



November 10, 2021

Committee of Adjustment  
Town of Aurora  
100 John West Way, Box 1000  
Aurora, Ontario  
L4G 6J1

Attn: Brashanthe Manoharan

Dear Ms. Manoharan.

RE: Application for Minor Variance  
Lots 1 and 23, Plan 65M-4704  
Dormlind Developments Limited  
Town of Aurora

Evans Planning Inc. acts on behalf of Dormlind Developments Limited ('Dormlind'), the owner of properties legally described as 'Lot 1, Plan 65M-4074' and 'Lot 23, Plan 65M-4074' in the Town of Aurora (the 'subject land'). The subject lands are located west of Yonge Street, north of Hunter's Glen Road/Elderberry Trail. Dormlind has previously obtained approval of Official Plan and Zoning By-law Amendments, as well as a Draft Plan of Subdivision (since registered), Draft Plan of Condominium, and Site Plan Control applications establishing a land-use framework for the redevelopment their lands previously municipally known as 14029 Yonge Street. In particular Official Plan Amendment No. 18 establishing Site Specific Policy No. 49 was enacted by the Town through By-law 6110-18. Further, a Zoning framework for the lands were established through the approval of Zoning By-law Amendment 6111-18 in July 2018.

The proposed redevelopment of the lands consists of 27 single detached dwellings of common element condominium tenure, accessed by two privately owned laneways extending from Yonge Street – Royal Hill Court and Kingwood Lane. Under future conditions, it is anticipated that Kingwood Lane will extend northwards facilitating a connection in the event of the future development of the adjacent property. The Draft Plan of Subdivision to create the lot fabric for the proposed development was Registered as Plan 65M-4704 on August 20, 2021.

On behalf of our client, we herewith submit for the Committee of Adjustment's consideration applications for Minor Variance approval for Lots 1 and 23, Plan 65M-4704.

**Required Variances:**

Through the course of review as part of the Building Permit application process, it was determined that relief was required for Lots 1 and 23 with respect to the following provisions of the Town's Comprehensive Zoning By-law 6000-17:

**1. Section 7.2 – Detached Fourth Density Residential (R4) Minimum Rear Yard Setback:**

The R4 Zone requires a minimum rear yard setback of 7.5 metres, whereas the proposed rear yard setbacks are 6.56 metres for Lot 1, and 6.75 metres for Lot 23. We would thus request relief from the provisions of the By-law to permit a minimum rear yard depth of 6.5 metres for both lots.

**Four Tests of the Planning Act:**

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Is it in keeping with the general intent and purpose of the Official Plan?

The proposed dwellings remain compliant with the site-specific provisions of the Town of Aurora Official Plan, including the required setbacks from Yonge Street.

Is it in keeping with the general intent and purpose of the Zoning By-law?

The proposed dwellings will maintain an appropriate rear yard, suitable for outdoor amenity, despite the proposed reduction in depth.

Is it desirable for the appropriate development or use of the land, building or structure?

The proposed variances will continue to provide a built form which is to be developed and used in accordance with the site-specific provisions previously established for the lands through Council approval of the implementing land use framework and Plans of Subdivision/Condominium. It is submitted that this framework is not fundamentally altered by the proposed variances and thus remains desirable for the use of the land.

Is the variance minor in nature?

In our opinion, the proposed variances are minor in nature. Both instances with the reduced rear yard condition reflect a 'pinch point' on the property due to a lot line that is not parallel to the proposed dwelling. The rear yard widens across the width of the lot such that the other corner of the proposed building. The rear yard for Lot 1 abuts Town owned lands, which will accommodate a future trail, along which a berm and acoustic barrier is to be erected. The rear yard for Lot 23 abuts lands protected for environmental purposes. Accordingly, the reduction in rear yard will not have an impact on an adjacent dwelling, or be readily visible from any area of the public realm. Further, the reduced setback will not impact the ability of the rear yard to function for its intended purpose – as outdoor amenity space. The form of relief requested through the proposed Variances are numerically modest, and would not require another form of relief such as through a Zoning By-law Amendment.

**Supporting Materials**

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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 for each of Lots 1 and 23
- Application fees of \$2,475.00 for each of Lots 1 and 23
- A copy of Plan 65M-4704
- A Parcel Register for each of Lots 1 (PIN 03673-0280) and 23 (PIN 03673-0302)
- A Preliminary Zoning Review Letter, and associated stamped plans, for each of Lots 1 and 23
- A Siting Plan for Lot 1, prepared by Urbanscape Architects (revision 8), dated November 8, 2021
- A Site Plan for Lot 23, prepared by Urbanscape Architects (revision 4), dated November 8, 2021
- Conceptual Architectural Plans for each of Lots 1 and 23, prepared by Urbanscape Architects, including:
  - Building Statistics
  - Floor Plans
  - Building Elevations
  - Building Cross Sections
  - Construction Notes

I trust that the enclosed materials are sufficient for your review of these applications. Should you require any additional information, please do not hesitate to contact the undersigned at your earliest convenience.

Yours truly,

Adam Layton, RPP, MCIP

cc. Dormlind Developments Limited



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## Appendix 'A' – Restriction on Title

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Restrictive Covenant - S. 118 per the requirements of Schedule C, section 1.1.1 of the Development Agreement, which restricts the transfer of the POTLS without the consent of the Town until the registration of the Condo Plan.