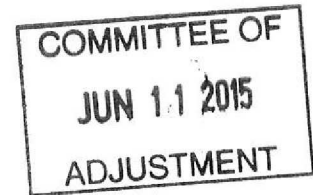




PLANNING AND BUILDING SERVICES
Town of Newmarket www.newmarket.ca
395 Mulock Drive planning@newmarket.ca
P.O. Box 328, STN Main T: 905.953.5321
Newmarket, ON L3Y 4X7 F: 905.953.5140

REPORT



TO: Committee of Adjustment

FROM: Meghan White, MCIP, RPP
 Planner

DATE: June 11, 2015

RE: Application for Minor Variance **D13-A08/2015**
 Lot 148, Plan 65M-4436
 689 McGregor Farm Trail
 Made by: Mosaik Glenway Homes

1. RECOMMENDATIONS:

That Minor Variance Application D13-A08/2015 be approved, subject to the following conditions:

- 1. That the variance pertains only to the request as submitted with the application; and**
- 2. That the development be substantially in accordance with the plans 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 1979-50 as amended, in order to construct a single detached dwelling.

The above-described property (herein referred to as the "subject lands") is located in a new subdivision located at the south-east corner of Bathurst Street and Davis Drive. The lot is currently vacant, with single detached homes being constructed around it.

The applicant is requesting relief from the By-law in order to construct a single detached dwelling. The specific request is to increase the maximum permitted lot coverage from 45% to 46.89%.

3. PLANNING CONSIDERATIONS:

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 Low Density Residential (Oak Ridges Moraine) in Amendment No. 28 to the Town's Official Plan. This designation permits single detached dwellings. The schedules of OPA 28 detail a potential hydrologically sensitive area. This was dealt with in detail through the rezoning and subdivision processes. The development of a single detached dwelling has been found to conform to the Official Plan.

The subject lands are zoned Residential Detached Dwelling 15.0 m Exception 118 (R1-D-118) on Map Number 8 of Schedule 'A' to By-law Number 2010-40, as amended by By-law 2013-05. A single detached dwelling is permitted in this zone.

The intention of the maximum permitted lot coverage is to prevent overbuilding on a lot and the preservation of outdoor amenity areas. There will still be sufficient amenity area as the minimum rear yard setback is maintained.

It is desirable to construct a single detached dwelling on the lot as both the Official Plan designation and the Zoning By-law both permit this use.

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. As outdoor amenity space will be maintained the impact of the variance appears to be minor.

In consideration of the above, the proposed variance does meet all of the four tests under the *Planning Act*.

4. OTHER COMMENTS:

The Chief Building Official has no objection to the proposal.

Engineering Services has no objection to the proposal provided that the 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.


Lake Simcoe Region Conservation Authority may provide comments under separate cover.

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 on adjacent properties appears to be minimal;
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law as both documents permit a residential dwelling on the property; and
- (3) does not adversely affect the character of the neighbourhood and is considered a desirable development of the lot.

Respectfully submitted,


Meghan White, MCIP, RPP
Planner

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



Sent by Email: kpelham@newmarket.ca

June 10, 2015

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



File No: D13-A08-15
IMS File No.: PVOC1484C3

Dear Ms. Pelham:

Re: Proposed Application for Minor Variance
Mosaik Glenway Homes
689 McGregor Farm Trail
Town of Newmarket, Regional Municipality of York

Thank you for circulating the Lake Simcoe Region Conservation Authority (LSRCA) regarding the above noted application for Minor Variance. It is our understanding that the purpose of this application is to request relief from the Zoning By-law to permit a maximum lot coverage of 46.89%, notwithstanding the bylaw requirement of a maximum lot coverage of 45%.

Based on existing resource mapping, the subject property is located outside:

- Any natural hazard lands such as floodplain
- Any natural heritage feature such as wetlands
- Any area currently governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*

On this basis, we are satisfied from a watershed management perspective that this application is consistent with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), conforms with the requirements of the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 made under the *Conservation Authorities Act*. As a result, the LSRCA has no further requirements as they relate to this proposed Minor Variance application.

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,

Lisa-Beth Bulford
Development Planner

LBB/ph

S:\Planning and Development Services\Planning Act\Planning Act Applications\Newmarket\202088 Mosaik Glenway Homes\06-10-2015 Bulford
Newmarket D13-A08-15 PVOC1484 689 McGregor Farm Trail.docx



DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

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Newmarket, ON L3Y 4X7 F: 905 953 5138

COMMITTEE OF
JUN 10 2015
ADJUSTMENT

M E M O R A N D U M

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

FROM: V. Klyuev, B.A., C.E.T., Senior Engineering Development Coordinator – Residential

DATE: June 9, 2015

RE: Notice of Application for Minor Variance
File No. D13-A08-15
689 McGregor Farm Trail
Made by: Mosaik Glenway Homes

We herein acknowledge receipt of the Notice of Application for Minor Variance from the Town of Newmarket Zoning By-law 1979-50 as amended by Bylaw Number 2013-05, Exception 118 iii) (h) Development Standards:

To permit a maximum lot coverage of 46.89%, notwithstanding the bylaw requirement of a maximum lot coverage of 45%.

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

V. Klyuev, B.A., C.E.T.
Senior Engineering Development Coordinator – Residential

File No.: VK0019

COPY: R. Bingham, C.E.T., Manager of Engineering and Technical Services
File digital and hardcopy

Pelham, Kym

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: June-04-15 11:44 AM
To: Pelham, Kym
Subject: RE: D13-A08-15 and D13-A09-15



Good Morning Kym,

The Region of York has reviewed the above minor variance application and has no objection. Please contact me if you require further information.

Gabrielle

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement
905-830-4444 ext. 71538 | gabrielle.hurst@york.ca

From: Hurst, Gabrielle
Sent: Tuesday, June 02, 2015 3:52 PM
To: Hurst, Gabrielle
Subject: FW: D13-A08-15 and D13-A09-15

Arif I have prepared a response if you don't have any comments I will send to the Town - Gabrielle

Good Afternoon Kym

York Region Planning and Economic Development Branch has reviewed the above noted Variance application and has no objections.

Please contact me if you have any additional questions.

Gabrielle Hurst, MCIP. RPP. C.Tech | Programs and Process Improvement
905-830-4444 ext. 71538 | gabrielle.hurst@york.ca



Kym Pelham, ACST

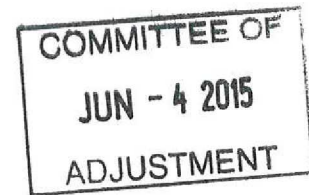
Committee Secretary
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MEMORANDUM

TO: Committee of Adjustment

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

DATE: June 4, 2015

RE: Application for Minor Variance

File no: D13-A08/A09/A10/A11-15

I have reviewed the above and have no objection to these applications.

D. Carrigan

for David

