



PLANNING AND BUILDING SERVICES

Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

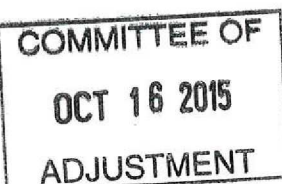
Newmarket, ON L3Y 4X7

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T: 905.953.5321

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REPORT

TO: Committee of Adjustment

FROM: Meghan White, MCIP, RPP
Planner

DATE: October 15, 2015

RE: Application for Minor Variance **D13-A18/2015**
Lot 18 Plan 65M-3722
376 Woodspring Ave
Made by: Alson and Sheika Tulloch

1. RECOMMENDATIONS:

That Minor Variance Application D13-A18/2015 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.

2. APPLICATION:

An application for a minor variance has been submitted by the above-noted owner to request relief from Zoning By-law Number 2010-40 as amended, in order to permit the construction of a sunroom in the rear yard.

The above-described property (herein referred to as the "subject lands") is located in a residential neighbourhood, specifically on the east side of Woodspring Ave, north of Trailhead Ave. There is an existing single detached residence on the lot and it is surrounded by similar single detached homes. The subject lands abuts Bonshaw Avenue Park to the north.

3. PLANNING CONSIDERATIONS:

The applicant is requesting relief from the By-law in order to permit the construction of a sunroom in the rear yard. The specific request is to decrease the required rear yard setback from 7.5m to 5.17m.

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. This designation permits single detached dwellings. Therefore the application is found to conform to the Official Plan.

The subject lands are zoned Residential Detached Dwelling 12 m (R1-E) Zone on Map Number 1 of Schedule 'A' to By-law Number 2010-40, as amended. A single detached dwelling, with a sunroom is permitted in this zone.

The general intent of rear yard setbacks is to ensure adequate amenity space for the dwelling and to ensure privacy for neighbours. The addition will not be located close to the abutting property to the south and to the north is a park and school, which should not be affected by the addition. It appears that there will be sufficient amenity space around the addition.

It is desirable to have developed the lot with a single detached dwelling as the Official Plan designation and the Zoning By-law both permit this use. It is considered desirable to permit a land owner to have a sunroom addition on a residential lot.

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 will still be a reasonable amount of amenity space around the sunroom and the sunroom itself acts as amenity space.

In consideration of the above, the proposed variances meet the four tests under the *Planning Act*.

4. **OTHER COMMENTS:**

The Chief Building Official and the Lake Simcoe Region Conservation Authority had no concerns with the proposal.

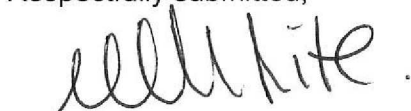
Comments from Engineering Services were not received at the time of writing of this report.

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 residential uses 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

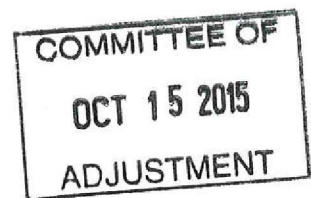


DEVELOPMENT AND INFRASTRUCTURE SERVICES - ENGINEERING SERVICES

Town of Newmarket

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engineering@newmarket.ca
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MEMORANDUM

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: October 8, 2015

RE: Notice of Application for Minor Variance
File No. D13-A18-15
376 Woodspring Avenue
Made by: TULLOCK, Alson and TULLOCH, Sheika

We herein acknowledge receipt of the Notice of Application for Minor Variance from the Town of Newmarket Zoning By-law 2010-40 as amended, as follows:

To request relief from Zoning By-law Number 2010-40, as amended, Section 6.2.2 Zone Standards Regulatory Set E to permit a rear yard setback of 5.17 meters for a proposed one storey sunroom addition, notwithstanding the bylaw requirements of 7.5 metres.

We have reviewed the application and supporting documentation and, we recommend the minor variance subject to the following:

1. That approved 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

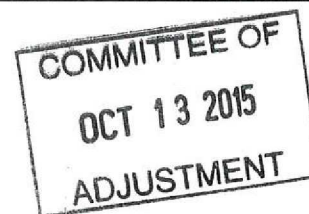
V. Klyuev, B.A., C.E.T.
Senior Engineering Development Coordinator – Residential

File No.: VK033

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

Pelham, Kym

From: Kevin Jarus <K.Jarus@lsrca.on.ca>
Sent: October-13-15 11:05 AM
To: Pelham, Kym
Subject: 376 Woodspring D13-A18-15



Good morning Kym,

Please note that the LSRCA has no comments or concerns with the subject application. Please let me know if you have any questions.

Regards,

Please Note: I will be out of the office on vacation from Thursday, Oct 15th until November 4th, 2015.

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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Newmarket, ON L3Y 4X7
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buildings@newmarket.ca
905.953-5300 ext. 2400

MEMORANDUM

COMMITTEE OF OCT - 6 2015 ADJUSTMENT
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TO: Committee of Adjustment

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

DATE: October 6, 2015

RE: Application for Minor Variance

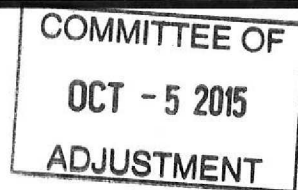
File no: D13-/A18 & A19-15

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


for David

Pelham, Kym

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: October-05-15 2:46 PM
To: Pelham, Kym
Subject: RE: D13-A18-15 - 376 Woodspring Avenue



Good Afternoon Kym,
The Region of York has completed its review of the above Minor Variance application 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

-----Original Message-----

From: Bilkhu, Vick
Sent: Friday, October 02, 2015 9:40 AM
To: Hurst, Gabrielle
Subject: FW: D13-A18-15 - 376 Woodspring Avenue

I already said no comment

-----Original Message-----

From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]
Sent: Thursday, October 01, 2015 12:42 PM
To: Bilkhu, Vick
Subject: D13-A18-15 - 376 Woodspring Avenue

Hi Vick,

Please find attached the Notice of Application with regards to file D13-A18-15, together with a copy of the Application for your review and comments.

Could I please get your comments for Thursday, October 15, 2015.

Thanks
Kym

[[cid:image003.jpg@01CD5EA0.796BAB10](#)]

Kym Pelham, ACST
Committee Secretary
Planning and Building Services

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

905-953-5140 (fax)

kpelham@newmarket.ca<mailto:kpelham@newmarket.ca>

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Newmarket: A Community Well Beyond the Ordinary

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Pelham, Kym

From: Bilkhu, Vick <Vick.Bilkhu@york.ca>
Sent: October-02-15 9:40 AM
To: Pelham, Kym
Subject: RE: D13-A18-15 - 376 Woodspring Avenue

No comment, thanks

-----Original Message-----

From: Pelham, Kym [<mailto:kpelham@newmarket.ca>]
Sent: Thursday, October 01, 2015 12:42 PM
To: Bilkhu, Vick
Subject: D13-A18-15 - 376 Woodspring Avenue

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Thanks
Kym

[[cid:image003.jpg@01CD5EA0.796BAB10](#)]

Kym Pelham, ACST
Committee Secretary
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