

Memorandum to the City of Markham Committee of Adjustment

February 09, 2018

File: A/10/18
Address: 32 Victoria Ave Markham
Applicant: Lisa and Scott Harper
Agent: Master Edge Homes (Nathan Proctor)
Hearing Date: Wednesday February 21, 2018

The following comments are provided on behalf of the Heritage Districts Team. Staff has no objection to the application. The applicant is requesting relief from the following requirements of By-law 122-72, as amended:

- a) **Amending By-law 14-84, Section 1 (d):**
a door sill elevation of 173.77 metres, Canadian Geodetic Datum, whereas the By-law requires a minimum elevation of 174.8 metres, Canadian Geodetic Datum;
- b) **Section 11.2 (c):**
a minimum front yard setback of 4 feet 7.5 inches, whereas the By-law requires a minimum front yard setback of 25 feet;
- c) **Section 5.7:**
a maximum porch projection of 4 feet 2 inches into the required front yard, whereas the By-law permits a maximum porch projection of 18 inches into any required yard;

as they relate to a proposed addition to the existing dwelling.

The 787.4m² property is located within the Unionville Heritage Conservation District, on the north side of Victoria Avenue, abutting the valleylands of the Bruce Creek. The property contains a two storey, non-heritage, single detached dwelling. This application relates to Site Plan Control Application SC 17 159335, currently under review. Minor additions are being made to the existing building, including a second storey over an existing one storey wing, a new entrance porch, and the squaring off of the floorplate. The subject property is zoned R3 under By-law 122-72, as amended. The proposed use is permitted by the By-law.

The Minor Variance Application is to recognize the existing condition of the property with respect to how the existing dwelling relates to grade level and the front lot line. The application also relates to the construction of a new entrance porch, which will project into the front yard beyond what the By-law will permit.

Applicant's Stated Reasons for Not Complying with the Provisions of the By-law

On the application form it is stated: "1. Ingress/egress to the dwelling will not be viable with a 174.80 m elevation; 2. Existing dwelling already within 25 feet of front lot line; and 3. Existing conditions do not provide sufficient space for covered porch."

COMMENTS

The Site Plan Control Application has been under review by the city since it was submitted in July of 2017, and no issues have been identified with the proposal other than the items that are required to be addressed through this Minor Variance Application. The alterations to the building and property are relatively minor in nature and complementary to the neighbourhood context. Heritage Markham reviewed the Site Plan Control Application at their September 13, 2017 meeting and are in support subject to the applicant obtaining the required permits from the Toronto and Region Conservation Authority. The applicant has been working with the TRCA in this regard within the context of the Site Plan Control Application.

This Minor Variance Application will be reviewed by Heritage Markham at their February 14, 2018 meeting. It is not anticipated that there will be any concerns with the requested variances. Staff recommends a condition be included that the variances are supported by Heritage Markham, to address the timing issue (the staff memo is due prior to Heritage Markham's meeting).

PUBLIC INPUT SUMMARY

No written submissions were received as of February 9, 2018.

ZONING PRELIMINARY REVIEW

A detailed zoning review was completed within the context of the Site Plan Control Application, which resulted in the applicant being advised of the variances applied for in this Minor Variance Application.

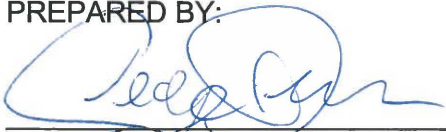
CONCLUSION

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 proposal meets the four tests of the Planning Act for the approval of minor variances. Staff therefore have no objection to this application, subject to conditions outlined in Appendix 'A' attached to this report. 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:


George Duncan, Senior Heritage Planner

REVIEWED BY:

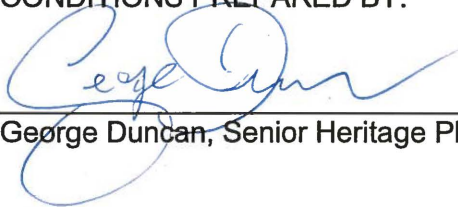

Regan Hutcheson, Manager, Heritage Districts

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/10/18

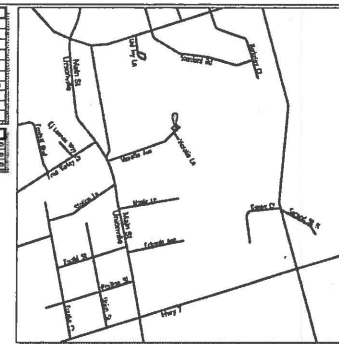
1. That the variances apply only to the proposed development as long as it remains;
2. That the variances apply to the subject development, in substantial conformity with the plans attached as Appendix 'B' to this Staff Report dated February 9, 2018, to the satisfaction of the Director of Planning and Urban Design or designate, 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;
3. That the Secretary-Treasurer receive written confirmation from Heritage Markham that the requested variances are supported.



CONDITIONS PREPARED BY:



George Duncan, Senior Heritage Planner

156410	PROPERTY LINE
OVERHEAD WIRE S	
TRICA CRIP LINE	
TO BE REMOVED	
TRICA TOB	
TRIE	
WATER LEADER	
ENTRANCE	
AREA OF ADDITION	
DRIVEWAY	
FINISHED FLOOR ELEVATIONS	
MAIN TOP OF SUB-FLOOR	87.377
BASEMENT TOP OF SLAB	87.144
SECOND TOP OF SUB-FLOOR	87.354



PROJECT NORTH	TRUE NORTH
	

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

QUALIFICATION INFORMATION
 Applicant certifies that he is exempt under
 Div. C-12A.1 of the building code.

DATE	SIGNATURE	42125
NAME	SIGNATURE	BCN

NOTE:
ALL DIMENSIONS AND INFORMATION TO BE
VERIFIED WITH ON SITE ACTUAL.

ALL DIMENSIONS SHOWN ARE TAKEN FROM THE FINISH FACE OR CENTERLINE OF WALLS. REFER TO WALL SCHEDULE FOR THICKNESSES.

DO NOT SCALE DRAWINGS.

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DRAWN BY:
NATHAN PROCTOR



ASSOCIATED WITH



PROJECT ADDRESS
32
VICTORIA AVE.
MARKHAM ON
L3R 1R9

CLIENT: HARPER

PROJECT TYPE:

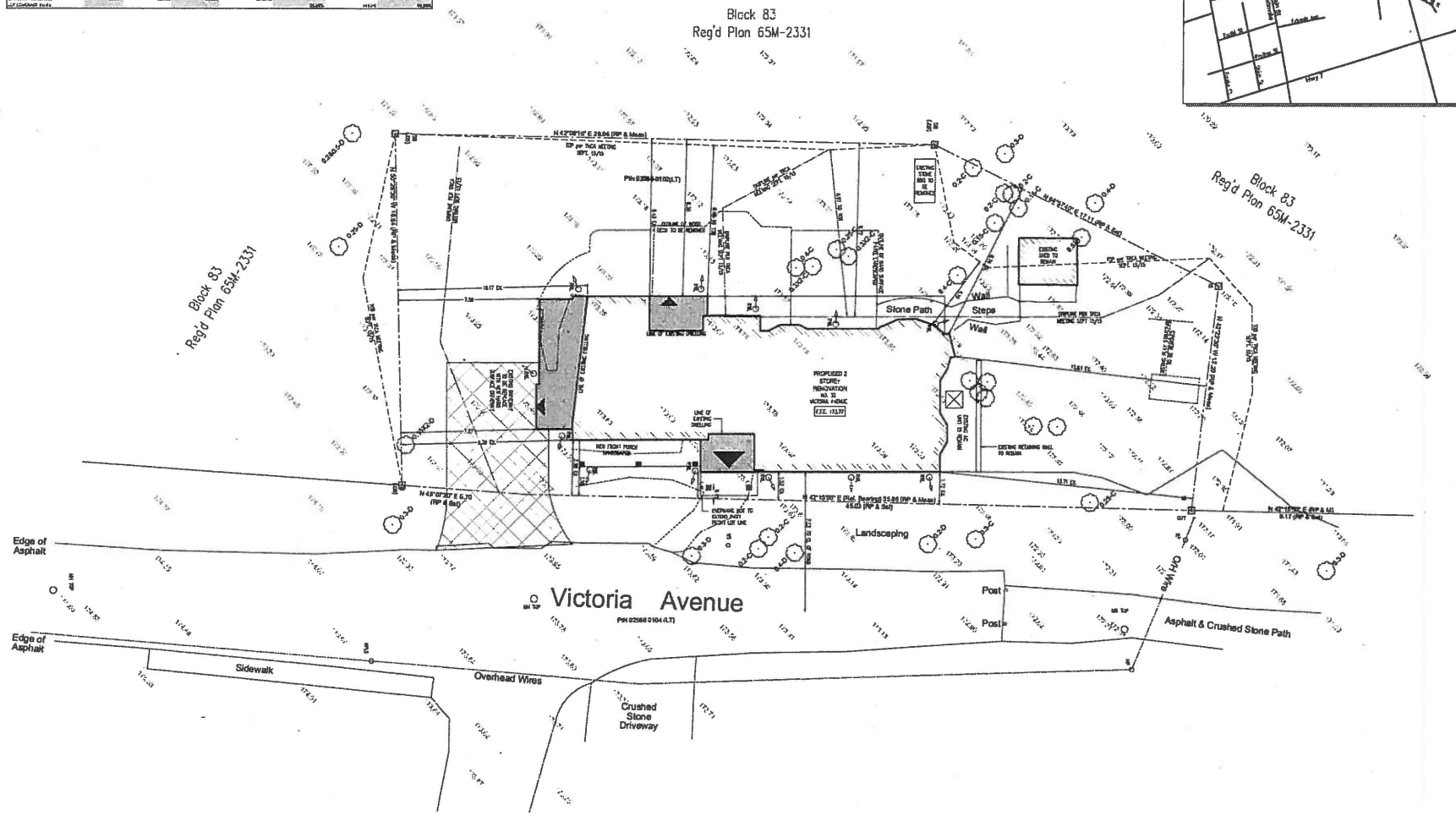
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HARPER

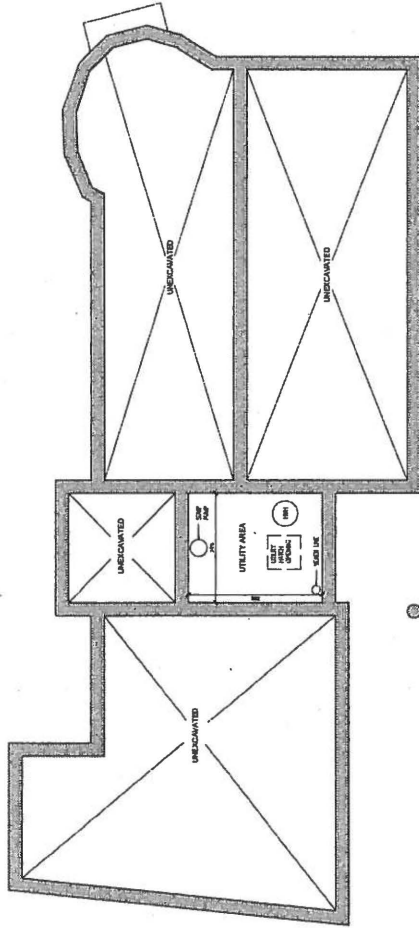
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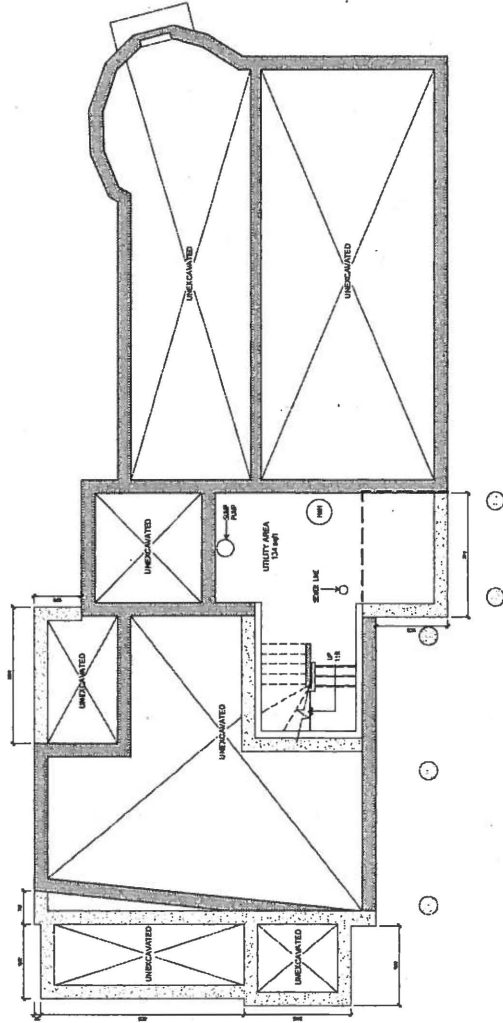
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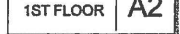


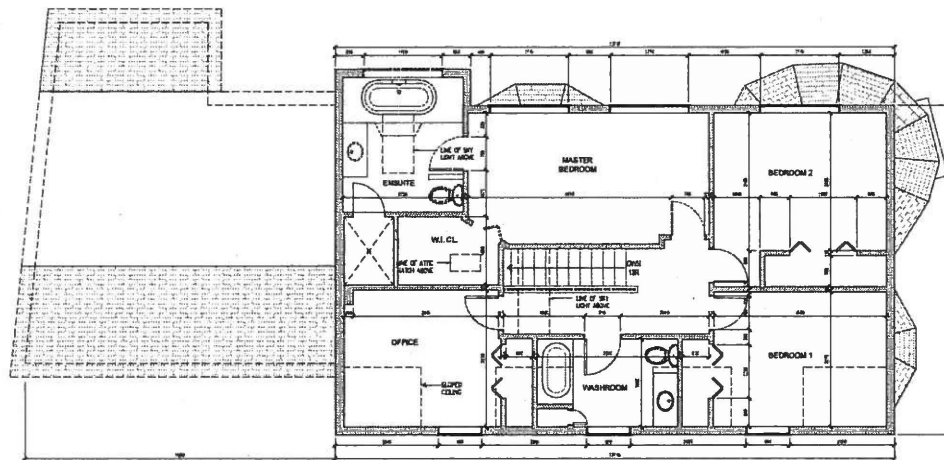
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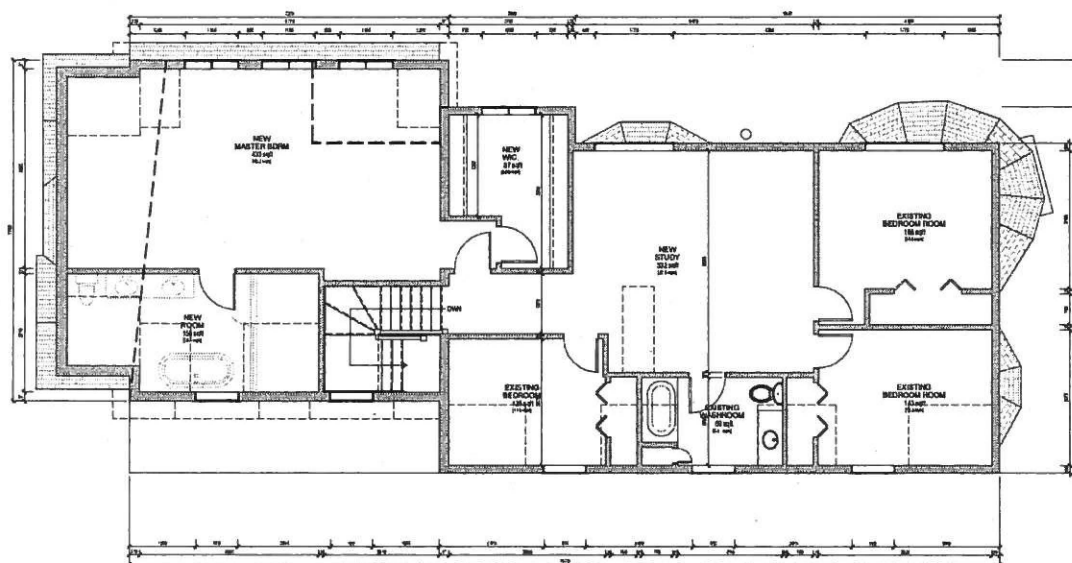
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<p>THE INFORMATION CONTAINED HEREIN IS FOR THE EXCLUSIVE USE OF THE CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE FIRM.</p> <p>QUALIFICATION INFORMATION Project: Victoria Ave. Markham Date: 15/01/2018 Name: Harper Title: Architect</p>		<p>NOTE: ALL DIMENSIONS AND SPECIFICATIONS TO BE VERIFIED BY THE CLIENT. ALL DIMENSIONS SHOWN ARE IN METERS. FROM THE FINISH FACE OF THE WALL OR CENTERLINE FOR THE FINISH FACE OF THE WALL, UNLESS OTHERWISE NOTED. DO NOT SCALE DRAWINGS.</p>																																																																
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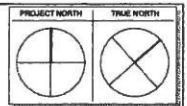




1 EXISTING 2ND FLOOR
A3 1:50



2 NEW 2ND FLOOR
A3 1:50



The undersigned has examined and taken responsibility for the design and the construction or construction of the improvements and will be the design building team to be a design building.

QUALIFICATION INFORMATION
 Registered under design is exempt under
 the C.S.B.A. of the building code
 NAME: SIGNATURE: BSM

NOTE:
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 ALL DIMENSIONS SHOWN ARE TAKEN FROM THE FINISH FACE OR CENTERLINE OF WALLS. REFER TO WALL SCHEDULE FOR THICKNESSES.

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DRAWN BY:
 NATHAN PROCTOR

MASTER EDGE
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ASSOCIATED WITH

PROJECT ADDRESS
 32
 VICTORIA AVE.
 MARKHAM ON
 L3R 1R9

CLIENT:
 HARPER

PROJECT TYPE:
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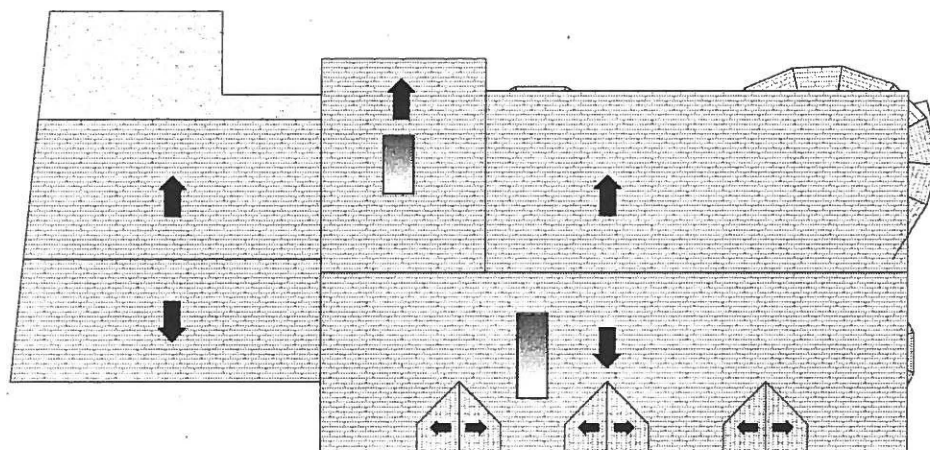
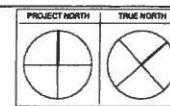
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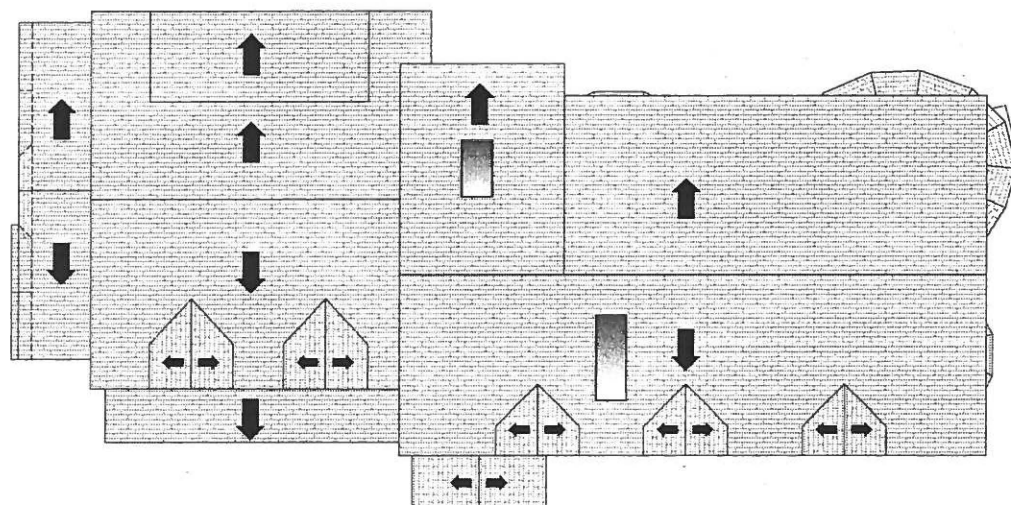
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 15/01/2018

DRAWING NAME:
 2ND FLOOR



1 EXISTING ROOF
A4 1:50



2 NEW ROOF
A4 1:50

The undersigned has reviewed and taken responsibility for the design and construction of the building and its components and will be the owner's Building Code to be a professional engineer.

QUALIFICATION INFORMATION
Professional Engineer (P.Eng.)
On C-12.1.1. of the Building Code
NAME: [Signature] DATE: 15/01/2018
SIGNATURE: [Signature] BCN

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DRAWN BY:
NATHAN PROCTOR
MASTER EDGE ROUTES
CONSULTING ENGINEERING & DESIGN

ASSOCIATED WITH:
[Logos of associated organizations]

PROJECT ADDRESS:
32
VICTORIA AVE.
MARKHAM ON
L3R 1M9

CLIENT:
HARPER

PROJECT TYPE:
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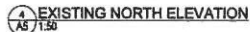
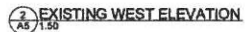
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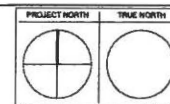
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DRAWING NAME:
ROOF

A4





The undersigned has confirmed and taken responsibility for the design and use of the building and the representations set out in the Certificate of Building Code to be a valid building.

QUALIFICATION INFORMATION
 Registered Architect: **Harper**
 Date: **15/01/2018**
 Name: **Harper** Signature: **Harper**

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DRAWN BY: **NATHAN PROCTOR**
MASTER EDGE
homes

ASSOCIATED WITH:

PROJECT ADDRESS:
32 VICTORIA AVE. MARKHAM ON L3R 1M9

CLIENT:
HARPER

PROJECT TYPE:
ADDITION

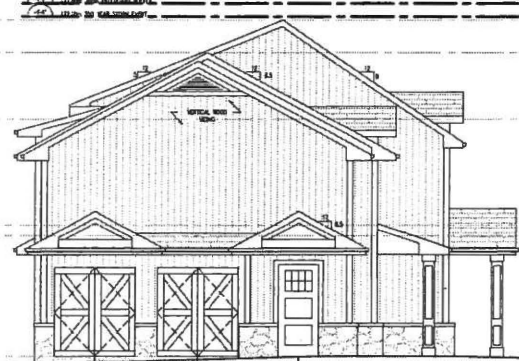
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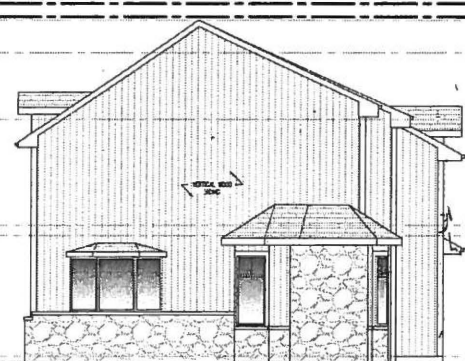
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 A6 1:50



2 NEW WEST ELEVATION
 A6 1:50



3 NEW EAST ELEVATION
 A6 1:50



4 NEW NORTH ELEVATION
 A6 1:50