

Memorandum to the City of Markham Committee of Adjustment

July 31, 2018

File: A/108/18
Address: 39 New Delhi Dr Markham
Applicant: Del Ridge (East Markham I) Inc. (Christina Orsi)
Agent: (none)
Hearing Date: Wednesday August 08, 2018

The following comments are provided on behalf of the East Team.

The applicant is requesting relief from the requirements of By-law 177-96, as amended, as it relates to a proposed apartment building:

- a) Parking By-law 28-97, Section 3.0, Table A: a minimum of 224 parking spaces for residential dwelling units, whereas the By-law requires a minimum of 226 parking spaces for residential dwelling units;
- b) Parking By-law 28-97, Section 3.0, Table A: a minimum of 43 visitor parking spaces, whereas the By-law requires a minimum of 45 visitor parking spaces; as they relate to a proposed residential apartment building.

The proposed development received site plan endorsement from Development Services Committee (DSC) on May 8, 2017 and staff endorsement on July 5, 2017. The proposed variances to reduce the residential and visitors parking spaces by two (2) parking spaces each results in a parking rate of approximately 1.24 residential parking spaces per apartment unit and 0.24 visitors parking space per apartment unit. The City's requirement in 1.25 residential spaces and 0.25 visitors parking spaces per apartment unit. This represents a minor reduction with minimal potential impact, and which is consistent with parking reductions which the City has granted for other medium and high density developments.

The Toronto and Region Conservation Authority (TRCA), in a letter dated July 20, 2018, have no objections to the proposed variances.

Applicant Stated Reason(s) for Not Complying with Zoning

According to the information provided by the applicant, "not enough space on site".

Zoning Preliminary Review (ZPR) not Undertaken

The applicant has indicated in their application form that a Zoning Preliminary Review (ZPR) has not been conducted. It is the Owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

PUBLIC INPUT SUMMARY

No written submissions were received as of August 1, 2018. It is noted that additional information may be received after the drafting 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, R.S.O. 1990, c. P. 13, as amended, and are of the opinion that the variance request meets the four (4) tests of the Planning Act and have no objection.

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.

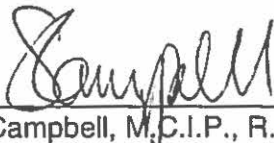
Please see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Stacia Muradali, M.C.I.P., R.P.P., Senior Planner, East Team

REVIEWED BY:



Sally Campbell, M.C.I.P., R.P.P., Manager, East Team

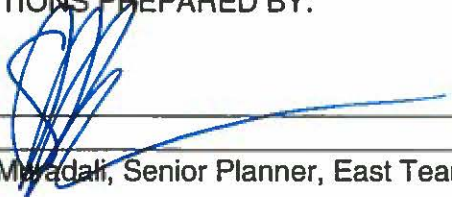
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APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/108/18

1. That the variances apply only to the proposed development as long as it remains.
2. That the variances apply only to the subject development, and is in substantial conformity with the plan(s) submitted with this application.
3. That the applicant remits the outstanding TRCA Planning Services review fee of \$1,100.00 .

CONDITIONS PREPARED BY:



Stacia Miradali, Senior Planner, East Team

