Memorandum to the City of Markham Committee of Adjustment

February 28, 2019

File:

A/71/18

Address:

57 Hawkridge Avenue, Markham

Applicant:

Lina Dimartino

Agent:

Lemca Consultatnts (Leo Mastrandrea)

Hearing Date:

Wednesday March 13, 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, as they relate to a proposed two-storey single detached dwelling on the subject lands:

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

a maximum Net Floor Area Ratio of 54%, whereas the By-law permits a maximum Net Floor Area Ratio of 45%;

b) Infill By-law 99-90, Section 1.2 (iii):

a maximum building depth of 21.0 m, whereas the By-law permits a maximum building depth of 16.8 m.

APPLICATION CHRONOLOGY

This variance application has been deferred by the Committee of Adjustment twice, on September 12 and on November 2, 2018. The deferrals were due to the Committee's concerns over the proposed building mass, floor area ratio and impacts to privacy from a balcony in the rear yard.

At the September 12, 2018 hearing the following variances were requested:

- a) a maximum building height of 10.19 m, whereas the By-law permits a maximum building height of 9.8 m;
- b) a maximum building depth of 21.48 m, whereas the By-law permits a maximum building depth of 16.8 m;
- c) a maximum net floor area ratio of 55 %, whereas the By-law permits a maximum floor area ratio of 45%:
- d) a maximum front porch step encroachment of 5 ft 4 inches into the front yard, whereas the By-law permits a maximum front step encroachment of 18 inches into a required yard.

At the November 2, 2018 hearing the following variances were requested:

- a) a maximum building height of 10 m, whereas the By-law permits a maximum building height of 9.8 m;
- b) a maximum building depth of 21.48 m, whereas the By-law permits a maximum building depth of 16.8 m;
- c) a maximum floor area ratio of 55 percent, whereas the By-law permits a maximum floor area ratio of 45 percent.

COMMENTS

The applicant submitted the latest revised drawings on February 15, 2019 removing the maximum building height variance and reducing the maximum net floor area ratio and maximum building depth variances.

The applicant is requesting a net floor area ratio 54 percent, whereas the By-law permits a maximum net floor area ratio of 45 percent. This will permit a dwelling with a gross floor area of 385.91 m² (4,153.90 ft²), whereas the By-law permits a gross floor area of 320.84 m² (3,456.53 ft²). This is an increase of approximately 65.07 m² (700.40 ft²). The previous Staff comments dated September 7, 2018 expressed concerns with the original net floor area ratio of 55%, which, as noted, has been reduced to 54%. While this is a marginal reduction, staff note that the applicant has revised the proposal to respond to the Committee of Adjustment's comments on the overall building mass, specifically, by reducing the proposed building depth slightly and by removing requested variances to permit an increased building height and front porch encroachment. The combination of revisions result in a dwelling with a reduced massing from the original submission.

The applicant is requesting a maximum building depth of 21.0 m (68.9 ft) whereas the By-law permits a maximum building depth of 16.8 m (55.12 ft). This is an increase of 4.2 m (13.78 ft), which is attributable to a one-storey covered sunroom extending approximately 4.56 m (15 ft) from the rear of the dwelling. The total depth of the proposed dwelling, not including the one-storey sunroom, is approximately 16.44 m (53.9 ft).

PUBLIC INPUT SUMMARY

As of February 28, 2019 the City received one letter expressing concerns over the construction of the proposed dwelling damaging a mature neighbouring cedar hedge. 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

Staff do not have concerns with the requested building depth variance. While a net floor area ratio variance of 54% is still being requested, staff acknowledge that revisions have been made that reduce the overall scale and mass of the proposed dwelling. Notwithstanding the requested variances, the proposed dwelling complies will all other development standards, including front and side yard setbacks, lot coverage, garage projection and building height requirements. Consequently staff are of the opinion that approval of the requested variances will result in a dwelling that does not significantly impact the streetscape along Hawkridge Avenue. While the proposed dwelling will be significantly larger than the majority of existing homes in the area, staff note that several other similar sized homes have been built as infill housing along this section of Hawkridge Avenue, bounded by Bullock Drive to the north and Robinson Street to the south.

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. 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 "A1" for conditions to be attached to any approval of this application.

PREPARED BY:

Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED, BY:

Stephen Corr, Senior Planner, East District
File Path: Amanda\File\ 18 256111 \Documents\District Team Comments Memo

<u>Appendices</u>

Appendix A1 – Conditions

Appendix B1 – Plans

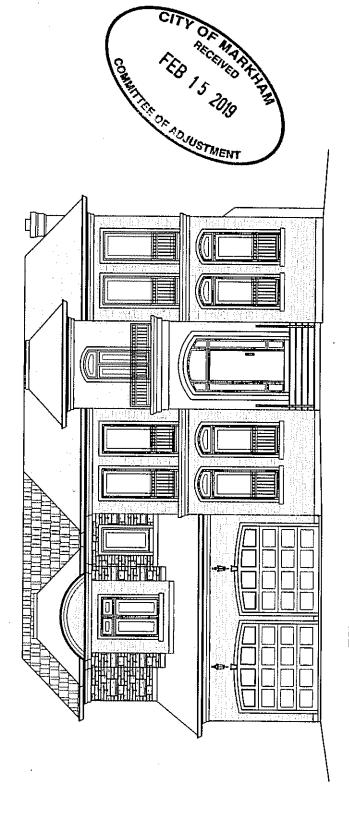
Appendix C1 – Staff Reports (November 2, 2018 and September 12, 2018)

APPENDIX "A1" CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/71/18

- 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 B' to this Staff Report and received by the City of Markham on *February 15, 2019*, 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 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;
- 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 Tree Preservation Technician or Director of Operations;
- 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 Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:

Aqsa Malik, Planner, Zoning and Special Projects



PROPOSED NEW 2-STORY DETACHED DWELLING 57 HAWKRIDGE AVENUE, MARKHAM

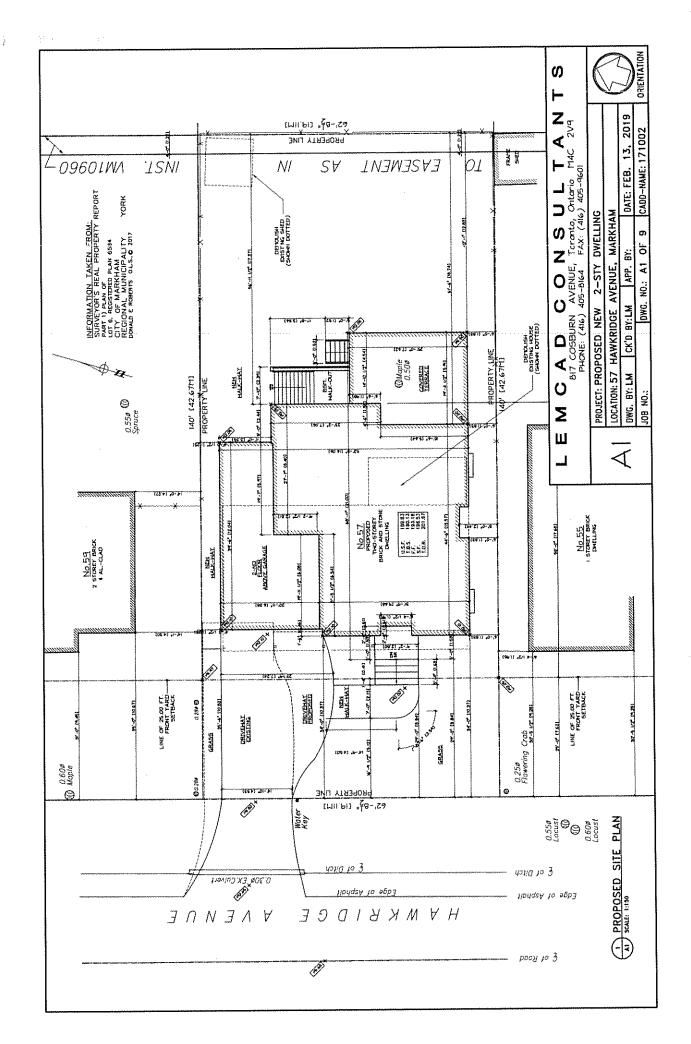
LIST OF DRAWINGS

PROPOSED GROUND FLOOR PLAN PROPOSED SECOND FLOOR PLAN PROPOSED BASEMENT PLAN A1a LANDSCAPE PLAN A1b SITE STATISTICS SITE PLAN **4**2

RE-ISSUE COA - FEBURARY 13, 2019

PROPOSED REAR (WEST) ELEVATION PROPOSED FRONT (EAST) ELEVATION PROPOSED SIDE (SOUTH) ELEVATION PROPOSED ROOF PLAN A6 A7 A8 A9

PROPOSED SIDE (NORTH) ELEVATION



A

Ø **Z** _b ≥ ₹ DATE: FEB. 13, 2019 DWG. NO.: A19 OF 9 CADD-NAME: 171002 FHONE: (416) 405-B164 FAX: (416) 405-B601 LOCATION: 57 HAWKRIDGE AVENUE, MARKHAM PROJECT: PROPOSED 2-STY NEW DWELLING APP. BY: DWG. BY: LM CK'D BY: LM O JOB NO.: Σ Ш Ala FRONT YARD LANDSCAPING [6L'L] ,C/1 9-,SZ [19'E] ,OI-,II (06°Z) ,9-16 121-10, [4.83] 46] STAIRS -AREA #2 50.67 SOFT. 4-0* [1.22] 1.-6, 10. 5'-0" [1.53 (dz 1) "O-[+ GRASS AREA #4 105.19 SOFT. WALKWAY -AREA #3 131.07 SQFT. 1-4" [1.63] SOFT 22"-11" [6.99] 68 68 TOTAL FRONT YARD = 1872.52 DRIVEWAY AREA #1 681.11 SQFT. 31'-5 1/2" [9.59] GRASS AREA #6 111.33 SQFT. 27'-5 1/2" (8.37) (Zb'Z) "Z-,b (06'Z] "9~,b 30'-0" [9.15] GRASS AREA #5 793.19 SOFT. [59°Þ] **.**E-,S [91'5] \$2/1 01-,81 43,~10, (13'3¢)

ADDITIONAL SITE STATISTICS 57 HAWKRIDGE AVENUF

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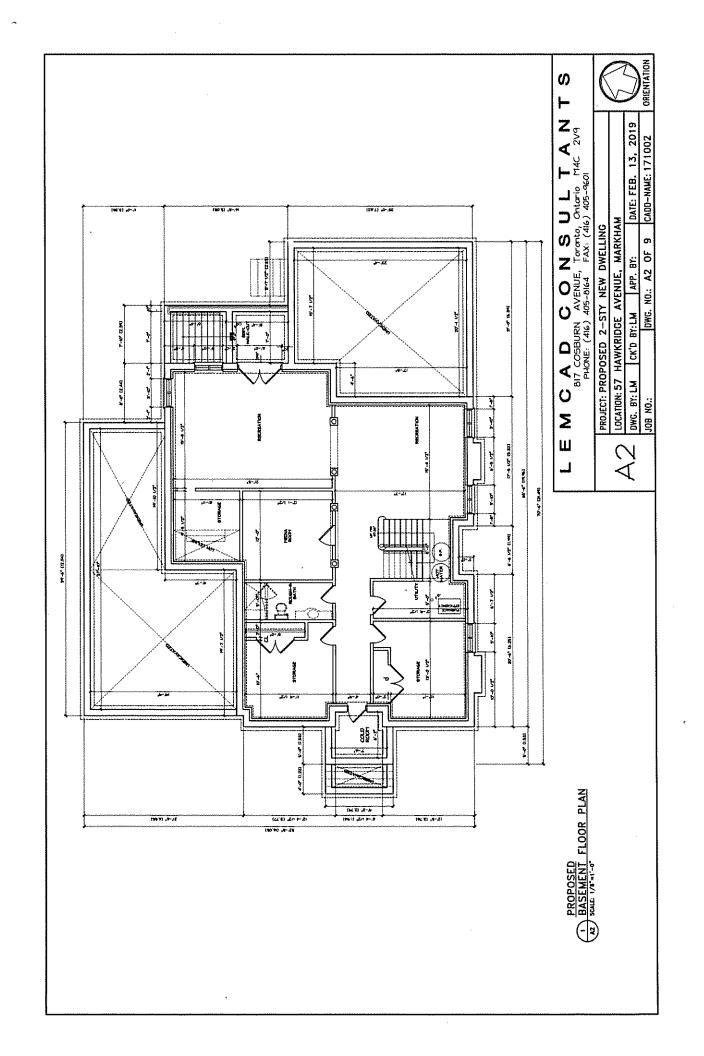
item	Ontorio Building Code Data Matrix Part 3 ¢ 9	Data Matrix Po	ort3 ¢ 9	OBC Reference	ence
	Project Descriptions	New	Part II	Part 3	Port 9
		Addition			2.1.3
	Charge of t	Charge of Use Alteration			4.10.1.3
~	Major Occupancy(s)	Group C - Residential	kential		2.1.1.3
6	Building Clasification	Group C - Residential	fential	3.2.2.20B3	9,10,4

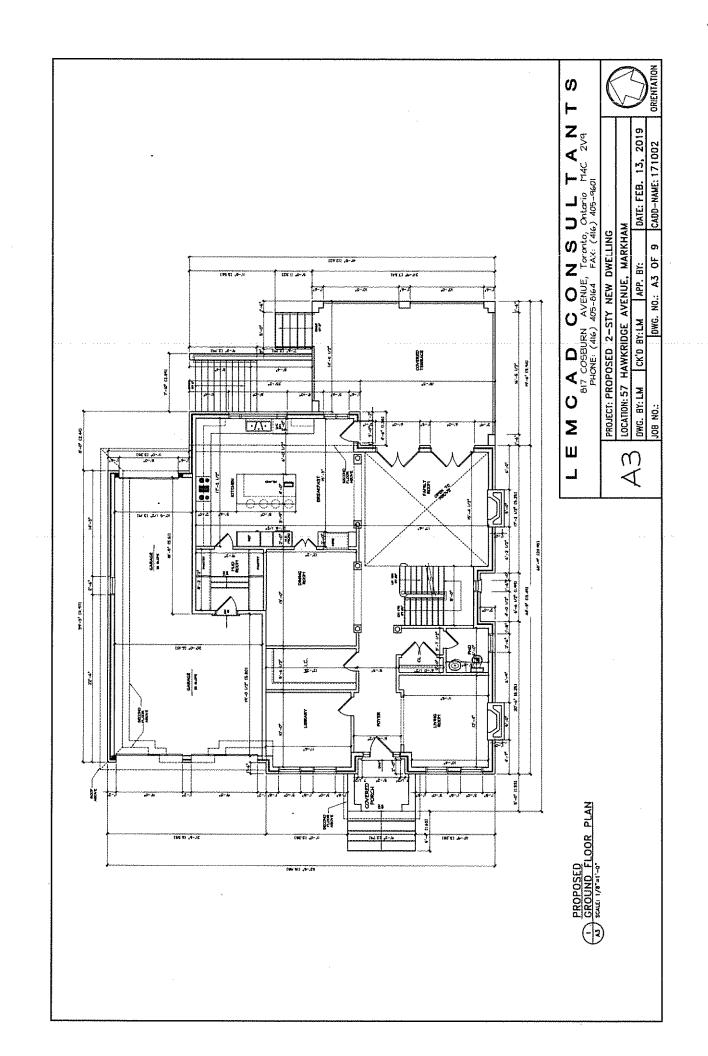
		PROVIDED	RECENTED	- (
				<u> </u>
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AREA #1 DRIVEMAY AREA	- 742.40 SOFT (73.62 SQ.M.)	57.68X	\$0\$	FLOOR ARE
AREA #2 + #3 PROPOSED HARD LANDSCAPING	-(b),74 SOFT (16,08 SO,H.)			GROUND
AREA #4 + #5 PROPOSED SOFT LANDSCAPING	- 848.38 SQFT (63.17 SQ.H.)	\$71,58	75%	TOTALS
		азаловы	TEMETER	COVERAGE
LOT FRONTAGE		MII.R	18,29H	GROUND
LOT AREA		INS.42 SOM.	FO. W. SO. H.	ATTACH
FRONT YARD SETBACK		8.84M	7.6271	COVERE
	# GROND FLOOR	1.23M	1.2011	ON NOS
SIDE TAKE SELBACK (NORTH)	# SECOND FLOOR	1.83M	B3M	TOTALS
SIDE YARD SETBACK (SOUTH)		⊩83.H	H£8,I	FLOOR ARE
REAR YARD SETBACK		12,35H	7.6211	A PO
		PROVIDED	HAXBEER	\ \ \ \ \ \
		24.46 50.FL	TOS OF SOLL	.6
COVERAGE		32.10%	358	
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THE RESERVOIS THE PROPERTY OF		24.00		GROUNE
BUDING HEIGHT		9.79M	6.8T	ATTACL
BUILDING DEPTH	**************************************	21.0071	78.91	
				SECOND
GARAGE MIDTH		FOI.9	7.77	STA3R

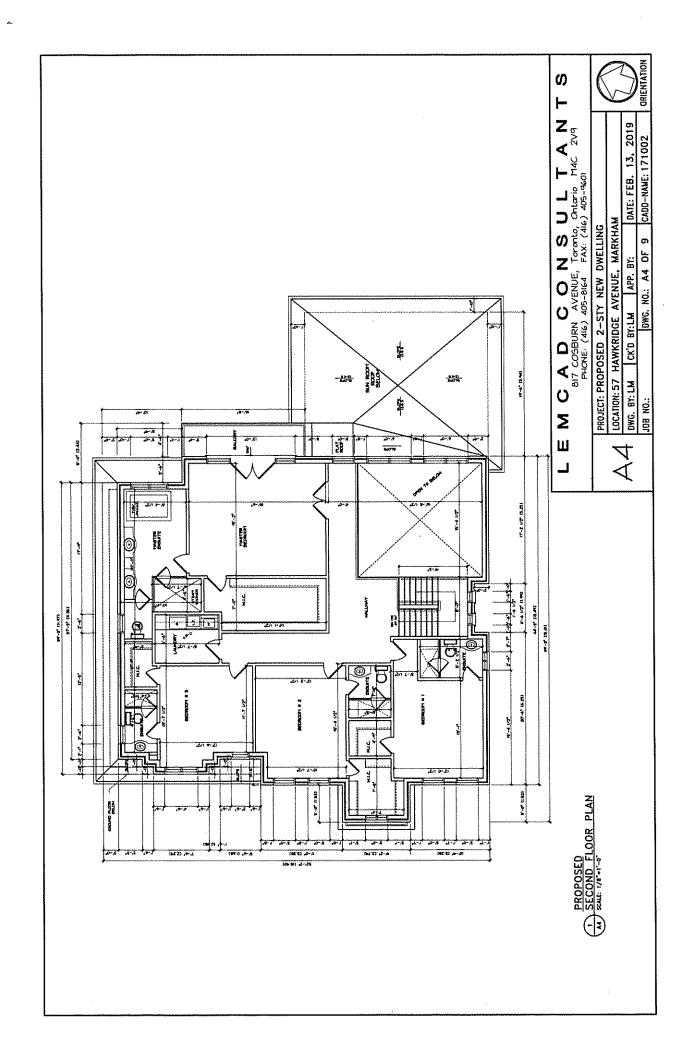
SITE DATA
-LOT AREA * 8777.11 SO.FT. (815.42 SO.M.)
· FLOOR AREAS : PROPOSED
GROUND FLOOR . 1648.54 SQ.FT (157.88 SQ.M.)
SECOND FLOOR - 2171.45 50.FT (201.88 50.H.)
TOTALS G.F.A 3870.54 50.FT (359.76 50.H.) OR 44,000
COVERAGE , PROPOSED
GROUND FLOOR * 1648.54 SQ.FT (157.88 SQ.M.)
ATTACHED GARAGE - 627.05 SQ.FT (58.28 SQ.M.)
COVERED PORCH * 58,65 SO.FT (5.45 SO.H.)
SUN ROOM . 434.02 SQ.FT (40.34 SQ.M.)
TOTALS COVERAGE . 2818.31 50,FT (261% 50.M.) OR 32.10%
FLOOR AREA RATIO PROPOSED
LOT AREA = 8777.11 SQ.FT. (815.42 SQ.H.) - 6600.00 SQ.FT. (813.16 SQ.H.) /2= 1080.55 SQ.FT. (101.13 SQ.H.) + 6600.00 SQ.FT. (813.16 SQ.H.) - 7600.05 SQ.FT. (114.29 SQ.H.) NEW LOT AREA
GROIND FLOOR - + 1646.54 50.FT (157.86 50.M.)
ATTACHED GARAGE * + 627.05 50.FT (58.28 50.M.)
SECOND FLOOR - + 2171.45 SQ.FT (201.88 SQ.M.)
5TAIR OPENING = - 74.46 SQ.FT (6.42 SQ.H.)
OPEN TO BELOW 256.61 50.FT (23.85 50.H.)
TOTALS G.F.A 4151.82 50.FT (395.91 50.11.) OR 54.000

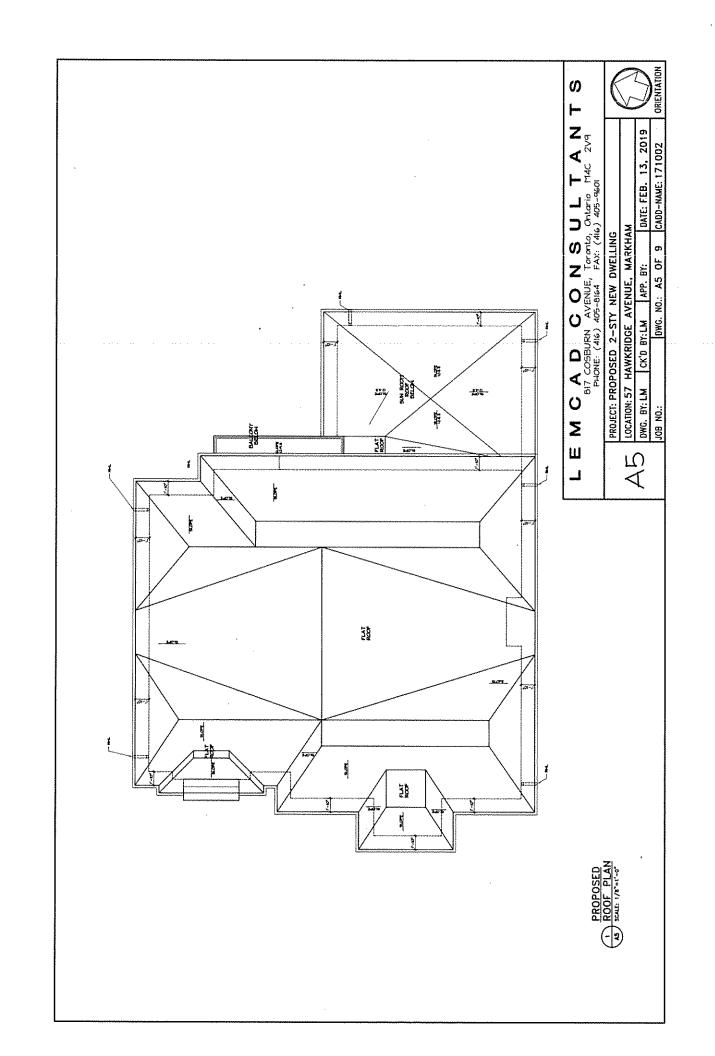
EMCADCONSULTANTS 817 COSBURN AVENUE, Toronto, Ontario M4C 2V9 PHONE: (416) 405-8164 FAX: (416) 405-9601

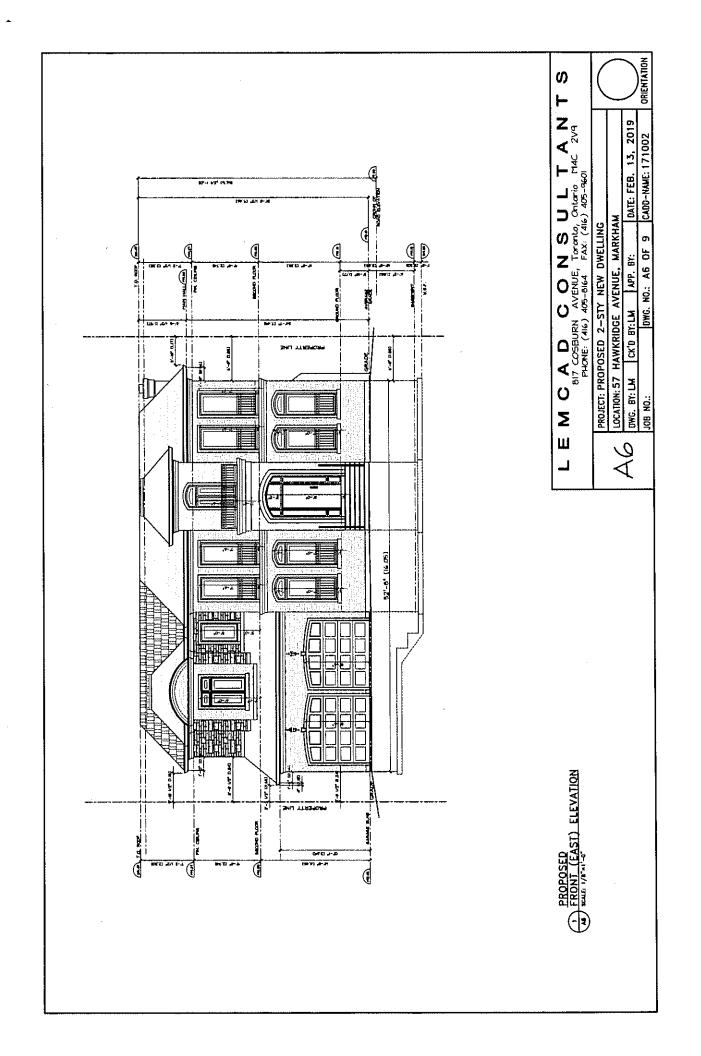
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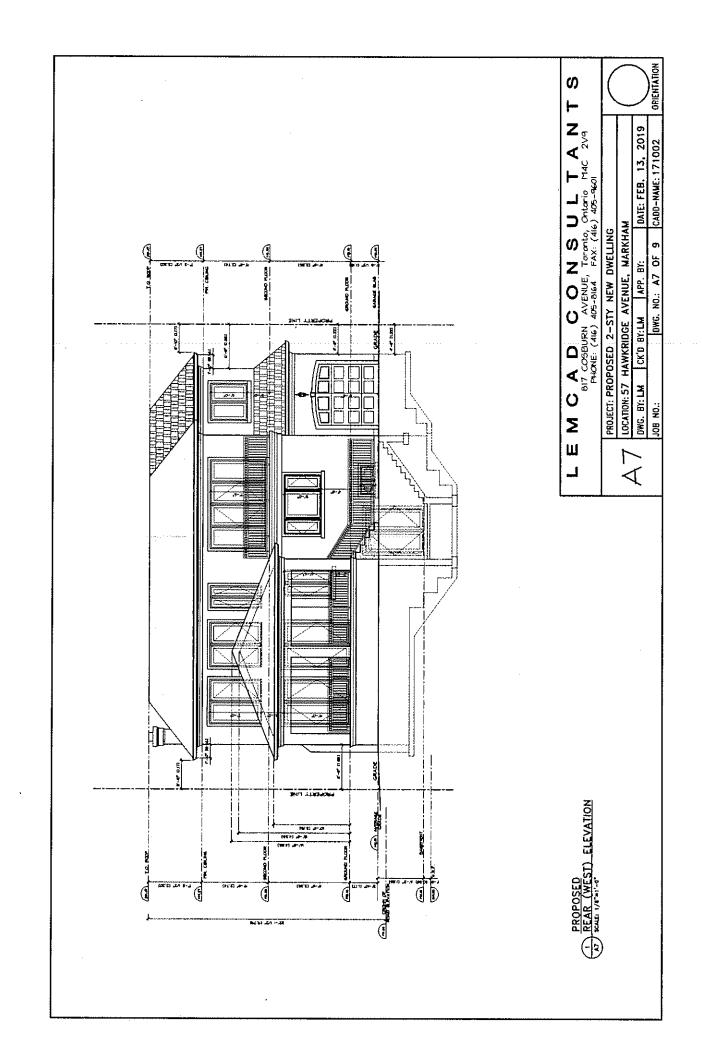


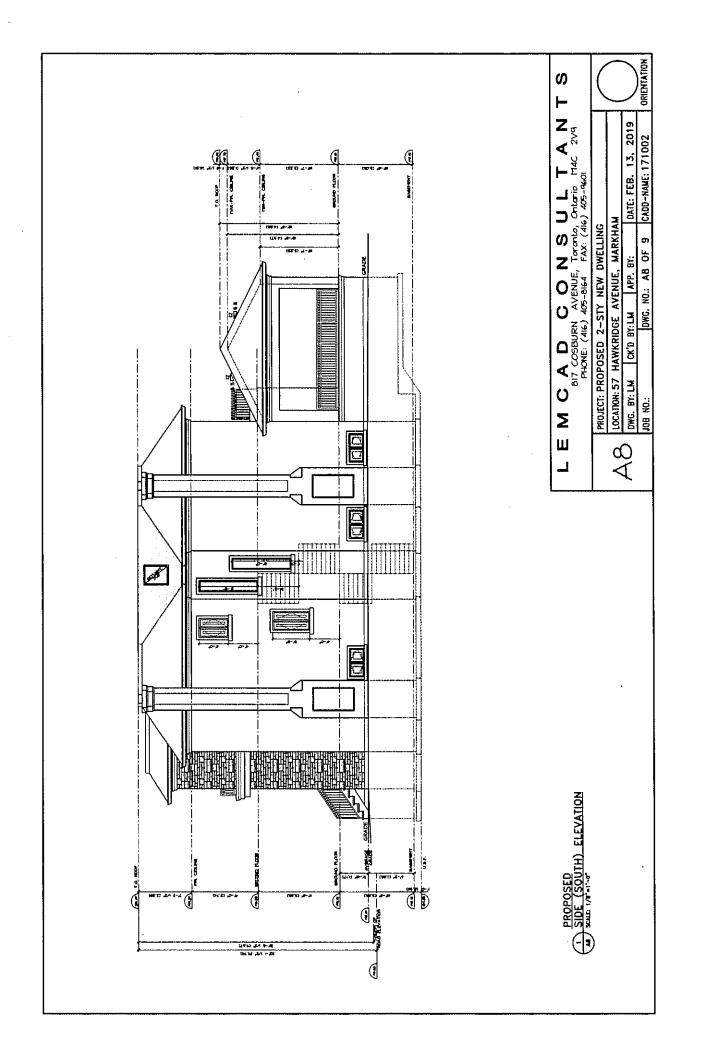


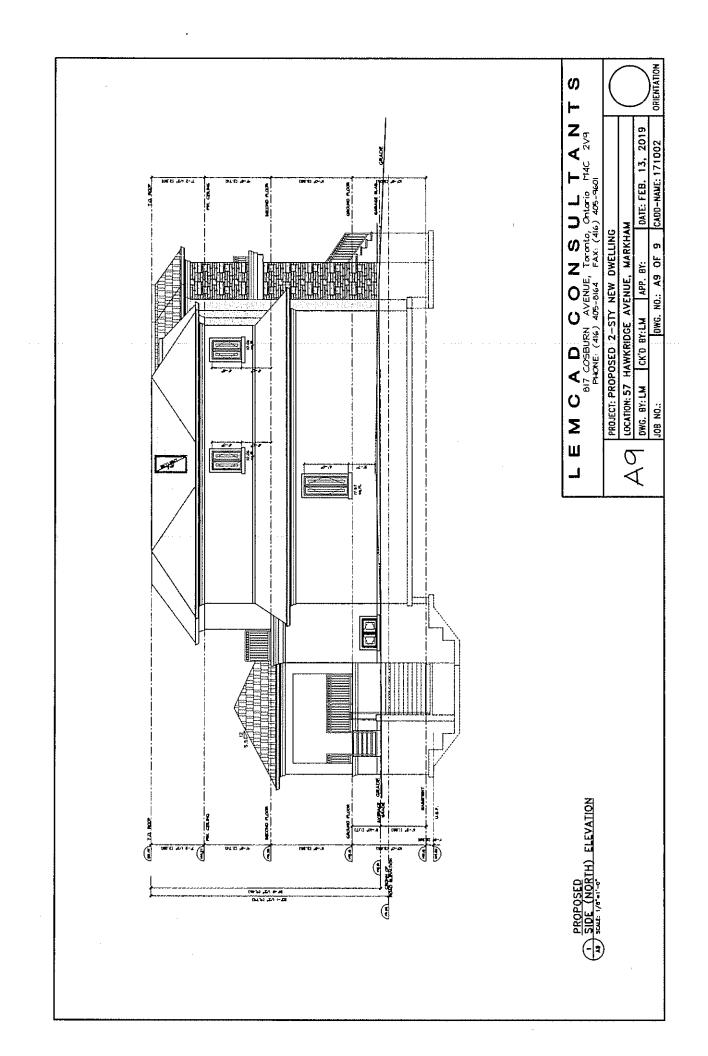














MEMORANDUM

DATE:

November 2, 2018

TO:

Chairman and Members, Committee of Adjustment

FILE:

A/71/18

ADDRESS: HEARING DATE: 57 Hawkridge Avenue, Markham Wednesday November 14, 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:

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

a maximum building height of 10 m, whereas the By-law permits a maximum building height of 9.8 m;

b) Infill By-law 99-90, Section 1.2 (iii)

a maximum building depth of 21.48 m, whereas the By-law permits a maximum building depth of 16.8 m;

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

a maximum floor area ratio of 55 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;

as they relate to a proposed residential dwelling.

COMMENTS

The Committee of Adjustment deferred the application on September 12, 2018 due to concerns with respect to the proposed floor area and privacy concerns with respect to the rear balcony. In response to the Committee of Adjustment's comments the applicant submitted revised drawings on August 14, 2018. The applicant removed the request for a maximum front porch step encroachment of 5 ft 4 inches into the front yard, whereas the By-law permits a maximum front porch step encroachment of 18 inches into a required yard. The applicant also reduced the requested variance for a maximum building height from 10.19 m to 10 m. Staff's comments dated September 7th, 2018 (attached) remain unchanged.

PUBLIC INPUT SUMMARY

As of November 01, 2018 the City received 1 letter expressing concerns over the construction of the proposed dwelling damaging a mature neighbouring cedar hedge. 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. Staff are of the opinion that the variance request for building depth and height meet the four (4) tests of the Planning Act. Staff still have concerns with the proposed increase in floor area ratio as it results in a dwelling which overall, has a large massing.

MEMORANDUM

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:

Staga Muradali, Senior Planner, East District

MEMORANDUM

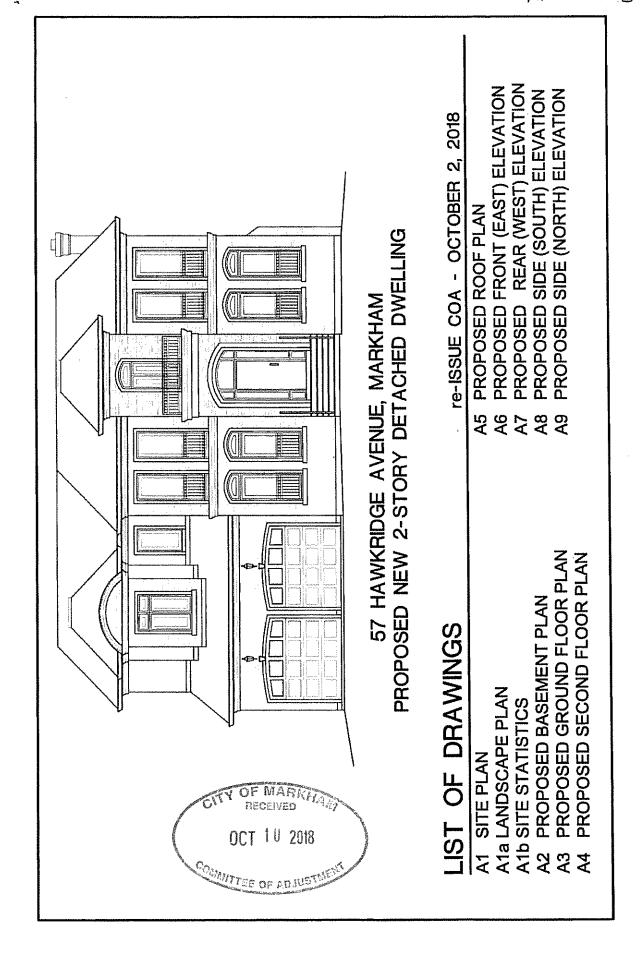
APPENDIX "A" CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/71/18

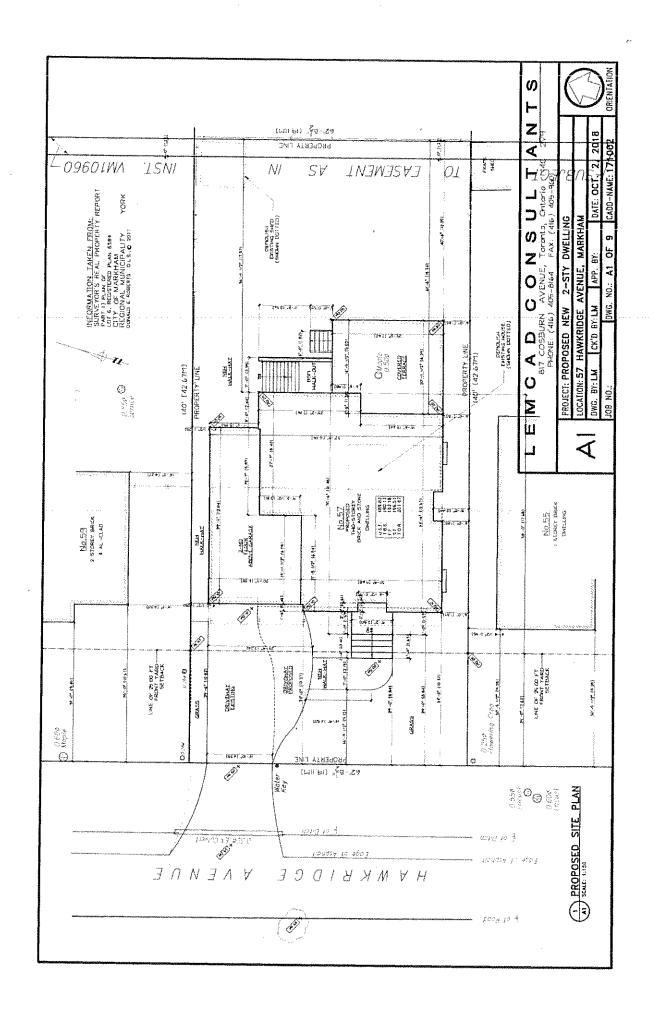
- 1. The variances apply only to the proposed development as long as it remains;
- That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and dated October 10, 2018 and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
- 3. 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.
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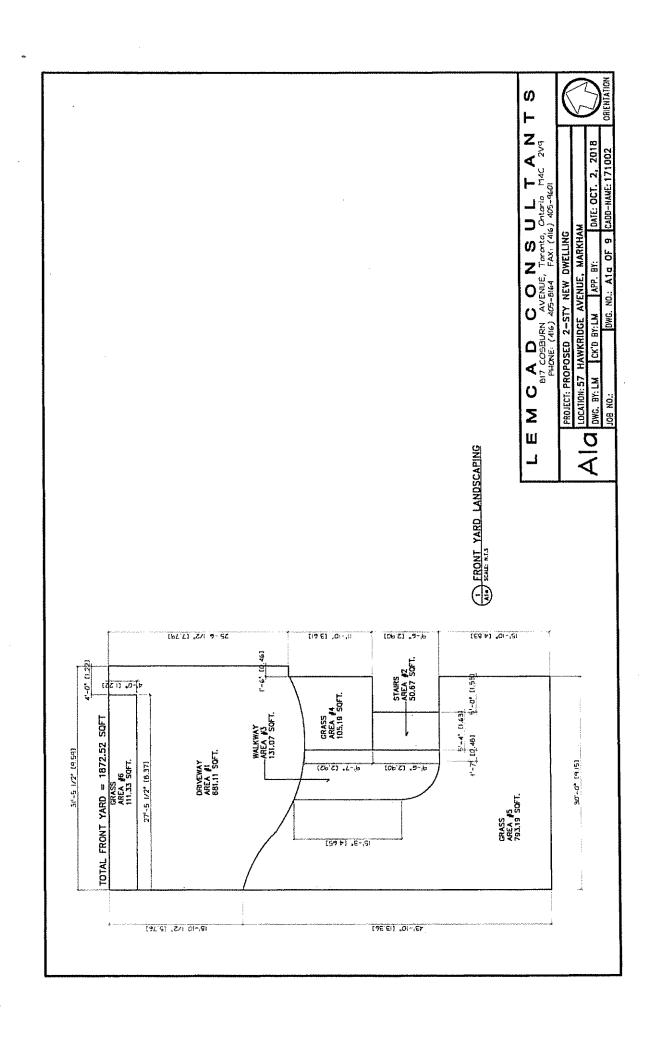
CONDITIONS PREPARED BY:

Agsa Malik, Planner Zoning and Special Projects

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Section 2.			
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ADDITIONAL SITE STATISTICS 57 HAWKRIDGE AVENUE

OBC Reference	3 DPart 9	200	6,10,13	21.1,3	63. q.10.4
***************************************	D Port 3				3.2.20 - B3
Part 3 & 9			Through the Control	sidential	sidential
Data Matrix	New	☐ Addition	Change of Use 🖺 Alteration	Group C - Residential	Group C ~ Residential
Ontario Building Code Data Matrix Part 3 ¢ 9	otlen.	1	Change of U	y(a)	otion
	Project Description	***************************************		Major Occupancy(*)	Building Clasification
Item				64	6

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	DOWONA	PETAMOSE	U
TOTAL FRONT YARD AREA - 1872.53 SOFT (173.45 50.H.))] <u>[</u>
AREA III DRIVEMAT AREÀ (73.62 SGIT.)	57,681	501	5
AREA #2 + #3 PROPOSED HARD LANDSCAPING (16.86 SQ.M.)			
AREA #4 + #5 PREPOSED SOFT LANDSCAPING " DAS, 36 SOFT (RS.17 SO.FL.)	X11.E8	751	
	PROMOED	HANTLIN	_5
LOT FRONTAGE	FI SE	15,2977	3
LOT AREA	108 D. 24	53.16 50.7.	
FRONT YARD SETBACK	B.8477	7.62M	
SIDE TARD SETBACK (NORTH) # GECOND FLOOR	1.23m	1.20T	
SYDE TARD SETBACK (SOUTH)	1.63M	rea.	
REAR YARD SETBACK	12,35M	7.6277	3 1
	PROVIDED	יאיורניו	5
COVERAGE	33,10%	351 351	
FLOOR AREA RATIO LOT AMEA. THATS SOFT, (THEN SOFT)	Į a	13.48 SOT.	
BUIDWG HEIGHT	4.08	1,00	
BULDING DEPTH	21.4991	F8.4	
GARAGE HIDTH	£3.	7,77	
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	SITE DATA		
	-LOT AREA - 8777.11 50.FT. (815.42	50.H.J	
***********	·FLOOR AREAS ,	PROPOSED	
	GROUND FLOOR	172,81 SO,FT	(Isa.ok sa.h.)
	SECOND FLOOR	1867,26 SO,FT	(173.47 SQ.N.)
	TOTALS G.F.A	3574.37 SQ.FT	(332,53 50,M.) OR 40,78%
	COVERAGE ,	PROPOSED	
	GROUND FLOOR -	mali solft	(ISA.06 SO.M.)
	ATTACHED GARAGE .	439.64 SOFT	(59.42 SO.M.)
	COVERED PORCH .	58.65 50.FT	(5.45 SQ.H.)
	SUN ROOM .	495.14 50.FT	(46.00 Sa.M.)
	TOTALS COVERAGE .	2405.54 SOFT	(26443 SOM,) OR 33.10X
	FLOOR AREA RATIO	PROPOSED	A THE RESIDENCE AND A STATE OF THE PROPERTY OF
	SOFT (50.H.) 50.H.)	
	72* (089.55 50,FT. (X0.13 50,FT.) + 6600.00 50,FT. (613.16 50,FT.)	(1018 50,H.)	
	- 768,55 50,FT, (714.29 50.FL,) HEM LOT AREA	SOT,) NEW LOT	AREA
	GROUND FLOOR -	+ 17/2,11 SQ.FT	(154.06 50.M.)
	ATTACHED GARAGE	+ 639.64 SO.FT	(54.42 SO.H.)
	SECOND PLOCE .	+ 2205.06 SQ.FT	(204.93 50.11.)
	STAIR OPENING	- 73.91 SO.FT	(4,87 SQ.M.)
	CPEN TO BELOW -	~ 264.69 SO.FT	(24.54 SQ.M.)

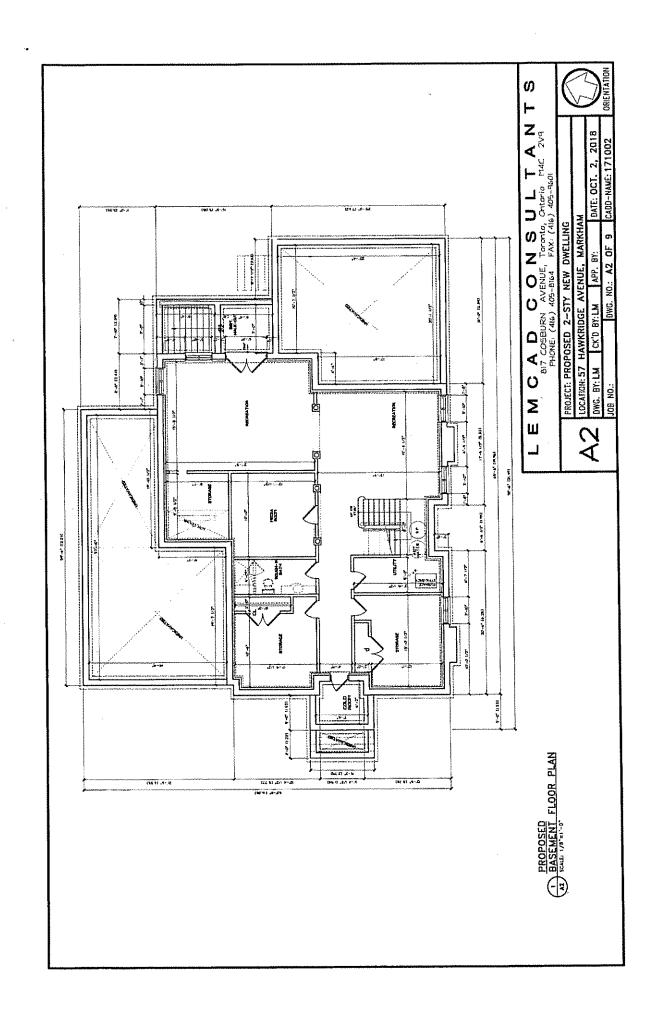
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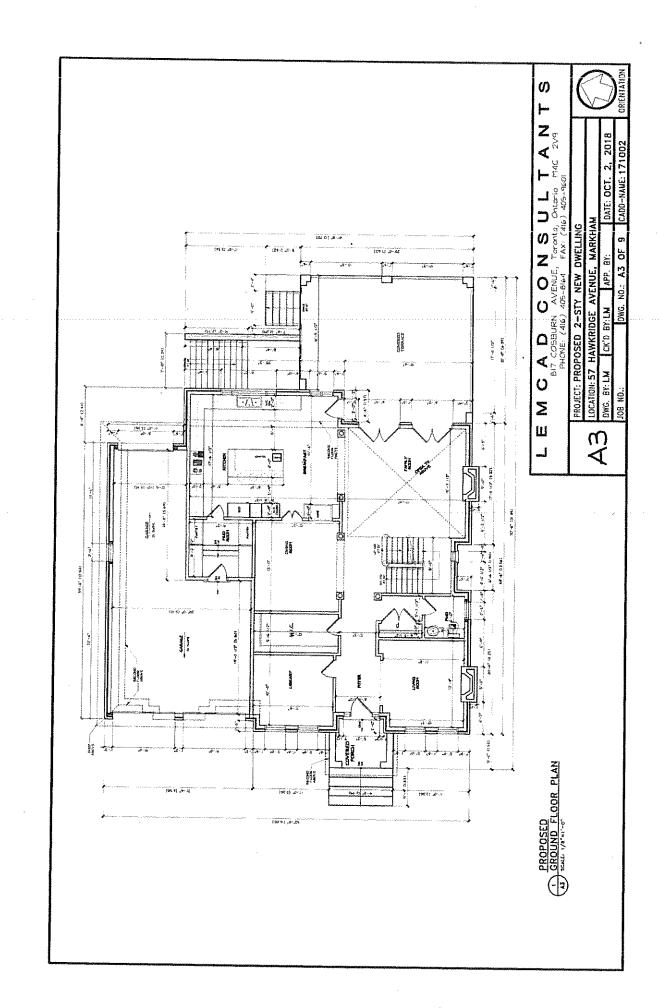
4219.01 50.FT (391.94 50.H.) OR 54.8TK

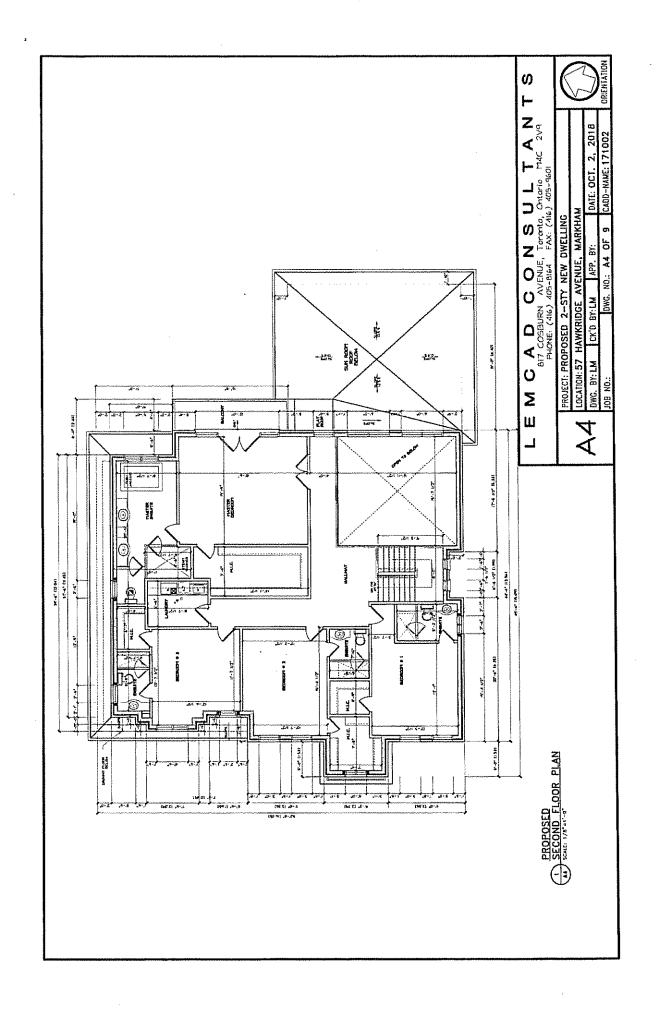
TOTALS G.F.A. -

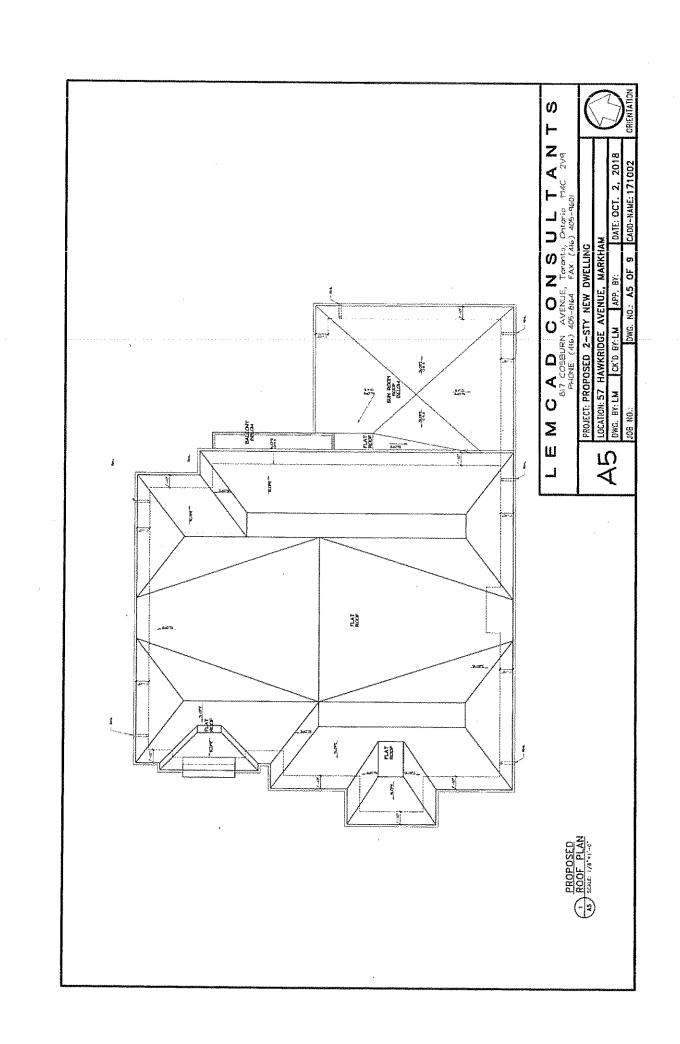
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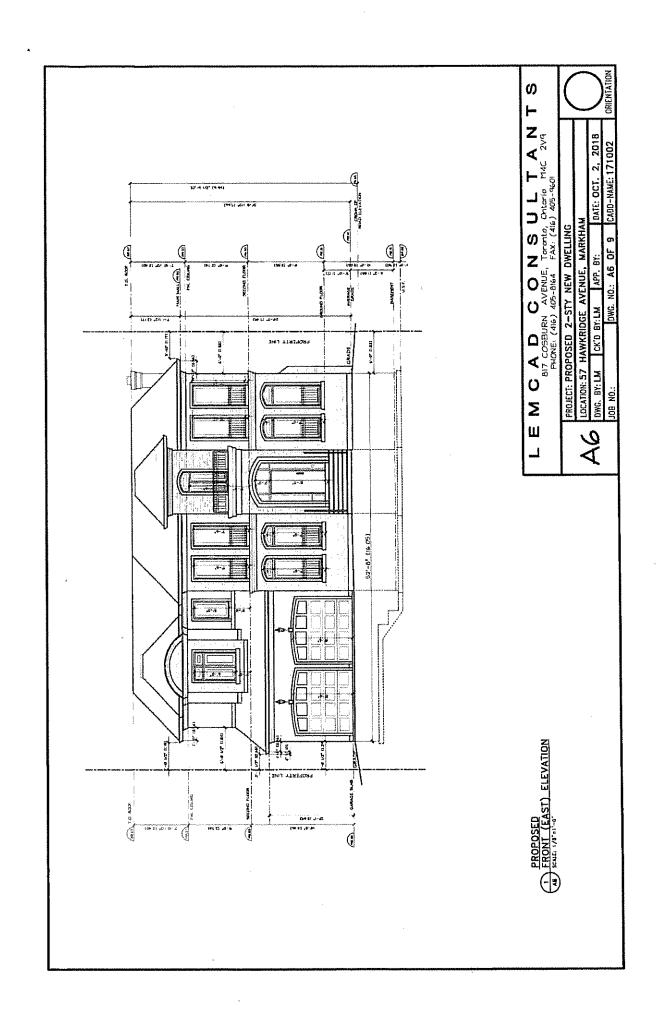


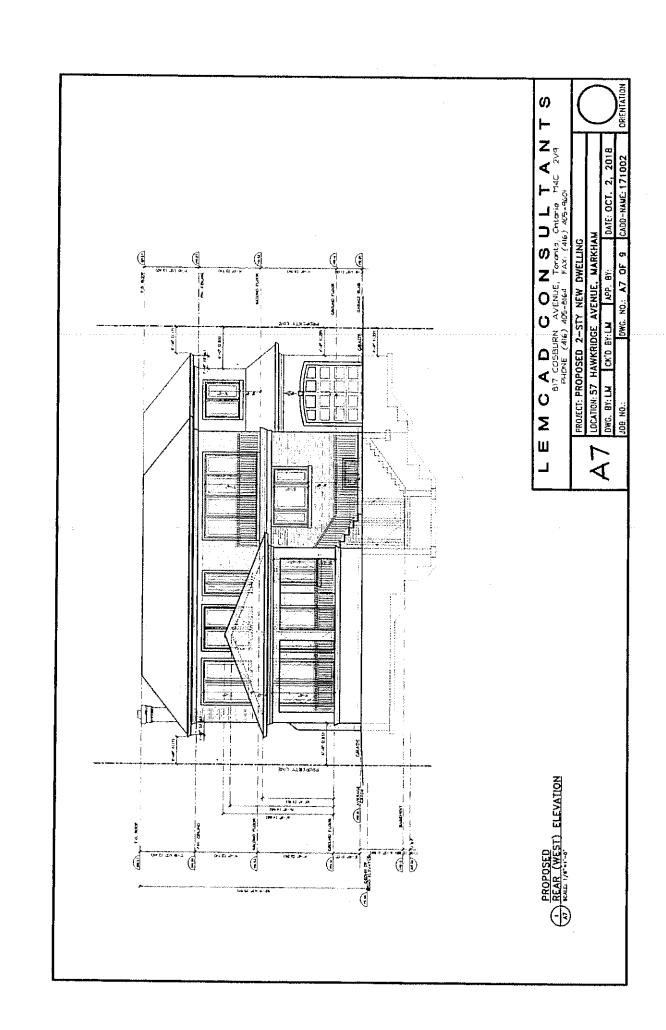


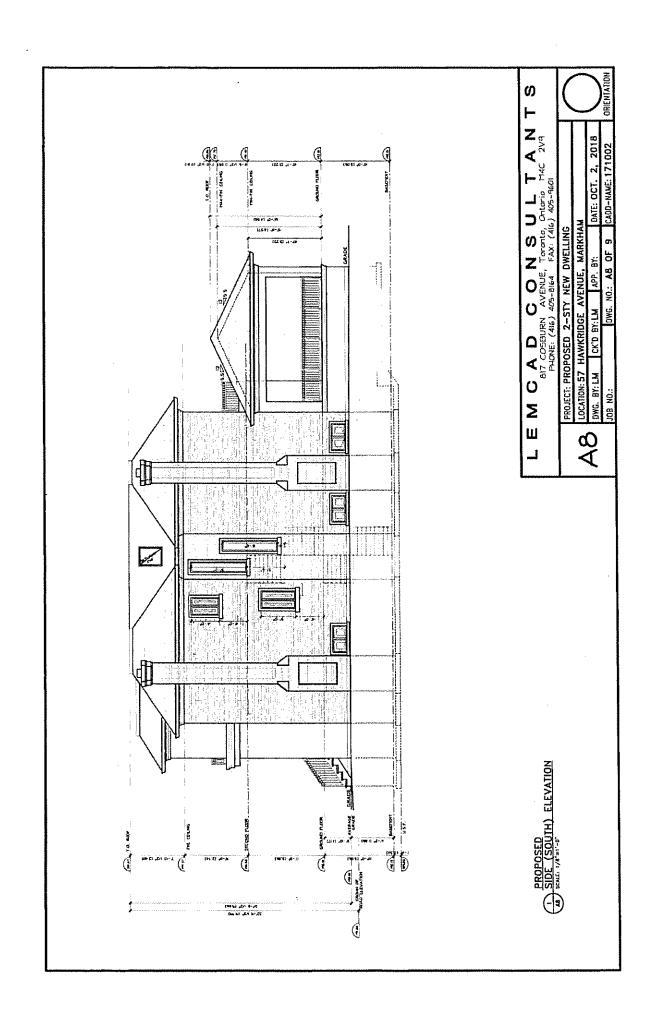


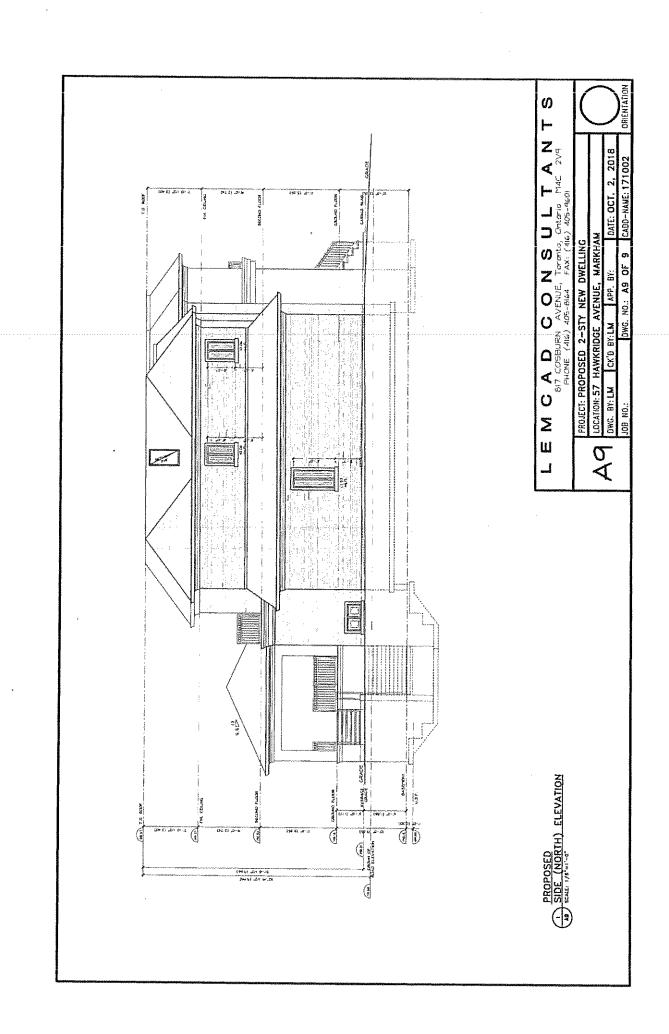












Memorandum to the City of Markham Committee of Adjustment

September 7, 2018

File:

A/71/18

Address:

57 Hawkridge Avenue, Markham

Applicant:

Lina Dimartino

Agent:

Lemca Consultants (Leo Mastrandrea)

Hearing Date:

Wednesday September 12, 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:

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b) Infill By-law 99-90, Section 1.2 (iii)

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d) Section 11.2 (c) (i):

a maximum front porch step encroachment of 5 ft 4 inches into the front yard, whereas the By-law permits a maximum front porch step encroachment of 18 inches into a required yard;

as they relate to a proposed residential dwelling.

BACKGROUND

Property Description

The 813 m² (8,757 ft²) subject property is located on the east side of Hawkridge Avenue, north of Highway 7 East and west of Main Street Markham North. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments. There is an existing one-storey detached dwelling on the property, which according to assessment records was constructed in 1963. Mature vegetation exists across the property including one large mature tree in the front and rear yard.

Previous variances requested

The applicant submitted their application to the City of Markham on May 29. 2018. The requested variances included maximum building height of 10.49 m, maximum building depth 23.16 m, minimum two-storey side yard setbacks for the north and south side of 4.04 ft, maximum lot coverage of 38.8 percent and, maximum net floor area ratio of 64.65 percent. Staff were concerned with the massing of the overall dwelling and how the proposed dwelling would fit in with the existing character of the neighbourhood. The applicant worked with staff to address some of the concerns and revised their application to remove and reduce some of the variances.

Proposal

The applicant is proposing to construct a two-storey detached approximately 392.19 m² (4,221.53 ft²) dwelling.

Official Plan and Zoning

Official Plan 2014 (partially approved on Nov 24/17, and further updated on April 9/18)

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, as well as the width of proposed garages and driveways. Planning staff have had regard for the infill development criteria in the preparation of the comments provided below.

Zoning By-Law 1229

The subject property is zoned R1 'Residential' under By-law 1229, as amended, which permits a single family detached dwelling. The proposed development does not comply with the by-law with respect to maximum front porch encroachment.

Residential Infill Zoning By-law 99-90

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction 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 infill By-law requirements with respect to maximum building height, maximum building depth and maximum floor area ratio.

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

According to the information provided by the applicant, the reason for not complying with Zoning is, "proposed design, minor variances".

Zoning Preliminary Review Undertaken

The applicant has completed a 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.

Increase in Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 10.19 m (33.43 ft), whereas the By-law permits a maximum building height of 9.8 m (32.15 ft). This represents an increase of 0.39 m (1.27 ft).

The By-law calculates building height using the vertical distance of building or structure measured between the level of the crown of the street and highest point of the roof surface. It should be noted that the proposed grade of the front of the house is approximately 0.33m (1.08 ft) above the crown of road. The height variance is in part, attributable to the grade height of the centreline (crown) of the street being lower than the proposed average grade of the property. Staff are of the opinion that the proposed building height is in keeping with the intent of the zoning by-law and is minor in nature.

Increase in Maximum Building Depth

The applicant is requesting relief to permit a maximum building depth of 21.48 m (70.47 ft), whereas the By-law permits a maximum building depth of 16.8 m (55.12 ft). This represents an increase of approximately 4.68 m (15.35 ft).

Building depth is measured based on the shortest distance between two lines, both parallel to the front lot line, one passing though the point on the dwelling which is the nearest and the other through the point on the dwelling which is the farthest from the front lot line.

The increase in building depth is to accommodate a front covered porch with a second storey balcony and a rear covered 1-storey sun room which add approximately 1.53 m (5 ft) and approximately 5.02 m (16.5 ft) to the main building. Staff note that the applicant is also proposing a rear balcony above the first storey. The main component of the building, excluding the front covered porch with the second storey balcony and rear covered sunroom, has a depth of approximately 14.93 m (48.98 ft), which complies with the by-law requirement. The rear wall of the sunroom projects farther than the rear wall of neighbouring homes and although bricked, remains unenclosed. The *main* rear wall of the proposed dwelling is generally in line with the home to its south. The main front wall of the proposed dwelling will similarly be setback compared to the main front wall of adjacent homes.

Increase in Maximum Floor Area Ratio

The applicant is requesting relief to permit a floor area ratio of 55 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 392.19 m² (4,221.53 ft²), whereas the By-law permits a dwelling with a maximum floor area of 320.84 m² (3,453.53 ft²). This represents an increase of approximately 71.30 m² (767.55 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 24.61 m² (264.96 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.

The neighbourhood is under transition with many new infill residential developments which, are larger than existing homes originally developed in the 1950 – 1960s; an indication that the character of the neighbourhood is changing. While previous variances have been approved in the neighbourhood to permit homes larger than what the by-law permits, the proposed dwelling and its massing are larger than what is typically seen in the neighbourhood.

Increase in Maximum Front Porch Step Encroachment

The applicant is requesting a maximum front porch step encroachment of 5ft 4 in (1.52 m) into the front yard, whereas the By-law permits a front porch step encroachment of 18 in (0.45 m).

This represents a difference of approximately 46 in (1.16 m). The request for maximum front porch step encroachment is in addition to the request for maximum building depth and extends beyond the building depth. The front porch step occupies 9.16 ft (2.79 m) of the front width of the dwelling and is minor in nature. Staff have no objections to the request.

PUBLIC INPUT SUMMARY

As of September 7, 2018, the City received 1 letter expressing concerns over the construction of the proposed dwelling damaging a mature neighbouring cedar hedge. 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. Staff are of the opinion that the variance request for building depth, height and front porch stair encroachment meet the four (4) tests of the Planning Act. Staff have concerns with the proposed increase in floor area ratio as it results in a dwelling which overall, has a large massing.

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, Plannel, Zoning and Special Projects

REVIEWED BY:

Sally Campbell, District Manager, East District

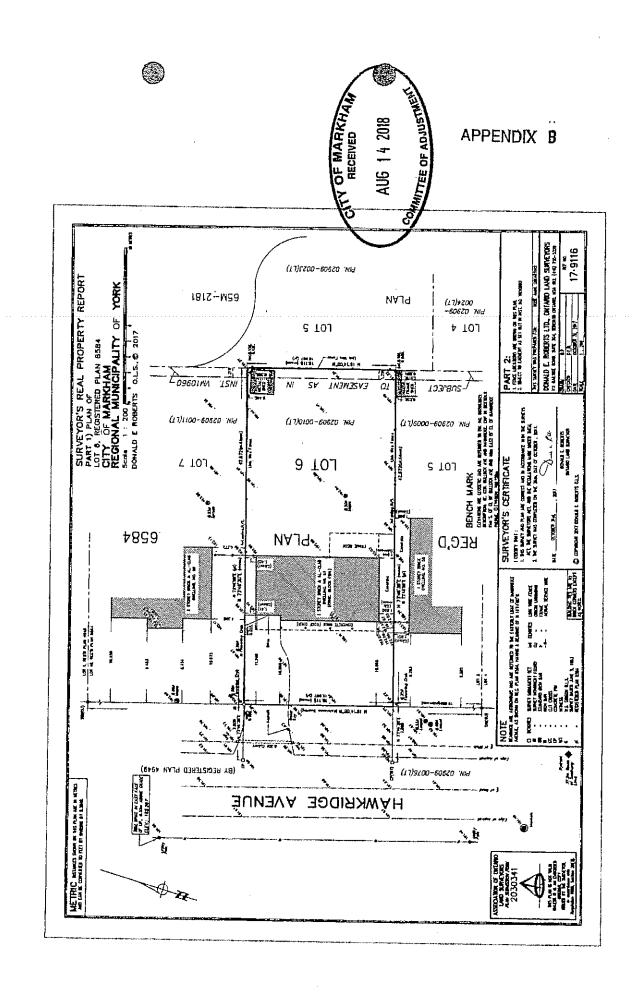
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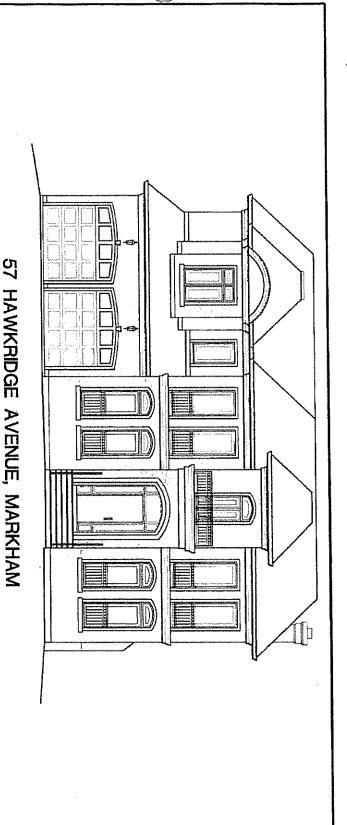
APPENDIX "A" CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/71/18

- 1. The variances apply only to the proposed development as long as it remains;
- 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 dated August 14, 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.
- That the owner implement and maintain all of the works required in accordance with the conditions of this variance;
- 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





LIST OF DRAWINGS

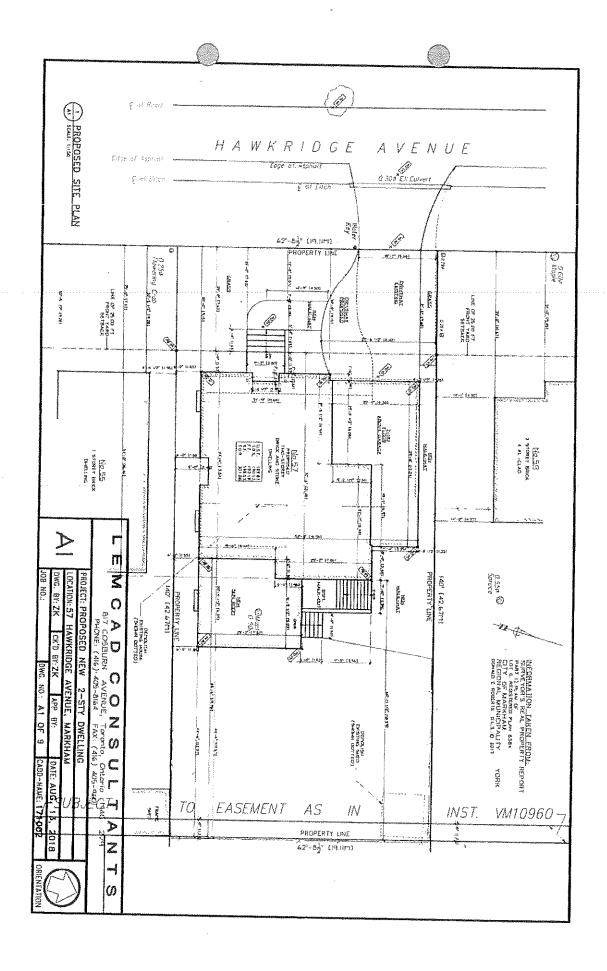
SITE PLAN

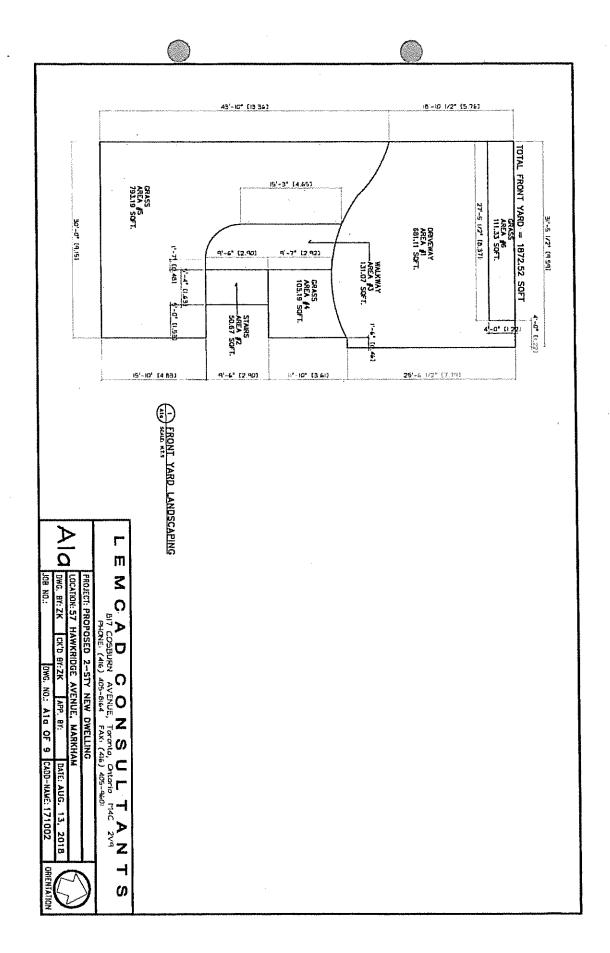
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PROPOSED NEW 2-STORY DETACHED DWELLING

A1a LANDSCAPE PLAN
A1b SITE STATISTICS
A2 PROPOSED BASEMENT PLAN
A3 PROPOSED GROUND FLOOR PLAN
A4 PROPOSED SECOND FLOOR PLAN

A5 PROPOSED ROOF PLAN
A6 PROPOSED FRONT (EAST) ELEVATION
A7 PROPOSED REAR (WEST) ELEVATION
A8 PROPOSED SIDE (SOUTH) ELEVATION
A9 PROPOSED SIDE (NORTH) ELEVATION





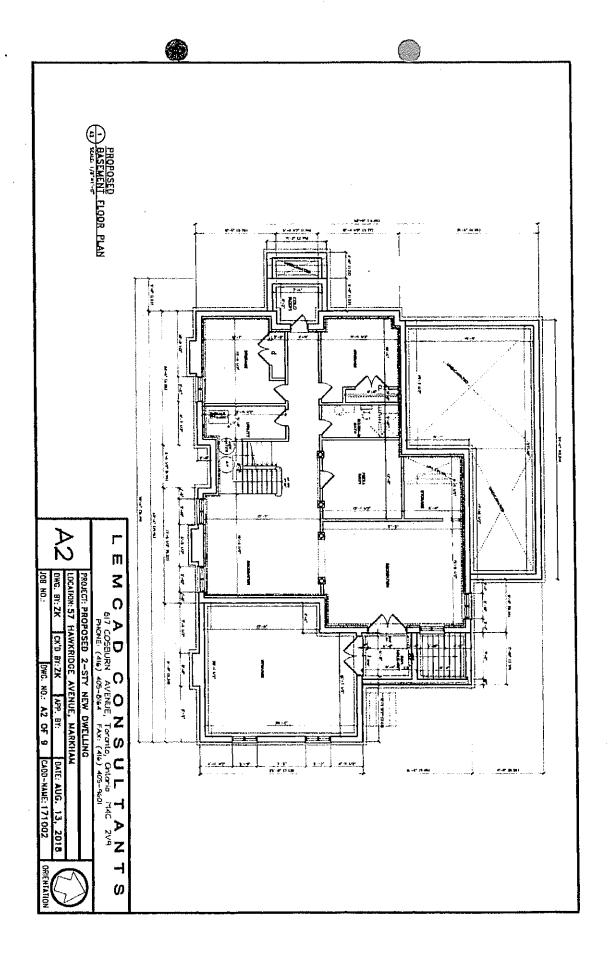
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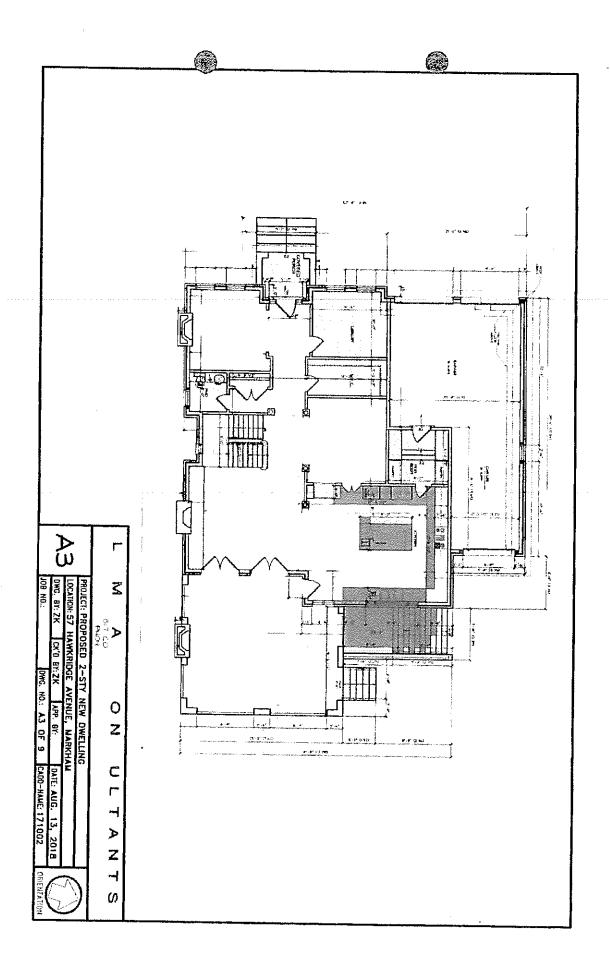
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TOTALS G.F.A. -

42M.01 SOFT (29196 SQJT.) OR SADTE

ADDITIONAL SITE STATISTICS 57 HAMKRIDGE AVENUE			
Item Ontario Building Code Data	Data Matrix Port	3 4 9	OBC Reference
		□ Part II	Part 3 Part 4
Charge of Use C Alteration	Addition Alterotion		a 2.1.
Projer Occupancy(s)	Group C - Regidential	9	2413
	Group C - Residential		3.2.2.20 - ,83 9,10,4
		41	
TOTAL FRONT YARD AREA - 1872.53		Charten Converse	SITE DATA
	(.n.os ‰.ett)		-LOT AREA - 877.11 50.FT. (815.72 50.FL.)
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	90.14	45)	TOTALS G.F.A 3579.37 SQ.FT (337.53 SQ.M.) DR 40,781
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AND THE REAL PROPERTY AND THE PROPERTY A	CZONCAM	-	LOT AREA - 8777.11 SO.FT. (BIS.47 SO.M.)
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SARAGE WUTH	#.IOT1		SECOND FLOOR - + 2208.84 SQ.FT (204.93 SQ.Ft.)
		-	STAIR OPENIA 73.9 SOFT (6.87 SOT.)
			CPEN TO BELOW 264,44 SQ.FT (24,59 SQ.FL)
			TOTAL S. C. E.A.





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