



**Town of Aurora
Committee of Adjustment
Meeting Agenda**

Date: Thursday, May 9, 2024
Time: 7 p.m.
Location: Video Conference

Meetings are available to the public via live stream on the [Town's YouTube channel](#). To participate electronically, please visit [aurora.ca/participation](https://www.aurora.ca/participation).

	Pages
1. Call to Order	
2. Land Acknowledgement	
3. Approval of the Agenda	
That the Agenda as circulated by the Secretary-Treasurer be approved.	
4. Declarations of Pecuniary Interest and General Nature Thereof	
5. Receipt of the Minutes	
5.1 Committee of Adjustment Meeting Minutes of April 11, 2024, Meeting Number 24-04	1
That the Committee of Adjustment Minutes from Meeting Number 24-04 be adopted as circulated.	
6. Presentation of Applications	
6.1 MV-2024-08 - Sabegh - 135 Bonny Meadows Dr	5
6.2 MV-2024-10 - Wang - 149 Kennedy St. W	21
6.3 MV-2024-12 - Boyd - 11 Kennedy St. W	31
7. New Business	
8. Adjournment	



Town of Aurora
Committee of Adjustment
Meeting Minutes

Date: Thursday, April 11, 2024

Time: 7 p.m.

Location: Video Conference

Committee Members: David Mhango (Chair)
Chris Polsinelli
Jane Stevenson (Vice Chair)
Michael Visconti
Julian Yang

Other Attendees: Peter Fan, Secretary-Treasurer, Committee of Adjustment
Antonio Greco, Planner

1. Call to Order

That the meeting be called to order at 7:04pm.

2. Land Acknowledgement

The Town of Aurora acknowledges that the Anishinaabe (A-nishshaw-na-bee) lands on which we live, and work are the traditional and treaty territory of the Chippewas of Georgina Island, as well as many other Nations whose presence here continues to this day. As the closest First Nation community to Aurora, we recognize the special relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands, and as a municipality we join them in these responsibilities.

We further acknowledge that Aurora is part of the treaty lands of the Mississaugas and Chippewas, recognized through Treaty #13 as well as the Williams Treaties of 1923.

A shared understanding of the rich cultural heritage that has existed for centuries, and how our collective past brought us to where we are today, will help us walk together into a better future.

3. Approval of the Agenda

Moved by Julian Yang

Seconded by Jane Stevenson

That the Agenda as circulated by the Secretary-Treasurer be approved.

Carried

4. Declarations of Pecuniary Interest and General Nature Thereof

None.

5. Receipt of the Minutes

5.1 Committee of Adjustment Meeting Minutes of March 7, 2024, Meeting Number 24-03

Moved by Michael Visconti

Seconded by Chris Polsinelli

That the Committee of Adjustment Minutes from Meeting Number 24-03 be adopted as circulated.

Carried

6. Presentation of Applications

6.1 MV-2024-09 - Certas Home and Auto Insurance Co. - 24 Desjardins Way

The 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 baseball training facility. The following relief is being requested:

1. Section 4.11 of the Zoning By-law 6000-17 states that on any corner lot, no structure shall be erected greater than one (1) meter above the grade of the streets that abut the lot within the Daylighting Triangle triangular area enclosed by the intersecting street lines for a distance of six (6) meters from their point of intersection. The applicant is proposing 3.46 meters.

Staff had advised the members of the committee and the public that the applicant had continued to work with Town staff to reduce the number of variances requested; from three (3) variances to one (1).

The Chair invited the Applicant or Owner to address the Committee. In attendance was the agent Jordan Kolm and the architect Chris Pretotto. The agent provided a brief introduction to their application.

The Chair invited members of the public to provide comments. There were no public delegates in attendance for this application.

The Committee inquired about a traffic study conducted for the site and whether sufficient parking and access has been provided for the site. The committee also asked staff to explain what a daylight triangle is, and what effect it may have if the applicant were to encroach upon it?

Moved by Jane Stevenson

Seconded by Julian Yang

That the Minor Variance application MV-2024-09 be APPROVED.

Carried

6.2 MV-2024-07 - J.E. Del Managment Inc. - 2 Scanlon Crt

The owner is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit overnight accommodation within the "Pet Services" permitted use. The following relief is being requested:

1. Section 3 under Definitions of the Zoning By-law 6000-17 defines "Pet Services" which does not allow overnight accommodation.

The applicant is proposing overnight accommodation for pets.

The Chair invited the Applicant or Owner to address the Committee. In attendance was the agent Leanne Stevenson and the architect Chris Pretotto. The agent provided a brief introduction and presentation to their application.

The Chair invited members of the public to provide comments. There were no public delegates in attendance for this application.

The Committee inquired about a traffic study conducted for the site and whether sufficient parking and access has been provided for the site. The

committee also asked staff to explain what a daylight triangle is, and what effect it may have if the applicant were to encroach upon it?

The committee inquired about how the business will be sanitizing their facilities and minimizing odours produced by the business. The committee member also inquired about the definition of "overnight stay" and the maximum duration of stay. Members of the Committee also inquired about the presence of staff on site and access to vets and medical care in the event of emergencies.

Moved by Michael Visconti

Seconded by Jane Stevenson

That the application Minor Variance MV-2024-07 be APPROVED.

Carried

7. New Business

None.

8. Adjournment

Moved by Michael Visconti

That the meeting be adjourned at 8:09PM

Carried



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

Town of Aurora
Committee of Adjustment Report
No. MV-2024-08

Subject: **Minor Variance Application**
Sabegh
135 Bonny Meadows Drive
Registered Plan 65M-2792, Lot 89
File: MV-2024-08

Prepared by: **Kenny Ng, Planner**

Department: Planning and Development Services

Date: May 9, 2024

Application

The applicant is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit an enclosed basement walk-up inside the attached garage. A conceptual site plan and elevations are attached as Appendix 'B' to this report.

Proposed Variances

The following relief is being requested:

- a) Section 7.2 of the Zoning By-law requires minimum 6 m for interior garage length. The applicant is proposing enclosed basement walk-up inside the garage, which reduces the length to 5 m, thereby requiring a variance of 1 m.

Background

Subject Property and Area Context

The subject lands are municipally known as 135 Bonny Meadows Drive and are generally located south of Henderson Drive and east of Bathurst Street, and on the south side of Bonny Meadows Drive. The subject lands currently accommodate an existing two storey single-detached dwelling with an attached two car garage and a driveway. Mature trees and vegetation also exist across the subject lands' yards. The subject lands have an

approximate lot area of 510 m² (5,489.59 ft²), an approximate lot frontage of 17.13 m (56.2 ft) and the existing dwelling currently has a Gross Floor Area of 176.52 m² (1900.05 ft²). The surrounding area is a residential neighbourhood that is generally characterized by two storey dwellings.

Proposal

The applicant is requesting to an enclosed basement walk-up inside the attached garage that would reduce the interior garage length to 5 m.

Official Plan

The subject property is designated 'Stable Neighbourhoods' by the Town of Aurora Official Plan. Stable Neighbourhoods are to be protected from incompatible forms of development, but are permitted to evolve over time. All new development shall be compatible with its surrounding context. Single detached dwellings are permitted in the Stable Neighbourhoods designation.

Zoning

The subject property is zoned "R4-99" (Detached Fourth Density Residential Zone Exception - 99) by Zoning By-law 6000-17, as amended, which permits a single detached dwelling and attached garage.

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 not provided a stated reason for not complying with the Zoning By-law.

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2024-08 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 subject lands are 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 and, at the same time, are permitted to evolve and be enhanced over time. Within this designation, emphasis is placed on compatibility of built form with respect to massing, scale, and design to ensure a cohesive relationship with adjacent buildings, streetscapes, and exterior areas. The variance to permit a reduced interior length of garage to allow for a basement walk-up within the garage will not change the existing massing, height, or other design characteristics of the property. The basement walk-up is entirely within the garage and will have a side yard facing access, which helps to limit its overall exposure to the public realm.

It is the opinion of staff that the requested variance meets the general intent and purpose of the Official Plan.

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

As shown in the submitted plan attached as Appendix 'B' to this report, the applicant is proposing to reduce the required 6 metres garage length to 5 metres. The purpose for this reduction is to accommodate for a basement walk-up with direct access within the garage. The intent of a minimum interior garage length is to ensure that the attached garage can safely accommodate the storage of a vehicle. Staff recognizes that the garage will be limited to a full sized sedan vehicle, which has an average length of 4.78 m (15.7 ft) or a midsize SUV with an average length of 4.63 m (15.2 ft). As such, Staff does not have concerns with this proposed variance, as the property continues to provide adequate amount of parking spaces. For zoning by-law compliance purposes, the two parking spaces located outside of the attached garage are recognized as legal parking spaces.

The homeowner has also submitted a written Declare of Use letter attached as Appendix 'C', which affirms that the purpose of the variance is not to create a multi-unit dwelling and the use of the building will remain a single-unit dwelling. In the letter, the owner has also declared that if in the future decides to change the use of the building from a single-unit dwelling into a multi-unit dwelling, the owner will apply for and obtain a Change of Use permit as required by the Building Code Act and register the additional units as required by the Town by-law.

Based on the above, staff are of the opinion that the requested variance meets the general intent and purpose of the zoning by-law.

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

The requested variance to permit a reduction in the interior garage length is desirable as it will facilitate a logical location for a basement walk-up, locating entirely internal within the garage which helps to prevent it from impeding the existing streetscape. The internal stairs to access the dwelling from the garage remain unaffected, while adequate parking spaces are available to meet the homeowner's needs and by-law requirements. The reduced length will also not affect the ability to fit the most common vehicle types typically owned in a Canadian household such as a compact and midsize SUVs (ie: Toyota Rav4, Honda CR-V, Mazda CX-5, etc.) or mid and full size sedans (ie: Honda Civic, Tesla Model 3, Hyundai Elantra, etc.) As part of the subject variance application, the Owner submitted a basement floor plan which confirms that the area will not be used as a self-contained unit (full - kitchen, bathroom and bedroom). The existing basement will not be converted into a second dwelling unit within the single detached house, with no additional parking requirements resulting from the proposal.

Based on the above, staff consider the requested variance to be desirable for the appropriate development and use of the lands.

d) The proposed variance is considered minor in nature

The requested variance to reduce interior garage length is considered minor as the subject lands are still able to provide two (2) legal parking spaces and also accommodate internal stairs to allow an appropriate internal access to the dwelling. The basement walk-up is not otherwise anticipated to affect the functionality and usability of the garage to safely accommodate a modestly sized vehicle. Accordingly, it is staff's opinion that the variance is 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 was completed. No objections.
Engineering Division	No objections.
Operational Services (Parks)	No objections.
Operational Services	No objections.

May 9, 2024

5 of 6

Report No. MV-2024-08

Department or Agency	Comments
(Public Works)	
Central York Fire Services	No objections.
York Region	No objections.
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 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

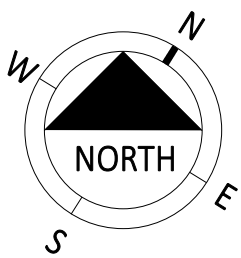
Appendix 'B' – Site Plan

Appendix 'C' – Declare of Use Letter

Appendix 'A' – Recommended Conditions of Approval

The following conditions are required to be satisfied should application MV-2024-08 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in conformity with the plan(s) attached as 'Appendix B and C' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.



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01	02-16-2024	BUILDING PERMIT	H.HEMATI
No.	DATE	ISSUED FOR	APVD

REVISIONS

CONSULTANT:



296-7250 KEELE ST., VAUGHAN, ON L4K 1Z8
(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

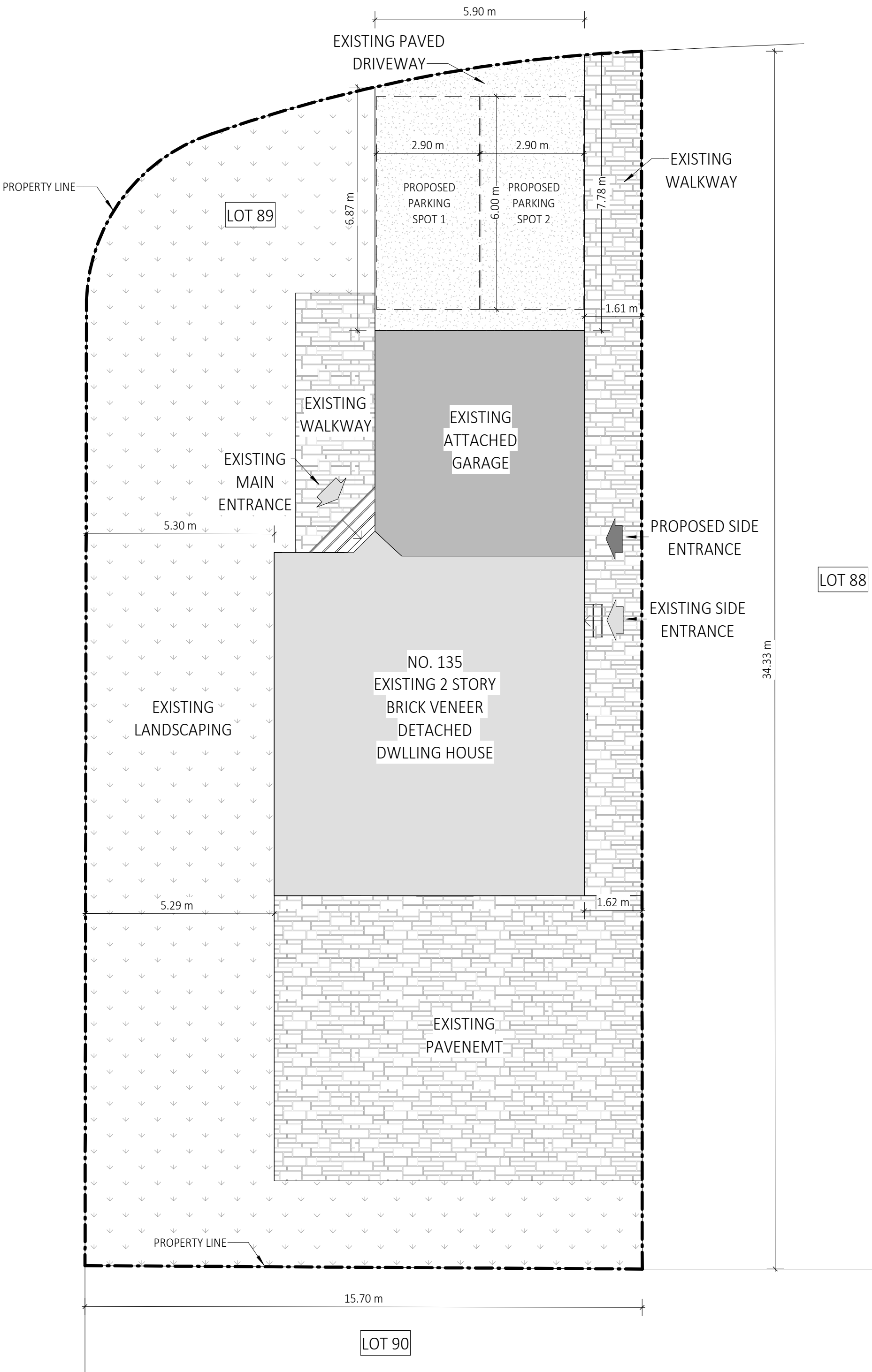
SHEET NAME:

PROPOSED SITE PLAN

DATE:	02-16-2024	PROJECT No.:	SSS-005-135
SCALE:	1 : 100		
DESIGNER:	A.PIROOZ	SHEET No:	A0-04
CHECKER:	A.PIROOZ		

BONNY MEADOWS DRIVE

BONNY MEADOWS DRIVE



THERE IS NO ALTERATION IN LANDSCAPING OR GRADING

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CLIENT:

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PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

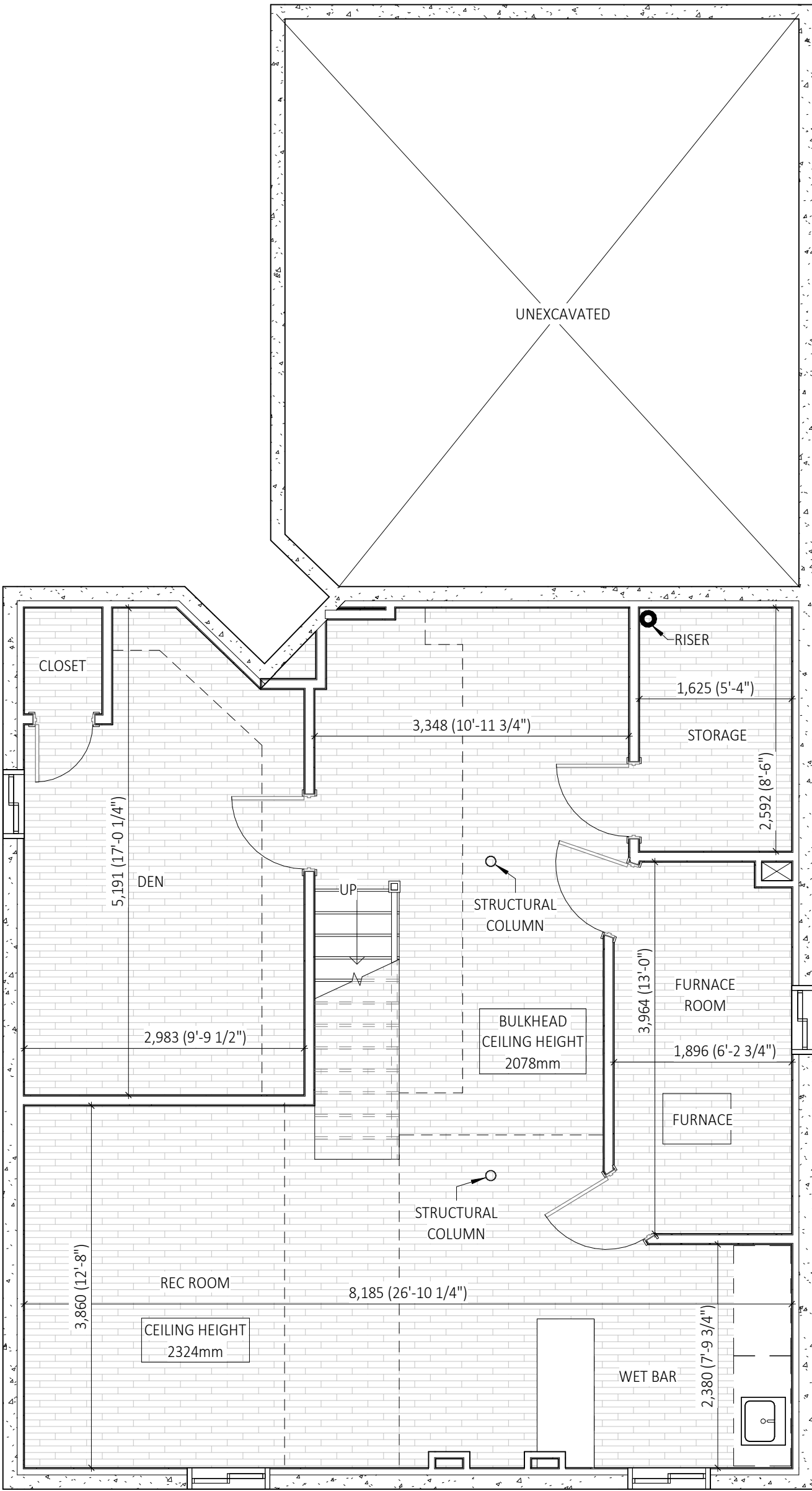
PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

EXIST. BASEMENT FLOOR
PLAN

DATE:	02-16-2024	PROJECT No.:	
SCALE:	1 : 50	SSS-005-135	
DESIGNER:	Designer	SHEET No:	
CHECKER:	A.PIROOZ	A1-01	



1 BASEMENT - EXISTING
1 : 50

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REVISIONS

CONSULTANT:



Smart Group

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(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

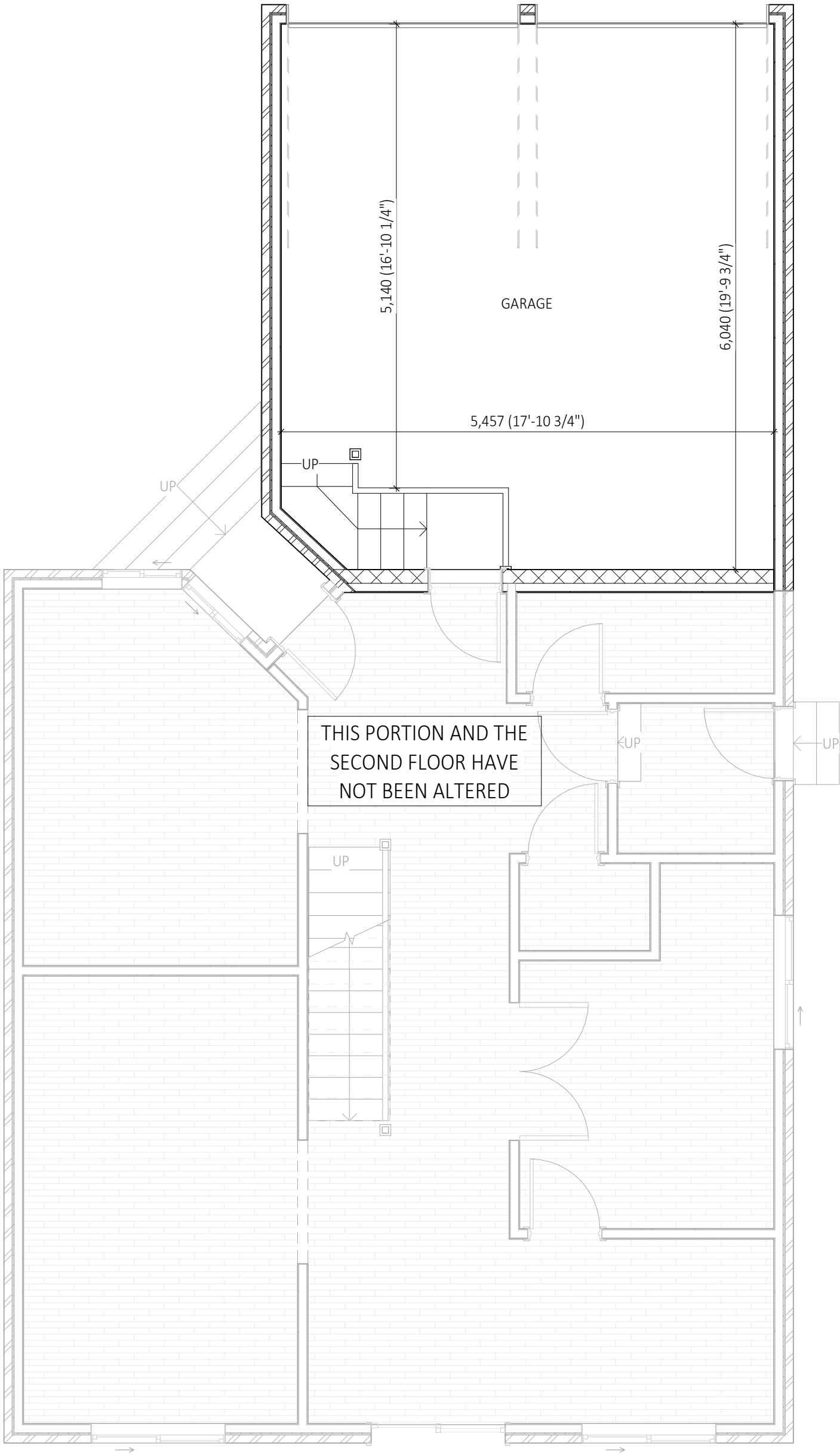
PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

EXIST. 1st FLOOR PLAN

DATE: 02-16-2024	PROJECT No.: SSS-005-135
SCALE: 1 : 50	
DESIGNER: Designer	SHEET No: A1-02
CHECKER: A.PIROOZ	



1 FIRST FLOOR- EXISTING
1 : 50

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NEW SIDE DOOR

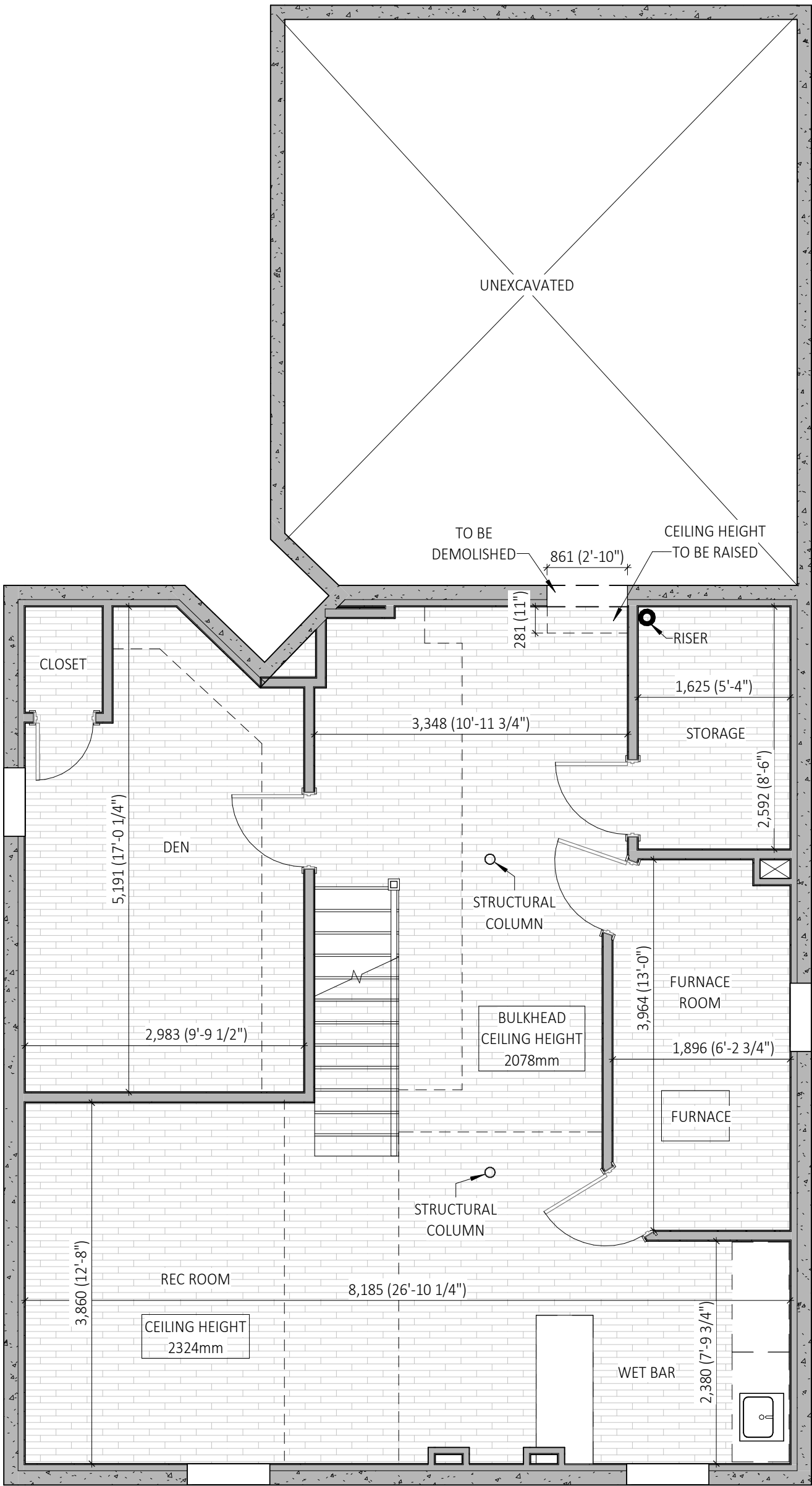
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135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

DEMO. BASEMENT FLOOR
PLAN

DATE:	02-16-2024	PROJECT No.:	
SCALE:	1 : 50	SSS-005-135	
DESIGNER:	Designer	SHEET No:	
CHECKER:	A.PIROOZ	A1-05	



1 BASEMENT - DEMOLISHING
1 : 50

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01	02-16-2024	BUILDING PERMIT	H.HEMATI
No.	DATE	ISSUED FOR	APVD

REVISIONS

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296-7250 KEELE ST., VAUGHAN, ON L4K 1Z8
(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

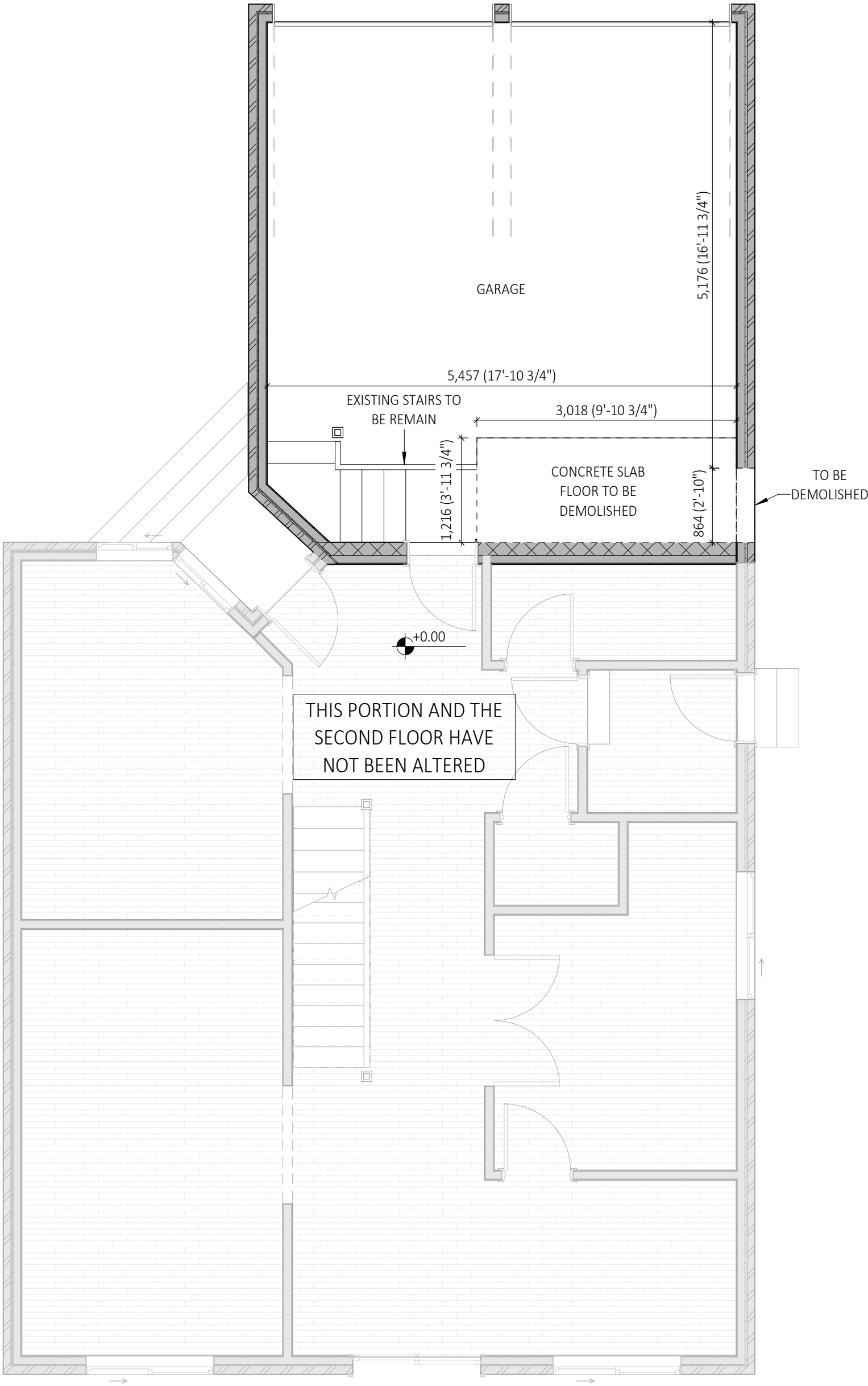
PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

DEMO. 1st FLOOR PLAN

DATE:	02-16-2024	PROJECT No.:	
SCALE:	1 : 50		SSS-005-135
DESIGNER:	Designer	SHEET No:	
CHECKER:	A.PIROOZ		A1-06



1 FIRST FLOOR- DEMOLISHING
1 : 50

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(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION & NEW SIDE DOOR

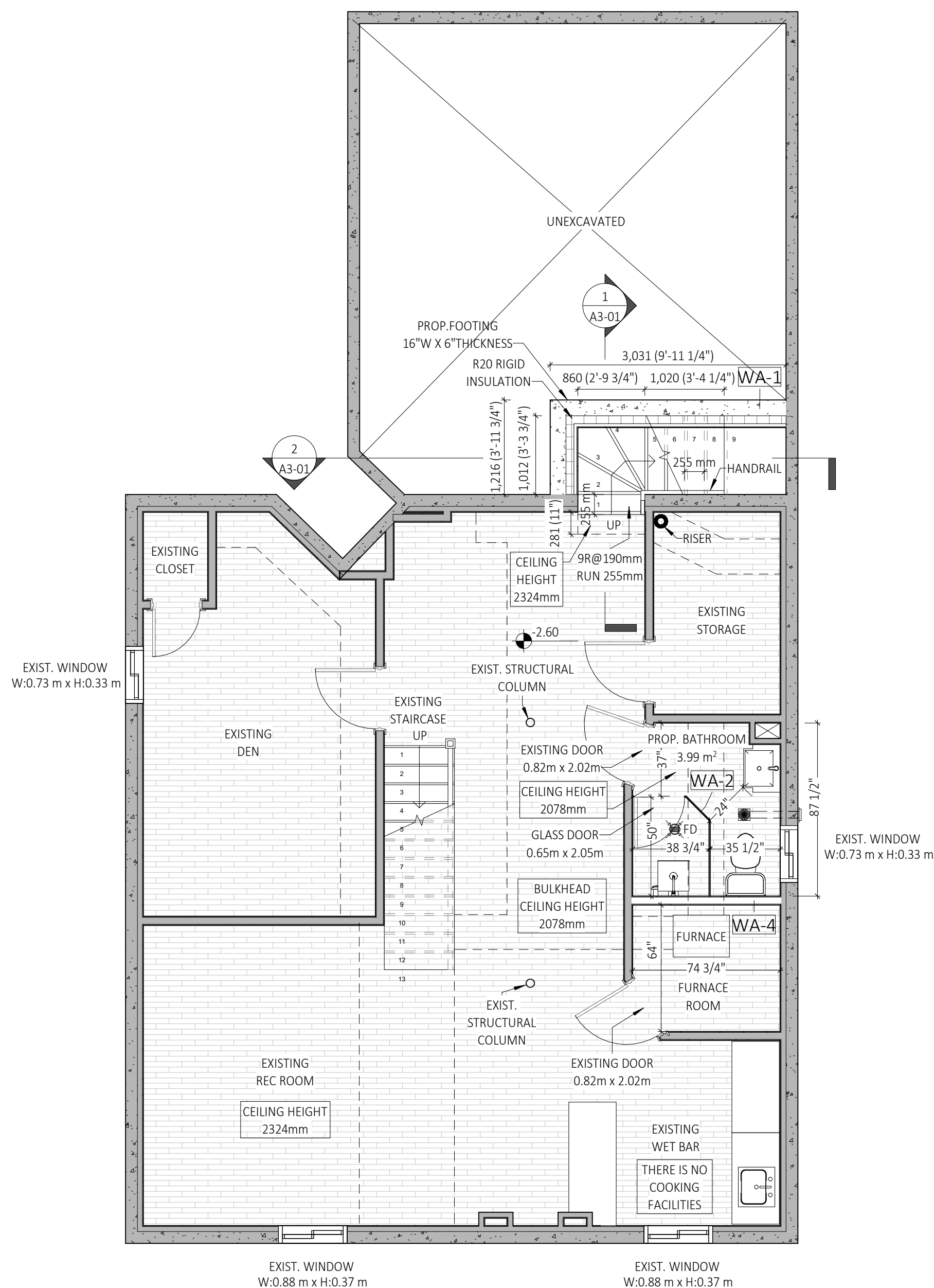
PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

PROP. BASEMENT FLOOR
PLAN

DATE: 02-16-2024	PROJECT No.: SSS-005-135
SCALE: 1 : 50	
DESIGNER: A.PIROOZ	SHEET No: A1-08
CHECKER: A.PIROOZ	



① BASEMENT - PROPOSED
1 : 50

THERE IS NO ALTERATION IN HVAC DUCTS

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CONSULTANT:



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(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

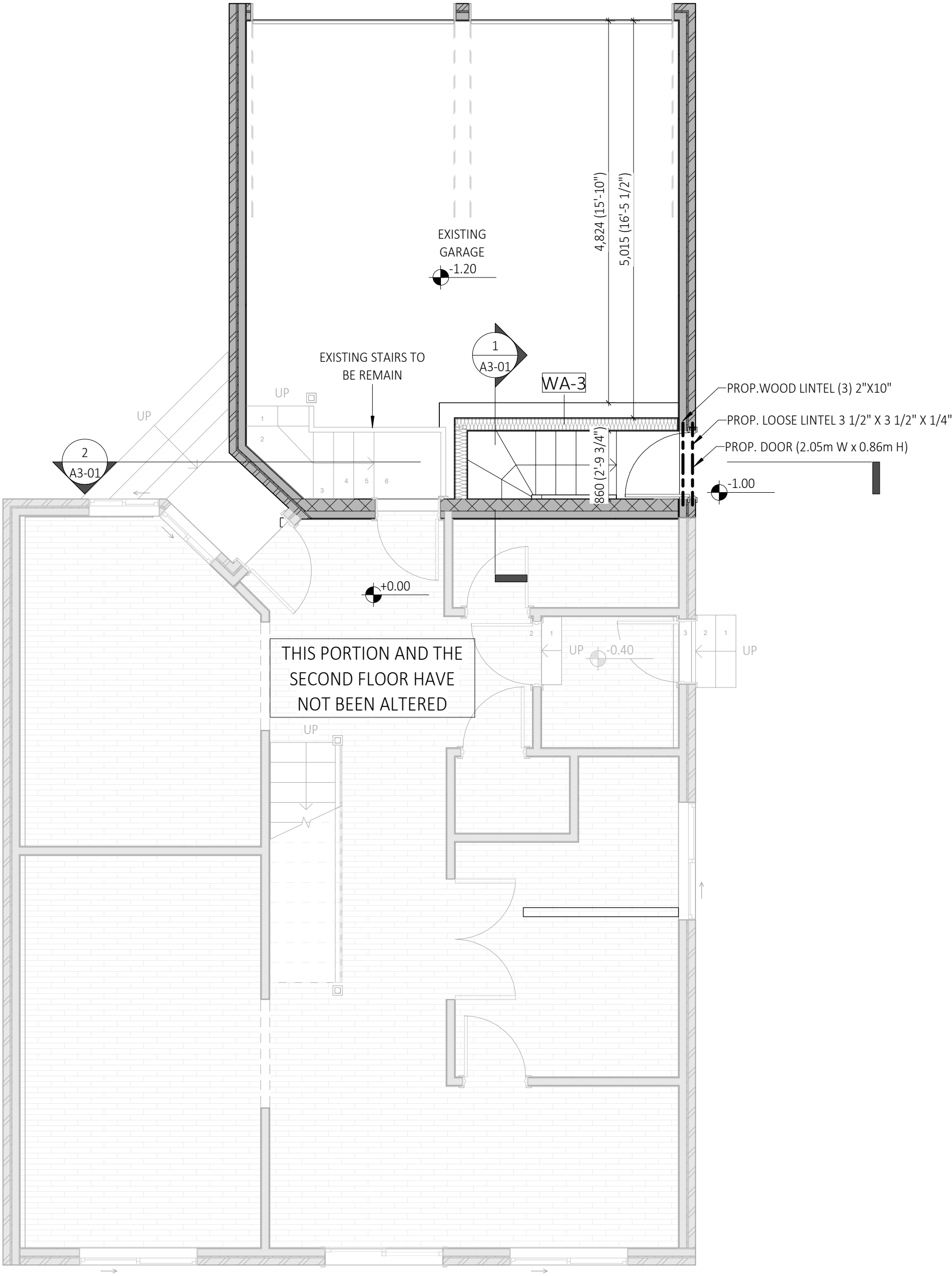
PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

PROP. 1st FLOOR PLAN

DATE:	02-16-2024	PROJECT No.:	SSS-005-135
SCALE:	1 : 50		
DESIGNER:	Designer	SHEET No:	A1-09
CHECKER:	A.PIROOZ		



① FIRST FLOOR- PROPOSED
1 : 50

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(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

EAST (RIGHT) ELEVATION

DATE:	02-16-2024	PROJECT No.:	SSS-005-135
SCALE:	1 : 50		
DESIGNER:	A.PIROUZ	SHEET No:	A2-01
CHECKER:	A.PIROOZ		

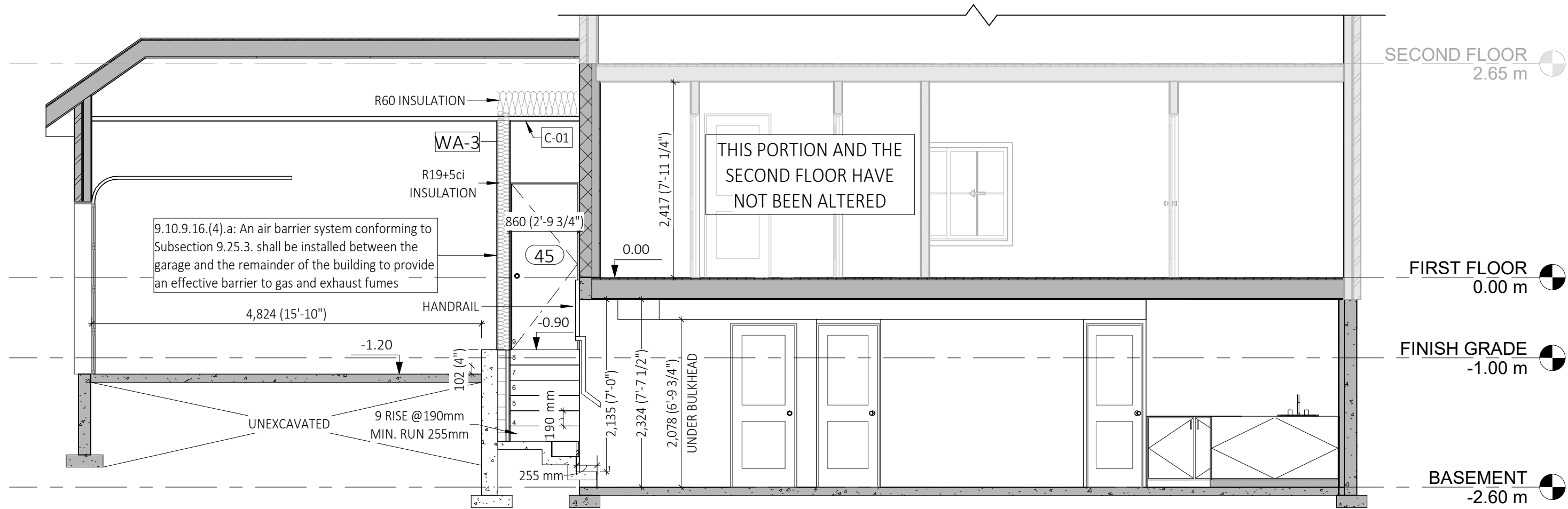
1 EAST (LEFT) - EXISTING
1 : 50



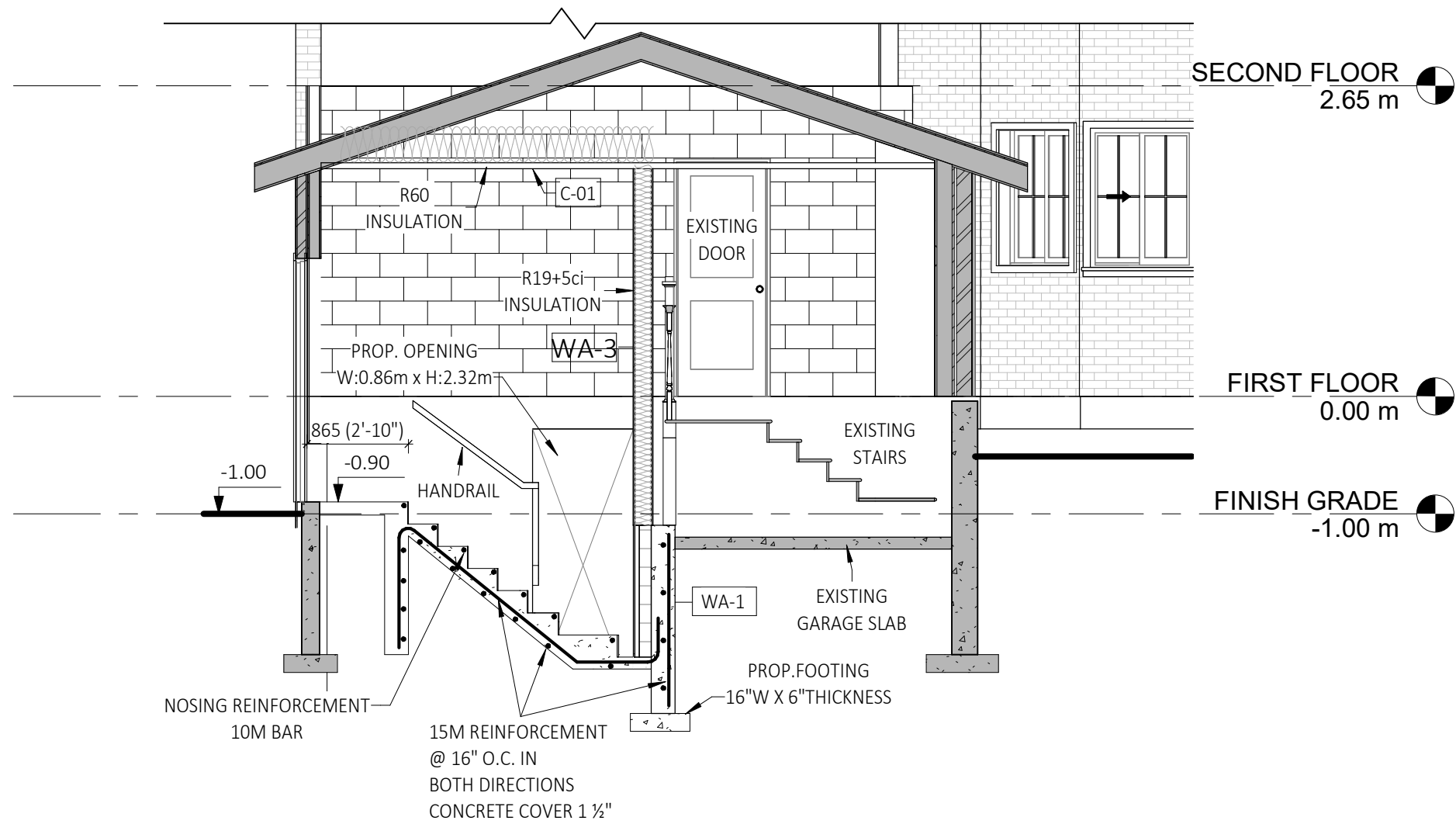
2 EAST (LEFT) - PROPOSED
1 : 50



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① Section A
1 : 50



② Section B
1 : 50



01	02-16-2024	BUILDING PERMIT	H.HEMATI
No.	DATE	ISSUED FOR	APVD

REVISIONS

CONSULTANT:



296-7250 KEELE ST., VAUGHAN, ON L4K 1Z8
(289) 212-3388 , info@smartg.ca

CLIENT:

REZA JABBARI SABEGH

PROJECT NAME:

INTERIOR ALTERATION &
NEW SIDE DOOR

PROJECT ADDRESS:

135 Bonny Meadows Dr, Aurora, ON L4G 6N1

SHEET NAME:

SECTIONS

DATE:	02-16-2024	PROJECT No.:	SSS-005-135
SCALE:	1 : 50		
DESIGNER:	Designer	SHEET No:	A3-01
CHECKER:	A.PIROOZ		

DECLARATION OF USE

Date _____ Property Address _____

RE: Building Permit Application No. _____

I, _____ being the registered owner of the above property,
(print name)

hereby declare:

- a) That the purpose of this permit is NOT to create a multi-unit dwelling and the use of the building will remain a single- unit dwelling.
- b) That if in the future I decide to change the use of the building from a single-unit dwelling into a multi-unit dwelling, I will apply for and obtain a Change of Use permit as required by the Building Code Act and register the additional units as required by the Town of Aurora By-law Number 5221-10.

Signature _____ Date 09/02/24



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

Town of Aurora

Committee of Adjustment Report

No. MV-2024-10

Subject: **Minor Variance Application**
Wang
149 Kennedy St. W
PLAN 246 PT LOT 33 AND RP 65R31926 PART 1
File: MV-2024-10

Prepared by: **Katherine Gatzos, Planner**

Department: Planning and Development Services

Date: May 9, 2024

Application

The 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 new two (2) storey single detached dwelling. The following relief is being requested:

- a) Section 7.2 of the Zoning By-law requires a minimum interior side yard of 4.5 metres. The applicant is proposing a two-storey detached dwelling, which is 3.0 metres to the westerly interior side property line.
- b) Section 7.2 of the Zoning By-law requires a minimum interior side yard of 4.5 metres. The applicant is proposing a two-storey detached dwelling, which is 3.0 metres to the easterly interior side property line.
- c) Section 7.2 of the Zoning By-law requires a minimum interior side yard of 4.5 metres. The applicant is proposing a rear deck with steps, which is 2.1 metres to the easterly interior side property line.
- d) Section 7.2 of the Zoning By-law requires a minimum interior side yard of 4.5 metres. The applicant is proposing a rear basement walkout with steps, which is 2.9 metres to the easterly interior side property line.

- e) Section 5.3 of the Zoning By-law requires a minimum maneuvering space of 7.0 metres for 90-degree parking spaces. The applicant is proposing a maneuvering space of 4.2 metres.

Background

Subject Property and Area Context

The subject property, municipally known as 149 Kennedy St. W, is located on the south side of Kennedy St. W, east of Murray Drive. The parcel has a slightly larger frontage and tapers to the back of the property. The parcel has a lot area of approximately 0.211 ac (0.52 ha), frontage of approximately 25.08 m (82.46 ft), and depth of approximately 84.81 m (278.29 ft). The subject property currently contains a one (1) storey single detached dwelling with an approximate gross floor area (GFA) of 465.28 sqm (5008.23 sq ft), two (2) small rear yard sheds, and an in-ground pool in the rear yard.

The surrounding neighbourhood is generally characterized by one and two storey dwellings, with other examples of infill development having already occurred on the street, including the adjacent easterly property.

Proposal

The property owner is seeking to demolish the existing one (1) storey single detached dwelling and rear yard sheds on the subject property and construct a two (2) storey single detached dwelling with an approximate GFA of 642.24 sqm (6913.01 sq ft), as proposed through the subject minor variance application.

Official Plan

The subject property is designated “Suburban Residential” by the Town of Aurora Official Plan. This designation permits for detached dwellings, an accessory dwelling and compatible home occupations.

Zoning

The subject property is zoned “Detached First Density Residential R1” in the Town of Aurora’s Zoning By-law. Single detached dwellings are permitted under this zoning category.

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 application form, "The intent was to maintain all existing trees on site and prevent the need to injure any trees".

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2024-10 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 property is designated "Suburban Residential" by the Town of Aurora Official Plan which permits detached dwellings. The intent of this designation is to ensure highest standards of development for low density residential uses.

Staff are of the opinion that the requested variances will facilitate the development of a new two-storey dwelling that is compatible with and generally in keeping with the low-density residential form and character of the Kennedy St. W neighbourhood. The requested variances will not result in any significant negative impact on the character and streetscape of the existing residential neighbourhood, as the proposal maintains the existing development pattern of the street and adjacent lots.

As such, staff are of the opinion that the requested variances are in keeping with the general intent of the Official Plan.

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

The intent of the "Detached First Density Residential R1" zoning is to maintain low density residential development on larger individual lots and ensure the streetscape and public realm are maintained with appropriately sized and oriented buildings.

The intent of the side yard setback provision is to ensure there is appropriate and adequate spacing between lots for privacy, landscaping, access, and drainage. The applicant is proposing a reduction in the interior yard setback of 3.0 m to the west property line to accommodate the proposed dwelling. Additionally, the applicant is

seeking reductions in the interior side yard setback to the east property line of 3.0 m, 2.9 m, and 2.1 m, to accommodate the proposed dwelling, rear basement walkout with steps, and rear yard deck with steps, respectively.

The proposed dwelling at 149 Kennedy St. W will still provide space of approximately 9.5 m to the west and 12.5 m to the east abutting dwellings, respectively. With ample space separating the buildings, staff are of the opinion that the requested variances to accommodate the proposed dwelling do not result in conflicts of proportionality, nor impact with the usability of the side or rear yard areas.

Although the rear basement walkout with steps and rear deck with steps encroach further into the interior side yard than what the By-law permits, they are constructed at the rear southeast corner of the proposed dwelling and are not visible from the public realm. The ground-oriented nature of these features maintains the desired openness of the interior side yard and are not anticipated to result in any privacy or maneuverability concerns. Further, vegetation and landscaping along the side and rear yards helps mitigate privacy issues for abutting properties.

Staff consider the additional encroachment of the rear yard deck and steps, and rear basement walkout with steps to be minor and do not anticipate will result in impediment of access along either side yard, access to the rear yard, or future maintenance along both side yards, therefore maintaining intent of the zoning provision.

Openness and privacy within the side yards are further maintained and enhanced by vegetation and landscaping. Large existing hedgerows along the west and east property lines extend from the front lot line towards the middle of the proposed dwelling, and mature trees along the west property line and within rear yard help to minimize sightline impacts from adjacent properties. As such, staff do not have any concerns with the rear basement walkout with steps and rear deck with steps further impeding movement through the side yard or sightline concerns from the streetscape or adjacent property.

Although windows are proposed along the west and east sides of the dwelling, staff are of the opinion that the proposed separation to adjacent dwellings, in addition to vegetation screening, minimizes concerns related to overlook onto adjacent properties.

The intent of the minimum maneuvering aisle width is to ensure that parking stalls have adequate space for maneuvering turns to avoid vehicular conflicts. The development proposes a maneuvering space of 4.2 metres within the private residential drive aisle to accommodate three (3) parking stalls within the attached garage. As the property maintains the single detached residential designation, staff do not anticipate that everyday family use of parking stalls would result in instances where vehicular conflict

could arise. Visibility of the entire drive aisle and site entrance is maintained, thus ensuring that vehicles can maneuver through the site in a safe manner without negative impacts to pedestrians and other vehicles. Further, the Town's Traffic & Transportation Analyst has no concerns with the reduction in maneuvering aisle width and as such, staff are of the opinion that a reduced maneuvering space of 4.2 metres is sufficient to accommodate vehicular movement within the site.

As the proposed dwelling conforms to all other zoning provisions governing front and rear yard setbacks, lot coverage, gross floor area, and building height, staff are of the opinion that the proposed variances will not result in overdevelopment of the site.

Therefore, staff are of the opinion that the proposed variances maintain the general intent and purpose of the Zoning By-law.

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

The subject minor variance application has been considered in the context of the site itself and the adjacent neighbourhood. The proposed dwelling has been designed in a manner that is in keeping with the existing single detached dwellings along Kennedy St. W, and the character of the surrounding residential neighbourhood and streetscape.

The requested variances will enable the proposed dwelling to maintain ample amenity area and backyard green space, while still providing sufficient room for access, drainage, and maneuverability on both side yards. The dwelling is proportionate to the lot size and has been designed in a manner that respects neighbourhood privacy and spacing. Further, no side entrances are to be constructed, which will maintain ample space and separation between properties. Staff are of the opinion that existing vegetation along the west and east property lines, and within the rear yard provides adequate screening from adjacent properties and will minimize concerns related to overlook into neighbouring yards and sightline impacts.

The existing in-ground pool and mature trees within the rear yard limit the ability to construct the basement walkout and steps further from the side yard than what is proposed. Staff are of the opinion that despite these constraints, the proposed location of this feature is appropriate as it is not visible from the streetscape and ensures that existing mature trees remain to provide further screening to the adjacent easterly property.

The rear yard deck will be constructed flush to the east wall of the dwelling, with associated steps minorly encroaching 0.9 m further into the interior side yard. Staff are of the opinion that this feature is appropriate to provide maneuverability within the rear

yard and provides functional access from the interior yard to the backyard amenity area, and rear yard basement and ground floor entrances.

The Town's Traffic & Transportation Analyst does not have any concerns regarding the proposed reduction in maneuvering space, and staff are of the opinion that the proposed maneuvering aisle width is appropriate to accommodate daily family vehicular usage.

The proposal allows for the appropriate infill development of the site to accommodate specific family housing needs and is done so in a manner that in the opinion of staff respects the existing neighbourhood character.

Based on the above, staff are of the opinion that permitting the subject variances is appropriate development and use of the land.

d) The proposed variances are considered minor in nature.

The question of the minor nature of a proposed variance can be related to its scale and impact on adjacent properties. In the opinion of staff, the requested variances are considered to be minor and are not expected to have any adverse effects on the subject lands, neighbouring properties, or the character of the existing neighbourhood as a whole.

The reduced side yard setbacks of 3.0 m and 2.1 m to the west and east property lines, respectively, are considered to be numerically minor by staff and generally in keeping with the intent side yard setback provision, ensuring that access to the side and rear yards are maintained. As mentioned, the site contains ample hedging, trees, and other plantings along the west and east property lines and within the rear yard, which help minimize sightline impacts from adjacent properties and alleviates privacy concerns which may result from reducing the side yard setbacks to accommodate the dwelling and associated rear deck and basement walkout steps.

Further, staff consider the impact generated by the reduction of minimum maneuvering aisle to be minor. The Town's Traffic and Transportation Analyst has no concerns with the proposed reduction in maneuvering aisle width, and the ability to support daily familial vehicular usage generated by one single detached dwelling.

The proposed dwelling conforms to all other applicable zoning provisions, and staff are of the opinion that the proposed relief from the side yard setback provision, and minimum maneuvering aisle width will not result in overdevelopment of the site or any negative impacts.

As such, staff are of the opinion that the requested 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 was completed with no other non-compliance identified.
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.

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 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 do meet the four tests of the *Planning Act* for granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'B'.

Attachments

Appendix 'A' – Recommended Conditions of Approval

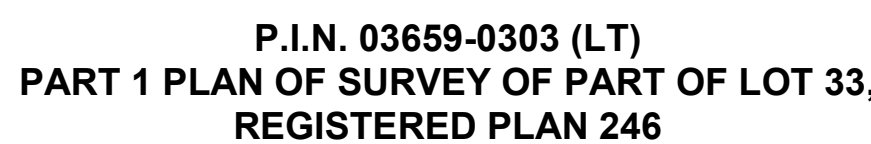
Appendix 'B' – Site Plan

Appendix 'A' – Recommended Conditions of Approval

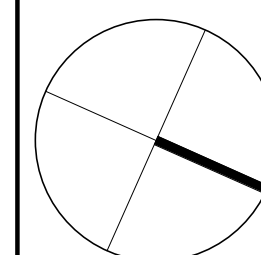
The following conditions are required to be satisfied should application MV-2024-10 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property in conformity with the plan attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.
2. 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.

3. 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.
4. 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.
5. 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.
6. 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.



ZONING, R1 SITE STATISTICS	PERMITTED	PROPOSED
LOT AREA	22706.67 FT ² [109.5 M ²]	EXISTING TO REMAIN
LOT COVERAGE	MAX. 35% 35% x 22706.67 = 7947.33 FT ² [33.33 M ²]	445.41 / 22706.67 = 19.6% (NEW DWELLING) (EXISTING ACCESSORY SHED) 4383.61 FT ² 71.90 FT ² 4455.41 FT ² [413.92 M ²]
LOT FRONTAGE	MIN. 30 M	EXISTING TO REMAIN ; 25.08 M
FRONT YARD SETBACK	MIN. 9 M	9 M
REAR YARD SETBACK	MIN. 9 M	39.91 M
INT. YARD SETBACK	4.5 M	2.20 M
INT. YARD SETBACK	4.5 M	3 M
HEIGHT	MAX. 10 M	9.47 M TO PEAK
GARAGE DIMENSIONS	N / A	N / A
PARKING SPACES	MIN. 2 SPACES @ 2.7M x 5.3M	3 SPACES
DRIVEWAY WIDTH	MIN. 2.7 M (ALL CASES) MIN. 1.0 M (WHEN LOT FRONT > 18.0 M) MAX. 6.0 M @ STREET LINE	3.3 M EXISTING TO REMAIN ; 7.1 M

[illegible]

Z SQUARE CONSULTING INC.
2710 14th AVE., MARKHAM,
ONTARIO L3R 0J1
E: info@zsquareconsulting.com
T: 1-416-502-1818

NEW 2 STOREY DETACHED SINGLE
FAMILY DWELLING
149 KENNEDY STREET WEST, AURORA
L4G 2L8

OWNER: --
ADDRESS: 149 KENNEDY STREET
WEST, AURORA ON,
L4G 2L8
PHONE: --
APPLICANT: MENGDI ZHEN
ADDRESS: 2710 14TH AVE, MARKHAM,
ON M2H 3B3
PHONE: 416-502-1616
DATE: 2-20-2024

23033 As indicated AuthorChecker
PROJECT SCALE DRAWN REVIEWED

SITE PLAN

A101

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.



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

Town of Aurora

Committee of Adjustment Report

No. MV-2024-12

Subject: Minor Variance Application
Boyd
11 Kennedy Street West
Registered Plan 131, Lot 4
File: MV-2024-12

Prepared by: Kenny Ng, Planner

Department: Planning and Development Services

Date: May 9, 2024

Application

Planning Staff are requesting a deferral of the above noted minor variance application for 11 Kennedy Street West (MV-2024-12).

Additional time is needed for more detailed and consistent drawings to be provided and a review to be undertaken by staff. The submitted drawing sets contain several inconsistencies and misinformation throughout, including incorrect dimensions indicating the front yard setback of the proposed porch, which is the separation distance between the front property line and the porch, as well as errors in the zoning information table. Staff also notes that there are inconsistent information provided for the garage proposed to be restored, in that there is no clear indication on drawings to display whether the garage will remain detached, or attach to the proposed addition.

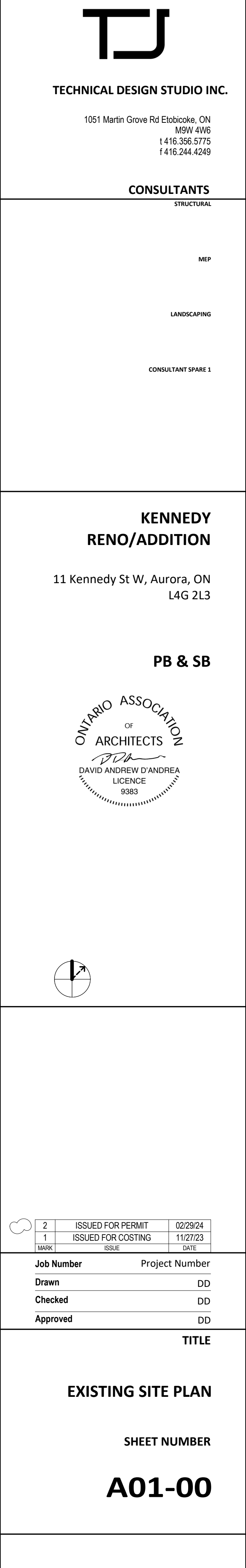
This deferral request will allow staff to thoroughly assess and re-evaluate the development, with appropriate notice to also be delivered regarding the need for any additional variances as required. Staff recognize the importance of making informed decisions and believe the requested deferral will enable a more accurate and aligned interpretation of the Zoning By-law provisions based on revised drawings that respond to staff's comments.

As a result, Staff are requesting the subject application be deferred for consideration until a more detailed submission of plans can be provided rectifying all of the above noted inconsistencies (correct dimension showing the front yard setback, revised zoning

information table and clear indication of the nature of the garage being restored) and subsequent review conducted. The Applicant has been made aware of this, but still wishes to be heard before the Committee.

Appendix 'A' – Site Plan and Elevations

ZONING BY LAW AND LOT STATISTICS FOR R7-SN (497) ZONE PER 24.497.3	R7-SN ZONE REQUIREMENTS	EXISTING	PROPOSED
MINIMUM LOT FRONTAGE (m)	15	16.58	EXISTING TO REMAIN
MINIMUM LOT AREA (m ²)	460	562 m ² 6053 ft ²	EXISTING TO REMAIN
MINIMUM FRONT YARD (m)	6	6	EXISTING TO REMAIN
MINIMUM REAR YARD (m)	7.5 (OR 25% DEPTH)	23.66	16.91
MINIMUM INTERIOR SIDE YARD (m)	1.5, 3	1.5, .5M	EXISTING TO REMAIN 1.5m @ PROPOSED EAST LOT LINE
MINIMUM EXTERIOR SIDE YARD (m)	6	-	-
MAXIMUM LOT COVERAGE (%)	35	18%	160.7 m ² 1730 ft ² = 28.59%
MAXIMUM HEIGHT (m)	9m	7.71m	7.948m



ZONING BY LAW AND LOT STATISTICS FOR R7-SN (497) ZONE PER 24.497.3	R7-SN_ZONE REQUIREMENTS	EXISTING	PROPOSED
MINIMUM LOT FRONTAGE (m)	15	16.58	EXISTING TO REMAIN
MINIMUM LOT AREA (m ²)	460	562 m ² 6053 ft ²	EXISTING TO REMAIN
MINIMUM FRONT YARD (m)	6	6	EXISTING TO REMAIN
MINIMUM REAR YARD (m)	7.5 (OR 25% DEPTH)	23.66	16.91
MINIMUM INTERIOR SIDE YARD (m)	1.5, 3	1.5, .5M	EXISTING TO REMAIN 1.5m @ PROPOSED EAST LOT LINE
MINIMUM EXTERIOR SIDE YARD (m)	6	-	-
MAXIMUM LOT COVERAGE (%)	35	18%	160.7 m ² 1730 ft ² = 28.59%
MAXIMUM HEIGHT (m)	9m	7.71m	7.948m





TECHNICAL DESIGN STUDIO INC.

1051 Martin Grove Rd Etobicoke, ON
M9W 4W6
1 416.356.5775
1 416.244.4249

CONSULTANTS

STRUCTURAL

MEP

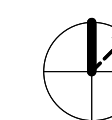
LANDSCAPING

CONSULTANT SPARE 1

**KENNEDY
RENO/ADDITION**

11 Kennedy St W, Aurora, ON
L4G 2L3

PB & SB



TOWN OF AURORA
PLANNING & DEVELOPMENT SERVICES
BUILDING DIVISION
PERMIT NO.: PR20240116 DATE: Mar 6, 2024
APPROVED BY: *Melissa Bozanin*
PRELIMINARY ZONING REVIEW

2	ISSUED FOR PERMIT	02/29/24
1	ISSUED FOR COSTING	11/27/23
MARK	ISSUE	DATE

Job Number	Project Number
Drawn DD	
Checked DD	
Approved DD	

TITLE

ELEVATIONS

SHEET NUMBER

A11-01

EXISTING TO REMAIN

BOTTOM OF TRUSS ▼

272046

EX. ROOF LEVEL ▼

271674

LEVEL 02 NEW ▼

269596

EX. LEVEL 2 ▼

269235

LEVEL 1 ▼

266190

GRADE ▼

265527

4 SOUTH ELEVATION

1:50

2 NORTH Elevation

1:50



1 EAST ELEVATION
1:50

2 WEST Elevation



1051 Martin Grove Rd Etobicoke, ON
M9W 4W6
t 416.356.5775
f 416.244.4249

CONSULTANTS

STRUCTURAL

MEF

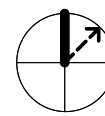
LANDSCAPING

CONSULTANT SPARE 1

KENNEDY
RENO/ADDITION

11 Kennedy St W, Aurora, ON
L4G 2L3

PB & SB



**TOWN OF AURORA
PLANNING & DEVELOPMENT SERVICES
BUILDING DIVISION**

PERMIT NO.: PR20240116 **DATE:** Mar. 6, 2024

APPROVED BY: *Melissa Bozanin*

PRELIMINARY ZONING REVIEW

2	ISSUED FOR PERMIT	02/29/24
1	ISSUED FOR COSTING	11/27/23
MARK	ISSUE	DATE

Job Number	Project Number
Drawn	DD
Checked	DD
Approved	DD

TITLE

ELEVATIONS

SHEET NUMBER

A11-02

