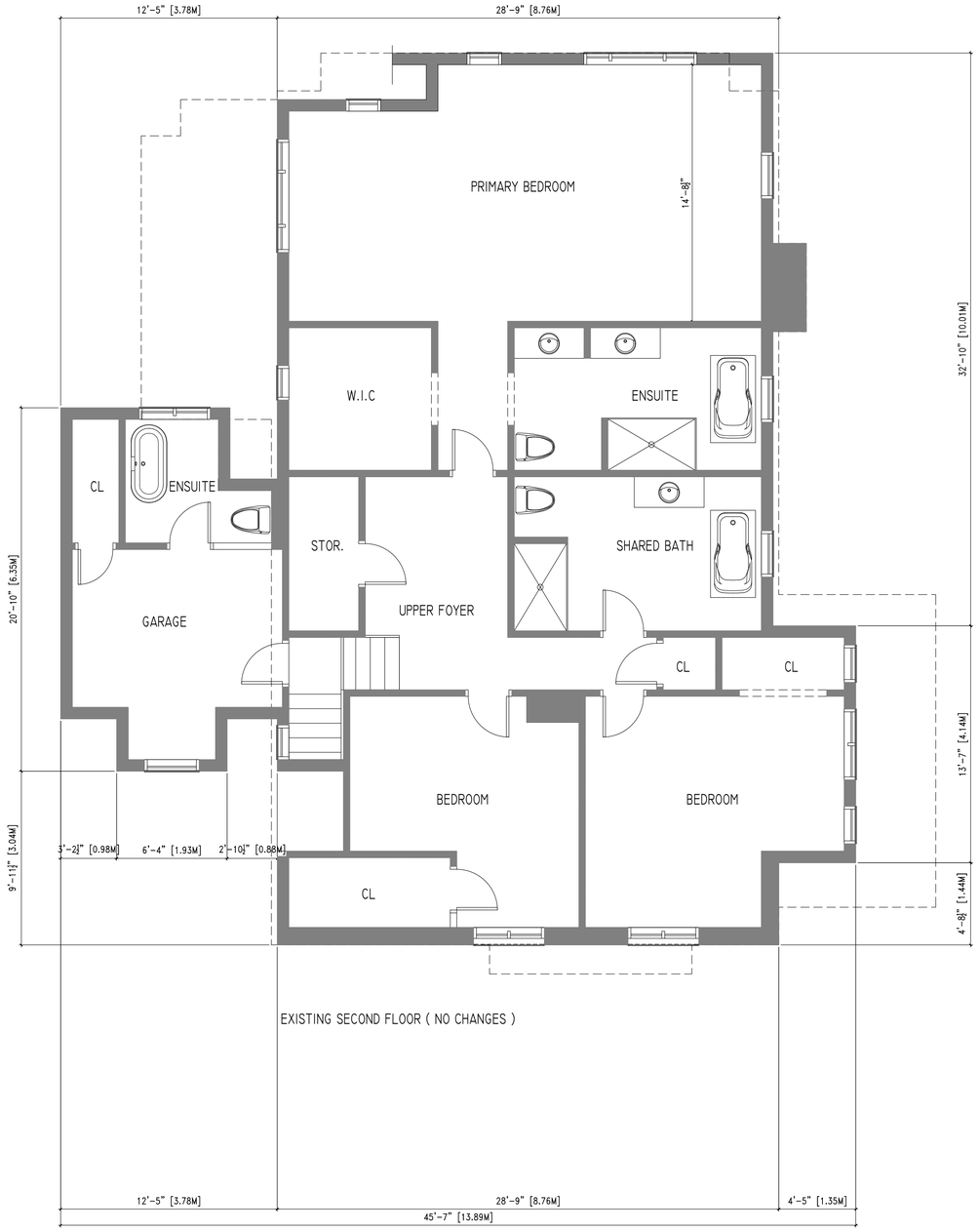
DRAWN: J.W.H
DATE: 04.07.26
SCALE: 1:200
JOB NUMBER: 25-087
SHEET NUMBER: A1.2

6/8/2026 C:\USERS\JASON\MUETHER\LIBRARY\CLOUDSTORAGE\ONEDRIVE-HDSDWELL\SHARED DOCUMENTS\HDS_DWELL\HDS DWELL PROJECTS\26-096 - BIBIC\RESIDENCE - FIRST STREET (BURL)\DRAWINGS\FIRST STREET SITE PLAN.DWG

Copyright Act Applies to Use and Production



1 A3.1 MAIN FLOOR PLAN
SCALE: 1/4"=1'-0"



2 A3.1 SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

CITY OF MISSISSAUGA STAMP:

The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

JASON HUETHER — 39381
NAME — BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

HDS Dwell Inc. — 118699
FIRM NAME — BCIN

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

REF.	DATE:	DESCRIPTION:
1	04.14.26	ISSUED FOR C OF A

REVISIONS / ISSUANCE:

HDS DWELL INC.

HDS DWELL INC.
20 GILMOUR ROAD, PUSLINCH ON, CAN N0B 2J0
WWW.HICKSDESIGNSTUDIO.CA T.(226)979-4493

CLIENT:

RENOVATIONS & ADDITIONS TO THE BIBIC RESIDENCE

ADDRESS: ADDRESS
CITY: CITY

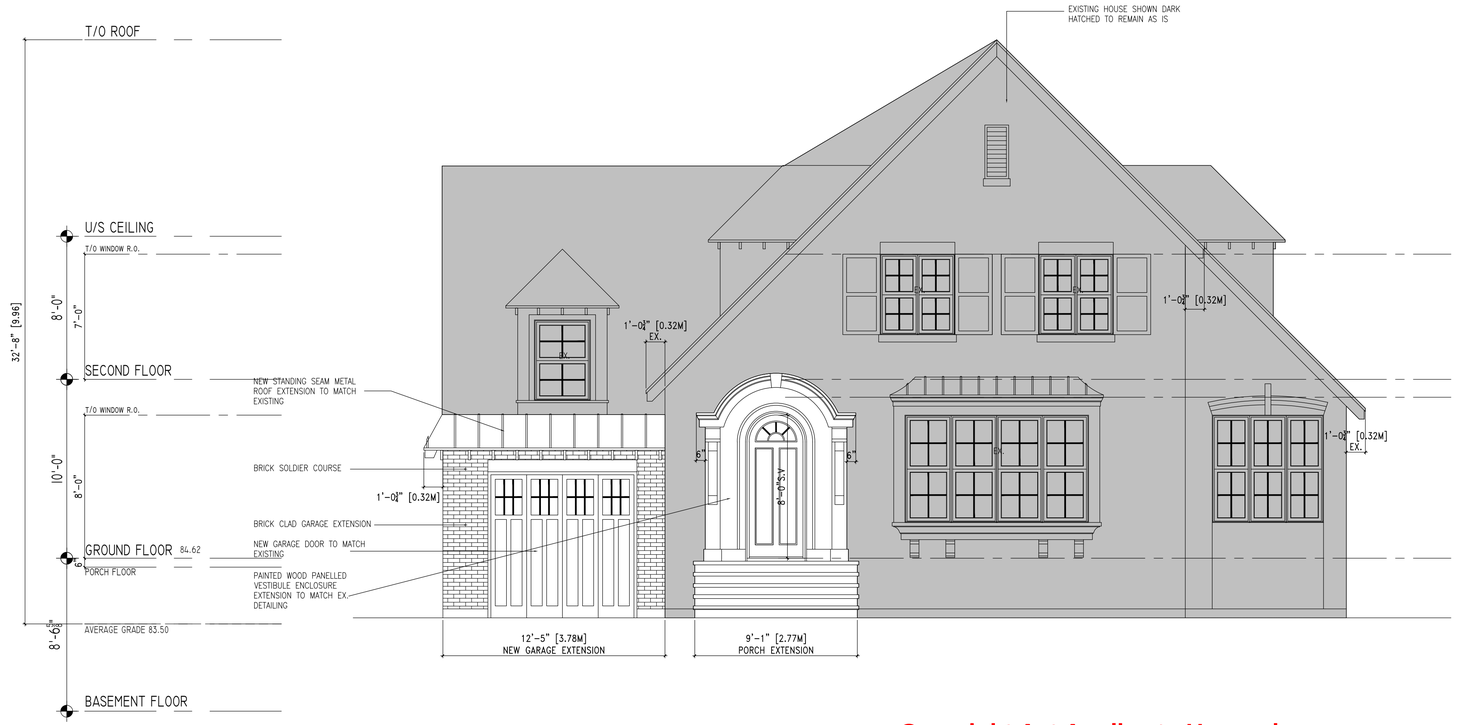
DRAWING TITLE:

GROUND AND SECOND FLOOR PLAN

DRAWN: J.W.H

DATE: 04.13.26	SCALE: 1/4"=1'-0"
JOB NUMBER: 26-096	SHEET NUMBER: A3.1

4/14/2026 - /USERS/JASONHUETHER/LIBRARY/CLOUDSTORAGE/ONEDRIVE-HDSDWELL/SHARED DOCUMENTS/HDS_DWELL/HDS DWELL PROJECT'S/26-096 - BIBIC RESIDENCE - FIRST STREET (BURL)/DRAWING'S/BIBIC RENOVATION.DWG



1 A4.1 FRONT ELEVATION
SCALE: 1/4"=1'-0"

Copyright Act Applies to Use and Production



2 A4.1 REAR ELEVATION
SCALE: 1/4"=1'-0"

CITY OF MISSISSAUGA STAMP:

The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

JASON HUETHER — 39381
NAME — BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

HDS Dwell Inc. — 118699
FIRM NAME — BCIN

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

REF.	DATE:	DESCRIPTION:
1	04.14.26	ISSUED FOR C OF A

REVISIONS / ISSUANCE:

HDS DWELL INC.
HDS DWELL INC.
20 GILMOUR ROAD, PUSLINCH ON, CAN N0B 2J0
WWW.HICKSDESIGNSTUDIO.CA T.(226)979-4493

CLIENT:

RENOVATIONS & ADDITIONS TO THE BIBIC RESIDENCE

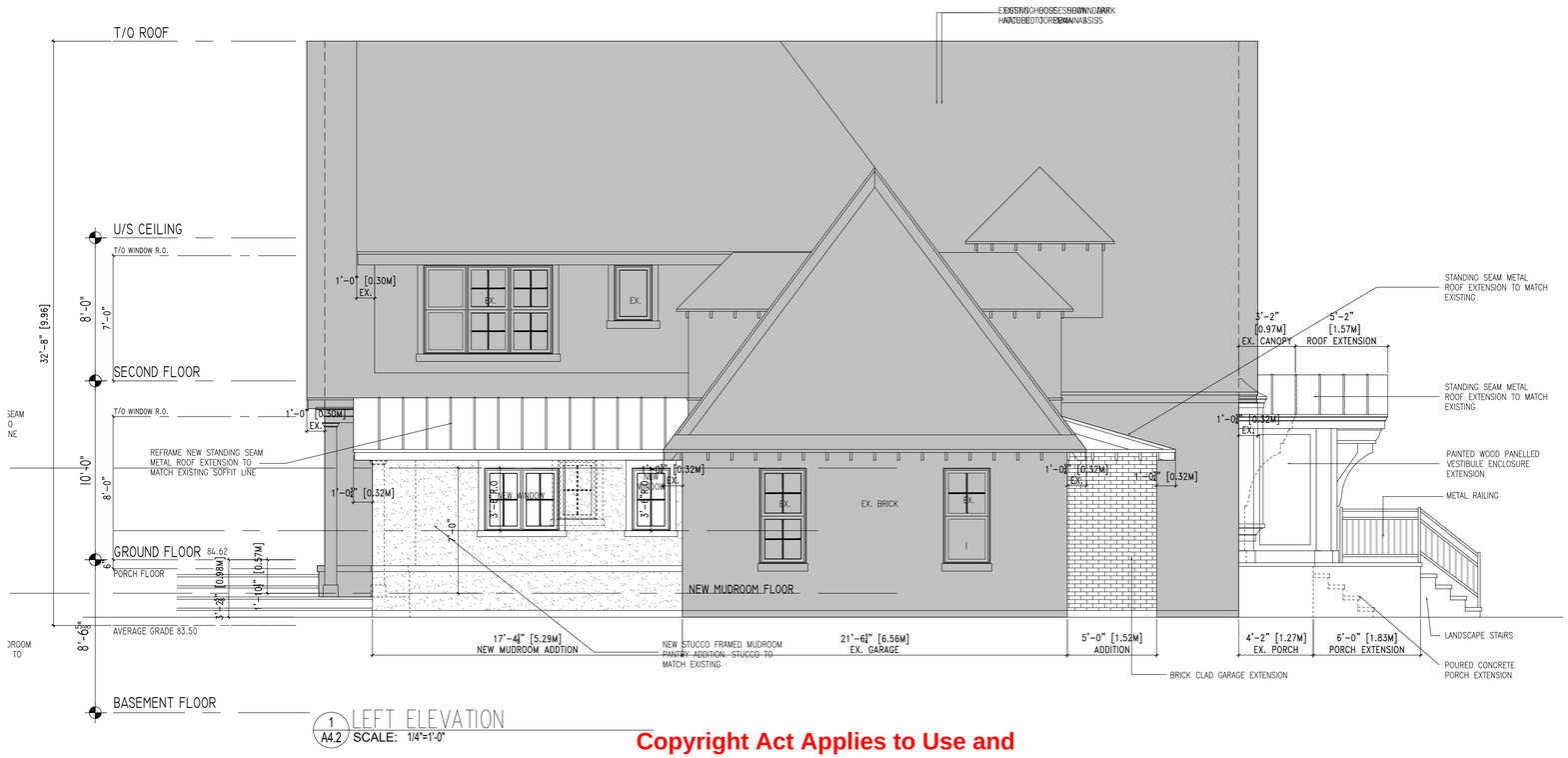
ADDRESS: ADDRESS
CITY: CITY

DRAWING TITLE:

PROPOSED FRONT AND REAR ELEVATIONS

DRAWN: J.W.H
DATE: 04.13.26
SCALE: 1/4"=1'-0"
JOB NUMBER: 26-096
SHEET NUMBER: A4.1

4/14/2026 ... \USERS\JASON\HUETHER\LIBRARY\CLOUDSTORAGE\ONEDRIVE-HDSDWELL\SHARED DOCUMENTS\HDS_DWELL\HDS DWELL PROJECTS\26-096 - BIBIC RESIDNECE - FIRST STREET (BUR)\DRAWINGS\BIBIC RENOVATION.DWG



1 A4.2 LEFT ELEVATION
SCALE: 1/4"=1'-0"

Copyright Act Applies to Use and Production



2 A4.2 RIGHT ELEVATION
SCALE: 1/4"=1'-0"

CITY OF MISSISSAUGA STAMP:

The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

JASON HUETHER — 39381 (NAME — BCIN)

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

HDS Dwell Inc. — 118699 (FIRM NAME — BCIN)

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the architect prior to proceeding with any of the work.

REF.	DATE:	DESCRIPTION:
1	04.14.26	ISSUED FOR C OF A

REVISIONS / ISSUANCE:

HDS DWELL INC.
HDS DWELL INC.
20 GILMOUR ROAD, PUSLINCH ON, CAN N0B 2J0
WWW.HICKSDESIGNSTUDIO.CA T.(226)979-4493

CLIENT:

RENOVATIONS & ADDITIONS TO THE BIBIC RESIDENCE

ADDRESS: ADDRESS
CITY: CITY

DRAWING TITLE:

PROPOSED LEFTT AND RIGHT ELEVATIONS

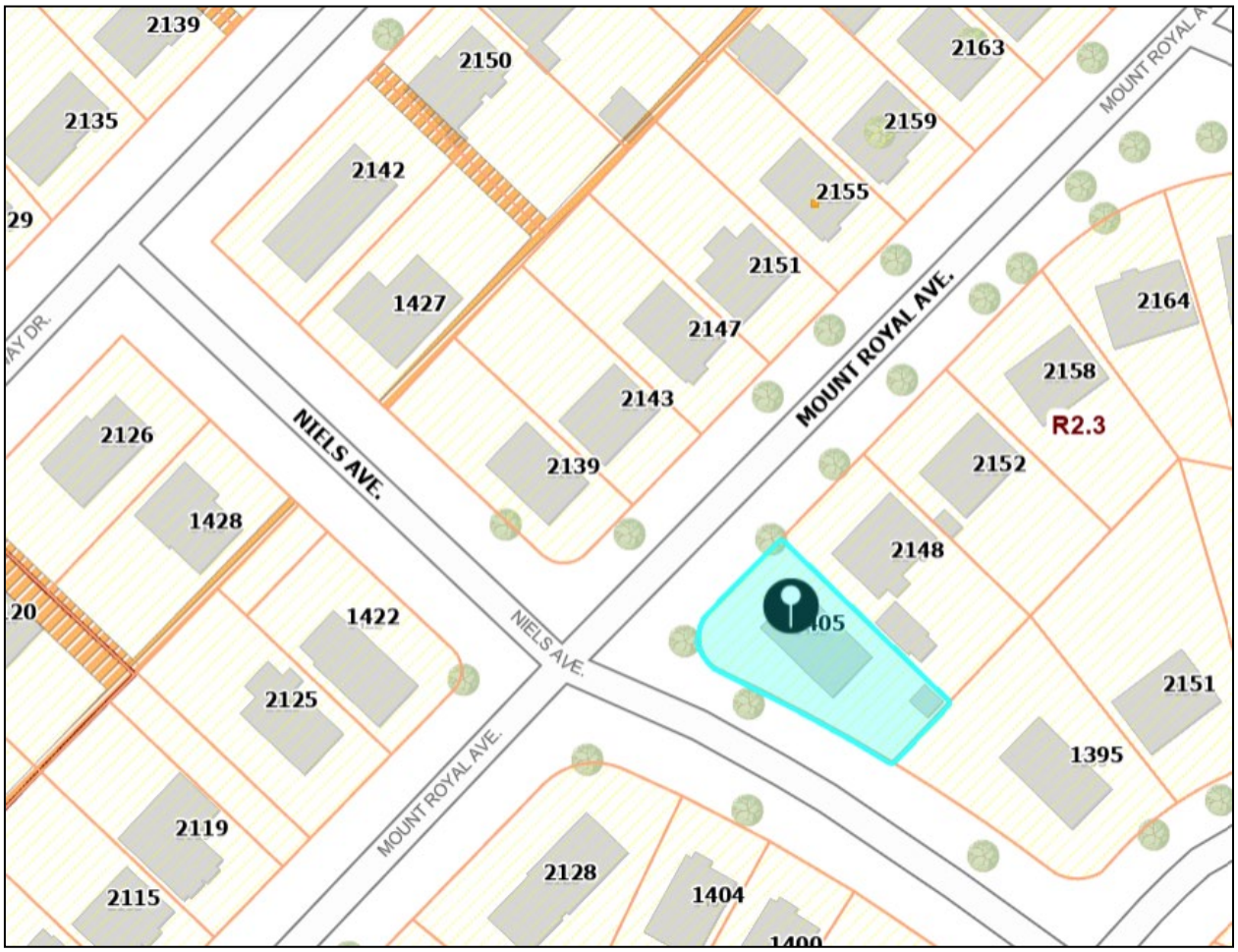
DRAWN: J.W.H

DATE: 04.13.26	SCALE: 1/4"=1'-0"
JOB NUMBER: 26-096	SHEET NUMBER: A4.2

4/14/2026 - ...\USERS\JASON\HUETHER\LIBRARY\CLOUDSTORAGE\ONEDRIVE-HDSDWELL\SHARED DOCUMENTS\HDS_DWELL\HDS DWELL PROJECTS\26-096 - BIBIC RESIDENCE - FIRST STREET (BURL)\DRAWINGS\BIBIC RENOVATION.DWG

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Leslie McAnanama
Address: 1405 Niels Ave. Burlington
File No. **A-089/25**
Ward: 3



Staff Comments:

Committee of Adjustment

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

Date: December 11, 2025 Prepared By: E. Shacklette

Zoning

1) **Background information:**

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

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

2.24 DRIVEWAY WIDTHS AND LANDSCAPED OPEN SPACE AREA

3) Unless otherwise specified in this by-law, driveways shall be a minimum of 6 m in length.

2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except, within the “Downtown Parking Exemption Area” shown on Diagram 1A, Subsection 2.25 shall only apply to residential uses.

2.25.2 Off-Street parking shall be in accordance with Subsection 2.26, “General Parking Provisions”

Table 1.2.6: Off-Street Parking Standards

USE	PARKING STANDARD
Detached Dwelling **Semi-Detached Dwelling** **Duplex Dwelling**	2 spaces per unit; one of which may be provided in an attached or detached garage Detached, Semi-detached and Duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.

2) **Proposal:**

The applicant is proposing the construction of a one storey screened in rear deck, an accessory building located within the interior side yard, and new and expanded driveways and walkways in conjunction with the existing one storey dwelling without attached garage.

3) **Variances required:**

1. To permit a setback of 10.1 m instead of the minimum required 15.0 m from the front lot line (Mount Royal Ave) for a proposed accessory building up to 15 m^2 in floor area.

2. To permit a driveway length of 1.1 m instead of the minimum required 6.0 m.

3. To permit one parking space for existing detached dwelling instead of the minimum required two parking spaces.

4) **Notes and conditions**:

Condition:

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

Notes:

1. Minor variances have been identified based on the plans submitted for zoning review. If changes to the plans are made after minor variance approval that result in the need for additional minor variances, they will be the responsibility of the applicant to obtain.

2. Additional variances may be required if the rear screened in roofed over patio is enclosed with windows.

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 45(1) of the *Planning Act*.

Date: June 4, 2026 Prepared By: S.Boich

Site Planning

Site Characteristics	
Lot Frontage (m)	21.46 m
Lot Area (m^2)	646.67 m^2 (# indicated on Site Plan)
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	One-storey detached dwelling without an attached garage; existing driveway; board fence.
Site Grading *(ex. Flat and level, significant grade differences)*	Mostly flat, with an upward slope (1 m grade difference) from Niels Avenue
Notable Site Features	Corner lot. The porch, front door of the house and the current main driveway face Niels Avenue (the longer frontage), but due to the zoning definition of "Lot Line, Front", the shorter frontage along Mount Royal Avenue is consider the "front" of the property.
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low-rise residential
Nearest Major Intersection	Mount forest Drive and Brant Street
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Upper Middle Road East: Guelph Line South: QEW West: Brant Street, Hwy. 407

Neighbourhood Characteristics:

- low-density residential development consisting predominantly of one-storey detached dwellings on established lots. Two-storey detached dwellings are also present in the neighbourhood

- Dwellings generally have smaller footprints and are set back from the street behind landscaped front yards containing lawns, mature trees, hedges, shrubs, and other plantings.
- The surrounding streetscape has an open, landscaped character, with mature vegetation contributing to the separation between dwellings and the public realm.
- Parking is generally accommodated on long driveways extending along the side of the dwelling, sometimes with multiple vehicles in tandem.
- Detached garages, sheds, and other accessory structures are also present within the side and rear portions of nearby lots.
- Accessory buildings and structures are common and generally within side or rear yards. For example in 2023, 1388 Niels Avenue received a building permit for a new 49 square metre accessory building in the side/rear yard for the purpose of storage (Permit no. 23 010220 00 SO).
- Mature landscaping and the setbacks of surrounding dwellings also provide some visual separation between these structures and the street.
- Some properties contain wider paved areas or accommodate vehicles closer to the front of the dwelling (2143, 2164 Mount Royal Avenue). However, these conditions vary from lot to lot and do not appear to represent a consistent streetscape pattern.
- The subject property is a corner lot with frontage and exposure along both Niels Avenue and Mount Royal Avenue.

A site visit was conducted on July 2, 2026, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes #1, No #2 and #3

Regional Official Plan (2022):

Variance #1 maintains the general intent and purpose of the Regional Official Plan 2022 (ROP 2022), while variances #2 and #3 do not, for the following reasons:

- Section 76 of the ROP provides that the range of permitted uses within the Urban Area is to be established through local official plans and zoning by-laws. The proposed residential use, accessory building, driveway and parking are permitted in principle. As discussed below, Variance #1 maintains the applicable local Official Plan policies, while variances #2 and #3 do not.

Official Plan, 1997 & 2020

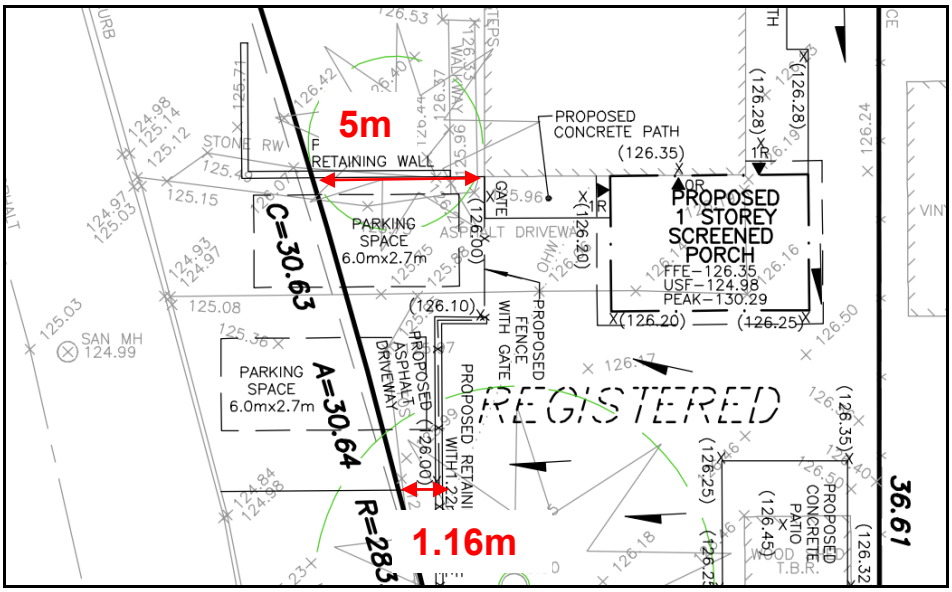
Parts of the Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

Variance #1 maintains the general intent and purpose of the Official Plan, while variances #2 and #3 do not, for the following reasons:

- The proposed use is consistent with the property's 'Low-Rise Neighbourhoods I' designation under Schedule 'C'/Schedule 'B' (Land Use - Urban Area/Comprehensive Land Use Plan- Urban Planning Area) of the BOP, 1997/BOP, 2020, as amended, which permits ground-oriented, low-density housing and accessory structures, and where compatible infill, small-scale additions, and renovations are encouraged.
- Whereas General Objectives for Residential Neighbourhood Areas under Section 8.3.1 of the BOP, 2020 directs that new development "be balanced with other planning considerations" and achieve "compatibility and integration within existing residential neighbourhoods" (a), while considering the "surrounding *physical character*", the proposal is consistent with these objectives in the following ways:
    - The proposed accessory building would be located in the interior side yard, 10.1 metres from the Mount Royal Avenue lot line. Although less than the required 15.0 metres, it would be located behind a proposed fence and gate and set back further from the street than the house
    - Accessory buildings are common in the surrounding neighbourhood and are generally located within side and rear yards. The proposed shed is consistent with this pattern.
    - Due to the corner-lot configuration, and the main entrance off of Niels Avenue, the side yard functions as a rear yard in relation to the dwelling but is subject to the required setback from the Mount Royal Avenue front lot line.
    - The proposed Mount Royal Avenue driveway would accommodate one vehicle entirely on private property. The existing driveway extends along the easterly side of the dwelling into the rear yard and appears capable of accommodating two vehicles in tandem, however the proposed screened porch and fence alignment would occupy part of this area in future, meaning that only one legal space would be provided in a proposed secondary driveway fronting onto Mount Royal Avenue.
    - The Zoning By-law limits a second driveway to a maximum width of 4.0 metres, inclusive of walkways (General Provisions, 2.24(b)). Accordingly, widening the Mount Royal Avenue driveway beyond this width is not an available means of providing an additional parking space while the Niels Avenue driveway is retained.
    - The proposed screened porch and fence alignment would remove part of the existing driveway area that appears capable of accommodating a legal parking space on private property. Staff are of the opinion that the

required second space can be maintained by relocating the proposed fence closer to the screened rear porch.

- 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 accessory building would not generate activity or impacts beyond those normally associated with a detached dwelling.
    - The proposed Mount Royal Avenue driveway would provide one parking space entirely on private property and would not rely on the public right-of-way.
    - Transportation Planning does not support widening the Niels Avenue driveway. The proposed 1.1-metre driveway length results from expanding the existing one-vehicle parking area to accommodate two vehicles, both of which would extend into the public right-of-way.
    - Although no new sidewalks are planned for construction under the 2026 capital budget or in the medium term, the use of the public right-of-way for private parking could interfere with future transportation, utility, or other municipal works. Staff note that there are sidewalks on the east and west sides of Niels Avenue immediately north of the site, which are likely to be extended south
    - Accordingly, Variances #2 and #3 do not provide an appropriate parking arrangement and do not maintain the general intent and purpose of the Official Plan.



The existing main driveway would be widened from approximately 3 metres to 9.18 metres, with the depth on private property varying from approximately 5 metres depth at the north end, to 1.16 metres at the south end where the variance is measured from.

2) City of Burlington Zoning By-law 2020:

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

Yes – Variance No. 1 Accessory Structure Setback (*Part 1, Section 2.2*)

The general intent and purpose of the required setback provision of Burlington Zoning By-law 2020 is to maintain an appropriate separation between accessory structures and the street, preserve the open and landscaped character of the front yard, and limit the visual prominence of accessory structures within the streetscape. The proposed minor variance is consistent with this intent for the following reasons:

- The proposed accessory building would be set back 10.1 metres from the Mount Royal Avenue lot line, maintaining a significant separation from the street despite the requested reduction from 15.0 metres.
- Due to the corner-lot configuration, although the area functions as a rear yard in relation to the dwelling's orientation, it is regulated as an interior side yard with the front yard along Mount Royal Avenue.
- The accessory building would be located behind a proposed fence and gate and further from the street than the "front" elevation of the house, limiting its visibility from Mount Royal Avenue.
- The structure is small, being only 7.15 square metres in size, helping limit visual impact
- The proposed location would retain landscaped area between the accessory building and the street and would not result in the structure becoming a prominent feature of the streetscape.

No – Variance No. 2 Driveway Length (*Part 1, Section 2.24*)

The general intent and purpose of the minimum driveway-length provision of Burlington Zoning By-law 2020 is to ensure that required parking is accommodated on private property, provide sufficient space for vehicles without encroaching into the public right-of-way, and maintain the function of the municipal boulevard and road allowance. The proposed minor variance is not consistent with this intent for the following reasons:

- The proposed reduction from 6.0 metres to 1.1 metres results from widening the existing Niels Avenue driveway to accommodate two vehicles.
- Both proposed parking spaces would extend beyond the private property limits and into the Niels Avenue public right-of-way.
- The proposal would therefore rely on municipal lands to provide private parking rather than accommodating the vehicles entirely on the subject property.
- Transportation Planning does not support the widening of the primary driveway on Niels Avenue, since private parking within the right-of-way could conflict with future transportation, utility, or other municipal works. Accordingly, Variance No. 2 does not maintain the general intent and purpose of the Zoning By-law.

No – Variance No. 3 One Parking Space (*Part 1, Section 2.25*)

The general intent and purpose of the minimum parking requirement is to ensure that sufficient parking is provided on-site to serve the residential use without creating undue reliance on the public right-of-way or affecting the surrounding transportation network. The proposed minor variance is not consistent with this intent for the following reasons:

- The Zoning By-law requires two parking spaces for the detached dwelling.
- The position of the proposed screened porch and fence would reduce the usable driveway area and eliminate the second on-site parking space, but it appears that the fence position could be altered so that the driveway could accommodate a legal parking space fully on private property.
- Staff are of the opinion that the required second parking space can be maintained by moving the proposed fence closer to the screened rear porch.
- The maximum permitted width of a second driveway is 4.0 metres, inclusive of walkways; therefore, the Mount Royal Avenue driveway cannot be widened beyond this limit while the Niels Avenue driveway is retained.
- Accordingly, Variance No. 3 does not maintain the general intent and purpose of the Zoning By-law.

3) Desirability:

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

Yes #1, No #2 and #3

The proposed minor variance #1 is desirable for the appropriate development and use of the land for the following reasons:

- Variance 1 would facilitate a small accessory building within the interior side yard while maintaining a 10.1-metre setback from Mount Royal Avenue.
- The accessory building would be located behind a proposed fence and gate and would be consistent with accessory structures found in side and rear yards throughout the neighbourhood.

The proposed minor variances #2 and #3 are not desirable for the appropriate development and use of the land for the following reasons:

- The proposed 1.1-metre driveway length results from widening the Niels Avenue parking area from one vehicle to two vehicles.
- Both parking spaces would extend into the public right-of-way rather than being accommodated on private property.
- The configuration could conflict with the future use of the right-of-way for transportation, utility, or other municipal works.

- Variance #3 would remove a parking space that in staff's opinion can be accommodated on the property. The required second parking space can be maintained by relocating the proposed fence closer to the screened rear porch.
- Transportation Planning does not support the proposed driveway widening and has identified alternative options for accommodating parking within the property limits.

4) Minor in Nature:

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

Yes #1, No #2 and #3

The proposed minor variance #1 is minor in nature for the following reasons:

- Variance #1 would reduce the required accessory-building setback from 15.0 metres to 10.1 metres. The proposed building would remain separated from Mount Royal Avenue, be screened by a proposed fence and gate, and maintain landscaped area between the structure and the street.
- The accessory building is limited in scale and would not result in undue visual, privacy, shadow, or massing impacts.

The proposed variances #2 and #3 are not considered minor in nature for the following reasons:

- The proposed driveway length of 1.1 metres represents a substantial reduction from the required 6.0 metres.
- The reduced driveway length would facilitate two parking spaces along Niels Avenue, both of which would extend into the public right-of-way.
- The impact is not limited to the subject property, as the proposal would rely on municipal lands for private parking and could affect the future use of the right-of-way.
- Variance #3 would reduce the required parking supply despite sufficient space appearing to exist for a second tandem space if the proposed fence is relocated.
- The impact is avoidable through a minor revision to the proposed site configuration.

Cumulative Effects of Multiple Variances and Other Planning Matters:

The cumulative effect of the requested variances has been considered. Variance #1 would not result in undue impacts and is supported. Variances #2 and #3 would result in an inappropriate parking configuration and are not supported.

Recommendation:

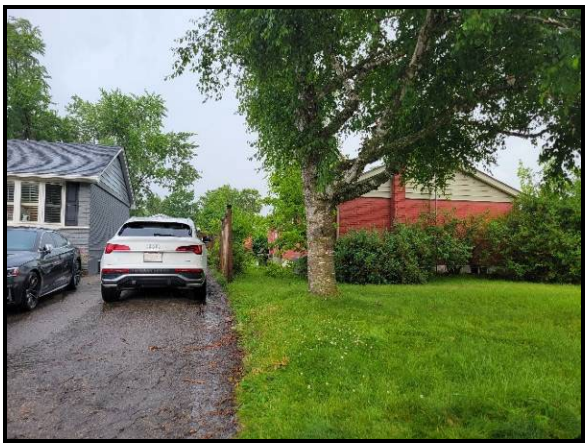
COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Staff have reviewed Variance #1 in accordance with the four tests under the Planning Act and have no objection to its approval. Staff have reviewed Variances #2 and #3 against the same criteria and recommend that they be refused.

Date: July 9, 2026 Prepared By: Melissa Gasic, MCIP RPP

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



View of the Mount Royal Avenue frontage and the abutting property to the east



View of the Niels Avenue frontage



View of the existing driveway off of Niels Avenue



View of the abutting property to the south, 1395 Niels Avenue

COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS



View of the properties on the opposite side of Niels Avenue



View of the property on the opposite side, 1392 Niels Avenue



View of the property on the opposite side, 1396 Niels Avenue



View of the property on the opposite side, 1404 Niels Avenue



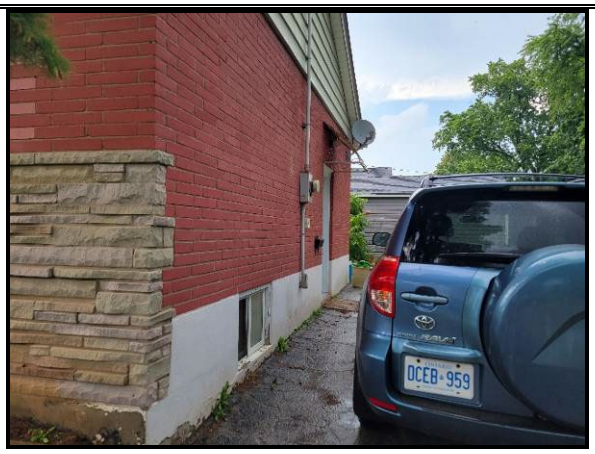
View of the driveway at 2139 Mount Royal Avenue



View of the abutting driveway to the east, 2148 Mount Royal Avenue



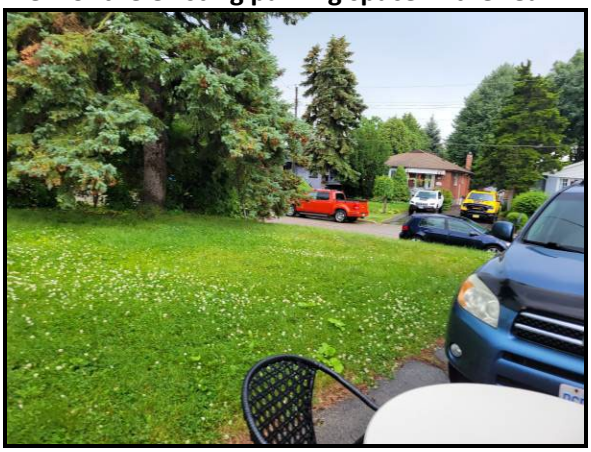
View of the rear yard



View of the existing parking space in the rear



View of the side yard (looking towards Mount Royal Avenue)



View towards the street from the rear

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: June 17, 2026 Prepared By: R. Maximo

Forestry

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

Advisory Comments:

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

Date: July 3, 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. 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: July 17, 2026 Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

Niels 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.

Mount Royal 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 offer the following comments regarding:

Variance two - To permit a driveway length of 1.1 metres instead of the minimum required 6.0 metres, and

Variance three - To permit one parking space for existing detached dwelling instead of the minimum required two parking spaces.

Transportation Planning note the variances above are result of the application proposal to reduce the length of the existing driveway and subsequently widen the asphalt area

along Niels Avenue to provide parking for two vehicles. Staff do not support the proposal.

1. The alterations proposed to the driveway along Niels are mostly contained within public right-of-way rather than being facilitated on private property. Approving private parking within deemed lands compromises the reservation of the deemed width for the adjacent roadway; As the stewards for public right-of-way Staff find it important to protect against any future conflict between the property owner and the municipality provided future works, including but not limited to transportation works, are required along Niels Avenue.

2. The Applicant is advised to consider widening the proposed driveway along Mount Royal Avenue or change the configuration of the property to allow the existing driveway to accommodate one car length within property limits.

Date: June 29, 2026 Prepared By: T. 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: June 16, 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 one storey screened in rear deck, an accessory building located within the interior

side yard, and new and expanded driveways and walkways in conjunction with the existing one storey dwelling without attached garage. Variance is requested to the minimum required front setback, driveway length, and parking spaces.

- 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: July 2, 2026 Prepared By: Navjot Kaur

Burlington Hydro

Comments not received by the time this staff report was published. The applicant and/or owner is responsible for consulting with Burlington Hydro as part of their development proposal.

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NO. 540-02-**A-089/25**
Committee of Adjustment
Date of Mailing: July 20, 2026

NOTICE OF PUBLIC HEARING

Leslie McAnanama of 1405 Niels Ave. Burlington has applied to the Committee of Adjustment for a Minor Variance to the requirements of Zoning By-law 2020, as amended. The property in question is **1405 Niels Ave. Burlington** (see map).

The applicant proposes the construction of a one storey screened in rear deck, an accessory building located within the interior side yard, and new and expanded driveways and walkways in conjunction with the existing one storey dwelling without attached garage. This proposal results in the following variances:

1. To permit a setback of 10.1 m instead of the minimum required 15.0 m from the front lot line (Mount Royal Ave) for a proposed accessory building up to 15 m^2 in floor area.

2. To permit a driveway length of 1.1 m instead of the minimum required 6.0 m.

3. To permit one parking space for existing detached dwelling instead of the minimum required two parking spaces.

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 July 20, 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 AUGUST 5, 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.

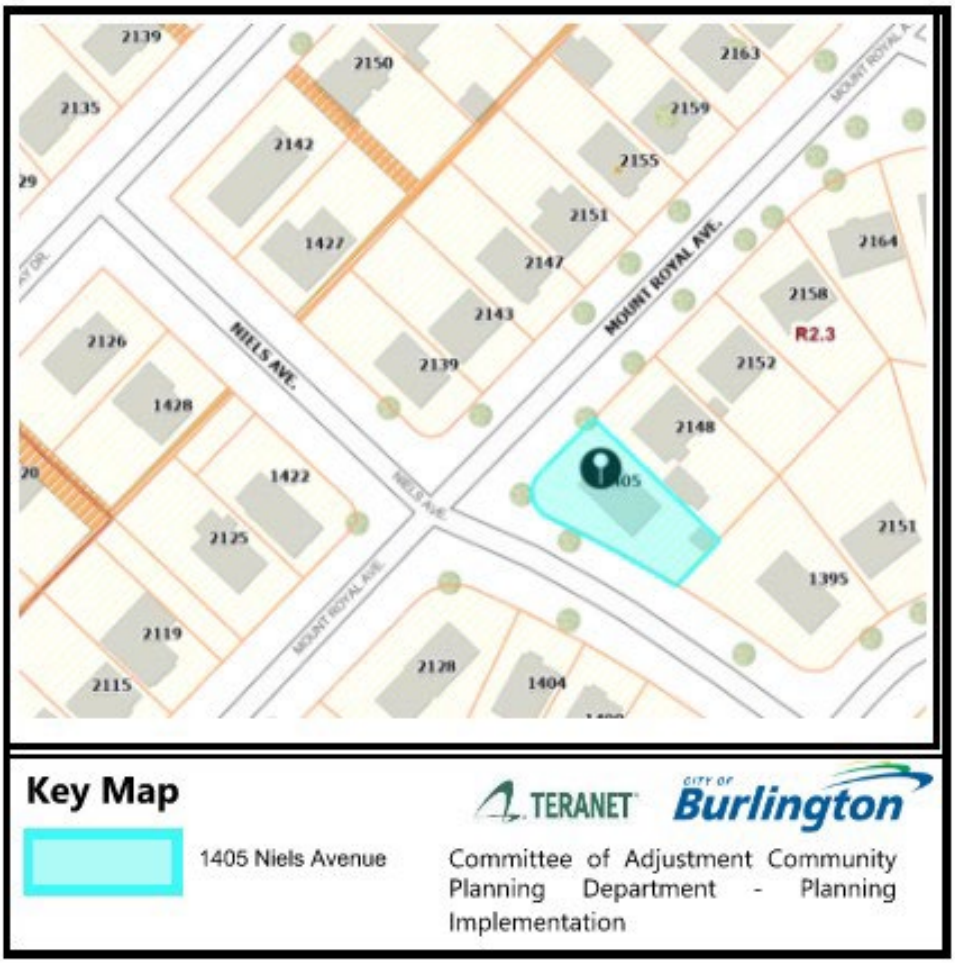
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca

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: Mariana DaSilva Name of Zoning Examiner: Steve Boich

PROPERTY INFORMATION
Municipal Address(es) of property:

1405 Niels Avenue, Burlington ON L7P 2E6

Legal Description of property:

LT 362, PL 533; S/T NU38570 Burlington

Official Plan Designation: Low Density Residential Current Zoning Designation R2.3

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

Leslie McAnanama

Mailing Address: 1405 Niels Avenue City: Burlington

Postal Code: L7P 2E6 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:

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.

The construction of a one-storey screened-in rear deck, an accessory building located within the interior side yard, and new and expanded driveways and walkways in conjunction with the one storey dwelling without attached garbage.

Variance(s) Requested	Zoning Bylaw Requirement
① Proposed shed has a setback of 10.1m instead of the minimum required 15.0m from the lot line	① s. 2.2.1 (a)(iii) 15m setback to front lot line
② To permit a driveway length of 1.1m instead of the minimum req'd 6.0m	② s. 2.24 (3) min. 6m driveway length.
③ To permit one parking space for existing detached dwelling instead of the minimum required two parking spaces.	③ s. 2.25 table 1.2.6 2 spaces per unit.

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 is unobtrusive and small. The driveway length is maximized to the edge of the yard. The second parking space within lot lines due to the irregular shape of the property, is close to 6m at 5.25m on one side.

2. Why are the variance(s) desirable for the appropriate use of the land? The screenroom acts as an outdoor living space akin to a deck and its inspiration comes from a house in the neighbourhood. The existing lot configuration does not allow for many options either for the shed placement in the rear yard or for the driveway to not encroach in the (rear) yard.

3. Do the variance(s) meet the intent and purpose of the Official Plan? Yes. The screenroom design mimics the roof design. Its creation forces the creation of diverse green spaces on the property. The shed provides key functional use of storage while esthetically pleasing. The driveway integrates with the overall design and is functional for the space.

4. Do the variance(s) meet the intent and purpose of the Zoning By-law? The shed utilizes an underutilized area of the yard, and backs on to the driveway of neighbouring 2148 Mount Royal Avenue. The driveway is consistent with other corner lots in the neighbourhood and its new retaining walls will make the property more maintainable.

CITY OF Burlington

MINOR VARIANCE – 2026

Committee of Adjustment
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PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
MAY/31/2002 (mmm/dd/yyyy)	~MAR/20/1958 (mmm/dd/yyyy)	OCT/08/2026 (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:

68 yrs.

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 ☑ telecommunications easement/right of way
Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐
Ravine ☐

Additional Information

Is liquor sold on site? Y ☐ or N ☑

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

CITY OF Burlington

MINOR VARIANCE – 2026

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?
21.46m	36.61m	646.67m²	20.00	20.00	Ø	17.30%	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)	111.86	M²	Ground Floor Area (incl. attached garage)	22.95	M²
Gross Floor Area:	111.86	M²	Gross Floor Area:	22.95	M²
Number of Storeys:	1		Number of Storeys:	1	
Width:	7.63	M	Width:	3.96	M
Length:	14.66	M	Length	5.79	M
Height:	5.09	M	Height	4.09	M
Garage/Car Port			**Garage/Car Port**		
Detached?	Y ☐ N ☐		Detached?	Y ☐ N ☐	
Gross Floor Area:		M²	Gross Floor Area:		M²
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Accessory Structures (Shed, Gazebo, etc)			**Accessory Structures** Shed		
Gross Floor Area:	8.69	M²	Gross Floor Area:	7.15	M²
Width:	2.81	M	Width:	2.14	M
Length:	3.08	M	Length:	3.35	M
Height:	2.49	M	Height:	2.26	M
Other (pool, additional sheds, decks, driveways, etc.)			**Other** Niels Ave Driveway		
Gross Floor Area:	41.53	M²	Gross Floor Area:	28.43	M²
Width:	3.35	M	Width:	9.15	M
Length:	12.97 / 11.83	M	Length:	5.25 / 1.25	M
Height:	N/A	M	Height:	N/A	M

LOCATION of all existing and proposed buildings and structures

EXISTING Dwelling.			PROPOSED Addition (Screenroom)		
Front:	7.79	M	Front:	22.47	M
Rear:	14.21	M	Rear:	10.22	M
Side/Street Side:	4.83	M	Side/Street Side:	7.33	M
Side/Other Side:	3.90	M	Side/Other Side:	2.05	M

CITY OF Burlington

Cont'd

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? 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:	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** Mount Royal Avenue driveway	
Gross Floor Area:	M^2	Gross Floor Area: 20.1	M^2
Width:	M	Width: 3.35	M
Length:	M	Length: 6.0	M
Height:	M	Height: N/A	M

LOCATION of all existing and proposed buildings and structures

EXISTING Shed			PROPOSED Shed		
Front:	24.39	M	Front:	9.97	M
Rear:	1.62	M	Rear:	23.28	M
Side/Street Side:	8.91	M	Side/Street Side:	15.83	M
Side/Other Side:	0.82	M	Side/Other Side:	0.39	M

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

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

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

EXISTING (Building)		PROPOSED (Building/Addition)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
Floor Area: Office Space	M^2	Floor Area: Office Space	M^2
Floor Area: Warehouse/Retail/Other:	M^2	Floor Area: Warehouse/Retail/Other	M^2
# of Existing Units:		# of Proposed Units:	
Floor Area Ratio:		Floor Area Ratio:	
Required Parking Spaces:		Proposed Parking Spaces:	
Existing Parking Spaces:			

EXISTING (Other)		PROPOSED (Other)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height:	M

LOCATION of all existing and proposed buildings and structures

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

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

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

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

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

EXISTING (Building)		PROPOSED (Building/Addition)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:	M	Height	M
# of Existing Units:	M^2	# of Proposed Units:	M^2
Floor Area Ratio:	M^2	Floor Area Ratio:	M^2
Required Parking Spaces:		Proposed Parking Spaces:	
Existing Parking Spaces:			

EXISTING (Other)		PROPOSED (Other)	
Ground Floor Area:	M^2	Ground Floor Area:	M^2
Gross Floor Area:	M^2	Gross Floor Area:	M^2
Number of Storeys:		Number of Storeys:	
Width:	M	Width:	M
Length:	M	Length	M
Height:		Height:	M

LOCATION of all existing and proposed buildings and structures

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

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

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner:	Property Address:

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

Please complete Section A, B, or C

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

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

OR

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

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

OR

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

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

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

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

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

_____ Signature of Owner/Applicant

_____ Date (mmm/dd/yyyy)

CITY OF Burlington

MINOR VARIANCE – 2026
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: Leslie Brunskill (McAnarama).

Property Address: 1405 Niels Avenue

Signature of Owner/Applicant

Date (mmm/dd/yyyy): JUN/08/2026

CITY OF Burlington

MINOR VARIANCE – 2026

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, Leslie Brunskill (print name) of the Region (Region/City/County) of Halton in the City (City/Town/Township)

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

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

this 9 day of JUNE 2026.

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

Tammy Ball
Signature of Commissioner, etc.

Leslie Brunskill
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: 1405 Niels Avenue

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

Leslie Brunskill
Signature of Owner

Leslie Brunskill (McAnanama)
Print Name

OWNERS AUTHORIZATION

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

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

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

application for a Minor Variance.

_____ _____
Signature of Owner Date (mmm/dd/yyyy)

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

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

CITY OF Burlington

MINOR VARIANCE – 2026
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
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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
- N/A ☑ 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)
- N/A ☑ Railways (Location of them and setbacks to structures)
- N/A ☑ 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

Jun/08/2026
Date (mmm/dd/yyy)

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF ALL OF
LOT 362
REGISTERED PLAN 533
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 510mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

© 2023

KNOWN AS MUNICIPAL No. 1405 NIELS AVENUE

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

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS – MAY 23, 2023

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
– SUBJECT TO EASEMENT AS IN INST. No. NU38570

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

MacKAY, MacKAY & PETERS LIMITED grants LESLIE BRUNKSILL ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client"

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

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-58251

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

LEGEND

■	DENOTES A SURVEY MONUMENT FOUND
□	DENOTES A SURVEY MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
IP	DENOTES IRON PIPE
P1	DENOTES REGISTERED PLAN 533
P2	DENOTES PLAN BY SEWELL & SEWELL DATED MARCH 20, 1958 (58–79)
P3	DENOTES PLAN BY SEWELL & SEWELL DATED SEPTEMBER 13, 1957 (57–218)
N1	DENOTES FIELD NOTES BY SEWELL & SEWELL DATED MARCH 18, 1958
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
PRC	DENOTES POINT OF REVERSE CURVATURE
PC	DENOTES POINT OF CURVATURE
(OU)	DENOTES ORIGIN UNKNOWN
PR	DENOTES PRODUCTION
OHW	DENOTES OVERHEAD WIRES
GUY	DENOTES GUY WIRE
HP	DENOTES HYDRO POLE
AC	DENOTES AIR CONDITIONER
RW	DENOTES RETAINING WALL
RS	DENOTES ROAD SIGN
SAN MH	DENOTES SANITARY MANHOLE
STM MH	DENOTES STORM MANHOLD
CB	DENOTES CATCH BASIN
TOS	DENOTES TOP OF SLOPE
⊙	DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
✲	DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

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

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 404
ELEVATION = 150.372 METRES (CGVD28:78 ADJUSTMENT)

BRASS PLAQUE ON THE WEST FACE OF A HYDRO SUB–STATION ON THE EAST SIDE OF BRANT STREET, 95 METRES NORTH OF TYANDAGA PARK DRIVE AND 70 METRES SOUTH OF FAVERSHAM AVENUE. PLAQUE LOCATED 0.15 METRES NORTH OF THE SOUTHWEST CORNER OF BUILDING.

BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHEASTERLY LIMIT OF MOUNT ROYAL AVENUE AS SHOWN ON REGISTERED PLAN 533 HAVING A BEARING OF N44°06'00"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 11th DAY OF AUGUST, 2023.

AUGUST 11, 2023
DATE

AISAR PHERI
ONTARIO LAND SURVEYOR
FOR MACKAY, MACKAY & PETERS LIMITED

E:\(20) Halton\Registered Plans\RP0533\LOT 362\23–118\23–118.dwg

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

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375

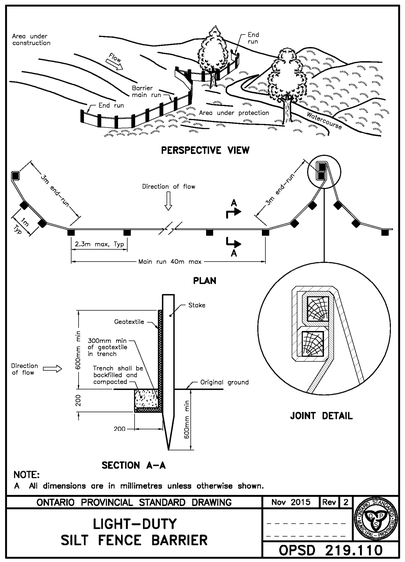
halton@mmplimited.com
mmplimited.com

DRAWN BY:	A.R.
PARTY CHIEF:	A.C./C.M.
CHECKED BY:	AB
PROJECT No.:	23–118

CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R1.1

ZONE	REQUIRED	PROVIDED		NEW ZONING BY-LAW (H4) LN5 REQUIRED
LOT WIDTH (@ 9.1m)	18.0m (min)	20.99m		18.0m (min)
LOT AREA	680.0sq.m. (min)	646.83sq.m.		680.0sq.m. (min)
FRONT YARD	7.5m (min)	7.79m	EXISTING DWELLING	7.5m (min)
	15.0m (min) ACCESSORY	10.12m	ACCESSORY	
REAR YARD	9.0m (min)	14.17m		4.5m (min)
	8.35m (min) PORCH	10.23m	PROPOSED PORCH	
		23.14m	ACCESSORY	0.6m (min) ACCESSORY
SIDE YARD	1.2m (min) (NORTH/EAST)	2.05m	PROPOSED PORCH NORTHEAST	1.8m (min)
	NO MINIMUM ACCESSORY	0.55m	ACCESSORY	0.6m (min) ACCESSORY
STREET SIDE YARD	4.5m (min)	4.84m	EXISTING DWELLING	4.5m (min)
		7.33m	PROPOSED PORCH	4.5m (min) ACCESSORY
BUILDING AREA		111.87 sq.m.	(EXISTING DWELLING)	
		7.17 sq.m.	(PROPOSED ACCESSORY)	
		22.95 sq.m.	(PROPOSED PORCH)	
		141.99 sq.m.	(TOTAL AREA)	
LOT COVERAGE	27% (max)	17.3%	EXISTING DWELLING	35% (max)
	8% (max) ACCESSORY	1.1%	ACCESSORY	10% (max) ACCESSORY
BUILDING HEIGHT	7.5m (max)	4.03m	PROPOSED PORCH	10.0m (max)
		2.26m	ACCESSORY	4.6m (max) ACCESSORY
DWELLING DEPTH	18.00 (max)	18.59m		20.0m (max)
DEEMED STREET WIDTH	20.0m NIELS AVENUE	20.12m		
	20.0m MT ROYAL AVENUE	20.12m		
HARDSCAPE AREA		242.39sq.m.		
HARDSCAPE COVERAGE		37.47%		
FRONT YARD AREA		163.06sq.m.		
LANDSCAPE AREA		140.19sq.m.		
LANDSCAPE COVERAGE		86%		40% (min)

PROPOSED SHED = 1 STOREY
PROPOSED SCREENED PORCH = 1 STOREY

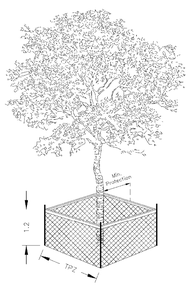


NOTE:
A All dimensions are in millimetres unless otherwise shown.

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

Tree Protection and Preservation Specification No.: SS12

Detail TP-1 – Tree Protection Detail



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

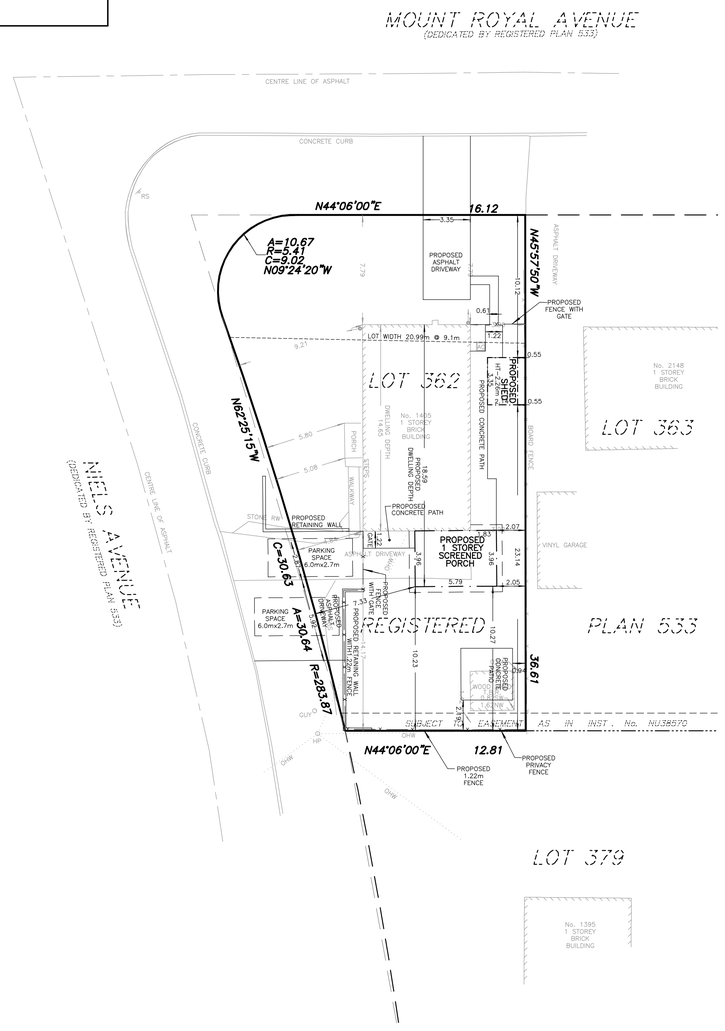
NOTES:

[1] The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.
[2] Diameter at breast height (DBH) is the measurement of tree trunk taken at 1.4 metres above ground.
[3] Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.
[4] Where work is being performed beyond the Minimum Tree Protection Zone but within the Critical Root Zone the works are subject to Section 8 of this specification.

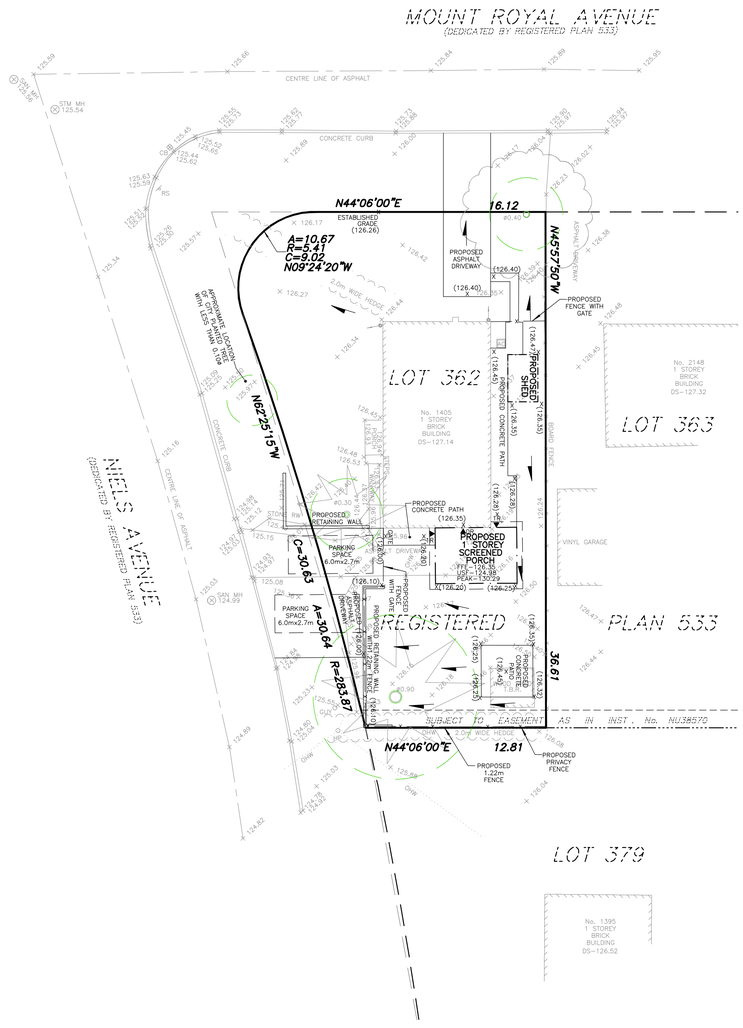
TREE PROTECTION BARRIER

1. Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O/C max. Where orange plastic web snow fencing creates restriction to sightlines, page wire fencing shall be used.
2. All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
3. Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
4. No materials or fill may be stored within the TPZ.
5. Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
6. No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.

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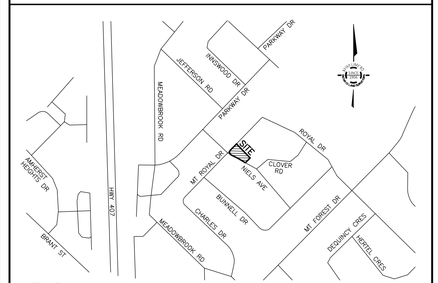


SITE PLAN
SCALE 1:200



GRADING PLAN
SCALE 1:200

1405 NIELS AVENUE
SITE & GRADING PLAN FOR BUILDING PERMIT



GEOGRAPHIC LOCATION NOTE
LOT 362
REGISTERED PLAN 533
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200
0 5 10 20 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. 404
ELEVATION = 150.372 METRES (CGVD28:78 ADJUSTMENT)
BRASS PLAQUE ON THE WEST FACE OF A HYDRO SUB-STATION ON THE EAST SIDE OF BRANT STREET, 95 METRES NORTH OF TYANDAGA PARK DRIVE AND 70 METRES SOUTH OF FAVERSHAM AVENUE. PLAQUE LOCATED 0.15 METRES NORTH OF THE SOUTHWEST CORNER OF BUILDING.

LEGEND
FFE DENOTES FINISHED FLOOR ELEVATION
TFW DENOTES TOP OF FOUNDATION WALL
TBS DENOTES TOP OF BASEMENT SLAB
USF DENOTES UNDERSIDE OF FOOTING
S DENOTES SUMP PUMP
R DENOTES RISER
DENOTES DOWNSPOUT
DENOTES DIRECTION OF DRAINAGE
XXX.XX DENOTES EXISTING ELEVATIONS
(XXX.XX) DENOTES PROPOSED ELEVATIONS
T.B.R. DENOTES TO BE REMOVED
DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
STM MH DENOTES STORM MANHOLE
UP DENOTES UTILITY POLE
AC DENOTES AIR CONDITIONER
DENOTES SILT FENCE
DENOTES TREE PROTECTION ZONE
DENOTES TREE PROTECTION BARRIER
DENOTES MATERIAL STORAGE, FILL PLACEMENT
DENOTES CONSTRUCTION ACCESS

NOTES
- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY
- BOUNDARY DIMENSIONS ARE AS SHOWN ON SURVEYOR'S REAL PROPERTY REPORT BY MMP LIMITED DATED AUGUST 11, 2023 (23–118)

CAUTION
- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK
- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES

CERTIFICATION NOTE
BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 1 STOREY SCREENED PORCH AND SHED LOCATED AT 1405 NIELS AVENUE AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES
PROPOSED BUILDING SETBACKS AS SHOWN
PROPOSED BUILDING HEIGHT AS SHOWN
PROPOSED LOT COVERAGE AS SHOWN
PROPOSED BUILDING SITE STATISTICS AS SHOWN

MAY 22, 2026
DATE

AISAR BHERI, OLS, P.Eng.
FOR: MACKAY, MACKAY & PETERS LIMITED

No.	DATE	REVISIONS
1.	MAY 8, 2026	SITE PLAN COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS AISAR BHERI 2020

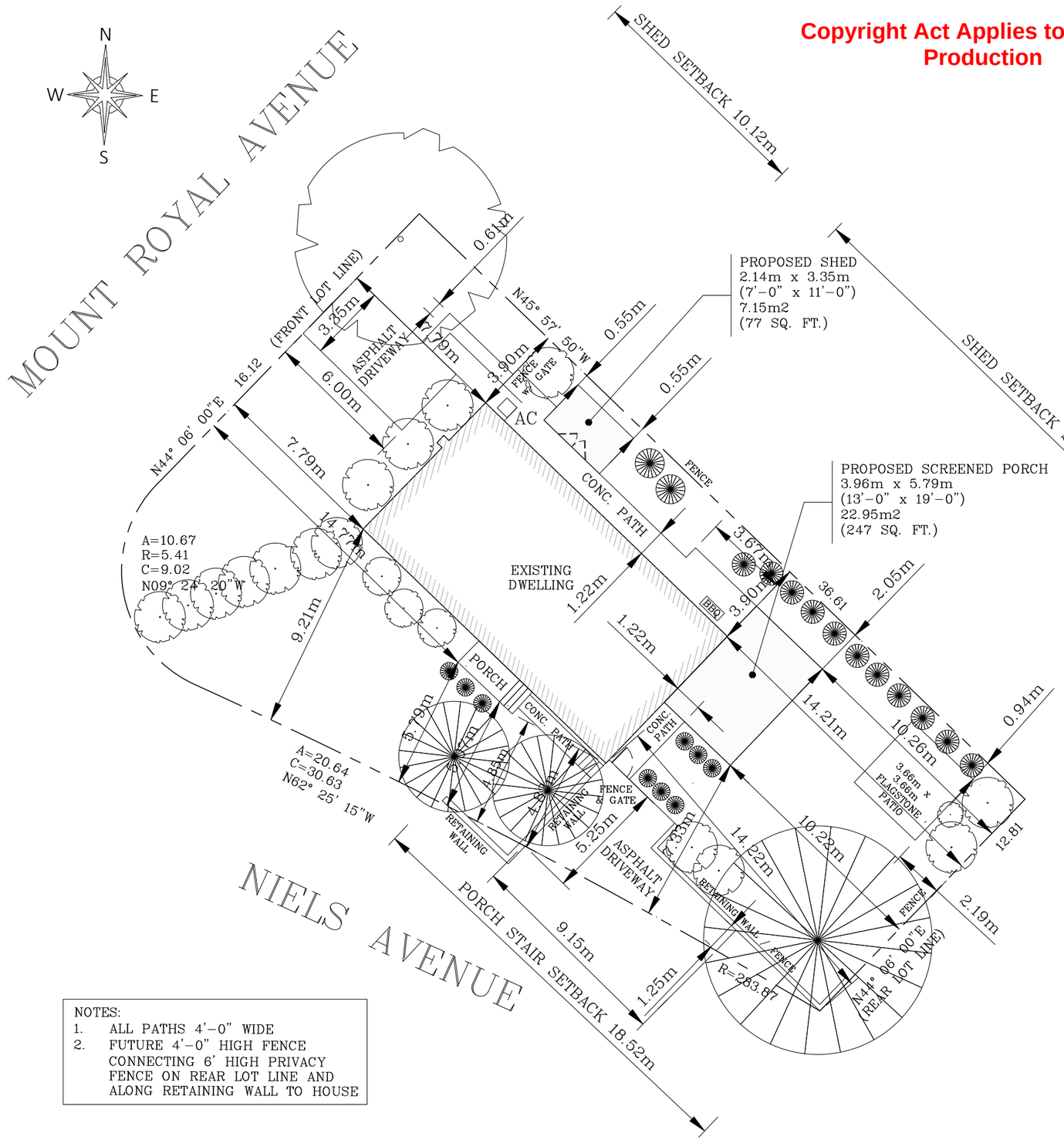
MMP
MacKay, MacKay & Peters Limited
ONTARIO LAND SURVEYORS
SINCE 1906

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

E:\(20) Halton\Registered Plans\RP0533\LOT 362\23-118\SP\23-118-SP.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
A.R.	A.B.	23–118–SP	1

Copyright Act Applies to Use and Production



NOTES:
1. ALL PATHS 4'-0" WIDE
2. FUTURE 4'-0" HIGH FENCE CONNECTING 6' HIGH PRIVACY FENCE ON REAR LOT LINE AND ALONG RETAINING WALL TO HOUSE

SITE SKETCH OF PLAN OF SURVEY OF
LOT 362, REGISTERED PLAN 533,
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

REFER TO OFFICIAL SURVEY FOR FULL SURVEY DETAILS

SCALE 1:200

6 0 3 6 12 METRES

DISTANCES SHOWN ON THIS PLAN ARE IN METRES UNLESS OTHERWISE NOTED AND CAN BE CONVERTED TO FEET BY MULTIPLYING BY 3.28083.

TOTAL SITE AREA:	+/- 646.67m2	(6961 SQ. FT.)	[0.16 Ac.]
	EXISTING	PROPOSED	
DWELLING GROSS AREA:	111.86m2		
SCREENED-IN PORCH GROSS AREA:		22.95m2	
SHED GROSS AREA:		NOT INCL.	
TOTAL LOT COVERAGE:	111.86m2	134.80m2	
PERCENT COVERAGE:	17.30%	20.85%	
LOT FRONTAGE:	21.46m		
DWELLING DEPTH:	14.66m	18.60m	
DWELLING WIDTH:	7.63m		
BUILDING HEIGHT (DWELLING):	5.09m		
BUILDING HEIGHT (SCREENED PORCH):		4.09m	
BUILDING HEIGHT (SHED):		2.26m	
* HEIGHTS ARE FROM GRADE TO ROOF PEAK			
	REQUIRED	ACTUAL	
ZONING: R2.3			
MINIMUM FRONT YARD SETBACK:	7.5m	N/A	
MINIMUM REAR YARD SETBACK:	4.5m	10.22m	
MINIMUM EXT. SIDE YARD SETBACK:	4.5m	7.33m	
MINIMUM INT. SIDE YARD SETBACK:	1.2m, 3.0m	2.05m	
MAXIMUM DWELLING DEPTH:	18.00m	18.60m	
MAXIMUM LOT COVERAGE:	32%	21.95%	

DRIVEWAY STATISTICS:	WIDTH	LENGTH	AREA
MOUNT ROYAL AVENUE:	3.35m	6.0m	20.1m2
NIELS AVENUE:	9.15m	5.25m/1.25m	28.43m2

CLIMATIC DATA & DESIGN LOADS

CLIMATIC LOCALITY: **Burlington**

ROOF LOADING:	kPa	PSF
GROUND SNOW LOAD (Ss)	0.90	18.80
RAIN LOAD (Sr)	0.40	8.35
SNOW LOAD FACTOR (Cb)	0.55	-
ROOF DESIGN SNOW LOAD	0.90	18.69
ROOF DESIGN DEAD LOAD	0.57	12.00
FLOOR LOADING:		
GROUND FLOOR LIVE LOAD	1.92	40.00
GROUND FLOOR DEAD LOAD	0.72	15.00
WIND LOADING:		
1/50 WIND PRESSURE	0.46	9.61
1/10 WIND PRESSURE	0.36	7.52
TEMPERATURE:		
DEGREE DAYS BELOW 18°C	3740	-
SOIL:	75.00	1,566
ASSUMED ALLOWABLE BEARING PRESSURE AT FOOTING FOUNDING ELEVATION (SOIL)		
ROCK	500.00	10,443

THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DRAWINGS AND MATERIALS EITHER SPECIFIED OR ASSUMED. WHERE DIFFERENT OR HEAVIER MATERIALS ARE PROPOSED, THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD BEARING ELEMENTS THAT MAY BE ADVERSELY AFFECTED.

Site Plan
Scale: 1:200

General Notes

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No.	Revision / Issue	Date
8	REV - Misc.	04.24.26
7	REV - Labelling, Statistics	12.09.25
6	REV - Landscaping, Post Locs.	09.02.25
5	REV - Conc. Strip Sizes	05.06.25
4	REV - Driveway Width	02.18.25
3	REV - Timber Framing	08.12.24
2	For Permit	07.10.24
1	Client Review	07.06.24

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

NAME	SIGNATURE	BCIN
MARK BROERE		36256
BROERE DESIGN & DRAFTING		40741
FIRM NAME		BCIN

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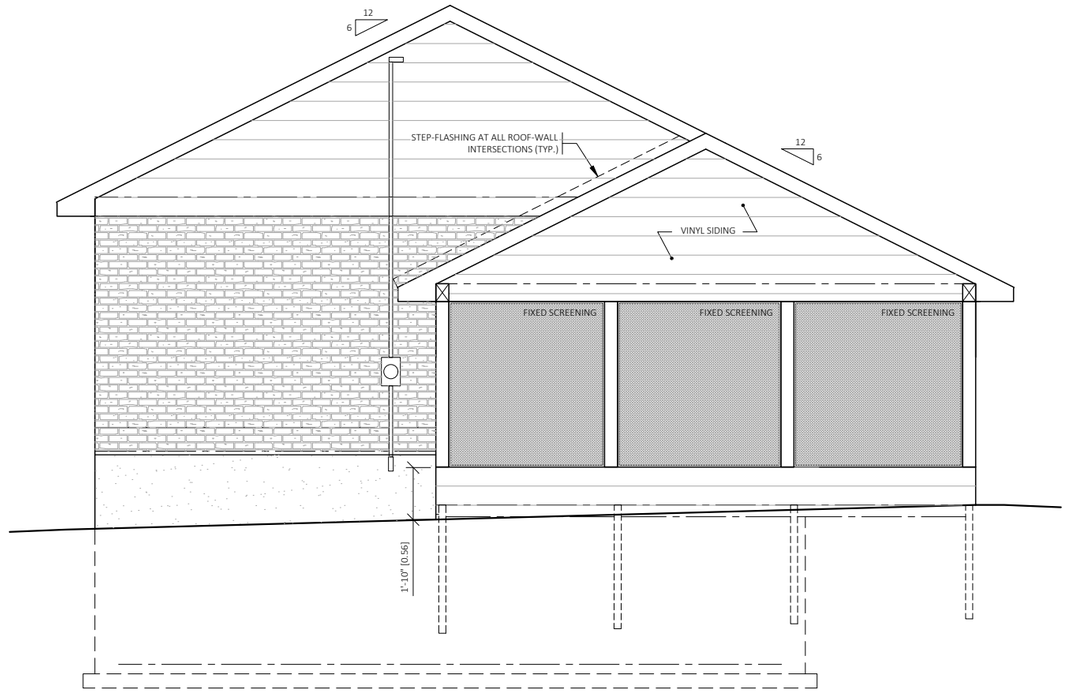
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Toronto, ON M6S 1A1
Tel: (705) 746 8023

broeredesign@gmail.com
www.broeredesign.com

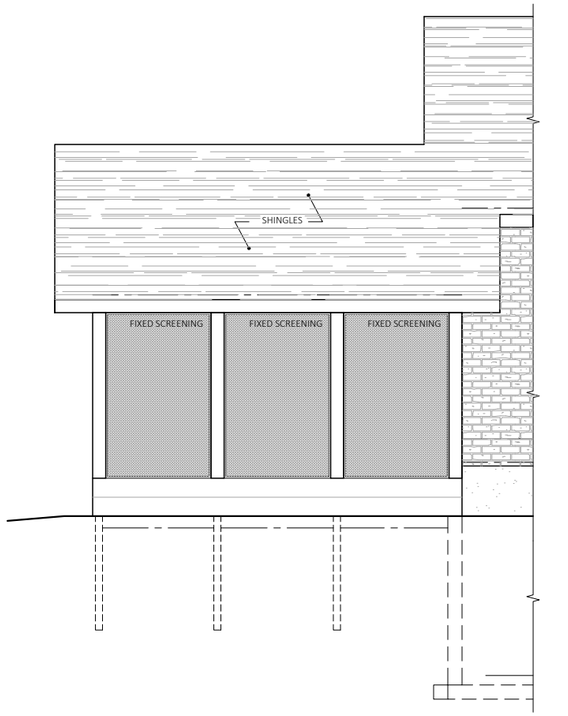
Brunskill Family
Screen Porch

1405 Niels Avenue
City of Burlington, ON

Desc.	Site Plan	Sheet	A 1.0
Date	June 2024		
Scale	1:200		



Front Elevation
Scale: 3/16" = 1'-0"



Right Side Elevation
Scale: 3/16" = 1'-0"

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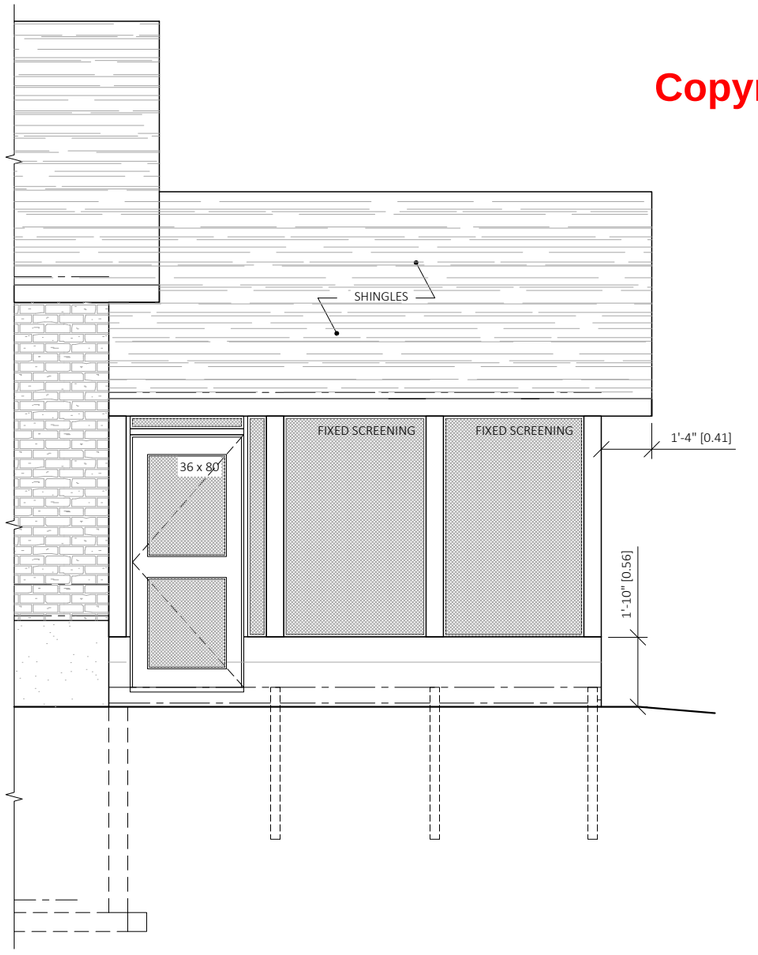
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Brunskill Family
Screen Porch

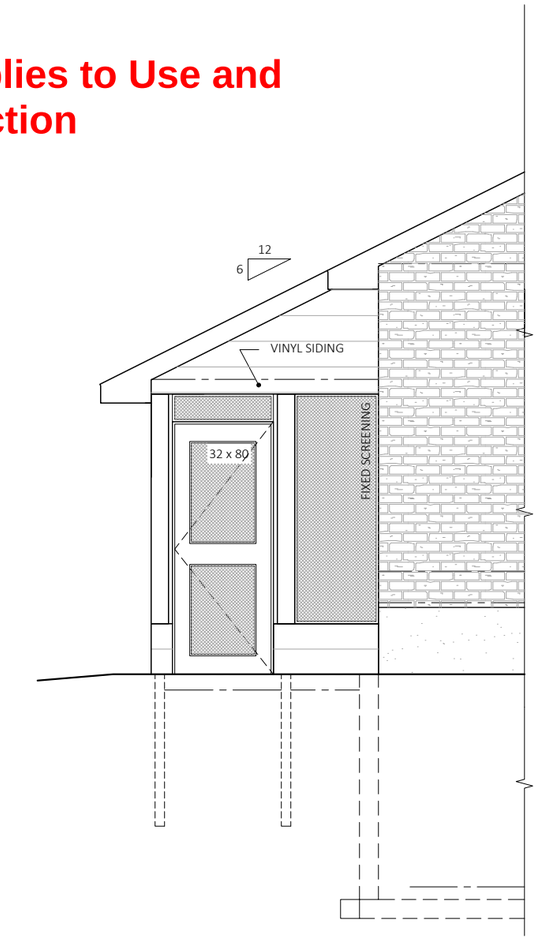
1405 Niels Avenue
City of Burlington, ON

Desc.	Elevations	Sheet
Date	June 2024	A 1.1
Scale	3/16" = 1'-0"	

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Left Side Elevation
Scale: 3/16" = 1'-0"



Rear Elevation
Scale: 3/16" = 1'-0"

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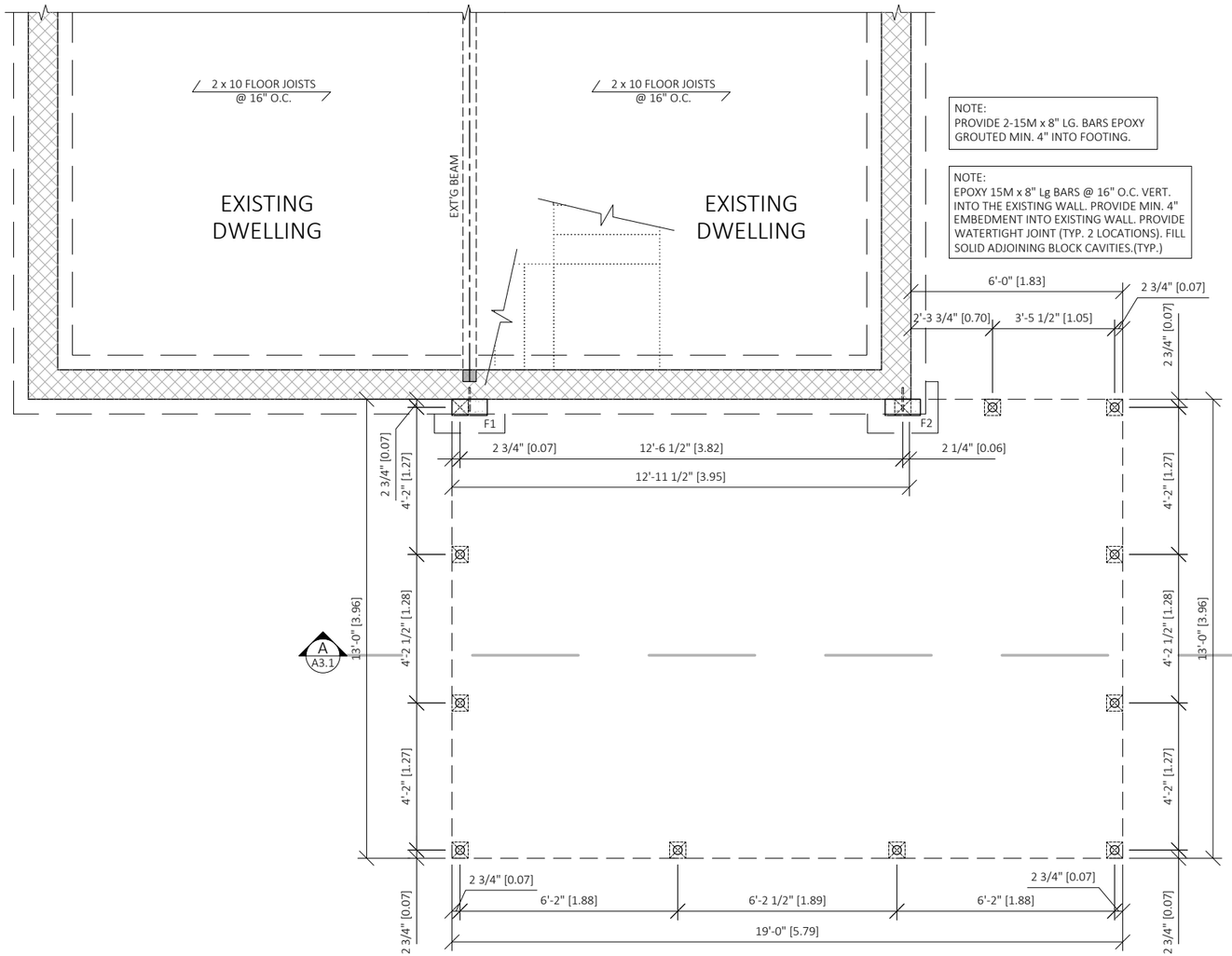
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Brunskill Family
Screen Porch

1405 Niels Avenue
City of Burlington, ON

Desc.	Elevations	Sheet
Date	June 2024	A 1.2
Scale	3/16" = 1'-0"	

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NOTE:
PROVIDE 2-15M x 8" LG. BARS EPOXY GROUTED MIN. 4" INTO FOOTING.

NOTE:
EPOXY 15M x 8" Lg BARS @ 16" O.C. VERT. INTO THE EXISTING WALL. PROVIDE MIN. 4" EMBEDMENT INTO EXISTING WALL. PROVIDE WATERTIGHT JOINT (TYP. 2 LOCATIONS). FILL SOLID ADJOINING BLOCK CAVITIES.(TYP.)

FOOTING SCHEDULE:

NO.	DESCRIPTION
F1	24" x 6½" x 6"
F2	24" x 17½" x 6"

TYPICAL FOUNDATION:

6 x 6 PT. POST ON
HELICAL STEEL PILE FOUNDATION AND
POST/BEAM BASE CONNECTION BY OTHERS

PIER FOUNDATION (TYP. OF 2):

12" x 5½" 20MPa POURED CONCRETE PIER
c/w 1 - 15M BARS (OPTIONAL)
SEE FOOTING SCHEDULE
FOR CONCRETE FTG. SIZES
4'-0" MIN. BELOW GRADE

TYPICAL SLAB-ON-GRADE:

5" REINFORCED 32 MPa CONC. SLAB
w/ THICKENED EDGES AS SHOWN
5% - 8% AIR ENTRAINMENT
w/ 4 - 15M CONT. BARS @ PERIMETER
w/ 10M @ 16" O.C. E/W @ INT.
6" MIN. COMPACTED GRANULAR FILL
UNDISTURBED SOIL

NOTE: TYPICAL SILL ASSEMBLY
1/2" Ø x 8" ANCHOR BOLTS EMBEDDED
MIN. 4" INTO CONCRETE @ MAX. 4'-0" O.C.
2 x 4 PT. SILL PLATE
SILL GASKET

NOTE:
THE HELICAL STEEL PILES ARE TO BE INSTALLED IN ACCORDANCE WITH OBC, REQUIREMENT FOR SEISMIC FORCES AND TO CCMC 13065-R. HELICAL PILE INSTALLER SHALL SUPPLY A CONFORMITY REPORT OF GENERAL REVIEW, NOTING CONSTRUCTION IS IN CONFORMITY TO CCMC 13059-R TO THE SUBMITTED PERMIT DRAWINGS AND THAT THE HELICAL PILES INSTALLED CAN SAFELY CARRY THE REQUIRED LOADS. THE CONFORMITY REPORT OF REVIEW IS TO BE SIGNED AND SEALED BY A P. ENG. REGISTERED IN ONTARIO.

NOTE:
SOIL BEARING PRESSURE MUST CONFORM TO O.B.C. 9.4.4.1. TYPE OF SOIL TO BE DETERMINED ON SITE PRIOR TO CONSTRUCTION. THIS DESIGN PRESUMES A SOIL BEARING CAPACITY OF 75kPa.

EXTEND FOOTINGS CLOSEST TO HOUSE EXISTING FOOTING ELEVATION TO AVOID ANGLE OF REPOSE LOADING.

NOTE:
MIN. 6" B/W GRADE AND WOOD FRAMING

Foundation Plan

Scale: 1/4" = 1'-0"

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6	REV - Landscaping, Post Locs.	09.02.25
5	REV - Conc. Strip Sizes	05.06.25
4	REV - Driveway Width	02.18.25
3	REV - Timber Framing	08.12.24
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MARK BROERE		36256
BROERE DESIGN & DRAFTING		40741
FIRM NAME		BCIN

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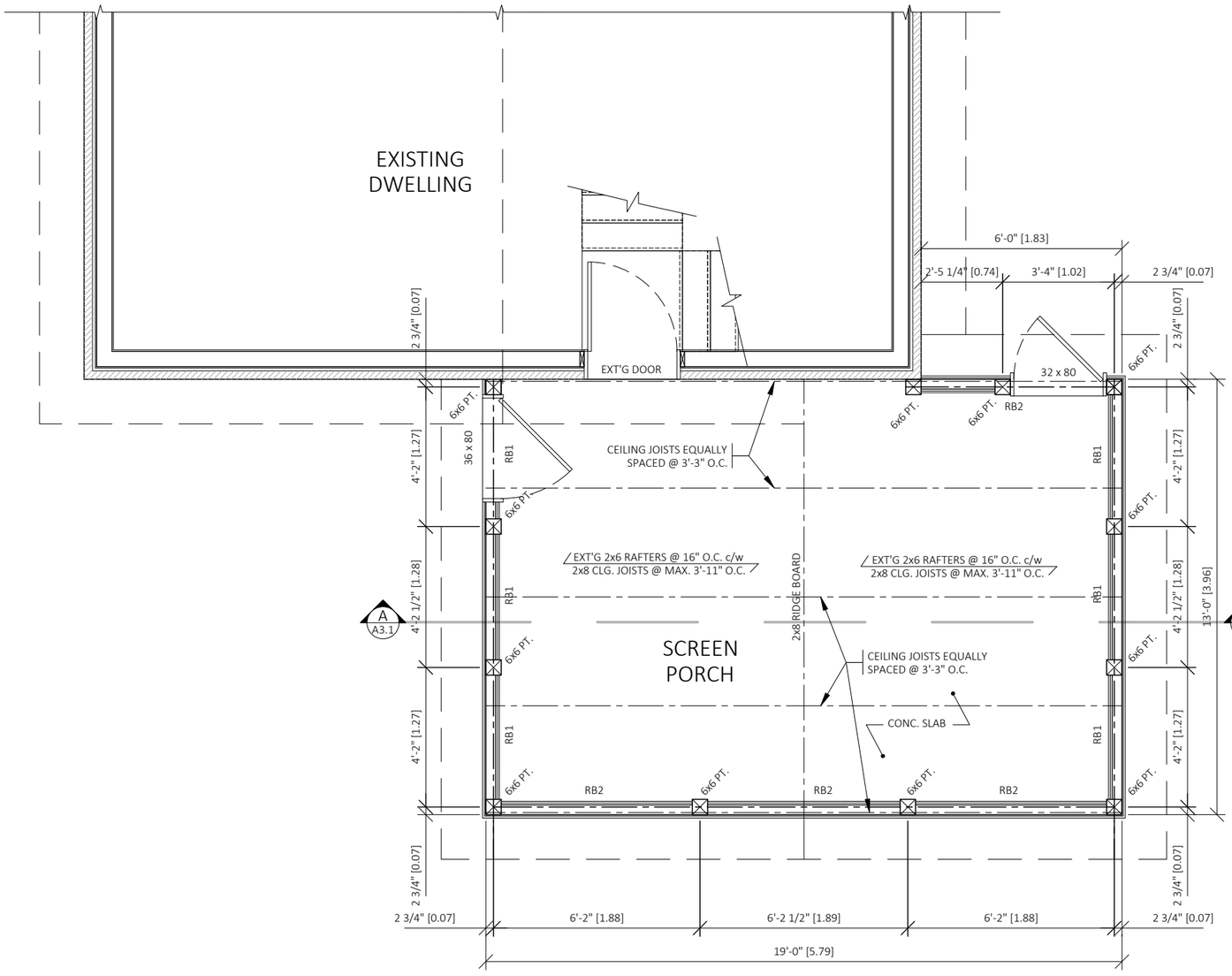
Brunskill Family
Screen Porch

1405 Niels Avenue
City of Burlington, ON

Desc.	Fdn. Plan	Sheet A 2.1
Date	June 2024	
Scale	1/4" = 1'-0"	

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FLOOR AREA:

	EXISTING	PROPOSED
DWELLING GROSS AREA:	111.86m2	
SCREENED-IN PORCH GROSS AREA:		22.95m2

FLOOR RATIO:

TOTAL SITE AREA:	646.67m2
DWELLING 1st FLOOR AREA:	111.86m2
LOT COVERAGE:	17.30%

BEAM SCHEDULE:

NO.	DESCRIPTION
RB1	6x8 D. FIR. D4S
RB2	6x8 D. FIR. D4S

TYPICAL FRAMED ROOF:

30 YR. FIBERGLASS SHINGLES
APPROVED ROOF UNDERLAYMENT
½" PLYWOOD SHEATHING
2 x 6 RAFTERS @ 16" O.C. c/w
2 x 8 RIDGE BOARD &
2 x 8 CEILING JOISTS @ MAX. 3'-11" O.C.
1 x 6 (⅝" THK.) T&G V-JOINT FINISH

TYPICAL PORCH KNEE WALL:

6 x 6 PT. POST c/w INSECT SCREENING
VINYL SIDING
TYPAR AIR BARRIER (OR EQUIV.)
7/16" O.S.B. SHEATHING
2 x 4 PT. STUDS @ 16" O.C.
1 x 3 STRAPPING @ 16" O.C.
HORIZ. WOOD SIDING

PROVIDE STRUCTURAL SCREWS FOR TIMBER POST TO BEAM CONNECTION (TYP.)

NOTE:
2 x 6 SUB-FASCIA w/ ALUM. FASCIA (TYP.)

NOTE:
AS PER OBC. 9.23.14.8.(3), THE RIDGE IS PERMITTED TO BE A RIDGE BOARD PROVIDED THE BOARD IS NOT LESS THAN 2x6 AND IS SUPPORTED AT INTERVALS NOT EXCEEDING 3'-11" O.C. BY NOT LESS THAN 2x4 MEMBERS EXTENDING VERTICALLY FROM THE RIDGE TO SUITABLE BEARING.

Ground Floor Plan
Scale: 1/4" = 1'-0"

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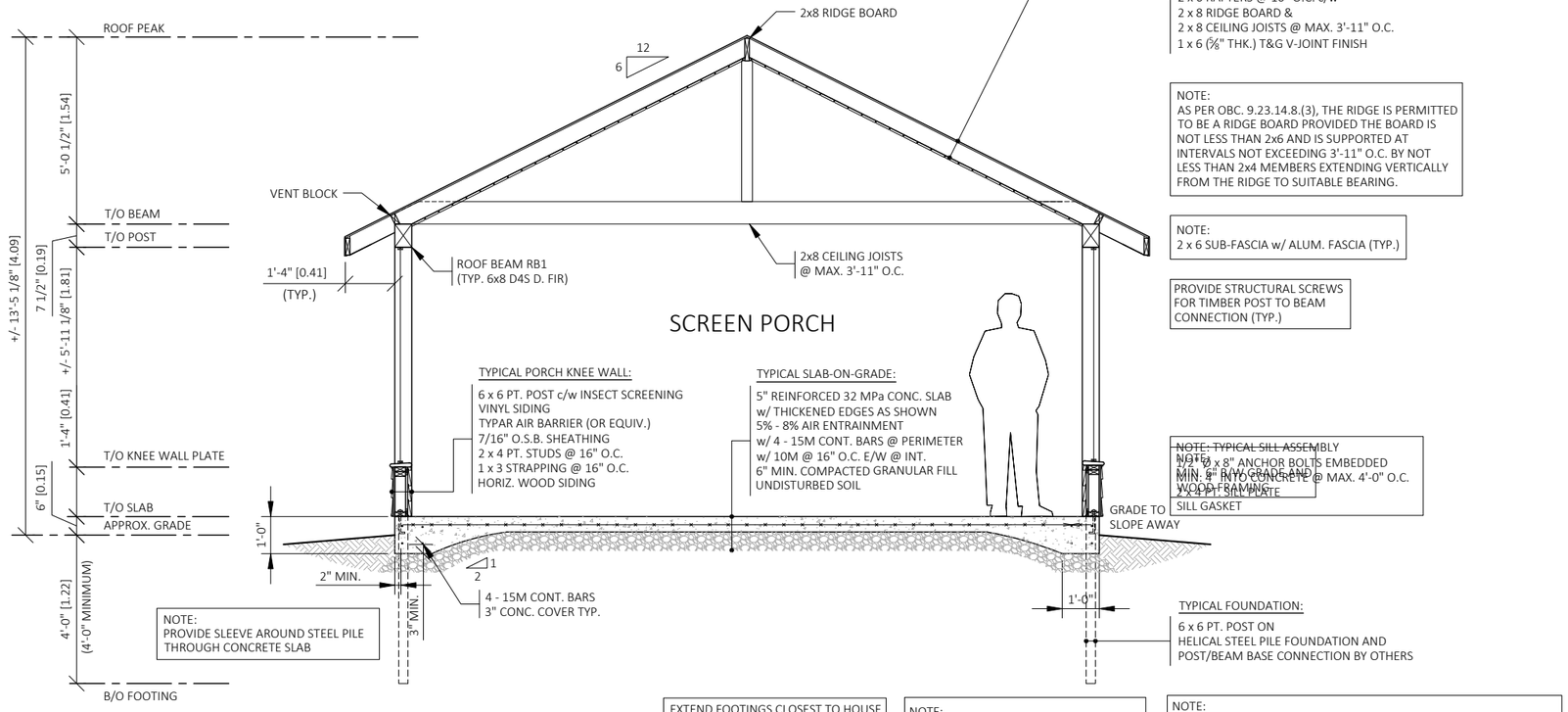
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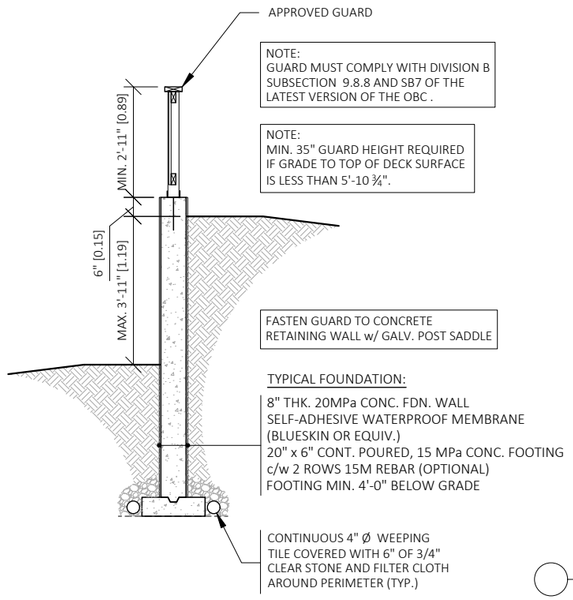
Brunskill Family
Screen Porch

1405 Niels Avenue
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Desc.	Ground Plan	Sheet	A 2.2
Date	June 2024		
Scale	1/4" = 1'-0"		



Cross Section A - A
Scale: 1/4" = 1'-0"



Retaining Wall Cross Section
Scale: 1/4" = 1'-0"

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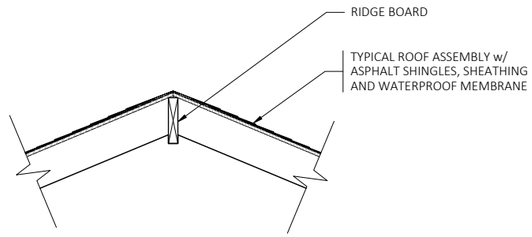
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Desc.	Sections	Sheet
Date	June 2024	A 3.1
Scale	1/4" = 1'-0"	

RRDS: ROOF RIDGE DETAIL

½" = 1'-0"

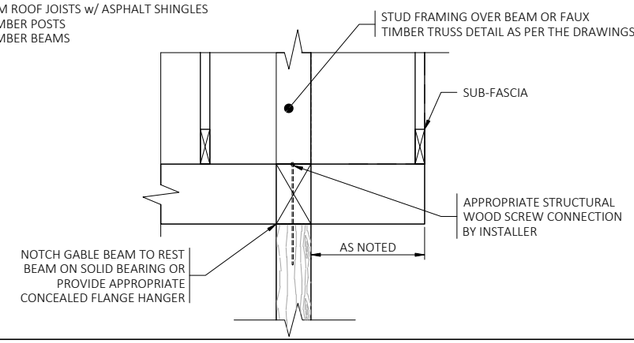
- DIM RAFTERS w/ ASPHALT SHINGLES
- UNVENTED



PRG: PORCH ROOF GABLE DETAIL

½" = 1'-0"

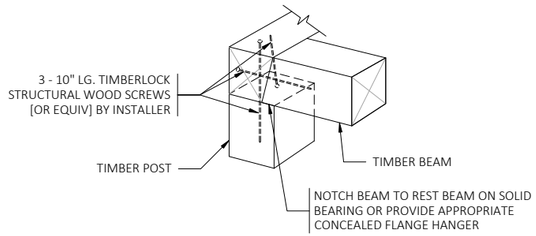
- DIM ROOF JOISTS w/ ASPHALT SHINGLES
- TIMBER POSTS
- TIMBER BEAMS



PBC: POST TO BEAM DETAIL

N.T.S.

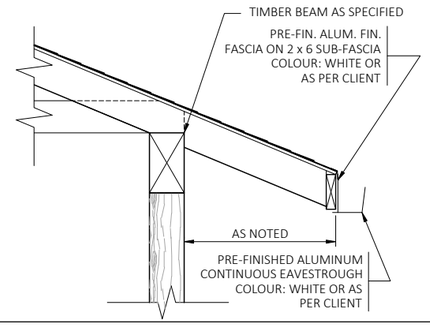
- TIMBER BEAM
- GRK. RSS STRUC. SCREWS OR ACCEPTABLE HANGER
- CORNER CONNECTION



PREDFS: PORCH ROOF EAVE DETAIL

½" = 1'-0"

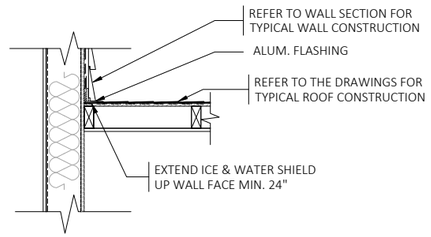
- DIM ROOF JOISTS w/ ASPHALT SHINGLES
- 6 x 6 PT. POSTS
- TIMBER BEAM
- FLAT CEILING
- ALUM. FASCIA



RWDS6BW: ROOF TO WALL DETAIL

½" = 1'-0"

- DIM. ROOF SYSTEM w/ ASPHALT SHINGLES
- 2 x 6 WALL STUDS w/ MIN. R19 BATT. INSUL.
- WOOD OR CEMENT BOARD SIDING

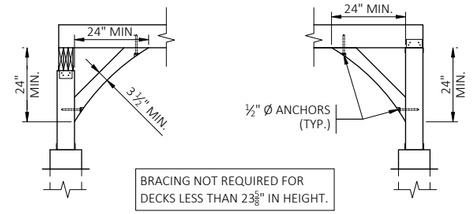


PKB: POST KNEE BRACING DETAIL

N.T.S.

- FLUSH BRACE
- ROOF BEAM
- SST. LPC6Z HARDWARE
- POURED CONCRETE PIER FDN.

BRACING INTERMEDIATE POSTS IS NOT RECOMMENDED FOR CONTINUOUS BEAMS. SPLICE BEAM OVER BEARING.

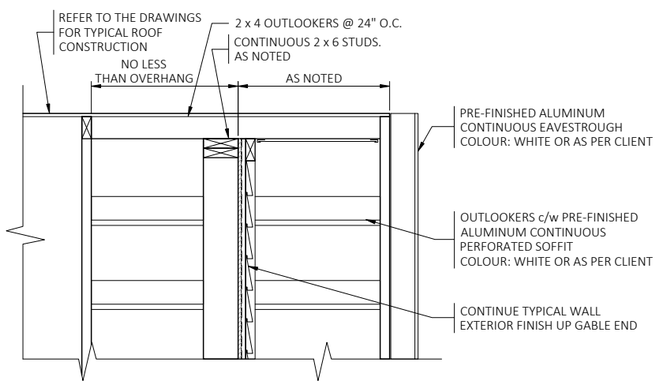


BRACING NOT REQUIRED FOR DECKS LESS THAN 23⅝" IN HEIGHT.

RGD6NW: ROOF GABLE DETAIL

½" = 1'-0"

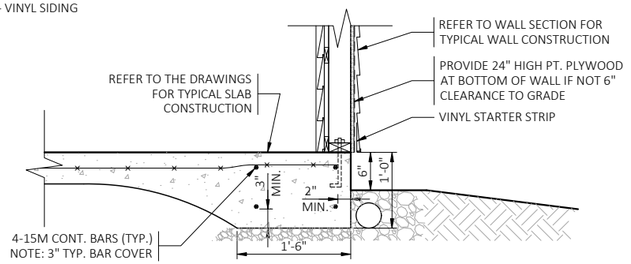
- DIM. RAFTERS
- 2 x 6 FRAMED GABLE WALL w/ NO INSULATION
- WOOD OR CEMENT BOARD SIDING



FSL6P0NV: SLAB-ON-GRADE BASE DETAIL

½" = 1'-0"

- 2 x 6 WALL STUDS w/ NO INSUL.
- FLOATING SLAB FDN. (LIGHT DUTY)
- NO CURB
- VINYL SIDING



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Desc.	Details	Sheet
Date	June 2024	A 4.1
Scale	As Noted	

NAILING FOR FRAMING

OBC. TABLE 9.23.3.4

CONSTRUCTION DETAIL	MIN. LENGTH OF NAILS (in)	MIN. # OR MAX. SPACING OF NAILS
FLOOR JOISTS TO PLATE – TOE NAIL	3 ¼"	2
WOOD OR METAL STRAPPING TO UNDERSIDE OF FLOOR JOISTS	2 ½"	2
CROSS BRIDGING TO JOISTS	2 ½"	2 AT EACH END
DOUBLE HEADER OR TRIMMER JOISTS	3"	11¾" O.C.
FLOOR JOIST TO STUD (BALLOON CONSTRUCTION)	3"	2
LEDGER STRIP TO WOOD BEAM	3½"	2 PER JOIST
JOIST TO JOIST SPLICE (SEE ALSO 9.23.13.8)	3"	2 AT EACH END
HEADER JOIST END NAILED TO JOISTS ALONG PERIMETER	4"	3
TAIL JOIST TO HEADER JOIST (END NAILED) AROUND OPENINGS	3½" 4"	5 3
EACH HEADER JOIST TO ADJACENT TRIMMER JOIST (END NAILED) AROUND OPENINGS	3½" 4"	5 3
STUD TO WALL PLATE (EACH END) TOE NAIL OR END NAIL	2½" 3¼"	4 2
DOUBLED STUDS AT OPENINGS, OR STUDS AT WALLS OR WALL INTERSECTIONS AND CORNERS	3"	30" O.C.
DOUBLED TOP WALL PLATES	3"	23⅝" O.C.
BOTTOM WALL PLATE OR SOLE PLATE TO JOISTS OR BLOCKING (EXTERIOR WALLS)	3¼"	15⅝" O.C.
INTERIOR WALLS TO FRAMING OR SUBFLOORING	3¼"	23⅝" O.C.
HORIZONTAL MEMBER OVER OPENINGS IN NON-LOADBEARING WALLS – EACH END	3¼"	2
LINTELS TO STUDS	3½"	2 AT EACH END
CEILING JOIST TO PLATE – TOE NAIL EACH END	3¼"	2
ROOF RAFTER, ROOF TRUSS OR ROOF JOIST TO PLATE – TOE NAIL	3¼"	3
RAFTER PLATE TO EACH CEILING JOIST	4"	2
RAFTER TO JOIST (WITH RIDGE SUPPORTED)	3"	3
RAFTER TO JOIST (WITH RIDGE UNSUPPORTED)	3"	SEE OBC. TABLE 9.23.13.8
GUSSET PLATE TO EACH RAFTER AT PEAK	2½"	4
RAFTER AT RIDGE BOARD – TOE NAIL – END NAIL	3¼"	3
COLLAR TIE TO RAFTER – EACH END	3"	3
COLLAR TIE LATERAL SUPPORT TO EACH COLLAR TIE	2½"	2
JACK RAFTER TO HIP OR VALLEY RAFTER	3¼"	2
ROOF STRUT TO RAFTER	3"	3
ROOF STRUT TO LOADBEARING WALL – TOE NAIL	3¼"	2
1 1/2" x 5 1/2" OR LESS PLANK DECKING TO SUPPORT	3½"	2
PLANK DECKING WIDER THAN 1 1/2" x 5 1/2" TO SUPPORT	3½"	3
1 1/2" EDGE LAID PLANK DECKING TO SUPPORT (TOE NAIL)	3"	1
1 1/2" EDGE LAID PLANK TO EACH OTHER	3"	17¾" O.C.

OBC. TABLE 9.15.4.2.A

THICKNESS OF SOLID CONCRETE AND UNREINFORCED CONCRETE BLOCK FOUNDATION WALLS

Type of Foundation Wall	Minimum Wall Thickness		Maximum Height of Finished Ground Above Basement Floor or Crawl Space Ground Cover							
			Height of Foundation Wall Laterally Unsupported at the Top		Height of Foundation Wall Laterally Supported at the Top					
			(m)	(ft)	(m)	(ft)	(m)	(ft)	(m)	(ft)
	(mm)	(in)	<= 3.00	<= 9.84	<= 2.50	<= 8.20	> 2.50 & <= 2.75	> 8.20 & <= 9.02	> 2.75 & <= 3.00	> 9.02 & <= 9.84
Solid Concrete 15 Mpa minimum	150	5.91	0.8	2.62	1.5	4.92	1.5	4.92	1.4	4.59
	200	7.87	1.2	3.94	2.15	7.05	2.15	7.05	2.1	6.89
	250	9.84	1.4	4.59	2.3	7.55	2.6	8.53	2.5	8.20
	300	11.81	1.5	4.92	2.3	7.55	2.6	8.53	2.85	9.35
Solid Concrete 20 Mpa minimum	150	5.91	0.8	2.62	1.8	5.91	1.6	5.25	1.6	5.25
	200	7.87	1.2	3.94	2.3	7.55	2.3	7.55	2.2	7.22
	250	9.84	1.4	4.59	2.3	7.55	2.6	8.53	2.85	9.35
	300	11.81	1.5	4.92	2.3	7.55	2.6	8.53	2.85	9.35
Unreinforced Concrete Block	140	5.51	0.6	1.97	0.8	2.62	N/A	N/A	N/A	N/A
	190	7.48	0.9	2.95	1.2	3.94	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.
	240	9.45	1.2	3.94	1.8	5.91	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.	See Table 9.15.4.2.B.
	290	11.42	1.4	4.59	2.2	7.22	N/A	N/A	N/A	N/A

NOTE: EXTERIOR FOUNDATION WALLS SHALL EXTEND NOT LESS THAN 6" ABOVE FINISHED GROUND LEVEL.

FASTENERS FOR SHEATHING AND SUBFLOORING

OBC. TABLE 9.23.3.5

ELEMENT	MIN. LENGTH FOR FASTENERS (in)				MIN. # OR MAX. SPACING OF FASTENERS
	COMMON OR SPIRAL NAILS	RING THREAD NAILS OR SCREWS	ROOFING NAILS	STAPLES	
BOARD LUMBER 7¼" OR LESS WIDE	2"	1 ¾"	N/A	2"	2 PER SUPPORT
BOARD LUMBER MORE THAN 7 ¼" WIDE	2"	1 ¾"	N/A	2"	2 PER SUPPORT
FIBREBOARD SHEATHING UP TO ½" THICK	N/A	N/A	1 ¾"	1 ⅛"	5 ⅛" O.C. ALONG EDGES AND 11 ⅛" O.C. ALONG INTERMEDIATE SUPPORTS
GYPSUM SHEATHING UP TO ½" THICK	N/A	N/A	1 ¾"	N/A	
PLYWOOD, OSB OR WAFERBOARD UP TO ⅜" THICK	2"	1 ¾"	N/A	1 ½"	
PLYWOOD, OSB OR WAFERBOARD FROM ⅜" TO $^{13}/_{16}$" THICK	2"	1 ¾"	N/A	2"	
PLYWOOD, OSB OR WAFERBOARD OVER $^{13}/_{16}$" THICK	2 ¼"	2"	N/A	N/A	

THICKNESS OF ROOF SHEATHING

OBC. 9.23.15.7.A

ELEMENT	MIN. SHEATHING THICKNESS (in)		
	12" SUPPORT SPACING	16" SUPPORT SPACING	24" SUPPORT SPACING
PLYWOOD & OSB (0-2 GRADE) - EDGES SUPPORTED	7.5 ($^{7}/_{32}$")	7.5 ($^{7}/_{32}$")	9.5 (⅜")
PLYWOOD & OSB (0-2 GRADE) - EDGES UNSUPPORTED	7.5 ($^{7}/_{32}$")	9.5 (⅜")	12.5 ($^{31}/_{64}$")
OSB (0-1 GRADE) & WAFERBOARD (R-1 GRADE) - EDGES SUPPORTED	9.5 (⅜")	9.5 (⅜")	11.1 ($^{7}/_{16}$")
OSB (0-1 GRADE) & WAFERBOARD (R-1 GRADE) - EDGES UNSUPPORTED	9.5 (⅜")	11.1 ($^{7}/_{16}$")	12.7 (½")
BOARD LUMBER	17 ($^{21}/_{32}$")	17 ($^{21}/_{32}$")	19.0 (¾")

RAFTER-TO-JOIST NAILING (UNSUPPORTED RIDGE)

OBC. TABLE 9.23.13.8

ROOF SLOPE	RAFTER SPACING (in)	MIN. # OF NAILS NOT LESS THAN 3" LONG											
		RAFTER TIED TO EVERY JOIST						RAFTER TIED TO JOIST EVERY 4'-0"					
		BLDG. WIDTH UP TO 26'-3"			BLDG. WIDTH UP TO 32'-1"			BLDG. WIDTH UP TO 26'-3"			BLDG. WIDTH UP TO 32'-1"		
		ROOF SNOW LOAD, kPa			ROOF SNOW LOAD, kPa			ROOF SNOW LOAD, kPa			ROOF SNOW LOAD, kPa		
		<=1.0	1.5	=>2.0	<=1.0	1.5	=>2.0	<=1.0	1.5	=>2.0	<=1.0	1.5	=>2.0
4/12	16	4	5	6	5	7	8	11					
	24	6	8	9	8			11					
5/12	16	4	4	5	5	6	7	7	10		9		
	24	5	7	8	7	9	11	7	10				
6/12	16	4	4	4	4	4	5	6	8	9	8		
	24	4	5	6	5	7	8	6	8	9	8		
7/12	16	4	4	4	4	4	4	5	7	8	7	9	11
	24	4	4	5	5	6	7	5	7	8	7	9	11
9/12	16	4	4	4	4	4	4	4	5	6	5	6	7
	24	4	4	4	4	4	5	4	5	6	5	6	7
12/12	16	4	4	4	4	4	4	4	4	4	4	4	5
	24	4	4	4	4	4	4	4	4	4	4	4	5

CLIMATIC DATA & DESIGN LOADS

CLIMATIC LOCALITY: **Burlington**

ROOF LOADING:	kPa	PSF
GROUND SNOW LOAD (Ss)	0.90	18.80
RAIN LOAD (Sr)	0.40	8.35
SNOW LOAD FACTOR (Cb)	0.55	-
ROOF DESIGN SNOW LOAD	0.90	18.69
ROOF DESIGN DEAD LOAD	0.57	12.00
FLOOR LOADING:		
GROUND FLOOR LIVE LOAD	1.92	40.00
GROUND FLOOR DEAD LOAD	0.72	15.00
WIND LOADING:		
1/50 WIND PRESSURE	0.46	9.61
1/10 WIND PRESSURE	0.36	7.52
TEMPERATURE:		
DEGREE DAYS BELOW 18°C	3740	-
SOIL:	75.00	1,566
ASSUMED ALLOWABLE BEARING PRESSURE AT FOOTING FOUNDING ELEVATION (SOIL)		
ROCK	500.00	10,443

THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DRAWINGS AND MATERIALS EITHER SPECIFIED OR ASSUMED. WHERE DIFFERENT OR HEAVIER MATERIALS ARE PROPOSED, THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD BEARING ELEMENTS THAT MAY BE ADVERSELY AFFECTED.

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General Notes

1. THESE DRAWINGS REMAIN PROPERTY OF BROERE DESIGN & DRAFTING. LICENSE IS GRANTED FOR THE CONSTRUCTION OF ONE ONLY OF THE PROJECTS REPRESENTED HEREIN.
2. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO START OR CONSTRUCTION. ANY DISCREPANCIES AND/OR OMISSIONS MUST BE REPORTED TO THE DESIGNER FOR REVISION AND RESUBMISSION TO THE BUILDING DEPARTMENT.
3. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE DESIGNER AND BE RESUBMITTED TO THE BUILDING DEPARTMENT
4. ALL CONSTRUCTION MUST COMPLY WITH THE LATEST EDITION OF THE O.B.C.
5. ALL DIMENSIONS ARE IN FEET & INCHES UNLESS OTHERWISE NOTED.
6. DO NOT SCALE DRAWINGS.
7. ALL POINT LOADS TO BE CONTINUOUS TO THE FOUNDATION.
8. PROVIDE FLASHING ABOVE ALL WINDOWS & DOORS.
9. ALL HEADERS SHALL BE 2-2x10 SPF #2 OR BETTER UNLESS OTHERWISE NOTED.
10. ALL FLOOR DRAIN LOCATIONS SHALL BE VERIFIED BY THE CONTRACTOR.
11. ALL WINDOW & DOOR ROUGH OPENINGS TO BE CONFIRMED BY THE SUPPLIER.
12. ENG. ROOF & FLOOR LAYOUTS, DESIGNS, & POINT-LOAD LOCATIONS SHALL BE VERIFIED BY THE ROOF TRUSS MANUFACTURER OR SUPPLIER PRIOR TO MANUFACTURING.
13. ALL KITCHEN CABINETS TO BE APPROVED PRIOR TO MANUFACTURING BY WAY OF SHOP DRAWINGS BY THE SUPPLIER.
14. MECHANICAL, PLUMBING, & ELECTRICAL DESIGNS BY OTHERS.

No.	Revision / Issue	Date
8	REV - Misc.	04.24.26
7	REV - Labelling, Statistics	12.02.25
6	REV - Landscaping, Post Locs.	09.02.25
5	REV - Conc. Strip Sizes	05.06.25
4	REV - Driveway Width	02.18.25
3	REV - Timber Framing	08.12.24
2	For Permit	07.10.24
1	Client Review	07.06.24

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

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Brunskill Family
Screen Porch

1405 Niels Avenue
City of Burlington, ON

Desc.	Notes	Sheet
Date	June 2024	A 5.1
Scale	N/A	

GENERAL NOTES

DIVISION 1: GENERAL REQUIREMENTS

ALL CONSTRUCTION TO MEET OR EXCEED THE REQUIREMENTS OF THE 2012 ONTARIO BUILDING CODE, CSA-086, AND SUPPLEMENTARY STANDARDS.

AVOID SCALING DIRECTING FROM THE DRAWINGS. IF THERE IS AMBIGUITY OR LACK OF INFORMATION, INFORM THE CONSULTANT.
ANY CHANGE THROUGH THE DISREGARDING OF THIS NOTICE TO BE THE RESPONSIBILITY OF THE CONTRACTOR.

GENERAL CONTRACTOR TO CHECK AND VERIFY ALL DRAWINGS. REPORT ANY DISCREPANCIES TO THE CONSULTANT FOR CLARIFICATION.

VERIFY THAT ALL WORK, AS IT PROCEEDS, IS EXECUTED IN ACCORDANCE WITH DIMENSIONS WHICH MAINTAIN POSITION, LEVELS, AND CLEARANCES TO ADJACENT WORK AS SET OUT BY REQUIREMENTS OF THE DRAWINGS. ENSURE THAT WORK INSTALLED IN ERROR IS RECTIFIED BEFORE CONSTRUCTION CONTINUES.

DIVISION 2: SITE WORK

REMOVE ALL TOPSOIL AND VEGETABLE MATTER TO A MINIMUM OF 1'-0" DEEP AND 2'-0" BEYOND THE BUILDING'S PERIMETER.

EXCAVATE FOR FOUNDATIONS AND BUILDING SERVICES TO DEPTHS REQUIRED TO ALLOW FOR PROPER PLACEMENT OF THE WORK. ALL FOOTINGS TO EXTEND TO A MINIMUM 4'-0" BELOW FINISHED GRADES (OR AS NOTED ON THE PLANS) AND TO REST ON UNDISTURBED SOIL OR ROCK. EXCAVATIONS TO BE KEPT FREE FROM STANDING WATER.

THE BOTTOM OF EVERY EXTERIOR FOUNDATION WALL TO BE DRAINED BY DRAINAGE TILE OR PIPE LAID AROUND THE OUTSIDE EDGE OF THE FOOTING. THE TOP AND SIDES OF THE DRAINAGE TILE TO BE COVERED WITH A CONTINUOUS 12" THICK LAYER OF CRUSHED STONE. FOUNDATION DRAINS TO DRAIN TO A SEWER, DRAINAGE DITCH OR DRY WELL BY GRAVITY DRAINAGE OR BY PUMPING.

AFTER THE CONSTRUCTION OF FOOTINGS, PITS, WALLS OR PIERS, BACKFILL ALL EXCAVATIONS WITH EXISTING APPROVED GRANULAR MATERIALS TO WITHIN 5" OF UNDERSIDE OF CONCRETE SLAB AND WITHIN 6" OF UNDERSIDE OF NEW EXTERIOR FINISHED GRADES.

SLOPE ALL FINISHED GRADES AWAY FROM BUILDING, WATER SUPPLY WELL OR SEPTIC TANK DISPOSAL BED AND ENSURE PROPER POSITIVE SURFACE DRAINAGE.

DIVISION 3: CONCRETE

CONCRETE FOR UNREINFORCED FOOTINGS AND FOUNDATION WALLS TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 20 MPa AFTER 28 DAYS WITH A MAXIMUM 4" SLUMP. STEPPED FOOTINGS TO HAVE A MINIMUM 2'-0" HORIZONTAL DISTANCE BETWEEN STEPS. VERTICAL STEPS TO BE 2'-0" MAXIMUM. REFER TO OBC. 9.15.3.8. OTHER FOOTINGS SHALL BE MINIMUM 6" THICK AND PROJECT MINIMUM 6" BEYOND FACE OF FOUNDATION WALL UNLESS OTHERWISE NOTED ON THE DRAWINGS. FOOTINGS TO ADEQUATELY SUPPORT ALL SUPERIMPOSED LOADS WITH A MINIMUM BEARING CAPACITY OF 1500 PSF. FOUNDATION WALLS TO EXTEND A MINIMUM 6" ABOVE FINISHED GRADE. REDUCED FOUNDATION WALLS TO ALLOW BRICK FACING AND MAINTAIN LATERAL SUPPORT. TIE MASONRY TO MINIMUM 4" WIDE x MAXIMUM 8" HIGH CONCRETE UPSTAND WITH DOVE TAIL MASONRY ANCHORS AT 8" O.C. VERTICALLY AND 3'-0" O.C. HORIZONTALLY. FILL COLLAR JOINT SOLID WITH MORTAR. PROVIDE 4" x 4"BRICK KEY AT TOP OF FOUNDATION WALL. PROVIDE BEAM POCKETS (DENOTED ON PLANS) WHEREVER STEEL BEAMS BEAR ON THE CONCRETE FOUNDATION WALL.

CONCRETE FOR GARAGE SLABS, EXTERIOR STEPS AND EXTERIOR PORCHES TO BE 32 MPa AT 28 DAYS WITH 5% - 7% AIR ENTRAINMENT. OTHER SLABS TO BE MINIMUM 20 MPa AT 28 DAYS. CONCRETE SLABS ON GRADE TO BE MINIMUM 5" THICK AND REINFORCED WITH 10M REBAR AT 24" O.C. LOCATED NEAR MID-DEPTH OF THE SLAB.

HABITABLE ROOMS ON CONCRETE SLAB TO BE DAMP-PROOFED WITH 6 mil. POLY. BASEMENT OPENINGS (WINDOWS) GREATER THAN 3'-11" IN LENGTH OR CONTAINING OPENINGS IN MORE THAN 25% OF ITS LENGTH TO BE REINFORCED AS PER ENG. SPECS. (2 - #3 RODS EXTENDING 12" ON EACH SIDE (4'-0" WINDOW)).

DIVISION 4: MASONRY

BRICK & STONE VENEER CONSTRUCTION TO BE TIED BACK TO SOLID FRAMING MEMBERS WITH 1" x 7" x 22 GAUGE, CORRUGATED, CORROSION RESISTANT STRAPS AT 16" O.C. HORIZONTAL AND 24" O.C. VERTICAL.

PROVIDE WEEP HOLES SPACED AT 2'-0" O.C. AT THE BOTTOM COURSE OF BRICK OR STONE AND OVER ALL OPENINGS. PROVIDE 6 mil. BLACK REINFORCED POLY. DAMPCOURSE FLASHING EXTENDED UP 6" VERTICAL AT THESE LOCATIONS AND INSERT BEHIND SHEATHING PAPER.

MASONRY CORBELLING TO CONSIST OF SOLID UNITS WITH MAXIMUM 1" PROJECTION PER COURSE AND TOTAL PROJECTION NOT TO EXCEED ½" OF WALL THICKNESS.

DIVISION 5: METALS

STEEL PIPE COLUMNS TO BE A MINIMUM OUTSIDE DIAMETER OF 2 ⅞" AND A MINIMUM WALL THICKNESS OF ⅜" FITTED WITH A 4" x 4" x 5/16" STEEL PLATE AT EACH END. WHERE AREA OF SUPPORTED FLOOR EXCEEDS 220 SQ. FT. OR IS FOR TWO FLOORS OR MORE, THE STEEL PIPE COLUMN TO BE A MINIMUM OUTSIDE DIAMETER OF 3 ½" AND A MINIMUM WALL THICKNESS OF 0.188" WITH 4" x 8" x ⅜" PLATES. TOP STEEL PLATE MAT BE OMITTED WHERE COLUMN SUPPORTS A STEEL BEAM BY WELDING, BOLTING OR OTHER APPROVED METHOD. BASE PLATES TO BE SECURED TO CONCRETE FOOTINGS WITH MINIMUM 2 - ½" Ø BOLTS PLACED MINIMUM 4" DEEP INTO FOOTING OR TO BE POURED IN PLACE WITH THE FLOOR SLAB.

ALL STEEL BEAMS REQUIRE MINIMUM 3 ½" BEARING AND STEEL ANGLE LINTELS REQUIRE MINIMUM 6" BEARING. .

ALL STEEL COLUMNS, STEEL BEAMS AND STEEL ANGLE LINTELS TO BE SHOP PRIMED WITH ONE COAT OF RUST-INHIBITIVE PAINT.

REFER TO LINTEL SCHEDULES.

DIVISION 6: WOOD AND PLASTICS

ALL FLOOR JOISTS AND FRAMING LUMBER TO BE NO. 2 GRADE SPRUCE OR BETTER. ALL WOOD LINTELS OVER OPENINGS TO BE 2 - 2 x 10 UNDER DOUBLE TOP PLATE UNLESS OTHERWISE NOTED. ALL LOAD-BEARING WOOD STUD PARTITIONS TO HAVE A DOUBLE TOP PLATE. STUD WALLS WITHOUT SHEATHING ON BOTH SIDES TO HAVE MID-GIRTS. PROVIDE DOUBLE STUDS AROUND OPENINGS AND TRIPLE STUDS IN CORNERS OF LOAD-BEARING STUD PARTITIONS.

SILL PLATES TO BE 2 x 6 ON SILL PLATE FOAM GASKET AND FASTENED TO TOP OF FOUNDATION WITH ½" Ø ANCHOR BOLTS AT MAXIMUM 7'-10" O.C. AND EMBEDDED MINIMUM 4" INTO CONCRETE.

LOAD-BEARING STUD WALLS PARALLEL TO FLOOR JOISTS TO BE SUPPORTED BY WALLS OR BEAMS OF SUFFICIENT STRENGTH TO SAFELY TRANSFER THE DESIGNED LOADS TO VERTICAL SUPPORTS. WALLS AT RIGHT ANGLES TO FLOOR JOISTS TO BE LOCATED AT MAXIMUM 2'-0" FROM THE JOIST SUPPORT IF SUPPORTING ONE OR MORE FLOORS UNLESS THE JOIST SIZE IS DESIGNED TO ACCOMMODATE SUCH LOADS.

INTERIOR WOOD BEARING WALLS IN BASEMENT TO BE MIN. 2 x 4 @ 16" O.C. ON FOAM SILL GASKET AND ANCHORED SECURELY THROUGH ASHLAR COURSE TO CONCRETE FOOTING WITH ½" Ø BOLTS @ MAXIMUM 7'-10" O.C. INTERIOR STUD WALLS TO BE MIN. 2 x 6 @ 16" O.C. AND EXTERIOR STUDS TO BE 2 x 6 @ 16" O.C. INTERIOR WOOD STUD WALLS AT BASEMENT PERIMETER (FROST WALL) TO BE 2 x 4 @ 16" O.C.

ALL NON-LOADBEARING WOOD STUD WALLS TO BE 2 x 4 @ 16" O.C. PROVIDE MINIMUM 1 x 4 RIBBON BOARDS EACH SIDE OF STEEL BEAM FOR LATERAL SUPPORT IF APPLICABLE.

JOISTS TO HAVE A MINIMUM 1 ½" END BEARING WHEREAS WOOD BEAMS TO HAVE A MINIMUM OF 3 ½" END BEARING. JOISTS FRAMED INTO THE SIDE OF WOOD BEAMS TO BE SUPPORTED TO STEEL JOIST HANGERS. JOIST HANGERS ARE ALSO REQUIRED WHERE HEADERS, TRIMMERS, AND DOUBLE JOISTS FRAME INTO THE SIDE OF OTHER MEMBERS. HEADER JOISTS TO BE DOUBLED WHERE THEY EXCEED 3'-11 ½" IN LENGTH. HEADER JOISTS EXCEEDING 10'-6" IN LENGTH TO BE DETERMINED BY CALCULATION. TRIMMER JOISTS TO BE DOUBLED WHEN LENGTH OF HEADER JOISTS EXCEED 2'-7 ½". WHEN HEADER JOIST LENGTH EXCEEDS 6'-6 ½", THE SIZE OF THE TRIMMER JOISTS TO BE DETERMINED BY CALCULATION. PROVIDE FRAMING OR SOLID BLOCKING AS REQUIRED FOR PROPER LOAD TRANSFER OF POINT LOADS FROM ABOVE.

PROVIDE DOUBLE JOISTS UNDER ALL NON-LOADBEARING PARTITIONS OVER 6'-0" IN LENGTH PARALLEL TO FLOOR JOISTS. WHEN SUCH PARTITIONS CONTAIN NO FULL HEIGHT OPENINGS THE JOISTS DO NOT NEED TO BE DOUBLED. DOUBLE JOISTS CAN BE SEPARATED BY MAXIMUM 8" APART BY USING 2 x 4 SOLID WOOD BLOCKING AT 4'-0" O.C. CANTILEVERED FLOOR JOISTS SUPPORTING ROOF LOADS HAVE TO EXTEND INWARD AWAY FROM THE CANTILEVERED SUPPORT FOR A DISTANCE EQUAL TO AT LEAST 6 TIMES THE LENGTH OF THE CANTILEVER. JOISTS AND BEAMS TO BE STAGGERED MINIMUM 4" AT PARTY WALL.

ALL BRIDGING TO BE 2 x 2 WOOD CROSS BRACING OR SOLID WOOD BLOCKING AT 6'-10" O.C. WHERE CLEAR SPAN OF FLOOR JOIST IS WITHIN 18" OF MAXIMUM SPAN PERMITTED PROVIDE BRIDGING AT 4'-0" O.C.

TYPICAL FLOOR CONSTRUCTION TO CONSIST OF FINISHED FLOORING ON ⅝" T&G SHEATHING ON WOOD FLOOR JOISTS AS INDICATED ON THE DRAWINGS. PROVIDE MORTAR SCRATCH COAT ON SHEATHING AT LOCATIONS WHERE CERMAIC TILE IS USED ON FLOORS..

TYPICAL ROOF CONSTRUCTION TO CONSIST OF 215 LB ASPHALT SHINGLES ON ½" PLYWOOD SHEATHING WITH H-CLIP SUPPORTS ON PRE-ENGINEERED WOOD TRUSSES AT 2'-0" O.C. BOTTOM CHORD OF TRUSSES TO BE DESIGNED TO SUPPORT CEILING LOADS. TRUSS MANUFACTURER TO CHECK AND VERIFY THAT ALL LOADING AND STRESSES COMPLY WITH AND ARE IN ACCORDANCE WITH THE LOCAL CONDITIONS AND REQUIREMENTS. TRUSS MANUFACTURER TO NOTIFY CONSULTANTS OF ANY DISCREPANCIES THAT MAY AFFECT ROOF LINTELS AS INDICATED. PROVIDE 2 x 4 TRUSS BRACING AT 7'-0" O.C. AT BOTTOM CHORD OR AS PER MANUFACTURER'S DESIGN.

INTERIOR STAIRS TO HAVE A MAXIMUM RISE OF 7 ¾", A MINIMUM RUN OF 10", AND A MINIMUM TREAD DEPTH OF 11". BASEMENT STAIR TO BE 3'-6" WIDE ROUGH STUD OPENING. STAIR FROM FIRST FLOOR TO SECOND FLOOR TO BE 3'-6" FROM ROUGH STUD FACE TO EXPOSED FACE OF STRINGER. INTERIOR STAIR HEADROOM TO BE MINIMUM 6'-5" AND EXTERIOR STAIR HEADROOM OR SERVING MULTI-FAMILY DWELLING UNITS TO BE MINIMUM 6'-9". ONLY ONE SET OF WINDERS ARE ALLOWED BETWEEN FLOORS WITH AN INDIVIDUAL WINDER TREAD OF 30" AND MAXIMUM TURN OF 90". LANDING TO BE AS LONG AS THE STAIR WIDTH.

HANDRAILS WITHIN THE DWELLING UNIT TO BE 2'-8" HIGH ABOVE THE NOSING. GUARDRAILS WITHIN THE DWELLING UNIT TO BE 3'-0" HIGH ABOVE THE NOSING. EXTERIOR BALCONY GUARDRAILS TO BE 3'-6" HIGH ABOVE FINISHED BALCONY LEVEL IF GREATER THAN 5'-11" ABOVE FINISHED GRADE. PROVIDE MAXIMUM 4" SPACE BETWEEN VERTICAL PICKETS AND NO HORIZONTAL MEMBERS BETWEEN 4" OR 3'-0" ABOVE NOSING OR BALCONY LEVEL.

PROVIDE ONE ¾" THICK x 12" WIDE WOOD SHELF COMPLETE WITH COAT ROD AND BRACKETS AS REQUIRED AT EACH CLOTHES CLOSET LOCATION. PROVIDE FIVE ⅝" THICK x 18" WIDE WOOD SHELVES AT ALL LINEN CLOSET LOCATIONS.

DIVISION 7: THERMAL AND MOISTURE PROTECTION

CONCRETE FOUNDATION WALLS TO HAVE ALL EXTERIOR TIE HOLES AND RECESSES SEALED WITH MORTAR OR WATERPROOFING MATERIALS. CONCRETE FOUNDATION WALLS TO BE DAMP-PROOFED TO BE COVERED WITH A LIBERAL COAT OF BITUMINOUS MATERIAL. COVE DAMP-PROOFING OVER ALL FOOTINGS AND OBSTRUCTIONS TO PROVIDE WATERPROOF JUNCTION.

PROVIDE SUITABLE FIRE STOPS FOR ALL CONCEALED AREAS AT EACH FLOOR, CEILING, AND ROOF LEVEL AND AT STAIRS. CLEARANCES BETWEEN CHIMNEYS OR GAS VENTS AND THE ADJOINING CONSTRUCTION WHICH ALLOW AIR LEAKAGE AND HEAT LOSS FROM WITHIN THE BUILDING INTO THE ADJACENT ROOF SPACE TO BE SEALED WITH NON-COMBUSTIBLE MATERIAL TO PREVENT SUCH LEAKAGE.

PROVIDE THE MINIMUM THERMAL RESISTANCE VALUES THROUGHOUT THE BUILDING CONSTRUCTION AS NOTED ON THE DRAWINGS.

PERIMETER INSULATION FOR FOUNDATION WALLS ENCLOSING HEATED AREAS SHALL BE AS NOTES IN 2 x 4 STUDS COMPLETE WITH INTEGRAL 6 mil. POLY. VAPOUR BARRIER.

WALL AND CEILING INSULATION TO BE PROTECTED BY 6 mil. TYPE 1 VAPOUR RETARDANT INSTALLED IN SUCH A MANNER THAT ALL JOINTS OCCUR OVER WOOD FRAMING MEMBERS AND ARE LAPPED MINIMUM 4". ALL PERFORATIONS THROUGH THE VAPOUR RETARDANT CAUSED BY THE INSTALLATION OF ELECTRICAL OR MECHANICAL ITEMS TO BE TIGHTLY SEALED USING CAULKING, TAPE OR OTHER APPROVED METHOD OF SEALING IN ORDER TO MAINTAIN THE INTEGRITY AND CONTINUITY OF THE VAPOUR RETARDANT IN THE BUILDING ENVELOPE.

EXPOSED FLASHING TO BE 0.013" GALVANIZED STEEL, 0.018" ZINC OR 0.019" ALUMINUM. CONCEALED FLASHING TO BE BLUESKIN OR TYPE 'S' ROLL ROOFING. FLASHING TO BE INSTALLED AT THE FOLLOWING LOCATIONS:

- AT EVERY HORIZONTAL JUNCTION BETWEEN DIFFERENT EXTERIOR FINISHES EXCEPT WHERE THE UPPER FINISH OVERLAPS THE LOWER FINISH.
- OPENINGS IN EXTERIOR WALLS WHEN VERTICAL DISTANCE BETWEEN TOP OF OPENING AND BOTTOM OF EAVES EXCEEDS ¼ OF HORIZONTAL EAVE OVERHANG.
- BENEATH SANDSTONE AND JOINTED MASONRY WINDOW SILLS.
- OPEN VALLEYS TO BE FLASHED WITH NOT LESS THAN ONE LAYER OF SHEET METAL MINIMUM 2'-0" WIDE WITH A LAYER OF #15 ROOFING PAPER OR FELT UNDERLAY; OR TWO LAYERS OF ROLL ROOFING, BOTTOM LAYER 55 LB. WITH MINIMUM WIDTH NOT LESS THAN 18" WIDE AND TOP LAYER 90 LB. WITH MINIMUM WIDTH 36" WIDE.
- INTERSECTIONS OF ASPHALT SHINGLE ROOF AND MASONRY WALLS OR CHIMNEYS TO BE PROTECTED BY COUNTER FLASHING EMBEDDED A MINIMUM OF 1" INTO THE MASONRY AND EXTENDED NOT LESS THAN 6" DOWN THE MASONRY AND LAP LOWER FLASHING MINIMUM 4" ALONG THE SLOPE OF THE ROOF TO BE STEPPED SO THAT THERE IS A MINIMUM OF 3" HEAD LAP IN BOTH LOWER AND COUNTER FLASHING. FLASHING AT THE INTERSECTION OF SHINGLE ROOFS AND CLADDING OTHER THAN MASONRY TO EXTEND UP THE WALL MINIMUM 3" BEHIND SHEATHING PAPER AND MINIMUM 3" HORIZONTALLY.
- THE INTERSECTION OF SINGLE PLY MEMBRANE ROOFS AND ADJACENT WALL SURFACES TO HAVE A CANT STRIP WITH THE MEMBRANE EXTENDED MINIMUM 6" UP THE WALL AND COUNTER FLASHED OR SET BEHIND THE SHEATHING PAPER.
- CHIMNEY FLASHING IS REQUIRED AT INTERSECTION WITH ROOF. FLASH OVER CHIMNEY SADDLE WHEN WIDTH OF CHIMNEY EXCEEDS 2'-6".

ROOF EAVE TO BE FINISHED WITH PRE-FINISHED ALUMINUM EAVES TROUGH, FASCIA AND VENTED SOFFIT. PROVIDE ONE PRE-FINISHED ALUMINUM DOWNSPOUT FOR EACH 30" RUN OF EAVES TROUGH OR PART THEREOF AROUND THE PERIMETER OF THE BUILDING. CONNECTION DOWNSPOUTS TO THE STORM SEWER SYSTEM OR ONTO GRADE WITH PRECAST CONCRETE SPLASH PADS TO PREVENT EROSION.

ROOF SPACE VENTILATION TO BE 1/300 OF INSULATED AREA FOR ROOF SLOPES GREATER THAN 1/2 AND 1/150 OF INSULATED AREA FOR ROOF SLOPES LESS THAN 1/2 OR ANY ROOF WHERE AN INTERIOR FINISH IS APPLIED TO THE UNDERSIDE OF THE ROOF JOISTS. NOT MORE THAN HALF OF THE REQUIRED VENTILATION AREA IS TO BE PROVIDED NEAR THE RIDGE EXCEPT FOR CATHEDRAL CEILINGS AND ROOFS WHERE CONTINUOUS RIDGE AND EAVE VENTILATION IS REQUIRED. ALL VENTILATION OPENINGS TO BE PROTECTED FROM WEATHER AND INSECTS. VENTS TO BE CONSTRUCTED OF RUST-PROOF MATERIAL.

PROVIDE MINIMUM TYPE 'S' ROLL ROOFING OR DOUBLE LAYER OF #15 ASPHALT SATURATED FELT AS EAVE PROTECTION AT ALL ROOF EDGES AND EXTEND TO A LINE NOT LESS THAN 12" INSIDE THE INNER FACE OF THE EXTERIOR WALL.

ALL PENETRATIONS AND JOINTS BETWEEN HEATED AND UNHEATED SPACES SHALL BE ADEQUATELY SEALED WITH CAULKING OR APPROVED EQUAL (INCL. BUT NOT LIMITED TO: WHERE THE WALL PLATES MEET THE FLOORS OR TRUSSES, AT THE SILL PLATES, WHERE THE SLAB METS THE FOUNDATION WALL, AT WINDOWS & DOORS, ATTIC ACCESSES, VENTS, PLUMBING STACKS, ELECTRICAL SERVICES, TELEPOSTS, ETC.) (REFER TO OBC. 9.25).

DIVISION 8: DOORS AND WINDOWS

WINDOW SIZES AND TYPES TO BE AS DENOTED ON PLANS. ALL WINDOWS TO BE DOUBLE GLAZED OR TO INCLUDE REMOVABLE STORM WINDOWS IN ORDER TO MINIMIZE HEAT LOSS AND AIR INFILTRATION. MINIMUM SIZE OF TRANSPARENT OPENINGS FOR HABITABLE ROOMS TO BE 10% OF APPLICABLE FLOOR AREA AND FOR BEDROOMS TO BE 5% OF APPLICABLE FLOOR AREA. AT LEAST ONE WINDOW PER BEDROOM TO HAVE AN INDIVIDUAL UNOBSTRUCTED OPENING NOT LESS THAN 3.7 SQ. FT. WITH NO WINDOW DIMENSION LESS THAN 15".

DOOR SIZES AND TYPES TO BE DENOTED ON PLANS. MAIN ENTRANCE DOOR TO HAVE A THUMB TURN LOCK SET WHICH ALLOWS OPENING THE DOOR FROM THE INSIDE WITHOUT A KEY. ALL GLASS IN SIDE LIGHTS GREATER THAN 20", IN SLIDING PATIO DOORS AND IN STORM DOORS TO BE LAMINATED OR TEMPERED SAFETY GLASS. THE DOOR BETWEEN THE GARAGE AND HABITABLE AREAS TO BE A SOLID CORE EXTERIOR TYPE WITH A SELF-CLOSING DEVICE AND TIGHT FITTING WEATHER STRIPPING TO PROVIDE AN EFFECTIVE BARRIER AGAINST GAS AND EXHAUST FUMES. PROVIDE A 6" MIN. HIGH STEP AT THIS DOOR.

PROVIDE ACCESS HATCHES TO CRAWL SPACES OR ATTICS WITH ROOF SPACES MORE THAN 2'-0" HIGH. ACCESS HATCH OPENING TO BE A MINIMUM 20" x 28" AND FITTED WITH DOORS OR COVERS THAT ARE INSULATED AND WEATHER STRIPPED.

ALL WINDOWS AND DOORS SHOWN ON THE DRAWINGS TO BE AS PER MANUFACTURER'S SPECIFICATIONS.

TYPE: ALUMINUM CLAD CASEMENT OR AS NOTED.

DIVISION 9: FINISHES

SOUND TRANSMISSION CLASSIFICATION RATINGS BETWEEN DWELLING UNITS TO BE MINIMUM 45 DECIBELS. FLAME SPREAD RATING OR INTERIOR FINISHES TO BE 150 MAXIMUM OR 200 MAXIMUM WHEN P.O.C. DETECTORS ARE INSTALLED.

FINISHED FLOORING IN BATHROOMS, LAUNDRY ROOMS, ENTRANCES, GENERAL STORAGE AREAS AND KITCHENS TO BE RESILENT TYPE PROVIDING WATER RESISTANCE. REFER TO CONTRACTOR'S SCHEDULE.

CERAMIC TILES SHALL BE SET IN A MORTAR BED OR APPLIED TO A SOUND SMOOTH BASE WITH A SUITABLE ADHESIVE. PROVIDE 5/8" UNDERLAYMENT OVER SUBFLOOR. PANEL-TYPE SUBFLOOR TO WHICH CERAMIC TILE IS TO BE APPLIED w/ ADHESIVE SHALL HAVE ITS EDGES SUPPORTED.

ALL EXTERIOR MOLDINGS, TRIMS, PEDIMENTS, PILASTERS, ETC. TO BE AS SUPPLIED.

DIVISION 10: SPECIALTIES

CHIMNEYS TO EXTEND THROUGH UNIT IN FURRED SPACES AND UP THROUGH ROOF CONSTRUCTION A MINIMUM OF 3'-0" ABOVE POINT OF CONTACT WITH ROOF BUT NOT LESS THAN 2'-0" ABOVE ROOF SURFACE WITHIN A HORIZONTAL DISTANCE OF 10'-0".

FIREPLACE, FIREPLACE INSERT, WOODSTOVE, AND/OR CHIMNEY TO BE ULC LABELED AND INSTALLED AS PER MAN'F SPECS.

DIVISION 11: EQUIPMENT

STOVES, RANGES AND SPACE HEATERS USING SOLID FUELS TO CONFORM TO UNDERWRITERS' LABORATORIES OF CANADA TEST S627-M1983 "STANDARDS FOR SPACE HEATERS FOR USE WITH SOLID FUELS".

DIVISION 15: MECHANICAL

LOCATION OF WATER METER AND GAS METER TO BE IN ACCORDANCE WITH THOSE AUTHORITIES HAVING APPROPRIATE JURISDICTION.

DUCTWORK IN ATTIC OR ROOF SPACES TO HAVE ALL JOINTS TAPED AND SEALED TO ENSURE THAT DUCTS ARE AIRTIGHT THROUGHOUT THEIR LENGTH.

PROVIDE MINIMUM OF 1 SQ. FT. UNOBSTRUCTED NATURAL VENTILATED AREA FOR EVERY 500 SQ. FT. OF FLOOR AREA IN CRAWL SPACES AND BASEMENTS. PROVIDE MINIMUM 3 SQ. FT. UNOBSTRUCTED NATURAL VENTILATED AREA IN FINISHED OR HABITABLE AREAS. PROVIDE MINIMUM 1 SQ. FT. UNOBSTRUCTED NATURAL VENTILATED AREA IN BATHROOMS. WHEN MECHANICAL VENTILATION IS REQUIRED PROVIDE MINIMUM ONE AIR CHANGE PER HOUR. DISCHARGE EXHAUST DIRECTLY TO OUTDOORS AND PROVIDE BACK FLOW DAMPERS AT DUCT END OR FAN.

METAL CHIMNEYS AND VENTS TO BE ULC LABELED, CLASS B FOR GAS-FIRED FURNACES. A METAL CHIMNEY NOT SUPPORTED ON A FOUNDATION TO BE SUPPORTED BY NON-COMBUSTIBLE MATERIAL AND THE SUPPORT TO BE INDEPENDENT OF THE APPLIANCE IT SERVES.

DIVISION 16: ELECTRICAL

LOCATION OF HYDRO METER AND ELECTRICAL PANEL TO BE IN ACCORDANCE WITH THOSE AUTHORITIES HAVING APPROPRIATE JURISDICTION.

PROVIDE 3 WAY WALL SWITCHES LOCATED AT THE HEAD AND FOOT OF EVERY STAIRWAYS EXCEPT AT UNFINISHED BASEMENTS. PROVIDE A SEPARATE THREE WIRE CIRCUIT WITH NO OTHER OUTLET CONNECTIONS TO EACH DRYER RECEPTACLE, STOVE RECEPTACLE AND AT LEAST THREE SPLIT RECEPTACLES IN EACH KITCHEN. TWO OF THE KITCHEN RECEPTACLES MUST BE INSTALLED ABOVE THE COUNTER LEVEL.

ELECTRICAL SWITCHES, RECEPTACLES, ETC. ON OPPOSITE SIDES OF DEMISING WALL TO BE STAGGERED. ALL WALL MOUNTED EQUIPMENT (I.E. ELECTRICAL SERVICE PANELS) TO BE INSTALLED IN SUCH A MANNER AS TO MAINTAIN THE INTEGRITY OF THE DEMISING WALL FIRE SEPARATION.

PRODUCTS OF COMBUSTION DETECTORS TO BE A SINGLE STATION ALARM TYPE SUCH AS AN IONIZATION P.O.C. DETECTOR OR A SPOT TYPE PHOTO ELECTRICAL SMOKE DETECTOR WHICH IS U.L.C. LABELED AND LISTED. DETECTORS TO BE EQUIPPED WITH A VISUAL INDICATOR WHICH DEMONSTRATES THAT THE UNIT IS OPERATIONAL. DETECTORS TO BE PERMANENTLY MOUNTED TO A JUNCTION BOX OR STANDARD ELECTRICAL OUTLET ON THE CEILING AND WIRED TO THE MAIN ELECTRICAL PANEL ON A SEPARATE CIRCUIT. THE DETECTOR IS LOCATED AT THE CEILING LEVEL BETWEEN THE BEDROOMS OR SLEEPING AREAS AND THE REMAINDER OF THE DWELLING UNIT, AS WELL AS WITHIN EACH BEDROOM, SUCH AS INDICATED ON THE DRAWINGS.

ABBREVIATIONS

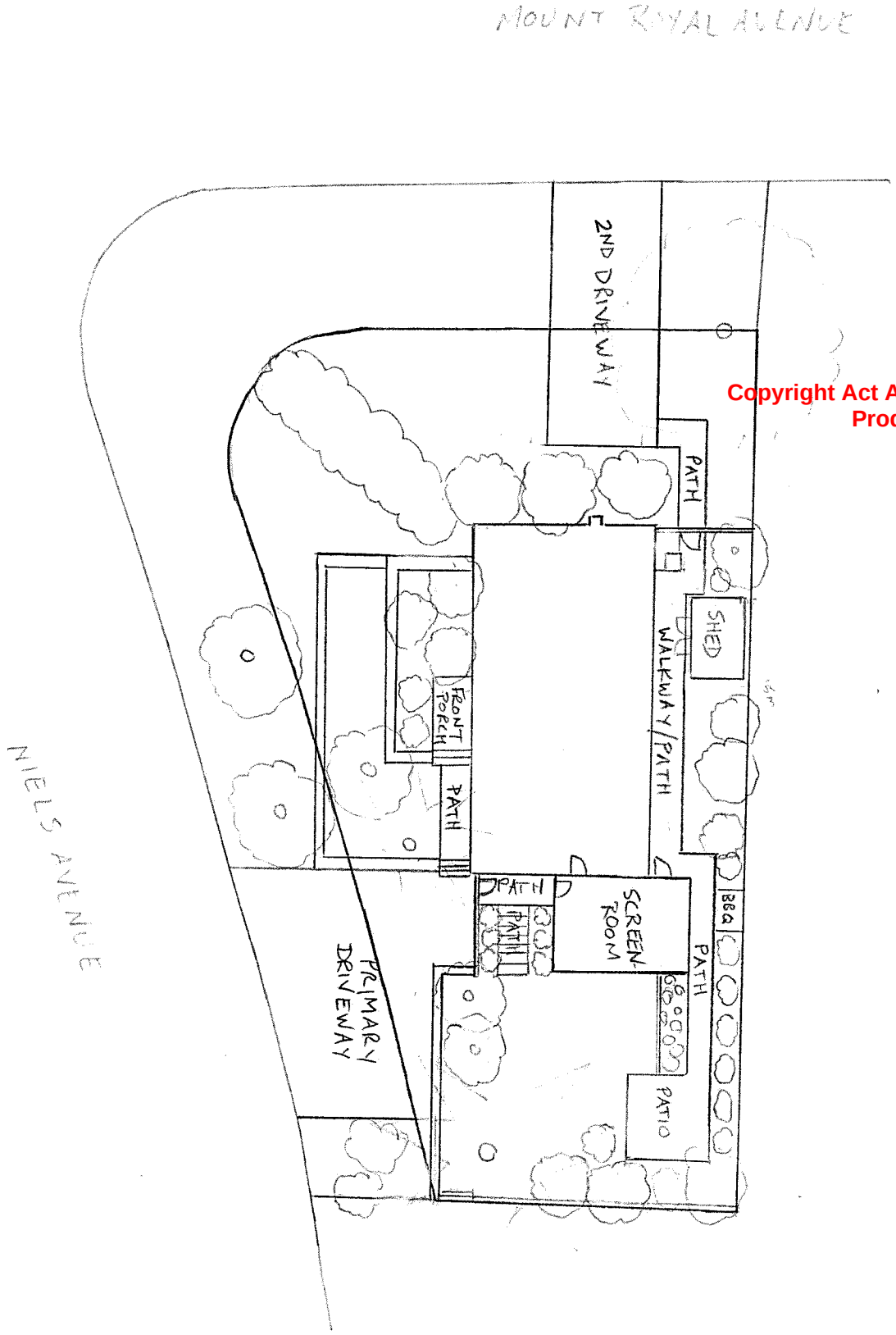
ALUM.	=	ALUMINUM	INT.	=	INTERIOR
B.B.O.	=	BEAM BY OTHERS	JSTS.	=	JOISTS
b/w	=	BETWEEN	Kpa	=	KILOPASCALS
BLKG	=	BLOCKING	L.V.L.	=	LAMINATED VENEER LUMBER
BM.	=	BEAM	MAX.	=	MAXIMUM
BSMNT	=	BASEMENT	MTL.	=	METAL
BTM.	=	BOTTOM	MIN.	=	MINIMUM
BUP.	=	BUILT-UP POST	N.T.S.	=	NOT TO SCALE
CANT.	=	CANTILEVERED	O.C.	=	ON CENTRE
CATH. CLG.	=	CATHEDRAL CEILING	OBC.	=	ONTARIO BUILDING CODE
CL.	=	CENTRELINE	OH.	=	OVERHEAD
COL. / CLMN.	=	COLUMN	PERIM.	=	PERIMETER
c/w	=	COMPLETE WITH	PL.	=	POINT LOAD
CONC.	=	CONCRETE	PLA.	=	POINT LOAD ABOVE
CONT.	=	CONTINUOUS	POLY.	=	POLYETHYLENE
COV.	=	COVERED	PSF.	=	POUNDS PER SQUARE FOOT
CLG. HT.	=	CEILING HEIGHT	PSI.	=	POUNDS PER SQUARE INCH
CLG. TRANS.	=	CEILING TRANSITION	PRE. FIN	=	PRE-FINISHED
DKG.	=	DECKING	P.T.	=	PRESSURE TREATED (ACQ.)
DIA.	=	DIAMETER	PROP.	=	PROPOSED
D.O.	=	DO OTHER	PROV'D	=	PROVIDE OR PROVIDED
DBL. PLT.	=	DOUBLE PLATE	REINF.	=	REINFORCED
D.J. / DBL. JST.	=	DOUBLE JOIST	REQ'D	=	REQUIRED
DN.	=	DOWN	RFTR.	=	RAFTER
E/S	=	EACH SIDE	RLG.	=	RAILING
ESA.	=	ELECTRICAL SAFETY AUTHORITY	SST.	=	SIMPSON STRONG TIE
E.F. / EXH FAN	=	EXHAUST FAN	SPECS.	=	SPECIFICATIONS
EXT'G	=	EXISTING	S.C.C.	=	STRUCTURAL COMPOSITE LUMBER
ESA.	=	EXTERIOR	STL. BM.	=	STEEL BEAM
FDN.	=	FOUNDATION	SOG.	=	SLAB ON GRADE
FIN. FLR.	=	FINISHED FLOOR	SQ. FT.	=	SQUARE FOOTAGE OR SQUARE FOOT
FL.	=	FLUSH	TYP.	=	TYPICAL
FTG.	=	FOOTING	T.J. / TRIP. JST.	=	TRIPLE JOIST
HGR.	=	HANGER	UNEX.	=	UNEXCAVATED
HSS	=	HOLLOW STRUCTURAL STEEL	UNFIN.	=	UNFINISHED
HORIZ.	=	HORIZONTAL	UNO.	=	UNLESS OTHERWISE NOTED
H.W.T.	=	HOT WATER TANK	V.B.	=	VAPOUR BARRIER
H.R.V.	=	HEAT RECOVERY VENTILATOR	VERT.	=	VERTICAL
INSUL.	=	INSULATION OR INSULATED	W.W.A.	=	WELDED WIRE MESH
I.S.A.	=	INTERCONNECTED SMOKE ALARM	w/	=	WITH
I.S.C.A.	=	INTERCONNECTED SMOKE & CO. ALARM			

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General Notes

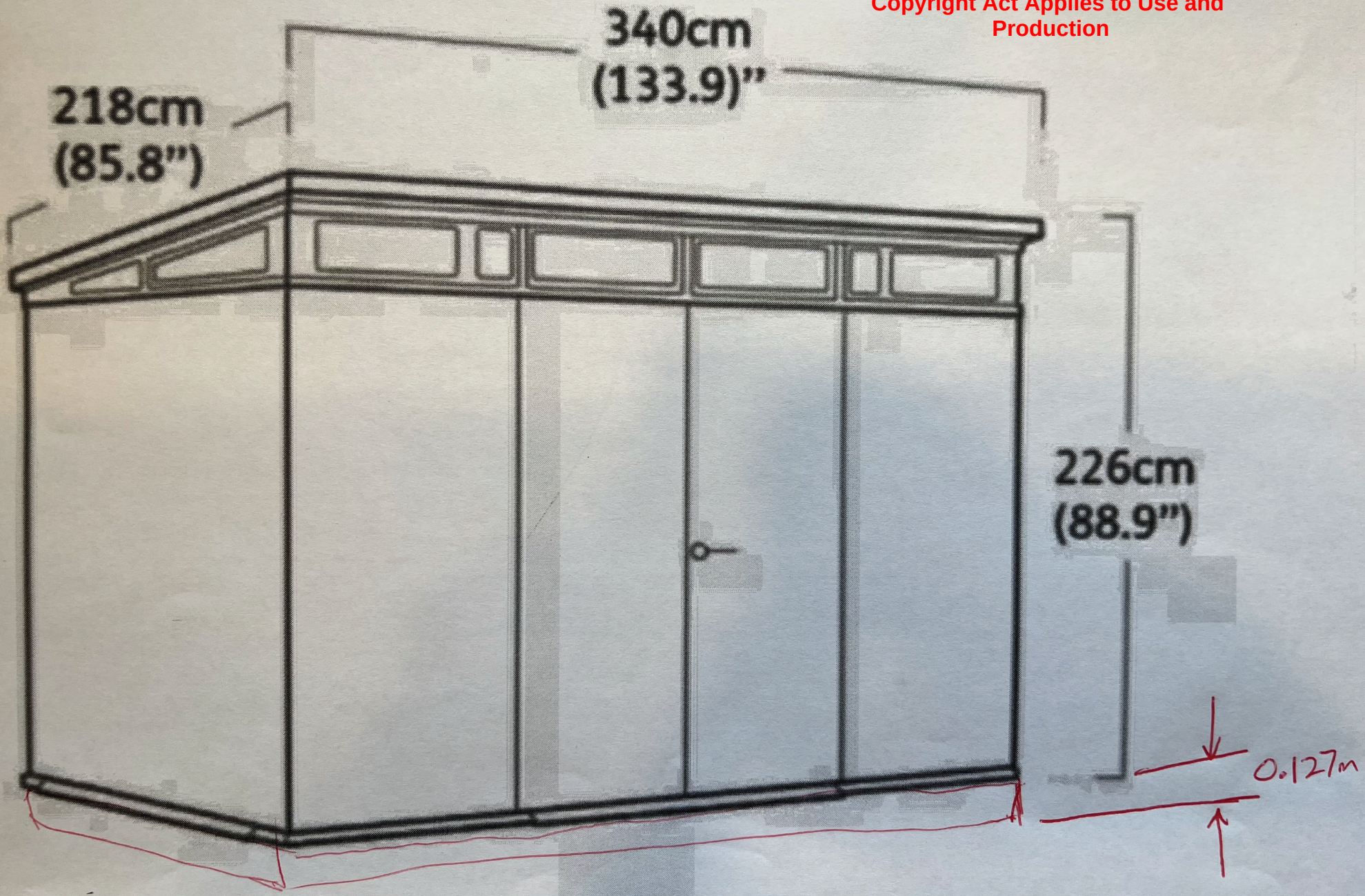
1. THESE DRAWINGS REMAIN PROPERTY OF BROERE DESIGN & DRAFTING. LICENSE IS GRANTED FOR THE CONSTRUCTION OF ONE ONLY OF THE PROJECTS REPRESENTED HEREIN.
2. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO START OR CONSTRUCTION. ANY DISCREPANCIES AND/OR OMISSIONS MUST BE REPORTED TO THE DESIGNER FOR REVISION AND RESUBMISSION TO THE BUILDING DEPARTMENT.
3. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE DESIGNER AND BE RESUBMITTED TO THE BUILDING DEPARTMENT
4. ALL CONSTRUCTION MUST COMPLY WITH THE LATEST EDITION OF THE O.B.C.
5. ALL DIMENSIONS ARE IN FEET & INCHES UNLESS OTHERWISE NOTED.
6. DO NOT SCALE DRAWINGS.
7. ALL POINT LOADS TO BE CONTINUOUS TO THE FOUNDATION.
8. PROVIDE FLASHING ABOVE ALL WINDOWS & DOORS.
9. ALL HEADERS SHALL BE 2-2x10 SPF #2 OR BETTER UNLESS OTHERWISE NOTED.
10. ALL FLOOR DRAIN LOCATIONS SHALL BE VERIFIED BY THE CONTRACTOR.
11. ALL WINDOW & DOOR ROUGH OPENINGS TO BE CONFIRMED BY THE SUPPLIER.
12. ENG. ROOF & FLOOR LAYOUTS, DESIGNS, & POINT-LOAD LOCATIONS SHALL BE VERIFIED BY THE ROOF TRUSS MANUFACTURER OR SUPPLIER PRIOR TO MANUFACTURING.
13. ALL KITCHEN CABINETS TO BE APPROVED PRIOR TO MANUFACTURING BY WAY OF SHOP DRAWINGS BY THE SUPPLIER.
14. MECHANICAL, PLUMBING, & ELECTRICAL DESIGNS BY OTHERS.

No.	Revision / Issue	Date
8	REV - Misc.	04.24.26
7	REV - Labelling, Statistics	12.02.25
6	REV - Landscaping, Post Locs.	09.02.25
5	REV - Conc. Strip Sizes	05.06.25
4	REV - Driveway Width	02.18.25
3	REV - Timber Framing	08.12.24
2	For Permit	07.10.24



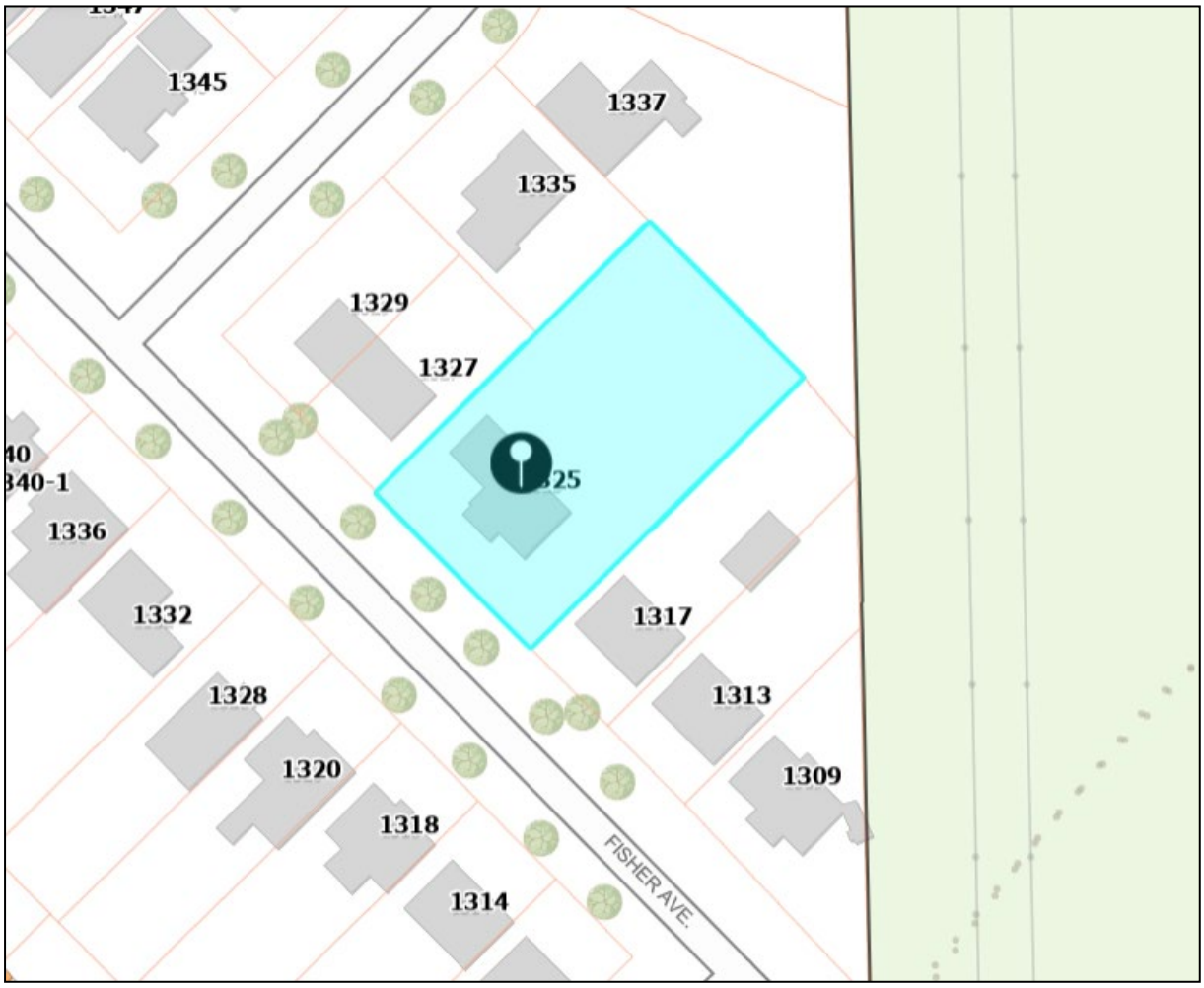
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COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Owner(s): Coral Gable Homes
Address: 1325 Fisher Ave. Burlington
File Nos. **B-002/26, A-023/26 & A-024/26**
Ward: 3



Staff Comments

Committee of Adjustment

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

The Applicant is advised that the following conditions of provisional consent apply:

1) The Applicant Shall provide one (1) copy of the draft reference plan prepared by an OLS to the Secretary – Treasurer for review and approval prior to depositing the plan; and

2) 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

3) The Applicant Shall provide one (1) copy of the Deposited Reference Plan to the satisfaction of the Secretary – Treasurer; and

4) The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

5) The Applicant shall provide one (1) copy of the wording for the certificate of official to the satisfaction of the Secretary – Treasurer; and

Please see attached "Schedule A" for a comprehensive list of conditions of provisional consent.

Date: May 8, 2026 Prepared By: E. Shacklette

Zoning

The subject property is zoned LN5, Low Rise Neighbourhood, under Zoning By-Law 09-2026, as amended. The LN5 zone requires, among other things, the following:

1.2 Compliance with this By-law

a) No **building** or **structure** shall be erected or altered, no change of **use** or occupancy of any **building**, **structure**, land, premises, or any part thereof shall be made, and no **lot** shall be created except in compliance with the regulations of this By-law.

Table 8: Provisions for Detached Dwellings

	LN5
Minimum **Lot Area**	680 m^2
Minimum **Lot Frontage**	18 m

Proposal:

The applicant is proposing to create two new parcels of land by severing one approximately 1, 625.9 m^2, 30.48 m wide existing lot being 1325 Fisher Avenue.

This will result in a severed lot (Part 1) of approximately 813.0 m^2 in area with a width of 15.24 m and a retained lot (Part 2) of 813.0 m^2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require a minor variance for lot width.

Final Development Zoning Review:

Property Address	**Parts**	**Minimum Lot Area**	**Proposed**	**Minimum Lot Width**	**Proposed**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Retained:** Part 2	680 m^2	813.0 m^2	18 m	**15.24 m**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Severed:** Part 1	680 m^2	813.0 m^2	18 m	**15.24 m**

Retained Parcel (Part 2)

The proposed retained parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Severed Parcel (Part 1)

The proposed severed parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Condition:

1. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 are approved.

Note:

1. A Pre-Building Approval Application is required for the future development of the property.

2. The application has been reviewed under Section 45 (1) of the Planning Act.

Date: June 15, 2026 Prepared By: S. Boich

Site Planning

A consent application has been submitted to the City of Burlington proposing the creation of one new residential lot by severing off a portion of the subject property, municipally known as 1325 Fisher Avenue. The resulting parcels will be equal and have lot areas of 813.0 m2 (0.08 ha) and lot widths of 15.24 metres, or fifty feet. Although the conceptual site grading plan for severance purposes depicts two building envelopes with zoning compliant setbacks, no new buildings are proposed on either the retained or severed parcel as part of this application.

1325 Fisher Avenue is a rectangular shaped lot with an area of approximately 1,625 m2 and a lot width of 30.48 metres, as confirmed by submitted severance sketch by *MacKay, MacKay & Peters Limited*, Ontario Land Surveyor. An existing one-and-a-half storey dwelling currently exists on the lot but will be removed to facilitate future redevelopment. The property is zoned LN5, or Low-Rise Neighbourhood, under *Zoning By-law 09-2026*, as amended. Detached dwellings, as proposed on the conceptual site plan, are a permitted use in the LN5 zone.

The property is in a neighbourhood of predominantly of one and two-storey detached dwellings located west of Guelph Line, south of Upper Middle Road, east of Highway 407 and north of the Crosstown Trail, a multi-use path within the hydro corridor which cuts through the neighbourhood from southwest to northeast. The hydro corridor runs diagonally to the main grid of arterial roads and local streets, resulting in a variable lotting pattern around the subject property. Properties along Augustine Drive for example, have different shapes and lot areas compared to lots on the west side of Fisher Avenue, which are more uniformly rectangular. All nearby properties fall within the same zone designation and have convenient access to public transit as well as active transportation opportunities along the Crosstown Trail.

Planning Act Consent Criteria

In evaluating a consent application, the Committee of Adjustment must consider matters under Section 53 (1), (12) and 51 (24) of the *Planning Act*. Specifically, Section 51 (24) contains a set of criteria which the Committee must "have regard to" when evaluating a proposal.

In staff's opinion, the proposal is consistent with the consent criteria under Section 51 (24):

(a) the proposal respects matters of provincial interest as outlined in Section 2 of the *Planning Act*:
- the proposal has no impact on ecological systems because no development is proposed and the site is not within a *Conservation Halton* regulated area (2a)
- the proposal has no impact on agricultural resources since no agricultural activities are present on the site (2b)
- natural and mineral resources are not impacted (2c)
- there are no impacts to significant architectural, cultural, historical or archaeological resources (2d)
- energy and water supply and usage are unaffected (2e)
- the provision and use of communication, transportation, sewage and water services and waste management systems are unaffected (2f)
- there will be a minor net increase in waste resulting from one additional lot being created, but the proposal is not in conflict with the provincial interest of "minimization of waste (2g)
- no impacts to the orderly development of safe and healthy communities (2h)
- no accessibility impacts (2h.1)
- the proposal will generate a small amount of additional demand for educational, health, social, cultural and recreational facilities (2i)
- the proposal will facilitate increased housing supply, which should assist with the provision of a full range of housing, including affordable housing options (2j)
- the proposal does not impact the adequacy of employment opportunities (2k)
- no implications for the financial and economic well-being of the Province (2l)

- the requirement that the planning activities of public bodies be coordinated has been met, since the planning analysis from the Region of Halton, the Niagara Escarpment Commission, the City of Burlington is consolidated into this report and there are no conflicts between comments (2m)
- the proposal does not represent a conflict between public and private interests (2n)
- public health and safety are unaffected (2o)
- the site is an appropriate location for net growth or development in an area of the City with full services, so matter 2p is satisfied
- matter 2r, requiring transit and pedestrian supportive development, does not apply since development is not yet proposed
- matter 2s, requiring that greenhouse gas emissions be mitigated and requiring climate adaptation is not significantly impacted by the proposal but the intensification of existing built-up areas is a climate mitigation measure

(b) the proposal is not premature and is in the public interest;
(c) official plan conformity is evaluated in more detail in the following section.
(d) the land is suitable for the purpose for which it is to be subdivided;
- (d1) no affordable housing units are proposed, therefore criteria d.1 does not apply

(e) the proposal does not impact the “number, width, location and proposed grades and elevations” of adjacent highways or Fisher Avenue;
(f) the dimensions and shapes of the proposed lots are rectangular and consistent with other lots along Fisher Avenue;
(g) there are no restrictions or proposed restrictions on the land proposed to be subdivided that would impact the proposal;
(h) there are no significant natural resources on the property that would be impacted by the proposal and it has no impact on flood control;
(i) the proposal requires additional utilities and municipal services, which are available and adequate to service the development;
(j) the proposal could generate a small amount of additional demand for school sites;
(k) no public land dedication is proposed or required as part of the proposal;
(l) the plan’s design has no impact on the optimization of the available supply, means of supplying, efficient use and conservation of energy; and
(m) no development is proposed, so “the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land” does not apply

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. All development however, is subject to all other relevant policies of the ROP

City of Burlington 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 BOP 2020, the property is designated *Low-Rise Neighbourhoods I* which includes areas with low-rise, ground-oriented homes and supports gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options. Detached dwellings, semi-detached dwellings and duplexes are a permitted use, along with townhouses on a site-specific basis. The general intent and purpose of the BOP, 2020 is to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods, as they continue to evolve over time.

As per the policies found under Section 8.3.3.(1) of BOP 2020, single-detached and semi-detached dwellings may be permitted on lands designated Residential – Low Density with a maximum density of twenty-five units per net hectare. Notwithstanding the above, townhouses may be considered as well subject to a site-specific Zoning By-law Amendment and criteria outlined under the BOP. As confirmed on the application form, the owner has indicated that future development of these lands will be in the form of detached dwellings.

Since the BOP 2020 consent policies under Chapter 12 are under appeal, the application must be evaluated against the consent policies in the Official Plan, 1997. Part III, Subsection 2.5.4 (Infill Development) states that, “New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space.” To ensure that proper development is achievable on newly established lots, Part VI Section 4.4 specifically outlines the following factors to consider for consent applications;

(i) where applicable, the policies for infill development contained in Part III, Subsection 2.5.4 of this Plan;

The policies of Part III, Subsection 2.5.4 (Infill Development) include the following which are relevant to the proposal:

a) ground-oriented residential infilling within existing neighourhoods shall be encouraged;
b) new infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply.

c) the creation of new housing that is compatible with existing neighbourhoods, shall be encouraged.

Staff have assessed the application in accordance with the policies noted above. While no new development is currently proposed, the proposed consent would result in two lots of sufficient size to accommodate housing. The proposed lot shapes and sizes contribute to a compatible lotting fabric and it appears that a detached dwelling could be developed on each lot while maintaining appropriate height, scale, massing, siting, setbacks, coverage and open space.

(ii) the size, configuration and location of the proposed consent should be appropriate for the use proposed considering the municipal services available; or where municipal services are not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;

Municipal servicing is available along Fisher Avenue. An overall servicing, grading and drainage plan will confirm the size and location of existing and proposed servicing in relation to the new proposed lot lines, to the satisfaction of the City and the Region of Halton.

(iii) the lot size and proposed use of the proposed consent should conform to the provisions of the Zoning By-law, where applicable;

Zoning By-law 09-2026, as amended, requires lots within the LN5 Zone to have a minimum lot width of 18 metres and a minimum lot area of 680 m2 (this is unchanged from the requirements under Zoning By-law 2020 under which the subject property was previously zoned R2.3). The proposal illustrates a lot width of 15.24 metres and a lot area of 813.0 m2, for both severed and retained lands. While the overall lot size is greater than the minimum, the proposed lot frontage is approximately 85% of what is required in the LN5 zone. A minor variance application has been submitted for each of the proposed lots to seek relief.

(iv) the lot should have a compatible width and area with lots in the immediate vicinity;

Lots in the immediate vicinity of the subject property support a reduced lot width of 15.24 metres. See for example 1329, 1327, 1317 and 1313 Fisher Avenue as well as across the street at 1328, 1320, 1318 and 1314 Fisher Ave. Based on the submitted conceptual site plan, it appears that the lot frontage of each proposed parcel would facilitate the construction of a detached dwelling with a maximum width of 11.64 metres (15.24 m – 1.8 m x2). This contributes to a consistent streetscape as well as appropriate siting and spacing.

(v) any new lots intended for building must front on an existing public or common element road;

Both the severed and retained parcels will front onto Fisher Avenue.

(vi) a traffic hazard shall not be created by access to a road with limited sight lines on curves or grades;

The road configuration of Fisher Avenue will be maintained and will not be altered as a result of the proposed consent. One additional driveway will be proposed subject to requirements of the Zoning Bylaw and Transportation Planning

(vii) provision shall be made for future streets, and lot creation and development shall not preclude or inhibit future development of surrounding lands, where applicable;

The proposed consent seeks to create one additional building lot for the purposes of facilitating a future detached dwelling. Staff do not anticipate that the future development of the surrounding lands will be impacted as a result of the proposal.

(viii) the proposed consent should not extend into areas susceptible to flooding or erosion, or adversely affect drainage patterns;

Staff defer to Conservation Halton and Development Engineering to comment on matters related to flooding and erosion. Staff note that the subject lands do not appear to be regulated by Conservation Halton and Development Engineering has not raised any serious concerns.

(ix) the frontage of new lots intended for building should generally not be less than approximately 40 per cent of the lot depth;

Proposed frontage is considered to ensure that new lots maintain a relatively consistent ratio of width to depth to facilitate orderly, functional and aesthetically pleasing development. The guideline that new lots be no narrower than 40% of lot depth helps assess the size and type of built form, spacing between dwellings, setbacks and other elements, all of which can negatively impact the streetscape.
For both the severed and retained lots under this application:
15.24 m width / 53.34 m depth x 100 = 28.57%
Due to the depth of the subject lands, the proposal does not meet the requirement above but remains consistent with the established lot proportions in the surrounding area which also commonly exceed the 40% guideline. The conceptual sketch which has been submitted as part of this application demonstrates development potential for both the retained and severed lot. Staff do note that in addition to minimum yard requirements under the zoning by-law, maximum lot coverage and building depth regulations shall also be respected for any future development applications.

(x) within Neighbourhood Character Areas, the proposed development shall achieve consistency with neighbourhood character;

Not applicable.

(xi) within Neighbourhood Character Areas, the minimum lot widths and areas of proposed new lots Neighbourhood Character Areas shall meet or exceed the average lot width and lot area of single detached residential lots fronting on both sides of the same street within 120 m of the subject property.

Not applicable.

The applicant is seeking to create one additional lot for the purposes of a future detached dwelling. Staff are satisfied that both the retained and severed parcels will be compatible with the existing lotting fabric. In review of Part VI, Section 4.4 OP 1997, staff are of the opinion that these policies can be met and that orderly development of both the retained and severed parcel is achievable as demonstrated by the conceptual sketch which has been submitted as part of this application.

Zoning Bylaw 2020

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. While the proposed severed and retained lots surpass the minimum lot area requirements, the proposed lot width of 15.24 m is undersized and requires relief from the bylaw. Staff are in support of this reduction as the proposed parcel widths will be compatible with lots in the immediate vicinity while maintaining development potential of an appropriate *size and configuration*.

Conclusion:

Planning staff are of the opinion that the proposed consent application is consistent with the policies of the *Planning Act,* the *Regional Official Plan* and the City's *Official Plan*. On this basis, staff are supportive of the proposed consent, subject to conditions recommended by Zoning, Development Engineering and Halton Region.

Minor Variances:

The following variances are proposed to the City of Burlington Zoning By-law 2020 in conjunction with the proposed development:

Severed Parcel, Part 1 (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel, Part 2 (540-02-A023/26)

2. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. The general intent of the local Official Plan is discussed below.

City of Burlington Official Plan, 1997 & 2020:

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

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

- The proposed low-rise residential land use and small-scale intensification proposed is consistent with the Low-Rise Neighbourhoods I land use designation, which supports low-rise, ground-oriented homes and gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options.
- The proposal to create two lots with frontages that match the frontage of other lots in the immediate area meets the general intent and purpose of the BOP, 2020 to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods.
- The proposed frontages fit in with the immediate context and pattern of frontages:

Property	Frontage
Severed	15.24m
Retained	15.24m
1313 Fisher Avenue	15.24m
1314 Fisher Avenue	15.24m
1317 Fisher Avenue	15.24m

1318 Fisher Avenue	15.24m
1320 Fisher Avenue	13.71m
1328 Fisher Avenue	13.71m
1332 Fisher Avenue	18.82m
1336 Fisher Avenue	15.24m
Average	15.29m
Median	15.24m

- In accordance with OP, 1997 Part II, section 6.0-Design which states under 6.2(c), that an objective is to "ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.", the proposal to create two lots whose frontage would match many others on the street and would offer equal space for new home construction should facilitate compatible infill development, in which the dwellings eventually constructed are consistent with others on the street.
- The conceptual building envelopes shown on the plans indicate that two dwellings could be constructed on the lots that are compatible in terms of siting, setbacks, and amount of front yard open space, consistent with Part 2.5.4 (Infill Development) of the OP, 1997, which encourages ground-oriented residential infilling within existing neighbourhoods, provided the new development is compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space. ***Staff note that the conceptual envelopes are based only on required setbacks, and do not account for the maximum lot coverage limit of 35% (without ARUs) or the maximum building depth of 20 metres, which would prevent the applicant from building to the depth shown on the plan***.

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

- The proposed consent would create two lots with equal frontages to other properties on the street, and zoning compliant lot areas.
- No development is currently proposed, but the proposed severance plan shows two conceptual building envelopes with zoning compliant side yard setbacks and with a building width that matches the neighbouring home at 1317 Fisher

Avenue, suggesting that a house with a typical width for the street could be fit on the lot while maintaining zoning compliant side yard setbacks.
- Forestry and engineering staff do not object to the proposal and have not identified any undue adverse impacts of the proposal on drainage

2) City of Burlington Zoning By-law 2020:

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

Yes

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. The general intent and purpose of the minimum lot width requirement is to establish a standard lot width dimension for a streetscape so that it displays consistent built form, façade widths and consistent side yard setbacks. Staff have examined lot widths in the surrounding area and confirmed that the proposed lot widths would closely match the existing pattern.

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 proposal facilitates the gradual and compatible infilling of the streetscape, with two new lots that match the dimensions of many other lots on the street.

4) Minor in Nature:

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

Yes

The proposed lot dimensions are consistent with the pattern of lot widths in the immediate surroundings of the site resulting in lots that would be indistinguishable from their neighbours in width. This makes the requested reduction qualitatively minor in nature.

Recommendation:

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Staff has reviewed the proposed minor variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and recommends approval of the proposed minor variances.

Date: July 13, 2026 Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 - Site Photos (taken on July 15, 2026)



Front view of the subject property



View along Fisher Ave. looking towards Augustine Dr.



View of abutting property at 1327 Fisher Ave (vacant) with a lot width of 15.2 metres



View of nearby property at 1329 Fisher Ave with a lot width of 15.2 metres



View directly across the street



View of abutting property at 1317 Fisher Ave (with hydro corridor at rear)



View of nearby Crosstown Trail incl. hydro corridor

Development Engineering

Development Engineering has no objection to the proposed consent being granted, subject to the following conditions:

1. Submit a draft reference plan, prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements.
2. Submit a PIN report and copies of any agreements/easements on title listed within the PIN report. This is to ensure that the consent application will not conflict with any previously registered instruments.
3. If the proposed lot coverage exceeds 55% then submit a Stormwater Management Brief, for approval, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design.
4. If applicable, then complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, to the satisfaction of the Director of Engineering Services. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the Municipal Consent Permit and City Standards. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances.
5. Provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval. The plan shall be stamped and signed by a

Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:

a. Existing building envelopes and setbacks from property lines;
b. Proposed maximum building envelopes and setbacks from property lines;
c. Proposed top of foundation wall and finished floor elevations;
d. Existing and proposed ground elevations;
e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
g. Existing and proposed service connection locations;
h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
i. Existing and proposed retaining walls;
j. Existing and proposed fence;
k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
l. Existing and proposed utility poles and boxes; and
m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note.

6. Revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

7. 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 Engineering Services and the Director of Community Planning:

   Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.
   Prior to applying for a Building Permit, 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 each severed lot:
   - A Grading and Drainage Clearance Certificate application fee;

- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;
iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;
iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;
v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works

contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

- i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
- ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;
- iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;
- iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;
ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;
iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;
iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;
v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;
vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    i) completion of the Site Works in conformity with the provisions of this Agreement; and
    ii) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;
iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
   i) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
   ii) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

   the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or

demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action, costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Date: June 29, 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 29, 2026 Prepared By: R. Shaw-Lukavsky

Building

1) A Building Permit is required for all building demolition and 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: July 17, 2026 Prepared By: Ebtessam Mahrous

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.

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Date: May 22, 2026 Prepared By: E. Chen

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

Date: June 23, 2026 Prepared By: T. Thompson

Legal – Realty Services

NOTE: The 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.

A demolition credit would apply to the retained lot.

Date: June 24, 2026 Prepared By: Karen Lanza

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: June 16, 2026 Prepared By: L. Bray

Region of Halton

Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule “A”.

Further, Staff have no objection to the Minor Variance applications.

See full comments attached to the end of this report.

Date: July 2, 2026 Prepared By: Navjot Kaur

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

Date: July 14, 2026 Prepared By: Zakariya Al-Doori

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

July 14, 2026

Erin Shacklette
Committee Clerk - Committee of Adjustment
Community Planning
426 Brant Street Po Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Shacklette,

Re: Regional Comments – Consent & Minor Variance Applications
1325 Fisher Ave
City of Burlington, Region of Halton
File: B-002/26, A-023/26, A-024-26

Regional staff have reviewed the above noted Consent Application, where the applicant is proposing to facilitate the following:

- To sever the existing lot and create two new parcels of land.
- The severed lot (Part 1) will be of approximately 813.0 m^2 in area with a width of 15.24 m and the retained lot (Part 2) will be of 813.0 m^2 in area with a width of 15.24 m.

Staff have also reviewed the Minor Variance applications associated with the severed and retained lots:

- Minor Variance (A-024/26) - To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.
- Minor Variance (A-023/26) - To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Regional Comments

Regional Staff offer the following comments on the submitted Consent application.

Bill 185: Cutting Red Tape to Build More Homes Act, 2024

Due to Provincial legislation, as of July 1, 2024, 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 a continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., sourcewater protection, public heath); and
- Other Regional services that have a land component

Regional Servicing:

In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following review of the existing services adjacent to the subject lands, and Regional Servicing comments as they relate to the proposed development:

Existing Services:

Watermain	Sanitary Sewer
• A 200mm dia. watermain is located on Fisher Avenue adjacent to the property.	• A 250mm dia. sanitary sewer is locate on Fisher Avenue adjacent to the property

Servicing Comments/ Requirements:

- No documentation or drawing was submitted with the application showing the location of the existing water service and/or sanitary sewer lateral for the existing property.
- Regional records indicate that the existing house on the property is currently serviced by both an existing water service and sanitary sewer lateral that are connected to the existing services on Fisher Avenue. It is possible that these existing service connections could be reused for the retained parcel. The severed lot will require its own service connections.
- The servicing of the severed and retained lands will be addressed through the Regional service permit review process. A Regional service permit will be required after the registration and creation of the new lot and prior to applying for a building permit.

Regional Transportation:

In accordance with the MOU and to support an effective Regional transportation network, Halton Regional Staff have reviewed the proposed development and offer the following comments:

- Staff have no comments on the proposed application from a Regional transportation perspective.

Waste Management:

To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, in accordance with the Region's Development Design Guidelines for Source Separation of Solid Waste. Staff offer the following comments:

- The subject site is eligible for curbside residential garbage and organics waste collection for all street-related units, once construction is completed and the units are 90% occupied.
- Recycling collection, under O. Reg 391/21 is the responsibility of the producers effective January 1, 2026. For more information, please visit rpra.ca or www.circularmaterials.ca/ON.
- Please ensure that an area external to the dwelling area is designated for the storage of at least one Organic Waste Receptacle and one Garbage Receptacle. It will have a minimum area of 1 square metre for each residential unit (i.e. garage or external storage closet), as well as a method of appropriate ventilation to minimize and/or control odours.
- The collection points must have a height clearance of 5 m for waste collection vehicles during waste operations. Please ensure that there are no obstructions within waste vehicle's path, such as branches or trees.

Source Water Protection:

In accordance with the MOU and to ensure protection of groundwater sources, Staff note that the subject lands are not located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP).

Regional Finance Department:

Staff note that the Owner will be required to pay all applicable Regional Development Charges in accordance with the Region of Halton Development Charge By-law(s), as amended.

Please visit our website at: https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment to obtain the most current Development Charge and Front-ending Recovery Payment information, which is subject to change.

Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if appliable) to be provided to 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).

Conclusion:

Based upon the above, Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule "A".

Further, Staff have no objection to the Minor Variance applications.

Please kindly send notice of the City's decision on this application.

Should you have any questions concerning the above noted comments, please do not hesitate to reach out.

Sincerely,



Navjot Kaur, MPLAN
Intermediate Planner
Development Services

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

SCHEDULE "A"
HALTON REGION CONDITIONS AND ADVISORY NOTES

Consent Application – (B-002/26)
1325 Fisher Ave, Burlington

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1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. That the applicant determines the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

“Schedule A” – Conditions of Provisional Consent
1325 Fisher Avenue B-002-2026

City of Burlington Notes and Conditions

NOTES

1. 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.
2. A demolition credit will apply to the retained lot.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
4. Revisions to the report and/or plans may be required through the tree permit process.
5. A Pre-Building Approval Application is required for the future development of the property.
6. The application has been reviewed under Section 45 (1) of the Planning Act.
7. A Building Permit is required for all building demolition and construction;
8. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

CONDITIONS

1. The Applicant Shall submit a surveyor’s certificate from an Ontario Land Surveyor confirming 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 prepared by an Ontario Land Surveyor to the satisfaction of the Secretary – Treasurer; and

3. The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

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

5. The Applicant shall make payment of any outstanding property taxes including penalty and interest, and installments levied at the time of the issuance of the Consent; and

6. Local improvements shall be commuted; and

7. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 shall be approved; and

8. The Applicant shall provide one (1) copy of the draft reference plan prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements to the satisfaction of the Secretary-Treasurer and the Director of Development Engineering or their designate; and

9. The Applicant shall submit 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

10. The Applicant shall submit a Stormwater Management Brief for approval, if the proposed lot coverage exceeds 55%, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines to the satisfaction of the Director of Development Engineering or their designate. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design; and

11. The Applicant shall complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, if applicable, to the satisfaction of the Director of Engineering Services or their designate. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the

Municipal Consent Permit and City Standards. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances; and

12. The Applicant shall provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval to the satisfaction of the Director of Development Engineering or their designate. The plan shall be stamped and signed by a Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:
    a. Existing building envelopes and setbacks from property lines;
    b. Proposed maximum building envelopes and setbacks from property lines;
    c. Proposed top of foundation wall and finished floor elevations;
    d. Existing and proposed ground elevations;
    e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
    f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
    g. Existing and proposed service connection locations;
    h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
    i. Existing and proposed retaining walls;
    j. Existing and proposed fence;
    k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
    l. Existing and proposed utility poles and boxes; and
    m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note; and;

12. The Applicant shall revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

13. 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 Engineering Services and the Director of Community Planning:

Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.

Prior to applying for a Building Permit, 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 each severed lot:

- A Grading and Drainage Clearance Certificate application fee;
- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;

iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;

iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of

time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

- i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
- ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;

iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;

iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;

ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;

iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;

iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that

removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;

v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;

vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    iii) completion of the Site Works in conformity with the provisions of this Agreement; and
    iv) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;

iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
    iii) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
    iv) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such

tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action,

costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Region of Halton Conditions

1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Applicant/Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. The Applicant/Owner shall determine the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

* * * *

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NOs. 540-02-**B-002/26, A-023/26, A-024/26**
Committee of Adjustment
Date of Mailing: July 20, 2026

NOTICE OF PUBLIC HEARING

Coral Gable Homes, the owners of 4097 McIntosh Pl. Burlington, has applied to the Committee of Adjustment for Consent to Sever a parcel of land with associated Minor Variances to the requirements of Zoning By-law 2020, as amended. The property in question is **1325 Fisher Ave. Burlington (see attached key map)**.

The applicant is proposing to create two new parcels of land by severing one approximately 1,625.9 m2, 30.48 m wide existing lot being 1325 Fisher Avenue as described below:

Severed Parcel: (Part 1) approximately 813.0 m2 in area with a width of 15.24 m

Retained Parcel (Part 2) approximately 813.0 m2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require the followings minor variances from the provisions of the zoning by-law for lot width (for your assistance see the attached sketch)***:***

Severed Parcel (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel 540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

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 Wednesday July 20, 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 and 53 of the *Planning Act*, 1990, as amended on:

WEDNESDAY AUGUST 5, 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.

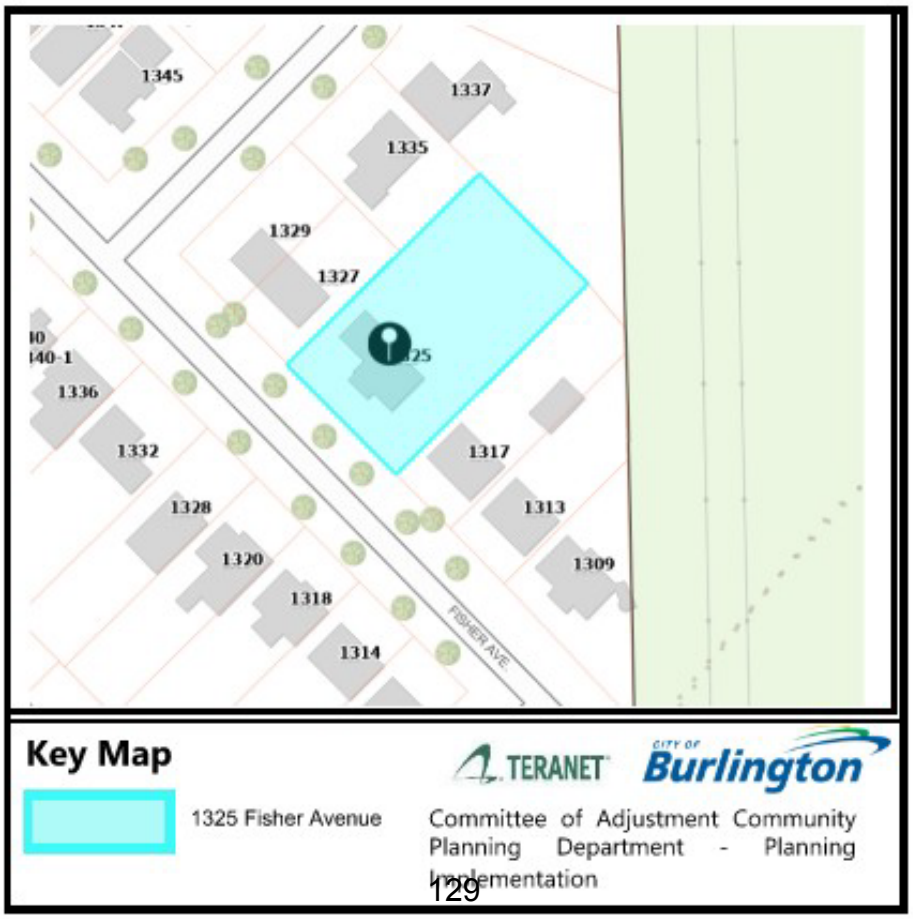
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca.

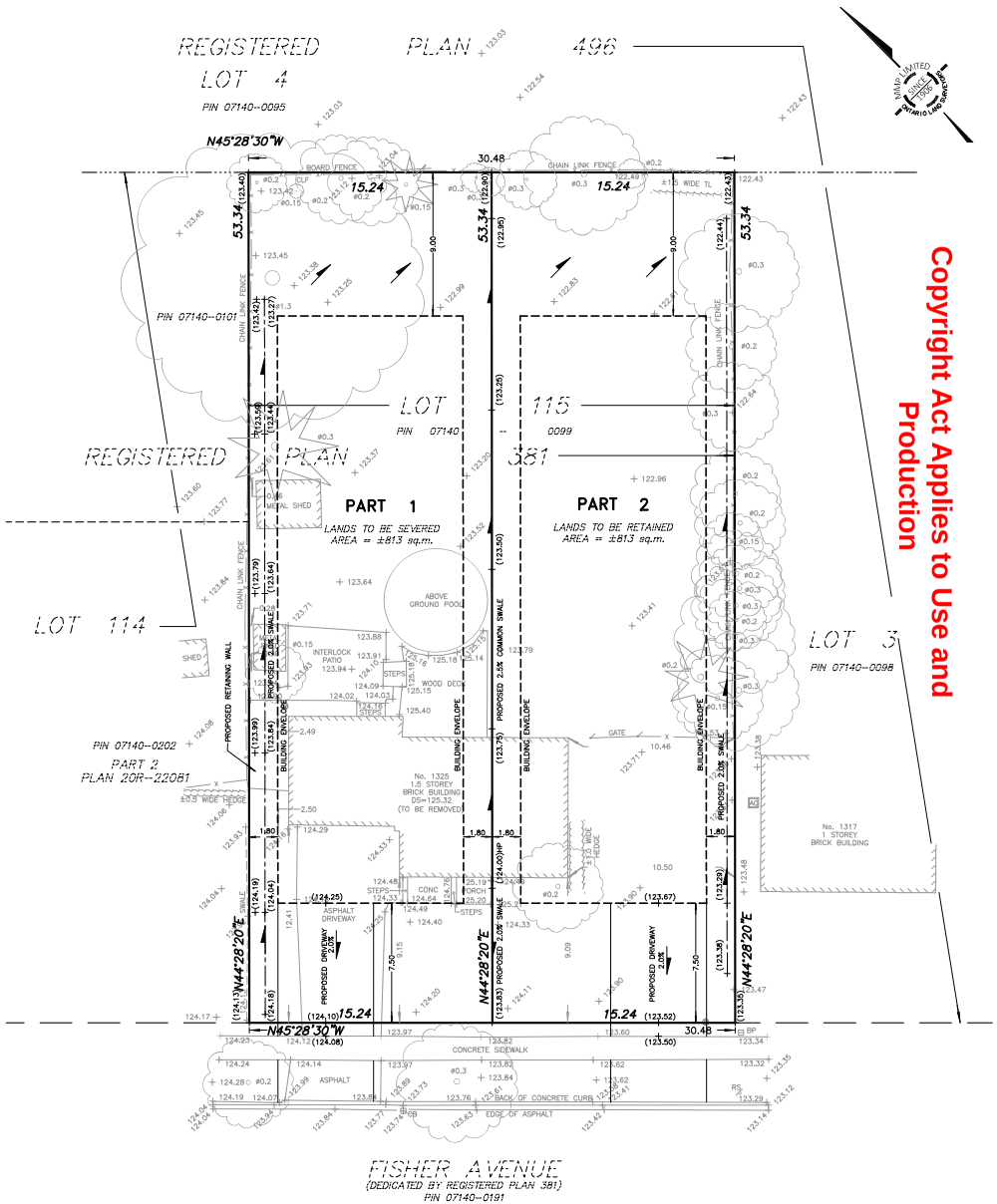
Yours truly,

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





Copyright Act Applies to Use and Production

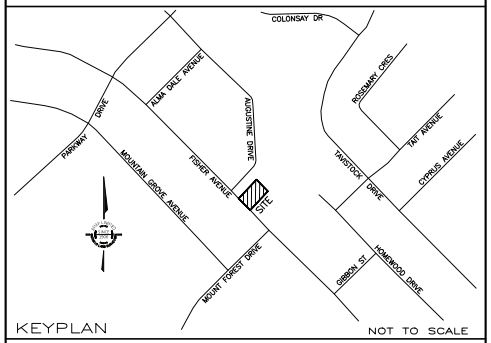
CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R2.3
(DESIGNATED AREA FOR LOT COVERAGE)
FOR 2 STOREY DETACHED DWELLING WITH ATTACHED GARAGE

ZONE	REQUIRED	PROVIDED	
		PARCEL A (PART 1 – SEVERED)	PARCEL B (PART 2 – RETAINED)
LOT WIDTH (@9.1 m)	18.00 m(min)	15.24 m*	15.24 m*
LOT AREA	680 sq.m(min)	±813 sq.m	±813 sq.m
DEEMED ROAD WIDTH	20.00 m	20.12 m	20.12 m
FRONT YARD	7.5 m(min)		
REAR YARD	9.00 m(min)		
SIDE YARD	1.80 m(min)		

* VARIANCE MAY BE REQUIRED

1325 FISHER AVENUE

CONCEPTUAL SITE GRADING PLAN FOR SEVERANCE PURPOSES



GEOGRAPHIC LOCATION NOTE

LOT 115
REGISTERED PLAN 381
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

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BENCHMARK NOTE

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ELEVATION = 127.233 METRES (CGVD 1928:1978 ADJUSTMENT)

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LEGEND

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CLF DENOTES CHAIN LINK FENCE
TL DENOTES TREE LINE
CB DENOTES CATCH BASIN
BP DENOTES BELL PEDESTAL
RS DENOTES ROAD SIGN
CONC DENOTES CONCRETE
AC DENOTES AIR CONDITIONER
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DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
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CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED
PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

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

E:\(20) Halton\Registered Plans\RP0381\LOT 115\25-290\SEV\25-290-SEV.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1

CITY OF Burlington
Committee of Adjustmer
Department of Community Plannin
426 Brant Street, Burlington O
committeeofadjustment@burlington.c

PLANNING ACT, R.S.O. 1990, C.P. 13
APPLICATION FOR CONSENT TO SEVER LAND

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF BURLINGTON UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. 2020. (AS AMENDED)

APPLICANT TO COMPLETE ALL SECTIONS BELOW

PART 1 – OWNER INFORMATION

Have you participated in a pre-consultation? Y ☒ or N ☐
If **Yes**, please include a copy of your report with this application. If **No**, please review Page 1 of this application package.

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

CORAL GABLE HOMES LTD.

Mailing Address: 4097 MCINTOSH - PL. City: BURLINGTON

Postal Code: L7L 2E8 Home Phone: [redacted] Mobile Phone: _____

Work Phone: _____ E-Mail: [redacted]

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

Name:

N/A.

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

SOLICITOR INFORMATION (if applicable):

Name:

DAVID WACICLING.

Business Address: 25 MAIN ST. W. # 515 City: HAMILTON

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

Work Phone: _____ E-Mail: [redacted]

CITY OF Burlington

Consent – 2026

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

PART 2 – LOCATION OF SUBJECT PROPERTY

PROPERTY INFORMATION

Municipal Address(es) of property:

1325 FISHER AVE. BURLINGTON.

Legal Description of property:

LOT 115 REGISTERED PLAN 381

Assessment Roll Number: [redacted] City Official Plan Designation: LOW DENSITY RESIDENTIAL

Regional Official Plan Designation: _____

Are there any easements or restrictive covenants affecting the subject land(s)? Y ☐ N ☒
if **Yes**, please provide a copy of such documents and provide a brief description of its effect:

PART 3 – PROPOSED LAND USE (PURPOSE OF APPLICATION)

Is this a Consent for a:

☒ Lot Creation ☐ Lot Addition* ☐ Easement or Right of Way ☐ A Lease

☐ A Charge ☐ Validation of Title ☐ Other (specify) _____

Description of Consent:

SEVER 100' x 175' TO 50' x 175'

DEMOLISH EXISTING ~~53.34 m x~~ HOUSE/PATIOS/ 30.48 m x 53.34 15.24 m x 53.34 m.
SHEDS. ON PART 1 & 2

* For Lot Additions: As per section 50(12) of the Planning Act, we require legal confirmation of how the lot being added to was created. Please identify the lands to which the parcel will be added:

Address or Legal Description:

If known, please provide the name of the person to whom the land or an interest in the land is to be conveyed, leased or mortgaged: Name: _____ Phone: _____

Address: _____

PART 3 CONTINUED– PROPOSED LAND USE (PURPOSE OF APPLICATION)

Will be you be requesting a certificate for the retained parcel of land? ☐ Yes ☒ No

If yes, a statement from an Ontario solicitor in good standing must be submitted which confirms that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act.

PART 4 – HISTORY OF THE SUBJECT LAND(S)

1) Hs the subject lands ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? ☐ Yes ☒ No

   If YES and known, please provide the file number and the decision made on that application.

   File No: _____ Decision: ☐ Granted ☐ Denied ☐ No Decision*

   *(Including withdrawn or abandoned applications)

2) Is this a resubmission of an earlier proposal? ☐ Yes ☒ No

   If YES, please provide File No: _____

3) Has any land been severed from the parcel originally acquired by the owner of the subject land?

   ☐ Yes ☒ No

If YES, provide the date of transfer, the name of transferee and land use for each parcel.

Date of Transfer	Name of Transferee	Land Use

4) On what date did the current Owner acquire the land? July 2018
(mmm/dd/yyyy)

CITY OF Burlington

Consent – 20
Committee of Adjustr
Department of Community Plan
426 Brant Street, Burlingtor
committeeofadjustment@burlingtc

PART 5 – DESCRIPTION AND SERVICING INFORMATION OF SUBJECT LAND

Existing Use of the Subject Property (check one):

☒ Urban Residential ☐ Farm Related Residential ☐ Non-Farm Related Residential
☐ Agricultural * ☐ Other (specify) _____

*Complete a "Farm Data Sheet" for any Agricultural use on the severed and/or retained parcel. This sheet is available upon request from the Committee of Adjustment.

Provide the following details as they appear on the severance sketch(attach additional sheets if needed)

	Severed Parcel	Severed Parcel(if applicable)	Retained Parcel
Frontage (m)	15.24		15.24
Depth (m)	53.34		53.34
Area (ha)	.08129		.08129.

	Severed Parcel	Severed Parcel(if applicable)	Retained Parcel
Existing Use	SINGLE FAMILY RES		SINGLE FAMILY RES
Proposed Use	SINGLE FAMILY RES		SINGLE FAMILY RE

*If Agricultural, indicate whether the parcel is for:
☐ Retirement Lot ☐ Disposal of Surplus Dwelling ☐ Farm Help House

	Severed Parcel	Severed Parcel (if applicable)	Retained Parcel
Existing			
Proposed			

	Severed Parcel	Severed Parcel (if applicable)	Retained Parcel
Open Municipal Road	✓		✓
Regional Road			
Provincial Highway			
Private Road			
Other - Please specify. ie Right of Way			

	Severed Parcel	Severed Parcel (if applicable)	Retained Parcel
Regional Piped Water	✓		✓
Well Water			
Other – Please Specify (ie communal well)			

	Severed Parcel	Severed Parcel (if applicable)	Retained Parcel
Regional Sewers	✓		✓
Septic System			
Other – Please specify			

PART 6 – LAND USE

Are any of the following uses or features on the subject land, or within 500 metres of the subject land?	On the Subject Land	Within 500m of the Subject Land
An agricultural operation, including livestock facility or stockyard	☐ Yes ☒ No	☐ Yes ☒ No
A landfill	☐ Yes ☒ No	☐ Yes ☒ No
A sewage treatment plant or waste stabilization plant	☐ Yes ☒ No	☐ Yes ☒ No
A provincially significant wetland	☐ Yes ☒ No	☐ Yes ☒ No
Floodplain	☐ Yes ☒ No	☐ Yes ☒ No
An industrial or commercial use Please specify _____	☐ Yes ☒ No	☐ Yes ☒ No
An active railway line	☐ Yes ☒ No	☐ Yes ☒ No

Potentially Contaminated Sites:

1) Hs there been industrial use of the site? ☐ Yes ☒ No If YES, what was the last year of use? _____

2) Has there been filling on the site? ☐ Yes ☒ No

3) Is there reason to believe the site may have been contaminated by former uses either on the site or on adjacent sites? ☐ Yes ☒ No

   If YES, an environmental investigation, including all former uses of the site and, if appropriate, the adjacent site, to the satisfaction of the Region, is required. This study must be prepared by qualified consultant. Is this report attached? ☐ Yes ☐ No

   If NO, on what basis did you come to this determination? Please explain. _____

   OWNED SINCE 2018
   ALSO SPOKE WITH NEIGHBOURS.

PART 7 – CURRENT APPLICATIONS

1) Is the subject land currently the subject of a proposed Regional or Local Official Plan Amendment, or an NEC or Parkway Belt Amendment? ☐ Yes ☒ No

   If YES, and if known, please provide the file number(s) and the file status

   File #: _____ File Status: _____

2) Is the subject land currently the subject of an application for Zoning Bylaw Amendment, Ministers Zoning Order, Minor Variance, Consent, or approval of a Plan of Subdivision?

   ☐ Yes ☒ No

   If Yes, and if known, please provide file numbers(s) and the file status and explain the file details:

   File #: _____ File Status: _____

   _____

   _____

PART 8 – PROVINCIAL INTERESTS

1) Is the subject land consistent with the Provincial Policy Statement? ☒ Yes ☐ No

   If NO, please explain _____

   _____

   _____

2) Is the subject land within an area of land designated under any provincial plan(s)?

   ☐ Yes ☒ No

   If YES, does the application conform to or does not conflict with, the applicable provincial plan(s)? Explain _____

   _____

   _____

PART 9 – SKETCH

The sketch of survey must be prepared by an Ontario Land Surveyor and be in metric.

The application shall be accompanied by this sketch showing the following prescribed information:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;
- the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as:
  - buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks
- the existing uses(s) on adjacent lands;
- the location, width and name of any public roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
- if access to the subject lands is by water only, the location of the parking and boat docking facilities to be used;
- the location and nature of any easement affecting the subject land.

The sketch should also include the following required information:

- the amount of land, if any, which has previously been conveyed from the property to the County or the Regional Municipality of Halton, for road purposes;
- a clear key map.

PART 10 – OTHER INFORMATION

Is there any other information that you think may be useful to the City or other agencies in reviewing this application. If so, please explain below. Attach a separate sheet if more room is required.

THE PARCEL DIRECTLY TO THE NORTH. 1327 & 1329 FISHER AVE WAS SEVERED TO A SIMILAR SIZE A FEW YEARS AGO.

PART 11 – POSTING OF ADVISORY SIGN

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 14 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 14 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name: CORAL GABLE HOMES

Property Address: 1325 FISHER AVE.

Signature of Owner/Applicant

04/27/2026
Date (mmm/dd/yyyy)

LLOYD RIPANI

CITY OF Burlington

Consent – 20
Committee of Adjustr
Department of Community Plar
426 Brant Street, Burlingtor
committeeofadjustment@burlingtc

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, Lloyd Ripani (print name) of the City (Region/City/County) of Burlington (City/Town/Township) in the Region

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 Region (Region/City/County) of Halton in the City of Burlington (City/Town/Township)

this 27 day of April 2026.

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

Signature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

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

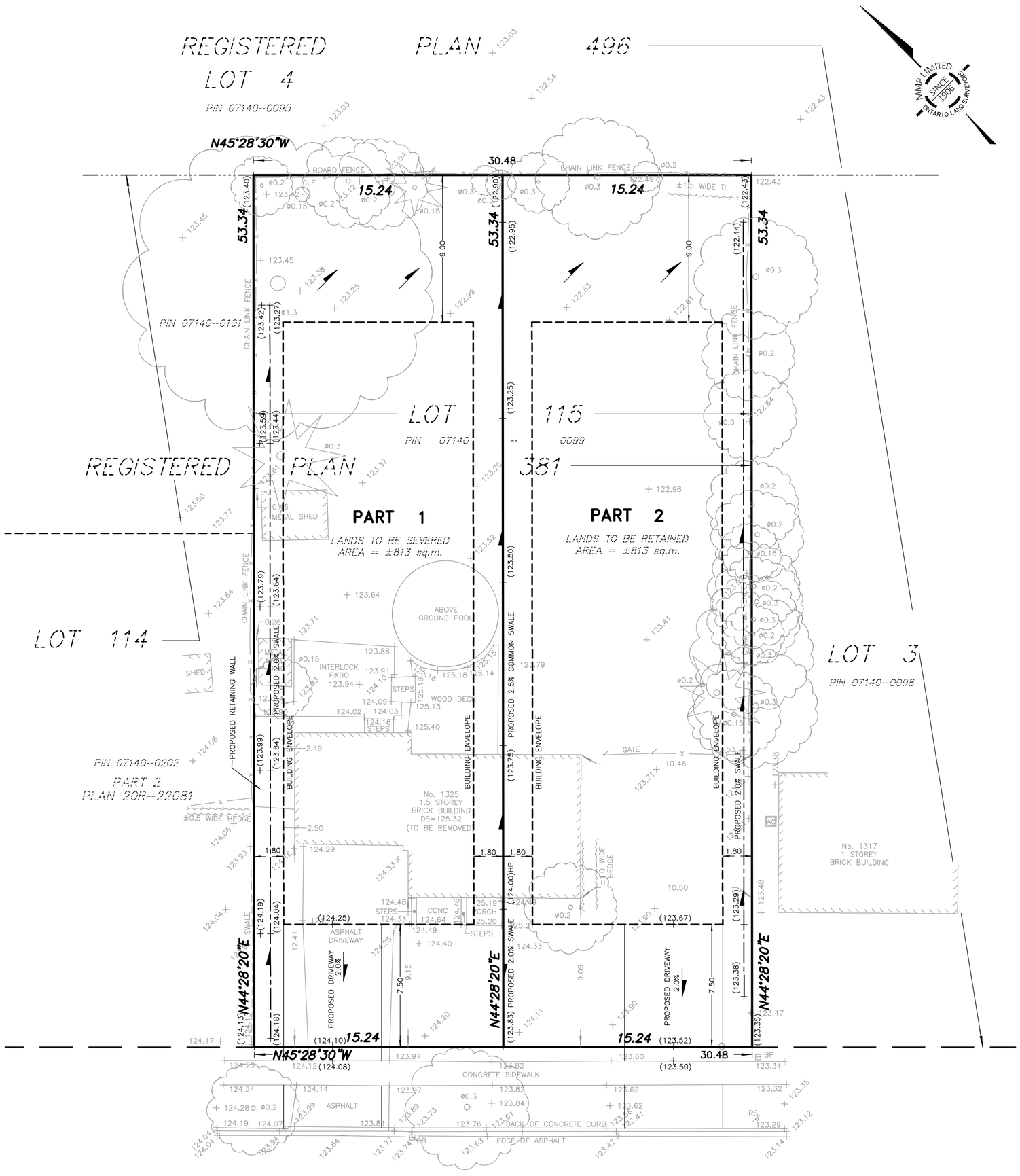
Municipal Address of Subject Lands: 1325 Fisher Ave.

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/Applicant

Lloyd Ripani.
Print Name

Copyright Act Applies to Use and Production



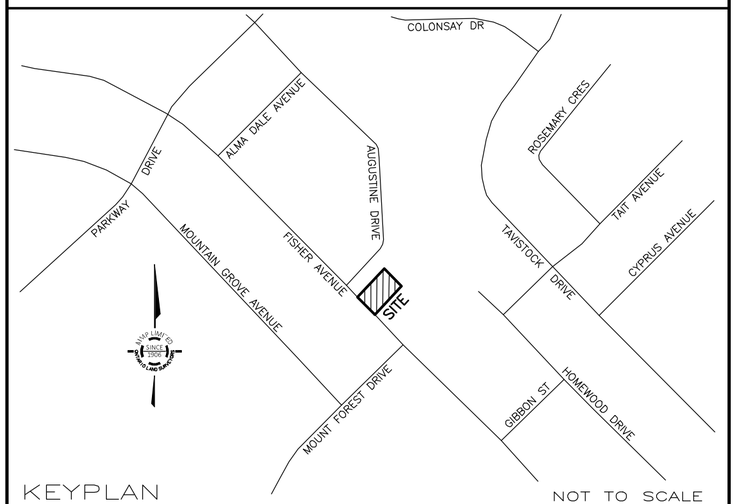
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PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

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

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DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1

Halton Region | City of Burlington | Town of Halton Hills | Milton | Oakville

Planning & Public Works
Tel: 905-825-6000 Fax: 905-825-8822
Toll Free: 1-866-4HALTON (1-866-442-5866)
www.halton.ca

Environmental Site-Screening Questionnaire

(Coral Gable Homes)

Legal/Municipal Address 1325 FISHER AVE **Applicant:** LLOYD RIPANI

1.	Was the subject property ever used for industrial purposes?	yes	(no)	uncertain
2.	Was the subject property ever used for commercial purposes that may have caused contamination (e.g. gasoline station, dry cleaners, etc.)	yes	(no)	uncertain
3.	Has fill ever been placed on the property?	yes	(no)	uncertain
4.	Is there any reason to believe that the subject property is potentially contaminated based on historic use of the property or a neighbouring lot located within 100m of the property?	yes	(no)	uncertain
5.	Are there or were there ever any above-ground or underground storage tanks or waste disposal activities on the property?	yes	(no)	uncertain
6.	For existing or previous buildings on the property, are there building materials that may be potentially hazardous to human health (i.e. asbestos, lead-based paints, etc.)?	yes	(no)	uncertain
7.	For agricultural properties, were pesticides or herbicides ever applied to the property?	yes	(no)	uncertain
8.	Have any of the buildings on the property been heated by fuel oil?	yes	(no)	uncertain
9.	Is the land use changing to a more sensitive land use (e.g. industrial/ commercial to residential/institutional)? Note: Daycare uses are defined in O.Reg.153/04 as institutional.	yes	(no)	uncertain

General Information:

1.	Have any environmental documents (e.g. Phase I and II Environmental Site Assessments, Records of Site Condition, etc) ever been prepared for the property? If yes, please submit these documents in digital and hardcopy format with your application together with a letter of reliance granting third party reliance on the documents to the Region of Halton.	yes	(no)

Certification

I, LLOYD RIPANI am the registered owner of the land that is the subject of this document and to the best of my knowledge, the information provided in this questionnaire is true.

Sworn (or declared) and stamped before me Tammy Ball
Commissioner of Oaths (Print Name)

in the City of Burlington, this 27 day of April 2024
City/Town/Municipality — Day — Month — Year

Tammy Ball
Commissioner of Oaths (Signature)

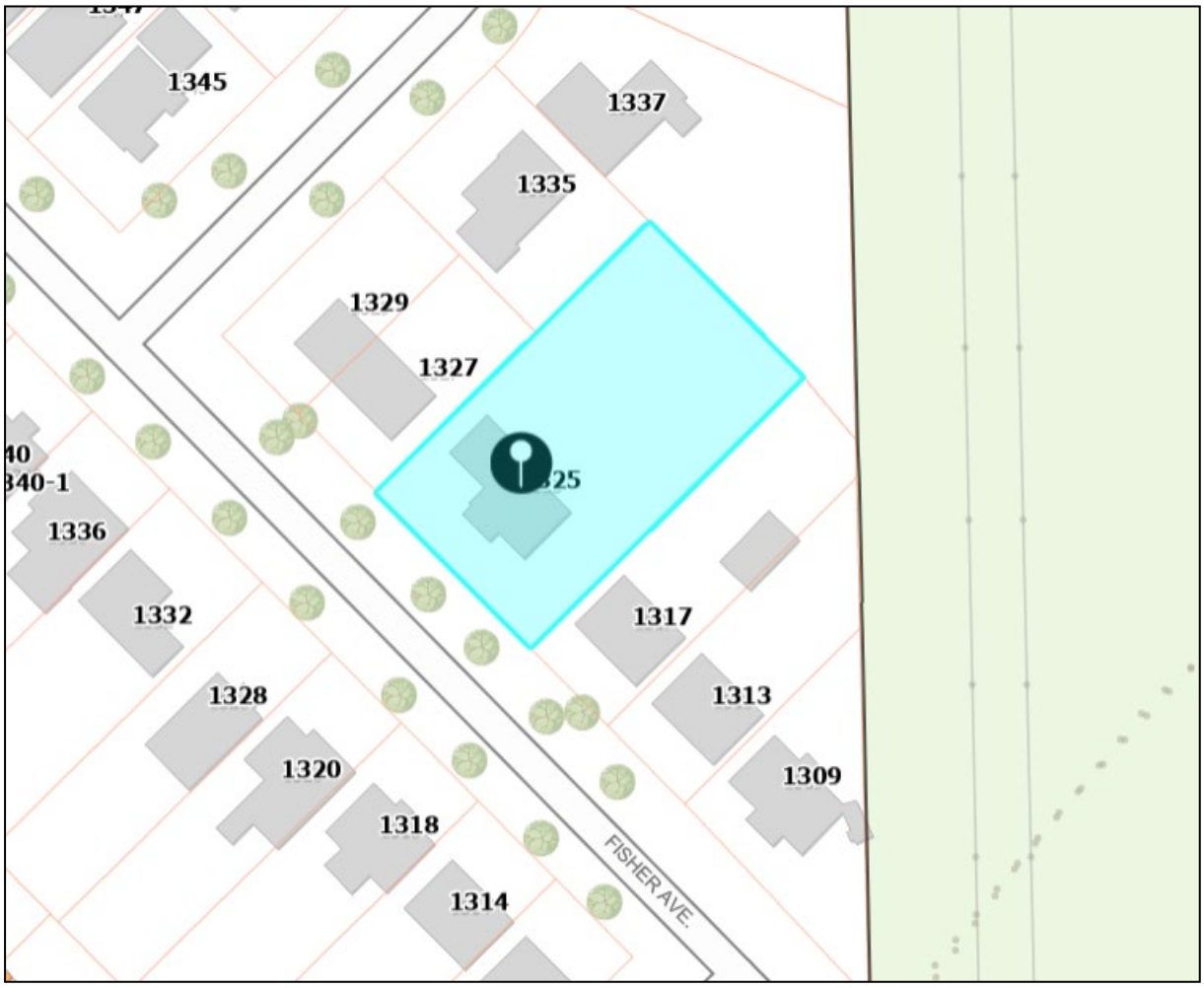
Lloyd
Registered Owner (Signature)

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

File #: Local Municipal File #:

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Owner(s): Coral Gable Homes
Address: 1325 Fisher Ave. Burlington
File Nos. **B-002/26, A-023/26 & A-024/26**
Ward: 3



Staff Comments

Committee of Adjustment

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

The Applicant is advised that the following conditions of provisional consent apply:

1) The Applicant Shall provide one (1) copy of the draft reference plan prepared by an OLS to the Secretary – Treasurer for review and approval prior to depositing the plan; and

2) 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

3) The Applicant Shall provide one (1) copy of the Deposited Reference Plan to the satisfaction of the Secretary – Treasurer; and

4) The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

5) The Applicant shall provide one (1) copy of the wording for the certificate of official to the satisfaction of the Secretary – Treasurer; and

Please see attached "Schedule A" for a comprehensive list of conditions of provisional consent.

Date: May 8, 2026 Prepared By: E. Shacklette

Zoning

The subject property is zoned LN5, Low Rise Neighbourhood, under Zoning By-Law 09-2026, as amended. The LN5 zone requires, among other things, the following:

1.2 Compliance with this By-law

a) No **building** or **structure** shall be erected or altered, no change of **use** or occupancy of any **building**, **structure**, land, premises, or any part thereof shall be made, and no **lot** shall be created except in compliance with the regulations of this By-law.

Table 8: Provisions for Detached Dwellings

	LN5
Minimum **Lot Area**	680 m^2
Minimum **Lot Frontage**	18 m

Proposal:

The applicant is proposing to create two new parcels of land by severing one approximately 1, 625.9 m^2, 30.48 m wide existing lot being 1325 Fisher Avenue.

This will result in a severed lot (Part 1) of approximately 813.0 m^2 in area with a width of 15.24 m and a retained lot (Part 2) of 813.0 m^2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require a minor variance for lot width.

Final Development Zoning Review:

Property Address	**Parts**	**Minimum Lot Area**	**Proposed**	**Minimum Lot Width**	**Proposed**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Retained:** Part 2	680 m^2	813.0 m^2	18 m	**15.24 m**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Severed:** Part 1	680 m^2	813.0 m^2	18 m	**15.24 m**

Retained Parcel (Part 2)

The proposed retained parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Severed Parcel (Part 1)

The proposed severed parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Condition:

1. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 are approved.

Note:

1. A Pre-Building Approval Application is required for the future development of the property.

2. The application has been reviewed under Section 45 (1) of the Planning Act.

Date: June 15, 2026 Prepared By: S. Boich

Site Planning

A consent application has been submitted to the City of Burlington proposing the creation of one new residential lot by severing off a portion of the subject property, municipally known as 1325 Fisher Avenue. The resulting parcels will be equal and have lot areas of 813.0 m2 (0.08 ha) and lot widths of 15.24 metres, or fifty feet. Although the conceptual site grading plan for severance purposes depicts two building envelopes with zoning compliant setbacks, no new buildings are proposed on either the retained or severed parcel as part of this application.

1325 Fisher Avenue is a rectangular shaped lot with an area of approximately 1,625 m2 and a lot width of 30.48 metres, as confirmed by submitted severance sketch by *MacKay, MacKay & Peters Limited*, Ontario Land Surveyor. An existing one-and-a-half storey dwelling currently exists on the lot but will be removed to facilitate future redevelopment. The property is zoned LN5, or Low-Rise Neighbourhood, under *Zoning By-law 09-2026*, as amended. Detached dwellings, as proposed on the conceptual site plan, are a permitted use in the LN5 zone.

The property is in a neighbourhood of predominantly of one and two-storey detached dwellings located west of Guelph Line, south of Upper Middle Road, east of Highway 407 and north of the Crosstown Trail, a multi-use path within the hydro corridor which cuts through the neighbourhood from southwest to northeast. The hydro corridor runs diagonally to the main grid of arterial roads and local streets, resulting in a variable lotting pattern around the subject property. Properties along Augustine Drive for example, have different shapes and lot areas compared to lots on the west side of Fisher Avenue, which are more uniformly rectangular. All nearby properties fall within the same zone designation and have convenient access to public transit as well as active transportation opportunities along the Crosstown Trail.

Planning Act Consent Criteria

In evaluating a consent application, the Committee of Adjustment must consider matters under Section 53 (1), (12) and 51 (24) of the *Planning Act*. Specifically, Section 51 (24) contains a set of criteria which the Committee must "have regard to" when evaluating a proposal.

In staff's opinion, the proposal is consistent with the consent criteria under Section 51 (24):

(a) the proposal respects matters of provincial interest as outlined in Section 2 of the *Planning Act*:
- the proposal has no impact on ecological systems because no development is proposed and the site is not within a *Conservation Halton* regulated area (2a)
- the proposal has no impact on agricultural resources since no agricultural activities are present on the site (2b)
- natural and mineral resources are not impacted (2c)
- there are no impacts to significant architectural, cultural, historical or archaeological resources (2d)
- energy and water supply and usage are unaffected (2e)
- the provision and use of communication, transportation, sewage and water services and waste management systems are unaffected (2f)
- there will be a minor net increase in waste resulting from one additional lot being created, but the proposal is not in conflict with the provincial interest of "minimization of waste (2g)
- no impacts to the orderly development of safe and healthy communities (2h)
- no accessibility impacts (2h.1)
- the proposal will generate a small amount of additional demand for educational, health, social, cultural and recreational facilities (2i)
- the proposal will facilitate increased housing supply, which should assist with the provision of a full range of housing, including affordable housing options (2j)
- the proposal does not impact the adequacy of employment opportunities (2k)
- no implications for the financial and economic well-being of the Province (2l)

- the requirement that the planning activities of public bodies be coordinated has been met, since the planning analysis from the Region of Halton, the Niagara Escarpment Commission, the City of Burlington is consolidated into this report and there are no conflicts between comments (2m)
- the proposal does not represent a conflict between public and private interests (2n)
- public health and safety are unaffected (2o)
- the site is an appropriate location for net growth or development in an area of the City with full services, so matter 2p is satisfied
- matter 2r, requiring transit and pedestrian supportive development, does not apply since development is not yet proposed
- matter 2s, requiring that greenhouse gas emissions be mitigated and requiring climate adaptation is not significantly impacted by the proposal but the intensification of existing built-up areas is a climate mitigation measure

(b) the proposal is not premature and is in the public interest;
(c) official plan conformity is evaluated in more detail in the following section.
(d) the land is suitable for the purpose for which it is to be subdivided;
- (d1) no affordable housing units are proposed, therefore criteria d.1 does not apply

(e) the proposal does not impact the “number, width, location and proposed grades and elevations” of adjacent highways or Fisher Avenue;
(f) the dimensions and shapes of the proposed lots are rectangular and consistent with other lots along Fisher Avenue;
(g) there are no restrictions or proposed restrictions on the land proposed to be subdivided that would impact the proposal;
(h) there are no significant natural resources on the property that would be impacted by the proposal and it has no impact on flood control;
(i) the proposal requires additional utilities and municipal services, which are available and adequate to service the development;
(j) the proposal could generate a small amount of additional demand for school sites;
(k) no public land dedication is proposed or required as part of the proposal;
(l) the plan’s design has no impact on the optimization of the available supply, means of supplying, efficient use and conservation of energy; and
(m) no development is proposed, so “the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land” does not apply

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. All development however, is subject to all other relevant policies of the ROP

City of Burlington 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 BOP 2020, the property is designated *Low-Rise Neighbourhoods I* which includes areas with low-rise, ground-oriented homes and supports gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options. Detached dwellings, semi-detached dwellings and duplexes are a permitted use, along with townhouses on a site-specific basis. The general intent and purpose of the BOP, 2020 is to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods, as they continue to evolve over time.

As per the policies found under Section 8.3.3.(1) of BOP 2020, single-detached and semi-detached dwellings may be permitted on lands designated Residential – Low Density with a maximum density of twenty-five units per net hectare. Notwithstanding the above, townhouses may be considered as well subject to a site-specific Zoning By-law Amendment and criteria outlined under the BOP. As confirmed on the application form, the owner has indicated that future development of these lands will be in the form of detached dwellings.

Since the BOP 2020 consent policies under Chapter 12 are under appeal, the application must be evaluated against the consent policies in the Official Plan, 1997. Part III, Subsection 2.5.4 (Infill Development) states that, “New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space.” To ensure that proper development is achievable on newly established lots, Part VI Section 4.4 specifically outlines the following factors to consider for consent applications;

(i) where applicable, the policies for infill development contained in Part III, Subsection 2.5.4 of this Plan;

The policies of Part III, Subsection 2.5.4 (Infill Development) include the following which are relevant to the proposal:

a) ground-oriented residential infilling within existing neighourhoods shall be encouraged;
b) new infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply.

c) the creation of new housing that is compatible with existing neighbourhoods, shall be encouraged.

Staff have assessed the application in accordance with the policies noted above. While no new development is currently proposed, the proposed consent would result in two lots of sufficient size to accommodate housing. The proposed lot shapes and sizes contribute to a compatible lotting fabric and it appears that a detached dwelling could be developed on each lot while maintaining appropriate height, scale, massing, siting, setbacks, coverage and open space.

(ii) the size, configuration and location of the proposed consent should be appropriate for the use proposed considering the municipal services available; or where municipal services are not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;

Municipal servicing is available along Fisher Avenue. An overall servicing, grading and drainage plan will confirm the size and location of existing and proposed servicing in relation to the new proposed lot lines, to the satisfaction of the City and the Region of Halton.

(iii) the lot size and proposed use of the proposed consent should conform to the provisions of the Zoning By-law, where applicable;

Zoning By-law 09-2026, as amended, requires lots within the LN5 Zone to have a minimum lot width of 18 metres and a minimum lot area of 680 m2 (this is unchanged from the requirements under Zoning By-law 2020 under which the subject property was previously zoned R2.3). The proposal illustrates a lot width of 15.24 metres and a lot area of 813.0 m2, for both severed and retained lands. While the overall lot size is greater than the minimum, the proposed lot frontage is approximately 85% of what is required in the LN5 zone. A minor variance application has been submitted for each of the proposed lots to seek relief.

(iv) the lot should have a compatible width and area with lots in the immediate vicinity;

Lots in the immediate vicinity of the subject property support a reduced lot width of 15.24 metres. See for example 1329, 1327, 1317 and 1313 Fisher Avenue as well as across the street at 1328, 1320, 1318 and 1314 Fisher Ave. Based on the submitted conceptual site plan, it appears that the lot frontage of each proposed parcel would facilitate the construction of a detached dwelling with a maximum width of 11.64 metres (15.24 m – 1.8 m x2). This contributes to a consistent streetscape as well as appropriate siting and spacing.

(v) any new lots intended for building must front on an existing public or common element road;

Both the severed and retained parcels will front onto Fisher Avenue.

(vi) a traffic hazard shall not be created by access to a road with limited sight lines on curves or grades;

The road configuration of Fisher Avenue will be maintained and will not be altered as a result of the proposed consent. One additional driveway will be proposed subject to requirements of the Zoning Bylaw and Transportation Planning

(vii) provision shall be made for future streets, and lot creation and development shall not preclude or inhibit future development of surrounding lands, where applicable;

The proposed consent seeks to create one additional building lot for the purposes of facilitating a future detached dwelling. Staff do not anticipate that the future development of the surrounding lands will be impacted as a result of the proposal.

(viii) the proposed consent should not extend into areas susceptible to flooding or erosion, or adversely affect drainage patterns;

Staff defer to Conservation Halton and Development Engineering to comment on matters related to flooding and erosion. Staff note that the subject lands do not appear to be regulated by Conservation Halton and Development Engineering has not raised any serious concerns.

(ix) the frontage of new lots intended for building should generally not be less than approximately 40 per cent of the lot depth;

Proposed frontage is considered to ensure that new lots maintain a relatively consistent ratio of width to depth to facilitate orderly, functional and aesthetically pleasing development. The guideline that new lots be no narrower than 40% of lot depth helps assess the size and type of built form, spacing between dwellings, setbacks and other elements, all of which can negatively impact the streetscape.
For both the severed and retained lots under this application:
15.24 m width / 53.34 m depth x 100 = 28.57%
Due to the depth of the subject lands, the proposal does not meet the requirement above but remains consistent with the established lot proportions in the surrounding area which also commonly exceed the 40% guideline. The conceptual sketch which has been submitted as part of this application demonstrates development potential for both the retained and severed lot. Staff do note that in addition to minimum yard requirements under the zoning by-law, maximum lot coverage and building depth regulations shall also be respected for any future development applications.

(x) within Neighbourhood Character Areas, the proposed development shall achieve consistency with neighbourhood character;

Not applicable.

(xi) within Neighbourhood Character Areas, the minimum lot widths and areas of proposed new lots Neighbourhood Character Areas shall meet or exceed the average lot width and lot area of single detached residential lots fronting on both sides of the same street within 120 m of the subject property.

Not applicable.

The applicant is seeking to create one additional lot for the purposes of a future detached dwelling. Staff are satisfied that both the retained and severed parcels will be compatible with the existing lotting fabric. In review of Part VI, Section 4.4 OP 1997, staff are of the opinion that these policies can be met and that orderly development of both the retained and severed parcel is achievable as demonstrated by the conceptual sketch which has been submitted as part of this application.

Zoning Bylaw 2020

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. While the proposed severed and retained lots surpass the minimum lot area requirements, the proposed lot width of 15.24 m is undersized and requires relief from the bylaw. Staff are in support of this reduction as the proposed parcel widths will be compatible with lots in the immediate vicinity while maintaining development potential of an appropriate *size and configuration*.

Conclusion:

Planning staff are of the opinion that the proposed consent application is consistent with the policies of the *Planning Act,* the *Regional Official Plan* and the City's *Official Plan*. On this basis, staff are supportive of the proposed consent, subject to conditions recommended by Zoning, Development Engineering and Halton Region.

Minor Variances:

The following variances are proposed to the City of Burlington Zoning By-law 2020 in conjunction with the proposed development:

Severed Parcel, Part 1 (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel, Part 2 (540-02-A023/26)

2. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. The general intent of the local Official Plan is discussed below.

City of Burlington Official Plan, 1997 & 2020:

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

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

- The proposed low-rise residential land use and small-scale intensification proposed is consistent with the Low-Rise Neighbourhoods I land use designation, which supports low-rise, ground-oriented homes and gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options.
- The proposal to create two lots with frontages that match the frontage of other lots in the immediate area meets the general intent and purpose of the BOP, 2020 to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods.
- The proposed frontages fit in with the immediate context and pattern of frontages:

Property	Frontage
Severed	15.24m
Retained	15.24m
1313 Fisher Avenue	15.24m
1314 Fisher Avenue	15.24m
1317 Fisher Avenue	15.24m

1318 Fisher Avenue	15.24m
1320 Fisher Avenue	13.71m
1328 Fisher Avenue	13.71m
1332 Fisher Avenue	18.82m
1336 Fisher Avenue	15.24m
Average	15.29m
Median	15.24m

- In accordance with OP, 1997 Part II, section 6.0-Design which states under 6.2(c), that an objective is to "ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.", the proposal to create two lots whose frontage would match many others on the street and would offer equal space for new home construction should facilitate compatible infill development, in which the dwellings eventually constructed are consistent with others on the street.
- The conceptual building envelopes shown on the plans indicate that two dwellings could be constructed on the lots that are compatible in terms of siting, setbacks, and amount of front yard open space, consistent with Part 2.5.4 (Infill Development) of the OP, 1997, which encourages ground-oriented residential infilling within existing neighbourhoods, provided the new development is compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space. ***Staff note that the conceptual envelopes are based only on required setbacks, and do not account for the maximum lot coverage limit of 35% (without ARUs) or the maximum building depth of 20 metres, which would prevent the applicant from building to the depth shown on the plan***.

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

- The proposed consent would create two lots with equal frontages to other properties on the street, and zoning compliant lot areas.
- No development is currently proposed, but the proposed severance plan shows two conceptual building envelopes with zoning compliant side yard setbacks and with a building width that matches the neighbouring home at 1317 Fisher

Avenue, suggesting that a house with a typical width for the street could be fit on the lot while maintaining zoning compliant side yard setbacks.
- Forestry and engineering staff do not object to the proposal and have not identified any undue adverse impacts of the proposal on drainage

2) City of Burlington Zoning By-law 2020:

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

Yes

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. The general intent and purpose of the minimum lot width requirement is to establish a standard lot width dimension for a streetscape so that it displays consistent built form, façade widths and consistent side yard setbacks. Staff have examined lot widths in the surrounding area and confirmed that the proposed lot widths would closely match the existing pattern.

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 proposal facilitates the gradual and compatible infilling of the streetscape, with two new lots that match the dimensions of many other lots on the street.

4) Minor in Nature:

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

Yes

The proposed lot dimensions are consistent with the pattern of lot widths in the immediate surroundings of the site resulting in lots that would be indistinguishable from their neighbours in width. This makes the requested reduction qualitatively minor in nature.

Recommendation:

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Staff has reviewed the proposed minor variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and recommends approval of the proposed minor variances.

Date: July 13, 2026 Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 - Site Photos (taken on July 15, 2026)



Front view of the subject property



View along Fisher Ave. looking towards Augustine Dr.



View of abutting property at 1327 Fisher Ave (vacant) with a lot width of 15.2 metres



View of nearby property at 1329 Fisher Ave with a lot width of 15.2 metres



View directly across the street



View of abutting property at 1317 Fisher Ave (with hydro corridor at rear)



View of nearby Crosstown Trail incl. hydro corridor

Development Engineering

Development Engineering has no objection to the proposed consent being granted, subject to the following conditions:

1. Submit a draft reference plan, prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements.
2. Submit a PIN report and copies of any agreements/easements on title listed within the PIN report. This is to ensure that the consent application will not conflict with any previously registered instruments.
3. If the proposed lot coverage exceeds 55% then submit a Stormwater Management Brief, for approval, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design.
4. If applicable, then complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, to the satisfaction of the Director of Engineering Services. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the Municipal Consent Permit and City Standards. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances.
5. Provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval. The plan shall be stamped and signed by a

Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:

a. Existing building envelopes and setbacks from property lines;
b. Proposed maximum building envelopes and setbacks from property lines;
c. Proposed top of foundation wall and finished floor elevations;
d. Existing and proposed ground elevations;
e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
g. Existing and proposed service connection locations;
h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
i. Existing and proposed retaining walls;
j. Existing and proposed fence;
k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
l. Existing and proposed utility poles and boxes; and
m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note.

6. Revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

7. 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 Engineering Services and the Director of Community Planning:

   Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.
   Prior to applying for a Building Permit, 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 each severed lot:
   - A Grading and Drainage Clearance Certificate application fee;

- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;
iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;
iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;
v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works

contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

- i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
- ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;
- iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;
- iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;
ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;
iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;
iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;
v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;
vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    i) completion of the Site Works in conformity with the provisions of this Agreement; and
    ii) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;
iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
   i) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
   ii) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

   the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or

demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action, costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Date: June 29, 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 29, 2026 Prepared By: R. Shaw-Lukavsky

Building

1) A Building Permit is required for all building demolition and 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: July 17, 2026 Prepared By: Ebtessam Mahrous

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.

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Date: May 22, 2026 Prepared By: E. Chen

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

Date: June 23, 2026 Prepared By: T. Thompson

Legal – Realty Services

NOTE: The 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.

A demolition credit would apply to the retained lot.

Date: June 24, 2026 Prepared By: Karen Lanza

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: June 16, 2026 Prepared By: L. Bray

Region of Halton

Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule “A”.

Further, Staff have no objection to the Minor Variance applications.

See full comments attached to the end of this report.

Date: July 2, 2026 Prepared By: Navjot Kaur

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

Date: July 14, 2026 Prepared By: Zakariya Al-Doori

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

July 14, 2026

Erin Shacklette
Committee Clerk - Committee of Adjustment
Community Planning
426 Brant Street Po Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Shacklette,

Re: Regional Comments – Consent & Minor Variance Applications
1325 Fisher Ave
City of Burlington, Region of Halton
File: B-002/26, A-023/26, A-024-26

Regional staff have reviewed the above noted Consent Application, where the applicant is proposing to facilitate the following:

- To sever the existing lot and create two new parcels of land.
- The severed lot (Part 1) will be of approximately 813.0 m^2 in area with a width of 15.24 m and the retained lot (Part 2) will be of 813.0 m^2 in area with a width of 15.24 m.

Staff have also reviewed the Minor Variance applications associated with the severed and retained lots:

- Minor Variance (A-024/26) - To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.
- Minor Variance (A-023/26) - To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Regional Comments

Regional Staff offer the following comments on the submitted Consent application.

Bill 185: Cutting Red Tape to Build More Homes Act, 2024

Due to Provincial legislation, as of July 1, 2024, 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 a continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., sourcewater protection, public heath); and
- Other Regional services that have a land component

Regional Servicing:

In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following review of the existing services adjacent to the subject lands, and Regional Servicing comments as they relate to the proposed development:

Existing Services:

Watermain	Sanitary Sewer
• A 200mm dia. watermain is located on Fisher Avenue adjacent to the property.	• A 250mm dia. sanitary sewer is locate on Fisher Avenue adjacent to the property

Servicing Comments/ Requirements:

- No documentation or drawing was submitted with the application showing the location of the existing water service and/or sanitary sewer lateral for the existing property.
- Regional records indicate that the existing house on the property is currently serviced by both an existing water service and sanitary sewer lateral that are connected to the existing services on Fisher Avenue. It is possible that these existing service connections could be reused for the retained parcel. The severed lot will require its own service connections.
- The servicing of the severed and retained lands will be addressed through the Regional service permit review process. A Regional service permit will be required after the registration and creation of the new lot and prior to applying for a building permit.

Regional Transportation:

In accordance with the MOU and to support an effective Regional transportation network, Halton Regional Staff have reviewed the proposed development and offer the following comments:

- Staff have no comments on the proposed application from a Regional transportation perspective.

Waste Management:

To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, in accordance with the Region's Development Design Guidelines for Source Separation of Solid Waste. Staff offer the following comments:

- The subject site is eligible for curbside residential garbage and organics waste collection for all street-related units, once construction is completed and the units are 90% occupied.
- Recycling collection, under O. Reg 391/21 is the responsibility of the producers effective January 1, 2026. For more information, please visit rpra.ca or www.circularmaterials.ca/ON.
- Please ensure that an area external to the dwelling area is designated for the storage of at least one Organic Waste Receptacle and one Garbage Receptacle. It will have a minimum area of 1 square metre for each residential unit (i.e. garage or external storage closet), as well as a method of appropriate ventilation to minimize and/or control odours.
- The collection points must have a height clearance of 5 m for waste collection vehicles during waste operations. Please ensure that there are no obstructions within waste vehicle's path, such as branches or trees.

Source Water Protection:

In accordance with the MOU and to ensure protection of groundwater sources, Staff note that the subject lands are not located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP).

Regional Finance Department:

Staff note that the Owner will be required to pay all applicable Regional Development Charges in accordance with the Region of Halton Development Charge By-law(s), as amended.

Please visit our website at: https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment to obtain the most current Development Charge and Front-ending Recovery Payment information, which is subject to change.

Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if appliable) to be provided to 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).

Conclusion:

Based upon the above, Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule "A".

Further, Staff have no objection to the Minor Variance applications.

Please kindly send notice of the City's decision on this application.

Should you have any questions concerning the above noted comments, please do not hesitate to reach out.

Sincerely,



Navjot Kaur, MPLAN
Intermediate Planner
Development Services

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

SCHEDULE "A"
HALTON REGION CONDITIONS AND ADVISORY NOTES

Consent Application – (B-002/26)
1325 Fisher Ave, Burlington

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1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. That the applicant determines the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

“Schedule A” – Conditions of Provisional Consent
1325 Fisher Avenue B-002-2026

City of Burlington Notes and Conditions

NOTES

1. 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.
2. A demolition credit will apply to the retained lot.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
4. Revisions to the report and/or plans may be required through the tree permit process.
5. A Pre-Building Approval Application is required for the future development of the property.
6. The application has been reviewed under Section 45 (1) of the Planning Act.
7. A Building Permit is required for all building demolition and construction;
8. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

CONDITIONS

1. The Applicant Shall submit a surveyor’s certificate from an Ontario Land Surveyor confirming 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 prepared by an Ontario Land Surveyor to the satisfaction of the Secretary – Treasurer; and

3. The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

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

5. The Applicant shall make payment of any outstanding property taxes including penalty and interest, and installments levied at the time of the issuance of the Consent; and

6. Local improvements shall be commuted; and

7. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 shall be approved; and

8. The Applicant shall provide one (1) copy of the draft reference plan prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements to the satisfaction of the Secretary-Treasurer and the Director of Development Engineering or their designate; and

9. The Applicant shall submit 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

10. The Applicant shall submit a Stormwater Management Brief for approval, if the proposed lot coverage exceeds 55%, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines to the satisfaction of the Director of Development Engineering or their designate. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design; and

11. The Applicant shall complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, if applicable, to the satisfaction of the Director of Engineering Services or their designate. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the

Municipal Consent Permit and City Standards. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances; and

12. The Applicant shall provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval to the satisfaction of the Director of Development Engineering or their designate. The plan shall be stamped and signed by a Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:
    a. Existing building envelopes and setbacks from property lines;
    b. Proposed maximum building envelopes and setbacks from property lines;
    c. Proposed top of foundation wall and finished floor elevations;
    d. Existing and proposed ground elevations;
    e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
    f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
    g. Existing and proposed service connection locations;
    h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
    i. Existing and proposed retaining walls;
    j. Existing and proposed fence;
    k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
    l. Existing and proposed utility poles and boxes; and
    m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note; and;

12. The Applicant shall revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

13. 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 Engineering Services and the Director of Community Planning:

Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.

Prior to applying for a Building Permit, 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 each severed lot:

- A Grading and Drainage Clearance Certificate application fee;
- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;

iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;

iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of

time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

   i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
   ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;

iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;
iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;

ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;

iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;

iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that

removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;

v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;

vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    iii) completion of the Site Works in conformity with the provisions of this Agreement; and
    iv) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;

iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
    iii) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
    iv) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such

tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action,

costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Region of Halton Conditions

1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Applicant/Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. The Applicant/Owner shall determine the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

* * * *

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NOs. 540-02-**B-002/26, A-023/26, A-024/26**
Committee of Adjustment
Date of Mailing: July 20, 2026

NOTICE OF PUBLIC HEARING

Coral Gable Homes, the owners of 4097 McIntosh Pl. Burlington, has applied to the Committee of Adjustment for Consent to Sever a parcel of land with associated Minor Variances to the requirements of Zoning By-law 2020, as amended. The property in question is **1325 Fisher Ave. Burlington (see attached key map)**.

The applicant is proposing to create two new parcels of land by severing one approximately 1,625.9 m2, 30.48 m wide existing lot being 1325 Fisher Avenue as described below:

Severed Parcel: (Part 1) approximately 813.0 m2 in area with a width of 15.24 m

Retained Parcel (Part 2) approximately 813.0 m2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require the followings minor variances from the provisions of the zoning by-law for lot width (for your assistance see the attached sketch)***:***

Severed Parcel (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel 540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

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 Wednesday July 20, 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 and 53 of the *Planning Act*, 1990, as amended on:

WEDNESDAY AUGUST 5, 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.

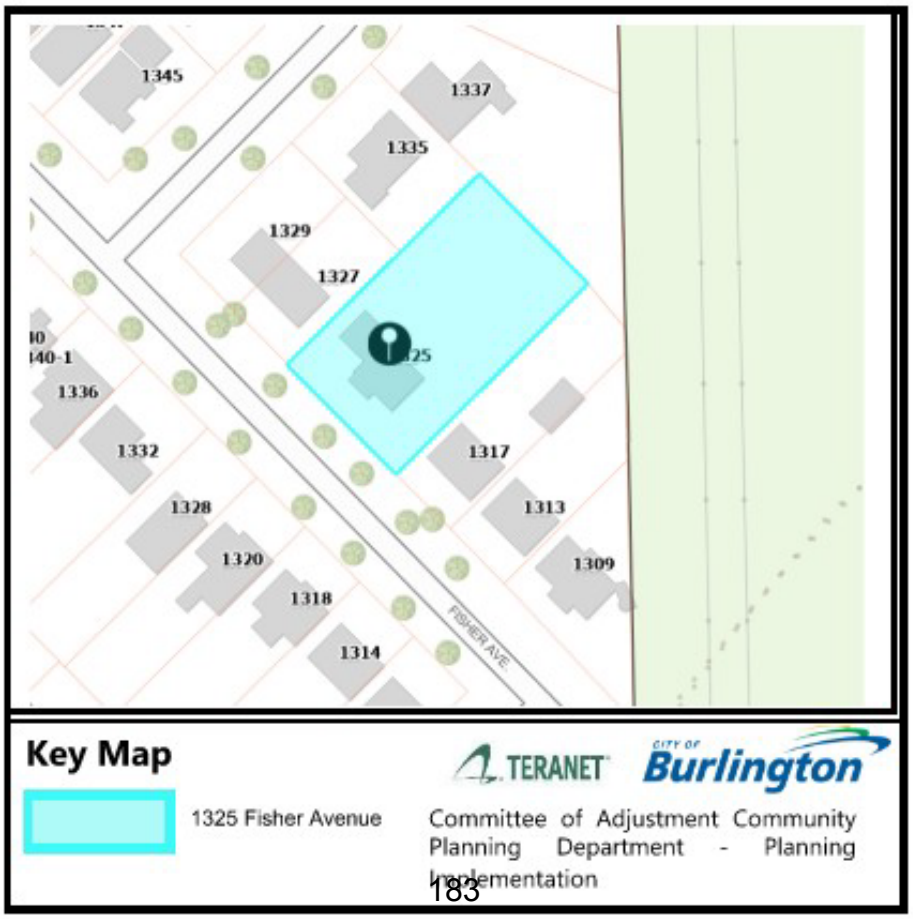
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca.

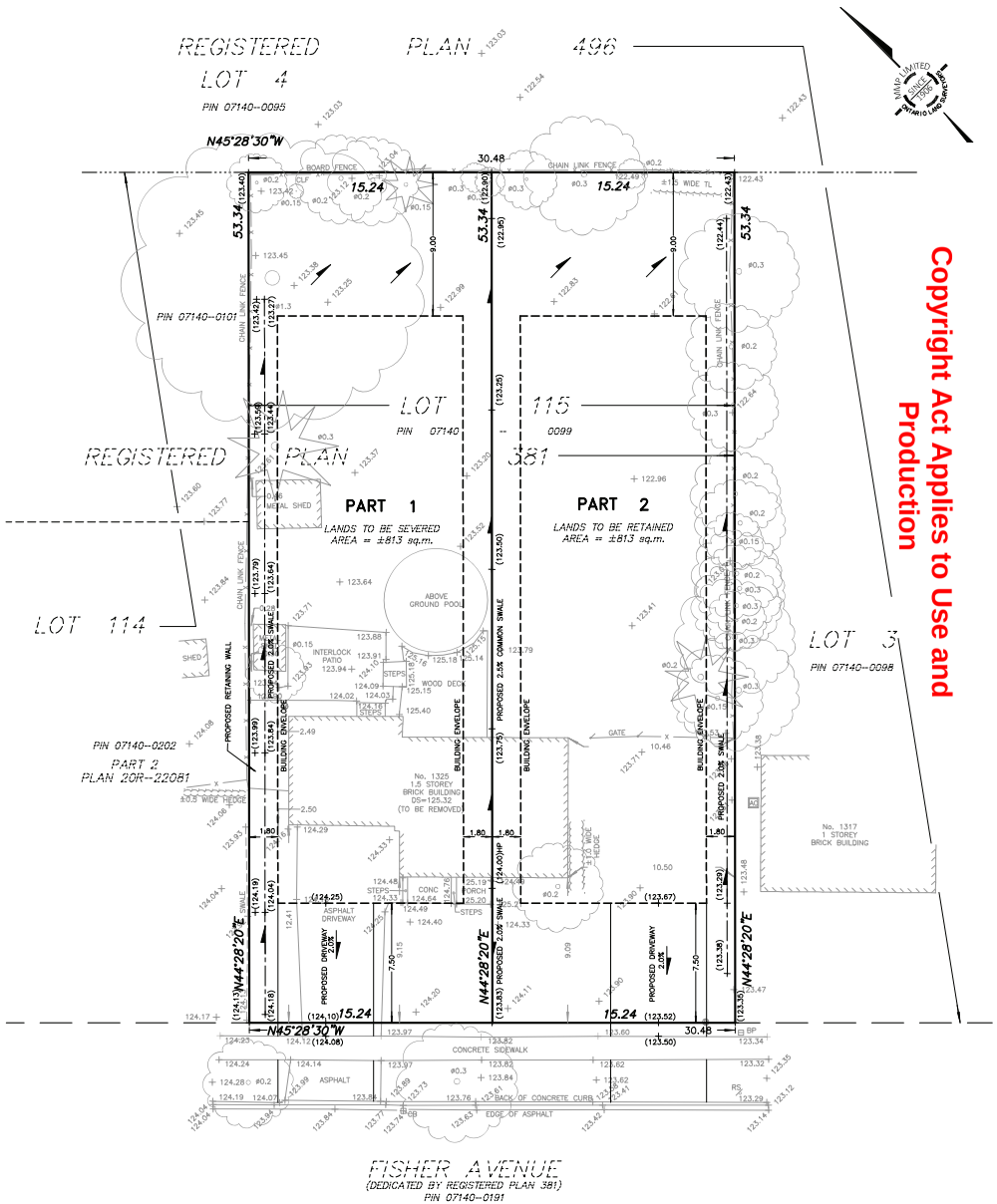
Yours truly,

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





Copyright Act Applies to Use and Production

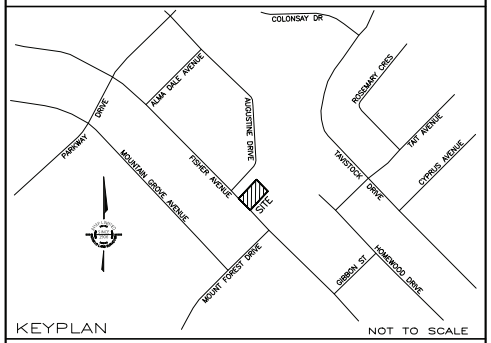
CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R2.3
(DESIGNATED AREA FOR LOT COVERAGE)
FOR 2 STOREY DETACHED DWELLING WITH ATTACHED GARAGE

ZONE	REQUIRED	PROVIDED	
		PARCEL A (PART 1 – SEVERED)	PARCEL B (PART 2 – RETAINED)
LOT WIDTH (@9.1 m)	18.00 m(min)	15.24 m*	15.24 m*
LOT AREA	680 sq.m(min)	±813 sq.m	±813 sq.m
DEEMED ROAD WIDTH	20.00 m	20.12 m	20.12 m
FRONT YARD	7.5 m(min)		
REAR YARD	9.00 m(min)		
SIDE YARD	1.80 m(min)		

* VARIANCE MAY BE REQUIRED

1325 FISHER AVENUE

CONCEPTUAL SITE GRADING PLAN FOR SEVERANCE PURPOSES



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE

LOT 115
REGISTERED PLAN 381
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 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*

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 185
ELEVATION = 127.233 METRES (CGVD 1928:1978 ADJUSTMENT)

BENCHMARK IS THE TOP OF THE MOST EASTERLY LARGE ANCHOR BOLT IN THE BASE PLATE OF THE EASTERLY LEG OF THE HYDRO TOWER LOCATED ON THE LANDS OF ONTARIO HYDRO AND APPROXIMATELY 30.5 METRES WEST OF COLONSAY DRIVE

LEGEND

DS DENOTES DOOR SILL
CLF DENOTES CHAIN LINK FENCE
TL DENOTES TREE LINE
CB DENOTES CATCH BASIN
BP DENOTES BELL PEDESTAL
RS DENOTES ROAD SIGN
CONC DENOTES CONCRETE
AC DENOTES AIR CONDITIONER
HP DENOTES HIGH POINT
T/W DENOTES TOP OF WALL
DENOTES SHRUB
PIN DENOTES PROPERTY IDENTIFICATION NUMBER
DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CNAOPY TRUNK SIZE SHOWN IN METRES
ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

CAUTION

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CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED
PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

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

E:\(20) Halton\Registered Plans\RP0381\LOT 115\25-290\SEV\25-290-SEV.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1

Burlington

Part 1 Lands to be Severed

MINOR VARIANCE – 2020

Committee of Adjustmen
Department of Community Plannin
426 Brant Street, Burlington O
committeeofadjustment@burlington.c

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: MAGDA RUSIN-HYNEK Name of Zoning Examiner: JENNIFER PARKER

PROPERTY INFORMATION

Municipal Address(es) of property:

1325 FISHER AVE.

Legal Description of property:

LOT 115. REGISTERED PLAN 581.

Official Plan Designation: LOW DENSITY RESIDENTIAL Current Zoning Designation LN5

OWNER(S) INFORMATION:

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

CORAL GABLE HOMES LTD.

Mailing Address: 4097 MCINTOSH PLACE. City: BURLINGTON

Postal Code: L7L 2E8 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:

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

urlington

Part 1 Lands to be Severed

MINOR VARIANCE – 202
Committee of Adjustme
Department of Community Plannin
426 Brant Street, Burlington O
committeeofadjustment@burlington.c

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.

TO SEVER A 30.48 m x 53.34 m LOT INTO 2 EQUAL PARCELS OF 15.24 m x 53.34 m LOTS.
ASKING FOR 2.76 m FRONT LOT WIDTH VARIANCE FOR EACH LOT

Variance(s) Requested	Zoning Bylaw Requirement
FRONTAGE REDUCED TO 15.24	18 m

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

1. Why is the variance(s) minor in nature? MEETS THE EXISTING SIZE OF LOTS IN THE NEIGHBOURHOOD. DIRECTLY BESIDE AND ACROSS THE ROAD.

2. Why are the variance(s) desirable for the appropriate use of the land? EXISTING SINGLE SIZE LOT IS OVERSIZED FOR THE NEIGHBOURHOOD.

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

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

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MINOR VARIANCE – 202

Committee of Adjustmer
Department of Community Plannir
426 Brant Street, Burlington O
committeeofadjustment@burlington.c

Part 1 Lands to be Severed

PROPERTY DETAILS (please complete all fields):

Date property purchased: July 2018 (mmm/dd/yyyy)

Date property first built on: _____ (mmm/dd/yyyy)

Date of proposed construction: 09/2026 (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:

CREATE 2 15.24 x 53.34 LOTS FOR SINGLE FAMILY HOMES.

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

s liquor sold on site? Y ☐ or N ☒

s 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: _____

S 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

Part 1 Lands to be Severed

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
30.48	53.34	1625.8 m^2		20m			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)	78.95	M^2	Ground Floor Area (incl. attached garage)	~~157.9~~ N/A	M^2
Gross Floor Area:	157.9	M^2	Gross Floor Area:	~~157.9~~	M^2
Number of Storeys:	2		Number of Storeys:	2	
Width:	10 m	M	Width:	~~10.36~~	M
Length:	9 m	M	Length	~~9.0~~	M
Height:	7 m	M	Height	~~7.0~~	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:	~~10~~	M^2	Gross Floor Area:		M^2
Width:	~~2~~	M	Width:		M
Length:	~~3~~	M	Length:		M
Height:	~~2~~	M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M^2
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING			PROPOSED		
Front:	9.09	M	Front:	7.5	M
Rear:	27 m	M	Rear:	~~existing~~ 9	M
Side/Street Side:	2.5	M	Side/Street Side:	1.8	M
Side/Other Side:	10.5	M	Side/Other Side:	~~existing~~ 1.8	M

Part 1 Lands to be Severed

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: Lloyd Ripani

Property Address: 1325 Fisher Av

Signature of Owner/Applicant

27 April 2026
Date (mmm/dd/yyyy)

urlington

Part 1 Lands to be Severed

Committee of Adjustmer
Department of Community Plannin
426 Brant Street, Burlington O
committeeofadjustment@burlington.c

AFFIDAVIT

Please fill out at time of submission of application

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

gent: _____

Lloyd Ripani (print name) of the City (Region/City/County) of Burlington in the Region (City/Town/Township)

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

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

is 27 day of April 20 26.

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

ignature of Commissioner, etc.

Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

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

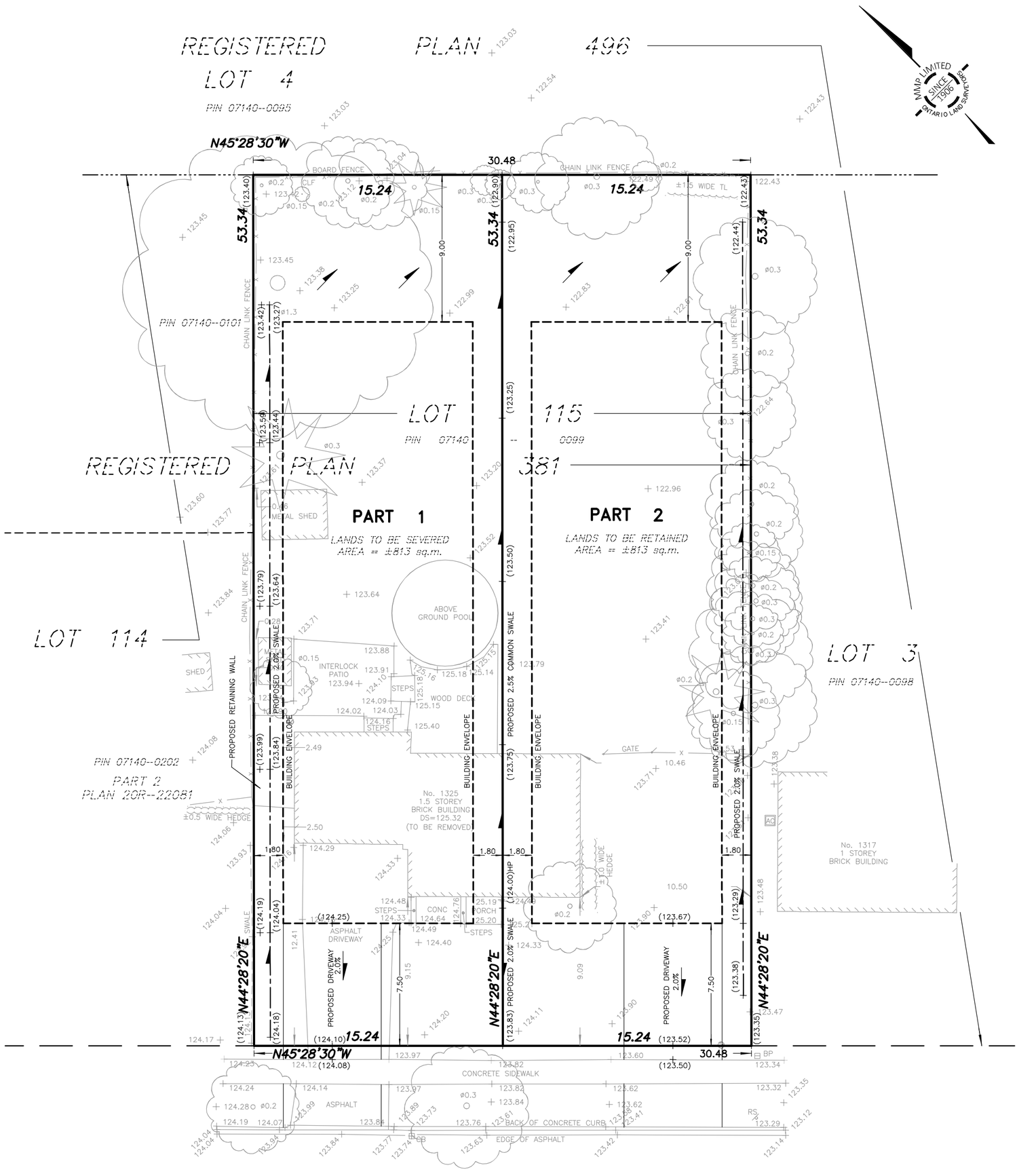
lunicipal Address of Subject Lands: 1325 Fisher Ave.

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

ignature of Owner

Lloyd Ripani
Print Name

Copyright Act Applies to Use and Production



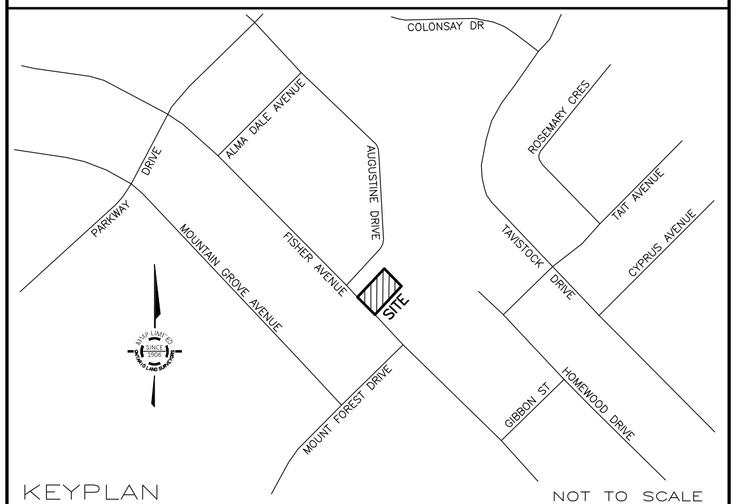
CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R2.3
(DESIGNATED AREA FOR LOT COVERAGE)
FOR 2 STOREY DETACHED DWELLING WITH ATTACHED GARAGE

ZONE	REQUIRED	PROVIDED	
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LOT WIDTH (@9.1 m)	18.00 m(min)	15.24 m*	15.24 m*
LOT AREA	680 sq.m(min)	±813 sq.m	±813 sq.m
DEEMED ROAD WIDTH	20.00 m	20.12 m	20.12 m
FRONT YARD	7.5 m(min)		
REAR YARD	9.00 m(min)		
SIDE YARD	1.80 m(min)		

* VARIANCE MAY BE REQUIRED

1325 FISHER AVENUE

CONCEPTUAL SITE GRADING PLAN FOR SEVERANCE PURPOSES



GEOGRAPHIC LOCATION NOTE

LOT 115
REGISTERED PLAN 381
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 metres

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS

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BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 185
ELEVATION = 127.233 METRES (CGVD 1928:1978 ADJUSTMENT)

BENCHMARK IS THE TOP OF THE MOST EASTERLY LARGE ANCHOR BOLT IN THE BASE PLATE OF THE EASTERLY LEG OF THE HYDRO TOWER LOCATED ON THE LANDS OF ONTARIO HYDRO AND APPROXIMATELY 30.5 METRES WEST OF COLONSAY DRIVE

LEGEND

DS	DENOTES DOOR SILL
CLF	DENOTES CHAIN LINK FENCE
TL	DENOTES TREE LINE
CB	DENOTES CATCH BASIN
BP	DENOTES BELL PEDESTAL
RS	DENOTES ROAD SIGN
CONC	DENOTES CONCRETE
AC	DENOTES AIR CONDITIONER
HP	DENOTES HIGH POINT
T/W	DENOTES TOP OF WALL
	DENOTES SHRUB
PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
	DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
	DENOTES CONIFEROUS TREE SCALED TO CNAOPY TRUNK SIZE SHOWN IN METRES

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

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CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

ASSOCIATION OF ONTARIO LAND SURVEYORS — ROY C. MAYO — 1756

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

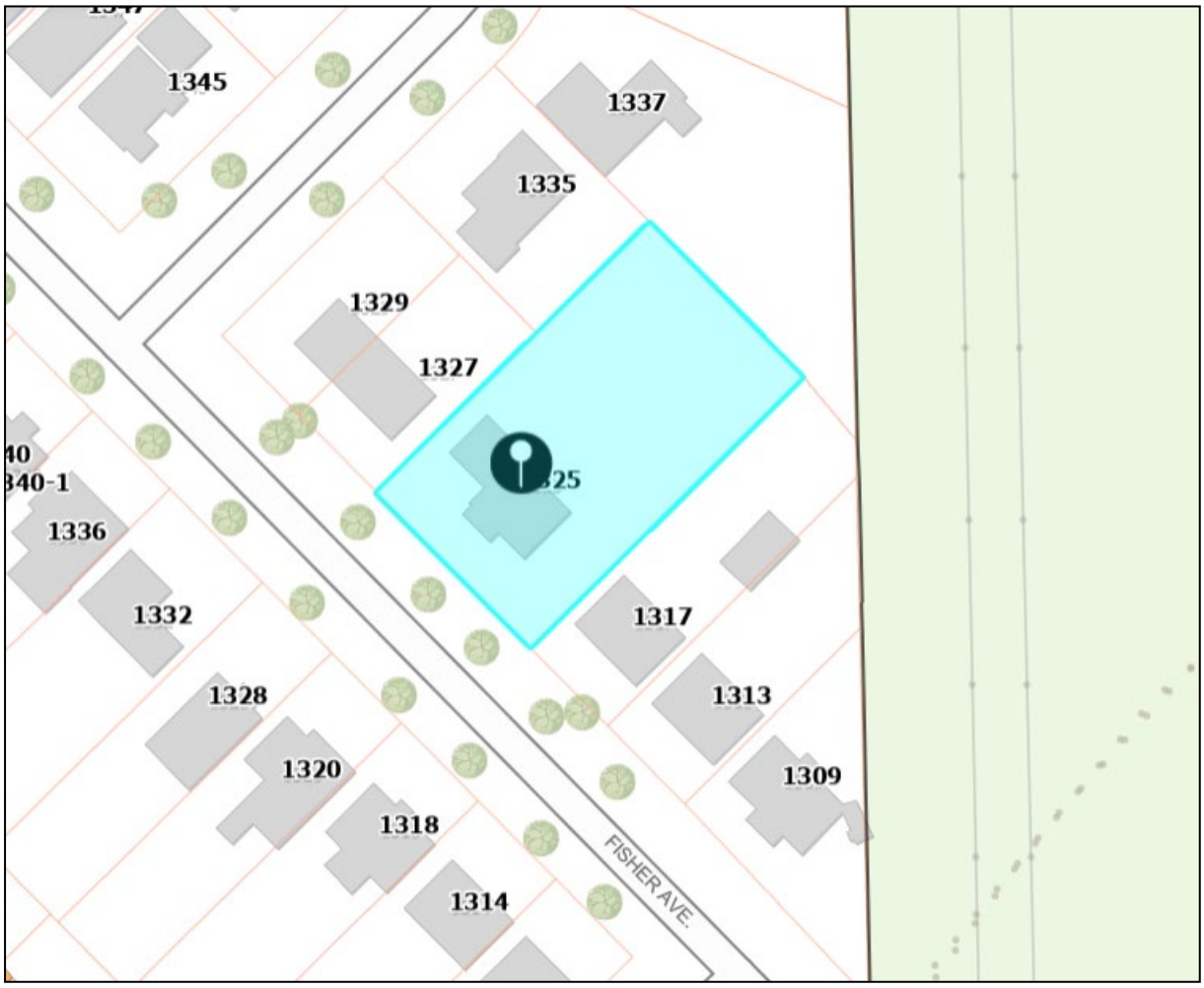
CONTACT US:
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DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Owner(s): Coral Gable Homes
Address: 1325 Fisher Ave. Burlington
File Nos. **B-002/26, A-023/26 & A-024/26**
Ward: 3



Staff Comments

Committee of Adjustment

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

The Applicant is advised that the following conditions of provisional consent apply:

1) The Applicant Shall provide one (1) copy of the draft reference plan prepared by an OLS to the Secretary – Treasurer for review and approval prior to depositing the plan; and

2) 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

3) The Applicant Shall provide one (1) copy of the Deposited Reference Plan to the satisfaction of the Secretary – Treasurer; and

4) The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

5) The Applicant shall provide one (1) copy of the wording for the certificate of official to the satisfaction of the Secretary – Treasurer; and

Please see attached "Schedule A" for a comprehensive list of conditions of provisional consent.

Date: May 8, 2026 Prepared By: E. Shacklette

Zoning

The subject property is zoned LN5, Low Rise Neighbourhood, under Zoning By-Law 09-2026, as amended. The LN5 zone requires, among other things, the following:

1.2 Compliance with this By-law

a) No **building** or **structure** shall be erected or altered, no change of **use** or occupancy of any **building**, **structure**, land, premises, or any part thereof shall be made, and no **lot** shall be created except in compliance with the regulations of this By-law.

Table 8: Provisions for Detached Dwellings

	LN5
Minimum **Lot Area**	680 m^2
Minimum **Lot Frontage**	18 m

Proposal:

The applicant is proposing to create two new parcels of land by severing one approximately 1, 625.9 m^2, 30.48 m wide existing lot being 1325 Fisher Avenue.

This will result in a severed lot (Part 1) of approximately 813.0 m^2 in area with a width of 15.24 m and a retained lot (Part 2) of 813.0 m^2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require a minor variance for lot width.

Final Development Zoning Review:

Property Address	**Parts**	**Minimum Lot Area**	**Proposed**	**Minimum Lot Width**	**Proposed**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Retained:** Part 2	680 m^2	813.0 m^2	18 m	**15.24 m**
1325 Fisher Avenue	From 1325 Fisher Avenue to be: **Severed:** Part 1	680 m^2	813.0 m^2	18 m	**15.24 m**

Retained Parcel (Part 2)

The proposed retained parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Severed Parcel (Part 1)

The proposed severed parcel complies with the minimum requirement for lot area.
It does not comply with the minimum requirement for lot frontage.

Variance required (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Condition:

1. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 are approved.

Note:

1. A Pre-Building Approval Application is required for the future development of the property.

2. The application has been reviewed under Section 45 (1) of the Planning Act.

Date: June 15, 2026 Prepared By: S. Boich

Site Planning

A consent application has been submitted to the City of Burlington proposing the creation of one new residential lot by severing off a portion of the subject property, municipally known as 1325 Fisher Avenue. The resulting parcels will be equal and have lot areas of 813.0 m2 (0.08 ha) and lot widths of 15.24 metres, or fifty feet. Although the conceptual site grading plan for severance purposes depicts two building envelopes with zoning compliant setbacks, no new buildings are proposed on either the retained or severed parcel as part of this application.

1325 Fisher Avenue is a rectangular shaped lot with an area of approximately 1,625 m2 and a lot width of 30.48 metres, as confirmed by submitted severance sketch by *MacKay, MacKay & Peters Limited*, Ontario Land Surveyor. An existing one-and-a-half storey dwelling currently exists on the lot but will be removed to facilitate future redevelopment. The property is zoned LN5, or Low-Rise Neighbourhood, under *Zoning By-law 09-2026*, as amended. Detached dwellings, as proposed on the conceptual site plan, are a permitted use in the LN5 zone.

The property is in a neighbourhood of predominantly of one and two-storey detached dwellings located west of Guelph Line, south of Upper Middle Road, east of Highway 407 and north of the Crosstown Trail, a multi-use path within the hydro corridor which cuts through the neighbourhood from southwest to northeast. The hydro corridor runs diagonally to the main grid of arterial roads and local streets, resulting in a variable lotting pattern around the subject property. Properties along Augustine Drive for example, have different shapes and lot areas compared to lots on the west side of Fisher Avenue, which are more uniformly rectangular. All nearby properties fall within the same zone designation and have convenient access to public transit as well as active transportation opportunities along the Crosstown Trail.

Planning Act Consent Criteria

In evaluating a consent application, the Committee of Adjustment must consider matters under Section 53 (1), (12) and 51 (24) of the *Planning Act*. Specifically, Section 51 (24) contains a set of criteria which the Committee must "have regard to" when evaluating a proposal.

In staff's opinion, the proposal is consistent with the consent criteria under Section 51 (24):

(a) the proposal respects matters of provincial interest as outlined in Section 2 of the *Planning Act*:
- the proposal has no impact on ecological systems because no development is proposed and the site is not within a *Conservation Halton* regulated area (2a)
- the proposal has no impact on agricultural resources since no agricultural activities are present on the site (2b)
- natural and mineral resources are not impacted (2c)
- there are no impacts to significant architectural, cultural, historical or archaeological resources (2d)
- energy and water supply and usage are unaffected (2e)
- the provision and use of communication, transportation, sewage and water services and waste management systems are unaffected (2f)
- there will be a minor net increase in waste resulting from one additional lot being created, but the proposal is not in conflict with the provincial interest of "minimization of waste (2g)
- no impacts to the orderly development of safe and healthy communities (2h)
- no accessibility impacts (2h.1)
- the proposal will generate a small amount of additional demand for educational, health, social, cultural and recreational facilities (2i)
- the proposal will facilitate increased housing supply, which should assist with the provision of a full range of housing, including affordable housing options (2j)
- the proposal does not impact the adequacy of employment opportunities (2k)
- no implications for the financial and economic well-being of the Province (2l)

- the requirement that the planning activities of public bodies be coordinated has been met, since the planning analysis from the Region of Halton, the Niagara Escarpment Commission, the City of Burlington is consolidated into this report and there are no conflicts between comments (2m)
- the proposal does not represent a conflict between public and private interests (2n)
- public health and safety are unaffected (2o)
- the site is an appropriate location for net growth or development in an area of the City with full services, so matter 2p is satisfied
- matter 2r, requiring transit and pedestrian supportive development, does not apply since development is not yet proposed
- matter 2s, requiring that greenhouse gas emissions be mitigated and requiring climate adaptation is not significantly impacted by the proposal but the intensification of existing built-up areas is a climate mitigation measure

(b) the proposal is not premature and is in the public interest;
(c) official plan conformity is evaluated in more detail in the following section.
(d) the land is suitable for the purpose for which it is to be subdivided;
- (d1) no affordable housing units are proposed, therefore criteria d.1 does not apply

(e) the proposal does not impact the “number, width, location and proposed grades and elevations” of adjacent highways or Fisher Avenue;
(f) the dimensions and shapes of the proposed lots are rectangular and consistent with other lots along Fisher Avenue;
(g) there are no restrictions or proposed restrictions on the land proposed to be subdivided that would impact the proposal;
(h) there are no significant natural resources on the property that would be impacted by the proposal and it has no impact on flood control;
(i) the proposal requires additional utilities and municipal services, which are available and adequate to service the development;
(j) the proposal could generate a small amount of additional demand for school sites;
(k) no public land dedication is proposed or required as part of the proposal;
(l) the plan’s design has no impact on the optimization of the available supply, means of supplying, efficient use and conservation of energy; and
(m) no development is proposed, so “the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land” does not apply

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. All development however, is subject to all other relevant policies of the ROP

City of Burlington 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 BOP 2020, the property is designated *Low-Rise Neighbourhoods I* which includes areas with low-rise, ground-oriented homes and supports gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options. Detached dwellings, semi-detached dwellings and duplexes are a permitted use, along with townhouses on a site-specific basis. The general intent and purpose of the BOP, 2020 is to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods, as they continue to evolve over time.

As per the policies found under Section 8.3.3.(1) of BOP 2020, single-detached and semi-detached dwellings may be permitted on lands designated Residential – Low Density with a maximum density of twenty-five units per net hectare. Notwithstanding the above, townhouses may be considered as well subject to a site-specific Zoning By-law Amendment and criteria outlined under the BOP. As confirmed on the application form, the owner has indicated that future development of these lands will be in the form of detached dwellings.

Since the BOP 2020 consent policies under Chapter 12 are under appeal, the application must be evaluated against the consent policies in the Official Plan, 1997. Part III, Subsection 2.5.4 (Infill Development) states that, “New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space.” To ensure that proper development is achievable on newly established lots, Part VI Section 4.4 specifically outlines the following factors to consider for consent applications;

(i) where applicable, the policies for infill development contained in Part III, Subsection 2.5.4 of this Plan;

The policies of Part III, Subsection 2.5.4 (Infill Development) include the following which are relevant to the proposal:

a) ground-oriented residential infilling within existing neighourhoods shall be encouraged;
b) new infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply.

c) the creation of new housing that is compatible with existing neighbourhoods, shall be encouraged.

Staff have assessed the application in accordance with the policies noted above. While no new development is currently proposed, the proposed consent would result in two lots of sufficient size to accommodate housing. The proposed lot shapes and sizes contribute to a compatible lotting fabric and it appears that a detached dwelling could be developed on each lot while maintaining appropriate height, scale, massing, siting, setbacks, coverage and open space.

(ii) the size, configuration and location of the proposed consent should be appropriate for the use proposed considering the municipal services available; or where municipal services are not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;

Municipal servicing is available along Fisher Avenue. An overall servicing, grading and drainage plan will confirm the size and location of existing and proposed servicing in relation to the new proposed lot lines, to the satisfaction of the City and the Region of Halton.

(iii) the lot size and proposed use of the proposed consent should conform to the provisions of the Zoning By-law, where applicable;

Zoning By-law 09-2026, as amended, requires lots within the LN5 Zone to have a minimum lot width of 18 metres and a minimum lot area of 680 m2 (this is unchanged from the requirements under Zoning By-law 2020 under which the subject property was previously zoned R2.3). The proposal illustrates a lot width of 15.24 metres and a lot area of 813.0 m2, for both severed and retained lands. While the overall lot size is greater than the minimum, the proposed lot frontage is approximately 85% of what is required in the LN5 zone. A minor variance application has been submitted for each of the proposed lots to seek relief.

(iv) the lot should have a compatible width and area with lots in the immediate vicinity;

Lots in the immediate vicinity of the subject property support a reduced lot width of 15.24 metres. See for example 1329, 1327, 1317 and 1313 Fisher Avenue as well as across the street at 1328, 1320, 1318 and 1314 Fisher Ave. Based on the submitted conceptual site plan, it appears that the lot frontage of each proposed parcel would facilitate the construction of a detached dwelling with a maximum width of 11.64 metres (15.24 m – 1.8 m x2). This contributes to a consistent streetscape as well as appropriate siting and spacing.

(v) any new lots intended for building must front on an existing public or common element road;

Both the severed and retained parcels will front onto Fisher Avenue.

(vi) a traffic hazard shall not be created by access to a road with limited sight lines on curves or grades;

The road configuration of Fisher Avenue will be maintained and will not be altered as a result of the proposed consent. One additional driveway will be proposed subject to requirements of the Zoning Bylaw and Transportation Planning

(vii) provision shall be made for future streets, and lot creation and development shall not preclude or inhibit future development of surrounding lands, where applicable;

The proposed consent seeks to create one additional building lot for the purposes of facilitating a future detached dwelling. Staff do not anticipate that the future development of the surrounding lands will be impacted as a result of the proposal.

(viii) the proposed consent should not extend into areas susceptible to flooding or erosion, or adversely affect drainage patterns;

Staff defer to Conservation Halton and Development Engineering to comment on matters related to flooding and erosion. Staff note that the subject lands do not appear to be regulated by Conservation Halton and Development Engineering has not raised any serious concerns.

(ix) the frontage of new lots intended for building should generally not be less than approximately 40 per cent of the lot depth;

Proposed frontage is considered to ensure that new lots maintain a relatively consistent ratio of width to depth to facilitate orderly, functional and aesthetically pleasing development. The guideline that new lots be no narrower than 40% of lot depth helps assess the size and type of built form, spacing between dwellings, setbacks and other elements, all of which can negatively impact the streetscape.
For both the severed and retained lots under this application:
15.24 m width / 53.34 m depth x 100 = 28.57%
Due to the depth of the subject lands, the proposal does not meet the requirement above but remains consistent with the established lot proportions in the surrounding area which also commonly exceed the 40% guideline. The conceptual sketch which has been submitted as part of this application demonstrates development potential for both the retained and severed lot. Staff do note that in addition to minimum yard requirements under the zoning by-law, maximum lot coverage and building depth regulations shall also be respected for any future development applications.

(x) within Neighbourhood Character Areas, the proposed development shall achieve consistency with neighbourhood character;

Not applicable.

(xi) within Neighbourhood Character Areas, the minimum lot widths and areas of proposed new lots Neighbourhood Character Areas shall meet or exceed the average lot width and lot area of single detached residential lots fronting on both sides of the same street within 120 m of the subject property.

Not applicable.

The applicant is seeking to create one additional lot for the purposes of a future detached dwelling. Staff are satisfied that both the retained and severed parcels will be compatible with the existing lotting fabric. In review of Part VI, Section 4.4 OP 1997, staff are of the opinion that these policies can be met and that orderly development of both the retained and severed parcel is achievable as demonstrated by the conceptual sketch which has been submitted as part of this application.

Zoning Bylaw 2020

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. While the proposed severed and retained lots surpass the minimum lot area requirements, the proposed lot width of 15.24 m is undersized and requires relief from the bylaw. Staff are in support of this reduction as the proposed parcel widths will be compatible with lots in the immediate vicinity while maintaining development potential of an appropriate *size and configuration*.

Conclusion:

Planning staff are of the opinion that the proposed consent application is consistent with the policies of the *Planning Act,* the *Regional Official Plan* and the City's *Official Plan*. On this basis, staff are supportive of the proposed consent, subject to conditions recommended by Zoning, Development Engineering and Halton Region.

Minor Variances:

The following variances are proposed to the City of Burlington Zoning By-law 2020 in conjunction with the proposed development:

Severed Parcel, Part 1 (540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel, Part 2 (540-02-A023/26)

2. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan

The subject lands are designated *Urban Area* within the Built Boundary (on Map 1h). The proposal is consistent with the general intent and purpose of *the Regional Official Plan (ROP)* for the following reasons:

- As per Section 76 of the Regional Official Plan (ROP), the range of permitted uses and the creation of new lots within the Urban Area must be in accordance with Local Official Plans and Zoning By-laws. The general intent of the local Official Plan is discussed below.

City of Burlington Official Plan, 1997 & 2020:

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

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

- The proposed low-rise residential land use and small-scale intensification proposed is consistent with the Low-Rise Neighbourhoods I land use designation, which supports low-rise, ground-oriented homes and gradual, compatible infill development while maintaining the existing low-rise character and allowing for more diverse housing options.
- The proposal to create two lots with frontages that match the frontage of other lots in the immediate area meets the general intent and purpose of the BOP, 2020 to encourage new development within existing areas while recognizing that the form must be balanced with other considerations like compatibility and integration into residential neighbourhoods.
- The proposed frontages fit in with the immediate context and pattern of frontages:

Property	**Frontage**
Severed	15.24m
Retained	15.24m
1313 Fisher Avenue	15.24m
1314 Fisher Avenue	15.24m
1317 Fisher Avenue	15.24m

1318 Fisher Avenue	15.24m
1320 Fisher Avenue	13.71m
1328 Fisher Avenue	13.71m
1332 Fisher Avenue	18.82m
1336 Fisher Avenue	15.24m
Average	15.29m
Median	15.24m

- In accordance with OP, 1997 Part II, section 6.0-Design which states under 6.2(c), that an objective is to "ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.", the proposal to create two lots whose frontage would match many others on the street and would offer equal space for new home construction should facilitate compatible infill development, in which the dwellings eventually constructed are consistent with others on the street.
- The conceptual building envelopes shown on the plans indicate that two dwellings could be constructed on the lots that are compatible in terms of siting, setbacks, and amount of front yard open space, consistent with Part 2.5.4 (Infill Development) of the OP, 1997, which encourages ground-oriented residential infilling within existing neighbourhoods, provided the new development is compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space. ***Staff note that the conceptual envelopes are based only on required setbacks, and do not account for the maximum lot coverage limit of 35% (without ARUs) or the maximum building depth of 20 metres, which would prevent the applicant from building to the depth shown on the plan***.

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

- The proposed consent would create two lots with equal frontages to other properties on the street, and zoning compliant lot areas.
- No development is currently proposed, but the proposed severance plan shows two conceptual building envelopes with zoning compliant side yard setbacks and with a building width that matches the neighbouring home at 1317 Fisher

Avenue, suggesting that a house with a typical width for the street could be fit on the lot while maintaining zoning compliant side yard setbacks.
- Forestry and engineering staff do not object to the proposal and have not identified any undue adverse impacts of the proposal on drainage

2) City of Burlington Zoning By-law 2020:

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

Yes

The subject lands are currently zoned LN5 under Zoning By-law 09-2026, as amended. Low density residential development in the form of detached dwellings is permitted in this zone. The general intent and purpose of the minimum lot width requirement is to establish a standard lot width dimension for a streetscape so that it displays consistent built form, façade widths and consistent side yard setbacks. Staff have examined lot widths in the surrounding area and confirmed that the proposed lot widths would closely match the existing pattern.

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 proposal facilitates the gradual and compatible infilling of the streetscape, with two new lots that match the dimensions of many other lots on the street.

4) Minor in Nature:

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

Yes

The proposed lot dimensions are consistent with the pattern of lot widths in the immediate surroundings of the site resulting in lots that would be indistinguishable from their neighbours in width. This makes the requested reduction qualitatively minor in nature.

Recommendation:

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Staff has reviewed the proposed minor variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and recommends approval of the proposed minor variances.

Date: July 13, 2026 Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 - Site Photos (taken on July 15, 2026)



Front view of the subject property



View along Fisher Ave. looking towards Augustine Dr.



View of abutting property at 1327 Fisher Ave (vacant) with a lot width of 15.2 metres



View of nearby property at 1329 Fisher Ave with a lot width of 15.2 metres



View directly across the street



View of abutting property at 1317 Fisher Ave (with hydro corridor at rear)



View of nearby Crosstown Trail incl. hydro corridor

Development Engineering

Development Engineering has no objection to the proposed consent being granted, subject to the following conditions:

1. Submit a draft reference plan, prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements.
2. Submit a PIN report and copies of any agreements/easements on title listed within the PIN report. This is to ensure that the consent application will not conflict with any previously registered instruments.
3. If the proposed lot coverage exceeds 55% then submit a Stormwater Management Brief, for approval, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design.
4. If applicable, then complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, to the satisfaction of the Director of Engineering Services. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the Municipal Consent Permit and City Standards. Discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances.
5. Provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval. The plan shall be stamped and signed by a

Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:

a. Existing building envelopes and setbacks from property lines;
b. Proposed maximum building envelopes and setbacks from property lines;
c. Proposed top of foundation wall and finished floor elevations;
d. Existing and proposed ground elevations;
e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
g. Existing and proposed service connection locations;
h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
i. Existing and proposed retaining walls;
j. Existing and proposed fence;
k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
l. Existing and proposed utility poles and boxes; and
m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note.

6. Revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

7. 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 Engineering Services and the Director of Community Planning:

   Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.
   Prior to applying for a Building Permit, 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 each severed lot:
   - A Grading and Drainage Clearance Certificate application fee;

- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;
iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;
iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;
v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works

contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

- i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
- ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;
- iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;
- iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;
ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;
iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;
iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;
v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;
vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    i) completion of the Site Works in conformity with the provisions of this Agreement; and
    ii) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;
iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
   i) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
   ii) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

   the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or

demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action, costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Date: June 29, 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 29, 2026 Prepared By: R. Shaw-Lukavsky

Building

1) A Building Permit is required for all building demolition and 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: July 17, 2026 Prepared By: Ebtessam Mahrous

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.

COMMITTEE OF ADJUSTMENT
CONSENT AND MINOR VARIANCE
STAFF REPORTS

Date: May 22, 2026 Prepared By: E. Chen

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

Date: June 23, 2026 Prepared By: T. Thompson

Legal – Realty Services

NOTE: The 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.

A demolition credit would apply to the retained lot.

Date: June 24, 2026 Prepared By: Karen Lanza

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: June 16, 2026 Prepared By: L. Bray

Region of Halton

Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule “A”.

Further, Staff have no objection to the Minor Variance applications.

See full comments attached to the end of this report.

Date: July 2, 2026 Prepared By: Navjot Kaur

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

Date: July 14, 2026 Prepared By: Zakariya Al-Doori

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

July 14, 2026

Erin Shacklette
Committee Clerk - Committee of Adjustment
Community Planning
426 Brant Street Po Box 5013
Burlington, ON L7R 3Z6

Dear Ms. Shacklette,

Re: Regional Comments – Consent & Minor Variance Applications
1325 Fisher Ave
City of Burlington, Region of Halton
File: B-002/26, A-023/26, A-024-26

Regional staff have reviewed the above noted Consent Application, where the applicant is proposing to facilitate the following:

- To sever the existing lot and create two new parcels of land.
- The severed lot (Part 1) will be of approximately 813.0 m^2 in area with a width of 15.24 m and the retained lot (Part 2) will be of 813.0 m^2 in area with a width of 15.24 m.

Staff have also reviewed the Minor Variance applications associated with the severed and retained lots:

- Minor Variance (A-024/26) - To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.
- Minor Variance (A-023/26) - To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Regional Comments

Regional Staff offer the following comments on the submitted Consent application.

Bill 185: Cutting Red Tape to Build More Homes Act, 2024

Due to Provincial legislation, as of July 1, 2024, 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 a continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., sourcewater protection, public heath); and
- Other Regional services that have a land component

Regional Servicing:

In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following review of the existing services adjacent to the subject lands, and Regional Servicing comments as they relate to the proposed development:

Existing Services:

Watermain	Sanitary Sewer
• A 200mm dia. watermain is located on Fisher Avenue adjacent to the property.	• A 250mm dia. sanitary sewer is locate on Fisher Avenue adjacent to the property

Servicing Comments/ Requirements:

- No documentation or drawing was submitted with the application showing the location of the existing water service and/or sanitary sewer lateral for the existing property.
- Regional records indicate that the existing house on the property is currently serviced by both an existing water service and sanitary sewer lateral that are connected to the existing services on Fisher Avenue. It is possible that these existing service connections could be reused for the retained parcel. The severed lot will require its own service connections.
- The servicing of the severed and retained lands will be addressed through the Regional service permit review process. A Regional service permit will be required after the registration and creation of the new lot and prior to applying for a building permit.

Regional Transportation:

In accordance with the MOU and to support an effective Regional transportation network, Halton Regional Staff have reviewed the proposed development and offer the following comments:

- Staff have no comments on the proposed application from a Regional transportation perspective.

Waste Management:

To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, in accordance with the Region's Development Design Guidelines for Source Separation of Solid Waste. Staff offer the following comments:

- The subject site is eligible for curbside residential garbage and organics waste collection for all street-related units, once construction is completed and the units are 90% occupied.
- Recycling collection, under O. Reg 391/21 is the responsibility of the producers effective January 1, 2026. For more information, please visit rpra.ca or www.circularmaterials.ca/ON.
- Please ensure that an area external to the dwelling area is designated for the storage of at least one Organic Waste Receptacle and one Garbage Receptacle. It will have a minimum area of 1 square metre for each residential unit (i.e. garage or external storage closet), as well as a method of appropriate ventilation to minimize and/or control odours.
- The collection points must have a height clearance of 5 m for waste collection vehicles during waste operations. Please ensure that there are no obstructions within waste vehicle's path, such as branches or trees.

Source Water Protection:

In accordance with the MOU and to ensure protection of groundwater sources, Staff note that the subject lands are not located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP).

Regional Finance Department:

Staff note that the Owner will be required to pay all applicable Regional Development Charges in accordance with the Region of Halton Development Charge By-law(s), as amended.

Please visit our website at: https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment to obtain the most current Development Charge and Front-ending Recovery Payment information, which is subject to change.

Contaminated Sites Database:

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if appliable) to be provided to 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).

Conclusion:

Based upon the above, Regional Staff have no objection to the above noted Consent application subject to the conditions noted in Schedule "A".

Further, Staff have no objection to the Minor Variance applications.

Please kindly send notice of the City's decision on this application.

Should you have any questions concerning the above noted comments, please do not hesitate to reach out.

Sincerely,



Navjot Kaur, MPLAN
Intermediate Planner
Development Services

Regional Development Review
Public Works
Halton Region
1151 Bronte Road,
Oakville, ON L6M 3L1

SCHEDULE "A"
HALTON REGION CONDITIONS AND ADVISORY NOTES

Consent Application – (B-002/26)
1325 Fisher Ave, Burlington

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1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. That the applicant determines the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

“Schedule A” – Conditions of Provisional Consent
1325 Fisher Avenue B-002-2026

City of Burlington Notes and Conditions

NOTES

1. 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.
2. A demolition credit will apply to the retained lot.
3. A tree permit will be required for any and all work around regulated trees in accordance with the City's Tree By-laws.
4. Revisions to the report and/or plans may be required through the tree permit process.
5. A Pre-Building Approval Application is required for the future development of the property.
6. The application has been reviewed under Section 45 (1) of the Planning Act.
7. A Building Permit is required for all building demolition and construction;
8. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.

CONDITIONS

1. The Applicant Shall submit a surveyor’s certificate from an Ontario Land Surveyor confirming 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 prepared by an Ontario Land Surveyor to the satisfaction of the Secretary – Treasurer; and

3. The Applicant Shall provide the Secretary –Treasurer with one (1) copy of the draft transfer documents.

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

5. The Applicant shall make payment of any outstanding property taxes including penalty and interest, and installments levied at the time of the issuance of the Consent; and

6. Local improvements shall be commuted; and

7. The minor variance applications under files 540-02-A-023/2026 and 540-02-A026/26 to facilitate consent application 540-02-B002/2026 shall be approved; and

8. The Applicant shall provide one (1) copy of the draft reference plan prepared by an Ontario Land Surveyor, identifying parts for lands to be severed, lands to be retained, road allowances and identifying any existing or proposed easements to the satisfaction of the Secretary-Treasurer and the Director of Development Engineering or their designate; and

9. The Applicant shall submit 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

10. The Applicant shall submit a Stormwater Management Brief for approval, if the proposed lot coverage exceeds 55%, that is stamped and certified by a Professional Engineer and completed in accordance with the City's Stormwater Management Design Guidelines to the satisfaction of the Director of Development Engineering or their designate. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design; and

11. The Applicant shall complete the installation of any approved drainage system appurtenances, including but not limited to any approved catchbasins and storm sewers, if applicable, to the satisfaction of the Director of Engineering Services or their designate. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department prior to any vegetation being disturbed or any grading or construction commenced, if necessary. Restoration of the road allowance shall be in accordance with the approved plan, the

Municipal Consent Permit and City Standards. The Applicant shall discuss with Development Engineering staff further before proceeding with any Stormwater Management design and/or appurtenances; and

12. The Applicant shall provide an overall servicing, grading and drainage plan for the severed and retained parcels, for approval to the satisfaction of the Director of Development Engineering or their designate. The plan shall be stamped and signed by a Professional Engineer or an Ontario Land Surveyor and shall provide for the following for all severed and retained parcels:
    a. Existing building envelopes and setbacks from property lines;
    b. Proposed maximum building envelopes and setbacks from property lines;
    c. Proposed top of foundation wall and finished floor elevations;
    d. Existing and proposed ground elevations;
    e. Existing ground elevations on adjacent properties and road allowances to sufficiently determine existing drainage patterns;
    f. Demonstrate that drainage will be controlled within the property limits of the severed and retained parcels, by use of swales (with subdrain if swale gradient is less than 2%), soak-away pits, rear yard catchbasins, etc.;
    g. Existing and proposed service connection locations;
    h. Existing and proposed driveway locations (which must maintain a 1.2 metre clearance from above ground utilities) and slopes;
    i. Existing and proposed retaining walls;
    j. Existing and proposed fence;
    k. Existing trees with base elevations (both private and City owned), including diameter at breast height. Please indicate which trees, if any, are to be removed;
    l. Existing and proposed utility poles and boxes; and
    m. Closest municipal hydrant. Please either show the location on the plan or indicate the location with a note; and;

12. The Applicant shall revise the proposed shared swale between Parts 1 and 2 to avoid any complications imposed by future fences. CLEARED 2026.07.07

13. 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 Engineering Services and the Director of Community Planning:

Implement any recommendations of the approved Phase Two Environmental Site Assessment and remedial action plan, to the satisfaction of the Director of Engineering Services, if applicable.

Prior to applying for a Building Permit, 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 each severed lot:

- A Grading and Drainage Clearance Certificate application fee;
- 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;
- 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;
- Erosion and sediment control for the disturbed ground area. Please show the necessary erosion and sediment control on the plan; and
- An Entrance Permit for any new driveway curb depressions.

NOTE FOR LEGAL DEPARTMENT:

The following standard conditions are to be included in the Section 53 Agreement:

GENERAL WORKS AND CONDITIONS

The Owner agrees that:

i. The subject property (hereinafter referred to as the “Lands”) shall only be developed in accordance with the plans approved by the Director of Engineering Services (hereinafter referred to as the "Plans"). No modification of the Plans shall be permitted without prior written approval of the City;
ii. A permit or other authorizing documentation shall be obtained from the Public Works Department of the Regional Municipality of Halton allowing for the connection of the development specified in the Plans to Regional Municipality of Halton water and waste water services or in the event that such services are not available, that the Owner shall obtain a certificate or other authorizing documentation from the Health Department of the Regional Municipality of Halton permitting the development outlined in the Plans to be serviced using private services;

iii. All costs associated with the relocation of existing services or utilities shall be borne by the Owner;

iv. A Municipal Consent Permit for works within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

v. An Entrance Permit for construction of a new driveway entrance within the road allowance shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vi. A Site Alteration Permit (as per By-law 64-2014, as amended) shall be secured from the Engineering Services Department before any vegetation is disturbed or any grading or construction commenced, if necessary;

vii. A Tree Permit (as per By-law 68-2013, as amended) shall be secured from the Roads, Parks & Forestry Department before any vegetation is disturbed or any grading or construction commenced, if necessary. The Owner shall provide continuous and careful protection of existing City trees, as per City of Burlington Tree Protection and Preservation Specification No. SS12A, as amended, to minimize negative impacts to existing City trees until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to store construction materials and park construction vehicles outside of the municipal right-of-way and to the satisfaction of the City Arborist;

viii. Noncompliance with the City's tree protection and preservation requirements or removal of the tree protection without the approval of the City Arborist will result in the loss of the associated securities. The security deposit shall be returned to the Owner if the City trees are deemed not injured or damaged by the City Arborist, otherwise the deposit shall be retained by the City, indefinitely, for the on-going maintenance, preservation and/ or eventual replacement of the tree;

ix. Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition, construction debris shall be contained and removed on a regular basis and appropriate temporary fencing, barriers and signage shall be utilized to prevent injury to persons and/ or property to the satisfaction of the City. Where construction is being undertaken within an existing developed area or on an existing developed site, the Owner will ensure that the functioning of the surrounding area, including pedestrian and vehicular movement, is maintained;

x. Throughout the duration of construction, all streets abutting the Lands and to be used for access shall be kept in good and usable condition and, if damaged, will be restored immediately and to the satisfaction of the Director of Engineering Services. All costs associated with restoration of the streets shall be borne by the Owner. The Owner's failure to complete the restoration works in a period of

time deemed satisfactory to the Director of Engineering Services may result in the necessary works being carried out by the City's contractor and charged against associated securities;

xi. Provide continuous and careful control measures to minimize dust emanating from the Lands until all construction, grading and other works contemplated in the Plans are fully completed. During the said time period, care shall also be taken by the Owner to minimize the tracking of soil/ material onto municipal road allowance. The Owner shall expeditiously suppress dust or remove all soil/ material from the municipal road allowance when requested to do so by City inspection staff and to the satisfaction of the Director of Engineering Services;

xii. Throughout the duration of construction, tires of all vehicles/ equipment leaving the Lands are to be scraped during wet conditions;

xiii. Roads are to be flushed and swept on Friday afternoons;

xiv. Silt control measures, to the satisfaction of the Director of Engineering Services, shall be provided by the Owner until all construction, grading and other works contemplated in the Plans are fully completed, to prevent silt or other substances entering onto adjacent properties, roads, sewers or watercourses from the Lands. Plans to control silt will be provided to the City's Director of Engineering Services for review and approval before any vegetation is disturbed or any grading or construction commenced

xv. Throughout the duration of construction, noncompliance with the City's dust/ soil/ silt control requirements or any and all damage to lands other than the Lands of the Owner caused or as a result of anything done in connection with the construction as set out in the Plans shall be remediated and repaired at the direction of the Director of Engineering Services and all work in connection thereto shall be borne by the Owner. Should the Owner fail to comply with said direction, the City may, in its discretion, remediate and repair damage using securities collected and/or pursue remedies as set out in section 446 of the Municipal Act, S.O. 2001, as amended;

xvi. Should construction require or otherwise cause the normal flow of traffic on a street to be disrupted, the provisions of the Ontario Traffic Manual, Book 7 (Temporary Conditions), as amended, shall be followed at all times, including but not limited to the appropriate traffic control person(s) and related signage. More particularly, the City requires:

   i) two flag person(s) shall be dedicated to direct construction vehicles into and out of the Lands at all times;
   ii) at the discretion of the Director of Transportation Services, pay duty police officers provided by the Halton Regional Police Service may be required to direct traffic. All costs associated with the requirement for pay duty police officers shall be borne by the Owner;

iii) traffic lanes shall not be closed completely. Lane closures and/ or restrictions require the approval of the Director of Transportation Services;
iv) lane closures and/ or restrictions shall be communicated in advance to outside agencies, including Burlington Transit, Burlington Fire Department, Region of Halton Land Ambulance Services, Halton Regional Police Service and Ontario Provincial Police;

xvii. Throughout the duration of construction, should any adverse environmental impact to the Lands be discovered or occur the Owner agrees to inform the City of Burlington/ Regional Municipality of Halton/ Ministry of the Environment, Conservation and Parks and immediately retain a qualified environmental consultant to investigate, report and remediate, as may be required, all in compliance with Ontario Regulation 153/04, as amended;

xviii. Disposal of excavated material from the Lands will comply with a preapproved haulage route to the satisfaction of the Director of Engineering Services. The haulage route will be monitored twice daily (at noon and end of workday) to ensure the route is clean. Should unforeseen problems arise, remedial action will be taken to the satisfaction of the Director of Engineering Services;

xix. Upon completion of construction, all municipal boulevards will be sodded at the expense of the Owner with minimum 150 mm of topsoil and No. 1 Nursery Sod. Prior to sodding on the Lands and/ or municipal boulevards, Engineering Services staff will be called for inspection.

MAINTENANCE

The Owner agrees that:

i. All weeping tiles shall be pumped as per the City's stormwater management policy. Sump pumps shall discharge onto permeable areas via concrete splash pads or extensions and not onto walkways, driveways, parking lots, etc. Sump pumps which cannot discharge onto permeable areas may connect to the storm sewers on the Lands with written approval from the Director of Engineering Services;

ii. All downspouts shall discharge onto permeable areas via concrete splash pads or downspout extensions and not onto walkways, driveways, parking lots, etc.. All downspouts which cannot discharge onto permeable areas shall be connected to the storm sewers on the Lands;

iii. The Owner shall re-establish grass or other vegetation on all disturbed or graded areas on the Lands as quickly as possible after a disturbance;

iv. Stormwater management controls are not to be removed or altered without prior approval from the City of Burlington. The Owner further acknowledges that

removal or alteration of stormwater management controls, without the prior written authorization of the Director of Engineering Services, may result in flooding within the Owner's building and/ or on the Lands as well as lands external to the Owner's;

v. Should changes to the approved lighting be necessary details will be provided for approval to the satisfaction of the Director of Engineering Services;

vi. Should the approved lighting be identified as a problem by the Director of Engineering Services on adjacent properties or right-of-ways, the Owner will implement appropriate remedial measures to the satisfaction of the Director of Engineering Services.

PERFORMANCE

i. The Owner will be required to deposit with the City securities satisfactory to the Director of Engineering Services (hereinafter referred to as the "Performance Guarantee") in an amount to be determined for:
    iii) completion of the Site Works in conformity with the provisions of this Agreement; and
    iv) performance and satisfaction of any other provision of this Agreement.

ii. The Owner agrees that, prior to the release of the required securities held by the City, the Site Works and all other things are to be completed and/ or provided by the Owner and to the satisfaction of the Director of Engineering Services;

iii. The Performance Guarantee provided shall be released by the City when the Site Works set out in the Plans and all other acts, matters or things required to be done under the provisions of the agreement are finally completed by the Owner and approved by the Director of Engineering Services.

iv. In the event that the Owner:
    iii) fails to complete, repair or maintain the Site Works to the satisfaction of the City; or
    iv) fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City;

the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such

tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

v. Notwithstanding the notice provisions in Subsection iii., where, in the opinion of the City, any damage to persons or property has been, might be or could be caused directly or indirectly by or by reason of any default of the Owner, the City has and is hereby given the right to remedy such default at the expense of the Owner without notice to the Owner.

vi. The costs of all work done by the City shall be determined by the City, which determination of such costs shall be final and shall include a management fee equal to 20% of the cost of labour, materials and equipment for such work, and all such costs shall forthwith be payable by the Owner to the City.

vii. In the event that the Owner fails to make, on demand in writing by the City, any payment required to be made under the provisions of this Agreement within seven (7) days after the service of notice on the Owner demanding such payment, the City may, at any time thereafter authorize the use of the Performance Guarantee provided by the Owner to pay any monies owed by the Owner to the City or the City may collect any such outstanding amounts in like manner as municipal taxes, pursuant to Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

viii. Where the City supplies any necessary materials or carries out any work, it shall be deemed to have been undertaken and completed by the City as an agent of the Owner and shall not be deemed to be an acceptance of any of the Site Works by the City nor an assumption by the City of any liability in connection therewith, nor a release or discharge of the Owner from any obligation.

ix. The City through its employees, contractors or agents may, at any time and from time to time, enter the Lands and buildings thereon to inspect, maintain, repair or complete any of the Site Works.

RELEASE AND INDEMNITY

i. No work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with the property development, shall give rise to any action, claim, counter-claim or demand by the Owner, or the Owner's heirs, executors, administrators, successors or assigns, for damages or compensation of any kind because of such work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council, pursuant to or in connection with this Agreement.

ii. The Owner agrees to indemnify and forever save harmless the City, its officers employees, and agents and City Council, from any claim, suit, demand, action,

costs or causes of action against the City by any other party, arising out of or in connection the property development or any work, act, matter or thing done or omitted to be done by the City, its officers, employees or agents or City Council pursuant to or in connection with the property development."

Region of Halton Conditions

1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton. The Applicant/Owner shall contact the Regional Service Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer permits, and pay all necessary fees after the creation and registration of the new lot and prior to applying for a building permit.

2. The Applicant/Owner shall determine the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

* * * *

(905) 335-7629
committeeofadjustment@burlington.ca
FILE NOs. 540-02-**B-002/26, A-023/26, A-024/26**
Committee of Adjustment
Date of Mailing: July 20, 2026

NOTICE OF PUBLIC HEARING

Coral Gable Homes, the owners of 4097 McIntosh Pl. Burlington, has applied to the Committee of Adjustment for Consent to Sever a parcel of land with associated Minor Variances to the requirements of Zoning By-law 2020, as amended. The property in question is **1325 Fisher Ave. Burlington (see attached key map)**.

The applicant is proposing to create two new parcels of land by severing one approximately 1,625.9 m2, 30.48 m wide existing lot being 1325 Fisher Avenue as described below:

Severed Parcel: (Part 1) approximately 813.0 m2 in area with a width of 15.24 m

Retained Parcel (Part 2) approximately 813.0 m2 in area with a width of 15.24 m.

Both proposed lots will comply with the minimum required lot area but require the followings minor variances from the provisions of the zoning by-law for lot width (for your assistance see the attached sketch)***:***

Severed Parcel (540-02-A023/26)

1. To permit a lot frontage of 15.24 m for the proposed severed parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

Retained Parcel 540-02-A024/26)

1. To permit a lot frontage of 15.24 m for the proposed retained parcel instead of the minimum required 18.0 m to facilitate a proposed land severance.

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 Wednesday July 20, 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 and 53 of the *Planning Act*, 1990, as amended on:

WEDNESDAY AUGUST 5, 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.

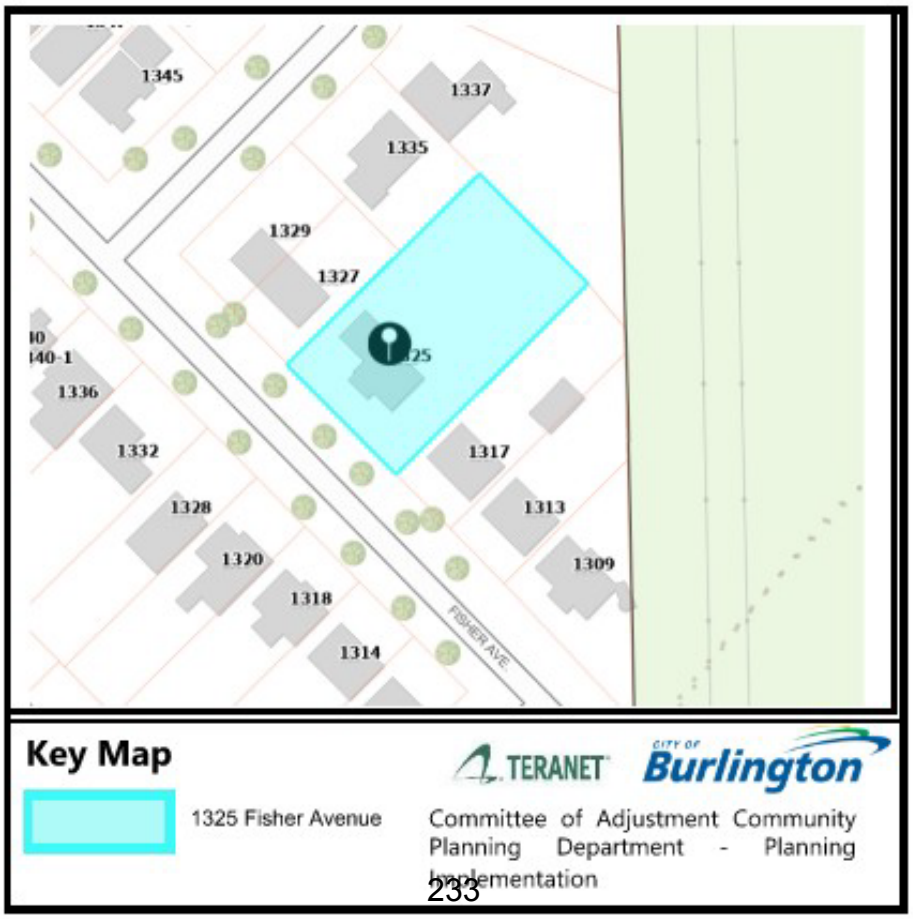
For more information about this matter, contact Catherine Susidko-Petriczko at committeeofadjustment@burlington.ca.

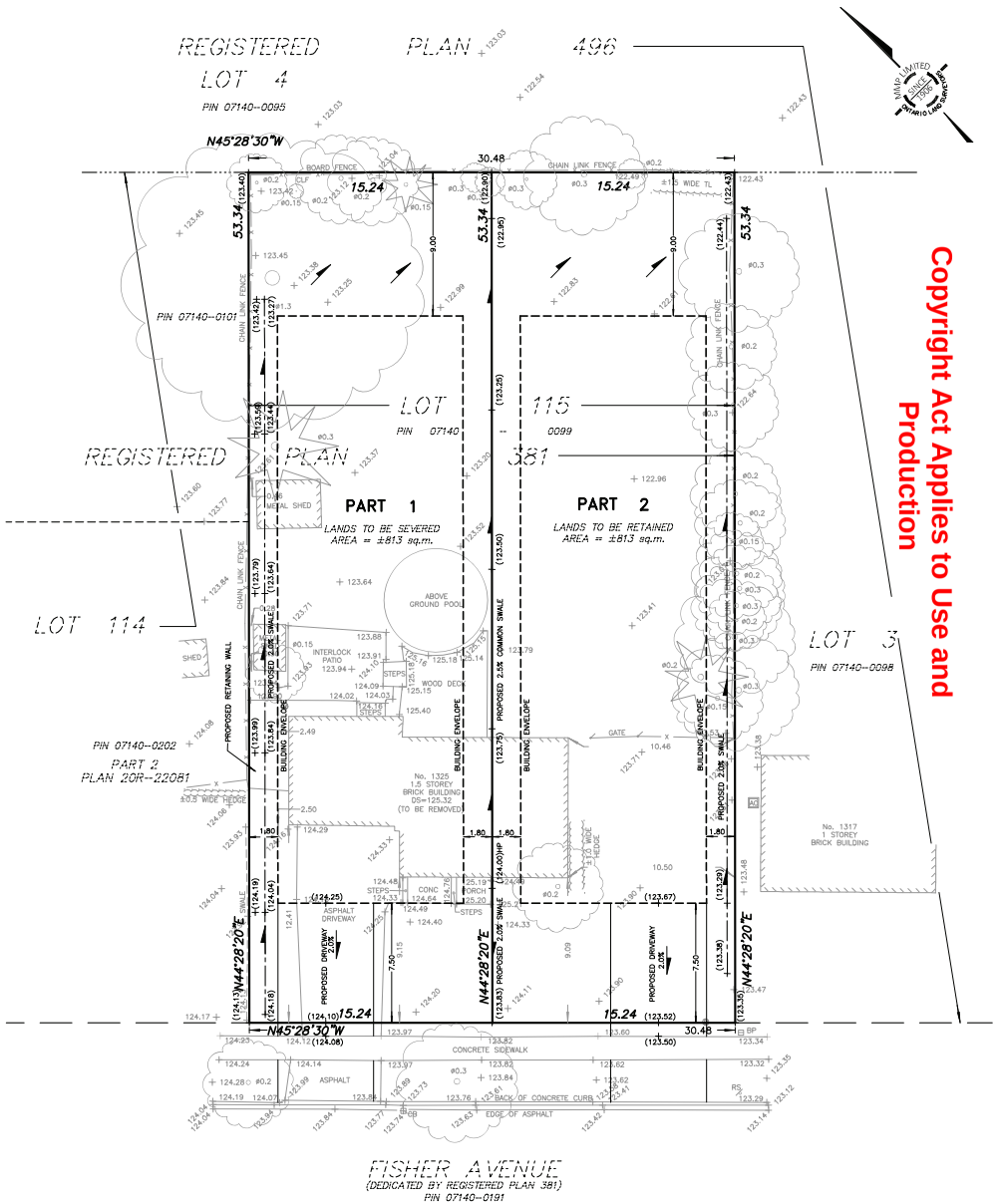
Yours truly,

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





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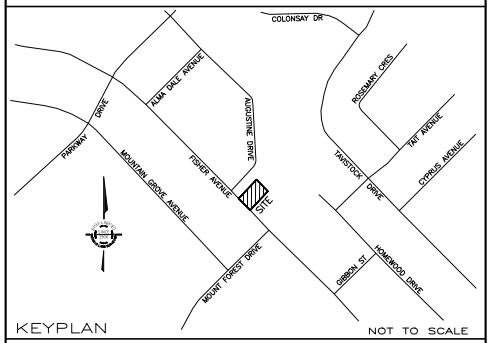
CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R2.3
(DESIGNATED AREA FOR LOT COVERAGE)
FOR 2 STOREY DETACHED DWELLING WITH ATTACHED GARAGE

ZONE	REQUIRED	PROVIDED	
		PARCEL A (PART 1 – SEVERED)	PARCEL B (PART 2 – RETAINED)
LOT WIDTH (@9.1 m)	18.00 m(min)	15.24 m*	15.24 m*
LOT AREA	680 sq.m(min)	±813 sq.m	±813 sq.m
DEEMED ROAD WIDTH	20.00 m	20.12 m	20.12 m
FRONT YARD	7.5 m(min)		
REAR YARD	9.00 m(min)		
SIDE YARD	1.80 m(min)		

* VARIANCE MAY BE REQUIRED

1325 FISHER AVENUE

CONCEPTUAL SITE GRADING PLAN FOR SEVERANCE PURPOSES



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE

LOT 115
REGISTERED PLAN 381
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 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*

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 185
ELEVATION = 127.233 METRES (CGVD 1928:1978 ADJUSTMENT)

BENCHMARK IS THE TOP OF THE MOST EASTERLY LARGE ANCHOR BOLT IN THE BASE PLATE OF THE EASTERLY LEG OF THE HYDRO TOWER LOCATED ON THE LANDS OF ONTARIO HYDRO AND APPROXIMATELY 30.5 METRES WEST OF COLONSAY DRIVE

LEGEND

DS DENOTES DOOR SILL
CLF DENOTES CHAIN LINK FENCE
TL DENOTES TREE LINE
CB DENOTES CATCH BASIN
BP DENOTES BELL PEDESTAL
RS DENOTES ROAD SIGN
CONC DENOTES CONCRETE
AC DENOTES AIR CONDITIONER
HP DENOTES HIGH POINT
T/W DENOTES TOP OF WALL
DENOTES SHRUB
PIN DENOTES PROPERTY IDENTIFICATION NUMBER
DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CNAOPY TRUNK SIZE SHOWN IN METRES
ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

CAUTION

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CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED
PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

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

E:\(20) Halton\Registered Plans\RP0381\LOT 115\25-290\SEV\25-290-SEV.dwg

DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1

City of Burlington

Part 2 Retained Lands

MINOR VARIANCE – 2026
Committee of Adjustmen
Department of Community Plannin
426 Brant Street, Burlington ON
committeeofadjustment@burlington.c

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: MAGDA RUSIN-HYNEK Name of Zoning Examiner: JENNIFER PARKER

PROPERTY INFORMATION
Municipal Address(es) of property:

1325 FISHER AVE.

Legal Description of property:

LOT 115. REGISTERED PLAN 381.

Official Plan Designation: LOW DENSITY RESIDENTIAL Current Zoning Designation LN5

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

CORAL GABLE HOMES LTD.

Mailing Address: 4097 McINTOSH PLACE. City: BURLINGTON

Postal Code: L7L 2E8 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:

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

Burlington

MINOR VARIANCE – 202

Committee of Adjustme
Department of Community Plann
426 Brant Street, Burlington
committeeofadjustment@burlington

Part 2 Retained Lands

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.

TO SEVER A 30.48 m x 53.34 m LOT INTO 2 EQUAL PARCELS OF 15.24 m x 53.34 m LOTS.

ASKING FOR 2.76 m FRONT LOT WIDTH VARIANCE FOR EACH LOT

Variance(s) Requested	Zoning Bylaw Requirement
FRONTAGE REDUCED TO 15.24	18 m

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

1. Why is the variance(s) minor in nature? MEETS THE EXISTING SIZE OF LOTS IN THE NEIGHBOURHOOD. DIRECTLY BESIDE AND ACROSS THE ROAD.

2. Why are the variance(s) desirable for the appropriate use of the land? EXISTING SINGLE SIZE LOT IS OVERSIZED FOR THE NEIGHBOURHOOD.

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

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

Part 2 Retained Lands

Committee of Adjustm
Department of Community Planr
426 Brant Street, Burlington
committeeofadjustment@burlingtor

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
July 2018 (mmm/dd/yyyy)	(mmm/dd/yyyy)	09/2026 (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:

CREATE 2 15.24 x 53.34 LOTS FOR SINGLE FAMILY HOMES.

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 – 202

Part 2 Retained Lands

Committee of Adjustme
Department of Community Planni
426 Brant Street, Burlington C
committeeofadjustment@burlington.

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot
30.48	53.34	1625.8 m^2		20m			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)	78.95	M^2	Ground Floor Area (incl. attached garage)	~~156.9~~ N/A	M
Gross Floor Area:	157.9	M^2	Gross Floor Area:	~~[illegible]~~	M
Number of Storeys:	2		Number of Storeys:	~~2~~	
Width:	10 m	M	Width:	~~10.36~~	M
Length:	9 m	M	Length	~~[illegible]~~	M
Height:	7 m	M	Height	~~[illegible]~~	M
Garage/Car Port			**Garage/Car Port**		
Detached?	Y ☐ N ☒		Detached?	Y ☐ N ☒	
Gross Floor Area:		M^2	Gross Floor Area:		M
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M
Accessory Structures (Shed, Gazebo, etc)			**Accessory Structures**		
Gross Floor Area:	~~10~~	M^2	Gross Floor Area:		M
Width:	~~2~~	M	Width:		M
Length:	~~3~~	M	Length:		M
Height:	~~2~~	M	Height:		M
Other (pool, additional sheds, decks, driveways, etc.)			**Other**		
Gross Floor Area:		M^2	Gross Floor Area:		M
Width:		M	Width:		M
Length:		M	Length:		M
Height:		M	Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING			PROPOSED		
Front:	9.09	M	Front:	7.5	M
Rear:	27 m	M	Rear:	~~[illegible]~~ 9	M
Side/Street Side:	2.5	M	Side/Street Side:	1.8	M
Side/Other Side:	10.5	M	Side/Other Side:	~~[illegible]~~ 1.8	M

426 Brant Street, Burlington ON
committeeofadjustment@burlington.c

Part 2 Retained Lands

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by a 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: LLOYD RIPANI

Property Address: 1325 FISHER AVE.

Signature of Owner/Applicant

Date (mmm/dd/yyyy): MAY 07 / 2026

Part 2 Retained Lands

Department of Community Plannin
426 Brant Street, Burlington C
committeeofadjustment@burlington.

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, LLOYD RIPANI (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 Region (Region/City/County) of Halton in the City of Burlington (City/Town/Township)

this 7th day of May 2026.

Nabonita Singh, a Commissioner, etc., Province of Ontario, for The Corporation of the City of Burlington. Expires August 27, 2028

Nabonita Singh
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.

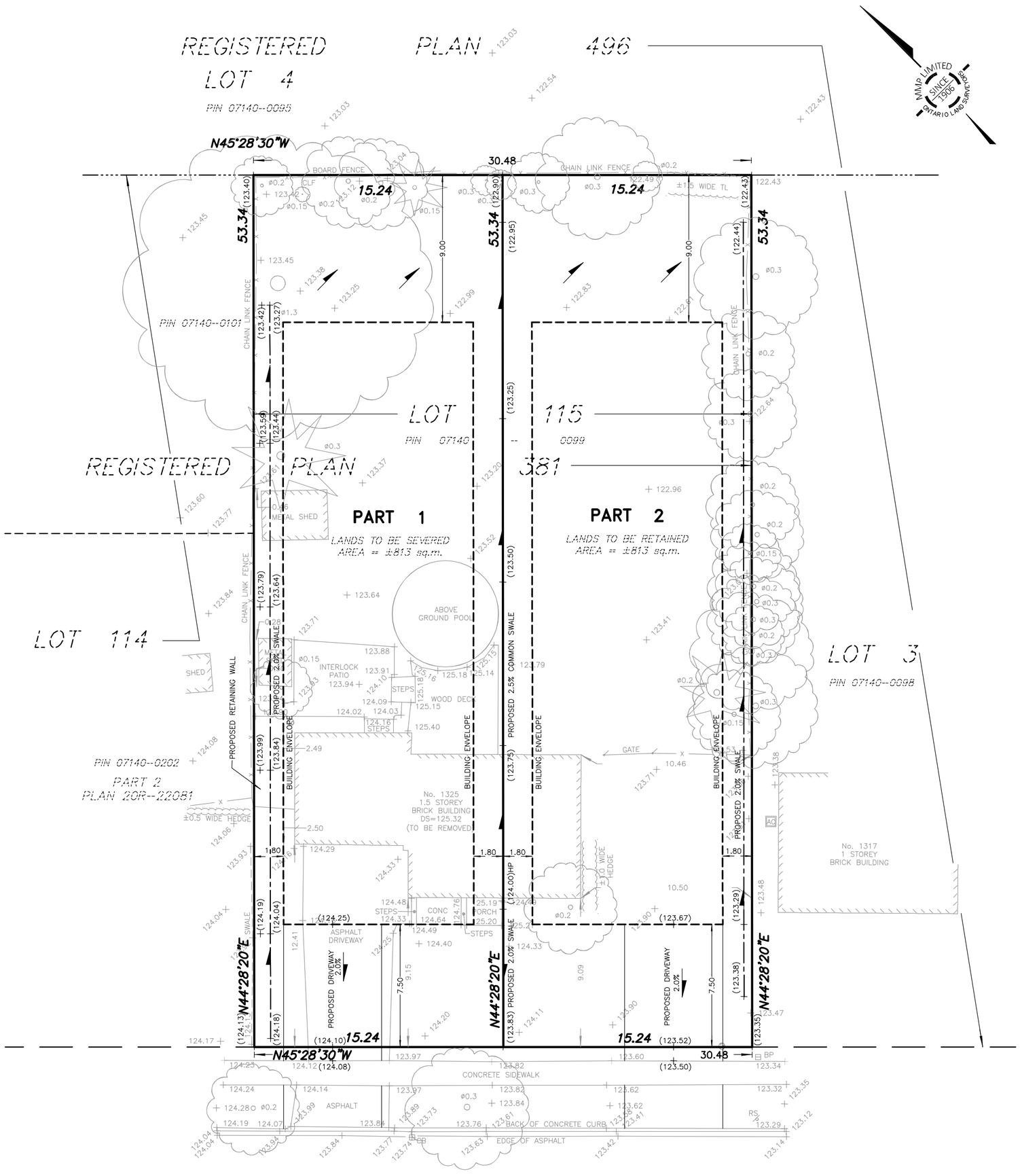
Municipal Address of Subject Lands: 1325 FISHER AVE

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

LLOYD RIPANI
Print Name

Copyright Act Applies to Use and Production



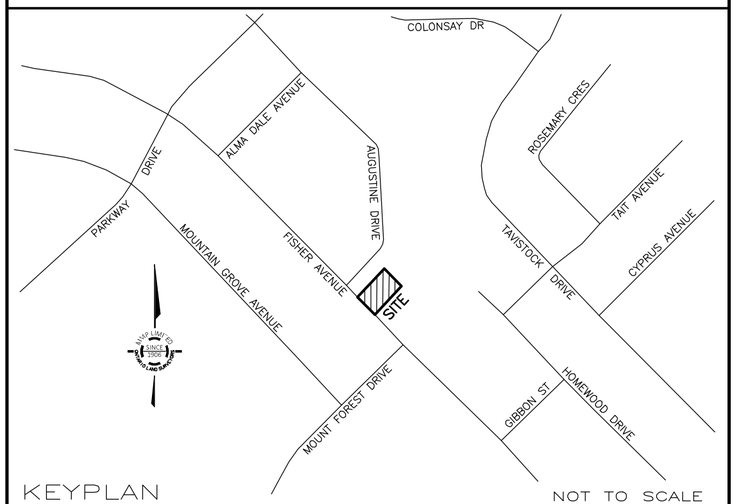
CITY OF BURLINGTON ZONING BY-LAW 2020
ZONING REGULATION - R2.3
(DESIGNATED AREA FOR LOT COVERAGE)
FOR 2 STOREY DETACHED DWELLING WITH ATTACHED GARAGE

ZONE	REQUIRED	PROVIDED	
		PARCEL A (PART 1 – SEVERED)	PARCEL B (PART 2 – RETAINED)
LOT WIDTH (@9.1 m)	18.00 m(min)	15.24 m*	15.24 m*
LOT AREA	680 sq.m(min)	±813 sq.m	±813 sq.m
DEEMED ROAD WIDTH	20.00 m	20.12 m	20.12 m
FRONT YARD	7.5 m(min)		
REAR YARD	9.00 m(min)		
SIDE YARD	1.80 m(min)		

* VARIANCE MAY BE REQUIRED

1325 FISHER AVENUE

CONCEPTUAL SITE GRADING PLAN FOR SEVERANCE PURPOSES



GEOGRAPHIC LOCATION NOTE

LOT 115
REGISTERED PLAN 381
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 200

0 5 10 20 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*

BENCHMARK NOTE

CITY OF BURLINGTON BENCHMARK No. 185
ELEVATION = 127.233 METRES (CGVD 1928:1978 ADJUSTMENT)

BENCHMARK IS THE TOP OF THE MOST EASTERLY LARGE ANCHOR BOLT IN THE BASE PLATE OF THE EASTERLY LEG OF THE HYDRO TOWER LOCATED ON THE LANDS OF ONTARIO HYDRO AND APPROXIMATELY 30.5 METRES WEST OF COLONSAY DRIVE

LEGEND

DS DENOTES DOOR SILL
CLF DENOTES CHAIN LINK FENCE
TL DENOTES TREE LINE
CB DENOTES CATCH BASIN
BP DENOTES BELL PEDESTAL
RS DENOTES ROAD SIGN
CONC DENOTES CONCRETE
AC DENOTES AIR CONDITIONER
HP DENOTES HIGH POINT
T/W DENOTES TOP OF WALL
DENOTES SHRUB
PIN DENOTES PROPERTY IDENTIFICATION NUMBER
DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
DENOTES CONIFEROUS TREE SCALED TO CNAOPY TRUNK SIZE SHOWN IN METRES

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

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- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

PROPOSED SITE STATISTICS AS SHOWN

MARCH 3, 2026
DATE

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

No.	DATE	REVISIONS
2	MARCH 2, 2026	SEVERANCE SKETCH COMPLETED
1	JANUARY 9, 2026	FIELD WORK COMPLETED

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

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DRAWN BY:	CHECKED BY:	PROJECT No.	DWG. No.
G.S./A.S.	A.B./D.R.	25-290-SEV	1