



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

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Site Specific Exemption to Interim Control By-law 2019-04 for 730 Arthur Street Staff Report to Council

Report Number: 2020-03

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

Author(s): Alannah Slattery

Meeting Date: January 13, 2020

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for 730 Arthur Street dated January 13th, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 730 Arthur 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 730 Arthur 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

Planning Services have received a request for exemption from Interim Control By-law 2019-04, for subject property 730 Arthur Street. The applicant is proposing to add a Site Specific Exemption to Interim Control By-law 2019-04 for 730 Arthur Street

single-storey addition to the rear of the existing one-and-a-half storey dwelling. The proposed addition will replace the existing rear yard deck.

The proposed single-storey rear addition would increase the gross floor area of the dwelling from approximately 275 square metres to approximately 428 square metres. The proposed addition would not be greater in height than the existing dwelling.

Interim Control By-law 2019-04 prohibits the expansion of gross floor area of residential dwellings by 25% or more, and prohibits the increase in height of residential dwellings. The proposed addition would expand the gross floor area of the existing dwelling by approximately 55%, as such an exemption from Interim Control By-law 2019-04 is being requested.

A map of the subject property, drawings of the proposed dwelling, and a street view image of the subject property and neighbouring dwellings 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 one-and-a-half storey dwellings. The proposed addition will increase the lot coverage to approximately 20%.
- The proposed rear addition will not increase the height of the dwelling, and the proposed roofline is consistent with existing slopes, ridges and rooflines of the neighbouring properties.
- The proposed addition will be constructed using building materials akin to the existing dwelling for a consistent building design.
- The proposed addition will meet all zoning requirements of the R1-D-119 Zone, including yard setbacks, height and coverage requirements.
- 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 rear 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 one-and-a-half storey dwellings along Arthur Street.
- The proposed addition will be constructed to the rear of the existing dwelling, maintaining existing street lines and a uniform built form.
- The proposed addition will not be closer to the side lot line than the existing dwelling.
- The proposed rear addition will not be greater in height than the existing dwelling, reducing visibility from the street.

- The proposed dwelling will not significantly change the character of the streetscape, as it will be built to the rear of the existing dwelling and will be minimally visible from street view.

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 730 Arthur 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 730 Arthur 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 report 2019-03 states the following for neighbourhood circulation in regards to the ICB exemption process: "The Town will notify all abutting and adjacent property owners of the applicant's request for exemption from the ICB, and provide those property owners with 10 days to make a written submission to the Town for staff consideration." To date, staff have used 25 metres as a starting point, and filled in any gaps as deemed necessary, to implement the "abutting and adjacent" language from the staff report.

Beginning February 2020, the standard circulation distance for exemption requests will be expanded to a 50 metre radius of the subject property, to provide broader notice to neighbours. Staff note that the circulation distance for a minor variance application is 60 metres under the Planning Act. An exemption from the Interim Control By-law is a proposal that could have been built as-of-right before Interim Control By-law 2019-04, and is in conformity with the zoning by-law, and as such, generally may have a lesser impact on the surrounding neighbourhood than an application seeking to amend or vary the by-law standards. It is staff's opinion that a 50 metre circulation distance is adequate.

In regards to the subject application, notification was sent to neighbours within a 25 metre radius of the subject property. The notification map can be found attached to this report. 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
- Neighbour Street-view
- Proposal
- Notification Map
- Proposed By-law

Approval

Adrian Cammaert, Acting Manager of Planning Services

Jason Unger, Acting Director of Planning & Building Services

Peter Noehammer, Commissioner of Development & Infrastructure Services

Contact

Alannah Slattery, Planner aslattery@newmarket.ca