



100 John West Way  
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Aurora, Ontario  
L4G 6J1  
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www.aurora.ca

TOWN OF AURORA  
Planning and Building Services

Committee of Adjustment

## NOTICE OF DECISION

**FILE NUMBER:** MV-2016-42  
**PROPERTY:** 108 Henderson Drive, Unit 55  
**LEGAL DESCRIPTION:** Unit 55, Level 1, York Condominium Plan #2, Blk D & F, Except Parts 1 & 2, 66R7862, BLK G PLM1500  
**APPLICANT:** Kafeei-Rashidian

**CONTACT:**

Additional information may be obtained from Justin Leung of the Planning and Building Services department at 905-727-3123 extension 4223, or emailed to jleung@aurora.ca. Please quote the file name and number.

If you have objections to this Notice of Decision, you may appeal to the Ontario Municipal Board for consideration. Your appeal, together with the reasons for the appeal and the \$125.00 fee (per Application) as required by the Ontario Municipal Board, can be made payable to the Minister of Finance in the form of a certified cheque or money order. An (A1) "Appellant Form" provided by the Board is now on their website at [www.omb.on.ca](http://www.omb.on.ca) and must be filed with the Secretary-treasurer, Committee of Adjustment at 100 John West Way, Box 1000 Aurora, Ontario, L4G 6J1, no later than 4:30 p.m. on or before **February 1, 2017**. Should this date fall on a holiday or weekend, you will have until 4:30pm of the next business day to file your appeal. Please note an additional fee (which can be found in the Fee By-law on our website, [www.aurora.ca](http://www.aurora.ca)), per Application, payable to the Town of Aurora is required with respect to Ontario Municipal Board appeal submissions.

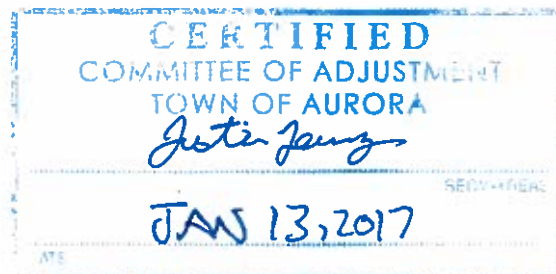
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the association or the group on its behalf.

Should no appeal be filed within the applicable time period, this Notice of Decision, subject to any conditions imposed by the Committee of Adjustment, becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer. For your information, the lands, which are the subject of this Application, are not currently the subject of any other Application under the *Planning Act*, to our knowledge.

ADDITIONAL INFORMATION relating to this decision is available from the Committee of Adjustment staff, Planning and Building Services department, Aurora Town Hall located at 100 John West Way.

DATED at the Town of Aurora, this 13<sup>th</sup> day of, January, 2017.

Justin Leung  
Secretary-Treasurer  
Committee of Adjustment/Planning Technician





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**APPLICANT:** Kafeai-Rashidian  
**DATE OF DECISION:** January 12, 2017

PURSUANT to Section 45(5) of the *Planning Act* with respect to the above noted Application the Committee of Adjustment ("Committee"), THAT:

It hereby ~~does~~ **does not** authorize the Minor Variance Application requesting relief from the Town of Aurora Zoning By-law 2213-78 as amended, respecting to allow home occupation (nail salon).

The Committee has determined that the Application ~~is~~ **is not** a Minor Variance and that granting such relief ~~is~~ **is not** within the intent of the Official Plan and Zoning By-law. Further, the Committee has determined that the Application ~~is~~ **is not** desirable for the appropriate development or use of the land. Where the Minor Variance has been authorized, it is based on substantial conformity with the site plan drawings circulated by the Committee.

Where applicable, conditions are attached as Schedule "A" hereto. Where conditions are imposed, the granting of this Application is subject to and entirely conditional upon the fulfilment of all such conditions to the satisfaction of the Committee.

Concurring Members:

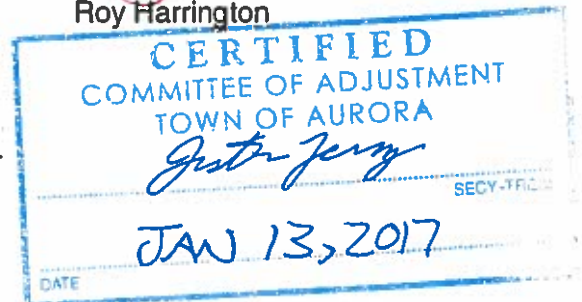
Grace Marsh, Chair

Tom Plamondon, Vice Chair

Roy Harrington

David Mhango

Nick Racanelli



**REASONS FOR DECISION**

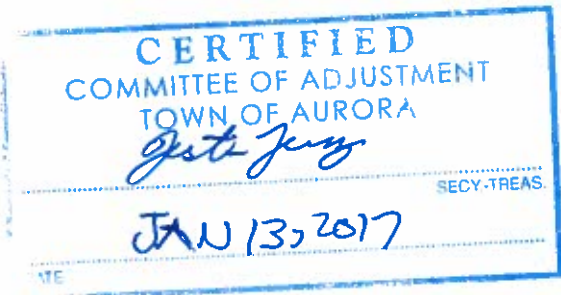
The Committee has based its decision on the legislative framework of the *Planning Act* and are in agreement with the comments provided by Planning and Building Services (attached herein); any additional rationale is noted below:

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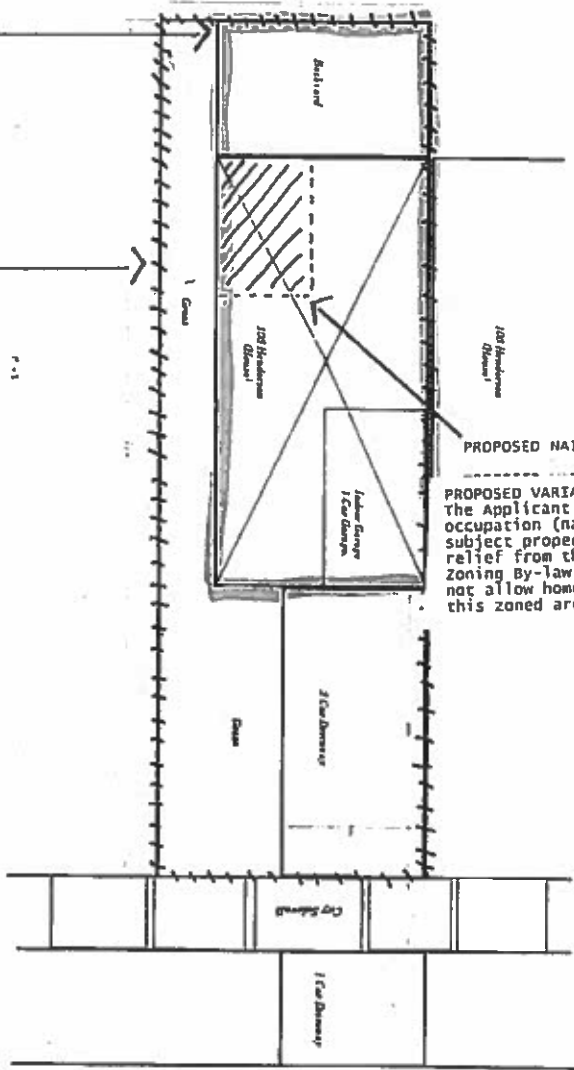
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*NOTE: Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public meeting, held under the Planning Act, have been-taken into consideration by the Committee of Adjustment in its Decision on this matter.*



EXISTING TWO STOREY TOWNHOUSE

108 HENDERSON DRIVE, UNIT 55



PROPOSED NAIL SALON WORK AREA

PROPOSED VARIANCE:  
The Applicant proposes home occupation (nail salon) for subject property; thus requiring relief from this provision of the Zoning By-law (Zoning By-law does not allow home occupation for this zoned area).



PRELIMINARY ZONING REPORT  
SEP 22 2016  
BUILDING SERVICES  
PRC067594

HENDERSON DRIVE