

Written Deputation Request Form – June 29, 2020 Council Meeting - Electronic

Please complete this form to provide a written deputation at the June 29, 2020 Electronic Council Meeting. Please return the form to clerks@newmarket.ca – completed forms must be received by **end of day Sunday, June 28, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Beric Farmer	
Organization/Group/Business represented (if applicable):	
Address: 295 Park Avenue	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 9.2.1 Remote Deputation regarding Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent	
<p>Please use the space below to provide your written comments:</p> <p>Firstly, I want to thank the Committee of the Whole for receiving and considering my deputation at its meeting of June 22nd. Also, I acknowledge and sympathize with the challenging nature of matters such as this where constituents raise concerns. It is especially in situations such as this that committees and Council need to be guided by the bylaws and procedures that Council have enacted.</p> <p>Clearly, there are two main questions to be answered in considering this exemption request: 1) what are the criteria for granting an exemption request; and 2) does this request meet those criteria?</p> <p>As enacted by Council and published on the Town of Newmarket web site, the criteria against which a request for exemption is to be evaluated are that the proposed addition be compatible with the character of the existing neighbourhood with respect to both its physical form and the existing streetscape.</p> <p>The arguments presented during the meeting of the Committee of the Whole for denying the request for exemption were not based upon the above criteria. On the other hand, the arguments in favour of granting the request were based on these criteria and explained why the the exemption request met them.</p> <p>I also note that two of the committee members who voted to recommend that Council decline the exemption request specifically indicated that they personally believed that what is being proposed by the applicant would be consistent with the character of the neighbourhood. I note that at least one member expressed uncertainty about the intents and specifics of the exemption process, so that may be why this apparent contradiction occurred.</p> <p>The fact that the request was opposed by a number of community members factored heavily into the committee's deliberations, so I believe it is relevant to consider the submitted deputations. There were ten deputations, five in favour of the request and five opposed. Of those opposed, four asserted that the requested exemption would result in a structure out of character with the neighbourhood. So, only a minority of the deputations support the position that the request for exemption fails to meet the required criteria.</p> <p>It concerns me that those who opposed granting the request also did not speak to the report generated by Town staff. Unlike residents making deputations, Town staff are impartial and have specific planning expertise. Also, the staff report is a central aspect of the published process and was created at taxpayer expense. It recommended that the request for exemption be granted and should be given more consideration than it appears to have been given.</p> <p>I am very concerned by the fact that the request was evaluated and recommended for denial based not on whether it met the actual enacted and published criteria, but on whether it met a different, unenacted and unpublished set of criteria of which the homeowners were understandably unaware when they applied for the exemption request and paid the associated fee.</p> <p>I ask Council to please consider this motion carefully taking into account the concerns I have raised. It is critical that Council's decision be based on the published criteria (i.e., the "rule of law"), that it clearly articulate the ways in which this request meets or fails to meet those criteria, and, if it chooses to proceed contrary to the recommendations of the staff report, why it chose to do so.</p> <p>Thank you very much for hearing and considering my concerns.</p>	

Be advised that all Council and Committee of the Whole meetings (including this meeting) are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905-895-5193 Ext. 2211 Fax 905-953-5100