

MEMORANDUM

TO: Chair and Members of the Planning, Public Works and Transportation Committee

FROM: Tony Boutassis, Senior Planner – Development Review

DATE: September 4, 2019

MEMORANDUM NO.: MEM-PLS-2019-0007

RE: Local Planning Appeal Tribunal (LPAT) Appeal for 12 Church Street East (Acton) Withdrawn

PURPOSE OF THE MEMORANDUM:

The purpose of this memo is to advise Council that the Appeal to the Local Planning Appeal Tribunal (LPAT) of the site specific Zoning By-law Amendment (D14ZBA17.002) for 12 Church Street East in Acton has been withdrawn by the Appellant.

BACKGROUND AND COMMENTS:

On April 15, 2019, Council approved a site specific Zoning By-law Amendment to permit 11 townhouse units at 12 Church Street East in Acton.

On May 7, 2019, the Town received an Appeal to LPAT on behalf of the owners of 38 Willow Street South, which abuts the subject property to the east. The appeal cover letter outlined the Appellant's reasons for the appeal, which were:

- concern over the 3-storey height of the units;
- permission for balconies at the rear of the 2nd storey;
- insufficient landscaping;
- concern over unacceptable level of traffic congestion; and,
- perceived non-conformity with the Town's Official Plan.

Town staff met with the Appellant and Applicant on July 22, 2019, where a settlement was agreed to on the basis of following conditions:

- no balconies at the rear of Building 'C' on any storey; see **SCHEDULE 1 – PROPOSED SITE PLAN**;
- compensation in the amount of \$3,500.00 for the installation of new trees on the Appellant's property to mitigate the loss of privacy; and,
- tree protection to be installed for the existing trees on the Appellant's property.

On July 31, 2019, the Appellant formally withdrew their appeal; LPAT acknowledged the withdrawal of the appeal on August 30th and closed their file.

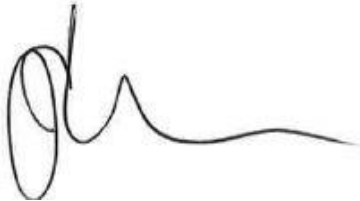
CONCLUSION:

This memo is being provided to the Council for information purposes only.

Reviewed and approved by,

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Jeff Markowiak, Manager of Development Review

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is cursive, with a large initial "J" and "L".

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is cursive, with the first name "Brent" being more prominent.

Brent Marshall, Chief Administrative Officer