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Planning and Development Services
Committee of Adjustment

DECISION

FILE NUMBER: MV-2019-05A
PROPERTY: 6 Highland Court
LEGAL DESCRIPTION: PLAN 547 LOT 2
APPLICANT: Plaunt
DATE OF DECISION: April 11, 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~~ 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 detached pool house which is 1.83 metres to the side property line; thereby, requiring a variance of 2.67 metres.

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.

Concurring Members:

OPPOSED

Tom Plamondon, Chair

Clarence Lui, Vice Chair

OPPOSED

Steven D'Angeli

Daniel Lajeunesse

Michele Boyer

CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA
[Signature]
SECY-TREAS
DATE April 11, 2019



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Committee of Adjustment

DECISION

FILE NUMBER: MV-2019-05B
PROPERTY: 6 Highland Court
LEGAL DESCRIPTION: PLAN 547 LOT 2
APPLICANT: Plaunt
DATE OF DECISION: April 11, 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 / 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 detached pool house with eaves projecting 3.13 metres into the required interior side yard; thereby, requiring a variance of 2.43 metres.

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.

Concurring Members:

OPPOSED

Tom Plamondon, Chair

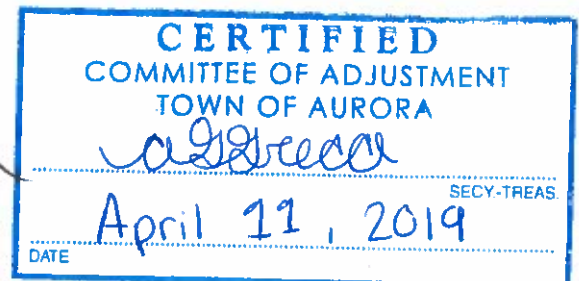
Clarence Lui, Vice Chair

OPPOSED

Steven D'Angeli

Daniel Lajeunesse

Michele Boyer





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DECISION

Schedule "A"

CONDITIONS FOR APPROVAL:

1. 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 April 5, 2019 memo by Sabir Hussain, Municipal Engineer:

We have no objection to the above noted variance application provided that a site grading plan prepared by a professional engineer is submitted demonstrating that;

- 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) shall be located away from the property line to avoid direct outlet of water onto the adjacent property.
2. 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 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.



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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

3. THAT the above noted conditions be satisfied within one year from the Notice of Decision, or the Variance will lapse requiring reapplication.

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.