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Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street Staff Report to Council

Report Number: 2019-111

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

Author(s): A. Slattery

Meeting Date: November 25, 2019

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street dated November 25th, 2019 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 81 Joseph 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 81 Joseph 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 the existing neighbourhood character. Council approval is required to grant a site-specific exception from the Interim Control By-law.

Discussion

On October 7th, 2019, Planning Services received a request for exemption from Interim Control By-law 2019-04, for subject property 81 Joseph Street. The applicant is

Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street

proposing to add a two-storey addition to the side and rear of the existing two-storey dwelling. The proposed addition would expand the existing dwelling further southwards, towards the side lot line, and further eastwards, towards the rear lot line. The proposal would also add a second-storey addition onto the portion of the existing dwelling which is currently single-storey. The proposed addition would increase the gross floor area of the existing dwelling from 152.95 square metres to approximately 282.10 square metres.

Interim Control By-law 2019-04 prohibits the expansion of gross floor area of residential dwellings by 25% or more. The proposed addition would expand the gross floor area of the existing dwelling by approximately 84% and, as such, an exemption from Interim Control By-law 2019-04 is being requested.

A minor variance was granted by the Committee of Adjustment for the subject property in July, 2019. The minor variance requested the following relief from Zoning By-law 2010-40:

Relief from Zoning By-law 2010-40, as amended, Section 8.1, Special Provisions, to permit a maximum lot coverage of 27.36%, whereas the by-law permits a maximum lot coverage of 25% for a two-storey structure.

A map of the subject property and drawings of the proposed dwelling 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 lot coverage of 25% for a two-storey dwelling. The subject property has a maximum allowable lot coverage of 27.36%, as per minor variance application D13-A12-19. The proposed addition will increase the lot coverage to approximately 24%.
- The design of the roof of the proposed addition is consistent with existing slopes, ridges and rooflines of the neighbouring dwellings,
- The proposed expansion of the existing dwelling will result in a dwelling consistent in size with neighbouring dwellings.
- The proposed addition will meet all zoning requirements of the R1-D-119 Zone, including yard setbacks, height and coverage requirements.
- The proposed addition will result in a dwelling that is appropriate relative to the size of the lot.
- It is staff's opinion that the proposed addition will not result in the over-development of the lot.

Streetscape Character

- The design of the proposed addition (style, height, massing) 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 Joseph Street.
- The proposed addition will be constructed to the side and rear of the existing dwelling, and will not bring the dwelling closer to the front lot line, 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 moderately-sized single and two-storey dwellings.

Town staff is of the opinion that the proposed dwelling will not compromise the character of the neighbourhood. As such, staff recommends that the request for exemption of 81 Joseph 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 81 Joseph 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

Site Specific Exemption to Interim Control By-law 2019-04 for 81 Joseph Street

- Proposal
- Proposed By-law

Approval

Jason Unger, Acting Director of Planning & Building Services

Peter Noehammer, Commissioner of Development & Infrastructure Services

Contact

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