

The meeting of the Committee of Adjustment was held on Wednesday, June 19th, 2019 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair
Peter Mertens, Vice Chair
Ken Smith, Member
Elizabeth Lew, Member
Mohsen Alavi, Member

Staff Present: Ted Horton, Planner
Linda Traviss, Alternate Secretary-Treasurer
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-A03-19 KUHNE, Carl & KUHNE, Amber
Lot 13, Plan 65M3486
546 Menczel Crescent
Town of Newmarket

Kyle Khadra, of KBK Studios Inc., 1180 Stellar Drive, Unit 2, NEWMARKET, L3Y 789 addressed the Committee as agent acting on behalf of the property owner.

Mr. Vescio confirmed the requested number of parking spaces, and further noted that the garage must be kept clear to accommodate the requested parking spaces. Mr. Vescio asked if there were any members of the public who wished to speak to the application. He further asked if there were any questions from the Committee.

There were no comments from the public or from Committee Members on the application.

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

1. Report from Ted Horton, dated June 11, 2019;
2. Memorandum from David Potter, Chief Building Official, dated June 13 2019;
3. Memorandum from Victoria Klyuev, Senior Engineering Development Coordinator, dated June 8, 2019.

Moved by Ken Smith
Seconded by Elizabeth Lew

THAT Minor Variance Application D13-A03-19 be APPROVED, subject to the following conditions:

1. **That the variance pertains only to the requests as submitted with the application;**
2. **That two spaces in the garage be reserved for the purpose of required parking and for no other use; 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 a desirable development of the lot.**

CARRIED

D13-A07-19 BIROCK INVESTMENTS INC.
Block 5, Plan 65M3871
Stackhouse Road – North Side
Town of Newmarket

David Woods, of Birock Investments Inc., 8688 Woodbine Ave, Suite 100, MARKHAM, L3R 8B9 addressed the Committee as the agent for the application. Mr. Woods stated that Birock Investments Inc. owns the blocks on both sides of Stackhouse Road. He stated that Birock Investments is currently in the site plan process for Block 5 and Block 6, and is negotiating terms with tenants. The tenants are requesting relief for the maximum building height, in order to accommodate their proposed uses.

Mr. Vescio asked if there were any members of the public who wished to speak to the application. He further asked if there were any questions from the Committee.

There were no comments from the public or from Committee Members on the application.

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

1. Report from Ted Horton, dated June 11, 2019;
2. Memorandum from David Potter, Chief Building Official, dated June 13, 2019;
3. Memorandum from Rick Bingham, Manager, Development Engineering, dated June 6, 2019;
4. Email from Gabrielle Hurst, Associate Planner, Community Planning and Development Services, The Regional Municipality of York, dated June 11, 2019.

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

THAT Minor Variance Application D13-A07-19 be APPROVED, subject to the following conditions:

1. **That the variance pertains only to the requests as 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 a desirable development of the lot.**

CARRIED

**D13-A08-19 BIROCK INVESTMENTS INC.
Block 6, Plan 65M3871
Stackhouse Road – South Side
Town of Newmarket**

David Woods, of Birock Investments Inc., 8688 Woodbine Ave, Suite 100, MARKHAM, L3R 8B9 addressed the Committee as the agent for the application. He stated that the application was seeking the same relief as application D13-A07-19, for Block 6, adjacent to Block 5.

Mr. Vescio asked if there were any members of the public who wished to speak to the application. He further asked if there were any questions from the Committee.

There were no comments from the public or from Committee Members on the application.

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

1. Report from Ted Horton, dated June 11, 2019;
2. Memorandum from David Potter, Chief Building Official, dated June 13, 2019;
3. Memorandum from Rick Bingham, Manager, Development Engineering, dated June 6, 2019.
4. Email from Gabrielle Hurst, Associate Planner, Community Planning and Development Services, The Regional Municipality of York, dated June 11, 2019.

***Moved by Peter Mertens
Seconded by Mohsen Alavi***

THAT Minor Variance Application D13-A07-19 be APPROVED, subject to the following conditions:

1. That the variance pertains only to the requests as 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 a desirable development of the lot.

CARRIED

**D10-B01-19 MAIN STREET CLOCK INC (heard in conjunction with following applications)
Plan 81, Part Lot 50 to 52
194 Main Street South
Town of Newmarket**

**D10-B02-19 MAIN STREET CLOCK INC
Plan 81, Part Lot 50 to 52
188, 190, 192 Main Street South
Town of Newmarket**

**D10-B03-19 MAIN STREET CLOCK INC
Plan 81, Part Lot 50 to 52
184, 186 Main Street South
Town of Newmarket**

**D13-A04-19 MAIN STREET CLOCK INC
Part Lot 50-52, Plan 65R11342
194 Main Street South (Proposed severed lot, per D10-B01-19)
Town of Newmarket**

D13-A05-19 MAIN STREET CLOCK INC

**Part Lot 50-52, Plan 65R11342
188, 190, 192 Main Street South (Proposed severed lot, per D10-B02-19)
Town of Newmarket**

D13-A06-19 MAIN STREET CLOCK INC

**Part Lot 50-52, Plan 65R11342
184, 186 Main Street South (Proposed severed lot, per D10-B03-19)
Town of Newmarket**

Peter Rich, of Main Street Clock Inc., 950 Alden Road, Suite 211, MARKHAM ON, L3R 8N2, addressed the Committee on behalf of Main Street Clock Inc. Mr. Rich informed the Committee that the applications are all complimentary and are to heard in conjunction. In order to facilitate the consents they will require the minor variances for the properties.

Mr. Vescio asked if Mr. Rich could further describe the consent portion of the applications.

Mr. Rich stated that the lands are all currently under a single land-holding. The owners wish to split the parcel into four parcels, returning the land to the previously existing lot fabric. Mr. Rich explained that the land, originally four separate parcels, had merged over time. The intent of the consent applications is to return the land back to four separate parcels.

Mr. Rich stated that there are no proposed changes to the existing buildings. The variances are required for the existing buildings to conform with the zoning provisions once the lots have been divided.

Mr. Vescio asked if there were any members of the public who wished to speak to the application. He further asked if there were any questions from the Committee.

There were no comments from the public or from Committee Members on the application.

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

1. Report from Ted Horton, dated June 11, 2019;
2. Memorandum from David Potter, Chief Building Official, dated June 13, 2019;
3. Memorandum from Rick Bingham, Manager, Development Engineering, dated June 6, 2019;
4. Memorandum from Rick Bingham, Manager, Development Engineering, dated June 4, 2019;
5. Email from Joseph McMackin, Associate Planner, Planning and Economic Development Branch, The Regional Municipality of York, dated June 19, 2019;
6. Email from Rogers Communications dated June 12, 2019;
7. Email from Iwona Lipowski, Real Estate Clerk, Hydro One Networks Inc., dated June 10, 2019.

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

THAT Consent Applications D10-B01-19, D10-B02-19 and D10-B03-19 be APPROVED, subject to the following conditions:

- a. That the Owner obtain relief from the provisions of the zoning by-law as set forth in Minor Variance Applications D13-A04-19, A05-19, and A06-19;**
- b. That the Owner be required to provide to the satisfaction of the Secretary-Treasurer of the Committee of Adjustment the following:**
 - i. proof of payment of all outstanding taxes and local improvement charges owing to date against the subject lands;**
 - ii. three white prints of a deposited reference plan showing the subject land, which conforms substantially to the applications as submitted; and**
 - iii. required transfers to effect the severances and conveyances applied for under Consent Applications D10-B01-19, D10-B02-19, D10-B03-19, conveying the subject lands, and issuance by the Secretary-Treasurer of the certificate required under subsection 53(42) of the Planning Act.**

THAT Minor Variance Application D13-A04-19, D13-A05-19, D13-A06-19 be APPROVED, 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, April 17th, 2019 were placed before the Committee for consideration.

***Moved by Elizabeth Lew
Seconded by Mohsen Alavi***

THAT the Minutes of the Wednesday, April 17th , 2019 meeting be approved.

CARRIED

THAT the Meeting adjourn.

Moved by Peter Mertens

Seconded by Elizabeth Lew

CARRIED

The meeting adjourned at 9:53 a.m.

Dated

Chair