

Committee of Adjustment  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328  
Newmarket, Ontario  
L3Y 4X7

Attention: D. Morton  
RE: File D13-A23-21

Dear Mr. Morton,

I am completing this letter to address my concerns regarding an application for a variance at 184 Prospect Street in Newmarket. [File D13-A23-21]

I am the current owner of 180 Prospect Street and my property is directly beside 184 Prospect St. (My property borders the north side of 184 Prospect St.)

It has come to my attention that the owners of 184 Prospect St. have applied for a variance with an area for vehicle parking in order to comply with Township by-laws as they plan to construct a basement apartment at the dwelling of 184 Prospect Street. My understanding is that in order to comply, an additional vehicle parking space needs to be located. They have proposed the additional parking spot to be located on the north side of 184 Prospect St. This location borders the south side of my property at 180 Prospect St.

The plan being proposed by the owners at 184 Prospect St. leaves me with some concerns that I will address below and I have numbered these reasons only for ease of reading. The information I have regarding these plans has been received from a site plan drawing completed by Arfa Design that the owners of 184 Prospect St. have supplied as well as a 'Notice of Complete Application for Minor Variance and Public Hearing' issued by the Town of Newmarket.

1. According to the site plan drawing the following information was supplied:

- The northeast side of the structure at 184 Prospect St. is 2.96 m (9.71 ft) from the property line bordering 180 Prospect St.
- The northwest side of the structure at 184 Prospect St. is 2.36 m (7.74 ft) from the property line bordering 180 Prospect St.

- The structure located at 184 Prospect St. is 3.58 m (11.74 ft) from the eastern property line which borders Prospect St. in Newmarket.
2. I have conducted my own research pertaining to dimensions of average sized automobiles and I have learned the following:
- The average length of a mid-sized automobile is approximately 4.48 m (14.7 ft).
  - The average width of a mid-sized automobile is approximately 1.82 m (6 ft).  
[This measurement does NOT take into account side view mirrors].

These average measurements would allow the first vehicle parked on the north side driveway at 184 Prospect St. to extend at minimum to approximately 1 m (3.2 ft) past the east side of the structure. At this point this portion of the driveway would allow 1.16 m (3.8 ft) for doors to open for the driver side. If the automobile required both the driver and passenger side access the automobile would then need to be adjusted to allow for 0.58 m (1.90 ft) in order to access these areas. Requiring more than 2ft of space to open and access the passenger door would cause an encroachment onto my property.

As the driveway progresses even further towards the west, the new proposed parking area would leave even less space to access the driver or passenger side of a vehicle. Since the average vehicle length is 4.48 m (14.7 ft) the next vehicle would extend at minimum 5.48 m (18 ft) towards the west side of the property where the property minimizes in size to 2.36 m (7.74 ft). Even if the second vehicle is only at the halfway portion of the structure, this would leave approximately 0.31 m (1 ft) for the average 6 ft wide automobile to open the driver side door. It would not be possible to access the passenger side of the vehicle without encroaching onto my property.

3. I have conducted my own research pertaining to the average parking space sizes:
- Average length of parking spaces range from 4.8-5.48 m (16-18 ft).
  - Average width of parking spaces range from 2.40-2.74 m (7.9-9 ft) in width.

According to these figures it would not be possible to fit even a smaller vehicle into the proposed second space without having either the vehicle or the passengers encroaching or trespassing onto my property.

4. The property owners of 184 Prospect St. are asking for relief from certain by-law requirements in relation to parking of vehicles. I have concerns about these requests for relief:
- Relief from Section 5.3.1 which is requesting to excuse the need for a required parking spot for a tenant.

My concern is that if this request is granted where will the new tenant(s) be forced to park their vehicle. Will this force the tenant(s) to park on the street causing situations where others are forced to drive around cars that are utilizing 'street parking'. This also causes

concern for tenants/owners leaving their driveway not being able to observe approaching traffic because their field of view is blocked by vehicles parked on the road.

This street parking situation will also block the current bicycle lanes producing another dangerous situation for the residents in the area. In order not to block a bicycle lane a street parked vehicle would need to stop in an active lane of traffic further blocking the field of view. Additionally street parking is prohibited on both sides of Prospect St. in the area of 180 and 184 Prospect St.

- Relief from Section 6.2.3 which is asking to permit zero clearance from the lot line between 184 Prospect St. and 180 Prospect St. where the current setback is 0.6 m (1.96 ft).

My concern is again reiterated that in order for any passenger to exit from a parked vehicle, this will require an individual to trespass on the property of 180 Prospect St. Furthermore, what protection will be afforded to ensure that a driver will not cross over the property line while parking said vehicle. As previously demonstrated in paragraph 2, a parked vehicle located in the second proposed parking spot will only have approximately 0.30 m (1 ft) to access the driver door between the vehicle and the structure. Even if parked backward facing the street, a driver will surely need to trespass onto the property at 180 Prospect St. in order to gain access to the vehicle.

- Relief from Section 5.2.2 to make a parking space 2.3 m (7.5ft) in width from the legal 2.6m (8.5 ft) in width.

As mentioned in paragraph 3 the average dimensions of a parking spot are still larger than is being proposed. Even at the small end of the scale of average parking spot widths, this proposed dimension for the second parking spot still falls short of the smallest parking space widths. In order to have any access to a parked vehicle it will only be possible to access the vehicle by trespassing onto 180 Prospect St.

I have further concerns that have been explained below in paragraph 5.

5. At the measurements described in paragraph 1, the driveway for 184 Prospect St. is at a decline of approximately 1 m (3 ft) from the street towards the west portion of the house. During the winter months it is very plausible for a vehicle to slide down the driveway as it progresses down the driveway to the proposed second parking spot. I question how the owner of 184 Prospect St. proposes to protect my property and the tenants of 180 Prospect St. due to the close proximity of the proposed driveway to the property line. I don't believe that there would be enough room for a vehicle to park if a protection barrier (curb, rocks, etc.) were to be placed there.

6. According to the site plan, there appears to be steps on the west side of the structure for the new basement apartment. The stairs lead in from the north. How will tenants be able to maneuver around a parked car that is parked in the new proposed parking spot. I believe the only logical way would be for the tenants to trespass onto the south side of 180 Prospect St because they would be forced to crawl over the parked car in the second spot.
7. Since we live in a climate where snow is a reality for at least 3-4 months of the year I question how a vehicle would be able to fit into a proposed parking spot when the snow has been piled from the driveway. In order to move the snow from the driveway, the occupants would again need to encroach on my property by piling the snow onto the south side of 180 Prospect St.
8. I would also ask that the owner(s) of 184 Prospect St. provide a more detailed official survey with dimensions that show actual sizes of the proposed parking sites for the north side of the property. The drawings provided are lacking in certain details that will show how the owners propose to answer the questions that I've raised so far.

For these reasons I believe if the Committee sees fit to allow this variance, it will be leaving me with problems that will continue and quite possibly progress into a worsening situation. I have observed the south side of 184 Prospect St and there is angled parking for the residence. In order for a vehicle to be properly parked on that side it's not possible to maneuver around without trespassing onto the neighbouring lot. I do not wish to find myself in the same situation between my property located at 180 Prospect St. and the neighboring property located at 184 Prospect St. Newmarket.

Sincerely,

Donald Sardella

Property Owner of 180 Prospect Street, Newmarket