



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 844 Magnolia Avenue**

### **Staff Report to Council**

Report Number: 2019-104

Department(s): Planning and Building Services

Author(s): A. Slattery

Meeting Date: November 4, 2019

### **Recommendations**

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for 844 Magnolia Avenue dated November 4th, 2019 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 844 Magnolia Avenue 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 844 Magnolia Avenue.

### **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 September 17<sup>th</sup>, 2019, Planning Services received a request for exemption from Interim Control By-law 2019-04, for subject property 844 Magnolia Avenue. The applicant is proposing to add a second storey addition to the existing single-storey dwelling.

A map of the subject property can be found attached to this report.

The proposed second-storey addition would increase the gross floor area of the entire dwelling from approximately 174.1 square metres to approximately 320.9 square metres. The proposed addition would increase the building height from approximately 5 metres to approximately 8.6 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%.

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 (R1-D) Zone which permits a maximum height of 10.7 metres for a two-storey dwelling. The proposed addition will increase the dwelling height to approximately 8.6 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 174.1 square metres to 320.9 square metres, the dwelling will be appropriate relative to the size of the lot.
- The proposed second-storey addition will result in a dwelling consistent in size with neighbouring properties.
- The proposed dwelling will meet all zoning requirements of the R1-D Zone, including yard setbacks, height and coverage requirements.
- The proposed dwelling will not result in over-development of the lot.

### 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 Magnolia Avenue.
- The proposed addition will not negatively impact existing street lines.

- The proposed dwelling will not significantly change the character of the streetscape, which is comprised of moderately-sized single- and two-storey dwellings.
- The dwelling is largely obstructed by mature vegetation, reducing visual impacts from street view.

Town staff are of the opinion that the proposed second-storey addition will not compromise the character of the neighbourhood. As such, staff recommend that the request for exemption of 844 Magnolia Avenue 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 844 Magnolia Avenue, 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

## **Approval**

Jason Unger, Acting Director of Planning & Building Services

Site Specific Exemption to Interim Control By-law 2019-04 for 844 Magnolia Avenue

Peter Noehammer, Commissioner of Development & Infrastructure Services

## **Contact**

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