



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 17-12

Council Chambers, Aurora Town Hall
Thursday, December 7, 2017

Attendance

Committee Members Grace Marsh (Chair), Hank Gosar, Roy Harrington, and David Mhango

Regrets Tom Plamondon (Vice-Chair)

Other Attendees Justin Leung, Secretary-Treasurer, Marty Rokos, Planner, and Ishita Soneji, Council/Committee Secretary

The Chair called the meeting to order at 7:05 p.m.

1. Approval of the Agenda

Moved by Hank Gosar

Seconded by David Mhango

That the agenda as circulated by the Secretary-Treasurer be approved, with the exception that Items 4 and 8 will be considered prior to consideration of Item 1.

Carried as amended

2. Declarations of Pecuniary Interest and General Nature Thereof

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

3. Adoption of the Minutes

**Committee of Adjustment Meeting Minutes of November 9, 2017
Meeting Number 17-11**

Motion to defer

Moved by Hank Gosar

Seconded by Roy Harrington

That the adoption of the Committee of Adjustment meeting minutes from Meeting Number 17-11 be deferred to the next meeting.

**Motion to defer
Carried**

4. Presentations of Applications

**1. Minor Variance Applications: MV-2017-38A-C – Shen-Yang
54 Elderberry Trail**

The Applicant has submitted three applications to facilitate the construction of a two-storey detached dwelling and an accessory structure:

- MV-2017-38A is an application to allow an increase in the impervious area for construction. Section 34.4.1(ii) of the Zoning By-law states that the net developable area of site that has impervious surfaces shall not exceed 15% of total site area. The Applicant is proposing an impervious area of 16.5%; thus requiring a variance of 1.5%.
- MV-2017-38B is an application to allow an increase in disturbed area for construction. Section 34.4.1(i) of the Zoning By-law states net developable area of site that is disturbed shall not exceed 25% of total site area. The applicant is proposing a disturbed area of 31.3%; thus requiring a variance of 6.3%.
- MV-2017-38C is an application to allow an increase in the building height of an accessory structure. Section 6.2.3 of the Zoning By-law requires the maximum building height of the accessory structure to be 3.5 metres. The Applicant is proposing to construct an accessory structure (cabana) with a building height of 5.4 metres; thus requiring a variance of 1.9 metres.

The Chair read through the purpose of the applications. In attendance was the Agent of the Applicant, Mr. Stephen Chih. The Agent gave an overview of the applications and the proposed development, and was in agreement with the recommended conditions.

Mr. William Riddlemeyer of 4 Houdini Way expressed concerns regarding the proposed net developable area and the height of the cabana with respect to the surrounding area, and staff provided clarification.

Moved by Hank Gosar
Seconded by Roy Harrington

1. That Minor Variance Applications MV-2017-38A-C be APPROVED, subject to the conditions contained in the report.

Carried

**2. Minor Variance Application: MV-2017-39 – Menzies
12 Trillium Drive**

The Applicant has submitted an application to allow a reduction in the interior setback to construct a habitable room above the existing attached garage. Section 7.2 of the Zoning By-law requires a minimum interior side yard setback of 1.5 metres for buildings greater than one storey. The Applicant is proposing an easterly interior side yard setback of 1.3 metres; thus requiring a variance of 0.2 metres.

The Chair read through the purpose of the application. In attendance was the Applicant, Ms. Lillian Menzies.

The Committee inquired about the means of access to the habitable room, and the Applicant provided a response.

Moved by David Mhango
Seconded by Roy Harrington

1. That Minor Variance Application MV-2017-39 be APPROVED.

Carried

**3. Minor Variance Application: MV-2017-40 – 1534861 Ontario Inc.
240 Industrial Parkway South, Unit 7**

The Applicant has submitted an application to allow a fitness centre in part of a building that has uses such as industrial and warehouse. Section 10.1 of the Zoning By-law allows fitness centres provided that no part of a building in which such uses are located are used for any commercial self-storage facility, warehouse, industrial use, motor vehicle body shop or motor vehicle repair garage. The Applicant is proposing a fitness centre in part of a building that contains industrial and warehouse uses; thus requiring a Variance from this provision of the By-law.

The Chair read through the purpose of the application. In attendance was, the Applicant, Ms. Georgette Dunn, the owner of the proposed fitness centre. The Applicant gave an overview of the application and provided background information regarding the fitness centre, and was in agreement with the recommended restriction.

The Committee inquired about the available parking spaces and expressed safety concerns regarding large vehicular traffic around the building, and the Applicant provided clarification.

**Moved by David Mhango
Seconded by Roy Harrington**

1. That Minor Variance Application MV-2017-40 be APPROVED, subject to the restriction contained in the report.

Carried

**4. Minor Variance Applications: MV-2017-41A-C – Hadcock
14014 Bayview Avenue**

The Applicant has submitted three applications to facilitate the construction of a detached garage.

The Applicant, Mr. Dan Hadcock, noted that the Natural Heritage Evaluation (NHE) is pending.

Motion to defer

Moved by Roy Harrington

Seconded by David Mhango

1. That Minor Variance Application MV-2017-41A-C be DEFERRED to a future meeting.

Motion to defer

Carried

**5. Minor Variance Applications: MV-2017-42A-B – Hollidge Properties Inc.
108 Hollidge Boulevard**

The Applicant has submitted two applications:

- MV-2017-42A is an application to allow a daycare centre as a permitted use. Section 24.187.1 of the Zoning By-law does not include 'daycare centre' as a permitted use. The Applicant is proposing 'daycare centre' as a permitted use for the subject property unit; thus requiring a variance from this provision of the By-law.
- MV-2017-42B is an application to allow a reduction in minimum landscape strip width. Section 24.187.6 of the Zoning By-law requires a minimum width of 3.0 metres for landscaping strips abutting property lines. The Applicant is proposing a minimum 1.0 metre landscaping strip; thus requiring a variance of 2.0 metres.

The Chair read through the purpose of the applications. In attendance were Ms. Natalie Lam and Ms. Lauren Capilongo, the planning consultants and Agent. The Agent presented an overview of the applications, including details about the proposed daycare centre and outdoor play area, variances, and was in agreement with the recommended conditions.

Mr. Adrian Sarmasag of 67 Valemount Way expressed concerns regarding adequate parking spaces, and staff and the Chair provided clarification.

The Committee expressed concerns regarding the proximity of the daycare centre to the hydro corridor, and staff provided clarification and noted that Electra Utilities was consulted. The Committee further inquired about the fencing around the outdoor play area, and the applicant provided a response.

Moved by David Mhango
Seconded by Roy Harrington

1. That Minor Variance Application MV-2017-42A-B be APPROVED, subject to the conditions contained in the report.

Carried

**6. Minor Variance Application: MV-2017-43 – LAC Management Inc.
218 Earl Stewart Drive, Units 3 and 4**

The Applicant has submitted an application to allow a fitness centre as a permitted use in part of a building that contains uses such as industrial and warehouse. Section 24.278.1.2 of the Zoning By-law allows a fitness centre provided that no part of the building in which the use is located is used for any commercial storage facility, warehouse, industrial use, motor vehicle body shop, or motor vehicle repair garage. The Applicant is proposing a fitness centre (dance school) that contains uses such as industrial and warehouse; thus requiring a variance from this provision of the By-law.

The Chair read through the purpose of the application. The Chair noted that a letter of concern was submitted; however the letter was withdrawn.

In attendance was the Applicant, Ms. Rebecca Acelia, and was in agreement with the recommended conditions.

Moved by Roy Harrington
Seconded by Hank Gosar

1. That Minor Variance Application MV-2017-43 be APPROVED, subject to conditions contained in the report and that the variance applies to units 3 and 4 only.

Carried

**7. Minor Variance Applications: MV-2017-44A-D – Markangel Real Estate
Assets Inc.
55 Eric T Smith Way**

The Applicant has submitted four applications to facilitate the construction of a four-building office complex:

- MV-2017-44A is an application to allow an increase in the maximum building height. Section 27.D.8.2.4 of the Zoning By-law requires the maximum building height to be four storeys. The Applicant is proposing building B to have a maximum height of five storeys; thus requiring a variance of one storey.
- MV-2017-44B is an application to allow a reduction in distance between two buildings on the same property. Section 27.D.8.2.4 of the Zoning By-law requires the distance between two buildings on the same lot to be a (minimum) of 0.25 times the sum of the building height or 12 metres, whichever is greater. The Applicant is proposing 5.7 metres distance between the two buildings (buildings B and C); thus requiring a variance of 6.3 metres.
- MV-2017-44C is an application to allow a medical office/clinic as a permitted use. Section 27.D.8.1 of the Zoning By-law does not include medical office/clinic as a permitted use. The Applicant is proposing to include medical office/clinic as a permitted use (building B); thus requiring a variance from this provision of the By-law.
- MV-2017-44D is an application to allow an increase in the maximum floor area ratio. Section 27.D.8.3 of the Zoning By-law requires the maximum floor area ratio for office use to be 50%. The Applicant is proposing a floor area ratio of 54%; thus requiring a variance of 4%.

The Chair read through the purpose of the applications and noted that the application is subject to Site Plan application.

In attendance was Mr. David Heckbar, the architect and Agent of the Applicant, who was in agreement of the recommended conditions.

The Committee inquired about the allotment of adequate parking space to each specific building and the design of the buildings, and the Agent provided clarifications.

**Moved by Hank Gosar
Seconded by David Mhango**

1. That Minor Variance Application MV-2017-44A-D be APPROVED.

Carried

**8. Minor Variance Applications: MV-2015-31A-C – Ofield
17 Steeplechase Avenue**

The applicant has submitted three applications to construct a single detached dwelling. The Chair noted that the Applicant is requesting an extension to fulfill the recommended conditions.

**Moved by Hank Gosar
Seconded by David Mhango**

1. That Minor Variance Application MV-2015-31A-C be given a one-year extension to December 7, 2018, to fulfill the conditions.

Carried

5. New Business


The Chair requested that the minutes be circulated earlier.

6. Adjournment

Moved by David Mhango

That the meeting be adjourned at 8:20 p.m.

Confirmed in open session this 11th day of January, 2018.



Grace Marsh, Committee Chair



Justin Leung, Secretary-Treasurer