

Declarations of Pecuniary Interest

Approval of Minutes

1. Minutes of the regular Meeting of the Committee held on Wednesday, December 16, 2015. p. 1

Minor Variance Applications

2. D13-A28-15 GOODMAN, David p. 8
Lot 3, Plan 48
340 Timothy Street
Town of Newmarket

Consent Applications

Note – the applications noted below have been filed in conjunction with Minor Variance Applications.

3. D10-B04-15 RORA, Maksim p. 17
Lot 8 and Part of Lot 7, Plan 24
648 Srigley Street
Town of Newmarket
4. D13-A24-15 RORA, Maksim p. 31
Part Lot 7 and Part Lot 8, Plan 24
Srigley Street (new lot on west side of 648 Srigley Street)
Town of Newmarket
5. D13-A25-15 RORA, Maksim p. 41
Part Lot 8, Plan 24
648 Srigley Street
Town of Newmarket

New Business

Adjournment

The meeting of the Committee of Adjustment was held on Wednesday, December 16th, 2015 at 9:30 a.m. in the Council Chambers at 395 Mulock Drive, Newmarket.

Members Present: Gino Vescio, Chair
Fred Stoneman, Member
Peter Mertens, Member
Elizabeth Lew, Member
Betty Dykstra, Alternate Member

Staff Present: Linda Traviss, Senior Planner - Development
Ted Horton, Planner
Kym Pelham, Committee Secretary

The Meeting was called to order at 9:30 a.m. in the Council Chambers to consider items on the agenda.

Gino Vescio in the Chair.

The Chair called for conflicts of interest. No conflicts were declared at that time; however, members were invited to declare a conflict of interest at any time during the meeting.

MINOR VARIANCE APPLICATIONS

**D13-A17-15 GERRITS, Adam
GERRITS, Randall
Lot 8, Plan 376
299 Avenue Road
Town of Newmarket**

Adam and Randall Gerrits of 299 Avenue Road, NEWMARKET, ON L3Y 1N8, addressed the Committee and provided the following comments:

- would like to build on to existing home
- want to add second storey to current footprint

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

1. Report from Linda Traviss, Senior Planner - Development dated December 11, 2015;
2. Memorandum from V. Klyuev, Senior Engineering Development Coordinator - Residential dated December 5, 2015;
3. Memorandum from David Potter, Chief Building Official dated December 2, 2015;

4. E-mail from Kevin Jarus, Development Planner, Lake Simcoe Region Conservation Authority dated December 14, 2015; and
5. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated December 3, 2015.

There were no comments from the public on this application.

***Moved by Peter Mertens
Seconded by Betty Dykstra***

THAT Minor Variance Application D13-A17-15 be approved, subject to the following conditions:

1. that the variances pertain only to the request as submitted with the application;
2. that development be substantially in accordance with the plans submitted with the application;
3. that the owner be advised that prior to the issuance of any building permit, compliance will be required with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy and the items identified by the Town's Consulting Arborist in a report dated December 7, 2015.

as the Minor Variance Application:

- (1) appears to be minor in nature as the impact on adjacent properties will be minimal;
- (2) conforms to the intent and purpose of the Official Plan and Zoning Bylaw as both documents permit detached dwellings; and
- (3) does not adversely affect the character of the neighbourhood as the use is permitted and is desirable for the appropriate development or use of the land, buildings or structures.

CARRIED

**D13-A21-15 MCKAY, Grant
VAN DEN ELZEN, Nell
Part Lot 16, Plan 85
296 Ellen Street
Town of Newmarket**

Nell Van den Elzen of 296 Ellen Street, NEWMARKET, ON L3Y 4C6, addressed the Committee and provided the following comments:

- wish to have driveway off Andrew Street
- currently only have parking for 1 car in driveway
- requesting driveway off Andrew Street for their 2 vehicles

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

1. Report from Ted Horton, Planner dated December 3, 2015;
2. Memorandum from V. Klyuev, Senior Engineering Development Coordinator - Residential dated December 7, 2015;
3. Memorandum from David Potter, Chief Building Official dated December 2, 2015;
4. E-mail from Kevin Jarus, Development Planner, Lake Simcoe Region Conservation Authority dated December 14, 2015;
5. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated December 3, 2015; and
6. Letter from Richard Waddell of 292 Ellen Street, NEWMARKET, ON L3Y 4C6 dated November 17, 2015.

There were no further comments from the public on this application.

***Moved by Fred Stoneman
Seconded by Elizabeth Lew***

THAT Minor Variance Application D13-A21-15 be approved, subject to the following conditions:

1. That the variance pertains only to the requests as submitted with the application; and
2. That the existing driveway on the east side of the property be removed and returned to a planted condition akin to the rest of the lawn of the subject land; and
3. That the development be substantially in accordance with the sketch submitted with the application.

as the Minor Variance Application:

- (1) appears to be minor in nature as the impact on adjacent properties appears to be minimal due to the orientation of the existing properties' driveways; and
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law as both documents permit residential uses on the property with driveways; and
- (3) does not adversely affect the character of the neighbourhood and is considered a desirable development of the lot.

CARRIED

D13-A26-15 HOPKINSON, Sydney John
Part Lot 2, Concession 3
being Parts 5 & 6, Plan 65R-12998
210 Pony Drive
Town of Newmarket

Annik Forristal of McMillan LLP, 181 Bay Street, Suite 4400, TORONTO, ON M5J 2T3, addressed the Committee and provided the following comments:

- represent Tidal Fitness Ltd.
- authorized by the owner
- new tenant and use is for a cross fit training centre
- will be holding 7 one hour classes per day to a maximum of 17 participants and 3 employees
- peak hours will be different than those of the other units
- parking justification report advised that there are 54 spaces and based on the usage only 20 would be required
- maximum used currently are 21 parking spaces, which would leave 13 spaces available
- agree with the staff report
- will be no negative impact on other units
- have letters of support from three of the other units

David Rose of 215 Pony Drive, NEWMARKET, ON L3Y 7B5, addressed the Committee and provided the following comments:

- not in favour of the application
- already have parking issues at 215 Pony Drive
- overflows are parking on the street

Fred Stoneman inquired as to where the overflow parking was coming from and Mr. Rose mentioned that it was coming from 225 Pony Drive.

Mr. Stoneman also inquired as to whether Mr. Rose had noticed any parking issues at 210 Pony Drive and Mr. Rose mentioned that he had not noticed any issues.

Andrea Bourrie of MMM Group, 100 Commerce Valley Drive West, THORNHILL, ON L3T 0A1, addressed the Committee and provided the following comments:

- represent business in Unit #3
- the business owner is not opposed to the variance and feels it will be a great addition provided they comply with the business licencing provisions and the zoning bylaw
- the parking will have an impact on the other businesses
- concerns may be addressed if there are 10 designated spaces for the business at Unit #3
- will there be a crossover between classes
- her client operates from 5 pm to 8 pm
- want to know how the parking situation will be enforced
- not appropriate for her client to contact the bylaw enforcement office for every issue

Ted Horton mentioned that the signage for individual businesses could be dealt with by the management of the building as they have the ability to impose restrictions or the Committee could impose a condition to deal with the signage on site.

The Chair mentioned that with respect to designating parking spots for certain units, that this issue could be resolved between the parties.

Peter Mertens inquired as to what the other 3 uses were in the building and Ms. Forristal mentioned that they were warehousing, edge metal and technology uses, which all operate under regular business hours.

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

1. Revised report from Ted Horton, Planner dated December 15, 2015;
2. Memorandum from M. Kryzanowski, Senior Transportation Coordinator dated December 7, 2015;
3. Memorandum from M. Kryzanowski, Senior Transportation Coordinator dated December 9, 2015;
4. E-mail from Kevin Jarus, Development Planner, Lake Simcoe Region Conservation Authority dated December 14, 2015;
5. Memorandum from David Potter, Chief Building Official dated December 3, 2015;
6. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated December 8, 2015;
7. Letter from Kim Delgado Sales Manager, Dixon Triconderoga Inc., 210 Pony Drive, Unit 1, NEWMARKET, ON L3Y 7B6 dated December 15, 2015;
8. E-mail from Carolyn Jackson, Manager, Sales Operations, Dairy Quality Inc., 210 Pony Drive, Unit 5, NEWMARKET, ON L3Y 7B6 dated November 26, 2015; and
9. Letter from Len Robinson, The Edge Custom Coatings, 210 Pony Drive, Unit 4, NEWMARKET, ON L3Y 7B6 dated December 15, 2015.

There were no further comments from the public on this application.

Moved by Peter Mertens

Seconded by Fred Stoneman

THAT Minor Variance Application D13-A26-15 be approved, subject to the following conditions:

1. That the variance pertains only to the requests as submitted with the application; and
2. That the development be substantially in accordance with the sketch submitted with the application; and
3. That no additional commercial athletic centre or additional gross floor area devoted to a commercial athletic centre beyond that of the current applicant is permitted on the subject lands.

as the Minor Variance Application:

- (1) appears to be minor in nature as the impact on adjacent properties appears to be minimal due to ability to manage the parking demand on-site; and
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law as both documents permit commercial athletic centre uses on the property; and
- (3) does not adversely affect the character of the neighbourhood and is considered a desirable development of the lot.

CARRIED

**D13-A27-15 NADTOTCHII, Iana
NADTOTCHII, Yurii
Units 5 & 6, Level 1
York Region Standard Condominium Plan No. 992
1150 Kerrisdale Boulevard, Units 5 & 6
Town of Newmarket**

Iana Nadtotchii of 46 Oak Avenue, RIVER DRIVE PARK, ON L9N 1A2, addressed the Committee and provided the following comments:

- operate Big Top School of Circus Arts
- have been in operation for 20 years
- were previously tenants in similar units, however the units sold and they had to move
- looking for properties with EM zoning and found 1150 Kerrisdale
- parking is not sufficient
- cater to children 3 to 14 years of age
- parents normally drop off the children
- run birthday parties on the weekends and summer camps
- do offer some adult classes
- require minimal parking
- hours of operation start at 5 pm Tuesday to Thursday, Saturday from 9 am and Sunday if there are any birthday parties booked they open at 11:00 am.

The Chair mentioned that he had concerns regarding the parking on Saturdays and Ms. Nadotochii mentioned that there were usually only 3 cars in the parking lot on Saturdays and most of the businesses do not operate on Saturday.

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

1. Revised report from Ted Horton, Planner dated December 15, 2015;
2. Memorandum from M. Kryzanowski, Senior Transportation Coordinator dated December 7, 2015;
3. Memorandum from David Potter, Chief Building Official dated December 3, 2015;
4. E-mail from Kevin Jarus, Development Planner, Lake Simcoe Region Conservation Authority dated December 14, 2015; and
5. E-mail from Gabrielle Hurst, Programs and Process Improvement Section of the Planning and Economic Development Branch, Corporate Services, The Regional Municipality of York dated December 8, 2015.

There were no comments from the public on this application.

***Moved by Elizabeth Lew
Seconded by Betty Dykstra***

THAT Minor Variance Application D13-A27-15 be approved, subject to the following conditions:

1. That the variance pertains only to the requests as submitted with the application;
and

2. That the development be substantially in accordance with the sketch submitted with the application; and
3. That no additional commercial athletic centre or additional gross floor area devoted to a commercial athletic centre beyond that of the current applicant is permitted on the subject lands.

as the Minor Variance Application:

- (1) appears to be minor in nature as the impact on adjacent properties appears to be minimal due to ability to manage the parking demand on-site; and
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law as both documents permit commercial athletic centre uses on the property; and
- (3) does not adversely affect the character of the neighbourhood and is considered a desirable development of the lot.

CARRIED

The Minutes of the meeting held on Wednesday, November 18th, 2015 were placed before the Committee for consideration.

Moved by Peter Mertens
Seconded by Elizabeth Lew

THAT the Minutes of the Wednesday, November 18th, 2015 meeting be approved as circulated.

CARRIED

Moved by Fred Stoneman
Seconded by Peter Mertens

THAT the Meeting adjourn.

CARRIED

The meeting adjourned at 10:15 a.m.

Dated

Chair



PLANNING AND BUILDING SERVICES

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Newmarket, ON L3Y 4X7

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REPORT



TO: Committee of Adjustment

FROM: Ted Horton
Planner

DATE: January 6, 2016

RE: Application for Minor Variance **D13-A28-15**
340 Timothy Street
Town of Newmarket
Made by: David Goodman

1. RECOMMENDATIONS:

That Minor Variance Application D13-A28-15 be approved, subject to the following conditions:

1. That the variance pertains only to the request as submitted with the application;
2. That the applicant be advised that prior to the issuance of any building permit compliance will be required with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy; and
3. That the development be substantially in accordance with the sketch submitted with the application.

2. APPLICATION:

An application for a minor variance has been submitted by the above-noted owner to request relief from Zoning By-law Number 2013-30 as amended, in order to permit a porch having a height of 3.4 metres to be setback a distance of 0.3 metres from the front lot line, whereas the bylaw permits a porch, having a height of 2.75 metres or less to encroach a distance of 2.4 metres into the required front yard.

The above-described property (herein referred to as the "subject lands") is located in a residential neighbourhood, specifically on the south side of Timothy Street east of Lorne Avenue and west of John Street.

3. PLANNING CONSIDERATIONS:

The applicant is requesting relief in order to permit a porch having a height of 3.4 metres to be setback a distance of 0.3 metres from the front lot line. The subject lands are zoned R1-D-119, and exists in one of the older parts of Newmarket. The subject lands are a single lot that is smaller and shallower than many R1-D-119 lots in the area.

In making a recommendation to the Committee, staff are required to consider the 4 tests under the *Planning Act*; staff offer the following comments:

The subject lands are designated "Stable Residential" in the Town's Official Plan. The objectives of the designation are to sustain and enhance the character and identity of existing residential communities and encourage the preservation and maintenance of the Town's existing housing stock. This designation permits single detached dwellings, and supports efforts to invest in the existing housing stock. Therefore the application is found to conform to the Official Plan.

The subject lands are zoned Residential Detached Dwelling (R1-D-119) 15-metre Zone on Schedule 'A' to By-law Number 2013-30, as amended. A single detached two-storey dwelling is permitted in this zone, and covered front porches are permitted subject to certain setbacks and limited encroachments into required setbacks. The existing building has a legal nonconforming position for the existing setbacks, and it has been the Town's practice to not allow further encroachment into setbacks that are inferior yet legally nonconforming to the requirements of the Zoning By-law.

The general intent of setbacks is to ensure that the use of a property does not infringe on the rights of neighbours, and to allow sufficient space for light, sunshine, storm water run-off, and movement around the home. The general intent of front yard setbacks is less utilitarian and more aesthetic, often requiring larger setbacks than on the sides in order to require properties to have open sightlines on streets and not to appear to crowd the right-of-way. In the case of the subject lands, the street is narrow and existing properties are close to the right-of-way, with fences, retaining walls, and hedges lining the street. In this case, a more liberal encroachment and height will not detract from the sightlines and view of the street, as the existing character is much the same. Thus the intent of the zoning by-law is met.

It is desirable to maintain and improve existing properties by applying zoning provisions that reflect the context of each lot. Both the Official Plan and the Zoning By-law permit this use, and encourage improvement of existing properties. It is considered desirable to permit a land owner to improve their property and renew the housing stock of the town.

When considering if the variance is minor, it is not simply the numerical value; the Committee is requested to consider the impact of the variance. The impact of the proposed variance appears to be minimal as there is little change in the existing street sightlines, pedestrian or traffic safety, or enjoyment of the adjacent property.

In consideration of the above, the proposed variance meets the four tests under the *Planning Act*.

4. OTHER COMMENTS:

Building Services has reviewed the application and advised that they have no comments or concerns.

Engineering Services has reviewed the application and advised that they have no comments or concerns provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite, and construction does not occur within any easement(s), where applicable.

The application is subject to the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy that was adopted by Council on October 12, 2004. The policy provides that all significant trees, as defined in the policy, and subject to a development application, may not be

removed, injured, pruned or destroyed in any way without the approval of the Town. Significant trees that have been identified in a tree inventory which cannot be protected due to development constraints can be removed with the Town's approval, provided compensation is provided to the Town. Compensation may be in the form of aggregate inch replacement trees or financial payment.

The Town's Consulting Arborist has reviewed the application and advised that a proper arborist report must be submitted with proof of ISA credentials.

The Lake Simcoe Region Conservation Authority has reviewed the application and advised that they have no comments or concerns.

The Regional Municipality of York has reviewed the application and advised that they have no comments or concerns.

5. CONCLUSIONS:

The recommendation of approval for the variance is based on the rationale described above and specifically that the relief as requested:

- (1) is minor in nature as the impact appears to be minimal;
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law; and
- (3) does not adversely affect the character of the neighbourhood and is considered a desirable development of the lot.

Respectfully submitted,



Ted Horton
Planner

copy: R. Prudhomme, M. Sc., P. Eng. – Director, Engineering Services


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES
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M E M O R A N D U M

TO: R. Nethery, B.E.S., MCIP, RPP, Director of Planning

FROM: Rick Bingham, C.E.T., Manager, Engineering Services

DATE: January 11, 2015

RE: Application for Minor Variance
File No. D13-A28-15
Lot 3, Plan 48
340 Timothy Street
Town of Newmarket



We herein acknowledge receipt of the above noted application for Minor Variance requesting relief from the Town of Newmarket Zoning By-law 2010-40 as amended by Bylaw Number 2013-30, Section 4.2 Encroachments into Required Yards to permit a porch having a height of 3.4 metres to be setback a distance of 0.3 metres from the front lot line, whereas the bylaw permits a porch, having a height of 2.75 metres or less to encroach a distance of 2.4 metres into the required front yard.

We have reviewed the application and supporting documentation and have no objection to the proposed minor variance provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

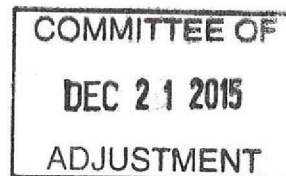
Rick Bingham, C.E.T.
Manager, Engineering Services

File No.: RDB004M

File digital and hardcopy

Pelham, Kym

From: Kevin Jarus <K.Jarus@lsrca.on.ca>
Sent: December-21-15 2:55 PM
To: Pelham, Kym
Subject: RE: D13-A28-15 - 340 Timothy Street



Hello Kym,

Please note we have no comments or concerns with the subject application.

Regards,

Kevin Jarus, M.Pl.

Development Planner

Lake Simcoe Region Conservation Authority

120 Bayview Parkway, Newmarket, Ontario L3Y 3W3

905-895-1281, ext. 151 | 1-800-465-0437

k.jarus@LSRCA.on.ca | www.LSRCA.on.ca

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From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]

Sent: Monday, December 21, 2015 9:09 AM

To: Kevin Jarus; Info Mail

Subject: D13-A28-15 - 340 Timothy Street

Hi Kevin,

Please find attached the Notice of Application with regards to file D13-A28-15, together with a copy of the Application for your review and comments.

A cheque for LSRCA fees will be attached to the hard copy of the Notice & Application and will be forwarded to your attention by mail.

Could I please get your formal comments for noon on Thursday, January 14, 2016.

Thanks
Kym



Kym Pelham, ACST

Committee Secretary

Planning and Building Services

905-953-5300, press 2, ext. 2456

905-953-5140 (fax)

kpelham@newmarket.ca

www.newmarket.ca

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COMMITTEE OF
DEC 22 2015
ADJUSTMENT

MEMORANDUM

TO: Committee of Adjustment

FROM: David Potter, CBCO, B. Tech., MAATO
Chief Building Official

DATE: December 22, 2015

RE: Application for Minor Variance

File no: D13-A24/A25/A28-15

I have reviewed the above and have no concerns or comments at this time.

A handwritten signature in cursive script, appearing to read "David Potter".
David

Pelham, Kym

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: January-05-16 2:24 PM
To: Pelham, Kym
Subject: FW: D13-A28-15 - 340 Timothy Street
Attachments: 2015 - D13-A28 (Goodman) Application.pdf; 2015 - D13-A28 (Goodman) Notice.pdf

Good Morning Kym,

The Region of York has completed its review of the Minor Variance application submitted for 340 Timothy Street and has no objection.

Regards,
 Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement Section of the Planning and Economic Development Branch | Corporate Services

 The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
 O 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

From: Hurst, Gabrielle
Sent: Tuesday, January 05, 2016 10:32 AM
To: kpelham@newmarket.ca
Subject: FW: D13-A28-15 - 340 Timothy Street

Good Morning Kym,

The Region of York has completed its review of the Minor Variance application submitted for 340 Timothy Street and has no objection.

Regards,
 Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement Section of the Planning and Economic Development Branch | Corporate Services

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Our Values: Integrity, Commitment, Accountability, Respect, Excellence

From: Bilkhu, Vick
Sent: Monday, January 04, 2016 9:18 AM
To: Hurst, Gabrielle
Subject: FW: D13-A28-15 - 340 Timothy Street

From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]
Sent: Monday, December 21, 2015 9:09 AM
To: Bilkhu, Vick
Subject: D13-A28-15 - 340 Timothy Street

Hi Vick,

Please find attached the Notice of Application with regards to file D13-A28-15, together with a copy of the Application for your review and comments.

Could I please get your comments for Thursday, January 14, 2016.

Thanks
Kym



Kym Pelham, ACST

Committee Secretary
Planning and Building Services
905-953-5300, press 2, ext. 2456
905-953-5140 (fax)

kpelham@newmarket.ca

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PLANNING AND BUILDING SERVICES

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REPORT

COMMITTEE OF
JAN 15 2015
ADJUSTMENT

TO: Committee of Adjustment

FROM: Linda L. Traviss, MCIP, RPP
Senior Planner - Development

DATE: January 14, 2016

RE: Application for Consent D10-B04-15 and
Applications for Minor Variance No. D13-A24-15
and D13-A25-15
Lot 8, Part Lot 7, Plan 24
648 Srigley Street
Made by: Maksim Rora

RECOMMENDATIONS

1. That Consent Application D10-B04-15 be approved subject to:

- a. the Owner entering into a leading site plan agreement for the future development of the subject and retained lands dealing with all matters, financial, servicing, grading and storm drainage design and otherwise including the payment of a parkland contribution in accordance with the provisions of the *Planning Act, R.S.O. 1990*, to the satisfaction of the Town;
- b. the Owner granting to the Town at no cost a 2.0 metre road widening across the frontage of the subject and retained lands;
- c. the Owner providing three white prints of a deposited reference plan of survey that substantially conforms to the application as approved by Committee; and
- d. the Owner obtaining relief from the provisions of the Zoning By-law for reduced lot frontage as set forth in Minor Variance Applications D13-A24-15 and D13-A25-15.

2. That Minor Variance Applications D13-A24-15 and D13-A25-15 be approved in order to facilitate Consent Application D10-B04-15 subject to the following conditions:

- a. that the variances pertain only to the requests as submitted with the applications;**
- b. that development be substantially in accordance with the “Proposed Building Footprint” submitted with the applications;**
- c. that the owner be advised that prior to the issuance of any building permits compliance will be required with the provisions of the Town’s Tree Preservation, Protection, Replacement and Enhancement Policy and the items identified by the Town’s Consulting Arborist in a report dated December 7, 2015; and**
- d. that the owner be advised that prior to any development or site alteration occurring on the severed or retained lands a permit will be required from the Lake Simcoe Region Conservation Authority.**

COMMENTS

1. APPLICATIONS

Applications for Consent and Minor Variance have been submitted by Maksim Rora, the owner of 648 Srigley Street. The purpose of the consent application is to convey the subject lands indicated as “A” on the attached sketch for residential purposes and to retain the lands marked “B” on the attached sketch for residential purposes. The subject land presently contains a residential structure containing two dwelling units.

In order to facilitate the consent, applications for Minor Variance have been submitted to request relief from Zoning Bylaw Number 2010-40, as amended by By-law Number 2013-30. Relief is requested from Section 6.4.2 Zone Standards for the subject and remaining lands to permit a minimum lot frontage of 11.91 metres notwithstanding the by-law requirement of a minimum of 15 metres.

2. PLANNING CONSIDERATIONS

The subject and remaining lands are designated Stable Residential with a Floodplain overlay in the Town’s Official Plan which was approved by the Region of York on May 29, 2008. The Plan permits single-detached and semi-detached dwellings within the Stable Residential designation. Further, the Plan generally reflects the residential built forms that were in existence as of the adoption of the Plan by Council. Limited intensification is permitted in the Stable Residential designation in a form and location that will maintain the residential character and amenities. The Plan encourages the preservation and maintenance of the Town’s existing housing stock supplemented by various forms of residential intensification such as infilling and the creation of accessory dwelling units.

The owner is proposing to convey a parcel having a total lot area of approximately 530m² from the westerly portion of the property in order to create a new residential building lot and to retain the easterly parcel having a lot area of approximately 530m² for a new residential building lot. The existing residential structure on the property will be demolished.

The subject and remaining lands are zoned Stable Residential R1-D-119 on Map Number 13 of Schedule 'A' to By-law Number 2010-40, as amended by By-law Number 2013-30. The subject and remaining lands do not comply with the minimum lot frontage requirements of the By-law, however, minor variance applications have been submitted concurrently with the consent application.

The relief requested for the subject and remaining lands is to permit lot frontages of 11.91m whereas the by-law requires a minimum lot frontage of 15.0m. The requested reduction amounts to a difference of 3.09m in lot frontage.

Within the immediate neighbourhood there are a variety of lot frontages and lot sizes. The lot frontages on the south side of Srigley Street in the general area of the subject lands vary between 19.54m and 50.65m. The lots directly across the street from the subject lands flank Srigley Street.

The resultant lots would be deemed compatible with the surrounding lot sizes and patterns and would permit the individual ownership of each proposed detached dwelling on the subject and remaining lands. The land uses surrounding the subject and remaining lands are a variety of housing types (detached dwellings, multiple unit residences, and townhouses). The lots directly across the street contained detached dwellings. Detached dwellings are permitted uses and compatible with the surrounding land uses.

The impact of the requested variances on neighbouring properties should be minimal as at such time the subject lands are developed, the owner will be required to enter into a site plan agreement with the Town to address matters, such as but not limited to, servicing, grading, drainage, etc. to ensure compatibility with the surrounding lands.

In considering the consent application, regard has been given to the consent policies of Section 16.1.5 of the Official Plan. Therefore, the proposed application would not conflict with the purpose and intent of the Official Plan provided the necessary relief requested through the minor variance applications is obtained. The proposed minor variance applications are deemed appropriate and generally in keeping with the intent of the Zoning By-law, as amended.

If the subject consent application and minor variance applications are approved it would be possible to facilitate the creation of two separate land parcels to provide for the construction of two new detached dwellings.

3. OTHER COMMENTS

The application is subject to the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy that was adopted by Council on October 12, 2004. The policy provides that all significant trees, as defined in the policy, and subject to a development application, may not be removed, injured, pruned or destroyed in any way without the approval of the Town. Significant trees that have been identified in a tree inventory which cannot be protected due to development constraints can be removed with the Town's approval, provided compensation is provided to the Town. Compensation may be in the form of aggregate inch replacement trees or financial payment.

The applicant has submitted with the application a report prepared by Silv-Econ Ltd. dated July 6, 2015 which identifies the trees that are to be protected and the trees that are proposed to be removed. The report has been reviewed by the Town's Consulting Arborist and the comments have been provided to the applicant and Committee under separate cover. If Committee were to approve the application, additional information as identified in the report of the Town's Consulting Arborist is required prior to the issuance of building permits for the proposed new dwellings.

The Chief Building Official has offered no objection to the applications.

The Manager of Engineering Services has advised that as conditions of approval of the consent application a 2.0m road widening to accommodate a future right-of-way of 20m is required; each parcel is to be independently serviced with municipal sanitary and water service connections; a general lot grading and storm drainage plan is to be prepared for both parcels; and the owner be required to enter into a site plan agreement to address the requirements for lot grading, storm drainage, and municipal servicing.

Further, the Manager of Engineering Services has offered no objection to the minor variance applications provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

The Lake Simcoe Region Conservation Authority has advised that the property is partially located within an area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. As such a permit will be required from the Authority prior to any development and/or site alteration commencing within the regulated area associated with the applications. Subject to the condition detailed in a letter dated January 5, 2016, the Authority has no objection to the proposed consent and minor variance applications.

4. CONCLUSIONS

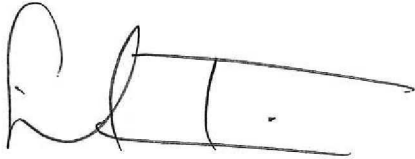
The proposed consent application, provided relief is obtained for reduced lot frontage, would conform with the purpose and intent of the Official Plan and the Zoning By-law, as

amended. The owner will be required to enter into a site plan agreement with the Town and to obtain the necessary relief from the Zoning By-law for reduced lot frontage for the subject and remaining lands. The consent would not adversely affect the character of the neighbourhood and is desirable for the appropriate development and land use.

The relief as requested for the subject and remaining lands through the minor variance application:

- (1) appears to be minor in nature as the impact on adjacent properties will be minimal;
- (2) conforms to the intent and purpose of the Official Plan and Zoning By-law as the new lots will be of sufficient size; and
- (3) does not adversely affect the character of the neighbourhood and is desirable for the appropriate development or use of the land, buildings or structures.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Traviss', with a long horizontal stroke extending to the right.

Linda L. Traviss, MCIP, RPP
Senior Planner - Development

copy: Rachel Prudhomme, B.Sc., P.Eng., Director of Engineering Services

MEMORANDUM



TO: R. Nethery, B.E.S., MCIP, RPP, Director of Planning

FROM: Rick Bingham, C.E.T., Manager, Engineering Services

DATE: January 11, 2015

RE: Application for Consent
File No. D10-B04-15
Lot 8 and Part of Lot 7, Plan 24
648 Srigley Street
Made by: RORA, Maksim
Our File No.: D10 – Srigley

We herein acknowledge receipt of the above noted Application where the applicant is proposing to convey the subject land indicated as "A" on the sketch included with the application for residential purposes and to retain the land marked "B" on the attached sketch for residential purposes.

We have reviewed the application and supporting documentation and provide you with the following comments:

Srigley St. Right-of-Way:

Srigley St. fronting the subject property has an existing right-of-way of approximately 15 meters, however it widens to 18 meters in the area of Stickwood Court. This would signify that a 3 metre widening was taken along the north side of Srigley Street as part of the residential development to provide for an 18m right-of-way in this area. The Town's Official Plan (OP) classifies Srigley St. as a "Minor Collector" road with a minimum width of 23 meters, however the OP indicates that; "while minimum right-of-way widths are established for the various road classifications, it is recognized that roads of less than the required standard right-of-way width may presently exist and widenings to achieve the standard may not be practical because of existing setbacks....." As such, we recommend that a 2.0 meter road widening fronting Subject Land 'A' and Remaining Land 'B' be conveyed to the Town as part of the "Application for Consent" and at no cost to the Town, in order to accommodate a future right-of-way of 20 metres.

Municipal Services:

We advise that the subject site is serviced with existing municipal connections (sanitary and water services) from Srigley Street. If consent is granted for this application, the Applicant will be required to service both the Subject Land "A" and Remaining Land "B" independently with municipal connections.

Lot Grading and Drainage Design:

It would appear from the application provided that there is an existing retaining wall within the subject site which connects to the adjacent property to the immediate west of Remaining Land 'B'. Also, as there may be possible grading constraints and in order to establish proper grading and storm drainage we recommend that conditions be set requiring the Applicant to provide a general lot grading and storm drainage plan for Subject Land 'A' and Remaining Land 'B', prepared and stamped by an professional engineer and acceptable to the Director of Engineering Services.

Site Plan Agreement:

We recommend that the Applicant enter into a Site Plan Agreement to address the requirements for, lot grading, storm drainage, municipal servicing and site plan drawings, etc.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES



Rick Bingham, C.E.T.
Manager, Engineering Services

File No.: RDB002M

File digital and hardcopy



SOUTHLAKE
REGIONAL HEALTH CENTRE

596 Davis Drive
Newmarket, ON L3Y 2P9

TEL 905-895-4521
TTY 905-952-3062

SHOCKINGLY EXCELLENT
SOUTHLAKEREGIONAL.ORG

TWITTER: @SOUTHLAKE_NEWS
FACEBOOK: SOUTHLAKE REGIONAL HEALTH CENTRE
YOUTUBE: SOUTHLAKERHC
DONATE: SOUTHLAKEFOUNDATION.CA

January 11, 2016

Kym Pelham
Secretary-Treasurer
Committee of Adjustment
Town of Newmarket
395 Mulock Drive
P.O. Box 328
Newmarket, Ontario
L3Y 4X7

Via email
kpelham@newmarket.ca



Dear Ms. Pelham;

Re: Application for Consent
Subject Land: Lot 8 and Part Lot 7, Plan 24
648 Srigley Street
File Numbers: D10-B04-15

We are in receipt of your correspondence concerning the above matter.

Southlake Regional Health Centre understands the impact of provincial and regional planning requirements on local communities, in particular, the provincial Places to Grow strategy. In this context, continued development is not unexpected. We have no response with regard to this Application.

If you require any additional information please do not hesitate to contact me.

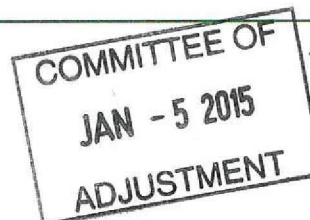
Sincerely,
SOUTHLAKE REGIONAL HEALTH CENTRE

Peter M. Green, P. Eng.
Director, Capital Development

Cc: H. Hutton Southlake



Lake Simcoe Region
conservation authority



A Watershed for Life

Sent by Email: kpelham@newmarket.ca

January 5, 2016

File No: D10-B04-15
IMS File No.: PLDC1411

Ms. Kym Pelham, Secretary-Treasurer
Corporation of the Town of Newmarket
395 Mulock Avenue, Box 328, STN Main
Newmarket, ON L3Y 4X7

Dear Ms. Pelham:

**Re: Application for Consent
Maksim Rora
648 Srigley Street
Lot 8 and Part of Lot 7, Plan 24
Town of Newmarket, Regional Municipality of York**

Thank you for circulating the Lake Simcoe Region Conservation Authority (LSRCA) regarding the above noted application for Consent. We understand that the purpose of this application is to facilitate the creation of a new lot for the purposes of a new single-family residential dwelling.

In reviewing current environmental mapping, the subject property is partially located within an area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. As such, a permit will be required from this office prior to any development and/or site alteration commencing within the regulated area associated with this application.

Based on our review of the subject application, including the floodplain delineation as outlined in the submitted survey (prepared by E.R.GARDEN LIMITED), it appears there is sufficient area outside of the on-site floodplain to construct a dwelling on the newly created lot. As part of any future application for an LSRCA permit, the property owner will need to demonstrate that the dwelling is limited to parts of the property that are outside of the floodplain. Given this, we recommend that any approval of this consent application be subject to the following conditions:

1. That the Owner shall agree to obtain an LSRCA permit prior to any development or site alteration occurring on parts of the severed and retained lots that are subject to Ontario Regulation 179/06;

If you have any questions regarding these comments, please do not hesitate to contact the undersigned. Please refer to the above file numbers in future correspondence.

Regards,

Kevin Jarus, M.Pl.
Development Planner

JAN - 5 2015

ADJUSTMENT

Pelham, Kym

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: January-05-16 2:24 PM
To: Pelham, Kym
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street
Attachments: 2015 - D10-B04 (Rora) Application.pdf; 2015 - D10-B04 (Rora) Notice.pdf; 2015 - D13-A24 (Rora) Application.pdf; 2015 - D13-A24 (Rora) Notice.pdf; 2015 - D13-A25 (Rora) Application.pdf; 2015 - D13-A25 (Rora) Notice.pdf

Good Morning Kym,

The Region of York has reviewed the Consent and Minor Variance Applications for the property located at 648 Srigley Avenue and has no objection.

Regards,
 Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement Section of the Planning and Economic Development Branch | Corporate Services

 The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

☎ 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

From: Hurst, Gabrielle
Sent: Tuesday, January 05, 2016 9:26 AM
To: kpelham@newmarket.ca
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

Good Morning Kym,

The Region of York has reviewed the Consent and Severance Applications for the property located at 648 Srigley Avenue and has no objection.

Regards,
 Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement Section of the Planning and Economic Development Branch | Corporate Services

 The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

☎ 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

From: Bilkhu, Vick
Sent: Monday, January 04, 2016 9:18 AM
To: Hurst, Gabrielle
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]
Sent: Monday, December 21, 2015 9:09 AM
To: Bilkhu, Vick
Subject: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

Hi Vick,

Please find attached the Notices of Application with regards to file D10-B04-15, D13-A24-15 & D13-A25-15, together with copies of the Application for your review and comments.

Could I please get your comments for Thursday, January 14, 2016.

Thanks
Kym



Kym Pelham, ACST

Committee Secretary
Planning and Building Services
905-953-5300, press 2, ext. 2456
905-953-5140 (fax)
kpelham@newmarket.ca
www.newmarket.ca
Follow us on [Twitter](#) @townofnewmarket
Newmarket: A Community *Well* Beyond the Ordinary

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



December 30, 2015

Town of Newmarket
395 Mulock Dr.
Newmarket, Ontario
L3Y 4X7

Attention: Kym Pelham

Re: **File No.:** **D10-B04-15**
 Applicant: **Maksim Rora**
 Location: **648 Srigley St**

Dear Ms. Pelham:

Thank you for your letter dated Dec 21, 2015. Rogers Communications appreciates the opportunity to review and comment on future development within the Town of Newmarket.

We have reviewed the proposed area and do not have any comments or concerns at this time.

Should you have any questions or require further information, please do not hesitate to contact me at 905-780-7018.

Sincerely,

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

Lily Apa
Planning Coordinator
lily.apa@rci.rogers.com

DEC 30 2015

Pelham, Kym

From: Vitumbiko.Mhango@HydroOne.com on behalf of LandUsePlanning@HydroOne.com
Sent: December-30-15 9:05 AM
To: Pelham, Kym
Subject: Town of Newmarket (648 Srigley Street) Consent to Sever Circulation No. D10-B04-15

Consent to Sever Circulation No. D10-B04-15

We have reviewed the documents concerning the above noted Application for Consent and have no comments or concerns at this time.

Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

(Where Hydro One is the Distribution Supplier the Owner/Applicant should contact the closest Hydro One office).

If you have any questions please call me at the number below.

Thank you.

Dennis De Rango

Specialized Services Team Lead

905-946-6237

Please note that Hydro One accepts planning circulations by email at LandUsePlanning@HydroOne.com

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Planning & Building Services
Office of the Building Inspector
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
buildings@newmarket.ca
905.953-5300 ext. 2400



MEMORANDUM

TO: Committee of Adjustment

FROM: David Potter, CBCO, B. Tech., MAATO
Chief Building Official

DATE: December 22, 2015

RE: Application for Consent

File no: D10-B04-15

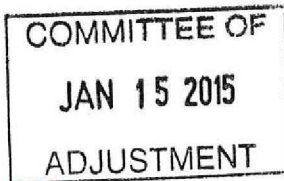
I have reviewed the above and have no concerns or comments at this time.

A handwritten signature in cursive script, appearing to read "D. Potter".
for David

**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

REPORT

TO: Committee of Adjustment

FROM: Linda L. Traviss, MCIP, RPP
Senior Planner - Development

DATE: January 14, 2016

RE: Application for Consent D10-B04-15 and
Applications for Minor Variance No. D13-A24-15
and D13-A25-15
Lot 8, Part Lot 7, Plan 24
648 Srigley Street
Made by: Maksim Rora

RECOMMENDATIONS**1. That Consent Application D10-B04-15 be approved subject to:**

- a. the Owner entering into a leading site plan agreement for the future development of the subject and retained lands dealing with all matters, financial, servicing, grading and storm drainage design and otherwise including the payment of a parkland contribution in accordance with the provisions of the *Planning Act, R.S.O. 1990*, to the satisfaction of the Town;
- b. the Owner granting to the Town at no cost a 2.0 metre road widening across the frontage of the subject and retained lands;
- c. the Owner providing three white prints of a deposited reference plan of survey that substantially conforms to the application as approved by Committee; and
- d. the Owner obtaining relief from the provisions of the Zoning By-law for reduced lot frontage as set forth in Minor Variance Applications D13-A24-15 and D13-A25-15.

2. That Minor Variance Applications D13-A24-15 and D13-A25-15 be approved in order to facilitate Consent Application D10-B04-15 subject to the following conditions:

- a. that the variances pertain only to the requests as submitted with the applications;**
- b. that development be substantially in accordance with the "Proposed Building Footprint" submitted with the applications;**
- c. that the owner be advised that prior to the issuance of any building permits compliance will be required with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy and the items identified by the Town's Consulting Arborist in a report dated December 7, 2015; and**
- d. that the owner be advised that prior to any development or site alteration occurring on the severed or retained lands a permit will be required from the Lake Simcoe Region Conservation Authority.**

COMMENTS

1. APPLICATIONS

Applications for Consent and Minor Variance have been submitted by Maksim Rora, the owner of 648 Srigley Street. The purpose of the consent application is to convey the subject lands indicated as "A" on the attached sketch for residential purposes and to retain the lands marked "B" on the attached sketch for residential purposes. The subject land presently contains a residential structure containing two dwelling units.

In order to facilitate the consent, applications for Minor Variance have been submitted to request relief from Zoning Bylaw Number 2010-40, as amended by By-law Number 2013-30. Relief is requested from Section 6.4.2 Zone Standards for the subject and remaining lands to permit a minimum lot frontage of 11.91 metres notwithstanding the by-law requirement of a minimum of 15 metres.

2. PLANNING CONSIDERATIONS

The subject and remaining lands are designated Stable Residential with a Floodplain overlay in the Town's Official Plan which was approved by the Region of York on May 29, 2008. The Plan permits single-detached and semi-detached dwellings within the Stable Residential designation. Further, the Plan generally reflects the residential built forms that were in existence as of the adoption of the Plan by Council. Limited intensification is permitted in the Stable Residential designation in a form and location that will maintain the residential character and amenities. The Plan encourages the preservation and maintenance of the Town's existing housing stock supplemented by various forms of residential intensification such as infilling and the creation of accessory dwelling units.

The owner is proposing to convey a parcel having a total lot area of approximately 530m² from the westerly portion of the property in order to create a new residential building lot and to retain the easterly parcel having a lot area of approximately 530m² for a new residential building lot. The existing residential structure on the property will be demolished.

The subject and remaining lands are zoned Stable Residential R1-D-119 on Map Number 13 of Schedule 'A' to By-law Number 2010-40, as amended by By-law Number 2013-30. The subject and remaining lands do not comply with the minimum lot frontage requirements of the By-law, however, minor variance applications have been submitted concurrently with the consent application.

The relief requested for the subject and remaining lands is to permit lot frontages of 11.91m whereas the by-law requires a minimum lot frontage of 15.0m. The requested reduction amounts to a difference of 3.09m in lot frontage.

Within the immediate neighbourhood there are a variety of lot frontages and lot sizes. The lot frontages on the south side of Srigley Street in the general area of the subject lands vary between 19.54m and 50.65m. The lots directly across the street from the subject lands flank Srigley Street.

The resultant lots would be deemed compatible with the surrounding lot sizes and patterns and would permit the individual ownership of each proposed detached dwelling on the subject and remaining lands. The land uses surrounding the subject and remaining lands are a variety of housing types (detached dwellings, multiple unit residences, and townhouses). The lots directly across the street contained detached dwellings. Detached dwellings are permitted uses and compatible with the surrounding land uses.

The impact of the requested variances on neighbouring properties should be minimal as at such time the subject lands are developed, the owner will be required to enter into a site plan agreement with the Town to address matters, such as but not limited to, servicing, grading, drainage, etc. to ensure compatibility with the surrounding lands.

In considering the consent application, regard has been given to the consent policies of Section 16.1.5 of the Official Plan. Therefore, the proposed application would not conflict with the purpose and intent of the Official Plan provided the necessary relief requested through the minor variance applications is obtained. The proposed minor variance applications are deemed appropriate and generally in keeping with the intent of the Zoning By-law, as amended.

If the subject consent application and minor variance applications are approved it would be possible to facilitate the creation of two separate land parcels to provide for the construction of two new detached dwellings.

3. OTHER COMMENTS

The application is subject to the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy that was adopted by Council on October 12, 2004. The policy provides that all significant trees, as defined in the policy, and subject to a development application, may not be removed, injured, pruned or destroyed in any way without the approval of the Town. Significant trees that have been identified in a tree inventory which cannot be protected due to development constraints can be removed with the Town's approval, provided compensation is provided to the Town. Compensation may be in the form of aggregate inch replacement trees or financial payment.

The applicant has submitted with the application a report prepared by Silv-Econ Ltd. dated July 6, 2015 which identifies the trees that are to be protected and the trees that are proposed to be removed. The report has been reviewed by the Town's Consulting Arborist and the comments have been provided to the applicant and Committee under separate cover. If Committee were to approve the application, additional information as identified in the report of the Town's Consulting Arborist is required prior to the issuance of building permits for the proposed new dwellings.

The Chief Building Official has offered no objection to the applications.

The Manager of Engineering Services has advised that as conditions of approval of the consent application a 2.0m road widening to accommodate a future right-of-way of 20m is required; each parcel is to be independently serviced with municipal sanitary and water service connections; a general lot grading and storm drainage plan is to be prepared for both parcels; and the owner be required to enter into a site plan agreement to address the requirements for lot grading, storm drainage, and municipal servicing.

Further, the Manager of Engineering Services has offered no objection to the minor variance applications provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

The Lake Simcoe Region Conservation Authority has advised that the property is partially located within an area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. As such a permit will be required from the Authority prior to any development and/or site alteration commencing within the regulated area associated with the applications. Subject to the condition detailed in a letter dated January 5, 2016, the Authority has no objection to the proposed consent and minor variance applications.

4. CONCLUSIONS

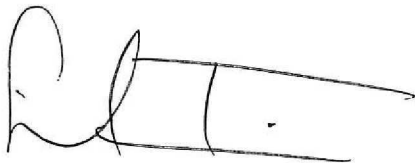
The proposed consent application, provided relief is obtained for reduced lot frontage, would conform with the purpose and intent of the Official Plan and the Zoning By-law, as

amended. The owner will be required to enter into a site plan agreement with the Town and to obtain the necessary relief from the Zoning By-law for reduced lot frontage for the subject and remaining lands. The consent would not adversely affect the character of the neighbourhood and is desirable for the appropriate development and land use.

The relief as requested for the subject and remaining lands through the minor variance application:

- (1) appears to be minor in nature as the impact on adjacent properties will be minimal;
- (2) conforms to the intent and purpose of the Official Plan and Zoning By-law as the new lots will be of sufficient size; and
- (3) does not adversely affect the character of the neighbourhood and is desirable for the appropriate development or use of the land, buildings or structures.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Traviss', with a long horizontal stroke extending to the right.

Linda L. Traviss, MCIP, RPP
Senior Planner - Development

copy: Rachel Prudhomme, B.Sc., P.Eng., Director of Engineering Services



DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket

www.newmarket.ca

395 Mulock Drive

engineering@newmarket.ca

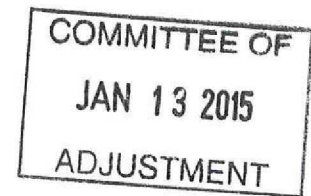
P.O. Box 328, STN Main

T: 905.895.5193

Newmarket, ON L3Y 4X7

F: 905.953.5138

M E M O R A N D U M



TO: R. Nethery, B.E.S., MCIP, RPP, Director of Planning

FROM: Rick Bingham, C.E.T., Manager, Engineering Services

DATE: January 11, 2015

RE: Application for Minor Variance
 File No. D13-A24-15
 Lot 7, Part Lot 8
 Srigley Street (new lot on west side of 648 Srigley Street)
 Made by: Rora, Maksim
 Town of Newmarket
Our File No.: D.13 - Srigley

We herein acknowledge receipt of the above noted application for Minor Variance requesting relief from the Town of Newmarket Zoning By-law 2010-40 as amended by Bylaw Number 2013-30, Section 6.2.2 Zone Standards Regulatory Set D, to permit a minimum lot frontage of 11.91 metres, whereas the bylaw requires a minimum lot frontage of 15 metres.

We have reviewed the application and supporting documentation and have no objection to the proposed minor variance provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

Rick Bingham, C.E.T.
 Manager, Engineering Services

File No.: RDB005M

File digital and hardcopy

JAN - 5 2015

ADJUSTMENT

Pelham, Kym

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: January-05-16 2:24 PM
To: Pelham, Kym
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street
Attachments: 2015 - D10-B04 (Rora) Application.pdf; 2015 - D10-B04 (Rora) Notice.pdf; 2015 - D13-A24 (Rora) Application.pdf; 2015 - D13-A24 (Rora) Notice.pdf; 2015 - D13-A25 (Rora) Application.pdf; 2015 - D13-A25 (Rora) Notice.pdf

Good Morning Kym,

The Region of York has reviewed the Consent and Minor Variance Applications for the property located at 648 Srigley Avenue and has no objection.

Regards,
 Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement Section of the Planning and Economic Development Branch | Corporate Services

 The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
 O 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

From: Hurst, Gabrielle
Sent: Tuesday, January 05, 2016 9:26 AM
To: kpelham@newmarket.ca
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

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From: Bilkhu, Vick
Sent: Monday, January 04, 2016 9:18 AM
To: Hurst, Gabrielle
Subject: FW: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]
Sent: Monday, December 21, 2015 9:09 AM
To: Bilkhu, Vick
Subject: D10-B04-15, D13-A24-15 & D13-A25-15 - 648 Srigley Street

Hi Vick,

Please find attached the Notices of Application with regards to file D10-B04-15, D13-A24-15 & D13-A25-15, together with copies of the Application for your review and comments.

Could I please get your comments for Thursday, January 14, 2016.

Thanks
Kym

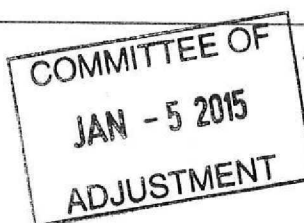


Kym Pelham, ACST
Committee Secretary
Planning and Building Services
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Lake Simcoe Region
conservation authority



A Watershed for Life

Sent by Email: kpelham@newmarket.ca

January 5, 2016

File No: D10-B04-15
IMS File No.: PLDC1411

Ms. Kym Pelham, Secretary-Treasurer
Corporation of the Town of Newmarket
395 Mulock Avenue, Box 328, STN Main
Newmarket, ON L3Y 4X7

Dear Ms. Pelham:

Re: **Application for Consent**
Maksim Rora
648 Srigley Street
Lot 8 and Part of Lot 7, Plan 24
Town of Newmarket, Regional Municipality of York

Thank you for circulating the Lake Simcoe Region Conservation Authority (LSRCA) regarding the above noted application for Consent. We understand that the purpose of this application is to facilitate the creation of a new lot for the purposes of a new single-family residential dwelling.

In reviewing current environmental mapping, the subject property is partially located within an area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. As such, a permit will be required from this office prior to any development and/or site alteration commencing within the regulated area associated with this application.

Based on our review of the subject application, including the floodplain delineation as outlined in the submitted survey (prepared by E.R.GARDEN LIMITED), it appears there is sufficient area outside of the on-site floodplain to construct a dwelling on the newly created lot. As part of any future application for an LSRCA permit, the property owner will need to demonstrate that the dwelling is limited to parts of the property that are outside of the floodplain. Given this, we recommend that any approval of this consent application be subject to the following conditions:

1. That the Owner shall agree to obtain an LSRCA permit prior to any development or site alteration occurring on parts of the severed and retained lots that are subject to Ontario Regulation 179/06;

If you have any questions regarding these comments, please do not hesitate to contact the undersigned. Please refer to the above file numbers in future correspondence.

Regards,

Kevin Jarus, M.Pl.
Development Planner



Planning & Building Services
Office of the Building Inspector
TOWN OF NEWMARKET

395 Mulock Drive

P.O. Box 328

Newmarket, ON L3Y 4X7

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buildings@newmarket.ca

905.953-5300 ext. 2400

COMMITTEE OF

DEC 22 2015

ADJUSTMENT

MEMORANDUM

TO: Committee of Adjustment

FROM: David Potter, CBCO, B. Tech., MAATO
Chief Building Official

DATE: December 22, 2015

RE: Application for Minor Variance

File no: D13-A24/A25/A28-15

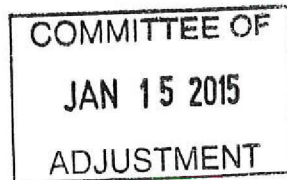
I have reviewed the above and have no concerns or comments at this time.

A handwritten signature in cursive script, appearing to read "D. Potter".
David

**PLANNING AND BUILDING SERVICES**

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Newmarket, ON L3Y 4X7

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planning@newmarket.ca
T: 905.953.5321
F: 905.953.5140

REPORT

TO: Committee of Adjustment

FROM: Linda L. Traviss, MCIP, RPP
Senior Planner - Development

DATE: January 14, 2016

RE: Application for Consent D10-B04-15 and
Applications for Minor Variance No. D13-A24-15
and **D13-A25-15**
Lot 8, Part Lot 7, Plan 24
648 Srigley Street
Made by: Maksim Rora

RECOMMENDATIONS**1. That Consent Application D10-B04-15 be approved subject to:**

- a. the Owner entering into a leading site plan agreement for the future development of the subject and retained lands dealing with all matters, financial, servicing, grading and storm drainage design and otherwise including the payment of a parkland contribution in accordance with the provisions of the *Planning Act, R.S.O. 1990*, to the satisfaction of the Town;
- b. the Owner granting to the Town at no cost a 2.0 metre road widening across the frontage of the subject and retained lands;
- c. the Owner providing three white prints of a deposited reference plan of survey that substantially conforms to the application as approved by Committee; and
- d. the Owner obtaining relief from the provisions of the Zoning By-law for reduced lot frontage as set forth in Minor Variance Applications D13-A24-15 and D13-A25-15.

2. That Minor Variance Applications D13-A24-15 and D13-A25-15 be approved in order to facilitate Consent Application D10-B04-15 subject to the following conditions:

- a. that the variances pertain only to the requests as submitted with the applications;**
- b. that development be substantially in accordance with the "Proposed Building Footprint" submitted with the applications;**
- c. that the owner be advised that prior to the issuance of any building permits compliance will be required with the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy and the items identified by the Town's Consulting Arborist in a report dated December 7, 2015; and**
- d. that the owner be advised that prior to any development or site alteration occurring on the severed or retained lands a permit will be required from the Lake Simcoe Region Conservation Authority.**

COMMENTS

1. APPLICATIONS

Applications for Consent and Minor Variance have been submitted by Maksim Rora, the owner of 648 Srigley Street. The purpose of the consent application is to convey the subject lands indicated as "A" on the attached sketch for residential purposes and to retain the lands marked "B" on the attached sketch for residential purposes. The subject land presently contains a residential structure containing two dwelling units.

In order to facilitate the consent, applications for Minor Variance have been submitted to request relief from Zoning Bylaw Number 2010-40, as amended by By-law Number 2013-30. Relief is requested from Section 6.4.2 Zone Standards for the subject and remaining lands to permit a minimum lot frontage of 11.91 metres notwithstanding the by-law requirement of a minimum of 15 metres.

2. PLANNING CONSIDERATIONS

The subject and remaining lands are designated Stable Residential with a Floodplain overlay in the Town's Official Plan which was approved by the Region of York on May 29, 2008. The Plan permits single-detached and semi-detached dwellings within the Stable Residential designation. Further, the Plan generally reflects the residential built forms that were in existence as of the adoption of the Plan by Council. Limited intensification is permitted in the Stable Residential designation in a form and location that will maintain the residential character and amenities. The Plan encourages the preservation and maintenance of the Town's existing housing stock supplemented by various forms of residential intensification such as infilling and the creation of accessory dwelling units.

The owner is proposing to convey a parcel having a total lot area of approximately 530m² from the westerly portion of the property in order to create a new residential building lot and to retain the easterly parcel having a lot area of approximately 530m² for a new residential building lot. The existing residential structure on the property will be demolished.

The subject and remaining lands are zoned Stable Residential R1-D-119 on Map Number 13 of Schedule 'A' to By-law Number 2010-40, as amended by By-law Number 2013-30. The subject and remaining lands do not comply with the minimum lot frontage requirements of the By-law, however, minor variance applications have been submitted concurrently with the consent application.

The relief requested for the subject and remaining lands is to permit lot frontages of 11.91m whereas the by-law requires a minimum lot frontage of 15.0m. The requested reduction amounts to a difference of 3.09m in lot frontage.

Within the immediate neighbourhood there are a variety of lot frontages and lot sizes. The lot frontages on the south side of Srigley Street in the general area of the subject lands vary between 19.54m and 50.65m. The lots directly across the street from the subject lands flank Srigley Street.

The resultant lots would be deemed compatible with the surrounding lot sizes and patterns and would permit the individual ownership of each proposed detached dwelling on the subject and remaining lands. The land uses surrounding the subject and remaining lands are a variety of housing types (detached dwellings, multiple unit residences, and townhouses). The lots directly across the street contained detached dwellings. Detached dwellings are permitted uses and compatible with the surrounding land uses.

The impact of the requested variances on neighbouring properties should be minimal as at such time the subject lands are developed, the owner will be required to enter into a site plan agreement with the Town to address matters, such as but not limited to, servicing, grading, drainage, etc. to ensure compatibility with the surrounding lands.

In considering the consent application, regard has been given to the consent policies of Section 16.1.5 of the Official Plan. Therefore, the proposed application would not conflict with the purpose and intent of the Official Plan provided the necessary relief requested through the minor variance applications is obtained. The proposed minor variance applications are deemed appropriate and generally in keeping with the intent of the Zoning By-law, as amended.

If the subject consent application and minor variance applications are approved it would be possible to facilitate the creation of two separate land parcels to provide for the construction of two new detached dwellings.

3. OTHER COMMENTS

The application is subject to the provisions of the Town's Tree Preservation, Protection, Replacement and Enhancement Policy that was adopted by Council on October 12, 2004. The policy provides that all significant trees, as defined in the policy, and subject to a development application, may not be removed, injured, pruned or destroyed in any way without the approval of the Town. Significant trees that have been identified in a tree inventory which cannot be protected due to development constraints can be removed with the Town's approval, provided compensation is provided to the Town. Compensation may be in the form of aggregate inch replacement trees or financial payment.

The applicant has submitted with the application a report prepared by Silv-Econ Ltd. dated July 6, 2015 which identifies the trees that are to be protected and the trees that are proposed to be removed. The report has been reviewed by the Town's Consulting Arborist and the comments have been provided to the applicant and Committee under separate cover. If Committee were to approve the application, additional information as identified in the report of the Town's Consulting Arborist is required prior to the issuance of building permits for the proposed new dwellings.

The Chief Building Official has offered no objection to the applications.

The Manager of Engineering Services has advised that as conditions of approval of the consent application a 2.0m road widening to accommodate a future right-of-way of 20m is required; each parcel is to be independently serviced with municipal sanitary and water service connections; a general lot grading and storm drainage plan is to be prepared for both parcels; and the owner be required to enter into a site plan agreement to address the requirements for lot grading, storm drainage, and municipal servicing.

Further, the Manager of Engineering Services has offered no objection to the minor variance applications provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

The Lake Simcoe Region Conservation Authority has advised that the property is partially located within an area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. As such a permit will be required from the Authority prior to any development and/or site alteration commencing within the regulated area associated with the applications. Subject to the condition detailed in a letter dated January 5, 2016, the Authority has no objection to the proposed consent and minor variance applications.

4. CONCLUSIONS

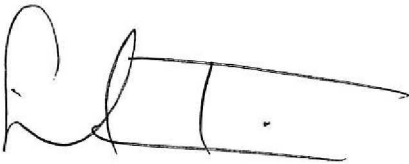
The proposed consent application, provided relief is obtained for reduced lot frontage, would conform with the purpose and intent of the Official Plan and the Zoning By-law, as

amended. The owner will be required to enter into a site plan agreement with the Town and to obtain the necessary relief from the Zoning By-law for reduced lot frontage for the subject and remaining lands. The consent would not adversely affect the character of the neighbourhood and is desirable for the appropriate development and land use.

The relief as requested for the subject and remaining lands through the minor variance application:

- (1) appears to be minor in nature as the impact on adjacent properties will be minimal;
- (2) conforms to the intent and purpose of the Official Plan and Zoning By-law as the new lots will be of sufficient size; and
- (3) does not adversely affect the character of the neighbourhood and is desirable for the appropriate development or use of the land, buildings or structures.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Traviss', with a long horizontal stroke extending to the right.

Linda L. Traviss, MCIP, RPP
Senior Planner - Development

copy: Rachel Prudhomme, B.Sc., P.Eng., Director of Engineering Services



DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket

www.newmarket.ca

395 Mulock Drive

engineering@newmarket.ca

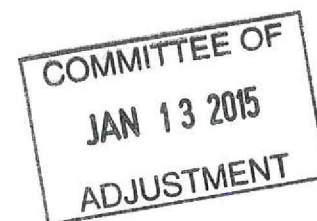
P.O. Box 328, STN Main

T: 905 895.5193

Newmarket, ON L3Y 4X7

F: 905 953 5138

M E M O R A N D U M



TO: R. Nethery, B.E.S., MCIP, RPP, Director of Planning

FROM: Rick Bingham, C.E.T., Manager, Engineering Services

DATE: January 11, 2015

RE: Application for Minor Variance
 File No. D13-A25-15
 Part Lot 8
 648 Srigley Street
 Made by: RORA, Maksim
Our File No.: D.13 - Srigley

We herein acknowledge receipt of the Notice of Application for Minor Variance requesting relief from the Town of Newmarket Zoning By-law 2010-40 as amended by Bylaw Number 2013-30, Section 6.2.2 Zone Standards Regulatory Set D, to permit a minimum lot frontage of 11.91 metres, whereas the bylaw requires a minimum lot frontage of 15 metres.

We have reviewed the application and supporting documentation and have no objection to the proposed minor variance provided that existing drainage patterns are not altered, any increase in stormwater runoff is maintained onsite and construction does not occur within any easement(s), where applicable.

Should you have any questions please contact the undersigned.

Sincerely,

ENGINEERING SERVICES

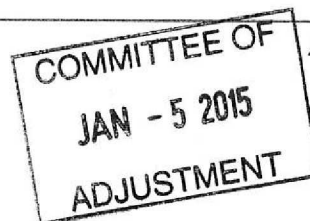
Rick Bingham, C.E.T.
 Manager, Engineering Services

File No.: RDB003M

File digital and hardcopy



Lake Simcoe Region
conservation authority



A Watershed for Life

Sent by Email: kpelham@newmarket.ca

January 5, 2016

File No: D10-B04-15
IMS File No.: PLDC1411

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Corporation of the Town of Newmarket
395 Mulock Avenue, Box 328, STN Main
Newmarket, ON L3Y 4X7

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Regards,

Kevin Jarus, M.Pl.
Development Planner

KJ/
120 Bayview Parkway, Box 282 | Tel: 905.895.1281 1.800.465.0437 | Web: www.LSRCA.on.ca
S:\Planning and Development Services\Planning Act\Planning Act Applications\Newmarket\172331 648 Srigley Street\PLDC1411 D10B0415 Jan052016.docx
Newmarket, Ontario L3Y 4X1 | Fax: 905.853.5881 | E-Mail: Info@LSRCA.on.ca

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Member of Conservation Ontario

JAN - 5 2015

ADJUSTMENT

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Kym Pelham, ACST

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COMMITTEE OF

DEC 22 2015

ADJUSTMENT

MEMORANDUM

TO: Committee of Adjustment

FROM: David Potter, CBCO, B. Tech., MAATO
Chief Building Official

DATE: December 22, 2015

RE: Application for Minor Variance

File no: D13-A24/A25/A28-15

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for David