



Planning & Development Services

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TOWN OF AJAX

65 Harwood Avenue South
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AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall
65 Harwood Avenue South, Ajax
Council Chambers
Wednesday, July 27, 2016
Meeting: 7:00 p.m.

Open Meeting

1. Call to Order
2. Disclosure of Interest
3. Adoption of [June 29th, 2016 Committee of Adjustment meeting minutes](#)
4. Outline of the General Mandate of the Committee of Adjustment.
5. Applications:

a) A23/16 – 44 Ontoro Blvd – 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 setback of 10.8 metres and a maximum lot coverage of 22.5%.

b) A24/16 – 3018 Ebony Street – John and Flora Niro

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

c) A25/16 – 45 Selby Drive - Andre and Shanaaz Vanier

To permit a maximum driveway width of 5.9 metres.

d) A26/16 – 46 Selby Drive – Rob McCormick

To permit a maximum driveway width of 6.2 metres.

e) A27/16 – 570 Westney Road South Units 25, 26, and 27 – 1002534 Ontario Inc.

To permit a commercial school.

f) A28/16 – 1133 Ravenscroft Road – Paul Thompson

To permit a maximum driveway width of 7.5 metres.

g) A29/16 – 328 Williamson Drive West – Lala Naeem

To permit a maximum driveway width of 7.6 metres.

h) A30/16 – 1, 3, 5, 7 Rossland Road East and 901 Harwood Avenue North – Belmont Equity (Rossland Landing) Ajax Inc.

- To permit weather protection to be located only at customer entrances abutting a public road (including entrances located within 3.0 metres) and second floor lobby entrances (7 Rossland Road East and 901 Harwood Avenue North) for all two storey buildings;
- To permit a minimum parking rate of 1.0 required parking space per 25.0 m² of gross floor area (a minimum of 375 parking spaces);
- To permit a minimum of 7 vehicle queuing spaces before a service window (5 Rossland Road East);
- To permit a minimum parking space length of 5.7 metres.

i) A31/16 - Niravkumar Sheth – 30 Hibbard Drive

To permit a maximum driveway width of 5.4 metres.

6. Other Business/New Business

- Update on Bill 73 (Amendments to the *Planning Act*)
- Thank you to Member Michael Briand.

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 June 29, 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

1. Call to Order – June 29, 2016, Town of Ajax, Committee of Adjustment Meeting

Meeting called to order at 7:00 p.m. on June 29, 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.

There were none.

3. Adoption of May 25, 2016 and Town of Ajax Committee of Adjustment Meeting Minutes

Chair Milligan asked for a motion to adopt the minutes from the May 25, 2016 Committee of Adjustment meeting.

Proposed by: Member Briand
Seconded by: Member Molinari

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 A18/16
Suzan Ann Frederick
31 Selby Drive**

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 no responses were received.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A18/16 submitted by Suzan Ann Frederick, to permit a maximum driveway width of 5.4 metres, subject to the following condition:

- 1. That the Owner/Applicant obtain a building permit for the proposed accessory apartment, or this decision shall become null and void.**

Mrs. Frederick was in attendance to represent the application and gave a brief description of the proposal. She identified that the driveway width is required to accommodate the required parking.

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 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 Molinari.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A18/16 submitted by Suzan Ann Frederick, to permit a maximum driveway width of 5.4 metres, subject to the following condition:

- 1. That the Owner/Applicant obtain a building permit for the proposed accessory apartment, or this decision shall become null and void.**
-

**Minor Variance Application A19/16
Nancy and Kevin Henry
68 Monk Crescent**

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 one response was received from Jana McDougall, 70 Monk Cres. A copy has been provided to the Committee and staff have responded to Mrs. McDougall's questions regarding the tree.

The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A19/16 submitted by Nancy and Kevin Henry, to permit a maximum driveway width of 5.9 metres.

Mrs. Nancy Henry was in attendance to represent the application. Mrs. Henry provided an overview of her daughter's requirements and outlined that the proposal was to provide barrier free access to the dwelling for her daughter.

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 Molinari

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A19/16 submitted by Nancy and Kevin Henry, to permit a maximum driveway width of 5.9 metres.

**Minor Variance Application A20/16
Ingrid Reicher
40 Selby Drive**

To permit a maximum driveway width of 6.1 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 A20/16 submitted by Ingrid Reicher, to permit a maximum driveway width of 6.1 metres

Mr. Ingrid Reicher was in attendance to represent the application and identified that the staff report adequately addressed the request.

Member Ahmed requested more information of the accessibility requirements.

Member Roberts requested to confirm that the driveway would be maintained as is.

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 Briand

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A20/16 submitted by Ingrid Reicher, to permit a maximum driveway width of 6.1 metres

**Minor Variance Application A21/16
Rajendra and Nadine Singh
1131 Ravenscroft Road**

To permit a maximum driveway width of 6.95 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 A21/16 submitted by Rajendra and Nadine Singh, to permit a maximum driveway width of 6.95 metres.

Mr. Rajendra Singh was in attendance to represent the application, and identified that the proposed widening was completed for decorative purposes.

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 Roberts.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A21/16 submitted by Rajendra and Nadine Singh, to permit a maximum driveway width of 6.95 metres.

Minor Variance Application A22/16

Srdan Jezic

11 Holroyd Street

Lot 115, Plan 40M-2504

To permit uncovered steps to encroach 0.4 metres into the required 1.2 metre west 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 A22/16, submitted by Srdan Jezic, to permit uncovered steps to encroach 0.4 metres into the required 1.2 metre west 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. Srdan Jezic was in attendance to represent the application and gave a brief description of the application.

Member Ahmed asked if the work had already been completed.

Member Roberts asked if this could be considered a tripping hazard.

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 Ahmed.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A22/16, submitted by Srdan Jezic, to permit uncovered steps to encroach 0.4 metres into the required 1.2 metre west 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 A23/16
Heidi Strassguertl
44 Ontoro Boulevard

To permit a minimum east interior side yard setback of 1.5 metres, a minimum west interior side yard setback of 2.4 metres, a minimum rear yard setback of 9.4 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 is that the Committee of Adjustment defer Minor Variance Application A23/16 submitted by Heidi Strassguertl, to a future Committee of Adjustment meeting in order for staff to obtain comments from the Central Lake Ontario Conservation Authority (CLOCA), prior to staff preparing a recommendation report.

The committee discussed the deferral of the application.

Mr. Robert Wright – neighbour from 40 Ontoro Blvd was in attendance to obtain more information regarding the application.

Member Molinari made a motion to defer the application to a future meeting of the Committee of Adjustment following the submission of comments from the Central Lake Ontario Conservation Authority (CLOCA).

All in favour

Carried

Decision: That the Committee of Adjustment defer Minor Variance Application A23/16 submitted by Heidi Strassguertl, to a future Committee of Adjustment meeting in order for staff to obtain comments from the Central Lake Ontario Conservation Authority (CLOCA), prior to staff preparing a recommendation report.

6.0 Other Business/New Business Continued

- The committee discussed how the deferral of an application should be dealt with.
- Member Briand has submitted his resignation and his last meeting will be the July 2016.
- Bill 73: Smart Growth for our Communities Act (Planning Act Amendments).

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

Subject: **Minor Variance Application A23/16**
Heidi Strassguertl
44 Ontoro Blvd.
Plan 525 Block I

Ward: 4

Date of Meeting: July 27th, 2016

Report To: Committee of Adjustment

Recommendation:

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.**

Background & Proposal:

The applicant is proposing to reconstruct the existing one storey dwelling and replace it with a two storey dwelling with an approximate floor area of 2030 ft². Minor Variance application A23/16 was forwarded to the June 29th, 2016 Committee of Adjustment meeting, and was deferred by the committee until comments from the Central Lake Ontario Conservation Authority (CLOCA) were obtained.

The applicant is requesting to permit a minimum east interior side yard setback of 1.5 metres which currently exists, a minimum west interior side yard setback of 2.4 metres, a minimum rear yard setback of 10.8 metres, and a maximum lot coverage of 22.5%; whereas, the Zoning By-law requires a minimum interior side yard setback of 7.5 metres, a minimum rear yard setback of 15.0 metres, and a maximum lot coverage of 20%.

Subject Property & Surrounding Land Uses:

The subject property is located on the south side of Ontoro Boulevard, west of Lake Ridge Road South, and is municipally known as 44 Ontoro Boulevard. The subject property is surrounded by smaller rural residential lots with single detached dwellings to the north and east. Abutting the lands to the west is a vacant parcel of land owned by the Town, further west are smaller rural residential lots. To the south, the lands abut a communally owned parcel known as 'Block 'N', and further south is Lake Ontario (See Figure 1- Subject Lands). There is an existing single detached residential dwelling on the subject lands and the existing footprint has been demonstrated on the proposed site plan (See Figure 2 – Proposed Site Plan).

Greenbelt Policy:

The subject property is within the Provincial Greenbelt and is situated within the Protected Countryside designation which permits single dwellings on existing lots of record, provided they were zoned for such as of the date of the Greenbelt Plan came into force.

Town of Ajax Official Plan:

The subject property is designated "Rural Area" within the Town of Ajax Official Plan. Section 2.2.4.2 a) ii) of the Town of Ajax Official Plan permits one single detached dwellings on an existing lot of record provided development of the single detached dwelling is consistent with the goals and policies of Section 2.2.3 of this Plan, and provided the lot has sufficient area to accommodate private water and sewer systems. The proposed application maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Country Residential (CR) Zone in Zoning By-law 95-2003, as amended. A detached dwelling is a permitted use within the CR Zone.

The existing dwelling on the subject lands was constructed prior to the passing of Zoning By-law 95-2003, as amended. Section 4.16 (Non-Complying Buildings or Structures) of the Zoning By-law indicates that where a building has been erected prior to the day of the passing of the current Zoning By-law on a lot having less than the minimum frontage and/or depth and/or area, or having less than minimum setback and/or side yard and/or rear yard and/or minimum usable open space required by this By-law, the said building may be enlarged, repaired or renovated provided that:

- i. The enlargement, repair or renovation does not further reduce a required yard or open space having less than the minimum required by this Bylaw; and,
- ii. All other provisions of this By-law are complied with.

As the applicant is proposing to reconstruct a new foundation, the legal non-conforming status would be lost. Therefore, the applicant is requesting to recognize the existing east interior side yard setback, and would increase the rear yard setback.

The proposed development does not comply with the minimum rear yard setback, the minimum interior side yard setbacks, or the maximum lot coverage for this zone category. The applicant has requested these variances in order to permit the construction of a new detached dwelling.

Requested Minor Variances:***Maximum Lot Coverage Variance***

The intent of the maximum lot coverage requirement is to maintain an appropriate amount of amenity/landscape area uncovered by buildings on a lot and to regulate the maximum size and mass of buildings on a lot.

The applicant is proposing a maximum lot coverage of 22.5%; whereas, Zoning By-law 95-2003, as amended, permits a maximum lot coverage of 20%. The 2.5% increase in lot coverage would not represent an unreasonable imposition on the outdoor amenity areas, as the existing front yard would be maintained and the rear yard would be increased in size and would enhance the useable outdoor amenity space. A 2.5% increase in lot coverage is considered to be minor and would not be out of character within this neighbourhood as there have been similar variances granted. The request is considered minor in nature and desirable for the appropriate development of the lands.

Minimum Interior Side Yard Setback Variances

The intent of the minimum interior side yard setback is to maintain an appropriate buffer between the dwelling on a lot and abutting properties. The applicant is requesting to recognize the existing east interior side yard setback of 1.5 metres, and to permit a minimum west interior side yard setback of 2.4 metres; whereas, Zoning By-law 95-2003, as amended, permits a minimum interior side yard setback of 7.5 metres.

A minimum setback of 1.5 metres to the interior side lot line on the east side of the dwelling would continue to maintain the existing setback, and would maintain an appropriate setback between the proposed dwelling and the dwelling to the east. The request is considered to be desirable for the appropriate development of the lands.

A minimum setback of 2.4 metres from the west interior side lot line would maintain a sufficient buffer from the proposed dwelling to the west interior side lot line. The proposed setback of 2.4 metres would not impact the property to the west as the property is a vacant parcel owned by the Town of Ajax. Further, the proposed setback of 2.4 metres would not be out of character of the neighbourhood as existing legal non-conforming dwellings with similar setbacks are common throughout the neighbourhood and similar minor variances have been approved.

It is staff's opinion that the requests to permit a minimum east interior side yard setback of 1.5 metres and a minimum west interior side yard setback of 2.4 metres are minor in nature and desirable for the appropriate development of the lands. The proposed variances would also maintain the general intent of the official plan and zoning by-law.

Minimum Rear Yard Setback 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 15.0 metres to 10.8 metres would maintain a suitable outdoor amenity area within the rear yard. Further, the proposed setback of 10.8 metres would actually increase the rear yard setback as the existing rear yard setback is only 8.82 metres. In consultation with CLOCA, the applicant has moved the dwelling as far from the lake as possible, while maintaining sufficient space in the front yard to accommodate a new septic system. Therefore, the proposed rear yard setback would create a larger rear yard amenity area, and move the dwelling further from the Lake Ontario Shoreline. No dwellings would be impacted to the rear (south) as Lake Ontario is to the south.

For these reasons, the requested rear yard setback of 10.8 metres is considered to be minor in nature and desirable for the appropriate development of the lands.

Other Comments:

Design Services - The subject property is located within the Greenbelt area and is subject to the Tree Protection By law. If any trees are proposed to be removed, the applicant is reminded to obtain a tree cutting permit.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - Historical Drainage is to remain.

Central Lake Ontario Conservation Authority –

CLOCA staff have no objections to the proposed application. The lands are subject to Ontario Regulation 42/06, Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses and written permission is required from the Authority prior to development.

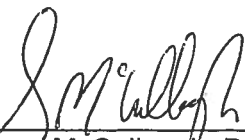
Communications:

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.

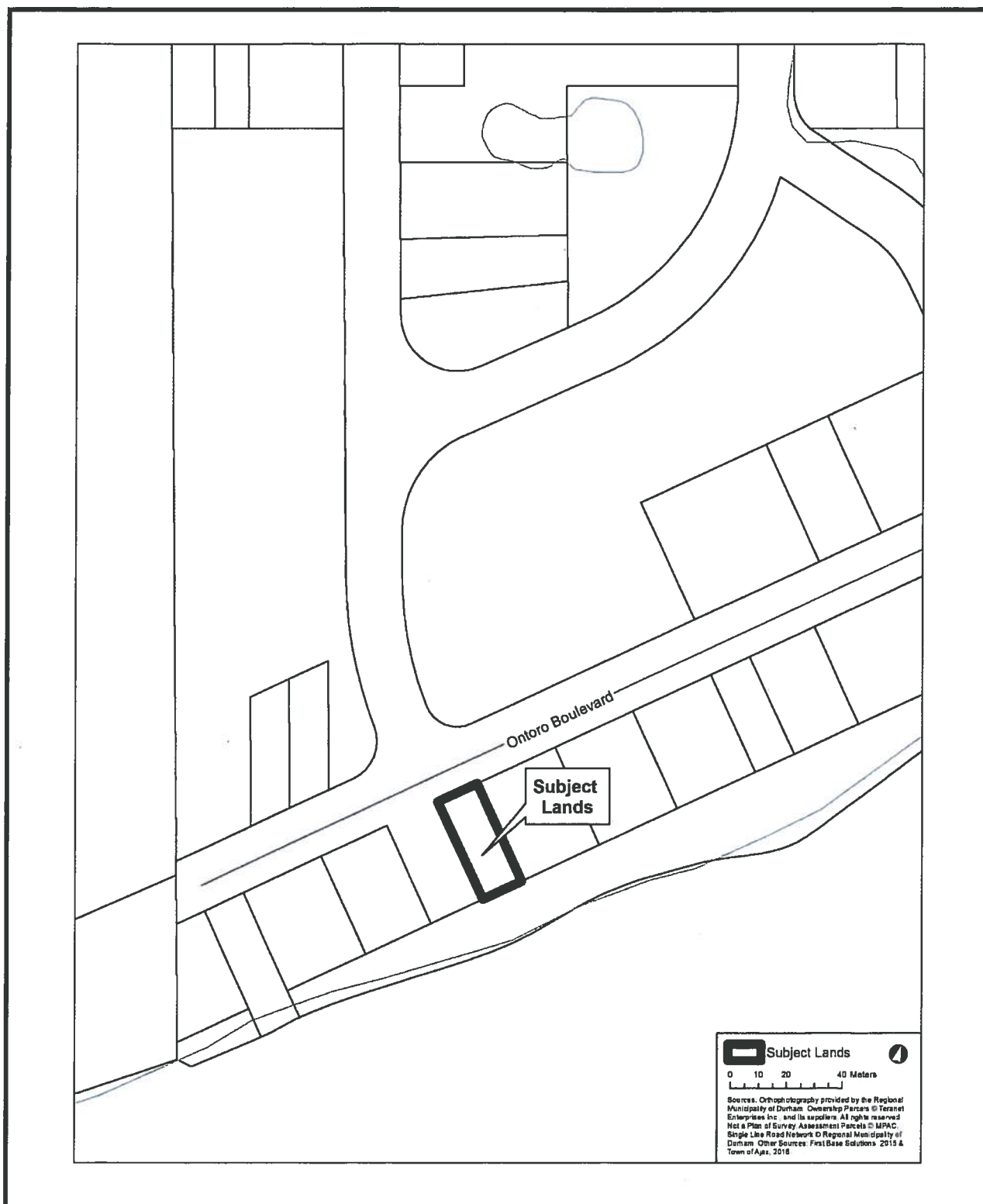
Conclusion:


Based on the discussion above, staff are of the opinion that Minor Variance Application A23/16, submitted 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 setback of 10.8 metres and a maximum lot coverage of 22.5% to be:

- 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
Of Committee of Adjustment



<p>Application File No. A23/16</p> <p>Applicant: Heidi Strassguertl</p> <p>Date: July 27, 2016</p>	<p>Figure 1</p> <p>Subject Lands</p> <p>44 Ontoro Blvd</p>	 <p>Town of Ajax</p> <p>Planning & Development Services</p>
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74-2562-1056

**Town of Ajax
Planning & Development Services**



Reverse Proposed Front Elevation



Proposed Rear Elevation

Application File No. A23/16

Applicant: Heidi Strassguertl

Date: July 27, 2016

Figure 3

Proposed Elevation
44 Ontoro Blvd



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

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

Ward: 4

Date of Meeting: July 27, 2016

Recommendation:

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.**

Background & Proposal

The applicant has submitted Land Division Application LD077/2016, proposing to sever a vacant parcel on the northern half (442.6 m²) of 3018 Ebony Street and retaining the southern half (491.7 m²) with the existing dwelling. The application will be heard at the August 15, 2016 Region of Durham Land Division Committee meeting.

The owner has submitted a minor variance application 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; whereas, the zoning by-law requires a minimum lot depth of 30.48 metres, a maximum lot coverage of 33% or 150.96 metres whichever is less (for lots less than 603.85 m²), a minimum setback of 7.5 metres from a rear lot line, and uncovered steps to have a minimum setback of 1.8 metres from a rear lot line. The requested variances are required in order to sever the lands.

Subject Property & Surrounding Land Uses:

The subject property is located on the north side of Ebony Street in the Pickering Beach Neighbourhood, and is municipally known as 3018 Ebony Street. The subject property is surrounded by low density residential lots consisting of single detached dwellings to the north, east and west. To the south, across Ebony Street is Paradise Park (See Figure 1 – Subject Property).

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 requested variance conforms to the policies of the Town of Ajax Official Plan.

Zoning By-law 95-2003:

The subject property is zoned Residential One – 'B' (R1-B) Zone within Zoning By-law 95-2003, as amended and is subject to Exception 18. The R1-B zone permits single detached dwellings.

Exception 18 requires a minimum lot depth of 30.48 metres. The applicant is proposing to sever a new lot with a lot depth of 29.0 metres, while retaining a parcel with 32.21 metres.

Exception 18 permits a maximum lot coverage of 33% or 150.96 m², whichever is less for lots less than 603.85 m² (6,500 ft²); and a maximum lot coverage of 25% for lots equal to or greater than 603.85 m² (6,500 ft²). Once the lands have been severed the lot area of both parcels will be less than 603.85 m² and therefore permits a maximum lot coverage of 33%. The requested minor variance is to permit a maximum lot coverage of 35.5%.

Due to the placement of the existing dwelling in relation to the proposed lot line, the following variances are required: a minimum setback of 6.3 metres to the rear lot line, and to permit uncovered steps to be located 1.5 metres from the rear lot line. Whereas, Zoning By-law 95-2003, as amended requires a minimum setback of 7.5 metres from the rear lot line, and uncovered steps leading to or from a principle building or platform require a setback of 1.8 metres from the rear lot line.

Requested Minor Variances:**Minimum Lot Depth Variance**

The intent of the minimum lot depth requirement within a residential zone category is to provide for an appropriate sized lot to accommodate a dwelling while maintaining amenity areas in the front and rear yards. The requested variance is to permit a minimum lot depth of 29 metres (a reduction of 1.48 metres). The applicant cannot comply with the zoning by-law due to the location of the existing dwelling and below grade stairs.

The proposed lot depth will maintain appropriate sized lot that will accommodate the development of detached dwellings, which is in keeping with the existing housing types within the surrounding neighbourhood. The reduced lot depth would maintain appropriate front and rear yard amenity areas. Therefore, the proposed lot depth reduction is considered to be minor in nature, desirable for the appropriate development or use of the lands, and would meet the general intent and purpose of the Official Plan and Zoning By-law.

Maximum Lot Coverage Variance

The intent of the maximum lot coverage requirement is to maintain an appropriate amount of amenity space and to regulate the mass of buildings on a lot. The requested 2.5% increase in lot coverage would not represent an unreasonable imposition on the outdoor amenity space, as the existing dwelling would continue to have a sizeable amenity space in the rear and front yards. Further, the lot increase in lot coverage would apply to the existing dwelling that is not out of

character with the existing neighbourhood. Therefore, the request is considered to be minor in nature and desirable for the appropriate development of the land.

Minimum Rear Yard Setback Variance

The intent of the minimum rear lot line setback is to maintain an appropriate rear yard outdoor amenity area and provide a buffer between the dwelling on the lot and abutting properties. Due to the location of the existing dwelling and the location of the proposed lot line, the applicant cannot comply with the required setback to the rear lot line.

This proposed reduction would not impact the function of the rear yard and would maintain a suitable outdoor amenity area within the rear yard of the existing dwelling. The existing dwelling would maintain an appropriate buffer from the proposed lot where a future dwelling could be constructed. It is staff's opinion that the proposed rear lot line setback reduction from 7.5 metres to 6.3 metres (a 1.2 metre reduction) is appropriate and is minor in nature.

Minimum Setback from a Rear Lot Line to Uncovered Steps Variance

The intent of requiring uncovered steps leading to or from a principle building or platform to have a minimum setback of 1.8 metres is to ensure that there is sufficient space between the steps and a property line in order to provide space to access the stairs and provide an appropriate swale along the property line. The proposed location of the rear lot line would maintain a setback of 1.5 metres (a reduction of 0.3 metres), and would provide sufficient space to access the stairs and provide a swale along the future rear lot line. The proposal is considered to be minor in nature and desirable for the appropriate development of the lands.

Other Comments:

Transportation Services - no comments;

Design Services – no comments;

Building Services – consideration should be given to future accessory buildings;

Operations – no comments;

Fire Services – no comments;

Engineering Services - no comments;

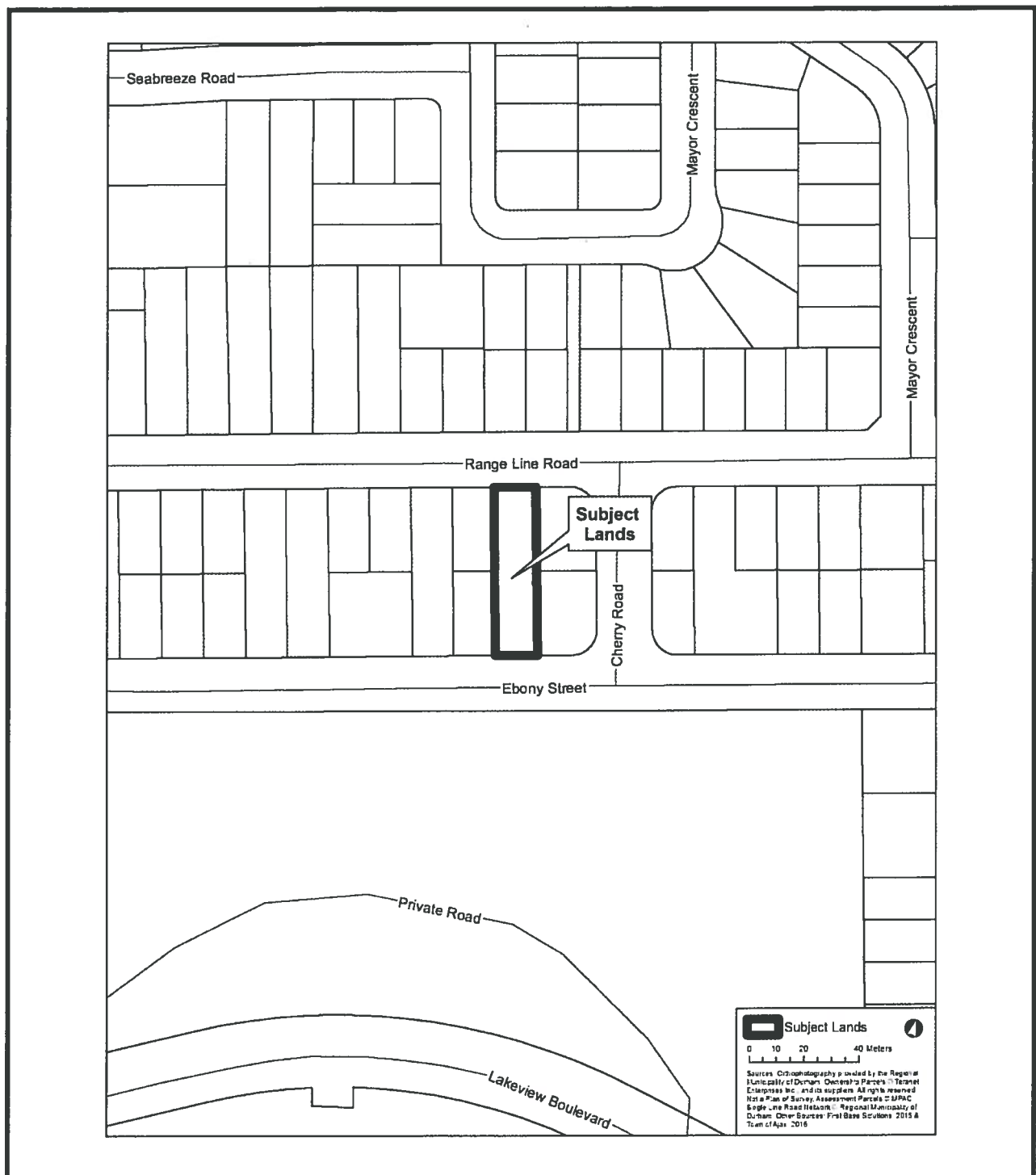
Conclusion:

Based on the discussion above, staff are of the opinion that **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 of 6.3 metres, and to permit uncovered steps to be setback 1.5 metres from the rear lot line, 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



Application File No. A24/16

Applicant: John Niro

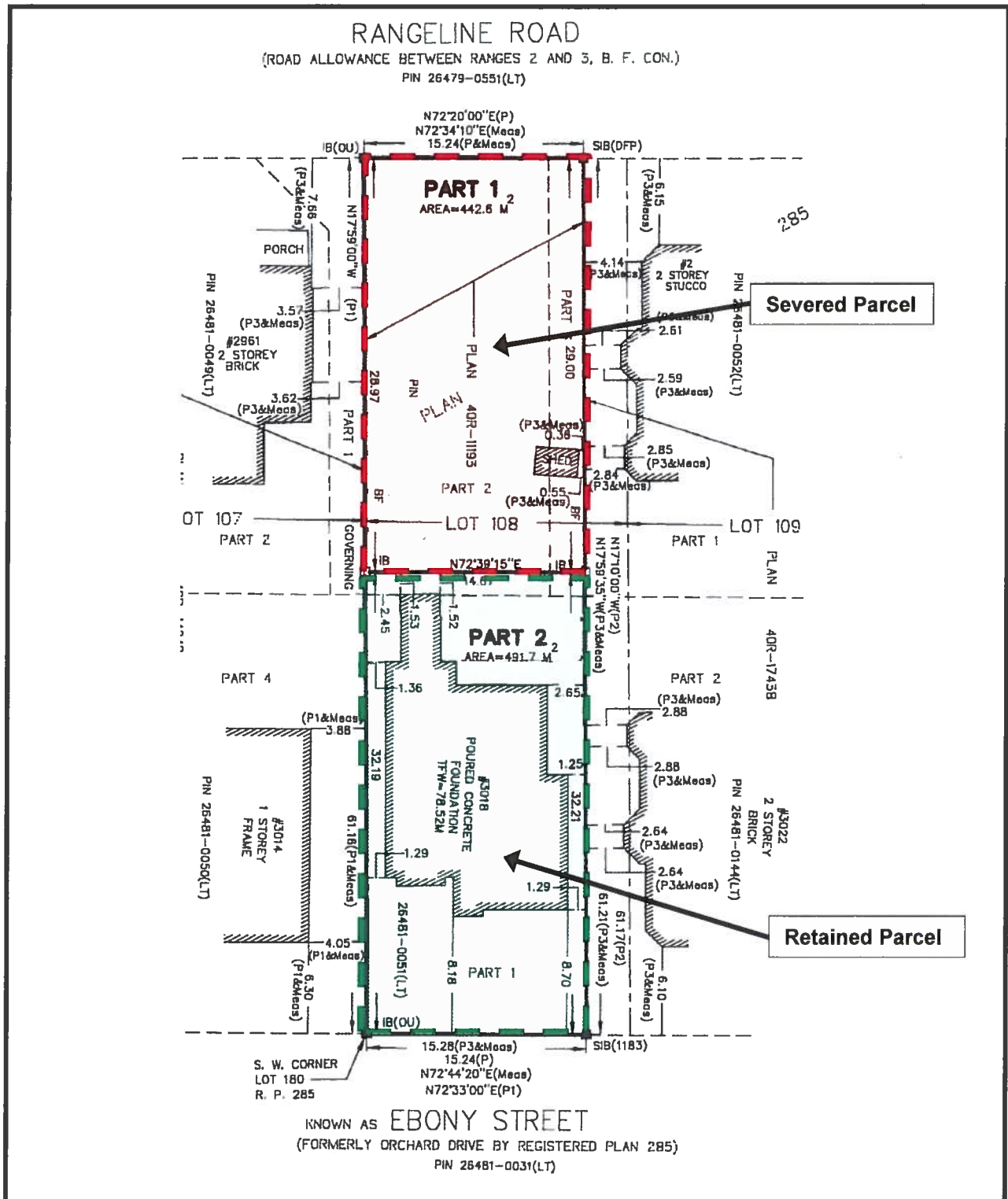
Date: July 27, 2016

Figure 1

Subject Lands
3018 Ebony Street



Town of Ajax
Planning & Development Services



Application File No. A24/16

Applicant: John Niro

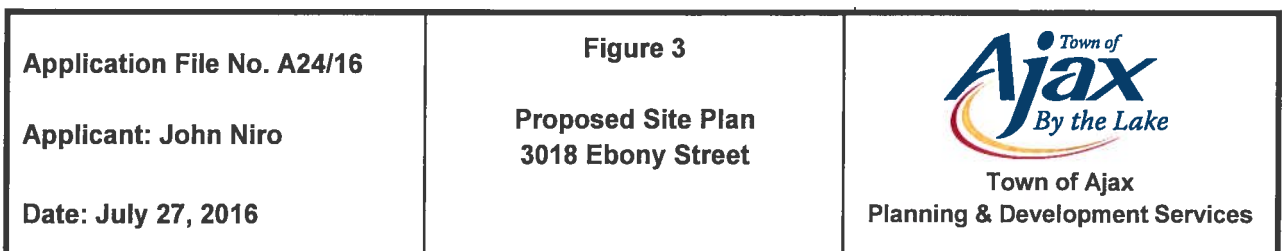
Date: July 27, 2016

Figure 2

Proposed Land Division
LD077/2016
3018 Ebony Street



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

Ward: 1

Date of Meeting: July 27, 2016

Recommendation:

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.

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 45 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:

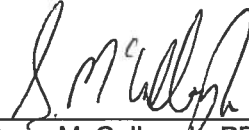
Based on the discussion above, staff are of the opinion that Minor Variance Application A25/16, submitted by Andre and Shanaaz Vanier, to permit a maximum driveway width of 5.9 metres, is:

- 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.



Amanda Dunn, MES, MCIP, RPP
Development Planner



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



Application File No. A25/16

**Applicant: Andre & Shanaaz
Vanier**

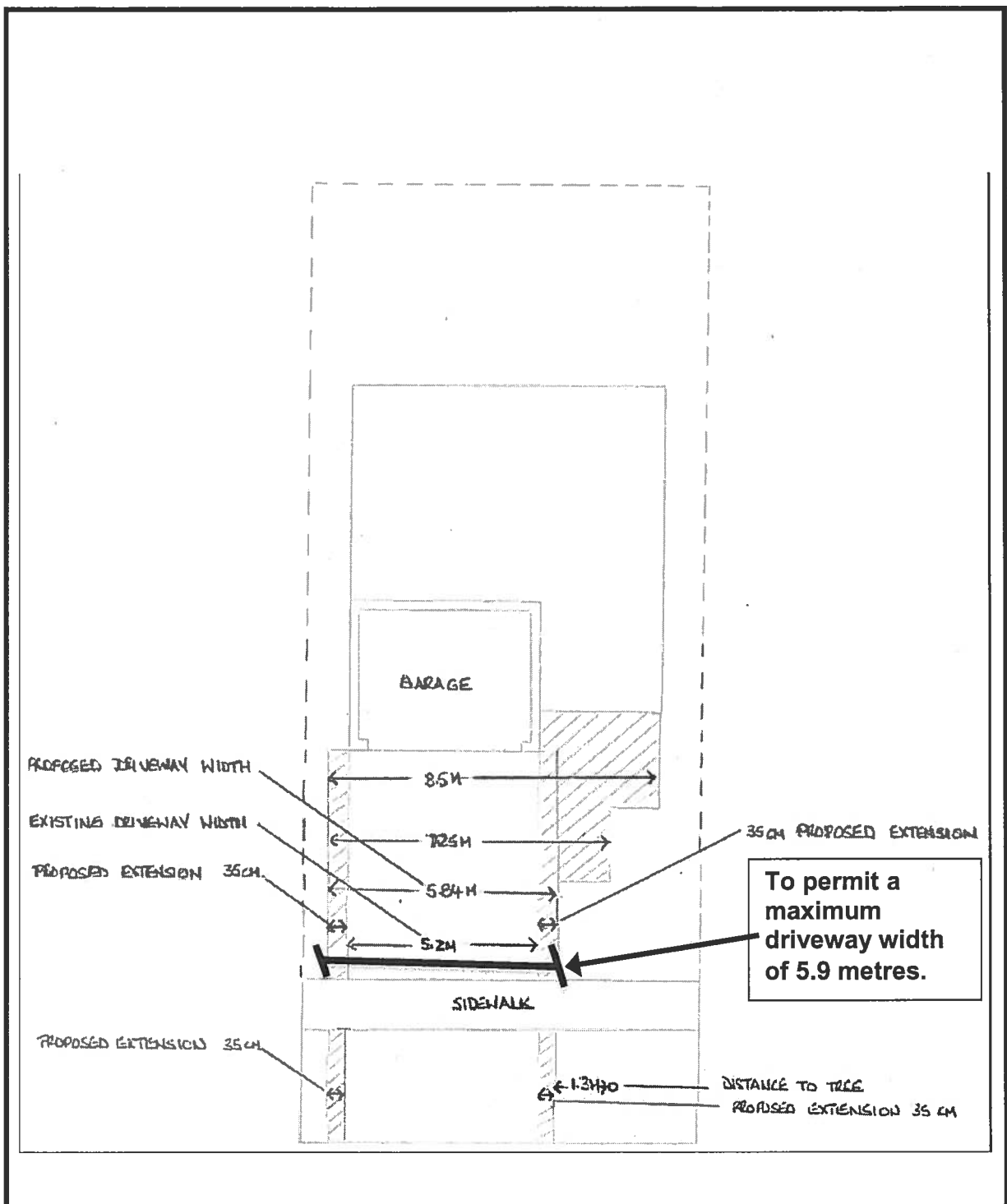
Date: July 27, 2016


Figure 1

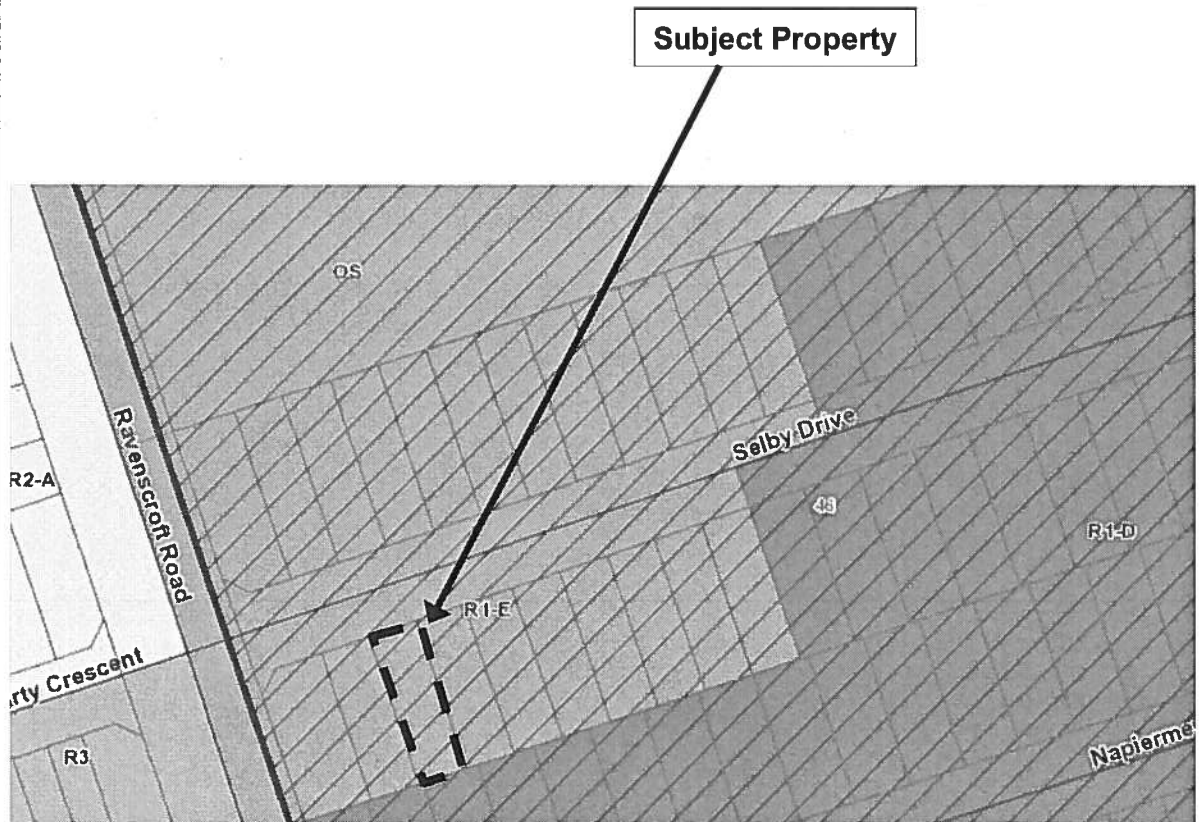
**Subject Lands
45 Selby Drive**



**Town of Ajax
Planning & Development Services**



<p>Application File No. A25/16</p> <p>Applicant: Andre & Shanaaz Vanier</p> <p>Date: July 27, 2016</p>	<p>Figure 2</p> <p>Proposed Site Plan 45 Selby Drive</p>	<p></p> <p>Town of Ajax Planning & Development Services</p>
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Application File No. A25/16

Applicant: Andre & Shanaaz
Vanier

Date: July 27, 2016

Figure 3

Zoning Information
45 Selby Drive



Town of Ajax
Planning & Development Services

Subject Property



Application File No. A25/16

**Applicant: Andre & Shanaaz
Vanier**

Date: July 27, 2016

Figure 4

**Image of Subject Lands
45 Selby Drive**



**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 A26/16
Rob McCormick
46 Selby Drive
Plan 40M-2345 Lot 82

Ward: 1

Date of Meeting: July 27, 2016

Recommendation:

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.

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. Currently, the driveway on the subject lands and the driveway to the west (1133 Ravenscroft Road) are connected with interlock brick. The applicant and the neighbour to the west have agreed to undertake work to restore the grass swale between the two properties.

The applicant has requested a minor variance application in order to legalize the existing driveway width of 6.2 metres; whereas, Zoning By-law 95-2003, as amended permits a maximum driveway width of 5.0 metres. The applicant has identified that the increased driveway width is to provide a walkway for children to safely enter and exit the motor vehicles and will not be for parking.

Subject Property & Surrounding Land Uses:

The subject property is located on the north side of Selby Drive, and is municipally known as 46 Selby Drive. Abutting the lands to the north is a municipal stormwater management pond. The subject property is surrounded by single detached dwellings to the east, south and west (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. 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 6.2 metres (an increase of 1.2 metres from what is permitted).

Although the applicant has identified that the interlock brick is not for parking, the definition of 'width of driveway' outlined in the by-law is as follows, shall mean the widest horizontal surface of any driveway required by this By-law, measured along a line parallel to the front lot line and exterior side lot line and includes any portion of hard landscaping or pavement contiguous to a driveway or parking space where the parking of a motor vehicle can be accommodated. Therefore, based on the definition, the portion of interlock adjacent to the driveway is included within the maximum 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 to permit a maximum driveway width of 6.2 metres, 1.2 metres wider than what is permitted within the R1-E Zone. The 1.2 metre increase has been requested in order to enhance accessibility to the dwelling from the motor vehicle.

The 1.2 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. Further, properties along the eastern portion of Selby Drive are zoned R1-D, which permits a maximum driveway width 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.

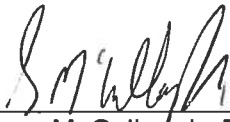
Communications:

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.

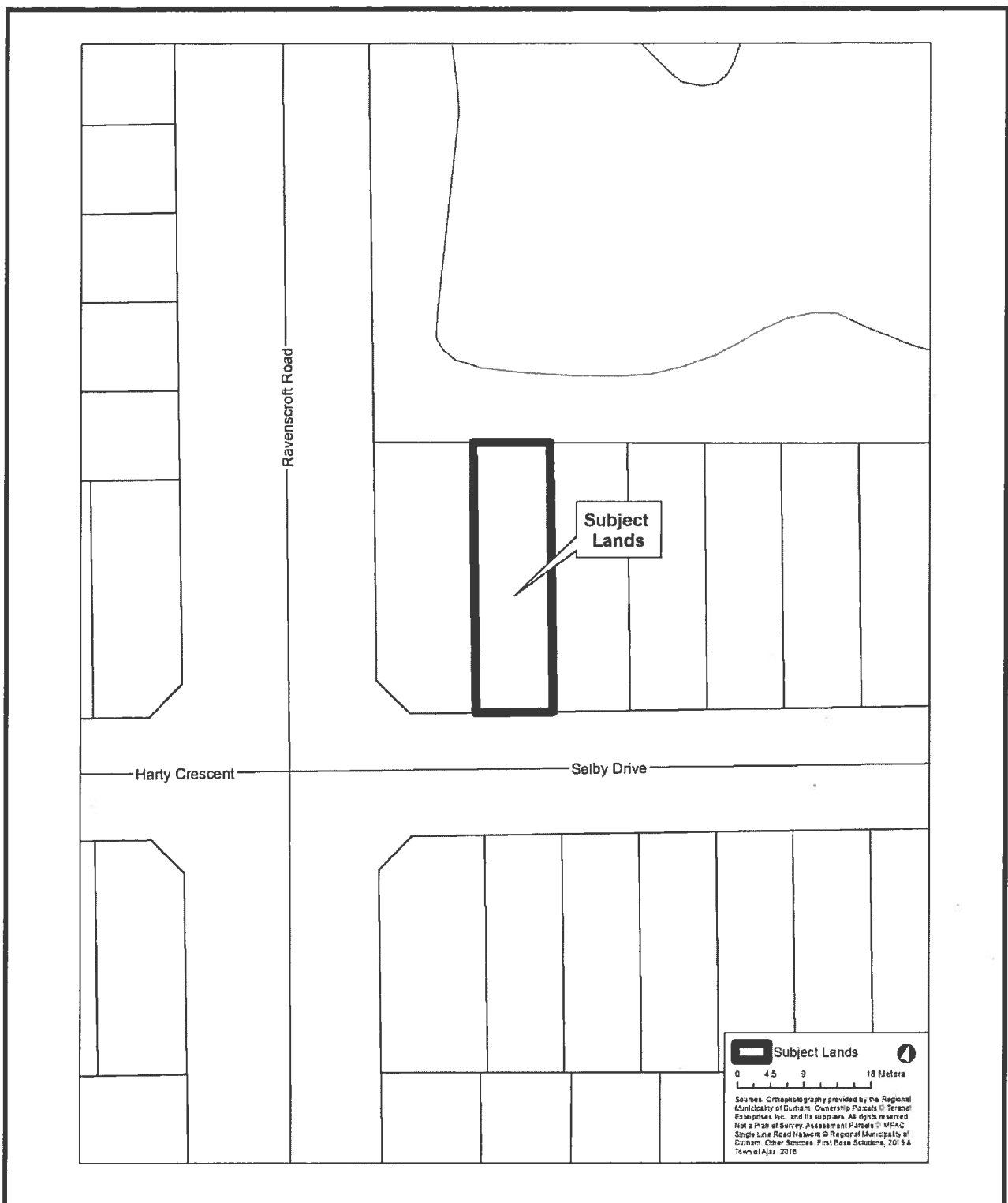
Conclusion:

Based on the discussion above, staff are of the opinion that Minor Variance Application A26/16, submitted by Rob McCormick, to permit a maximum driveway width of 6.2 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 of Committee of Adjustment



Application File No. A26/16

Applicant: Robert McCormick

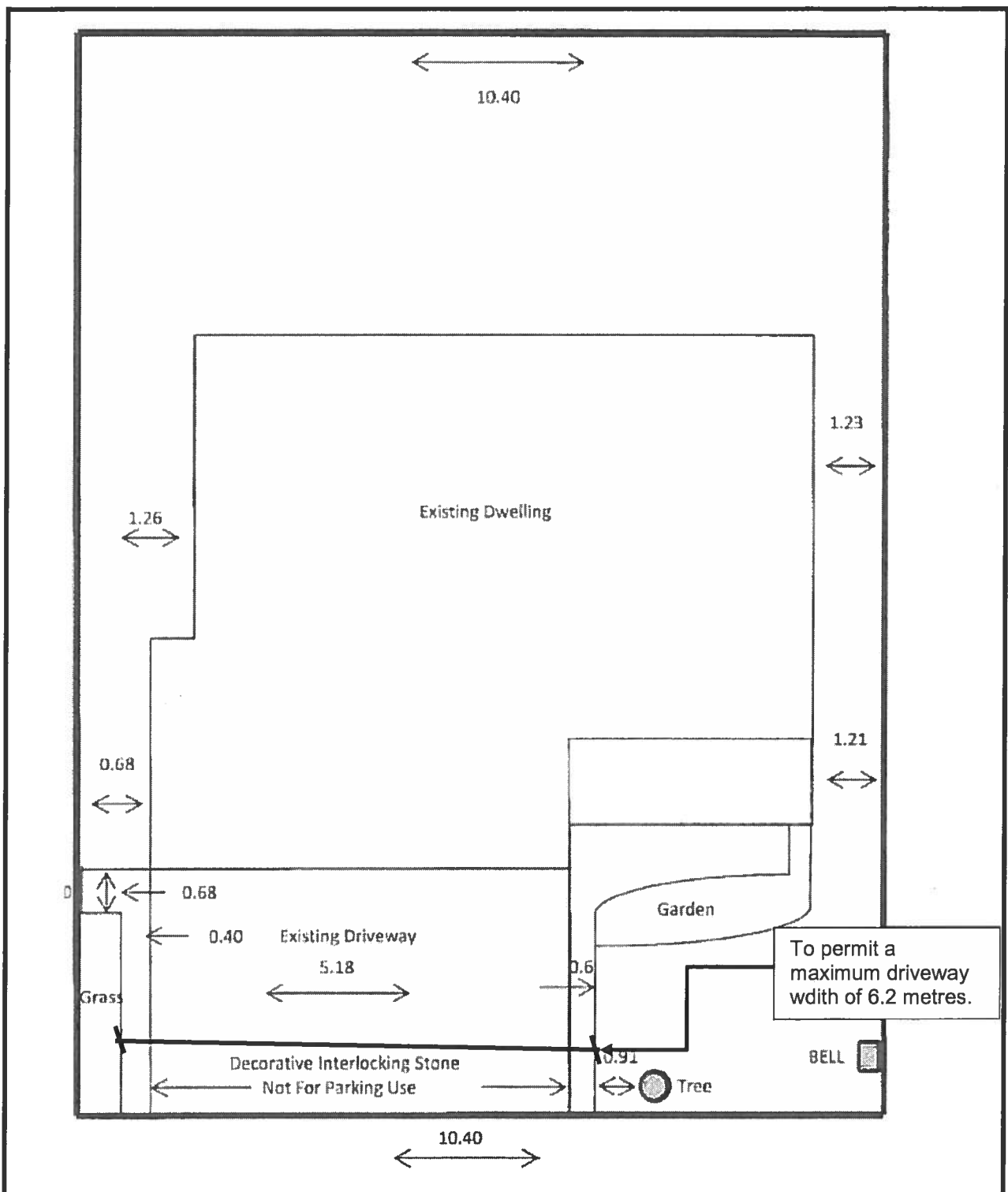
Date: July 27, 2016

Figure 1

Subject Lands
46 Selby Drive



Town of Ajax
Planning & Development
Services



Application File No. A26/16

Applicant: Robert McCormick

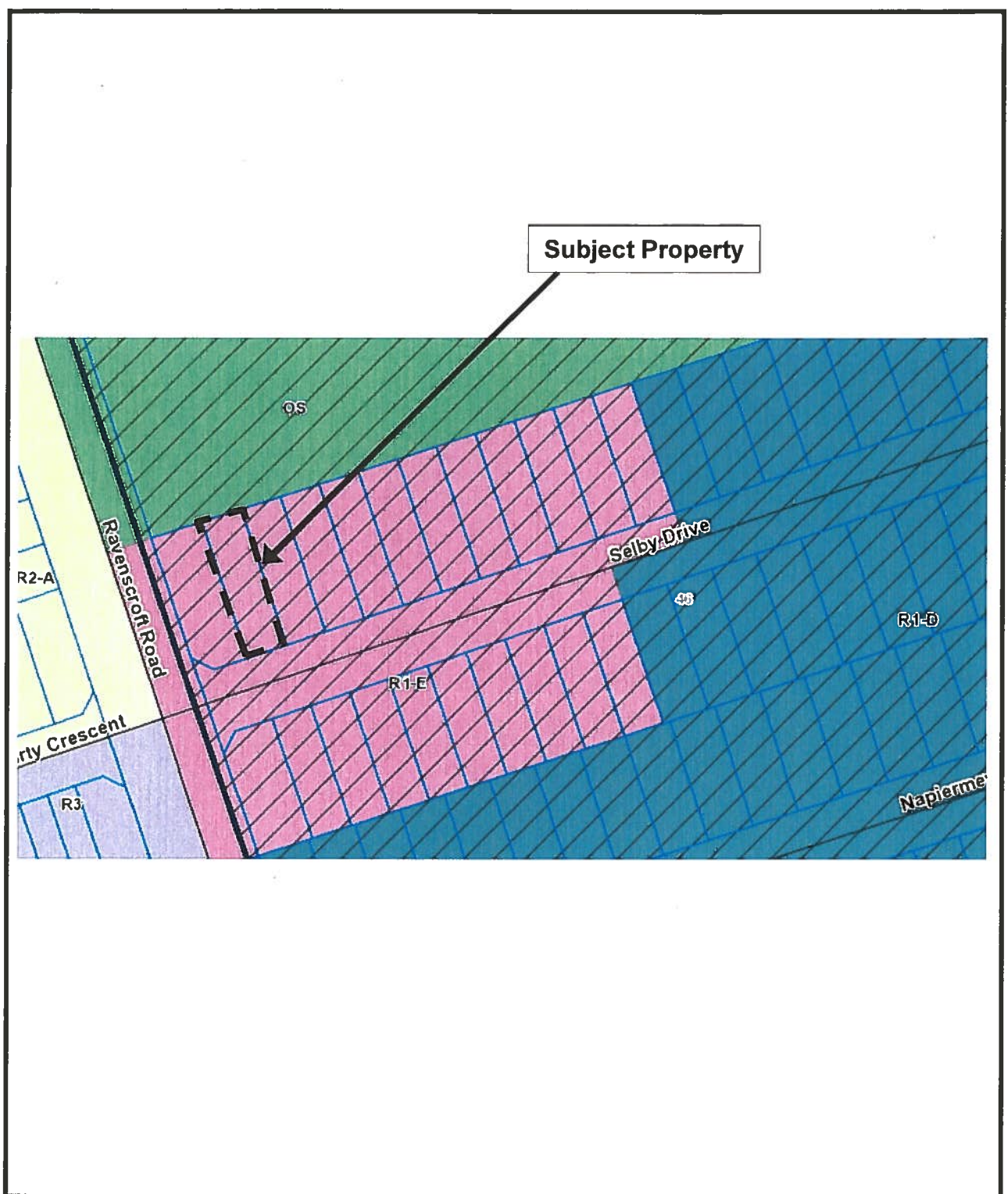
Date: July 27, 2016


Figure 2

Proposed Site Plan
46 Selby Drive

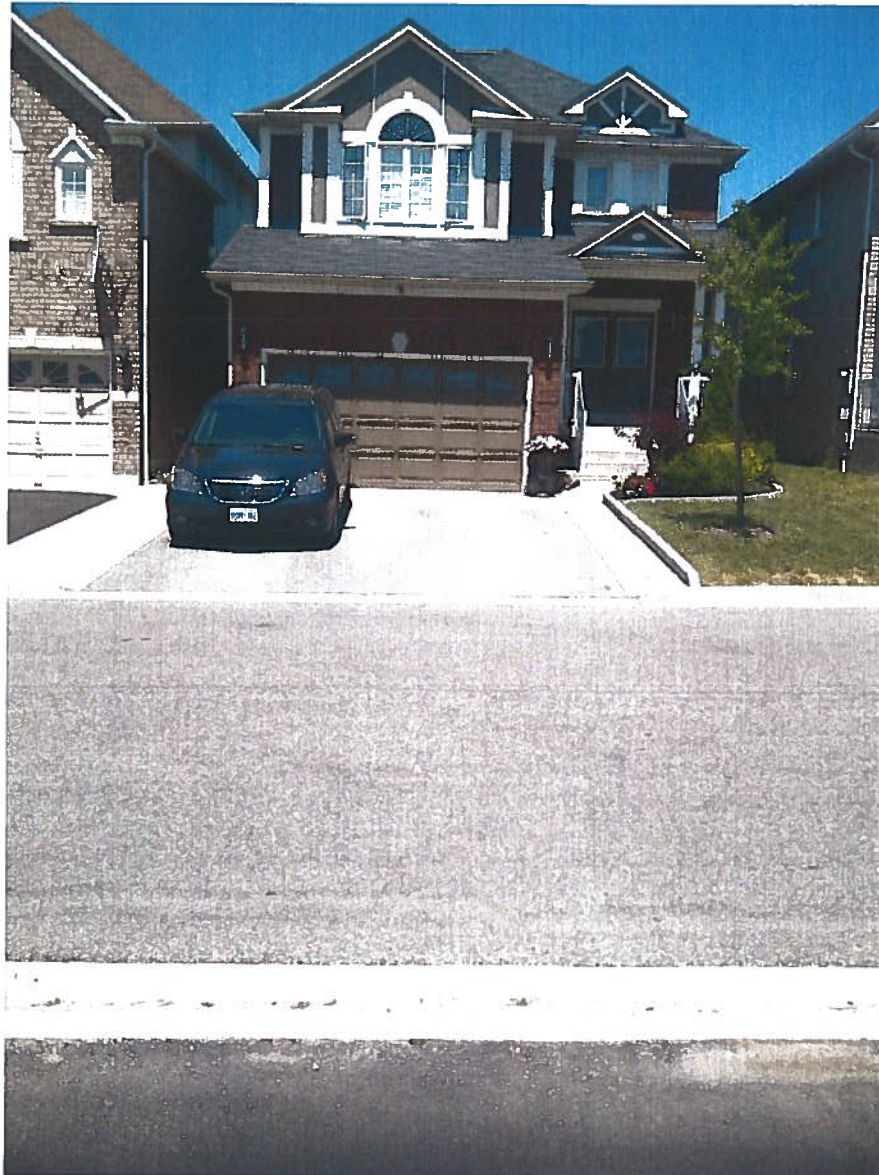


Town of Ajax
Planning & Development Services



<p>Application File No. A26/16</p> <p>Applicant: Rob McCormick</p> <p>Date: July 27, 2016</p>	<p>Figure 3</p> <p>Zoning Information</p> <p>46 Selby Drive</p>	 <p>Town of Ajax Planning & Development Services</p>
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Subject Property



Application File No. A26/16

Applicant: Rob McCormick

Date: July 27, 2016

Figure 4

**Image of Subject Lands
46 Selby Drive**

**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, MCIP, RPP
Secretary-Treasurer Committee of Adjustment
Development Planner

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

Subject: **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

Ward: 3

Date of Meeting: July 27, 2016

Recommendation:

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.**

Background & Proposal:

The Canadian Beauty College (part of the Westney Group) is a private career (vocational) school regulated by the Ministry of Colleges & Universities and has 6 operations across the Greater Toronto Area. The school provides diploma and certificate course training in the aesthetics industry. Typical courses include makeup, medical spa aesthetics (laser technician), hair stylist and medical office management. Also associated with the school use would be a "media-spa" where members of the public receive professional spa treatments from certified practitioners who are teaching the students at the same time. These services are provided to the public at a discount rate than would be provided at retail spa services.

The applicant's proposal is to permit the use of a commercial school in the Local Commercial (LC) Zone; whereas the Local Commercial (LC) Zone does not permit this use.

Subject Property & Surrounding Land Uses:

The subject property is located on the west side of Westney Road South, north of Lake Driveway West and is municipally known as 570 Westney Road South. The subject property is within the Discovery Bay Centre, a multi-unit retail-commercial plaza. To the east, and north are industrial type uses. Across Lake Driveway West to the south are residential lands. (See Figure 1 – Subject Lands). Abutting the lands to the west is a vacant parcel.

Town of Ajax Official Plan:

The subject property is designated “Neighborhood Centre” within the Town of Ajax Official Plan. The Neighborhood Centre is a mixed use designation intended to provide commercial opportunities that serve the shopping needs of residents in the vicinity. Development within this designation is to include a mix of commercial uses such as retail stores, personal service establishments, restaurants, business and professional offices uses, and financial institutions. Residential uses such as apartment buildings on the upper floors of a mixed use building are also permitted. As per Section 3.4.7 of the Official Plan, Trade and Business Schools may be permitted within all of the mixed use and employment designations. 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 Local Commercial (LC) in Zoning By-law 95-2003, as amended. Uses permitted in the Local Commercial zone include, but are not limited to, a Banquet Facility, Commercial Fitness Centre, Convenience Store, Day Care Facility, Drive-Thru Facility, Dry Cleaning Depot, Dry Cleaning Establishment, Financial Institution, Self-Serve Laundromat, Library, Licensed Accessory Outdoor Patio, Medical Clinic, Museum, Office, Personal Service Shop, Place of Entertainment, Restaurant, Restaurant Drive-Thru, Retail Store, Service or Repair Shop, Unlicensed Accessory Outdoor Patio, and a Veterinary Clinic.

As a result, the requested variance is to permit a commercial school; whereas, the Local Commercial Zone does not permit this use.

Requested Minor Variance:***School (Private) Variance***

A “commercial school” is defined as a premises as a school conducted for gain, including a studio of a dancing teacher or music teacher, an art school, a golf school or business school and any other similar specialized school. The proposed commercial school would operate similar to a Personal Service Shop with the “media-spa” component, whereas members of the public receive services (treatments) at a discounted cost from certified practioners who are teaching the students of the school. The definition for Personal Service Shop states a premise where professional or personal services are provided for gain and where the sale of retail goods, wares, merchandise, articles or things is only accessory to the provision of such services. A Personal Service Shop is a permitted use within the Local Commercial Zone within Zoning By-law 95-2003. The addition of a commercial school of this nature would contribute to the Town's desire to have a mix of uses within the Local Commercial Zone.

In support of the application, a Parking Study dated June 27, 2016 prepared by Paradigm Transportation Solutions Limited was submitted, concluding that the existing parking supply is more than sufficient to accommodate the proposed school. This study was reviewed by Town of Ajax Transportation staff, whom were satisfied with the results.

Therefore, as a result of the use being permitted within the Official Plan, the size and type of commercial school as well as the supporting documentation (Parking Study), staff consider the request to permit a commercial school appropriate and minor in nature.

Other Comments:

Design Services - no comments;

Transportation Services - no comments;

Building Services - A building permit will be required.

Operations - no comments;

Fire Services - no comments;

Engineering Services - no comments;

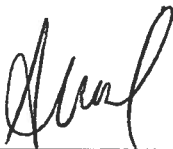
Communications:

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 A27/15**, submitted by Miller & Associates on behalf of 1002534 Ontario Inc, to permit a commercial school, is:

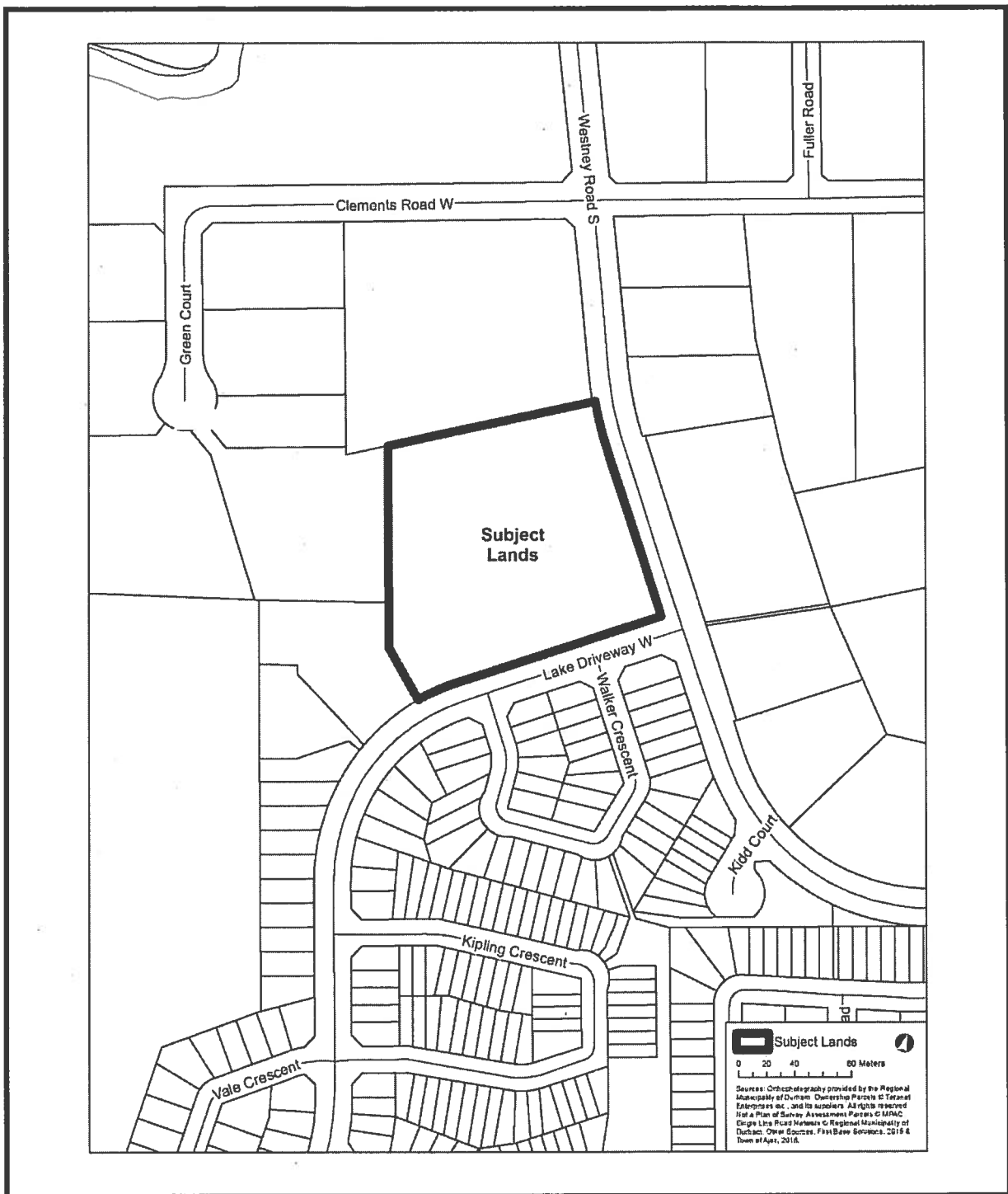
- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Amanda Dunn, MES, MCIP, RPP
Development Planner



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



Application File No. A27/16

Applicant: 1002534 Ontario Inc.

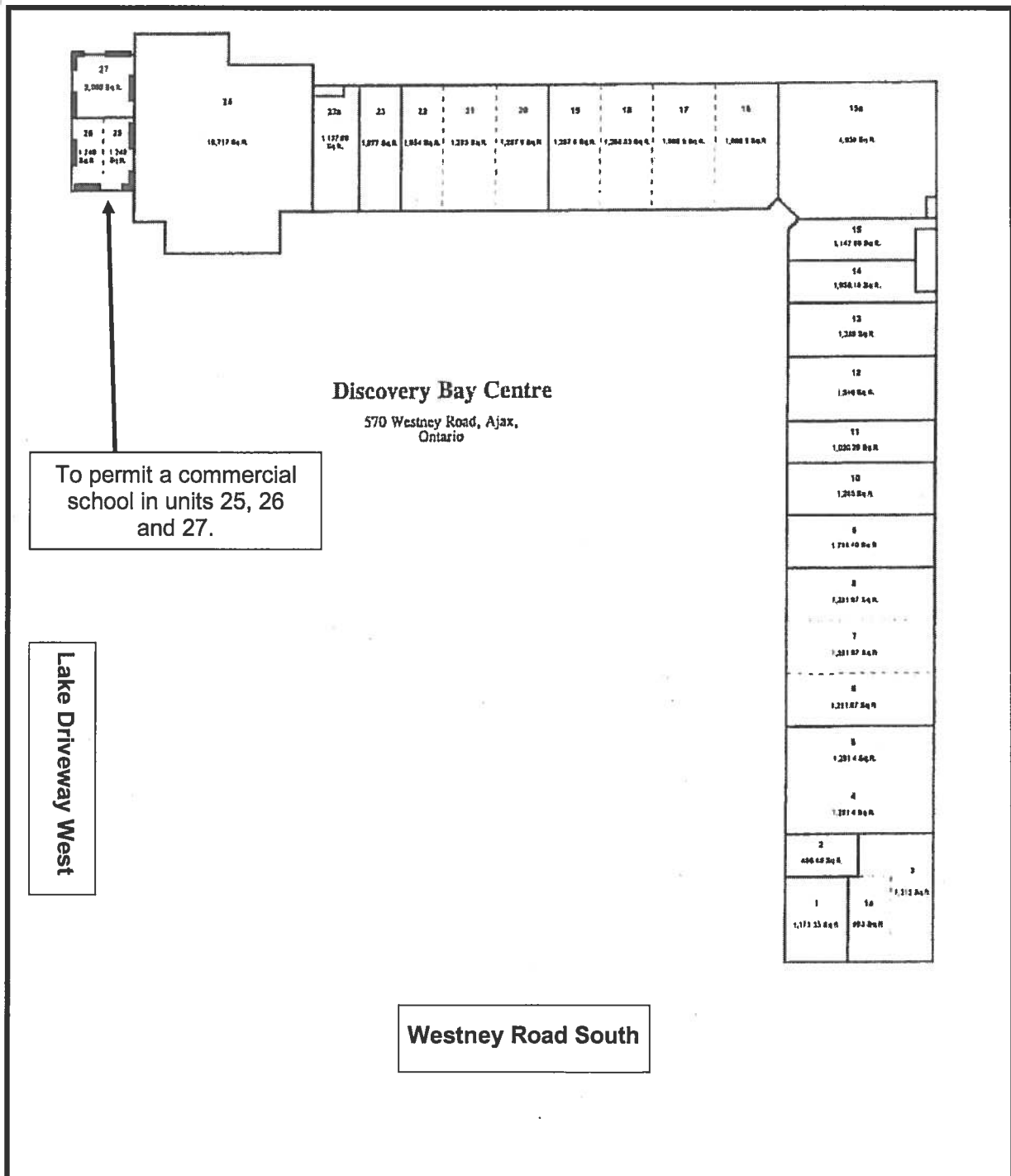
Date: July 27, 2016


Figure 1

Subject Lands
570 Westney Road South



Town of Ajax
Planning & Development Services



<p>Application File No. A27/16</p> <p>Applicant: 1002534 Ontario Inc.</p> <p>Date: July 27, 2016</p>	<p>Figure 2</p> <p>Unit Location</p> <p>570 Westney Road South</p> <p>Units 25, 26 and 27</p>	<p></p> <p>Town of Ajax</p> <p>Planning & Development Services</p>
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Subject Lands

Application File No. A27/16

**Applicant: 1002534 Ontario
Inc.**

Date: July 27, 2016

Figure 3

**Zoning Information
570 Westney Road South**



**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 A28/16**
Paul Thompson
1133 Ravenscroft Road
Plan 2345 Lot 83

Ward: 1

Date of Meeting: July 27, 2016

Recommendation:

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.

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. Currently, the driveway on the subject lands and the driveway to the west (1133 Ravenscroft Road) are connected with interlock brick. The applicant and the neighbour to the west have agreed to undertake work to restore the grass swale between the two properties.

The applicant has requested a minor variance application in order to legalize the existing driveway width of 7.5 metres; whereas, Zoning By-law 95-2003, as amended permits a maximum driveway width of 6.1 metres.

Subject Property & Surrounding Land Uses:

The subject property is located on the northeast corner of the Ravenscroft Road and Selby Drive intersection, and is municipally known as 1133 Ravenscroft Road. The subject property is surrounded by single detached dwellings in all directions.

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. This zone category permits detached dwellings. Exception 46 permits lots within the R1-E Zone with frontages greater than 12.0 metres to have a maximum driveway width of 6.1 metres, whereas the applicant is requesting to permit a maximum driveway width of 7.5 metres (an increase of 1.4 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 7.5 metres, 1.4 metres wider than what is permitted within the R1-E Zone. The 1.4 metres 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 subject application has also been reviewed by transportation services and determined that the proposal would not encroach into the daylighting triangle and would not impact sightlines at the intersection.

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.

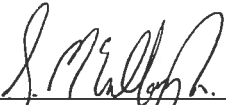
Communications:

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.

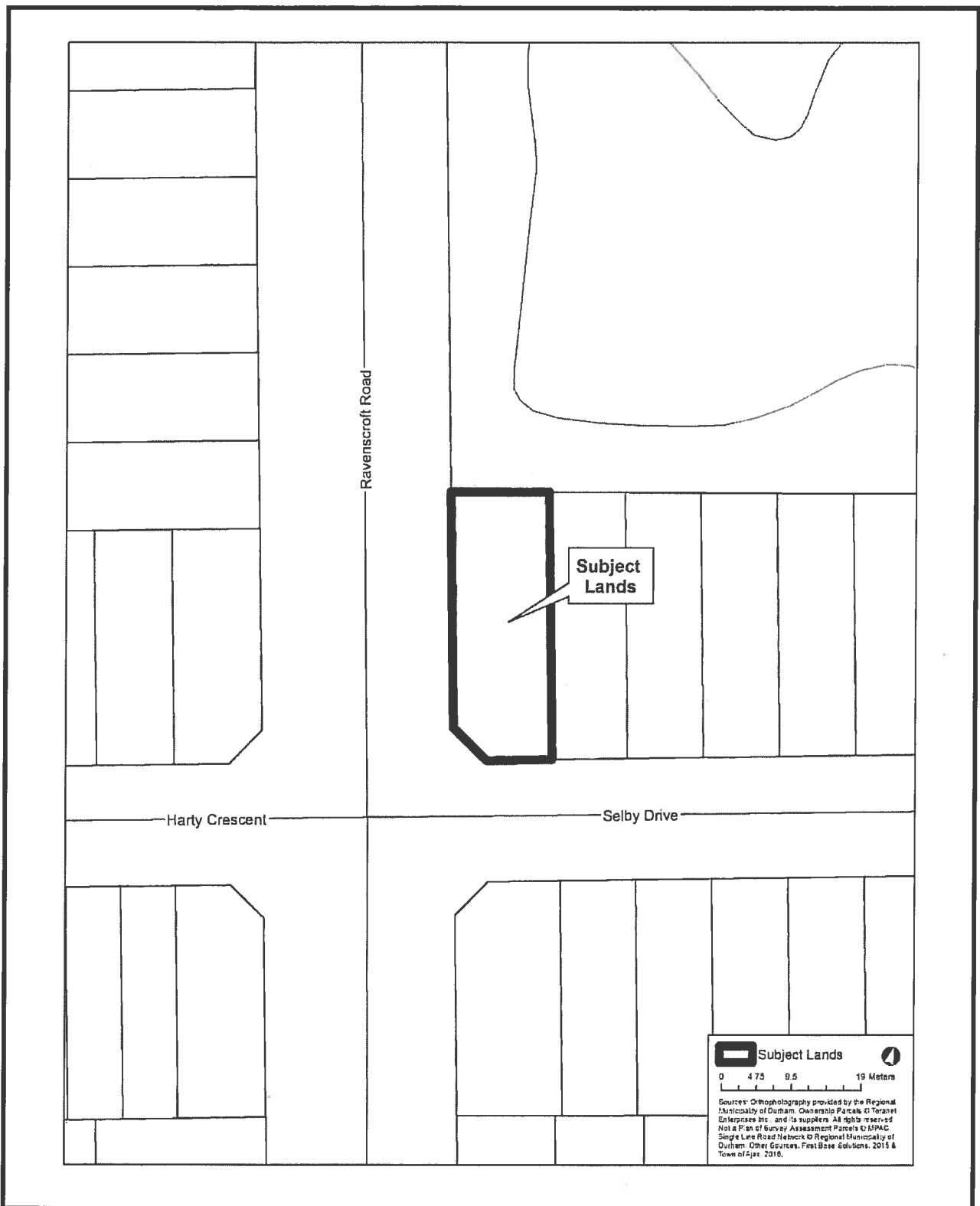
Conclusion:

Based on the discussion above, staff are of the opinion that Minor Variance Application A28/16, submitted by Paul Thompson, to permit a maximum driveway width of 7.5 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 of Committee of Adjustment



Application File No. A28/16

Applicant: Paul Thompson

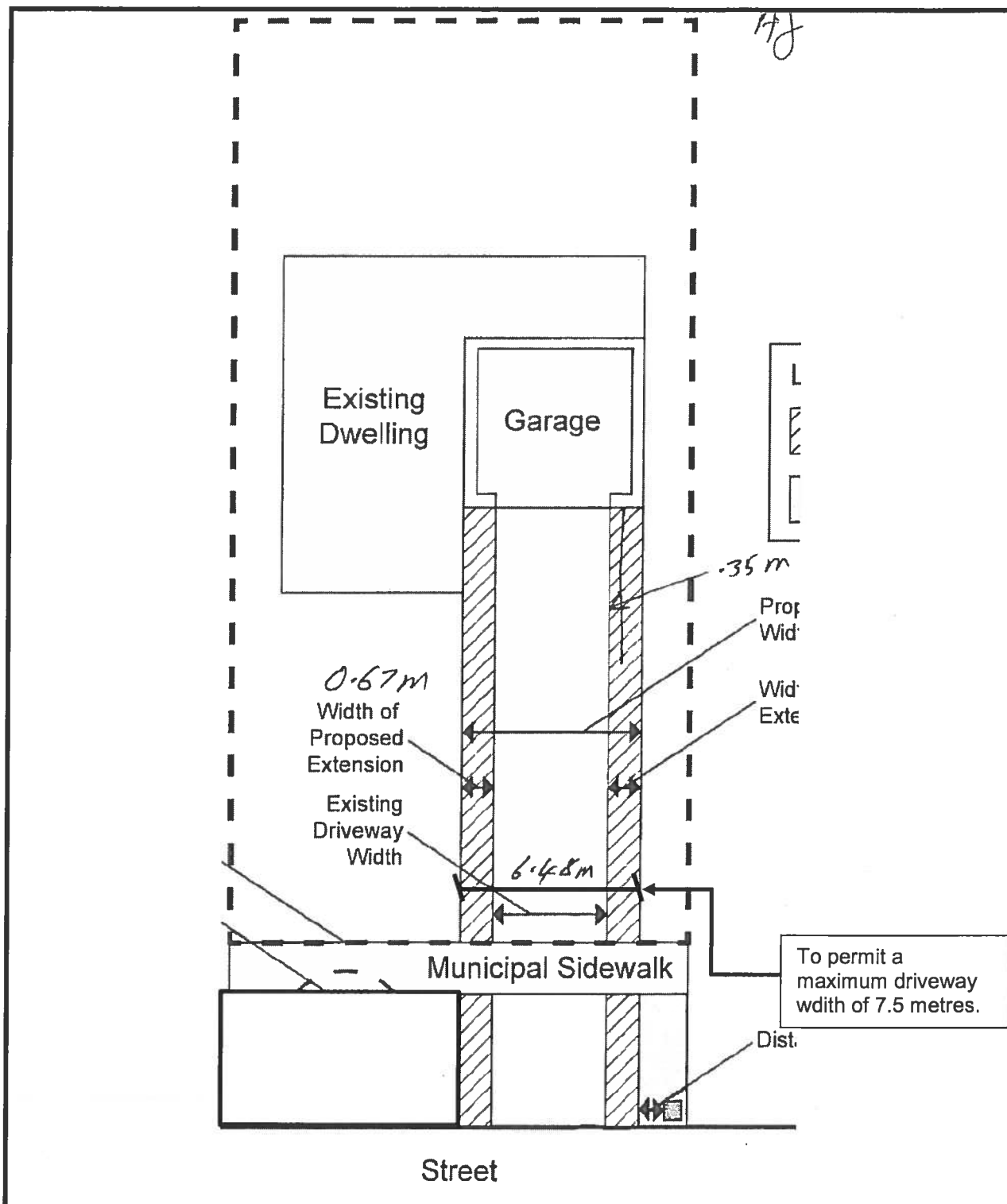
Date: July 27, 2016

Figure 1

**Subject Lands
1133 Ravenscroft Road**



**Town of Ajax
Planning & Development
Services**



Application File No. A28/16

Applicant: Paul Thompson

Date: July 27, 2016

Figure 2

Proposed Site Plan
1133 Ravenscroft Road



Town of Ajax
Planning & Development Services



To permit a maximum
driveway width of 7.5 m

Grass swale
to be restored

Application File No. A28/16

Applicant: Paul Thompson

Date: July 27, 2016

Figure 3

Street Image
1133 Ravenscroft Road



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 A29/16**
Lala Naeem
328 Williamson Drive West
Lot 12, 40M2456

Ward: 1

Date of Meeting: July 27, 2016

Recommendation:

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.**

Background & Proposal:

In June 2016, By-law Services responded to a complaint regarding a possible accessory apartment without a building permit. Upon investigation of the subject property by By-law Services, it was also determined that the existing driveway had been widened and exceeded the maximum permitted driveway width outlined in Zoning By-law 95-2003, as amended. The applicant has identified that the increased driveway width is for accessibility purposes from the driveway to the dwelling.

Applicant Proposal:

The requested variance is to permit a maximum driveway width of 7.62 metres; whereas, the zoning by-law requires a maximum driveway width of 5.0m.

Staff Proposal:

Upon further review of the application, staffs recommendation is to only permit a maximum driveway width of 7.5 metres, as it is the maximum driveway width permitted in residential zones as per Section 6.2.2 – Zone Standards as per Zoning By-law 95-2003.

Subject Property & Surrounding Land Uses:

The subject property is located on the north side of Williamson Drive West, and one lot east of Ravenscroft Road and is municipally known as 328 Williamson Drive West within the Meadow Ridge Neighbourhood. The subject property is surrounded by single detached dwellings to the north, south and east. Further west of Ravenscroft Road are semi-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 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 – D (R1-D) Zone within the Town of Ajax Zoning By-law 95-2003, as amended and is subject to Exception 46. This zone category permits detached dwellings, and one accessory apartment (provided the minimum required parking can be achieved). The R1-D Zone permits a maximum driveway width of 6.1 metres, whereas the applicant is requesting to permit a maximum driveway width of 7.62 metres (an increase of 1.52 metres from what is permitted). For clarification purposes, the notification and signage posted on the property stated that the subject was zoned Residential One – E (R1-E) Zone with the requirement of a maximum driveway width of 5.0 metres. This was an error, the zoning on the property is R1-D Zone and the maximum driveway width is 6.1 metres within the R1-D Zone.

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 7.62 metres, 1.52 metres wider than what is permitted within the R1-D Zone. The 1.52 metre increase has been requested in order to provide pedestrian accessibility to the dwelling from parked motor vehicles.

The zoning by-law stipulates that a single detached dwelling must provide a minimum of two parking spaces. Further, if an accessory apartment is provided within the dwelling, one additional parking space is required. Therefore, the minimum number of required parking spaces on the subject property is three. The property does meet the minimum parking requirements to properly accommodate the single detached dwelling and the accessory apartment as the property accommodates parking within the attached garage and in the driveway. The requested driveway increase from 6.1 metres to 7.5 metres appears to be reasonable given that similar driveway widenings have taken place within this area. However, the property currently has parking for four

vehicles, which can accommodate the drivers within the principal dwelling unit and the accessory apartment. Understanding the need for accessibility purposes, staff feel that a marginal increase in driveway width to 7.5 metres, the largest maximum driveway width permitted for residential zones in Zoning By-law 95-2003 would be appropriate. An increase of 1.52 metres on the west side of the driveway is intended to provide better accessibility for the residents of the dwelling/accessory apartment and would not dominate the streetscape, but at the same time it would enable additional width in the driveway for accessible barrier free paths of travel to and from motor vehicles. Currently the existing driveway is 9.7 metres. The driveway width exceeding staffs recommended 7.5 metres would be required to be restored to its original state.

Based on the above discussion, the requested driveway width increase would maintain the general intent of the Official Plan and Zoning By-law and would be considered minor in nature. The maximum driveway width of 7.5 metres would be appropriate for the subject property based on the applicant's current need.

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.

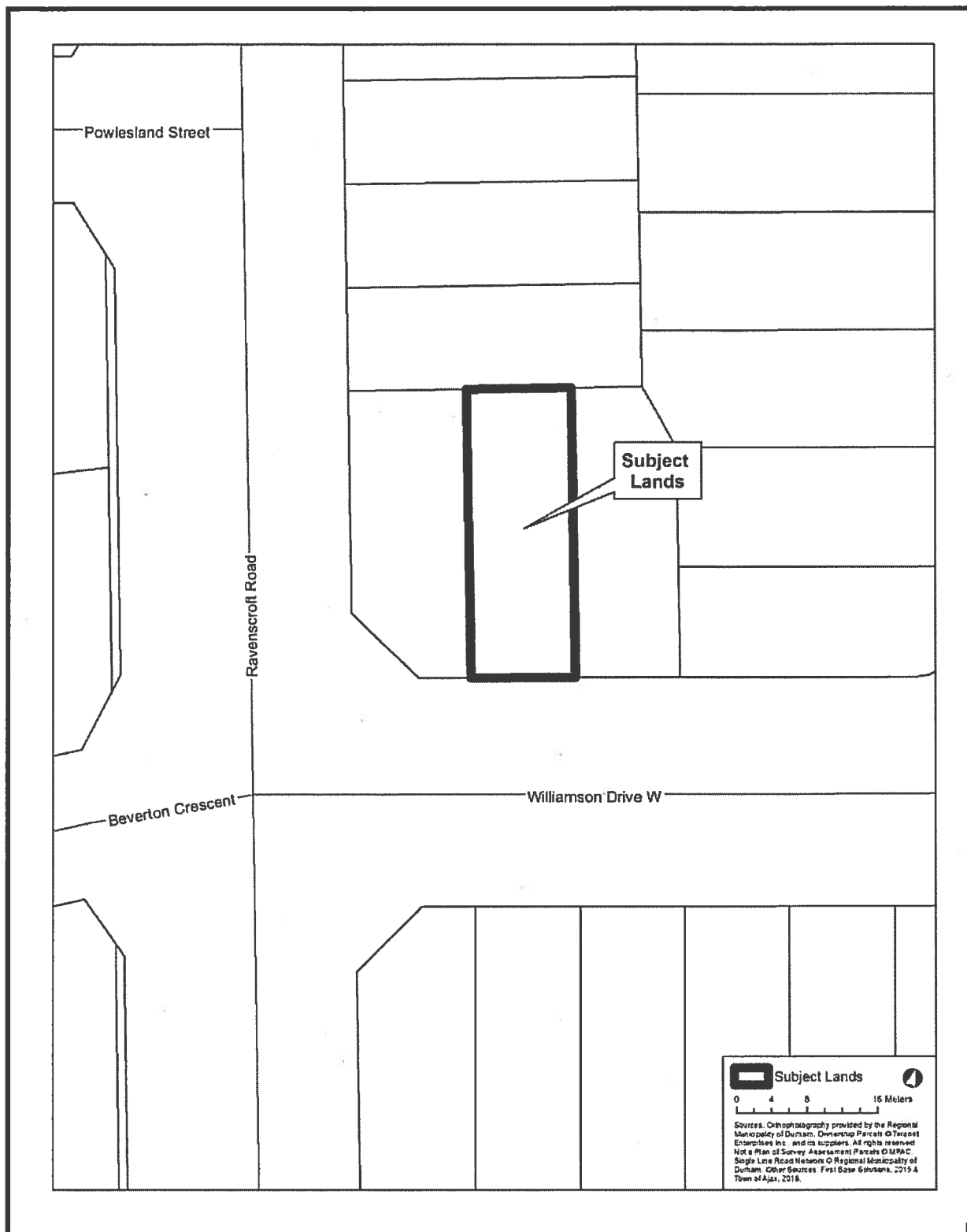
Conclusion:

Based on the discussion above, staff are of the opinion that Minor Variance Application A29/16, submitted by Lala Naeem, and amended by staff, to permit a maximum driveway width of 7.5 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.


Amanda Dunn, MES, MCIP, RPP
Development Planner


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



Application File No. A29/16

Applicant: Lala Naeem

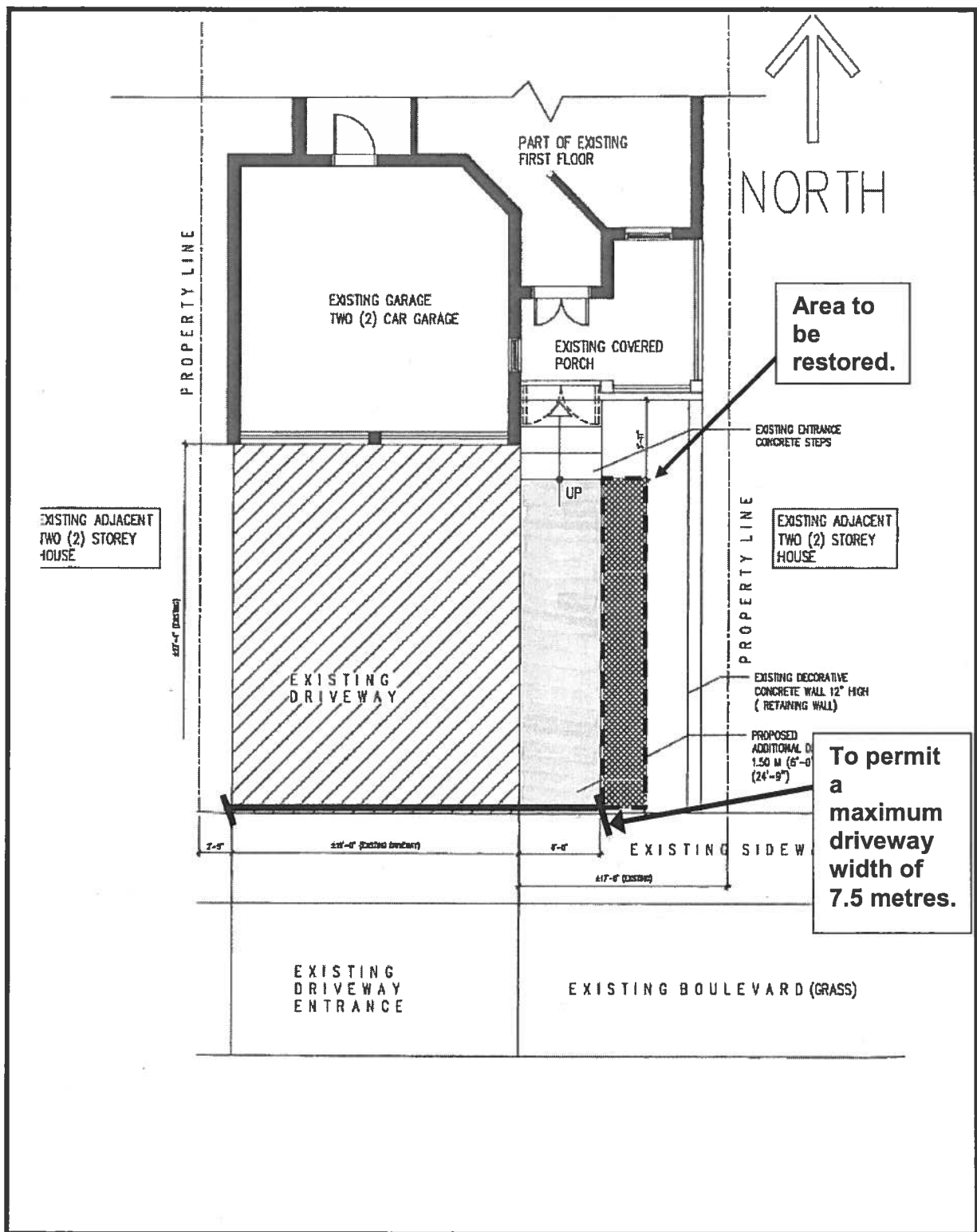
Date: July 27, 2016

Figure 1

Subject Lands
328 Williamson Drive West



Town of Ajax
Planning & Development Services



Application File No. A29/16

Applicant: Lala Naeem

Date: July 27, 2016

Figure 2

Proposed Site Plan
328 Williamson Drive West



Town of Ajax
Planning & Development Services



Subject
Property

Application File No. A29/16

Applicant: Lala Naeem

Date: July 27, 2016

Figure 3

Zoning Information
328 Williamson Drive West



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

Ward: 2

Date of Meeting: July 27, 2016

Related Files: Official Plan Amendment Application OPA 09-A2
Zoning By-law Amendment Application Z1/09
Site Plan Application SP18/15

Recommendation:

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 for all two storey buildings (7 Rossland Road East and 901 Harwood Avenue North);
- 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 (a minimum of 375 parking spaces); 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.**

Background & Proposal:

In June 2014, Belmont Equity submitted a proposal to revise Official Plan Amendment Application OPA 09-A2 and Zoning By-law Amendment Application Z1/09 to permit a commercial mixed use development. Following a review of the concept plans and supporting documentation, a

settlement was reached between the applicant, the Town, and the Conservation Authority and submitted to the Ontario Municipal Board in September 2015.

The applicant subsequently submitted Site Plan Application SP18/15 in September 2015. The application proposes a total of 7 buildings with a total Gross Floor Area of 11,554 m² (124,367 ft²). The proposal will include two, 2-storey buildings, and five, 1-storey buildings; including one large retail store (supermarket), and two drive-thru restaurants. The proposed development would provide 484 parking spaces. Approximately 3.98 hectares (9.83 acres) of land along the southern and eastern portion of the site will be dedicated to the Town of Ajax for wetland and woodlot protection, and the formation of natural connections and buffers.

Surrounding Land Uses:

The subject lands are generally located at the southeast corner of Harwood Avenue North and Rossland Road East and is municipally known as 1,3,5, and 7 Rossland Road East and 901 Harwood Avenue N. The lands encompass approximately 7.87 hectares (19.47 acres) and have approximately 66.3 metres of frontage onto Harwood Avenue N. and 157.7 metres of frontage on Rossland Road East. To the north, across Rossland Road East are Prestige Employment lands consisting of public and private schools, legal non-conforming detached dwellings and a Regional water pumping station. To the east is the Rossland Road Wetland Complex, and further east is the Ajax Fire Headquarters. To the south is a town owned woodlot, private stormwater management pond and vacant employment lands. Abutting the lands to the west is an existing Shell gas station and Tim Hortons, and across Harwood Avenue is residential dwellings and a commercial plaza (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject lands are designated “Prestige Employment” and “Environmental Protection” within the Town of Ajax Official Plan. It is intended that development within the Prestige Employment designation exhibit a high standard of building design and landscaping. The Prestige Employment designation provides for business and professional offices, research and development facilities, financial institutions, restaurants, and other similar uses. A site specific policy has been established to permit limited retail uses on the subject lands.

All new development or redevelopment within the Prestige Employment designation shall be consistent with the Employment Areas Urban Design Guidelines adopted by Council. Because the Prestige Employment designation is located along major transportation routes, there is a superior level of building design and landscaping required. Further, enhanced urban design policies have been included in the area specific amendment, including minimum building heights, entrance locations adjacent to public roads, and requirements for pedestrian circulation internal to the site.

The Environmental Protection designation represents the lands to be conveyed to the Town for the protection of the wetlands, woodlots and associated buffers.

The proposal maintains the general intent and purpose of the Official Plan.

Town of Ajax Zoning By-law:

The subject property is zoned Prestige Employment (PE) Zone and are subject to Exception 180. The PE zone category permits, but may not necessarily be limited to, restaurants, drive-thru restaurant, offices, personal service shop, financial institution, commercial fitness centre, commercial school. Exception 180 also permits retail stores, including a supermarket, outdoor

display and sales area, convenience store, and garden centre. Exception 180 also prohibits the following uses, motor vehicle rental establishment, motor vehicle sales establishment, motor vehicle service centre, public storage facility, sports arena and funeral home.

Exception 180 set various development standards, including standards that require minimum build-within zones adjacent to public roads, requiring a minimum of one building adjacent to Rossland Road and Harwood Avenue to consist of 2 functional stories, minimum transparency requirements for buildings adjacent to public roads, pedestrian circulation internal to the site, maximum size requirements for retail stores, and provisions that do not require additional parking for non-retail uses on the second storey of any building.

The requested variances are to permit:

BY-LAW REQUIREMENT	RELIEF REQUESTED
Section 7.0 List of Exceptions – Prestige Employment (PE) Zone Exception 180 a) Part 3 vi)a)iii) Weather protection features will be provided for customer entrances for any Buildings with two functional storeys. b) Part 3 vi)i) A minimum of 10 vehicle queuing spaces shall be required before a service window.	<p>To permit weather protection only at customer entrances abutting a public road and second floor lobby entrances (3 and 7 Rossland Road East and 901 Harwood Avenue North).</p> <p>To permit a minimum of 7 vehicle queuing spaces before a service window (5 Rossland Road East).</p>
Section 5.0 – Parking, Loading and Queuing Requirements c) Shopping Centre – A minimum of 1.0 parking space per 19.0 m ² of gross floor area, all areas excluding downtown Minimum of 493 required parking spaces (Ex. 180 - No additional parking required for non-retail uses on the second floor of any building) d) A minimum parking space length of 6.0 metres (Section 5.3.2 and 5.12.3).	<p>To permit a minimum parking rate of 1.0 required parking space per 25.0 m² of gross floor area (a minimum of 375 parking spaces)</p> <p>To permit a minimum parking spaces length of 5.7 metres.</p>

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. Principles of the Employment Area Urban Design Guidelines have been incorporated into Exception 180.

Requested Minor Variances:

Minimum Required Parking Variance

The intent of the requirement to provide a minimum number of parking spaces is to ensure that there is an adequate amount of parking provided on-site to serve the proposed use on the subject property. The Town's zoning by-law requires a minimum of 1 space per 19.0 m² for shopping centres, a minimum of 1 space per 20.0 m² dedicated to outdoor display and storage, and 1 space per 30.0 m² of space dedicated to a garden centre. Further, Exception 180 permits non-retail uses located on the second floor of any building to not require any additional parking spaces.

A parking utilization study was completed in support of the application by LEA Consulting Ltd. dated July 13th, 2016. The study identified 4 surrogate sites that have been surveyed consisting of developments of similar size and composition, including locations in Guelph, Nepean, Brampton, and Keswick. All sites were surveyed during weekends and determined that during peak demand, utilization rates varied between 38.0% and 60.9% of the total parking spaces. When comparing occupied spaces to the gross floor area of the buildings, parking demand varied between a low of 1 space per 69.9 m² of GFA and a high of 1 space per 25.0 m² of GFA. The average was 1 space per 35.2 m² of GFA.

The applicant is requesting to permit a parking rate of 1 space per 25.0 m² of GFA based on the maximum parking demand identified in the parking utilization study. The proposed development provides 493 parking spaces (excluding snow storage areas) and would provide 435 parking spaces when spaces are occupied by snow storage. The proposed development would comply with the minimum parking requirements when areas used for snow storage are excluded. The proposal would only be deficient 11 spaces for outdoor storage and garden centres and 58 spaces when snow storage areas are required. The proposed development would not only exceed the maximum parking demand identified at the surrogate site, but would provide a surplus of parking spaces above the requested variance.

Further, the applicant is proposing to implement a number of transportation demand management (TDM) strategies outlined in the Transportation Demand Management Strategy report to further reduce the parking demand. Proposed measures include, flexible working hours for office space and subsidized transit passes are encouraged by Office Managers, building orientation adjacent to the street, and sufficient bicycle parking throughout the site. There are also transit routes along Harwood Avenue and Rossland Road.

Staff are satisfied that a minimum parking rate of 1 parking space per 25 m² of the proposed building gross floor area is sufficient to accommodate the parking demands of the proposed development. Transportation Services has reviewed the submitted parking utilization study and are satisfied with the findings. The requested variance is considered to be minor in nature and desirable for the appropriate development of the land.

Minimum Number of Required Queuing Spaces Variance

The intent of providing a minimum number of queuing spaces before and after a drive-thru service window is to ensure that motor vehicles do not impede traffic internal and external to a site, and provides space for vehicles to safely exit the service lane. The proposed development is proposing to have 2 drive-thru 's, one located in building C (5 Rossland Road E.) and one in building D (3 Rossland Road E.).

Exception 180 requires that all drive-thru's shall comprise of a minimum of 10 vehicle spaces before a service window and a minimum of 1 vehicle space after the service window. Building D (3 Rossland Road E) complies with the minimum requirements. Building C (5 Rossland Road E) is proposed to include a Starbucks Restaurant and Drive-thru that would provide 7 vehicle spaces before the service window (with an additional space at the service window for a total of 8) and 1 after the service window.

A Drive-Thru Queue Study was completed by LEA Consulting Ltd. dated May 18, 2016 in support of the application. The study surveyed 3 Starbucks locations in the Durham Region, one in Ajax and two in Whitby, during weekday and weekend conditions. The 95th percentile of queues was determined not to exceed 7 vehicle spaces at the observed sites, meaning that 95% of the time vehicle queuing would not exceed 7 space. Only one location exceeded 7 vehicle spaces, surveying 8 and 9 vehicles a total of 7 instantaneous times (over a total of 22 hours of surveying at each location, and is therefore considered insignificant). Only in limited circumstances would the queue exceed 7 vehicle spaces (seconds at a time), and would not impact traffic operations on adjacent arterial roads and internal to the site. Transportation Services have determined that the proposal complies with the 95th percentile and is sufficient to accommodate the demand.

Staff are satisfied with the proposal. The requested variance is considered to be minor in nature and desirable for the appropriate development of the land.

Location of Weather Protection Variance

Exception 180 requires that weather protection features be provided for customer entrances for any building with two functional storey's. The intent of this provision was to provide weather protection for high traffic customer entrances located adjacent to a public road and customer entrances that provide access to the second storey of the building.

The proposed development would provide weather protection above the entrances to the second floor and entrances located adjacent to the public roads (Harwood Avenue and Rossland Road), including entrances located within 3.0 metres of the public road. As a result of the proposed variance, only ground level units within the two storey building that have customer entrances facing the parking lot would not have weather protection. Staff are satisfied that the original intent of the zoning provision is being maintained through the proposed placement of weather protection. Further, although not required by the by-law, the applicant is proposing weather protection above all entrances adjacent to Rossland Road, including the one-storey buildings. This would create a more consistent look and enhance the overall design of the development.

The proposed location of weather protection is considered to be minor in nature, and desirable for the appropriate development of the lands.

Minimum Parking Space Length Variance

The purpose of a 6.0 metre minimum parking space length is to provide a parking space that adequately accommodates a wide variety of motor vehicle lengths. The 0.3 metre reduction in the length is a marginal reduction to this by-law requirement. The reduction to 5.7 metres would adequately accommodate a wide variety of motor vehicles and would not impact on-site vehicle circulation. Further, the 0.3 metre reduction will assist in providing enhanced landscape buffers and pedestrian network throughout the site. Therefore, the request to permit a minimum parking stall length of 5.7 metres is considered to be minor in nature and desirable for the appropriate development of the lands.

Other Comments:

Comments have been received from:

Building Services: no comments;

Design Services: no comments, comments have been addressed through the review of the site plan;

Engineering Services: no comments;

Transportation Services: no comments;

Operations Services: no comments;

Fire Services: no comments;

Toronto and Region
Conservation Authority: no objection to the minor variance application;

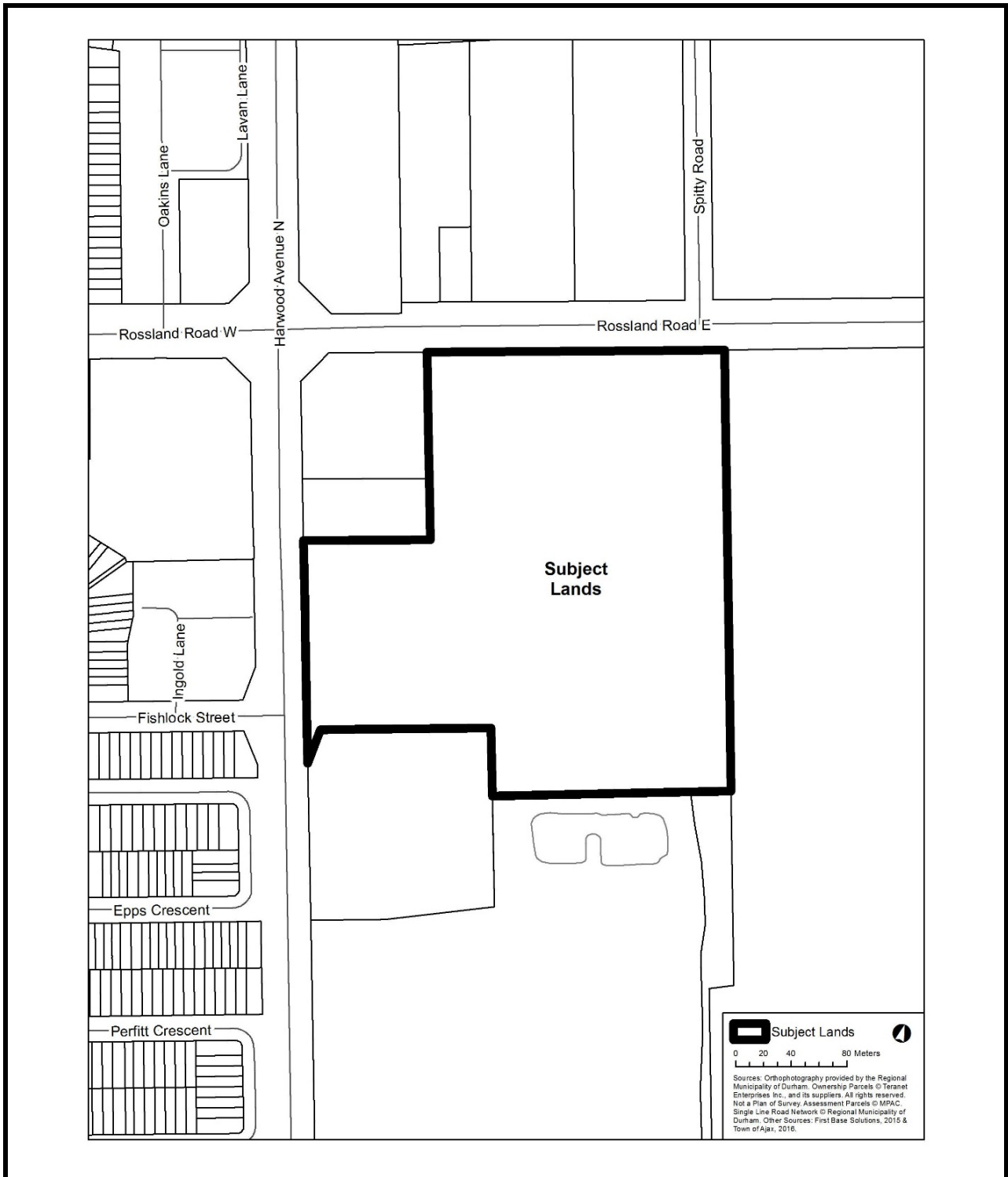
Conclusion:

Based on the above discussion, staff recommend approval of **Minor Variance Application A30/16**, 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.



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



Application File No. A30/16

**Applicant: Belmont Equity
(Rossland Landing) Ajax Ltd.**

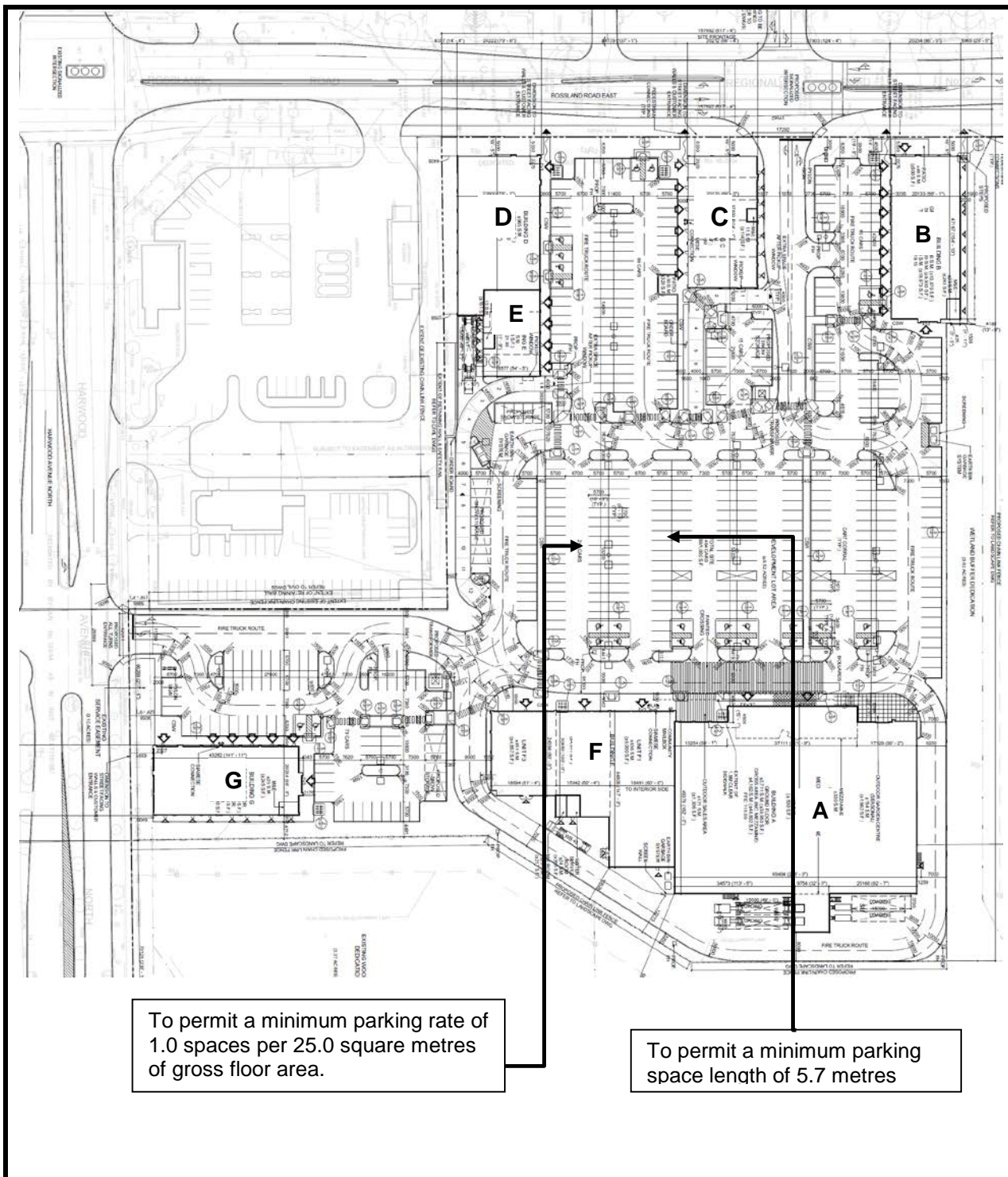
Date: July 27, 2016

Figure 1

**Subject Lands
1, 3, 5 and 7 Rossland Road
East and 901 Harwood
Avenue North**



**Town of Ajax
Planning & Development Services**



Application File No. A30/16

**Applicant: Belmont Equity
(Rossland Landing) Ajax Ltd.**

Date: July 27, 2016

Figure 2

**Proposed Site Plan
1, 3, 5 and 7 Rossland Road
East and 901 Harwood
Avenue North**



**Town of Ajax
Planning & Development Services**

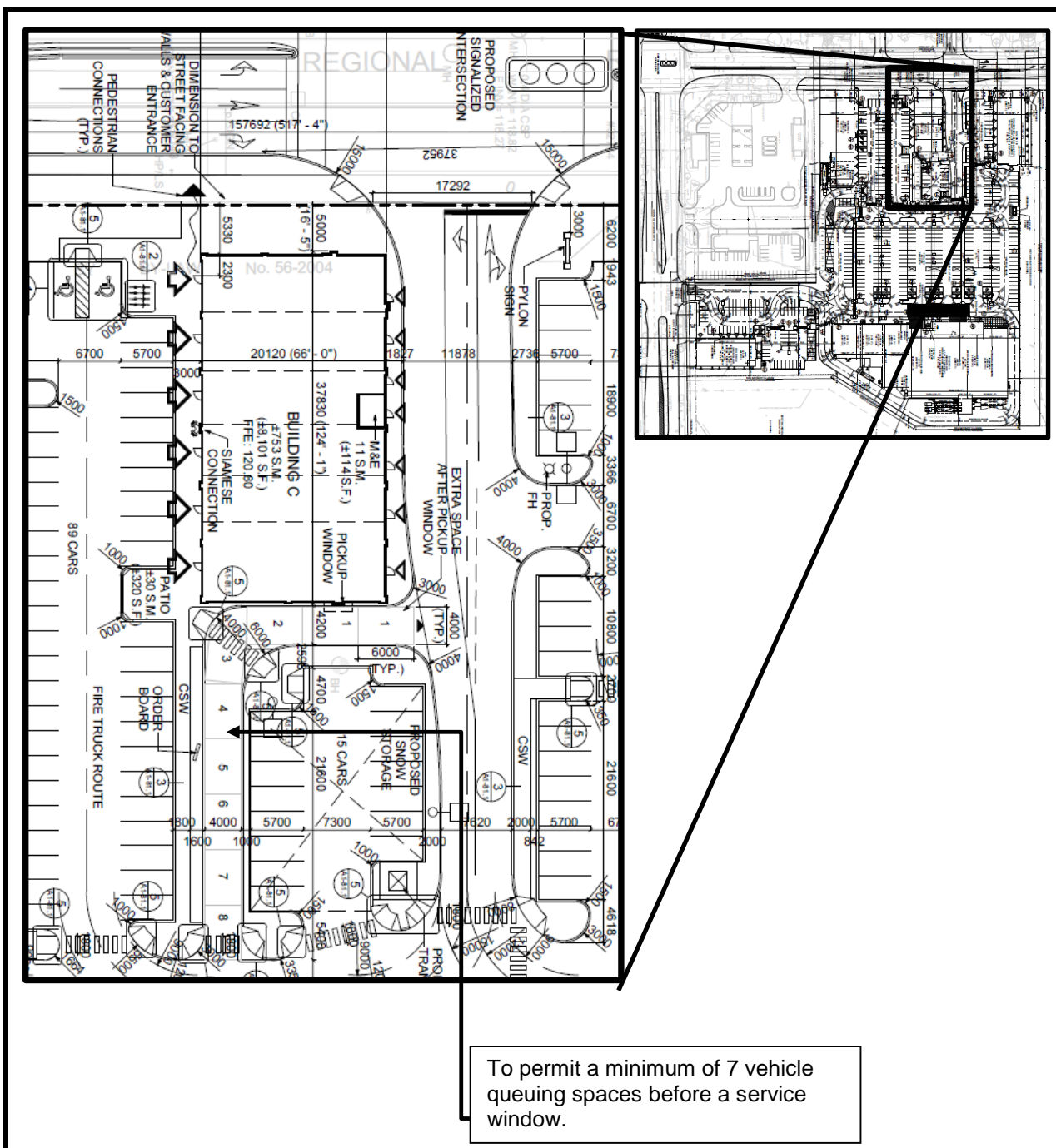


Figure 3

Enlarged Site Plan 5 Rossland Road East



**Town of Ajax
Planning & Development Services**

Application File No. A30/16

**Applicant: Belmont Equity
(Rossland Landing) Ajax Ltd.**

Date: July 27, 2016



Building B – North Elevation



Building B –South Elevation

To permit weather protection only at customer entrances abutting a public road and second floor lobby entrances.



Building B – West Elevation

Application File No. A30/16

Applicant: Belmont Equity
(Rossland Landing) Ajax Ltd.

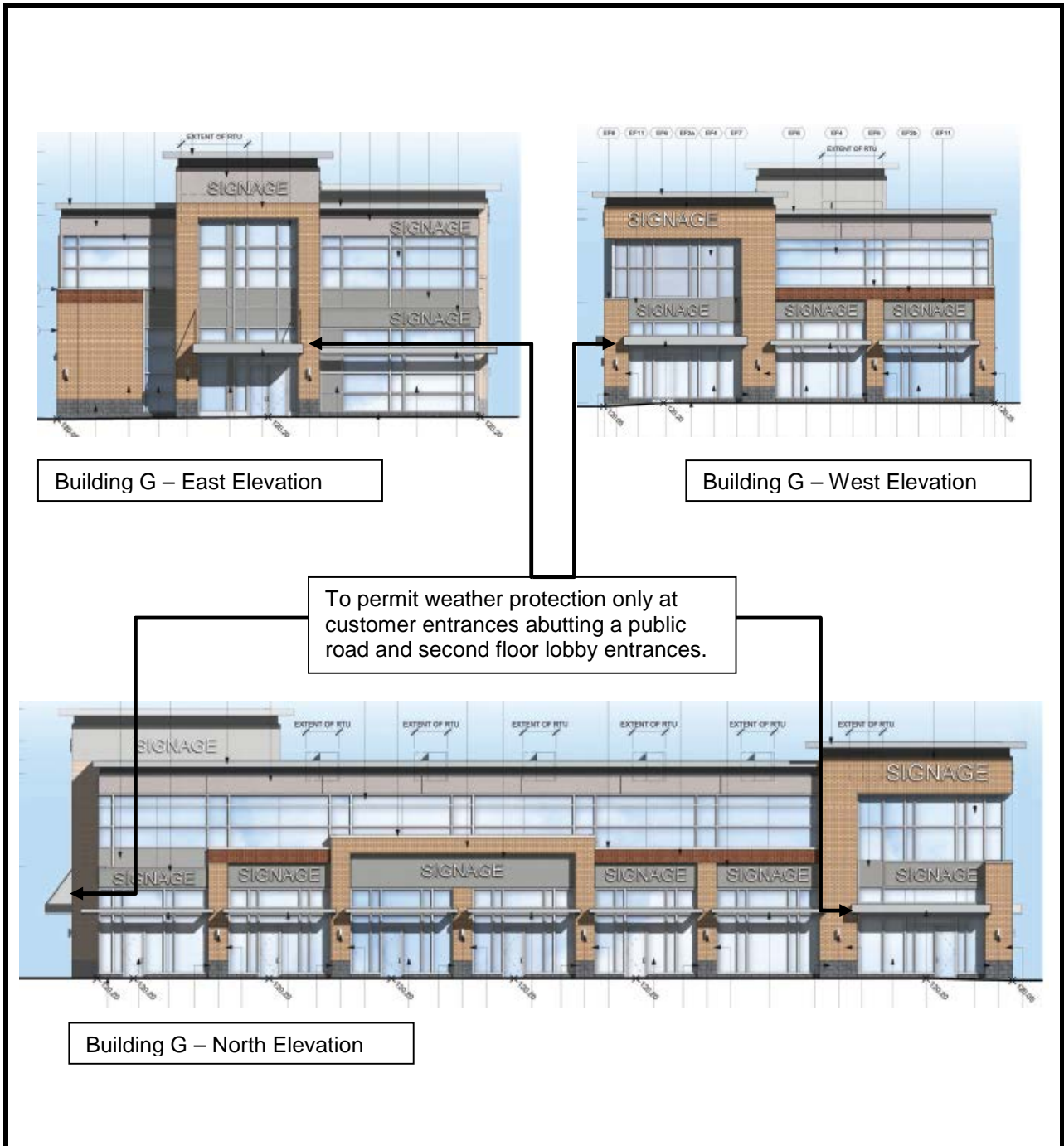
Date: July 27, 2016

Figure 4

Proposed Elevations
Building 'B'
7 Rossland Road East



Town of Ajax
Planning & Development Services



Application File No. A30/16

**Applicant: Belmont Equity
(Rossland Landing) Ajax Ltd.**

Date: July 27, 2016

Figure 5

**Building 'G' Elevations
901 Harwood Avenue North**



**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 A31/16**
Niravkumar Sheth
30 Hibbard Drive
Block 113, 40M1862 Block 113, 40R18519, Part 27

Ward: 1

Date of Meeting: July 27, 2016

Recommendation:

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.**

Background & Proposal:

The applicant is proposing to operate a home based business within the existing single detached dwelling located at 30 Hibbard Drive. In order to establish a home based business within the dwelling, a minimum of three legal sized off-street parking spaces are required.

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 at the south side of Hibbard Drive, and is municipally known as 30 Hibbard Drive. The subject property is surrounded by single detached dwellings in all directions. To the south, across Delaney Drive, are also 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 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 Two – A (R2-A) Zone within the Town of Ajax Zoning By-law 95-2003, as amended. This zone category permits single detached dwellings, and a home based business, subject to the parking provisions and Section 4.11- Home Based Business provisions being met. The R2-A 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 0.4m increase). For clarification purposes, the notification and signage posted on the property stated that the subject was zoned Residential One – E (R1-E) Zone with the requirement of a maximum driveway width of 5.0m. However, this was an error, the zoning on the property is as mentioned above (R2-A Zone) with a maximum driveway width of 5.0 metres.

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 R2-A Zone. One of the residents of the dwelling is an esthetician and would like to create a home based business. Section 5.10.1 Residential Parking Requirements states that for a Home Based Business, one parking space is required in addition to the parking requirements for the dwelling. The 0.4 metre increase in driveway width has been requested in order to provide an additional legal off-street parking space to accommodate a home based business within the existing single detached dwelling. The applicant has been advised that they must comply with the provisions of Section 4.11- Home Based Business, and that a 0.6 metre separation from property lines, 1.0 metres from all utility structures and 2.0 metres from trees must be maintained.

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 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 - 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 A31/16, submitted by Niravkumar Sheth, to permit a maximum driveway width of 5.4 metres, is:

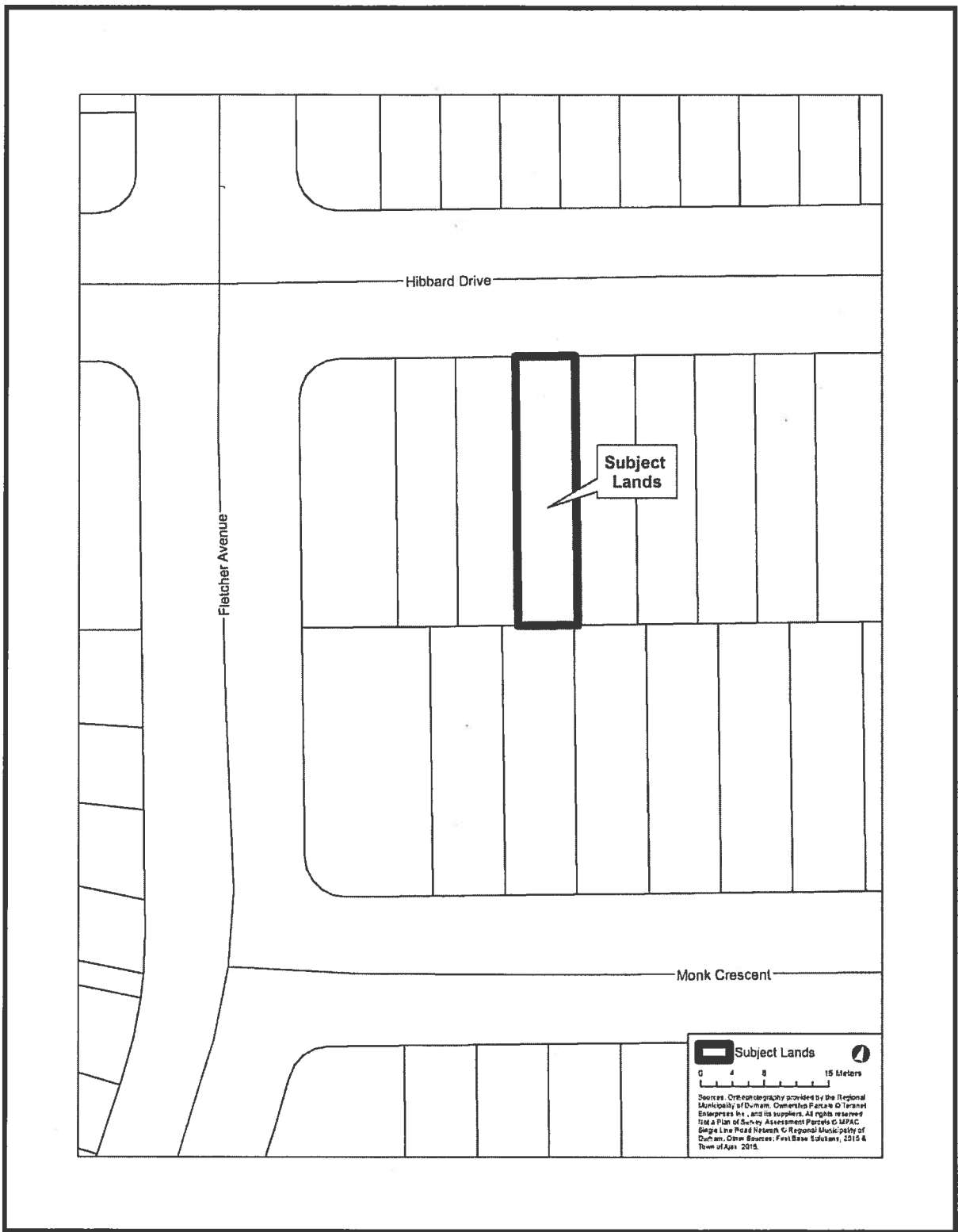
- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.




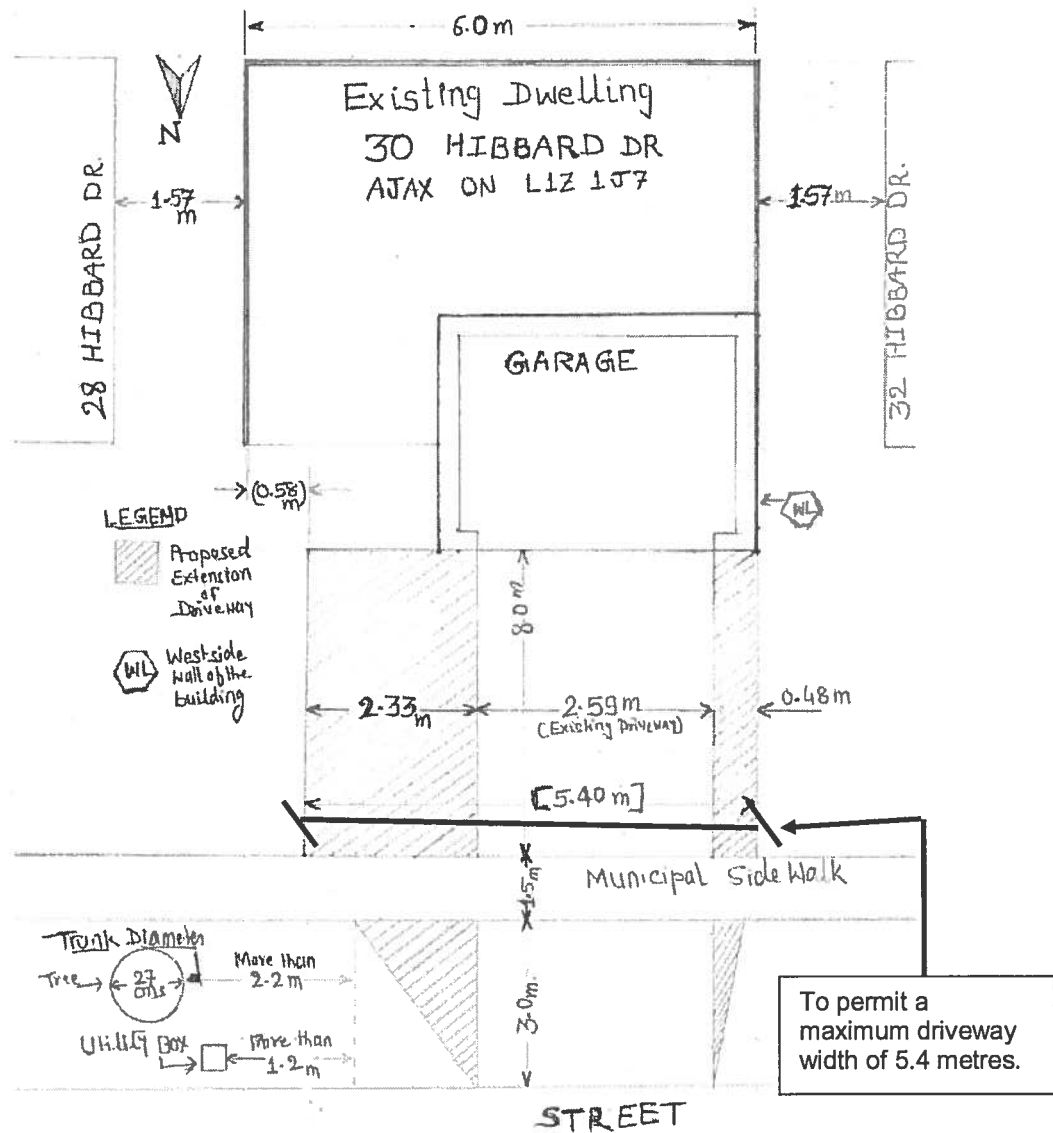
Amanda Dunn, MES, MCIP, RPP
Development Planner



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



<p>Application File No. A31/16</p> <p>Applicant: Niravkumar Sheth</p> <p>Date: July 27, 2016</p>	<p>Figure 1</p> <p>Subject Lands 30 Hibbard Drive</p>	 <p>Town of Ajax Planning & Development Services</p>
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Application File No. A31/16

Applicant: Niravkumar Sheth

Date: July 27, 2016

Figure 2


Proposed Site Plan
30 Hibbard Drive



Town of Ajax
Planning & Development Services



Subject
Property

<p>Application File No. A31/16</p> <p>Applicant: Niravkumar Sheth</p> <p>Date: July 27, 2016</p>	<p>Figure 3</p> <p>Zoning Information</p> <p>30 Hibbard Drive</p>	 <p>Town of Ajax</p> <p>Planning & Development Services</p>
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