



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 18-05

Council Chambers, Aurora Town Hall
Thursday, May 10, 2018

Attendance

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

Regrets None

Other Attendees Marty Rokos, Planner/Acting Secretary-Treasurer, Caitlin Graup, Planner, and Linda Bottos, Council/Committee Secretary

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

1. Approval of the Agenda

Moved by Tom Plamondon
Seconded by Hank Gosar

That the agenda as circulated by the Secretary-Treasurer, with the addition of the following item, be approved:

- Item 6 – Minor Variance Application: MV-2017-19 – Aurora Century Properties, 4 Don Hillock Drive

Carried

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 March 8, 2018 Meeting Number 18-03

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

That the Committee of Adjustment meeting minutes from Meeting Number 18-03 be adopted as printed and circulated.

Carried

Committee of Adjustment Meeting Minutes of April 12, 2018 Meeting Number 18-04

**Moved by Tom Plamondon
Seconded by David Mhango**

That the Committee of Adjustment meeting minutes from Meeting Number 18-04 be adopted as printed and circulated.

Carried

4. Presentation of Applications

1. Minor Variance Application: MV-2018-06A-D – O'Brien 44 Mosley Street

The Applicant has submitted an application with four variances to facilitate the construction of a new two-storey detached dwelling with an attached three-car garage:

- MV-2018-06A: To permit a reduced minimum easterly interior side yard setback of 0.6 metre for the proposed two-storey dwelling with an attached garage; whereas the Zoning By-law requires a setback of 1.5 metres, thereby requiring a variance of 0.9 metre;
- MV-2018-06B: To permit the proposed two-storey detached dwelling to have an eaves projection of 1.5 metres into the required easterly interior

side yard; whereas the Zoning By-law allows a maximum eaves projection of 0.7 metre, thereby requiring a variance of 0.8 metre;

- MV-2018-06C: To permit an increased driveway width of 9.6 metres; whereas the Zoning By-law requires a maximum driveway width of 6.0 metres for frontages between 9.0 metres and 18.0 metres, thereby requiring a variance of 3.6 metres;
- MV-2018-06D: To permit a reduced minimum manoeuvring space of 6.0 metres for 90-degree spaces; whereas the Zoning By-law requires a minimum manoeuvring space of 7.0 metres, thereby requiring a variance of 1.0 metre.

The Chair read through the purpose of the application. In attendance was the Agent, Ronald Berdon, who offered clarification regarding the driveway width.

The Committee inquired about traffic flow, drainage, and manoeuvring space, and a response was provided by the Agent and staff.

Moved by David Mhango

Seconded by Tom Plamondon

1. That Minor Variance Application MV-2018-06A-D be APPROVED, subject to the conditions contained in the report.

Carried

**2. Minor Variance Application: MV-2018-07A-B – McMillan
6 Highland Court**

The Applicant has submitted an application with two variances to facilitate the construction of a detached pool house:

- MV-2018-07A: To permit a reduction in the minimum southerly interior side yard setback of 2.44 metres for the proposed detached pool house; whereas the Zoning By-law requires a setback of 4.5 metres, thereby requiring a variance of 2.06 metres;
- MV-2018-07B: To permit the proposed detached pool house to have an eaves projection of 2.52 metres into the required southerly interior side

yard; whereas the Zoning By-law allows a maximum eaves projection of 0.70 metre, thereby requiring a variance of 1.82 metres.

The Chair read through the purpose of the application. In attendance was the Agent, Jordan Kolm, who expressed agreement with the conditions in the report.

The Committee inquired about a letter of objection and a hedge, and the Agent provided a response.

Moved by Tom Plamondon
Seconded by Hank Gosar

1. That Minor Variance Application MV-2018-07A-B be APPROVED, subject to the conditions contained in the report.

Carried

**3. Minor Variance Application: MV-2018-10A-B – 1087931 Ontario Ltd.
160 Wellington Street East**

The Applicant has submitted an application with two variances to facilitate an outdoor play area for a proposed childcare facility:

- MV-2018-10A: To permit a reduction in the total minimum required parking spaces to 120; whereas the site-specific Zoning By-law requires a minimum of 123 parking spaces, thereby requiring a variance of 3 parking spaces;
- MV-2018-10B: To permit a reduction in the total minimum required barrier-free parking spaces to 3; whereas the Zoning By-law requires a minimum of 5 barrier-free parking spaces, thereby requiring a variance of 2 barrier-free parking spaces.

The Chair read through the purpose of the application. In attendance was the Agent, David Eqbal, Architect, who presented an overview of the application and project description.

Aurora residents including Bonnie Gallagher, Nancy Hansford, Tom Hansford, Brian Hudson, Uru Kerschl (Newmarket), John Kotter, Ron McKinnon, Mark Riando, and Irina Vasileva, expressed the following comments and concerns:

- Opposition to the proposed daycare
- Concern regarding increased traffic congestion in surrounding streets
- Concern regarding increased congestion in condominium parking lot
- Ongoing safety concern regarding speeding drivers in area and use of condominium parking lot as shortcut to avoid traffic lights
- Concern for safety of residents, especially seniors and children
- Concern regarding daycare parents parking in condominium residents' or visitors' parking spaces
- Concern regarding loss of barrier-free and commercial parking spaces
- Concern regarding less commercial parking due to daycare staff parking
- Concern regarding snow removal and storage; impact on parking spaces
- Noise level concern for residents living directly above daycare centre
- Concern regarding negative impact on local businesses related to noise and parking
- Concern regarding increased garbage and recyclable items, and close proximity of removal trucks to daycare children
- Concern regarding decreased property values and curb appeal due to fenced daycare play area
- Concern regarding poor air quality
- Comment that location is not a good environment for children due to close proximity of roads and all types of vehicles

Mr. Doug Sexsmith, on behalf of the Applicant, acknowledged the residents' concerns and addressed those regarding location and traffic flow. A daycare employee addressed the concerns regarding child drop-off and pick-up timing.

The Committee inquired about the minimum number of parking spaces, number of barrier-free parking spaces and location, parking study, snow removal and storage, traffic emissions, daycare toilets, daycare play area, consultation with local residents, and delivery area for commercial units. The Agent, staff, and a condominium board member provided clarification.

Moved by Tom Plamondon
Seconded by Roy Harrington

1. That Minor Variance Application MV-2018-10A-B be DENIED.

Carried

**4. Minor Variance Application: MV-2018-11 – Vello Holdings Limited
330 McClellan Way**

The Applicant has submitted an application to facilitate a playground for a proposed daycare centre:

- MV-2018-11: To permit a 27-metres by 5.4-metres playground for a proposed daycare centre within the required landscaping strip along the north property line where the property abuts a residential zone; whereas the Zoning By-law requires a landscaping strip of 1.5 metres to be located adjacent to the entire length of a property line which abuts a residential zone, thereby requiring a variance of relief from the requirements.

The Chair read through the purpose of the application. In attendance was the Agent, Winnie Yu, who provided a brief overview of the application.

A resident of 6 Cashel Court inquired about the proposed playground location and expressed noise level concerns. The Agent provided a response.

A co-owner of the plaza provided further clarification regarding the proposed playground and suitability of the location.

The Committee inquired about the fenced areas and walkway, access, potential barrier and impact, privacy, grading and catch basin. Clarification was provided by the Agent, staff, and co-owner of the plaza.

Moved by David Mhango
Seconded by Tom Plamondon

1. That Minor Variance Application MV-2018-11 be APPROVED, subject to the conditions contained in the report.

Carried

**5. Minor Variance Application: MV-2018-12A-C – Turner
70 Catherine Avenue**

The Applicant has submitted an application with three variances to facilitate the construction of a 32.5 square metres rear yard deck with an attached pergola:

- MV-2018-12A: To permit a reduction in the minimum exterior side yard setback for a deck to 1.65 metres; whereas the Zoning By-law requires a minimum exterior side yard setback of 3.5 metres for a deck, thereby requiring a variance of 1.85 metres;
- MV-2018-12B: To permit the proposed pergola attached to the proposed deck to have an eaves encroachment of 2.05 metres; whereas the Zoning By-law permits a maximum encroachment for eaves of 0.7 metre, thereby requiring a variance of 1.35 metres;
- MV-2018-12C: To permit an increase in the maximum encroachment for steps into the required exterior side yard to 4.35 metres; whereas the Zoning By-law requires a maximum encroachment of 2.0 metres for steps into any yard, thereby requiring a variance of 2.35 metres.

The Chair read through the purpose of the application. In attendance was the Applicant, Mr. Turner.

The Committee noted that the "Purpose of Application MV-2018-12A" section in the staff report should be corrected to "...a maximum exterior side yard setback for a deck of 3.5m."

Moved by Hank Gosar

Seconded by Tom Plamondon

1. That Minor Variance Application MV-2018-12A-C be APPROVED.

Carried

**6. Minor Variance Application: MV-2017-19 – Aurora Century Properties
4 Don Hillock Drive**

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

The Chair read through the purpose of the request to amend one of the conditions of a previously approved minor variance application respecting the development of a hotel consisting of six storeys and 122 rooms.

Moved by David Mhango
Seconded by Tom Plamondon

1. That the request to amend Condition No. 2 of the Committee of Adjustment approval of Minor Variance Application MV-2017-19 be APPROVED, to read as follows:

“That the above-noted conditions be satisfied within one year from the May 10, 2018 Committee of Adjustment decision on these files, or the variance may lapse requiring application.”

Carried

5. New Business

Staff provided a status update regarding recruitment efforts for a Secretary-Treasurer for the Committee of Adjustment.

6. Adjournment

Moved by Tom Plamondon

That the meeting be adjourned at 9:19 p.m.

Confirmed in open session this 10th day of May, 2018.



Grace Marsh, Committee Chair



Marty Rokos, Acting Secretary-Treasurer