



PLANNING AND BUILDING SERVICES

Town of Newmarket

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Planning Report

TO: Committee of Adjustment

FROM: Patricia Cho
Planner

DATE: May 14, 2021

RE: Application for Minor Variance **D13-A13-2021**
40 Birkdale Place
Town of Newmarket
Made by: Cheung, Kenny Kin and Chen, Elaine Yau-Ling

1. Recommendations:

That Minor Variance Application D13-A13-2021 be deferred until Engineering Services has received certification of lot grading.

2. Application:

An application for Minor Variance has been submitted by the owners of the above noted lands. The applicant is proposing a sunroom addition to the existing residential dwelling. The following relief has been requested from Zoning By-law 2010-40, as amended:

- i. Relief from Exception 123, Development Standards (c), to permit a maximum lot coverage of 41.6% whereas the By-law requires a maximum lot coverage of 37%.
- ii. Relief from Section 6.2.2 Zone Standards to permit a 1.2 m interior side yard whereas the By-law requires a 1.8 m interior side yard for structures up to 5.7 m in Building Height.

3. Planning Considerations:

The subject property is located in a residential neighbourhood, east of Mitchell Place and south of Davis Drive. The subject property was created through a Plan of Subdivision (our file no.: 19TN 2012-001) and is newly constructed. The minor variance application was circulated to commenting partners for their review and comment. Engineering Services does not support the requested relief at this time, as the lot grading for this lot has not yet been certified. Engineering Services has also noted that there is a deficiency with the rear decks steps that is to be repaired by the builder which is delaying the lot grading certification. Lot grading is considered an important component of construction to ensure proper drainage is achieved.

Planning staff recommends this matter be deferred until such time that the certification of lot grading has been received and Engineering staff are satisfied with the completed work.

Respectfully submitted,

Patricia Cho, HBA, MSc. (Pln)
Planner