

# Memorandum to the City of Markham Committee of Adjustment

January 5<sup>th</sup>, 2018

**File:** A/167/17  
**Address:** 2 Ridgevale Drive, Markham  
**Applicant:** Thavaraja Rajarathnam  
**Agent:** Vanle Architect Inc. (Tom Vanle)  
**Hearing Date:** Wednesday January 24, 2018

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of By-law 194-82 RR1, as amended:

- a) **Section 8.2(d):**  
a building height of 11.85 metres, whereas the By-law permits a maximum building height of 10.5 metres;
- b) **Section 4.5.1(a):**  
a minimum setback of 23.5 metres to the centre line of 9th Line, whereas the By-law requires a minimum setback of 36.5 metres to the centre line of 9th Line;
- c) **Section 6.3.2**  
an exterior east side yard setback of 4.52 m, whereas the by-law requires a minimum exterior side yard setback of 5.9 m (1/2 of the building height), as they relate to a proposed residential dwelling.

## Property Description

The 4,076.39 m<sup>2</sup> (43,877.89 ft<sup>2</sup>) subject property is located at the north west corner of Ridgevale Drive and 9<sup>th</sup> Line, south of 14<sup>th</sup> Avenue. There is an existing 444.26 m<sup>2</sup> (4782 ft<sup>2</sup>) one-storey detached dwelling on the subject property. Vehicular access is currently provided via a circular driveway from Ridgevale Drive.

## Proposal

The applicant is proposing to demolish the existing home and construct a 928 m<sup>2</sup> (9,988.91 ft<sup>2</sup>) two-storey detached dwelling with a four-car garage facing the westerly side lot line. The existing circular driveway is proposed to be reconfigured to accommodate a larger landscaping area between the two driveways. Zoning staff have confirmed that the circular driveway meets all applicable by-laws and does not require any minor variance.

## Applicant's Stated Reason(s) for Not Complying with Zoning

According to the information provided on the application form, *"to suit the house style as "Range Home" and linear design."*

## Zoning Preliminary Review Undertaken

A Zoning Preliminary Review (ZPR) has been undertaken to confirm that the accuracy of the minor variances being requested for the proposed development.

## COMMENTS

### Increase in Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 11.85 m (38.87 ft), whereas the By-law permits a maximum building height of 10.5 m (34.44 ft). This represents an increase of 1.35 m (2.29 ft).

The proposed dwelling is designed with three main rooflines that vary in height. The west and center roof sections both comply with the maximum height requirement and are generally consistent with the other two-storey dwellings in the neighbourhood. The

variance mainly applies to the west roof section which represents a minor component of the overall building. Given the majority of the building is in compliance with the height requirement and the building will be appropriately setback from the street and neighbouring homes, it is the opinion of staff that the variance is unlikely to result in any adverse impact on adjacent properties or the character of the neighbourhood.

#### Reduced Setback from 9<sup>th</sup> Line

The applicant is requesting a minimum setback of 23.5 m (77 ft) to the centre line of 9th Line, whereas the By-law requires a minimum setback of 36.5 m (119.75 ft) to the centre line of 9th Line. This represents a reduction of 13 m (42.65 ft). Engineering, Urban Design and Planning staff have no concern with the variance request.

#### Reduced East Exterior Side Yard Setback

The applicant is requesting relief from the By-law to permit an east exterior side yard setback of 4.52 m (14.82 ft), whereas the by-law requires a minimum exterior side yard setback of 5.9 m (19.35 ft). This represents a reduction of 1.38 m (4.52 ft).

The variance is entirely attributable to the tower located at the south east corner of the proposed dwelling. The main east side wall of the proposed new house provides an exterior side yard setback that varies between 6.31 m (20.7 ft) and 7.51 m (24.63 ft), which meets the setback requirement. Staff are of the opinion that the variance will have minimal impact on the character of the street.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of January 5<sup>th</sup>, 2018. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

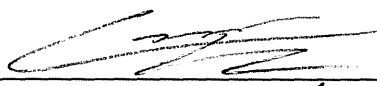
### **CONCLUSION**

Planning staff have reviewed this application with respect to Section 45 (1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and have no concerns with the variance requests. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:

  
\_\_\_\_\_  
Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:

  
\_\_\_\_\_  
Sally Campbell, Development Manager, East District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/167/17**

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and received on November 10, 2017 and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City's Streetscape Manual, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Director of Planning and Urban Design or their designate.
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
6. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

CONDITIONS PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects

CREDIT NOTE: GRADING AND BOUNDARY INFORMATION WAS TAKEN FROM EARTLE SURVEYOR REAL PROPERTY REPORT-PART 1, PLAN OF LOT 1, REGISTERED PLAN 6230, CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK

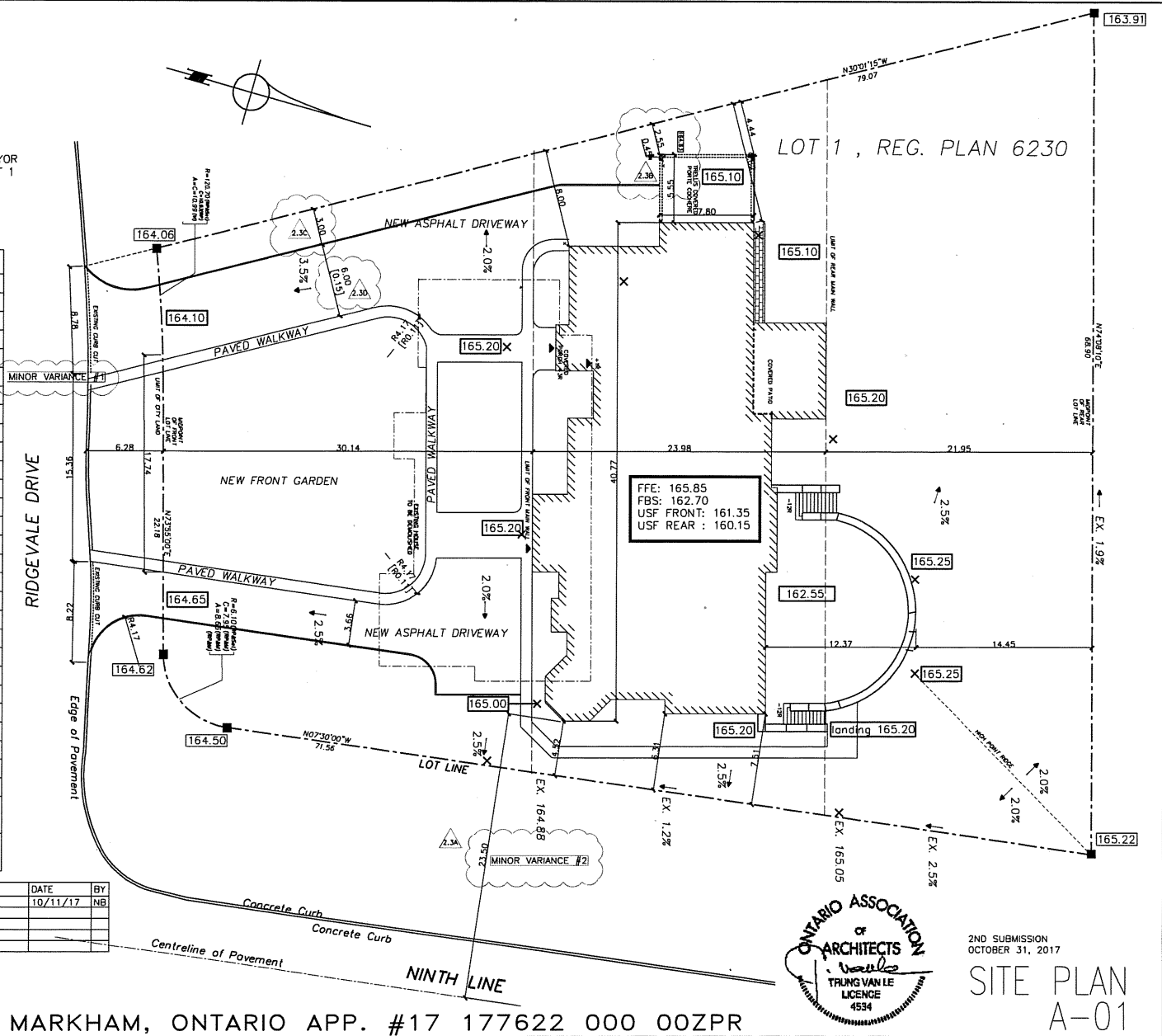
* AS PER ZONING RRI BYLAW 194-82 PROVIDED BY DAVID JOHNSTON: ZONING SEARCH NUMBER 17 162668 00			
ALLOWABLE FLOOR AREA		887.44M <sup>2</sup>	
LOT COVERAGE		788.36M <sup>2</sup>	
HEIGHT OF FIRST FLOOR ABOVE EST. GRADE		0.37M	
STOREYS		2	
MAIN WALL HEIGHT		9.40M	
BUILDING HEIGHT	10.5M	11.80M	
BUILDING LENGTH		40.73M	
BUILDING DEPTH		22.90M	
VEHICLE ENTRANCE WIDTH	LEFT 11.95M	RIGHT 11.61M	
FRONT YARD	STEPS AREA	N/A	
	GRASS/PLANTING AREA	781.92M <sup>2</sup>	
	WALKWAY AREA	100.6M <sup>2</sup>	
	FRONT PORCH AREA	20.50M <sup>2</sup>	
	DRIVEWAY WIDTH	LEFT 6.71M	RIGHT 3.66M
	DRIVEWAY AREA		561.13M <sup>2</sup>
REAR YARD	FRONT YARD AREA	1593.15M <sup>2</sup>	
	STEPS AREA	N/A	
	GRASS/PLANTING AREA	1335.78M <sup>2</sup>	
	DECK/PATIO/TERRACE AREA	79.91M <sup>2</sup>	
REAR YARD AREA		1415.89M <sup>2</sup>	
REAR YARD SETBACK	7.50M	21.95M	
SIDE YARD SETBACK (RIGHT)	4.50M	4.525M	
SIDE YARD SETBACK (LEFT)	3.00M	7.31M	
FRONT YARD SETBACK	7.50M	31.22M	
LOT FRONTAGE	MIN 45.0M	41.50M	
SIDEYARD ENCROACHMENT		1.29M	
LOT AREA	MIN 4000.0M <sup>2</sup>	4081.84M <sup>2</sup>	
ESTABLISHED GRADE		164.48	
	REQUIRED (*)	PROPOSED	
2 RIDGEVALE DRIVE MARKHAM ON.			

NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/11/17	NB



SCALE: 1/8"  
OCT 30, 2017

2 RIDGEVALE DRIVE, MARKHAM, ONTARIO APP. #17 177622 000 00ZPR

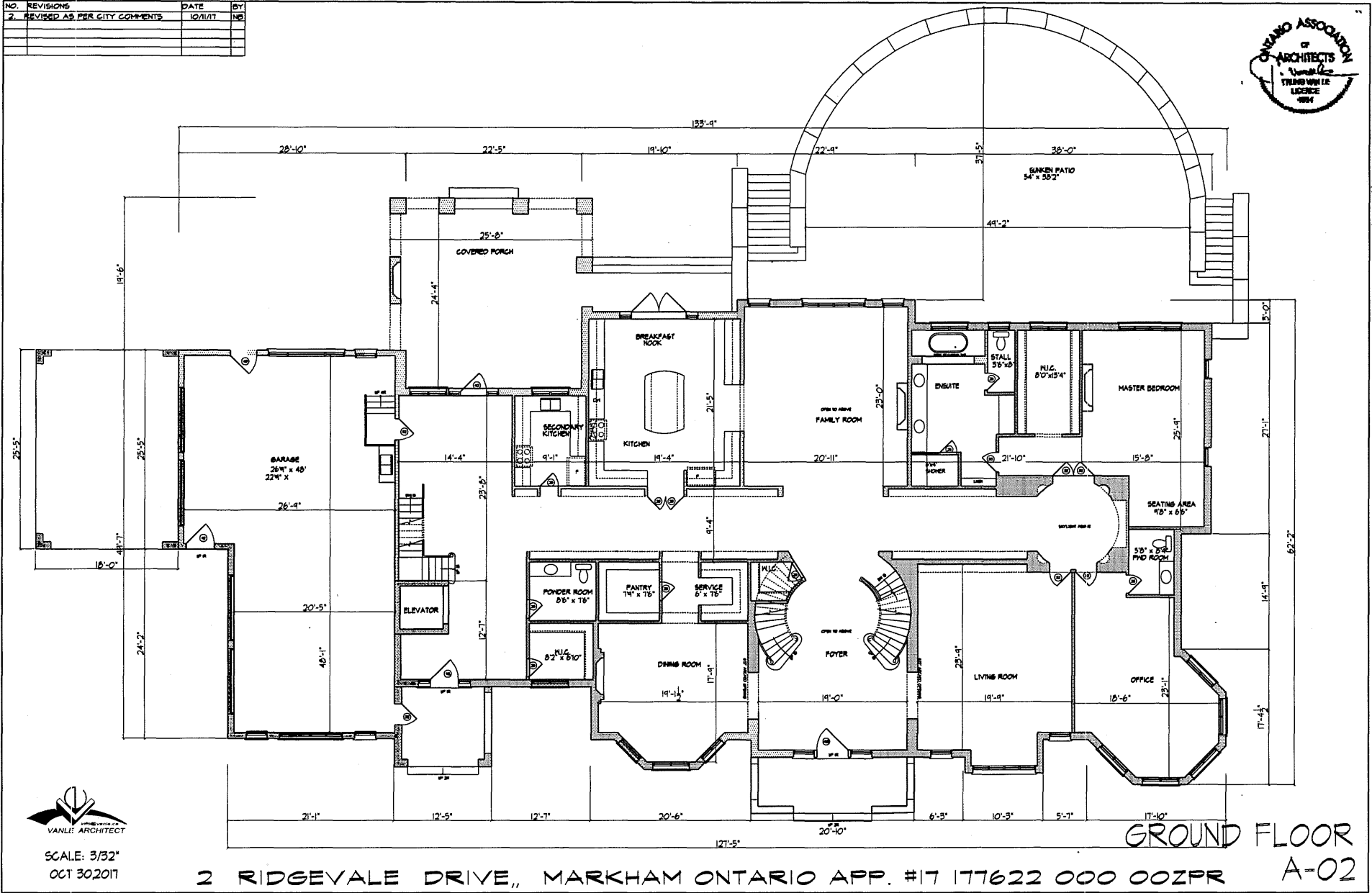


2ND SUBMISSION  
OCTOBER 31, 2017

SITE PLAN  
A-01

APPENDIX B

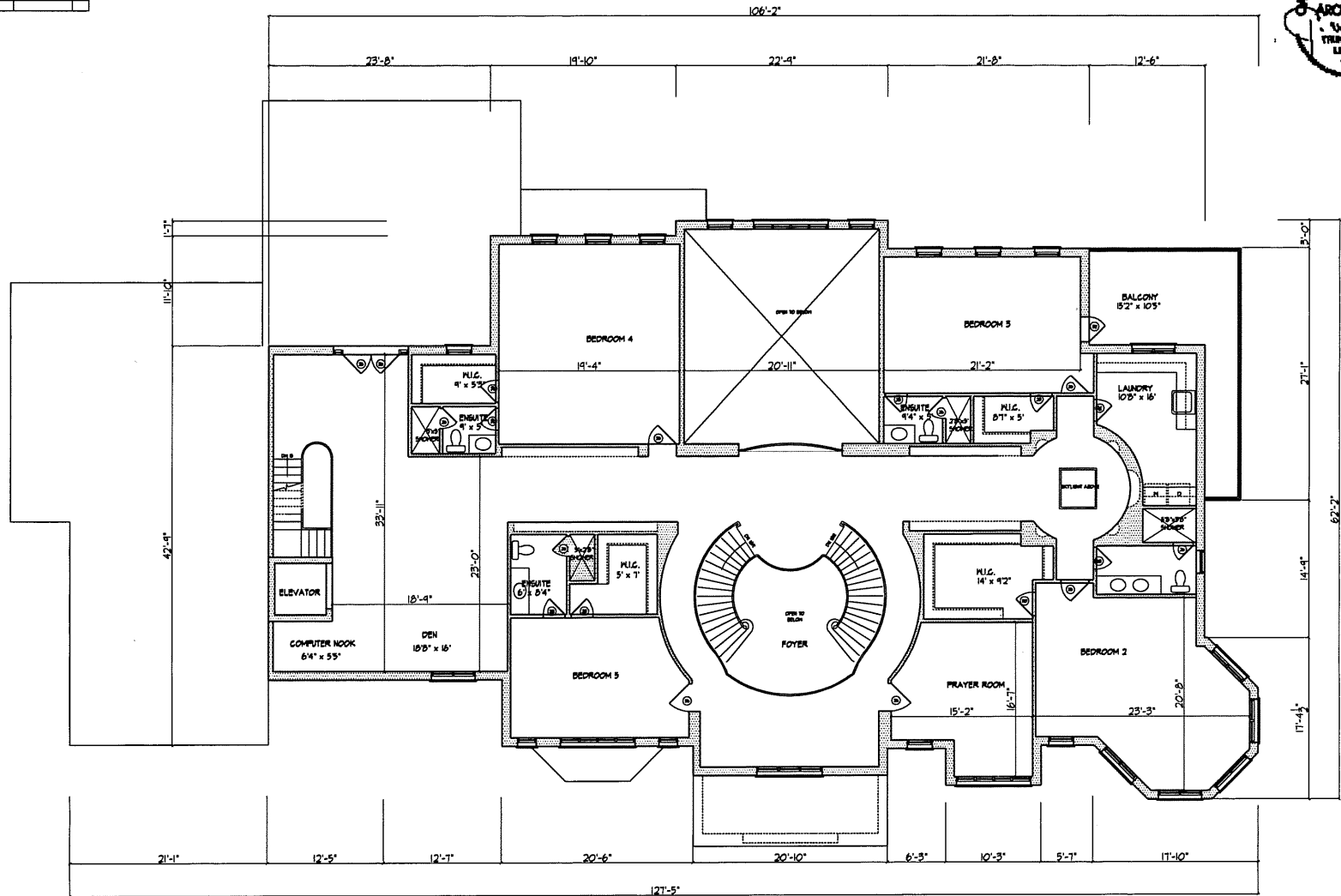
NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/1/17	NS



SCALE: 3/32"  
OCT 30 2017

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR **GROUND FLOOR** A-02

NO.	REVISIONS	DATE	BY
2	REVISED AS PER CITY COMMENTS	10/11/17	ND

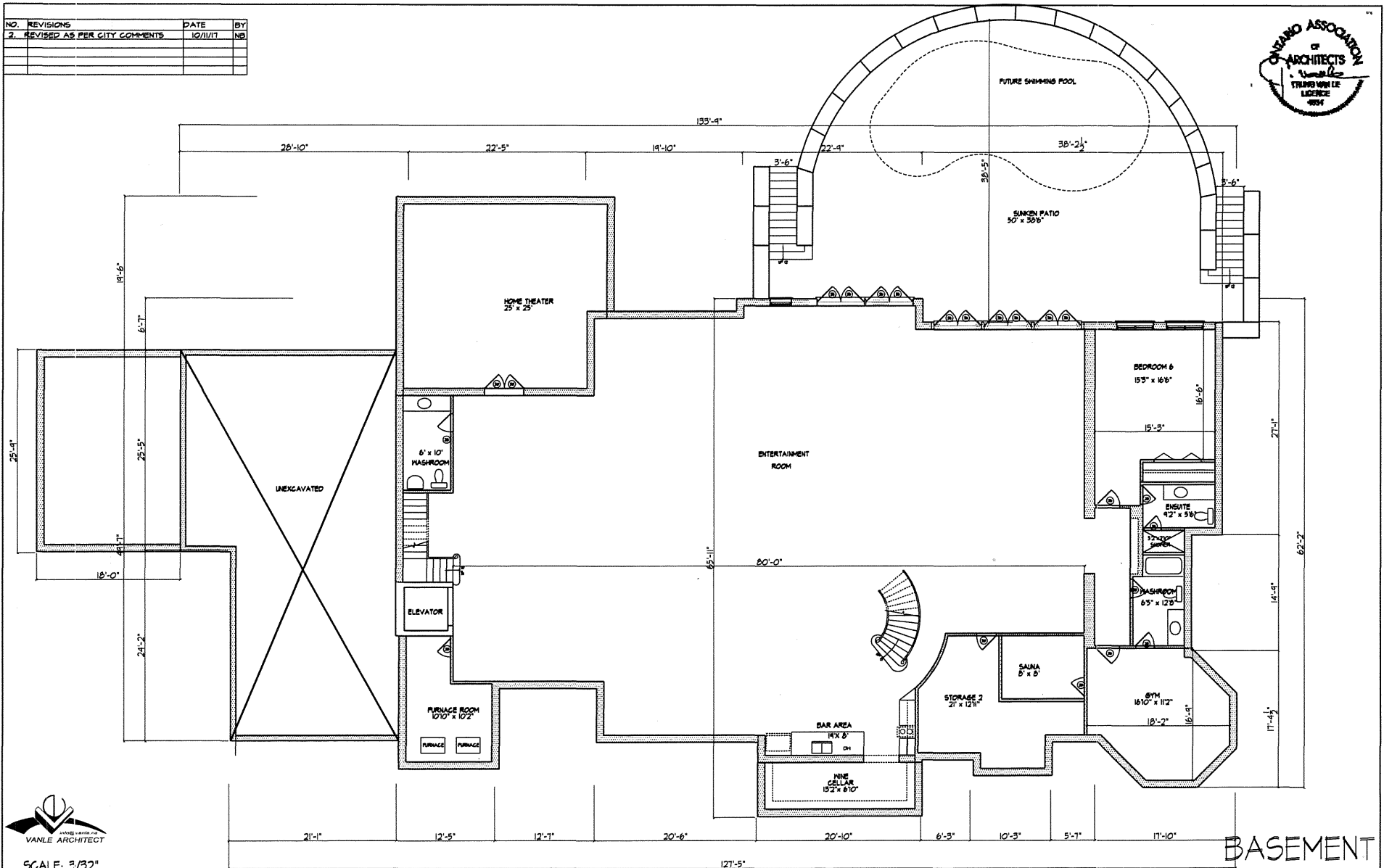


SCALE: 3/32"  
OCT 30 2017

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR

SECOND FLOOR  
A-03

NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/11/17	NB

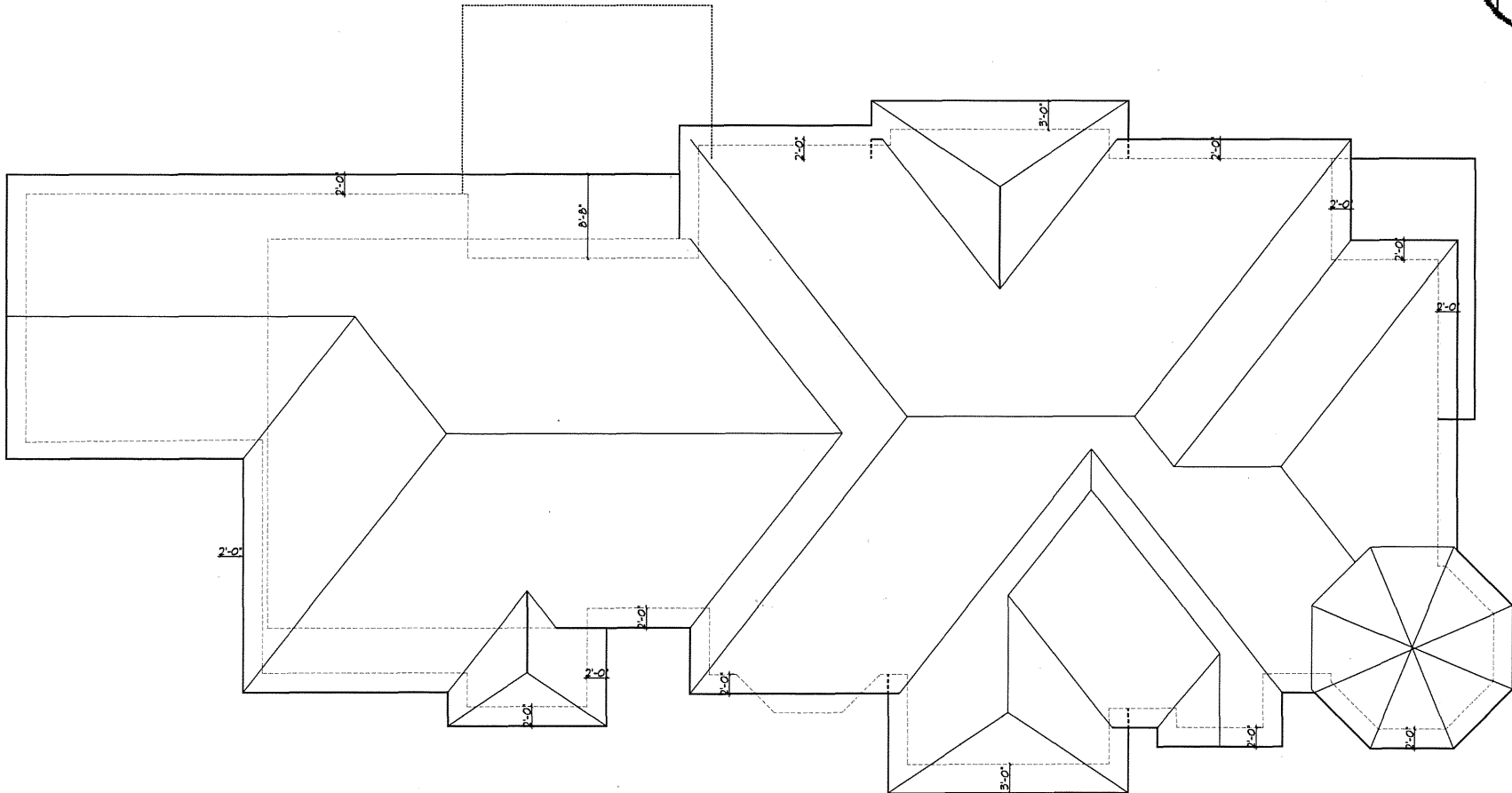


  
 VANLE ARCHITECT  
 SCALE: 3/32"  
 OCT 30, 2017

BASEMENT

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR A-04

NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/11/17	NB




SCALE: 3/32"  
OCT 30, 2017

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR

ROOF PLAN  
A-05

NO.	REVISIONS	DATE	BY




  
 VANLE ARCHITECT
   
 SCALE: 3/32"
   
 OCT 30, 2017

FRONT ELEVATION

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR

A-06

NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/11/17	NE



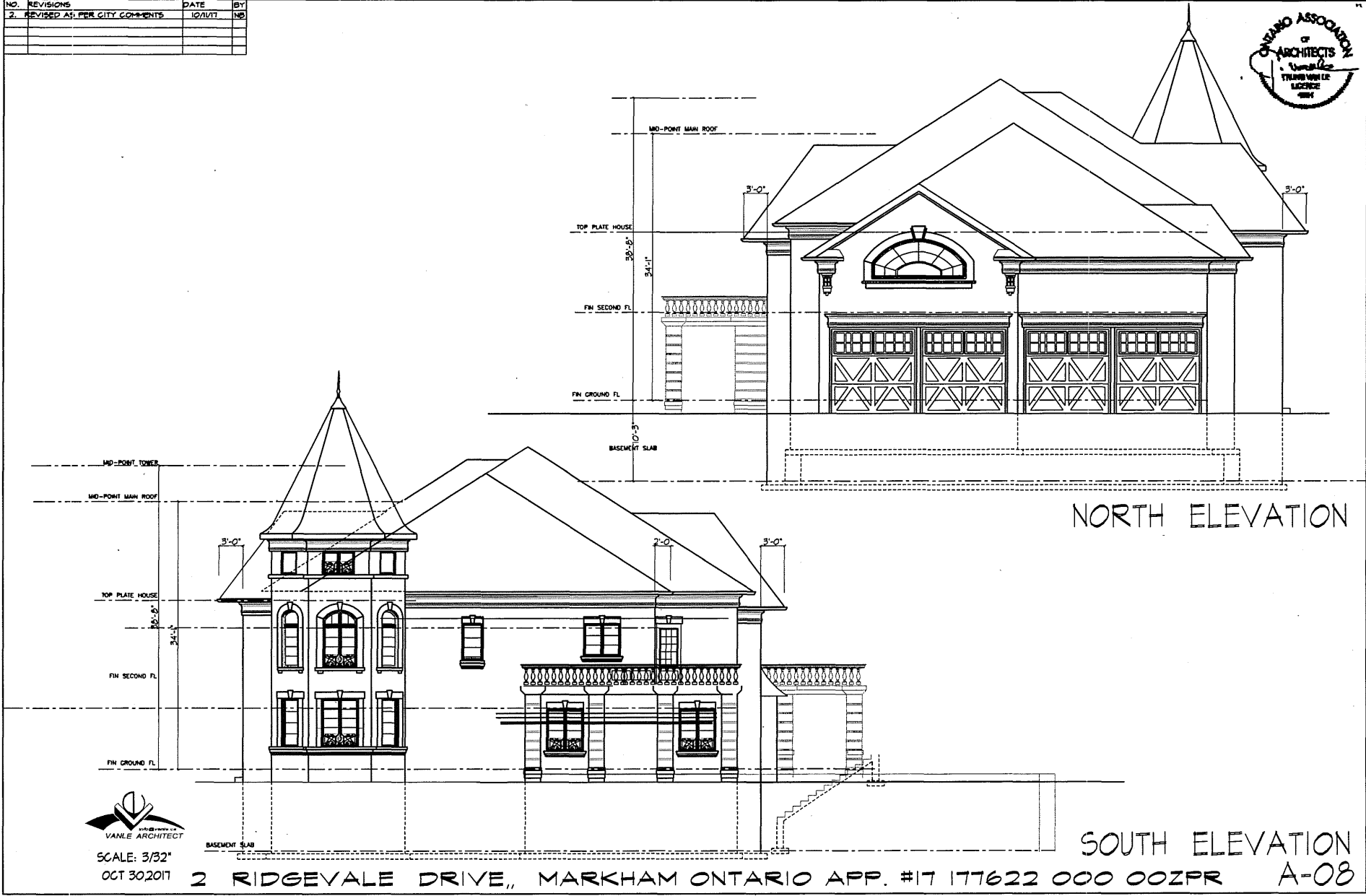
SCALE: 3/32"  
OCT 30, 2017

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR

REAR ELEVATION

A-07

NO.	REVISIONS	DATE	BY
2.	REVISED AS PER CITY COMMENTS	10/21/17	MP



NORTH ELEVATION

SOUTH ELEVATION



SCALE: 3/32"  
OCT 30 2017

2 RIDGEVALE DRIVE,, MARKHAM ONTARIO APP. #17 177622 000 00ZPR A-08