



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 17-11

Council Chambers, Aurora Town Hall
Thursday, November 9, 2017

Attendance

Committee Members Grace Marsh (Chair), Tom Plamondon (Vice-Chair), Hank Gosar, and Roy Harrington

Regrets David Mhango

Other Attendees Justin Leung, Secretary-Treasurer, Marty Rokos, Planner, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 7:04 p.m.

1. Approval of the Agenda

Moved by Roy Harrington
Seconded by Tom Plamondon

That the agenda as circulated by the Secretary-Treasurer be approved, with the exception that Item 6 will be considered prior to consideration of Items 1 to 5.

Carried as amended

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 October 12, 2017
Meeting Number 17-10**

**Moved by Hank Gosar
Seconded by Roy Harrington**

That the Committee of Adjustment meeting minutes from Meeting Number 17-10 be adopted as printed and circulated.

Carried

4. Presentations of Applications

The Committee consented to consider Items 1 and 2 together.

**1. Consent Application: C-2017-08 – Jessmar Group Ltd.
190 Kennedy Street West**

The Applicant has submitted an application to sever the subject lands to create a total of three lots.

**2. Consent Application: C-2017-09 – Jessmar Group Ltd.
190 Kennedy Street West**

The Applicant has submitted an application to sever the subject lands to grant an easement over the lands identified as "Shared Driveway Easement" for the purpose of access for personal vehicles, in favour of the two lots to the west and east of the retained lot to be created by severance with access onto Kennedy Street West.

The Chair read through the purpose of the applications in Items 1 through 5 and noted the corrections to the application numbers in Items 1 and 2. The Chair further noted that an eighth condition has been added to the seven conditions detailed in the staff report. In attendance was Mr. Tom Kilpatrick, of Malone Given Parsons Ltd., and Mr. Larry Dekkema, of Ballymore Homes Corporation, Agents representing the Applicant.

Mr. Kilpatrick presented an overview of the Consent and Minor Variance Applications including site context, neighbourhood compatibility, proposed

severance plan, preliminary landscaping plan, conceptual elevations and cross sections, consent to sever justifications, and minor variance tests.

Mr. Gilles Cinq-Mars, of 180 Kennedy Street West, requested clarification regarding the reference to "no comments" in the staff report and on the width of the proposed single driveway, and staff provided a response.

The Committee inquired about the municipal easement and its impact on the proposed driveway and services. Staff and the Agent provided clarification regarding the existing easement and services, and referred to the additional condition recommended by staff, which was not included in the report.

The Chair read the additional condition (no. 8) for the record: "That any repair, maintenance and replacement of service laterals proposed within municipal easement will be the responsibility of the homeowners, and as such, a warning clause to that effect will be registered by the applicant on title of each of the proposed lots to make the future homeowners aware of this responsibility." Mr. Dekkema stated that the Applicant is agreeable to all of the conditions.

The Committee inquired about the minimum lot area, the proposed entry feature at the street line and any discussions with Central York Fire Services (CYFS) regarding the driveway access, and the Agent and staff provided clarification.

Moved by Tom Plamondon
Seconded by Hank Gosar

1. That Consent Applications C-2017-08 and C-2017-09 be APPROVED, subject to the conditions contained in the report and the added condition no. 8.

Carried

The Committee consented to consider Items 3, 4, and 5 together, and vote on each application separately.

The Committee expressed concerns regarding compatibility, roof pitch, lot frontage and building height, and the proposed driveway entrance feature. The Agent provided an explanation and acknowledged the Committee's suggestion regarding the driveway feature and CYFS access.

The Committee inquired about the concerns of the owner of 180 Kennedy Street West, and suggested that staff and the applicant be required to meet with Mr. Cinq-Mars to address any concerns regarding servicing.

Staff noted that a proposed trail had been identified, which would run through the subject lands and which was not included in the comments and conditions of the staff report, and advised that the Applicant was agreeable to providing an easement for a trail.

**3. Minor Variance Applications: MV-2017-34A-C – Jessmar Group Ltd.
190 Kennedy Street West**

The Applicant has submitted three applications:

- MV-2017-34A is an application to allow a reduction in the minimum lot frontage for construction of a two-storey detached dwelling. Section 7.2 of the Zoning By-law requires a minimum lot frontage of 30.0 metres. The Applicant is proposing a newly created lot with lot frontage of 10.1 metres; thus requiring a variance of 19.9 metres (Lot 1);
- MV-2017-34B is an application to allow an increase in the maximum driveway width. Section 5.6.1(a)(ii) of the Zoning By-law permits a maximum driveway width of 6.0 metres if lot frontage is greater than 9.0 metres and less than 18.0 metres. The Applicant is proposing a driveway width of 11.7 metres; thus requiring a variance of 5.7 metres (Lot 1);
- MV-2017-34C is an application to allow an increase in the maximum building height to construct a two-storey detached dwelling. Section 7.2 of the Zoning By-law permits a maximum height of 10.0 metres. The Applicant is proposing to construct a detached dwelling unit with a building height of 13.1 metres; thus requiring a variance of 3.1 metres (Lot 1).

Moved by Tom Plamondon

Seconded by Hank Gosar

1. That Minor Variance Application MV-2017-34A be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and

2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

**Moved by Tom Plamondon
Seconded by Roy Harrington**

1. That Minor Variance Application MV-2017-34B be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

**Moved by Hank Gosar
Seconded by Roy Harrington**

1. That Minor Variance Application MV-2017-34C be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

**4. Minor Variance Applications: MV-2017-35A-B – Jessmar Group Ltd.
190 Kennedy Street West**

The Applicant has submitted two applications:

- MV-2017-35A is an application to allow a reduction in the minimum lot frontage for construction of a two-storey detached dwelling. Section 7.2 of

the Zoning By-law requires a minimum lot frontage of 30.0 metres. The Applicant is proposing a newly created lot with lot frontage of 10.2 metres; thus requiring a variance of 19.8 metres (Lot 2);

- MV-2017-35B is an application to allow an increase in maximum building height to construct a two-storey detached dwelling. Section 7.2 of the Zoning By-law permits a maximum height of 10.0 metres. The Applicant is proposing to construct a detached dwelling unit with a building height of 13.3 metres; thus requiring a variance of 3.3 metres (Lot 2);

Moved by Tom Plamondon

Seconded by Hank Gosar

1. That Minor Variance Application MV-2017-35A be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

Moved by Tom Plamondon

Seconded by Hank Gosar

1. That Minor Variance Application MV-2017-35B be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

5. **Minor Variance Applications: MV-2017-36A-C – Jessmar Group Ltd.
190 Kennedy Street West**

The Applicant has submitted three applications:

- MV-2017-36A is an application to allow a reduction in the minimum lot frontage for construction of a two-storey detached dwelling. Section 7.2 of the Zoning By-law requires a minimum lot frontage of 30.0 metres. The Applicant is proposing a newly created lot with a lot frontage of 10.2 metres; thus requiring a variance of 19.8 metres (Lot 3);
- MV-2017-36B is an application to allow an increase in the maximum driveway width. Section 5.6.1(a)(ii) of the Zoning By-law permits a maximum driveway width of 6.0 metres if lot frontage is greater than 9.0 metres and less than 18.0 metres. The Applicant is proposing a driveway width of 12.0 metres; thus requiring a variance of 6.0 metres (Lot 3);
- MV-2017-36C is an application to allow an increase in maximum building height to construct a two-storey detached dwelling. Section 7.2 of the Zoning By-law permits a maximum height of 10.0 metres. The Applicant is proposing to construct a detached dwelling unit with a building height of 13.1 metres; thus requiring a variance of 3.1 metres (Lot 3).

Moved by Tom Plamondon

Seconded by Roy Harrington

1. That Minor Variance Application MV-2017-36A be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

Moved by Tom Plamondon

Seconded by Hank Gosar

1. That Minor Variance Application MV-2017-36B be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and

2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

**Moved by Hank Gosar
Seconded by Roy Harrington**

1. That Minor Variance Application MV-2017-36C be APPROVED, subject to the conditions contained in the report and the added condition no. 8; and
2. That staff and the Applicant meet with the owner of 180 Kennedy Street West to address any concerns regarding servicing; and
3. That staff meet with the developer to determine whether an easement is required for a section of trail.

Carried

**6. Minor Variance Applications: MV-2017-37A-C – Russo
29 Mark Street**

The Committee consented to consider Item 6 prior to consideration of Item 1.

The Applicant has submitted three applications to facilitate the construction of a second-storey addition to the existing dwelling.

- MV-2017-37A is an application to allow a reduction in the front yard setback for a second-storey addition. Section 7.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres. The Applicant is proposing a front yard setback of 4.6 metres; thus requiring a variance of 1.4 metres;
- MV-2017-37B is an application to allow an increase in the maximum projection for eaves. Section 4.20 of the Zoning By-law allows for a maximum projection of 0.70 metres into any required yard for eaves. The Applicant is proposing an eaves encroachment of 2.0 metres into the front yard; thus requiring a variance of 1.30 metres;

- MV-2017-37C is an application to allow a reduction in the minimum front yard setback for steps and landings. Section 4.20 of the Zoning By-law requires a minimum front yard setback of 4.5 metres for steps and landings. The Applicant is proposing to construct steps and landing with a front yard setback of 1.5 metres; thus requiring a variance of 3.0 metres.

The Chair read through the purpose of the applications. In attendance was the Applicant.

Moved by Hank Gosar
Seconded by Tom Plamondon

1. That Minor Variance Application MV-2017-37A-C be APPROVED, subject to the conditions contained in the report.

Carried

5. Adjournment

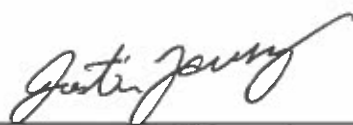
Moved by Tom Plamondon

That the meeting be adjourned at 8:33 p.m.

Confirmed in open session this 7th day of December, 2017.



Grace Marsh, Committee Chair



Justin Leung, Secretary-Treasurer