



**TOWN OF AURORA
COMMITTEE OF ADJUSTMENT MEETING MINUTES
NO. 16-04**

Council Chambers
Aurora Town Hall
Thursday, April 14, 2016

ATTENDANCE

COMMITTEE MEMBERS

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

REGRETS

OTHER ATTENDEES

Justin Leung (Secretary-Treasurer), Marty Rokos (Planner) and Glen Letman (Manager, Development Planning)

Chair called the meeting to order at 7:10 p.m.

I DECLARATIONS OF PECUNIARY INTEREST

- None

II APPROVAL OF AGENDA

Moved by Tom Plamondon

Seconded by David Mhango

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

- Item # 6 move to Item #1 in Agenda order.

CARRIED

III ADOPTION OF MINUTES

**Committee of Adjustment Minutes of March 10, 2016
Meeting Number 16-03**

Moved by Carl Barrett

Seconded by Tom Plamondon

THAT the Committee of Adjustment Minutes from Meeting Number 16-03 be adopted as printed and circulated.

CARRIED

IV PRESENTATION OF APPLICATIONS

**1. Minor Variance Application: MV-2016-13A-E - Hudson
405 St. John's Sideroad**

The Applicant has submitted an Application to allow construction of a two storey detached dwelling in the Oak Ridges Moraine, increase in height for detached dwelling and reduction in rear yard setback for accessory building. Sections 34.1.3 and 34.1.4 of the Zoning By-law states no development or site alteration shall occur on that portion of the lot that contains Minimum Vegetation Protection Zone or significant woodland feature without amendment to, or relief from the Zoning By-law. The Applicant is proposing to construct a 1011 m² detached dwelling and 35 m² cabana which are located within Minimum Vegetation Protection Zone and partially located in area that contains significant woodland feature; thus requiring relief. Section 34.4.2 (ii) of the Zoning By-law states net developable area of site that has impervious surfaces shall not exceed 20.0% of total site area for properties within Category 2 Landform Conservation Area. The Applicant's property is located within Category 2 Landform Conservation Area and proposing impervious area of 32 %; thus requiring Variance of 12%. Section 34.4.2(i) of the Zoning By-law states net developable area of site that has disturbed surfaces shall not exceed 50% of total site area for properties within Category 2 Landform Conservation Area. The Applicant's property is located within Category 2 landform conservation Area and proposing a disturbed area of 56%; thus requiring a Variance of 6%. Section 9.2.3 of the Zoning By-law allows maximum height of 10.0 metres. The Applicant is proposing to construct a 1011.0 m² detached dwelling unit with building height of 10.5 metres; thus requiring a Variance of 0.5 metres. Section 6.2.2 of the Zoning By-law requiring a minimum rear yard setback of 4.5 metres for accessory building. The Applicant is proposing to construct a cabana with rear yard setback of 0.3 metres; thus requiring a Variance of 4.2 metres. The Committee indicated that the Applicant had revised their proposal which is smaller than their original proposal. However, the Committee believes the Application should be re-circulated to the public so that they are aware of these changes.

Moved by Tom Plamondon

Seconded by Roy Harrington

THAT Minor Variance Application MV-2016-13A-E be DEFERRED to the next available meeting.

CARRIED

**2. Consent Application: C-2016-02 – MHJH Holdings Inc.
63 & 75 Eric T. Smith Way**

The Applicant has submitted an Application to sever Part Block 11 into 2 parts shown as Part 8 and Part 10 on 65R-359: Part 7 to be conveyed To Party 6 (63 Eric T Smith Way) and Part 10 will be conveyed to Part 8 (75 Eric T Smith Way) on Plan 65R-35964.

The Chair read through the purpose of the Application. In attendance was the agent Kenneth Goodbrand.

Moved by Carl Barrett

Seconded by David Mhango

THAT Consent Application C-2016-02 be APPROVED subject to the conditions contained in the report.

CARRIED

**3. Minor Variance Application: MV-2016-10 – Eyelet Investment Corp.
1114 Wellington Street East**

The Applicant has submitted an Application to allow for garages of 2 proposed corner lot units to project beyond the front porch/face of a house. Sections 11.98.2.2 and 11.99.2.2 of the Zoning By-law states that notwithstanding any other provisions to the contrary, the habitable ground floor front wall or porch face shall be either flush with, or project in front of the garage. The applicant is proposing the garage to project a maximum of 1.45 metres forward of the habitable ground floor wall or porch/face for Lots 56 & 69 within the Draft Approved Plan of Subdivision, thus requiring a variance.

The Chair read through the purpose of the Application. In attendance was the agent Joseph Pavia.

The Committee asked if these lots' detached dwelling units had been sold. Mr. Pavia responded they had not.

Moved by Roy Harrington

Seconded by David Mhango

THAT Minor Variance Application MV-2016-10 be APPROVED.

CARRIED

**4. Minor Variance Application: MV-2016-11- Skygrove Developments Inc.
233 & 239 Earl Stewart Drive**

The Applicant has submitted an Application to allow animal hospital and pet grooming as permitted uses. Section 23.A.1 of the Zoning By-law does not include 'animal hospital' and 'pet grooming' as permitted uses. The Applicant is proposing to include 'animal hospital' and 'pet grooming' as permitted uses to the subject property retail plaza; thus requiring a Variance.

The Chair read through the purpose of the Application. In attendance was the agent Joseph Pavia.

The Committee asked staff if this Variance would be restricted to a specific unit. Staff responded that it did not make that recommendation

The Committee asked if overnight boarding would occur with these uses, if permitted. Mr. Pavia responded there would not.

Moved by Tom Plamondon

Seconded by David Mhango

THAT Minor Variance Application MV-2016-11 be APPROVED subject to conditions contained in the report and that the use be restricted to 239 Earl Stewart Drive.

CARRIED

**5. Minor Variance Application: MV-2016-14A-M – 2457920 Ontario Inc.
14070 Yonge Street**

The Applicant has submitted an Application to allow the increase in maximum height for 29 detached dwellings and to allow increase in maximum lot coverage on 12 lots all within a Draft Approved Plan of Subdivision. Section 11.104.2.3 of the Zoning By-law allows a maximum height of 10.0 metres. The Applicant is proposing to construct detached dwelling units with a height of 11.2 metres; thus requiring a Variance of 1.2 metres (*for Lots 1 to 29*). Section 11.103.2.3 of the Zoning By-law allows maximum lot coverage of 35.0%. The Applicant is proposing a detached dwelling unit with lot coverage of 43.0%; thus requiring a Variance of 8.0% (*for Lot 8*). The Applicant is proposing a detached dwelling unit with lot coverage of 43.0%; thus requiring a Variance of 8.0% (*for Lot 9*). The Applicant is proposing a detached dwelling unit with lot coverage of 39.0%; thus requiring a

Variance of 4.0% (for Lot 10). The Applicant is proposing a detached dwelling unit with lot coverage of 40.0%; thus requiring a Variance of 5.0% (for Lot 11). The Applicant is proposing a detached dwelling unit with lot coverage of 36.0%; thus requiring a Variance of 1.0% (for Lot 20). The Applicant is proposing a detached dwelling unit with lot coverage of 41.0%; thus requiring a Variance of 6.0% (for Lot 21). The Applicant is proposing a detached dwelling unit with lot coverage of 43.0%; thus requiring a Variance of 8.0% (for Lot 22). The Applicant is proposing a detached dwelling unit with lot coverage of 43.0%; thus requiring a Variance of 8.0% (for Lot 23). The Applicant is proposing a detached dwelling unit with lot coverage of 41.0%; thus requiring a Variance of 6.0% (for Lot 24). The Applicant is proposing a detached dwelling unit with lot coverage of 36.0%; thus requiring a Variance of 1.0% (for Lot 26). The Applicant is proposing a detached dwelling unit with lot coverage of 39.0%; thus requiring a Variance of 4.0% (for Lot 27). The Applicant is proposing a detached dwelling unit with lot coverage of 39.0%; thus requiring a Variance of 4.0% (for Lot 28).

The Chair read through the Application. In attendance was the agent Emilio Ronco. The Chair asked if any members of the public want to speak in relation to this Application.

Stefanie Wang of 40 Ridge Road spoke in opposition to this Application. Ms. Wang question if the Minor Variance was a 'Minor' Application including concerns regarding this proposal's possible impact on the local aquifer.

Jennifer Day of 114 Ridge Road also spoke in opposition to this Application. Ms. Day including concerns about incremental changes to these lands in Oak Ridges Moraine.

The Committee asked if hydrogeological analysis had been conducted.

Mr. Ronco responded that it had.

Moved by Tom Plamondon

Seconded by Roy Harrington

THAT Minor Variance Application MV-2016-14A-M be REFUSED.

CARRIED

**6. Minor Variance Application: MV-2016-15A-C – Brookfield Residential
350 William Graham Drive**

The Applicant has submitted an Application to allow reduction in front yard setback for garage where house has a single driveway that intersects sidewalk, reduction in rear yard setback and reduction in minimum parking space on driveway. Section 15.62.2.2 of the Zoning By-law requires a minimum front yard setback of 9.25 for garage where a house has a single driveway that intersects a sidewalk. The Applicant is proposing to construct a row dwelling unit which has a front yard setback of 9.12 metres; thus requiring a Variance of 0.13 metres. Section 15.62.2.2

of the Zoning By-law requires minimum rear yard setback of 7.0 metres. The Applicant is proposing to construct a row dwelling unit which has a rear yard setback of 5.8 metres; thus requiring a Variance of 1.2 metres. Section 15.62.2.5 of the Zoning By-law requires minimum 2 parking spaces on the driveway. The Applicant is proposing 1 parking space on the driveway; thus requiring a Variance of 1 parking space.

The Chair read through the purpose of the Application. In attendance was the agent Jamie Lopes.

Mr. Lopes let the Committee know that they had revised the Application thereby withdrawing MV-2016-15A and MV-2016-15C. Mr. Lopes also referenced the letter they subsequently provided to staff for this request.

Moved by Carl Barrett

Seconded by David Mhango

THAT Minor Variance Application MV-2016-15B be APPROVED subject to conditions contained in the report.

CARRIED

**7. Minor Variance Application: MV-2016-12-A-G- 2496343 Ontario Inc.
11 Hawthorne Lane**

The Applicant has submitted an Application to allow reduction in front yard setback, reduction in interior side yard setback, increase in eaves projection and increase in chimney projection. Section 10.2.2 of the Zoning By-law requires a minimum front yard of 9.0 metres. The Applicant is proposing to construct a detached dwelling unit which has a front yard setback of 8.1 metres; thus requiring a Variance of 0.9 metres. Section 10.2.2 of the Zoning By-law requires a minimum interior side yard setback of 4.5 metres. The Applicant is proposing to construct a detached dwelling unit with a east interior side yard setback of 2.6 metres; thus requiring a Variance of 1.9 metres. Section 10.2.2 of the Zoning By-law requires a minimum interior side yard setback of 4.5 metres. The Applicant is proposing to construct a detached dwelling unit with a west interior side yard setback 3.5 metres; thus requiring a Variance of 1.0 metre. Section 6.48.1 of the Zoning By-law allows eaves to project 0.7 metres into any required yard. The Applicant is proposing to construct eaves projecting 1.3 metres into the front yard; thus requiring a Variance of 0.6 metres. Section 6.48.1 of the Zoning By-law allows eaves to project 0.7 metres into any required yard. The Applicant is proposing to construct eaves projecting 2.3 metres into the east interior side yard; thus requiring a Variance of 1.6 metres. Section 6.48.1 of the Zoning By-law allows eaves to project 0.7 metres into any required yard. The Applicant is proposing to construct eaves projecting 1.4 metres into the west interior side yard; thus requiring a Variance of 0.7 metres. Section 6.48.1 of the Zoning By-law allows chimneys to project 0.7 metres into any required yard. The Applicant is proposing to construct a chimney that projects 1.5 metres into the west interior side yard; thus requiring a Variance of 0.8 metres.

The Chair read through the purpose of the Application. In attendance was the agent Peter Higgins.

Mr. Higgins indicated they propose to demolish and build a new 2 storey house. They have attempted to reach a new proposal which is similar to new houses being built nearby.

The Chair then asked if any members of the public wished to speak in relation to this Application.

Nancy Browne of 21 Hawthorne Lane spoke in opposition to this Application. Ms. Browne is concerned about the trend of such development.

Joyce Deitch of 22 Hawthorne Lane also spoke in opposition to this Application. Ms. Deitch is concerned about a monster home being built in their neighbourhood.

George Woolley of 10 Hawthorne Lane also spoke in opposition to this Application. Mr. Wooley did not believe such development was appropriate for Hawthorne Lane.

Michael Ronco of 15 Hawthorne Lane also spoke in opposition to this Application. Mr. Ronco raised issues with privacy.

Staff responded that the backyard and porch in the rear comply with Town Zoning By-law.

The Committee asked if the lot coverage complies.

Mr. Higgins responded that it does.

The Committee asked that continued local dialogue should continue to progress with additional condition that elevation and plans be reviewed and approved by Planning staff.

Moved by Tom Plamondon

Seconded by Carl Barrett

THAT Minor Variance Application MV-2016-12A-G be APPROVED subject to conditions in the report and that building elevation plans be submitted to Planning staff for their review and approval

CARRIED

**8. Minor Variance Application: MV-2016-09 – Ornat-Frisoni
41 Larmont Street**

The Applicant has submitted an Application to allow an increase in height for an accessory structure. Section 6.2.3 of the Zoning By-law requires maximum height of 3.5 metres for an accessory structure. The Applicant is proposing to construct a detached garage with height of 6.7 metres; thus requiring a Variance of 3.2 metres.

The Chair read through the purpose of the Application. In attendance was the Applicant Frank Ornat. Mr. Ornat explained the Variance was needed to accommodate the pitched roof.

The Chair asked if any members of the public wanted to speak in relation to this Application.

Frank Pignataro of 35 Larmont Street spoke in opposition to this Application. Mr. Pignataro did not support this structure's building height and also raised concerns on constant construction at site.

Ron Weese of 37 Larmont Street also spoke in opposition to this Application. Mr. Weiss was concerned about the second floor of the proposed garage which was not proposed when the original Variance was approved.

Mr. Ornat stated the side yard setbacks complied and that he had to do construction work the last few months at his property.

Moved by David Mahngo

Seconded by Roy Harrington

THAT Minor Variance Application MV-2016-09 be DENIED.

CARRIED

V NEW BUSINESS/GENERAL INFORMATION

VI ADJOURNMENT

Moved by Tom Plamondon

THAT the meeting be adjourned at 10:25 p.m.

CARRIED

Confirmed in open session this 12th day of May 2016.



Grace Marsh,
Committee Chair



Justin Leung,
Secretary-Treasurer