



Town of Aurora  
Committee of Adjustment  
Meeting Agenda

July 9, 2020  
7 p.m., Electronic Meeting

**1. Approval of the Agenda**

**Recommended:**

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

**2. Declarations of Pecuniary Interest and General Nature Thereof**

**3. Adoption of the Minutes**

**Committee of Adjustment Minutes of June 18, 2020  
Meeting Number 20-04**

**Recommended:**

That the Committee of Adjustment Minutes from Meeting Number 20-04 be adopted as printed and circulated.

**4. Presentation of Applications**

1. **MV-2020-12 – Thompson Funeral Home – 530 Industrial Parkway South**
2. **C-2020-02 – Allan – 2 Willow Farm Lane**
3. **C-2020-03 – Allan – 2 Willow Farm Lane**
4. **MV-2019-16 – Aurora Investments Inc. – 145 & 155 Industrial Parkway S**
5. **MV-2019-17 – Aurora Investments Inc. – 145 & 155 Industrial Parkway S**
6. **C-2019-08 – Aurora Investments Inc. – 145 & 155 Industrial Parkway S**

7. **C-2019-10 – Aurora Investments Inc. – 145 & 155 Industrial Parkway S**
8. **C-2019-13 – Aurora Investments Inc. – 145 & 155 Industrial Parkway S**

**5. New Business**

**6. Adjournment**

# COMMITTEE OF ADJUSTMENT STAFF REPORT

**DATE:** July 2, 2020

**FROM:** Matthew Peverini, Planner, Planning and Development Services

**RE:** Minor Variance Application  
Thompson Funeral Home  
530 Industrial Parkway South  
CON 1 PT LOT 76 and PT RD ALLOW RP 65R27605 PARTS 1, 3 & 5  
File: MV-2020-12

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## 1. APPLICATION

The applicant is requesting the following relief from the requirements of the Town of Aurora Comprehensive Zoning By-law 6000-17, as amended, to facilitate a one storey addition to the existing Funeral Home on the subject lands:

- (a) Section 24.329.2 of the Zoning By-law requires a minimum front yard – main building setback of 7.5 metres. The applicant is proposing an addition to the existing building with a 5.4 metre setback to the front yard – main building;
- (b) Section 24.329.2 of the Zoning By-law requires a minimum side yard – main building setback of 19.0 metres. The applicant is proposing an addition to the existing building with a 9.6 metre setback to the side yard – main building; and,
- (c) Section 5.7 of the Zoning By-law requires a minimum of 3 bicycle parking spaces. The applicant is proposing 0 bicycle parking spaces.

## 2. BACKGROUND

### Subject Property and Area Context

The subject property is municipally known as 530 Industrial Parkway South, and is located on the north side of Industrial Parkway South, east of Yonge Street. The subject property is irregular in shape, with an approximate area of 0.473 hectares (1.17 acres), and an approximate frontage of 72.7 metres (238.7 feet).

The property is currently occupied by a one-storey building (Thompson Funeral Home),

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surface parking and mature vegetation. Surrounding land uses include: a Metrolinx rail line, and automobile dealerships to the north; a dentist office, and the Aurora Soccer Club / Highland Park to the east; the Aurora Chamber of Commerce and Estate Residential dwellings to the south; and, Yonge Street right-of-way (which contains mature vegetation), residential, and commercial uses to the west.

## Proposal

The applicant is proposing a one-storey addition (ground floor and basement) at the west side of the existing building (See Appendix 'B'). The proposed gross floor area (GFA) of the addition is approximately 149 square metres (1604 square feet). Growing business needs are cited as the reason for the proposed expansion.

## Official Plan

The Town's Official Plan designates the subject lands as "Existing Commercial" on Schedule 'A' Structure Plan, "Commercial Special" on Schedule 'C' Commercial Centres, and "Site Specific Policy Area 33" (SSPA 33) on Schedule 'H' Site Specific Policy Areas. This SSPA permits "Funeral Home" and "Business/professional Offices", and sets out policies pertaining to urban design and the requirement for Site Plan Control for proposed development, the requirement for adequate parking, and means of access to the lands.

Section 14.0 of the Town's Official Plan sets out objectives and policies to provide for sustainable infrastructure. This includes promoting active transportation and multi-modal access (such as cycling) throughout the community, and encouraging an active, healthy lifestyle for the citizens of Aurora. Additionally, Schedule 'K' Trail Network Concept identifies a "Future Boulevard Multi-Use Path" along Industrial Parkway South which connects southward along Yonge Street

Schedule 'B' to the Official Plan identifies that the subject lands are located within the Oak Ridges Moraine, and are therefore subject to OPA 48, and the Oak Ridges Moraine Conservation Plan (ORMCP). The subject lands are located within a "Settlement Area", which is an area designated for development of a range of uses.

## Zoning

The subject lands are zoned "Community Commercial C4(329) Exception Zone" by the Town of Aurora Zoning By-law 6000-17, as amended. This zone permits a "Funeral Parlour" as the sole use on the subject lands, and sets out site-specific zone

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requirements for lot area, lot frontage, setbacks, and building height.  
Preliminary Zoning Review

A Preliminary Zoning Review was completed by the Building Division on June 17, 2020. The requested minor variances have been confirmed based on the review.

### **3. REVIEW & COMMENTS**

The minor variance application was circulated to Town divisions and applicable external agencies for review and comment. Planning Division, and other Department/Agency comments are provided below.

#### **Planning Division**

##### **a) Proposed variances (a) and (b) meet the general intent of the Official Plan**

###### **Front and Side Yard Setbacks**

The Official Plan SSPA 33 policies provide that the siting of buildings on the lands shall take into consideration the existing active rail line abutting the north limits of the property, and that a high standard of design (building design, landscaping, lighting, and vehicular and pedestrian access) shall be required and implemented through the site plan approval process. Development shall be accomplished in a manner that minimizes grade alteration to the extent possible.

The proposed addition maintains the required setback to the adjacent rail line (as confirmed by Metrolinx comments), and remains in line with the existing front and rear walls of the existing building. The proposed reduction in front yard setback is largely a result of an irregular front lot line.

The portion of Yonge Street adjacent to the subject property is under Regional jurisdiction, and has a planned right-of-way of 30 metres which protects for future road expansion. A 9.6 metre exterior side yard setback plus any future boulevard associated with a future road expansion will provide ample separation distance between the building and the Yonge right-of-way. Additionally, the Region of York has provided that they have no objection to the proposed variances.

A future site plan control application will be required to review matters such as building design, landscaping, pedestrian accessibility, grading, etc. and to ensure

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development is consistent with all Town policies and standards. As such, Staff are of the opinion that variances (a) and (b) maintain the general intent of the Official Plan.

### **Bicycle Parking**

The applicant is proposing no bicycle parking spaces, which does not contribute to achieving the active transportation goals of the Official Plan. Therefore staff are of the opinion that proposed variance (c) does not maintain the general intent of the Official Plan.

## **b) Proposed variances (a) and (b) meet the general intent of the Zoning By-law**

### **Front and Side Yard Setbacks**

The intent of setbacks for buildings to lot lines are to ensure there is adequate space to access yards around a building, to provide for adequate buffers to adjacent uses, and to allow for an appropriate level of urban design. In addition to the required site specific setbacks in the Zoning By-law for front and side yard setbacks (7.5 metre front yard and 19 metre side yard), the subject lands are further constrained by a setback to the abutting rail line to the north. The site-specific side yard setback considers the existing building location and grading at the west limits of the property.

Due to site grading and setback constraints, any expansion to the existing building would have to occur within the westerly side yard, front yard, or in a portion of the existing parking area. The applicant is proposing a 6.1 metre extension off of the existing building into the westerly side yard and front yard. The limits of the proposed expansion appear to be cognizant of adjacent grades, and only a portion of the extension will encroach into the front yard. The proposed setbacks will still allow for adequate buffering, design and landscaping opportunities; and maintain the required building setback to the rail line, and ensure there are no impacts on the Yonge Street right-of-way. Both Metrolinx and the Region of York have provided they have no objections to the proposed variances.

As such, staff are of the opinion that variances (a) and (b) meet the general intent of the Zoning By-law. Staff recommend that approval of variances (a) and (b), be subject to a condition that the proposed expansion be in substantial conformity with the Conceptual Site Plan submitted with the application (attached as Appendix 'B').

### **Bicycle Parking**

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Bicycle parking standards are applied to Commercial, Employment, Institutional, and Apartment Residential zones in the Town, to promote active and multi-modal transportation.

The applicant is proposing no bicycle parking spaces whereas the By-law requires 3. The proposed variance does not encourage active transportation, or provide the opportunity for workers or residents to reach this destination by cycling. Therefore, staff are of the opinion that variance (c) does not maintain the general intent of the Zoning By-law.

**c) Variances (a) and (b) are considered desirable for the appropriate development of the lot**

**Front and Side Yard Setbacks**

The applicant has indicated that the proposed building addition will assist in meeting the requirements of the Funeral Home industry standards, and will provide additional space to meet the needs of a growing client base. The applicant is maintaining the required setback to the rail line, sufficient front and side yards for landscaping and urban design purposes, and an appropriate side yard setback for the possible future Yonge Street road widening.

As such, staff are of the opinion that variances (a) and (b) are considered desirable for the appropriate development of the lot.

**Bicycle Parking**

A future Multi-use path is identified along Industrial Parkway South and the Zoning by-law requires bicycle parking spaces for commercial use. While a Funeral Home may not necessarily yield a high volume of cyclists, the Town seeks to provide opportunities for active and multi-modal transportation.

It is the opinion of staff that the requirement for 3 bicycle parking spaces can easily be accommodated on site while not adversely affect overall site design, and encouraging workers and residents to cycle to their destination rather than rely on a personal automobile. Therefore, staff are of the opinion that variance (c) is not considered desirable for the appropriate development of the lot.

**d) Proposed variances (a) and (b) are considered minor in nature  
Front and Side Yard Setbacks**

The existing building and proposed addition respects the required setback to the abutting rail line, maintains sufficient yard area for landscaping and urban design measures, and does not negatively impact the potential for a future widening of Yonge Street. Future site plan control will ensure that development is consistent with Official Plan policies and Town standards. Additionally, parking requirements remain satisfied per the Town's Zoning By-law standards.

As such, staff are of the opinion that variances (a) and (b) are minor in nature.

### **Bicycle Parking**

While staff understand that a funeral home use does not typically generate a high volume of bicycle traffic, no consideration is given to accommodating bicycle parking on site. Should an employee of the workplace, or a nearby resident elect to cycle to this destination, there is no option to store their bicycle. It is the opinion of staff that the requirement of 3 bicycle parking spaces is not onerous, and can be easily accommodated on site.

Therefore, staff are of the opinion that proposed variance (c) is not minor in nature.

### **Other Departments**

<b>Department / Commenting Agency</b>	<b>Comments Provided</b>
Building Division	A Preliminary Zoning Review was completed.
Operational Services Division	Trees situated on the property/property line may be impacted by excavation or disturbance due to construction. This may result in irreparable damage to the root systems and/or canopy to one or more of these trees. Furthermore, it may be necessary to remove some trees for the proposed construction.  In view of the above staff recommend that the Committee impose Conditions 2 (a) to (f) (inclusive) as outlined in Appendix 'A' to this report.
Engineering Division	No objections with the proposed application.
Accessibility Advisory	No concerns with the proposed application.
Central York Fire	No comments received at the time of writing this report.
Legal Services	No concerns with the proposed application.
York Region	No concerns with the proposed application.

Department / Commenting Agency	Comments Provided
Alectra Utilities	No objection to the approval of the application.
Metrolinx	<p>Given that there is an elevation difference between the rail corridor and the site (rail corridor is lower than site) and the proposed expansion will not move the building closer to the railway corridor, and the existing building setback from rail corridor will be maintained, we have no objection to the proposed development.</p> <p>I recommend that the proponent engage a qualified consultant to prepare a noise and vibration study, to be submitted for review and satisfaction of Metrolinx.</p> <p>Prior to the issuance of Site Plan Approval, the Owner shall grant Metrolinx an Environmental Easement for operational emissions, registered on title in favour of Metrolinx</p>

**Public Correspondence**

Written submissions were not received at the time of writing of this report. Should written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting.

**4. CONCLUSION**

Planning staff have reviewed minor variance application MV-2020-12 with respect to Section 45(1) of the Planning Act, and are of the opinion that the requested variances (a) and (b) pertaining to front and side yard setbacks meets the four tests of the Planning Act; while requested variance (c) does not meet any of the four tests. Please refer to Appendix ‘A’ for the recommended conditions of approval for the requested variances.

**5. ATTACHMENTS**

- Appendix ‘A’ – Recommended Conditions of Approval
- Appendix ‘B’ – Conceptual Site Plan

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## **Appendix 'A' – Recommended Conditions of Approval**

The following conditions are required to be satisfied should application MV-2020-12 be approved by the Committee of Adjustment:

1. That the proposed development be in substantial conformity with the Conceptual Site Plan attached as Appendix 'B' to this Staff Report and received by the Town of Aurora on June 17, 2020, to the satisfaction of the Director of Planning and Development Services;
2. That the owner enter into a Site Plan Agreement, to the satisfaction of the Director of Planning and Development Services that addresses (but is not limited to) the following matters:
  - a. That the owner may be required to provide an Evaluation Report prepared by a Certified Arborist or Professional Registered Forester outlining all aspects of the impacts that this proposal will have on existing and current remaining vegetation, The report shall include recommendations and an action plan on the mitigation of negative effects to vegetation , during and post construction periods as well as measures aimed at tree health care and protection for trees effected by the project and any remaining trees in the vicinity of the project that require applicable maintenance;
  - b. In addition the report shall include a schedule of monitoring the ongoing site work through a series of scheduled site visits by the Arborist / Forester during and post construction to ensure the vegetation preservation measures remain in compliance throughout the project, each site visit to be documented and any resulting action items required by the Arborist /Forester shall be implemented and confirmed on site forthwith by the Arborist /Forester following each visit;
  - c. The owner may be required to provide vegetation compensation and a replanting plan in accordance with the Town of Aurora TREE REMOVAL/PRUNING AND COMPENSATION POLICY to the satisfaction of the Director of Operational Services as compensation for trees removed to

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facilitate construction. Compensation planting shall be completed prior to release of the financial securities;

- d. The owner shall agree to comply with the Aurora Tree Permit By-law # 5850 -16 prior to the removal of any trees on the property;
- e. The owner shall agree to provide financial securities based on the total value of the Tree Compensation evaluation and all Arboriculture works as defined by the Town and the Owners Arborist/ Forester. To the satisfaction of the Director of Parks and Recreation;
- f. All of the above shall be included as terms and conditions in a Letter of Undertaking with the Town of Aurora to guarantee compliance with the Conditions of Approval and all related site works;
- g. That the proponent engage a qualified consultant to prepare a noise and vibration study, to be submitted for review and satisfaction of Metrolinx; and,
- h. Prior to the issuance of Site Plan Approval, the Owner shall grant Metrolinx an Environmental Easement for operational emissions, registered on title in favour of Metrolinx.

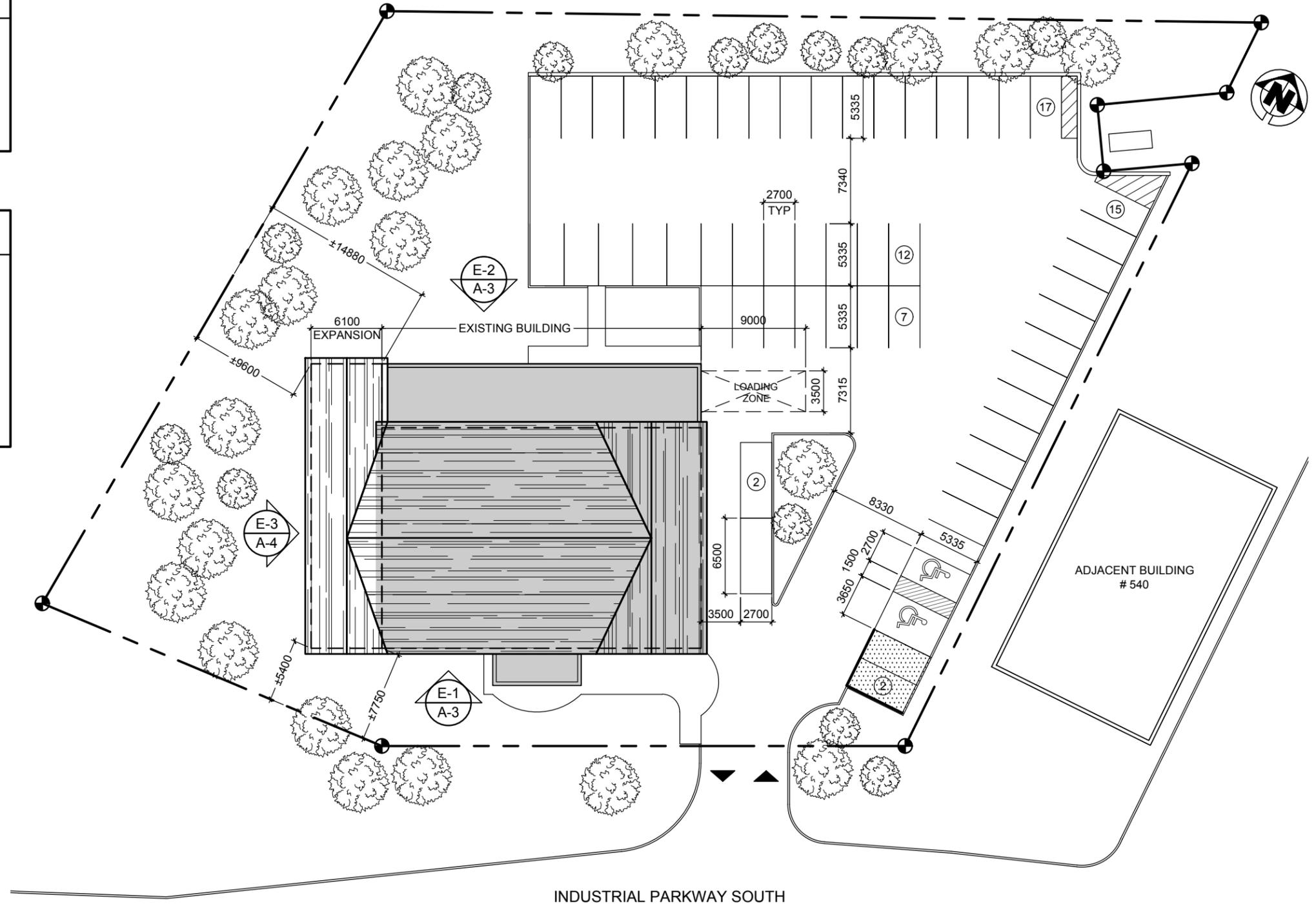
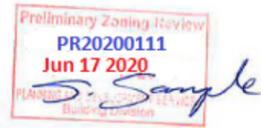
# APPENDIX 'B' - CONCEPTUAL SITE PLAN

## SCOPE OF WORK

THIS PROJECT CONSISTS OF A PROPOSED EXPANSION TO AN EXISTING FUNERAL HOME FACILITY. THE EXPANSION WILL BE LIMITED TO THE WEST FACADE WITH A GROUND FLOOR AREA OF 149 m<sup>2</sup>. THE ADDITIONAL GROUND FLOOR AREA WILL BE INTEGRATED WITH EXISTING USAGE SUCH AS VISITATION AND RECEPTION ROOMS. THE BASEMENT AREA WILL BE OCCUPIED FOR ANCILLARY SERVICES SUCH AS OFFICE, CAFETERIA AND STAFF ROOMS.

## STATISTICS

LOT AREA :	4 731 m <sup>2</sup> (50 924 ft <sup>2</sup> )
EXISTING GROUND FLOOR AREA :	696 m <sup>2</sup> (7 492 ft <sup>2</sup> )
GROUND FLOOR EXPANSION AREA :	149 m <sup>2</sup> (1 604 ft <sup>2</sup> )
BASEMENT EXPANSION AREA:	149 m <sup>2</sup> (1 604 ft <sup>2</sup> )
TOTAL:	994 m <sup>2</sup> (10 700 ft <sup>2</sup> )
CHAPEL: 130 SEATS	
EXISTING PARKING :	53 SPACES
ADDITIONAL PARKING REQUIRED :	2 SPACES
TOTAL	55 SPACES





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**Planning and Development Services**

## COMMITTEE OF ADJUSTMENT STAFF REPORT

**DATE:** July 2, 2020

**FROM:** Anna Henriques, Senior Planner, Development

**RE:** Applications for Consent  
Jeffrey and Karin Allan  
2 Willow Farm Lane  
Lot 86, 65M-2685  
Files: C-2020-02 & C-2020-03

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### APPLICATION

The applicant is seeking provisional consent to facilitate the development of a new single detached dwelling fronting onto Willow Farm Lane. The purpose of the proposed consent applications is to:

- Create one (1) new lot fronting onto Willow Farm Lane (severed lot). The retained lot will front onto St. John's Sideroad (C-2020-02)
- Establish a 6.0 metre wide servicing easement on the severed lot in favour of the retained lot (C-2020-03)

### BACKGROUND

#### Subject Property and Area Context

The subject property, municipally known as 2 Willow Farm Lane, is located on the south-west corner of St. John's Sideroad West and Willow Farm Lane. The subject property has an area of approximately 1.0 hectares (2.5 acres) and is a corner lot with approximately 100 metres (328 feet) of frontage on St. John's Sideroad and approximately 43.41 metres (142 ft) of frontage on Willow Farm Lane. The property contains a single detached dwelling, a pool, shed and mature vegetation surrounding the existing dwelling and generally around the perimeter of the property including along the north property line abutting St. John's Sideroad.

Surrounding land uses generally consist of single detached homes to the south, east and west and rural residential to the north, across St. John's Sideroad.



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Proposal

The applicant is proposing to:

- Sever the subject lands to create 1 new lot with frontage and access from Willow Farm Lane. The proposed new lot will accommodate a new single detached dwelling. The retained lot will have frontage and access from St. John’s Sideroad and contains an existing single detached dwelling (Appendix ‘B’)
- Establish a service easement generally along the south lot line for the proposed severed lot (Appendix ‘B’). The purpose of this service easement is to facilitate the extension of municipal water and sanitary service to the existing dwelling on the retained lot.

Details of the proposed severance application (C-2020-02) are outlined below:

	<b>Proposed Severed Lot</b> (easterly lot fronting onto Willow Farm Lane)	<b>Proposed Retained Lot</b> (westerly lot fronting onto St. John’s Sideroad)
<b>Lot Area</b>	0.4 acres (1656.1 m <sup>2</sup> )	2.08 acres (8446.67 m <sup>2</sup> )
<b>Lot Frontage</b>	22 m (72 ft)	72 m (236 ft)

Related Applications

In February 2020, Town Council approved a zoning by-law amendment to facilitate the proposed severance which will accommodate a new single detached dwelling. The amendment rezoned a portion of the subject lands from ‘ER-Estate Residential Exception Zone (73)’ to ‘R2-Detached Second Density Residential Exception Zone (74)’ which is consist with the zoning of adjacent lands to the south and east. Concurrent with approval of the zoning amendment, Council also approved the allocation of water and sewage capacity to service one single detached dwelling to be accommodated through a future lot severance.

Official Plan

The subject property is primarily designated ‘Estate Residential’ in the Town’s Official Plan. A smaller portion of the subject lands is designated ‘Stable Neighbourhoods’. The



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general intent of the 'Stable Neighbourhoods' designation is to ensure that new development is compatible with the surrounding area while also allowing these areas to evolve and enhance over time. Both the 'Estate Residential' and 'Stable Neighbourhoods' designations permit single detached dwellings.

## Zoning

The subject lands are primarily zoned 'ER-Estate Residential Exception Zone (73)' which represents the zoning of the proposed retained lot. The balance of the subject lands are zoned 'R2-Detached Second Density Residential Exception Zone (74)' which represents the zoning for the proposed severed lot. Single detached dwellings are permitted in both zones, subject to specific development standards.

## Preliminary Zoning Review

A Preliminary Zoning Review was undertaken prior to submission of the subject applications, and it was confirmed that the proposed severance application will not result in any zoning non-compliance for the proposed retained and severed lots.

## REVIEW & COMMENTS

### Planning Comments

When considering an application for consent to sever lands, regard shall be had to the criteria of Section 51 (24) of the Planning Act. This includes, amongst other things:

- Matters of Provincial Interest
- Conformity with the Official Plan and adjacent plans of subdivision
- Suitability of the land for the purpose in which it is to be subdivided
- The dimension and shape of the proposed lots
- Adequacy of utilities and municipal services
- Number and adequacy of highways

Staff consider the proposed severance application to create one new lot (C-2020-02) to be suitable and appropriate as it is consistent with matters of provincial interest and relevant Official Plan policies. Additionally, the proposed severed and retained lots are of a size and shape that is consistent with the existing lot fabric to the east and south and it has been demonstrated that a new single detached dwelling can be accommodated on the proposed



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severed lot, consistent with zoning regulations that apply to the subject lands and the lands to the east and south.

Adequate municipal services will be provided pursuant to Council's approval of servicing allocation for the proposed severed lot which will accommodate a future singled detached dwelling. Other service related matters are anticipated to be addressed via the proposed servicing easement on the proposed severed lot which will be in favour of the retained lot (C-2020-03). Staff consider the proposed easement to be appropriate to facilitate the proposed development of the lands and do not anticipate any negative impacts. Staff note that the precise location of the service easement is to be finalized after further investigation, as per Town of Aurora Engineering comments and conditions.

Adequate access for the proposed severed lot will be provide via Willow Farm Lane. The proposed retained lot will have access off of St. John's Sideroad which is under the jurisdiction of the Region of York. The Region has indicated they are generally satisfied with the proposed applications, subject to conditions of approval (Appendix 'A'). Staff note, there is a 0.3 meter reserve along St. John's Sideroad that will need to be lifted, by by-law, to provide access onto St. John's Sideroad for the proposed retained lot.

Town approval will be required prior to any tree removal on the subject lands.

Cash-in-Lieu of Parkland will be required for the proposed new lot and is payable prior to building permit issuance.

**ADDITIONAL COMMENTS**

Department / Agency	Comments Provided
Engineering Services	Reviewed the application and have no concerns, subject to the conditions outlined in Appendix 'A'.
Building Division	Preliminary Zoning Review conducted. No comments provided specifically on the application at the time of writing of this report.
Operational Services	There are trees situated on the subject property and/or property line may be impacted by future construction if the severance is approved. This may result in irreparable damage to the root systems and/or canopy to one or more of these trees. Furthermore, it may be necessary to remove some trees for the proposed construction.



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	We have reviewed the documentation for the property associated with the above noted application and provide the recommended conditions in the event the application is approved. See Appendix 'A'
Accessibility	No comments or objections
Transportation	No comments or objections
Central York Fire Services	No comments provided at the time of writing of this report.
Legal Services	<p>The Town is the owner of the 0.3m Reserve Block 98, Plan 65M-2685 along St. John's Sdrd, any driveway access from the property to St. John's Sdrd will require the Town's enactment of a by-law to dedicate a portion of this reserve as public highway to be registered on title.</p> <p>The following is registered on title:</p> <ul style="list-style-type: none"> <li>• Subdivision Agreement (Restrictive Covenant in favour of the Town as per Schedule F, 1.6)</li> <li>• Restrictive Covenant in favour of the Town and every owner in the subdivision (no tree removal in the 0-6 Open space exception zone as per Subdivision Agreement)</li> <li>• Restrictive Covenant (Private); and</li> <li>• Private sewer easement (in favour of Lot 87, 65M-2685).</li> </ul>
The Regional Municipality of York	The Region has no objection to the consent application subject to conditions provided in Appendix 'A'
Lake Simcoe Region Conservation Authority	No comments provided at the time of the writing of this report.

**Public Correspondence**

As of July 2, 2020, the Town is in receipt of one letter in support of the proposed consent applications. The letter of support was submitted by a property owner in the immediate area of the subject lands. Should any additional written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting.



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## **CONCLUSION**

Staff have reviewed the proposed applications within the context of the criteria in section 51 (24) of the Planning Act and are satisfied with the proposed consent applications.

Based on the aforementioned, Staff have no objection to the approval of the Consent applications File No. C-2020-02 and C-2020-03, subject to the conditions attached (Appendix 'A').

## **ATTACHMENTS:**

Appendix 'A' – Conditions of Approval

Appendix 'B' – Severance Sketch

Appendix 'C' – Region of York letter dated June 26, 2020, from Gabrielle Hurst



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**APPENDIX 'A' – Conditions of Approval**

1. Payment of any outstanding property taxes owing to date for the subject properties and that the Secretary Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of four (4) white prints of a Reference Plan, for review, showing the subject land which conforms substantially to the application form and sketch as submitted with this application. One copy of the deposited reference plan must be submitted prior to the issuance of the Certificate of Official. Please note, if the transaction in respect of which the consent was given is not carried out within the two-year period following issuance of the Certificate of Official, the consent effectively will lapse [Planning Act, R.S.O. 1990, c.P.13, as amended, s. 53 (43)]
3. Submission to the Secretary-Treasurer of the required draft transfers to effect the severance applied for under Files C-2020-02 and C-2020-03 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
4. That the following conditions be satisfied to the satisfaction of the Director of Operations including as terms and conditions in a Letter of Undertaking with the Town of Aurora to guarantee compliance with the Conditions of Approval and all related site works:
  - a. That the owner may be required to provide an Evaluation Report prepared by a Certified Arborist or Professional Registered Forester outlining all aspects of the impacts that this proposal will have on existing and current remaining vegetation, The report shall include recommendations and an action plan on the mitigation of negative effects to vegetation , during and post construction periods as well as measures aimed at tree health care and protection for trees effected by the project and any remaining trees in the vicinity of the project that require applicable maintenance.

In addition the report shall include a schedule of monitoring the ongoing site work through a series of scheduled site visits by the Arborist / Forester during and post construction to ensure the vegetation preservation measures remain in compliance throughout the project, each site visit to be documented and any resulting action items required by the Arborist /Forester shall be implemented and confirmed on site forthwith by the Arborist /Forester following each visit.



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- b. The owner may be required to provide vegetation compensation and a replanting plan in accordance with the Town of Aurora TREE REMOVAL/PRUNING AND COMPENSATION POLICY to the satisfaction of the Director of Operational Services as compensation for trees removed to facilitate construction. Compensation planting shall be completed prior to release of the financial securities.
  - c. The owner shall agree to comply with the Aurora Tree Permit By-law # 5850 -16 prior to the removal of any trees on the property.
  - d. The owner shall agree to provide financial securities based on the total value of the Tree Compensation evaluation and all Arboriculture works as defined by the Town and the Owners Arborist/ Forester. To the satisfaction of the Director of Parks and Recreation.
5. The applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to payment of all applicable charges and fees in relation to municipal service connections and disconnection as applicable.
6. The applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to the installation of water meter(s) and municipal service connections to render the retained and severed lots independently serviced. Any new services required within the Town's right-of-way shall be done by the Town at the owner's cost. The Owner will verify the existing services location and provide drawings showing location and elevation of existing and new service connections for review and approval of Planning & Development Services.
7. From the attached sketch showing the approximate location of the existing services, it looks that the portions of the existing private sanitary and/or water service coming from Willow Farm Lane to the proposed retained lot are located beyond the proposed 6.0m easement within proposed severed lot and as such they may fall under the proposed building footprint of the severed lot. As such, the proposed easement width and building footprint may need to be revised or the above noted existing private services would need to be relocated to fit them



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**Email:** ahenriques@aurora.ca  
**www.aurora.ca**

**Town of Aurora**  
**Planning and Development Services**

within proposed 6.0 m easement. The applicant is required to investigate and confirm the location of the existing private services and make necessary changes as required as mentioned above, to the satisfaction of the Director of Planning and Development Services.

8. The as built drawing shows the property 203 St. John's Sideroad, adjacent to west of the subject lands, is being serviced through an existing sanitary service connection apparently located within the subject lands along the north property line. The applicant is required to investigate and confirm the location of this existing sanitary service and grant appropriate easement to the adjacent property owner if the service lies within the subject lands, to the satisfaction of the Director of Planning and Development Services.
9. That the Owner pay for a property appraisal report for the purpose of determining the Cash in Lieu payment required and that the owner enter in a letter of undertaking with the Town agreeing to, amongst other things, paying for the cost of the appraisal and cash-in-lieu of parkland prior to building permit issuance, to the satisfaction of the Director of Planning and Development Services.
10. Submission to the Secretary-Treasurer of written confirmation from the Region of York that the Owner has satisfied all conditions, as outlined in a letter from Gabrielle Hurst, dated June 26, 2020 (attached), be addressed to the satisfaction of the Region of York.
11. Fulfilment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act. R.S.O. 1990, c.P.13.



SEVERANCE SKETCH

**LOT 86**  
**PLAN 65M-2685**

BEING IN THE  
**TOWN OF AURORA**  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1 : 400



E.R.GARDEN LTD.

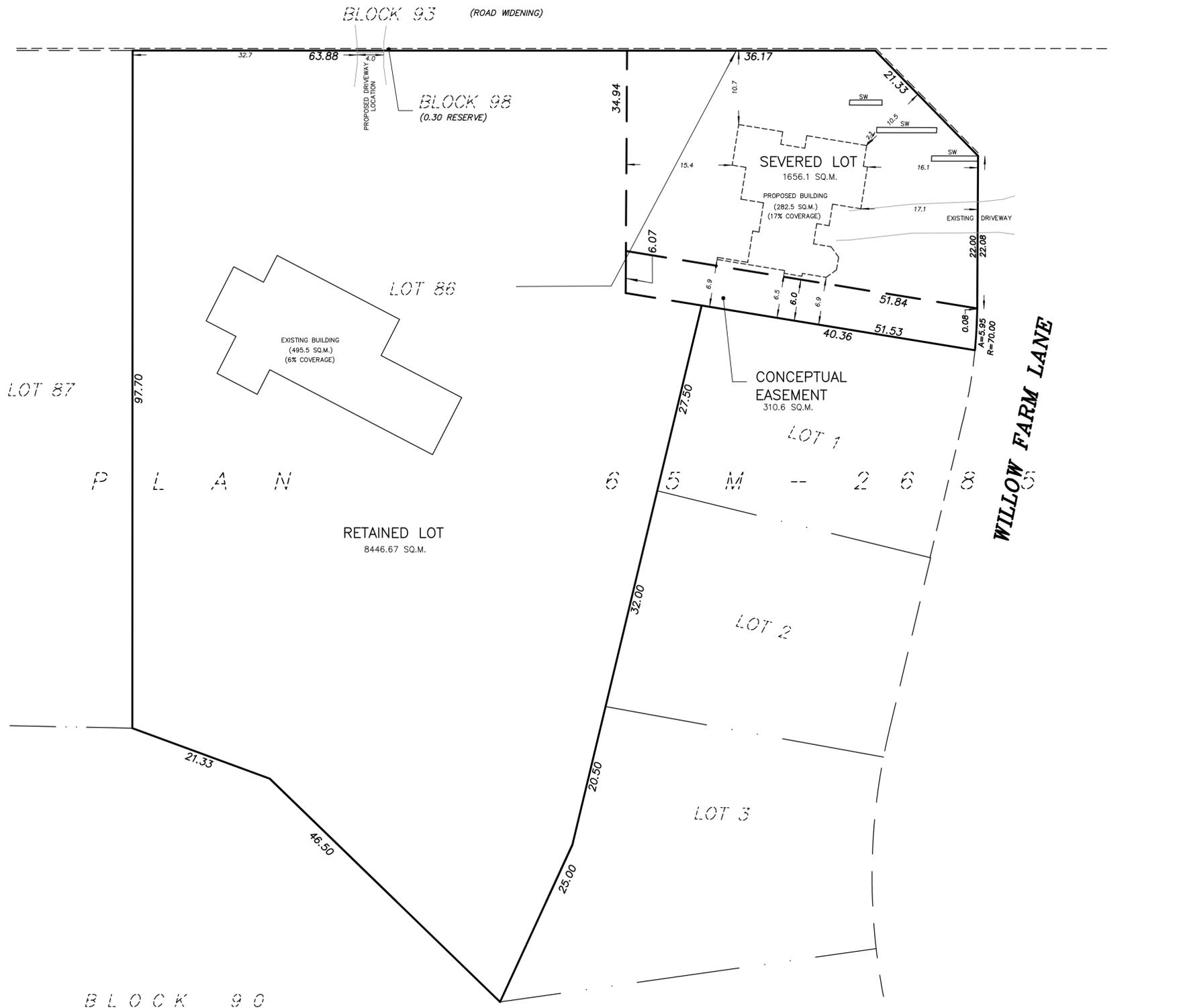
"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**LEGEND**

PIN DENOTES PROPERTY IDENTIFICATION NUMBER  
SW DENOTES STONE WALL

**ST. JOHN'S SIDEROAD**

(ROAD ALLOWANCE BETWEEN LOTS 85 AND 86, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF KING)



**CAUTION:**  
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE EXPRESSED IN THE TITLE BLOCK  
BOUNDARY INFORMATION TAKEN FROM OFFICE RECORDS

THE FIELD MEASUREMENTS WERE COMPLETED APR 24 2019

DATE: \_\_\_\_\_ E.R. GARDEN  
© E.R.GARDEN LTD. ONTARIO LAND SURVEYOR

**E.R.GARDEN LIMITED**  
ONTARIO LAND SURVEYOR  
1260 JOURNEY'S END CIRCLE, UNIT 1  
NEWMARKET ONTARIO L3Y 8Z7  
PHONE 905-895-5600 FAX 905-895-7127  
TOLL FREE 1-877-895-5600 WWW.ERGARDENLIMITED.CA

DRAWN BY: R.D.

FILE No.  
**19-7425**

FILE NO. 19-7425



File No.: C-20-02 (CONS.20.A.0043)

June 26, 2020

Brashanthe Manoharan  
Committee of Adjustment  
Town of Aurora  
100 John West Way, Box 1000  
Aurora, ON  
L4G 6J1

**RE: Consent Application C-2020-02 (CONS.20.A.0043)  
Jeffrey & Karin Allan  
2 Willow Farm Lane  
Town of Aurora**

The Regional Municipality of York ("Region") has completed its review of the above noted consent application for a residential severance and a servicing easement. The subject site is municipally known as 2 Willow Farm Lane and is located at the corner of St. John's Sideroad and Willow Farm Lane West of Yonge Street. The purpose of this application is for a severance that will create one new residential and a 6.0 metre easement between the severed lands and the abutting property at 6 Willow Farm Lane to enable the extension of water and sanitary services to the retained parcel. The surrounding uses are residential.

The site designated as Urban Area on Map 1 of the York Region Official Plan 2010 (YROP-2010) and located within the Built Boundary and outside the Regional Greenlands System. There are Woodlands on the southern portion of the site as indicated on Map 5 of the YROP-2010. The TRCA will provide comments on behalf of the Region through a separate letter as it relates to environmental matters on this site.

The subject property is located on a Regional Road as identified on Map 12 of the YROP-2010. As such, the Region is protecting for a 36 metre(s) right-of-way along the frontage of this section of St. Johns Sideroad for the purpose of a road widening as per Section 7.2.49 of the YROP-2010.

The Region has no objection to the consent application subject to the following conditions are satisfied:

1. The Owner understands and agrees that any proposed access to St. John's Sideroad is determined by the Region on the existing or newly created lots of the subject lands.
2. The Owner shall shift the proposed St John's Sideroad access to the westerly limit of the retained lands. The access shall be designed to Regional Standards, and include a safety assessment to demonstrate that the proposed access will be designed and constructed to provide clear sightlines. Prior to final approval of the access, the Owner shall provide a site line analysis and preliminary driveway design to the satisfaction of the Region. The access to St John's Sideroad shall be designed to meet DS 214. (See Attachment)

The Owner shall comply with all detailed design standards of the Region and be responsible for any costs associated with the accesses. Please contact [permits@york.ca](mailto:permits@york.ca) for inquiries for permitting accesses on regional roads (new development access) for existing development access please contact the Development Review Engineer.

3. The Owner shall arrange for the preparation, review and deposit on title of a 65R reference plan, describing the lands identified below, to the satisfaction of the Region. The reference plan shall identify all the lands to be conveyed to the Region:
  - a. A road widening to establish a right-of-way 18 metres from the centerline of construction of St. John Sideroad, and
  - b. a 15x15 metre daylight triangle at the southwest corner of the St. John's Sideroad/Willow Farm Lane intersection, to the satisfaction of the York Region Solicitor.

Alternatively, the Owner shall submit documentation to the Region confirming that the existing streetline represents sufficient right-of-way as required by the Region Official Plan.

4. The Owner shall convey the lands identified in the R Plan, pursuant to Condition 3, to the Region, for the purpose of road widenings and easements, free of all costs and encumbrances, to the satisfaction of the Regional solicitor.
5. The Owner shall provide a solicitor's certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to the Region.
6. Prior to commencement of construction, the Owner shall, at their sole cost and expense, arrange for the preparation of a reference plan for lifting the portion of

the 0.3 metre reserve along St. Johns Sideroad (Lot 86, 65M-2685) to permit legal access to the site.

7. The Owner shall arrange for the preparation, review and deposit on title of a reference plan describing the lands to be conveyed to the Region, as described above, to the satisfaction of the Regional Planning and Economic Development Branch.
8. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

9. The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

10. Prior to approval of the Consent application, the Owner shall provide confirmation from the Town of Aurora that adequate water supply and sewage capacity has been allocated for the proposed new lot.
11. This application is subject to York Region's development applications processing fees as identified in By-law No. 2010-15. The review fee for Consent to Sever is \$1,000. The Review and approval of the Environmental Site Assessment Report fee is \$1,600. All payments shall be in the form of a cheque and made payable to "The Regional Municipality of York" and forwarded to the Development Engineering Application Coordinator, Planning and Economic Development Branch. Development application fees are subject to annual adjustments and increases. Any unpaid fees, regardless of the year the application is submitted, will be subject to current fee requirements.
12. Prior to final approval, the Planning and Economic Development Branch shall certify that Conditions 1-11 have been met to its satisfaction.

With respect to the conditions above, we request a copy of the notice of decision when it becomes available.

Should you have any questions regarding the above, please contact Gabrielle Hurst at extension 71538 or through electronic mail at [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca)

Regards,

*Gabrielle Hurst*

Gabrielle Hurst, Associate Planner  
Programs and Process Improvement, Planning and Economic Development Branch

cc

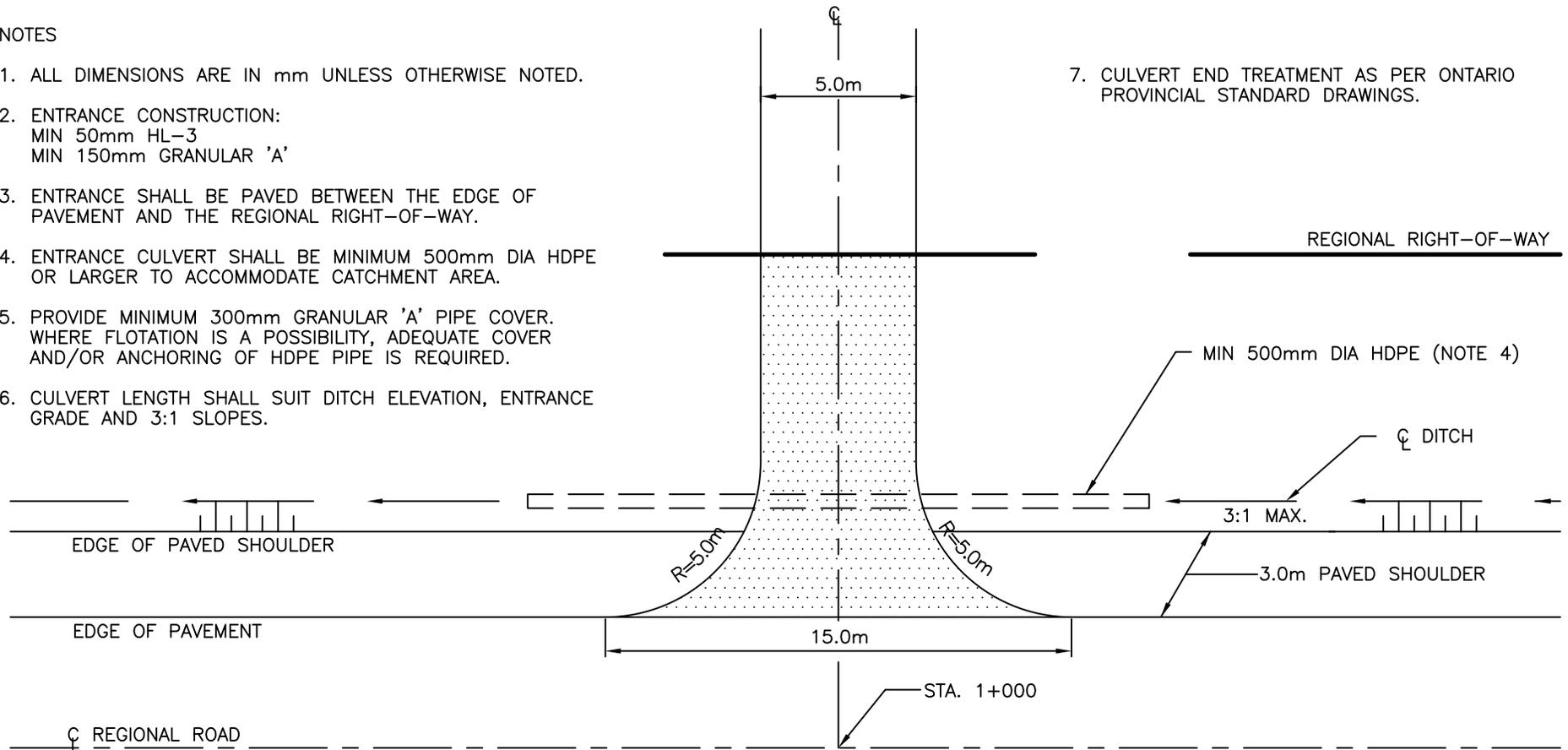


DS-214.pdf

NOTES

1. ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE NOTED.
2. ENTRANCE CONSTRUCTION:  
MIN 50mm HL-3  
MIN 150mm GRANULAR 'A'
3. ENTRANCE SHALL BE PAVED BETWEEN THE EDGE OF PAVEMENT AND THE REGIONAL RIGHT-OF-WAY.
4. ENTRANCE CULVERT SHALL BE MINIMUM 500mm DIA HDPE OR LARGER TO ACCOMMODATE CATCHMENT AREA.
5. PROVIDE MINIMUM 300mm GRANULAR 'A' PIPE COVER. WHERE FLOTATION IS A POSSIBILITY, ADEQUATE COVER AND/OR ANCHORING OF HDPE PIPE IS REQUIRED.
6. CULVERT LENGTH SHALL SUIT DITCH ELEVATION, ENTRANCE GRADE AND 3:1 SLOPES.

7. CULVERT END TREATMENT AS PER ONTARIO PROVINCIAL STANDARD DRAWINGS.



				ROW		REGIONAL ROAD		
298								298
297				PAVED SHLD.		EDGE OF PAVEMENT	MAX. 4% CHANGE IN GRADE	297
296				10% MAX.	6%	2%		296
295	EXISTING					STA. 1+000	ENTRANCE LEFT	295
	0+970	0+980	0+990		1+000	1+010		



**RESIDENTIAL ENTRANCE-RURAL**

DATE: DECEMBER 2016	SCALE N.T.S.
REV. X X	<b>DS-214</b>



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 L4G 6J1  
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**www.aurora.ca**

Town of Aurora  
 Planning and Development Services

# COMMITTEE OF ADJUSTMENT STAFF REPORT

**DATE:** July 2, 2020

**FROM:** Sean Lapenna, Planner, Planning and Development Services

**RE:** Applications for Consent & Minor Variance  
 Aurora Investments Inc.  
 145 & 155 Industrial Parkway South  
 CON 1 PT E PART LOT 78 PLAN 246 PT LOTS 185 AND 187  
 Files: C-2019-08, C-2019-10, C-2019-13, MV-2019-16 & MV-2019-17

## APPLICATIONS

A total of 5 applications have been submitted (3 consent and 2 Minor Variance) as outlined below:

Application Number	Purpose of the Application
C-2019-08	To sever the existing lot to allow for the creation of one new lot fronting Industrial Parkway South shown as Parts 9, 10 and 11 (155 Industrial Parkway South) (being the severed lands).
C-2019-10	To allow an easement over Parts 6, 7, 8, 9 & 10 for access, maneuvering and parking.
C-2019-13	To allow for a reciprocal servicing easement over Parts 2,3,4,5,6,7,8 & 9.
MV-2019-16	Section 24.297.5 of the Zoning By-law requires a minimum of 197 parking spaces. The applicant is proposing 188 parking spaces, resulting in a parking reduction of 9 parking spaces, thereby requiring a Minor Variance for 145 Industrial Parkway South (the retained lands).
MV-2019-17	Section 10.2 of the Zoning By-law requires a minimum rear yard setback of 9.0 metres and the applicant has proposed a reduced rear yard setback of 7.83 metres, thereby requiring a Minor Variance for 155 Industrial Parkway South (the severed lands).

## BACKGROUND

### Subject Property and Area Context

The subject property, municipally known as 145 & 155 Industrial Parkway South is located south of Wellington Street East, north of Vandorf Sideroad and east of Industrial Parkway South. The subject property contains two multi-unit industrial buildings and associated parking areas. Although the subject lands are currently one property, each building

located on the subject lands has their own municipal address; 145 Industrial Parkway South (north building) and 155 Industrial Parkway South (south building). The subject property has a total lot area of approximately 33,073 m<sup>2</sup> (8.17 acres) and a frontage of approximately 254 m (833 ft).

Surrounding land uses include Sheppard's Bush Conservation Area and Cousins Drive East to the north, Single-Detached residential homes and the Sheppard's Bush Conservation Area to the east as well as additional existing business industrial uses to the south and a GO Transit rail corridor to the west.

## Proposal

The applicant proposes to sever the existing property to create one new lot fronting Industrial Parkway South. The proposed severance will result in each existing building being located on its own separate lot whereas currently both buildings exist on one lot.

To accommodate this severance, two additional consent applications are also proposed for easements related to access, parking, maneuvering and servicing. Additionally, two minor variance applications, one for a parking reduction at 145 Industrial Parkway South and one for a reduced rear yard setback at 155 Industrial Parkway South, are also requested to facilitate the proposed severance.

The proposed consent applications are further described below:

### Proposed Severance (C-2019-08)

The applicant proposes to sever the subject property to create one new lot. A summary of the proposed severance is outlined below:

#### Existing:

Property	Lot Area	Frontage
145 & 155 Industrial Parkway South	33,073 m <sup>2</sup> (8.17 acres)	254 m (833 ft)

#### Proposed:

Property	Lot Area	Frontage
145 Industrial Parkway South (Parts 1 to 8) (retained)	17,240 m <sup>2</sup> (4.26 acres)	79.17 m (260 ft)
155 Industrial Parkway South (Parts 9 to 11) (severed)	15,833 m <sup>2</sup> (3.91 acres)	174.60 m (573 ft)

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Proposed Access, Maneuvering and Parking Easement (C-2019-10)

This application is proposed as follows:

<b>Easement</b>	<b>Parts</b>	<b>In favour of</b>
Access, Maneuvering and Parking	6,7,8,9 &10	145 & 155 Industrial Parkway South (Part 10 parking easement exclusive to 145 Industrial Parkway South)

This consent application proposes a 10 metre wide reciprocal easement between the two buildings and is intended to allow for the use of shared space by tenants and occupants of both buildings on the retained and severed lands for purposes related to access and maneuvering. The easement flares out to the west to include the entirety of the existing driveway and on the east, Part 9 directs south and connects into Part 10.

This easement will also apply to Part 10 (located to the east of 155 Industrial Parkway South) which at it's widest point, is 13.05 metres and will be in favour of the retained lot (145 Industrial Parkway South) for the exclusive use of 10 parking spaces. Part 10 is proposed to address a parking deficiency of 9 spaces for the retained parcel (145 Industrial Parkway) as a result of the proposed severance.

Proposed Servicing Easement (C-2019-13)

This application is proposed as follows:

<b>Easement</b>	<b>Parts</b>	<b>In favour of</b>
Servicing for water, storm, sanitary, hydro & cable	2,3,4,5,6,7,8 & 9	145 & 155 Industrial Parkway South

This consent application proposes a reciprocal servicing easement over parts 2,3,4,5,6,7,8 & 9 to allow for the sharing of existing servicing for both the retained and severed lands. This easement will also allow both property owners access to all aforementioned parts for purposes relating to repair and maintenance.

Official Plan

The subject property is designated Existing Employment – General Industrial under the Town's Official Plan. The Existing Employment – General Industrial designation shall apply to the existing, older industrial areas in the Town including areas along Industrial Parkway North and South. This designation is intended to ensure the long-term protection and continued evolution of existing, older industrial areas.

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This Official Plan designation permits a range of uses such as manufacturing, assembly, fabrication, processing, warehousing, storage of goods and materials, transportation, automotive, repair facilities as well as office and retail uses which shall not detract from the character of the industrial area

Section 15.2.10 of the Town's Official Plan states that parcels of land created through consent shall conform with the provisions of the Zoning By-Law and the policies of the Official Plan.

When considering applications for consent for a land severance, the Official Plan states that the Committee of Adjustment shall have regard to the provisions of the Planning Act [51(24)], and other matters including, but not limited to, orderly development, compatibility with adjacent areas and servicing.

### Zoning

The subject property is zoned E2 (297) – General Employment Exception Zone under Town of Aurora Zoning By-law 6000-17, as amended which permits warehouses and industrial uses.

### Preliminary Zoning Review

A Preliminary Zoning Review was undertaken prior to submission of the application and the requested variances are based on this review.

## **REVIEW & COMMENTS**

### **Planning Comments**

## **CONSENT APPLICATIONS**

Proposed lot severance (C-2019-08)

The lot frontages and areas for both the retained and severed parcels are consistent with other existing lots adjacent to the subject lands located immediately to the south which are also zoned for employment (Service and General) where frontages range from 32.0 m (105 ft) to 91.0 m (299 ft) and lot areas range from 12,092 m<sup>2</sup> (130,157 ft<sup>2</sup>) to 16,052 m<sup>2</sup> (177,626 ft<sup>2</sup>). In addition to this, staff are of the opinion that the configuration of both the retained and severed parcels on the subject lands remain consistent with the existing lotting pattern in the general vicinity.

Staff also acknowledge that the retained and severed lands meets the Zoning By-law requirements as it relates to lot area and lot frontage.

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Staff have considered the criteria of section 51(24) of the Planning Act and applicable policies including but not limited to the Town's Official Plan and are of the opinion that the proposed severance is generally compatible with the surrounding area and will not result in any negative impacts on adjacent properties.

#### Proposed easements for access, maneuvering and parking (C-2019-10)

This consent application proposes an easement for shared access, maneuvering and parking on Parts 6, 7, 8, 9 & 10. Parts 6, 7, 8 and 9 are located in between the two buildings located on the subject property and currently functions as access and maneuvering space which services each building located on the property. The use and function of this space is not intended to change. Part 10 is proposed as a parking easement for the exclusive use of the retained lands. The Site Plan for the subject property demonstrates that Part 10 includes 10 parking spaces and the proposed parking easement is intended to address the parking deficiency at 145 Industrial Parkway South as a result of the proposed severance.

Staff note that should the proposed severance be approved, 155 Industrial Parkway South will require 144 parking spaces and 161 parking spaces will be provided for a surplus of 17 parking spaces. The proposed parking easement (10 spaces) in favour of 145 Industrial Parkway, if approved, would result in a parking surplus of 7 spaces for 155 Industrial Parkway South.

Staff have no concerns with the proposed easement for access, maneuvering and parking.

#### Servicing Easement (C-2019-13)

The proposed reciprocal servicing easement over parts 2,3,4,5,6,7,8 & 9 provides for the sharing of existing servicing for both the retained and severed lands which includes water, storm, sanitary, hydro and cable, all of which currently service both buildings. The introduction of a reciprocal easement will allow both property owners to access servicing throughout parts 2,3,4,5,6,7,8 & 9 as shown on the draft RPlan for maintenance and repair.

Staff consider the proposed servicing easement to be a technical matter and have no concerns.

Overall, Planning Staff are of the opinion that the proposed consent applications maintain the general intent and purpose of the Town's Zoning By-law and Official Plan and that the proposed new lot generally reflects the lot pattern in the general surrounding area. As such, the proposal is considered to be an appropriate and orderly form of development.

Planning staff have reviewed the applications with respect to Section 51 (24) of the Planning Act, R.S.O, 1990, as amended and consider the proposed severance to be appropriate in scale and is suitable development of the lands

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Staff note that Cash-in-lieu of Parkland is not required as it has been previously collected at the time of site plan approval for the existing buildings located on the lands.

## **MINOR VARIANCE APPLICATIONS**

### **Planning Division**

#### **a) The proposed Variances meet the general intent of the Official Plan**

Reduction in Parking and Rear Yard Setback (MV-2019-16 & MV-2019-17)

The variances requested for a reduction in parking for 145 Industrial Parkway South and a decreased rear yard building setback for 155 Industrial Parkway South is generally consistent with Official Plan policies and in the opinion of staff, will not result in any negative impacts.

As such, staff are of the opinion that the proposed variances meet the general intent of the Official Plan.

#### **b) The Proposed variances meet the general intent of the Zoning By-law**

Reduction in Parking and Rear Yard Setback (MV-2019-16 & MV-2019-17)

The existing building located on the retained lands (145 Industrial Parkway South) will have a shortfall of 9 parking spaces as a result of the proposed severance. To address this shortfall, the applicant is proposing that a parking easement (Part 10 on associated consent application C-2019-10) be exclusively used by 145 industrial Parkway.

Part 10 includes 10 parking spaces. Should the proposed severance be approved, 155 Industrial Parkway South will have a surplus of 17 parking spaces. The proposed parking easement over Part 10, if approved, will reduce the parking surplus for 155 Industrial Parkway South to 7 spaces.

As such, although a shortage of 9 parking spaces will technically exist for 145 Industrial Parkway South, an adequate supply of parking will still be available for this property, via the proposed easement.

In response to comments made by the Town's Engineering Division as it relates to receiving confirmation from the Town's Building Division that the parking easement as requested is permitted, parking easements are not a function of the Zoning By-law and are instead reviewed by Planning Staff typically through consent applications. As such, no such confirmation as requested by the Engineering Division is required to be provided by the Building Division. Therefore, Planning

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Staff are satisfied that these specific comments made by the Engineering Division have been addressed.

The proposed rear yard setback variance applies to 155 Industrial Parkway South, where the rear yard is located on the eastern side of this building. Staff acknowledge that this existing building is directly adjacent to an existing Rural zoned property (RU (77)) which accommodates 3 separate buildings (Single-Detached Dwelling, Garage and Barn) all of which are located along the eastern portion of this lot. As such, the separation distance between these structures and the existing building located at 155 Industrial Parkway South far exceeds 7.5 m. Because of the configuration and location of these existing buildings, adequate separation will exist which is consistent with the intent of the Zoning By-law.

As such, staff are of the opinion that the proposed parking and rear yard setback variances meet the general intent of the Zoning By-law.

**c) The proposed variances are considered desirable for the appropriate development or use of the land**

Reduction in Parking and Rear Yard Setback (MV-2019-16 & MV-2019-17)

Planning staff consider the easement proposed through consent application C-2019-10 (specifically Part 10 on the draft RPlan) to be a reasonable alternative in order to address the parking shortfall of 9 parking spaces at 145 Industrial Parkway South as a result of the proposed severance. While the easement addresses the parking space shortfall, a minor variance is still required to address the requirements of the Zoning By-law which require parking spaces to be located on the same lot.

Regarding the proposed variance for a 7.83 m rear yard setback, staff are of the opinion that the reduced setback will not result in any conflicts as it relates to building separation between buildings on the retained, severed or adjacent properties. Additionally, staff are satisfied that proposed easements for access, maneuvering, parking and services adequately address any potential issues to ensure the appropriate development of the lands.

As such, staff are of the opinion that the proposed variances for reduced parking and a reduced rear yard setback are considered desirable for the appropriate development or use of the land.

**d) The proposed variances are considered minor in nature**

Reduction in Parking and Rear Yard Setback (MV-2019-16 & MV-2019-17)

Staff are satisfied that Part 10 in associated consent application C-2019-10, ensures that an adequate parking supply will be provided for the retained lands. Additionally, the severed lands will have a parking surplus. Staff have no concerns as it relates to the availability of parking for the retained or severed lots.

Staff acknowledge that both buildings onsite already exist and that the variance request for a reduced rear yard building setback for 155 Industrial Parkway South is a result of the proposed land severance (C-2019-08). As noted earlier, no conflicts are anticipated as a result of the reduced building setback and adequate building separation will still be provided between other existing buildings on adjacent properties.

As such, staff are of the opinion that the requested variances for reduced parking and a reduced rear yard setback are considered to be minor in nature.

**ADDITIONAL COMMENTS**

<b>Department / Commenting Agency</b>	<b>Comments Provided</b>
Building Division	Preliminary Zoning Review conducted. No comments provided specifically on the application at the time of writing of this report.
Engineering Division	No objection to applications C-2019-08, C-2019-10, C-2019-13, MV-2019-16 & MV-2019-17.  Comments provided on MV-2019-16 are as follows:  The applicant proposed a parking easement with 155 Industrial Parkway South to address the parking deficiency at 145 Industrial Parkway South. Engineering have no concerns of the proposed parking easement, subject to the following conditions:  a. Must receive confirmation from Building Division that the proposed parking easement is permitted; and,  b. Must explicitly demonstrate there are sufficient parking spaces at 155 Industrial Parkway South under the Zoning By-law parking requirements with the proposed parking easement arrangement.

Operational Services Division - Parks	We have reviewed the documentation for the property and have no formal comments regarding the above noted application.
Central York Fire Services	No comments provided at the time of writing of this report.
Legal Services	Please note that Legal Services does not typically require conditions of approval for consent or minor variance applications, instead we simply share information with staff if we are aware of anything that may affect the applications.
Accessibility Advisor	No comments from the Accessibility Advisor on the subject applications
The Regional Municipality of York	The Regional Municipality of York has completed it's review of the subject applications and has no comment.
Lake Simcoe Region Conservation Authority	No comments from the LSRCA on the subject applications.
Alectra Utilities	We have reviewed the subject applications and have no objections to their approval, subject to the following comments attached.
Hydro One	We have reviewed the documents concerning the noted plan and have no comments or concerns at this time.

## **Public Correspondence**

As of June 29, 2020, one written submission was received expressing concern over what has been proposed. The following discussion points were provided:

- I am strongly opposed to allowing for any variances minor or otherwise;
- Developers should adhere to the rules and guidelines already established;
- There should be no exception made for less parking, minimum rear yard, nor relocation of parking or reductions;
- Parking along this area of road and sight lines are at times challenging;
- Reducing parking and putting obstructions (closer to road) is unacceptable for current and potential future users of this space.

Should any other written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting. Staff recommend that the Committee consider public input in reaching a decision.

## **CONCLUSION**

It is Staff's opinion that the subject applications file numbers C-2019-08, C-2019-10 & C-2019-13, MV-2019-16 & MV-2019-17 conforms to the Town's Official Plan and the

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provisions of Sections 51(24) and 45 (1) of the *Planning Act*. Furthermore, the subject applications are not expected to adversely impact existing or surrounding land uses.

Based on the aforementioned, Staff have no objection to the approval of application File Nos. C-2019-08, C-2019-10 & C-2019-13, MV-2019-16 & MV-2019-17 subject to the conditions attached.

## **ATTACHMENTS**

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Draft RPlan

Appendix 'C' – Site Plan – 145 Industrial Parkway South

Appendix 'D' – Site Plan – 155 Industrial Parkway South

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## Appendix 'A' – Recommended Conditions of Approval

1. Payment of any outstanding property taxes for the subject property to the date of the consent and that the Secretary Treasurer received written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of four white prints of a deposited reference plan showing the subject landS, which conforms substantially to the survey as submitted with this application.
3. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under Files C-2019-08, C-2019-10 & C-2019-13 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
4. That the solicitor for the Owner provide an undertaking in writing to provide to the Secretary Treasurer of the Town of Aurora within 30 days of the date of registration in the Land Registry/Land Titles Office a copy of the receipted and registered electronic transfer document including the Form 4 for Consent (C-2019-08, C-2019-10 & C-2019-13).
5. Fulfilment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act. R.S.O. 1990, c.P.13.
6. That the variances only apply to the subject properties (145 &155 Industrial Parkway South), in substantial conformity with the plans attached as 'Appendix B' to this Staff Report and received by the Town of Aurora on June 17<sup>th</sup>, 2020, to the satisfaction of the Director of Planning and Development Services or their designate.

# PRELIMINARY

### LEGEND

- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SSIB DENOTES STANDARD IRON BAR
  - SSIB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - WT DENOTES WITNESS
  - CP DENOTES CONCRETE PIN
  - WT DENOTES WITNESS
  - M DENOTES MEASURED
  - O/L DENOTES ON LINE
  - J.D. DENOTES J.D. BARNES LIMITED, O.L.S.'s
  - L&P DENOTES LLOYD & PURCELL LTD.
  - MGS DENOTES MINISTRY OF GOVERNMENT SERVICES
  - P DENOTES PLAN OF SURVEY BY L&P DATED OCT 5, 2017 FILED AS A2-246-185-12-1
  - P1 DENOTES PLAN 65R-5125
  - P2 DENOTES PLAN 65R-2469
  - P3 DENOTES PLAN 65R-6417
  - P4 DENOTES SRPR BY AVANTI SURVEYING INC. DATED FEB 12, 2008 PROJECT 06-098
  - FCU DENOTES FACE OF CONCRETE CURB
- ALL SET SSIB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.R.G. 525/91.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.	<b>PLAN 65R-</b>
DATE -----	RECEIVED AND DEPOSITED
LAURENCE J. KUELLING ONTARIO LAND SURVEYOR	DATE ----- REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND DIVISION OF YORK REGION (No 65)

SCHEDULE				
PART	PT OF LOT	PLAN	PIN	AREA(sq m)
1				15802.51
2				3.74
3				284.35
4				50.02
5				30.33
6	185	246	ALL OF 03643-0637	57.84
7				22.18
8				989.23
9				1177.29
10				354.11
11				14301.53

PART 1 - SUBJECT TO EASEMENT AS SET OUT IN INSTRUMENT No. LT159429.  
PARTS 1 TO 11, BOTH INCLUSIVE SUBJECT TO EASEMENT AS SET OUT IN INSTRUMENT No. YR2622638.

## PLAN OF SURVEY OF REGISTERED LOT 185 REGISTERED PLAN 246 TOWN OF AURORA REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 500

GUIDO PAPA SURVEYING  
A DIVISION OF J.D. BARNES LIMITED

**METRIC** DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997514541.

FOR BEARING COMPARISON PURPOSES, A BEARING ROTATION WAS APPLIED TO THE FOLLOWING PLANS.

PLAN	ROTATION - COUNTERCLOCKWISE
P	
P1	01° 00' 55"
P3	
P4	
P2	01° 01' 35"

**INTEGRATION DATA**

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).  
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.R.G. 216/10.

POINT ID	EASTING	NORTHING
ORP (A)	623 698.817	4 872 379.829
ORP (B)	623 901.671	4 872 449.066
ORP (C)	623 877.341	4 872 248.742

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

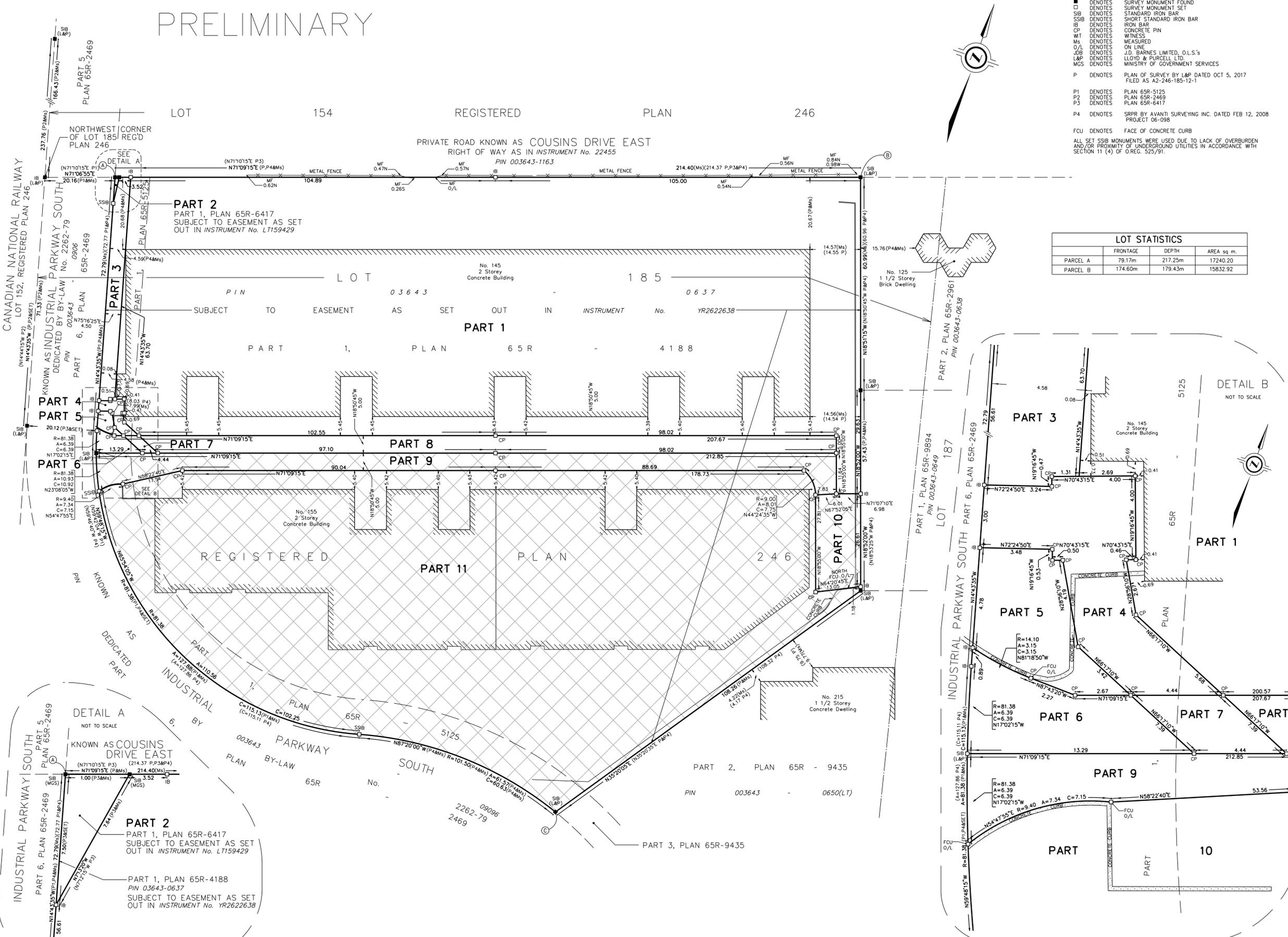
**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON . 2020.

DATE ----- LAURENCE J. KUELLING  
ONTARIO LAND SURVEYOR

**GUIDO PAPA SURVEYING**  
A Division of J.D. Barnes Limited

9135 KEELE ST., UNIT B7, VAUGHAN, ON L4K 0J4  
T: (289) 553-5961 F: (289) 553-5986 www.jdbarnes.com

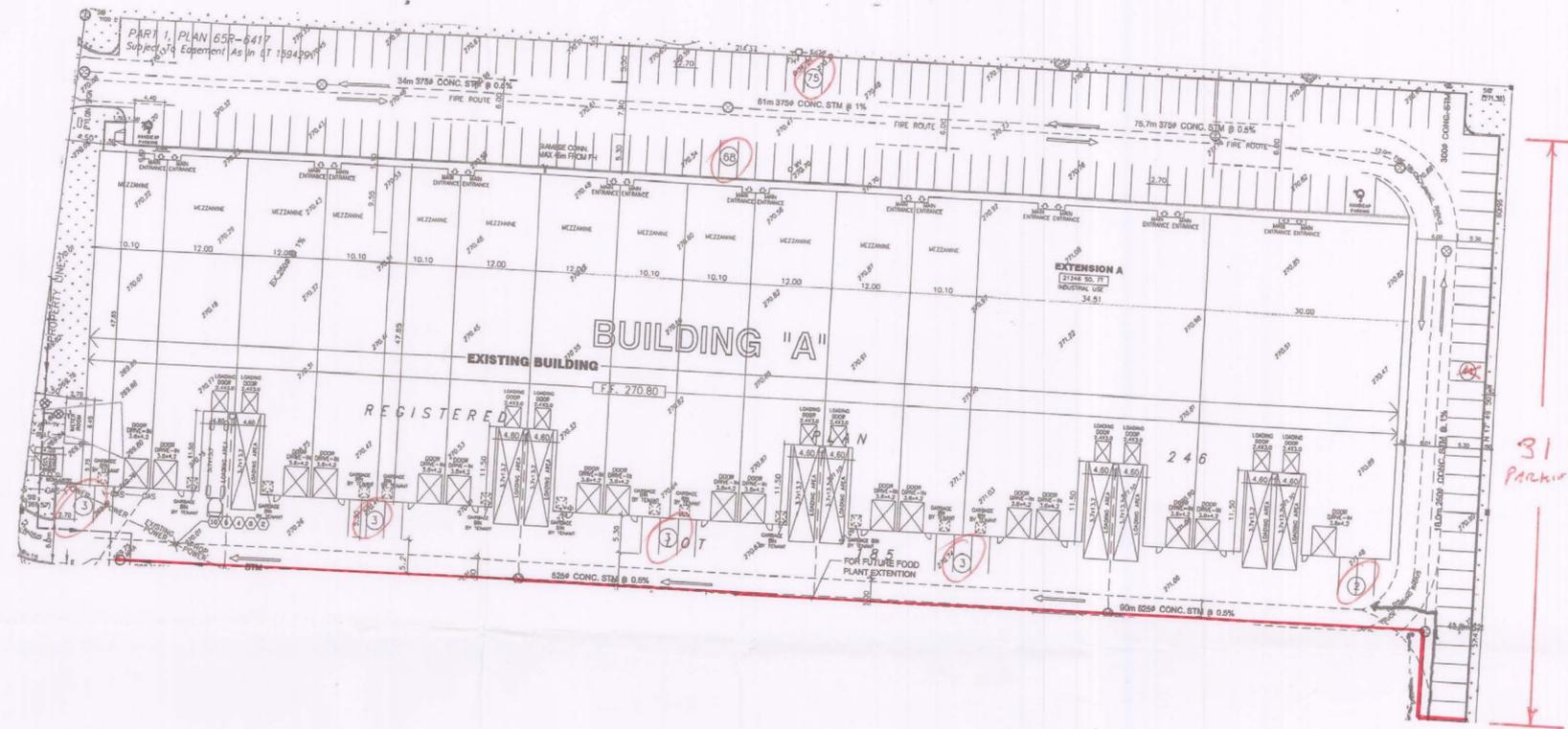
DRAWN BY: V.A.	CHECKED BY: L.J.K.	REFERENCE NO.: 18-18-126-00
		DATED: 2020/06/17



**LOT STATISTICS**

PARCEL	FRONTAGE	DEPTH	AREA sq. m.
PARCEL A	79.17m	217.25m	17240.20
PARCEL B	174.60m	179.43m	15832.92

FILE C:\Users\JKU\OneDrive - Industrial Pw\5\Drawings\2020\18-18-126-00.dwg



Preliminary Zoning  
 MAY -6-2019  
 PLANNING AND DEVELOPMENT SERVICES  
 Building Division

Preliminary Zoning  
 1K2019 0031  
 MAY -6-2019  
 PLANNING AND DEVELOPMENT SERVICES  
 Building Division

TOWN OF ALPORA  
 PLANNING AND DEVELOPMENT SERVICES  
 Building Division  
 MAY 08 2019  
 RECEIVED

RECEIVED  
MAY 08 2019  
TOWN OF ALBERTA  
PLANNING AND DEVELOPMENT SERVICES  
ZONING DIVISION

Preliminary Zoning Review  
P2019021  
MAY 8 2019  
Zoning Division

10  
Back  
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