



100 John West Way
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Planning and Development Services
Committee of Adjustment

NOTICE OF DECISION

FILE NUMBER: MV-2018-22
PROPERTY: 11 Patrick Drive
LEGAL DESCRIPTION: Lot 237 Registered Plan 514
APPLICANT: Simone

If you have objections to this Notice of Decision, you may appeal to the Local Planning Appeal Tribunal (the "Tribunal"). Your appeal, together with the reasons for the appeal and the **\$300.00** fee (per Application) as required by the Tribunal, are to be made payable to the Minister of Finance in the form of a certified cheque or money order. An A1 Appeal Form provided by the Tribunal is now on their website at <http://elto.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/> and must be filed with the Secretary Treasurer at 100 John West Way, Box 1000 Aurora, Ontario, L4G 6J1, no later than 4:30 p.m. on or before **August 29, 2018**. (s.45 (12)). Should this date fall on a holiday or weekend, you will have until 4:30 p.m. of the next business day to file your appeal. Please note an additional fee of **\$592.00**, per Application, payable to the Town of Aurora is required with respect to 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 **currently/not currently** the subject of **another/any other** Application under the *Planning Act*, to our knowledge.

Any inquiries should be directed to the undersigned, at 905-727-3123, extension 4223, Monday to Friday in Planning and Development Services, Aurora Town Hall, 100 John West Way, Aurora, Ontario, L4G 1J6.

DATED at the Town of Aurora, this 13th of August, 2018.

Antonio Greco
Secretary- Treasurer / Planning Technician
Committee of Adjustment



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Committee of Adjustment

DECISION

FILE NUMBER: MV-2018-22
PROPERTY: 11 Patrick Drive
LEGAL DESCRIPTION: Lot 237 Registered Plan 514
APPLICANT: Dorianna Simone
DATE OF DECISION: August 9, 2018

PURSUANT to Section 45 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 6000-17 as amended, respecting to permit a maximum lot coverage of 40%, thereby, requiring a variance of 5%. Section 7.2 of the Zoning by-law permits maximum lot coverage of 35%.

The Committee has determined that the Application is/~~is not~~ a Minor Variance and that granting such relief is/~~is not~~ with in 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 authorize, the extent of the Minor Variance is limited to the encroachment indicated on the site plan drawing circulated with the Notice of Application.

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

ABSENT
Hank Gosar

CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA

SECY-TREAS
August 9, 2018



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Schedule "A"

CONDITIONS FOR APPROVAL:

1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Parks, Recreational and Cultural Services; that the Applicant has satisfied all concerns below and as noted August 1, 2018 memo by Sara Tienkamp, Manager of Parks:
 - a) That the owner may be required to provide an Evaluation Report prepared by a Certified Arborist or Professional Registered Forester outlining all aspects of the impacts that this proposal will have on existing and current remaining vegetation, The report shall include recommendations and an action plan on the mitigation of negative effects to vegetation , during and post construction periods as well as measures aimed at tree health care and protection for trees effected by the project and any remaining trees in the vicinity of the project that require applicable maintenance.
 - b) In addition the report shall include a schedule of monitoring the ongoing site work through a series of scheduled site visits by the Arborist / Forester during and post construction to ensure the vegetation preservation measures remain in compliance throughout the project, each site visit to be documented and any resulting action items required by the Arborist /Forester shall be implemented and confirmed on site forthwith by the Arborist /Forester following each visit.
 - c) The owner may be required to provide vegetation compensation and a replanting plan in accordance with the Town of Aurora TREE REMOVAL/PRUNING AND COMPENSATION POLICY to the satisfaction of the Director of Operational Services as compensation for trees removed to facilitate construction. Compensation planting shall be completed prior to release of the financial securities.
 - d) The owner shall agree to comply with the Aurora Tree Permit By-law # 5850 -16 prior to the removal of any trees on the property.
 - e) The owner shall agree to provide financial securities based on the total value of the Tree Compensation evaluation and all Arboriculture works as defined by the Town and the Owners Arborist/ Forester. To the satisfaction of the Director of Parks and Recreation.
 - f) All of the above shall be included as terms and conditions in a Letter of Undertaking with the Town of Aurora to guarantee compliance with the Conditions of Approval and all related site works.



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2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Engineering and Capital Delivery Division; that the Applicant has satisfied all concerns below and as noted August 1, 2018 memo by Sabir Hussain, Municipal Engineer:
 - a) IES has no objection to the above noted variance application provided that a site grading plan prepared by a professional engineer is submitted demonstrating that the existing storm drainage will be maintained and that any proposed grading/drainage will not cause any adverse impacts on the neighbouring properties.

3. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Planning and Development Services; that the Applicant has satisfied all concerns below and as noted August 2, 2018 memo by Lawrence Kuk, Manager of Development Planning:
 - a) That the applicant provide Staff with a sample external material board and/or photographs of the materials in the proposal.

Schedule "B"

REASONS FOR REFUSAL

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 Development 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.