



Planning & Development Services

Tel. 905-683-4550

Fax. 905-686-0360

TOWN OF AJAX

65 Harwood Avenue South

Ajax ON L1S 2H9

www.townofajax.com

AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall

65 Harwood Avenue South, Ajax

Council Chambers

Wednesday, August 31, 2016

Meeting: 7:00 p.m.

Open Meeting

1. Call to Order
2. Disclosure of Interest
3. Adoption of [July 27th, 2016 Committee of Adjustment meeting minutes](#)
4. Outline of the General Mandate of the Committee of Adjustment.
5. Applications:

a) A32/16 – 39 Angier Crescent – William Ibberson

To permit a maximum driveway width of 5.46 metres.

b) A34/16 – 1117 Church Street North (Units 1 – 48, Inclusive) – Cougs (Workmans) Ltd.

To permit two required parking spaces to have a minimum interior garage width of 5.48 metres and a minimum length of 5.99 metres.

c) A35/16 – 51 Angier Crescent – Paula Budhlall

To permit a maximum driveway width of 5.4 metres.

d) A36/16 – 46 Church Street North – Katherine Rossen

To permit the lot line and yard along Church Street North to be the front lot line and front yard and re-designate the other yards accordingly and to recognize all setbacks affected by this re-designation of lot lines and yards, and to permit a minimum setback of 4.3 metres from the proposed rear lot line.

e) A37/16 – 47 Selby Drive – Ajay Chhabra and Jennifer Burley

To permit a maximum driveway width of 5.9 metres.

6. Other Business/New Business

- Member recruitment update.

7. Adjournment

**MINUTES OF A HEARING OF THE COMMITTEE OF ADJUSTMENT FOR THE
TOWN OF AJAX HELD IN THE COUNCIL CHAMBERS, TOWN HALL,
65 HARWOOD AVENUE SOUTH, AJAX
Wednesday July 27, 2016 @ 7:00 P.M.**

Present: Matthew Milligan, Chair
Carolyn Molinari, Vice-Chair
Wasif Ahmed, Member
Michael Briand, Member
Lori Roberts, Member
Sean McCullough, Technical Advisor/Secretary-Treasurer
Amanda Dunn, Planner

1. Call to Order – July 27, 2016, Town of Ajax, Committee of Adjustment Meeting

Meeting called to order at 7:00 p.m. on July 27, 2016.

2. Disclosure of Interest

Chair asked if any of the members of the Committee had a conflict of interest with any of the variance applications on the committee agenda.

Member Molinari identified that she did not have a pecuniary interest with any of the applications, but had a perceived personal conflict of interest with application A24/16 and she would be excusing herself from the meeting during this application.

There were no other disclosures.

3. Adoption of June 29, 2016 and Town of Ajax Committee of Adjustment Meeting Minutes

Chair Milligan asked for a motion to adopt the minutes from the June 29, 2016 Committee of Adjustment meeting.

Proposed by: Member Ahmed
Seconded by: Member Roberts

Vote: All in Favour

Carried

4. Outline of the General Mandate of the Committee of Adjustment

Chair Milligan provided an overview of the Committee of Adjustment mandate for all that were present at the meeting.

5. Applications

Minor Variance Application A23/16

Heidi Strassguertl

44 Ontoro Blvd.

Plan 525 Block I

To permit a minimum east interior side yard setback of 1.5 metres (existing), a minimum west interior side yard setback of 2.4 metres, a minimum rear yard of 10.8 metres and a maximum lot coverage of 22.5%.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report was that the Committee of Adjustment approve Minor Variance Application A23/16 submitted by Heidi Strassguertl, to permit a minimum east interior side yard setback of 1.5 metres (existing), a minimum west interior side yard setback of 2.4 metres, a minimum rear yard of 10.8 metres and a maximum lot coverage of 22.5%, subject to the following conditions:

- 1. That the Owner/Applicant obtain a building permit for the proposed works, or this decision shall become null and void;**
- 2. That the owner obtain a permit from the Central Lake Ontario Conservation Authority, or this decision shall become null and void; and**
- 3. That the variance only apply to the proposed works generally sited and illustrated in Figure 2 (Proposed Site Plan) of this report, or this decision shall become null and void.**

Mrs. Heidi Strassguertl was in attendance to represent the application and gave a brief description of the proposal. Mrs. Strassguertl identified that she worked closely with CLOCA and an engineer to design the septic system.

The Committee had brief discussion on the application.

There was no one else in attendance who wished to speak either for or against the application.

Member Briand made a motion to approve the application subject to the condition outlined in the planning report, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Molinari.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A23/16 submitted by Heidi Strassguertl, to permit a minimum east interior side yard setback of 1.5 metres (existing), a minimum west interior side yard setback of 2.4 metres, a minimum rear yard of 10.8 metres and a maximum lot coverage of 22.5%, subject to the following conditions:

- 1. That the Owner/Applicant obtain a building permit for the proposed works, or this decision shall become null and void;**
- 2. That the owner obtain a permit from the Central Lake Ontario Conservation Authority, or this decision shall become null and void; and**
- 3. That the variance only apply to the proposed works generally sited and illustrated in Figure 2 (Proposed Site Plan) of this report, or this decision shall become null and void.**

Member Molinari left the meeting at 7:06.

**Minor Variance Application A24/16
John and Flora Niro
3018 Ebony Street
Plan 285 Lot 108**

To permit a minimum lot depth of 29.0 metres, a maximum lot coverage of 35.5%, a minimum setback from the rear lot line of 6.3 metres and to permit uncovered steps to be setback 1.5 metres from the rear lot line.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A24/16, submitted by John and Flora Niro, to permit a minimum lot depth of 29.0 metres, a maximum lot coverage of 35.5%, a minimum setback from the rear lot line of 6.3 metres and to permit uncovered steps to be setback 1.5 metres from the rear lot line, subject to the following condition:

- 1. That the Owner obtain approval of Land Division Application LD077/2016, or this decision shall become null and void.**

Mr. John Niro was in attendance to represent the application and had nothing to add.

There was no one else in attendance who wished to speak either for or against the application.

The committee had general discussion on the application, including the location of the tree to be relocated.

Member Briand made a motion to approve the application, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A24/16, submitted by John and Flora Niro, to permit a minimum lot depth of 29.0 metres, a maximum lot coverage of 35.5%, a minimum setback from the rear lot line of 6.3 metres and to permit uncovered steps to be setback 1.5 metres from the rear lot line, subject to the following condition:

1. That the Owner obtain approval of Land Division Application LD077/2016, or this decision shall become null and void.

Member Molinari returned to the meeting at 7:10 p.m.

**Minor Variance Application A25/16
Andre & Shanaaz Vanier
45 Selby Drive
Lot 86, 40M2345**

To permit a maximum driveway width of 5.9 metres.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A25/16 submitted by Andre & Shanaaz Vanier, to permit a maximum driveway width of 5.9 metres.

Mr. Andre Vanier was in attendance to represent the application and identified that he had nothing to add.

There was no one else in attendance who wished to speak either for or against the application.

Member Molinari made a motion to approve the application as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A25/16 submitted by Andre & Shanaaz Vanier, to permit a maximum driveway width of 5.9 metres.

Minor Variance Application A26/16

Rob McCormick

46 Selby Drive

Plan 40M-2345 Lot 82

To permit a maximum driveway width of 6.2 metres.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A26/16 submitted by Rob McCormick, to permit a maximum driveway width of 6.2 metres.

Mr. Robert McCormick was in attendance to represent the application and had nothing to add.

Member Roberts had a question, asking if the grass swale would be replaced between the houses.

Member Molinari asked if a condition should be included to have the swale replaced.

Technical Advisor/Secretary-Treasurer McCullough identified that the variance was to have a maximum width of 6.2 metres and the swale would be required to be replaced, if the driveway exceeded the width it would still not be in compliance.

There was no one else in attendance who wished to speak either for or against the application.

Member Briand made a motion to approve the application as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A26/16 submitted by Rob McCormick, to permit a maximum driveway width of 6.2 metres.

**Minor Variance Application A27/16
1002534 Ontario Inc.
570 Westney Road South
CON BF Range 3 PT LOT 12,13 AND PT RD
Allowance Now RP 40R8734 Part 1 to 6**

To permit a commercial school.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is That the Committee of Adjustment approve Minor Variance Application A27/16 submitted by Miller & Associates on behalf of 1002534 Ontario Inc, to permit a commercial school, subject to the following conditions:

- 1. That the commercial school only be permitted to operate from 570 Westney Road South, Units 25, 26 and 27; and**
- 2. That the Owner obtains a building permit for proposed interior alterations, or this decision shall become null and void.**

Mr. Rodger Miller was in attendance to represent the application and gave a brief description of the application.

There was no one else in attendance who wished to speak either for or against the application.

Member Ahmed made a motion to approve the application subject to the conditions outlined in the planning report, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Roberts.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A27/16 submitted by Miller & Associates on behalf of 1002534 Ontario Inc, to permit a commercial school, subject to the following conditions:

- 1. That the school (private) only be permitted to operate from 570 Westney Road South, Units 25, 26 and 27; and**
- 2. That the Owner obtains a building permit for proposed interior alterations, or this decision shall become null and void.**

Minor Variance Application A28/16
Paul Thompson
1133 Ravenscroft Road
Plan 2345 Lot 83

To permit a maximum driveway width of 7.5 metres.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report was that the Committee of Adjustment approve Minor Variance Application A28/16 submitted by Paul Thompson, to permit a maximum driveway width of 7.5 metres.

Mrs. Ramie Romuluz was in attendance to represent the application, and identified that the swale would be replaced between the two properties. Mrs. Romuluz asked why there are other properties in the Town that exceed the maximum width and why by-law services operates on a complaint basis.

Chair Milligan gave a brief overview of how By-law Services operates on a complaint basis.

There was no one else in attendance who wished to speak either for or against the application.

Member Molinari made a motion to approve the application as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Roberts.

Vote: 4-1

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A28/16 submitted by Paul Thompson, to permit a maximum driveway width of 7.5 metres.

Minor Variance Application A29/16
Lala Naeem
328 Williamson Drive West
Lot 12, 40M2456

To permit a maximum driveway width of 7.62 metres.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A29/16 submitted by Lala Naeem, to permit a maximum driveway width of 7.5 metres, subject to the following conditions:

- 1. That the variance only apply to the driveway as generally illustrated in Figure 2 (Submitted Site Plan) of this report, or this decision shall become null and void;**
- 2. That all areas of the frontage that exceeds the maximum driveway width of 7.5 metres be restored back to its original condition or this decision shall become null and void; and**
- 3. That the owner obtain a building permit for the proposed accessory apartment, or this decision shall become null and void.**

Mrs. Lala Naeem was in attendance to represent the application and gave a brief description of the application. Mrs. Naeem identified that the request was to assist with accessibility purposes for her daughter.

There was no one else in attendance who wished to speak either for or against the application.

The committee had discussion regarding the proposed driveway width and the process for follow-up on the application.

Member Roberts made a motion to approve the application subject to the condition outlined in the planning report, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Briand.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A29/16 submitted by Lala Naeem, to permit a maximum driveway width of 7.5 metres, subject to the following conditions:

- 1. That the variance only apply to the driveway as generally illustrated in Figure 2 (Submitted Site Plan) of this report, or this decision shall become null and void;**
- 2. That all areas of the frontage that exceeds the maximum driveway width of 7.5 metres be restored back to its original condition or this decision shall become null and void; and**

3. That the owner obtain a building permit for the proposed accessory apartment, or this decision shall become null and void.
-

**Minor Variance Application A30/16
Belmont Equity (Rossland Landing) Ajax Ltd.
1,3,5,7 Rossland Road East and 901 Harwood Avenue North**

To permit:

- weather protection only at customer entrances abutting a public road and second floor lobby entrances (7 Rossland Road East and 901 Harwood Avenue North) for all two storey buildings;
- a minimum of 7 vehicle queuing spaces before a service window (5 Rossland Road East);
- a minimum parking rate of 1.0 required parking space per 25.0 m² of gross floor area; and
- a minimum parking spaces length of 5.7 metres (including barrier free parking spaces).

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A30/16 submitted by Belmont Equity (Rossland Landing) Ajax Ltd., to permit:

- weather protection only at customer entrances abutting a public road and second floor lobby entrances (7 Rossland Road East and 901 Harwood Avenue North) for all two storey buildings;
- a minimum of 7 vehicle queuing spaces before a service window (5 Rossland Road East);
- a minimum parking rate of 1.0 required parking space per 25.0 m² of gross floor area; and
- a minimum parking spaces length of 5.7 metres (including barrier free parking spaces).

subject to the following conditions:

1. That the applicant obtain approval of Site Plan Application SP18/15 and enter into a site plan agreement with the Town, to the satisfaction of the Town, or this decision shall become null and void;
2. That the minor variance to permit a minimum of 7 queuing spaces only apply to the building located at 5 Rossland Road East (Building C); and
3. That the applicant obtain a building permit from the Town or this decision shall become null and void.

Mr. Ian Rutledge, Zelinka Priamo Ltd., was in attendance to represent the application and gave a brief description of the application.

Member Briand had a question with regards to the location and extend of the weather protection.

Member Roberts had a question regarding the drive thru queuing.

There was no one else in attendance who wished to speak either for or against the application.

Member Molinari made a motion to approve the application subject to the conditions outlined in the planning report, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Roberts.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A30/16 submitted by Belmont Equity (Rossland Landing) Ajax Ltd., to permit:

- weather protection only at customer entrances abutting a public road and second floor lobby entrances (7 Rossland Road East and 901 Harwood Avenue North) for all two storey buildings;
- a minimum of 7 vehicle queuing spaces before a service window (5 Rossland Road East);
- a minimum parking rate of 1.0 required parking space per 25.0 m² of gross floor area; and
- a minimum parking spaces length of 5.7 metres (including barrier free parking spaces).

subject to the following conditions:

1. That the applicant obtain approval of Site Plan Application SP18/15 and enter into a site plan agreement with the Town, to the satisfaction of the Town, or this decision shall become null and void;
2. That the minor variance to permit a minimum of 7 queuing spaces only apply to the building located at 5 Rossland Road East (Building C); and
3. That the applicant obtain a building permit from the Town or this decision shall become null and void.

**30 Hibbard Drive
Block 113, 40M1862 Block 113, 40R18519, Part 27**

To permit a maximum driveway width of 5.4 metres.

Secretary-Treasurer/Technical Advisor McCullough confirmed written notice of the hearing was sent according to the Rules of Procedures laid out by the *Planning Act* and one response was received and was withdrawn from the respondent prior to the meeting.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A31/16 submitted by Niravkumar Sheth, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:

- 1. That the Owner/Applicant obtain a building permit for a home based business as well as a “change of use” permit if the home based business occupies more than 10% of the floor area (if applicable), or this decision shall become null and void; and**
- 2. That the Owner/Applicant comply with the provisions of Section 4.11 Home Based Business within Zoning By-law 95-2003, as amended or this decision shall become null and void.**

Mr. Sheth was in attendance to represent the application and gave a brief description of the application.

Member Molinari asked what the requirements of Section 4.11 were, and regarding the setback requirements to trees and utilities. Ms. Dunn responded to the questions.

There was no one else in attendance who wished to speak either for or against the application.

Member Briand made a motion to approve the application subject to the conditions outlined in the planning report, as the application was considered reasonable and met the four tests outlined in the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A31/16 submitted by Niravkumar Sheth, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:

- 1. That the Owner/Applicant obtain a building permit for a home based business as well as a “change of use” permit if the home based business occupies more than 10% of the floor area (if applicable), or this decision shall become null and void; and**

- 2. That the Owner/Applicant comply with the provisions of Section 4.11 Home Based Business within Zoning By-law 95-2003, as amended or this decision shall become null and void.**
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6.0 Other Business/New Business Continued

- Mr. McCullough went over the Bill 73 amendments briefly.
- Chair Milligan and Mr. McCullough thanked Mr. Briand for his service and contribution to the Town of Ajax.

7.0 Adjournment

Proposed by: Member Briand
Seconded by: Member Ahmed

All in favour

Carried

Meeting adjourned at 7:52 p.m.

Matthew Milligan
Chair

Sean McCullough, MCIP, RPP
Secretary-Treasurer

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

Submitted By: Sean McCullough, BES, MCIP, RPP
Development Planner/Secretary Treasurer of Committee of Adjustment

Prepared By: Amanda Dunn, MES, MCIP, RPP
Development Planner

Subject: **Minor Variance Application A32/16**
William Ibberson
39 Angier Crescent

Ward: 4

Date of Meeting: August 31, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A32/16 submitted by William Ibberson, to permit a maximum driveway width of 5.46 metres, subject to the following conditions:

- 1. That the proposed driveway widening apply only to the subject property, and shall not encroach into the Town's boulevard.**

Background & Proposal:

The owner of the property has submitted a minor variance application requesting relief from the requirements of the Town's Zoning By-law to permit a maximum driveway width of 5.46 metres; whereas, the zoning by-law permits a maximum driveway width of 5.0 metres.

Subject Property & Surrounding Land Uses:

The subject property is located on the east side of Angier Crescent, and is municipally known as 39 Angier Crescent. The subject property is surrounded by single detached dwellings to the north, and south. To the west, across Angier Crescent, are townhouse dwellings. Abutting the lands to the east is the Carruthers Creek (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject property is designated "Low Density Residential" within the Town of Ajax Official Plan, which provides for such uses as, single detached dwellings, semi-detached dwellings, and linked dwellings up to a maximum density of 30 units per net hectare. The proposed minor variance maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One – 'E' (R1-E) Zone within the Town of Ajax Zoning

By-law 95-2003, as amended, and is subject to Exception 32. This zone category permits detached dwellings, and one accessory apartment (provided the minimum required parking can be achieved). The R1-E Zone permits a maximum driveway width of 5.0 metres, whereas the applicant is requesting to permit a maximum driveway width of 5.46 metres (a 0.46m increase).

Requested Minor Variance:

Maximum Driveway Width Variance

The intent of the maximum driveway width requirement in the zoning by-law is to regulate the width of a driveway across the frontage of the property to ensure that a driveway is not the dominant feature of the streetscape and to provide an appropriately sized off-street parking space for the parking of a motor vehicle.

The property owner is requesting to permit a maximum driveway width of 5.46 metres, 0.46 metres wider than what is permitted within the R1-E Zone. The 0.46 metre increase has been requested in order to provide an additional legal off-street parking space.

The 0.46 metre increase in driveway width would not dominate the streetscape and would not negatively impact the surrounding neighborhood character, as similar widening's and double driveways do exist within this immediate neighborhood. The requested driveway width increase would maintain the general intent of the Official Plan and Zoning By-Law. The requested variance is considered desirable for the appropriate development or use of the land, and is considered to be a request that is minor in nature.

Other Comments:

Design Services - No comments.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - Widening to be restricted to private property and shall not be permitted in the Town's Boulevard.

Communications:

In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metres of the subject property. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

Conclusion:

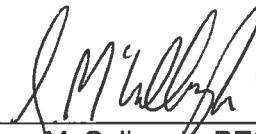
Based on the discussion above, staff are of the opinion that Minor Variance Application A39/16, submitted by William Ibberson, to permit a maximum driveway width of 5.46 metres, is:

- 1) minor in nature;

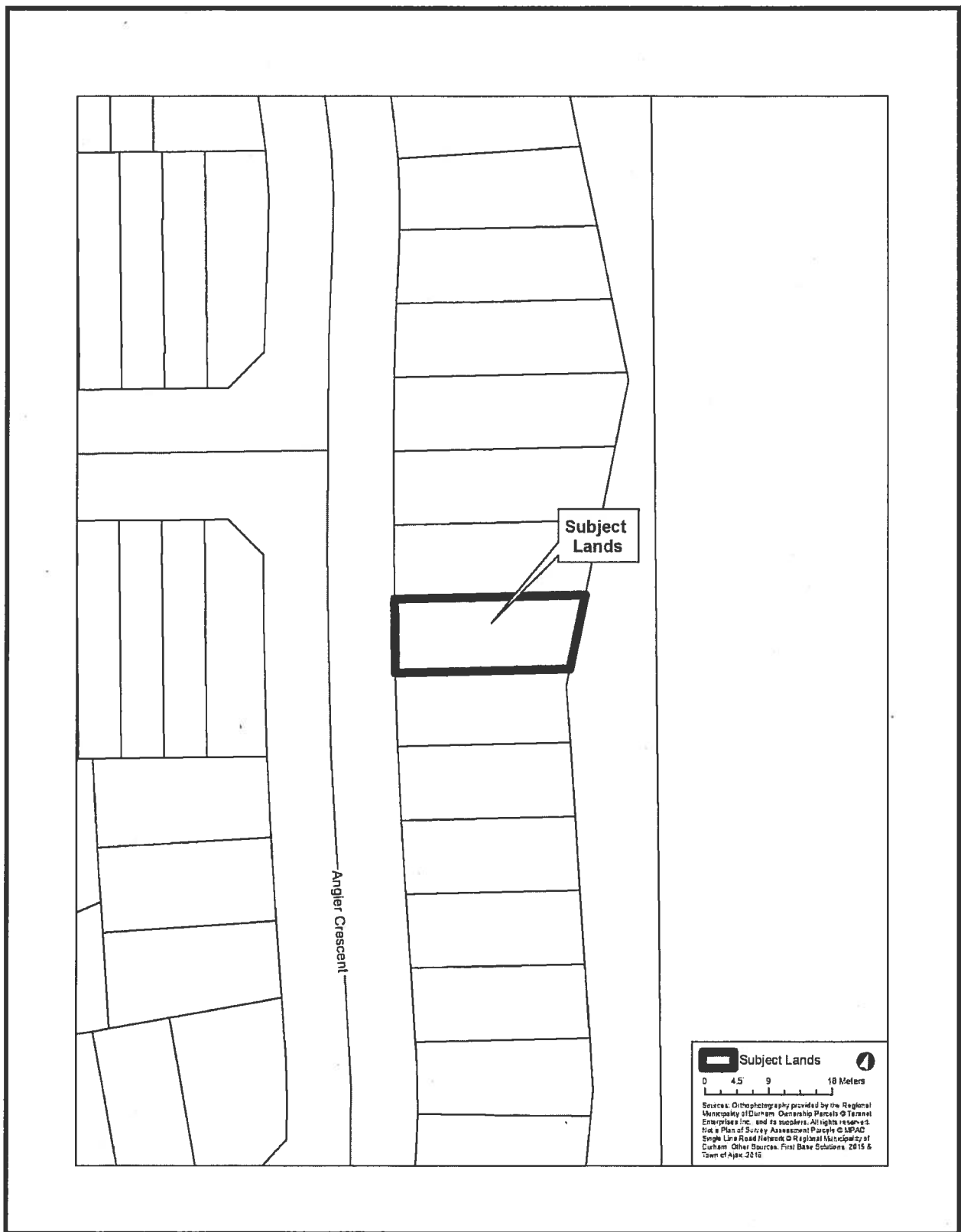
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



for Amanda Dunn, MES, MCIP, RPP
Development Planner



Sean McCullough, BES, MCIP, RPP
Development Planner, Secretary Treasurer of
Committee of Adjustment



Application File No. A32/16

Applicant: William Ibberson

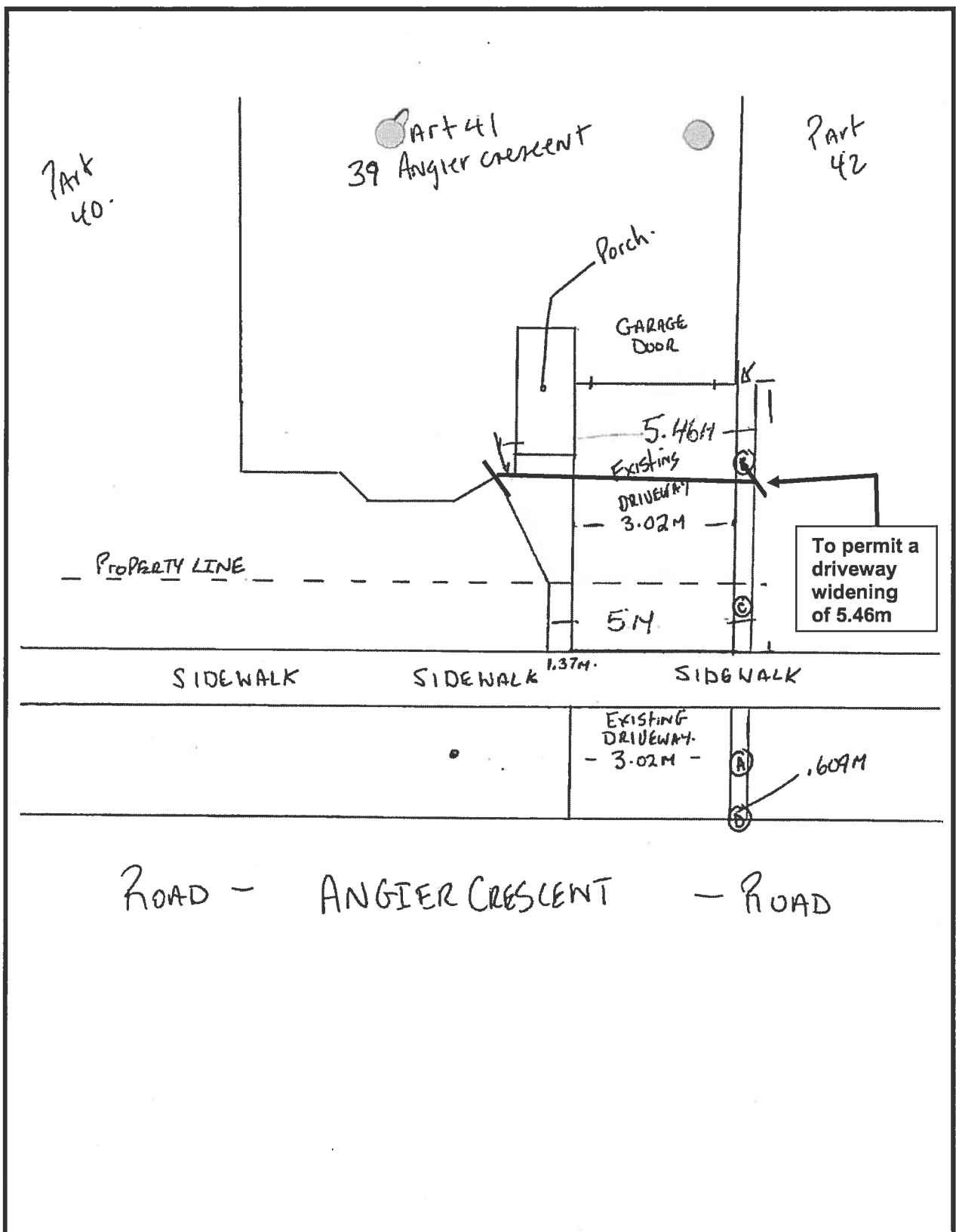
Date: August 31, 2016

Figure 1

Subject Lands
39 Angier Crescent



Town of Ajax
Planning & Development
Services



<p>Application File No. A32/16</p> <p>Applicant: William Ibberson</p> <p>Date: August 31, 2016</p>	<p>Figure 2</p> <p>Proposed Site Plan</p> <p>39 Angier Crescent</p>	<p>Town of Ajax By the Lake</p> <p>Town of Ajax Planning & Development Services</p>
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TOWN OF AJAX REPORT



Report To: Committee of Adjustment

Prepared and Submitted By: Sean McCullough, BES, MCIP, RPP
Development Planner

Subject: **Minor Variance Application A34/16**
Cougs (Workmans) Ltd.
Draft Plan of Subdivision S-A-2014-01
1117 Church Street North (Units 1 – 48, inclusive)

Ward: 1

Date of Meeting: August 31, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A34/16, submitted by Cougs (Workmans) Ltd., to permit two required parking spaces to have a minimum interior garage width of 5.48 metres and a minimum length of 5.99 metres, subject to the following conditions:

- 1. That the Owner/Applicant obtain building permits for the proposed dwelling units, or this decision shall become null and void.**

Background & Proposal:

Development applications (OPA14-A1, Z9/95, 18T-95036, C-A-2014-01 and SP4/12) were approved by the Ontario Municipal Board on December 14, 2014 to permit 140 townhouses within a common elements condominium. The proposed development consists of 48 double fronting units accessed from a private rear lane, 67 conventional units fronting onto the private lane, and 25 conventional units fronting onto the private lane and backing onto the Duffin's Creek.

The zoning by-law approved by the OMB permits double car garages with minimum interior dimensions of 5.18 metres (width) and 6.0 metres (length) for garages abutting the valley lands only. Coughlan Homes (Cougs) has submitted a minor variance application to permit two required parking spaces to have a minimum interior garage width of 5.48 metres and a length of 5.99 metres for all double fronting units (fronting onto Church Street North and Clutterbuck Lane); which were unintentionally omitted through the review of the site plan application and preparation of the zoning by-law amendment application.

Subject Lands & Surrounding Land Uses:

The subject lands are located on the east side of Church Street North, north of Rossland Road West and are municipally known as 1117 Church Street North. The lands encompass an area of approximately 5.12 hectares (12.65 acres). The subject lands are surrounded to the north by agricultural lands and a hydro corridor. To the east of the subject lands is the East Duffins Creek and further east is Devonside Park and existing residential dwellings. Abutting the subject lands to the south is the East Duffins Creek and Rossland Road West. Abutting the lands to the west is

Church Street North, and further west is the Duffins Village Subdivision, which is currently under construction by Cougs (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject lands are designated “Medium Density Residential”, which provides for such uses as, duplex dwellings, block townhouses, street townhouses, stacked townhouses, walk-up apartments and other moderately scaled housing within a density range of 30 to 75 units per net hectare. The proposed variances maintain the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Multiple Residential Six (RM6) Zone within Zoning By-law 95-2003, as amended, and is subject to Exception 179. This zone category permits Multiple Attached Dwellings. Exception 179 establishes various site specific zoning standards. Through the review of the site plan application and the zoning by-law amendment application, the interior garage dimensions for double fronting units were unintentionally omitted from the amending by-law which was approved by the OMB. Staff have received legal advice that these omissions can be dealt with by way of a minor variance application.

Requested Minor Variance:***Minimum Interior Garage Dimension Variance***

The intent of a minimum interior garage dimension is to ensure that there is sufficient space within a garage to accommodate the parking of motor vehicles while allowing the vehicle doors to open, and to provide sufficient space for the storage of other household goods.

The zoning by-law requires that all required parking spaces within a private garage shall have a minimum width of 3.1 metres for the first space and an additional 2.5 metres for all subsequent spaces (for a total of 5.6 metres); and a minimum length of 6.5 metres. The applicant is requesting to permit a minimum interior garage width for two required parking spaces of 5.48 metres and a minimum length of 5.99 metres. Exception 179, which was approved by the OMB, permits that units backing onto Duffins Creek are permitted to have a minimum interior garage width of 5.18 metres for a double car garage and a minimum length of 6.0 metres.

Following a Town initiated Parking Study completed in 2006, the minimum interior garage dimensions were increased from a width of 2.7 metres to 3.1 metres. The increase was recommended to ensure that there was sufficient room for the opening of vehicle doors. The study identified that a mini-van would require 3.05 metres to accommodate the opening of both doors, and this figure was rounded upwards. Staff are satisfied that the proposed width for a two car garage would provide sufficient space to accommodate the parking of two motor vehicles.

Further, the length of the parking space was increased from 5.7 metres to 6.5 metres to accommodate additional storage of household goods. The proposed floor layouts provide numerous locations for storage throughout the household, and that is easily accessible from the garage. The requested variance is considered minor and appropriate for the desirable development of the lands.

Other Comments:

Design Services - no comments;

Transportation Services - no comments;

Building Services - no comments;

Operations - no comments;

Fire Services - no comments;

Engineering Services - no comments.

Communications:

In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metre of the subject property. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

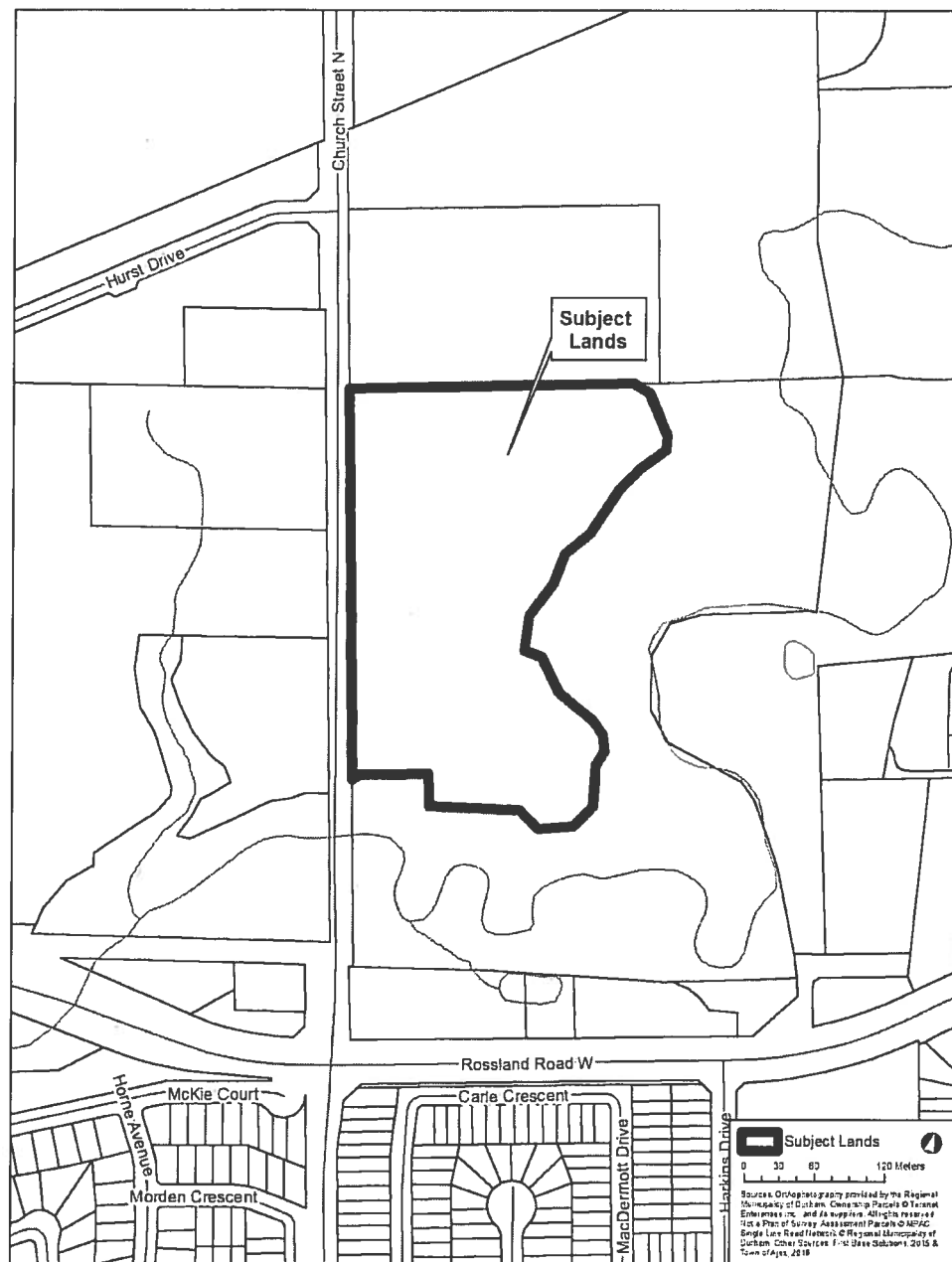
Conclusion:

Based on the discussion above, staff are of the opinion that **Minor Variance Applications A34/16**, submitted by Cougs (Workmans) Ltd., to permit two required parking spaces to have a minimum interior garage width of 5.48 metres and a minimum length of 5.99 metres, is:

- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Sean McCullough, BES, MCIP, RPP
Development Planner
Secretary-Treasurer Committee of Adjustment



Application File No. A34/16

Applicant: Cougs (Workmans) Ltd.

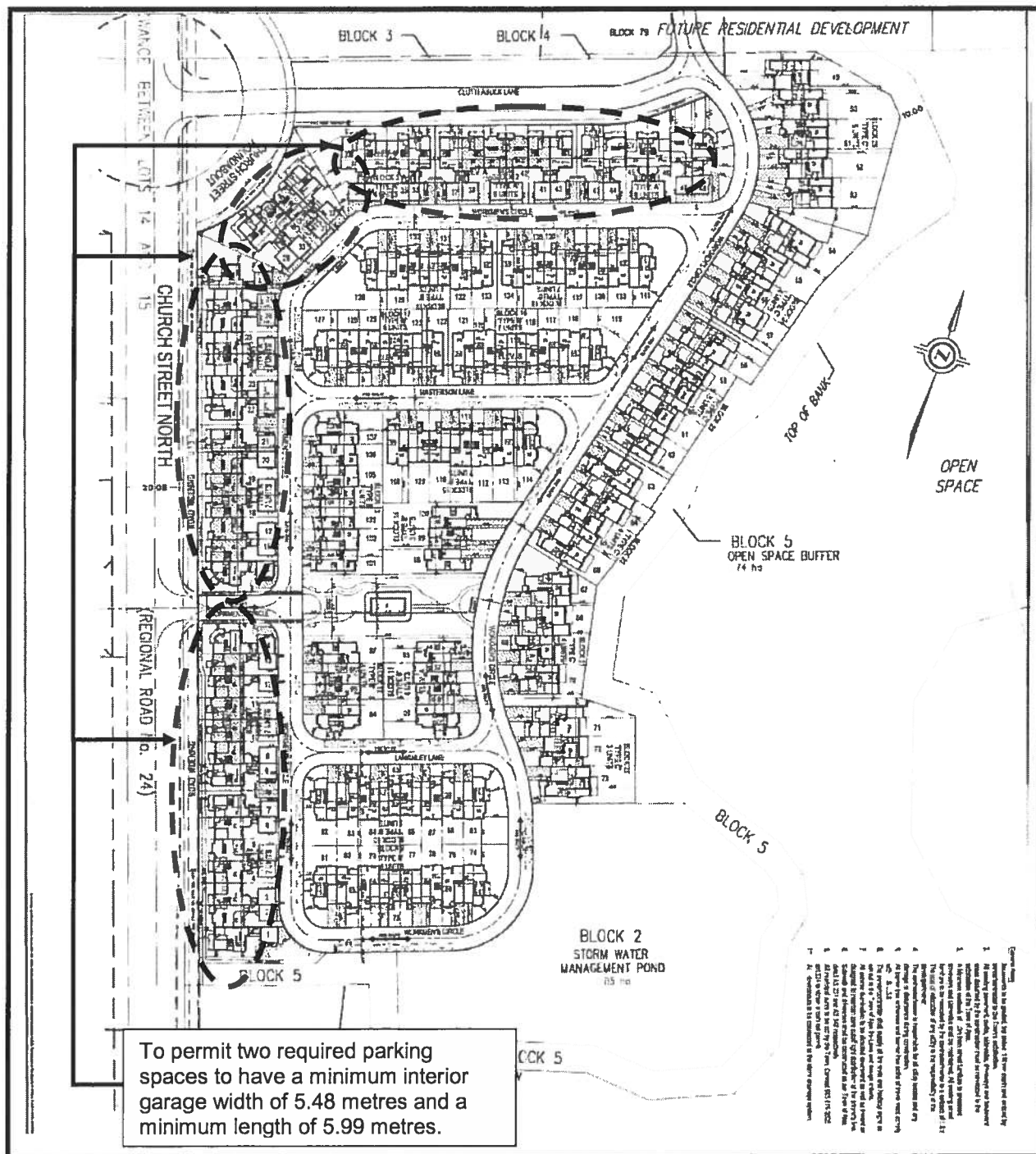
Date: August 31, 2016

Figure 1

**Subject Lands
1117 Church Street North
(Units 1 – 48, inclusive)**



**Town of Ajax
Planning & Development
Services**



Application File No. A34/16

Applicant: Cougs (Workmans) Ltd.

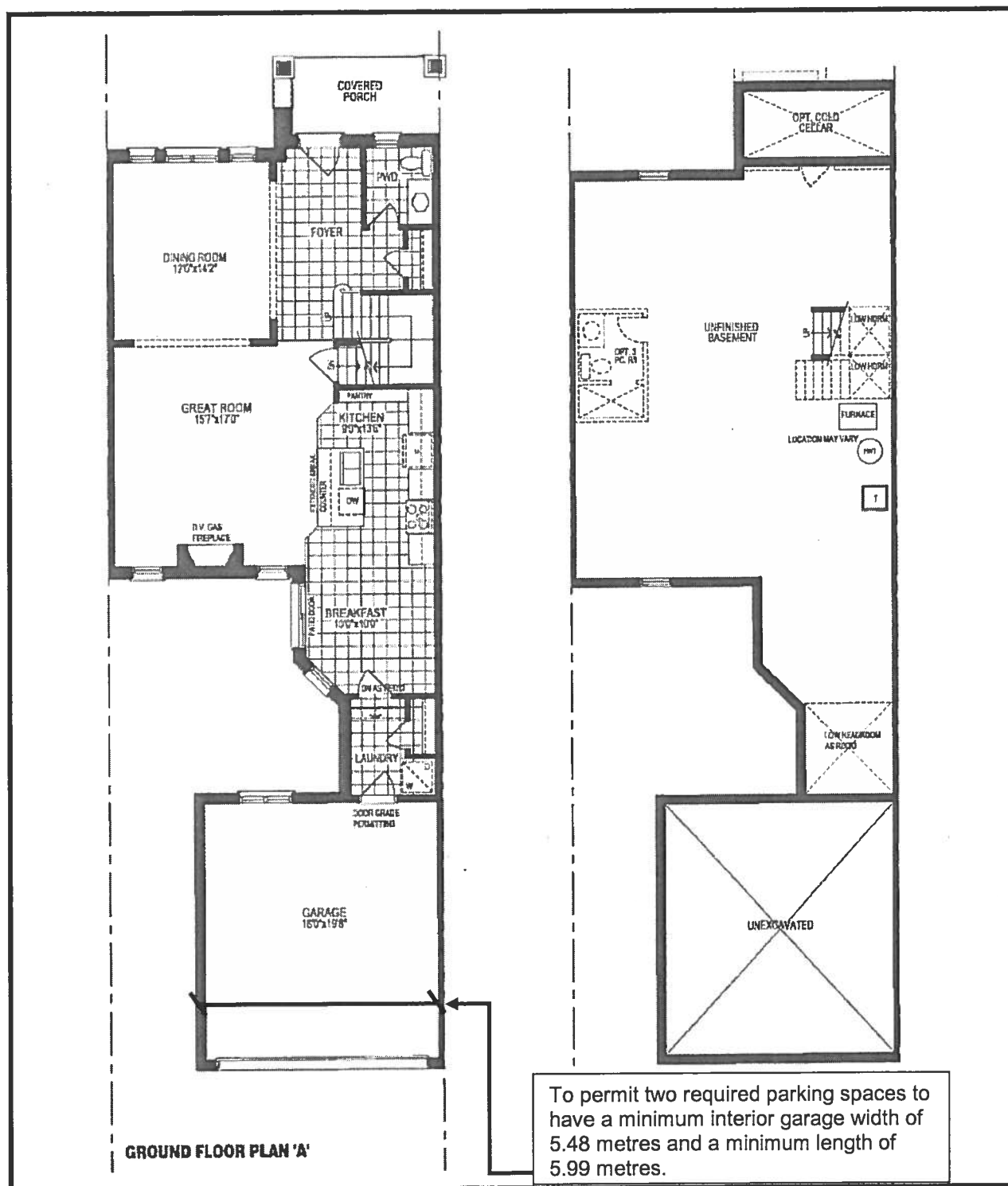
Date: August 31, 2016

Figure 2

**Site Plan
1117 Church Street North
(Units 1 – 48, inclusive)**



**Town of Ajax
Planning & Development Services**



Application File No. A34/16

Applicant: Cougs (Workmans)
Ltd.

Date: August 31, 2016

Figure 3

Floor Plans
1117 Church Street North
(Units 1 – 48, inclusive)Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

Submitted By: Sean McCullough, BES, MCIP, RPP
Development Planner/Secretary Treasurer of Committee of Adjustment

Prepared By: Amanda Dunn, MES, MCIP, RPP
Development Planner

Subject: **Minor Variance Application A35/16**
Paula Budhlall
51 Angier Crescent

Ward: 4

Date of Meeting: August 31, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A35/16 submitted by Paula Budhlall, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:

- 1. That the Owner/Applicant obtain a building permit for the proposed accessory apartment, or this decision shall become null and void; and**
- 2. That the proposed driveway widening shall only apply to the subject property, and shall not encroach into the Town's boulevard, or this decision shall become null and void.**

Background & Proposal:

The applicant is considering to construct an accessory apartment within the basement of an existing single detached dwelling. In order to establish an accessory apartment within the basement of the dwelling, a minimum of three legal sized off-street parking spaces are required, one in which is to be dedicated to the parking of the tenant.

The owner of the property has submitted a minor variance application requesting relief from the requirements of the Town's Zoning By-law to permit a maximum driveway width of 5.4 metres; whereas, the zoning by-law permits a maximum driveway width of 5.0 metres. A minimum width of 5.4 metres is required to accommodate two legal sized parking spaces (minimum 2.7 metres) side-by-side. A third parking space would be provided within the private garage.

Subject Property & Surrounding Land Uses:

The subject property is located on the east side of Angier Crescent, and is municipally known as 51 Angier Crescent. The subject property is surrounded by single detached dwellings to the north, and south. To the west, across Angier Crescent, are townhouse dwellings. To the east, of the subject property is Carruthers Creek.

Town of Ajax Official Plan:

The subject property is designated “Low Density Residential” within the Town of Ajax Official Plan, which provides for such uses as, single detached dwellings, semi-detached dwellings, and linked dwellings up to a maximum density of 30 units per net hectare. The proposed minor variance maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One – ‘E’ (R1-E) Zone within the Town of Ajax Zoning By-law 95-2003, as amended and is subject to Exception 32. This zone category permits detached dwellings, and one accessory apartment (provided the minimum required parking can be achieved). The R1-E Zone permits a maximum driveway width of 5.0 metres, whereas the applicant is requesting to permit a maximum driveway width of 5.4 metres (a 0.4 metre increase).

Requested Minor Variance:***Maximum Driveway Width Variance***

The intent of the maximum driveway width requirement in the zoning by-law is to regulate the width of a driveway across the frontage of the property to ensure that a driveway is not the dominant feature of the streetscape and to provide an appropriately sized off-street parking space for the parking of a motor vehicle.

The property owner is requesting to permit a maximum driveway width of 5.4 metres, 0.4 metres wider than what is permitted within the R1-E Zone. The 0.4 metre increase has been requested in order to provide an additional legal off-street parking space to accommodate a future accessory apartment within the basement of the existing single detached dwelling. The additional parking space provided for on the driveway is to be allocated towards tenant parking.

The 0.4 metre increase in driveway width would not dominate the streetscape and would not negatively impact the surrounding neighborhood character, as similar widenings and double driveways do exist within this immediate neighborhood. The requested driveway width increase would maintain the general intent of the Official Plan and Zoning By-Law. The requested variance is considered desirable for the appropriate development or use of the land, and is considered to be a request that is minor in nature.

Other Comments:

Design Services - No comments.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - Widening to be restricted to private property and shall not be permitted in the Town’s Boulevard.

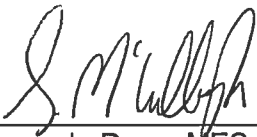
Communications:

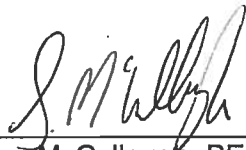
In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metres of the subject property. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

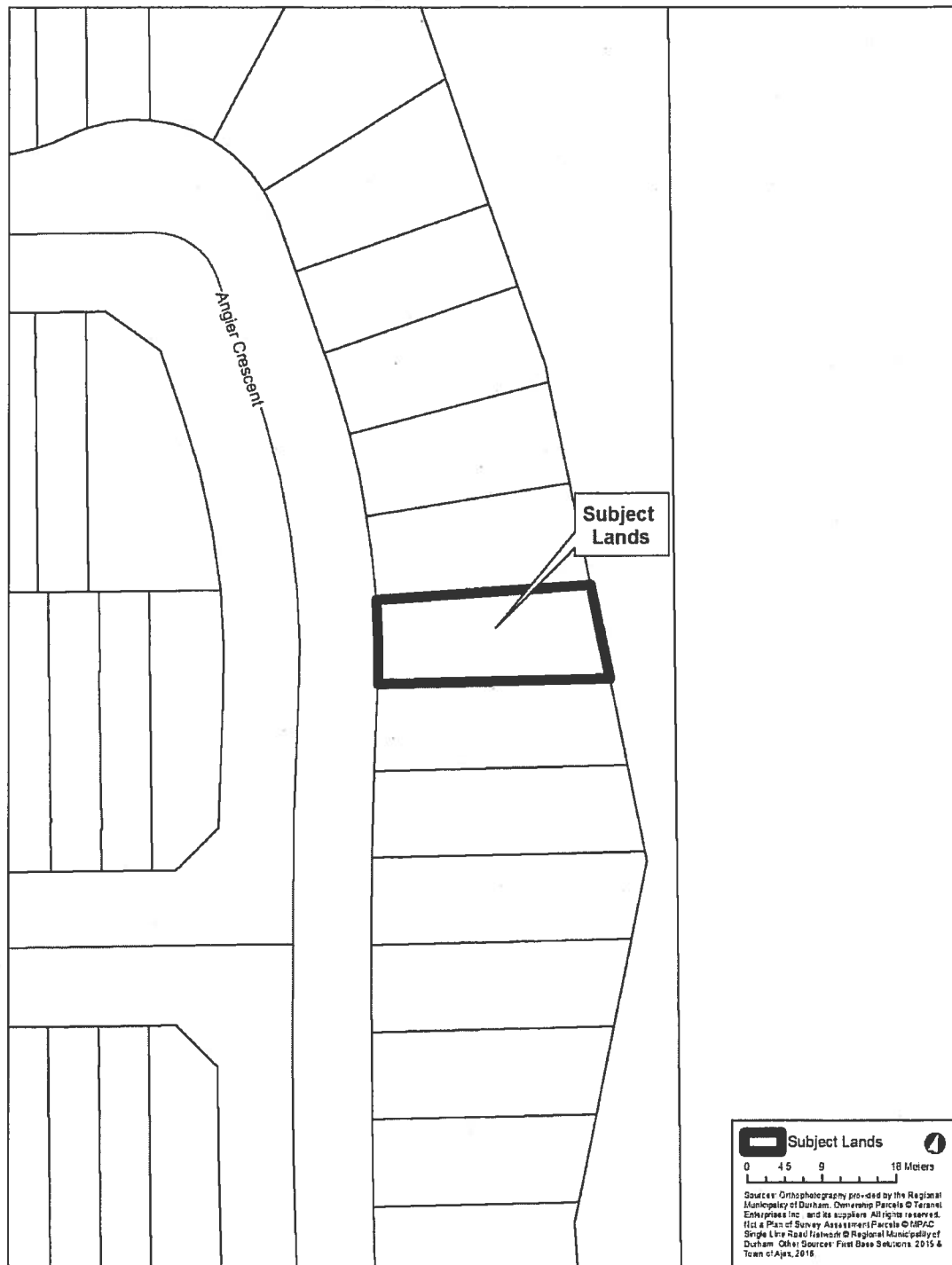
Conclusion:

Based on the discussion above, staff are of the opinion that Minor Variance Application A35/16, submitted by Paula Budhlall, to permit a maximum driveway width of 5.4 metres, is:

- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.


for Amanda Dunn, MES, MCIP, RPP
Development Planner


Sean McCullough, BES, MCIP, RPP
Development Planner, Secretary Treasurer of
Committee of Adjustment



Application File No. A35/16

Applicant: Paula Budhlall

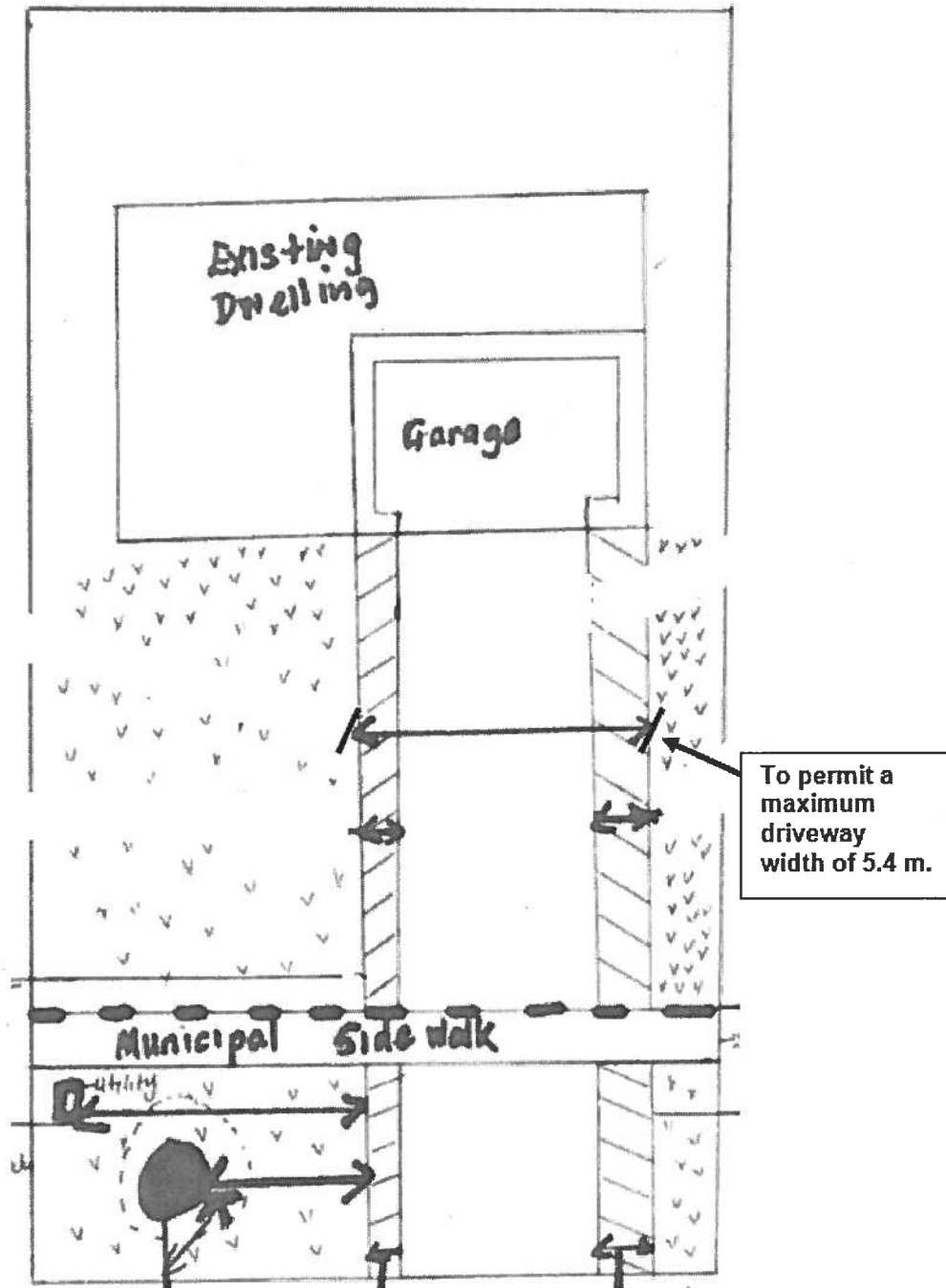
Date: August 31, 2016

Figure 1

**Subject Lands
51 Angier Crescent**



**Town of Ajax
Planning & Development
Services**



Application File No. A35/16

Applicant: Paula Budhlall

Date: August 31, 2016

Figure 2

Proposed Site Plan
51 Angier Crescent



Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

**Prepared &
Submitted By:** Sean McCullough, BES, MCIP, RPP
Development Planner

Subject: **Minor Variance Application A36/16**
Katherine Rossen
46 Church Street North
Lot 5, Plan 476

Ward: 1

Date of Meeting: August 31, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A36/16, submitted by Katherine Rossen, to permit the lot line and yard along Church Street North to be the front lot line and front yard and re-assign the other yards accordingly and to recognize all setbacks affected by this re-assignment of the lot lines and yards, and to permit a minimum setback of 4.3 metres from the proposed rear lot line, subject to the following conditions:

1. That the Owner/Applicant obtain a building permit for the proposed building addition, or this decision shall become null and void;
2. That the proposed Home Based Business comply with Section 4.11, Home Based Business, of Zoning By-law 95-2003, as amended; and
3. That the existing driveway be brought into compliance with the provisions of the Residential One 'A' (R1-A) Zone, as outlined in Zoning By-law 95-2003, as amended, or this decision shall become null and void.

Background & Proposal:

The owner is proposing to construct a 75 m² (810 ft²) addition onto the northern side of the dwelling. The dwelling was previously utilized as an *office* and was approved by the Ontario Municipal Board. The current owner is seeking to continue to operate an *office* from the home but on a smaller scale within the Home Based Business provisions outlined in Section 4.11. The proposed addition would be setback approximately 5.0 metres from the northern lot line (existing rear lot line) and 4.3 metres from the westerly lot line (proposed rear lot line).

As the applicant requires a minor variance for the proposed addition, the applicant discussed with staff the possibility of re-assigning the yards on the subject property to reflect how the property functions.

Therefore, the property owner has submitted a request to permit the lot line and yard along Church Street North to be the front lot line and front yard and re-assign the other yards accordingly and to recognize all setbacks affected by this re-assignment of lot lines and yards. As a result, the requested minor variance application is to permit a minimum setback of 4.3 metres from the rear (west) lot line.

Subject Property & Surrounding Land Uses:

The subject property is located at the northwest corner of Church Street North and Sherwood Drive West, and is municipally known as 46 Church Street North. Abutting the lands to the north is Memorial Park and Village Arena. To the east, across Church Street is St. Andrews Presbyterian Church, offices and detached dwellings. To the south, are detached dwellings located within the Pickering Village Heritage Conservation District. To the west are detached dwellings. (See Figure 1 – Subject lands).

Town of Ajax Official Plan:

The subject property is designated “Village Centre”, which permits residential uses permitted in the low density residential and medium density residential designations. Single detached dwellings semi-detached dwellings, are permitted to a maximum density of 30 units per net hectare. The proposed variance maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One – ‘A’ (R1-A) Zone in the Town of Ajax Zoning By-law 95-2003, as amended. This zone category permits single detached dwellings. The proposed addition does not comply with the required setback from the rear lot line. The requested variance is to permit a setback of 4.3 metres from the rear lot line; whereas, the zoning by-law requires a minimum setback of 9.0 metres. It is also the property owners desire to re-assign the yards of the subject property to properly reflect how the yards/property function. As part of the re-assignment of the yards, all setbacks will be recognized, accordingly.

Requested Minor Variances:

Lot Line and Yard Definition Variance

The lot line definitions (front, rear, interior, and exterior side) are provided to establish the boundary of a parcel of land. The yard definitions (front, rear, side, and exterior side) are provided to establish areas on a parcel of land that are not to be covered by buildings and to determine the minimum yard setbacks from adjacent lot lines.

The request to re-assign the lot line and yard along Church Street North from an exterior side lot line and an exterior side yard to a front lot line and front yard, is based on how the existing house is sited on the subject property and how the property owner uses the property/yards.

The existing dwelling is located on the west side of the lot. The front door of the dwelling faces Church Street North. The driveway to the property is also off of Church Street North. The yard along Church Street North is being used as the front yard, even though this yard by definition is an exterior side yard. As a result, the yard along Sherwood Road West, which is the front yard, is being used as the exterior side yard. The yard abutting Sherwood Road West (existing front yard) is the only yard, other than the yard along Church Street North (existing exterior side yard), that outdoor amenity space could be provided. This is because the current rear yard (the area between the west wall of the dwelling and the west property line, which is being used as an interior side

yard) contains the existing driveway. The current interior side yard (the area between the western wall of the dwelling and the west property line is being used as a rear yard).

Therefore, re-assigning the lot line and yard along Church Street North from an exterior side lot line and an exterior side yard to a front lot line and front yard, while also re-assigning all other lot lines and yards, accordingly, would be desirable for the appropriate development or use of the land, as all of the yards on the subject property are currently functioning as proposed. By re-assigning the lot lines and yards on the subject property, the abutting property to the west (4 Sherwood Road West) would not be negatively impacted, as this has been how the yards have been used since the dwelling was built 1952. The request is considered minor in nature and desirable for the appropriate development of the lands.

If the lot lines and yards are re-assigned on the subject property, staff have reviewed the minimum required setbacks to ensure that all existing structures (dwelling and accessory) are in compliance with the applicable zoning by-law provisions; with the exception of the proposed addition, which would be setback 4.3 metres. The existing dwelling would not comply with a setback of 6.55 metres, however the proposed addition would reduce the setback slightly.

Setback from a Rear Lot Line Variance

The intent of the rear yard setback is to maintain an appropriate rear yard amenity area and provide a buffer between the dwelling on the lot and abutting properties. Reducing the rear yard setback from 9.0 metres to 4.3 metres would maintain a suitable outdoor amenity area within the interior side (north) and rear (west) yards. Further, if the existing front yard is re-designated to the exterior side yard in accordance with the abovementioned request, the exterior side yard could be used as the principle outdoor amenity space.

The subject property is located adjacent to the Pickering Village Heritage Conservation District to the south. The location of the proposed addition on the northern side of the existing dwelling would not negatively impact the character of the conservation district. Further, there will be no negative impact on the adjacent property to the west, as there are existing mature trees along the western property line. The proposed addition would not negatively impact the Town of Ajax Park located to the north. The proposal to permit a setback of 4.3 metres from the rear lot line is considered to be minor in nature and desirable for the appropriate development of the lands.

Other Comments:

Design Services - no comments;

Transportation Services - no comments;

Building Services - concerns regarding unprotected openings will be addressed during building permit application review;

Operations - no comments;

Fire Services - no comments;

Engineering Services - no comments;

Policy Planning Services - the property is adjacent to the Pickering Village Heritage Conservation District (By-law 102-2013). Since the proposed addition is to the north of house and the HDC is to the south, there are no anticipated impacts that require mitigation.

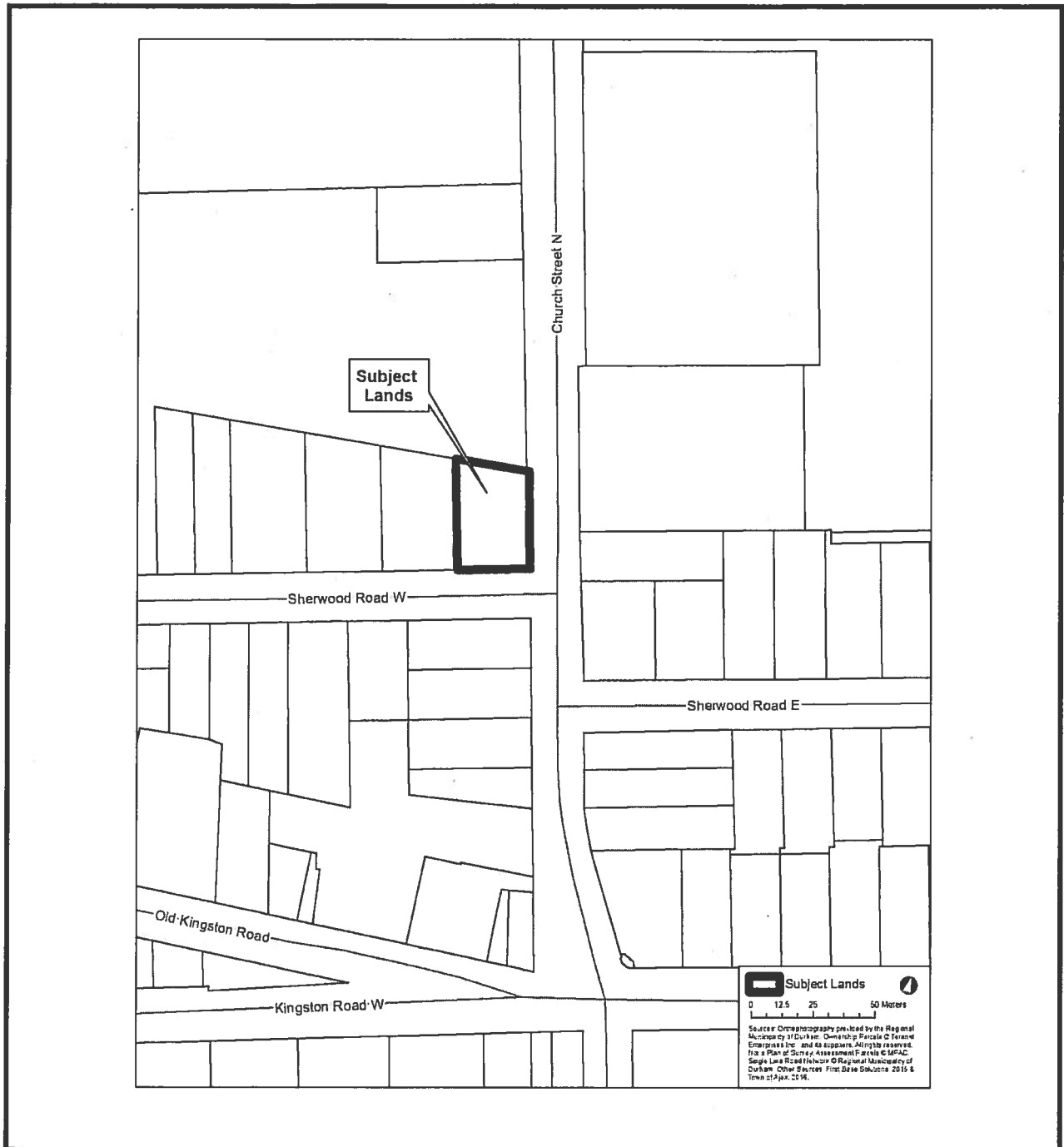
Conclusion:

Based on the discussion above, staff are of the opinion that **Minor Variance Application A36/16**, submitted by Katherine Rossen, to permit the lot line and yard along Church Street North to be the front lot line and front yard and re-assign the other yards accordingly and to recognize all setbacks affected by this re-assignment of lot lines and yards, and to permit a minimum setback of 4.3 metres from the proposed rear lot line, are:

- 1) minor in nature;
- 2) desirable for the appropriate development or use of the land; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Sean McCullough, MCIP, RPP
Development Planner



Application File No. A36/16

Applicant: Katherine Rossen

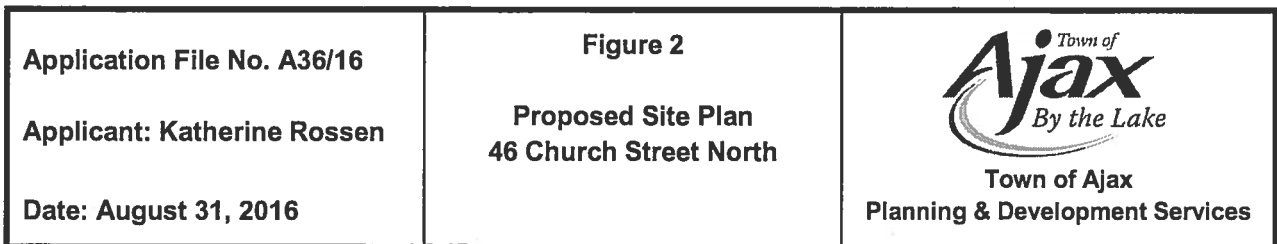
Date: August 31, 2016

Figure 1

Subject Lands
46 Church Street North



Town of Ajax
Planning & Development Services





Application File No. A36/16

Applicant: Katherine Rossen

Date: August 31, 2016

Figure 3

Elevations
46 Church Street North



Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

Prepared and Submitted By: Sean McCullough, BES, MCIP, RPP
Development Planner/Secretary Treasurer of Committee of Adjustment

Subject: **Minor Variance Application A37/16**
Ajay Chhabra & Jennifer Burley
47 Selby Drive
Lot 85, 40M-2345

Ward: 1

Date of Meeting: August 31, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A37/16 submitted by Ajay Chhabra and Jennifer Burley, to permit a maximum driveway width of 5.9 metres.

Background & Proposal:

In April 2016, By-law Services responded to several complaints regarding the parking of motor vehicles on walkways within the neighbourhood. Upon investigation, By-law Services determined that the existing driveway exceeded the maximum permitted driveway width outlined in Zoning By-law 95-2003, as amended.

The applicant has requested a minor variance application in order to legalize the existing driveway width of 5.9 metres; whereas, Zoning By-law 95-2003, as amended permits a maximum driveway width of 5.0 metres.

Subject Property & Surrounding Land Uses:

The subject property is located on the south side of Selby Drive, and is municipally known as 47 Selby Drive. The subject property is surrounded by single detached dwellings in all directions (See Figure 1 – Subject lands).

Town of Ajax Official Plan:

The subject property is designated "Low Density Residential" within the Town of Ajax Official Plan, which provides for such uses as, single detached dwellings, semi-detached dwellings, and linked dwellings up to a maximum density of 30 units per net hectare. The proposed minor variance maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One – E (R1-E) Zone within the Town of Ajax Zoning By-law 95-2003, as amended and is subject to Exception 46. The R1-E Zone permits a maximum driveway width of 5.0 metres, whereas the applicant is requesting to permit a maximum driveway

width of 5.9 metres (an increase of 0.9 metres from what is permitted).

Requested Minor Variance:

Maximum Driveway Width Variance

The intent of the maximum driveway width requirement in the zoning by-law is to regulate the width of a driveway across the frontage of the property to ensure that a driveway is not the dominant feature of the streetscape and to provide an appropriately sized off-street parking space for the parking of a motor vehicle.

The property owner is requesting to permit a maximum driveway width of 5.9 metres, 0.9 metres wider than what is permitted within the R1-E Zone. The 0.9 metre increase in driveway width would not dominate the streetscape and would not impact the surrounding neighbourhood character, as similar widenings and double driveways do exist within this immediate neighbourhood. Further, dwellings along the eastern portion of Selby Drive are zoned R1-D, which permit a maximum driveway of 6.1 metres.

The requested driveway width increase would maintain the general intent of the Official Plan and Zoning By-law. The requested variance is considered desirable for the appropriate development or use of the land, and is considered to be a request that is minor in nature.

Other Comments:

Design Services - No comments.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - No comments.

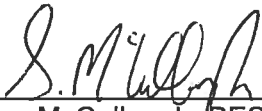
Communications:

In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metres of the subject property. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

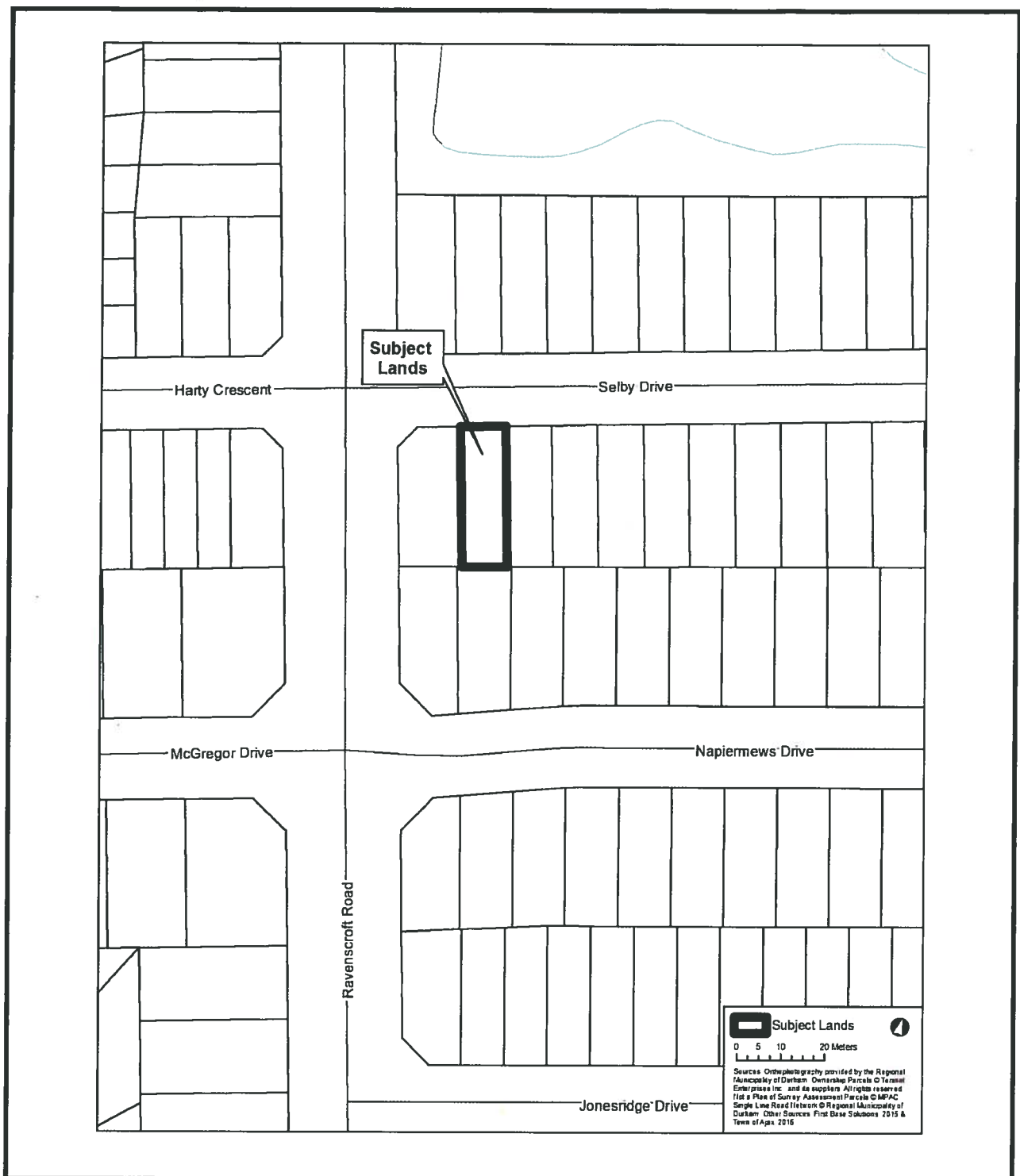
Conclusion:

Based on the discussion above, staff are of the opinion that Minor Variance Application A37/16, submitted by Ajay Chhabra and Jennifer Burley, to permit a maximum driveway width of 5.9 metres, is:

- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Sean McCullough, BES, MCIP, RPP
Development Planner/ Secretary Treasurer



Application File No. A37/16

**Applicant: Ajay Chhabra and
Jennifer Burley**

Date: August 31, 2016

Figure 1

**Subject Lands
47 Selby Drive**



**Town of Ajax
Planning & Development
Services**

47 Selby Dr.

← 5.13 M →

width
= 34.9 M

To permit a
maximum driveway
width of 5.9 metres.



Application File No. A37/16

Applicant: Ajay Chhabra and
Jennifer Burley

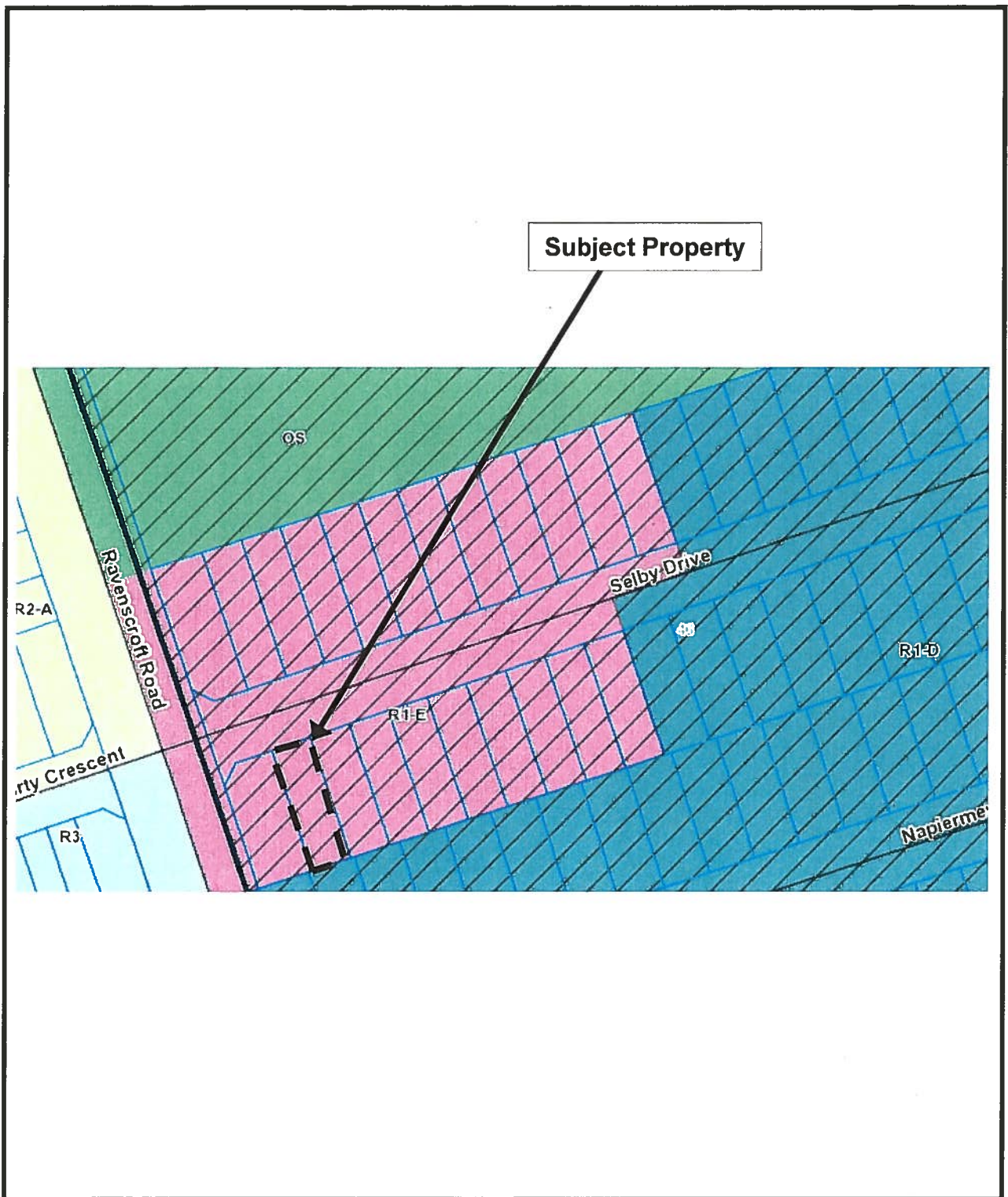
Date: August 31, 2016


Figure 2

Proposed Site Plan
47 Selby Drive



Town of Ajax
Planning & Development Services



<p>Application File No. A37/16</p> <p>Applicant: Ajay Chhabra and Jennifer Burley</p> <p>Date: August 31, 2016</p>	<p>Figure 3</p> <p>Zoning Information</p> <p>47 Selby Drive</p>	<p></p> <p>Town of Ajax</p> <p>Planning & Development Services</p>
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Application File No. A37/16

**Applicant: Ajay Chhabra and
Jennifer Burley**

Date: August 31, 2016

Figure 4

**Image of Subject Lands
47 Selby Drive**



**Town of Ajax
Planning & Development Services**