

The meeting of the Committee of Adjustment was held on Wednesday, April 19th, 2017 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

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

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

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 at that time; however, members were invited to declare a conflict of interest at any time during the meeting.

MINOR VARIANCE APPLICATIONS

**D13-A07-17 TEHRANI, Mohammad Reza
SANAI ZAKER, Azadeh
Lot 24, Plan 385
50 Hamilton Drive
Town of Newmarket**

Mohammad Reza Tehrani and Azadeh Sanai Zaker of 14 Rayneswood Crescent, MARKHAM ON L3T 2N6, addressed the Committee and provided the following comments:

- sidewalk was there for more than 10 years
- when bought the house the wood was broken and made a decision to replace for safety
- replaced exactly as was

The Chair inquired if the applicants lived on the property and they responded no.

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

1. Report from Ted Horton, Planner dated April 12, 2017;
2. Memorandum from V. Klyuev, Senior Engineering Development Coordinator - Residential dated April 4, 2017;

3. Memorandum from David Potter, Chief Building Official dated April 10, 2017;
4. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated April 4, 2017; and
5. Email from Dan Della Mora, Corridor Management Planner, Ministry of Transportation dated April 4, 2017.

There were no further comments from the public on this application.

*Moved by Fred Stoneman
Seconded by Betty Dykstra*

THAT Minor Variance Application D13-A07-17 be approved, subject to the following conditions:

1. that the variance pertains only to the requests as submitted with the application; and
2. that the development be substantially in accordance with the information 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

**D13-A0-17 TEOFILO, Stefano
Lot 11, Plan 20
390 Botsford Stret
Town of Newmarket**

Stefano Teofilo of 390 Botsford Street, NEWMARKET ON L3Y 1S8, addressed the Committee and provided the following comments:

- requesting two variances - one for lot coverage to 30% so can build a single car garage and one for setback on the west side of the property
- house was constructed in 1930 and wants to continue the addition along the current setback

Betty Dykstra inquired if Mr. Teofilo had spoken to the neighbours and he advised he had spoken to them.

Fred Stoneman asked if Mr. Teofilo had read the staff report and recommendations and did he have any questions. Mr. Teofilo advised he needed to correct the arborist report.

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

1. Report from Ted Horton, Planner dated April 12, 2017;
2. Memorandum from V. Klyuev, Senior Engineering Development Coordinator - Residential dated April 4, 2017;
3. Memorandum from David Potter, Chief Building Official dated April 10, 2017;
4. E-mail from Dan Della Mora, Corridor Management Planner, Ministry of Transportation dated April 4, 2017;
5. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated April 4, 2017; and
6. Letter from Urban Forest Innovations Inc. dated April 11, 2017.

There were no comments from the public on this application.

*Moved by Elizabeth Lew
Seconded by Ken Smith*

THAT Minor Variance Application D13-A08-17 be approved, subject to the following conditions:

1. That the variance pertains only to the plans as submitted with the application;
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 Site Plan 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

D13-A09-17 LINDVEST PROPERTIES (VALLEYVIEW) LIMITED
Lot 29L/29R, Plan 65M-3847
91/93 Knapton Drive
Town of Newmarket

Walter Botter of 69 Nova Scotia Road, BRAMPTON ON L6Y 5K3, addressed the Committee and provided the following comments:

- asking for relief from two spaces to one space
- appropriate development for lot as enhances design
- advised he was designer; house can have similar design to house across the street

Fred Stoneman inquired if when the house is sold how do you propose to make new owners aware of the variance. Mr. Botter responded he can make the purchasers aware the driveway is shorter. He further stated it is the sidewalk that is causing us to be deficient.

The Chair stated that when the property is sold Mr. Botter will have no control over how the garage is used. Mr. Botter advised that there is no hindrance in the design of the garage for it being used by a vehicle.

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

1. Report from Ted Horton, Planner dated April 12, 2017;
2. Memorandum from V. Klyuev, Senior Engineering Development Coordinator - Residential dated April 4, 2017;
3. Memorandum from David Potter, Chief Building Official dated April 10, 2017;
4. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated April 4, 2017; and
5. E-mail from Dan Della Mora, Corridor Management Planner, Ministry of Transportation dated April 4, 2017.

There were no further comments from the public on this application.

Moved by Betty Dykstra
Seconded by Elizabeth Lew
Opposed by Gino Vescio

THAT Minor Variance Application D13-A09-17 be approved, subject to the following conditions:

1. That the variance pertains only to the requests as submitted with the application;
2. That the development be substantially in accordance with the information submitted with the application; and
3. That the space in the garage of each unit be maintained for parking and not dedicated to any other use.

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, March 15th, 2017 were placed before the Committee for consideration.

Moved by Fred Stoneman
Seconded by Elizabeth Lew

THAT the Minutes of the Wednesday, March 15th, 2017 meeting be approved as circulated.

CARRIED

Moved by Fred Stoneman
Seconded by Betty Dykstra

THAT the Meeting adjourn.

CARRIED

The meeting adjourned at 9:50 a.m.

May 17, 2017
Dated

Gino Vespa
Chair