

PROPERTY	4120 Morris Dr. PLAN M192 PT LOT 15 RP 20R4914 PARTS 1,2 City of Burlington, Region of Halton
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DECISION 540-02-A-090/25:

Having regard for the requirements of Section 45 Sub-section (1) of the *Planning Act*, RSO. 1990, c. P.13, as amended;

And after having fully considered as part of their deliberations and final decision on this matter any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision, and any and all oral submission related to this application that were made at the public hearing held under the *Planning Act*; **Members unanimously supported the application, therefore;**

The Committee **GRANTS** the application under **File 540-02-A-090/2025** at **4120 Morris Dr, Burlington:**

1. To permit a 0.9m north-west side yard instead of the minimum required 4.5m for an existing loading crane accessory structure.
2. To permit 0.9 parking spaces per 100m² of gross floor area (18 spaces) instead of the minimum required 1 space per 100m² of gross floor area (20 spaces) for a 1919m² one storey industrial building.
3. To permit two required parking spaces that are not readily accessible without obstructions at all times whereas Zoning By-law 2020 requires parking spaces to be readily accessible at all times without the necessity of moving any other vehicle or obstruction.

The reasons for the Committee's decision are that:

1. The general intent and purpose of the Official Plan **will** be maintained.
2. The general intent and purpose of the zoning by-law **will** be maintained.
3. The requested variances **are** desirable for the appropriate development or use of the property.
4. The requested variances **are** minor.

In addition to satisfying the four tests, the Committee's rationale for supporting the application include: the employment activities on site were compatible with adjacent land uses and remained consistent with existing industrial operations; the property was well served by public transit and located in close proximity to Presvac Systems Ltd.'s head office and central manufacturing facility at 4131 Morris Drive, which provided additional parking for customers and employees; the reduced yard variance applied only to an overhead crane structure consisting of exposed steel columns and beams, with the area beneath it—extending to the main building—remaining open, uncovered, and fully accessible.

CONDITIONS:

The decision of the subject minor variance application is subject to the following conditions. Conditions as listed below must be fulfilled within the time period specified which period begins from the last date of appeal. Any time period given is a maximum period only and cannot be extended.

These variances are for the life and repair of the General Employment use only; any construction associated with this approval shall be substantially in accordance with the plans submitted in support of the application.

The following conditions must be satisfied within 2 years for the subject site:

1. The Applicant shall apply for a Zoning Clearance certificate;
2. The Applicant shall apply for a Conservation Halton Permit which will be required prior to initiation of all development activities with the regulated portion of the site.

The Applicant is advised of the following notes:

1. A building permit is required for all construction.
2. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.
3. All construction shall comply with OBC 2024.
4. Location of exits and travel distance to exits shall be designed per Div. B, 3.4.2. OBC 2024. Exits shall lead to an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
5. Area of unprotected openings and exposure protection shall be designed per Div. B, 3.2.3. OBC 2024
6. Proposed design shall comply with barrier-free design requirements, Div. B, 3.8. OBC 2024
7. Direct access to firefighting and access routes shall be designed per Div. B, 3.2.5. OBC 2024 – Provisions for firefighting. The fire access route over parking garage slab if any shall be designed to withstand fire truck loading requirement as per Burlington Fire truck standards
8. Further comments may be forthcoming upon review of revised drawings during Building permit submission.
9. A grading and drainage clearance certificate **may** be required.
10. A tree permit **may** be required for any and all work around regulated trees in accordance with the City's Tree By-laws. Revisions to the report and/or plans may be required through the tree permit process.
11. The application was reviewed under Section 45(1) of The Planning Act.
12. Conservation Halton approval is required.

The decision of the Committee is subject to a 20-day appeal period that starts today. The Secretary-Treasurer will mail a copy of the decision within 10 days of this meeting.

"F. Capuano"
F. Capuano, Chair

"J. Riddell"
J. Riddell, Vice Chair

"E. Westerhof"
E. Westerhof, Member

"B. Ursel"
B. Ursel, Member

"P. Calleja"
P. Calleja, Alt. Member

Date of hearing: **WEDNESDAY, APRIL 8, 2026**

Last day to appeal: **TUESDAY, APRIL 28, 2026**

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



Catherine Susidko-Petriczko
Secretary Treasurer, Committee of Adjustment