



**TOWN OF AURORA
COMMITTEE OF ADJUSTMENT MEETING MINUTES
NO. 14-10**

Council Chambers
Aurora Town Hall
Thursday, October 9, 2014

ATTENDANCE

COMMITTEE MEMBERS Hank Gosar (Chair), Grace Marsh (Vice Chair), Roy Harrington and David Mhango

REGRETS Carl Barrett

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

Chair called the meeting to order at 7:02 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 September 11, 2014
Meeting Number 14-09

Moved by David Mhango

Seconded by Grace Marsh

THAT the Committee of Adjustment Minutes from Meeting Number 14-09 be adopted as printed and circulated.

CARRIED

IV PRESENTATION OF APPLICATIONS

1. **Minor Variance application: D13-28-14 (Parmentier)
6 Clubine Court**

Note: deferred application from September 11, 2014 Committee of Adjustment meeting.

Note: Application D13-28-14 was deferred from the September 11, 2014 Committee of Adjustment meeting to allow the applicant to work with staff on issues regarding the proposed height and setbacks of the proposed accessory building.

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting to allow for an increase in the maximum height of an accessory building.

The Chair read through the purpose of the application. In attendance was the agent Stefano DiGiulio.

Mr. DiGiulio indicated that after deferring the application, they revised their original design by reducing the roof height by 1.2 metres. They also, in discussions with Planning staff, repositioned the building 2 metres from the side lot line. The new proposal would not impact the neighbour to the north of the subject property.

Moved by Grace Marsh

Seconded by David Mhango

THAT minor variance application D13-28-14 (Parmentier) be APPROVED subject to the restriction contained in the report.

CARRIED

**2. Minor Variance application: D13-31-14 (2082591 Ontario Inc.)
2 Allaura Boulevard, Unit 10**

The applicant is seeking relief from the provisions of Zoning By-law 2213-78, as amended, to allow for an increase in the total combined floor area for a 'recreation centre'.

The Chair read through the purpose of the application. In attendance was the agent Sammy Jallouli.

The Committee asked what type of recreation activity would be located there and if there were any parking related issues.

Mr. Jallouli responded that the activity was proposed to be a laser-quest facility. In terms of parking, Building staff had not indicated any parking deficiency.

Moved by David Mhango

Seconded by Roy Harrington

THAT minor variance application D13-31-14 (2082591 Ontario Inc.) be APPROVED.

CARRIED

**3. Minor Variance application: D13-(32A-F)-14 (Pechen)
251 Willis Drive**

The applicant is seeking relief from the provisions of Zoning By-law 2213-78, as amended, to allow for exceptions to home occupation zoning provisions.

The Chair read through the purpose of the application. In attendance was the agent Mark McConville. Mr. McConville requested a deferral of the application so that they could have more time to assess the staff report and neighborhood resident concerns as indicated in submitted letters.

Planning staff indicated that if a deferral were requested so as to make changes to the application, those proposed changes would have to be reviewed by staff

The applicant's request for deferral was tabled, discussed and put to a vote. The Committee denied the deferral request.

The Committee then asked the agent to commence his presentation.

Mr. McConville stated that the Planning staff report described the home occupation as small scale industrial. However, staff had not gone inside the home to observe the operation. He indicated that the scale and intensity of the home occupation was secondary to the principal residential use of the property. In addition, there were not 6 employees on the premises at any time as they conduct shift work. Mr. McConville stated that 4 of the sewing machines could be put away as they are not in use. Traffic to and from the property is minimal. There are only 2 to 6 employees with some of them carpooling to the subject property. The use is contained in the house within the basement. As such, Mr. McConville argued that the operation would be no different to a second family living in the basement.

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

Cory Estrela of Devry Smith Frank LLP representing James Hardy of 157 Willis Drive spoke in opposition to the application. Mr. Estrela indicated that this was a light industrial operation that was operating in a residential area. As such, the Committee should refuse the application.

Tod Dungey of 252 Willis Drive, Tom Pateras of 281 Willis Drive and Steven Reeves of 280 Willis Drive also spoke in opposition to the application. They indicated that they wanted the residential character to remain. They also cited the delivery vehicles that came to the subject property and the safety issue arose for children in the neighbourhood. Finally, they raised concerns about property values in the area and how they would be affected if this application were approved.

Cristina Dungey of 252 Willis Drive submitted surveillance camera footage from an adjacent property showing the traffic from staff vehicles and delivery vehicles to the subject property for the Committee's review.

Tula Romas of 192 Willis Drive spoke in opposition to the application. Mrs. Romas raised concerns for neighbourhood children, pollution from the home occupation and to potential fire hazards.

Eugina Molina of 265 Willis Drive and David Marcelli of 260 Willis Drive also spoke in opposition to the application. Both Ms. Molina and Mr. Marcelli indicated that they have children and that such a business wasn't compatible within their neighbourhood.

The Committee commented that the current operation in the subject property was paying a residential tax and water rate which is different than in an industrial area. This operation should be located within an industrial complex.

Committee members discussed whether D13-32E-14 and D13-32F-14 relating to the driveway width should be approved. After discussing this, the Committee member withdrew this motion.

The Committee then asked staff if Variances D13-32E-14 and D13-32F-14 respecting the driveway width should be considered separately from the other Variances.

Staff stated that these Variances should be considered with the others as the driveway widening accommodates the home occupation use.

Christine Dungey stated that the applicant should redo the curb.

Moved by Grace Marsh

Seconded by Roy Harrington

THAT minor variance application D13-(32A-F)-14 (Pechen) be DENIED.

CARRIED

V NEW BUSINESS/GENERAL INFORMATION

- Staff informed the Committee that the Ontario Municipal Board (OMB) appeal hearing for Minor Variance application D13-11-14 (Aurora Small Engine Repair Inc.) had been scheduled for October 28, 2014 at 10:00 AM in Council Chambers, Aurora Town Hall.
- Staff informed the Committee that the OMB appeal hearing for Minor Variance application D13-08-14 (Butylin) had been held on September 25, 2014. The OMB member presiding stayed their decision.

With Minor Variance application D13-(25A-B)-14 (Newell), staff indicated that the OMB appeal hearing for this application was scheduled for January 29, 2015 at 10:00Am in Council Chambers, Aurora Town Hall.

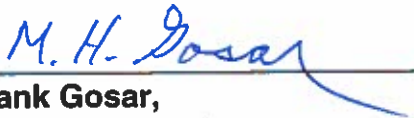
VI ADJOURNMENT

Moved by David Mhango

THAT the meeting be adjourned at 8:36 p.m.

CARRIED

Confirmed in open session this 13th day of November 2014.



Hank Gosar,
Committee Chair



Justin Leung,
Acting Secretary-Treasurer