



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 17-07

Council Chambers, Aurora Town Hall
Thursday, July 13, 2017

Attendance

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

Regrets Roy Harrington

Other Attendees Justin Leung, Secretary-Treasurer, Marty Rokos, Planner, and Michael de Rond, Town Clerk

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

1. Approval of the Agenda

Moved by Tom Plamondon

Seconded by David Mhango

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

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 June 8, 2017

Meeting Number 17-06

Moved by David Mhango
Seconded by Tom Plamondon

That the Committee of Adjustment meeting minutes from Meeting Number 17-06 be adopted as printed and circulated.

Carried

4. Presentations of Applications

1. Minor Variance Application: MV-2017-22A-C – MBH Aurora Lodging GP Ltd. Eric T Smith Way and Goulding Avenue

The Applicant has submitted three applications to facilitate the development of a hotel on the subject lands:

- MV-2017-22A is an application to allow a reduction in the minimum required landscaping for lots fronting onto non-arterial roads. Section 27.D.8.2.3 of the Zoning By-law requires a minimum of 3.0 metres landscaping strip for lots fronting on roads other than arterial roads and/or open space. The Applicant is proposing a minimum of 2.0 metres of landscaping; thus requiring a variance of 1.0 metre;
- MV-2017-22B is an application to allow an increase in the maximum floor area ratio. Section 27.D.8.2.4 of the Zoning By-law requires a maximum floor area ratio of 50%. The Applicant is proposing a floor area ratio of 60%; thus requiring a variance of 10%; and
- MV-2017-22C is an application to allow a reduction in the required number of parking spaces. Section 27.D.8.2.6 of the Zoning By-law requires 1.0 parking space per room plus 10 spaces per 100 square metres devoted to public uses for the proposed hotel use (153 parking spaces required). The Applicant is proposing 100 parking spaces; thus requiring a variance of 53 parking spaces.

The Chair read through the purpose of the applications. In attendance was Ms. Janelle Young, Project Coordinator of Gay Contracting, on behalf of the Applicant.

The Committee inquired about whether any meetings or receptions would be hosted at the site. Ms. Young stated that the facility and associated parking is to be limited to registered guests of the hotel.

Moved by David Mhango
Seconded by Tom Plamondon

That Minor Variance Application MV-2017-22A-C be APPROVED.

Carried

**2. Minor Variance Application: MV-2017-23A-D – 1730981 Ontario Ltd.
15132 and 15136 Yonge Street**

The Applicant has submitted four applications to facilitate a three-storey, mixed-use development on the subject lands:

- MV-2017-23A is an application to allow a parking area in an Environmental Protection Zone area. Section 30.1 of the Zoning By-law does not allow Environmental Protection Zone lands for use as a parking area. The Applicant is proposing a parking area at the rear of the property within an Environmental Protection Zone; thus requiring relief from this provision of the By-law;
- MV-2017-23B is an application to allow an increase in the allowable floor area for the residential portion of a non-residential building in a Commercial Zone. Section 6.13.6 of the Zoning By-law requires that the residential portion of a non-residential building in a Commercial Zone shall not exceed 50% of the floor area. The Applicant is proposing a three-storey building with 56% residential floor area; thus requiring a variance of 6%;
- MV-2017-23C is an application to allow a reduction in the required number of parking spaces. Section 6.26 of the Zoning By-law requires 1.5 parking spaces for each dwelling unit in a building containing both commercial and residential uses, with a minimum of 20% of spaces provided shall be set aside as visitor parking and 4.5 spaces per 100 square metres of commercial floor area for individual retail uses within Central Business District whose gross leasable floor area does not exceed 300 square

metres (46 parking spaces required). The Applicant is proposing 25 parking spaces; thus requiring a variance of 21 parking spaces; and

- MV-2017-23D is an application to allow the elimination of the required landscape buffer strip along the rear property line. Section 6.31 of the Zoning By-law requires a landscape buffer strip to be located along the entire length of the property line where adjacent to any residential use. The Applicant is not proposing a buffer strip along the rear property line, which is adjacent to residential use; thus requiring relief from this provision of the By-law.

The Chair read through the purpose of the applications. In attendance was the Applicant, Mr. Joe Cara.

The Applicant stated that this proposed development is important to the revitalization of the downtown core of Aurora.

Ms. Judy Sherman, 89 Temperance Street, expressed concerns regarding the proposed parking lot and potential increase of current creek flooding issues in an area, which is environmentally protected.

Mr. Len Bizant, 79 Temperance Street, expressed concerns regarding flooding and the lack of flood control.

Mr. Stephen Park, 87 Temperance Street, expressed concerns regarding the lack of overnight parking and possible overflow parking from surrounding commercial and residential areas.

The Committee inquired about the parking spaces and site access. Staff and the Applicant provided clarification regarding parking in respect to the new and existing buildings. Further explanation was given regarding access and the existing easement onto Temperance Street by the Applicant and members of the public.

The Committee inquired about the flood hazard and landscape buffer strip, which was addressed by the Applicant and staff.

Dr. Herman Ramirez, 15124 Yonge Street, provided clarification regarding the topography of the lands.

The Committee inquired about overnight parking and the number of visitor and residential parking spaces, which was addressed by the Applicant.

The Chair noted the conditions set by the Lake Simcoe Region Conservation Authority (LSRCA), which must be met by the owner. The Chair inquired about the LSRCA condition regarding the location of suitable barriers, which was addressed by staff and the Vice-Chair. The Chair further inquired about the amount of pavement on the site, which was clarified by the Applicant.

Moved by David Mhango
Seconded by Tom Plamondon

That Minor Variance Application MV-2017-23A-D be APPROVED, subject to the conditions contained in the report (as amended).

Carried

**3. Minor Variance Application: MV-2017-24A-C – Tadrouss-Hanna
46 Tyler Street**

The Applicant has submitted three applications to facilitate the construction of a one-storey addition with attached garage on the subject lands:

- MV-2017-24A is an application to allow a reduction in the front yard setback. Section 11.2.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres. The Applicant is proposing a front yard setback of 5.7 metres; thus requiring a variance of 0.3 metres;
- MV-2017-24B is an application to allow a reduction in minimum distance separation for steps encroachments. Section 6.48.1 of the Zoning By-law requires that encroachments for steps shall be subject to a minimum distance separation of 2.1 metres from the exterior side property line. The Applicant is proposing to construct steps which are 0.8 metres from the exterior side property line; thus requiring a variance of 1.3 metres; and
- MV-2017-24C is an application to allow an increase in the maximum lot coverage. Section 11.2.3 of the Zoning By-law requires maximum lot coverage of 35.0%. The Applicant is proposing a total lot coverage of 35.3%; thus requiring a variance of 0.3%.

The Chair read through the purpose of the applications. In attendance was the Applicant, Ms. Marina Hanna and Mr. Andro Tadrouss.

The Applicant confirmed their agreement with the conditions recommended by staff.

The Committee inquired about feedback from neighbours, which was addressed by the Applicant and staff.

The Committee inquired about heritage planning and the site plan, and staff provided a response.

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

That Minor Variance Application MV-2017-24A-C be APPROVED, subject to the conditions contained in the report, and subject to comments from the Heritage Advisory Committee at its meeting of July 17, 2017.

Carried

5. New Business

Staff provided clarification regarding the deferral request process.

Staff noted that the Town has enacted a new Comprehensive Zoning By-law, No. 6000-17, which is currently under an appeal period, and advised that, under the new provincial requirements, once a new zoning by-law is passed, there is a two-year freeze on any rezoning or minor variance applications unless allowed by Council. He noted that Council has approved that minor variance applications may continue to be accepted and processed by the Committee of Adjustment, and that rezoning applications will require Council approval. Staff clarified the process for previously deferred minor variance applications.

The Committee expressed interest in a training session on the new Zoning By-law if considered beneficial by staff.

6. Adjournment

Moved by Tom Plamondon

That the meeting be adjourned at 8:35 p.m.

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



Grace Marsh, Committee Chair



Justin Leung, Secretary-Treasurer