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## **Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent Staff Report to Council**

Report Number: 2020-42

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: June 22, 2020

### **Recommendations**

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent dated June 22<sup>nd</sup>, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 164 Beechwood Crescent and adopt the attached exemption by-law.

### **Purpose**

The purpose of this report is to recommend to Council the approval of a site specific exemption to Interim Control By-law 2019-04 for subject property 164 Beechwood Crescent.

### **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 164 Beechwood Crescent. The applicant is proposing to add a single-storey addition to the rear of the existing dwelling, as well as a second-storey addition across the westerly portion of the existing dwelling.

The proposed second-storey and rear addition would increase the gross floor area from approximately 174 square metres to approximately 316 square metres, not including the attached garage. The proposed addition would increase the height of the dwelling from approximately 6.3 metres to approximately 7.3 metres, measured from average finished grade to the midpoint of the roof, as per Zoning By-law 2010-40.

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 82%, 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 exemption process as approved by Council.

### Physical Character

- The subject property is zoned Residential Exception (R1-C-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 15.75%.
- The proposed addition will increase the midpoint height from the existing 6.3 metres to the proposed midpoint height of 7.3 metres. The maximum dwelling height in this zone is 10 metres for a two-storey dwelling, measured from average finished grade to the midpoint of the roof.
- The proposed rear addition will not be closer to the side lot line than the existing dwelling.
- The materials of the proposed additions will include brick and siding, common elements found throughout dwellings in the neighbourhood.
- The proposed addition will meet all zoning requirements of the R1-C-119 Zone, including yard setbacks, height and lot coverage requirements.
- It is staff's opinion that the proposed addition will not result in over-development of the lot, as the lot still maintains adequate amenity space and appropriate setbacks.

## Streetscape Character

- The existing neighbourhood is comprised of 1970's era single-detached dwellings interspersed, with some new builds. Both the dwelling immediately east of the subject lands and the dwelling immediately west of the subject lands have been rebuilt and enlarged in recent years. The aerial image below shows the current neighbourhood adjacent to the subject lands.



- The proposed second storey and rear addition will not be out of character for the neighbourhood, which is comprised of both moderately sized and large, one storey, one-and-a-half storey and two-storey dwellings. The photos below shows the subject dwelling in relation to neighbouring properties.



- The proposed addition will be constructed to the rear of the existing dwelling, maintaining existing street lines and a uniform built form.
- The proposed dwelling will not significantly change the character of the streetscape, as the rear addition will not be visible from the street, and the second storey addition is not out of character for the neighbourhood which includes one storey, one-and-a-half storey and two-storey dwellings.

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

- Height of second-storey addition
- How height will be measured
- Removal of trees
- Site Plan Control
- Impacts to drainage
- Re-sale value of neighbouring dwellings

Staff advise that neighbourhoods consisting of a mix of one storey, one-and-a-half storey and two-storey dwellings are commonly found in the Town. A two-storey dwelling adjacent to a single-storey dwellings is common residential built form. It is staff's opinion that the proposed addition of a second storey will not impact sunlight or privacy in a manner unlike, or beyond, what is typically expected or experienced in a residential setting.

In addition, the proposed second-storey will increase the height from the existing midpoint height of 6.3 metres to the proposed midpoint height of 7.3 metres. The maximum dwelling height in this zone is 10 metres for a two-storey dwelling. The proposed dwelling is well below what is permitted in this zone, and is compatible with surrounding dwellings.

Staff advise that height for the proposed dwelling will be measured from average finished grade to the midpoint of the roof, as per Zoning By-law 2010-40. Average finished grade means the average elevation of the finished surface of the ground at the base of the outside walls of a building or structure. This approach is consistent with that taken in zoning matters as well as all ICBL Exemption requests.

The applicant has advised that no trees will be removed as part of this application. The Town does not currently have a Private Tree By-law in place, as such the Town cannot require the applicant to provide an arborist report or tree preservation plan. Staff recommend that the applicant provide tree protection fencing as part of the construction process to ensure the protection and preservation of the trees on the property.

Staff advise that Site Plan Control does not apply to renovations to single-detached dwellings. Property owners are generally entitled to renovate or re-construct their homes, within the boundaries of the Town's Zoning By-law, at any point in time without the use of Site Plan Control.

The applicant will be required to receive the necessary building and engineering approvals and permits, which will address drainage impacts.

Staff advise that re-sale value is dependent on numerous market variables and is typically not considered when evaluating a proposal from a planning perspective.

The proposed second-storey addition is 2.7 metres less than the current 10 metre maximum height within the R1-C-119 zone, is appropriate in size relative to the lot, is in-keeping with the character of the surrounding neighbourhood, which is comprised of one storey, one-and-a-half storey (bungalows and raised bungalows) and two-storey dwellings, and will meet all other requirements of Zoning By-law 2010-40.

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 164 Beechwood Crescent 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 164 Beechwood Crescent, 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 property owners within 50 metres of the subject property, as per the Council-approved exemption process for Interim Control By-law 2019-04. 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**

There is no budget impact associated with this report.

## **Attachments**

- Location Map

Site Specific Exemption to Interim Control By-law 2019-04 for 164 Beechwood Crescent

- Proposed Site Plan
- Proposed Front Elevation
- Proposed By-law

### **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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