

Memorandum to the City of Markham Committee of Adjustment

November 07, 2018

File: B/12/18
Address: 15/17 George St Markham
Applicant: 2447298 Ontario Ltd. (Arminda Soares)
Agent: Gregory Design Group (Russ Gregory)
Hearing Date: Wednesday November 14, 2018

The following comments are provided on behalf of the Heritage Districts Team. The applicant proposes to:

- a) sever and convey a parcel of land with approximate lot frontage of 10.73 m and approximate lot area of 327.1 sq. m (Part 2);
- b) retain a parcel of land with approximate lot frontage of 19.14 m and approximate lot area of 430.2 sq. m (Part 1).

The purpose of this application is to divide the existing semi-detached dwelling pair into two separate parcels, addressed as 15 and 17 George Street.

BACKGROUND

Property Description

The subject property is located within the Markham Village Heritage Conservation District. The property contains an existing semi-detached pair of dwellings consisting of a two storey frame heritage dwelling addressed as 15 George Street, and a new two storey frame dwelling addressed as 17 George Street. The two units are connected with a garage. The development was approved through Site Plan Control Application SC 17 150453, Minor Variance Application A/19/17 and Building Permit Application 17 179942 HP. The lot frontage is 29.87m (98 ft); the depth is 25.60m (84 ft) and the lot area is 757.22m² (8,151 ft²).

Proposal

The applicant has constructed the semi-detached residential development and now desires to divide the two dwelling units into separate parcels (see Appendix "B" - site plan showing the proposed line of severance. Part 1 is the heritage dwelling addressed as 15 George Street (the retained parcel) and Part 2 is the new dwelling addressed as 17 George Street (the parcel to be severed).

Official Plan and Zoning

Official Plan 2014 (as partially approved on November 24, 2017 and further updated on April 9, 2018)

The subject property is designated "Residential – Low Rise", which provides for a variety of low rise dwelling types, including semi-detached dwellings. In considering applications in a Residential – Low Rise area, which includes severances, infill development is required to meet the general intent of Section 8.2.3.5 of the Official Plan 2014 with respect to lot frontage and lot area, to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. Planning staff has had regard for the infill development criteria in

the Office Plan 2014 in the processing and approval of the Site Plan Control application and related Minor Variance application.

Zoning

The subject property is zoned R3 – Residential, under By-law 1229, as amended. The proposed development is permitted under the By-law. A variance was obtained under A/19/17 to address a small deficiency in minimum lot area (the property has a lot area of 8,151 ft² for a semi-detached pair whereas the By-law requires a minimum lot area of 8,200 ft²). Under the same application, variances were obtained for minimum front and side yard setbacks and maximum height for a detached garage.

Zoning Preliminary Review

The applicants have obtained a Zoning Preliminary Review in relation to the current Consent application.

Heritage Status

The subject property is a Type A heritage building within the Markham Village Heritage Conservation District and is further protected with a Heritage Easement Agreement.

COMMENTS

The development has been constructed in accordance with the approved plans. The applicant has addressed the minimum lot area for a semi-detached pair through Minor Variance A/19/17. Heritage Markham reviewed Consent application B/12/18 at their meeting of October 10, 2018 and had no issues. Any matters relating to tree preservation, lot grading and servicing, and architectural design have been dealt with through the Site Plan Control process.

PUBLIC INPUT SUMMARY

At the time of writing no public submissions have been received in relation to this application.

CONCLUSION

In staff's opinion, the proposed severance is appropriate. In reaching this conclusion, staff have had regard for the criteria in Section 51 (24) of the Planning Act and the Residential Infill Development Criteria in the Official Plan 2014, and have no objection to the proposed severance.

Planning staff recommends that the Committee of Adjustment consider public input in reaching a decision.

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

PREPARED BY:


George Duncan, Senior Heritage Planner

REVIEWED BY:

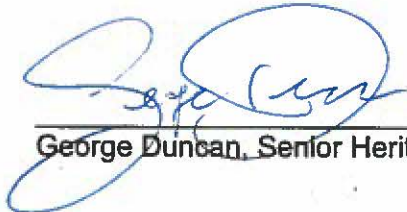

Regan Hutcheson, Manager, Heritage Planning

APPENDIX "A"

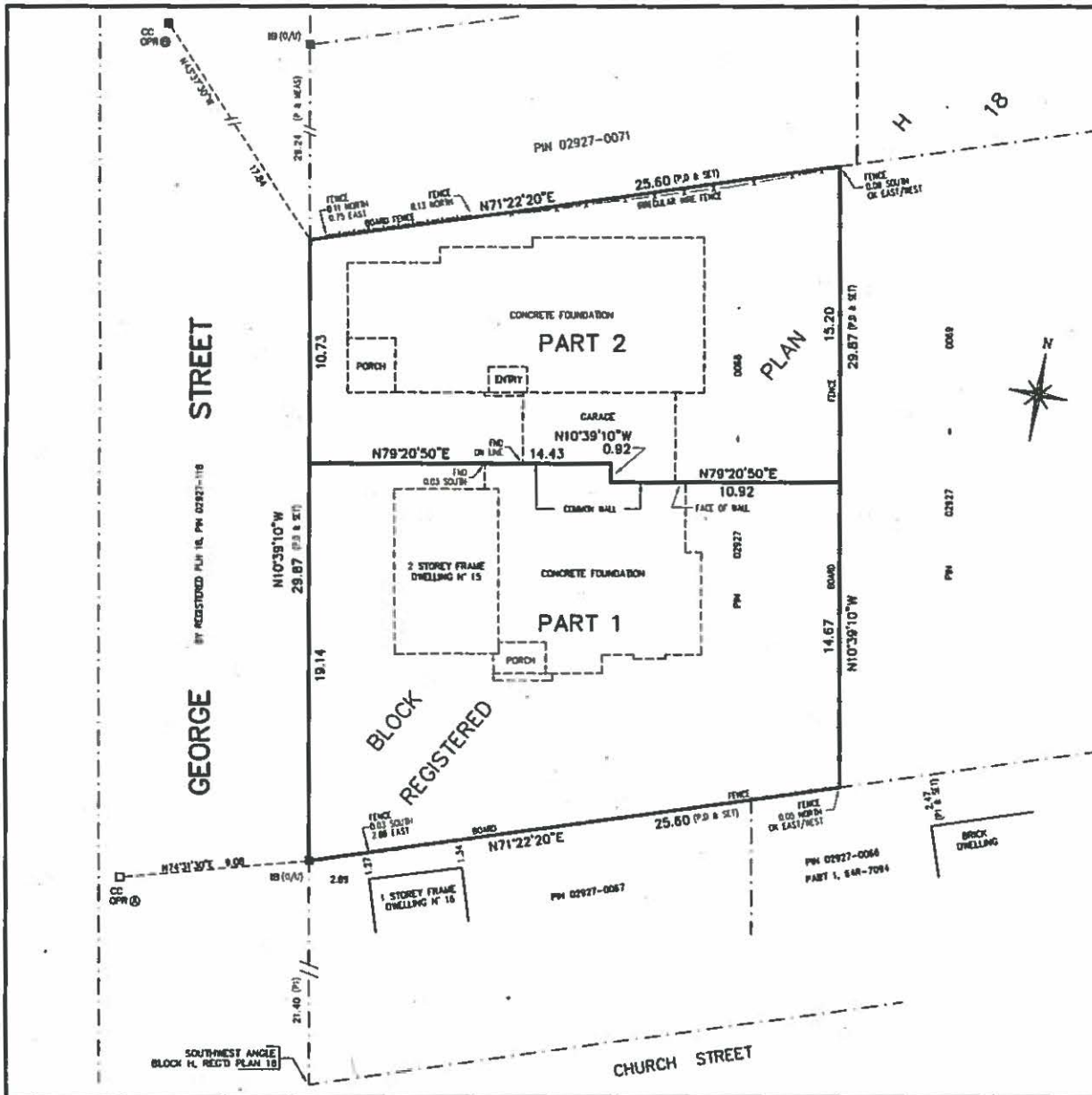
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/12/18

1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under File B/12/18, in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
3. Submission to the Secretary-Treasurer of seven white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
4. That the severance facilitates the development of a semi-detached dwelling unit on each of the severed and retained parcels, and that any other dwelling unit type must comply with the lot area and lot frontage requirements prescribed within the zoning by-law.

CONDITONS PREPARED BY:



George Duncan, Senior Heritage Planner



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
 DATE 24 APRIL 2018
 E. W. BOWYER
 ONTARIO LAND SURVEYOR

PLAN 65R-DRAFT
 RECEIVED AND DEPOSITED
 DATE _____
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION. (No. 65)

SCHEDULE				
PART	BLOCK	PLAN	PIN	AREA
1	PART OF H	18	ALL OF 02927-0068	430.2 sq.m.
2				327.1 sq.m.

PLAN OF SURVEY
PART OF BLOCK H, REGISTERED PLAN 18
CITY OF MARKHAM
 GEOGRAPHIC TOWNSHIP OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1 : 200
 E.W. BOWYER B.Sc., O.L.S.

NOTES
 BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS (ORP's) A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
 (P) DENOTES SURVEY MONUMENT FOUND (P) DENOTES A. AZEL, O.L.S. (7 FEB. 2017)
 (Pl) DENOTES SURVEY MONUMENT PLANTED (Pl) DENOTES DEPOSITED PLAN 64R-7094
 (B) DENOTES IRON BAR (D) DENOTES POST, N° R597871
 (S) DENOTES STANDARD IRON BAR (O/A) DENOTES ORIGIN UNKNOWN
 (CC) DENOTES CUT CROSS (MEAS) DENOTES MEASURED

INTEGRATION DATA
 OBSERVED REFERENCE POINTS (ORP's) DERIVED FROM GPS OBSERVATIONS USING THE SMARTNET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2002.0).
 COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O.REG 216/10.

POINT ID	NORTHING	EASTING	REMARKS
ORP (A)	4859885.09	639818.92	CC
ORP (B)	4859929.77	639809.84	CC

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES.

METRIC
 DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2) THE SURVEY WAS COMPLETED ON 23 APRIL 2018.

24 APRIL 2018
 DATE
 E. W. BOWYER
 ONTARIO LAND SURVEYOR

E. W. BOWYER INC.
 ONTARIO LAND SURVEYORS
 LAND DEVELOPMENT CONSULTANTS
 8275 MARKHAM ROAD, SUITE 201A
 MARKHAM, ONTARIO L3R 1A3
 PH 905-294-8062 FAX 905-294-8248

PIN 02927-0068 DWG No. A-3348 C:\OLD\2018\18-121R.DWG

APPENDIX "B"