



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

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2023-11

---

**Subject:**                    **Minor Variance Application**  
Aurora (HGD) Inc.  
21 Golf Links Drive (Lot 90)  
MV-2023-11  
Related Planning Applications: SUB-2015-01, ZBA-2015-02 &  
OPA-2015-01

**Prepared by:**            Rosanna Punit, Planner

**Department:**            Planning and Development Services

**Date:**                      April 13, 2023

---

## **Application**

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to increase the lot coverage for Lot 20 on Plan 65M-4773 (Lot 90 on the Draft Plan of Subdivision) within Phase 3 of the registered Plan of Subdivision (Highland Gate). The following relief is being requested:

- a) Section 24.466.2.3 of the Zoning By-law permits a maximum lot coverage of 35%.  
The applicant is proposing a lot coverage of 36.2%

## **Background**

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

The Highland Gate subdivision is generally located north of Henderson Drive, east of Bathurst Street and west of Yonge Street. The Draft Plan of Subdivision was approved by the Ontario Municipal Board (OMB) on January 23, 2017. In total, Highland Gate comprises of 6 phases. To date, only phase 1, 2a and 2b are registered. Lot 20 (also known as lot 90 on the draft plan of subdivision) is part of Phase 3 of the subdivision development. Phase 3 is located between Fairway Drive and Golf Links Drive. Eldon Crescent and Brookland Avenue provide vehicular access onto the Phase 3 lands. The subject lands (Lot 20) are directly south of 45 Golf Links Drive. The subdivision agreement has been executed and registered in February 2023. The existing surrounding

neighbourhood is generally comprised of two storey single detached dwellings as part of a low-density residential setting.

### **Proposal**

The applicant is proposing to construct a two storey residential dwelling on the subject lands.

### **Official Plan**

The subject lands are designated as “Stable Neighbourhoods” in the Town’s Official Plan. This designation specifically permits 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 shall be sympathetic to the streetscape character and shall be compatible with surrounding built forms with particular attention to matters including but not limited to, building type, height and scale, pattern of rear and side yard setbacks and setback from the street.

### **Zoning By-law 6000-17, as amended**

The subject lands has a site specific zoning classification “Detached Third Density Residential”- R3 (466). This zoning permits single detached dwellings, with a maximum lot coverage of 35%, thus a variance is required.

### **Preliminary Zoning Review**

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

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

As stated on the application form, “Due to the irregular shape of the lot, the model type selected and purchased for the subject lot slightly exceeds the maximum lot coverage provision of the Zoning By-law, however the house will fully comply with the minimum front, rear and side yard setbacks. As such the increase in lot coverage is minor in nature, will not impact the neighbouring properties, and meets the general intent of the Official Plan and Zoning By-law”.

## Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2023-11 pursuant to the prescribed tests as set out in Section 45(1) of the *Planning Act*, as follows:

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

The proposed dwelling is consistent with the built form of the surrounding neighbourhood as it relates to building type, height, scale, and setbacks. The process of subdivision approval also ensured high quality architectural control to provide an enhanced neighbourhood character and streetscape, with the proposed dwelling being considered a compatible form of development.

Staff are of the opinion that the requested variance is in keeping with the general intent of the Official Plan and that it will have no impact on the existing neighbourhood character.

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

The general intent of lot coverage provision is to ensure the size of the building is appropriate relative to the size of the property and that it does not detract from the outdoor amenity area on the property or negatively impact drainage. According to the building permit drawings, the proposed dwelling on the subject lands has the same building width of 12.5m (41 ft) as the adjacent property. Building Staff has confirmed that the proposed dwelling will comply with all setback requirements in the zoning by-law. It is Staff's opinion that there is no negative impacts to adjacent properties or the neighbourhood streetscape. Given that the proposed dwelling will comply with the required front, rear and side yard setbacks, it is Staff's opinion that the proposed variance will not impact the amount of amenity area on the property. Engineering Staff does not anticipate any drainage issues or having adverse impact to the neighbouring property as a result of the proposed variance. Therefore, Staff are of the opinion that the proposed variance meets the general intent of the Zoning By-law.

**c) The proposed variance is considered desirable for the appropriate development of the land**

The proposed variance is generally consistent with the lot coverage permitted in the Zoning by-law and there are a number of examples in the area where larger lot coverages were approved by the Committee of Adjustment and constructed. Below is a table to highlight other approved variances throughout the other Phases in the Highland Gate subdivision.

File:	Lot Coverage Variance Requested:	Decision:
MV-2021-03 (Lot 30)	38% to 39.3%	Approved by Committee
MV-2021-04 (Lot 42)	35% to 41.1%	Originally refused by the Committee, but then approved at the OLT
MV-2021-05 (Lot 43)	37% to 41.5%	Approved by Committee
MV-2022-27 (Lot 86)	35% to 35.7%	Approved by Committee
MV-2022-28 (Lot 57)	35% to 35.9%	Approved by Committee
MV-2022-30 (Lot 107)	36% to 36.3%	Approved by Committee

The model selected by the future homeowner complies with the approved urban design guidelines. The requested variance will not result in any adverse impacts to neighbouring properties or the streetscape. Staff are of the opinion that the requested increase in lot coverage is desirable for the appropriate development of the lot.

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

The proposed new dwelling will comply with all other zoning provisions including building setbacks and height. The massing of the proposed dwelling will have the same building width as the adjacent properties. Staff are of the opinion that the requested increase in lot coverage from 35% to 36.2% is minor in nature and will not alter the character of the neighbourhood or cause any adverse impact to the adjacent properties.

## Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review was completed on February 24, 2023.
Engineering Division	No objections
Operational Services (Parks)	No objections
Operational Services (Public Works)	No objection
Central York Fire Services	No objections
York Region	No objections

Department or Agency	Comments
LSRCA	No objections

## Public Correspondence

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

## Conclusion

Planning staff have reviewed the application with respect to the Section 45(1) of the Planning Act, R.S.O, 1990, c.P.13, as amended, and are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variance subject to the conditions outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Condition of Approval

Appendix 'B' – Site Plan

**Appendix 'A' Recommended Condition of Approval**

The following condition is required to be satisfied should application MV-2023-11, be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property (Lot 20 on 65M-4773), in substantial conformity with the site plan attached as 'Appendix 'B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.