



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

TOWN OF AURORA  
Planning and Development Services

Committee of Adjustment

## NOTICE OF DECISION

**FILE NUMBER:** C-2017-10  
**PROPERTY:** 34-46 George Street and 100 Tyler Street  
**LEGAL DESCRIPTION:** Lots 10, 11, 12, 13, 20 and Part of Lot 24, Registered Plan 30  
**APPLICANT:** 2567086 Ontario Inc

**CONTACT:**

Additional information may be obtained from Justin Leung of the Planning and Development 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 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 Town Clerk at 100 John West Way, Box 1000 Aurora, Ontario, L4G 6J1, no later than 4:30 p.m. on or before **January 31, 2018**. 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.

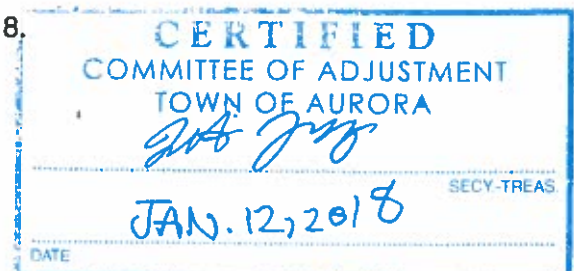
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a By-law to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice may be filed in the name of an individual who is a member of the 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 subject to any other *Planning Act* Applications, to our knowledge.

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

DATED at the Town of Aurora, this 12<sup>th</sup> day of, January, 2018.

Justin Leung  
Secretary- Treasurer,  
Committee of Adjustment/ Planning Technician





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**APPLICANT:** 2567086 Ontario Inc  
**DATE OF DECISION:** January 11, 2018

PURSUANT to Section 53 of the Planning Act with respect to the above noted Application the Committee of Adjustment ("Committee"), THAT:

It hereby ~~does~~ **does not** grant Provisional Consent with regard to the Application as submitted. Where Consent has been granted, it is subject to and entirely conditional upon fulfilment (by the Applicant, to the satisfaction of the Committee) of the conditions (if any), attached hereto as Schedule "A". Where Consent has been refused, the decision is based upon the reasons attached hereto as Schedule "B".

Concurring Members:

Grace Marsh, Chair

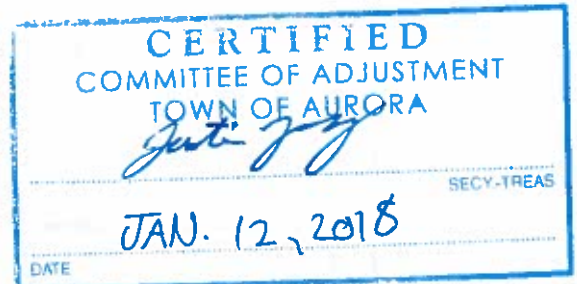
Tom Plamondon, Vice Chair

**OPPOSED**

Roy Harrington

David Mhango

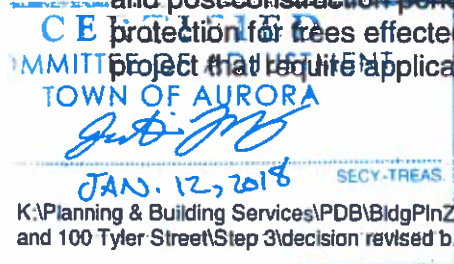
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## Schedule "A"

### CONDITIONS FOR APPROVAL:

1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Treasurer or designate; that all outstanding financial commitments have been satisfied, if any, to the Town.
2. SUBMISSION to the Secretary-Treasurer of two copies of a Draft Reference Plan (for review), showing that the subject lands substantially conform to the Application as submitted. One copy of the Deposited Reference Plan must be submitted prior to the issuance of the Certificate of Official.
3. SUBMISSION to the Secretary-Treasurer of written confirmation from Director of Planning and Development Services, or their designate; that the Applicant has satisfied all concerns below and as noted in the January 2, 2018 memo by Sabir Hussain, Municipal Engineer:
  - THE applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to payment of all applicable charges and fees in relation to municipal service connections and disconnection as applicable.
  - THE applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to the installation of water meter(s) and municipal service connections and/or disconnections to render the severed lands independently serviced. Any new services required within the Town's right-of-way shall be done by the Town at the owner's cost. The Owner will verify the existing services location and provide drawings showing location and elevation of existing and new service connections for review and approval of Planning & Development Services.
4. SUBMISSION to the Secretary-Treasurer of written confirmation from Director of Parks, Recreation and Cultural Services, or their designate; that the Applicant has satisfied all concerns below and as noted in the January 4, 2018 memo by Sara Tienkamp, Manager of Parks:
  - THAT the owner is 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 remaining vegetation, The report shall include a site plan showing the location of all trees and vegetation that will be impacted and or preserved both on or adjacent to the site. The report shall also include recommendations and an action plan on the mitigation of negative effects to preserved 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.



- SHOULD it be determined by the Arborist /Forester that trees and vegetation warrants preservation and protection then 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. The owner shall agree to provide copies of the Arborist / Foresters site visit reports to the Town following each visit
- 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.
- THE owner will 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 Direction of Parks and Recreation as compensation for trees removed to facilitate construction. Compensation planting shall be completed prior to release of the financial securities.
- 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.

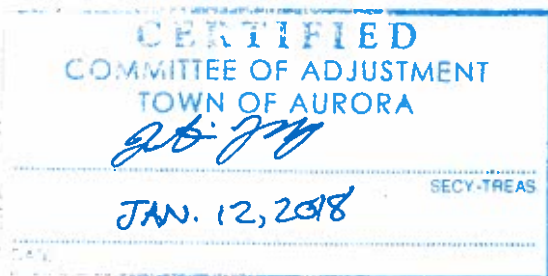
All of the above shall be included as terms and conditions in a Letter of Undertaking with the Town of Aurora to guarantee compliance with the Conditions of Approval and all related site works

5. SUBMISSION to the Secretary-Treasurer of written confirmation from Director of Corporate Services, or their designate; that the Applicant has satisfied all concerns below and as noted in the January 4, 2018 memo by Nicole Trudeau, Law Clerk:]

- THAT Owner be required to execute a Memorandum of Understanding respecting cash-in-lieu of parkland dedication to he satisfaction of the Town's Legal Services Division.

Comment:

- Staff investigate January 11, 2018 letter if underwater course there, or contact her on how she can look into this, or put them in contact with Lake Simcoe Region Conservation Authority (LSRCA).



## 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:

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