



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 17-04

Holland Room
Aurora Town Hall
Thursday, April 13, 2017

Attendance

Committee Members Grace Marsh (Chair), Tom Plamondon (Vice-Chair), Roy Harrington, and David Mhango

Regrets Nick Racanelli

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

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

1. Declarations of Pecuniary Interest and General Nature Thereof

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

2. Approval of the Agenda

Moved by Roy Harrington
Seconded by Tom Plamondon

That the agenda as circulated by the Secretary-Treasurer be approved.

Carried

3. Adoption of the Minutes

Committee of Adjustment Meeting Minutes of March 9, 2017 Meeting Number 17-03

**Moved by Tom Plamondon
Seconded by David Mhango**

That the Committee of Adjustment meeting minutes from Meeting Number 17-03 be adopted as printed and circulated.

Carried

4. Presentations of Applications

1. Minor Variance Application: MV-2017-02(A-D) – Gery 74 Centre Street – Deferred Application

The Applicant has submitted revised drawings, which propose to reduce the variance requests in applications previously submitted on February 9, 2017, respecting 74 Centre Street:

- MV-2017-02A is an application to allow a reduction in front yard setback to construct a detached dwelling. Section 11.2.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres. The Applicant is now proposing to construct a dwelling that is 4.6 metres to the front property line, thus requiring a variance of 1.4 metres.
- MV-2017-02B and MV-2017-02C are applications to allow a reduction in minimum distance separation to the front property line to construct an open-sided roofed porch (B) and front porch steps (C). Section 6.48.1 of the Zoning By-law requires encroachments for open-sided roofed porches to have a minimum distance separation of 4.5 metres from the front property line. The Applicant is now proposing to construct an open-sided roofed porch that is 2.6 metres from the front property line and steps that are 2.2 metres from the property line, thus requiring variances of 1.9 metres and 2.3 metres, respectively.

- MV-2017-02D is an application to allow an increase in maximum lot coverage to construct a detached dwelling. Section 11.2.3 of the Zoning By-law requires a maximum lot coverage of 35%. The Applicant is proposing to construct a dwelling with lot coverage of 38%, thus requiring a variance of 3%, which remains unchanged.

The Chair read through the purpose of the applications. In attendance, representing the property owner, was Mr. Chris Pretotto, Architect.

Mr. Pretotto provided a brief overview of the proposal and revisions to the applications.

Mr. Steve Arms, owner of 78 Centre Street, adjacent to the subject property on the east side, noted that he previously spoke in support of the proposal, except for concern regarding the property line. He provided background to Mr. Gery's purchase and planned redevelopment of the property. Mr. Arms expressed concern regarding the extent of the requested variances, the property line, and the inappropriateness of the proposed design for the area. He suggested that the application is no longer relevant as Mr. Gery has sold the property.

Mr. Drew Brimms, owner of 91 Centre Street, expressed concern regarding the proposed variances not being minor in nature.

Staff provided clarification regarding the minor variance application process in relation to the current ownership and any transfer of property ownership.

Mr. Pretotto noted that the Applicant has worked with the Town's Heritage Advisory Committee to ensure an appropriate design for the area, and he addressed the concerns regarding massing and the property survey.

The Committee discussed the challenges respecting the legal property survey and requested clarification. Staff confirmed that the survey submitted by the applicant forms the basis for the variance requests.

The Committee inquired about the configuration of the pool and whether a ramp had been considered instead of stairs. Mr. Pretotto indicated that turning the pool would result in loss of green space and a ramp would take too much space.

The Committee noted that the property line concerns have not been resolved and the Applicant's agent has confirmed that the property has been sold.

Moved by Roy Harrington
Seconded by Tom Plamondon

That Minor Variance Application MV-2017-02(A-D) be DENIED.

Carried

2. Minor Variance Application: MV-2017-08 – Carlini
60 Centre Street

The Applicant has submitted an Application to reduce the minimum interior side yard setback for a detached garage from 1.2 metres to 0.1 metre.

The Chair noted that the owner has requested that the Application be deferred until such time that other potential variance matters have been resolved.

Moved by Tom Plamondon
Seconded by Roy Harrington

That Minor Variance Application MV-2017-08 be DEFERRED to a future meeting.

Carried

3. Permission Application: MV-2017-09 – Payne
63 Machell Avenue

The Applicant has submitted a Permission Application to allow the construction of an enclosed porch, second-storey addition, and deck to an existing legal non-conforming building. Section 30.2 of the Zoning By-law states that no buildings or structures shall be erected in the Environmental Protection (EP) Zone. The Applicant is seeking permission to construct an enclosed porch, second-storey addition, and deck to an existing building that does not conform to the EP zone provisions.

The Chair read through the purpose of the Application. In attendance was the Applicant, Mr. Glen Payne.

Mr. Payne provided clarification regarding the drawings submitted to the Lake Simcoe Region Conservation Authority and confirmed that the intent is to construct a second floor above the ground floor and garage.

The Chair noted the conditions set by the Lake Simcoe Region Conservation Authority, which must be met by the owner.

Moved by David Mhango
Seconded by Roy Harrington

That Minor Variance Application MV-2017-09 be APPROVED, subject to the conditions contained in the report.

Carried

**4. Minor Variance Application: MV-2017-10 – Nitsotolis
10 Morland Crescent**

The Applicant has submitted an Application to allow a second entrance along the wall facing the street line. Section 7.9.1.8(ii) of the Zoning By-law states that not more than one entrance is permitted along any walls facing a street line, including below-grade walkouts. The Applicant is proposing a below-grade entrance adjacent to the front yard, thus requiring a variance from this provision of the Zoning By-law.

The Chair read through the purpose of the Application. Staff noted that one letter of concern was received from the owner of 5 Morland Crescent. In attendance was the Applicant, Mr. Steven Nitsotolis, and Mr. Paul Nitsotolis.

Mr. Nitsotolis noted that they were in attendance to receive advice on the next steps regarding the proposed unit.

The Committee inquired about the purpose of the second entrance and the Applicant explained that the basement unit is intended as a home for his parents who will soon be retiring. He noted that there was no other suitable location for the proposed separate entrance, which would be located under the existing porch and not visible from the street. It was further noted that the proposed separate entrance would minimize the number of steps to access the unit and maintain independence from the main unit.

Staff confirmed that there are no issues respecting the second unit related to zoning, and that a secondary suite permit has been obtained.

The Committee inquired about fire safety provisions and the Applicant confirmed that they are aware of, and intend to meet or exceed, the Fire Code requirements. The Committee inquired about drainage and the Applicant indicated that this matter will be mitigated by the porch overhang and a drain.

Moved by Roy Harrington
Seconded by Tom Plamondon

That Minor Variance Application MV-2017-10 be APPROVED.

Carried

5. New Business

None

6. Adjournment

Moved by Tom Plamondon

That the meeting be adjourned at 8:31 p.m.

Confirmed in open session this 13th day of April, 2017.



Grace Marsh, Committee Chair



Justin Leung, Secretary-Treasurer