

Memorandum to the City of Markham Committee of Adjustment

November 16, 2022

File: A/079/22
Address: 24 Gladiator Road – Markham, ON
Applicant: Yun-Ki Vicky Mac
Agent: Paar Design Inc. (Nikol Paar)
Hearing Date: November 23, 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 (the “Zoning By-law”), as they relate to a proposed single detached dwelling. The variances requested are to permit:

- a) **Amending By-law 99-90, Section 1.2 (i):**
a maximum height of 10.13 m (33.24 ft), whereas the Zoning By-law permits a maximum height of 9.80 m (32.15 ft);
- b) **Amending By-law 99-90, Section 1.2 (ii):**
a maximum depth of 19.40 m (63.65 ft), whereas the Zoning By-law permits a maximum depth of 16.80 m (55.12 ft); and
- c) **Amending By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 49.54%, whereas the Zoning By-law permits a maximum floor area ratio of 45.0%.

COMMENTS

The Committee of Adjustment (the “Committee”) deferred the above noted application at the initial hearing on August 10, 2022, to provide the applicant time to revise plans and reduce the requested floor area ratio.

On October 18, 2022, the applicant submitted revised drawings and a new application form. The new dwelling would have an interior floor area of 335.92 m² (3,615.77 ft²) as the applicant has reduced the floor area ratio by 1.38%, or a difference of 9.36 m² (100.72 ft²) in interior floor area. The initial requests for building height and depth remain unchanged. Staff comments from the initial staff report dated July 27, 2022 remain generally applicable.

PUBLIC INPUT SUMMARY

Following the initial hearing, staff received one written submission as of November 16, 2022 citing concerns with:

- the requested building depth
- the height of the decorative structures (chimney)
- allocation of municipal addressing in relation to neighbouring properties

For the reasons described in the initial staff report, staff are of the opinion that the requested depth meets the four tests. Staff note to the Committee that the Zoning By-law excludes ornamental roof construction features (including chimneys), in calculating a building’s height. In relation to municipal addressing, the Committee would not assess or review these concerns in accordance with the *Planning Act, R.S.O. 1990, c. P.13*, as

amended (the “*Planning Act*”) which outlines the Powers of Committee for Minor Variance applications; however, the resident may wish to contact the City’s mapping department.

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 remain of the opinion that the requested variances meet the four tests. Staff recommend that the Committee consider public input and the 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: July 27, 2022

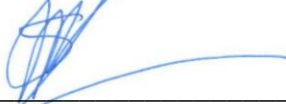
Appendix “D” – Minutes Extract: August 10, 2022

PREPARED BY:



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

REVIEWED BY:



Stacia Muradali, RPP, MCIP
Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/079/22

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:



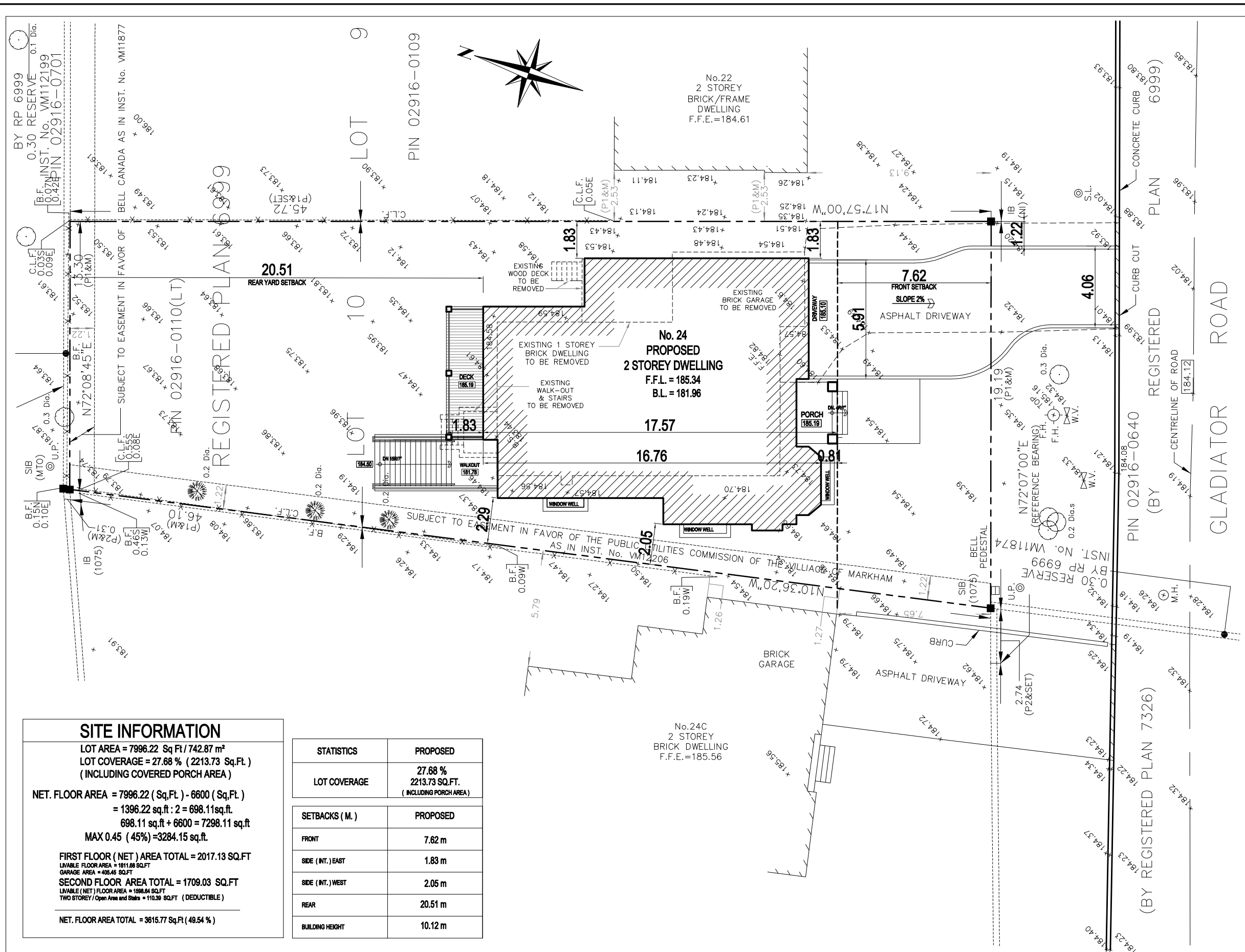
Aleks Todorovski, RPP, MCIP
Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/079/22

Appendix B

File: 22.118122.000.00.MNV

Date: 11/18/22
MM/DD/YY



SITE INFORMATION

LOT AREA = 7996.22 Sq Ft / 742.87 m²
 LOT COVERAGE = 27.68 % (2213.73 Sq.Ft.)
 (INCLUDING COVERED PORCH AREA)

NET. FLOOR AREA = 7996.22 (Sq.Ft.) - 6600 (Sq.Ft.)
 = 1396.22 sq.ft. : 2 = 698.11sq.ft.
 698.11 sq.ft + 6600 = 7298.11 sq.ft
 MAX 0.45 (45%) = 3284.15 sq.ft.

FIRST FLOOR (NET) AREA TOTAL = 2017.13 SQ.FT
 LIVABLE FLOOR AREA = 1811.89 SQ.FT
 GARAGE AREA = 404.65 SQ.FT
 SECOND FLOOR AREA TOTAL = 1709.03 SQ.FT
 LIVABLE (NET) FLOOR AREA = 1588.84 SQ.FT
 TWO STOREY (Open Area and Stairs) = 110.39 SQ.FT (DEDUCTIBLE)

NET. FLOOR AREA TOTAL = 3615.77 Sq.Ft (49.54 %)

STATISTICS	PROPOSED
LOT COVERAGE	27.68 % 2213.73 SQ.FT. (INCLUDING PORCH AREA)
SETBACKS (M.)	PROPOSED
FRONT	7.62 m
SIDE (INT.) EAST	1.83 m
SIDE (INT.) WEST	2.05 m
REAR	20.51 m
BUILDING HEIGHT	10.12 m

MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	22 03 2022	DRIVEWAY SETBACK BUILDING DEPTH
3.	17 10 2022	RE-ISSUED FOR CofA

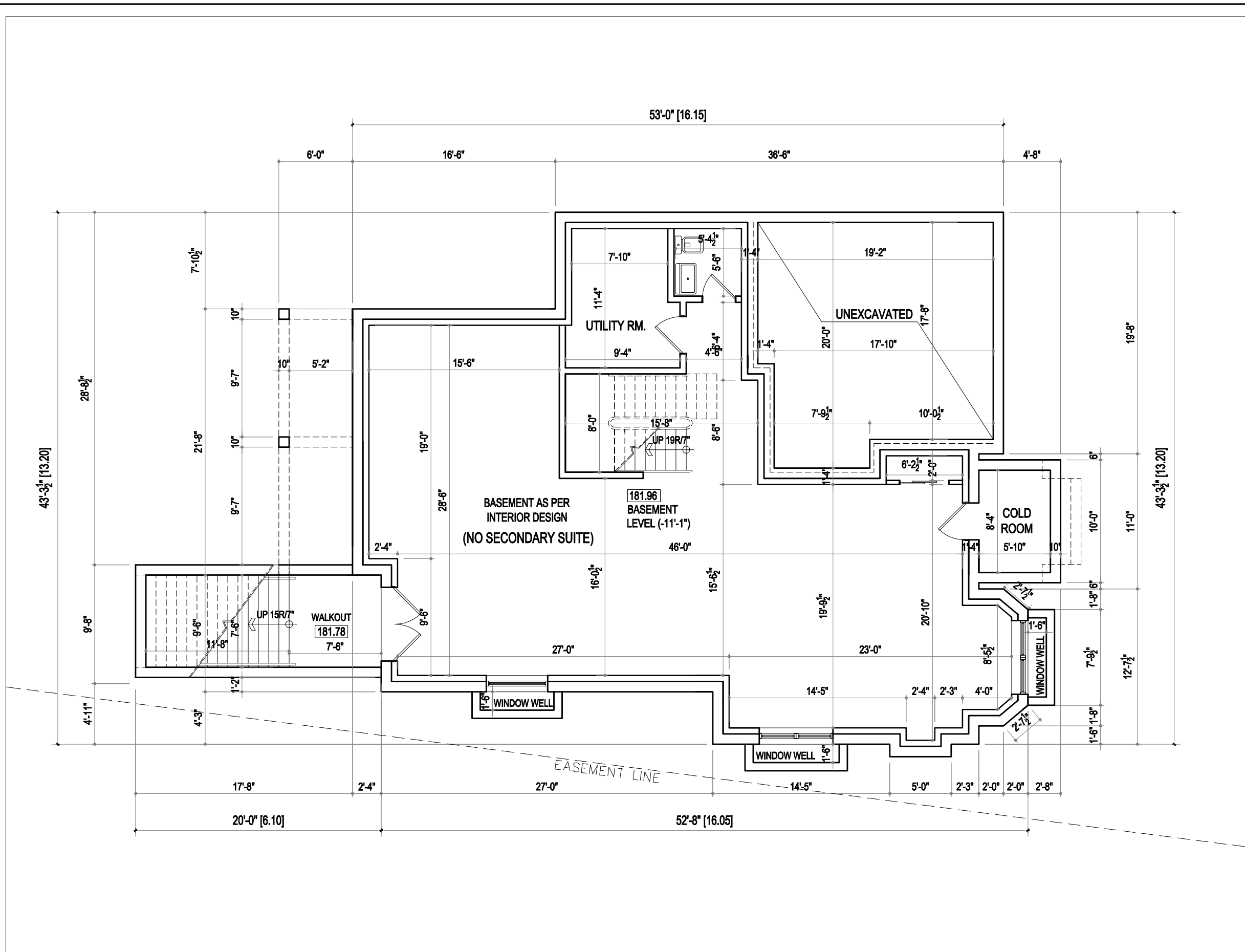
DESIGN	PROJECT:
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer. Qualification Information Required unless design is exempted under Division C-3.2.5.1. of the 2006 Ontario Building Code Zoran Paar 24546 BCIN / BCDN Registration Information Required unless design is exempted under Division C-3.2.4.1. of the 2006 Ontario Building Code PAAR Architecture and Interior Design Inc. 31785 BCIN / BCDN Firm Name	No. 24 GLADIATOR ROAD CITY OF MARKHAM 2 STOREY DWELLING
	DWG: SITE PLAN

PAAR DESIGN www.paardesign.com	PAAR DESIGN INC. 22 BLUE FOREST DR. TORONTO ON. M3H 4W2 p. 416 630 2106 www.paardesign.com info.paardesign.com	scale 1/16"=1'-0" A 0.1
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Appendix B

File: 22.118122.000.00.MNV

Date: 11/18/22
MM/DD/YY



MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	17 10 2022	RE-ISSUED FOR CoA

DESIGN

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Qualification Information
Required unless design is exempted under Division C-3.2.5.1. of the 2009 Ontario Building Code

Zoran Paar 24546
BCIN / BCDN

Registration Information
Required unless design is exempted under Division C-3.2.4.1. of the 2009 Ontario Building Code

PAAR Architecture and Interior Design Inc. 31785
Firm Name BCIN / BCDN

PROJECT:
No. 24
GLADIATOR ROAD
CITY OF MARKHAM
2 STOREY DWELLING

DWG:
BASEMENT PLAN

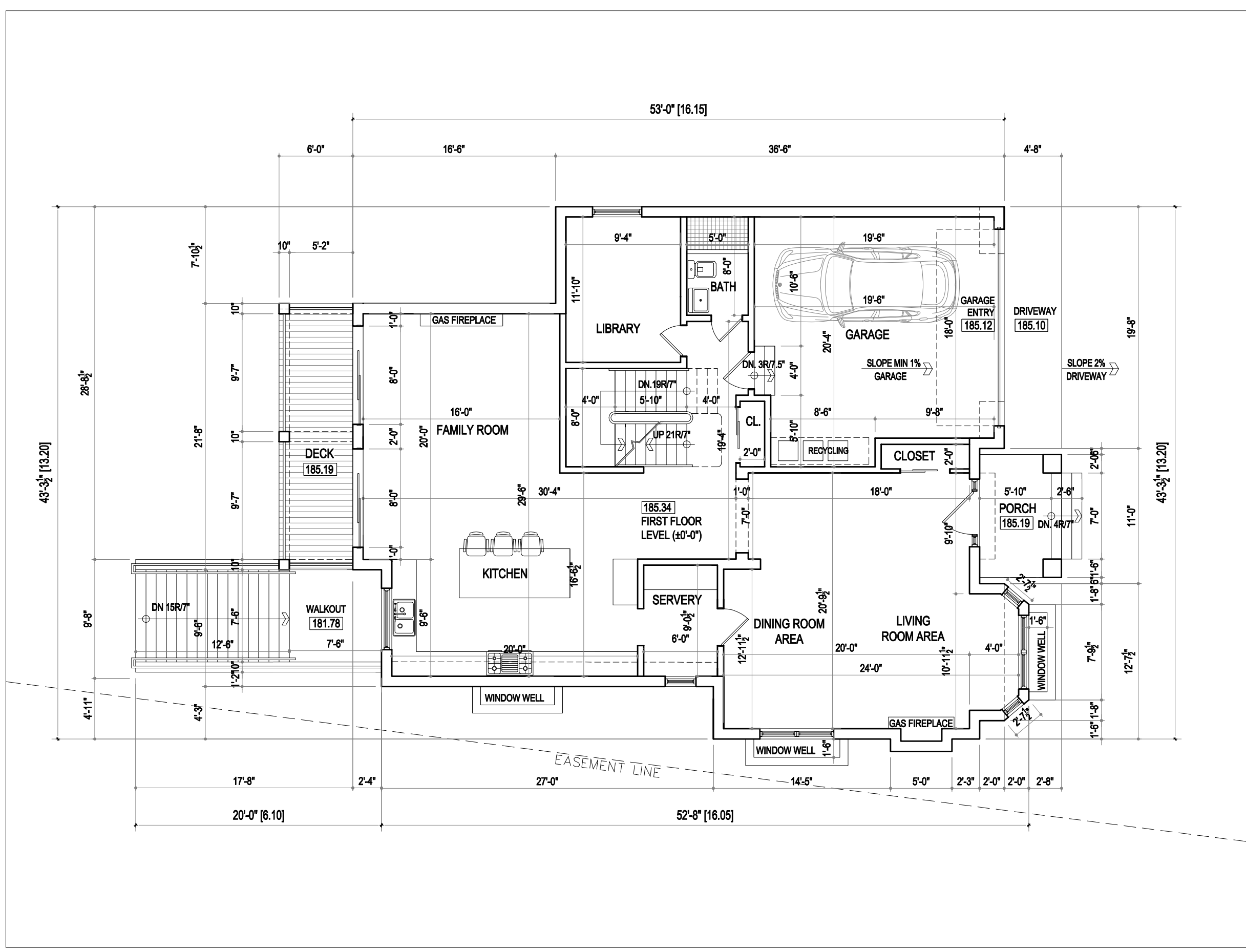
PAAR DESIGN INC.
22 BLUE FOREST DR.
TORONTO ON.
M3H 4W2
p. 416 630 2106
www.paardesign.com
info.paardesign.com

scale 1/8"=1'-0" **A 1.1**



Appendix B

File: 22.118122.000.00.MNV

Date: 11/18/22
MM/DD/YY



MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	22 03 2022	GARAGE DIMENSION
3.	17 10 2022	RE-ISSUED FOR CoA

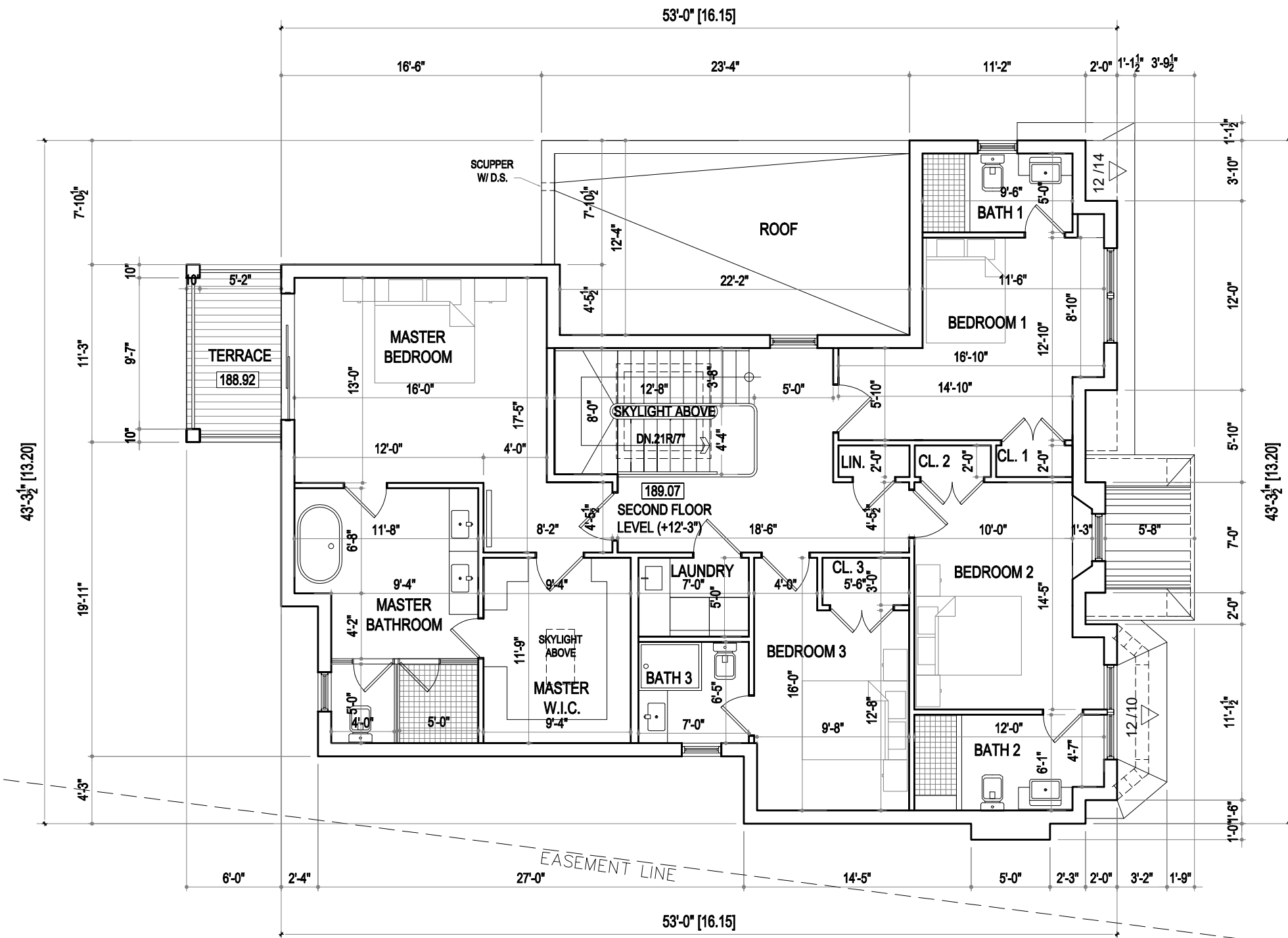
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<p>PAAR DESIGN</p> <p>22 BLUE FOREST DR. TORONTO ON. M3H 4W2</p> <p>p. 416 630 2106 www.paardesign.com info.paardesign.com</p>	<p>scale 1/8"=1'-0" A 1.2</p>
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Appendix B

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MM/DD/YY



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2.	17 10 2022	RE-ISSUED FOR CoA

<p>DESIGN</p> <p>The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer.</p> <p>Qualification Information Required unless design is exempted under Division C-3.2.5.1. of the 2009 Ontario Building Code</p> <p>Zoran Paar 24546 BCIN / BCDN</p> <p>Registration Information Required unless design is exempted under Division C-3.2.4.1. of the 2009 Ontario Building Code</p> <p>PAAR Architecture and Interior Design Inc. 31785 Firm Name BCIN / BCDN</p>	<p>PROJECT:</p> <p>No. 24 GLADIATOR ROAD CITY OF MARKHAM 2 STOREY DWELLING</p> <p>DWG: SECOND FLOOR PLAN</p>
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	<p>PAAR DESIGN INC. 22 BLUE FOREST DR. TORONTO ON. M3H 4W2 p: 416 630 2106 www.paardesign.com info.paardesign.com</p>	<p>scale 1/8"=1'-0" A 1.3</p>
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Appendix B

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MM/DD/YY



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Registration Information
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PAAR Architecture and Interior Design Inc. 31785 BCIN / BCDN
Firm Name

PROJECT:
No. 24
GLADIATOR ROAD
CITY OF MARKHAM
2 STOREY DWELLING
DWG: FRONT / SOUTH ELEVATION

PAAR
DESIGN

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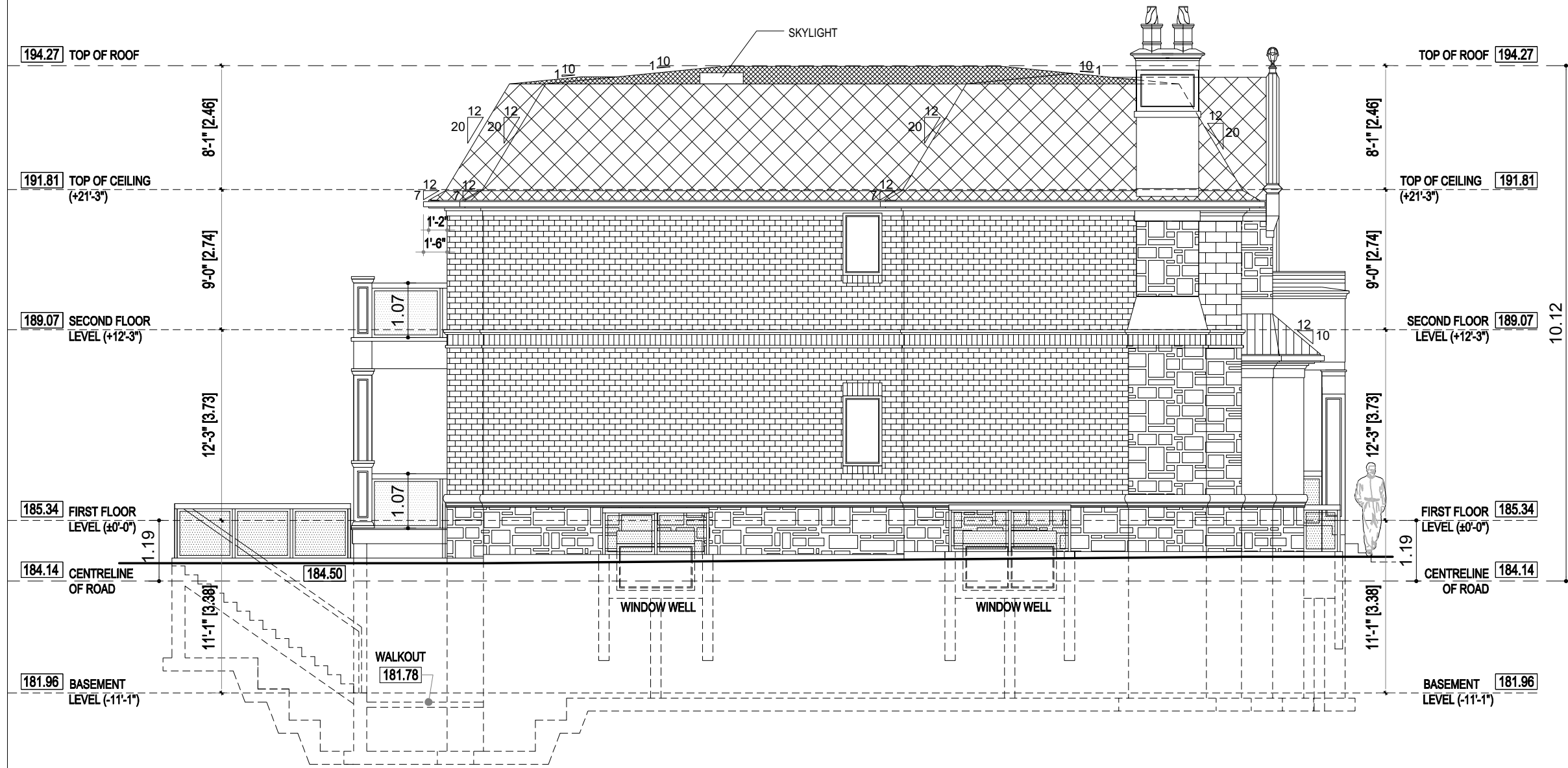
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Zoran Paar 24546
Registration Information
BCIN / BCDN
Required unless design is exempted under Division C-3.2.4.1. of the 2009 Ontario Building Code

PAAR Architecture and Interior Design Inc. 31785
Firm Name BCIN / BCDN

PROJECT:
**No. 24
GLADIATOR ROAD
CITY OF MARKHAM
2 STOREY DWELLING**

DWG: **SIDE / WEST
ELEVATION**

**PAAR
DESIGN**

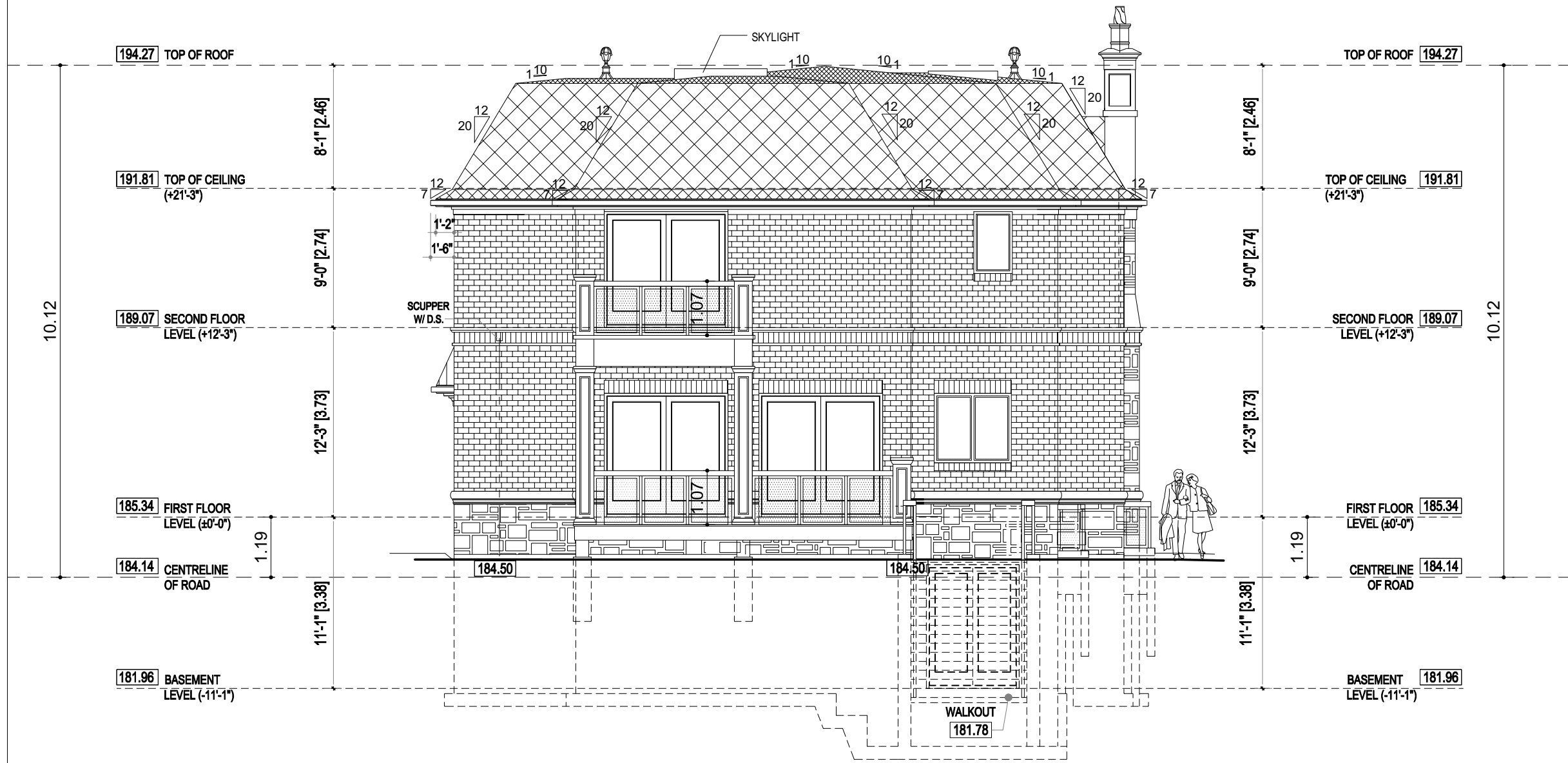
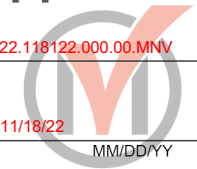
PAAR DESIGN INC.
22 BLUE FOREST DR.
TORONTO ON.
M3H 4W2
p. 416 630 2106
www.paardesign.com
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scale 1/8"=1'-0" **A 2.2**

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Zoran Paar 24546 BCIN / BCDN

Registration Information
Required unless design is exempted under Division C-3.2.4.1. of the 2009 Ontario Building Code

PAAR Architecture and Interior Design Inc. 31785 BCIN / BCDN

PROJECT:

No. 24
GLADIATOR ROAD
CITY OF MARKHAM
2 STOREY DWELLING

DWG: REAR / NORTH ELEVATION

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22 BLUE FOREST DR.
TORONTO ON.
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p. 416 630 2106
www.paardesign.com
info.paardesign.com

scale 1/8"=1'-0" **A 2.3**

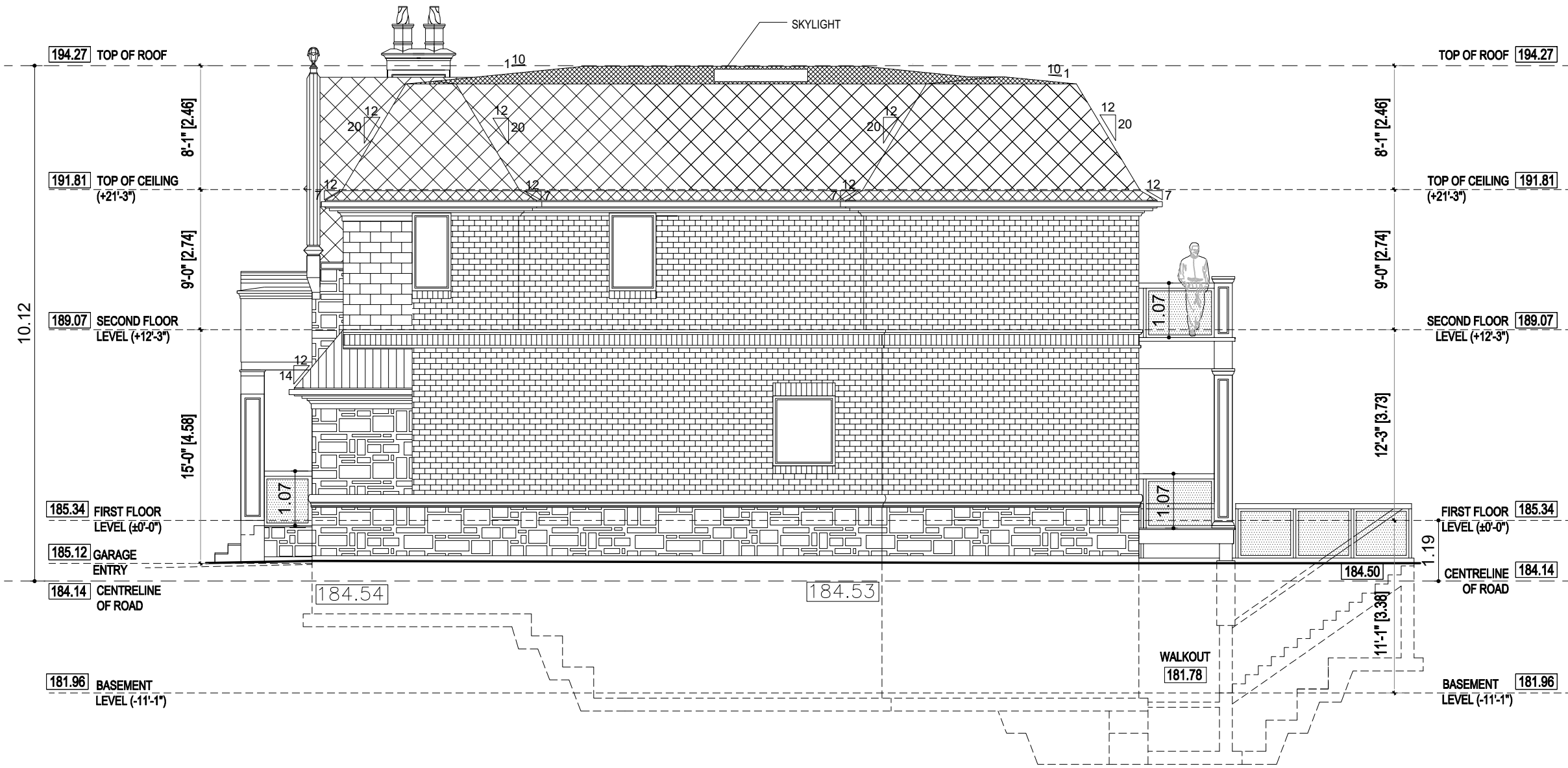
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10.12

Appendix B

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Zoran Paar 24546
Registration Information
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PAAR Architecture and Interior Design Inc. 31785
Firm Name BCIN / BCDN

PROJECT:
**No. 24
GLADIATOR ROAD
CITY OF MARKHAM
2 STOREY DWELLING**

DWG:
**SIDE / EAST
ELEVATION**

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info.paardesign.com

scale 1/8"=1'-0" A 2.4

APPENDIX "C"
INITIAL STAFF REPORT: JULY 27, 2022

Memorandum to the City of Markham Committee of Adjustment

July 27, 2022

File: A/079/22
Address: 24 Gladiator Road – Markham, ON
Applicant: Yun-Ki Vicky Mac
Agent: Paar Design Inc. (Nikol Paar)
Hearing Date: August 10, 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 they relate to a proposed two-storey single detached dwelling. The variances requested are to permit:

- a) **Amending By-law 99-90, Section 1.2 (i):**
a maximum height of 10.13 m (33.23 ft), whereas the by-law permits a maximum height of 9.80 m (32.15 ft);
- b) **Amending By-law 99-90, Section 1.2 (ii):**
a maximum depth of 19.40 m (63.65 ft), whereas the by-law permits a maximum depth of 16.80 m (55.12 ft); and
- c) **Amending By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 50.92%, whereas the by-law permits a maximum floor area ratio of 45.0%.

PROPERTY DESCRIPTION

The 742.87 m² (7,996.22 ft²) subject property is located on the north side of Gladiator Road, east of McCowan Road, south of Highway 7 East, and west of Conservation Avenue. There is an existing one-storey single detached dwelling on the property, with mature vegetation throughout. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. Mature vegetation is a predominant characteristic within the neighbourhood.

PROPOSAL

The applicant is proposing to demolish the existing dwelling, and construct a new two-storey detached dwelling with a ground floor area of 191.72 m² (2,063.62 ft²), and a second floor area of 153.56 m² (1,652.87 ft²) for a total gross floor area of 345.28 m² (3,716.49 ft²). The dwelling would also have a building height of 10.13 m (33.23 ft), and a building depth of 19.40 m (63.65 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 diverse building styles.

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.

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, maximum depth, and maximum floor area ratio.

ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN

The owner completed a ZPR on April 1, 2022 to confirm the variances required for the proposed development, which includes all variances requested at the beginning of this memorandum, as well as a variance relating to a minor stair encroachment into the required front yard. The applicant has confirmed that no changes to the plans have been made upon receiving the ZPR, and has chosen to omit the identified non-compliance relating to a stair encroachment. In the event this application is approved, the applicant has agreed to comply with the stair encroachment at the Building Permit stage.

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.

Increase in Maximum Height

The applicant is requesting a maximum building height of 10.13 m (33.23 ft), whereas the by-law permits a maximum building height of 9.80 m (32.15 ft). This is an increase of 0.33 m (1.08 ft), which staff consider minor in nature.

Increase in Maximum Depth

The applicant is requesting a maximum building depth of 19.40 m (63.65 ft), whereas the by-law permits a maximum building depth of 16.80 m (55.12 ft). This is an increase of approximately 2.60 m (8.53 ft).

The variance includes a front and rear covered porch, which cumulatively add approximately 2.44 m (8.0 ft) to the overall depth of the building. These features are one-storey in height, generally oriented towards the centre of the lot, and are consistent with the minimum side yard setback requirements. Excluding the covered porches, the main component of the building has a depth of approximately 16.76 m (54.99 ft). Staff are of the opinion that the requested variance is minor in nature 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 50.92%, 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 345.27 m² (3,716.49 ft²), whereas the by-law permits a dwelling with a maximum floor area of 305.11 m² (3,284.15 ft²). This is an increase of 40.17 m² (432.34 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. With exception to the proposed building height and depth variances, the building layout meets all other zoning provisions that establish the prescribed building envelope, and assists in ensuring the proposed dwelling will be in keeping with the intended scale of residential infill developments for the neighbourhood. Staff are satisfied that the requested variance maintains the general intent of the by-law, and is an appropriate development of the subject property.

Tree Protection and Compensation

Staff recommend that the tree related conditions be adopted by the Committee to ensure that the applicant installs the appropriate tree protection barriers and provides compensation to the City, if required. Staff also note that property owners are required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees that have a diameter at breast height of 20.0 cm (7.87 in) or more. Further mitigation through these processes may also be required to ensure the protection of certain trees is achieved.

PUBLIC INPUT SUMMARY

No written submissions were received as of July 27, 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 variances requested meet the four tests. In reaching a decision, staff recommend that the Committee consider public input, and the subsequent conditions of approval. 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.

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Appendix "A" – Conditions of Approval

Appendix "B" – Plans

PREPARED BY:



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

REVIEWED BY:



Stacia Muradali, RPP, MCIP
Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/079/22

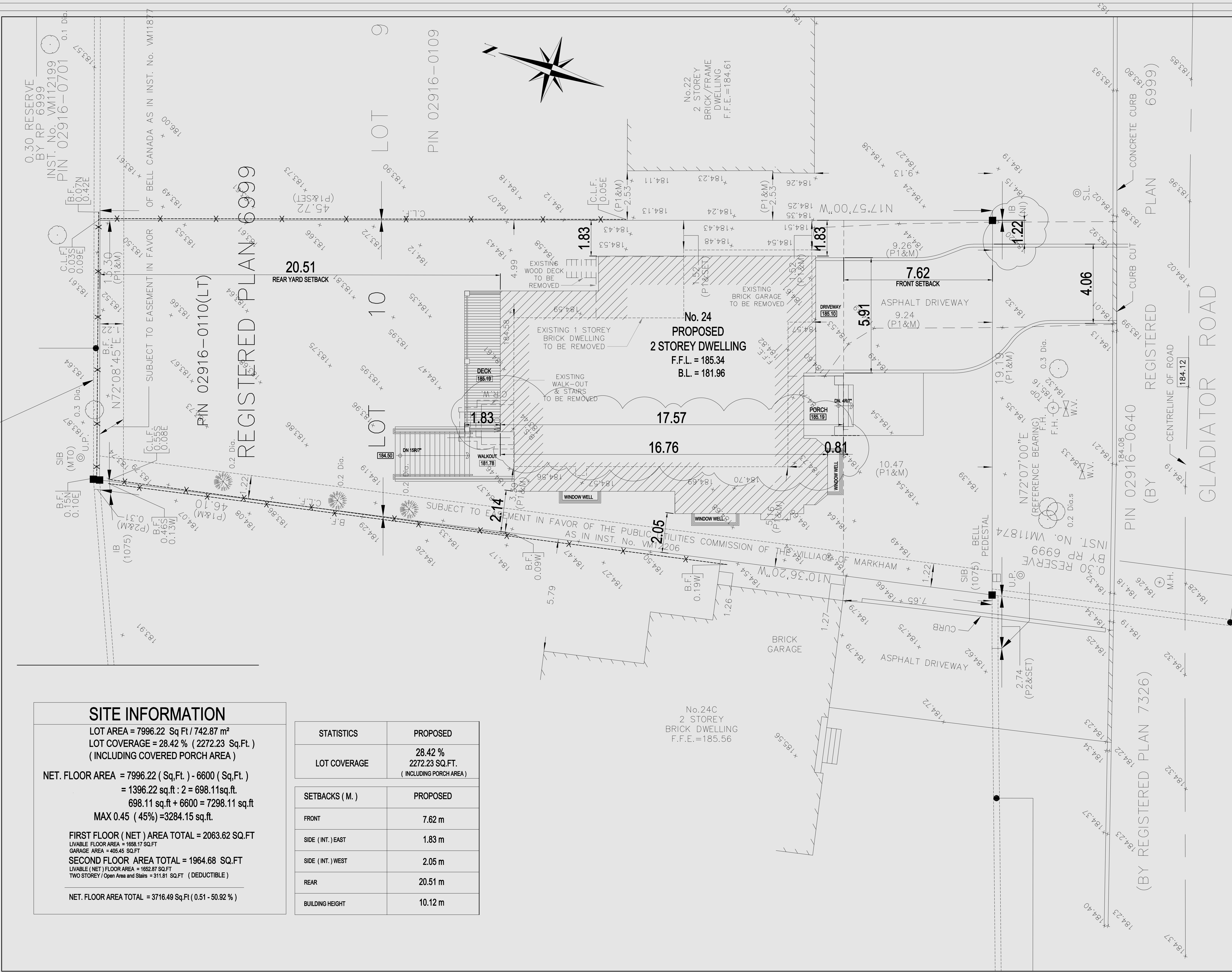
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2. That the variances apply only to the proposed development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban 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.
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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, RPP, MCIP
Planner, Zoning and Special Projects

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PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/079/22



SITE INFORMATION

LOT AREA = 7996.22 Sq Ft / 742.87 m²
 LOT COVERAGE = 28.42 % (2272.23 Sq.Ft.)
 (INCLUDING COVERED PORCH AREA)

NET. FLOOR AREA = 7996.22 (Sq.Ft.) - 6600 (Sq.Ft.)
 = 1396.22 sq.ft : 2 = 698.11sq.ft.
 698.11 sq.ft + 6600 = 7298.11 sq.ft
 MAX 0.45 (45%) = 3284.15 sq.ft.

FIRST FLOOR (NET) AREA TOTAL = 2063.62 SQ.FT
 LIVABLE FLOOR AREA = 1658.17 SQ.FT
 GARAGE AREA = 405.45 SQ.FT

SECOND FLOOR AREA TOTAL = 1964.68 SQ.FT
 LIVABLE (NET) FLOOR AREA = 1652.87 SQ.FT
 TWO STOREY / Open Area and Stairs = 311.81 SQ.FT (DEDUCTIBLE)

NET. FLOOR AREA TOTAL = 3716.49 Sq.Ft (0.51 - 50.92 %)

STATISTICS	PROPOSED
LOT COVERAGE	28.42 % 2272.23 SQ.FT. (INCLUDING PORCH AREA)
SETBACKS (M.)	PROPOSED
FRONT	7.62 m
SIDE (INT.) EAST	1.83 m
SIDE (INT.) WEST	2.05 m
REAR	20.51 m
BUILDING HEIGHT	10.12 m

No.24C
 2 STOREY
 BRICK DWELLING
 F.F.E.=185.56

MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	22 03 2022	DRIVEWAY SETBACK BUILDING DEPTH

DESIGN

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

Qualification Information
 Required unless design is exempted under Division C-3.2.5.1. of the 2006 Ontario Building Code

Zoran Paar 24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1. of the 2006 Ontario Building Code

PAAR Architecture and Interior Design Inc. 31765
 Firm Name BCIN / BCDN

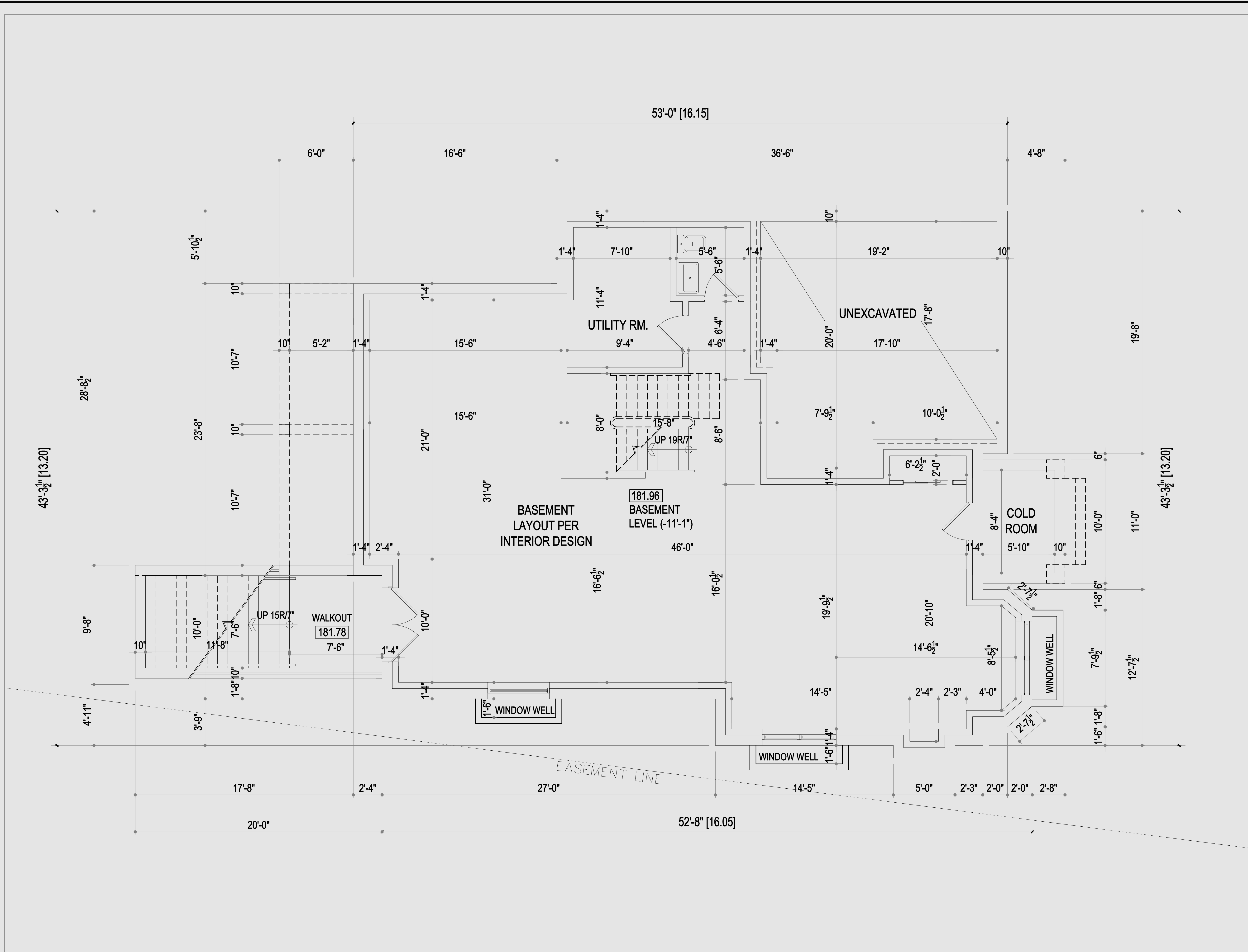
PROJECT :
**No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING**

DRW :
SITE PLAN

PAAR DESIGN

PAAR DESIGN INC.
 22 BLUE FOREST DR.
 TORONTO ON, M3H 4W2
 p: 416 630 2106
 www.paardesign.com
 info.paardesign.com

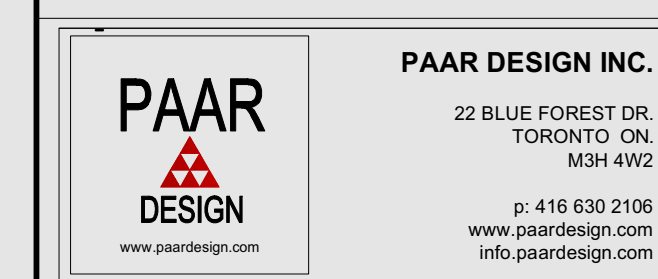
scale 1/16"=1'-0" **A0.1**



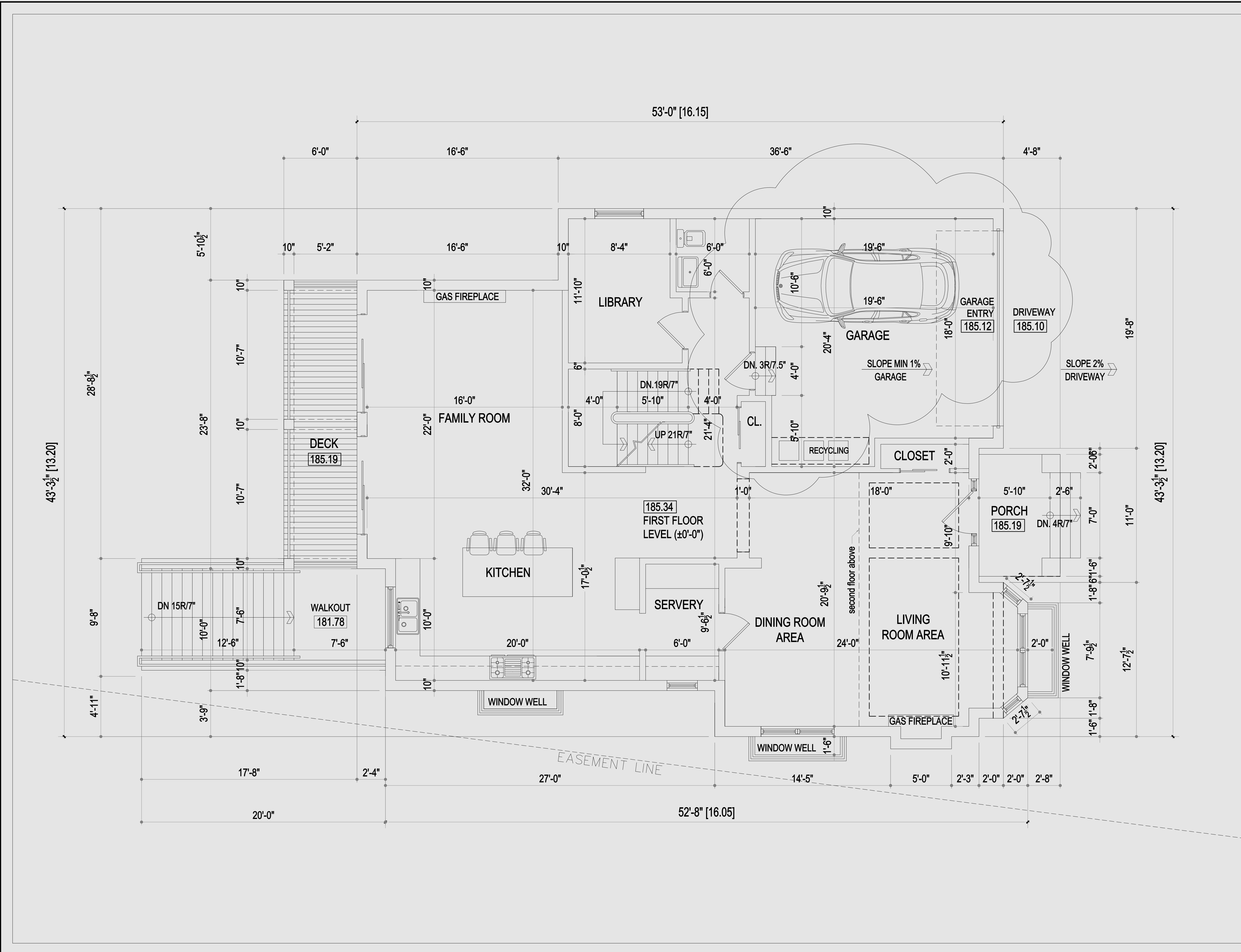
MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.		

DESIGN
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer.
Qualification Information
 Required unless design is exempted under Division C-3.2.5.1 of the 2006 Ontario Building Code
 Zoran Paar 24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1 of the 2006 Ontario Building Code
 PAAR Architecture and Interior Design Inc. 31765
 Firm Name BCIN / BCDN

PROJECT :
**No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING**
 DWG :
BASEMENT PLAN



scale 1/8"=1'-0" **A 1.1**



MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	22 03 2022	GARAGE DIMENSION

DESIGN
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer.
Qualification Information
 Required unless design is exempted under Division C-3.2.5.1. of the 2006 Ontario Building Code
 Zoran Paar 24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1. of the 2006 Ontario Building Code
 PAAR Architecture and Interior Design Inc. 31765
 Firm Name BCIN / BCDN

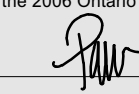

PROJECT :
**No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING**
 DWG :
FIRST FLOOR PLAN

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scale 1/8"=1'-0" **A 1.2**



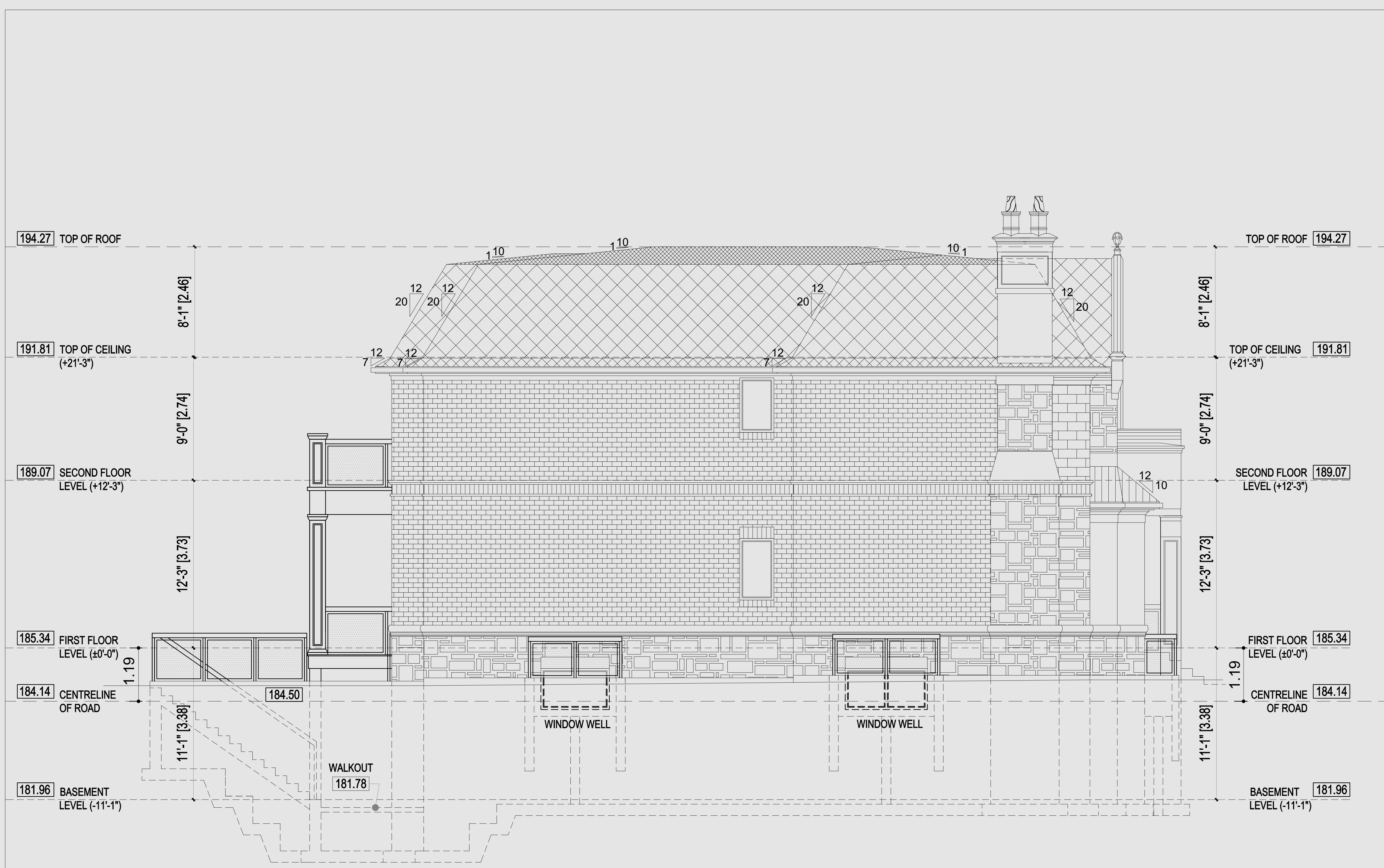
MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.	22 03 2022	EAVE DIMENSION

DESIGN
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer.
Qualification Information
 Required unless design is exempted under Division C-3.2.5.1 of the 2006 Ontario Building Code
 Zoran Paar  24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1 of the 2006 Ontario Building Code
 PAAR Architecture and Interior Design Inc.  31765
 Firm Name BCIN / BCDN

PROJECT :
**No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING**
 DWG : **FRONT / SOUTH
 ELEVATION**

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 TORONTO ONT.
 M3H 4W2
 p. 416 630 2106
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 info.paardesign.com

scale 1/8"=1'-0" **A 2.1**

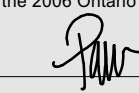


MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.		


DESIGN

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

Qualification Information
 Required unless design is exempted under Division C-3.2.5.1 of the 2008 Ontario Building Code

Zoran Paar  24546
 Registration Information BCIN / BCDN

Required unless design is exempted under Division C-3.2.4.1 of the 2008 Ontario Building Code

PAAR Architecture and Interior Design Inc.  31765
 Firm Name BCIN / BCDN

PROJECT :
 No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING

DWG : SIDE / WEST ELEVATION

PAAR DESIGN INC.
 22 BLUE FOREST DR.
 TORONTO ON
 M3H 4W2
 p. 416 630 2106
 www.paardesign.com
 info.paardesign.com

scale 1/8"=1'-0" **A 2.2**



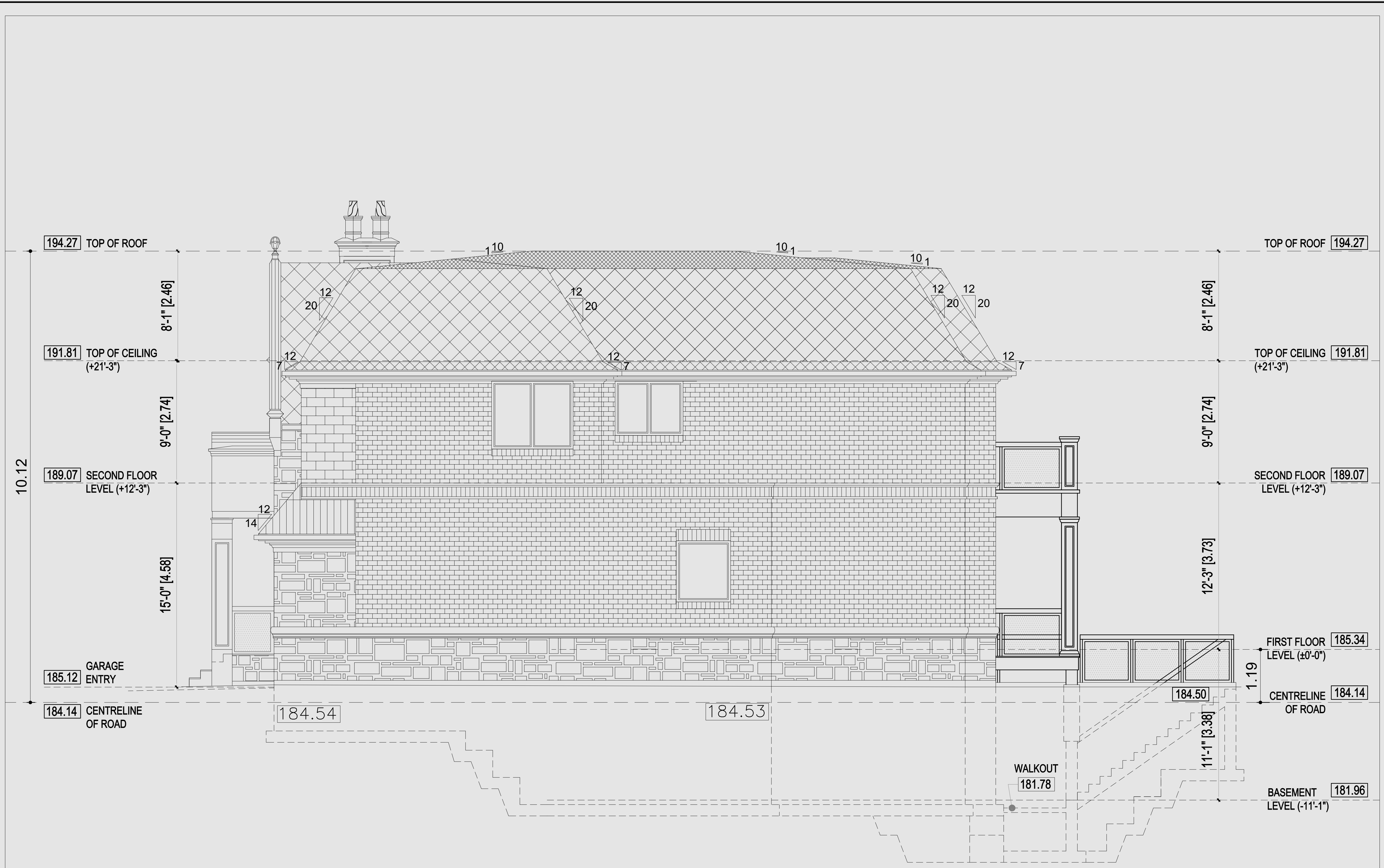
MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.		

DESIGN
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Code to be a designer.
Qualification Information
 Required unless design is exempted under Division C-3.2.5.1 of the 2006 Ontario Building Code
 Zoran Paar 24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1 of the 2006 Ontario Building Code
 PAAR Architecture and Interior Design Inc. 31765
 Firm Name BCIN / BCDN

PROJECT :
**No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING**
 DWG : **REAR / NORTH
 ELEVATION**

**PAAR
 DESIGN**
 22 BLUE FOREST DR.
 TORONTO ONT.
 M3H 4W2
 p. 416 630 2106
 www.paardesign.com
 info.paardesign.com

scale 1/8"=1'-0" **A 2.3**

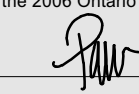



MARK	DATE	DESCRIPTION
1.	16 02 2022	ISSUED FOR ZONING REVIEW
2.		

DESIGN

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

Qualification Information
 Required unless design is exempted under Division C-3.2.5.1. of the 2006 Ontario Building Code

Zoran Paar  24546
 Registration Information BCIN / BCDN
 Required unless design is exempted under Division C-3.2.4.1. of the 2006 Ontario Building Code

PAAR Architecture and Interior Design Inc.  31765
 Firm Name BCIN / BCDN

PROJECT :
 No. 24
 GLADIATOR ROAD
 CITY OF MARKHAM
 2 STOREY DWELLING

DWG : SIDE / EAST ELEVATION

PAAR DESIGN INC.
 22 BLUE FOREST DR.
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 M3H 4W2
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scale 1/8"=1'-0" **A 2.4**

APPENDIX "D"
MINUTES EXTRACT: AUGUST 10, 2022

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

a maximum depth of 22.58 metres, whereas the by-law permits a maximum depth of 16.80 metres;

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

The Chair introduced the application.

Arlene Beaumont appeared on behalf of the agent, David Small Designs to speak to the application and made a presentation detailing the requested variances and outlined how the application met the four tests of the *Planning Act*. Arlene explained that the owners had been diligent in speaking with the neighbours and had nine letters of support including both adjacent neighbours and the rear neighbour. The application had a positive planning report and TRCA had approved the setback from the Natural Heritage features.

After hearing the presentation Victor Pan of 9 Christman Court had no comment.

Member Gutfreund stated that the application met the four tests of the *Planning Act* and recommended approval of the application.

Member Gutfreund motioned for approval.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

The Committee unanimously approved the application.

THAT Application No **A/068/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

3. A/079/22

Owner Name: Yun-Ki Vicky Mac
Agent Name: Paar Design Inc. (Nikol Paar)
24 Gladiator Road, Markham
PLAN 6999 LOT 10

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

- a) **Amending By-law 99-90, Section 1.2 (i):**
a maximum height of 10.13 metres, whereas the by-law permits a maximum height of 9.80 metres;
- b) **Amending By-law 99-90, Section 1.2 (ii):**
a maximum depth of 19.40 metres, whereas the by-law permits a maximum depth of 16.80 metres; and
- c) **Amending By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 50.92%, whereas the by-law permits a maximum floor area ratio of 45%;

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

The Chair introduced the application.

The agent, Nikol Parr, appeared on behalf of the application and gave an outline of the proposal. The application had a positive staff report, indicating it was in keeping with the neighbourhood. The applicants understood that the proposal was for requests greater than customarily granted by the Committee but asked for consideration of their design and front elevation, which was in keeping with the neighbourhood, had a variation of the roof lines, and was sensitive to the surrounding built form. They were prepared to work with the Committee.

There was one piece of written correspondence from Elizabeth Brown regarding the proposal.

Bahrat Kahtaria of 24C Gladiator Road had submitted a letter and spoke to his concerns. While all three variances will obstruct the neighbour's view, the depth, in particular, will be inconsistent with the existing builds of the area. Currently, all of the dwellings line up.

Member Yan asked for clarification regarding the rear yard setback for the deck. The lot was deep, and the rear yard setback was substantial. The design was not out of scale or overly pronounced, and Member Yan did not have significant issues with the individual variances but noted that cumulatively they add up. The member felt that the applicant could reduce the Floor Area Ratio to below 50 percent.

Member Gutfreund agreed with Member Yan that a reduction in the Floor Area Ratio was merited. It should be reduced to below 50 percent and closer to the Committee's similar approvals.

Member Sampson commented on the impact of the second-storey balcony on the adjacent neighbours but noted that it was part of the design of the deck below. They

agreed with their colleagues that the Floor Area Ratio should be reduced to below 50 percent and hopefully not just the minimum reduction of 49.9 percent.

The Chair noted the comments made by Elizabeth Brown in her letter. Elizabeth had suggested reducing some of the open to below space creating one or half-storey portions of the house. The depth was in line with previous Committee approvals.

As the applicant had indicated that they were willing to work with the Committee, the Chair asked if the applicant wanted to defer the application.

Nikol Paar requested a deferral.

Member Gutfreund motioned for deferral.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No **A/079/22** be **deferral** sine die.

Resolution Carried

Other Business:

1. Order of agenda item for the August 24th meeting.
2. Conflict of Interest written registry.

Adjournment

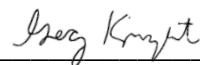
Moved by: Patrick Sampson
Seconded by: Tom Gutfreund

THAT the virtual meeting of the Committee of Adjustment was adjourned at 9:05 pm, and the next regular meeting would be held on August 24, 2022.

CARRIED



Secretary-Treasurer
Committee of Adjustment



Chair
Committee of Adjustment