



100 John West Way  
Box 1000  
Aurora, Ontario  
L4G 6J1  
**Phone:** 905-727-3123 Ext. 4223  
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**www.aurora.ca**

Planning and Development Services  
Committee of Adjustment

## NOTICE OF DECISION

**FILE NUMBER:** MV-2018-25  
**PROPERTY:** 66 Roth Street  
**LEGAL DESCRIPTION:** Plan 65M4433  
**APPLICANT:** Carvalho

If you have objections to this Notice of Decision, you may appeal to the Local Planning Appeal Tribunal (the "Tribunal"). Your appeal, together with the reasons for the appeal and the **\$300.00** fee (per Application) as required by the Tribunal, are to be made payable to the Minister of Finance in the form of a certified cheque or money order. An A1 Appeal Form provided by the Tribunal is now on their website at <http://elto.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/> and must be filed with the Secretary Treasurer at 100 John West Way, Box 1000 Aurora, Ontario, L4G 6J1, no later than 4:30 p.m. on or before **October 4<sup>th</sup>, 2018**. (s.45 (12)). Should this date fall on a holiday or weekend, you will have until 4:30 p.m. of the next business day to file your appeal. Please note an additional fee of **\$592.00**, per Application, payable to the Town of Aurora is required with respect to 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 **currently/not currently** the subject of **another/any other** Application under the *Planning Act*, to our knowledge.

Any inquiries should be directed to the undersigned, at 905-727-3123, extension 4223, Monday to Friday in Planning and Development Services, Aurora Town Hall, 100 John West Way, Aurora, Ontario, L4G 1J6.

DATED at the Town of Aurora, this 14<sup>th</sup> day of, September 2018.

Antonio Greco  
Secretary- Treasurer / Planning Technician  
Committee of Adjustment



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Planning and Development Services  
Committee of Adjustment

**DECISION**

**FILE NUMBER:** MV-2018-26  
**PROPERTY:** 66 Roth Street  
**LEGAL DESCRIPTION:** Plan 65M4433  
**APPLICANT:** Carvalho  
**DATE OF DECISION:** September 13, 2018

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 the construction of a deck encroaching 6.4 metres into the minimum required rear yard, having a setback of 0.6 metres from the rear property line, thereby requiring a variance of 2.9 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.

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**

DID NOT VOTE

**OPPOSED**

Grace Marsh, Chair

David Mhango

Tom Plamondon, Vice Chair

Hank Gosar

<b>APPROVED</b>
COMMITTEE OF ADJUSTMENT TOWN OF AURORA
SECY.-TREAS.
DATE: September 13, 2018



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Committee of Adjustment

**DECISION**

**Schedule "A"**

**CONDITIONS FOR APPROVAL:**

1. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Engineering and Capital Delivery Division; that the Applicant has satisfied all concerns below and as noted September 4, 2018 memo by Mirlinda Nuro, Municipal Engineer:
  - a) A site grading plan shall be prepared by a professional engineer and be submitted, demonstrating that the existing drainage will be maintained and that the proposed grading/drainage will not cause any adverse impacts on the neighbouring properties
  - b) No encroachment with the 1.8 metre wide easement located on the North West side of the property permitted. The RLCB (Rear Lot Catch Basin) must be kept clear of any encroachments for maintenance and operation at any time.
  - c) A signed waiver for the landscape alteration has to be submitted to the Town together with the grading plan.
2. 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:

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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.*