

Appendix 'C'



Urban Planners • Project Managers

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.