



100 John West Way,
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Aurora, ON L4G 6J1
Phone: 905-727-3123 Ext. 4223
Email: agreco@aurora.ca
www.aurora.ca

Planning and Development Services
Committee of Adjustment

DECISION

FILE NUMBER: C-2019-02
PROPERTY: 95, 125 & 175 Eric T Smith Way
LEGAL DESCRIPTION: PLAN 65M4324 LOT 3
APPLICANT: Gottardo 404 (Aurora) Inc.
DATE OF DECISION: May 9, 2019

PURSUANT to Section 53 of the *Planning Act* with respect to the above noted Application the Committee of Adjustment ("Committee"):

Hereby does 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:

Tom Plamondon, Chair

Clarence Lui, Vice-Chair

Steven D'Angeli

Daniel Lajeunesse

ABSENT

Michele Boyer



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CERTIFICATION

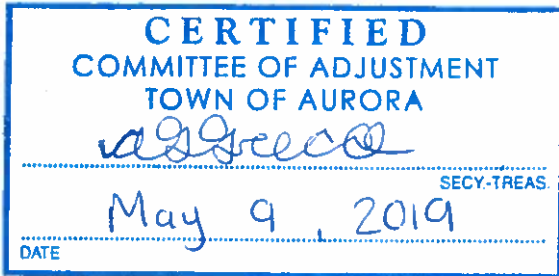
I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

agreco

Antonio Greco
Secretary-Treasurer
Committee of Adjustment

Date of Hearing: May 9, 2019

Last Date of Appeal: May 29, 2019





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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 Engineering and Capital Delivery Division; that the Applicant has satisfied all concerns below and as noted April 30, 2019 memo by Glen McArthur, Municipal Engineer:

That the property owner enter into a Letter of Undertaking with the Town to address the following as part of future site plan application for the severed lot to the satisfaction of the Director of Planning and Development Services:

- a) Confirmation that the existing municipal services have sufficient capacity for the severed lot's proposed site plan and retained lot;
- b) The Owner obtain approval from private utilities for connections to their plant;
- c) The Owner to agree to pay for all design and construction costs associated with extending and connecting municipal services and private utilities to the severed lot including but not limited to roadway and boulevard restoration work;
- d) The Owner to agree to pay for all design and construction costs associated with relocating any municipal services and utilities that may be in conflict with the proposed site plan;
- e) The Owner to agree to any cost associated with providing required curb cuts for the severed lot entranceway;
- f) The Owner to agree to maintaining the services to the retained lot;
- g) Confirmation that the severed lot will not negatively impact adjacent properties including but not limited to site drainage impacts and impacts to adjacent properties' services;
- h) Confirmation that the proposed site plan for the severed lot will be in compliance with the overall subdivision design plans and criteria, including but not limited to the subdivision's overall grading and drainage pattern design and storm water management criteria;
- i) The Owner to provide detailed design plans, and reports as per the Town's most current Site Plan Application and Engineering standards and to the Director of



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Planning & Development Services satisfaction for the Town's technical review and approval;

- j) The Owner to pay the Town's site plan application review fee and provide any required securities as requested by the Director of Planning and Development Services
 - k) The Owner to provide any documentation requested by the Director of Planning and Development Services to the Director's satisfaction, demonstrating that all required approvals applicable to the proposed site plan for the severed lot required by the Town or any other government agency have been obtained.
2. It is the opinion of Planning Staff the proposed Consent application file number C-2019-02 conforms to the Town's Official Plan and the provisions of Section 51(24) of the *Planning Act* and is satisfied that the application complies with the listed criteria.

Based on the aforementioned, Staff has no objections to the approval of Consent application file number C-2019-02 subject to the conditions set out below:

- a) That the Owner obtain relief from the provisions of the zoning by-law for reduced frontage and landscaping strip as set forth in Minor Variance Application MV-2019-08A and MV-2019-08B.
- b) Proof of payment of all outstanding taxes and local improvement charges owing to date against the subject lands.
- c) Three white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.

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.