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Town of Aurora
Committee of Adjustment Report
No. MV-2025-48

Subject: **Minor Variance Application**
Hunzach Group Holdings Inc.
350 First Commerce Drive
PLAN 65M3819 PT BLK 6 RP, 65R34564 PART 3 PT PART 4
File: MV-2025-48

Prepared by: **Felix Chau, Planner**

Department: Planning and Development Services

Date: February 12, 2026

Application

The owner/applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate the construction of a 3919.49 square metre (42,189 square feet) industrial building containing five (5) units. The following relief is being requested:

- a) Section 10.2 of the Zoning By-law 6000-17, as amended, requires a minimum landscaping strip of 3.0 metres. The applicant is proposing a landscaping strip of 1.5 metres at the west lot line; and
- b) Section 10.2 of the Zoning By-law 6000-17, as amended, requires a minimum landscaping strip of 3.0 metres. The applicant is proposing a landscaping strip of 1.5 metres at the south lot line; and
- c) Section 10.2 of the Zoning By-law 6000-17, as amended, requires a minimum landscaping strip of 3.0 metres. The applicant is proposing a landscaping strip of 2.0 metres at the east lot line; and
- d) Section 10.2 of the Zoning By-law 6000-17, as amended, requires a minimum setback of 6.0 metres on a yard adjacent to a street (north lot line). The applicant is proposing a setback of 3.0 metres to the north lot line.

Background

Subject Property and Area Context

The subject lands are located west of Leslie Street and south of Addison Hall Circle. The subject lands have a lot area of 1.06 hectares (2.62 acres) with 194.4 metres (637.8 feet) of frontage along the west side of First Commerce Drive. The subject property abuts a water tower to the west that is accessed by a service road immediately north of the subject property. The subject lands are currently vacant.

Proposal

The applicant is requesting the subject variances to facilitate the construction of a 3919.49 square metre (42,189 square feet) industrial building containing five (5) units. Two vehicular accesses are proposed off First Commerce Drive.

Official Plan

The subject lands are designated 'Business Park' by the Town of Aurora Official Plan (Bayview Northeast Area 2B Secondary Plan). 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 lands are 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. The PZR identified the required variances, and no other non-compliance was identified.

Applicant's stated reason(s) for not complying with the Zoning By-law

The applicant has provided the following rationale for the requested variances:

- The landscaping strip reductions provide enough drive aisle and maneuvering space for emergency vehicles and transport trucks while ensuring proposed building provides feasible space requirements for tenants and ownership.

- The property line is angled along the north side, tapering away from First Commerce and faces a Service Road. Only the rear third of the building is proposed to have a less than less than 6.0m setback to the property line.

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2025-48 pursuant to the prescribed tests as set out in Section 45(1) of the *Planning Act*, as follows:

a) The proposed variances meet the general intent of the Official Plan

The subject lands are designated as “Business Park” in the Town’s Official Plan and it is within the Bayview Northeast Area 2B Secondary Plan. The intent of the “Business Park” designation is to provide a mix of employment activities that support the business function of the area and overall economic development of the Town. The Business Park designation further encourages high-quality employment uses that can meet the needs of residents, businesses, and employees over the long-term.

A key consideration of the “Business Park” designation is to ensure the development priority of lands adjacent to Highway 404, and to encourage high quality building and site design. Development within the business park specifically calls for distinctive, landmark buildings to create a striking built presence in this area, which the requested variances will help to implement. Through the submission of a site plan application, a full design review of the building will also occur to ensure a high-quality built form. With that said, Staff are of the opinion that the requested landscape strip and setback reductions will maintain sufficient space to provide for a high-quality site design.

The requested variances help to support the goals and objectives for the employment area. It is the opinion of staff that the general intent of the Official Plan is upheld.

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

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 including warehouses and offices.

Landscape Strip Variances

The intent of the minimum landscape strip standard in the business park area is to ensure a high quality and consistent streetscape, and to ensure adequate separation is provided

between buildings or to the street. The applicant is proposing to reduce the 3.0 metre landscaping strip requirement to 1.5 metre along the south and west lot lines. The south lot line abuts an EP zone, whereas the west lot line abuts the street. For this reason, there are no direct neighbouring buildings impacted by the requested reduction.

Furthermore, the applicant proposes to reduce the landscaping strip requirement of 3.0 metres to 2.0 metres along the east lot line, which is the front lot line. A municipal right-of-way of approximately 5.0 metres separates the property and the edge of the road, which contains a sidewalk, landscaping, and municipal trees. As such, sufficient separation is maintained to the street, despite the reduced landscaping strip requirement, and sufficient landscaping elements will be maintained between the road and the development.

The applicant's purpose of reducing the landscaping strip is to reasonably maximize the building envelope on the site, while ensuring sufficient driving aisle space throughout the property to accommodate truck and private vehicle flow. Planning Staff and Parks Staff are satisfied with the reduce landscaping strip in principle, further detailed review of the strips will be reviewed through the Site Plan Application process.

Yard Adjacent to a Street Setback Variance

The E-BP zone establishes minimum siting specifications which requires a 6.0 metre setback from buildings adjacent to a street. In this case, the north side yard abuts a private service road that is used to access the neighbouring York Region water tower. The purpose of this requirement is to ensure sufficient separation is provided between typically large industrial scale buildings. Given that the adjacent property only consists of a service road and water tower, the intent of the visual relief is maintained.

Furthermore, the proposed building maintains a 6.0 metre setback closer to First Commerce Drive, and tapers to a 3.0 metre setback at the rear of the building. As such, only a small portion of the building encroaches into the required setback.

Staff are of the opinion that the requested variances meet the general intent of the Zoning By-law.

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

The proposed variance is considered desirable for the appropriate development of the land as intends to facilitate a permitted business park use (warehouses). This will help contribute to the economic function and job creation targets of the Town. The subject property is part of a newer business park in Town that is undergoing the review of newer development applications. Furthermore, the property benefits from proximity to Highway 404 and the proposed development of the site, in the opinion of staff, represents good planning. Overall, it is the opinion of staff that the proposed variances are considered desirable for the appropriate development of the land.

d) The proposed variances are considered minor in nature

The proposed variance is considered minor in nature as it implements the “Business Park” land use designation of the subject property and will result in no negative adverse impacts on the property or surrounding area. The variance upholds the integrity and intent of the Official Plan and Zoning By-law, and facilitate the orderly, efficient, and functional development of the site to the benefit of the Town, Region, residents, employees, and businesses.

The proposed building will also be subject to a future Site Plan Application in which a comprehensive review of the overall development of the property will be conducted. Overall, it is the opinion of staff that the proposed variances are minor in nature.

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 completed. No objection.
Engineering Division	No objection.
Operational Services (Parks)	No objection.
Operational Services (Public Works)	No objection.
Central York Fire Services	No objection.

York Region	No objection.
LSRCA	No objection.
Alectra	No objection.

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 regarding Section 45 (1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, and believe that the requested variance meets the four tests of the Planning Act for granting minor variances. Staff recommend approval of the requested variance subject to the condition outlined in Appendix 'A.'

Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Elevations

Planning and Development Services:

1. That the variance only applies to the subject property in conformity with the plans attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate; and
2. That the Owner shall obtain all necessary Site Plan approval from the Town Development Planning division to the satisfaction of the Director of Planning and Development Services; and
3. That the Owner shall clear all the above conditions within two (2) years of the date that notice of the decision was given or the Variance will lapse, requiring re-application to the satisfaction of the Director of Planning and Development Services.

Operational Services (Parks):

4. That the owner shall 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 trees. The report shall include the following:
 - a. An assessment of existing trees (5cm trunk diameter and greater) by size, species and condition including trees on adjacent properties whose structure or root zone may be impacted by construction.
 - b. Identification of all tree injuries and tree removals, if any.
 - c. Identification of all tree protection measures including recommendations on the mitigation of negative effects to trees during and post construction, including applicable maintenance requirements.
 - d. Provision of monitoring of the site work through a series of site visits by the Arborist/Forester to ensure protection/preservation measures remain in compliance throughout the duration of the project. Monitoring shall occur i) at commencement of work to certify all tree protection measures are in place, ii) during site work to confirm protection measures are in place and to oversee arboricultural works as required, and iii) post construction assessment. Each site visit is 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.
 - e. A monetary evaluation in accordance with the Town's Tree Compensation Policies for all trees designated to be removed.

5. The Owner shall be required to provide a tree compensation and a replanting plan in accordance with the Town of Aurora Tree Compensation Policies 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.
6. 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.
7. The owner shall be required 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 Owner's Arborist/ Forester, to the satisfaction of the Director of Operational Services.
8. All 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.