



100 John West Way,
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Planning and Development Services
Committee of Adjustment

DECISION

FILE NUMBER: MV-2019-21
PROPERTY: 73 Kennedy Street West
LEGAL DESCRIPTION: Plan 65M2380 Lot 1
APPLICANT: Bouchier & Schareck
DATE OF DECISION: September 12, 2019

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

It hereby **does** authorize the Minor Variance Application requesting relief from the Town of Aurora Zoning By-law 6000-17 as amended, respecting to permit a detached two-car garage with a minimum interior side yard of 1.0 m.

The Committee has determined that the Application **is** a Minor Variance as:

- The requested relief **does** meet the general intent of the Official Plan;
- The requested relief **does** meet the general intent of the Zoning By-law;
- The requested relief **does** constitute desirable development of the lot; and
- The requested relief **is** minor in nature.

Concurring Members:

Tom Plamondon, Chair

ABSENT

Clarence Lui, Vice Chair

Steven D'Angeli

Daniel Lajeunesse

Michele Boyer



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CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Antonio Greco
Secretary-Treasurer
Committee of Adjustment



Date of Hearing: September 12, 2019

Last Date of Appeal: October 2, 2019

DECISION

Conditions for Approval

1. 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 September 12, 2019 memo by Matthew Peverini, Planner:
 - a) That the development be substantially in accordance with the sketch as submitted with the application, prepared by Stamp & Hammer, dated August 8, 2019;
 - b) 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;
 - c) 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;
 - d) 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;
 - e) 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;



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- f) 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;
 - g) 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.
2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Planning and Development Services, Engineering Division; that the Applicant has satisfied all concerns below and as noted August 23, 2019 memo by Patrick Ngo, Engineer:
- a) The existing drainage pattern shall be maintained and any changes in the grading due the proposed site works shall not cause any adverse impacts on the neighbouring properties;
 - b) Roof drain downspout(s), if any, shall be located away from the property line to avoid direct outlet of water onto the adjacent property.