



Town of Newmarket

Agenda

Committee of Adjustment

Date: Wednesday, March 26, 2025
Time: 9:30 AM

Pages

1. Public Notice

To participate in the meeting please email umahmood@newmarket.ca or call (905)895-5193 ext.2458 the Friday prior to the meeting.

[ZOOM Link](#)

[How to Login guide](#)

2. Conflict of Interest Declarations

3. Appeals

4. Approval of Minutes

5. Items

5.1	MV-2025-001	1
	203 WILLOW LANE (WARD 4)	
5.2	MV-2025-005	17
	427 ANDREW STREET (WARD 5)	
5.3	MV-2025-009	31
	207 QUEEN STREET (WARD 5)	
5.4	MV-2025-012	45
	1100 GORHAM STREET (WARD 2)	

6. Adjournment



**Committee of Adjustment 1
Town of Newmarket**

395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Notice of Complete Application for Minor Variance and Virtual Public Hearing

In the Matter of Subsection 1 or 2 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and

In the Matter of an application for Minor Variance or for Permission for relief from By-law Number 2010-40, as amended.

File Number: MV-2025-002
Made By: AFSHIN NAJAFI & SOULMAZ BOROUMAND
Subject Land: 203 WILLOW LANE, NEWMARKET, ON
Ward: 4

The purpose and effect of the application is as follows:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

Hearing Date and Time: Wednesday, March 26, 2025 at 9:30 AM

Hearing Location: Virtual via ZOOM (contact the Secretary-Treasurer for more information)

The Town will be hosting a virtual Public Hearing via ZOOM. Members of the public may access the virtual Public Hearing online or by phone and are encouraged to make oral submissions in support of or in opposition to this application. Additional participation information is also available on the Town's website: <https://www.newmarket.ca/committeeofadjustment>

You may also submit written comments in support of or in opposition to this application to the Secretary-Treasurer at umahmood@newmarket.ca. Please provide comments by the Friday prior to the hearing.

If you wish to be notified of the decision of the Committee of Adjustment in respect to the proposed minor variance, you must make a written request to the Committee of Adjustment at 395 Mulock Drive, STN MAIN, Box 328, Newmarket, Ontario L3Y 4X7 or via e-mail at umahmood@newmarket.ca.

For more information about this matter, contact the Secretary-Treasurer at umahmood@newmarket.ca or at 905 895 5193 extension 2458.

If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.



**Committee of Adjustment 2
Town of Newmarket**

395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

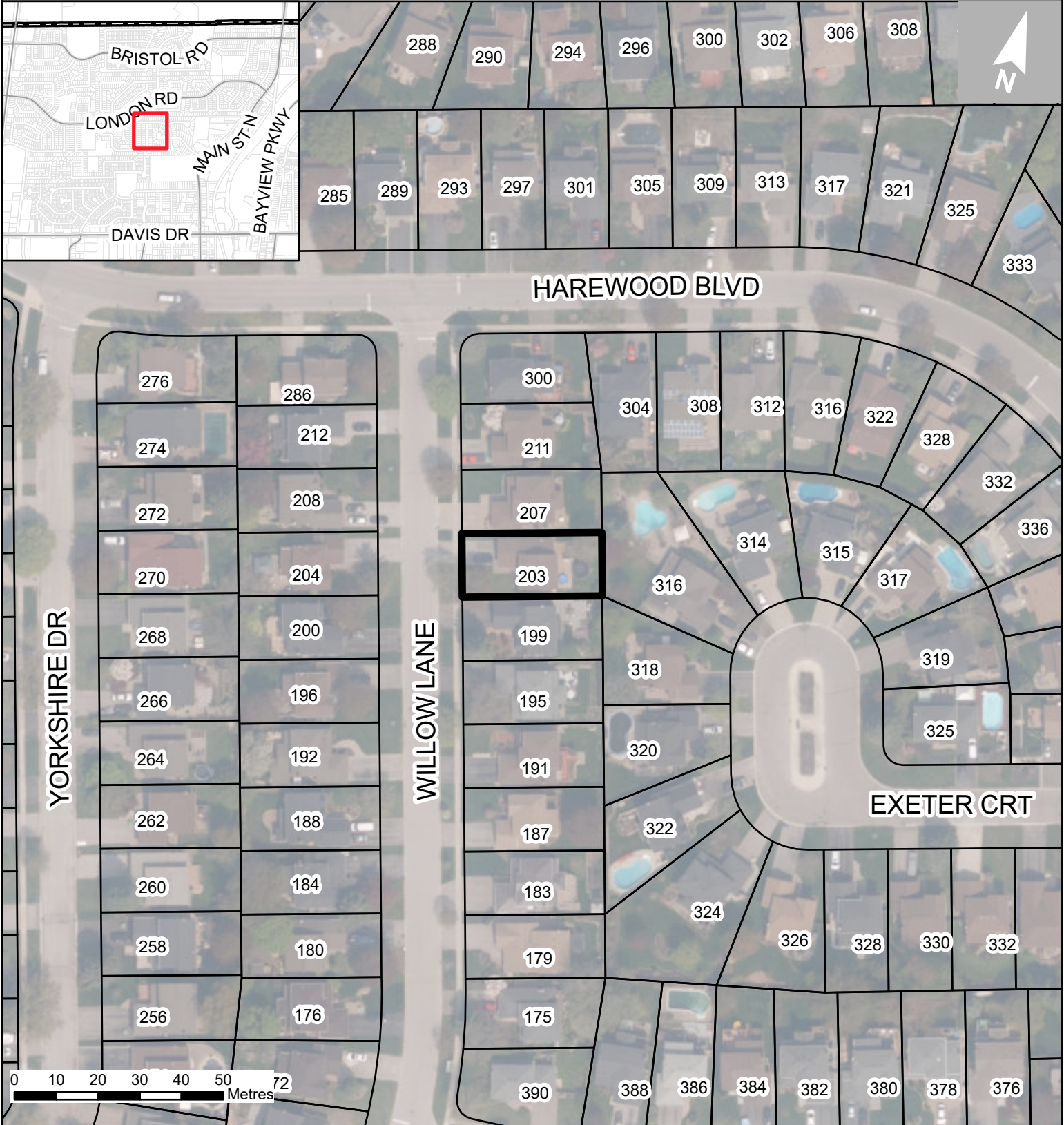
www.newmarket.ca
umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.

Dated at the Town of Newmarket this 5th day of March, 2025.

Secretary-Treasurer
Committee of Adjustment

203 Willow Lane




PLANNING AND BUILDING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

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F: 905.953.5140

Minor Variance Application MV-2025-002

Staff Report to Committee of Adjustment

Report Number: MV-2025-002
 Property Address: 203 Willow Lane
 Made By: Afshin Najafi & Soulmaz Boroumand
 Department(s): Building and Planning Services
 Author(s): David Sanza, Junior Planner
 Report Published: March 21, 2025
 Meeting Date: March 26, 2025

Recommendations:

That Minor Variance Application MV-2025-002 **be approved**.

Clearing Conditions:

1. The applicant will need to submit a sealed grading plan and servicing plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading requirements. There should be no negative impacts on the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department. See Letter MP0014 dated March 13, 2025; and,
2. The Secretary-Treasurer shall receive a letter from the Town of Newmarket, Development and Infrastructure Services – Planning Services Division, indicating that satisfactory arrangements have been made with respect to the Town's Tree Preservation, Protection, Replacement and Enhancement Policy prior to the issuance of any building permit.

Advisory Comments:

1. That the variance pertains only to the requests as submitted with the application;
2. That the development be substantially in accordance with the information submitted with the application;
3. That a maximum of one space in the garage be reserved for the purpose of required parking and for no other use;
4. The municipal boulevard is not recognized as a legal parking space pursuant to Zoning By-law 2010-40; and,
5. Failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Application Information:

An application for Minor Variance has been submitted by the owner of the above-noted property to request relief from Zoning By-law 2010-40, as amended, to permit the construction of an Additional Residential Unit (ARU) in the basement of the existing dwelling and to permit a walkway in the interior side yard.

Zoning Item	Requirement	Proposed	Relief Requested
Minimum Parking Requirements (Section 5.3.1)	Three (3) exterior parking spaces	Two (2) exterior spaces and one (1) interior parking space	One (1) interior parking space
Minimum Side Yard Setback to Below Grade Steps (Section 6.2.2)	Minimum 1.2m	0.9m	0.3m

Area Context

The above-described property (herein referred to as the “subject land”) is located in a residential neighbourhood, south of London Road and west of Main Street North. The subject land is occupied by an existing single-detached dwelling and is surrounded by similar single-detached dwellings.

Current Official Plan Designation and Zoning

Official Plan Designation:	Residential
Residential Character Area:	Traditional Suburban
Zoning By-law:	By-law 2010-40, as amended
Zoning Classification:	Residential Detached Dwelling 15m Zone (R1-D)

Discussion:

The request for variance is to recognize the use of one interior space in the existing double-car garage to meet the minimum number of off-street parking spaces required to facilitate the construction of a legal ARU in the existing single-detached dwelling. The Zoning By-law requires two exterior parking spaces to be provided for the principal dwelling and one exterior parking space for the ARU, for a total of three exterior parking spaces. The application was submitted as the current driveway size (being a double car, side-by-side driveway) cannot accommodate the required three exterior parking spaces. The applicant is also seeking permission to allow a reduced setback to the below grade entrance, the by-law requires 1.2m setback whereas the applicant is proposing 0.9m setback from the property line.

To authorize a variance, Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Test	Discussion
1. Conformity with the General Intent of the Official Plan	<ul style="list-style-type: none"> The existing single-detached dwelling and the proposed Additional Residential Unit (ARUs) are permitted under the OP. Application meets the objectives of the Residential Area policies, as defined in Section 3.1.1. Gradual improvements of residential properties through <i>Planning Act</i> applications are permitted. This test is met.
2. Conformity with the General Intent of the Zoning By-law	<p><u>Variance 1 (Minimum Exterior Parking Spaces)</u></p> <ul style="list-style-type: none"> Section 5.3.1 requires a minimum of three (3) exterior parking spaces. The Proposal requests to consider one (1) of the required spaces in the double car garage. Provided space complies with minimum parking space dimensions (Section 5.2.2) and allows additional space for storage. The Intent of this provision is to ensure a sufficient number of parking spaces are provided for the two dwelling units. Three (3) spaces are provided. This test is met <p><u>Variance 2 (Below Grade Entrance Encroachment)</u></p> <ul style="list-style-type: none"> Section 4.2 does not permit below grade entrances to encroach into interior side yard (Section 6.2.2). A 1.2m setback to the interior side yard is required. Proposal requests to provide a 0.9m setback to interior side yard. Intent is to ensure sufficient space for drainage, lawn maintenance, and stormwater runoff between neighbouring properties. Proposal provides sufficient space for soft landscaping and drainage between properties and provides access to the rear yard. This test is met.
3. Desirable Development of the Lot	<ul style="list-style-type: none"> <u>Variance 1</u>: ARUs contribute to a mix of housing types, allows for a modest increase in density, and supports Town goals of providing more affordable housing options. <u>Variance 2</u>: Provides a safe and convenient means of access to the proposed ARU. Proposed variances are appropriate and desirable for the use of the land. This test is met.
4. Minor Nature of the Variance	<ul style="list-style-type: none"> <u>Variance 1</u>: Number of vehicles generated by the two dwelling units can be accommodated on the property and sufficient space is maintained for storage. <u>Variance 2</u>: Sufficient space is maintained for soft landscaping, drainage, and access. Request variances are minor in terms of anticipated impact This test is met.

Other comments:

- i. **Tree Preservation:** An arborist report was submitted in support of the application that indicates that there are two trees over 20 cm diameter at breast height (DBH) or within 4.5m of the subject property. No trees are proposed for removal to facilitate the construction of the proposal. The Town requires tree protection fencing and securities for all retained trees in accordance with the Tree Preservation, Protection, Replacement and Enhancement policy.
- ii. **Heritage:** The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.
- iii. **Effect of Public Input:** A letter of objection was received concerning the setback for the below grade entrance and the parking on the property.
- iv. **Commenting Agencies and Departments:** All comments received are as of the date of writing this report.

Commenting Agency/Dept.	Date Received	Comment
York Region	03/03/25	No comments on the application
Engineering Services	03/13/25	The applicant will need to submit a sealed grading plan and servicing plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading requirements. There should be no negative impacts on the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department.
Building Services	N/A	No comments received
Lake Simcoe Region Conservation Authority (LSRCA)	03/03/25	Not applicable
Metrolinx	N/A	Not applicable

Staff Recommendation(s):

That the application **be approved** as the relief as requested:

- (1) Meets the general intent and purpose of the Official Plan;
- (2) Meets the general intent and purpose of the Zoning By-law;
- (3) Is considered desirable for the appropriate development of the lot.
- (4) Is minor in nature

Attachments

None

Submitted By:

David Sanza

David Sanza, Junior Planner, Planning & Building Services

Report Contact

David Sanza (dsanza@newmarket.ca), 905-953-5300 Ext. 2466


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

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F: 905 953.5138

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: Moustafa Popal, B. Eng., Senior Engineering Development Coordinator
DATE: March 13th, 2025
RE: Application for Minor Variance
 Made by: AFSHIN NAJAFI & SOULMAZ BOROUMAND
 File No.: MV-2025-002
 203 WILLOW LANE, NEWMARKET, ON
 Town of Newmarket Ward 4
Engineering Services File No.: R. Willow Lane.

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

We have no objection to this proposal given that the applicant submits a sealed grading plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading and drainage requirements. There should be no negative impacts to the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department.

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

A handwritten signature in black ink, appearing to read 'mpopal'.

Moustafa Popal, B.Eng.
Senior Engineering Development Coordinator
MP File No.: MP0014M

From: [Hurst, Gabrielle](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 3:10:01 PM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Good afternoon Umar,
 The Regional Municipality of York has completed its review of minor variance **MV-2025-002** and has no comment.

Regards,

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Development Planning, Economic and Development Services Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

From: Umar Mahmood <umahmood@newmarket.ca>

Sent: Friday, February 28, 2025 5:45 PM

To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; 'Dave Ruggle' <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; Kaitlin McKay <kmckay@newmarket.ca>; Joyce Tsui <JTsui@newmarket.ca>; Aida Hosseinzadeh <AHosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; J.Lim@lsrca.on.ca; A.knapp@lsrca.on.ca; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>

Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation
(Mar 26, 2025)

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.

Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

[| heynewmarket.ca](http://heynewmarket.ca)

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From: [Jessica Lim](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 8:10:48 AM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Good morning Umar,

I hope you had a good weekend. Thank you for circulating the LSRCA on this month's COA applications.

I've reviewed the circulated material and can confirm that all three properties (203 Willow Lane, 427 Andrew St & 207 Queen St) are not located within an area regulated under Ontario Regulation 41/24. As such, we will not be reviewing or providing comment on these applications.

If there's any questions, please let me know.

Thanks,

Jessica Lim
 Planner I
Lake Simcoe Region Conservation Authority
 120 Bayview Parkway
 Newmarket, Ontario L3Y 3W3
 905.895.1281 x 212 | 1.800.465.0437 | Mobile 905.955.1736
j.lim@lsrca.on.ca | www.LSRCA.on.ca

From: Umar Mahmood <umahmood@newmarket.ca>
Sent: February 28, 2025 5:45 PM
To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; Dave Ruggle <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; kmckay <kmckay@newmarket.ca>; Joyce Tsui <jtsui@newmarket.ca>;

ahosseinzadeh <ahosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; Jessica Lim <J.Lim@lsrca.on.ca>; Amy Knapp <A.Knapp@lsrca.on.ca>; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>

Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

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2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage

of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

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<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

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Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

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**Committee of Adjustment 17
Town of Newmarket**

395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Notice of Complete Application for Minor Variance and Virtual Public Hearing

In the Matter of Subsection 1 or 2 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and

In the Matter of an application for Minor Variance or for Permission for relief from By-law Number 2010-40, as amended.

File Number: MV-2025-005
Made By: MATTHEW KAZANDJI
Subject Land: 427 ANDREW STREET, NEWMARKET, ON
Ward: 5

The purpose and effect of the application is as follows:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

Hearing Date and Time: Wednesday, March 26, 2025 at 9:30 AM
Hearing Location: Virtual via ZOOM (contact the Secretary-Treasurer for more information)

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You may also submit written comments in support of or in opposition to this application to the Secretary-Treasurer at umahmood@newmarket.ca. Please provide comments by the Friday prior to the hearing.

If you wish to be notified of the decision of the Committee of Adjustment in respect to the proposed minor variance, you must make a written request to the Committee of Adjustment at 395 Mulock Drive, STN MAIN, Box 328, Newmarket, Ontario L3Y 4X7 or via e-mail at umahmood@newmarket.ca.

For more information about this matter, contact the Secretary-Treasurer at umahmood@newmarket.ca or at 905 895 5193 extension 2458.

If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.

Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.



Committee of Adjustment18

Town of Newmarket

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

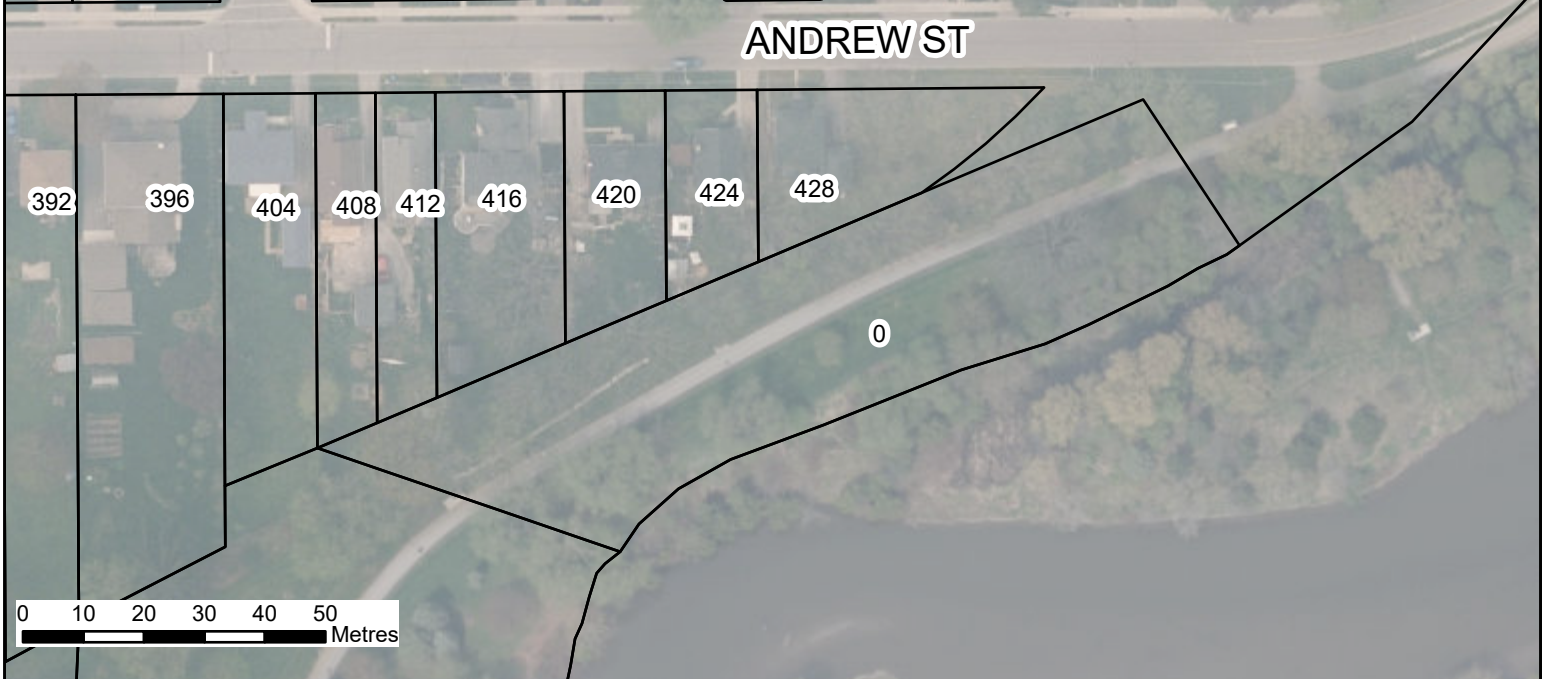
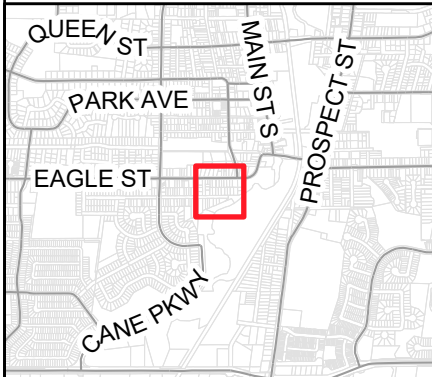
umahmood@newmarket.ca

T: 905.895.5193 Ext. 2458

Dated at the Town of Newmarket this 5th day of March, 2025.

Secretary-Treasurer
Committee of Adjustment

427 Andrew St



0 10 20 30 40 50 Metres



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PLANNING AND BUILDING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

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planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

Minor Variance Application MV-2025-005

Staff Report to Committee of Adjustment

Report Number: MV-2025-005
 Property Address: 427 Andrew Street
 Made By: Matthew Fadi Kazandji
 Department(s): Building and Planning Services
 Author(s): David Sanza, Junior Planner
 Report Published: March 21, 2025
 Meeting Date: March 26, 2025

Recommendations:

That Minor Variance Application MV-2025-005 **be approved**.

Clearing Conditions:

1. The Secretary-Treasurer shall receive a letter from the Town of Newmarket, Development and Infrastructure Services – Engineering division indicating that satisfactory arrangements have been made with respect to Engineering Service's comments made March 14, 2025; and,
2. The Secretary-Treasurer shall receive a letter from the Town of Newmarket, Development and Infrastructure Services – Planning Services Division, indicating that satisfactory arrangements have been made with respect to the Town's Tree Preservation, Protection, Replacement and Enhancement Policy prior to the issuance of any building permit.

Advisory Comments:

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

Application Information:

An application for Minor Variance has been submitted by the owner of the above-noted property to request relief from Zoning By-law 2010-40, as amended, to permit the construction of a new two-storey dwelling.

Zoning Item	Requirement	Proposed	Relief Requested
Maximum lot coverage (Section 6.2.2)	25%	31.5%	6.5%

Area Context

The above-described property (herein referred to as the “subject land”) is located in a residential neighbourhood, south of Eagle Street and east of Lorne Avenue. The subject land is occupied by an existing single-detached dwelling and is surrounded by similar single-detached dwellings.

Current Official Plan Designation and Zoning

Official Plan Designation:	Residential
Residential Character Area:	Historic Core
Zoning By-law:	By-law 2010-40
Zoning Classification:	Residential Detached Dwelling 15m (R1-D)

Discussion:

The requested variance for maximum lot coverage is to permit the development of a new two-storey dwelling. There is an existing two-storey dwelling on the property that would be demolished. The applicant is looking for an increase in proposed lot coverage of 6.5% over the permitted 25%. A reduction in the lot coverage was introduced as part of the Established Neighbourhood Study (2020) to ensure compatible development within the neighbourhood. The proposed dwelling would meet all other requirements of the Zoning By-law provisions,

To authorize a variance, Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Test	Discussion
1. Conformity with the General Intent of the Official Plan	<ul style="list-style-type: none"> The proposed redevelopment of the lot, to incorporate a larger dwelling, is permitted under the OP. Application meets the objectives of the Residential Area policies, as defined in Section 3.1.1 of the Official Plan. Gradual improvements of residential properties through <i>Planning Act</i> applications are permitted. Proposed design maintains the residential character of the neighbourhood while making efficient use of the land. Proposed design promotes a compatible design with the character of the neighbourhood, that enhances livability without negatively impacting surrounding context. This test is met.
2. Conformity with the General	<ul style="list-style-type: none"> The maximum permitted lot coverage for the subject land is 25% (Schedule D), whereas 31.5% is being requested.

Intent of the Zoning By-law	<ul style="list-style-type: none"> The intent of limiting the maximum coverage is to ensure that proposed developments are consistent with the established and planned character of the neighbourhood and to discourage over development by ensuring the proposed dwelling remains proportionate to the lot size. The proposed dwelling complies with all other applicable zone standards, including height and setbacks, mitigating potential visual impacts from the street and neighbouring properties from the increase in massing. This test is met
3. Desirable Development of the Lot	<ul style="list-style-type: none"> The proposed variance would allow the owner to arrange the property in a manner that suits their needs and is compatible with the existing and planned character of the neighbourhood. The proposed variance would result in increased living space for the owner in a manner that is consistent with the established context of the neighbourhood. Proposed variance is appropriate and desirable for the use of the land. This test is met.
4. Minor Nature of the Variance	<ul style="list-style-type: none"> The requested variance is not anticipated to have adverse impacts on neighbouring properties as the proposal complies with all other applicable zone standards, including height and yard setbacks. Visual impacts from the street are mitigated through compliance with the applicable zone standards, such as height and setbacks. Requested variances are minor in terms of anticipated impact. This test is met.

Other comments:

- i. **Tree Preservation:** An arborist report has been submitted in support of the application and indicates that there are eight trees over 20 cm diameter at breast height (DBH) on, or within 4.5m of, the subject property. Three trees are being proposed for removal to facilitate construction of the proposal. Compensation through planting or cash-in-lieu will be collected for the three removed trees. The Town requires tree protection fencing and securities for all retained trees in accordance with the Tree Preservation, Protection, Replacement and Enhancement Policy.
- ii. **Heritage:** The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.
- iii. **Effect of Public Input:** No public input was received as of the date of writing this report.
- iv. **Commenting Agencies and Departments:** All comments received are as of the date of writing this report.

Commenting Agency/Dept.	Date Received	Comment
York Region	03/03/2025	No comments on the application
Engineering Services	03/14/25	The applicant will need to submit a sealed grading plan and servicing plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading requirements. There should be no negative impacts on the grading and drainage of this property or neighbouring

		properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department
Building Services	N/A	No comments received
Lake Simcoe Region Conservation Authority (LSRCA)	03/03/2025	Not applicable
Metrolinx	N/A	Not applicable

Staff Recommendation(s):

That the application **be approved** as the relief as requested:

- (1) Meets the general intent and purpose of the Official Plan;
- (2) Meets the general intent and purpose of the Zoning By-law;
- (3) Is considered desirable for the appropriate development of the lot.
- (4) Is minor in nature

Attachments

None

Submitted By:

David Sanza

David Sanza, Junior Planner, Planning & Building Services

Report Contact

David Sanza (dsanza@newmarket.ca), 905-953-5300 Ext. 2466


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

engineering@newmarket.ca

T: 905 895.5193

F: 905 953.5138

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: Artem Gouchtine, M.Eng., C.E.T., Sr. Engineering Development Coordinator
DATE: March 14, 2025
RE: Application for Minor Variance
 Made by: MATTHEW KAZANDJI
 File No.: MV-2025-005
 427 ANDREW STREET, NEWMARKET, ON
 Town of Newmarket Ward 5
Engineering Services File No.: R. Andrew St.

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

We have no objection to this proposal given that the applicant submits a sealed grading plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading and drainage requirements. There should be no negative impacts to the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

Artem Gouchtine

Artem Gouchtine, M.Eng., C.E.T.

Sr. Engineering Development Coordinator – Residential

File No.: AG021M

From: [Hurst, Gabrielle](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 3:25:00 PM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Good afternoon Umar,
 The Regional Municipality of York has completed its review of minor variance **MV-2025-05** and has no comment.
 Regards,

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Development Planning, Economic and Development Services Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 |
gabrielle.hurst@york.ca | www.york.ca

From: Umar Mahmood <umahmood@newmarket.ca>
Sent: Friday, February 28, 2025 5:45 PM
To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; 'Dave Ruggle' <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; Kaitlin McKay <kmckay@newmarket.ca>; Joyce Tsui <JTsui@newmarket.ca>; Aida Hosseinzadeh <AHosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; J.Lim@lsrca.on.ca; A.knapp@lsrca.on.ca; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>
Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation
(Mar 26, 2025)

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.

Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

[| heynewmarket.ca](http://heynewmarket.ca)

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The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. The message may contain information that is privileged, confidential and exempt from disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*. If you have received this message in error, please notify the sender immediately advising of the error and delete the message without making a copy. Thank you.

From: [Jessica Lim](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 8:10:48 AM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Good morning Umar,

I hope you had a good weekend. Thank you for circulating the LSRCA on this month's COA applications.

I've reviewed the circulated material and can confirm that all three properties (203 Willow Lane, 427 Andrew St & 207 Queen St) are not located within an area regulated under Ontario Regulation 41/24. As such, we will not be reviewing or providing comment on these applications.

If there's any questions, please let me know.

Thanks,

Jessica Lim
 Planner I
Lake Simcoe Region Conservation Authority
 120 Bayview Parkway
 Newmarket, Ontario L3Y 3W3
 905.895.1281 x 212 | 1.800.465.0437 | Mobile 905.955.1736
j.lim@lsrca.on.ca | www.LSRCA.on.ca

From: Umar Mahmood <umahmood@newmarket.ca>

Sent: February 28, 2025 5:45 PM

To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; Dave Ruggle <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; kmckay <kmckay@newmarket.ca>; Joyce Tsui <jtsui@newmarket.ca>;

ahosseinzadeh <ahosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; Jessica Lim <J.Lim@lsrca.on.ca>; Amy Knapp <A.Knapp@lsrca.on.ca>; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>

Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

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Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage

of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

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**Committee of Adjustment31
Town of Newmarket**

395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Notice of Complete Application for Minor Variance and Virtual Public Hearing

In the Matter of Subsection 1 or 2 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and

In the Matter of an application for Minor Variance or for Permission for relief from By-law Number 2010-40, as amended.

File Number: MV-2025-009
Made By: MATTHEW LOREIRO, NORBERTO LOREIRO, & MARIA LOREIRO
Subject Land: 207 QUEEN STREET, NEWMARKET, ON
Ward: 5

The purpose and effect of the application is as follows:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

Hearing Date and Time: Wednesday, March 26, 2025 at 9:30 AM

Hearing Location: Virtual via ZOOM (contact the Secretary-Treasurer for more information)

The Town will be hosting a virtual Public Hearing via ZOOM. Members of the public may access the virtual Public Hearing online or by phone and are encouraged to make oral submissions in support of or in opposition to this application. Additional participation information is also available on the Town's website: <https://www.newmarket.ca/committeeofadjustment>

You may also submit written comments in support of or in opposition to this application to the Secretary-Treasurer at umahmood@newmarket.ca. Please provide comments by the Friday prior to the hearing.

If you wish to be notified of the decision of the Committee of Adjustment in respect to the proposed minor variance, you must make a written request to the Committee of Adjustment at 395 Mulock Drive, STN MAIN, Box 328, Newmarket, Ontario L3Y 4X7 or via e-mail at umahmood@newmarket.ca.

For more information about this matter, contact the Secretary-Treasurer at umahmood@newmarket.ca or at 905 895 5193 extension 2458.

If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.



Committee of Adjustment32

Town of Newmarket

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

umahmood@newmarket.ca

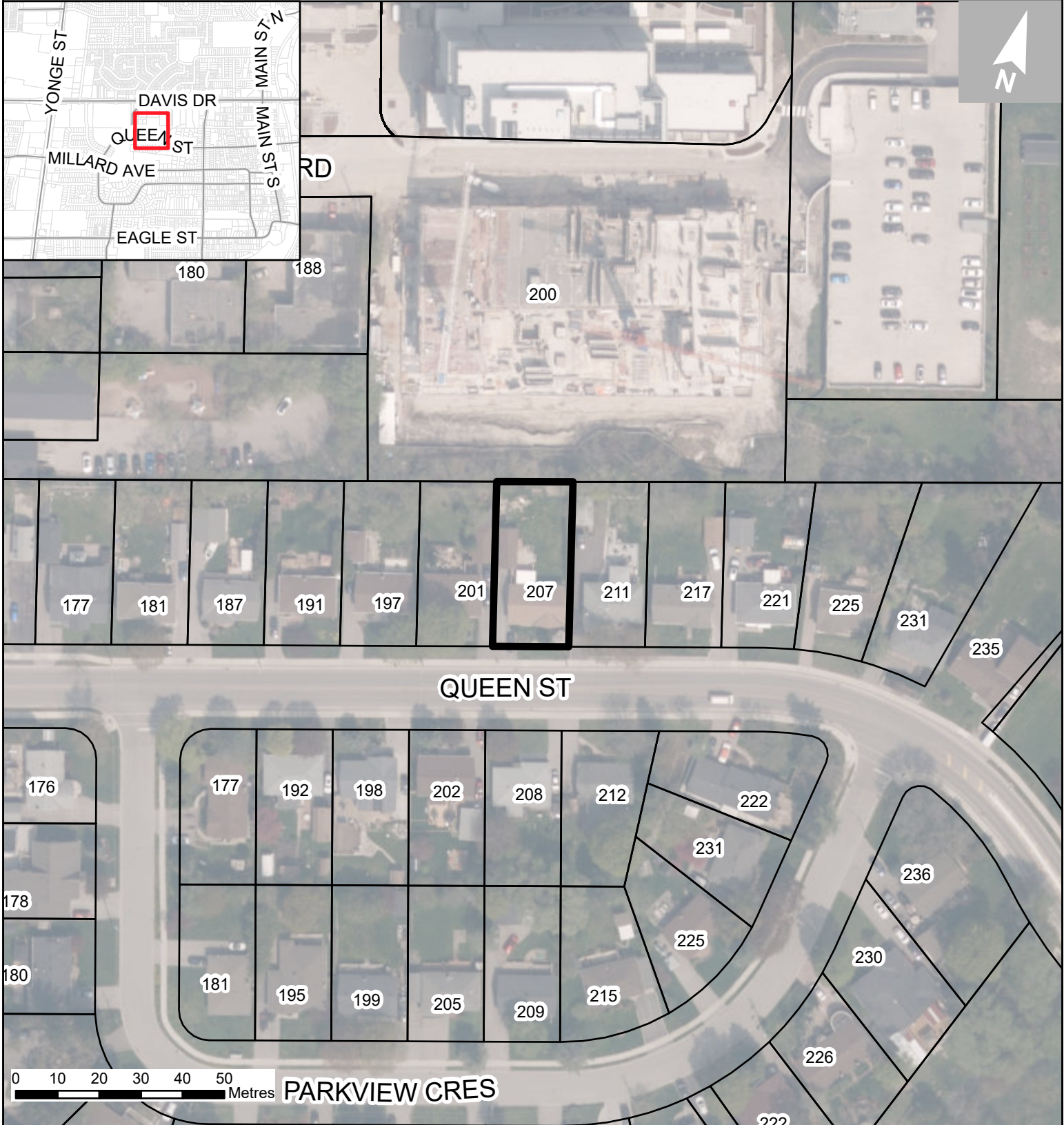
T: 905.895.5193 Ext. 2458

Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.

Dated at the Town of Newmarket this 5th day of March, 2025.

Secretary-Treasurer
Committee of Adjustment

207 Queen Street




PLANNING AND BUILDING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

Minor Variance Application MV-2025-009

Staff Report to Committee of Adjustment

Report Number: MV-2025-009
 Property Address: 207 Queen Street
 Made By: Matthew Loreiro, Norberto Loreiro & Maria Loreiro
 Department(s): Planning Services
 Author(s): Peterson Rissis, Junior Planner
 Report Published: March 21, 2025
 Meeting Date: March 26, 2025

Recommendations:

That Minor Variance Application MV-2025-009 **be approved**.

Clearing Conditions:

1. The Secretary-Treasurer shall receive a letter from the Town of Newmarket, Development and Infrastructure Services – Planning Services Division, indicating that satisfactory arrangements have been made with respect to the Town's Tree Preservation, Protection, Replacement and Enhancement Policy prior to the issuance of any building permit; and,
2. The Secretary-Treasurer shall receive a letter from the Town of Newmarket, Development and Infrastructure Services – Engineering Services Division, indicating that satisfactory arrangements have been made with respect to Engineering Services comments made on March 14, 2025.

Advisory Comments:

1. That the variance pertains only to the requests as submitted with the application; and,
2. That the development be substantially in accordance with the information submitted with the application; and,
3. In accordance with Ontario Reg. 462/24, a minor variance for lot coverage is not required if the proposed additional residential unit is registered with the Town and complies with all applicable provisions. Failure to register or maintain registration of the proposed ARU would cause the subject lands to become out of compliance with the zoning by-law; and,
4. Failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Application Information:

An application for Minor Variance has been submitted by the owner of the above-noted property to request relief from Zoning By-law 2010-40, as amended, to permit the construction of a detached garage located within the rear yard.

Zoning Item	Requirement	Proposed	Relief Requested
Minimum Rear Yard to a Detached Garage (Section 6.2.2)	Minimum 7.5m rear yard	4.57m	2.93m
Minimum Side Yard Setback to a Detached Garage (Section 6.2.2)	Minimum 1.2m for a detached garage up to 4.2m in building height	1.0m	0.2m

Area Context

The above-described property (herein referred to as the “subject land”) is located in a residential neighbourhood, south of Davis Drive and west of Lorne Avenue. The subject land is occupied by an existing single-detached dwelling and is surrounded by similar single-detached dwellings.

Current Official Plan Designation and Zoning

Official Plan Designation:	Residential
Residential Character Area:	Historic Core
Zoning By-law:	By-law 2010-40, as amended
Zoning Classification:	Residential Detached Dwelling 15m Zone (R1-D)

Discussion:

The request for variance is to facilitate the construction of a new detached garage that requires relief from the minimum required interior side yard (west lot line) and rear yard (north lot line). Currently, there is an existing single-detached dwelling and a detached garage located in the rear yard of the subject land that would be demolished. The proposed detached garage would be built in the rear yard in a similar location to the existing detached garage. The applicant is also proposing a new one-storey rear addition to the existing dwelling and an additional residential unit (ARU) located wholly within the basement that would comply with the current zone standards.

A variance for lot coverage for the proposed works is not required in accordance with Ontario Reg. 462/24, which permits up to 45% lot coverage on urban residential lands with an additional residential unit. The applicant would be required to register the ARU and maintain its registration to remain in compliance with the zoning by-law.

To authorize a variance, Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Test	Discussion
1. Conformity with the General Intent of the Official Plan	<ul style="list-style-type: none"> The existing single-detached dwelling and proposed detached garage are permitted by the Official Plan. The application meets the objectives of the Residential Area policies, as defined in Section 3.1.1 and Historic Core Character Area policies (Section 3.2.3). Gradual improvement of residential properties through <i>Planning Act</i> applications is permitted and the proposed variances would not impact the existing or planned character of the neighbourhood. This test is met.
2. Conformity with the General Intent of the Zoning By-law	<ul style="list-style-type: none"> Section 6.2.2 requires a minimum rear yard of 7.5m and a minimum interior side yard of 1.2m for a detached garage up to 4.2m in height. The proposed height of the detached garage is 4.2m. The intent of the provision is to ensure there is a sufficient buffer between a structure and the neighbouring property for drainage, lawn maintenance, stormwater runoff, and access. The proposed variances maintain sufficient space for soft landscaping, drainage, and access around the structure. This test is met.
3. Desirable Development of the Lot	<ul style="list-style-type: none"> The proposed variances would allow the owners to arrange the property in a manner that suits their needs and is compatible with the existing and planned character of the neighbourhood. The proposed variances are appropriate and desirable for the use of the land. This test is met.
4. Minor Nature of the Variance	<ul style="list-style-type: none"> A sufficient buffer is maintained between the neighbouring properties for soft landscaping, drainage, and access. The requested variances are minor in terms of anticipated impact and would not create any undue impacts to adjacent properties. This test is met.

Other comments:

- i. **Tree Preservation:** An arborist report has been submitted in support of the application and indicates that there are ten (10) trees over 20 cm diameter at breast height (DBH) on or within 4.5m of the subject property. No trees are proposed for removal to facilitate construction of the proposal. The Town requires tree protection fencing and securities for all retained trees in accordance with the Tree Preservation, Protection, Replacement and Enhancement policy.
- ii. **Heritage:** The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.
- iii. **Effect of Public Input:** No public input was received as of the date of writing this report
- iv. **Commenting Agencies and Departments:** All comments received are as of the date of writing this report.

Commenting Agency/Dept.	Date Received	Comment
York Region	03/03/2025	No comments on the application
Engineering Services	03/14/2025	No objection to the proposal provided the applicant submits a sealed graded plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading and drainage requirements. There should be no negative impacts to the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department.
Building Services	N/A	No comments received
Lake Simcoe Region Conservation Authority (LSRCA)	N/A	Not applicable
Metrolinx	N/A	Not applicable

Staff Recommendation(s):

That the application **be approved** as the relief as requested:

- (1) Meets the general intent and purpose of the Official Plan;
- (2) Meets the general intent and purpose of the Zoning By-law;
- (3) Is considered desirable for the appropriate development of the lot; and,
- (4) Is minor in nature.

Attachments

None

Submitted By:

P. Rissis

Peterson Rissis, Junior Planner, Planning & Building Services

Report Contact

Peterson Rissis (prissis@newmarket.ca), 905-953-5300 Ext. 2464


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

engineering@newmarket.ca

T: 905 895.5193

F: 905 953.5138

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: Artem Gouchtine, M.Eng., C.E.T., Sr. Engineering Development Coordinator
DATE: March 14, 2025
RE: Application for Minor Variance
 Made by: MATTHEW LOREIRO, NORBERTO LOREIRO, & MARIA LOREIRO
 File No.: MV-2025-009
 207 QUEEN STREET, NEWMARKET, ON
 Town of Newmarket Ward 5
Engineering Services File No.: R. Queen St.

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

We have no objection to this proposal given that the applicant submits a sealed grading plan designed and stamped by a P.Eng of Ontario to the Town, complying with the Town's standards for grading and drainage requirements. There should be no negative impacts to the grading and drainage of this property or neighbouring properties as a result of the proposed changes. Please be advised that this application will require a review by the Building Department.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

Artem Gouchtine

Artem Gouchtine, M.Eng., C.E.T.

Sr. Engineering Development Coordinator – Residential

File No.: AG022M

From: [Hurst, Gabrielle](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 3:51:23 PM
Attachments: [image001.png](#)

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Good afternoon Umar,
 The Regional Municipality of York has completed its review of minor variance **MV-2025-09** and has no comment.
 Regards,

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Development Planning, Economic and Development Services Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 |
gabrielle.hurst@york.ca | www.york.ca

From: Umar Mahmood <umahmood@newmarket.ca>
Sent: Friday, February 28, 2025 5:45 PM
To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; 'Dave Ruggle' <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; Kaitlin McKay <kmckay@newmarket.ca>; Joyce Tsui <JTsui@newmarket.ca>; Aida Hosseinzadeh <AHosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; J.Lim@lsrca.on.ca; A.knapp@lsrca.on.ca; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>
Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation
(Mar 26, 2025)

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.

Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

[| heynewmarket.ca](http://heynewmarket.ca)

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From: [Jessica Lim](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 3, 2025 8:10:48 AM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the Town of Newmarket. **DO NOT** click links or open attachments unless you recognize the sender and trusted content.

Good morning Umar,

I hope you had a good weekend. Thank you for circulating the LSRCA on this month's COA applications.

I've reviewed the circulated material and can confirm that all three properties (203 Willow Lane, 427 Andrew St & 207 Queen St) are not located within an area regulated under Ontario Regulation 41/24. As such, we will not be reviewing or providing comment on these applications.

If there's any questions, please let me know.

Thanks,

Jessica Lim
 Planner I
Lake Simcoe Region Conservation Authority
 120 Bayview Parkway
 Newmarket, Ontario L3Y 3W3
 905.895.1281 x 212 | 1.800.465.0437 | Mobile 905.955.1736
j.lim@lsrca.on.ca | www.LSRCA.on.ca

From: Umar Mahmood <umahmood@newmarket.ca>
Sent: February 28, 2025 5:45 PM
To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; Dave Ruggle <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; kmckay <kmckay@newmarket.ca>; Joyce Tsui <jtsui@newmarket.ca>;

ahosseinzadeh <ahosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; Jessica Lim <J.Lim@lsrca.on.ca>; Amy Knapp <A.Knapp@lsrca.on.ca>; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>

Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

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Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage

of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

[| heynewmarket.ca](http://heynewmarket.ca)

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Committee of Adjustment
Town of Newmarket

395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
umahmood@newmarket.ca
T: 905.895.5193 Ext. 2458

Notice of Complete Application for Minor Variance and Virtual Public Hearing

In the Matter of Subsection 1 or 2 of Section 45 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and

In the Matter of an application for Minor Variance or for Permission for relief from By-law Number 2010-40, as amended.

File Number: MV-2025-012
Made By: CATHY HUMPAGE & KIMBERLEY PERDUE
Subject Land: 1100 GORHAM STREET, NEWMARKET, ON
Ward: 2

The purpose and effect of the application is as follows:

The applicant is proposing a new retail clothing store. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 8.1 (exception 15) Special Provisions to allow a retail clothing store use whereas the By-law does not permit a retail store to include the sale of clothing as a permitted use.

Hearing Date and Time: Wednesday, March 26, 2025 at 9:30 AM
Hearing Location: Virtual via ZOOM (contact the Secretary-Treasurer for more information)

The Town will be hosting a virtual Public Hearing via ZOOM. Members of the public may access the virtual Public Hearing online or by phone and are encouraged to make oral submissions in support of or in opposition to this application. Additional participation information is also available on the Town's website: <https://www.newmarket.ca/committeeofadjustment>

You may also submit written comments in support of or in opposition to this application to the Secretary-Treasurer at umahmood@newmarket.ca. Please provide comments by the Friday prior to the hearing.

If you wish to be notified of the decision of the Committee of Adjustment in respect to the proposed minor variance, you must make a written request to the Committee of Adjustment at 395 Mulock Drive, STN MAIN, Box 328, Newmarket, Ontario L3Y 4X7 or via e-mail at umahmood@newmarket.ca.

For more information about this matter, contact the Secretary-Treasurer at umahmood@newmarket.ca or at 905 895 5193 extension 2458.

If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.

Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.



Committee of Adjustment46

Town of Newmarket

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

www.newmarket.ca

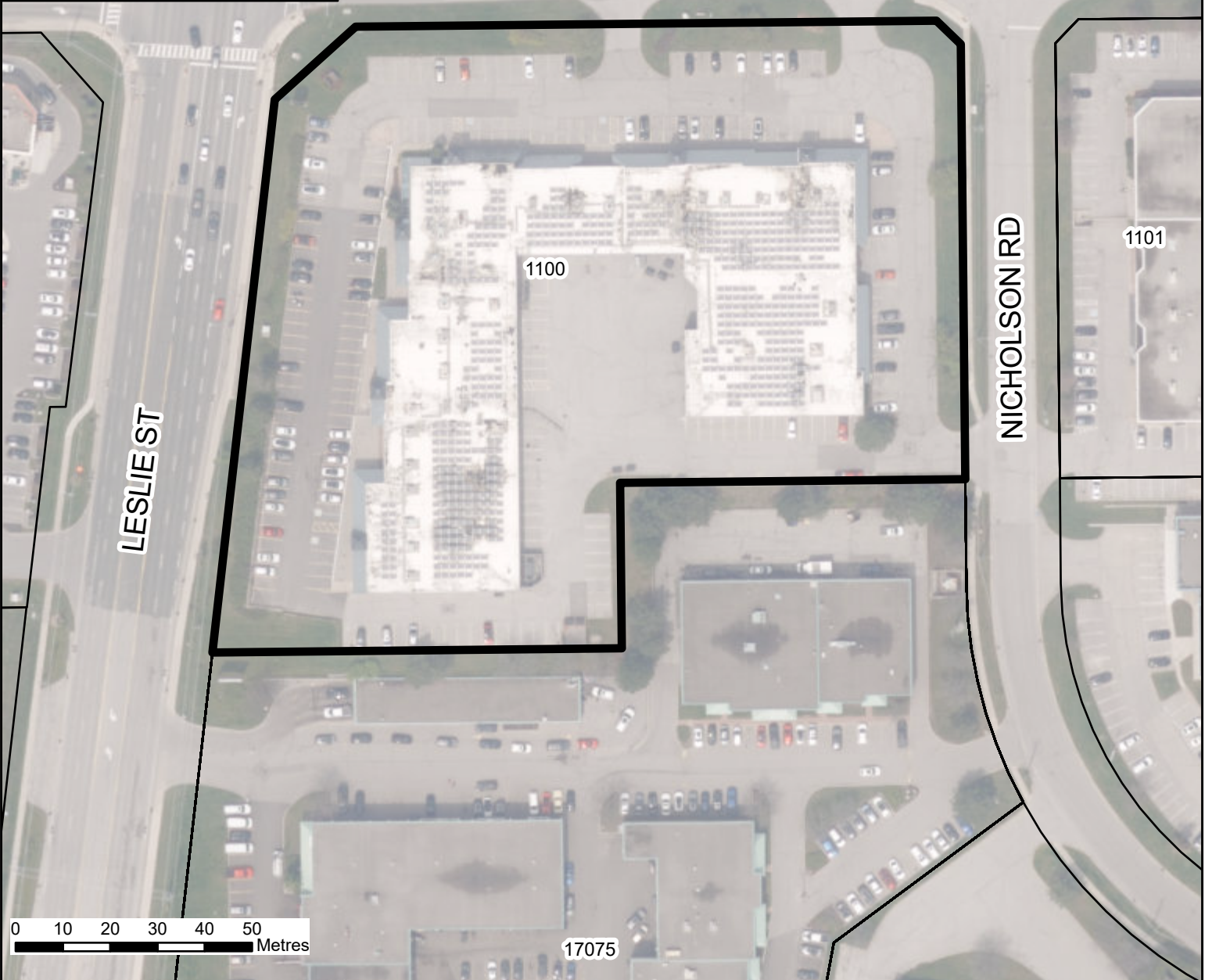
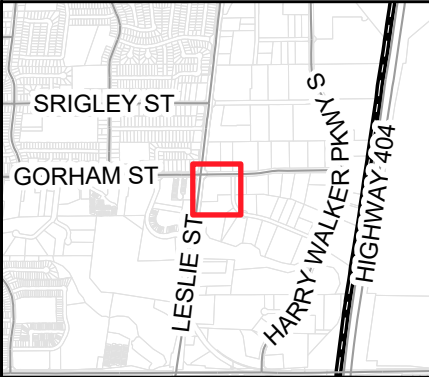
umahmood@newmarket.ca

T: 905.895.5193 Ext. 2458

Dated at the Town of Newmarket this 12th day of March, 2025.

Secretary-Treasurer
Committee of Adjustment

1100 Gorham St




PLANNING AND BUILDING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

Minor Variance Application MV-2025-012

Staff Report to Committee of Adjustment

Report Number: MV-2025-012
 Property Address: 1100 Gorham Street
 Made By: Cathy Humpage & Kimberely Perdue
 Department(s): Planning Services
 Author(s): Peterson Rissis, Junior Planner
 Report Published: March 21, 2025
 Meeting Date: March 26, 2025

Recommendations:

That Minor Variance Application MV-2025-012 **be approved**.

Condition of Approval:

1. In addition to the uses permitted in the EM-15 zone, a standalone retail clothing store shall be permitted in Unit 14 and have a maximum gross floor area of 200 m².

Advisory Comments:

1. That the variance pertains only to the requests as submitted with the application; and,
2. Failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Application Information:

An application for Minor Variance has been submitted by the tenants of the above-noted property to request relief from Zoning By-law 2010-40, as amended, to permit a change of use. The tenant is proposing a retail store (clothing), whereas the by-law does not permit a retail store as a permitted use.

Zoning Item	Permitted Uses	Proposed Use
Section 8.1 exception 15	<ul style="list-style-type: none"> • Banquet facility • Commercial recreation centre • Domestic animal care facility • Drive-thru facility • Emergency Service Facility • Laundromat • Light manufacturing • Medical Office • Micro-industrial Use 	To permit a Retail Store within Unit 14, with a maximum floor area of 200 m ²

	<ul style="list-style-type: none"> • Motor Vehicle Service Shop • Motor Vehicle Rental Establishment • Motor Vehicle Sales Establishment • Personal Service Shop • Personal Wellness Establishment • Private Club • Restaurant • Service or Repair Shop • Sports Arena • Studio • Veterinary Clinic • Warehouse • Wholesale Operations <p>In addition to the uses permitted in the EM zone (Section 6.5.1), the following uses are permitted:</p> <ul style="list-style-type: none"> • Beer store • Liquor store • Car radio sales and installation store • Luxury bathroom and kitchen retail store and show room 	
--	---	--

Area Context

The above-described property (herein referred to as the “subject land”) is located in an employment area on the southeast corner of Gorham Street and Leslie Street. The subject land is occupied by an existing plaza that consists of various employment uses and various small-scale retail uses. The surrounding neighbourhood predominately consists of mixed employment uses, retail, and service commercial uses.

Current Official Plan Designation and Zoning

Official Plan Designation:	Business Park – Mixed Employment
Residential Character Area:	Not applicable
Zoning By-law:	By-law 2010-40, as amended
Zoning Classification:	Mixed Employment Site-Specific Exception 15

Discussion:

The applicant is proposing to permit a Retail Store within the existing plaza, to be wholly located in unit 14 of the plaza and would have an approximate gross floor area of 195 m². The current zoning permits a limited number of retail uses but does not allow for a Retail Store on the subject lands.

To authorize a variance, the Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Test	Discussion
1. Conformity with the General Intent of the Official Plan	<ul style="list-style-type: none"> The Mixed Employment designation permits a variety of uses, including service commercial, professional offices, research and development facilities, and manufacturing within wholly enclosed businesses (Section 6.3.2.1). There are a number of other commercial retail establishments in the plaza that are permitted in the zoning by-law. The proposed retail store is not dissimilar from these other retail uses. This test is met.
2. Conformity with the General Intent of the Zoning By-law	<ul style="list-style-type: none"> The current zoning permits a limited number of retail uses, including a beer store, liquor store, car radio sales and installation, and a luxury bathroom and kitchen retail store. The intent of limiting the number of retail uses under this zoning is to ensure that the employment remains the predominate land use on the site and to prevent large scale redevelopment of employment lands for commercial uses. The proposed retail store maintains this intent and would not introduce a land use to the site that is incompatible with the current permitted retail uses. Employment uses would still remain the predominate land use on the site, with the proposed retail store being wholly located within a single unit with an approximate gross floor area of 195 m². This test is met.
3. Desirable Development of the Lot	<ul style="list-style-type: none"> The proposed variance would allow for a retail use that is similar to the retail uses that are currently permitted by the zoning. The proposed retail clothing store would be limited to a single unit within the building and the primary land use of the subject lands would remain mixed employment uses. This test is met.
4. Minor Nature of the Variance	<ul style="list-style-type: none"> The proposed variance is not anticipated to have a significant impact on the existing uses of the subject property, as the proposed retail store is limited to a single unit within the multi-use building and is not anticipated to generate significant traffic volume to the site. Additionally, no exterior changes are proposed to the site through this application. This test is met.

Other comments:

- i. **Tree Preservation:** No trees would be required to be removed or are anticipated to be impacted by this application.
- ii. **Heritage:** The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.

- iii. **Effect of Public Input:** One letter of support for the application was received.
- iv. **Commenting Agencies and Departments:** All comments received are as of the date of writing this report.

Commenting Agency/Dept.	Date Received	Comment
York Region	03/14/2025	No comments on the application
Engineering Services	03/14/2025	No objection to the application. Please be advised that the application will require a review by the Building Department.
Building Services	N/A	No comments received
Lake Simcoe Region Conservation Authority (LSRCA)	N/A	Not applicable
Metrolinx	N/A	Not applicable

Staff Recommendation(s):

That the application **be approved** as the relief as requested:

- (1) Meets the general intent and purpose of the Official Plan;
- (2) Meets the general intent and purpose of the Zoning By-law;
- (3) Is considered desirable for the appropriate development of the lot;
- (4) Is minor in nature

Attachments

None

Submitted By:

P. Rissis

Peterson Rissis, Junior Planner, Planning & Building Services

Report Contact

Peterson Rissis (prissis@newmarket.ca), 905-953-5300 Ext. 2464


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES
Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

engineering@newmarket.ca

T: 905 895.5193

F: 905 953.5138

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: Artem Gouchtine, M.Eng., C.E.T., Sr. Engineering Development Coordinator
DATE: March 14, 2025
RE: Application for Minor Variance
 Made by: CATHY HUMPAGE & KIMBERLEY PERDUE
 File No.: MV-2025-012
 1100 GORHAM STREET, NEWMARKET, ON
 Town of Newmarket Ward 2
Engineering Services File No.: R. Gorham St.

The applicant is proposing a new retail clothing store. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 8.1 (exception 15) Special Provisions to allow a retail clothing store use whereas the By-law does not permit a retail store to include the sale of clothing as a permitted use.

We have reviewed the application and supporting documentation and have no objection to the application. Please be advised that this application will require a review by the Building Department.

Should you have any questions please contact the undersigned.
Sincerely,

ENGINEERING SERVICES

Artem Gouchtine, M.Eng., C.E.T.

Sr. Engineering Development Coordinator – Residential

File No.: AG023M

From: [Umar Mahmood](#)
To: [Planning](#)
Subject: FW: Committee of Adjustment - MV-2025-012 Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 14, 2025 9:09:27 AM
Attachments: [image001.png](#)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: Friday, March 14, 2025 9:09:14 AM (UTC-05:00) Eastern Time (US & Canada)
To: Umar Mahmood <umahmood@newmarket.ca>
Subject: RE: Committee of Adjustment - MV-2025-012 Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

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Good morning Umar,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Regards,

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Development Planning, Economic and Development Services Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

From: Umar Mahmood <umahmood@newmarket.ca>
Sent: Tuesday, March 11, 2025 2:38 PM
To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <lvillanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; 'Dave Ruggle' <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; Kaitlin McKay <kmckay@newmarket.ca>; Joyce Tsui <JTsui@newmarket.ca>; Aida Hosseinzadeh <AHosseinzadeh@newmarket.ca>; Robin Nadorozny

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Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten <j_scholten@hotmail.com>; James (Jim) Georgeff <j.georgeff@sympatico.ca>; dr.alavialavi@gmail.com

Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

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Good afternoon,

A new item has been added to the March 26th, 2025 meeting agenda. Apologies for the short review window.

The Committee will consider the additional item:

MV-2025-012 (1100 Gorham St) Ward 2:

The applicant is proposing a new retail clothing store. The following relief is requested from Zoning By-law 2010-40, as amended:

1. Relief from Section 8.1 (exception 15) Special Provisions to allow a retail clothing store use whereas the By-law does not permit a retail store to include the sale of clothing as a permitted use.

We are requesting any comments if possible to be provided by Tuesday **March 18** for inclusion in the Planning Staff Report.

Again I apologize for any inconvenience this expedited review may cause.

Please let me know if you have any questions. Thank you.

Regards,
Umar

Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services
Town of Newmarket | [905-953-5300 x2458](tel:905-953-5300) | umahmood@newmarket.ca

Note: Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours.

From: Umar Mahmood <umahmood@newmarket.ca>

Sent: February 28, 2025 5:45 PM

To: Ian McDougall <imcdougall@newmarket.ca>; John Taylor <jtaylor@newmarket.ca>; Victor Woodhouse <vwoodhouse@newmarket.ca>; Bob Kwapis <bkwapis@newmarket.ca>; Christina Bisanz <cbisanz@newmarket.ca>; Grace Simon <gsimon@newmarket.ca>; Kelly Broome <kbroome@newmarket.ca>; Jane Twinney <jtwinney@newmarket.ca>; Trevor Morrison <tmorrison@newmarket.ca>; Peter Noehammer <pnoehammer@newmarket.ca>; Jason Unger <junger@newmarket.ca>; Lawrence Villanueva <Villanueva@newmarket.ca>; Lisa Lyons <llyons@newmarket.ca>; rowcentre@bell.ca; Development Services <developmentsservices@york.ca>; Moustafa Popal <mpopal@newmarket.ca>; John Comeau <jcomeau@newmarket.ca>; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com; Laura Tafreshi <L.Tafreshi@lsrca.on.ca>; 'Dave Ruggle' <D.Ruggle@lsrca.on.ca>; Craig Bickers <cbickers@newmarket.ca>; Andrew Jurrius <ajurrius@newmarket.ca>; Jess McKee <jmckee@newmarket.ca>; CYFS - Prevention <Prevention@cyfs.ca>; Adrian Cammaert <acammaert@newmarket.ca>; Meghan White <mwhite@newmarket.ca>; Kaitlin McKay <kmckay@newmarket.ca>; Joyce Tsui <JTtsui@newmarket.ca>; Aida Hosseinzadeh <AHosseinzadeh@newmarket.ca>; Robin Nadorozny <RNadorozny@newmarket.ca>; David Sanza <DSanza@newmarket.ca>; Peterson Rissis <PRissis@newmarket.ca>; J.Lim@lsrca.on.ca; A.knapp@lsrca.on.ca; Kelly Nesbitt <K.Nesbitt@lsrca.on.ca>; Andria Sallese <asallese@newmarket.ca>; Scott Ansell <sansell@newmarket.ca>; Brahms Bennett <bbennett@newmarket.ca>; Artem Gouchtine <AGouchtine@newmarket.ca>; Christopher Pumo <cpumo@newmarket.ca>; Laura Pott <lpott@newmarket.ca>

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Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)

Hello,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday March 26, 2025 at 9:30 AM.**

The Committee will consider the following applications:

MV-2025-002 (203 Willow Ln) Ward 4:

The applicant is proposing the construction of an Additional Residential Unit (basement apartment). 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; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a below grade entrance/staircase of 0.93m whereas the By-law requires a minimum side yard measured to a below grade entrance/staircase of 1.20m.

MV-2025-005 (427 Andrew St) Ward 5:

The applicant is proposing the construction of a new dwelling. 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 lot coverage of 31.5% whereas the By-law permits a maximum lot coverage of 25%.

MV-2025-009 (207 Queen St) Ward 5:

The applicant is proposing the construction of a new detached garage. 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 rear yard measured to a detached garage of 4.57m whereas the By-law requires a minimum rear yard measured to a detached garage of 7.5m; and
2. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a detached garage of 1.00m whereas the By-law requires a minimum side yard measured to a detached garage of 1.20m.

Comments are requested by **March 14, 2025** or earlier if possible for inclusion in the Staff Report and for the benefit of everyone in attendance at the hearing.

For your convenience, you may access the Notice of Complete Application and all associated submission material using the link below:

<https://tonfileshare.newmarket.ca/share.cgi?ssid=aff055bf033d4c92987606f3d1d75d39>

Please let me know if you have any questions or difficulties accessing the material.

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning & Building Services

905-953-5300 x2458 | umahmood@newmarket.ca

[| heynewmarket.ca](http://heynewmarket.ca)

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From: [Jessica Lim](#)
To: [Umar Mahmood](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Mar 26, 2025)
Date: March 11, 2025 3:09:28 PM
Attachments: [image001.png](#)

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Hi Umar,

1100 Gorham St is not located within an area regulated under Ontario Regulation 41/24, therefore we won't be reviewing or providing comment on this application.

Thanks,

Jessica Lim
 Planner I
Lake Simcoe Region Conservation Authority
 120 Bayview Parkway
 Newmarket, Ontario L3Y 3W3
 905.895.1281 x 212 | 1.800.465.0437 | Mobile 905.955.1736
j.lim@lsrca.on.ca | www.LSRCA.on.ca

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Umar Mahmood

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