
AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall
65 Harwood Avenue South, Ajax
Council Chambers
Wednesday, September 30, 2015
Meeting: 7:00 p.m.

1. Call to Order
2. Disclosure of Interest
3. Adoption of [August 26, 2015 Committee of Adjustment meeting minutes.](#)
4. Outline of the General Mandate of the Committee of Adjustment.
5. Applications:
 - a) [A23/15 — 50 Marjoram Drive – Tina Fang](#)
To permit a maximum driveway width of 5.4 metres.
 - b) [A25/15 – 4 Chisholm Court – 2180187 Ontario Inc.](#)
To permit two loading spaces in the front yard (with associated loading doors/docks).
 - c) [A26/15 – 8 Stevensgate Drive – Sanjay Jain](#)
To permit a sunroom with a minimum rear yard setback of 5.3 metres and a lot coverage of 47.9%.
 - d) [A27/15 – 72 Orchard Road - Richard Karikari \(Complete Performance Centre\)](#)
To permit all of the required parking in the front yard arranged in multiple rows.
 - e) [A28/15 – 80 Lincoln Street – Gergi El-Saikali](#)
To permit a minimum setback from the rear lot line of 1.2 metres.
 - f) [A29/15 – 425 Kingston Road West – Rodcliff Chung \(2318226 Ontario Ltd\)](#)
To permit a drive aisle width of 3.24 metres for a two-way drive aisle.
6. Other Business/New Business
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 August 26, 2015 @ 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, Development Planner

Absent: None

1. Call to Order – August 26, 2015, Town of Ajax, Committee of Adjustment Meeting

Meeting called to order at 7:00 p.m. on August 26, 2015.

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.

There were none.

3. Adoption of July 29, 2015 and Town of Ajax Committee of Adjustment Meeting Minutes

Chair Milligan asked for a motion to adopt the minutes from the July 29, 2015 Committee of Adjustment meeting.

Proposed by: Member Briand
Seconded by: Member Ahmed

Vote: All in Favour

Carried

Adoption of August 5, 2015 and Town of Ajax Committee of Adjustment Meeting Minutes

Chair Milligan asked for a motion to adopt the minutes from the August 5, 2015 Committee of Adjustment meeting.

Proposed by: Member Briand
Seconded by: Member Roberts

Vote: All in Favour

Carried

1. 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.

2. Applications

**Minor Variance Application A12/15
Green Storage
180 Station Street**

To permit a minimum of 40 parking spaces, a minimum setback of 3.0 metres to the west interior side lot line, and a setback from the CN rail line of 16.6 metres from the edge of the railway right-of-way.

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 A12/15, submitted by Green Storage Ajax Inc., to permit a minimum of 40 parking spaces, a minimum setback of 3.0 metres to the west interior side lot line, and a setback from the CN rail line of 16.6 metres from the edge of the railway right-of-way, subject to the following conditions:

- 1. That the applicant obtain approval of Site Plan Amendment Application SPA8/13 and enter into a site plan agreement with the Town, or this decision shall become null and void; and**
- 2. That the applicant obtain a building permit for the proposed development or this decision shall become null and void.**

Mr. Adam Paulin and Mr. Al Azevedo, from Green Storage, were in attendance to represent the application.

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

The Committee had questions and a general discussion on the application.

Member Molinari made a motion to approve the applications subject to the conditions

in the staff report on the basis that the application was reasonable and met the four tests of the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A12/15, submitted by Green Storage Ajax Inc., to permit a minimum of 40 parking spaces, a minimum setback of 3.0 metres to the west interior side lot line, and a setback from the CN rail line of 16.6 metres from the edge of the railway right-of-way, subject to the following conditions:

- 1. That the applicant obtain approval of Site Plan Amendment Application SPA8/13 and enter into a site plan agreement with the Town, or this decision shall become null and void; and**
- 2. That the applicant obtain a building permit for the proposed development or this decision shall become null and void.**

**Minor Variance Application A22/15
Muhammad Yahya
14 Holroyd Street**

To permit uncovered steps to encroach 0.6 metres into the required 1.2 metre east interior side yard setback.

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 A22/15, submitted by Muhammad Yahya, to permit uncovered steps to encroach 0.6 metres into the required 1.2 metre east interior side yard setback, subject to the following condition:

- 1. That the Owner obtain a building permit for the side entrance, as identified on Figure 2, or this decision shall become null and void.**

Mr. Muhammad Yahya, owner of 14 Holroyd Street, was in attendance to represent the application.

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

The Committee had questions and a general discussion on the application.

Member Briand made a motion to approve the applications subject to the condition in

the staff report on the basis that the application was reasonable and met the four tests of the *Planning Act*.

Motion seconded by Member Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A22/15, submitted by Muhammad Yahya, to permit uncovered steps to encroach 0.6 metres into the required 1.2 metre east interior side yard setback, subject to the following condition:

1. That the Owner obtain a building permit for the side entrance, as identified on Figure 2, or this decision shall become null and void.

Minor Variance Application A24/15
Andrea and Margaret Mascella
69 Admiral Road

To permit a maximum accessory building height of 5.8 metres above the established grade and a maximum gross floor area of 72.5 m² and maximum lot coverage of 12.5% for an accessory building (detached garage).

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 from staff was that the Committee of Adjustment approve Minor Variance Application A24/15 submitted by Andrew & Margit Mascella, to permit a maximum accessory building height of 5.8 metres above the established grade and a maximum gross floor area of 72.5 m² and maximum lot coverage of 12.5% for an accessory building (detached garage), subject to the following conditions:

1. That the proposed accessory building is not to be used for human habitation or occupation for gain as per Section 4.1.1 ii); and
2. That the Owner obtain a building permit for the proposed accessory building, or this decision shall become null and void.

Mr. Peter Barton, from Avtech Designs, was in attendance to represent the application.

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

The Committee had questions and a general discussion on the application.

Member Molinari made a motion to approve the application subject to the condition in the staff report with an amendment to Condition 1 to include “of the Town of Ajax Zoning By-law, or this decision shall become null and void” following the phrase “per section 4.1.1 ii)”, on the basis that the application was reasonable and met the four tests of the *Planning Act*.

Motion seconded by Member Briand

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A24/15 submitted by Andrew & Margit Mascella, to permit a maximum accessory building height of 5.8 metres above the established grade and a maximum gross floor area of 72.5 m² and maximum lot coverage of 12.5% for an accessory building (detached garage), subject to the following conditions:

1. That the proposed accessory building is not to be used for human habitation or occupation for gain as per Section 4.1.1 ii) of the Town of Ajax Zoning By-law, or this decision shall become null and void; and
 2. That the Owner obtain a building permit for the proposed accessory building, or this decision shall become null and void.
-

4.0 Other Business/New Business Continued

5.0 Adjournment

Proposed by: Member Briand
Seconded by: Member Roberts

All in favour

Carried

Meeting adjourned at 7:45 p.m.

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

**Submitted and
Prepared By:** Sean McCullough, BES
Development Planner

Subject: Minor Variance Application A23/15
Tina Fang
50 Marjoram Drive

Ward: 4

Date of Meeting: September 30, 2015

Report To: Committee of Adjustment

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A23/15 submitted by Tina Fang, 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 apply only to the subject property, and shall not encroach into the Town's boulevard.**

Background & Proposal:

In May 2015, an Order to Comply was issued by Building Services requiring a building permit to be obtained for an accessory apartment located within the dwelling. In order to establish an accessory apartment within the basement of the dwelling located at 50 Marjoram Drive, a minimum driveway width of 5.4 metres is required in order to provide a minimum of three legal sized off-street parking spaces, as required by Zoning By-law 95-2003, as amended.

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 (and a third parking space within the private garage).

Subject Property & Surrounding Land Uses:

The subject property is located on the west side of Marjoram Drive, and is municipally known as 50 Marjoram Drive. Abutting the lands to the north is Marjoram Parkette, and to the west is the

Carruthers Creek. Abutting the lands to the south, and to the east across Marjoram Drive are single detached dwellings (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 variance maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003, as amended:

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 39. This zone category permits single detached dwellings and one accessory apartment (provided the minimum required parking can be achieved). The subject property complies with all other applicable zone standards, except the maximum permitted driveway width.

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 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 0.4 metre increase in the driveway width would not result in the driveway dominating the streetscape and would not negatively impact the surrounding neighbourhood character, as similar widenings have taken place within the immediate neighbourhood. The subject property abuts Marjoram Parkette, which has frontage onto Marjoram Drive. The adjacent parkette assists in reducing the visual impact that an enlarged driveway would have on the streetscape by contributing to the landscaped area along the streetscape. Furthermore, the requested driveway width increase would still maintain the general intent of the zoning by-law, would be considered desirable for the appropriate development or use of the land, and would be considered to be a request that is minor in nature.

Other Comments:

Transportation Services - no comments;

Design Services – no comments;

Building Services – no comments;

Operations – no comments;

Fire Services – no comments;

Engineering Services - no comments

Toronto and Region Conservation Authority - The subject lands are only partially located within the TRCA regulated area and the proposed works are not located within the regulated area. TRCA have no objections or comments regarding the proposed variance.

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.

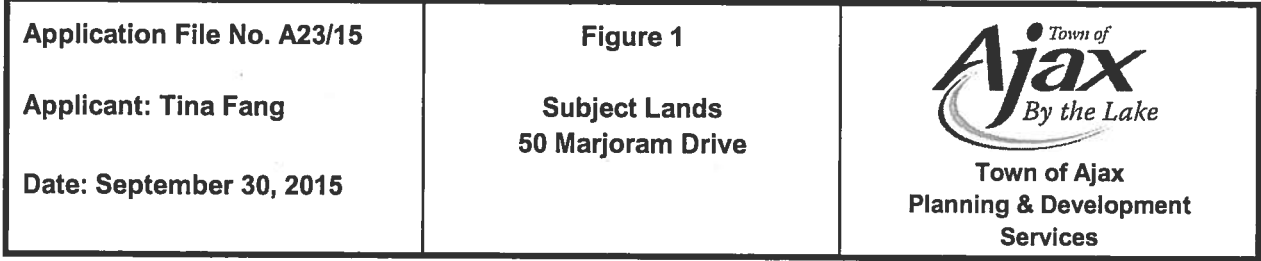
Conclusion:

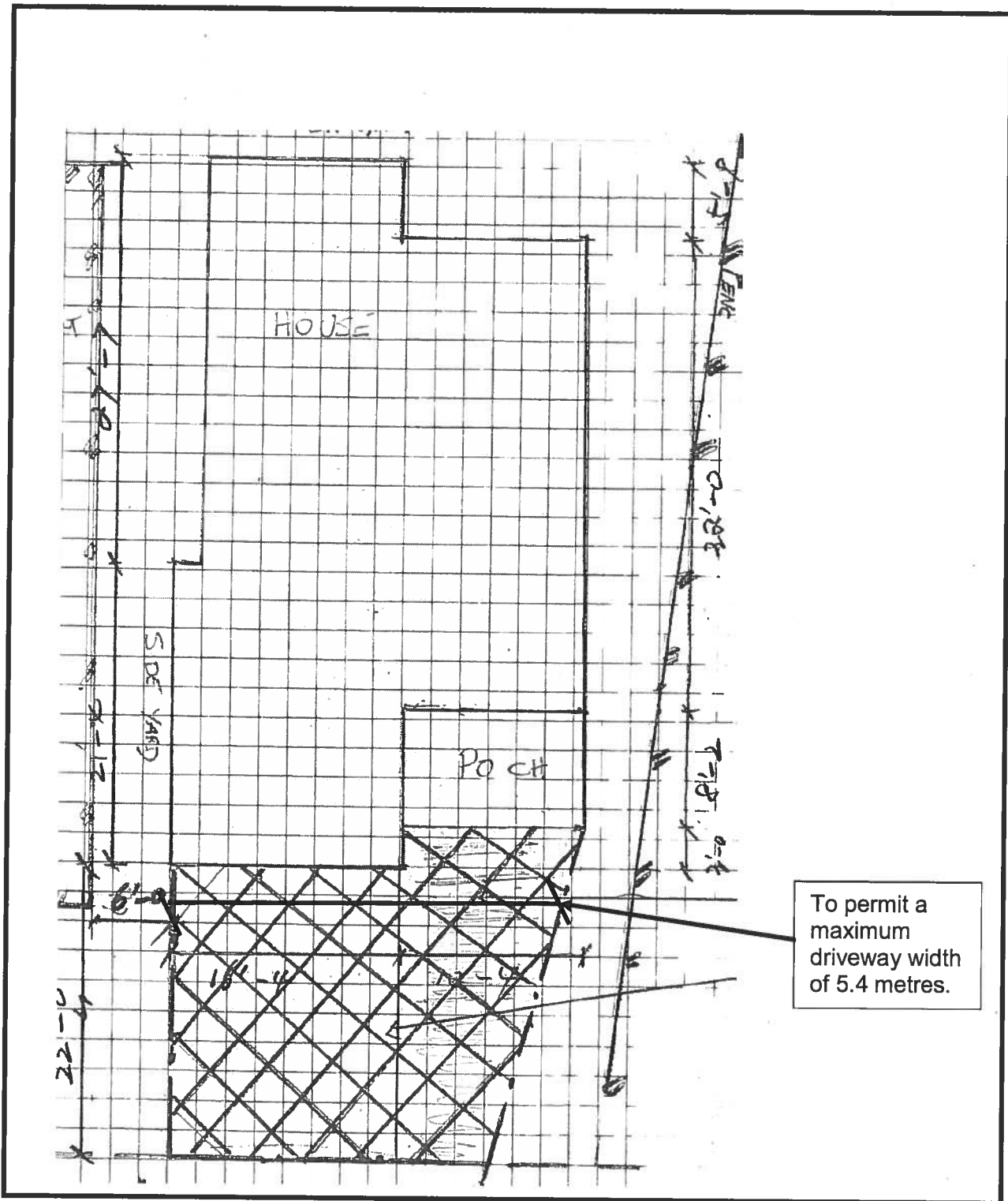
Based on the discussion above, staff are of the opinion that **Minor Variance Application A23/15**, submitted by Tina Fang, to permit a maximum driveway width of 5.4 metres, is:

- 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.



Sean McCullough, BES
Development Planner





Application File No. A23/15

Applicant: Tina Fang

Date: September 30, 2015

Figure 2

Proposed Site Plan
50 Marjoram Drive



Town of Ajax
Planning & Development
Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Prepared By: Amanda Dunn, MES
Development Planner

Subject: **Minor Variance Application A25/15**
2180187 Ontario Inc.
4 Chisholm Court

Ward: 3

Date of Meeting: September 30, 2015

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A25/15 submitted by 2180187 Ontario Inc., to permit the addition of two loading spaces and associated loading doors in a front yard, subject to the following conditions:

- 1. That the owner obtain site plan approval and enter into a Site Plan Agreement with the Town, or this decision shall become null and void;**
- 2. That the owner obtain a building permit for the proposed loading doors, or the decision shall become null and void;**
- 3. That the four existing parking spaces to the east of the proposed loading doors be relocated on the site or this decision shall become null and void.**

Background & Proposal:

2180187 Ontario Inc. has submitted an application for minor variance to permit two loading spaces and associated loading doors in the front yard of the property located at 4 Chisholm Court. The existing building has one existing loading space with a drive-in loading door, however the building is now under new ownership and the operations require two loading spaces and associated loading docks and doors for sufficient operations of the business.

The proposal is to permit two loading spaces and associated loading docks/doors in a front yard; whereas, the zoning by-law permits loading areas in interior side and/or rear yards.

Subject Property & Surrounding Land Uses:

The subject property is located on the north side of Chisholm Court, two lots west of Finley Avenue (See Figure 1- Subject Lands). The subject property is surrounded by employment type uses.

Town of Ajax Official Plan:

The subject property is designated 'General Employment' in the Town of Ajax Official Plan. Policy 2.5.4 allows for such uses as offices, manufacturing, and warehousing and distribution facilities. The subject property conforms with the policies of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned (GE) General Employment Zone in Zoning By-law 95-2003, as amended. This zone permits offices, manufacturing, and warehousing and distribution facilities. The property does not comply with the loading space and associated loading door location requirements of the zoning by-law.

The proposal is to permit two loading spaces and associated loading dock/door areas in a front yard; whereas, the zoning by-law only permits loading areas and associated doors in a rear or interior side yard. This variance is required in order to meet the operational needs for the new business on the property.

Requested Minor Variance:***Loading Space/Doors in a Front Yard Variance***

The intent of requiring loading spaces and associated loading dock/doors in the rear and the interior side yards of properties is to limit their visibility from the street and maintain a high level of urban design and streetscape within employment areas. The location of the proposed loading spaces and associated loading docks/doors does not comply with the provisions set forth within the Zoning By-law and is not, from a zoning and urban design perspective a preferred location on the property. However, there is one pre-existing loading space and door, which was actively being used by the previous owner within the front yard and the proposal is to make modifications to the existing loading space and create an additional loading space with associated dock/doors. Further, these loading spaces with associated docks/doors are required since there are no other areas on the site where an additional loading space and associated door could be provided, let alone occur due to required turning radius required for truck movements. Chisholm Court is a low traffic cul-de-sac and there are existing businesses that have loading doors facing out onto the street. Staff have requested that four parking spaces which are currently located adjacent to the loading space, be relocated to another area on the site, as the addition of a loading space and associated dock/door would obstruct the usability of the parking spaces. Staff are of the opinion that the requested variance is an appropriate development of the property.

Other Comments:

- | | |
|----------------------------------|---|
| Design Services - | tree protection will be addressed through the Site Plan Process. |
| Transportation Services - | the four parking spaces to the east of the proposed loading spaces are to be relocated on the site. |
| Building Services - | a building permit is required for the proposed building alterations. |
| 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:

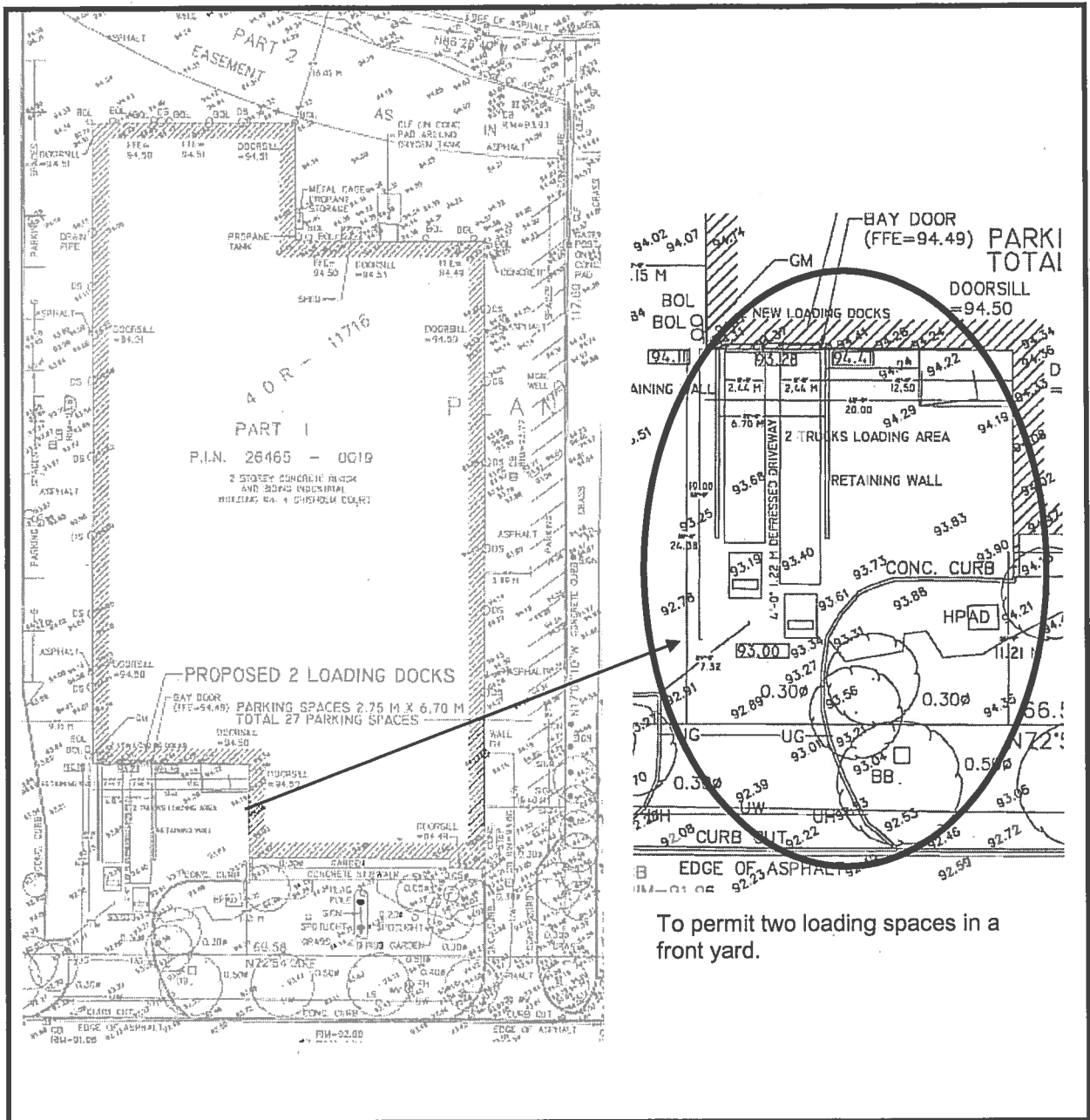
Based on the discussion above staff support Minor Variance Application A25/15, to permit two loading spaces with associated loading docks/doors in a front yard, as the request is:

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



Amanda Dunn, MES
Development Planner

Sean McCullough, BES
Development Planner



Application File No. A25/15

Figure 2

Applicant: 2180187 ONTARIO
INCProposed Site Plan
4 Chisholm Court

Date: September 30, 2015

Town of Ajax
Planning & Development
Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Prepared By: Amanda Dunn, MES
Development Planner

Subject: **Minor Variance Application A26/15**
Sanjay Jain
8 Stevensgate Drive
Lot 18, Plan 40M-2215

Ward: 1

Date of Meeting: September 30, 2015

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A26/15 submitted by Sanjay Jain, to permit a maximum lot coverage of 47.9% and to permit a minimum rear yard setback of 5.3 metres to accommodate a sunroom addition, subject to the following condition:

1. That the owner/applicant obtain a building permit for the construction of the sunroom addition, or this decision shall become null and void.

Background & Proposal:

The following variance has been requested to accommodate a second storey sunroom addition within the rear yard on the subject property. In addition to the second storey sunroom addition the applicant is also proposing to replace and expand the existing first storey deck.

The requested variance is to permit a maximum coverage of 47.9% and a minimum setback from the rear lot line of 5.3 metres; whereas the Zoning By-law permits a maximum lot coverage of 45% and requires a minimum setback of 7.5 metres from a rear lot line.

Subject Property & Surrounding Land Uses:

The subject property is located on the west side of Stevensgate Drive, four lots north of Rossland Road West. To the east of Stevensgate Drive is the Rossland Ridge Bible Church. To the west of the subject property is a stormwater management pond. While to the north and south of this property are single detached dwellings.

Town of Ajax Official Plan:

The subject property is designated “Medium Density Residential” within the Town of Ajax Official Plan, which provides for such uses as duplex dwellings, block townhouses, street townhouses, stacked townhouses, attached housing, walk-up apartments with a density range from 30 to 75 units per net hectare. Single detached and semi-detached dwellings are not permitted within the Medium Density Residential Designation; however, this property is applicable to area specific policies (lands bounded by Rossland Road, Taunton Road, Harwood Avenue and Duffins Creek (formerly known as the A6 Planning Area) which state that medium density residential designation shall provide for single detached and semi-detached units, duplexes, cluster townhouses and street townhouses with a minimum density of 18.5 units per net residential hectare and a maximum density of 37 units per net residential hectare.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One- D (R1-D) Zone within the Town of Ajax Zoning By-law 95-2003, as amended. This zone category permits single detached dwellings. The proposal complies with the provisions of the zoning by-law except for the maximum lot coverage and minimum rear yard setback requirements.

Requested Minor Variance:

Maximum Lot Coverage Variance

The intent of the maximum lot coverage requirement is to maintain an appropriate amount of outdoor amenity area on a lot and to regulate the maximum size and mass of buildings on a lot. This zoning provision applies to all buildings and structures on the lot. An increase in lot coverage of 2.9% (45% to 47.9%) would not represent an unreasonable imposition on the outdoor amenity area as the proposed sunroom is to be built above an existing elevated deck. Since the sunroom is to be on the second storey, the amenity space underneath the proposed sunroom addition would be maintained. The proposed sunroom would not further impact the adjacent neighbors as there is already an existing second storey deck. Additionally, abutting the lands to the west, beyond the rear lot line is a stormwater management pond (See Figure 4 – Rear Yard Images). Given that the sunroom is located in the rear yard, the massing of the building when viewed from the street will not be changed. Staff are of the opinion that the requested variance is minor in nature and appropriate development of the property.

Minimum Setback from the Rear Lot Line Variance

The intent of the minimum rear yard setback is to maintain an appropriate rear yard outdoor amenity area and provide a buffer between the dwelling on the lot and abutting properties. Reducing the rear yard setback from 7.5 metres to 5.3 metres (a 2.1 metre reduction) would maintain a suitable outdoor amenity area within the rear yard as the sunroom is to be on the second storey and the outdoor amenity space would remain beneath. Further, there would be no adverse impacts on the adjacent properties to the rear as the property abuts a stormwater management

pond. Staff are of the opinion that the requested variance is minor in nature and is a desirable and appropriate development of the property.

Other Comments:

Design Services - no Comments

Transportation Services - no Comments

Building Services - a building Permit is required for the proposed sunroom addition.

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 support Minor Variance Application A26/15 submitted by Sanjay Jain, to permit a maximum lot coverage of 47.9% and a minimum rear yard setback of 5.3 metres for a proposed second storey sunroom addition, as the requests are:

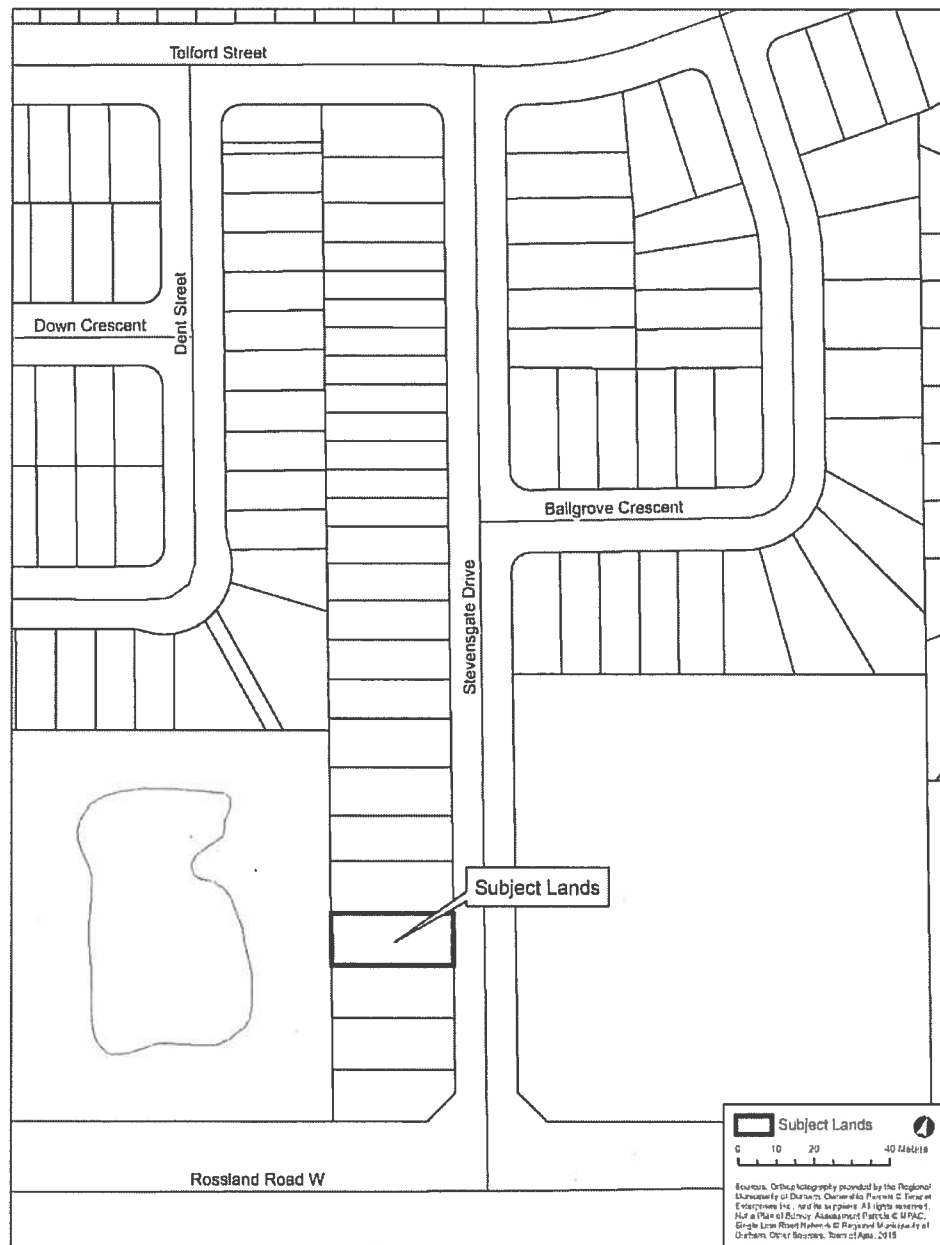
- 1) minor in nature;
- 2) desirable and an appropriate use of the land; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Amanda Dunn, MES
Development Planner



Sean McCullough, BES
Development Planner



Application File No. A26/16

Applicant: Sanjay Jain

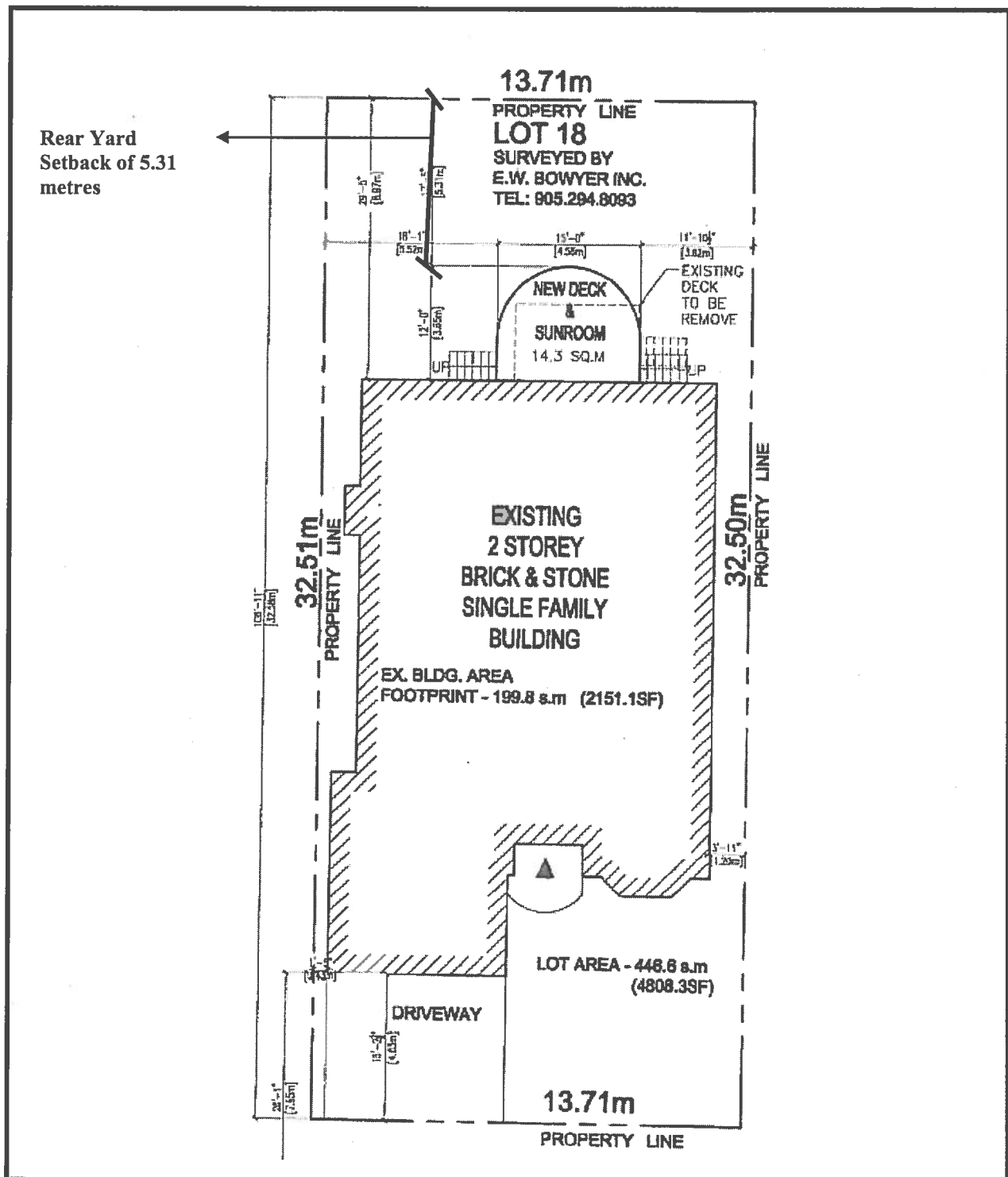
Date: September 30, 2015

Figure 1

Subject Lands
8 Stevensgate Drive



Town of Ajax
Planning & Development
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Application File No. A26/16

Applicant: Sanjay Jain

Date: September 30, 2015

Figure 2

Proposed Site Plan 8 Stevensgate Drive



**Town of Ajax
Planning & Development
Services**



Application File No. A26/16

Applicant: Sanjay Jain

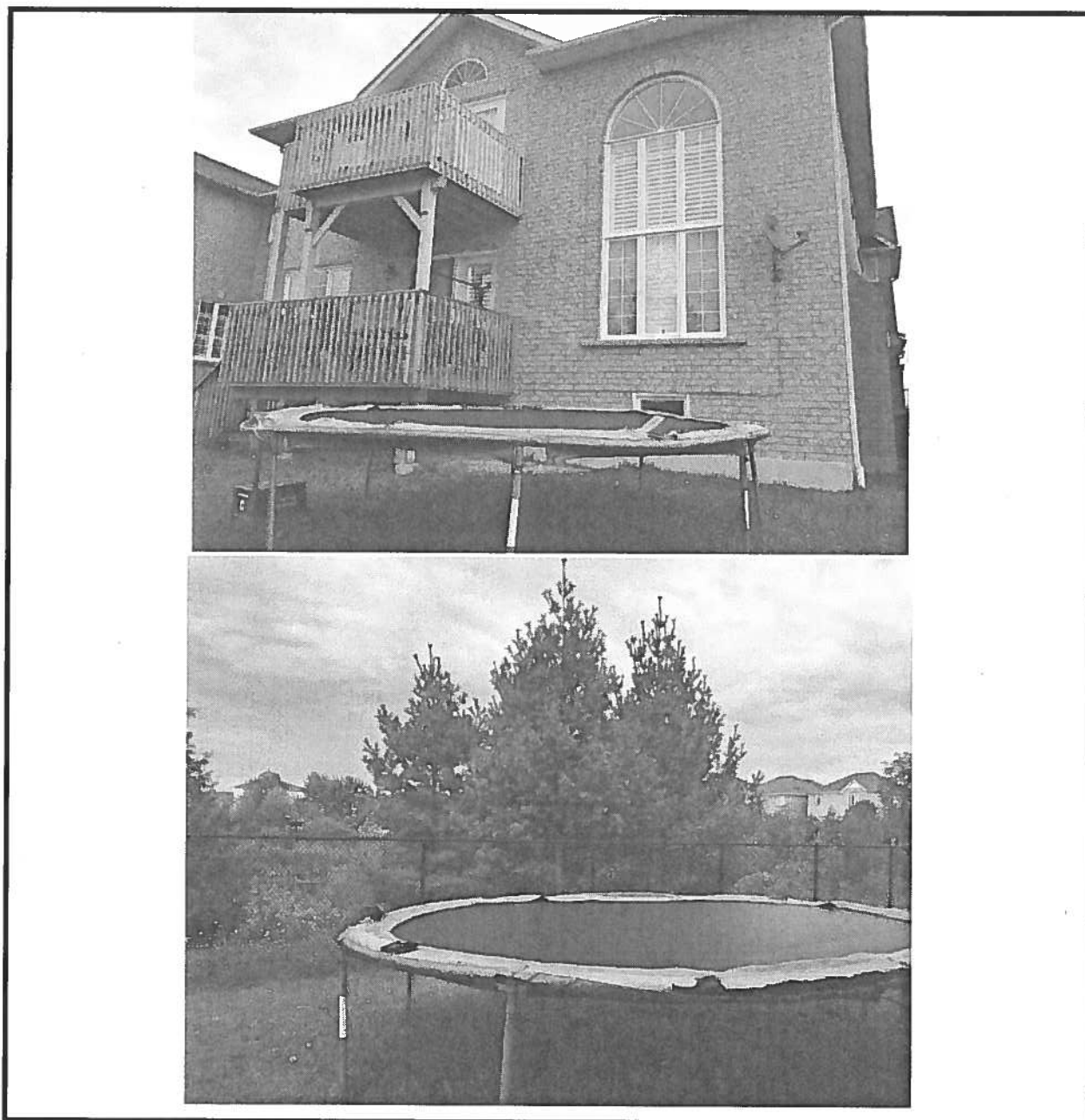
Date: September 30, 2015

Figure 3

Proposed Rear Yard and Side
Elevations
8 Stevensgate Drive



Town of Ajax
Planning & Development Services



Application File No. A26/16

Applicant: Sanjay Jain

Date: September 30, 2015

Figure 4

Rear Yard Images
8 Stevensgate Drive



Town of Ajax
Planning & Development
Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Prepared By: Bruno Scopacasa, MES, MCIP, RPP
Senior Development Planner

Subject: **Minor Variance Application A27/15
Complete Performance Centre
72 Orchard Road**

Ward: 3

Date of Meeting: September 30, 2015

Recommendation:

That Minor Variance Application A27/15 submitted by Richard Karikari to permit all required parking in the front yard arranged in multiple rows be approved subject to the following conditions:

- 1. That the applicant obtain approval of Site Plan Application SP9/13 and enter into a site plan agreement with the Town, to the satisfaction of the Town, or this decision shall become null and void; and**
- 2. That the applicant obtain a building permit from the Town, or this decision shall become null and void.**

Background & Proposal:

Richard Karikari, founder and owner of Complete Performance Centre, has filed an application for minor variance in order to facilitate the development of a 2,781.88 m² (29,943.90 ft²) one storey, 10 metre high addition to the east side of a 2,194.36 m² (23,619.89 ft²) existing building located at 72 Orchard Road through Site Plan Application SP9/13. The addition will contain office, light manufacturing and warehousing/distribution uses.

The Complete Performance Centre is a high quality athletic training, fitness and weight loss facility offering a range of medical and rehabilitation therapy as well as personal, group and athletic training. The Complete Performance Centre only occupies 648.49 m² (6,980.28 ft²) of the 2,194.36 m² (23,619.89 ft²) existing building. The vacant portion of the existing building and the proposed addition is proposed to be used for the modification and distribution of fitness and rehabilitation equipment. The modification of equipment typically involves applying company finishings (i.e. colours and logos) to equipment, and in some instances, the alteration of

equipment upholstery. The facility will also be used for the warehousing and distribution of artificial turf.

Additional parking is required in order to meet the requirements under the zoning by-law based on the proposed addition and uses. The original development proposal provided for a number of additional parking spaces in the east interior side yard between the proposed addition and the east property line. However, through the review of the proposal, the Town and the Toronto and Region Conservation Authority advised that additional parking be located in the front yard to avoid the removal of existing trees located between the proposed addition and the east property line and to reduce the impact on the neighbouring environmentally protected lands to the east associated with Duffins Creek and its valley lands.

Surrounding Land Uses:

The subject lands are located at the end of Orchard Road. To the west and south of the subject lands are established employment uses such as Coco Paving Inc., Innovative Surface Solutions (which manufactures premium liquid de-icers), Stephenson's Rental Services and Quality Collision East Inc. (which is an automobile accident repair facility). Immediately to the north and east are lands designated Environmental Protection that are associated with the Duffins Creek and its valley lands.

Town of Ajax Official Plan:

The subject lands are designated "Prestige Employment" and "Employment Policy Area 1" within the Town of Ajax Official Plan. The Prestige Employment designation permits uses such as manufacturing in wholly enclosed buildings, warehousing, distribution centres, athletic clubs, personal services and private recreational facilities. Lands designated Employment Policy Area 1, have been recognized for their established industrial uses and may continue to operate provided they were in operation as of May 14, 2001. New development within this area is subject to Special Area Policies for the Notion Road/Pickering Village area within Section 2.5.5, and the Prestige Employment policies within Section 3.3.4 of the Official Plan.

Special Area Policies for the Notion Road/Pickering Village area recognizes the areas location within a flood plain and therefore requires development to achieve flood protection of a building, structure or addition to the level of the Regulatory Flood Plain to the satisfaction of the Town and the Toronto and Region Conservation Authority. Necessary flood protection measures must not have a negative off-site impact. An Environmental Impact Study, prepared by Niblett Environmental Associates Inc., was submitted in support of the development proposal which addresses, among other matters, the aforementioned special area policies. The report has been reviewed by the Town and the Toronto and Region Conservation Authority and deemed satisfactory.

Prestige Employment policies requires that all new development or redevelopment within the Prestige Employment designation be consistent with the Employment Areas Urban Design Guidelines adopted by Council. This is discussed in more detail in a subsequent section of this report.

Town of Ajax Zoning By-law:

The subject property is zoned Prestige Employment (PE) Zone within Zoning By-law 95-2003, as amended. The PE zone category permits uses such as, commercial fitness centre, light manufacturing, office and warehouse/distribution centre, which reflects the existing and proposed uses on the subject property.

Employment Areas Urban Design Guidelines

The purpose of the Employment Areas Urban Design Guidelines is to establish a high-quality built environment. The urban design guidelines seek to achieve a balance of unity and variety in their urban design by creating consistent building setbacks, massing, rooflines, use of materials, or colours, that help to create a unified appearance in the streetscape. This contributes to a sense of wholeness, where component parts relate to each other to help define a sense of place. However, it is appropriate that buildings also vary these same elements, to create interest and variety in the streetscape. This balance of unity and variety applies to streets, spaces, the landscape, and the relationships among them.

The development proposal is consistent with the Employment Areas Urban Design Guidelines.

Requested Minor Variance:

Location and Use of Parking Variance

In the Prestige Employment (PE) Zone, no parking shall be permitted in the front yard or exterior side yard except for a maximum of 20% of the required spaces provided that the spaces in the front or exterior side yard are used exclusively for visitor parking and are arranged in a single row. The intent of this zoning by-law provision in a Prestige Employment Zone is to limit the amount of parking that can be located between a building and a street and to ensure that the building is the focal point along the street, creating a strong building/street relationship.

The site currently provides parking in the front and interior side yard. Two rows of formalized parking spaces are located on the paved surface in front of the existing building. Informal parking spaces are provided on the sites gravel surface located in the front westerly portion of the site and the existing interior side yard. The current proposal would maintain the gravel surface at the front westerly portion and formalize parking spaces through the installation of precast parking curbs.

The applicant's original proposal provided for additional parking spaces in the east interior side yard, between the proposed addition and the east property line. This would require the removal of mature trees and vegetation that currently provides a buffer to the adjacent Duffins Creek valley lands. Through the review of the proposed site plan, the Town and the Toronto and Region Conservation Authority staff, advised the applicant to revise the proposal by eliminating the proposed parking in the east interior side yard and relocate them to the front yard. This would preserve the mature trees and vegetation located in the east interior side yard. In addition, this would reduce pollutants such as road salt, oil, grease, and other toxic chemicals from motor vehicles that stormwater runoff would carry into the valley lands. These pollutants can harm vegetation, wildlife and fish. The current proposal is a response to Town and Toronto and Region Conservation Authority staff direction. The proposal would maintain the gravel surface and formalize parking spaces through the installation of precast parking curbs. The

gravel surface would continue to maintain the sites stormwater permeability and not increase stormwater runoff by introducing asphalt on site.

In staff's view, the multiple rows of parking would not detract from the existing building and the proposed addition. The existing building and the addition would continue to be the primary focus of the site and along the street. Orchard Road is a cul-de-sac (dead end) with no municipal sidewalks and has minimal pedestrian activity. A 3.0 metre landscape buffer will also be incorporated along the Orchard Road frontage to buffer and screen the proposed parking from the road to minimize its impact.

Staff are satisfied that the proposed multiple rows of parking in the front yard would not detract from the existing and proposed addition. Further, the development proposal supports the Employment Areas Urban Design Guidelines as the proposed building, its materials and landscaping would create interest and variety in the streetscape. The proposal would also preserve existing mature trees and vegetation, and reduce the potential of contaminated storm water runoff entering the valley lands. Given the foregoing the requested variance is considered to be minor in nature and desirable for the appropriate development of the land.

Other Comments:

Comments have been received from:

Building Services: no comments;

Design Services: no comments;

Engineering Services: no comments;

Transportation Services: no comments;

Operations Services: no comments;

Fire Services: no comments;

Toronto and Region Conservation Authority (TRCA): TRCA has no objection to the requested minor variance. A TRCA permit will be required prior to the issuance of a building permit for the proposed development.

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, **Minor Variance Application A27/15**, submitted by Richard Karikari, to permit all required parking in the front yard arranged in multiple rows, can be supported given that the proposed multiple rows of parking in the front yard would not detract from the existing and proposed addition and that the development proposal supports the Employment Areas Urban Design Guidelines by creating interest and variety in the streetscape in an area characterized by adverse heavy industrial uses.

Based on the above discussion, staff support the **Minor Variance Application A27/15**, subject to the above-noted conditions, as these requests are:

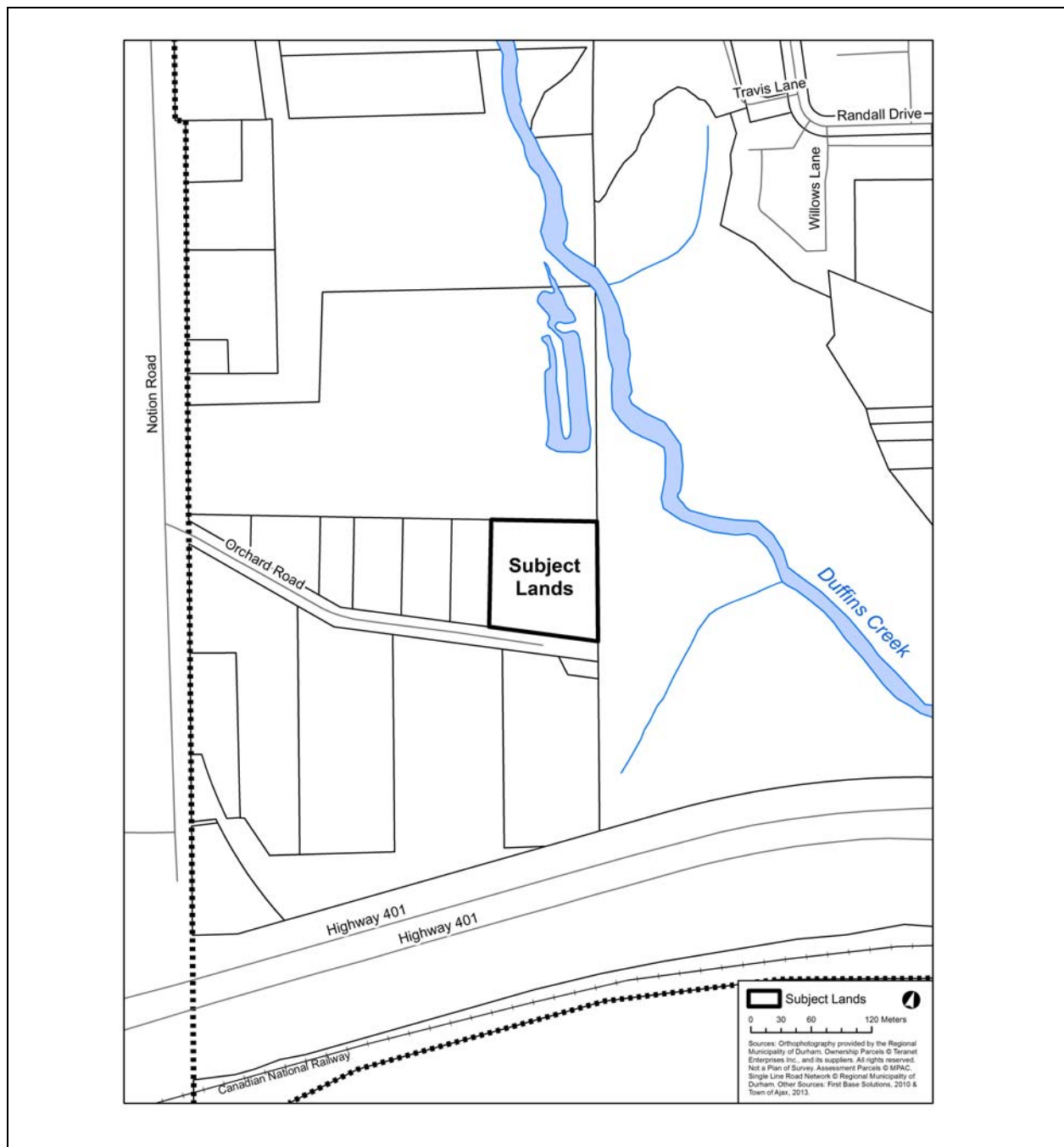
- 1) minor in nature;
- 2) desirable and an appropriate use of the land; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Bruno Scopacasa, MES, MCIP, RPP
Senior Development Planner



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



Application File No.: A27/15

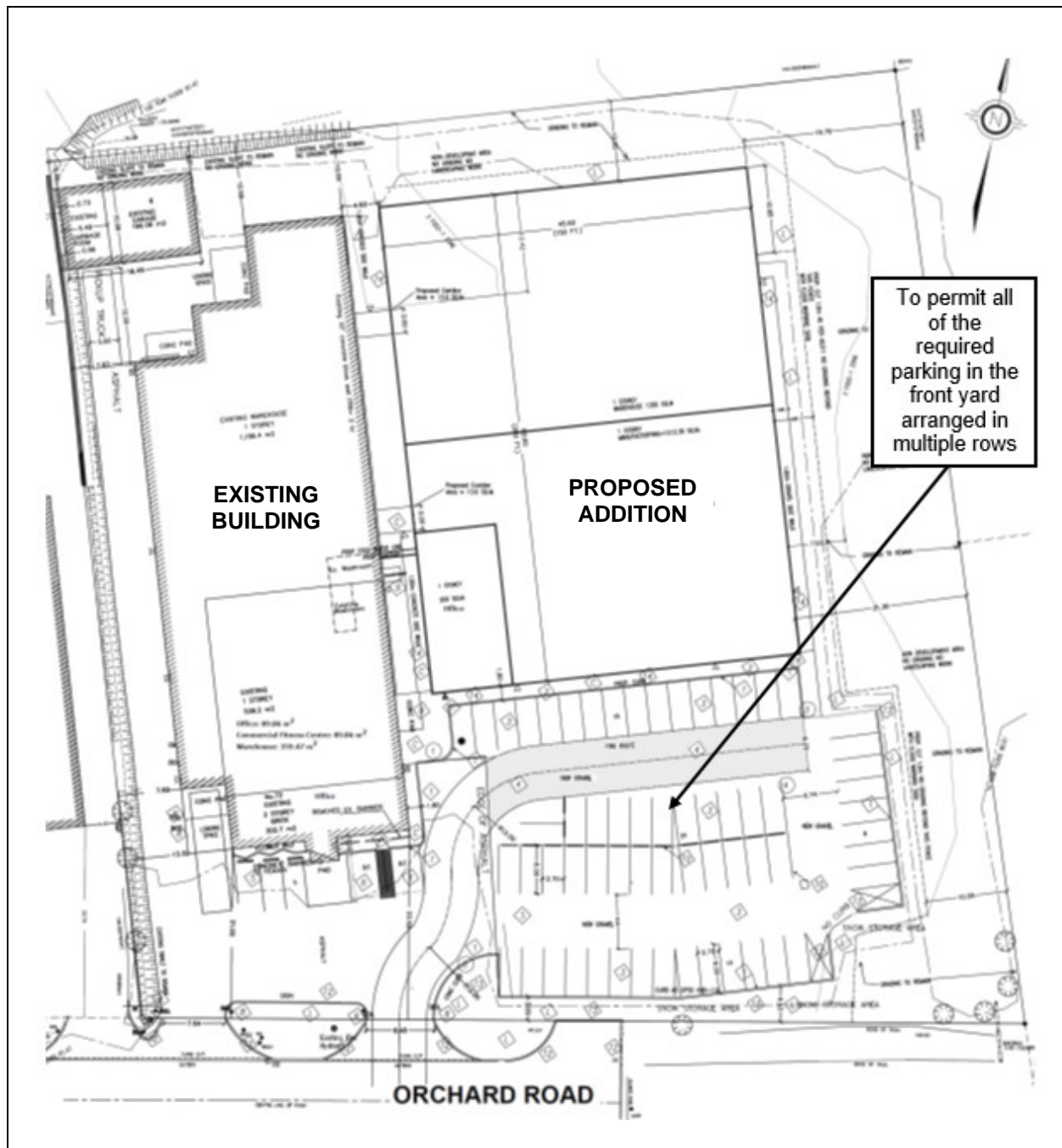
Applicant:
Richard Karikari

Date: September 30, 2015

Figure 1
Subject Lands
Location Map

Town of Ajax
Planning and
Development
Services





Application File No.: A27/15

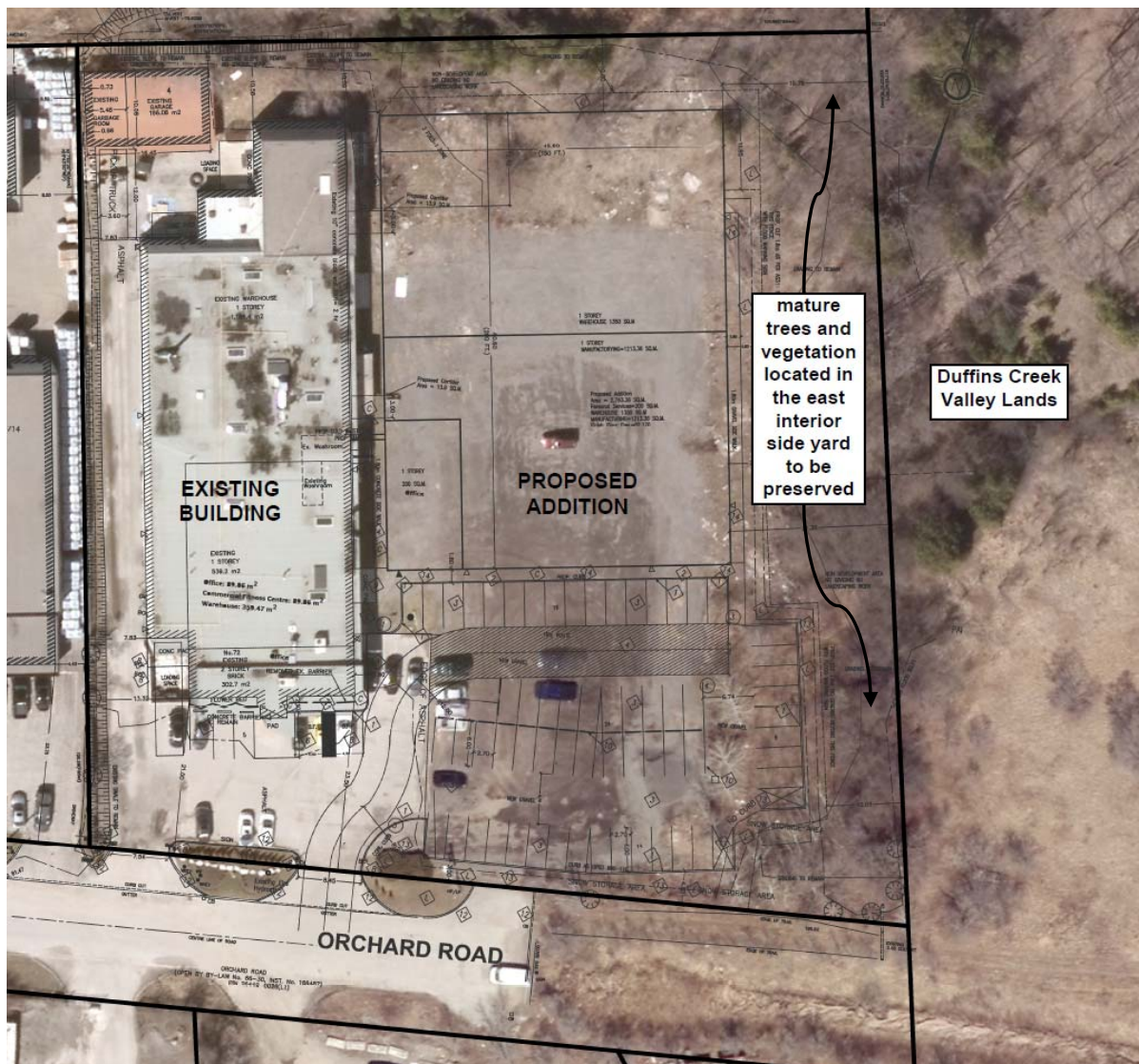
Applicant:
Richard Karikari

Date: September 30, 2015

Figure 2
Proposed Development
Site Plan

Town of Ajax
Planning and
Development
Services





Application File No.: A27/15

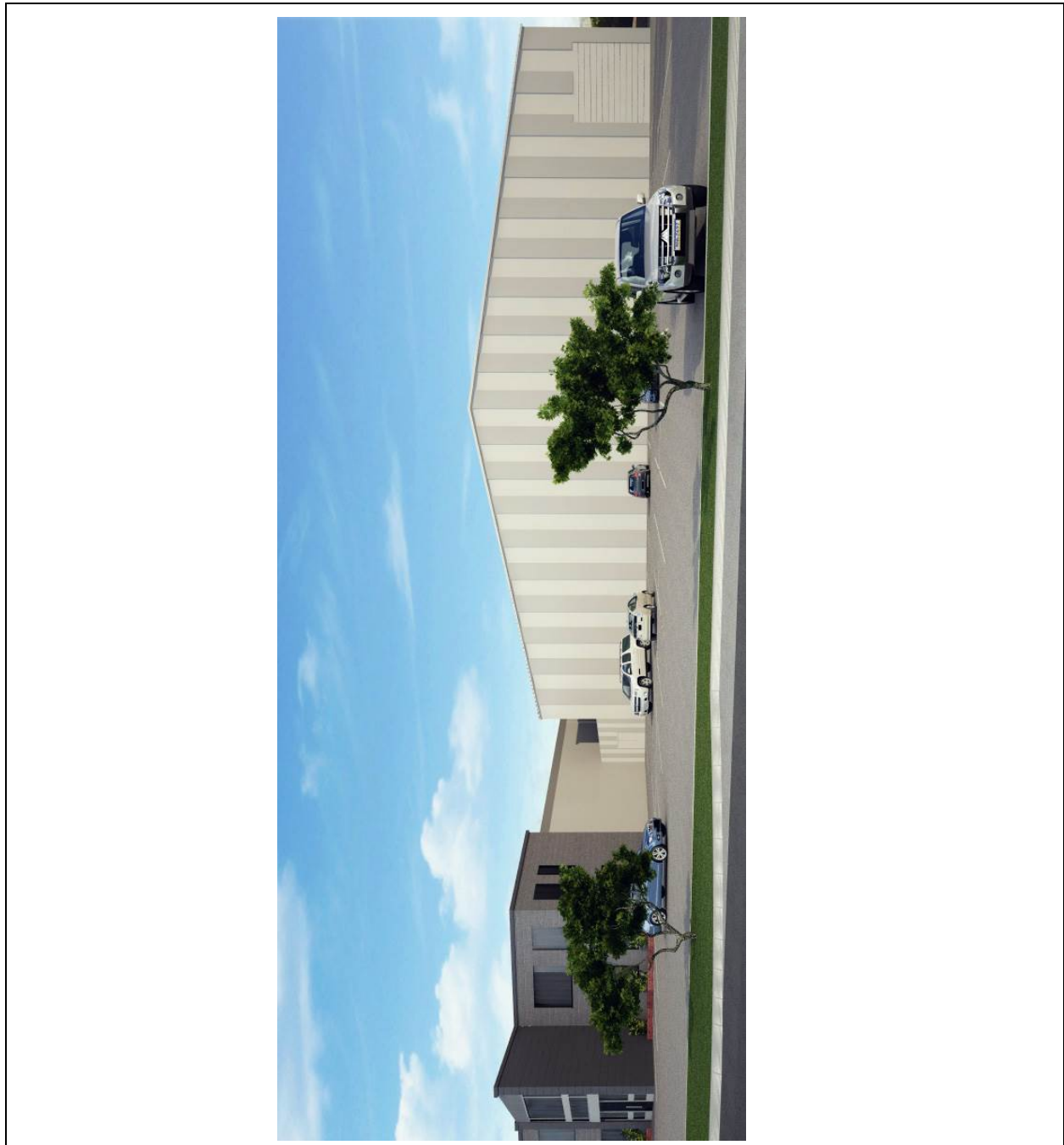
Applicant:
Richard Karikari

Date: September 30, 2015

Figure 3
Site Plan/Aerial Photo

Town of Ajax
Planning and
Development
Services





Application File No.: A27/15

Applicant:
Richard Karikari

Date: September 30, 2015

Figure 4
Rendering of Proposed Addition
View from Orchard Road

Town of Ajax
Planning and
Development
Services



TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Prepared By: Amanda Dunn, MES
Development Planner

Subject: **Minor Variance Application A28/15**
Gergi El-Saikali
80 Lincoln Street
Plan 590 Lot 57

Ward: 3

Date of Meeting: September 30, 2015

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A28/15 submitted by Gergi El-Saikali, to permit a minimum setback of 1.2 metres from the rear lot line to a proposed addition, subject to the following conditions:

1. That the Owner obtain a building permit for the proposed addition, or this decision shall become null and void.

Background & Proposal:

The applicant is proposing to construct an addition to the dwelling which will consist of a new main entrance (facing Lincoln Street), a new laundry room and a garage. The addition proposes a 1.2 metre setback from the rear lot line whereas; the Zoning By-law requires a minimum setback of 7.5 metres from a rear lot line.

Subject Property & Surrounding Land Uses:

The subject property is located on the northwest corner of Lincoln Street and Mill Street. The surrounding properties are low density residential uses consisting of single detached dwellings (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject property is designated “Low Density Residential”, 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 variance maintains the intent of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned "R1-B" – Residential One – "B" Zone by By-law 95-2003, as amended, which permits single detached dwellings. The proposed addition complies with all provisions of the zoning by-law with the exception of the minimum rear yard setback requirements.

Requested Minor Variance:***Minimum Rear Yard Setback Variance***

The intent of the minimum rear yard setback is to maintain an appropriate rear yard amenity area and to provide a buffer between the dwelling on the lot and the abutting properties.

The existing dwelling is located at the southwest corner of Lincoln Street and Mill Street. The yard along Lincoln Street is being used as the front yard, even though this yard by definition is an exterior side yard. The yard along Mill Street is being used as an exterior side yard, but by definition is the front yard. Zoning By-law 95-2003, as amended defines the rear lot line as meaning the furthest lot line opposite the front yard. Although by definition the proposed addition reduces the rear yard setback, this yard based on the operation of the site, is used as an interior side yard (the minimum required setback for an interior side yard is 1.2 metres), and currently accommodates the existing driveway and a shed. The existing interior side yard is approximately 4.0 metres in width and is used as outdoor amenity space. Amenity space is also provided within the front and exterior side yards.

The proposed addition would not adversely impact the neighbors to the west, as the addition would be the same height as the existing dwelling and there is existing vegetation along the western property line, which would provide an appropriate buffer. The proposed addition would not extend beyond the existing width or depth of the dwelling and would not further impact the neighbor to the north.

Staff are of the opinion that the reduction of a rear yard setback from 7.5 metre to 1.2 metres would be considered minor in nature, as the existing rear yard operates as an interior side yard and the lot has sufficient amenity space within the front, interior and exterior side yards.

Other Comments:

Design Services - Ensure existing trees are not being impacted by the building addition. If they have to be removed or impacted, Design Services suggest the home owner hires a certified arborist to remove the trees.

Transportation Services - no comments.

Building Services - a building Permit is required for the proposed addition.

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 support Minor Variance Application A28/15 submitted by Gergi El-Saikali to permit a minimum rear yard setback of 1.2 metres for an addition to an existing dwelling, as the request is:

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



Amanda Dunn, MES
Development Planner



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



Application File No. A28/15

Applicant: Gergi El-Saikali

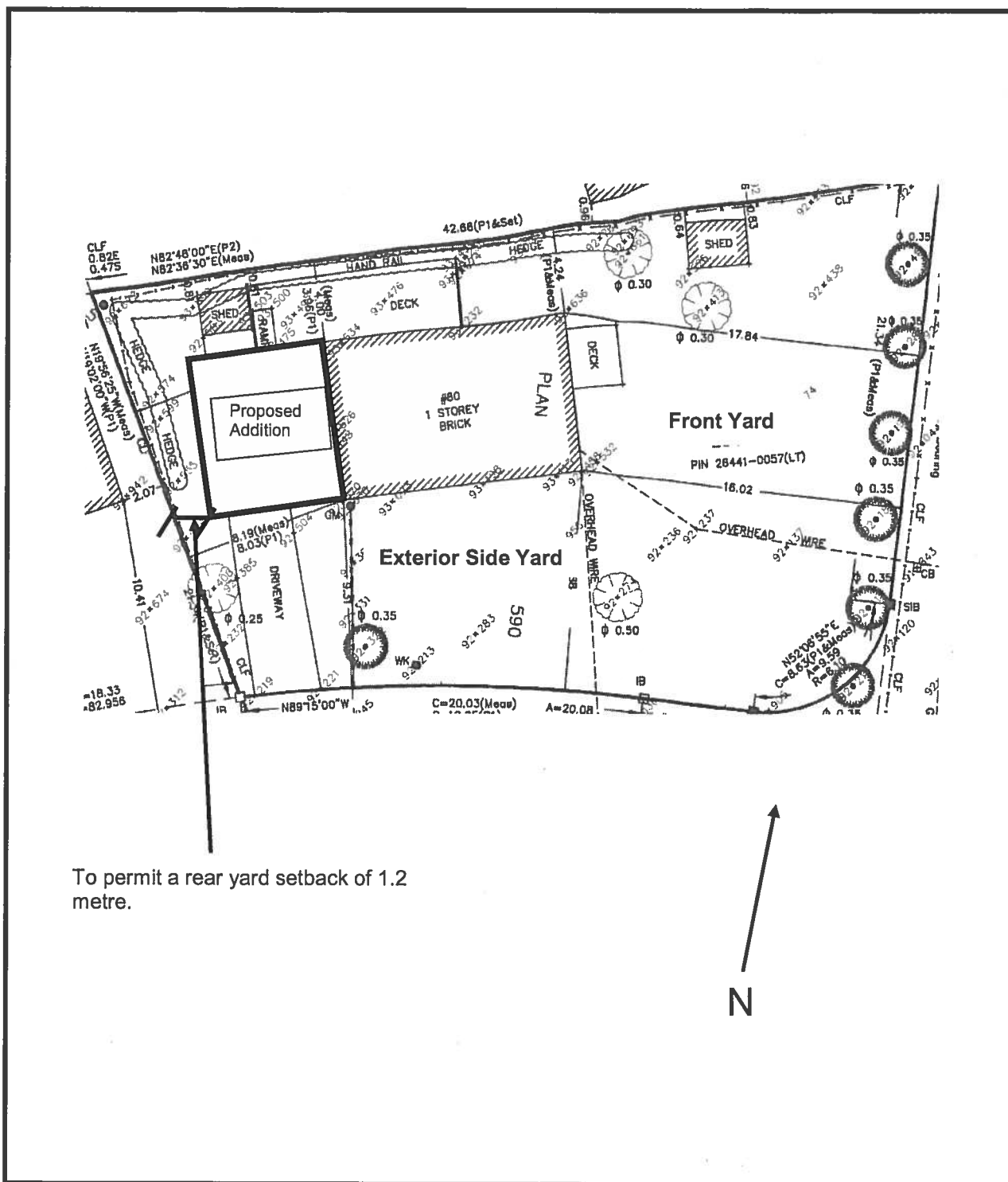
Date: September 30, 2015

Figure 1

Subject Lands
80 Lincoln Street

Town of
Ajax
By the Lake

Town of Ajax
Planning & Development Services



To permit a rear yard setback of 1.2 metre.



Application File No. A28/15

Applicant: Gergi El-Saikali

Date: September 30, 2015

Figure 2

Proposed Site Plan
80 Lincoln Street

Town of
Ajax
By the Lake
Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



REPORT TO: Committee of Adjustment

SUBMITTED BY: Sean McCullough, BES
Development Planner

PREPARED BY: Philip Yeung, BLA, OALA, CLSA, MCIP, RPP
Development Landscape Architect

SUBJECT: **Minor Variance Application A29/15**
2318226 Ontario Limited (Rodcliff Chung)
425 Kingston Road West

WARD: 3

DATE OF MEETING: September 30, 2015

REFERENCE: Site Plan SP17/10

RECOMMENDATION:

That the Committee of Adjustment approve Minor Variance Application A29/15, submitted by 2318226 Ontario Limited (Rodcliff Chung) to permit a minimum two-way drive aisle width of 3.2 metres with no adjacent parking; whereas, Zoning By-law 95-2003, as amended requires a minimum two-way drive aisle width of 7.0 metres with no adjacent parking, subject to the following conditions:

1. That the applicant obtain approval of Site Plan Application SP17/10 and enter into a site plan agreement with the Town, or this decision shall become null and void;
2. That the applicant obtain a building permit for the proposed development, or this decision shall become null and void; and
3. That the variance only applies to the two-way aisle located in the front yard and east interior side yard as illustrated in Figure 2 (Proposed Site Plan) of this report, or this decision shall become null and void.

Background:

On October 5, 2010, the Town received an incomplete site plan application submitted from the previous owner, who continued to complete work on site without Site Plan Approval. On April 19, 2012, Rodcliff Chung became the current owner of the subject property, and submitted a complete Site Plan Application (SP17/10) on January 16, 2014. The Site Plan Application is proposing the conversion of a portion of an existing two-storey building (from a single detached dwelling to a hair salon), with a new building addition, parking area and associated site works at the rear of the property.

Proposal:

A minor variance is required to permit a minimum two-way drive aisle width of 3.2 metres with no adjacent parking; whereas, the zoning by-law requires a minimum two-way drive aisle width of 7.0 metres with no adjacent parking.

Subject Lands and Surrounding Land Uses:

The subject property (425 Kingston Road) is located on the south side of Kingston Road West, between Mill Street and Rotherglen Road (See Figure 1 – Subject Lands). Abutting the subject lands to the east, west and south, there are existing single-detached dwellings fronting onto Kingston Road and Dingley Court. Across Kingston Road to the north, there are two existing single-detached dwellings fronting onto Pinoak Road.

Pickering Village

In 2007, the Town completed the Pickering Village Land Use Planning and Urban Design Study, which was designed to ensure that new development within the Pickering Village adheres to consistent and well defined building and landscaping design standards, thereby protecting the historic integrity of the district as well as promoting the character of the Pickering Village neighbourhood as a unique heritage resource. As a result of the study, the Town's Official Plan and Zoning By-law were amended to ensure that development will reflect urban design and built form that is scaled to the pedestrian, addresses the public realm, and is contextually sensitive to the area's historic character and surrounding natural features.

Town of Ajax Official Plan

The subject property is designated "Village Centre" in the Town of Ajax Official Plan, which provides for a broad range of uses such as, but not limited to, retail stores, personal services shop, and medical and professional offices. This proposal conforms to the policies of the Town of Ajax Official Plan.

Town of Ajax Zoning By-law 95-2003, as amended

The subject property is zoned Village Core Mixed Use Three (VC3) Zone in the Town of Ajax Zoning By-law 95-2003, as amended. The VC3 zone category permits uses such as, but not limited to, Art Gallery, Office, Personal Service Shop and Retail Store (to a maximum of 140.0 m² GFA). The property would comply with all provisions of the zoning by-law, except the minimum two-way drive aisle width where there is no adjacent parking.

Requested Minor Variance:***Minimum Two-Way Drive Aisle Width with No Adjacent Parking Variance***

The intent of providing a minimum drive aisle width for two-way vehicular traffic is to ensure safe two-way passage of vehicles when travelling through a property. The subject lands were formerly designed and used for residential purposes; therefore there were no parking spaces at the rear of

the property prior to 2010. However, an informal gravel drive aisle was installed east of the building in 2010. The existing drive aisle, which is 3.2 metres in width, is located between the existing building and easterly property line. The property's dimensions and the location of the existing building does not allow for the widening of the drive aisle to the required two-way width of 7.0 metres (see Figure 2 – Proposed Site Plan).

Appropriate signage directing vehicles on site is proposed as a condition of site plan approval and the installation would be a requirement through the site plan application. Outbound travelling vehicles will be required to yield to inbound vehicles to ensure there is no vehicular conflict along the drive aisle. A total of thirteen (13) parking spaces are proposed, with one (1) barrier free in front of the building and twelve (12) parking spaces at the rear of the site, which is the minimum requirement under the zoning by-law.

Given the sites physical constraints and the minimal traffic volume that will be generated by the redevelopment of the subject lands, the reduction of the minimum two-way drive aisle width for two-way directional vehicular traffic that is not adjacent to parking spaces from 7.0 metres to 3.2 metres is appropriate. In staff's view, the requested variance is minor in nature and meets the general intent and purpose of the official plan and zoning by-law, as the proposed installation of on-site traffic signage and site alterations will ensure safe two-way passage of vehicles travelling to and from the subject lands.

Other Comments:

Building Services: no comments;

Design Services: no comments;

Engineering Services: no comments;

Transportation Services: provide a traffic sign "Outbound vehicles must yield to inbound traffic" at the southeast corner of the building where the drive aisle exits out from the parking area;

Operations Services: no comments;

Fire 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 above discussion, Staff are of the opinion that Minor Variance Application A29/15, submitted by 2318226 Ontario Limited (Rodcliff Chung), to permit a minimum two-way drive aisle width of 3.2 metres with no adjacent parking, is:

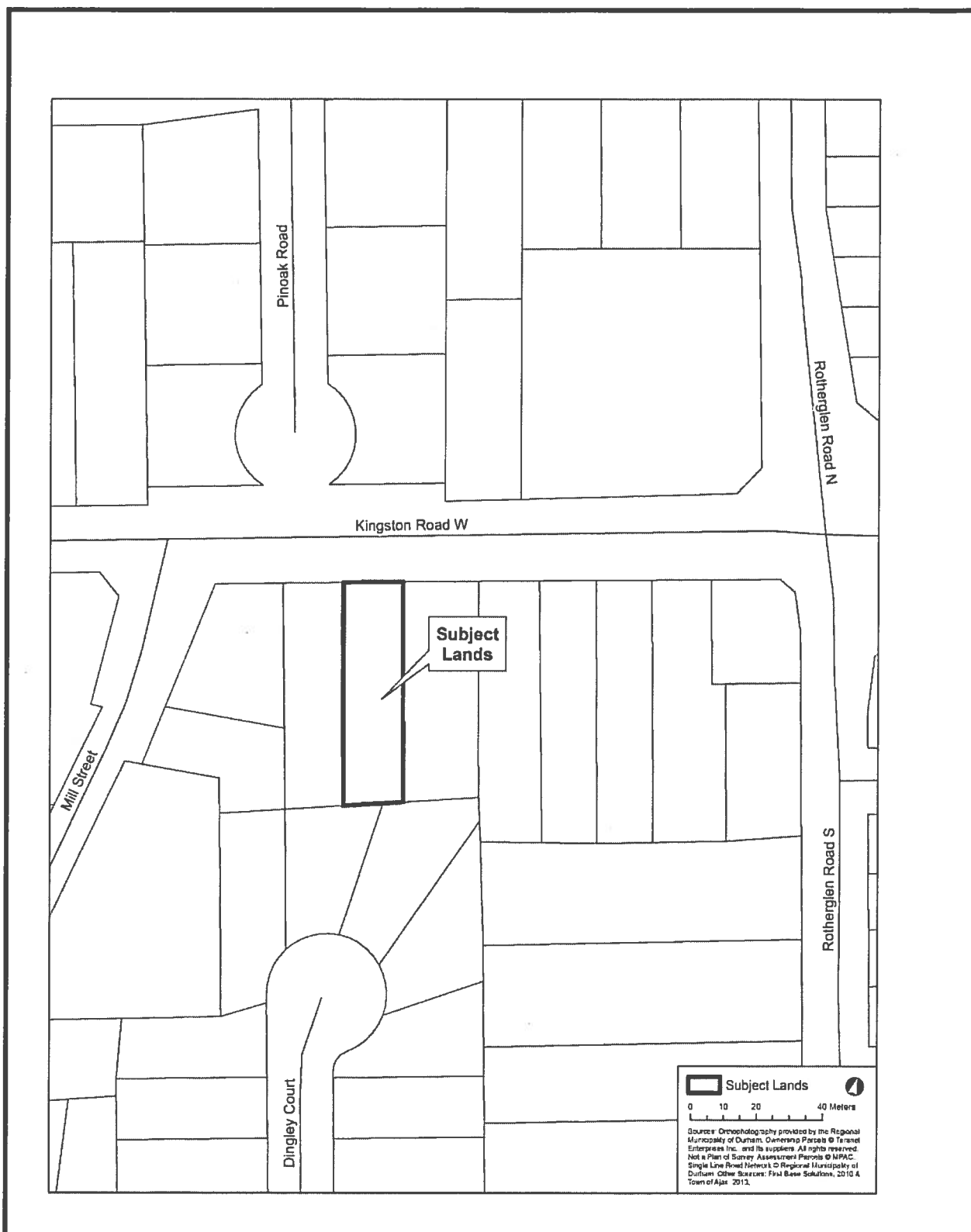
- 1) minor in nature;
- 2) desirable and an appropriate use of the land; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Philip Yeung,
BLA, OALA, CLSA, MCIP, RPP
Development Landscape Architect



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



Application File No. A29/15

Applicant: 2318226 ONTARIO LIMITED

Date: Sep 30, 2015

Figure 1

**Subject Lands
425 Kingston Road West**



**Town of Ajax
Planning & Development Services**

