

# Memorandum to the City of Markham Committee of Adjustment

July 6, 2022

**File:** B/011/22 & B/012/22  
**Address:** 16 & 18 Grandview Boulevard, Markham, ON  
**Applicant:** Gregory Design Group (Shane Gregory)  
**Agent:** Gregory Design Group (Shane Gregory)  
**Hearing Date:** Wednesday, July 6, 2022

The following comments are provided on behalf of the East District team. The applicant has made two consent applications, requesting provisional consent to:

## **16 Grandview Boulevard – Parts 1 & 2 (B/011/22)**

- a) sever and convey a parcel of land with an approximate lot frontage of 12.13 m (39.79 ft) and approximate lot area of 498.70 m<sup>2</sup> (5,367.96 ft<sup>2</sup>) (Part 2); and
- b) retain a parcel of land with approximate lot frontage of 18.28m (59.97 ft) and approximate lot area of 749.69 m<sup>2</sup> (8,069.59 ft<sup>2</sup>) (Part 1);

## **18 Grandview Boulevard – Parts 3 & 4 (B/012/22)**

- a) sever and convey a parcel of land with an approximate lot frontage of 6.15 m (20.17 ft) and approximate lot area of 250.93 m<sup>2</sup> (2,700.98 ft<sup>2</sup>) (Part 3); and
- b) retain a parcel of land with approximate lot frontage of 24.25 m (79.56 ft) and approximate lot area of 996.64 m<sup>2</sup> (10,727.74 ft<sup>2</sup>) (Part 4).

## **BACKGROUND**

### **Property Description**

The subject properties municipally known as 16 Grandview Boulevard, and 18 Grandview Boulevard are located on the west side of Grandview Boulevard, north of Riverview Avenue, south of Highway 7 East, and west of Main Street Markham South, and will be collectively referred to herein as the “subject lands”. Each property is currently developed with a one-storey single detached dwelling, with mature trees and vegetation existing throughout. The subject lands have a combined lot area of 2,496.68 m<sup>2</sup> (26,874.04 ft<sup>2</sup>), and lot frontage of 60.80 m (199.47 ft).

The surrounding area contains a mix of one and two-storey single detached dwellings that are generally rectangular in shape, and vary in terms of their lot areas and lot frontages. Mature trees and vegetation are a predominant characteristic of the neighbourhood.

### **Proposal**

The applicant is proposing to sever and convey part of the lands currently located on 16 Grandview Boulevard (Part 2), and to sever and convey part of the lands located on the adjacent property at 18 Grandview Boulevard (Part 3).

If approved, the applicant intends to merge Parts 2 and 3 to facilitate the creation of one new developable residential lot to allow for the construction of one new two-storey single detached dwelling (Appendix “C”). The existing homes will be demolished and new two-storey dwellings would also be constructed on each of the retained lots. A total of three dwellings will be constructed.

### **Zoning Preliminary Review (ZPR) NOT Undertaken**

A ZPR for the submitted drawings has not been completed, and the applicant has not submitted any associated variance applications. Staff advise that if any non-compliances to the By-law are identified at the building permit stage, either variance application(s), or further revisions to the plans may be required to address any non-compliances. Any future applications would be evaluated in accordance with the development proposal and standards at that time.

### **COMMENTS**

Official Plan 2014 (partially approved on November 24/17, and updated on April 19/18)

The subject lands are designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings. Where severances are proposed, Section 10.3.2 of the Official Plan outlines a set of criteria for provisional consents to be granted, and staff are of the opinion that the proposed development:

- would result in the creation of three or fewer lots and a plan of subdivision is not necessary;
- fronts onto Grandview Boulevard, which is a public street;
- will not restrict the development of adjacent lands;
- is permitted by the size and frontage requirements of the Zoning By-law;
- would not impact cultural heritage resources; and
- is generally consistent with the relevant policies of the Official Plan.

### Zoning By-law 1229, as amended

The subject property is zoned “Residential One (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot. This zone category requires lots to have a minimum lot frontage of 60.0 ft (18.28 m), and a minimum lot area of 6,600.0 ft<sup>2</sup> (613.16 m<sup>2</sup>). The proposed consent applications to sever and convey these parts would reduce each property’s lot frontage and lot area (16 Grandview Boulevard and 18 Grandview Boulevard), to facilitate the creation of one new residential lot formed by Parts 2 and 3 as shown in the Draft Reference Plan (Appendix “C”). Minimum lot frontage and area requirements would be met for the newly configured lots, upon Parts 2 and 3 being registered and merged on title. Provided below is a table summary of the proposed lot frontages and areas for each lot (*Table 1*).

**Table 1 – Proposed Severance Applications for 16 Grandview Blvd & 18 Grandview Blvd**

<b>Municipal Address</b>	<b>Current Lot Frontage</b>	<b>Current Lot Area</b>	<b>Proposed Lot Frontage</b>	<b>Proposed Lot Area</b>
16 Grandview Boulevard	30.41 (99.77 ft)	1,248.39 m <sup>2</sup> (13,437.56 ft <sup>2</sup> )	18.28 m (60ft)	750.02m <sup>2</sup> (8,072.93 ft <sup>2</sup> )
Proposed Lot (Parts 2 & 3)	N/A	N/A	18.28 m (60 ft)	750.02 m <sup>2</sup> (8,072.93 ft <sup>2</sup> )
18 Grandview Boulevard	30.41 (99.77 ft)	1,247.64 m <sup>2</sup> (13,429.48 ft <sup>2</sup> )	24.24 m (79.5 ft)	996.64 m <sup>2</sup> (10,727.74 ft <sup>2</sup> )

The applicant intends to demolish the two existing dwellings, to construct one new dwelling on each lot. Staff have no objections to the proposed severance applications to create one new additional lot, provided that the Committee adopts those conditions recommended in Appendix “A”, which includes that:

1. the applicant be required to partially or fully demolish the existing dwellings within one year of the date that notice of decision is given. This will allow the proposed lots to comply with the side yard setback requirements as a condition of provisional consent; and
2. the applicant register and merge the severed parcels (Parts 2 and 3) on title to form one new lot.

The applicant should be made aware that any adopted conditions are to be fulfilled within a period of two years after notice of decision is given, as detailed under Section 53(41) of the *Planning Act*. If conditions are not fulfilled within this timeframe, additional consent applications would be required for the proposed development. Staff have no objections to the proposed consent applications as the proposed lots comply with the zoning by-law and are compatible with the surrounding area, which has a range of varied lot sizes similar to the lots that are being proposed.

#### Urban Design Comments

Urban Design staff does not have any objections to the approval of the severance application, and recommends that conditions requiring payment of cash-in-lieu of parkland dedication and submission of a Tress Assessment and Preservation Plan.

#### **PUBLIC INPUT SUMMARY**

City staff received a total of three written letters of objection as of the writing of this report (June 29, 2022). The three objectors to the proposed development cite concern with the inconsistencies between the lot frontages and lot areas of the proposed new lots and those of existing lots, with reference to Official Plan policy 8.2.3.5 a).

It is noted that additional information may be received after the writing of the report and that the Secretary-Treasurer will provide information on this at the meeting.

#### **CONCLUSION**

In determining its appropriateness, staff have had regard for Section 53 of the *Planning Act*, and have concluded that the proposed severance applications would create lots that are consistent with Provincial and City policies, and complies with the minimum requirements of the local Zoning By-law, and are compatible with other lots in the area. Planning staff recommend that any approval of this application be subject to the conditions provided in Appendix “A” to this report, and that the Committee considers public input in reaching a decision.

#### **APPENDICES**

Appendix A: Conditions of Approval

Appendix B: Plan of Survey

Appendix C: Draft Reference Plan

Appendix D: Conceptual Site Plan

Appendix E: Aerial Photo – Lot Sizes and Lot Frontages, Surrounding Area

PREPARED BY:

A handwritten signature in black ink that reads "Justin Mott". The signature is written in a cursive, slightly slanted style.

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Justin Mott, Planner, East District

REVIEWED BY:

A handwritten signature in black ink that appears to read "Carlson Tsang". The signature is written in a cursive, slightly slanted style.

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Carlson Tsang, Senior Planner, East District

## **APPENDIX “A”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/011/22 & B/012/22**

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 Files B/011/22 & B/012/22, 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. Payment of the required Conveyance Fee for the creation of residential lots per City of Markham Fee By-law 211-83, as amended.
5. The Owner shall enter into a Development Agreement with the City to the satisfaction of the City Solicitor, Director of Planning and Urban Design, Director of Operations, and/or the Director of Engineering, or their designates, which Development Agreement shall be registered on title to the lands in priority to all mortgages, charges, liens and other encumbrances, and the Owner shall procure and cause to be executed and registered at its own cost and expense such discharges, postponements, and subordination agreements as may be required by the City in order to provide for the priority of registration for the Development Agreement on title to the Lands. The Development Agreement shall specifically provide for matters including but not limited to:
  - a. Payment of all applicable fees in accordance with the City's fee by-law;
  - b. Review and approval of an Arborist Report and Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan;
  - c. Erection and inspection by City staff of tree protection fencing, in accordance with the City's Streetscape Manual (2009), as amended, and the Tree Assessment and Preservation Plan;
  - d. Planting of any required replacement trees in accordance with the City's Streetscape Manual (2009), as amended, and the Tree Assessment and Preservation Plan;
  - e. Submission of securities respecting any works to be provided in accordance with the Development Agreement;
  - f. Payment of cash-in-lieu of Parkland Dedication in accordance with By-law 195-90, as amended, upon execution of the development agreement;
  - g. Submission of an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the City; and

- h. Notice that the lands may not be connected to the City's water system, sewage system and/or drainage system (the "Municipal Services"), and that in order to connect to the Municipal Services, the Owner must submit an application to the City and pay for the connections to the Municipal Services, which shall be installed by the City.
  - i. The Owner will be required to submit a site servicing and grading plan for review and acceptance by the City upon making an application for a building permit.
  - j. Upon making an application for a building permit, the Owner must make satisfactory arrangements with the City's Engineering Department - Municipal Inspections for the installation of the proposed sanitary, storm and watermain service connections to service the newly created lot and disconnect any unused service connection.
- 6. Subsection 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
- 7. Submission of a Solicitor's Certificate certifying that upon registration of the required transfers to effect the severance applied for under Files B/011/22 and B/012/22, title to Part 2 on the Draft Reference Plan submitted with File B/011/22 will merge with title to Part 3 on the Draft Reference Plan submitted with File B/012/22, all to the satisfaction of the Director of Planning and Urban Design or designate.
- 8. That the Owner provides confirmation from an Ontario Land Surveyor that the severed and retained parcels, in their final configuration, meets all the requirements of the applicable Zoning By-law, including any development standards for building and structures, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Supervisor of Zoning, or their designate.
- 9. That the existing dwelling on the retained lots (Part 1, and Part 4) be partially or fully demolished, if required, to comply with all applicable Zoning By-law requirements, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Chief Building Official, or their designate.
- 10. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

CONDITONS PREPARED BY:



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Justin Mott, Planner, East District

**APPENDIX “B”  
PLAN OF SURVEY**



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

1. REGISTERED EASEMENTS AND/OR RIGHT OF WAYS: NONE.
2. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.
3. THIS PLAN SHOULD BE READ IN CONJUNCTION WITH A SURVEY REPORT DATED MARCH 29th, 2022.

THIS REPORT WAS PREPARED FOR MARINA BARAN AND WILLIAM DOUGLAS HARPER AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

□ DENOTES MONUMENT SET  
 ■ DENOTES MONUMENT FOUND  
 IB DENOTES IRON BAR  
 IP DENOTES IRON PIPE  
 SIB DENOTES STANDARD IRON BAR  
 SSIB DENOTES SHORT STANDARD IRON BAR  
 PL DENOTES REGISTERED PLANT #365  
 PL1 DENOTES PLANT 65R-36577  
 PL2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY DAVID  
 HORWOOD LIMITED (MARKHAM), O.L.S., DATED OCTOBER  
 13th, 2005  
 PL3 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY THAM  
 SURVEY LIMITED, O.L.S., DATED July 20th, 2020  
 (765) DENOTES G.T. HORTON, O.L.S.  
 (1128) DENOTES DAVID HORWOOD LIMITED (MARKHAM), O.L.S.  
 (1925) DENOTES MANDARIN SURVEYS LIMITED, O.L.S.  
 (WSG&S) DENOTES W.S. GIBSON & SONS, O.L.S.  
 (NI) DENOTES NOT IDENTIFIABLE  
 CALC'D DENOTES CALCULATED FROM PL AND PL2  
 PIN DENOTES PROPERTY IDENTIFIER NUMBER  
 MEAS DENOTES MEASURED  
 FFE DENOTES FINISHED FLOOR ELEVATION AT ENTRANCE  
 ② HP DENOTES UTILITY POLE  
 CB DENOTES CATCHBASIN  
 MH DENOTES MAINTENANCE HOLE  
 ○ CT0.108 DENOTES CONIFEROUS TREE AND DIAMETER  
 ○ CT0.754 DENOTES CULVERT  
 ○ CT0.754 DENOTES DECIDUOUS TREE AND DIAMETER  
 ○ SHRUB DENOTES SHRUB  
 CVT0.40# DENOTES CULVERT AND DIAMETER  
 BF DENOTES BOARD FENCE  
 RF DENOTES RAIL FENCE  
 RWST DENOTES STONE RETAINING WALL  
 RF RWST DENOTES NORTH FACE OF STONE RETAINING WALL  
 RWST DENOTES SOUTH FACE OF STONE RETAINING WALL  
 PROP DENOTES PROPORTIONED  
 N/E/S/W DENOTES NORTH/EAST/SOUTH/WEST DIRECTION

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99981733.

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS 092883039 (N: 4858652.012, E: 639151.582) AND 092883040 (N: 4858744.659, E: 639123.087) AS SHOWN ON THIS PLAN AND ARE BASED ON U.T.M. ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE, NAD-1983: CSRS.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY OF MARKHAM HORIZONTAL CONTROL MONUMENT No. 092883039, HAVING AN ELEVATION OF 172.810 METRES AND ARE BASED ON CGVD28 ADJUSTMENT. LOCATED ON THE WEST SIDE OF WILLOWGATE DRIVE AND OPPOSITE RIVERVIEW ROAD.

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF MARCH, 2022.

R. SHANMUGARAJAH  
ONTARIO LAND SURVEYOR



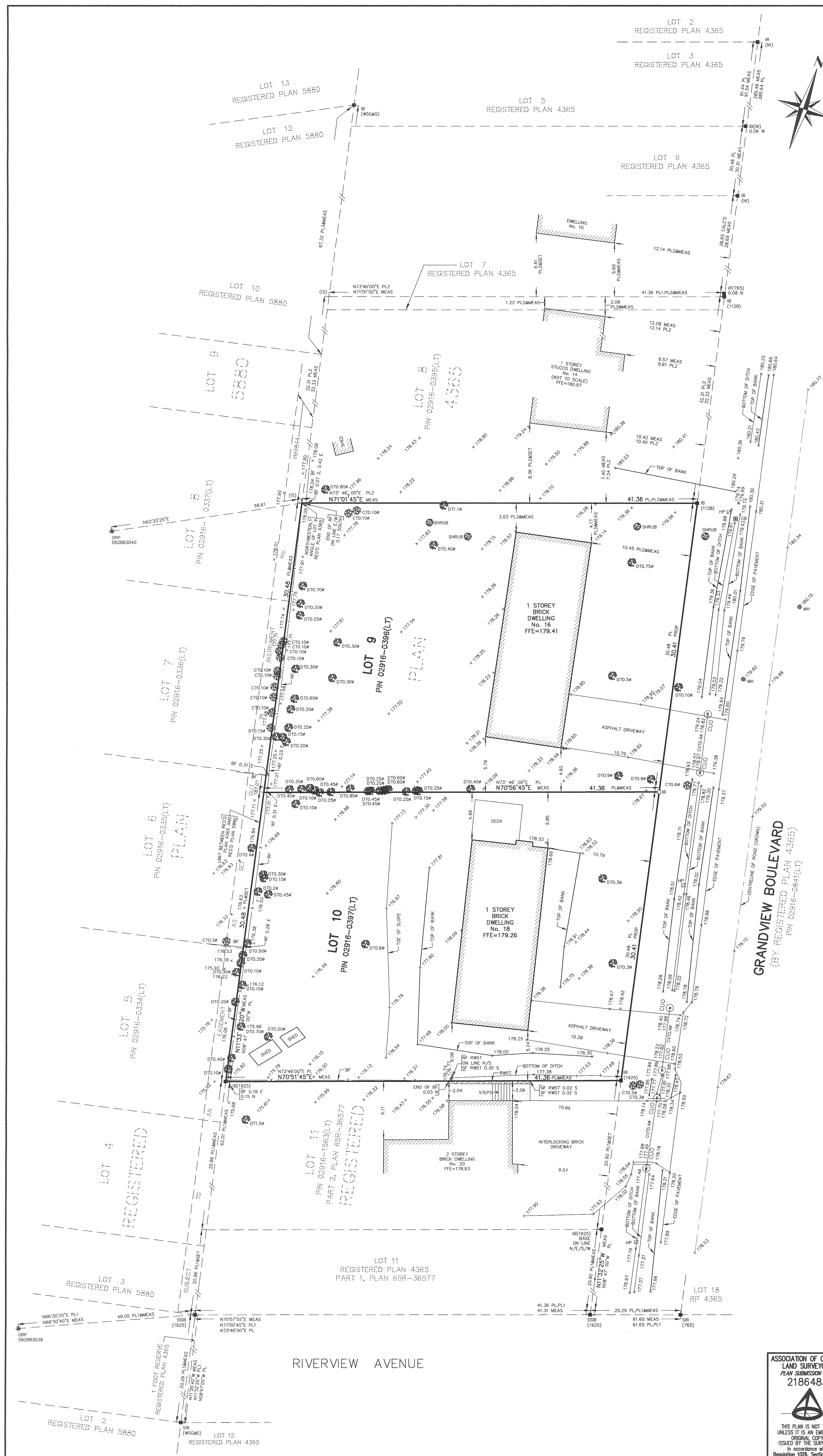
8888 KEELE STREET, UNIT 7    PHONE: 905-761-6521    FAX: 905-761-6523  
VAUGHAN, ONTARIO, L4K 2N2    1-855-761-6521

DRAWN BY: MSR	CHECKED BY: RS	CAD NUMBER: 22-045-TP-SRPR	JOB NUMBER: 22-045
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ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2186483

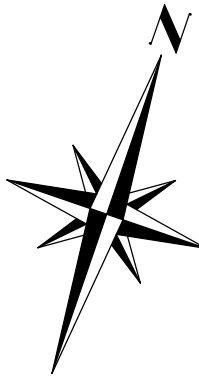


THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR.  
In accordance with  
Regulation 1026, Section 29(3).





**APPENDIX “C”  
DRAFT REFERENCE PLAN**



DATE \_\_\_\_\_, 2022

R. SHANMUGARAJAH  
ONTARIO LAND SURVEYOR

RECEIVED AND DEPOSITED

DATE \_\_\_\_\_, 2022

REPRESENTATIVE FOR  
LAND REGISTRAR FOR THE  
LAND TITLES DIVISION OF  
YORK REGION (No. 65)

SCHEDULE				
PART	LOT	REGISTERED PLAN	PIN	AREA
1	ALL OF LOT 9	4365	ALL OF PIN 02916-0396(LT)	749.69 m <sup>2</sup>
2				498.70 m <sup>2</sup>
3	ALL OF LOT 10		ALL OF PIN 02916-0397(LT)	250.93 m <sup>2</sup>
4				996.71 m <sup>2</sup>

SCALE 1:200

10m



THAM SURVEYING LTD., O.L.S. C

## METRIC

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

D	DENOTES MONUMENT SET
■	DENOTES MONUMENT FOUND
IB	DENOTES IRON BAR
IP	DENOTES IRON PIPE
SB	DENOTES STANDARD IRON BAR
SSB	DENOTES SHORT STANDARD IRON BAR
SL	DENOTES REGISTERED PLAN 4365
PL	DENOTES PLAN 65R-36577
PL1	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY THAM
	SURVEYING LIMITED, O.L.S., DATED APRIL 1ST, 2022
(1857)	DENOTES THAM SURVEYING LIMITED, O.L.S.
(789)	DENOTES G.T. HORTON, O.L.S.
(1920)	DENOTES UO HORROD LIMITED (MARGHAM), O.L.S.
(1925)	DENOTES MANDARIN SURVEYORS LIMITED, O.L.S.
(WGS64)	DENOTES W.S. GIBSON & SONS, O.L.S.
NI	DENOTES NOT IDENTIFIABLE
PN	DENOTES PROPERTY IDENTIFIER NUMBER
MEAS	DENOTES MEASURED
BF	DENOTES BOARD FENCE
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RWST	DENOTES STONE RETAINING WALL
NF RWST	DENOTES NORTH FACE OF STONE RETAINING WALL
SF RWST	DENOTES SOUTH FACE OF STONE RETAINING WALL
PROP	DENOTES PROPORTIONED
N/E/S/W	DENOTES NORTH/EAST/SOUTH/WEST DIRECTION

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.

OBSERVED REFERENCE POINTS (ORP's): U.T.M. ZONE 17, NAD83 (CSRS) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.G. 216/10		
POINT ID	NORTHING	EASTING
ORP 092883039	4858652.040	639151.575
ORP 092883040	4858744.670	639123.085

PLAN COORDINATES, UTM NAD83 (CSRS)		
POINT ID	NORTHING	EASTING
1	4858785.581	639215.085
2	4858772.138	639175.977
3	4858726.011	639227.249
4	4858712.453	639188.181

COORDINATES CANNOT, IN THEMSELVES, BE USED TO  
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99981733.

BEARINGS SHOWN HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS 092883039 AND 092883040 AS SHOWN ON THIS PLAN AND ARE BASED ON U.T.M. ZONE 17, CENTRAL MERIDIAN 81° WEST LONGITUDE, NAD-1983:CSRS.

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 THE ??th DAY OF ??, 2022

APRIL 11, 2022  
DATE

DRAFT  
R. SHANMUGARAJAH  
TARIO LAND SURVEYOR



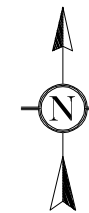
THAM SURVEYING LIMITED  
ONTARIO LAND SURVEYORS

8888 KEELE STREET, UNIT 7 PHONE: 905-761-6521 FAX: 905-761-6523  
VAUGHAN, ONTARIO, L4K 2N2 1-855-761-6521

DRAWN BY: S.G.	CHECKED BY: R.S.	CAD NUMBER: 22-045-RPLAN GROUND	JOB NUMBER: 22-045
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AOLS STICKER No

**APPENDIX “D”  
CONCEPTUAL SITE PLAN**



GENERAL NOTES:

ALL CONSTRUCTION IS TO CONFORM TO  
APPENDIX D  
CITY OF PHOENIX WIRELESS BUILDING  
CODE (LATEST EDITION).

Date: 06/29/22  
MM/DD/YY

BUILDING PERMITS SHOULD BE  
OBTAINED PRIOR TO COMMENCING  
CONSTRUCTION.

The undersigned has reviewed and takes responsibility for his design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Russ Gregory	25825
NAME	BCIN

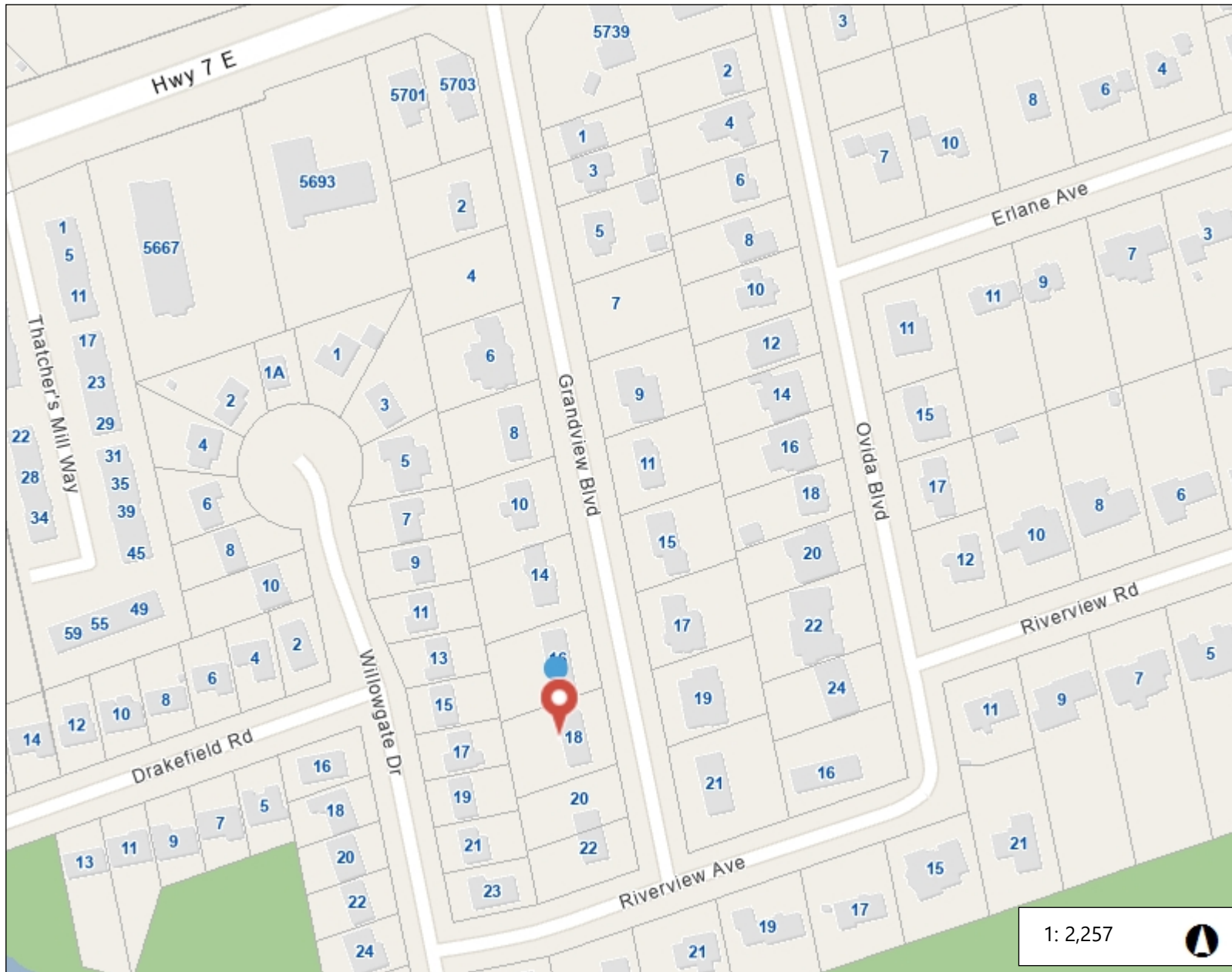
Gregory Designs	30506
FIRM NAME	BCIN

PROPOSED LOT  
SEVERANCE  
16-18 GRANDVIEW BLVD.

SP-1

**Appendix E: Aerial Photo – Lot Sizes and Lot Frontages, Surrounding Area**





## Legend

- Parcel
- Park Facility
- Parks
  - Under Development
  - <all other values>

1: 2,257



114.7 0 57.33 114.7 Meters

NAD\_1983\_UTM\_Zone\_17N  
© City of Markham

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [cgis@markham.ca](mailto:cgis@markham.ca) and you will be directed to the appropriate department.

Notes