

**Kagan
Shastri** ^{LLP}
LAWYERS

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File:

March 29, 2022

TO THOSE PERSON LISTED ON SCHEDULE "A" ATTACHED

**RE: NOTICE OF CASE MANAGEMENT CONFERENCE AND PROPOSED SETTLEMENT
Lundys' Lane Newmarket Assembly Inc. ("Owner")
43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Ave (collectively the
"Lands")**

We are counsel to the Owner in connection with the above noted Lands and have been directed by the Ontario Land Tribunal ("OLT") to provide you with the attached Notice of Case Management Conference ("CMC"). On July 23rd, 2021 our client filed an appeal to the OLT from the non-decision by the Municipality of both the rezoning application and the site-plan applications that were submitted for the Lands. The Rezoning and Site Plan Applications were submitted together to the Town of Newmarket ("Town") on November 30, 2020.

CASE MANAGEMENT CONFERENCE DETAILS:

The Ontario Land Tribunal ("Tribunal") will conduct a **Case Management Conference (CMC)** by **Video Conference** for this matter.

The event will be held:

Please join my meeting from your computer, tablet or smartphone. You can also dial in using your phone. Canada (Toll Free): **1 888 299 1889** Canada: **+1 (647) 497-9373** **Access Code: 692-665-589**

AT: 10:00 AM

ON: May 05, 2022

T: <https://global.gotomeeting.com/join/692665589>

Access Code: 692-665-589

The CMC will be held virtually in accordance with the above noted directions.

We can advise that since the filing of the appeal, our client has continued to work with the Town and the local community, and we are very pleased to announce that settlement of the appeals have been reached with the Town. We will be asking that the OLT convert the May 5th date to a settlement hearing for the proposed development.

Modifications to Development Plan

The applications as originally filed were intended to facilitate the development of the Lands as a five (5) story building with approximately 83 residential rental units that would help contribute to the rental housing stock within the Town and Region of York, and provide for a desperately needed form of housing that will allow the residents of the Town greater choice in terms of residential opportunities. While the proposed form is different than that which currently exists on the Lands, the development was carefully designed to ensure that no negative impacts will arise from same and was designed to appropriately fit within the context of its surrounding neighborhood and community.

As a result of our client's continued efforts to resolve this matter the following changes have been proposed as part of the settlement achieved:

1. There will no longer be any residential units on the fifth floor. The area on the fifth floor will remain to accommodate mechanical, equipment as well and an indoor amenity area for the residents of the development. Previously a residential penthouse unit was proposed on the fifth floor which has now been removed.
2. To address concerns of overlook that were identified by the community, the fourth floor has been scaled back resulting in the removal of four previously identified residential units. This revision provides for an increased setback along Bolton Ave. There are no longer any residential units on the fourth floor along Bolton Ave.
3. The total number of units has been reduced from the original 83 units to what is now proposed at 76 units.
4. The development also now proposes an enhanced building façade as well as increased landscaping.

As part of this package, we have included some architectural drawings which depict the form of the new proposed development. Our client has worked closely with the Town to reach this settlement and is supportive of same as a settlement but continues to believe that their original applications are appropriate and if resolution is not possible on May 5th, will be proceeding with their original proposal. While our client is prepared to proceed with the development of the Lands with the above noted modifications, we wish to make it clear that if the matter is not able to proceed by way of settlement on May 5th and instead requires a hearing of the merits of the application, we can advise that at any hearing that may be required our client will be seeking approval of their original development plans without the modifications identified above. Our client is prepared to consent to any request to be granted participant status in the appeal as a means of allowing a member of the public to express any concerns with the settlement design at the May 5th hearing.

Should there be any questions with regards to the proposed settlement or CMC, we would ask that any persons who may continue to be opposed to the settlement and who will be seeking party status in order to call a case against the development, to please advise us by no later than **April 15th** so that we may advise the OLT as to whether or not the matter may be converted to a settlement hearing.

Enclosed Documents

Please find attached copies of the following documents for your information:

1. A copy of the appointment for case management conference and the extracts of the Tribunal's Rules of Practice and Procedure;
2. A copy of the proposed zoning bylaw;
3. An explanation of the purpose and effect of the proposed by-law;
4. A description of the subject land and a key map showing the subject Land;
5. Architectural renderings of the proposed development as originally submitted and with the modifications identified in this letter; and,
6. Copy of site plan layout.

Should you require any further information or clarification with regards to this notice and/or the proposed settlement please do not hesitate to contact the undersigned directly

Sincerely,
KAGAN SHASTRI LLP

A handwritten signature in black ink, appearing to read "Paul M. DeMelo", enclosed within a large, loopy oval scribble.

Paul M. DeMelo
Encl.
cc. Client
Mr. P. Voorn, Senior Solicitor, Town of Newmarket

Ontario Land Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Website: olt.gov.on.ca

Tribunal ontarien de l'aménagement du territoire

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Site Web: olt.gov.on.ca



PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:
Subject:

Lundy's Lane Newmarket Assembly Inc.
Application to amend Zoning By-law No. 0225-2007 -
neglect of the Town of New Market to make a
decision

Existing Zoning:
Proposed Zoning:
Purpose:

Residential Detached Dwelling 15M Zone (R1-D)
Mixed Use Zone (MU-XX)
79 apartment units, configured in a 4-storey
apartment building

Property Address/Description:

43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32
Bolton Avenue

Municipality:
Municipality File No.:
OLT Case No.:
OLT File No.:
OLT Case Name:

Town of Newmarket
D14-NP21-01 (ZBA)
OLT-21-001280
OLT-21-001280
Lundy's Lane Newmarket Assembly Inc. v.
Newmarket (Town)

The Ontario Land Tribunal ("Tribunal") will conduct a **Case Management Conference (CMC)** by **Video Conference** for this matter.

The event will be held:

Please join my meeting from your computer, tablet or smartphone.

You can also dial in using your phone.

Canada (Toll Free): [1 888 299 1889](tel:18882991889)

Canada: [+1 \(647\) 497-9373](tel:+16474979373)

Access Code: 692-665-589

AT: 10:00 AM

ON: May 05, 2022

T: <https://global.gotomeeting.com/join/692665589>

Access Code: 692-665-589

The Tribunal has set aside **1 (one)** day for this matter.

The event will be held using **GoTo Meetings/MS Teams**. The appellant(s), applicant, municipality or approval authority, and those persons who intend to request party or participant status, are asked to log into the video hearing through the link provided above at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected to access and set-up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://www.gotomeeting.com) or [MSTeams](https://www.microsoft.com/en-ca/microsoft-teams/download-app). A web application is also available: <https://app.gotomeeting.com/home.html> or <https://www.microsoft.com/en-ca/microsoft-teams/download-app>. A compatible web browser for this service is Chrome.

Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line:

Canada (Toll Free): [1 888 299 1889](tel:18882991889)

Canada: [+1 \(647\) 497-9373](tel:+16474979373)

The access code is 692-665-589

Event dates are firm – adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal’s Rules of Practice and Procedure [Rule 17](#) on adjournments.

This event is conducted under [Rule 20](#) of the Tribunal’s Rules. [Rule 20.2](#) sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal’s Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the CMC and must be copied to the other parties. All contact information is included in Schedule A.

If you do not attend the CMC, the Tribunal may proceed in your absence and you will not be entitled to any further notice of these proceedings. The Tribunal may finalize the list of appellants, parties and/or participants at this CMC, and may order that no additional appellants, parties and/or participants be added or included in this proceeding, without leave of the Tribunal.

SUBMISSION REQUIREMENTS

If a person intends to refer to a document at the CMC that is not in the Tribunal’s case file, the document is expected to be pre-filed electronically with the Tribunal **at least 10 days** before the date of the CMC, unless another filing date is specified in the Tribunal’s Rules. All pre-filed documents shall be served on the other parties electronically. All contact information is included in Schedule A.

Submissions larger than **10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

The purpose of the CMC is set out in [Rule 19.1](#) of the Tribunal's Rules. The CMC will deal with preliminary issues, that include the following:

- **Identification of parties** - these persons have the right to participate throughout by presenting evidence, questioning witnesses, and making final arguments. In order for the Tribunal to determine your status for the hearing, you or your representative should attend the CMC and ask to be added as a party. Groups, whether incorporated or not, who wish to become parties should name a representative. Parties do not need to be represented by lawyers or agents.
- **Identification of participants** - persons who do not wish to participate throughout the hearing may attend the hearing and provide a written statement to the Tribunal.
- **Identification of issues.**
- **Possibility of settlement and/or mediation of any or all of the issues** – the panel will explore with the parties whether the case before the Tribunal and the issues in dispute are matters that may benefit from mediation. Mediation is a voluntary process that encourages all sides in a dispute to get a better understanding of each other's positions and fully explore and negotiate options for a mutually acceptable settlement of all or some of the issues in dispute. The panel may direct, upon consent of the parties, that some or all of the issues in dispute proceed to mediation.
- **Start date of the hearing.**
- **Duration of the hearing.**
- **Directions for pre-filing of witness lists, expert witness statements and written evidence.**
- **The hearing of motions.**
- **Draft Procedural Order** – parties are expected to meet before the CMC to consider a draft Procedural Order, as per [Rule 19.2](#) (see Sample Procedural Order on the website at <https://olt.gov.on.ca/appeals-process/forms/>).
- **Such further matters as the Tribunal considers appropriate.**

Everyone should come prepared to consider specific dates for proceedings in this matter.

All persons who wish to participate in this matter are expected to be prepared should the Tribunal convert the CMC to a settlement conference, a motion for procedural directions, or a preliminary hearing, where evidence or formal statements or

submissions may be heard. Even when no settlement is reached, the Tribunal may proceed to make a final decision on any evidence received during the conference.

PARTY OR PARTICIPANT STATUS REQUEST:

Persons other than the appellant(s), applicant, municipality or approval authority who wish to participate in the proceeding, either as a party or as a participant, are expected to file a written status request with the Tribunal to outline their interest in the proceeding.

The [Party Status Request Form](#) and [Participant Status Request and Participant Statement Form](#) are available on the Tribunal's website (<https://olt.gov.on.ca/appeals-process/forms/>) and are to be used to assist with the preparation of the request. If you are requesting status, this form must be provided at least 10 days in advance of the Case Management Conference to:

- The assigned Tribunal Case Coordinator Nazma Ramjaun at Nazma.Ramjaun@ontario.ca
- The municipality and the approval authority on the same day as it is emailed to the Tribunal Case Coordinator.
- The Applicant and the Appellant(s) on the same day as it is emailed to the Tribunal Case Coordinator.

The contact information for the parties is included in Schedule A.

The status request will be reviewed and considered by the presiding Member at the CMC. It will also assist the Tribunal in organizing the hearing event. **Attendance by the requestor, or their representative, at the CMC is required for all status requests.**

Persons who are granted **party status** may participate fully in the proceeding ([see Rule 8](#)).

Persons who are granted **participant status** may only participate in writing by way of a participant statement. This statement is expected to be provided 10 days advance of the CMC as part of the status request (see above) and sets out their position in the matter ([see Rule 7.7](#)).

Only persons who are granted party or participant status by the Tribunal at the CMC are permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

FURTHER DIRECTIONS

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal's public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal's Rule 22.1).

The Tribunal shall issue a disposition following the CMC that will set out the directions of the Tribunal. A copy of this decision may be obtained from the Tribunal's website (<https://olt.gov.on.ca/tribunals/lpat/e-decisions/>) by referencing the above case number.

Please review the Tribunal's [Rules](#) for relevant information.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing OLT.COORDINATOR@ontario.ca. If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance.

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou OLT.COORDINATOR@ontario.ca.

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 31st day of January, 2022.

Euken Lui
Acting Registrar

SCHEDULE A

Please provide materials electronically to the assigned Tribunal Case Coordinator Nazma Ramjaun at Nazma.Ramjaun@ontario.ca

On the same day that documents are submitted to the Tribunal, electronic copies are to be submitted to:

Paul Demelo, solicitor for the applicant/appellant Lundy's Lane Newmarket Assembly Inc at pdemelo@ksllp.ca

Paul Voorn, solicitor the Town of Newmarket at pvoorn@newmarket.ca

SCHEDULE B

INSTRUCTIONS FOR ELECTRONIC PRE-FILING SUBMISSIONS

Submission requirements to organize the video hearing

If a person intends to refer to a document at the video hearing (for clarity, any document that is not in the Tribunal's case file), it is expected to be pre-filed electronically with the Tribunal at **least 10 days** before the date of the video hearing and provided to all parties. The deadline applies unless otherwise specified in the Rules.

Submission emails **under 10MB** in size may be emailed directly to the assigned Tribunal Case Coordinator. Emails **larger than 10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service to avoid sending documents across multiple email parts. Where appropriate, documents are to be submitted in .pdf format.

Naming convention

To assist the Tribunal and the adjudicator during the event, it is important that all submissions are **paginated and labelled appropriately** to clearly identify the content of each document. Where a document contains numerous sections, each section is to be indexed to a table of contents.

Parties are asked to adhere to the following naming convention: **case number_party role_ document type_date of hearing event**.

For example: PL123456_Applicant_Notice of Motion_Jan 1, 2020

Please see [Rules 7.1 and 7.2](#) for the standard document submission requirements.

SCHEDULE C

EXCERPT FROM ONTARIO LAND TRIBUNAL'S RULES OF PRACTICE AND PROCEDURE, ON DOCUMENTS, EXHIBITS, FILING, SERVICE, ROLES OF PARTIES, ADJOURNMENTS, CASE MANAGEMENT CONFERENCES AND ELECTRONIC HEARINGS. THE FULL DOCUMENT IS AVAILABLE ON THE TRIBUNAL'S WEBSITE.

RULE 7

DOCUMENTS, EXHIBITS, FILING, SERVICE

7.1 Form of Documents Unless otherwise directed by the Tribunal, every document filed or introduced by a party or participant in a proceeding before the Tribunal shall be legible and prepared on letter size paper (8 ½" x 11"), except for large documents such as plans, surveys or maps, and, where bound together with other documents, shall have each page numbered consecutively, throughout the entire text or within tabs, including any graphic content. Wherever possible, an electronic copy of the document must also be filed with the Tribunal, identically numbered as the paper document.

7.2 Other Exhibits Large graphic or other such types of visual evidence should not be glued to foam or other boards. They shall be on paper and be removed from the boards following the hearing event, and folded to 8 ½" x 11". Three-dimensional models must be photographed and the photographs must be introduced with the model. Visual evidence must be reviewed by the other parties before the hearing event or by an earlier date if set out in a procedural order.

7.3 Copies of Documents for Parties and the Municipal Clerk A party who intends to introduce a document as evidence at a hearing event shall provide a copy of the document to all the parties at the beginning of the proceeding or by an earlier date if that is required by the terms of a procedural order or otherwise directed by the Tribunal. If the document is an official plan, those parts of the plan to be referred to at the hearing event should be distributed to the parties, and a copy of the entire plan must be made available to the Tribunal Member(s). If the Tribunal orders that the Municipal Clerk keep copies of documents for public inspection, they do not need to be certified copies, unless a party objects that they are not authentic copies.

7.4 Prefiling of Witness Statements and Reports If the hearing is expected to last more than 5 days, the Tribunal may require that parties calling expert or professional witnesses serve on the other parties any expert witness statements and reports prepared for the hearing, at least 30 days in advance of the commencement of the hearing, unless otherwise directed by the Tribunal. The Tribunal may in its discretion, or at the request of a party, also make this prefiling order for hearings expected to last fewer than 5 days. The expert witness statement must contain:

- a. an executed acknowledgment of expert's duty form (attached to these Rules) and the expert's qualifications;

- b. the issues the expert will address, their opinions on these issues, the reasons that support their opinions and their conclusions; and
- c. a list of the reports or documents, whether prepared by the expert or by someone else, that the expert will refer to at the hearing.

The expert's complete report may be filed instead of this statement if it contains the required information.

An expert may not be permitted to testify if this statement or report is not served on all parties when so directed by the Tribunal.

7.5 Duty of the Expert Witness It is the duty of every expert engaged by or on behalf of a party who is to provide opinion evidence at a proceeding under these Rules to acknowledge, either prior to (by signing the acknowledgment form attached to the Rules) or at the proceeding, that they are to:

- a. provide opinion evidence that is fair, objective and non-partisan;
- b. provide opinion evidence that is related only to the matters that are within the expert's area of expertise;
- c. provide such additional assistance as the Tribunal may reasonably require to determine a matter in issue;
- d. not to seek or receive assistance or communication from any third party, except technical support, while giving oral evidence in examination in chief, while under cross-examination, or while in reply; and
- e. acknowledge that these duties prevail over any obligation owed by the expert to the party by whom or on whose behalf he or she is engaged.

7.6 Other Witnesses The Tribunal may also require that a witness who is not presenting expert evidence provide a witness statement. A witness statement should contain:

- a. a short written outline of the person's background experience and interest in the matter;
- b. a list of the issues that they will discuss; and
- c. a list of reports or materials that they will rely on at the hearing.

The Tribunal may decline to allow the witness to testify if this statement is required by the Tribunal and has not been provided to the other parties.

7.7 Participant Statements A person who wishes to participate in a proceeding as a participant, shall file a written participant statement that sets out their position on the appeal and issues of the proceeding, together with an explanation of their reasons in support of their position. A participant may only make submissions to the Tribunal in writing unless otherwise provided for by an Act or regulation.

7.8 Amendment of Documents Documents filed with the Tribunal can only be amended with the consent of the parties or by order of the Tribunal. The Tribunal may

require that the person requesting an amendment do so by way of a motion under Rule 10.

7.9 Copies of Tribunal Documents A person may examine any document, including electronic documents, filed with the Tribunal and copy it after paying the Tribunal's fee, unless a statute, a Court Order, an order of the Tribunal or these Rules provide otherwise.

7.10 Return of Exhibits Exhibits of all types introduced at a hearing will be kept for 180 days after the Tribunal decision issues. The person introducing an exhibit may ask for its return after this time, and it may be given back if the Tribunal agrees. If no such request is made, the exhibit becomes the property of the Tribunal and may be archived.

7.11 Service by Personal Service or Electronic Service Where any document is required to be served or filed, including the one commencing a proceeding or a motion or providing notice, it shall be served by personal service, registered mail or electronically (unless a statute or the Tribunal requires another method of service) and shall be sent to:

- a. the party's representative, if any;
- b. where the party is an individual and is not represented, to that party directly, where that party has provided an address for service and/or an e-mail address;
- c. where that party is a corporation and is not represented, to the corporation directly, to the attention of an individual with apparent authority to receive the document;
- d. where served on or filed with a local board or commission, or any department, ministry or agency of the federal, provincial or municipal government, to an individual with apparent authority to receive the document; or
- e. where served on or filed with the Tribunal, to the Registrar, or the assigned administrative staff.

Subject to Rule 7.12, if a document is served by e-mail, then service is effective on the date of service.

7.12 If Served Electronically After 4:30 p.m. Any document served electronically after 4:30 p.m. is deemed to have been served on the next business day.

7.13 Proof of Electronic Service A confirmation printout received by the sender is proof of the full transmission and receipt of the electronic service.

RULE 8

ROLE AND OBLIGATIONS OF A PARTY

8.1 Role and Obligations of a Party Subject to Rule 8.2 below, a person conferred party status to a proceeding before the Tribunal may participate fully in the proceeding, and by way of example may:

- a. Identify issues raised in a notice of appeal for the approval of the Tribunal;
- b. Bring or respond to any motion in the proceeding;
- c. Receive copies of all documents and supporting information exchanged, relied upon or filed in connection with any hearing event conducted in the proceeding;
- d. Present opening and closing submissions at the hearing;
- e. Present and examine witnesses and cross-examine witnesses not of like interest;
- f. Claim costs or be subject to a costs award when ordered by the Tribunal; and
- g. Request a review of the Tribunal's decision or order as set out in Rule 25.

8.2 Power of Tribunal to Add or Substitute Parties The Tribunal may add or substitute a party to a proceeding when that person satisfies any applicable legislative tests necessary to be a party and their interest may be transferred or transmitted to another party to be added or substituted provided their presence is necessary to enable the Tribunal to adjudicate effectively and completely on the issues in the proceeding.

8.3 Non-Appellant Party A party to a proceeding before the Tribunal which arises under any of subsections 17(24) or (36), 34(19) or 51(39) of the Planning Act who is not an appellant of the municipal decision or enactment may not raise or introduce a new issue in the proceeding. The non-appellant party may only participate in these appeals of municipal decisions by sheltering under an issue raised in an appeal by an appellant party and may participate fully in the proceeding to the extent that the issue remains in dispute. A non-appellant party has no independent status to continue an appeal should that appeal be withdrawn by an appellant party.

8.4 Common Interest Class Where the Tribunal is of the opinion that more than one party is of common interest with another party or other parties, the Tribunal may, on its own initiative or on the request of any party, appoint a person of that class of parties to represent the class in the proceeding.

RULE 17

ADJOURNMENTS

17.1 Hearing Dates Fixed Hearing events will take place on the date set unless the Tribunal agrees to an adjournment. Adjournments will not be allowed that may prevent the Tribunal from completing and disposing of its proceedings within any applicable prescribed time period.

17.2 Requests for Adjournment if All Parties Consent If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the written consents of all parties. However, the Tribunal may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent. The consenting parties are expected to present submissions to the Tribunal on the application of any prescribed time period to dispose of the proceeding.

17.3 Requests for Adjournment without Consent If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 15 days before the date set for the hearing event. If the reason for an adjournment arises less than 15 days before the date set for the hearing event, the party must give notice of the request to the Tribunal and to the other parties and serve their motion materials as soon as possible. If the Tribunal refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

17.4 Emergencies Only The Tribunal will grant last minute adjournments only for unavoidable emergencies, such as illnesses so close to the hearing date that another representative or witness cannot be obtained. The Tribunal must be informed of these emergencies as soon as possible.

17.5 Powers of Tribunal upon Adjournment Request The Tribunal may,

- a. grant the request.
- b. grant the request and fix a new date or, where appropriate, the Tribunal will schedule a case management conference on the status of the matter;
- c. grant a shorter adjournment than requested;
- d. deny the request, even if all parties have consented;
- e. direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- f. grant an indefinite adjournment, if the Tribunal finds no substantial prejudice to the other parties or to the Tribunal's schedule and the Tribunal concludes the request is reasonable for the determination of the issues in dispute. In this case, a party must make a request, or the Tribunal on its own initiative may direct, that the hearing be rescheduled or resumed as the case may be;
- g. convert the scheduled date to a mediation or case management conference; and
- h. make any other appropriate order.

RULE 19

CASE MANAGEMENT CONFERENCES

19.1 Case Management Conference At the request of a party, on its own initiative or participate in a case management conference conducted by a Member of the Tribunal,

as to:

- a. identify the parties and participants;
- b. determine the issues raised by the appeal;
- c. narrow the issues in dispute;
- d. identify facts or evidence the parties may agree upon or on which the Tribunal may make a binding decision;
- e. obtain admissions that may simplify the hearing, which may include the examination of persons by the Tribunal as part of the conference;
- f. provide directions for exchange of witness lists, witness statements, expert witness statements and reports, for meetings of experts including to address the disclosure of information such as the disclosure of the information that was not provided to the municipality before council or the approval authority made its decision that is the subject of the appeal, and for further disclosure where necessary;
- g. provide directions to the parties to file a hearing plan to outline how the hearing will proceed, the order of witnesses, or the anticipated time for submissions to ensure the Tribunal sets aside sufficient time in its hearing calendar to dispose of the issues;
- h. discuss opportunities for settlement, including possible use of mediation or other dispute resolution processes;
- i. fix a date, place and format for the hearing and estimate its length, and encourage the parties to agree upon the dates for any procedural steps;
- j. discuss issues of confidentiality, including any need to hold a part of the hearing in the absence of the public or to seal documents;
- k. address the production and cost sharing of joint document books; and
- l. deal with any other matter that may assist in a fair, just, expeditious and cost-effective resolution of the issues.

Sample Procedural Order and Meeting Before Case Management Conference Where the parties are known before the case management conference,

procedural order to the Tribunal for its approval. Sample procedural orders are listed in the Index to these Rules.

19.3 Serving Notice of a Conference The Tribunal will determine the notice requirements for a Case Management Conference and any directions to serve a Notice of Case Management Conference that provides the time, place and format of the conference. The directions may include a notice to all persons or authorities entitled by

legislation or regulation. The person, municipality or approval authority who is issued the direction must serve this notice on those persons entitled to notice of the conference and provide an affidavit to the Tribunal, at or prior to the conference, to prove service of the notice.

19.4 Tribunal Member Presides The Tribunal's Chair will assign at least one Member of the Tribunal to conduct the conference.

19.5 Public Attendance at a Case Management Conference A case management held by electronic hearing will be open to the public where practical. Despite the general confidentiality, in the discretion of the presiding Tribunal Member, part or all of the conference may be conducted in *camera*.

19.6 Conversion from One Procedure to Another The Tribunal Member may, at any time, conduct a procedural discussion, initiate a motion, inquire into a preliminary matter, or convert the conference into a hearing. The Tribunal will state in the notice of a case management conference that the parties are expected to arrive prepared for a procedural and settlement conference as well as a preliminary hearing, where evidence or formal statements or submissions may be heard. Even if no settlement is reached, the Tribunal may proceed to make a final decision on any evidence received during the conference.

19.7 Results of Failure to Attend a Conference If a party fails to attend the conference or by authorized representative, the Tribunal may proceed without that party. The non-attending party is not entitled to notice of subsequent hearing events in the proceedings.

19.8 Tribunal Order Following The Tribunal Member conducting the case management conference will issue an order that may decide any of the matters considered at the conference and provide procedural directions for any subsequent hearing event.

19.9 Hearing Member Bound The Tribunal Member conducting the hearing or any subsequent hearing event is bound by the order resulting from the case management conference unless that Member is satisfied that there is good reason to vary the order.

19.10 Methods of Holding Hearing Events The Tribunal may direct in an order following a conference that hearing events in a proceeding be held by a combination of written, electronic or in person hearing events.

RULE 20

ELECTRONIC HEARINGS

20.1 Hearing Events by Teleconference or Videoconference The Tribunal may videoconference, for the determination of any issue in the proceeding. Where the direct a party to make the necessary arrangements and to give notice of those arrangements to the Tribunal and other parties.

20.2 Objection to the Electronic Format A party who objects to a hearing event being held as an electronic hearing shall notify the Tribunal and all other parties of its objecting party shall set out the reasons why the electronic hearing is likely to cause the objecting party significant prejudice.

20.3 Response to Notice of Objection The Tribunal may request a written response from other parties to the objection of an electronic hearing within a time period set out by the Tribunal.

20.4 Procedure When Objection is Received If the Tribunal receives an objection to hold a hearing event by electronic hearing, it may:

- a. accept the objection, cancel the electronic hearing, and schedule an in person or written hearing; or
- b. if the Tribunal is satisfied, after considering any responding submissions that no significant prejudice will result to a party, then the Tribunal will reject the objection and proceed with the electronic hearing.

20.5 Directions for the Electronic Hearing The Tribunal may direct the arrangements for the electronic hearing or designate an approved location for and confidentiality of evidence as necessary.

20.6 Videoconferences The Tribunal shall pre-approve all arrangements for conducting a hearing event by videoconference, including the pre-filing and exchange of and the locations for the conference. Any information, statement or material intended to provided to all parties in accordance with the Tribunal's directions or procedural order for conducting a hearing event by videoconference.

20.7 The View of the Camera A party's representative or a witness in a videoconference shall be in view of the camera, with minimal visual obstructions, in the examined or cross-examined, there shall be a view of the witness, counsel protecting

the witness, and the person conducting the examination or cross-examination. Any

legible to the Tribunal and all other parties to the conference, either by the camera or by referring to a copy of the document exchanged in accordance with the Tribunal's directions.

June 1, 2021

SCHEDULE "A"

	Name	E-mail	Telephone Number	Mailing Address	City / Town	Postal Code	Notes
Lundy's Lane Newmarket Assembly Inc	Robert Marzilli	sandra@ramcom.ca	416-457-0544	5 Fortecon Dr	Gormley, ON	L0H 1G0	Applicant
Kagan Shastri LLP	PAUL M. DeMELO	pdemelo@ksllp.ca	416.368.2100 Ext. 228	188 Avenue Road	Toronto, ON	M5R 2J1	Applicants Legal Representation
	Patsy and Ward Hawke	hpykrma@yahoo.ca	416-937-8213				
	Sandra Lee	ggcabana@aol.com	905-836-1617				
	Tim and Sue Grills	timgrills@rogers.com					
	Jocelyn Castonguay	jangel@teksavvy.com	289-383-0701				
	Katlyn Sutcliffe		905-898-9088				
	Jeffrey D. Scobie		905-895-8572	26 Lundy's Lane	NEWMARKET, ON,	L3Y 3R8	
	Maria Luczka		905-898-1218	27 Lundy's Lane	NEWMARKET, ON	L3Y 3R7	
	Marcia Sinclair			34 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Paul Loria		416-726-8226	35 Lundy's Lane	NEWMARKET, ON	L3Y 3R7	
	Wendy Emerson		905-898-2400	38 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Jana Vale	valejs@rogers.com	905-898-4866	46 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Barb Lefark		905-235-2744	50 Lundy's Lane			
	Brent	mr_brent@hotmail.com					
	Dylan Ferguson	dylan.m.ferguson@gmail.com		53 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Lauren Merklinger	laurenmerklinger@hotmail.com	416-708-4267	53 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Julia Guo and Zan Su	leletoronto2008@gmail.com	416-592-0688	56 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Pat and Vanessa Giorno	vgiorno@rogers.com	905-717-6794	58 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Yen Tu	yk2.yyz@gmail.com	416-804-1155	61 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Marie Mitilinellis and Mehmet Baltacouglu	marie@winsoft.ca	416-825-5357	62 Lundy's Lane			
	Caitlin Kelly	cain.kelly88@gmail.com		65 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Frances Darwin	francesdarwin@gmail.com	647-613-3726	69 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Rodney Darwin	rodneydarwin@gmail.com		69 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Suzanne Darwin	suzannedarwin@gmail.com	289-338-6703	69 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Rohit Saxena	rsaxena@gmail.com		69 Lundy's Lane			
	Margaret H. Lamothe		905-758-2551	74 Lundy's Lane	NEWMARKET, ON	L3Y 3R8	
	Douglas Elford and Janice Kelly		905-895-3211	77 Lundy's Lane	NEWMARKET, ON	L3Y 3R9	
	Sean Martin and Sharri Lavishe		416-816-8342	87 Lundy's Lane			
	Lael Taylor	taylor.lael@sympatico.ca		90 Lundy's Lane			
	Joshua Broad		289-380-1570	93 Lundy's Lane			
	Gary and Donna Dyer	gdyer@rogers.com		98 Lundy's Lane			
	Huge Brown		905-895-1698	102 Lundy's Lane			

	Name	E-mail	Telephone Number	Mailing Address	City / Town	Postal Code	Notes	
	Kimberly Schell	kennisis6@gmail.com		103 Lundy's Lane	NEWMARKET, ON	L3Y 3R9		
	Alexandra Silva	alexandra.silva@hotmail.com	416-562-0646	120 Lundy's Lane				
	Cynthia Flood	cynthia_flood_53@me.com	905-717-2096	126 Lundy's Lane	NEWMARKET, ON	L3Y 3S1		
	Douglas Toombs	douglas@toomsteam.com	905-235-4456	33 Bolton Avenue				
	Carrie Oullette		905-751-9458	45 Bolton Avenue	449 Eagle Street, NEWMARKET ON	L3Y 1K7		
	Sue Dunn	sue.dunn65@gmail.com	905-716-3692	53 Bolton Avenue	NEWMARKET, ON	L3Y 2X3		
	Michael and Anita Nakou	aldunn@lakeheadu.ca	905-235-4995	57 Bollton Avenue	NEWMARKET, ON	L3Y 2X3		
	Shannon Temple		289-231-8303	61 Bolton Avenue				
	Madelyn McCallan and Dan Chiesa	chiesa.d.c@gmail.com		65 Bolton Avenue	NEWMARKET, ON	L3Y 2X3		
	Karl Rose		289-803-9707	69 Bolton Avenue	NEWMARKET, ON	L3Y 2X3		
	I. Descochus		905-967-0782	97 Bolton Avenue				
	Elena Pavlova		647-889-4002	137 Bolton Avenue				
	Sylvia and Kirby Brock	ksbrock@rogers.com		138 Bolton Avenue				
	Sam and Christine Theodorou	christinetheodorou@rogers.com	905-252-8436	141 Bolton Avenue	NEWMARKET, ON	L3Y 2X3		
	William Church	blchurch@rogers.com	905-252-7206	593 Watson Avenue	27 Mill Street, S.S #1, MOUNT ALBERT, ON	L0G 1M0		
	Catherine Henry		416-371-1815	599 Watson Avenue	NEWMARKET, ON	L3Y 2V2		
	Vince Giorno	spyguy2014@gmail.com	416-550-1983	116 Eden Court				
	Pat Livingston*	donpat18@hotmail.com					*Would like to remain anonymous	
	Sibyllle Foppa	sfoppa@sympatico.ca	905-895-4521 ext 2701	135 Meadowbank Road	NEWMARKET, ON	L3Y 2Z1		



Corporation of the Town of Newmarket

By-law 2022-XX

A By-law to amend By-law Number 2019-06 being a zoning by-law for the Urban Centres Secondary Plan area, and By-law Number 2010-40 being the Town's Comprehensive Zoning By-law for lands outside of the Urban Centres Secondary Plan (43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue)

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law Number 2019-06 and By-law Number 2010-40;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
2. And that By-law 2010-40 is hereby amended by:

Deleting from Schedule 'A' the lands subject to By-law 2010-40, R1-D Zone being 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue. The lands are no longer subject to Zoning By-law 2010-40.

43 Lundy's Lane	Lt 15 PI 125 East Gwillimbury; Lt 16 PI 125 East Gwillimbury; Newmarket
592 Watson Avenue	Pt Lt 17 PI 125 East Gwillimbury; Pt Lt 18 PI 125 East Gwillimbury As In R239965; Newmarket
40 Bolton Avenue	Pt Lt 17 PI 125 East Gwillimbury; Pt Lt 18 PI 125 East Gwillimbury As In R505757; Newmarket

36 Bolton Avenue	Pt Lt 6 PI 91 East Gwillimbury As In R476907; Newmarket
32 Bolton Avenue	Pt Lt 5 PI 91 East Gwillimbury; Pt Lt 6 PI 91 East Gwillimbury As In R534719; Newmarket

3. Adding to Schedule 'A' Maps 6, 12, and 18, the lands being

43 Lundy's Lane	Lt 15 PI 125 East Gwillimbury; Lt 16 PI 125 East Gwillimbury; Newmarket
592 Watson Avenue	Pt Lt 17 PI 125 East Gwillimbury; Pt Lt 18 PI 125 East Gwillimbury As In R239965; Newmarket
40 Bolton Avenue	Pt Lt 17 PI 125 East Gwillimbury; Pt Lt 18 PI 125 East Gwillimbury As In R505757; Newmarket
36 Bolton Avenue	Pt Lt 6 PI 91 East Gwillimbury As In R476907; Newmarket
32 Bolton Avenue	Pt Lt 5 PI 91 East Gwillimbury; Pt Lt 6 PI 91 East Gwillimbury As In R534719; Newmarket

4. And that By-law 2019-06 is hereby amended by:

i) Adding the Holding Mixed-Use 1 Site Specific Exception 11 ((H)MU-1-(11)) Zone, with an FSI range of 1.5 to 2.0, height range from 8m to 17m and a holding provision as shown on Schedule 1 of By-law 2022-XX to Maps 6, 12, and 18.

ii) Amending Section 6.2.5 to add MU-1-(11) as a site-specific exception as follows:

(H)MU-1-(11) 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue, TOWN OF NEWMARKET

a) Bolton Avenue is the front lot line.

b) Notwithstanding Sections 5.6, 5.6.1, 5.6.2, and 6.2.4.10.i), only one (1) *loading space* shall be required, and may be located exterior of the building and may be accessed by a *driveway* that is a minimum 4.0 metres wide.

- c) Notwithstanding the requirements of Section 6.2.4.6, Angular Planes shall not apply to the south (35 Lundy's Lane) and east (Bolton) boundaries of this *lot*.

iii. Adding Section 8.2.3 Requirement to Remove the (H) Holding Provision from 43 Lundy's Lane, 592 Watson Avenue, 40, 36 and 32 Bolton Avenue (as shown on Schedule 1)

No person within these lands shall erect, alter or use any land, buildings or structures for any purpose except for those uses which existed on the date of passing of By-law 2022-XX.

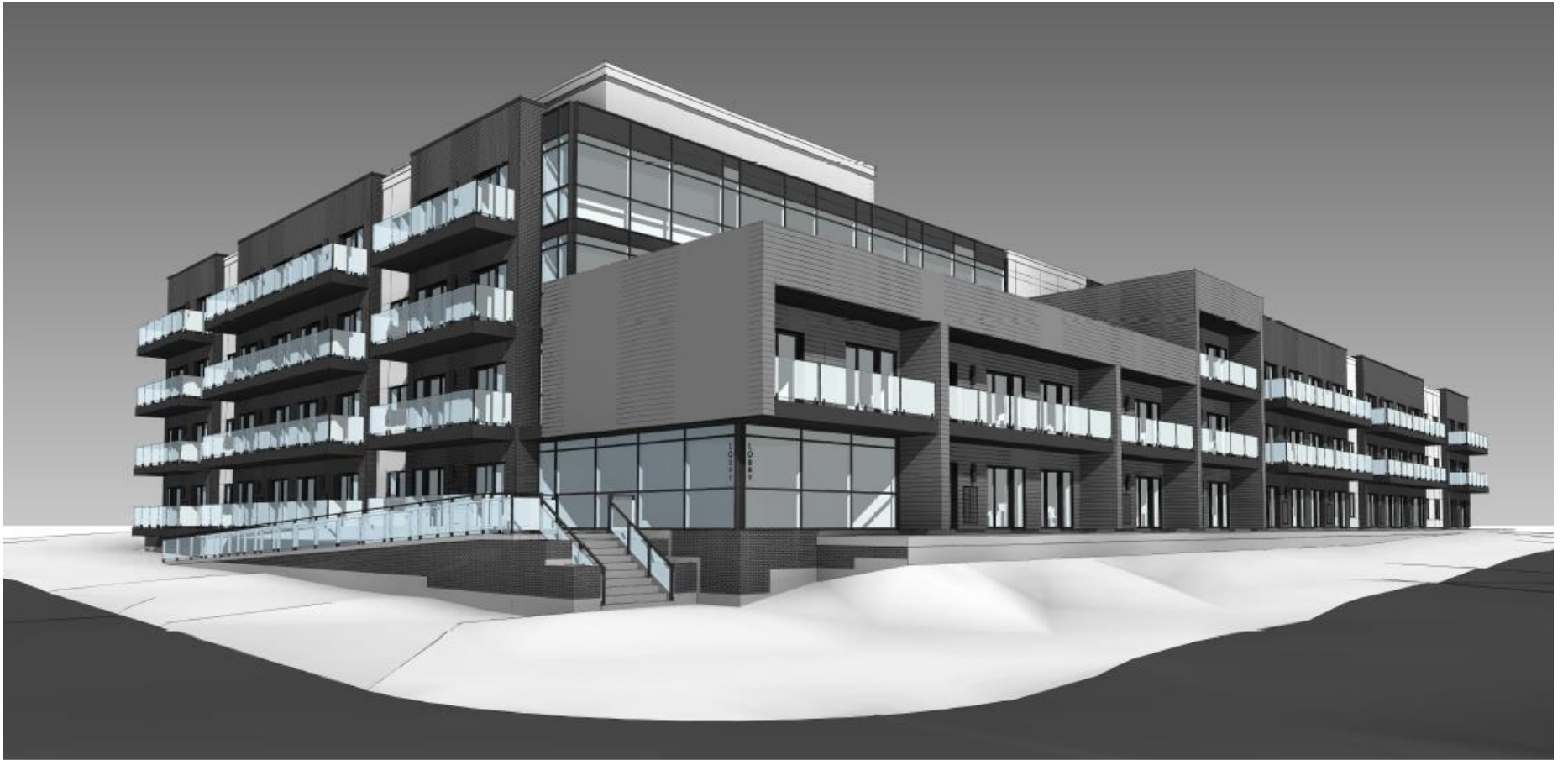
Furthermore, no changes, extension or enlargement of the uses which existed on the date of passing of By-law 2022-XX shall occur unless an amendment to this By-law or removal of the '(H)' prefix, as per the Conditions of Removal listed below, is approved by Town Council and the By-law comes into full force and effect.

However, the Holding provision will not prevent any remediation or testing, or any testing related to related to Source Water Protection and/or in-ground and above ground services, if deemed appropriate and desirable by the Town. Any grading, filling or works necessary to fulfill the requirements of testing for and/or site remediation required to obtain approval for Record of Site Condition and/or to provide approved servicing, shall be permitted.

Section 8.2.3.i Conditions for Removal of the Holding Provision

1. A Site Plan Agreement to permit the development as proposed has been entered into between the Owner and the Town and the performance security contemplated therein has been posted.
2. That sufficient servicing capacity has been allocated by the Town as confirmed by the Director of Planning and Building Services.

NOVEMBER 2020



DECEMBER 2021



MARCH 2022





AUGUST 2021



MARCH 2022



NOVEMBER 2020



AUGUST 2021



MARCH 2022



SITE PLAN AND BUILDING STATISTICS		
	REQUIRED	PROPOSED
1 ZONING		
2 LOT AREA	.m ² (MIN.)	3,794.54m ²
3 LOT FRONTAGE	.m (MIN.)	179.62m
4 LOT COVERAGE	.%	2,882.54 m ² (75.96%)
5 GROSS FLOOR AREA		6,754.46 m ²
		BASEMENT 2,882.54 m ²
		1ST FLOOR 1,876.22 m ²
		2ND FLOOR 1,884.47 m ²
		3RD FLOOR 1,884.47 m ²
		4TH FLOOR 890.54 m ²
		5TH FLOOR 218.76 m ²
6 FLOOR SPACE INDEX	1.5 (MIN.) 2.0 (MAX.)	1.78
7 HARD SURFACE		3,357.29 m ² (88.48%)
8 SOFT SURFACE (LANDSCAPED AREA)		437.25 m ² (11.52%)
9 NORTH YARD SETBACK	.m (MIN.)	3.35 m
10 EAST YARD SETBACK	.m (MIN.)	3.13 m
11 SOUTH YARD SETBACK	.m (MIN.)	9.43 m
12 WEST YARD SETBACK	.m (MIN.)	4.73 m
13 BUILDING HEIGHT	8m (MIN.) 20m (MAX.)	16.43 m
14 NUMBER OF PARKING SPACES	1B = 0.8/UNIT 2B = 1.0/UNIT 43 X 0.8/UNIT 33 X 1.0/UNIT = 34.4 SPACES = 33 SPACES = 67.4 SPACES	77 SPACES
15 NUMBER OF VISITOR PARKING	0.15/UNIT = 11.4 SPACES	12 SPACES
16 NUMBER OF B-F PARKING SPACES	76-100 SPACES = 2 TYPE 'A' + 2 TYPE 'B'	2 TYPE 'A' + 2 TYPE 'B'
17 PARKING SPACE SIZE	2.7m X 5.5m	2.7m X 5.5m
18 B-F PARKING SPACE SIZE	2.6m X 5.5m (TYPE A) 3.4m X 5.5m (TYPE B)	2.6m X 5.5m (TYPE A) 3.4m X 5.5m (TYPE B)
19 BICYCLE LONG TERM PARKING	0.5 SPACES/UNIT 76 UNITS X 0.50 = 38 SPACES	38 SPACES
20 BICYCLE SHORT TERM PARKING	0.1 SPACES/UNIT 76 UNITS X 0.10 = 7.6 SPACES	8 SPACES
21 BICYCLE PARKING SPACE SIZE	1.8m X 0.6m	1.8m X 0.6m
22 LOADING SPACE	3 SPACES	1 SPACES
23 LOADING SPACE SIZE	3.6m X 9.0m	3.6m X 9.0m
24 INDOOR AMENITY SPACE	2m ² /UNIT 2.0 X 76 UNITS = 152m ²	188.65m ²
25 OUTDOOR AMENITY SPACE	2m ² /UNIT 2.0 X 76 UNITS = 152m ²	152 m ²
UNIT STATISTICS		
	1 - BEDROOM	43 UNITS
	2 - BEDROOM	33 UNITS
	TOTAL	76 UNITS

GENERAL NOTES

1. ALL FOOTING FORMWORK ELEVATIONS AND SETBACKS ARE TO BE CONFIRMED BY A REGISTERED PROFESSIONAL ENGINEER, OR A REGISTERED ONTARIO LAND SURVEYOR, PRIOR TO PLACING OF ANY CONCRETE.
2. ALL RAINWATER LEADERS TO BE DIRECTED TO SIDEYARD SWALES AND TO ROAD.
3. A 0.30m WIDE UNDISTURBED STRIP IS TO BE PROVIDED ALONG ALL BOUNDARIES WITH ADJACENT OWNERS.
4. ALL PERIMETER GRADES TO REMAIN AS EXISTING.

NOTE:

ALL EXISTING TREES, STRUCTURE AND COMPONENTS NOT INDICATED TO BE DEMOLISHED TO BE PROTECTED DURING CONSTRUCTION

BUILDER MUST VERIFY THE EXISTING STORM AND SANITARY INVERT ELEVATIONS. BUILDER TO CONFIRM TO CONSULTING ENGINEER THAT MINIMUM 2% SLOPE CAN BE ACHIEVED PRIOR TO PLACING CONCRETE FOOTINGS.

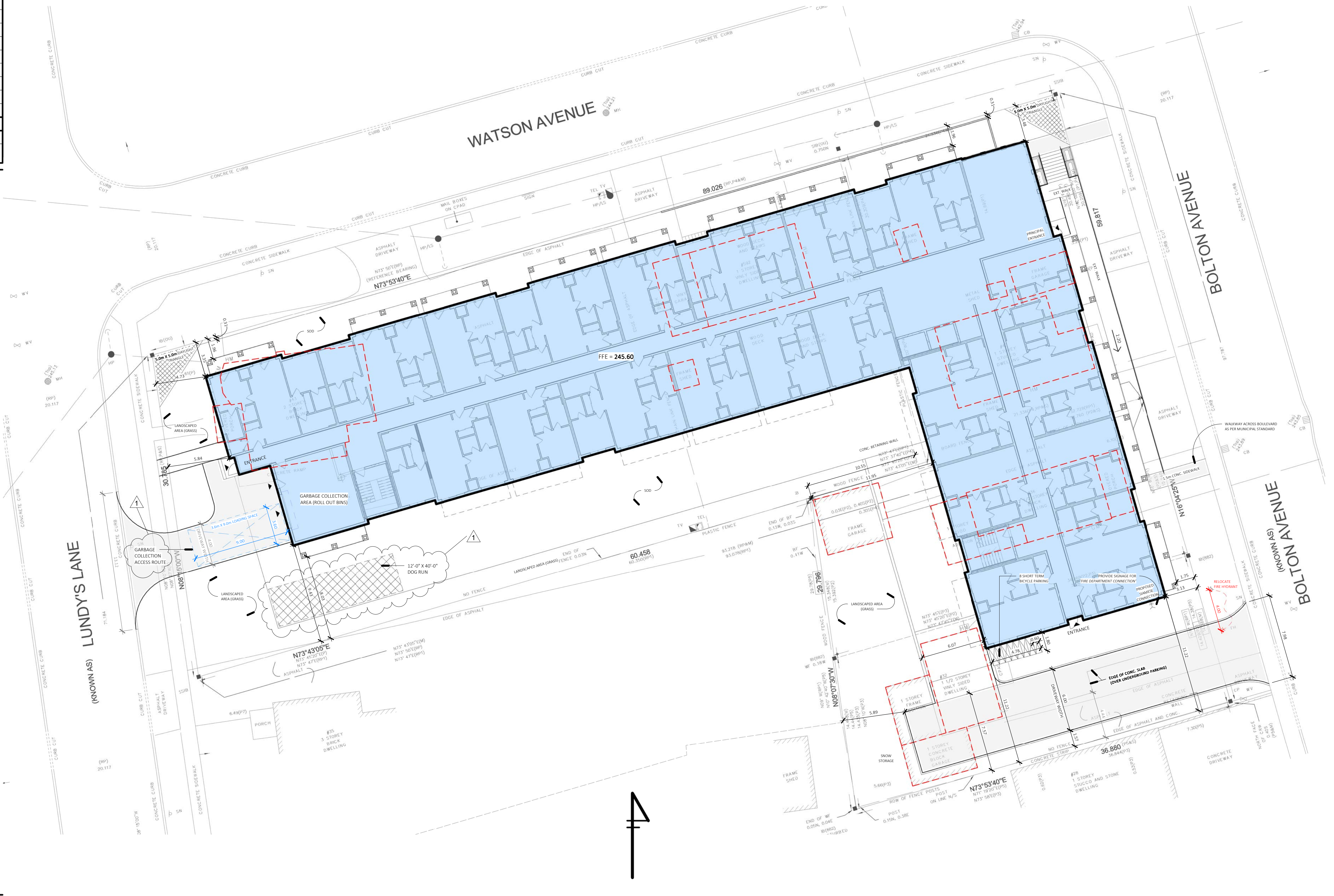
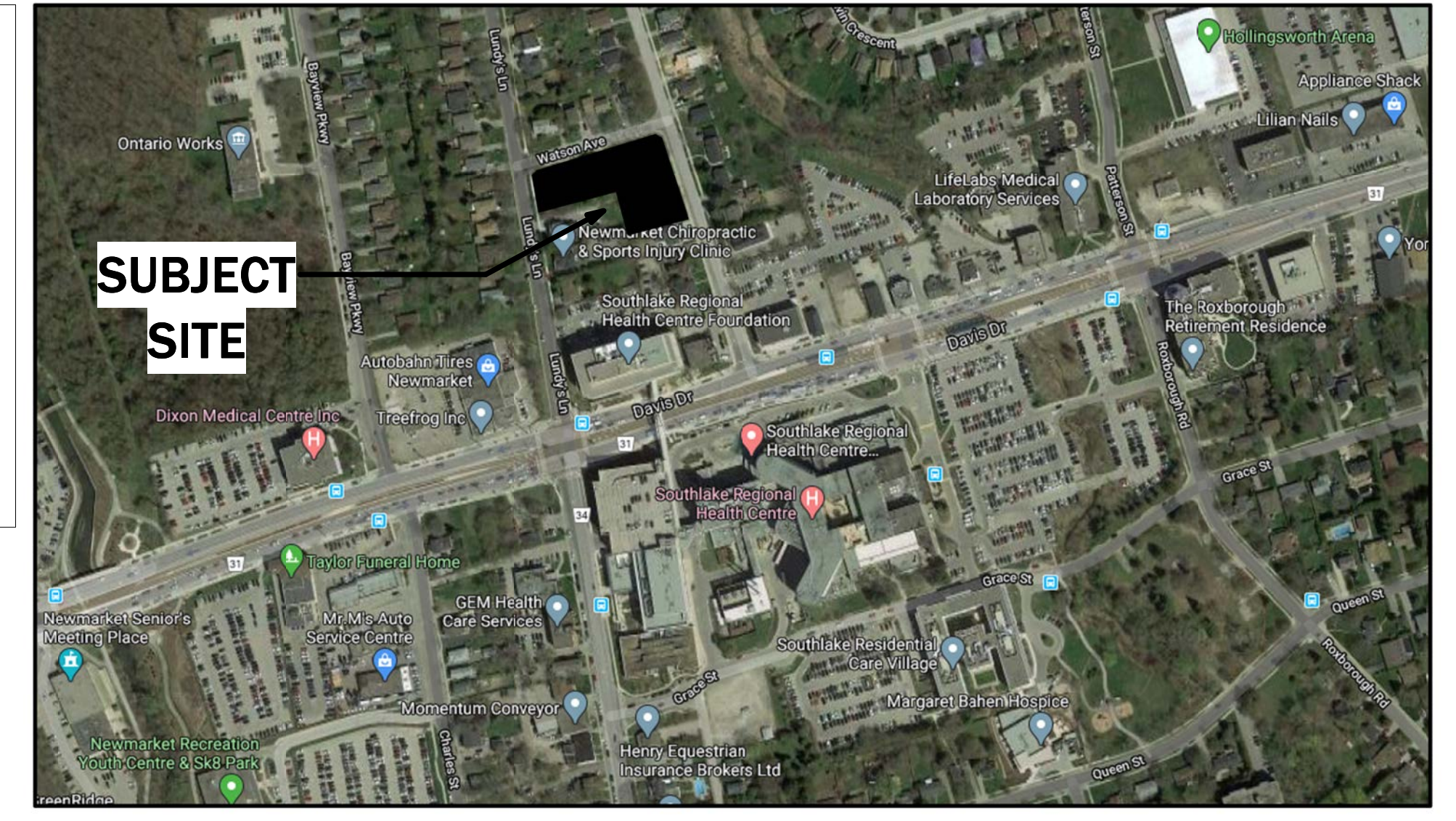
ZONING INFORMATION AS PER:

THE CORPORATION OF THE TOWN OF NEWMARKET ZONING BY-LAW 2019-06 JUNE 10, 2019

SITE INFORMATION TAKEN FROM:

PLAN OF SURVEY SHOWING TOPOGRAPHICAL INFORMATION OF LOTS 15, 16, 17 AND 18 REGISTERED PLAN 125 AND LOT 6 AND PART OF LOT 5 REGISTERED PLAN 91 TOWN OF NEWMARKET REGIONAL MUNICIPALITY OF YORK

KRCMAR SURVEYORS LTD. 2020
1137 CENTRE STREET
THORNHILL ON L4J 3M6
905-738-0053



FIRM NAME STAMP AND HAMMER INC. 17-1100 GORHAM STREET NEWMARKET, ON		CERTIFICATE OF PRACTICE NUMBER: 4951 <small>OF THE TOWN OF THE TOWN OF YORK</small>	
NAME OF PROJECT the LUNDY LANE FLATS		LOCATION: 43 LUNDY'S LANE NEWMARKET ON L3Y 3R7 TOWN OF NEWMARKET	
ITEM	2012 BUILDING CODE, O. REG 332/12 DATA MATRIX PARTS 3 OR 9	BUILDING CODE REFERENCE REFERENCES ARE TO DIVISION B UNLESS NOTED (A) FOR DIVISION A OR (C) FOR DIVISION C.	
1	PROJECT DESCRIPTION	<input type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> CHANGE OF USE <input type="checkbox"/> ALTERATION	<input type="checkbox"/> PART 11 <input type="checkbox"/> PART 3 <input type="checkbox"/> PART 9
2	MAJOR OCCUPANCY(S)	GROUP 'C'	
3	BUILDING AREA (m²)	EXISTING: 0.00 NEW: 2,882.54 TOTAL: 2,882.54	3.1.2.1.(1) 9.10.2
4	GROSS AREA (m²)	EXISTING: 0.00 NEW: 0.00 TOTAL: 7,211.75 (NOT INCLUDING BASEMENT)	1.4.1.2. [A] 1.4.1.2. [A]
5	BASEMENT/GARAGE:	1ST FLR: 1,876.22 2ND FLR: 1,884.47 3RD FLR: 1,884.47 4TH FLOOR: 890.54 5TH FLOOR: 218.76	
6	NUMBER OF STOREYS	ABOVE GRADE: 5 BELOW GRADE: 1	1.4.1.2. [A] & 3.2.1.1. 1.4.1.2. [A] & 9.10.4
7	NUMBER OF STREETS/FIRE FIGHTER ACCESS	3 (THREE)	3.2.2.10. & 3.2.5. 9.10.20.
8	BUILDING CLASSIFICATION	3.2.2.43. GROUP C, up to 6 STOREYS, SPRINKLERED, NONCOMBUSTIBLE	3.2.2.20.-83 9.10.2
9	SPRINKLER SYSTEM PROPOSED	<input type="checkbox"/> ENTIRE BUILDING <input type="checkbox"/> SELECTED COMPARTMENTS <input type="checkbox"/> SELECTED FLOOR AREAS <input type="checkbox"/> BASEMENT <input type="checkbox"/> IN LIEU OF ROOF RATING <input type="checkbox"/> NOT REQUIRED	3.2.2.20.-83 3.2.1.5. 3.2.2.17. INDEX INDEX 9.10.8.2
10	STANDPIPE REQUIRED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	3.2.9. N/A
11	FIRE ALARM REQUIRED	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	3.2.4. 9.10.18.
12	WATER SERVICE/SUPPLY IS ADEQUATE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	3.2.5.7 N/A
13	HIGH BUILDING	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	3.2.6. N/A
14	CONSTRUCTION REQUIREMENTS	<input type="checkbox"/> COMBUSTIBLE PERMITTED <input type="checkbox"/> COMBUSTIBLE <input checked="" type="checkbox"/> NON-COMBUSTIBLE <input type="checkbox"/> BOTH REQUIRED	3.2.2.20.-83 9.10.6.
15	ACTUAL CONSTRUCTION	<input type="checkbox"/> COMBUSTIBLE <input checked="" type="checkbox"/> NON-COMBUSTIBLE <input type="checkbox"/> BOTH	
16	MEZZANINE(S) AREA (m²)		3.2.1.1.(3)-(8) 9.10.4.1.
17	OCCUPANT LOAD BASED ON	<input checked="" type="checkbox"/> m ² /PERSON <input type="checkbox"/> DESIGN OF BUILDING LOAD (NO CHANGE) PERSONS	3.1.1.7. 9.1.1.3.
18	BARRIER-FREE DESIGN	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO; BUILDING DESIGN NOT SUITABLE	3.8. 9.5.2.
19	HAZARDOUS SUBSTANCES	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	3.3.1.2. & 3.3.1.19. 9.10.1.3.(4)
20	REQUIRED FIRE RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES (FRR HOURS(S)) FLOORS (1) HOURS ROOF (N/A) HOURS FRR OF SUPPORTING MEMBERS FLOORS (1) HOURS ROOF (N/A) HOURS	LISTED DESIGN NO. OR DESCRIPTION (SB-2) LISTED DESIGN NO. OR DESCRIPTION (SB-2)
21	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS	3.2.3. 9.10.14.	3.2.3. 9.10.14.
22	WALL AREA OF EBF (m²)		
23	L.D. (m)		
24	L/N OR H/L		
25	PERMITTED MAX % OF OPENINGS		
26	PROPOSED % OF OPENINGS		
27	FRR (HOURS)		
28	LISTED DESIGN OR DESCRIPTION		
29	COMB. CONST.		
30	COMB. CONST. CLADDING		
31	NON-COMB. CONST.		
32	NON-COMB. CONST.		
33	(ADDITIONAL 1)		
34	OTHER - DESCI		

STAMP & HAMMER

STAMP & HAMMER
17-1100 GORHAM STREET
NEWMARKET ON L3Y 8Y8
905-235-3933
info@stampandhammer.com

INFILE DEVELOPMENT | NEW CONSTRUCTION | MULTI-RESIDENTIAL | 4 STOREY | APARTMENT BLDG.

LUNDY LANE FLATS
43 LUNDY'S LANE
NEWMARKET ON L3Y 3R7
TOWN OF NEWMARKET

SCALE: As indicated

DATE: NOVEMBER 2020

TITLE: SITE PLAN

2022-09-03 15:02:27 PM

NO.	DESCRIPTION	REVISION	SCHEDULE	DATE	BY
1	SITE PLAN APPLICATION SUBMISSION 2			2021-02-21	M.S.
2	SITE PLAN APPLICATION SUBMISSION 3			2021-02-21	M.S.

FILED AND DEPOSITED IN ACCORDANCE WITH THE REGISTRATION ACT FOR THE ONTARIO PROFESSIONAL ENGINEERS WITH MY FIRM.