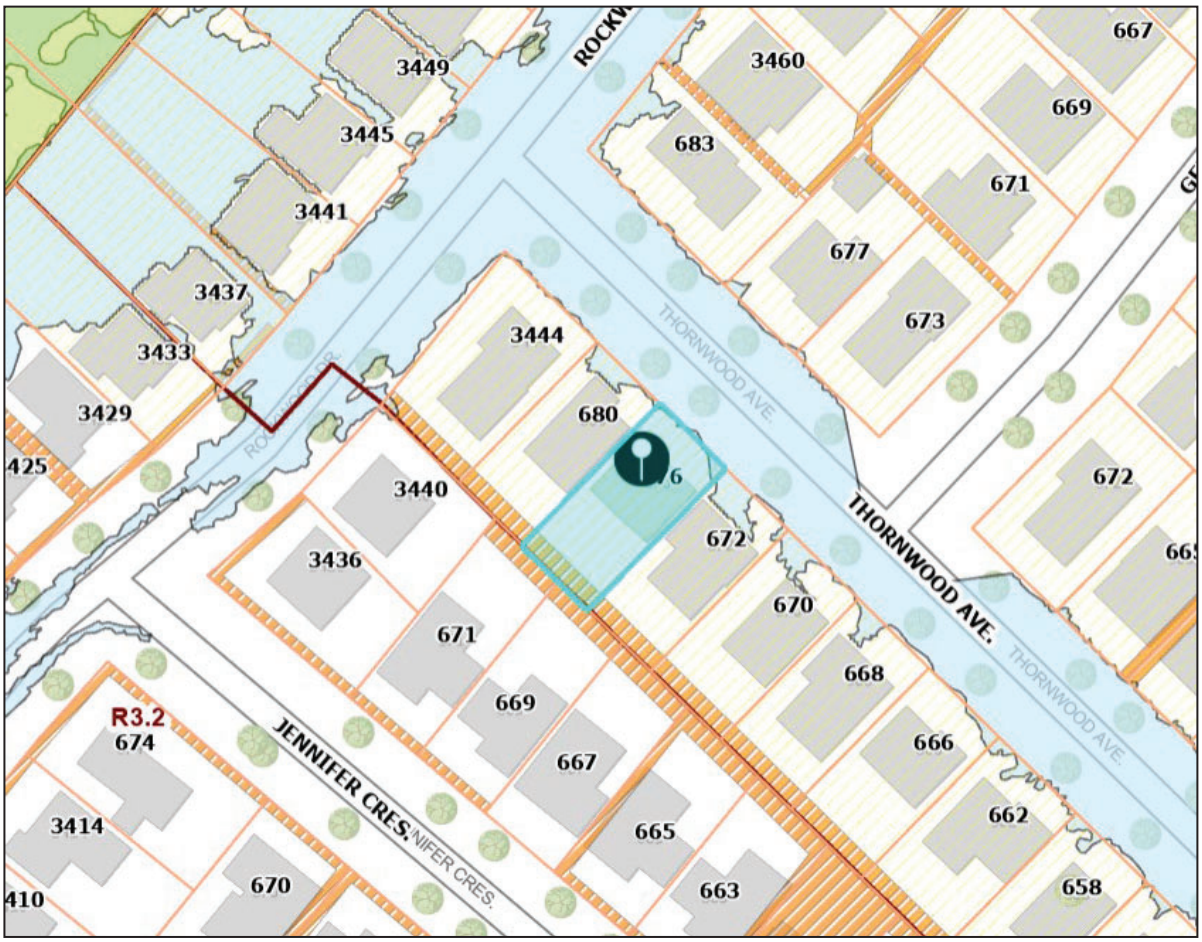
COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS

Owner(s): Jill Ashley Patterson and Richard Hans Guenther Merk
Address: 676 Thornwood Ave. Burlington
File No. **A-002/26**
Ward: 4



Staff Comments:

Committee of Adjustment

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

Date: January 12, 2026 Prepared By: E. Shacklette

Zoning

The subject property is zoned **R3.4**, Low Density Residential, under Zoning By-Law 2020, as amended, and is located in the designated area for lot coverage and floor area ratio. The **R3.4** zone requires, among other things, the following:

4.1 LOT WIDTH, AREA, YARDS

Table 2.4.1

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R3 ZONES						
R3.4	12 m	400 m^2	6 m	7.5 m	(a)	4.5 m

Footnotes to Table 2.4.1

(a) With attached garage or carport:10% of actual lot width (14.02 m x 10 % = 1.402 m)

4.5 FLOOR AREA RATIO

(a) A maximum floor area ratio of **0.45:1** shall apply to all properties in Designated Areas for Lot Coverage.

2.13 ENCROACHMENT INTO YARDS

2.13.1 Every part of a required yard shall be unobstructed with respect to the following encroachments:

(a) The following obstructions may project **50 cm maximum** into a side yard and 1 m maximum into any other yard from the wall of the building:

chimney, pilaster, belt course, **roof overhang (excluding eave or gutter)**
sill, lintel, cornice, ornamental projection

Proposal:

The applicant is proposing the construction of a second storey addition to the existing two storey detached dwelling with attached garage.

Variances required:

1. To permit a floor area ratio of 0.47:1 instead of the maximum permitted 0.45:1 for proposed second storey addition to the existing two storey dwelling with attached garage.

2. To permit a south-east side yard encroachment of 0.6 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

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Conditions:

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

Notes:

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

Date: 9 March 2026 Prepared By: Erin Ruby

Site Planning

Site Characteristics	
Lot Frontage (m)	14.02m
Lot Area (m^2)	427.4m^2
Existing Land Uses *(ex. buildings, structures, driveways, fences, etc…)*	Two storey dwelling, asphalt driveway, front walkway and porch
Site Grading *(ex. Flat and level, significant grade differences)*	Generally flat and level
Notable Site Features	N/A
Surrounding Land Uses *(ex. Adjacent building relationships, natural features, notable adjacencies)*	Low-rise Residential and Institutional uses
Nearest Major Intersection	Fairview Street and Walker's Line
Neighbourhood Boundaries* *Based on OP, 1997 *residential neighbourhood* definition	North: Fairview Street East: Walker's Line South: Rexway Drive West: Woodview Road

Neighbourhood Characteristics:

- The prevailing built form consists primarily of one-storey and one-and-a-half-storey detached dwellings, with a mix of original bungalows and some two-storey dwellings.
- Original dwellings are typically modest in scale, featuring simple building footprints and gable roof forms.

- More recent redevelopment in the area has introduced two-storey detached dwellings with larger footprints and increased overall massing.
- There are a limited number of redeveloped two-storey dwellings within the immediate area.
- Newer infill development that has occurred generally consists of two-storey dwellings.
- Surrounding properties typically range in lot area from approximately 400 m² to 800 m², with the subject lands being 427.4 m² in area.
- Front and side yard setbacks are relatively consistent throughout the neighbourhood.
- At the time of application, the subject lands were zoned under Zoning By-law 2020, with surrounding properties primarily within the R3.4 and R3.2 zones.
- Under the recently approved 2026 Residential Zoning By-law, the surrounding lands are zoned LN3 and LN4.

A site visit was conducted on April 17, 2026, and existing on-site conditions are summarized in site photos included in Attachment No. 1 (Site Photos).

1) City of Burlington Official Plan:

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

Yes

Regional Official Plan (2022):

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

- Section 76 of the ROP indicates that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. Given that the addition of a second storey is permitted by the City's Zoning By-law, staff are of the opinion that the proposal meets the general intent and purpose of the ROP.

Official Plan, 1997 & 2020

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

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

- The proposal is consistent with the permitted uses under the property's 'Low-Rise Neighbourhoods I' land use designation according to Schedule 'C'/Schedule 'B' (Land Use - Urban Area/Comprehensive Land Use Plan- Urban Planning Area) of the BOP, 1997/BOP, 2020, as amended, which permits ground-oriented, low-density housing, and where compatible infill, small-scale additions, and renovations are encouraged.
- Whereas Section 8.3.2(1)(a)–(d) of the BOP, 2020 (Low-Rise Neighbourhoods I) directs that new development and additions shall be compatible with the surrounding context and maintain the predominant character of the neighbourhood with respect to height, massing, and setbacks, the proposal is consistent with these objectives in the following ways:
    - The proposal maintains the existing building footprint for the majority of the dwelling, with the addition occurring primarily as a vertical expansion, thereby limiting impacts on lot coverage and overall site layout. The proposed design is consistent with the architectural character of the surrounding area, incorporating similar roof forms, proportions, and building elements.
    - While the neighbourhood is predominantly one-storey and one-and-a-half-storey dwellings, more recent redevelopment in the area has introduced two-storey homes, and the proposal reflects this emerging built form pattern.
    - The overall height and massing are consistent with this evolving context and do not introduce a built form that is out of scale with the surrounding neighbourhood.
    - The proposed addition is approximately 32.9 m² in area and represents a modest expansion that facilitates reinvestment in the existing dwelling without resulting in overdevelopment of the lot.

- Whereas *compatible* is defined as "Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health", which is evaluated in accordance with measurable/objective standards, the planner notes the following:
    - The proposed addition is designed to be consistent with the architectural style of the existing dwelling and the broader neighbourhood, including rooflines, proportions, and window design.
    - The proposed addition represents 32.9 m² of proposed floor area, equating to approximately 5.44 m² above the permitted floor area ratio at the time of application, which is minor in scale and does not result in overdevelopment.

- The development maintains appropriate separation from adjacent properties and is not anticipated to result in adverse impacts related to privacy, overlook, or shadowing.
- The variances do not result in a built form that would disrupt the established streetscape or neighbourhood character.

2) City of Burlington Zoning By-law 2020:

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

Yes – (Floor Area Ratio (Part 2, Section 4.5))

The intent of floor area ratio (FAR) regulations is to control the overall intensity and scale of development on a property in relation to lot size. FAR standards regulate the total amount of gross floor area permitted, helping to ensure that buildings are proportionate to their site and compatible with surrounding development patterns. By managing building bulk and massing rather than footprint alone, FAR regulations support orderly development, appropriate density, and the efficient use of land while minimizing adverse impacts such as shadowing, privacy loss, and visual dominance. The proposed minor variance to permit a floor area ratio of 0.50 instead of the maximum permitted of 0.45 maintains the general intent and intent and purpose of this provision for the following reasons:

- The proposed floor area of 197.77 m² represents a minor increase of 5.44 m² over the permitted 192.33 m², which is negligible in scale and not perceptible from the streetscape.
- The additional floor area is accommodated entirely through a second-storey addition, representing vertical intensification rather than an expansion of the building footprint.
- The existing building footprint is maintained, and the proposal continues to comply with all other applicable zoning standards, including lot coverage and side yard setbacks.
- The addition is concentrated above an existing portion of the dwelling (above the garage) and is stepped in from the first storey, further minimizing its visual and massing impact.
- The resulting dwelling remains consistent with the scale and massing of surrounding properties and does not appear larger or out of character within the neighbourhood context.
- No adverse impacts related to shadowing, privacy, or visual dominance are anticipated as a result of the proposed increase in floor area.

Yes – (Roof overhang Encroachment (Part 1, Section 2.3.1 (a))

The general intent and purpose of the maximum projection for a roof overhang provision of Burlington Zoning By-law 2020 is to ensure that projections remain minor and subordinate to the main building wall, maintain the effectiveness of required yard setbacks, and minimize potential impacts on adjacent properties in terms of massing, shadowing, and spatial separation. The proposed minor variance to permit a south-east side yard overhang projection of 0.6 m instead of the maximum permitted 0.5 m maintains the general intent and purpose of this provision for the following reasons:

- The proposed increase represents a negligible deviation and the overhang remains a minor architectural feature that is clearly subordinate to the principal building wall.
- The additional 6 centimeter projection does not materially impact the function of the side yard in providing adequate separation, light, air, or drainage between properties.
- A similar overhang projection exists on the opposite side of the dwelling, and the proposal maintains a consistent and symmetrical roof form rather than introducing a new or exaggerated condition.
- The projection is not anticipated to result in adverse impacts related to overlook or shadowing on the adjacent property.
- The overhang does not alter the overall massing or built form of the dwelling in a manner that would undermine the intent of the zoning provision.

3) Desirability:

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

Yes

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

- The proposal facilitates a modest second-storey addition that improves the functionality of the existing dwelling while maintaining the existing building footprint and established setback pattern.
- The addition is compatible with the surrounding neighbourhood and does not extend beyond its established character. While there are limited redeveloped properties in the area, the proposal is in keeping with those that have been constructed, while remaining sympathetic to the scale and form of existing one-storey and one-and-a-half-storey dwellings.
- The minor increase in floor area represents an efficient use of land without resulting in overdevelopment or altering the low-rise residential character of the area.
- The proposal is not anticipated to result in adverse impacts on adjacent properties in terms of privacy, overlook, shadowing, or visual dominance.

- Engineering has reviewed the proposal for potential drainage impacts affecting neighbouring properties and does not object.
- Forestry staff have reviewed the proposal for potential tree impacts and do not object.

4) Minor in Nature:

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

Yes

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

- The proposed increase in floor area is minimal, exceeding the permitted amount by approximately 5.44 m², which is negligible in scale.
- The additional floor area is accommodated through a second-storey addition with no expansion to the building footprint and no increase in lot coverage.
- The overhang encroachment represents a minor deviation of 0.1 m and does not materially impact the function of the side yard.
- The variances do not result in any tangible adverse impacts and are not perceptible in the context of the surrounding neighbourhood.

Cumulative Effects of Multiple Variances and Other Planning Matters:

N/A

Recommendation:

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

Date: April 24, 2026 Prepared By: Ryan Kochuta

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

View from the front

View of existing side yard and 672 Thornwood Ave. – from front

View of existing side yard and 672 Thornwood Ave. – from rear

View of existing side yard and 672 Thornwood Ave. – from rear

View of existing overhangs - from front

View of existing overhangs - from rear

COMMITTEE OF ADJUSTMENT
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STAFF REPORTS

Technical Reviewer Comments:

Development Engineering

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

Date: March 23, 2026 Prepared By: R.Bardaloo

Forestry

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

Advisory Comments:

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

Date: March 20. 2026 Prepared By: M.Krzywicki

Building

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

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

Date: Apr. 7, 2026 Prepared By: A. Kuzmichuk

Transportation Planning

Deemed Road Width Analysis

Thornwood Avenue is under the authority of the City of Burlington and the deemed right-of-way width is 20 metres. The right of-way adjacent to the subject site is approximately 20 metres therefore no additional lands are required.

Date: February 2, 2026 Prepared By: Thalia Thompson

Transportation Planning have no comments on the application based on the understanding that no changes are being proposed to the existing provision of parking on the subject property, with parking being available in the attached garage and driveway.

Date: March 16, 2026 Prepared By: Thalia Thompson

Finance

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

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

Date: March 11, 2026 Prepared By: L. Bray

Agency Comments:

Halton Region

Regional Staff have reviewed the Minor Variance application proposing the construction of a second storey addition to the existing two storey detached dwelling with attached garage. Variance are requested to the maximum permitted FAR, and side yard encroachment.

- 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 Intake Protection Zone 2 (VS= 6.3), and a Highly Vulnerable Area.
- 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

Conservation Halton
Thank you for circulating CH on the above referenced Minor Variance Application at 676 Thornwood Avenue in Burlington.

Minor Variance Application No. 540-02-A-002/26 - 676 Thornwood Avenue, Burlington

Conservation Halton (CH) staff has reviewed the above-noted application according to our regulatory responsibilities under the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., acting on behalf of the province to ensure decisions under the Planning Act are consistent with the natural hazards policies of the Provincial Planning Statement [PPS, Sections 5.1.1-5.2.8] and/or provincial plans).

Proposal

The applicant is proposing the construction of a second storey addition to the existing two storey detached dwelling with attached garage proposing:

1. To permit a floor area ratio of 0.47:1 instead of the maximum permitted 0.45:1 for proposed second storey addition to the existing two storey dwelling with attached garage.
2. To permit a south-east side yard encroachment of 0.6 m instead of the maximum permitted projection of 0.5 m measured from the wall of the building for a proposed roof overhang excluding eaves and gutter.

Regulatory Comments (Conservation Authorities Act and Ontario Regulation 41/24)

Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline, hazardous lands (e.g. flooding and erosion hazards, dynamic beaches, unstable soil and bedrock), as well as lands adjacent to these features. A small portion of the front of the subject property is located within a spill flood hazard associated with Tuck Creek. Spills occur when flood waters leave the valley and flood plain of a watercourse and "spill" into surrounding lands, either rejoining the watercourse downstream, flowing into another watershed, or remaining within the spill area.

Permits are required from CH prior to undertaking development activities within CH's regulated area and applications are reviewed under the Conservation Authorities Act, Ontario Regulation 41/24 and CH's Policies and Guidelines for the Administration of Part VI of the Conservation Authorities Act and Ontario Regulation 41/24 and Land Use Policy Document (last amended, April 17, 2025) (https://conservationhalton.ca/policies-and-guidelines).

A Development Clearance Letter (DCL) is required from CH as the property is partially within the regulated area. The applicant has already obtained a DCL from CH and staff can confirm that the drawings with the DCL match the drawings received with this minor variance application. CH should be contacted should any revisions to the proposed works arise as a result of this Minor Variance Application process.

Provincial Planning Statement Natural Hazard Comments (Sections 5.1.1-5.2.8)

In addition to CH's regulatory responsibilities (described above), CH also has provincially delegated responsibilities under Ontario Regulation 686/21: Mandatory Programs and Services, including acting on behalf of the Province to ensure that decisions under the Planning Act are consistent with the Natural Hazards Sections (5.1.1-5.2.8) of the Provincial Planning Statement (PPS).

The PPS directs development away from natural hazards where there is an unacceptable risk to public health or safety or of property damage, and states that development shall not create new or aggravate existing hazards. The PPS also states that development shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Based on information available to CH, safe access appears to be available for pedestrians to the adjacent sidewalk but may not be available for vehicles on the adjacent roadway during times of flooding hazards. However, CH raises no concerns with consistency with the PPS natural hazards policies considering the nature of the proposal (i.e., proposed second storey addition to existing dwelling) and given the level

of access to the dwelling will remain the same under existing and proposed conditions. Furthermore, the proposed development is located outside of the spill and does not create new or aggravate existing hazards. Staff advise that any future applications for this property may be subject to demonstrating safe access depending on the nature of proposed works.

Recommendation
Given the above, CH staff has no objections to the approval of the requested variances.

Please note that CH has not circulated these comments to the applicant, and we trust that you will provide them as part of your report.

We trust the above is of assistance. Please contact me with any questions.

Date: April 7, 2026 Prepared By: Jessica Bester

Burlington Hydro
Burlington Hydro comments can be found attached to the end of this report.

Date: April 8, 2026 Prepared By: Zakariya Al-Doori

Halton Region

RETHINK WATER
Enjoy Conserve Protect

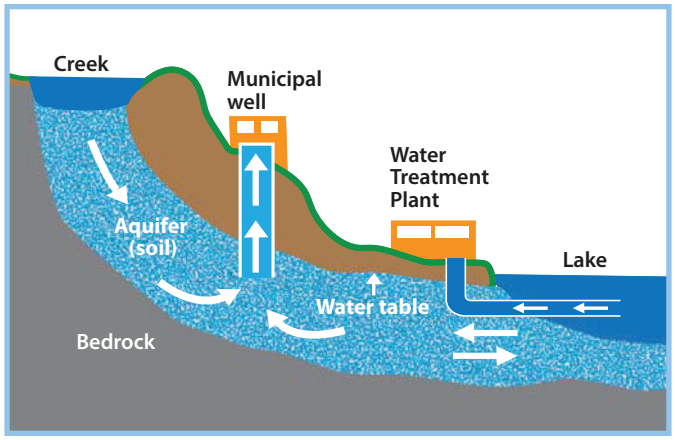
Source Water Protection Factsheet

halton.ca

Planning and Building Applications

Sources of drinking water

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



Protecting Halton's drinking water

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

Source water protection and Planning/Building Applications

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

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

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

Is my property in a vulnerable area?

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

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

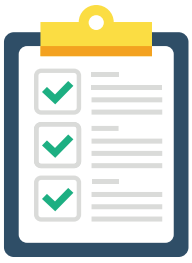
How is my application reviewed?

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

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

Step 1

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



Step 2

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

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

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

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

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

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

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

RETHINK WATER

Enjoy Conserve Protect

Halton REGION

PW-1813334

Burlington*hydro* inc.

April 7, 2026

Applicants: Jill Ashley Patterson and Richard Hans Guenther Merk
Subject: Minor Variance.
File NO: 540-02-A-002/26
Location: 676 Thornwood Ave, Burlington, ON.

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

We have no objections to the proposed construction of a second-storey addition to the existing two-storey detached dwelling with an attached garage.

Please note: During construction, Workers will be working within 1 m (3') of energized overhead secondary service wires. Prior to starting construction, please contact Burlington Hydro Inc. (BHI) at Engineering@burlingtonhydro.com to coordinate the disconnection of the overhead secondary service wire.

However, the customers' requirements are not limited to the following items. Burlington Hydro will provide all applicable standards, guidelines, and specifications in the Offer to Connect package that will be provided by Burlington Hydro, following the customer's formal request for hydro service and submission of approved site plan drawings to Burlington Hydro.

1340 Brant street, Burlington, ON · L7R 3Z7 **burlingtonhydro.com** (905) 332-1851

Burlington*hydro* inc.

1. Temporary service is available upon the customer's request. The temporary service may be supplied overhead or underground, at BHI's discretion. Early consultation should be made with the BHI Engineering Department to confirm the availability of supply arrangements. The Customer will be responsible for all associated costs for the installation and removal of connection assets required for temporary service to BHI's distribution system. Payment for these costs shall be made in advance.

2. 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 by 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.

   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 forgoing 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 the hydro facilities.
- ☑ 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.

1340 Brant street, Burlington, ON · L7R 3Z7 **burlingtonhydro.com** (905)-332-1851

Burlington**hydro** inc.

- ☑ 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 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.
- ☑ 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

1340 Brant street, Burlington, ON · L7R 3Z7 **burlingtonhydro.com** (905)-332-1851

Burlington Hydro Inc

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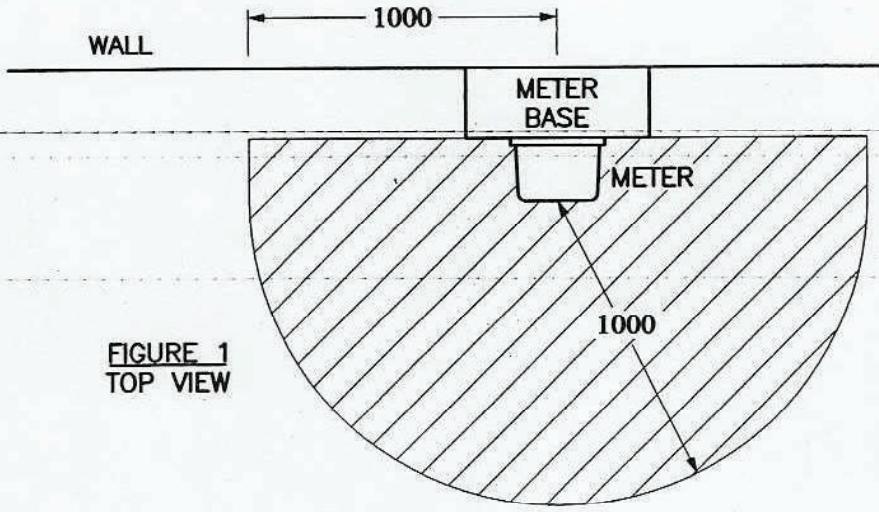


FIGURE 1
TOP VIEW

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.

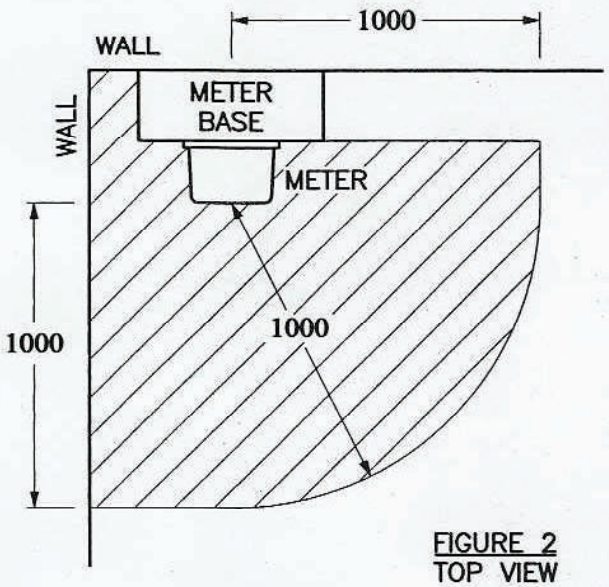
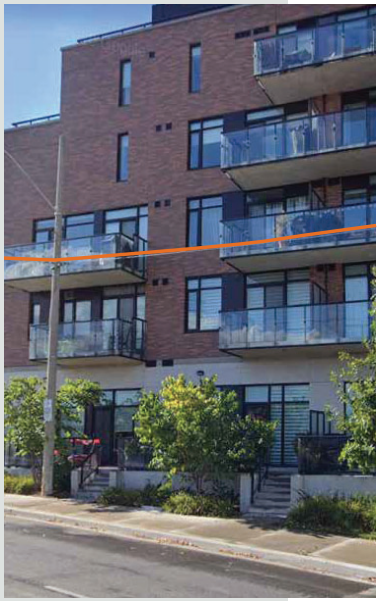


FIGURE 2
TOP VIEW

REQUIRED WORKING CLEARANCE AROUND METERS

METRIC
LINEAR DIMENSIONS SHOWN IN MILLIMETRES



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 Ince. 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)

Contact: Engineering Clerk
Email: Permits@BurlingtonHydro.com
www.BurlingtonHydro.com

Burlington*hydro* inc.

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

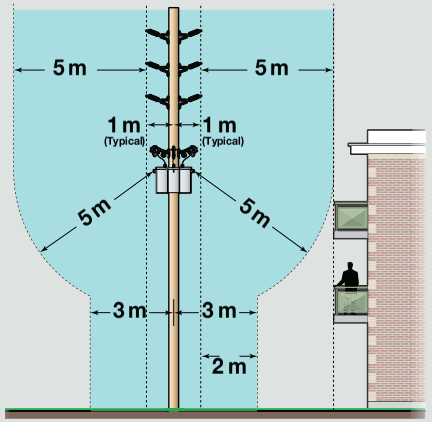
According to CSA C22.3 No. 1, permanent or temporary structures / buildings or their extensions, should not be over or underneath overhead electrical infrastructure.

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

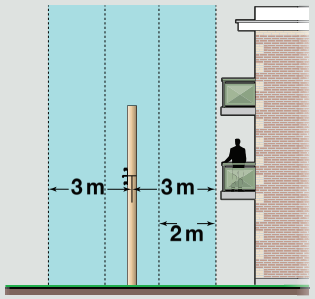
Burlington Hydro Inc. should be contacted prior to any activity within 3 m of the OH electrical infrastructure, such as tree trimming or working on the sides of a building. According to the Ministry of Labour's Occupational Health and Safety Act and the Electrical Safety Code, only Burlington Hydro's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

Figure 1: Ontario Building Code Clearance Requirements



Clearance from Medium Voltage (>750V)

Maximum swing: The greatest horizontal displacement of any point on a power line, from its position at rest. In other words, the maximum swing is the distance a wire strung on a pole can potentially swing in any direction.



Clearance from Low Voltage (<750V)

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)†

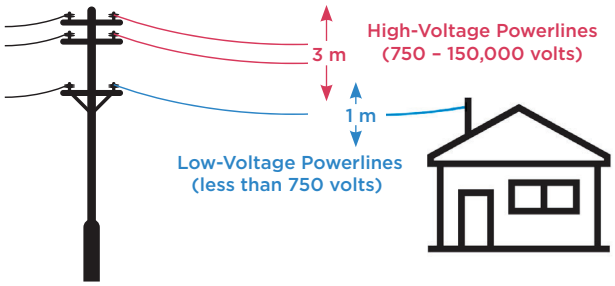
**Recommendation from the Working Group*

†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).

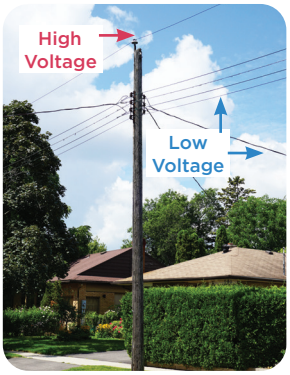
Figure 1



Maintain a safe distance from powerlines in all directions

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.

Figure 2



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

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.

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.?

Don't Guess. Do it Right!

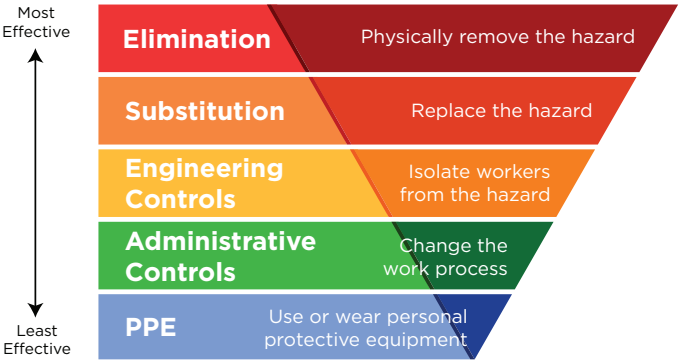
Always contact the owner of the overhead powerline to verify the correct voltage.

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

Figure 10

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* (OHSA) 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 OHSA and the requirements of the Construction Projects regulation (213/91) are met

Duties of Employers and Supervisors under the OHSA

Section 25 of the OHSA 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 OHSA and its associated regulations.*

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

Labour Management Network

CITY OF Burlington

MINOR VARIANCE – 2025
Committee of Adjustment
Department of Community Planning
426 Brant Street, Burlington ON
committeeofadjustment@burlington.ca

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

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

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

Discussed the application with a City Zoning Examiner and Development Planner Y ☒ or N ☐
Name of Planner: Ryan Kochuta Name of Zoning Examiner: Erin Ruby

PROPERTY INFORMATION

Municipal Address(es) of property:

676 Thornwood Ave., Burlington, Ontario L7N 3B8

Legal Description of property:

Single Family Detached Dwelling

Official Plan Designation: Residential Addition Current Zoning Designation R3.4

OWNER(S) INFORMATION:

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

Richard Hans Guenther Merk and Jill Ashley Patterson

Mailing Address: 676 Thornwood Avenue City: Burlington

Postal Code: L7N 3B8 Home Phone: (647)233-5602 Mobile Phone: (416) 919-9000

Work Phone: (905) 825-6589 E-Mail: MERK20VT@GMAIL.COM

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

Name:

Business Address: _____ City: _____

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

Work Phone: _____ E-Mail: _____

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.

Variance(s) Requested	Zoning Bylaw Requirement
Floor area ratio	4.5 (a) A maximum floor area ratio of 0.45:1
Maximum roof overhang	2.13.1 The maximum roof overhang is 50cm.

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

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

The ground floor area including the garage and the second floor area including the addition exceeds the maximum 45% of the lot area. We are at 46.27% (0.47:1).

The maximum roof overhang is 50cm. We would like to match the existing overhang which is approximately 55.88cm.

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

This is for private use by existing homeowners, the addition would be directly above an existing structure and maintaining the original aesthetic. Similar additions have been approved and completed in the immediate area on the same style of home

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

Yes, this will remain as a single family home

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

Yes, this will remain as a single family home

PROPERTY DETAILS (please complete all fields):

Date property purchased:	Date property first built on:	Date of proposed construction:
Oct/7/2017 (mmm/dd/yyyy)	Jan/01/1966 (mmm/dd/yyyy)	Apr/01/2026 (mmm/dd/yyyy)

Existing Use of the Subject Property (check one):

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

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

59 Years

Proposed Use of the Land:

Maintain as private residence of homeowner

Existing Uses of Abutting Properties (check all that apply)

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

Additional Information

Is liquor sold on site? Y ☐ or N ☒

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

Type of Access to the Subject Lands

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

Municipal Services Provided

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

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

FOR RESIDENTIAL DETACHED OR SEMI-DETACHED DWELLINGS

Dimensions of Property			Street Width (see first page of application for how to obtain)				
Frontage	Depth	Area	Actual	Deemed	Required	Lot Coverage	Corner Lot?
14.02m	30.48m	427.4sqm	20m	20m	20m	98.5sqm	Y ☐ N ☒

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

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

LOCATION of all existing and proposed buildings and structures

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

FOR COMMERCIAL, MIXED USE, INDUSTRIAL AND OTHER

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

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

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

LOCATION of all existing and proposed buildings and structures

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

MULTI-RESIDENTIAL

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

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

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

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

LOCATION of all existing and proposed buildings and structures

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

EXEMPTION FROM NEW SURVEY REQUIREMENT

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

Applicant/Owner:	Property Address:

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

Please complete Section A, B, or C

A. The OLS survey/sketch of survey dated May 31 1966 (mmm/dd/yyyy)

has been revised by: Sewell & Sewell (Person or Company Name)

OR

B. The site plan, architect's plan or engineer's plan dated Nov 19 2025 (mmm/dd/yyyy)

has been revised by: Prassas Design (Person or Company Name)

OR

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

**Accepted for applications involving variances for Uses only.

was prepared by: _____ (Person or Company Name)

2. All structures, measurements, setbacks and boundaries of the property are shown accurately as of: Nov 19 2025 (mmm/dd/yyyy)

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

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

_____ Dec/29/2025

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

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

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

Owner Name: Richard Merk

Property Address: 676 Thornwood Ave., Burlington, On L4N 3B8

Signature of Owner/Applicant

Date (mmm/dd/yyyy): Dec 29 2025

AFFIDAVIT

*Please fill out at time of submission of application

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

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

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

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

this 29th day of December 2025.

_____ Signature of Commissioner, etc.

_____ Signature of Applicant or Authorized Agent

PERMISSION TO ENTER

IMPORTANT This MUST be completed for all applications and signed by the OWNER.

Municipal Address of Subject Lands: 676 Thornwood Ave., Burlington, Ontario L7N 3B8

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

_____ Signature of Owner

Richard Merk Print Name

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

OWNERS AUTHORIZATION

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

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

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

application for a Minor Variance.

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

Notice of collection of personal information

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

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

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.**	Y
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)	Y

SITE PLAN

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

Minor Variance Application Checklist

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

LOCATION AND MEASUREMENTS OF SHED, DECK OR OTHER STRUCTURES

- ☒ Setbacks
- ☒ Height
- ☒ Area
- ☒ Length
- ☒ Width

ELEVATIONS

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

FLOOR PLANS

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

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

Signature of Owner/Agent

Dec/22/2025

Date (mmm/dd/yyy)

PLAN SHOWING

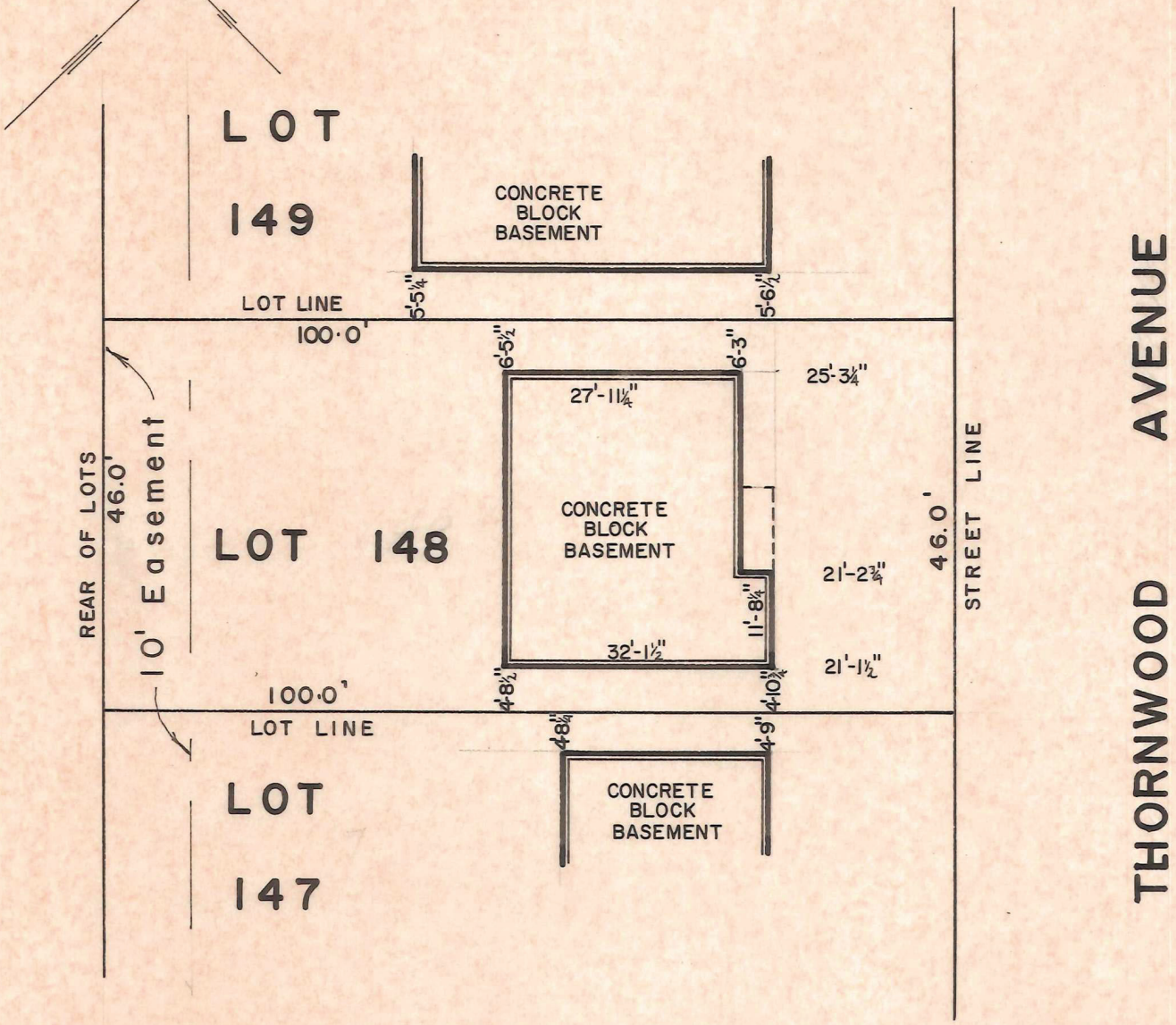
LOT 148

REGISTERED PLAN 1331 HALTON

Woodland Estate Subdivision-Phase 2

TOWN OF BURLINGTON

SCALE: 1"=20'



FOR: DICENZO CONST.

SEWELL & SEWELL

BURLINGTON 560 BRANT ST. NE. 4-9405

OAKVILLE 233 ROBINSON ST. VI. 5-4171

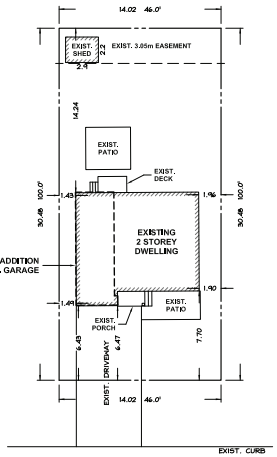
ONTARIO LAND SURVEYOR

DATE: MAY 4, 1966 JOB N°. 66-233

DATE MAY 31, 1966 JOB N°. 66-233

SITE AND BUILDING STATISTICS

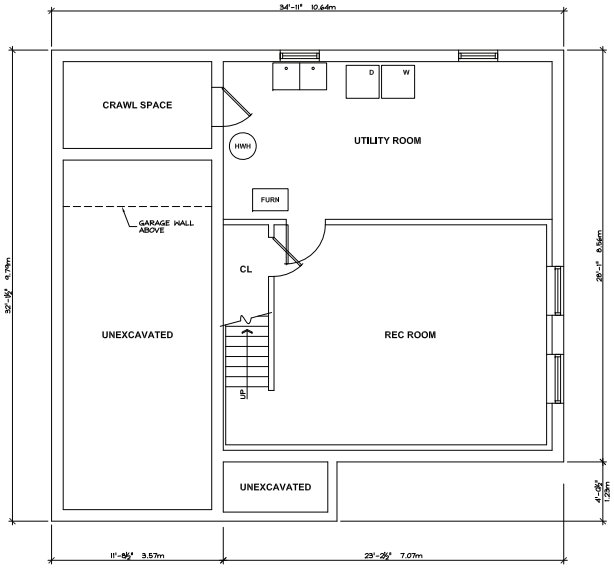
1. LOT AREA	-	427.4 SM.	4,600 SFT.
2. FLOOR AREA			
EXISTING GROUND FLOOR & GARAGE	-	95.5 SM.	1,028 SFT.
EXISTING SECOND FLOOR	-	66.5 SM.	715 SFT.
SECOND FLOOR ADDITION	-	32.9 SM.	354 SFT.
TOTAL FLOOR AREA	-	194.9 SM.	2,097 SFT.
3. FLOOR AREA RATIO:			
NEW FLOOR AREA RATIO	-	46.27% = 0.47:1	
MAXIMUM FLOOR AREA RATIO	-	45%	
4. LOT COVERGE:			
EXISTING HOUSE FOOTPRINT	-	98.5 SM.	1,060 SFT.
EXISTING 2nd STOREY PROJECTION	-	2.7 SM.	29 SFT.
TOTAL FOOTPRINT AREA	-	101.2 SM.	1,089 SFT.
EXISTING LOT COVERAGE	-	23.7%	
MAXIMUM LOT COVERAGE	-	25%	
5. BUILDING HEIGHT:			
EXISTING BUILDING HEIGHT	-	7.2m±	
NEW BUILDING HEIGHT	-	7.5m±	
MAXIMUM BUILDING HEIGHT	-	10.0m	



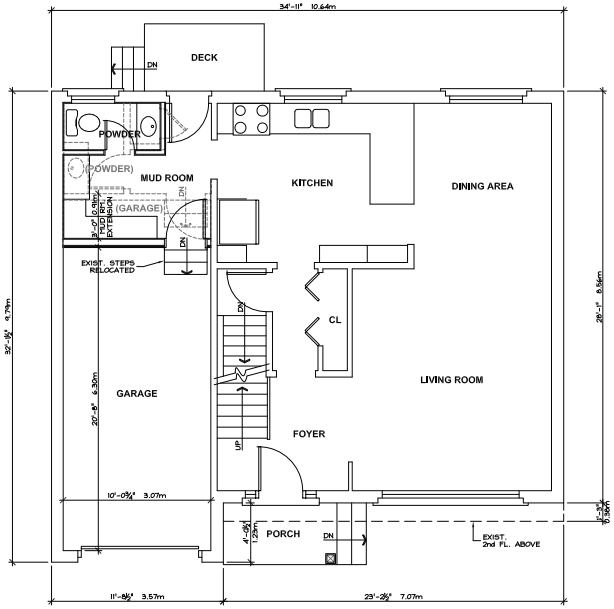
THORNWOOD AVENUE

SITE PLAN
Scale: 1:200

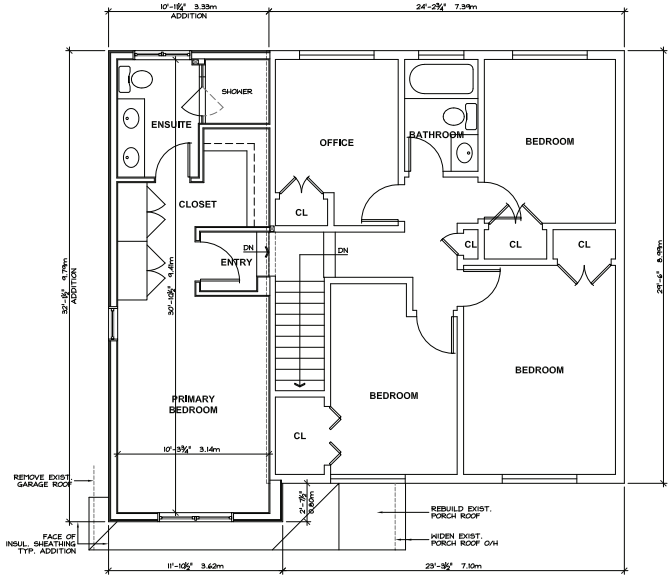
NOTE:
SITE PLAN DIMENSIONS ARE IN METERS.



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



GROUND FLOOR PLAN
Scale: 1/4" = 1'-0"



SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"

No.	Revisions	Date
1.	FLOOR AREA RATIO UPDATED	MARCH 5/26

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

NAME	SIGNATURE	BCIN
TONY PRASSAS		19596
FIRM NAME		BCIN
PRASSAS DESIGN		29887

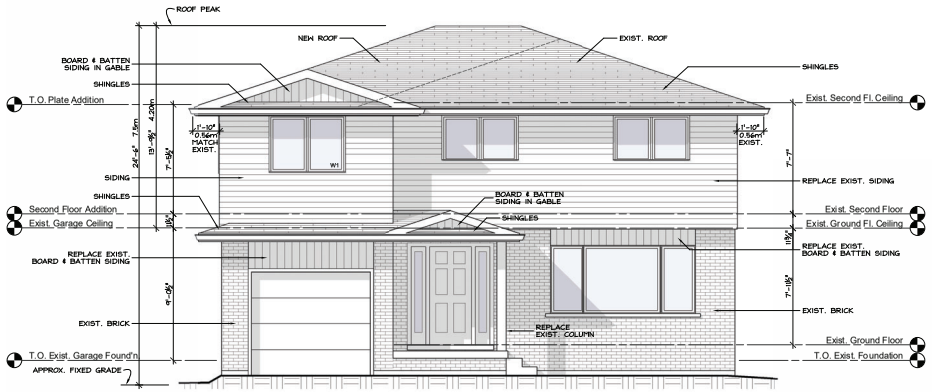
SITE PLAN & FLOOR PLANS

MERK RESIDENCE
676 THORNWOOD AVE, BURLINGTON ON
ADDITION & RENOVATIONS

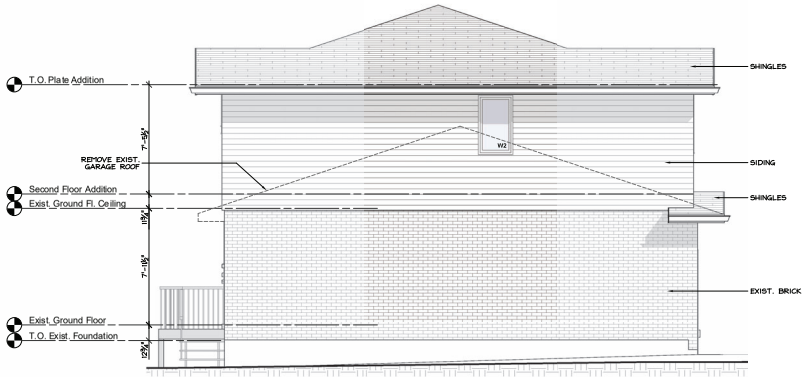
Scale: AS NOTED
Job No.: 2503
Date: NOVEMBER 19, 2025
Drawing No.: 1mv
Rev. No.: 1

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-9402 FAX: 905-318-7949

A1MERCY.DWG 03/05/26 08:45



EAST FRONT ELEVATION
Scale: 1/4" = 1'-0"



SOUTH SIDE ELEVATION
Scale: 1/4" = 1'-0"

WINDOW SCHEDULE

NO.	TYPE	NO. UNITS	FRAME SIZE (WxH)	INSTALL TYPE / COMMENTS
W1	CASEMENT / FIXED	2 WIDE	62" x 48"	NEW
W2	CASEMENT	1 WIDE	26" x 48"	NEW
W3	CASEMENT / FIXED	2 WIDE	48" x 26"	NEW

No.	Revisions	Date

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

NAME	SIGNATURE	BCIN
TONY PRASSAS		19596
PRASSAS DESIGN		29887
FIRM NAME		BCIN

EAST & SOUTH ELEVATIONS

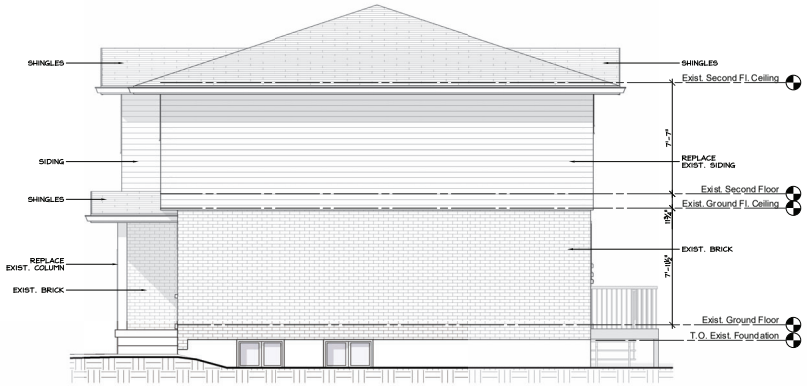
MERK RESIDENCE
676 THORNWOOD AVE, BURLINGTON ON
ADDITION & RENOVATIONS

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-6402 FAX: 905-318-7949

Scale: AS NOTED
Job No.: 2503
Date: NOVEMBER 19, 2025
Drawing No.: 2mv
Rev. No.: 0

ADW.DWG 11/19/25 08:45

WEST REAR ELEVATION
Scale: 1/4" = 1'-0"



NORTH SIDE ELEVATION
Scale: 1/4" = 1'-0"

ADM.DWG 11/19/25 08:45

No.	Revisions	Date

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

TONY PRASSAS — SIGNATURE — 19596 BCIN
NAME

PRASSAS DESIGN — 29887 BCIN
FIRM NAME

WEST & NORTH ELEVATIONS

MERK RESIDENCE
676 THORNWOOD AVE, BURLINGTON ON
ADDITION & RENOVATIONS

Scale: AS NOTED
Job No.: 2503
Date: NOVEMBER 19, 2025
Drawing No.: 3mv
Rev. No.: 0

Prassas Design
57 SHADE FOREST TRAIL HAMILTON, ONTARIO L9B 0E5
PHONE: 905-318-6402 FAX: 905-318-7949