PLANNING AND BUILDING SERVICES
Town of Newmarket
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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 530m^2 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 530m^2 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.

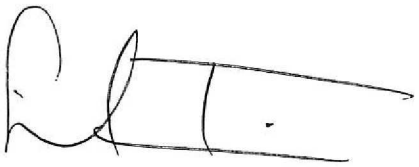
The relief as requested for the subject and remaining lands through the minor variance application:

(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,



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
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MEMORANDUM

COMMITTEE OF
JAN 13 2015
ADJUSTMENT

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

R. Bingham

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

File No.: RDB005M

File digital and hardcopy

COMMITTEE OF
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

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

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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

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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

Newmarket

Kym Pelham, ACST
Committee Secretary
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Lake Simcoe Region
conservation authority

A Watershed for Life

COMMITTEE OF ADJUSTMENT
JAN - 5 2015

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

KJ/

120 Bayview Parkway, Box 282 | Tel: 905.895.1281 1.800.465.0437 | Web: www.LSRCA.on.ca
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Newmarket

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COMMITTEE OF
DEC 2 2 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.

D. Potter
for David