

June 1, 2015

Mayor Tony Van Bynen and Members of Newmarket Council
395 Mulock Drive
P.O. Box 328, Stn. Main
Newmarket, On
L3Y 4X7

MAYOR'S OFFICE		
INCOMING MAIL	REFERRED TO	COPIED TO
COUNCIL		
CAO		
JUN 01 2015		
COMMISSIONER		
DEPARTMENT		
CLERKS		
CONCERNS		

Dear Mayor Van Bynen and Members of Newmarket Council:

Subject: 17235 Yonge Street, Newmarket (Pt Lot 94 Con 1EYS Newmarket)
Lessee: Carmichael Garden Centre & Carmichael Landscape Design Ltd.
Property Owner: Calgas Investments Limited

We, the residents of Lewis Drive and Gladman Ave. living in close proximity of the above-noted property, have signed the attached Petition, and do hereby petition the Town of Newmarket to take immediate and effective action to curtail and cease the incompatible business operations that are occurring on the above-noted land.

Over the past several years we have been communicating with Town staff respecting the above subject property and to date have not received any satisfaction as to curbing the problems.

Back about 1992 a makeshift structure appeared on the land, and much later we realized this was a garden centre. We residents on Lewis Drive/Gladman Ave. never received any notice of this garden centre which notice we understand is standard procedure, but when we realized it was a nursery for selling plants and trees, that was okay. Then bays started to appear and the garden centre kept enlarging with many deliveries of aggregates; trucks banging, banging tailgates when emptying which echoed right down Lewis Drive, and dirt and dust from the materials. There have been many telephone conversations and correspondence with Town staff in regard to these problems over the years with nothing being rectified.

The present owner of the garden centre (since 2013), has expanded further to include the Carmichael Landscape Design Ltd. and Carmichael Rental Bins, and is also being used as a Transfer Site for the waste from the landscaping and construction jobs.

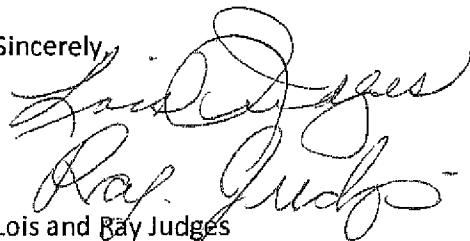
We were advised in 2006 that Holland Valley Nursery was by Site Plan for gardening purposes and 7-8 bays, but didn't specify for what purpose the bays could be used. Then in May of 2014, we were advised not by Site Plan; it was by Permit for the sale of plants, trees, shrubs and retail sale of aggregates pertaining to gardening and landscaping.

Finally, after many years, ONE of our issues was carried out, and on July 24, 2014, a screening was erected behind the bays, which minimally decreased the dust/dirt. Then, on September 4, 2014 the poles bent from the wind and the screening folded down. As of today, no barrier has been put back up to stop the dirt/dust onto our properties.

As spokespersons for the residents in the attached Petition, we ask for all communications in connection with the foregoing be addressed as follows:

Lois/Ray Judges

Sincerely,

Handwritten signatures of Lois and Ray Judges. The signature for Lois is written above the signature for Ray. Both are in cursive script.

Lois and Ray Judges

Petition attached

PETITION TO MAYOR TONY VAN BYNEN AND MEMBERS OF NEWMARKET COUNCIL

WHEREAS:

• The garden centre located at 17253 Yonge St. (Pt Lot 94 Con 1EYS) Newmarket, owned by Carmichael Garden Centre Ltd. since 2013, has evolved from a garden centre with the retail sale of aggregates pertaining thereto, to an industrial storage operation with materials being imported and exported daily, with bays being added from the original 7-8 bays to now number 11 bays. The property is being used as a Transfer Site for the debris from the construction/landscaping jobs of Carmichael Landscape Design Ltd. and materials from the bins under Carmichael Rental Bins.

• The loading and unloading operations, illegal storage and handling of topsoil, clay and aggregate materials and the associated noise, dust, debris floating down the bank from the waste dumps and increased industrial traffic volume, are just a few examples of the impact on our residential neighbourhood; not to mention the absence of storm water management controls to manage sediment and contaminants which could load onto our properties and into the Western Creek.

• Our quality of life has been detrimentally affected and the use and enjoyment of our properties, including our outdoor living space has been adversely impacted by these activities.

WE, the undersigned, residents of Lewis Drive and Gladman Ave. affected by the operations of the aforementioned businesses hereby petition Mayor Tony Van Bynen and Members of Newmarket Council to take immediate and effective action to bring these businesses into conformity with the planning approvals in effect.

DATED this 30th day of May, 2015.

Signatures (Written)

Addresses (include postal code)

_____	Lewis Dr L3Y 1R7
_____	" " "
_____	Lewis Dr. L3Y 1R7
_____	LEWIS DR L3Y-1R7
_____	Lewis Dr L3Y 1R6
_____	LEWIS DR. L3Y 1R6
_____	LEWIS DR. L3Y 1R7
_____	Lewis Dr. L3Y 1R7
_____	Lewis DR L3Y 1R7
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_____	Lewis Drive L3Y1R7

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Signatures (Written) /

Addresses (include postal code)

[Faint handwritten signatures on lined paper]

Gladman Ave Newmarket L3Y 1W5
Gladman Ave Newmarket L3Y 1W5
Lewis Dr. Newm L3Y 1R6
Lewis Dr. L3Y 1R6
Lewis Dr
Lewis Dr.