

Memorandum to the City of Markham Committee of Adjustment

July 12, 2022

File: A/025/22
Address: 10 Strathroy Crescent – Markham, ON
Applicant: Sumithra Sathiyarayanan
Agent: Arc Design Group (Peter Jaruczik)
Hearing Date: July 20, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential One – (R1)” zone requirements under By-law 1229, as amended, as it relates to a proposed two-storey detached dwelling. The variances requested are to permit:

a) Table 11.1

a minimum front yard setback of 6.08 m (19.95 ft), whereas the By-law requires a minimum front yard setback of 7.62 m (25.0 ft);

b) Table 11.1:

a minimum side yard setback of 1.41 m (4.62 ft), whereas the By-law requires a minimum side yard setback of 1.83 m (6.0 ft) for the two-storey portion;

c) By-Law 28-97, Section 6.2.4.4(a)(i):

a driveway to have a minimum setback of 0.81 m (2.65 ft) from the interior side lot line, whereas the By-law requires a driveway to be located no closer to an interior side lot line than the minimum distance requirement for the main building;

d) By-Law 99-90, Section 1.2 (vi):

a maximum floor area ratio of 49.95%, whereas the By-law permits a maximum floor area ratio of 45.0%; and

e) By-Law 99-90, Section 1.2 (i)

a maximum height of 11.39 m (37.37 ft), whereas the By-law permits a maximum height of 9.80 m (32.15 ft).

BACKGROUND

This application was deferred sine die by the Committee of Adjustment (the “Committee”) at the initial hearing on June 8, 2022. In response to addressing resident and Committee concerns relating to the height, mass, and size of the proposed dwelling, the applicant submitted revised drawings following the initial hearing.

COMMENTS

The revised drawings and associated variances include changes, which in some capacity; reduce the height and size of the dwelling. These changes to the variances initially requested are summarized below:

- An increase of 0.67 m (2.20 ft) to the minimum front yard setback [6.08 m from the initial request of 5.41 m];
- An increase of 0.10 m (0.33 ft) to the minimum side yard setback [1.41 m from the initial request of 1.31 m];
- An increase of 0.07 m (0.22 ft) to the minimum side yard setback (driveway) [0.81 m from the initial request of 0.74 m];

- A reduction of 1.65% to the maximum floor area ratio, or 11.10 m² (119.48 ft²) [49.95% from the initial request of 51.60%]; and
- A reduction of 0.50 m to the height [11.39 m from the initial request of 11.89 m].

Staff comments pertaining to the requested variances in the initial staff report remain relevant to the proposed revisions (see Appendix “C”).

Metrolinx Comments

Following the initial hearing, Metrolinx provided comments on this application requesting that the Owner grant Metrolinx an environmental easement for operational emissions to be registered on title, in order to notify those who may have an interest in the subject property. To ensure its inclusion, staff recommend that the Committee adopt the revised set of conditions detailed in Appendix “A” to this staff report.

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

A new ZPR was not completed for the revised drawings submitted on June 14, 2022. Staff advise that it is the applicant’s responsibility to ensure that the application has accurately identified all variances to the Zoning By-law required for the proposed development. If the variances requested in this application contain errors, or if any non-compliances with the Zoning By-law are identified at the Building Permit stage, further variance application(s) may be required.

PUBLIC INPUT SUMMARY

No written submissions were received as of July 12, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning staff have reviewed the revised application with respect to Section 45(1) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and remain of the opinion that the variances meet the four tests. Staff recommend that the Committee consider public input, and subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

APPENDICES

Appendix “A” – Conditions of Approval

Appendix “B” – Plans

Appendix “C” – Initial Staff Report: May 30, 2022

Appendix “D” – Minutes Extract: June 8, 2022

PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner, Zoning and Special Projects

REVIEWED BY:



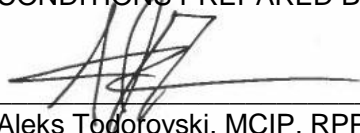
Stacia Muradali, MCIP, RPP
Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/025/22

1. The variances apply only to the proposed development for as long as it remains.
2. That the variances apply only to the proposed development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, 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 Director of Planning and Urban Design, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
4. That tree replacements be provided and/or tree replacement fees be paid to the Director of Planning and Urban Design, or their designate, 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 Director of Planning and Urban Design, or their designate.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City's Streetscape Manual (2009), as amended, and inspected by the Tree Preservation Technician, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
6. That the applicant satisfies the requirements of Metrolinx, as indicated in their application comments, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

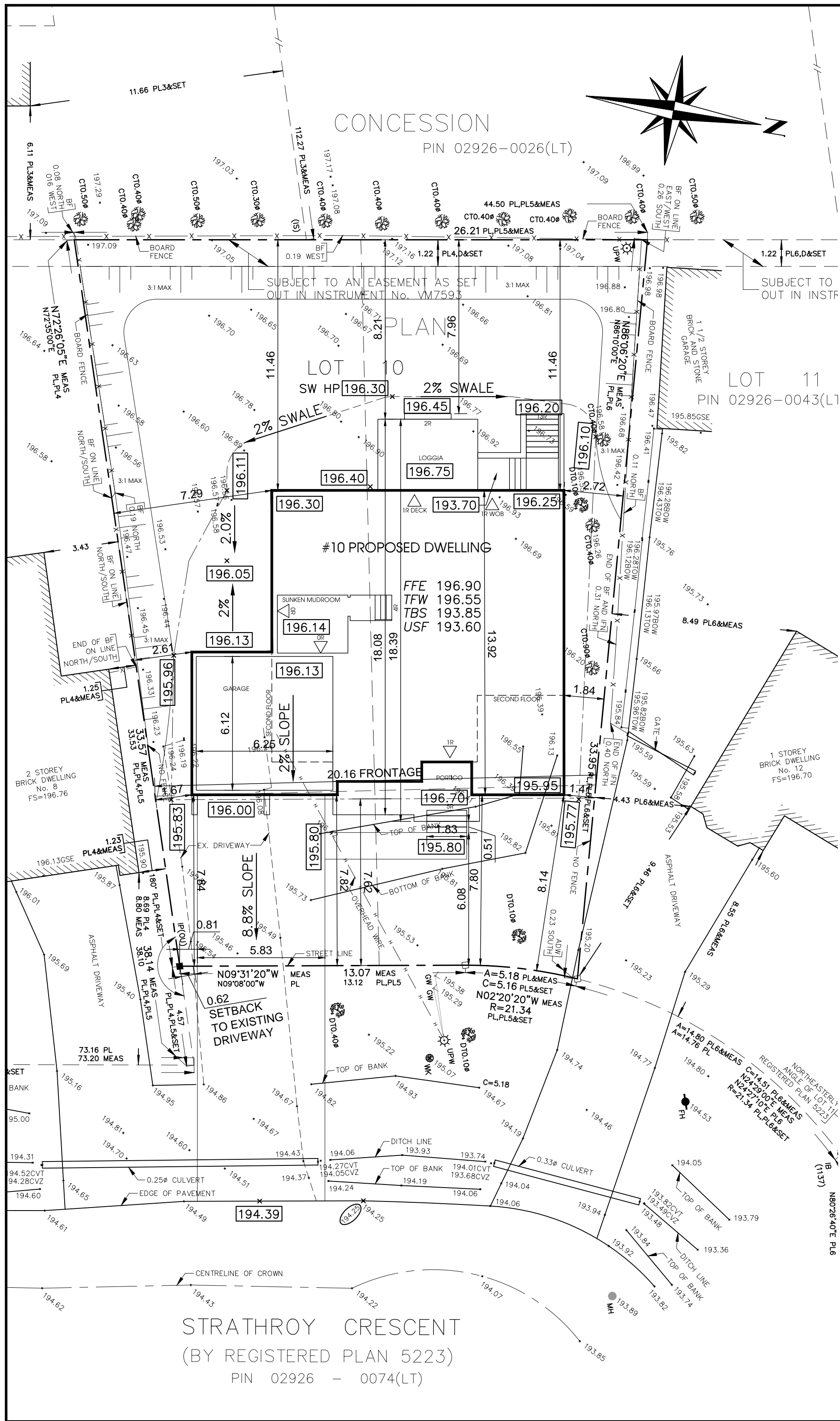
CONDITIONS PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner, Zoning and Special Projects

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/025/22



Project:	10 STRATHROY CRESCENT Markham, Ontario		
Lot Description:	Lot 10, Registered Plan 5223		
Lot Geometry	Provided		
Lot Size	19.69m x 33.57m		
Lot Area	739 m ²		
Coverage:			
Single Detached Dwelling	204.06 m ²	27.6%	
Deck / Porch	27.69 m ²	3.7%	
Total Coverage	231.75 m ²	31.4%	
Net Floor Area:			
Net Lot Area	676.07 m ²		
Gross Floor Area & Ratio	337.39 m ²	49.9%	
	Provided		
Front Setback	7.8 m		
Rear Setback	11.46 m		
Int. Sideyard Setback	1.67 m		
Int. Sideyard Setback	1.41 m		
Building Height	11.39 m		

GROSS FLOOR AREA CALCULATION (incl. ext. walls) (excl. ext. walls)		
GROUND FLOOR AREA (INCL. GAR.)	204.06 m ²	188.69 m ²
GROUND FLOOR AREA (EXCL. GAR.)	162.39 m ²	150.44 m ²
SECOND FLOOR AREA	157.48 m ²	144.33 m ²
SUBTOTAL	361.54 m ²	333.02 m ²
DEDUCT STAIRS & OPEN AREAS	24.15 m ²	24.15 m ²
TOTAL NET AREA	337.39 m ²	308.87 m ²

- GENERAL NOTES
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 - ALL WORK INHERENT TO THIS PROJECT SHALL BE PERFORMED ACCORDING TO THE ONTARIO BUILDING CODE, THE NATIONAL BUILDING CODE AND OTHER GOVERNING BODIES HAVING JURISDICTION.
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4		
3	DROPPED GRADE & REDUCED BLD. SIZE	06.10.2022
2	ISSUED FOR COMMITTEE OF ADJUSTMENT	02.02.2022
1	ISSUED FOR ZONING REVIEW	01.10.2022
No.	Issued For/Revisions	Date

PROJECT

10 STRATHROY CRESCENT
TORONTO, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

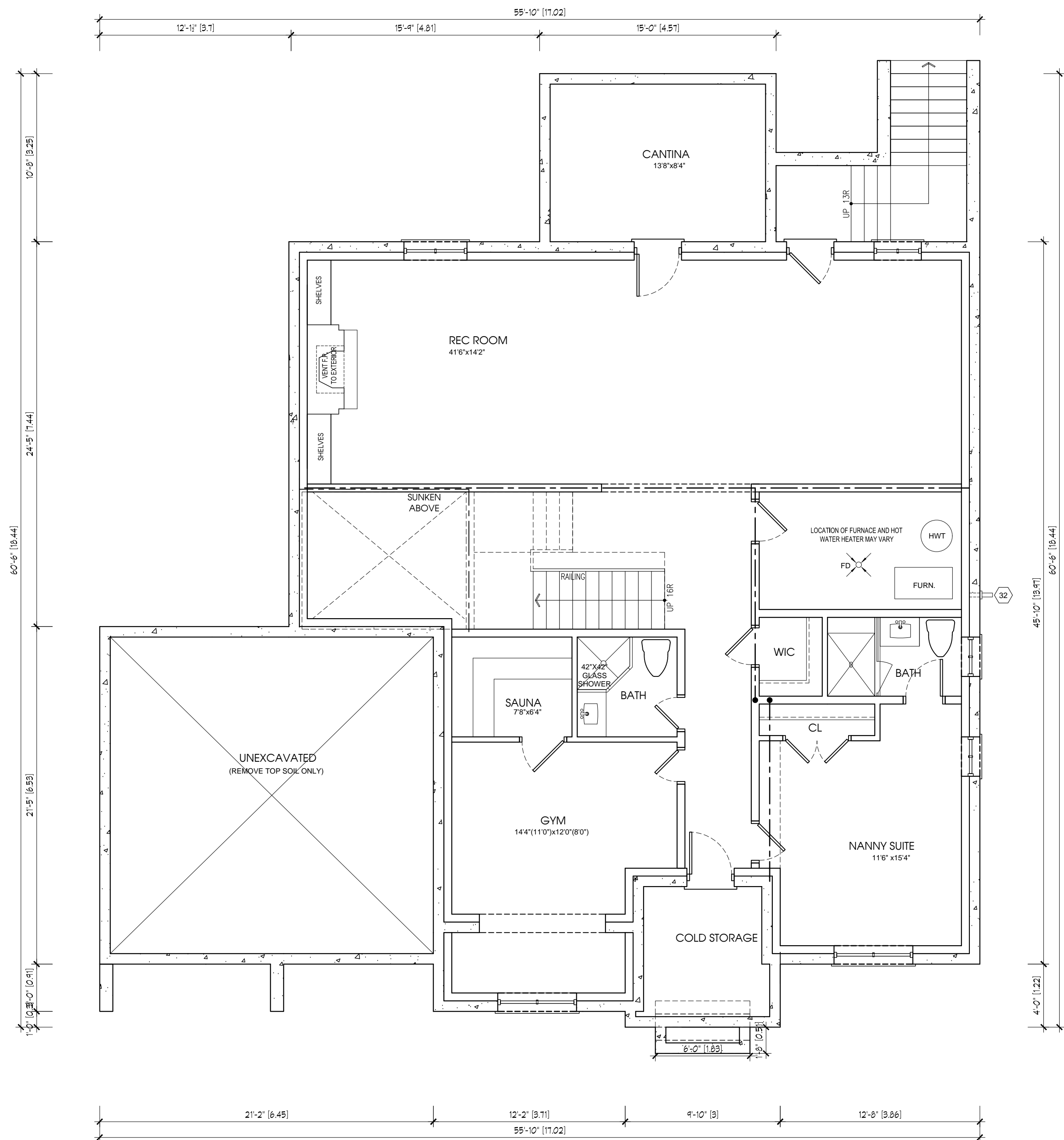
I HEREBY CERTIFY THAT I HAVE REVIEWED AND APPROVED THE DESIGN OF THIS PROJECT AND THAT I AM A QUALIFIED DESIGNER AS PER THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATION THEREUNDER AND THAT I AM A MEMBER OF THE PROFESSIONAL ENGINEERING SOCIETY OF ONTARIO.	
Qualified Designer BCIN:	32051
Firm BCIN:	30506
Date:	JAN 2022
Signature:	Y:\Signature.tif

DRAWN BY:	AL	SCALE:	1:150
CHECKED BY:	PJJ	DATE:	JUNE 10, 2022

SHEET TITLE

LOT SITING & GRADING PLAN

PROJECT NO.:	DRAWING NO.:
21-028	SP



LINTEL / BEAM SCHEDULE		
L1	2/2"x8"	(2/38x184) SPR.#2
B1	3/2"x8"	(3/38x184) SPR.#2
B2	4/2"x8"	(4/38x184) SPR.#2
B7	5/2"x8"	(5/38x184) SPR.#2
L3	2/2"x10"	(2/38x235) SPR.#2
B3	3/2"x10"	(3/38x235) SPR.#2
B4	4/2"x10"	(4/38x235) SPR.#2
B8	5/2"x10"	(5/38x235) SPR.#2
L5	2/2"x12"	(2/38x286) SPR.#2
B5	3/2"x12"	(3/38x286) SPR.#2
B6	4/2"x12"	(4/38x286) SPR.#2
B9	5/2"x12"	(5/38x286) SPR.#2
L7	3 1/2"x3 1/2"x1/4"	L (90x90x6.0)
L8	3 1/2"x3 1/2"x5/16"	L (90x90x8.0)
L9	4"x3 1/2"x1/4"	L (100x90x6.0)
L10	5"x3 1/2"x5/16"	L (125x90x8.0)
L11	5"x3 1/2"x3/8"	L (125x90x10.0)
L12	6"x4"x3/8"	L (150 x100x10.0)

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No.	Issued For/Revisions	Date
6		
5		
4	REVISED PER CITY COMMENTS	06.10.2022
3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	01.10.2022
1	ISSUED FOR REVIEW	11.23.2021

PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

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tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

Qualified Designer BCIN: 32061	32061
Firm BCIN: 90506	90506
Date: JAN 2022	
Signature:	

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE

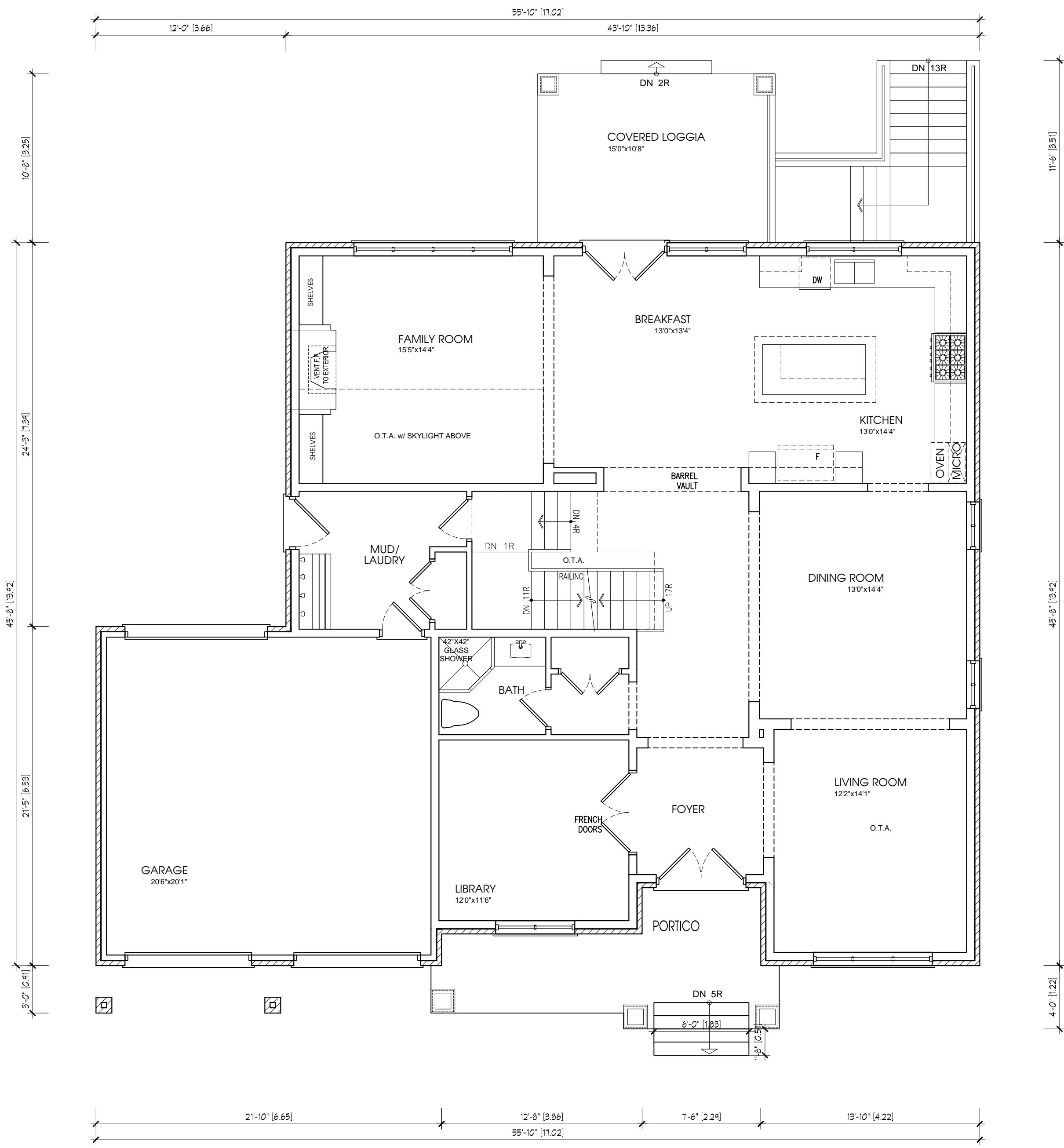
BASEMENT FLOOR PLAN

PROJECT NO:	DRAWING NO:
21-028	A1

BASEMENT FLOOR PLAN

3/16" = 1'-0"

LINTEL / BEAM SCHEDULE		
L1	2/2"x8"	(2/38x184) SPR.#2
B1	3/2"x8"	(3/38x184) SPR.#2
B2	4/2"x8"	(4/38x184) SPR.#2
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B8	5/2"x10"	(5/38x235) SPR.#2
L5	2/2"x12"	(2/38x286) SPR.#2
B5	3/2"x12"	(3/38x286) SPR.#2
B6	4/2"x12"	(4/38x286) SPR.#2
B9	5/2"x12"	(5/38x286) SPR.#2
L7	3 1/2"x3 1/2"x14"L	(90x90x6.0)
L8	3 1/2"x3 1/2"x516"L	(90x90x8.0)
L9	4"x3 1/2"x14"L	(100x90x6.0)
L10	5"x3 1/2"x516"L	(125x90x8.0)
L11	5"x3 1/2"x38"L	(125x90x10.0)
L12	6"x4"x38"L	(150 x100x10.0)



GROUND FLOOR PLAN

3/16" = 1'-0"

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6		
5		
4	REVISED PER CITY COMMENTS	06.10.2022
3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	01.10.2022
1	ISSUED FOR REVIEW	11.23.2021

No.	Issued For/Revisions	Date
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PROJECT
10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I hereby authorize Arc Design Group Development Services Inc. to use my name and the name of Arc Design Group Development Services Inc. on this drawing for the purpose of obtaining a permit from the appropriate regulatory authority. I understand that I am responsible for the accuracy of the information provided and the design of the project. I agree to indemnify and hold Arc Design Group Development Services Inc. harmless from and against all claims, damages, costs and expenses, including reasonable attorney's fees, arising from or due to the use of my name and the name of Arc Design Group Development Services Inc. on this drawing.	
Qualified Designer BCIN: 32061	32061
Firm BCIN: 90506	90506
Date: JAN 2022	
Signature:	

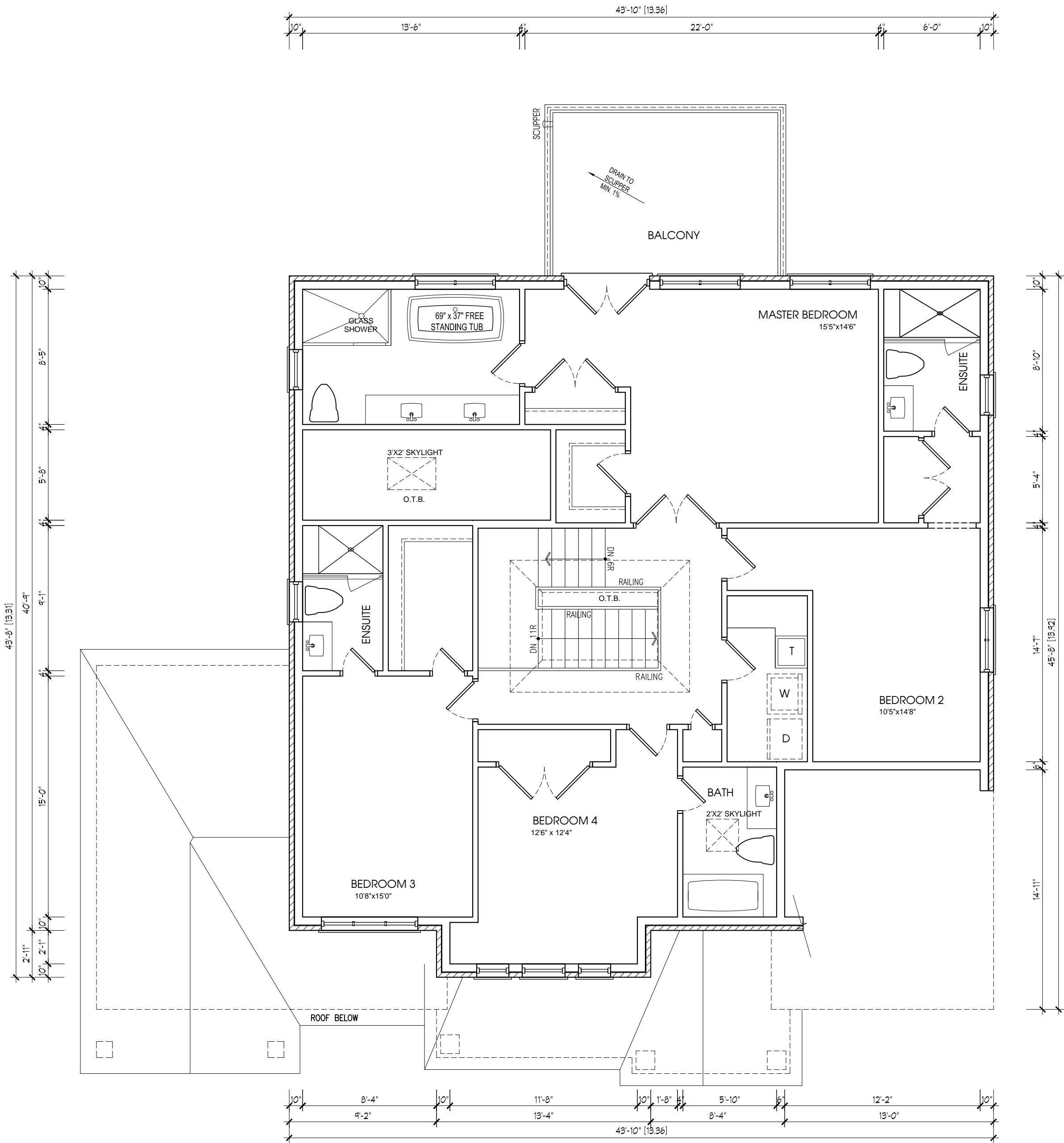
DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE
GROUND FLOOR PLAN

PROJECT NO.: 21-028	DRAWING NO.: A2
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SECOND FLOOR PLAN

3/16" = 1'-0"



LINTEL / BEAM SCHEDULE

L1	2/2"x8" (2/38x184) SPR.#2
B1	3/2"x8" (3/38x184) SPR.#2
B2	4/2"x8" (4/38x184) SPR.#2
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B9	5/2"x12" (5/38x286) SPR.#2
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L8	3 1/2"x3 1/2"x5/16"L (90x90x8.0)
L9	4"x3 1/2"x1/4"L (100x90x6.0)
L10	5"x3 1/2"x5/16"L (125x90x8.0)
L11	5"x3 1/2"x3/8"L (125x90x10.0)
L12	6"x4"x3/8"L (150 x100x10.0)

LVL BEAM SCHEDULE

LVL2	2.0E 1-1 3/4" x 9 1/2" (1-45x240)
LVL3	2.0E 1-1 3/4" x 11 7/8" (1-45x300)
LVL4	2.0E 2-1 3/4" x 9 1/2" (2-45x240)
LVL5	2.0E 3-1 3/4" x 9 1/2" (3-45x240)
LVL6	2.0E 2-1 3/4" x 11 7/8" (2-45x300)
LVL7	2.0E 3-1 3/4" x 11 7/8" (3-45x300)
LVL8	2.0E 4-1 3/4" x 9 1/2" (4-45x240)
LVL9	2.0E 4-1 3/4" x 11 7/8" (4-45x300)
LVL10	2.0E 1-1 3/4" x 14" (1-45x355)
LVL11	2.0E 2-1 3/4" x 14" (1-45x355)
LVL12	2.0E 3-1 3/4" x 14" (1-45x355)
LVL13	2.0E 4-1 3/4" x 14" (1-45x355)

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No. Issued For/Revisions Date

PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning

tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

DESIGNER'S RESPONSIBILITY FOR THESE DRAWINGS AND THE DESIGNER'S RESPONSIBILITY FOR THE DESIGN GROUP DEVELOPMENT SERVICES INC. AND ARE PROTECTED UNDER THE COPYRIGHT ACT. THEY MAY NOT BE REPRODUCED, DISTRIBUTED, ALTERED OR SUBMITTED FOR APPROVALS WITHOUT WRITTEN PERMISSION OF THE DESIGNER.	Qualified Designer BCIN: 32061 Firm BCIN: 89086 Date: JAN 2022 Signature: <i>[Signature]</i>
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DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE
SECOND FLOOR PLAN

PROJECT NO.: 21-028	DRAWING NO.: A3
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FRONT ELEVATION
3/16" = 1'-0"

- GENERAL NOTES
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4	REVISED PER CITY COMMENTS	06.10.2022
3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	01.10.2022
1	ISSUED FOR REVIEW	11.23.2021

No.	Issued For/Revisions	Date
PROJECT		
10 STRATHROY CRESCENT MARKHAM, ONTARIO		

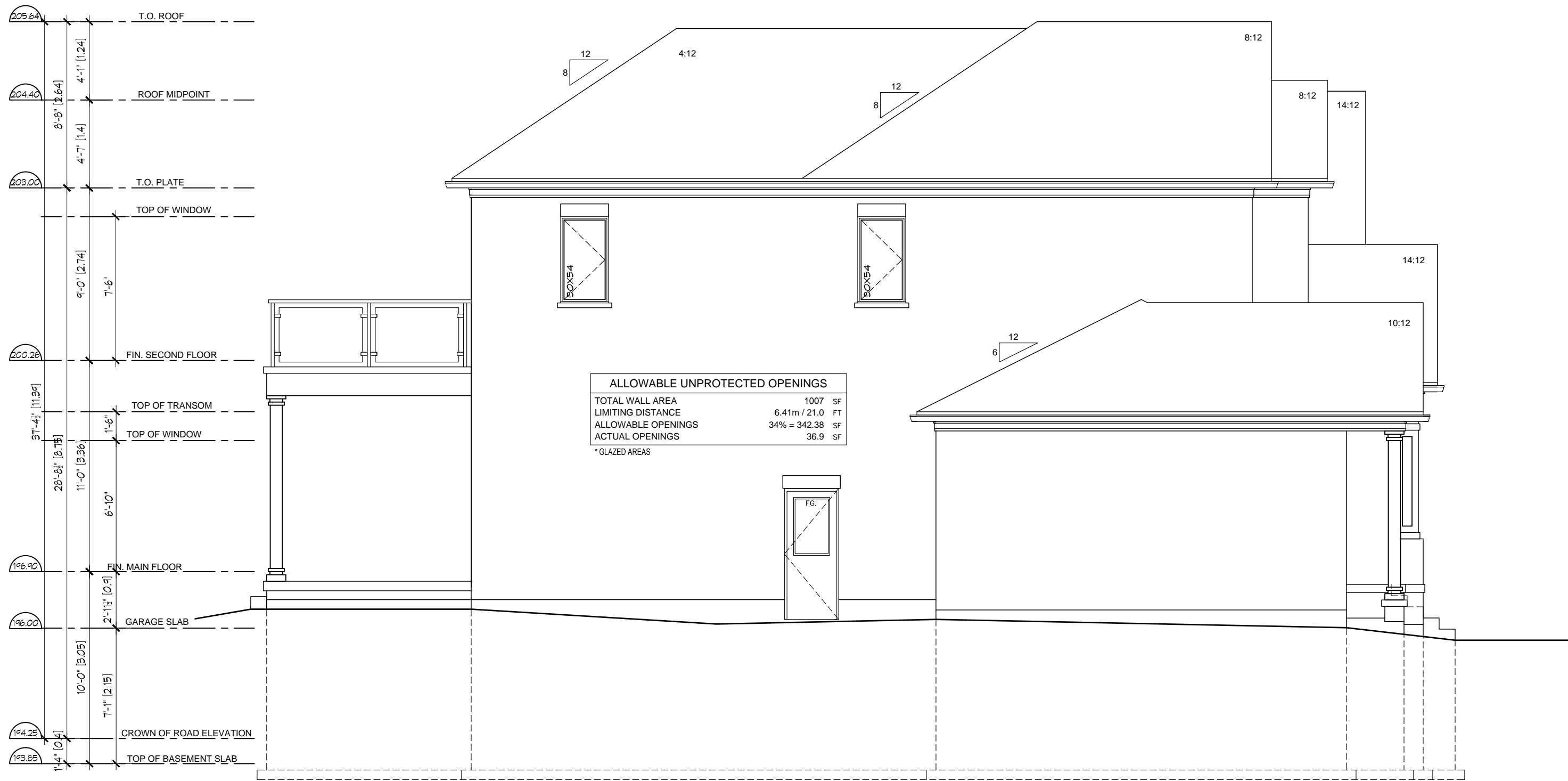
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Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I hereby authorize the use of these drawings and specifications for the project described herein and I warrant that the drawings and specifications are complete and correct as of the date of issue. I warrant that the drawings and specifications are not to be used for any other project without my written consent.	
Qualified Designer BCIN: 32061	
Firm BCIN: 80086	
Date: JAN 2022	
Signature:	

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE
FRONT ELEVATION

PROJECT NO:	DRAWING NO:
21-028	A5



LEFT SIDE ELEVATION

3/16" = 1'-0"

- GENERAL NOTES
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No.	Issued For/Revisions	Date
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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

<div></div>		I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY THE PERSON RESPONSIBLE FOR THE DESIGN WORK ON THIS PROJECT AND THAT THE DESIGN WORK ON THIS PROJECT WAS DONE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS, UNDER DIVISION 1, PART 5, SUBSECTION 3.4.4 OF THE SELECTION CODE - LAND SURVEYING AND AS REGISTERED IN THE APPROPRIATE CATEGORIES/REGISTERS.	
		Qualified Designer BCIN: 30561	
		Firm BCIN: 30561	
		Date: JAN 2022	
		Signature: 	
DRAWN BY: AL		SCALE: AS NOTED	
CHECKED BY: PJJ		DATE: 06.10.2022	



RIGHT SIDE ELEVATION

3/16" = 1'-0"

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PROJECT

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MARKHAM, ONTARIO

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Arc Design Group
architectural | mechanical | planning

tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

Qualified Designer BCIN: 32061	32061
Firm BCIN: 80086	80086
Date: JAN 2022	
Signature:	

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE

RIGHT SIDE ELEVATION

PROJECT NO.: 21-028	DRAWING NO.: A7
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REAR ELEVATION

3/16" = 1'-0"

- GENERAL NOTES
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Qualified Designer BCIN: 32061	32061
Firm BCIN: 89086	89086
Date: JAN 2022	
Signature:	

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 06.10.2022

SHEET TITLE

REAR ELEVATION

PROJECT NO.: 21-028	DRAWING NO.: A8
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APPENDIX “C”
INITIAL STAFF REPORT: MAY 30, 2022

Memorandum to the City of Markham Committee of Adjustment

May 30, 2022

File: A/025/22
Address: 10 Strathroy Crescent – Markham, ON
Applicant: Sumithra Sathiyarayanan
Agent: Arc Design Group (Peter Jaruczik)
Hearing Date: June 8, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential One – (R1)” zone requirements under By-law 1229, as amended, as it relates to a proposed two-storey detached dwelling. The variances requested are to permit:

a) Table 11.1

a minimum front yard setback of 5.41 m (17.75 ft), whereas the By-law requires a minimum front yard setback of 7.62 m (25.0 ft);

b) Table 11.1:

a minimum side yard setback of 1.31 m (4.29 ft), whereas the By-law requires a minimum side yard setback of 1.83 m (6.0 ft) for the two-storey portion;

c) By-Law 28-97, Section 6.2.4.4(a)(i):

a driveway to have a minimum setback of 0.74 m (2.43 ft) from the interior side lot line, whereas the By-law requires a driveway to be located no closer to an interior side lot line than the minimum distance requirement for the main building;

d) By-Law 99-90, Section 1.2 (vi):

a maximum floor area ratio of 51.60%, whereas the By-law permits a maximum floor area ratio of 45.0%; and

e) By-Law 99-90, Section 1.2 (i)

a maximum height of 11.89 m (39.01 ft), whereas the By-law permits a maximum height of 9.80 m (32.15 ft).

PROPERTY DESCRIPTION

The 739.03 m² (7,954.80 ft²) subject property is a pie shaped lot located on the west side of Strathroy Crescent, north of Parkway Avenue, east of Main Street Markham North, and south of Ramona Boulevard. There is an existing detached dwelling on the property, with mature vegetation throughout. The property generally slopes downwards from west to east, towards the crown of the street. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. There are examples of recent infill development along the street, and within the surrounding area. Mature vegetation is a predominant characteristic of the street.

PROPOSAL

The applicant is proposing to demolish the existing dwelling, and construct a new two-storey detached dwelling with a total gross floor area of 348.80 m² (3,754.45 ft²). If approved, the dwelling would have a height of 11.89 m (39.01 ft), and be permitted to have

a front yard setback of 5.41 m (17.75 ft), along with a side yard setback of 1.31 m (4.29 ft).

OFFICIAL PLAN AND ZONING

Official Plan 2014 (partially approved on November 24/17, and 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 Official Plan with respect to height, massing, and setbacks to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties, and properties along the street, while accommodating a diversity of building styles. Regard shall also be had for the retention of existing trees and vegetation, as well as the proposed width of garages and driveways.

Zoning By-Law 1229

The subject property is zoned “Residential One – (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot. The proposed development does not comply with the By-law requirements with respect to the minimum side yard setback and minimum front yard setback.

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, floor area ratio, height, and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to the maximum height, and maximum floor area ratio.

Parking Standards By-law 28-97 (the “Parking By-law”)

The proposed development also does not comply with the Parking By-law requirement with respect to the minimum side yard setback for a driveway.

ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN

The applicant completed a ZPR on January 27, 2022, which confirmed five non-compliances with the Zoning By-law, initially including a floor area ratio of 54.10% and a building height of 12.80 m (42.0 ft). Revised drawings were submitted on May 16, 2022, which propose reductions to the maximum floor area ratio and maximum building height initially requested. The revised variance requests are noted at the beginning of this memorandum.

The applicant has not conducted a ZPR for the revised drawings. Staff advise that 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 requested variances in this application contains errors, or if the need for additional variances is identified at the Building Permit stage, further variance application(s) may be required to address any non-compliances.

COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended*, states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (the “Committee”):

- a) The variance must be minor in nature;

- b) The variance must be desirable, in the opinion of the Committee, 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 Front Yard Setback

The applicant is requesting a minimum front yard setback of 5.41 m (17.75 ft), whereas the By-law requires a minimum front yard setback of 7.62 m (25.0 ft). This is a reduction of 2.21 m (7.25 ft).

The front lot line of the subject property aligns with that of the adjacent property, municipally known as 12 Strathroy Crescent. It is also noted that the front lot line of the subject property is set back a distance of approximately 4.57 m (15.0 ft) further west than the front lot line of 8 Strathroy Crescent. If approved, the front wall of the proposed dwelling would generally align with the front walls of the existing dwellings that are adjacent to the subject property (see Site Plan attached as Appendix "B"). Additionally, the proposed front yard setback maintains sufficient space for landscaping, and vehicle parking on the property. Staff have no objections to the requested variance, and are of the opinion that the general intent and purpose of the Zoning By-law is maintained.

Reduction in Side Yard Setback (Two-Storey Portion)

The applicant is requesting a minimum side yard setback of 1.31 m (4.29 ft) for the two-storey portion of the dwelling, whereas the By-law requires a minimum side yard setback of 1.83 m (6.0 ft) for the two-storey portion of the dwelling. This is a reduction of 0.52 m (1.71 ft).

The requested variance only applies to the two-storey portion of the dwelling located at the north side of the lot. The one-storey garage proposed along the south side would comply with the minimum side yard setback of 1.22 m (4.0 ft). Staff consider the requested variance to be partially attributable to a pinch point, as the lot is pie shaped, and narrows from west to east. The majority of the north building wall complies with the side yard setback requirement, and staff are satisfied that the requested variance is minor in nature, and maintains the general intent and purpose of the By-law.

Reduction in Side Yard Setback for a Driveway

The applicant is requesting that the driveway have a minimum side yard setback of 0.74 m (2.43 ft), whereas the By-law requires a driveway to be located no closer to an interior side lot line than the minimum distance requirement for the main building, which is 1.22 m (4.0 ft).

The proposed driveway generally aligns with the main wall of the building, and as previously noted, this variance is also attributable to a pinch point due to the narrowing of the lot. Engineering staff have reviewed the application and have not identified any concerns with respect to drainage. Staff are of the opinion that the configuration of the driveway is appropriate for this lot, and maintains the general intent and purpose of the By-law.

Increase in Maximum Floor Area Ratio

The applicant is requesting a maximum floor area ratio of 51.60%, whereas the By-law permits a maximum floor area ratio of 45.0%. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 348.80 m² (3,754.45 ft²), whereas

the By-law permits a dwelling with a maximum floor area of 304.24 m² (3,274.81 ft²). This is an increase of 44.56 m² (479.64 ft²).

Floor area ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area; however, it is not a definitive measure of the mass of the dwelling. In considering whether the requested floor area ratio may be appropriate, staff have had regard and consideration for other By-law requirements under the “Residential One – (R1)” zone. With exception to the requested building height and yard setbacks, the proposed dwelling complies with the maximum lot coverage of 35.0%, which assists in establishing the prescribed building envelope. Staff are of the opinion that the requested variance maintains the general intent and purpose of the By-law, and have no objections.

Increase in Maximum Building Height

The applicant is requesting a maximum building height of 11.89 m (39.01 ft), whereas the By-law permits a maximum building height of 9.80 m (32.15 ft). This is an increase of 2.09 m (6.86 ft).

The By-law calculates building height using the vertical distance of the building measured between the level of the crown of the street at the mid-point of the front lot line and highest point of the roof surface. The grade at the front of the house is substantially elevated by approximately 1.79 m (5.87 ft) above the crown of street.

Staff acknowledge the applicant’s efforts to reduce the height by 0.91 m (2.99 ft) from their initial request. While variances are not precedent setting, and are evaluated on their own individual merits and a sites unique characteristics, other development within an area may also assist in the evaluation of an areas character. In addition to other two-storey infill dwellings along the street, 4 Strathroy Crescent obtained approval for a minor variance to permit a dwelling with a height of 11.10 m (36.42 ft). In this case, the property shares similar characteristics to that of the subject property, as the grade at the front of the house was elevated by approximately 1.70 m (5.58 ft) from the crown of the street.

Staff also note that other infill housing within the surrounding area are two-storeys with similar building heights. Based on staff’s review, approval of the requested variance may result in a height that is greater than other existing dwellings along the street; however, staff recognize the increase as being partly attributable to the difference in grade between the front of the house and crown of the street. In considering the topography of this property, staff are of the opinion that the requested variance is minor in nature.

Tree Protection and Compensation

Staff recommend that the tree related conditions be adopted by the Committee to ensure the applicant installed the appropriate tree protection in any event of approval. Staff also note that the applicant is required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees with a diameter at breast height (DBH) of 0.20 m (0.66 ft), or more. Following any approval of this minor variance application, further mitigation may be required to ensure sufficient tree protection zone(s) are provided to maintain the appropriate protection certain trees.

PUBLIC INPUT SUMMARY

No written submissions were received as of May 30, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

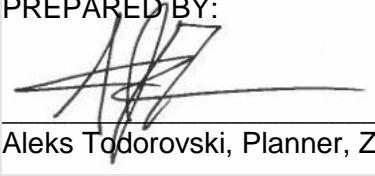
Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the requested variances meet the four tests. Staff recommend that the Committee consider public input, and subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

APPENDICES

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



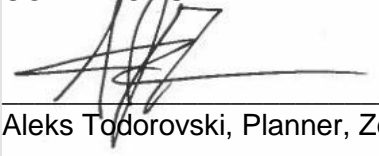
Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/025/22

1. The variances apply only to the proposed development for as long as it remains.
2. That the variances apply only to the proposed development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, 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 Director of Planning and Urban Design, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
4. That tree replacements be provided and/or tree replacement fees be paid to the Director of Planning and Urban Design, or their designate, 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 Director of Planning and Urban Design, or their designate.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City's Streetscape Manual (2009), as amended, and inspected by the Tree Preservation Technician, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.

CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/025/22

Appendix B

File: 22.110994.000.00.MNV

Date: 06/02/22

MMDDYY

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PROJECT

10 STRATHROY CRESCENT
TORONTO, ONTARIO**adg**
Arc Design Group

architectural | mechanical | planning


tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I HEREBY CERTIFY THAT I HAVE REVIEWED AND
APPROVED THE DESIGN OF THE PROJECT AND
THESE DRAWINGS FOR THE PURPOSES OF THE
ONTARIO BUILDING CODE, PART 9, SUBSECTION 9.1. OF THE
BUILDING CODE, 1995, AND THE RULES &
REGULATIONS IN THE APPROPRIATE CLASSES OF DIVISION.

Qualified Designer BCIN: 32001

Firm BCIN: 25536

Date: JAN 2022

Signature: 

DRAWN BY:

AL

SCALE:

1:150

CHECKED BY:

PJJ

DATE:

FEB 2, 2022

SHEET TITLE

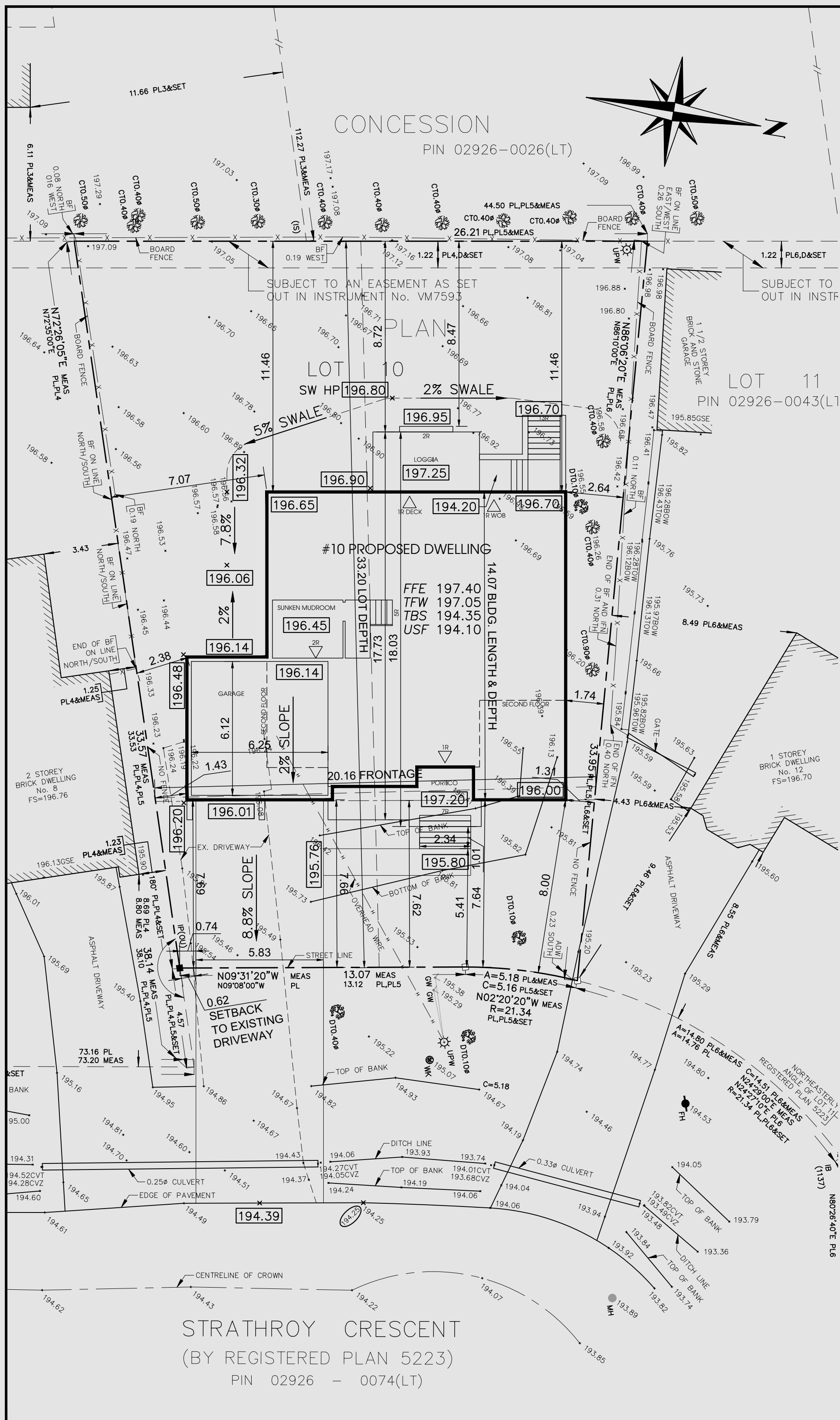
LOT SITING &
GRADING PLAN

PROJECT NO.:

21-028

DRAWING NO.:

SP



Project: 10 STRATHROY CRESCENT

Markham, Ontario

Lot Description: Lot 10, Registered Plan 5223

Lot Geometry	Provided	
Lot Size	19.69m x 33.57m	
Lot Area	739 m ²	
Coverage:		
Single Detached Dwelling	209.93 m ²	28.4%
Deck / Porch	27.03 m ²	3.7%
Total Coverage	236.96 m ²	32.1%
Net Floor Area:		
Net Lot Area	676.07 m ²	
Gross Floor Area & Ratio	348.8 m ²	51.6%
Provided		
Front Setback	7.64 m	
Rear Setback	11.46 m	
Int. Sideyard Setback	1.31 m	
Int. Sideyard Setback	1.43 m	
Building Height	11.89 m	

GROSS FLOOR AREA CALCULATION (incl. ext. walls) (excl. ext. walls)

GROUND FLOOR AREA (INCL. GAR.)	209.93 m ²	193.48 m ²
GROUND FLOOR AREA (EXCL. GAR.)	168.26 m ²	156.08 m ²
SECOND FLOOR AREA	163.50 m ²	149.97 m ²
SUBTOTAL	373.43 m ²	343.45 m ²
DEDUCT STAIRS & OPEN AREAS	24.63 m ²	24.63 m ²
TOTAL NET AREA	348.80 m ²	318.82 m ²

LINTEL / BEAM SCHEDULE

L1	2/2"x8" (2/38x184)	SPR.#2
B1	3/2"x8" (3/38x184)	SPR.#2
B2	4/2"x8" (4/38x184)	SPR.#2
B7	5/2"x8" (5/38x184)	SPR.#2
L3	2/2"x10" (2/38x235)	SPR.#2
B3	3/2"x10" (3/38x235)	SPR.#2
B4	4/2"x10" (4/38x235)	SPR.#2
B8	5/2"x10" (5/38x235)	SPR.#2
L5	2/2"x12" (2/38x286)	SPR.#2
B5	3/2"x12" (3/38x286)	SPR.#2
B6	4/2"x12" (4/38x286)	SPR.#2
B9	5/2"x12" (5/38x286)	SPR.#2
L7	3 1/2"x3 1/2"x14"L (90x90x6.0)	
L8	3 1/2"x3 1/2"x5/16"L (90x90x8.0)	
L9	4"x3 1/2"x14"L (100x90x6.0)	
L10	5"x3 1/2"x5/16"L (125x90x8.0)	
L11	5"x3 1/2"x3/8"L (125x90x10.0)	
L12	6"x4"x3/8"L (150 x100x10.0)	

Appendix B

File: 22.110994.000.00.MW

Date: 06/02/22 MM/DD/YY

GENERAL NOTES

- ALL DRAWINGS AND SPECIFICATIONS IS AN INSTRUMENT OF SERVICE AND REMAIN THE EXCLUSIVE PROPERTY OF ARC DESIGN GROUP DEVELOPMENT SERVICES INC. AND ARE PROTECTED UNDER THE COPYRIGHT ACT. THEY MAY NOT BE REPRODUCED, DISTRIBUTED, ALTERED OR SUBMITTED FOR APPROVALS WITHOUT WRITTEN PERMISSION OF THE DESIGNER.
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3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	01.10.2022
1	ISSUED FOR REVIEW	11.23.2021

No.	Issued For/Revisions	Date
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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I HEREBY ADVISE YOU THAT I HAVE REVIEWED AND
I AM PROVIDING YOU WITH THE SERVICES OF AN
ARCHITECTURAL FIRM OR INDIVIDUAL AS REQUIRED BY
THE ONTARIO BUILDING CODE, THE NATIONAL BUILDING CODE
AND THE REQUIREMENTS OF THE ONTARIO BUILDING CODE
AND THE REQUIREMENTS OF THE ONTARIO BUILDING CODE.

Qualified Designer BCIN: 32051
Firm BCIN: 80046
Date: JAN 2022

Signature: 

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 02.02.2022

SHEET TITLE

BASEMENT FLOOR PLAN

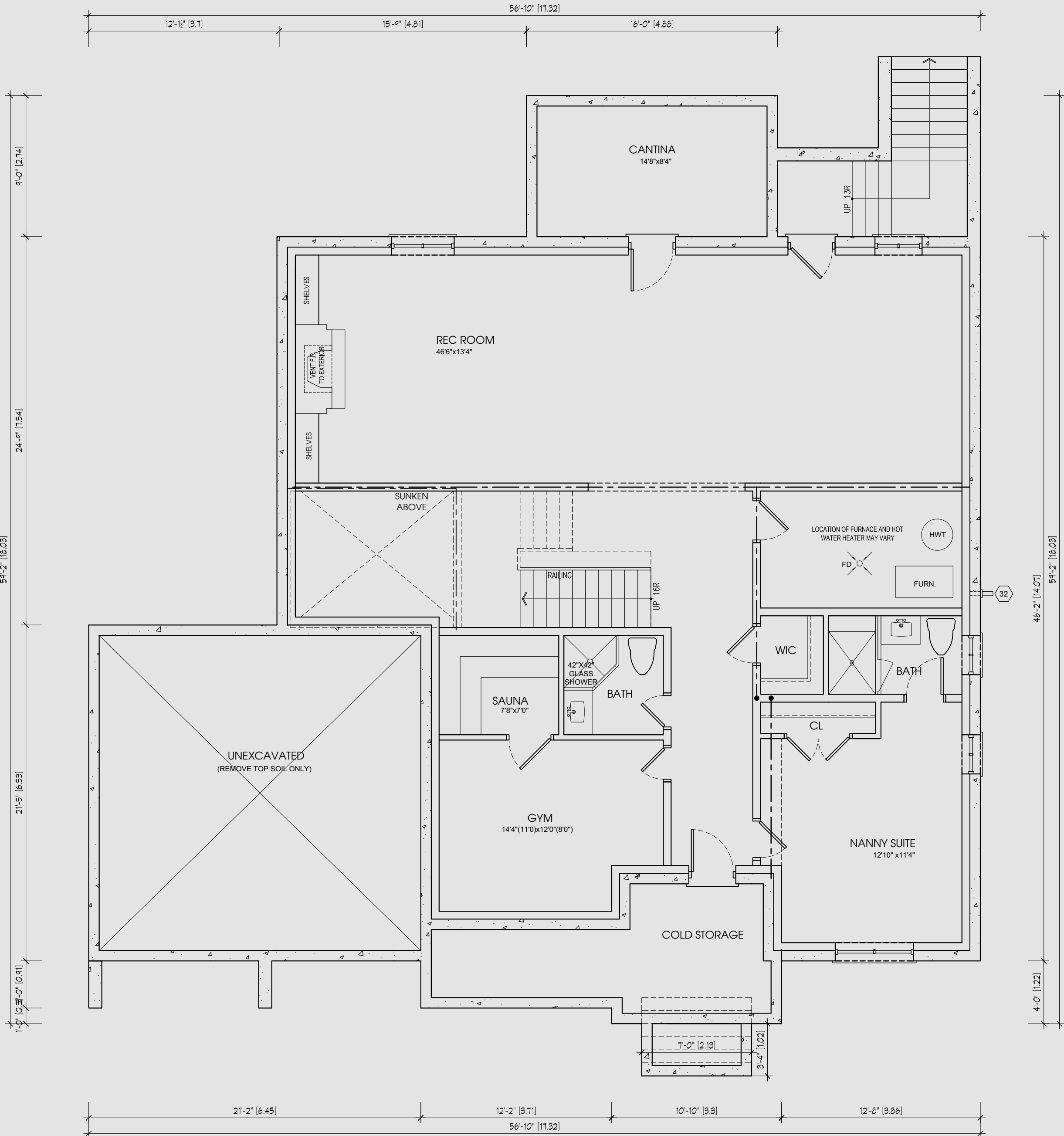
PROJECT NO.:	DRAWING NO.:
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21-028

A1

BASEMENT FLOOR PLAN

3/16" = 1'-0"



LINTEL / BEAM SCHEDULE	
L1	2/2"x8" (2/38x184) SPR.#2
B1	3/2"x8" (3/38x184) SPR.#2
B2	4/2"x8" (4/38x184) SPR.#2
B7	5/2"x8" (5/38x184) SPR.#2
L3	2/2"x10" (2/38x235) SPR.#2
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B6	4/2"x12" (4/38x286) SPR.#2
B9	5/2"x12" (5/38x286) SPR.#2
L7	3 1/2"x3 1/2"x14"L (90x90x6.0)
L8	3 1/2"x3 1/2"x5/16"L (90x90x8.0)
L9	4"x3 1/2"x14"L (100x90x6.0)
L10	5"x3 1/2"x5/16"L (125x90x8.0)
L11	5"x3 1/2"x3/8"L (125x90x10.0)
L12	6"x4"x3/8"L (150 x100x10.0)

Appendix B

File: 22.110994.000.00.MW

Date: 06/02/22

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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning

tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

1. THESE DRAWINGS BEARING FROM THE DESIGNER AND/OR ARCHITECT. ANY REVISIONS TO THESE DRAWINGS SHALL BE MADE BY THE DESIGNER AND/OR ARCHITECT. ANY REVISIONS TO THESE DRAWINGS SHALL BE MADE BY THE DESIGNER AND/OR ARCHITECT. ANY REVISIONS TO THESE DRAWINGS SHALL BE MADE BY THE DESIGNER AND/OR ARCHITECT.

Qualified Designer BCIN: 32061

Firm BCIN: 30086

Date: JAN 2022

Signature:

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 02.02.2022

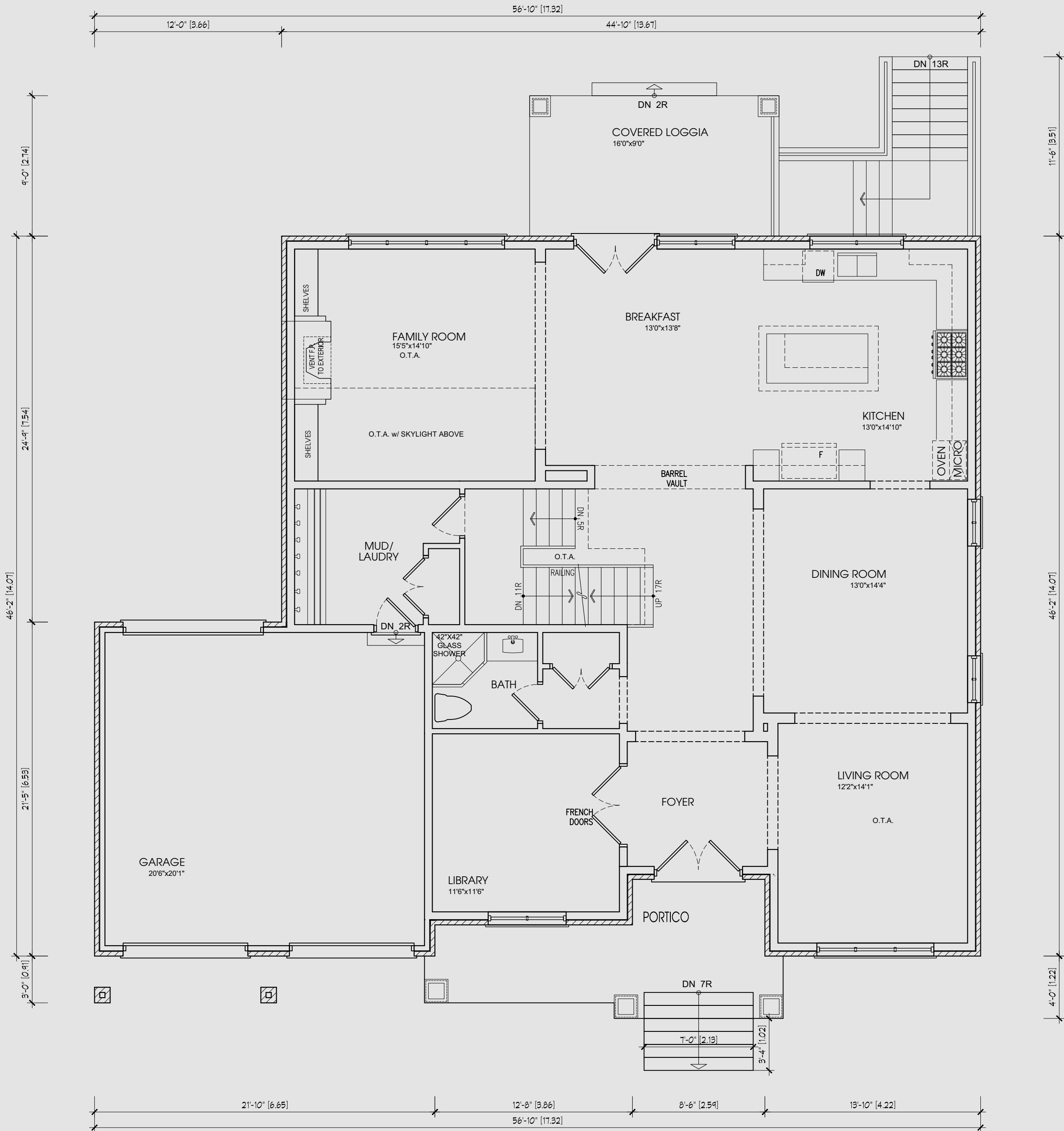
SHEET TITLE

GROUND FLOOR PLAN

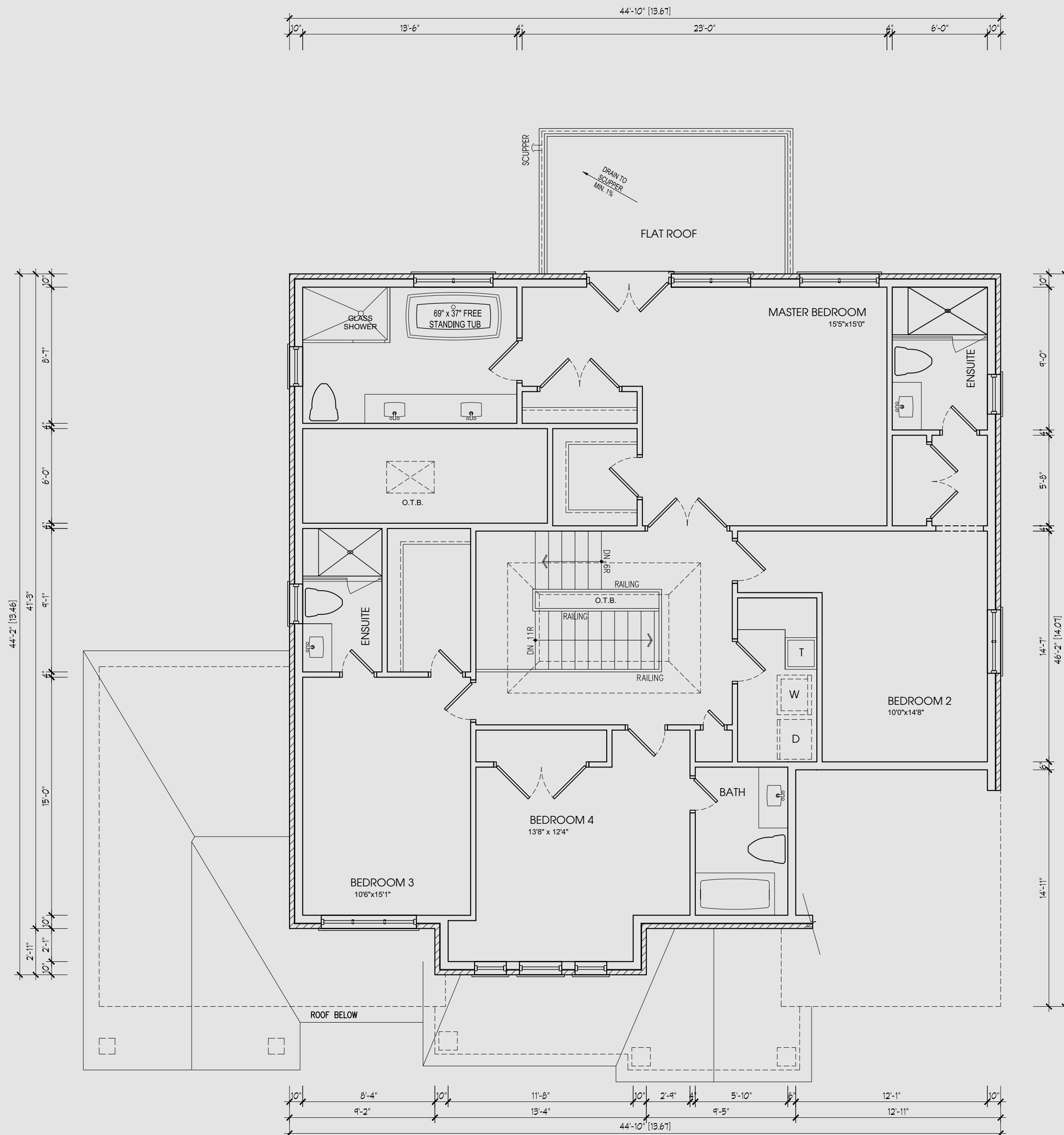
PROJECT NO:	DRAWING NO:
21-028	A2

GROUND FLOOR PLAN

3/16" = 1'-0"



ISSUED FOR COMMITTEE OF ADJUSTMENT



SECOND FLOOR PLAN

$$3/16'' = 1'-0''$$

LINTEL / BEAM SCHEDULE

L1	2'2"x6" (2'3"x14") SPR #2
B1	3'2"x10" (3'3"x14") SPR #2
B2	4'2"x8" (4'3"x14") SPR #2
B7	5'2"x8" (5'3"x14") SPR #2
B8	2'10"x10" (2'11"x14") SPR #2
B3	4'2"x10" (3'6"x23") SPR #2
B4	4'2"x10" (3'6"x23") SPR #2
B5	4'2"x10" (3'6"x23") SPR #2
B6	2'12"x12" (2'3"x26") SPR #2
B8	3'2"x12" (3'6"x26") SPR #2
B9	4'2"x12" (4'3"x26") SPR #2
B10	4'2"x12" (4'3"x26") SPR #2
B12	1'3"x12"x 1/2"x16" (90x90x6.0)
B13	1'3"x12"x 1/2"x16" (90x90x6.0)
B14	4'3"x12"x14" (100x90x6.0)
B15	4'3"x12"x14" (100x90x6.0)
B16	5'3"x12"x18" (125x90x6.0)
L2	6'4"x3/8"L (150x100x10.0)

LVL BEAM SCHEDULE

WL2	2.0E 1-34 "x 1" 9/12" (L45x240)
WL3	2.0E 1-34 "x 1" 7/8" (L45x240)
WL4	2.0E 1-34 "x 1" 7/8" (L45x240)
WL5	2.0E 3-34 "x 9/12" (3xL45x240)
WL6	2.0E 3-34 "x 9/12" (3xL45x240)
WL7	2.0E 3-34 "x 1" 7/8" (3xL45x240)
WL8	2.0E 3-34 "x 1" 7/8" (3xL45x240)
WL9	2.0E 3-34 "x 1" 7/8" (3xL45x240)
WL10	2.0E 1-34 "x 1" 4" (L1x35x55)
WL11	2.0E 1-34 "x 1" 4" (L1x35x55)
WL12	2.0E 1-34 "x 1" 4" (L1x35x55)
WL13	2.0E 1-34 "x 1" 4" (L1x35x55)

Appendix B

File: 22.110994.000.00.MNV

Date: 06/02/22
MM/DD/YY

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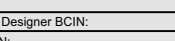
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3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	10.10.2022
1	ISSUED FOR REVIEW	11.23.2021

No.	Issued For/Revisions	Date
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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

<p>THESE ARCHITECTS BECAUSE THEY HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF ARCHITECTURE GROUP DEVELOPMENT SERVICES LTD. UNDER DIVISION C, PART 5, SUBSECTION 3.2.4 OF THE BUILDING CODE, LAW 43/REGULATED, AND THE FEE IS REGISTERED IN THE APPROPRIATE CLASSIFICATION BOOKS.</p>	<p>Qualified Designer BCIN: 30561 Firm BCIN: 95636 Date: JAN 2023</p>
<p>Signature:</p>	

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 02.02.2022

SHEET TITLE

SECOND FLOOR PLAN

PROJECT NO.:

21-028

DRAWING NO.:

A3



FRONT ELEVATION

3/16" = 1'-0"

GENERAL NOTES

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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning

tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I HEREBY CERTIFY THAT I HAVE REVIEWED AND
CONFIRMED THE ACCURACY OF THE INFORMATION
CONTAINED IN THIS DRAWING AND I AM NOT PROVIDING
ANY OTHER INFORMATION TO ANY OTHER PARTY.
I AM NOT PROVIDING ANY OTHER INFORMATION TO ANY OTHER PARTY.
I AM NOT PROVIDING ANY OTHER INFORMATION TO ANY OTHER PARTY.

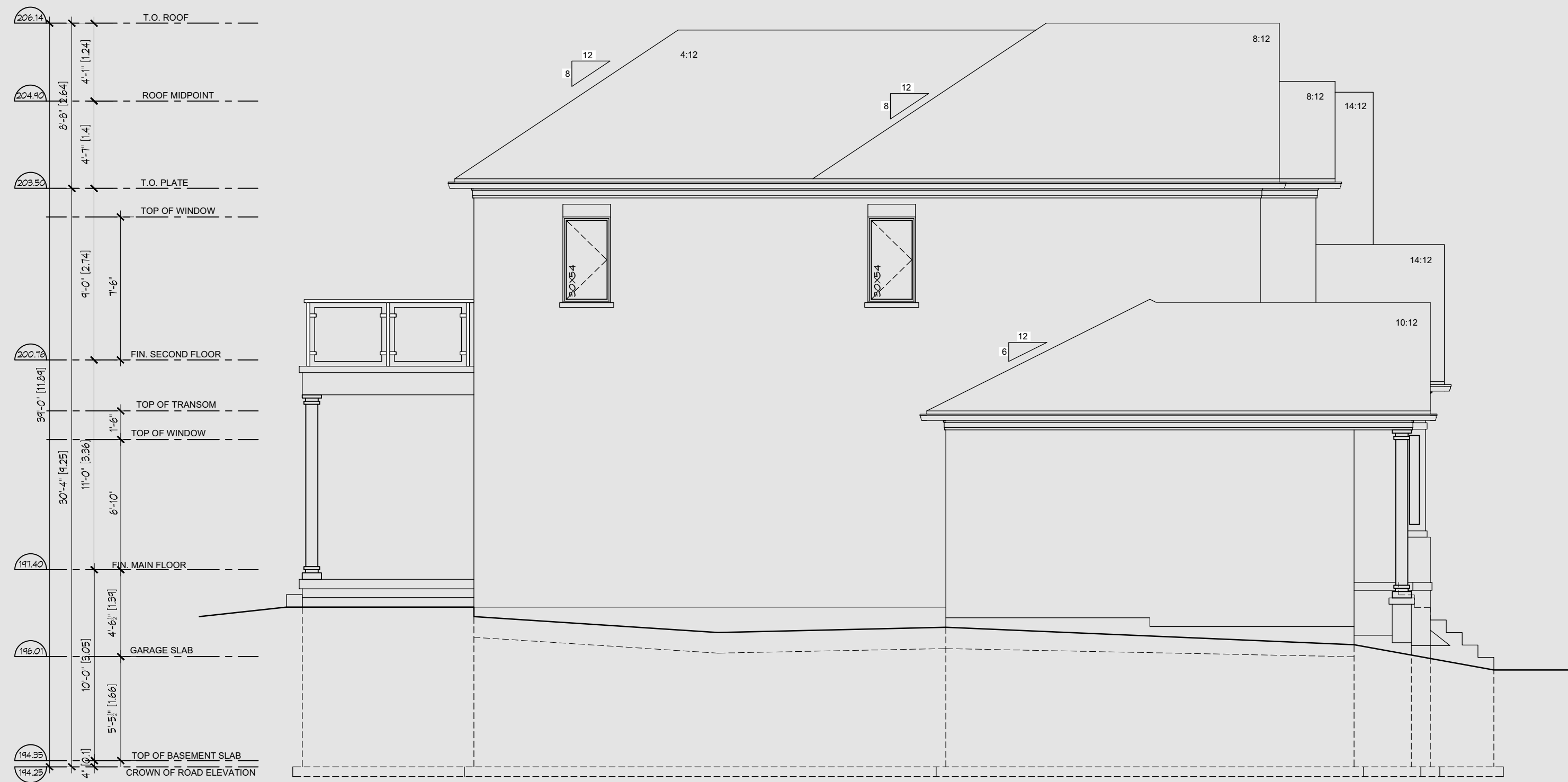
Qualified Designer BCIN: 22051
Firm BCIN: 22051
Date: JAN 2022

Signature:

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 02.02.2022

SHEET TITLE
FRONT ELEVATION

PROJECT NO.: 21-028	DRAWING NO.: A5
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LEFT SIDE ELEVATION

$$3/16'' = 1'-0''$$

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PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning
tel: 905-240-4024 fax: 905-240-4019
arcdesign@rogers.com

I, PETER JARUCZAK, DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF ARC DESIGN GROUP DEVELOPMENT SERVICES, LTD., UNDER DIVISION C, PART 3, SUBSECTION 3.2.4. OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES/CATEGORIES.

Qualified Designer BCIN:	32051
Firm BCIN:	35536
Expiry Date:	JAN 2022

Signature: 

DRAWN BY: AL	SCALE: AS NOTED
CHECKED BY: PJJ	DATE: 02.02.2022

SHEET TITLE

LEFT SIDE ELEVATION

PROJECT NO.:	DRAWING NO.:
21-028	A6



RIGHT SIDE ELEVATION

3/16" = 1'-0"

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10 STRATHROY CRESCENT
MARKHAM, ONTARIO

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Arc Design Group

architectural | mechanical | planning

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Qualified Designer BCIN:	33051
Firm BCIN:	99096
Date:	JAN 2022
Signature:	

DRAWN BY:	AL	SCALE:	AS NOTED
CHECKED BY:	PJJ	DATE:	02.02.2022

SHEET TITLE

RIGHT SIDE ELEVATION

PROJECT NO.:	21-028	DRAWING NO.:	A7
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REAR ELEVATION

3/16" = 1'-0"

GENERAL NOTES

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No.	Issued For/Revisions	Date
6		
5		
4		
3	ISSUED FOR C OF A	02.02.2022
2	ISSUED FOR ZONING REVIEW	01.10.2022
1	ISSUED FOR REVIEW	11.23.2021

PROJECT

10 STRATHROY CRESCENT
MARKHAM, ONTARIO

adg
Arc Design Group
architectural | mechanical | planning

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I HEREBY CERTIFY THAT I HAVE REVIEWED AND ACCEPTED THE RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT AND THAT I AM REGISTERED IN THE APPROPRIATE CLASS/CATEGORIES.	
Qualified Designer BCIN:	33051
Firm BCIN:	33050
Date:	JAN 2022
Signature:	

DRAWN BY:	AL	SCALE:	AS NOTED
CHECKED BY:	PJJ	DATE:	02.02.2022

SHEET TITLE
REAR ELEVATION

PROJECT NO.:	DRAWING NO.:
21-028	A8

APPENDIX “D”
MINUTES EXTRACT: JUNE 8, 2022

a south side yard setback of 4.0 feet, 1 inch, whereas the By-law requires a minimum 2 storey side yard setback of 6.0 feet;

b) By-law 2150, Section 4.4.1:

an existing accessory building (Frame Shed) setback of 1.64 feet (0.5 meters), whereas the By-law requires a minimum side yard setback of 2.0 feet (0.6 meters);

as it related to a second floor addition over the existing garage and a front porch.
(West District, Ward 1)

The Chair introduced the application.

The agent, Gabriela Grigoriu, appeared on behalf of the application, and provided an overview of the application and variances being requested.

Chair Knight confirmed there were no further speakers on the application.

Member Gutfreund advised he was in support of the application.

Member Reingold agreed with Member Gutfreund, but inquired what the material of the shed would be constructed of, and whether the neighbours would be consulted on the materiality of the shed.

The applicant advised the shed would be made of cedar, and would require minimal maintenance, and would work with the neighbours, if necessary, to maintain the shed.

Member Prasad agreed with Member Gutfreund's comments.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No **A/014/22** be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/025/22

Owner Name: Sumithra Sathiyarayanan

Agent Name: Arc Design Group (Peter Jaruczik)
10 Strathroy Crescent, Markham
PLAN 5223 LOT 10

The applicant was requesting relief from the requirements of By-law 1229, as amended to permit:

- a) **Table 11.1:**
a minimum side yard setback of 1.31 m (4.29 ft), whereas the By-law requires a minimum side yard setback of 1.83 m (6 ft) for the two-storey portion;
- b) **Table 11.1:**
a minimum front yard setback of 5.41 m (17.75 ft), whereas the By-law requires a minimum front yard setback of 7.62 m (25 ft);
- c) **By-Law 99-90, Section 1.2 (i): As Amended**
a height of 11.89 m, (39.01 ft.) whereas the By-law permits a maximum height of 9.8m (32.05 ft.);
- d) **By-Law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 51.60 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- e) **By-Law 28-97, Section 6.2.4.4 (a)(i): As Amended**
a driveway to have a minimum setback of 0.74 m (2.43 ft) from the interior side lot line, whereas the By-law requires a driveway to be located no closer to an interior side lot line than the minimum distance requirement for the main building;

as it related to a proposed new two-storey single detached dwelling.
(East District, Ward 4)

The Chair introduced the application.

The applicant, Peter Jaruczik, appeared on behalf of the application, and provided an overview of the proposal via a presentation to Committee members.

Brian Cheng, owner of 8 Strathroy Crescent, appeared to speak to the application. Brian inquired on the height variance being requested.

The applicant confirmed the height had been reduced in cooperation with Planning staff to 11.89 metres.

Brian Cheng advised they constructed their home in line with the by-law, and requested the applicant reduce the height further.

Elizabeth Brown, of 65 Lincoln Green Drive, and Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association appeared to speak to the application. Elizabeth advised 8 Strathroy Crescent was constructed within the requirements of the by-law.

Elizabeth presented Sections 8.2.3.5 and 9.13.2 of the Official Plan as it relates to Infill Development within the City, and brought specific attention to the height and massing requirements of the Official Plan, which speaks to limiting the size and massing of a development to ensure it fits within the existing character of neighbourhood.

Elizabeth acknowledged the reduction in building height, but voiced their concern with the height still being 2.0 metres higher than the by-law requires.

Elizabeth advised the massing could still be reduced further. Advised the additional 2.0 metres above the height was located above the eaves, and requested the eaves and roof be lowered to address the visual massing.

Chair Knight confirmed there were no further speakers on the application.

Member Prasad inquired if the building at 8 Strathroy Crescent, was approved by the Resident's Association, and advised they did not agree with the request to reduce the height. Member Prasad indicated they would support the application as presented.

Member Reingold indicated they did not support the application, and that it did not reflect the character of the neighbourhood. Member Reingold believed the height of the building to be too large.

Member Gutfreund voiced their concerns with the height of the building and massing, and considered both to be much larger than what they would normally consider minor, and believe the floor area ratio should be reduced to under 50%. Member Gutfreund advised they were not in support of the application.

Member Prasad disagreed with the opinions of Members Reingold and Gutfreund, and did not believe 8 Strathroy Crescent to fit in with the neighbourhood. Reiterated they believed the design of 10 Strathroy Crescent, was well done, and that they would be in support of the application.

The applicant reiterated the character of the lot and how the proposed building was located further back than 8 Strathroy Crescent.

Committee of Adjustment Minutes
Wednesday, June 08, 2022

The applicant reiterated the height was a result of the upward slope of the lot, but that the majority of the basement is located below grade, and that the back of the house would be compliant above grade, but as a result of the nature of the lot and how height was measured within the by-law, requires the height to be measured from the basement slab below grade.

The applicant spoke to the roof design pitch, and advised of the pitch being the minimum slope permitted before being classified as a flat roof.

Russ Gregory spoke to the application on behalf of the owner to further support the applicant's presentation of the variances being requested. Russ advised the house should be reviewed against the unique nature of the lot.

Member Reingold had a technical question with respect to whether retaining walls and landscaping would be able to amend the issue surrounding the height.

Chair Knight advised there are options on the roof treatments, or burying the first floor within grade, but reiterated the application was to be reviewed as presented.

Member Yan indicated how they needed to be careful how they approached the application, and would be supportive of the height variance requested, but believed the floor area ratio should be reduced.

Member Sampson agreed that reductions to floor area should be addressed, and be revised to be more in line with what has previously been approved by Committee.

Member Prasad inquired about the area of the open to below space in the proposal.

The applicant advised the open to below space was 19 square metres.

The applicant advised their client would be in support of a deferral of the application to accommodate revisions to the proposal.

Member Prasad advised they would be supportive of a deferral

Member Prasad advised the Committee should begin to look at how they review applications, and did not believe that not every application needs to be below a floor area ratio of 50%.

Member Gutfreund supported a deferral of the application, and encouraged the applicant to address the comments provided to them to make revisions to reduce the proposal.

Moved By: Arun Prasad
Seconded By: Tom Gutfreund

THAT Application No **A/025/22** be Deferred sine die

Resolution Carried

5. A/032/22

Owner Name: Jason Gangaram
Agent Name: Building Experts Canada (Edgar Labuac)
65 Reginald Lamb Crescent, Markham
PLAN 65M3853 LOT 108

The applicant was requesting relief from the requirements of By-law 177-96, as amended to permit:

a) By-law 177-96, Section 6.5:

a second dwelling unit, whereas the By-law permits no more than one dwelling unit per lot;

as it related to a proposed secondary suite (basement apartment).
(East District, Ward 7)

The Chair introduced the application.

The owner, Jason Gandram, appeared on behalf of the application.

Brian Hoffman, owner of 41 Gainsville Avenue, appeared to speak to the application, and advised they were opposed to the application.

Chair Knight advised Mr. Hoffman that they were here to speak to the application at 3 Towne Court and would be called on shortly.

Chair Knight confirmed no further speakers.

Member Gutfreund is in support of the application and would move for approval.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No **A/032/22** be approved subject to conditions contained in the staff report.

Resolution Carried