

Memorandum to the City of Markham Committee of Adjustment

February 06, 2018

File: A/02/18
Address: 6 Honeybourne Crescent, Markham
Applicant: Sujie Tang
Agent: Oneness Design Inc. (Shan Tseng)
Hearing Date: Wednesday February 21, 2018

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of By-law 1229 - R1, as amended:

- a) **Infill By-law 99-90, Section 1.2 (i):**
a maximum building height of 10.84 m, whereas the By-law permits a maximum building height of 9.8 m;
- b) **Infill By-law 99-90, Section 1.2 (vi):**
a maximum net floor area ratio of 49.5 percent, whereas the By-law permits a maximum net floor area ratio of 45 percent, as they relate to a residential dwelling.

Property Description

The 1,012.43 m² (10,897.7 ft²) subject property is located on the south side of Honeybourne Crescent, north of Highway 7 and west of Main Street Markham North. There is an existing detached bungalow with a gross floor area of approximately 125.98 m² (1,356 ft²) on the subject property, which according to assessment records was constructed in 1958. The property contains mature vegetation including a number of mature trees in the rear yard and one in the front yard. The built form on Honeybourne Crescent primarily consists of detached bungalows constructed in the 1950's. However, the surrounding area, especially the area east of Galsworthy Drive, is undergoing a transition with newer dwellings being developed as infill developments.

Proposal

The applicant is proposing to demolish the existing home and construct a two-storey detached dwelling with a gross floor area of 402.55 m² (4,333 ft²). Three trees are proposed to be removed. The applicant will be required to work with the City's Tree Preservation Technician to provide tree replacement and/or compensation in accordance with the City's Streetscape Manual prior to the issuance of a building permit.

Official Plan and Zoning

2014 Official Plan (partially approved on Oct 30/15, May 26/16, Mar 10/17, April 21/17)

The subject property is designated "Residential – Low Rise", which provides for low rise housing forms including single detached dwellings. Infill development is required to meet the general intent of the 2014 Official Plan with respect to height, massing and setbacks to ensure that the development is appropriate for the site and also generally consistent with the zoning requirements for adjacent properties and properties along the same street. Regard must also be had for retention of existing trees and vegetation, as well as the width of proposed garages and driveways. Planning staff have had regard for the infill development criteria in the preparation of the comments provided below.

Zoning By-Law

The subject property is zoned R1- Single Detached dwelling under By-law 1229, as amended, which permits single detached dwellings.

Residential Infill Zoning By-law

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, yard setbacks and number of storeys. The proposed development does not comply with the infill By-law requirements with respect to building height and net floor area ratio.

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

According to the information provided by the applicant, *"the proposed dwelling is consistent with the other new infill homes in the area."*

Zoning Preliminary Review Not Undertaken

Although the applicant did not complete a Zoning Preliminary Review (ZPR), the variance was identified by zoning staff during the Building Permit review process. However, it is still the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed deck. If the variances in the application contains errors, or if the need for additional variances are identified during the Building Permit review process, further variance application(s) may be required to address the outstanding matters and there will be a delay in application processing.

COMMENTS

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Increase to Maximum Net Floor Area Ratio

The applicant is requesting relief for a maximum floor area ratio of 49.5 percent whereas the By-law permits a maximum floor area ratio of 45 percent. The proposed increase in floor area ratio will facilitate the construction of a two-storey dwelling with a gross floor area of 402.55 m² (4,333 ft²) whereas the By-law permits a dwelling with a maximum floor area of 365.76 m² (3,937 ft²). This represents an increase of 36.79 m² (396 ft²).

Floor Area Ratio is a measurement of the interior square footage of the dwelling as a percentage of the net lot area. It is not a definitive measurement of the mass of the dwelling, since it does not include "open to below" areas that may exist within the dwelling (e.g. two-storey foyers, atriums and/or stairs). In addition to the area associated with the stairs, there is an open to below area of approximately 5.78 m² (62.29 ft²) above the foyer.

The variance is attributed to the single-storey garage which adds approximately 48.84 m² (525.7 ft²) to the total gross floor area. The garage is about 7.2 m (23.62 ft) in height and represents a minor component of the overall building. The rear portion of the garage has a reduced height that helps break down the massing of the east elevation. The main two-storey wall on the east side of the building is also recessed from the garage which assists to achieve a reduction in the overall coverage and provides increased separation from the property to the south.

Notwithstanding the proposed increase in gross floor area, the building layout will comply with all the minimum setback requirements and is approximately 36.68 percent less than the maximum coverage permitted by the zoning by-law. Given the size of the property and that the proposed dwelling will be built within the prescribed building envelope, staff are of the opinion that the variance is in keeping with the intended scale of infill developments for the neighbourhood and have no objection.

Increase to Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 10.84 m (35.56 ft), whereas the By-law permits a maximum building height of 9.8 m (32.15 ft). This represents an increase of 1.04 m (3.41 ft).

Although the proposed dwelling will be taller than many of the existing one-storey detached homes on the street, it is generally consistent with the other infill developments in the area, many of which have obtained minor variance approval for similar increases in building height. Considering the recent infill development trend, staff are of the opinion that the proposed building height is in keeping with the evolving character of the surrounding community and have no objection to the variance request.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 6th, 2018. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

COMMENTS

Planning staff have reviewed this application with respect to Section 45 (1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and have no concerns with the variance. Staff recommend that the Committee consider public in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

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

PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:



Senior Planner, Stacia Muradali, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/02/18

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and received on January 3, 2018 and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City's Streetscape Manual, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Director of Planning and Urban Design or their designate.
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
6. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

CONDITIONS PREPARED BY:

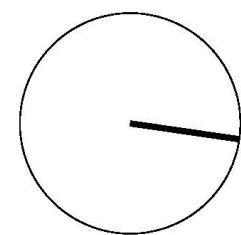


Carlson Tsang, Planner, Zoning and Special Projects

HONEYBOURNE CRESCENT
(BY REGISTERED PLAN 4949)



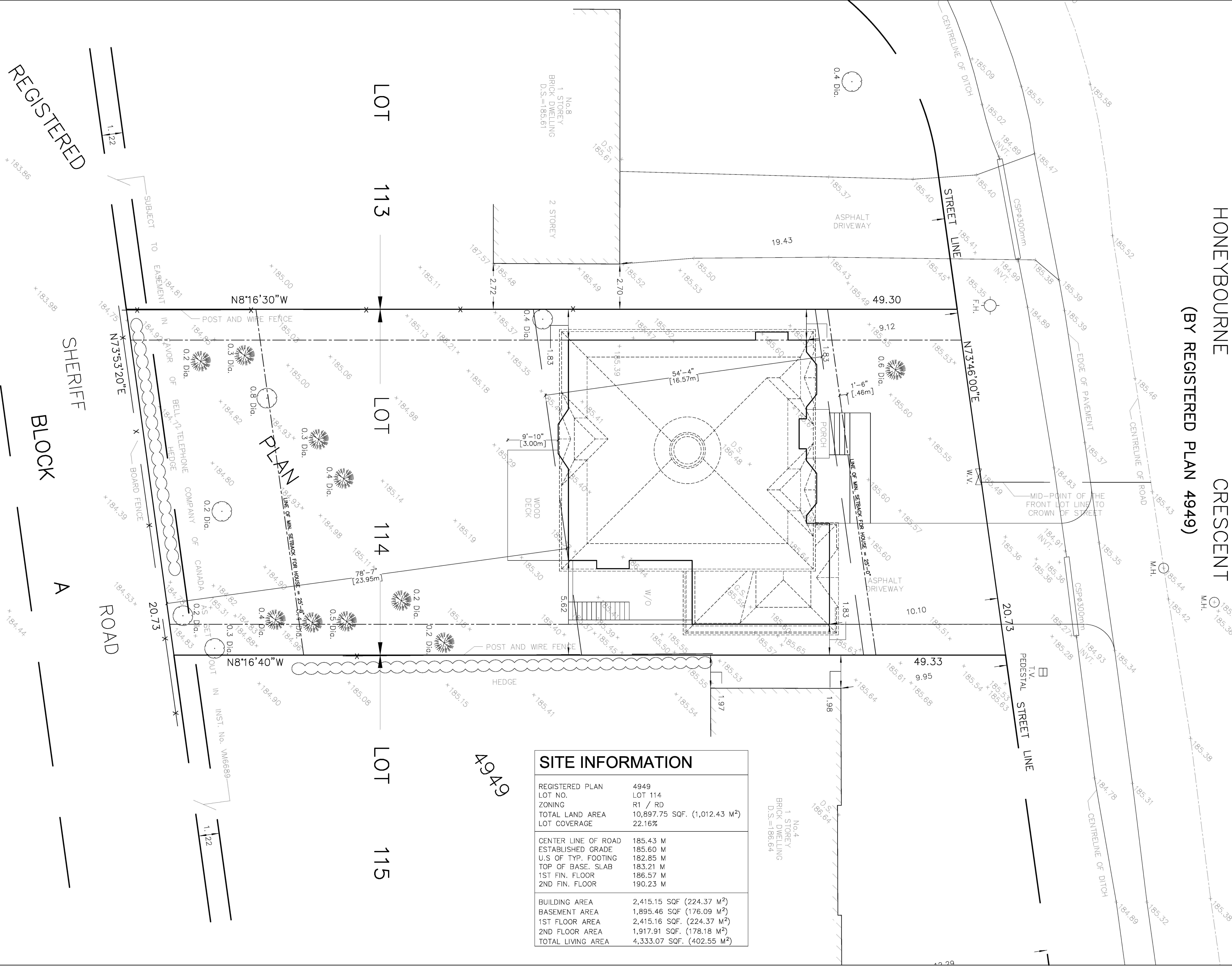
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Project

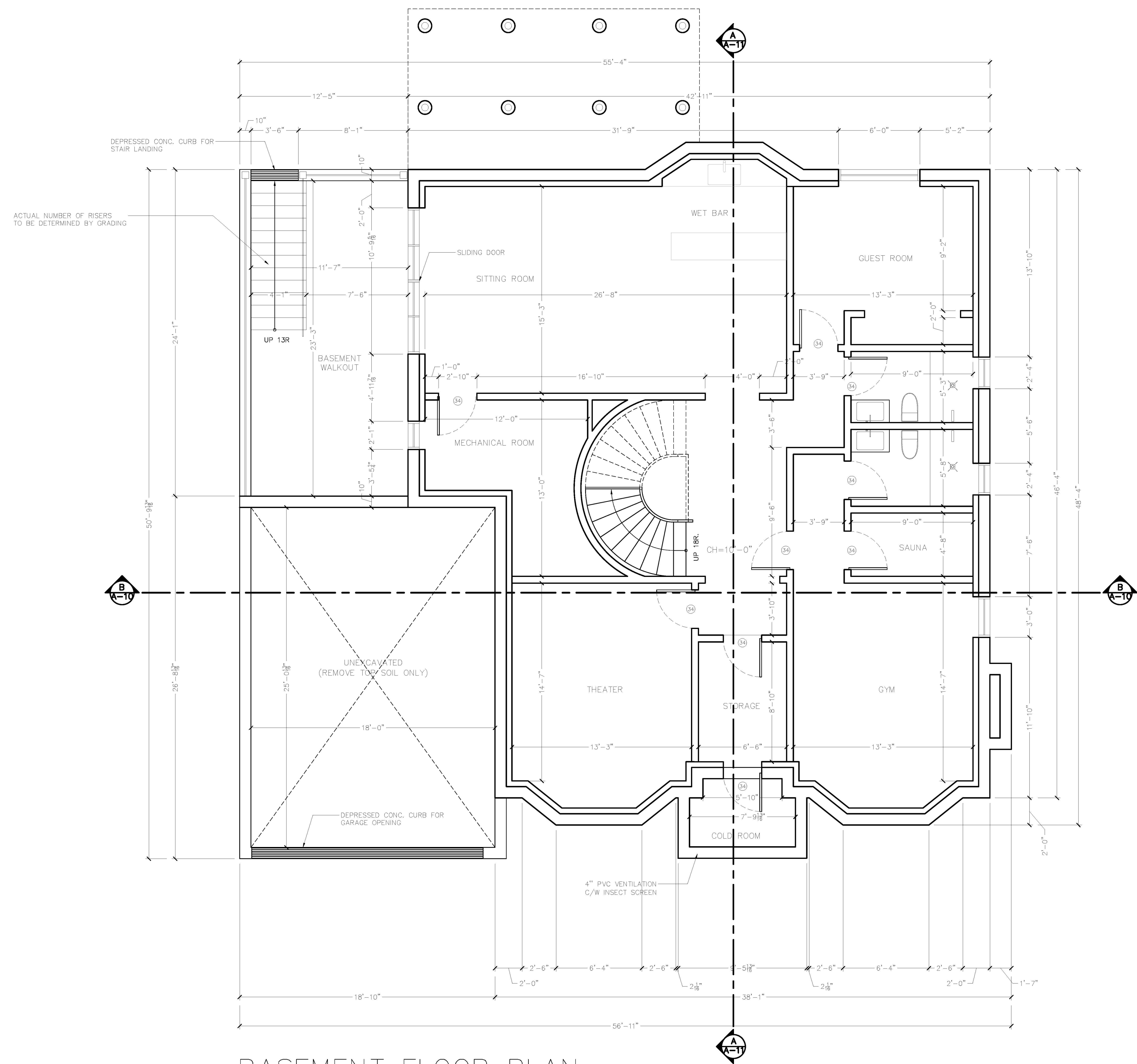
6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn M.C.	Drafted R.T.
BCIN NA	FIRM BCIN NA	
Scale 1/8" = 1'-0	Application No. 00 000000	
Title SITE PLAN	Dwg. No. A-01	



SITE INFORMATION	
REGISTERED PLAN	4949
LOT NO.	LOT 114
ZONING	R1 / RD
TOTAL LAND AREA	10,897.75 SQF. (1,012.43 M ²)
LOT COVERAGE	22.16%
CENTER LINE OF ROAD	185.43 M
ESTABLISHED GRADE	185.60 M
U.S. OF TYP. FOOTING	182.85 M
TOP OF BASE. SLAB	183.21 M
1ST FIN. FLOOR	186.57 M
2ND FIN. FLOOR	190.23 M
BUILDING AREA	2,415.15 SQF (224.37 M ²)
BASEMENT AREA	1,895.46 SQF (176.09 M ²)
1ST FLOOR AREA	2,415.16 SQF. (224.37 M ²)
2ND FLOOR AREA	1,917.91 SQF. (178.18 M ²)
TOTAL LIVING AREA	4,333.07 SQF. (402.55 M ²)

Basement Floor:1895.46 sq ft.



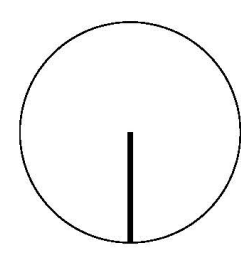
BASEMENT FLOOR PLAN
SCALE : 1/4"=1'-0"

Interior Design By



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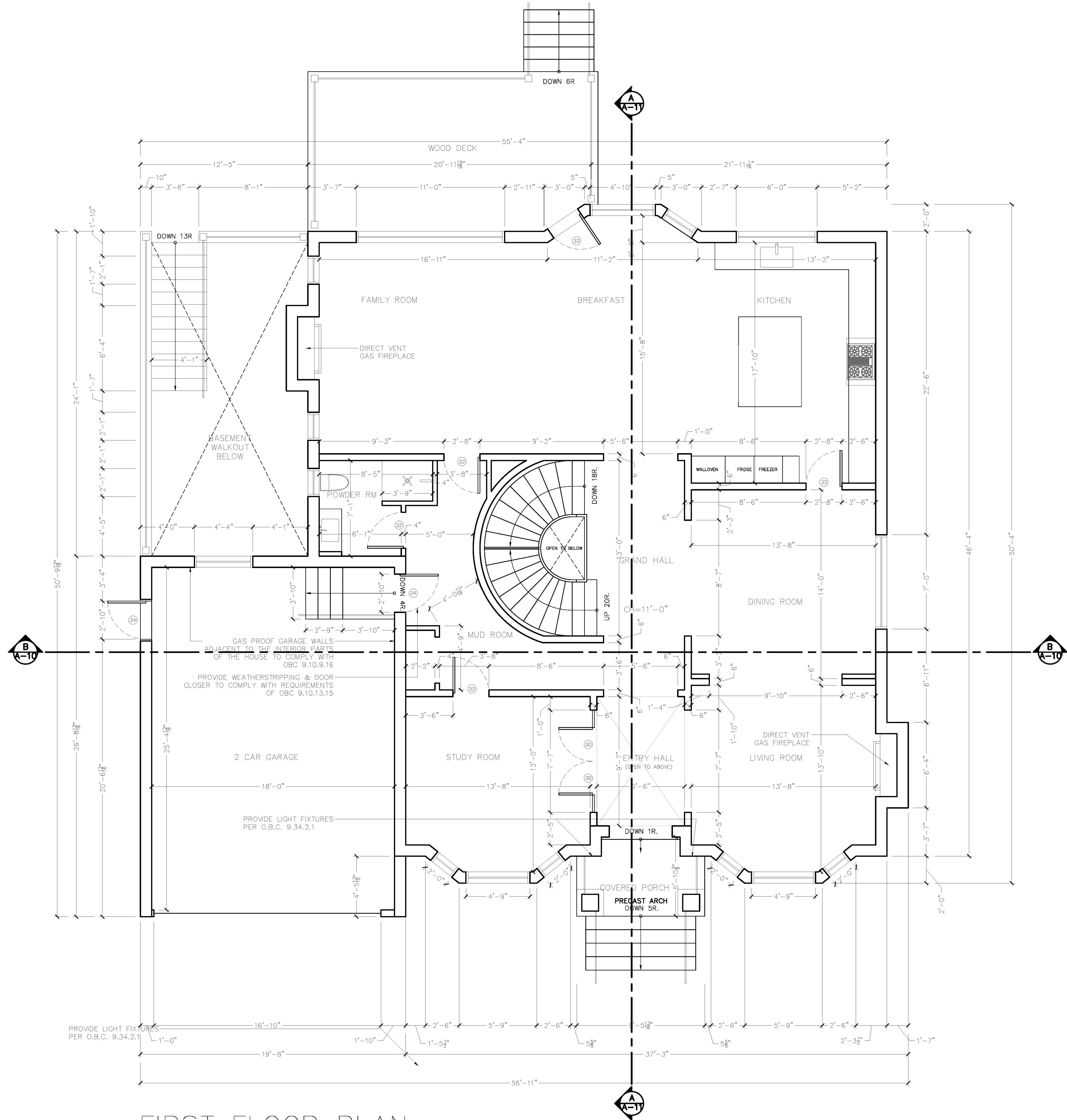


Project

6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn BCIN	Drafted M.C.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0"	Application No. 00 000000	
Title BASEMENT FLOOR PLAN	Dwg. No. A-02	

Total Living Area: 4,333.07 sq ft.
First Floor(including garage): 2,415.16 sq ft.
Second Floor: 1917.91 sq ft



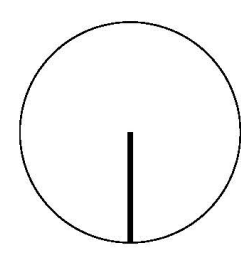
FIRST FLOOR PLAN
SCALE : 1/4"=1'-0'

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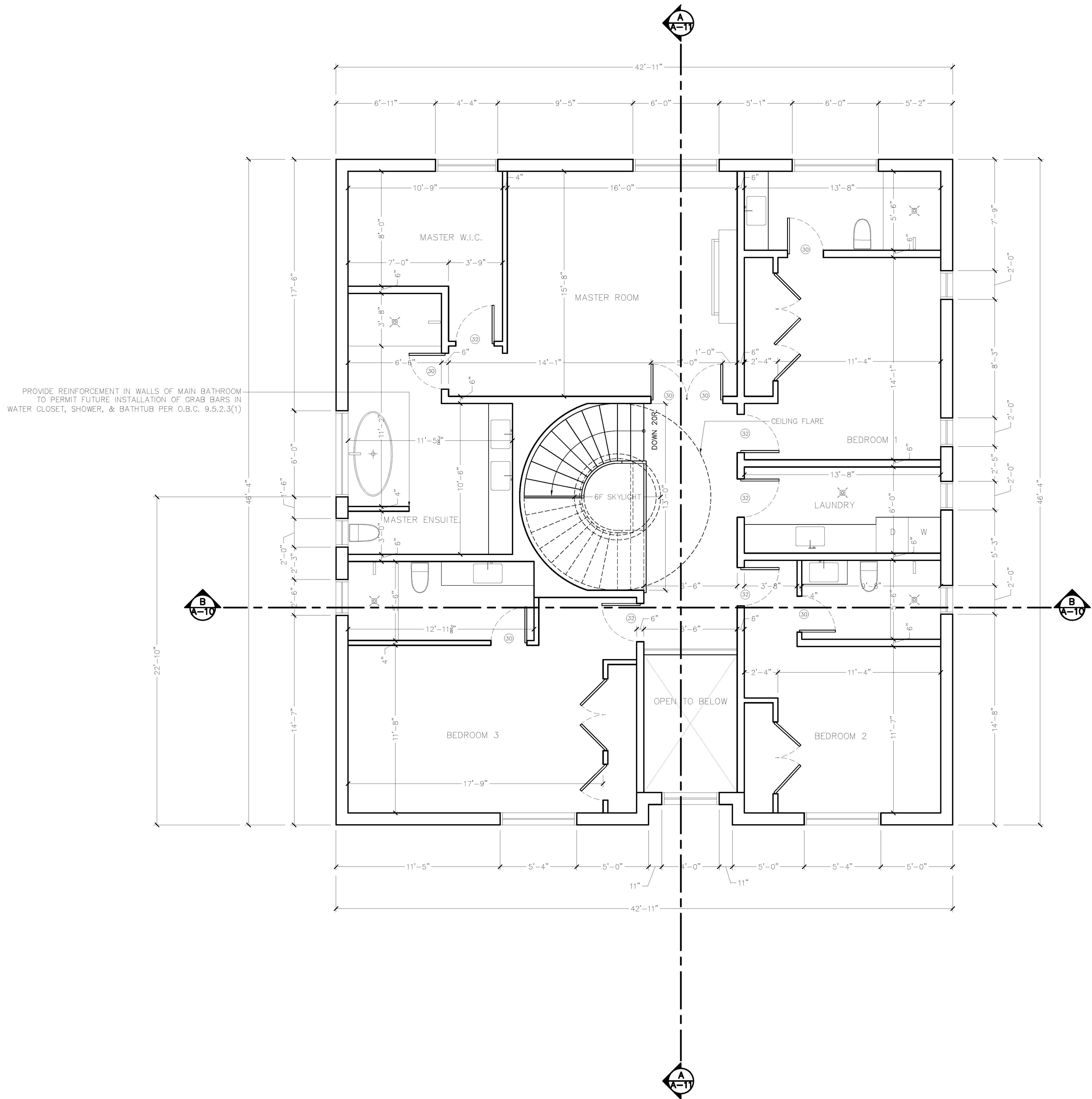


Project

6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn BCIN	Drafted M.C.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0	Application No. 00 000000	
Title FIRST FLOOR PLAN	Dwg. No. A-03	

Second Floor:1917.91 sq ft

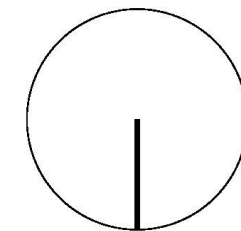


SECOND FLOOR PLAN
SCALE : 1/4"=1'-0"

Interior Design By



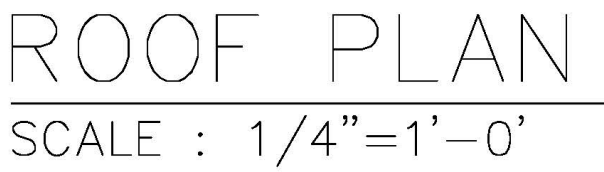
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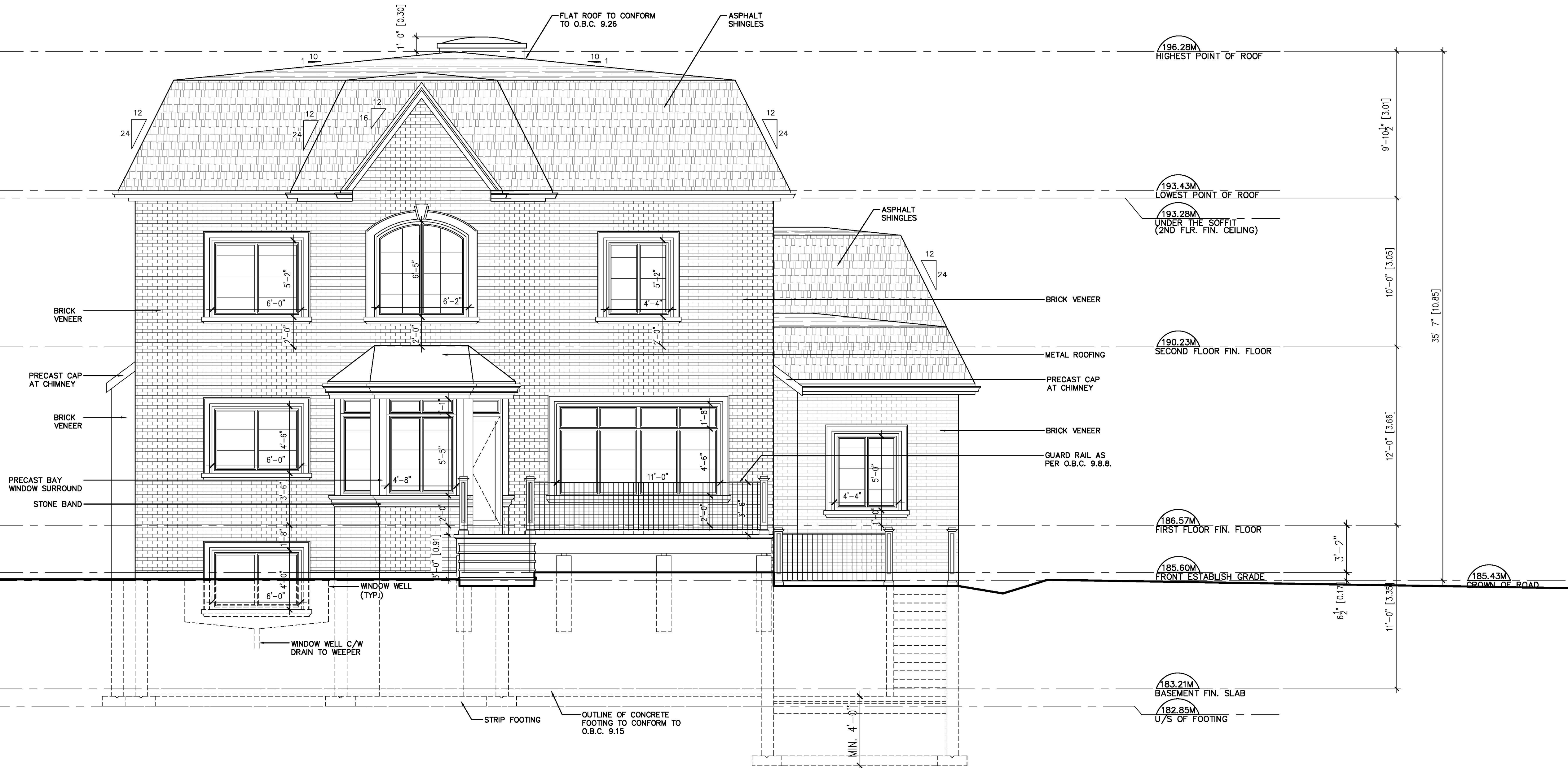
6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn BCIN	Drafted M.C.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0	Application No. 00 000000	
Title SECOND FLOOR PLAN	Dwg. No. A-04	



ROOF PLAN

A-05



SOUTH ELEVATION
SCALE : 1/4"=1'-0'

Interior Design By



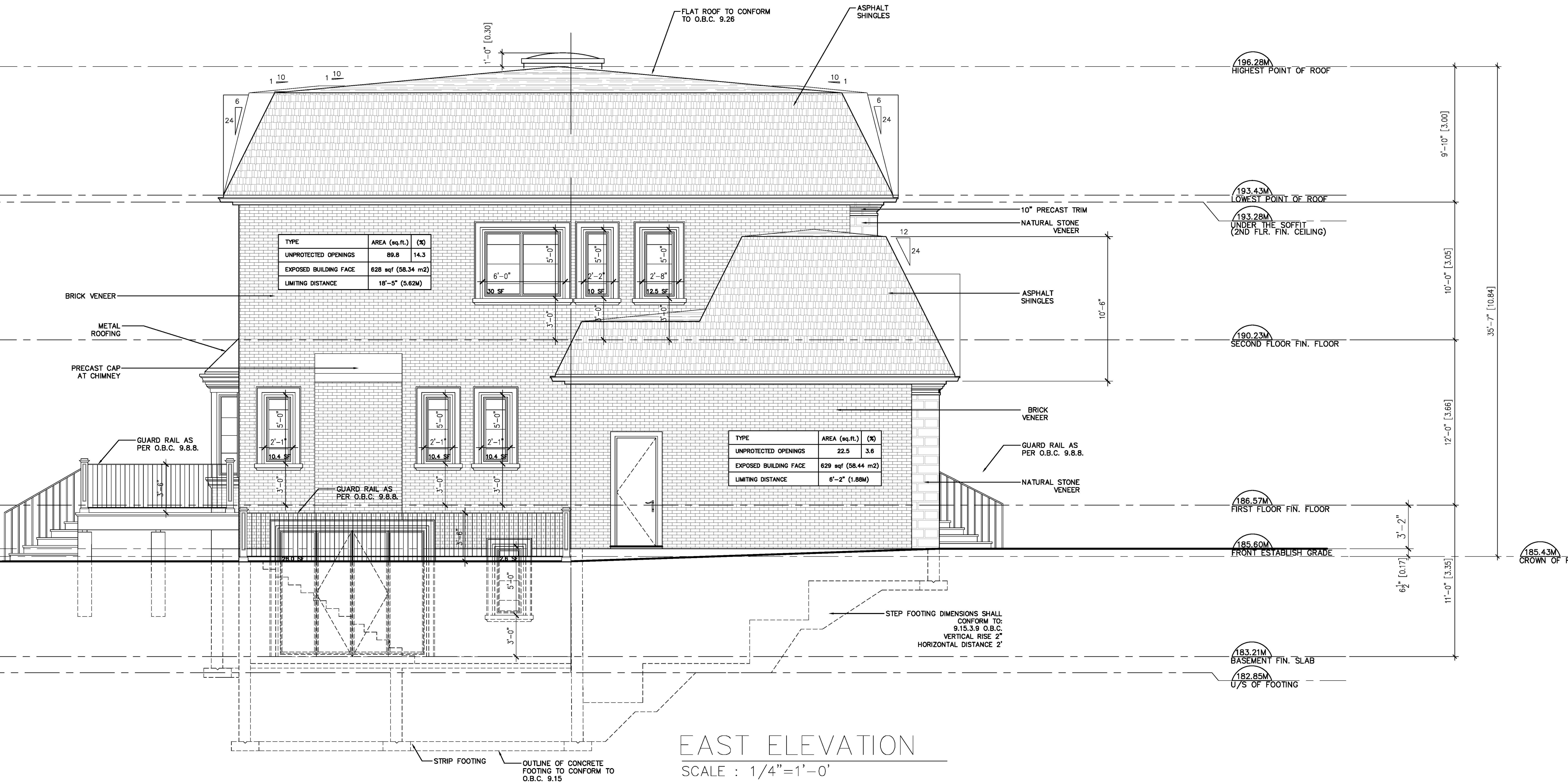
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6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn M.C.	Drafted R.T.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0	Application No. 00 000000	
Title SOUTH ELEVATION	Dwg. No. A-07	



TYPE	AREA (sq.ft.)	(%)
UNPROTECTED OPENINGS	89.8	14.3
EXPOSED BUILDING FACE	628 sqf (58.34 m2)	
LIMITING DISTANCE	18'-5" (5.62M)	

TYPE	AREA (sq.ft.)	(%)
UNPROTECTED OPENINGS	22.5	3.6
EXPOSED BUILDING FACE	629 sqf (58.44 m2)	
LIMITING DISTANCE	6'-2" (1.88M)	

EAST ELEVATION
SCALE : 1/4"=1'-0'

Interior Design By



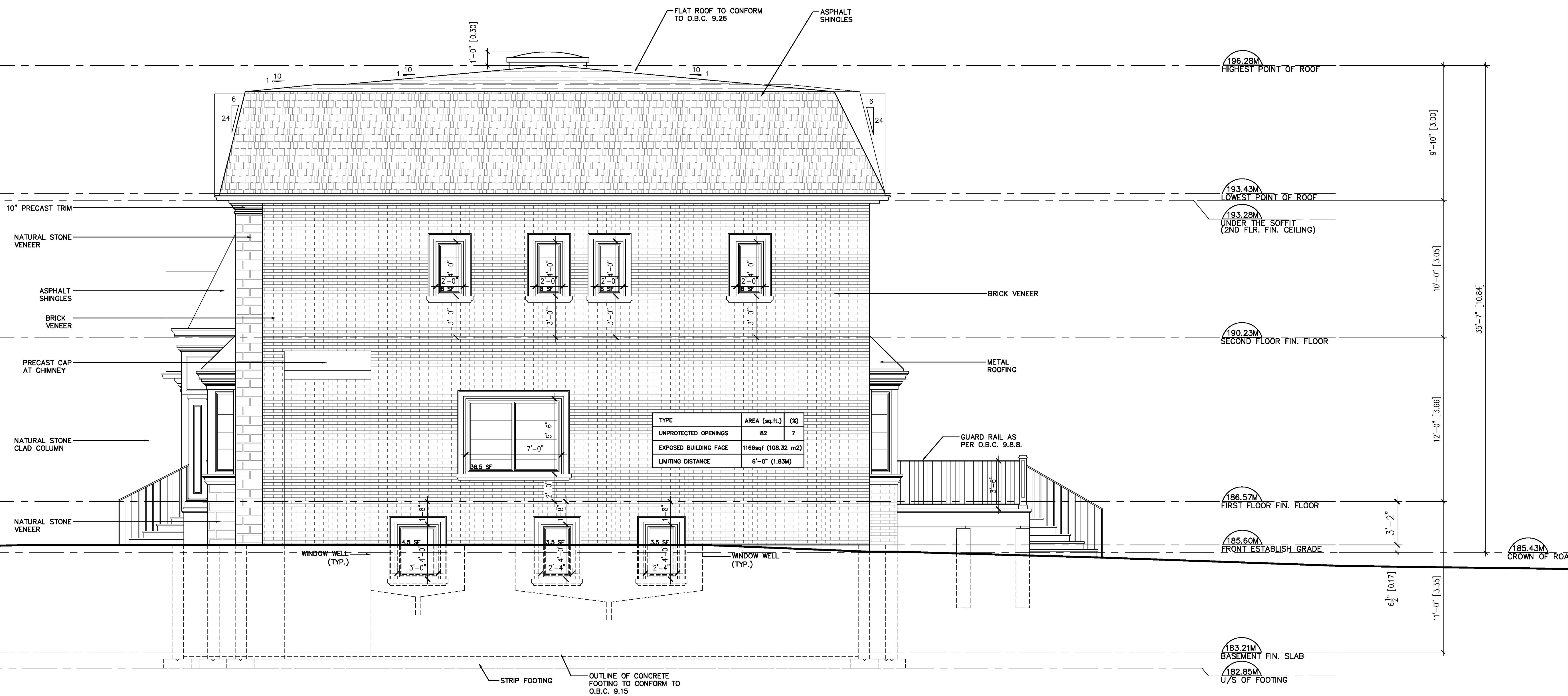
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Project

6 Honeybourne Crescent
MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn M.C.	Drafted R.T.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0	Application No. 00 000000	
Title EAST ELEVATION	Dwg. No. A-08	



Interior Design By

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MARKHAM, ONTARIO, L3P 1P3

Plot Date January 03, 2018	Drawn M.C.	Drafted R.T.
BCIN NA	FIRM BCIN NA	
Scale 1/4" = 1'-0	Application No. 00 000000	
Title WEST ELEVATION	Dwg. No. A-09	

