



**Town of Aurora
Committee of Adjustment
Meeting Agenda**

Date: Thursday, March 13, 2025
Time: 7 p.m.
Location: Video Conference

Meetings are available to the public via live stream on the [Town's YouTube channel](#). To participate electronically, please visit aurora.ca/participation.

	Pages
1. Call to Order	
2. Land Acknowledgement	
3. Approval of the Agenda	
That the Agenda as circulated by the Secretary-Treasurer be approved.	
4. Declarations of Pecuniary Interest and General Nature Thereof	
5. Receipt of the Minutes	
5.1 Committee of Adjustment Meeting Minutes of February 13, 2025, Meeting Number 25-02	1
That the Committee of Adjustment Minutes from Meeting Number 25-02 be adopted as circulated.	
6. Presentation of Applications	
6.1 MV-2025-02 - Hunzach Homes Holding Inc. - 24 Desjardins Way (Withdraw)	5
6.2 MV-2025-05 - Zaghloul - 75 Watkins Glen Cres (Deferral)	6
6.3 MV-2025-01 - Pesegi - 12 Kemano Road	7
6.4 MV-2025-03 - Zheng - 43 Valley Cres	16
6.5 MV-2025-04 - Pennacchio - unit 23 -220 Industrial Parkway S	26

7. **New Business**

8. **Adjournment**



Town of Aurora
Committee of Adjustment
Meeting Minutes

Date: Thursday, February 13, 2025

Time: 7 p.m.

Location: Video Conference

Committee Members: John Hartman
Maricella Saucedo
Alida Tari
Michael Visconti
Klaudia Watts

Other Attendees: Antonio Greco, Senior Planner
Peter Fan, Secretary-Treasurer, Committee of Adjustment

1. Call to Order

That the meeting be called to order at 7:01PM

1.1 Appointment of Committee Chair

Moved by Maricella Saucedo

Seconded by Michael Visconti

That Alida Tari be appointed as the Committee Chair for the duration of this Committee's term.

Carried

1.2 Appointment of Committee Vice-Chair

Moved by John Hartman

Seconded by Klaudia Watts

That Michael Visconti be appointed as the Committee Vice-Chair for the duration of this Committee's term.

Carried

2. Land Acknowledgement

The Town of Aurora acknowledges that the Anishinaabe (A-nishshaw-na-bee) lands on which we live, and work are the traditional and treaty territory of the Chippewas of Georgina Island, as well as many other Nations whose presence here continues to this day. As the closest First Nation community to Aurora, we recognize the special relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands, and as a municipality we join them in these responsibilities.

We further acknowledge that Aurora is part of the treaty lands of the Mississaugas and Chippewas, recognized through Treaty #13 as well as the Williams Treaties of 1923. A shared understanding of the rich cultural heritage that has existed for centuries, and how our collective past brought us to where we are today, will help us walk together into a better future.

3. Approval of the Agenda

Moved by Michael Visconti

Seconded by John Hartman

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

Carried

4. Declarations of Pecuniary Interest and General Nature Thereof

None.

5. Receipt of the Minutes

5.1 Committee of Adjustment Meeting Minutes of January 9, 2025 , Meeting Number 25-01

Moved by Michael Visconti

Seconded by Klaudia Watts

That the Committee of Adjustment Minutes from Meeting Number 25-01 be adopted as printed and circulated.

Carried

6. Presentation of Applications

6.1 C-2024-07 - Hunzach Holdings Inc. - 24 Desjardins Way

The purpose of the proposed consent application is to sever the subject lands as follows (see Appendix 'B'):

1. Proposed Retained Lands (eastern parcel):

1. Parts 1, 2 and 3 of the Draft Reference Plan with a total area of 0.76 hectares (1.89 acres).

2. Proposed Severed Lands (western parcel):

1. Parts 4 and 5 of the Draft Reference Plan with a total area of 2.45 hectares (6.07 acres).

3. Establish a Right of Way:

1. Proposed right of way over Part 2 (eastern parcel) of the Draft Reference Plan in favour of the proposed severed lands (western parcel) for the purposes of vehicular access from Desjardins Way.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the agent, Chris Pretotto. The agent provided a brief introduction to their application.

The Chair invited members of the public to provide comments. There were no public delegates in attendance for this application.

The Committee inquired about the access to the property as there are concerns of grading on the site; specifically off of Leslie street.

Moved by John Hartman

Seconded by Michael Visconti

That the Consent application C-2024-07 be APPROVED.

Carried

7. **New Business**

None.

8. **Adjournment**

Moved by Michael Visconti

That the meeting be adjourned at 7:21PM.

Carried



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora
Committee of Adjustment Report
No. MV-2025-02

Subject: **Minor Variance Application**
Hunzach Holdings Inc.
24 Desjardins Way
Part Block 8, Plan 65M-3819, except Parts 1 and 2 on Plan 65R-
29285, and except Parts 1 and 2 on Expropriation Plan YR2183022
File: MV-2025-02
Related File: C-2025-07, SP-2024-04, MV-2024-09

Prepared by: **Felix Chau, Planner**

Department: Planning and Development Services

Date: March 13, 2025

Application

Subsequent to the distribution of Notice of Public Hearing dated February 26, 2025, for the above noted minor variance application for 24 Desjardins Way (MV-2025-02), the applicant has requested to withdraw the application, by way of email dated March 6, 2025.



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Aurora, Ontario
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(905) 727-3123
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Town of Aurora
Committee of Adjustment Report
No. MV-2025-05

Subject: **Minor Variance Application**
Ashraf Zaghloul
75 Watkins Glen Crescent
PLAN 65M3573 PT BLK 268 RP; 65R25480 PARTS 6 TO 8
File: MV-2025-05

Prepared by: **Felix Chau, Planner**

Department: Planning and Development Services

Date: March 13, 2025

Application

Planning Staff are requesting a deferral of the above noted minor variance application for 75 Watkins Glen Crescent (MV-2025-05).

Additional time is required for commenting agencies, specifically, Central York Fire Services (CYFS), to review the subject application. The applicant proposes to widen a portion of an existing residential driveway from 3.1 metres to a maximum of 6.0 metres to accommodate an additional parking spot. However, a portion of the driveway expansion extends in front of the front door of the townhouse dwelling unit (no curb cutting is proposed). As such, Staff require consultation and comments from CYFS to understand any potential impacts to emergency service operations resulting from the driveway expansion.

Staff recognize the importance of making informed decisions and believe the requested deferral will enable the applicant to revise their plans that are compliant with emergency services requirements.

As a result, Staff are requesting the subject application be deferred for consideration, pending CYFS's review and approval of the proposed development. The applicant has been made aware and concurs with the deferral recommendation.



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora
Committee of Adjustment Report
No. MV-2025-01

Subject: Minor Variance Application
Pesegi
12 Kemano Road
PLAN 475 LOT 155
File: MV-2025-01

Prepared by: Katherine Gatzos, Planner

Department: Planning and Development Services

Date: March 13, 2025

Application

The owner/applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to recognize a recently constructed open porch and stairs. The following relief is being requested:

- a) Section 4.20 of the Zoning By-law states open porches require a minimum front yard of 4.5 metres.
 - a. The applicant has constructed a front porch, which is 3.3 metres from the front property line.

- b) Section 4.20 of the Zoning By-law states steps require a minimum front yard of 4.5 metres.
 - a. The applicant has constructed porch steps, which are 1.8 metres from the front property line.

Background

Subject Property and Area Context

The subject property, municipally known as 12 Kemano Road, is located on the north side of Kemano Road, west of Yonge Street. The property is rectangular in shape, with an approximate area of 582 sqm (6264.60 sqft), and a frontage of 33.53 m (110 ft) along

Kemano Road. The surrounding neighbourhood is characterized by one and two storey dwellings.

Proposal

The applicant has requested a reduced front yard setback in order to accommodate a recently constructed porch and associated stairs.

The Owner demolished and reconstructed a new porch and stairs without a building permit. Subsequently, the Town of Aurora received a complaint on the proposed structure. In response to this, the Owner submitted a Minor Variance application in January 2025 in order to bring the structure into compliance.

Official Plan

The subject property is designated "Stable Neighbourhoods" by the Town of Aurora Official Plan, which permits Ground-related Residential Uses and accessory structures.

Zoning

The subject property is zoned "Detached Third Density Residential Exception R3-SN (497) Zone" in the Town of Aurora's Comprehensive Zoning By-law. Residential uses and associated accessory uses are permitted under this zoning.

Preliminary Zoning Review

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora's Building Division. The PZR identified the required variances and no other non-compliance was identified.

Applicant's stated reason(s) for not complying with the Zoning By-law

As stated on the application form, "the existing front porch was removed (unstable) current front setback only 5.2m. It is not possible to put a new porch for the front door that meets the 4.5m setback".

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2025-01 pursuant to the prescribed tests as set out in Section 45(1) of the *Planning Act*, as follows:

a) The proposed variances meet the general intent of the Official Plan

The intent of the Official Plan “Stable Neighbourhoods” designation is to ensure that residential neighbourhoods are protected from incompatible forms of development, while allowing the neighbourhoods to be enhanced and evolve over time.

Planning staff are of the opinion that the subject variances will result in minimal impact and no disruption to the existing streetscape and the surrounding context of the neighbourhood. The location and orientation of the subject front porch and steps are similar to designs that presently exist in the surrounding area, thus resulting in a consistent and uniform streetscape. Staff are of the opinion that adequate spatial separation continues to exist between the dwelling and the front property line, therefore ensuring no negative impacts to the streetscape arise and access through the front yard area is maintained. The proposed porch and steps are not considered to be visually obtrusive from an urban design standpoint and will contribute to enhancing and animating the existing streetscape.

Based on the above, staff are of the opinion that the requested variances are in keeping with the general intent of the Official Plan.

b) The proposed variances meet the general intent of the Zoning By-law

The intent of the “Detached Third Density Residential R3-SN (497)” zoning is to ensure that the streetscape and public realm are maintained with appropriately sized and oriented buildings and structures. The intent of the minimum front yard setback provision is to ensure there is consistency between dwellings from a streetscape perspective and a relatively uniform presence from the street edge.

Staff are of the opinion that despite the reduction in front yard setback, there is still adequate spatial separation and uniformity along Kemano Road, as a multitude of properties, including the two adjacent, contain similar front porch and step designs, thus resulting in a consistent and uniform streetscape.

Staff are of the opinion that the subject porch and steps are modest in overall mass, and as they meet all other provisions of the Zoning By-law, it will result in minimal visual impact and obstruction. The porch and steps are intended to provide access to the elevated entrance to the dwelling. Further, Engineering Staff and external agencies have also reviewed and have no objections with the structure in regard to drainage or impacts to existing utilities.

Staff are satisfied that the proposed front yard setback variances will not result in streetscape compatibility concerns and therefore maintain the intent and purpose of the Zoning By-law.

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

The minor variances have been considered in the context of the site itself and the adjacent neighbourhood. Staff are of the opinion that the proposed porch and stairs have been designed in a manner that respects the character of the existing properties along Kemano Road, many of which have incorporated similar porch and step designs to their front facades in order to provide access to elevated front doors.

The proposal allows for the appropriate development of the site to accommodate specific housing needs by providing access to the elevated dwelling entrance and is done so in a manner that in the opinion of staff respects the existing neighbourhood character. The streetscape is unaltered as the subject porch and stairs are in keeping with surrounding residential neighbourhood, in relation to building scale, massing, orientation and materiality. The applicant has installed basement egress windows along the front façade which limits the ability to construct the porch stairs along the sides of the porch, further from the front yard setback. Despite this constraint, Staff are of the opinion that the scale, massing, orientation and materiality of the porch and stairs have been designed and constructed in a matter that is in keeping with the surrounding residential neighbourhood. Further, it is the opinion of staff that the proposal maintains sufficient room for access, drainage and maneuverability within the front yard.

In July 2024, the Town of Aurora's Parks Department issued a Tree Removal Permit for 4 trees within the front yard. Through this approved permit, the applicant has since removed the subject trees and additional shrubbery to accommodate the front porch and steps, and other property maintenance endeavours. The Town's Parks Department has further reviewed this Minor Variance application and has identified no concerns or further requirements, as all matters have been addressed previously through the approved Tree Removal Permit.

The proposed development resulted in the removal of multiple trees and shrubbery within the front yard. However, appropriate conditions of approval (Appendix 'A') have been developed to ensure that any tree removals have been addressed to ensure adherence to the Town's Tree Compensation Policies for tree removals. This includes the requirement that the Owner provide a tree compensation and a replanting plan in accordance with the Town of Aurora Tree Compensation Policies to the satisfaction of the Director of

Operational Services as compensation for trees removed to facilitate the construction. Compensation planting shall be completed prior to the release of financial securities.

As such, the requested variances are considered desirable for the appropriate development of the land, subject to clearance or the Conditions of Approval as indicated in Appendix 'A'.

d) The proposed variances are considered minor in nature

The question of the minor in nature of a proposed variance can be related to its scale and impact on adjacent properties, not necessarily its numerical value. In the opinion of Staff, the requested variances are considered to be minor and is not expected to have any adverse effects on the subject lands, neighbouring properties, or the character of the existing neighbourhood as a whole.

The reduced front yard setback for both the porch and steps is considered to be minor by staff and are not anticipated to negatively impact the front yard amenity space, nor access through the front yard. Given the location and footprint of the porch and steps, staff would consider the encroachment to be minimal and will have no impact on surrounding properties or neighbourhood character. Further, appropriate Conditions of Approval have been developed in order to ensure that tree removals are appropriately addressed.

Based on the above, staff consider the requested variances to be minor in nature.

Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review completed. No objections.
Engineering Division	No objections.
Operational Services (Parks)	No objections.
Operational Services (Public Works)	No objections.
Central York Fire Services	No objections.

Department or Agency	Comments
York Region	No objections.
LSRCA	No objections.
Alectra	No objections.

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.

Conclusion

Planning staff have reviewed the application regarding Section 45 (1) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended, and believe that the requested variance meets the four tests of the *Planning Act* for granting minor variances. Staff recommend approval of the requested variance subject to the conditions outlined in Appendix 'A.'

Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'A' – Conditions of Approval

Planning and Development Services:

1. That the variance only applies to the subject property in conformity with the plans attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.
2. Provision of monitoring of the site work through a series of site visits by the Arborist/Forester to ensure protection/preservation measures remain in compliance throughout the duration of the project. Monitoring shall occur i) at commencement of work to certify all tree protection measures are in place, ii) during site work to confirm protection measures are in place and to oversee arboricultural works as required, and iii) post construction assessment. Each site visit is 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.

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

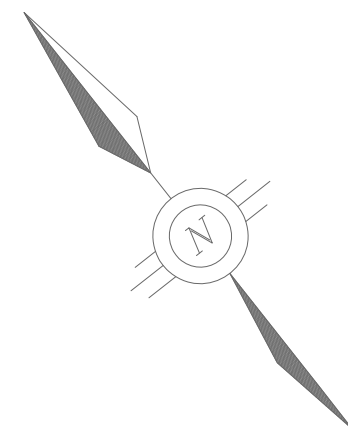
QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4 OF THE BUILDING CODE

PETER Z GUDOLIN BCIN SECURITY # 32589

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5 OF THE BUILDING CODE

PEDI ENTERPRISES INC. 44897 BCIN

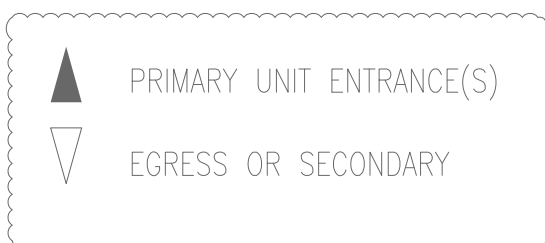
2025 01 JANUARY REVISION NUMBER 2



LOT 156

LOT 155

LOT 154

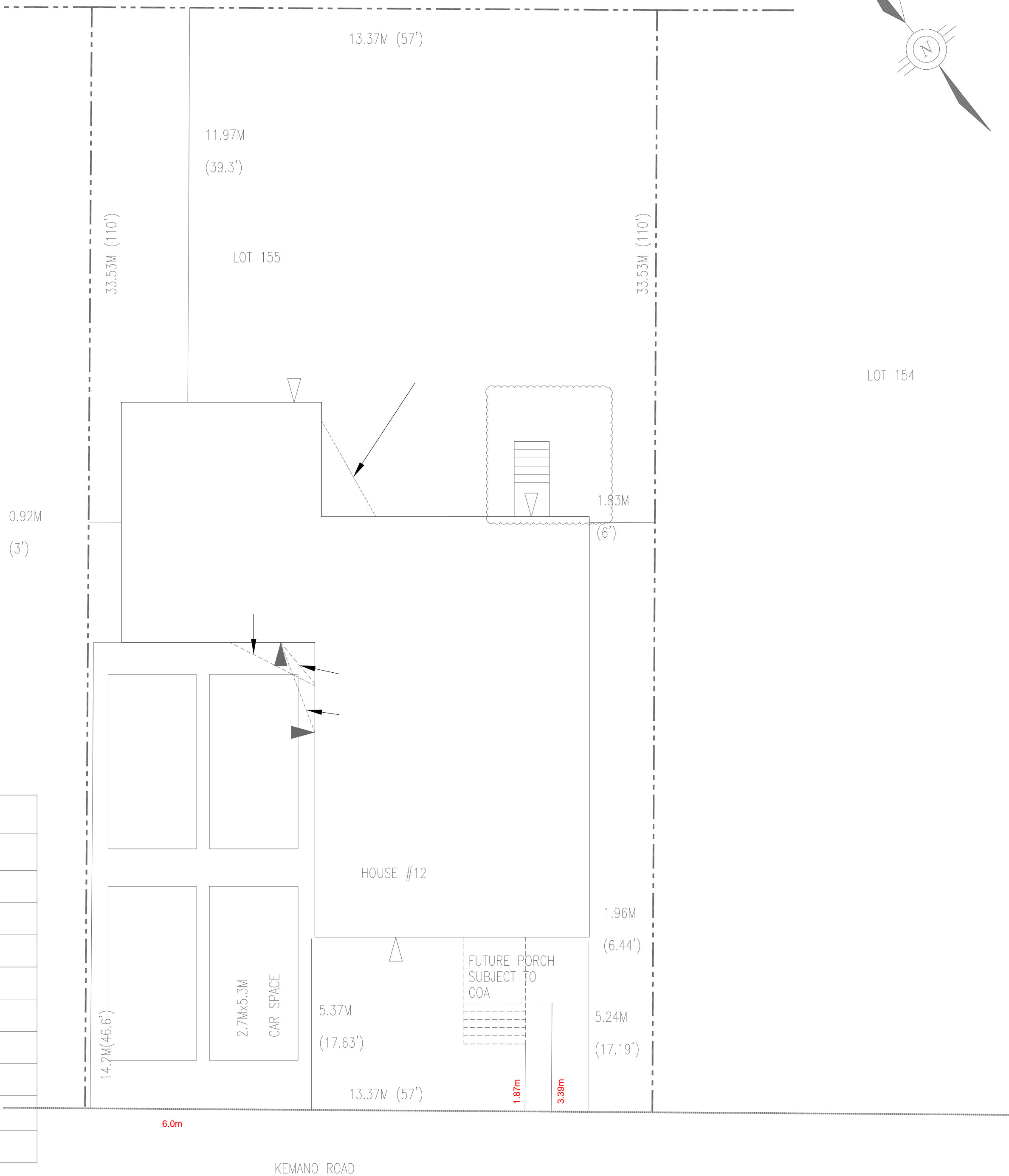


**TOWN OF AURORA
PLANNING & DEVELOPMENT SERVICES
BUILDING DIVISION**

PERMIT NO.: PR20250069 DATE: Jan. 16, 2025

APPROVED BY: *Ashley Vanderwal*
PRELIMINARY ZONING REVIEW

SITE STATS	
LOT AREA	582.5M (6270SQFT)
BUILDING AREA	150.8M (1623SQFT)
PROPOSED AREA	150.8M (1623SQFT)
HARD SPACE	118.8M (1279SQFT)
GREEN SPACE	312.9M (3368SQFT)
LOT COVERAGE	26.8%
GREEN SPACE	53.7%
PARKING REQ'D	3 SPACES
PARKING PROV'D	4 SPACES
DRIVEWAY	6.0Mx14.2M



General Notes

DRAWINGS ARE NOT TO BE SCALED. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE SITE. REPORT ALL DISCREPANCIES/OMISSIONS TO THE DESIGNER. DRAWINGS REMAIN THE PROPERTY OF THE DESIGNER.

No.	Revision/Issue	Date
3	AS PER CITY	JAN 01/25
2	AS PER CITY	NOV 24/24
1	FOR PERMIT	OCT 15/24

PEDI ENTERPRISES INC.
32 CHURCH STREET UNIT #308
SCHOMBERG, ONTARIO
LOG 1 TO
Phone (416) 994-8041
Email PEDI@rogers.com

PROJECT NAME AND ADDRESS

12 KEMANO ROAD
AURORA
ONTARIO

SHEET TITLE

SITE PLAN

Project 24-SP-134	Sheet A0.1
Security 32589	
Scale 1:75	

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

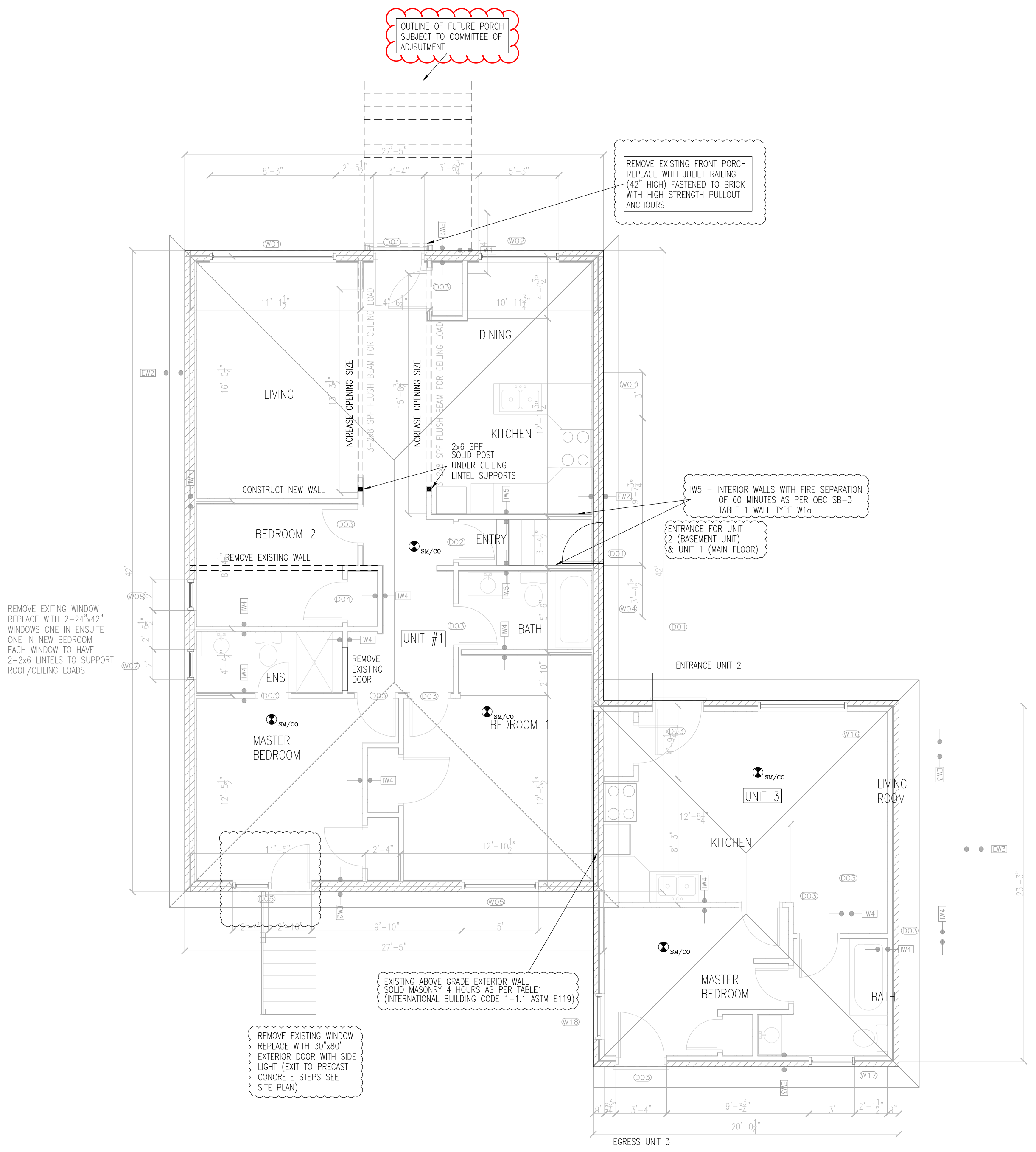
QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4 OF THE BUILDING CODE

PETER J. GUDOLIN BCIN 28411
 SECURITY # 32589

REGISTRATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5 OF THE BUILDING CODE

PEDI ENTERPRISES INC. 44897
 BCIN
 2025 01 JANUARY
 24-SP-134 REVISION NUMBER 2

ALL EXISTING STRUCTURE (LINTELS, BEAMS, LOAD BEARING WALLS) TO REMAIN UNLESS OTHERWISE NOTED



OUTLINE OF FUTURE PORCH SUBJECT TO COMMITTEE OF ADJUSTMENT

REMOVE EXISTING FRONT PORCH
 REPLACE WITH JULIET RAILING (42" HIGH) FASTENED TO BRICK WITH HIGH STRENGTH PULLOUT ANCHOURS

IW5 - INTERIOR WALLS WITH FIRE SEPARATION OF 60 MINUTES AS PER OBC SB-3 TABLE 1 WALL TYPE W1c

ENTRANCE FOR UNIT 2 (BASEMENT UNIT) & UNIT 1 (MAIN FLOOR)

REMOVE EXISTING WINDOW
 REPLACE WITH 2-24"x42" WINDOWS ONE IN ENSUITE ONE IN NEW BEDROOM
 EACH WINDOW TO HAVE 2-2x6 LINTELS TO SUPPORT ROOF/CEILING LOADS

REMOVE EXISTING WINDOW
 REPLACE WITH 30"x80" EXTERIOR DOOR WITH SIDE LIGHT (EXIT TO PRECAST CONCRETE STEPS SEE SITE PLAN)

EXISTING ABOVE GRADE EXTERIOR WALL SOLID MASONRY 4 HOURS AS PER TABLE 1 (INTERNATIONAL BUILDING CODE 1-1.1 ASTM E119)

General Notes

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No.	Revision/Issue	Date
3	AS PER CITY	JAN 01/25
2	AS PER CITY	NOV 24/24
1	FOR PERMIT	OCT 15/24

PEDI ENTERPRISES INC.
 32 CHURCH STREET UNIT #308
 SCHOMBERG, ONTARIO
 LOG 1T0
 Phone (416) 994-8041
 Email PEDI@rogers.com

PROJECT NAME AND ADDRESS

12 KEMANO ROAD
 AURORA
 ONTARIO

SHEET TITLE

PROPOSED
 GROUND FLOOR
 & GARAGE UNIT

Project	24-SP-134	Sheet	A1.2
Security	32589		
Scale	3/16"=1'		



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora
Committee of Adjustment Report
No. MV-2025-03

Subject: **Minor Variance Application**
Zheng
43 Valley Crescent
PLAN 65M 2189 LOT 165
File: MV-2025-03

Prepared by: **Kenny Ng, Planner**

Department: Planning and Development Services

Date: March 13, 2025

Application

The owner/applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit an existing enclosed basement walk-up addition to the existing two-storey detached dwelling. The following relief is being requested:

- a) Section 7.2 of the Zoning By-law requires a minimum exterior side yard of 6.0 metres. The existing enclosed basement walk-up addition is 4.6 metres to the exterior side property line, thereby requiring a variance of 1.4 metres.

Background

Subject Property and Area Context

The subject lands are municipally known as 43 Valley Crescent, located in the northwest corner of Valley Crescent and Crawford Rose Drive Wellington Street West, south of Orchard Heights Boulevard. The subject lands currently accommodate an existing two-storey detached dwelling and have an approximate lot area of 615.5 square metres (6,625 square feet), and an approximate lot frontage of 20.4 m (67 ft). The existing two-storey detached dwelling has a Gross Floor Area of 160 m² (1721.5 ft²) with driveway access on Valley Crescent. There are several mature trees in the front and exterior side yard, as well as a wooden fence along the side and rear yards.

Proposal

The applicant is requesting the committee to permit an existing enclosed basement walk-up addition on the east side of the existing two-storey detached dwelling. The enclosed basement walk-up was constructed without a building permit prior to the current owner taking ownership of the property in 2024.

There is a second enclosed basement walk-up on the west side (interior side yard) of the building, which was constructed without a building permit and does not comply with the Town's Zoning By-law. To address this, the applicant proposes to remove the enclosure while retaining the underground staircase to the basement unit to ensure compliance with the Town's Zoning By-law.

As detailed by the Applicant, currently there are no tenants living in the basement.

Official Plan

The subject property is designated 'Stable Neighbourhoods' by the Town of Aurora Official Plan. Single detached dwellings are permitted in the Stable Neighbourhoods designation.

Zoning

The subject property is zoned "R3 (Detached Third Density Residential Zone)" by Zoning By-law 6000-17, as amended, which permits a single detached dwelling.

Preliminary Zoning Review

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora's Building Division. The PZR identified the required variance and no other non-compliance was identified.

Applicant's stated reason(s) for not complying with the Zoning By-law

As stated on the application form, "The stair was constructed by a previous owner of the property and would be difficult to remove."

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2025-03 pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

a) **The proposed variance meets the general intent of the Official Plan**

The subject lands are designated 'Stable Neighbourhoods' under the Town of Aurora's Official Plan. The intent of the 'Stable Neighbourhoods' designation is to ensure that all new development will be protected from incompatible forms of development and, at the same time, are permitted to evolve and be enhanced over time. Within this designation, emphasis is placed on compatibility of built form with respect to massing, scale, and design to ensure a cohesive relationship with adjacent buildings, streetscapes, and exterior areas.

The variance to permit a reduced exterior side yard setback to accommodate the enclosed basement walk up will not change the existing massing, height or other design characteristics of the property. The enclosed basement walk up will not be visible from the street, while the enclosed addition is only 2.13 metre (7 feet) in height which is screened mostly by vegetation and the wooden privacy fence. As such, the proposed variance will not result in an incompatible streetscape.

It is the opinion of staff that the requested variance meets the general intent and purpose of the Official Plan.

b) The proposed variance meets the general intent of the Zoning By-law

As shown in the submitted plan attached as Appendix 'B' to this report, the applicant is proposing to reduce the required 6.0 metres exterior side yard setback to 4.6 metres. The intent of a minimum exterior side yard setback is to maintain a consistent streetscape by regulating the appearance of a neighborhood from the street level, and to ensure that adequate space remains to provide for privacy and access.

Since the majority of the enclosed addition will not be visible from the street level, due to the existing wooden fence along the exterior side yard and mature trees in the front yard, the neighboring properties will not be affected.

Additionally, access between the front and rear yards will not be restricted, as the larger exterior side yard provides ample space to accommodate any access requirements.

Based on the above, staff are of the opinion that the requested variance meets the general intent and purpose of the zoning by-law.

c) The proposed variance is considered desirable for the appropriate development of the land

The requested variance to permit a reduced exterior side yard setback is desirable as it is located in a logical location for a basement walk-up. The enclosed walk up is also screened by the wooden fence on the exterior side yard which helps to prevent it from impeding the existing streetscape. Town Engineering Division has reviewed the

requested variance and have no objection to the application as they are satisfied that drainage along the side yard will be maintained. The overall accessibility of the property can also be enhanced by the basement walk up, as the user can access the basement through alternative routes.

Based on the above, staff consider the requested variance to be desirable for the appropriate development and use of the lands.

d) The proposed variance is considered minor in nature

The requested variance to reduce the exterior side yard setback is considered minor as the enclosed walk-up is not anticipated to affect the overall compatibility and appearance of the existing dwelling. Currently there are no tenants living in the basement, in the event the applicant converts the basement into a residential unit, a building permit and registration for additional dwelling unit is required.

Accordingly, it is staff's opinion that the variance is considered minor in nature.

Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review was completed. No objections.
Engineering Division	No objections.
Operational Services (Parks)	No objections.
Operational Services (Public Works)	No objections.
Central York Fire Services	No objections.
York Region	No objections.
LSRCA	No objections.

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.

Conclusion

Planning staff have reviewed the application with respect to the Section 45 (1) of the Planning Act, R.S.O, 1990, c.P.13, as amended, and are of the opinion that the requested variances meet the four tests the Planning Act for granting of minor variances. Please refer to Appendix 'A' for recommended conditions of approval for the requested variance.

Attachments

Appendix 'A' – Recommended Conditions of Approval

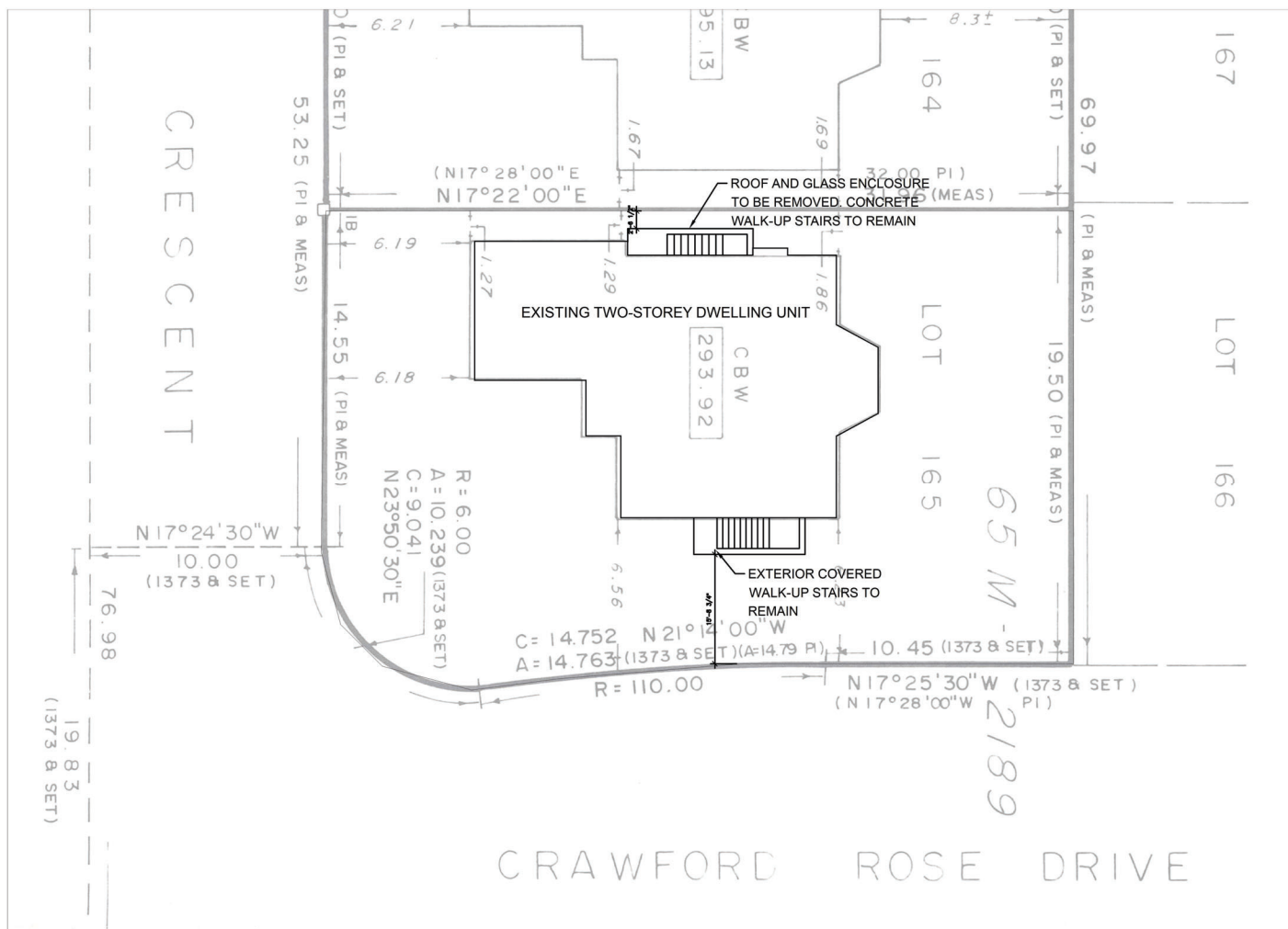
Appendix 'B' – Site Plan

Appendix 'A' – Recommended Conditions of Approval

The following conditions are required to be satisfied should application MV-2025-03 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in conformity with the plan(s) attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate; and
2. That the Owner demolish the existing roof and glass enclosure on the west side of the property pertaining to the existing basement walk up to the satisfaction of the Director of Planning and Development Services or designate.

Appendix 'B'



The contractor must verify and accept responsibility for all dimensions and conditions on site. This drawing is not to be scaled. The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked 'For Construction' must assume full responsibility and bear costs for any corrections or damages resulting from his work.

#	ISSUED FOR	DATE
1	PERMIT	2024-12-23

The undersigned has reviewed and takes responsibilities for this design, and has the qualifications and meets the requirements set out in the Ontario building code to be a designer.

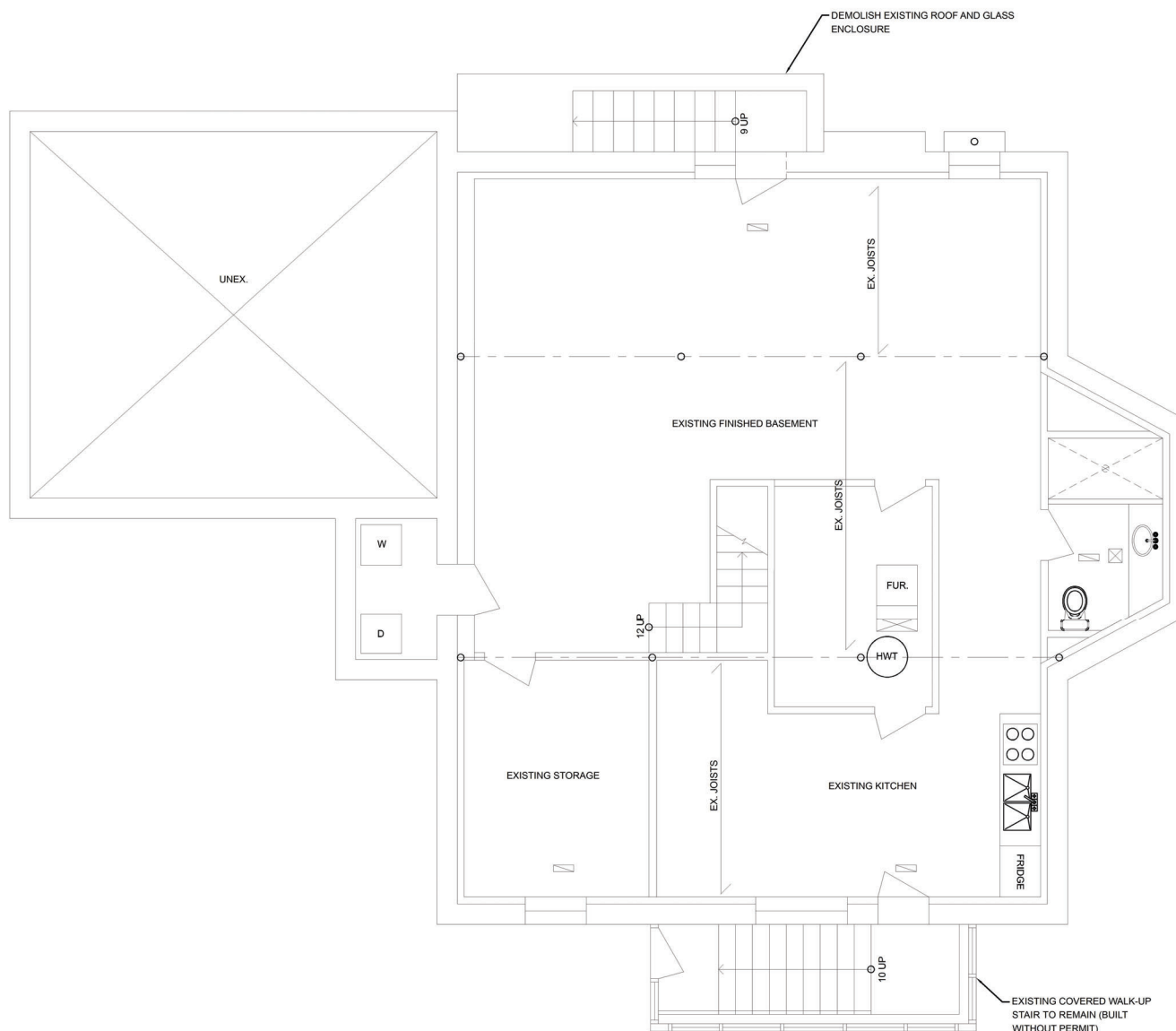
QUALIFICATIONS INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code

YUE LI #103525
 Name Signature BCIN/BCDN

PROJECT ADDRESS:
 43 Valley Crescent
 Aurora, ON L4G 454

DRAWING NAME:
SITE PLAN

PROJ. #:	DATE:
DRAWN BY:	CHECKED BY:
SCALE: 1/16"=1'-0"	
NORTH:	DRAWING #:
➔	A001



The contractor must verify and accept responsibility for all dimensions and conditions on site. This drawing is not to be scaled. The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked 'For Construction' must assume full responsibility and bear costs for any corrections or damages resulting from his work.

#	ISSUED FOR	DATE
1	PERMIT	2024-12-23

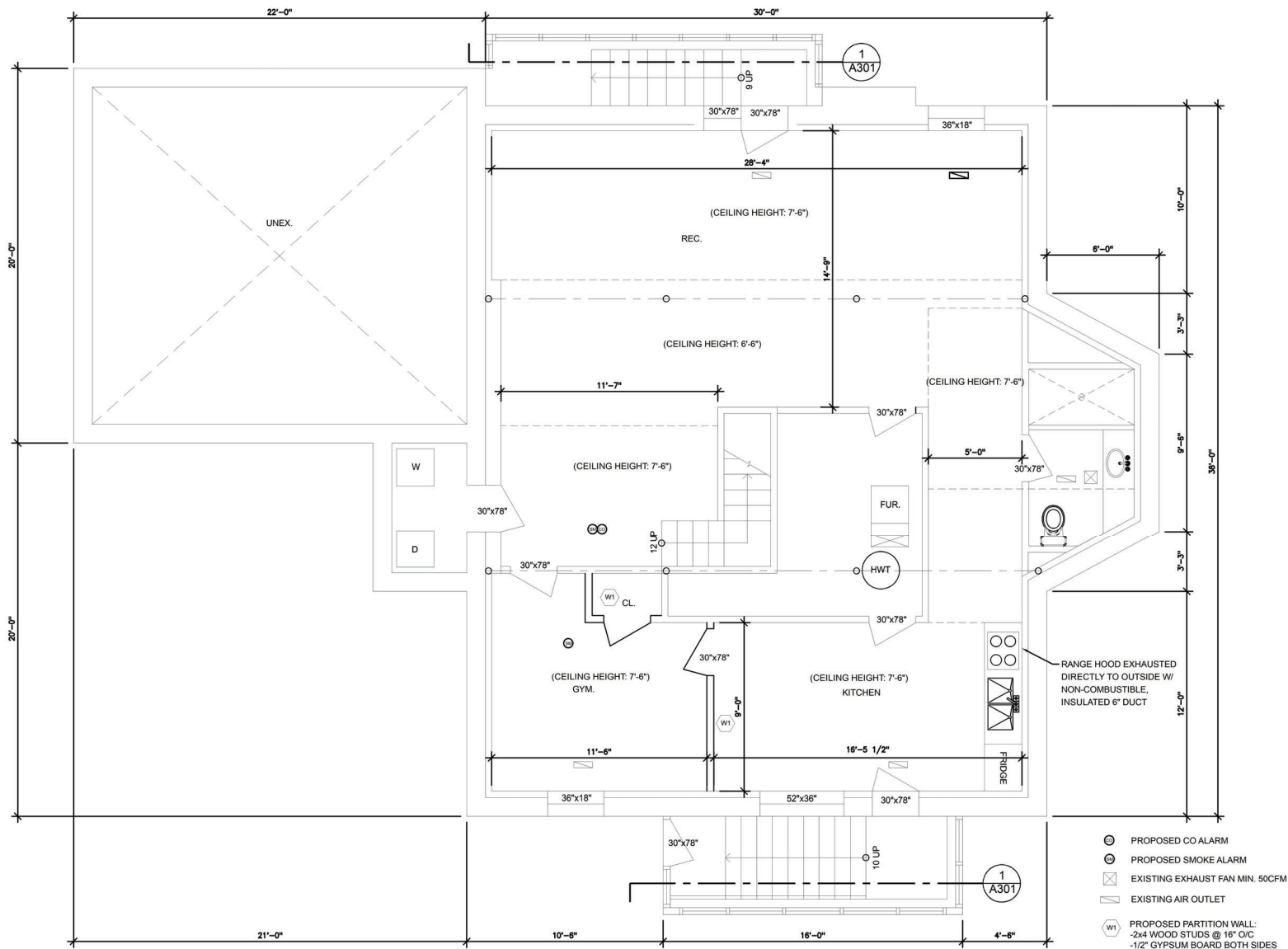
The undersigned has reviewed and takes responsibilities for this design, and has the qualifications and meets the requirements set out in the Ontario building code to be a designer.

QUALIFICATIONS INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code
 YUE LI #103525
 Name Signature BCIN/BCDN

PROJECT ADDRESS:
 43 Valley Crescent
 Aurora, ON L4G 4S4

DRAWING NAME:
 EXISTING BASEMENT
 FLOOR PLAN

PROJ. #:	DATE:
DRAWN BY:	CHECKED BY:
SCALE: 3/16"=1'-0"	
NORTH:	DRAWING #:
➔	A101



The contractor must verify and accept responsibility for all dimensions and conditions on site. This drawing is not to be scaled. The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked 'For Construction' must assume full responsibility and bear costs for any corrections or damages resulting from his work.

#	ISSUED FOR	DATE
1	PERMIT	2024-12-23

The undersigned has reviewed and takes responsibilities for this design, and has the qualifications and meets the requirements set out in the Ontario building code to be a designer.

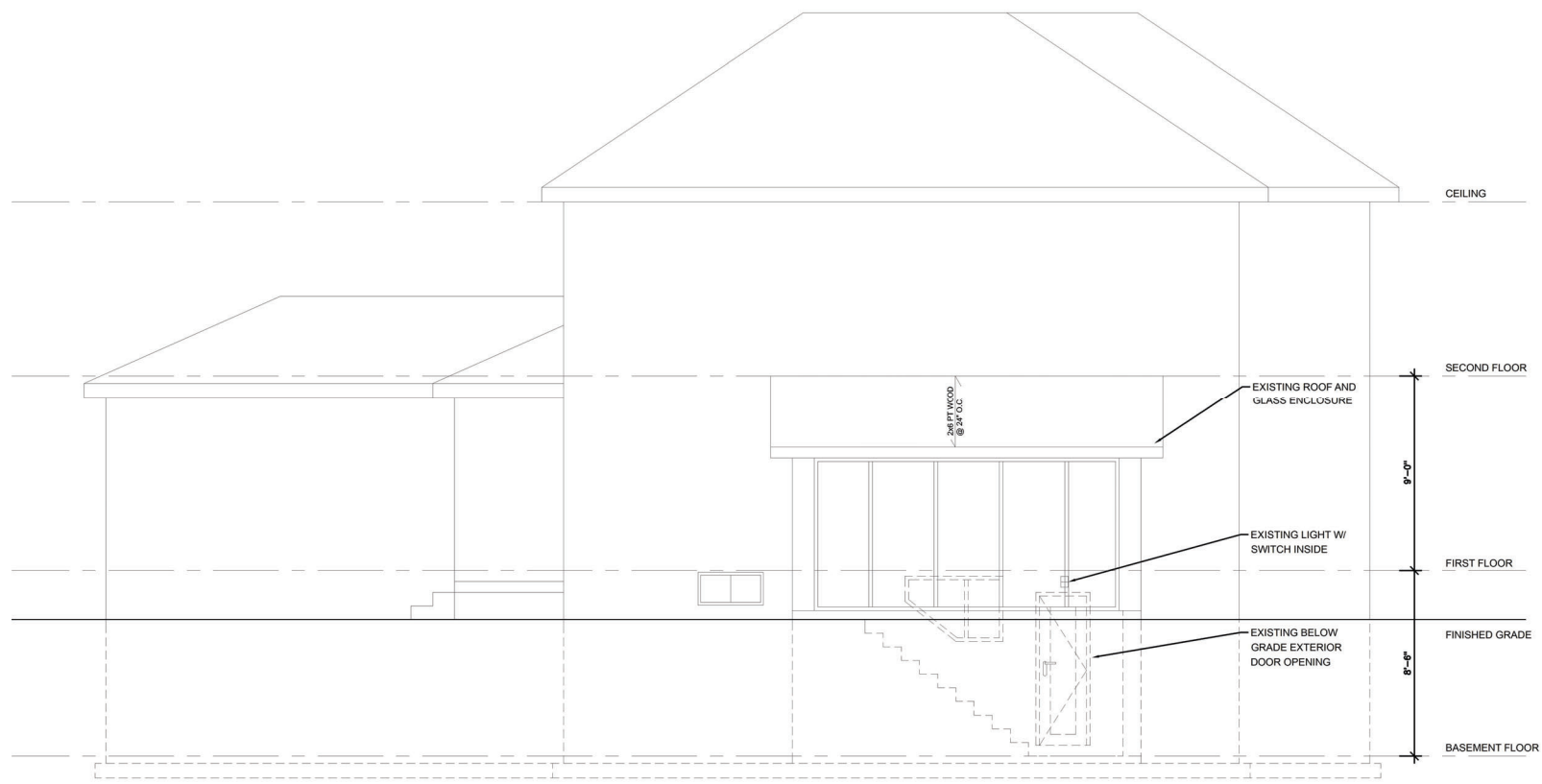
QUALIFICATIONS INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code
 YUE LI #103525
 Name Signature BCIN/BCDN

PROJECT ADDRESS:
 43 Valley Crescent
 Aurora, ON L4G 4S4

DRAWING NAME:
PROPOSED BASEMENT FLOOR PLAN

PROJ. #:	DATE:
DRAWN BY:	CHECKED BY:
SCALE: 3/16"=1'-0"	
NORTH:	DRAWING #:

➔ **A102**



The contractor must verify and accept responsibility for all dimensions and conditions on site. This drawing is not to be scaled. The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked 'For Construction' must assume full responsibility and bear costs for any corrections or damages resulting from his work.

#	ISSUED FOR	DATE
1	PERMIT	2024-12-23

The undersigned has reviewed and takes responsibilities for this design, and has the qualifications and meets the requirements set out in the Ontario building code to be a designer.

QUALIFICATIONS INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code
 YUE LI #103525
 Name Signature BCIN/BCDN

PROJECT ADDRESS:
 43 Valley Crescent
 Aurora, ON L4G 4S4

DRAWING NAME:
 EAST ELEVATION

PROJ. #:	DATE:
DRAWN BY:	CHECKED BY:
SCALE: 3/16"=1'-0"	
NORTH:	DRAWING #: A201



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora
Committee of Adjustment Report
No. MV-2025-04

Subject: **Minor Variance Application**
Vincenzo & Rickie Aileen Pennacchio
220 Industrial Parkway South – Unit 23
York Region Condo Plan 615 Level 1 Unit 23
File: MV-2025-04

Prepared by: **Felix Chau, Planner**

Department: Planning and Development Services

Date: March 13, 2025

Application

The owner/applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit a Personal Service Shop use. The following relief is being requested:

- a) Section 10.1, "E2 – General Employment Zone" of Zoning By-law 6000-17, does not list Personal Service Shop as a permitted use. The applicant is proposing a Personal Service Shop.

Background

Subject Property and Area Context

The subject property is located on the west side of Industrial Parkway South, north of Engelhard Drive. The subject property has an area of approximately 1.5 hectares (3.7 acres) with the subject unit (Unit 23) having an approximate area of 110 square metres (1186 square feet). The subject property features 26 units contained within two (2) standalone industrial buildings.

Proposal

The applicant is requesting to permit a Personal Service Shop use in the “E2 – General Employment Zone”. The applicant requests this variance to facilitate a cosmetic service shop.

Official Plan

The subject property is designated “General Industrial” by the Town of Aurora Official Plan. This designation is intended to ensure long-term protection and continued evolution of existing industrial areas in the Town. A broad range of employment opportunities as well as ancillary service and small-scale retail uses are permissible.

Zoning

The subject property is zoned “E2 – General Employment Zone” under Zoning By-law 6000-17, as amended. This zoning does not list Personal Service Shop as a permitted use.

Preliminary Zoning Review

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora’s Building Division. The PZR identified the required variances and no other non-compliance was identified.

Applicant’s stated reason(s) for not complying with the Zoning By-law

As stated on the application form, the applicant is proposing to permit a Personal Services Shop (aesthetic/cosmetic service shop), however the E2 – General Employment Zone does not allow for the intended use. The proposed business will provide services including cosmetics such as makeup, eyelash extensions, and nails cosmetics; skin treatments such as facials, peels, and microneedling; laser services such as laser hair removal, skin tightening, and photo-rejuvenation; and cosmetic injectables such as botox, fillers, and skin boosters. Services are offered by appointment only as walk-ins are not accepted. The business will be operated by the owner who will be providing the services/treatments, and a receptionist/office manager.

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2025-04 pursuant to the prescribed tests as set out in Section 45(1) of the *Planning Act*, as follows:

a) The proposed variance meets the general intent of the Official Plan

The subject property is designated “General Industrial” by the Town of Aurora Official Plan. This designation is intended to ensure the long-term protection and continued evolution of existing, older industrial areas. Within this designation, a broad range of employment opportunities as well as ancillary service and small-scale retail uses are permissible. As such, the proposed cosmetic service shop is permitted under the General Industrial designation. The intent to permit service commercial uses is to provide various services with convenience for workers as well as the local community.

The proposed variance also aligns with the vision and fundamental principles outlined in the Official Plan through the “Advancing the Economy” principle. This speaks to encouraging a competitive business environment and ultimately advancing and sustaining Aurora’s long-term economic prosperity. The proposed minor variance application enhances the ability to live, work, and play within the Town of Aurora.

Planning staff are of the opinion that the requested minor variance maintains the general intent and purpose of the Official Plan.

b) The proposed variance meets the general intent of the Zoning By-law

The subject lands are zoned “E2 – General Employment” by Zoning By-law 6000-17, as amended, which permits a wide variety of uses such as industrial uses, offices, pet services, dry cleaning establishments, fitness centres, and service shops.

The intent of the Zoning By-law provision is to preserve the Town’s employment lands, protect from conflicting uses and avoid potential vehicular movement and parking conflicts. The proposed cosmetic service shop is considered as a service commercial use, which is permitted in the Town’s Official Plan employment designation. Additionally, the proposed service commercial use aligns closely with other permitted service commercial uses in the E2 Zone, such as Dry Cleaning Establishments and Pet Services.

Given that the proposed service commercial use is by appointment only and does not service walk-in customers, Staff anticipate the additional traffic will be controlled and no adverse impact to the vehicular movement and parking supply on site.

As such, Staff are of the opinion that the proposed variance meets the general intent of the Zoning By-law.

c) The proposed variance is considered desirable for the appropriate development of the land

The subject property is located in an area of the Town where it is predominantly contains employment, industrial, and manufacturing uses. The proposed service commercial use is within Unit 23 of an industrial building complex. Currently, the industrial complex contains a wide range of tenants including a butcher shop, a gem/rock retailer, as well as offices and industrial uses.

Adding a cosmetic service shop to an existing industrial plaza is considered to be desirable as it will help the industrial plaza to thrive by diversify the range of services available, making the plaza more attractive to a wider range of tenants and customers.

It is Staff's opinion that the variance is considered desirable for the appropriate development of the land.

d) The proposed variance is considered minor in nature

The request to add a cosmetic Service Shop use to a building with existing Industrial and Service uses is minor in nature and will not negatively impact the industrial building or surrounding area. The subject variance maintains the integrity of the Official Plan and Zoning Bylaw and will not have an impact on the existing operations or uses. Furthermore, there are no physical changes proposed to the building, aside from superficial designs associated to the business.

Given the types of uses immediately surrounding the proposed location of the business, their hours of operation, the proposed use of the subject property will not detract from the overall site and surrounding area's employment/industrial character. Overall, staff considers the proposed variances minor in nature

Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review completed. No objection.
Engineering Division	No objection.

Operational Services (Parks)	No objection.
Operational Services (Public Works)	No objection.
Central York Fire Services	No objection.
York Region	No objection.
LSRCA	No objection.

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.

Conclusion

Planning Staff have reviewed the application with respect to Section 45 (1) of the Planning Act, R.S.O., 1990, c.P.13, as amended, and believe that the requested variance meets the four tests of the Planning Act for granting minor variances. Staff recommend approval of the requested variance subject to the condition outlined in Appendix 'A'.

Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Proposed Site Plan

Planning and Development Services:

1. That the variance only applies to the subject property in conformity with the plans attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.

