



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

TOWN OF AURORA  
Planning and Building Services

Committee of Adjustment

## NOTICE OF DECISION

**FILE NUMBER:** C-2017-06  
**PROPERTY:** 83 George Street  
**LEGAL DESCRIPTION:** Plan 30 Pt Lots 79 80 81 and 82 RP65R10498 Part 1  
**APPLICANT:** Banks-Murray

### CONTACT:

Additional information may be obtained from Justin Leung of the Planning and Building 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 **August 30, 2017**. 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 also subject to a Draft Approved Plan of Subdivision (file NO SUB-2010-01) and a Draft Approved Plan of Condominium (file NO CDM-2016-03).

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

DATED at the Town of Aurora, this 11<sup>th</sup> day of, August 2017.

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





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TOWN OF AURORA  
 Planning and Building Services

Committee of Adjustment

**DECISION**

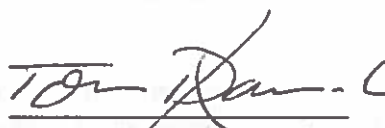
**FILE NUMBER:** C-2017-06  
**PROPERTY:** 83 George Street  
**LEGAL DESCRIPTION:** Plan 30 Pt Lots 79 80 81 and 82 RP65R10498 Part 1  
**APPLICANT:** Banks-Murray  
**DATE OF DECISION:** August 10, 2017

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

  
 Roy Harrington

  
 David Mhango

**CERTIFIED**  
 COMMITTEE OF ADJUSTMENT  
 TOWN OF AURORA  
*John J. M...*  
 SECY-TREAS  
 AUG. 11, 2017  
 DATE

## Schedule "A"

### CONDITIONS:

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 the Town's Director or designate Planning and Building; that the Applicant has satisfied all concerns below and as noted in the August 10, 2017 memo by Lawrence Kuk, Planner:
  - THAT the Applicant/owner enters into a letter of undertaking to review the following but not limited to the massing, height, primacy façade, architectural elements and materials, landscaping and tree preservations and driveways to the satisfaction of the Director of Planning and Building Services and may require further review by the Town's Design Review Panel.
4. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the August 3, 2017 memo by Sabir Hussain, Municipal Engineer:
  - THE applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Infrastructure and Environmental 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 Infrastructure and Environmental Services indicating that satisfactory arrangements have been made with respect to the installation of water meter(s) and municipal service connection(s) as well as road restoration to render the severed and retained lots fully serviced independent from each other. The construction of any new services within the Town's right-of-way shall be done by the Town at the owner's cost. The Owner will provide engineering drawing showing driveway access and location and elevation of the new proposed service connections for review and approval of Infrastructure and Environmental Services.

• THE applicant be advised that a detailed site and lot grading plan showing all proposed grades and drainage, the siting of the dwelling, fencing and sedimentation controls etc. is required to be submitted at the time of building permit application for the severed and retained lots.

CEP COMMITTEE TOWN OF ...	
<i>John J. G.</i>	
DATE	SECY-TREAS.
AUG. 11, 2017	

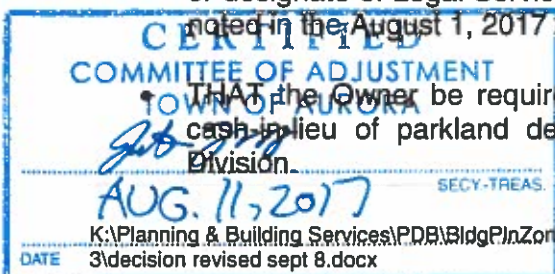
5. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the August 7, 2017 memo by Sara Tienkamp, Acting Manager of Parks:

- 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

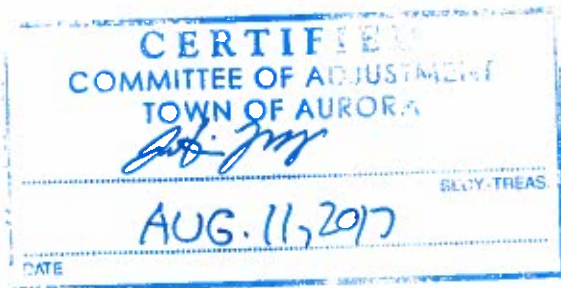
6. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Solicitor or designate of Legal Services; that the Applicant has satisfied all concerns below and as noted in the August 1, 2017 memo by Nicole Trudeau, Law Clerk:

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



7. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Planning and Building Services; that the Applicant has satisfied all concerns below and as noted in the August 10, 2017 memo by Jeff Healey, Planner:
- THAT the owner of 83 George Street be encouraged to ensure that any new structure on a newly severed lot should be in harmony with the established context of the neighbourhood in scale, design, rhythm, and massing and that this be reflected in a Letter of Undertaking.
  - THAT prior to a letter of undertaking, the owner submits drawings to the Director of Planning and Building Services for review and may require a submission to the Design Review Panel for review.

*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.*





**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 & Development Services (attached herein); any additional rationale is noted below:

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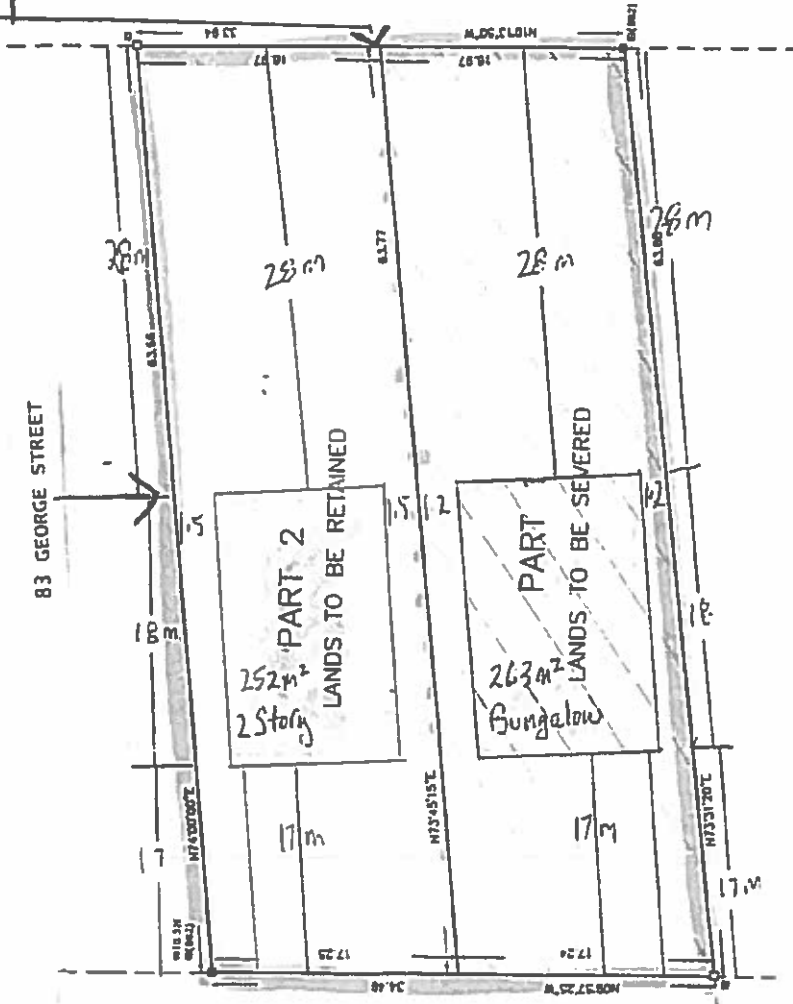
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PROPOSED SEVERANCE LINE  
 PROPOSED CONSENT: To sever portion of subject property to create one additional lot fronting onto George Street.



PART 1 - SEVERED LANDS  
 AREA = 1085m<sup>2</sup>(11678.8sqft)  
 PART 2 - RETAINED LANDS  
 AREA = 1084m<sup>2</sup>(11668.1sqft)



GEORGE STREET