



100 John West Way
Box 1000
Aurora, Ontario
L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

NOTICE OF DECISION

FILE NUMBER: MV-2018-14
PROPERTY: 202 Ridge Road
LEGAL DESCRIPTION: Part of Lot 16, RP 132
APPLICANT: Moazemi
CONTACT:

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 1st, 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 16 day of, July 2018.

Antonio Greco
Secretary- Treasurer / Planning Technician
Committee of Adjustment



100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

FILE NUMBER: MV-2018-14A
PROPERTY: 202 Ridge Road
LEGAL DESCRIPTION: Part of Lot 16, RP 132
APPLICANT: Moazemi
DATE OF DECISION: July 12, 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, to permit the construction of a detached residential dwelling unit, whereas the Zoning By-law states that where a zone symbol is followed by "ORM" no person shall use the land, including expanding, enlarging or otherwise altering an existing use, building or structure, for any use other than a use legally existing as of November 15th, 2001.

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:

ABSENT

Grace Marsh, Chair

David Mhango

Tom Plamondon, Vice Chair

Hank Gosar

CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA

July 12, 2018

DATE



100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

Schedule "A"

CONDITIONS FOR APPROVAL:

1. Based on the aforementioned, Planning Staff are of the opinion that the proposed variances A and B meet the four (4) prescribed tests set out in Section 45.1 of the Planning Act and therefore have no objection to the approval of Minor Variance MV-2018-14 A and B (Moazemi) subject to the following condition:
 - That the Applicant sign a Letter of Undertaking and pay the applicable administrative fees, to ensure that the development and site alteration occurs in accordance with the recommendations of the Natural Heritage Evaluation prepared by North-South Environmental Inc. dated May 4, 2018, as amended.

Restriction: That the proposed dwelling conform to the zoning standards as per Section 14.1.b i) and any other applicable sections of the Zoning By-law 6000-17.

2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Director of Operational Services, or their designate, that the Applicant has satisfied all concerns below and as noted in the May 31, 2018 memo by Sara Tienkamp, Manager of Parks:
 - 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.
 - 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.



100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

- 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 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.
- 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.
- 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.

Schedule "B"

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 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.



100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

FILE NUMBER: MV-2018-14B
PROPERTY: 202 Ridge Road
LEGAL DESCRIPTION: Part of Lot 16, RP 132
APPLICANT: Moazemi
DATE OF DECISION: July 12, 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, to permit the construction of a detached residential dwelling within a Category 1 Landform Conservation Area, thereby requiring a variance.

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:

ABSENT

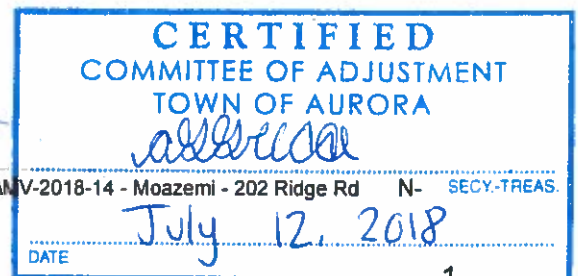
Grace Marsh, Chair

David Mhango

Tom Plamondon, Vice Chair

Roy Harrington

Hank Gosar





100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

Schedule "A"

CONDITIONS FOR APPROVAL:

1. Based on the aforementioned, Planning Staff are of the opinion that the proposed variances A and B meet the four (4) prescribed tests set out in Section 45.1 of the Planning Act and therefore have no objection to the approval of Minor Variance MV-2018-14 A and B (Moazemi) subject to the following condition:

- That the Applicant sign a Letter of Undertaking and pay the applicable administrative fees, to ensure that the development and site alteration occurs in accordance with the recommendations of the Natural Heritage Evaluation prepared by North-South Environmental Inc. dated May 4, 2018, as amended.

Restriction: That the proposed dwelling conform to the zoning standards as per Section 14.1.b i) and any other applicable sections of the Zoning By-law 6000-17.

2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Director of Operational Services, or their designate, that the Applicant has satisfied all concerns below and as noted in the May 31, 2018 memo by Sara Tienkamp, Manager of Parks:

- 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.
- 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.



100 John West Way,
Box 1000,
Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

- 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 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.
- 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.
- 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.

Schedule "B"

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 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.