

November 10, 2022

Ivan Rudyk and Shelley Young
835 Spring Gardens Road
Burlington, Ontario L7T 1J6

BY EMAIL ONLY (irudyk@outlook.com)

To Ivan Rudyk & Shelley Young:

Re: **Re-construction and expansion of a single-family residential dwelling, as well as rear balcony, covered front porch, and on-grade patio, within the stable top of bank (erosion hazard) and associated 15-metre regulatory allowance of the valley of Grindstone Creek**
835 Spring Gardens Road
City of Burlington
CH File: A/22/B/115

Please find enclosed **Permit No. 8350** issued in accordance with *Ontario Regulation 162/06*, for the above noted development, which has been issued in conjunction with the "With Prejudice" proposal and letter from Conservation Halton's (CH) legal counsel, letter dated November 3, 2022.

Notwithstanding the departure from the November 3, 2022 proposal, as well as the irregularities on the permit application form, including but not limited to the reference to "without prejudice" communications from counsel, CH has decided to issue a permit based on its review of the technical reports and documents that were submitted as part of the permit application.

The works approved in Permit No. 8350 include: **the re-construction and expansion of a single-family residential dwelling, as well as rear balcony, covered front porch, and on-grade patio, within the stable top of bank (erosion hazard) and associated 15-metre regulatory allowance of the valley of Grindstone Creek.**

Permit No. 8350 (CH File: A/22/B/115) covers the re-construction of the demolished main dwelling and extends beyond and includes what was approved in Permit No. 5927 (CH File: A/18/B/50). Permit No. 5927 did not cover the re-construction and expansion of the single-family residential dwelling, rather it was issued for "a proposed 2-storey addition, rear balcony, covered front porch and an on-grade patio within the valley of Grindstone Creek". A Permit Cancellation Hearing for Permit No. 5927 is scheduled for November 17, 2022. The Notice of Hearing to Cancel Permission (Permit No. 5927) was issued on February 14, 2022.

CH regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The property, 835 Spring Gardens Road, Burlington, is adjacent to a tributary of Grindstone Creek and contains the flooding and erosion hazards associated with that watercourse. The property is also located adjacent to a wetland greater than 2 hectares in size. CH regulates 15 metres from the greater of the flooding or erosion hazard limits, and 120 metres from the limit of the wetland. At this

location, the top of bank erosion hazard is the greatest hazard. Permission is required from CH prior to undertaking any development within the regulated area and must meet CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Document*, last amended November 26, 2020.

Staff has reviewed the following files regarding the above-noted development:

- *Geotechnical Investigation and Slope Stability Analysis* prepared by Toronto Inspection Ltd. (TIL), dated October 26, 2022, received by Conservation Halton November 1, 2022;
- *Drawing 5* from the TIL report, dated October 2022, received by Conservation Halton November 1, 2022, stamped approved November 11, 2022.
- *Major Renovation Additions and Renovations Drawing Set: A02, A03, A04, A05, A06, A07, A08, A09, A10, A11*, prepared by Empire Design Company, last revised September 9, 2018, received November 1, 2022, and stamped approved November 11, 2022.

CH Permits are processed and issued based on the entire contents of a permit application submission, including technical studies, drawings, and the application form. Applicants may seek guidance from CH to confirm that the application form has been completed appropriately and to ensure that the submission meets CH's regulatory requirements.

CH received a *Geotechnical Investigation and Slope Stability Analysis*, prepared by Toronto Inspection Ltd. (TIL), dated October 26, 2022, on November 1, 2022. CH's peer reviewer has confirmed that they are satisfied with the findings of that report subject to the addition of the following note in Section 6.0 Conclusions & Recommendations of the report:

"The helical pile tips must be advanced at least 5 m below the stable slope inclination line regardless of the loading consideration(s) or more as required per structural design."

CH accepts the Long-Term Stable Top of Slope (LTSTS) as shown on Drawing No. 5, from the TIL report, dated October 2022. CH is also satisfied that the above recommendation can be addressed through permit condition a) below.

Provided the recommendations of the aforementioned TIL report are met, as well as the conditions identified on this Permit No. 8350, the development meets Policy 2.37.1 and 2.37.2 of Conservation Halton's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Document*.

Based on the above, this permit is approved with the following conditions:

- a. That CH be provided the helical pile designs, prepared by a geo-structural engineer, based on soil strata, building loads, spacing, etc., as per the recommendation in the TIL report, dated October 26, 2022, and that the designs demonstrate that the helical pile tips will be advanced at least 5m below the stable slope inclination line, regardless of the loading consideration(s) or more, as required per structural design.
- b. That during the construction phase, the installation of the helical piles be reviewed by a qualified geotechnical technician on a full-time basis, as per the recommendation in the TIL report, dated October 26, 2022.
- c. That a geo-structural engineer or similarly qualified professional provides confirmation, within 30 days of installation, that the helical piles have been implemented as designed.

- d. That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes.
- e. That effective sediment and erosion control measures be installed prior to starting work, maintained during construction, and fully removed once all disturbed areas have been stabilized.
- f. That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of CH.
- g. That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to *Ontario Regulation 162/06*.

Please be sure that you read and understand all conditions listed on the enclosed Permit.


Please also note that contravention of a Permit, or the terms and conditions of a Permit, is considered an offence under Section 28(16) of the *Conservation Authorities Act*. It is your responsibility to ensure that any person working under the authority of this Permit is familiar, and complies with, the terms and conditions.

This Permit or a copy thereof as well as all approved drawings must be available at the site. Any changes to the approved design or installation methods must be reviewed and approved by CH staff prior to implementation. This Permit is valid two years from the date it is issued.

Please be advised that should you have any objection to any of the conditions of the permit, you are entitled to request a hearing before the Authority, in accordance with Section 28(12) of the *Conservation Authorities Act*. A written notice of your request for a hearing must be received by staff within 30 days of the date of this letter. Please note that if a hearing has been requested, this permit approval is withdrawn until such time as the hearing results have been finalized and commencement of any site alteration must not occur until the results of the Hearing are determined.

We trust the above is of assistance in this matter. Should you require further information, please contact Cassandra Connolly, Regulations Officer at cconnolly@hrca.on.ca or the undersigned at kmccormack@hrca.on.ca.

Sincerely,



Kellie McCormack
Director, Planning & Regulations

Encl. 2

- Permit No. 8350, including stamped approved drawings
- November 3, 2022 letter and proposal from CH's legal counsel

Cc: Tina Vassalli – City of Burlington (Permit and Drawing)



2596 Britannia Road West
Burlington, ON L7P 0G3
Telephone: 905 336-1158 Fax: 905 336-6684

PERMIT #: 8350

FILE#: A/22/B/115

PERMIT

IN ACCORDANCE WITH SECTION 3 OF REGULATION 162/06, PERMISSION HAS BEEN GRANTED TO:

Owner's Name: Ivan Rudyk and Shelley Young Phone: (905) 630-0430
Mailing Address: 835 Spring Gardens Road, Burlington, Ontario, L7T 1J6
Agent/Contractor: as above Phone:

Property Location: 835 Spring Gardens Road
in the (City, Town, Township) of: Burlington (Region/County) of: Halton

This permit is for the re-construction and expansion of a single-family residential dwelling, as well as rear balcony, covered front porch, and on-grade patio, within the stable top of bank (erosion hazard) and associated 15-metre regulatory allowance of the valley of Grindstone Creek.

This permit is issued on this 10th day of November, 2022 Expires: 10th day of November, 2024

And is subject to the following conditions:

1. That the work to be carried out in accordance with plans submitted on November 1, 2022
and stamped APPROVED by: Cassandra Connolly, Regulations Officer
2. see reverse

Conservation Halton is to be notified of the date of the commencement of construction. This permit (including drawings stamped approved by Conservation Halton) or a copy thereof, must be posted on the site and be available for inspection.

Conservation Halton may, at any time, withdraw any permission given under this regulation if, in the opinion of the Conservation Authority, the conditions of the permit are not complied with.

Authorized representatives of Conservation Halton may, at any time, enter lands and buildings, to make any surveys, examinations, investigations, and inspections to ensure that the works authorized by this Permit are being carried out in accordance with the terms of this Permit.

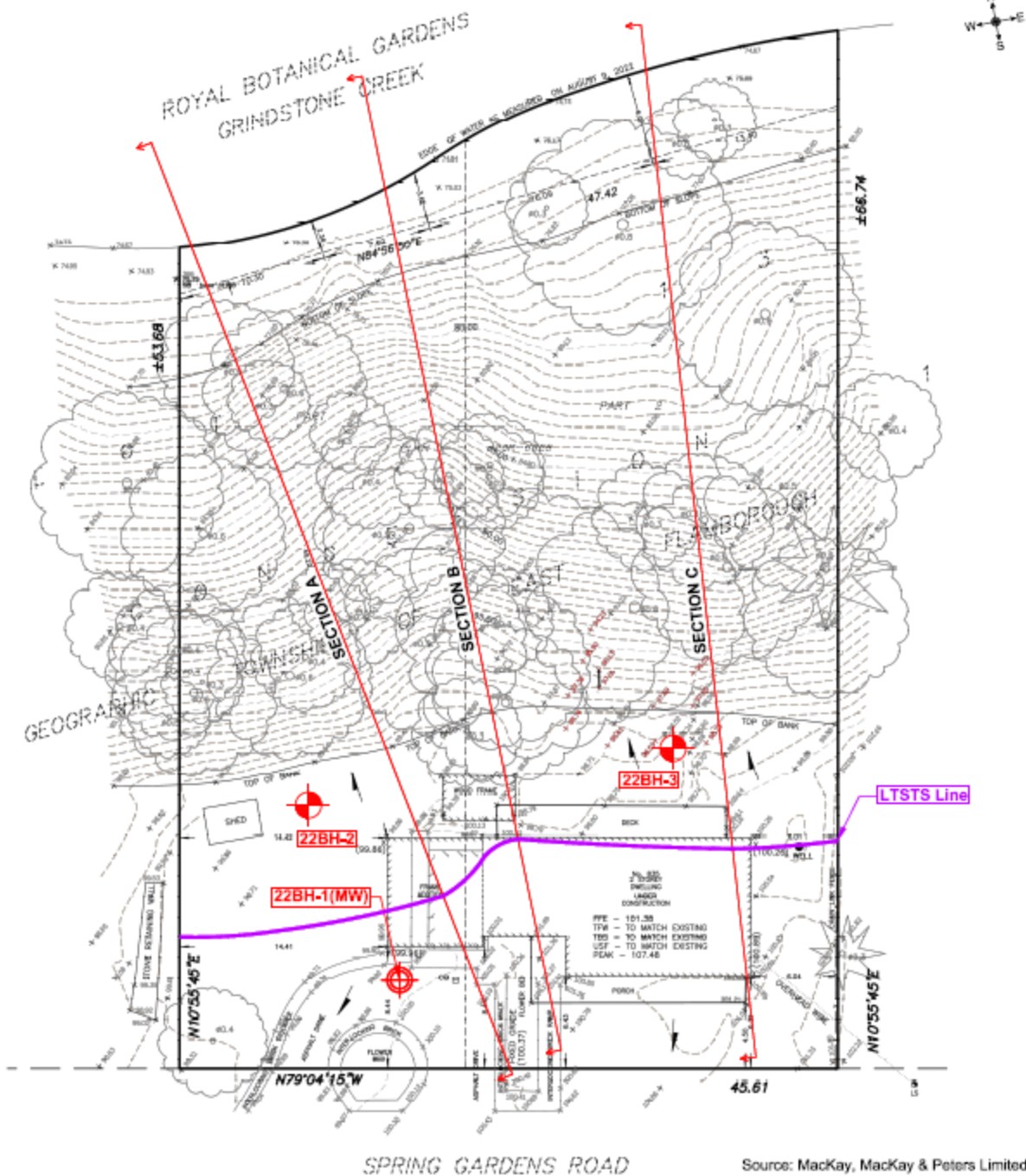
This permit does not preclude any approvals required by any other existing law and regulations.

Authorized by: Kellie McCormack on the 10th day of November 2022
Kellie McCormack, MA, MCIP, RPP, Director, Planning and Regulations

2.

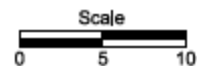
- a. That CH be provided the helical pile designs, prepared by a geo-structural engineer, based on soil strata, building loads, spacing, etc., as per the recommendation in the TIL report, dated October 26, 2022, and that the designs demonstrate that the helical pile tips will be advanced at least 5m below the stable slope inclination line, regardless of the loading consideration(s) or more, as required per structural design;
- b. That during the construction phase, the installation of the helical piles be reviewed by a qualified geotechnical technician on a full-time basis, as per the recommendation in the TIL report, dated October 26, 2022;
- c. That a geo-structural engineer or similarly qualified professional provides confirmation, within 30 days of installation, that the helical piles have been implemented as designed;
- d. That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes;
- e. That effective sediment and erosion control measures be installed prior to starting work, maintained during construction, and fully removed once all disturbed areas have been stabilized;
- f. That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of CH; and
- g. That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to Ontario Regulation 162/06.

NOV 1 2022



LEGEND:

- Borehole and Monitoring Well Location
- Long Term Stable Top of Slope Line
- Cross Section Lines



TorontoInspection
GEO-ENVIRONMENTAL CONSULTANTS
110 Konrad Crescent, Unit 16, Markham, Ontario L3R 9X2
Tel: 905-940 8509 Fax: 905-940 8192
Email: TIL@torontoinspection.com

TITLE: Long Term Stable Top of Slope		
LOCATION: 835 Spring Gardens Road, Burlington, Ontario		
PROJECT NO.: 5121-22-GC	DATE: October 2022	DRAWING NO. 5

HALTON REGION CONSERVATION AUTHORITY

APPROVED BY:

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350

PERMIT No.: 8350

Revision Front Porch & Bay	02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	DD/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.

ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.

REVIEWED UNDER THE 2016 O.B.C.



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

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

On/Section Information
 Required unless design is exempt under Div. C-3.2.5. of the building code.
 Designed under 3.2.4.1.(5)(d)

Peter Vazquez	20119
Name	Signature

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

PROJECT: MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
BASEMENT FLOOR PLAN

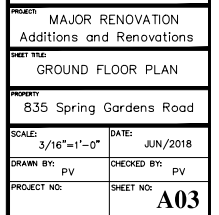
PROPERTY
835 Spring Gardens Road

SCALE: 3/16"=1'-0"	DATE: JUN/2018
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DRAWN BY: PV	CHECKED BY: PV
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PROJECT NO:	SHEET NO: A02
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PERMIT No.: 8350



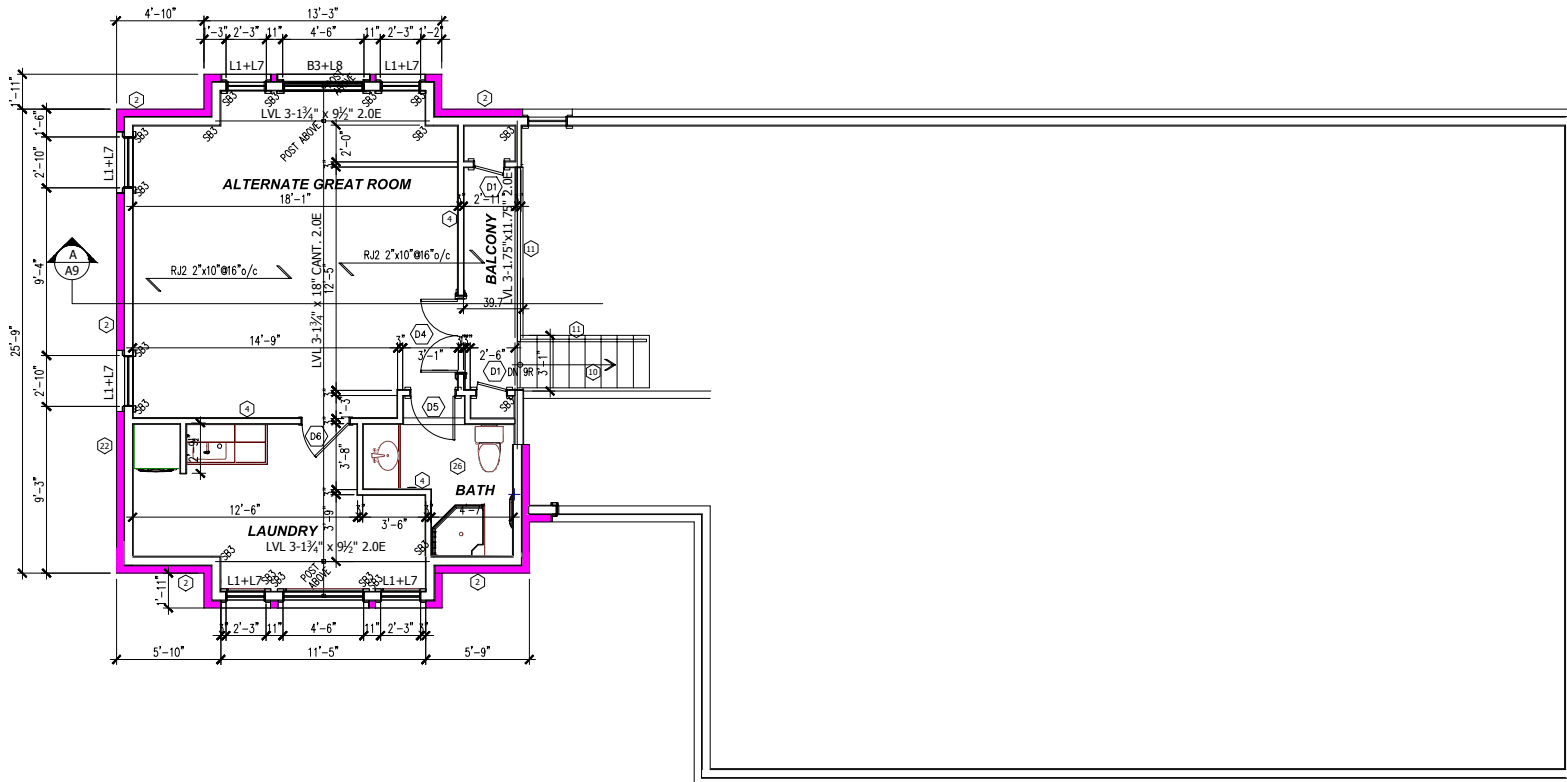
HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: *[Signature]*

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350



Revision	Front Porch & Bay	02	PV	09/09/18
Revision		01	PV	24/07/18
Revision		No.	By	20/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designed and sealed the requirements set out in the Ontario Building Code to be a designer.
Required where design is exempt under O.C. 3.2.2. of the building code.
Designed under 3.2.4.1(2)(b)

Peter Vokkas 2019
Name Signature

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

EMPIRE
DESIGN
COMPANY
PETER VOKKAS
ARCHITECTURAL DESIGNS FOR:
LUXURY RESIDENTIAL & COMMERCIAL SPACE
WWW.EMPIREDESIGNHOMES.COM
416-500-8889 VOKKAS@HOTMAIL.COM

PROJECT
MAJOR RENOVATION
Additions and Renovations

SHEET TITLE
SECOND FLOOR PLAN

PROPERTY
835 Spring Gardens Road

SCALE: 3/16"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A04**

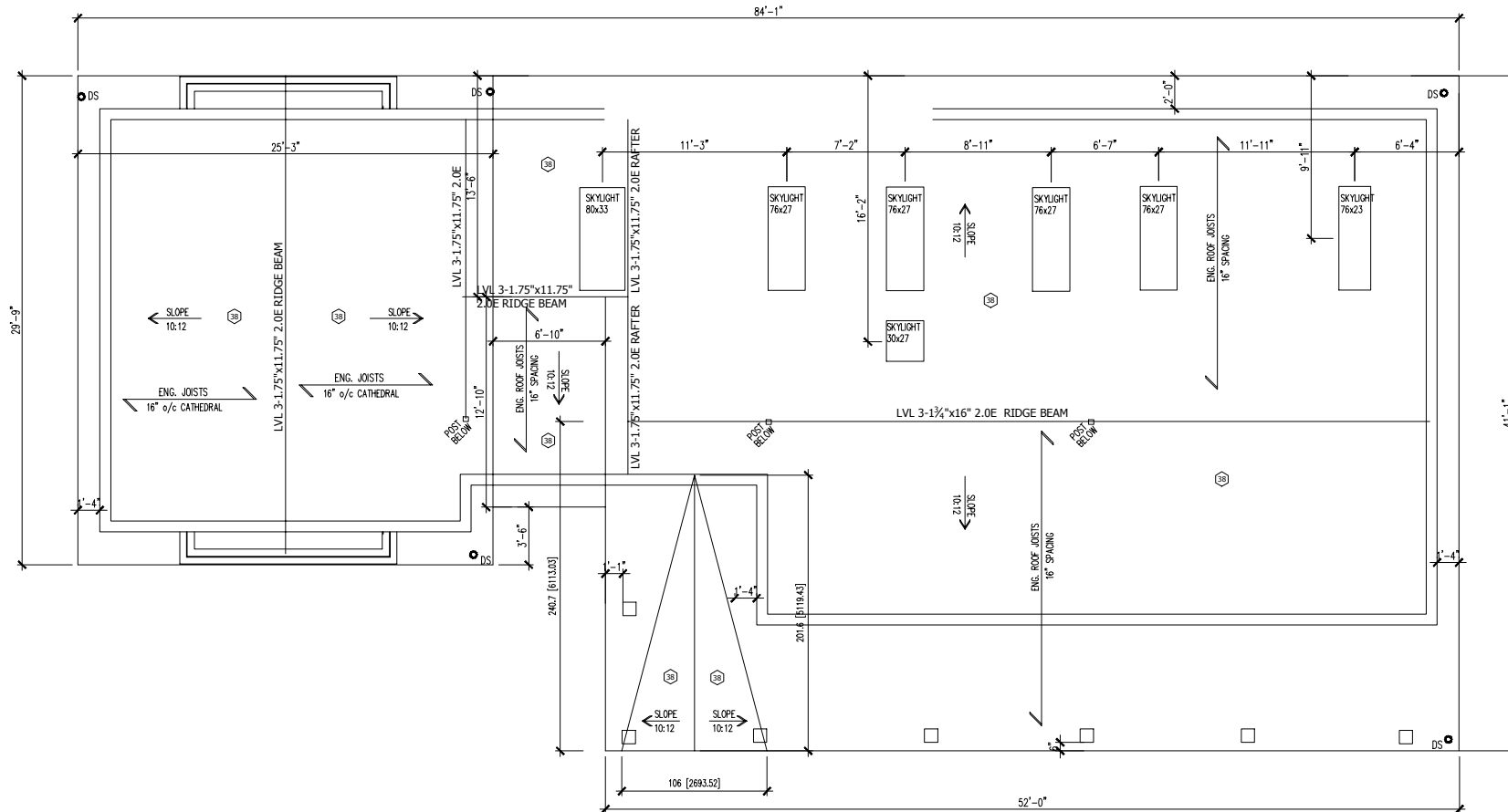
HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: *[Signature]*

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350



Revision	Front Porch & Bay 02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	05/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designed and made the requirements set out in the Ontario Building Code to be a designer.
Required when design is exempt under O.C. 3.2.2. of the building code.
Signed under 3.2.4.1(2)(b)

Peter Vorkas 28619
Name Signature BCN

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

EMPIRE
DESIGN
COMPANY
PETER VORKAS
ARCHITECTURAL DESIGN FOR:
LUXURY RESIDENTIAL & COMMERCIAL SPACE
WWW.EMPIREDESIGNHOMES.COM
416-500-8889 VORKAS@GMAIL.COM

PROJECT:
MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
ROOF PLAN

PROPERTY:
835 Spring Gardens Road

SCALE: 1/4"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A05**

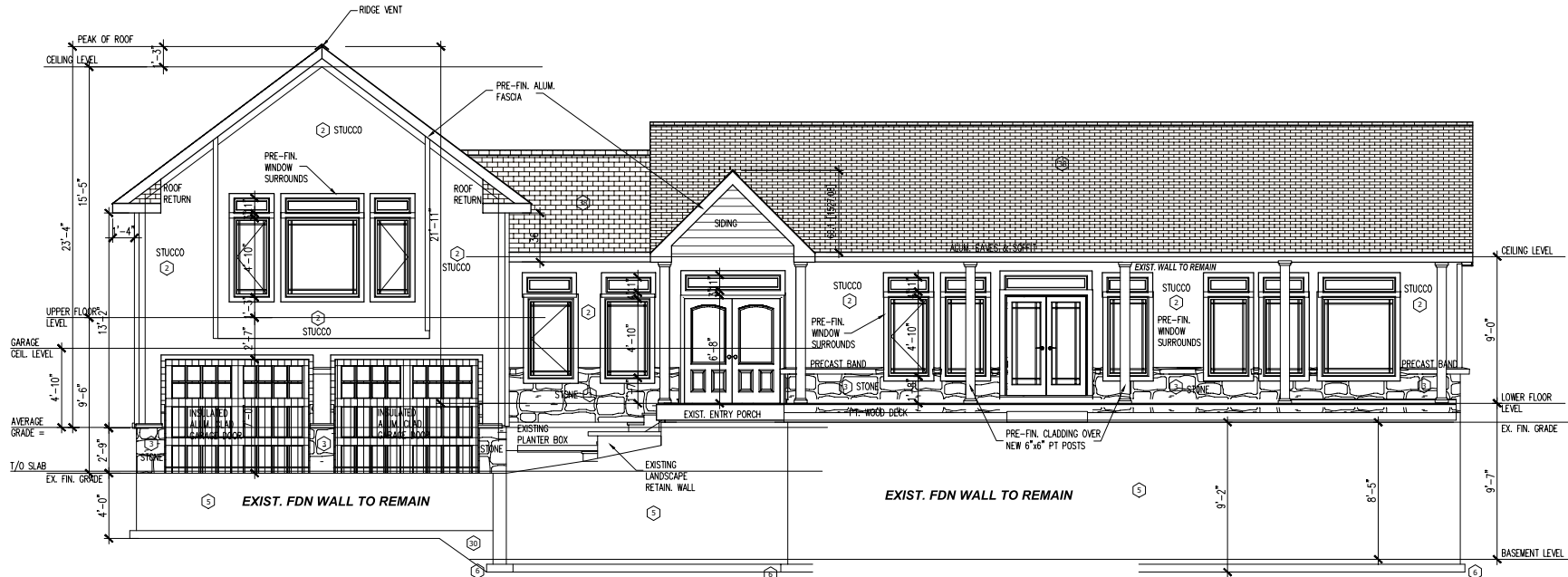
HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: *[Signature]*

DATE: 2022-11-10

Subject to the conditions provided on

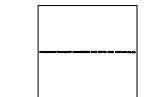
PERMIT No.: 8350



Revision	Front Porch & Bay 02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	20/04/21

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and takes responsibility for this design, and has the qualifications as either designed and made the requirements set out in the Ontario Building Code to be a designer.
Required unless design is exempt under Div. C-3.3.2. of the building code. Exempt under 3.2.4.1.(3)(a)

Peter Vokkas 23019
Name Signature MSN

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

EMPIRE
DESIGN
COMPANY
PETER VOKKAS
ARCHITECTURAL DESIGN FOR:
LUXURY RESIDENTIAL & COMMERCIAL SPACE
WWW.EMPIREDESIGNHOMES.COM
416-500-8889 VOKKAS@HOTMAIL.COM

PROJECT: MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
FRONT ELEVATION

PROPERTY:
835 Spring Gardens Road

SCALE: 3/16"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A06**

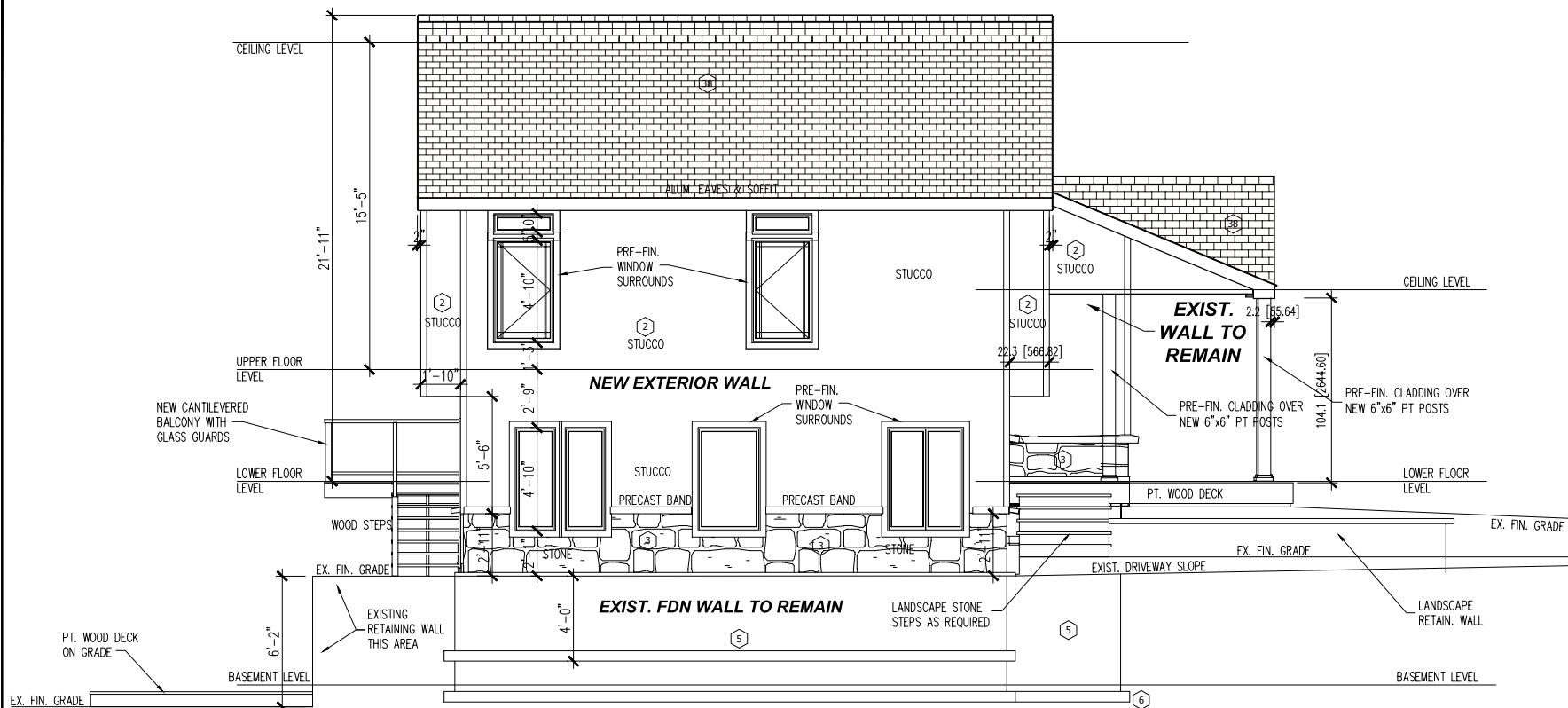
HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: _____

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350



Revision	Front Porch & Bay 02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	05/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designer and meets the requirements set out in the Ontario Building Code to be a designer.
Required when design is exempt under O.C. 3.3.2.2. of the building code. Exempt under 3.3.4.1(2)(a)

Peter Vodka 2019
Name Signature YES

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario



PROJECT: MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
LEFT ELEVATION

PROPERTY:
835 Spring Gardens Road

SCALE: 1/4"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A07**

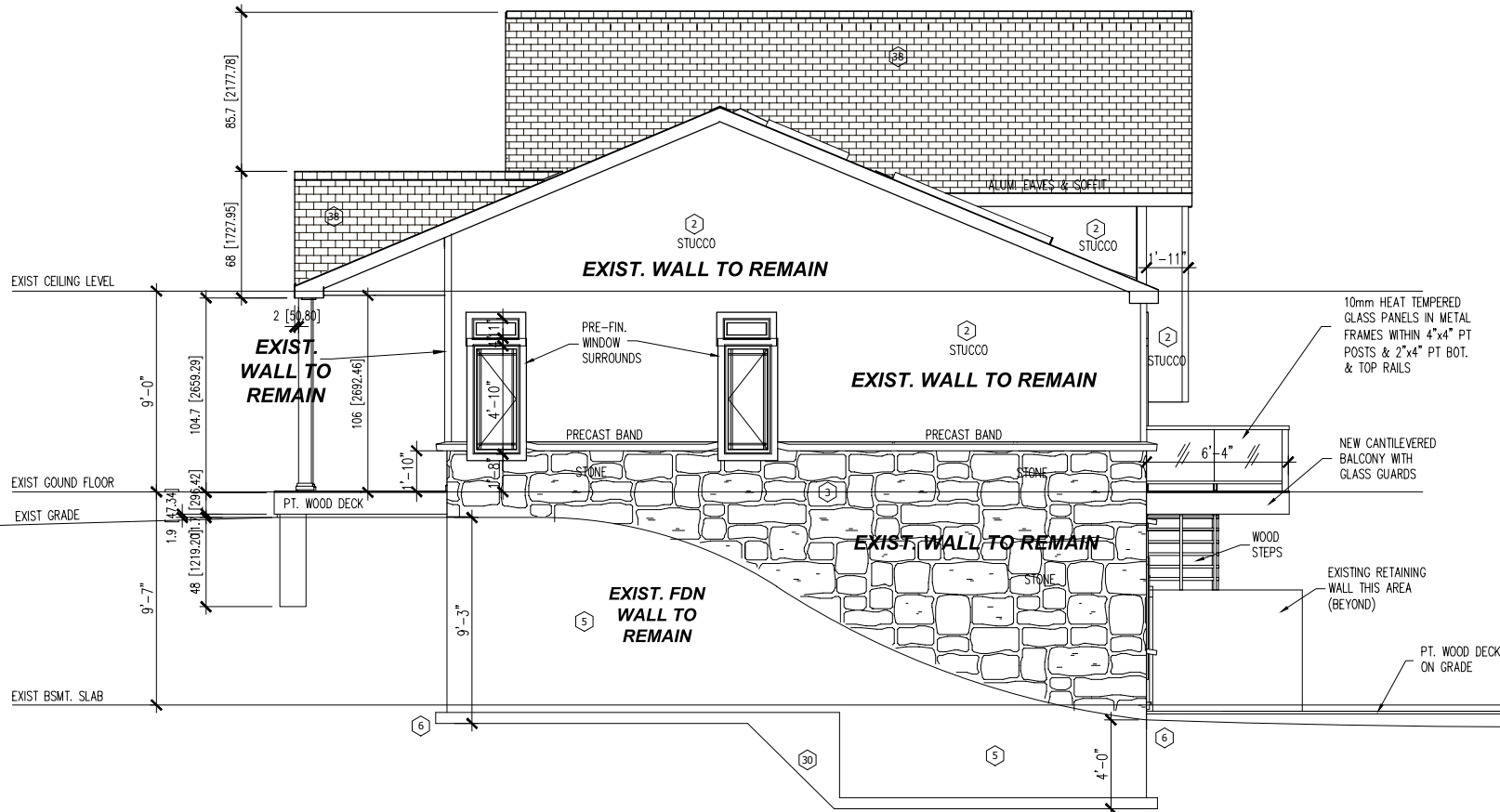
HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: _____

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350



Revision	Front Porch & Bay 02	PV	09/06/18
Revision	01	PV	24/07/18
Revision	No.	By	ED/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designed and made the requirements set out in the Ontario Building Code to be a designer.
Required when design is exempt under O.C. 3.3.2.2. of the building code, designed under 3.3.1.1.0.0.0.0.

Peter Vorkas 2018
Name Signature

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

EMPIRE
DESIGN
COMPANY
PETER VORKAS
ARCHITECTURAL DESIGN FOR:
LUXURY RESIDENTIAL & COMMERCIAL SPACE
WWW.EMPIREDESIGNHOMES.COM
416-500-8989 VORKAS@GMAIL.COM

PROJECT:
MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
RIGHT ELEVATION

PROPERTY:
835 Spring Gardens Road

SCALE: 1/4"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A08**


HALTON REGION CONSERVATION AUTHORITY

 APPROVED BY: *[Signature]*

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350



Revision	Front Porch & Bay 02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	05/MM/YY

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designed and made the requirements set out in the Ontario Building Code to be a designer.
Required when design is exempt under O.C. 3.3.2.2. of the building code, designed under 3.3.1.1(1)(b)

Peter Vorkas 23819
Name Signature MSN

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario



PROJECT: MAJOR RENOVATION
Additions and Renovations

SHEET TITLE:
REAR ELEVATION

PROPERTY:
835 Spring Gardens Road

SCALE: 3/16"=1'-0" DATE: JUN/2018

DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A09**

HALTON REGION CONSERVATION AUTHORITY

APPROVED BY: *[Signature]*

DATE: 2022-11-10

Subject to the conditions provided on

PERMIT No.: 8350

RECEIVED
CONSERVATION
HALTON
NOV 1 2022

Revision	Front Porch & Bay 02	PV	09/09/18
Revision	01	PV	24/07/18
Revision	No.	By	20/04/22

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY.
REVIEWED UNDER THE 2016 O.B.C.

STRUCTURAL REVIEW ONLY



60 North Ridge Crescent
Georgetown Ontario
905-867-9777

The undersigned has reviewed and taken responsibility for this design, and has the qualifications as either designer and meets the requirements set out in the Ontario Building Code to be a designer.
Required when design is exempt under O.C. 3.2.2. of the building code. Exempt under 3.2.4.1.(2)(a)

Peter Vokkas 2019
Name Signature YES

OWNER:
Rudyk/Long Residence
835 Spring Gdns. Road
Burlington Ontario

EMPIRE
DESIGN
COMPANY
PETER VOKKAS
ARCHITECTURAL DESIGNS FOR:
LUXURY RESIDENTIAL & COMMERCIAL SPACE
WWW.EMPIREDESIGNHOMES.COM
416-500-8889 VOKKAS@HOTMAIL.COM

PROJECT:
MAJOR RENOVATION
Additions and Renovations

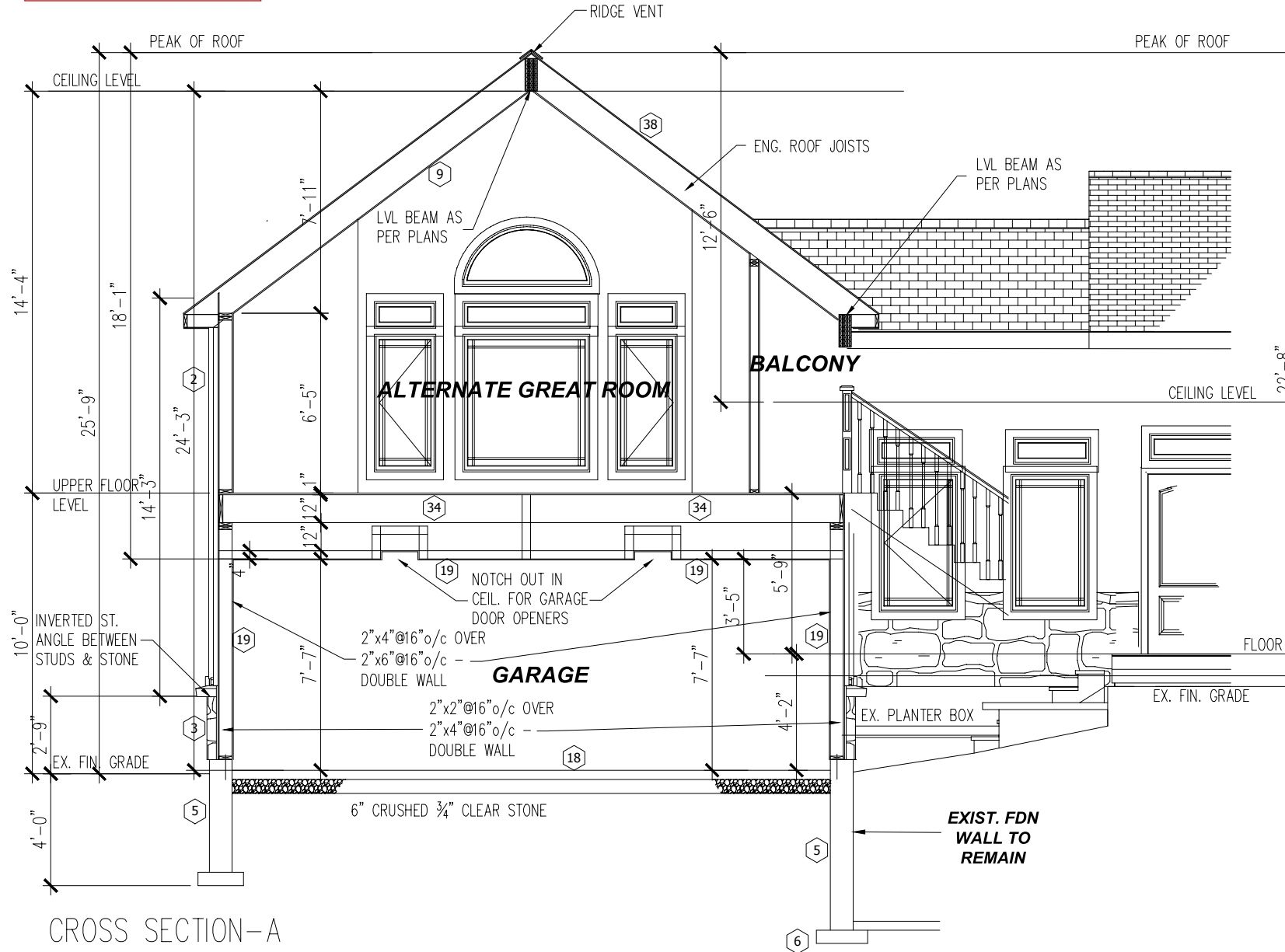
SHEET TITLE:
CROSS SECTION-A

PROPERTY:
835 Spring Gardens Road

SCALE: 1/4"=1'-0" DATE: JUN/2018

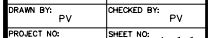
DRAWN BY: PV CHECKED BY: PV

PROJECT NO: SHEET NO: **A10**



CROSS SECTION-A

PERMIT No.: 8350





Kenneth E. Jull
Direct Line: 416.865.2964
kjull@grllp.com
File No.: 113702

November 3, 2022

WITH PREJUDICE

VIA EMAIL arkadi@bouchelevlaw.com

Arkadi Bouchelev
Bouchelev Law Professional Corporation
401 Bay Street, Suite 2112
Toronto ON M5H 2Y4

Dear Mr. Bouchelev,

Re: Notice of Intent to Cancel Permit #5927

As of yesterday, Mr. Singh has now had an opportunity to review the final and stamped report of Toronto Inspection Limited. Accordingly, Conservation Halton is making the attached proposal. Although the proposal may look as if it has multiple steps, it is in essence quite simple and it flows from the position taken by Shelley Young in paragraph 68 of her November 1 2022 affidavit. Provided that the conditions are met, Conservation Halton will issue a permit within 2 business days as set out in the proposal.

In the interest of all parties, we request that you provide the items referred to in the proposal by 4:00 p.m. on Friday November 4, 2022. After that date and time, we will commence to prepare for the November 10 hearing.

I would observe that should your clients accept the proposal and Conservation Halton issues a permit, your clients will be able to reapply for a building permit from the City of Burlington.

With respect to your e-mail of November 1st, your statement that Mr. Singh had already reviewed and approved the final version of the geotechnical report is not correct. As I stated in our call, he had reviewed an earlier draft that was unsigned and unstamped by the applicant's engineer.

With respect to the reference to the building and grading plans and the date of November 2018, these were not submitted in the context of a permit application but rather related to a City of Burlington Committee of Adjustment application to which Conservation Halton was copied. Sincerely,

GARDINER ROBERTS LLP

Kenneth E. Jull

cc. Eli Bordman

Billy Singh (Terraprobe), CH's peer reviewer, has confirmed that he is satisfied with the findings of the Toronto Inspection Limited (TIL) report, dated October 26, 2022, subject to the addition of the following note in Section 6.0 Conclusions & Recommendations of the report:

The helical pile tips must be advanced at least 5 m below the stable slope inclination line regardless of the loading consideration(s) or more as required per structural design.

CH is satisfied that the above recommendation can be easily addressed, as proposed in item 2 a) below).

As per paragraph 68 of S. Young's affidavit, sworn on November 1, 2022 (68. Ivan and I accept Toronto Inspection's recommendations with respect to the installation of helical piles to support the northern perimeter wall and agree to install them in the event the said recommendation is made a condition of the Conservation Permit.) we make the following proposal.

1. Applicants will:

- i. Submit a complete and signed Permit Application form for:

Re-construction and expansion of a single-family residential dwelling, as well as rear balcony, covered front porch, and on-grade patio, within the stable top of bank (erosion hazard) and associated 15 metre regulatory allowance of the valley of Grindstone Creek

- ii. Confirm that Drawing 5 from Toronto Inspection Limited (TIL) report in Tab 3, submitted on November 1, 2022, can be used as the Site Plan for the CH permit application
- iii. Confirm that design drawings in Tab 4 submitted on November 1, 2022 are part of the permit submission
- iv. Confirm that they agree to implement all recommendations of the TIL report
- v. Request an adjournment of the November 10, 2022 Hearing, to the CH Board Chair and/or Board Secretary, for the cancellation of Permit #5927 for a 2 storey addition, rear balcony, covered front porch, and on-grade patio within the erosion hazard associated with Grindstone Creek at 835 Spring Gardens Road, City of Burlington, CH File No.: A/18/B/50

2. Provided the above conditions are met, CH will issue a permit within 2 business days. The permit would be for:

Re-construction and expansion of a single-family residential dwelling, as well as rear balcony, covered front porch, and on-grade patio, within the stable top of

bank (erosion hazard) and associated 15 metre regulatory allowance of the valley of Grindstone Creek

The conditions of the permit will be:

- a) That CH be provided the helical pile designs, prepared by a geotechnical engineer, based on soil strata, building loads, spacing, etc., as per the recommendation in the TIL report, dated October 26, 2022, and that the designs demonstrate that the helical pile tips will be advanced at least 5 metres below the stable slope inclination line, regardless of the loading consideration(s) or more, as required per structural design.
- b) That during the construction phase, the installation of the helical piles , be reviewed by a qualified geotechnical technician on a full-time basis, as per the recommendation in the TIL report, dated October 26, 2022
- c) That a geotechnical engineer or similarly qualified professional provides confirmation, within 30 days of installation, that the helical piles have been implemented as designed.
- d) That CH be contacted immediately should any changes to the scope of works or details as identified on the stamped approved drawings be proposed. Note: Further review or additional information may be required to support changes.
- e) That sediment and erosion control measures be installed prior to starting work, maintained during construction, and fully removed once all disturbed areas have been stabilized.
- f) That disturbed areas be stabilized immediately following the completion of construction to the satisfaction of CH.
- g) That excess fill (soil or otherwise) generated from the proposed works shall not be stockpiled or disposed of within any area regulated by CH, pursuant to *Ontario Regulation 162/06*.

NOTE: CH's permits are valid for 2 years from date of issuance.

In the interest of all parties, including the Board, we respectfully request that you provide the items in #1 i-v by no later than 4:00pm on Friday November 4, 2022. A permit application form is attached.