



COMMITTEE OF ADJUSTMENT

Town of Newmarket

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

kpelham@newmarket.ca

T: 905.953.5300 Ext. 2456

F: 905.953.5140

TO: All Department Heads, Town of Newmarket
and Miscellaneous Agencies.

RE: Application for Consent - File No: D10-B03-15

Regarding the property located at:

WRIGHT, Andrew

WRIGHT, Eloise

MORRIS, Lenore

Lot 25 and Part Lot 24, west side of Hamilton Street, Plan 25

292 & 296 Hamilton Street

Town of Newmarket

Ward No.: 2

Pursuant to the provisions of the Planning Act, 1990, I enclose a copy of the above noted application, which has been submitted to the Newmarket Committee of Adjustment for consideration. The Committee invites your advice and comments in this matter.

The Committee would like to receive comments, if possible, a week before the Hearing of the application. However, in order to avoid undue delay to the applicant the Committee will hear the application as soon as it can be scheduled. A copy of the Notice of Hearing is also enclosed for your information.

If you have any questions in respect of this or related matters, I would be pleased to discuss them with you.

Yours truly,

Secretary-Treasurer.

Encl.

DATED at the Town of Newmarket this 31st day of August, 2015.



COMMITTEE OF ADJUSTMENT

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TOWN OF NEWMARKET COMMITTEE OF ADJUSTMENT NOTICE OF APPLICATION FOR CONSENT

FILE NUMBER: D10-B03-15

IN THE MATTER OF Section 53 of The Planning Act, (R.S.O. 1990, c.1), as amended, and
IN THE MATTER OF an Application by WRIGHT, Andrew, WRIGHT, Eloise and MORRIS, Lenore,
owners of that parcel of land being and situated in the Town of Newmarket, known as Lot 25 and Part Lot 24,
west side of Hamilton Street, Plan 25.

The applicants for the above noted property are proposing to convey the subject land (292 Hamilton Street) indicated as "A" on the attached sketch and to retain the land (296 Hamilton Street) indicated as "B" on the attached sketch for residential purposes.

The land which is the subject of the application for consent is designated Stable Residential in the Official Plan.

THE COMMITTEE OF ADJUSTMENT WILL CONSIDER THE APPLICATION ON WEDNESDAY, SEPTEMBER 16TH, 2015 AT 9:30 A.M., IN THE COUNCIL CHAMBERS, AT THE MUNICIPAL OFFICES AT 395 MULOCK DRIVE, NEWMARKET, ONTARIO.

If you wish to be notified of the decision of the Town of Newmarket Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket, 395 Mulock Drive, Box 328, STN Main, Newmarket, Ontario L3Y 4X7.

If a person or public body that files an appeal of the decision of Town of Newmarket Committee of Adjustment in respect of the proposed consent does not make written submission to the Town of Newmarket Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.


If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this application.

If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket, 395 Mulock Drive, STN MAIN, Box 328, Newmarket, Ontario L3Y 4X7. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

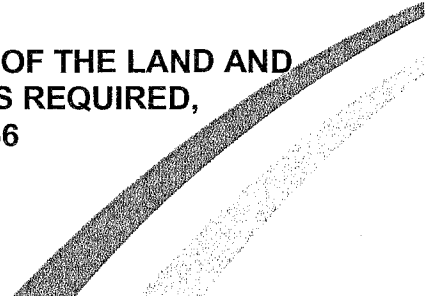
IMPORTANT NOTICE TO OWNER: If you do not attend or are not represented at this meeting, the Committee may proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.

The application together with all comments received to date will be available for examination at the Town Office. See the Secretary-Treasurer, Planning Department, Municipal Offices, 395 Mulock Drive, Box 328, STN Main, Newmarket, Ontario L3Y 4X7 during the normal business hours, **EXCEPT ON THE DAY OF THE MEETING.** Copies, if requested, will be provided at a nominal charge.

DATED at the Town of Newmarket this 31st day of August, 2015.


Secretary-Treasurer,
Committee of Adjustment.

PLEASE REFER TO THE ATTACHED SKETCHES FOR THE LOCATION OF THE LAND AND GENERAL DETAILS OF THE APPLICATION. IF MORE INFORMATION IS REQUIRED, CONTACT THE SECRETARY-TREASURER AT (905) 953-5300, EXT. 2456 FOR ASSISTANCE.



GENERAL GUIDELINES FOR PERSONS APPEARING AT CONSENT HEARING

1. Applications will not be considered prior to the time noted on the Notice of Application.
2. The Owner/Applicant will be given an opportunity, if desired, to briefly explain to the Committee and other persons who may be attending in connection with the application, the basis of their application and to answer any questions that may arise out of the meeting.
3. Persons speaking to an application must state their full name and mailing address, for the record.

Those appearing on behalf of the Owner, an individual or individuals, a company, law or consulting firm, should so advise the Committee.

If a property owner in the area, please give the location or other satisfactory identification of the property owned.

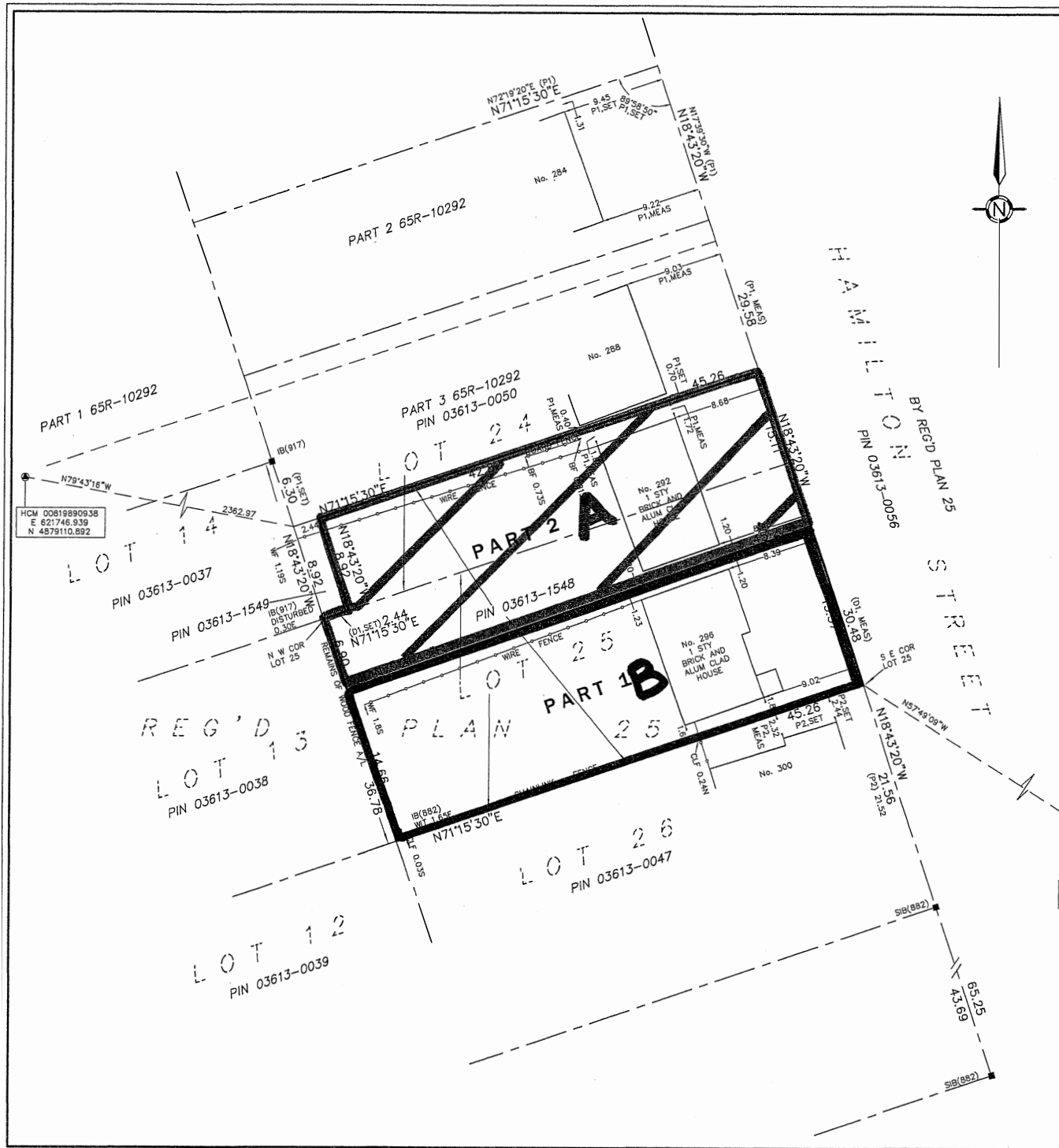
4. All persons attending the Hearing who wish to support or oppose the application will have an opportunity to speak to the Committee following the presentation by the Owner/Agent/Solicitor.

Ratepayer's groups wishing to appear should appoint a spokesperson to act on their behalf. The Committee of Adjustment may require a submission of satisfactory documentation indicating that the person appearing on behalf of a ratepayer's group is so authorized.

5. **ALL REMARKS ARE TO BE DIRECTED TO THE CHAIR.**
6. A summary of statements by each person speaking on an application is made for the records. The Committee may require that such statements be made under oath, or be subsequently confirmed under oath as set out in The Evidence Act, R.S.O. 1980, c.145.
7. **Decisions of the Committee are in writing. Notice of Decision will be mailed out not later than fifteen (15) days from the date of the decision.**

PLEASE NOTE:

Copies of the Decision will be mailed out to the Owner/Agent/Solicitor and to each person who appeared in person or was represented by Counsel at the Hearing and who has filed with the Secretary-Treasurer a written request for Notice of the Decision.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 65R-
RECEIVED AND DEPOSITED

DATE _____

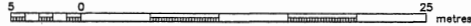
DATE _____ E.R.GARDEN O.L.S.

METRIC : DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION (No. 65)

SCHEDULE				
PART	AREA (ha)	LOT	PLAN	ALL OF PIN
1	0.0850	PT. LOT 25 W/S HAMILTON		03613-1548
2	0.0878	PT. LOTS 24, 25 W/S HAMILTON	25	

PLAN OF SURVEY OF
LOT 25 AND PART OF LOT 24
WEST SIDE OF HAMILTON STREET
REGISTERED PLAN 25
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
SCALE 1 : 250
E.R.GARDEN LTD.



BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM HORIZONTAL CONTROL MONUMENTS 00819890938 AND 00819900582 AND ARE REFERRED TO UTM, CENTRAL MERIDIAN 81° WEST LONGITUDE, NAD 1983 (ORIGINAL), ZONE 17
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99976

HORIZONTAL CONTROL MONUMENTS (HCM): UTM ZONE 17, NAD83(ORIGINAL) COORDINATES TO UTM ACCURACY PER SEC. 14(2) OF O. REG. 216/10

POINT ID	EASTING	NORTHING
HCM 00819890938	621746.939	4879110.892
HCM 00819900582	627370.825	4876631.966

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

HCM 00819900582
E 627370.825
N 4876631.966

LEGEND

■ FOUND

□ PLANTED

● ROUND

(01) DEED, INST. NE19163

(P1) PLAN 65R-10292

(P2) PLAN BY J.C. MOORE O.L.S. (19 APR 1977)

(882) J.C. MOORE O.L.S.

(917) R.A. GARDEN O.L.S.

IRON BAR

STANDARD IRON BAR

SHORT STANDARD IRON BAR

I CERTIFY THAT

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE DAY OF 2015

DATE _____

E.R.GARDEN O.L.S.

JOB CAPTAIN _____

DRAWN _____

CHECKED _____

FILE NUMBER

15-6482

E.R.GARDEN LIMITED

ONTARIO LAND SURVEYOR

1260 JOURNEY'S END CIRCLE, UNIT 1

NEWMARKET ONTARIO L3Y 8Z7

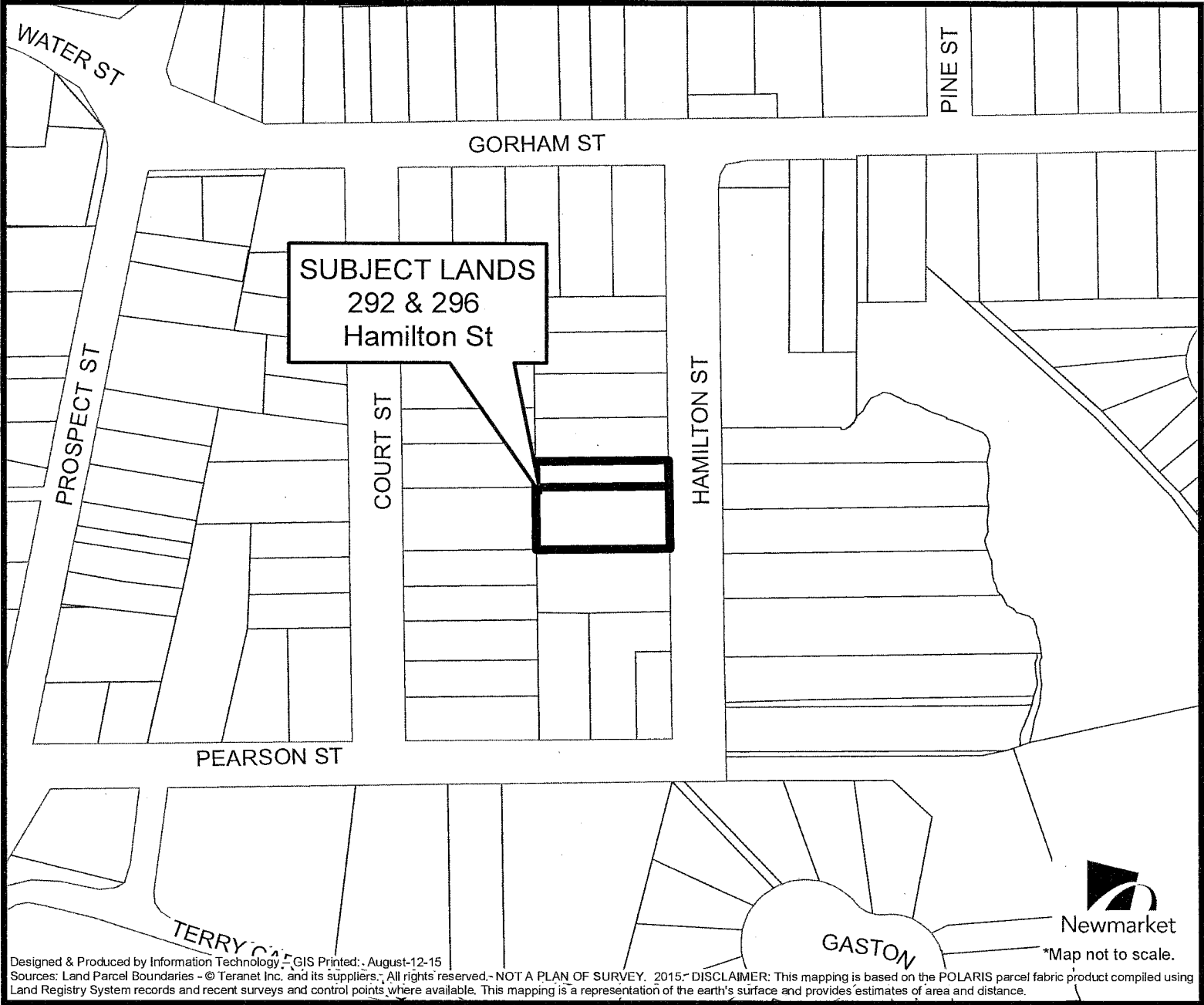
PHONE 905-895-5600 TOLL FREE 1-877-895-5600

FAX 905-895-7127 www.er.gardenlimited.ca

KEY MAP



CONSENT APPLICATION D10-B03-15



Newmarket

*Map not to scale.

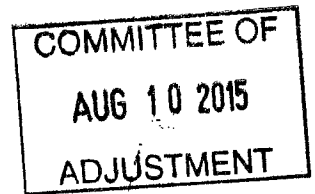
Designed & Produced by Information Technology - GIS Printed: August-12-15
Sources: Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance.



COMMITTEE OF ADJUSTMENT

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TOWN OF NEWMARKET
APPLICATION FOR CONSENT

File Number: D10-B03-15

Approval Authority - Town of Newmarket Committee of Adjustment

APPLICANT INFORMATION:

1. Name of Owner(s): Eloise Wright, Andrew Wright, and Lenore Morris

Address: C/O Dana Dyment

45-17665 Leslie Street, Newmarket Ontario, L3Y 3E3

Telephone #: 905-898-6121 Fax #: 905-898-0916

E-mail: d.dyment@on.aibn.com

2. Name of Owner's authorized Agent or Solicitor: HBR Planning Centre

Attn. H. Friedman

Address: 66 Prospect Street Unit A, Newmarket, Ontario L3Y 3S9

Telephone #: 905-853-1841 Fax #: 905-830-1451

E-mail: howard.friedman@bellnet.ca

3. Please specify to whom all communications should be sent:

Owner X Solicitor _____ Agent X

4. Name and address of any mortgagees, holders of charges or other encumbrances:

None

5. PURPOSE OF THE APPLICATION:

Type and purpose of proposed transaction:
(check appropriate space)

Creation of new lot	<u>X</u>
Addition to lot	<u> </u>
Mortgage	<u> </u>
Lease	<u> </u>
Easement	<u> </u>
Right-of-Way	<u> </u>
Correction of title	<u> </u>

6. Name of persons(s), if known, to whom land or interest in land is to be transferred, leased or mortgaged:
(purchaser, lessee, mortgagee)

292 HamiltonSt. (Part 2) to Natalia Makarov

296 HamiltonSt. (Part 1) to Yining Sun

If a lot addition, identify the lands to which the parcel will be added.

N/A

7. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION:

Location of land - give legal description and municipal address:

Lot 25 and Part Lot 24, W/S Hamilton Street Registered
Plan 25. 292 and 296 Hamilton Street

8. DESCRIPTION OF LAND INTENDED TO BE SEVERED: (Part 2) #292

Frontage: ± 15.11 m Area: ± 0.0678 ha Depth: ±45.27 m

Existing use of land to be severed: Residential

Proposed use of land to be severed: Residential

Existing buildings and structures on the land to be severed:

1 Storey Brick and Aluminium Clad House

Number of proposed buildings and structures for severed land:

one

Type for road access for severed land: (check appropriate box)

- ☐ Private ☒ Municipal
☐ Regional ☐ Provincial
☐ Right-of-way

Type of water supply proposed: (check appropriate box)

- ☒ Municipal Services ☐ Well

Type of sewage disposal proposed: (check appropriate box)

- ☒ Municipal Services ☐ Septic Tank

If septic tank, please complete attached form

9. **DESCRIPTION OF LAND INTENDED TO BE RETAINED:** (Part 1) #296

Frontage: 15.37 m Area: ±0.068 ha Depth: ±45.26m

Existing use of land to be retained: Residential

Proposed use of land to be retained: Residential

Existing buildings and structures on the land to be retained:

1 Storey Brick and Aluminium Clad House

Number of proposed buildings and structures for retained land:

One

Type for road access for retained land: (check appropriate box)

- ☐ Private ☒ Municipal
☐ Regional ☐ Provincial
☐ Right-of-way

Type of water supply proposed: (check appropriate box)

- ☒ Municipal Services ☐ Well

Type of sewage disposal proposed: (check appropriate box)

- ☒ Municipal Services ☐ Septic Tank

If septic tank, please complete attached form

10. **LAND USE:**

What is the existing official plan designation(s), if any, of the subject land:

Stable Residential

What is the zoning, if any, of the subject land?

R1-D Residential Detached Dwelling 15 m Zone

Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the subject land	Within 500 Metres of Subject Land
flood plain		X
an industrial or commercial use, and specify the use(s) retail and restaurants		X
an active railway line		X
Electric transformer stations		
high voltage electric transmission lines		
an agriculture operation, including livestock facility or stockyard		

11. HISTORY OF THE SUBJECT LAND

Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under the *Planning Act*?

Yes ☐ No ☒ Unknown ☐

If YES, and known, provide the application file number and the decision made on the application.

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

N/A

Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☒

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

N/A

12. CURRENT APPLICATION

Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes ☐ No ☒ Unknown ☐

If YES, and if known, specify the Ministry file number and the status of the application.

N/A

Is the subject land the subject of an application for a zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes ☐ No ☒ Unknown ☐

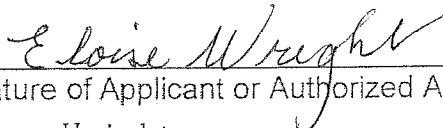
If YES, and if known, specify the appropriate file number and status of the application.

N/A

13. SKETCH

The application shall be accompanied by a sketch showing the following:

- the boundaries and dimensions of the subject land the part that is to be severed and the part that is to be retained
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- the distance between the subject land and the nearest town lot line or landmark, such as a railway crossing or bridge
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, well and septic tanks
- the existing use(s) on adjacent lands
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- the location and nature of any easement affecting the subject land


Signature of Applicant or Authorized Agent.

Eloise Wright

DATED at the City of Barrie

this 6th day of August 2015.

The personal information on this form is collected under the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The information is used for the purpose of processing your application. If you have any questions about this collection of personal information, please contact the Planning Division, Town of Newmarket, at (905) 953-5321.

Is the subject land the subject of an application for a zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes ☐ No ☒ Unknown ☐

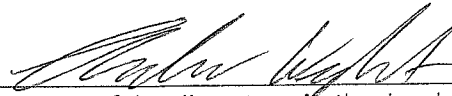
If YES, and if known, specify the appropriate file number and status of the application.

N/A

13. SKETCH

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- the existing use(s) on adjacent lands
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- the location and nature of any easement affecting the subject land



Signature of Applicant or Authorized Agent.

Andrew Wright

DATED at the _____ City _____ of _____ Barrie _____

this Sixth day of August 2015.

The personal information on this form is collected under the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The information is used for the purpose of processing your application. If you have any questions about this collection of personal information, please contact the Planning Division, Town of Newmarket, at (905) 953-5321.

Is the subject land the subject of an application for a zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes ☐ No ☒ Unknown ☐

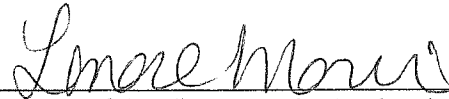
If YES, and if known, specify the appropriate file number and status of the application.

N/A

13. SKETCH

The application shall be accompanied by a sketch showing the following:

- the boundaries and dimensions of the subject land the part that is to be severed and the part that is to be retained
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land
- the distance between the subject land and the nearest town lot line or landmark, such as a railway crossing or bridge
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, well and septic tanks
- the existing use(s) on adjacent lands
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- the location and nature of any easement affecting the subject land



Signature of Applicant or Authorized Agent.

Lenore Morris

DATED at the City of Barrie

this 6th day of August 2015

The personal information on this form is collected under the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The information is used for the purpose of processing your application. If you have any questions about this collection of personal information, please contact the Planning Division, Town of Newmarket, at (905) 953-5321.

AFFIDAVIT OR SWORN DECLARATION

I, Eloise Wright of the City of Barrie
in the County of Simcoe make oath and say (or solemnly
declare) that the information contained in this application is true and that the
information contained in the documents that accompany this application is true.

For purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or disclosure to any person or public body of any personal information in this application that is collected under the authority of the *Planning Act* for the purpose of processing your application.

Sworn (or declared) before me)
)
at the City)
)
of Barrie)
)
in the County)
)
of Simcoe)
)
this 6th)
)
day of August, 20 15)

Eloise Wright
Eloise Wright

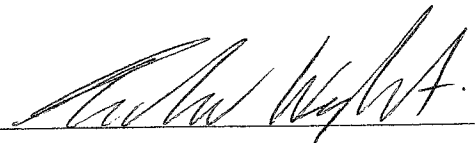
11/01/2015
A Karen O'Keefe, etc.
Legal Counsel
Children's Aid Society - Simcoe
LSUC # 46445K
Date

AFFIDAVIT OR SWORN DECLARATION

I, Andrew Wright of the City of Barrie
in the County of Simcoe make oath and say (or solemnly
declare) that the information contained in this application is true and that the
information contained in the documents that accompany this application is true.

For purposes of the *Municipal Freedom of Information and Protection of Privacy*
Act, I authorize and consent to the use by or disclosure to any person or public
body of any personal information in this application that is collected under the
authority of the *Planning Act* for the purpose of processing your application.

Sworn (or declared) before me)
at the City)
of Barrie)
in the County)
of Simcoe)
this Sixth)
day of August, 20 15)


Andrew Wright

Karen O'Keefe
A Commissioner, etc.

Karen O'Keefe
Legal Counsel
Children's Aid Society - Simcoe

LSUC # 4644516

Date

AFFIDAVIT OR SWORN DECLARATION

I, Lenore Morris of the City of Barrie
in the County of Simcoe make oath and say (or solemnly
declare) that the information contained in this application is true and that the
information contained in the documents that accompany this application is true.

For purposes of the *Municipal Freedom of Information and Protection of Privacy*
Act, I authorize and consent to the use by or disclosure to any person or public
body of any personal information in this application that is collected under the
authority of the *Planning Act* for the purpose of processing your application.

Sworn (or declared) before me)
at the City)
of Barrie)
in the County)
of Simcoe)
this 6)
day of August, 20 15)

Lenore Morris
Lenore Morris

K O'Keefe
A Commissioner, etc
Karen O'Keefe
Legal Counsel
Children's Aid Society - Simcoe
LSMC # 464451C
Date

AUTHORIZATION OF OWNER

I/We E. Wright, A Wright, and L. Morris (name of Owner(s)),

hereby authorize HBR Planning Centre and Dana Dymant
(name of person or agent authorized to sign application)

to act as my Agent and sign the application form to the Committee of Adjustment for the
Town of Newmarket, on my behalf, in respect to the premises known as

292 and 296 Hamilton Street

(Legal description and municipal address)

DATED this

6th

day of August

A.D. 2015

Per:

Eloise Wright

(Signature of Owner(s))

Eloise Wright

Per:

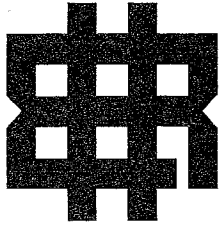
Andrew Wright

Andrew Wright

Per:

Lenore Morris

Lenore Morris



HBR PLANNING CENTRE

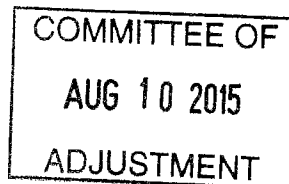
CONSULTANTS IN URBAN PLANNING AND DEVELOPMENT

66 Prospect Street, Unit A
Newmarket, Ontario L3Y 3S9

Telephone (905) 853-1841
Fax (905) 830-1451

August 10, 2015

Ms. Kym Pelham
Secretary-Treasurer
Committee of Adjustment
Town of Newmarket
395 Mulock Drive
Box 328, STN MAIN
Newmarket, Ontario
L3Y 4X7



HAND DELIVERED

Dear Ms. Pelham:

**RE: APPLICATION FOR CONSENT
292 AND 296 HAMILTON STREET
TOWN OF NEWMARKET**

We are the planning consultants for Eloise Wright, Andrew Wright and Lenore Morris the owners of the above captioned lands.

Please find enclosed an application for Consent to Sever. In addition, please find enclosed the following:

1. Two (2) 8 1/2"x14" coloured copies and one (1) 8 1/2"x14" uncoloured copy of a preliminary reference plan, that shows the intended severance;
2. 1 full size copy of the preliminary reference plan;
3. a cheque made payable to the Town of Newmarket for \$6,810.65 representing the required application fees;
4. a cheque made payable to the Lake Simcoe Region Conservation Authority for \$300.00 representing the required application fee; and
5. a Tree Report Form with signed Addendum.

The subject lands currently have two dwellings on the same lot, identified as 292 and 296 Hamilton Street. Our clients would like to sever the existing lot so that each dwelling would be situated on its own lot. The lot sizes, proposed to be created, are appropriately zoned and would be in keeping with other lot frontages and areas currently existing in the neighbourhood. The proposed severance would have no adverse impact on any trees, or the neighbourhood in general, as the two houses already exist on the property and have done so since the 1950's. The overall impact of the severance would simply be the creation of a line on a map, as shown on the proposed preliminary reference plan, submitted with this application.

We would respectfully request that the enclosed application be scheduled for the next Committee of Adjustment Hearing on September 16, 2015. If there is any further information that you require to process this application please call.

Yours very truly,

HBR PLANNING CENTRE

A handwritten signature in cursive script, appearing to read "Stacey Williams".

Stacey Williams, M.C.I.P., R.P.P.
Planner

Cc: E. Wright, A Wright, and L. Morris
Cc: D. Dymont

Encl.