



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-2017-01A-B  
**PROPERTY:** 39 Beechbrooke Way  
**LEGAL DESCRIPTION:** Lot 124, Registered Plan 65M-2793  
**APPLICANT:** Montesanti

### 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 1, 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.

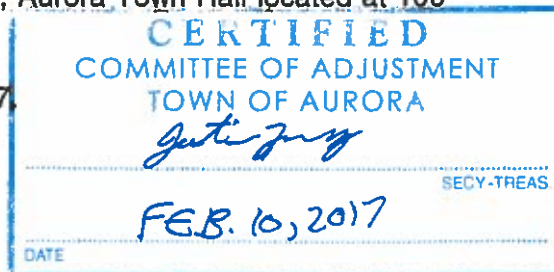
In accordance with the *Planning Act*, only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice may be filed in the name of an individual who is a member of the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

Justin Leung  
Secretary-Treasurer  
Committee of Adjustment/Planning Technician





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Committee of Adjustment

### DECISION

**FILE NUMBER:** MV-2017-01A  
**PROPERTY:** 39 Beechbrooke Way  
**LEGAL DESCRIPTION:** Lot 124, Registered Plan 65M-2793  
**APPLICANT:** Montesanti  
**DATE OF DECISION:** February 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 interior side yard setback.

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:

ABSENT

Tom Plamondon      Roy Harrington

Grace Marsh, Chair

Tom Plamondon, Vice Chair

Roy Harrington

David Mhango

Nick Racanelli

David Mhango

Nick Racanelli

CERTIFIED  
COMMITTEE OF ADJUSTMENT  
TOWN OF AURORA  
Grace Marsh  
SECY-TREAS  
FEB. 10, 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:

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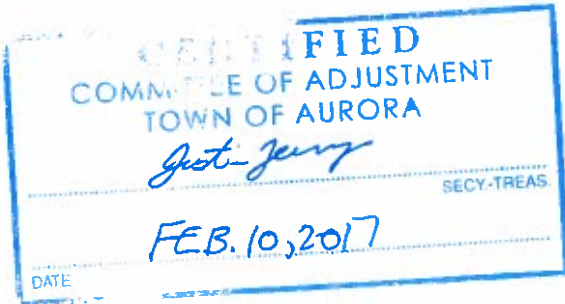
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*NOTE: Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public meeting, held under the Planning 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 the Town's Director or designate of Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the January 20, 2017 memo by Patrick Ngo, Municipal Engineer:
  - THAT Applicant shall maintain original grading and drainage pattern at property limits abutting neighbouring properties.
2. 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-2017-01B  
**PROPERTY:** 39 Beechbrooke Way  
**LEGAL DESCRIPTION:** Lot 124, Registered Plan 65M-2793  
**APPLICANT:** Montesanti  
**DATE OF DECISION:** February 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 rear yard setback.

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:

ABSENT

Tom Plamondon, Vice Chair

Roy Harrington

Grace Marsh, Chair

David Mhango

Nick Racanelli

CERTIFIED  
COMMITTEE OF ADJUSTMENT  
TOWN OF AURORA

SECY-TREAS

FEB. 10, 2017

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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:

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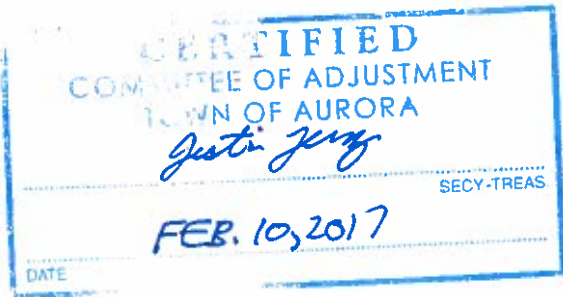
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**CONDITIONS:**

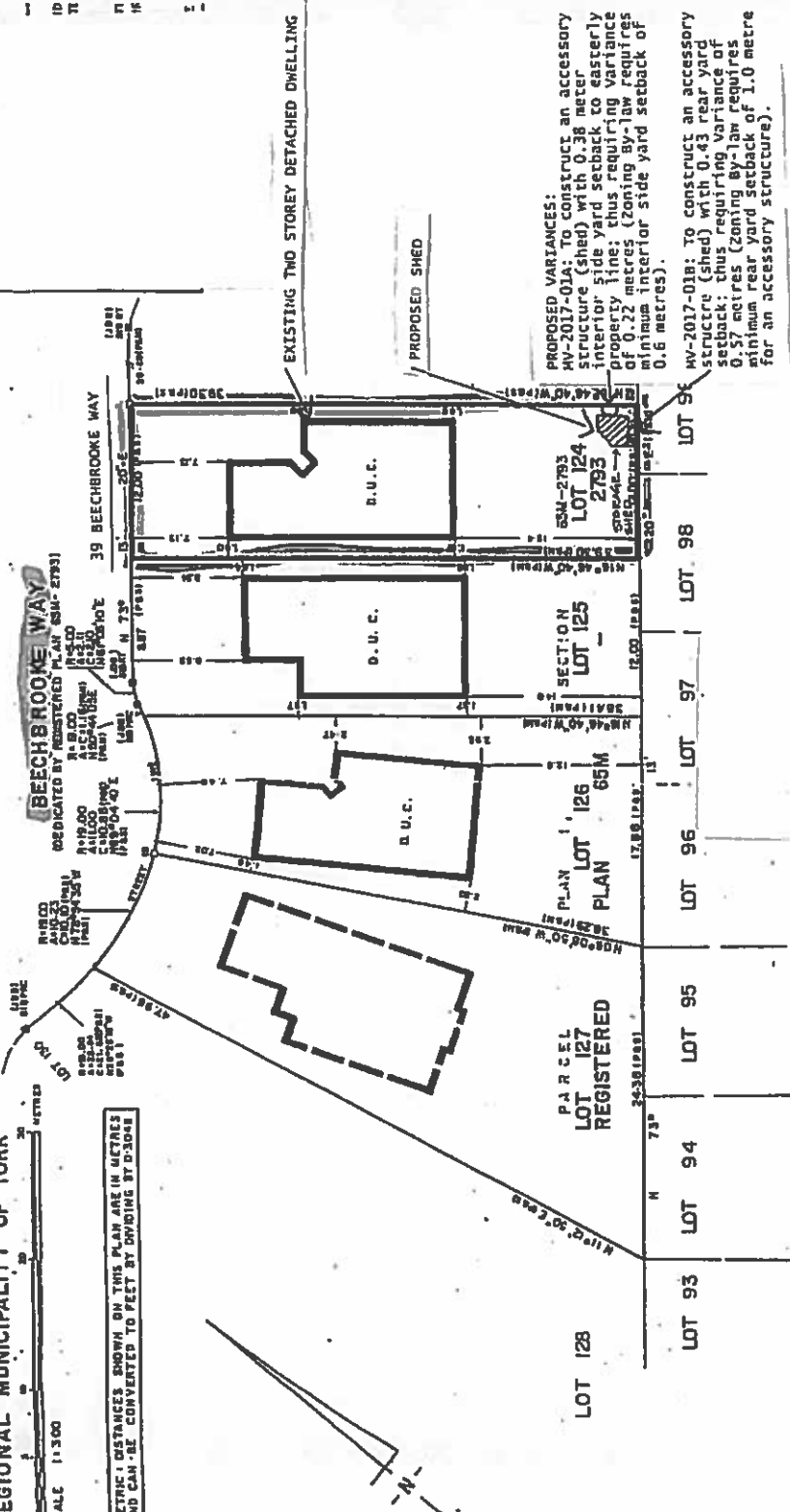
1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Infrastructure and Environmental Services; that the Applicant has satisfied all concerns below and as noted in the January 20, 2017 memo by Patrick Ngo, Municipal Engineer:
  - THAT Applicant shall maintain original grading and drainage pattern at property limits abutting neighbouring properties.
2. THAT the above noted conditions be satisfied within one year from the Notice of Decision, or the Variance may lapse requiring reapplication.



**BUILDING LOCATION SURVEY OF  
LOTS 124, 125 AND 126  
REGISTERED PLAN 65M-2793  
OWN OF AURORA  
REGIONAL MUNICIPALITY OF YORK**

SCALE 1:1,500

OTHER DISTANCES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**PROPOSED VARIANCES:**  
 MV-2017-01A: TO CONSTRUCT AN ACCESSORY structure (shed) WITH 0.38 METRE INTERIOR SIDE YARD SETBACK TO ADJACENT PROPERTY LINE; THIS REQUIREMENT VARIES OF 0.22 METRES (ZONING BY-LAW REQUIRES MINIMUM INTERIOR SIDE YARD SETBACK OF 0.6 METRES).  
 MV-2017-01B: TO CONSTRUCT AN ACCESSORY structure (shed) WITH 0.43 METRE REAR YARD SETBACK; THIS REQUIREMENT VARIES OF 0.37 METRES (ZONING BY-LAW REQUIRES MINIMUM REAR YARD SETBACK OF 1.0 METRE FOR AN ACCESSORY STRUCTURE).

**BEECHBROOKE WAY**  
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LOT 128  
 LOT 127 REGISTERED  
 PLAN 126  
 PLAN 65M  
 SECTION LOT 125  
 LOT 124  
 LOT 96  
 LOT 95  
 LOT 94  
 LOT 93  
 LOT 98  
 LOT 97  
 LOT 99