

## AGENDA

### COMMITTEE OF ADJUSTMENT

Town Hall  
65 Harwood Avenue South  
Ajax, Ontario  
Council Chambers

**Wednesday, February 25, 2015**

**Meeting: 7:00 p.m.**

**Online Agenda:** Anything in **blue** denotes an attachment/link. By clicking the links on the agenda page, you can jump directly to that section of the agenda. To maneuver back to the agenda page use the **Ctrl + Home** keys simultaneously **OR** use the “Bookmark” icon on the navigation panel to the left of your screen.



**Alternative formats available upon request by contacting:**

[sarah.moore@ajax.ca](mailto:sarah.moore@ajax.ca) or 905-619-2529 ext. 3347

#### Committee Items

1. Call to Order
2. Disclosure of Interest
3. [January 28, 2015 Minutes](#) ..... Page 2
4. Committee Discussion and Application Clarification

#### Public Meeting - 7:00 p.m.

5. Outline of the General Mandate of the Committee of Adjustment
6. Applications:
  - a. [A6/15 – 2977 Range Line Road – Karmann Homes 2006 Ltd.](#) .....Page 11

To permit a maximum lot coverage of 28%.
7. Other Business/New Business
8. 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 January 28, 2015 @ 6:45 P.M.**

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**Present:** Matthew Milligan, Chair  
Carolyn Molinari, Vice-Chair  
Eldon Dixon, Member  
Chris Daffern, Member  
Sean McCullough, Technical Advisor/Secretary-Treasurer  
Amanda Dunn, Development Planner

**Absent:** Michael Briand, Member

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**1. Call to Order – January 28, 2015, Town of Ajax, Committee of Adjustment Meeting**

Meeting called to order at 6:46 p.m. on January 28, 2015.

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**2. Disclosure of Interest**

Chair Milligan 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.

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**3. Adoption of November 26, 2014, Town of Ajax, Committee of Adjustment Meeting Minutes**

Chair Milligan asked for a motion to adopt the minutes from the November 26, 2014 Committee of Adjustment meetings.

Proposed by: Member Daffern  
Seconded by: Member Molinari

**Vote: All in Favour**

**Carried**

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#### **4. Committee Discussion and Application Clarification.**

The committee members had some general discussion about the application and had questions for staff.

Chair Milligan declared a recess at 6:55 p.m. until 7:00 p.m.

Chair Milligan called the meeting to order at 7:01 p.m.

#### **5. 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.

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#### **6. Applications**

**Minor Variance Application A1/15  
Gordon Crawford  
62 Daniels Crescent**

**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.

**That the Committee of Adjustment approve Minor Variance Application A1/15 submitted by Gordon Crawford, 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.**

Chair Milligan asked if the applicant was present to represent the application.

Mr. Crawford was in attendance, he identified that the request was straight forward and was seeking to create a legal basement apartment.

Chair Milligan asked if any members had any questions for the applicant.

There were none.

Chair Milligan asked if any members of the public who wished to speak either in favour or against the application.

There were none.

Chair Milligan asked if there were any further discussions from the Committee.

There were none.

Chair Milligan asked for a motion from the Committee.

Member Dixon made a motion to approve the application subject to the two conditions outlined in the staff report as the request was reasonable and met the 4 tests outlined in the *Planning Act*.

Chair Milligan asked if there was a discussion on the motion.

There were none.

**Decision: That the Committee of Adjustment approve Minor Variance Application A1/15 submitted by Gordon Crawford, 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.**

Proposed by: Member Dixon– that the application was reasonable and met the four tests outlined in the *Planning Act*.

Seconded by: Member Molinari

**All in favour**

**Carried**

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**Minor Variance Application A2/15  
Simon Barg  
520 Westney Road South – Unit 11**

**To permit a Commercial Fitness Centre.**

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.

**That the Committee of Adjustment approve Minor Variance Application A2/15 submitted by Simon Barg on behalf of 1825398 Ontario Inc., to permit a commercial fitness centre (Crossfit Gym), subject to the following condition:**

- 1. That the proposed Commercial Fitness Centre only be permitted to operate from Unit 11 (520 Westney Road S.).**

Chair Milligan asked if the applicant was present to represent the application.

Mr. Barg was in attendance and identified that the report provided appropriate information. He identified that there would be a maximum of 10 clients, and the gym would be class oriented. He identified that 5 parking spaces would be allocated to the business.

Chair Milligan asked if any members had any questions for the applicant.

Member Dixon asked how the spaces were allocated on the subject property.

Mr. Barg identified that there were five for his business and other spaces on the property.

Chair Milligan asked if the applicant was under the understanding that there were only 5 spaces for his business.

Secretary-Treasurer/Technical Advisor McCullough identified that the By-law applied to the entire property, and the parking study identified that there was sufficient parking on the subject property.

Member Daffern asked if a Commercial Fitness Centre would typically be permitted on the subject property in this zone.

Secretary-Treasurer/Technical Advisor McCullough identified that a Commercial Fitness Centre is typically permitted in the Prestige Employment Zone.

Chair Milligan asked if any members of the public who wished to speak either in favour or against the application.

There were none.

Chair Milligan asked if there were any further discussions from the Committee.

There were none.

Chair Milligan asked for a motion from the Committee.

Member Molinari moved to approve the application subject to the condition outlined in the staff report as it was reasonable and met the four tests outlined in the *Planning Act*.

Chair Milligan asked if there was a discussion on the motion.

There were none.

**Decision: That the Committee of Adjustment approve Minor Variance Application A2/15 submitted by Simon Barg on behalf of 1825398 Ontario Inc., to permit a commercial fitness centre (Crossfit Gym), subject to the following condition:**

- 1. That the proposed Commercial Fitness Centre only be permitted to operate from Unit 11 (520 Westney Road S.).**

Proposed by: Member Molinari – that the application was reasonable and met the four tests outlined in the *Planning Act*.

Seconded by: Member Daffern

**All in favour**

**Carried**

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**Minor Variance Application A3/15  
Adam Burke and Deserrai Buunk  
13 Dowers 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.

**That the Committee of Adjustment approve Minor Variance Application A3/15 submitted by Adam Burke & Deserrai Buunk, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:**

- 1. That the Owner obtain a building permit for the proposed accessory apartment, or this decision shall become null and void; and**
- 2. That the proposed driveway widening only occur on the subject property, and no widening shall be permitted within any portion of the Town's municipal boulevard.**

Chair Milligan asked if the applicant was present to represent the application.

Ms. Buunk was in attendance, she identified that this application was similar to the first application, and that the purpose was to make a legal basement apartment.

Chair Milligan asked if any members had any questions for the applicant.

There were none.

Chair Milligan asked if any members of the public who wished to speak either in favour or against the application.

There were none.

Chair Milligan asked if there were any further discussions from the Committee.

There were none.

Chair Milligan asked for a motion from the Committee.

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

Chair Milligan asked if there was a discussion on the motion.

There were none.

**Decision: That the Committee of Adjustment approve Minor Variance Application A3/15 submitted by Adam Burke & Deserrai Buunk, to permit a maximum driveway width of 5.4 metres, subject to the following conditions:**

- 1. That the Owner obtain a building permit for the proposed accessory apartment, or this decision shall become null and void; and**
- 2. That the proposed driveway widening only occur on the subject property, and no widening shall be permitted within any portion of the Town's municipal boulevard.**

Proposed by: Member Daffern– that the application was reasonable and met the four tests outlined in the *Planning Act*.

Seconded by: Member Dixon

**All in favour**

**Carried**

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**Minor Variance Application A4/15  
Haber Homes  
484 Rossland Road West**

**To permit a temporary sales structure in an Open Space (OS) Zone and a minimum setback of 7.5 metres from an exterior side lot line (Rossland Road West) to a temporary sales structure.**

Secretary-Treasurer/Technical Advisor McCullough identified that there was a mistake on the notice, that a setback of 15.0 metres is required from an exterior side lot line, not 9.0 metres. He identified that the staff report reflected the required 15.0 metre setback and staff's recommendation was unchanged.

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.

**That the Committee of Adjustment approve Minor Variance Application A4/15, submitted by 2371200 Ontario Inc., to permit a temporary sales structure in an Open Space (OS) Zone and a minimum setback of 7.5 metres from an exterior side lot line (Rossland Road West) to a temporary sales structure, subject to**

the following conditions:

1. That the applicant obtain approval of Site Plan Application SP2/15 and enter into a temporary sales structure agreement with the Town or this decision shall become null and void; and
2. That the applicant obtain approval of Zoning By-law Amendment Application Z1/15 or this decision shall become null and void.

Chair Milligan asked if the applicant was present to represent the application.

Mr. De Cassen was in attendance and provided a brief overview of the application, identifying that it was for a temporary sales trailer.

Chair Milligan asked if any members had any questions for the applicant.

There were none.

Chair Milligan asked if any members of the public who wished to speak either in favour or against the application.

There were none.

Chair Milligan asked if there were any further discussions from the Committee.

There were none.

Chair Milligan asked for a motion from the Committee.

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

Chair Milligan asked if there was a discussion on the motion.

There were none.

**Decision: That the Committee of Adjustment approve Minor Variance Application A4/15, submitted by 2371200 Ontario Inc., to permit a temporary sales structure in an Open Space (OS) Zone and a minimum setback of 7.5 metres from an exterior side lot line (Rossland Road West) to a temporary sales structure, subject to the following conditions:**

1. That the applicant obtain approval of Site Plan Application SP2/15 and enter into a temporary sales structure agreement with the Town or this decision shall become null and void; and
2. That the applicant obtain approval of Zoning By-law Amendment Application Z1/15 or this decision shall become null and void.



Proposed by: Member Molinari– that the application was reasonable and  
met the four tests outlined in the *Planning Act*.  
Seconded by: Member Dixon

**All in favour**

**Carried**

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**Minor Variance Application A5/15  
Messier Dowty  
491 Mackenzie Avenue**

**To permit an accessory building in the front yard, a maximum accessory building height of 7.6 metres and an accessory building with a maximum gross floor area of 446 sq.m.**

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.

**That the Committee of Adjustment approve Minor Variance Application A5/15, submitted by Lardale Construction on behalf of Messier Dowty, to permit an accessory building in the front yard, a maximum accessory building height of 7.6 metres and an accessory building with a maximum gross floor area of 446 sq.m.**

Chair Milligan asked if the applicant was present to represent the application.

Mr. Larry Kernohan provided an overview of the business and identified that the head office is located in France. He identified that some of the landing gear can cost hundreds of thousands of dollars and the business had been ordered by head office to move the landing gear indoors. Therefore, the applicant requires the accessory building to accommodate their business.

Chair Milligan asked if any members had any questions for the applicant.

There were none.

Chair Milligan asked if any members of the public who wished to speak either in favour or against the application.

There were none.

Chair Milligan asked if there were any further discussions from the Committee.

There were none.

Chair Milligan asked for a motion from the Committee.

Member Molinari made a motion to approve the application as it was reasonable and

met the 4 tests.

Chair Milligan asked if there was a discussion on the motion.

There were none.

**Decision: That the Committee of Adjustment approve Minor Variance Application A5/15, submitted by Lardale Construction on behalf of Messier Dowty, to permit an accessory building in the front yard, a maximum accessory building height of 7.6 metres and an accessory building with a maximum gross floor area of 446 sq.m.**

Proposed by: Member Molinari – that the application was reasonable and met the four tests outlined in the *Planning Act*.

Seconded by: Member Daffern

**All in favour**

**Carried**

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## **7. Other Business/New Business Continued**

Chair Milligan welcomed Amanda Dunn to the Committee of Adjustment.

## **8. Adjournment**

Proposed by: Member Daffern

Seconded by: Dixon

**All in favour**

**Carried**

Meeting adjourned at 7:28 p.m.

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Matthew Milligan  
Chair

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Sean McCullough, BES  
Secretary-Treasurer

# **TOWN OF AJAX REPORT**



**Report To:** Committee of Adjustment

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

**Subject:** **Minor Variance Application A6/14  
Karmann Homes 2006 Ltd.  
2977 Range Line Road**

**Ward:** 4

**Date of Meeting:** February 25, 2015

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## **Recommendation:**

**That the Committee of Adjustment approve Minor Variance Application A6/14, submitted by Karmann Homes 2006 Ltd, to permit a maximum lot coverage of 28%, to accommodate a proposed single detached dwelling, subject to the following conditions:**

- 1. That the Owner submit a Pickering Beach Site Plan Application and receive Site Plan Approval from the Town of Ajax; or this decision shall become null and void; and**
- 2. That the Owner obtain a building permit for the proposed single detached dwelling, or this decision shall become null and void.**

## **Background & Proposal**

Land Division Application LD080/2014 proposed to sever the north half (699 m<sup>2</sup>) of 3050 Ebony Street and was approved by the Land Division Committee on October 20, 2014. The Durham Region Land Division Committee stamped the deed for the proposed lot on February 13, 2015, following the applicant fulfilling the required conditions. The applicant is proposing to construct a new single detached dwelling on the vacant parcel.

The owner has submitted a minor variance application to permit an increase in the maximum lot coverage of 28%; whereas, the zoning by-law permits a maximum lot coverage of 25%. The owner is requesting the minor variance to create more purposeful interior living space within the proposed dwelling.

## **Subject Property & Surrounding Land Uses:**

The subject property is located on the south side of Range Line Road in the Pickering Beach Neighbourhood, and is municipally known as 2977 Range Line Road. The subject property is surrounded by low density residential lots consisting of single detached dwellings (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 permits a maximum lot coverage of 33% or 150.96 m<sup>2</sup>, whichever is less for lots less than 603.85 m<sup>2</sup> (6,500 ft<sup>2</sup>); and a maximum lot coverage of 25% for lots equal to or greater than 603.85 m<sup>2</sup> (6,500 ft<sup>2</sup>). The subject property is 699 m<sup>2</sup> and therefore permits a maximum lot coverage of 25%. The requested minor variance is to permit a maximum lot coverage of 28%.

**Requested Minor Variance:*****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 3% increase in lot coverage would not represent an unreasonable imposition on the outdoor amenity space, as the proposed dwelling will have a sizeable amenity space in the rear yard, and maintain adequate amenity space in the front yard. The proposed dwelling will not be of a size that is out of character with the existing neighbourhood and would maintain all required setbacks. Therefore, the request is considered to be minor in nature and desirable for the appropriate development of the land.

**Other Comments:**

**Transportation Services -** no comments;

**Design Services –** no comments;

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

**Operations –** no comments;

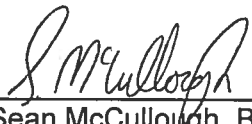
**Fire Services –** no comments;

**Engineering Services -** no comments;

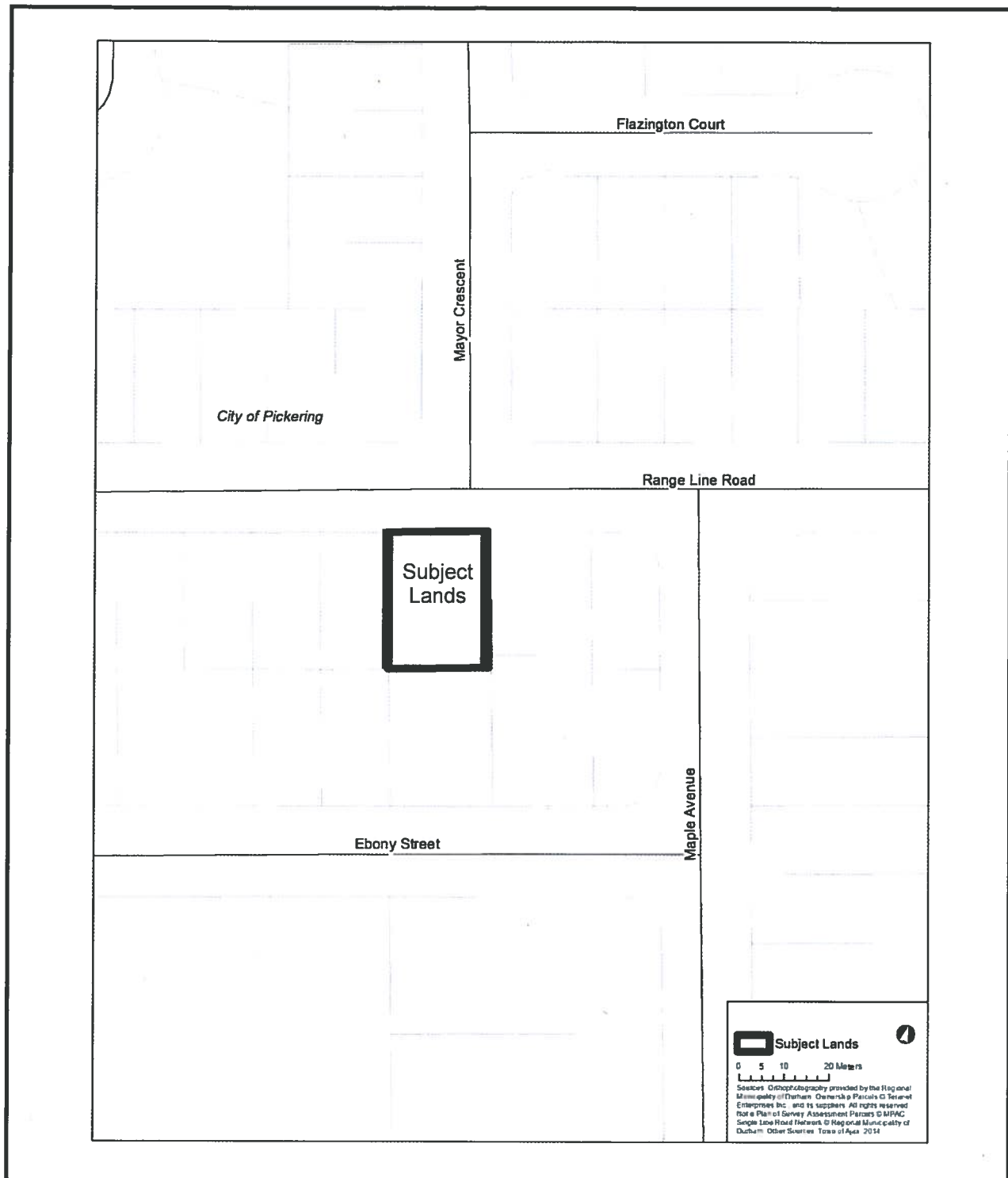
**Conclusion:**

Based on the discussion above, staff are of the opinion that **Minor Variance Application A6/15**, submitted by Karmann Homes 2006 Ltd., to permit a maximum lot coverage of 28%, to accommodate a proposed single detached dwelling, is:

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



Sean McCullough, BES  
Development Planner



Application File No. A6/15

Applicant:  
Karmann Homes 2006 Ltd

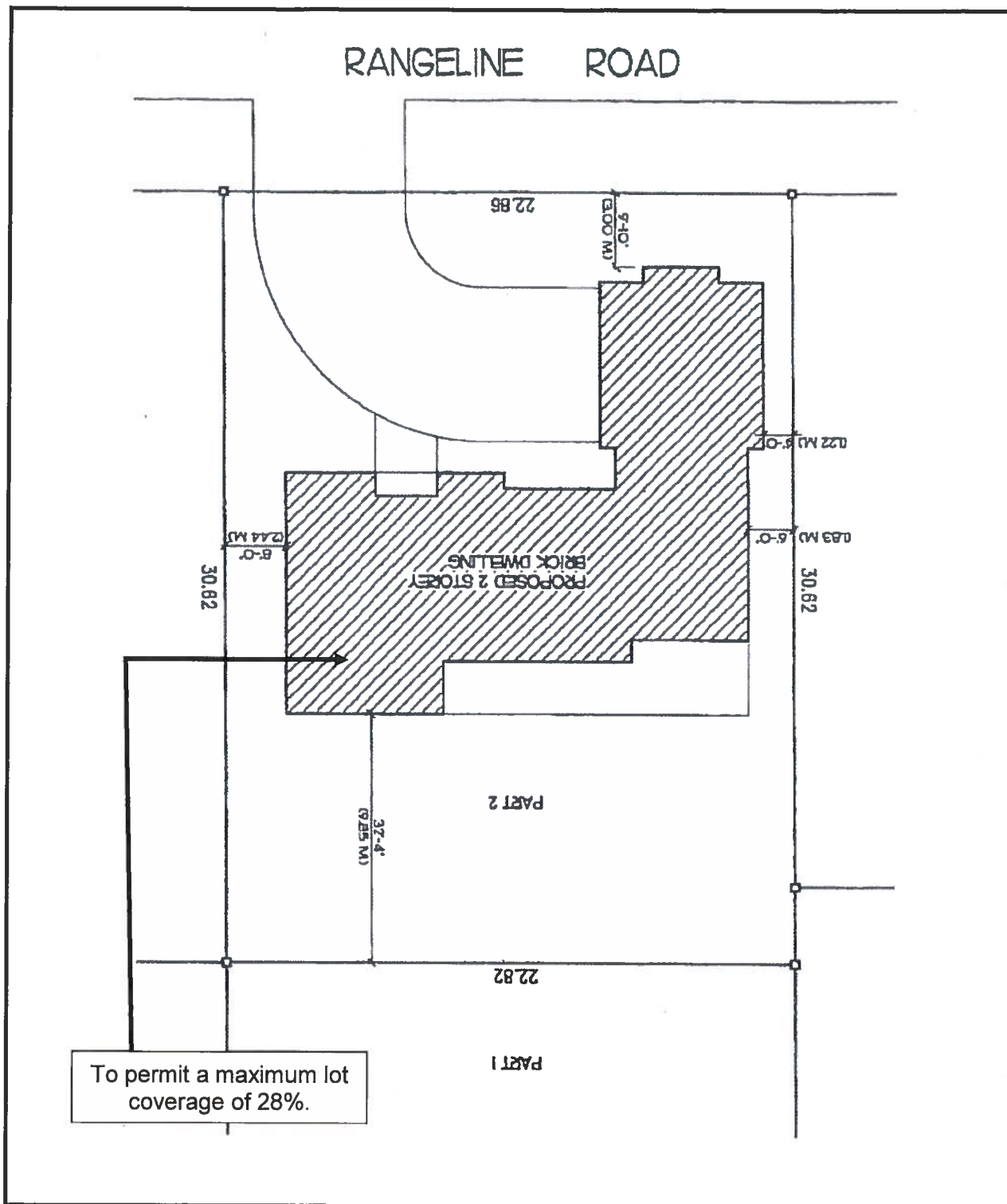
Date: February 25, 2015

Figure 1

Subject Property  
2977 Range Line Road

**Town of Ajax**  
By the Lake

Town of Ajax  
Planning & Development Services



Application File No. A6/15

Applicant:  
Karmann Homes 2006 Ltd

Date: February 25, 2015

Figure 2

Submitted Plan  
2977 Range Line RoadTown of Ajax  
Planning & Development Services



**Application File No. A6/15**

**Applicant:**  
Karmann Homes 2006 Ltd

**Date: February 25, 2015**

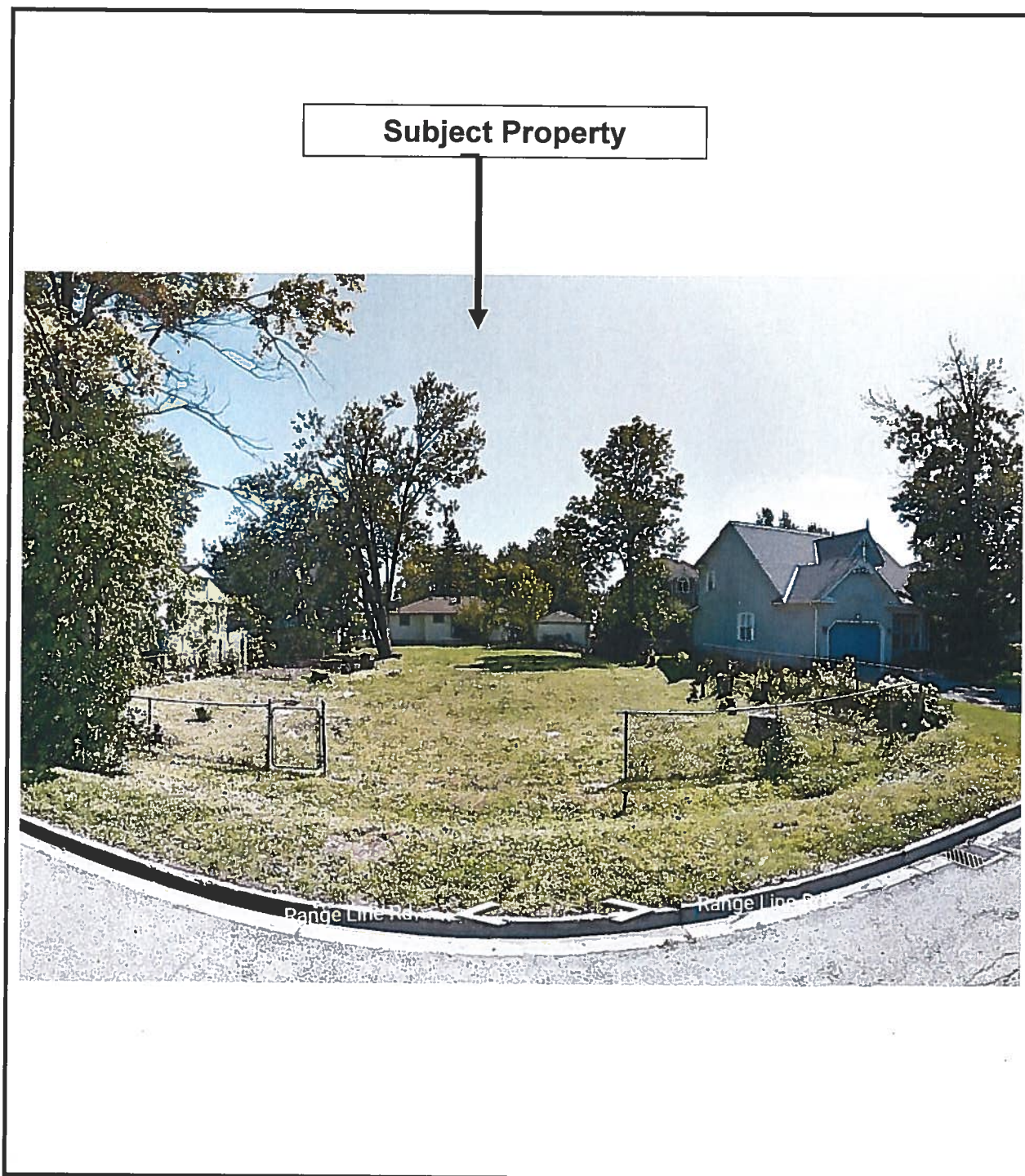
**Figure 3**

**Conceptual Front Elevation**  
**2977 Range Line Road**



**Town of Ajax**  
**Planning & Development Services**





**Application File No. A6/15**

**Applicant:**  
**Karmann Homes 2006 Ltd**

**Date: February 25, 2015**

**Figure 4**

**Streetview**  
**2977 Range Line Road**



**Town of Ajax**  
**Planning & Development**  
**Services**