



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 18-01

Council Chambers, Aurora Town Hall
Thursday, January 11, 2018

Attendance

Committee Members Grace Marsh (Chair), Tom Plamondon (Vice-Chair), Hank Gosar (arrived 7:23 p.m.), David Mhango, and Roy Harrington

Regrets None

Other Attendees Justin Leung, Secretary-Treasurer, Marty Rokos, Planner, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 7:02 p.m.

1. Approval of the Agenda

Moved by Tom Plamondon
Seconded by Roy Harrington

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

Carried

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**

**Moved by Roy Harrington
Seconded by Tom Plamondon**

That the Committee of Adjustment meeting minutes from Meeting Number 17-11 be adopted as amended.

Carried

**Committee of Adjustment Meeting Minutes of December 7, 2017
Meeting Number 17-12**

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

That the Committee of Adjustment meeting minutes from Meeting Number 17-12 be adopted as printed and circulated.

Carried

4. Presentation of Applications

**1. Minor Variance Applications: MV-2017-45A-D – Mogadasian
1940 Vandorf Sideroad**

The Committee consented to consider Item 1 following consideration of Item 4 under Approval of the Agenda.

The Applicant has submitted four applications:

- MV-2017-45A is an application to allow the construction of a detached dwelling within Oak Ridges Moraine-zoned lands. Section 14.4.3(i) of the Zoning By-law states that no development or site alteration shall occur on Category 1 and Category 2 lands without an amendment or relief of the Zoning By-law. The Applicant is proposing to construct a detached dwelling within a Category 2 Landform Conservation Area; thus requiring a Variance from this provision of the By-law;

- MV-2017-45B is an application to allow the construction of a detached dwelling within Oak Ridges Moraine-zoned lands. Section 17.1 of the Zoning By-law does not include detached dwelling as a permitted use. The Applicant is proposing to construct a detached dwelling; thus requiring a Variance to allow as a permitted use;
- MV-2017-45C is an application to allow the construction of a detached dwelling within Oak Ridges Moraine-zoned lands. Section 17.1.3 of the Zoning By-law states that new single residential dwellings and related accessory uses on existing lots will only be permitted through a Minor Variance or Zoning By-law Amendment. The Applicant is proposing to construct a detached dwelling on the existing lot; thus requiring a Variance to permit construction;
- MV-2017-45D is an application to allow an increase in building height. Section 17.1.1 of the Zoning By-law allows a maximum building height of 10.0 metres. The Applicant is proposing to construct a detached dwelling with a height of 13.9 metres; thus requiring a Variance of 3.9 metres.

The Chair read through the purpose of the applications. In attendance was the Agent, Mr. Brian Whitehead, Engineer, on behalf of the Applicant.

Mr. Whitehead provided background information and noted the Applicant's intent to site the new dwelling in the least sensitive area of the property and retain as many trees as possible. He indicated that there were no objections to the conditions outlined in the report.

The Committee inquired about the report's Supplementary Information regarding the Ministry of Transportation request that an MTO Building and Land Use permit be obtained prior to commencement of any on-site construction/works, and staff provided clarification.

The Committee further inquired about tree replanting, infiltration and run-off, and the Agent provided a response.

Moved by Tom Plamondon
Seconded by David Mhango

1. That Minor Variance Application MV-2017-45A-D be APPROVED, subject to the conditions contained in the report and an additional, fifth condition:
 - “5. That the owner be required to obtain a Ministry of Transportation (MTO) Building and Land Use permit prior to the issuance of a Building Permit from the Town of Aurora.”

Carried

**2. Minor Variance Applications: MV-2017-46A-B – Azzaro
36 Mendy’s Forest**

The Applicant has submitted two applications:

- MV-2017-46A is an application to allow a reduction in the rear yard setback to construct a one-storey addition (sunroom). Section 7.2 of the Zoning By-law requires a minimum rear yard setback of 7.5 metres. The Applicant is proposing to construct a one-storey addition which has a rear yard setback of 6.9 metres; thus requiring a Variance of 0.6 metres;
- MV-2017-46B is an application to allow an increase in the eaves projection to construct a one-storey addition (sunroom). Section 4.20 of the Zoning By-law allows a maximum projection of 0.70 metres into any required yard. The Applicant is proposing an eaves encroachment of 0.78 metres into the rear yard; thus requiring a Variance of 0.08 metres.

The Chair read through the purpose of the applications. In attendance was the Agent, Ms. Alexandra Hodis of Four Seasons Sunrooms, on behalf of the Applicant.

Ms. Hodis reviewed the application and indicated that there were no objections to the conditions outlined in the report.

The Committee inquired about the eaves projection encroachment and sunroom, and staff and the Agent provided clarification.

**Moved by Hank Gosar
Seconded by Roy Harrington**

1. That Minor Variance Application MV-2017-46A-B be APPROVED, subject to the conditions contained in the report.

Carried

**3. Consent Application: C-2017-10 – 2567086 Ontario Inc.
100 Tyler Street and 34-46 George Street**

The Applicant has submitted an application to sever the subject lands to create an additional lot with frontage onto Tyler Street.

The Chair read through the purpose of the application and noted that a letter had been received today from Ms. Cindy Skillins, which was distributed to the Committee. In attendance was the Agent, Ms. Angela Sciberras of Macaulay Shiomi Howson Ltd., Planning Consultant on behalf of the Applicant.

Ms. Sciberras provided background information and an overview of the application, noting that the Applicant intends to demolish and replace the existing single-storey bungalow with a two-storey single detached dwelling, which would be in full compliance with the Zoning By-law standards. She indicated that there were no objections to the conditions outlined in the report.

Mr. Emil Simon, owner of 9 Harriman Road, expressed concern regarding a large tree overhanging his property from the subject lands and requested its removal. The Agent indicated that she would communicate with Mr. Simon toward resolving this matter. Mr. Simon inquired about the common ownership of the subject lands, which was confirmed by the Chair and staff.

Mr. Chris Cameron, owner of 13 Harriman Road, expressed concern regarding a tree that had fallen from the subject lands into his backyard, which had not yet been removed. The Chair noted that this matter would be resolved through one of the report conditions, which requires work to be carried out by an Arborist/Forester. Mr. Cameron requested clarification regarding the proposed severance, and the Chair, staff, and Agent provided a response.

Ms. Susan Hallworth, owner of 96 Tyler Street, inquired about whether the subject lands are in a floodplain, and expressed concern regarding water pressure in relation to the size of the proposed new dwelling. Staff confirmed that the subject lands are not located in a floodplain, noting that there is a

floodplain nearby to the north and west of the property. Staff agreed to supply Ms. Hallworth with the appropriate Town staff contact information in order to address the water pressure concerns.

Ms. Sandy Bever, owner of 86 Tyler Street, inquired about the fence line at the rear of the four lots facing George Street and whether the fence would be opened up. The Agent agreed to confirm the Applicant's intent.

The Committee requested a response to the letter from Ms. Cindy Skillins regarding an alleged underground water course below 100 Tyler Street. Staff indicated that they were not aware of any information regarding an underground stream on the subject lands.

The Committee inquired about a previous development proposal for the subject property, and staff confirmed that an application proposal was considered by Council in October 2017, which was not accepted by Council.

The Committee inquired about the report's Supplementary Information regarding building height and design for the proposed dwelling within a Heritage Resource Area, and staff confirmed that the property is not listed or designated and no conditions were attached to the report.

Moved by David Mhango
Seconded by Tom Plamondon

1. That Consent Application C-2017-10 be APPROVED, subject to the conditions contained in the report; and
2. That staff investigate the letter from Ms. Cindy Skillins and circulate the letter to the Lake Simcoe Region Conservation Authority for a response.

Carried as amended

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

The Committee consented to consider Item 4 prior to consideration of Item 1 under Approval of the Agenda.

The Applicant has submitted four applications to allow the construction of a detached garage.

The Applicant, Mr. Daniel Hadcock, noted that staff had requested that this item be deferred due to omitted information.

Motion to defer

Moved by Tom Plamondon

Seconded by David Mhango

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

**Motion to defer
Carried**

5. New Business

None

6. Adjournment

Moved by Tom Plamondon

That the meeting be adjourned at 8:21 p.m.

Confirmed in open session this 8th day of February, 2018.



Grace Marsh, Committee Chair



Justin Leung, Secretary-Treasurer