



100 John West Way,
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Planning and Development Services
Committee of Adjustment

DECISION


FILE NUMBER: MV-2019-06
PROPERTY: 88 Woodland Hills Boulevard
LEGAL DESCRIPTION: PLAN 65M3746 LOT 28
APPLICANT: Dinescu
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 driveway width of 9.0 metres at the street line; thereby, requiring a variance of 3.0 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.

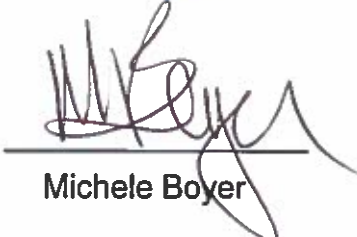
Concurring Members:


Tom Plamondon, Chair


Clarence Lui, Vice Chair


Steven D'Angeli

OPPOSED
Daniel Lajeunesse


Michele Boyer

CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA

SECY-TREAS
April 11, 2019
DATE



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Schedule "A"

CONDITIONS FOR APPROVAL:

1. 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. 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.



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2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Lake Simcoe Region Conservation Authority; that the Applicant has satisfied all concerns below and as noted April 3, 2019 memo by Laura McGinnis, Planner 1:
 - a) The Owner shall provide payment of \$500.00 to the LSRCA as per our approved Fee Schedule for review of this minor variance application.
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.