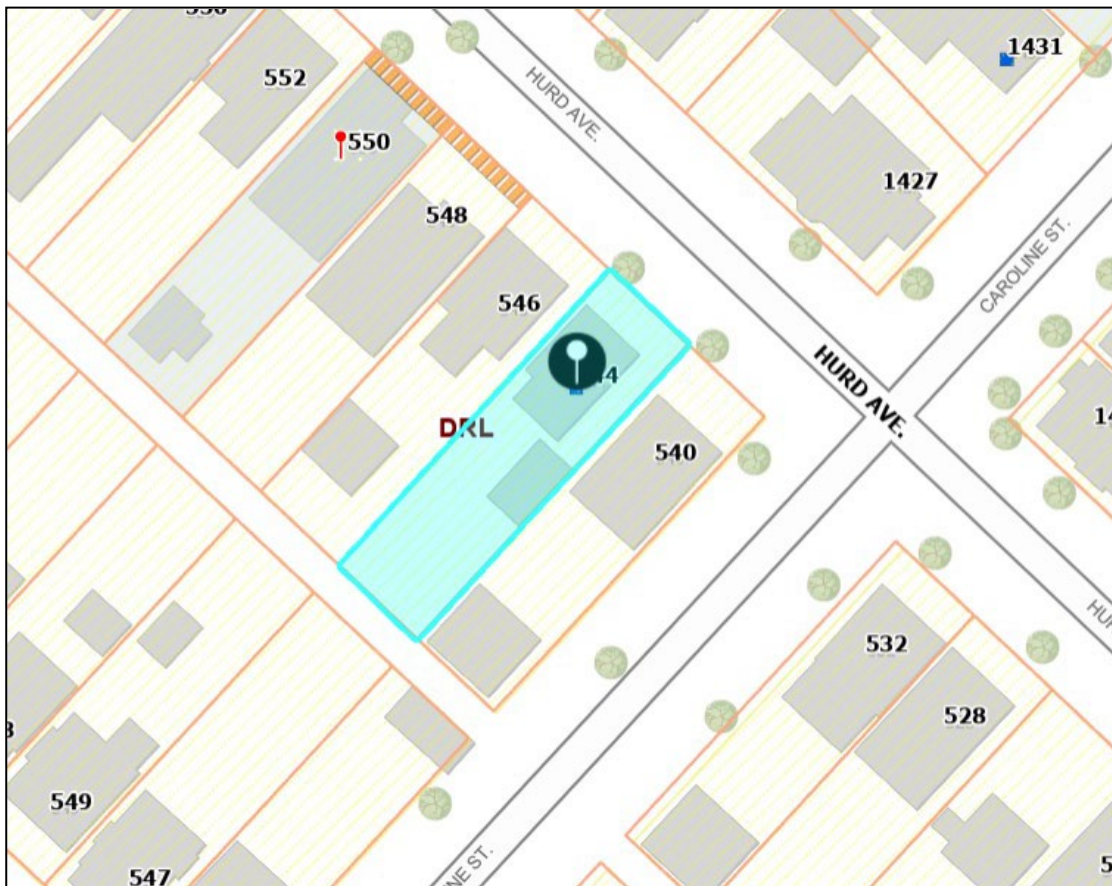


**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): Franci-Lynn Mueller
Address: 544 Hurd Ave. Burlington
File No. **A-014/26**
Ward: 2



Staff Comments:

Committee of Adjustment

There is 1 previous minor variance applications on record for this property.

File No. A070/2025 – Partially Approved

- Refused: To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio less than 1.2 m high.
- Approved: To permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

Date: February 20, 2026

Prepared By: E. Shacklette

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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Zoning

1) Background information:

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

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

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

Footnotes to Table 2.4.1

- (a) Without attached garage or carport:
- (i) One or one and a half storey side: 1.2 m, 3 m other side
 - (ii) Two or more storey side: 1.8 m, 3 m other side

2.3 PATIOS, DECKS, BALCONIES, AND PORCHES – RESIDENTIAL

2.3.1 Patios, as defined in Part 16, are permitted in all zones.

- (a) Patio roofs shall be subject to the yard and setback regulations contained in Tables 1.2.1 and 1.2.2

Table 1.2.1

Regulations for Decks associated with Detached, Semi-Detached, Duplex, Triplex, Fourplex, and Street Townhouse Dwelling Units			
Regulation	Deck Requirements		
	Over 60 cm to 1.2 m High	Over 1.2 m High	
		Up to 15 m²	Over 15 m²
Maximum Deck Area (a)	no maximum	15 m ²	30 m ²
Permitted in a Front Yard	no	no	no
Permitted in a Rear Yard	yes	yes	yes
Permitted in a Side Yard	yes	yes	yes
Setback from a Street Line	3 m	4.5 m	6 m
Setback from a Rear Lot Line	1.8 m	4.5 m	6 m
Setback from a Side Lot Line	1.2 m (b)	1.8 m (b)	3 m
Maximum coverage (c)	50% of the yard area in which decks are located		

**COMMITTEE OF ADJUSTMENT
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Footnotes to Table 1.2.1

- (a) Total combined area of all platforms over 1.2 m high (excluding stairs)
- (b) Where a side lot line extends from a common wall dividing attached dwelling units the setback shall not apply.
- (c) Coverage means the surface area of a yard which may be covered by decks.

2) Proposal:

The applicant is proposing the construction of a roofed-over rear yard patio with a privacy screen.

The privacy screen was previously approved under minor variance file number A-070/2025 to permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

3) Variance required:

- 1. To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio less than 1.2 m high.

4) Notes and conditions:**Condition:**

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

Notes:

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

Date: March 19, 2026Prepared By: J. Parker

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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Site Planning

Application History

- The applicant has submitted a new Committee of Adjustment application for a proposed roofed-over patio in the rear yard.
- The previous CofA application related to this work was heard at a meeting on February 4th, 2026 and was only partially approved due to the following concerns raised by the Committee members;
 - Insufficient access for maintenance and clearance in the reduced side yard
 - Spatial separation and potential impacts to the adjacent property
 - Utility concerns related to the exterior fireplace
 - Matters related to zoning interpretation and application, specifically related to the height of patios exempt from side yard setback requirements, as well as inclusion of the fireplace within the definition of “Privacy Screen”
 - Consistency with neighborhood character comprised of a pattern of smaller lots
- The Applicant submitted a new application noting the following;
 - The variance request is for a reduction of the roof overhang associated with the proposed structure. The actual setback to the columns and privacy screen is 0.73 metres, measured at the closest point
 - The outdoor fireplace which was originally encroaching into this side yard has been revised to be flush with the privacy wall and now projects into the interior of the roofed-over patio
 - The gas fireplace will vent vertically through the roof

Site Characteristics	
Lot Frontage (m)	10.65 m
Lot Area (m²)	6422.3 m ²
Existing Land Uses <i>(ex. buildings, structures, driveways, fences, etc...)</i>	Two storey detached-dwelling with detached garage in rear yard accessed via driveway from Hurd Avenue
Site Grading <i>(ex. Flat and level, significant grade differences)</i>	Flat and level
Notable Site Features	Rear lane
Surrounding Land Uses <i>(ex. Adjacent building relationships, natural features, notable adjacencies)</i>	Low-density residential with a mix of one-and-a-half and two-storey dwellings
Nearest Major Intersection	Caroline and Brant Street
Neighbourhood Boundaries*	North: Baldwin Street East: Locust Street South: Ontario Street West: Maple Trail / Hydro Corridor
*Based on OP, 1997 residential neighbourhood definition	

Neighbourhood Characteristics:

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
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-
- The subject property is part of St. Luke's Neighbourhood Precinct, which is of historical significance
 - The area was originally developed lot-by-lot which results in some variety of styles, sizes and ages of houses next door to each other
 - The prevailing built form consists of one-and-a-half and two-storey detached dwellings with separate garages in the rear yard
 - Front yards are generally shallower than the current zoning would allow and mature trees form an important part of the streetscape
 - This block along Hurd Avenue is mostly Edwardian in style, partly characterized by minimal decorative elements and generous front porches with wood column supports

A site visit was originally conducted on October 21st, 2025 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 variances meet the general intent and purpose of the *ROP*.

Official Plan, 1997 & 2020

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

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

- The *Low-Rise Neighbourhood Precinct* policies of OP 2020 are not yet in effect
- According to BOP 1997, Schedule "B" – Comprehensive Land Use Plan Urban Planning Area, the property is within the *Downtown Mixed-Use Centre*. Schedule "E"

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further identifies the lands to be within the *St. Luke's Neighbourhood Precinct*, which permits detached dwellings to a maximum density of 25 units per net hectare and a maximum building height of 2 ½ storeys.

- The proposed roofed-over rear yard patio does not increase the density or overall height of the existing 2 storey detached dwelling
- Part III Section 5.5.4 a) states that the objective of St. Luke's Precinct is to "preserve the stable residential and heritage character of these neighbourhoods, and to ensure that any re-development is compatible with the existing character of the neighbourhood." Sentence d) further clarifies that "all development and re-development shall be compatible with the existing character of these neighbourhoods with respect to such matters as heights, setbacks, massing, design and community features."
 - The proposed rear yard addition of the roofed-over patio provides a transitional space between the indoor and outdoor environment and does not increase the overall building height nor result in significant massing. The variance facilitates the extension without impacting the front façade, streetscape or overall character of the precinct.
 - Although St. Luke's Neighbourhood is an area with special, historic character it is not considered to be a Heritage Conservation District under the *Ontario Heritage Act* and the existing dwelling is not considered a heritage structure. Heritage staff have also reviewed the proposal and have no concerns
- 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 does not impact the architectural style of the dwelling, the existing front yard nor tree canopy, which is a prominent part of the overall character in the St. Luke's Precinct
 - The proposed setback does not deviate from the prevailing development patterns on the block nor disrupt the spatial rhythm of the neighbourhood as detached structures and covered outdoor areas are common in rear yards (see for example 560, 552, 550, 546, and 540 Hurd Ave)
 - The patio platform consists of a concrete / stone base while the proposed roofed structure is supported by wood columns and includes a privacy wall with siding finish and an integrated fireplace, ensuring continuity and compatibility with the existing dwelling
 - Potential adverse effects related to noise or overlook are minimized by the existing wood fence, detached garage and privacy wall
 - As confirmed on the submitted drawings and documents, the exterior fireplace which forms part of the covered area, is vented directly up through the roof responding to previous concerns raised by Committee members

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2) City of Burlington Zoning By-law 2020:

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

The general intent and purpose of deck and patio setbacks under Burlington Zoning By-law 2020 is to ensure adequate spatial separation between structures, preserve appropriate grading and drainage, and to maintain a consistent development pattern which supports privacy and compatibility. The proposed minor variance to permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over patio is consistent with the general intent and purpose of this provision for the following reasons:

- As confirmed by Zoning staff and as per definition, patio platforms having a height up to 60 cm measured from grade and are not subject to setbacks. In instances where a patio is covered, the roof of the patio structure (excluding eaves and gutter) shall be subject to the yard and setback regulations outlined in the zoning by-law.
- The setback on the opposite side of the house is 3.47 m, from the house to the lot line, narrowing slightly to 0.73m between the edge of the stairs and the existing garage. Staff believe setbacks on this side of the house are sufficient to facilitate access from the front to the rear yard
- The patio platform is shown to be less than 0.6 metres above grade. As evident on the submitted survey, it replaces an existing wood deck which is approximately the same size and within the same proximity to the side lot line.
- Development Engineering staff have reviewed the proposal from a stormwater management perspective and have no objection
- Based on the original site photographs as well as historical street views, an existing chain link fence near the covered front porch restricts pedestrian access to the side yard. Entry into the rear yard therefore remains unchanged and is available on the opposite side only, via the existing driveway and walkway.
- It is also worth noting that the existing detached dwelling is not parallel to the north-westerly side lot line. At the front porch, the existing side yard is only 0.91 metres and narrows down to 0.88 metres towards the rear corner of the home
- Due to the skewed angles, the roofed-over structure, which follows the line of the existing dwelling, has a setback of 0.73 metres measured at the closest point between the side lot line and the outermost support column
- As verified by Zoning staff, the technical wording of the variance remains unchanged as the setback requirement is measured to the roof overhang
- The outdoor fireplace associated with the covered patio structure has been revised to eliminate any additional projections into the side yard and is now flush with the wall of the privacy screen. This reduction, along with confirmation of the vertical

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fireplace venting, is a positive change and addresses previous concerns related air quality and ease of access for any future maintenance

- Overall, staff are of the opinion that the roofed-over structure is subordinate to the main dwelling, maintains appropriate access and airflow between buildings and does not introduce any apparent privacy concerns.

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 proposed roofed-over patio creates a protected and functional outdoor living space and replaces an existing raised deck in the same location
- Design compatibility is maintained by incorporating similar finishes, namely wood posts and exterior siding, as well as mimicking the roof slope and overhang of the main dwelling
- The proposed built form along with the existing perimeter wood fence and detached garage, frames a courtyard atmosphere while preserving the rear yard function as an outdoor amenity area for the residents
- Access into the backyard remains unchanged and is available via a large walkway on the side of the existing driveway. The outdoor fireplace, which was previously projecting beyond the wall of the new privacy screen, has been pulled in to reduce obstruction for any potential maintenance work
- The covered structure does not introduce additional habitable floor area and the privacy screen minimizes any potential adverse impacts. The revised proposal demonstrates sensitivity by confirming that venting of the gas fireplace is to be directed up through the roof and away from the neighbour.

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 existing two-storey dwelling, including associated outdoor amenity area, is a permitted land use and the covered patio platform replaces a raised wood deck in the same location

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- In this instance, the proposed structure is comprised of four columns and a privacy screen including an outdoor fireplace. Although the setback requirement is measured to the roof overhang, the exterior face of the roofed-over structure is 0.7 metres from the side lot line and follows the line of the exterior wall of the main dwelling.
- The location and scale is appropriate for the context of the area given that it will not result in significant massing impacts.
- Through discussions with the Applicant, Development Engineering staff are satisfied that the proposal won't result in significant impacts to grading and drainage
- The character of St. Luke's Neighbourhood Precinct is preserved as the scope of work is limited to the rear yard only and does not alter the architectural character of the home, the streetscape nor front yard trees.

Cumulative Effects of Multiple Variances and Other Planning Matters:

- n/a

Recommendation:

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

Report Schedules & Attachments:

Attachment No. 1 (Site Photos)



Front view of the subject property, on side of driveway



Front view of the subject property

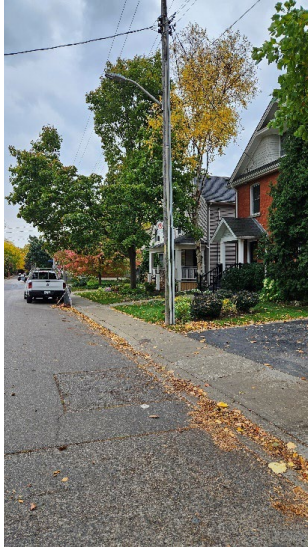


Front view of the subject property, on side of proposed

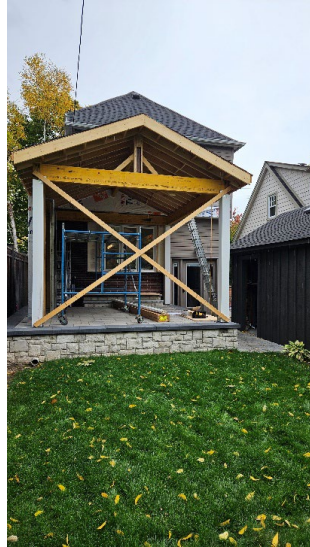
**COMMITTEE OF ADJUSTMENT
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and detached garage

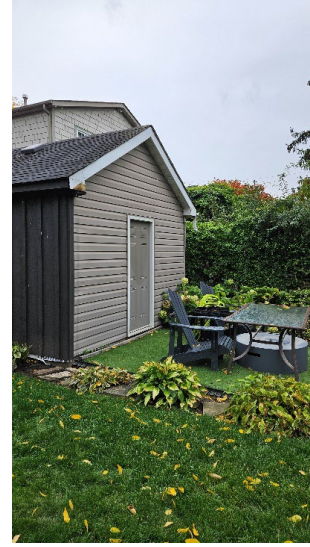
roofed-over patio at rear



View of existing streetscape and tree canopy along Hurd Avenue



View of roofed-over covered patio from the rear yard



View of existing rear yard amenity space behind detached garage



Nearby dwelling at 548 Hurd Avenue



Nearby dwelling at 551 Hurd Avenue

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Nearby dwelling at 555 Hurd Avenue



Nearby dwelling at 1427 Birch Avenue



Nearby dwelling at 1411 Birch Avenue



Nearby dwelling at 1406 Birch Avenue as well as accessory buildings at rear of 560 Hurd Avenue (at entrance to laneway on northerly side)



Garage extension at rear yard of 556 Hurd Avenue, accessible via rear laneway



Detached accessory building in rear yard of 550 Hurd Avenue, accessible via rear laneway



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Two storey accessory building at 546 Hurd Avenue, accessible via rear laneway



View from rear yard looking towards existing two storey accessory building at abutting property at 546 Hurd Avenue

Two storey accessory building at 546 Hurd Avenue, looking towards property requesting variances at 544 Hurd Avenue



View from rear yard looking towards abutting property at 540 Hurd Avenue



View from rear yard looking towards laneway

Date: April 23, 2026

Prepared By: Magda Rusin-Hynek

Technical Reviewer Comments:

Development Engineering

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

Date: March 24, 2026

Prepared By: D. Savelli

Forestry

Forestry has no objection to the proposed variances requested. Forestry has reviewed the application and has the following advisory comments:

Advisory Comments:

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

Date: April 7, 2026Prepared 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: April 24, 2026Prepared By: A. Kuzmichuk**Transportation Planning**Deemed Road Width Analysis

Hurd Avenue is under the authority of the City of Burlington and the deemed right-of-way width is 16 metres. The right of-way adjacent to the subject site is approximately 16 metres therefore no additional lands are required.

Date: February 23, 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: March 25, 2026Prepared By: Thalia Thompson**Finance****Notice regarding Development Charges:**

The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax

All property taxes including penalty and interest must be paid. This includes all outstanding balances plus current year taxes that have been billed but are not yet due. Local improvements must be commuted.

Date: March 19, 2026Prepared By: L. Bray

**COMMITTEE OF ADJUSTMENT
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Agency Comments:

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a roofed-over rear yard patio with a privacy screen. Variance is requested to the minimum required side yard depth.

- 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: April 8, 2026

Prepared By: Navjot Kaur

Burlington Hydro

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

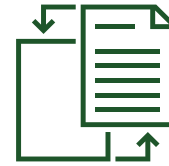
Date: April 8, 2026

Prepared By: Zakariya Al-Doori

Source Water Protection Factsheet

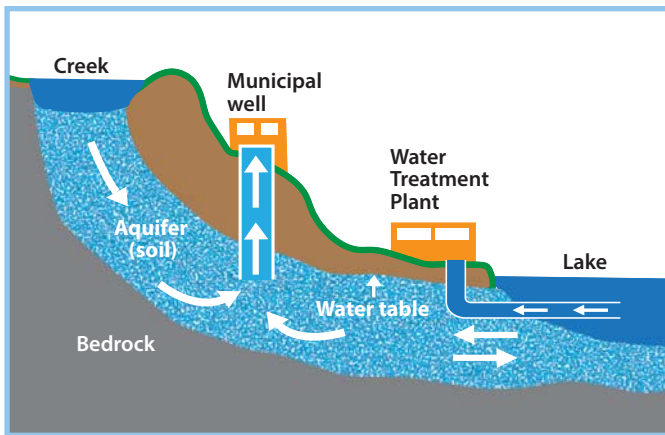
halton.ca

Planning and Building Applications



Sources of drinking water

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



Protecting Halton's drinking water

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



Source water protection and Planning/Building Applications

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

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

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

Is my property in a vulnerable area?

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

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

How is my application reviewed?

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

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

Step 1

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



Step 2

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



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

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

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

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

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



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

**RETHINK
WATER**



Enjoy Conserve Protect



halton.ca 311





Burlington **hydro** inc.

April 7, 2026

Applicant: Franci-Lynn Mueller

Subject: Minor Variance.

File NO: 540-02-A-014/26

Location: 544 Hurd Ave., Burlington, ON.

In response to your correspondence(s), a member of our Engineering Department has reviewed the attached site plan and has the following comments.

- We have no objections to the construction of a roofed-over rear yard deck with a privacy screen.
- **Please Note:** If the construction works within 1m (3') of the overhead secondary service wire. Please do not hesitate to contact Burlington Hydro Inc. (BHI) via email at Engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.
- Please ensure the meter base shall have a 1.0m (3') radial obstruction-free area from trees, plants, shrubs, gas meter, pressure relief valve, natural gas discharge openings, windows and other structures the customer may install. Refer to **BHI standard 33-116**.

In addition, we want to stipulate the following:

- Customers and their agents planning and designing for electricity service must refer to all applicable Provincial and Canadian electrical codes, all applicable federal, provincial, municipal laws, regulations, codes, and by-laws to ensure compliance.
- All work on the BHI distribution system shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act (OSHA), the Regulations for Construction Projects, the Regulations for Industrial Establishments and the Electrical Utility safety Rules published by the Infrastructure Health and Safety Association (IHSA).
- Service is available under BHI's latest Standard Service Conditions:**
<https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html>
- Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. BHI will refer to the latest Standards and Regulations if possible issues with the clearances arise between existing BHI facilities and existing/proposed building structures.
- BHI easement (if any) is to remain clear of heavy vehicle traffic, and the customer is responsible for keeping the easement lands free and clear of any trees, fences, buildings, structures, or obstructions unless any of the foregoing is approved in writing by Burlington Hydro Inc. Further, the Customer shall remove the same upon the request of Burlington Hydro Inc.
- The customer is to ensure that Burlington Hydro Inc. (BHI) has access to hydro facilities.



Burlington **hydro** inc.

- The customer is to acquire any easements for BHI if required.
- The project must meet City of Burlington Standards.
- Machine excavation within one meter of the underground plant is not permitted.
- Do not excavate within two meters of BHI's transformer, poles and anchors.
- Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call (800) 400-2255.
- Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when work is planned to be performed in proximity of the hydro distribution system.
- Arrange for the 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.
- A building, permanent structure or building apparatus shall maintain minimum horizontal clearance from existing power lines (Refer to the Burlington Hydro brochure, notice that the clearances shown on the standard are minimum; additional clearances are required to allow conductor swing, scaffold installation and future building maintenance). Please arrange for a site meeting with the BHI representative, calling Eng. Desk at 905 332-2250 or emailing Engineering@burlingtonhydro.com, to validate the required minimum clearances to existing power lines, obtain approved hydro service layout/consent and avoid any possible safety issues.
- Please arrange for a site meeting with a BHI representative by sending an email to Eng. Desk Engineering@burlingtonhydro.com, prior to beginning any construction/demolition near existing overhead or underground hydro facilities, get approved BHI service layout/consent and avoid any possible service complications or safety issues.

Regards,
Zakariya Al-Doori
Engineering Services Technician,

Cc: Vladimir Carballo
Senior Engineering Manager

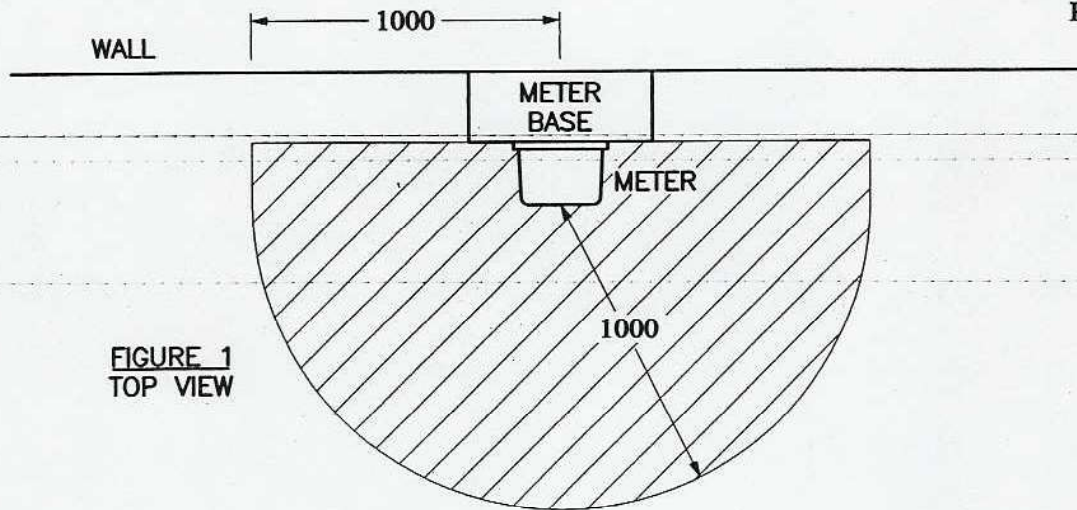


FIGURE 1
TOP VIEW

NOTES

1. HATCHED AREA TO BE KEPT CLEAR OF ANY OBSTRUCTION TO ALLOW FOR SAFE WORKING CLEARANCE.
2. WHERE MULTIPLE METERS ARE INSTALLED, CLEARANCES ARE REQUIRED AROUND EACH METER.
3. WHERE METERS ARE INSTALLED IN CABINETS, ALL DOORS MUST BE ABLE TO BE OPENED 100 DEGREES.

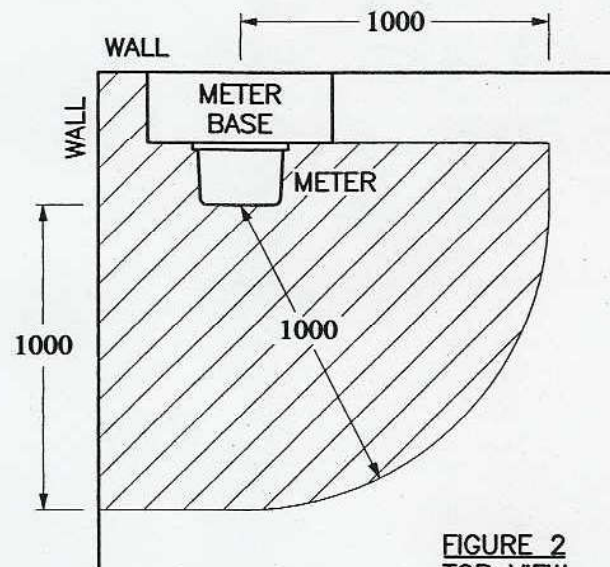


FIGURE 2
TOP VIEW

REQUIRED WORKING CLEARANCE AROUND METERS

Clearances to Overhead Electrical Infrastructure

Communication between all parties involved in the design, construction, renovation, for the use and maintenance of buildings near overhead (OH) electrical infrastructure is key. Planners, architects, developers / contractors, and property owners must be informed and work together to ensure all laws, regulations and local requirements are met for the safety of workers and occupants.

New Buildings or Additions to Buildings

It is essential that Burlington Hydro Inc. is notified on proposed projects early in the design phase to review and provide feedback. Site plan applications should be provided, including the drawings, to capture any conflicts before any permit is issued by the municipality. Ideally, Burlington Hydro Inc. will be asked to provide pre-design input.

For any new building or additions to existing buildings, there are a number of codes and regulations that govern the proximity to overhead electrical infrastructure that must be adhered to by all stakeholders. The Ontario Building Code (OBC), Ontario Electrical Safety Code (OESC), Ontario Occupational Health and Safety Act (OHSA), and Ontario Regulation 22/04 all have the same requirements regarding clearances. **These clearances take into account the conductor swing as per the OBC and apply to the outermost part of the building, which includes the balconies, fire escapes, flat roofs, or other projections beyond the face of the building as shown in Figure 1.**

The OBC regulates the design and construction of all new buildings and for additions, alterations and change of use of existing buildings. Applying Article 3.1.19.1, Above Ground Electrical Conductors; Clearances to Buildings, **minimum horizontal clearances to OH electrical infrastructure are as follows:**

Clearance from the OH Power Line	<750V	>750V
Radial to conductor	3 m (10 ft)	5 m (16.5 ft)
Along the OH pole line (from a vertical line drawn from power line to ground level)	2 m (6.5 ft)	5 m (16.5 ft)

All stakeholders should contact Burlington Hydro Inc. to determine the requirements for the specific design scenario.

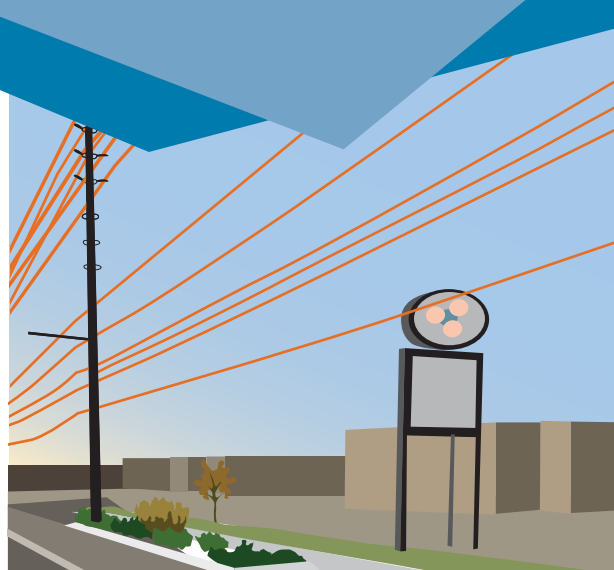
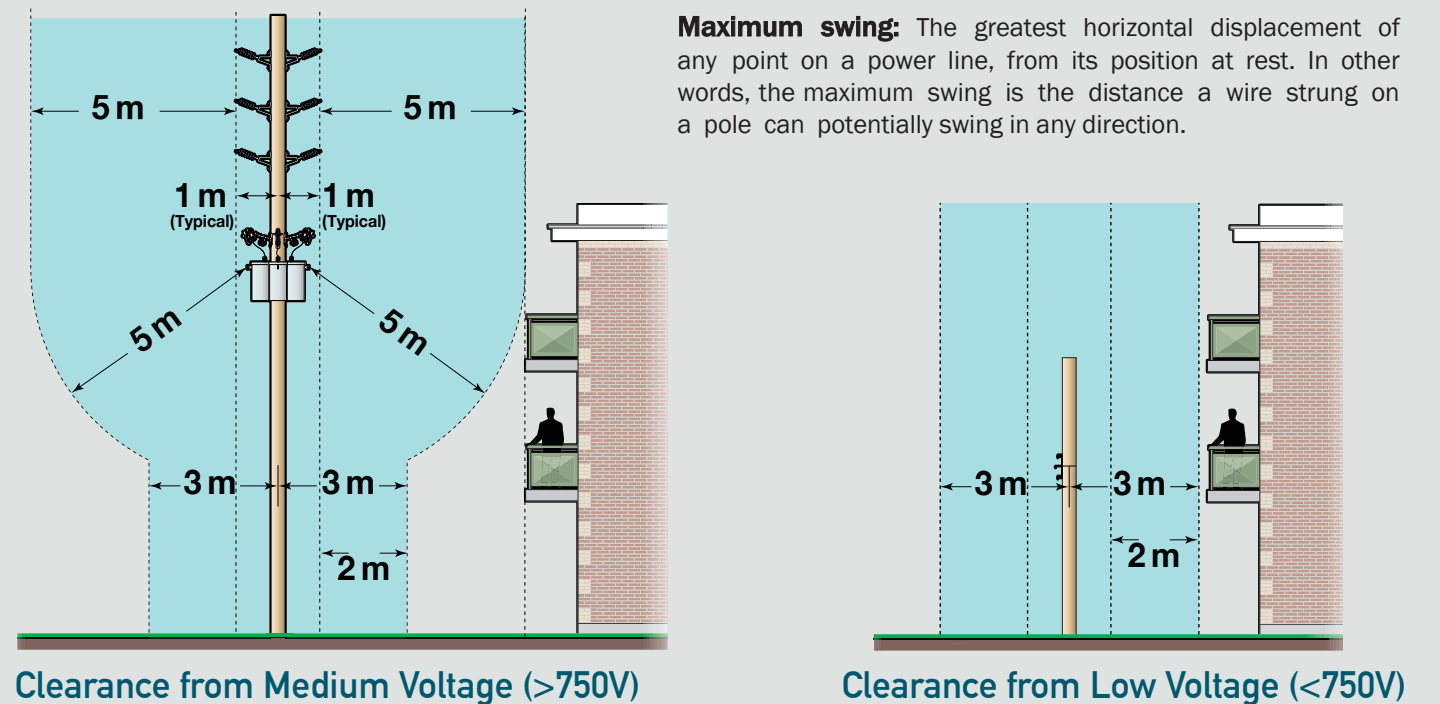
According to CSA C22.3 No. 1, permanent or temporary structures / buildings or their extensions, should not be over or underneath overhead electrical infrastructure.

Examples of instances when these clearances become necessary for workers and occupants:

- **Workers** – using scaffolding during construction, putting up signs and lighting, or other equipment to maintain the building, i.e. resurfacing, window washing or use of cranes.
- **Occupants** – using clothes lines, business signs, flags, or general reach from a balcony

Burlington Hydro Inc. should be contacted prior to any activity within 3 m of the OH electrical infrastructure, such as tree trimming or working on the sides of a building. According to the Ministry of Labour's Occupational Health and Safety Act and the Electrical Safety Code, only Burlington Hydro's employees or approved contractors can work in proximity to these lines.

Figure 1: Ontario Building Code Clearance Requirements



Guideline for Working near Overhead Electrical Powerlines & Equipment on Construction Projects

Working near overhead powerlines can be dangerous—even deadly—if proper safety precautions are not taken. Being aware of the hazards and keeping a safe distance from electrical powerlines and equipment are the best means of protection.

Powerline Technicians need specialized training and equipment to protect themselves when working on or near powerlines. Construction workers may also have to work near powerlines. However, they may not know the hazards of working around powerlines or have the knowledge, training, and experience to protect themselves.



This guideline can help construction workers protect themselves and their co-workers from electrical hazards when working near powerlines.

STEP 1 Identify Electrical Hazards

The first step is to recognize where electrical hazards exist and identify the precautions that need to be taken to avoid contact. Ideally, this should be done at the planning stage before work begins. Look around the work area to see if powerlines are close by. Then, consider whether the type of work being done or the type of equipment being used may come close enough to powerlines to present an electrical hazard.

Table 1 shows the minimum safe distances to powerlines based on their voltage. The distance for 750 volts and above is taken from the Construction Projects regulation (O. Reg. 213/91, s. 188(2)) under the OHSA. A distance of 1 metre (3.3 ft) is recommended for less than 750 volts.

Table 1: Minimum Distances to Powerlines

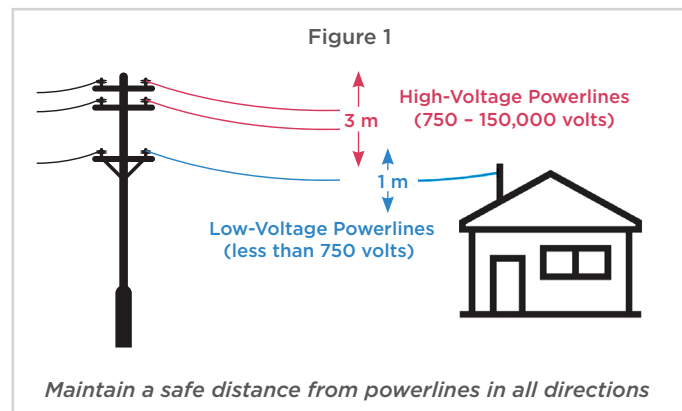
Voltage Rating	Minimum Distance
Less than 750 volts	1 metre (3.3 feet)*
750 to 150,000 volts	3 metres (10 feet)†
More than 150,000 volts, but no more than 250,000 volts	4.5 metres (15 feet)†
More than 250,000 volts	6 metres (20 feet)†

*Recommendation from the Working Group

†Source: O. Reg. 213/91, s. 188 (2)

Employers must take every reasonable precaution to prevent hazards to workers from energized electrical equipment, installations, and conductors (O. Reg. 213/91, s. 183). This means keeping the minimum distance as required by Table 1.

Powerlines or electrical equipment rated at less than 750 volts are considered **low voltage**, while those rated at 750 volts or above are considered **high voltage**. Workers must keep a safe distance of at least 1 metre (3.3 feet) from low-voltage powerlines to be protected from exposure to electrical shock or arc flash burn. For high-voltage powerlines, the distance is 3 metres (10 feet) or more, depending on the voltage (Figure 1).

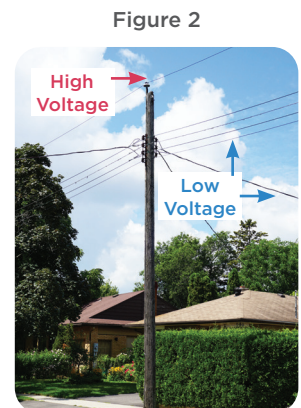


High-voltage powerlines are usually located higher on a pole than low-voltage powerlines (Figure 2). However, some high-voltage lines can look like low-voltage lines and can be located below low-voltage lines on a pole.

Misidentifying the voltage of powerlines can cause workers to go beyond the minimum safe distance and lead to an electrical incident.

In addition, workers have been known to focus on maintaining their distance from low-voltage lines, only to make contact with high-voltage lines.

If you are uncertain of the voltage, get help from an electrically qualified person or contact the owner.



Respect Electricity!

Every wire that brings ELECTRICITY to a business, home, or area CAN KILL YOU. No matter the voltage, keep a safe distance from powerlines to avoid electrical contact, shock, and burns.

The type of equipment being used when working near overhead powerlines may indicate that precautions need to be taken to prevent electrical injury. This includes tall or long-reach equipment such as:

- Cement trucks, concrete pumps, hydro-vac trucks (Figure 3)
- Excavators, backhoes, front-end loaders
- Cranes, drill rigs, boom trucks, bucket trucks
- Ladders, scaffolds
- Dump trucks, waste material/recycling trucks, material delivery trucks
- Swing stages, scissor lifts, forklifts, zoom booms
- Snow-removal equipment, paving machines, farm machinery (including augers).

Figure 3



In addition to the type of equipment being used, the type of work being done near overhead powerlines may indicate that electrical hazards need to be identified and assessed. This type of work can include:

- Siding and painting (Figure 4)
- Roofing and eavestroughing
- Framing
- Stucco and brick work
- Window cleaning and balcony work
- Tree pruning, tree removal, and landscaping.

Figure 4



Keep the following points in mind when doing a hazard assessment on overhead powerlines:

- Electrical hazards can sometimes be hard to identify. Electricity is invisible in its usual state and any wire that contains electricity looks exactly the same as a wire without electricity.
- Electricity can jump through the air and into objects and people nearby. Direct contact is not required to make it an electrical hazard.
- Wind and weather can cause wires to swing and heat, ice, or changing electrical demand can cause them to sag. Higher-voltage wires have been known to sag as much as three metres in one hour from heating up during high-demand conditions.
- Long building materials and equipment such as ladders, boards, poles, or scaffold members can be extended or repositioned to the point where they may contact or come near enough to electrical equipment to cause an electrical arc.
- A slip or a fall can move a worker or their tools, equipment, and materials closer than the recommended distance to an electrical hazard.
- Electricity is not only carried by the wires on an electric pole but also by other electrical equipment such as transformers, which can be shaped like a box (Figure 5) or a steel barrel (Figure 6).

Figure 5



Figure 6



A JSA or HRA can also help when estimating the costs associated with a project. Early detection of the hazards and pre-planning control options to prevent these hazards can affect the quote because health and safety concerns must always be taken into consideration. Before work begins, consideration should be given to questions such as:

- How will materials be brought in or removed from the site?
- How will workers access the work location?
- Will wires have to be moved or disconnected for work to be completed safely?
- Are workers knowledgeable/qualified or will assistance be needed to determine voltage/proper clearance distances, etc.?

STEP 2 Complete a Hazard Assessment

Electrical incidents can result in serious injuries or fatalities caused by:

- direct contact from touching energized equipment
- contact with an electrical arc
- exposure to an arc flash.

Completing a **Job Safety Analysis (JSA)** or a **Hazard Risk Assessment (HRA)** is a good way to ensure that hazards have been identified and safe work procedures have been put in place to prevent electrical incidents.

Don't Guess. Do it Right!

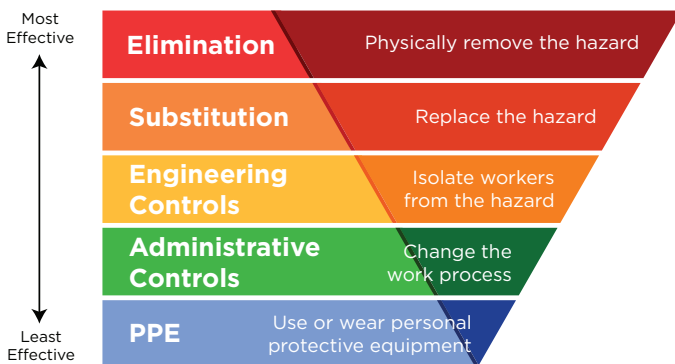
Always contact the owner of the overhead powerline to verify the correct voltage.

STEP 3 Eliminate or Control the Hazards

Once the electrical hazards have been identified and the workers have been made aware of them, the hazards need to be eliminated. If this is not possible, the hazards should be controlled. This means using barriers or other controls to reduce the possibility of a hazard or lessen its severity as much as possible.

Before putting controls in place to address health and safety hazards, consideration should also be given to their effectiveness. Figure 7 below shows the **hierarchy of controls**, which ranks control options from most effective to least effective.

Figure 7



Hierarchy of Controls

Eliminating the hazards of working near overhead powerlines is most effective because the hazard no longer exists. This can be done by:

- Relocating the work to another location that is farther away from overhead powerlines.
- Having a **qualified** person (e.g., a Powerline Technician) who has been **authorized** by the owner of the powerline shut the electricity off, verify that it is off, and ensure that all stored energy is removed.

If the hazard cannot be eliminated, **engineering controls** may be put in place to isolate the worker from the hazard. This can include asking the owner of the powerline to raise or move them, making it more difficult to go beyond the minimum safe work distance.

The utility owner may provide additional assistance, such as installing powerline covers to protect workers from accidental contact with energized components (Figure 8).

Figure 8



If engineering controls are not practicable, the next best option is putting **administrative controls** in place to change the work process. This may include the following:

- Taking additional precautions to ensure workers keep a safe distance away from powerlines (i.e., the minimum distance shown in Table 1 and Figure 1).
- Designating a signaller (Figure 9) to make sure that workers, loads, and equipment do not go beyond the minimum safe distance from powerlines. (Refer to the requirements of a signaller in O. Reg. 213/91, s. 188(8)).

Figure 9



- Ensuring that all workers are aware of the location of overhead electrical hazards, know how to protect themselves, and are familiar with the safe work procedures.

- Installing warning signs (Figure 10) or flags to remind workers about the dangers of working near powerlines.

Figure 10



- Ensuring that the emergency response plan deals with treating electrical injuries and that proper first aid supplies are available.

Although using or wearing **PPE** (personal protective equipment) is not the most effective method of injury prevention according to the Hierarchy of Controls (Figure 7), it can still minimize exposure to a hazard or reduce its severity.

Some PPE is required by law. Depending on the possible hazards workers may encounter, this can include:

- A Class E hard hat
- Grade 1 work boots with dielectric protection (i.e., an Omega tag)
- CSA-approved safety glasses with side shields
- A high-visibility safety vest
- Protective work gloves
- Hearing protection devices.



As best practice, always consider electricity to be on and electrical wires to be live unless a qualified electrical worker who is authorized by the owner of the electrical equipment confirms that it is off.

STEP 4 Ensure that All Legal Requirements Are Met

Under Ontario's *Occupational Health and Safety Act* (OHS) and its associated regulations, employers and supervisors have a legal duty to identify hazards (including electrical hazards), inform workers about these hazards, and protect workers from them.



Employers and supervisors must ensure that their legal duties under the OHS and the requirements of the Construction Projects regulation (213/91) are met

Duties of Employers and Supervisors under the OHS

Section 25 of the OHS requires the **employer** to:

- Acquaint a worker or a person in authority with any hazard in the work
- Provide information, instruction, and supervision to workers to protect their health or safety
- Ensure the equipment, materials, and protective devices prescribed by law are provided, are used as prescribed, and are maintained in good condition
- Ensure the measures and procedures prescribed by law are carried out
- Take every reasonable precaution to protect workers.

Section 27 requires the **supervisor** to:

- Advise workers if they are aware of potential or actual danger to their health or safety
- Where prescribed by the health and safety legislation, provide workers with written instructions on protective measures and procedures
- Ensure that workers follow protective measures and procedures and use the required protective devices.

Regulatory Requirements for Employers and Supervisors

Additional requirements are found in the Construction Projects regulation (O. Reg. 213/91):

- The **supervisor** will inspect all machinery and equipment, including electrical installations, at least once a week (s. 14).
- The **employer** will ensure that workers wear and use protective clothing, equipment, and devices, and be trained in their care and use (s. 21). This includes protective headwear (s. 22), protective footwear (s. 23), and eye protection when there is a risk of eye injury to the worker (s. 24).
- Do not store material or equipment moved by a crane or hoisting device near an energized overhead electrical conductor (s. 37 (2)).
- Post a sign where there is a potential hazard from an energized overhead electrical conductor at more than 750 volts (s. 44 (3)).
- The **employer** will ensure that the site-specific work plan for a suspended work platform system or boatswain's chair includes identification of electrical hazards (s. 141.5).
- The **constructor** and **employer** will take every reasonable precaution to prevent hazards from energized electrical equipment (s. 183).
- The **supervisor** will authorize any person who is permitted to enter a room or enclosure containing exposed energized electrical parts (s. 184 (1)).
- Do not store tools, equipment, or materials capable of conducting electricity so close to energized electrical equipment that they can make electrical contact (s. 187).
- Do not bring any object closer to an energized overhead electrical conductor than the minimum distances in Table 1 (s. 188 (2)).
- Designate a competent worker as a signaller to warn the equipment operator if part of the equipment or its load may encroach on the minimum distance to powerlines (s. 188 (8)).

NOTE: This is not a complete list of relevant legislation. Always consult a current version of the OHS and its associated regulations.

Developed by a collaborative working group from IHSA's Labour-Management Network in partnership with IHSA



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TenHouse Building Workshop

107 Gladstone Avenue
Hamilton, ON L8M 2H8



Date: February 19, 2026

To:

Secretary, Committee of Adjustment
City of Burlington

Re: Minor Variance Application – Revised Side Yard Design

Property: 544 Hurd Avenue

Previous Decision: 540-02-A-070/25

Dear Members of the Committee,

We are submitting a revised application for a minor variance to permit a roofed-over deck on the north-west side of the property. This application follows the Committee’s decision on February 4, 2026, denying the prior variance request for a side yard setback of 0.4 m.

The Committee’s main concern in the previous application seemed to be that a fireplace obstructed the side yard, resulting in only approximately 0.4 m of clearance to the property line. To address this concern, the fireplace has been **relocated to the interior of the patio**, whereas it was previously proposed on the exterior.

The revised design now provides a **clear side setback of 0.73 m to the post of the structure**, closely matching the existing house setback. The reason the proposed variance itself has not changed is that the measurement is taken to the **roof overhang of the structure**, not the post – that is, the area that is free to move. While the variance remains 0.4 m, there is now a **clear and accessible space of 0.73 m**, which is the key difference in this proposal. Additionally, the fireplace will be **vented through the roof**, ensuring there is no impact on the neighbouring property, which was another concern raised by the Committee.

This revision directly addresses the concerns noted in the prior decision:

1. **Functional and usable space** – The revised design provides a continuous clear space along the side yard, ensuring adequate access for service, maintenance, and safe passage.
2. **Spatial separation and safety** – The revised design ensures sufficient clearance from the property line, maintaining appropriate separation between structures while meeting the intent of the zoning by-law.

3. **Minor nature of the variance** – The revised design closely aligns with the existing side yard, reducing the magnitude of the requested relief and reinforcing that the variance is minor in nature.
4. **Neighbourhood character and consistency** – The proposal maintains consistent development standards and respects the established character of surrounding properties, including closely matching the existing side yard setback.

We believe this revised proposal effectively resolves the Committee’s prior concerns, providing a practical, safe, and contextually appropriate solution. We respectfully request that the Committee consider this revised application for approval.

Thank you for your time and consideration. We would be pleased to provide any further clarification or answer any questions.

Sincerely,

Matt Fratarcangeli, CET, BSS, BCQ
Qualified and Registered BCIN Designer
Owner and Principal Designer
TenHouse Building Workshop

**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: Jennifer Parker

PROPERTY INFORMATION

Municipal Address(es) of property:

544 Hurd Avenue

Legal Description of property:

Plan 117 & Lot 99

Official Plan Designation: Downtown Residential - Low Density Current Zoning Designation DRL

OWNER(S) INFORMATION:

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

FRANCI-LYNN MUELLER

Mailing Address: 544 Hurd Avenue City: Burlington

Postal Code: L7S 1R9 Home Phone: _____ Mobile Phone: [REDACTED]

Work Phone: _____ E-Mail: [REDACTED]

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

Name: Matthew Fratarcangeli

Business Address: 107 Gladstone Avenue City: Hamilton

Postal Code: L8M 2H8 Home Phone: _____ Mobile Phone: [REDACTED]

Work Phone: _____ E-Mail: [REDACTED]

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

New rear yard covered patio (attached to house). Concrete patio 24" above grade.

Wood framed roof structure over concrete patio. Patio to align with existing house which is why it is not possible to comply with the setback requirement (existing house not conforming).

Variance(s) Requested	Zoning Bylaw Requirement
proposed side yard setback: 0.42 m	min side yard setback: 1.2 m

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

- Why is the variance(s) minor in nature? The proposed variances do not appear to adversely affect neighboring properties and the impact appears to be minor in nature. The proposed rear yard massing appears to match neighboring properties. No over massing proposed.
- Why are the variance(s) desirable for the appropriate use of the land? Allows for a covered outdoor area appropriate for accessory residential use. Enhances the residential property for residential use. Does not impact overland drainage or management of storm water.
- Do the variance(s) meet the intent and purpose of the Official Plan? Yes.
Official plan states low density residential which the proposal is consistent with.
- Do the variance(s) meet the intent and purpose of the Zoning By-law? Yes. Intent is to limit over massing and over development. Proposal is consistent with this intent and does not adversely affect neighbours.

1. The proposed variance for the covered patio is minor in nature because it represents a small increase in lot coverage and a reduced side yard setback that do not result in any negative impacts to adjacent properties. The covered patio is a single-storey, open structure located in the rear yard, which minimizes any concerns related to privacy, massing, or shadowing. It is a typical residential feature that enhances the usability of outdoor space while maintaining the residential character of the neighborhood. The variance supports a modest and functional addition that remains compatible with surrounding homes.
2. The proposed variance is desirable as it allows for the construction of a covered patio that enhances the functionality and enjoyment of the rear yard, providing sheltered outdoor space for the homeowners. The structure is modest in scale and thoughtfully integrated with the existing dwelling. It supports year-round use without negatively affecting adjacent properties. The covered patio contributes to a livable and practical residential design that reflects common features found in the surrounding neighborhood, making it an appropriate and desirable improvement to the property.
3. The proposed variance maintains the general intent and purpose of the Official Plan by supporting reinvestment in existing residential properties in a way that is compatible with the surrounding neighborhood. The Official Plan encourages enhancements that contribute to livable, functional, and attractive communities. The covered patio provides outdoor living space that improves the usability of the home, aligns with the character of the area, and does not detract from the stability or planned function of the residential zone. The proposed development supports the broader goals of maintaining vibrant, complete communities.
4. The proposed covered patio variance maintains the general intent and purpose of the Zoning By-law by supporting low-density residential use and ensuring that the built form remains compatible with the surrounding area. The structure is located in the rear yard, where accessory and outdoor features are commonly permitted, and it respects the overall massing, height, and separation from neighbouring properties. While the side yard setback slightly exceed the by-law limits, the overall scale, open space, and access are preserved, fulfilling the by-law's intent to regulate orderly development and protect adjacent land uses.

PROPERTY DETAILS (please complete all fields):					
Date property purchased:	05/01/2022 <small>mmm/dd/yyyy</small>	Date property first built on:	Approx. 1950 <small>mmm/dd/yyyy</small>	Date of proposed construction:	November 2025 <small>mmm/dd/yyyy</small>
Existing Use of the Subject Property (check one): Detached Dwelling <input checked="" type="checkbox"/> Semi-Detached Dwelling <input type="checkbox"/> Townhouse Dwelling <input type="checkbox"/> Street Townhouse Dwelling <input type="checkbox"/> Stacked Townhouse Dwelling <input type="checkbox"/> Apartment <input type="checkbox"/> Mixed Use <input type="checkbox"/> Hi Rise <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant <input type="checkbox"/> Other <input type="checkbox"/> _____			Length of time the existing uses of the subject property have continued: Since construction/development of property		
			Proposed Use of the Land: <p style="text-align:center; font-size: 1.2em;">SFD - New covered patio</p>		
Existing Uses of Abutting Properties (check all that apply) Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Residential <input type="checkbox"/> Vacant <input type="checkbox"/> Hydro right-of-way <input type="checkbox"/> Railway right-of-way <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Park <input type="checkbox"/> Other <input type="checkbox"/> _____ Conservation Halton Lands: Lake Ontario <input type="checkbox"/> Creek <input type="checkbox"/> Storm Water Management Pond/Channel <input type="checkbox"/> Ravine <input type="checkbox"/>					
Additional Information Is liquor sold on site? Y <input type="checkbox"/> or N <input checked="" type="checkbox"/> Is the property on the Municipal Cultural Heritage Register for the City of Burlington? Y <input type="checkbox"/> N <input checked="" type="checkbox"/> <div style="text-align: right;">Unknown <input type="checkbox"/></div>					
Type of Access to the Subject Lands Provincial Highway <input type="checkbox"/> Municipal Road <input checked="" type="checkbox"/> Private Road <input type="checkbox"/> Water <input type="checkbox"/> Other(specify) <input type="checkbox"/>					
Municipal Services Provided Water <input checked="" type="checkbox"/> If not available, by what means is it provided: _____ Sanitary Sewers <input checked="" type="checkbox"/> If not available, by what means is it provided: _____ Storm Sewers <input checked="" type="checkbox"/> If not available, by what means is it provided: _____					
IS THE SUBJECT LAND(S) THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT APPLICATIONS: <input type="checkbox"/> Official Plan Amendment <input type="checkbox"/> Zoning By-law Amendment <input type="checkbox"/> Building Permit <input type="checkbox"/> Site Development Plan <input type="checkbox"/> Plan of Subdivision <input type="checkbox"/> Previous Minor Variance <input type="checkbox"/> Consent					

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)			Lot Coverage	Corner Lot? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Frontage 10.65 m	Depth 36.69	Area 422.9	Actual 16 m	Deemed 16 m	Required		

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

(attach additional page if required)

EXISTING (Dwelling/Building)		PROPOSED (Dwelling/Building/Addition)	
Ground Floor Area (incl. attached garage)	68.5 M ²	Ground Floor Area (incl. attached garage)	M ²
Gross Floor Area:	136.6 M ²	Gross Floor Area:	M ²
Number of Storeys:	2	Number of Storeys:	
Width:	6.3 M	Width:	M
Length:	10.8 M	Length:	M
Height:	M	Height:	M
Garage/Car Port		Garage/Car Port	
Detached?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Detached?	Y <input type="checkbox"/> N <input type="checkbox"/>
Gross Floor Area:	25.1 M ²	Gross Floor Area:	M ²
Width:	3.7 M	Width:	M
Length:	7.4 M	Length:	M
Height:	M	Height:	M
Accessory Structures (Shed, Gazebo, etc)		Accessory Structures	
Gross Floor Area:	M ²	Gross Floor Area:	M ²
Width:	M	Width:	M
Length:	M	Length:	M
Height:	M	Height:	M
Other (pool, additional sheds, decks, <u>driveways</u>, etc.)		Other Covered Patio	
Gross Floor Area:	M ²	Gross Floor Area:	22.9 M ²
Width:	3.9 M	Width:	4.17 M
Length:	20.7 M	Length:	5.49 M
Height:	M	Height:	4.67 M

LOCATION of all existing and proposed buildings and structures

EXISTING HOUSE		PROPOSED Covered Patio	
Front:	4.5 M	Front:	M
Rear:	24.3 M	Rear:	18.6 M
Side/Street Side:	0.8 M	Side/Street Side:	0.42 M
Side/Other Side:	3.4 M	Side/Other Side:	5.5 M

LOCATION of all existing and proposed buildings and structures

EXISTING GARAGE

PROPOSED

Front:	M	Front:	M
Rear: 14.98 M	M	Rear:	M
Side/Street Side: 6.3 M	M	Side/Street Side:	M
Side/Other Side: 0.5 M	M	Side/Other Side:	M

EXISTING COVERED FRONT PORCH

PROPOSED

Front: 2.5 M	M	Front:	M
Rear:	M	Rear:	M
Side/Street Side: 0.9 M	M	Side/Street Side:	M
Side/Other Side: 3.4 M	M	Side/Other Side:	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	FRANCI-LYNN MUELLER	Property Address	544 HURD AVENUE
	<i>FRANCI MUELLER</i>		2026-02-10
	Signature of Owner/Applicant		Date (mmm/dd/yyyy)

AFFIDAVIT

*Please fill out at time of submission of application

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

Agent: Matthew Fratarcangeli

I, MATTHEW FRATARCANGELI of the REGION of HALTON in the ^{MF.} Hamilton 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 ^{OTH. Region} City of Halton in the City of Burlington
 (Region/City/County) (City/Town/Township)

this 10 day of Feb 2026.



Debra Ann Hordyk, a
 Commissioner, etc., Province of
 Ontario, for The Corporation of the
 City of Burlington.
 Expires October 25, 2027.

Signature of Commissioner



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: 544 Hurd Avenue, Burlington ON

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

FRANCI-MUELLER

Signature of Owner

FRANCI-LYNN MUELLER

Print Name

OWNERS AUTHORIZATION

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

I, FRANCI-LYNN MUELLER being the registered owner of the subject lands, hereby
(print name)

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

application for a Minor Variance.

FRANCI MUELLER

Signature of Owner



2026-02-10

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 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Metric Scale <input checked="" type="checkbox"/> North Arrow <input checked="" type="checkbox"/> Frontage <input checked="" type="checkbox"/> Depth <input checked="" type="checkbox"/> Lot Area <input checked="" type="checkbox"/> Lot Coverage <input checked="" type="checkbox"/> Deemed Street Line <input checked="" type="checkbox"/> Existing Front Yard Setbacks <input checked="" type="checkbox"/> Existing Rear Yard Setbacks <input checked="" type="checkbox"/> Existing Side Yard Setbacks <input checked="" type="checkbox"/> Existing Street Side Yard Setbacks <input checked="" type="checkbox"/> Existing Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Proposed Front Yard Setbacks <input checked="" type="checkbox"/> Proposed Rear Yard Setbacks <input checked="" type="checkbox"/> Proposed Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Street Side Yard Setbacks <input checked="" type="checkbox"/> Proposed Porch, Stairs and Overhang Setbacks <input checked="" type="checkbox"/> Streets (Public and Private) <input checked="" type="checkbox"/> Street Names <input checked="" type="checkbox"/> Parking (Dimensioned spaces, Driveway Width, Arrangement) <input type="checkbox"/> Railways (Location of them and setbacks to structures) <input type="checkbox"/> All Watercourses and/or Conservation Halton Areas(creeks, lakes, etc) 	

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- Setbacks
- Height
- Area
- Length
- Width

ELEVATIONS

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

FLOOR PLANS

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

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

M. Fratarcangeli

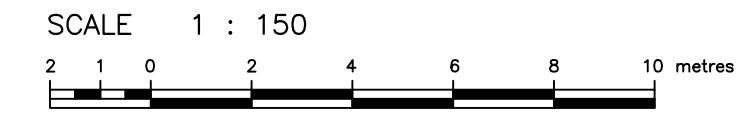
Signature of Owner/Agent

2026-02-10

Date (mmm/dd/yyyy)

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

PLAN OF TOPOGRAPHY OF
LOT 99
REGISTERED PLAN 117
 CITY OF BURLINGTON
 REGIONAL MUNICIPALITY OF HALTON



TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

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 Production**

ELEVATION NOTE
 ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM-1928
 (1978 ADJUSTMENT), AND WERE DERIVED FROM CITY OF BURLINGTON
 BENCHMARK No. 505, HAVING A PUBLISHED ELEVATION OF 85.605 metres.

BEARING NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY
 LIMIT OF HURD AVENUE AS SHOWN ON REGISTERED PLAN 117,
 HAVING A BEARING OF N45°03'00"W.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
IB	DENOTES	IRON BAR
TC	DENOTES	TOP OF CURB
BC	DENOTES	BOTTOM OF CURB
CCT	DENOTES	CURB CUT
WV	DENOTES	WATER VALVE
P1	DENOTES	REGISTERED PLAN 117
P2	DENOTES	SEWELL & SWELL, O.L.S., JUNE 6, 1975
P3	DENOTES	PLAN 20R-6545

○ 0.20φ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
 ○ 0.20φ DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER
 TREE CANOPIES ARE DRAWN TO SCALE.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT :
 1. THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
 COMPLETED ON JULY 2, 2025.

JULY 10, 2025
 DATE

Simeon Mitrev
 SIMEON MITREV
 ONTARIO LAND SURVEYOR

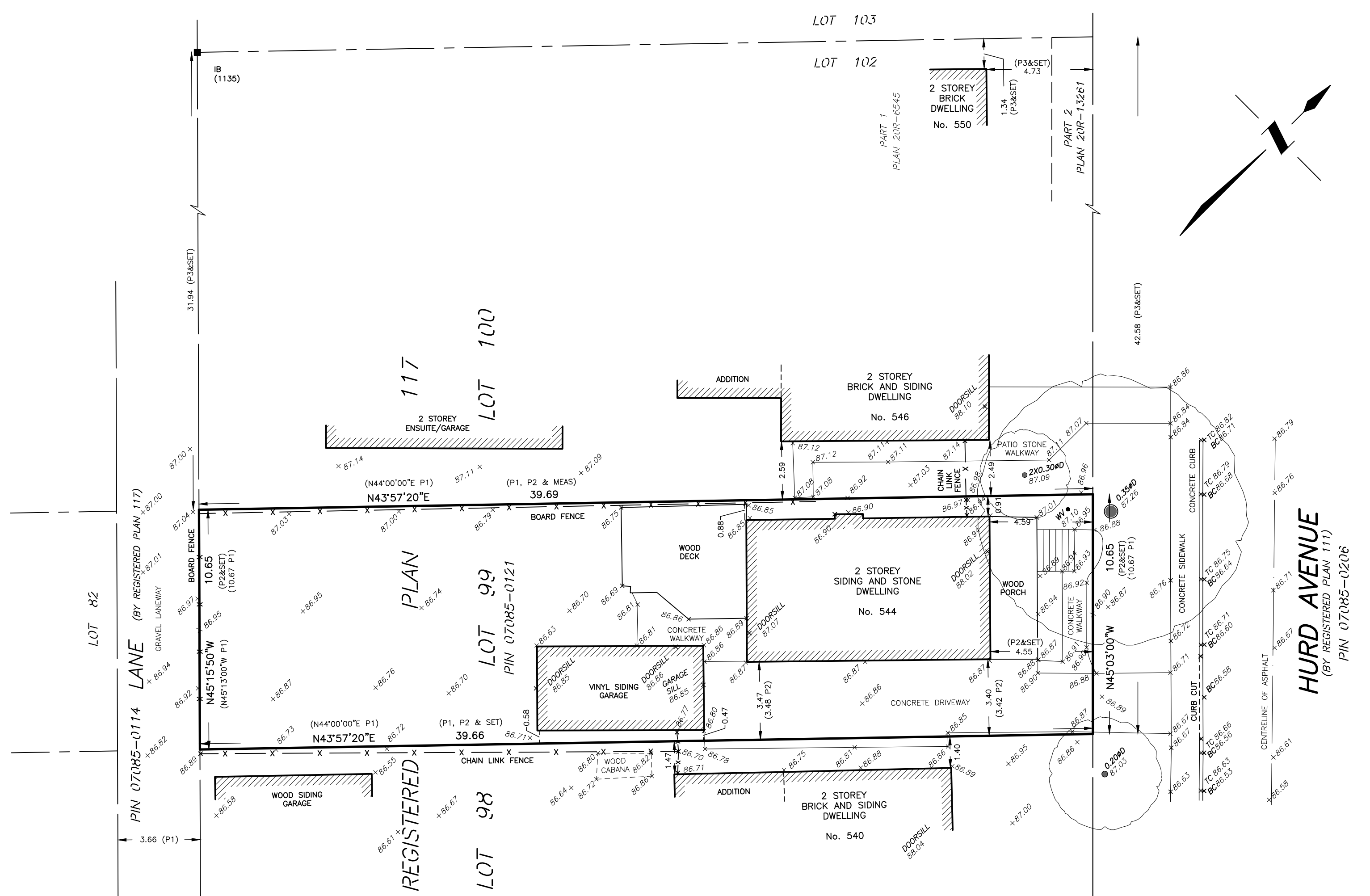
ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-107534

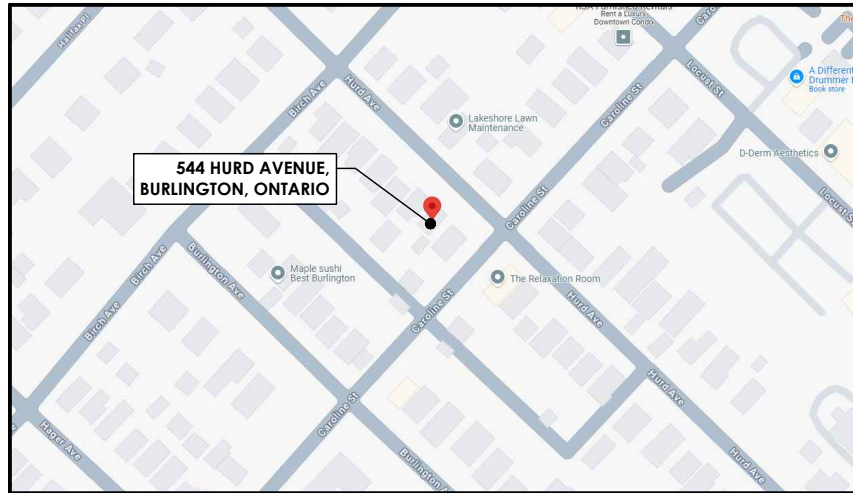
THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 In accordance with
 Regulation 1026, Section 29(3)

TARASICK McMILLAN KUBICKI LIMITED
 ONTARIO LAND SURVEYORS

4181 SLADEVIEW CRESCENT, UNIT 42, MISSISSAUGA, ONTARIO L5L 5R2
 TEL: (905) 569-8849 FAX: (905) 569-3160
 E-MAIL: office@tmksurveyors.com

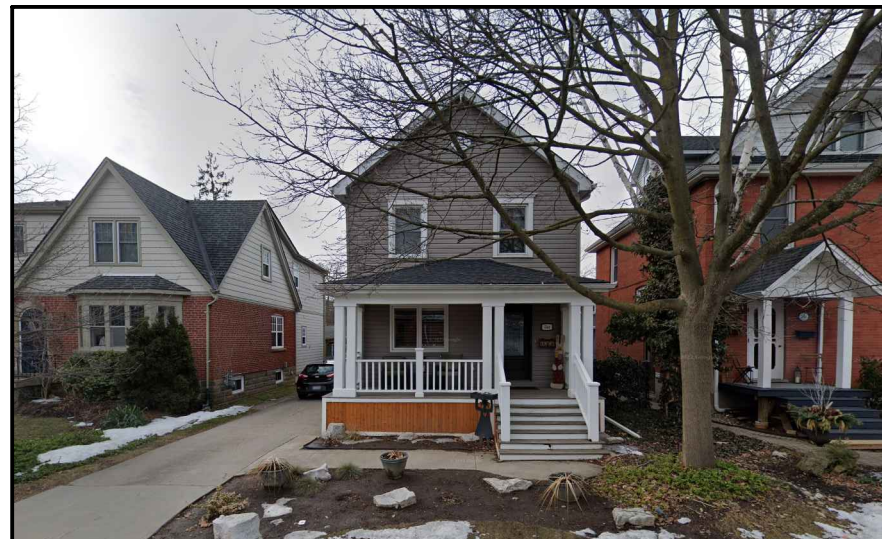
DRAWN BY: JMH FILE No. 10478-T





1 AREA MAP
A0.01 NTS

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2 544 HURD AVENUE
A0.01 NTS

PROJECT DESCRIPTION:

- THESE DRAWINGS OUTLINE A NEW REAR YARD ROOFED OVER PATIO AND A NEW EXTERIOR DOOR AT 544 HURD AVENUE, BURLINGTON, ONTARIO.
- THERE ARE NO CHANGES TO THE EXISTING BUILDING OR SITE CONDITIONS UNLESS OTHERWISE NOTED ON THE SITE PLAN.
- EXISTING SITE DRAINAGE PATTERNS TO REMAIN UNCHANGED.

GENERAL NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT ONTARIO BUILDING CODE AND ONTARIO CONSTRUCTION SAFETY ACT, AS REQUIRED.
2. CONTRACTOR TO TAKE ALL NECESSARY PRECAUTIONS TO COMPLY WITH LOCAL SAFETY AUTHORITIES HAVING JURISDICTION (I.E. OCCUPATIONAL HEALTH & SAFETY ACT).
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE MINIMUM STANDARD AND SPECIFICATIONS OF THE MUNICIPALITY'S ENGINEERING DEPARTMENT.
4. VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE PROPERTY OWNER BEFORE PROCEEDING WITH ANY WORK. DO NOT SCALE FROM DRAWINGS.
5. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT THERE IS NO INTERRUPTION OF ANY SURFACE OR SUBSURFACE DRAINAGE FLOW THAT WOULD ADVERSELY AFFECT NEIGHBOURING PROPERTIES.
6. ALL EXISTING UNDERGROUND UTILITIES WITHIN THE LIMITS OF CONSTRUCTION SHALL BE LOCATED AND MARKED. ANY DAMAGED OR DISTURBED UTILITIES SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE GOVERNING BODY AT CONTRACTOR'S EXPENSE.
7. SAFEGUARD ALL EXISTING STRUCTURES, SERVICES, AND ADJACENT PROPERTY AFFECTED BY THE CONSTRUCTION.
8. ALL CONCRETE WORK, INCLUDING FORMING, REINFORCING, PREPARATION, MIXING, PLACING, CURING AND FINISHING SHALL CONFORM TO CSA CAN 3-A23.1-M90 (M94).
9. ALL MASONRY WORK TO BE DONE IN ACCORDANCE WITH CAN3-5304-M90.
10. IF THERE ARE ANY DEVIATIONS FROM WHAT IS DEPICTED ON THESE DRAWINGS, THE CONTRACTOR IS TO NOTIFY TENHOUSE BUILDING WORKSHOP AND SEEK INSTRUCTION BEFORE PROCEEDING.
11. DEMOLITION SHALL BE PERFORMED IN COMPLIANCE WITH CSA S350-M1980(R2003) AND MINISTRY OF LABOUR REQUIREMENTS.
12. IF REQUIRED, CONTRACTOR IS TO PROVIDE SUPPORTS OR SHORING WHERE NECESSARY, BEFORE ANY CLEANUP, DEMOLITION, OR REPAIR ACTIVITIES.
13. ALL DIMENSIONS ARE IN IMPERIAL UNLESS OTHERWISE NOTED.
14. ALL DIMENSIONAL LUMBER TO BE SPRUCE, PINE, FIR (SPF) NO. 1 OR NO. 2 GRADE.
15. THE CONTRACTOR SHALL SEEK FURTHER DIRECTION, IF REQUIRED, REGARDING DETAILS OR MATERIAL SELECTION. TENHOUSE BUILDING WORKSHOP DOES NOT TAKE RESPONSIBILITY FOR ANY ADDITIONAL DETAILS NOT INCLUDED IN THESE DRAWINGS.
16. ALL SPECIFICATIONS AND MATERIALS PROPOSED BY ENGINEERS SHALL BE USED IN PLACE OF SPECIFICATIONS AND MATERIALS IDENTIFIED IN THE CONSTRUCTION NOTES.
17. ALL MANUFACTURED ITEMS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS. SUBMIT ALL INSTALLATION INSTRUCTIONS TO OWNER UPON COMPLETION OF JOB.
18. ALL HAZARDOUS MATERIALS TO BE IDENTIFIED BY THE CONTRACTOR AND PROPERLY DISPOSED OF.
19. ALL WORK AND TRADES SHALL BE COORDINATED BY THE GENERAL CONTRACTOR TO ENSURE ALL WORK IS COMPLETED TO THE HIGHEST STANDARD POSSIBLE.
20. ALL NEW STRUCTURAL MEMBERS ARE TO BE FRAMED, FASTENED, TIED, BRACED, AND ANCHORED TO PROVIDE NECESSARY STRENGTH, RIGIDITY, AND STABILITY PER THE CURRENT ONTARIO BUILDING CODE.
21. GENERAL CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY AND REQUIRED INSPECTIONS.
22. ALL MATERIAL TO BE NEW AND FREE OF DEFECTS.

ABBREVIATIONS:

AFF	ABOVE FINISHED FLOOR	HB	HOSE BIB
ALUM	ALUMINIUM	INSUL	INSULATED OR INSULATION
BBSE	BEAM BY STRUCTURAL ENGINEER	INT	INTERIOR
BM	BEAM	JST	JOIST
BH	BEAM HANGER	LVL	LAMINATED VENEER LUMBER
CLG	CEILING	LSL	LAMINATED STRAND LUMBER
CRF	CONVENTIONAL ROOF FRAMING	MAX	MAXIMUM
CMU	CONCRETE MASONRY UNIT	MIN	MINIMUM
COL	COLUMN	MTL	METAL
CONC	CONCRETE	OBC	ONTARIO BUILDING CODE
CONT	CONTINUOUS	OC	ON CENTER
CW	COMPLETE WITH	OSB	ORIENTED STRAND BOARD
DEMO	DEMOLISH	OTA	OPEN TO ABOVE
DIM	DIMENSION	OTB	OPEN TO BELOW
DJ	DOUBLE JOIST	PLFA	POINT LOAD FROM ABOVE
DN	DOWN	PT	PRESSURE TREATED
DO	DO OVER	PTD	PAINT OR PAINTED
DR	DOOR	REQD	REQUIRED
DROP	DROPPED	RM	ROOM
DS	DOWNSPOUT	RT	ROOF TRUSS
DWG	DRAWING	RWL	RAIN WATER LEADER
EA	EACH	SB	SOLID BEARING
EIFS	EXTERIOR INSULATED FINISH SYSTEM	SBFA	SOLID BEARING FROM ABOVE
ELEV	ELEVATION	SJ	SINGLE JOIST
ENC	ENCLOSED	SPEC	SPECIFIED OR SPECIFICATION
ENG	ENGINEER OR ENGINEERED	SPF	SPRUCE, PINE, FIR
EQ	EQUAL	STL	STEEL
EST	ESTIMATED	T&G	TONGUE AND GROOVE
EXT	EXTERIOR	TJ	TRIPLE JOIST
FD	FLOOR DRAIN	T/O	TOP OF
FG	FIXED GLASS	TYP	TYPICAL
FL	FLUSH	UNO	UNLESS NOTED OTHERWISE
FLR	FLOOR	U/S	UNDERSIDE
GA	GAUGE	WIC	WALK-IN CLOSET
GALV	GALVANIZED	WP	WEATHER PROOF
GWB	GYPSUM WALL BOARD		



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

QUALIFICATION INFORMATION

MATTHEW FRATARCANGELI
BCIN#:44839

REGISTRATION INFORMATION

TENHOUSE BUILDING WORKSHOP
BCIN#:112916

NO.	DATE	REVISION/ISSUE
0	08-07-2025	PRE-BUILDING APP

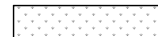

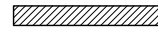



PROJECT:
NEW REAR YARD ROOFED OVER PATIO AND NEW EXTERIOR DOOR AT 544 HURD AVENUE, BURLINGTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 08-07-2025

COVER PAGE

A0.01

LEGEND:

-  SOFTSCAPE
-  HARDSCAPE
-  NEW WALLS
-  NEW POST
-  EXISTING TREE
-  EXISTING FENCE

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TENHOUSE BUILDING WORKSHOP
107 GLADSTONE AVENUE
HAMILTON, ON L8M 2H8
T: 905-699-7371

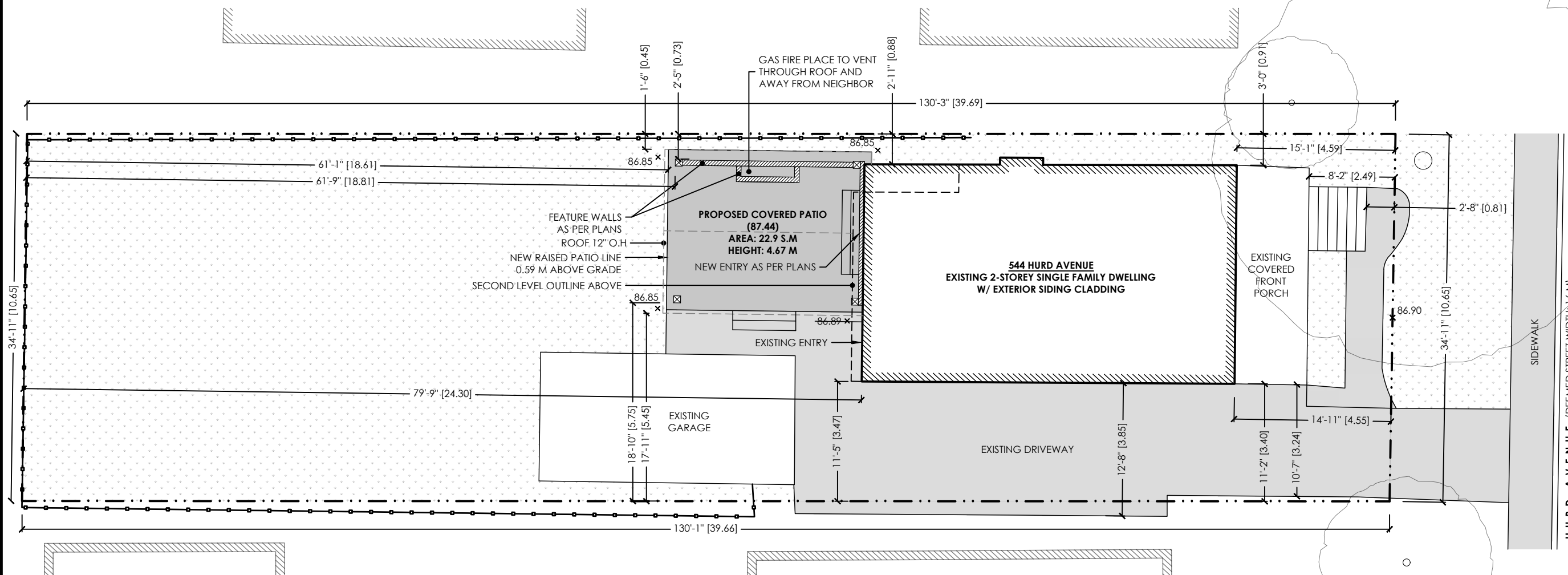
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

QUALIFICATION INFORMATION

MATTHEW FRATARCANGELI
BCIN#:44839

REGISTRATION INFORMATION

TENHOUSE BUILDING WORKSHOP
BCIN#:112916



GENERAL SITE PLAN NOTES:

1. LOT LINE AND HOUSE FOOTPRINT DATA IS TAKEN FROM A CERTIFIED OLS SURVEY.
2. ONLY SITE WORK RELATED TO THE CONSTRUCTION OF THE SUBJECT COVERED PATIO TO BE CARRIED OUT.
3. EXISTING SITE DRAINAGE PATTERNS TO REMAIN UNCHANGED.
4. ALL DOWNSPOUTS ON SITES DRAIN DIRECTLY INTO SOFT LANDING. NO DOWNSPOUTS ARE TO CROSS WALKWAYS OR PATIOS OR DRAIN ONTO/ACROSS WALKWAYS OR PATIOS.

PROJECT STATISTIC			
ADDRESS: 544 HURD AVENUE			
MUNICIPALITY: BURLINGTON			
DESIGNATED ZONE: DRL			
LOT AREA:	422.3 S.M		
LOT FRONTAGE:	10.6 M		
BUILDING HEIGHT			
FIXED GRADE:	86.90		
LOT COVERAGE			
	EXISTING	PROPOSED	TOTAL
HOUSE:	70.2 m ²	0 m ²	70.2 m ²
GARAGE:	27.7 m ²	0 m ²	27.7 m ²
COVERED PATIO:	0 m ²	22.9 m ²	22.9 m ²
TOTAL LOT COVERAGE:	28.6%		120.8 m ²
MAX LOT COVERAGE:	17% FOR HOUSE PLUS 8% FOR ACCESSORY BUILDINGS		105.5 m ²

1 PROPOSED SITE PLAN
SP1.01 1:125

PROJECT:
NEW REAR YARD COVERED PATIO
AND NEW EXTERIOR DOOR
AT 544 HURD AVENUE,
BURLINGTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 2026-02-11

PROPOSED SITE PLAN
SP1.01

STRUCTURAL FRAMING NOTES FOR CONVENTIONAL LUMBER:

1. ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23. U.N.O. ON THE DRAWINGS.
2. LUMBER SHALL BE SPF No. 1/2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
3. LUMBER SHALL NOT BE NOTCHED OR DRILLED IN THE FIELD WITHOUT PERMISSION OF TACOMA ENGINEERS.
4. WOOD IS NOT PERMITTED TO BEAR DIRECTLY ON MASONRY OR CONCRETE WITHOUT PROTECTION. PROVIDE EITHER PRESSURE TREATED LUMBER, SUITABLE WOOD PRESERVATIVE OR 6 MIL (0.152mm) POLYETHYLENE SHEET.
5. ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
6. ALL STEEL CONNECTORS (UPLIFT CLIPS, BRACKETS, JOIST HANGERS etc.) SHALL BE SIMPSON STRONG TIE CONNECTORS UNLESS NOTED OTHERWISE.
7. ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 75mm (3") SPIRAL NAILS AT 300mm (12") O.C. FOR EVERY PLY UNLESS NOTED OTHERWISE. MULTI-PLY ENGINEERED LUMBER BEAMS TO BE FASTENED AS PER THE MANUFACTURER'S SPECIFICATIONS.
8. ALL PRE-ENGINEERED STEEL CONNECTORS (EG. SIMPSON STRONG TIE) ARE TO HAVE THE CORRECT NUMBER AND SIZE OF FASTENERS, AS PER THE MANUFACTURER'S PRODUCT CATALOGUE.MOVEMENT OR ROTATION.

BEAM SCHEDULE

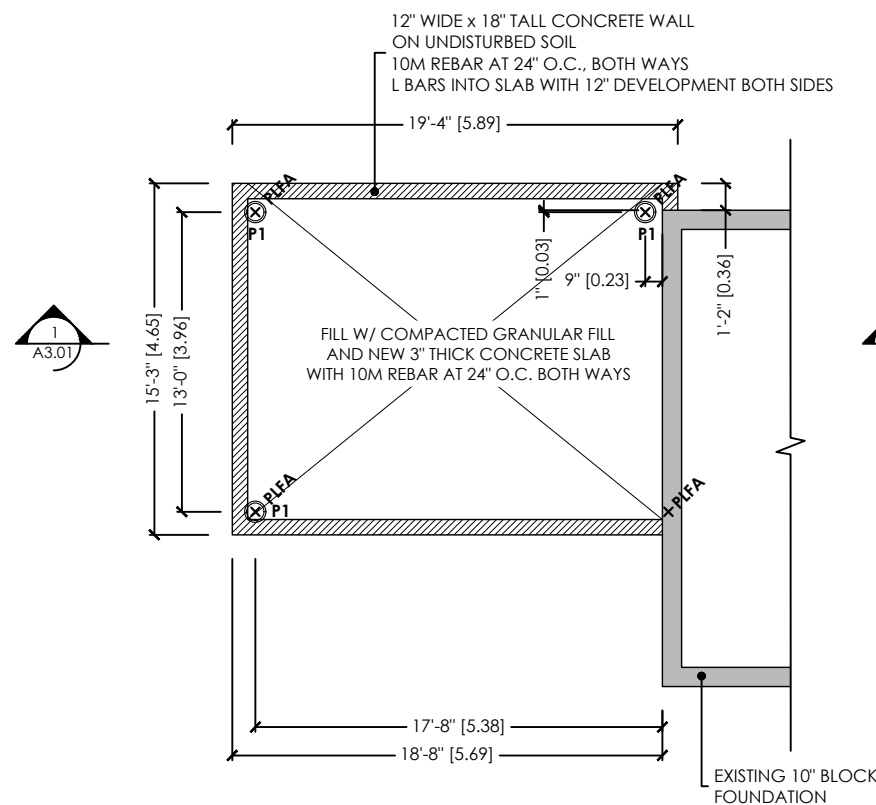
- B1- ROOF BEAM**
3-PLY 1.75" x 9.25" 2.0E LVL BEAM (DROPPED)
TO HAVE FULL BEARING (MIN 3") ON POST
CONNECTED TO POST AS PER POST MANUFACTURER INSTALL INSTRUCTIONS
EXTERIOR FINISH AS SPECIFIED BY OWNER
- B2- ROOF BEAM**
2-PLY 1.75" x 9.25" 2.0E LVL BEAM (DROPPED)
TO HAVE FULL BEARING (MIN 3") ON POST
CONNECTED TO POST WITH METAL SST CLIPS
EXTERIOR FINISH AS SPECIFIED BY OWNER

ROOF SCHEDULE

- R1- ROOF**
ASPHALT SHINGLE W/ SHINGLE UNDERLAYMENT AS PER MANUFACTURER
3/8" ROOF SHEATHING W/ MIN 1.5" NAIL PENETRATION INTO ROOF RAFTER
2 x 8 AT 16" O.C ROOF RAFTER, NAILED TO SUPPORTING BEAMS
APPROVED EXTERIOR FINISH AS SPECIFIED BY OWNER

LEGEND:

- x PLFA POINT LOAD FROM ABOVE
- BH BEAM HANGER



1 FOUNDATION PLAN
A1.01 1:100

POST SCHEDULE

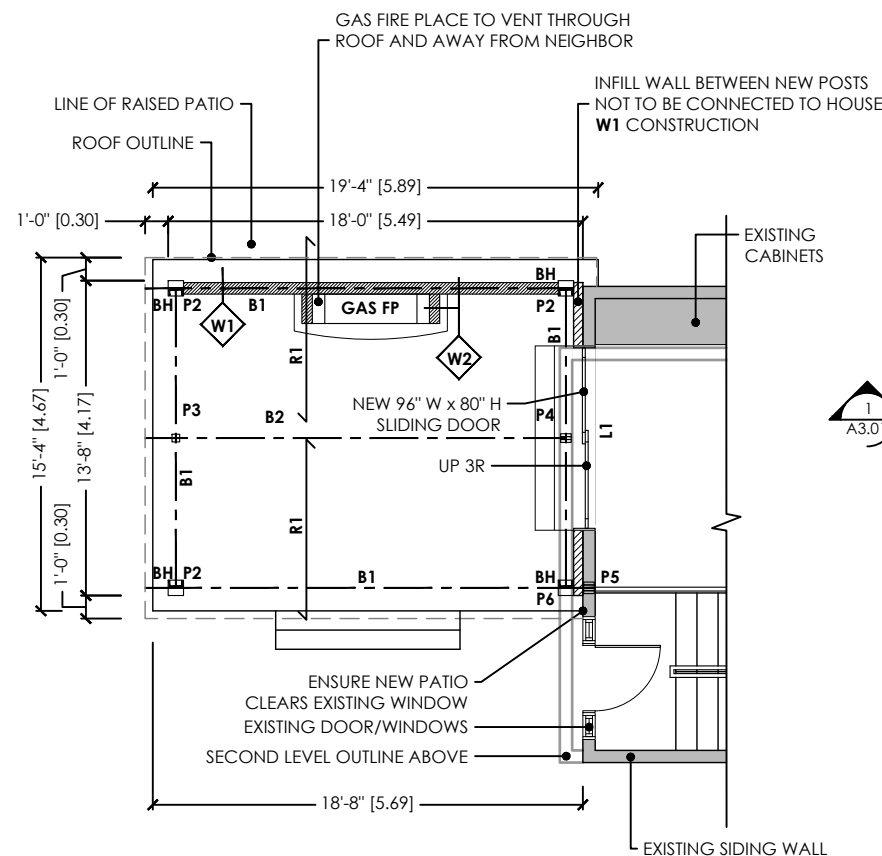
- P1 - HELICAL PILE**
PROVIDE MIN. 3/8" HELICAL PILE SADDLE HEAD TO FASTEN POST
C/W TACK WELDS OR SELF TAPING SCREWS
REVIEW POST MANUFACTURER INSTALL INSTRUCTIONS
- P2 - FIBERGLASS POST AS PER MANUFACTURER SPECIFICATION**
PROVIDE CONNECTIONS AT TOP AND BOTTOM AS PER MANUFACTURER
- P3 - PRESSURE TREATED 4 x 4 POST**
PROVIDE METAL BRACKET CONNECTION TO BEAM
APPROVED EXTERIOR FINISH AS SPECIFIED BY OWNER
- P4 - PRESSURE TREATED BUILT-UP POST**
3-PLY 2 x 6 POST WITHIN STUD CAVITY
W/ SOLID TRANSFER BLOCKING TO BEAM BELOW
ENSURE POST IS CONCENTRIC TO BEAM BELOW
- P5 - PRESSURE TREATED BUILT-UP POST**
4-PLY 2 x 6 POST W/ SOLID BEARING TO FOUNDATION
ENSURE POST IS CONCENTRIC TO STRUCTURAL BELOW
- P6 - ARCHITECTURAL POST**
FIBERGLASS TO MATCH P2
NON-LOAD BEARING

LINTEL SCHEDULE

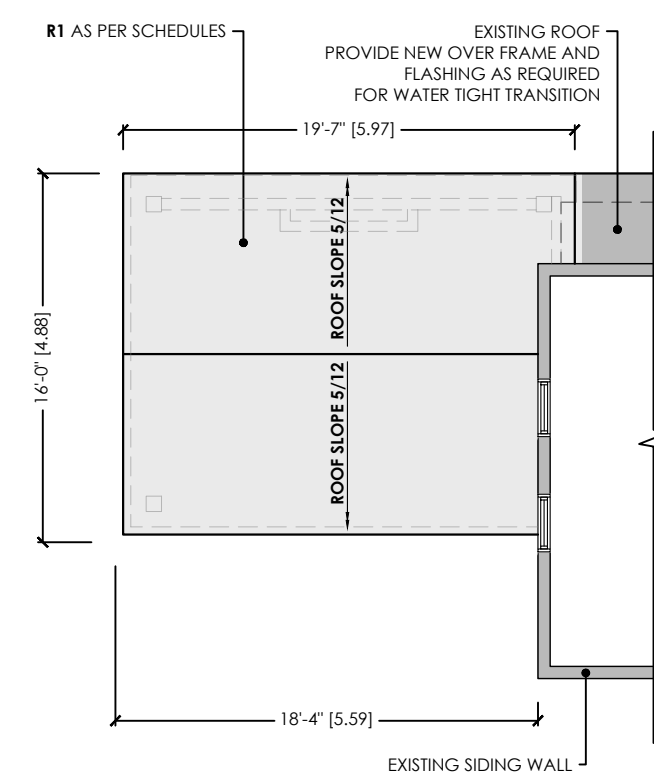
- L1 - NEW LINTEL**
3-PLY 2 x 8
1 JACK 2 KINGS
WITH SOLID BEARING TO FOUNDATION

WALL SCHEDULE

- W1 - EXTERIOR WALL**
SIDING AS PER MANUFACTURER (ON BOTH SIDES)
1 x 4 STRAPPING AT 16" O.C., FASTENED TO STUDS (ON BOTH SIDES)
WEATHER BARRIER AS PER MANUFACTURER (ON BOTH SIDES)
3/8" EXTERIOR GRADE SHEATHING (ON BOTH SIDES)
2 x 4 STUDS AT 16" O.C., DBL TOP PLATE
SINGLE BTM PLATE, PRESSURE TREATED
BTM PLATE FASTENED TO PAVERS/HARDSCAPE W/ 1/4" TAPCONS AT 12" O.C., (MIN. 2" EMBEDMENT INTO PAVERS)
PROVIDE SILL GASKET
PROVIDE BTM OF WALL FLASHING AS PER SIDING MANUFACTURER
AND UP BEHIND WEATHER BARRIER MIN 6"
- W2 - THIN STONE WALL**
THIN STONE FINISH
GROUT IN PLACE AS PER MANUFACTURER'S SPECIFICATIONS
WEATHER BARRIER AS PER MANUFACTURER
3/8" EXTERIOR GRADE SHEATHING
2 x 4 WOOD STUD WALL AT 16" O.C., DBL TOP PLATE
SINGLE BTM PLATE, PRESSURE TREATED
BTM PLATE FASTENED TO PAVERS/HARDSCAPE W/ 1/4" TAPCONS AT 12" O.C. (MIN. 2" EMBEDMENT INTO PAVERS)
PROVIDE SILL GASKET

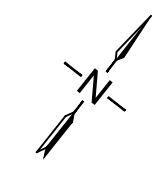


2 FRAMING PLAN
A1.01 1:100



3 ROOF PLAN
A1.01 1:100

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TENHOUSE
BUILDING WORKSHOP

TENHOUSE BUILDING WORKSHOP
107 GLADSTONE AVENUE
HAMILTON, ON L8M 2H8
T: 905-699-7371

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

QUALIFICATION INFORMATION
MATTHEW FRATARCANGELI
BCIN#:44839

Matthew Fratarcangeli

REGISTRATION INFORMATION
TENHOUSE BUILDING WORKSHOP
BCIN#:112916

NO.	DATE	REVISION/ISSUE
0	26-02-11	MINOR VARIANCE

PROJECT:
NEW REAR YARD COVERED PATIO
AND NEW EXTERIOR DOOR
AT 544 HURD AVENUE,
BURLINGTON, ON

DRAWN: J.T	APPROVED: M.D.F
FILE NO: 2025-07	CHECKED: M.D.F
REVISION: 0	DATE: 2026-02-11

FOUNDATION, FRAMING & ROOF PLAN
A1.01



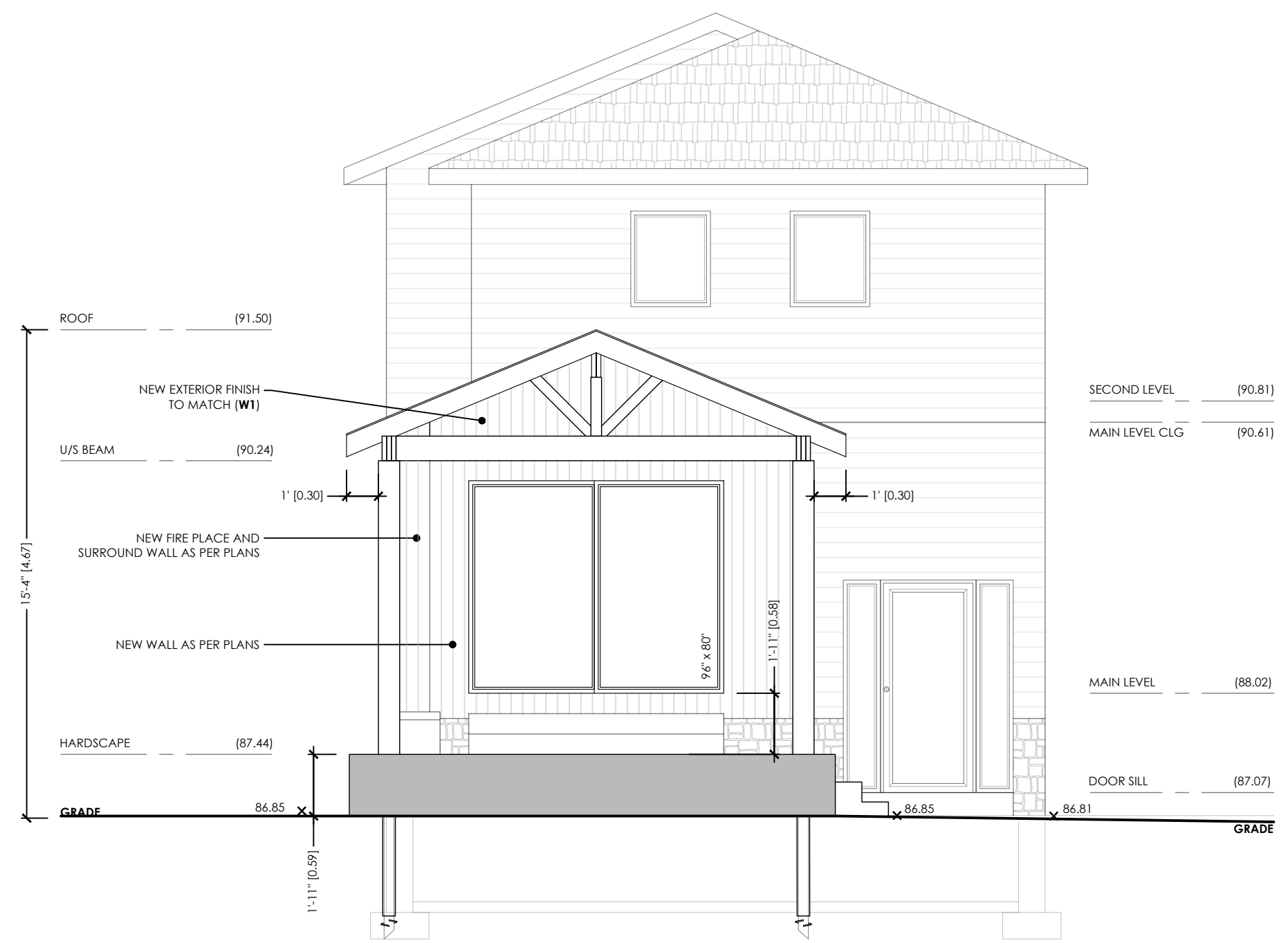
TENHOUSE BUILDING WORKSHOP
 107 GLADSTONE AVENUE
 HAMILTON, ON L8M 2H8
 T: 905-699-7371

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS

QUALIFICATION INFORMATION
 MATTHEW FRATARCANGELI
 BCIN#:44839

REGISTRATION INFORMATION
 TENHOUSE BUILDING WORKSHOP
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Copyright Act Applies to Use and Production

1 REAR ELEVATION (WEST)
 A2.01 1:50

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REAR ELEVATION
A2.01



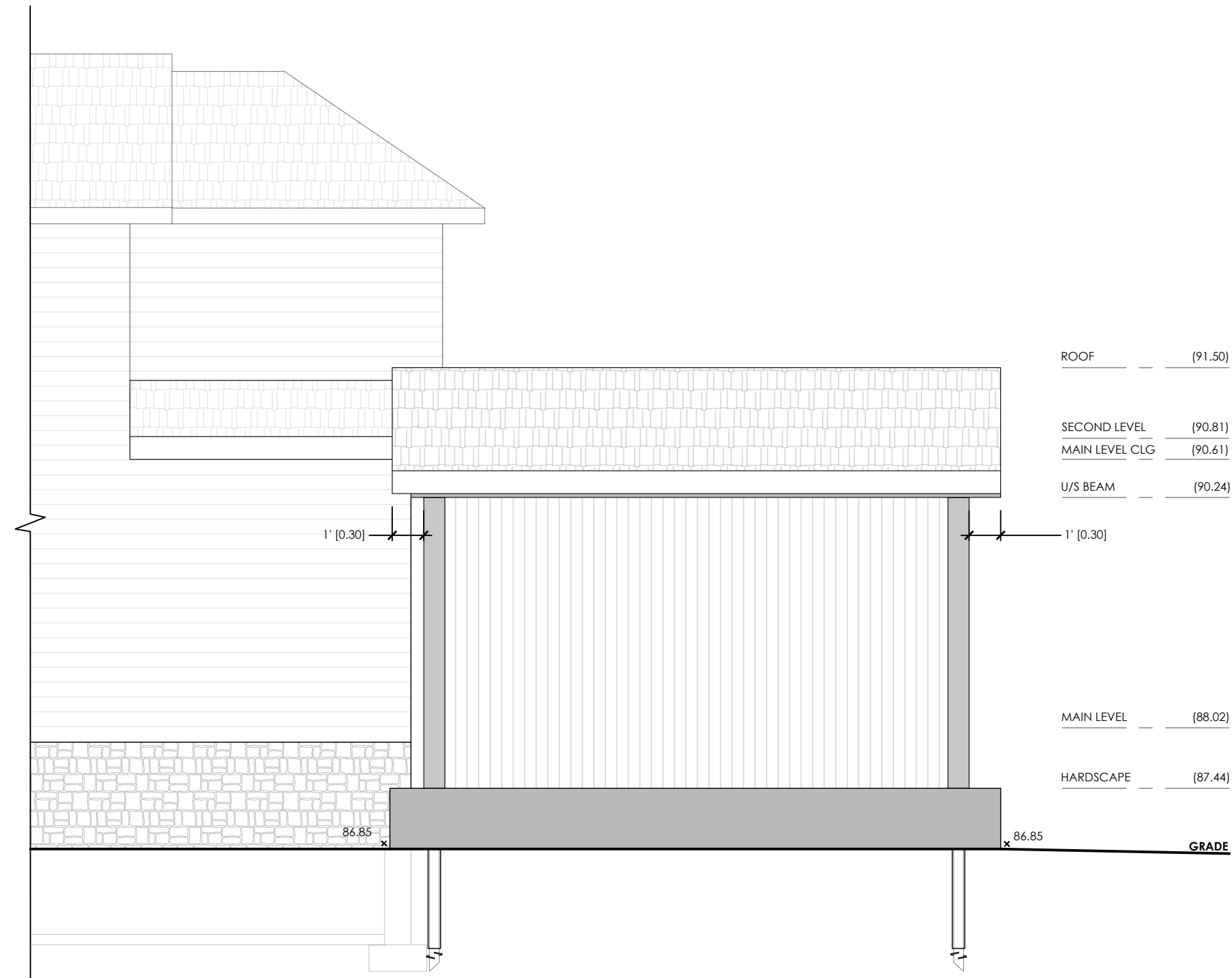
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1 SIDE ELEVATION (NORTH)
 A2.02 3/16" - 1'-0"

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SIDE ELEVATION
A2.02



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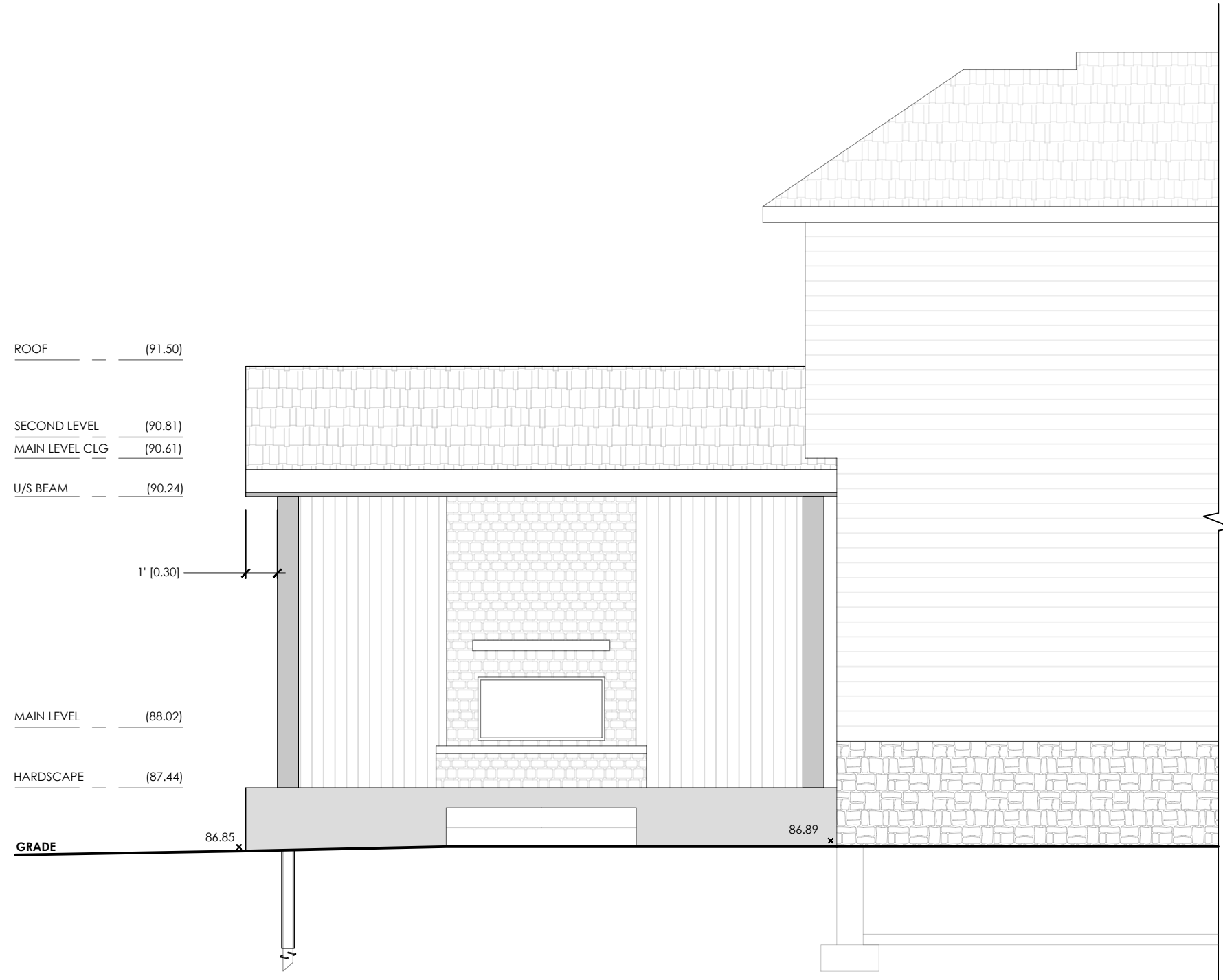
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SIDE ELEVATION
A2.03



ROOF (91.50)
 SECOND LEVEL (90.81)
 MAIN LEVEL CLG (90.61)
 U/S BEAM (90.24)
 1' [0.30]
 MAIN LEVEL (88.02)
 HARDSCAPE (87.44)
 GRADE 86.85 x 86.89 x

Copyright Act Applies to Use and Production

1 SIDE ELEVATION (SOUTH)
 A2.03 1:50



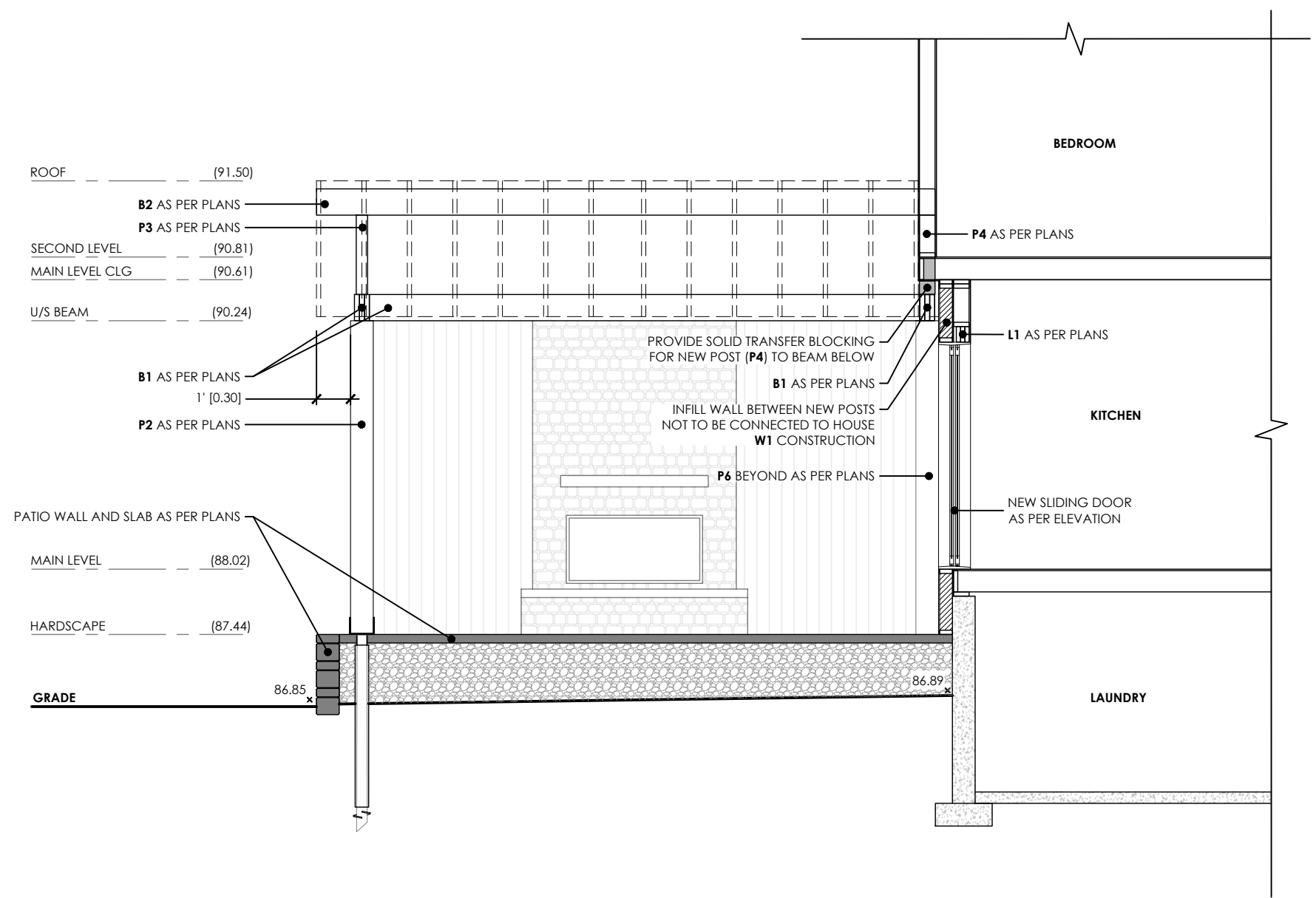
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1 SECTION A
 A3.01 1:50

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SECTION A
A3.01

PROPERTY	544 Hurd Ave. PLAN 117 LOT 99 City of Burlington, Region of Halton
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DECISION 540-02-A-070/25:

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*; **majority of members did not support variance 1; members unanimously supported variance 2, therefore;**

The Committee **GRANTS** part of the application under **File 540-02-A-070/2026** at **544 Hurd Ave., Burlington:**

2. To permit a 2.8 m high privacy screen instead of the maximum permitted 1.8 m from a platform for a proposed privacy screen along the north-west side of the proposed patio.

The reasons for the Committee's decision are that:

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

In addition to satisfying the four tests, the Committee's rationale for supporting the variance include: the proposed minor variance was deemed minor in nature because it did not create significant impacts on adjacent properties; it improved the privacy function and usability of the rear yard without undermining the intent of the Zoning By-law or Official Plan, and no substantial cumulative impacts were identified.

The Committee **REFUSED** part of the application under **File 540-02-A-070/2026** at **544 Hurd Ave., Burlington:**

1. To permit a north-west side yard of 0.4 m instead of the minimum required 1.2 m for a proposed roofed-over deck less than 1.2 m high.

The reasons for the Committee's decision are that:

1. The general intent and purpose of the Official Plan **will not** be maintained.
2. The general intent and purpose of the zoning by-law **will not** be maintained.
3. The requested variance **is not** desirable for the appropriate development or use of the property.
4. The requested variance **is not** minor.

In addition to not satisfying the four tests, the Committee's rationale for not supporting the variance include: the Committee found that the reduced side yard would have been too narrow to provide any meaningful, functional, or usable space, and therefore did not represent an appropriate or practical deviation from the zoning standard; in the Committee's view, a setback of 0.4 metres would not have achieved the spatial separation, access, or maintenance clearance that the zoning by-law was intended to secure; it further determined that the variance could not be considered minor in nature, both because of the magnitude of the reduction and because of its potential impacts on the neighbouring property and utility purposes; the requested relief did not align with the general intent and purpose of the zoning by-law, which sought to ensure adequate side-yard conditions, preserve neighbourhood character, and maintain consistent development standards.

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 single detached residential 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 Pre-Building Permit Application;

The Applicant is advised of the following notes:

1. A building permit is required for all building construction.
1. Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers and OBC 2024.
2. A grading and drainage clearance certificate **may** be required.
3. A tree permit **will** 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.
4. Variances have been identified based on the plans submitted for zoning review. If additional variances are identified when a Pre-Building Approval Application is made, they will be the responsibility of the applicant to obtain.
5. The zoning review is based on the portion of the site affected by the proposed development only.
6. The variances are being reviewed under Section 45(1) of the *Planning Act*.

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

Date of hearing: **WEDNESDAY FEBRUARY 4, 2026**

Last day to appeal: **TUESDAY, FEBRUARY 24, 2026**

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



Catherine Susidko-Petriczko
Secretary Treasurer, Committee of Adjustment