



**TOWN OF AURORA
COMMITTEE OF ADJUSTMENT MEETING MINUTES
NO. 15-12**

Council Chambers
Aurora Town Hall
Thursday, December 10, 2015

ATTENDANCE

COMMITTEE MEMBERS

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

REGRETS

OTHER ATTENDEES

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

Chair called the meeting to order at 7:05 p.m.

I DECLARATIONS OF PECUNIARY INTEREST

II APPROVAL OF AGENDA

Moved by Tom Plamondon

Seconded by Carl Barrett

THAT the Agenda as circulated by the Secretary-Treasurer be approved with the following amendments to Agenda:

- Item #14 be moved to Item #1.
- Items, 7, 8, 9 & 12 be removed.

CARRIED

III ADOPTION OF MINUTES

**Committee of Adjustment Minutes of November 12, 2015
Meeting Number 15-11**

Moved by Roy Harrington

Seconded by Tom Plamondon

THAT the Committee of Adjustment Minutes from Meeting Number 15-11 be adopted as printed and circulated.

CARRIED

IV PRESENTATION OF APPLICATIONS

**1. Minor Variance Application: MV-2015-56 – Leslie Wellington Developments Inc.
1289 Wellington Street East**

The Applicant has submitted an Application to allow a reduction in minimum lot area. Section 29.2.1 of the Zoning By-law requires a minimum lot area of 10.0 hectares for lands zoned Rural General. The Applicant is proposing a lot area of 5.9 hectares for the retained lands (identified as Parts 31 and 32 on Plan 65R-26163 on attached Consent Sketch); thus requiring a Variance of 4.1 hectares.

The Chair read through the purpose of the Application and indicated that the numbers relating to the proposed Variance had been slightly corrected as per the Planning Memo circulated to the Committee.

In attendance was the agent Mike Wren of Miller Thomson. Mr. Wren indicated that York Region had a recommended condition for a land conveyance to facilitate a 0.25 hectare road widening. Due to this, the proposed Variance had been revised by Planning staff to address this.

Moved by Carl Barrett

Seconded by Tom Plamondon

THAT Minor Variance Application MV-2015-56 be APPROVED subject to the conditions contained in the report.

CARRIED

**2. Consent Application: C-2015-05 – Leslie Wellington Developments Inc.
1289 Wellington Street East
*Deferred Application**

The Applicant has submitted an Application to sever approximately 0.9 hectares in land (Part of Part 11 on Plan 65R-26163) from lands to be retained with frontage onto Adena Meadows Way.

The Chair read through the purpose of the Application. In attendance was the agent Mike Wren of Miller Thomson.

Planning staff informed the Committee that for recommended condition # 6 Lake Simcoe Region Conservation Authority (LSRCA) had revised their condition and were now requesting a letter of understanding be executed by the Applicant on

conveying a portion of lands that have natural heritage features to the Town at the time of development Application submission.

Moved by David Mhango

Seconded by Tom Plamondon

THAT Consent Application C-2015-05 be APPROVED subject to the conditions contained in the report.

CARRIED

**3. Consent Application: C-2015-06 – Leslie Wellington Developments Inc.
1289 Wellington Street East
*Deferred Application**

The Applicant has submitted an Application to sever approximately 0.16 hectares in land (Parts 29 and 37 and Plan 65R-26163) from lands to be retained with frontage onto Adena Meadows Way.

The Chair read through the purpose of the Application. In attendance was the agent Mike Wren of Miller Thomson.

Planning staff informed the Committee that for recommended condition # 6 Lake Simcoe Region Conservation Authority (LSRCA) had revised their condition and were now requesting a letter of understanding be executed by the Applicant on conveying a portion of lands that have natural heritage features to the Town at the time of development Application submission.

Moved by David Mhango

Seconded by Tom Plamondon

THAT Consent Application C-2015-06 be APPROVED subject to the conditions contained in the report.

CARRIED

**4. Consent Application: C-2015-07 – Leslie Wellington Developments Inc.
1289 Wellington Street East
*Deferred Application**

The Applicant has submitted an Application to sever approximately 12 hectares in land (Parts 1, 30, 33, 34 and 74 on Plan 65R-26163) from lands to be retained with frontage onto Wellington Street East.

The Chair read through the purpose of the Application. In attendance was the agent Mike Wren of Miller Thomson.

Planning staff informed the Committee that for recommended condition # 6 Lake Simcoe Region Conservation Authority (LSRCA) had revised their condition and

were now requesting a letter of understanding be executed by the Applicant on conveying a portion of lands that have natural heritage features to the Town at the time of development Application submission.

Moved by David Mhango

Seconded by Tom Plamondon

THAT Consent Application C-2015-07 be APPROVED subject to the conditions contained in the report.

CARRIED

**5. Minor Variance Application: MV-2015-31A-C – Ofield
17 Steeplechase Avenue
*Deferred Application**

The Applicant has submitted an Application to allow the construction of a two storey dwelling within the Oak Ridges Moraine. Sections 34.1.3 and 34.1.4 of the Zoning By-law states that no development or site alteration shall occur on that portion of the lot that contains a Significant Woodland or one or more Minimum Vegetation Protection Zones as shown on 'Schedule B' of the By-law without amendment to, or relief from the Zoning By-law. The Applicant is proposing to construct a 1078 m² two storey detached dwelling where the entire lot is within a Significant Woodland or Minimum Vegetation Protection Zones; thus requiring a Variance (MV-2015-31A). Section 34.4.1.(ii) of the Zoning By-law states that net developable area of the site that has impervious surfaces shall not exceed 15.0% of the total site area within a Category 1 Landform Conservation Area. The Applicant is proposing an impervious area of 20%; thus requiring a Variance of 5% (MV-2015-31B). Section 34.4.1.(i) of the Zoning By-law states that net developable area of the site that has disturbed surfaces shall not exceed 25.0% of the total site area within a Category 1 Landform Conservation Area. The Applicant is proposing a disturbed area of 44%; thus requiring a Variance of 19% (MV-2015-31C).

The Chair read through the purpose of the Application. In attendance was the agent David Brown of David Small Designs.

The Committee asked regarding the request for Variance MV-2015-31C and on addressing water runoff and infiltration measures. Mr. Brown responded that this Variance was due to their proposal to remove the tennis court in the rear of the property for reforestation purposes. As such, the Variance request number was brought up artificially. Currently, the Applicant was working on finalizing a drainage plan.

Moved by Roy Harrington

Seconded by David Mhango

THAT Minor Variance Application MV-2015-31A-C be APPROVED subject to the conditions contained in the report.

CARRIED

**6. Consent Application: C-2015-08 – Brookfield Homes (Ontario) Ltd.
155 Vandorf Sideroad**

The Owner of the above noted property has submitted Consent Application to facilitate the severance of Part 2 on Reference Plan 65R-35169 for conveyance to the adjacent condominium corporation.

The Chair read through the purpose of the Application. In attendance was the agent Lincoln Lo of Malone Given Parsons.

Mr. Lo stated that their Applicant had spoken with the adjacent Falconwood Condominium Corporation who were in support of this Application.

Moved by Tom Plamondon

Seconded by Roy Harrington

THAT Consent Application C-2015-08 be APPROVED subject to the conditions contained in the report.

CARRIED

**7. Minor Variance Application: MV-2015-48 – Lueloff
81 Cosford Street**

The Applicant has submitted an Application to allow a reduction in exterior side yard setback for a swimming pool. Section 6.38.2 of the Zoning By-law requires swimming pool setbacks from the exterior side propertyline to be the lesser of 4.5 metres or the minimum setback for the main building. As per Section 11.75.2.2, the minimum exterior side yard setback from the main building is 3.0 metres. The Applicant is proposing a swimming pool setback of 1.2 metres from the exterior side property line; thus requiring a Variance of 1.8 metres.

The Chair read through the purpose of the Application. In attendance was the agent John Every of Poolcraft.

Mr. Every described that with this pool design, it would be difficult to bring the pool closer to the subject property's house as that would affect the amount of patio space available.

The Committee asked if the design pursued the optimal sitting for the pool and also on safety of the pool with this requested Variance. Mr. Every acknowledged they had attempted to achieve optimal setbacks and that the setback requests for this pool were similar to other pools the company had constructed on properties in other parts of Aurora.

Moved by Carl Barrett

Seconded by David Mhango

Carl Barrett, David Mhango and Grace Marsh Approve

Tom Plamondon and Roy Harrington Oppose

THAT Minor Variance Application MV-2015-48 be APPROVED.

CARRIED

**8. Minor Variance Application: MV-2015-52 – Mattamy (Aurora) Ltd.
62 Major Crescent**

The Applicant has submitted an Application to allow a reduction in permitted projection for a box window. Section 11.96.2.3.3 of the Zoning By-law states a bay, bow or box window may project 0.6 meters into the rear yard. The Applicant is proposing to construct a box window that projects 1.2 metres to the rear property line; thus requiring a Variance of 0.6 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren of Mattamy Homes.

The Committee asked about window box standard for their house models. Mr. Sjogren responded that there were a range of window box designs according to housing types they used.

Moved by David Mhango

Seconded by Roy Harrington

THAT Minor Variance Application MV-2015-52 be APPROVED.

CARRIED

**9. Minor Variance Application: MV-2015-53 – Mattamy (Aurora) Ltd.
66 Major Crescent**

The Applicant has submitted an Application to allow a reduction in permitted projection for a box window. Section 11.96.2.3.3 of the Zoning By-law states a bay, bow or box window may project 0.6 meters into the rear yard. The Applicant is proposing to construct a box window that projects 1.2 metres to the rear property line; thus requiring a Variance of 0.6 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren of Mattamy Homes.

The Committee asked about window box standard for their house models. Mr. Sjogren responded that there were a range of window box designs according to housing types they used.

Moved by David Mhango

Seconded by Roy Harrington

THAT Minor Variance Application MV-2015-53 be APPROVED.

CARRIED

**10. Minor Variance Application: MV-2015-55 – Mattamy (Aurora) Ltd.
49 Baber Crescent**

The Applicant has submitted an Application to allow a reduction in minimum rear yard setback. Section 11.98.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a detached dwelling unit which is 6.4 metres to the rear property line; thus requiring a Variance of 0.6 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Andrew Sjogren of Mattamy Homes.

The Committee asked about window box standard for their house models. Mr. Sjogren responded that there were a range of window box designs according to housing types they used.

Moved by David Mhango

Seconded by Roy Harrington

THAT Minor Variance Application MV-2015-55 be APPROVED.

CARRIED

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

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

The Applicant requests deferral of the Application.

Moved by Tom Plamondon

Seconded by Roy Harrington

THAT Minor Variance Application MV-2015-57A-D be DEFERRED.

CARRIED

V NEW BUSINESS/GENERAL INFORMATION

- The Secretary-treasurer stated that the Committee had recommended that the Chair and Vice-Chair positions rotate after 1 year of Committee operation. The Chair responded that if any Committee member wished to do this, they should introduce a motion at the next Committee meeting.

VI ADJOURNMENT

Moved by Tom Plamondon

THAT the meeting be adjourned at 8:00 p.m.

CARRIED

Confirmed in open session this 14th day of January 2016.

**Grace Marsh,
Committee Chair**

**Justin Leung,
Secretary-Treasurer**