



**TOWN OF AURORA
COMMITTEE OF ADJUSTMENT MEETING MINUTES
NO. 14-08**

Council Chambers
Aurora Town Hall
Thursday, August 14, 2014

ATTENDANCE

COMMITTEE MEMBERS Hank Gosar (Chair), Grace Marsh (Vice Chair), Carl Barrett and Roy Harrington

REGRETS David Mhango

OTHER ATTENDEES Justin Leung (Acting Secretary-Treasurer) and Jeff Healey (Planner)

Chair called the meeting to order at 7:00 p.m.

I DECLARATIONS OF PECUNIARY INTEREST

II APPROVAL OF AGENDA

Moved by Roy Harrington

Seconded by Grace Marsh

THAT the Agenda as circulated by the Secretary-Treasurer be approved.

CARRIED

III ADOPTION OF MINUTES

Committee of Adjustment Minutes of July 10, 2014
Meeting Number 14-07

Moved by Carl Barrett

Seconded by Roy Harrington

THAT the Committee of Adjustment Minutes from Meeting Number 14-07 be adopted as printed and circulated.

CARRIED

IV PRESENTATION OF APPLICATIONS

**1. Minor Variance application: D13-20-14 (Pori)
2 Wellington Heights Court**

The applicant is seeking relief from the provisions of Zoning By-law 2213-78, as amended, to allow for an increase in the maximum height for an accessory building.

The Chair read through the purpose of the application. In attendance was the owners Vassilia Porio and Mark Fafalios.

Mr. Fafalios stated that the gazebo was a gathering place. The gazebo was being constructed in its current form during to grading conditions and the slope in their backyard. Mr. Fafalios said that he had consulted with neighbours about his proposal.

Moved by Grace Marsh

Seconded by Carl Barrett

THAT minor variance application D13-20-14 (Pori) be APPROVED subject to the restriction contained in the report.

CARRIED

**2. Minor Variance application: D13-21-14 (Markangel Real Estate Asset)
169 Edward Street**

The applicant is seeking relief from the provisions of Zoning By-law 2213-78, as amended, to allow for a reduction in the minimum rear yard setback.

The Chair read through the purpose of the application. In attendance was the owner Josie Tait.

The Committee stated that when they visited the property the parking was full. The Committee wanted to know if this was typical. Ms. Tait responded that clients did visit but it was seldom as some of their employees work from home. Ms. Tait also stated that they would potential lose 1 to 2 parking spaces but would still meet minimum parking requirements.

Moved by Carl Barrett

Seconded by Roy Harrington

THAT minor variance application D13-21-14 (Markangel Real Estate Asset) be APPROVED subject to conditions contained in the report.

CARRIED

**3. Minor Variance application: D13-(22A-B)-14 (Fiorini)
553 St. John's Sideroad**

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting to allow for the construction of an accessory structure within Significant Woodland and the Oak Ridges Moraine Minimum Vegetation Protection Zone and for an increase in the maximum building height.

The Chair read through the purpose of the application. In attendance was the owner Joe Fiorini.

Mr. Fiorini had a question regarding the silt cloth to be placed on the property to protect bushes and how long they had to be there.

Staff responded that the siltation and tree protection must be there during construction and only removed intermittently to do grading.

Moved by Roy Harrington

Seconded by Carl Barrett

THAT minor variance application D13-(22A-B)-14 (Fiorini) be approved be APPROVED subject to conditions contained in the report.

CARRIED

**4. Minor Variance application: D13-23-14 (2087277 Ontario Inc.)
33 Victoria Street**

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting to allow for a reduction in the minimum required parking spaces for a medical clinic.

The Chair read through the purpose of the application. In attendance was the agent John Owen.

Mr. Owen stated there is a fence in the rear portion of the property. There is 16 parking spaces and 1 additional space near the barrier free ramp. Mr. Owen further explained that the parking area was never fully utilized. He went on to indicate that the current zone permits clinics. He described that property was within a transitional area as indicated in the Official Plan. Mr. Owen also indicated that a currently fenced area would be removed to allow for additional parking from 16 to 29 spaces.

The Chair then asked if there were any members of the public who wished to speak on the application.

George Timpson, a member of the St. Andrew's Presbyterian Church on 32 Mosley Street, spoke in opposition to the application.

Mr. Timpson is concerned that this variance would add constraints to the existing parking issue in the area.

The Committee then asked Mr. Timpson how this variance would affect the church.

Mr. Timpson responded that it would force people to park on the street conflicting with other events in the area affecting parking.

The Committee then asked staff to explain the difference in the parking requirement between the Official Plan and the Zoning By-law.

Staff responded that the parking policies for core areas had been updated within the Promenade Policies of the Official Plan. Previous to this, the Zoning By-law established a uniform parking standard throughout the Town. The Promenade Plan established methods to reduce parking in the Promenade area as supported by parking studies.

The Committee then asked the agent if parking conditions would change at the site. Mr. Owen responded that they would not.

Moved by Grace Marsh

Seconded by Carl Barrett

THAT minor variance application D13-23-14 (2087277 Ontario Inc.) be APPROVED.

Grace Marsh, Hank Gosar and Carl Barrett in favor.

Roy Harrington oppose.

CARRIED

**5. Minor Variance application: D13-(24A-C)-14 (Ronco)
15 Hawthorne Lane**

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting to allow a reduction in the minimum interior side yard and minimum front yard setbacks.

The Chair read through the purpose of the application. In attendance was the owner Michael Ronco.

Mr. Ronco stated that he had been working with an architect to design a house that would fit into the immediate neighbourhood.

The Chair then asked if there were any members of the public who wished to speak on the application.

Nancy Brown, resident of 21 Hawthorne Lane, spoke in opposition to the application.

Ms. Brown expressed concern about the appearance of this proposed house and if it would fit into the neighbourhood.

Staff responded that architectural control does not apply to single detached residential and owner are not bound by guidelines. The evaluation of street architecture is subjective.

The Committee then asked if the vegetation and any potential negative impact applied to adjacent properties.

Staff stated it applied to the subject property only.

Moved by Carl Barrett

Seconded by Roy Harrington

THAT minor variance application D13-(24A-C)-14 (Ronco) be APPROVED subject to conditions contained in the report.

CARRIED

**6. Minor Variance application: D13-(25A-B)-14 (Newell)
8 Kennedy Street East**

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting to allow for the alteration of a detached dwelling into a converted dwelling containing 4 self-sufficient dwelling units and to reduce the minimum floor area for a converted dwelling.

The Chair read through the purpose of the application. In attendance was the agent Nicholas Marton and owner Gavin Newell.

Mr. Marton stated the house existed within a heritage resource area. He indicated he had discussed the design concept with the Town's heritage planner. He stated the addition at the rear of the existing building would not be dominant. They would also be constructing a lobby with an interior ramp. They would also be undergoing the recommended condition of staff for site plan to address further issues relating to this development.

The Committee then asked about the configuration of the addition in the rear of the property and if the existing farmhouse would remain.

Mr. Marton stated that there would be 3 units with 1 on the second floor and 2 on the ground floor to a total of 4 units. The lower units would be wheelchair accessible and the second floor would not. The farmhouse at the front of the property would remain intact.

The Committee asked how the new building would be attached to the farmhouse.

Mr. Marton indicated that no walkthrough would exist but that services for the 3 proposed units would be provided through the crawlspace to existing services in the farmhouse. An addition built in 1975 would be demolished and replaced with a new connection.

The Chair then asked if there were any members of the public who wished to speak on the application.

Will Ross, resident of 120 Gurnett Street, spoke in opposition to the application.

Mr. Ross stated this proposal did not take into account the adjacent properties. He questioned if the link being described between the farmhouse and the proposed 3 units was an actual connection. He also questioned the interpretation of a converted dwelling as this proposal is not within the meaning of that term. Mr. Ross also expressed concerns about the proposed parking configuration and that vehicle lights would shine onto houses.

Jody Matthew, resident of 118 Gurnett Street, spoke in opposition to the application.

Mr. Matthew stated he had made a request to defer the application. He felt the development must exist with 185 square meters of floor area.

Mr. Newell informed the Committee that he would like to defer the application so that he could revise his proposal in consultation with neighbourhood residents.

In response to questions from the Committee, staff noted that the 2 variances are to allow the existing building to be maintained on the property. Staff indicated that the applicant could demolish the building and rebuild subject to a heritage permit to demolish a 'listed' property. In that instance, no variances would be required. In addition, staff reiterated that Planning and Development Services staff are charged with reviewing variances, not the site plan at this time. The interpretation of the Zoning By-law is done by Building and By-law Services staff which has determined the building addition to be permitted as a 'converted dwelling'. Planning staff confer with Building staff but the final decision on by-law interpretation rests with Building and By-law Services.

Moved by Grace Marsh

Seconded by Carl Barrett

THAT minor variance application D13-(25A-B)-14 (Newell) be DEFERRED to the September 11, 2014 meeting.

Grace Marsh, Carl Barrett and Hank Gosar support.

Roy Harrington oppose.

CARRIED

The Committee then revisited their original motion and decided to withdraw it due to concerns the new submission would not be substantively different than the current one.

Moved by Grace Marsh

Seconded by Roy Harrington

THAT minor variance application D13-(25A-B)-14 (Newell) be DENIED.

CARRIED

V NEW BUSINESS/GENERAL INFORMATION

- Notification of an appeal to the Ontario Municipal Board (OMB) of Minor Variance application D13-11-14 (Aurora Small Engine Repair Inc.): The Committee was informed that a member of the Condo Corporation of this industrial complex had appealed the Committee's decision with respects to Minor Variance application D13-11-14 to the Ontario Municipal Board.

- Notification of scheduled hearing for Ontario Municipal Board (OMB) appeal for Minor Variance application D13-08-14 (Butylkin): The Committee was informed that the Ontario Municipal Board had tentatively scheduled a hearing on September 25, 2014 at Aurora Town Hall for an appeal filed by the applicant of Minor Variance application D13-08-14.

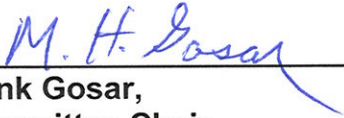
VI ADJOURNMENT

Moved by Carl Barrett

THAT the meeting be adjourned at 9:40 p.m.

CARRIED

Confirmed in open session this 11th day of September 2014.



Hank Gosar,
Committee Chair



Justin Leung,
Acting Secretary-Treasurer