



Town of Aurora
Committee of Adjustment
Meeting Minutes

Date: Thursday, March 9, 2023

Time: 7:00 p.m.

Location: Video Conference

Committee Members: Tom Plamondon (Chair)

Daniel Lajeunesse

Steven D'Angeli

Linda Duringer

David Mhango

Other Attendees: Rosanna Punit, Planner

Peter Fan, Secretary-Treasurer, Committee of Adjustment

1. Call to Order

2. Land Acknowledgement

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

We further acknowledge that Aurora is part of the treaty lands of the Mississaugas and Chippewas, recognized through Treaty #13 as well as the Williams Treaties of 1923.

A shared understanding of the rich cultural heritage that has existed for centuries, and how our collective past brought us to where we are today, will help us walk together into a better future.

3. Approval of the Agenda

Moved by Linda Duringer

Seconded by Daniel Lajeunesse

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

Carried

4. Declarations of Pecuniary Interest and General Nature Thereof

None.

5. Receipt of the Minutes

5.1 Committee of Adjustment Meeting Minutes of February 9, 2023, Meeting Number 23-02

Moved by Linda Duringer

Seconded by Daniel Lajeunesse

That the Committee of Adjustment Minutes from Meeting Number 23-02 be adopted as circulated.

Carried

6. Presentation of Applications

6.1 MV-2022-40 - Hilsenteger - 3 Jarvis Avenue

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'.

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.

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

The Chair invited members of the public to provide comments. In attendance were two (2) public delegates, Seymour Martin, and Rob Spiering. Seymour inquired about the use and the location of the moloks. Rob Spiering elaborated of the letters of oppositions submitted by the community and raised questions to seek further clarity for their concerns.

The Committee inquired about the use and the need of for the moloks, contingency plans, and whether the moloks will store commercial or domestic garbage.

Moved by David Mhango

Seconded by Steven D'Angeli

That the Minor Variance Application MV-2022-40 be APPROVED as AMDENDED.

Carried as amended

6.2 MV-2023-06 - Lam -120 Championship circle

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.

The following relief is being requested:

1. 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.
2. 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%.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the applicant, Henry Ma. The applicant gave a brief introduction and presentation to their application.

The Chair invited members of the public to provide comments. In attendance was one (1) public delegate, Amir Zahedi. Amir raised concerns regarding the size and height of the deck, sight lines, loss of vegetation, and privacy.

The Committee had no concerns, however, wanted to note that the Town had recommended conditions of approvals in which would address many concerns of the delegate.

Moved by Linda Duringer

Seconded by Daniel Lajeunesse

That the Minor Variance Application MV-2023-06 be APPROVED.

Carried

6.3 MV-2023-08 - 1623 Wellington St. Developments - 1623 Wellington St E

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.

The following relief is being requested:

1. 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 16.0 meters, thereby requiring a variance of 2.5 metres.

2. 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.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the applicant, Adam Layton. The applicant gave a brief introduction and presentation to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee inquired about the heights of the neighbouring buildings, the nature of the height increase and whether or not the solar panels add to the building height. The Committee also inquired about the definition of a "clinic" use, and if the parking on site is met should the use of a "clinic" be approved.

Moved by David Mhango

Seconded by Linda Durringer

That the Minor Variance Application MV-2023-08 be APPROVED.

Carried

6.4 MV-2022-48 - Yu - 15032 Yonge Street

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.

The following relief is being requested:

1. 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.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the applicant, Saba Al Mathno. The applicant gave a brief introduction to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee inquired about the number of handicap parking spaces required for the proposed uses.

Moved by Daniel Lajeunesse

Seconded by Linda Durringer

That the Minor Variance Application MV-2022-48 be APPROVED.

Carried

6.5 MV-2022-50 - Davidson - 24 Hunters Glen Rd

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.

The following relief is being requested:

1. 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.
2. 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.
3. 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%.

4. 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%.
5. 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.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the applicant, Sandra Gava. The applicant gave a brief introduction to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee inquired about the impervious surfaces and whether or not pervious construction materials could be substituted.

Moved by Linda Durringer

Seconded by Steven D'Angeli

That the Minor Variance Application MV-2022-50 be APPROVED as AMENDED.

Carried

6.6 MV-2023-05 - Akkermans -156 Wells Street

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).

The following relief is being requested:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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

The Chair invited the Applicant or Owner to address the Committee. In attendance was the applicant, Sandra Gava. The applicant gave a brief introduction to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee expressed their concerns of height and the disturbances to the surrounding natural features as a result of the construction.

Moved by David Mhango

Seconded by Daniel Lajeunesse

That the Minor Variance Application MV-2023-05 be APPROVED as AMENDED.

Carried as amended

6.7 MV-2023-03 - Haven Developments (2352107 Ontario Inc.) - 1588 St. John's (blk 3-4)

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.

The following relief is being requested:

1. 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%.
2. 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.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the owner Anna Rita Barbosa, and Agent Paul Tobia. The agent gave a brief introduction and presentation to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee sought clarifications on the maneuvering aisle, GFA and job density requirements.

Moved by Linda Duringer

Seconded by David Mhango

That the Minor Variance Application MV-2023-03 be APPROVED as AMENDED.

Carried as amended

6.8 MV-2022-45 - Haven Developments (2352107 Ontario Inc.) - 1588 St John's (blk 5&6)

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.

The following relief is being requested:

1. 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%.
2. 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.
3. 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.
4. 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.

5. 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.
6. 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.
7. 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.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the owner Anna Rita Barbosa, and Agent Paul Tobia. The agent gave a brief introduction and presentation to their application.

The Chair invited members of the public to provide comments. There were no live delegates present to provide comments.

The Committee sought clarifications on the maneuvering aisle, GFA and job density requirements.

Moved by Linda Duringer

Seconded by Daniel Lajeunesse

That the Minor Variance Application MV-2022-45 be APPROVED as AMENDED.

Carried as amended

7. New Business

None.

8. Adjournment

Meeting adjourned at 11:41pm

Moved by Daniel Lajeunesse

Carried