

Memorandum to the City of Markham Committee of Adjustment

January 07, 2019

File: A/178/18
Address: 25 Galsworthy Dr, Markham
Applicant: 49th Summit Investment Inc. (Zhang Tan Zheng)
Agent: AND Architecture Inc. (Sam Wu)
Hearing Date: Wednesday January 23, 2019

The following comments are provided on behalf of the East Team:

The applicant is requesting relief from the following requirements of By-law 1229, R1, as amended to construct a new two-storey detached dwelling:

a) **Infill By-law 99-90, Section 1.2 (vi):**

a maximum net floor area ratio of 51.5 percent, whereas the By-law permits a maximum net floor area ratio of 45 percent;

as it relates to a proposed new residential dwelling.

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

The applicant has not provided a reason for not complying with Zoning.

Zoning Preliminary Review Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. It is the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

Increase in Maximum Floor Area Ratio

The applicant is requesting relief to permit a floor area ratio of 51.5 percent, whereas the By-law permits a maximum floor area ratio of 45 percent. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 389.27 m² (4,190.04 ft²), whereas the By-law permits a dwelling with a maximum floor area of 340.14 m² (3,661.2 ft²). This represents an increase of approximately 49.13 m² (528.84 ft²).

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area. It is not a definitive measure of the mass of the dwelling, since it does not include "open to below" areas that may exist within the dwelling (e.g. two-storey foyers, atriums and/or stairs). In addition to the space associated with the stairs, there is an approximately 15.1 m² (162.54 ft²) open to below area on the second floor above the foyer which is excluded from the gross floor area calculation under the by-law.

Majority of the homes on Galsworthy Drive between Robinson Street and Highway 7 are single storey detached dwellings developed around the late 1950s. The surrounding streets include a number of new infill homes that are larger than existing homes on the street and have included minor variance approvals for net floor rear ratio increases ranging from approximately 50.6 to 52 percent. While the proposed building will be larger than homes in the immediate vicinity, it will be

similar in scale to infill development to its east on Jonquil Crescent and on Galsworthy Drive north of Robinson Street. All other building setbacks and development standards are being achieved in accordance with the by-law.

PUBLIC INPUT SUMMARY

No written submissions were received as of January 07, 2019. 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 the application with respect to Section 45(1) of The Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests of the Planning Act. 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:



Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:



Sally Campbell, Development Manager, East District
File Path: Amanda\File\ 18 258549 \Documents\District Team Comments Memo

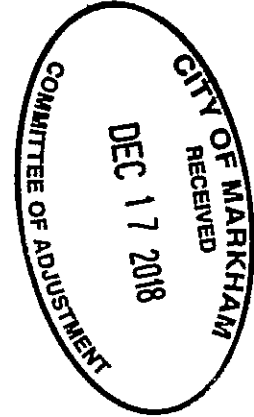
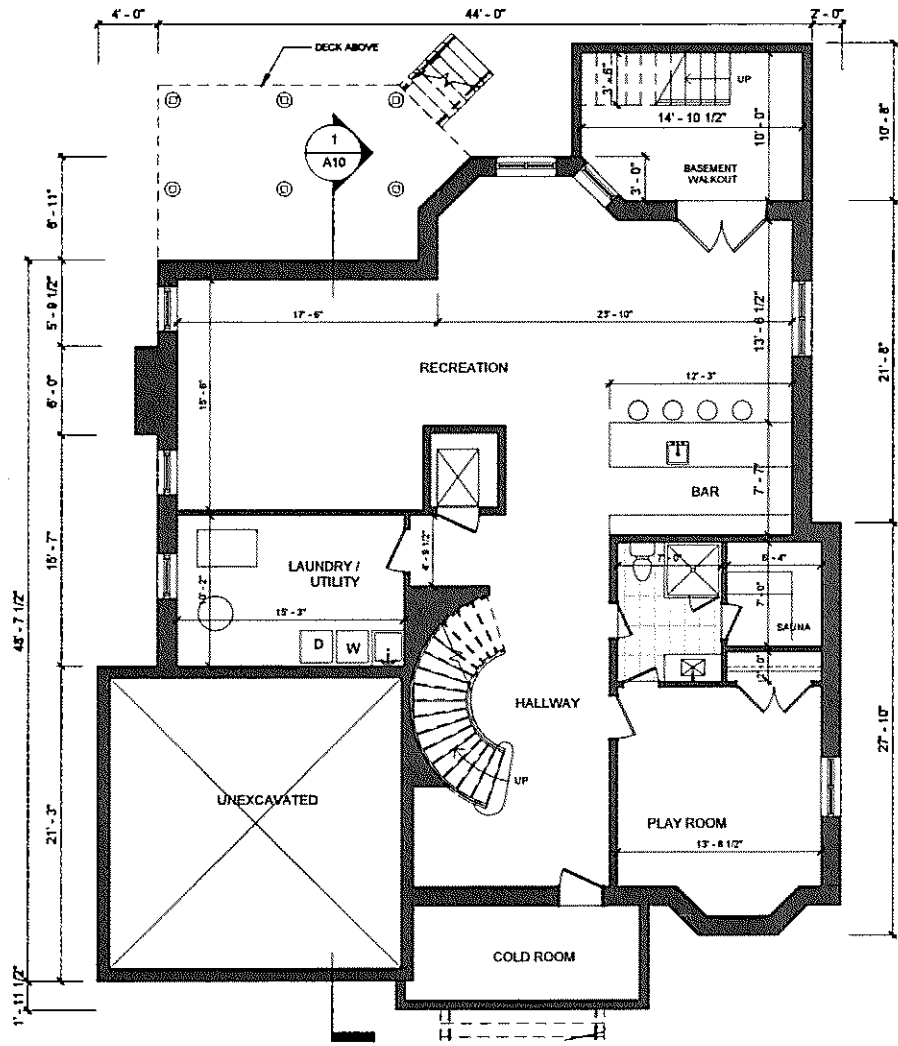
APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/178/18

1. That the front covered porch remain unenclosed;
2. The variances apply only to the proposed development as long as it remains;
3. 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 by the City of Markham on December 17, 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.
4. 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 Tree Preservation Technician or Director of Operations 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.
5. 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 Tree Preservation Technician or Director of Operations.
6. 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 Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects



BASEMENT PLAN
1/8" = 1'-0"

AND ARCHITECTURE INC.
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Markham ON L3R 4T9
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www.andarchitecture.ca

Project :
NEW DETACHED HOUSE
25 GALSWORTHY DRIVE MARKHAM ON

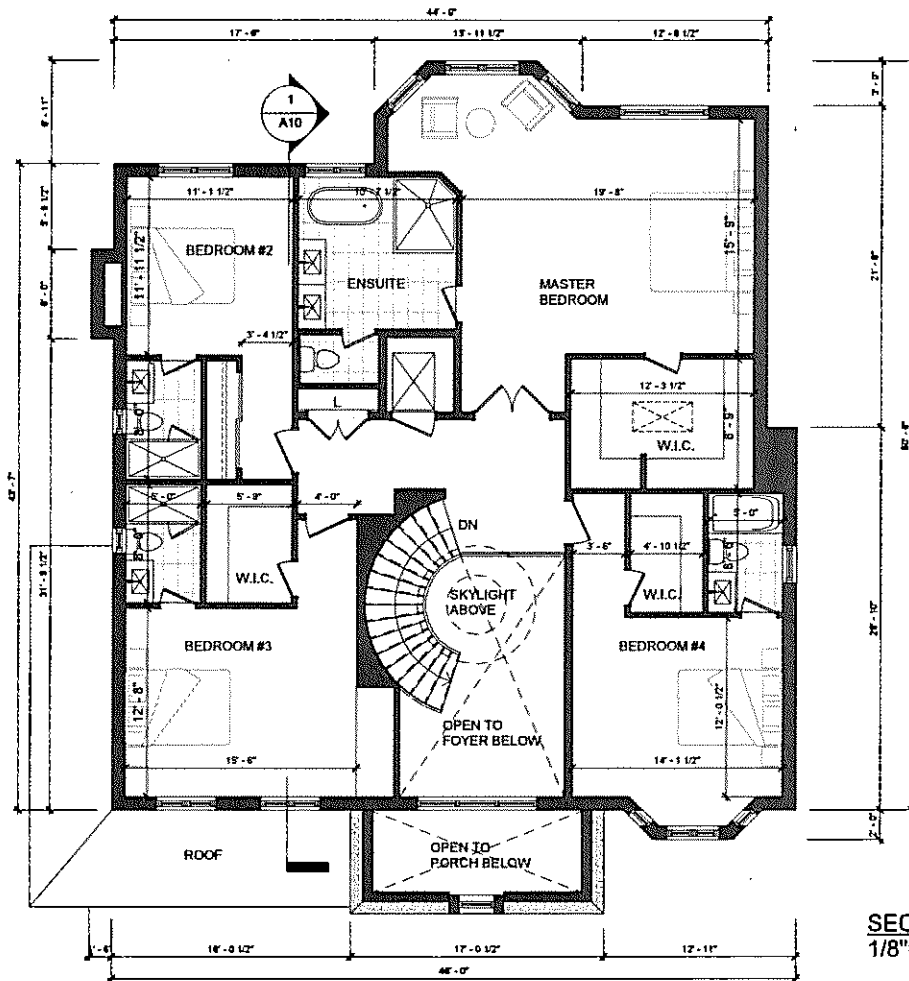
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BASEMENT FLOOR PLAN

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1/8" = 1'-0"

Drawn by :
JW
Checked by :
HW

Project No
18040

Drawing No :
A2



SECOND FLOOR PLAN
1/8"=1'-0"



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Project :
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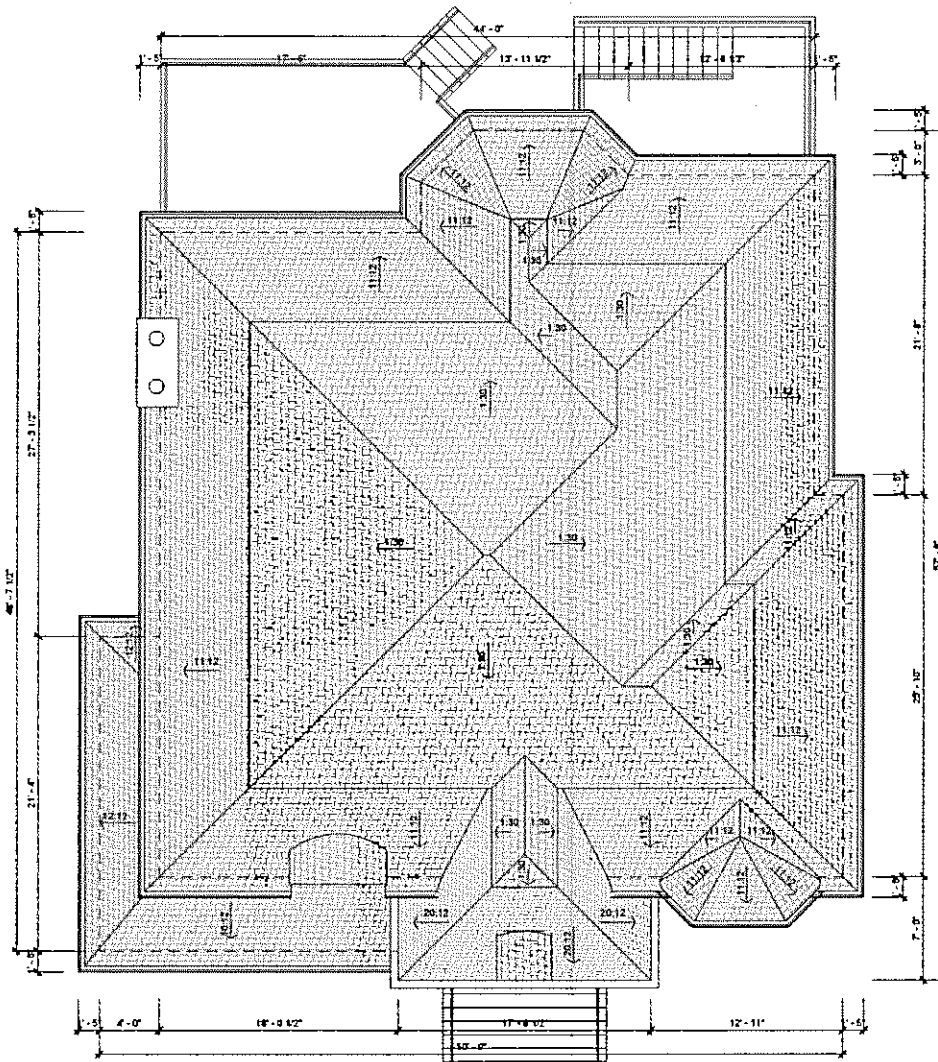
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Drawn by :
JW
Checked by :
HW

Project No
18040

Drawing No. :
A4



ROOF PLAN
1/8"=1'-0"

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Project :
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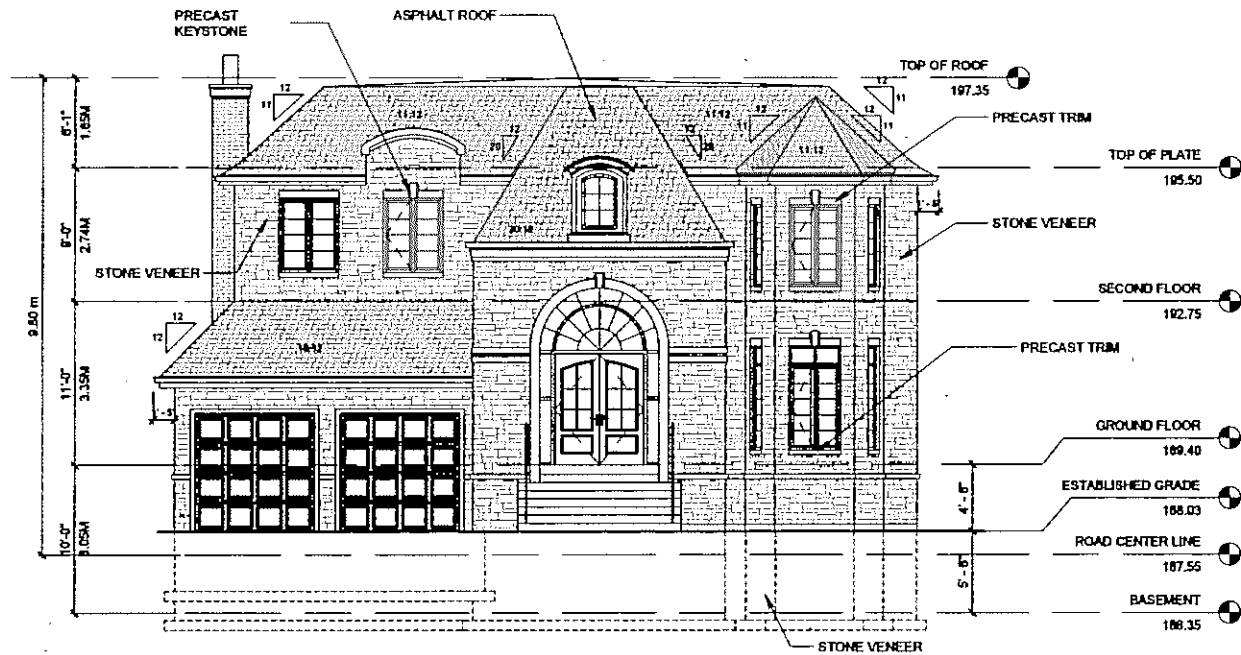
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09/13/18
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Drawn by :
Author
Checked by :
Checker

Project No
18040

Drawing No. :
A5



1 WEST ELEVATION
1/8" = 1'-0"

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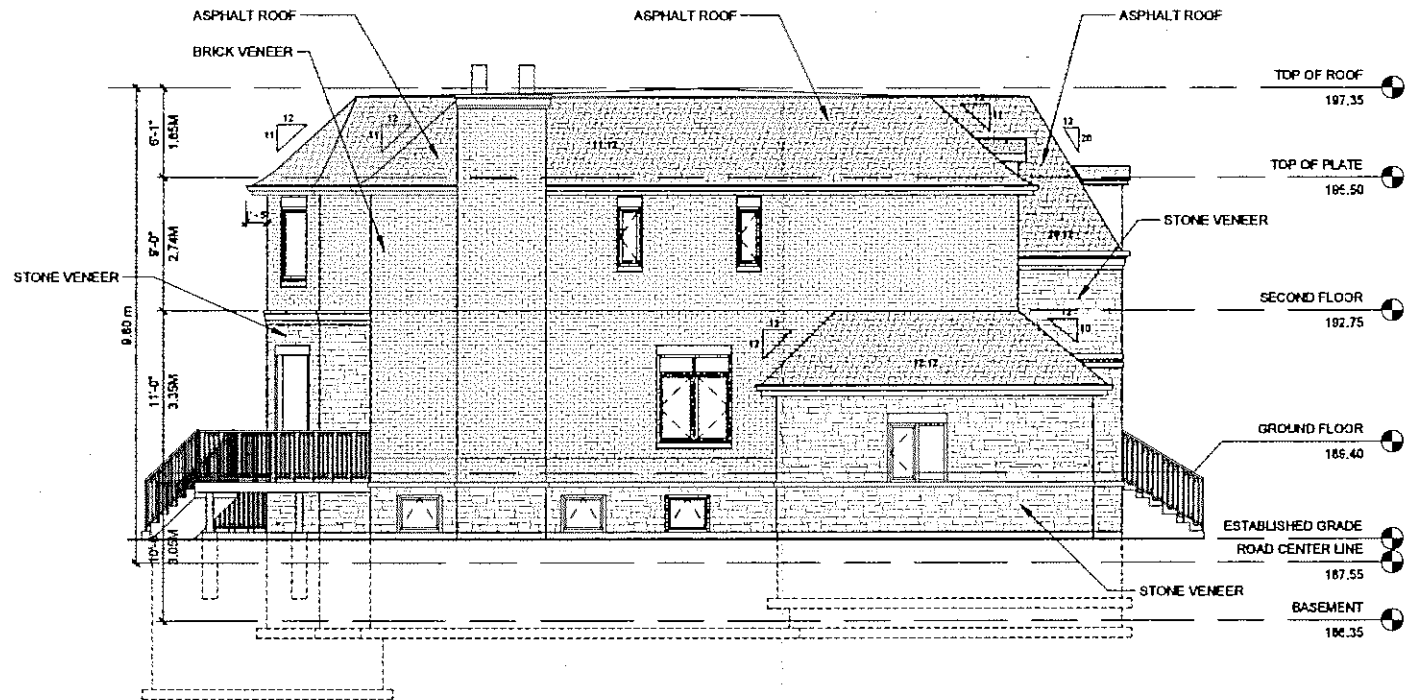
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09/13/18
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Drawn by :
Author
Checked by :
Checker

Project No
18040

Drawing No :
A6



① NORTH ELEVATION
1/8" = 1'-0"

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Project :
NEW DETACHED HOUSE
25 GALSWORTHY DRIVE MARKHAM ON

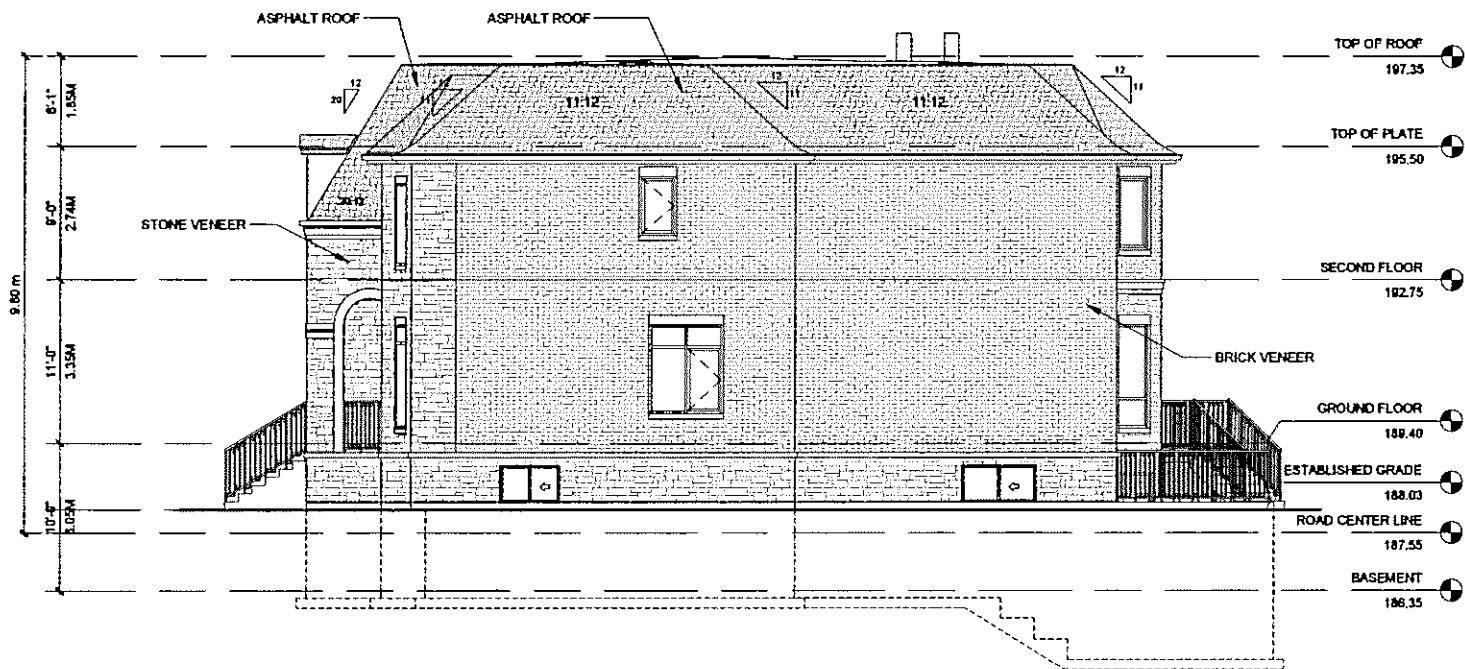
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09/13/18
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Drawn by :
Author
Checked by :
Checker

Project No
18040

Drawing No :
A7



① SOUTH ELEVATION
1/8" = 1'-0"

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Project :
NEW DETACHED HOUSE
25 GALS WORTHY DRIVE MARKHAM ON

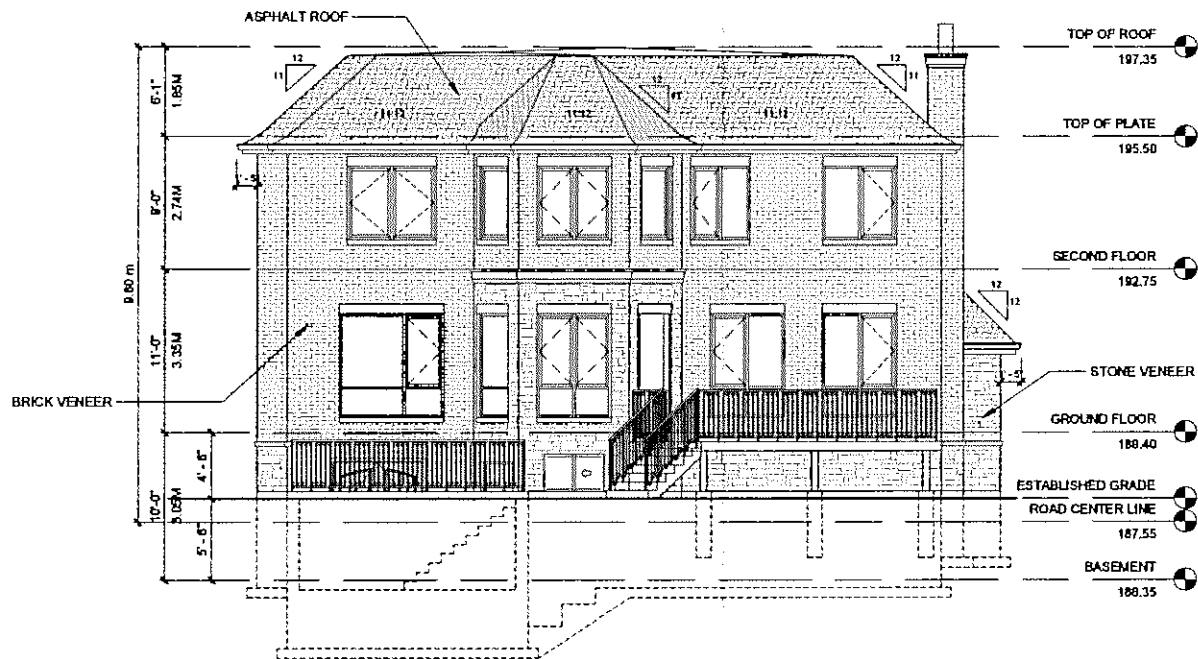
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SOUTH ELEVATION

Date :
09/13/18
Scale :
1/8" = 1'-0"

Drawn by :
Author
Checked by :
Checker

Project No
18040

Drawing No :
AB



1 EAST ELEVATION
1/8" = 1'-0"



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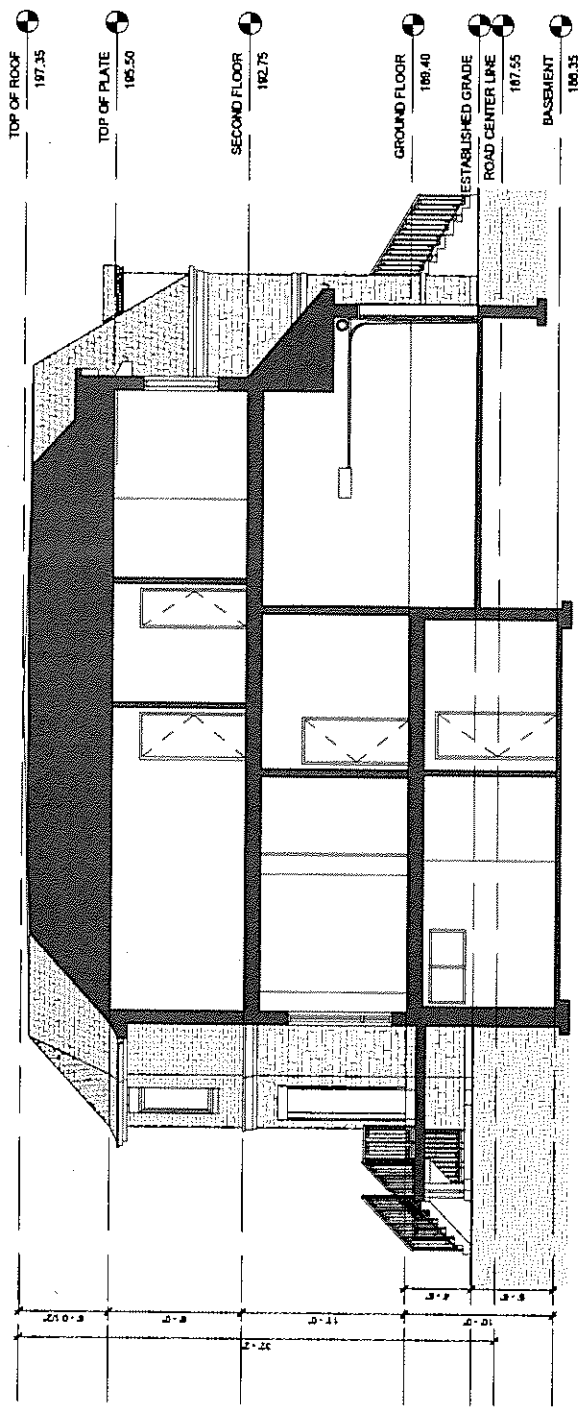
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Date :
09/20/18
Scale :
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Drawn by :
Author
Checked by :
Checker

Project No
18040

Drawing No :
A9



1 BUILDING SECTION
1/8" = 1'-0"

AND ARCHITECTURE INC. 3000 Steeles Avenue East, Suite 100 Markham ON L3R 4T9 T: 905-804-8880 E: info@andarchitecture.com www.andarchitecture.ca	Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON	Drawing Name : BUILDING SECTION	Date : 09/13/18	Project No 18040	Drawing No. A10
			Scale : 1/8" = 1'-0"	Drawn by : Author	Checked by : Checker

