

TOWN OF NEWMARKET

**ESTABLISHED
NEIGHBOURHOODS
COMPATIBILITY
STUDY**

SPECIAL COMMITTEE OF THE WHOLE

JANUARY 20, 2020

PRESENTATION OUTLINE

1. Introduction

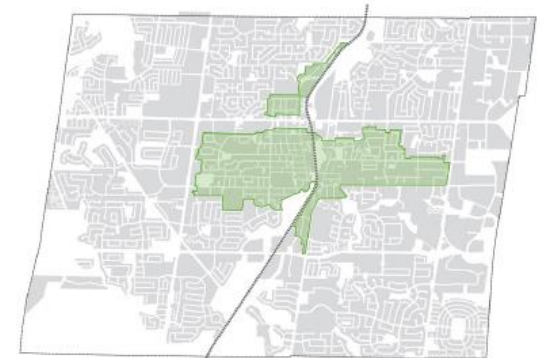
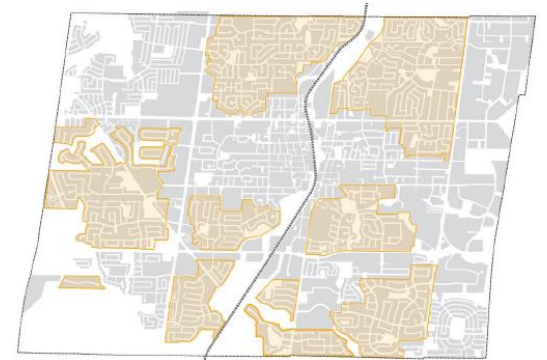
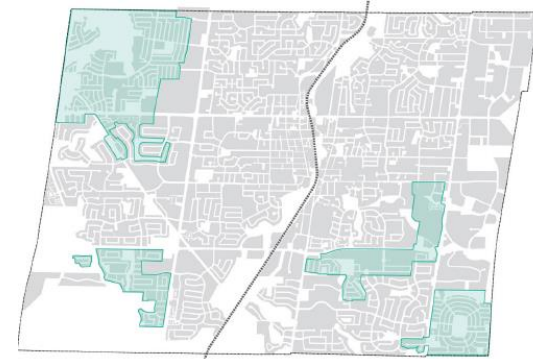
2. Planning 101

3. Summary of December 2nd Presentation

4. Council Survey

5. Emerging Policy Directions

6. Next Steps



1. INTRODUCTION

Target project timeline

- January 20 – Special Committee of the Whole
- Jan-Feb – Staff prepares specific recommended by-laws based on Committee feedback
- February – Statutory notice of proposed amendments to Council and public
- April 14 – Statutory Public Meeting
- May 25 – Recommendation report to Committee of the Whole
- July 20 – Expiry of Interim Control By-law

1. INTRODUCTION

Executive summary

- Proposing to amend the Official Plan to revise Residential Areas and Compatibility policies
- Proposing to amend the zoning by-law to:
 - Make height and coverage more closely reflect existing neighbourhoods
 - Change how we measure height based on types of roofs
 - Increase flexibility in interior layout of homes
 - Make it easier to understand rules related to front yards and driveways
 - Recognize that arterial roads and the primary collectors Eagle Street, Gorham Street, and Prospect Street have a mix of uses
 - Make other required changes during the process of revising residential policies (supportive housing, ADUs, consolidating by-laws)
- Not final decision point nor final recommendation
- Staff will take direction, draft recommendations, provide public notice, schedule public meeting, and report back for future Council decision

2. PLANNING 101

Planning Tools

- Development occurs through *planning applications* and *by right* development



- Official Plan – Guides *planning applications*
 - *Planning applications* request permission that differs from zoning (e.g. 400 Park Avenue, 260 Eagle Street, minor variances).
 - Directs where applications should be approved or refused
 - Shapes applications through review to protect what is most important
 - Statements of intent and design objectives





- Zoning By-law – Regulates land in its use and built form *by right*
 - *By right* development conforms to zoning - is conducted through building permits to change houses (e.g. additions, second storeys, renovations).
 - Is clear and unambiguous

3. DECEMBER 2nd RECAP

Project history

- History of Town zoning efforts on compatible development
- Process of Established Neighbourhoods Study
- Consultation and engagement
- Neighbourhood classifications
 - Organic Growth Neighbourhood
 - Traditional Suburban Neighbourhood
 - Contemporary Suburban Neighbourhood

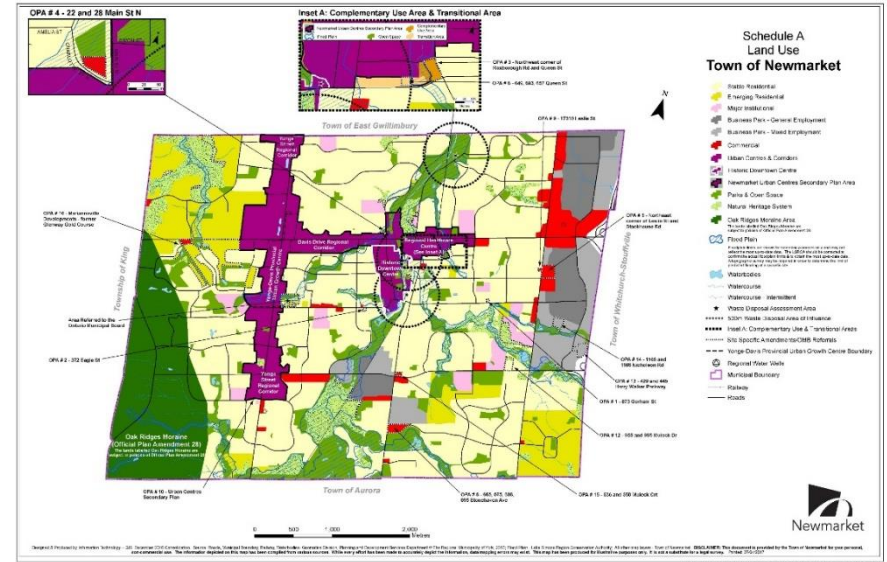
Project outcome

-  • Official Plan amendment
 - Updated policies for residential areas
 - Guide future development, where permitted
-  • Zoning by-law amendment
 - Character Area-specific standards
 - Responds to context

3. DECEMBER 2nd RECAP

Key challenges

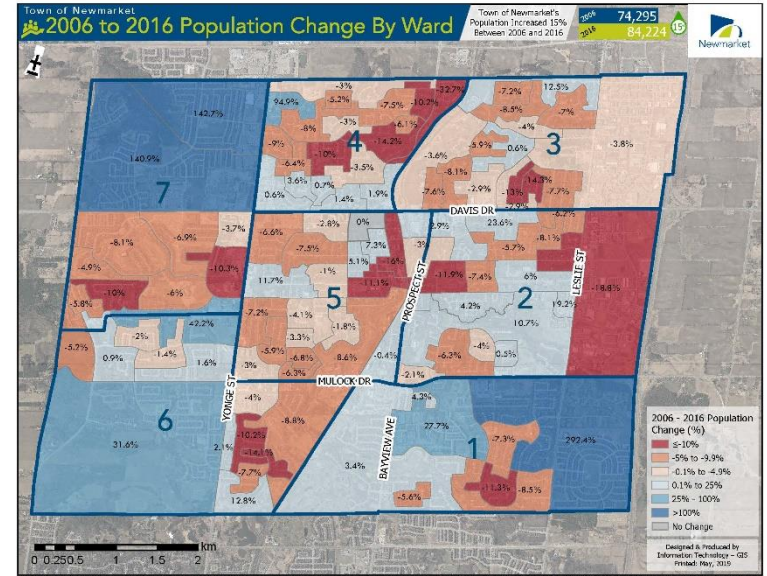
- Outdated land use designations
- Restrictions on higher-density housing forms
- No defined distinction between neighbourhood character
- Inconsistency between zoning permissions and existing built form



3. DECEMBER 2nd RECAP

Key challenges

- Changing demographic trends
- Housing affordability
- Declining neighbourhood populations
- Over-housing / Under-housing
- Need for a comprehensive policy solution



3. DECEMBER 2nd RECAP

Questions

- Types of single detached dwellings
 - Data availability
 - Ensuring diversity of building types

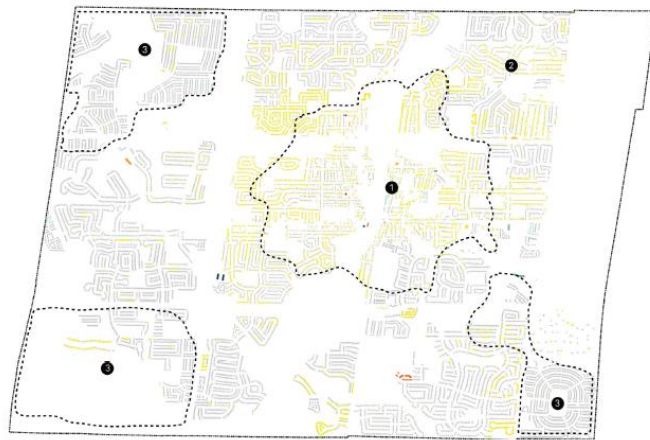
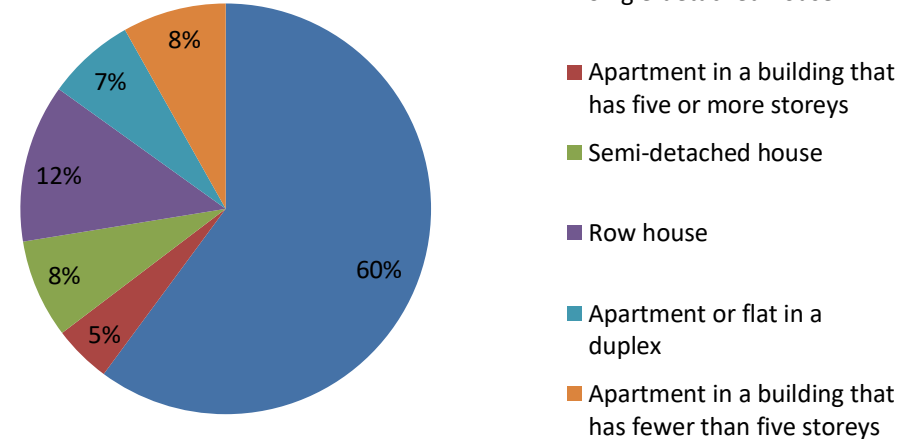


Figure 9: Building Footprints by Height - Existing vs. Permitted

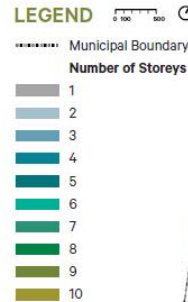
Note: The information on the map reflects general trends. The location of boundary lines is approximate and for conceptual purposes only. The map reflects available data and may not show a full account of all recent developments.

- Transition in Form of Development
- ① Organic Neighbourhoods
- ② Traditional Suburban Neighbourhoods
- ③ Contemporary Suburban Neighbourhoods

----- Municipal Boundary



Building Height



4. COUNCIL SURVEY

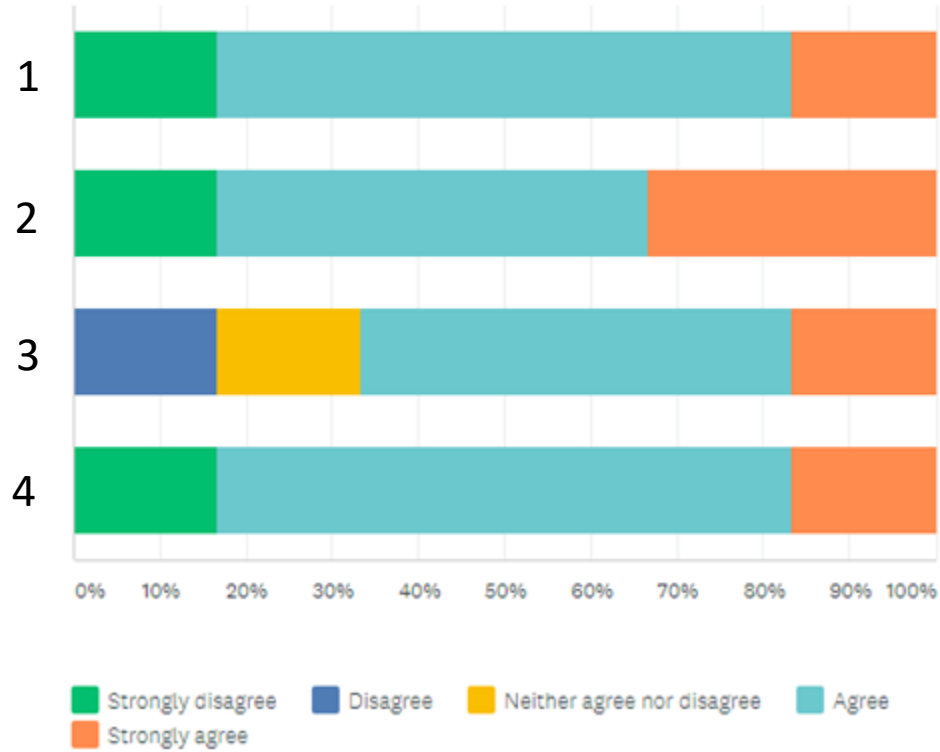
Your feedback



4. COUNCIL SURVEY

Neighbourhoods should incorporate housing choices which accommodate for:

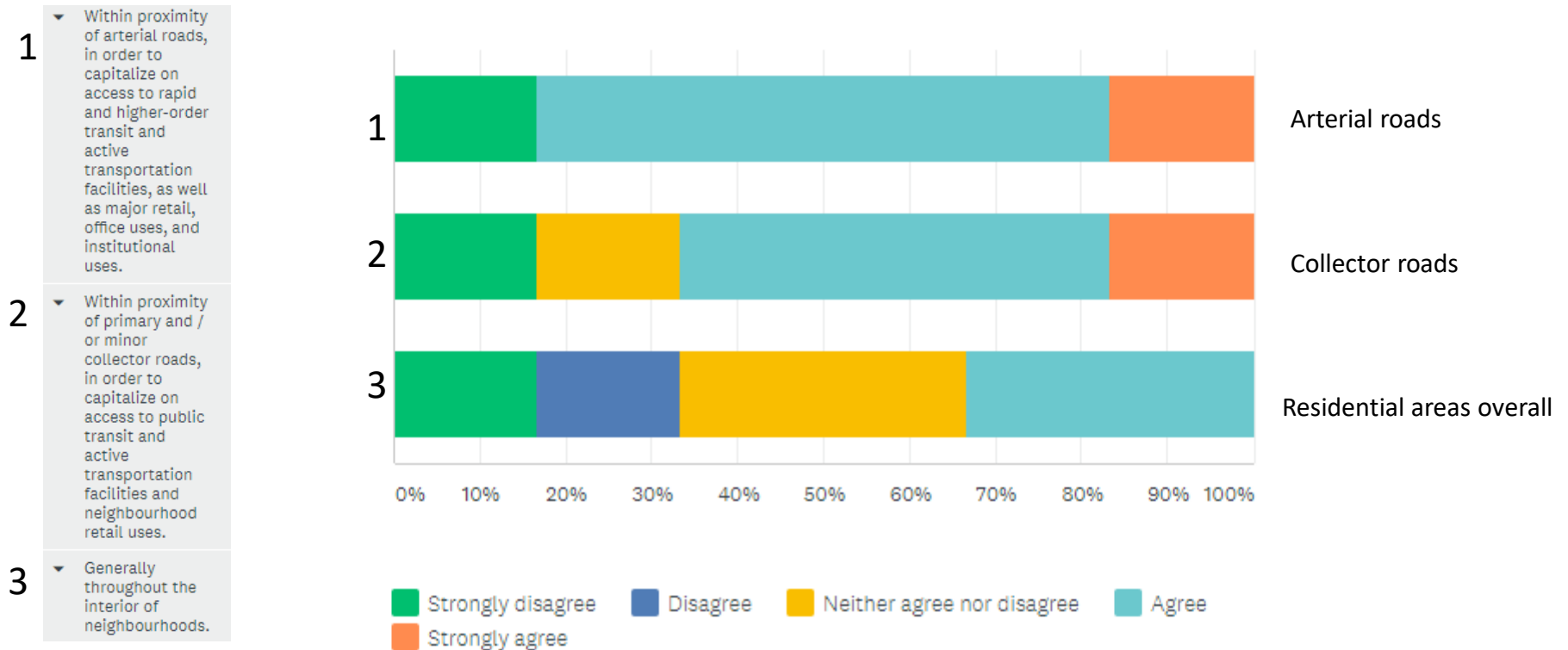
- 1 ▾ Individuals, couples and empty nesters who have minimal requirements for living space.
- 2 ▾ New families, with moderate requirements for living space.
- 3 ▾ Individuals participating in multi-generational or other co-living / co-housing arrangements with moderate to significant requirements for living space and / or unique unit and building configurations.
- 4 ▾ Aging seniors and persons with disabilities, who have moderate to significant accessibility requirements in combination with a range of living space requirements.



4. COUNCIL SURVEY



The Official Plan policies should state that the Town will allow for a greater diversity and range of building types and housing choices:

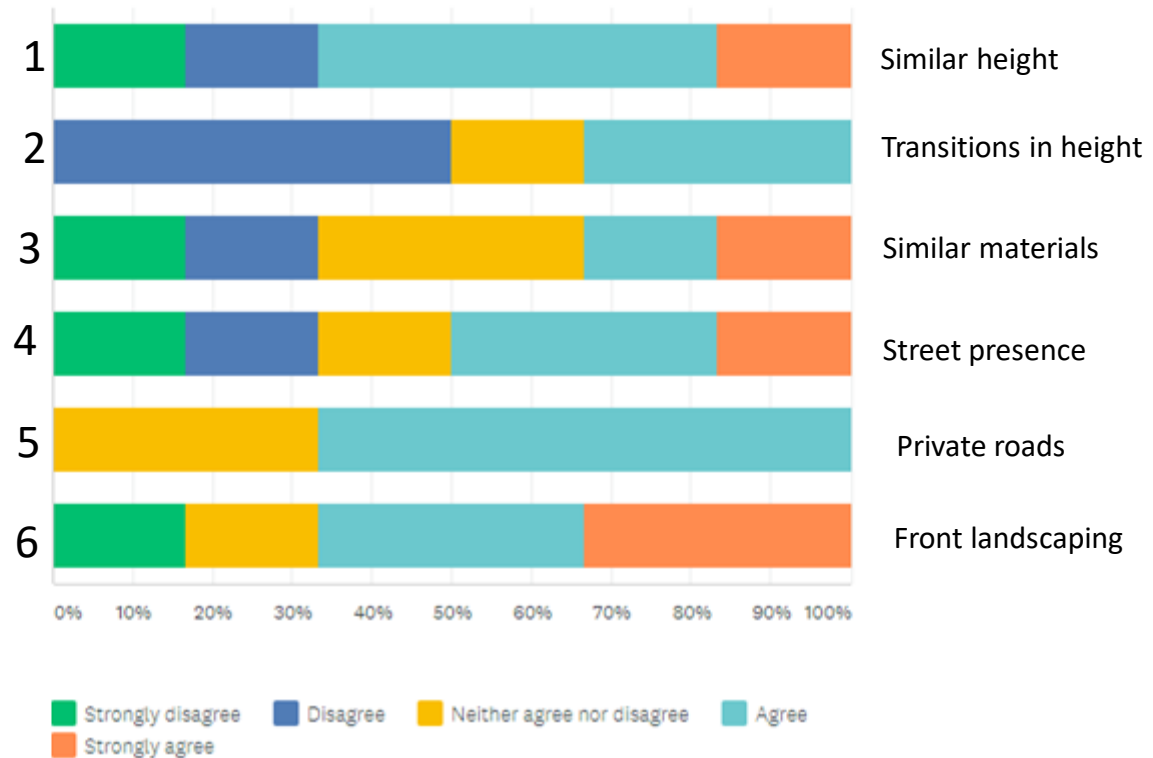


4. COUNCIL SURVEY



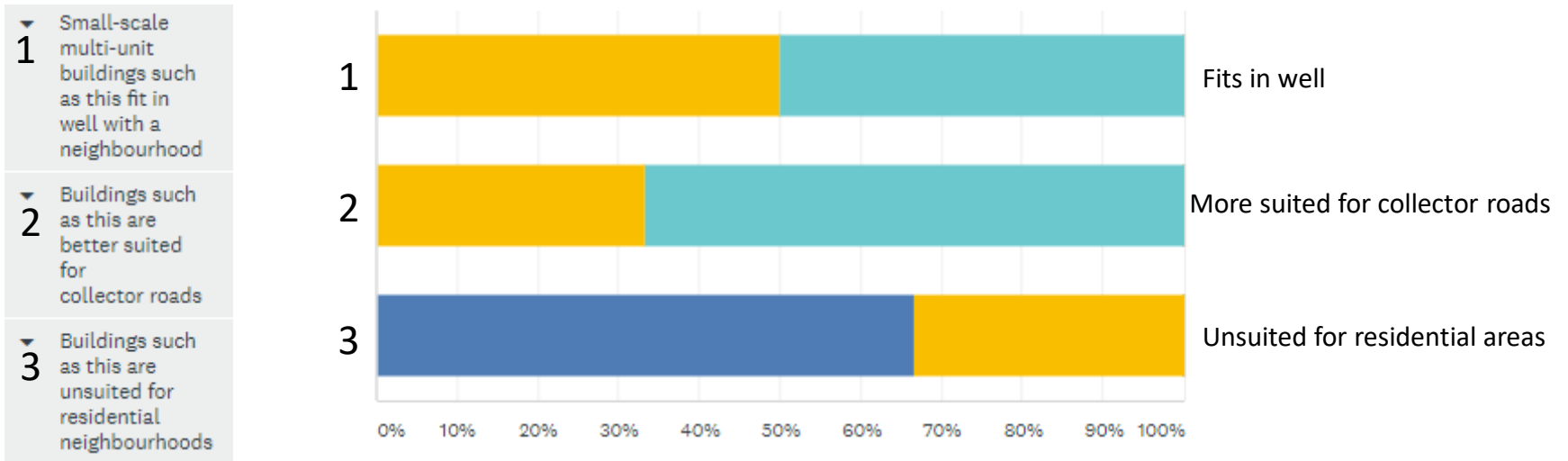
The Official Plan should contain policies which direct that when new forms of development occur:

- 1 It is similar in height to its streetscape neighbours
- 2 It can be taller than its streetscape neighbours but should gradually transition in height
- 3 It should reflect the material palette that is common among its streetscape neighbours
- 4 It should have a street presence (front doors, driveways, garages) similar to its streetscape neighbours
- 5 When on larger lots with multiple units (e.g. townhouses) it should be permitted to create a private internal street onto which dwellings can front and have driveways
- 6 It should provide similar front yard landscaped areas as its streetscape




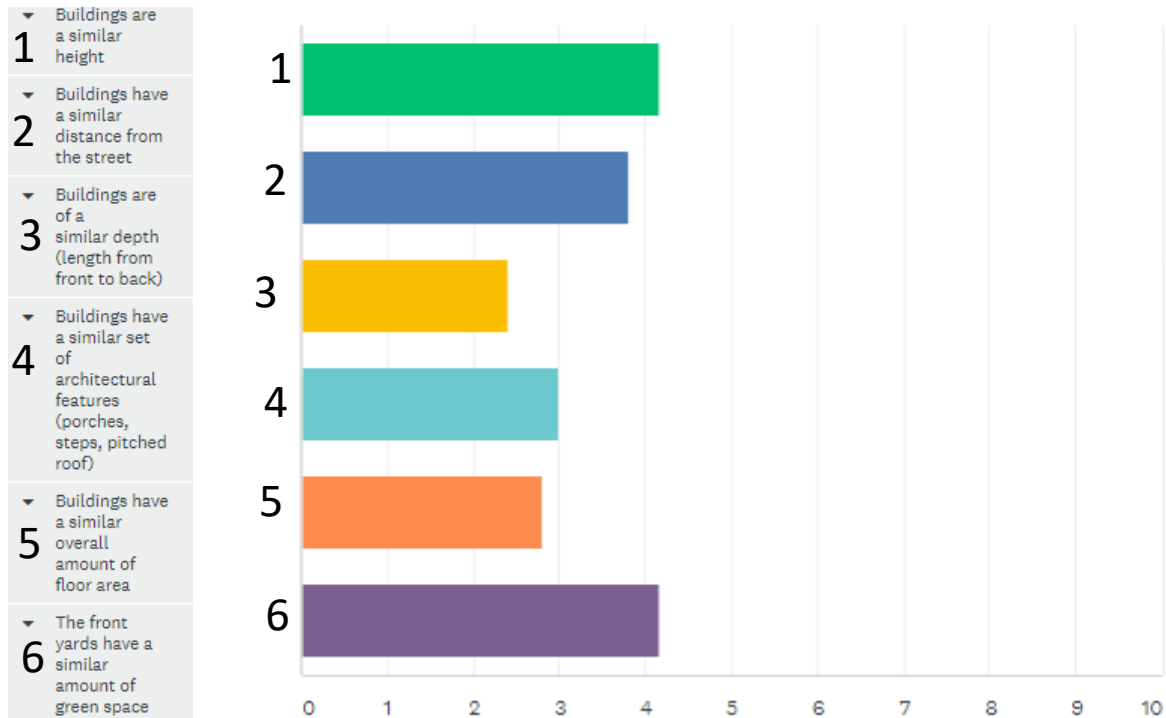
4. COUNCIL SURVEY

The presentation discussed how there are buildings with multiple units (e.g. triplexes) in many Newmarket neighbourhoods that look and feel like a single detached dwelling (example above that was recently rebuilt). Please indicate your agreement with the following statements:




4. COUNCIL SURVEY

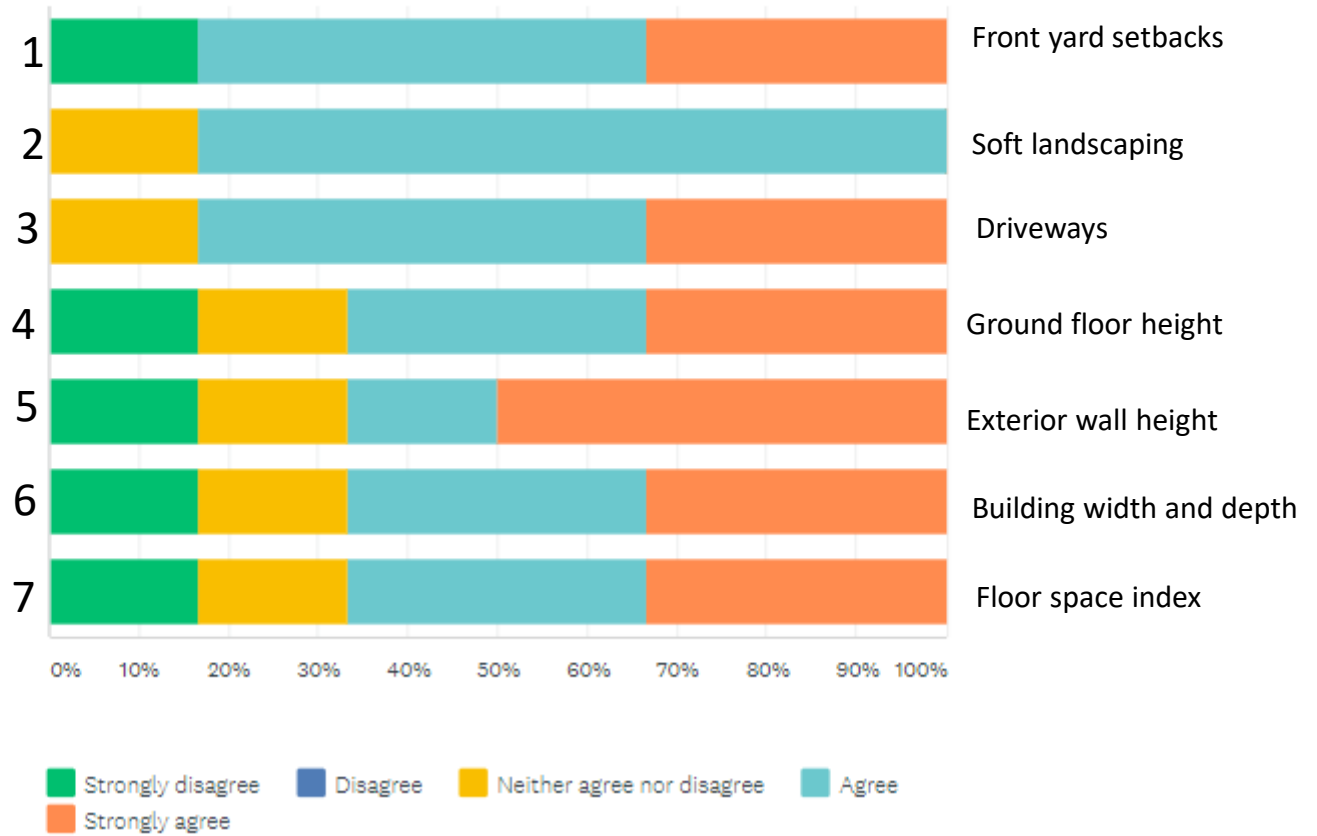
 When you think of compatibility between houses in a neighbourhood, how would you rank the importance of the following elements?




4. COUNCIL SURVEY

 The Zoning By-law should incorporate new site and building design standards to regulate:

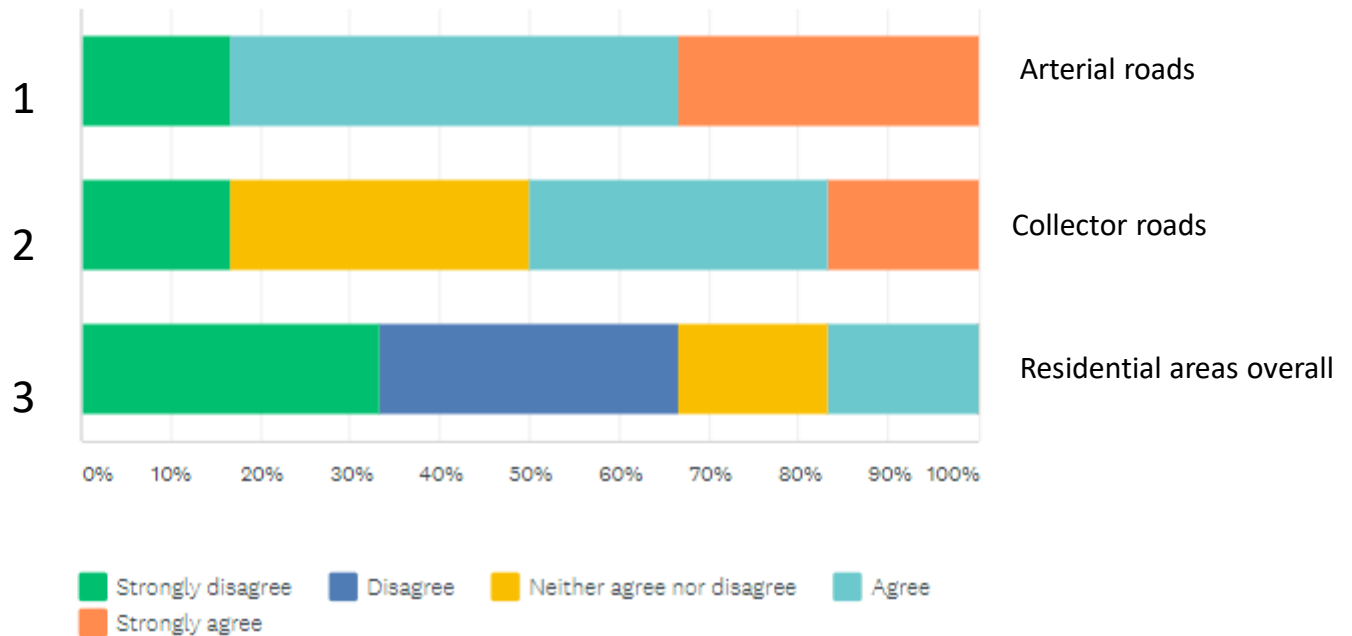
- 1 Maximum front yard setbacks, to be provided in addition to minimum setback requirements, in order to ensure that future development respects prevailing street wall conditions.
- 2 Minimum soft landscaping requirements, in order to maintain prevailing front and rear yard landscaping patterns, and promote on-site stormwater management practices.
- 3 Maximum number of driveway entrances / curb-cuts, in order to ensure that future development maintains prevailing front yard landscaping patterns, and the continuity of existing sidewalks.
- 4 Maximum ground floor / finished first floor height, in order to ensure that future development respects prevailing ground floor and front porch heights, while minimizing the number of steps required to reach the ground floor.
- 5 Maximum exterior wall heights, to be used in combination with maximum building heights, in order to ensure that future development respects prevailing massing conditions and the scale of existing development.
- 6 Maximum building width and / or depth, to be used in combination with maximum lot coverage requirements, in order to ensure that future development respects prevailing massing conditions and the scale of existing development.
- 7 Maximum density / floor space index, to be used in combination with maximum lot coverage requirements, in order to ensure that future development respects prevailing massing conditions and the scale of existing development.



4. COUNCIL SURVEY

 The Zoning By-law should allow for a greater diversity and range of building types and housing choices:

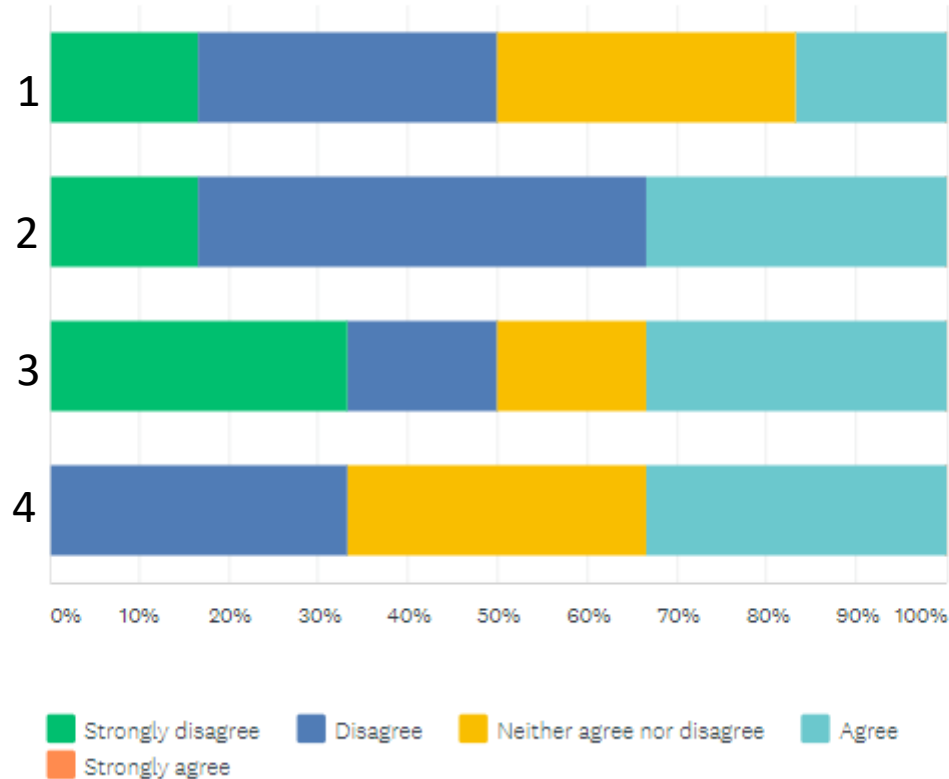
- 1 Within proximity of arterial roads, in order to capitalize on access to rapid and higher-order transit and active transportation facilities, as well as major retail, office uses, and institutional uses.
- 2 Within proximity of primary and / or minor collector roads, in order to capitalize on access to public transit and active transportation facilities and neighbourhood retail uses.
- 3 Generally throughout the interior of neighbourhoods.




4. COUNCIL SURVEY

Please indicate the degree to which you agree with the following statements

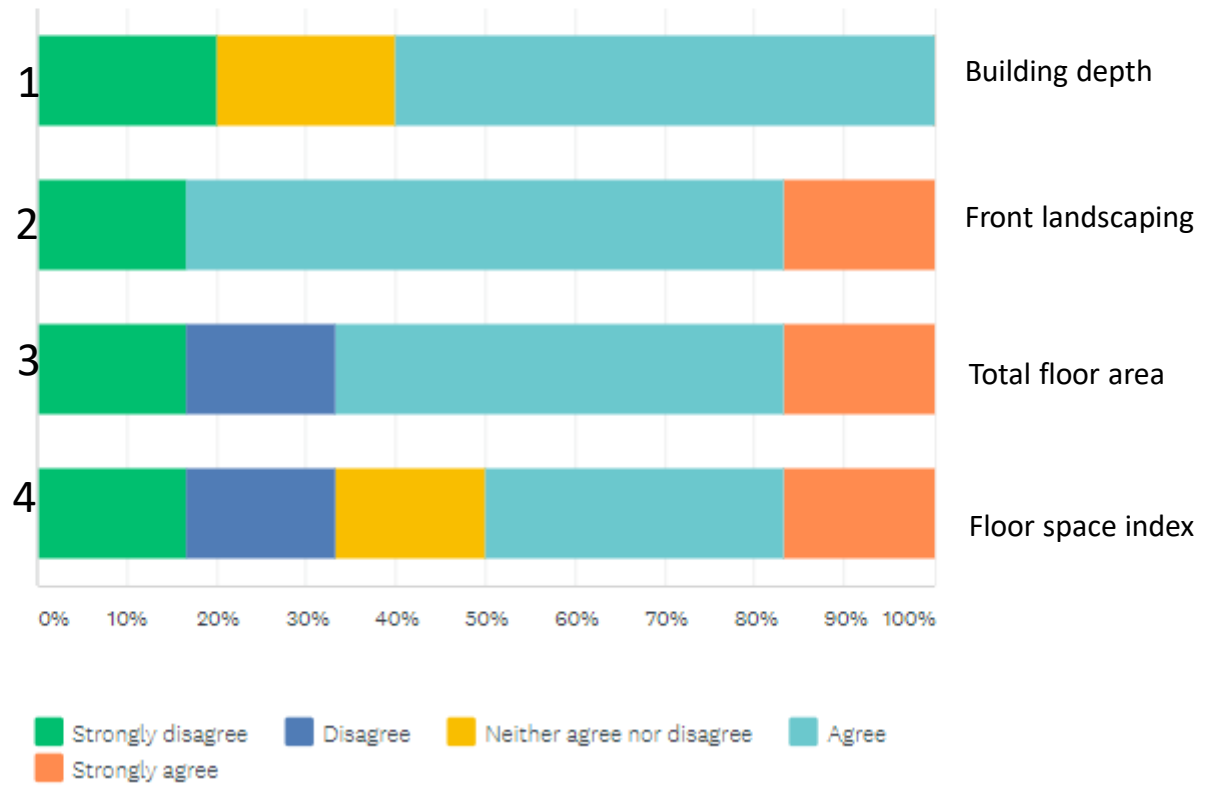
- 1 Preventing the conversion of smaller houses to larger houses is desirable
- 2 When a single storey house is converted to a two-storey house, it should not be allowed to have as large of a footprint
- 3 A house on a street with mostly single-storey houses should not be allowed to become a two-storey house
- 4 A house with two, three, or four units should be allowed to be larger than a single-unit house while still keeping within proportion to the street




4. COUNCIL SURVEY

 Zoning can control development by defining measures and creating limits on them. Please indicate your level of support for using the zoning by-law to more tightly limit the following types of measures.

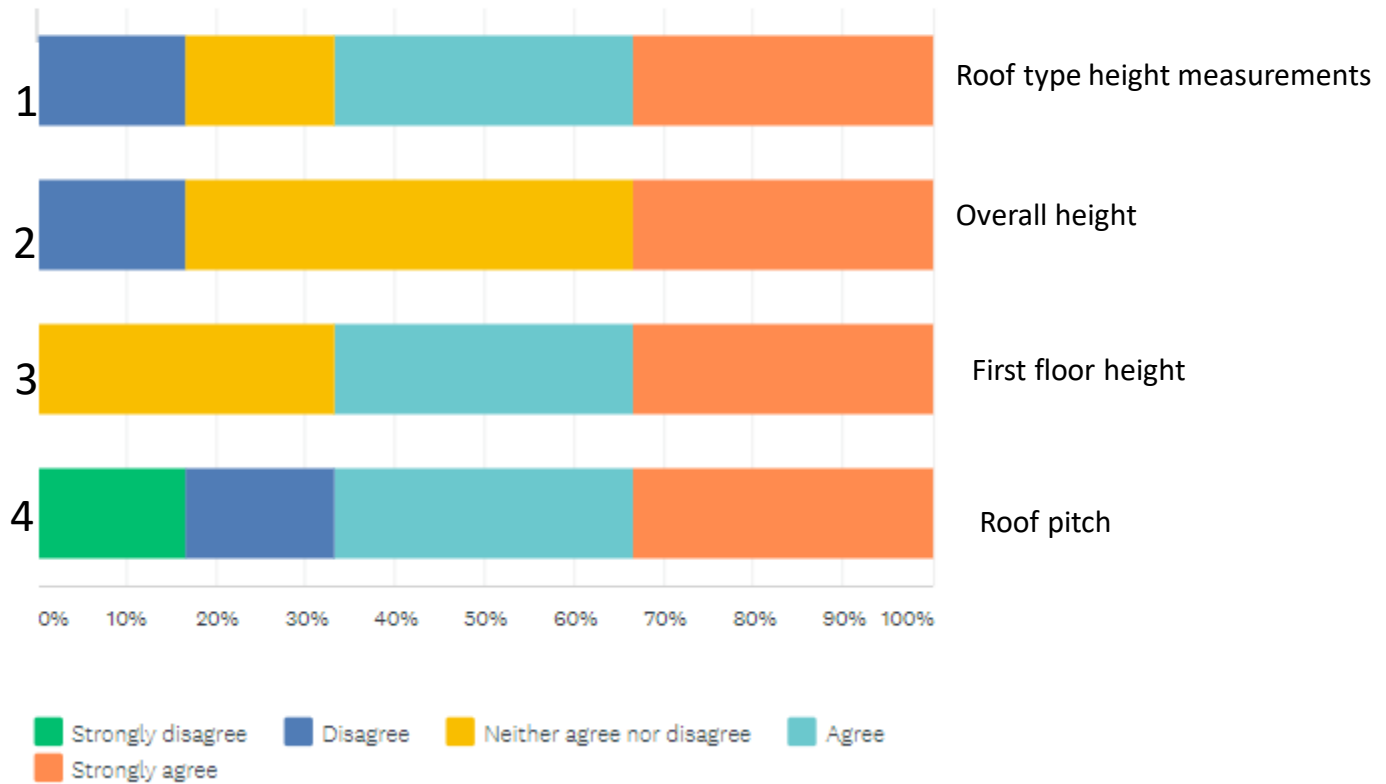
- 1 1. Setting a maximum length/depth of a house
- 2 2. Requiring a certain proportion of front yard landscaping
- 3 3. Regulating the maximum overall amount of floor area
- 4 4. Regulating the maximum floor space index (that is, a relation of how much floor area a building can have relative to lot size)




4. COUNCIL SURVEY

 Different ways of controlling building height are possible. Please indicate your level of support for using the zoning by-law to more tightly limit the following types of measures.

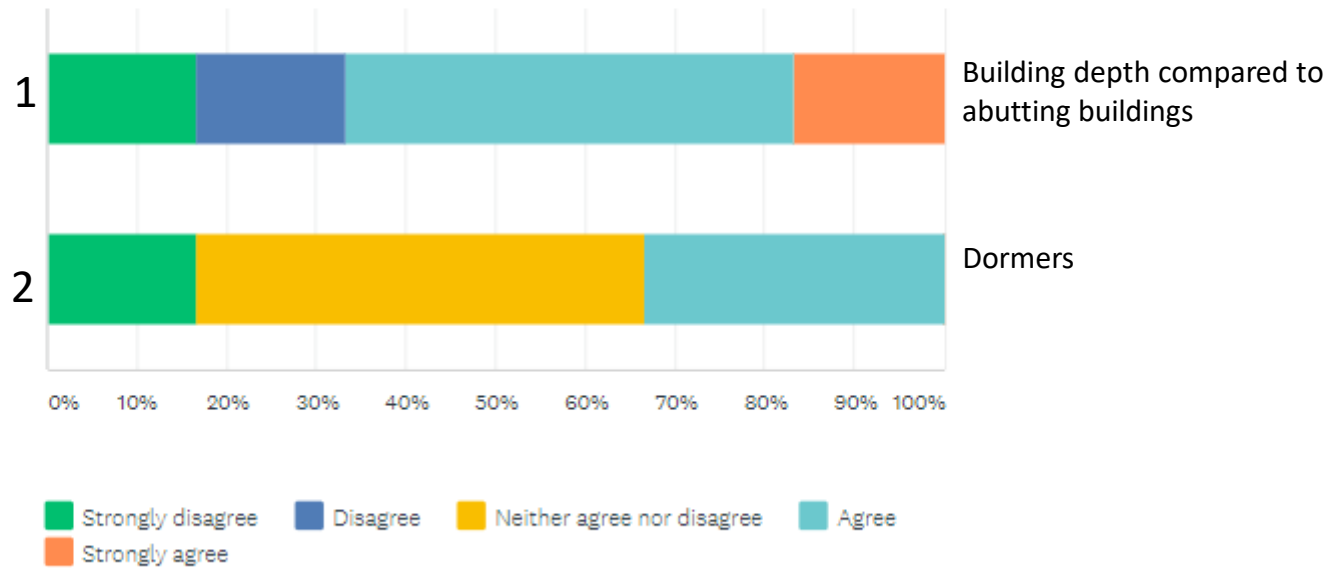
- | | |
|---|--|
| <p>1</p> <p>5. Changing how height is measured (e.g. to peak, to midpoint) to discourage roofs of such massing and height</p> | <p>3</p> <p>7. Setting a maximum height for the first floor above grade to ensure entrances are prominent and close to the street</p> |
| <p>2</p> <p>6. Reducing the overall permitted maximum height</p> | <p>4</p> <p>8. Including rules for roof pitch to ensure the additional height provided for pitched roofs is not used to create a flat-roof condition</p> |



4. COUNCIL SURVEY

 Different ways of controlling building size are possible. Please indicate your level of support for using the zoning by-law to more tightly limit the following types of measures.

- 10. Regulating the maximum length/depth of the building to be similar to or within a certain relation of abutting buildings
- 11. Regulating the proportion of a roof that can contain dormers to avoid having a roofline appear as a storey

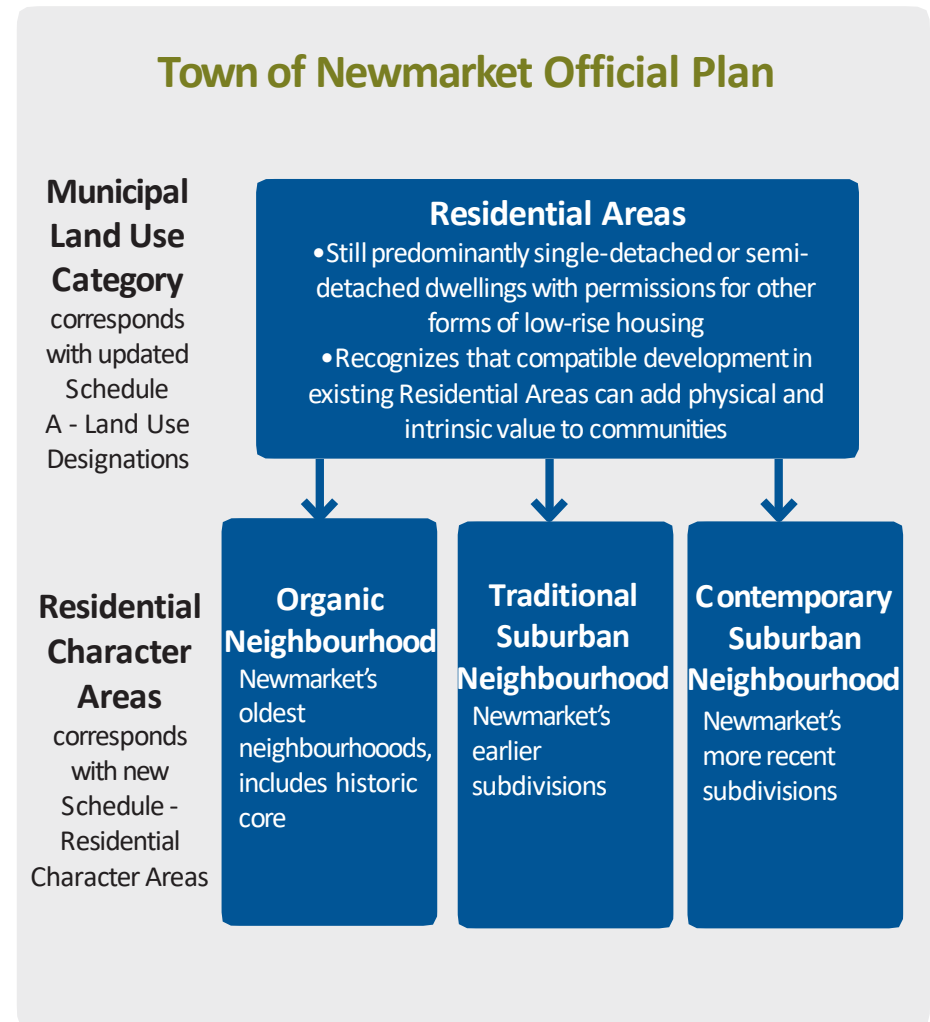


5. EMERGING POLICY DIRECTIONS

Potential Official Plan Structure

Introduce a new layer of Official Plan policy which provides direction for new development within individual Residential Character Areas and:

- defines the boundaries of each Residential Character Area
- provides a neighbourhood character statement, list of predominant built form conditions and predominant public realm conditions;

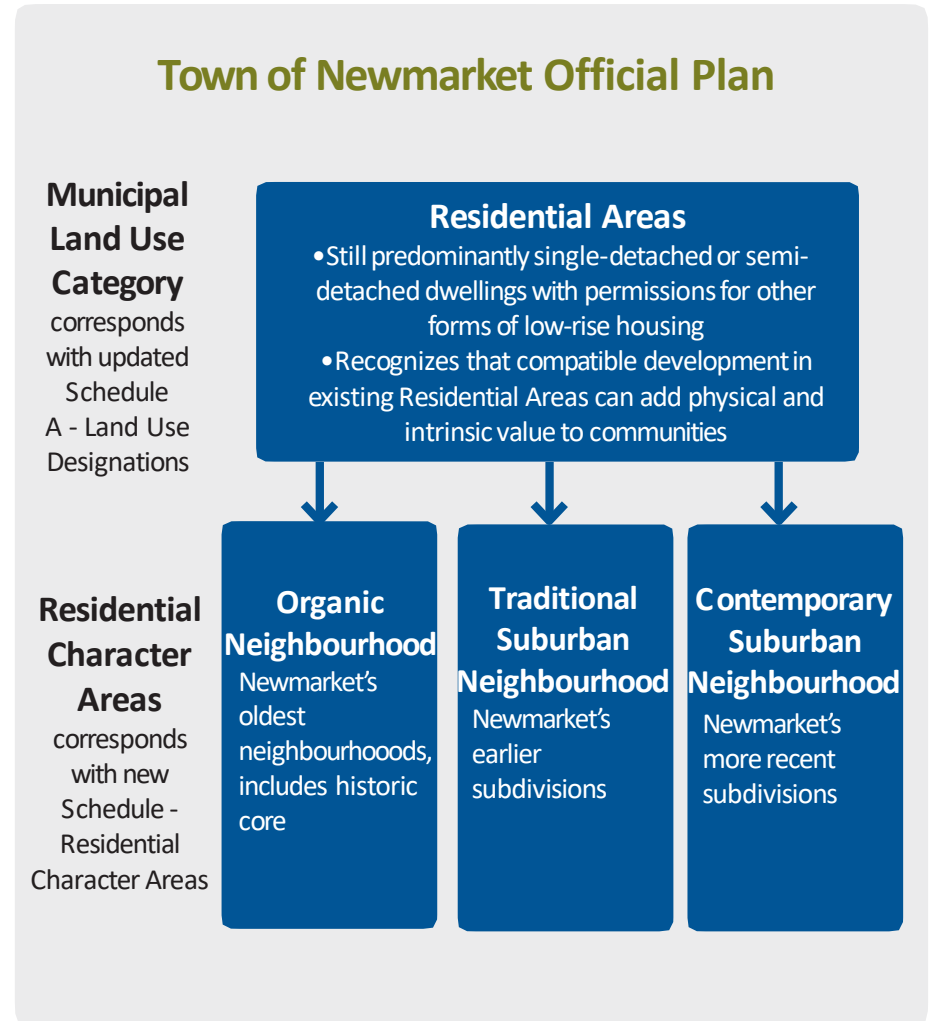


5. EMERGING POLICY DIRECTIONS

Potential Official Plan Structure

Introduce a new layer of Official Plan policy which provides direction for new development within individual Residential Character Areas and:

- recognize that new development will occur, and provides greater guidance on where it may be appropriate and what is important to ensure when it does occur
- directs that while development will differ from the existing built form, it should respect these physical conditions while responding to unique site conditions and demonstrating neighbourhood compatibility.



5. EMERGING POLICY DIRECTIONS



Official Plan (December 2016 Consolidation)

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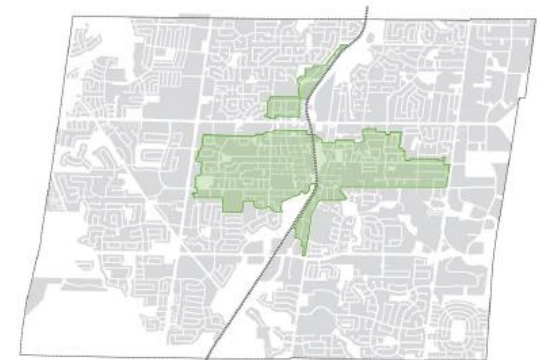
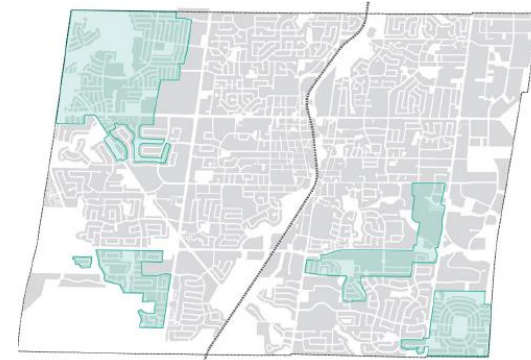
- Consolidate stable and emerging Residential Areas
- Establish an overlay for each Character Area identifying predominant characteristics for development to respect
- Identify a hierarchy that maintains built forms similar to the existing dwellings on local streets, while allowing gradual increases in density along higher-order roads
- Update OP and zoning policies related to supportive housing to conform to tribunal and judicial decisions (i.e. remove separation distances)
- Update OP policies related to ADUs to conform to Planning Act, leave specific zoning by-law regulations for future project
- Update permissions related to small-scale commercial uses and diversity of residential uses on collector roads
- Add new policies related to Character Areas and how development should incorporate elements of prevailing built form and provide appropriate transitions

5. EMERGING POLICY DIRECTIONS

Character Areas

Potential Official Plan Amendments

- Recognize predominant built form for each area in policy
- Acknowledge the mix of uses that occurs in residential areas, principally along collector roads (e.g. small-scale commercial on Prospect Street and Eagle Street)
- Set policy foundation for compatibility of change on major roads while continuing to direct intensification away from interior residential areas
- Ensure that any future Planning Act applications will respect prevailing built form and adhere to compatibility policies



5. EMERGING POLICY DIRECTIONS

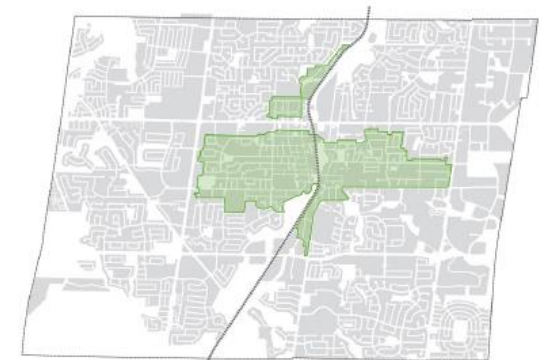
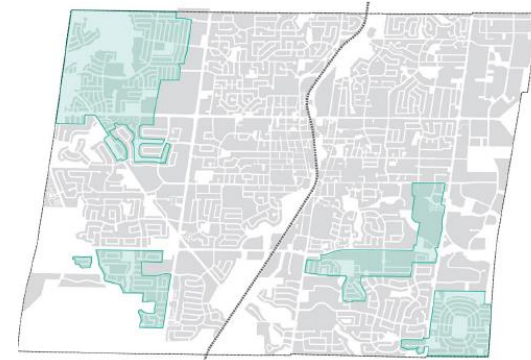
Potential Zoning By-Law Amendments

- Principles
 - Increase diversity of housing options
 - Allow flexibility and change
 - Allow diversity of styles
 - Allow renewal and redevelopment
 - Ensure similarity in built form massing
 - Focus on how a building is perceived from the street
 - Keep it understandable
 - Work with established tools

5. EMERGING POLICY DIRECTIONS

Character Areas

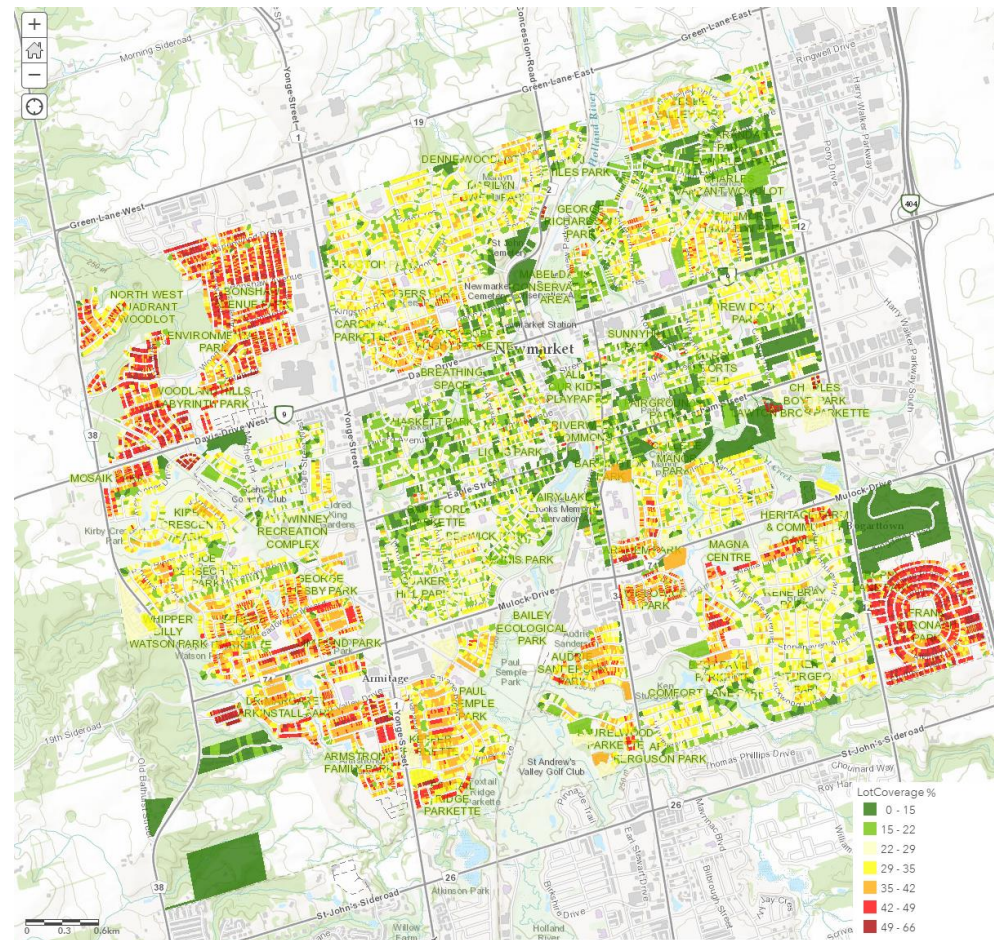
- Contemporary Suburban Neighbourhoods
 - No changes intended due to being recently-constructed neighbourhoods
 - Buildings largely represent maximum permitted building sizes
- Traditional Suburban neighbourhoods
 - Revise regulations on lot coverage to better match prevailing built form
- Organic Growth neighbourhoods
 - Revise regulations on height and roof types to better match prevailing built form
- Overall changes
 - Revise regulations on lot coverage to better match prevailing built form
 - Address supportive housing policies
 - Clarify height, storey, and grade
 - Clarify front yard soft landscaping requirements
 - Increase side-yard setbacks for larger lots
 - Clarify roof pitch definitions
 - Clarify definitions of common features
 - Recognize and permit diversity of uses on arterial and primary collector roads
 - Ensure consistency by consolidating zoning by-laws



5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Revise regulations on lot coverage to better match prevailing built form
- Single coverage permission (35%) for most lots outside of oldest parts of Wards 2 and 5
- Very different existing coverage across some of these areas
- Map show lot coverage
- Adjacent areas with same rules, very different existing built form



5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Revise regulations on lot coverage to better match prevailing built form

- Existing 16% coverage



- Permitted 25% coverage



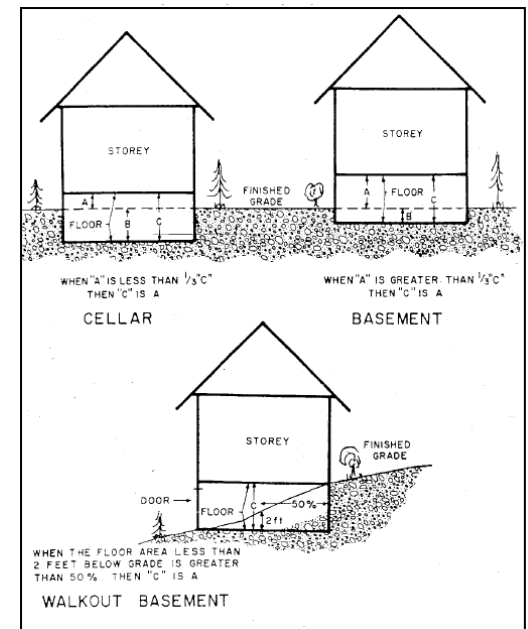
- Permitted 35% coverage



5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Clarify height, storey, and grade
 - Fundamental existing control on house height is two storey limit and maximum storey height of 3.6m
 - Definitions of storey, basement, and cellar are challenging to interpret
 - No definition of half-storey
 - Revised definitions will better ensure that building height is properly limited
 - Controlling overall height better will allow for more flexible internal designs
 - Control maximum height of first storey above grade to keep consistent pattern of prominent entrance features

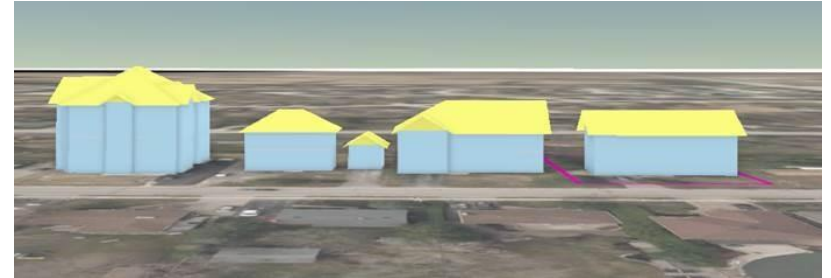


5. EMERGING POLICY DIRECTIONS

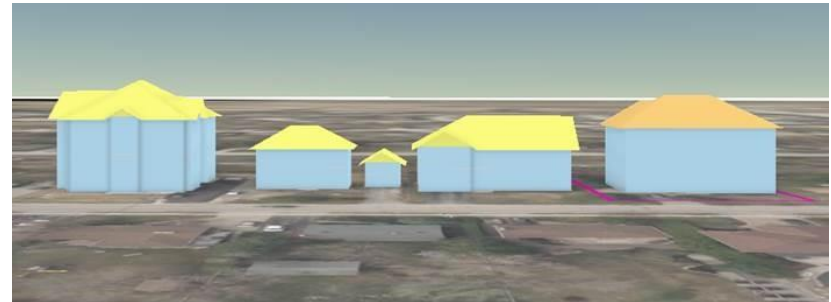
Potential Zoning By-Law Amendments

- Clarify height, storey, and grade

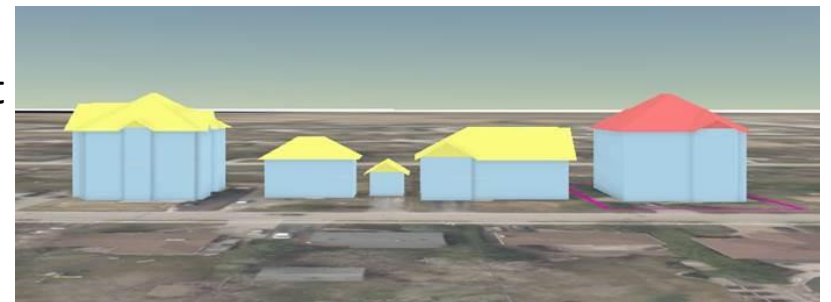
- Existing one storey ~6m height



- Permitted two-storey ~9m height



- Permitted two-storey ~10m height



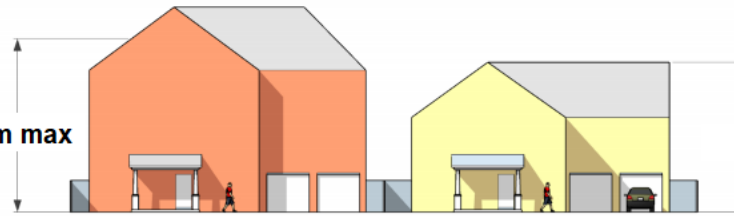
5. EMERGING POLICY DIRECTIONS

Current Regulation Height provisions

Proposed Regulation Height provisions

In the case of a **Gable, hip or gambrel roof,**
the mean height between the eaves and ridge.

10.7m max

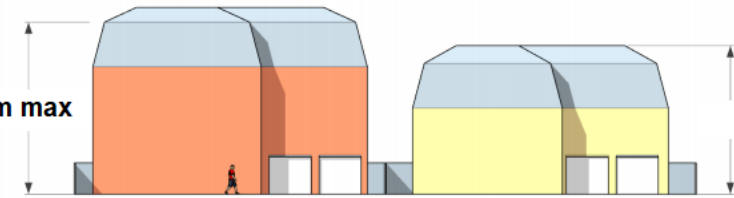


In the case of a **Gable, hip or gambrel roof,**
the highest point of the roof.

max.

In the case of a **Mansard roof,**
the decline of the roof.

10.7m max

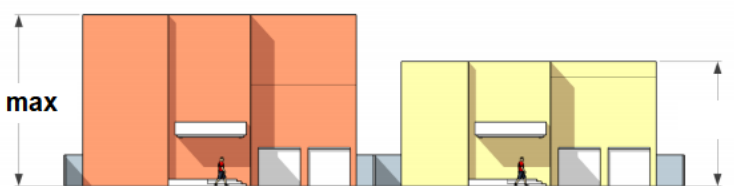


In the case of a **Mansard roof,**
the highest point of the roof surface

max.

In the case of a **Flat roof,**
the highest point of the roof surface or parapet, whichever is greater.

10.7m max



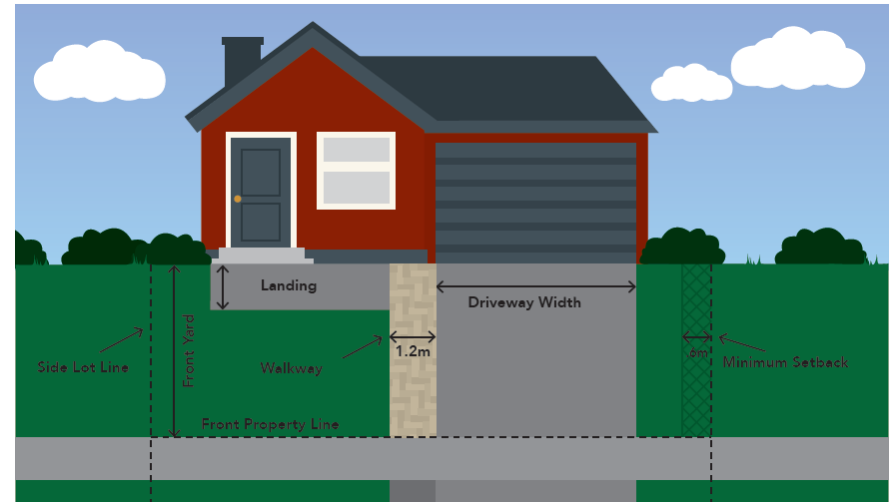
In the case of a **Flat roof,**
the highest point of the roof surface or parapet, whichever is greater.

max.

5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Clarify soft landscaping requirements
- Zoning by-law currently has regulations that limit hard landscaping
- Rules are un-intuitive and could be better framed
- No change to driveway standards intended



5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Increase side-yard setbacks for larger lots
- R1-C zone lots are larger and tend to be bungalows with ample open space
- Existing standards allow same side-yard setbacks as smaller lots
- Slight increase will still allow for growth and change while maintaining open feeling of street

Typical Built Form	Detached dwelling						
Regulatory Set:	A	B	C	D	Ex. 119	E	F
Min. Lot area	0.8 ha	1860 m ²	743 m ²	511 m ²		330 m ²	265 m ²
Min. Lot Frontage	60.0 m	30.0 m	18.0 m	15.0 m		12.0 m	9.7 m
Min. Yard Setbacks							
From Front Lot Line	30.0 m	9.0 m	7.5 m	7.5 m	(*14)	4.5 m	4.5 m
From Rear Lot Line	15.0 m	9.0 m	7.5 m	7.5 m	7.5m	7.5 m	7.0 m
From Exterior Side Lot Line	-	6.0 m	6.0 m	6.0 m	6.0m	3.0 m	3.0 m
From Interior Side Lot Line							
One Side	7.5 m	1.8 m	-	-	-	0.6 m	0.6 m
Other Side	7.5 m	4.2 m	-	-	-	1.2 m	1.2 m
Each Side 1 Storey	-	-	1.2 m	1.2 m	1.2m	-	-
Each Side 1.5 Storeys	-	-	1.5 m	1.5 m	1.5m	-	-
Each Side 2 Storeys	-	-	1.8 m	1.8 m	1.8m	-	-
Min. Building Separation	-	-	-	-	-	1.8 m	1.8 m
Max. Lot Coverage	15%	20%	35%	35%	35% if one storey 25% if two storeys	45%	47%
Max. Height	10.7 m (2 storeys)	10.7 m (2 storeys)	10.7 m (2 storeys)	10.7 m (2 storeys)	10.0m (2 storeys)	11.0 m (2 storeys)	11.0 m (2 storeys)
Min. Driveway Width (*7)	-	-				3.0 m	3.0 m
Max. Driveway Width (*7) <i>By-law 2011-25</i>	9m	9m	6m	6m	6m	6.0 m	5.5 m
Min. Driveway Length (*11)							
Garage Door Segmented	-	-	-	-		10 m (*12)	10 m (*12)
Non-Segmented Garage Door	-	-	-	-		11.2 m	11.2 m

5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Clarify roof pitch definitions
 - By-law provides different ways of measuring height of a house based on the pitch of its roof
 - There are no definitions of what constitutes each type of roof
 - Defining based on pitch will provide greater clarity and ensure that heights are accurately measured

Height

Means the vertical distance measured between the average finished grade and any of the following:

- 1) on a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
- 2) the declivity of a mansard roof;
- 3) on a gabled, hip, gambrel or any other type of pitched roof, the mean distance between the eaves and ridge of a roof; or
- 4) the highest point of a *structure* without a roof. *By-law 2011-25.*

5. EMERGING POLICY DIRECTIONS

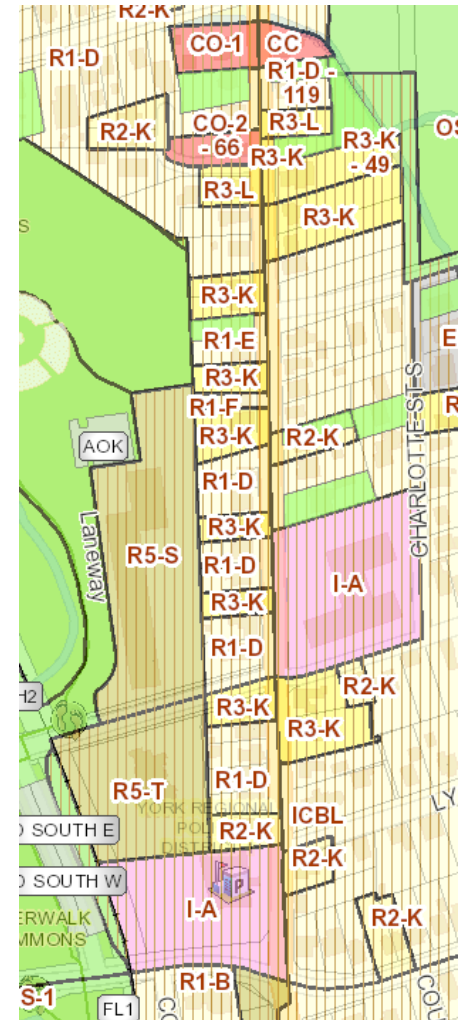
Potential Zoning By-Law Amendments

- Clarify definitions of common features.
- Some definitions are unclear and could benefit from refinement. Examples:
 - Porches by definition have a foundation, which is a distinction unrelated to the element of built form the by-law seeks to control (size and location)
 - A walkway is by definition adjacent to a driveway and the by-law has no provisions for walkways that are in side yards or from a front door to the street not adjacent to a driveway
 - Lack of definition of a half-storey

5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

- Recognize and permit diversity of uses on arterial and primary collector roads
- Major streets that currently have a wide mix of uses
- Harmonize permissions of use to be consistent along streets
- Maintain existing built form permissions, subject to other recommended changes



5. EMERGING POLICY DIRECTIONS

Potential Zoning By-Law Amendments

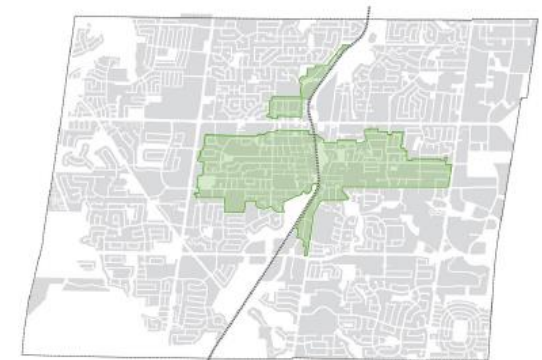
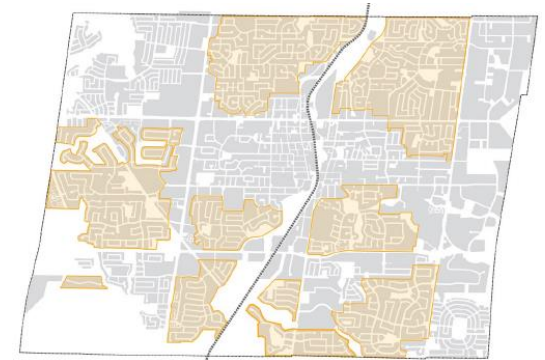
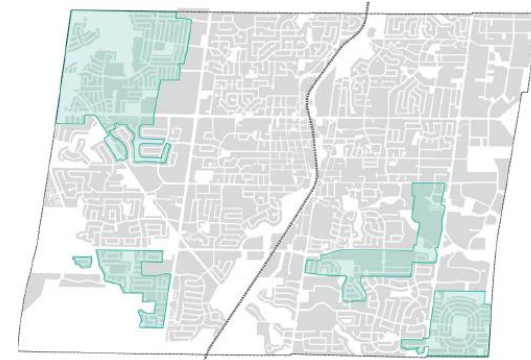
- Ensure consistency by consolidating zoning by-laws
 - Residential lands that remain under Zoning By-law 1979-50
 - Amend to comparable standards of By-law 2010-40
 - Harmonize definitions and bring under amendments that were made to By-law 2010-40
 - No change contemplated for open space lands or lands subject to other applications



5. EMERGING POLICY DIRECTIONS

Character Areas

- Contemporary Suburban Neighbourhoods
 - No changes intended due to being recently-constructed neighbourhoods
 - Buildings largely represent maximum permitted building sizes
- Traditional Suburban neighbourhoods
 - Revise regulations on lot coverage to better match prevailing built form
- Organic Growth neighbourhoods
 - Revise regulations on height and roof types to better match prevailing built form
- Overall changes
 - Revise regulations on lot coverage to better match prevailing built form
 - Address supportive housing policies
 - Clarify height-storey-grade relationship
 - Clarify front yard soft landscaping requirements
 - Increase side-yard setbacks for larger lots
 - Clarify roof pitch definitions
 - Clarify definitions of common features
 - Recognize and permit diversity of uses on arterial and primary collector roads



6. NEXT STEPS

Target project timeline

- January 20 – Special Committee of the Whole
- Jan-Feb – Staff prepares specific recommended by-laws based on Committee feedback
- February – Statutory notice of proposed amendments to Council and public
- April 14 – Statutory Public Meeting
- May 25 – Recommendation report to Committee of the Whole
- July 20 – Expiry of Interim Control By-law

6. NEXT STEPS

Executive summary

- Proposing to amend the Official Plan to revise Residential Areas and Compatibility policies
- Proposing to amend the zoning by-law to:
 - Make height and coverage more closely reflect existing neighbourhoods
 - Change how we measure height based on types of roofs
 - Increase flexibility in interior layout of homes
 - Make it easier to understand rules related to front yards and driveways
 - Recognize that arterial roads and the primary collectors Eagle Street, Gorham Street, and Prospect Street have a mix of uses
 - Make other required changes during the process of revising residential policies (supportive housing, ADUs, consolidating by-laws)
- Not final decision point nor final recommendation
- Staff will take direction, draft recommendations, provide public notice, schedule public meeting, and report back for future Council decision

6. NEXT STEPS

Committee feedback

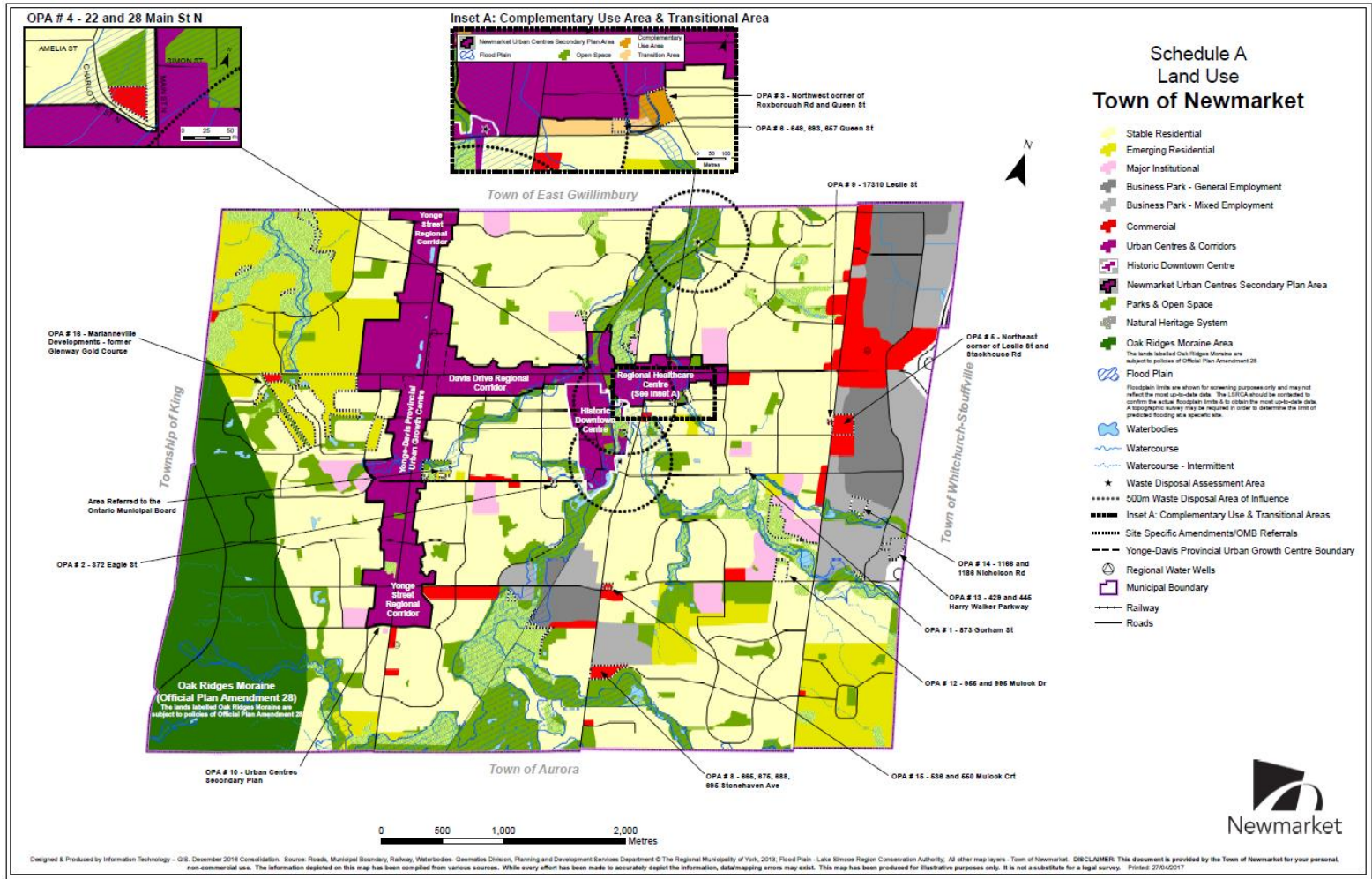
- Are we on the right track?
- Do you have specific questions or suggestions?

Next opportunities for Committee input

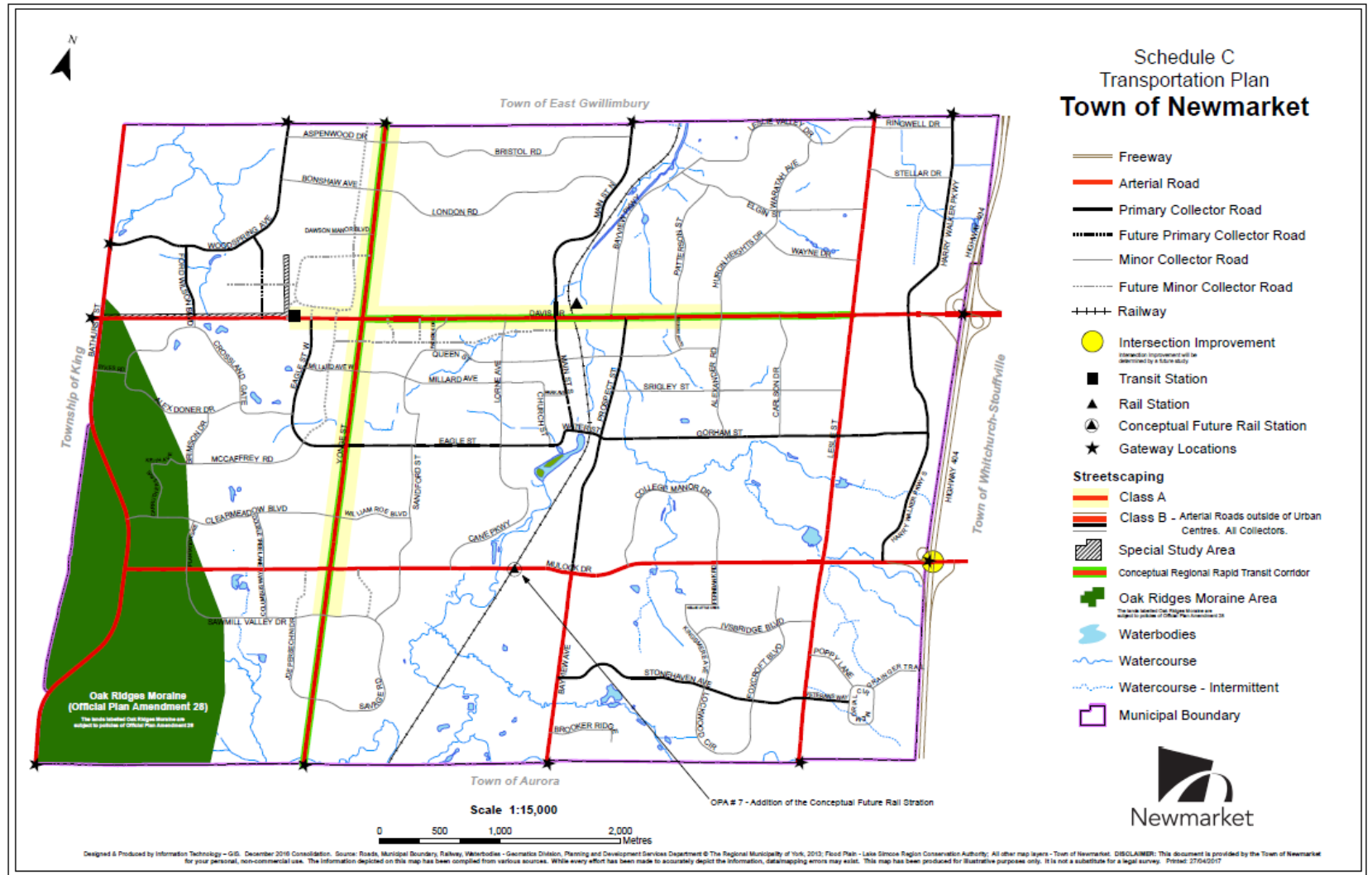
- In writing, following public notice of proposed amendments
- In person, at statutory public meeting
- Through motion, when recommendation report reaches Committee and Council

Thank you

ADDITIONAL CONTEXT



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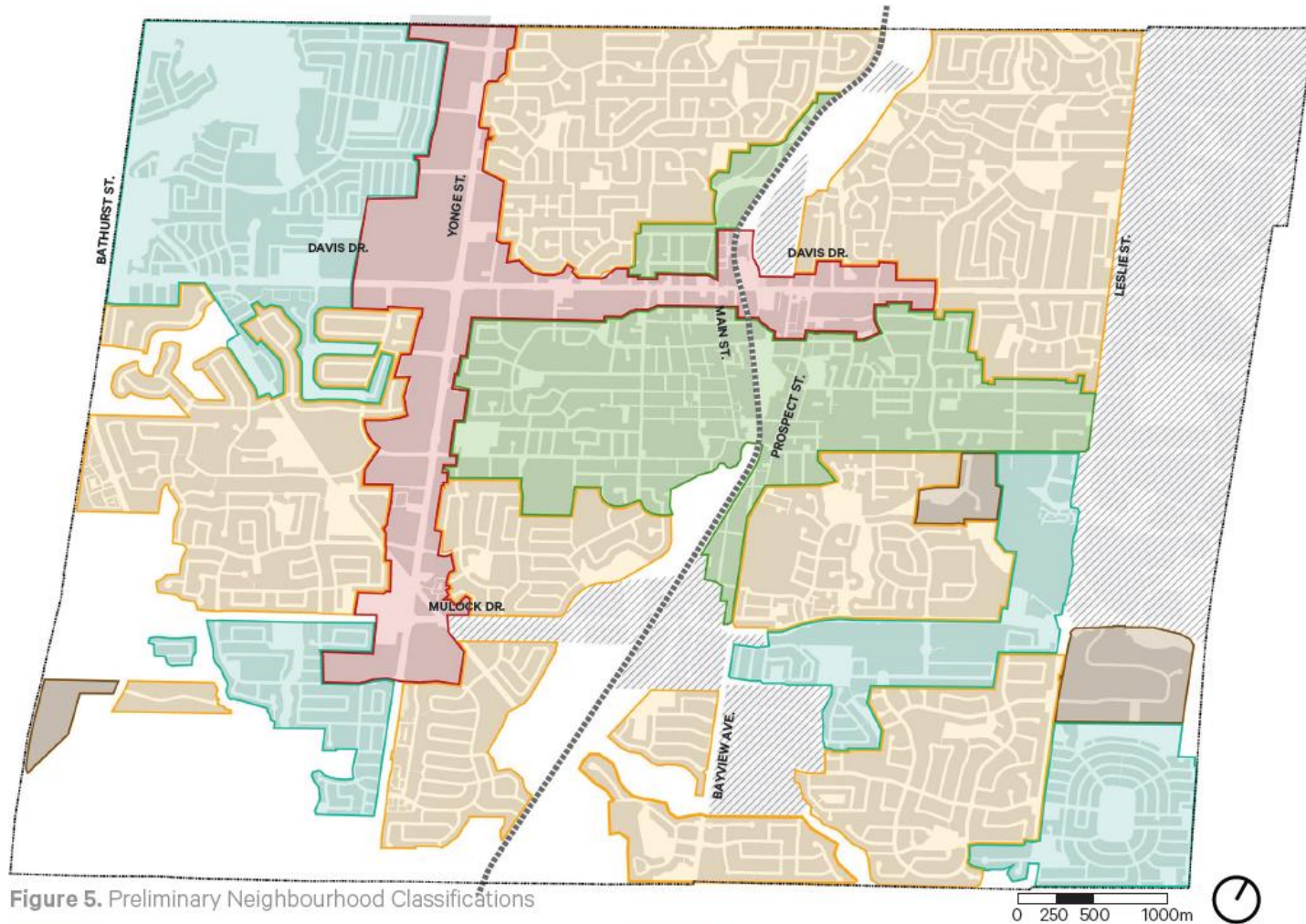









Figure 5. Preliminary Neighbourhood Classifications

- | | | | |
|---|--------------------------------------|--|-----------------------|
|  | Organic Neighbourhoods |  | Urban Centres |
|  | Traditional Suburban Neighbourhoods |  | Estate Neighbourhoods |
|  | Contemporary Suburban Neighbourhoods |  | Municipal Boundary |
| | |  | Rail |