

Memorandum to the City of Markham Committee of Adjustment

August 15, 2018

File: A/113/18
Address: 340 Main St N Markham
Applicant: Jim Voutianitis
Agent: Stambuk Homes (Ozren Stambuk)
Hearing Date: Wednesday August 29, 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 1229, as amended:

- a) **Infill By-law 99-90, Section 1.2 (iii):**
To permit a maximum building depth of 19.96 m, whereas the By-law permits a maximum building depth of 16.8 m;
- b) **Table 11.1:**
To permit a minimum front yard setback of 23 ft 7.5 in, whereas the By-law requires a minimum front yard setback of 25 ft;
- c) **Section 11.2 (c) (i):**
To permit a maximum front porch and steps projection of 8 ft 8 in, whereas the By-law permits unenclosed porches to project a maximum of 18 inches into any required yard;
- d) **Infill By-law 99-90, Section 1.2 (ii):** To permit a maximum of three (3) storeys, whereas the By-law permits buildings to have a maximum of two (2) storeys within a single vertical plane;

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

The 1112.44m² property is located within the Markham Village Heritage Conservation District, on the west side of Main Street North, in a neighbourhood of older, single detached dwellings. The property contains a 2 1/2 storey brick dwelling constructed c.1910.

This application is related to Site Plan Control Application SC 17 173713, currently under review. The applicant is proposing to add an attached garage to the south side of the existing dwelling, and to undertake renovations to the dwelling. The subject property is zoned R1 (residential) under By-law 1229, as amended. The proposed use is permitted by the By-law.

The above-noted variances were identified through the Site Plan Control application review process. A Zoning Preliminary Review was applied for and obtained by the applicant.

The requested variances are to recognize existing historic conditions on the property with respect to front yard setback, front porch and steps projection, and an existing living space within the half storey (attic), and also to address the proposed increased building depth to be created by the setback of the new attached garage. The site plan and elevations are attached as Appendix 'B'.

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

On the application form it is stated: "The depth variance is due to request by heritage department to push the garage as far back as possibly on the property. The other variances arise due to existing nature of house."

COMMENTS

The Site Plan Control application is under review by the City, and no issues have been identified with the proposal other than the items to be addressed through this Minor Variance application. The alterations to the building and property are compatible with the heritage dwelling and its context within the Main Street North streetscape. Heritage Markham reviewed the application at their August 8, 2018 meeting and had no objection to the requested variances.

PUBLIC INPUT SUMMARY

One written submission has been received as of the date of this memorandum. The Ward Councillor wishes to ensure that the approval of the third storey will not result in a potential full storey being added where there is currently a half storey (habitable attic space). The standard conditions that the variances apply only to the proposed development as long as it remains, and that the variances apply to the subject development, in substantial conformity with the submitted plans, will ensure that this is not an issue.

CONCLUSION

Planning staff has 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:

Not available - on vacation

Regan Hutcheson, Manager, Heritage Districts

APPENDIX "A"

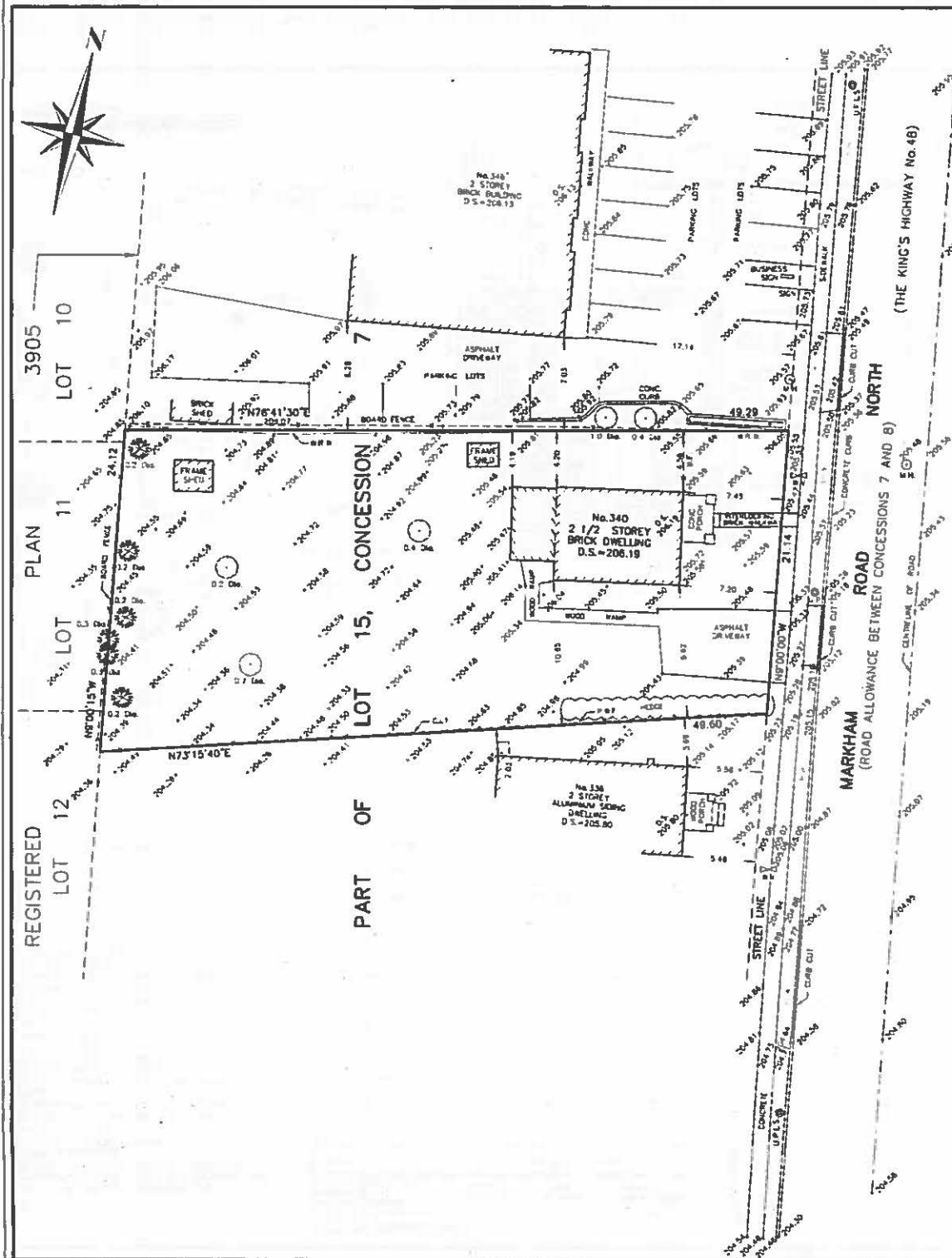
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/113/18

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 A' to this Staff Report and dated August 6, 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.

CONDITIONS PREPARED BY:



George Duncan, Senior Heritage Planner



**TOPOGRAPHIC SURVEY OF
PART OF LOT 15
CONCESSION 7
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK**

SCALE 1:250

10m 5 0 15 METRES

MANDARIN SURVEYORS LIMITED, O.L.S. (S)

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- PM DENOTES PROPERTY IDENTIFIER NUMBER
- O.S. DENOTES FINISHED SILL ELEVATION AT ENTRY
- N.S.E.W DENOTES NORTH, SOUTH, EAST, WEST
- B.F. DENOTES BOARD FENCE
- C.L.F. DENOTES CHAIN LINK FENCE
- OWW DENOTES OVERHEAD WIRES
- WRW DENOTES WOOD RETAINING WALL
- U.P.L.S. DENOTES UTILITY POLE WITH LIGHT STANDARD
- U.P. DENOTES UTILITY POLE
- W.V. DENOTES WATER VALVE
- M.H. DENOTES MAN HOLE
- C.B. DENOTES CATCH BASIN
- CT DENOTES CONIFEROUS TREE
- DT DENOTES DECIDUOUS TREE

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY
OF MARKHAM BENCHMARK No.M-39-040, HAVING AN ELEVATION OF 200.878
METRES, BRASS TABLET SET IN CONCRETE MOUNTMENT, SOUTH EAST CORNER
OF DEAR PARK AND WALLS.

CERTIFICATE

THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN WERE COMPLETED
ON THE 5th DAY OF APRIL, 2017

APRIL 10, 2017

Z. ZENG
ONTARIO LAND SURVEYOR

CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR
MORTGAGE OR TRANSACTION PURPOSES.



MANDARIN SURVEYORS LIMITED
ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR
WWW.MANDARINSURVEYOR.COM

42 RAVENCLIFF CRESCENT PHONE: (647) 430-1368 FAX: (647) 799-4068
TORONTO, ONTARIO, M1T 1R8 E-MAIL: MANDARINSURVEYOR@GMAIL.COM

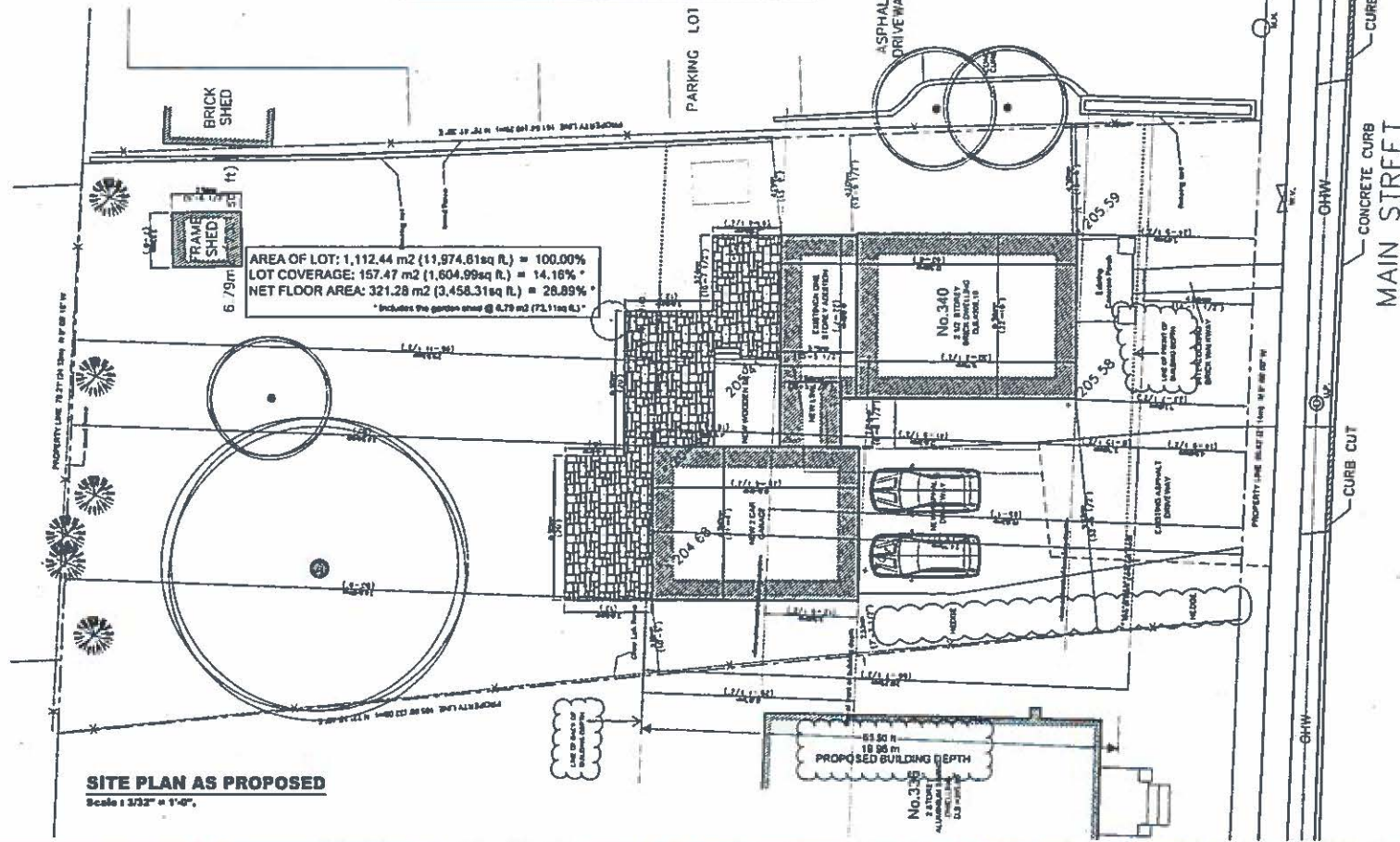
SURVEY BY: S.Z.

CAD No 17-121TP

JOB No 2017-121

A-01 SITE PLAN AS PROPOSED & DRAWING LIST
A-02 BASEMENT AND GROUND FLOOR PLANS AS EXISTING.
A-03 SECOND AND THIRD FLOOR PLANS AS EXISTING.
A-04 ROOF PLAN AS EXISTING.
A-05 FRONT (EAST) ELEVATION AS EXISTING.
A-06 REAR (WEST) ELEVATION AS EXISTING.
A-07 LEFT SIDE (SOUTH) ELEVATION AS EXISTING.
A-08 RIGHT SIDE (NORTH) ELEVATION AS EXISTING.
A-09 RESERVED.
A-10 BASEMENT/FOUNDATION PLANS AS PROPOSED.
A-11 GROUND FLOOR PLANS AS PROPOSED.
A-12 SECOND FLOOR PLANS AS PROPOSED.
A-13 THIRD FLOOR PLANS AS PROPOSED.
A-14 ROOF PLANS AS PROPOSED.
A-15 RESERVED.
A-16 FRONT (EAST) ELEVATION AS PROPOSED.
A-17 REAR (WEST) ELEVATION AS PROPOSED.
A-18 LEFT SIDE (SOUTH) ELEVATION AS PROPOSED.
A-19 RIGHT SIDE (NORTH) ELEVATION AS PROPOSED.
A-20 SECTION A-A AS PROPOSED.
A-21 SECTION B-B AS PROPOSED.
A-22 SECTION C-C AS PROPOSED AND UNDERPINNING DETAILS.
A-23 SECTION D-D AS PROPOSED.
A-24 RESERVED.
A-25 RESERVED.
A-26 RESERVED.
A-27 RESERVED.
A-28 RESERVED.
A-29 RESERVED.
A-30 GENERAL NOTES, SPECIFICATIONS AND LEGENDS

CITY OF MURKIN Residential: R7H BT-LAW 029/99-30	BT-LAW DATA:	EXISTING DATA:	PROPOSED DATA:
ZONING:	R. R2, R3 & R4 ZONES		
MIN LOT FRONTAGE:	10.2m (33'-6")	13.4m (44'-0")	13.4m (44'-0")
MIN LOT AREA:	6.03M ² (166,000SQFT)	13.44M ² (291,400SQFT)	13.44M ² (291,400SQFT)
MIN FRONT YARD:	7.62m (25'-0")	7.62m (25'-0")	7.62m (25'-0")
NORTH SIDE YARD:	1.83m (6'-0")	4.20m (13'-9")	4.20m (13'-9")
SOUTH SIDE YARD:	1.83m (6'-0")	3.92m (12'-9")	3.92m (12'-9")
REAR YARD:	7.62m (25'-0")	7.62m (25'-0")	7.62m (25'-0")
MAX NUMBER OF STOREYS	2	2 1/2	2 1/2
MAX BUILDING HEIGHT: (Crown of roof/ridge of ridge)	9.80m (32'-2")	10.40m (34'-0")	10.40m (34'-0")
MAX DEPTH (LENGTH)	16.80m (55'-1")	13.30m (43'-8")	13.30m (43'-8")
MAX LOT COVERAGE	59.00%	8.33%	13.84%
MAX FLOOR AREA RATIO	49.00%	30.00%	38.55%
MIN INT FLOOR AREA	11.40 M ² (123,000 SQFT)	7.06 M ² (7,615 SQFT)	332.43 M ² (3,580,340 SQFT)



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7	REMOVED FOR BUILDING PERMIT	06/19/00
6	REMOVED FOR BUILDING PERMIT	06/22/00
5	REMOVED FOR BUILDING PERMIT	03/16/00
4	PLANNING DATA MATRIX ADDED	06/15/99
3	REVISED AS PER HERITAGE	10/3/97
no.	revision:	date

SITE PLAN AS PROPOSED
AND DRAWING LIST.

PROPOSED NEW GARAGE,
ALTERATIONS & REPAIRS
AT 340 MAIN ST. NORTH
MARKHAM, ONTARIO. FOR
MR JIM VOUTIANITIS.

DAA License # 8362 - BCIN # 20540 & 27003

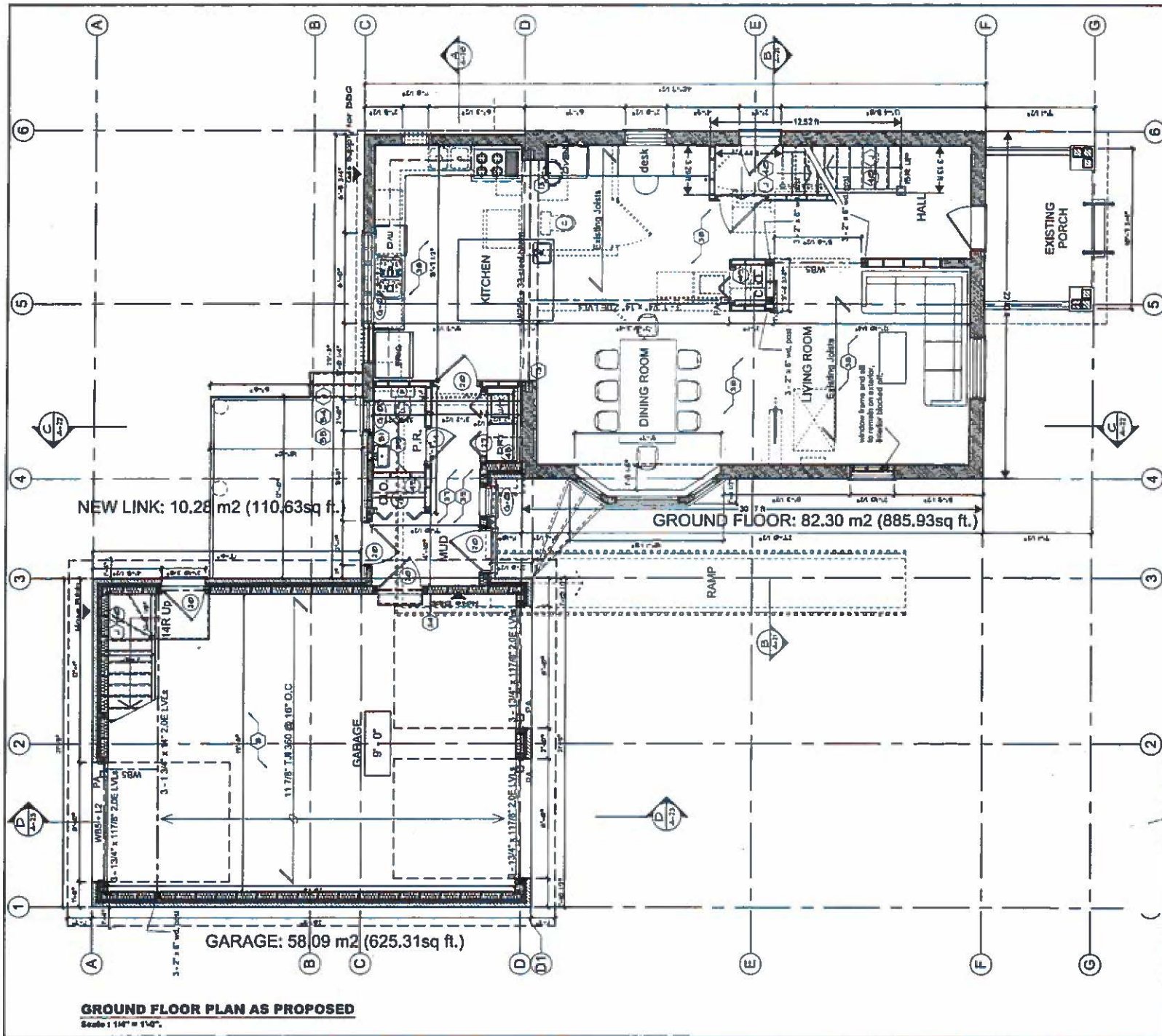
The undersigned has reviewed and takes responsibility for this stamp and for the qualifications and meets the requirements set out in the 2012 Ontario Building Code, Div. C, Part 3, Section 3.2.4.1.3.

JUNE 19 2013



OAA License # 8368 - BCIN # 20550 & 27003
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STAMPED IN RED AND SIGNED BY THE DESIGNER. THIS DRAWING
MAY NOT BE REPRODUCED WITHOUT THE DESIGNER'S PERMISSION.

date August 06/2017	project # 17428
scale 3/32" = 1'-0"	drawn by B. Abbey
dwg # A-01	rev 1



Municipal Approval Stamp Only

General notes:
Do not scale this drawing.
Contractor to verify all dimensions on site and report any errors or omissions to the Designer in writing before work commences.
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1	REISSUED FOR BUILDING PERMIT	06/15/18
2	REISSUED FOR BUILDING PERMIT	08/27/18
3	REISSUED FOR BUILDING PERMIT	03/16/19
4	PLANNING DATA MATRIX ADDED	04/13/19
5	REVISED AS PER HERITAGE	10/13/17

no.	revisions	date

title:
GROUND FLOOR PLAN AS PROPOSED.

project:
PROPOSED NEW GARAGE, ALTERATIONS & REPAIRS AT 340 MAIN ST. NORTH MARKHAM, ONTARIO. FOR MR. JIM VOUTIANITIS.

ADTEK BUILDING CONSULTANTS
LICENSED ARCHITECTURAL TECHNOLOGISTS
(A.B.A.C. MEMBER SINCE 1972/1973)

382 Cleveland Street, Toronto, Ontario, Canada, M4S 2W6.
Tel: 416 932 2275, Fax: 416 932 1383, Cell: 416 911 8222.
Email: info@adtekbuilding.com
Web: <http://www.adtekbuilding.com>

OAA License # 8368 - BCIN # 20550 & 27003

The undersigned has reviewed and bears responsibility for the design and for the construction and shall be responsible for the design and construction of the building in accordance with the Ontario Building Code, Part 3, Section 3.2.1.1.1.

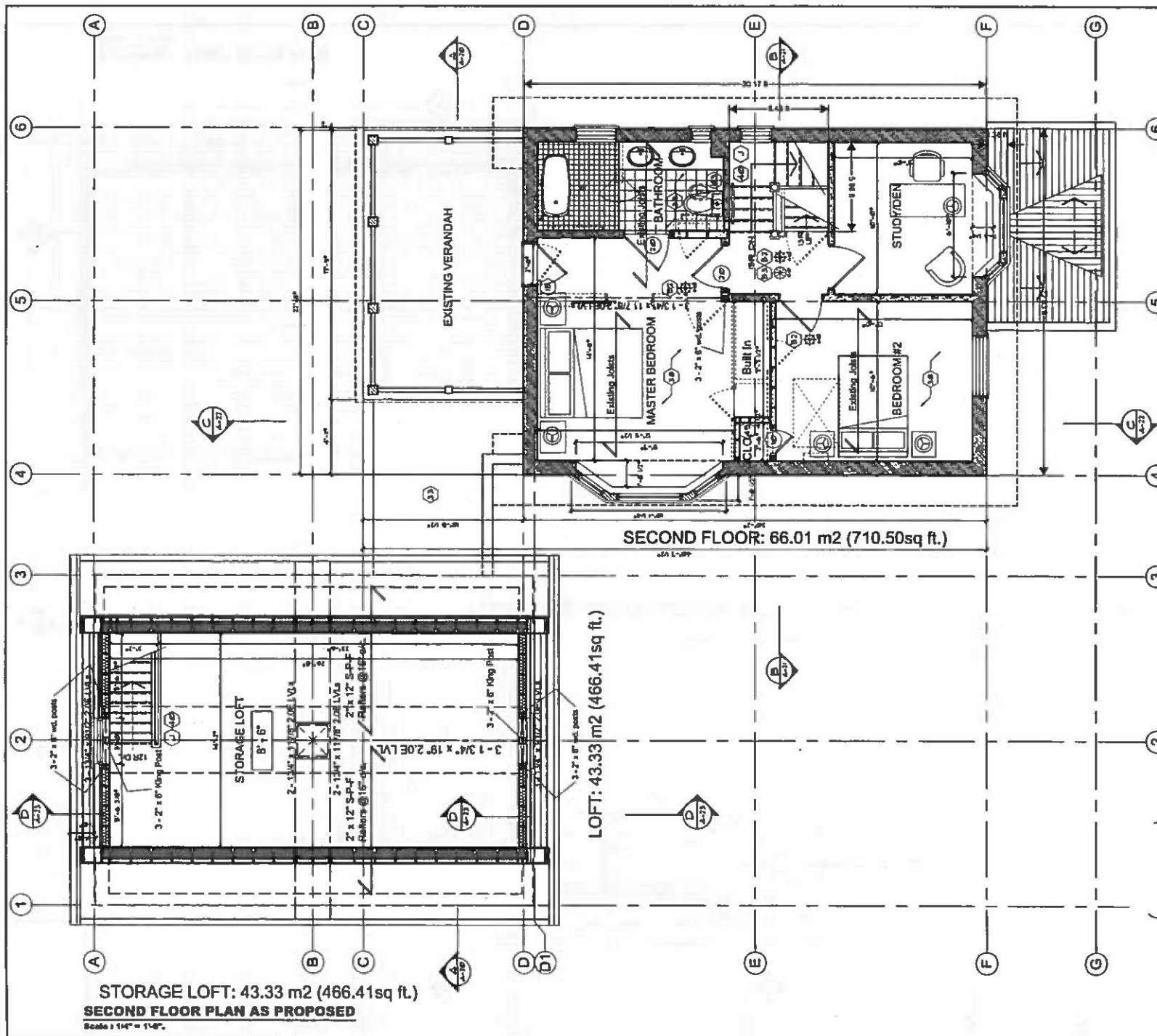
[Signature]
Architect

JUNE 19 2018
NO. 2018

North

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PLEASE NOTE THAT THIS DRAWING IS NOT VALID UNLESS IT IS STAMPED AND SIGNED BY THE DESIGNER. THIS DRAWING MAY NOT BE REPRODUCED WITHOUT THE DESIGNER'S PERMISSION.

date	August 06/2017	project #	PA428
scale	1/4" = 1'-0"	drawn by	B. Abbey
dwg #	A-11	rev	7



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no.	revisions	date
1	REBUILT FOR BUILDING PERMIT	06/15/16
2	REBUILT FOR BUILDING PERMIT	06/17/16
3	REBUILT FOR BUILDING PERMIT	02/16/16
4	PLANNING DATA MATRIX ADDED	06/13/16
5	REVISED AS PER HERITAGE	10/3/17

note:
SECOND FLOOR PLAN AS PROPOSED.

project:
PROPOSED NEW GARAGE, ALTERATIONS & REPAIRS AT 340 MAIN ST. NORTH MARKHAM, ONTARIO. FOR MR. JIM VOUTIANITIS.

ADTEK BUILDING CONSULTANTS
 LICENSED ARCHITECTS, 18 YEARS EXPERIENCE
 302 Cleveland Street, Toronto, Ontario, Canada, M5S 2P6.
 Tel: 416 532 2275, Fax: 416 532 1363, Cell: 416 671 5323.
 Email: adtek@adtekbldg.com
 Web: http://www.adtekbldg.com
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The undersigned has reviewed and takes responsibility for this design.
 Date: 06/15/16
 Signature: [Signature]
 Title: Architect

DATE: JUL 19 08
 TIME: 10:00 AM
 BY: [Signature]

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 PLEASE NOTE: This plan was drawn by the Designer and is not stamped in red and signed by the Designer. This plan may NOT BE REPRODUCED WITHOUT THE DESIGNER'S PERMISSION.

date	project #
August 06/2017	171428

scale	drawn by
1/4" = 1'-0"	B. Abbey

dwg. #	rev
A-12	7

1 2 3 4 5 6



FRONT (EAST) ELEVATION AS PROPOSED
Scale: 1/4" = 1'-0"

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1	REDESIGNED FOR BUILDING PERMIT	06/15/18
2	REDESIGNED FOR BUILDING PERMIT	06/22/18
3	REDESIGNED FOR BUILDING PERMIT	07/16/18
4	PLANNING DATA MATRIX ADDED	08/03/18
5	REVISED AS PER HERITAGE	10/2/17

no.	revisions	date

title:
FRONT (EAST) ELEVATION AS PROPOSED.

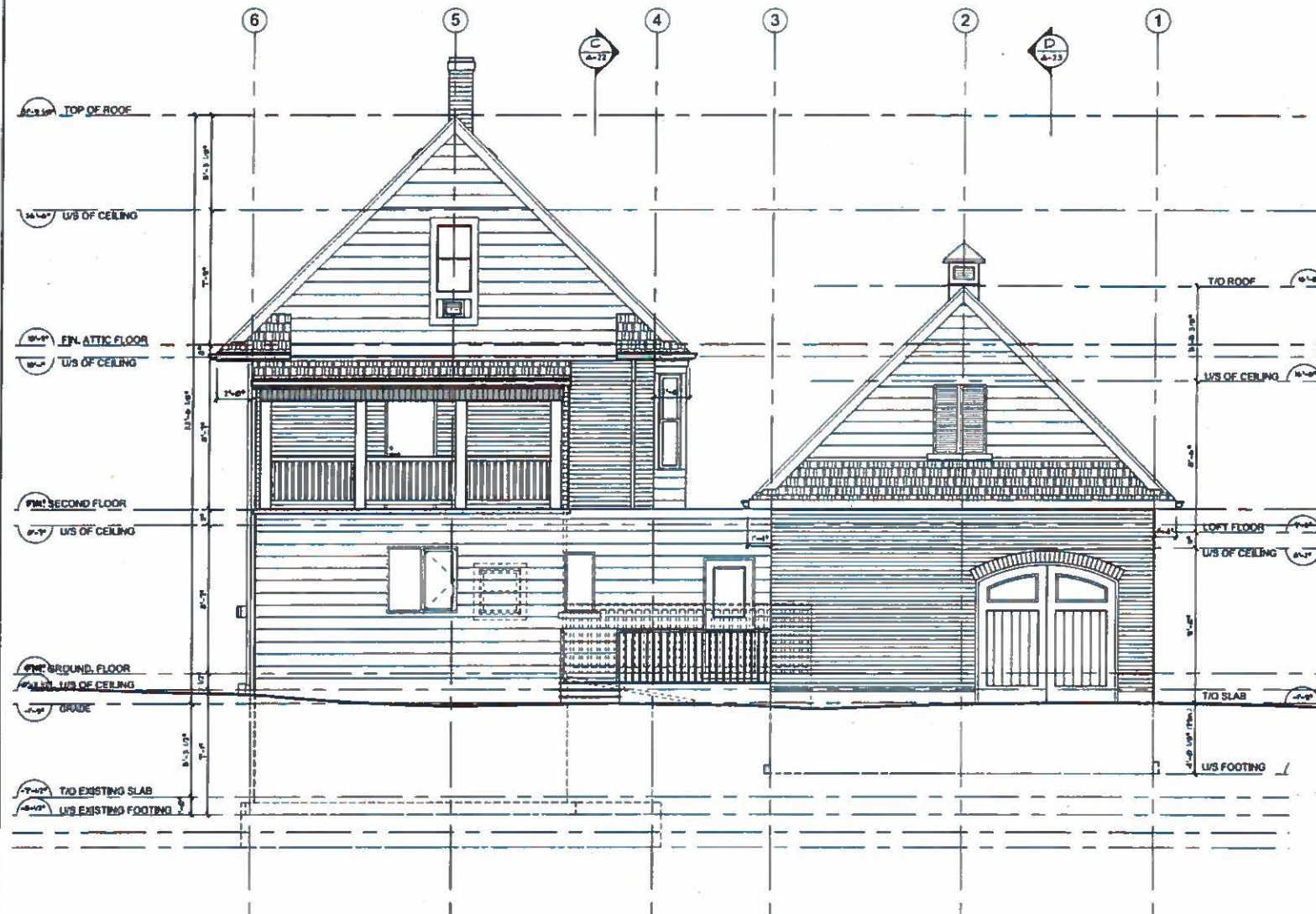
project:
PROPOSED NEW GARAGE, ALTERATIONS & REPAIRS AT 340 MAIN ST. NORTH MARKHAM, ONTARIO. FOR MR. JIM VOUTIANITIS.

ADTEK BUILDING CONSULTANTS
REGISTERED ARCHITECTS/ENGINEERS/TECHNOLOGISTS
A DIVISION OF ADTEK INC. (SINCE 1987)
302 Cleveland Street, Toronto, Ontario, Canada, M5S 2W5
Tel: 416 832 3278, Fax: 416 832 1203, Cell: 416 571 9222
Email: adtek@adtekbldg.com
Web: <http://www.adtekbldg.com>
GAA License # 8388 - BCIN # 20550 & 27003

The undersigned has reviewed and taken responsibility for this design and for the qualifications and status of the respondents and for the 2013 Ontario Building Code, Div. 2, Part 3, Section 2.2.1(1).

Signature: *[Signature]*
Date: JUN 19 2018

GAA License # 8388 - BCIN # 20550 & 27003	
PLEASE NOTE THAT THIS DRAWING IS NOT VALID UNLESS IT IS SIGNED BY ME AND DATED BY THE DESIGNER. THIS DRAWING MAY NOT BE REPRODUCED WITHOUT THE DESIGNER'S PERMISSION.	
date August 06/2017	project # 171428
scale 1/4" = 1'-0"	drawn by B. Abbey
designed by A-10	rev 7



REAR (WEST) ELEVATION AS PROPOSED
Scale: 1/4" = 1'-0"

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General notes (1)
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Conform to every all dimensions on site and report any errors or
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no.	revisions	date
1	REISSUED FOR BUILDING PERMIT	06/15/18
2	REISSUED FOR BUILDING PERMIT	09/27/18
3	REISSUED FOR BUILDING PERMIT	03/16/18
4	PLANNING DATA MATRIX ADDED	06/15/18
5	REVISED AS PER HERITAGE	10/12/17

name:
**REAR (WEST) ELEVATION
AS PROPOSED.**

project:
**PROPOSED NEW GARAGE,
ALTERATIONS & REPAIRS
AT 340 MAIN ST. NORTH
MARKHAM, ONTARIO. FOR
MR. JIM VOUTIANITIS.**

**ADTEK BUILDING
CONSULTANTS**

REGISTERED ARCHITECTURAL TECHNOLOGISTS
& BUILDING SCIENCE PROFESSIONALS

362 Cleveland Street, Toronto, Ontario, Canada, M4S 2W6.
Tel: 416 932 2275 Fax: 416 932 1882, Cell: 416 871 9323.
Email: design@adtekbldg.com
Web: <http://www.adtekbldg.com>

OAA License # 8368 - BCIN # 20550 & 27003

The undersigned has reviewed and takes responsibility for the design and construction and meets the requirements set out in the 2012 Ontario Building Code, (Div. C, Part 3, Section 3.2.4.1.1)

Signature: *[Signature]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

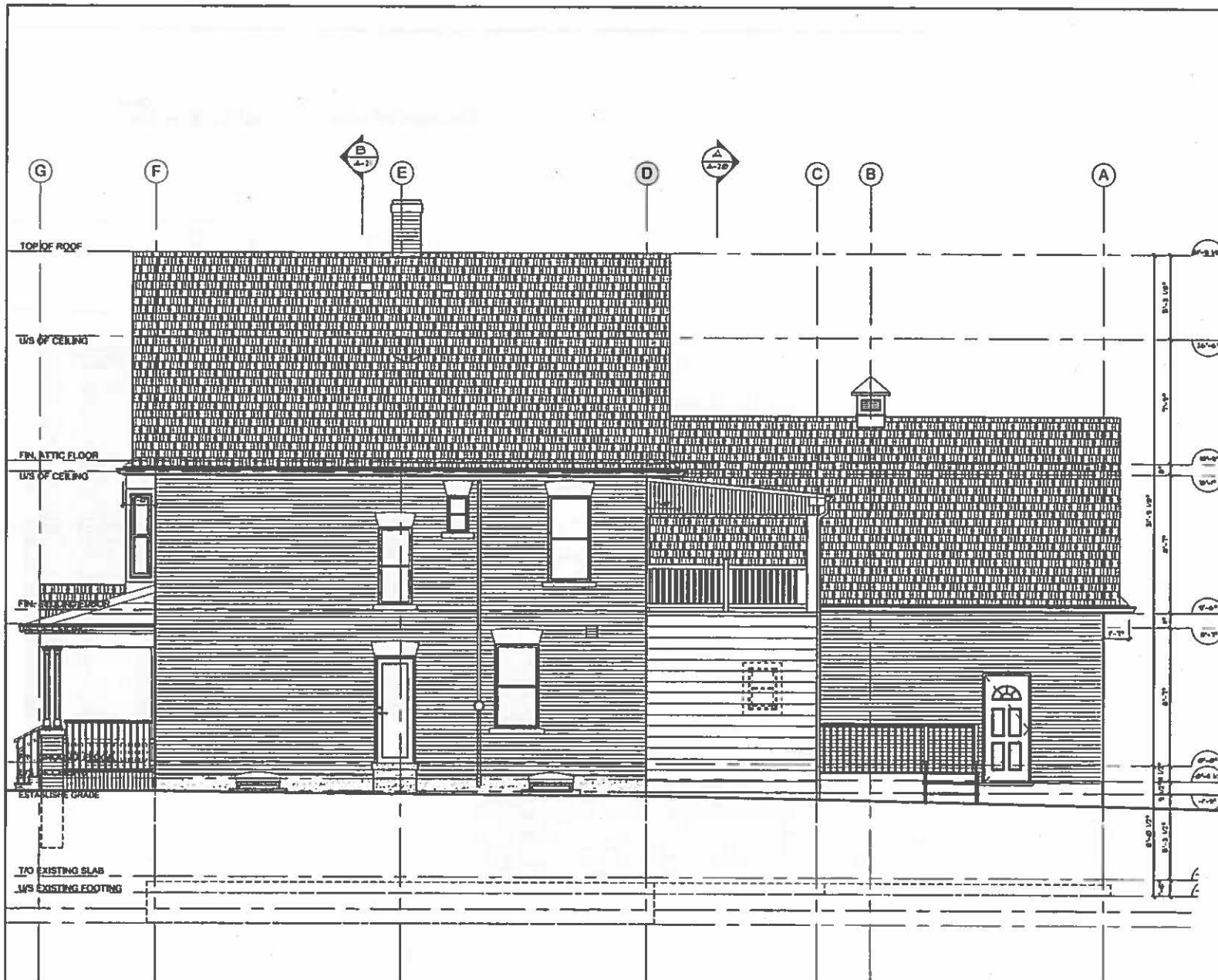
Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*

Scale: *[Scale]* Date: *[Date]*

Project: *[Project Name]* Date: *[Date]*



RIGHT SIDE (NORTH) ELEVATION AS PROPOSED

Scale: 1/4" = 1'-0"

Municipal Approval Stamps Only

General Notes: 1-10
 1. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 3. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 4. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 5. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

1	REQUIRED FOR BUILDING PERMIT	06/12/10
2	REQUIRED FOR BUILDING PERMIT	06/12/10
3	REQUIRED FOR BUILDING PERMIT	06/12/10
4	PLANNING DATA MATRIX ADDED	06/12/10
5	REVISED AS PER HERITAGE	10/31/11

NO.	Revisions	Date
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title:
**RIGHT SIDE (NORTH)
 ELEVATION
 AS PROPOSED.**

project:
**PROPOSED NEW GARAGE,
 ALTERATIONS & REPAIRS
 AT 340 MAIN ST. NORTH
 MARKHAM, ONTARIO. FOR
 MR. JIM VOUTIANITIS.**

**ADTEK BUILDING
 CONSULTANTS**



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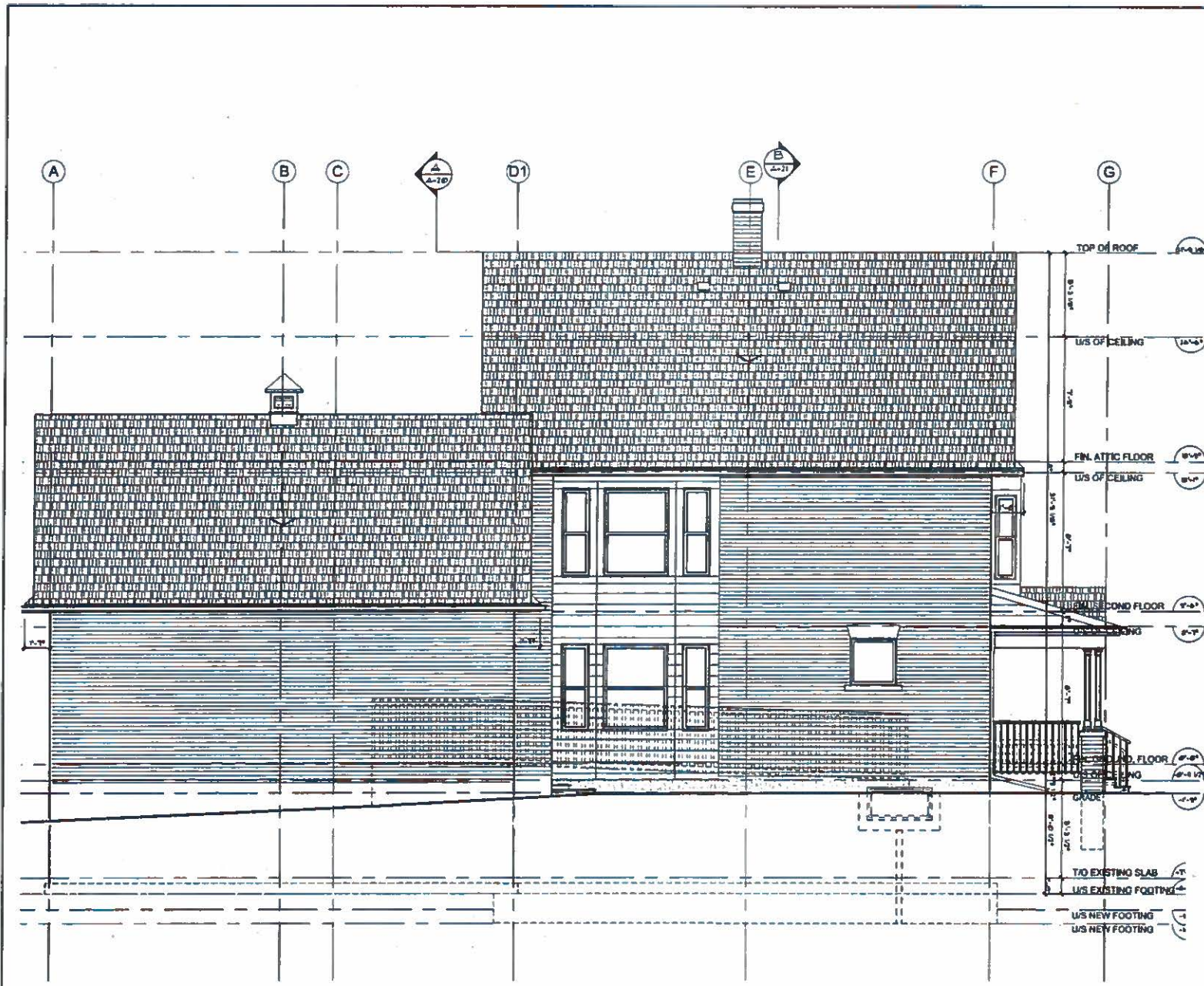
The information has been reviewed and found acceptable for the design and construction of the project. The design is based on the information provided and is not a guarantee of performance. The design is based on the information provided and is not a guarantee of performance.

DATE: 19/10/10
 north

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date	August 06/07/10	project #	17/1478
scale	1/4" = 1'-0"	drawn by	B. Abbey
dwg. #	A-18	rev	7



LEFT SIDE (SOUTH) ELEVATION AS PROPOSED
Scale 1/4" = 1'-0"

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1	REVISION FOR BUILDING PERMIT 06/15/18
2	REVISION FOR BUILDING PERMIT 06/21/18
3	REVISION FOR BUILDING PERMIT 06/21/18
4	PLANNING DATA MATRIX ADDED 06/03/18
5	REVISED AS PER HERITAGE 10/3/17
no.	revisions date
<p>PROJECT:</p> <p>LEFT SIDE (SOUTH) ELEVATION AS PROPOSED.</p>	
<p>PROJECT:</p> <p>PROPOSED NEW GARAGE, ALTERATIONS & REPAIRS AT 340 MAIN ST. NORTH MARKHAM, ONTARIO. FOR MR. JIM VOUTIANITIS.</p>	
<p>ADTEK BUILDING CONSULTANTS LICENSED ARCHITECTURAL TECHNOLOGISTS & BUILDING SCIENCE SPECIALISTS</p> <p>303 Cleveland Street, Toronto, Ontario, Canada, M4S 2W6 Tel: 416 932 2278, Fax: 416 932 1383, Cell: 416 871 5322 Email: info@adtekbuilding.com Web: www.adtekbuilding.com</p> <p>OAA License # 8368 - BCIN # 20550 & 27003</p>	
<p>The undersigned has reviewed and takes responsibility for the design and construction of the above project.</p> <p>DATE 19/01/18</p> <p>BY [Signature]</p>	
date	project #
August 06/10/17	17/1478
scale	drawn by
1/4" = 1'-0"	B.Abbey
des. #	rev
A-19	7