



Committee of Adjustment

Agenda

Date: August 19, 2026
Time: 1:00 pm
Location: Council Chambers, City Hall, second floor

Pages

1. Call to Order

2. Land Acknowledgement

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

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

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

3. Roll Call

4. Declarations of Interest

5. Addendums

6. Request for Deferrals

7. Consent Items

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

7.1 247 Elmhurst Crescent_A-009-2026

1 - 36

Proposal:

The applicant is proposing to demolish the existing one-storey dwelling and construct a new one-storey detached dwelling with attached garage on the existing dwelling foundation including a proposed one storey rear addition.

Variance required:

1. To permit a proposed attached private garage to project 1.7 m beyond the longest wall facing a street whereas Zoning Bylaw 09-2026 does not permit an attached private garage with a garage door facing a street to project beyond the longest wall facing a street and containing residential floor area on the first storey of a dwelling.

8. Regular Items

Proposal:

The applicant is proposing additions to the existing two storey dwelling and a proposed 49 m² accessory building in the rear yard with a new driveway.

1. Variances required:

To permit a 2.1m exterior side yard (abutting Harris Crescent) instead of the minimum required 4.5 m for a proposed addition.

2. To permit a roof encroachment of 2.8 m (4.5 m – 1.71 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.

3. To permit a canopy encroachment of 2.1 m (4.5 m – 2.42 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.

4. To permit a driveway length abutting Harris Crescent of 4.5 m instead of the minimum required 6 m.

5. To permit the combined width of all hard surfaces (driveways plus walkways) abutting Torrance Street to be 6.8 m instead of the maximum permitted

9. Other Business

9.1 Correspondence

9.2 Items for Discussion

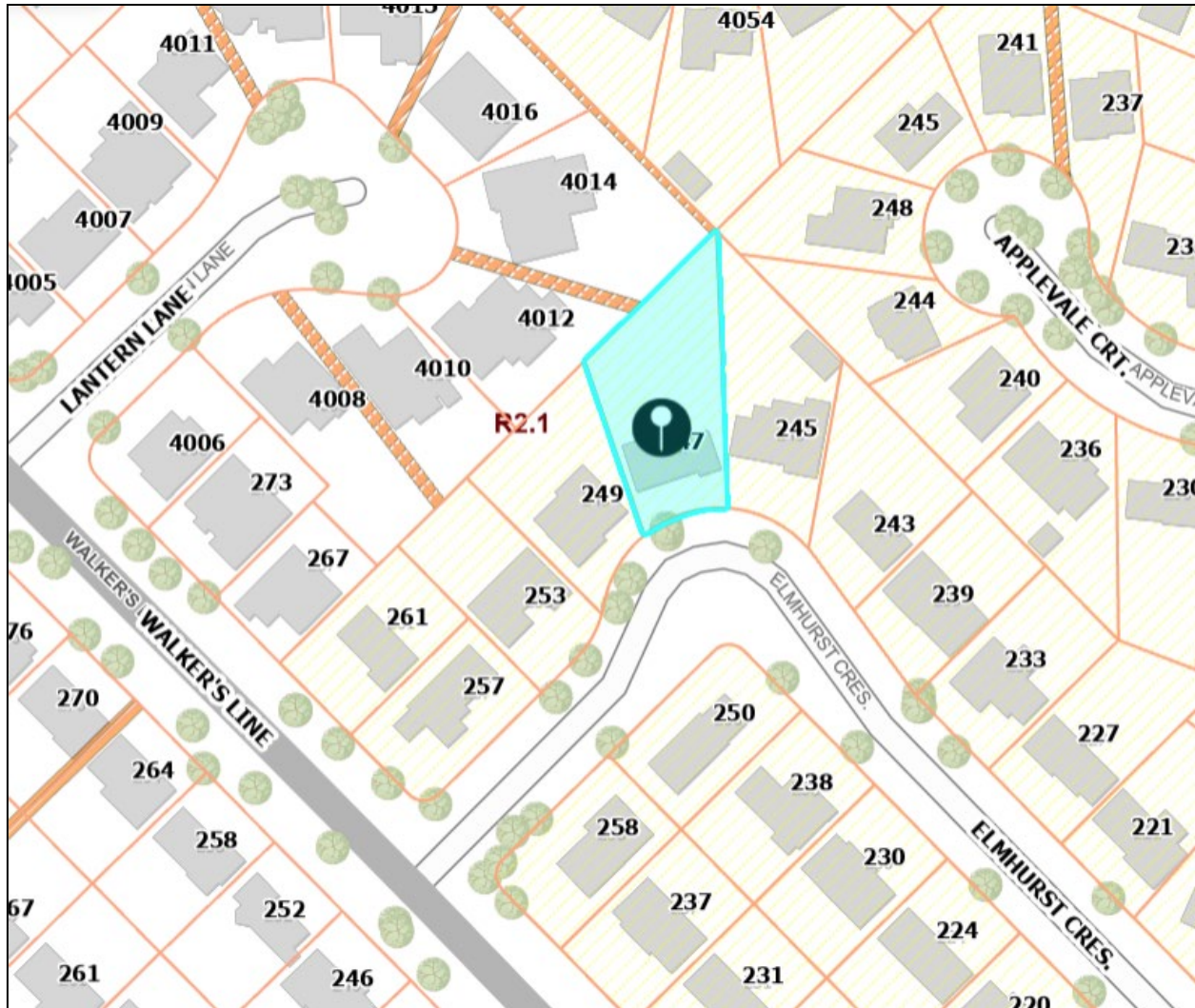
9.3 Date of Next Meeting

9.4 Motion to Approve Committee of Adjustment Meeting Minutes

10. Adjournment

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Catherine Galivan
Address: 247 Elmhurst Cres. Burlington
File No. **A-009/26**
Ward: 4



Staff Comments:

Committee of Adjustment

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

File No. A114/2017 – Approved

1. To permit an 8.2 m front yard setback instead of the minimum required 11 m for a proposed 2 storey detached dwelling.

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2. To permit a 6.0 m front yard setback instead of the minimum required 10.35 m for a proposed front porch including overhang and steps on a proposed 2 storey detached dwelling.
3. To permit a 1.8 m west side yard setback instead of the minimum required 2.2 m (10% x 21.92m lot width) for a proposed 2 storey detached dwelling.
4. To permit a 1.8 m east side yard setback instead of the minimum required 2.2 m (10% x 21.92m lot width) for a proposed 2 storey detached dwelling.
5. To permit a 1.2 m front yard eave or gutter encroachment from the wall of the dwelling instead of the maximum permitted 1.0 m for a proposed 2 storey detached dwelling.
6. To permit a 1.1 m east side yard setback instead of the minimum required 1.55 m (2.2 m – 0.65 m porch encroachment) for a side porch on a proposed 2 storey detached dwelling.

Date: February 9, 2026

Prepared By: E. Shacklette

Zoning

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

7.3 Provisions for Detached Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones

b) Additional Provisions for Detached Dwellings

- ii) An attached **private garage** with a garage door facing a **street** is not permitted to project beyond the longest wall facing a **street** and containing residential floor area on the **first storey** of a dwelling, or where there is a **porch** attached to the longest wall facing a **street**, it shall not project past the **porch**.

Proposal:

The applicant is proposing to demolish the existing one-storey dwelling and construct a new one-storey detached dwelling with attached garage on the existing dwelling foundation including a proposed one storey rear addition.

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Variance required:

1. To permit a proposed attached private garage to project 1.7 m beyond the longest wall facing a street whereas Zoning Bylaw 09-2026 does not permit an attached private garage with a garage door facing a street to project beyond the longest wall facing a street and containing residential floor area on the first storey of a dwelling.

Condition:

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

Notes:

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

Date: 25 June 2026Prepared By: Erin Ruby**Site Planning**

Site Characteristics	
Lot Frontage (m)	21.84 m
Lot Area (m²)	1,282.4 m ²
Existing Land Uses (ex. buildings, structures, driveways, fences, etc...)	One storey detached-dwelling with single-car attached garage
Site Grading (ex. Flat and level, significant grade differences)	Flat and level
Notable Site Features	n/a
Surrounding Land Uses (ex. Adjacent building relationships, natural features, notable adjacencies)	Low density residential
Nearest Major Intersection	Walkers Line / Lakeshore Road
Neighbourhood Boundaries*	North: New St East: Belvenia Rd South: Lakeshore Rd West: Walkers Line

*Based on OP, 1997 residential neighbourhood definition

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Neighbourhood Characteristics:

- The surrounding neighbourhood is characterized by one and one-and-a-half storey homes. The predominant horizontal lines and low-pitched hip roofs further reduce building massing, resulting in a distinctly low-rise residential form
- Properties in the neighbourhood feature large lots and deep front yards with expansive landscaped areas. Mature trees and established vegetation are prominent along the street and contribute to a spacious character as well as natural buffering
- Garages are single or double-width, attached and well-integrated into the building facades

A site visit was conducted on July 23rd, 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 from the zoning by-law maintain the general intent and purpose of the Official Plan?

Yes

Regional Official Plan (2022):

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

- Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that detached dwellings are permitted by the City's Zoning By-law, staff are of the opinion that the requested variance is consistent with this policy.

Official Plan, 1997 & 2020

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

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

- The site is designated 'Low-Rise Neighbourhoods I' with the Residential Neighbourhood Areas according to Schedule 'C' (Land Use - Urban Area) of the BOP, 2020, as amended, which consists of low-rise, ground-oriented dwellings and encourages the integration of a wide range of housing types

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- Whereas the General Objectives for Residential Neighbourhood Areas under Section 8.3.1 of the BOP, 2020 directs that development “be balanced with other planning considerations” and achieve “compatibility and integration with existing residential neighbourhoods” (a), the proposal is consistent with these objectives in the following ways:
 - The house maintains a zoning compliant rear yard and side yards, reinforcing the pattern of separation distances between neighbouring homes
 - With the new rear addition and covered front porch, the home maintains a building footprint and setbacks that are consistent with the established pattern along Elmhurst Crescent
 - The proposal achieves compatibility with the surrounding neighbourhood through the variety of finishes, low-sloping rooflines and gable dormers.
 - The projecting garage measures only 3.8 metres in width, which is a small proportion (21%) of the home’s total width of 18.3 metres
 - Whereas compatible is defined as “Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health”, which is evaluated in accordance with measurable/objective standards, the planner notes the following:
 - The design balances the garage projection on one side with the covered front porch on the other, creating a varied and visually interesting massing when viewed from the street.
 - Engineering has reviewed the proposal for potential drainage impacts affecting neighbouring properties and does not object.
 - Forestry staff have reviewed the proposal for potential tree impacts and do not object.

2) City of Burlington Zoning By-law 09-2026:

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

Yes

The subject property is zoned LN5, Low-Rise Neighbourhood 5, under Zoning By-law 09-2026, as amended. Part 1, Section 7.3 b) of the by-law limits garage projections. The general intent and purpose of this provision is ensure that garages do not visually dominate the streetscape and that the front façade contributes to a pedestrian-oriented neighbourhood character. The proposed minor variance to permit an attached garage to project 1.7 metres beyond the longest wall facing a street is consistent with this intent for the following reasons:

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- The house currently includes a projecting garage in the same location as the proposed. The variance is triggered by a change in height and volume due to an overall increase in ceiling height as well as a new, continuous eave and gable over the garage.
 - The width of the single-car garage accounts for only 21% of the overall building width and is well balanced by a new, covered front entry ensuring that the garage remains well integrated into the overall massing.
 - The front elevation incorporates varied exterior finishes and architectural elements. In particular, the decorative columns and gable dormers which are repeated over both the porch and garage help create visual interest while maintaining good design rhythm and reducing any visual dominance of the garage

3) Desirability:

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

Yes

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

- The proposal facilitates an addition to an existing detached dwelling which is consistent with the established low-density residential character of the neighbourhood, where one to one-and-a-half storey homes are predominant.
- The design incorporates varied building massing, roof forms and architectural detailing which collectively reduce the impact of the garage projection and maintain compatibility with the surrounding streetscape.
- The building footprint makes efficient use of a large residential lot while maintaining generous landscaped areas and appropriate separation from abutting properties, consistent with the spacious character of the neighbourhood

4) Minor in Nature:

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

Yes

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

- The proposal maintains only a single-car garage which is a common feature on the street. The proposal does not result in undue physical or functional impacts on adjacent properties or the broader residential neighbourhood.

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- The garage projection is visually balanced by the front porch projection on the opposite side of the façade, ensuring that the dwelling maintains a balanced streetscape presence.
- Development Engineering and Forestry staff have also reviewed the application and have indicated no objection.

Cumulative Effects of Multiple Variances and Other Planning Matters:

- n/a

Recommendation:

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

Date: July 28, 2026

Prepared By: Magda Rusin-Hynek

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



Front view of subject property



Front view of subject property



Abutting property at 249 Elmhurst Cres



Abutting property at 245 Elmhurst Cres

COMMITTEE OF ADJUSTMENT MINOR VARIANCE STAFF REPORTS



Existing garage projection looking towards abutting property at 245 Elmhurst Cres



Existing garage and driveway including abutting property at 245 Elmhurst Cres



View directly across the street at 250 Elmhurst Cres



View along Elmhurst Cres towards Walkers Line

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: July 6, 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.

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Date: June 30, 2026Prepared By: J. Lee**Building**

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

Date: July 24, 2026Prepared By: Ebtessam Mahrous**Transportation Planning**Deemed Road Width Analysis

Elmhurst Crescent 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: February 11, 2026Prepared By: Thalia Thompson

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

Date: June 29, 2026Prepared 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 26, 2026Prepared By: L. Bray

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Agency Comments:**Halton Region****Regional Contaminated Sites Database:**

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

Regional Staff have reviewed the Minor Variance application proposing to demolish the existing one-storey dwelling and construct a new one-storey detached dwelling with attached garage on the existing dwelling foundation including a proposed one storey rear addition. Variance is requested to the maximum permitted projection for an attached garage.

- 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.

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Date: July 15, 2026

Prepared By: Navjot Kaur

Burlington Hydro

Please see the Burlington Hydro comments at the end of this report.

Date: July 14, 2026

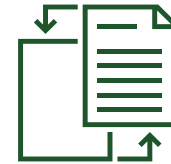
Prepared By: Carlos Gaviria

Source Water Protection Factsheet

halton.ca

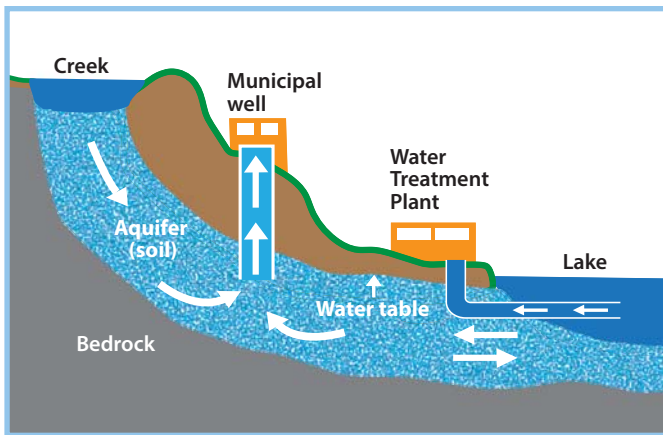


Planning and Building Applications



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





Burlington **hydro** inc.

July 3, 2026

247 Elmhurst Cres,
Burlington, ON

Attention: Jason Huether, 226-979-4493, jhuether@hdsdwell.ca

Re: New roof and revised elevations

Mr. Huether,

This letter serves as confirmation that Burlington Hydro Incorporated ("BHI") has reviewed the proposed new roof and revised elevations designs forming part of building permit file number **540-02-A-009/26** submitted to the City of Burlington's Building Department.

Upon reviewing the submitted permit application drawings, and through review of BHI records, the proposed new roof and revised elevations shall not interfere with the existing overhead service wire and meter access. If the proposed construction is encroaching 1m clearance from the existing overhead service wire, please call us to disconnect the service wire.

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

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



Burlington**hydro**_{inc.}

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

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

Regards,

Carlos Gaviria C.E.T.
Engineering Services Technician

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

JUL 14 / 2026
RP

NOTICE OF PUBLIC HEARING

Catherine Galivan of 247 Elmhurst Cres, 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 **247 Elmhurst Cres. Burlington** (see map).

The applicant proposes to demolish the existing one-storey dwelling and construct a new one-storey detached dwelling with attached garage on the existing dwelling foundation including a proposed one storey rear addition. This proposal results in the following variance:

1. To permit a proposed attached private garage to project 1.7 m beyond the longest wall facing a street whereas Zoning Bylaw 09-2026 does not permit an attached private garage with a garage door facing a street to project beyond the longest wall facing a street and containing residential floor area on the first storey of a dwelling.

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 **August 4 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 19, 2026,

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

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

2. In person Oral Submissions

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

Attend or View the Committee of Adjustment Hearing:

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

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

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

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

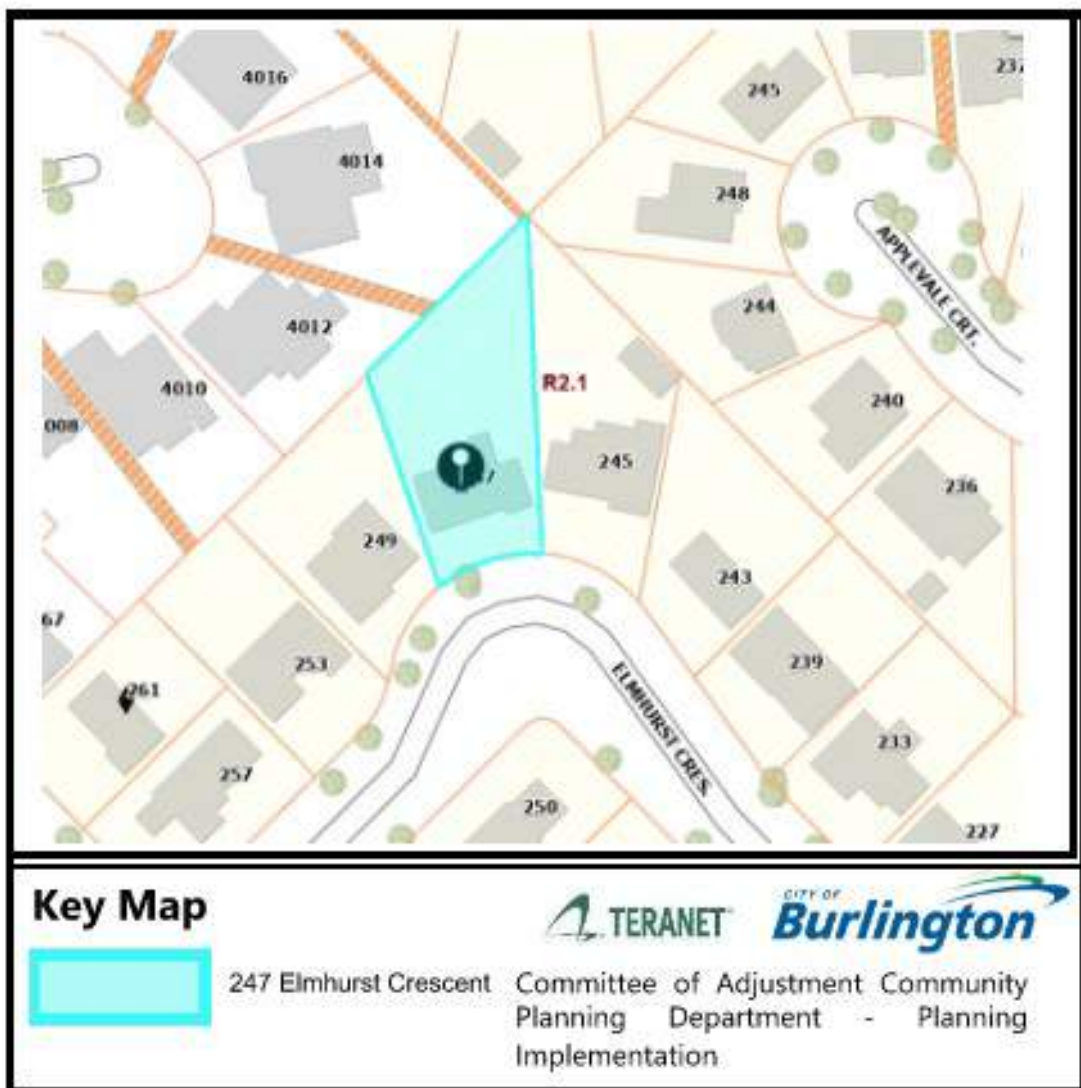
Yours truly,



Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



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

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

Application made under:

☒ Section 45 (1) of the Planning Act

☐ Section 45 (2) of the Planning Act

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

Name of Planner: _____ Name of Zoning Examiner: _____

PROPERTY INFORMATION

Municipal Address(es) of property:

247 ELMHURST CRES

Legal Description of property:

LOT 53, REGISTERED PLAN 741

Official Plan Designation: LOW RISE NEIGHBOURHOOD Current Zoning Designation LN5

OWNER(S) INFORMATION:

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

CATHERINE GALIVAN

Mailing Address: 247 ELMHURST CRES City: BURLINGTON

Postal Code: L7L 2A5 Home Phone: _____ Mobile Phone: 905 510-4910

Work Phone: _____ E-Mail: CATHERINE.GALIVAN@GMAIL.COM

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

Name:

JASON HUETHER

Business Address: 20 GILMOUR ROAD City: PUSLINCH

Postal Code: N0B 2J0 Home Phone: _____ Mobile Phone: 226 979-4493

Work Phone: _____ E-Mail: JHUETHER@HDS DWELL.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.

REAR SINGLE STOREY ADDITION, NEW FRONT PORCH ADDITION. NEW ROOF AND REVISED ELEVATIONS TO RAISE THE MAIN FLOOR CEILING HEIGHT TO 10'-0". THE HOUSE WILL REMAIN AS A SINGLE STOREY BUNGALOW. NEW FRONT GARAGE COLUMNS FOR MINOR ROOF EXTENSION.

Variance(s) Requested	Zoning Bylaw Requirement
GARAGE PROJECTION - 2.27M PROPOSED	0.0M

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

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

THE GARAGE IS RECEIVING A SMALL ROOF PROJECTION OVER 2 NEW COLUMNS. THIS ROOFED EXTENSION IS SINGLE STOREY AND IMPROVES THE AESTHETIC. FRONT YARDS ARE LEGAL NON CONFORMING FOR THE CURRENT HOME. THE FRONT FACE OF THE GARAGE IS EXISTING LEGAL NON CONFORMING. WE ARE SIMPLY ADDING THE 2 COLUMNS.

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

THE VARIANCE ARE FOR THE MOST PART LEGALIZATIONS OF EXISTING CONDITIONS, BUT GIVEN WE ARE RAISING THE MAIN FLOOR WALL HEIGHT WE HAVE TO COMPLY. THERE IS AN AESTHETIC COLUMN BEING ADDED FOR A NEW ROOF LINE OVER THE GARAGE THAT WILL IMPROVE THE LOOK OF THE HOME. THE VARIANCES DO NOT IMPACT NEIGHBOURING DWELLINGS.

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

YES THIS IS A MINOR ADDITION TO A SINGLE FAMILY HOME THAT POSES NO IMPACT TO NEIGHBOURING DWELLINGS

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

YES THIS IS A MINOR ADDITION TO A SINGLE FAMILY HOME THAT POSES NO IMPACT TO NEIGHBOURING DWELLINGS

PROPERTY DETAILS (please complete all fields):

Date property purchased: JULY 2025 mmm/dd/yyyy	Date property first built on: 1970'S mmm/dd/yyyy	Date of proposed construction: SPRING 2026 mmm/dd/yyyy
---	---	---

Existing Use of the Subject Property (check one):

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

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

SINCE BUILT

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot? Y ☐ N ☒
Frontage	Depth	Area	Actual	Deemed	Required		
19.67	60.96	1282.40	20	20		YES 18.3%	

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) 167.34	M ²	Ground Floor Area (incl. attached garage) 216.83	M ²
Gross Floor Area: 167.34	M ²	Gross Floor Area: 216.83	M ²
Number of Storeys: 1		Number of Storeys: 1	
Width: 18.31	M	Width: 18.31	M
Length: 10.31	M	Length: 17.94	M
Height: 6.0	M	Height: 8.61	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: 17.22	M ²	Gross Floor Area:	M ²
Width: 3.75	M	Width:	M
Length: 3.75	M	Length:	M
Height: 2.4	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: 8.20	M	Front: 7.60	M
Rear: 19.67	M	Rear: 17.92	M
Side/Street Side: 1.83	M	Side/Street Side: 1.83	M
Side/Other Side: 1.81	M	Side/Other Side: 1.64	M

POSTING OF ADVISORY SIGN

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

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

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

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

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

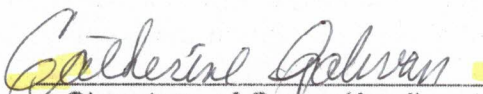
I UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST 10 DAYS BEFORE THE HEARING, AND WILL REMAIN POSTED AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Owner Name

CATHERINE GALIVAN

Property Address

247 ELMHURST CRES


Signature of Owner/Applicant

01/21/2026

Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

I, CATHERINE GALIVAN of the REGION of HALTON in the CITY
(print name) (Region/City/County) (City/Town/Township)

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

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

this 22nd day of January 2026.

Marie Benderkaya, Notary Public / Commissioner of Oaths
For identity verification and signature witnessing only.
No legal advice provided.
Not responsible for document contents.
LSO No. P06103

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: 247 ELMHURST CRES

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.

Catherine Galivan
Signature of Owner

CATHERINE GALIVAN
Print Name

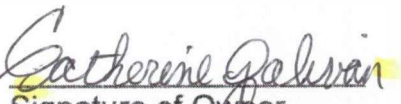
OWNERS AUTHORIZATION

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

I, CATHERINE GALIVAN 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

01/21/2026

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

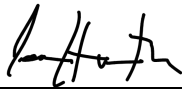
ELEVATIONS

- ☒ 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.

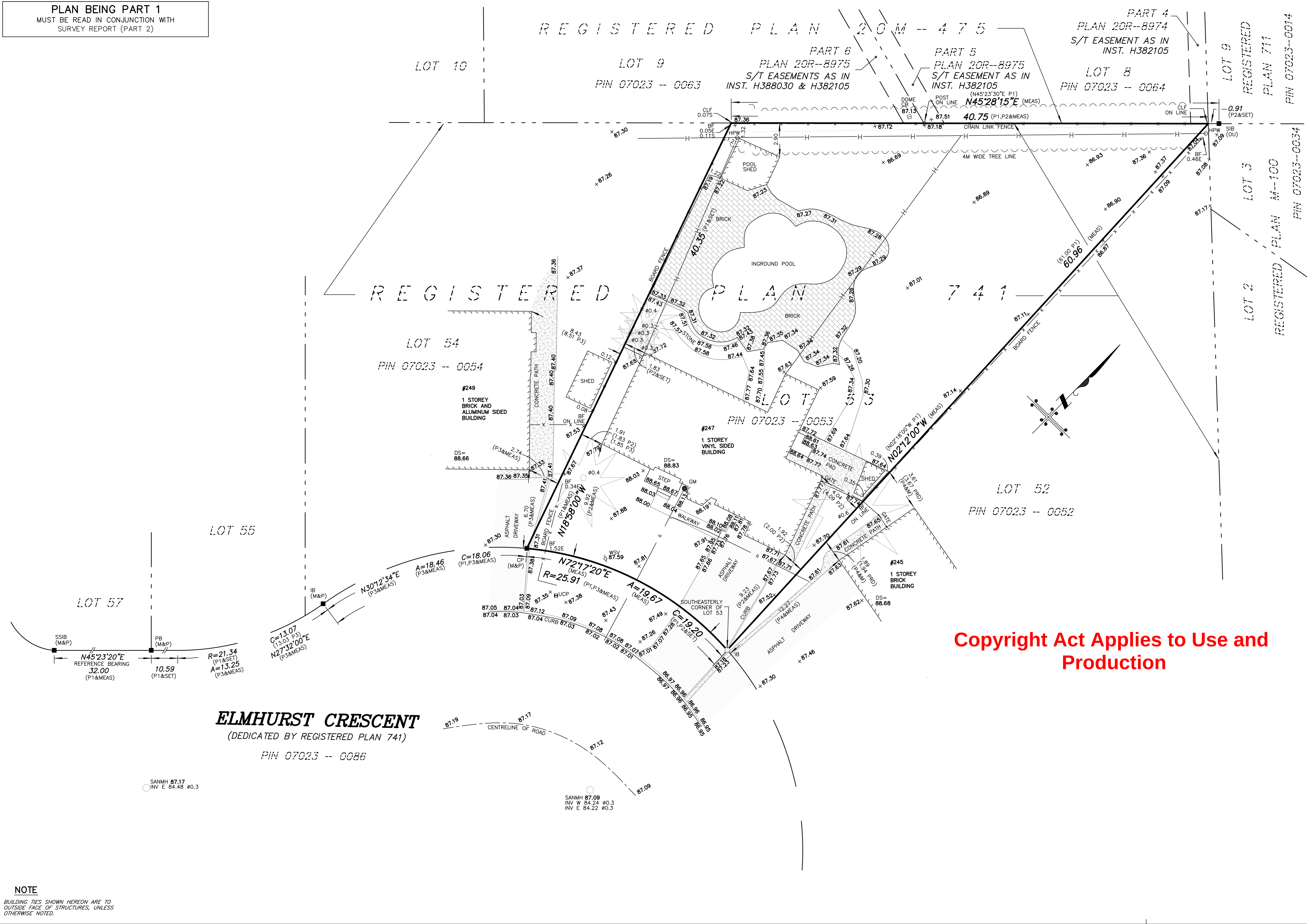


Signature of Owner/Agent

01/26/2026

Date (mmm/dd/yyyy)

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



SURVEYOR'S REAL PROPERTY REPORT
WITH TOPOGRAPHIC FEATURES
PLAN OF SURVEY OF
LOT 53
REGISTERED PLAN 741

BEING IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200



MacKAY, MacKAY & PETERS LIMITED — ONTARIO LAND SURVEYORS
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KNOWN AS MUNICIPAL No. 247 ELMHURST CRESCENT

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

LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - MARCH 29, 2017

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

ADDITIONAL REMARKS:
REFER TO PART 1 OF SURVEY REPORT FOR THE LOCATION OF FENCING, STRUCTURES, BUILDINGS
AND UTILITIES

Note :
MacKay, MacKay & PETERS LIMITED grants SCOTT MATTHEWS ["The Client(s)"], their solicitor and other
related parties permission to use "Original Copies" of the Surveyor's Real Property Report in
transactions involving "The Client(s)".

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

Benchmark Note:

CITY OF BURLINGTON BENCHMARK No. 249

ELEVATION = 87.399 METRES
CVD01928/1978 ADJUSTMENT

CITY BENCHMARK PLATE ON NORTHEAST CORNER OF CONCRETE CURVE UNDER NEW STREET OVER
ROSELAND CREEK, APPROXIMATELY 35 METRES WEST OF DYNES ROAD ON SOUTH FACE OF NORTH
WALL OF CURVE/0.3 METRES ABOVE SIDEWALK, 0.1 METRES WEST OF THE EAST CORNER.

Legend :

■	DS	DNOTES	DOOR SILL ELEVATION		
□	DNOTES	A SURVEY MONUMENT FOUND	PRD	DNOTES	PRODUCTION MEASUREMENT
SIB	DNOTES	STANDARD IRON BAR	HPW	DNOTES	HYDRO POLE (WOOD)
SSIB	DNOTES	SHORT STANDARD IRON BAR	UCP	DNOTES	UTILITY CABLE PEDESTAL
IB	DNOTES	IRON BAR	CB	DNOTES	CATCH BASIN
PB	DNOTES	PLASTIC BAR	SANMH	DNOTES	SANITARY MANHOLE
CP	DNOTES	CONCRETE PIN	INV	DNOTES	PIPE INVERT
PRO	DNOTES	PROBABLE IDENTIFICATION NUMBER	WSV	DNOTES	WATER SERVICE VALVE
(OU)	DNOTES	ORIGIN UNKNOWN	GM	DNOTES	GAS METER
S/T	DNOTES	SUBJECT TO	BF	DNOTES	BOARD FENCE
P1	DNOTES	REGISTERED PLAN 741	CLF	DNOTES	CHAIN LINK FENCE
P2	DNOTES	PLAN BY YATES & YATES DATED AUGUST 29, 1984	—H—	DNOTES	OVERHEAD WIRE
P3	DNOTES	PLAN BY MACKAY MACKAY & PETERS DATED MAY 29, 2001	—G—	DNOTES	GAS LINE
P4	DNOTES	PLAN BY SEWELL & SEWELL DATED NOVEMBER 27, 1957	DNOTES	DNOTES	CONIFEROUS TREE SCALED TO CANO TRUNK SIZE NOTED IN METRES

Bearing Reference :
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWESTERLY LIMIT OF ELMHURST CRESCENT, AS SHOWN ON REGISTERED PLAN 741, HAVING A BEARING OF N45°23'20"E.

Surveyor's Certificate :
I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH *THE SURVEY'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT*
AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 29TH DAY OF MARCH, 2017.

APRIL 19, 2017
DATE


ROY C. MAYO
ONARIO LAND SURVEYOR
FOR MACKAY MACKAY & PETERS LIMITED


THIS PLAN IS NOT
UNLESS IT IS AN EM
ORIGINAL COPY

AD FILE # 51 (20) WALTON'S REGISTERED CLUNG DRUGS LOT 53 17 066 17 066 RWS

MACKAY MACKAY & PETERS  LIMITED Established 1906	ONTARIO LAND SURVEYORS 3380 SOUTH SERVICE ROAD BURLINGTON, ONTARIO L7N 3J5 PHONE: (905) 639-1375 FAX: (905) 333-9544 e-mail: halton@mmplimited.com	DRAWN BY: R.D. PARTY CHIEF: J.M. CHECKED BY: PROJECT NO.:
	Records of Sewell & Sewell and Yates & Yates LTD.	17-066

1. ALL EXISTING TREES WHICH ARE TO REMAIN SHALL BE FULLY PROTECTED WITH HOARDING, ERECTED BEYOND THEIR DRIP LINE PRIOR TO THE COMMENCEMENT OF THE BUILDING WORK. THE ROOTS OF ALL TREES EXISTING PLANTINGS TO BE PROTECTED, SHALL BE TREATED IN A LIKE MANNER, WITH THE HOARDING AROUND THE ENTIRE CIRCUMFERENCE, AREAS WITHIN THE CIRCUMFERENCE OF THE PROTECTIVE HOARDING SHALL NOT BE USED FOR THE STORAGE OF THE BUILDING MATERIAL AND EQUIPMENT.
2. NO RIGGING CABLES SHALL BE WRAPPED AROUND OR INSTALLED IN TREES AND SURPLUS SLOD, EQUIPMENT, DEBRIS OR MATERIALS SHALL NOT BE PLACED ON OR OVER ROOTS OF TREES. NO OIL, GREASE, FUEL OR FLAMMABLE FENCING, NO CONTAMINANTS WILL BE DUMPED OR FLUSHED WHERE "FEEDER" ROOTS OF TREES EXIST.
3. IF THE OWNER OR HIS AGENTS SHALL TAKE EVERY PRECAUTION NECESSARY TO PREVENT DAMAGE TO TREES OR SHRUBS TO BE RETAINED.
4. WHERE LIMBS OR PORTIONS OF TREES ARE REQUIRED TO ACCOMMODATE CONSTRUCTION WORK, THEY SHALL BE REMOVED CAREFULLY IN CONFORMANCE WITH ACCEPTED PRACTICES.
5. WHERE ROOT SYSTEMS OF PROTECTED TREES ARE EXPOSED DIRECTLY, TO OR DAMAGED BY CONSTRUCTION WORK, THEY SHALL BE TRIMMED NEATLY AND BE FULLY SATISFIED WITH APPROPRIATE MATERIALS AND PRECAUTIONS.
6. WHERE NECESSARY, A TREE WILL BE OVERLIFTED OR EXCAVATED TO RESTORE THE BALANCE BETWEEN ROOTS AND TOP GROWTH OR TO RESTORE THE APPEARANCE OF THE TREES.
7. IF GRADES AROUND TREES TO BE PROTECTED ARE LIKELY TO CHANGE, THE OWNER SHALL BE REQUIRED TO TAKE SUCH PRECAUTIONS AS ARE NECESSARY TO RETAINING THE ROOT SYSTEMS OF TREES. THE DEPARTMENT OF THE PLANNING AND BUILDING DEPARTMENT OF THE CITY OF BURLINGTON.

1. ALL WORKS WITHIN THE PUBLIC RIGHT-OF-WAY ARE TO BE CARRIED TO THE SATISFACTION OF THE CITY OF BURLINGTON PUBLIC WORKS. ADDITIONAL PERMITS MAY BE REQUIRED.
2. ALL STREET TREES ARE TO BE ADEQUATELY PROTECTED WITH PLYWOOD HOARDING.

[illegible]

* (95.85)	DENOTES PROPOSED GRADE
* (95.85)	DENOTES EXISTING GRADE TO REMAIN
* 95.85	DENOTES EXISTING GRADE
▶	DENOTES DOOR ENTRANCE
→	DENOTES DRAINAGE DIRECTION
⊙	DENOTES PROPOSED WATER METER
⊙	DENOTES PROPOSED SUMP PIT
—○—	DENOTES PROPOSED TREE HOARDING

LOT 53
REGISTERED PLAN 741
 (N° 247 ELMHURST CRESCENT)
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON

4 0 4 8 12
 GRAPHIC SCALE — METRES SCALE 1 : 200

REGISTRY OFFICE RECORDS AND WAS VERIFIED IN THE FIELD.

ELEVATION NOTE

ALL ELEVATIONS SHOWN HEREON ARE GEODETIC AND WERE DERIVED FROM THE CITY OF BURLINGTON BENCHMARK N° 249 HAVING AN ELEVATION OF 87.399 (CGVD-1928; 1978 Re-adjustment).

TREE NOTE

ONLY TREES OF A DIAMETER GREATER THAN 0.15 m WERE LOCATED FOR THIS PLAN.

METRIC NOTE

ALL DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED INTO FEET, BY DIVIDING BY 0.3048.

AW	Denotes ANCHOR WIRE(S)
BB	Denotes BELL BOX
B-	Denotes U/G BELL CABLE
CC	Denotes CONCRETE
CD	Denotes DECIDUOUS TREE 0.20 DIA
DC	Denotes DECIDUOUS TREE 0.20 DIA
DE	Denotes FIRE HYDRANT
GM	Denotes GAS METER
BCCB	Denotes BIRD CAVE CATCH BASIN
-G-	Denotes U/G GAS MAIN
-H-	Denotes U/G HYDRO-CABLE
LS	Denotes LIGHT STANDARD (LAMP)
MH	Denotes MANHOLE
-OW-	Denotes OVER HEAD WIRE(S)
-SAN-	Denotes SANITARY SEWER
-STM-	Denotes STORM SEWER
UP	Denotes UTILITY POLE
UP/LS	Denotes UTILITY POLE/LIGHT STAND
WV	Denotes WATER VALVE (KEY)
-W-	Denotes U/G WATER MAIN

ONLY UNDERGROUND SERVICES VISIBLE ON THE GROUND
WERE LOCATED FOR THIS PLAN.

THE USER OF THIS PLAN SHALL CONTACT THE LOCAL UTILITY COMPANIES
FOR LOCATIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION WORKS.

SURVEYOR'S NOTE

I CERTIFY THAT:

1. THIS PLAN WAS PREPARED FOR DESIGN PURPOSES ONLY
AND IS NOT SUITABLE FOR ANY LEGAL TRANSACTIONS.

2. THE TOPOGRAPHIC DETAIL SHOWN HEREON IS COMPILED
FROM SURVEY PREPARED BY MCKAY, MCKAY & PETERS
O.L.S., DATED APRIL 19, 2017.

DATE: AUG. 26, 2025

ROBERT D. McDONNELL
LAND SURVEYOR

ONTARIO LAND SURVEYORS

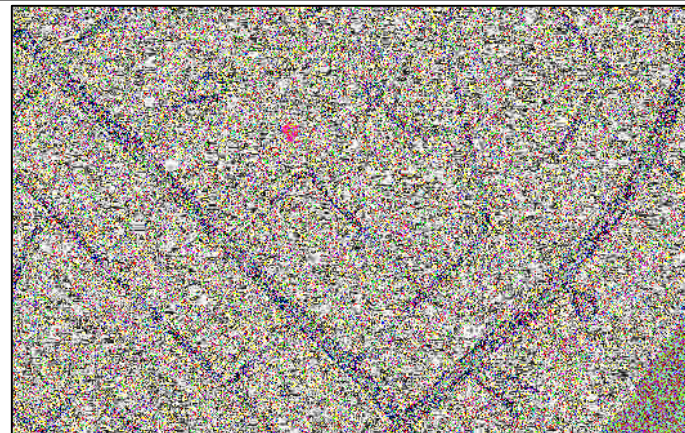
00 SPEERS ROAD, UNIT 38 KINGVILLE, ONTARIO L6L 2X4 PHONE (905) 845-3497 FAX (905) 845-3519 e-mail: info@ocslmsurveyors.ca	205 MAIN STREET MILTON, ONTARIO L9T 1N1 PHONE (905) 878-7810 FAX (905) 878-6672
---	--

AGENT: KELAÇON
O.L.S. FILE N° 52-25 CSRS

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NOT TO SCALE



(A) ENGINEERING AND CONSTRUCTION DEPARTMENT

1. DRIVEWAYS ON THE MUNICIPAL RIGHT-OF-WAY SHALL BE PAVED BY THE APPLICANT.
2. AT THE ENTRANCES TO THE SITE, THE MUNICIPAL CURB AND SIDEWALK WILL BE CONTINUOUS THROUGH THE DRIVEWAY AND A CURB DEPRESSION WILL BE PROVIDED FOR THE ENTRANCE.
3. THE TOPS OF ANY CURBS BORDERING THE DRIVEWAYS WITHIN THE MUNICIPAL BOULEVARD WILL BE FLUSH WITH THE MUNICIPAL SIDEWALK AND ROAD CURB.

(B) GENERAL NOTES

1. THE EXISTING GRADES SHOWN ON THIS DRAWING ARE TO REMAIN UNCHANGED.
2. THERE IS NO EASEMENTS REGISTERED ON TITLE AND AFFECTING THE SUBJECT LANDS.
3. THE STOCKPILING OF CONSTRUCTION MATERIAL IS TO BE DONE AT THE SIDE OF THE PROPOSED DWELLING ON PROPOSED DRIVEWAY.
4. ALL ROOF DOWNSPOUTS FROM EAVESTROUGH TO DISCHARGE ONTO SURFACE AND THE RUNOFF DIRECTED TOWARDS THE REAR WHERE POSSIBLE AND TO THE ROAD.
5. ROOF DOWNSPOUT IS LOCATED IN SUCH MANNER AS TO DIRECT DRAINAGE AWAY FROM WALKWAYS, DRIVEWAYS OR PATIO AREAS.
6. MAINTAIN EXISTING GRADES IN AREA AROUND TREES TO BE PRESERVED.
7. PRIOR TO CONSTRUCTION, CONTRACTOR TO VERIFY THE EXISTING SIZE AND INVERTS OF THE EXISTING WATER SERVICE CONNECTION AND SEWER CONNECTIONS AND REPORT IT TO THE ENGINEER.
8. ALL SURPLUS/EXCAVATED MATERIAL TO BE REMOVED FROM THE SITE.
9. CONTRACTOR TO MATCH EXISTING GRADES ALONG PROPERTY LINES.
10. ALL DISTURBED AREAS WITHIN EXISTING ROAD ALLOWANCE TO BE REINSTATEW WITH TOPSOIL AND SOD TO THE SATISFACTION OF THE TOWN OF OAKVILLE.
11. THE CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS, IF ANY DISCREPANCIES, THEY MUST BE REPORTED TO THE ENGINEER IMMEDIATELY PRIOR TO CONSTRUCTION.
12. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES DURING CONSTRUCTION. GAS, HYDRO, TELEPHONE OR ANY OTHER UTILITIES THAT MAY EXIST ON THE SITE OR WITHIN THE STREETLINE MUST BE LOCATED BY ITS OWN UTILITIES AND VERIFIED PRIOR TO CONSTRUCTION.
13. ALL CONNECTIONS SHALL BE INSTALLED AS PER REGIONAL STANDARDS AND SPECIFICATIONS.
14. BUILDER IS TO VERIFY TO THE ENGINEER THAT THE FINAL FLOORING ELEVATION AND TOP OF FOUNDATION WALL ELEVATION ARE IN CONFORMITY WITH THE BUILDING CODE AND THE CERTIFIED GRADING PLAN PRIOR TO PROCEEDING.
15. OUTSIDE FINISHED GRADE TO BE A MINIMUM OF 150 mm BELOW BRICK/STONE VENER ELEVATION.
16. PRIOR TO ANY SODDING, THE BUILDER IS TO ENSURE TO THE SOIL CONSULTANT AND/OR THE ENGINEER THAT THE LOT HAS BEEN UNDEVELOPED, NOT TOPSOILED, NOT SODDED, AND NOT PLANTED WITH A MINIMUM DEPTH OF 100 mm OF TOPSOIL AND M¹ NURSURY SOD AND NO SODDING ON ANY LOT IS PERMITTED UNTIL PRELIMINARY INSPECTION IS DONE BY THE ENGINEER AND THE BUILDER.
17. DRIVEWAY GRADES SHOULD BE NOT LESS THAN 2.0% AND NOT GREATER THAN 7.0%.
18. LAWN AND GRADES SHALL HAVE MINIMUM SLOPE OF 2.0% AND A MAXIMUM SLOPE OF 5.0%.
19. WHERE DRADES IN EXCESS OF 5% ARE REQUIRED, THE MAXIMUM SLOPE SHALL BE 3:1. GRADE CHANGES IN EXCESS OF 1.0m are TO BE ACCOMPLISHED BY USE OF A RETAINING WALL. RET. WALLS HIGHER THAN 0.6m SHALL HAVE A FENCE INSTALLED ON THE HIGH SIDE.
20. THE SERVICE CONNECTION TRENCH THROUGH THE TRAVELLED PORTION OF THE ROAD ALLOWANCE SHALL BE BACKFILLED WITH UNGRAVELLED CRUSHED STONE TO THE PER CITY OF BURLINGTON STANDARDS UNLESS OTHERWISE SPECIFIED PRIOR APPROVAL FOR OTHER BACKFILL MATERIAL HAS BEEN OBTAIN.
21. ALL WATERMAINS AND WATER SERVICE MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT REGION OF HALTON.
22. WATERMAINS AND/OR WATER SERVICES ARE TO HAVE A MINIMUM DEPTH OF 1.7 m WITH A MINIMUM HORIZONTAL SPACING OF 1.5 m FROM OTHERS AND OTHER UTILITIES AND 2.5m MINIMUM FROM ALL SEWERS.
23. SEDIMENT CONTROL FENCE TO BE INSTALLED AS PER THE CITY OF BURLINGTON STANDARDS.
24. A MINIMUM DEPTH OF 150 mm OF CRUSHED STONE TO BE PROVIDED ON THE ENTIRE LENGTH OF EACH DRIVEWAY ON A FIRM SUBGRADE AND THE DRIVEWAY TO BE PAVED WITH A MINIMUM COMPACTED DEPTH OF 75 mm OF ASPHALT BETWEEN THE CURB AND THE GARAGE. STANDARDS AND SPECIFICATIONS.
25. ALL DAMAGED AND DISTURBED AREAS TO BE REINSTATEW WITH TOPSOIL AND SOD.

(C) UTILITIES CONNECTION

1. SANITARY: (A) MUNICIPAL SANITARY SEWER AVAILABLE ON THE SITE.
(B) EXISTING CONNECTION TO REMAIN UNCHANGED.
2. STORM: (A) MUNICIPAL STORM SEWER AVAILABLE ON THE SITE.
(B) EXISTING CONNECTION TO REMAIN UNCHANGED.
3. WATER: (A) SERVICE CONNECTIONS TO BE 25 mm DIA TYPE "K" SOFT COPPER TUBING UNLESS OTHERWISE NOTED AND AS PER REGION OF HALTON STANDARDS. THE EXISTING CONNECTION TO REMAIN UNCHANGED.

ZONING BYLAW – 09-2026

1. LOT AREA = 1,282.4 m² (680 m² Minimum).
2. LOT FRONTAGE = 21.84 m (18.0 m Minimum).
3. AREAS FOR COVERAGE:
 - (i) MAIN DWELLING (Includes Garage) = 216.83 m²
 - (ii) EXISTING SHEDS = 17.22 m²
 - (iii) TOTAL = 234.05 m²
4. LOT COVERAGE = 18.3% (35% Maximum).
GFA / LOT AREA RATIO = 182.77 m² - 14.3% (45% Maximum).
5. FIXED GRADE = 87.75 m.
6. SETBACKS:
 - FRONT = 7.60 m (Garage) (7.5 m Minimum);
= 8.24 m (Dwelling) 6.28 m (Garage) Proposed (5.5 m Minimum)
 - REAR = 17.92 m (Dwelling) Proposed (3.0 m Minimum);
 - SIDES: 1.83 m AND 1.64 m (1.8 m Minimum);
1.40 m AND 1.14 m (Eaves)

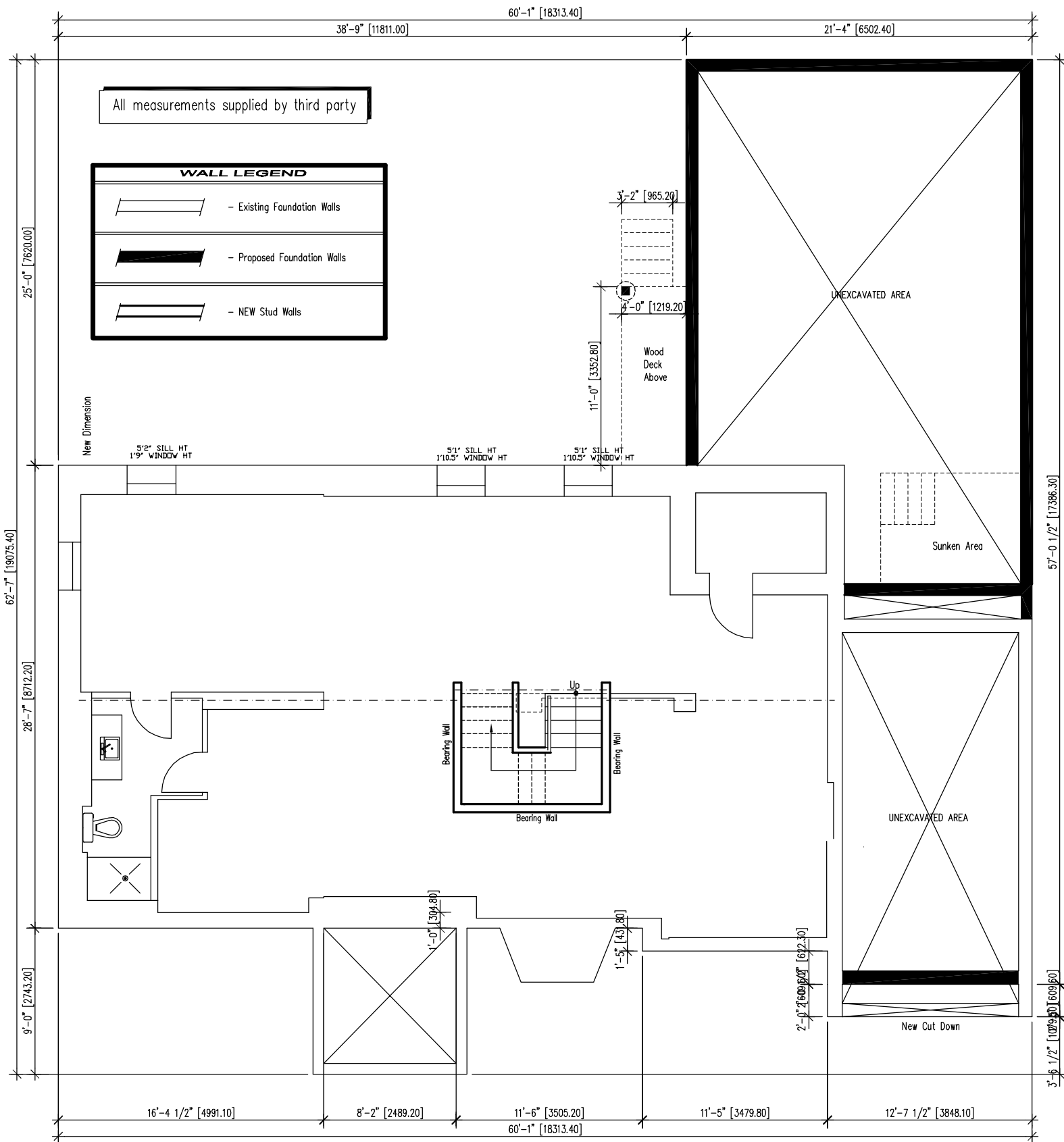
REGION DESIGN OF WATER AND/OR WASTEWATER SERVICES
APPROVAL SUBJECT TO DETAIL CONSTRUCTION CONFORMING
TO HALTON REGION STANDARDS & SPECIFICATIONS & LOCAL
APPROVAL FROM AREA MUNICIPALITY.

SIGNED: _____ DATED: _____

DEVELOPMENT SERVICES

The approval of the water system on private property is the responsibility of the Local Municipality, regardless, the Applicant must ensure that the Region of Halton's standards and specifications are met, (the water and wastewater Linear Design Manual may be obtained on Halton.ca or by calling 311) All water quality tests must be completed to the Region of Halton's satisfaction, before the water supply can be turned on.

		N° 247 ELMHURST CRESCENT, BURLINGTON	
		SITE PLAN	
		SITE GRADING AND SERVICING PLAN	
2026/05/25	REVISED AS PER NEW ZONING BY-LAW	RDM	
	TREE PROTECTION ADDED	RDM	
	REVISED AS PER ZONING COMMENTS	RDM	
	REAR DECK & STAIRS ADDED	RDM	
	SUBMISSION FOR COMMITTEE OF ADJUSTMENT	RDM	
	CIRCUIT REVIEW	RDM	
	ISSUED FOR DESIGN	RDM	
	REVISIONS	INITIAL	
DATE:		DATE: MAY 25, 2026	SCALE 1 : 200
		REGIONAL DRAWING N°	PI AN N° 52-25-1



**247 ELMHURST CRESCENT
BURLINGTON, ONTARIO**

Foundation Plan

Scale: 1/8" = 1'-0"

**Copyright Act Applies to Use and
Production**



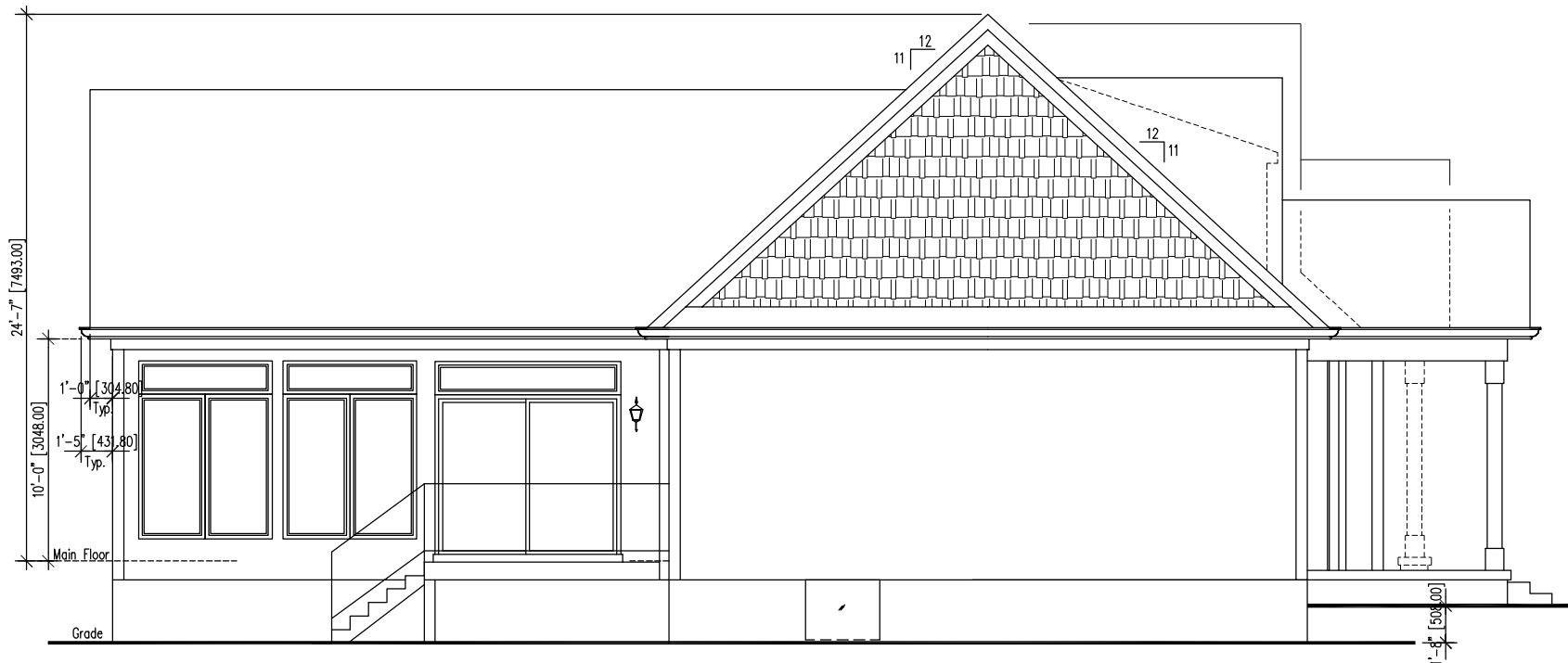
Proposed Front Elevation

NEW 10'-0" Main Floor Ceiling Height

Scale: 1/8" = 1'-0"

**247 ELMHURST CRESCENT
BURLINGTON, ONTARIO**

**Copyright Act Applies to Use and
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Proposed Left Side Elevation

NEW 10'-0" Main Floor Ceiling Height

Scale: 1/8" = 1'-0"

***247 ELMHURST CRESCENT
BURLINGTON, ONTARIO***

**Copyright Act Applies to Use and
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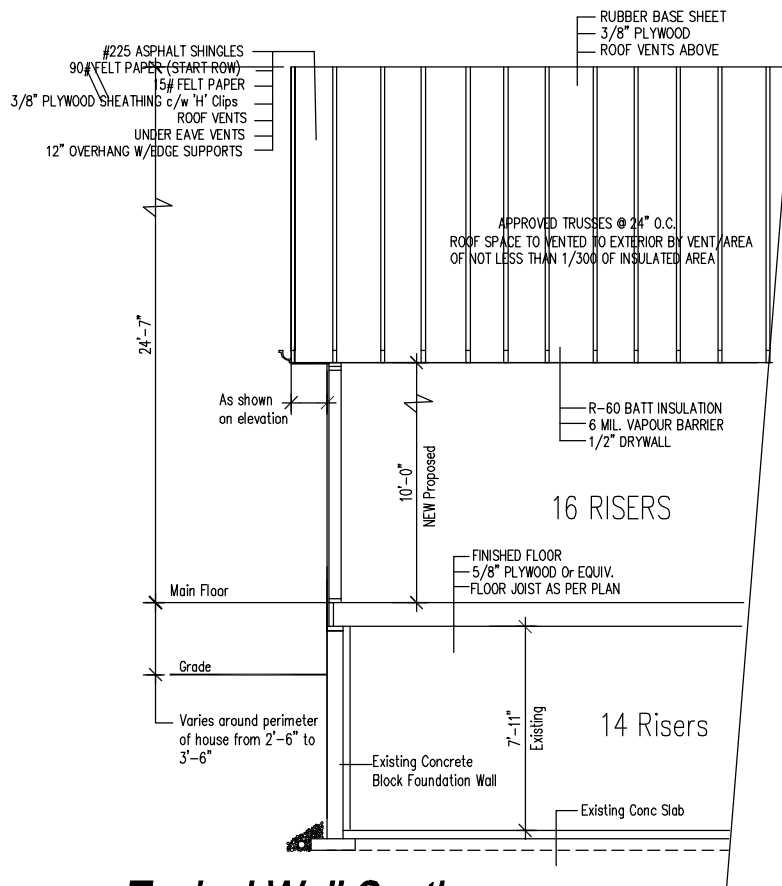
Proposed Rear Elevation

NEW 10'-0" Main Floor Ceiling Height

Scale: 1/8" = 1'-0"

***247 ELMHURST CRESCENT
BURLINGTON, ONTARIO***

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Typical Wall Section

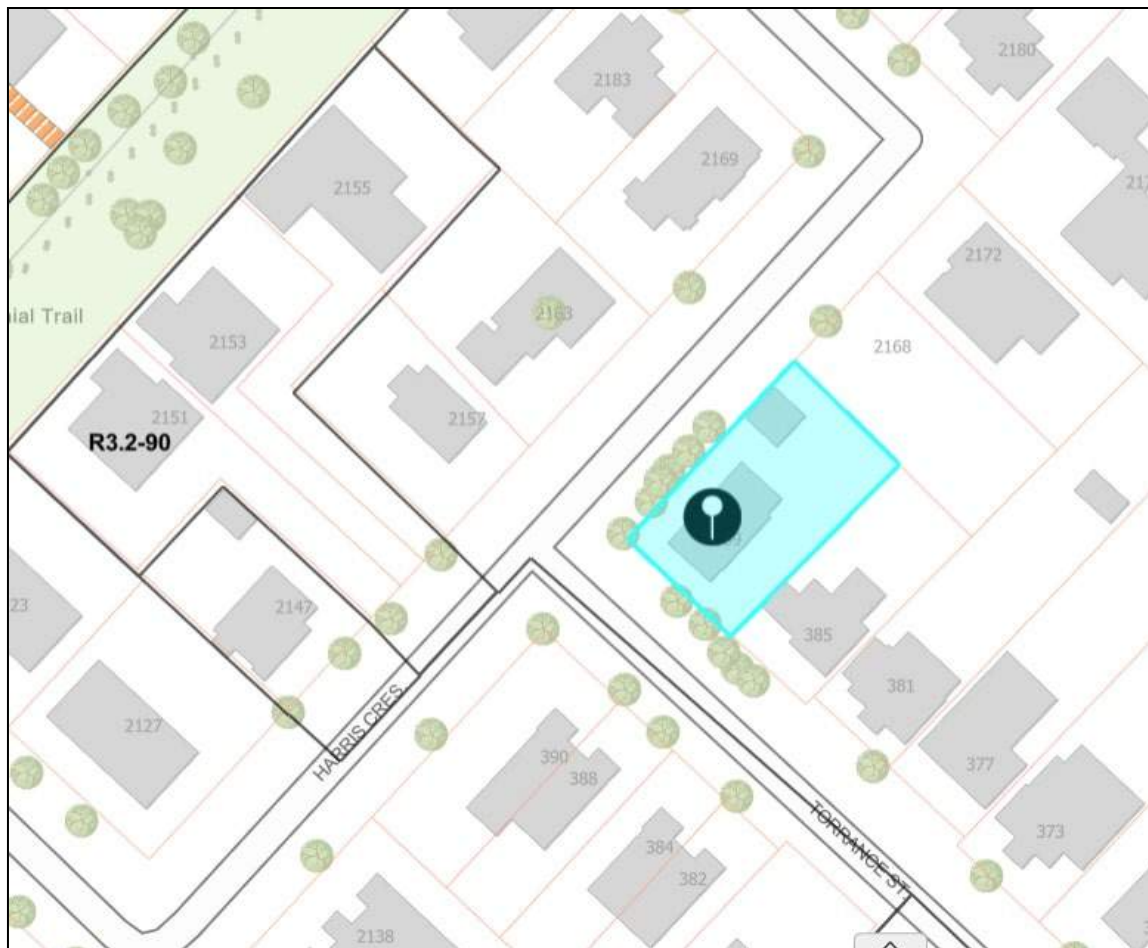
**247 ELMHURST CRESCENT
BURLINGTON, ONTARIO**

Scale: 1/8" = 1'-0"

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**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Maritza Rice
Address: 389 Torrance St, Burlington
File No. **A-022/26**
Ward: 2



Staff Comments:

Committee of Adjustment

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

Date: May 6, 2026

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Zoning

1) Background information:

The subject property is zoned **LN4**, Low-Rise Neighbourhood, under Zoning By-Law 09-2026. The **LN4** zone requires, among other things, the following:

Part 7: Residential Zones

7.3 Provisions for Detached Dwellings in the Low-Rise Neighbourhood 1 to 6 Zones

a) Lot and Building Requirements by Building Type

The following Table 8 and additional regulations establish the **zone** standards that apply to **detached dwellings** in the Low-Rise Neighbourhood LN1 to LN6 **zones**. Regulations for **accessory buildings and structures** are set out in Section 5.2.

Table 8: Provisions for Detached Dwellings

	LN1	LN2	LN3	LN4	LN5	LN6
Minimum Exterior Side Yard	3 m ⁽¹⁾	3 m ⁽¹⁾	4.5 m ⁽¹⁾	4.5 m ⁽¹⁾	4.5 m ⁽¹⁾	9 m ⁽¹⁾

Part 5: General Provisions

5.9 Encroachments and Projections

- 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.

6.7 Driveway Width, Length and Landscaped Open Space Area

- a) A maximum of one **driveway** shall be permitted for each residential **lot**, except in the case of a **corner lot** or **through lot** where a maximum of one **driveway** per **street** frontage may be permitted if the second **driveway** location is approved by the **City**.
- b) Where two **driveways** are permitted, the maximum width of one **driveway** shall be 4 metres inclusive of **walkways**.

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- c) Unless otherwise specified in this By-law, **driveways** shall be a minimum of 6 metres in length. For **driveways** with direct access to a **public street**, **driveway** length shall be measured from the **street line** to the front of garage or where there is no garage, to the end of the **driveway**. For **driveways** with direct access to a **private street**, **driveway** length shall be measured from back of sidewalk, or where there is no sidewalk from back of curb, to the front of garage or where there is no garage, to the end of the **driveway**.
- d) Unless otherwise specified in this By-law, the combined maximum width of all hard surfaces (**driveways** plus **walkways**) for all dwelling types except **apartment buildings** shall be:
 - v) For **lot frontages** equal to or greater than 18 metres in width: 10 metres.

2) Proposal:

The applicant is proposing additions to the existing two storey dwelling and a proposed 49 m² accessory building in the rear yard with a new driveway.

3) Variances required:

1. To permit a 2.1m exterior side yard (abutting Harris Crescent) instead of the minimum required 4.5 m for a proposed addition.
2. To permit a roof encroachment of 2.8 m (4.5 m – 1.71 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
3. To permit a canopy encroachment of 2.1 m (4.5 m – 2.42 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
4. To permit a driveway length abutting Harris Crescent of 4.5 m instead of the minimum required 6 m.
5. To permit the combined width of all hard surfaces (driveways plus walkways) abutting Torrance Street to be 6.8 m instead of the maximum permitted 4 m.

4) Conditions:

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

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5) Notes:

1. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval is made, they will be the responsibility of the applicant to obtain.
2. The zoning review is based on the portion of the site affected by the proposed development only.
3. Variances 2 and 3 – Values were rounded up for maximum encroachment.
4. Variance 5 – Regulations under Section 6.7 b) for the second driveway was applied to the access off Torrance Ave.
5. The variances are being reviewed under Section 45(1) of the *Planning Act*.

Date: June 24, 2026

Prepared By: Nataliya Yatsenko

Site Planning

Site Characteristics	
Lot Frontage (m)	20.61 (Torrance Street) 36.65m (Harris Crescent)
Lot Area (m²)	765.56 m ²
Existing Land Uses (ex. buildings, structures, driveways, fences, etc...)	Detached Dwelling, accessory building (detached garage)
Site Grading (ex. Flat and level, significant grade differences)	Flat and level
Notable Site Features	N/A
Surrounding Land Uses (ex. Adjacent building relationships, natural features, notable adjacencies)	Low rise Residential (detached dwellings, semi-detached dwellings), high rise residential (apartment building) at the corner of Torrance Street and Lakeshore Road.
Nearest Major Intersection	Brant Street and Lakeshore Road
Neighbourhood Boundaries* *Based on OP, 1997 residential neighbourhood definition	North: New Street East: Guelph Line South: Lake Ontario West: Brant Street

Neighbourhood Characteristics:

- The neighbourhood contains a mixture of low-rise residential development including one-storey and two-storey detached dwellings, two-storey semi-detached dwellings, two and three-storey apartments along Harris Crescent and

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high-rise apartments at the corner of Torrance Street and Lakeshore Road and on the south side of Lakeshore Road.

- Common exterior cladding includes brick, stone, cedar shake and siding.
- Lot sizes and shapes are varied and based on land use. Lots supporting detached dwellings along Torrance Street are rectangular however vary in terms of lot depth. Despite the variation in lot depth, there is a consistent pattern of development and front yard alignment along the street.
- Driveways are single-width and some double-width, providing access to front-facing garages, or detached garages in the rear yard.
- The streetscape has a mature residential character, defined by established lawn areas, and mature trees within front yards and near the boulevard that create a landscaped buffer between the street and dwellings.

A site visit was conducted on July 22, 2026 and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos). The proposed work includes removal of the existing accessory building (detached garage) and the construction of a new accessory building (detached garage) further into (4.5 m) the rear yard along with one and two storey additions to the rear and sides of the existing dwelling. The requested variances relate to a one-storey addition located adjacent to Harris Crescent, the proposed driveway abutting Harris Crescent and the combined width of all hard surfaces which are existing in the front yard which faces Torrance Street. The applicant has indicated to staff that tree saving is the reason the accessory building was not located further into the rear yard (which would increase the length of the proposed driveway on Harris Crescent).

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 and accessory buildings are permitted by the City's Zoning By-law, staff are of the opinion that the requested variances meet the general intent and purpose of the ROP.

Official Plan, 1997 & 2020

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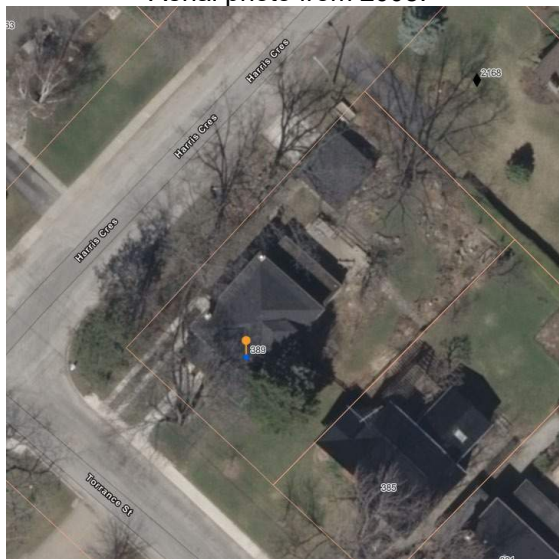
Parts of Burlington Official Plan, 2020 (BOP, 2020) are not in-force due to ongoing Ontario Land Tribunal Appeals, so applications are reviewed against a combination of in-force policies under BOP, 2020 and the older Burlington Official Plan 1997 (BOP, 1997).

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

- The site is designated 'Low-Rise Neighbourhoods I' according to Schedule 'C'/Schedule 'B' (Land Use - Urban Area/Comprehensive Land Use Plan- Urban Planning Area) of the BOP, 1997/BOP, 2020, as amended, which permits ground-oriented, low-density 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 addition maintains a low-rise built form and modest massing that is consistent with the surrounding neighbourhood, which is characterized by one- and two-storey dwellings.
 - Although the proposed 12 square metre, one-storey addition and encroachments for the roof and canopy would be closer to the street than the existing house along Harris Crescent, the resulting setbacks would not appear out of character and would not create a dominant or intrusive built form within the streetscape.
 - Existing mature landscaping along Harris Street provides partial screening and helps maintain the established landscaped character of the street.
 - The length of the proposed driveway (4.5 m) in front of the new proposed detached garage is an improvement to the length of the existing driveway (0.37 m) as seen on the submitted survey and in the 2008 aerial photo below.
 - Although the proposed driveway is deficient in terms of length, the driveway is not necessary to provide required parking for the site as the two compliant, required parking spaces will be provided within the new accessory building (detached garage).

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Aerial photo from 2008:



- Based on a review of available aerial photos, the hard surfaces (walkway and driveway) have been in place since at least 2008. Notwithstanding the increased hard surface width, the frontage and additional street side yard area contain sufficient landscaping (grass, shrubs and trees).
- Although the combined width of the hard surfaces along Torrance Street exceeds the requirements of the Zoning By-law, the variance is technical in nature and despite being broken up by landscaped areas, the front walkway and driveway are considered one continuous surface. The width does not appear out of character with the width of other hard surfaces located along Torrance Street which include single and double width driveways and walkways.
- 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 does not introduce undue massing, overlook, or shadow impacts to adjacent properties and the public realm, as the addition is small in scale and maintains appropriate separation from the street.
 - The cumulative effect of the reduced setback and encroachments does not result in unacceptable impacts and allows the development to coexist harmoniously within the neighbourhood.
 - The existing driveway (0.34 m in length) has functioned on the property since at least 2008 without identified impacts to traffic safety or the public realm. Similarly, the improved driveway length of 4.5 m is not anticipated to create any negative impacts.

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-
- Transportation staff have reviewed the application and have not identified any safety concerns associated with the reduced driveway length.
 - The width of hard surfaces has also existed since at least 2008 and despite the combined width of the walkway and driveway, the property continues to provide sufficient space for soft landscaping and has not created impacts related to drainage.

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 (Exterior Side Yard Setback)

The general intent and purpose of the minimum exterior side yard setback provision is to establish a consistent streetscape, ensure adequate separation between buildings and the public realm. The requested minor variance to permit a reduced exterior side yard of 2.1 instead of the minimum required 4.5 m is consistent with this intent for the following reasons:

- The existing two-storey dwelling maintains an exterior side yard setback of 4.58 m, therefore any addition in the exterior side yard would require a variance for a reduction in exterior side yard. The proposed one-storey addition is 2.29 m in width and 5.33 m in length with an area of 12.2 m² and is located approximately at the mid-point of the exterior side yard elevation. Although the addition is closer to Harris Street than the existing dwelling, the small floor area and one storey height of the addition ensures that the structure will maintain an acceptable mass that will not dominate the streetscape.
- The presence of vegetation along exterior side yard property line provides partial visual buffering of the addition to the street.
- The proposed addition maintains an appropriate separation from the street and the location provides sufficient room for maintenance and circulation around the home from within the property boundary.

Yes – Variance No.2 & 3 (Roof and Canopy Encroachment)

The general intent and purpose of the encroachment provisions is to ensure that any projections (e.g. roof, canopy) remain minor and subordinate to the main building wall and minimize potential impacts on adjacent properties in terms of massing and spatial separation. The requested minor variances to permit an exterior side yard roof encroachment of 2.8 m and canopy encroachment of 2.1 m instead of 4.5 m maintains the general intent and purpose of this provision for the following reasons:

- The proposed roof overhang is 0.3 m deep, which is slightly less than the existing and proposed roof overhang on other parts of the dwelling roof. The canopy feature provides a sheltered access to the one-storey addition. Staff are of the opinion that the requested reductions in encroachments are the result of the

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reduced exterior side yard of the one-storey addition, rather than to support exaggerated architectural elements.

- The encroachments do not alter the overall massing or built form of the dwelling in a manner that would undermine the intent of the zoning provision.
- The encroachments do not impact the function of the side yard in providing adequate separation between the property and the public realm.

Yes – Variance No. 4 (Driveway Length)

The general intent and purpose of the driveway length provision is to ensure that adequately sized parking spaces are provided on the property's driveway such that they do not negatively impact the City's road allowance. The proposed minor variance for a reduced driveway length of 4.5 m instead of the minimum required 6 m is consistent with this intent for the following reasons:

- In scenarios where parking is limited on site to one space provided in a single car garage and one space provided on the driveway length, requiring a minimum driveway length is important to ensure that two compliant, regulation sized parking spaces can be provided for a dwelling unit. In this case the proposed accessory building will provide sufficient area to contain two compliant parking spaces. Additional parking fully on private property is available along the Torrance Street frontage, therefore, staff have no concerns with the reduced driveway length given that the purpose of the driveway is to provide access to required parking spaces in the accessory building and not to provide parking spaces within the driveway area.
- Transportation staff have reviewed the application and have not identified any safety concerns associated with the reduced driveway length.
- The proposal does not introduce a new or intensified parking demand, as the use of the property remains a single detached dwelling.

Yes – Variance No. 5 (Combined Width of Hard Surfaces)

The general intent and purpose of the width of hard surfaces provision is to ensure that front yards maintain an appropriate proportion of hard surface areas and soft landscaping. These provisions are intended to preserve the streetscape character, support stormwater infiltration, maintain opportunities for tree planting, and prevent excessive paving within residential neighbourhoods. In cases where two driveways are permitted, as is the case on corner lots, the maximum width of one driveway shall be 4 metres inclusive of walkways. The proposed minor variance for an increased combined width of hard surfaces of 6.8 m instead of the maximum permitted 4m is consistent with this intent for the following reasons:

- It should be noted that although the width of the walkway and driveway on Torrance Street is 6.8 m at its widest point where the walkway flares to meet the front steps and stepping stones are installed between the walkway and the driveway, the driveway and walkway are otherwise separated by a grass. At the

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property line, the combined width of hard surfaces is only 4.35 m given that as the width of the driveway is 2.13 m, and the width of the sidewalk is 2.22 m in this location.

- The property is unique in that it is a corner lot with a driveway on each frontage. If the secondary driveway on Harris Crescent was not proposed, based on the width of the front yard facing Torrance Street (20.61m) the combined maximum width of all hard surfaces would be 10 m. In the opinion of staff, the existing hard surface area does not appear out of place in the context of Torrance Street frontages.
- As a corner lot, there is additional landscaped open space provided adjacent to the exterior side yard. An area 4.71 m in width exists within the city road allowance adjacent to Harris Crescent. This additional space helps to balance the hard surface area, creating a perception of increased lot width and additional soft landscaping area onsite.

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

- Variances 1, 2 and 3 facilitate a small one-storey addition that does not dominate the streetscape, remains compatible with the surrounding built form and increases the functionality of the existing dwelling.
- Although Variance 4 would allow a reduced driveway length staff are of the opinion the reduction is desirable as it is an improvement to existing conditions and sufficient area for two parking spaces is available in the proposed accessory building.
- Variance 5 recognizes an existing condition and does not introduce new hard surfaces within the front yard.
- Transportation and other internal departments have reviewed the application and have not identified concerns.

4) Minor in Nature:

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

Yes

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

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-
- Variances 1, 2, 3 are a result of the existing building placement, and would allow for an extension of the dwelling without creating negative impacts in terms of the form or function of the site.
 - Despite the reduced driveway length (Variance 4), sufficient area for two parking spaces will be provided on site in the proposed accessory building, ensuring that there are no negative impacts to the public road allowance.
 - Variance 5 would recognize a long-standing driveway and walkway condition that has existed since at least 2008 without identified adverse impacts.

Cumulative Effects of Multiple Variances and Other Planning Matters:

Variance No.'s 1,2 and 3 have the following cumulative effect:

- The combined effect of the variances would allow a one-storey addition, roof and canopy to be constructed closer to Harris Crescent than would otherwise be permitted. Staff are of the opinion that the cumulative effect of the variances is acceptable given that the overall massing of one-storey addition is appropriate in the context of the two-storey dwelling.

Recommendation:

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

Date: July 20, 2026

Prepared By: Melissa Dalrymple, MCIP, RPP

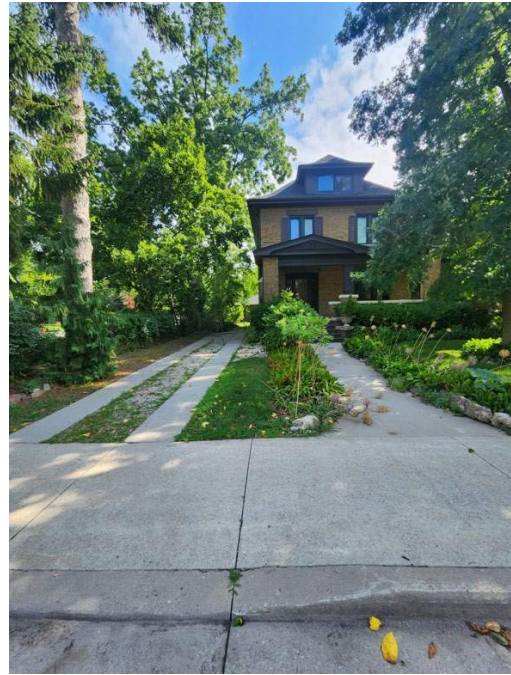
Report Schedules & Attachments:

Attachment No. 1 (Site Photos)

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View of existing dwelling from Torrance Street.



View of driveway and walkway from Torrance Street.



View of existing dwelling and vegetation from Harris Crescent.



View of existing accessory building from Harris Crescent.

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View of widest part of hard surface (walkway, stepping stones, and driveway).



View of accessory building from the rear yard.

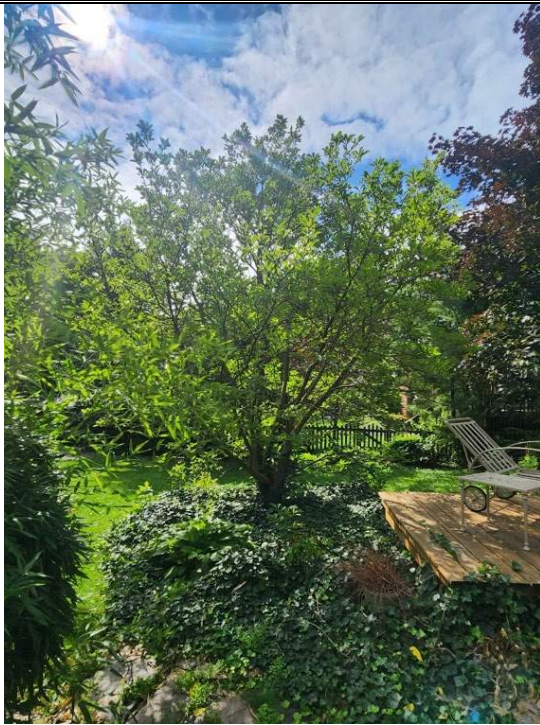


View of side yard (area of proposed addition).



View of rear elevation of existing dwelling.

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Magnolia tree in rear yard proposed for retention.



Adjacent dwelling along Harris Crescent



Existing streetscape along Harris Crescent



Existing streetscape along Harris Crescent

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Technical Reviewer Comments:

Development Engineering

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

Date: July 7, 2026

Prepared By: D. Savelli

Forestry

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

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

Date: July 13, 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.

Date: July 24, 2026

Prepared By: Ebtessam Mahrous

Transportation Planning

Deemed Road Width Analysis

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

Harris Crescent 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 22, 2026

Prepared By: E. Chen

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Transportation Planning have reviewed the proposed minor variance application and offer the following comments.

Regarding Variance Four: To permit a driveway length abutting Harris Crescent of 4.5 m instead of the minimum required 6 m.

Staff have no concerns with the proposal as the reduced driveway provides access to a two-car detached garage which accommodates parking within property limits. The Applicant is advised that deemed lands must be kept clear. Parking and the installation of private infrastructure within these areas is not permitted.

Date: July 3, 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 26, 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 additions to the existing two storey dwelling and a proposed 49 m² accessory building in the rear yard with a new driveway. Variance is requested to the minimum required side setback, and

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

driveway length, and maximum permitted roof encroachment, canopy encroachment, and combined width of all hard surfaces.

- 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 15, 2026

Prepared By: Navjot Kaur

Burlington Hydro

Comments were not received from Burlington Hydro by the time this report was published. The applicant/owner is responsible for following up with Burlington Hydro as needed.

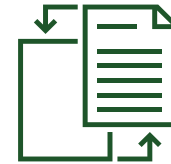
Source Water Protection Factsheet

halton.ca

**RETHINK
WATER**

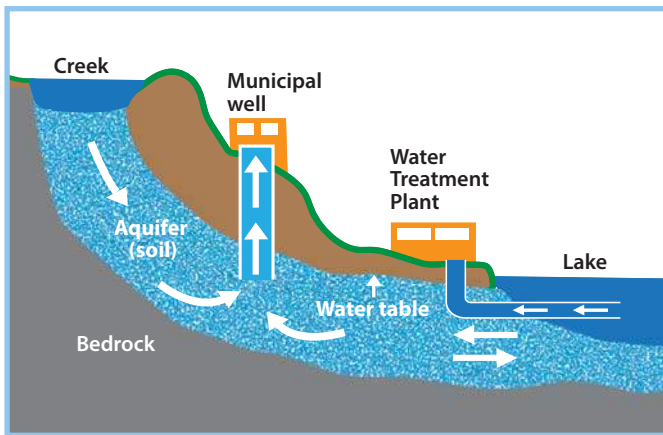
 Enjoy Conserve Protect

Planning and Building Applications



Sources of drinking water

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



Protecting Halton's drinking water

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



Source water protection and Planning/Building Applications

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

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

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

Is my property in a vulnerable area?

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

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

How is my application reviewed?

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

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

Step 1

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



Step 2

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



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

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

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

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

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



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

RETHINK
WATER



Enjoy Conserve Protect



NOTICE OF PUBLIC HEARING

Maritza Rice of Torrance 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 **389 Torrance St. Burlington** (see map).

The applicant proposes additions to the existing two-storey dwelling and a proposed 49 m² accessory building in the rear yard with a new driveway. This proposal results in the following variances:

1. To permit a 2.1m exterior side yard (abutting Harris Crescent) instead of the minimum required 4.5 m for a proposed addition.
2. To permit a roof encroachment of 2.8 m (4.5 m – 1.71 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
3. To permit a canopy encroachment of 2.1 m (4.5 m – 2.42 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
4. To permit a driveway length abutting Harris Crescent of 4.5 m instead of the minimum required 6 m.
5. To permit the combined width of all hard surfaces (driveways plus walkways) abutting Torrance Street to be 6.8 m instead of the maximum permitted 4 m.

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 **August 4, 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 19, 2026,
This application is scheduled to be heard at or after 1:00 pm.

How to participate if I have comments or concerns?

Written Submissions

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

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

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

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

Oral Submissions

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

1. Virtual Oral Submissions

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

2. In person Oral Submissions

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

Attend or View the Committee of Adjustment Hearing:

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

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

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

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

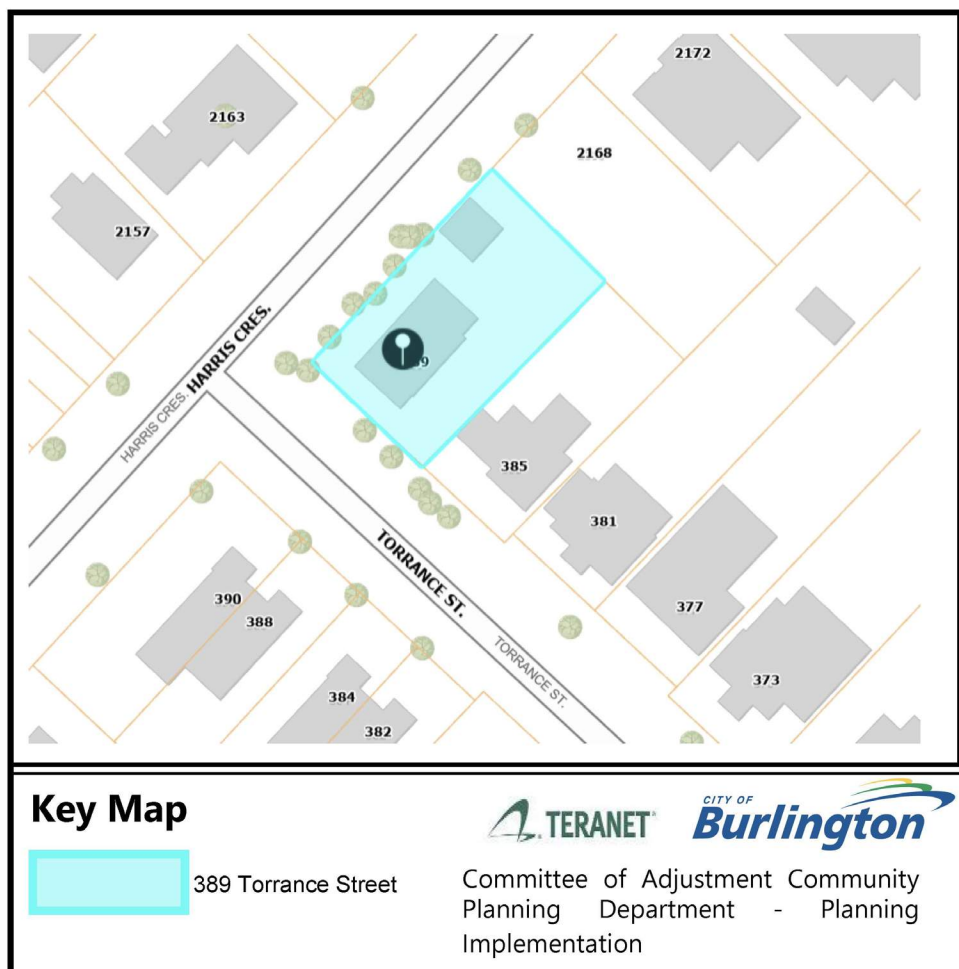
Yours truly,



Catherine Susidko-Petriczko
Secretary-Treasurer
Committee of Adjustment

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

Key Map



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

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

Application made under:

☒ Section 45 (1) of the Planning Act

☐ Section 45 (2) of the Planning Act

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

Name of Planner: _____

Name of Zoning Examiner: Nataliya Yatsenko

PROPERTY INFORMATION

Municipal Address(es) of property:

389 TORRANCE STREET, BURLINGTON, ONT L7R 2R7

Legal Description of property:

PART OF LOTS 6&7 RP 87 CITY OF BURLINGTON

Official Plan Designation: LOW RISE NEIGHBOURHOOD Current Zoning Designation LN4

OWNER(S) INFORMATION:

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

MARITZA RICE

Mailing Address: 100 SAQWUN RD.

City: WATERDOWN

Postal Code: L8B 0K7

Home Phone: 416-771-1688

Mobile Phone: 416-844-3448

Work Phone: _____

E-Mail: dave@ricedevlopment.ca

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

Name:

DOMINIKA KOWIAZO-SITKO

Business Address: 44 GLADSMORE CRESCENT

City: ETOBICOKE

Postal Code: M9W 3Y9

Home Phone: _____

Mobile Phone: 416-574-3134

Work Phone: 416-485-8960

E-Mail: domdesign@bellnet.ca

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

SEE THE ATTACHED OUTLINE OF THE PROPOSED DEVELOPMENT AND A LIST OF REQUIRED VARIENCES

Variance(s) Requested	Zoning Bylaw Requirement

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? _____

Part of the proposed renovation is the addition of the inside elevator. Proposed North -West mudroom addition will allow safe and more comfortable access to the elevator from the ground level and allow new stairs to comply with new O.B.C. requirements. Proposed side addition is one storey only and it does not obstruct view. Existing house is old and interior spaces are narrow and not very functional.

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

General intention is to maintain the character of the house. Proposed alterations and additions will improve functionality and will allow comfortable use of the house for elderly owners and their large family. New two car garage will replace the existing structure which is located 0.34m from property line where 4.5m is required. and will allow proper parking spaces for the 2 cars.

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

Required variances meet the intent of the Official Plan designation of Low-Rise Neighborhood, family oriented area.

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

Proposed variances meet the intent and purpose of the Zoning By-law

389 TORRACE STREET, BURLINGTON
PROPOSED DEVELOPMENT:

Proposed is a 2 storey addition to the rear and east-south side of the existing 2 storey dwelling. Additional is also one storey mudroom addition of 12.21m² with new house elevator and powder room, interior alterations and underpinning of the existing basement. Proposed is also to remove the existing frame garage and replace it with a new 2 car detached garage accessible from Harris Crescent side.

Proposed development will require Committee of Adjustment approval for the variances below:

1. To permit a 2.1m exterior side yard (abutting Harris Crescent) instead of the minimum required 4.5 m for a proposed addition.
2. To permit a roof encroachment of 2.8 m (4.5 m – 1.71 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
3. To permit a canopy encroachment of 2.1 m (4.5 m – 2.42 m) into the required 4.5 m exterior side yard (abutting Harris Crescent) instead of the maximum permitted 1 m.
4. To permit a driveway length abutting Harris Crescent of 4.5 m instead of the minimum required 6 m.
5. To permit the combined width of all hard surfaces (driveways plus walkways) abutting Torrance Street to be 6.8 m instead of the maximum permitted 4 m.

PROPERTY DETAILS (please complete all fields):												
Date property purchased: _____ 10/16/2025 mmm/dd/yyyy	Date property first built on: _____ 1922 mmm/dd/yyyy	Date of proposed construction: _____ 05/29/26 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: Approx. 104 years Proposed Use of the Land: One family dwelling.										
Existing Uses of Abutting Properties (check all that apply) Residential ☒ Commercial ☐ Industrial ☐ Multi-Residential ☐ Vacant ☐ Hydro right of-way ☐ Railway right-of-way ☐ Provincial Highway ☐ Park ☐ Other ☐ _____ Conservation Halton Lands: Lake Ontario ☐ Creek ☐ Storm Water Management Pond/Channel ☐ Ravine ☐												
Additional Information Is liquor sold on site? Y ☐ or N ☒ Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y ☐ N ☒ Unknown ☐												
Type of Access to the Subject Lands <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Provincial Highway ☐</td> <td style="width: 20%;">Municipal Road ☒</td> <td style="width: 20%;">Private Road ☐</td> <td style="width: 20%;">Water ☐</td> <td style="width: 20%;">Other(specify) ☐</td> </tr> </table>					Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐			
Provincial Highway ☐	Municipal Road ☒	Private Road ☐	Water ☐	Other(specify) ☐								
Municipal Services Provided <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Water ☒</td> <td style="width: 80%;">If not available, by what means is it provided: _____</td> </tr> <tr> <td>Sanitary Sewers ☒</td> <td>If not available, by what means is it provided: _____</td> </tr> <tr> <td>Storm Sewers ☐</td> <td>If not available, by what means is it provided: _____</td> </tr> <tr> <td></td> <td style="text-align: right;">Not sure</td> </tr> </table>					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: _____		Not sure
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: _____											
	Not sure											
IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: ☐ Official Plan Amendment ☐ Zoning By-law Amendment ☐ Building Permit ☐ Site Development Plan ☐ Plan of Subdivision ☐ Previous Minor Variance ☐ Consent												

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot?
Frontage	Depth	Area	Actual	Deemed	Required		
20.61m	36.65m	765.56m ²	20m	20m	NO	28.74 %	Y ☒ N ☐

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

EXISTING (Dwelling/Building)

Ground Floor Area (incl. attached garage)	109.42	M ²
Gross Floor Area:	219.84	M ²
Number of Storeys:	3	
Width:	9.44	M
Length:	13.11	M
Height:	9.12	M

Garage/Car Port

Detached?	Y ☒	N ☐
Gross Floor Area:	31.92	M ²
Width:	5.64	M
Length:	5.66	M
Height:	3.8	M

Accessory Structures (Shed, Gazebo, etc)

Gross Floor Area:		M ²
Width:		M
Length:		M
Height:		M

Other (pool, additional sheds, decks, driveways, etc.)

Gross Floor Area: wood deck to be removed	3 0.5	M ²
Width:	7.72	M
Length:	3.49	M
Height:	0.6	M

PROPOSED (Dwelling/Building/Addition)

Ground Floor Area (incl. attached garage)	161.51	M ²
Gross Floor Area:	317.18	M ²
Number of Storeys:	3	
Width:	12.58	M
Length:	15.36	M
Height:	9.12	M

Garage/Car Port

Detached?		Y ☒ N ☐
Gross Floor Area:	49	M ²
Width:	7	M
Length:	7	M
Height:	4.5	M

Accessory Structures

Gross Floor Area:		M ²
Width:		M
Length:		M
Height:		M

Other

Gross Floor Area:		M ²
Width:		M
Length:		M
Height:		M

LOCATION of all existing and proposed buildings and structures

EXISTING

Front:	4.45	M
Rear:	16.08	M
Side/Street Side:	4.3	M
Side/Other Side:	6.77	M

PROPOSED

Front:	4.45	M
Rear:	13.60	M
Side/Street Side:	2.14	M
Side/Other Side:	6.10	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:

Dominika Kowiazko-Sitko

Property Address:

389 TORRANCE STREET

1. I, DOMINIKA KOWIAZO-SITKO In my capacity as AGENT do attest to the following:
 Print Name (Owner or agent)

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated 09/23/2025
 has been revised by: ANDREW MUSIL O.L.S
 (Person or Company Name)

OR

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

OR

C. The sketch or plot plan** dated _____
 **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.

Dominika Kowiazko-Sitko

04/24/2026

Signature of Owner/Applicant

Date (mmm/dd/yyyy)

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name

MARITZA RICE

Property Address

389 TORRANCE STREET

Dominika Kowiazo-Sitko

Signature of Owner/Applicant

05/04/2026

Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

Agent: DOMINIKA KONGIAZO-SITKO

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

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

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

this 28 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

Tammy Ball
Signature of Commissioner, etc.

Dominka Kongiazo-Sitko
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: 389 TORRANCE STREET, BURLINGTON, ON L7R 2R7

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.

Maritza Rice
Signature of Owner

Maritza Rice
Print Name

OWNERS AUTHORIZATION

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

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

Authorize DOMINIKA KOWIAZO-SITKO to prepare, submit and act on my behalf with respect to this
(print agent name)

application for a Minor Variance.


Signature of Owner

04/24/26
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.

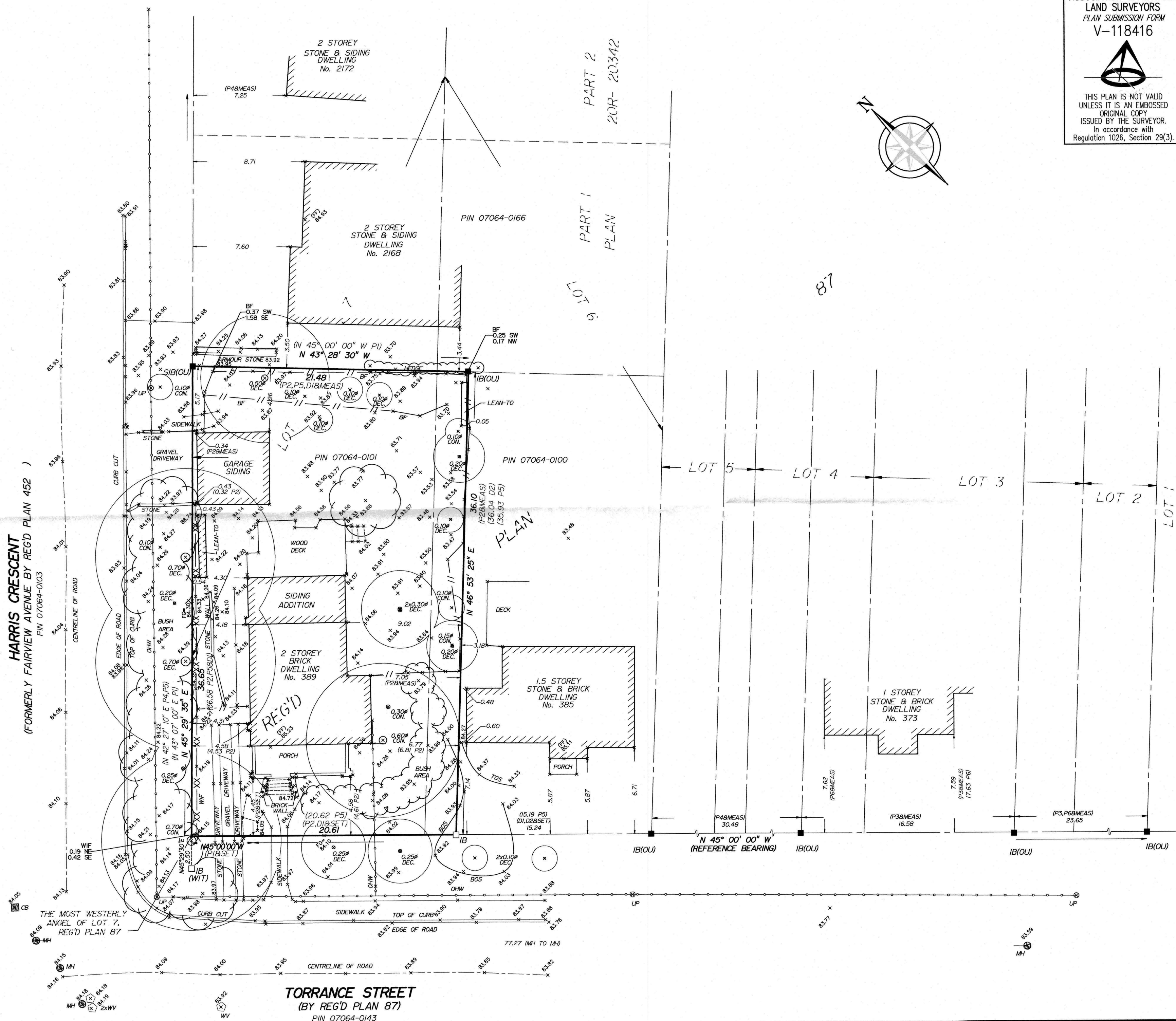
Dominika Kowiazo-Sitko

Signature of Owner/Agent

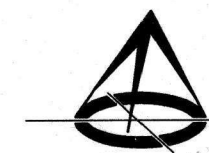
05/04/2026

Date (mmm/dd/yyyy)

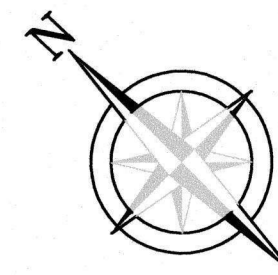
HARRIS CRESCENT
(FORMERLY FAIRVIEW AVENUE BY REG'D PLAN 452)
PIN 07064-0103



ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-118416



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



SURVEYOR'S REAL PROPERTY REPORT - PART 1

PLAN OF SURVEY & TOPOGRAPHY OF
PART OF LOTS 6 & 7
REGISTERED PLAN 87
CITY OF BURLINGTON

REGIONAL MUNICIPALITY OF HALTON

0 5 10 15 20M

SCALE 1 : 200

J. H. Gelbloom Surveying Limited
Ontario Land Surveyor

2025

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the written permission of J. H. Gelbloom Surveying Limited is Strictly Prohibited.

SURVEYOR'S REAL PROPERTY REPORT - PART 2

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
None

NOTABLES

Note the Location of the fences around the Subject Property.

LEGEND

- Survey Monument Found
- Survey Monument Set
- SIB Standard Iron Bar
- IB Iron Bar
- RIB Round Iron Bar
- (OU) Origin Unknown
- PI Registered Plan 87
- P2 Plan of Survey by Sewell & Sewell, O.L.S., dated October 4, 1974
- P3 Plan of Survey by Sewell & Sewell, O.L.S., dated March 17, 1969
- P4 Plan of Survey by Ashenurst Nouwens & Associates INC., O.L.S., dated February 28, 2017
- P5 Plan 20R-20342
- P6 Plan of Survey by Ashenurst Nouwens & Associates Inc., O.L.S., dated December 14, 2020
- D1 Instrument No. 838278
- D2 Instrument No. 858115A
- FF Finished Floor
- FG Fixed Grade
- BF Board Fence
- UP Utility Pole
- DEC. Deciduous
- OHW Overhead Wires
- MH Maintenance Hole
- CB Catch Basin
- CLF Chain Link Fence
- N Denotes North
- S Denotes South
- E Denotes East
- W Denotes West

BENCHMARK

Elevations are Referred to the City of Burlington Benchmark No. 41,
having an Elevation of 83.692 m.

NOTE

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

This REPORT was prepared for Rice Development Corp. and the undersigned
accepts no responsibility for use by other parties.

NOTE

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

BEARING NOTE

Bearings are astronomic, and are referred to the Northeasterly limit of
Torrance Street as shown on Reg'd Plan 87, having a Bearing
of N 45° 00' 00" W.

SURVEYOR'S CERTIFICATE

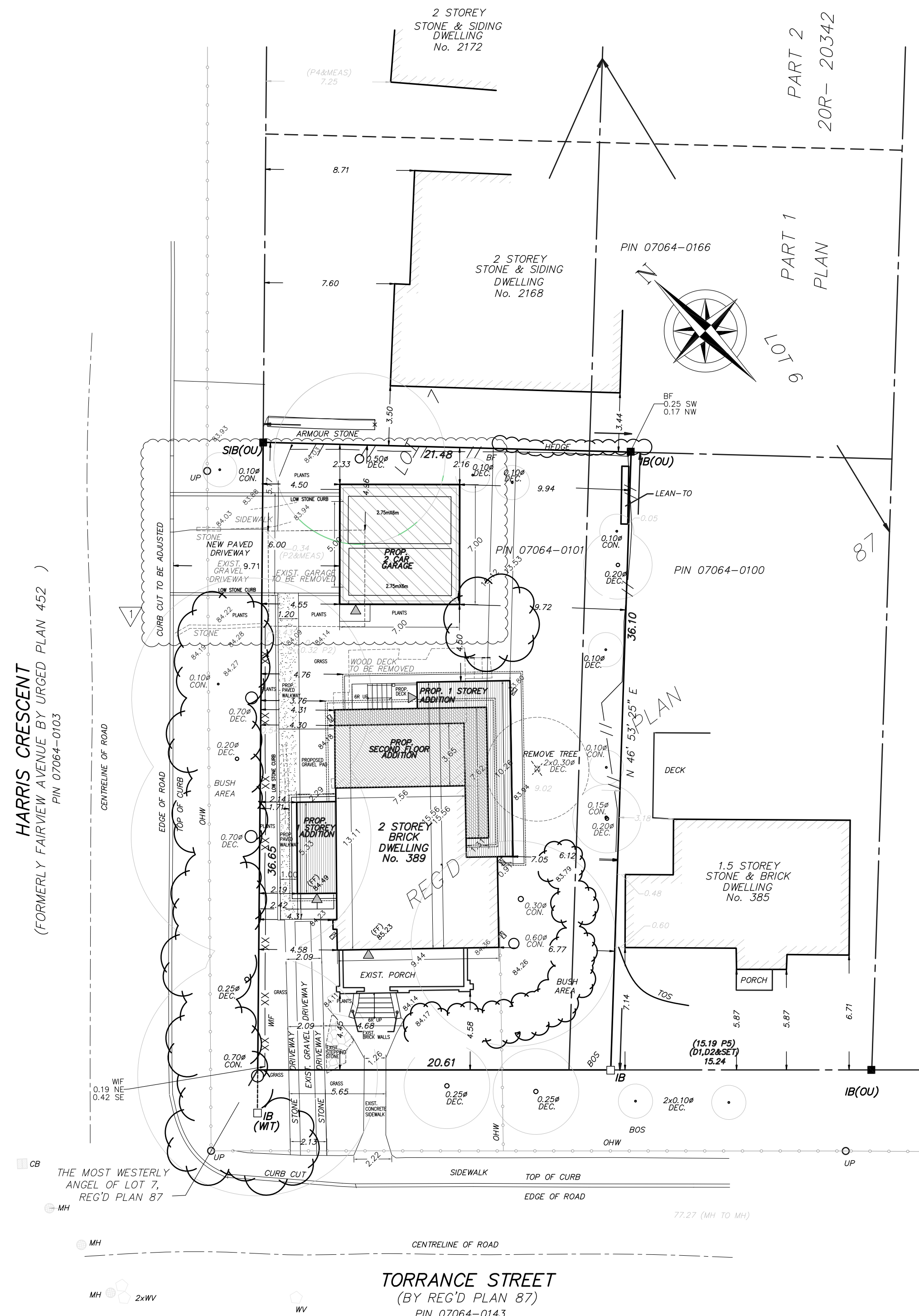
- I certify that:
- 1: This survey and plan are correct and in accordance with the Surveys
Act, the Surveyors Act, and the Regulations made under them.
- 2: The survey was completed on the 18th day of September, 2025.

September 23, 2025
Date

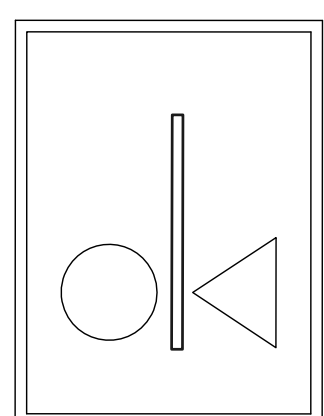
A.M. Musil
Andrew Musil, O.L.S.

Party Chief:	Drawn By:	Checked By:	Project:
M.A.	S.A.	A.M.	25-156

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



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Required unless design is exempt under 2.17.5.1. of the building code
DOMINIKA KOWIAZO-SITKO, BCIN-27818
SIGNATURE:

REGISTRATION INFORMATION:
DOM DESIGN GROUP LTD, BCIN-31474

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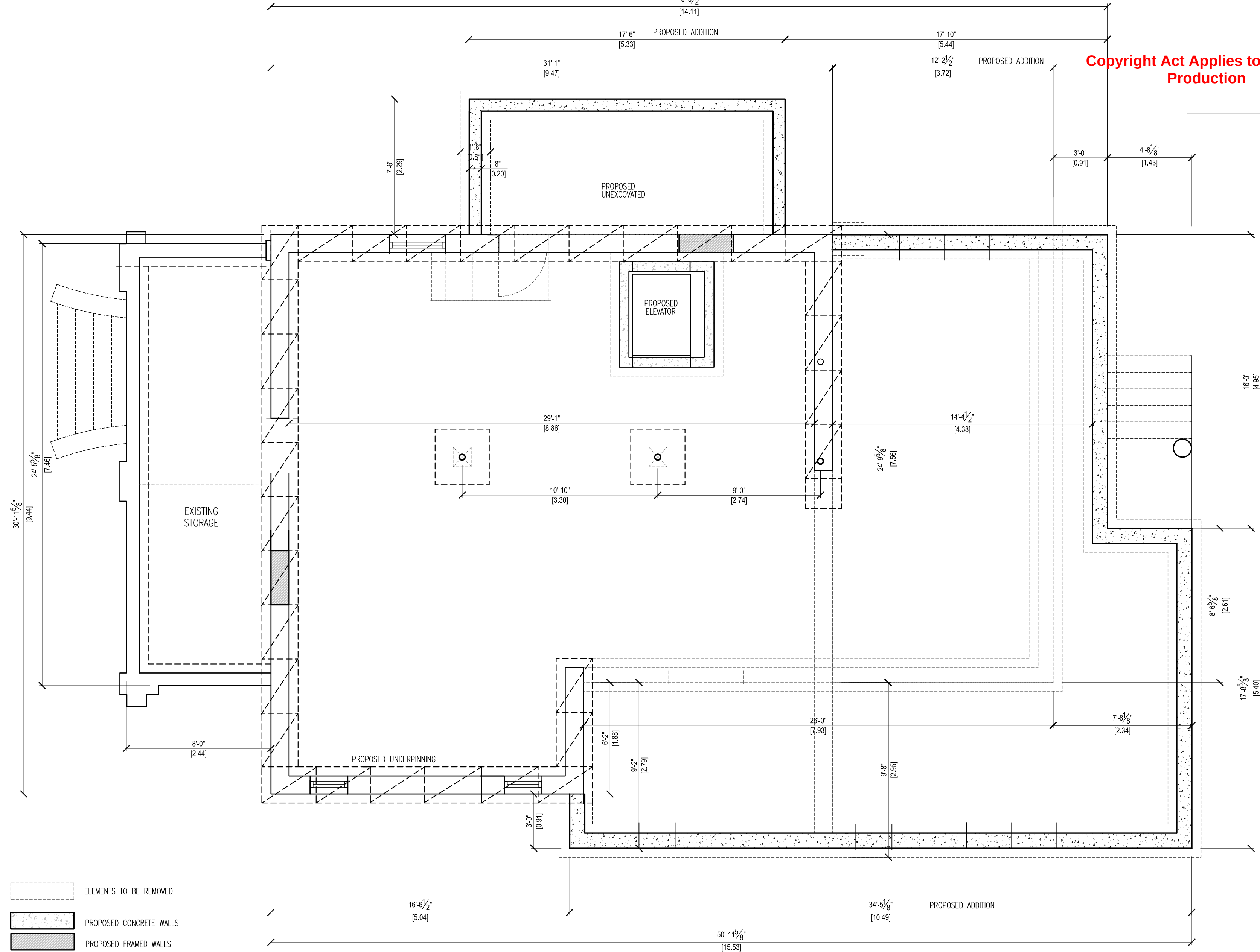
REVISION - MAY 5' 2026
PROPOSED FUTURE 2 CAR GARAGE 7mX7mX4.5mHIGH

ZONE LN4	
EXISTING LOT	765.56m2
EXISTING HOUSE GFA	219.84m2
PROPOSED ADDITION - GROUND FLOOR	52.57m2
PROPOSED ADDITION - SECOND FLOOR	45.23m2
PROPOSED TOTAL GFA	317.64m2
PROPOSED FLOOR SPACE INDEX	0.41
FRONT YARD SETBACK	
EXIST. 4.45m	PROPOSED 4.45m
SIDE YARD SETBACKS	
EXIST. EXTERIOR - 4.30m	PROPOSED - 2.14m
EXIST. INTERIOR - 6.77m	PROPOSED - 6.12m
REAR YARD SETBACK (TO THE HOUSE)	
EXIST.-15.12m	PROPOSED - 13.53m
EXISTING AND PROPOSED HEIGHT 9.12m	
TOTAL PROPOSED COVERAGE:	
PROPOSED HOUSE - 161.82m2	
EXISTING FRONT PORCH - 18.5m2	
PROPOSED REAR PORCH - 2.11m2	
PROPOSED 2 CAR GARAGE - 49m2	
TOTAL:(161.82+2.11+49):765.56=0.3023 - 30.23%	

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ONTARIO L7R 2R7

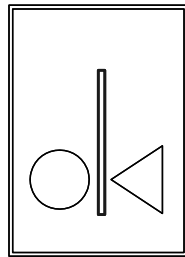
A-1
SITE PLAN
scale 1:200
JUNE 6' 2026

FOUNDATION PLAN



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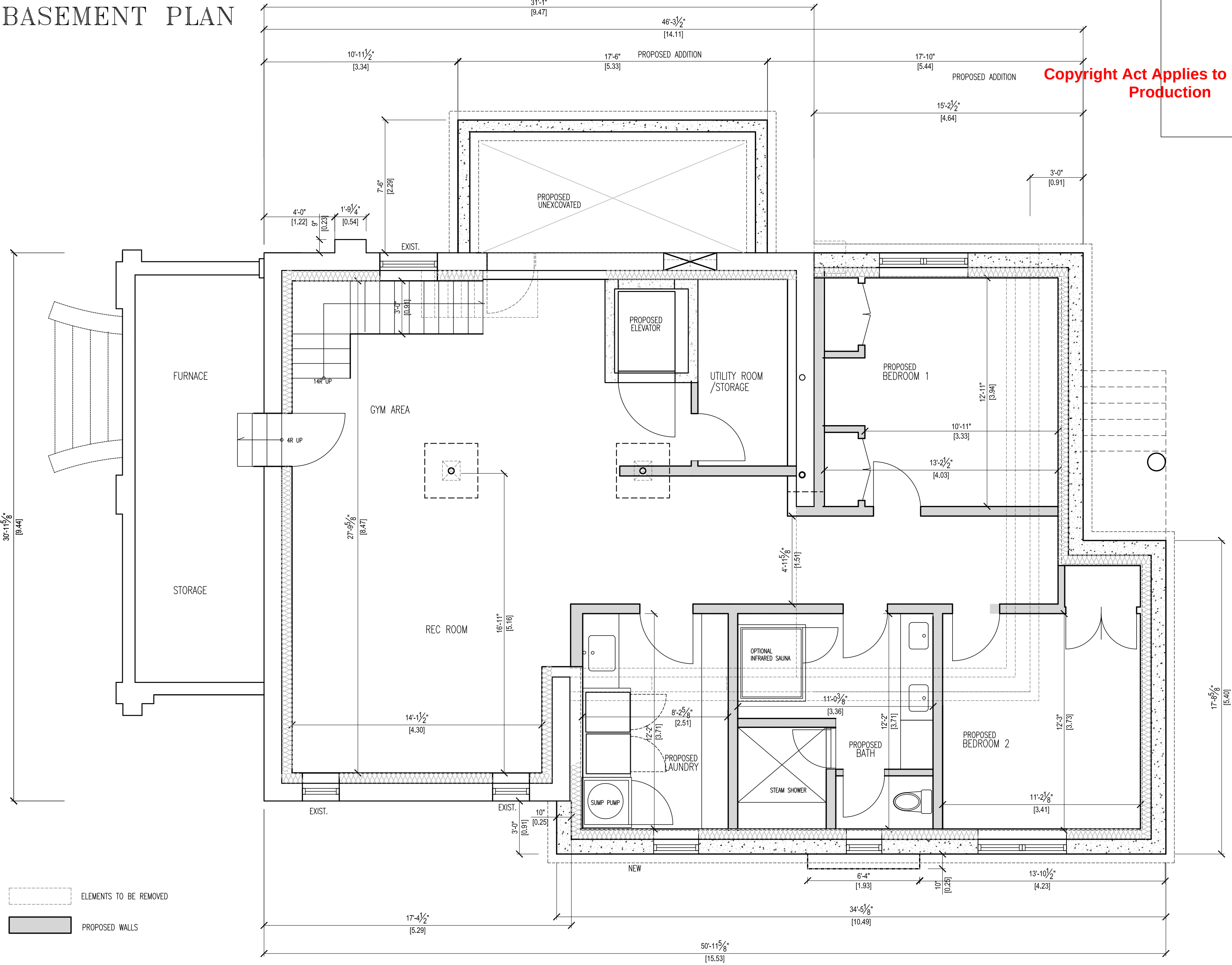
REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-2
FOUNDATION PLAN

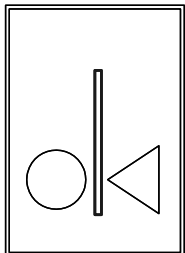
SCALE 1/4"=1'-0"
MAY 27 2026

BASEMENT PLAN



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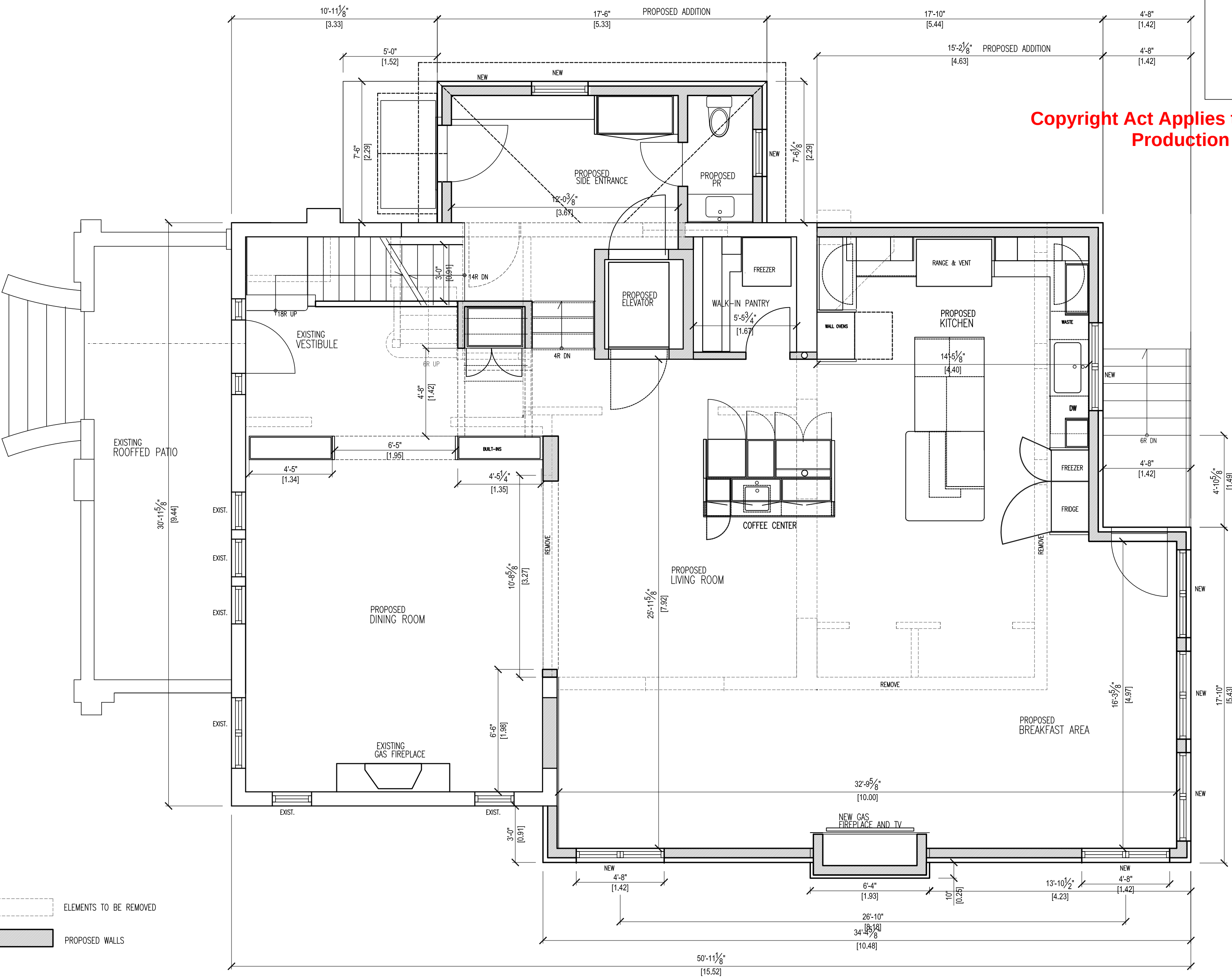
REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

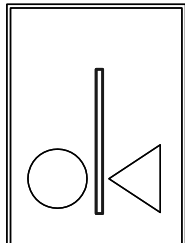
A-3
BASEMENT PLAN

SCALE 1/4"=1'-0"
MAY 27 2026

GROUND FLOOR PLAN



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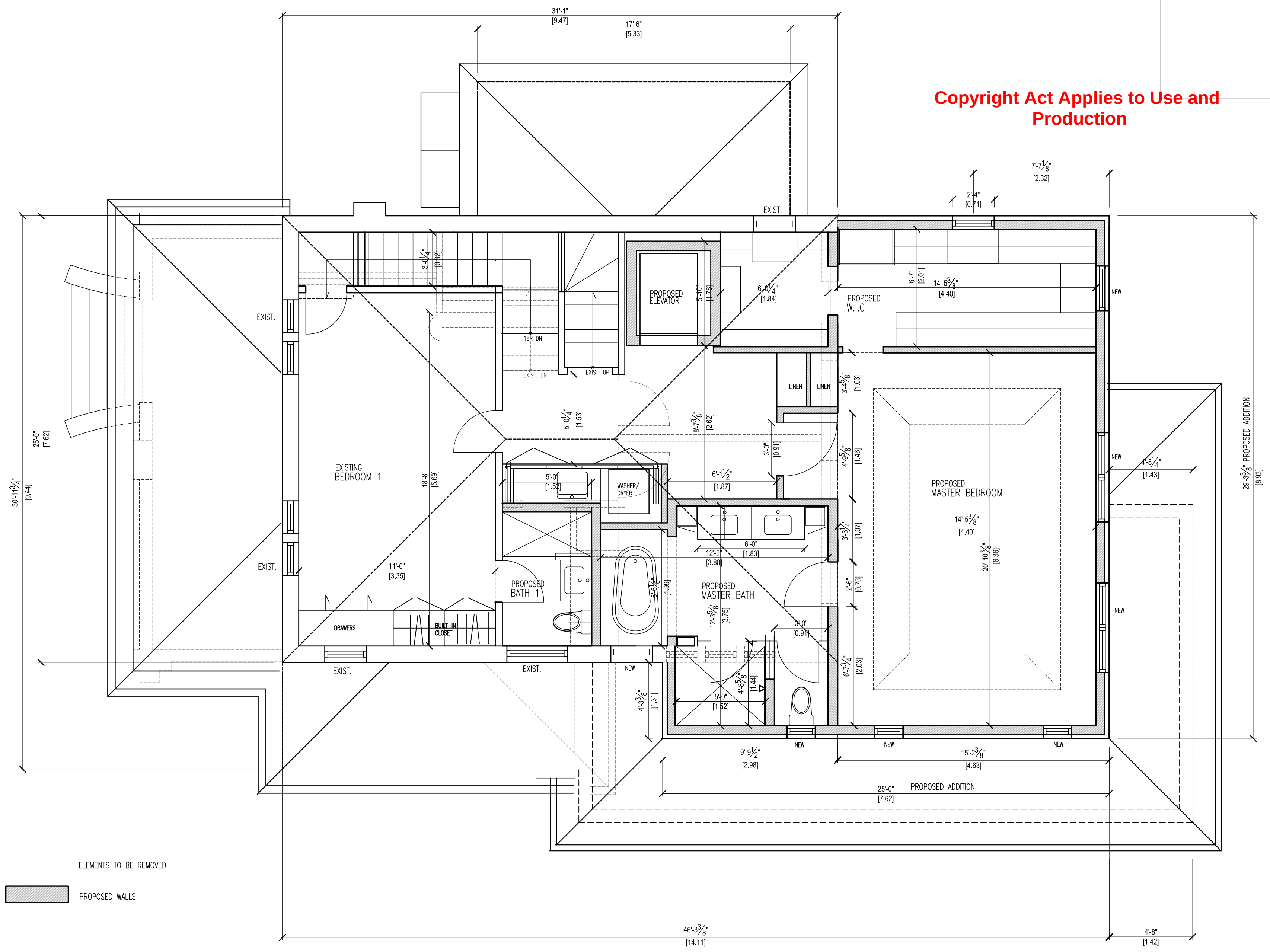
REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-4
GROUND FLOOR PLAN

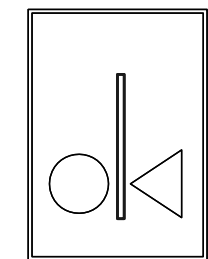
SCALE 1/4"=1'-0"
MAY 27' 2026

SECOND FLOOR PLAN



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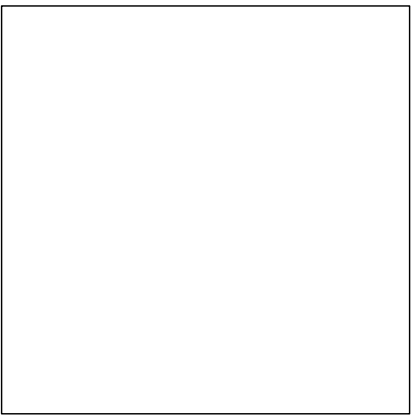
REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

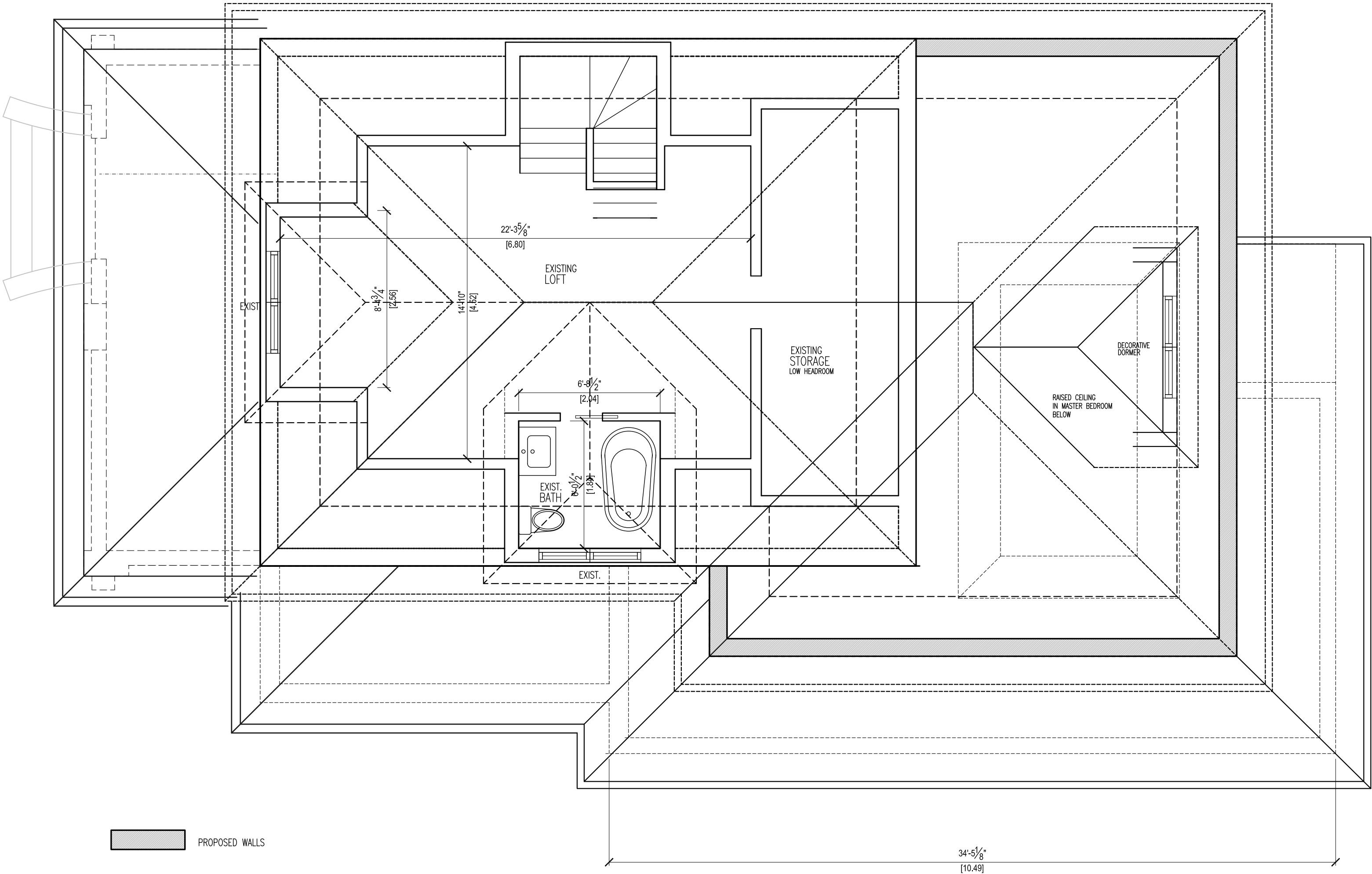
A-5
SECOND FLOOR PLAN

SCALE 1/4"=1'-0"
MAY 27' 2026

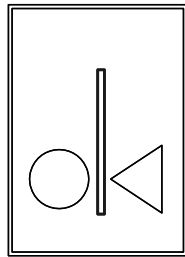
THIRD FLOOR PLAN



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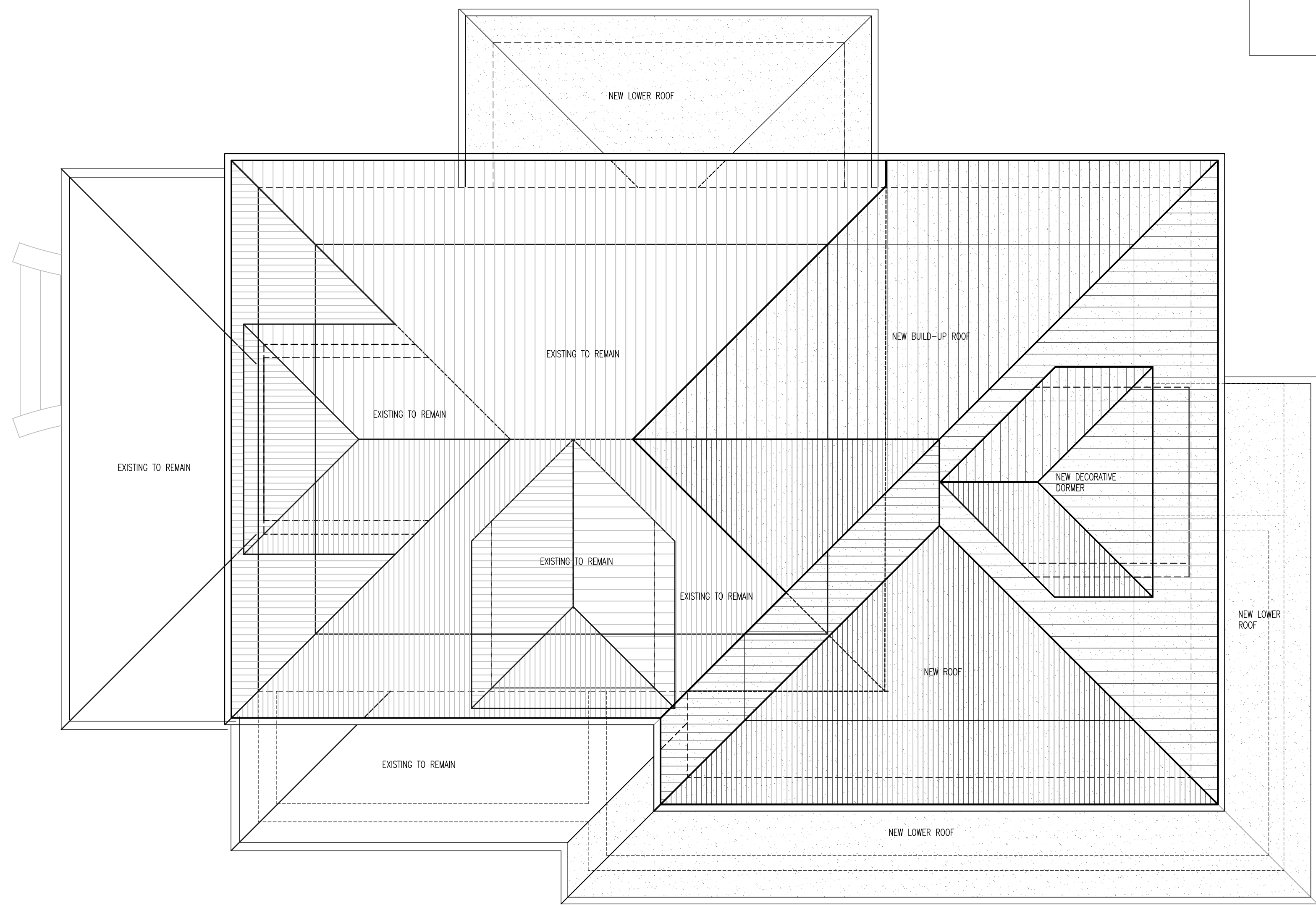
PROPOSED ADDITION
389 TORRANCE STREET
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A-6
THIRD FLOOR PLAN

SCALE 1/4"=1'-0"
MAY 27 2026

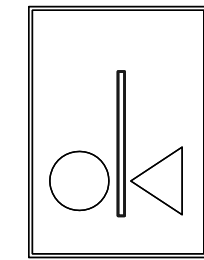
ROOF PLAN

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PROPOSED ROOF

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FOR STRUCTURAL INFORMATION ONLY:

REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-7
ROOF PLAN

SCALE 1/4"=1'-0"
MAY 27 2026

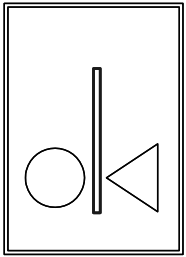
PROPOSED FRONT ELEVATION

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ELEMENTS TO BE REMOVED

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SIGNATURE:

REGISTRATION INFORMATION:
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REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-8
FRONT ELEVATION

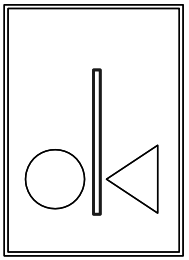
SCALE 1/4"=1'-0"
MAY 27, 2026

PROPOSED SIDE ELEVATION – ES

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SIGNATURE:

REGISTRATION INFORMATION:
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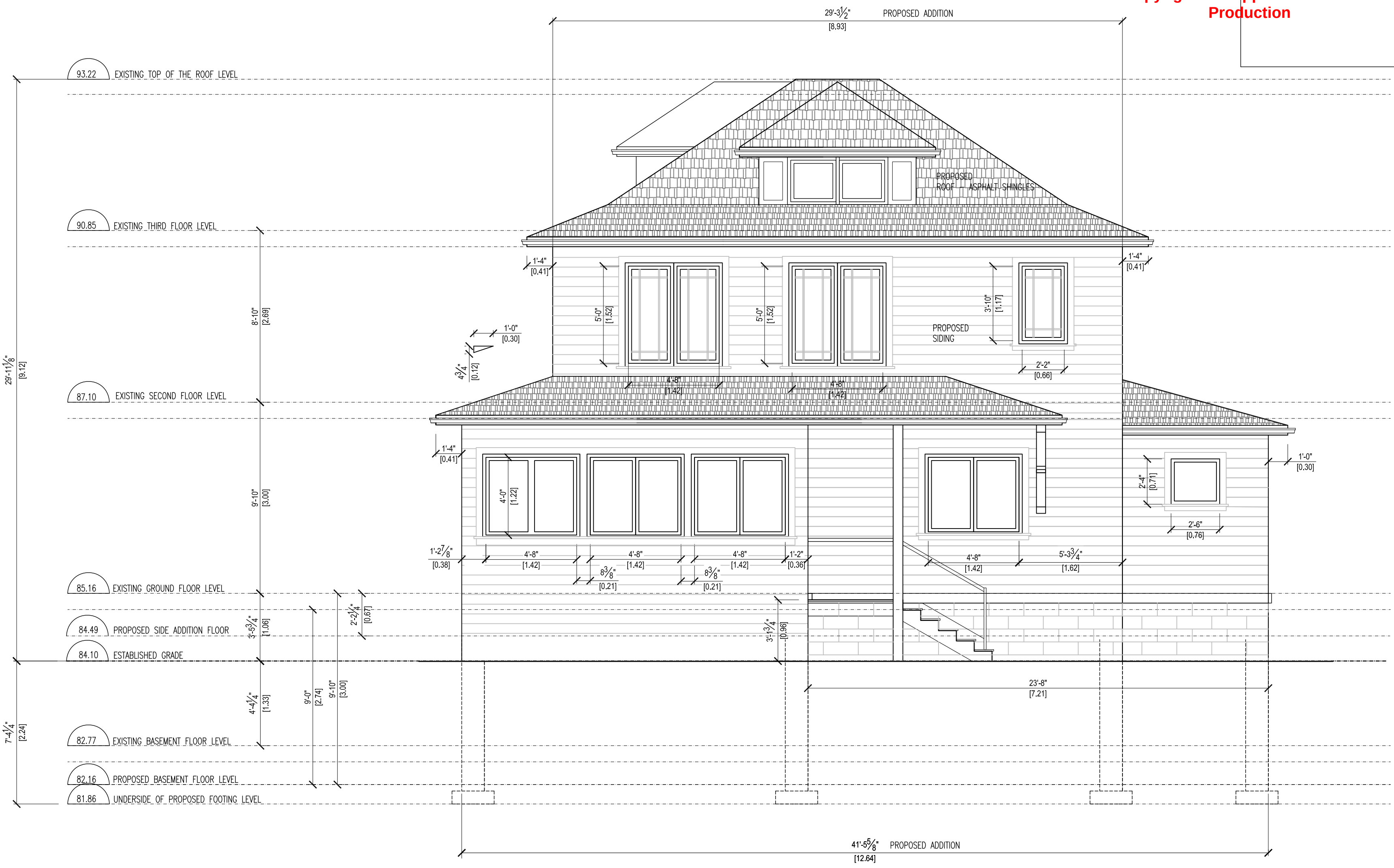
REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-9
SIDE ELEVATION – ES

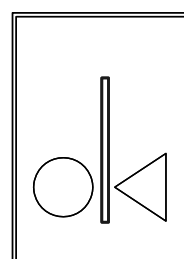
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MAY 27' 2026

PROPOSED REAR ELEVATION



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DOMINIKA KOWIAZO-SITKO, BCIN-27818
SIGNATURE:

REGISTRATION INFORMATION:
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PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-10
REAR ELEVATION

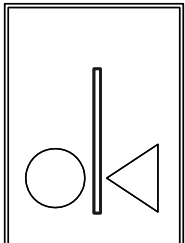
SCALE 1/4"=1'-0"
MAY 27 2026

PROPOSED SIDE ELEVATION – NW

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BURLINGTON, ON L7R 2R7

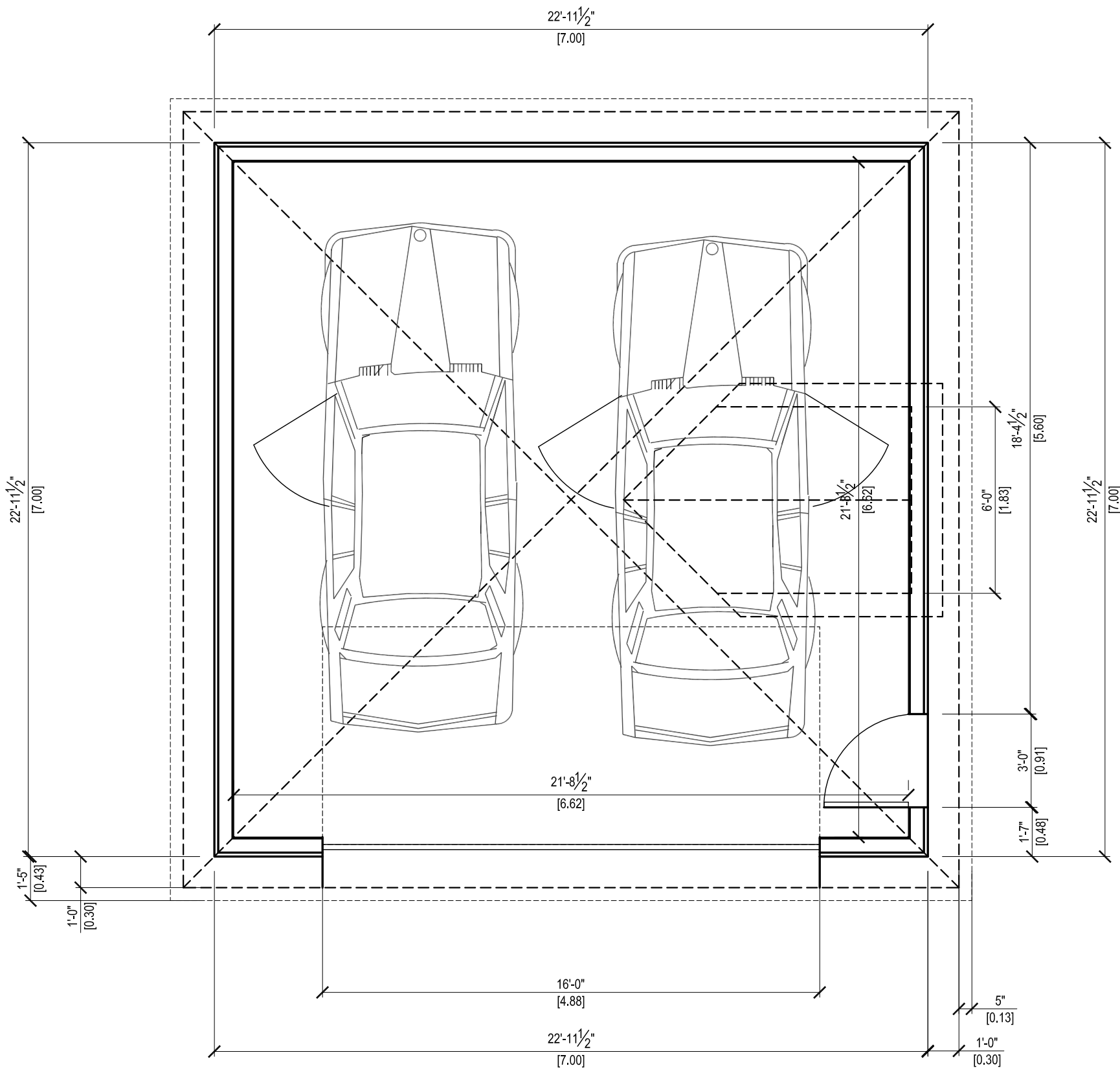
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SIDE ELEVATION – NW

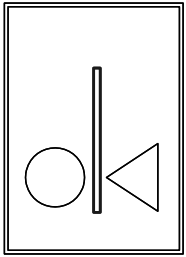
SCALE 1/4"=1'-0"
MAY 27' 2026

PROPOSED NEW GARAGE PLAN

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FOR STRUCTURAL INFORMATION ONLY:

REVISIONS:

PROPOSED ADDITION
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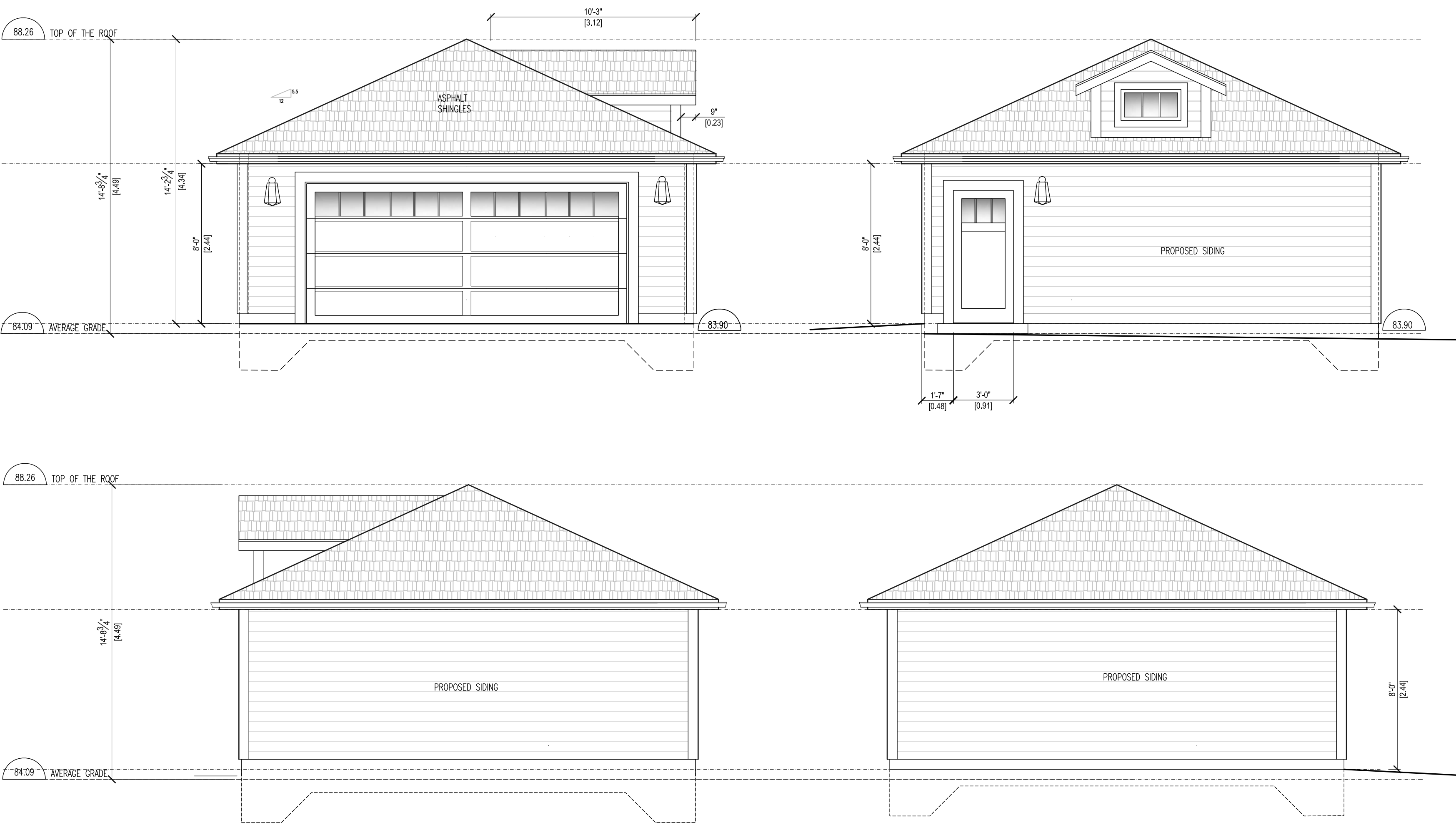
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PROPOSED GARAGE
PLAN

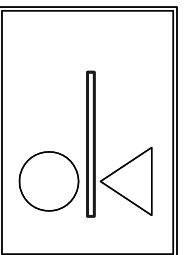
SCALE 1/4"=1'-0"
MAY 8' 2026

PROPOSED NEW GARAGE – ELEVATIONS

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FOR STRUCTURAL INFORMATION ONLY:

REVISIONS:

PROPOSED ADDITION
389 TORRANCE STREET
BURLINGTON, ON L7R 2R7

A-13

PROPOSED GARAGE
ELEVATIONS

SCALE 1/4"=1'-0"
MAY 8' 2026

389 TORRANCE STREET, BURLINGTON - PHOTOS



FRONT ELEVATION



SIDE OF THE PROPOSED ADDITION



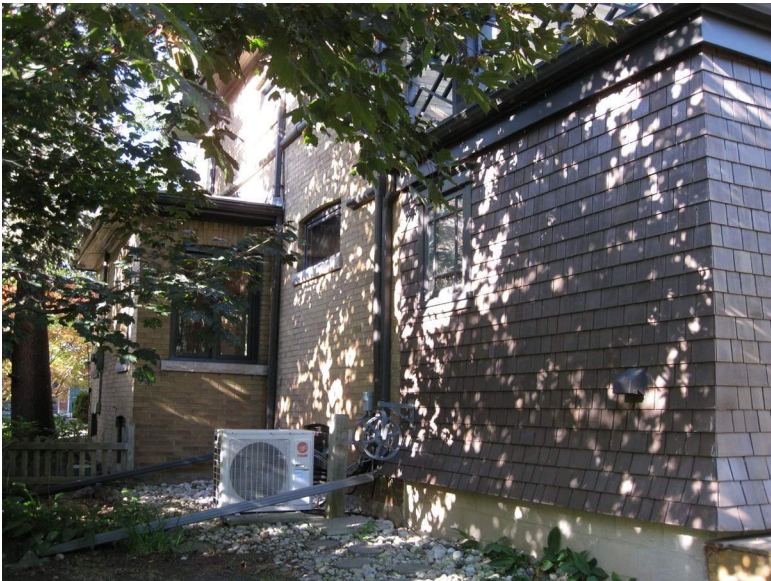
SIDE – NORTH-WEST



REAR ELEVATION



REAR ELEVATION



SIDE – SOUTH-EAST



GARAGE