



Town of Newmarket

Agenda

Committee of Adjustment

Date: Wednesday, April 30, 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

1

5. Items

5.1 MV-2025-008

8

273 MCCAFFREY ROAD (WARD 7)

6. Adjournment



Town of Newmarket

Minutes

Committee of Adjustment

Date: Wednesday, March 26, 2025
Time: 9:30 AM
Location: Electronic VIA ZOOM

Members Present: _____ Seyedmohsen Alavi, Chair
_____ Andrea Lewis
_____ Michelle Starnes
_____ Josh Scholten
_____ James Georgeff

Staff Present: _____ Robin Nadorozny, Alternate Secretary-Treasurer
_____ David Sanza, Junior Planner
_____ Peterson Rissis, Junior Planner

1. Public Notice

The Chair gave notice.

2. Conflict of Interest Declarations

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

3. Appeals

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

4. Approval of Minutes

Minutes of the regular hearing held on February 26, 2025.

Moved by: Andrea Lewis, Member

Seconded by: Josh Scholten, Member

Carried



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5. Items

5.1 MV-2025-002 – 203 WILLOW LANE (WARD 4)

The Chair called item MV-2025-002 to order.

MV-2025-002

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.

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

Siavash Habibi, Representative, proposing Additional Residential Unit in basement with the Minor Variances listed in the report.

The Chair asked the Committee if they had any questions for the applicant.

Michelle Starnes, Member, mentioned that the side yard entrance is open to the neighbour and has below grade stairs and would like clarification that a hand railing installed. Would like to confirm that 3 feet of walkway still exists on the side yard.

Siavash Habibi, Representative, confirmed that the permit drawings do have the necessary railings on the foundation wall. Confirms that there is 3 feet walkway.

The Chair asked the Committee if they had any questions for the applicant.

Committee members had no questions or comments.

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

Alternate Secretary-Treasurer noted a new raised hand who wished to speak.

J, neighbour had a question regarding the time of construction.

Siavash Habibi, Representative, confirms that they have to apply for building and will



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coordinate with neighbours. Estimates starting end of May.

Brad Richmond, neighbour, can not be heard. The Junior Planner will reach out.

The Chair, noted one objection letter received and explained that an ARU is permitted within the Town of Newmarket and other concerns relate to By-Law concerns and are encouraged to reach out to them.

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

1. The Planning Report from David Sanza, Junior Planner, Town of Newmarket, dated March 21, 2025.
2. Memorandum from Moustafa Popal, Sr. Engineering Development Coordinator, Town of Newmarket, March 13, 2025.
3. Written comments from Gabrielle Hurst, Associate Planner, The Regional Municipality of York, dated March 3, 2025.
4. Written comments from Jessica Lim, Planner, LSRCA, dated March 3, 2025
5. Objection email received March 20, 2025

That application MV-2025-002 be approved as it is minor in nature.

Moved by: Michelle Starnes, Member

Seconded by: James Georgeff, Member

Carried

5.2 MV-2025-005 – 427 ANDREW STREET (WARD 5)

The Chair called item MV-2025-005 to order.

MV-2025-005

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 Bylaw permits a maximum lot coverage of 25%.

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

Yousif Kazandji, Representative, have consulted with planning and agree with report.

The Chair asked the Committee if they had any questions for the applicant.



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James Georgeff, Member, asked if the new house will be the same basic footprint or offset on the property compared to the original house.

Yousif Kazandji, Representative, explained it will approximately the same width and depth offset from the street the same as well.

Committee members had no questions or comments.

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

The Alternate Secretary-Treasurer noted that no members of the public have pre-registered to speak and that there were no members of public in attendance indicating that they wish to speak at today's meeting.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from David Sanza, Junior Planner, Town of Newmarket, dated March 21, 2025.
2. Memorandum from Artem Gouchtine, Sr. Engineering Development Coordinator, Town of Newmarket, March 14, 2025.
3. Written comments from Gabrielle Hurst, Associate Planner, The Regional Municipality of York, dated March 3, 2025.
4. Written comments from Jessica Lim, Planner, LSRCA, dated March 3, 2025

That application MV-2025-005 be approved as it is minor in nature.

Moved by: James Georgeff, Member

Seconded by: Andrea Lewis, Member

Carried

5.3 MV-2025-009 – 207 QUEEN STREET (WARD 5)

The Chair called item MV-2025-009 to order.

MV-2025-009

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



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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.

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

Emeline Decoray, Representative, stated the minor variance meets the 4 tests of the Planning Act, intent of Official Plan and development and use of the land.

The Chair asked the Committee if they had any questions for the applicant.

Committee members had no questions or comments.

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

The Alternate Secretary-Treasurer noted that no members of the public have pre-registered to speak and that there were no members of public in attendance indicating that they wish to speak at today's meeting.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from Peterson Rissis, Junior Planner, Town of Newmarket, dated March 21, 2025.
2. Memorandum from Artem Gouchtine, Sr. Engineering Development Coordinator, Town of Newmarket, March 14, 2025.
3. Written comments from Gabrielle Hurst, Associate Planner, The Regional Municipality of York, dated March 3, 2025.
4. Written comments from Jessica Lim, Planner, LSRCA, dated March 3, 2025

That application MV-2025-009 be approved as it is minor in nature.

Moved by: Josh Scholten, Member

Seconded by: Michelle Starnes, Member

Carried



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5.4 MV-2025-012 – 1100 GORHAM STREET (WARD 2)

The Chair called item MV-2025-012 to order.

MV-2025-012

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.

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

Kimberley Perdue, Applicant, Still in Style is the retail store owned by the applicant and they had to relocate from Main Street to this new location for their retail store.

The Chair asked the Committee if they had any questions for the applicant.

Committee members had no questions or comments.

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

The Alternate Secretary-Treasurer noted that no members of the public have pre-registered to speak and that there were no members of public in attendance indicating that they wish to speak at today's meeting.

Committee had no further comments and questions for the applicant.

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

1. The Planning Report from Peterson Rissis, Junior Planner, Town of Newmarket, dated March 21, 2025.
2. Memorandum from Artem Gouchtine, Sr. Engineering Development Coordinator, Town of Newmarket, March 14, 2025.
3. Written comments from Gabrielle Hurst, Associate Planner, The Regional Municipality of York, dated March 14, 2025.
4. Written comments from Jessica Lim, Planner, LSRCA, dated March 11, 2025
5. Support letter for this retail store.



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That application MV-2025-012 be approved as it is minor in nature.

Moved by: Andrea Lewis, Member

Seconded by: Michelle Starnes, Member

Carried

6. Adjournment

The hearing was adjourned.

Moved by: James Georgeff, Member

Seconded by: Michelle Starnes, Member

Carried

Chair

Date



**Committee of Adjustment 8
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

Amended 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-2025-008
Made By: BAHMAN YAGHOobi & GHAREH MOHAMMADLOU
Subject Land: 273 MCCAFFREY ROAD, NEWMARKET, ON
Ward: 7

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;
2. Relief from Section 4.2 Encroachments into Required Yards to permit a shed setback 0.20m from the side and rear property lines whereas the By-law requires a minimum setback of 1.00m from the side and rear property lines;
3. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a walkway of 0m (at its narrowest point) whereas the By-law requires a minimum side yard of 1.20m measured to a walkway; and
4. Relief from Section 4.2 Encroachments into Required Yards to permit a walkway setback 0m from a side property line in the rear yard and a walkway setback of 0.28m from a side property line in the front yard whereas the By-law requires walkways to be setback a minimum of 0.60m from a side property line.

Hearing Date and Time: Wednesday, April 30, 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.



**Committee of Adjustment 9
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

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.

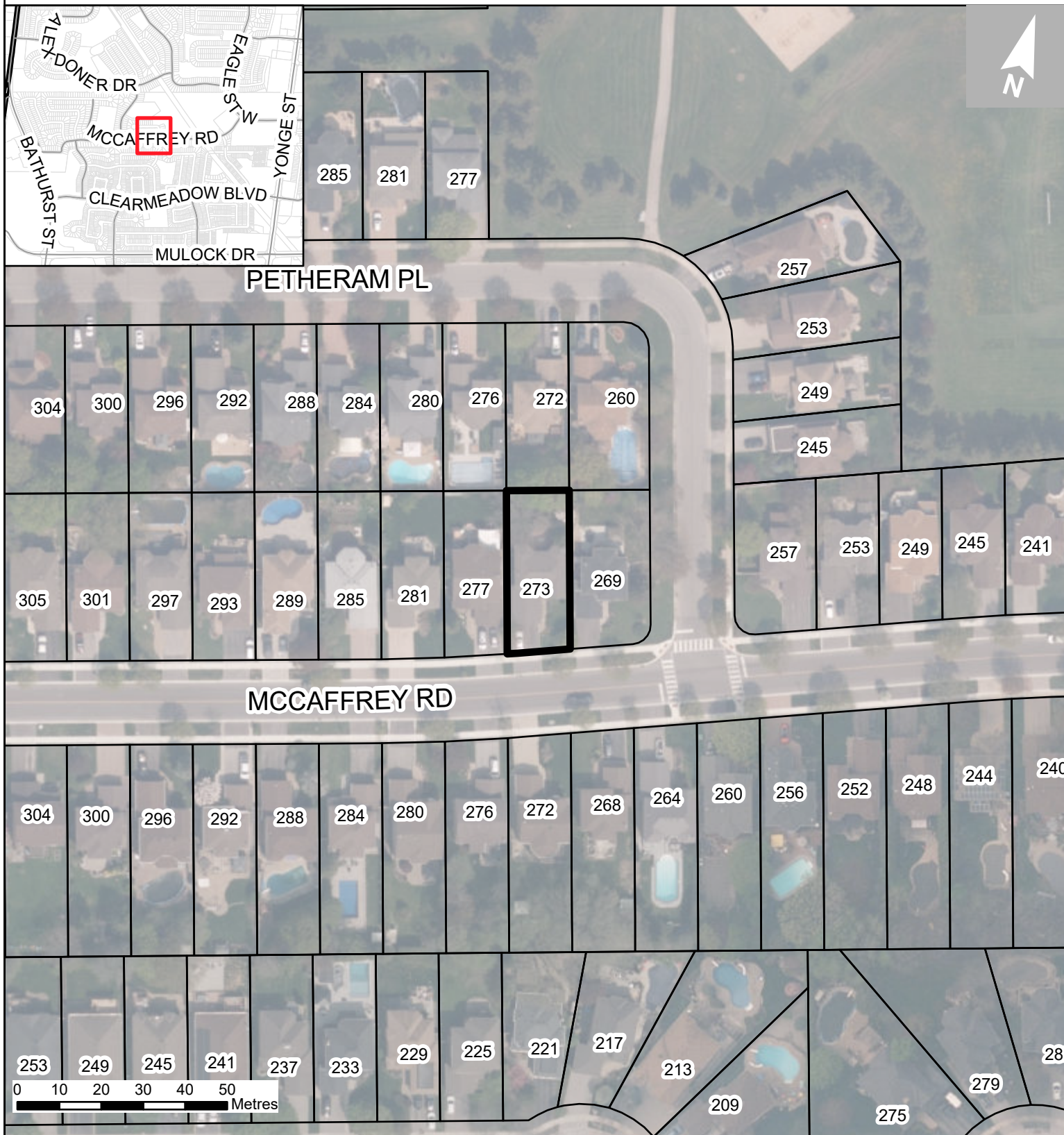
If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.

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.

Dated at the Town of Newmarket this 15th day of April, 2025.

Secretary-Treasurer
Committee of Adjustment

273 McCaffrey Road




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-2025-008

Staff Report to Committee of Adjustment

Report Number: MV-2025-008
 Property Address: 273 McCaffrey Road
 Made By: Maryam Ghareh Mohammadlou and Bahman Yaghoobi
 Department(s): Building and Planning Services
 Author(s): David Sanza, Junior Planner
 Report Published: April 25, 2025
 Meeting Date: April 30, 2025

Recommendations:

That Minor Variance Application MV-2025-008 **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 and drainage 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 VA001M dated April 30, 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. The application seeks to permit the construction of an Additional Residential Unit (ARU) in the basement of the dwelling, allow one parking space within a double-car garage to count as required parking, permit an existing shed to remain within the current setback from the rear and side lot lines, and allow the existing walkway to encroach into the required side yard.

Zoning Item	Requirement	Proposed	Relief Requested
Minimum Parking Requirements (Section 5.3.1)	Three (3) exterior parking spaces	Two (2) exterior parking spaces and one (1) interior parking space	One (1) interior parking space be provided internal to a garage
Minimum Setback for a Shed (Section 4.2)	Minimum 1.0m	0.2m	0.8m
Minimum Side Yard Setback to Walkway (Section 6.2.2)	Required 1.2m	0m	1.2m
Encroachment into the required yards for a walkway (Front and Rear) (Section 4.2)	Required 0.6m	0m side lot line in rear yard 0.28m side lot line in front yard	0.6m side lot line in rear yard 0.32m side lot line in front yard

Please see “Figure 1” attached, a sketch demonstrating variances 3 and 4.

Area Context

The above-described property (herein referred to as the “subject land”) is situated in a residential neighbourhood, south of Alex Doner Drive, east of Brimson Drive, and south of the Ray Twinney Recreation Complex. The subject land has an existing single-detached dwelling surrounded by similar single-detached homes.

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 aims to recognize the use of one interior space in the existing double-car garage to satisfy the minimum number of off-street parking spaces required to construct a legal ARU

in the basement of the existing single-detached dwelling. The Zoning By-law requires two exterior parking spaces for the principal dwelling and one for the ARU, three exterior parking spaces in total. The application was submitted because the current driveway size (double car, side-by-side driveway) cannot accommodate the required three exterior parking spaces. Additionally, the applicant is seeking permission to reduce the setback for the existing walkway and shed located in the side and rear yard. The by-law requires a 1.2-metre setback for the walkway and a 1.0-metre setback for the shed. The applicant proposes a 0.0-metre setback from the side property line for the portion of the walkway that does not extend beyond the vertical planes of the front building walls, and 0.28m for the portion of the walkway that passes the front of the building wall. Figure 1 illustrates the locations of the different setbacks. A setback of 0.2 metres from the side lot line is proposed for the shed.

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 consideration of one (1) of the required spaces in the double-car garage, provided that this space complies with the minimum parking space dimensions outlined in Section 5.2.2 and allows additional storage space. • This provision ensures adequate parking spaces for the two dwelling units, with three spaces provided. • This test is met <p><u>Variance 2 (Shed Encroachments into the Required Setbacks)</u></p> <ul style="list-style-type: none"> • Section 4.2 does not allow a shed to be placed closer than 1.0m from the rear or side lot line. The proposal requests a 0.2m setback from the rear and side lot lines. • The intent is to ensure that the shed does not infringe upon the rights of neighboring properties and that adequate drainage, lawn maintenance, and stormwater runoff are provided between these properties. • The shed has existed in this location for over twenty years without undue impacts. • The shed complies with all other requirements of the By-law (height and size). • No privacy or overlook concerns are anticipated, as the structure has no windows and is solely used for storage. • The Town has not received any complaints regarding the privacy or location of the shed. • This test is met.

	<p><u><i>Variance 3 (Minimum Required Side Yard Setback for a walkway)</i></u></p> <ul style="list-style-type: none"> • Section 6.2.2 requires a minimum side yard setback of 1.2m from the side lot line. The proposal requests a setback of 0m for the existing walkway along the side lot line. • The By-law does not allow a walkway to encroach into the side yard setback. • The setback aims to maintain a minimum distance to lot lines, providing space for lawn maintenance, stormwater drainage, and soft landscaping. • The walkway has existed in this condition for over twenty years without undue impacts on neighbouring properties. • This test is met. <p><u><i>Variance 4 (Encroachment into the required yards for a walkway (Front and Rear))</i></u></p> <ul style="list-style-type: none"> • Section 4.2 requires a 0.6m minimum setback from any lot line, whereas the proposed walkway has a 0m setback from the side lot line extending to the rear yard, and a 0.28m setback from the side lot line in the front yard. (See “Figure 1” for a visual explanation.) • The setback aims to maintain a minimum distance from lot lines, providing space for lawn maintenance, stormwater drainage, and soft landscaping. • The walkway has existed for over twenty years without undue impacts on neighbouring properties. • This test is met.
3. Desirable Development of the Lot	<p><u><i>Variance 1:</i></u></p> <ul style="list-style-type: none"> • ARUs contribute to a variety of housing types, facilitate a modest increase in density, and support Town goals of providing more affordable housing options. • This test is met <p><u><i>Variance 2, 3, & 4:</i></u></p> <ul style="list-style-type: none"> • It is generally desirable to allow the owner to invest in and improve their property, subject to the limits of the zoning by-law and the impacts on neighbouring properties. • In the case of the requested variances, staff are satisfied that these tests are met.
4. Minor Nature of the Variance	<p><u><i>Variance 1:</i></u></p> <ul style="list-style-type: none"> • Number of vehicles generated by the two dwelling units can be accommodated on the property, and sufficient space is maintained for storage. • The variance is considered minor, and therefore, the test is met. <p><u><i>Variance 2, 3, & 4:</i></u></p> <ul style="list-style-type: none"> • The structures have existed with the current setbacks for years without affecting neighbouring properties. • Approval of these structures in their current state is not expected to negatively impact adjacent properties.

	<ul style="list-style-type: none"> These variances are considered minor, and therefore, this test is met.
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Based on the analysis above, the proposed variances satisfy the four tests outlined in the Planning Act.

Other comments:

- i. **Tree Preservation:** An arborist report was submitted in support of the application that indicates that there are seven trees over 20cm in 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 per 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 letters from the public have been received at the time of writing this report.
- iv. **Commenting Agencies and Departments:** All comments received as of writing this report are provided in the chart below.

Commenting Agency/Dept.	Date Received	Comment
York Region	N/A	No comments received
Engineering Services	04/17/2025	No objection to the proposal provided that 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)	04/09/2025	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

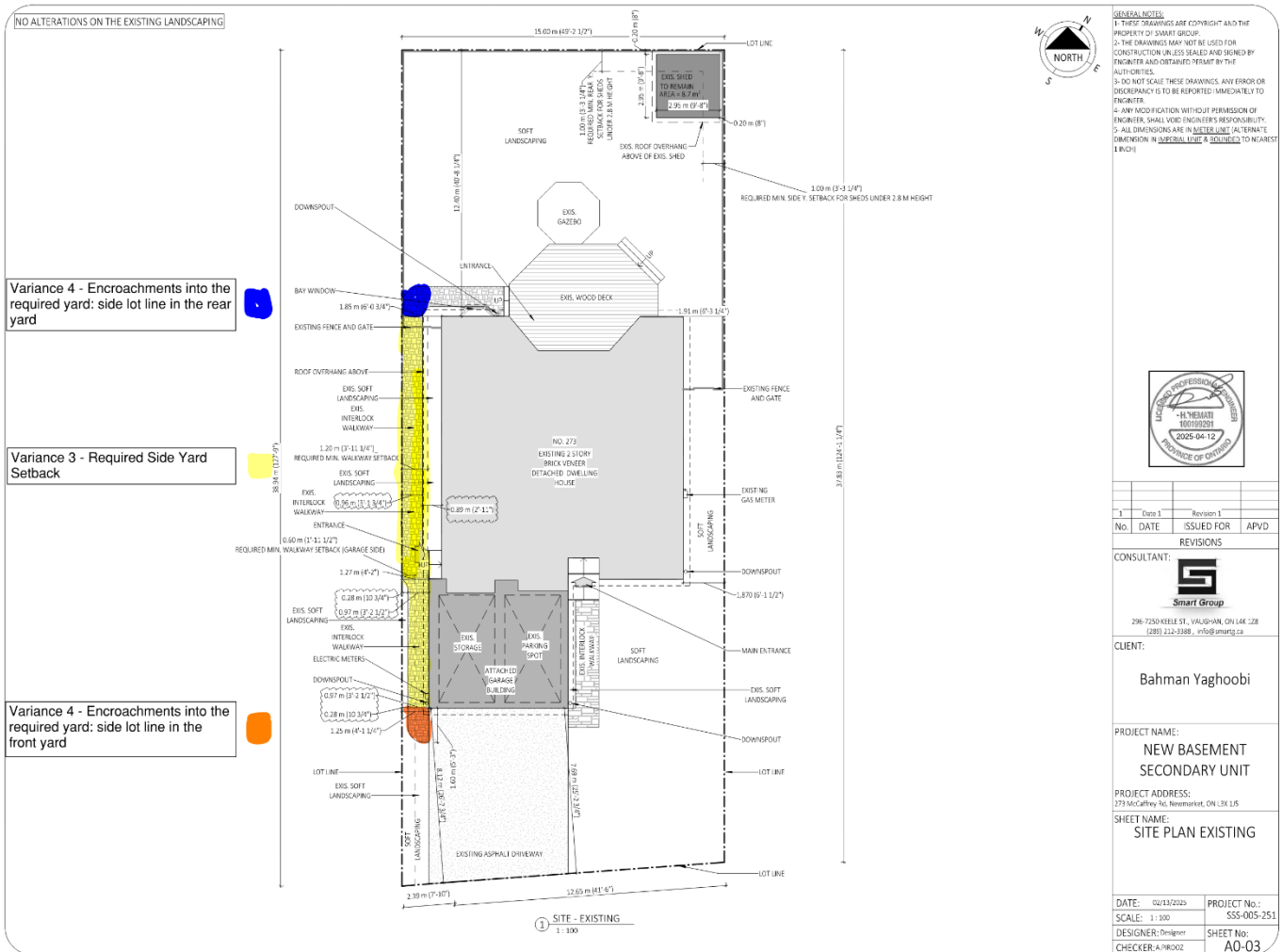


Figure 1 Sketch Demonstrating Variances 3 & 4

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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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: Veronika Axenova, Engineering Development Coordinator

DATE: April 30, 2025

RE: Application for Minor Variance
 Made by: BAHMAN YAGHOobi & GHAREH MOHAMMADLOU
 File No.: MV-2025-08
 273 MCCAFFREY RD, NEWMARKET, ON
 Town of Newmarket Ward 7
Engineering Services File No.: R. McCaffrey Rd.

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;
2. Relief from Section 4.2 Encroachments into Required Yards to permit a shed setback 0.20m from the side and rear property lines whereas the By-law requires a minimum setback of 1.00m from the side and rear property lines;
3. Relief from Section 6.2.2 Zone Standards to permit a side yard measured to a walkway of 0m (at its narrowest point) whereas the By-law requires a minimum side yard of 1.20m measured to a walkway; and
4. Relief from Section 4.2 Encroachments into Required Yards to permit a walkway setback 0m from a side property line in the rear yard and a walkway setback of 0.28m from a side property line in the front yard whereas the By-law requires walkways to be setback a minimum of 0.60m from a side property line.

We would like to respond with the following for each of the points listed above:

1. We have been advised that parking requirements are typically commented on by the Planning Department and Planning has 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.
2. Regarding points 2, 3 and 4 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

Veronika Axenova

Veronika Axenova
Engineering Development Coordinator – Residential
File No.: VA001M

From: [Jessica Lim](#)
To: [Robin Nadorozny](#)
Subject: RE: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (April 30, 2025)
Date: April 9, 2025 11:45:49 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.

Hi Robin,

Thank you for circulating the LSRCA on this month's COA application. I can confirm that the subject property is not located within an area regulated under Ontario Regulation 41/24, therefore we will not be providing comment on this application.

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: Robin Nadorozny <RNadorozny@newmarket.ca>

Sent: April 9, 2025 11:35 AM

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Subject: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (April 30, 2025)

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Hello,

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

The Committee will consider the following application:

MV-2025-008 (273 McCaffrey Road) Ward 7:

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.
2. Relief from Section 4.2 Encroachments into Required Yards of By-law 2010-40 to permit a rear and side yard encroachment of 0.20m whereas the By-law requires a minimum interior side yard measured to a walkway of 0.60m
3. Relief from Section 6.2.2 Zone Standards to permit a side yard (measured to a concrete walkway and steps) of 0.22m whereas By-law requires a minimum side yard of 1.2m

Comments are requested by **April 17, 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:

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

Thank you,
Robin

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