

The meeting of the Committee of Adjustment was held on Wednesday, November 15<sup>th</sup>, 2017 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair  
Elizabeth Lew, Member  
Peter Mertens, Member  
Ken Smith, Member  
Fred Stoneman, Member

Staff Present: Ted Horton, Planner  
Matthew Peverini, 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 of interest were declared. Members were invited to declare a conflict of interest at any time during the meeting.

#### MINOR VARIANCE APPLICATIONS

**D13-A23-17 NMA LESLIE NEWMARKET INC.**  
Part Lot 31, Concession 3, Plan R730553  
16775 Leslie Street  
Town of Newmarket

**D13-A24-17 IN THE MIDDLE NEWMARKET INC.**  
Part Lot 31, Concession 3, Plan R730553  
16821 & 16831 Leslie Street  
Town of Newmarket

Lucila Sandoval of Groundswell Urban Planners Inc. at 95 Mural Street, Suite 402, RICHMOND HILL, ON L4B 3G2, addressed Committee as Agent on both the applications and provided the following comments:

- Seeking 3 variances:
  1. Elimination of landscape buffer between the parcels as the lands are planned to be contiguous;
  2. Reduction of landscape buffer from 12 metres to 5.17 metres along Leslie Street. This will be consistent with the existing landscape buffer on the parcel with the dealership (16775 Leslie Street);and
  3. Increased driveway width from 9 metres to 9.2 metres.

- Have read the Planning Report and agree with the recommendations

Fred Stoneman asked why 2 driveways were needed. Ms. Sandoval replied that there is separate ownership, and the owners of the vacant parcel will be leasing the land to Audi. The property needs an entrance legally.

Fred Stoneman asked Planning Staff whether Bogartown Curve is assumed by the Town, and what future plans the Town has for Bogartown Curve. Ted Horton replied that it is a municipal road that is maintained by the Town, and its future is to be determined by Council.

There were no more questions arising from other members of the Committee.

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

1. Report from Ted Horton, Planner dated November 9, 2017;
2. Memorandum from Brandon Ewart, Senior Development Coordinator - ICI, Engineering Services dated October 30, 2017 (RE: File No. D13-A23-17);
3. Memorandum from Brandon Ewart, Senior Development Coordinator - ICI, Engineering Services dated October 30, 2017 (RE: File No. D13-A24-17);
4. Memorandum from David Potter, Chief Building Official dated November 2, 2017;
5. Report from Philip van Wassenauer and Peter Wynnyczuk of Urban Forest Innovations Inc. dated November 2, 2017;
6. 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 November 2, 2017 (RE: File No. D13-A23-17);
7. 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 November 2, 2017 (RE: File No. D13-A24-17);
8. Letter from Melinda Bessey, Development Planner, Lake Simcoe Region Conservation Authority dated November 9, 2017; and
9. Letter from Marion R. McLeod of 900 Bogart Mill Trail, Unit 221, dated November 1, 2017.

There were no comments from the public on this application.

*Moved by Peter Mertens  
Seconded by Ken Smith*

**THAT Minor Variance Application D13-A23-17 be APPROVED subject to the following conditions:**

1. That the variance for the elimination of required landscape buffers apply only to the lot lines interior to the adjoining lots, more specifically in the area as indicated in red on Appendix 1;
2. That the applicant be required to construct a sidewalk across the southerly driveway access to the Town's satisfaction;
3. That the Owner obtains a permit from the LSRCA for any site alteration or development proposed within the area governed by Ontario Regulation 179/06 under the Conservation Authorities Act;

4. That the owner submit a planting plan to the satisfaction of the LSRCA for the lands which form a buffer to Bogart Creek at the south corner of the property;
5. That the variances pertain only to the requests as submitted with the applications;
6. That the applicant be required to comply with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy; and
7. 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 development of the lot.

CARRIED

*Moved by Peter Mertens  
Seconded by Elizabeth Lew*

*THAT Minor Variance Application D13-A24-17 be APPROVED subject to the following conditions:*

1. That the variance for the elimination of required landscape buffers apply only to the lot lines interior to the adjoining lots, more specifically in the area as indicated in red on Appendix 1;
2. That the variances pertain only to the requests as submitted with the applications;
3. That the applicant be required to comply with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy; and
4. 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, September 20<sup>th</sup>, 2017 were placed before the Committee for consideration.

*Moved by Fred Stoneman*  
*Seconded by Ken Smith*

THAT the Minutes of the Wednesday, September 20<sup>th</sup>, 2017 meeting be approved.

CARRIED

A memorandum dated November 14, 2017 regarding the 2018 meeting dates was placed before the Committee for consideration.

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

THAT the meeting dates for hearings for 2018 be approved as listed in the memorandum to Committee dated November 14, 2017.

CARRIED

THAT the Meeting adjourn.

*Moved by Peter Mertens*  
*Seconded by Fred Stoneman*

CARRIED

The meeting adjourned at 9:55 a.m.

Dec. 13, 2017  
Dated

[Signature]  
Chair