



**TOWN OF AURORA  
COMMITTEE OF ADJUSTMENT MEETING MINUTES  
NO. 15-11**

Council Chambers  
Aurora Town Hall  
Thursday, November 12, 2015

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**ATTENDANCE**

**COMMITTEE MEMBERS** Grace Marsh (Chair), Roy Harrington and Tom Plamondon

**REGRETS** Carl Barrett (Vice-Chair) and David Mhango

**OTHER ATTENDEES** Justin Leung (Secretary-Treasurer) and Marty Rokos (Planner)

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Chair called the meeting to order at 7:02 p.m.

**I DECLARATIONS OF PECUNIARY INTEREST**

- None

**II APPROVAL OF AGENDA**

*Moved by Roy Harrington*

*Seconded by Tom Plamondon*

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

**CARRIED**

**III ADOPTION OF MINUTES**

Committee of Adjustment Minutes of October 8, 2015  
Meeting Number 15-10

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

*Abstained by Grace Marsh (not in attendance at that meeting).*

THAT the Committee of Adjustment Minutes from Meeting Number 15-10 be adopted as printed and circulated.

**CARRIED**

**IV PRESENTATION OF APPLICATIONS**

**1. Minor Variance Application: MV-2015-36 – Luzi  
162 Hartwell Way**

The Applicant has submitted an Application to allow the reduction in minimum distance separation for an open-sided roofed porch. Section 6.48.1 of the Zoning By-law states that encroachments for open-sided roofed porches, patios, uncovered terraces, deck and balconies shall be subject to the minimum distance separation of 3.8 metres from the rear property line. The Applicant is proposing to construct an open-sided roofed deck which is 2.4 metres from the rear property line; thus requiring a Variance of 1.4 metres.

The Application has been deferred from the previous meeting so that the Applicant could revise his proposal.

The Chair read through the purpose of the Application. In attendance was the Applicant Mikaela Kapllani.

Ms. Kapllani indicated that they now propose to remove the roof while retaining the deck as is.

Staff indicated that after reviewing this revised proposal, their original comments and recommendations remain unchanged.

The Committee then recommended conditions that the Applicant obtain a building permit for the constructed deck and that the roof be removed within one year of their decision.

***Moved by Roy Harrington***

***Seconded by Tom Plamondon***

THAT Minor Variance Application MV-2015-36 be APPROVED subject to condition and restriction.

***Roy Harrington and Tom Plamondon Support***

***Grace Marsh Refuse***

**CARRIED**

**2. Consent Application: C-2015-05 – Leslie Wellington Developments Inc.  
1289 Wellington Street East**

The Applicant has submitted an Application to sever approximately 0.9 hectares in land (Part of Part 11 on Plan 65R-26163) from lands to be retained with frontage onto Adena Meadows Way.

The Applicant had provided a written request to defer their Application to address their Application's non-conformity with minimum lot area requirements related to the Town's Zoning By-law.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Consent Application C-2015-05 be DEFERRED.

**CARRIED**

**3. Consent Application: C-2015-06 – Leslie Wellington Developments Inc.  
1289 Wellington Street East**

The Applicant has submitted an Application to sever approximately 0.16 hectares in land (Parts 29 and 37 and Plan 65R-26163) from lands to be retained with frontage onto Adena Meadows Way.

The Applicant had provided a written request to defer their Application to address their Application's non-conformity with minimum lot area requirements related to the Town's Zoning By-law.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Consent Application C-2015-06 be DEFERRED.

**CARRIED**

**4. Consent Application: C-2015-07 – Leslie Wellington Developments Inc.  
1289 Wellington Street East**

The Applicant has submitted an Application to sever approximately 12 hectares in land (Parts 1, 30, 33, 34 and 74 on Plan 65R-26163) from lands to be retained with frontage onto Wellington Street East.

The Applicant had provided a written request to defer their Application to address their Application's non-conformity with minimum lot area requirements related to the Town's Zoning By-law.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Consent Application C-2015-07 be DEFERRED.

**CARRIED**

**5. Minor Variance Application: MV-2015-37 – Farr  
14 Knowles Crescent**

The Applicant has submitted an Application to allow a reduction in maximum driveway width. Section 6.28.1.i (b) of the Zoning By-law requires a maximum driveway width of 6.0 metres if the lot frontage is greater than or equal to 9.0 metres and less than 18.0 metres. The Applicant is proposing to widen the driveway to 8.4 metres; thus requiring a Variance of 2.4 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Bryan Farr.

Mr. Farr asked if the Minor Variance he had applied for was necessary as his driveway tapered down to 5 metres at the street line. Staff responded that that the Variance addressed the driveway at its widest point and not at the street line.

The Chair asked if any members of the public wished to speak on the Application. Rebecca Beaton of Holman Crescent spoke in opposition to the Application as the proposed driveway did not comply with Zoning requirements.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Minor Variance Application MV-2015-37 be APPROVED.

**CARRIED**

**6. Minor Variance Application: MV-2015-38 – 1769123 Ontario Inc.  
238 Wellington Street East**

The Applicant has submitted an Application to allow a Commercial School within an existing office building. Section 25.4.18.1 of the Zoning By-law does not include 'Commercial School' as a permitted use. The Applicant is proposing to use Unit 100 with a floor area of 300 m<sup>2</sup> as a 'Commercial School'.

The Chair read through the purpose of the Application. In attendance was the agent Richard Pernekie.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Minor Variance Application MV-2015-38 be APPROVED subject to the restriction contained in the report.

**CARRIED**

**7. Minor Variance Application: MV-2015-39A-G – Sinclair  
98 Mosley Street**

The Applicant has submitted an Application to allow a reduction in minimum front yard setback, reduction in minimum distance separation for open-sided roofed porch and porch steps, increase in projection of eaves into front and rear yards, reduction in minimum interior side yard setback and reduction in minimum rear yard setback.

Section 11.2.2 of the Zoning By-law requires a minimum front yard of 6.0 metres. The Applicant is proposing to construct a detached dwelling unit with a front yard setback of 3.0 metres; thus, requiring a Variance of 3.0 metres. Section 6.48.1 of the Zoning By-law states that encroachments for open-sided roofed porches shall have a minimum distance separation of 4.5 metres from front lot line. The Applicant is proposing to construct an open-sided roofed porch which is 1.6 metres from front lot line; thus, requiring a Variance of 3.0 metres. Section 6.48.1 of the Zoning By-law states that encroachments for open-sided roofed porches shall have a minimum distance separation of 4.5 metres from front lot line. The Applicant is proposing to construct porch steps which are 0.6 metres to the front lot line; thus requiring a Variance of 4.0 metres. Section 6.48.1 of the Zoning By-law states eaves may project 0.7 metres into any required yard. The Application is proposing to construct a detached dwelling unit with eaves projecting 3.6 metres into required front yard; thus, requiring a Variance of 3.0 metres. Section 11.2.2 of the Zoning By-law requires a minimum interior side yard of 1.5 metres. The Applicant is proposing to construct a detached dwelling unit with an interior side yard setback of 1.3 metres; thus, requiring a Variance of 0.2 metres. Section 11.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.5 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 1.2 metres; thus, requiring a Variance of 6.3 metres. Section 6.48.1 of the Zoning By-law states eaves may project 0.7 metres into any required yard. The Applicant is proposing to construct a detached dwelling unit with eaves projecting 7.0 metres into the required rear yard; thus requiring a Variance of 6.3 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Stephen Sinclair.

Mr. Sinclair indicated that they intended to demolish and rebuild a new home on the subject property. The proposed new home would have similar footprint and setbacks to the current house but would have an increased height. They would also be looking to work with the Town's Heritage Planning staff to build the new house to incorporate heritage characteristics of the current home which was built in the 1800s.

The Committee then asked about the frontage of the house and their request for 7 Variances.

Mr. Sinclair responded that the house is a long rectangle in shape. If they placed the proposed new house in the middle of the subject property it would have an awkward sitting. In terms of the 7 Variances, Mr. Sinclair stated that when looking at the context of the site these Variances are not actually substantial but being sought to build a new house which is more compatible with the neighbourhood.

The Committee asked if site specific re-zoning would be more appropriate here. Staff responded that after reviewing the proposal with the Applicant, it was determined that they could pursue a Minor Variance Application.

***Moved by Tom Plamondon***

***Seconded by Grace Marsh***

***The Chair was transferred from Grace Marsh to Roy Harrington as this motion did not have a seconder.***

THAT Minor Variance Application MV-2015-39A-G be APPROVED subject to the restriction for MV-2015-39E contained in the report.

***Tom Plamondon and Grace Marsh Support***

***Roy Harrington Opposed***

**CARRIED**

**8. Minor Variance Application: MV-2015-40 – Synergy Partners Capital Inc.  
305 Industrial Parkway South, Unit 17**

The Applicant has submitted an Application to allow a Commercial School within an existing industrial complex. Section 27.1 of the Zoning By-law allow 'Commercial Schools' in Units 3-6 and 20 & 21 only. The Applicant is proposing to use Unit 17 for a 'Commercial School'; thus requiring a Variance.

The Chair read through the purpose of the Application. In attendance was the agent Marianna Hollerbach.

The Chair asked if any members of the Public wanted to speak on the Application.

Shari Card of unit 12 of the subject property's industrial complex asked for further clarification on the nature of the school.

Ms. Hollerbach indicated that it was an adult dance school which would operate Monday to Friday from 1:00PM-10PM as one on one type lessons. Parking would occur off hours.

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-40 be APPROVED subject to the restriction contained in the report.

**CARRIED**

**9. Minor Variance Application: MV-2015-41A-B – McClelland  
65 Wellington Street East**

The Applicant has submitted an Application to allow business and professional offices on the second floor of the existing building and for a reduction in required parking spaces for office use. Section 14.3.34.1 of the Zoning By-law allows 'business and professional offices' on the first. The Applicant is proposing 'business and professional office' on the second floor; thus requiring a Variance. Section 6.26.1.4 of the Zoning By-law requires 9 parking spaces for office use. The Applicant has 8 parking spaces on the subject property; thus requiring a Variance of 1 parking space.

The Chair read through the purpose of the Application. In attendance was the Applicant Dean McClelland.

The Committee asked if the Fire Department had provided any comments relating to Fire Code requirements for the subject property and proposed change of use.

Staff responded that no comments were provided to this Application by Central York Fire Services but that fire related issues would be addressed when the Applicant came in from building permits.

***Moved by Roy Harrington***

***Seconded by Tom Plamondon***

THAT Minor Variance Application MV-2015-41A-B be APPROVED.

**CARRIED**

**10. Minor Variance Application: MV-2015-42 – Mattamy (Aurora) Ltd.  
67 Degraaf Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.8 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-42 be APPROVED.

**CARRIED**

**11. Minor Variance Application: MV-2015-43 – Mattamy (Aurora) Ltd.  
55 Degraaf Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.8 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-43 be APPROVED.

**CARRIED**



**12. Minor Variance Application: MV-2015-44 – Mattamy (Aurora) Ltd.  
55 Major Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.7 metres; thus requiring a Variance of 0.3 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-44 be APPROVED.

**CARRIED**

**13. Minor Variance Application: MV-2015-45 – Mattamy (Aurora) Ltd.  
69 Major Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.5 metres; thus requiring a Variance of 0.5 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-45 be APPROVED.

**CARRIED**

**14. Minor Variance Application: MV-2015-46 – Mattamy (Aurora) Ltd.  
65 Novan Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.5 metres; thus requiring a Variance of 0.5 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Minor Variance Application MV-2015-46 be APPROVED.

**CARRIED**

**15. Minor Variance Application: MV-2015-47 – Mattamy (Aurora) Ltd.  
79 Novan Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.99.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit with a rear yard setback of 6.6 metres; thus requiring a Variance of 0.4 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren.

Mr. Sjogren indicated that due to a design flaw with this lot that a Variance was being sought.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Minor Variance Application MV-2015-47 be APPROVED.

**CARRIED**

**V NEW BUSINESS/GENERAL INFORMATION**

- Update on the Ontario Municipal Board (OMB) appeal for Minor Variance Application MV-2014-25 – Newell
- Staff indicated that the OMB had decided to approve this Minor Variance Application subject to the conditions as recommended by Town staff.
- Update on the Ontario Municipal Board (OMB) appeal for Minor Variance Application MV-2014-32 - Pechen
- Staff indicated that the OMB had decided to not approve this Minor Variance Application.
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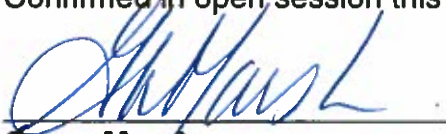
**VI ADJOURNMENT**

*Moved by Roy Harrington*

THAT the meeting be adjourned at 8:05 p.m.

**CARRIED**

Confirmed in open session this 10<sup>th</sup> day of December 2015.



**Grace Marsh,  
Committee Chair**



**Justin Leung,  
Secretary-Treasurer**