



Town of Newmarket

Minutes

Committee of Adjustment

Date: Wednesday, August 31, 2022
Time: 9:30 AM
Location: Electronic VIA ZOOM
See How to Login Guide

Members Present: _____ Gino Vescio, Chair
_____ Seyedmohsen Alavi, Member
_____ Elizabeth Lew, Member
_____ Peter Mertens, Member
_____ Ken Smith, Member
_____ Michelle Starnes, Member

Staff Present: _____ Umar Mahmood, Secretary-Treasurer
_____ Janany Nagulan, Planner
_____ Aida Hosseinzadeh, Planner
_____ Joyce Tsui, Planner

1. Public Notice

The Chair gave notice.

2. Conflict of Interest Declarations

No conflicts declared by the Committee.

3. Appeals

No appeals were received.

4. Approval of Minutes

Moved by: Elizabeth Lew, Member

Seconded by: Syedmohsen Alavi, Member

5. Items

5.1 MV-2022-023

The applicant is proposing the construction of rear deck. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 8 Exemption 83. Development Standards, to permit a deck with a rear yard setback measured to the stairs of 10.21m whereas the By-law requires a minimum rear yard setback measured to the stairs of 13.00m.

Annette Martinez, appeared before the Committee and identified themselves as the authorized agent representing the Minor Variance Application MV-2022-023, on behalf of the owner.

Ms. Martinez, stated the proposed design consists of a new elevated deck. Due to conditions on the property they are unable to meet the Zoning requirements for rear yard setback. Ms. Martinez spoke to the easement on the subject property.

The Committee had no further questions or comment.

The public had no further question or comment.

The following correspondence was received and considered by the Committee regarding the application:

1. The Planning Report from Aida Hosseinzadeh, Development Planner, Town of Newmarket, dated August 31, 2022.
2. Memorandum from Moustafa Popal, B.Eng., Engineering Development Coordinator, Town of Newmarket, August 23, 2022.
3. Written comments from Christine Meehan, Associate Planner, The Regional Municipality of York, dated August 10, 2022.
4. Written Comments from Cameron Blaney, Corridor Management Planner I, Ministry of Transportation of Ontario, dated August 17, 2022.
5. Written comments from Shane Stein, Fire Prevention Inspector, Central York Fire Services, dated August 5, 2022.

That Consent Application CON-2022-023 be granted as amended, subject to the following conditions:

- 1. That the variance pertains only to the request as submitted with the application; and,**
- 2. That the development be substantially in accordance with the information and sketch submitted with the application; and,**
- 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.**

Moved by: Syedmohsen Alavi, Member

Seconded by: Michelle Starnes, Member

Carried

5.2 MV-2022-024

The applicant is proposing the construction of a sunroom. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 6.2.2. Zone Standards, to permit a sunroom with a rear yard setback of 6.2m whereas the By-law requires a minimum rear yard setback of 7.5m.

Zee Dukai, appeared before the Committee, and identified themselves as the authorized agent of application MV-2022-018, on behalf of the owner. Mr. Dukai, stated for new construction is for a sunroom on top of an existing deck due to a medical reason for his father's health.

The Committee had no further questions or comment.

The public had no further question or comment.

The following correspondence was received and considered by the Committee regarding the application:

1. The Planning Report from Aida Hosseinzadeh, Development Planner, Town of Newmarket, dated August 31, 2022.
2. Memorandum from Moustafa Popal, B.Eng., Engineering Development Coordinator, Town of Newmarket, August 23, 2022.
3. Written comments from Christine Meehan, Associate Planner, The Regional Municipality of York, dated August 10, 2022.
4. Written Comments from Cameron Blaney, Corridor Management Planner I, Ministry of Transportation of Ontario, dated August 17, 2022.

5. Written comments from Shane Stein, Fire Prevention Inspector, Central York Fire Services, dated August 5, 2022.

6. A petition of support signed by 5 area resident, dated August 18, 2022.

That Minor Variance Application MV-2022-024 be approved, subject to the following conditions:

1. That the variance pertains only to the request as submitted with the application;

2. That the development be substantially in accordance with the information and site plan submitted with the application; and,

3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Moved by: Syedmohsen Alavi, Member

Seconded by: Peter Mertens, Member

Carried

6. Adjournment

The hearing was adjourned.

Moved by: Peter Mertens, Member

Seconded by: Michelle Starnes, Member

Carried

Chair

Date