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The meeting of the Committee of Adjustment was held on Wednesday, May 16<sup>th</sup>, 2018 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair  
Fred Stoneman, Member  
Peter Mertens, Member  
Elizabeth Lew, Member  
Ken Smith, 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 were declared. Members were invited to declare any other conflicts of interest at any time during the meeting.

### **MINOR VARIANCE APPLICATIONS**

**D13-A11-18 NOWLAN, Elsa  
Plan 482, Lot 37  
168 Beechwood Crescent  
Town of Newmarket**

The application was originally deferred from the March 21, 2018 Committee of Adjustment hearing.

E-mail correspondence was received by Mr. Peverini on Friday April 27, 2018 from Austin Emino of Sensus Design Build, 1315 Lawrence Avenue East, TORONTO, ON M3A 3R3 (Agent on the application), stating that the applicant has chosen to withdraw the application before Committee.

Mr. Vescio noted for the record that Minor Variance application D13-A11-18 has formally been withdrawn by the applicant further to the above noted correspondence.

**D13-A12-18 SHEHTMAN, Dmitry  
Plan 65M2224, Lot 69  
567 Haines Road  
Town of Newmarket**

Dmitry Shehtman of 567 Haines Road, NEWMARKET, ON L3Y 6V4, addressed the Committee as owner of the property and provided the following comments:

- Have looked at the Planning Report, and have no additional comments;
- Requesting relief from Section 5.4.2 of the Zoning By-law;
- Replacing the original wood structure put in by the builder in the side yard with a concrete landing. It is identical in size; and
- Spoken with neighbours, there seems to be no issues.

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 May 5, 2018;
2. Memorandum from V. Kluyev, Senior Engineering Development Coordinator – Residential, dated May 4, 2018;
3. E-mail from Curtis Greenham, Plans Examiner, dated May 7, 2018;
4. Memorandum from Urban Forest Innovations Inc. dated May 10, 2018.
5. E-mail from Gabrielle Hurst, Programs and Process Improvement, Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated May 3, 2018; and
6. Letter from Robert and Darlene Bishop of 370 Ashworth Drive, NEWMARKET, ON L3Y 6T6.

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

**THAT Minor Variance Application D13-A12-18 be APPROVED, subject to the following conditions:**

1. That the variances pertain only to the requests as submitted with the application;
2. That prior to the issuance of any building permit that the applicant be required to comply with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy including; and
3. 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-A13-18 JAIN, Vipul & JAIN, Shelly  
Part Block 2, Plan 65M4023  
288 Fred Hagan Court  
Town of Newmarket**

Vipul Jain of 288 Fred Hagan Court, NEWMARKET, ON L3Y 8K6 addressed the Committee as owner of the property and provided the following comments:

- Have read the report, have no additional comments;
- Looking for a minor variance to build a deck in the backyard as the grade level is not favourable;
- There are similar decks in the neighbourhood;
- Our neighbour at 286 Fred Hagan Court was granted a minor variance last year; and
- Have spoken with neighbours and there is no opposition.

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 May 5, 2018;
2. Memorandum from V. Kluyev, Senior Engineering Development Coordinator – Residential, dated May 4, 2018;
3. E-mail from Curtis Greenham, Plans Examiner, dated May 7, 2018; and
4. E-mail from Gabrielle Hurst, Programs and Process Improvement, Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated May 3, 2018.

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

**THAT Minor Variance Application D13-A13-18 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 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-A14-18 724903 ONTARIO INC.  
Plan 65M3963, Block 102  
16333 Leslie Street  
Town of Newmarket**

Kerigan Kelly of Groundswell Urban Planners Inc., 95 Mural Street, Suite 409, RICHMOND HILL, ON L4B 3G2, addressed the Committee as Agent on the application and provided the following comments:

- Here with Brian Ng of Redwood Properties;
- Conceptual proposal of a total of five (5) at grade commercial units with residential units above;
- Seeking relief from two (2) provisions in the Zoning By-law;
  - Veteran's Way is the front yard by default as Leslie Street abuts a 0.3 metre reserve. Proposed location of the loading space is in the front yard, as we do not want to place the loading spaces in proximity to the adjacent residential properties;
  - Seeking relief from the required two (2) loading spaces to one (1) loading space. Minor commercial units are proposed – likely do not need the required two (2) spaces, and the second space would be difficult to situate on the site;
- Have held a pre-consultation meeting on the property, and intend on submitting a Site Plan Application in the near future; and
- Have read the Planning Report and have no concerns with the recommendations.

Mr. Stoneman asked whether all parking was proposed to be above ground. Ms. Kelly confirmed that is the intent.

Vincent Jiang of 1057 Ralston Crescent, NEWMARKET, ON L3X 3H9, addressed the Committee and provided the following comments:

- Located next to the parking lot, and have concern about noise as there will be several cars;
- Volume of traffic on Veteran's Way will increase; and
- The residential component will have people warming up cars in the parking lot as there are no garages.

Svetlana Korinsky of 1059 Ralston Crescent, NEWMARKET, ON L3X 3H9, addressed the Committee and provided the following comments:

- Concern with height of buildings, will they be over 12 metres; and
- Will the loading zones be used for construction purposes?

Mr. Vescio advised that the heights according to the submitted plan would be 2-storeys, and that the loading zones are for purposes of loading and unloading of goods for the commercial uses – not construction purposes.

There were no further questions or comments from the Public or Committee.

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

1. Report from Ted Horton, Planner dated May 5, 2018;
2. Memorandum from Brandon Ewart, Senior Engineering Development Coordinator – ICI, dated May 4, 2018;
3. E-mail from Curtis Greenham, Plans Examiner, dated May 7, 2018; and
4. E-mail from Gabrielle Hurst, Programs and Process Improvement, Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated May 3, 2018.

***Moved by Elizabeth Lew***

***Seconded by Peter Mertens***

**THAT Minor Variance Application D13-A14-18 be APPROVED, subject to the following conditions:**

1. That the variance pertains only to the requests as submitted with the application;
2. That the applicant be required to provide a relocated pedestrian connection from Veteran's Way to the building that does not conflict with the proposed loading area, to the Town's satisfaction; 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, March 21<sup>st</sup>, 2018 were placed before the Committee for consideration.

***Moved by Fred Stoneman***  
***Seconded by Elizabeth Lew***

**THAT the Minutes of the Wednesday, March 21<sup>st</sup>, 2018 meeting be approved.**

**CARRIED**

**THAT the Meeting adjourn.**

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

**CARRIED**

The meeting adjourned at 9:58 a.m.

Dated

July 25, 2018

Chair

Gino Kesse