



Town of Newmarket

Agenda

Committee of Adjustment

Date: Wednesday, April 29, 2026
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

Minutes of the regular hearing held on March 25, 2026.

5. Item

5.1 CON-2025-002, MV-2025-010 & MV-2025-011

4

378 SIMCOE STREET

WARD 5

5.2 MV-2026-015

23

374 OTTON ROAD

WARD 7

6. Adjournment



Town of Newmarket

Minutes

Committee of Adjustment

Date: Wednesday, March 25, 2026
 Time: 9:30 AM
 Location: Electronic VIA ZOOM

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

Staff Present: _____ Umar Mahmood, Secretary-Treasurer
 _____ David Sanza, 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 Secretary-Treasurer confirmed that there is still time for appeals, but no appeals have been received to date. All decisions are now final and binding

4. Approval of Minutes

Minutes of the regular hearing held on February 25, 2026.

Moved by: James Georgeff, Member

Seconded by: Andrea Lewis, Member

Carried

5. Items

5.1 MV-2026-005 – 162 WAINSCOT AVENUE (WARD 7)

The Chair called item MV-2026-005 to order.

MV-2026-005

The applicant is proposing a below grade entrance (as built) that requires minor relief



Town of Newmarket
Minutes
Committee of Adjustment
March 25, 2025

from the Zoning-By-law. 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 side yard measured to a below grade entrance of 0.13m whereas By-law requires a minimum side yard of 0.9M

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.

Idi Evangelista, Authorized Agent, stated she has seen the comments from planning and engineering and spoke yesterday to Town Staff. Owners would like to defer the application because Engineering has some changes that need to be done and the owners want to comply.

The Chair asked members of the Committee if they have any questions.

Committee members had no questions or comments.

The Chair asked the Secretary-Treasurer if there are any other inputs.

The Secretary-Treasurer stated there are no other inputs.

The Chair asked the Committee to present a motion to defer this application.

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 20, 2026.
2. Memorandum from Veronika Axenova, Engineering Development Coordinator, Town of Newmarket, March 9, 2026.
3. Written comments from Gabrielle Hurst, Associate Planner, The Regional Municipality of York, dated March 13, 2026.

That application MV-2026-005 be Deferred.

Moved by: Michelle Starnes, Member

Seconded by: James Georgeff, Member

Carried

6. Adjournment

The hearing was adjourned.



Town of Newmarket
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March 25, 2025

Moved by: Michelle Starnes, Member

Seconded by: Josh Scholten, Member

Carried

Chair

Date



Notice of Complete Application for Consent and Virtual Public Hearing

In the Matter of Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and

In the Matter of an application by **1000655381 ONTARIO INC.** owner of that parcel of land being and situated in the Town of Newmarket, known as 378 SIMCOE STREET; NEWMARKET, ON.

File Number: CON-2025-002
Made By: 1000655381 ONTARIO INC.
Subject Land: 378 SIMCOE STREET, NEWMARKET, ON
Legal Description: PT LT 18 S/S SIMCOE ST PL 78 NEWMARKET AS IN R581469;
NEWMARKET
Related Files: MV-2025-010 & MV-2025-011
Ward: 5

The purpose and effect of the application is as follows:

1000655381 ONTARIO INC. is proposing to convey the subject land indicated as Parcel "A" on the attached sketch for residential purposes and to retain the land marked as Parcel "B" on the attached sketch for residential purposes.

Hearing Date and Time: Wednesday, April 29, 2026 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.

For more information, please contact the Secretary-Treasurer anytime at umahmood@newmarket.ca or 905 953 5300 extension 2458. Additional participation information is also available on the Town's website at: <https://www.newmarket.ca/committeeofadjustment>

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal. Please provide comments by the Friday prior to the hearing.

For more information about this matter, including how to participate in a virtual electronic public hearing, contact the Secretary-Treasurer anytime at umahmood@newmarket.ca.

If you wish to be notified of the decision of the Committee of Adjustment in respect to the proposed consent, 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.

If you are the owner or manager of any land that contains seven (7) or more residential units, you are requested to post this notice in a location that is visible to all of the residents.

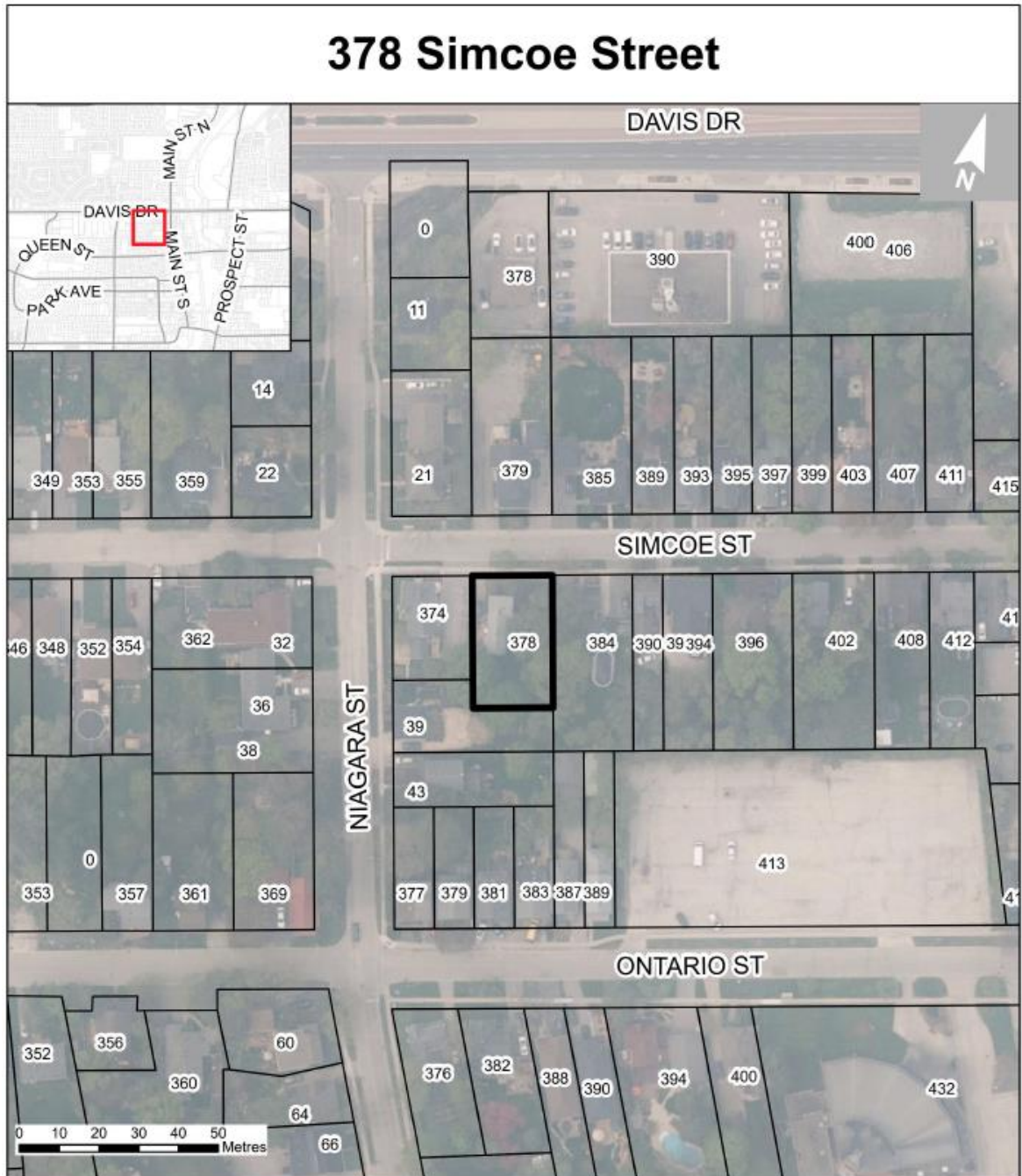
Additional information and material regarding the application will be available to the public online for inspection by contacting the Secretary-Treasurer anytime at umahmood@newmarket.ca.

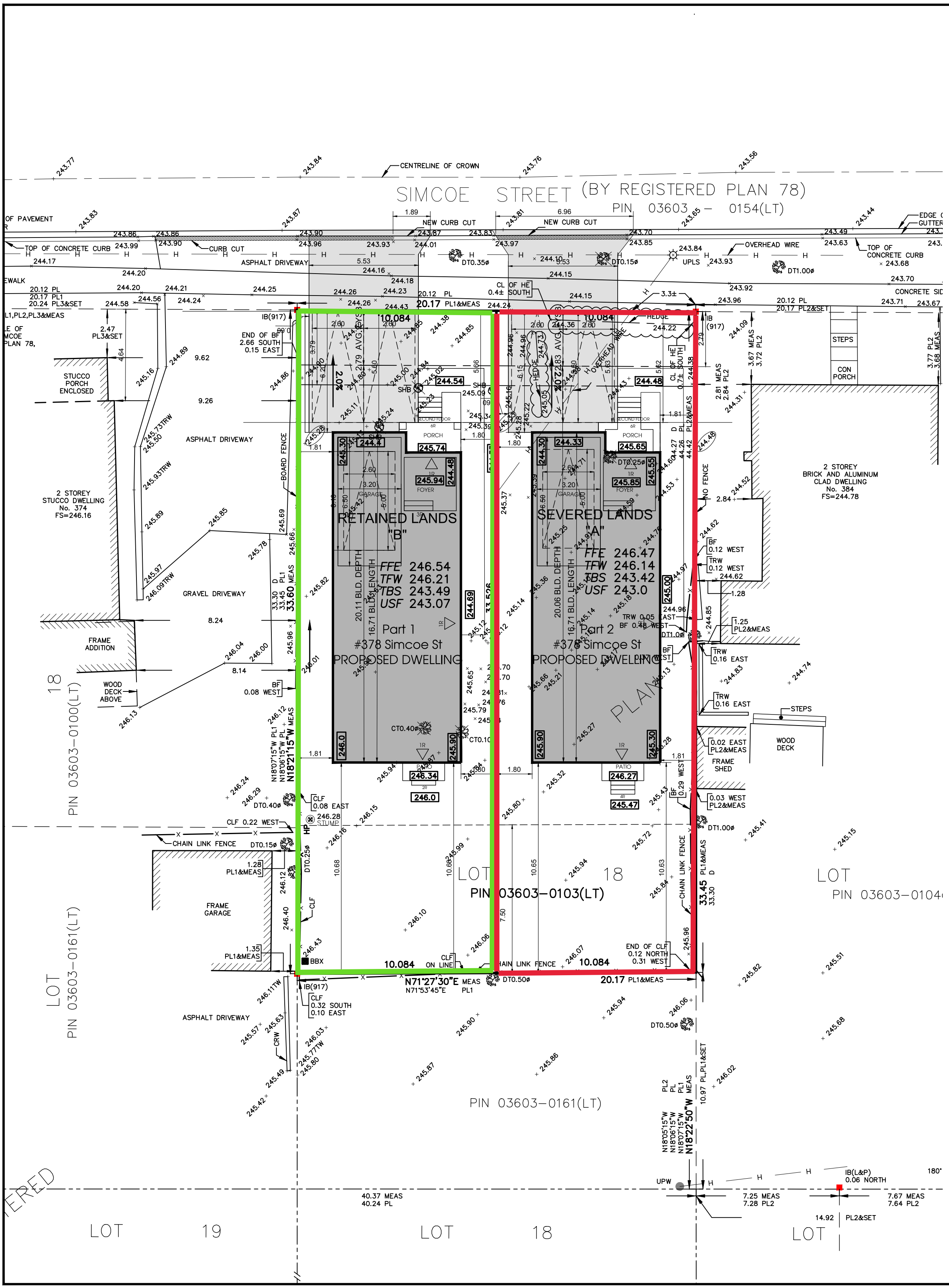
Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.

Dated at the Town of Newmarket this 9th day of April, 2026.

U Mahmood

Secretary-Treasurer
Committee of Adjustment





| | | | |
|---------------------------|-------------------------------------|-----------------------|-----------------------|
| Project: | 378 Simcoe St Newmarket, Ontario | | |
| Lot Description: | Part of Lot 18, Registered Plan 78 | | |
| | Zoning (R1-D) | Part 1 | Part 2 |
| Lot Geometry | | | |
| Min. Lot Area | 511 m ² | 338.6 | 337.8 |
| Min. Lot Frontage | 15 m | 10.08 m | 10.08 m |
| Min. Yard Setbacks | | | |
| From Front Lot Line | 2.79 m | 5.66 m | 5.62 m |
| (*16) (By-law 2020-63) | | | |
| From Rear Lot Line | 7.5 m | 10.66 m | 10.63 m |
| From West Lot Line | 1.8 m | 1.81 m | 1.8 m |
| From East Lot Line | 1.8 m | 1.8 m | 1.81 m |
| Coverage: | | 105.5 m ² | 105.5 m ² |
| Porch/Deck: | | 5.6 m ² | 5.6 m ² |
| Max. Building Height | 8 m | 7.63 m | 8 m |
| Basement Height | | 3.05 m | 3.05 m |
| Floor Area | | 212.31 m ² | 212.31 m ² |
| Max. Driveway Width (*7) | 6 m | 5.53 m | 5.53 m |
| GFA | | 0.627 | 0.629 |
| Max. Lot Coverage | 25% | 31.2% | 31.2% |
| Coverage Deck/Porches | | 1.7% | 1.7% |

- GENERAL NOTES
- ALL DRAWINGS AND SPECIFICATIONS IS AN INSTRUMENT OF SERVICE AND REMAIN THE EXCLUSIVE PROPERTY OF ARC DESIGN GROUP DEVELOPMENT SERVICES INC. AND ARE PROTECTED UNDER THE COPYRIGHT ACT. THEY MAY NOT BE REPRODUCED, DISTRIBUTED, ALTERED OR SUBMITTED FOR APPROVALS WITHOUT WRITTEN PERMISSION OF THE DESIGNER.
 - ONLY VERIFIED FINAL DRAWINGS BEARING THE STAMP "FOR CONSTRUCTION PURPOSES" SHALL BE USED ON THE JOB SITE. DRAWINGS WITHOUT THE STAMP ARE CONSIDERED PRELIMINARY DRAWINGS ONLY.
 - ALL WORK INHERENT TO THIS PROJECT SHALL BE PERFORMED ACCORDING TO THE ONTARIO BUILDING CODE, THE NATIONAL BUILDING CODE AND OTHER GOVERNING BODIES HAVING JURISDICTION.
 - ALL DIMENSIONS ARE TAKEN FROM FACES OF EXTERIOR WALLS AND ALL MASONRY WALLS.
 - THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS & DIMENSIONS. ANY DISCREPANCIES ARE TO BE REPORTED TO ARC DESIGN GROUP DEVELOPMENT SERVICES INC. BEFORE COMMENCING THE WORK.
 - NO MODIFICATION OF THE PLANS SHALL BE DONE WITHOUT THE WRITTEN APPROVAL OF ARC DESIGN GROUP DEVELOPMENT SERVICES INC.
 - DIMENSIONS ON DRAWINGS SHALL PREVAIL OVER SCALE.
 - THE APPROVAL OF SHOP DRAWINGS IS NOT INTENDED FOR THE PROTECTION OF THE CONTRACTOR OR SUBCONTRACTOR. THEREFORE, IT DOES NOT RELIEVE THE CONTRACTOR OR SUBCONTRACTOR FROM THE NECESSITY OF CONFORMING TO THE INFORMATION CONTAINED IN THE ARCHITECTURAL AND STRUCTURAL DRAWINGS, ELECTRICAL AND MECHANICAL DRAWINGS, SPECIFICATIONS AND THE REQUIREMENTS OF THE ONTARIO BUILDING CODE OR OTHER GOVERNING BODY HAVING JURISDICTION.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DEVIATIONS FROM THE ORIGINAL DRAWINGS. IF NOT AUTHORIZED WITH A WRITTEN CHANGE ORDER BY THE ARCHITECT.

| | | |
|-----|----------------------|------------|
| 4 | | |
| 3 | REVIEWS REDUCED SIZE | 18.06.2025 |
| 2 | ISSUED FOR ZAP | 12.02.2024 |
| 1 | ISSUED FOR REVIEW | 09.21.2024 |
| No. | Issued For/Revisions | Date |

PROJECT

378 Simcoe St
NEWMARKET, ONTARIO



1. This drawing shall be used only for the project and site identified on the title block. Any other use of this drawing without the written consent of the Designer is prohibited. The Designer shall not be responsible for any errors or omissions in this drawing.

Qualified Designer BCIN: 30011
Firm BCIN: 35038
Date: Dec 2024
Signature: *[Signature]*

DRAWN BY: AL SCALE: 1:150
CHECKED BY: PJJ DATE: AUG 28, 2024

SHEET TITLE: SITE PLAN

PROJECT NO.: 23-037 DRAWING NO.: SP



Committee of Adjustment 7

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-2025-010 & MV-2025-011
Made By: 1000655381 ONTARIO INC.
Subject Land: 378 SIMCOE STREET, NEWMARKET, ON
Related Files: CON-2025-004
Ward: 5

File Number: MV-2025-010

The purpose and effect of the application is as follows:

The applicant is proposing a lot severance that requires minor relief from the Zoning By-law. The following relief is requested for the severed lands (CON-2025-004) from Zoning By-law 2010-40, as amended:

1. Relief from Section 6.2.2 Zone Standards to permit a lot area of 337.8sq.m whereas the By-law requires a minimum lot area of 511.0sq.m;
2. Relief from Section 6.2.2 Zone Standards to permit a lot frontage of 10.08m whereas the By-law requires a minimum lot frontage of 15.00m;
3. Relief from Section 6.2.2 Zone Standards to permit a front yard of 5.62m whereas the By-law permits a maximum front yard of 3.71m;
4. Relief from Section 6.2.2 Zone Standards to permit a lot coverage of 32.9% whereas the By-law permits a maximum lot coverage of 25.0%; and
5. Relief from Section 6.2.2 Zone Standards to permit a finished first floor height of 1.56m whereas the By-law permits a maximum finished floor height of 1.20m.

File Number: MV-2025-011

The purpose and effect of the application is as follows:

The applicant is proposing a lot severance that requires minor relief from the Zoning By-law. The following relief is requested for the retained lands (CON-2025-004) from Zoning By-law 2010-40, as amended:

6. Relief from Section 6.2.2 Zone Standards to permit a lot area of 338.6sq.m whereas the By-law requires a minimum lot area of 511.0sq.m;
7. Relief from Section 6.2.2 Zone Standards to permit a lot frontage of 10.08m whereas the By-law requires a minimum lot frontage of 15.00m;
8. Relief from Section 6.2.2 Zone Standards to permit a front yard of 5.66m whereas the By-law permits a maximum front yard of 3.71m; and
9. Relief from Section 6.2.2 Zone Standards to permit a lot coverage of 32.8% whereas the By-law permits a maximum lot coverage of 25.0%.



**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

Hearing Date and Time: Wednesday, April 29, 2026 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.

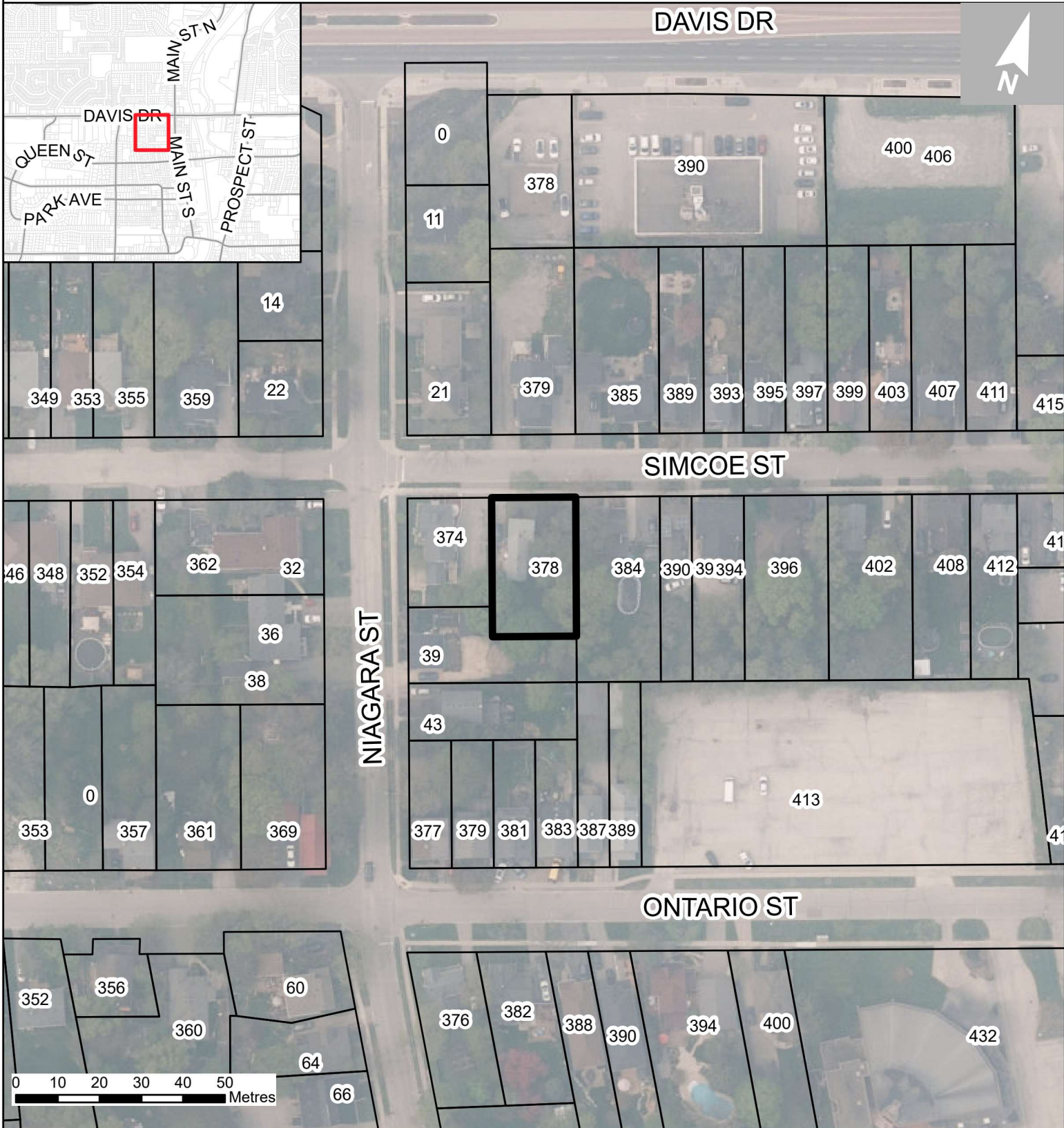
Applicants Please Note: If you do not attend or are not represented at this meeting, the Committee may adjourn the file or proceed in your absence and make a decision, or may consider the application to have been abandoned or withdrawn, and close the file.

Dated at the Town of Newmarket this 9th day of April, 2026.

A handwritten signature in black ink that reads 'U. Mahmood'.

Secretary-Treasurer
Committee of Adjustment

378 Simcoe Street



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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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F: 905.953.5140

Application for Consent CON-2025-002 and Minor Variance MV-2025-10 and MV 2025-11 Staff Report to Committee of Adjustment

Report Number: CON-2025-002 & MV-2025-10, MV-2025-11
Property Address: 378 Simcoe Street
Made By: Abar Maheer
Department(s): Building and Planning Services
Author(s): David Sanza, Junior Planner
Report Published: April 24, 2026
Meeting Date: April 29, 2026

Recommendations:

That Consent Application **CON-2025-002** be approved subject to conditions of provisional consent and advisory comments, and that Minor Variance **MV-2025-10** and **MV-2025-11** be approved, subject to the clearing conditions and advisory comments.

Consent Application

Conditions of Provisional Consent:

1. That the following shall be provided to the satisfaction of the Secretary-Treasurer:
 - I. An electronic copy of the deposited reference plan showing the subject lands, which conforms substantially to the application as submitted;
 - II. Proof of payment of all outstanding taxes owing to date;
 - III. Proof of payment of all the outstanding development charges and cash in lieu of parkland; and,
 - IV. Any required transfers to affect the severance and conveyance of the land.
2. The Secretary-Treasurer of the Committee of Adjustment shall receive confirmation 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 any site works occurring on either property;
3. The Secretary-Treasurer shall receive confirmation from the Town of Newmarket, Development and Infrastructure Services – Planning Services Division, indicating that the

benefitting and retained lots comply with the provisions of the Zoning By-law, or alternatively; that any variances are approved by the appropriate authorities and that such approval is final and binding; and,

4. The Secretary-Treasurer shall receive confirmation from the Town of Newmarket, Development and Infrastructure Services – Engineering Services Division, indicating that the applicant has provided a comprehensive grading plan demonstrating how both properties will be graded in accordance with Town standards and satisfactory arrangements have been made to ensure proper drainage and compliance with the Town's regulations.

Minor Variance Application

Clearing Conditions:

1. The Secretary-Treasurer shall receive confirmation 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,

Consent and Minor Variance - Advisory Comments:

1. That the variance pertains only to the requests as submitted with the application;
2. The consent pertains only to the request as submitted with the application;
3. The development shall be substantially in accordance with the information submitted with the application;
4. A building permit is required to install new/separate servicing connections and shall be installed for each lot independently, at the owner's expense;
5. Prior to any demolition or construction activity on the subject lands, the Town must be notified in order to conduct an inspection of the installed tree protection fencing and other tree protection measures; and,
6. Failure to comply with and maintain the conditions and comments of the Committee shall render the approval null and void.

Application Information:

An application for consent has been submitted to sever the subject land to create two separate properties. The existing dwelling would be demolished and a new single detached dwelling would be constructed on each lot. Minor variance applications have also been submitted for both the

severed and retained lots to facilitate the consent. Relief from the following zone provisions of Zoning By-law 2010- 40, as amended, has been requested:

| Zoning Item | Lot | Requirement | Proposed | Relief Requested |
|---|----------|---|----------------------|----------------------|
| Minimum Lot Area (Section 6.2.2) | Severed | Minimum lot area of 511 m ² | 338.6 m ² | 172.4 m ² |
| Minimum Lot Area (Section 6.2.2) | Retained | Minimum lot area of 511 m ² | 337.8 m ² | 173.2 m ² |
| Minimum Lot Frontage (Section 6.2.2) | Severed | Minimum lot frontage of 15 m | 10.08 m | 4.92m |
| Minimum Lot Frontage (Section 6.2.2) | Retained | Minimum lot frontage of 15 m | 10.08 m | 4.92m |
| Maximum Front Yard Setback (Section 6.2.2) | Severed | Maximum front yard setback of 3.72 m | 5.62 m | 1.9 m |
| Maximum Front Yard Setback (Section 6.2.2) | Retained | Maximum front yard setback of 3.72 m | 5.66 m | 1.94 m |
| Maximum Lot Coverage (6.2.2) | Severed | Maximum lot coverage of 25% | 32.9% | 7.9% |
| Maximum Lot Coverage (6.2.2) | Retained | Maximum lot coverage of 25% | 32.8% | 7.8% |
| Maximum Finished Floor Height (6.2.2) | Severed | Maximum permitted first-floor height of 1.2 m | 1.56 m | 0.36 m |

Area Context

The subject land is municipally known as 378 Simcoe Street and is located in a residential neighbourhood, south of Davis Drive and east of Niagara Street. 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: | Urban Centre |
| Residential Character Area: | Historic Core Character Area |
| Zoning By-law: | By-law 2010-40, as amended |
| Zoning Classification: | Residential Detached Dwelling 15m Zone (R1-D) |

Planning considerations:

An application for consent has been submitted to sever a portion of the subject land to create a new lot and to permit the construction of a two-story dwelling on both the severed and retained lots.

| Proposed | Retained | Severed |
|------------------------|----------------------|----------------------|
| Area (m ²) | 337.8 m ² | 338.6 m ² |
| Lot Frontage (m) | 10.08 m | 10.08 m |
| Lot Depth (m) | 33.5m (unchanged) | 33.5m (unchanged) |

The applications for consent and minor variances must be addressed concurrently. If Committee decides to not to grant the consent, the applications for minor variances are deemed unnecessary. Conversely, if Committee does not approve the minor variances, the consent cannot be approved as the minor variances are required for the lots to comply with the requirements of the Zoning By-law.

In this regard, staff offer the following comments:

Discussion - Consent

| Test | Discussion |
|--|---|
| 1. Meets the General Intent of the Official Plan | <ul style="list-style-type: none"> Sections 16.1.5.2 (a) to (i) of the Town's Official Plan set out criteria for evaluating consent applications, including compatibility with surrounding land uses and lot patterns, appropriate integration into the existing neighbourhood, and the availability of adequate servicing. The proposed consent satisfies these policies. Clause (h) requires that all new lots comply with the applicable Zoning By-law provisions related to lot size and shape. A minor variance is required to address this clause. The surrounding area contains a range of lot areas, frontages, and depths, and the proposed severed and retained lots are comparable in size and configuration. As such, the resulting lots are appropriate for the proposed residential use and are compatible with adjacent properties. This test is met. |

| | |
|--|---|
| 2. Meets the General Intent of the Zoning By-law | <ul style="list-style-type: none"> The subject property is zoned Residential (R1-D), which permits single detached dwellings in accordance with the standards set out in Section 6.2.2 of the Zoning By-law. While the proposed dwellings require minor relief from certain development standards, the consent facilitates a use that is permitted and maintains the general intent and purpose of the Zoning By-law by supporting appropriate low density residential development. This test is met. |
|--|---|

Discussion – Minor Variances: MV-2025-010 and MV-2025-11 (Severed and Retained Lands)

| Test | Discussion |
|--|---|
| 1. Meets the General Intent of the Official Plan | <ul style="list-style-type: none"> The application meets the objectives of the Residential Area policies (Section 3.1.1). As outlined in Section 12.4, proposed developments are to be compatible with the existing built form and character of the surrounding area. The requested variances are required to facilitate the concurrent consent application. The proposed single detached dwellings are consistent with the existing residential built form and will maintain the established neighbourhood character. This test is met. |
| 2. Meets the General Intent of the Zoning By-law | <p><u>Variance 1 (Minimum Lot Area)</u></p> <ul style="list-style-type: none"> Section 6.2.2 requires a minimum lot area of 511 m² in the R1-D zone, whereas the proposal requests a lot area of 337.8 m² for the severed parcel and 338.6 m² for the retained parcel. The general intent of the minimum lot area is to ensure orderly development of the lots and prevent developments that are incompatible with the surrounding context. The neighbourhood's existing context includes a range of lot sizes, and the proposed reduction in lot area would not disrupt the existing street pattern. This test is met. <p><u>Variance 2 (Minimum Lot Frontage)</u></p> <ul style="list-style-type: none"> Section 6.2.2 requires a minimum lot frontage of 15.0 m, whereas the proposal requests a lot frontage of 10.08 m for both the severed and lots. The general intent of minimum lot frontage requirements is to ensure that properties keep a similar rhythm along the street. The surrounding context has a variety of lot frontages. The proposed lot frontages are compatible with the established range in the immediate context. This test is met. <p><u>Variance 3 (Maximum front yard setback)</u></p> |

- Section 6.2.2 sets a maximum front yard setback based on the established front yard setbacks for properties within 60 metres of the subject land. As a result, the maximum front yard setback for the property is 3.71 m. The application proposes a front yard setback of 5.62 m for the severed lot and 5.66 m for the retained lot.
- The general intent of a maximum front yard setback is to maintain a generally consistent streetscape and prevent buildings from being set back too far from the established building line. The proposed increase represents a minor deviation from the established front yard setback pattern and remains within the range of existing setbacks on the street, thereby maintaining the intent and purpose of the Zoning By-law.
- The proposed front yard setbacks provide sufficient space for the amenity and drainage areas, while allowing a driveway in front of the dwelling to accommodate the required external parking spaces.
- This test is met.

Variance 4 (Maximum lot coverage)

- Section 6.2.2 sets the maximum permitted lot coverage for the property at 25%, whereas the proposed lot coverage is 32.9% for the severed lot and 32.8% for the retained lot, resulting in an increase of 7.9% and 7.8%, respectively.
- The general intent of maximum lot coverage is to regulate the percentage of a lot that can be occupied by buildings to prevent overdevelopment and to maintain enough green space for stormwater management and private amenity space.
- The proposed building envelopes comply with the minimum side and rear yard setbacks, providing sufficient space for drainage and private amenity space.
- This test is met.

Variance 5 (Maximum finished first floor height) – Severed lands only

- Section 6.2.2 sets the finished first-floor height to a maximum of 1.2 m. The application seeks relief from the by-law to permit a first-floor height of 1.56 m.
- The proposed increase is required only for the severed lot due to site grading constraints. The number of steps to the front door will be the same as the adjacent dwelling on the retained lands, and the increased height will not be discernible from the street.
- The general intent of a maximum finished first-floor height is to achieve an appropriate relationship between buildings, grade, and the public realm that supports pedestrian-scale development.
- The applicant has submitted building elevations to demonstrate that the proposed finished first floor height does not result in excessive first floor elevation above grade, and the overall building height complies with the maximum building height for this zone.
- This test is met.

| | |
|---|--|
| 3. Desirable for Appropriate Development of the Lot | <ul style="list-style-type: none"> • It is generally desirable to permit property owners to invest in, redevelop, and improve their properties, subject to the provisions of the Zoning By-law and consideration of potential impacts on neighbouring lands. In the context of consent applications, it is appropriate to allow property owners to sever new lots in a manner that meets their needs while ensuring the orderly development of the resulting parcels. The applicant has submitted a concept site plan to demonstrate that the proposed lots can accommodate two new single detached dwellings in a compatible manner. • As the requested relief would enable an appropriate lot arrangement and development without resulting in adverse impacts, the variances are considered desirable and represents appropriate development of the lands. • This test is met. |
| 4. Minor Nature of the Variance | <ul style="list-style-type: none"> • When considering if the variances are minor, it is not just the numerical value that should be considered. Committee is requested to consider the overall impact of the variance, and more specifically, whether an application creates unacceptable adverse impacts. The proposed variances would allow the creation of lots and future dwellings that are compatible with the existing neighbourhood. • This test is met. |

Other comments:

- i. **Tree Preservation:** An arborist report was submitted as part of the application. The Town's Forestry department has been circulated for comment, and comments will be provided to the applicant once available. The applicant will be required to make satisfactory arrangements with the Town's Tree Preservation, Protection, Replacement, and Enhancement Policy prior to any site work occurring on either of the subject properties.
- i. **Heritage:** The property is not designated under the Ontario Heritage Act or found on the Municipal Register of Listed Heritage Properties.
- ii. **Effect of Public Input:** No public input was received as of the date of writing this report.
- iii. **Commenting Agencies and Departments**

| Commenting Agency/Department | Comment |
|------------------------------|--|
| York Region | <p>The Region has no objection to the consent application.</p> <ol style="list-style-type: none"> 1. Prior to approval of the Consent application, the Town of Newmarket shall confirm that adequate water supply and |

| | |
|---|---|
| | <p>sewage capacity have been allocated for the proposed new lot(s).</p> <p>2. Prior to final approval, the Economic and Development Services Branch shall certify that Condition 1 has been met to its satisfaction. With respect to the conditions above, we request a copy of the Notice of Decision when it becomes available.</p> |
| Engineering Services | <p>Engineering Services has no objection to the proposed development, subject to the submission of a detailed grading plan prepared and stamped by a P. Eng of Ontario, in accordance with the Town of Newmarket Engineering Design Standards. The grading and drainage design must ensure that there are no negative impacts to the subject property or adjacent properties as a result of the proposed works. Each lot shall be provided with independent and separate municipal servicing connections. Please be advised that this application will require a review by the Building Department.</p> |
| Building Services | No comments received |
| Lake Simcoe Region Conservation Authority (LSRCA) | Not applicable |
| Metrolinx | Not applicable |

Staff Recommendation(s):

Consent Application

That the consent application **be granted**, as it meets the general intent of the Official Plan and Zoning By-law, subject to the conditions of provisional consent and advisory comments.

Minor Variance Application

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 desirable for the appropriate development of the lot; and,
- (3) Is minor in nature.

Attachments

Attachment 1 – Consent Sketch

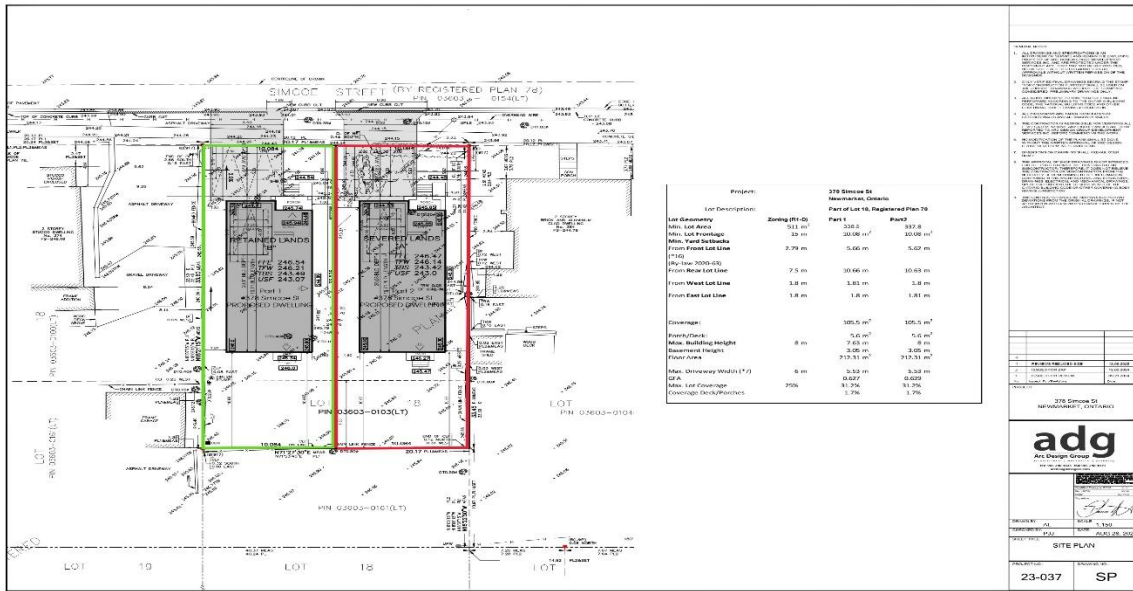
Attachment 2 - Mean, median, and standard deviation of lot areas within 120 m of the subject property that front on the same street (Simcoe Street)

Submitted By:



David Sanza, Junior Planner - Development, Planning & Building Services

Attachment 1 – Consent Sketch



Attachment 2 – Mean, median, and standard deviation of lot areas within 120m of the subject property that front on the same street (Millard Avenue)

| Retained Lot | Current | After Proposed Severance |
|--------------------------|---------|--------------------------|
| Mean (m ²) | 617 | 601 |
| Median (m ²) | 514 | 474 |
| Standard Deviation | 211 | 220 |

| Severed Lot | Current | After Proposed Severance |
|--------------------------|---------|--------------------------|
| Mean (m ²) | 617 | 601 |
| Median (m ²) | 514 | 474 |
| Standard Deviation | 211 | 221 |


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket www.newmarket.ca
 395 Mulock Drive engineering@newmarket.ca
 P.O. Box 328, STN Main T: 905 895.5193
 Newmarket, ON L3Y 4X7 F: 905 953.5138

M E M O R A N D U M

TO: Committee of Adjustment
FROM: Veronika Axenova, Engineering Development Coordinator
DATE: April 15, 2026
RE: Application for Consent
 Made by: 1000655381 ONTARIO INC.
 File No.: CON-2025-002
 378 SIMCOE STREET, NEWMARKET, ON
 Town of Newmarket Ward 5
 Related Files: MV-2025-010 & MV-2025-011
 Engineering Services File No.: Simcoe Street

1000655381 ONTARIO INC. is proposing to convey the subject land indicated as Parcel "A" on the attached sketch for residential purposes and to retain the land marked as Parcel "B" on the attached sketch for residential purposes.

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

1. Engineering Services has no objection to the proposed development, subject to the submission of a detailed grading plan prepared and stamped by a P. Eng of Ontario, in accordance with the Town of Newmarket Engineering Design Standards. The grading and drainage design must ensure that there are no negative impacts to the subject property or adjacent properties as a result of the proposed works. Each lot shall be provided with independent and separate municipal servicing connections. 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

File No.: VA025M



File No.: CONS.26.N.0045

April 16, 2026

Umar Mahmood
Committee of Adjustment
Town of Newmarket
395 Mulock Drive
Newmarket, ON

RE: Consent Application Local file # CON-25-002
Agent: Joanna Fast (Groundswell Urban Planners)
Property Address: 378 Simcoe Street
City/Town: Newmarket

The Regional Municipality of York ("Region") has completed its review of the above noted consent application for the creation of on new lot. The subject land is municipally known as 378 Simcoe Street and is located south of Davis Drive, east of Yonge Street.

York Region Remains a Commenting Agency. Upon York Region becoming an upper-tier municipality without planning responsibilities, please note that the technical comments and conditions will continue to remain relevant. All technical matters must be addressed to the satisfaction of York Region.

Moving forward please continue to circulate all applications that we currently receive by addressing the circulation to developmentsservices@york.ca. The Region will continue to provide technical review and comments and conditions on matters of Regional interest, such as transportation, wellhead protection and water/wastewater.

The Region has no objection to the consent application subject to the following conditions being satisfied:

*The Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1
Tel: (905) 830-4444, 1-877-464-YORK (1-877-464-9675)
Internet: www.york.ca*

1. Prior to approval of the Consent application, the Town of Newmarket shall confirm that adequate water supply and sewage capacity have been allocated for the proposed new lot(s).
2. Prior to final approval, the Economic and Development Services Branch shall certify that Conditions 1 has been met to its satisfaction.

With respect to the conditions above, we request a copy of the Notice of Decision when it becomes available.

Should you have any questions regarding the above, please contact Gabrielle at Gabrielle.Hurst@york.ca.

Regards,

Gabrielle Hurst

Gabrielle Hurst MCIP, RPP

Associate Development Specialist, Development Services
Economic and Development Services Branch
Corporate Services Department
Regional Municipality of York



**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 1979-50, as amended.

File Number: MV-2026-015
Made By: MASOUD KARIMI & SOMAYEH SARDASHTI
Subject Land: 374 OTTON ROAD, NEWMARKET, ON
Ward: 7

The purpose and effect of the application is as follows:

The applicant is proposing interior construction that requires minor relief from the Zoning By-law. The following relief is requested from Zoning By-law 1979-50, as amended:

1. Relief from Section 6.25 Parking Space Requirements (as amended by Section 5 of By-law 2003-98) to permit one parking space within the garage whereas the By-law requires parking spaces to be provided exterior to a garage.

Hearing Date and Time: Wednesday, April 29, 2026 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.



**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

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

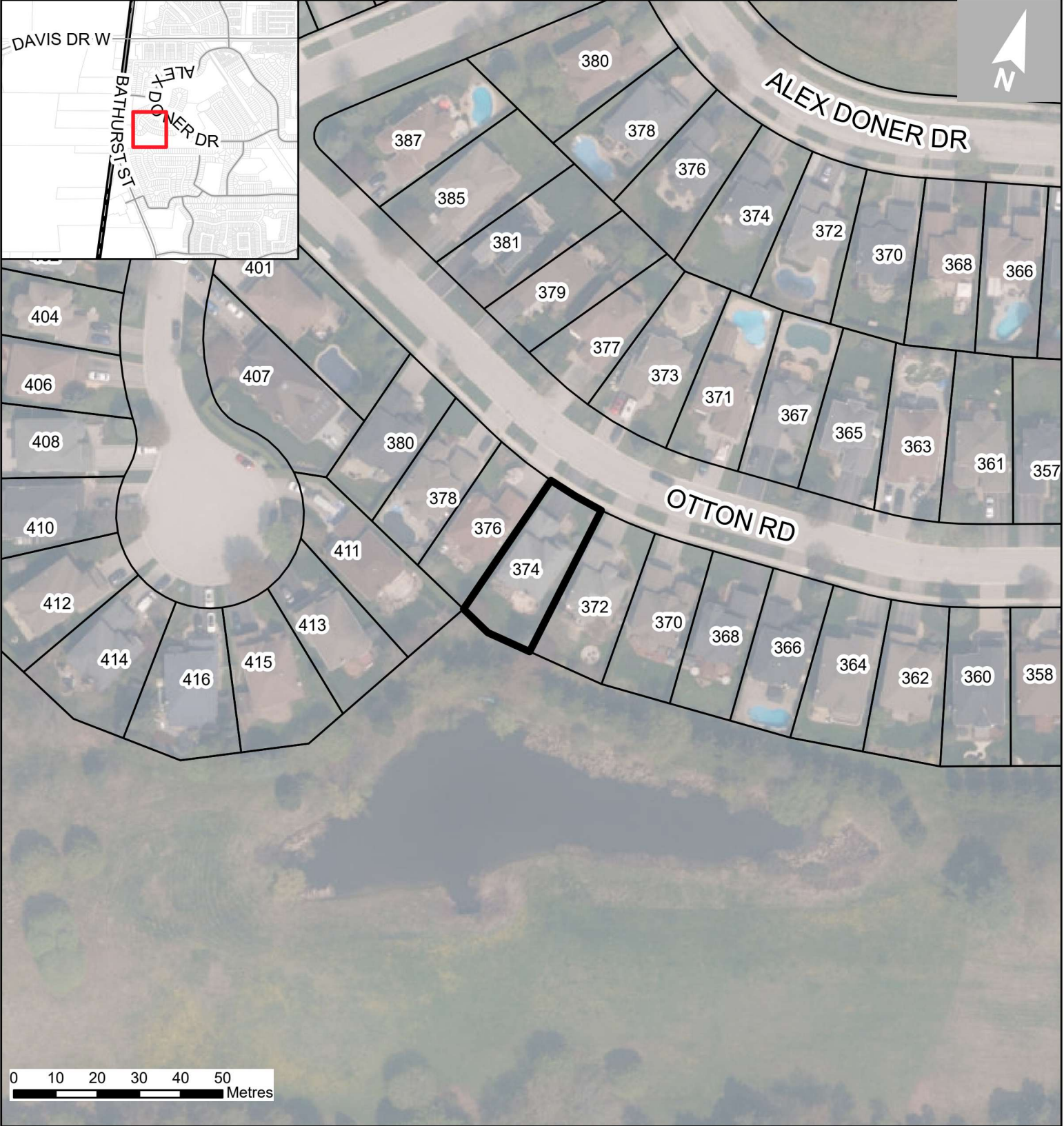
If you are the owner of any land that contains seven or more residential units you are hereby requested to post this notice in a location that is visible to all of the residents.

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 9th day of April, 2026.

Secretary-Treasurer
Committee of Adjustment

374 Otton Road



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by Staff Online GIS
Printed: 2026-04-08.



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-2026-015

Staff Report to Committee of Adjustment

Report Number: MV-2026-015
Property Address: 374 Otton Road
Made By: Masoud Karimi
Department(s): Building and Planning Services
Author(s): David Sanza, Junior Planner
Report Published: April 24, 2026
Meeting Date: April 29, 2026

Recommendations:

That Minor Variance Application MV-2025-022 **be approved.**

Advisory Comments:

1. That the variance pertains only to the request as submitted with the application;
2. That the development be substantially in accordance with the information submitted with the application;
3. That a building permit application issued by the Town of Newmarket Building Services shall be obtained for the proposed works;
4. That any trees located within the Town's right-of-way, on the subject lands, or adjacent properties are subject to the provisions of the Town's Private and Public Tree Protection By-laws;
5. Failure to comply with and maintain the conditions of the Committee shall render the approval null and void;
6. A maximum of one (1) space in the garage shall be reserved for the purpose of parking and for no other use; and,
7. The municipal boulevard is not recognized as a legal parking space.

Application Information:

An application for a minor variance has been submitted by the owner of the above-noted property to request relief from Zoning By-law 1979-50, as amended, to permit the construction of an additional residential unit (ARU) in the basement of the existing single-detached dwelling. The application requests relief from the By-law to permit one of the required parking spaces to be provided within the double-car garage.

| Zoning Item | | 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 |

Area Context

The above-described property (herein referred to as the “subject land”) is located in a residential neighbourhood, south of Alex Doner Drive and east of Borland Court. The subject land is occupied by an existing single-detached dwelling and is surrounded by similar single-detached residential uses.

Current Official Plan Designation and Zoning

| | |
|-----------------------------|--|
| Official Plan Designation: | Urban Area - Oak Ridges Moraine Area |
| Residential Character Area: | Traditional Suburban Character Area |
| Zoning By-law: | By-law 1979-50 as amended |
| Zoning Classification: | Single Family Detached Dwelling Second Density (R2/S) Zone |

Discussion:

The request for variance is to recognize the use of one interior parking 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 within the existing single-detached dwelling. The Zoning By-law requires two (2) exterior parking spaces to be provided for the principal dwelling and one (1) exterior parking space for the ARU, for a total of three (3) exterior parking spaces. The application was submitted because the current driveway (a double-car, side-by-side driveway) cannot accommodate the required three exterior parking spaces.

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 requested variance meets the objectives of the Residential Area policies and policies of the Traditional Suburban Character Area (Section 2.4.2) 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 | <ul style="list-style-type: none"> Section 6.25(1) requires a minimum of three (3) exterior parking spaces for a single-detached dwelling with an ARU. The proposal requests that one (1) of the required parking spaces in the existing double-car garage be considered. The provided space complies with the minimum parking space dimensions (Section 6.24.2) and maintains space for storage. |

| | |
|-------------------------------------|--|
| | <ul style="list-style-type: none"> The general intent of the minimum number of parking spaces is to ensure adequate parking is provided for the two (2) dwelling units. Three (3) total spaces are provided. This test is met. |
| 3. Desirable Development of the Lot | <ul style="list-style-type: none"> Additional residential units contribute to a mix of housing types, allows for a modest increase in density, and supports the Town's goals of providing more affordable housing options. The proposed variance is considered 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 number of potential vehicles generated by the two (2) dwelling units can be accommodated on the property, and sufficient space is maintained for storage. The requested variance is considered minor in terms of anticipated impact. 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 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 |
|---|---------------|--|
| Engineering Services | 04/20/2026 | No comments |
| Legislative Services | N/A | No by-law concerns/infractions have been noted |
| York Region | 04/16/2026 | No comments |
| 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:

David Sanza

David Sanza, Junior Planner, Planning & Building Services


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket www.newmarket.ca
 395 Mulock Drive engineering@newmarket.ca
 P.O. Box 328, STN Main T: 905 895.5193
 Newmarket, ON L3Y 4X7 F: 905 953.5138

M E M O R A N D U M

TO: Committee of Adjustment
FROM: Veronika Axenova, Engineering Development Coordinator
DATE: April 15, 2026
RE: Application for Minor Variance
 Made by: MASOUD KARIMI & SOMAYEH SARDASHTI
 File No.: MV-2026-015
 374 OTTON ROAD, NEWMARKET, ON
 Town of Newmarket Ward 7
 Engineering Services File No.: Otton Rd

The applicant is proposing interior construction that requires minor relief from the Zoning By-law. The following relief is requested from Zoning By-law 1979-50, as amended:

1. Relief from Section 6.25 Parking Space Requirements (as amended by Section 5 of By-law 2003-98) to permit one parking space within the garage whereas the By-law requires parking spaces to be provided exterior to a garage.

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.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

Veronika Axenova

Veronika Axenova
 Engineering Development Coordinator

File No.: VA027M

From: [Hurst, Gabrielle](#)
To: [Umar Mahmood](#)
Subject: Re: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Apr 29, 2026)
Date: April 14, 2026 11:40:20 AM
Attachments: [Outlook-fazxtttg.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.

MV-2026-15

Good morning Umar

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

Regrds,

Gabrielle

From: Umar Mahmood

Sent: Wednesday, April 8, 2026 4:38 PM

To: Ian McDougall; John Taylor; Victor Woodhouse; Bob Kwapis; Christina Bisanz; Grace Simon; Kelly Broome; Jane Twinney; Trevor Morrison; Peter Noehammer; Paul Freeman; Lawrence Villanueva; Lisa Lyons; rowcentre@bell.ca; Development Services; Moustafa Popal; John Comeau; cameron.blaney@ontario.ca; William.Francolini@ontario.ca; gcreta@envinetwork.com

Cc: michs@rogers.com; rwgreen@rogers.com; 4bblewis@gmail.com; Josh Scholten; James (Jim) Georgeff; dr.alavialavi@gmail.com

Subject: Re: Committee of Adjustment - Notice of Complete Application and Public Hearing Circulation (Apr 29, 2026)

STOP! External Email: Are you expecting this email from this sender? Does the message include a QR Code? If the message seems out of the ordinary or requests your credentials, forward it to isitsafe@york.ca
 Good afternoon,

Please be advised the next virtual Committee of Adjustment hearing will be held on **Wednesday April 29, 2026 at 9:30 AM.**

The Committee will consider the following applications:

CON-2025-002, MV-2025-010, & MV-2025-011 (378 Simcoe St) Ward 5:

1000655381 ONTARIO INC. is proposing to convey the subject land indicated as Parcel "A" on the attached sketch for residential purposes and to retain the land marked as Parcel "B" on the attached sketch for residential purposes.

File Number: MV-2025-010

The purpose and effect of the application is as follows:

The applicant is proposing a lot severance that requires minor relief from the Zoning By-law. The following relief is requested for the severed lands (CON-2025-004) from Zoning By-law 2010-40, as amended:

1. Relief from Section 6.2.2 Zone Standards to permit a lot area of 337.8sq.m whereas the By-law requires a minimum lot area of 511.0sq.m;
2. Relief from Section 6.2.2 Zone Standards to permit a lot frontage of 10.08m whereas the By-law requires a minimum lot frontage of 15.00m;
3. Relief from Section 6.2.2 Zone Standards to permit a front yard of 5.62m whereas the By-law permits a maximum front yard of 3.71m;
4. Relief from Section 6.2.2 Zone Standards to permit a lot coverage of 32.9% whereas the By-law permits a maximum lot coverage of 25.0%; and
5. Relief from Section 6.2.2 Zone Standards to permit a finished first floor height of 1.56m whereas the By-law permits a maximum finished floor height of 1.20m.

File Number: MV-2025-011

The purpose and effect of the application is as follows:

The applicant is proposing a lot severance that requires minor relief from the Zoning By-law. The following relief is requested for the retained lands (CON-2025-004) from Zoning By-law 2010-40, as amended:

1. Relief from Section 6.2.2 Zone Standards to permit a lot area of 338.6sq.m whereas the By-law requires a minimum lot area of 511.0sq.m;
2. Relief from Section 6.2.2 Zone Standards to permit a lot frontage of 10.08m whereas the By-law requires a minimum lot frontage of 15.00m;
3. Relief from Section 6.2.2 Zone Standards to permit a front yard of 5.66m whereas the By-law permits a maximum front yard of 3.71m; and
4. Relief from Section 6.2.2 Zone Standards to permit a lot coverage of 32.8% whereas the By-law permits a maximum lot coverage of 25.0%.

MV-2026-015 (374 Otton Rd) Ward 7:

The applicant is proposing a below grade entrance (as built) that requires minor relief from the Zoning-By-law. 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 side yard measured to a below grade entrance of 0.13m whereas By-law requires a minimum side yard of 0.9m.

Comments are requested by **April 17, 2026**, 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=978ea30c69c24be0aa7dd8fa37794b22>

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

Thank you,
Umar



Umar Mahmood

Planner COA & Cultural Heritage | Planning and Building Services

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

| heynewmarket.ca

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Newmarket: A Community *We//* Beyond the Ordinary

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

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Gabrielle

Gabrielle Hurst MCIP, RPP

Associate Development Specialist, Development Services, Economic and Development Services Branch
Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 8V3

O: 905-830-4444 ext. 71538 | developmentsservices@york.ca |

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

For more information check us out at www.york.ca/developmentsservices