



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-2017-12A-B
PROPERTY: 32 Wells Street
LEGAL DESCRIPTION: Lot 2, West Side of Wells Street, Registered Plan 68
APPLICANT: Igor and Brittany Momot

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 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 **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.

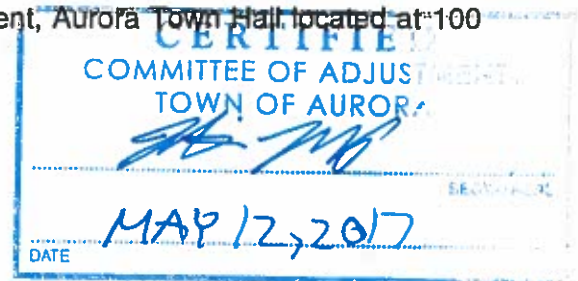
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the 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 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 12th day of, May, 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: MV-2017-12A
PROPERTY: 32 Wells Street
LEGAL DESCRIPTION: Lot 2, West Side of Wells Street, Registered Plan 68
APPLICANT: Igor and Brittany Momot
DATE OF DECISION: May 11, 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 increase in maximum lot coverage.

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

Tom Plamondon, Vice Chair

Roy Harrington

David Mhango

ABSENT

Nick Racanelli

CERTIFIED
 COMMITTEE OF ADJUSTMENT
 TOWN OF AURORA

SECY-TREAS

DATE: MAY 12, 2017

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:

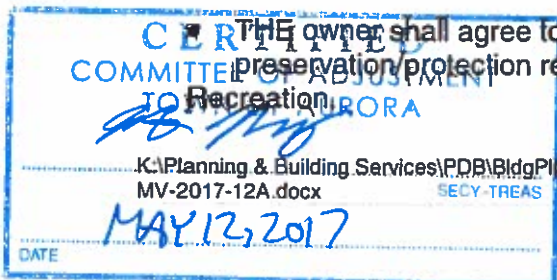
NOTE: Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public meeting, held under the Planning Act, have been taken into consideration by the Committee of Adjustment in its Decision on this matter.

CONDITIONS:

1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Director of Infrastructure and Environmental Services, or their designate; that the Applicant has satisfied all concerns below and as noted in the April 25, 2017 memo by Patrick Ngo, Municipal Engineer:
 - THE Applicant shall maintain the original grading and drainage pattern at property limits.

2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Director of Parks, Recreation and Cultural Services, or their designate; that the Applicant has satisfied all concerns below and as noted in the May 4, 2017 memo by Sara Tienkamp, Acting Manager of Trees:
 - THAT the owner 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 the existing trees in proximity to the subject lands .The report shall include tree protection recommendations that should be implemented on site and an action plan on the mitigation of negative effects to these trees prior to, during and post construction periods as well as additional measures aimed at tree health care and protection for trees in the vicinity of the project that require applicable maintenance.
 - 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 tree preservation/protection 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 financial securities for all of the tree preservation/protection related works to the satisfaction of the Direction of Parks and Recreation



All of the above shall be included as terms and conditions in a tree protection Agreement including financial securities based on the total value of the Arboriculture works as defined by the Town and the Owners Arborist/ Forester.

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





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TOWN OF AURORA
Planning and Building Services

Committee of Adjustment

DECISION

FILE NUMBER: MV-2017-12B
PROPERTY: 32 Wells Street
LEGAL DESCRIPTION: Lot 2, West Side of Wells Street, Registered Plan 68
APPLICANT: Igor and Brittany Momot
DATE OF DECISION: May 11, 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 increase in maximum driveway width.

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

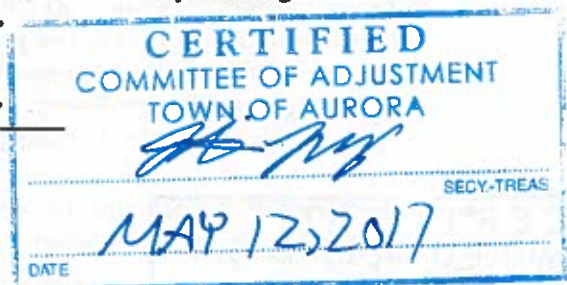
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The Committee has based its decision on the legislative framework of the *Planning Act* and are in agreement with the comments provided by Planning and Building Services (attached herein); any additional rationale is noted below:

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.

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 - 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 tree preservation/protection 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 financial securities for all of the tree preservation/protection related works to the satisfaction of the Direction of Parks and Recreation.

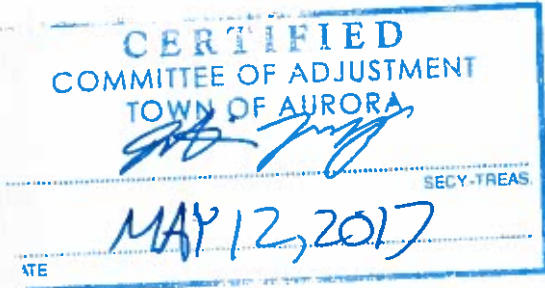
CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AYER
[Signature]

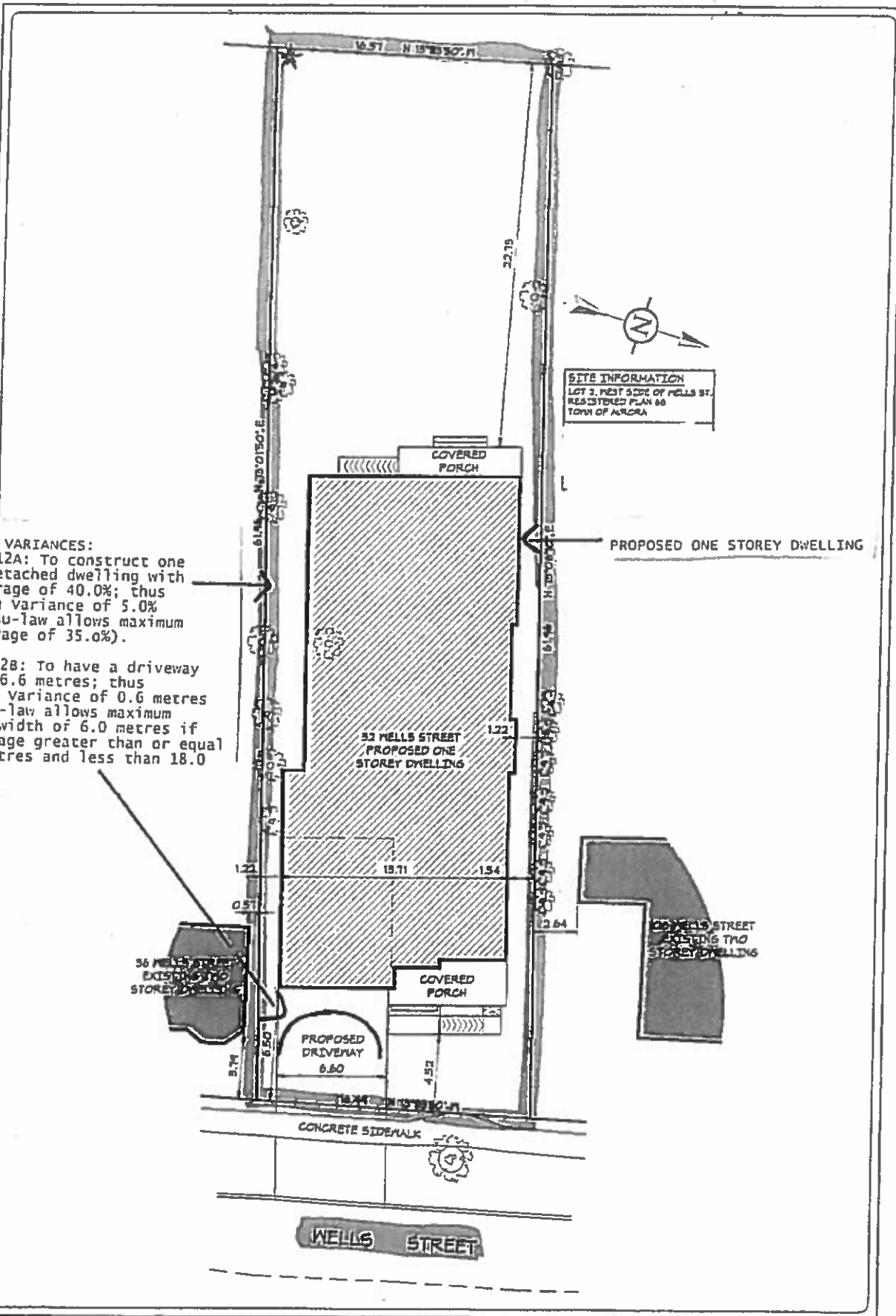
K:\Planning & Building Services\PD&B\BldgPlnZone\PlnApplications\MV\2017\MV-2017-12 - Momot - 32 Wells Street\Step 3\Decision MV-2017-12B.docx SECY-TREAS

DATE MAY 12, 2017

All of the above shall be included as terms and conditions in a tree protection Agreement including financial securities based on the total value of the Arboriculture works as defined by the Town and the Owners Arborist/ Forester.

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





PROPOSED VARIANCES:
 MV-2017-12A: To construct one storey detached dwelling with lot coverage of 40.0%; thus requiring variance of 5.0% (Zoning Bu-law allows maximum lot coverage of 35.0%).

MV-2017-12B: To have a driveway width of 6.6 metres; thus requiring variance of 0.6 metres (Zoning B-law allows maximum driveway width of 6.0 metres if lot frontage greater than or equal to 9.0 metres and less than 18.0 metres).

SITE INFORMATION
 LOT 3, WEST SIDE OF WELLS ST.
 REGISTERED PLAN 88
 TOWN OF ARLORA

SITE PLAN
 32 WELLS STREET
 TOWN OF ARLORA