

The meeting of the Committee of Adjustment was held on Wednesday, February 20th, 2019 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair
Fred Stoneman, Member
Elizabeth Lew, Member
Ken Smith, Member
Betty Dykstra, Alternate Member

Staff Present: Ted Horton, Planner
Linda Traviss, Alternate Secretary-Treasurer

The Meeting was called to order at 9:32 a.m. in the Council Chambers to consider items on the agenda.

Gino Vescio in the Chair.

The Chair called for conflicts of interest. No conflicts were declared. Members were invited to declare any other conflicts of interest at any time during the meeting.

MINOR VARIANCE APPLICATIONS

D13-A01-19 2506994 ONTARIO INC.
Lot 10, Plan 90; Part Lot 58, Plan 22; Parts 2 & 3, Plan 65R1360
81 Joseph Street
Town of Newmarket

Mitch Sauder of Stamp & Hammer Architects, 1100 Gorham Street, NEWMARKET ON L3Y 8K7 addressed Committee as agent of the property owner and provided the following comments:

- Planning Report identified five requests for variance
- Spent time with owner over weekend and have brought down number of requests
- Will bring down height and move house further back from the road
- Advised still requesting relief for lot coverage
- Height of house will be reduced to meet maximum of 10m
- Removed request for storey to exceed 3.6m in height; dormers will now be false
- Front yard setback will meet 3.0m
- Requesting interior side yard of 0.62m as originally proposed
- Advised three variances have been eliminated

- Advised Committee other properties in area exceed 25% lot coverage
- Will use existing foundation and expand from it
- 80% of building length is at 1.0m setback
- Considered four tests and feels revised application complies

Mr. Stoneman asked what the square footage of the proposed house was and Mr. Sauder advised it was approximately 3,200 square feet. Mr. Stoneman inquired what the lot area was and Mr. Sauder advised it was 658.54m² (7,088.47 square feet).

Mr. Stoneman inquired of staff if the proposed house meets the height test. Mr. Horton advised there are two built form standards that determine the height of a building. One is the overall height of the building and the other is the height of a storey. Mr. Horton further advised the two standards work together to limit the overall height of a structure.

Mr. Vescio noted the Planning Report was written on February 13th and inquired when the requests were deleted. He further noted there was no supplementary report and asked if staff had any further comments based on the information put forward today.

Mr. Horton advised the revisions were received from the applicant yesterday and noted that Committee can consider the same principles for the revised application that were set forth in the report. Mr. Horton advised Committee that the trend has been towards a loss of small houses and that Council had passed by-laws to incentivise housing diversity and most recently has passed an interim control by-law. Mr. Horton noted this application pre-empted the interim control by-law.

Mr. Vescio advised that Committee could defer the matter if staff wished more time. Mr. Horton responded that staff's recommendations are those that have been submitted to Committee.

There were no comments from the public on the application.

The following correspondence was received and considered by the Committee regarding the application:

1. Report from Ted Horton, Planner dated February 13, 2019;
2. Memorandum from V. Kluyev, Senior Engineering Development Coordinator – Residential, dated February 14, 2019;
3. Memorandum from David Potter, Chief Building Official, dated February 11, 2019;
4. Memorandum from Urban Forest Innovations Inc. dated February 12, 2019;
5. E-mail from Gabrielle Hurst, Programs and Process Improvement, Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated February 13, 2019; and
6. Email from Paul Nunes, Corridor Management Office, Ministry of Transportation dated February 7, 2019

Moved by Fred Stoneman
Seconded by Betty Dykstra

THAT Minor Variance Application D13-A01-19 be DENIED as the relief requested does not conform to the four tests as required by the *Planning Act*.

CARRIED

**D13-A02-19 HAUBEN, Ewa
SOLKOWSKI, Tomazs
Part Lot 13, Plan 90
359 Millard Avenue
Town of Newmarket**

Jay Selcuk of CPM Group Inc., 73 Siena Drive, WOODBRIDGE ON L4H 3K7, addressed the Committee as agent for the owner and provided the following comments:

- Owner wants to build an addition at rear of house
- Read planning report and will comply with tree protection requirements

There were no questions from Committee and no comments from the Public.

The following correspondence was received and considered by the Committee regarding the application:

1. Report from Ted Horton, Planner dated February 13, 2019;
2. Memorandum from V. Kluyev, Senior Engineering Development Coordinator – Residential, dated February 15, 2019;
3. E-mail from David Potter, Chief Building Official, dated February 11, 2019;
4. Memorandum from Urban Forest Innovations Inc. dated February 13, 2019;
5. E-mail from Gabrielle Hurst, Programs and Process Improvement, Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated February 13, 2019; and
6. Email from Paul Nunes, Corridor Management Officer, Ministry of Transportation dated February 7, 2019.

***Moved by Elizabeth Lew
Seconded by Betty Dykstra***

THAT Minor Variance Application D13-A02-19 be APPROVED, subject to the following conditions:

1. That the variance pertains only to the addition as submitted with the application and not to any other structure;
2. That the applicant be advised that prior to the issuance of any building permit compliance will be required with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy; and

3. That the development be substantially in accordance with the sketch submitted with the application.

as the Minor Variance Application:

- (1) is minor in nature;
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law; and
- (3) is considered desirable for the appropriate development of the lot.

CARRIED

The Minutes of the meeting held on Wednesday, January 23rd, 2019 were placed before the Committee for consideration.

Moved by Fred Stoneman
Seconded by Ken Smith

THAT the Minutes of the Wednesday, January 23rd, 2019 meeting be approved.

CARRIED

THAT the Meeting adjourn.

Moved by Ken Smith
Seconded by Elizabeth Lew

CARRIED

The meeting adjourned at 10:03 a.m.

April 17, 2019
Dated


Chair