

COMMITTEE OF ADJUSTMENT STAFF REPORT

DATE: September 10, 2020

FROM: Matthew Peverini, Planner, Planning and Development Services

RE: Minor Variance Application
Pontisso
10 Jasper Drive
PLAN 517, LOT 141
File: MV-2020-16

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 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.

2. BACKGROUND

Subject Property and Area Context

The subject property is municipally known as 10 Jasper Drive and is located on the north side of Jasper Drive, north of Wellington Street West and east of Haida Drive. The subject property is approximately 647 m² (6,964.25 ft²) in area, and has a lot frontage of approximately 15.24 metres (50 feet). The subject property contains a one-storey single detached dwelling, a carport, a shed, and an in-ground swimming pool. There is also vegetation on the property, which includes a hedge along the west property line in the front yard, a tree in the rear yard, and minor landscaping.

The subject property is located within the Aurora Heights neighbourhood, which is characterized by large lots within a curvilinear pattern of wide streets. Surrounding land uses include low-density residential to the north, east and west; and low density residential and low-rise commercial to the south.

Proposal

The applicant is proposing to demolish the existing carport to construct a two-storey addition, within the easterly side yard and a portion of the rear yard, with a gross floor area of approximately 94.03 m² (1,012.13 ft²). The addition consists of an attached garage, a study on the main floor, and two bedrooms above the proposed garage, on the second floor. The proposed garage will accommodate two vehicles, and storage. The applicant is also proposing to replace the existing porch, with an expanded covered porch and steps in the front yard. A deck is also proposed at the rear of the property, however, it is not subject to this application. A conceptual site plan and elevations are attached as Appendix 'B' to this report

It is important to note that the existing dwelling has a legal non-complying front yard setback of 5.53 metres, whereas the Zoning By-law requires a 6.0 metre setback.

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-SN(497) – Detached Third Density Residential – Stable Neighbourhoods Exception 497 Zone" by Zoning By-law 6000-17, as amended, which permits single detached dwellings.

The subject property is located within the Aurora Heights Stable Neighbourhoods Site Plan Control Area. A Site Plan Application has not yet been submitted, but will be required in accordance with the Town's Site Plan Control By-law.

Preliminary Zoning Review

A Preliminary Zoning Review was completed by the Building Division on July 29, 2020. The requested variances have 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 variances meet the general intent of the Official Plan

The neighbourhood is characterized by generally one to two-storey dwellings, with many split-level dwellings. Mature vegetation is present along both the west property line (a hedge) and east property line (mature tree) The proposed addition and requested reduced front yard setback may impact the existing tree on the adjacent property to the east, however, to minimize potential impacts, recommended conditions of approval address mitigation, monitoring, and compensation. The proposed addition and requested variances will maintain an adequate area of soft landscaping in the front yard and the proposed porch will extend beyond the front face of the main wall of the building which will enhance the streetscape.

The proposed addition and porch is in keeping with the surrounding context and character of the host neighbourhood, and as such, Staff are of the opinion that the proposed variances meet the general intent of the Official Plan.

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

The proposed addition and variances will maintain an adequate area for soft landscaping in the front yard, enhance the streetscape, and continue to satisfy parking requirements for a single detached dwelling. Additionally, the existing vegetation on both sides of the property will assist in mitigating the overall presence of the garage on the streetscape.

Given the above, Staff are of the opinion that the proposed variances meet the general intent of the Zoning By-law.

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

The applicant is proposing to maintain the existing front yard setback to the dwelling for the addition. Additionally, the applicant has integrated the garage into the design

of the dwelling by ensuring that the proposed addition is generally flush with the existing main wall of the building, and by including a second storey above the garage which de-emphasizes the visual impact of the garage.

The proposed reduced front yard setback for the proposed porch (with steps) extends beyond both the face of the main wall of the existing building and proposed addition. The enlarged porch allows for additional enjoyment of the front yard (i.e. seating area) while also enhancing the streetscape.

Staff are of the opinion that the proposed variances are considered desirable for the appropriate development of the property. Staff suggest that any approval by Committee shall be conditional upon the owner obtaining site plan approval for the proposed development to ensure the final design is compatible and sympathetic with the surrounding neighbourhood.

d) The proposed variances are considered minor in nature

Both of the proposed variances do not negatively impact the streetscape or adversely affect adjacent properties. Existing vegetation on either side of the property assists in mitigating the visual presence of the proposed addition and garage on the streetscape and adjacent properties. The proposed addition will be further reviewed through the Stable Neighbourhood Site Plan Review process to ensure compatibility with the surrounding neighbourhood.

The application was circulated to commenting departments and agencies for review, and there have been no objections. The Operational Services Division has provided that should Committee approve the application, a condition be added to address any potential damage or removals to vegetation on or proximal to the subject property. This condition is included as Condition 2 in Appendix 'A'.

As such, Staff are of the opinion that the proposed variances are minor in nature.

Other Departments

Department / Commenting Agency	Comments Provided
Building Division	A Preliminary Zoning Review was completed.
Accessibility Advisory	No comments received.
Operational Services Division	There are trees situated on the subject property and/or property line may be impacted by excavation or disturbance

Department / Commenting Agency	Comments Provided
	<p>due to construction and/or demolition. This may result in irreparable damage to the root systems and/or canopy to one or more of these trees. Furthermore, it may be necessary to remove some trees for the proposed construction.</p> <p>In view of the above staff recommend that the Committee impose condition number 2, as included in Appendix 'A' to this report, in the event that this application is approved.</p>
Engineering Division	No concerns with the proposed application.
Legal Services	No comments received.
Central York Fire	No comments received.
York Region	The Regional Municipality of York has completed its review of the above minor variance and has no comment
Alectra Utilities	No objections to its approval.

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.

4. CONCLUSION

Planning staff have reviewed minor variance application MV-2020-16 with respect to Section 45(1) of the Planning Act, and are of the opinion that the requested variances meet the four tests of the Planning Act. Please refer to Appendix 'A' for the recommended conditions of approval for the requested variances.

5. ATTACHMENTS

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Conceptual Site Plan and Elevations

Appendix ‘A’ – Recommended Conditions of Approval

The following conditions are required to be satisfied should application MV-2020-16 be approved by the Committee of Adjustment:

1. That the Owner(s) enter into a Stable Neighbourhood Site Plan Agreement with the Town, prior to any development or site alteration, to the satisfaction of the Director of Planning and Development Services or designate; and,
2. Submission to the Secretary-Treasurer of written confirmation from the Town’s Director or designate of the Parks Division; that the Applicant has satisfied all concerns below as noted in the August 17, 2020 memo by Sara Tienkamp, Manager of Parks and Fleet:
 - 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.
 - 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.
 - 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.
 - 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.

-
- 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 Statistics

(Metric) Lot Frontage: 15.24 - ZoneR3-SN (497)

Lot A	Gross Floor Area Calculation		
Lot Depth	42.67	Existing GFA	99.89
Lot Area	647.31	Proposed GFA	94.03
Zone	R3-SN	Total GFA	193.92

Lot Coverage Calculation

Existing Dwelling Area	99.89	Front Yard Soft Landscaping	
Proposed Dwelling Area	83.53	Front Yard Area	147.54
Proposed Porch & Stairs	8.93	Front Porch and Stairs	18.59
Total	192.35	Driveway & Walkway Area	55.40
Total Coverage	29.72%	Total Soft Landscape Area	50.01%

Key Plan

Legal Information

PLAN OF SURVEY OF LOTS 141
REGISTERED PLAN No. 517
TOWN OF AURORA
REGIONAL MUNICIPALITY OF YORK

Climactic Data

Location: Aurora
Design Snow Load (9.4.2.2.): 1.50 kpa
Wind Load (q50) (9.6-1.2.): 0.44 kpa

Scope of Work

Interior Alteration and two story addition on
right side of existing house.

- Siteplan Notes
- All working drawings submitted to the Building Division as part of a Building Permit application shall be in conformity with the approved site plan drawings as approved by the Development Services Division.
 - The Owner is responsible for ensuring that tree protection hoarding, placed at the drip line of the trees, is maintained throughout all phases of demolition and construction in the location and condition as approved by the Planning and Building Division. No materials (i.e. building materials, soil, construction vehicles, equipment, etc.) may be stockpiled within the area of hoarding.
 - All utility companies will be notified for locates prior to the installation of the hoarding that lies within the limits of the COB boulevard area.
 - Should the installation of below ground services require hoarding to be removed, Open Space staff (at: open.space@brampton.ca) are to be contacted prior to the commencement of such work. Should an Alternative service route not be possible, staff will inspect and document the condition of the vegetation and servicing installation in order to minimize damage to the vegetation.
 - The Owner (or Applicant as applicable) will be responsible for the cost of any utilities relocations necessitated by the Site Plan Approval and Building Permit.
 - The existing on-site drainage pattern shall be maintained.
 - Grades must be met within 33% maximum slope at the property lines and within the site.
 - The structural design of any retaining wall over 0.60 m (2.00 ft.) in height or any retaining wall located on a property line is shown on the Site Plan and Grading Plan and is to be approved by the Consulting Engineer for the project.
 - The portions of the driveway within the municipal boulevard will be paved by the Owner at their own expense.
 - At the entrances to the site, the municipal curb and sidewalk will be continuous through the driveway and a curb depression will be provided for each entrance.
 - All proposed curbing at the entrances to the site is to terminate at the property line or at the municipal sidewalk.
 - Construction materials are not to be put out for garbage collection.
 - All damaged landscape areas will be reinstated with topsoil and sod following construction activity.
 - Any COB boulevard trees damaged or removed are to be replaced with minimum 70mm caliper deciduous trees to the satisfaction of the COB at the owner's expense.
 - All excess excavated materials will be removed from the site at the owner's expense.
 - There are no existing or proposed easements on the property

- General notes
1. All dimensions to be checked and verified on site prior to commencement of work. Any discrepancies shall be brought to the attention of permitguys prior to continuation of work.
 2. The contractor shall take all precautionary measures under the occupational health and safety act as required by the ministry of labour.
 3. All work shall be done in accordance with the minimum standards and specifications of the municipality's engineering department.
 4. All work in the municipal road allowance shall meet the minimum standards and specifications of the municipality's engineering department. The contractor is required to obtain & pay for permit to work in municipal r.O.W.
 5. Prior to the commencing any work on the installation of services & grading, an approved set of plans and specifications must be available on the job site and shall remain there while work is being done.
 6. The owners of the utilities must be informed at least two weeks prior to construction on any existing municipal road allowance. All existing underground utilities within the limits of construction shall be located and marked. Any utilities, damaged or disturbed during construction, shall be repaired or replaced to the satisfaction of the governing body at the contractor's expense.
 7. Prior to commencing any construction, all sewer outlet information, benchmarks, elevations, dimensions and grades must be checked by the contractor and verified and any discrepancies reported to the engineer.
 8. The contractor is responsible for ensuring that there is no interruption of any surface or subsurface drainage flow that would adversely affect neighboring properties

permitguys.ca

1-32 Sky Harbour Drive,
Brampton ON L6Y 0C9
Tel: 416 479 9556
Email: info@permitguys.ca

Agent Name
Mati Zaman
Contact Information
X101, MZaman@permitguys.ca
Agent ID#
1001

The undersigned has reviewed and taken responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.

Qualification Information

Name	Signature
Registration Info.	Permitguys.ca Inc.
	110882

Title
Site Plan

Project Name
10 Jasper Dr

Project No.
20-26

Drawn By
KJ

Checked By
MZ

Date
2020-06-08

Scale
1:300

Municipality
Aurora, ON

Filename
10 JASPER DR-V23

Sheet No.
A1

Copyright © 2017 Permitguys.ca. All rights reserved. No Part of this document may be reproduced in any form or by any electronic or mechanical means without written permission from Permitguys.ca
File K:\2020\20-26-PG-10 JASPER DR\10 JASPER DR-V23.DWG plotted on 2020-09-03 at 12:14:32 PM by SUPER



Proposed Front Elevation

permitguys.ca

1-32 Sky Harbour Drive,
Brampton ON L6Y 0C9
Tel: 416 479 9556
Email: info@permitguys.ca

Agent Name:
Mati Zaman
Contact Information:
x101, mzaman@permitguys.ca
Agent ID#:
1001

The undersigned has reviewed and taken responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.

Qualification Information

Name:
Registration Info: **Permitguys.ca Inc.** Signature:
110882

Title:
Proposed Front Elevation

Project Name:
10 Jasper Dr

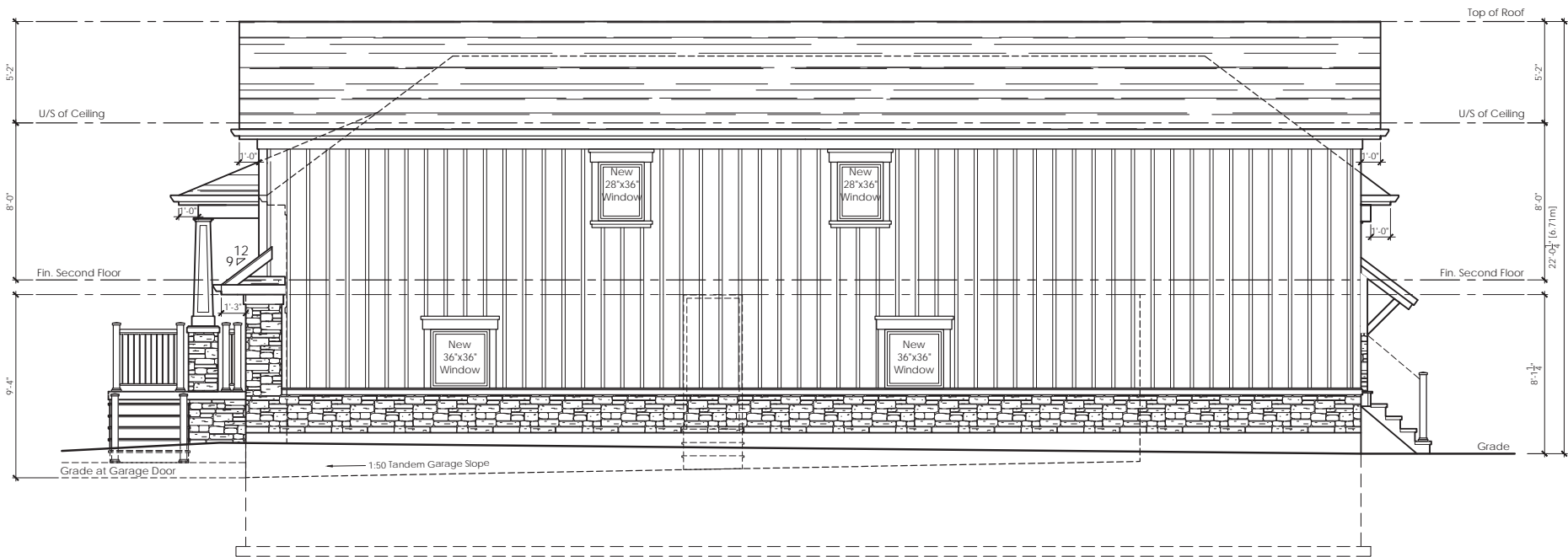
Project No.: **20-26** Drawn By: **KJ** Checked By: **MZ** Date: **2020-06-08** Scale: **3/16"=1'0"**

Municipality:
Aurora, ON

Filename:
10 JASPER DR-V23

Sheet No.

A10



EXTENT OF SPATIAL
CALCULATIONS.
REFER TO WINDOW SUMMARY
FOR ADDITIONAL INFORMATION

SPATIAL CALCULATIONS		
Exposed Building Face	906.56	S.F.
Limiting Distance	84.22	S.M.
Max. % Openings	8.00	%
Openings Allowed	72.53	S.F.
Openings Provided	2.39	%
Window Area	21.66	S.F.

Proposed Right Side Elevation

permitguys.ca

1-32 Sky Harbour Drive,
Brampton ON L6Y 0C9
Tel: 416 479 9556
Email: info@permitguys.ca

Agent Name:
Mati Zaman
Contact Information:
x101, mzaman@permitguys.ca
Agent ID#:
1001

The undersigned has reviewed and taken responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.
Qualification Information:
Name: **Permitguys.ca Inc.** Signature: **110882**
Registration Info:

Title:
Proposed Right Side Elevation

Project Name:
10 Jasper Dr

Project No.: **20-26** Drawn By: **KJ** Checked By: **MZ** Date: **2020-06-08** Scale: **3/16"=1'0"**

Municipality:
Aurora, ON
Filename:
10 JASPER DR-V23

Sheet No.

A11



Proposed Rear Elevation

permitguys.ca

1-32 Sky Harbour Drive,
Brampton ON L6Y 0C9
Tel: 416 479 9556
Email: info@permitguys.ca

Agent Name:
Mati Zaman
Contact Information:
x101, mzaman@permitguys.ca
Agent ID#:
1001

The undersigned has reviewed and taken responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.
Qualification Information:
Name: **Permitguys.ca Inc.** Signature: **110882**
Registration Info:

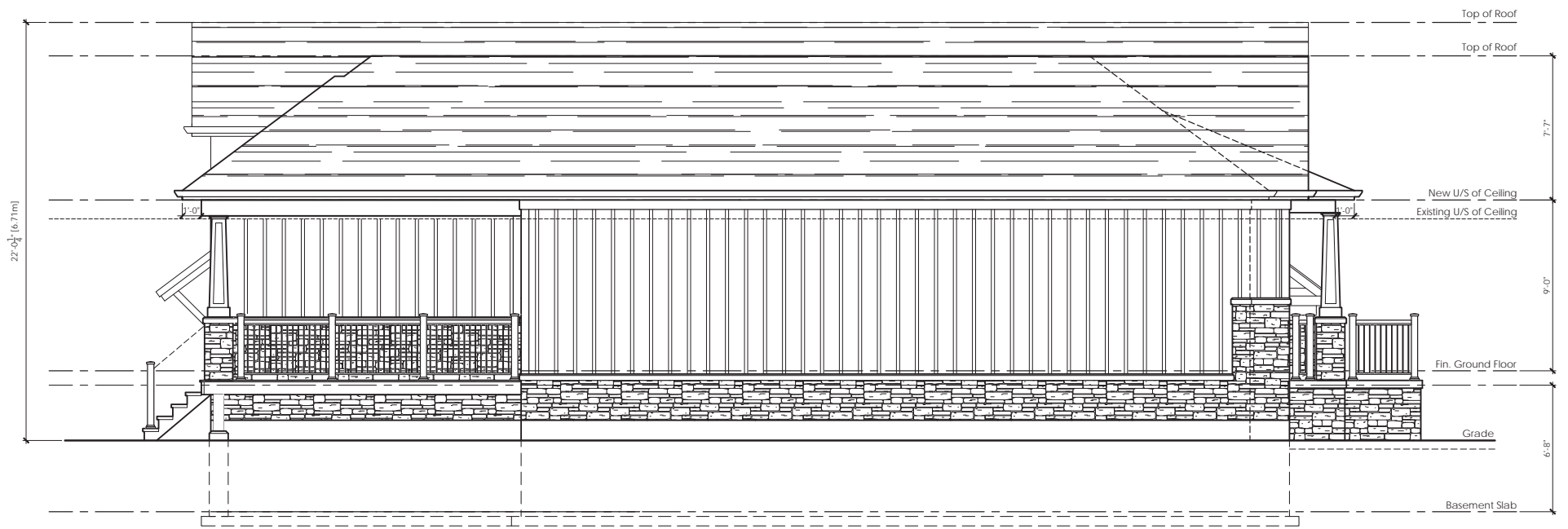
Title:
Proposed Rear Elevation

Project Name:
10 Jasper Dr

Project No.: **20-26** Drawn By: **KJ** Checked By: **MZ** Date: **2020-06-08** Scale: **3/16"=1'0"**

Municipality:
Aurora, ON
Filename:
10 JASPER DR-V23

Sheet No.
A12



Proposed Left Side Elevation

permitguys.ca

1-32 Sky Harbour Drive,
Brampton ON L6Y 0G9
Tel: 416 479 9556
Email: info@permitguys.ca

Agent Name:
Mati Zaman
Contact Information:
x101, mzaman@permitguys.ca
Agent ID#:
1001

The undersigned has reviewed and taken responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.

Qualification Information

Name: **Permitguys.ca Inc.** Signature: **110882**

Title:
Proposed Left Side Elevation

Project Name:
10 Jasper Dr

Project No.: **20-26** Drawn By: **KJ** Checked By: **MZ** Date: **2020-06-08** Scale: **3/16"=1'0"**

Municipality:
Aurora, ON

Filename:
10 JASPER DR-V23

Sheet No.

A13