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## Memorandum

### Mature Neighbourhood Study Interim Control By-Law

Date: January 16, 2019

To: Mayor, Deputy Mayor, Councilors, OLT, SLT

From: D. Ruggle, Senior Planner Community Planning

Further to the discussion at Committee of the Whole on January 14, 2019 regarding the implementation of an Interim Control By-law to prevent the construction of non-compatible new infill dwellings and significant additions to existing dwellings while the issue of over building in established mature neighbourhoods is being studied, the following clarification is provided.

#### Vacant Lots

- The By-law, as drafted, would prevent the construction of a new dwelling on an existing vacant lot in the study area.
- If an existing lot is subdivided through the Committee of Adjustment where an existing dwelling is being demolished, a building permit could be issued for one of the lots with an increase in the floor area from what existed by up to 25%. The newly created lot would not be eligible for a building permit under the ICB.

#### Building Heights

- The ICB prevents any increase in height from what is existing on a lot at the time the ICB is passed.

#### Exemption Process

- There is no exemption process built into the ICB. The Town of Halton Hills, after the implementation of their ICB, created an exemption process that, if a proposal met set out criteria and supported by staff and Council, Council will amend the ICB to include an exemption of the identified property. This process requires a 60

day appeal period each time the bylaw is amended. This process opens the ICB to appeals on the By-law as a whole and not just the amendment. Due to the risks involved, staff are not recommending an exemption process at this time. The process involved in studying Mature Neighbourhoods will have regular updates to Council and may look at reducing the study area. At this time, Council will have an opportunity to amend the By-law in as it relates to the permissions if deemed appropriate.

#### Increase Permissions

- Square foot cap – it would be difficult to introduce a hard cap on the ground or gross floor area of a dwelling as lot sizes in the study area vary considerably.
- The By-law as proposed permits the floor area of a dwelling to be increased by no more than 25%. Staff are of the opinion that 25% is an appropriate number that will allow only a modest increase in size. Council has the ability to increase this number if desirable, however, the greater the number the more likelihood of an incompatible dwelling being constructed.

#### Impact on Applications

- Building permits – any complete application for a Building Permit received on or before the day the ICB is passed the permit will be processed in the normal and usual way.
- Planning Act applications - applications for Draft Plan of Subdivision, Official Plan, Zoning Bylaw, Site Plan Approval and Minor Variance that have been declared complete on or before the day the ICB is passed, will continued to be processed in the normal and usual way. Building permits will be eligible and based on the approved zoning for the lands. Applications that are proposed after the ICB is in place, which contemplate an Intensified Use (as defined in the By-law) within the study area lands would be considered contrary to the By-law and not accepted.

- The ICB will not preclude Planning Act Applications that propose a land use change outside of the ICB study area such as applications in the urban centres, commercial and employment areas as well as potential changes to open space or institutional lands.

A handwritten signature in black ink, appearing to read "Dave Ruggle".

Dave Ruggle, BAA, MCIP, RPP  
Senior Planner Community Planning