



**TOWN OF AURORA  
COMMITTEE OF ADJUSTMENT MEETING MINUTES  
NO. 15-05**

Council Chambers  
Aurora Town Hall  
Thursday, May 14, 2015

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**ATTENDANCE**

**COMMITTEE MEMBERS**

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

**REGRETS**

**OTHER ATTENDEES**

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

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Chair called the meeting to order at 7:01 p.m.

***I DECLARATIONS OF PECUNIARY INTEREST***

None

***II APPROVAL OF AGENDA***

***Moved by David Mhango***

***Seconded by Tom Plamondon***

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

**CARRIED**

**III ADOPTION OF MINUTES**

**Committee of Adjustment Minutes of April 9, 2015  
Meeting Number 15-04**

***Moved by Roy Harrington***

***Seconded by Carl Barrett***

THAT the Committee of Adjustment Minutes from Meeting Number 15-04 be adopted as printed and circulated.

**CARRIED**

**VI PRESENTATION OF APPLICATIONS**

- 1. Consent application: C-2014-01 (Yonge Street Development Inc.): Technical amendment to conditions.  
15217 Yonge Street**

The Applicant has submitted an Application to allow for Consent to grant easement over a portion of the subject lands marked 'Shared Driveway Easement' on the Sketch attached to the Public Notice for access, in favour of the northerly abutting lands (15221 Yonge Street). The Official Plan designation is Aurora Promenade and the subject lands are zoned Central Commercial (C2) Zone (Application D10-01-14).

Staff indicated that the Applicant had requested that Conditions # 2 and 4 be revised.

***Moved by Carl Barrett***

***Seconded by Roy Harrington***

THAT the conditions noted be amended as follows:

- A. SUBMISSION to the Secretary-Treasurer of two copies of a Draft Reference Plan (for review) to the satisfaction of Planning & Development Services, in consultation with the Town's Development Engineer, showing that the subject lands substantially conform to the Application as submitted. One copy of the Deposited Reference Plan must be submitted prior to the issuance of the Certificate of Official.
- B. THE Applicant submit a Legal Survey, Solicitor's Title Opinion and other information as requested by the Town Solicitor to confirm vehicular access from Victoria Street to the subject lands to the satisfaction of the Legal & Legislative Services.

**CARRIED**

**2. Consent application: C-2015-02 (Old Town Hall Partnership): Technical amendment to conditions.  
15221 Yonge Street**

The Applicant has submitted an Application to allow for Consent to grant easement over a portion of the subject lands marked 'Shared Driveway Easement' on the Sketch attached to the Public Notice for access, in favour of the southerly abutting lands (15217 Yonge Street). The Official Plan designation is Aurora Promenade and the subject lands are zoned Central Commercial (C2) Zone (Application D10-02-14).

Staff indicated that the Applicant had requested that Condition # 2 be revised.

***Moved by Carl Barrett***

***Seconded by Roy Harrington***

THAT the conditions noted be amended as follows:

- A. SUBMISSION to the Secretary-Treasurer of two copies of a Draft Reference Plan (for review) to the satisfaction of Planning & Development Services, in consultation with the Town's Development Engineer, showing that the subject lands substantially conform to the application as submitted. One copy of the Deposited Reference Plan must be submitted prior to the issuance of the Certificate of Official.

**CARRIED**

**3. Minor Variance application MV-2014-12A-G (Yonge Street Development Inc.): Extension to deadline to satisfy conditions  
15217 Yonge Street**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, respecting Variances to allow revision to parking requirements, maneuvering, parking setback and the minimum floor area of the residential portion of a building in a Commercial Zone (C2) Zone and a reduction in manoeuvring space for parking spaces in a Commercial Zone.

Staff indicated that the additional time was necessary for the Applicant to fulfill the conditions.

***Moved by Carl Barrett***

***Seconded by Roy Harrington***

THAT the above noted conditions be satisfied within one year from the May 14, 2015 Committee of Adjustment decision on these files or the Variance may lapse requiring reapplication.

**CARRIED**

**4. Minor Variance application: MV-2015-05A-B (McArthur)  
2 Woodsend Crescent**

**Deferred Application from April 9, 2015 meeting.**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to Sections 34.4.3, 34.1.4 and 34.4.1,(ii), to allow the construction of a detached dwelling within a zone with the symbol 'ORM' affixed to it.

The Chair read through the purpose of the Application. In attendance was the agent Peter Higgins of Higgins Architect and Ecologist Linda Sober. Mr. Higgins stated that the proposed new house would be located within the original footprint. He indicated the new house would have a larger footprint.

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

Isobel Ralston of 12 Woodsend Crescent spoke in opposition to the Application. She raised concerns about the number of trees that the Applicant was proposing to remove from the subject lands. She also inquired about the methodology utilized to complete the Applicant's Natural Heritage Evaluation.

Dr. Jan Oudenes of 12 Woodsend Crescent also spoke in opposition to the Application. Dr. Oudenes raised concerns about the shrinking forest in their area of Southern Aurora.

Mr. Higgins responded that the NHE was done by a senior ecologist who conducted multiple observations. Ms. Sober stated that this was a point-in-time study. Of the 243 trees on site, 47 were proposed to be removed. Replanting would consist of large, mature trees.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-05 be APPROVED subject to the conditions contained in the report.

**CARRIED**

**5. Minor Variance application: MV-2015-08A-D (Skygrove Developments Ltd.)  
233 Earl Stewart Drive**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to allow a reduction in required parking spaces, loading spaces, to add 'retail uses' to permitted uses and to include 'medical' with permitted business and professional offices. (Note: this Application is associated with an Application for Site Plan Approval (File Number Sp-2014-09)).

The Chair read through the purpose of the Application. In attendance was the Applicant Joran Weiner of Skygrove Developments Ltd.

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

Paul Steiner of 248 Earl Stewart Drive spoke in opposition to the Application. Mr. Steiner raised questions about the required parking for this site and the need for more medical space in this area of the town.

Mr. Weiner stated that this site would have a cross access to the property to the north of the subject lands for overflow parking. The site currently has 137 parking spaces while the Zoning By-law for their zone requires 106 spaces. This cross access was contained in the associated Site Plan Application and was registered against the land title of the subject lands. ‘

Staff indicated that stated that a facility that had more than two practicing doctors would be considered a clinic. However, the Application was not requesting clinics for this site. In addition, the medical office parking rate is the same as for business and professional offices.

***Moved by David Mhango***

***Seconded by Tom Plamondon***

***Roy Harrington Opposed***

THAT Minor Variance Application MV-2015-08A-D be APPROVED.

**CARRIED**

**6. Minor Variance application: MV-2015-09 (Thompson)  
15 Webster Drive**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to allow a reduction in exterior side yard setback.

The Chair read through the purpose of the Application. In attendance was the Applicant Randy Thompson

Mr. Thompson stated that they were looking to expand their dining room area to address the needs of their growing extended family. They intend to maintain the trees on the site but would abide by the Town’s Tree By-law if tree removal was necessary during construction.’

***Moved by Tom Plamondon***

***Seconded by Roy Harrington***

THAT Minor Variance Application MV-2015-09 be APPROVED subject to the conditions contained in the report.

**CARRIED**

**7. Minor Variance application: MV-2015-10 (Moody)  
32 Adena Meadows Way, Unit 14**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to allow an increase in maximum height for an accessory building.

The Chair read through the purpose of the Application. In attendance was the agent Kent Taylor of Taylor Design Group.

Mr. Taylor stated that his client has a family of five that now needed an additional garage. As the property is located within is subject to architectural control, they must build the garage in such a form so as to be compatible with adjacent accessory structures.

The Committee asked if other accessory structure Variances had been approved in this community.

Staff responded that there had been other similar Variances in the past.

***Moved by Roy Harrington***

***Seconded by Carl Barrett***

***Tom Plamondon Opposed***

THAT Minor Variance Application MV-2015-10 be APPROVED.

**CARRIED**

**8. Minor Variance application: MV-2015-11A-B (Derlin Investments Inc.)  
189 Earl Stewart Drive, Unit 5**

The Applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to allow a 'fitness centre' use in an industrial building and a reduction in required parking for fitness or recreation centre.

The Chair read through the purpose of the Application. In attendance was the agent Andrea Bourrie of MMM Group.

Ms Bourrie described the proposed fitness centre use as having hourly basis classes with classes scheduled in the morning and afternoon. As such, parking impact at the industrial building would be minimal.

***Moved by Carl Barrett***

***Seconded by David Mhango***

THAT Minor Variance Application MV-2015-11A-B be APPROVED.

**CARRIED**

**9. Minor Variance application: MV-2015-12 (EV Taz Development Ltd.)  
129 Pedersen Drive, Unit 3**

The applicant is seeking relief from the provisions of Zoning By-law No. 2213-78, as amended, to allow a 'commercial school' as a permitted use in this zone.

The Chair read through the purpose of the Application. In attendance was the Applicant Max Baxter of Oxford Learning Centres.

Mr. Baxter indicated that the learning centre operated on a 3:1 ratio of teaches to students. At their current Aurora location on Yonge Street, they have 50 clients.

***Moved by Carl Barrett***

***Seconded by Tom Plamondon***

THAT Minor Variance application MV-2015-12 be APPROVED.

**CARRIED**

**10. Consent application: C-2015-02 (Calloway REIT (Aurora North) & Whitwell Developments Ltd.)  
140 First Commerce Dr.**

The owner is seeking Consent to Lease lands to the hardware store for a period which exceeds 21 years.

The Chair read through the purpose of the Application. In attendance was the Applicant Michael Thorpe of Whitwell Developments Ltd.

Staff informed staff that a revised Planning & Development Services Memo had been prepared for the Committee. The Applicant had requested a revision to their original Application whereby the original parking area was removed. The revised Application would now only cover the hardware store footprint on the subject lands. As this new revision would be a reduction in the area covered for the Consent to lease Application, re-notification to the public and agencies was not necessary.

***Moved by Tom Plamondon***

***Seconded by David Mhango***

THAT Consent Application C-2015-02 be APPROVED subject to the conditions contained in the report.

**CARRIED**

**VII NEW BUSINESS/GENERAL INFORMATION**

- The Committee inquired about conditions attached to Consent Applications. Staff responded that Consent Applications were different than Variance Applications in that they have standard conditions applicable to them which are not typically recommended by Town departments or external agencies. These conditions are included as a recommendation for approval by the Secretary-treasurer who also oversees the fulfilment of these conditions.

**VIII ADJOURNMENT**

*Moved by Roy Harrington*

THAT the meeting be adjourned at 8:45 p.m.

**CARRIED**

Confirmed in open session this 11<sup>th</sup> day of June 2015.

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**Grace Marsh,**  
**Committee Chair**

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**Justin Leung,**  
**Acting Secretary-Treasurer**