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Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent Staff Report to Council

Report Number: 2020-67

Department(s): Planning Services

Author(s): Alannah Slattery

Meeting Date: September 14, 2020

Recommendations

1. That the report entitled Site Specific Exemption to Interim Control By-law 2019-04 for subject property 181 Beechwood Crescent dated September 14th, 2020 be received; and,
2. That Council approve the requested site-specific exemption to Interim Control by-law 2019-04 for 181 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 181 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 has received a request for exemption from Interim Control By-law 2019-04, for subject property 181 Beechwood Crescent. A consent application on the subject lands was approved by the Committee of Adjustment in 2017, creating two buildable lots. The eastern lot has since been built upon, and the applicant is proposing to construct a single-storey detached dwelling on the remaining, vacant lot.

The proposed single-storey dwelling would have a gross floor area of approximately 597 square metres, and a proposed height of approximately 6.81 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, the increase in height of residential dwellings, as well as the construction of dwellings on vacant lots. As the proposed dwelling would be constructed on a vacant lot, 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 35% for a single-storey dwelling. The proposed dwelling will increase the lot coverage to approximately 28%.
- The proposed dwelling will have an approximate midpoint height of 6.81 metres. The maximum dwelling height in this zone is 10 metres, measured from average finished grade to the midpoint of the roof.
- The proposed roofline is consistent with existing slopes, ridges and rooflines throughout the neighbourhood.
- The proposed dwelling will meet all yard setbacks required by Zoning By-law 2010-40.
- The proposed dwelling 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 dwelling 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 and newly renovated dwellings. The dwelling immediately east of the subject lands was constructed in 2019. The Site Specific Exemption to Interim Control By-law 2019-04 for 181 Beechwood Crescent

aerial image below shows the current neighbourhood adjacent to the subject lands.



- The proposed dwelling 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.
- Lot coverage percentages along Beechwood Crescent range from approximately 15% up to 30%. The dwelling immediately east of the subject lands has an approximate lot coverage of 30%. The proposed dwelling will have a lot coverage of approximately 28%.
- The R1-C-119 zone requires structures being built between existing buildings to be built with a setback which is within the range of existing front yard setbacks for the abutting buildings, but this depth shall not be less than 3 metres from the front lot line. The proposed dwelling will be constructed with a front yard setback of 10.2 metres. This setback is the same as the front yard setback of the abutting dwelling to the east, as such the proposed dwelling meets the front yard setback requirements of the Zoning By-law, maintaining existing street lines and a uniform built form.
- The proposed dwelling will not significantly change the character of the streetscape, as a single-storey dwelling is not out of character for the neighbourhood which includes one storey, one-and-a-half storey and two-storey dwellings.

Established Neighbourhood Study

In 2018, Council directed staff to initiate the Established Neighbourhood Study (ENS), intended to examine the regulatory framework of the Town's Zoning By-law and Official Plan, and to propose recommendations for amendments that will assist in maintaining the existing character of established neighbourhoods in the Town.

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Staff are currently in the final stages of this study and have developed a set of draft policy and zoning recommendations. These policies are currently draft and are subject to change, and it is noted that they do not apply to the development that is the subject of this Report, however the following section contains a brief comparison of how the proposed development would compare with the requirements of the draft ENS zoning regulations and existing zoning regulations:

Zone Standard	Current Zoning R1-C-119	Draft ENS Zoning	Proposed Development	Complies?
Lot Coverage	35%	25% (for this area of Town)	28%	No
Maximum Height	10.0 metres	8.5 metres	6.81 metres	Yes
Interior Yard Setbacks	1.2 metres for one-storey dwelling	1.2 metres for Exterior Side Wall Height up to 4.2m	1.2 metres	Yes
Front Yard Setback	Structures built between existing buildings shall be built with a setback which is within the range of existing front yard setbacks for the abutting buildings, but this depth shall not be less than 3 metres from the front lot line.	Within a range of one metre greater or less than the average of the front yard setback of adjacent dwellings abutting the same road, provided that the setback not exceed the greater of the adjacent setbacks nor be closer to the street line than 3m.	10.2 metres	Yes

The proposed development at 181 Beechwood Crescent would meet the height and setback requirements of the ENS. The proposed development will have a lot coverage of 28%, whereas the draft policies permit a maximum lot coverage of 25% for this area of Town. The applicant has prepared their proposal based off the zone standards of Zoning By-law 2010-40, which permit a maximum lot coverage of 35%.

The proposed dwelling will not be out of character for the surrounding neighbourhood, which contains moderate to large single-storey dwellings. Lot coverage percentages
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along Beechwood Crescent range from approximately 15% up to 30%. Further, the dwelling immediately east of the subject lands (185 Beechwood Crescent) has an approximate lot coverage of 30%.

Public Comments

Staff have received letters from 175 Beechwood Crescent (immediately adjacent on the west) and 165 Beechwood Crescent (one lot over), in support of the proposed dwelling, as they believe it is compatible with the existing character of the surrounding neighbourhood. Notwithstanding this general support, one area of concern was raised regarding tree removal.

Specific mention was made of preserving the three (3) trees located along the west property line. The requirement to preserve these trees and to not disturb the existing cedar hedge is provided in the Minutes of Settlement between the applicant and adjacent neighbour (175 Beechwood Crescent), which resulted from the Ontario Municipal Board (OMB) hearing related to the severance application.

As a condition to the approval of the Consent application in 2017, the applicant will be required to provide an arborist report addressing the removal of any significant trees and provide replanting or compensation for any removed significant trees. Additionally, the owner is required to enter into a leading site plan agreement with the Town which will address matters such as the protection of significant trees, including the ones mentioned in the Minutes of Settlement between the applicant and adjacent neighbour (175 Beechwood Crescent).

It is staff's opinion that the proposed dwelling is in-keeping with the character of the surrounding neighbourhood. In addition, the proposed dwelling meets the zone standards which currently apply to the subject lands.

Conclusion

It is recommended that Council grant a site-specific exception for 181 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

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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
- Proposal
- Proposed By-law

Submitted by

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Approved for Submission

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Jason Unger, Acting Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

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