



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-2017-03
PROPERTY: 19-21 Machell Avenue
LEGAL DESCRIPTION: Lot 5 Registered Plan 36
APPLICANT: Rob Worthman and Bernadette Cwenar

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 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 **May 31, 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), per Application, payable to the Town of Aurora is required with respect to Ontario Municipal Board appeal submissions.

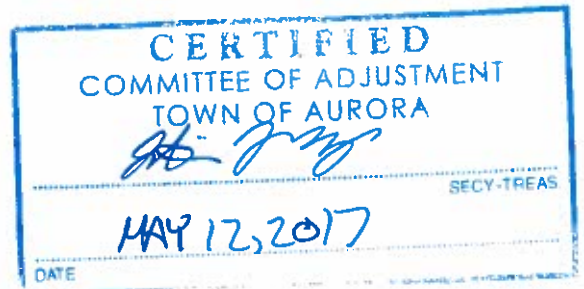
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a By-law to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice may be filed in the name of an individual who is a member of the 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 12th day of, May 2017.

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





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TOWN OF AURORA
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Committee of Adjustment

DECISION

FILE NUMBER: C-2017-03
PROPERTY: 19-21 Machell Avenue
LEGAL DESCRIPTION: Lot 5 Registered Plan 36
APPLICANT: Rob Worthman and Bernadette Cwenar
DATE OF DECISION: May 11, 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

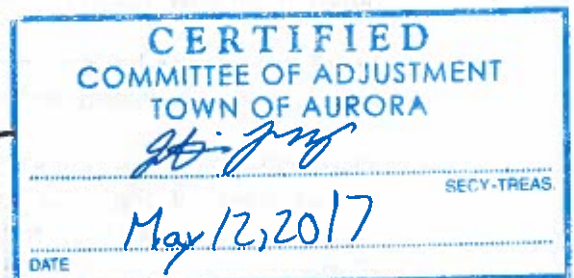
Tom Plamondon, Vice-Chair

David Mhango

Roy Harrington

ABSENT

Nick Racanelli



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 "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 of Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the May 4, 2017 memo by Sabir Hussain, Municipal Engineer:
 - THE applicant provide to Secretary-treasurer, confirmation, in writing, from Director of Infrastructure and Environmental Services indicating 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 Secretary-treasurer, confirmation, in writing, from Director of Infrastructure and Environmental Services indicating satisfactory arrangements have been made with respect to installation of water meter(s) and municipal service connection(s) as well as road restoration to render the severed and retained parcels fully serviced independent from each other. The construction of any new services within Town's right-of-way shall be done by the Town at the owner's cost. The Owner will provide drawings showing location and elevation of the new service connections for review and approval of Infrastructure and Environmental Services.
4. 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 May 1, 2017 memo by Janet Van Scheyndel, Law Clerk:
 - THAT the owner be required to execute a Memorandum of Understanding respecting cash-in-lieu of parkland dedication to the satisfaction of Town's Legal Services Division.
5. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director of designate of Planning and Building Services; that the Applicant has satisfied all concerns below and as noted in the May 11, 2017 memo by Jeff Healey, Heritage Planner:

- THAT the owners submit building and architectural plans of the front porch for approval by Heritage Staff prior to issuance of a building permit.
- THE owners submit letter to Heritage Staff in support and commitment of future designation of property located at 19-21 Machell Avenue under Part IV of the *Ontario Heritage Act*.



CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA
[Signature]
SECY-TREAS
MAY 12, 2017
DATE

Schedule "B"

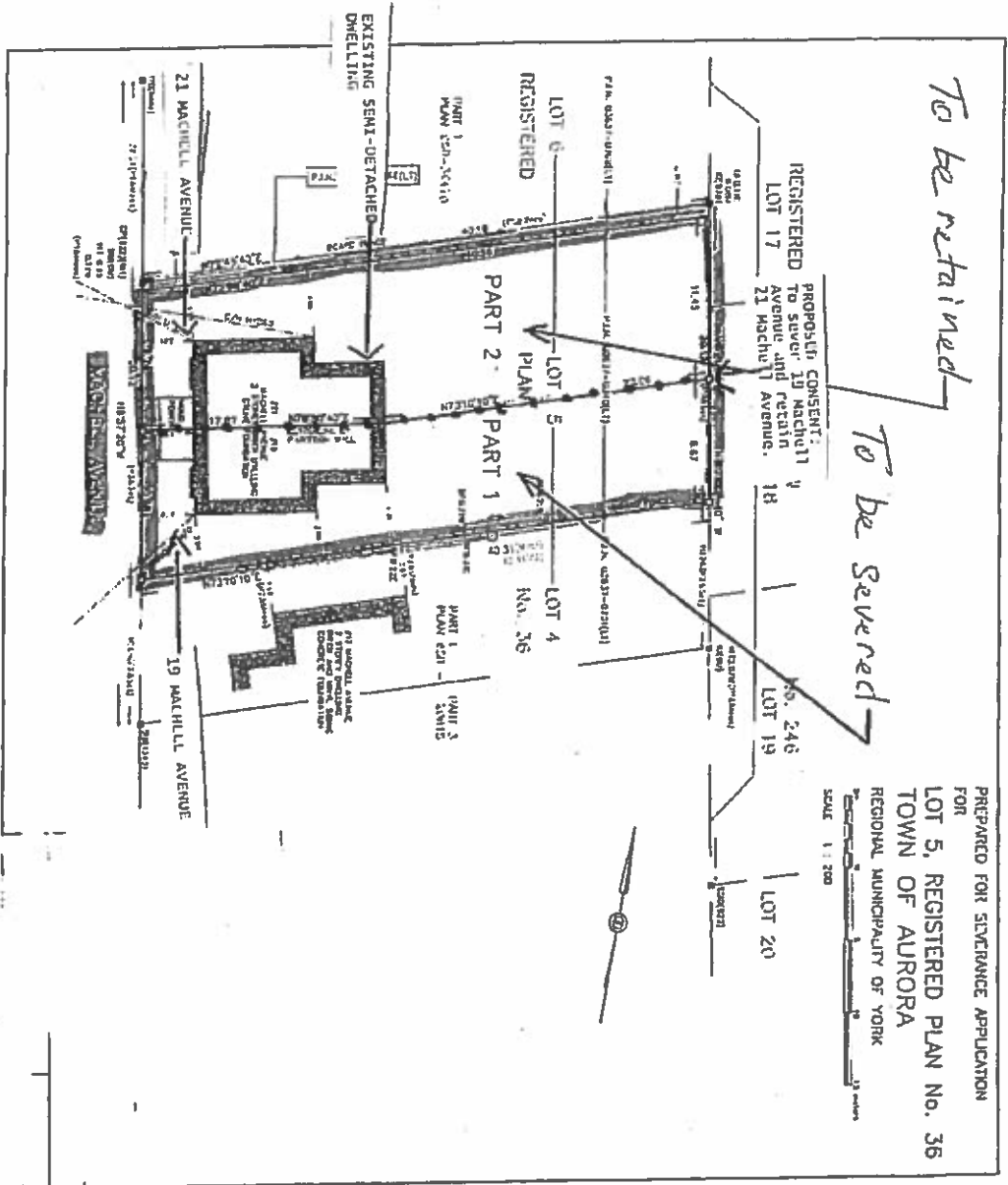
REASONS FOR REFUSAL

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



To be retained

To be severed



REGISTERED
LOT 17
21 Macmill Avenue

NO. 246
LOT 19

LOT 20

LOT 6
REGISTERED

LOT 5
PART 2
PART 1

LOT 4
REGISTERED

PART 1
CON-3610

PART 1
CON-3610

EXISTING SEMI-DETACHED DWELLING

21 MACMILL AVENUE

19 MACMILL AVENUE

MACMILL AVENUE

PREPARED FOR SEWERAGE APPLICATION
FOR
LOT 5, REGISTERED PLAN NO. 36
TOWN OF AURORA
REGIONAL MUNICIPALITY OF YORK

SCALE 1:200