



100 John West Way
Box 1000
Aurora, Ontario
L4G 6J1
Phone: 905-727-3123 Ext. 4223
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Planning and Development Services
Committee of Adjustment

NOTICE OF DECISION

FILE NUMBER: C-2019-01
PROPERTY: 27 Lacey Court
LEGAL DESCRIPTION: Plan 65M2583 Lot 6
APPLICANT: Vinokurov

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 **March 27, 2019**. (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 11th day of, March 2019.

Antonio Greco
Secretary- Treasurer / Planning Technician
Committee of Adjustment



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FILE NUMBER: C-2019-01
PROPERTY: 27 Lacey Court
LEGAL DESCRIPTION: PLAN 65M2583 LOT 6
APPLICANT: Vinokurov
DATE OF DECISION: March 7, 2019


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

Hereby does does not 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

OPPOSED
Clarence Lui, Vice Chair


Steven D'Angeli


Daniel Lajeunesse


Michelle Boyer

CERTIFIED
COMMITTEE OF ADJUSTMENT
TOWN OF AURORA

SECY-TREAS.
March 7, 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 Division; that the Applicant has satisfied all concerns:
 - a) That the owner is 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 remaining vegetation, The report shall include a site plan showing the location of all trees and vegetation that will be impacted and or preserved both on or adjacent to the site. The report shall also include recommendations and an action plan on the mitigation of negative effects to preserved 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) Should it be determined by the Arborist /Forester that trees and vegetation warrants preservation and protection then 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. The owner shall agree to provide copies of the Arborist / Foresters site visit reports to the Town following each visit
 - c) 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.
 - d) The owner will 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 Direction of Parks and Recreation as compensation for trees removed to facilitate construction. Compensation planting shall be completed prior to release of the financial securities.
 - e) 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.



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- 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.
2. SUBMISSION to the Secretary-Treasurer of written confirmation from the Town's Director or designate of Engineering Division; that the Applicant has satisfied all concerns:
 - a) The applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to payment of all applicable charges and fees in relation to municipal service connections and disconnection as applicable.
 - b) The applicant provide to the Secretary-Treasurer, confirmation, in writing, from the Director of Planning & Development Services indicating that satisfactory arrangements have been made with respect to the installation of water meter(s) and municipal service connections to render the retained and severed lots independently serviced. Any new services required within the Town's right-of-way shall be done by the Town at the owner's cost. The Owner will verify the existing services location and provide drawings showing location and elevation of existing and new service connections for review and approval of Planning & Development Services.
 3. The Regional Municipality of York has completed its review of the consent application C-2019-01 (27 Lacey Court) we have the following conditions:
 - a) Prior to final approval, the Town of Aurora shall confirm that wastewater servicing capacity allocation has been set aside for the new unit from the existing YDSS capacity assigned by the Region.
 4. 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 March 4, 2019 memo by Shawn Filson, Development Planner:
 - 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.
 - b) The Owner shall obtain a permit from LSRCA for works within the regulated area.
 5. THAT the above noted conditions be satisfied within one year from the Notice of Decision, or the Variance will lapse requiring reapplication.



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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.