



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

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

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