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Site Specific Exemption to Interim Control By-law 2019-04 for 170 Victoria Street Staff Report to Council

Report Number: 2019-74

Department(s): Development and Infrastructure Services/Planning and Building Services

Author(s): A. Slattery

Meeting Date: August 26, 2019

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for 170 Victoria Street dated August 26, 2019 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 170 Victoria Street and adopt the attached exemption by-law.

Purpose

The purpose of this report is to recommend to Council the approval of a site specific amendment to Interim Control By-law 2019-04 for subject property 170 Victoria Street

Background

Council passed Interim Control By-law 2019-04 on January 21, 2019. On May 27, 2019 Council approved a Site Specific Exemption Process for Interim Control By-law 2019-04. The exemption process consists of the review of proposed residential dwellings or additions within the subject area of the Interim Control By-law on a case-by-case basis, to determine their compatibility with existing neighbourhood character. Council approval is required to grant a site-specific exception from the Interim Control By-law.

Discussion

On June 10th, 2019, Planning Services received a request for exemption from Interim Control By-law 2019-04, for subject property 170 Victoria Street. The applicant is

Site Specific Exemption to Interim Control By-law 2019-04 for 170 Victoria Street

proposing to demolish the existing 1-storey single detached dwelling, and re-construct a two-storey single-detached dwelling in the same building footprint. A map of the subject property can be found attached to this report.

A minor variance was granted for the subject property in July, 2018. The minor variance requested the following relief from Zoning By-law 2010-40, as amended by By-law Number 2013-30:

1. Relief from Zoning By-law 2010-40, as amended by By-law Number 2013-30, Development Standards to permit a lot coverage of 34.30% for a 2-storey dwelling, whereas the By-law permits a maximum lot coverage of 25% for a 2-storey dwelling;
2. Relief from Zoning By-law 2010-40, as amended, Section 6.2.2 Zone Standards Regulatory Set "D" to permit an interior side yard setback of 1.36m for a 2-storey dwelling, whereas the By-law requires a minimum interior yard setback of 1.8m for a 2-storey dwelling; and
3. Relief from Zoning By-law 2010-40, as amended, Section 6.2.2 Zone Standards Regulatory Set "D" to permit an exterior side yard setback of 1.46m, whereas the By-law requires a minimum exterior side yard setback of 6.0m.

The proposed second storey addition would increase the gross floor area from approximately 76.11 square metres to approximately 150.39 square metres. The proposed addition would increase the building height from approximately 6.10 metres to approximately 9.90 metres. The proposal can be found attached to this report.

Staff have reviewed the proposal and provide the following comments based on the exemption process as approved by Council.

Physical Character

- The subject property is zoned Residential Exception (R1-D-119) Zone which permits a maximum height of 10.0 metres for a two-storey dwelling. The proposed addition will increase the dwelling height to approximately 9.90 metres.
- The design of the roof of the proposed addition is consistent with existing slopes, ridges and rooflines of the neighbouring properties.
- Although the proposed re-construction will increase the gross floor area from 76.11 square metres to 150.39 square metres, the dwelling will be constructed using the existing building footprint and will be appropriate relative to the size of the lot.
- The proposed two-storey dwelling will be consistent in size with neighbouring properties.
- The proposed dwelling will meet the zoning requirements of Minor Variance Application D13-A15-18, and all other requirements of Zoning By-law 2010-40.
- The proposed dwelling will not result in over-development of the lot.

Site Specific Exemption to Interim Control By-law 2019-04 for 170 Victoria Street

Streetscape Character

- The design of the proposed dwelling (style, height, mass) will result in a dwelling in-keeping with the existing character of the neighbourhood, which is comprised of moderately-sized single- and two-storey dwellings along Victoria and Park Avenue.
- The proposed re-construction will be built within the same footprint of the existing building, maintaining existing street lines and a uniform built form.
- The proposed dwelling will not significantly change the character of the streetscape, which is comprised of single- and two-storey dwellings.

Town staff are of the opinion that the proposed dwelling will not compromise the character of the neighbourhood. As such, staff recommend that the request for exemption of 170 Victoria Street from Interim Control By-law 2019-04 be approved by Council, and that the attached by-law be adopted.

Conclusion

It is recommended that Council grant a site-specific exception for 170 Victoria Street, Newmarket, from Interim Control By-law 2019-04 by adopting the attached exemption by-law.

Business Plan and Strategic Plan Linkages

The proposed development supports Council's 2018-2022 Strategic Priorities which aim to ensure a thriving community that is supportive of community engagement.

Consultation

Planning staff have circulated the exemption request to abutting and adjacent property owners, as per the Council-approved exemption process for Interim Control By-law 2019-04. Staff have not received any objections to the proposal.

Human Resource Considerations

N/A

Budget Impact

There is no budget impact associated with this report.

Attachments

- Location Map
- Proposal
- Proposed By-law

Site Specific Exemption to Interim Control By-law 2019-04 for 170 Victoria Street

Approval

Jason Unger, Acting Director of Planning & Building Services

Peter Noehammer, Commissioner of Development & Infrastructure Services

Contact

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