



AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall
65 Harwood Avenue South, Ajax
Council Chambers

Wednesday, May 25, 2016

Meeting: 7:00 p.m.

Open Meeting

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

a) [A4/16 – 56 Ontoro Boulevard – Avtech Designs](#)

To permit a minimum front yard setback of 4.8 metres, a minimum interior side yard setback of 2.4 metres, and a maximum lot coverage of 27.4%.

b) [A7/16 – 20-30 Blowers Crescent – GHD Limited](#)

To permit a minimum setback of 4.0 m from the front lot line, a minimum parking space length of 5.7m (14 spaces), and a minimum of 164 required parking spaces.

c) [A9/16 – 16 Edward Street – Hilary Buyting](#)

To permit a total lot coverage for all accessory buildings to a maximum of 14.7% of the lot area and a maximum gross floor area of 70m².

d) [A12/16 – 92 Taverner Crescent – Vivek Gupta](#)

To permit a maximum driveway width of 5.4 metres.

e) [A13/16 – 610 Monarch Avenue – Reinders + Rieder on behalf of the The Toronto Church of Christ](#)

To permit an enlargement of a legal non-conforming use, specifically a place of worship, to permit no loading spaces, a minimum landscape buffer width of 3.0 m along Monarch Avenue and a maximum of 56% of required parking spaces in the front yard and arranged in multiple rows.

f) A14/16 – 1801 Harwood Avenue – Gowri Shanker

To permit a retail store with a maximum gross floor area of 524 m².

g) A15/16 – 25 Ainsbury Avenue – Mattamy (Monarch) Ltd.

To permit a minimum setback of 7.25 m from the rear lot line.

h) A16/16 – 10 Headon Avenue – Mattamy (Monarch) Ltd.

To permit a minimum setback of 7.25 m from the rear lot line.

i) A17/16 – 70 Cluelt Drive – Lumon Canada Inc.

To permit a minimum setback of 3.9 m from the rear lot line to a sunroom addition.

6. Other Business/New Business
7. Adjournment

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

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

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

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

2. Disclosure of Interest

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

There were none.

3. Adoption of March 30, 2016 and Town of Ajax Committee of Adjustment Meeting Minutes

Chair Milligan asked for a motion to adopt the minutes from the March 30, 2016 Committee of Adjustment meeting.

Proposed by: Member Roberts
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 A8/16
Terrance Lesyk
81 Annie Crescent
Lot 31, Plan 40M-1805

To permit a platform that is more than 1.2 metres above ground level, to have a maximum area of 42.8 m².

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 A8/16, submitted by Terrance Lesyk, to permit a platform that is more than 1.2 metres above ground level, to have a maximum area of 42.8 m², subject to the following condition:

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

Mr. Terri Lesyk, 81 Annie Crescent, was in attendance to represent the application. Mr. Lesyk provided an overview of the platform, identifying constraints and that the additional platform area was for safety purposes.

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.

Member Molinari 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: The recommendation of the staff report is that the Committee of Adjustment approve Minor Variance Application A8/16, submitted by Terrance Lesyk, to permit a platform that is more than 1.2 metres above ground level, to have a maximum area of 42.8 m², subject to the following condition:

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

**Minor Variance Application A10/16
Jonelle and Tony Vlogiannitis
27 Beverton Crescent
Lot 26, Plan 40M-2436**

To permit a minimum setback of 1.4 metres from the rear lot line to a platform that is less than 1.2 metres above ground level.

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 A10/16, submitted by Paul Lefrance Design on behalf of Jonelle and Tony Vlogiannitis, to permit a minimum setback of 1.4 metres from the rear lot line to a platform that is less than 1.2 metres above ground level, subject to the following condition:

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

Mr. Josh Fletcher, Paul Lefrance Design was in attendance to represent the application, and provided a brief overview of the application.

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

Member Briand made a motion to approve the application subject to the amended 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 Roberts.

All in favour

Carried

Decision: That the Committee of Adjustment approve Minor Variance Application A10/16, submitted by Paul Lefrance Design on behalf of Jonelle and Tony Vlogiannitis, to permit a minimum setback of 1.4 metres from the rear lot line to a platform that is less than 1.2 metres above ground level, subject to the following condition:

- 1. That the Owner/Applicant obtain a building permit for the proposed platform, if the platform is attached to the dwelling or if otherwise necessary, or this decision shall become null and void.**
-

4.0 Other Business/New Business Continued

5.0 Adjournment

Proposed by: Member Ahmed
Seconded by: Member Briand

All in favour

Carried

Meeting adjourned at 7: 17p.m.

Matthew Milligan
Chair

Sean McCullough, MCIP, RPP
Secretary-Treasurer

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

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

Subject: **Minor Variance Application A04/16**
Avtech Designs
56 Ontoro Boulevard

Ward: 4

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A04/16 submitted by Avtech Designs on behalf of Fadil Malik, to permit a minimum front yard setback of 4.8 metres, a minimum west interior side yard setback of 2.4 metres and a maximum lot coverage of 27.4%, 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:

During the March 30, 2016 Committee of Adjustment meeting, Minor Variance Application A04/16 was deferred to a future meeting of the Committee of Adjustment in order for staff to obtain comments from the Central Lake Ontario Conservation Authority (CLOCA) and the Toronto and Region Conservation Authority (TRCA), prior to staff preparing a recommendation. The original proposal included an addition of a 23.9 m² (258 ft²) attached garage to the northwestern portion of the property and a 19.8 m² (214.2 ft²) unheated sunroom to the rear, south of the property resulting in the following variance requests:

- an increase in lot coverage from 20% to 32.6%;
- a reduction in the front yard setback from 15 metres to 4.8 metres;
- a reduction of the west interior side yard setback from 7.5 metres to 1.2 metres; and
- a reduction in the rear yard setback from 15 metres to the rear lot line (Country Residential Zone Boundary) to 1.8 metres.

Since that meeting, the Town has received comments from CLOCA and the TRCA and the applicant has made revisions to the original submission in order to satisfy the agency requirements. Based on CLOCA's comments, the 19.8 m² (214.2 ft²) unheated sunroom has been removed. As a result the applicant is requesting to permit an increase in lot coverage to 27.4%; whereas, Zoning By-law permits a maximum of 20%. Further, the applicant has also revised the design of the proposed garage and is now requesting the reduction of the interior side yard setback to 2.4 metres to the west side of the property; whereas, the Zoning By-law requires 7.5 metres.

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 56 Ontoro Boulevard. The subject property is surrounded by predominantly rural residential lots with single detached dwellings to the east, west and north (See Figure 1- Subject Lands). The subject property is one of the lakeside properties and has direct frontage to Lake Ontario to the rear (south) of the lands. There is an existing single detached residential dwelling on the subject lands.

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" and "Environmental Protection" within the Town of Ajax Official Plan. Section 2.6.2 of the Town of Ajax Official Plan permits single detached dwellings on existing lots of record within the "Rural Area" designation. Section 2.2.5.2 a) iv) and b) iii) of the Town of Ajax Official Plan states that the Town shall protect, enhance and restore all areas within the Environmental Protection designation which is comprised of the Lake Ontario Waterfront. This section also limits permitted uses within the Environmental Protection designation to passive recreational uses, such as trails, beaches, nature viewing, conservation area, footbridges and picnic facilities. The proposal is entirely within the Rural Area designation and does not include any development within the Environmental Protection designation, as such 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 Country Residential Zone (CR) Zone and Environmental Protection (EP) Zone by Zoning By-law 95-2003, as amended. The proposed development is fully within the (CR) Zone, which permits single detached dwellings. Section 2.4v) of Zoning By-law 95-2003 states that "where a lot is divided into two or more zones the zone boundary dividing the lot shall be deemed to be a lot line for purposes of calculating required setbacks and coverage, and each portion of the lot shall be in accordance with the provisions of this By-law for the applicable zones". As such, the Country Residential zoning provisions are applicable to this development.

The existing dwelling on the subject lands was constructed prior to the passing of the Town's current Zoning By-law 95-2003; therefore the existing property does not comply with the current development standards within the zoning by-law. 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.

The proposed development does not comply with the minimum front yard setback, the minimum west interior side yard setback, or the maximum lot coverage for this zone category. The applicant has requested these variances in order to permit the construction of the attached garage.

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.

As a result of the subject property being dual zoned, the coverage is calculated based only on the lot area of the Country Residential Zone, not the full lot size, which includes the Environmental Protection Zone. The proposed coverage within the Country Residential Zone is 27.4%, 7.4% more than what is permitted. The coverage of the dwelling and attached garage on the lot (including the Environmental Protection Zone) is 16.1%.

The 7.4% increase in lot coverage would not represent an unreasonable imposition on the outdoor amenity areas, as the rear yard would not be impacted and would maintain a sufficiently sized yards for outdoor amenity purposes. A 7.4% increase in lot coverage would not be out of character within this neighbourhood as similar variances have been granted. The request is considered to be minor 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. It is staff's opinion that the request to permit the minimum west interior side yard setback of 2.4 m is appropriate. Reducing the interior side yard setback from 7.5 metres to 2.4 metres on the west side of the property would not encroach any closer than the existing legal non-complying setback of the dwelling which has a 2.4 m setback from the western property line. It is staff's opinion that the reduced interior side yard setback would maintain the general intent of the Town of Ajax Zoning By-Law 95-2003, as amended and the Town of Ajax Official Plan policies will be maintained.

Minimum Front Yard Setback Variance

The intent of the minimum front yard setback is to provide an appropriate buffer between the dwellings on a lot and the street line and to ensure a desirable streetscape is maintained. The requested variance to reduce the front yard setback from 15 metres to 4.8 metres will not negatively impact the streetscape along Ontoro Boulevard. The purpose of the relief sought to reduce the front yard setback is to accommodate the proposed attached garage. Prior to this, a detached garage was located in the front yard and partially located on the Town's municipal boulevard. The proposed front yard setback of 4.87 metres, would maintain an appropriate buffer between the proposed garage and the street line. It is staff's opinion that the reduced setback would maintain the intent of the Town of Ajax Zoning By-law 95-2003, as amended and the Town

of Ajax Official Plan, would improve the existing streetscape and would be desirable and an appropriate development for the subject lands.

Other Comments:

Design Services - The applicant is advised to apply for a tree cutting permit if there are any existing tree to be removed due to the development of the garage. The subject property is located within the Greenbelt and the area is subject to the Tree Protection By law.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - Historical drainage is to remain.

Toronto and Region Conservation Authority -

Subject property is not within a TRCA Regulated Area, and is outside of the watershed boundaries that define the TRCA jurisdiction. A TRCA permit is not required.

Central Lake Ontario Conservation Authority –

The proposed development, as revised to remove a proposed enclosed sunroom, is adequately sited in relation to the estimated erosion hazard present on the lands. CLOCA staff have no objections to the proposed variances. A permit for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (Conservation Authorities Act - Ontario Regulation 42/06, UNDER O.REG 97/04) is required.

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:

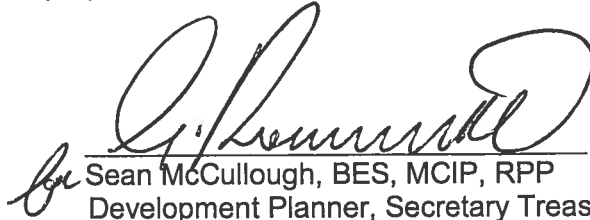
Based on the discussion above, staff are of the opinion that **Minor Variance Application A4/16**, submitted by Avtech Designs on behalf of Fadil Malik, to permit a minimum front yard setback of 4.8 metres, a minimum interior side yard setback of 2.4 metres and a maximum lot coverage of 27.4% to be:

- 1) minor in nature;
- 2) desirable for the appropriate development and use of the lands; and

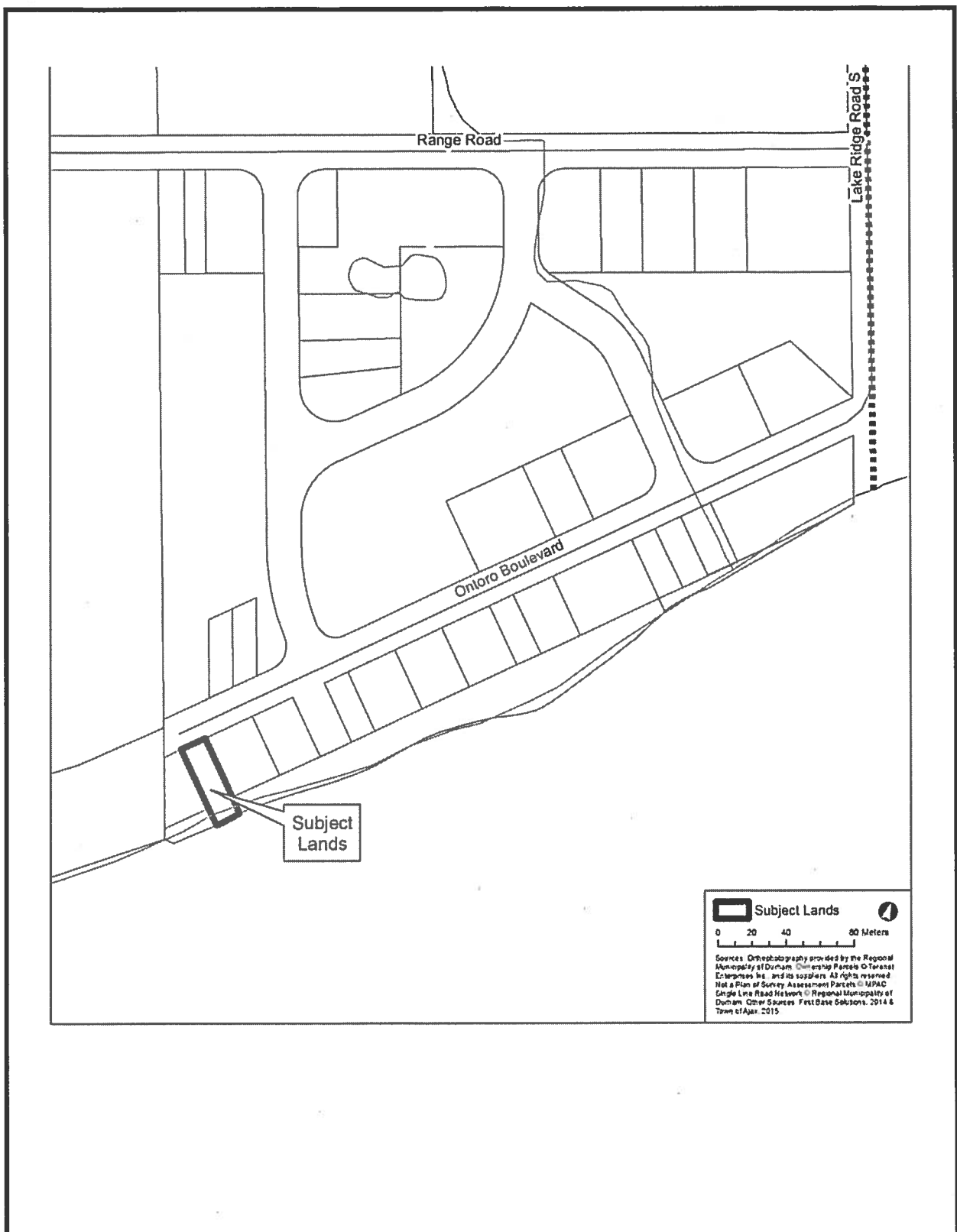
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Amanda Dunn, MES, MCIP, RPP
Development Planner



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



Application File No. A4/16

Applicant: Avtech Designs

Date: May 25th , 2016

Figure 1

Subject Lands
56 Ontoro Boulevard



Town of Ajax
Planning & Development
Services

TOWN OF AJAX REPORT



REPORT TO: Committee of Adjustment

SUBMITTED AND PREPARED BY: Sean McCullough, MCIP, RPP
Development Planner

SUBJECT: Minor Variance Application A7/16
SJ71 Limited
20-30 Blowers Crescent

WARD: 2

DATE OF MEETING: May 25, 2016

REFERENCE: Site Plan SP12/15

RECOMMENDATION:

That the Committee of Adjustment approve Minor Variance Application A7/16, submitted by 2293297 Ontario Inc., to permit a minimum setback of 4.0 metres from a front lot line (Blowers Crescent), a minimum of 164 required parking spaces, and a minimum parking space length of 5.7 metres, subject to the following conditions:

1. That the applicant obtain approval of Site Plan Application SP12/15 and enter into a site plan agreement with the Town or this decision shall become null and void; and
2. That the applicant obtain a building permit for the proposed development or this decision shall become null and void.

Background & Proposal:

SJ71 Limited has filed Site Plan Application SP12/15 in order to facilitate the development of a two-storey building with a total gross floor area of 2,106 m² (22,668 ft²). The building would consist of three restaurants on the ground floor, with outdoor patios adjacent to Blowers Crescent. The second storey will contain a 1,000 m² banquet facility and 140 m² of office space.

The applicant is requesting to permit a minimum of 164 required parking spaces, whereas the zoning by-law requires 186 required parking spaces; a minimum setback of 4.0 metres from the front lot line; whereas, the zoning by-law requires 9.0 metres; and a minimum parking space length of 5.7 metres; whereas, the zoning by-law requires a minimum parking space length of 6.0 metres.

Subject Property and Surrounding Land Uses:

The subject lands are located on the north and east side of Blowers Crescent and are municipally known as 20 and 30 Blowers Crescent. The subject lands consist of 2 vacant registered blocks within the Salem Business Park and will be amalgamated to create one block (see Figure 1: Location Map).

Surrounding the property in all directions are vacant employment blocks serviced for development. A site plan containing 2, one-storey multi-tenant employment buildings has been site plan approved and is located to the northeast. Further north are stormwater management ponds that service the employment subdivision and environmental protection lands. Further east is Salem Road North and vacant lands designated Prestige Employment.

Town of Ajax Official Plan

The subject lands are designated “Prestige Employment” within the Town of Ajax Official Plan. It is intended that development within this designation exhibit a high standard of building design and landscaping.

Permitted within the Prestige Employment designation are such uses as business and professional offices, research and development facilities, manufacturing in wholly enclosed buildings, warehousing, distribution centres, financial institutions, restaurants, personal service establishments, athletic clubs, private recreational facilities, banquet facilities and other similar uses.

All new development or redevelopment within the Prestige Employment designation shall be consistent with the Town of Ajax Employment Areas Urban Design Guidelines adopted by Council. The Prestige Employment designation is located along major transportation corridors and does not permit outside storage. A superior level of building design and landscaping is required.

The proposed development is consistent with the policies of the Town of Ajax Official Plan.

Town of Ajax Zoning By-law 95-2003

The subject lands are within the Prestige Employment (PE) Zone and are subject to Exception 66 within the Town of Ajax Zoning By-law 95-2003, as amended. The PE zone category permits uses such as, but not limited to, banquet facility, day care facility, financial institution, light manufacturing, medical clinic, offices, personal service shop, recreation facility, restaurant, veterinary clinic and warehouse/distribution centre. Exception 66 provides for additional uses including, convention centre, research and development and stormwater management facilities. Exception 66 also sets various development standards for minimum lot area, minimum interior side yard setbacks and the location of outdoor storage.

The proposed development will comply with all provisions of the Zoning By-law except for the minimum required parking, minimum parking space length, and setback from the front lot line (Blowers Crescent) provisions.

Requested Minor Variances:

Minimum Setback from Front Lot Line (Blowers Crescent) Variance

The intent of the minimum setback from a front lot line is to provide an appropriate buffer between buildings on a property and the street line and to ensure a desirable streetscape is maintained. The siting of the proposed building in close proximity to Blowers Crescent was encouraged by staff. This will establish a strong building presence along the street, create a more desirable streetscape and enhance the pedestrian experience. This will be accomplished by reducing the required minimum front yard setback from 9.0 metres to 4.0 metres. A 4.0 metre landscape strip consisting of patios and landscaping, and a 4.5 metre treed boulevard would be maintained between the building and Blowers Crescent. The requested variance is considered to be minor in nature and desirable for the appropriate development of the land.

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 various uses of the subject property. The Town's zoning by-law currently provides parking rates based on use and the gross floor area of a building. Table 1 is a summary of the required parking:

Table 1: Parking Requirements

Proposed Use	Floor Area	Zoning By-law 95-2003 requirement	Proposed Parking Supply
Restaurant 1	496 m ²	50 (1 per 10 m ²)	50
Restaurant 2	250 m ²	25 (1 per 10 m ²)	25
Restaurant 3	220 m ²	22 (1 per 10 m ²)	22
Office	140 m ²	5 (1 per 28 m ²)	5
Banquet Facility	1,000 m ²	84 (1 per 12 m ²)	62
Total	2,150 m²	186	164

A Traffic Impact Study (TIS), prepared and submitted by LMM Engineering Inc. dated May 2, 2016, was submitted in support of the development. The TIS surveyed four banquet facilities, one location in Brampton, one location in Mississauga, one location in Oshawa and one location in Ajax. Parking rates were established at each facility based on the observed peak demand and the size of the facility, rates varied between 5.2 to 6.4 spaces per 100 m² with an average of 5.9 spaces per 100 m². Based on the average rate the proposed banquet facility would require 59 spaces; whereas, 62 spaces have been provided.

Parking demand was also compared against the Urban Land Institutes (ULI) Parking Guidelines, which establishes an anticipated hourly parking demand (expressed as a percentage) based on use. Using the ULI guidelines the peak demand for the site is between 7:00 pm and 9:00 pm, and would require 157 parking spaces. As a result, the proposed 164 parking spaces would be sufficient to accommodate the peak demand of the site.

Further, the subject site is located approximately 50 metres from Salem Road North (Type B Arterial Road) which provides transit opportunities to and from the site.

Town staff have reviewed the TIS and are of the opinion that the request to reduce the overall supply of parking is appropriate and this request is considered minor in nature.

Minimum Parking Space Length Variance

The purpose of the minimum parking space dimension provision is to ensure that sufficient space is provided for vehicles to park as well as maneuver safely in and out of a parking space. The reduction of the minimum parking space length to 5.7 metres would maintain adequate space for vehicles to park and maneuver safely. Further, the proposed parking space length reduction would apply only to 14 spaces as a result of truck turning movements (garbage and service trucks) on the subject site. A variance request of this nature has been considered by the Town of Ajax and the Committee of Adjustment in the past. As such, the requested reduction to the minimum parking space dimension requirement of 0.3 metres is considered 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;

Engineering Services: no comments;

Transportation Services: The applicant has satisfactorily addressed the Town's concerns by undertaking further surrogate site surveys to justify the parking reductions as presented in the latest Traffic Impact and Parking Justification Study;

Operations Services: no comments;

Fire Services: no comments;

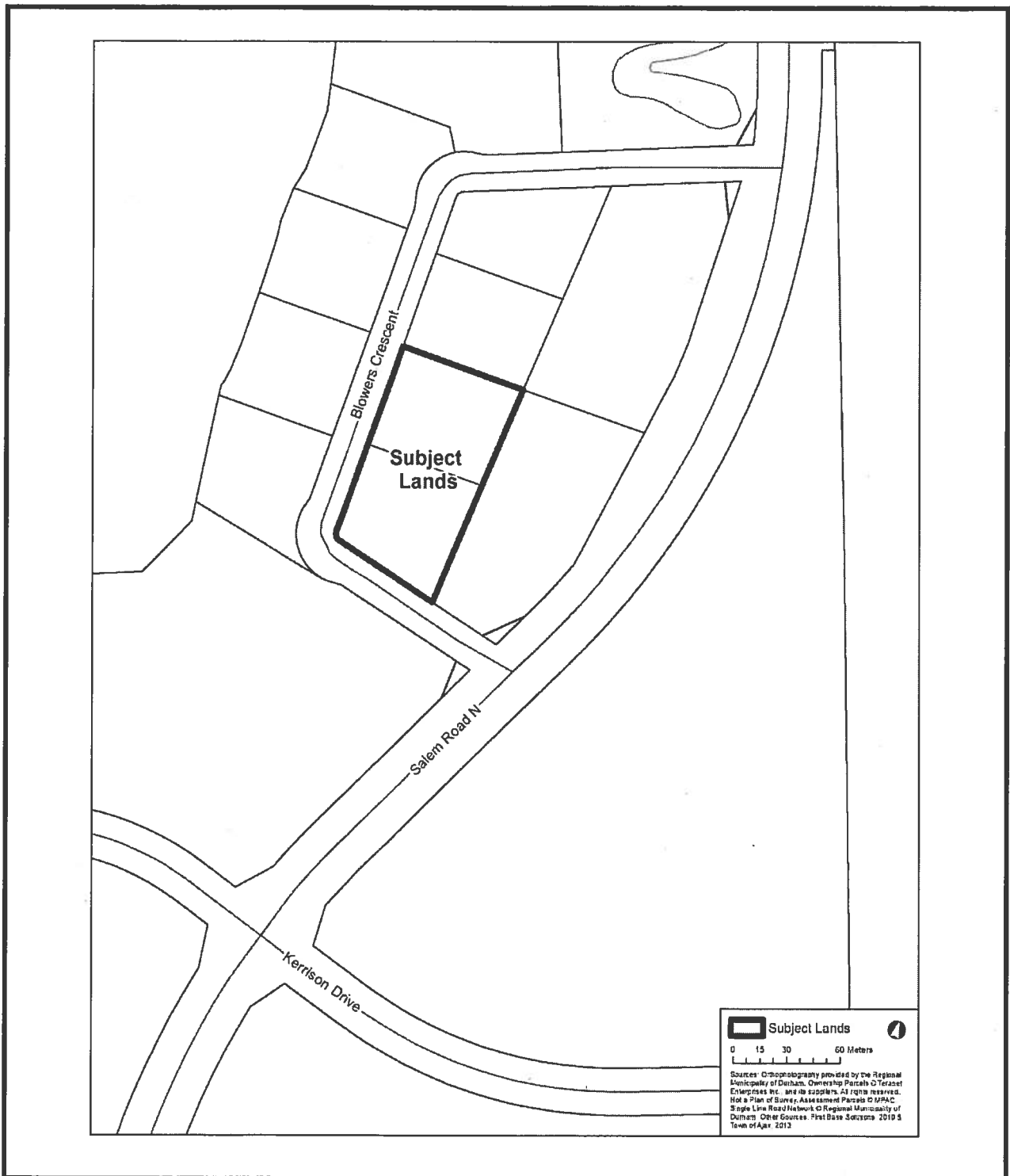
Conclusion:

Based on the above discussion, staff are of the opinion that **Minor Variance Application A7/16**, submitted by SJ71 Limited, to permit a minimum setback of 4.0 metres from a front lot line (Blowers Crescent), a minimum of 164 required parking spaces, and a minimum parking space length of 5.7 metres, 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. A07/16

Applicant: SJ71 Ltd.

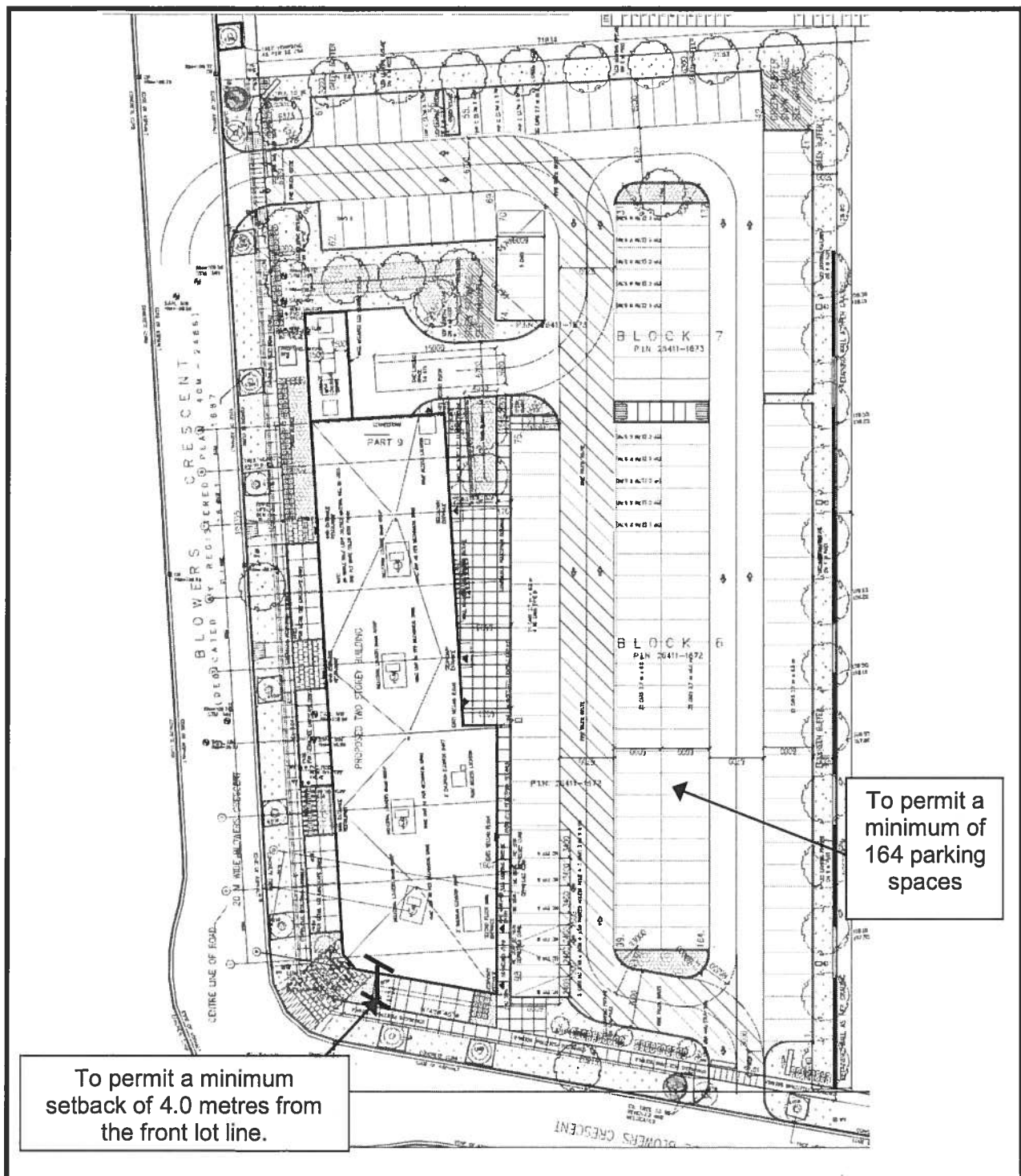
Date: May 25, 2016

Figure 1

Subject Lands
20-30 Blowers Crescent



Town of Ajax
Planning & Development Services



Application File No. A07/16

Figure 2

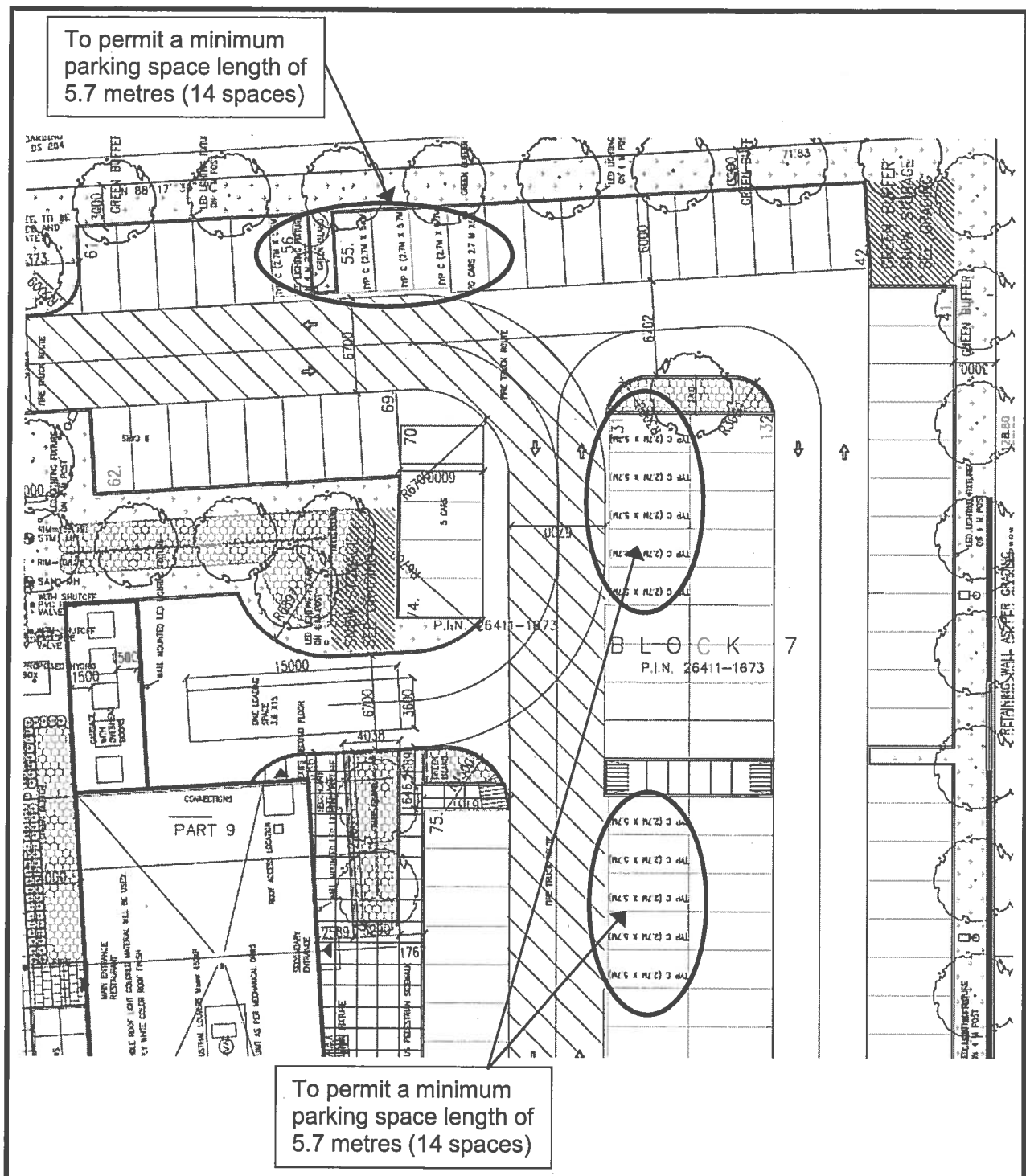
Applicant: SJ71 Ltd.

Proposed Site Plan
20-30 Blowers Crescent

Date: May 25, 2016

Town of
Ajax
By the Lake

Town of Ajax
Planning & Development
Services



Application File No. A07/16

Figure 3

Applicant: SJ71 Ltd.

Proposed Site Plan
(Enlarged)
20-30 Blowers Cres

Date: May 25, 2016

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
Development Planner/ Secretary Treasurer of Committee of Adjustment

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

Subject: **Minor Variance Application A09/16**
Hilary Buyting
16 Edward Street
Lot 330, Plan 465

Ward: 3

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A09/16 submitted by Hilary Buyting, to permit a total maximum gross floor area of 70 m² and maximum lot coverage of 14.7% for all accessory buildings, subject to the following conditions:

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

Background & Proposal:

The applicant is proposing to construct a 1-storey, 61.1 m² accessory building (detached garage) for the parking of personal vehicles and personal storage. There is an existing 1-storey, 8.9 m² accessory building (shed) on the property, which will remain. The applicant has indicated that there is currently a lack of storage for their personal belongings and vehicles and would like to construct an accessory building to address this need. The combined gross floor area for all accessory buildings on the lot equals 70 m², representing a total lot coverage of 14.7% for all accessory buildings.

The minor variance application is requesting to permit a maximum gross floor area of 70 m² for all accessory building with a total lot coverage of 14.7%; whereas, the Zoning By-law permits a maximum gross floor area of 60.0 m² and a total lot coverage of 10%.

Subject Property & Surrounding Land Uses:

The subject property is located on the north side of Edward Street, east of Lord Eglin Public School located within Midtown Ajax. The property has a lot area of 0.11 acres (476.3 square metres). Abutting the property to the north, west and south, across Edward Street, are single detached dwellings (See Figure 1- Subject Lands).

Town of Ajax Official Plan:

The subject property is designated 'Midtown Corridor' within the Town's Official Plan. This designation is intended to promote the future redevelopment of the lands along the Harwood Avenue corridor by encouraging mixed-use and mid-rise buildings that will enhance the street frontage and create a pedestrian-friendly environment. Although much of the land currently designated as Midtown Corridor is comprised of single detached houses, the residential uses permitted within the designation are of a higher density and include street, block, stacked and back-to-back townhouses, back-to-back stacked townhouses, double-front townhouses, apartments, live-work units, and all types of special needs housing. Since the proposed development is accessory to an existing residential use and is a permitted use within the Zoning By-Law, it complies with the policies of the Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Residential One – 'D' (R1-D) Zone by Zoning By-law 95-2003, as amended. This zone category permits single detached dwellings. Accessory buildings, structures and uses are permitted in all zones, subject to meeting the provisions of Section 4.1.1 General Provisions – Accessory Buildings, Structures and Uses of the Zoning By-law. Section 4.1.1.1 v) which states that the total lot coverage of all accessory buildings and structures on a lot shall not exceed 10% of the lot area to a maximum gross floor area of 60.0 m². Further Section 4.1.1 ii) states that no detached accessory building or structure may be used for human habitation or an occupation for gain, unless specifically permitted by this By-law; Condition 2 within the recommendation section states that human habitation or an occupation for gain be restricted from the proposed accessory building. The proposal complies with the provisions of the Zoning By-law.

Requested Minor Variances:***Maximum Accessory Building Floor Area and Lot Coverage Variances:***

The intent of the maximum lot coverage and maximum gross floor area for accessory buildings is to maintain an appropriate amount of amenity area and to regulate the maximum size and mass of accessory buildings on a lot. The proposed detached garage is considered an accessory building by Zoning By-law 95-2003, as amended. An accessory building is defined as a detached building or structure that is subordinate to and customarily incidental to the principle building, structure or use on the same lot. The proposed accessory building is clearly subordinate to the principle use on the lot, being a residential dwelling. There is an existing 51m² (548.9 ft²) garage located in the same area, which would be removed and replaced with the proposed garage.

Zoning By-law 95-2003 permits a maximum lot coverage of 10% for all accessory buildings and structures on a lot to a maximum gross floor area of 60 m². The proposed accessory building would occupy 12.8% of the lot area with a total gross floor area of 61.1 m² (2.8% and 1.1 m² in excess of the maximum permitted). There is also an existing 8.9 m² (95.7 ft²) shed on the subject property located just west of the existing dwelling that is to remain. The subject property is large enough (477.4 m²) to accommodate the proposed accessory buildings without compromising the size of the rear yard amenity area. As already mentioned there is an existing garage in the same location of the proposed garage, although the proposed garage is larger in size, the new garage would not impact adjacent properties to the north and east as it would maintain the required setbacks. Further, the proposed gross floor area of the building would not be out of character with the neighborhood, as surrounding properties have similar accessory buildings and structures. Thus, the request to permit a total gross floor area of 70 m² for all accessory buildings would be considered minor in nature and an appropriate use of the land.

Other Comments:

Design Services – Ensure the two existing mature trees on the lot are to be preserved. Ensure to get consent from 14 Edward Street, that the neighbour's existing mature tree is not impacted by the development proposal.

Transportation Services – no comment.

Building Services – A building permit will be required for the proposed accessory building.

Operations - no comments.

Fire Services – no comments.

Engineering Services – no comments.

Communications:

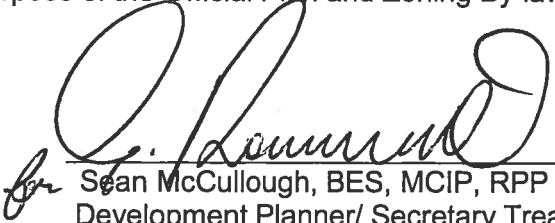
In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metres of the subject property. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

Conclusion:

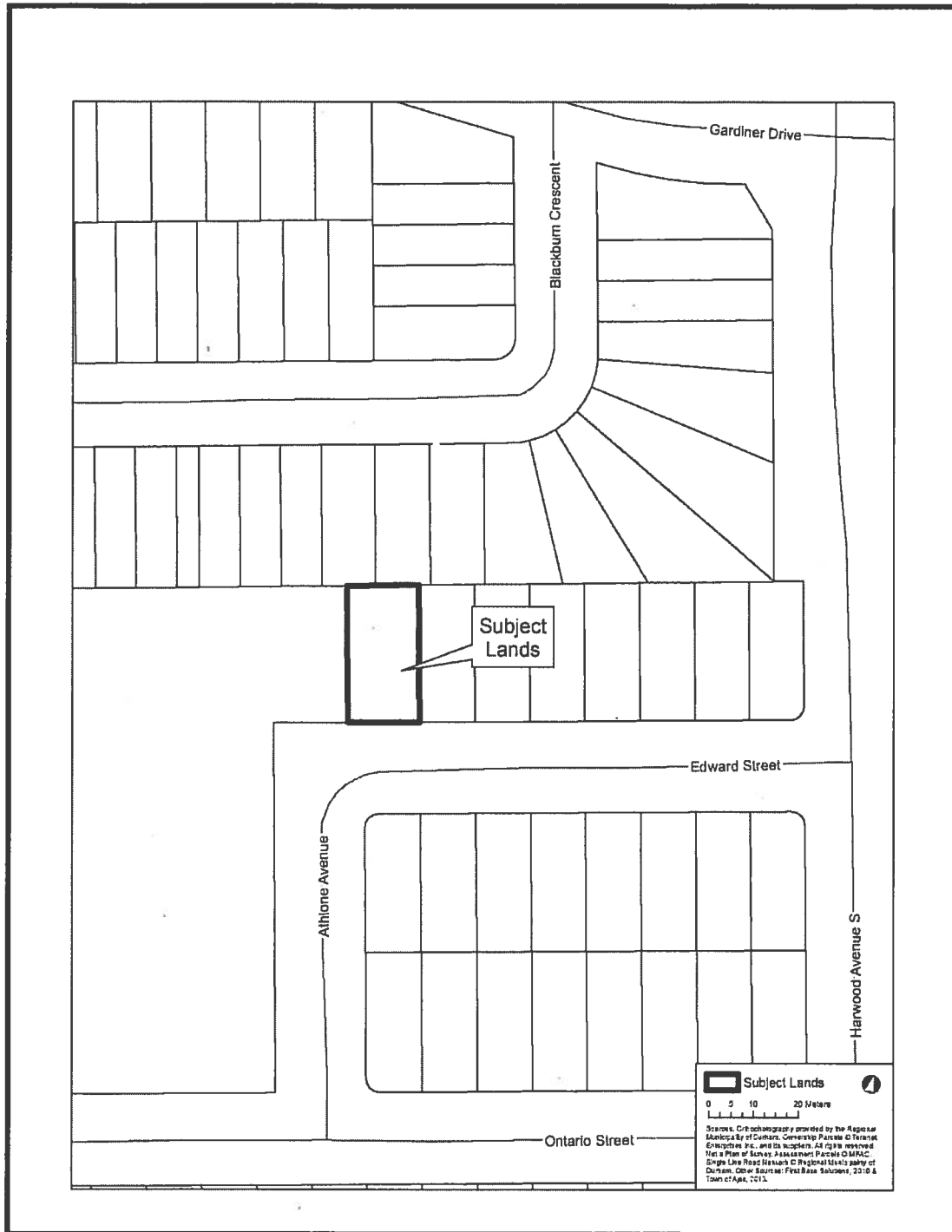
Based on the discussion above, staff are of the opinion that **Minor Variance Application A09/16**, submitted by Hilary Buyting, to permit a total maximum gross floor area of 70 m² and maximum lot coverage of 14.7% of the lot area for all accessory buildings is:

- 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.
A09/16

Applicant: Hilary Buying

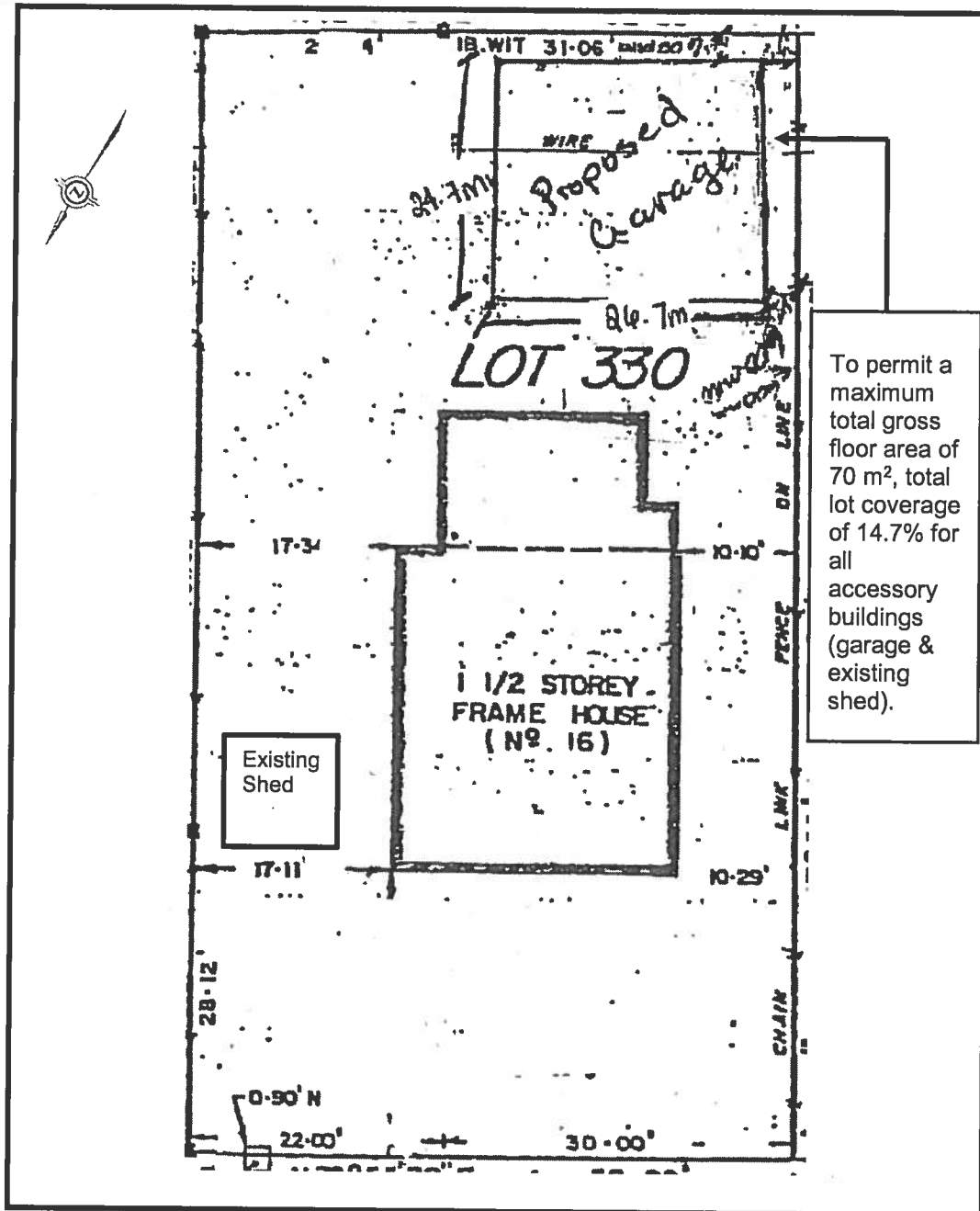
Date: May 25, 2015

Figure 1

Subject Lands
16 Edward Street



Town of Ajax
Planning & Development
Services



Application File No. A09/16

Applicant: Hilary Buying

Date: May 25, 2015

Figure 2

Proposed Site Plan
16 Edward StreetTown 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 A12/16
Ahilan Ratnasingam,
92 Taverner Crescent

Ward: 1

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A12/16 submitted by Vivek Gupta on behalf of Ahilan Ratnasingam, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:

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

Background & Proposal:

In March 2016, an Order to Comply was issued by Building Services requiring a building permit to be obtained for an accessory apartment located within the dwelling. In order to establish an accessory apartment within the basement of the dwelling located at 92 Taverner Crescent, a minimum driveway width of 5.4 metres is required in order to provide a minimum of three legal sized off-street parking spaces, as required by Zoning By-law 95-2003, as amended.

The owner of the property has submitted a minor variance application requesting relief from the requirements of the Town's Zoning By-law to permit a maximum driveway width of 5.4 metres; whereas, the zoning by-law permits a maximum driveway width of 5.0 metres. A minimum width of 5.4 metres is required to accommodate two legal sized parking spaces (minimum 2.7 metres) side-by-side. 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 Taverner Crescent, and is municipally known as 92 Taverner Crescent. 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, and one accessory apartment (provided the minimum required parking can be achieved). The R1-E Zone permits a maximum driveway width of 5.0 metres, whereas the applicant is requesting to permit a maximum driveway width of 5.4 metres (a 0.4m increase).

Requested Minor Variance:

Maximum Driveway Width Variance

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

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

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

Other Comments:

Design Services - No comments.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - No comments.

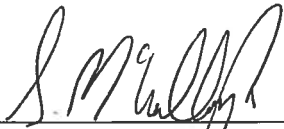
Communications:

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 A12/16, submitted by Ahilan Ratnasingam, to permit a maximum driveway width of 5.4 metres, is:

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



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



Application File No. A12/16

Applicant: Vivek Gupta

Date: May 25th , 2016

Figure 1

**Subject Lands
92 Taverner Crescent**



**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 A13/16**
The Toronto Church of Christ
610 Monarch Avenue

Ward: 3

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A13/16 submitted by The Toronto Church of Christ, to expand the legal non-conforming use of a Place of Worship with a 1275.30 m² building addition, and to permit a minimum landscape buffer width of 3.0m along Monarch Avenue, no loading spaces, and to permit a maximum of 56% of required parking spaces in the front yard arranged in multiple rows, subject to the following conditions:

1. That the Owner/Applicant obtain approval of Site Plan Amendment Application SPA1/16; and
2. That the applicant obtain a building permit from the Town, or this decision shall become null and void.

Background & Proposal:

A place of worship (The Toronto Church of Christ) has been operating on the property, municipally known as 610 Monarch Avenue, since November 2008, when a permit was issued by the Town of Ajax Building Department for interior alterations for a conversion to a place of worship.

On May 13, 2013, By-law 50-2013 was passed which removed a place of worship as a permitted use from the Prestige Employment Zone. Prior to the passage of By-law 50-2013, Zoning By-law 95-2003, as amended, permitted a place of worship within the Prestige Employment (PE) Zone. Further, a place of worship was operating at the time of the passing of By-law 50-2013 (May 13, 2013).

As the place of worship has existed since 2008 the use is considered to be legal non-conforming and the request put forward by the applicant is to expand a legal non-conforming use as a place of worship in order to permit the building addition.

The Toronto Church of Christ has filed an application for minor variance in order to facilitate a two-storey addition with a total gross floor area of 1275.30 m², consisting of floor area dedicated for children and multi-purpose worship rooms. The second floor would contain staff offices and amenity space.

The minor variance application is requesting to expand a legal non-conforming use (Place of Worship), and also to permit a minimum landscaped buffer width of 3.0 m along Monarch Avenue, no loading spaces and to permit a maximum of 56% of required parking spaces in the front yard arranged in multiple rows.

Subject Property & Surrounding Land Uses:

The subject property is located at the northwest corner of Monarch Avenue and Clements Road West, and is municipally known as 610 Monarch Avenue. The subject property is surrounded by industrial type uses to the immediate north and west. To the south is Clements Road West and further south are industrial uses. Abutting the lands to the east is Monarch Avenue and further east is the Ajax Community Centre. To the southwest are residential properties containing single detached dwellings (See Figure 1- Subject Lands).

Town of Ajax Official Plan:

The subject property is designated "Prestige Employment" in the Town of Ajax Official Plan.

Permitted within the Prestige Employment designation are such uses as business and professional offices, research and development facilities, manufacturing in wholly enclosed buildings, warehousing, distribution centers, financial institutions, restaurants, personal service establishments, athletic clubs, private recreational facilities, banquet facilities and other similar uses.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Prestige Employment (PE) by Zoning By-law 95-2003, as amended. Since the date of passing By-law 50-2013 on May 13, 2013, places of worship (along with public and private elementary schools and secondary schools) were removed as permitted uses, excluding a few site-specific exceptions. These exceptions were granted to properties that had filed for site plan approval but had not obtained final approval or a building permit at the time of By-law 50-2013 being considered and passed by Council.

The subject place of worship has existed on the subject property since 2008 when a building permit was issued by the Town of Ajax Building Department to permit interior renovations and conversion to a place of worship and has continued to operate to this day. Therefore, the expansion to the legal non-conforming use of a place of worship, can be considered by the Committee of Adjustment under Section 45(2)(a)(ii) of the *Planning Act*.

The requests to reduce the minimum landscape buffer width to 3.0 m along Monarch Avenue, permit no loading spaces, and permit a maximum of 56% of required parking spaces in the front yard arranged in multiple rows can be dealt with under Section 45(1) of the *Planning Act* and is subject to the four tests.

Requested Minor Variances:***Request to Expand a Legal Non-Conforming Use***

The existing and continuous use of a place of worship on the subject property is deemed to be a legal non-conforming use.

Section 45(2)(a)(ii) of the *Planning Act* enables the Committee of Adjustment to consider the enlargement or extension of a building or structure or a use, if the use that was made of the building or structure on the day the by-law was passed or if the use, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed and continues until the date of an application to the committee.

Therefore, it is staff's opinion that the proposal to expand the legal non-conforming use of a place of worship, is similar to the purpose for which it was used on the day the by-law was passed and continues until the date of an application to the committee and provides an addition adjacent to Monarch Avenue that will enhance the streetscape and implement the Town's urban design guidelines for employment areas.

Minimum Number of Required Loading Spaces Variance

The intent of providing loading spaces is to ensure that there is an appropriate area on a property to accommodate the loading and unloading of goods for commercial sized vehicles. The zoning by-law requires that where any new development, or when any existing development is enlarged, or use is changed that off-street vehicular loading spaces shall be provided within Employment Zones. Where the gross floor area of the building is over 2,300m² up to and including 7,500m², the minimum number of required loading spaces is 2, with dimensions of 3.6 metres in width and 15 metres in length. A space of this nature would accommodate a transport trailer.

The proposed development proposes no loading spaces, as a place of worship does not require large industrial scale loading spaces to serve their delivery requirements. Any loading or unloading required as part of the subject place of worship will be minor in nature and can be accommodated by legal sized parking requirements set within the Zoning By-law 95-2003, as amended and done at a suitable time to ensure there are no conflicts between patrons of the church and any deliveries. Staff are of the opinion that the requested variance is considered to be minor in nature and desirable for the appropriate development of the land.

Minimum Landscape Buffer Width Variance

The purpose of the minimum landscape buffer width requirement is to provide a strip of land for the purposes of growth and maintenance of grass, flowers, bushes and other landscaping material in order to screen and/or soften the presence of buildings, structures, and parking areas from the street line.

The proposed 3.0 metre landscaped buffer width along Monarch Avenue is only to the proposed building addition and is sufficient enough in width to accommodate landscaping in order to screen the proposed addition from Monarch Avenue. Further, the required 6 m landscape buffer will be maintained adjacent to the parking lot providing a buffer from Monarch Avenue. Therefore, by reducing the landscape buffer width along Monarch Avenue adjacent to the building addition, the intent of the zoning by-law would be maintained, as appropriate landscaping will be installed to achieve the objective of the landscape buffer requirement.

Location and Use of Parking Variance

In the Prestige Employment (PE) Zone, no parking shall be permitted in the front yard or exterior side yard except for a maximum of 20% of the required spaces provided that the spaces in the front or exterior side yard are used exclusively for visitor parking and are arranged in a single row. The intent of this zoning by-law provision in a Prestige Employment Zone is to limit the amount of parking that can be located between a building and a street and to ensure that the building is the focal point along the street, creating a strong building/street relationship. The applicant has requested that 56% of the required parking spaces be within the front yard and arranged in multiple rows

The site currently provides parking spaces located on paved surface in three rows of formalized parking spaces in the front yard (Clements Road West) and one single row along the full length of the exterior side yard (Monarch Avenue). The proposed building addition is to the eastern property limit and as a result of the location removes the parking in the exterior side yard and relocates it to the interior side yard (western property line). The proposed addition would be the focal point along Monarch Avenue rather than the existing parking spaces and would enhance the streetscape.

Although there are additional rows of parking being added in the front yard (56% of required spaces) these parking spaces will include accessible parking spaces that implement the Accessibility for Ontarians with Disabilities Act (AODA) standards. It will also eliminate a drive aisle between the accessible parking space and the building entrance and will create safer path of travel for pedestrians by introducing delineated walkways.

Therefore, it is staff's opinion that the request to permit 56% of required parking spaces in the front yard arranged in multiple rows would not detract from the existing building and the proposed addition, and would be considered minor in nature and appropriate development of the lands.

Other Comments:

Design Services - No comments.

Transportation Services - No comments.

Building Services - No comments.

Operations - No comments.

Fire Services - No comments.

Engineering Services - No comments.

Communications:

In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 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.

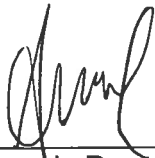
Conclusion:

Based on the discussion above, staff are of the opinion that **Minor Variance Application A13/16**, submitted by The Toronto Church of Christ, to expand a legal-conforming use of a place of worship

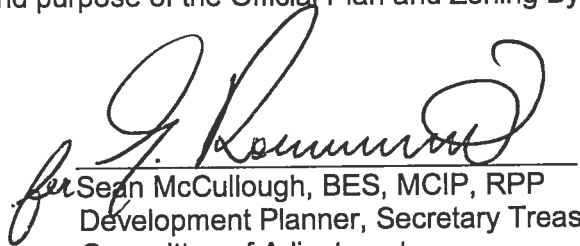
is similar to the purpose for which it was used on the day the by-law was passed, and is desirable to enhance the streetscape.

Also, staff are of the opinion that the request to permit a minimum landscape buffer with of 3.0m, zero loading spaces and 56% of parking in the front yard arranged in multiple rows, can be supported subject to the above-noted conditions, as these requests are;

- 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



Application File No. A13/16

Applicant: The Toronto
Church of Christ

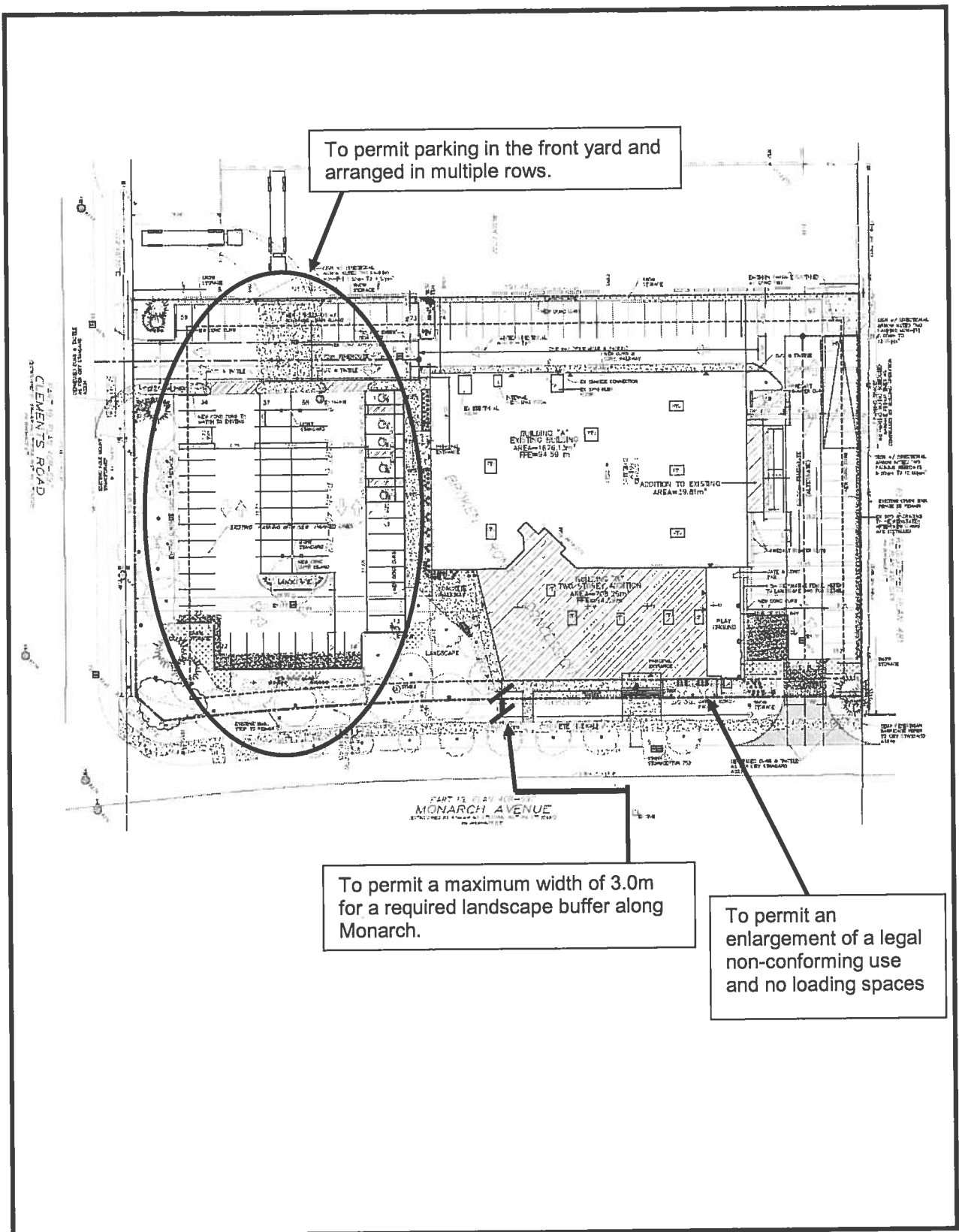
Date: May 25, 2016

Figure 1

Subject Lands
610 Monarch Avenue



Town of Ajax
Planning & Development
Services



Application File No. A13/16

Applicant: The Toronto
Church of Christ

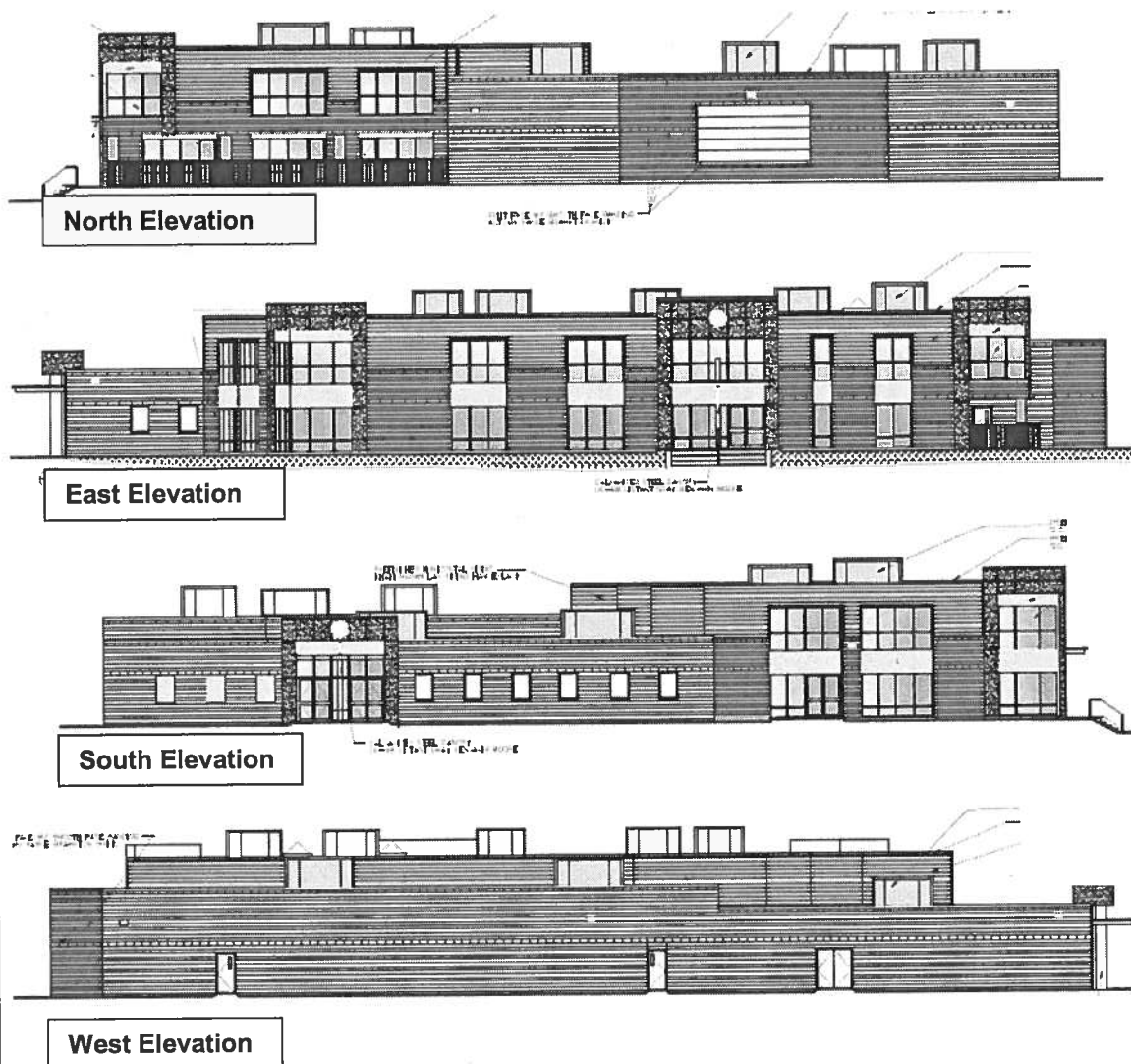
Date: May 25, 2016

Figure 2

Proposed Site Plan
610 Monarch Avenue



Town of Ajax
Planning & Development Services



Application File No. A13/16

Applicant: The Toronto
Church of Christ

Date: May 25, 2016

Figure 3

Proposed Elevation
610 Monarch Avenue



Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Subject: **Minor Variance Application A14/16
Gowri Shanker (Spiceland)
1801 Harwood Avenue N.
Units 21, 22, 23 & 24**

Ward: 2

Date of Meeting: May 25th, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A14/16 submitted by Gowri Shanker on behalf of S. Mahendran, to permit a retail store with a maximum gross floor area of 524 m², subject to the following condition:

- 1. That the retail store only be permitted to operate from Units 21, 22, 23 and 24 of the building located at 1801 Harwood Avenue.**

Background & Proposal:

In 2010, Zoning By-law Amendment Application Z2/09 was submitted to permit limited retail uses on the properties municipally known as 1801 and 1901 Harwood Avenue North. A retail impact study was completed in support of the application by Malone Givens Parsons, and was peer reviewed by the Town. The peer reviewer agreed with the findings of the report, and recommended that no individual retail and/or convenience stores that could undermine the designated commercial locations exceed 500 m².

The applicant owns an existing retail store (Spiceland Grocery) that operates from units 22, 23 and 24 at 1801 Harwood Avenue (See Figure 1: Location Map). In March 2016, the applicant purchased Unit 21 and applied for a building permit to expand the business. Through the review of the building permit it was determined that the entire unit could not be used as a retail store as site specific zoning permissions states that retail and convenience stores cannot exceed a maximum gross floor area of 500.0 m². As a result, a small area of approximately 24.0 m² was excluded from the business.

The applicant is requesting to permit a retail store with a maximum gross floor area of 524 m² in Units 21, 22, 23 and 24 (See Figure 2: Submitted Site Plan).

Subject Property & Surrounding Land Uses:

The subject property is located at the east side of Harwood Avenue North and is occupied by one multi-tenant building. The existing multi-tenant building contains several medical and dental offices, restaurants, retail stores and personal service shops. Abutting the property to the north are vacant employment lands, further north is the Hardwood Meadows townhouse common element

condominium. The subject property abuts the CN rail line to the east. To the west, across Harwood Avenue North, are detached dwellings within the Nottingham subdivision. Abutting the property to the south is the Ajax Rugby Club (See Figure 1: Location Map).

Town of Ajax Official Plan:

The subject property is designated as “Prestige Employment” within the Town of Ajax Official Plan, which provides for a broad range of uses, such as, but not limited to, business and professional offices, commercial schools, research and development facilities, and warehousing.

The subject property is also within Special Policy Area 6.18 which permits limited retail provided that 75% of the gross floor area of a building comprises of prestige employment uses; the planned prestige employment area achieves a minimum density of 37 employees per net hectare; and that no individual retail use exceeds a maximum gross leasable floor area of 500 m².

Section 7.2.5 d) (Interpretation) permits minor variations in numerical requirements in the Official Plan without an amendment provided that the general intent of the Official Plan is maintained. This proposal conforms to the policies of the Town of Ajax Official Plan.

Town of Ajax Zoning By-law 95-2003:

The subject property is zoned Prestige Employment (PE) within the Town of Ajax Zoning By-law 95-2003, as amended, and is subject to Exception 162. Uses permitted in the PE Zone include, but may not be limited to banquet facilities, commercial schools, day care facility, financial institution, hotel, light manufacturing, medical clinic, offices, restaurants and warehouse/distribution centres. Exception 162 permits convenience stores and retail stores provided that an individual retail store and/or convenience store does not exceed a total floor area of 500 m²; and the cumulative gross floor area of all retail stores and/or convenience stores in Building A not exceed 1,878.0 m² (2,790.0 m² once Building B has been constructed).

The existing and proposed retail floor area does not exceed the cumulative total permitted on the subject property. The proposal does not comply with the provision that permits retail stores to have a maximum floor area of 500 m². As a result, the applicant is requesting to permit a retail store with a maximum floor area of 524 m².

Requested Minor Variances:***Retail Store Variance***

The intent of the provision to limit a retail store to a maximum gross floor area of 500 m² is to permit small retailers that would serve the immediate need of the surrounding employment lands, while preventing large retail and/or convenience stores from locating within the employment lands that could undermine the designated commercial locations.

The existing business operates from 3 units (Units 22, 23 & 24) occupying a total floor area of approximately 385 m². The proposal would add Unit 21, which has a floor area of approximately 139 m². The addition of the fourth unit would have a total floor area of approximately 524 m². The exclusion of 24 m² from the retail store would create space that cannot be used for any other use permitted in the by-law. With the addition of the fourth unit to the existing retail store, there would be approximately 1,402 m² of retail space on the subject property which complies with the retail permissions outlined in Exception 162. The proposed retail store (Spiceland) is a small ethnic grocery store that serves the immediate community and would not undermine the existing

commercial locations. The proposal to permit 524 m², an increase of 24 m², is considered to be minor and desirable for the appropriate development of the lands. The proposal is considered to be in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

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;

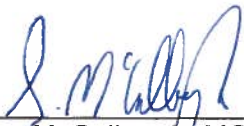
Communications:

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.

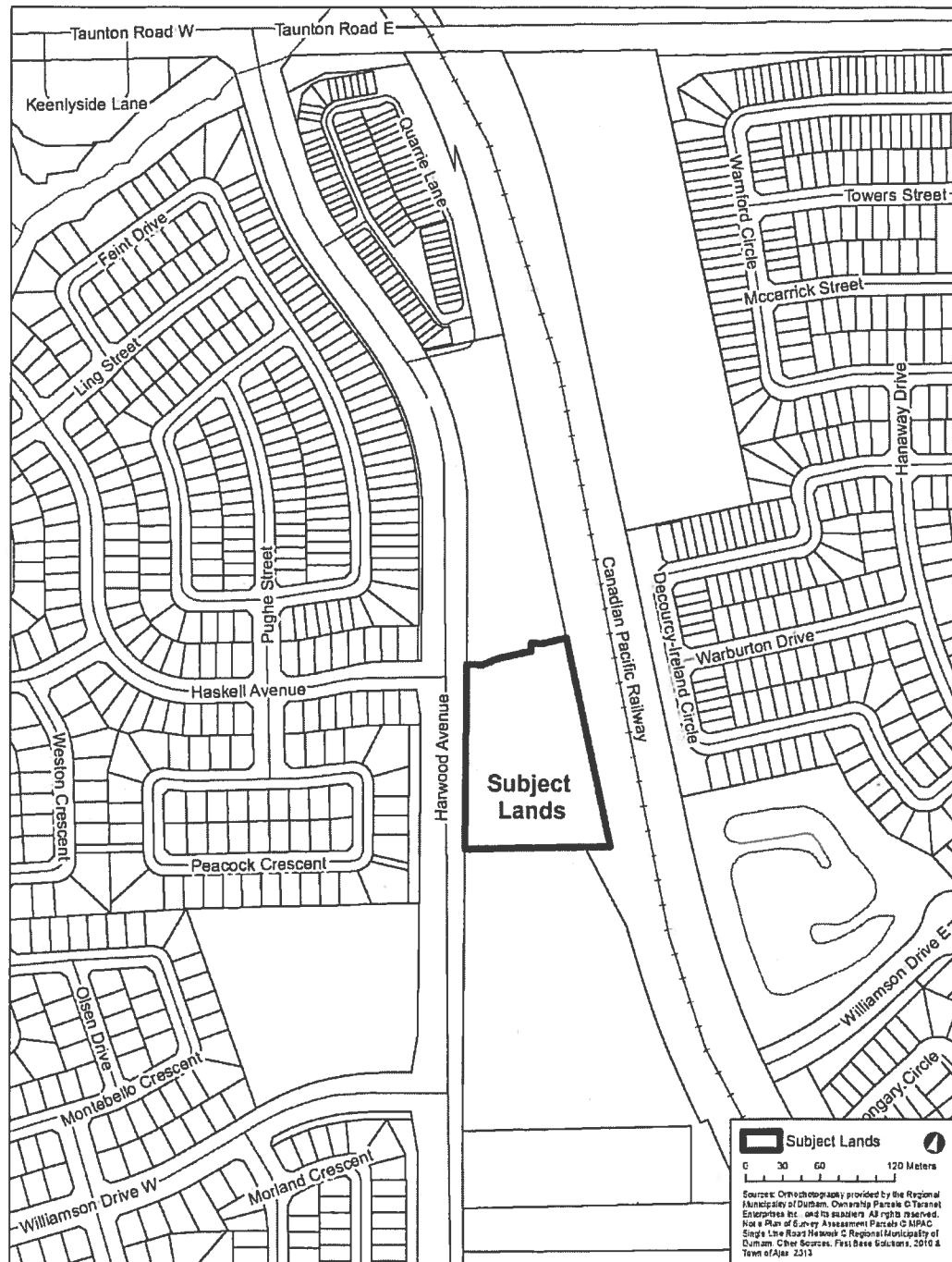
Conclusion:

Based on the discussion above, staff are of the opinion that **Minor Variance Application A14/16**, submitted by submitted by Gowri Shanker on behalf of S. Mahendran, to permit a retail store with a maximum gross floor area of 524 m², is:

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



Sean McCullough, MCIP, RPP
Development Planner
Secretary-Treasurer, Committee of Adjustment
Town of Ajax, Planning & Development Services
T: 905.619.2529 x3234 F: 905.686.0360
E: sean.mccullough@ajax.ca



Application File No. A14/16

Applicant: S. Mahendran

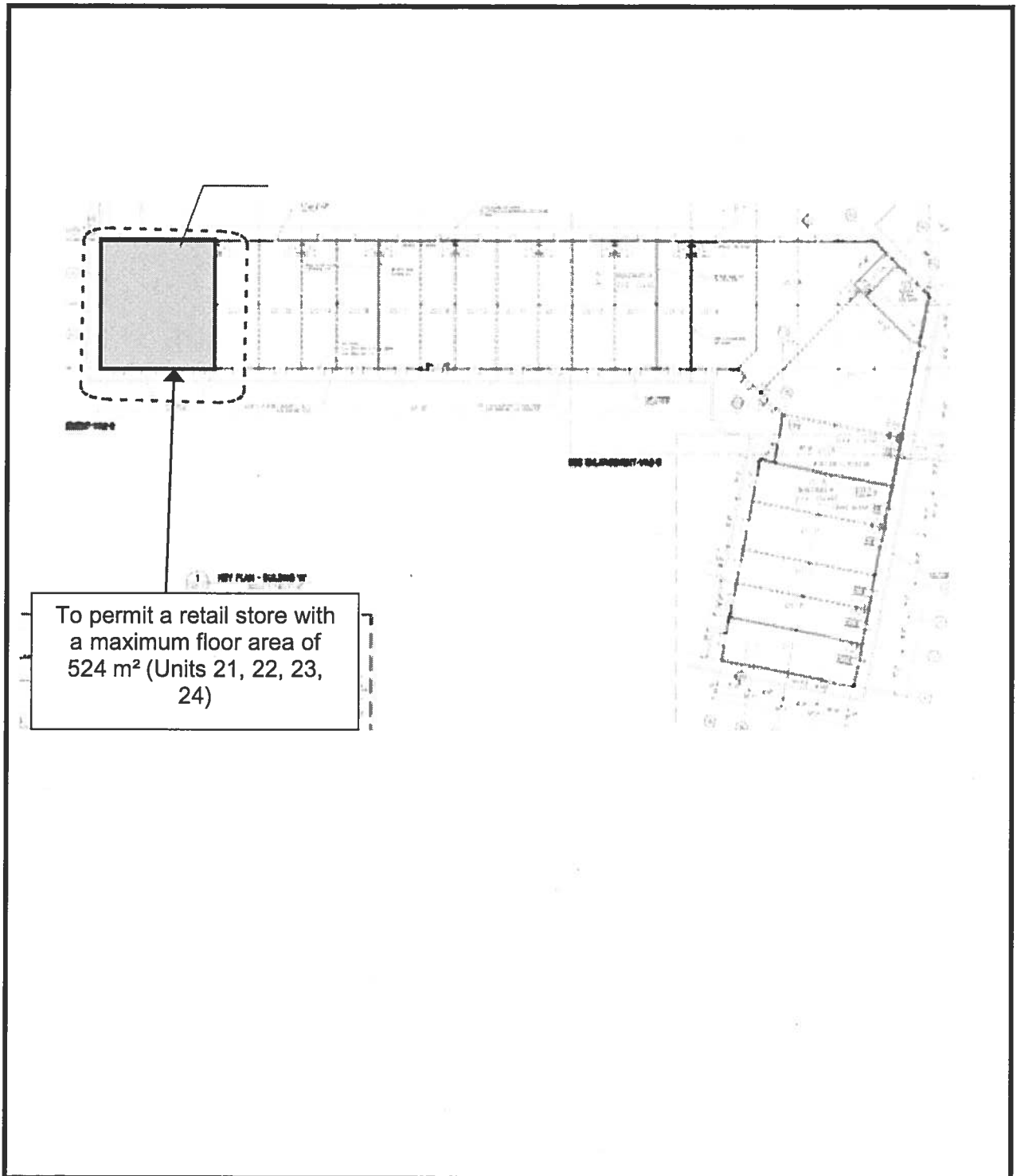
Date: May 25th, 2016

Figure 1

Subject Lands
1801 Harwood Avenue N.



Town of Ajax
Planning & Development
Services



Application File No. A14/16

Applicant: S. Mahendran

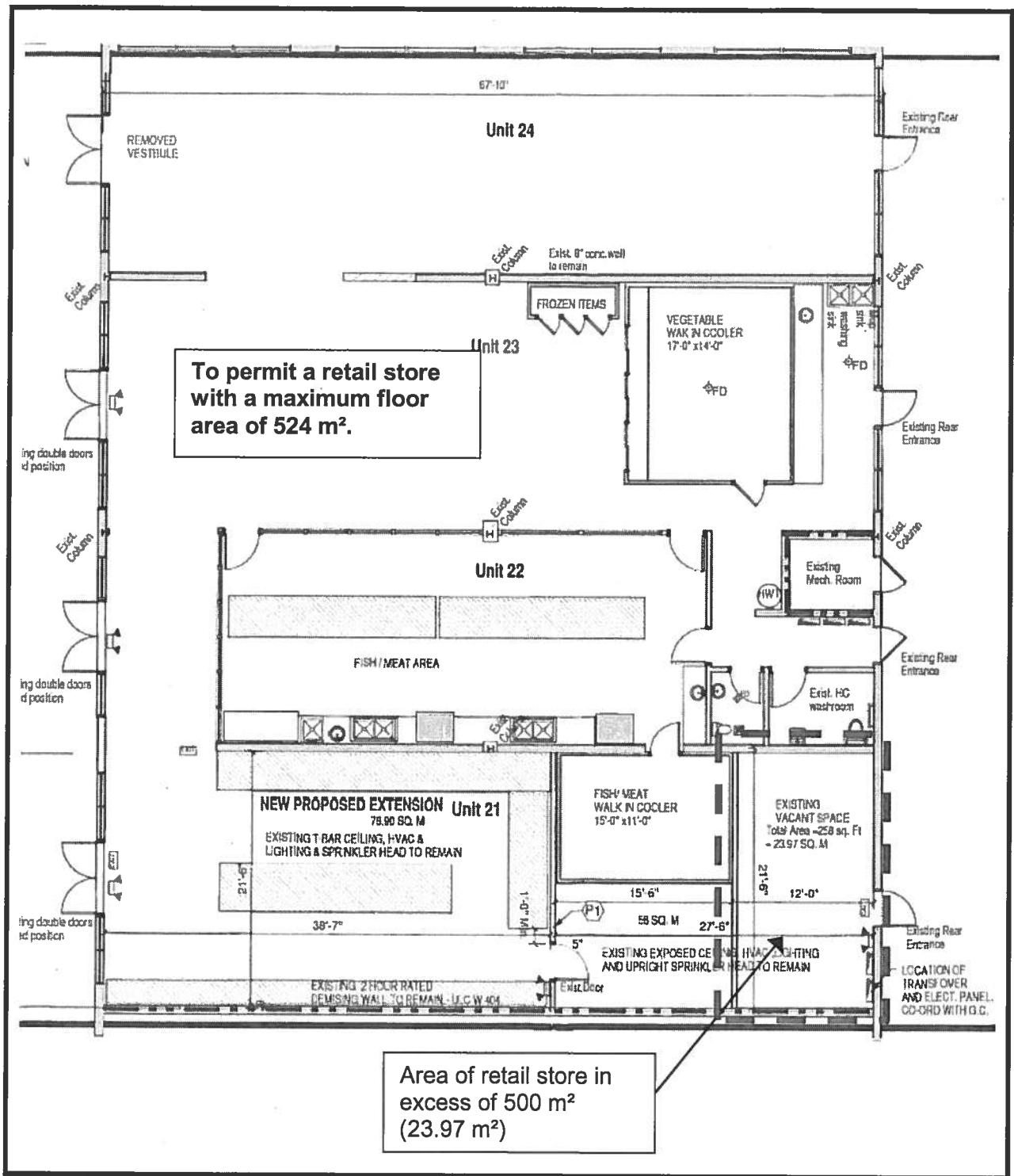
Date: May 25th, 2016

Figure 2

Proposed Site Plan
1801 Harwood Avenue N.
(Units 21, 22, 23 & 24)



Town of Ajax
Planning & Development
Services



Application File No. A14/16

Applicant: S. Mahendran

Date: May 25th, 2016

Figure 3

Proposed Site Plan
1801 Harwood Avenue N.
(Units 21, 22, 23 & 24)

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
Development Planner, Secretary Treasurer of Committee of Adjustment

Prepared By: Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator

Subject: **Minor Varinace Application A15/16
Mattamy Homes (Monarch) Limited
25 Ainsbury Avenue
Lot 113, 40M-2221**

&

**Minor Variance Application A16/16
Mattamy Homes (Monarch) Limited
10 Headon Avenue
Lot 103, 40M-2221**

Ward: 2

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Applications A15/16 and A16/16 submitted by Mattamy Homes (Monarch) Limited, to permit minimum rear yard setbacks of 7.25 metres (respectively), subject to the following condition:

- 1. That the owner obtain a building permit for the single detached dwellings on the respective lots or this decision shall become null and void.**

Background & Proposal:

Upon completion of the Lexington County neighbourhood, two remnant lots could not be developed, as a fire access/maintenance route was required between Headon Avenue and Ainsbury Avenue. Now that the Mulberry Meadows neighbourhood is being developed to the north and the roads have been extended to connect to the Lexington County neighbourhood, the fire access /maintenance route is no longer required. Therefore, these two remnant lots can now be developed.

The requested variances are to permit minimum rear yard setbacks of 7.25 metres, to permit two proposed custom single detached dwellings; whereas the zoning by-law requires, a minimum rear yard setback of 7.5 metres, respectively.

Subject Property & Surrounding Land Uses:

25 Ainsbury Avenue is located on the east side of Ainsbury and 10 Headon Avenue is located on the west side of Headon. These lots back onto each other. Abutting the properties are low density residential land uses to north, east, south and west within the Lexington County and Mulberry Meadows neighbourhoods (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject properties are designated “Residential Areas – Low Density Residential”. This designation permits single detached dwellings, semi-detached dwellings, and linked dwellings up to a maximum density of 30 units per net hectare.

Town of Ajax Zoning By-law:

The subject properties are zoned “R1-D” – Residential One – D Zone by Zoning By-law 95-2003, as amended and are subject to Exception 84. This zone category permits single detached dwellings. The subject properties comply with all provisions of the zoning by-law with the exception of the minimum rear yard setback requirement.

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

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 7.5 metres to 7.25 metres (respectively) would maintain a suitable outdoor amenity area within the rear yard. Further, there will be no negative impact on the adjacent properties to the north and south, as the setback reduction is minimal, and the required interior side yard setbacks would be maintained. The 0.25 metre reduction to the minimum rear yard setback requirement is considered to be minor in nature.

Other Comments:

Design Services	No comment;
Transportation Services	No comment;
Engineering Services	No comment;
Operations	No comment;
Building Services	No comment;


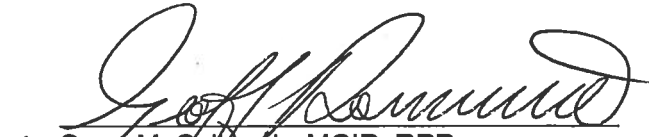
Communications:

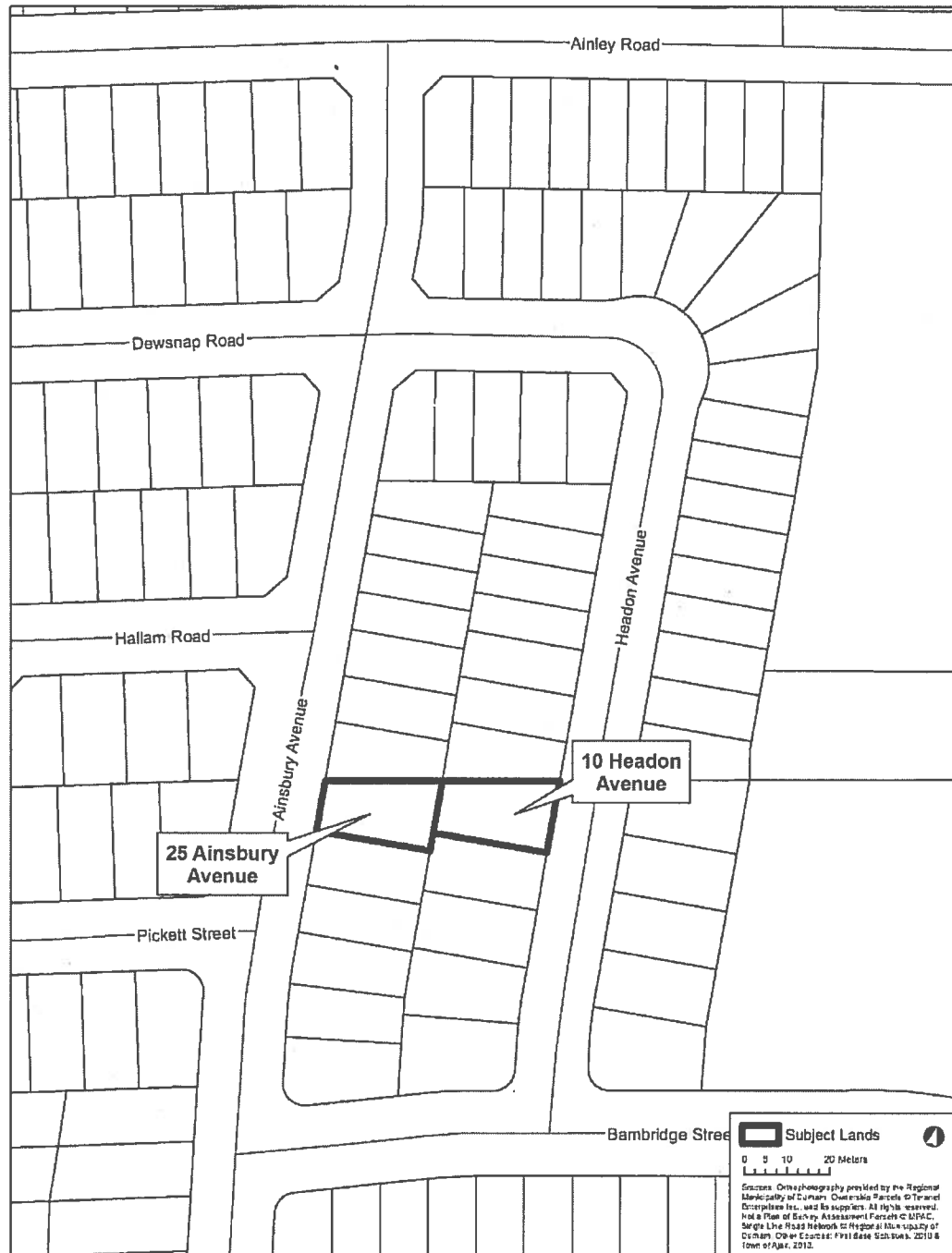
In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metres of the subject property. The Notices of Application for Minor Variance were posted in visible locations along or near the property lines of the subject property.

Conclusion:

Based on the discussion above, staff support **Minor Variance Application A15/16 and Minor Variance Application A16/16**, submitted by Mattamy (Monarch) Ltd., to permit a minimum rear yard setback of 7.5 metres (respectively) to accommodate two custom single detached dwellings, as the requests are:

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


Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator
Sean McCullough, MCIP, RPP
Development Planner



Application File No.
A15/16 & A16/16

Applicant:
Mattamy (Monarch) Limited

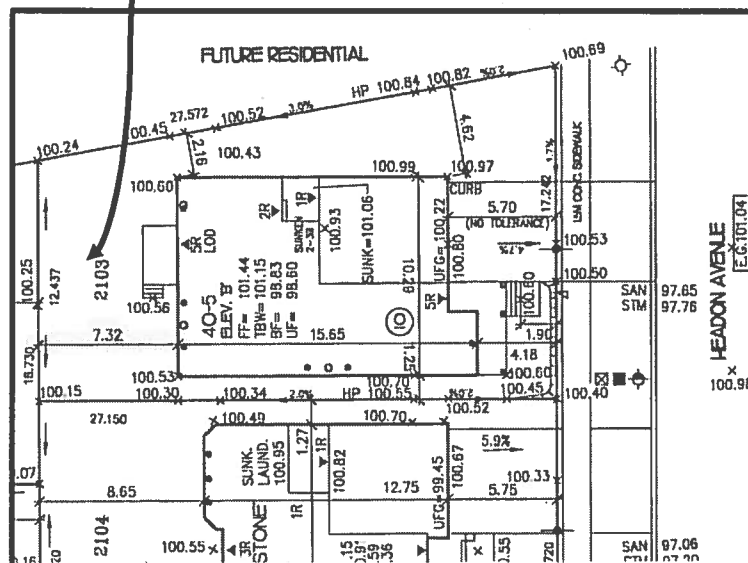
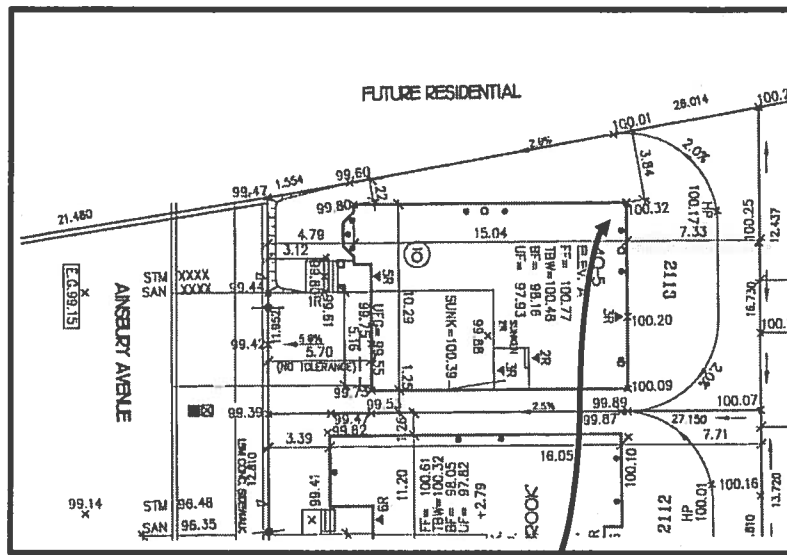
Date: May 25, 2016

Figure 1

Subject Lands
25 Ainsbury Ave. &
10 Headon Ave.



Town of Ajax
Planning & Development Services



Application File No.
A15/16 & A16/16

Applicant:
Mattamy (Monarch) Limited

Date: May 25, 2016

Figure 2

Proposed Site Plan
25 Ainsbury Ave. &
10 Headdon Ave.



Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

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

Prepared By: Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator

Subject: **Minor Variance Application A17/16**
Lumon Canada Inc. on behalf of Laura Finocchi
70 Cluett Drive
Part of Lot 22, 40M-1505

Ward: 4

Date of Meeting: May 25, 2016

Recommendation:

That the Committee of Adjustment approve Minor Variance Application A17/16 submitted by Lumon Canada Inc. on behalf of Laura Finocchi, to permit a minimum rear yard setback of 3.9 metres, subject to the following condition:

- 1. That the owner obtain a building permit for the sunroom addition or this decision shall become null and void.**

Background & Proposal:

The requested variance is to permit a minimum rear yard setback of 3.9 metres to a proposed sunroom addition; whereas, the by-law requires a minimum rear yard setback of 7.5 metres.

Subject Property & Surrounding Land Uses:

The subject property is located on the south side of Cluett Drive, east of Rollo Drive. Abutting the property are low density residential land uses to the east, north and west and environmentally protected lands to the south (Carruthers Creek) (See Figure 1 – Subject Lands).

Town of Ajax Official Plan:

The subject property is designated “Residential Areas – Low Density Residential”, which permits such uses as, single detached dwellings, semi-detached dwellings, and linked dwellings up to a maximum density of 30 units per net hectare.

Town of Ajax Zoning By-law:

The subject property is zoned “R2-A” – Residential Two – A Zone by Zoning By-law 95-2003, as amended, which permits single detached and semi-detached dwellings. The subject property complies with all provisions of the zoning by-law with the exception of the minimum rear yard setback requirement.

Requested Minor Variance:***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 7.5 metres to 3.9 metres would maintain a suitable outdoor amenity area within the rear yard. There will be no impact on the environmentally protected lands along Carruther's Creek to the south of the subject property. Further, there will be no negative impact on the adjacent properties to the east or west, as the sunroom addition does not encroach into the required interior side yards. The 3.6 metre reduction to the minimum rear yard setback requirement is considered to be minor in nature as the proposed development is consistent with the development (e.g. decks and sunrooms) in rear yards on adjacent lots along Cluett Drive.

Other Comments:

Design Services	No comment;
Transportation Services	No comment;
Engineering Services	No comment;
Operations	No comment;
Building Services	No comment;
TRCA:	No objection to the proposed development.

Communications:

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

Conclusion:

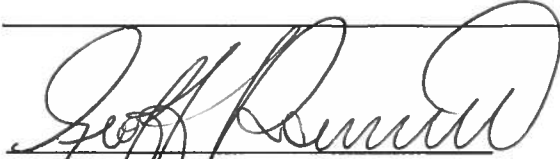
Based on the discussion above, staff support **Minor Variance Application A17/16**, submitted by Lumon Canada Inc. on behalf of Laura Finocchi, to permit a minimum rear yard setback of 3.9 metres to accommodate a sunroom addition, as this request is:

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

Subject:

A17/16 – 70 Cluett Drive – Lumon Canada Inc.

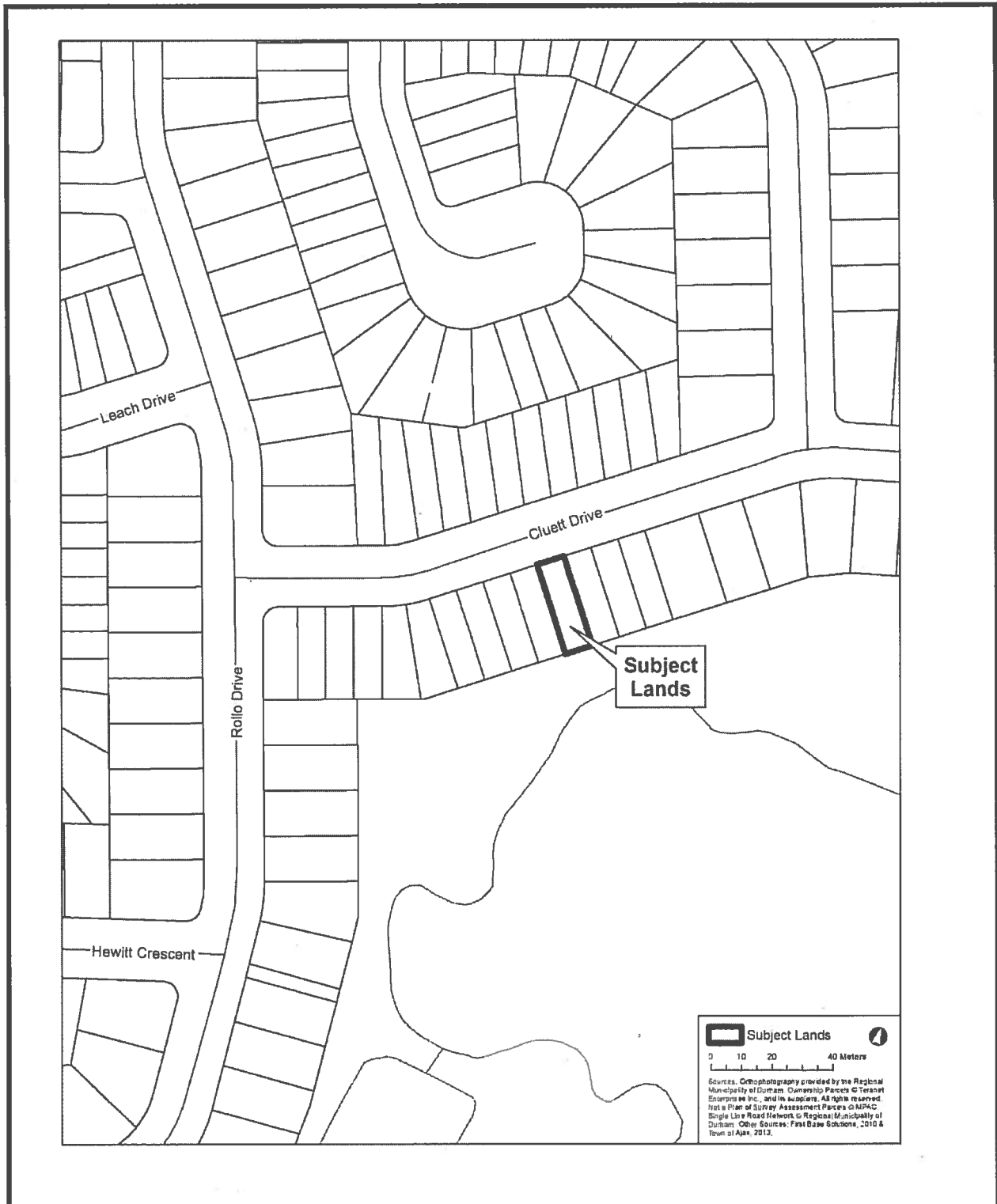
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Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator



Sean McCullough, MCIP, RPP
Development Planner



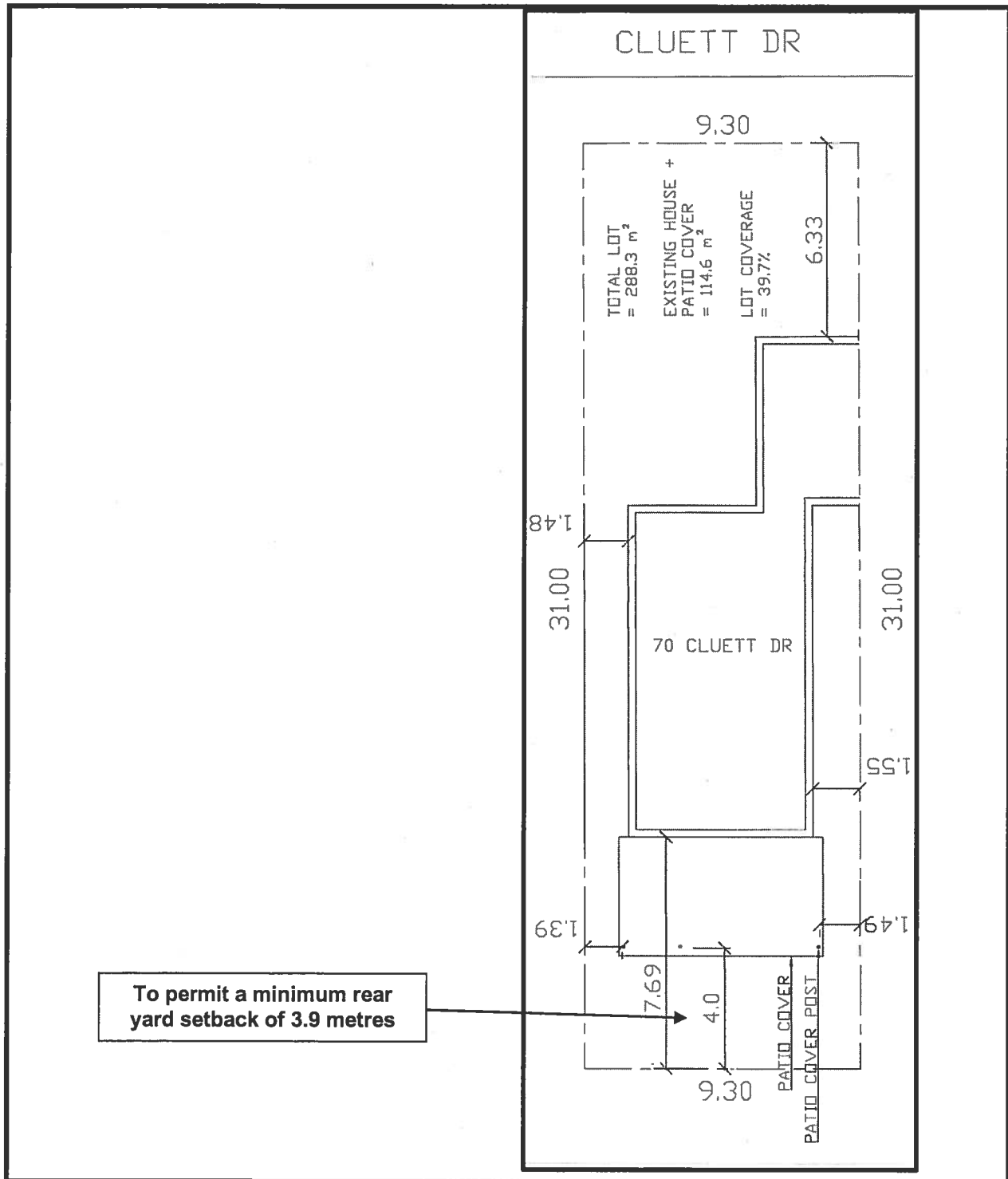
Application File No. A17/16

Applicant: Lumon Canada Inc.
on behalf of Laura Finocchi

Date: May 25, 2016

Figure 1

Subject Lands
70 Cluett DriveTown of Ajax
Planning & Development
Services



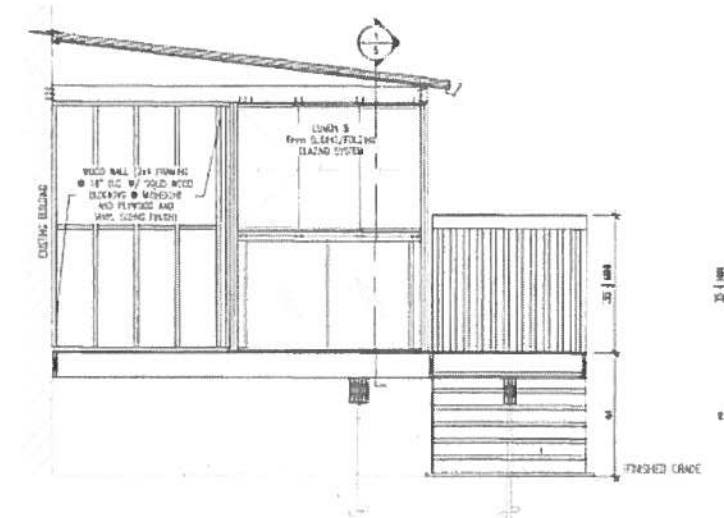
Application File No. A17/16

Applicant: Lumon Canada Inc.
on behalf of Laura Finocchi

Date: May 25, 2016

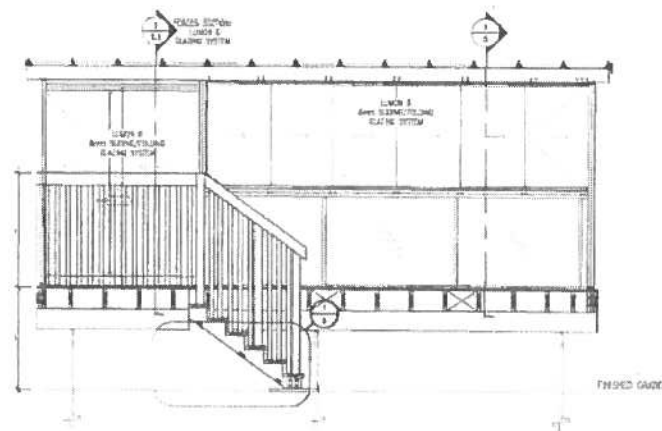
Figure 2

Proposed Site Plan
70 Cluett DriveTown of Ajax
Planning & Development
Services



1
ELEVATION

Side Elevation



2
ELEVATION
SCALE 1/4\"/>

Rear Elevation

Application File No. A17/16

Applicant: Lumon Canada Inc.
on behalf of Laura Finocchi

Date: May 25, 2016

Figure 3

Proposed Elevations
70 Cluett DriveTown of Ajax
Planning & Development Services