

**Memorandum to the City of Markham Committee of Adjustment**  
March 29, 2018

**File:** A/32/18  
**Address:** 87 Squire Baker's Lane, Markham  
**Applicant:** Joe Cho  
**Agent:** Joe Cho  
**Hearing Date:** Wednesday April 11, 2018

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 permit:

- a) **Infill By-law 99-90, Section 1.2 (iii):**  
a maximum building depth of 19.8 m, whereas the By-law permits a maximum building depth of 16.8 m;
- b) **Table 11.1:**  
a maximum lot coverage of 35.4 percent, whereas the By-law permits a maximum lot coverage of 35 percent;

as it relates to a proposed rear addition to an existing residential dwelling.

**BACKGROUND**

**Property Description**

The subject property is located on the north side of Squire Baker's Lane, north of Highway 407 East and east of Main Street Markham South. The surrounding residential neighbourhood features mostly two-storey dwellings, with mature vegetation throughout. The property has an approximate area of 670 sq. m (7,211.8 sq. ft) and lot frontage of 18.3 m (60 ft). There is a 232.9 sq. m (2,506.9 sq. ft) two-storey single detached dwelling with attached garage, built in approximately 1967. The rear yard features mature trees and other vegetation.

**Proposal**

The application proposes a 62.2 sq. m (669.5 sq. ft) one-storey addition at the rear of the existing dwelling. Due to the presence of mature trees in the rear yard which may be impacted by the proposed rear addition, staff recommend that the applicant retain an arborist to evaluate any potential impacts that the proposed development may have on existing trees. To this end, the proposed conditions of approval in Appendix A include provisions related to tree assessment and preservation.

**Official Plan and Zoning**

Official Plan 2014 (partially approved on October 30, 2015, May 26, 2016, March 10, 2017, April 21, 2017 and November 24, 2017)

The Official Plan 2014 designates the subject property "Residential Low Rise," which provides for low rise housing forms including single detached dwellings.

Within "Residential Low Rise" areas, infill development is required to meet the general intent of Section 8.2.3.5 with respect to lot frontage, lot area, height, massing and setbacks in order to ensure that it is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. Regard shall also be had for retention of existing trees and vegetation, the width of proposed garages and driveways, and the overall orientation and sizing of new lots within a residential neighbourhood. Planning staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below.

#### Zoning By-law

The subject property is zoned R1 under By-law 1229, as amended. The proposed development does not comply with the maximum building depth and lot coverage permitted by the By-law.

#### Residential Infill Zoning By-law

The property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure that the built form of new residential development will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, yard setbacks and number of storeys. The proposed development does not comply with the maximum building depth permitted by Infill By-law 99-90.

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

The application form indicates, "The architectural design of proposed one storey rear sunroom addition requires a minimum depth of 3.0 m resulting in overall depth and site coverage increase, it is not possible to comply for both situations."

#### **Zoning Preliminary Review Undertaken**

The applicant has completed a Zoning Preliminary Review 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.

#### Building Depth

The applicant is requesting relief for a maximum building depth of 19.8 m (65 ft), whereas the By-law permits a maximum building depth of 16.8 m (55.1 ft).

It is noted that the addition should be subject to a By-law provision that increases the maximum permitted building depth to 18.9 m (62 ft). This provision applies to one-storey portions that have a width of less than half of the total width of the building at its widest point. With this provision applied, the proposed building depth of 19.8 m (65 ft) represents an increase of 0.9 m (3 ft) over the permitted building depth.

The proposed addition is appropriately designed well within the required setbacks. The portion of the addition that extends beyond the permitted building depth has a setback of 3.9 m (12.8 ft) from the west lot line. Given this generous setback, the increase in building depth should not negatively impact adjacent properties.

Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 35.4 percent, whereas the By-law permits a maximum lot coverage of 35 percent. This represents an increase of 2.4 sq. m (25.8 sq. ft) which is minor relative to the size of the lot.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of March 29, 2018. Additional information may be received after the writing of this report; the Secretary-Treasurer will provide information on this at the meeting.

**CONCLUSION**

Staff are of the opinion that the variance satisfies the four tests of the Planning Act and have no objection to its approval. It is recommended 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:

  
\_\_\_\_\_  
Greg Hayes, Committee of Adjustment Technician, Zoning and Special Projects

REVIEWED BY:

  
\_\_\_\_\_  
Stacia Muradali, Senior Planner, East District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/32/18**

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 A' to this Staff Report and dated March 11, 13 and 15, 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 the Owner submits a Tree Assessment and Preservation Plan prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended from time to time to the satisfaction of the Director of Planning and Urban Design, or their designate.
4. That subject to the review and approval of a Tree Assessment and Preservation Plan, tree protection fencing is erected in accordance with the City's Streetscape Manual (2009), as amended from time to time and inspected to the satisfaction of the Director of Planning and Urban Design, or their designate.
5. That subject to the review and approval of a Tree Assessment and Preservation Plan, tree replacements are provided and/or tree replacement fees are paid to the City, if required by the Director of Planning and Urban Design, or their designate.

CONDITIONS PREPARED BY:



\_\_\_\_\_  
Greg Hayes, Committee of Adjustment Technician, Zoning and Special Projects

CITY OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:200

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Ontario Land Surveyors

**Metric**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**Caution**  
THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR  
ANY REAL ESTATE TRANSACTIONS.

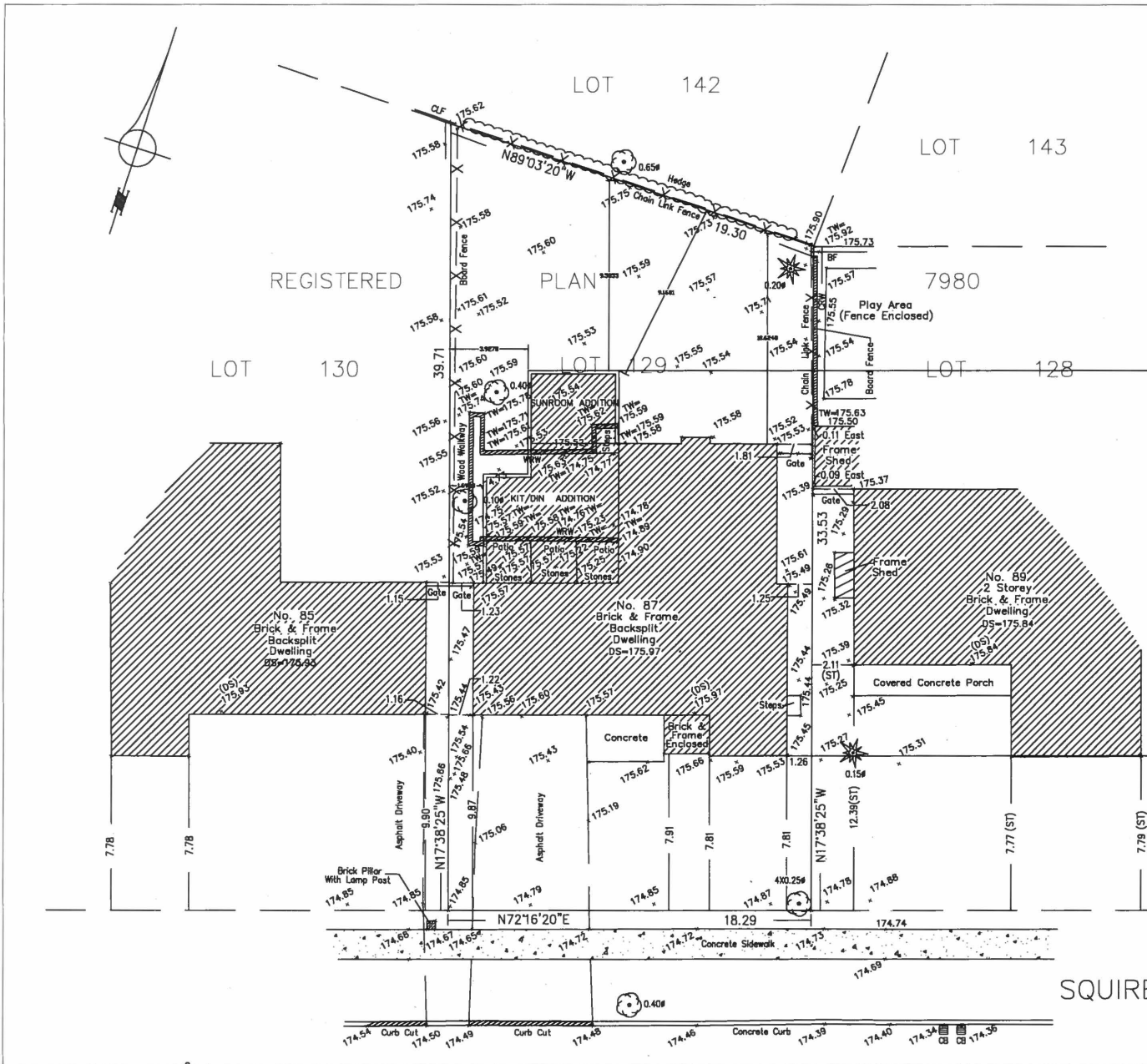
**Note**  
THIS SKETCH IS PREPARED FROM CALCULATED INFORMATION.

**Benchmark**  
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE CITY OF  
MARKHAM ELEVATION DATUM.  
BENCHMARK : 092903520 ELEVATION = 174.53m

- Legend**
- DS DENOTES DOOR SILL ELEVATION
  - CB DENOTES CATCHBASIN
  - MH DENOTES MANHOLE
  - CLF DENOTES CHAIN LINK FENCE
  - BF DENOTES BOARD FENCE
  - ST DENOTES TIES TO STONE
  - Ø DENOTES DIAMETER (ROUND)
  - TW DENOTES TOP OF WALL ELEVATION
  - CRW DENOTES CONCRETE RETAINING WALL
  - WRW DENOTES WOOD RETAINING WALL
  - ☀ DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER
  - ☀ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER

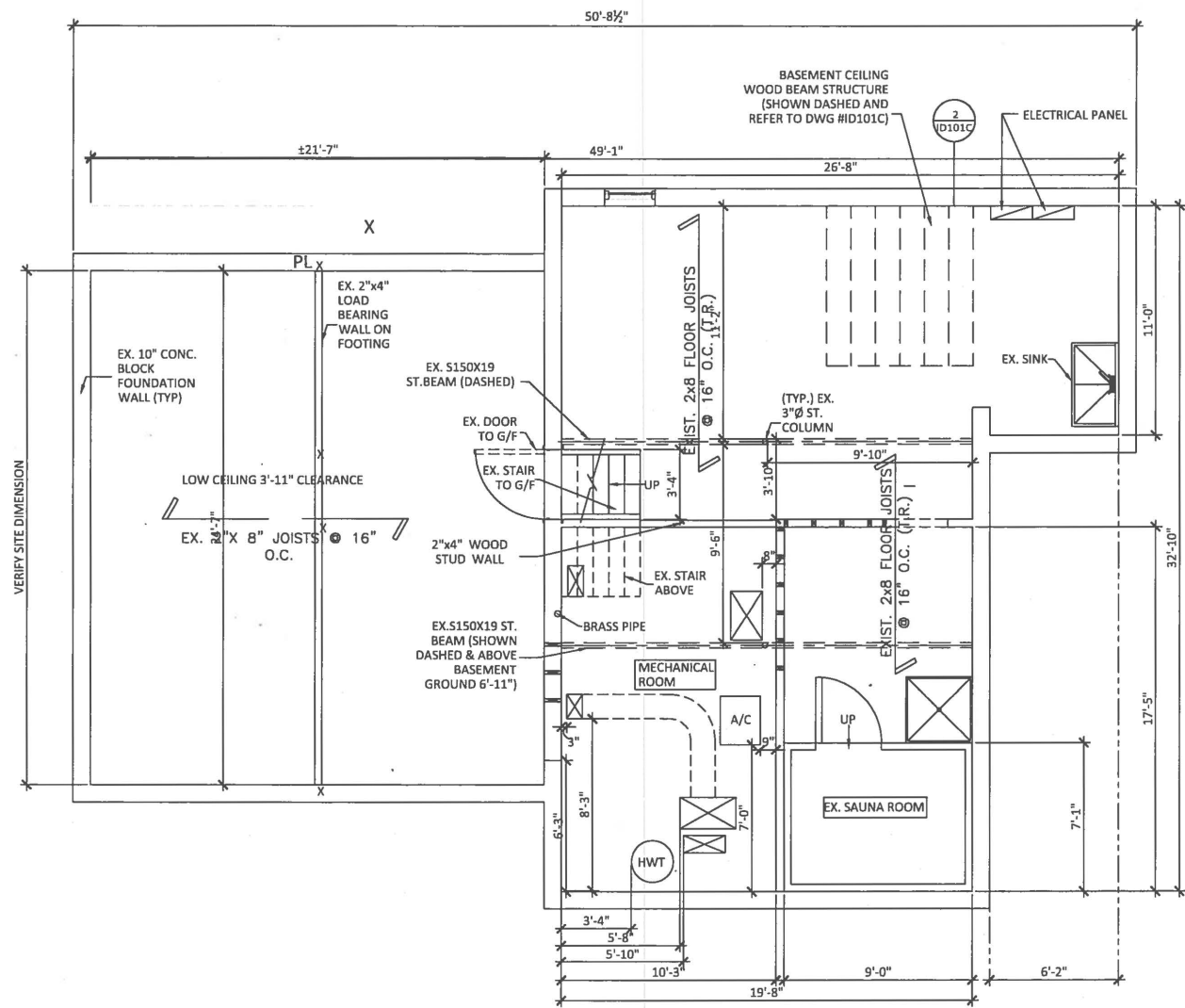
ALL BUILDING TIES ARE TAKEN FROM  
BRICK FACE UNLESS OTHERWISE SHOWN

ZONING	LOT NO.	PLAN NO.	LOT AREA (sqm)	LOT FRONTAGE	LOT DEPTH
R1-RESIDENTIAL	LOT 129	7980	851.62m <sup>2</sup>	18.29M	38.71M
DESCRIPTION	EXISTING	ADDITION	TOTAL	% ALLOWED	% SETBACKS
LOT COVERAGE	174.70m <sup>2</sup>	82.24m <sup>2</sup>	238.94m <sup>2</sup>	35.40	234.50m <sup>2</sup> 35.0
GROSS FLOOR AREA	188.00m <sup>2</sup>	82.24m <sup>2</sup>	291.24m <sup>2</sup>	37.30	301.42m <sup>2</sup> 45.0
MAX FLOOR AREA RATIO	130.00-95.0	82.24m <sup>2</sup>	251.24m <sup>2</sup>	37.30	301.42 m <sup>2</sup> 45.0
NL OF STORES HEIGHT	2 STOREY 4800mm	1 STOREY 3800mm	1 STOREY 3800mm	8.8M	INTERIOR SIDE (wall)
COVERED PORCH	4.50 m <sup>2</sup>				1220mm 1220mm
DEPTH OVERALL	13.80M	3.85M	19.80M	18.8 (18.9 MAX)	INTERIOR SIDE (wall) 1220mm 1220mm
					EXTERIOR



SQUIRE BAKER'S LANE

APPENDIX B



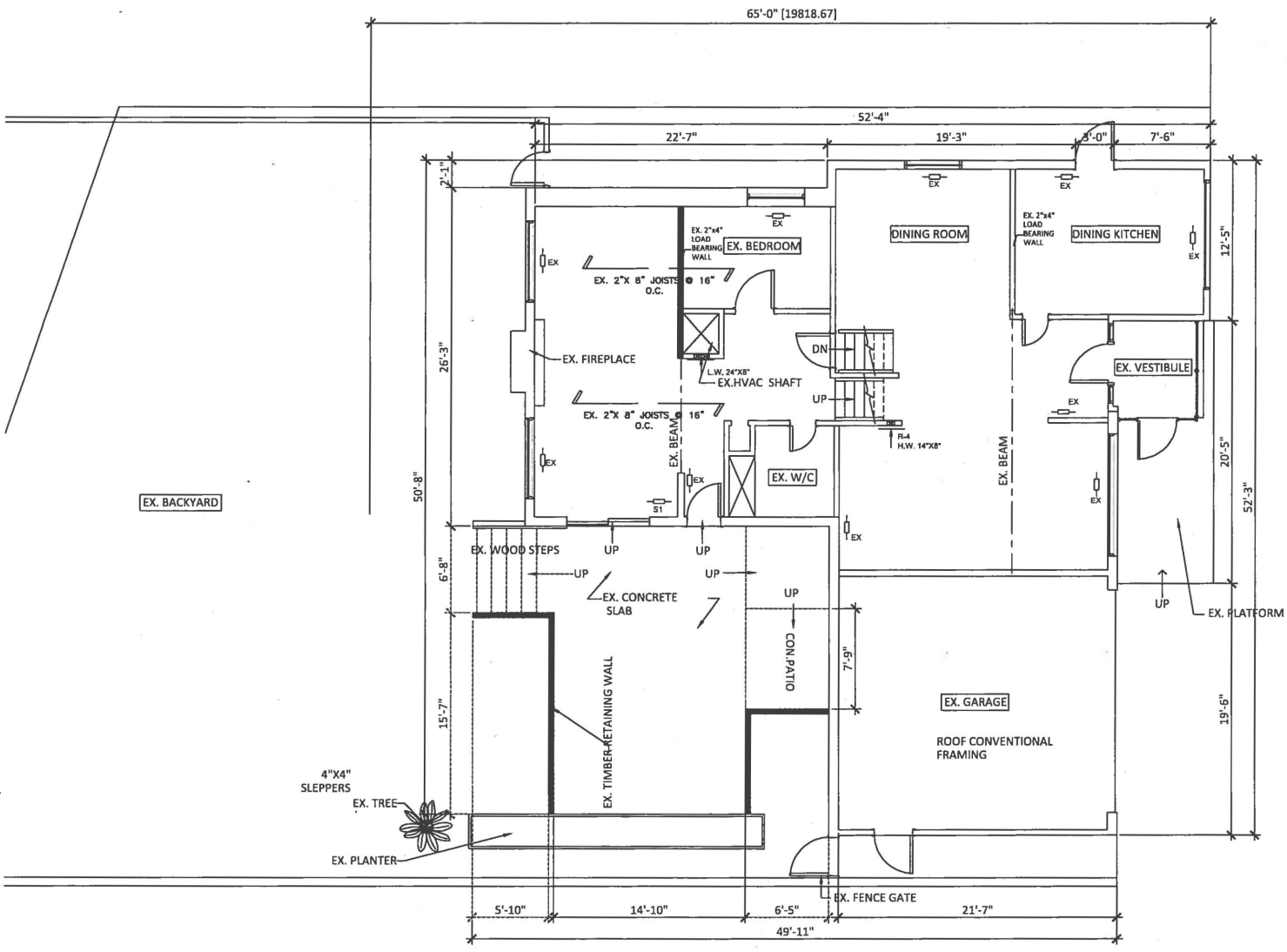
**1**  
A100 **BASEMENT (EX) FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

\* Contractors to verify all site dimensions and report any discrepancies before commencing site work.  
\* Dimensions shall take precedence over notes.  
\* No variation or modification to work shall be implemented without prior written approval.  
\* All plans, specifications and work is subject to Department of Labour, Fire Department and Building Department approval.  
\* All printed issues of this drawing are approved.  
\* All prints of drawings and specifications are the property of J. Cho Design and must be returned upon project completion.

PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: DEMOLITION

Scale AS SHOWN Drawing Revision  
Plot Date: 3/7/2018 3:32 PM JC-A100



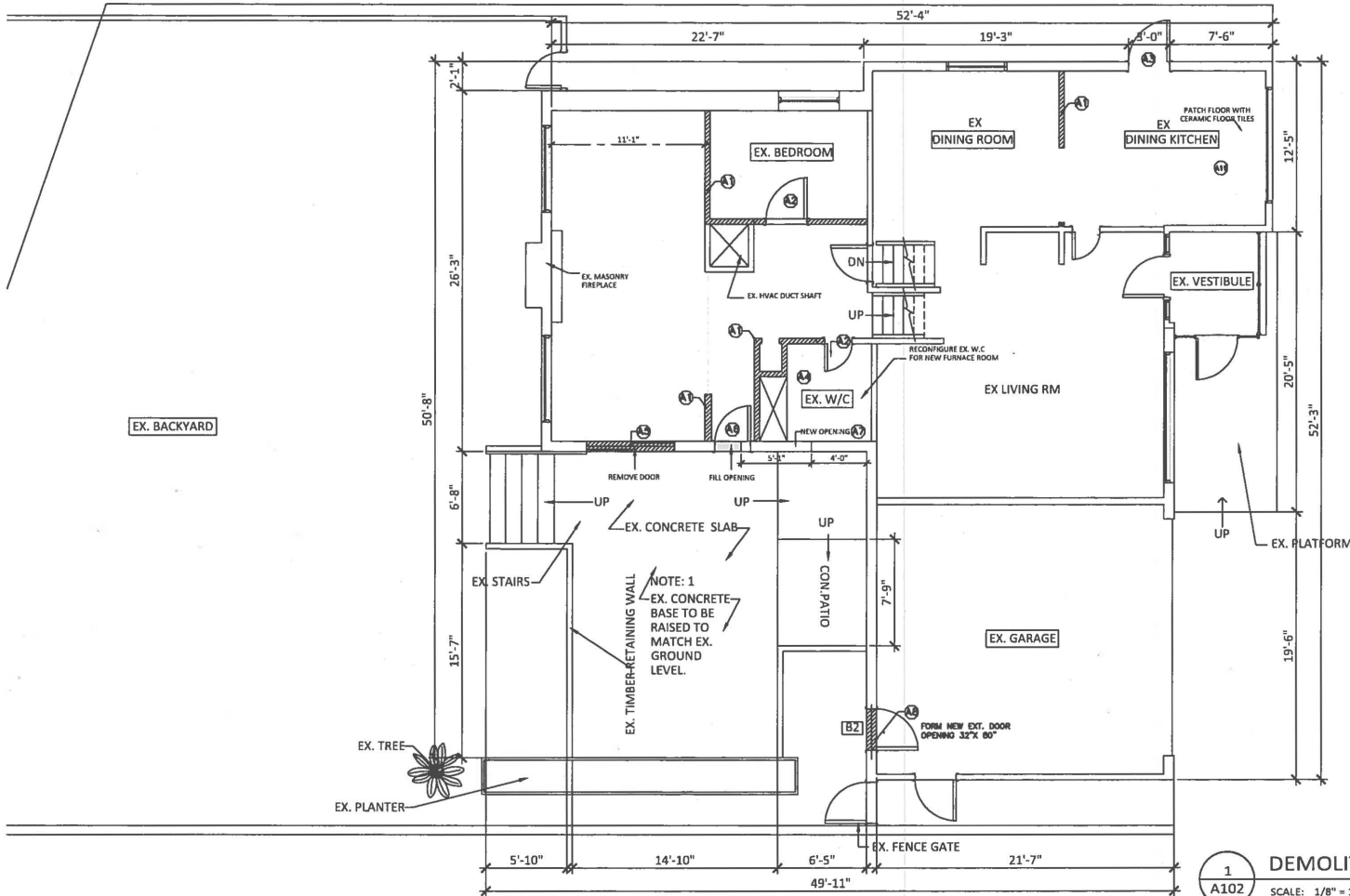
**1**  
**A101** EX. MAIN FLOOR  
SCALE: 1/8" = 1'-0" 1424 SF

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PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: FLOOR PLAN

Scale AS SHOWN Drawing Revision  
Plot Date 2/1/2006 3:39 PM JC-A101



**SCOPE OF WORK:**

NOTE: REMOVE TEMPORARY SUPPORT TO EX. FLOOR JOISTS PRIOR DEMOLITION

- A1 DEMOLISH ALL EX. INTERIOR WALLS & DOORS AS INDICATED
- A2 REMOVE EX. DOOR AND ENLARGE DOOR OPENING FOR 3000D DOOR
- A3 REMOVE EX. DOOR AND MODIFY OPENING FOR 7200D DOOR OPENING FOR SLIDING DOOR
- A4 MODIFY EX. W/C FOR NEW FURNACE ROOM
- A5 REMOVE EX. PATIO DOOR AND MAKE GOOD TO JAMBS FOR OPENING
- A6 REMOVE EX. EXT. DOOR AND FILL OPENING WITH 2"x4" STUDS @18" o.c. AND FINISHED WITH 1/2" DRYWALL, SANDED AND PAINTED
- A7 FORM NEW OPENING IN WALL OF SIZE 61'x80"
- A8 FORM NEW EXT. DOOR OPENING 32'x80"
- A9 REMOVE ALL KITCHEN CABINETS INCLUDING ALL PLUMBING FIXTURES

**NOTE: 1**

EX. CONCRETE SLAB TO BE BROKEN TO BE USED AS HARDCORE BASE FOR SLAB ON GRADE & INSTALL 2" 5M STYROAM (R10) BOARD UNDER NEW 5" SLAB IN 25Mpa

1  
A102

**DEMOLITION (EX. MAIN FLOOR)**

SCALE: 1/8" = 1'-0"

1424 SF

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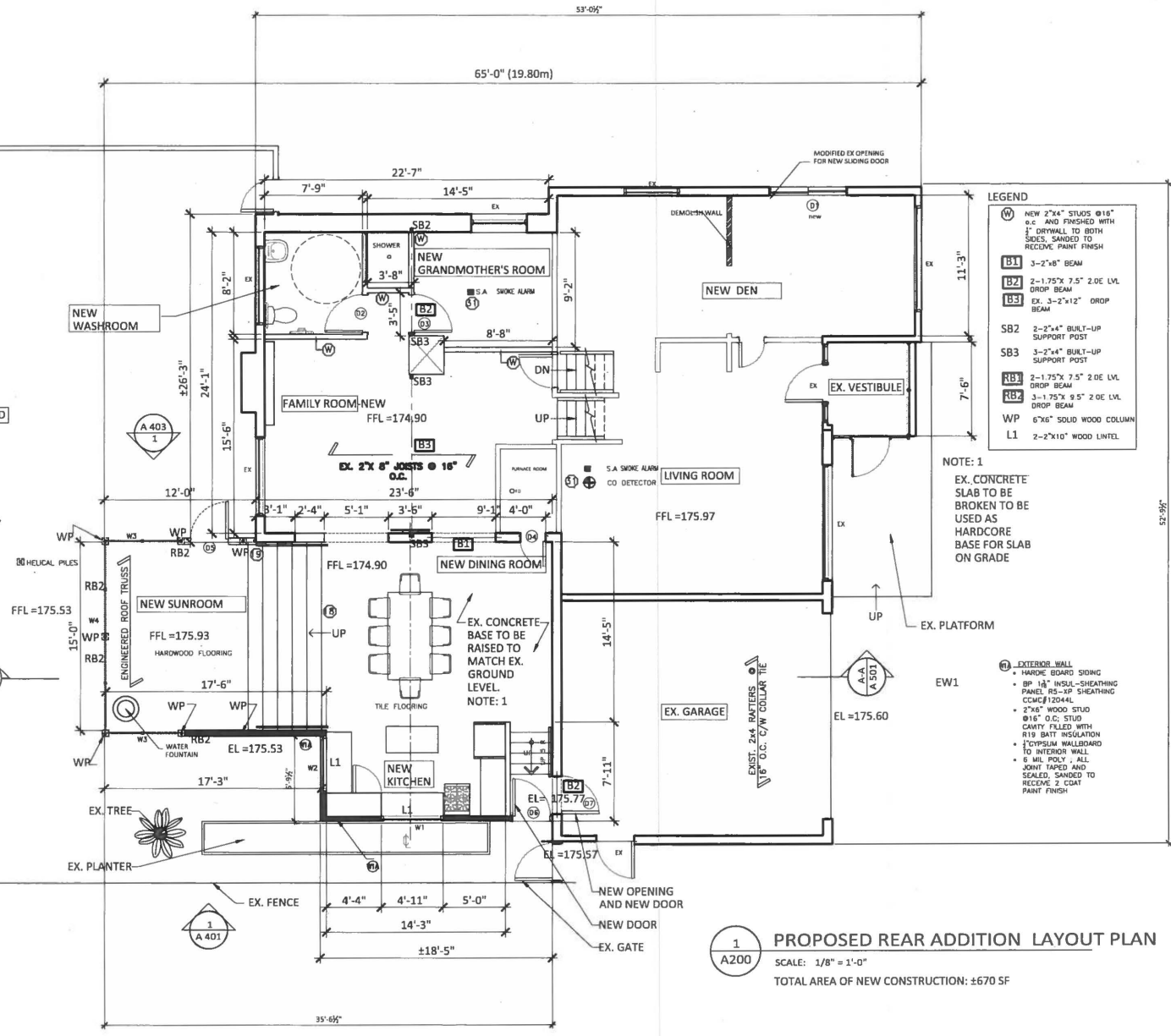
PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: DEMOLITION

Scale AS SHOWN Drawing Number  
Plot Date: 3/17/2010 3:20 PM JC-A102



DRAWN BY:  
CHECKED BY:  
ISSUE / REVISION FOR DATE:



- LEGEND**
- (W) NEW 2"x4" STUDS @ 16" o.c. AND FINISHED WITH 1" DRYWALL TO BOTH SIDES, SANDED TO RECEIVE PAINT FINISH
  - (B1) 3"-2"x8" BEAM
  - (B2) 2"-1.75"x 7.5" 2.0E LVL DROP BEAM
  - (B3) EX. 3"-2"x12" DROP BEAM
  - (SB2) 2"-2"x4" BUILT-UP SUPPORT POST
  - (SB3) 3"-2"x4" BUILT-UP SUPPORT POST
  - (RB1) 2"-1.75"x 7.5" 2.0E LVL DROP BEAM
  - (RB2) 3"-1.75"x 9.5" 2.0E LVL DROP BEAM
  - (WP) 6"x6" SOLID WOOD COLUMN
  - (L1) 2"-2"x10" WOOD LINTEL

NOTE: 1  
EX. CONCRETE SLAB TO BE BROKEN TO BE USED AS HARDWARE BASE FOR SLAB ON GRADE

- (EW1) EXTERIOR WALL SIDING
- HARDE BOARD SIDING
  - 8" 1/2" INSUL-SHEATHING PANEL RS-3P SHEATHING CCMC#12044L
  - 2"x6" WOOD STUD @ 16" O.C. STUD CAVITY FILLED WITH R19 BATT INSULATION
  - 1" CYPRUS WALLBOARD TO INTERIOR WALL
  - 6 MIL ROOF - ALL JOINT TAPED AND SEALED, SANDED TO RECEIVE 2 COAT PAINT FINISH

**WINDOW SCHEDULE**

NO	DESCRIPTION	QTY
W1	48X24 CASMENT	1
W2	60X36 FIXED	1
W3	2-36X72 CLASS PANEL	2
W4	96X54 FIXED	1

**DOOR SCHEDULE**

NO	DESCRIPTION	QTY
D1	60X80 PATIO DOOR	1
D2	36X80 WT TYP DOOR	1
D3	32X80 WT TYP DOOR	1
D4	36X80 WT TYP DOOR	1
D5	36X80 FRENCH DOOR	1

**1**  
A200  
**PROPOSED REAR ADDITION LAYOUT PLAN**  
SCALE: 1/8" = 1'-0"  
TOTAL AREA OF NEW CONSTRUCTION: ±670 SF

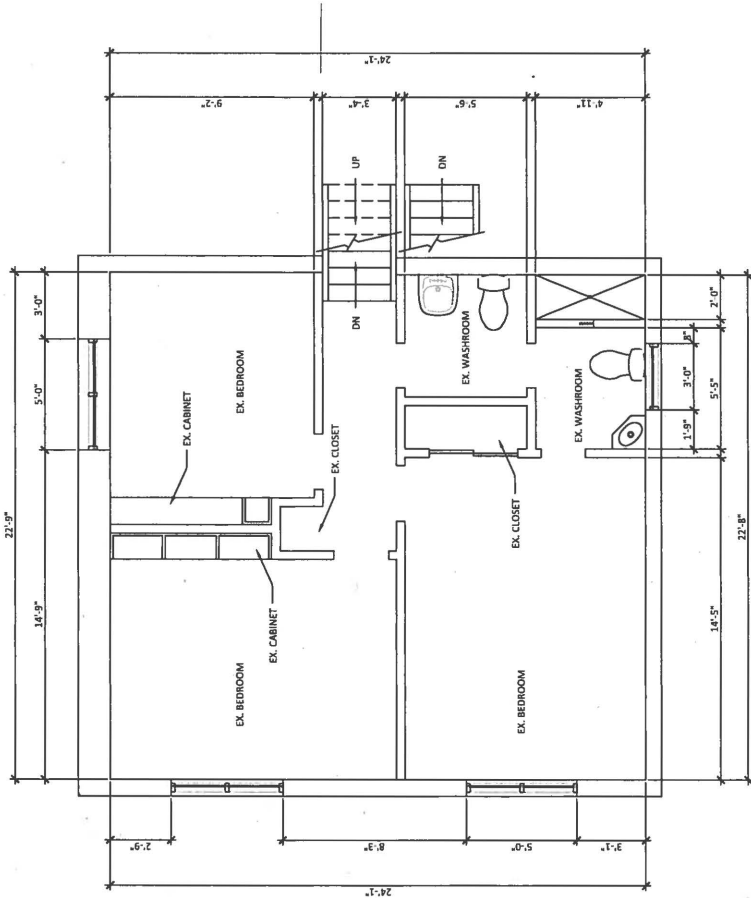
Contractors to verify all site dimensions and report any discrepancies before commencing site work.  
Dimensions shall take precedence over scale.  
No modification or modification to work shall be implemented without prior written approval.  
All plans, specifications and work to be subject to Department of Labour, Fire Department and Building Department approval.  
All printed notes of this drawing are superseded.  
All printed drawings and specifications are the property of J. Cho Design and must be returned upon project completion.

PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: PROPOSED REAR ADDITION

Scale: AS SHOWN Drawing Number:  
Plot Date: 3/15/2018 4:08 PM JC-A200

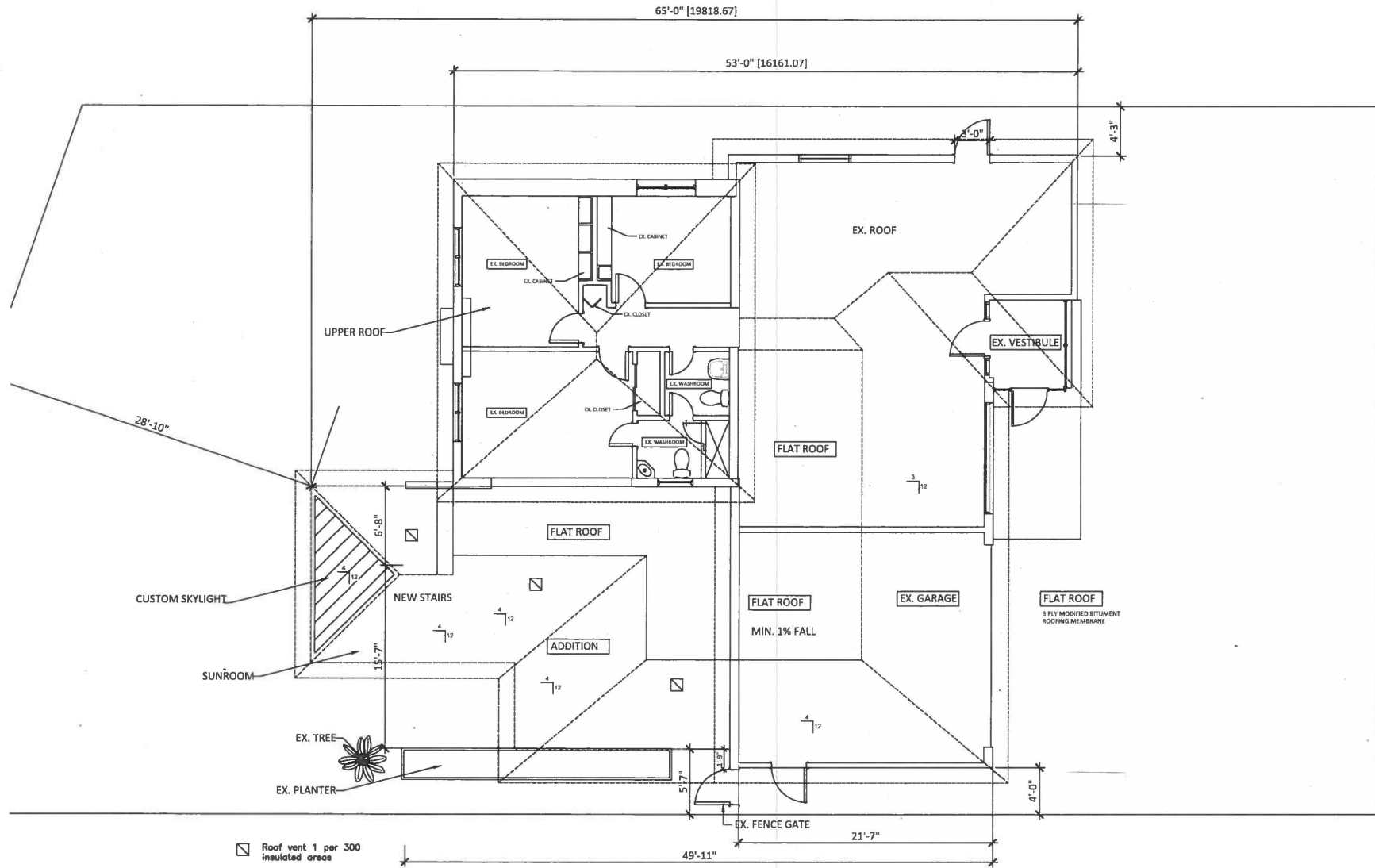
DESIGNED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 TITLE / REVISION FOR: \_\_\_\_\_ DATE: \_\_\_\_\_



1 EX. SECOND FLOOR PLAN  
 A200 SCALE: 3/16" = 1'-0"

PROJECT: MRS. STEPHEN'S LANE  
 MARKHAM, ON

TITLE: EX. SECOND FLOOR  
 DATE: 03/15/2011  
 DRAWN BY: A201  
 CHECKED BY: \_\_\_\_\_  
 SCALE: 3/16" = 1'-0"



☐ Roof vent 1 per 300 insulated areas

**PROPOSED ROOF LAYOUT**  
SCALE: 1/8" = 1'-0"

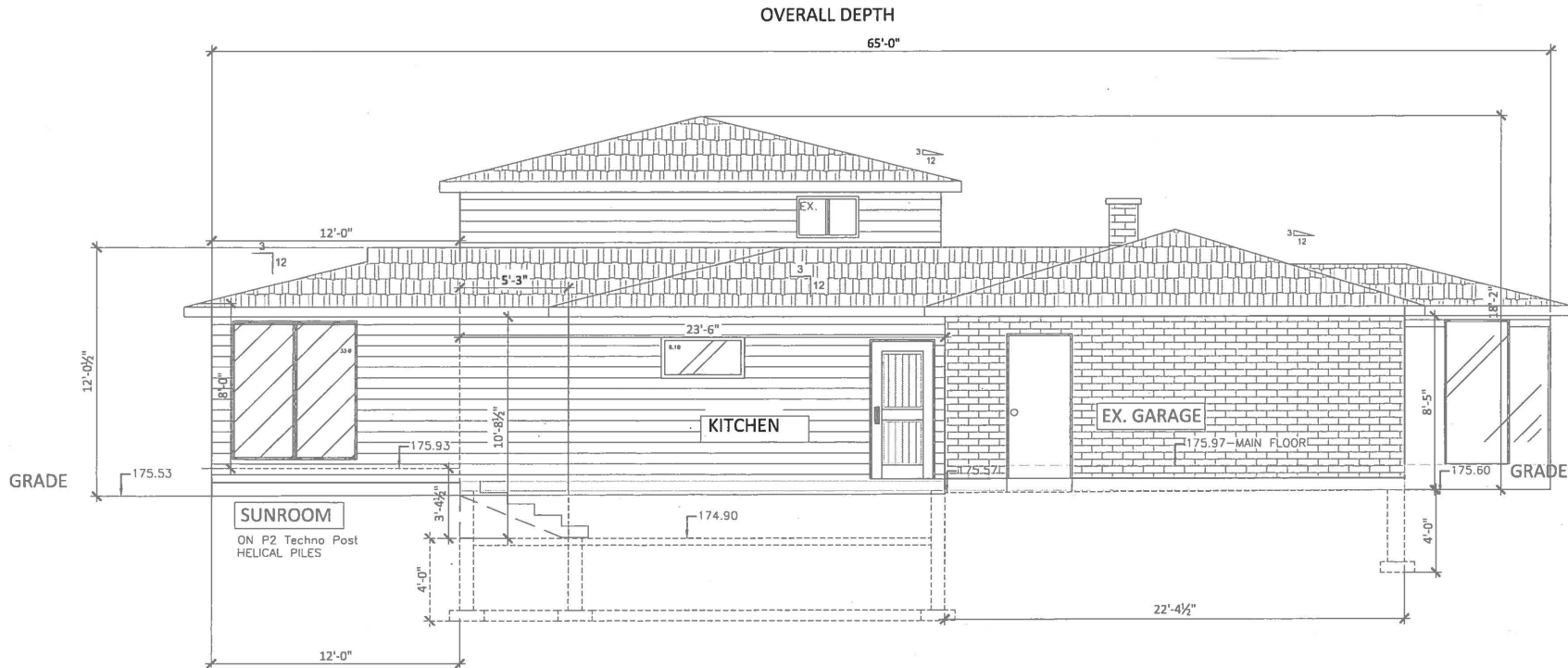
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PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: FLOOR PLAN

Scale: AS SHOWN Drawing Number: JC-A301  
Plot Date: 3/15/2018 10:29 PM

DESIGNED BY: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
ISSUE / REVISION FOR: \_\_\_\_\_ DATE: \_\_\_\_\_



ALLOWABLE UNPROTECTED OPENINGS	
TOTAL WAL AREA	592 SF
LIMITING DISTANCE	7% @ 1.2M
ALLOWABLE OPENINGS	41.40 SF
ACTUAL OPENINGS	39.10 SF

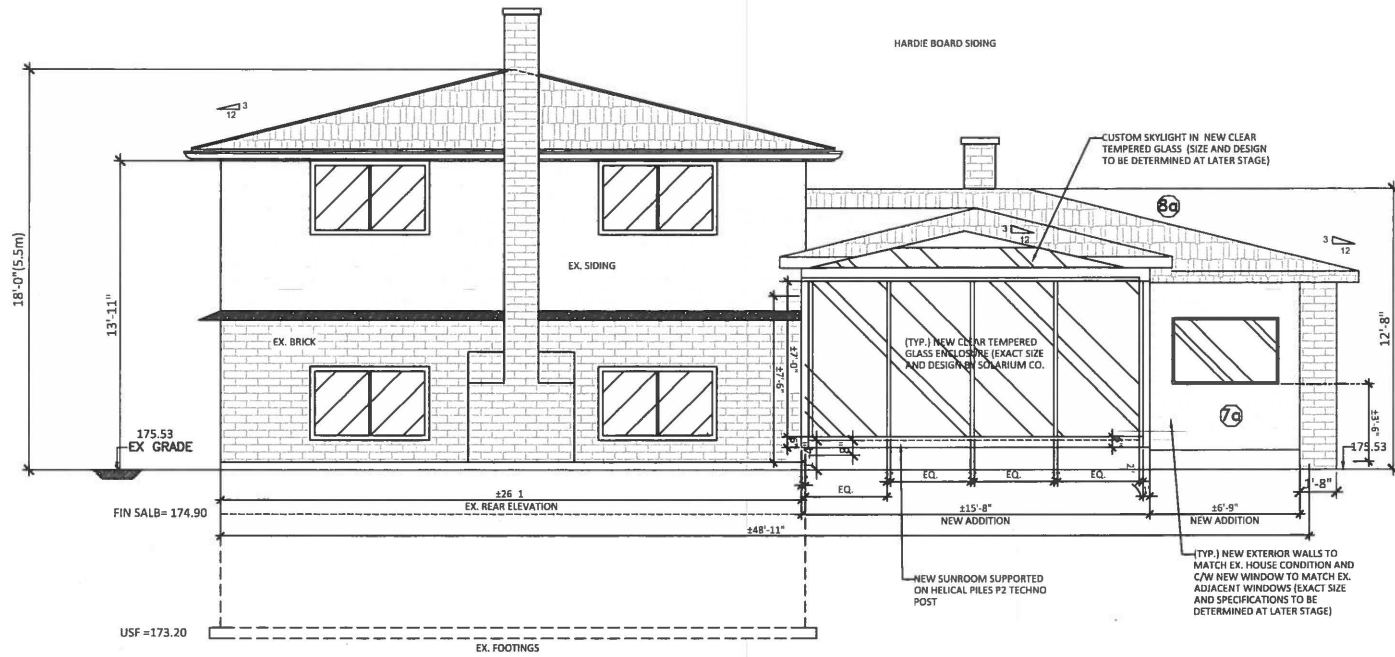
\* Contractors to verify all dimensions and report any discrepancies before commencing work.  
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\* All drawings issued of this drawing are void.  
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PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: FLOOR PLAN

Scale AS SHOWN Drawing Number  
Date: 07/27/2018 6:28 PM JC-A401

1 LEFT ELEVATION  
A401 SCALE: 3/16" = 1'-0"



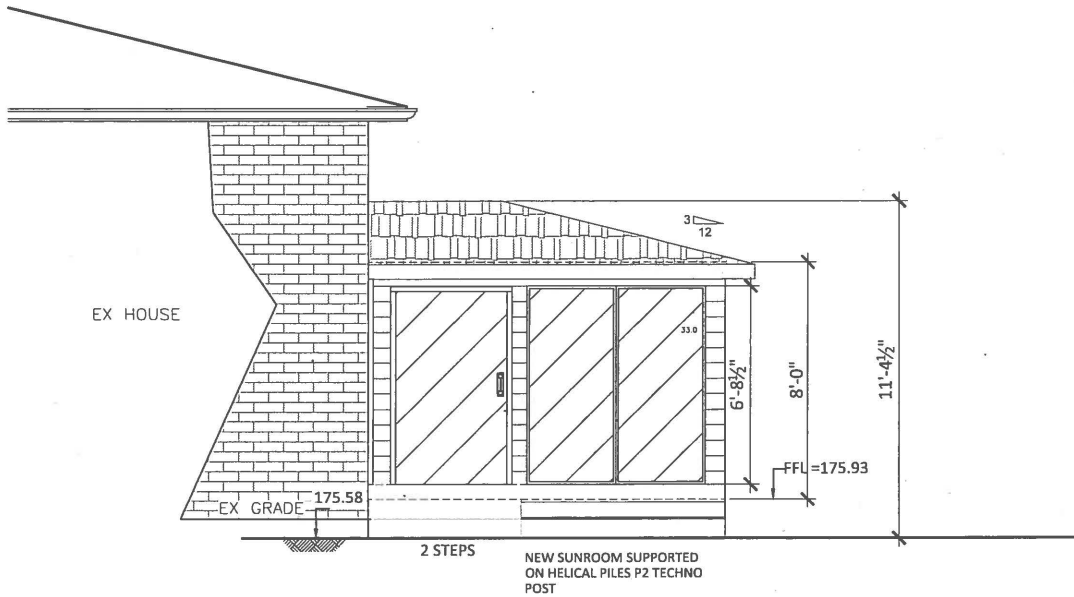
**1 REAR ELEVATION (PROPOSED)**  
A 402 SCALE: 3/16" = 1'-0"

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**PROJECT:**  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

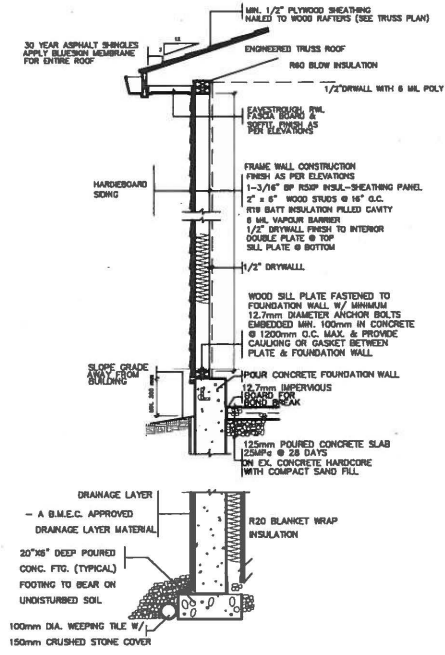
**TITLE:** REAR ELEVATION

Scale AS SHOWN Drawing Number  
Plot Date: 3/23/2018 10:22 AM JC-A 402



1  
A 403  
SCALE: 1/4" = 1'-0"

SIDE ELEVATION ( PARTIAL PLAN)



1  
W1A  
SCALE: 1/4" = 1'-0"

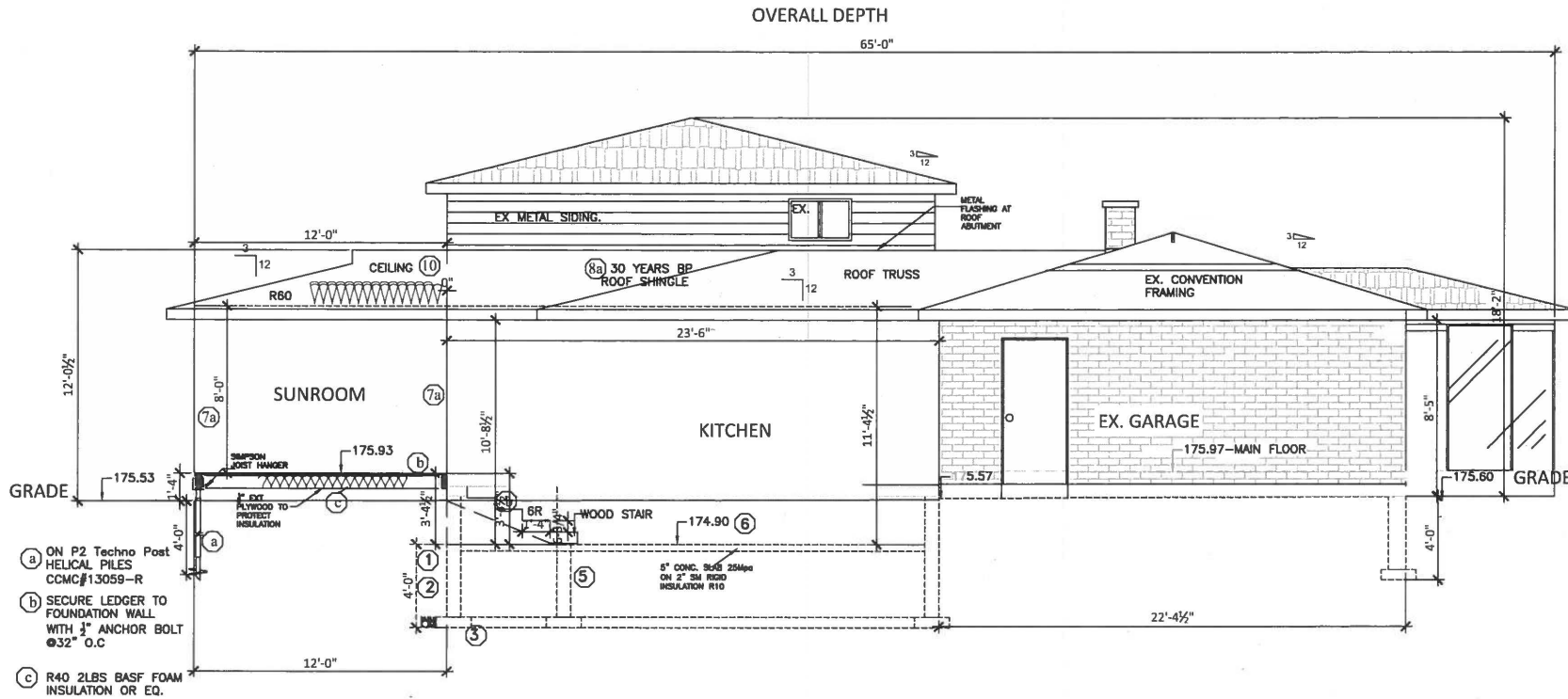
EXTERIOR WALL DETAIL

\* Contractors to verify all dimensions and report any discrepancies before commencing site work.  
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\* All products listed in this drawing are standard.  
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PROJECT:  
87 SQUIREBAKER'S LANE  
MARKHAM, ON

TITLE: SIDE ELEVATION/WALL DETAIL

Scale AS SHOWN  
Plot Date: 1/15/2018 8:08 AM  
JC-A403



**1**  
**A501** CROSS SECTION  
 SCALE: 3/16" = 1'-0"

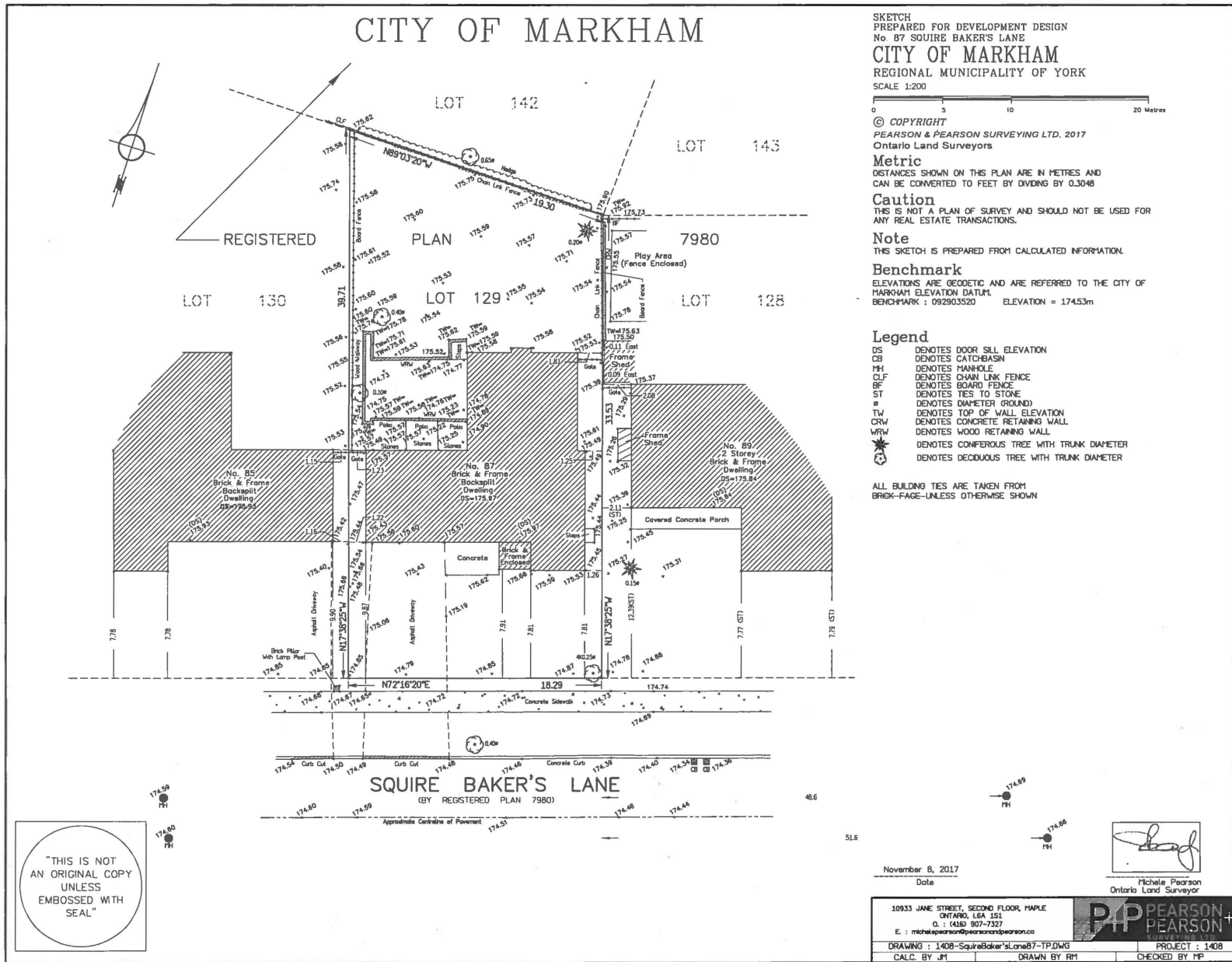
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PROJECT:  
 87 SQUIREBAKER'S LANE  
 MARKHAM, ON

TITLE: CROSS SECTION

Scale: AS SHOWN  
 Plot Date: 3/15/2004 02:31 PM  
 JC-A-501

# CITY OF MARKHAM



SKETCH  
 PREPARED FOR DEVELOPMENT DESIGN  
 No 87 SQUIRE BAKER'S LANE  
**CITY OF MARKHAM**  
 REGIONAL MUNICIPALITY OF YORK  
 SCALE 1:200

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 Ontario Land Surveyors

**Metric**  
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**Caution**  
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**Note**  
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**Benchmark**  
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  - ⊙ DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER
  - ⊙ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER

ALL BUILDING TIES ARE TAKEN FROM  
 BRICK-FACE-UNLESS OTHERWISE SHOWN

"THIS IS NOT  
 AN ORIGINAL COPY  
 UNLESS  
 EMBOSSED WITH  
 SEAL"

November 8, 2017  
 Date

*Michelle Pearson*  
 Ontario Land Surveyor

10933 JANE STREET, SECOND FLOOR, MAPLE ONTARIO, L6A 1S1 O : (416) 907-7327 E : mich@pearsonandpearson.com		<b>PEARSON &amp; PEARSON</b> SURVEYING LTD.
DRAWING : 1408-SquireBaker'sLane87-TP.DWG	PROJECT : 1408	
CALC. BY JM	DRAWN BY RPT	CHECKED BY MP