



# Town of Newmarket

## Minutes

### Committee of Adjustment

Date: Wednesday, April 24, 2024  
Time: 9:30 AM  
Location: Electronic VIA ZOOM

Members Present: \_\_\_\_\_ Michelle Starnes, Chair  
\_\_\_\_\_ Andrea Lewis, Member  
\_\_\_\_\_ Rob Green, Alternate Member

Staff Present:  
\_\_\_\_\_ Umar Mahmood, Secretary-Treasurer  
\_\_\_\_\_ David Sanza, Junior Planner  
\_\_\_\_\_ Peterson Rissis, Junior Planner  
\_\_\_\_\_ Aida Hosseinzadeh, Intermediate Planner  
\_\_\_\_\_ Joyce Tsui, Intermediate Planner

#### 1. Public Notice

The Chair gave notice.

#### 2. Conflict of Interest Declarations

No conflicts of interest were declared by members of the Committee.

#### 3. Appeals

The Secretary-Treasurer confirmed that no appeals had been received to date and the March hearing decisions are now final and binding.

#### 4. Approval of Minutes

Minutes of the regular hearing held on March 27, 2024.

Moved by: Andrea Lewis, Member

Seconded by: Rob Green, Member

**Carried**



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**5. Items**

**5.1 MV-2024-011 – 455-465 Harry Walker Parkway South (Ward 2)**

The Chair called item MV-2024-011 to order.

The applicant is proposing a reduction in required bicycle parking. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 5.3.8 Bicycle Parking to permit 0 long term bicycle parking spaces (8 additional short terms spaces to be provided) whereas By-law requires a minimum of 10 long-term bicycle parking spaces.

The Chair called for the applicant or their representatives for the file to speak before the Committee, and to state their name, address, and preferred pronoun.

The Secretary Treasurer stated that MV-2024-011 has no representative present and is aware of the staff recommendation to defer the application.

**That Minor Variance Application MV-2024-011 be deferred.**

Moved by:               Andrea Lewis, Member

Seconded by:         Rob Green, Member

**Carried**

**5.2 MV-2024-017 – 693 Sunnypoint Drive (Ward 3)**

The Chair called item MV-2024-017 to order.

The applicant is proposing to legalize existing shed. The following relief is requested from Zoning Bylaw 2010-40, as amended:

1. Relief from Section 4.2 Encroachments into Required Yards to permit an accessory structure (existing shed) setback 0.11m to the side property line whereas By-law requires a minimum setback of 2.40m.

The Chair called for the applicant or their representatives for the file to speak before the Committee, and to state their name, address, and preferred pronoun.

Sergei Plehhanov, authorized agent, indicates the reason they need the Minor Variance is that almost all neighbours in the area have the same type of shed. The agent stated the owners need for additional storage.

The Chair asked if the Committee had any other questions for the applicant and asked



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the Secretary-Treasurer if there are any members of the public who wish to address the Committee.

Michelle Starnes, Chair, asked about the size of the shed, what is the use of the building and why it has a regular sized door.

Mr. Plehhanov included that the accessory structure is for storing gardening tool, snow blowers and exterior storage.

The Secretary-Treasurer noted that members of the public are in attendance to speak at today's meeting.

Amanda Persico, neighbour, inquired about the power supply and exhaust running to the shed. Mentioned that the shed is very close to the tree. Site drawings are incorrect and there are two trees on the property.

Mr. Plehhanov mentioned that his arborist report indicated no harm to tree or roots of tree.

Andrea Lewis, Member, asked if the applicant has reviewed the Peer Review of the arborist report from Urban Forest Innovations.

Mr. Plehhanov indicated this was the first time hearing about Peer Review report, and therefore has not reviewed it.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from David Sanza, Junior Planner, Town of Newmarket, dated April 19, 2024.
2. Memorandum from Temi Fashina, Senior Development Coordinator, Town of Newmarket, April 8, 2024.
3. Written comments from Christine Meehan, Planner (Intake Lead), The Regional Municipality of York, dated April 9, 2024.
4. Arborist Peer Review, Philip van Wassenaer, ISA Certified Arborist and Shane Jobber, ISA Certified Arborist, Urban Forest Innovations, Inc. April 16, 2024
5. Written correspondence was received from 1 area residents.

**That Minor Variance Application MV-2024-017 be denied.**

Moved by: Andrea Lewis, Member

Seconded by: Rob Green, Member



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**Carried**

**5.3 MV-2023-018 - 393 Woodspring Ave (Ward 7)**

The Chair called item MV-2023-018 to order.

The applicant is proposing the construction of 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 be provided within the garage whereas the By-law requires parking spaces be provided exterior to a garage.

The Chair called for the applicant or their representatives for the file to speak before the Committee, and to state their name, address, and preferred pronoun.

Valiuddin Mohammei, authorized agent on behalf of the home owners. Parking with the garage. 3 Spaces provide with one being in the garage.

The Chair asked if the Committee had any other questions for the applicant and asked the Secretary-Treasurer if there are any members of the public who wish to address the Committee.

The Secretary-Treasurer noted that there are no members of the public in attendance to speak at today's meeting.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from David Sanza, Junior Planner, Town of Newmarket, dated April 19, 2024.
2. Memorandum from Temi Fashina, Senior Development Coordinator, Town of Newmarket, April 11, 2024.
3. Written comments from Christine Meehan, Planner (Intake Lead), The Regional Municipality of York, dated April 9, 2024.

**That Minor Variance Application MV-2023-018 be approved.**

Moved by: Andrea Lewis, Member

Seconded by: Rob Green, Member

**Carried**



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**5.4 MV-2024-019 – 281 Main Street North (Ward 4)**

The Chair called item MV-2024-019 to order.

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

1. Relief from Section 8.1.1 List of Exceptions (exception 132) to permit 19 townhouse units whereas By-law permit a maximum of 16 townhouse units; and
2. Relief from Section 8.1.1 List of Exceptions (exception 132) to permit a lot frontage of 4.3m per unit whereas By-law requires a minimum lot frontage of 5.0m per unit.

The Chair called for the applicant or their representatives for the file to speak before the Committee, and to state their name, address, and preferred pronoun.

Paul Demczak, Batory Planning and Management, representative of home owner. Presentation for Minor Variance. Was previously approved for a previous design for 16 town homes. Footprint of the previous design remains the same. Interior design has been updated. Increase to visitor parking.

The Chair asked if the Committee had any other questions for the applicant and asked the Secretary-Treasurer if there are any members of the public who wish to address the Committee.

The Chair asked where the change from 16 to 19 units come from.

Mr. Demczak, stated they lowered the proposed grade to allow for more above grade livable space.

The Secretary-Treasurer noted that there is no members of the public in attendance to speak at today's meeting.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from Aida Hosseinzadeh, Intermediate Planner, Town of Newmarket, dated April 19, 2024.
2. Memorandum from Temi Fashina, Senior Development Coordinator, Town of Newmarket, April 11, 2024.
3. Written comments from Christine Meehan, Planner (Intake Lead), The Regional Municipality of York, dated April 18, 2024
4. Arborist Peer Review, Philip van Wassenaer, ISA Certified Arborist and Shane Jobber, ISA Certified Arborist, Urban Forest Innovations, Inc. January 2, 2024



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- 5. Written comments from Farah Faroque, Metrolinx, dated April 19, 2024.
- 6. Written comments from Jessica Lim, Lake Simcoe Region Conservation Authority, dated April 16, 2024.
- 7. Written correspondence was received from 1 area residents,  
**That Minor Variance Application MV-2024-019 be approved.**

Moved by: Andrea Lewis, Member

Seconded by: Rob Green, Member

**Carried**

**6. Adjournment**

The hearing was adjourned.

Moved by: Rob Green, Member

Seconded by: Andrea Lewis, Member

**Carried**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date