



100 John West Way
Box 1000
Aurora, Ontario
L4G 6J1
Phone: 905-727-3123 ext. 4350
Email: mrokos@aurora.ca
www.aurora.ca

**Town of Aurora
Planning and Development
Services**

COMMITTEE OF ADJUSTMENT STAFF REPORT

DATE: May 4, 2018

FROM: Marty Rokos, Planner/Acting Secretary-Treasurer, Committee of Adjustment

RE: Minor Variance Application
Turner
70 Catherine Avenue
Plan 116, Part of Lot 14
File NO: MV-2018-12 A-C

PURPOSE OF APPLICATION MV-2018-12A

The Applicant is seeking relief from the provisions of Zoning By-law No. 6000-17, as amended, to permit the construction of a 32.5m² rear yard deck with a pergola. The property is zoned "Special Mixed Density (R7) Zone." Section 4.20 of the Zoning By-law permits a maximum exterior side yard setback for a deck of 3m. The applicant is proposing to construct a deck which has a 1.65m exterior side yard setback, thus requiring a variance of 1.85m.

PURPOSE OF APPLICATION MV-2018-12B

The Applicant is seeking relief from the provisions of Zoning By-law No. 6000-17, as amended, to permit the construction of a 32.5m² rear yard deck with a pergola. Section 4.20 of the Zoning By-law permits a maximum encroachment for eaves of 0.7m. The applicant is proposing to construct a deck with attached pergola which has an eaves encroachment of 2.05m, thus requiring a variance of 1.35m.

PURPOSE OF APPLICATION MV-2018-12C

The Applicant is seeking relief from the provisions of Zoning By-law No. 6000-17, as amended, to permit the construction of a 32.5m² rear yard deck with a pergola. Section 4.20 of the Zoning By-law permits a maximum encroachment for steps of 2.0m into any yard. The applicant is proposing to construct a deck with steps encroaching 4.35m into the required exterior side yard, thus requiring a variance of 2.35m.

DEPARTMENTS AND AGENCIES CIRCULATED	COMMENTS RECEIVED
Planning Division:	No objections
Building Division:	No comments received
Engineering Division:	No objections

Operational Services:	No comments received
Central York Fire Services:	No comments received
Alectra Utilities:	No comments received
York Region:	No objections

BASIC DATA PERTAINING TO THE MATTER

There appear to be no objections to the Application.

LEGISLATIVE FRAMEWORK FOR MINOR VARIANCE

In considering this Application, the Committee must have regard for the following criteria and determine whether:

- The general intent and purpose of the Town's Official Plan will be maintained;
- The general intent and purpose of the Town's Zoning By-law will be maintained;
- The Variance is desirable for the appropriate development or use of the land, building or structure; and,
- The proposed Variance is minor in nature.

SUPPLEMENTARY INFORMATION

- The applicant has submitted a letter with attached signatures from neighbours who are in support of the requested variances (see letter and signatures attached herein).

RECOMMENDATIONS

THAT the Committee determine its position with respect to the merits of the APPLICATION in the context of the legislative framework and the comments contained herein.

Prepared by: Marty Rokos, Acting Secretary-Treasurer, COA Ext. 4350



Marty Rokos, MCIP, RPP
 Planner
 Acting Secretary-Treasurer, Committee of Adjustment



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**Town of Aurora
Planning and Development Services**

INTERNAL MEMORANDUM

DATE: May 10, 2018

TO: Marty Rokos, Acting Secretary Treasurer

FROM: Jeff Healey, Planner/ Heritage Planning, Planning and Development Services

RE: Application for Minor Variance
Turner
70 Catherine Avenue
Plan 116, Part of Lot 14
File No. MV-2018-12 A-C

The applicant is requesting relief from the requirements of the Town of Aurora Zoning By-law 6000-17 to permit the construction of a 32.5m² rear yard deck with a pergola on the subject lands. An existing wood deck is currently on the subject lands, this deck is in poor condition and requires repair or replacement.

Application MV-2018-12A: Section 4.20 of the Zoning By-law requires a maximum exterior side yard setback for a deck of 3.5 metres. The applicant is proposing to construct a deck which has a 1.65 m setback, requiring a variance of 1.85 m.

Application MV-2018-12B: Section 4.20 of the Zoning By-law requires a maximum encroachment for eaves of 0.7 metres. The applicant is proposing a rear yard deck with an attached pergola with eaves encroaching 2.05 m, requiring a variance of 1.35 metres.

Application MV-2018-12C: Section 4.20 of the Zoning By-law requires a maximum encroachment for steps of 2.0 m into any yard. The applicant is proposing to construct steps 4.35 m into the required exterior side yard, requiring a variance of 2.35 m.

Planning staff have evaluated the minor variance application pursuant to the prescribed tests set out in Section 45.1 of the Planning Act.

- 1) General Intent of the Official Plan

The subject lands are designated "Stable Neighbourhoods" by the Town of Aurora Official Plan. The intent of the Stable Neighbourhoods designation is to ensure that the area is protected from incompatible forms of development and, at the same time, be permitted to evolve and be enhanced over time. The subject lands are identified within the Northeast Old Aurora Heritage Conservation District by Schedule "D" to the Official Plan. On April 19, 2018, the related Heritage Permit was approved by Staff on behalf of Council as per By-

Based on the aforementioned, Planning Staff are of the opinion that the proposed minor variance application meets the four (4) prescribed tests set out in Section 45.1 of the Planning Act and; therefore, have no objection to the approval of Minor Variance Application MV-2018-12 A-C, (Turner).



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**Town of Aurora
Planning & Development Services
Engineering & Capital Delivery Division**

MEMO

File: MV-2018-12A-C

Date: May 1, 2018

To: Marty Rokos – Acting Secretary-Treasurer, Committee of Adjustment

From: Sabir Hussain, Municipal Engineer

Re: Application for Minor Variance (Susanna Turner)
70 Catherine Ave

We have no objection to the above noted variance application.

Sabir Hussain,
Municipal Engineer
Ext. 4378

Rokos, Marty

From: McMackin, Joseph <Joseph.McMackin@york.ca>
Sent: May-02-18 3:50 PM
To: Rokos, Marty
Subject: MVAR.18.A.0228 / MV-2018-12A-C (70 Catherine Avenue)

Hi Marty,

The Regional Municipality of York has completed its review of the above Minor Variance Application and has no objection.

Please feel free to contact me if you have any further questions or concerns.

Best,

Joseph McMackin, B.URPI | Associate Planner

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71516 | joseph.mcmackin@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

Please consider the environment before printing this email.

April 16, 2018

Planning Department
Town of Aurora
John West Way

Re: 70 Catherine Avenue – Deck Permit & Minor Variance Application

Dear: Town Staff & Committee of Adjustment

We have applied for a Construction Permit and Minor Variance for the construction of a rear deck to replace the existing damaged and aged old deck. The purpose of our minor variance application is to request relief of the exterior side yard setback for the deck and pergola.

In support of this process, we have engaged the neighbours most directly affected by the deck's location, and have shown them the proposed plans, sample construction pictures, and a copy of our preliminary zoning review.

Their signatures on the following pages are a reflection of their support of this request and that the new deck is in keeping with the character of the neighbourhood and will not negatively affect the appeal or charm of our heritage community.


Thank you for your review of our application and your consideration of our variance request. We hope the materials provided and the support of our neighbourhood provide the confidence to support this request.

Sincerely,

The Turner Family
70 Catherin Avenue, Aurora


61 FLEURY ST, ^{AURORA} 446 1V1
Address

RYAN GARDNER
Name


Signature

61 FLEURY ST ^{AURORA} 446 1V1
Address

CHRISTY GARDNER
Name


Signature


53 Fleury St Aurora
Address

Peter Seybold
Name


Signature

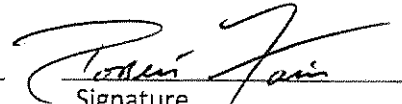
57 Fleury St Aurora
Address

Rita McManis
Name


Signature

65 Fleury Street
Address

ROBERT FAIR
Name


Signature

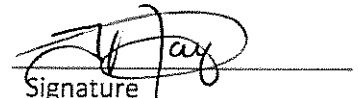
64 Fleury Street
Address

Barb Helle
Name

Barbara Helle
Signature

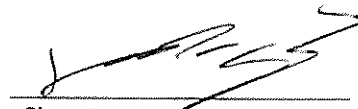
56 Fleury St.
Address

Tahirah Naylor
Name


Signature

48 Fleury St
Address

Don Perington
Name


Signature

72 Catherine Ave
Address

Heather Flynn
Name


Signature

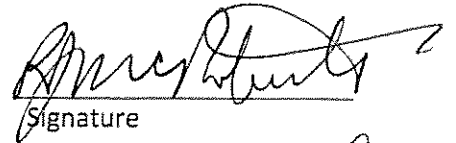
72 Catherine Ave
Address


Name

John Flynn
Signature

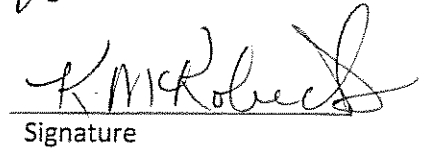
76 Catherine Ave
Address

Bob McRoberts
Name


Signature

76 Catherine Ave.
Address

Kim McRoberts
Name


Signature

71 CATMECINE AVE.
Address

BRIAN ROGERS
Name


Signature

71 Catherine Ave
Address

Ken Rogers
Name

KIM ROGERS
Signature

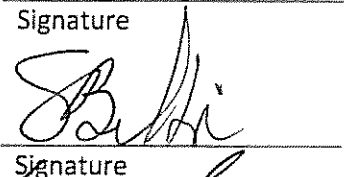
67 Catherine Ave
Address

Doug Reese
Name


Signature

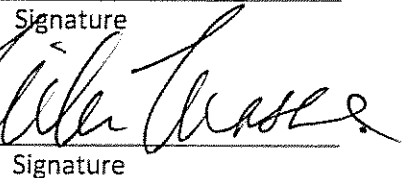
67 Catherine Ave
Address

Shawn Bilbe
Name


Signature

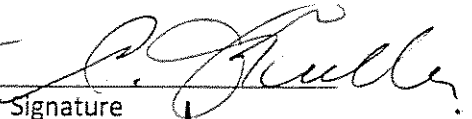
64 Catherine Ave
Address

Mike Masse
Name


Signature

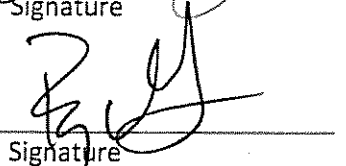
73 Catherine Ave.
Address

CHRISTINE Fuller
Name


Signature

44 FLEURY ST
Address

BRYAN GRIMAL
Name


Signature

44 Fleury St
Address

Beth Palmer
Name

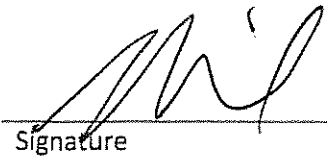

Signature

49 Fleury

Address

Mike MacCallhurray

Name



Signature

Address

Name

Signature

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