

Memorandum to the City of Markham Committee of Adjustment

October 1, 2020

File: A/032/20
Address: 14 Thurgate Crescent, Thornhill
Applicant: Prazaanah Balasubramaniam & Mythily Balachandran
Agent: ZANJANI ARCHITECT INC. (Sia Zanjani)
Hearing Date: Wednesday, October 07, 2020

The following comments are provided on behalf of the West Team:

The applicant is requesting relief from the following requirements of the Residential Fourth Density (R4) zone in By-law 2612, as amended to permit:

a) Schedule B, Building Height:

a maximum building height of 28 ft. 11 1/4 in (8.82 m), whereas the By-law permits maximum building height of 25 ft (7.62 m) from the established grade to the midpoint of a sloping roof; and,

b) Schedule B, Lot coverage:

a maximum lot coverage of 37 percent (2,321 ft²), whereas the By-law permits maximum lot coverage of 33 1/3 percent (2,088 ft²);

as they relate to a proposed two-storey detached dwelling.

COMMENTS

The Committee of Adjustment deferred this application sine die at their meeting on July 2, 2020. The Committee had concerns with the proposed maximum building height, maximum lot coverage variances, and the public's concerns that the overall massing could impact the character of the neighbourhood. Planning Staff's previous comments to the Committee of Adjustment also indicated that the proposed 38.9% maximum lot coverage in combination with the proposed building height may impact the character of the neighbourhood. In response to these comments, the applicant submitted revised plans on September 18, 2020 (Appendix 'B'), which removed the original front yard setback variance request of 22.52 ft (6.86 m), whereas 27 ft (8.23 m) is required. In addition, the proposed maximum lot coverage has been reduced from 38.9% to 37%, and the maximum building height has been reduced from 30.83 ft (9.4 m) to 28.94 ft (8.82 m).

Maximum Building Height Variance

The applicant has proposed a revised variance for a maximum building height of 28.94 ft (8.82 m), whereas the By-law permits a maximum building height of 25 ft (7.62 m) from established grade to midpoint of a pitched roof. This represents an increase of 3.94 ft (1.2 m) from the requirements of the by-law. Staff are of the opinion that the proposed revised building height will not adversely impact the character of the neighbourhood, and have no objection to the requested variance.

Maximum Lot Coverage Variance

The applicant has proposed a revised variance for a maximum lot coverage of 37%, whereas the By-law permits a maximum lot coverage of 33.33%. This represents an increase of approximately 11.16% (233 ft² or 21.65 m²). The proposed lot coverage

includes a front covered porch which adds approximately 9.94 m² (107 ft²) to the overall building footprint. The lot coverage excluding the covered front porch equates to a lot coverage of 35.32% which represents an increase of 6.04% (126.05 ft² or 11.71 m²) from what the by-law permits.

Staff are of the opinion the proposed maximum lot coverage is minor in nature and will not adversely impact the character of the neighbourhood.

PUBLIC INPUT SUMMARY

As of October 1, 2020, the City received three letters expressing general concerns with the requested variances and the potential impact on the character of the neighbourhood. 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.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on September 11, 2020 to confirm the variances required for the proposed development.

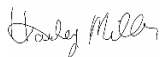
CONCLUSION

Planning Staff have reviewed the application with respect to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the requested variances to permit a maximum building height of 28.94 ft (8.82 m) and a maximum lot coverage of 37% meets the four tests of the Planning Act and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

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

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

PREPARED BY:



Hailey Miller, Planner I, West District

REVIEWED BY:



Stephen Kitagawa, Development Manager, West District
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APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/032/20

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 the satisfaction of the Director of Planning and Urban Design;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Director of Operations that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan;
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City’s Streetscape Manual, including street trees, in accordance with the City’s Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician or Director of Operations;
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:



Hailey Miller, Planner I, West District