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Town of Aurora  
**Committee of Adjustment Report**  
No. C-2024-07

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**Subject:**                   **Consent Application**  
Hunzach Holdings Inc.  
24 Desjardins Way  
Part Block 8, Plan 65M-3819, except Parts 1 and 2 on Plan 65R-  
29285, and except Parts 1 and 2 on Expropriation Plan YR2183022  
File: C-2024-07  
Related File: SP-2024-04, MV-2024-09

**Prepared by:**           **Katherine Gatzos, Planner**

**Department:**           **Planning and Development Services**

**Date:**                     **February 13, 2025**

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## **Application**

The purpose of the proposed consent application is to sever the subject lands as follows (see Appendix 'B'):

- a) **Proposed Retained Lands (eastern parcel):**
  - I. Parts 1, 2 and 3 of the Draft Reference Plan with a total area of 0.76 hectares (1.89 acres).
  
- b) **Proposed Severed Lands (western parcel):**
  - I. Parts 4 and 5 of the Draft Reference Plan with a total area of 2.45 hectares (6.07 acres).
  
- c) **Establish a Right of Way:**
  - I. Proposed right of way over Part 2 (eastern parcel) of the Draft Reference Plan in favour of the proposed severed lands (western parcel) for the purposes of vehicular access from Desjardins Way.

## Background

### Subject Property and Area Context

The subject property is currently an approximately 3.22 hectare (7.97 acre) parcel located on the northeast corner of Leslie Street and Desjardins Way. The property is irregular in shape, containing a lot frontage of 434 metres (1423 feet) along Desjardins Way. The property is directly west of Highway 404 and considered part of the Bayview Northeast Area 2B, which is bound more broadly by the arterial roads of Wellington Street East to the south and Leslie Street to the west. The subject property is currently vacant but surrounded by future employment/business park use development blocks.

### Proposal

The applicant is proposing to sever the subject lands and create one new lot for a future employment use. The proposed severed parcel will require a Right of Way over the proposed retained parcel. The proposed severed and retained parcels are shown in Appendix 'B'. The intent of the proposed severed parcel is to facilitate the construction of a new medical building.

### Related Planning Applications

In 2024, the Committee of Adjustment approved a variance on the subject property to reduce the required daylighting triangle. The purpose of the approved variance was to accommodate a baseball training facility at the corner of Desjardins Way and First Commerce Drive. The baseball training facility received site plan approval (SP-2024-04) on December 2024.

No planning applications have been received for the proposed new medical building over the proposed severed parcel.

### Official Plan

The subject lands are designated as "Business Park" in the Town's Official Plan (Bayview Northeast Area 2B Secondary Plan, OPA 30). The intent of this designation is to provide a full range of employment opportunities, and the designation permits for prestige industrial uses, office, as well as ancillary uses that primarily serve the business functions in the Business Park.

## Zoning

The Subject property is zoned “E-BP - Business Park Zone” under Zoning By-law 6000-17, as amended. This zoning permits a wide range of employment uses.

## Preliminary Zoning Review

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora’s Building Division. Building Staff has reviewed the proposed consent application and have determined that no variances are required to facilitate the proposed consent.

## Planning Comments

When considering an application for consent to sever lands, regard shall be had to the criteria of Section 51 (24) of the *Planning Act*. This includes, amongst other things:

- Matters of Provincial Interest
- Conformity with the Official Plan and adjacent plans of subdivision
- Suitability of the land for the purpose in which it is to be subdivided
- Suitability of the land and adequacy of utilities, services, highways and access
- The dimension and shape of the proposed lots

## Matters of Provincial Interest

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Matters of provincial interest include the adequate provision of employment opportunities, the protection of the economic well-being of the Province and its municipalities and ensuring the appropriate location of growth and development in an orderly manner. The proposed consent application facilitates the development of key employment lands in Town, that are located within a designated employment area and able to capitalize on proximity to Highway 404. The development of the site will enhance the employment function of the area and will occur in a logical and orderly manner as part of an established business park. The lands are currently vacant and underutilized, and their development will provide positive contributions to the Town economically. Staff are satisfied that the proposed consent application is consistent with the PPS and supports matters of provincial interest.

**Conformity with the Official Plan and Adjacent Plans of Subdivision**

As previously described, the subject lands are designated as part of the Town's "Business Park" area adjacent to Highway 404. The lands are planned to serve the employment function of the area and provide economic development opportunities for the Town. The applicant has informed Staff that the creation of the new lot is intended to facilitate the development of a new medical building.

The surrounding employment lots within the Bayview Northeast Business Park Area are generally 0.8 hectares in size or greater. The draft reference plan attached as Appendix B demonstrates that both the proposed severed and retained will be in keeping with the surrounding lot. Both the proposed severed and retained has sufficient land to accommodate future employment uses.

The consent application and related development of the lands will also help contribute to the Town and Region's employment targets in line with Official Plan policies, while maximizing the prestige image of the Town and business park area from Highway 404.

**Suitability of the land and adequacy of utilities, services, highways and access**

The proposed consent application is located within an approved plan of subdivision. There are sufficient municipal services that were approved as part of the subdivision application process. The proposed severed parcel will have access to Leslie Street via a private driveway and access to Desjardins Way via a shared driveway located over the proposed retained parcel. Discussions related to traffic movement and access will be reviewed in the future site plan approval process for the proposed medical building.

**Dimension and shape of the proposed lot**

Staff are of the opinion that the proposed consent application is generally compatible with the surrounding area in regard to dimension and shape of the proposed lot and will not result in any negative impacts on adjacent properties or character of the area. The proposed severed and retained lots fully conform to the lot area, frontage, and dimension requirements of the Town's Comprehensive Zoning By-law 6000-17.

## Additional Comments

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

Department or Agency	Comments
Building Division	Preliminary Zoning Review completed. No objection.
Engineering Division	No objection.
Operational Services (Parks)	No objection.
Operations (Public Works)	No objection.
Central York Fire Services	No objection.
York Region	No objection.
LSRCA	No objection.
Hydro One	No objection.

## Public Correspondence

Written submissions from the public 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

Staff have reviewed the application with respect to the Section 51(24) of the *Planning Act*, R.S.O, 1990, c.P.13, as amended, the Provincial Policy Statement, Provincial Plans and the Town's Official Plan and are satisfied with the proposed consent application.

Based on the aforementioned, Staff have no objection to the approval of Consent application File C-2023-05, subject to the conditions outlined in Appendix 'A' to this report.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Proposed Severance Plan

**APPENDIX 'A' – Conditions of Approval**

1. That the consent only applies to the subject property in conformity with the plans attached as Appendix 'B' to this report, to the satisfaction of the Director of Planning and Development Services.
2. That the Owner provide written confirmation of no outstanding payment of property taxes owing to date for the subject property, to the satisfaction of the Secretary-Treasurer.
3. Submission to the Secretary-Treasurer of four (4) white prints of a deposited Reference Plan for review showing the subject lands, which conforms substantially to the application form and sketch as submitted with this application (Appendix 'B'). One copy of the deposited reference plan must be submitted to the Town prior to the issuance of the Certificate of Official. Please note, if the transaction in respect of which the consent was given is not carried out within the two-year period following issuance of the Certificate of Official, the consent effectively will lapse [Planning Act, R.S.O. 1990, c.P.13, as amended, s. 53 (43)].
4. Submission to the Secretary-Treasurer of the required draft transfers to effect the severance applied for under Files C-2024-07 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act. Subsection 50 (3 or 5) of the Planning Act, R.S.O 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
5. That the Owner pay the Legal Services Fees (\$238.00) regarding the Town's cost to obtain a Parcel Abstract/PIN as per the Application, and written confirmation be provided to the satisfaction of the Secretary-Treasurer. The cheque is payable to "The Corporation of the Town of Aurora" quoting file number C-2024-07 and delivered to the attention of Legal Services, 100 John West Way, Box 1000, Aurora, ON L4G 6J1.
6. Fulfilment of all of the above conditions shall occur within two (2) years of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act. R.S.O. 1990, c.P.13, or the consent will lapse.