



**TOWN OF AURORA  
COMMITTEE OF ADJUSTMENT MEETING MINUTES  
NO. 16-01**

Council Chambers  
Aurora Town Hall  
Thursday, January 14, 2016

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**ATTENDANCE**

**COMMITTEE MEMBERS**

Grace Marsh (Chair), Carl Barrett (Vice-Chair), Roy Harrington, David Mhango and Tom Plamondon

**REGRETS**

**OTHER ATTENDEES**

Justin Leung (Secretary-Treasurer) and Marty Rokos (Planner)

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

***I DECLARATIONS OF PECUNIARY INTEREST***

- None

***II APPROVAL OF AGENDA***

*Moved by Carl Barrett*

*Seconded by Roy Harrington*

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

**CARRIED**

***III ADOPTION OF MINUTES***

Committee of Adjustment Minutes of December 10, 2015  
Meeting Number 15-12

*Moved by Roy Harrington*

*Seconded by David Mhango*

THAT the Committee of Adjustment Minutes from Meeting Number 15-12 be adopted as printed and circulated.

**CARRIED**

**IV PRESENTATION OF APPLICATIONS**

- 1. Minor Variance Application: MV-2015-57A-D – Hayzelden  
94 McGee Crescent  
\*Deferred Application**

The Applicant has submitted an Application to allow reduced setback requirements for an accessory building. Section 11.10.2.2 of the Zoning By-law requires a minimum interior side yard setback of 0.6 metres. The Applicant is proposing an accessory structure (pool shed) with an interior side yard setback of 0.3 metres; thus requiring a Variance of 0.3 metres. Section 6.2.2 of the Zoning By-law requires a minimum rear yard setback of 1.0 metre for an accessory structure. The Applicant is proposing an accessory structure (pool shed) with a rear yard setback of 0.2 metres; thus requiring a Variance of 0.8 metres. Section 6.48.1 of the Zoning By-law permits eaves to project 0.7 metres into the required rear yard. The Applicant is proposing an accessory structure with eaves projecting 1.0 metre into the rear yard; thus requiring a Variance of 0.3 metres. Section 6.38.3(2) of the Zoning By-law requires minimum distance separation of 1.2 metres from nearest edge of water contained in pool to all structures. The Applicant is proposing a distance separation of 1.0 metre to nearest edge of water contained in pool to accessory structure (pool shed), thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Angela Sciberras of Macaulay Shiomi Howson.

Ms. Sciberras indicated that with regards to the recommended condition, the Applicant has now reconstructed the shed overhang thereby satisfying the condition requirements.

***Moved by Carl Barrett***

***Seconded by Tom Plamondon***

THAT Minor Variance Application MV-2015-57A-D be APPROVED subject to condition contained in the report.

**CARRIED**

- 2. Minor Variance Application: MV-2015-58A-B - Benlolo  
123 George Street**

The Applicant has submitted an Application to allow a reduction in interior side yard setbacks to construct a detached dwelling unit. Section 10.2.2 of the Zoning By-law requires minimum interior side yard setback of 4.5 metres. The Applicant is proposing to construct a detached dwelling unit which is 2.4 metres

to the left interior side property line; thus requiring a Variance of 2.1 metres. Section 10.2.2 of the Zoning By-law requires minimum interior side yard setback of 4.5 metres. The Applicant is proposing to construct a detached dwelling unit which is 3.1 metres to the right interior side property line; thus requiring a Variance of 1.5 metres.

The Chair requested an administrative amendment be made to MV-2015-58B to properly identify the Variance identified as 1.5 metres and not 1.4 metres as described in the Notice of Public Hearing.

In attendance was the agent Jordan Kohm who stated he was aware of the recommended condition by Parks & Recreation Services for an arborist report and would address this if the Application was approved.

***Moved by David Mhango***

***Seconded by Tom Plamondon***

THAT Minor Variance Application MV-2015-58A-B be APPROVED subject to the administrative amendment recommended by the Committee and conditions contained in the report.

***Grace Marsh, Carl Barrett, Tom Plamondon and David Mhango Support***

***Roy Harrington Oppose***

**CARRIED**

**3. Minor Variance Application: MV-2015-59A-B – Derlin Investments Inc.  
288 Don Hillock Drive**

The Applicant has submitted an Application to allow a reduction in landscape requirements to facilitate loading space area for an industrial building. Section 27.D.4.3 of the Zoning By-law requires a minimum landscape width of 3 metres that is adjacent to a property line. The Applicant is proposing a loading space area on the southern portion of the property with a landscape width of 1.5 metres; thus requiring a Variance of 1.5 metres. Section 27.D.4.3 of the Zoning By-law requires a minimum landscape width of 3 metres that is adjacent to a property line. The Applicant is proposing a loading space area on the northern portion of the property with a landscape width of 1.5 metres; thus requiring a Variance of 1.5 metres.

The Chair read through the purpose of the Application. In attendance was the agent Jonathan Weizel.

Mr. Weizel stated that the Variances were required so that tractor trailers could travel to the loading space area of the building.

*Moved by Tom Plamondon*

*Seconded by Roy Harrington*

THAT Minor Variance Application MV-2015-59A-B be APPROVED.

**CARRIED**

**4. Minor Variance Application: MV-2015-60 – Allure at the Gates of Aurora  
62 Davina Circle**

The Applicant has submitted an Application to allow a reduction in front yard setback. Section 11.2.2 of the Zoning By-law requires a minimum front yard of 4.5 metres. The Applicant is proposing to construct a two storey detached dwelling unit which is 4.0 metres to front property line; thus requiring a Variance of 0.5 metres.

The Chair read through the purpose of the Application. In attendance was Mario Ortra of Allure at the Gates of Aurora. Mr. Ortra stated that their surveyor crew saw that the subject property had not been staked properly thus necessitating this Variance.

*Moved by Carl Barrett*

*Seconded by Carl Barrett*

THAT Minor Variance Application MV-2015-60 be APPROVED.

**CARRIED**

**5. Minor Variance Application: MV-2015-61 – Opus Homes  
341 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

*Moved by Carl Barrett*

*Seconded by David Mhango*

THAT Minor Variance Application MV-2015-61 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

*Carl Barrett, Roy Harrington and David Mhango Support*

*Grace Marsh and Tom Plamondon Oppose*

**CARRIED**

**6. Minor Variance Application: MV-2015-62 – Opus Homes  
345 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

*Moved by Carl Barrett*

*Seconded by David Mhango*

THAT Minor Variance Application MV-2015-62 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

*Carl Barrett, Roy Harrington and David Mhango Support*

*Grace Marsh and Tom Plamondon Oppose*

**CARRIED**

**7. Minor Variance Application: MV-2015-63– Opus Homes  
353 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-63 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**8. Minor Variance Application: MV-2015-64– Opus Homes  
357 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-64 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**9. Minor Variance Application: MV-2015-65– Opus Homes  
361 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-65 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**10. Minor Variance Application: MV-2015-66– Opus Homes  
365 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-66 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**11. Minor Variance Application: MV-2015-67– Opus Homes  
369 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.



Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-67 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**12. Minor Variance Application: MV-2015-68– Opus Homes  
373 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-68 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**13. Minor Variance Application: MV-2015-69– Opus Homes  
377 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-69 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**14. Minor Variance Application: MV-2015-70– Opus Homes  
40 Chouinard Way**

The Applicant has submitted an Application to allow a reduction in interior driveway width. Section 11.99.2.4 of the Zoning By-law a minimum interior garage width of 5.4 metres. The Applicant is proposing to construct a two storey detached dwelling unit with an interior garage width of 5.2 metres; thus requiring a Variance of 0.2 metres.

The Chair read through the purpose of the Application. In attendance was the agent Rainer Ancheta of RN Design.

The Committee asked why they were not able to comply and if the garage is able to fit two vehicles.

Mr. Ancheta responded that it was due to the entrance positioned on the side that this house was designed as such.

Staff indicated that it depended on the size of vehicle to be placed in the vehicle. However, the Zoning By-law stipulates a 3 car minimum including the parking of vehicles on the driveway.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-70 be APPROVED with an added condition by the Committee that buyers be made aware of this Variance.

***Carl Barrett, Roy Harrington and David Mhango Support***

***Grace Marsh and Tom Plamondon Oppose***

**CARRIED**

**15. Minor Variance Application: MV-2015-71– Yu Ling Lan  
26 Hunters Glen Road**

The Applicant has submitted an Application to allow the storage of a mobile home in a residential yard, which exceeds the maximum allowable length in the Zoning By-law. Section 6.41 of the Zoning By-law states that no lot shall be used for storage of mobile home except in either rear or interior side yard provided such storage does not exceed 2 vehicles and does not exceed 7.5 metres length. The Applicant is proposing to store one mobile home which is 13.4 metres length, on the interior side yard portion of the property's driveway, thus requiring a Variance of 5.9 metres for length of mobile homes.

The Chair read through the purpose of the Application. In attendance was the agent Yue Li (Roy).

The Chair then asked if any members of the public wanted to speak in relation to this Application.

Janet Cautney was in attendance to represent the residents of 28 Hunters Glen Road to oppose the Application. Ms. Cautney stated that the approval of such an Application would adversely impact property value for her client and other properties in the neighbourhood.

Warren McClure of the Raterayers of Yonge Street South also spoke in opposition of the Application. He stated that it was not a positive development for the area and would set a precedent.

*Moved by Roy Harrington*

*Seconded by David Mhango*

THAT Minor Variance Application MV-2015-71 be APPROVED subject to conditions contained in the report.

*Roy Harrington and David Mhango Support*

*Tom Plamondon, Carl Barrett and Grace Marsh Oppose*

**THE MOTION FAILS TO CARRY**

*Moved by Tom Plamondon*

*Seconded by Carl Barrett*

THAT Minor Variance Application MV-2015-71 be REFUSED.

*Tom Plamondon, Carl Barrett and Grace Marsh Support*

*Roy Harrington and David Mhango Oppose*

**CARRIED**

**16. Minor Variance Application: MV-2015-72A-C– Spampinato  
73 Kennedy Street East**

The Applicant has submitted an Application to allow a reduction in interior side yard setback, increase maximum driveway width, and increase in eaves projection. Section 11.2.2 of the Zoning By-law requires a minimum interior side yard setback of 1.5 metres. The Applicant is proposing to construct a detached dwelling unit which is 0.9 metres to the interior side property line; thus requiring a Variance of 0.6 metres. Section 6.48.1 of the Zoning By-law allows a maximum driveway width of 6.0 metres if lot frontage is greater than or equal to 9.0 metres and less than 18.0 metres. The Applicant is proposing a driveway width of 9.1 metres; thus requiring a Variance of 3.1 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 1.23 metres into required interior side yard; thus requiring a Variance of 0.5 metres.

The Chair read through the purpose of the Application. In attendance was the agent Jeff Spampinato.

The Chair then asked if any members of the public wanted to speak in relation to this Application.

Joseph Clark of 72 Cousins Drive raised concerns about possible flooding onto his adjacent property due to the approval of this Variance.

Staff responded that Infrastructure & Environmental Services, the department responsible for overseeing drainage on properties, had not identified any possible flooding issues.

*Moved by Carl Barrett*

*Seconded by David Mhango*

THAT Minor Variance Application MV-2015-72A-C be APPROVED.

*Carl Barrett, Grace Marsh, Roy Harrington and David Mhango Support*

*Tom Plamondon Oppose*

**CARRIED**

**17. Minor Variance Application: MV-2015-73– 212 Earl Stewart Drive Inc.  
212 Earl Stewart Drive, Suites 101 and 102**

The Applicant has submitted an Application to permit a recreation centre (Suites 101 and 102) in a building that contains warehouse, industrial use, motor vehicle body shop or motor vehicle repair garage. Section 27.C.1 of the Zoning By-law allows recreation centres provided that no part of the building in which such uses are located is used for any commercial self-storage facility, warehouse, industrial use, motor vehicle body shop or motor vehicle repair garage. The Applicant is proposing a recreation centre in Suites 101 and 102 of the subject property's industrial building which also includes commercial self-storage facility, warehouse, industrial use, motor vehicle body shop or motor vehicle repair garage in that portion of the building, thus requiring a Variance.

The Chair read through the purpose of the Application. In attendance was Jackie Morris of 212 Earl Stewart Drive Inc.

The Committee inquired about parking relating to this proposed use. Staff responded that parking complied with Zoning By-law parking provisions.

*Moved by David Mhango*

*Seconded by Tom Plamondon*

THAT Minor Variance Application MV-2015-73 be APPROVED.

**CARRIED**

**V NEW BUSINESS/GENERAL INFORMATION**

- The Committee indicated that they were satisfied with the Chair and Vice Chair as done by the current Chair and Vice Chair and that they should remain in their positions for one calendar year. After one year, new Chair and Vice Chair could be elected.

- Staff state that Bill 73 had received Royal Assent and would subsequently be granted final passage by the Ontario Legislature. Bill 73 proposed amendments to the Development Charges Act and Planning Act. Within this, proposed changes to how Consent and Minor Variances would be handled is also included. Planning staff were currently working on a staff report to provide to Town Council which examines and identifies the specific amendments and how they would affect municipal planning process. Once the report was completed, the Committee would be provided a copy.

## VI ADJOURNMENT

*Moved by Roy Harrington*

THAT the meeting be adjourned at 9:00 p.m.

**CARRIED**

Confirmed in open session this 11<sup>th</sup> day of February 2016.

  
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Grace Marsh,  
Committee Chair

PER CARL  
BARRETT

  
\_\_\_\_\_  
Justin Leung,  
Secretary-Treasurer