



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

Email: [info@newmarket.ca](mailto:info@newmarket.ca) | Website: [newmarket.ca](http://newmarket.ca) | Phone: 905-895-5193

## **Site Specific Exemption to Interim Control By-law 2019-04 for 316 Darlington Crescent Staff Report to Council**

Report Number: Assign Report Number in eSCRIBE.

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

Author(s): A. Slattery

Meeting Date: June 24, 2019

### **Recommendations**

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 – 316 Darlington Crescent dated June 24, 2019 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 316 Darlington Crescent 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 316 Darlington Crescent.

### **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 3<sup>rd</sup>, 2019, Planning Services received a request for exemption from Interim Control By-law 2019-04, for subject property 316 Darlington Crescent. A map of the subject property can be found attached to this report. The property owners are proposing a second-storey addition to the existing single-detached dwelling. The proposed addition would increase the gross floor area from approximately 115.3 square metres to approximately 272.4 square metres.

The proposed addition would facilitate an increase in building height from approximately 5.3 metres to approximately 8.6 metres, from average finished grade to the mid-point of the roof. The proposed second-storey addition will not result in any changes to the existing building footprint or yard setbacks. The proposal can be found attached to this report.

The applicant has provided letters of support from thirteen neighbouring properties. A map outlining which neighbours have stated their support and which neighbours have stated their objection 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 (R1-D) Zone which permits a maximum height of 10.7 metres for a two-storey dwelling. The proposed addition will result in a dwelling height of approximately 8.6 metres from average finished grade to mid-point of the roof.
- The design of the roof of the proposed dwelling is consistent with existing slopes, ridges and rooflines within the neighbourhood.
- The massing of the proposed addition is consistent with the physical character of the existing dwelling and is appropriate relative to the size of the lot.
- The proposed addition will not affect the building footprint, impact existing yard setbacks and will not increase lot coverage.
- The proposed dwelling will not result in over-development of the lot.

### Streetscape Character

- The design of the proposed addition (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.
- As the proposed second-storey addition will not impact the front yard setback, existing street sightlines will be maintained.
- The proposed addition will not significantly change the character of the streetscape, which is comprised of a mix of one and two-storey dwellings.

Comments have been received from the public regarding the following concerns:

- Noise from construction
- Shadow impacts to neighbouring dwellings
- Privacy impacts to neighbouring dwellings
- Impacts to drainage
- Re-sale value of neighbouring dwellings

Staff advise that neighbourhoods consisting of a mix of single- and two-storey dwellings are commonly found in the Town. A two-storey dwelling adjacent to a single-storey bungalow is common residential built form. It is staff's opinion that the proposed addition of a second storey will not impact sunlight or privacy in a manner unlike, or beyond, what is typically expected or experienced in a residential setting.

The applicant will be required to receive the necessary building and engineering approvals and permits, which will address drainage impacts. General impacts from construction, such as noise, are to be expected when living in a residential neighbourhood, as property owners make improvements to their lots and houses. In addition, staff advise that property value is dependent on numerous market variables and is typically not considered when evaluating a proposal from a planning perspective.

Staff advise that property owners are generally entitled to renovate or re-construct their homes, within the boundaries of the Town's Zoning By-law, at any point in time. The intent of Interim Control By-law 2019-04 is to ensure residential development is in-keeping with the character of the surrounding neighbourhood. The proposed second-storey addition is 2.1 metres less than the current 10.7 metre maximum height within the R1-D zone, is appropriate in size relative to the lot, is in-keeping with the character of the surrounding neighbourhood, which is mostly two-storey dwellings, and will meet all other requirements of Zoning By-law 2010-40.

Town staff are of the opinion that the proposed addition will not compromise the character of the neighbourhood. As such, staff recommend that the request for exemption of 316 Darlington Crescent 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 316 Darlington Crescent, Newmarket, from Interim Control By-law 2019-04 by adopting the attached exemption by-law.

## **Business Plan and Strategic Plan Linkages**

The development of new Official Plan policies and implementing zoning by-law related to infill housing and compatibility has linkages to the Community Strategic Plan by

developing growth management plans and strategies to create a clear vision for the future of the identified neighbourhoods.

## **Consultation**

Planning staff consulted with the Town's Zoning Officer in the review of the exemption request for 316 Darlington Crescent and circulated to abutting and adjacent property owners as per the Council-approved exemption process for Interim Control By-law 2019-04.

## **Human Resource Considerations**

N/A

## **Budget Impact**

There is no budget impact associated with this report.

## **Attachments**

- Location Map
- Letters of Support Map
- Proposal
- Proposed By-law

## **Approval**

Click or tap here to enter text.

## **Contact**

Alannah Slattery, Planner / Secretary Treasurer [aslattery@newmarket.ca](mailto:aslattery@newmarket.ca)