

The meeting of the Committee of Adjustment was held on Wednesday, January 22nd, 2020 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair
Peter Mertens, Vice Chair
Elizabeth Lew, Member
Ken Smith, Member
Michelle Starnes, Member

Staff Present: Ted Horton, Planner
Alannah Slattery, Secretary-Treasurer

The Meeting was called to order at 9:30 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-A26-19 2680653 ONTARIO LIMITED
Part Lot 1, Concession 2, Part 1, Plan 65R8864
665 Davis Drive
Town of Newmarket

Gord Mahoney, Michael Smith Planning Consultants, 279 The Queensway South, KESWICK, L4P 2B4, addressed the Committee as the agent working on behalf of the owner.

Mr. Vescio asked if Mr. Mahoney would like to go through the reason of request.

Mr. Mahoney explained that the client was unable to attend the meeting. The client is seeking to expand a legal non-conforming use. There are two buildings on site; the building closer to Davis Drive is currently being used as a medical clinic and further is a detached garage. The client would like to construct a two-storey addition to the medical clinic to facilitate an elevator. The subject land is designated as Mixed Use, Floodplain and Parks and Open Space. Within the Urban Centres Zoning By-law, the subject lands is zoned as Mixed Use (MU-2) and Open Space ((OS-1) and (OS-3)) zone. The building in the OS-1 zone does not permit a medical clinic. As the use was established

prior to the Urban Centres Zoning By-law (2019-06), requesting to expand the use to facilitate an elevator to access the second floor and approval is needed by the Committee. Mr. Mahoney agrees with the planning report, that it does not fall under the typical four tests of a minor variance application, and more consideration is on if the proposal will affect the Town or neighbours. The medical clinic has operated for many years without significant impact on neighbours and adjacent watercourse, and no issues from agencies. An addition of the elevator is a reasonable upgrade to the building and would respectfully ask the Committee to expand the use as proposed.

Mr. Vescio asked if committee members had any questions. There were none.

Mr. Vescio stated that Mr. Mahoney was the only member of the public present and there were no more speakers on the application.

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

1. Report from Ted Horton, dated January 15th, 2020;
2. Comments from Laura McGinnis, Development Planner, LSRCA, dated January 9th, 2020;
3. Memorandum from Rick Bingham, Manager Development Engineering, dated January 10th, 2020; and,
4. Memorandum from David Potter, Chief Building Official, dated January 15th, 2020.

***Moved by Elizabeth Lew
Seconded by Ken Smith***

THAT Minor Variance Application D13-A26-19 be GRANTED, subject to the following conditions:

- 1. That the variance pertains only to the request as submitted with the application; and**
- 2. That the development be substantially in accordance with the sketch submitted with the application; and,**
- 3. That the Owner shall obtain a permit from the LSRCA for works with the area Ontario Regulation 179/06 under the Conservation Authorities Act**

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 a desirable development of the lot.**

CARRIED

The Minutes of the meeting held on Wednesday, December 11th, 2019 were placed before the Committee for consideration.

***Moved by Peter Mertens
Seconded by Ken Smith***

THAT the Minutes of the Wednesday, December 11th, 2019 meeting be approved.

CARRIED

Mr. Vescio asked for a motion to appoint Patricia Cho as Secretary-Treasurer.

***Moved by Peter Mertens
Seconded by Elizabeth Lew***

THAT Patricia Cho be appointed as Secretary-Treasurer.

CARRIED

Mr. Vescio asked for a motion to appoint Alannah Slattery as Alternate Secretary-Treasurer.

***Moved by Michelle Starnes
Seconded by Peter Mertens***

THAT Alannah Slattery be appointed as Alternate Secretary-Treasurer.

CARRIED

THAT the Meeting adjourn.

***Moved by Peter Mertens
Seconded by Elizabeth Lew***

CARRIED

The meeting adjourned at 9:48 a.m.

Dated

Chair