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TOWN OF AURORA
Planning and Building Services

Committee of Adjustment

NOTICE OF DECISION

FILE NUMBER: MV-2016-46
PROPERTY: 76 Kennedy Street West
LEGAL DESCRIPTION: Part of Lot 2 Registered Plan 38
APPLICANT: McLaughlin

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 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), per Application, payable to the Town of Aurora is required with respect to Ontario Municipal Board appeal submissions.

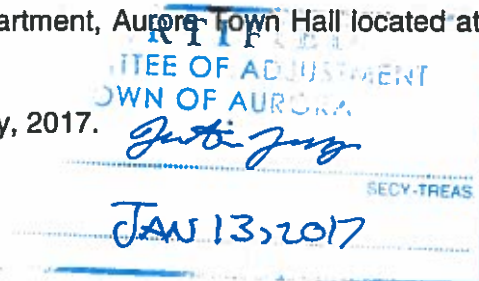
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the 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 13th day of, January, 2017.


Justin Leung
Secretary-Treasurer
Committee of Adjustment/Planning Technician





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TOWN OF AURORA
 Planning and Building Services

Committee of Adjustment

DECISION

FILE NUMBER: MV-2016-46
PROPERTY: 76 Kennedy Street West
LEGAL DESCRIPTION: Part of Lot 2 Registered Plan 38
APPLICANT: McLaughlin
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 reduction in minimum interior side yard setback.

The Committee has determined that the Application is/is ~~is/is~~ not a Minor Variance and that granting such relief is/is ~~is/is~~ not within the intent of the Official Plan and Zoning By-law. Further, the Committee has determined that the Application is/is ~~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:

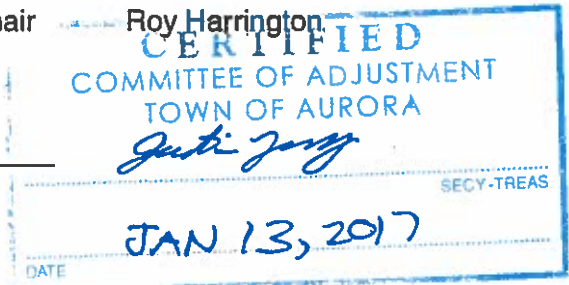
Grace Marsh, Chair

Tom Plamondon, Vice Chair

Roy Harrington

David Mhango

Nick Racanelli



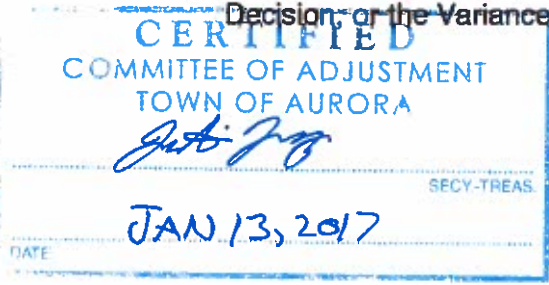
REASONS FOR DECISION

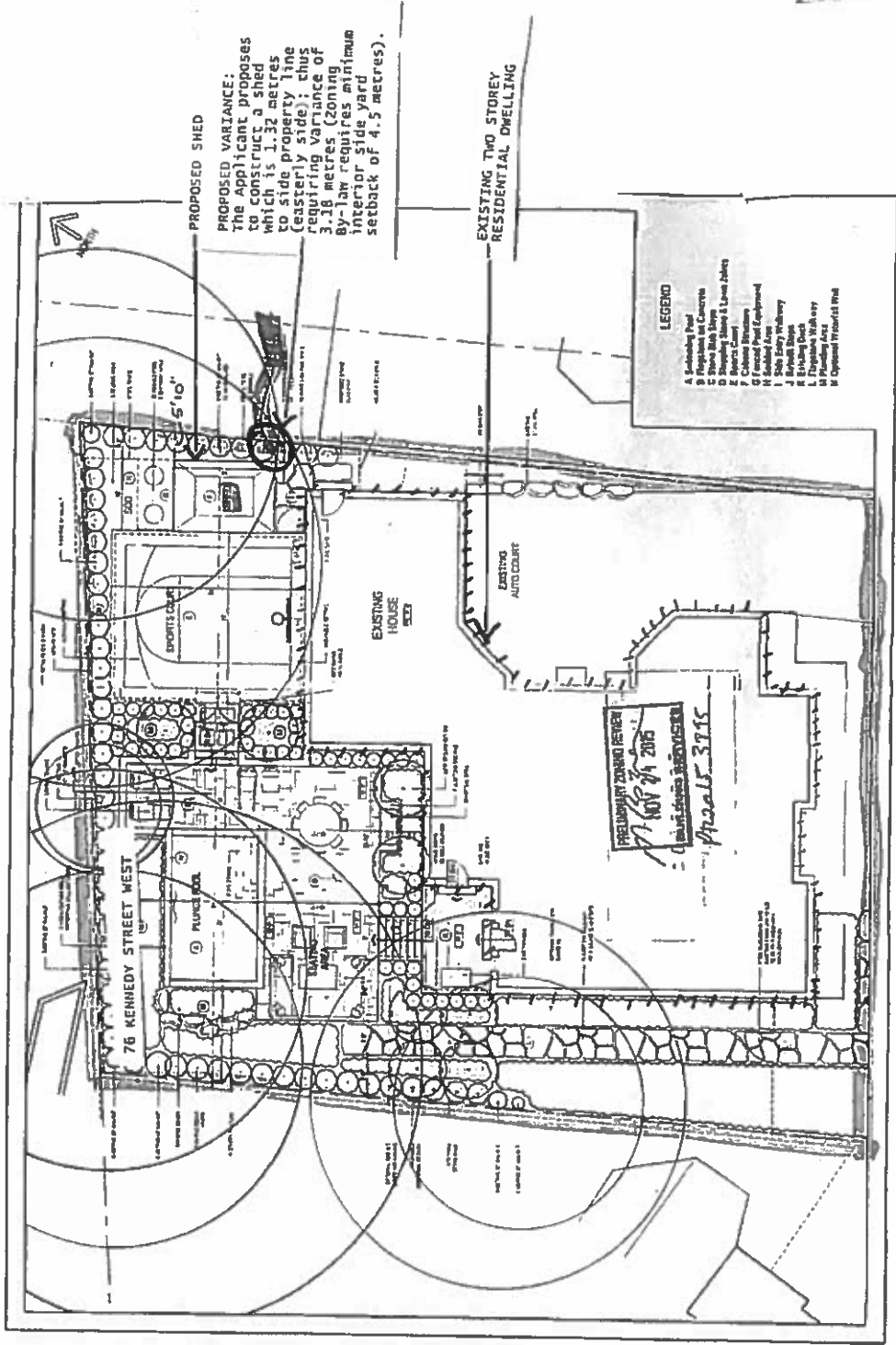
The Committee has based its decision on the legislative framework of the *Planning Act* and are in agreement with the comments provided by Planning and Building Services (attached herein); any additional rationale is noted below:

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.

CONDITIONS:

1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the January 2, 2017 memo by Patrick Ngo, Municipal Engineer:
 - THAT Applicant shall maintain original grading and drainage pattern at east property limit.
2. THAT the above noted conditions be satisfied within one year from the Notice of Decision, or the Variance may lapse requiring reapplication.





PROPOSED SHED
 PROPOSED VARIANCE:
 The Applicant proposes
 to construct a shed
 which is 1.32 metres
 to side property line
 (easterly side); thus
 requiring variance of
 3.18 metres (Zoning
 By-law requires minimum
 interior side yard
 setback of 4.5 metres).

EXISTING TWO STOREY
 RESIDENTIAL DWELLING

- LEGEND**
- A. Scheduling Pad
 - B. Foundation on Concrete
 - C. Stone Bath Steps
 - D. Swimming Steps & Lower Joints
 - E. Concrete
 - F. Existing Structures
 - G. Fenced Post Enclosure
 - H. Existing Area
 - I. Swimming Pool
 - J. Existing Walkway
 - K. Existing Deck
 - L. Existing Walkway
 - M. Existing Area
 - N. Proposed Footprint Line

PRELIMINARY ZONING REVIEW
 NOV 24 2016
 11/24/16 3:15

KENNEDY STREET WEST