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Town of Aurora
Committee of Adjustment Report
No. MV-2026-nn

Subject: **Minor Variance Application**
Christian Santilli
59 Cranberry Lane
Lot 53 (Part 1), Block 34 (Parts 5 & 6) Registered Plan 65M-2259
File: MNV-2026-03

Prepared by: **Alexandra Krstajic, Planner**

Department: Planning and Development Services

Date: March 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 permit the construction of a two-storey single detached dwelling with an attached 2-car garage on the subject property. The following relief is being requested:

- a) Section 4.20 of the Zoning By-law states open porches require a minimum front yard of 4.5 metres. The applicant is proposing a front porch, which is 2.5 metres to the front property line.
- b) Section 4.20 of the Zoning By-law states steps require a minimum front yard of 4.5 metres. The applicant is proposing front porch steps, which are 2.0 metres to the front property line.
- c) Section 7.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres. The applicant is proposing a detached dwelling unit, which is 3.0 metres to the front property line.

Background

Subject Property and Area Context

The subject property is municipally known as 59 Cranberry Lane. It is located east of Bathurst Street, west of Murray Drive, and north of Henderson Drive, adjacent to the Highland Gate development.

The subject property was severed from the neighbouring property at 53 Cranberry Lane on July 13, 2023. The parcel has an area of approximately 550 square metres (5,920 sq. ft.) and is a corner lot with frontage along Cranberry Lane, Dennis Reed Court, and Wallace Merchant Court.

Despite being a corner lot, Cranberry Lane is the only frontage that can function as the front of the dwelling. This is due to the presence of Block 33, which is located directly west of the site and fronts onto Dennis Reed Court and Wallace Merchant Court. Block 33 is Town-owned open space and contains servicing and infiltration trenches along the Dennis Reed Court frontage. As a result, Cranberry Lane is the only viable frontage for the proposed development.

The property is currently vacant, with no existing structures and limited vegetation.

Proposal

The applicant is proposing to construct a new two-storey single detached dwelling with an attached two-car garage. The dwelling will have a total gross floor area of approximately 2,939.5 square feet and is intended for single-family residential use. The proposal includes two enclosed parking spaces within the attached garage, as well as two additional parking spaces on the driveway.

Official Plan

The subject property is designated 'Stable Neighbourhoods' by the Town of Aurora Official Plan. The Stable Neighbourhoods designation permits the development of single detached dwellings.

Zoning

The subject property are zoned R3 (Detached Third Density Residential) under the Town of Aurora Zoning By-law 6000-17, as amended, where a detached dwelling is a permitted use.

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

As stated on the submitted Planning Justification Rationale, variances have been requested "as a result of the lot configuration."

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2026-03 pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

a) The proposed variance does meet the general intent of the Official Plan

The subject property is designated 'Stable Neighbourhoods' under the Town of Aurora's Official Plan. The intent of the 'Stable Neighbourhoods' designation is to ensure that all new development will be protected from incompatible forms of development. Additionally, this designation is intended to preserve the character and function of established residential areas. To assist infill and redevelopments to be compatible with the exiting neighbourhood the Stable Neighbourhood Design Guidelines were developed.

The proposed detached dwelling maintains the prevailing low-density residential use of the area. While minor variances are requested to address front yard setbacks associated with the dwelling, porch, and steps, these adjustments do not alter the fundamental built form or introduce a land use that is inconsistent with the surrounding context. In accordance with the Town of Aurora Stable Neighbourhood Urban Design Guidelines, the proposed dwelling will remain comparable in height, massing, and residential function to adjacent homes, ensuring a compatible scale within the existing streetscape. The design includes a front porch and entrance steps, which align with the guidelines' direction to emphasize street-oriented frontage elements and human-scaled design characteristics.

The proposed development and associated variances are considered to maintain the general intent of the Official Plan, as they represent compatible residential infill that respects neighbourhood character, supports appropriate design, and enables the reasonable use of the property within a Stable Neighbourhoods designation.

Overall, Staff are therefore 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 subject property is zoned Detached Third Density Residential (R3), under Zoning By-law 6000-17, as amended. The R3 zone is intended to accommodate medium-sized detached residential lots within established urban neighbourhoods, ensuring that new dwellings are compatible with the surrounding built form while supporting a cohesive and stable residential character.

A summary of the variances requested and how they meet the general intent of the zoning is as follows:

Front Yard Setback to the Porch

The proposal contemplates a front porch of 2.5 metres to the front property line, while Section 4.20 of the Zoning By-law states open porches require a minimum front yard of 4.5 metres. The intent of the setback requirement for open porches is to ensure that projections remain minor in nature, maintain a landscaped buffer to the street, and do not interfere with the established relationship between dwellings and the public realm. The subject lot has an irregular, tapered configuration that differs from the typical corner lot condition from which the Zoning By-law setback is measured, limiting the ability to locate the dwelling further from the street and creating a functional building envelope. While the porch projection is slightly greater than those of neighbouring properties, it maintains a similar architectural treatment seen within the area. Staff are satisfied that sufficient landscaped space, including the boulevard and sidewalk area, will remain between the porch and the street, and the proposal is not anticipated to negatively impact the streetscape or adjacent properties. In this context, the reduced setback is unlikely to disrupt the overall building alignment or create adverse impacts on adjacent properties. The porch will still maintain a reasonable landscaped buffer to the street and is consistent with common porch projections observed in newer subdivisions.

Front Yard Setback to the Steps

The proposal contemplates a 2.0 metre setback to the front property line from the porch steps, while Section 4.20 of the Zoning By-law states steps require a minimum front yard setback of 4.5 metres.

The minimum setback for steps is intended to maintain a consistent building line and preserve the established relationship between the dwelling and the street. Additionally, the intent of this setback is to ensure that projections into the front yard do not interfere with the public realm or municipal infrastructure.

In this case, the intent of the requirement is maintained. The steps are limited in scale and remain clearly subordinate to the principal dwelling. Importantly, sufficient space will remain between the steps and the street to accommodate the boulevard and sidewalk, ensuring no conflicts with pedestrian circulation, snow storage, or municipal servicing. As such, the reduced setback is not anticipated to materially impact the streetscape or the function of the front yard.

Front Yard Setback to the Detached Dwelling Unit

The proposal contemplates a 3.0 metres setback to the front property line from the detached dwelling, while Section 7.2 of the Zoning By-law requires a minimum front yard setback of 6.0 metres.

The intent of the front yard setback is to establish consistent building siting, ensure the primary building mass remains compatible in scale and preserves the pattern of the neighbourhood.

Although the proposed front yard setback is 3.0 metres, the proposed 3.0 metres is the shortest distance at one corner of the structure, while the remainder of the dwelling maintains a greater setback. In particular, the proposed garage is setback 6.24 metres from the front lot line. The Town of Aurora Zoning By-law requires 6.0 metres for garage placement. The requested relief is limited to the north-west corner and a portion of the front of the dwelling, while the remainder of the building footprint complies with the applicable setback provisions. As such, the majority of the dwelling maintains the intended yard relationships established by the Zoning By-law.

Overall, Staff are of the opinion that the requested variances meet the intent of the zoning by-law.

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

The proposed variances are considered desirable for the appropriate development of the land as they facilitate a functional and well-designed dwelling that responds to the

site's corner lot configuration and associated constraints, specifically Block 33. Block 33 is Town-owned open space and contains servicing and infiltration trenches along the Dennis Reed Court frontage. Sufficient separation from this block is required to ensure the dwelling does not encroach upon or interfere with the function, access or maintenance this block requires. The open porch and front steps enhance the architectural character of the home and provide safe, practical access, while remaining subordinate to the principal dwelling.

The reduced front yard setback for the dwelling allows for a building placement that is compatible with the surrounding neighbourhood, maintains adequate landscaping, and supports a coherent streetscape. Collectively, the variances enable the appropriate and harmonious development of the property without compromising the character, functionality, or residential amenity of the area.

It should be noted that the adjacent Highland Gate subdivision, located directly west of the subject property, fronting on to Dennis Reed Court is subject to site-specific Zoning (Residential R3- 466) that permits a minimum front yard setback of 4.5 metres. In this context, the proposed 3.0 metre setback represents a modest 1.5 metre deviation from that subdivision standard.

Overall, it is the opinion of staff that the proposed variances are considered desirable for the appropriate development of the land.

d) The proposed are considered minor in nature

The proposed variances are considered minor in nature as they primarily relate to typical residential design elements. While the proposal introduces a new dwelling on the lot, the proposed variance remains consistent with the principles of development in this neighbourhood. The reduced setbacks associated with the open porch and front steps represent minor projections necessary to provide functional access and enhance the architectural character of the dwelling, while remaining visually subordinate and maintaining adequate separation from the street. Overall, the proposed variances are not anticipated to result in adverse impacts related to municipal Infrastructure or streetscape character, thereby satisfying the test of being 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	No objections.
Engineering Division	No objections.
Operational Services (Parks)	No objections.
Operational Services (Public Works)	No objections.
Central York Fire Services	No objections.
York Region	No objections.
LSRCA	No objections.
Alectra	No objections.

Public Correspondence

Two letters of opposition were received at the time of writing of this report. Should additional 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 variances meet the four tests the Planning Act for granting of minor variances. Please refer to Appendix 'A' for recommended conditions of approval for the requested variance.

Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'A' – Recommended Conditions of Approval

Planning and Development Services:

1. That the variance only applies to the subject property, in conformity with the plan(s) 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 clear all the listed 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)

3. 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:
 - 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.
 - Identification of all tree injuries and tree removals, if any.
 - Identification of all tree protection measures including recommendations on the mitigation of negative effects to trees during and post construction, including applicable maintenance requirements.
 - 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.
 - A monetary evaluation in accordance with the Town's Tree Compensation Policies for all trees designated to be removed.
4. 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.
5. 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

6. 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.
7. 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.
8. Conditions 2 through 5 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