



**Town of Aurora
Committee of Adjustment
Meeting Agenda (Revised)**

Date: Thursday, October 8, 2020
Time: 7:00 p.m.
Location: Video Conference

	Pages
1. Procedural Notes	
2. Approval of the Agenda	
That the Agenda as circulated by the Secretary-Treasurer be approved.	
3. Declarations of Pecuniary Interest and General Nature Thereof	
4. Receipt of the Minutes	
4.1. Committee of Adjustment Meeting Minutes of September 10, 2020, Meeting Number 20-06	1
That the Committee of Adjustment Minutes from the Meeting Number 20-06 be adopted as printed and circulated.	
5. Presentation of Applications	
5.1. MV-2020-18 - 2351528 Ontario Ltd. - 305 & 325 Addison Hall Circle	8
5.2. MV-2020-19 - Ward - 88 George Street	16
5.3. MV-2020-01 - HE - 75 Stemmler Drive	20
6. New Business	
7. Adjournment	



Town of Aurora
Committee of Adjustment Meeting Minutes
No. 20-07

September 10, 2020
7 p.m., Electronic Meeting

1. Approval of the Agenda

Recommended:

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

Moved by Daniel Lajeunesse

Carried

2. Declarations of Pecuniary Interest and General Nature Thereof

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

3. Adoption of the Minutes

**Committee of Adjustment Minutes of August 6, 2020
Meeting Number 20-06**

Recommended:

That the Committee of Adjustment Minutes from Meeting Number 20-06 be adopted.

**Moved by Steven D'Angeli
Seconded by Michele Boyer**

Carried

4. Presentation of Applications

1. C-2020-04 – 1623 Wellington Street Developments Inc. 1623 Wellington Street East

The purpose of this application to request a change of conditions for provisional consent which was granted by the Committee, subject to 7 conditions, on March 12, 2020 (C-2020-01). The applicant is seeking that condition #4 be revised as follows:

“That the Owner enter into an agreement with the Town, to the satisfaction of the Director of Planning and Development Services for:

- a. The design and construction of Goulding Avenue, including all applicable costs for all necessary services and utilities to extend existing Goulding Avenue to Wellington Street East; and,
- b. To construct and dedicate the extension of Goulding Avenue to the Town within 12 months of starting construction, and provide full access to the retained and severed parcels, including any required access easements, to the satisfaction of the Director of Planning and Development Services.”

The Chair invited the Applicant or Agent to address the Committee. In attendance was the applicant, Nikolas Papapetrou. Through the presentation, he stated that the purpose of the application is to amend a condition from C-2020-01, where they are required to enter into a Site Plan Agreement to construct Goulding Avenue (Part 3), which is currently under review with the Planning Department. He further explained that since then, they had to pause the retail development on the West side of the property. Thus, they are requesting to remove the reference to the Site Plan Agreement, and to revise the completion timeline to 12 months of starting construction.

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

Through the Chair, Daniel requested clarification regarding whether the employment side or commercial side that is on hold. Nikolas confirmed that it was the commercial side.

Through the Chair, Michele asked staff if there would be any conflicts with the removal of the Site Plan Agreement in the conditions. Staff stated that the new condition references a Development Agreement for the construction of the road, and whenever the applicant is ready to proceed, they will restart their Site Plan Application process. Staff further noted that condition #7 (that the owner enter into a Memorandum of Understanding for a Cash-in-lieu of Parkland if required) has been added because Cash-in-Lieu of Parkland is typically collected during the Site Plan Agreement process.

Moved by Steven D'Angeli

Seconded by Daniel Lajeunesse

1. That the Consent Application C-2020-04 be APPROVED, subject to the conditions in Appendix "A" of the staff report.

Carried

2. MV-2020-15 – Theriault – 51 Haskell Crescent

The applicant is requesting the following relief from the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit a reduced interior side yard setback for an existing detached pavilion:

- a) Section 7.2 of the Zoning By-law requires a minimum interior side yard setback of 1.2 metres. The applicant is proposing an interior side yard setback of 0.50 metres to the eastern interior side property line.

The Chair invited the Applicant or Agent to address the Committee. In attendance was the applicant Rob Theriault. Rob present a short video that showed the location of the pavilion and how it fits in with his backyard.

The Chair invited members of the public to provide comments. Colin and Victoria Worley. Colin stated that the creation of the pavilion has brought upon drainage

concerns, and brought forward a plan that showed the various slope differences amongst the lots on Haskell Crescent.

Through the Chair, Steven asked Colin and Victoria if they had the opportunity to review the conditions in the staff report, and asked if they believe this is a reasonable approach. They confirmed, and inquired about the timeline. Through the Chair, staff stated that we do not have a reasonable timeframe, and is unsure when the applicant would be looking to complete the works. However, that the applicant will have to comply with the timelines as stipulated in the Notice of Violation. Rob stated that they are already speaking with a potential engineer to complete the report and is willing to undertake the measures as recommended. Colin also inquired how his issues with the fence can be resolved, and Steven stated that it is a civil matter.

Through the Chair, Daniel asked staff what would happen if the problem is not resolved through implementing the conditions in the staff report. Staff stated that would be dealt through property standards.

Through the Chair, Steve asked staff if it was possible to put a temporal component on the second and third condition, and if that will conflict the Notice of Violation. Staff stated that it will conflict with the Notice of Violation.

Through the Chair, Michele stated to Colin that if the variance is approved and the issues do not get resolved through the recommendations provided by the engineer, that he has the opportunity to go through property standards. Colin acknowledged.

Moved by Steven D'Angeli
Seconded by Daniel Lajeunesse

1. That the Minor Variance Application MV-2020-15 be APPROVED, subject to conditions as outlined in Appendix "A" of the staff report.

Carried

3. MV-2020-16 – Pontisso – 10 Jasper Drive

The applicant is requesting relief from the requirements of the Town of Aurora Comprehensive Zoning By-law 6000-17, as amended, to permit the construction of a two-storey addition, and a new porch. In response to Staff comments, the applicant has revised their plans to increase the proposed minimum front yard setback from 5.13 metres to 5.5 metres. As such, the following relief from the Zoning By-law is 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 two-storey addition with an integral garage with a front yard setback of 5.5 metres; and,
- (b) Section 4.20 of the Zoning By-law states that open porches require a minimum setback of 4.5 metres from the front property line. The applicant is proposing a front porch with steps with a setback of 3.42 metres to the front property line.

The Chair invited the Applicant or Agent to address the Committee. In attendance was the owner, Michael Pontisso.

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

Through the Chair, Steve asked staff if the house itself is non-compliant. Staff confirmed and stated that the existing front yard is closer than what the by-law requires. Steve asked that with the amended request, the proposed addition would be consistent with the existing non-conformity. Staff confirmed.

The Chair asked Michael if he had seen and understood the conditions of the staff report. Michael confirmed.

Moved by Steven D'Angeli

Seconded by Daniel Lajeunesse

1. That the Minor Variance Application MV-2020-16 be APPROVED, subject to conditions as outlined in Appendix "A" of the staff report.

Carried

4. MV-2020-17 – Charbonneau – 64 Cousins Drive

The owner is requesting the following relief from the requirements of the Town's Zoning By-law 6000-17, as amended, to permit the construction of an attached garage to an existing dwelling:

- a) 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 an attached garage with a west interior side yard setback of 0.6 metres.

The Chair invited the Applicant or Agent to address the Committee. In attendance was the owner, Michael Charbonneau and the applicant Caroline Charbonneau. Caroline provided a presentation that provided an overview of the proposal. She stated that the existing dwelling and the detached garage was built in the 60s, and that the garage is showing signs of deterioration and is not wide enough to fit a large standard sized vehicle.

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

Through the Chair, Michele asked the applicant if they have read and are satisfied with the conditions in the staff report. Caroline asked for clarification regarding the condition that may require an Arborist Report. Through the Chair, staff stated that the condition has to be cleared with the Parks Department prior to any permits being issued. Through the Chair, Steve stated that these are standard conditions when there are significant mature vegetation present on the properties. Staff confirmed.

Moved by Daniel Lajeunesse
Seconded by Michele Boyer

1. That the Minor Variance Application MV-2020-17 be APPROVED, subject to conditions as outlined in Appendix "A" of the staff report.

Carried

5. New Business

6. Adjournment

Moved by Daniel Lajeunesse

That the meeting be adjourned at 8:15 PM.

CARRIED

Confirmed in open session this 10th day of September, 2020.

COMMITTEE OF ADJUSTMENT STAFF REPORT

DATE: October 2, 2020

FROM: Sean Lapenna, Planner, Planning and Development Services

RE: Minor Variance Application
305 & 325 Addison Hall Circle
Blocks 2 & 3, Plan 65M-4650
File: MV-2020-18
Related File: SP 2019-10

1. APPLICATION

The owner is requesting the following relief from the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit the construction of two one-storey industrial buildings:

325 Addison Hall Circle (Block 2)

- a) Section 5.5.4 d) of the Zoning By-law shall not exceed two (2) driveways in number and shall be a width of seven decimal five (7.5) metres at both street line and edge of pavement. The applicant is proposing two (2) driveways in number having a width of 8.04 metres and 8.54 metres;

305 Addison Hall Circle (Block 3)

- a) Section 5.5.4 d) states that driveways shall not exceed two (2) in number and shall be a width of seven decimal five (7.5) metres at both street line and edge of pavement. The applicant is proposing two (2) driveways with one having a width of 8.04 metres.

2. BACKGROUND

Subject Property and Area Context

The subject lands consist of two properties, municipally known as 325 & 305 Addison Hall Circle and are located within the Addison Hall Business Park, on the north side of Addison Hall Circle, east of Leslie Street, south of St. John's Sideroad and west of Highway 404. 325 Addison Hall Circle has a lot area of approximately 22,418.6 m² (5.54 acres) and a

lot frontage of approximately 111.2 m (365 ft) while 305 Addison Hall Circle has a lot area of approximately 21,227.1 m² (5.25 ac) and a lot frontage of approximately 105.8 m (347 ft). Each property is currently vacant.

Proposal

The owner is proposing to construct a one-storey industrial building with a Gross Floor Area of approximately 9,604 m² (103,377 ft²) at 325 Addison Hall Circle (Building 1) and at 305 Addison Hall Circle (Building 2). The owner has requested driveway width variances for each property to accommodate the proposed development which is generally consistent with the Site Plan application currently under review by Town Staff (SP-2019-10).

Building 1, at 325 Addison Hall Circle, contains eight units and has two driveways for access, one located along the west side of the property and another located on the east side of the property. The western driveway has a width of 8.04 m (26.5 ft) and the east driveway (shared between both properties; 325 Addison Hall Circle and 305 Addison Hall Circle) has a width 8.54 m (28.0 ft). Both driveways are intended to accommodate two-way traffic to and from the each property.

Building 2, at 305 Addison Hall Circle, contains eight units and has two driveways for access, one located along the east and west side of the property (west side driveway will be shared between both properties; 325 Addison Hall Circle and 305 Addison Hall Circle). The eastern driveway (305 Addison Hall Circle) has a width of 8.04 m (26.5 ft) and is the lone driveway located on the property that requires a minor variance for a reduced driveway width.

As per the submitted Site Plan, the driveway located in the center of the subject lands (325 and 305 Addison Hall) will exist on both properties, however the majority of the driveway will be on 325 Addison Hall Circle. As mentioned, this will be a shared access driveway intended to service both 325 and 305 Addison Hall Circle which are proposed to be under the same ownership. The increased width requested for the driveway located in the center of the subject lands applies to 325 Addison Hall Circle only.

A total of 106 parking spaces including 4 accessible spaces are to be provided on each property to service each building. A total of 212 parking spaces, including 8 accessible spaces will be provided on the subject lands (325 and 305 Addison Hall Circle).

Official Plan

The properties are primarily designated 'Business Park 1', by the Aurora Northeast (2C) Secondary Plan (OPA No. 73). A very small portion of 325 Addison Hall Circle (north-

west corner of the site) is designated Environmental Protection Area. No part of the building proposed for this property will be developed on any portion of lands designated Environmental Protection Area. The variance request does not apply to this smaller portion of the site.

The objectives of the Business Park include accommodating a range of employment opportunities such as prestigious office uses to warehousing and light manufacturing. The intent of the Business Park 1 designation is to promote high quality and prestigious employment generating land uses, to maximize the advantages of the exposure to Highway 404, and to accommodate lower order industrial uses with larger building footprints, within the interior of the Business Park.

Zoning

Each property is zoned 'Business Park Exception 443 (E-BP (443)) Zone' by the Town of Aurora Zoning By-law 6000-17, as amended which permits industrial uses.

Preliminary Zoning Review

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

3. REVIEW & COMMENTS

The minor variance application was circulated to Town divisions and applicable external agencies for review and comment. The following is a list of those who were circulated and the comments provided:

Planning Comments

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

The proposed multi-unit industrial development will include loading facilities for which larger scale vehicles will require access.

The increased driveway widths have been requested specifically to accommodate trucks and other heavy vehicles accessing the properties, as these vehicles will require access to each lot.

Section 3.4.1 (g) of OPA 73 encourages shared access and internal connections between multiple lots, which is reflected on the latest site plan.

Planning Staff are of the opinion that the increased widths for each driveway, as requested, will provide for convenient vehicular access onsite to parking areas, loading spaces and building entrances.

As such, staff are of the opinion that the variance as requested meets the general intent of the Official Plan.

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

The intent of Section 5.5.4 d) of the Zoning By-law is to limit the maximum number of driveways to two (2) as well as to regulate the width and design of driveways to ensure that there is satisfactory space for anticipated vehicular access and movements, adequate space for landscaping and the placement of utilities, to ensure there are no adverse impacts on sidewalks or roadways, that adequate space for parking remains available and that the development is compatible with the surrounding area.

The width requirement in place as identified in the Town's Zoning By-law typically allows for one ingress lane and one egress lane. As noted in the application, each driveway will be accessed off of Addison Hall Circle to the south and will be wide enough to accommodate two-way traffic.

Planning Staff acknowledge that the Zoning By-law states that the number of driveways shall not exceed two (2) and note that the applicant has complied with this requirement as the number of driveways will not exceed two for each property. Furthermore, staff believe that the increased width will allow for enhanced vehicle access and traffic movements for both smaller and larger vehicles. The submitted application also notes improving fire truck access to each property as a basis for the variance requested.

Planning Staff are therefore of the opinion that the increases to width for the driveways will not result in any negative impacts and are of the opinion that the general intent of the Zoning By-law will be met.

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

Each driveway location will provide access to each lot and will assist in overall traffic movements throughout each property. The increased driveway widths to the west (325 Addison Hall Circle), center of the subject lands (325 Addison Hall Circle) and east (305 Addison Hall Circle) will allow for adequate movements for vehicles and trucks in order to access the loading areas provided for each building located at the rear of the building to the east for 325 Addison Hall Circle and to the rear of the building to the west for 305

Addison Hall Circle. The requested variance for increased driveway widths would permit each driveway to be appropriately sized to allow for safe and efficient inbound and outbound traffic movements.

Staff are of the opinion that the variance as proposed is considered to be desirable for the appropriate development and use of the land.

d) The variance is considered minor in nature

The increased driveway widths are intended to allow for safe and efficient inbound and outbound traffic movements to and from each property. Staff also notes that no other variances have been requested as it relates to lot coverage, building height, setbacks or any reductions to onsite parking.

Planning Staff have reviewed the proposed driveway widths to the west (325 Addison Hall Circle), center (325 Addison Hall Circle) and east (305 Addison Hall Circle) of the subject lands and do not anticipate any negative impacts to result. Therefore, staff consider this variance request to be minor in nature.

Department and Agency Comments

Department / Agency	Comments Provided
Engineering Services	No comments provided at the time of writing of this report.
Building Division	Preliminary Zoning Review conducted. No comments provided specifically on the application at the time of writing of this report.
Accessibility Advisor	Reviewed the application and has no objection.
Traffic Analyst	Reviewed the application and has no objection.
Operational Services - Parks Division	Reviewed the application and has no objection.
Central York Fire Services	No comments provided at the time of writing of this report.
Legal Services	Reviewed the application and has no objection.
The Regional Municipality of York	No comments provided at the time of writing of this report.
Lake Simcoe Region Conservation Authority	No comments to provide on the subject application.
Alectra Utilities	Reviewed the application and has no objection.

Public Correspondence

Written submissions were not received at the time of writing of this report. Should additional written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting.

4. 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 recommend approval subject to conditions of approval. Please refer to Appendix 'A' for recommended conditions of approval for the requested variance.

5. ATTACHMENTS

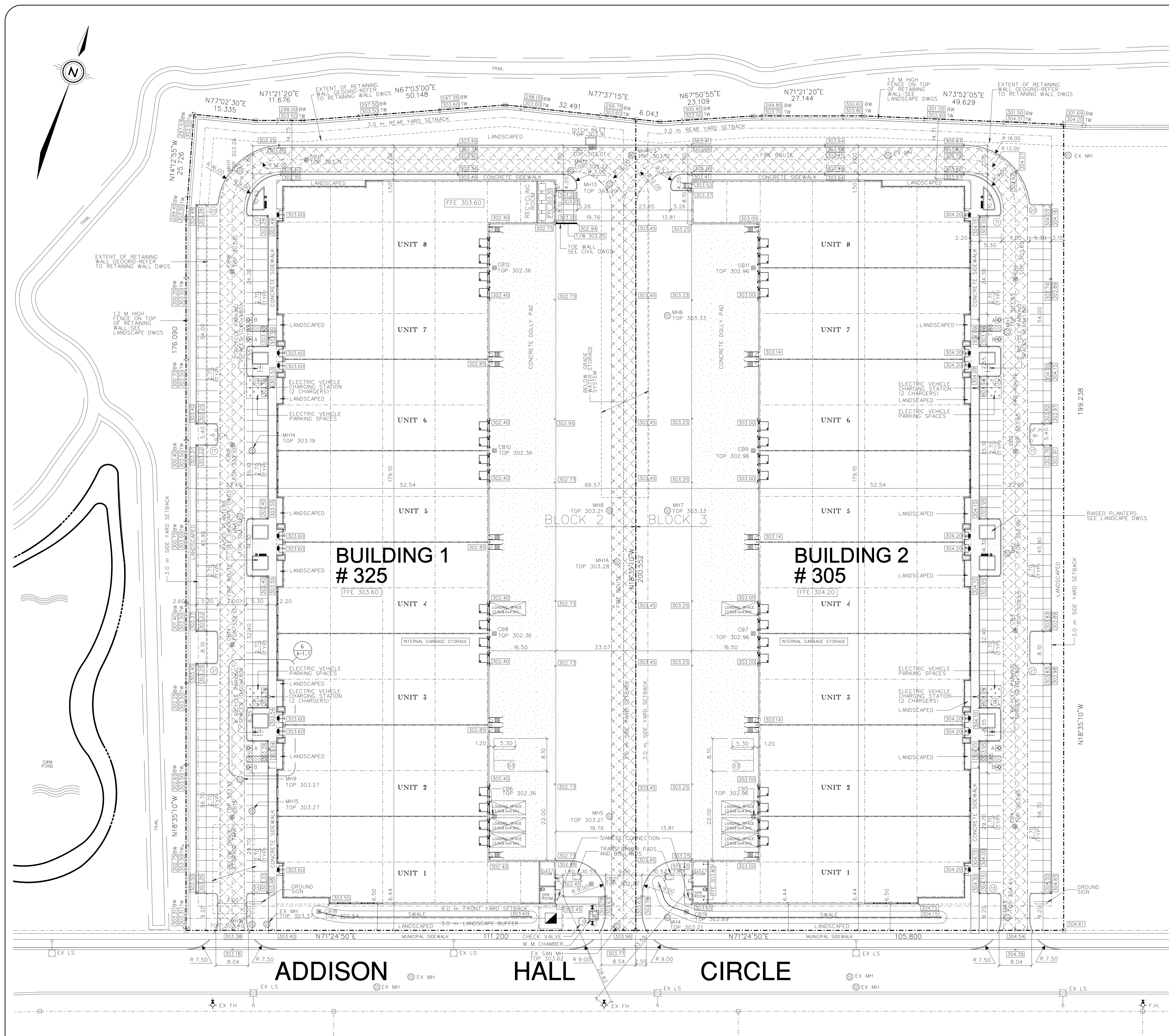
Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'A' – Recommended Condition of Approval

The following condition is required to be satisfied should application MV-2020-18 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 and dated September 2, 2020, with respect to the location and configuration of the driveways, to the satisfaction of the Director of Planning and Development Services.



LEGEND

MAN ENTRANCE	CATCH BASIN
ENTRANCE	HYDRO POLE
EXIT	MANHOLE
SERVICE	FIRE HYDRANT
EXISTING ELEVATION	LIGHT STANDARD
PROPOSED ELEVATION	ACCESSIBLE PARKING

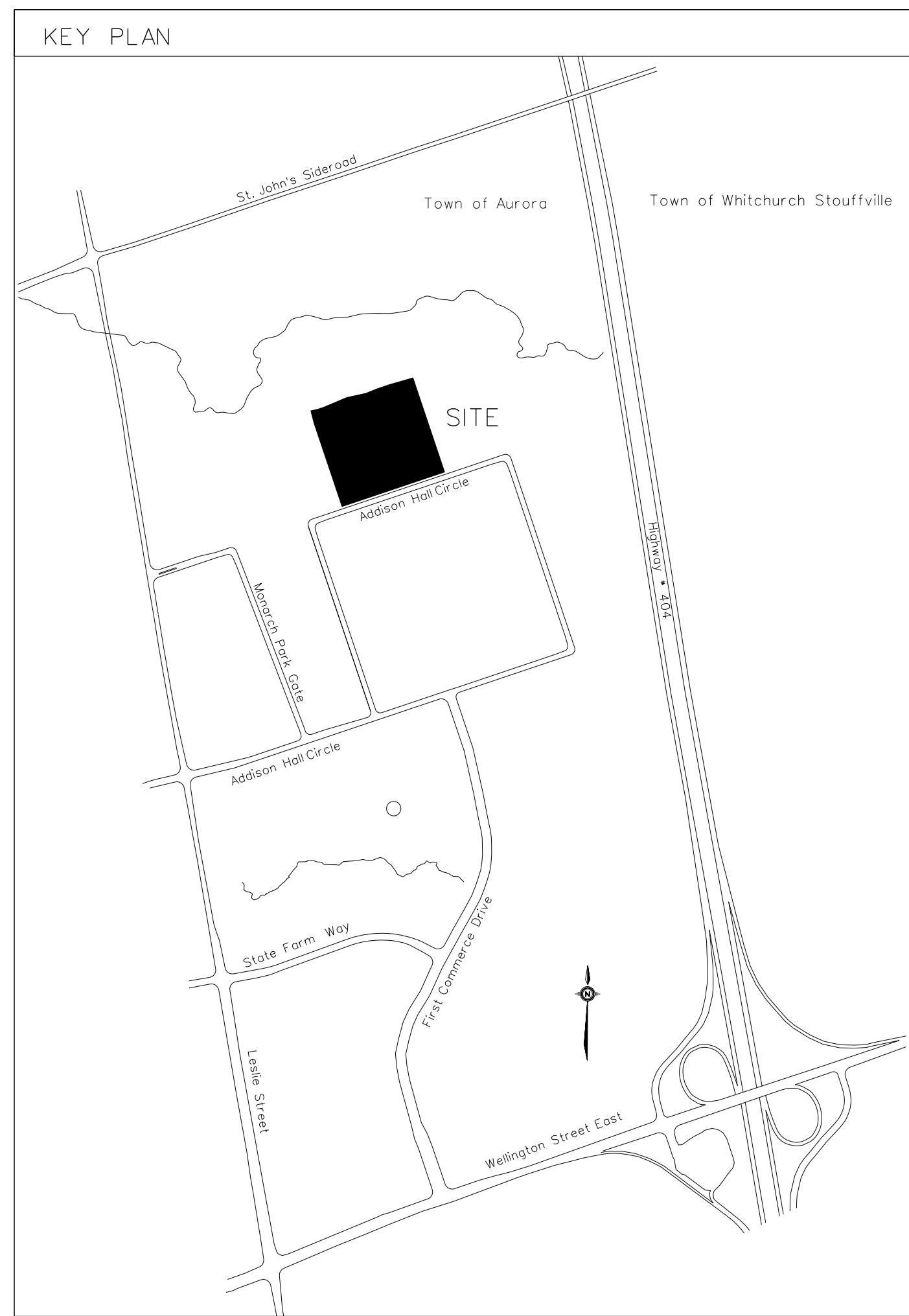
APPLICANT:
Emery Investments
620 Wilson Avenue, Suite 401
Toronto, ON M3K 1Z3
Contact: Ms. Smeremba
Tel: 416 630 6927 ext. 272

OWNER:
2351528 Ontario Limited
Emery Investments
620 Wilson Avenue, Suite 401
Toronto, ON M3K 1Z3

MUNICIPAL ADDRESS:
305 and 325 Addison Hall Circle
Aurora, Ontario

SURVEY REFERENCES:
Blocks 2 and 3
Registered Plan 65M-4650
Schaeffer Geomatics/Bennett LTD
Ontario Land Surveyors
Dated: March 20, 2019
Registered 65M-4650 October 10, 2019

NOTES:
For Site Servicing and Grading information refer to Drawing prepared by SCS CONSULTING GROUP LTD
For Landscaping information refer to Drawing prepared by LANDSCAPE PLANNING LTD
For Electrical and Photometrics information refer to Drawing prepared by LAPAS CONSULTING ENGINEERS LTD



SITE STATISTICS			
ITEM	PROPOSED BUILDING 1-BLOCK 2	PROPOSED BUILDING 2-BLOCK 3	BY-LAW REQUIREMENT
ZONING			E-BP (443) Employment Business Park Zoning By-Law 6000-17
LOT AREA	22,418.6 SM (5.56 Acres)	21,227.1 SM (5.25 Acres)	0.8 Ha
GROSS FLOOR AREA	9,603.88 SM (103,379 SF)	9,603.88 SM (103,379 SF)	N/A
FLOOR AREA, GROSS	9,591.15 SM	9,642.65 SM	N/A
FLOOR AREA RATIO (LOT COVERAGE)	42.8 %	45.2 %	60 % MAXIMUM
HEIGHT	1 STOREY	1 STOREY	4 STOREYS MAXIMUM
DISTANCE BETWEEN TWO BUILDINGS ON THE SAME LOT	N/A	N/A	6.0 METRES
FRONT YARD	6.44 METRES	6.44 METRES	6.0 METRES
YARDS ADJACENT TO OPEN SPACE ZONE	WEST-2162 METRES NORTH-14.75 METRES	NORTH-14.71 METRES	3.0 METRES
OTHER YARDS	EAST-19.80 METRES	WEST-13.85 METRES EAST-22.95 METRES	3.0 METRES
LANDSCAPING ADJACENT TO LOT LINE ADJUTING A STREET EXCEPT AT DRIVEWAY LOCATIONS	6.44 METRES	6.44 METRES	3.0 METRES
PERCENTAGE OF LOT COVERED BY NO OTHER PURPOSE OTHER THAN LANDSCAPING	11.0 %	11.4 %	10 % MINIMUM
PARKING SPACES	106 SPACES	106 SPACES	MULTIPLE UNIT BUILDING WITHIN BUSINESS PARK ZONE 3/100 SM-FIRST 100 SM OF GFA + 2/100 SM-NEXT 2,700 SM OF GFA + 1/100 SM-NEXT 3,000 SM OF GFA + 0.5/100 SM-OF REMAINING GFA BUILDING 1- 106 SPACES BUILDING 2- 106 SPACES
ACCESSIBLE PARKING SPACES	4 SPACES 2 Type A 2 Type B	4 SPACES 2 Type A 2 Type B	MINIMUM REQUIRED PARKING SPACES BETWEEN 101-200 1-3% OF TOTAL PROVIDED PARKING SPACES BUILDING 1- 4 SPACES BUILDING 2- 4 SPACES
ELECTRIC VEHICLE PARKING	4 SPACES	4 SPACES	LEED REQUIREMENT MINIMUM 2% OF PARKING SPACES
BICYCLE PARKING SPACES	6 SPACES	6 SPACES	0.25 SPACES / 1000 SM OF GFA BUILDING 1- 5 SPACES BUILDING 2- 5 SPACES
LOADING SPACES	4 SPACES	4 SPACES	3 LOADING SPACES PLUS 1 ADDITIONAL LOADING SPACE FOR EACH ADDITIONAL 7,500 SM OF FRACTION THEREOF IN EXCESS OF 7500 SM OF GFA BUILDING 1- 4 SPACES BUILDING 2- 4 SPACES
PERCENTAGE OF LOT COVERED BY LANDSCAPING ONLY	2,472.4 SM 11.0%	2,421.1 SM 11.4%	10% OF LOT AREA-MINIMUM
PERCENTAGE OF LOT COVERED BY PARKING LINES AND ACCESS	9,625.7 SM 42.9%	8,485.5 SM 40.0%	N/A
PERCENTAGE OF LOT COVERED BY SIDEWALKS	786.6 SM 3.5%	786.6 SM 3.4%	N/A
PARKING STALL DIMENSIONS	Standard		
Standard	2.70 W x 5.30 D	2.70 W x 5.30 D	2.70 W x 5.30 D
Accessible	Type A 3.65 W x 5.30 D + 150 M ASLE Type B 2.70 W x 5.30 D + 150 M ASLE	3.65 W x 5.30 D + 150 M ASLE 2.70 W x 5.30 D + 150 M ASLE	ADJACENT SPACES CAN SHARE ASLE 3.65 W x 5.30 D + 150 M ASLE 2.70 W x 5.30 D + 150 M ASLE
LOADING SPACE DIMENSIONS	3.5 W x 9.0 D + 4.0 V	3.5 W x 9.0 D + 4.0 V	3.5 W x 9.0 D + 4.0 V

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR SAME. REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WORK.			
ALL DRAWINGS, PRINTS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED TO HIM ON COMPLETION OF WORK.			
LATEST APPROVED DRAWINGS ONLY TO BE USED FOR CONSTRUCTION.			
PRINTS ARE NOT TO BE SCALED.			
APR 17 2020	PER PZR COMMENTS	SEP 2 2020	COMMITTEE OF ADJUSTMENT
APR 9 2020	PER SPA COMMENTS	JUL 23 2020	CONSULTANT COORDINATION
No Date Plotted	Revisions	JUL 9 2020	CONSULTANT COORDINATION
		MAY 11 2020	SPA SECOND SUBMISSION
		APR 17 2020	RESUBMITTED FOR PZR
		APR 13 2020	PRELIMINARY ZONING REVIEW
		NOV 5 2019	SITE PLAN APPROVAL
		Date Plotted	Issued for:

Industrial Development

Addison Hall Business Park

305 and 325 Addison Hall Circle
Aurora, Ontario

E. MANSON
INVESTMENTS LIMITED

620 Wilson Avenue, Suite 401
Toronto, Ontario, M3K 1Z3

tel (416)630-6927
fax (416)630-6997

Site Plan

CONSTRUCTION NORTH

OF THE ASSOCIATION OF ARCHITECTS

RAVENI POSSAMAI
LICENCE 5061

SITE PLAN FILE NO. : SP-2019-10

GLOBAL
ARCHITECT INC.

6 Leasway Road
Toronto, Ontario, M8A 1K2

tel (416)256-4440
fax (416)256-4449

DRAWN BY : J. DeCicco

DATE : September 2, 2020

SCALE : 1:1400

PROJECT NO. : 18-24

DRAWING NO. : A-1.0

COMMITTEE OF ADJUSTMENT STAFF REPORT

DATE: October 2, 2020

FROM: Matthew Peverini, Planner
Planning and Development Services

RE: Minor Variance Application
Ward
88 George Street
Plan 30 Part Lots 74 to 77 and 79, R-Plan 65R32557, Part 1
File: MV-2020-19

1. APPLICATION

The applicant is requesting relief from the requirements of the Town of Aurora Comprehensive Zoning By-law 6000-17, as amended, to permit an increased driveway width, as outlined below:

- (a) Section 5.6.1(a)(ii) of the Zoning By-law permits a maximum driveway width of 6.0 metres if the lot frontage is greater than or equal to 9.0 metres and less than 18.0 metres. The applicant is proposing a driveway width of 7.4 metres.

2. BACKGROUND

Subject Property and Area Context

The subject property is municipally known as 88 George Street, and is located on the west side of George Street, south of Hillview Road and North of Hawthorne Lane. The subject property is approximately 960 m² (10,333 ft²) in area, and has a lot frontage of approximately 16.6 m (54.46 ft). It is located within an established residential neighbourhood, and it contains a two-storey single detached dwelling that was built in 2016. Mature vegetation is located in the front yard along the side property lines, and towards the rear lot line.

Surrounding land uses include low-density residential to the north, south and west; and an institutional use (school) to the east.

Proposal

The requested variance is to permit an existing driveway width of 7.4 m on the subject property. No changes are proposed to the existing dwelling. The applicant received a Notice of Violation on July 20, 2020 from the Town's By-law Enforcement Division regarding the width of the existing driveway as it is greater than what is permitted in the Town's Zoning By-law. In response, the applicant has submitted an application for Minor Variance.

Official Plan

The subject property is designated "Stable Neighbourhoods" by the Town of Aurora Official Plan which protects residential neighbourhoods from incompatible forms of development and, at the same time, permits them to evolve and enhance over time.

Zoning By-law

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

Preliminary Zoning Review

Preliminary Zoning Review was completed by the Building Division on September 3, 2020. The requested variance has been confirmed based on the review.

3. REVIEW & COMMENTS

The minor variance application was circulated to Town divisions and applicable external agencies for review and comment. Planning Division, and other Department/Agency comments are provided below.

Planning Division

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

The subject property is located within a residential neighbourhood that was developed prior to the passing of Zoning By-law 6000-17, as amended. According to information provided by the Owner, the existing driveway is 7.4 m wide, both at the street line (curb cut), and in the front yard of the subject property. The driveway includes an asphalt portion and a soldier stone portion. The asphalt portion of the driveway aligns with the edges of the garage doors, and a soldier stone exists along the edges of the driveway as a decorative landscape feature. It is the opinion of staff that the existing driveway enhances curb appeal, and creates no adverse impact on the streetscape. Staff are of the opinion that the requested variance is in keeping

with the character of the neighbourhood and therefore meets the general intent of the Official Plan.

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

The subject property has a wide lot frontage and front yard that can accommodate the requested driveway width, without compromising the area for soft landscaping in the front yard or the parking requirements for a single detached dwelling. Additionally, the driveway contributes to an attractive streetscape that is generally consistent with the existing neighbourhood character. 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 lot

The requested variance maintains the functionality of the garage, availability of parking on the driveway, and an attractive streetscape. Additionally, the applicant's application form, cites that the driveway was widened to address safety issues associated with entering and exiting the garage and with backing onto George Street. As such, Staff are of the opinion that the requested variance is considered desirable for the appropriate development of the lot.

d) The proposed variance is considered minor in nature

The resulting driveway is in keeping with the established character of the neighbourhood and will not negatively impact the attractiveness of the street. The requested variance does not negatively impact adjacent properties, and no concerns have been raised with respect to drainage. Staff are of the opinion that the requested variance is minor in nature.

Other Departments

Department / Commenting Agency	Comments Provided
Building Division	A Preliminary Zoning Review was completed.
Accessibility Advisory	No comments on the proposed variance.
Operational Services Division	We have reviewed the documentation for the property and have no formal comments regarding the above noted application.
Engineering Division	No concerns with the proposed application.
Legal Services	No comment with respect to the proposed application.
Central York Fire	No comments received.

Department / Commenting Agency	Comments Provided
York Region	The Regional Municipality of York has completed its review of the minor variance application and has no comment
Lake Simcoe Region Conservation Authority	This property is not regulated by the LSRCA under Ontario Regulation 179/06 of the Conservation Authorities Act. No comments on the application.
Alectra Utilities	No objections to its approval.

Public Correspondence

A letter of support was received on October 2, 2020 from the neighbour immediately south of the subject lands. Should additional written submissions be received after the writing of this report, the Secretary-Treasurer will provide the submission(s) to Committee members at the meeting.

4. CONCLUSION

Planning staff have reviewed minor variance application MV-2020-19 with respect to Section 45(1) of the Planning Act, and are of the opinion that the requested variance meets the four tests of the Planning Act.

COMMITTEE OF ADJUSTMENT STAFF REPORT

DATE: September 30, 2020

FROM: Rosanna Punit, Planner, Planning and Development Services

RE: Minor Variance Application
He
75 Stemmler Drive
Plan 65M-3034 Lot 26
File: MV-2020-01

1. APPLICATION

The owner/applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit a 3rd storey addition to the existing dwelling. The following relief is being requested:

- a) Section 24.113.1.3 of the Zoning By-law allows a maximum height of 10.0 metres (32.08 feet). The applicant is proposing a height of 11.65 metres (38.22 feet).

2. BACKGROUND

Subject Property and Area Context

The subject lands, municipally known as 75 Stemmler Drive, is located on the west side of Stemmler Drive, north of Bloomington Road, east of Bathurst Street and south of Henderson Drive. The subject property is approximately 482 m² (5,200 ft²) in area and has a lot frontage of approximately 11 m (36 ft). The subject property is located within an established residential neighbourhood characterized by dwellings that are generally 2 storeys in height with similar lot areas and frontages. There is currently a single detached dwelling on the property with an attached 1 ½ car garage.

Proposal

According to the plans submitted, the applicant is proposing to build a 2 storey addition at the rear of the existing dwelling and a 3rd storey addition above a portion of the existing 2 storey dwelling (See Appendix 'A'). The requested variance is to allow for an increased height of 11.65 metres to facilitate the proposed 3rd storey addition. The applicant did not provide a reason why they cannot comply with the zoning by-law in their application form.

Official Plan

The property is designated “Stable Neighbourhoods” in the Official Plan which provides for single detached dwellings. The Official Plan states that ‘Stable Neighbourhoods’ are to be protected from incompatible forms of development but permitted to evolve and be enhanced over time. New developments abutting existing residential development shall be sympathetic to the streetscape character and shall be compatible with the scale of surrounding built forms.

Zoning

The subject property is zoned “R4 (113)” in Zoning By-law 6000-17, as amended, which permits a single detached dwelling. The site specific amendment denoted by “113” permits a maximum building height of 10m (32.08 ft) and a lot coverage of 35%.

Preliminary Zoning Review

A Preliminary Zoning Review was completed by the Building Division on March 3, 2020. The variance proposed is based on the results of this review.

REVIEW & COMMENTS

The minor variance application was circulated to Town divisions and applicable external agencies for review and comment. The following is a list of comments provided from internal divisions and external agencies:

Planning Comments

Planning Staff have evaluated the Minor Variance Application MV-2020-01 pursuant to the prescribed tests as set out in Section 45(1) of the *Planning Act*, as follows:

a) The proposed variance does not meet the general intent of the Official Plan

The property is designated “Stable Neighborhoods”, the intent of the designation is to protect stable neighbourhoods from incompatible forms of development (Section 8.1.1). The Stemmler Drive neighbourhood is generally comprised of dwellings of similar height and size. The policies in the Official Plan state that “new development and site alteration abutting existing residential development shall be sympathetic to the form and character of the existing development and shall be compatible with regard to building scale and urban design”.

Staff are of the opinion that the requested variance is not in keeping with the intent of the Official Plan. The 3 storey, 11.65m height is not compatible with the scale of the surrounding built forms generally consisting of 2 storey dwellings at 10m in height.

b) The proposed variance does not meet the general intent of the Zoning By-law

Height is defined in Zoning By-law 6000-17, as:

“The vertical distance measured between the average finished grade and:

(1) on a flat roof: the highest point of the structure, roof surface or the parapet, whichever is greater

(2) on a sloped roof, the mean distance between the eaves and ridge of a roof

In calculating the height of a building, any construction used as an ornament or for a mechanical operation of the building such as a chimney, tower, cupola or steeple shall not be included”.

Currently 75 Stemmler Drive has a sloped roof with height measured between the eaves and ridge of the roof, with a height of 10m. The proposed 3rd storey addition will change the roof to a flat roof, resulting in a height of 11.65m.

The intent of the maximum height provision of 10m is to maintain consistency within the neighbourhood. Staff are of the opinion that a proposed height of 11.65m is not consistent with the Zoning By-law intent and that permitting an increased height of 11.65m to accommodate a 3rd storey is not consistent with the neighbourhood character. As previously stated, the applicant did not provide a reason why the proposal cannot comply with the zoning by-law in their application form.

c) The variance is not considered desirable for the appropriate development of the property

Staff are of the opinion that the proposed increase in height does not constitute desirable or appropriate development of the property. The increased height would not be consistent with the height established in the neighbourhood and would provide for a precedent in the area, if approved.

The applicant submitted a shadow study as part of the application to demonstrate shadowing impacts on neighbouring properties (See Appendix ‘B’). Although the shadow study appears to demonstrate no significant shadowing impacts on surrounding properties, when examining the variances based on built form and compatibility, Staff are

of the opinion that proposed height of 11.65m (3 storeys) is not in keeping with the established 2 storey built form of the neighbourhood.

d) The Variance is not considered minor in nature

Staff are of the opinion that the proposed height is not in keeping with the character of the neighbourhood. The established neighbourhood consists of dwellings that are 2 storeys not exceeding a height of 10m. It is the opinion of staff that the neighbourhood character would significantly change if the proposed addition with a height of 11.65m was approved.

Other Department and Agency Comments

Department / Agency	Comments Provided
Building Division	Preliminary Zoning Review conducted to confirm the variance required for the proposed work.
Engineering Services	No comments with the proposed variance.
Alectra	No concerns with the proposed minor variance.
Legal Services	No comments provided at the time of writing of this report.
York Region	No comments with the proposed minor variance.
Lake Simcoe Regional Conservation Authority (LSRCA)	No comments with the proposed minor variance.
Transportation	No comments with the proposed minor variance.
Operation Services	No comments with the proposed minor variance.

Public Correspondence

Four written submissions were received from residents in the neighbourhood concerned with the overall size and scale of the proposal, lack of compatibility with the existing established neighbourhood, potential multi-unit occupancy and noise during construction.

Should written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to the Committee members at the meeting. Staff recommend that the Committee consider public input in reaching a decision.

4. 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 does not meet the four tests of the Planning Act.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law and how they satisfy the four tests of the Planning Act for the granting of minor variances. Staff do not recommend approval of the requested variance. Should the Committee decide to approve the variance, Staff have provided conditions of approval (See Appendix 'C').

5. ATTACHMENTS

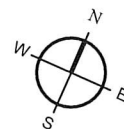
Appendix 'A' - Site Plan and Elevations

Appendix 'B' - 75 Stemmle Dr Shadow Study

Appendix 'C' - Recommended Conditions of Approval



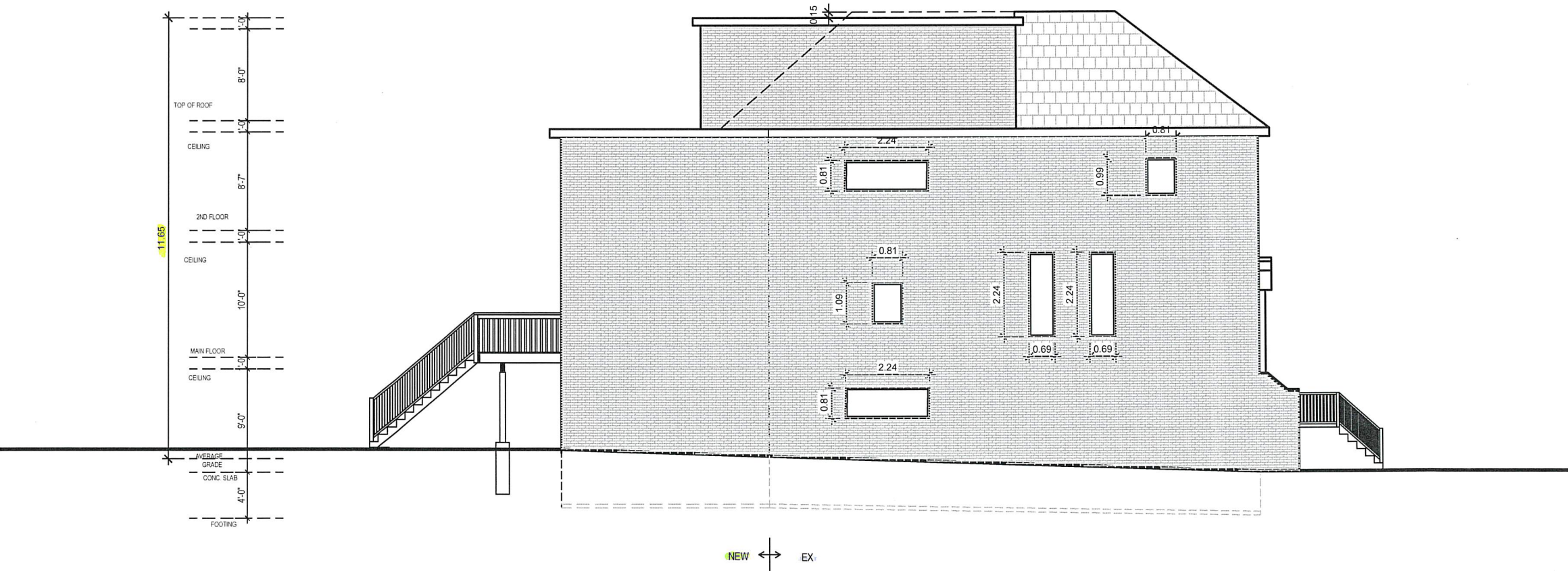
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DRAWING SCALE $\frac{3}{32}"=1'$

A1.0

PR20191053 - Amended



SOUTH ELEVATION

75-STEMMLE-DR

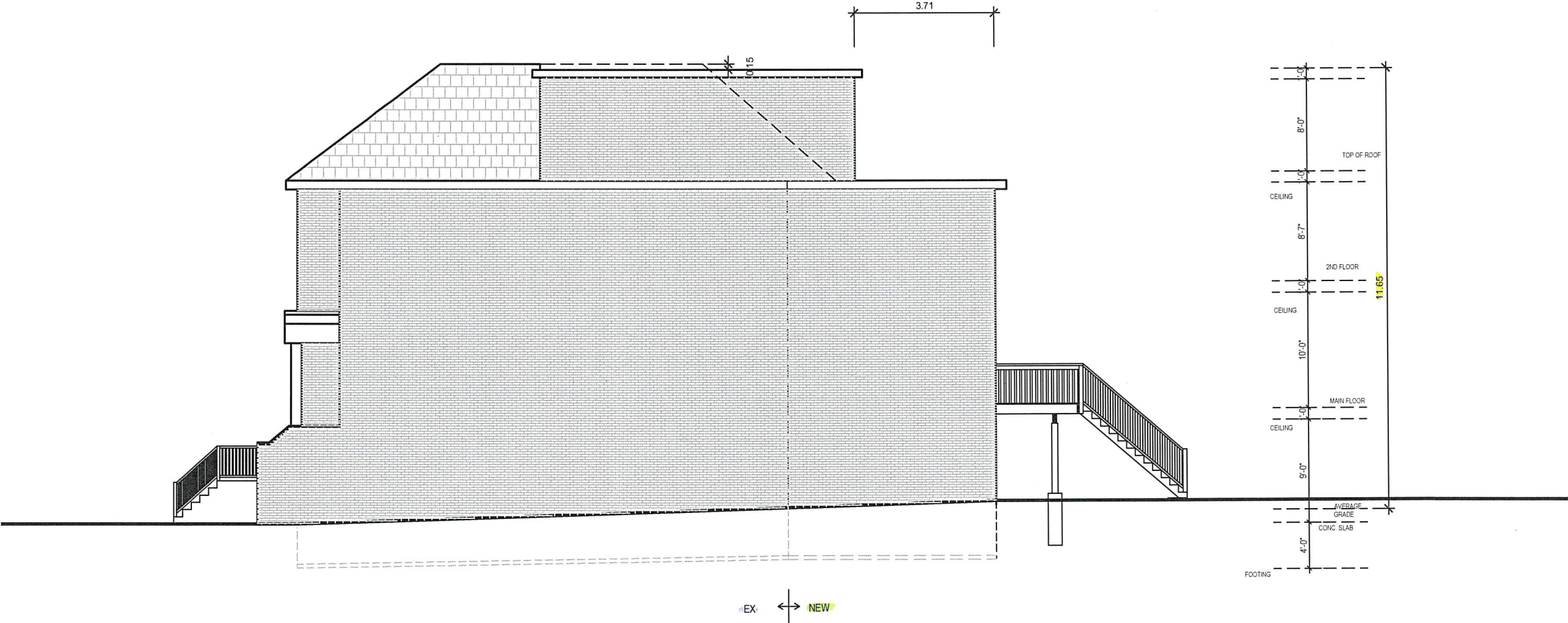
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Preliminary Zoning Review
OCT 08 2020
PLANNING AND DEVELOPMENT SERVICES
Building Division

SEP,10,2018

A6.0

PR20191053 - Amended



NORTH ELEVATION

75-STEMMLE-DR

DRAWING SCALE 1:100

Preliminary Zoning Review
OCT 08 2020
PLANNING AND DEVELOPMENT SERVICES
Building Division
PR20191053 - Amended

SEP,10,2018

A7.0



REAR ELEVATION

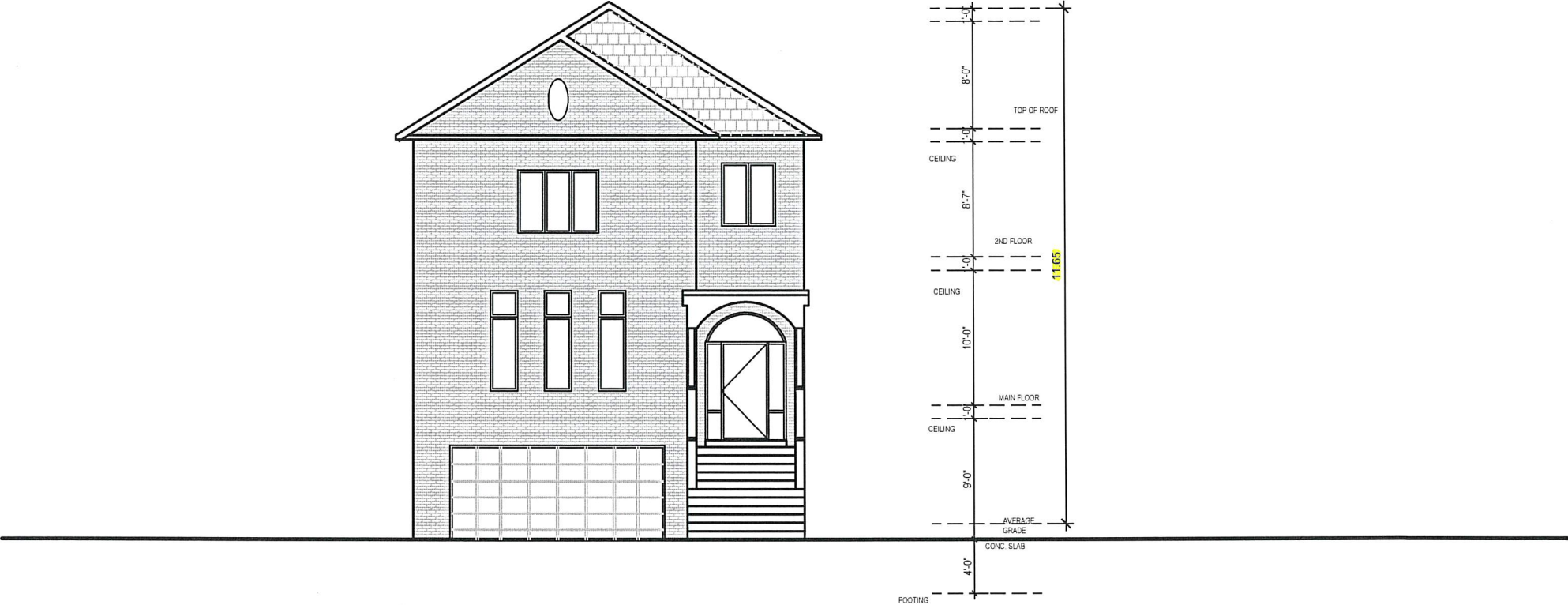
75-STEMMLE-DR

DRAWING SCALE 1:100

Preliminary Zoning Review
OCT 08 2018
PLANNING AND DEVELOPMENT SERVICES
Building Division
PR20191053 - Amended

SEP,10,2018

A8.0



FRONT ELEVATION

75-STEMMLE-DR

DRAWING SCALE 1:100

A9.0

Preliminary Zoning Review
OCT 08 2020
PLANNING AND DEVELOPMENT SERVICES
Building Division
PR20191053 - Amended

SEP,10,2018

75 Stemmler Dr Shadow Study

Aurora, ON L4G 6N4

Location: Latitude - 43.969401
Longitude - -79.474873

Date: March 21st
June 21st
September 21st
December 21st

Time: Sunrise, Noon and Sunset

Software: Revit and AutoCad

Conclusion:

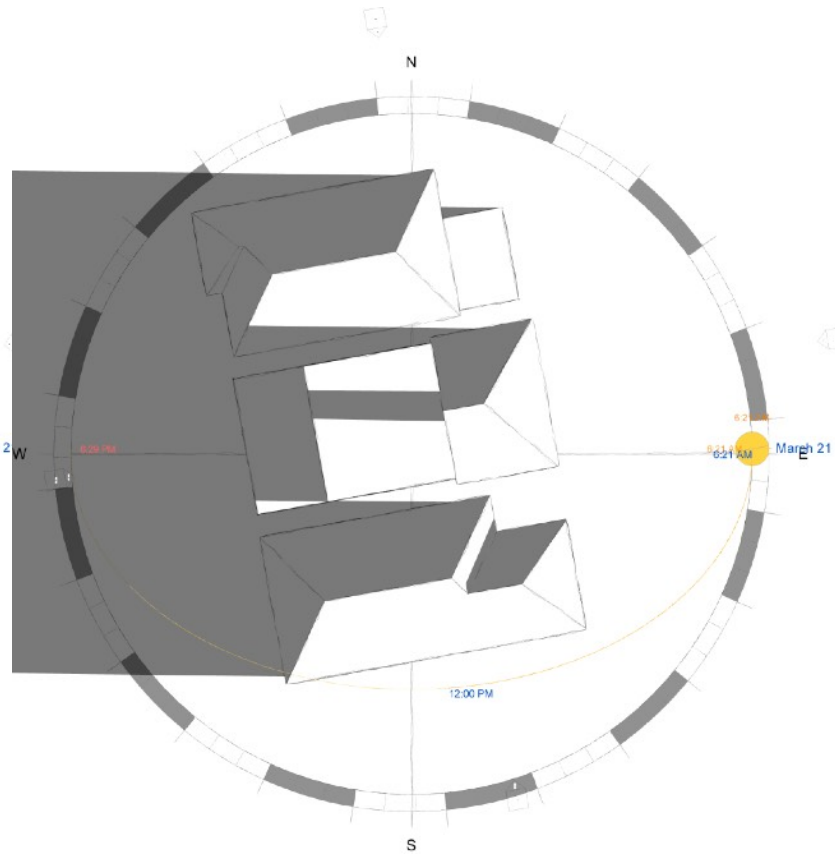
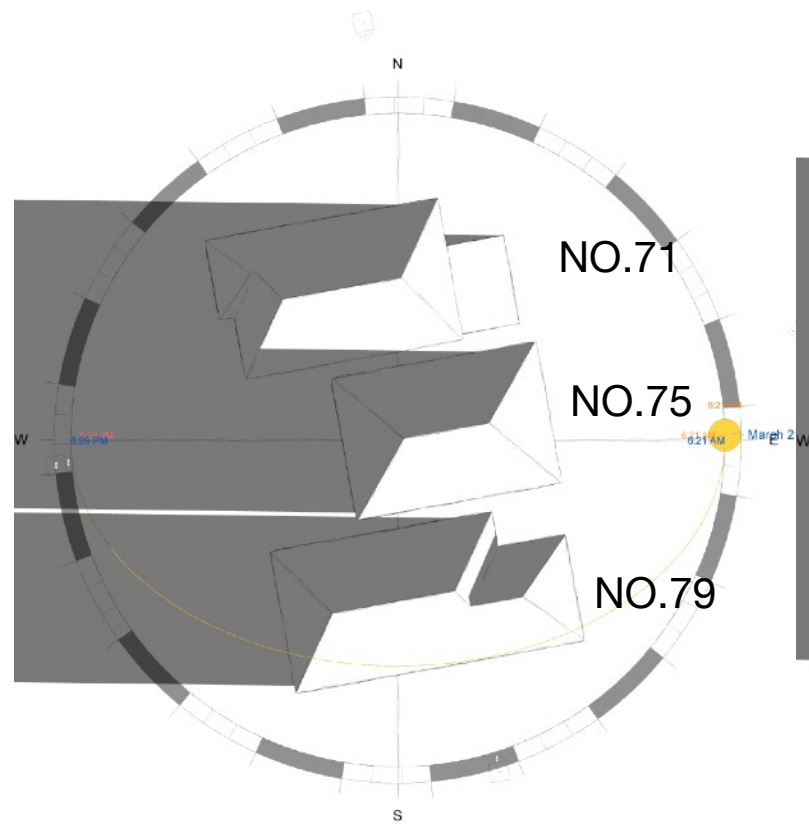
In this study we carefully compared with and without 3rd floor's shadow's affection to both side neighbours. In existing condition, No.75 is shorter than both neighbours. During winter months No.75 rear windows been block by No.79's shadow. The new addition perfect solved this problem for No.75 and don't effect neighbours' daylighting(please see last page 13 of December 21st study).

Because the new 3rd floor roof is lower than existing roof 150 mm and it locates in the middle of the building. Also we demolished half of existing roof to create space for new 3rd floor. In conclusion, the addition and 3rd floor do not effect neighbours daylighting. (I attached south elevation for you better understanding, Please see page 14)

March 21th 6:21 AM

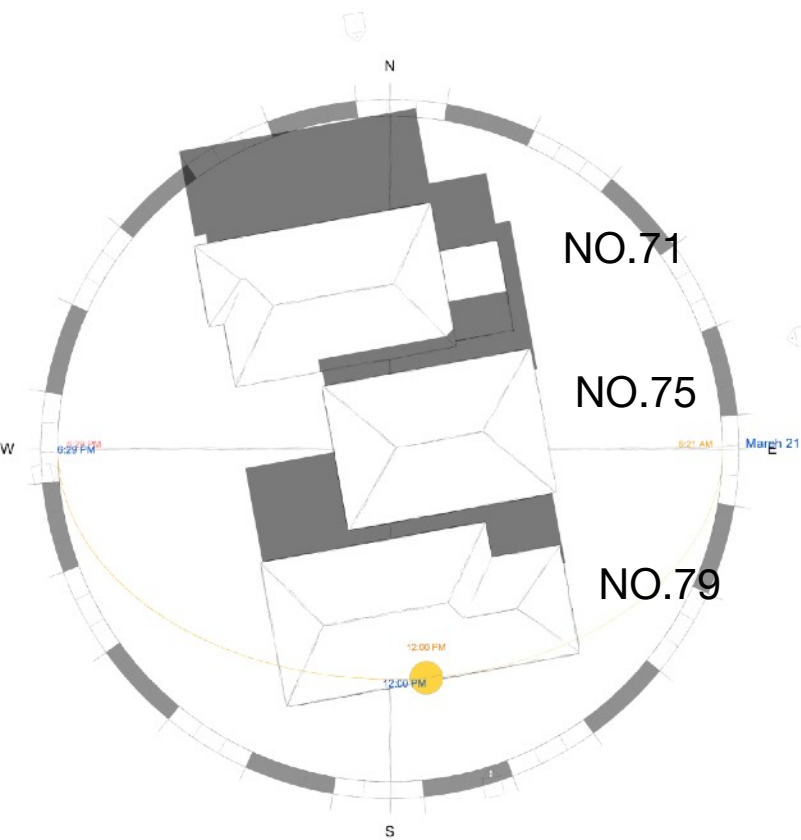
Existing

Proposed

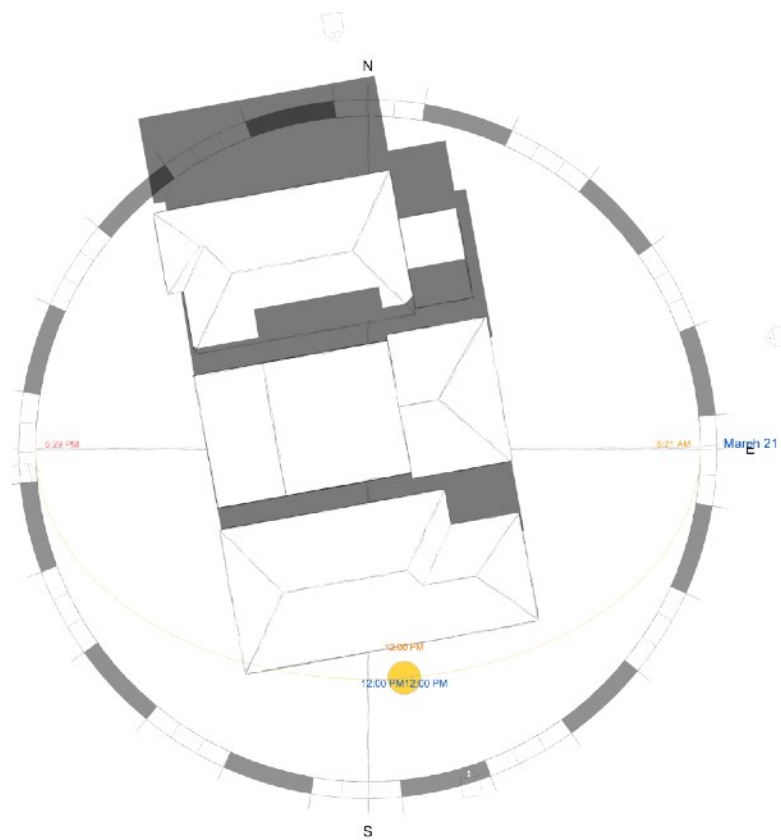


March 21th 12:00 PM

Existing



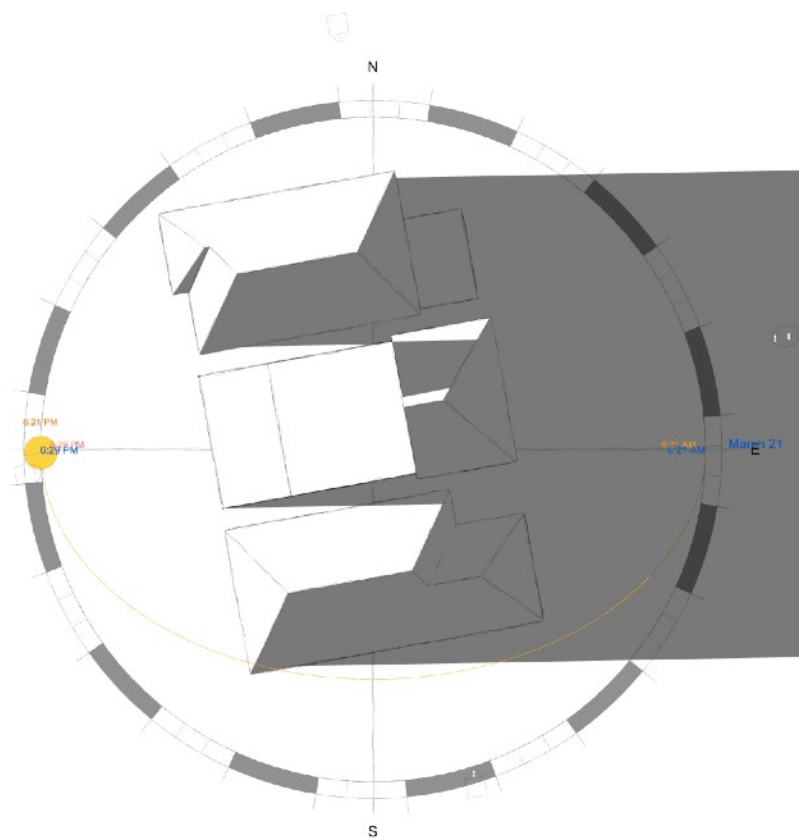
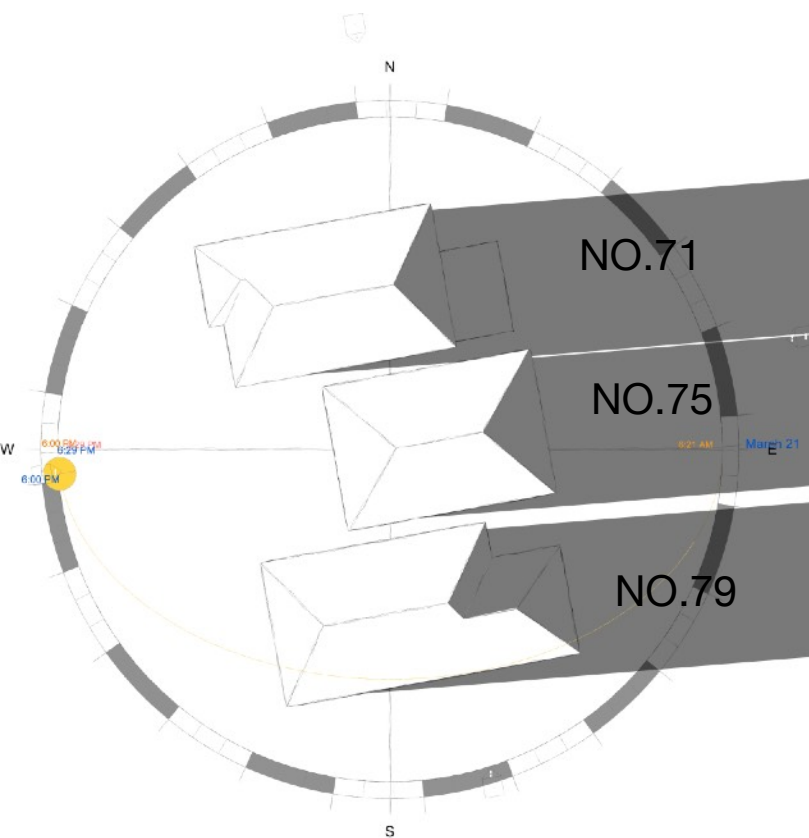
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March 21th 18:29 PM

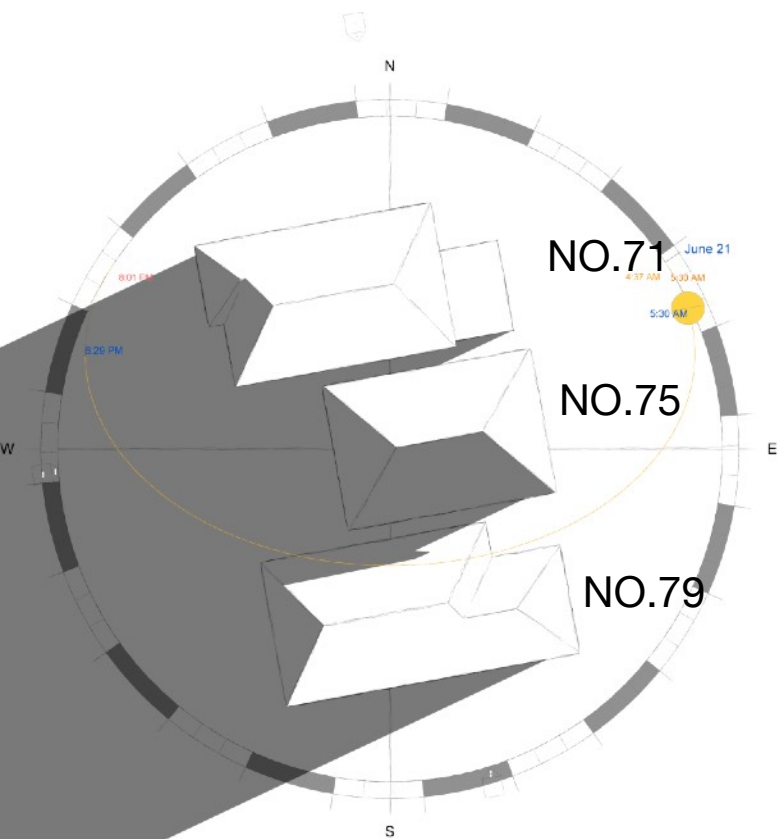
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Proposed

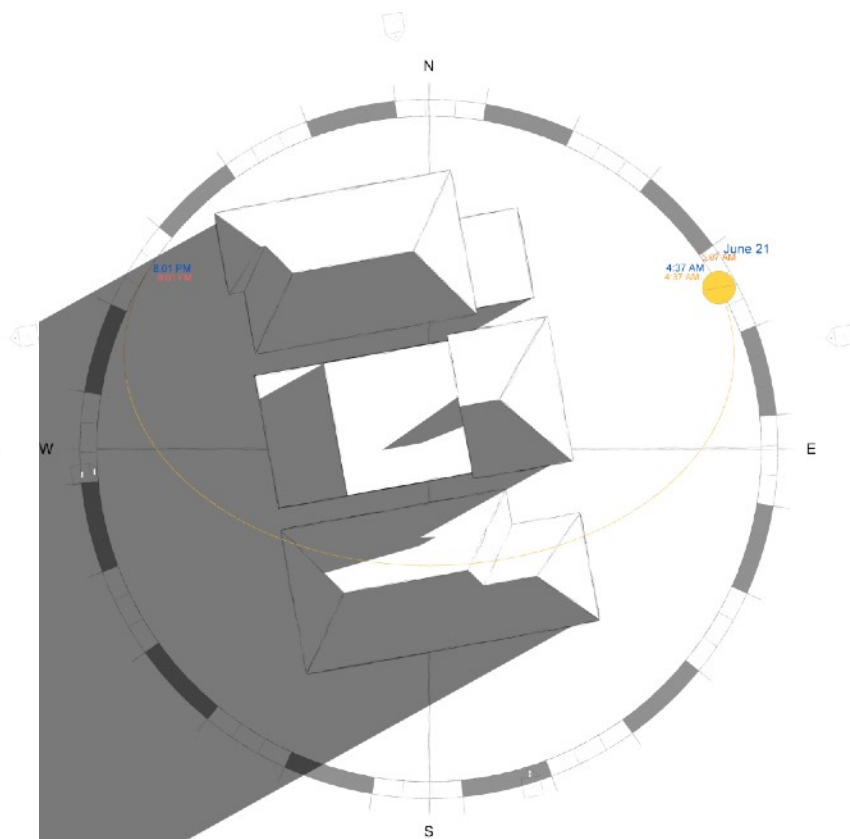


June 21th 5:07 AM

Existing

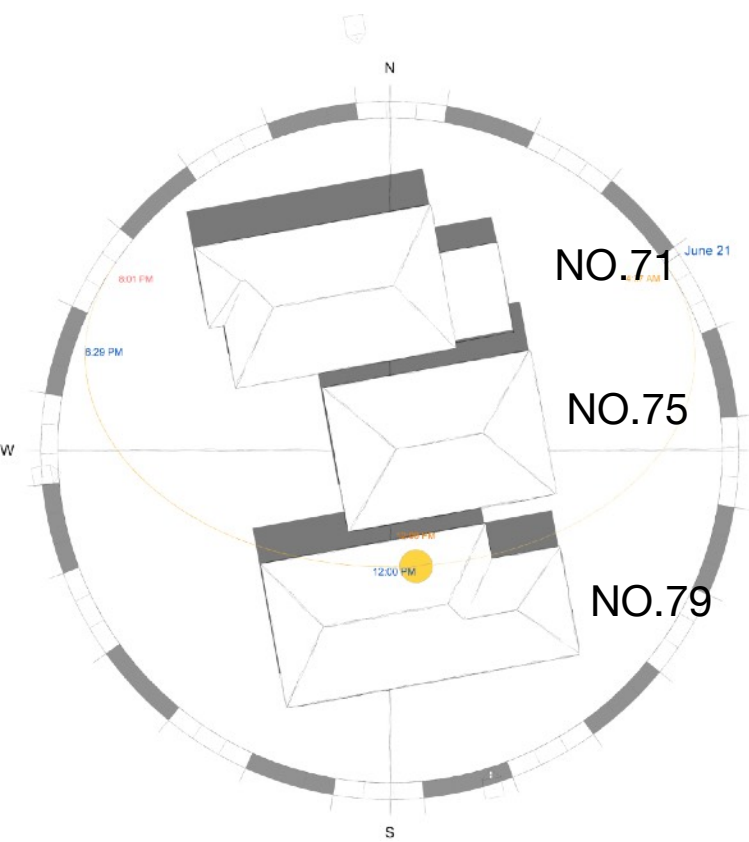


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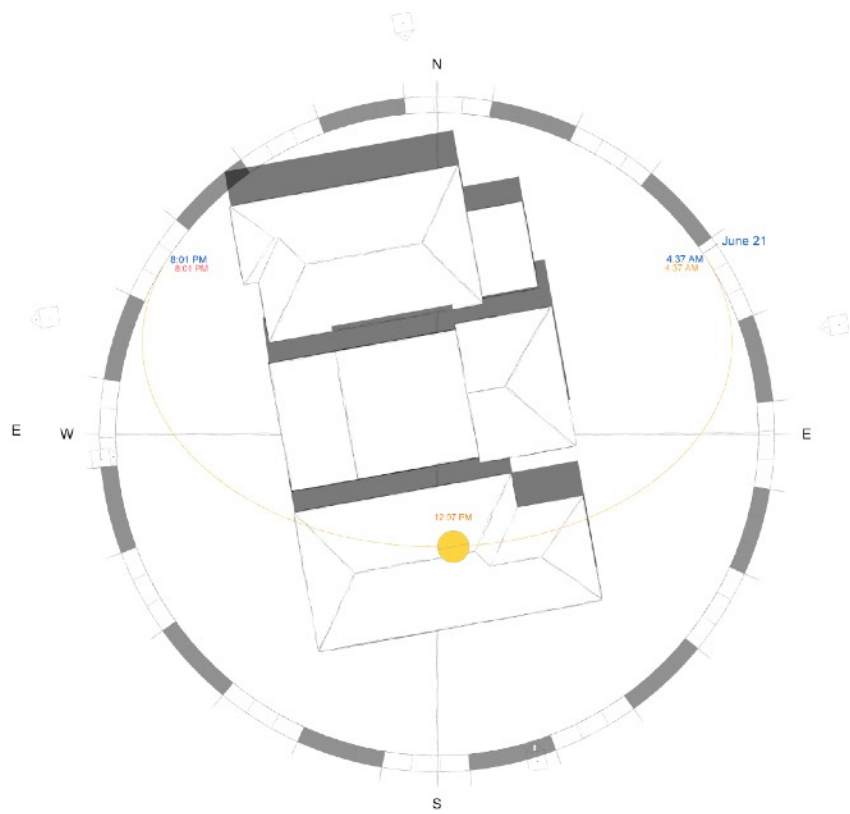


June 21th 12:00 PM

Existing



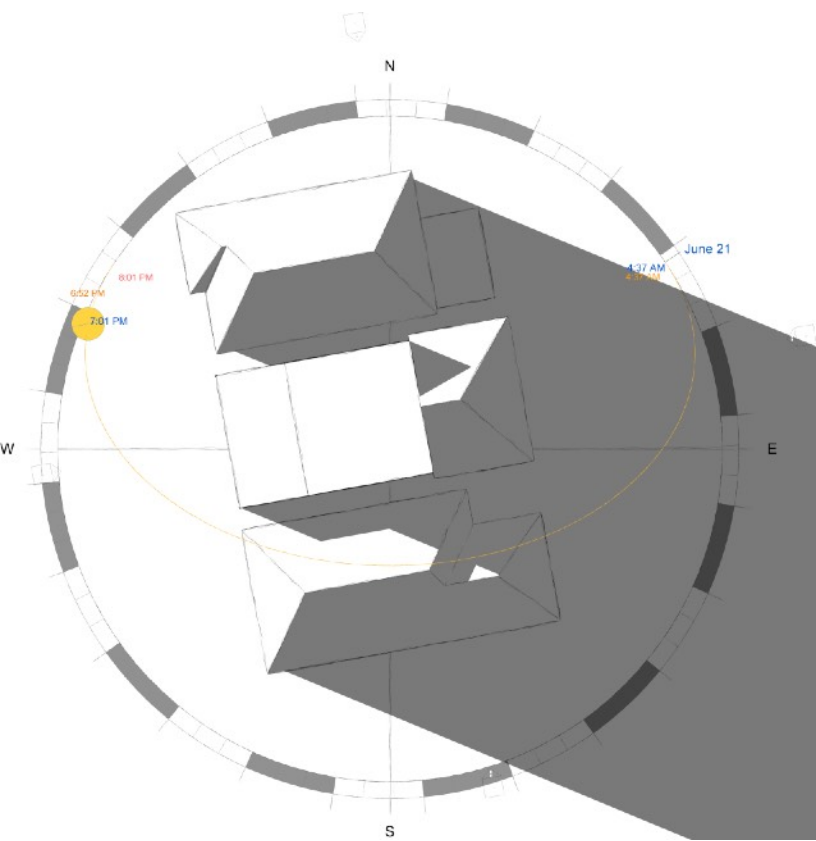
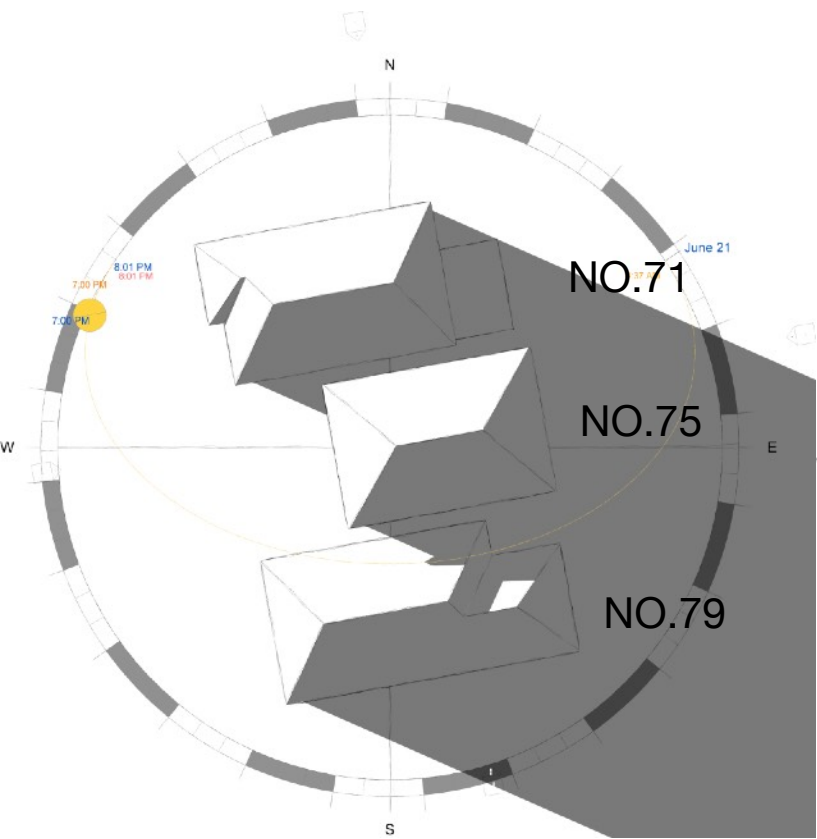
Proposed



June 21th 19:00 PM

Existing

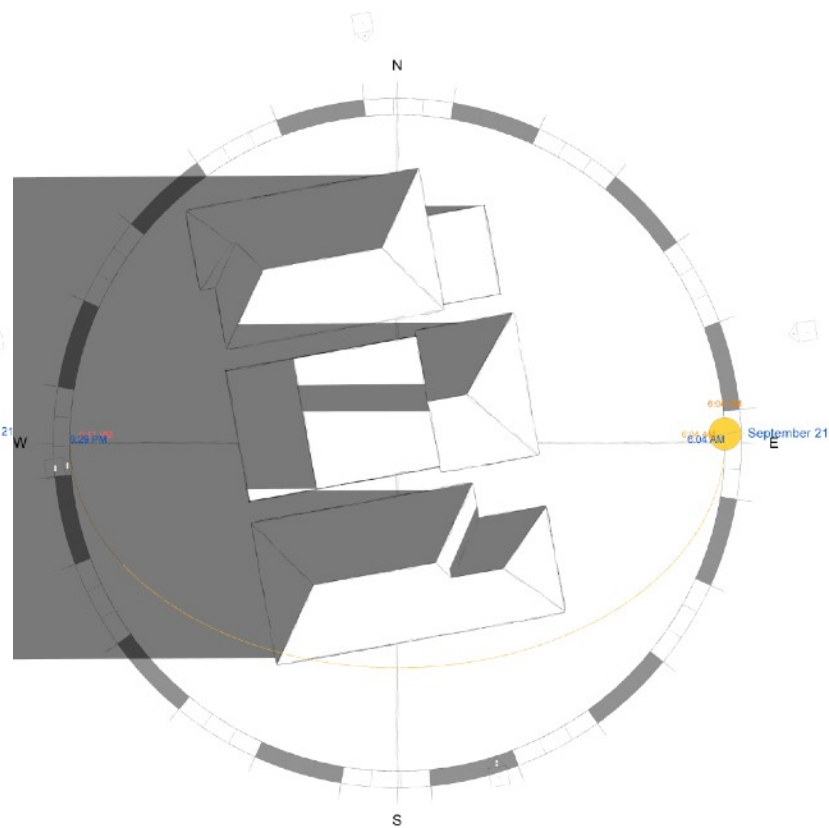
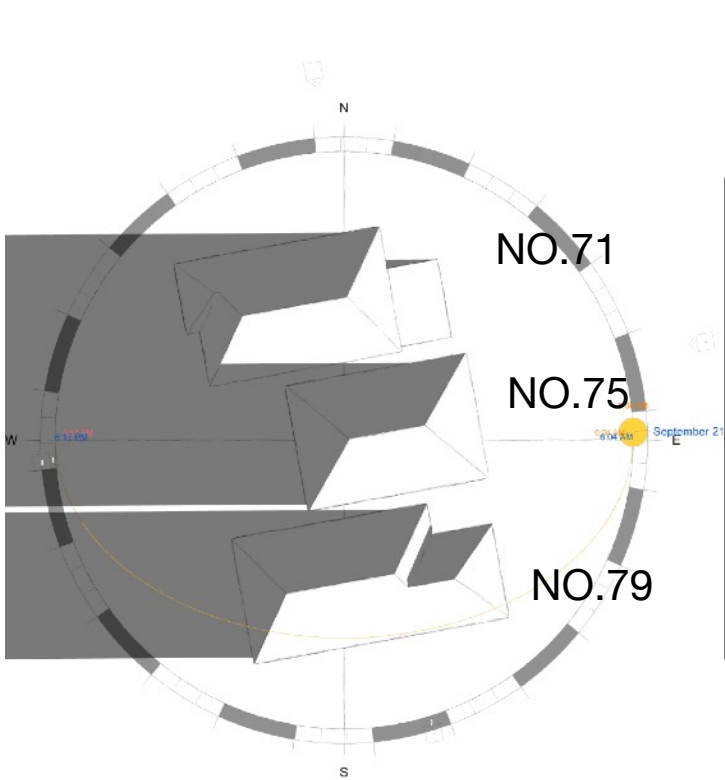
Proposed



September 21th 6:04 Am

Existing

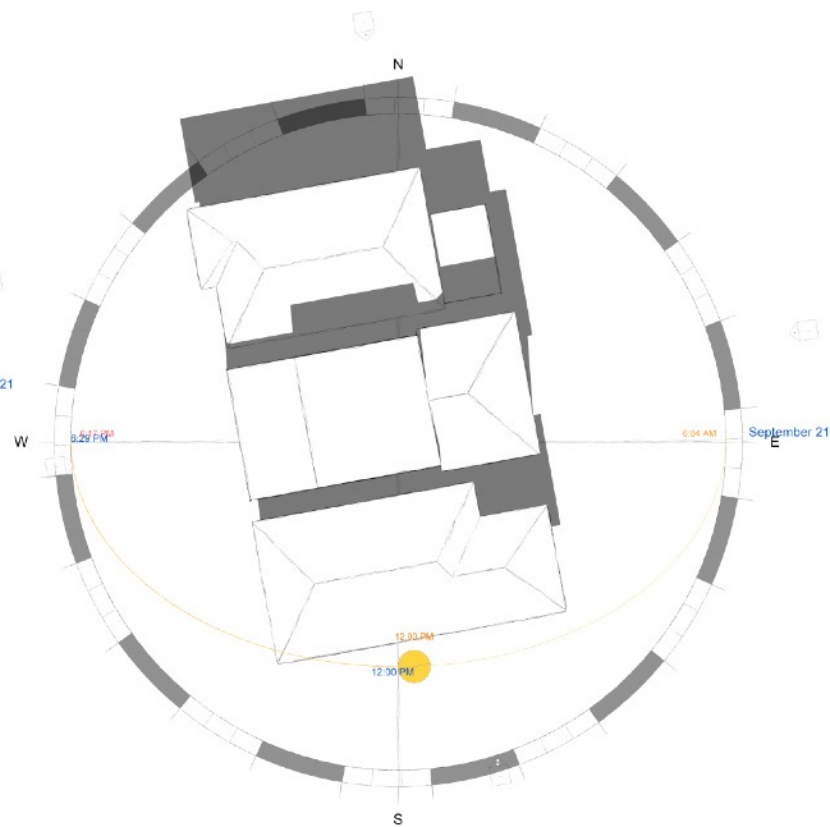
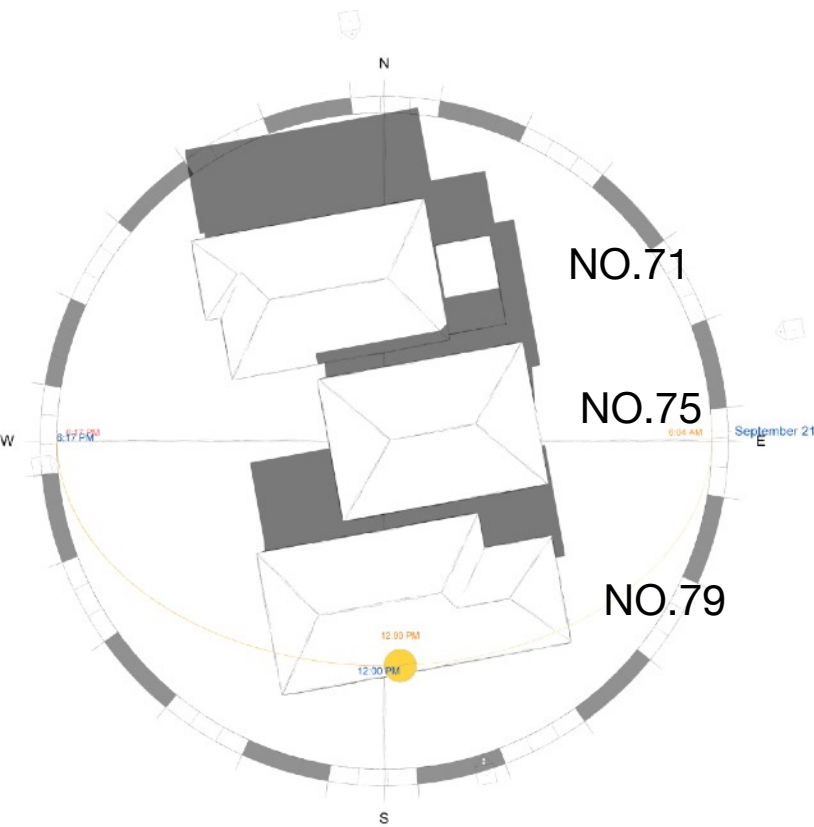
Proposed



September 21th 12:00 PM

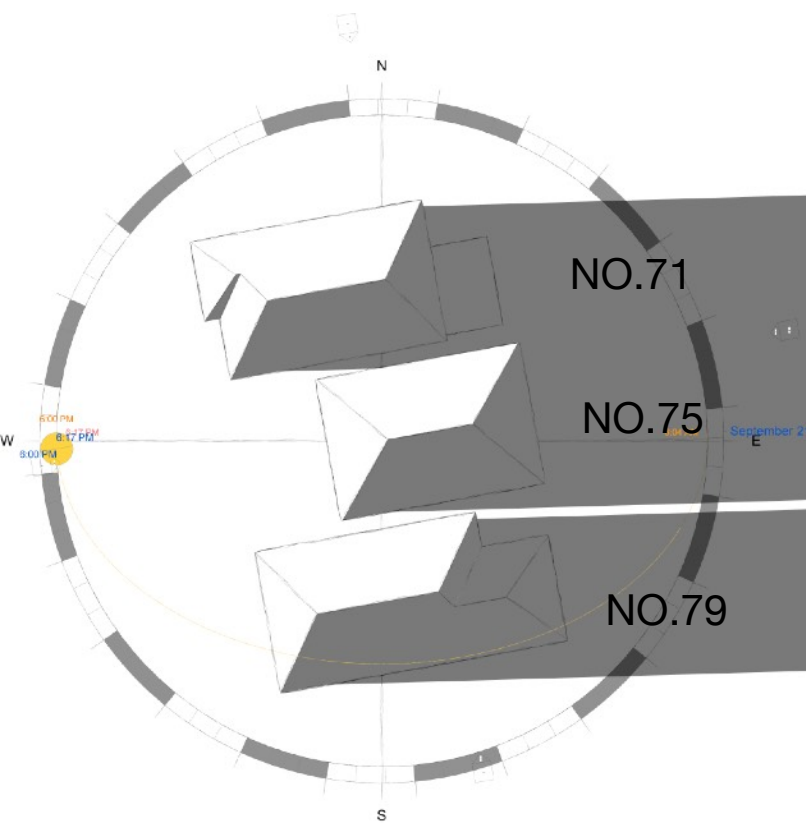
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Proposed

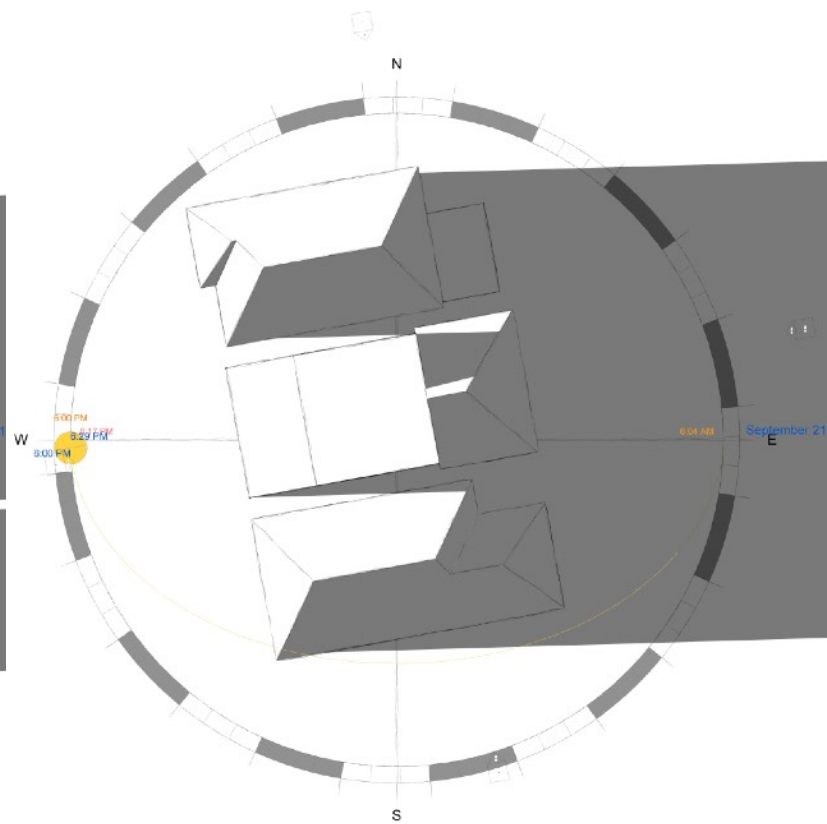


September 21th 18:00 PM

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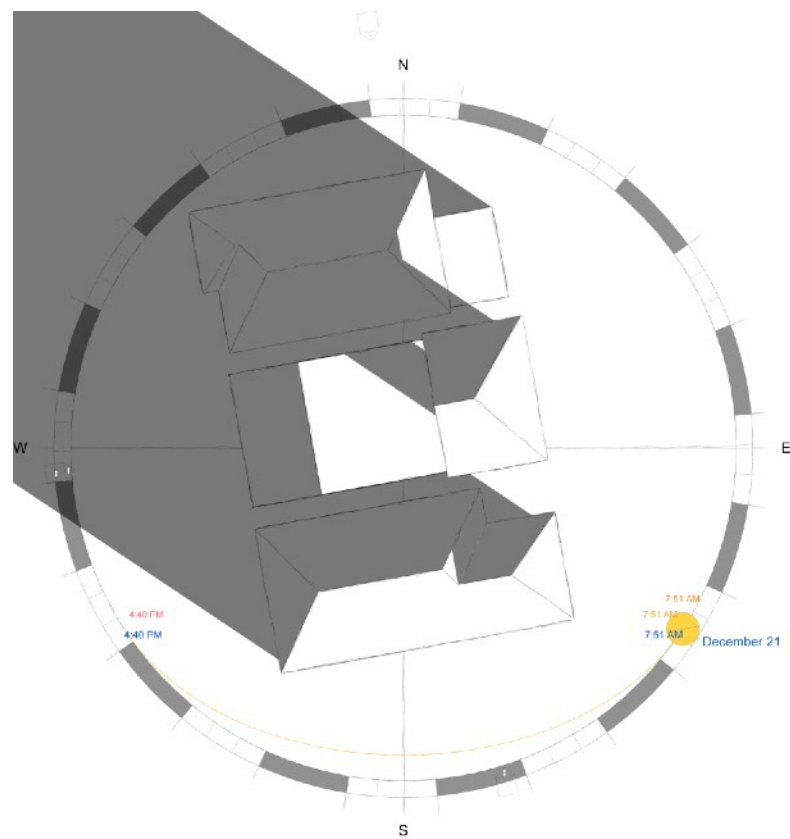
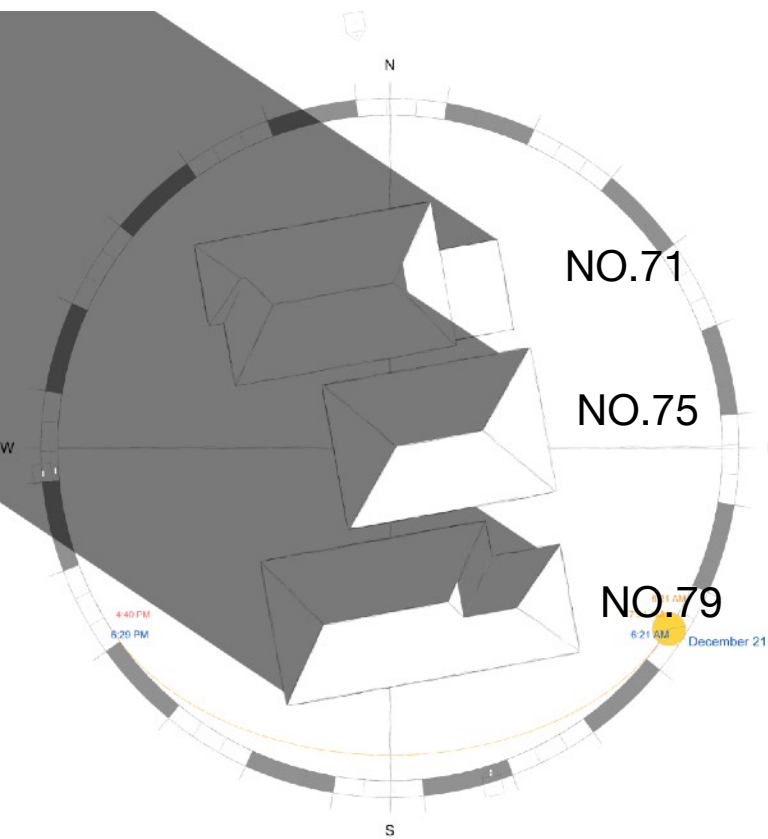
Proposed



December 21th 7:51 AM

Existing

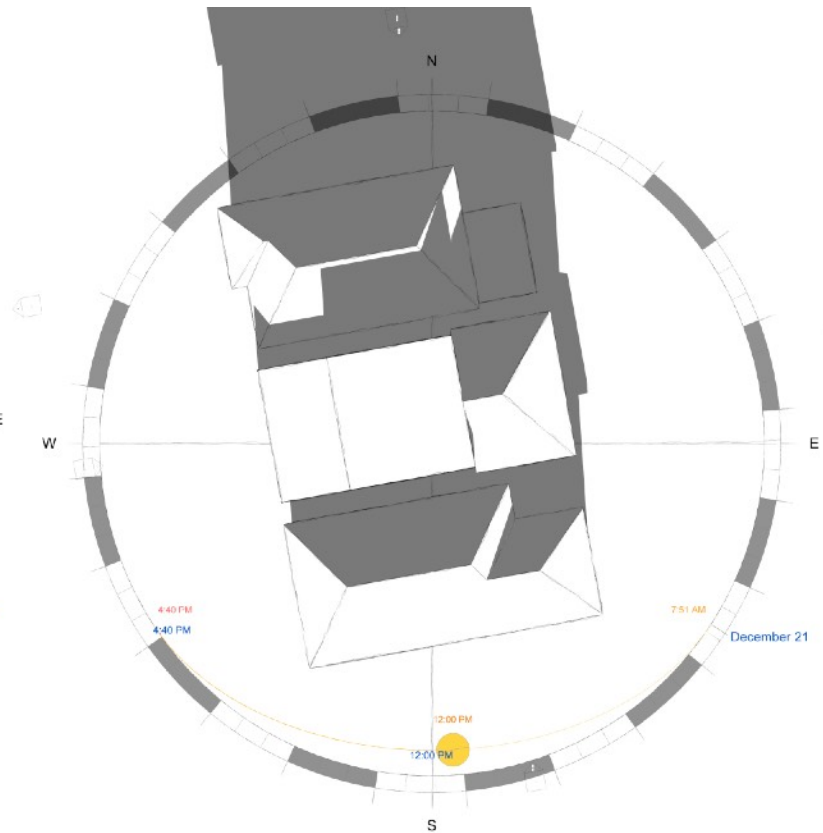
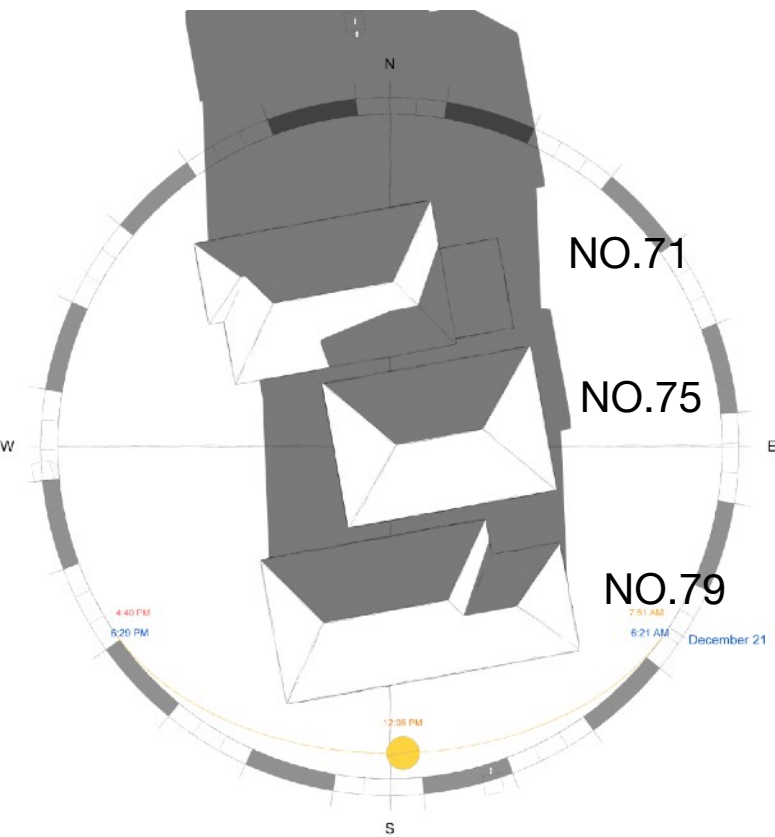
Proposed



December 21th 12:00 PM

Existing

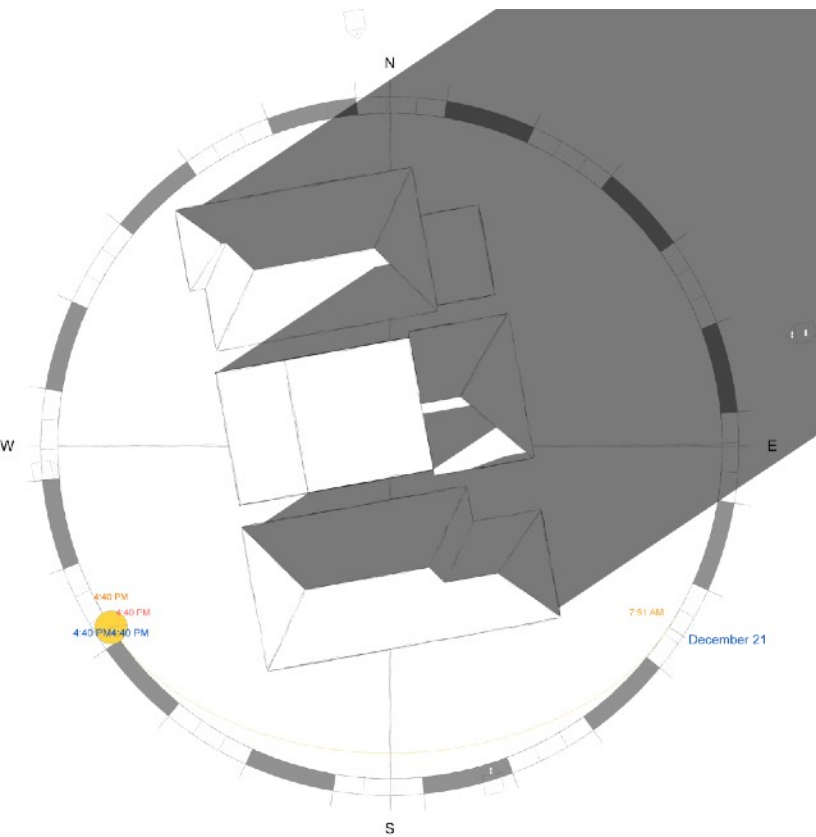
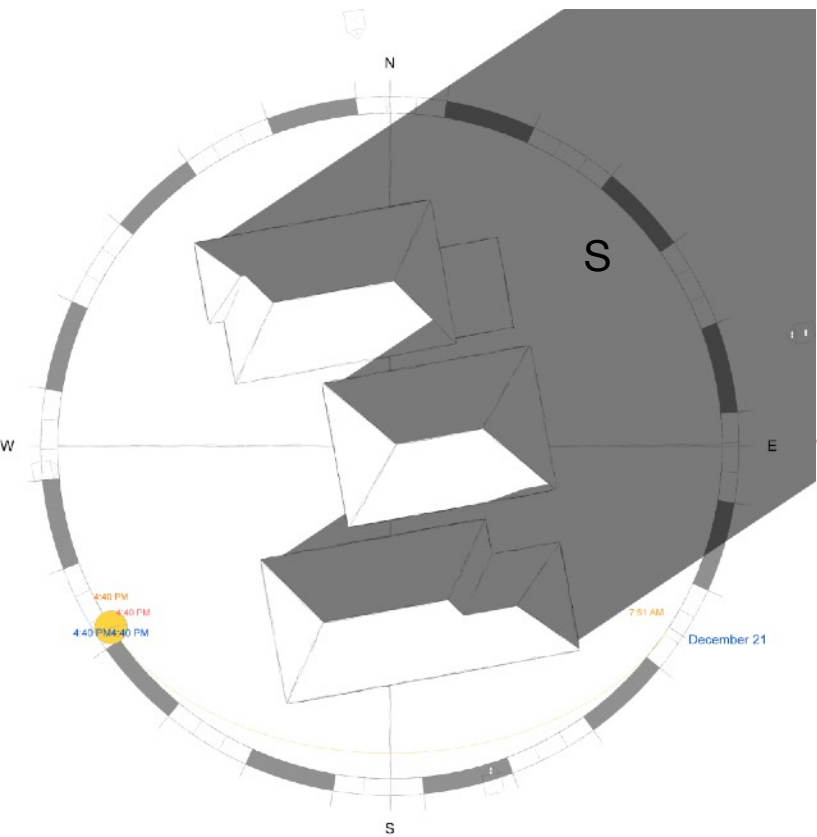
Proposed



December 21th 16:40 PM

Existing

Proposed



Appendix 'C' – Recommended Conditions of Approval

The following conditions are required to be satisfied should application MV-2020-01 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 A' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.