



PLANNING AND BUILDING SERVICES
Town of Newmarket www.newmarket.ca
395 Mulock Drive planning@newmarket.ca
P.O. Box 328, STN Main
Newmarket, ON L3Y 4X7

T: 905.953.5321
F: 905.953.5140

Planning Report

To: Committee of Adjustment

From: Patricia Cho
Planner

Date: June 23, 2021

Re: Application for Consent - **D10-B04-21**
1111 Davis Drive
Made by: Riokim Holdings (Ontario) Inc.

1. Recommendations

That Consent Application D10-B04-21 be granted, subject to the following conditions:

- a. 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. a copy of the fully executed lease regarding the subject lands; and
 - iii. three white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
- b. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

2. Subject Lands

This application pertains to the property described by the legal description below:

PT LT 1 CON 3 EAST GWILLIMBURY PT 1 65R4683; PTS 1 TO 3 65R475; EXCEPT PTS 1 TO 8 65R10905; S/T R637834 T/W R637835 ; S/T R692477 NEWMARKET

3. Application

The lands are located on the east side of Leslie Street, north of Davis Drive (commercial plaza). The proposed consent seeks the approval of Committee of a lease with a period of 21 years or greater, as the Planning Act requires a consent for the creation of any interest in land with a period of 21 years or greater. If granted, the proposed consent would allow the extension of the existing lease for a period of 21 years or greater.

The lands to be leased are known as 1111 Davis Drive (outlined in red on the sketch attached to the application) and is approximately 4,180.64 m² in area. This area hosts a stand-alone building that is currently occupied by a Shoppers Drug Mart (retail store). The lands to be retained constitute the balance of the property that currently host commercial units (retail stores) and a restaurant.

4. Planning Considerations – Consent

Conformity with the Official Plan

The subject lands are designated “Commercial” in the Town’s Official Plan. This designation permits a range of retail and service commercial uses, including retail stores. No division of land or physical change to the site is proposed through this application. The proposed application for consent would not conflict with the purpose and intent of the Official Plan.

Conformity with the Zoning By-law

The subject lands are zoned Retail Commercial 1 Zone (CR-1) by By-law Number 2010-40. This zone permits a retail store such that currently exists on the proposed lands to be leased. The lands to be retained include a multi-unit commercial building and a restaurant which are also permitted within the CR-1 zone.

5. Other comments

Tree protection

The application is to permit the lease agreement for the subject property, and therefore, no physical changes are proposed for the subject lands.

Heritage

The subject lands are not listed or designated under the *Ontario Heritage Act*.

Commenting agencies and departments

The Chief Building Official has no comment with regard to this application.

Engineering Services has no objection to the application.

The Regional Municipality of York has no comment with regard to this application.

Effect of public input

No public input was received as of the date of writing this report.

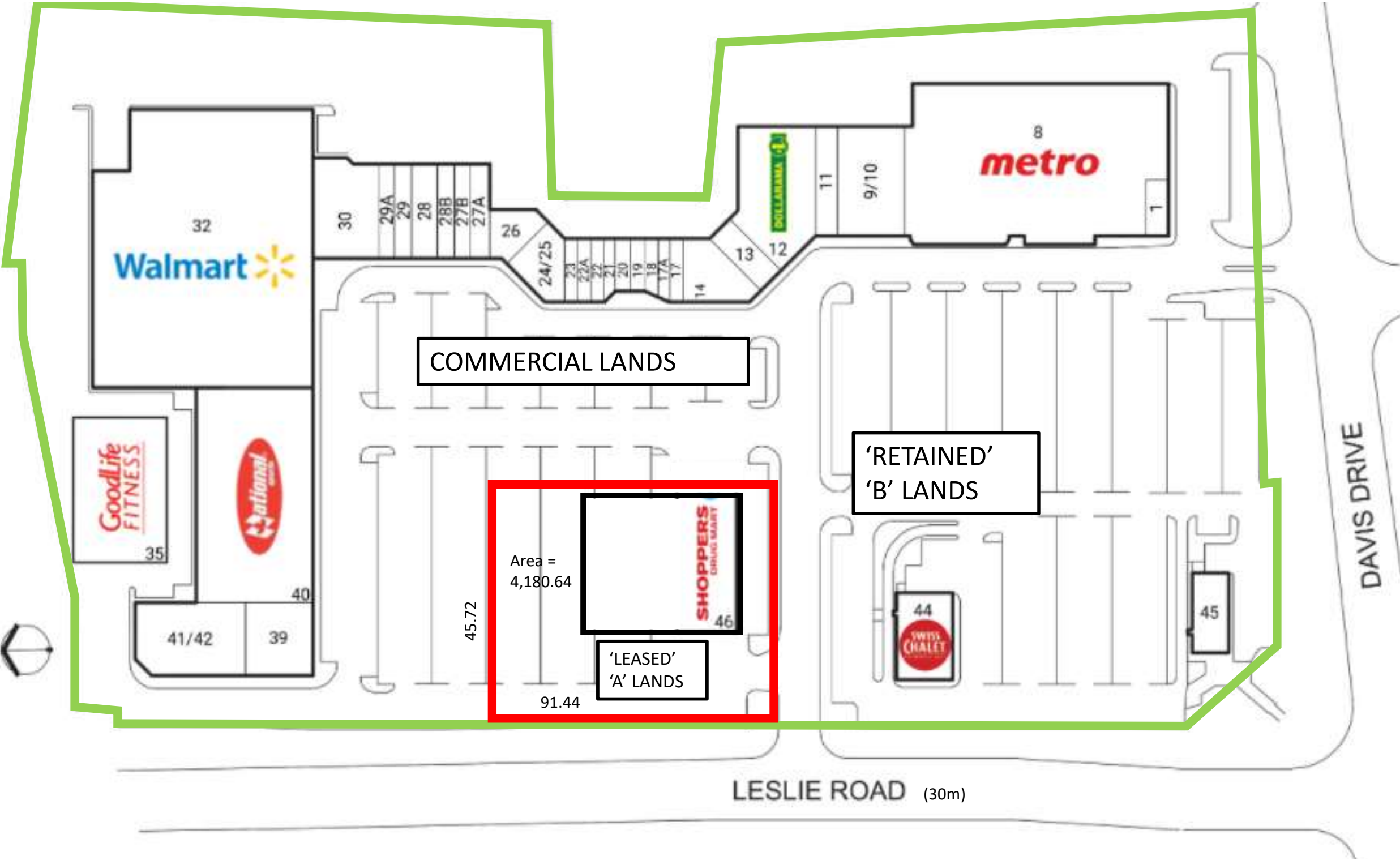
6. Conclusions

The consent meets the relevant requirements of the Official Plan and Zoning By-law, and is recommended to be granted subject to conditions.

Respectfully,



Patricia Cho
Planner



Walmart

metro

DOLLARAMA

GoodLife
FITNESS

National

SHOPPERS
DRUG MART

SWISS
CHALET

COMMERCIAL LANDS

'RETAINED'
'B' LANDS

Area =
4,180.64

45.72

91.44

'LEASED'
'A' LANDS

DAVIS DRIVE

LESLIE ROAD (30m)