



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:** MV-2016-45  
**PROPERTY:** 34 Pattemore Gate  
**LEGAL DESCRIPTION:** Lot 124, Plan 65M3946  
**APPLICANT:** Tran-Chan

**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 \$125.00 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 Secretary-treasurer, Committee of Adjustment at 100 John West Way, Box 1000 Aurora, Ontario, L4G 6J1, no later than 4:30 p.m. on or before **March 29, 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.

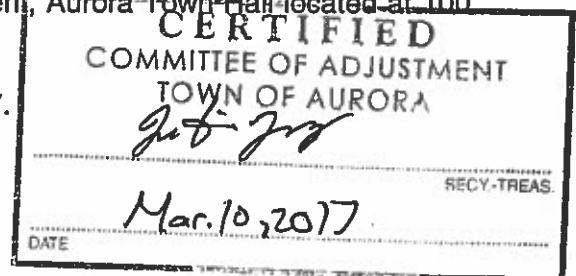
Should no appeal be filed within the applicable time period, this Notice of Decision, subject to any conditions imposed by the Committee of Adjustment, becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer. For your information, the lands, which are the subject of this Application, are not currently the subject of any other Application under the *Planning Act*, to our knowledge.

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 10<sup>th</sup> day of, March, 2017.

*Justin Leung*

Justin Leung  
 Secretary-Treasurer  
 Committee of Adjustment/Planning Technician





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**DECISION**

**FILE NUMBER:** MV-2016-45  
**PROPERTY:** 34 Pattemore Gate  
**LEGAL DESCRIPTION:** Lot 124, Plan 65M3946  
**APPLICANT:** Tran-Chan  
**DATE OF DECISION:** March 9, 2017

PURSUANT to Section 45(5) 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 2213-78 as amended, respecting to allow reduction in minimum distance separation/encroachment for decks.

The Committee has determined that the Application is/is not a Minor Variance and that granting such relief is/is not within 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 authorized, it is based on substantial conformity with the site plan drawings circulated by the Committee.

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:

Grace Marsh, Chair

**OPPOSED**

Tom Plamondon, Vice Chair

Roy Harrington

David Mhango

**ABSENT**

Nick Racanelli

<b>CERTIFIED</b>	
COMMITTEE OF ADJUSTMENT	
TOWN OF AURORA	
SECY-TREAS	
Mar. 10, 2017	
DATE	

## 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 Building Services (attached herein); any additional rationale is noted below:

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*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.*

## CONDITIONS:

1. SUBMISSION to the Secretary-Treasurer of written confirmation from Lake Simcoe Region Conservation Authority; that the Applicant has satisfied all concerns below and as noted in the January 4, 2017 memo by Melinda Bessey, Development Planner:
  - THAT the Owner obtain a permit from the LSRCA prior to any site alteration or development within the area governed by the Ontario Regulation 179/06 under the Conservation Authorities Act.
  - THAT the prescribed Planning and Development Review Fee (\$300) be paid to the LSRCA in accordance with the Planning and Development Fee Policy (2016).
2. THAT the above noted conditions be satisfied within one year from the Notice of Decision, or the Variances may lapse requiring reapplication.
3. THAT building permit be obtained and that proposed work (drawings and related material) be reviewed to ensure compliance to Town standards.

CERTIFIED  
COMMITTEE OF ADJUSTMENT  
TOWN OF AURORA

*[Signature]*

SECY-TREAS

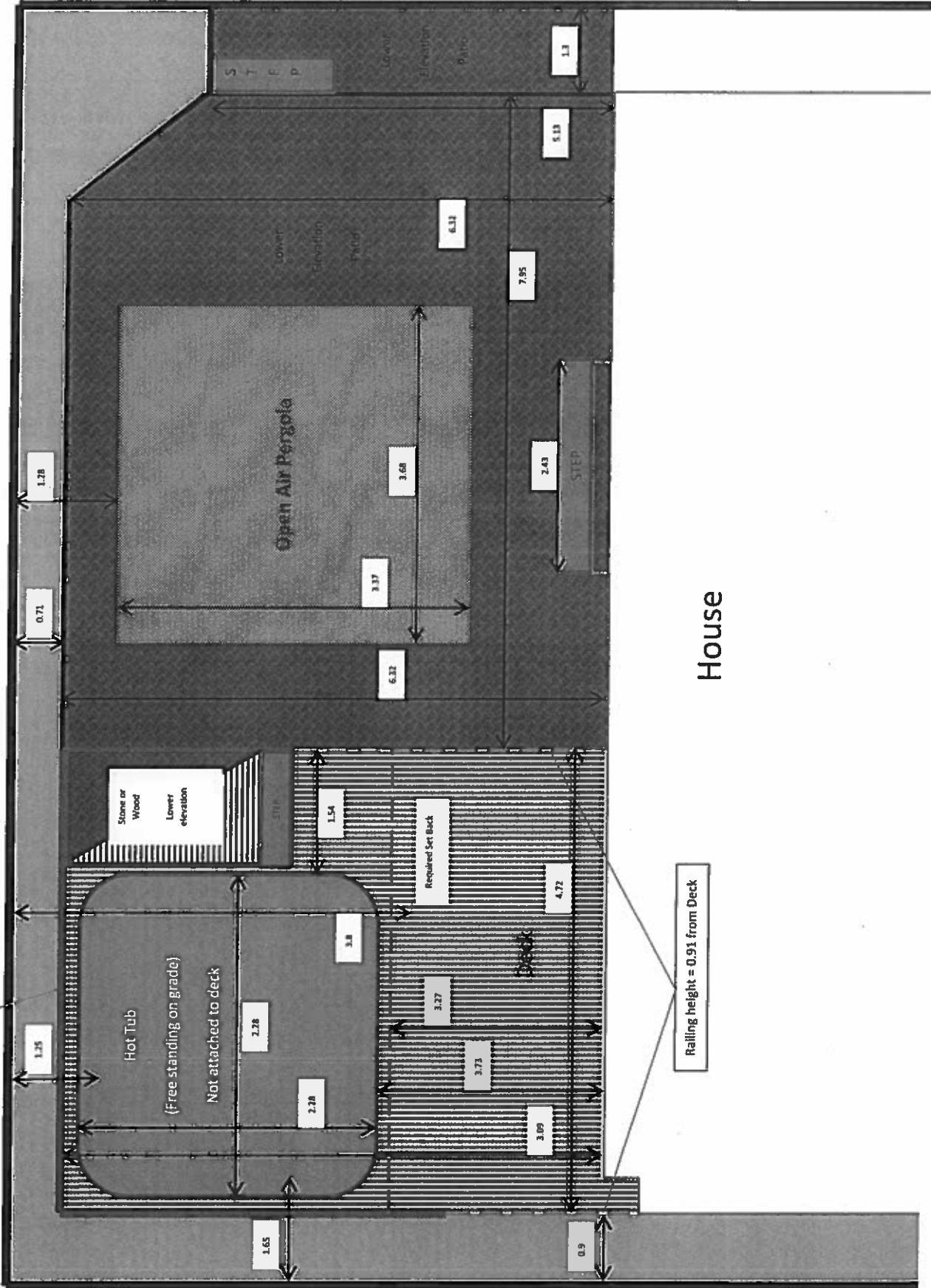
Mar. 10, 2017

ATE

# 34 Pattermore Gate – Proposal B



Screen height = 0.91 from Deck



House

Railing height = 0.91 from Deck