



DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket

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M E M O R A N D U M

TO: Jason Unger, B.E.S., M.PL., MCIP, RPP, Director, Planning and Building Services

FROM: Sepideh Majdi, P.Eng., Manager, Development Engineering

DATE: February 10, 2021

RE: Application for Minor Variance
Made by: Mohammadnazari, Sharareh & Hassany, Abbas
File No.: D13-A03-21
438 Bristol Road
PCL 244-1, SEC M75 ; LT 244, PL M75 , S/T RIGHT LT189699
Town of Newmarket Ward 4
Engineering Services File No.: R. Bristol Rd

We herein acknowledge receipt of the Application for Minor Variance wherein the applicant is proposing to add an accessory dwelling unit. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 5.3.1 Minimum Off-Street Parking Requirements to permit one parking space for an accessory dwelling unit within a garage, whereas the By-law requires parking spaces be provided exterior of any garage.

We have concerns with this application, as allowing this request may result in additional cars parking on the road. We have been advised that parking requirements are typically commented on by the Planning Department and Planning have been supporting requests of this nature. For the sake of consistency, it is our opinion that Engineering should defer comments to the Planning Department and not object to this request at this time.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

Sepideh Majdi, P.Eng.
Manager, Development Engineering

Morton, Devon

From: Development Services <developmentservices@york.ca>
Sent: February 12, 2021 2:50 PM
To: Morton, Devon
Subject: FW: D13-A03-21 Committee of Adjustment - Notice of Application Circulation (February 24, 2021)

Good afternoon Devon,
The Regional Municipality of York has completed its review of the above minor variance and has no comment.
Regards,

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca

From: Morton, Devon <dmorton@newmarket.ca>
Sent: Tuesday, February 2, 2021 5:02 PM
To: jtaylor <jtaylor@newmarket.ca>; Woodhouse, Victor <vwoodhouse@newmarket.ca>; Kwapis, Bob <bkwapis@newmarket.ca>; Bisanz, Christina <cbisanz@newmarket.ca>; Simon, Grace <gsimon@newmarket.ca>; Broome, Kelly <kbroome@newmarket.ca>; Twinney, Jane <jtwinney@newmarket.ca>; Morrison, Trevor <tmorrison@newmarket.ca>; Sharma, Jag <jsharma@newmarket.ca>; Noehammer, Peter <pnoehammer@newmarket.ca>; Unger, Jason <junger@newmarket.ca>; Potter, David <dpotter@newmarket.ca>; Prudhomme, Rachel <rprudhomme@newmarket.ca>; Majdi, Sepideh <smajdi@newmarket.ca>; Schell, Ryan <rschell@cyfs.ca>; Villanueva, Lawrence <lvillanueva@newmarket.ca>; Lyons, Lisa <llyons@newmarket.ca>; Saini, Kiran <ksaini@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; mikeufi@rogers.com; pwassenaer1022@rogers.com; shane@urbanforestinnovations.com; L.Tafreshi@lsrca.on.ca; christian.singh@ontario.ca
Cc: Cammaert, Adrian <acammaert@newmarket.ca>; Cho, Patricia <pcho@newmarket.ca>
Subject: Committee of Adjustment - Notice of Application Circulation (February 24, 2021)

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, forward it to isitsafe@york.ca then delete it from your inbox. If you think you may have clicked on a phishing link, report it to the IT Service Desk, ext. 71111, and notify your supervisor immediately.

Good Evening,

The next virtual Committee of Adjustment hearing will be held on Wednesday, February 24th, 2021 at 9:30 a.m. The Committee of Adjustment will consider the following applications:

- D13-A01-21 – 455 Harry Walker Parkway (Ward 2)
The applicant is proposing construction of two medium hazard industrial buildings for employment uses. Application is to seek relief to the landscape buffer use and width, and the minimum front yard.

- D13-A02-21 – 125 Prospect Street (Ward 2)
The applicant is proposing reconstruction of a second-storey balcony. Application is to seek relief to the definition of ‘balcony’.
- D13-A03-21 – 438 Bristol Road (Ward 4)
The applicant is proposing to add an accessory dwelling unit. Application is to seek relief to permit one parking space for an accessory dwelling unit to be within a garage.
- D13-A04-21 – 625 McGregor Farm Trail (Ward 7)
The applicant is proposing to add an accessory dwelling unit. Application is to seek relief to permit one parking space for an accessory dwelling unit to be within a garage.
- D10-B01-21 – 855 Mulock Drive (Ward 5)
College Manor Shops Inc. (The Landlord) is proposing to permit the lease agreement registered on title between the Landlord and TDL Group Inc. (the Tenant) to be extended for a period of 21 years or greater.

The Committee invites your advice and comments on these matters. The Committee would like to receive comments, if possible, by **Tuesday, February 16th, 2021**. For your convenience, you may download the submitted documents in digital format and Notice of Hearing on the Town’s file share site with the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=0vx2CgH>

Please let me know if you have any questions.

Regards,



Devon Morton, B.U.R.PI

Planner, Committee of Adjustment & Cultural Heritage

Secretary-Treasurer to the Committee of Adjustment

Planning and Building Services

dmorton@newmarket.ca

www.newmarket.ca

Please note that I am working remotely due to the COVID-19 pandemic and can be reached by email.

Morton, Devon

From: Brenda Malloy <brendamalloy@hotmail.com>
Sent: February 19, 2021 3:39 PM
To: Morton, Devon
Subject: File Number D13-A03-21 - 438 Bristol Road Newmarket

Hello Mr. Morton,

My husband Jim and I strongly object to the owner at 438 Bristol Road Newmarket's proposal for the addition of an Accessory Dwelling Unit within the existing residential dwelling. We don't understand the wording "proposal". The owner is currently renting the upper portion of the house to one family and he has built an apartment in the basement and has a tenant living there. Is he also proposing to split this supposedly single family dwelling into yet another apartment? Or does this mean that he has illegally rented out the basement? One of the neighbours called the town months ago asking about the legality of an apartment being allowed with the small basement windows but hasn't heard back from the town.

We strongly object to the application for relief from Section 5.3.1 Minimum Off-Street Parking Requirements to permit one (1) parking space for an Accessory Dwelling Unit to be provided withing the existing garage.

Thank you for asking for our input. We don't know how a group home is allowed at 483 Bristol Road. There are numerous cars parked at the house, in front of the house and across the street. There was reportedly someone running around outside with no clothes on. There are care workers in PPE coming and going and we have seen police cars. A few months ago the police came to pick up someone who was loitering half dressed in front of a house a few doors down. This house is 2 blocks from Denne Public School. The neighbours were not notified by the town of this group home. If we lived beside this group home we would have been forced to sell our home.

The Real Estate agent told the previous owners that the new owners of 438 Bristol own other rental properties. As soon as they took possession in August 2020 they started renovating the house. A neighbour called the town and asked if they had a building permit and suddenly a building permit appeared on the front window. The previous owner said that the small windows in the basement are a death trap in case of a fire. There would be a kitchen down there as well as the furnace, hot water tank and water softener. The new owners asked what year the basement rec room was completed and the Real Estate agent said they would not be happy because the small basement windows do not fit the criteria to pass the fire regulations as an apartment dwelling.

Bristol Road is a main thoroughfare and a school and town bus route and is busy with foot traffic, children walking to school and people walking. It is dangerous to have numerous cars either from tenants or visitors parking on the street. We have had cars speeding and actually had a tree knocked down across the street twice and someone lost control and drove up a neighbour's front yard. A pedestrian was hit a few years ago, we are in a community safety zone but it doesn't stop people from speeding and driving erratically around vehicles parked on the street. Also people are parking their cars on the street to collect mail from the community box.

Currently there is a quiet family living upstairs at 438 Bristol Road but who knows how many people will move in when they move out. We are concerned that the house may be turned into a group home, halfway house, frat house or Airbnb perhaps resulting in noisy parties and backyard pollution with smoking weed, etc. I have environmental allergies and wouldn't be able to go outside if this was the case. I know personally of people renting a house who have brought other people in and are using sleeping bags in the living room.

A few doors down a house was being rented to numerous unrelated people. The front of the house was littered with junk and the neighbours said the tenants were throwing garbage into the backyard. They have since moved out.

We believe that the new owner has no interest in the well being of the families in our community, his only interest is the business of making as much money as he can possibly squeeze out of his business of property rentals. The house is not meant to have unrelated people living there. The walls are thin and noise travels through the vents. How safe is a kitchen situated in the basement with windows too small and too high to crawl out of in case of a fire? We are afraid that there will be a high turnover as tenants realize this. How many families with young children would want to have someone they don't know living below them and sharing the back yard? How many unrelated people could move in next and will they take care of the property and not disturb the neighbours? Not only could this affect our quality of life but it could also result in a decrease in our property value should we decide to sell. Our driveways only fit 2 cars due to the sidewalk. We object to the application to allow one extra parking space in the garage which will only encourage the landlord to rent the house to more people. We always thought we lived in an area of single family dwellings.

Thanks for listening to our concerns.

Jim and Brenda Malloy

434 Bristol Road

Newmarket, ON

Morton, Devon

From: Inge-Julio <jc.ik@bell.net>
Sent: February 19, 2021 11:58 AM
To: Morton, Devon
Subject: D13-A03-21 APPLICATION FOR MINOR VARIENCE @ 438 BRISTOL RD, NEWMARKET, WARD 4

Importance: High

NEWMARKET DOES NOT NEED **ABSENTEE LANDLORDS** IN A FIRMLY ESTABLISHED RESIDENTIAL NEIGHBORHOOD

Our answer to this belated request is NO.

Our neighborhood consists of **fully detached, single family homes** and, it is one of the most desired location of our Town for that main reason, **single family**, which it is not the case here since 2 non-related tenants (with mor coming) are currently living on this property already.

At the time of this request, brought up as an **after thought**, the inhabitants of this dwelling are renters while the owners live elsewhere and are *de facto* “absentee landlords”.

This type of accommodations has a negative impact on street level parking, the more “tenants” the worse for the neighbourhood as currently found in other areas of Newmarket.

Allowing basements to be used as living quarters has a serious drawback from a Health & Safety point of view, since these basements lack an independent means of egress, i.e., fire escape route with direct and, unencumbered access to the outdoors. These basements also lack sufficient means of ventilation, specially when tasks as cooking, natural gas furnace, water treatment, laundry, etc.

Along with the above we wish to be notified of the decisions of the Committee of Adjustment as it pertains to this application.

Thank you for your time,

Inge K. Ruddies, Owner
Julio C. Santos, Owner

