



Town of Newmarket
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Site Specific Exemption to Interim Control By-law 2019-04 for 318 Andrew Street **Staff Report to Council**

Report Number: 2020-52

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: July 20, 2020

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 318 Andrew Street dated July 20th, 2020 be received; and,
2. That Council deny the requested site-specific exemption to Interim Control by-law 2019-04 for 318 Andrew Street.

Purpose

The purpose of this report is to recommend to Council the denial of a site specific exemption to Interim Control By-law 2019-04 for subject property 318 Andrew 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.

As per the Council approved process, exemption requests are evaluated against the following two criteria:

- **Physical Character Compatibility** of the proposed dwelling or addition with the physical character of the existing neighbourhood, inclusive of height, massing, roof lines, and built form; and,

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- **Streetscape Character Compatibility** of the proposed dwelling or addition with the streetscape character of the existing neighbourhood, inclusive of setbacks, building projections, siting on property, and relationship to adjacent dwellings.

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 318 Andrew Street. The applicant is proposing to demolish the existing single-storey dwelling and re-build a two-storey dwelling.

The gross floor area of the existing dwelling is approximately 146 square metres. The gross floor area of the proposed dwelling is approximately 381 square metres. Gross floor area, as defined by Zoning By-law 2010-40, includes basement area but does not include area within the attached garage.

The existing dwelling is approximately 3.75 metres in height, measured from average finished grade to the midpoint. The approximate height to the peak of the existing dwelling is 5 metres. The maximum height of the proposed dwelling is approximately 9.5 metres, measured to the peak.

The Town's Zoning By-law measures dwelling height from the finished average grade to the midpoint of the roof. For this application, the applicant has advised that the final truss design has not yet been confirmed, and as such the applicant is asking for a maximum height of 9.5 metres, measured to the peak, although the final design may not reach this height. This report will consider heights as measured to the peak, to provide comparable measurements when comparing to surrounding dwellings.

The Town's Information Technology Department has provided approximate information on the heights of dwellings along Andrew Street. This data provides information on the height of dwellings measured to the peak.

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 161% and would increase the height of the dwelling, as such an exemption from Interim Control By-law 2019-04 is being requested.

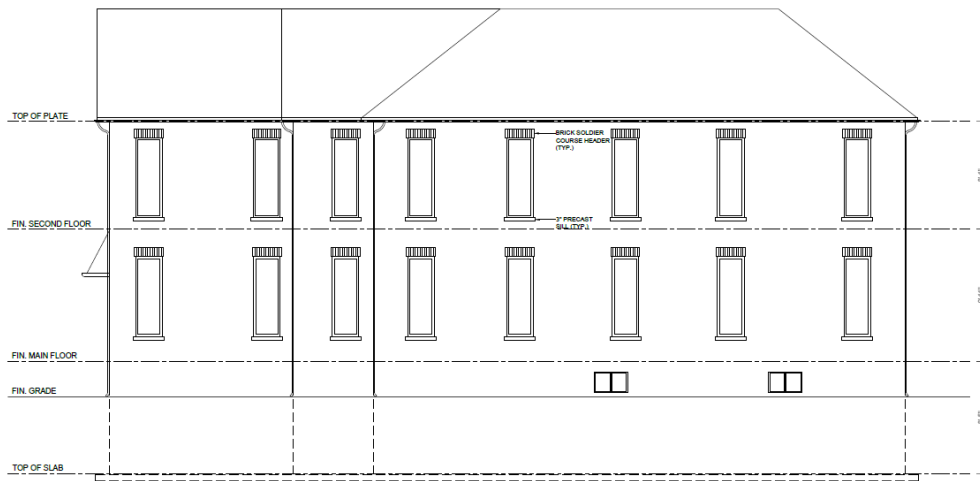
A map of the subject property and drawings of the proposed dwelling can be found attached to this report.

Staff have reviewed the proposal and provide the following comments based on the two planning/urban design themes in the approved exemption process.

Physical Character Compatibility

- 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 proposed addition will increase the lot coverage to approximately 25%, being the maximum lot coverage permitted.
- The proposed addition will increase the height from the existing 3.75 metres to the proposed maximum height of 9.5 metres. The maximum dwelling height in this zone is 10 metres for a two-storey dwelling. The majority of dwellings on Andrew Street are well below the maximum height requirements of the R1-D-119 Zone, with an average height of 7 metres, measured to the peak of the dwelling (Information Technology's data only provides height measurements to the peak of dwellings, not to the mid-point). As such, the proposed dwelling would be significantly taller than the majority of houses on the street.
- The proposed dwelling will have a **gross floor area** of 381 square metres, a 161% increase from the gross floor area of the existing dwelling, which has a gross floor area of 146 square metres.
- In term of massing, the proposed dwelling will have a **ground floor area** of approximately 176 square metres, including the attached garage. The average ground floor area for dwellings on Andrew Street is approximately 107 square metres, including attached garages.





RIGHT SIDE ELEVATION

Streetscape Character Compatibility

- The existing neighbourhood is comprised of 1950's era and older, single-detached dwellings interspersed with some new builds. Although, some of the existing housing stock has been renovated over the years, the general size of most dwellings has remained relatively the same to what was originally built.
- The chart below displays information on the adjacent dwellings:

Address	Location	Approximate height (to peak)	Photo
312 Andrew Street	Directly west of subject property	6.9 metres	

322 Andrew Street	Directly east of subject property	4.9 metres	
313 Andrew Street	Directly north-west of the subject property	6.3 metres	
319 Andrew Street	Directly north-east of the subject property	6.0 metres	

- The proposed dwelling would be significantly taller and larger than the surrounding dwellings.
- The dwellings along this section of Andrew Street are generally modest in height and massing, and maintain the original character from the time period in which they were built.

- However, there is one general outlier that is significantly taller than surrounding dwellings, as shown in the photos below, located at 258 Andrew Street. This dwelling was renovated in 2017, before the ICB was enacted. The dwelling is approximately 9.8 metres in height, measured to the peak.



- For the reasons listed above, it is staff's opinion that the proposed dwelling will not be in-keeping with the general character of the neighbourhood.

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

- Impacts to privacy
- Proposed dwelling is out of character

Based off the analysis above, it is staff's opinion that the proposed dwelling would be out of character for the surrounding neighbourhood, which largely maintains the original character from when the neighbourhood was first developed.

Conclusion

It is recommended that Council deny the site-specific exception for 318 Andrew Street, Newmarket, from Interim Control By-law 2019-04.

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 property owners within 50 metres of the subject property, as per the Council-approved exemption process for Interim Control By-law 2019-04. The Notice for this application was sent to 26 surrounding properties. Comments from residents have been included as part of the review of this exemption request and have been addressed in the sections above.

Human Resource Considerations

N/A

Budget Impact

N/A

Attachments

- Location Map
- Existing Site Plan
- Proposed Site Plan
- Proposed Elevations

Submitted by

Alannah Slattery, Planner, Planning Services

Approved for Submission

Adrian Cammaert, Acting Manager, Planning Services

Jason Unger, Acting Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

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