



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

**Date:** Thursday, March 9, 2023  
**Time:** 7:00 p.m.  
**Location:** Video Conference

Due to the COVID-19 pandemic, meetings will be available to the public via live stream only on the [Town's YouTube Channel](#). To participate electronically, please visit [aurora.ca/participation](https://www.aurora.ca/participation).

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	<b>Pages</b>
<b>1. Call to Order</b>	
<b>2. Land Acknowledgement</b>	
<b>3. Approval of the Agenda</b>	
That the Agenda as circulated by the Secretary-Treasurer be approved.	
<b>4. Declarations of Pecuniary Interest and General Nature Thereof</b>	
<b>5. Receipt of the Minutes</b>	
<b>5.1 Committee of Adjustment Meeting Minutes of February 9, 2023, Meeting Number 23-02</b>	
That the Committee of Adjustment Minutes from Meeting Number 23-02 be adopted as circulated.	
<b>6. Presentation of Applications</b>	
6.1 MV-2022-40 - Hilsenteger - 3 Jarvis Avenue	1
6.2 MV-2023-06 - Lam -120 Championship circle	29
6.3 MV-2023-08 - 1623 Wellington St. Developments - 1623 Wellington St E	45
6.4 MV-2022-48 - Yu - 15032 Yonge Street	58
6.5 MV-2022-50 - Davidson - 24 Hunters Glen Rd	70
6.6 MV-2023-05 - Akkermans -156 Wells Street	93

6.7	MV-2023-03 - Haven Developments (2352107 Ontario Inc.) - 1588 St. John's (blk 3-4)	111
6.8	MV-2022-45 - Haven Developments (2352107 Ontario Inc.) - 1588 St John's (blk 5&6)	123

7. New Business

8. Adjournment



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

Town of Aurora

## Committee of Adjustment Report

No. MV-2022-40

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**Subject:** Minor Variance Application  
Hilsenteger  
3 Jarvis Avenue  
PLAN 65M2122 LOT 31  
File: MV-2022-40

**Prepared by:** Kenny Ng, Planner

**Department:** Planning and Development Services

**Date:** March 9, 2023

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### Application

The applicant is requesting relief from the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the installation of two Molok garbage and recycling enclosures in the front yard of the property. The Molok enclosures are intended to be screened and would offer the property owner larger capacity garbage and recycling storage with disposal services provided by a private company.

A conceptual site plan, details and rendering of the Molok enclosures are attached as Appendix 'B' to this report, and an independent temperature and odour test report for the Molok system is attached as Appendix 'C'.

### Proposed Variance

The following relief is being requested:

- a) Section 4.20 of the Zoning Bylaw does not list garbage enclosures as a permitted encroachment in the front yard. The applicant is proposing a garbage enclosure in the front yard and seeks a variance to recognize it as a permitted encroachment.

## **Background**

### **Application History**

The applicant originally applied for the subject variance on October 21, 2022 and tentatively scheduled for the December 2022 Committee of Adjustment meeting. The applicant requested a deferral of the subject application to address Staff comments. The Applicant resubmitted in January 2023 and was heard by the Committee at the February meeting. At that meeting, the Committee of Adjustment deferred the subject application to provide additional information.

### **Subject Property and Area Context**

The subject lands are municipally known as 3 Jarvis Avenue and are located south of Vandorf Sideroad on the east side of Jarvis Avenue. The subject lands have an approximate lot area of 0.71 hectares (1.76 acres), and an approximate lot frontage of 71.1 m (233.27 ft). The subject lands currently contain a two-storey single-detached dwelling with an approximate gross area of 797.58 square metres (8,582 square feet). The subject property is part of a larger estate neighbourhood and also features rows of mature trees that are present on the property lines.

### **Surrounding Land Uses**

The subject lands are situated within an established estate residential neighbourhood and are surrounded by estate residential single detached dwellings in a low density setting.

### **Official Plan**

The property is designated as “Estate Residential” in the Town of Aurora Official Plan. Single detached dwellings are permitted by the Official Plan, with the Estate Residential designation being an area accommodating low density residential uses.

### **Zoning**

The subject property is zoned “Estate Residential (ER)” by Zoning By-law 6000-17, as amended, which permits single detached dwellings. The Estate Residential Zone requires the greatest lot frontage and setbacks within any residential zone to accommodate the low density character.



## 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 property owners would like larger capacity garbage storage and disposal service to be provided by a private company without company vehicles entering property grounds. This calls for concealed 'Molok' storage units to be located in the front yard relative to the primary house location."*

The applicant also provided further reasoning of using Moloks rather than municipal waste collection service in a separate response to staff:

*"The property owners like the Molok system because they can keep garbage/recycling items underground and it is more sanitary and a better use of space that way. The primary main garage has been repurposed into a gym, and they have a car charger in the smaller garage. They are a large family of 7 and very often have grandparents and other family members visiting, so they do produce more garbage than a small household. They feel it's a more sensible solution to keep it away from the garage and in an enclosed underground can."*

## Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2022-40 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 general intent of the Estate Residential designation is to accommodate low intensity residential uses with dwellings separated from one another in a low density setting. New development shall reflect the established heights, massing and landscape quality found in the area and shall be integrated in a sensitive manner within the natural environment and alongside the established residential fabric.

The neighbourhood is characterized by large single-detached dwellings situated on sizable lots with ample lot frontage, and mature vegetation is present in the interior of the site and along the lot lines of the property. The proposed Moloks will be located in the front yard buffered by existing mature trees, and are also now proposed to be completely screened by a fence enclosure – see Appendix 'B'. There is also a proposed landscape buffer consisting of tall shrubs/hedges with layered landscaping to be provided which

offers screening from public view. It is also noted by the applicant that the height of the enclosures can be installed to be less than 1.0 metres above grade, which can help minimize its exposure and overall visibility. Staff also note that there are no sidewalks on Jarvis Avenue, with proximity or direct exposure to the garbage enclosures not anticipated for pedestrians. The installation of the Moloks do not change the planning use of the property and are acceptable within the low density setting.

It is Planning Staff's opinion that the proposed variance will not result in negative impact on the character and streetscape of the existing estate residential neighbourhood, and as such, Staff are of the opinion that the requested variance meets the general intent of the Official Plan.

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

The general intent of regulating the front yard encroachment is to ensure that there is no negative impact to the character of an area or streetscape.

Although the installation of a garbage enclosure is not permitted as a front yard encroachment in the Zoning By-law, there are other listed/permitted encroachments including flagpoles, clothes lines, and even retaining walls. The intent of the Zoning By-law provision is again focused on maintaining a high quality public realm, and although it does not list every instance or item of potential encroachment, so long as there are no negative visual, noise, or odour impacts, the intent of the Zoning By-law is met.

The Moloks are modest in their overall massing, scale and height thus resulting in minimal visual obstruction and impact. The proposed Moloks are not intended for large scale commercial/industrial uses and therefore the footprint is significantly reduced from a standard industrial/commercial sized Molok. The requested variance will result in minimal visual impacts as there is ample building separation and front yard area. The Moloks will be buffered by existing trees, fencing, and planned landscaping and there is ample distance (more than 12 metres) from the Moloks to the south property line, as well as sufficient separation to the west (over 20 metres to the property line across the road). Existing mature trees are also present on site to provide further screening, with a fencing enclosure also provided as well as hedging.

The applicant has also submitted an independent study of the Molok in-ground waste and organics storage system (attached as Appendix 'C') conducted by the Earth Rangers Centre for Sustainable Technology (ERC), to evaluate its ability to buffer changes in outdoor temperature and control odours. The study was conducted over two years, and findings of the study conclude that temperatures are kept low within the Molok system, and that the low temperature results in minimal to no odour.

Staff are of the opinion that the requested 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 requested minor variance to accommodate the installation of two Moloks has been considered in the context of the site and the adjacent neighbourhood.

It is in the opinion of staff that even with the addition of the two Moloks in the front yard, the property will continue to be in keeping with the other surrounding estate properties of the neighbourhood area. The proposed Moloks are of moderate size and height and are strategically located to reduce visual obstruction and impact to the public realm. Staff do not anticipate that the variance as requested will result in significant negative impacts and that the appearance of the property will remain compatible with the surrounding neighbourhood.

Commercial activities are not planned on the property, and as such, the Moloks are not intended to assist any commercial/business purpose. The Moloks are significantly reduced in its overall footprint and size as compared to Moloks intended for commercial/multi-unit residential use. Any unpermitted commercial use would be strictly enforced.

The collection will be completed through a private company service. As noted by the applicant, Molok garbage is planned to be collected biweekly, and the collection times will be during regular business hours between 7 a.m. and 6 p.m. As confirmed by Town Public Works staff, the Molok garbage truck would result in similar noise level as a regular GFL garbage truck, while the length of time for a Molok garbage collection would be slightly longer than municipal garbage collection process, requiring approximately 2 ½ minutes to pickup and reinstall the waste container. The garbage collection truck will park on the driveway's entrance portion in front of the proposed gate and is not anticipated to disrupt the public realm or local traffic during the collection process. In conclusion, the collection process is very similar to municipal curbside garbage pickup with comparable noise level and would only require slightly longer pickup duration.

As noted in a third party study of Molok system submitted as part of the application (attached as Appendix 'C'), Molok units can control temperature by allowing a cool climate within its system, thus able to keep waste and organics at lower temperatures to slow decomposition and reduce odours emanating from within the containers. No odour impacts are anticipated.

Staff are of the opinion that the requested variance is considered desirable for the appropriate development of the property.

**d) The proposed variance is considered minor in nature**

In considering the scale and size of the proposed Moloks there is minimal impact resulting from their installation in the front yard. The streetscape will largely remain unaltered as the Moloks will be positioned behind existing mature trees and enclosed entirely by decorative fencing. Additionally, landscaping (perennials/shrubs measured 1.2 metres or higher) will also be planted around the Moloks. These measures will help mitigate the visual impacts of the Moloks by effectively screening the proposed structures for the abutting properties and from public view. Furthermore, abundant front yard space lessens the visual impedance of the proposal. The character of the neighbourhood is maintained and there will also be no anticipated odour impacts. The operation of garbage pickup is similar to regular municipal pickup process and the usage of Moloks is not anticipated to result in any public nuisances or inconveniences.

Staff are of the opinion that the requested variance is 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:

<b>Department or Agency</b>	<b>Comments</b>
Building Division	Preliminary Zoning Review was completed on December 7, 2022 to confirm the variance required for the proposed development.
Engineering Division	Comments provided stating no comments/concerns with proposed application (dated December 20, 2022).
Operational Services (Parks)	Comments provided stating no comments/concerns with proposed application (dated November 28, 2022).
Operational Services (Public Works)	No comments received at the time of writing this report.
Central York Fire Services	No comments received at the time of writing this report.

Department or Agency	Comments
York Region	Comments provided stating no comments/concerns with proposed application (dated December 13, 2022).
LSRCA	Comments provided stating no comments/concerns with proposed application (dated December 13, 2022).
Alectra	Comments provided stating no objections to its approval, subject to comments in letter (dated December 14, 2022)

## Public Correspondence

Three (3) written submissions were received at the time of writing of this report. The written submissions express similar concerns to one another and are summarized below including staff's responses to the comments:

Concern with the appropriateness of Moloks that are commercial/industrial in nature in an estate residential neighbourhood	<p>The proposed Moloks are designed to be much smaller scale than Moloks intended for commercial or industrial uses, to accommodate for the residential use purpose. The height of the Moloks are comparable to a regular large sized garbage bin, which ranges from 1 - 1.15 metres, while the diameter of 1.3 metres only slightly exceeds most conventional garbage bin sizes which have a diagonal range from 1 – 1.15 metres. The Moloks will be a shorter, and only slightly wider version of a regular large size garbage container. The exterior of the Moloks will be wood panel with metal rim and matte black plastic lid. The design can help mitigate its physical presence and the wood panel exterior can help to imitate the surrounding landscaped environment.</p> <p>In short, the Moloks are partially screened and strategically placed to be out of public view. Its overall mass, bulk and height is not too egregious that it would result in incompatibility with the general neighbourhood at-large.</p> <p>Despite being an alternative form of garbage storage and collection, the pickup method is similar to that of</p>
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	<p>curbside garbage pickup. The resulting noise level and duration of pickup is not anticipated to be deemed as a public nuisance.</p> <p>Based on a third party study of Moloks performance (attached as Appendix 'C'), the Moloks are found to be able to effectively control temperature within the containers, thereby eliminating the emission of unpleasant odour or result in waste leakage.</p>
Concern with the location and lack of buffering/screening	<p>The proposed location is partially screened by existing mature trees adjacent to the driveway entrance. Additional landscaping measures and fencing are also now proposed to provide added screening to the Moloks from public view. There is also abundant separation distance from the Moloks to any adjoining lands preventing it from direct exposure to neighbouring residents.</p> <p>The garbage pickup truck will be parking on the driveway during collection process, which minimizes any disruption to the public realm and adjoining property owners.</p> <p>To account for this concern, staff have also recommended a condition of approval being to ensure landscape screening as shown in Appendix 'B' is provided to buffer the Moloks.</p>
Concern with overall aesthetics and appeal of the property	<p>The Moloks are limited in size and height, and are also now further screened to prevent them from being physically imposing to the public realm.</p> <p>As mentioned, a condition to require the landscaping and screening is also included.</p>

## 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 variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Molok temperature and odour study

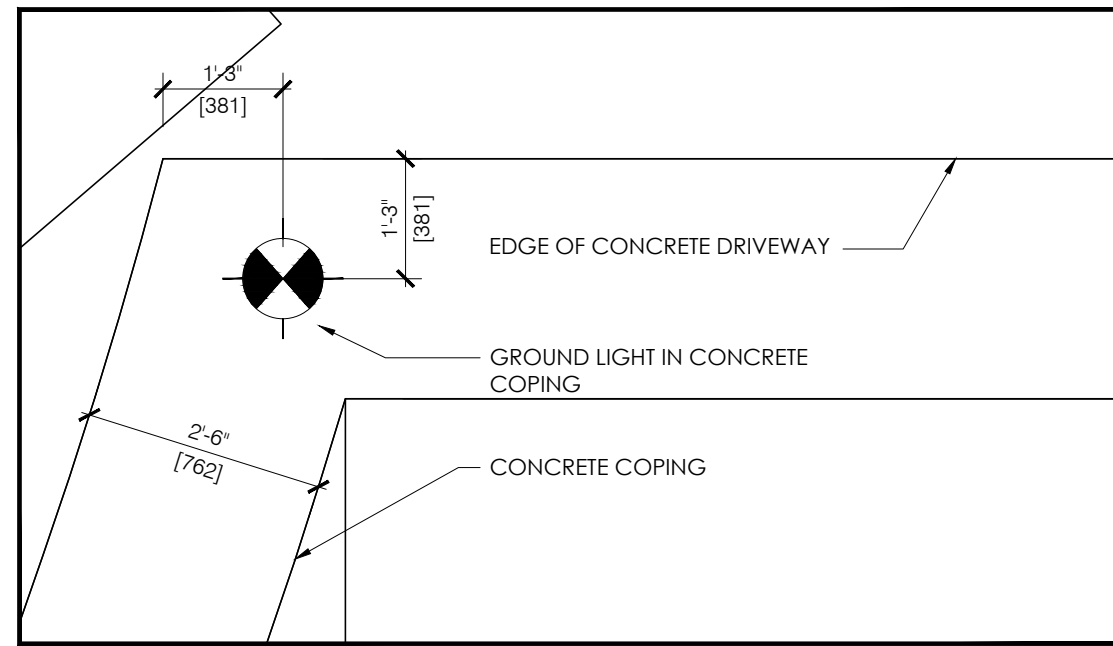
**Appendix 'A' – Recommended Conditions of Approval**

The following conditions are required to be satisfied should application MV-2022-40 be approved by the Committee of Adjustment:

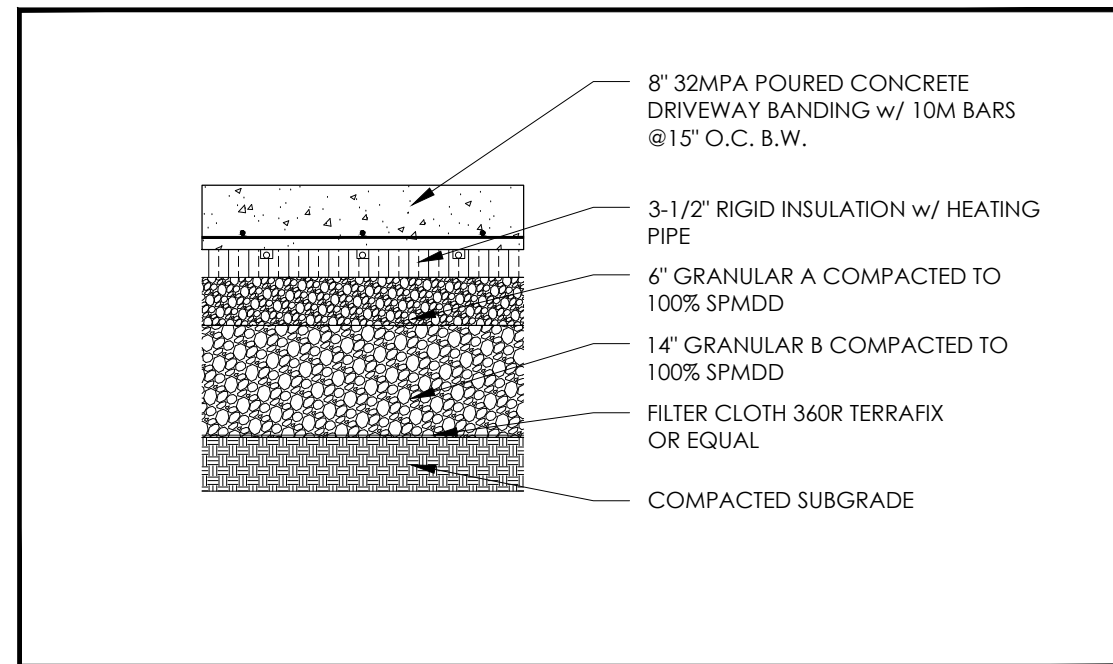
1. That the variance only applies to the subject property, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate; and,
2. That the Owner shall provide and maintain appropriate screening to screen the proposed Moloks, which includes, but not limited to: a landscaped buffer strip containing shrubs, hedges, plantings or other ground cover, fencing enclosure, and any other additional screening measures, as shown in Appendix 'B' and to the satisfaction of the Director of Planning and Development Services or designate.



Appendix 'B'



2 TYPICAL GROUND LIGHTING DETAIL  
SCALE 1/2" = 1'-0"



3 HEAVY DUTY CONCRETE PAVING  
SCALE 1/2" = 1'-0"

GENERAL NOTES & SYMBOLS LEGEND	
	MAN DOOR
	OVERHEAD GARAGE DOOR
	PROPERTY LINE
	EXISTING BUILDING OUTLINE
	PROPOSED BUILDING OUTLINE
	PROPOSED PAVED DRIVEWAY
	DIRECTION AND SLOPE OF DRAINAGE

HARDSCAPE MATERIALS KEY	
	BRICK POSTS TO MATCH BRICK DETAILS
	POURED CONCRETE SLAB, FINISH: TBD BY OWNER
	2'-6" WIDE POURED CONCRETE COPING, FINISH: TBD BY OWNER
	RESERVED
	RESERVED
	POOL STONE EDGING FINISH: TBD.
	6" TURF REVEAL TO DRAIN
NOTE: FOR SOFT LANDSCAPING, REFER TO DWG. BY ADG LANDSCAPING.	

LANDSCAPE LIGHTING SYMBOLS LEGEND	
	GROUND LIGHTS IN-LITE, FUSION 22 RVS OR EQUIV. TRIM FINISH: TBD.
	BOLLARDS IN-LITE OR EQUIV. ACE HIGH DARK 3"x4" COLOR: TBD. EAN 8717051004247
	WALL LIGHTS IN-LITE, ACE DOWN OR EQUIV. 3.94" H X 3.74" LX 2.52 W. COLOR: TBD.
	DECORATIVE FAIRY LIGHTS IN-LITE, ACE DOWN OR EQUIV. 3.94" H X 3.74" LX 2.52 W. COLOR: TBD.
	HIDDEN STAIR LIGHTS IN-LITE OR EQUIV. EVO HYDE 550 COLOR: BLACK. 21" L OR AS REQ'D.
	OUTDOOR SPOT LIGHTING/ UP LIGHTING IN-LITE, BIG SCOOP NARROW OR EQUIV. COLOR: BLACK. 2.99" H X 2.6" DIA
	FLOOD LIGHTS HUBBELL OUTDOOR LIGHTING RATIO FAMILY. COLOR: BLACK
	OUTDOOR POST LIGHT BRAND AND FINISH BY INT. DESIGNER

NOTE  
PROPERTY INFORMATION OBTAINED FROM PLAN OF  
SURVEY BY RS SURVEYING LIMITED, DATED JANUARY  
19, 2023.

SITE INFORMATION

LOT-31

OF REGISTERED PLAN

PLAN #65 M- 2122

IN THE

TOWN OF AURORA

COUNTY OF YORK

ZONING TABLE:

MAIN BUILDING CALCULATION:

ZONE: ER ( ESTATE RESIDENTIAL)			
STANDARD	REQUIRED	EXISTING	REMARKS
LOT AREA (MIN.)	8000 m <sup>2</sup>	7103.27 m <sup>2</sup>	NO CHANGE
LOT FRONTAGE (MIN.)	45 m	71.1 m	NO CHANGE
FRONT YARD (MIN.)-WEST	15 m	45.41 m	NO CHANGE
REAR YARD (MIN.)- EAST	22 m	31 m	NO CHANGE
INTERIOR SIDE (NORTH) YARD (MIN.)	4.5 m	6.31	NO CHANGE
INTERIOR SIDE (SOUTH) YARD (MIN.)	9.0 m	9.7 m	NO CHANGE
BUILDING HEIGHT (MAX.)	10 m	8.53 m	NO CHANGE

ACCESSORY BUILDING CALCULATION:

ACCESSORY/ OTHER BUILT AREA	ALLOWED	EXISTING	PROPOSED	
NEW ACCESSORY BUILDING (CABANA)	-	-	102 m <sup>2</sup> (1098 ft <sup>2</sup> )	ADDITION
NEW ACCESSORY BUILDING (UTILITY SHED)-	-	-	17.93 m <sup>2</sup> (193 ft <sup>2</sup> )	ADDITION
NEW ACCESSORY BUILDING (STANDS)	-	-	31.31 m <sup>2</sup> (337 ft <sup>2</sup> )	ADDITION
MIN. REAR YARD SETBACK FOR ACCESSORY BUILDING (ER ZONE)	4.5 m (14'-9")	-	8.42 m (28'-3.5")	COMPLIES
MAX. HEIGHT OF ACCESSORY/ OTHER BUILT COVERAGE AREA	4.5 m (14'-9")	-	4.33 m (14'-2.75")	COMPLIES

LOT COVERAGE:

FLOOR	ALLOWED	EXISTING	PROPOSED	
TOTAL PROPOSED FOOTPRINT (W/ATTACHED GARAGE AND CABANA)	1065.49 m <sup>2</sup> (11464.67 ft <sup>2</sup> )	797.58 m <sup>2</sup> (8582 ft <sup>2</sup> )	950.03 m <sup>2</sup> (10222.32 ft <sup>2</sup> )	COMPLIES
TOTAL PROPOSED FOOTPRINT (W/ GARAGE AND CABANA) IN %	15.00%	11.22%	13.37%	COMPLIES
ACCESSORY/ OTHER BUILT AREA COVERAGE AREA	-	-	152.45 m <sup>2</sup> (1640 ft <sup>2</sup> ) (2.14 %)	COMPLIES

32	23.02.01	FOR MINOR VARIANCE
31	23.01.03	FOR MINOR VARIANCE
30	22.12.02	FOR MINOR VARIANCE
29	22.10.25	FOR REVIEW
28	22.09.08	FOR MINOR VARIANCE
27	22.05.25	FOR REVIEW
26	22.05.24	FOR REVIEW
25	22.05.11	FOR REVIEW
24	22.04.07	FOR REVIEW
23	22.03.02	FOR REVIEW
22	21.11.09	REV. FOR PERMIT
21	21.10.18	FOR REVIEW
20	21.09.28	FOR PERMIT
19	21.09.21	FOR REVIEW
18	21.08.06	FOR REVIEW
17	21.07.16	FOR REVIEW
16	21.05.07	FOR REVIEW
15	21.03.23	FOR REVIEW
14	21.02.11	FOR REVIEW
13	21.02.04	FOR REVIEW
12	21.01.29	FOR REVIEW
11	21.01.22	FOR REVIEW
10	20.12.01	REVISED FOR CONSTRUCTION
9	20.11.25	FOR REVIEW
8	20.11.10	ISSUED FOR CONSTRUCTION
7	20.11.09	FOR REVIEW
6	20.10.29	ROAD OCCUPANCY PERMIT
5	20.10.07	FOR PERMIT
4	20.10.06	FOR REVIEW
3	20.10.01	FOR REVIEW
2	20.09.29	FOR REVIEW
1	20.09.18	FOR REVIEW
NO.	DATE	REVISION

IT IS THE RESPONSIBILITY OF THE APPROPRIATE  
CONTRACTOR TO CHECK AND VERIFY ALL  
DIMENSIONS ON SITE AND REPORT ALL ERRORS  
AND OR OMISSIONS TO THE ARCHITECT.

ALL CONTRACTORS MUST COMPLY WITH ALL  
PERTINENT CODES AND BY-LAWS.

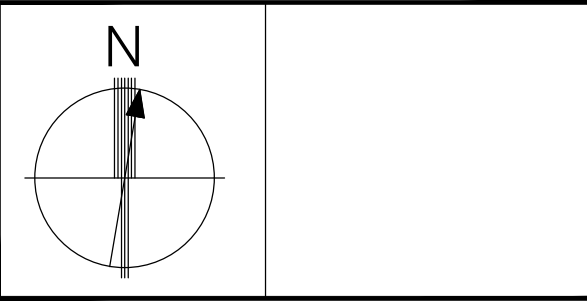
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T: 647.588.1784 E: info@cspace.ca

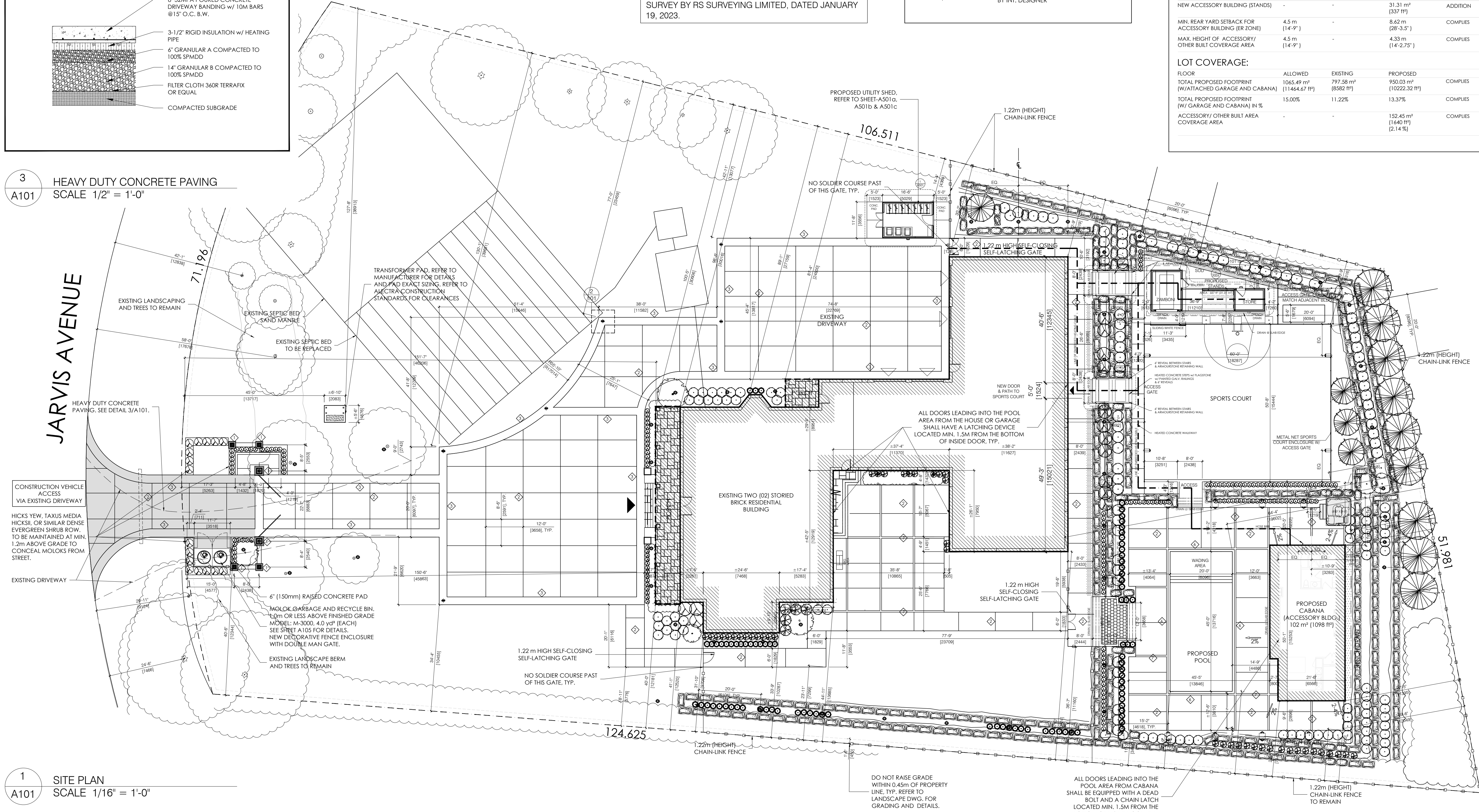


PROJECT  
CABANA  
3 JARVIS AVENUE  
AURORA, ONTARIO

DRAWING TITLE  
SITE PLAN

SCALE AS NOTED		PROJECT NO. 19.125	
DRAWN BY MAH		APPROVED CCP	DATE 20.07.14

DRAWING NO.  
**A101**



1 SITE PLAN  
SCALE 1/16" = 1'-0"







# M-3000

Capacity: 3,000 L / 4.0 yd3

Signage / Use:

- ☐ Garbage
- ☐ Recyclables
- ☐ Paper
- ☐ Glass

- ☐ Quick System

Lid Type:

- ☐ Standard lid:
- ☐ Bear lid
- ☐ Hinged lid

User Opening:

- ☐ Full open
- ☐ Cardboard
- ☐ TACTile Public
- ☐ TACTile Secure

- ☐ Locking Latch

User Lid Colour:

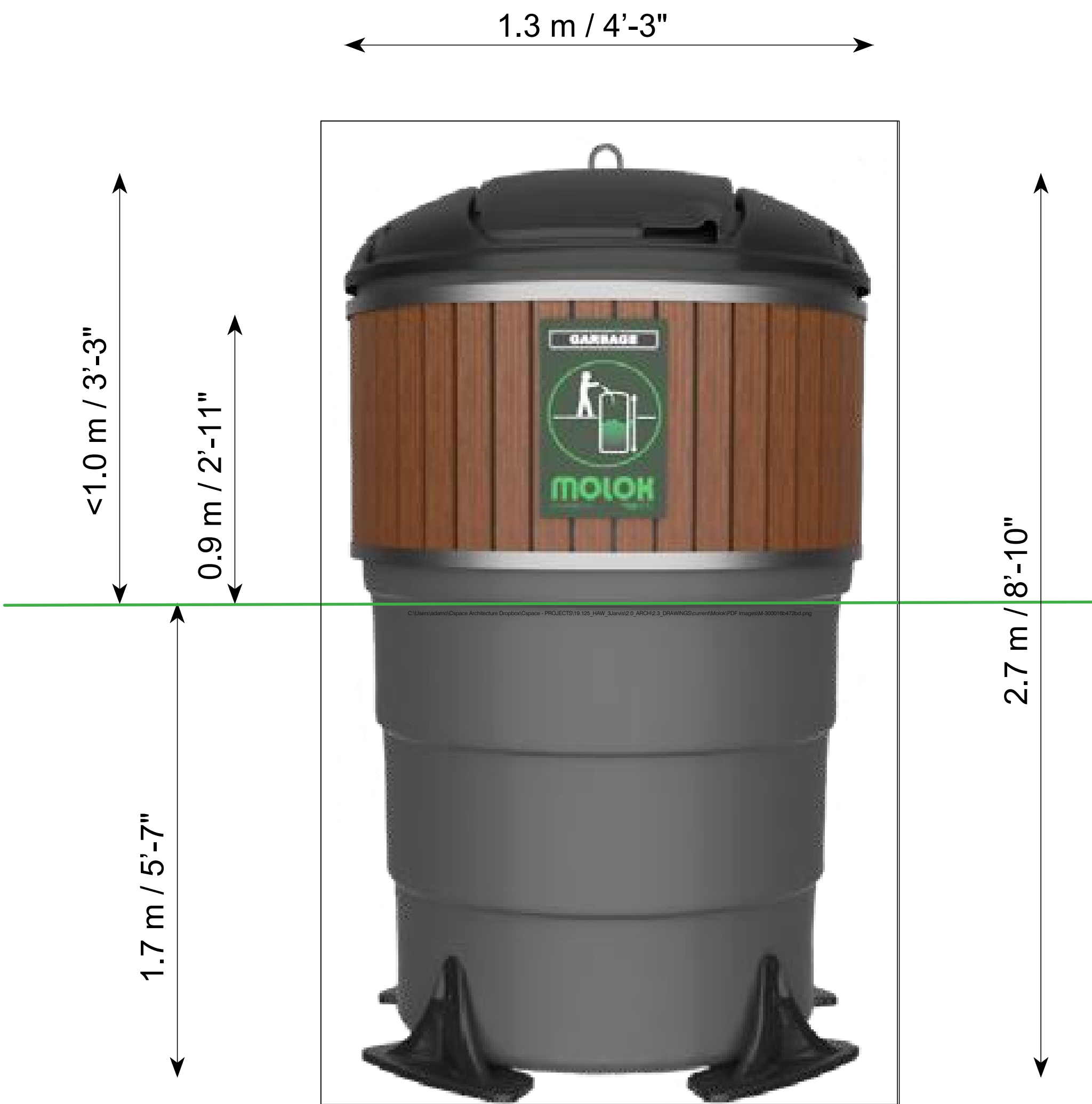
- ☐ Black
- ☐ Blue
- ☐ Brown
- ☐ Green

Lifting Bags and Containers

- ☐ Standard lifting bag
- ☐ Hard-sided lifting container
- ☐ Semi-hard lifting bag

Framing:

- ☐ Eon® plastic framing
  - ☐ cedar
  - ☐ mahogany
  - ☐ blue
  - ☐ black
  - ☐ grey
  - ☐ green
- ☐ Aluminum framing
  - ☐ silver
  - ☐ black



ALTERNATIVE  
MOLOK GARBAGE AND RECYCLING BINS,  
MODEL M-1300, 1.7 YD³ (EACH)

32	23.02.01	FOR MINOR VARIANCE
31	23.01.03	FOR MINOR VARIANCE
30	22.12.02	FOR MINOR VARIANCE
29	22.10.25	FOR REVIEW
28	22.09.08	FOR MINOR VARIANCE
1.	22.03.02	FOR REVIEW
NO.	DATE	REVISION

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ALL CONTRACTORS MUST COMPLY WITH ALL PERTINENT CODES AND BY-LAWS.

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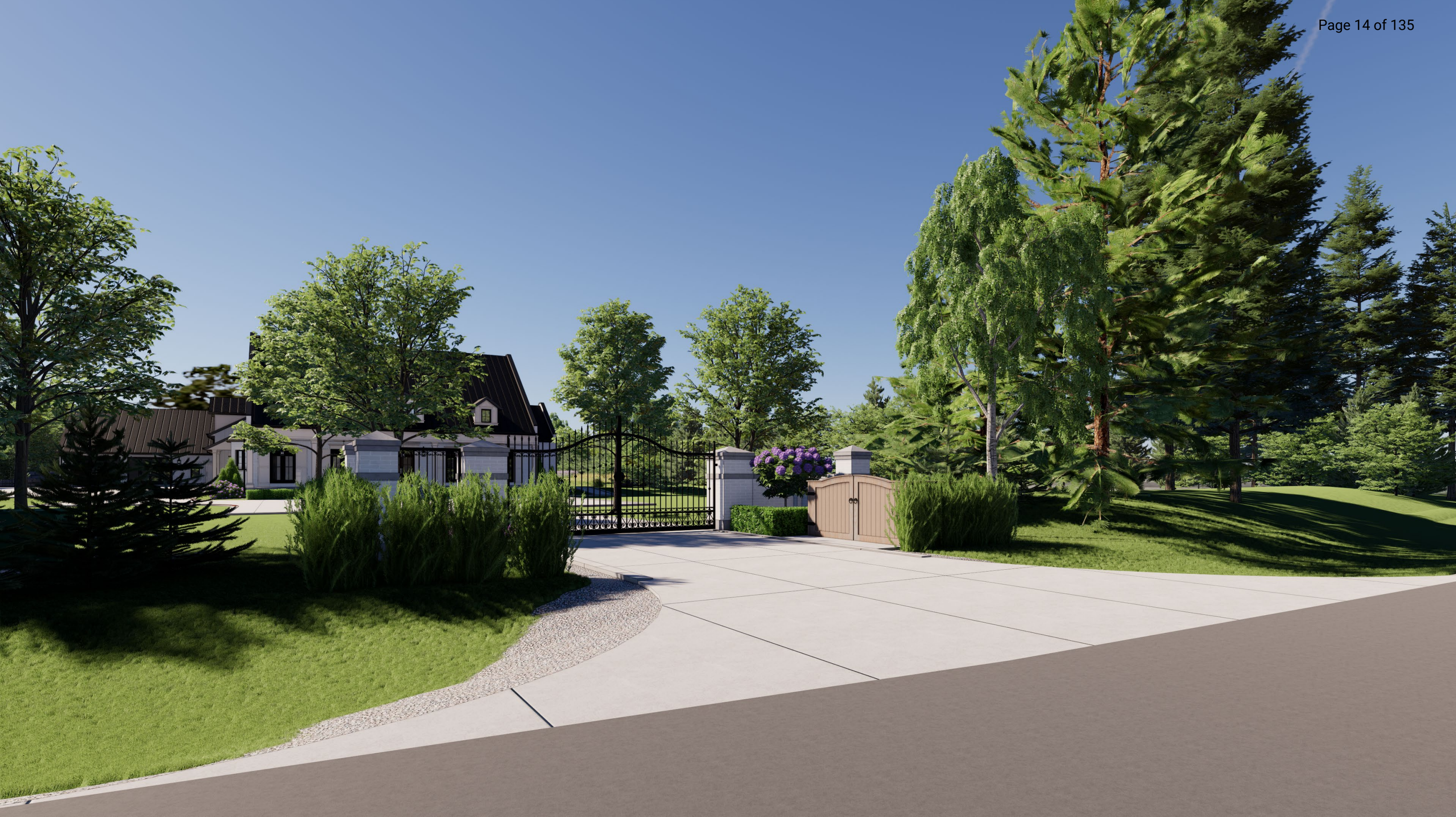


5B-8841 GEORGE BOLTON PKWY  
BOLTON, ONT. L7E 2X8  
647.588.1784  
info@cspace.ca

PROJECT 3 JARVIS AVENUE AURORA, ONTARIO		
DRAWING TITLE MOLOK BIN DETAILS		
SCALE AS NOTED	PROJECT NO. 19.125	
DRAWN BY MAH	APPROVED CCP	DATE 20.11.25
DRAWING NO.		

A105



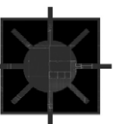






## 3 JARVIS AVE

AURORA, ON | 19.125 | 01.02.2023



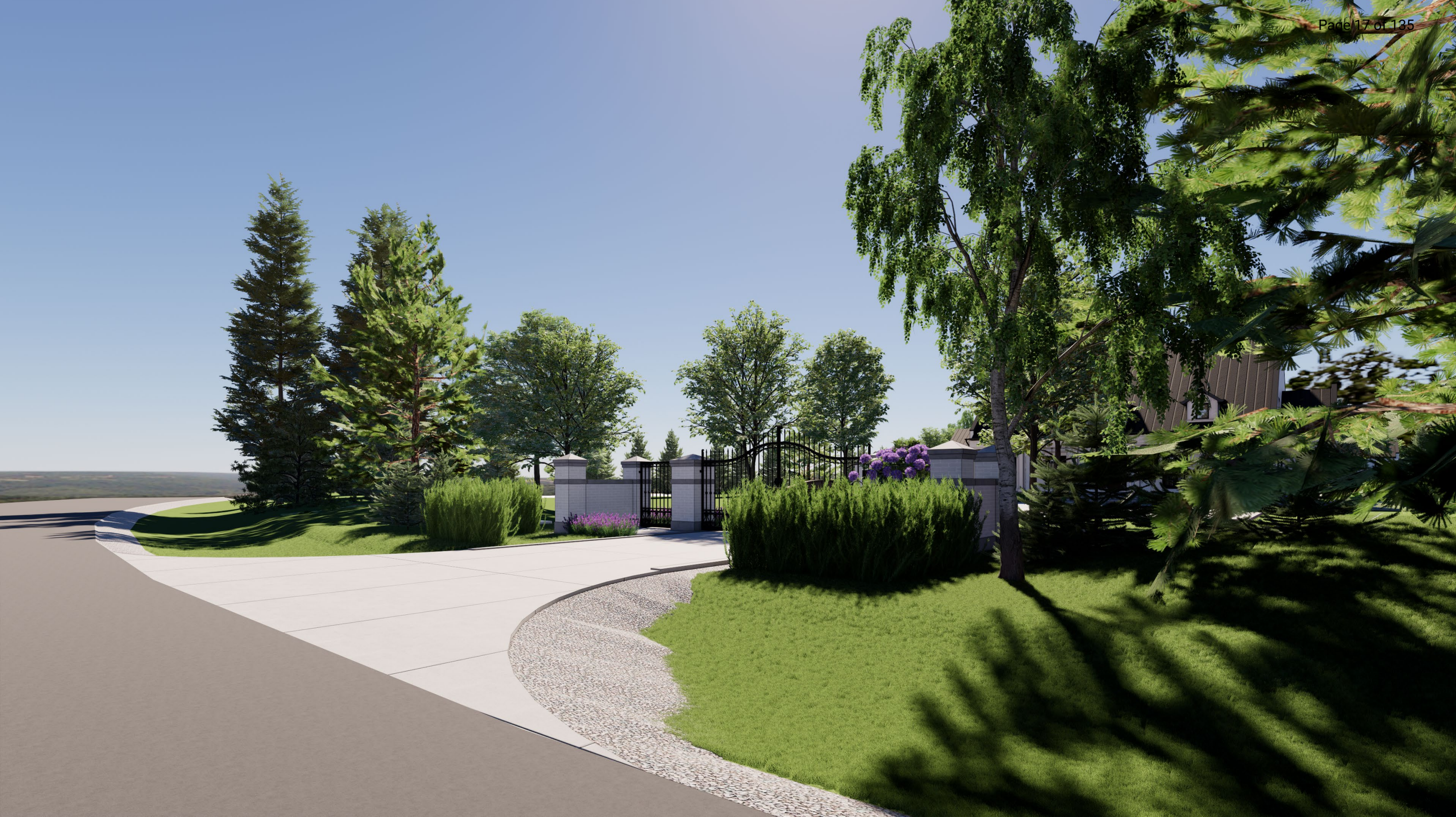




**3 JARVIS AVE**

AURORA, ON | 19.125 | 01.02.2023

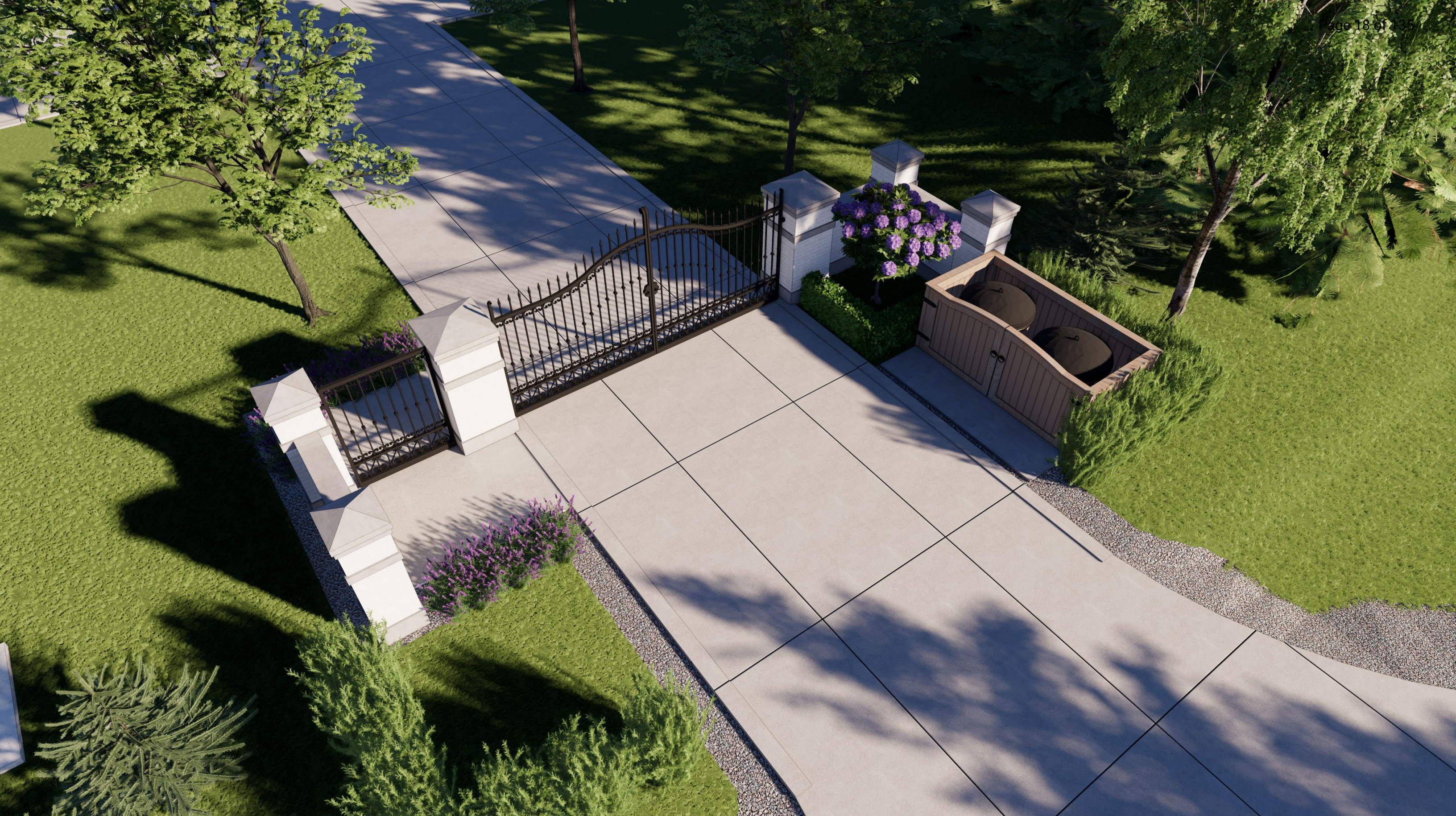




**3 JARVIS AVE**

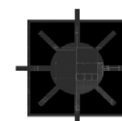
AURORA, ON | 19.125 | 01.02.2023





## 3 JARVIS AVE

AURORA, ON | 19.125 | 01.02.2023







# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017

## EXECUTIVE SUMMARY

The Earth Rangers Centre for Sustainable Technology (ERC) was retained to complete an independent study of the Molok in-ground waste and organics storage system for its ability to buffer changes in outdoor temperature and thus reduce odours.

The following two (2) findings are discussed in more detail in the report below and represent a testing over one (1) year of measurements.

**FINDING 1:** Temperatures measured from 50" from the top to the bottom of both the waste and organics Moloks at all times were lower than the average temperature of our temperature controlled waste room. From the top to 25" below the top, temperatures were on average lower than that of our conditioned waste room 78.7% of the time.

**FINDING 2:** At no time did odours, measured by our calibrated odour meter, directly outside the Molok exceed that of our temperature controlled waste room

Overall, our findings indicate that the Molok outperformed our temperature controlled waste room in slowing decomposition by keeping waste and organics at lower temperatures and reducing odours emanating from Moloks.

## METHODOLOGY

Temperature probes were installed in the interior bag of the Molok waste organics container and on the interior tube of the Molok organics container. In total, four (4) temperature probes were installed on each Molok container at the following levels:

- Top of Bin
- 25" from Top of Bin
- 50" from Top of Bin
- Bottom of Bin

The temperature data logger on both Molok containers was set to measure temperatures every hour. This log was downloaded every 2 weeks and the data collected for one (1) years.

Odours were measured using the following equipment:

- Levitt Safety IAQ monitor set to measure CO<sub>2</sub>, SO<sub>2</sub>, NO, O<sub>2</sub>, and ambient temperature
- KanoMax Handheld Odor Meter OMX-ADM, which measure hydrogen sulfide, methyl mercaptan, ammonia and other odour causing substances.

Odours and temperatures were measured bi-weekly (every 2 weeks) for a period of one (1) year. Odours were measured at the Molok area and also in our waste room for comparison purposes.



# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017

## SUMMARY OF FINDINGS

Based on the results of our one (1) year study on temperatures and odours emanating from the Waste and Organics Molok containers, we measured the temperatures at intervals of one (1) hour for at four (4) different depths for each Molok container. The below colour coded chart represents the average temperatures for each month found at the different depths of measurement. Note that the average summer temperature of the ERC conditioned waste room was 22.0°C.

	Avg. Temp. (°C)							
	Waste Molok Container				Organics Molok Container			
	TOP OF BIN	25" from TOP	50" from TOP	BOTTOM	TOP OF BIN	25" from TOP	50" from TOP	BOTTOM
Jan	0.9	0.7	0.9	3.2	0.4	0.2	1.3	2.4
Feb	-0.6	-0.3	0.1	2.2	1.7	1.5	0.7	1.5
Mar	0.2	-0.3	0.2	1.6	2.1	1.8	1.2	2.0
Apr	9.0	7.3	6.4	5.4	11.9	12.9	7.8	7.1
May	12.2	11.6	10.8	9.1	14.8	14.4	13.4	11.0
Jun	20.4	18.4	16.8	13.8	22.3	20.9	21.5	17.9
Jul	22.4	21.3	20.2	17.4	24.6	24.0	21.4	19.5
Aug	21.9	20.9	19.9	18.5	23.6	23.0	19.6	19.7
Sep	20.7	19.3	18.0	18.0	22.6	21.7	19.0	18.8
Oct	16.2	15.5	15.4	16.5	17.2	16.7	16.4	16.1
Nov	Malfunction in Data Logger				9.3	9.3	9.3	11.0
Dec	0.6	0.6	1.1	2.9	1.2	1.3	3.2	5.0
Fall	11.1	10.5	10.6	11.7	11.9	11.6	11.6	12.4
Winter	-0.3	-0.3	0.2	2.1	1.0	0.8	1.1	2.1
Spring	11.8	10.4	9.4	7.9	14.3	14.2	12.0	10.2
Summer	21.6	20.4	19.2	17.6	23.4	22.7	20.1	19.3

Areas shaded in blue represent Molok temperatures that are lower than the average summer ERC conditioned waste room temperature and areas shaded in red represent temperatures that are above. From this we can see that the top 25" of the Organics Molok container, on average, in the months of July and August, may cause temperatures to be slightly higher. However, the bottom of the Organics Molok container to 50" from the top are significantly cooler.

We hypothesize that the Organics Molok container has warmer temperatures than the waste container due to 3 possible differences:

- 1) As organics decompose, they release heat;
- 2) The organics Molok container is made of a rigid plastic that insulates better than the waste Molok container bag; and
- 3) The larger diameter of the waste Molok container and shape of the bag (i.e. tied at the bottom) allow for better natural convection than the relatively slimmer profile and rigid cylindrical shape of the organics Molok container

The Kanomax odour monitor was provided the most accurate readings of odours and measured odours on a scale from 0 to 999 with 0 being no detectable presence of any odour causing

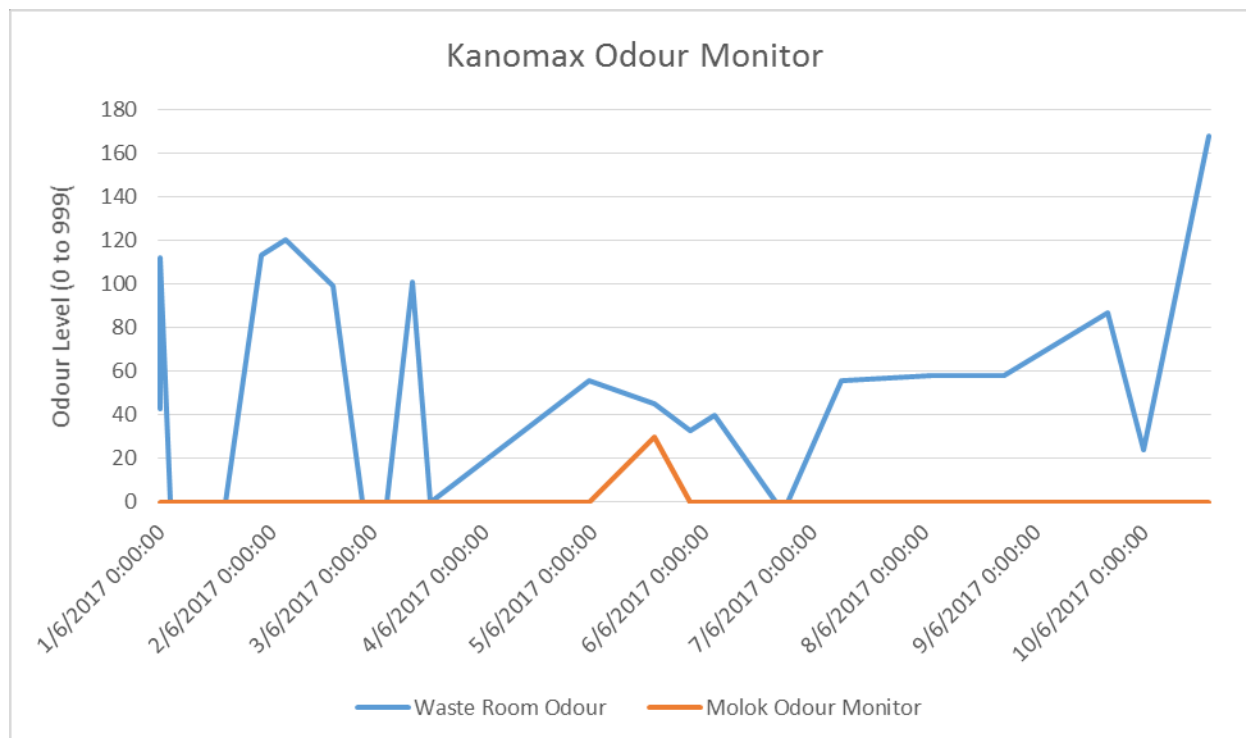


# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017

molecules. Odours were detected in the waste room throughout the year while odours were only detected from Molok in May, directly following a recent Molok pick-up.





# Earth Rangers Centre for Sustainable Technology

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## OTHER FINDINGS

A chart of the standard deviation for temperature is expressed as the average of the deviations per month away from the mean temperature is below. A trend is that the further from the top of the Molok container reduces the standard deviation of the temperatures – meaning that there is less variance and overall swing in temperatures towards the bottom of the Molok container.

	Std. Dev. (°C)							
	Waste				Organics			
	TOP OF BIN	25" from TOP	50" from TOP	BOTTOM	TOP OF BIN	25" from TOP	50" from TOP	BOTTOM
Jan	2.3	2.0	1.6	1.2	3.3	2.8	1.7	1.6
Feb	2.8	2.1	1.8	1.2	5.5	4.7	1.7	1.4
Mar	5.0	3.7	2.2	1.3	6.3	5.1	2.3	1.8
Apr	5.5	3.5	3.0	1.6	7.5	7.8	2.8	2.1
May	5.7	4.6	4.0	1.6	7.3	6.6	1.8	1.6
Jun	5.9	3.7	2.3	1.8	7.6	7.4	3.5	2.1
Jul	4.9	3.2	2.3	0.9	7.1	6.4	2.0	0.7
Aug	5.5	3.5	2.2	1.0	7.2	6.7	1.1	1.1
Sep	7.8	5.0	3.3	1.2	8.5	7.5	1.2	1.0
Oct	5.7	4.1	2.6	2.6	6.3	5.6	1.4	1.8
Nov	Malfunction in Data Logger				2.2	1.8	1.0	0.8
Dec	2.9	2.8	2.5	2.2	3.1	2.9	2.0	2.2
Fall	10.2	9.1	8.2	7.4	10.9	10.3	6.9	6.0
Winter	3.6	2.8	1.8	1.4	4.8	3.9	1.8	1.7
Spring	8.1	6.7	5.8	4.0	9.2	8.7	6.8	5.2
Summer	5.9	3.8	2.7	1.3	7.4	6.8	1.9	1.0

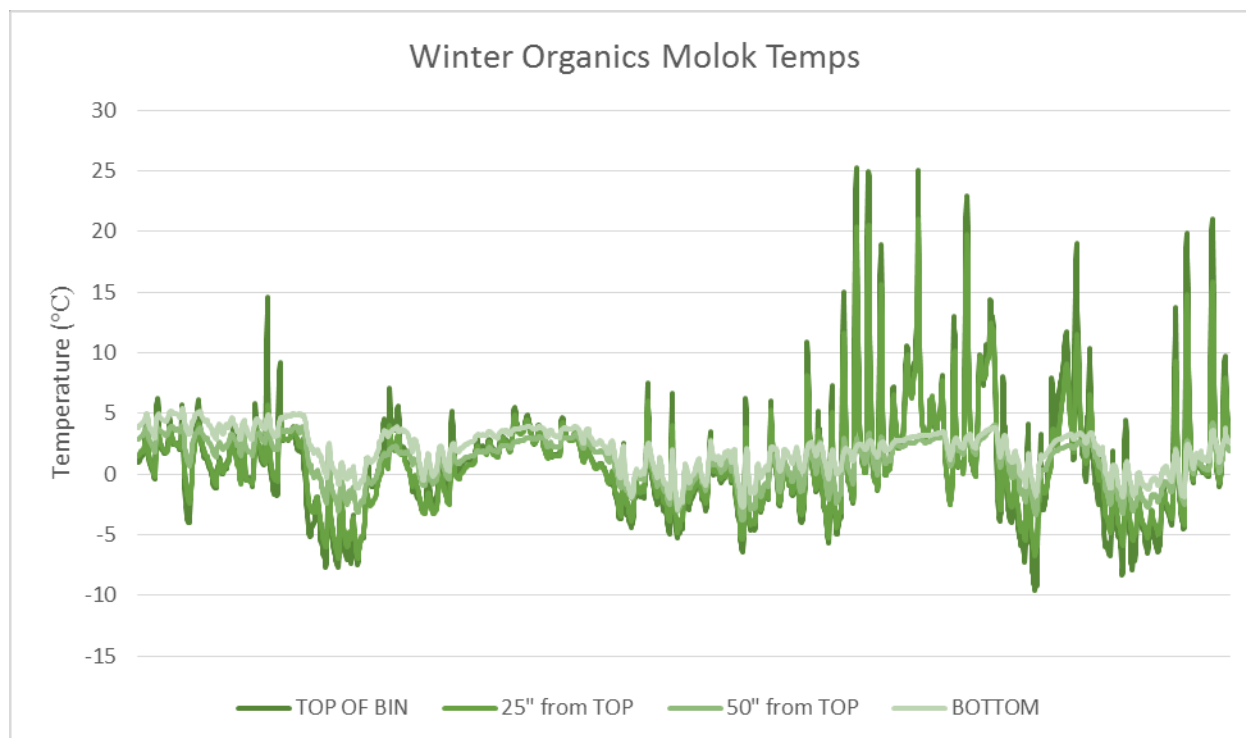
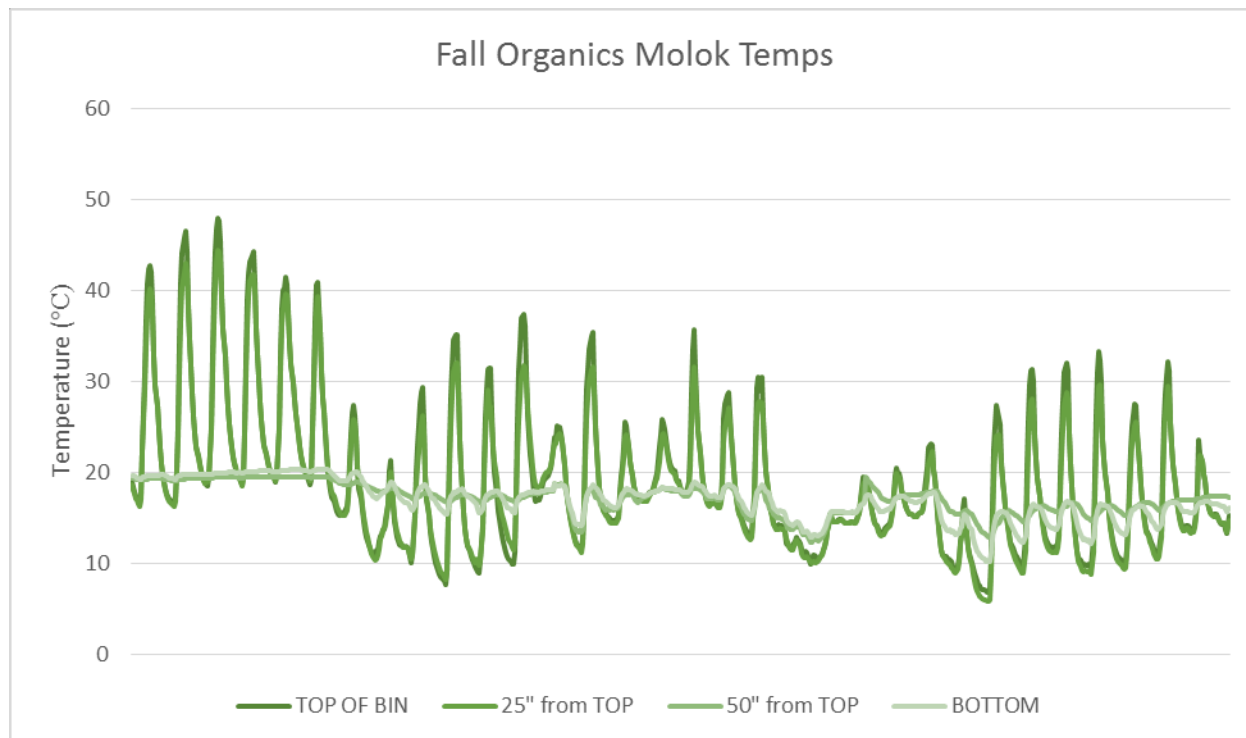
This is further illustrated in the below charts that plot the hour by hour temperature for the waste and organics Molok containers for all four (4) temperature probes.



# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017

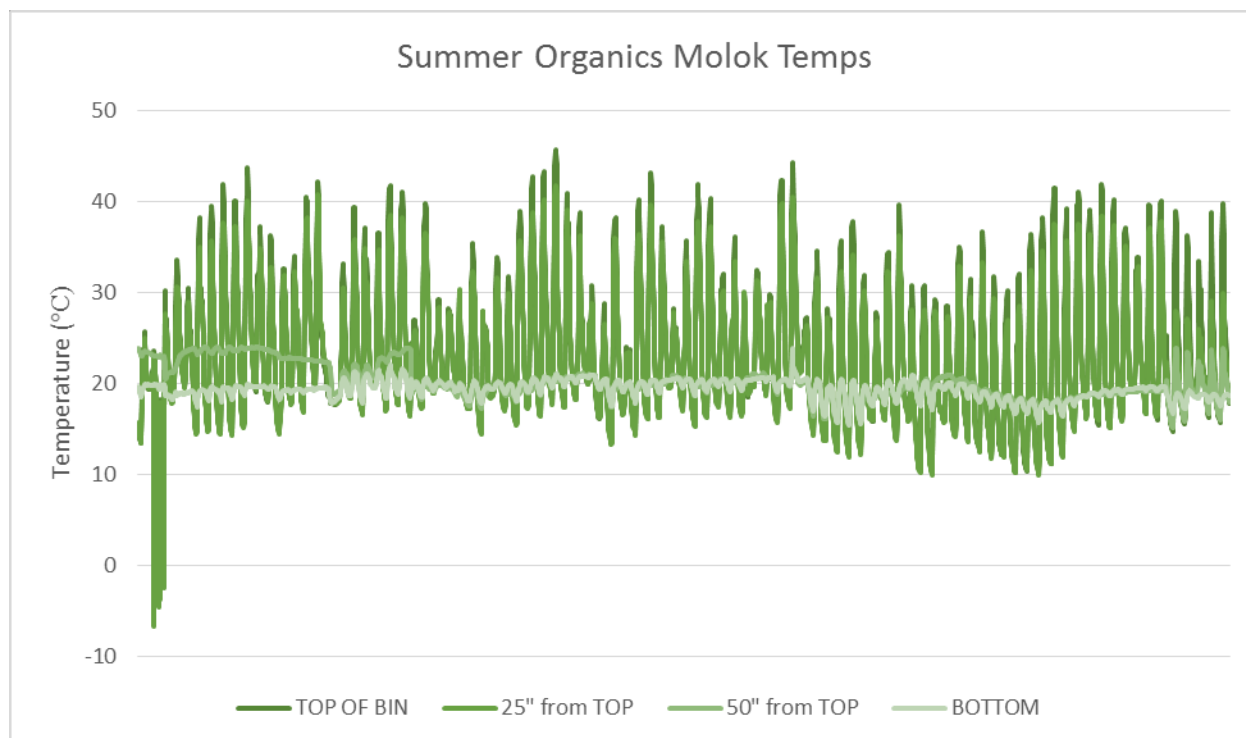
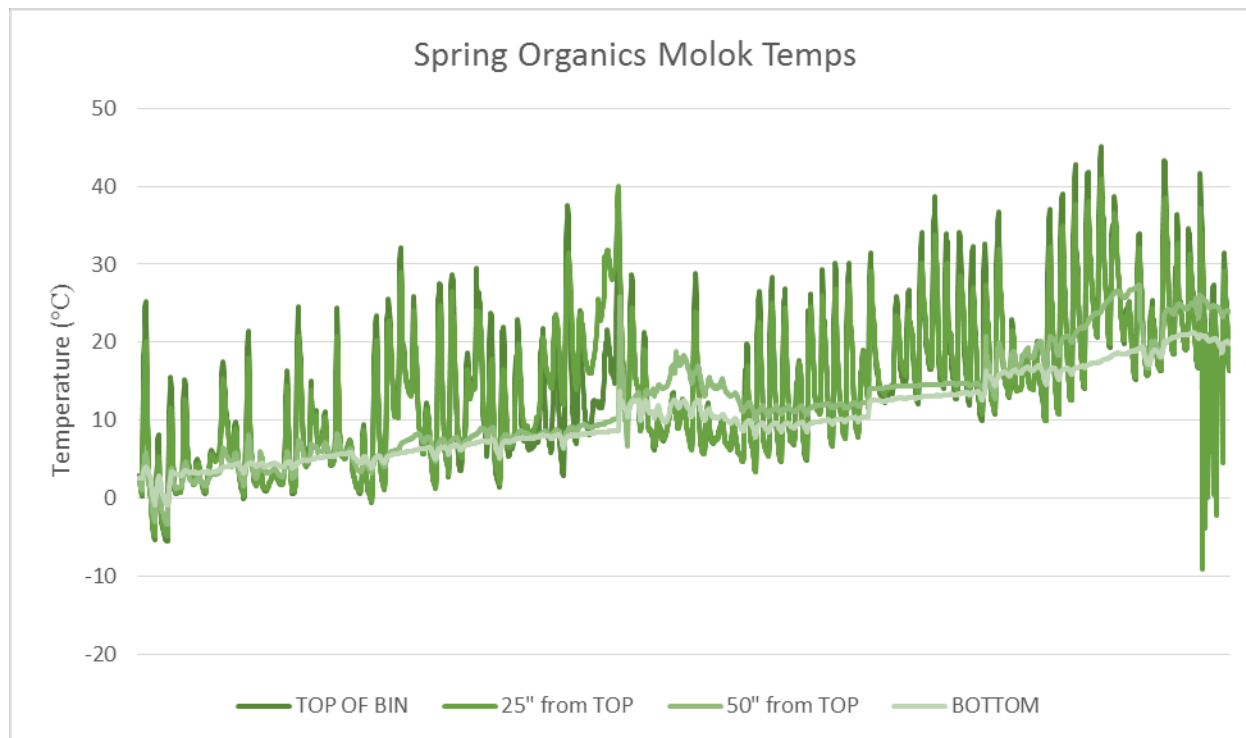




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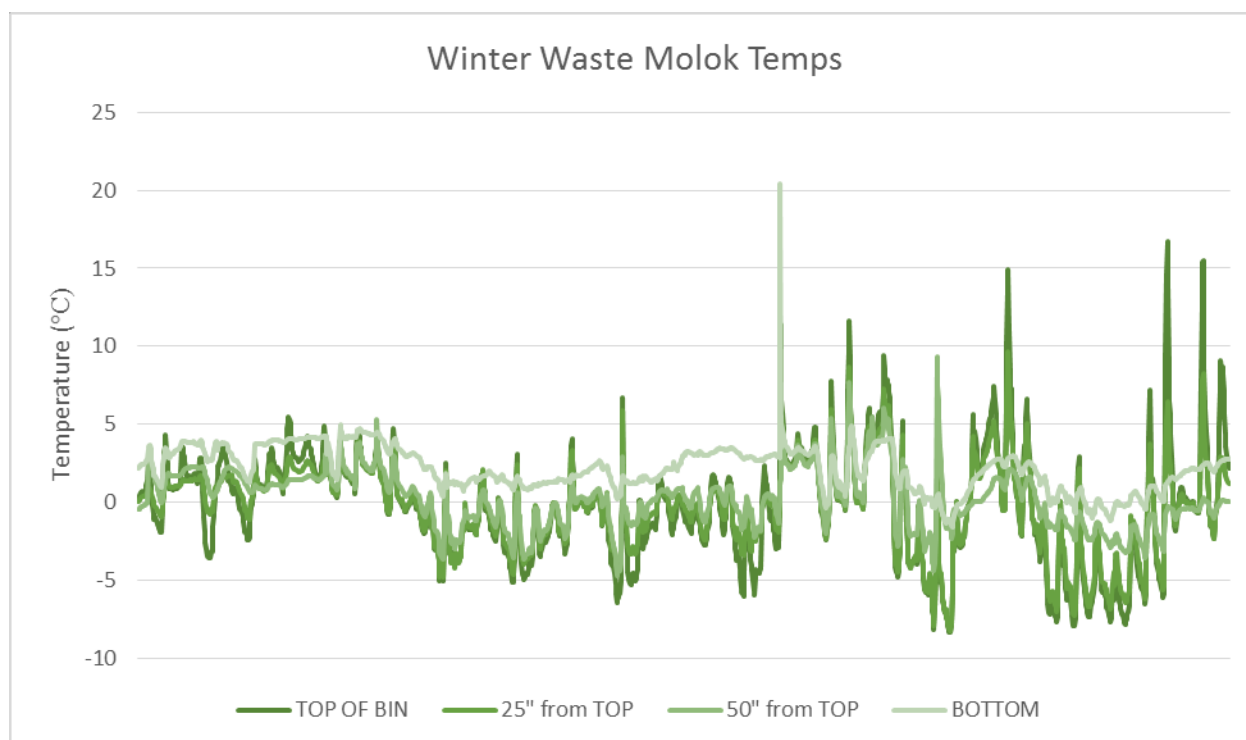
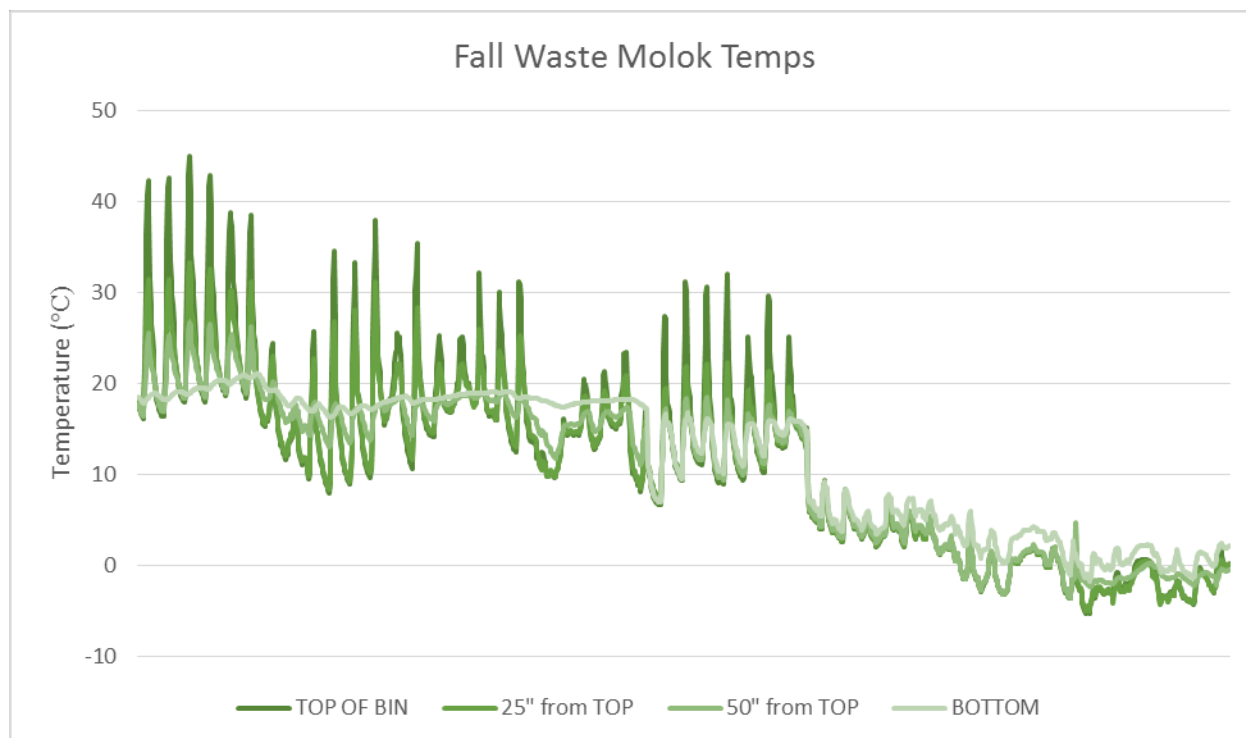




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Molok - Independent  
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Nov 2017



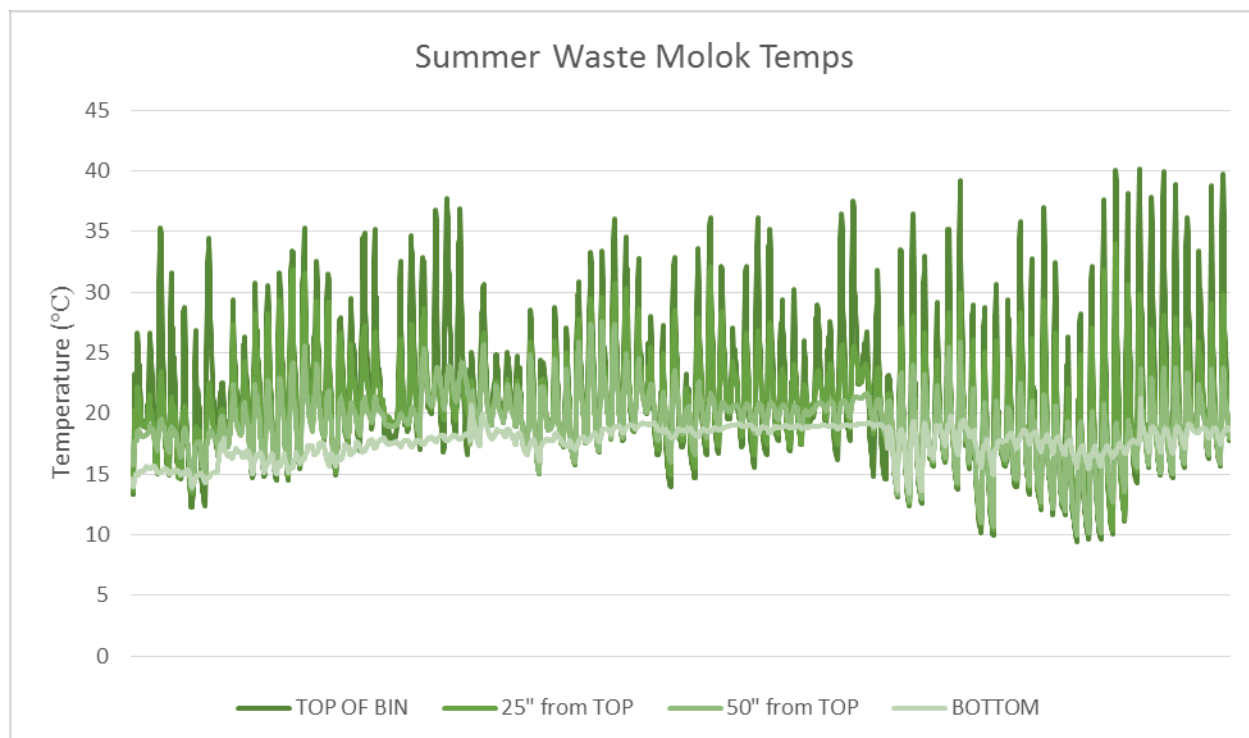
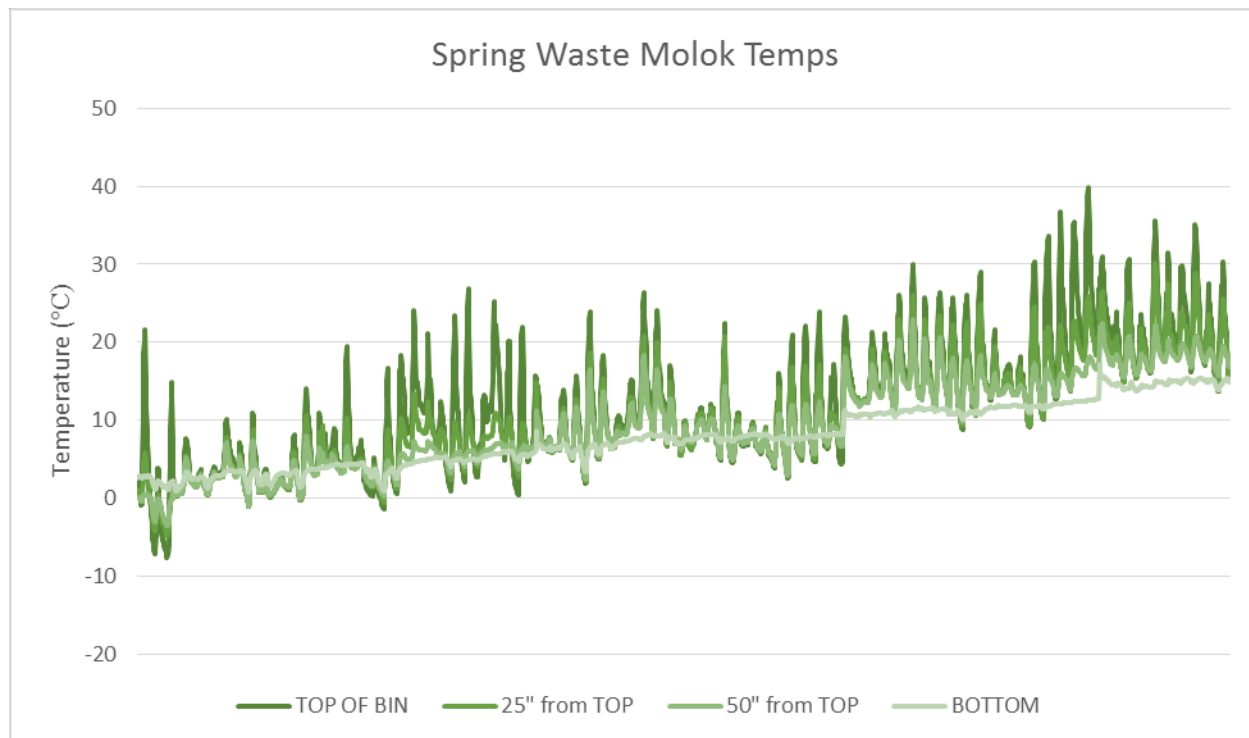




# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017







# Earth Rangers Centre for Sustainable Technology

Molok - Independent  
Temperature &  
Odour Test Report

Nov 2017

## CONTACT

This study was supervised by Gavin Yeung; contact provided below. All measurements and analysis were completed at the Earth Rangers Centre for Sustainable Technology located at 9520 Pine Valley Dr., Woodbridge, ON.

Please contact the undersigned should you have any additional questions or inquiries regarding this report.

**Gavin Yeung, H.Bsc., MBA, LEED®AP, CPMP, BCxP**  
Manager, Earth Rangers Centre For Sustainable Technology

**eMail:** [gveung@earthrangers.com](mailto:gveung@earthrangers.com)

**Office:** 905.417.3447 x 2228

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9520 Pine Valley Drive | Woodbridge, ON L4H 2Z6



**earth  
rangers**

**MOLOK®**

## EXECUTIVE SUMMARY - INDEPENDENT STUDY

*The Earth Rangers Centre for Sustainable Technology (ERC) was retained to complete an independent study of the Molok in-ground waste and organics storage system for its ability to buffer changes in outdoor temperature and thus reduce odours.*

This study also encompassed a comparison of temperatures and odours from our temperature controlled waste room. ERC completed this study over a period of two (2) years. With the only differences being:

- in the second year of the study the measurement frequency for odours was greater than in the first year; and
- in the second year of the study we measured the energy consumption of our temperature controlled waste room in order to estimate the energy cost of operating our waste room

The following two (3) findings are discussed in more detail in the report below and represent a testing over two (2) year of measurements.

**FINDING 1:** Temperatures measured from 50" from the top to the bottom of both the waste and organics Molok containers at all times were lower than the average temperature of our temperature controlled waste room. From the top to 25" below the top, temperatures were on average lower than that of our conditioned waste room 78.7% of the time.

**FINDING 2:** At no time did odours, measured by our calibrated odour meter, directly outside the Molok container exceed that of our temperature controlled waste room

Overall, our findings indicate that the Molok container outperformed our temperature controlled waste room in slowing decomposition by keeping waste and organics at lower temperatures and reducing odours emanating from Molok containers.

**FINDING 3:** Based on data collected from building submeters. The total energy consumption to condition our waste room was 2,940 kWh which equates to a cost to condition our waste room of approximately \$323.42. The Molok containers did not cost any energy to condition or maintain in 2018. Therefore, the net savings if we were to only use the Moloks for waste, recycling and organics would be \$323.42 per year.

### METHODOLOGY

Temperature probes were installed in the interior bag of the Molok waste organics container and on the interior tube of the Molok organics container. In total, four (4) temperature probes were installed on each Molok container at the following levels:

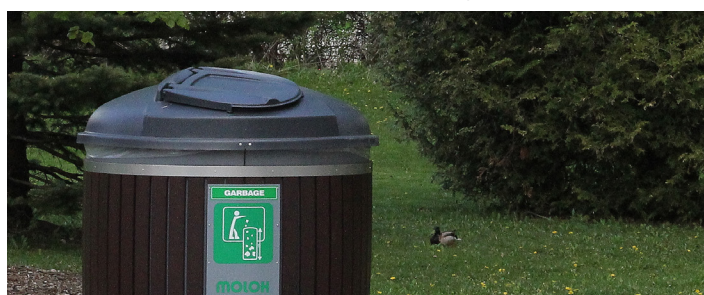
Top of Bin, 25" from Top of Bin, 50" from Top of Bin, Bottom of Bin

The temperature data logger on both Molok containers was set to measure temperatures every hour. This log was downloaded every 2 weeks and the data collected for one (1) years.

Odours and temperatures were measured bi-weekly (every 2 weeks) for a period of one (1) year. Odours were measured at the Molok area and also in our waste room for comparison purposes.

### SUMMARY OF FINDINGS

Based on the results of our two (2) year study on temperatures and odours emanating from the Waste and Organics Molok containers, we measured the temperatures at intervals of one (1) hour for at four (4) different depths for each Molok container. The below graph shows the temperatures from the waste and organics Molok containers vs the temperatures from our conditioned waste room. Please note that the temperatures were much more constant 50" from the top of the bin to the bottom of the bin for both the waste and organics Molok containers.





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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2023-06

---

**Subject:** Lam  
120 Championship Circle Place  
Lot 28, Registered Plan 65M-3931  
File: MV-2023-06

**Prepared by:** Mark Chuang, Planner

**Department:** Planning and Development Services

**Date:** March 9, 2023

---

## Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate a glass sunroom addition to an existing two-storey detached dwelling. The proposed addition has a height of 4.2 metres (13 feet 9 inches), and a gross floor area of 39.97 square metres (430 square feet). The sunroom addition is located at the rear portion of the property. A site plan for the proposal is included as Appendix 'B' to this report.

## PROPOSED VARIANCE

The following relief is being requested:

- a) Section 24.276.2.2 of the Zoning By-law requires a minimum rear yard setback of 7.5 metres. The applicant is proposing a sunroom addition, which is 4.87 metres to the rear property line, thereby requiring a variance of 2.63 metres.
- b) Section 7.2 of the Zoning By-law permits a maximum lot coverage of 35.0%. The applicant is proposing an addition to the existing dwelling resulting in a lot coverage of 37.9%, thereby requiring a variance of 2.9%.

## Background

### Subject Property and Area Context

The subject property, municipally known as 120 Championship Circle Place, is located on the north side of Championship Circle Place. The property currently contains a two-storey

detached dwelling with a lot area of around 756m<sup>2</sup> (8,138 ft<sup>2</sup>) and an approximate lot frontage of 20.69 metres (67 feet 11 inches). The surrounding neighbourhood is residential and generally characterized by two-storey dwellings with sizable backyards.

### **Surrounding Land Uses**

The surrounding land uses for the subject property are as follows:

**North:** Residential single detached dwellings

**South:** Residential single detached dwellings, Elderberry Trail

**East:** Residential single detached dwellings, Yonge Street

**West:** Residential single detached dwellings

### **Proposal**

The owner is proposing a glass sunroom addition at the rear of the existing two-storey detached dwelling. The proposed sunroom addition has a height of 4.2 metres (13 feet 9 inches), and a gross floor area of 39.97 square metres (430 square feet).

### **Official Plan**

The subject property is designated "Cluster Residential" in the Town of Aurora's Official Plan, under Secondary Plan OPA 34. Permitted uses in a Cluster Residential designation include single detached dwellings, semi-detached dwellings, linked housing, and townhouses, as accommodating a predominantly ground-related residential setting. Lots within the Cluster Residential designation are intended to preserve a minimum of 40% of the lot area in an open, landscaped condition.

### **Zoning**

The property is zoned R2 (276) "Detached Second Density Residential 276 Exception Zone", which permits detached dwellings.

The Exception Zoning was approved by Council to facilitate the development of the overall subdivision area. The parent R2 zone generally requires larger lot areas and setbacks than the site specific 276 exception zone, with the site specific exception zoning being able to facilitate a generally denser built form in line with the Cluster Residential Official Plan designation. The R2 zoning is generally considered only slightly more dense

than the Estate Residential and R1 zone categories, and is still largely representative of a low-density, ground oriented neighbourhood setting.

### **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, "Due to the size and orientation of the proposed sun room, lot coverage and rear yard setback will not comply."

### **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV- 2023-06 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 intent of the "Cluster Residential" Official Plan designation is to accommodate ground-orientated housing in a manner that is still sympathetic to landscaping and open space area. The approval of the original plan of subdivision for the community accounted for the principles of the Cluster Residential designation by reserving areas of open space and natural features as part of the larger subdivision area. Individual lots within the Cluster Residential designation are also required to preserve a minimum of 40% of the lot area in an open, landscaped or natural condition.

The requested variances align with the intent of the Official Plan and Cluster Residential designation by still respecting the natural, landscaped, and open space area of the lot. The proposed lot coverage of 37.9% is well within the Official Plan requirement, with landscaped area, sodding and open space being preserved in all yards. Additionally, the proposed sunroom will be screened by landscaping that currently exists along the eastern and rear property boundaries. As a rear addition, views from the public realm will not be impacted.

Staff are of the opinion that the general intent of the Official Plan is maintained.

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

The intent of the minimum rear yard setback is to ensure that adequate setbacks on a lot are provided for privacy, landscaping, access, and drainage. The requested variance in rear yard setback is largely a result of the angled property boundary at the northern rear

extent of the lot. The proposed variance allows the applicant to keep uniform alignment of the proposed deck and sunroom, which represents the appropriate lotting of the site. There are also no anticipated drainage concerns from the proposal, however the appropriate conditions have been included under Appendix 'A' to ensure such. Screening of the sunroom will also be maintained by existing hedges and trees. Staff included a condition of approval to ensure that proper mitigations are in place to ensure the protection of the adjacent neighbouring vegetation during the construction of the proposed sunroom.

The intent of the lot coverage provision is to ensure buildings do not dominate the landscape, and maintaining appropriate green space for drainage purposes. The requested variance in lot coverage represents a minor increase and is not considered excessive. The property still contains significant green space and open area and there are no anticipated impacts to the public realm, as this is a rear addition that does not impact the overall scale of the dwelling. As discussed above, Engineering staff has no concerns from a drainage perspective.

Staff are of the opinion that the requested variances are in keeping with the intent of the Zoning By-law.

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

Staff are of the opinion that the proposed addition will not negatively impact the existing neighbourhood character. Side yard setbacks are still maintained and respected by the proposal, and ample green space and landscaping is provided on the lot and across property boundaries such that privacy concerns are alleviated. The proposal allows for the uniform and consistent alignment of the deck and the sunroom, which represents the appropriate and desirable lotting of the site. Sightlines from the rear yards of other properties will also be protected by landscaping, and the sunroom ultimately shelters a hot tub, which will assist in noise dampening.

Staff are of the opinion that the requested variances is desirable for the appropriate development of the land.

**d) The proposed variance is considered minor in nature**

The proposed variances are not anticipated to result in negative impacts to the neighbourhood or abutting properties. The side yard setbacks are still respected by the proposal, with the encroachment in the rear yard largely being due to the angled property boundary. Adequate separation is still provided to neighbouring properties such that no negative impacts are anticipated. The lot coverage of the site is also such that it does not represent the excessive overdevelopment of the property or loss of green space.

Circulated agencies have indicated no objections with the proposal, with the appropriate conditions of approval specifically to ensure adequate drainage and protections of trees included as per the attached Appendix 'A'.

As such, Staff are of the opinion that the requested variance is 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
Accessibility	No objections.
Building Division	Preliminary Zoning Review was completed on February 17 2023.
Engineering Division	No objections, with appropriate conditions included in Appendix 'A'.
Operational Services (Parks)	There is a hedge situated on the property boundary/adjacent that may be impacted by excavation or disturbance due to construction. See appropriate conditions included in Appendix A.
Operational Services (Public Works)	No objections.
Transportation	No objections.
Central York Fire Services	No objections.
LSRCA	No objections.
York Region	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 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 variance meets the four tests of the Planning Act for granting of 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 and Elevations

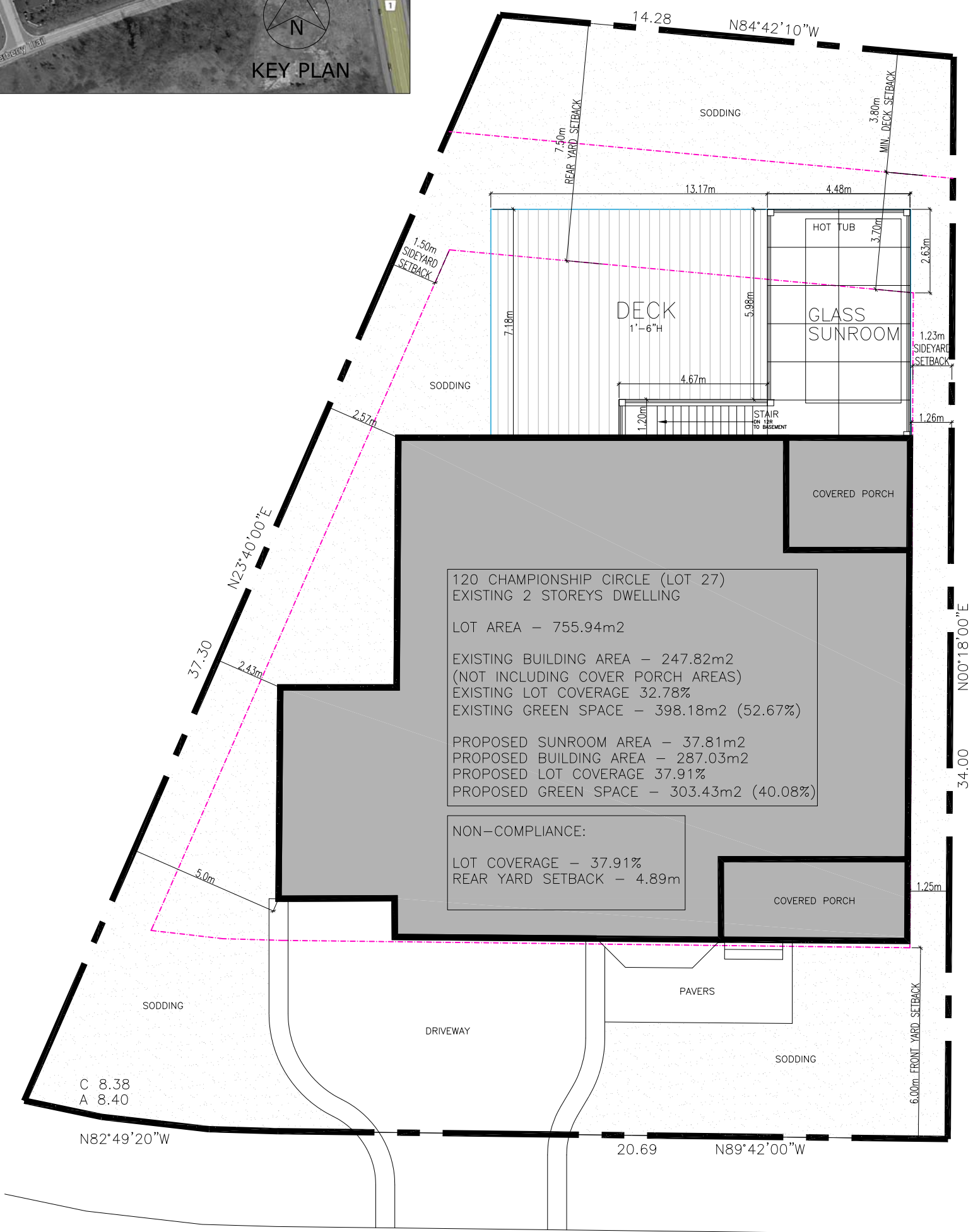


### **Appendix 'A' – Recommended Conditions of Approval**

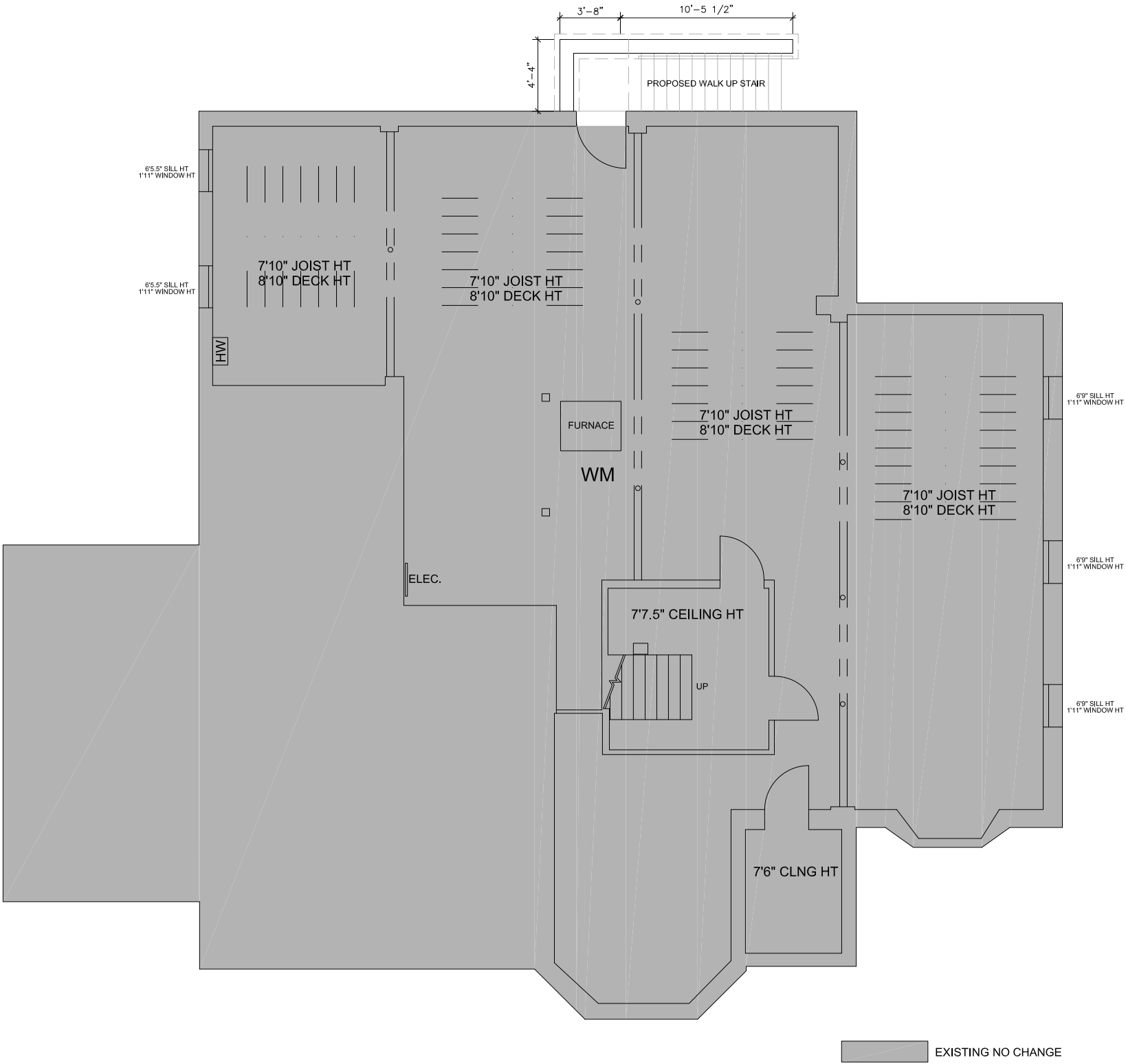
The following conditions are required to be satisfied should application MV-2022-49 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in substantial 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.
2. That the owner shall 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. That the applicant be aware and abide by the restrictive covenant regarding the infiltration structure.
9. That the infiltration structure be enlarged, if required by the restrictive covenant or as determined by the Town to compensate for the additional impervious area being proposed within the lot.



CHAMPIONSHIP CIRCLE PLACE

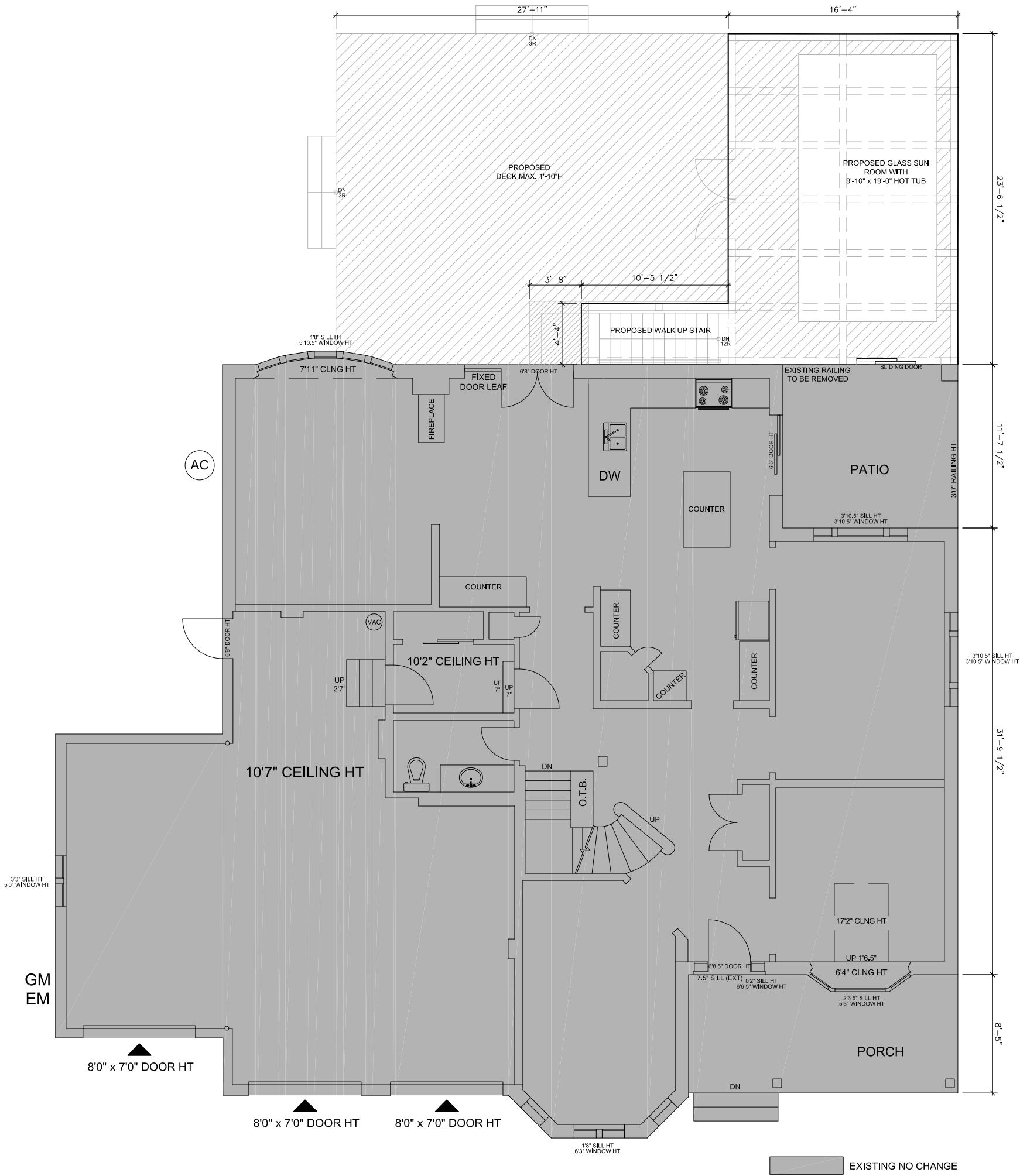


BASEMENT

TYPICAL UNLESS NOTED:  
- 7'-0" BEAM HEIGHT

<div></div> <div><div>hj architects inc.</div><div>85 forest grove crt. aurora, ontario l4g3g4</div><div>416.628.2168 info@hjarch.ca</div></div>	<div>PROJECT NO.</div> <div>22-050</div>	<div>DRAWN BY:</div> <div>H.M.</div>	<div>CHECKED BY:</div> <div>J.Y.</div>	<div>APPROVED:</div> <div>J.Y.</div>
	<div>PROJECT NAME</div> <div>120 CHAMPIONSHIP CIRCLE PLACE - SUN ROOM ADDITION</div>	<div>SCALE</div> <div>1/8" = 1'-0"</div>		
	<div>DRAWING TITLE</div> <div>BASEMENT PLAN</div>	<div>DRAWING NUMBER</div> <div>A2</div>		

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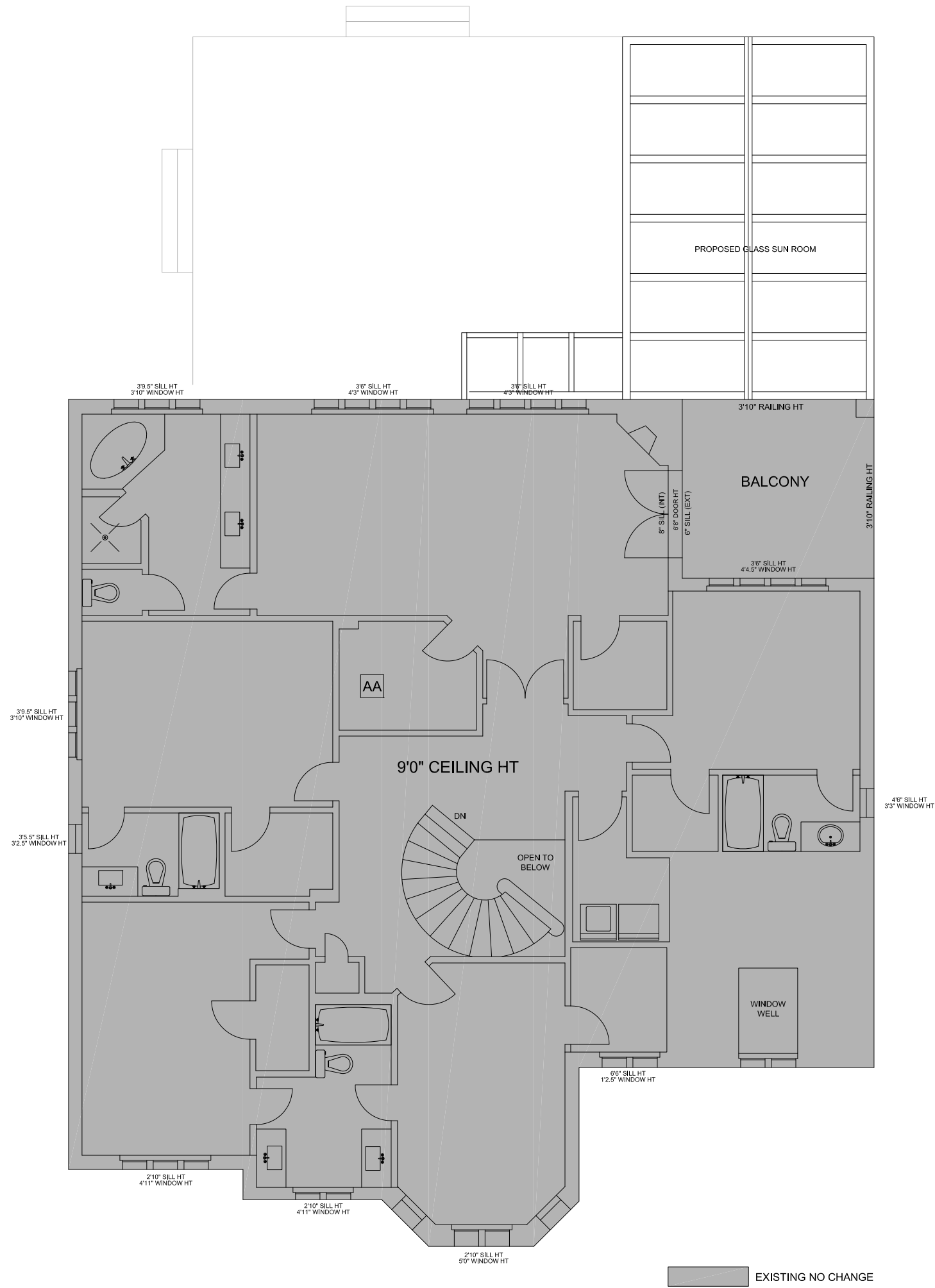
# MAIN FLOOR

TYPICAL UNLESS NOTED:  
- 9'-0" CEILING HEIGHT




**hj architects inc.**  
85 forest grove crt.  
aurora, ontario l4g3g4  
  
416.628.2168  
info@hjarch.ca

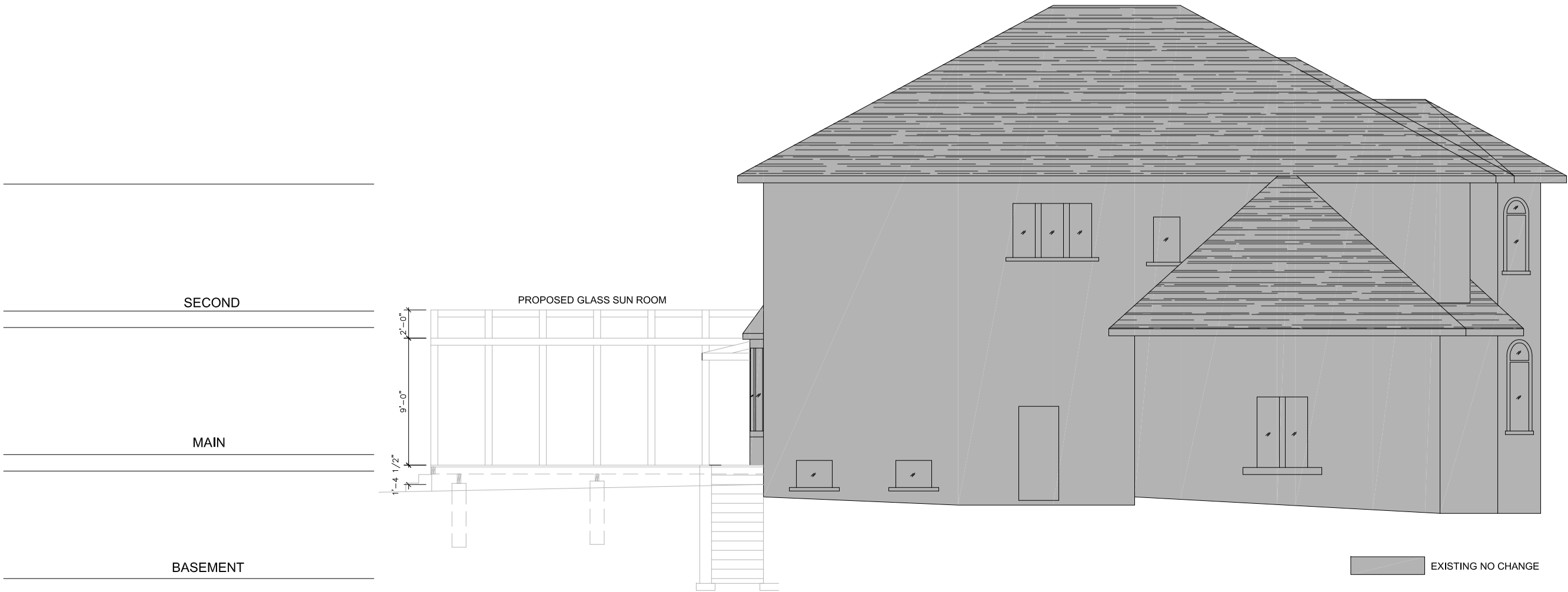
PROJECT NO.	22-050	DRAWN BY: H.M.	CHECKED BY: J.Y.	APPROVED: J.Y.
PROJECT NAME	120 CHAMPIONSHIP CIRCLE PLACE - SUN ROOM ADDITION	SCALE 1/8" = 1'-0"		
DRAWING TITLE	GROUND FLOOR PLAN	DRAWING NUMBER <div>A3</div> <div>Copyright (c) 2012 HJ ARCHITECTS INC.</div>		



# SECOND FLOOR

TYPICAL UNLESS NOTED:  
- 9'-0" CEILING HEIGHT

 <div><div>hj architects inc.</div><div>85 forest grove crt. aurora, ontario l4g3g4</div><div>416.628.2168 info@hjarch.ca</div></div>	<div>PROJECT NO.</div> <div>22-050</div>	<div>DRAWN BY:</div> <div>H.M.</div>	<div>CHECKED BY:</div> <div>J.Y.</div>	<div>APPROVED:</div> <div>J.Y.</div>
	<div>PROJECT NAME</div> <div>120 CHAMPIONSHIP CIRCLE PLACE - SUN ROOM ADDITION</div>	<div>SCALE</div> <div>1/8" = 1'-0"</div>		
	<div>DRAWING TITLE</div> <div>SECOND FLOOR PLAN</div>	<div>DRAWING NUMBER</div> <div>A4</div> <div>Copyright (c) 2012 HJ ARCHITECTS INC.</div>		



SECTION

LEFT SIDE ELEVATION





EXISTING NO CHANGE

FRONT ELEVATION





REAR ELEVATION

 <div><div>hj architects inc.</div><div>85 forest grove crt. aurora, ontario l4g 3g4 T: 416.628.2168 E: henry.ma@hjarch.ca</div></div>	REVISIONS / ISSUED TO				<div>SEAL:</div> 	GENERAL NOTES:		OWNER:	PROJECT NUMBER:		SCALE:	DRAWING NUMBER:
	NO.	REVISIONS	DATE	BY		<ul style="list-style-type: none"><li>Contractors to verify all site dimensions and report any discrepancies before commencing with work.</li><li>Dimensions shall take precedence over scale.</li><li>No variation of modification to work shall be implemented without prior written approval.</li><li>All plans, specifications and work is subject to Department of Labour, Fire Department and Building Department approval.</li><li>All previous issues of this drawing are superseded.</li><li>All prints of drawings and specifications are the property of hj architects inc. and must be returned upon project completion.</li></ul>	-	22-050		1/8" = 1'-0"		
	1.	ISSUED FOR REVIEW	12/06/22	HM			ELECTRICAL CONSULTANT:		120 CHAMPIONSHIP CIRCLE PLACE			
							MECHANICAL CONSULTANT:		DRAWING TITLE:			
							REAR ELEVATION					
							STRUCTURAL CONSULTANT:		DRAWN BY:	CHECKED BY:	APPROVED BY:	
						HM	HM	JY				

A7

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RIGHT SIDE ELEVATION



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2023-08

---

**Subject:**                   **Howland Green Wellington East Ltd.**  
1623 Wellington Street East  
PART LOT CONCESSION 3 WHITCHURCH, PARTS 1,2,3,4,6 AND 7  
65R3924  
File: MV-2023-08  
Related Planning Application(s): SP-2022-14

**Prepared by:**           **Kenny Ng, Planner**

**Department:**           Planning and Development Services

**Date:**                     March 9, 2023

---

## Application

The Owner is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to increase the maximum height and allow clinic as a permitted use for the proposed 4-storey office/commercial building. A conceptual site plan and elevations are attached as Appendix 'B' to this report.

## PROPOSED VARIANCE

The following relief is being requested:

- a) Section 10.2 of Zoning Bylaw 6000-17 limits the maximum height of the building to 13.5 meters. The applicant is proposing an office and commercial building with a height of 15.7 meters, thereby requiring a variance of 2.2 metres.
- b) Section 10.1 and Section 24.531.1 of Zoning Bylaw 6000-17 does not allow a clinic as a permitted use. The applicant is proposing to add clinic as a permitted use for the property.

## Background

### Subject Property and Area Context

The subject property, municipally known as 1623 Wellington Street East, is located on the south side of Wellington Street East and west of Highway 404. The subject property has an area of approximately 0.89 hectares (2.2 acres) and a lot frontage of approximately 647.15 metres (399 feet). The subject lands have previously been subject to planning approvals to permit the creation of a master planned, mixed-use development within the Business Park area south of Wellington Street East.

**North:** Vacant Business Park lands, Wellington Street East, SmartCentres Aurora north commercial plaza

**South:** Existing employment uses

**East:** Employment/Business Park uses, Highway 404

**West:** Business Park Uses, Goulding Avenue, Winners/Homesense/Farm boy

### Related Planning Application

Related to the subject application, a site plan control application was also submitted to the Town in December 2022 and deemed complete as file SP-2022-14. The proposed development consists of a four-storey office/commercial building with two levels of underground parking. The proposed development is intended to be highly sustainable with the proposed building aiming to achieve beyond net-zero carbon emissions.

The subject application is still currently under technical review, with the subject variance required to facilitate the development of the proposal.

### Official Plan

The subject property is designated 'Business Park' by the Bayview Northeast Area 2B Secondary Plan (OPA 30). The intent of the Business Park designation is to provide opportunities for a mix of prestige employment uses and a variety of supporting commercial and community facilities generally geared to satisfying the needs of residents, businesses and employees in the Town of Aurora and the Region at large. Business/professional office uses are permitted, while limited retail and service commercial uses are permitted subject to provisions.

## **Zoning**

The subject lands are zoned “E-BP (531) Business Park Exception Zone” under the Town of Aurora Zoning By-law 6000-17, as amended. Similarly, this zoning is intended to accommodate the business and supporting commercial function of the area.

### **Preliminary Zoning Review**

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

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

Applicant submitted a cover letter to address reasons for non-compliance, and is attached to this report as Appendix ‘C’.

## **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV-2023-08 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**

Business Park policies stipulate that buildings shall generally be low to mid-rise in form and shall generally not exceed four storeys in height. At certain key intersection locations on Wellington Street, building heights may increase provided such an increase is considered appropriate as articulated in the Urban Design Guidelines and does not exceed seven storeys in height. In considering the height variance, it is noted that the proposed office/commercial building would only require the variance in the northerly portion of the building, which is proposed at four storeys. The southerly portion is proposed to be three storeys in height, and is well within the maximum height requirement. The height difference of the building also provides an appealing transition and structural articulation that further increases its aesthetic value. It is staff’s opinion that the proposed building is able to maintain the objective of the ‘Business Park’ designation with a built form that is appropriate considering the surrounding context and will also help contribute to local job creation and employment growth within the Town.

As per Official Plan policy, limited retail sales and service commercial uses may be permitted as part of an office building subject to conditions: the retail sales or service commercial use shall be designed as an integral part of and located internal to the office building; primary access shall be provided from the interior lobby of the building. The

proposed Clinic use is proposed to occupy an internal unit, and would be designed to have access from the interior lobby and form an essential part of the proposed building, thus able to meet with Official Plan policy requirement. Further, the clinic use would supplement the other proposed uses, and would allow the daily needs of employees in the area to be satisfied.

The proposed variances will facilitate the development of an appropriately scaled, mixed-use building and provide employment opportunities on designated employment lands. As such, staff are of the opinion that the requested variances meet the general intent of the Official Plan.

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

The intent of the maximum height restriction is to restrict overbuilding and incompatibility to assist in achieving a uniform, aesthetically pleasing streetscape. The requested height relief is not significant and is only applicable on the north side of the proposed building. The built form remains at 4-storey and the slight increase in height is not expected to result in incompatible built form or character with existing or future surrounding buildings. The character of the surrounding business park environment is maintained with minimal visual impacts to adjacent properties as sufficient setbacks remain.

The proposed addition of 'Clinic' as a permitted use will serve to supplement the office use of the building and the overall business park. With access provided internally, the use is not anticipated to create any conflict with the business/professional office main use.

To address any traffic related concerns, the applicant also submitted an updated traffic brief prepared by T. Y. Lin International Canada Inc., dated March 1, 2023, which concluded that the overall trips generated by the added new use would be inconsequential, and the overall impact of the increase in site traffic to intersection and MTO ramp operations is expected to be minimal. As determined by Town transportation staff, the traffic brief provides sufficient evidence that the added clinic use is not anticipated to result in significant transportation related impacts on the development, nor there any negative impacts to the surrounding areas.

Staff are of the opinion that the requested variances meet the general intent of the Zoning By-law.

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

The proposed development aligns with the principles as set out in the Town's Bayview Northeast Area 2B Secondary Plan in that it provides for professional office use and supporting commercial uses to generate employment opportunities for local residents.

The built form of the proposed office building is compatible with the surrounding development context and it meets with all other requirements of the site-specific zoning except the height. Further, the increase in height will not negatively impact the appearance of the building or the surrounding area, and the use helps in generating local economic development and employment opportunities.

The added 'Clinic' use would support the main building's office function, as well as the other surrounding employment uses, and provided value added benefits to the community.

Staff are of the opinion that the requested variances are considered desirable for the appropriate development of the property.

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

In evaluating the impact and scale of the requested variances, they are considered to be minor in the overall context for the subject development and existing and future surrounding businesses. The increase in height will create negligible visual impact or other related design/massing concerns, while the added clinic use is not expected to generate any traffic related or land use incompatibility concerns. The functionality of the site will not be negatively affected by the proposed variances, while the proposed uses will help to further generate new local employment opportunities to benefit the economy.

Staff are of the opinion that the requested variances are 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 on February 22, 2023 to confirm the variances required for the proposed development.
Engineering Division (Traffic/Transportation)	Comments provided stating no concerns with proposed variance application (dated March 2, 2023)
Operational Services (Parks)	Comments provided stating no comments/concerns with proposed application (dated February 13, 2023)

Department or Agency	Comments
Operational Services (Public Works)	No comments received at the time of writing this report.
Central York Fire Services	Comments provided stating no comments/concerns with proposed application (dated February 9, 2023)
York Region	Comments provided stating no comments/concerns with proposed application (dated February 17, 2023)
LSRCA	No comments received at the time of writing this report.
Alectra	No concerns with the proposed minor variance (dated February 9, 2023)
Accessibility	No concerns with the proposed minor variance (dated February 27, 2023)

## 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 are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Cover Letter



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

The following conditions are required to be satisfied should application MV-2023-08 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in substantial 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.





Key Plan

No.	Date	Description	By
01	FEB 08/22	REVIEW AND COMMENT	J.M.
02	MAR 09/22	OWNER REVIEW	J.M.
03	MAR 09/22	OWNER REVIEW	J.M.
04	JUN 06/22	OWNER REVIEW	J.M.
05	JUL 14/22	OWNER REVIEW	J.M.
06	SEP 08/22	REVIEW AND COMMENT	J.M.
07	OCT 13/22	COORDINATION	J.M.
08	NOV 07/22	SITE PLAN APPLICATION	J.M.
09	DEC 06/22	SITE PLAN APPLICATION	J.M.

ONTARIO BUILDING CODE DATA

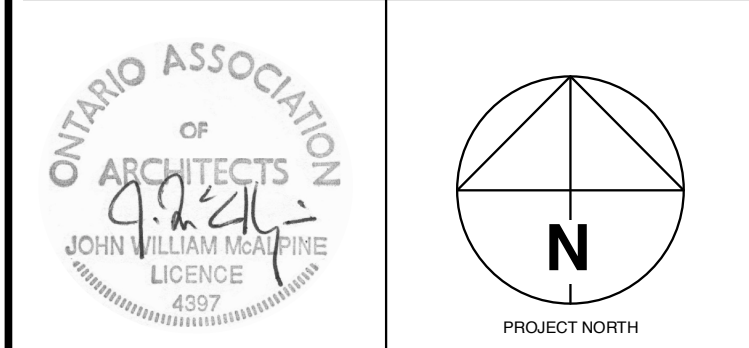
PROJECT:  
HOWLAND GREEN WELLINGTON EAST  
LOCATION:  
1632 WELLINGTON STREET (SMART CENTRE)  
AURORA, ONTARIO

1	PROJECT DESCRIPTION: NEW OFFICE BUILDING BUILDING HEIGHT = 15.60 M (4 STOREYS)	DIV. B PART 3
2	MAJOR OCCUPANCY: BUSINESS & PERSONAL SERVICES - GROUP D	B 3.1.2.1(1)
3	BUILDING AREA: EXISTING (G.O.) + NEW (2,260.20) = TOTAL 2,260.20 SQ.M.	A 1.4.1.2
4	GROSS AREA: EXISTING (G.O.) + NEW (7,965.98) = TOTAL 7,965.98 SQ.M.	A 1.4.1.2
5	NUMBER OF STOREYS: ABOVE GRADE = 4 STOREYS, BELOW GRADE = 2 STOREYS	B 3.2.2.1.1 & A 1.4.1.2
6	NUMBER OF STREETS / FIRE FIGHTER ACCESS: FACING 1 STREET	B 3.2.2.10 & B 3.2.5
7	BUILDING CLASSIFICATION: 3.2.2.30, GROUP D, UP TO 4 STOREYS, SPRINKLERED	B 3.2.2.20 - B 3.2.2.83
8	SPRINKLER SYSTEM PROPOSED: FULLY SPRINKLERED	B 3.2.2.43 & B 3.2.1.5
9	STANDPIPE REQUIRED: YES	B 3.2.9
10	FIRE ALARM REQUIRED: YES	B 3.2.4
11	WATER SERVICE / SUPPLY IS ADEQUATE: YES	B 3.2.5.7
12	HIGH BUILDING: NO	B 3.2.6
13	PERMITTED CONSTRUCTION: COMBUSTIBLE OR NON-COMBUSTIBLE ACTUAL CONSTRUCTION: NON-COMBUSTIBLE MINOR COMB. COMPONENTS)	B 3.2.2.20 - B 3.2.2.83
14	MEZZANINE AREA(S): TOTAL = 0 SQ.M.	B 3.2.1.1(3) - B 3.2.1.1(8)
15	OCCUPANT LOAD: BASEMENT 2 (F3): 3,518 M2 / 46 = 77 PERSONS BASEMENT 1 (F3): 3,704 M2 / 46 = 81 PERSONS GROUND FLOOR (D): 2,008 M2 / 9.3 = 200 PERSONS SECOND FLOOR (D): 2,033 M2 / 9.3 = 211 PERSONS THIRD FLOOR (D): 2,033 M2 / 9.3 = 211 PERSONS FOURTH FLOOR (D): 1,158 M2 / 9.3 = 129 PERSONS TOTAL = 949 PERSONS	B 3.1.17
16	BARRIER FREE DESIGN: YES	B 3.8
17	HAZARDOUS SUBSTANCES: NO	B 3.3.1.2 & B 3.3.1.19
18	REQUIRED FIRE-RESISTANCE RATINGS: GROUND FLOOR ASSEMBLY FRR = 1.5 HR. (3.3.5.6) FLOOR ASSEMBLIES FRR = 1 HR. ROOF ASSEMBLIES FRR = 0 HR. MEZZANINE ASSEMBLIES FRR = 1 HR. GROUND FLOOR SUPPORTING MEMBERS FRR = 1.5 HR. FLOOR SUPPORTING MEMBERS FRR = 1 HR. ROOF SUPPORTING MEMBERS FRR = 0 HR. MEZZANINE SUPPORTING MEMBERS FRR = 1 HR.	B 3.2.2.43 & B 3.2.1.4
19	SPATIAL SEPARATION / EXTERIOR WALL CONSTRUCTION: NORTH ELEVATION: (REFER TO DRAWING A201) AREA OF EBF = 1603.50 SQ.M. LIMITING DISTANCE = 18.245 M. O.B.C. TABLE 3.2.3.1.D PERMITTED MAX. % OPENINGS = 100% PROPOSED % OPENINGS = N/A FIRE RESISTANCE RATING = 0 HR. CONSTRUCTION: COMBUSTIBLE OR NON-COMBUSTIBLE CLADDING: COMBUSTIBLE OR NON-COMBUSTIBLE SOUTH ELEVATION: (REFER TO DRAWING A201) AREA OF EBF = 1603.50 SQ.M. LIMITING DISTANCE = 10.960 M. O.B.C. TABLE 3.2.3.1.D PERMITTED MAX. % OPENINGS = 100% PROPOSED % OPENINGS = N/A FIRE RESISTANCE RATING = 0 HR. CONSTRUCTION: COMBUSTIBLE OR NON-COMBUSTIBLE CLADDING: COMBUSTIBLE OR NON-COMBUSTIBLE EAST ELEVATION: (REFER TO DRAWING A202) AREA OF EBF = 326.30 SQ.M. LIMITING DISTANCE = 11.250 M. O.B.C. TABLE 3.2.3.1.D PERMITTED MAX. % OPENINGS = 100% PROPOSED % OPENINGS = N/A FIRE RESISTANCE RATING = 0 HR. CONSTRUCTION: COMBUSTIBLE OR NON-COMBUSTIBLE CLADDING: COMBUSTIBLE OR NON-COMBUSTIBLE WEST ELEVATION: (REFER TO DRAWING A202) AREA OF EBF = 326.30 SQ.M. LIMITING DISTANCE = 11.880 M. O.B.C. TABLE 3.2.3.1.D PERMITTED MAX. % OPENINGS = 100% PROPOSED % OPENINGS = N/A FIRE RESISTANCE RATING = 0 HR. CONSTRUCTION: COMBUSTIBLE OR NON-COMBUSTIBLE CLADDING: COMBUSTIBLE OR NON-COMBUSTIBLE	B 3.2.3.

01	N/A	N/A	J.M.
Rev.	Date	Description	By

ARCHITECT'S INSTRUCTIONS:  
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Keith Loffler midcapine architects  
100 King Street West, Suite 1000, Toronto, Ontario M5X 1C5  
Tel: 416-593-1111 Fax: 416-593-1112



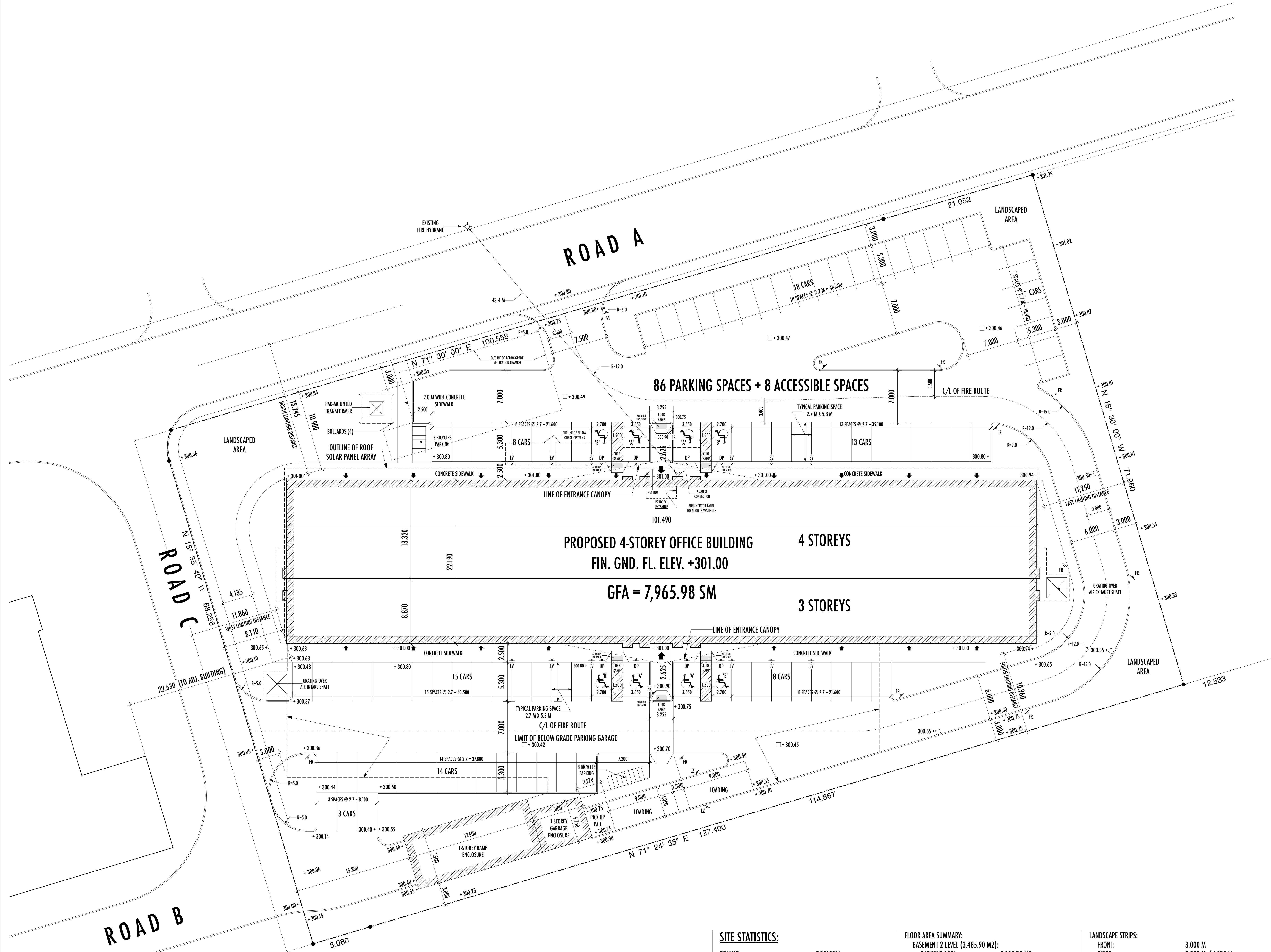
SITE PLAN APPLICATION	
Date: DECEMBER 06, 2022	Scale: 1 : 200
Drawn: 2204	Checked: J.M.
Designed: J.M.	Reviewed: J.M.

Howland Green  
Wellington East

1623 Wellington St. East, Aurora, Ontario  
OWNER: Howland Green Homes Ltd., 905 946 1444

Architectural Site Plan

Drawing Title  
A001



SITE STATISTICS:

ZONING:	E-BP(531)
LOT FRONTAGE:	121.61 M
SITE AREA:	8,862 M2 (0.89 HA)
BUILDING SETBACKS:	
FRONT:	10.900 M
SIDES:	8.140 M / 11.250 M
REAR:	10.960 M / 3.000 M
BUILDING COVERAGE:	2,384 M2 (27%)
BUILDING HEIGHT:	15.60 M
NO. OF STOREYS:	4 STOREYS
GROSS FLOOR AREA:	
GROUND FLOOR:	2,325.29 M2
SECOND FLOOR:	2,180.22 M2
THIRD FLOOR:	2,180.22 M2
FOURTH FLOOR:	1,280.25 M2
TOTAL GROSS FLOOR AREA:	7,965.98 M2
FLOOR AREA RATIO:	0.90

FLOOR AREA SUMMARY:

BASEMENT 2 LEVEL (3,485.90 M2):	
PARKING AREA:	3,155.75 M2
STORAGE AREA:	330.15 M2
BASEMENT 1 LEVEL (3,724.23 M2):	
PARKING AREA:	3,266.73 M2
BICYCLE STORAGE:	74.48 M2
STORAGE AREA:	383.02 M2
GROUND FLOOR (2,325.29 M2):	
OFFICE:	2,153.79 M2
PARKING GARAGE:	131.25 M2
GARAGE/RECYCLING:	40.25 M2
SECOND FLOOR (2,180.22 M2):	
OFFICE:	2,180.22 M2
THIRD FLOOR (2,180.22 M2):	
OFFICE:	2,180.22 M2
FOURTH FLOOR (1,280.25 M2):	
OFFICE:	1,280.25 M2
TOTAL NO. OF OFFICE SUITES:	59 SUITES
SIZES OF OFFICE SUITES:	80.27 M2 TO 204.59 M2

LANDSCAPE STRIPS:

FRONT:	3,000 M
SIDES:	3,000 M / 4,135 M
REAR:	3,000 M
TOTAL LANDSCAPE AREA:	2,742 M2 (30.94 %)
PARKING REQUIRED:	
7,965.98 M2 @ 3.5 PER 100 M2	279 SPACES
PLUS 8 DISABLED SPACES	287 SPACES TOTAL
PARKING PROVIDED:	
SURFACE:	
PARKING SPACES:	86 SPACES
DISABLED SPACES:	8 SPACES
BASEMENT 1:	
PARKING SPACES:	85 SPACES
DISABLED SPACES:	2 SPACES
BASEMENT 2:	
PARKING SPACES:	83 SPACES
DISABLED SPACES:	2 SPACES
TOTAL PARKING PROVIDED:	266 SPACES TOTAL
LOADING SPACES:	2 SPACES

LEGEND:

	NO PARKING - FIRE ROUTE SIGN
	DISABLED "BY PERMIT ONLY" SIGN
	NO PARKING - LOADING ZONE SIGN
	STOP SIGN
	ELECTRIC VEHICLE CHARGING STATION

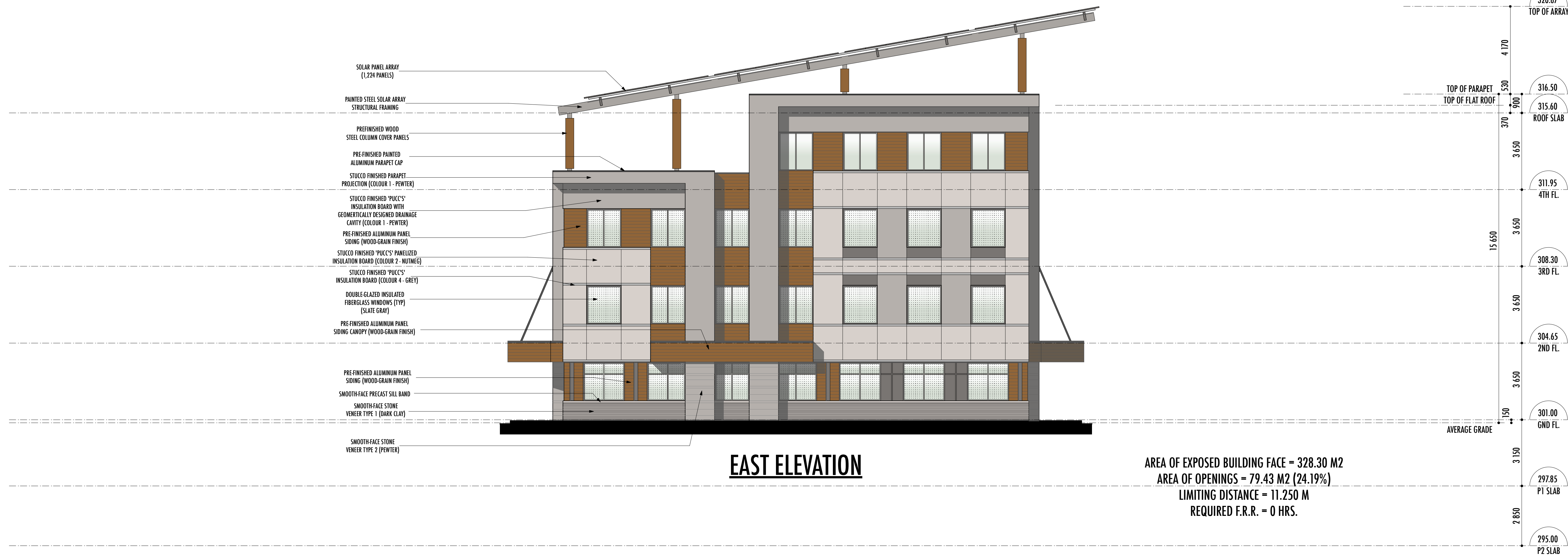
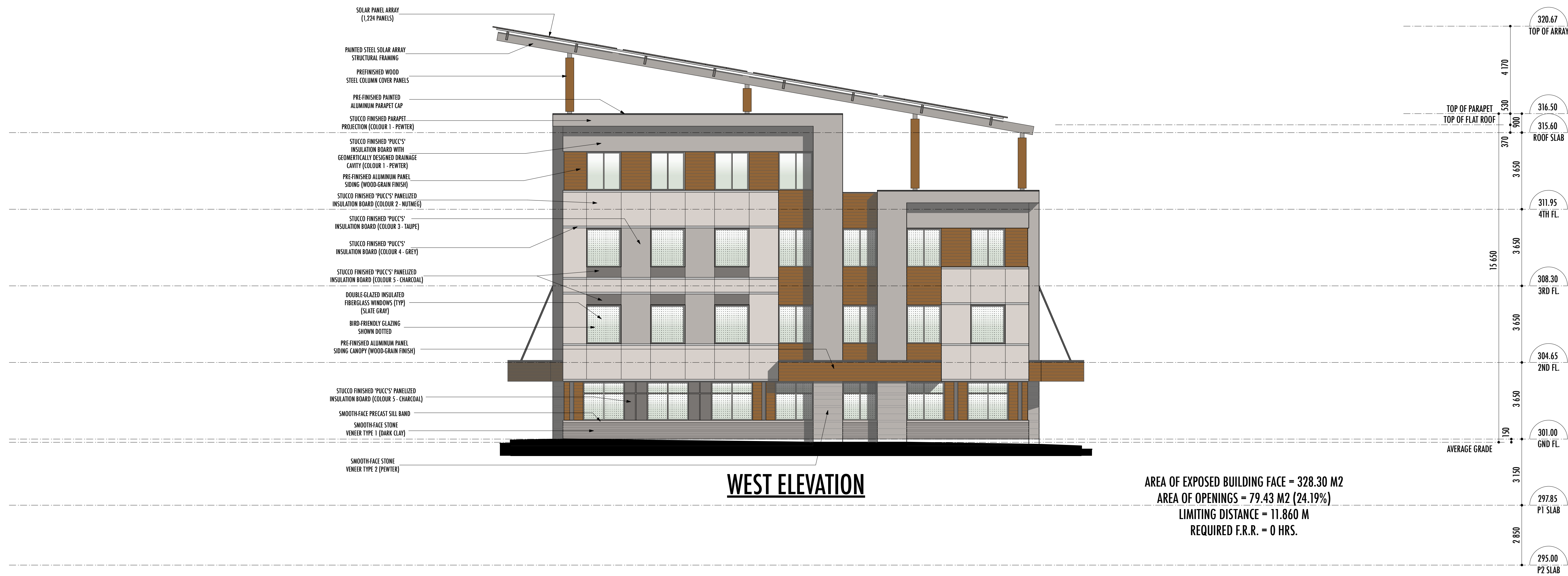








Key Plan			
No.	Date	Description	By
01	JUN 06/22	REVIEW AND COMMENT	J.M.
02	SEP 06/22	REVIEW AND COMMENT	J.M.
03	OCT 31/22	REVIEW AND COMMENT	J.M.
04	DEC 06/22	SITE PLAN APPLICATION	J.M.



01	N/A	N/A	J.M.
No.	Date	Description	By

**ARCHITECT'S INSTRUCTIONS:**

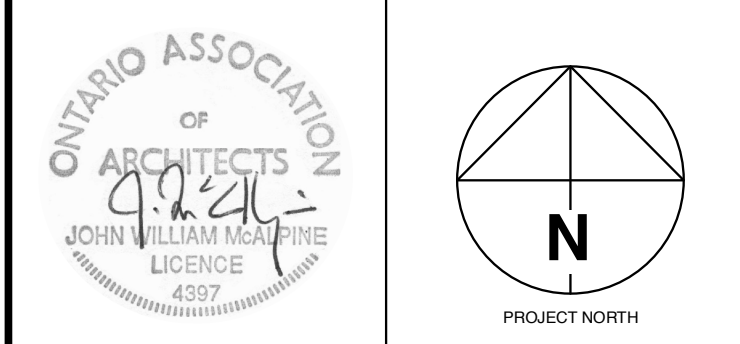
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keith lotter midcapine architects



SITE PLAN APPLICATION			
Sheet No.	DECEMBER 06, 2022	Scale	1 : 100
Project No.	2204	Drawn By	J.M.
		Checked By	J.M.

**Howland Green Wellington East**

1823 Wellington St. East, Aurora, Ontario

OWNER: Howland Green Homes Ltd., 905 946 1444

**East & West Building Elevations**



January 31, 2023

Committee of Adjustment  
Town of Aurora  
Planning and Development Services  
100 John West Way, Box 1000  
Aurora, Ontario  
L4G 6J1

Attn: Mr. Peter Fan, Committee of Adjustment – Secretary Treasurer

**Re: Minor Variance Application**  
**PART LOT 20 CONCESSION 3 WHITCHURCH, Designated as PARTS 1, 2 & 3, PLAN**  
**65R40023; TOWN OF AURORA**  
**Howland Green Wellington East Ltd.**

Evans Planning acts on behalf of Howland Green Wellington East Ltd., the 'Owner' of a portion of the property municipally known as 1623 Wellington Street East, and legally described as 'Part of Lot 20, Concession 3 (Geographic Township of Whitchurch), Designated as PARTS 1,2 and 3, PLAN 65R40023, Town of Aurora' (the 'subject property'). The subject property is located south of Wellington Street East, and west of Highway 404, and have previously been subject to planning approvals to permit the creation of a master planned, mixed-use development, including an automotive dealership and self storage facility which are presently under construction. Additional parcels within the master plan area have yet to be developed.

A Site Plan Control application was provided to the Town in December 2022, and was deemed complete as Town File SP-2022-14 on January 16, 2023. The proposed development consists of a four-storey office/commercial building, containing approximately 7,956.98 square metres (+/-85,745 square feet) of gross floor area. A parking supply of 266 spaces is to be provided, consisting of 94 spaces at grade, and 172 spaces in a two-level underground parking structure. The proposed development is to have an intensive suite of sustainability measures with the intent being to achieve a building that is beyond net-zero in terms of carbon emissions.

On behalf of our client, we herewith submit for the Committee of Adjustment's consideration applications for Minor Variance approval.

#### **Required Variances:**

Within the Town of Aurora Zoning By-law 6000-17, the property identified as being within the Employment – Business Park (E-BP) Zone, subject to exception number 531. Based on the intended building design and use, it has been determined the relief is required from the following provisions of the By-law:





- **Section 10.1 Uses Permitted:** A 'Clinic' is not permitted in the E-BP Zone
- **Section 10.2 Zone Requirements:** A maximum height of 13.5 metres is permitted, whereas the proposed development is seeking permission to allow buildings up to 16.0 metres in height.

#### **Four Tests of the Planning Act:**

Under Section 45(1) of the *Planning Act* there are four tests that a minor variance application must satisfy. The following provides a summary of how each test is met for the proposed variances:

#### **Is it in keeping with the general intent and purpose of the Official Plan?:**

The subject property is identified as being in the *Business Park* land use designation within the Town of Aurora Official Plan, and subject to Official Plan Amendment No. 30, being the Bayview Northeast Area 2B Secondary Plan (OPA 30). The *Business Park* designation permits an integrated mix of employment activities and businesses, including business and professional offices. Buildings within the *Business Park* designation shall generally be of a low to mid-rise built form, generally not exceeding four storeys in height, as is proposed. The proposed increased building height is intended to provide for a more modern office environment, while allowing greater flexibility with respect to interior renovations and fit-up, and allowing beyond net-zero building elements to be incorporated.

The proposed 'Clinic' use is also in keeping with the general intent of OPA 30, as it would supplement the other permitted uses, and would allow the daily needs of employees in the area to be satisfied without the need to travel to another location. Further, the proposed use would occupy an internal unit, and would be designed to have access from the interior lobby and form an essential part of the proposed building, thus would not be noticeable from the public.

The proposed height and additional use are in keeping with the general intent and purpose of the Official Plan.

#### **Is it in keeping with the general intent and purpose of the Zoning By-law?:**

The subject property is within the E-BP(531) by By-law 6000-17. The height maximum within the E-BP zone is 13.5 metres, whereas the proposed height for the office building is 15.6 metres. For construction tolerance, relief to permit up to 16.0 metres is proposed. The additional 2.5 metre increase proposed is numerically modest, and will not result in any incompatibility with the existing or future surrounding buildings as sufficient setbacks are provided to the property lines. The remaining zone requirements will maintain consistent development patterns with the surrounding area.

The proposed addition of a 'Clinic' use will supplement the other uses already permitted in the E-BP Zone. It is noted that a 'Clinic' is permitted within other Employment Zones. Given the character of the area, having a variety of uses, and servicing as a Regional Shopping destination, it is our opinion that the addition of this use will help to further supplement the number of commercial and service amenities that visitors to the area may utilize in a single trip.



Given that the proposed height increase is numerically modest and as the use is compatible with those already permitted within the E-BP Zone category, the proposal is in keeping with the intent and purpose of the By-law.

**Is it desirable for the appropriate development or use of the land, building or structure?**

The increased height proposed will allow for more modern interior fit-up, and greater flexibility for those occupiers of the proposed building, thus allowing more businesses to operation in a Regional commercial node, while supporting the function of the other retail and commercial uses in the area.

The additional 'Clinic' use would support the office building function, as well as the other surrounding Employment uses. Other clinic uses can be found in proximity, displaying the desire for such uses within the Employment zone. An additional clinic use would add to the mix of uses available to residents, improving the functionality of the commercial node.

**Is the variance minor in nature?**

The requested increase in height is numerically modest and will not have an impact on the surrounding area. The additional 'clinic' use is already permitted in other Employment zones, would be compatible with the other uses already permitted on the subject property within the E-BP Zone. It is expected that the building will integrate with the existing community fabric and will not set an undesirable precedent. It is reasonable to conclude that as all other By-law zone requirements are met and remain consistent with adjacent development, the resulting height increase and additional use will not negatively impact the surrounding neighbourhood. The form of relief requested through the proposed variances is modest, and would not require another form of relief such as through a Zoning By-law Amendment.

**Supporting Materials**

To assist Committee Staff with their review of this application, we respectfully submit the following materials in digital format:

- A completed Minor Variance Application Form
- A cheque as payment of the required application fees
- An Architectural Package, prepared by Keith Loffler McAlpine Architects  
A Topographic Survey, prepared by Speight, Van Nostrand, and Gibson Ltd.
- A Reference Plan, prepared by Holding Jones Vanderveen Inc.

I trust that the enclosed information is sufficient for your review of these revised applications. Should you require any additional materials please contact the undersigned at your earliest convenience.

Yours truly,

Adam Layton, RPP, MCIP

cc. Howland Green Wellington East Ltd.



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2022-48

---

**Subject:** Minor Variance Application  
Yu  
15032 Yonge Street  
PLAN 39 PT LOTS 39 AND 40  
File: MV-2022-48

**Prepared by:** Kenny Ng, Planner

**Department:** Planning and Development Services

**Date:** March 9, 2023

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## Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the conversion of an existing office use into commercial retail space. The first floor is proposed to be converted into a small pharmacy and general retail space, and the upper level is proposed to be converted to a health and wellness centre. A conceptual site plan is attached as Appendix 'B' to this report for further reference.

## Proposed Variance

The following relief is being requested:

- a) Section 5.4 of the Zoning By-law 6000-17 requires 10 parking spaces for the 1st floor use and 7 parking spaces for the 2nd floor use for a total of 17 required parking spaces. The applicant is proposing 13 parking spaces, thereby requiring a variance of 4 spaces.

## Background

### Subject Property and Area Context

The subject lands are municipally known as 15032 Yonge Street and are located on the west side of Yonge Street, just north of Kennedy Street West. The subject lands have an



approximate lot area of 1,221.2 square metres (13,145.4 square feet), and an approximate lot frontage of 30.42 metres (99.8 feet) onto Yonge Street. The subject lands currently contain a two-storey structure, and ample vegetation. Access to the property is provided through the rear, from Kennedy Street West.

### **Surrounding Land Uses**

The surrounding land uses for the subject property are as follows:

**North and South:** Residential neighbourhoods, with a mix of commercial uses fronting along portions of Yonge Street

**East:** Mix of commercial uses fronting along Yonge Street, the Chartwell Park Place Retirement Residence, and then additional residential neighbourhoods further east

**West:** Residential neighbourhood area

### **Official Plan**

The subject lands are designated 'The Aurora Promenade' by the Town of Aurora Official Plan and are further designated 'Downtown Shoulder' in the Aurora Promenade Secondary Plan Area.

The purpose of the 'Downtown Shoulder' designation is to help promote a vibrant, mixed-use and pedestrian oriented area. Specialty shops, retail, offices and restaurants are all encouraged, as well as the introduction of more residential uses, to promote the development of complete community areas with access to services and amenities.

### **Zoning**

The subject lands are zoned 'Promenade Downtown Shoulder Special Mixed Density Residential - PDS4(354)' by Zoning By-law 6000-17, as amended. The proposed commercial/retail and wellness centre use are permitted.

### **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, *"We are proposing 13 parking spaces whereas the bylaw requires 10 parking spaces for the 1<sup>st</sup> floor use and 7 parking spaces for the 2<sup>nd</sup> floor use for a total of 17 required parking spaces."*

## Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2022-48 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 'Downtown Shoulder' Designation permits small-scale retail and service commercial uses, and policies also further encourage these uses to be located at grade on lands with frontage along Yonge Street. The proposed variance will support an at-grade commercial/retail development facing Yonge Street, which will provide residents with convenient access to a local retail amenity. This in turn will also contribute directly to local economic vitality as well as community health and wellness, given the nature of the pharmacy and health centre uses.

Official Plan policies also restrict the locations of parking lots by permitting them within the rear yard and/or interior side yard only, as this property has done. It is therefore not recommended to further expand the existing parking area towards Yonge Street, as this will impact the streetscape and pedestrian mobility. Despite the deficiency in parking spaces, it is not expected to generate any significant impacts to the functionality of the subject site, particularly since the property is accessible by public transit, is part of a Regional Corridor, and as part of the Aurora Promenade is planned long-term as a pedestrian oriented mixed use centre. In considering the context of Official Plan policies, the variance requested is not anticipated to have any negative impacts or non-conformities.

Staff are of the opinion that the requested variance meets the general intent of the Official Plan.

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

The general intent of the parking space requirement is to ensure that sufficient parking spaces are provided to meet the needs of the proposed facilities and that vehicle spillover will not occur for overcrowding the subject site.

The applicant submitted a Parking Justification Study prepared by CGE Transportation Consulting, dated January 23, 2023, which concluded that the proposed parking spaces are adequate. This review was performed based on a review of adjacent road area network, proxy surveys undertaken at other comparable properties and assessment of non-auto mode of transportation. Based on the findings of this study, the proposed vehicle parking supply for the development is expected to adequately accommodate peak parking demand at the site. As determined by Town transportation staff, the letter provides sufficient evidence that the reduction in parking spaces is not anticipated to

result in negative impacts on the development and the operation of the proposed uses, nor will there be any negative impacts to the surrounding areas.

Furthermore, the development provides for the required barrier-free vehicle parking space. The surrounding area is also accessible by transit and is highly walkable, thus further reducing the need for parking spaces as part of the aforementioned Aurora Promenade mixed-use area.

Staff are of the opinion that the requested 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 proposed variance is considered desirable for the appropriate development of the land in the context of the site and the adjacent neighbourhood.

The parking study sufficiently demonstrates that the proposed spaces are satisfactory in accommodating the parking needs of the site and the proposed uses. The study has been reviewed by the Town's Traffic/Transportation analyst and no traffic related concerns have been raised. It is the opinion of staff that the reduced parking spaces are sufficient to accommodate the proposed commercial/retail and wellness centre uses.

Additionally, the introduction of these uses fulfills a community amenity need and helps contribute to the mixed use development and character of the Aurora Promenade area.

Staff are of the opinion that the requested variance is considered desirable for the appropriate development of the property.

**d) The proposed variance is considered minor in nature**

In considering the impact and scale of the requested variance, it is considered to be minor as the parking space shortfall is minimal and staff are of the opinion that the proposed spaces are able to sufficiently meet the future site needs as demonstrated in the parking study. The site is also located in close proximity with the Aurora Downtown core, which leads to the possibilities for alternative, non-automobile oriented transportation to access the site. The functionality of the site will not be negatively affected by the proposed variance, while circulation, ease of access, safety and screening are upheld.

Staff are of the opinion that the requested variance is 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 on November 08, 2022 to confirm the variance required for the proposed development.
Engineering Division (Traffic/Transportation)	Comments provided stating no objection with proposed variance application (dated February 21, 2023)
Operational Services (Parks)	Comments provided stating, "The application does not reference impact to existing trees, however there are trees situated on the subject property/adjacent property that may require protection due to potential impacts related to excavation or construction." (dated February 13, 2023)  See Appendix 'A' for parks recommended conditions of approval.
Operational Services (Public Works)	Comments provided stating no comments/concerns with proposed application (dated February 10, 2023)
Central York Fire Services	Comments provided stating no comments/concerns with proposed application (dated February 9, 2023)
York Region	Comments provided stating no comments/concerns with proposed application (dated February 15, 2023)
LSRCA	No comments received at the time of writing this report.
Alectra	No concerns with the proposed minor variance (dated February 9, 2023)
Heritage	Property is individually designated under Part IV of the Ontario Heritage Act (By-law 4845-06.R). Should any exterior work be done impacting the heritage

Department or Agency	Comments
	features of the structure as listed in the designating by-law, a heritage permit will be required, which will be reviewed as part of any subsequent building permit review process (dated February 9, 2023)

## 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 are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## 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-2022-48 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in substantial 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 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. and,
3. 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. and,
4. 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. and,
5. 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, and,
6. That the Owner shall enter into a Letter of Undertaking including conditions 2 to 5 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,  
and,

7. That the Owner shall obtain any necessary heritage permit approval or clearance as required.





TOWN OF AURORA  
PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION  
PERMIT NO.: PR202221025 DATE: Nov. 8, 2022  
APPROVED BY: *Bill Jean*  
PRELIMINARY ZONING REVIEW

ZONING BY-LAW

ZONING INFORMATION FOR 15032 YONGE STREET BY-LAW 6000-17			
	(sq. m)	(sq. ft)	
ZONING: RS-2			
MINIMUM FLOOR AREA:	130.0	1400.0	
ALLOWABLE COVERAGE: 35%	427.4	4600.8	
ALLOWABLE FSI: N/A	N/A	N/A	
EXISTING LOT AREA:	1221.2	13145.4	
EXISTING GROUND FLOOR:	960.7	10378.8	
EXISTING SECOND FLOOR:	171.1	1841.3	
EXISTING TOTAL GFA:	462.7	5000.0	
EXISTING DECK (FRONT & REAR):	14.8	158.9	
EXISTING FSI: 0.40	507.4	5461.9	
EXISTING TOTAL COVERAGE: 14.6%	177.8	1914.1	
PROPOSED GROUND FLOOR:	172.7	1859.4	
PROPOSED SECOND FLOOR:	186.3	2026.0	
PROPOSED TOTAL GFA:	359.0	3884.5	
PROPOSED DECK (WITH RAMP):	359.0	3884.5	
PROPOSED FSI: 0.3	172.7	1859.4	
PROPOSED TOTAL COVERAGE: 14.1%			

SETBACKS	ALLOWABLE		EXISTING		PROPOSED	
	(m)	(ft)	(m)	(ft)	(m)	(ft)
FRONT:	0.0	19.7	8.5	27.9	8.5	27.9
REAR:	7.5	24.6	13.7	45.0	13.2	43.3
SIDE (INTERIOR):	1.5	4.9	12.1	39.7	12.1	39.7
SIDE (EXTERIOR):	6	19.68	4.8	16.1	4.8	16.1
BUILDING HEIGHT:	10.0	32.8	9.6	31.5	9.6	31.5
BUILDING LENGTH:	-	-	-	-	-	-
LOT FRONTAGE:	-	-	-	-	-	-
PARKING:	20 REQUIRED		17 PROVIDED		14 PROVIDED	
20 SPACE IN REAR YARD	INCLUDING 1 BARRIER-FREE		INCLUDING 1 BARRIER-FREE		INCLUDING 1 BARRIER-FREE	

FLOOR AREA AND OCCUPATIONS

Name	Level	Area	Area (SQM)
GROUND FLOOR AREA	GROUND FLOOR	1834.32 SF	170.41 m <sup>2</sup>
SECOND FLOOR AREA	SECOND FLOOR	1934.52 SF	179.72 m <sup>2</sup>
Grand total: 2		3768.83 SF	350.14 m <sup>2</sup>

PARKING CALCULATION:

GROUND FLOOR (PHARMACY/RETAIL): 170.41 M2 (6 PARKING PER 100 M2). = 6 x 2 = 12 SPACES  
SECOND FLOOR (HEALTH AND WELLNESS CENTRE): 179.72 M2 (4 PARKING PER 100 M2) = 4 x 2 = 8 SPACES  
TOTAL REQUIRED PARKING SPOTS= 20  
TOTAL PROVIDED PARKING SPOTS= 14 INCLUDING 1 BARRIER FREE

PROJECT  
15032 YONGE ST AURORA, ON  
L4G 2L4

CLIENT  
**Owner**



No.	Description	Date
12	Revision 12	2022-01-21
02	ISSUED FOR ZONING	2022/08/30
01	ISSUED FOR REVISION FOR BP	2020/10/23

Discrepancies must be reported immediately to the Architect before proceeding. Only figured dimensions are to be used. Contractors must check all dimensions on site. This drawing is protected by copyright.

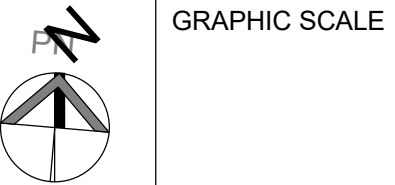
ALL DIMENSIONS ARE SHOWN IN IMPERIAL & METRIC.

CONSULTANTS

TORONTO - CANADA 416.546.2040 info@qbsarchitects.com

DRAWING TITLE  
**SITE PLAN**

DRAWN CL	CHECKED SA
SCALE @ ARCH D 1/8" : 1' 0"	DATE 2017-04-18



PROJECT NO.  
160112

STAGE  
**ZO**

DRAWING NO.  
**A0-001**

LOCATION  
AURORA

REVISION  
02

1 SITE PLAN  
1/8" = 1'-0"



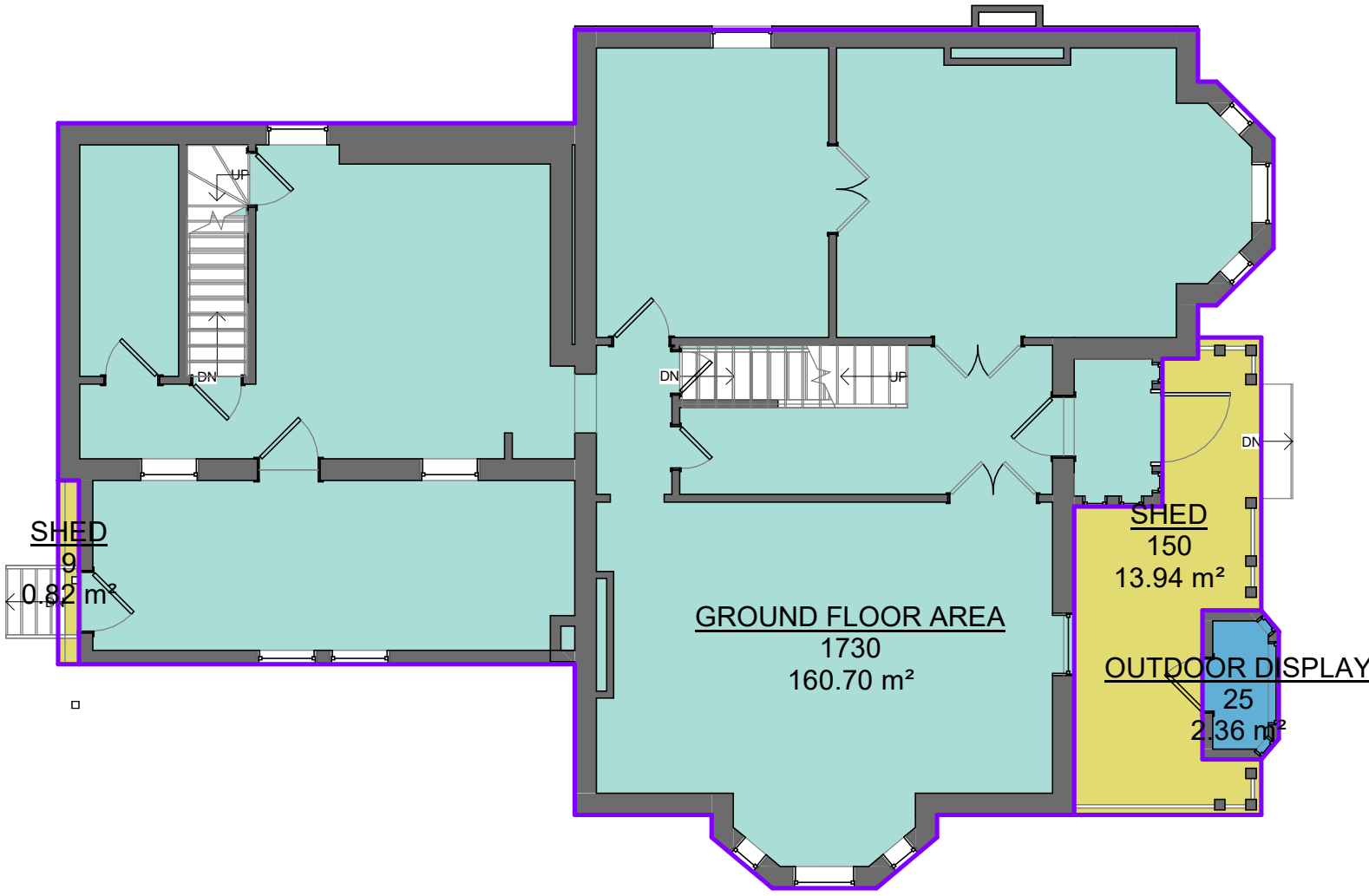
02



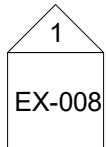
Area Schedule (Gross Building)		
Level	Area	AREA (SM)
GROUND FLOOR	1729.81 SF	160.70 m²
SECOND FLOOR	1841.28 SF	171.06 m²
	3571.09 SF	331.76 m²

Building Area Legend

- GROUND FLOOR AREA
- OUTDOOR DISPLAY
- SHED



1 GROUND FLOOR-EXISTING  
1/8" = 1'-0"



Building Area Legend

- SECOND FLOOR AREA



2 SECOND FLOOR-EXISTING  
1/8" = 1'-0"

PROJECT  
**15032 YONGE ST AURORA, ON  
L4G 2L4**

CLIENT  
**Owner**



REVISIONS		
No.	Description	Date
02	ISSUED FOR ZONING	2022/08/30
01	ISSUED FOR REVISION FOR BP	2020/10/23

Discrepancies must be reported immediately to the Architect before proceeding. Only figured dimensions are to be used. Contractors must check all dimensions on site. This drawing is protected by copyright.

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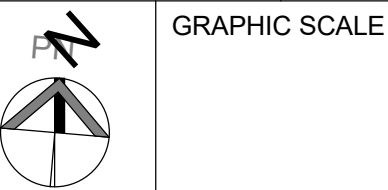
CONSULTANTS



TORONTO - CANADA 416.546.2040 info@qbsarchitects.com

DRAWING TITLE  
**EXISTING AREA PLANS**

DRAWN DS	CHECKED SA
SCALE @ ARCH D	DATE 10/20/22



PROJECT NO. 160112

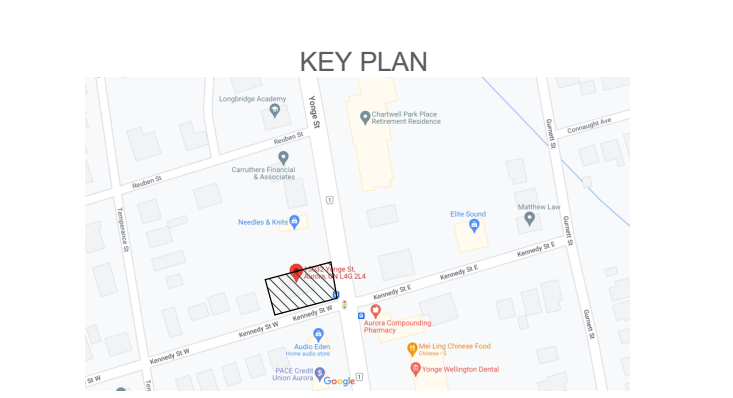
STAGE <b>ZO</b>	DRAWING NO. <b>A0-004</b>
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LOCATION AURORA	REVISION 02
--------------------	----------------

Area Schedule (Gross Building - Proposed)		
Level	Area	AREA SM
GROUND FLOOR	1834.00 SF	170.38 m <sup>2</sup>
SECOND FLOOR	2005.03 SF	186.27 m <sup>2</sup>
	3839.03 SF	356.66 m <sup>2</sup>

PROJECT  
**15032 YONGE ST AURORA, ON  
L4G 2L4**

CLIENT  
**Owner**



REVISIONS		
No.	Description	Date
12	Revision 12	2022-01-21
02	ISSUED FOR ZONING	2022/08/30
01	ISSUED FOR REVISION FOR BP	2020/10/23

Discrepancies must be reported immediately to the Architect before proceeding. Only figured dimensions are to be used. Contractors must check all dimensions on site. This drawing is protected by copyright.

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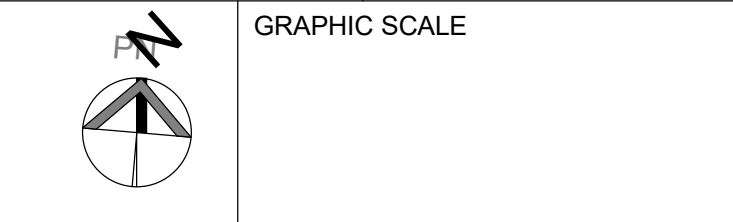
CONSULTANTS



TORONTO - CANADA 416.546.2040 info@qbsarchitects.com

DRAWING TITLE  
**AREA PLANS**

DRAWN CL	CHECKED SA
SCALE @ ARCH D 1/8" : 1' 0"	DATE 2022/08/30



PROJECT NO. 160112

STAGE <b>ZO</b>	DRAWING NO. <b>A0-005</b>
--------------------	------------------------------

LOCATION AURORA	REVISION 02
--------------------	----------------



**1** GROUND FLOOR  
1/8" = 1'-0"

Schema 1 Legend  
■ GROUND FLOOR AREA  
■ OUTDOOR DISPLAY AREA



**2** SECOND FLOOR  
1/8" = 1'-0"

Schema 1 Legend  
■ SECOND FLOOR AREA



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2022-50

---

**Subject:** Davidson  
24 Hunters Glen Road  
Lot 19, Registered Plan M70  
File: MV-2022-50

**Prepared by:** Adam Robb, MPL, MCIP, RPP, CAHP, Senior Planner

**Department:** Planning and Development Services

**Date:** March 9, 2023

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## Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the construction of a new single detached dwelling and swimming pool. A site plan for the proposal is included as Appendix 'B' to this report.

## Proposed Variances

The following relief is being requested:

- a) Section 14.1.2 (ii) of the Zoning By-law states that no development or site alteration shall occur on that portion of said lot that is within a natural heritage feature area, without relief from the Zoning By-law. The applicant is proposing to construct a new single detached dwelling and pool within a feature area.
- b) Section 14.1.3 (i) of the Zoning By-law states that no development or site alteration shall occur on that portion of said lot that contains a minimum vegetation protection zone, without relief from the Zoning By-law. The applicant is proposing to construct a single detached dwelling and pool within a woodland minimum vegetation protection zone.
- c) Section 14.4.1 (i) of the Zoning By-law states that the net developable area of the site that is disturbed shall not exceed 25% of the total site area within a Category 1 Landform Conservation Area. The applicant is proposing a disturbed area of 35.9%, thereby requiring a variance of 10.9%.

- d) Section 14.4.1 (ii) of the Zoning By-law states the net developable area of the site that is impervious shall not exceed 15% of the total site area within a Category 1 Landform Conservation Area. The applicant is proposing an impervious area of 19.3%, thereby requiring a variance of 4.3%.
- e) Section 7.2 of the Zoning By-law permits a maximum height of 10.0 metres. The applicant is proposing to construct a two-storey detached dwelling with a height of 11.2 metres, thereby requiring a variance of 1.2 metres.

## Background

### Subject Property and Area Context

The subject property, municipally known as 24 Hunters Glen Road, is part of an established estate residential subdivision generally located to the northeast of the intersection of Yonge Street and Bloomington Road. The subject lands are approximately 0.8 hectares in size (2 acres) with a lot frontage along the north side of Hunters Glen Road of approximately 85 metres. The property has a depth of over 100 metres and contains woodland areas, particularly along the north and eastern boundaries. Additional landscaped trees are also present along the western boundary, which separate the driveways of the subject property and the neighbour to the west.

Currently, the property contains a single detached estate dwelling with a built footprint of approximately 350 square metres. This existing dwelling is proposed to be replaced as part of the subject redevelopment of the site.

### Surrounding Land Uses

The surrounding land uses for the subject property are as follows:

**North:** Woodland area, and further north is the Beacon Hall Golf Club.

**South:** Estate Residential single detached dwellings.

**East:** Estate Residential single detached dwellings, with 22 Hunters Glen Road being the immediate property adjacent along the eastern lot boundary.

**West:** Estate Residential single detached dwellings, with 26 Hunters Glen Road being the immediate property adjacent along the western lot boundary.

## **Proposal**

The applicant is proposing to demolish the existing residential dwelling on the property and replace with a new, 2-storey single detached dwelling and swimming pool.

The proposed new dwelling has a lot coverage of approximately 600 square metres, with a pool located at the rear of the property to the north. The proposed dwelling complies with all the required Estate Residential zone setback requirements of the Town's Zoning By-law.

The proposed new dwelling features an extensive entry walkway complete with landscaping along the front and side yards. This entrance walkway is interlocked, with adjoining walkway paths generally navigating around the perimeter of the dwelling. Various staircases are also proposed along this path to account for changes in grade, particularly at the rear portions of the property. Existing access to the site is being maintained through the current driveway entrance at the road, but the driveway itself and garage is being relocated to the eastern side of the property, as shown in the attached Appendix 'B'. Various parking pads and automobile courts are also proposed through the driveway area, with the garage featuring a ramp for access.

Both neighbouring properties to the east and west are heavily screened by landscaping, including woodland area further to the east. Additional landscape screening also exists along the southern boundary closest to Hunters Glen Road.

## **Official Plan**

The subject lands are designated as "Estate Residential" and "Environmental Protection Area" in the Town of Aurora Official Plan (OPA 34). The majority of the property is considered "Estate Residential", with portions along the north /northeastern boundary being designated "Environmental Protection Area" due to the associated woodlands. Scheduled E1 of the Town's Official Plan delineates this Woodland area as well as the respective minimum vegetation protection zone, this being 30 metres.

## **Zoning**

The subject lands are zoned "Estate Residential (ER)" in the Town of Aurora Zoning By-law 6000-17. The ER zoned is characterized by large lots and setbacks as part of an extremely low density residential setting.

## **Related Planning Applications**

None.

## **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 reasons for not complying with the Zoning By-law**

As stated on the application form, "the sloped site makes it difficult to comply with the height, a unique garage ramp design makes it difficult to comply with the net developable/impervious area, and [all of] the site is designated as part of the Oak Ridges Moraine Settlement Area – there is no reasonable way to push the building out of this boundary".

## **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV-2022-50 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 intent of the "Estate Residential" designation is to ensure a low density residential setting is maintained, and the intent of the "Environmental Protection Area" designation is to protect local natural heritage features from adverse impact. The proposed application retains the low density single detached use and has sufficiently demonstrated that it can occur without resulting in negative impacts to local natural heritage features or systems.

An Environmental Impact Study (RiverStone Environmental Solutions, January 2023) was prepared in support of the application, which details additional mitigation measures that are to be implemented, which have been made a condition of approval. This study evaluated the proposed development and a radius of 120 metres around all limits of the development footprint to ensure appropriate consideration for natural heritage features and functions.

The study recognized that the existing dwelling is already located within the minimum vegetation protection zone, and that the existing woodland feature on the property represents regeneration following past clearance. No development is occurring within the portions of the property specifically designated as "Environmental Protection Area", as development is only proposed within the minimum vegetation protection zone and related buffered area, but this still triggers the required variances. As an edge of habitat

these areas are not dominated by non-native tree and groundcover species, and these edges do not provide important natural heritage functions. An additional Arborist Report was prepared and submitted alongside the application, which indicated there were no Butternut Trees on the subject property. The Environmental Impact Study specifically recommends planting 30 new trees in the southeastern portion of the property, as well as other mitigation measures such as tree protection fencing. Implementation of the recommendations of the Environmental Impact Study has been made a condition of minor variance approval, thus ensuring the development will result in no negative impacts on the natural heritage features.

The property and surrounding area are also located within a significant groundwater recharge area, and per the Lake Simcoe Protection Plan, will be required to provide a stormwater management report, phosphorus budget and water balance assessment prior to building permit issuance. The requirement for these studies and implementation of their recommendations has also been made a condition of approval of the subject variance application. Given the ability to implement low impact development strategies as part of the development, the proposal is not anticipated to generate disturbances significantly greater than what currently exists on site, but again requiring the aforementioned studies as a condition of approval provides further assurances of no potential negative impacts occurring.

The entire site and general larger area as part of OPA 34 is also considered Oak Ridges Moraine - Settlement Area. Being Settlement Area, the lands are intended to accommodate settlement area uses such as residential dwellings. The entire site, including the existing dwelling and surrounding neighbourhood are all also considered part of the Category 1 Landform Conservation Area. The submitted Environmental Impact Study evaluated the site and area for significant valleylands, with none being identified on the subject property or directly adjacent. The proposal is not considered to result in disturbances that will significantly impact the landform character of the property or surrounding area, with the proposed design actually accommodating for various slopes, changes in grade, and landform characteristics.

Overall, staff are of the opinion that the requested variances meet the general intent of the Official Plan, and again are further satisfied given the fact that no adverse natural heritage impacts are anticipated as provided through the accompanying Environmental Impact Study, and that additional conditions of approval have been developed to ensure no other negative impacts result from the proposal (as per the attached Appendix 'A').



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

The intent of the Estate Residential zone is to maintain a low density residential setting with large setbacks and lot areas. The subject proposal is requesting an increase in height specifically due to changes in grade that exist on the property. The view from the front elevation still represents a generally modest 2-storey residential dwelling, that would otherwise meet the required height provision, if not for the requirement to measure height based on average grade. The grade slopes at the rear of the property, and the increase in height will not result in any negative impacts to the streetscape or neighbouring properties, also due to the large setbacks and lot area that exist, as well as ample landscape screening.

Additionally, the impervious area calculation and requested variance is also a result of accommodating certain site constraints, such as slopes and grading concerns, which resulted in the need for staircases and garage ramps, for example. Additionally, the impervious area is complemented by new landscaping, and the total disturbed and impervious area represent minor increases that are not anticipated to result in negative impacts to the property or surrounding area. As mentioned, additional study requirements have also been made a condition of approval with any mitigation or implementation recommendations of these studies to also be implemented.

Similarly, the Zoning By-law provisions related to the natural heritage features, minimum vegetation protection zones, and the Category 1 Landform Conservation Area exist to ensure no negative impacts as a result of development. The proposal has demonstrated no negative impacts will arise, specifically with recommendations on mitigation to be implemented as per the submitted Environmental Impact Study and related conditions of approval.

Staff are of the opinion that the requested 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 proposed variances are considered desirable for the appropriate development of the land as they permit the redevelopment of a residential dwelling with no anticipated undue adverse impacts on local natural heritage features or systems, nor any negative impacts to the public realm or streetscape. The property is not part of the LSRCA Regulated Area, and appropriate conditions have been developed as per the attached Appendix 'A'. As an Estate Residential parcel with a large lot and setbacks, the property is an appropriate location for the new dwelling, and the redevelopment offers an

opportunity for mitigation and enhancement opportunities to be implemented on the site, including new tree planting.

Staff are of the opinion that the requested variances are considered desirable for the appropriate development of the property, and given the listed conditions under Appendix 'A', are satisfied with approval of the subject application.

**d) The proposed variance is considered minor in nature**

The proposed variances are minor in nature by being able to facilitate the replacement of an existing single detached dwelling that is already currently located in a minimum vegetation protection zone and within a Category 1 Landform Conservation Area. As an Estate Residential area with substantive landscape screening, visual and streetscape impacts of the proposed development are limited, and further, an evaluation of natural heritage features has been conducted to demonstrate no negative impacts with the resulting recommendations of the submitted Environmental Impact Study being made a condition of approval. The requested variances are largely a result of conditions that the existing dwelling was built on.

Staff are of the opinion that the requested variances are minor in nature, and additionally, the appropriate conditions have been developed as outlined in Appendix 'A' to ensure no resulting negative impacts.

**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 on December 2, 2022, to confirm the variances required for the proposed development.
Engineering Division	No comments/concerns with the proposed application (February 17, 2023)
Operational Services (Parks)	Conditions provided as per the attached Appendix 'A' (February 13, 2023)
Operational Services (Public Works)	No comments/concerns with the proposed application (February 13, 2023)
Central York Fire Services	No comments/concerns with the proposed application (February 9, 2023)

Department or Agency	Comments
York Region	No comments/concerns with the proposed application (February 17, 2023)
LSRCA	Comments provided indicating a stormwater management report, phosphorus budget and water balance assessment be required, which have been made a condition of approval.
Alectra	No comments/concerns with the proposed application (February 9, 2023)

## 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 variance meets the four tests of the Planning Act for the granting of minor variances, subject to conditions. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

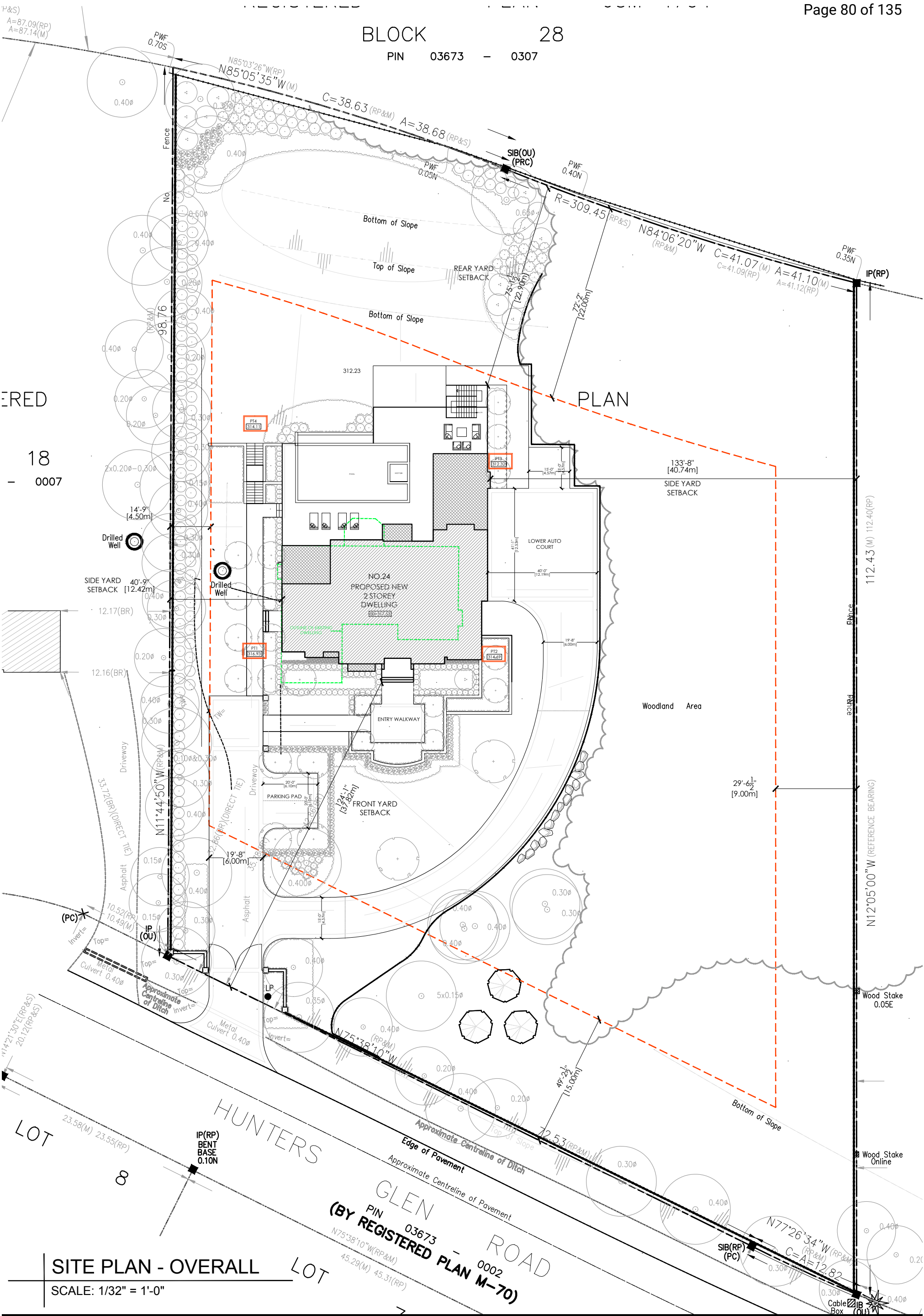
Appendix 'B' – Site Plan

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

The following conditions are required to be satisfied should application MV-2022-50 be approved by the Committee of Adjustment:

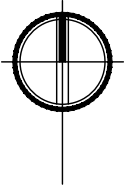
1. That the variance only applies to the subject property, in substantial conformity with the plan(s) attached as Appendix 'B' to this staff report, to the satisfaction of the Director of Planning and Development Services or designate.
2. That the recommendations of the accompanying Environmental Impact Study dated January 2023 and prepared by RiverStone Environmental Solutions Inc. (listed under section 5 of the Study) be satisfied per the discretion of the Director of Planning and Development Services or their designate.
3. That a stormwater management report, phosphorus budget and water balance assessment be completed, and any related recommendations of the aforementioned studies be implemented to the satisfaction of the Director of Planning and Development Services or their designate, as required under the provisions of the Lake Simcoe Protection Plan.
4. That the owner shall 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.
5. 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.

6. 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.
7. 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.
8. 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.
9. 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



SITE PLAN - OVERALL

SCALE: 1/32" = 1'-0"



## POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210

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

**PERMIT NO.:** PR20221392 **DATE:** Dec. 2, 2022

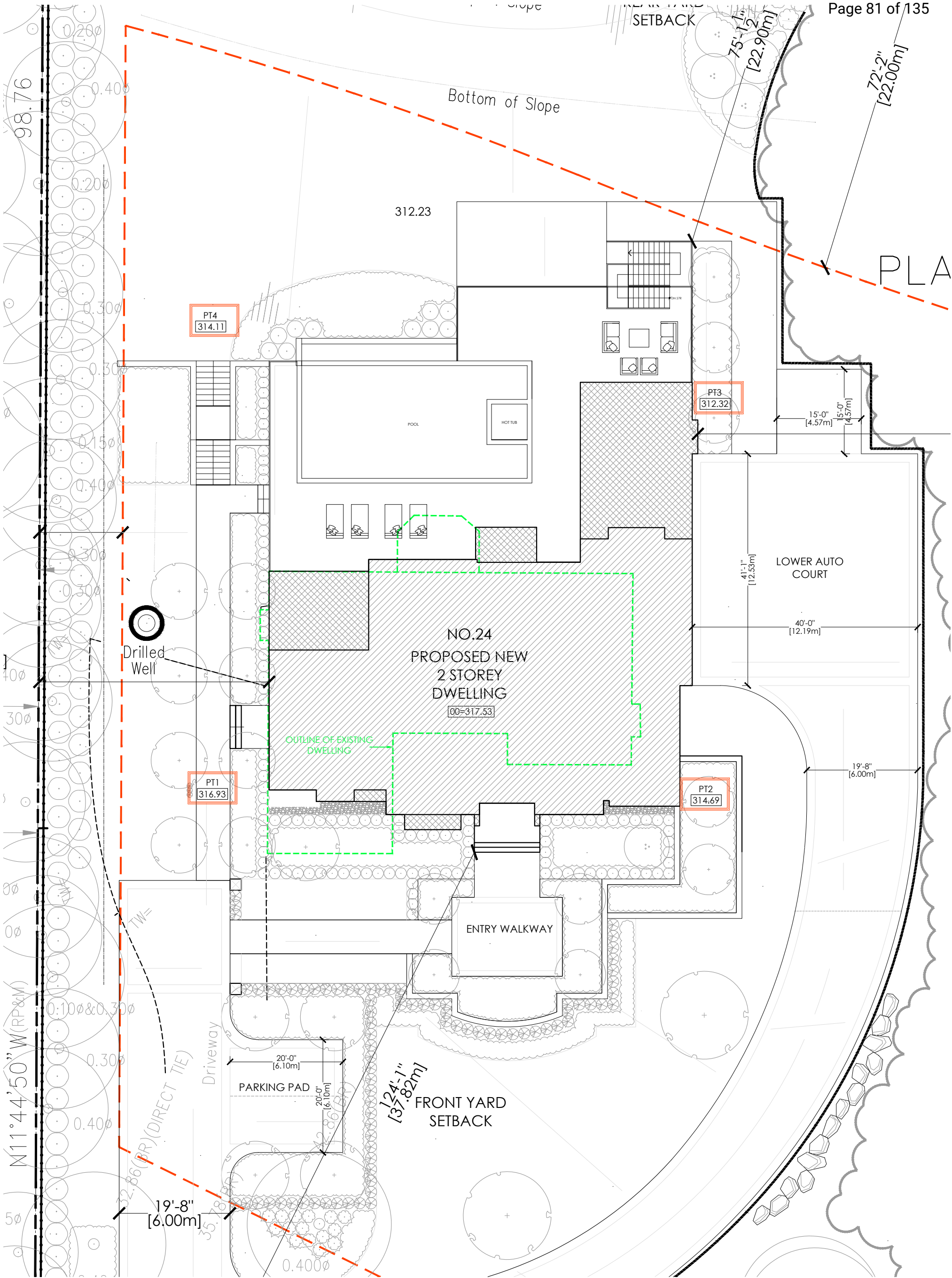
**APPROVED BY:** *Melissa Bozanin*

**PRELIMINARY ZONING REVIEW**

**S**

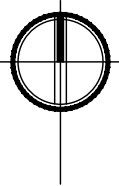
**SANDRA GAVA**  
ARCHITECT





SITE PLAN - CLOSE UP

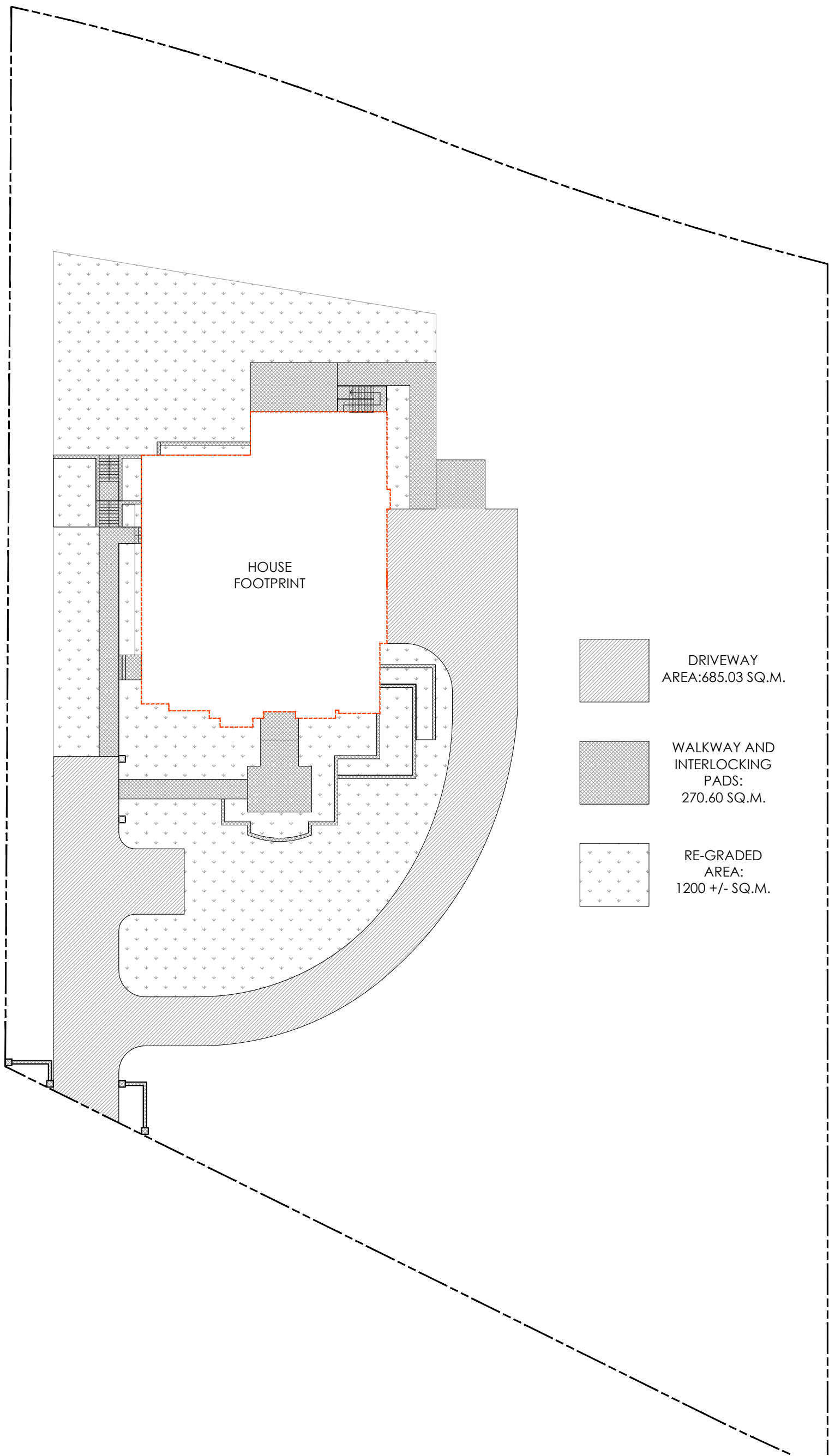
SCALE: 1/16" = 1'-0"



## POZZEBON RESIDENCE

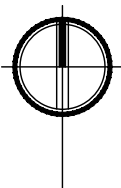
24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210





LANDFORM CONSERVATION AREA STATISTICS DIAGRAM

SCALE: 1/32" = 1'-0"



POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210





ZONING STATISTICS

ADDRESS: 24 HUNTER'S GLEN ROAD, AURORA		DATE: NOVEMBER 25, 2022
PLAN OF SURVEY OF LOT 19, REGISTERED PLAN M-70 - TOWN OF AURORA		
ZONING DESIGNATION:		ER
LOT FRONTAGE:		85.35 M
LOT DEPTH:		103.73 M
LOT AREA:		8,098.12 SQ.M (87,167.49 SQ.FT)
BYLAW:	PERMITTED	PROPOSED
SETBACKS:		
FRONT:	15.0 M	37.82 M
SIDE (EAST):	9.0 M	40.74 M
SIDE (WEST):	4.5 M	12.42 M
REAR:	22.00 M	22.90 M
LOT COVERAGE:	35% (1,214.72 SQ.M.)	600.83 SQ.M.
BUILDING HEIGHT:	10.0 M	11.12 M

ZONING STATISTICS

POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



LANDFORM CONSERVATION STATISTICS

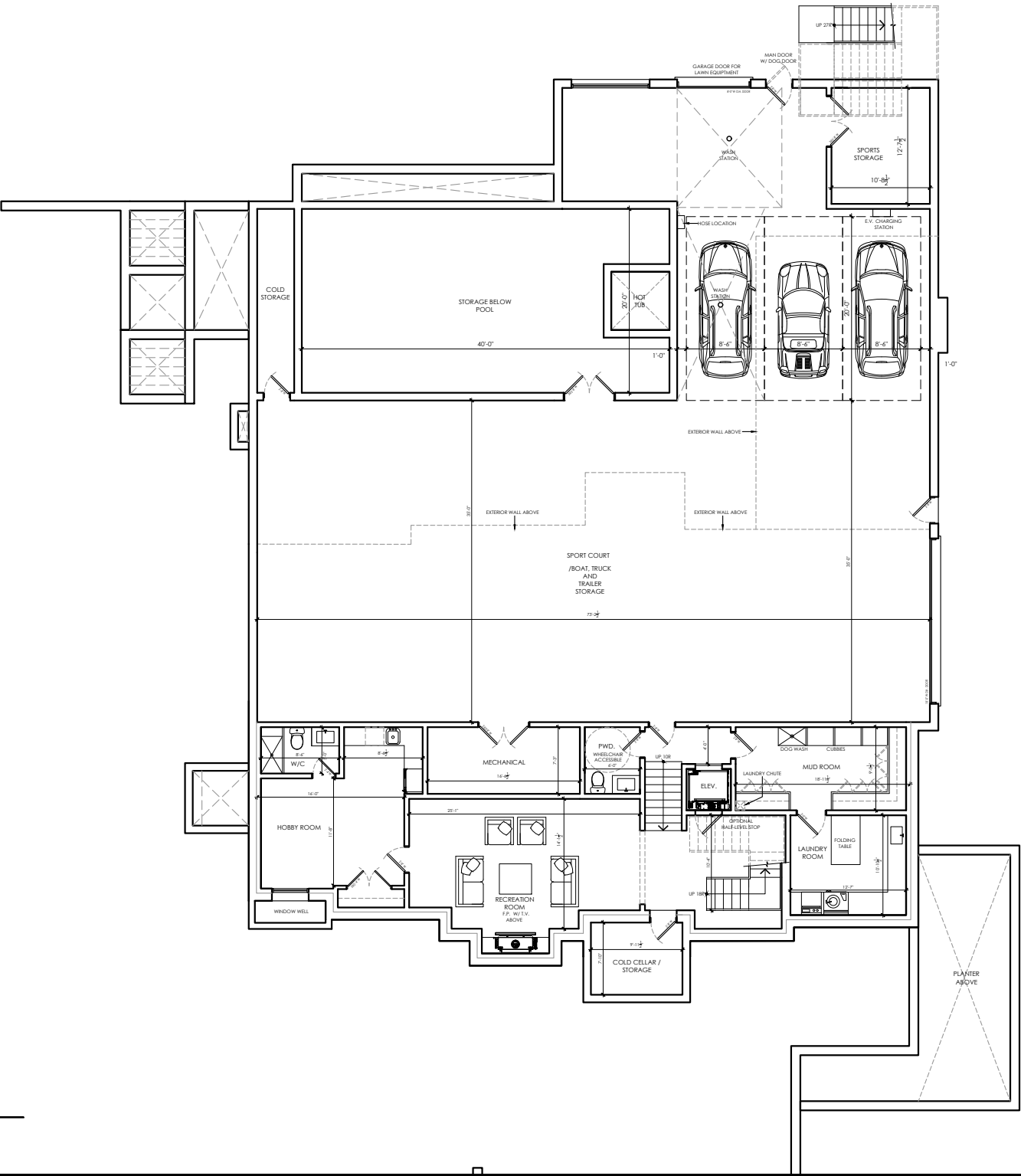
TOTAL LOT AREA: 8,098.12 SQ.M (87,167.49 SQ.FT)		
IMPERVIOUS AREAS		
	SQ.M.	%
HOUSE FOOTPRINT	600.83 SQ.M.	7.42%
DRIVEWAY AREA	685.03 SQ.M.	8.46%
WALKWAY AND INTERLOCKING PATIOS	270.60 SQ.M.	3.34%
TOTAL IMPERVIOUS	1556.46 SQ.M.	19.22%
DISTURBED AREAS		
IMPERVIOUS AREAS	1556.46 SQ.M.	19.22%
SEPTIC BED	T.B.D.-APPROX. 150 SQ.M.	1.85%
RE-GRADED/FILLED AREA	1200 SQ.M.	14.82%
TOTAL DISTURBED	2906.46 SQ.M.	35.89%

LANDFORM CONSERVATION AREA STATISTICS

POZZEBON RESIDENCE

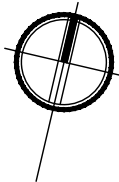
24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210





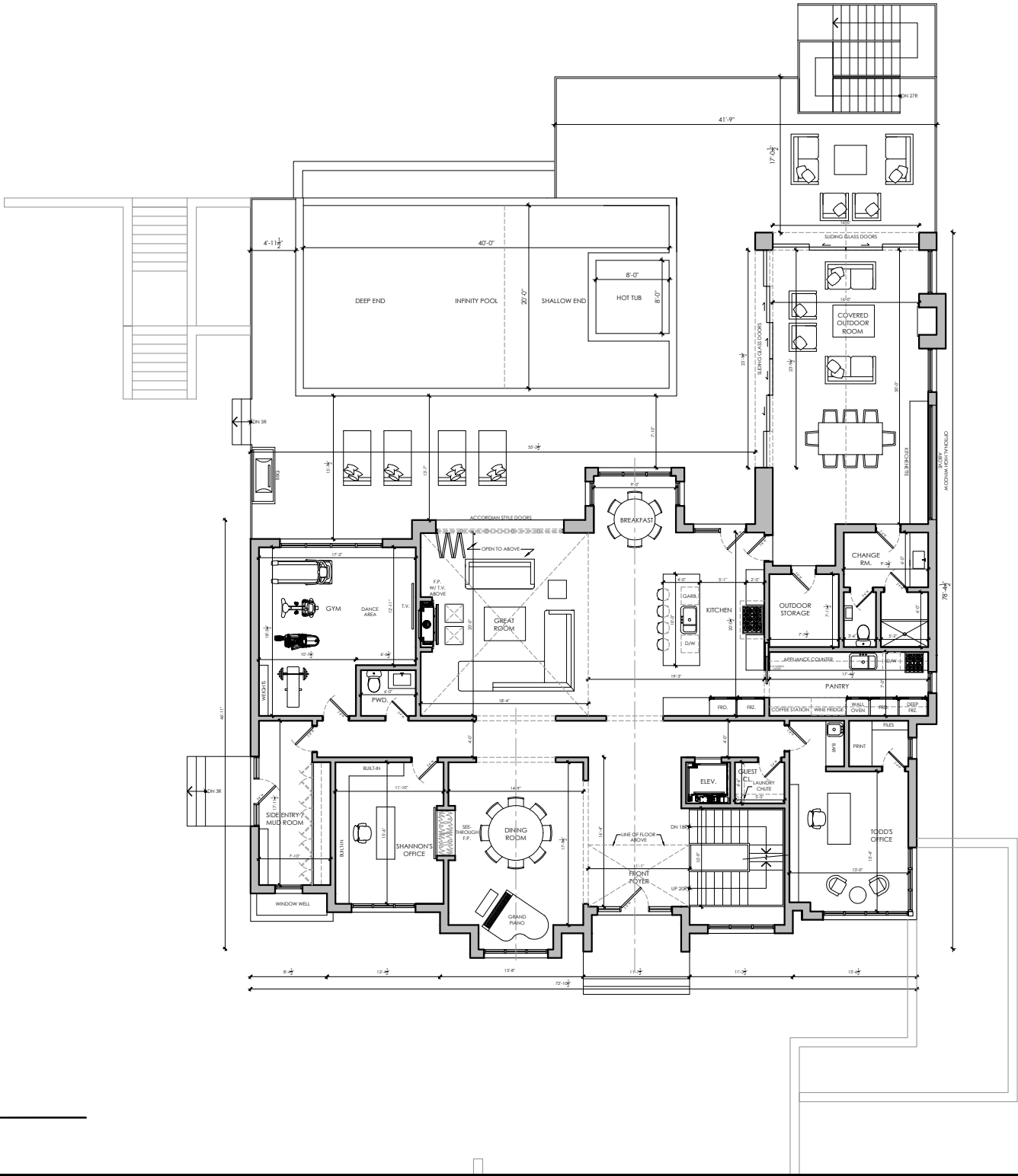
BASEMENT FLOOR PLAN

SCALE: 1/16" = 1'-0"



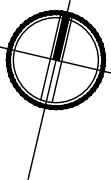
POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



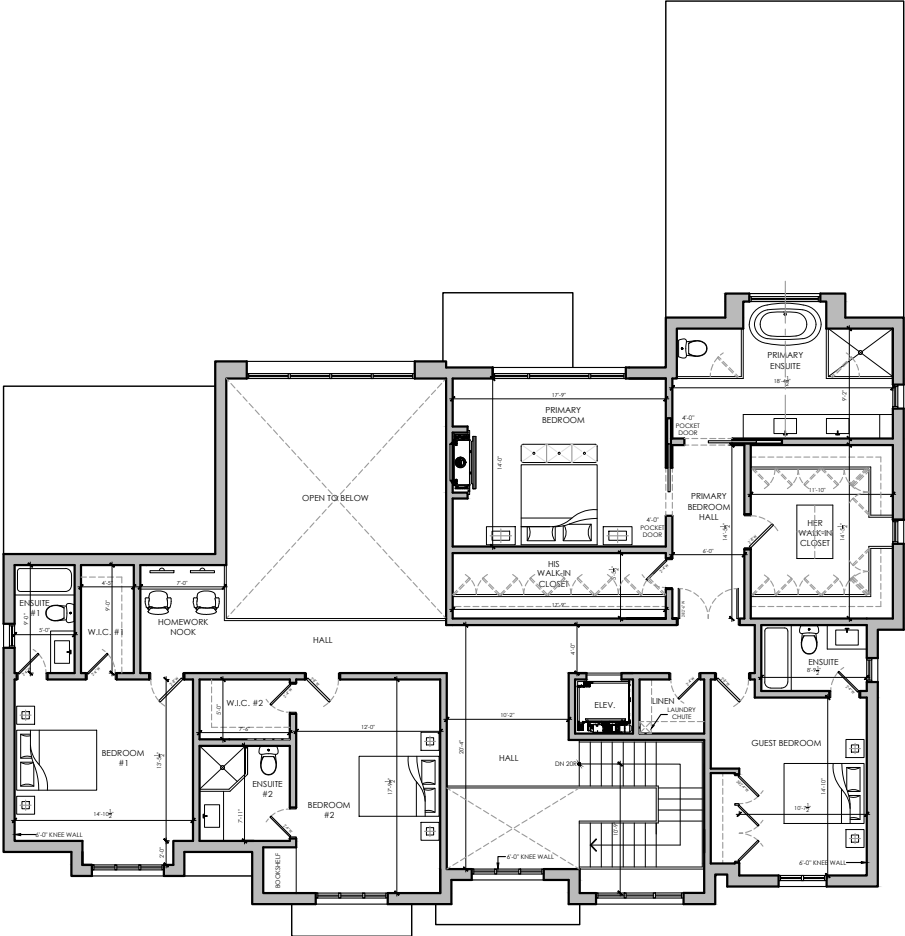
GROUND FLOOR PLAN

SCALE: 1/16" = 1'-0"



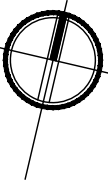
POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



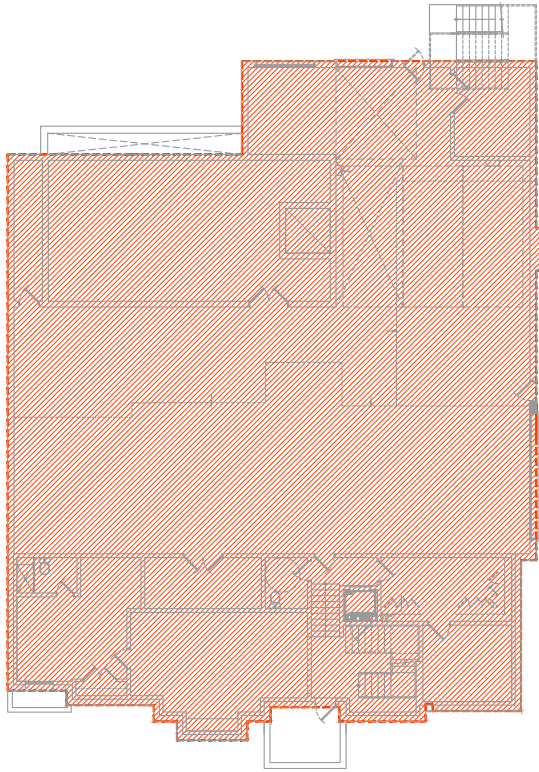
SECOND FLOOR PLAN

SCALE: 3/32" = 1'-0"



POZZEBON RESIDENCE

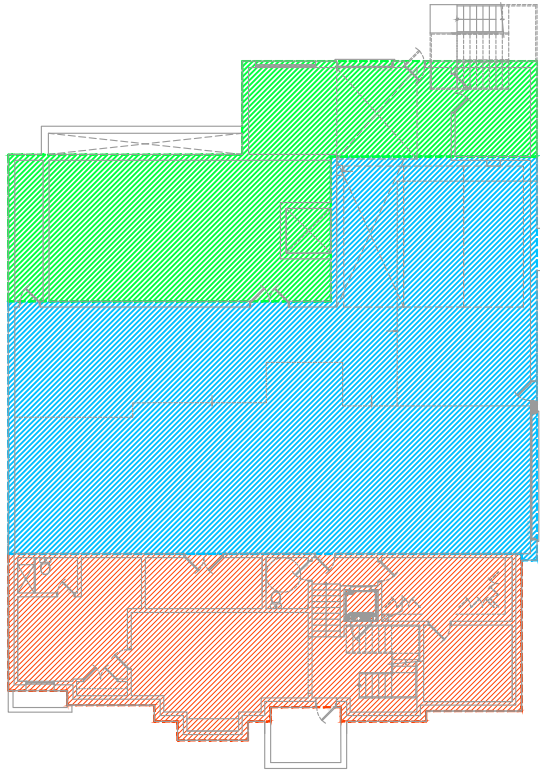
24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



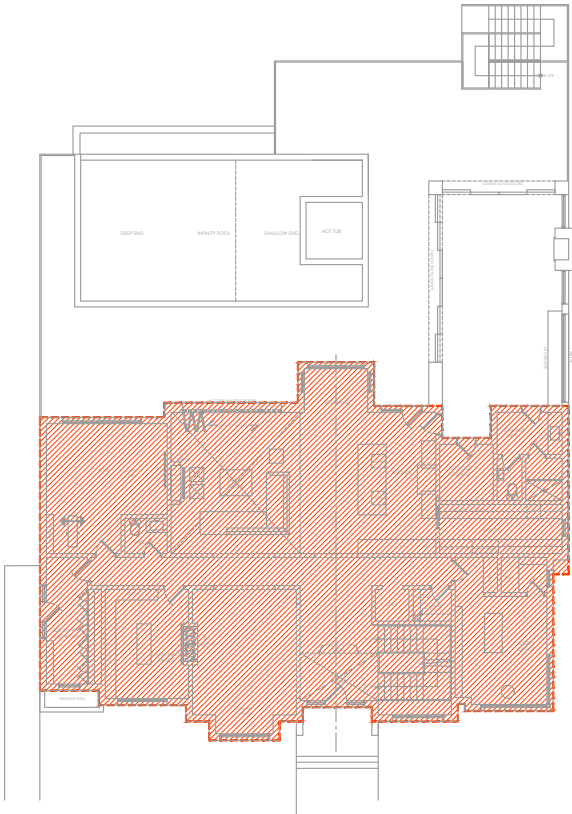
LOT COVERAGE:  
600.83 SQ.M.

STORAGE AREA  
= 1517 SQ.FT

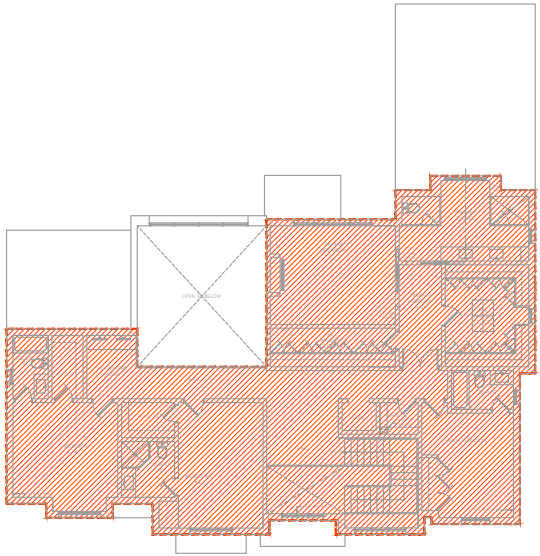
GARAGE AREA =  
3291 SQ.FT



FINISHED  
BASEMENT AREA  
= 1654 SQ.FT



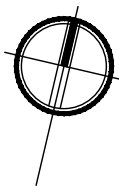
GROUND FLOOR  
AREA = 3252  
SQ.FT



SECOND FLOOR  
AREA = 2625  
SQ.FT

TOTAL FLOOR AREA ABOVE  
GRADE = 5877 SQ.FT

AREA CALCULATIONS  
N.T.S.



POZZEBON RESIDENCE  
24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210





## FRONT ELEVATION

SCALE: 3/32" = 1'-0"

# POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210







WEST ELEVATION

SCALE: 3/32" = 1'-0"

POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



NORTH ELEVATION

SCALE: 3/32" = 1'-0"

POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



EAST ELEVATION

SCALE: 3/32" = 1'-0"

POZZEBON RESIDENCE

24 HUNTERS GLEN ROAD  
AURORA, ONTARIO  
DECEMBER 02, 2022  
PROJECT NO. 2210



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2023-05

---

**Subject:** Minor Variance Application  
Akkermans  
156 Wells Street  
File: MV-2023-05

**Prepared by:** Mark Chuang, Planner

**Department:** Planning and Development Services

**Date:** March 9, 2023

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## Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit a single detached residential dwelling with a gross floor area of 285 square metres (3,068 square feet).

## PROPOSED VARIANCES

The following relief is being requested:

- a) Section 7.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres. The applicant is proposing a single detached dwelling, which is 5.5 metres to the front property line, thereby requiring a variance of 0.5 metres.
- b) Section 24.497.3.2 of the Zoning By-law requires a minimum interior side yard setback of 3.0 metres beyond the main rear wall of the adjacent dwelling. The applicant is proposing a single detached dwelling, which is 2.9 metres beyond the main rear wall of the adjacent building (1.4 metres to the interior side property line), thereby requiring a variance of 0.1 metres.
- c) Section 24.497.3.2 of the Zoning By-law requires a minimum interior side yard setback of 1.5 metres. The applicant is proposing a single detached dwelling, which is 1.4 metres to the interior side property line, thereby requiring a variance of 0.1 metres.
- d) Section 7.2 of the Zoning By-law requires a minimum exterior side yard setback of 6.0 metres. The applicant is proposing a single detached dwelling, which is 4.1 metres to the exterior side property line, thereby requiring a variance of 1.9 metres.

- e) Section 24.497.3.3 of the Zoning By-law permits a maximum height of 9.0 metres to the mid-point of the roof. The applicant is proposing a single detached dwelling with a height of 10.3 metres to the mid-point of the roof, thereby requiring a variance of 1.3 metres.
- f) Section 24.497.3.3 of the Zoning By-law permits a maximum height of 9.9 metres to the peak of the roof. The applicant is proposing a single detached dwelling with a height of 13.4 metres to the peak of the roof, thereby requiring a variance of 3.5 metres.
- g) Section 5.6.1(a)(ii) of the Zoning By-law permits a maximum driveway width of 6.0 metres. The applicant is proposing a driveway width of 6.3 metres, thereby requiring a variance of 0.3 metres.

## Background

### Subject Property and Area Context

The subject property, municipally known as 156 Wells Street, is a corner lot located at the northwest intersection of Cousins Drive and Wells Street. The property currently contains a single-storey detached dwelling on a lot that has an area of around 706m<sup>2</sup> (7,600 ft<sup>2</sup>) and a lot frontage of approximately 16.5 metres (54 feet). The surrounding neighbourhood is residential and generally characterized by one and two storey dwellings.

**North:** Single detached residential dwelling, being 152 Wells Street

**South:** Cousins Drive, with additional single detached dwellings and Cousins Park across the road

**East:** Wells Street, with additional single detached dwellings across the road

**West:** Existing single detached residential dwellings, with Rotary Park further to the west/northwest

### Proposal

The owner is proposing to demolish the existing structure on site and construct a new single detached dwelling with an attached garage and rear deck.

### Official Plan

The subject property is designated "Stable Neighbourhoods" by the Town of Aurora's Official Plan, which seeks to ensure that residential neighbourhoods are protected from incompatible forms of development, while allowing the neighbourhoods to be enhanced

over time. Further, the Stable Neighbourhoods designation provides for detached dwellings as a permitted use.

Additionally, portions of the rear of the subject property (and neighbours) are designated “Public Parkland” by the Town of Aurora’s Official Plan. No parkland system is currently present on site, and the proposed development has no resulting impacts on this particular area or designation, as confirmed by the Town’s Parks Department.

## **Zoning**

The property is zoned R3-SN (497) “Detached Third Density Residential Exception Zone 497”, which permits detached dwellings.

### **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, “Due to the zoning restrictions of a corner lot, we are not able to comply with the zoning bylaw with the proposed dwelling on this lot.”

## **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV- 2023-05 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, except for those pertaining to the proposed maximum height of the dwelling.**

The intent of the “Stable Neighbourhoods” Official Plan designation is to ensure neighbourhoods are protected from incompatible forms of development, while allowing the neighbourhoods to be enhanced over time. The Official Plan states that new development abutting existing residential development shall be sympathetic to the form and character of existing development with regards to building scale and urban design.

The proposed variances for driveway width, front, side, and exterior side yard setbacks are not anticipated to have any negative impact on the character of the existing residential neighbourhood. They represent minor increases from what is currently existing and permitted, and they align with the built form of other properties in the area. These variances also help to accommodate the appropriate lotting of the building as a corner lot, with no anticipated resulting impacts to the public realm or streetscape.

However, the requested variances for height would result in a significantly taller building that would be incompatible with the form and character of the community area. There is concern that the pitch of the roof and proposed height would dominate the streetscape and not be sympathetic to the established built form. Staff reviewed other dwellings in the vicinity of the site, and the proposed would be the highest building in the area. In turn, the proposed maximum height is contrary to the objectives of the Town's Official Plan.

Staff are of the opinion that the variances pertaining to driveway width, front, exterior and side yard setbacks meet the general intent of the Official Plan and can be supported, but that the variances for maximum height to the mid-point and peak of the roof cannot be. The Committee of Adjustment can approve the noted variances and refuse the variances pertaining to maximum height, with the appropriate conditions of approval established as outlined in Appendix 'A'.

**b) The proposed variances meet the general intent of the Zoning By-law, except for those pertaining to the proposed maximum height of the dwelling.**

The intent of the front yard setback is to ensure that there is adequate separation between private property and the public realm, and to maintain the overall streetscape and provide adequate front yard area for landscaping and privacy. It is the staff's opinion that the front yard setback being proposed is sufficient to meet the objectives mentioned above, with the overall streetscape character not being adversely impacted.

The intent of the exterior and side yard setback provisions is to ensure that appropriate and adequate spacing between buildings is provided for privacy, landscaping, access, and drainage. It is staff's opinion that the requested setbacks will still provide adequate space between properties as part of the detached residential setting. The proposed dwelling's front yard and side yard setbacks are similar to neighboring properties located along Wells Street and Cousins Drive, and the exterior setback still provides appropriate spacing to the street while also accommodating the lotting of the building on the corner site. No negative impacts are anticipated.

The intent of the maximum driveway width provision is to ensure that lot frontages are not dominated by driveway and that there are no negative impacts to the streetscape or parking on local roads. The proposed increased driveway width aligns with the driveway widths of neighbouring properties and will not have a negative impact on the streetscape as there is sufficient room for on-street parking, and ample space between driveways on the street. The property also has sufficient lot frontage to accommodate the width, at over 16 metres.

The intent of the Zoning By-law maximum height restriction is to ensure adequate privacy for residents and to assist in achieving a uniform, aesthetically pleasing



streetscape. It is staff's opinion that the requested increases in height would be incompatible and inconsistent with the surrounding neighbourhood, and in turn result in negative impacts to the streetscape and public realm. The height proposed would be dominating on the streetscape and represent the highest building on the street and surrounding area.

As a result of the above, staff are of the opinion that the requested variances for driveway width, front, exterior and side yard setbacks are in keeping with the intent of the Zoning By-law and can be supported. The proposed variances regarding maximum heights however are considered to result in too great of an impact on the neighbourhood due to the resulting scale of the proposal, and are not supported.

**c) The proposed variances are considered desirable for the appropriate development of the land, except for those pertaining to the proposed maximum height of the dwelling.**

Staff are of the opinion that the proposed variances for driveway width, front, exterior, and side yard setbacks are desirable in terms of lotting the new dwelling on the corner lot while still ensuring appropriate screening and spacing. These variances will not negatively impact the streetscape or character of the area. This however is not the same case for the proposed variances to the maximum height to the mid-point of the roof and peak. The requested height variances would significantly increase the height and scale of the building such that it would become the tallest on the street and dominate the landscape while not remaining consistent with neighbouring properties.

Given the above, staff are of the opinion that the proposed variances for the driveway width, front, exterior, and side yard setback are considered desirable for the appropriate development of the lands and can be supported, but the requested variances for maximum height to the mid-point of the roof and peak should be refused. As mentioned, the Committee of Adjustment can approve the noted variances and refuse the variances pertaining to maximum height, with the appropriate conditions of approval established as outlined in Appendix 'A'.

**d) The proposed variances are considered minor in nature, except for those pertaining to the proposed maximum height of the dwelling.**

The proposed variances for driveway width, front, exterior and side yard setbacks are truly minor in nature, representing generally slight deviations from the permitted provisions. They will also not result in any anticipated negative impacts, with commenting agencies also not raising any concerns or objections. Alternatively, the requested variances for maximum height are considered excessive and incompatible with the neighbourhood.

As such, staff are of the opinion that the requested variances for driveway width, front, exterior, and side yard setbacks can be supported, but that the requested variances for

maximum height should be refused. Conditions of approval have also been developed to ensure that the final drawings prepared are generally reflective of what has been presented as part of this application and that the final design is still satisfactory. Should any additional non-conformities or non-compliance be discovered through the submission of final drawings, additional minor variance applications and approval will be required.

## 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
Accessibility	No comments or objections.
Building Division	Preliminary Zoning Review was completed on January 11 2023.
Engineering Division	No comments or objections.
Legal	No comments or objections.
Operational Services (Parks)	Comments provided with appropriate conditions of approval outlined in Appendix A. Confirmation of no impacts to the adjacent public park area has been provided.
Operational Services (Public Works)	This resident will require an approved Road Occupancy Permit from Operations.  Since they are proposing a new home, they should install a new PVC Sanitary lateral to the sewermain.  There is a Town sewermain that runs through the rear of this property and the sewer lateral for 156 is connected to it. This lateral should be replaced with modern PVC pipe.
Transportation	Not Received.
Central York Fire Services	No comments or objections.

Department or Agency	Comments
LSRCA	The proposal is consistent and in conformity with the natural hazard policies of the applicable Provincial, Regional and Local plans. See conditions in Appendix A.
York Region	No comments or objections.
Alectra	No comments or 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 of the Planning Act for granting of minor variances, save and except for those pertaining to the proposed maximum building heights. Staff recommend approval of the requested variances for driveway width, front, exterior, and side yard setbacks, subject to the conditions outlined in Appendix 'A', and then refusal of the requested variances pertaining to the maximum height of the dwelling to the mid-point of the roof and peak.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan and Elevations



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

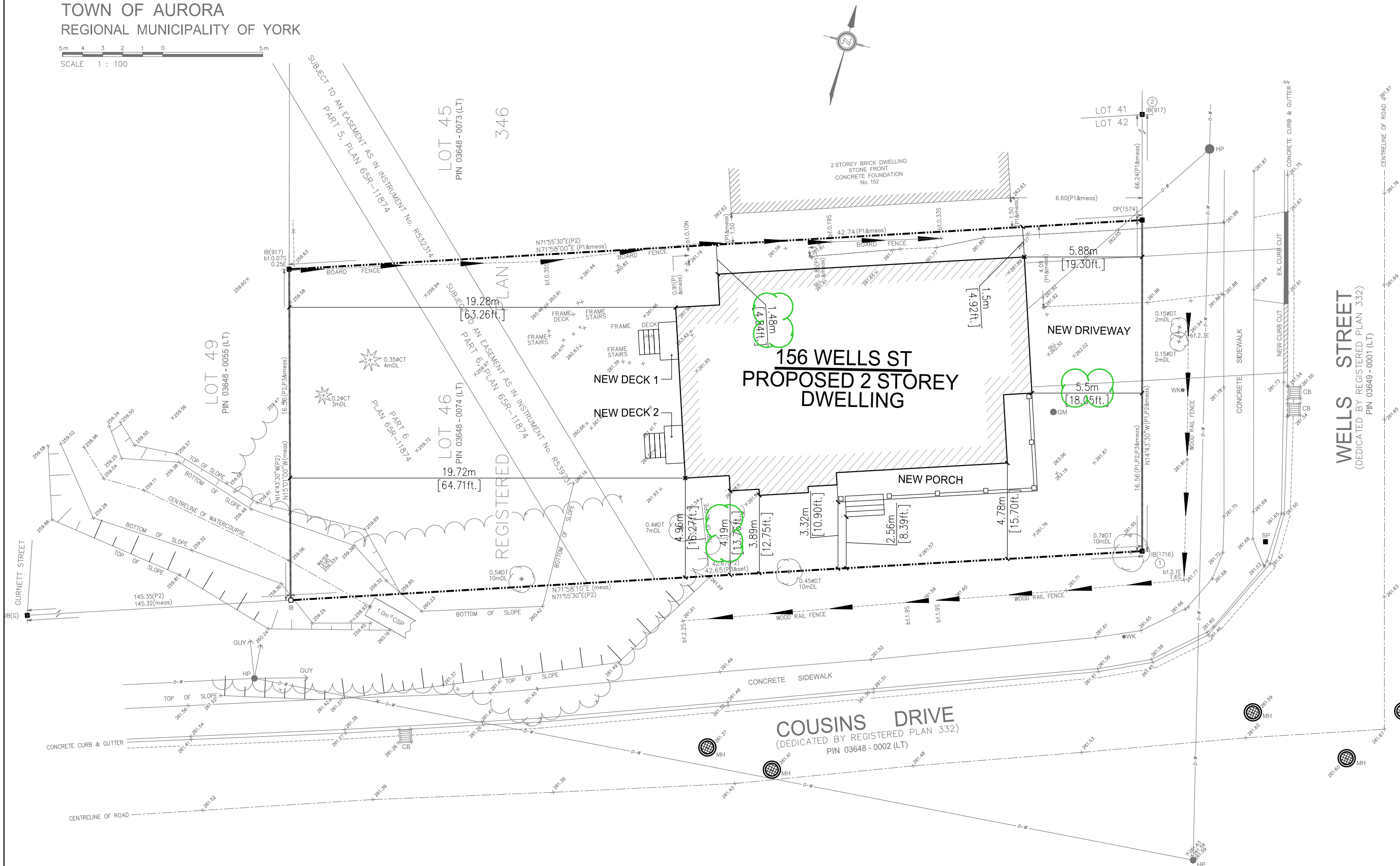
The following conditions are required to be satisfied should application MV-2023-05 be approved by the Committee of Adjustment:

1. That the preparation of final drawings implementing the decisions of the Committee of Adjustment be prepared to the satisfaction of the Director of Planning and Development Services or their designate to ensure compliance and conformity.
2. The owner acknowledge that through the submission of final drawings, minor revisions or adjustments to the design or character of the proposed dwelling may be required to ensure conformity and compliance and to implement the decisions made by the Committee of Adjustment, to the satisfaction of the Director of Planning and Development Services or their designate. Any additional variance requests would be subject to a new, additional minor variance application.
3. That the owner shall 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.
4. 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.
5. 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.

6. 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.
7. 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.
8. 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.
9. That the Owner shall pay the LSRCA Plan Review Fee in accordance with the approved Fees Policy (Note: payment is currently outstanding for the LSRCA review of the minor variance application of \$536.00 per the LSRCA 2023 Fee Schedule).
10. That the Owner shall obtain a permit from the LSRCA under Ontario Regulation 179/06 prior to the proposed development and site alteration taking place.

SURVEYOR'S REAL PROPERTY REPORT OF  
LOT 46, REGISTERED PLAN 346  
TOWN OF AURORA  
REGIONAL MUNICIPALITY OF YORK

5m 4 3 2 1 0 5m  
SCALE 1 : 100



NOTE  
ALL BUILDING LINES ARE PERPENDICULAR TO  
PROPERTY LINES UNLESS OTHERWISE NOTED.  
PROPERTY LINES ARE UNFENCED UNLESS  
OTHERWISE NOTED.

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

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DELPH AND JENKINS NORTH LTD.

SURVEYOR'S REAL PROPERTY REPORT PART 2 - REPORT SUMMARY
SURVEY PREPARED FOR
KINSELLA CUSTOM HOMES LTD.
DESCRIPTION OF LAND
LOT 46, REGISTERED PLAN 346 (KNOWN AS 156 WELLS STREET)
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS
SUBJECT TO AN EASEMENT OVER PART 6, PLAN 65R-11874 AS SET OUT IN INSTRUMENT No. R539731.
ENCROACHMENTS
NOTE LOCATION OF WATERCOURSE CHANNEL
COMPLIANCE WITH MUNICIPAL ZONING BY-LAW
NOT CERTIFIED BY THIS REPORT.
ADDITIONAL REMARKS
(FURTHER INFORMATION CONTAINED IN THE SURVEY REPORT TO BE READ IN CONJUNCTION WITH THIS PLAN.)

LEGEND

■ DENOTES SURVEY MONUMENT FOUND	● DENOTES DIAMETER
□ DENOTES SURVEY MONUMENT PLANTED	DL DENOTES TREE DRIP LINE
SB DENOTES STANDARD IRON BAR	OP DENOTES OVERHEAD UTILITY WIRES
IB DENOTES IRON BAR	CP DENOTES CORRUGATED STEEL PIPE
CP DENOTES CONCRETE PIN	HM DENOTES HYDRO METER
meas DENOTES MEASURED	HP DENOTES BELL POLE
P1 DENOTES SURVEYOR'S REAL PROPERTY REPORT PREPARED BY DELPH & JENKINS NORTH LTD., O.L.S. DATED JULY 30, 2021	SC DENOTES SCISSOR TREE
P2 DENOTES REGISTERED PLAN 346	GM DENOTES GAS METER
P3 DENOTES SURVEYOR'S REAL PROPERTY REPORT PREPARED BY OPHR N. DZALDOV SURVEYING LTD., O.L.S. DATED JUNE 14, 1994	MH DENOTES MANHOLE
917 DENOTES R. A. GARDEN, O.L.S.	DL DENOTES DRIP LINE OF TREES
1574 DENOTES DELPH & JENKINS NORTH LTD., O.L.S.	
1716 DENOTES OPHR D. DZALDOV, O.L.S.	
G DENOTES W.S. GIBSON & SONS, O.L.S.	

BENCH MARK  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND DETERMINED BY REAL TIME  
CANNET NETWORK OBSERVATIONS (COVID 1920, 1979 ADJUSTMENT).

NOTE:  
BEARINGS SHOWN HEREON ARE UTM GRID BEARINGS AND ARE DERIVED FROM  
OBSERVED REFERENCE POINTS 1 AND 2 BY REAL TIME CANNET NETWORK  
OBSERVATIONS AND REFERRED TO THE UTM COORDINATE SYSTEM, ZONE 17,  
CENTRAL MERIDIAN 81° WEST LONGITUDE (NAD 83, CSRS, 2010).

DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES,  
AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING THE DISTANCE BY  
COMBINED SCALE FACTOR 0.9997912.

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

COORDINATES SHOWN ON THIS PLAN ARE IN COMPLIANCE WITH THE SURVEYORS ACT,  
URBAN ACCURACY PER O. REG. 218/10, SECTION 14(2).

COORDINATES SHOWN ON THIS PLAN ARE IN COMPLIANCE WITH THE SURVEYORS ACT,  
URBAN ACCURACY PER O. REG. 218/10, SECTION 14(2).

FOR BEARING COMPARISONS, A COUNTER-CLOCKWISE ROTATION OF 2°07'30" WAS  
APPLIED TO BEARINGS SHOWN ON REGISTERED PLAN 346.

OBSERVED REFERENCE POINTS UTM (NAD83, CSRS 2010)
PLAN COORDINATES
1
2

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS  
ACT AND THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE 11th DAY OF MARCH, 2022.

DATE G. K. JENKINS - ONTARIO LAND SURVEYOR

NOTE: THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER  
NO ADDITIONAL FEES OF THIS ORIGINAL REPORT WILL BE ISSUED.  
SUBSEQUENT TO THE DATE OF CERTIFICATION.

Delph & Jenkins North Ltd.  
220 Industrial Parkway E., Unit 5, Aurora, Ontario L4G 3W6  
Tel: 905-841-8000 Fax: 905-841-2900

22226 - 1  
DRAWN : m CHECKED : GCU

SCOPE OF WORK

PROPOSED 2 STOREY WOOD FRAMED DWELLING W/ A INTEGRAL  
GARAGE, FRONT + SIDE PORCHES AND A OUTDOOR LANAI

TOWN OF AURORA  
PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION  
PERMIT NO.: PR20230019 DATE: Jan. 11, 2023  
APPROVED BY: Melissa Bozanin  
PRELIMINARY ZONING REVIEW

NOTES

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No.	DATE:	REVISION
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SEALS

TOWN OF AURORA  
PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION  
PERMIT NO.: PR20220019 DATE: Jan. 11, 2023  
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SE SCHILLER  
ENGINEERING

2157 ROYAL WINDSOR DRIVE, UNIT 4  
MISSISSAUGA, ON L5J 1K5  
PHONE: 905-822-1666  
EMAIL: TRAVIS@SCHILLERENGINEERING.CA

CLIENT

AKKERMAN RESIDENCE

PROJECT

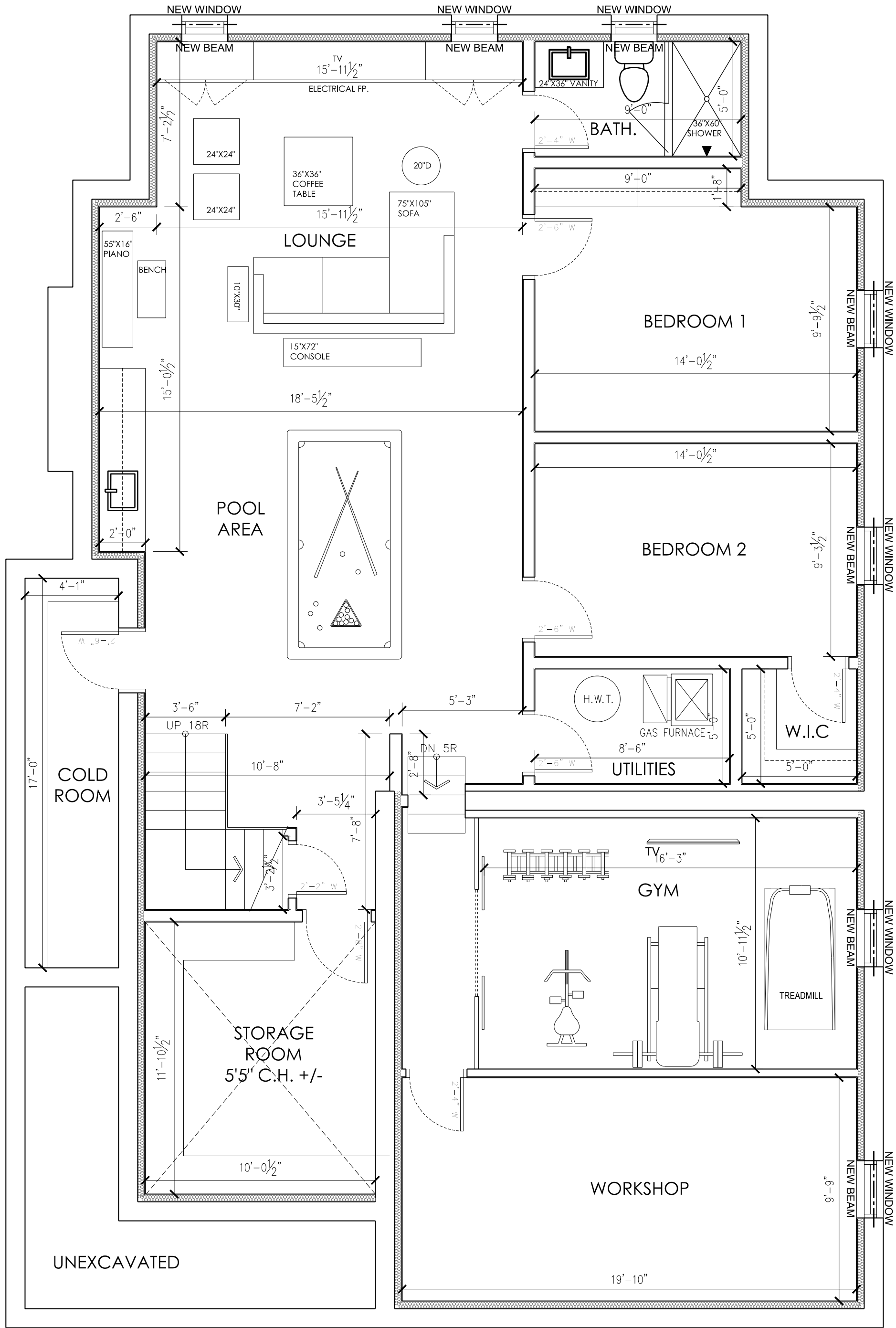
156 WELLS STREET,  
AURORA, ON

PAGE

SITE PLAN

APPROVED BY:	TS	
DATE:	AUG 2022	
PROJECT No.	2022SE235	





STRUCTURAL SCHEDULE	
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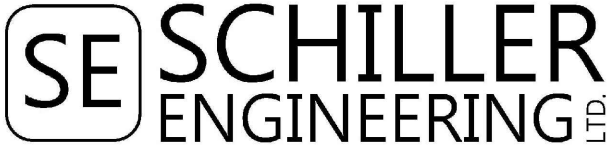
TOWN OF AURORA  
PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION

PERMIT NO.: PR20220019

DATE: Jan. 11, 2023

APPROVED BY: Melissa Bozeman

PRELIMINARY ZONING REVIEW



2157 ROYAL WINDSOR DRIVE, UNIT 4  
MISSISSAUGA, ON L5J 1K5  
PHONE: 905-822-1666  
EMAIL: TRAVIS@SCHILLERENGINEERING.CA

CLIENT

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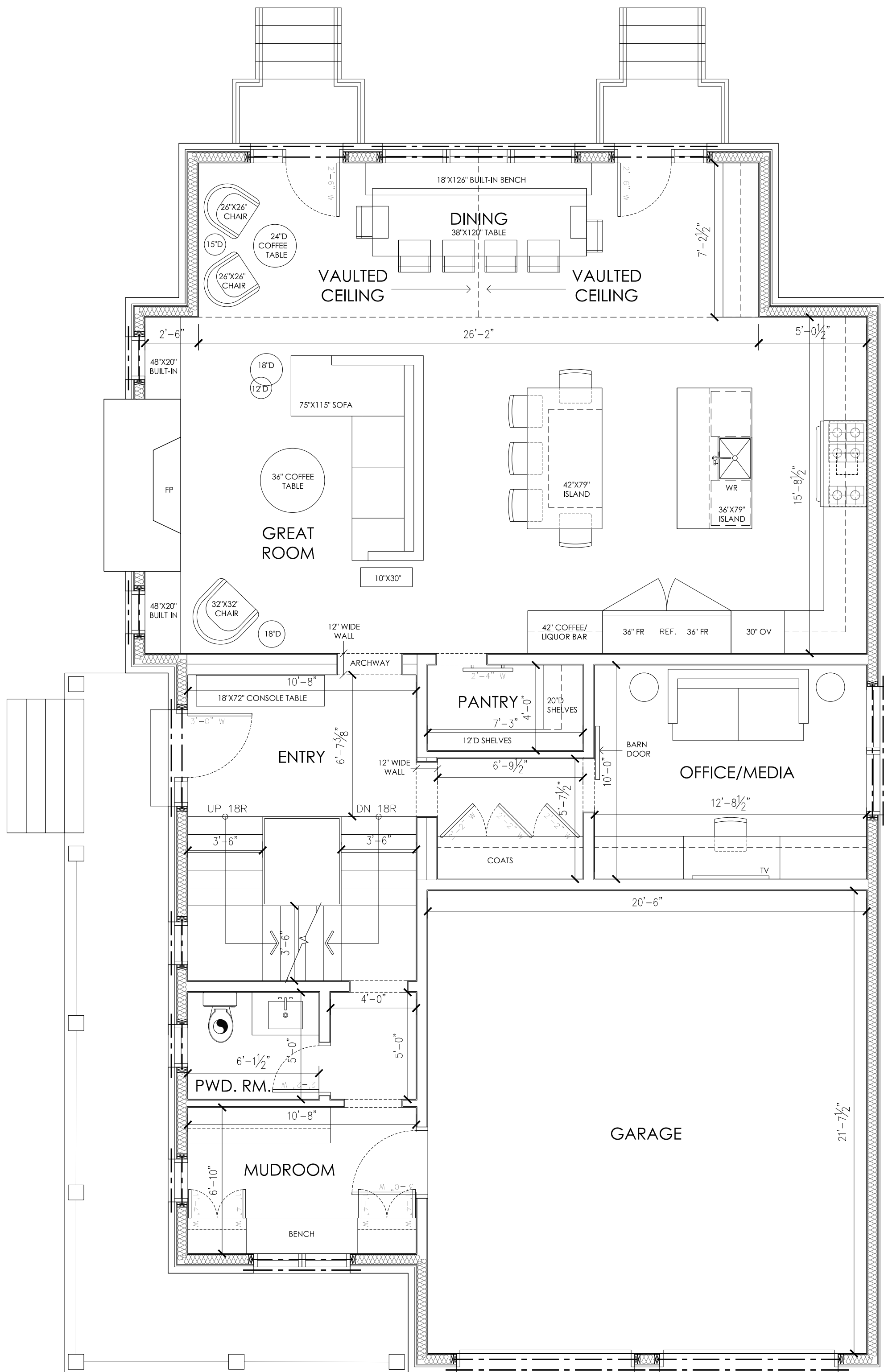
PROJECT

156 WELLS STREET,  
AURORA, ON

PAGE

BASEMENT PLAN

APPROVED BY:	TS	
DATE:	AUG 2022	
PROJECT No.	2022SE235	



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PRELIMINARY ZONING REVIEW



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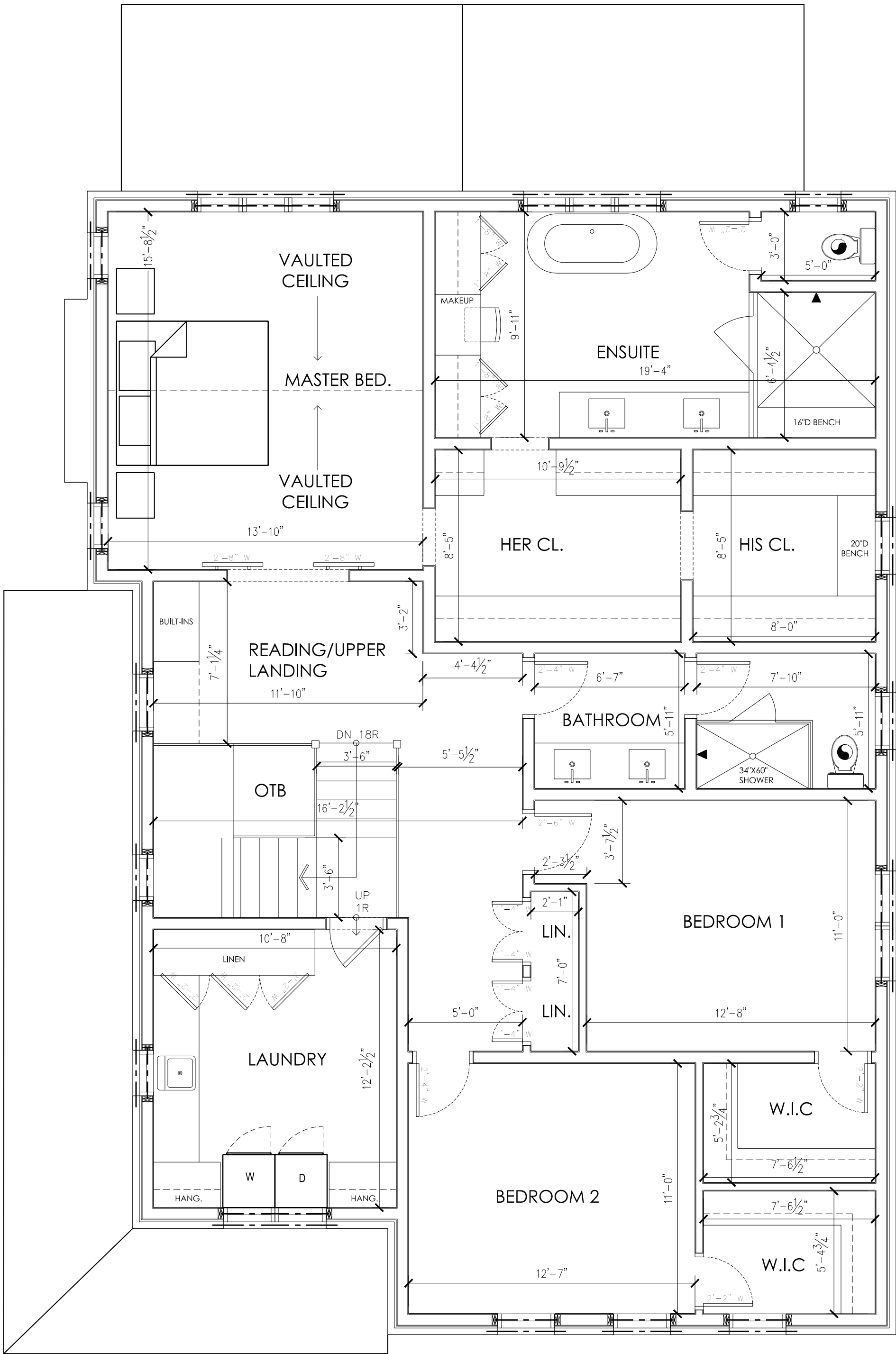
156 WELLS STREET,  
AURORA, ON

PAGE

GROUND  
FLOOR PLAN

APPROVED BY:	TS	
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CONCRETE COLUMN	
CC1	10" X 18" (10"X38") CONCRETE COLUMN 20MPA CONC. (MIN.) W/ 6-20M VERT. REIN. W/ 10M Ø 8" O.C. CLOSED STIRRUPS
CONCRETE SLAB ON GRADE	
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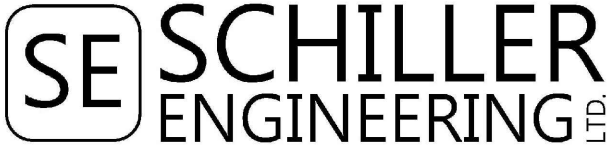
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SEALS

TOWN OF AURORA  
PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION  
PERMIT NO.: PR20220019  
APPROVED BY: Melissa Bozeman  
PRELIMINARY ZONING REVIEW

DATE: Jan. 11, 2023



2157 ROYAL WINDSOR DRIVE, UNIT 4  
MISSISSAUGA, ON L5J 1K5  
PHONE: 905-822-1666  
EMAIL: TRAVIS@SCHILLERENGINEERING.CA

CLIENT

AKKERMAN RESIDENCE

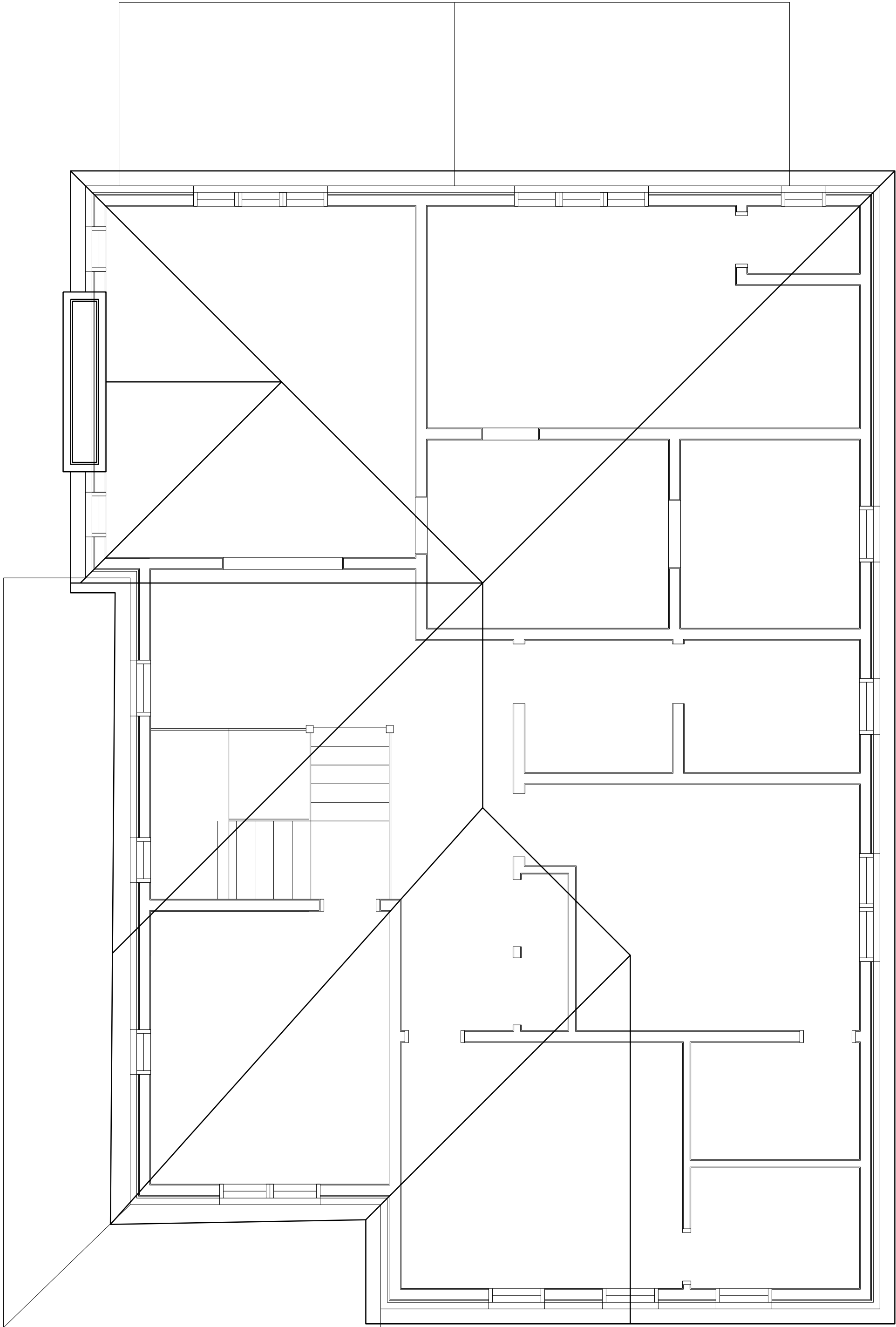
PROJECT

156 WELLS STREET,  
AURORA, ON

PAGE

SECOND  
FLOOR PLAN

APPROVED BY:	TS	
DATE:	AUG 2022	
PROJECT No.	2022SE235	



STRUCTURAL SCHEDULE	
STRIP FOOTING	
TAG	DESCRIPTION
SF1	26" WIDE x 8" (U.N.O.) DEEP STRIP FOOTING REINF W 2-15M CONTINUOUS; WIDTH AS PER FOUNDATION PLAN
SF2	32" WIDE x 8" (U.N.O.) DEEP STRIP FOOTING REINF W 2-15M CONTINUOUS; WIDTH AS PER FOUNDATION PLAN
ALL FOOTING BASED ON 150 KPA SOIL BEARING; ALL FOOTINGS TO BE MIN 4'-0" BELOW GRADE	
PAD FOOTING	
PF1	24" X 24" X 10" DEEP PAD FOOTING REINF W 3-15M BOT EACH WAY
PF2	48" X 48" X 18" DEEP PAD FOOTING REINF W 6-15M BOT EACH WAY
PF3	66" X 66" X 18" DEEP PAD FOOTING REINF W 9-15M BOT EACH WAY
ALL FOOTING BASED ON 150 KPA SOIL BEARING; ALL FOOTINGS TO BE MIN 4'-0" BELOW GRADE	
CONCRETE FOUNDATION WALL REINFORCING	
CR 0	NO REINFORCING REQUIRED
CR 1	TYPICAL 8" or 10" or 12" THICK CONCRETE FOUNDATION WALL WITH 20 MPA (2900 PSI) CONC. (as indicated on plans) TO BE REINFORCED W 15M@12"OC VERT + HORIZ INSIDE FACE W MIN 2" COVER;
CR 2	REINFORCING AT WINDOW WELL OPENINGS 2-15M VERT AT EACH SIDE OF OPENING 2-15M HORIZ BELOW WINDOW - EXTEND MIN 24" BEYOND BOTH ENDS OF OPENING, TYPICAL
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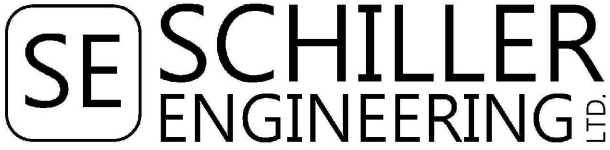
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PLANNING & DEVELOPMENT SERVICES  
BUILDING DIVISION  
PERMIT NO.: PR20220019  
DATE: Jan. 11, 2023  
APPROVED BY: Melissa Bozeman  
PRELIMINARY ZONING REVIEW



2157 ROYAL WINDSOR DRIVE, UNIT 4  
MISSISSAUGA, ON L5J 1K5  
PHONE: 905-822-1666  
EMAIL: TRAVIS@SCHILLERENGINEERING.CA

CLIENT

AKKERMAN RESIDENCE

PROJECT

156 WELLS STREET,  
AURORA, ON

PAGE

ROOF PLAN

APPROVED BY:	TS	
DATE:	AUG 2022	
PROJECT No.	2022SE235	



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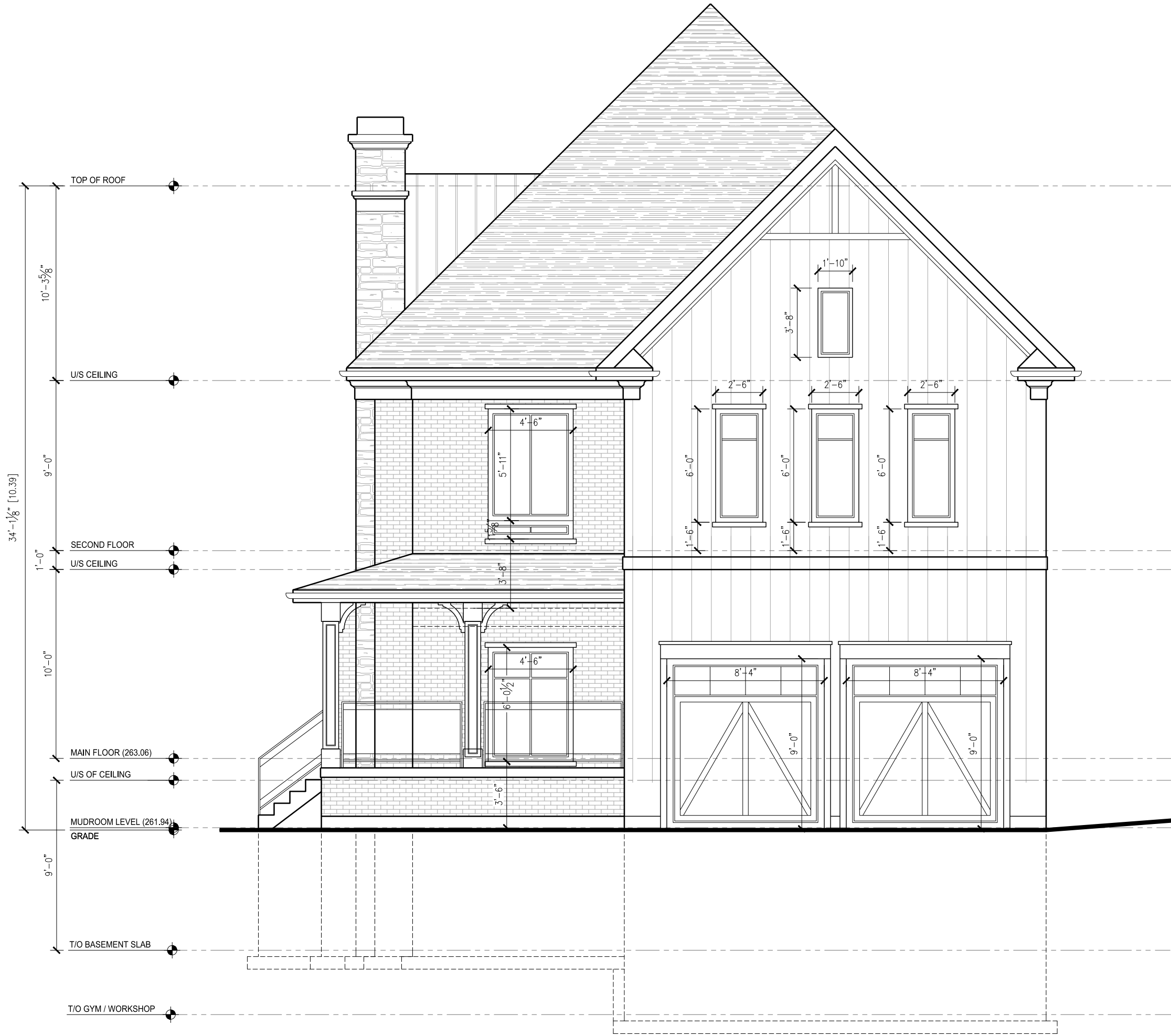
PROJECT

156 WELLS STREET,  
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PROPOSED  
ELEVATION

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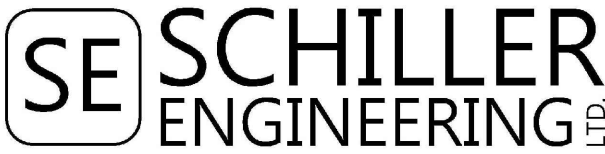
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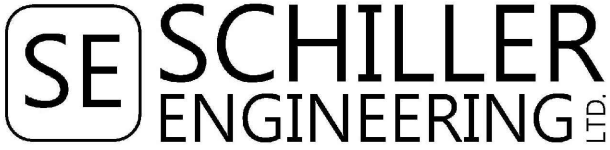
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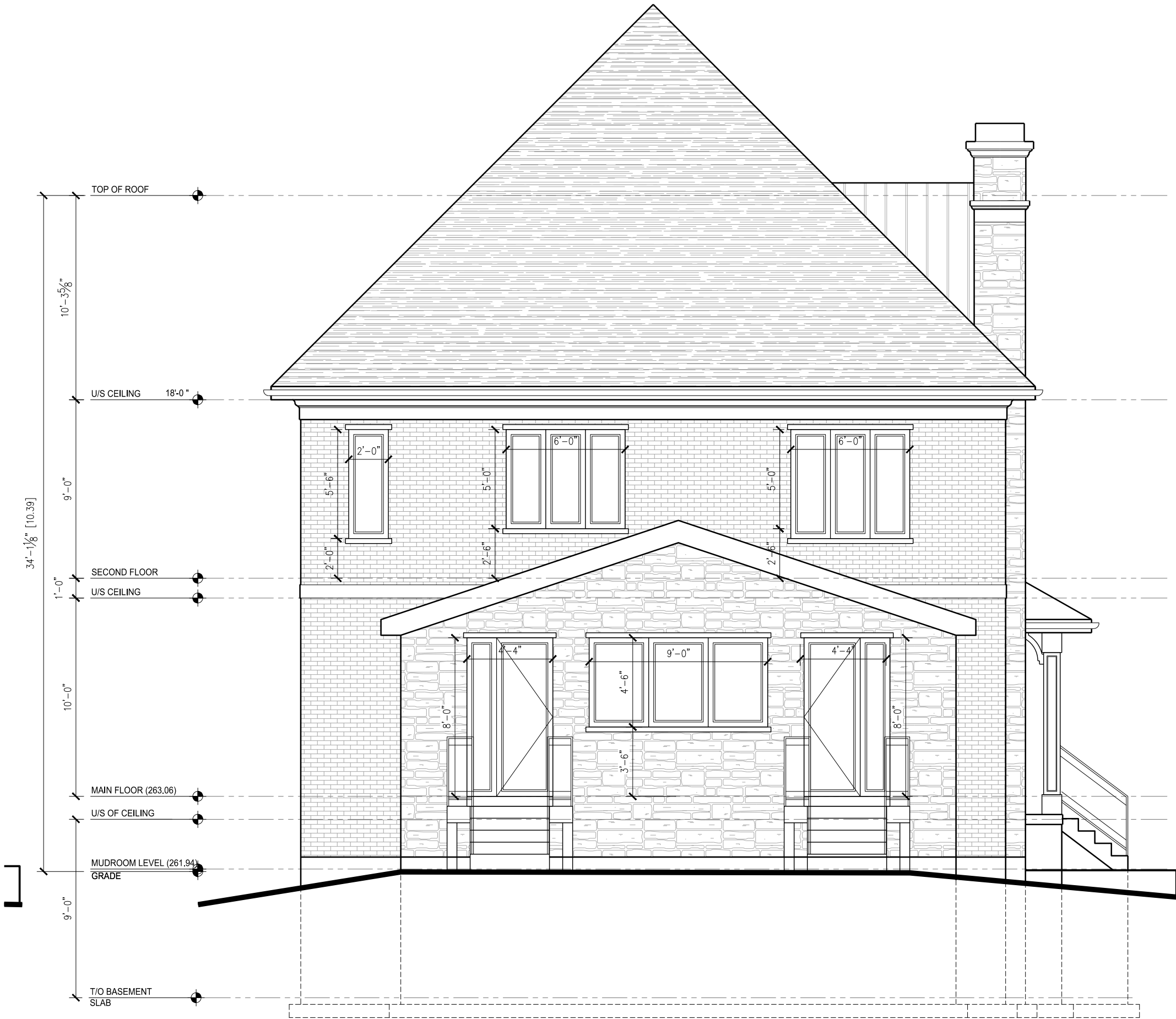
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100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
aurora.ca

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2023-03

---

**Subject:**                   **2352107 Ontario Inc.**  
1588 St John's Side Road (Blocks 3 & 4)  
Part of Lot 26 Concession 3  
File: MV-2023-03  
Relate Files: SP-2022-09; SUB-2015-02; ZBA-2015-05

**Prepared by:**           **Kenny Ng, Planner**

**Department:**           Planning and Development Services

**Date:**                    March 9, 2023

---

## **Application**

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the development of a two (2) storey, multi-unit industrial building. Both a conceptual block plan for the larger area as well as a site plan are attached as Appendix 'B' to this report for further reference.

## **Proposed Variance**

The following relief is being requested:

- a) Section 24.503.6 of the Zoning Bylaw states the minimum Gross Floor Area of all buildings and structures for all uses outlined in Section 24.503 shall be 92.6% of the lot area or portion of the lot within the E-BP (503) zone for each individual lot. The applicant is proposing a multi-unit industrial building with a Gross Floor Area at 56.19%.
- b) Section 5.4 of the Zoning Bylaw requires a minimum of 108 parking spaces for Blocks 3 and 4. The applicant is proposing 99 parking spaces, thereby requiring a variance of 9 spaces.

## **Background**

### **Subject Property and Area Context**

The subject lands are municipally known as 1588 St. John's Sideroad and are part of the Aurora Mills Business Park area located north of St. John's Sideroad and east of Leslie Street. More specifically, the subject variances are only applicable to Blocks 3 and 4 for the overall Business Park subdivision. Blocks 3 and 4 are located on the north side of the future Melvin Robson Avenue, which will serve as an interior east-west collector road for the Business Park area.

The subject lands have an approximate lot area of 1.795 hectares (4.44 acres), and an approximate lot frontage of 254.7 metres (835.6 feet) onto Melvin Robson Avenue. The subject lands are currently vacant and undergoing earthworks, with the associated Site Plan application for the proposed building (SP-2022-09) submitted to the Town. Council also approved the initial Zoning By-law Amendment and Draft Plan of Subdivision for the overall business park on June 6, 2017 (SUB-2015-02 and ZBA-2015-05).

### **Surrounding Land Uses**

The surrounding land uses for the Business Park area are as follows:

North: Environmental Protection land;  
South: Vacant future Employment land;  
East: Vacant future Employment land; and  
West: Residential Neighbourhood.

### **Official Plan**

The subject lands are designated 'Business Park 1' by the Town of Aurora Official Plan (OPA 73). The intent of this designation is to provide a full range of employment opportunities including industrial and office uses to meet the long-term needs of the Town of Aurora. The secondary plan requires that Business Park lands achieve a minimum density of 40 jobs per developable hectare.

### **Zoning**

The subject lands are zoned E-BP (503) "Employment-Business Park Exception Zone 503" by Zoning By-law 6000-17, as amended, which permits industrial uses as of right.

### **Related Planning Applications**

On June 6, 2017, Council approved a Zoning By-law Amendment and Draft Plan of Subdivision for the Aurora Mills Business Park area to define the block areas and



establish the permitted uses. A site plan application to facilitate the development of a multi-unit industrial building on the subject property (SP-2022-09) was received by the Town, and is currently under review. The subject variance is required in order to facilitate the approval of the related site plan application.

### **Preliminary Zoning Review**

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora's Building Division. The PZR identified the above-mentioned 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, *"Currently, the properties are subject to a site-specific zoning by-law which was approved prior to the Covid-19 pandemic. Following the pandemic, there has been a change in market conditions and need for office space. We are requesting modifications to site-specific requirements."*

### **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV-2023-03 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 proposed variances will support the development of a draft approved employment subdivision block and provide employment opportunities on designated employment lands. The proposed multi-unit industrial building maintains the objective of the 'Business Park 1' designation with a built form that is appropriate considering the surrounding context and will contribute to local job creation and employment growth within the Town. The Applicant has also submitted a job density calculation (attached as Appendix 'C') to justify the reduced GFA, which shows that provincial, regional and local minimum job density targets are met effectively, even despite the proposed GFA reduction. 71 jobs per hectare are being provided, which exceed policy requirements and will help to bolster the Business Park function of the area in line with the policies of the Official Plan.

The parking space deficiency is not expected to generate significant impacts to the functionality of the subject site or the subdivision overall. A Parking Justification was also provided to demonstrate that based on the proposed uses, peak demands are met. Overall, the variances requested are not anticipated to have any negative impacts or non-conformities, and they fulfill the objective of providing employment generating land uses for the area.

Staff are of the opinion that the requested variances meet the general intent of the Official Plan.

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

The minimum Gross Floor Area (GFA) provision was developed from the initial site-specific zoning by-law amendment, which was approved in 2017 for the development of the overall subdivision. The provision was developed to ensure that only 20% of the total GFA within the Business Park be used for standalone commercial/ancillary uses, with the rest being used for employment, and to make sure the employment/job densities provided by the Business Park was satisfactory. The minimum GFA of 92.6% of lot area was calculated based on the overall land use being proposed for overall subdivision to meet a requirement of 40 jobs per hectare. It was assumed that maximizing the GFA and setting that as a minimum would ensure higher job yields over the lands. Since the approval of the site-specific By-Law though, the overall development concept for the lands has changed.

In recognizing however, the true intent of the provision being to a) limit the amount of commercial uses and b) maximize employment yield, which at the time was aimed at 40 jobs per hectare, an evaluation of the proposed variances shows that the intent is still met. The variance to reduce the minimum GFA to be 56.19% of the lot area would not result in an increase to the overall percentage of commercial spaces on property, thereby maintaining the intent of Aurora 2C Secondary Plan and the overall intent of the site-specific zoning by-law of limiting commercial area to be maximum 20% of the site area. The overall job density is also actually increased from the initial development concept, as a job density of 71 jobs per hectare is still being provided, which exceeds the secondary plan requirement of 40 jobs per hectare. This increased job yield despite a lower GFA is largely made possible due to the multi-tenant nature of the specific proposal.

**Parking Space**

The general intent of the parking space requirement is to ensure that sufficient parking spaces are provided to meet the needs of the proposed facilities and that vehicle spillover will not occur for overcrowding the subject site. The applicant submitted a Parking Justification letter prepared by C.F. Crozier & Associates Inc., dated January 30, 2023, which concluded that the proposed parking spaces are adequate. This review was performed based on a review of comparable municipal zoning by-law requirements as well as parking demand forecast using the Institute of Transportation Engineers (ITE) Parking Generation Manual. Based on the findings of this letter, the proposed vehicle parking supply for the development is expected to adequately accommodate peak parking demand at the site. As determined by Town transportation staff, the letter provides sufficient evidence that the reduction in parking spaces is not anticipated to

result in negative impacts on the development and the operation of the proposed industrial building, nor will there be any negative impacts to the surrounding areas.

Furthermore, the development provides for the required barrier-free vehicle parking spaces, and further compensates the site users with alternative transportation options by providing additional bicycle parking spaces which exceed municipal requirements. As the business park builds out, it is anticipated that the area will become more walkable to accommodate patrons, thus also further reducing the need for parking spaces.

Overall, the proposal provides significant economic generation and provides new local job opportunities. As such, Staff are of the opinion that the requested variances meet the general intent of the Zoning By-law.

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

The proposed variances will continue to meet the development vision as set out in the Town's 2C Secondary Plan. The proposed variances will continue to provide employment opportunities and help establish local job as part of building a complete community. The built form of the proposed industrial building is compatible with the surrounding development context and it meets all other requirements of the site-specific zoning. Further, the reduction of GFA will not negatively impact the appearance of the building nor does it impact employment and economic development opportunities. It is anticipated that the proposed GFA will create more jobs than required in the Town's Official Plan.

The accompanying Parking Justification also sufficiently demonstrates that the proposed spaces are satisfactory in accommodating the parking needs of the site. The study has been reviewed by the Town's Traffic/Transportation analyst and no traffic related concerns have been raised. It is in the opinion of staff that the reduced parking spaces are sufficient to accommodate the proposed industrial building.

Staff are of the opinion that the requested variances are considered desirable for the appropriate development of the property.

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

In considering the impact and scale of the requested variances, they are considered to be minor in the overall context for the development of the entire business park subdivision. The reduction in GFA still ensures appropriate employment generation in line with the requirements of Town, Regional and Provincial policy, while the parking space shortfall is minor and staff are of the opinion that the proposed spaces are able to sufficiently meet the future site synergies even when the adjacent blocks are developed. The functionality

March 9, 2023

6 of 8

Report No. MV-2023-03

of the site will not be negatively affected by the proposed variance, while the proposed use also helps to generate new local employment opportunities to benefit the economy.

Staff are of the opinion that the requested variances are 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 on January 25, 2023 to confirm the variances required for the proposed development.
Engineering Division (Traffic/Transportation)	Comments provided stating no concerns with proposed variance application (dated February 21, 2023)
Operational Services (Parks)	Comments provided stating no comments/concerns with proposed application (dated February 13, 2023)
Operational Services (Public Works)	No comments received at the time of writing this report.
Central York Fire Services	Comments provided stating no comments/concerns with proposed application (dated February 9, 2023)
York Region	Comments provided stating no comments/concerns with proposed application (dated February 21, 2023)
LSRCA	Comments provided stating no comments/concerns with proposed application (dated February 22, 2023)
Alectra	No concerns with the proposed minor variance (dated February 9, 2023)
Accessibility	No concerns with the proposed minor variance (dated February 27, 2023)



## **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 are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## **Attachments**

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Employment Use Justification Letter

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


















The following conditions are required to be satisfied should application MV-2023-03 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in substantial 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.
2. That the approval of the proposed variances are conditional on the final registration of the associated Plan of Subdivision (SUB-2015-02) related to the lands.

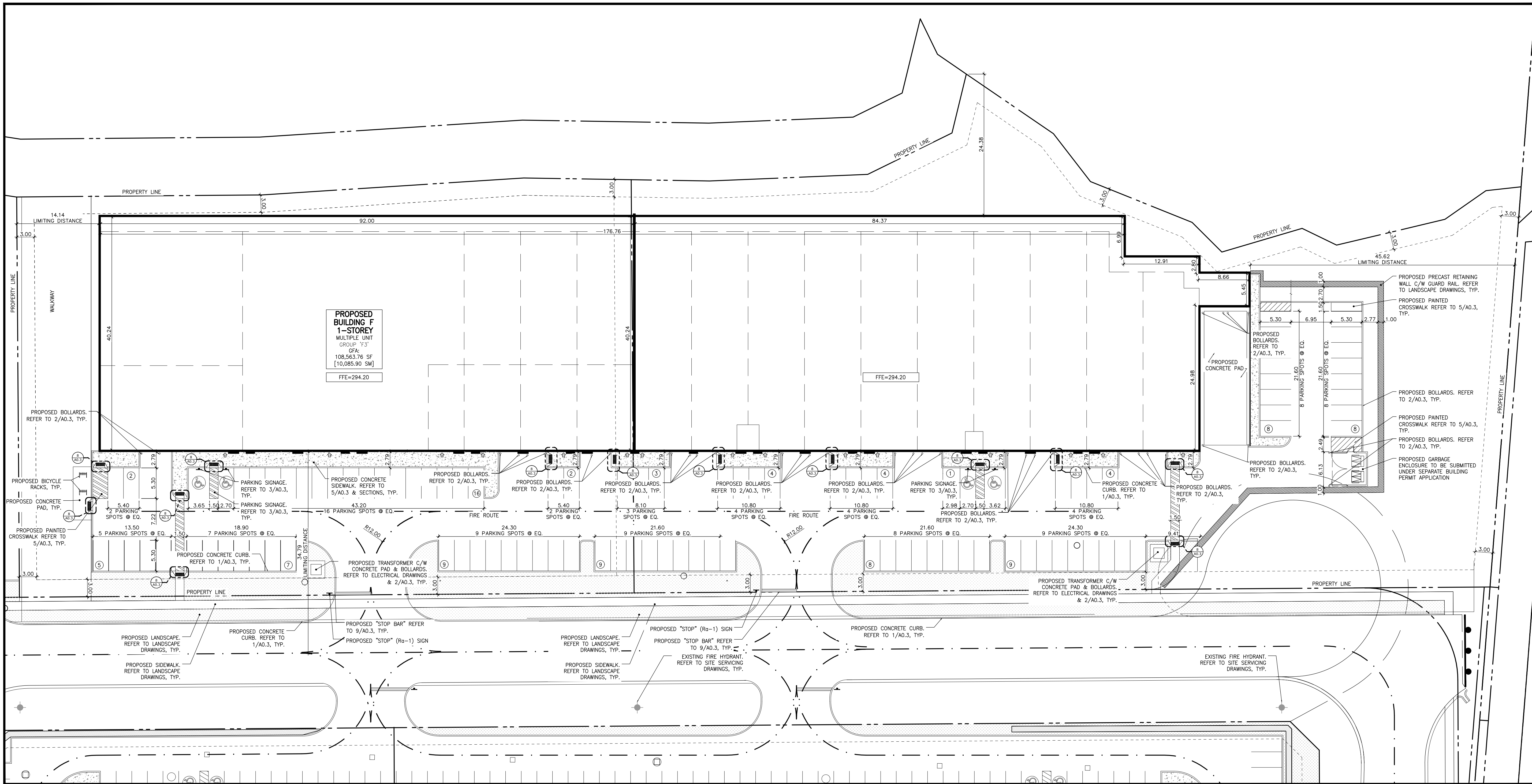






	S/C 	SIAMESE CONNECTION
	143.10	PROPOSED GRADE ELEVATION
	143.17	EXISTING GRADE ELEVATION
	C/B O/M/H	NEW SITE SERVICES (REFER TO SITE SERVICES DRAWINGS)
		PAINTED TRAFFIC LINES (REFER TO SITE DETAILS)
		PROPOSED LOCATION OF LIGHT STANDARD (2 FIXTURES)
		PROPOSED LOCATION OF LIGHT STANDARD (1 FIXTURE)
		PROPOSED LOCATION OF TRANSFORMER (SEE SITE ELECTRICAL)
		PROPOSED LOCATION OF SWITCH GEAR (SEE SITE ELECTRICAL)
		PROPOSED LOCATION OF BUILDING ENTRY

3 NOT USED  
A0.2f SCALE: NTS

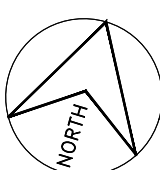


This drawing, as an instrument of service, is provided by and is the property of Paul Marques Architect Inc. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify Paul Marques Architect Inc. of any variations from the supplied information. This drawing is not to be sealed. The architect is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the contract and 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.

[illegible]

SEAL :



Project :	
BLOCK 3&4 - BUILDING F	
1588 ST. JOHN'S SIDEROAD	AURORA, ON
Drawing Name :	
SITE PLAN	
Proj no. : 18-714	Date : OCTOBER 2022
Drawn by : SM	Scale : AS NOTED
Checked by : PM	
North :	Drawing No :
	A0.2f



Development Planning Division  
Town of Aurora  
100 John West Way, Box 1000  
Aurora, Ontario L4G 6J1

March 3, 2023  
File 11201

**Attn: Peter Fan, Secretary – Treasurer, Committee of Adjustment**

**RE: Minor Variance Application Submission**  
**1588 St. John's Sideroad (Block 3 & 4) - Part of Lot 26 Concession 3**  
**File No. MV-2023-03**  
**Related Application: SP-2022-09, SUB-2015-02 and ZBA-2015-05**

Weston Consulting is the authorized planning agent for Haven Developments (2352107 Ontario Inc.), the registered owner of the property municipally known as 1588 St. John's Sideroad East, in the Town of Aurora. This letter has been prepared to supplement a request for minor variance application to permit the development of a one-storey multi-unit industrial building. The proposed development is located on Blocks 3 and 4 ("subject lands") of Draft Plan of Subdivision dated February 6, 2017, and red-lined October 23, 2020 (the "Draft Plan") as seen in Figure 1. The minor variance application is scheduled for the March 9, 2023 Committee of Adjustment meeting.

The purpose of the minor variance application is to seek relief from regulations in the Town of Aurora Zoning By-law 6000-17, which provides various development standards for development within the Town.

Further to a complete submission of minor variance application on the subject lands, a request for a supplementary calculation confirming the suitability of employment uses on the property has been requested.

## Background

Applications for Draft Plan of Subdivision and Zoning By-law Amendment were filed in 2015 to permit a business park with a total of 19 blocks comprised of employment lands, environmental protection, and open space. Conditions of Draft Plan Approval were secured on February 5, 2018, and later revised on February 3, 2021.

Block 1 of the Draft Plan of Subdivision is currently under construction and is intended to support commercial uses. A Site Plan Application has been submitted for Blocks 3 and 4 and it is anticipated that the development of these Blocks will be reviewed and processed concurrently. The development of the remainder of the subdivision blocks will be initiated as part of a future phase.

## Justification

The subject lands are zoned *Employment – Business Park* and subject to site-specific *Exception 503 (E-BP 503)* per the Town of Aurora Comprehensive Zoning By-law 6000-17, as amended by By-Law 6108-18.

The permitted uses include a range of employment uses including, but not limited to, office, industrial, manufacturing warehousing and personal services. The proposed multi-unit industrial building is considered an industrial/warehousing use which is permitted under Section 24.503.1 of the By-Law.

The site-specific zoning by-law was approved in 2017 and since then our client has consulted marketing teams to identify the most efficient use of the lands. Upon their discussions, it was determined that there has been a departure from traditional office uses which are now in decline, due to current market forces. Factors such as the evolving economy during and following the Covid-19 pandemic has resulted in a change the demand of employment uses/spaces that are available for businesses.

Employment lands are directed to be secured in Provincial Policy and Official Plan documents to reserve and protect lands with uses that will provide employment. Employment lands have traditionally comprised of business parks with multiple storey office and industrial uses, however due to the above, demand for multi-storey office is in decline due to home office and flex-space capabilities and would not be financially viable. Also, current trends in the market reflect a built form which depart from multi-floor buildings to single storey buildings. The need for industrial-related uses has risen, as those uses require physical sites with ancillary office use.

The revised proposal provides for industrial-related uses within a single storey, which are still permitted Employment uses but have been configured to adapt to current market trends, as well as the physical constraints within the site. The reduction in gross floor area provides for a more efficient use of land, balancing built form to generally comply with Town parking requirements. If additional gross floor area is required, a larger volume of parking would be required and would be difficult to achieve within the site.

In addition, the applicable secondary plan requires that Business Park lands achieve a minimum density of 40 jobs per developable hectare. The following table illustrates a job/density calculation for as a whole of the subject lands and for the respective block:

Proposed Land Use	Area (ha)	Gross Floor Area (sq. ft)	Sq. ft. per Employee	Employees	Jobs per hectare
Employment Use Block 3 & 4	1.80	108,563.79	850	128	71

## Conclusion

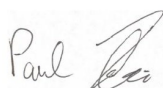
Based on the information provided in this letter together with previously submitted materials in support of the minor variance application, it is our opinion that the proposed use of the lands satisfies the employment criteria set out in Provincial Policy and applicable Official Plans.

Should there be any questions or additional information that is required, please do not hesitate to contact the undersigned at 905-738-8080 extension 290 or Eleni Mermigas at extension 320.

Yours truly,

**Weston Consulting**

Per:



Digitally signed by Paul Tobia  
DN: cn=Paul Tobia, c=CA, o=Weston Consulting, ou=Team C,  
email=ptobia@westonconsulting.com  
Date: 2023.03.03 15:21:01 -05'00'

Paul Tobia, BURPI, MCIP, RPP  
Senior Planner

c. 2352107 Ontario Inc.



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2022-45

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**Subject:**                   **2352107 Ontario Inc.**  
1588 St John's Side Road (Blocks 5 & 6)  
Part of Lot 26 Concession 3  
File: MV-2022-45  
Relate Files: SP-2020-08; SUB-2015-02; ZBA-2015-05

**Prepared by:**           **Kenny Ng, Planner**

**Department:**           Planning and Development Services

**Date:**                    March 9, 2023

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## Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the development of a two (2) storey, multi-unit industrial building. A conceptual overall and subject site plan are attached as Appendix 'B' to this report for further reference.

## Proposed Variance(s)

The following relief is being requested:

- a) Section 24.503.6 of the Zoning Bylaw 6000-17 states the minimum Gross Floor Area of all buildings and structures for all uses outlined in Section 24.503 shall be 92.6% of the lot area or portion of the lot within the E-BP (503) Zone for each individual lot. The applicant is proposing a multi-unit industrial building with a Gross Floor Area at 61.17%.
- b) Section 5.4 of the Zoning Bylaw 6000-17 requires a minimum of 99 parking spaces for Blocks 5 and 6. The applicant is proposing a multi-unit industrial building with 93 parking spaces, thereby requiring a variance of 6 spaces.
- c) Section 24.503.3.3 - of the Zoning Bylaw 6000-17 requires a minimum landscape strip adjacent to St. John's Sideroad East of 6.0 meters for Block 6. The applicant is proposing a landscaping strip of 2.36 meters.



- d) Section 24.504.3.3 of the Zoning Bylaw 6000-17 requires a minimum landscaping strip adjacent to St. John's Sideroad East of 4.0 meters for Block 5. The applicant is proposing a landscaping strip of 3.0 meters.
- e) Section 24.503.3.3 of the Zoning Bylaw 6000-17 requires a minimum landscaping strip adjacent to Melvin Robson of 3.0 meters for Block 6. The applicant is proposing a landscaping strip of 1.36 meters.
- f) Section 24.504.3.3 of the Zoning Bylaw 6000-17 requires a minimum landscaping strip adjacent to Melvin Robson of 3.0 meters for Block 5. The applicant is proposing a landscaping strip of 1.57 meters.
- g) Section 5.3 of the Zoning Bylaw 6000-17 requires the manoeuvring aisle for 90 degree parking to be a minimum of 7.0 meters. The applicant is proposing a manoeuvring aisle for 90 degree parking at 6.0 meters for Blocks 5 and 6.

## **Background**

### **Subject Property and Area Context**

The subject lands are municipally known as 1588 St. John's Sideroad and are part of the Aurora Mills Business Park located north of St. John's Sideroad and east of Leslie Street. More specifically, the subject variances are only applicable to Blocks 5 and 6 of the overall Business Park subdivision. Blocks 5 and 6 are located on the south side of the future Melvin Robson Avenue, which will serve as an interior east-west collector road for the Business Park area.

Blocks 5 and 6 have an approximate lot area of 1.34 hectares (3.33 acres), and an approximate lot frontage of 258.18 metres (847 feet) onto Melvin Robson Avenue. Blocks 5 and 6 are currently vacant and undergoing earthworks to prepare the lands for the associated Site Plan (SP-2020-08). Council also approved the initial Zoning By-law Amendment and Draft Plan of Subdivision for the overall business park on June 6, 2017 (SUB-2015-02 and ZBA-2015-05).

### **Surrounding Land Uses**

The surrounding land uses for the subject property are as follows:

North: Environmental Protection land;

South: Vacant future Employment land;

East: Vacant future Employment land; and  
West: Residential Neighbourhood.

### **Official Plan**

The subject lands are designated 'Business Park 1' by the Town of Aurora Official Plan (OPA 73). The intent of this designation is to provide a full range of employment opportunities including industrial and office uses to meet the long-term needs of the Town of Aurora. The secondary plan requires that Business Park lands achieve a minimum density of 40 jobs per developable hectare.

### **Zoning**

The subject lands are zoned E-BP (503) "Employment-Business Park Exception Zone" for Block 5, and E-BP (504) "Employment-Business Park Exception Zone" for Block 6 by Zoning By-law 6000-17, as amended. Both zones permit industrial uses as of right.

### **Related Planning Applications**

On June 6, 2017, Council approved a Zoning By-law Amendment and Draft Plan of Subdivision for the Aurora Mills Business Park area to define the block areas and establish the permitted uses. A site plan application to facilitate the development of a multi-unit industrial building on the subject property (SP-2022-08) was received by the Town and is currently under review. The subject variance is required to facilitate the approval of the related site plan application.

### **Preliminary Zoning Review**

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora's Building Division. The PZR identified the above-mentioned 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, "Currently, the properties are subject to a site-specific zoning by-law which was approved prior to the Covid-19 pandemic. Following the pandemic, there has been a change in market conditions and need for office space. We are requesting modifications to site-specific requirements."

### **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV-2022-45 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 proposed variances will support the development of a draft approved employment subdivision block and provide employment opportunities on designated employment lands. The proposed multi-unit industrial building maintains the objective of the 'Business Park 1' designation with a built form that is appropriate considering the surrounding context and will contribute to local job creation and employment growth within the Town. The Applicant has also submitted a job density calculation (attached as Appendix 'C') to justify the reduced GFA, which shows that provincial, regional and local minimum job density targets are met effectively, even despite the proposed GFA reduction. 71 jobs per hectare are being provided, which exceed policy requirements and will help to bolster the Business Park function of the area in line with the policies of the Official Plan..

The overall design of the building and function of the site are not negatively affected by the reduced landscape strip in that the overall prestige image of the business park is being maintained. Further, the deficient parking spaces is not expected to generate significant impacts to the functionality of the subject site and the overall subdivision as a whole. In considering the context of Official Plan policies, the variances requested are not anticipated to have any negative impacts or non-conformities, and they fulfill the objective of providing employment generating land uses for the area.

Staff are of the opinion that the requested variances meet the general intent of the Official Plan.

**b) The proposed variances meet the general intent of the Zoning By-law****Minimum Gross Floor Area**

The minimum Gross Floor Area (GFA) provision was developed from the initial site-specific zoning by-law amendment, which was approved in 2017 for the development of the overall subdivision. The provision was developed to ultimately ensure that only 20% of the total GFA within the Business Park would be used for standalone commercial/ancillary uses, with the rest being used for employment, and to make sure the employment / job densities provided by the Business Park was satisfactory. It was assumed that maximizing the GFA to as great an extent possible and setting that as a minimum would ensure higher job yields over the lands. Since the approval of the site-specific By-Law though, the overall development concept for the lands has changed.

In recognizing however, the true intent of the provision being to a) limit the amount of commercial uses and b) maximize employment yield, which at the time was aimed at 40 jobs per hectare, an evaluation of the proposed variances shows that the intent is still met. The variance to reduce the minimum GFA to be 61.17% of the lot area would not result in an increase to the overall percentage of commercial spaces on property, thereby

maintaining the intent of Aurora 2C Secondary Plan and the overall intent of the site-specific zoning by-law of limiting commercial area to be maximum 20% of the site area. No commercial uses are proposed on the subject blocks. The overall job density is also actually increased from the initial development concept, as a job density of 77 jobs per hectare is provided, which exceeds the secondary plan requirement of 40 jobs per hectare. This increased job yield despite a lower GFA is largely made possible due to the multi-tenant nature of the specific proposal.

### **Parking Space**

The general intent of the parking space requirement is to ensure that sufficient parking spaces are provided to meet the needs of the proposed facilities and that vehicle spillover will not occur for overcrowding the subject site.

The applicant submitted a Parking Justification letter prepared by C.F. Crozier & Associates Inc., dated January 30, 2023, exceed municipal requirements. As the business park builds out, it is anticipated that the area will become more walkable to accommodate patrons, thus also further reducing the need for parking spaces.

### **Landscape Strip**

Staff do not have concerns about the reduction in landscape area when combined with reduction in parking which attempts to minimize excessive hard surfaces.

The general intent and purpose of the landscape strip regulation is to provide for appropriate mitigation and buffering through landscaped open space to screen undesirable site activities such as parking and loading areas.

### **Along St. John Sideroad (Block 5 and 6)**

Blocks 5 and 6 on the approved Draft Plan of Subdivision generally provides a 3.0 metre landscape strip along the lot frontage on St. John's Sideroad. The proposed landscape strip starts at 3.0m along the frontage of Block 5 and tapers along Block 6 as the property line contours north.

It is the opinion of Staff that the proposed reduced landscape strip will continue to provide attractive, meaningful landscaped areas to enhance the site and the surrounding area. In addition to the proposed landscaping strip, there is also a retaining wall, which serves as additional visual screening purposes. In lieu of this, the proposed variances for the reduced landscape strip is considered to be adequate.

### **Along Melvin Robson (Block 5)**



The proposed reduced landscape strip along Melvin Robson Road is appropriate. A comprehensive landscape plan will be prepared to bolster the landscaping on site and contribute to the surrounding area. Lot line tree planting is required by parks staff and the provision of tree plantings will effectively separate the public realm from the subject lands. The site plan review process ensures that the frontage along Melvin Robson Avenue is designed with a high degree of attention to detail and high-quality building materials. In considering this, the reduction is considered to generally maintain the purpose and intent of the site-specific zoning.

#### **Minimum Maneuvering aisle for 90 Degree Parking**

The intent of the minimum maneuvering aisle width is to ensure that parking stalls have adequate space for maneuvering turns to avoid vehicular conflicts. The development proposes an aisle width of 6.0 metres at its narrowest point only along the north and west portions of the blocks and 7.31 m at its widest point. A truck turning movement assessment prepared by Crozier Consulting Engineers was submitted to confirm that the driveway is appropriate. The figures demonstrate that the reduced driveway is feasible, able to meet operational requirements and would not compromise the safety of the pedestrian and vehicular users of the site. As the technical function of the driveway is maintained, and that the 1.0 metre decrease is minor overall and not discernable from the street, it is staff's opinion that the general purpose and intent of the Town's Zoning By-law is met.

Staff are of the opinion that the requested variances meet the general intent of the Zoning By-law.

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

The proposed variances will continue to meet the development vision as set out by the Town 2C Secondary Plan. The proposed variances will continue to allow a compatible build form and would not represent an overbuild structure of the subject lands. The building meets all other building requirements in the site-specific zoning and the reduction of GFA would result in minimal visual disturbance, while providing more jobs than the requirements of the Official Plan.

The parking study sufficiently demonstrates that the proposed spaces are satisfactory in accommodating the parking needs of the site. The study has been reviewed by the Town's Traffic/Transportation analyst and no traffic related concerns have been raised. It is in the opinion of staff that the reduced parking spaces are sufficient to accommodate the proposed industrial building. The reduction in landscape strip width will not affect the overall compatibility and functionality of the site; sufficient green space is proposed to

soften the appearance and undesirable component of the development. The reduction of the minimum maneuvering aisle width is marginal and study has been provided to ensure that vehicular safety is maintained.

Staff are of the opinion that the requested variances are considered desirable for the appropriate development of the property.

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

The proposed variances are considered to be minor in the overall context for the development of the entire business park subdivision. The proposed variance on the GFA will not does not impact job yields, the parking space shortfall is minor. The reduction of landscape strip width along St. John's Sideroad is not expected to result in significant visual impacts. The landscape strip reduction along the internal roadway is considered to be minor as the site will be facing blocks 3 and 4 of the overall subdivision, of which will be operating similar employment land uses, thus the reduction will not result in compatibility issue or any other significant impacts. The impact generated by the reduction of minimum maneuvering aisle is also considered minor as the proposed manoeuvring aisle is considered sufficient through professional engineering investigation and study. The proposed reduction is only applied on specific parking area for Blocks 5 and 6.

## 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 on January 26, 2023 to confirm the variances required for the proposed development.
Engineering Division (Traffic/Transportation)	Comments provided stating no concerns with proposed variance application (dated February 21, 2023)
Operational Services (Parks)	Comments provided stating no comments/concerns with proposed application (dated November 24, 2022)

Department or Agency	Comments
Operational Services (Public Works)	No comments received at the time of writing this report.
Central York Fire Services	Comments provided stating no comments/concerns with proposed application (dated February 9, 2023)
York Region	Comments provided stating no comments/concerns with proposed application (dated February 15, 2023)
LSRCA	Comments provided stating no comments/concerns with proposed application (dated February 22, 2023)
Alectra	No concerns with the proposed minor variance (dated February 9, 2023)
Accessibility	No concerns with the proposed minor variance (dated February 27, 2023)

## 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 are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Employment Use Justification Letter

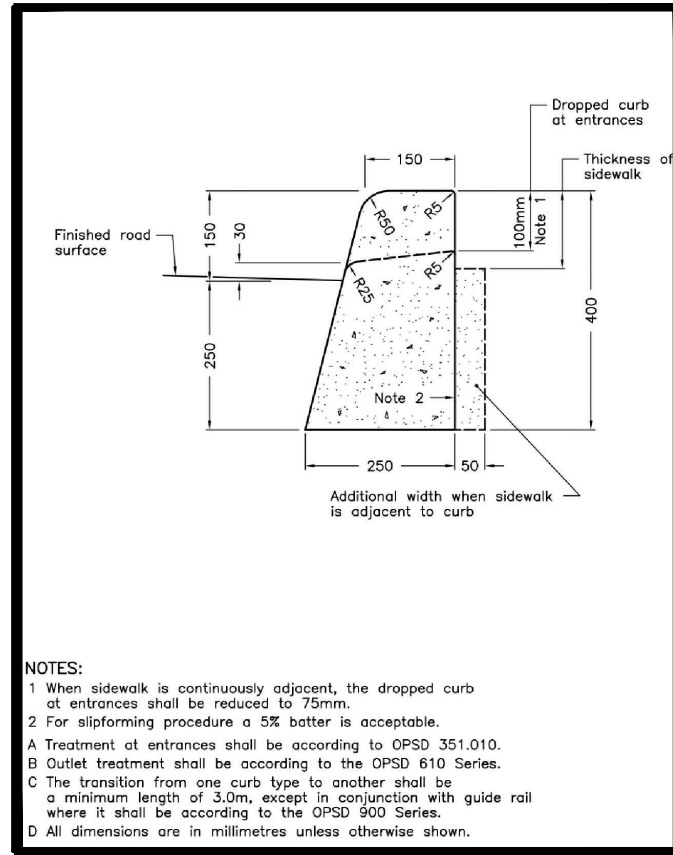
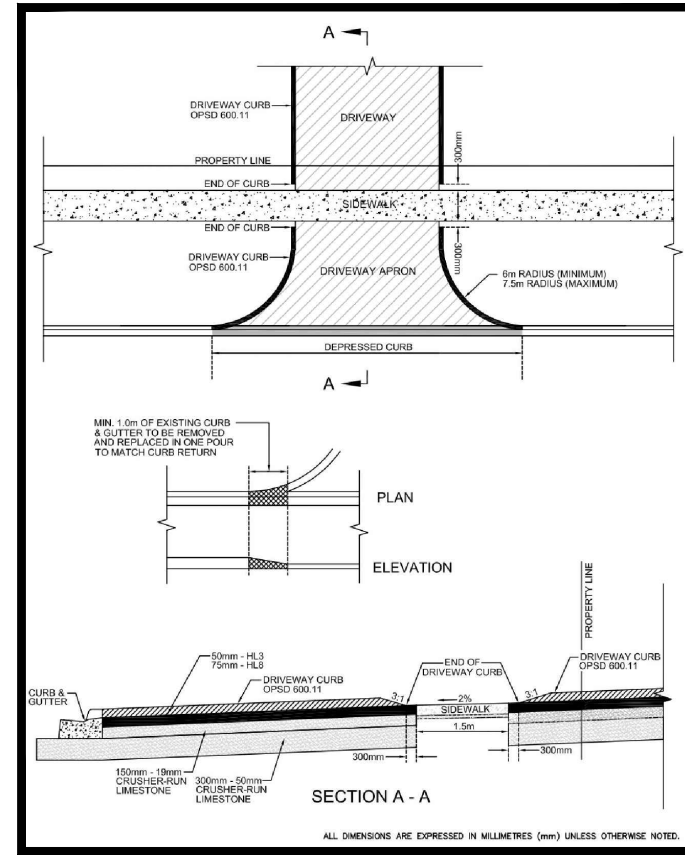
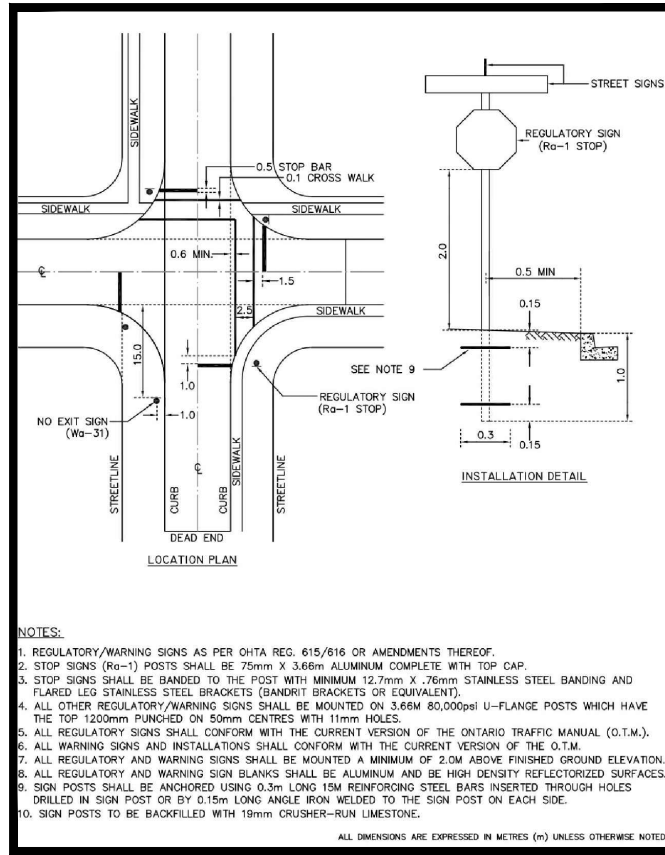
**Appendix 'A' – Recommended Conditions of Approval**

The following conditions are required to be satisfied should application MV-2022-45 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in substantial 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.
2. That the approval of the proposed variances are conditional on the final registration of the associated Plan of Subdivision (SUB-2015-02) related to the lands.



SITE STATISTICS:																	
BLOCK #	BUILDING	USE	BUILDING AREA		SEC FL/MEZZ FL		TOTAL GFA		BLOCK AREA (SM)	T. GFA/BLOCK (%)	GFA/BLOCK COVER.	PARKING REQUIRED			PROPOSED PARKING		
			[SM]	[SF]	[SM]	[SF]	[SM]	[SF]				STANDARD	BARRIER-FREE	TOTAL	STANDARD	BARRIER-FREE	TOTAL
BLOCK 1	BUILDING A (1-STORY)	RESTAURANT	292.29	3,146.16	N/A	N/A	292.25	3,145.75	5553.02	3.41%	3.41%	32 (11/100SM)	1	33	51	3	54
	BUILDING B (1-STORY)	RESTAURANT	235.54	2,535.34	N/A	N/A	235.54	2,535.34		2.75%	2.75%	26 (11/100SM)	1	27			
BLOCK 1 (COMBINED)							527.88	5,682.05		6.16%	6.16%	58	2	60			
BLOCK 1A									4126.54								
BLOCK 2	BUILDING E (1-STORY)	EMPLOYMENT	2,630.54	28,314.82	1,052.20	11,325.82	3,682.74	39,640.64	7848.90	41.09%	29.35%	66	3	69	67	3	70
BLOCK 3	BUILDING F (1-STORY)	EMPLOYMENT	7,760.37	83,531.93	2,325.54	25,031.88	10,085.90	108,563.79	17,949.85	56.19%	43.23%	108	4	112	99	4	103
BLOCK 4																	
BLOCK 5	BUILDING I (1-STORY)	EMPLOYMENT	5,913.79	63,655.51	2,330.01	25,080.02	8,243.80	88,735.52	13,477.57	61.17%	43.88%	99	4	103	93	4	97
BLOCK 6																	
BLOCK 7	BUILDING K (1-STORY)	EMPLOYMENT	3,912.23	42,110.85	1,554.97	16,737.54	5,467.20	58,848.39	20,114.19	27.18%	19.45%	84	7	187	178	8	186
	BUILDING L (2-STORIES) – MULTIPLE UNIT		3,561.62	38,336.96	1,188.50	12,792.90	4,750.12	51,129.86		23.62%	17.71%	77					
BUILDING L (2-STORIES) – OFFICE	OFFICE	7473.85	80,447.81	3,277.99	35,283.97	10,751.84	115,731.78	53.45%		37.16%	19 (3.5/100SM)	180					
TOTAL PARKING												513	20	533	492	22	514
* BASED ON ZONING BY-LAW #6000-17, THE BUILDING CALCULATED AS MULTIPLE UNIT BUILDINGS WITHIN BUSINESS PARK ZONE.																	
MULTIPLE UNIT BUILDINGS WITHIN BUSINESS PARK ZONE:																	
3.0 SPACES PER 100 SQM FOR FIRST 100 SQM OF GFA,			RESTAURANT:			BARRIER FREE PARKING GUIDELINE											
PLUS 2.0 SPACES PER 100 SQM FOR NEXT 2,700 SQM			11.0 SPACES PER 100 SQM OF GFA			1-12 1 PARKING REQUIRED											
OF GFA, PLUS 1.0 SPACE PER 100 SQM FOR NEXT						13-100 4% OF TOTAL NUMBER OF PARKING SPACES PROVIDED IN THE PARKING AREA											
3,000 SQM OF GFA, PLUS 0.5 SPACES PER 100 SQM			OFFICE:			101-200 1 PLUS 3% OF TOTAL NUMBER OF PARKING SPACES PROVIDED IN THE PARKING AREA											
OF REMAINING GFA.			3.5 SPACES PER 100 SQM OF GFA														

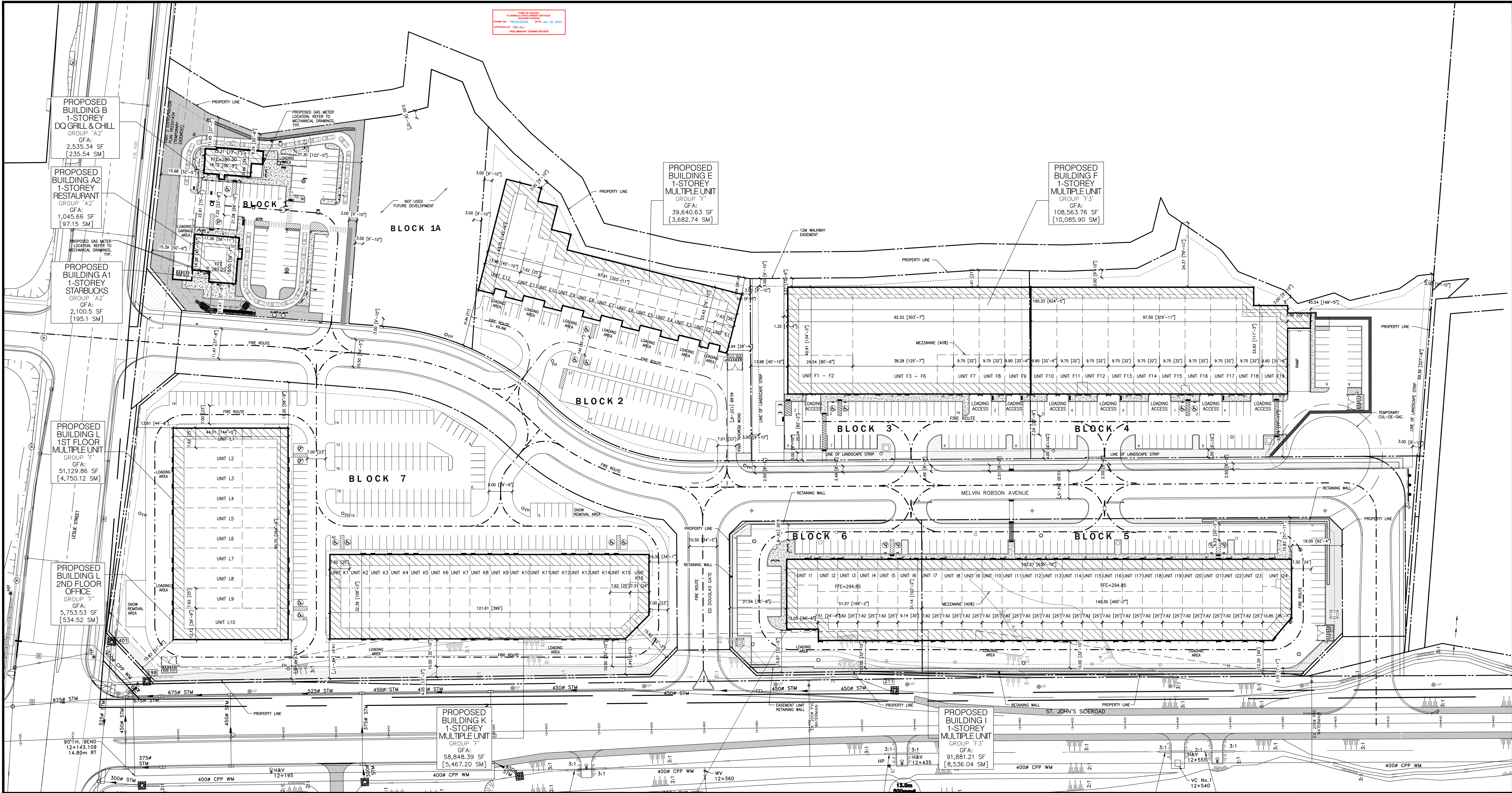


2 SITE STATISTICS  
A0.2 SCALE:

3 R-207 SIGN & PAV.  
A0.2 SCALE:

4 R-215 CURB DETAIL  
A0.2 SCALE:

5 CONCRETE CURB  
A0.2 SCALE:



1 OVERALL SITE PLAN  
A0.2 SCALE: 1:750

This drawing, as an instrument of service, is provided by and is the property of Paul Marques Architect Inc. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify Paul Marques Architect Inc. of any variations from the supplied information. This drawing is not to be scaled. The architect 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.

REV.	ISSUED FOR:	DATE:
	CLIENT REVIEW	01/23/2023

**paul marques**  
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SEAL:

**nōvus**  
Fire Protection Consulting Inc.  
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FAX: 416-447-2771

**HAVEN DEVELOPMENTS**

Project:  
**BLOCK 5&6 - BUILDING I**  
1588 ST. JOHN'S SIDEROAD AURORA, ON  
Drawing Name:  
**OVERALL SITE PLAN**  
Proj no.: 18-714 Date: OCTOBER 2018  
Drawn by: CV Scale: AS NOTED  
Checked by: PM  
North: Drawing No:  
**A0.2**

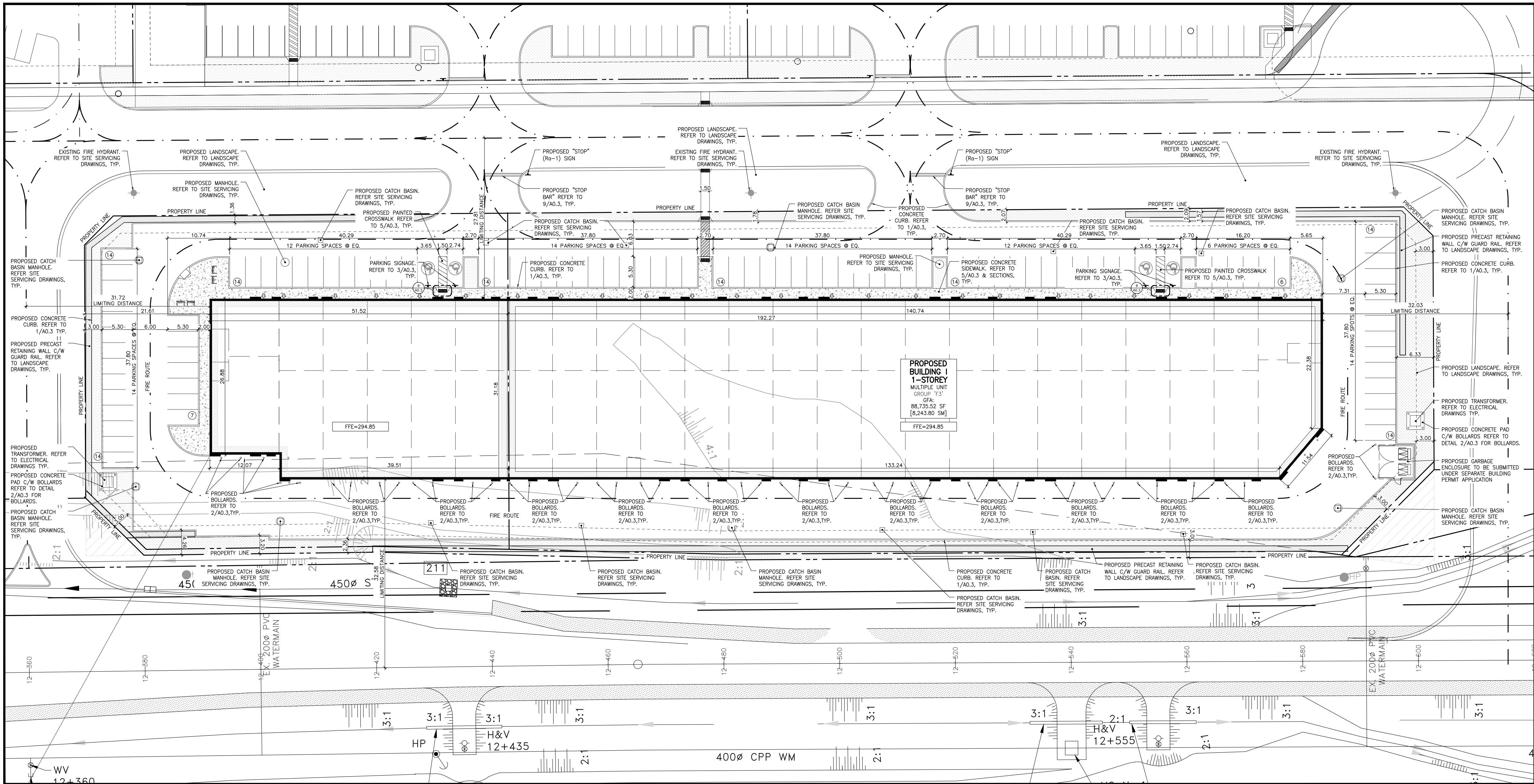


	LEGAL DESCRIPTION AND PROPERTY LINE (SUBJECT LANDS) EASEMENTS (NO BUILD, MTO)
	FIRE ROUTE
	PARCEL LINES
	NEW CONCRETE CURBS c/w SAW CUTS AND EXPANSION JOINTS
	RAISED ISLAND c/w CONCRETE PAVING AND CONCRETE CURBS
	RAISED ISLAND c/w CONCRETE CURBS AND LANDSCAPING
	PAINTED LINES (REFER TO SITE DETAILS)
	NEW CONCRETE SIDEWALK MONOLITHIC POUR c/w SAWCUTS
	PAINTED PEDESTRIAN CROSSWALK (REFER TO SITE DETAILS)
	NEW OR RELOCATED FIRE HYDRANT
	EXISTING FIRE HYDRANT
	STOP SIGNS
	'NO LEFT TURN' SIGNS
	FIRE ROUTE SIGNS

	SIAMESE CONNECTION
	PROPOSED GRADE ELEVATION
	EXISTING GRADE ELEVATION
	NEW SITE SERVICES (REFER TO SITE SERVICES DRAWINGS)
	PAINTED TRAFFIC LINES (REFER TO SITE DETAILS)
	PROPOSED LOCATION OF LIGHT STANDARD (2 FIXTURES)
	PROPOSED LOCATION OF LIGHT STANDARD (1 FIXTURE)
	PROPOSED LOCATION OF TRANSFORMER (SEE SITE ELECTRICAL)
	PROPOSED LOCATION OF SWITCH GEAR (SEE SITE ELECTRICAL)
	PROPOSED LOCATION OF BUILDING ENTRY

2  
A0.21  
LEGEND  
SCALE: NTS

3  
A0.21  
NOT USED  
SCALE: NTS



1  
A0.21  
BLOCK 5&6 - BUILDING "1" SITE PLAN  
SCALE: 1:300

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REV.	ISSUED FOR:	DATE:
	CLIENT REVIEW	01/23/2023

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FAX: 416-447-2771

**HAVEN DEVELOPMENTS**

Project :  
**BLOCK 5&6 - BUILDING 1**  
1588 ST. JOHN'S SIDEROAD AURORA, ON  
Drawing Name :  
**SITE PLAN**  
Proj no. : 18-714 Date : OCTOBER 2018  
Drawn by : CV Scale : AS NOTED  
Checked by : PM  
North : Drawing No :  
  
**A0.21**



Development Planning Division  
Town of Aurora  
100 John West Way, Box 1000  
Aurora, Ontario L4G 6J1

March 3, 2023  
File 11201

**Attn: Peter Fan, Secretary – Treasurer, Committee of Adjustment**

**RE: Minor Variance Application Submission**  
**1588 St. John's Sideroad (Block 5 & 6) - Part of Lot 26 Concession 3**  
**File No. MV-2022-45**  
**Related Application: SUB-2015-02 and SP-2020-08**

Weston Consulting is the authorized planning agent for Haven Developments (2352107 Ontario Inc.), the registered owner of the property municipally known as 1588 St. John's Sideroad East, in the Town of Aurora. This letter has been prepared to supplement a request for minor variance application to permit the development of a one-storey multi-unit industrial building. The proposed development is located on Blocks 5 and 6 ("subject lands") of Draft Plan of Subdivision dated February 6, 2017, and red-lined October 23, 2020 (the "Draft Plan") as seen in Figure 1. The minor variance application is scheduled for the March 9, 2023 Committee of Adjustment meeting.

The purpose of the minor variance application is to seek relief from regulations in the Town of Aurora Zoning By-law 6000-17, which provides various development standards for development within the Town.

Further to a complete submission of minor variance application on the subject lands, a request for a supplementary calculation confirming the suitability of employment uses on the property has been requested.

## Background

Applications for Draft Plan of Subdivision and Zoning By-law Amendment were filed in 2015 to permit a business park with a total of 19 blocks comprised of employment lands, environmental protection, and open space. Conditions of Draft Plan Approval were secured on February 5, 2018, and later revised on February 3, 2021.

Block 1 of the Draft Plan of Subdivision is currently under construction and is intended to support commercial uses. A Site Plan Application has been submitted for Blocks 5 and 6 and it is anticipated that the development of these Blocks will be reviewed and processed concurrently. The development of the remainder of the subdivision blocks will be initiated as part of a future phase.

## Justification

The subject lands are zoned *Employment – Business Park* and subject to site-specific *Exception 503 (E-BP 503)* per the Town of Aurora Comprehensive Zoning By-law 6000-17, as amended by By-Law 6108-18.

The permitted uses include a range of employment uses including, but not limited to, office, industrial, manufacturing warehousing and personal services. The proposed multi-unit industrial building is considered an industrial/warehousing use which is permitted under Section 24.503.1 of the By-Law.

The site-specific zoning by-law was approved in 2017 and since then our client has consulted marketing teams to identify the most efficient use of the lands. Upon their discussions, it was determined that there has been a departure from traditional office uses which are now in decline, due to current market forces. Factors such as the evolving economy during and following the Covid-19 pandemic has resulted in a change the demand of employment uses/spaces that are available for businesses.

Employment lands are directed to be secured in Provincial Policy and Official Plan documents to reserve and protect lands with uses that will provide employment. Employment lands have traditionally comprised of business parks with multiple storey office and industrial uses, however due to the above, demand for multi-storey office is in decline due to home office and flex-space capabilities and would not be financially viable. Also, current trends in the market reflect a built form which depart from multi-floor buildings to single storey buildings. The need for industrial-related uses has risen, as those uses require physical sites with ancillary office use.

The revised proposal provides for industrial-related uses within a single storey, which are still permitted Employment uses but have been configured to adapt to current market trends, as well as the physical constraints within the site. The reduction in gross floor area provides for a more efficient use of land, balancing built form to generally comply with Town parking requirements. If additional gross floor area is required, a larger volume of parking would be required and would be difficult to achieve within the site.

In addition, the applicable secondary plan requires that Business Park lands achieve a minimum density of 40 jobs per developable hectare. The following table illustrates a job/density calculation for as a whole of the subject lands and for the respective block:

Proposed Land Use	Area (ha)	Gross Floor Area (sq. ft)	Sq. ft. per Employee	Employees	Jobs per hectare
Employment Use Block 5 & 6	1.35	88,735.52	850	104	77

## Conclusion

Based on the information provided in this letter together with previously submitted materials in support of the minor variance application, it is our opinion that the proposed use of the lands satisfies the employment criteria set out in Provincial Policy and applicable Official Plans.

Should there be any questions or additional information that is required, please do not hesitate to contact the undersigned at 905-738-8080 extension 290 or Eleni Mermigas at extension 320.

Yours truly,

**Weston Consulting**

Per:



Digitally signed by Paul Tobia  
DN: cn=Paul Tobia, c=CA, o=Weston Consulting, ou=Team C,  
email=ptobia@westonconsulting.com  
Date: 2023.03.03 15:20:16 -05'00'

Paul Tobia, BURPI, MCIP, RPP  
Senior Planner

c. 2352107 Ontario Inc.