

Memorandum to the City of Markham Committee of Adjustment

March 16th, 2018

File: A/177/17
Address: 11 Markville Road, Markham
Applicant: Xun Ou
Agent: Barrett Municipal Consulting (Graham Barrett)
Hearing Date: Wednesday March 28, 2018

The following comments are provided on behalf of the Central Team. The applicant is requesting relief from the following requirements of By-law 184-78, RSD4, as amended:

a) Section 7.2(b):

a rear yard setback of 5.64 metres, whereas the By-law requires a minimum rear yard setback of 7.50 metres, as it relates to an addition to the rear of an existing residential dwelling.

Property Description

The 333.38 m² (3,588.47 ft²) subject property is located at the south west corner of Markville Road and Miley Drive, north of Bullock Drive and west of McCowan Road (see Figure 1). The surrounding area is an established residential neighbourhood comprised of two-storey detached homes. Centennial Park is located to the east of the property across Markville Road. The property contains a 107.25 m² (1,154.42 ft²) two-storey detached dwelling and a large mature tree in the front yard. There are several other mature trees along the municipal boulevard including two on Miley Drive and one on Markville Road.

Proposal

The applicant is proposing to construct a 30.4 m² (327.22 ft²) two-storey addition at the rear of the existing dwelling, increasing the total gross floor area to 137.65 m² (1,481.65 ft²). No trees are proposed to be removed during construction.

Official Plan and Zoning

2014 Official Plan (partially approved on Oct 30/15, May 26/16, Mar 10/17, April 21/17, Nov 24/17)
The subject property is designated "Residential – Low Rise", which provides for low rise housing forms including single detached dwellings. Infill development is required to meet the general intent of the 2014 Official Plan with respect to height, massing and setbacks to ensure that the development is appropriate for the site and also generally consistent with the zoning requirements for adjacent properties and properties along the same street. Regard must also be had for retention of existing trees and vegetation. Planning staff have had regard for the infill development criteria in the comments provided below.

Zoning By-Law

The subject property is zoned RSD4 under By-law 184-78, as amended, which permits single detached dwellings. The proposal does not comply with the by-law requirements with respect to rear yard setback.

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

According to the information provided by the applicant, "the variance is required to provide additional space for family's needs."

Zoning Preliminary Review Undertaken

The applicant has completed Zoning Preliminary Review (ZPR) to confirm the variances required for the proposed development.

COMMENTS

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Reduction in Rear Yard Setback

The proposed addition originally had a total floor area of 49.9 m² (537.11 ft²) and a rear yard setback of 4.08 m (13.38 ft) (see Appendix C). Staff encouraged the applicant to revise the proposal to better reflect the existing rear yard setback pattern established by adjoining homes. In response, the applicant reduced the total area of the addition by 19.5 m² (209.89 ft²) to 30.4 m² (327.22 ft²) and the rear yard setback was consequently increased to the currently proposed 5.64 m (18.5 ft).

Staff are generally satisfied with the revision as the proposed addition is now in better alignment with rear walls of the other homes to the south on Markville Road (see Figure 1). It should be noted that the rear yard space widens towards the south due to the irregular configuration of the property. Combined with the additional landscaping area provided along the 4.61 m (15 ft) wide flankage side yard, staff do not anticipate the addition will compromise the area of outdoor amenity space on the property. Staff have no objection to the approval of the proposed setback reduction.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 16th, 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.


COMMENTS

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 concern with the variance request. 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.

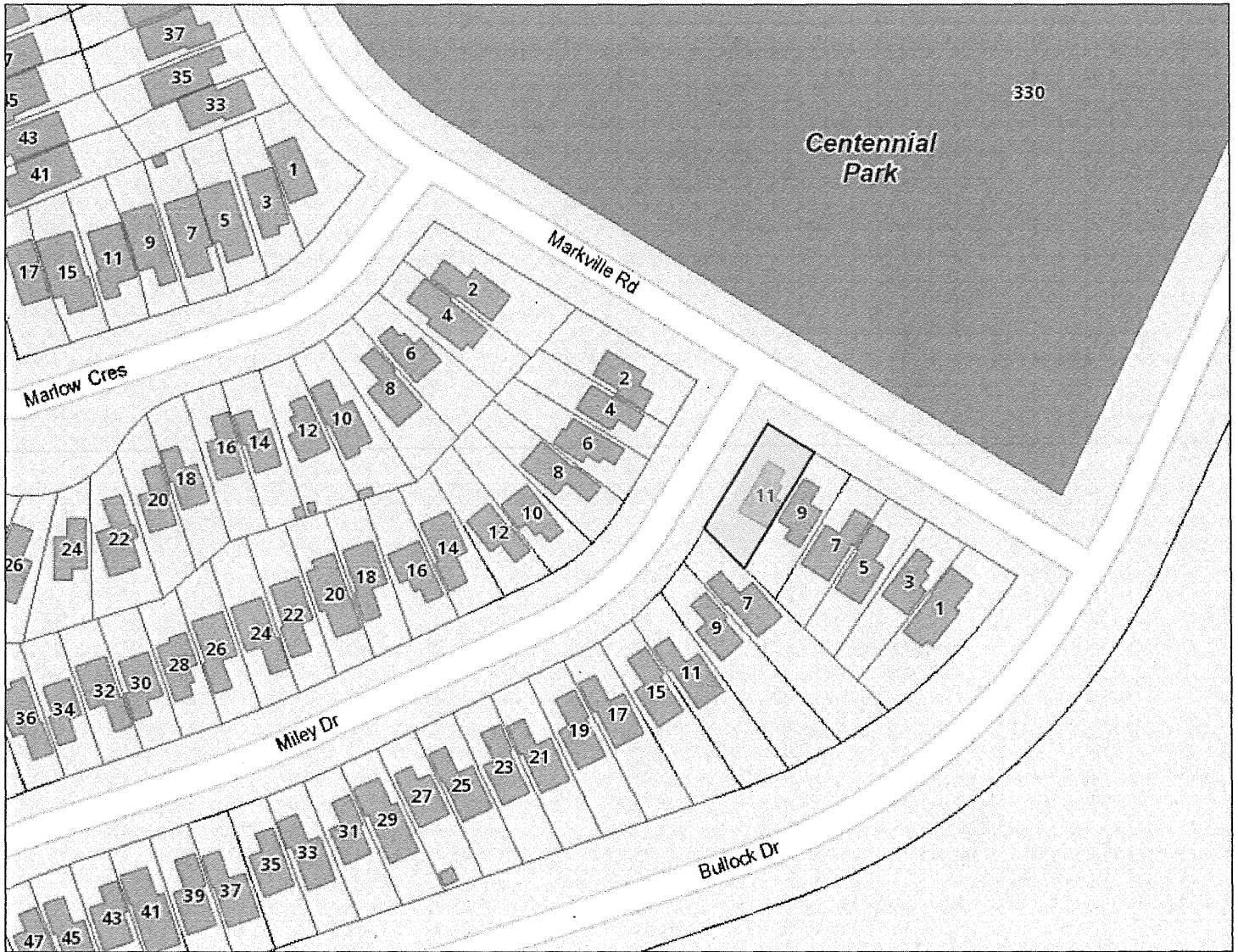
PREPARED BY:


Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:


Scott Heaslip, Senior Project Coordinator, Central District
File Path: Amanda\File\17 182003 \Documents\District Team Comments Memo

Figure 1




APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/177/17

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 March 8th, 2018 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. 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.

CONDITIONS PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects

11 MARKVILLE ROAD (MARKHAM, ONTARIO)

PROPOSED TWO STOREY REAR ADDITION & INTERIOR ALTERATIONS

APPENDIX B

LIST OF DRAWINGS

RE-ISSUED FOR ZONING REVIEW FEBRUARY 10TH 2018

- A1 SITE PLAN
- A1a SITE STATISTICS & PROPOSED REAR YARD LANDSCAPING
- A2 PROPOSED BASEMENT FLOOR PLAN
- A3 PROPOSED GROUND FLOOR PLAN
- A4 PROPOSED SECOND FLOOR PLAN
- A5 PROPOSED ROOF PLAN
- A6 PROPOSED FRONT (NORTH) ELEVATION
- A7 PROPOSED REAR (SOUTH) ELEVATION
- A8 PROPOSED SIDE (WEST) ELEVATION
- A9 PROPOSED SIDE (EAST) ELEVATION

REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	11/3/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017
4	REVISED	2/10/2018

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77 CITY CENTRE DRIVE, EAST TOWER, SUITE 501
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PROJECT	11 MARKVILLE ROAD Markham, Ontario
DRAWING	TITLE PAGE

DRAWN BY: PD	REVIEWED BY: RP	A0 OF 9
PROJECT NO.		
SCALE		
DATE 2/10/2018		

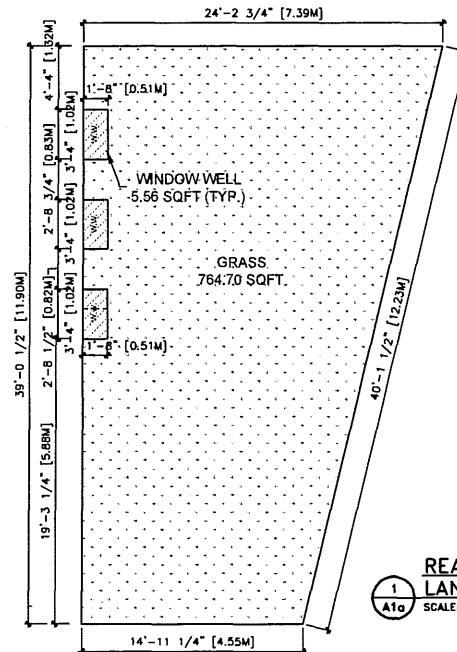
SITE DATA

		PART OF LOT 21
HOUSE No.		11
ZONING	BY LAW 184-78	RSD4
LOT TYPE		CORNER
LOT AREA		3588.50 ft ² (333.38 m ²)
LOT FRONTAGE		39' - 0 1/2" (11.90 m)
FRONT YARD SETBACK (NORTH)		6.99 m
REAR YARD SETBACK (SOUTH)		4.05 m
SIDE YARD SETBACK (WEST)		4.61 m
SIDE YARD SETBACK (EAST)		0.63 m
PROP. LOT COVERAGE		29.14% (99.77 m ²)
PROPOSED GROSS FLOOR AREA		47.13 % (187.37m ²)

FLOOR AREAS	EXISTING	PROPOSED	TOTAL
GROUND FLOOR	561.67 ft ² (52.18 m ²)	144.76 ft ² (13.44 m ²)	706.43 ft ² (65.62 m ²)
SECOND FLOOR	592.78 ft ² (55.07 m ²)	182.63 ft ² (16.96 m ²)	775.41 ft ² (72.03 m ²)
TOTAL	1154.45 ft ² (107.25 m ²)	327.39 ft ² (30.40 m ²)	1481.84 ft ² (137.65 m ²) OR 41.28%
BASEMENT	470.19 ft ² (43.68 m ²)	144.76 ft ² (13.44 m ²)	614.95 ft ² (57.12 m ²)
TOTAL W/ BASEMENT	1624.64 ft ² (150.93 m ²)	472.15 ft ² (43.84 m ²)	2096.79 ft ² (194.77 m ²) OR 58.42%
COVERAGE			
GROUND FLOOR	561.67 ft ² (52.18 m ²)	144.76 ft ² (13.44 m ²)	706.43 ft ² (65.62 m ²)
ATTACHED GARAGE	234.51 ft ² (21.78 m ²)		234.51 ft ² (21.78 m ²)
SHED (TO BE REMOVED)	73.07 ft ² (6.78 m ²)		
TOTAL	796.18 ft ² (73.96 m ²)	144.76 ft ² (13.44 m ²)	940.94 ft ² (87.40 m ²) OR 26.21%

LANDSCAPE CALCULATIONS

	PROVIDED	REQUIRED
TOTAL REAR YARD AREA	764.70 SQFT (71.04 SQM)	
PROPOSED SOFT LANDSCAPING	748.02 SQFT (69.51 SQM)	97.84% 25.00%
PROPOSED HARD LANDSCAPING	16.68 SQFT (1.53 SQM)	2.16%



REAR LANDSCAPE PLANS
1 A1a SCALE: 1/8"=1'-0"

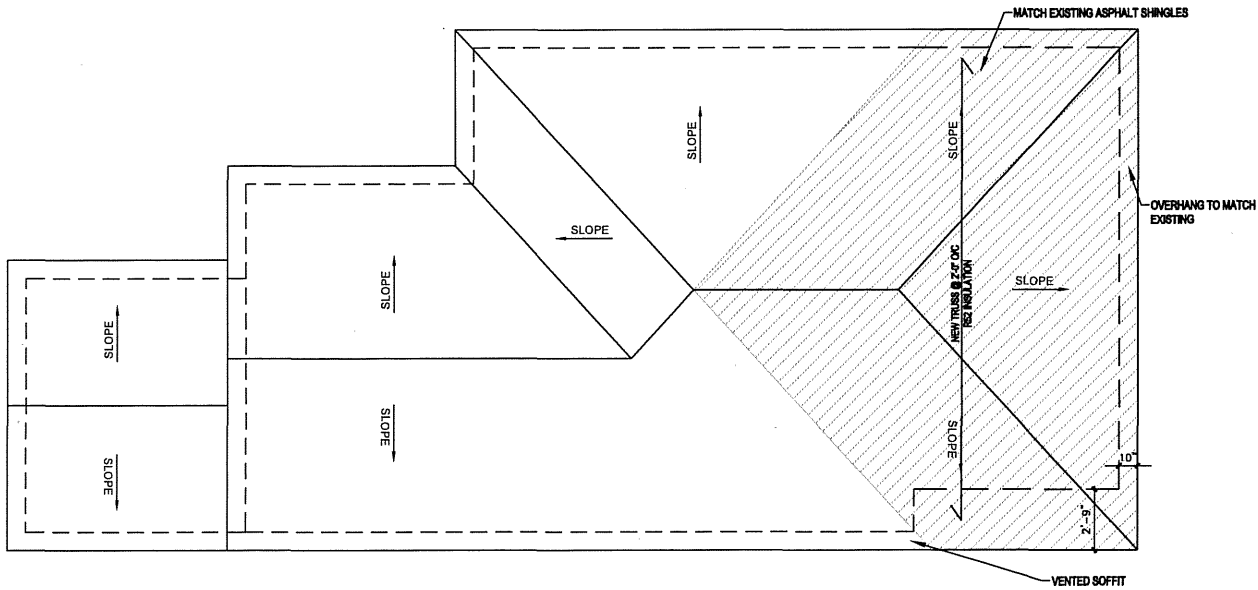
REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	8/3/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017
4	REVISED	2/10/2018

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PROJECT	
11 MARKVILLE ROAD Markham, Ontario	
DRAWING	
SITE STATISTICS & PROPOSED REAR YARD LANDSCAPING	
DRAWN BY: PD	REVIEWED BY: RB
PROJECT NO.	
SCALE 1/8"=1'-0"	
DATE 2/10/2018	

A1a
OF 9



1
A5

**PROPOSED
 ROOF PLAN**
 SCALE: 3/16"=1'-0"

REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	11/23/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017
4	REVISED	2/10/2018

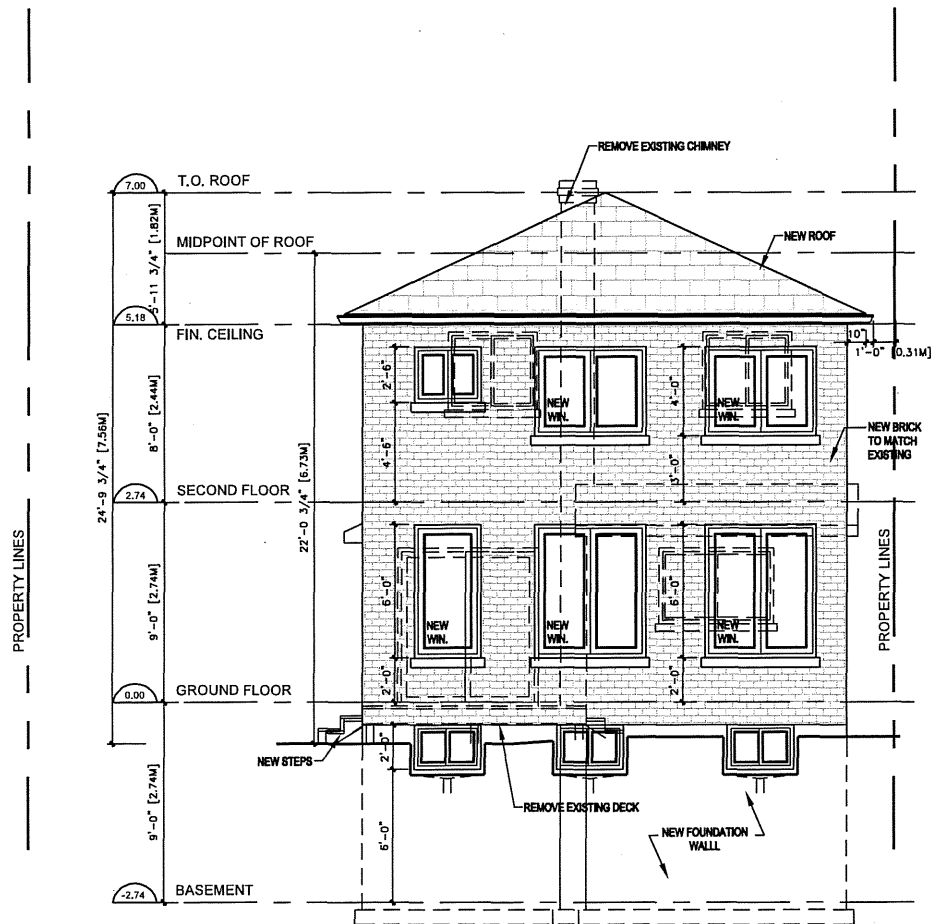


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PROJECT	11 MARKVILLE ROAD Markham, Ontario
DRAWING	PROPOSED ROOF PLAN

DRAWN BY: PD	REVIEWED BY: RP	A5 OF 9
PROJECT NO.		
SCALE 3/16"=1'-0"		
DATE 2/10/2018		



PROPOSED
REAR (SOUTH) ELEVATION
 SCALE: 3/16"=1'-0"

REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	11/3/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017
4	REVISED	2/10/2018

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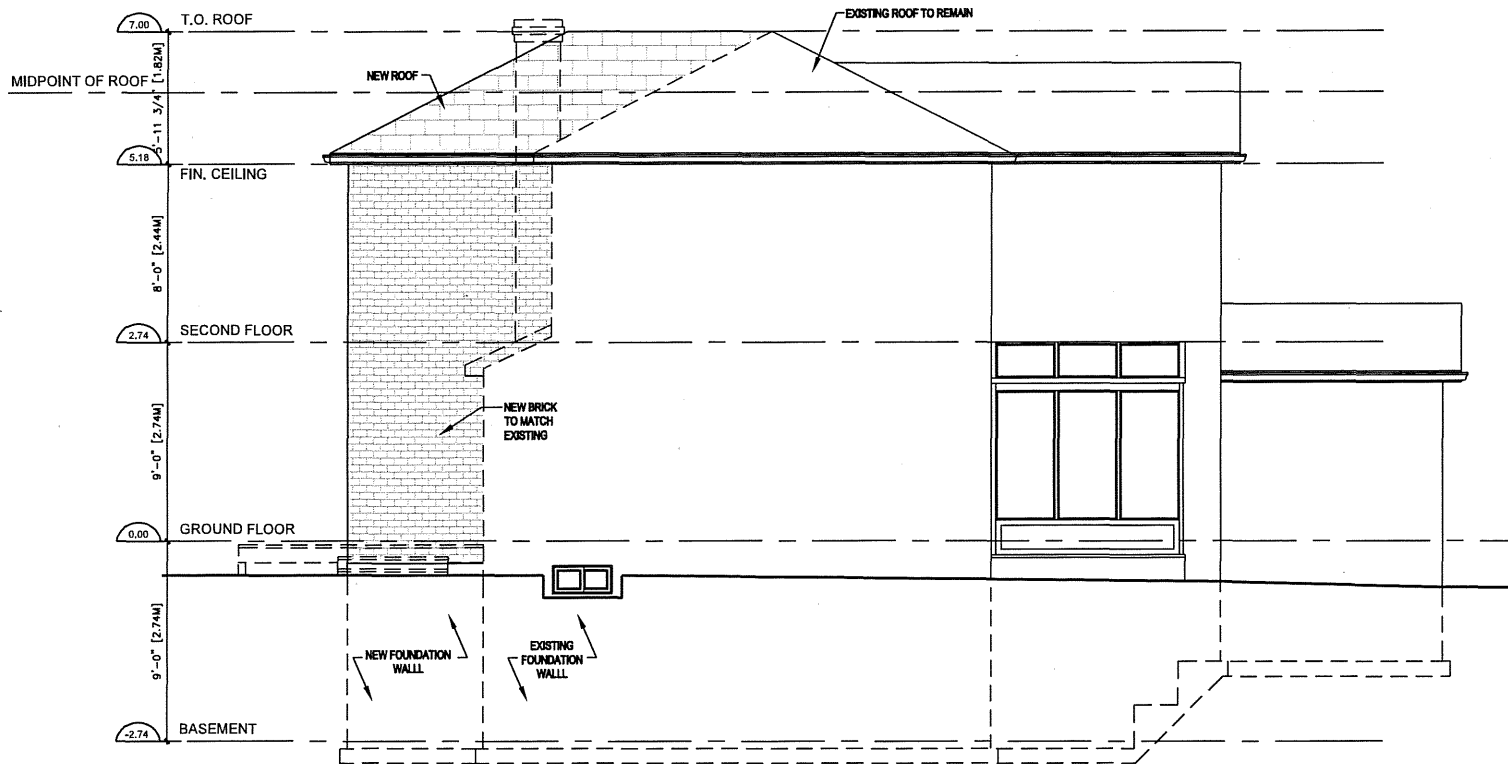
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PROJECT	11 MARKVILLE ROAD Markham, Ontario
DRAWING	PROPOSED REAR (SOUTH) ELEVATION

DRAWN BY: PD	REVIEWED BY: RP
PROJECT NO.	
SCALE 3/16"=1'-0"	
DATE 2/10/2018	

A7
 OF 9



**PROPOSED
SIDE (EAST) ELEVATION**
SCALE: 3/16"=1'-0"

1
A9

REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	11/2/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017
4	REVISED	2/10/2018

**AXIIS
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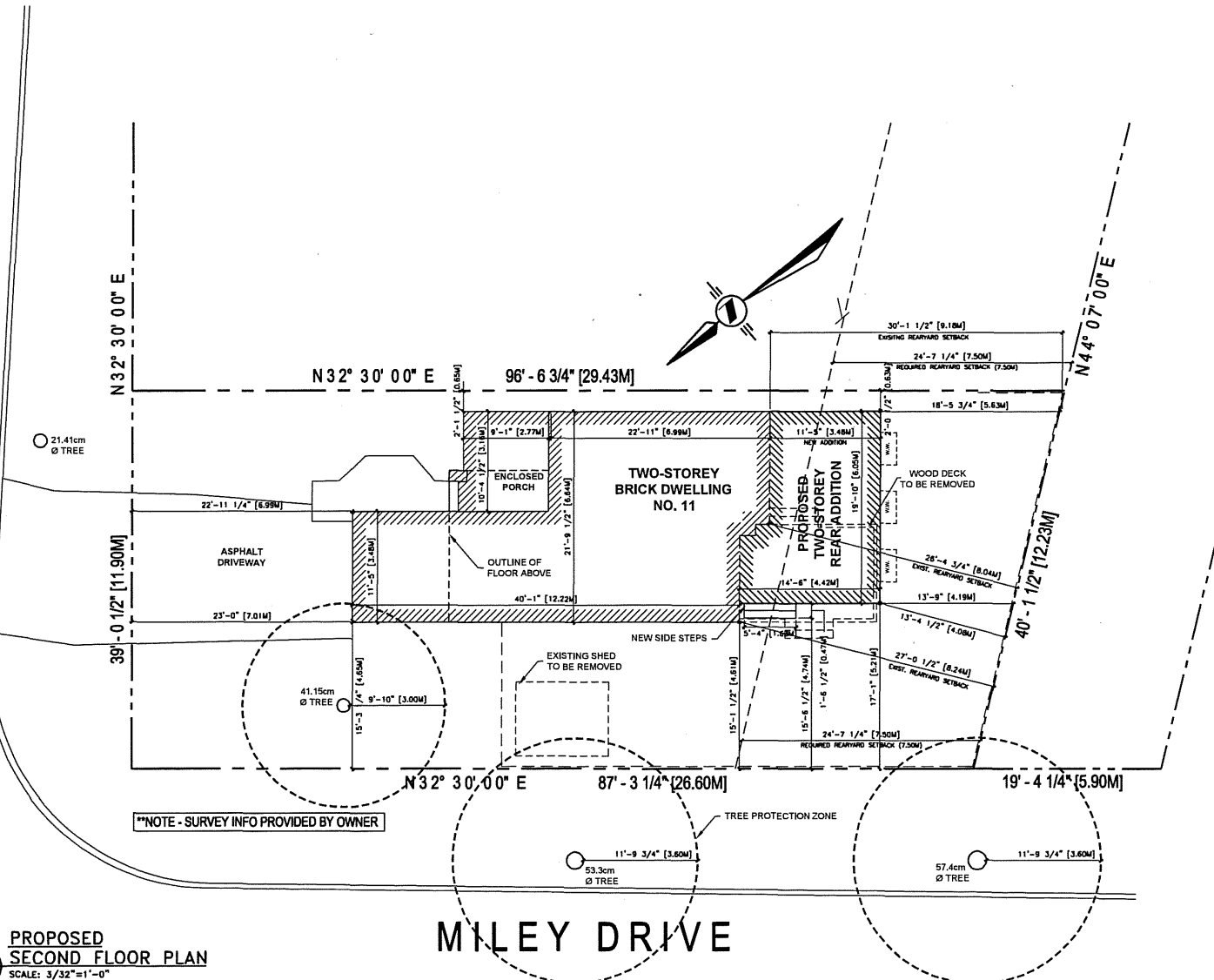
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PROJECT	11 MARKVILLE ROAD Markham, Ontario
DRAWING	PROPOSED SIDE (EAST) ELEVATION

DRAWN BY: PD	REVIEWED BY: RP
PROJECT NO.	A9 OF 9
SCALE 3/16"=1'-0"	
DATE 2/10/2018	

MARKVILLE ROAD

APPENDIX C



NOTE - SURVEY INFO PROVIDED BY OWNER

REV. NO.	COMMENTS	DATE
1	PROP. DRAWINGS	7/25/2017
2	REVISED SITE STATISTICS	11/9/2017
3	REVISED SITE DIMENSIONS/DRAWINGS	11/14/2017

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PROJECT	11 MARKVILLE ROAD Markham, Ontario
DRAWING	SITE PLAN

DRAWN BY: PD	REVIEWED BY: RP
PROJECT NO.	A1 OF 9
SCALE 3/32"=1'-0"	
DATE 11/14/2017	