

# Memorandum to the City of Markham Committee of Adjustment

June 10, 2020

**Address:** 8 Hamilton Hall Drive, Markham  
**Applicant:** Jia Ling Ru  
**Agent:** CZC Building Consultants Ltd.  
**Hearing Date:** Tuesday June 25, 2020

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following Residential One (R1) zone requirements of By-law 1229, as amended, as they relate to a proposed two-storey single detached dwelling. The variances requested are as follows:

**a) Infill By-law 99-90, Section 1.2(vi):**

a maximum floor area ratio of 49.98%, whereas the By-law permits a maximum floor area ratio of 45%; and

**b) Infill By-law 99-90, Section 1.2(i):**

a maximum building height of 10.50 m (34.45 ft), whereas the By-law permits a maximum building height of 9.80 m (32.15 ft).

## COMMENTS

This application was deferred at the December 11, 2019 Committee of Adjustment hearing. This was in part as a result of a staff memorandum dated November 25, 2019 (Appendix "A"), which expressed concern that the proposed floor area ratio and building height would result in a building mass that does not fit with the character of the neighbourhood. Subsequent to the deferral, the applicant revised their proposal and reduced the requested variances, as reflected in the revised plans in Appendix "B". Table 1 below shows a comparison between the initial and revised variances.

*Table 1, Comparison Chart - Changes in Variances*

<b>A/128/19: 8 Hamilton Hall Drive</b>				
<b>Development Standard</b>	<b>R1 Zone Requirement</b>	<b>Initial Variance Request</b> (December 11, 2019)	<b>Revised Variance Request</b> (June 25, 2020)	<b>Change in Variance Request</b>
<b>Floor Area Ratio (Max.)</b>	45 %	52.96%	49.98%	-2.98%
<b>Building Height (Max.)</b>	9.8 m (32.15 ft)	11.1 m (36.42 ft)	10.5 m (34.45 ft)	-0.6 m (1.97 ft)

## Zoning Preliminary Review (ZPR) Undertaken

The applicant completed a ZPR to confirm the initial variances required for the proposed development. The applicant submitted revised drawings on February 28, 2020, for which a second ZPR was not conducted. Consequently 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 variances requested 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.

### **Increase in Maximum Floor Area Ratio**

The applicant is requesting a maximum floor area ratio of 49.98%, whereas the By-law permits a maximum floor area ratio of 45%. The variance will facilitate the construction of a two-storey detached dwelling with a net floor area of 306.94 m<sup>2</sup> (3,303.89 ft<sup>2</sup>), whereas the By-law permits a dwelling with a maximum net floor area of 276.33 m<sup>2</sup> (2,974.42 ft<sup>2</sup>). This is an increase of 30.61 m<sup>2</sup> (329.47 ft<sup>2</sup>).

Floor area ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area however; it is not a definitive measure of the mass of the dwelling. It is noted that the proposed dwelling includes approximately 27.36 m<sup>2</sup> (294.46 ft<sup>2</sup>) “open to below and above” space. If this was considered as interior space, the resulting dwelling within the proposed building would have a total net floor area of 334.30m<sup>2</sup> (3,598.35 ft<sup>2</sup>) or 54.36%.

There are few examples of nearby infill homes that have obtained variance approvals for similar increases in floor area ratio. To achieve the reduced floor area ratio now being proposed, the applicant has reduced the building depth by approximately 0.61 m (2.0 ft) on the first storey, and 1.83 m (6.0 ft) on the second storey. Staff are satisfied that the revisions to the floor area ratio reflects a building scale and mass that provides for a more appropriate transition between the existing housing stock and new infill housing in the area.

### **Increase in Maximum Building Height**

The applicant is requesting relief to permit a maximum building height of 10.5 m (34.45 ft), whereas the By-law permits a maximum building height of 9.8 m (32.15 ft). This is an increase of 0.7 m (2.3 ft). Staff are of the opinion that the proposed height is a negligible increase that will not have significant impacts to adjacent properties.

### **PUBLIC INPUT SUMMARY**

It should be noted that after the initial December 11, 2019 hearing, the City of Markham received six written submissions in support of the initial variances, and one letter of objection from area residents along Pringle Avenue and Hamilton Hall Drive. One resident also spoke in opposition to the application at the initial hearing as shown in the minutes extract provided in Appendix “C”.

No additional written submissions were received as of June 10, 2020. 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.

### **APPLICATION PROCESSING**

On June 12, 2020, the Province announced that the emergency regulations relating to *Planning Act* applications will end on June 22, 2020. After June 22, 2020, the procedural requirements (e.g. sending of notices, hearing of applications, eligibility for appeals to LPAT, etc.) of *Planning Act* applications shall proceed as they did prior to the declaration of the emergency. Revisions to the initial memorandum include an update on matters relating to application processing.

### **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 tests of the *Planning Act*. Staff recommend that the Committee consider

public input in reaching a decision. Any decision to approve the application should be subject to the conditions outlined in Appendix "D".

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.

#### **APPENDICES**

Appendix "A" – Staff Report: November 25, 2019

Appendix "B" – Revised Plans

Appendix "C" – Minutes Extract: December 11, 2019

Appendix "D" – Revised Conditions of Approval

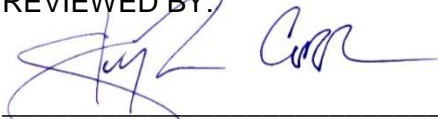
PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



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Stephen Corr, Senior Planner, East District

File Path: Amanda\File\ 19 139938 \Documents\District Team Comments Memo

**APPENDIX “A”**

**STAFF REPORT: NOVEMBER 25, 2019**

# Memorandum to the City of Markham Committee of Adjustment

November 25, 2019

**File:** A/128/19  
**Address:** 8 Hamilton Hall Drive, Markham  
**Applicant:** Jia Ling Ru  
**Agent:** CZC Building Consultants Ltd.  
**Hearing Date:** Wednesday December 11, 2019

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

The applicant is requesting relief from the following Residential One (R1) zone requirements of By-law 1229, as amended, as they relate to a proposed two-storey detached dwelling:

**a) Infill By-law 99-90, Section 1.2 (vi):**

to permit a maximum Net Floor Area of 52.96 percent, whereas the By-law permits a maximum Net Floor Area of 45 percent;

**b) Infill By-law 99-90, Section 1.2 (i):**

to permit a maximum building height of 11.1 metres, whereas the By-law permits a maximum building height of 9.8 metres.

## BACKGROUND

### Property Description

The 614.99 m<sup>2</sup> (6,619.65 ft<sup>2</sup>) subject property is located on the north side of Hamilton Hall Drive, which is north of Highway 7 East, south of Church Street and west of Wooten Way North. There is an existing two-storey detached dwelling on the property which according to assessment records was constructed in 1972. Mature vegetation exists across the property, including mature trees in the front and rear yard.

The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. While there are a few examples of newer infill housing, the surrounding community context can be described as generally stable and predominantly comprised of modestly sized homes constructed in the early 1970s. An adjacent pedestrian walkway is located west of the subject property which connects Hamilton Hall Drive to Pringle Avenue, to the north.

### Proposal

The applicant is proposing to demolish the existing dwelling and to construct a two-storey single detached dwelling on the subject property. The proposed dwelling is 325.25 m<sup>2</sup> (3,500.92 ft<sup>2</sup>), which includes an attached two-car garage.

### Official Plan and Zoning

Official Plan 2014 (partially approved on Nov 24/17, and further updated on April 9/18)

The subject property is designated "Residential – Low Rise", which provides for low rise housing forms including single detached dwellings. Section 8.2.3.5 of the 2014 Official Plan outlines development criteria for the "Residential – Low Rise" designation with respect to height, massing and setbacks. This criteria is established to ensure that the development is appropriate for the site and generally consistent with the zoning

requirements for adjacent properties and properties along the same street. In considering applications for development approval in a “Residential Low Rise” area, including variances, infill development is required to meet the general intent of these development criteria. Regard shall also be had for retention of existing trees and vegetation, the width of proposed garages and driveways and the overall orientation and sizing of new lots within a residential neighbourhood.

#### Zoning By-Law 1229

The subject property is zoned Residential One ‘R1’ under By-law 1229, as amended, which permits one single detached dwelling per lot.

#### Residential Infill Zoning By-law 99-90

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 Maximum Floor Area Ratio, and Maximum Height.

#### **Applicant’s Stated Reason(s) for Not Complying with Zoning**

According to the information provided by the applicant, the reason for not complying with Zoning is,

*“**Maximum Net Floor Area Ratio:** Due to the size of the family and planned spaces for future children, the owners would like to request larger family common areas, as well as individual spaces for each family member. Parking is included in the FSI calculations, and this further reduced the amount of habitable space for the family. The building does not exceed the allowed coverage area and setback requirements. The requested space will not affect the visual presentation of the neighbourhood.*

***Maximum Building Height:** The requested variance is to achieve a comfortable ceiling height for each floor; however, due to the property being situated much higher than that of it’s neighbours with an established grade of 1.2m above the centre of the road it is difficult to provide a comfortable ceiling height intended for newer single detached dwellings.”*

#### **Zoning Preliminary Review (ZPR) Undertaken**

The owner has completed a Zoning Preliminary Review (ZPR) on October 3, 2019 to confirm the variances required for the proposed development.

#### **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 in Maximum Net Floor Area Ratio**

The applicant is requesting a floor area ratio of 52.96 percent, whereas the By-law permits a maximum floor area ratio of 45 percent. The variance will facilitate the construction of a two-storey detached dwelling with a net floor area of 325.25 m<sup>2</sup> (3,500.92 ft<sup>2</sup>), whereas the By-law permits a dwelling with a maximum floor area of 276.33 m<sup>2</sup> (2,974.42 ft<sup>2</sup>). This is an increase of 48.92 m<sup>2</sup> (526.5 ft<sup>2</sup>), or 7.96 percent.

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area, and it is not a definitive measure of the mass of the dwelling, since it does not include “open to below” areas that exist within the dwelling (ex. see second storey area above foyer & living space area, and stairs). It is noted that the proposed dwelling includes approximately 30.47 m<sup>2</sup> (328 ft<sup>2</sup>) of ‘open to below’ on the second floor above the living room and foyer. If this was considered as interior space, the resulting dwelling within the same proposed building envelope would have a total net floor area of 355.7 m<sup>2</sup> (3828.92 ft<sup>2</sup>) and a net floor area ratio of 57.9 percent.

As noted, the surrounding community can be described as generally stable, consisting predominantly of modestly sized homes originally built in the 1970s. Staff are of the opinion that the proposed net floor area ratio and resulting building mass does not maintain the character of the surrounding context, and therefore does not maintain the intent of the infill zoning by-law.

### **Increase in Maximum Building Height**

The applicant is requesting a maximum building height of 11.1 m (36.42 ft), whereas the By-law permits a maximum building height of 9.8 m (32.15 ft). This is an increase of 1.3 m (4.27 ft).

The By-law calculates building height using the vertical distance of a building or structure measured between the level of the crown of the street and highest point of the roof surface. It should be noted that the proposed grade of the front of the house is approximately 1.2 m (3.93 ft) above the crown of road.

The neighbourhood consists of a mix of one and two-storey single detached dwellings. This includes two existing one-storey dwellings on the east and west sides of the subject property. Staff are of the opinion that the requested height should be reduced to provide a better transition between the proposed development and established community character.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of November 25, 2019. 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.

## **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 does not meet the four tests of the *Planning Act*. As noted staff have concerns that the proposed floor area ratio does not maintain the established character of the community, which is generally stable. Staff also are of the opinion that the proposed building height should be reduced. Should the Committee of Adjustment feel it appropriate to defer the

application, staff will work with the applicant to reduce the overall scale, mass and height of the proposed dwelling.

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.

While Planning Staff do not recommend approval of the application as applied for, should the Committee of Adjustment feel it appropriate to approve the application, either as applied for, or amended, please see Appendix "A" for conditions to be attached to any approval of this application.

## **APPENDICES**

Appendix "A" – Conditions List

Appendix "B" – Plans

PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



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Stephen Corr, Senior Planner, East District

File Path: Amanda\File\ 19 139938 \Documents\District Team Comments Memo



## **APPENDIX "A"**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/128/19**

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 plans attached as 'Appendix B' to this Staff Report and received by the City of Markham on November 12, 2019, 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. That the owner implement and maintain all of the works required in accordance with the conditions of this variance;
4. 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;
5. 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.
6. 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:



Aleks Todorovski, Planner, Zoning and Special Projects

**APPENDIX “B”**

**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/128/19**

M-1385

LOT 102

P.I.N. 02930-0277 (LT)



# TOPOGRAPHIC SURVEY OF

LOT 124

REGISTERED PLAN M-1385

CITY OF MARKHAM

REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 200



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METRIC

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

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO TOWN OF MARKHAM BENCHMARK No. 322 (M-39-006) HAVING AN ELEVATION OF 186.211 METRES.

## LEGEND

GM	DENOTES	GAS METER
CR	"	CENTERLINE ROAD
DS	"	DOOR SILL
RWS	"	STONE RETAINING WALL
HM	"	HYDRO METER
SWI	"	PAVED INTERLOCKING
PIN	"	PROPERTY IDENTIFIER NUMBER
ø	"	DIAMETER
293.05	"	ELEVATION ON THE GROUND
	"	DECIDUOUS TREE
	"	CONIFEROUS TREE
	"	BUSH

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN  
WERE COMPLETED ON THE 24TH DAY OF JUNE , 2019.

    JUNE 28, 2019      
DATE

  
ALEX MARTON  
ONTARIO LAND SURVEYOR

183.96  
O  
MH

183.88  
O  
MH


HAMILTON HALL DRIVE

(DEDICATED BY REGISTERED PLAN M-1385)

P.I.N. 02930-0387 (LT)

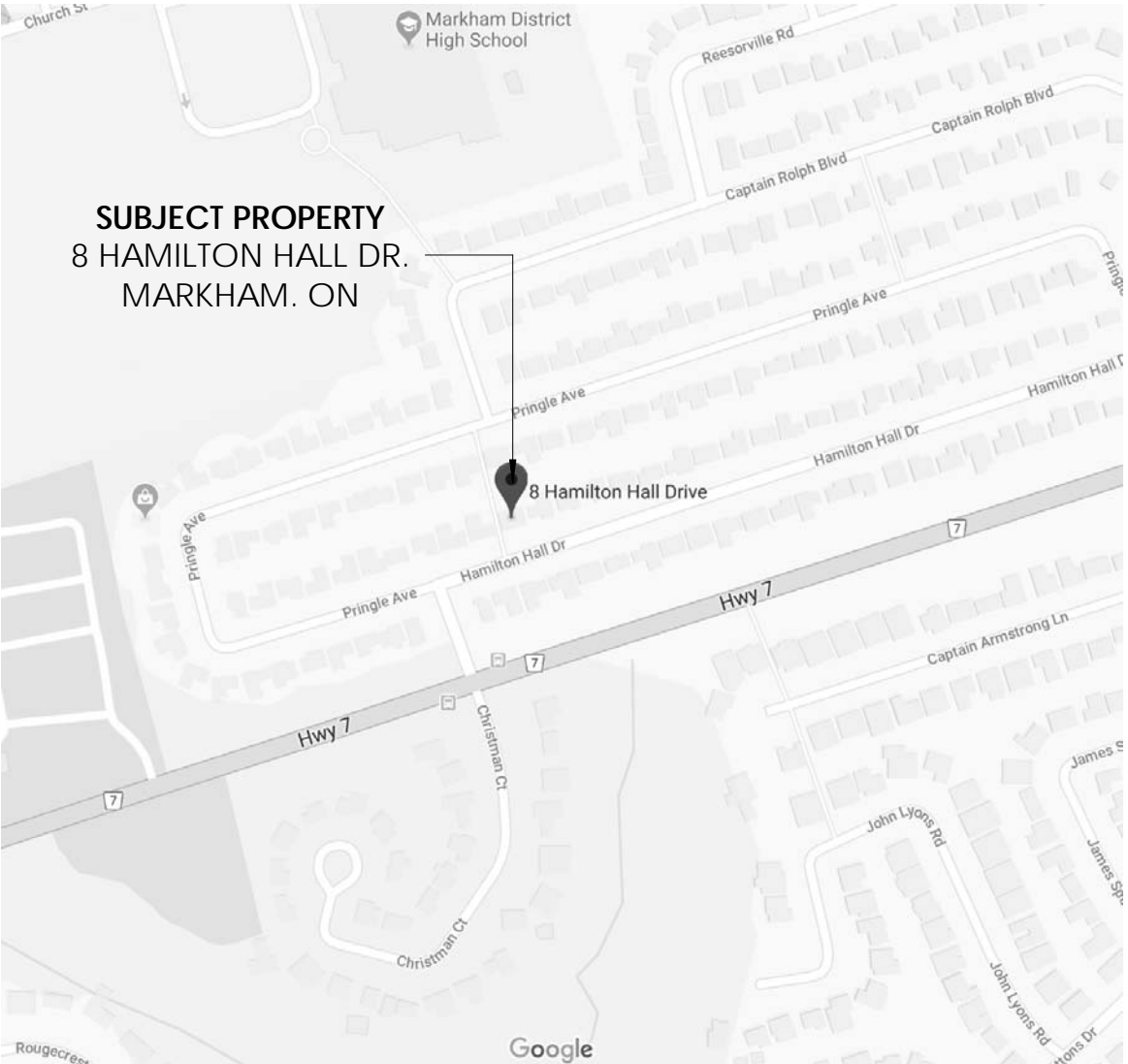
### CAUTION

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

	<b>ALEX MARTON LIMITED</b> <b>ONTARIO LAND SURVEYORS</b> 160 APPLEWOOD CRESCENT, UNIT 6, CONCORD, ONTARIO, L4K 4H2 PHONE: 905-879-9889 FAX: 905-879-0770 E-MAIL: alex@amsurveying.ca WEBSITE: www.amsurveying.ca	
	PARTY CHIEF: F.V.W.	FILE NAME: 2019-125.DWG
	DRAWN : F.V.W.	PLOT SCALE: 1:200
	CHECKED : A.M.	PROJECT No. 2019-125

PROJECT DESCRIPTION RESIDENTIAL: NEW DETACHED HOUSE	SITE STATISTICS			BUILDING SETBACK				
	REQUIRED	PROPOSED	VARIANCE REQ'D	REQUIRED	PROPOSED	VARIANCE REQ'D		
LEGAL DESCRIPTION LOT 124 REGISTERED PLAN M-1385 CITY OF MARKHAM REGIONAL MUNICIPALITY OF YORK	LOT AREA	MIN. 6,600 SQ.FT	6,619.65 SQ.FT.	NO	FRONT [SOUTH]	MIN. 25FT [7.62M]	25' - 5" [7.75M]	NO
	LOT COVERAGE	MAX. 2,316.65 [35.00%]	2,310.06 [34.89%]	NO	REAR [NORTH]	MIN. 25FT [7.62M]	26' - 3" [8.00M]	NO
	LOT FRONTAGE	MIN. 60 FT [18.28M]	60.17 FT [18.34M]	NO	SIDE A [EAST]	1 STOREY MIN. 4FT [1.21M]	- - [- -M]	NO
	GROUND FLOOR AREA	1200.00 SQ.FT	2,094.22 SQ.FT.	- - -		2 STOREY MIN. 6FT [1.82M]	6' - 0" [1.82M]	NO
	SECOND FLOOR AREA	1200.00 SQ.FT	1,406.70 SQ.FT.	- - -	SIDE B [WEST]	1 STOREY MIN. 4FT [1.21M]	4' - 0" [1.22M]	NO
	NET FLOOR AREA RATIO	MAX. 2,974.42 SQ.FT [45.00%]	3500.92 SQ.FT. [52.96%]	YES [7.96%]		2 STOREY MIN. 6FT [1.82M]	6' - 1 1/2" [1.87M]	NO
BUILDING ADDRESS 8 HAMILTON HALL DR. MARKHAM ON L3P 2P4	NO. OF STOREYS	MAX. 2 STOREYS	2 STOREYS	NO	REQUIRED		PROPOSED	VARIANCE REQ'D
	BUILDING HEIGHT	MAX. 32.15 FT [9.8M]	36' - 5" [11.1M]	YES	FRONT YARD LANDSCAPING - - -		1125.35 SQ.FT [- -%]	NO
	BUILDING HEIGHT FLAT ROOF	MAX. 26.25 FT [8.0M]	N/A	NO	BACK YARD LANDSCAPING - - -		2088.13 SQ.FT [- -%]	NO
LOT FRONTAGE 18.34M	BUILDING DEPTH	MAX. 55.12 FT [16.8M]	44' - 1 1/2" [13.45M]	NO	MAXIUMUM		PROPOSED	VARIANCE REQ'D
	GARAGE PROJECTION	MAX. 6.89 FT [2.1M]	0' - 4 3/4" [0.12M]	NO	EAST ELEVATION OPENING WALL 975.69 SQ.FT [7%]		26.47 SQ.FT [2.71%]	NO
	GARAGE WIDTH	MAX. 25.26 FT [7.7M]	18' - 6" [5.64M]	NO	WEST ELEVATION OPENING WALL 990.14 SQ.FT [8%]		65.90 SQ.FT [6.66%]	NO

**SUBJECT PROPERTY**  
8 HAMILTON HALL DR.  
MARKHAM, ON



Legend

EXISTING DOOR

NEW DOOR

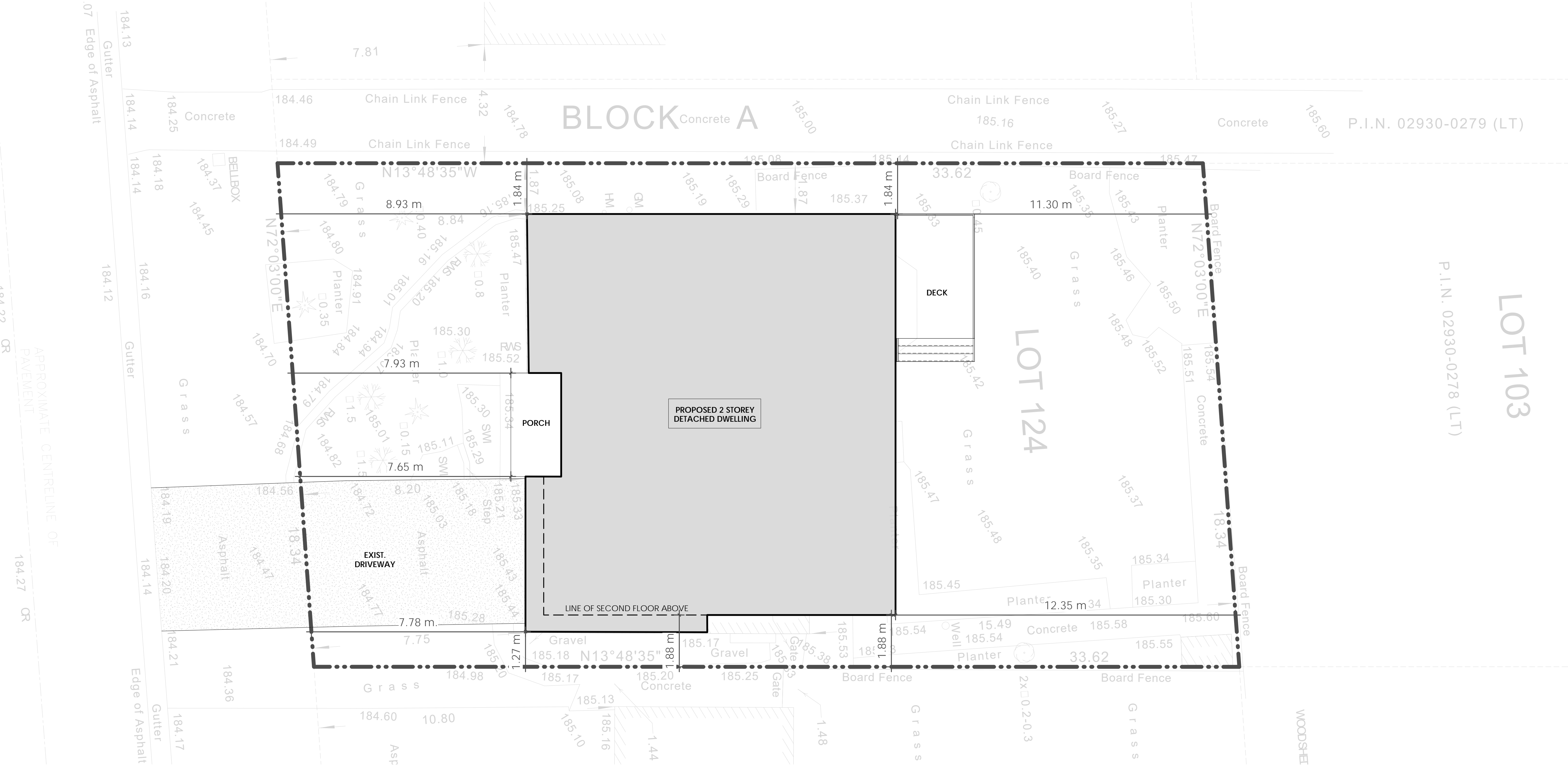
EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS. DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

Consultants



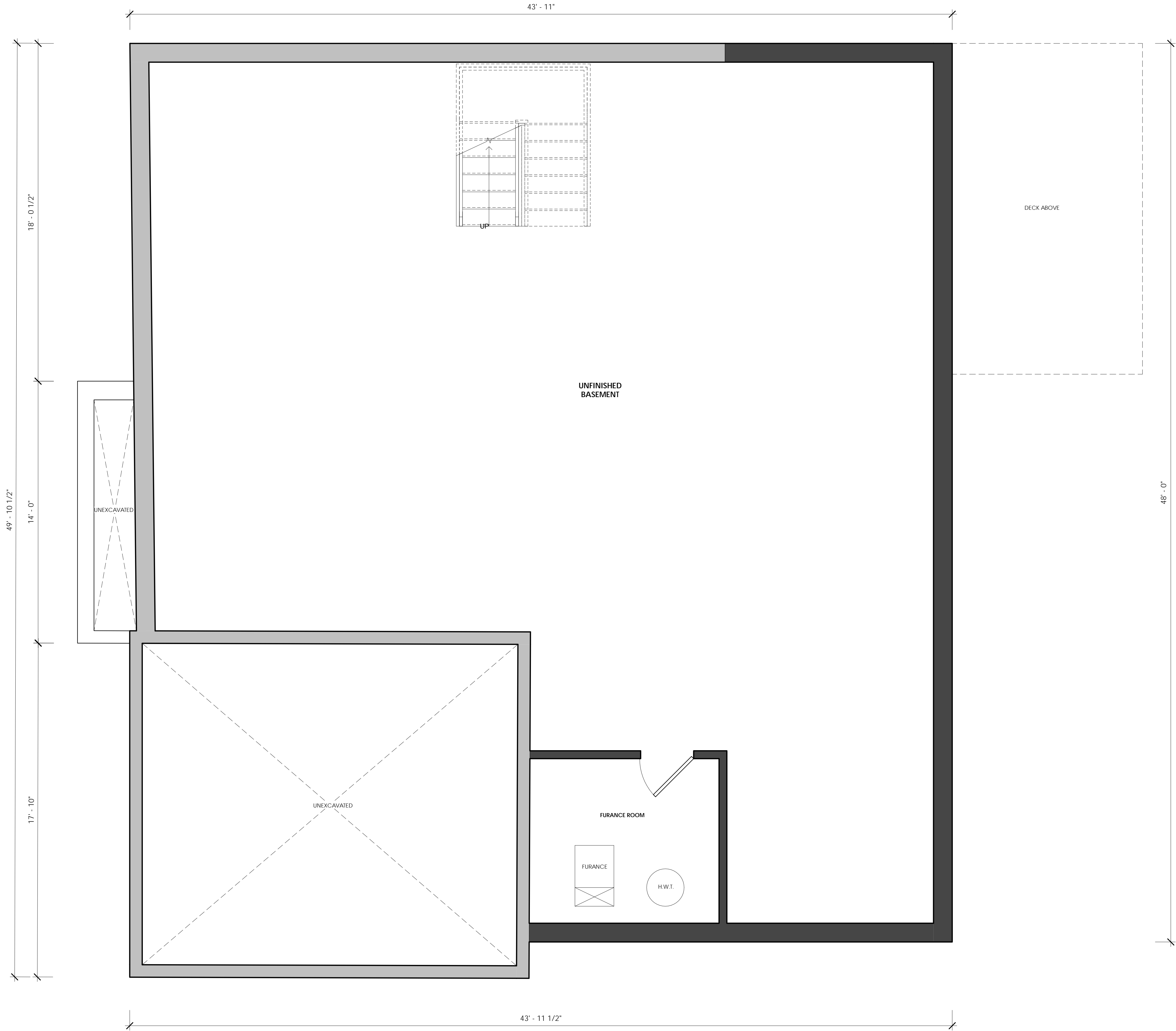
SITE PLAN

CZC BUILDING

CONSULTANTS LTD.

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(647) 390 1417 | www.czcbuild.com

1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE
Project Address 8 Hamilton Hall Dr. Markham		
Drawing Name		
Site Plan		
Project number	036	
Date	July 2019	
Drawn by	HZ	
Check by	RC	
Scale	1 : 75	
Page No.		



**BASEMENT PLAN**

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS. DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

**Consultants**

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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE
Project Address		
8 Hamilton Hall Dr. Markham		
Drawing Name		
Basement Plan		
Project number		036
Date		July 2019
Drawn by		HZ
Check by		RC
Scale		3/8" = 1'-0"
Page No.		



#### Legend

- EXISTING DOOR
- NEW DOOR
- EXISTING WALL TO REMAIN
- EXISTING WALL TO REMOVE
- PROPOSED WALL

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#### Consultants



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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

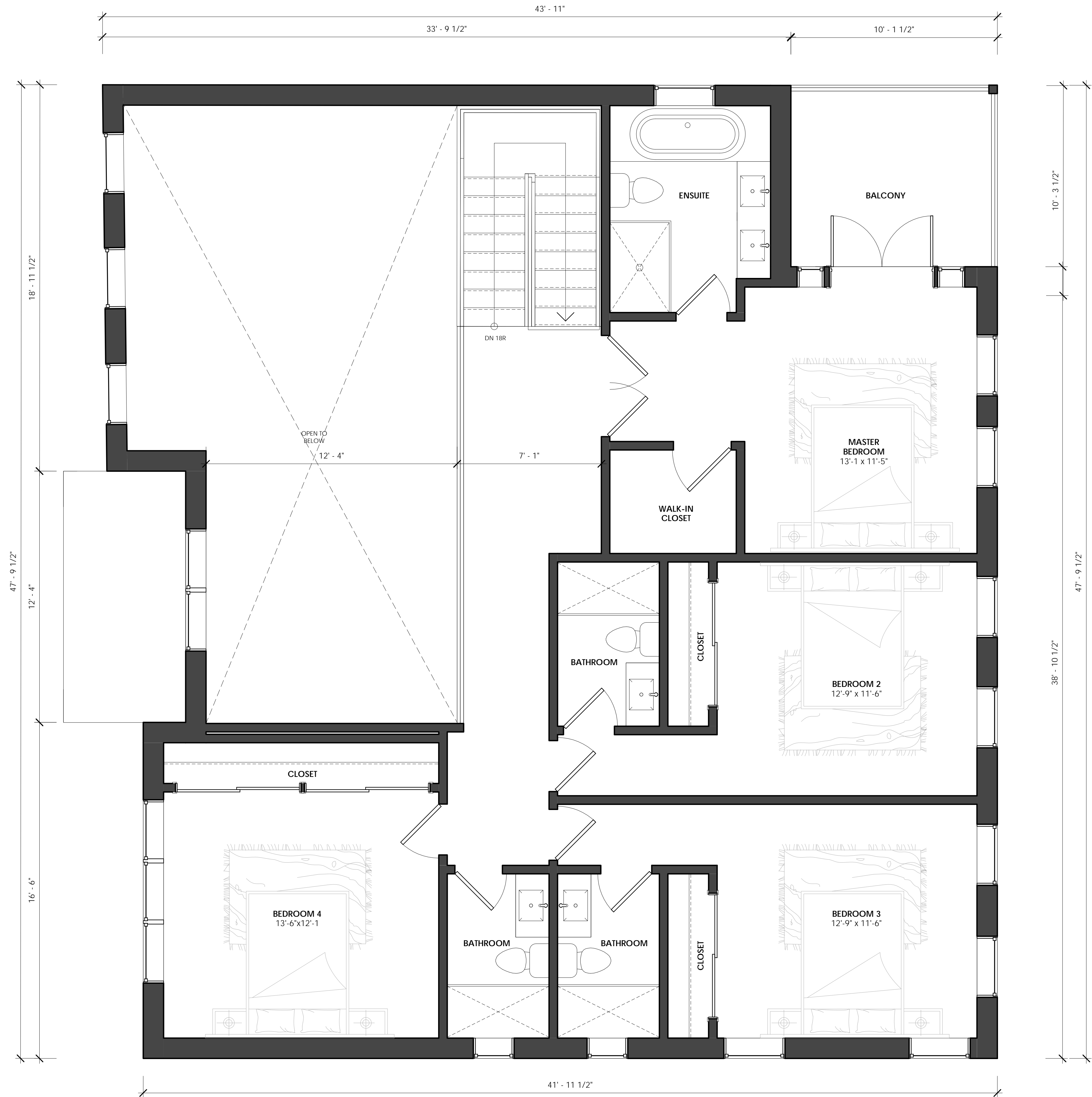
Drawing Name

Ground Floor Plan

Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	

GROUND FLOOR PLAN - 2,094.22 SQ.FT.

3/8" = 1'-0"



SECOND FLOOR PLAN - 1,406.70 SQ.FT.

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS. DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

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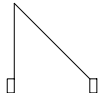
1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE
Project Address		
8 Hamilton Hall Dr. Markham		
Drawing Name		
Second Floor Plan		
Project number		036
Date		July 2019
Drawn by		HZ
Check by		RC
Scale		3/8" = 1'-0"
Page No.		

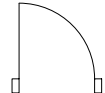



SOUTH ELEVATION


3/8" = 1'-0"


**Legend**

 EXISTING DOOR

 NEW DOOR

 EXISTING WALL TO REMAIN

 EXISTING WALL TO REMOVE

 PROPOSED WALL

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS. DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

Consultants



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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

South Elevation

Project number 036

Date July 2019

Drawn by HZ

Check by RC

Scale 3/8" = 1'-0"

Page No.

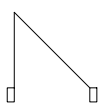
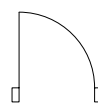

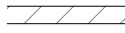
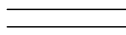




NORTH ELEVATION

3/8" = 1'-0"

Legend

-  EXISTING DOOR
-  NEW DOOR
-  EXISTING WALL TO REMAIN
-  EXISTING WALL TO REMOVE
-  PROPOSED WALL

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS. DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

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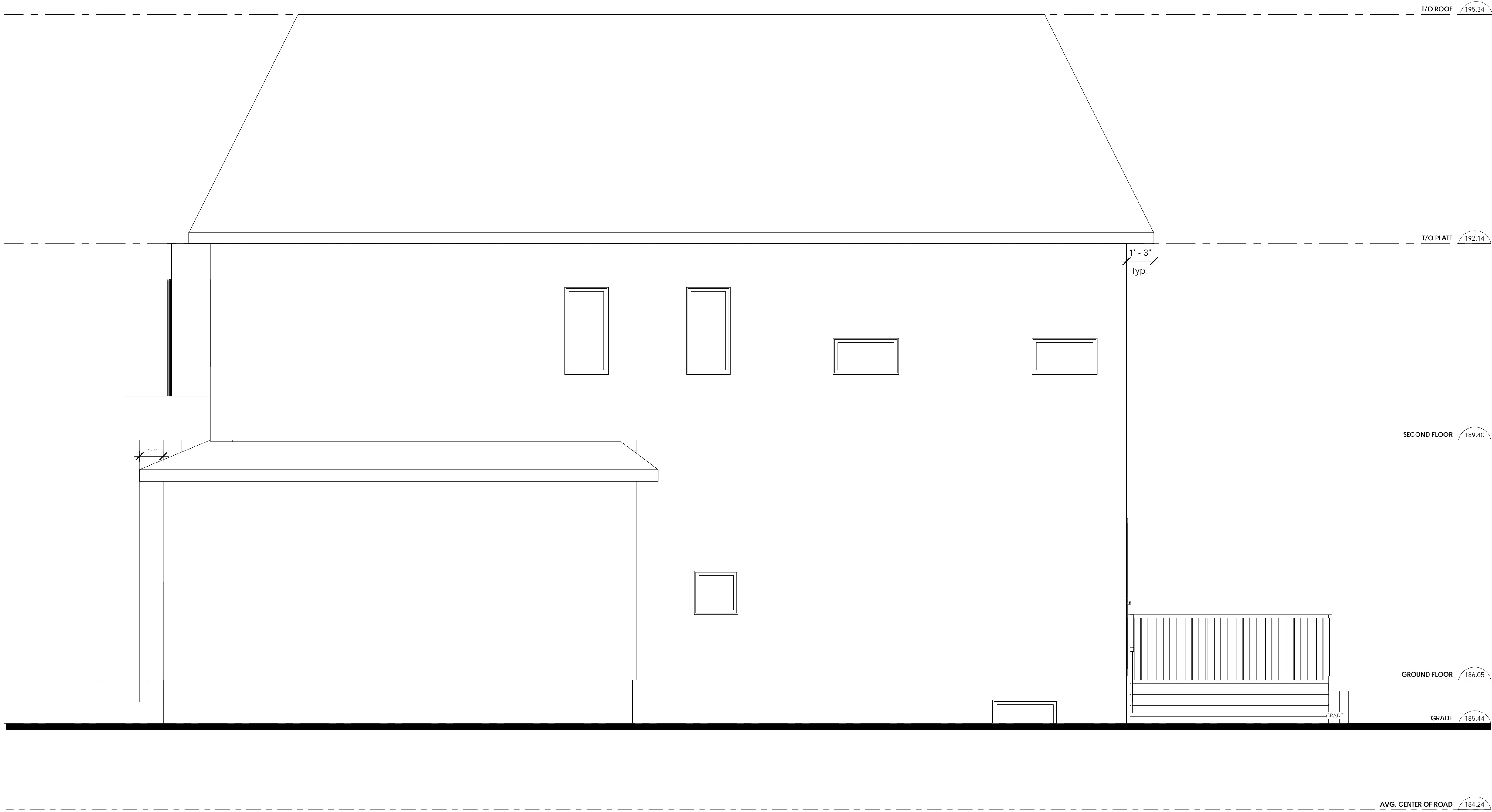
1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

North Elevation

Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	



EAST ELEVATION

3/8" = 1'-0"

Legend

- EXISTING DOOR
- NEW DOOR
- EXISTING WALL TO REMAIN
- EXISTING WALL TO REMOVE
- PROPOSED WALL

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Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name  
East Elevation

Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	



WEST ELEVATION

3/8" = 1'-0"

Legend

- EXISTING DOOR
- NEW DOOR
- EXISTING WALL TO REMAIN
- EXISTING WALL TO REMOVE
- PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

West Elevation

Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	

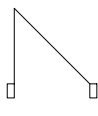
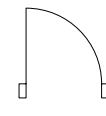



**APPENDIX “B”**

**REVISED PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/128/19**



PERSPECTIVE VIEW

Legend

-  EXISTING DOOR
-  NEW DOOR
-  EXISTING WALL TO REMAIN
-  EXISTING WALL TO REMOVE
-  PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

Cover Page

Project number 036

Date July 2019

Drawn by RC

Check by Checker

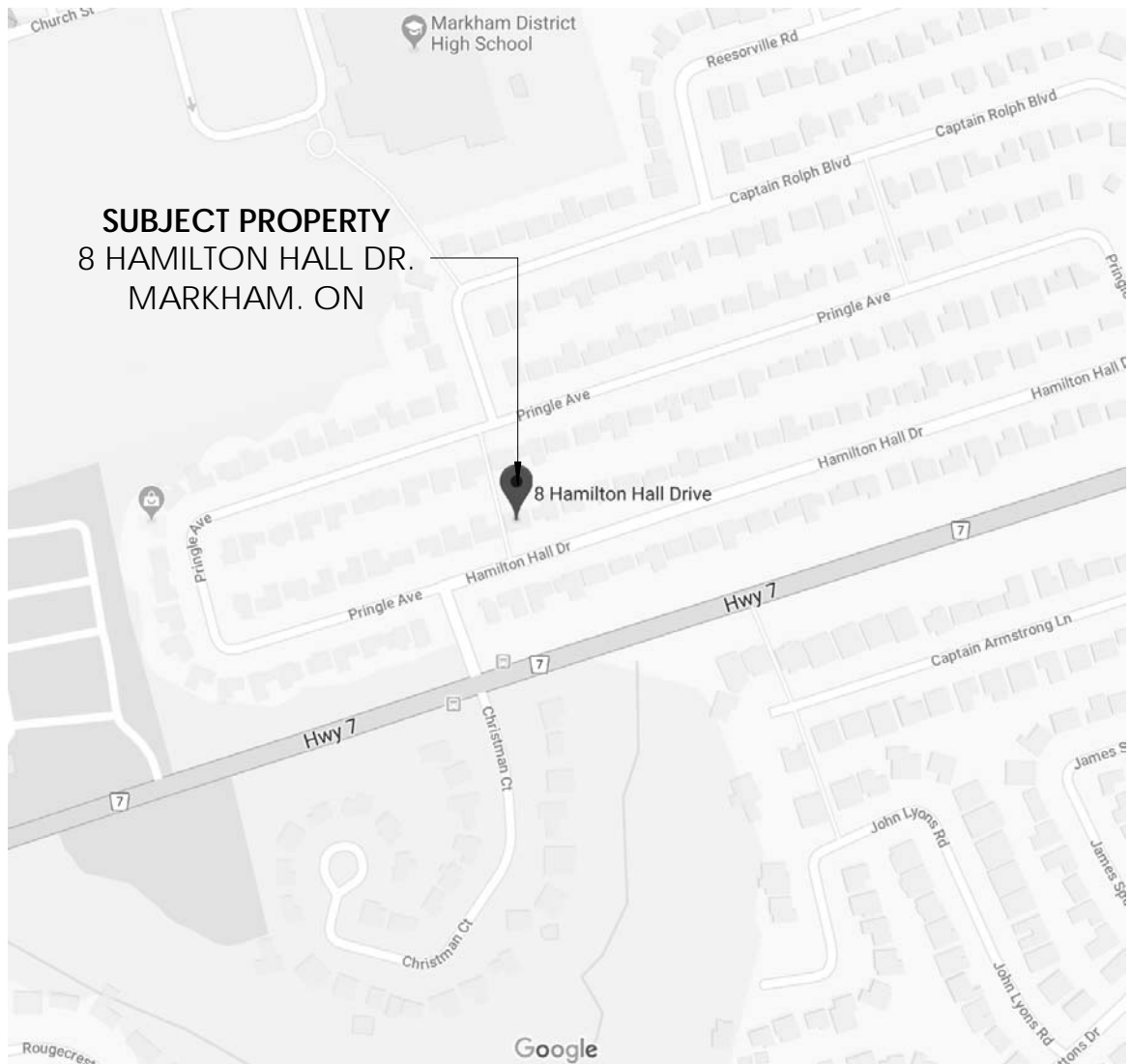
Scale

Page No.

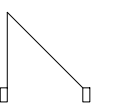
8 HAMILTON HALL DR. MARKHAM ON | NEW BUILT CUSTOM HOME | PRELIMINARY ZONING REVIEW

<div>PROJECT DESCRIPTION</div> <div>RESIDENTIAL: NEW DETACHED HOUSE</div> <div>LEGAL DESCRIPTION</div> <div>LOT 124</div> <div>REGISTERED PLAN M-1385</div> <div>CITY OF MARKHAM</div> <div>REGIONAL MUNICIPALITY OF YORK</div> <div>BUILDING ADDRESS</div> <div>8 HAMILTON HALL DR.</div> <div>MARKHAM ON</div> <div>L3P 2P4</div> <div>ZONING</div> <div>R1 - RESIDENTIAL   BY-LAW 1229</div> <div>AS AMENDED BY 99-90</div> <div>LOT FRONTAGE</div> <div>18.34M</div> <div>LOT DEPTH</div> <div>33.62M</div>	SITE STATISTICS			BUILDING SETBACK							
		REQUIRED	PROPOSED	VARIANCE REQ'D				REQUIRED	PROPOSED	VARIANCE REQ'D	
	LOT AREA	MIN. 6,600 SQ.FT	6,619.65 SQ.FT.	NO		FRONT	[SOUTH]	MIN. 25FT [7.62M]	25' - 5" [7.75M]	NO	
	LOT COVERAGE	MAX. 2,316.65 [35.00%]	2,158.36 [32.61%]	NO		REAR	[NORTH]	MIN. 25FT [7.62M]	27' - 4" [8.34M]	NO	
	LOT FRONTAGE	MIN. 60 FT [18.28M]	60.17 FT [18.34M]	NO		SIDE A	[WEST]	1 STOREY	MIN. 4FT [1.21M]	- - [-.M]	NO
	GROUND FLOOR AREA	1200.00 SQ.FT	1,904.88 SQ.FT.	- - -	2 STOREY				MIN. 6FT [1.82M]	6' - 0" [1.82M]	NO
	SECOND FLOOR AREA	1200.00 SQ.FT	1,399.01 SQ.FT.	- - -	SIDE B	[EAST]	1 STOREY	MIN. 4FT [1.21M]	4' - 0" [1.22M]	NO	
	NET FLOOR AREA RATIO	MAX. 2,974.42 SQ.FT [45.00%]	3,303.89 SQ.FT. [49.98%]	YES [4.98%]				2 STOREY	MIN. 6FT [1.82M]	6' - 1 1/2" [1.87M]	NO
	NO. OF STOREYS	MAX. 2 STOREYS	2 STOREYS	NO				REQUIRED	PROPOSED	VARIANCE REQ'D	
	BUILDING HEIGHT	MAX. 32.15 FT [9.8M]	34' - 5.5" [10.5M]	YES [0.7m]		FRONT YARD LANDSCAPING		- - -	1125.35 SQ.FT [-. %]	NO	
	BUILDING HEIGHT FLAT ROOF	MAX. 26.25 FT [8.0M]	N/A	NO		BACK YARD LANDSCAPING		- - -	2088.13 SQ.FT [-. %]	NO	
	BUILDING DEPTH	MAX. 55.12 FT [16.8M]	41' - 10" [12.75M]	NO				MAXIMUM	PROPOSED	VARIANCE REQ'D	
	GARAGE PROJECTION	MAX. 6.89 FT [2.1M]	4' - 0" [1.22M]	NO		EAST ELEVATION OPENING		WALL 975.69 SQ.FT [7%]	26.47 SQ.FT [2.71%]	NO	
	GARAGE WIDTH	MAX. 25.26 FT [7.7M]	18' - 6" [5.64M]	NO		WEST ELEVATION OPENING		WALL 990.14 SQ.FT [8%]	65.90 SQ.FT [6.66%]	NO	

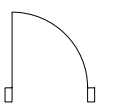
**SUBJECT PROPERTY**  
8 HAMILTON HALL DR.  
MARKHAM, ON



### Legend



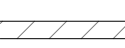
EXISTING



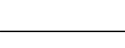
NEW DOOR



EXISTING WALL TO REMAIN



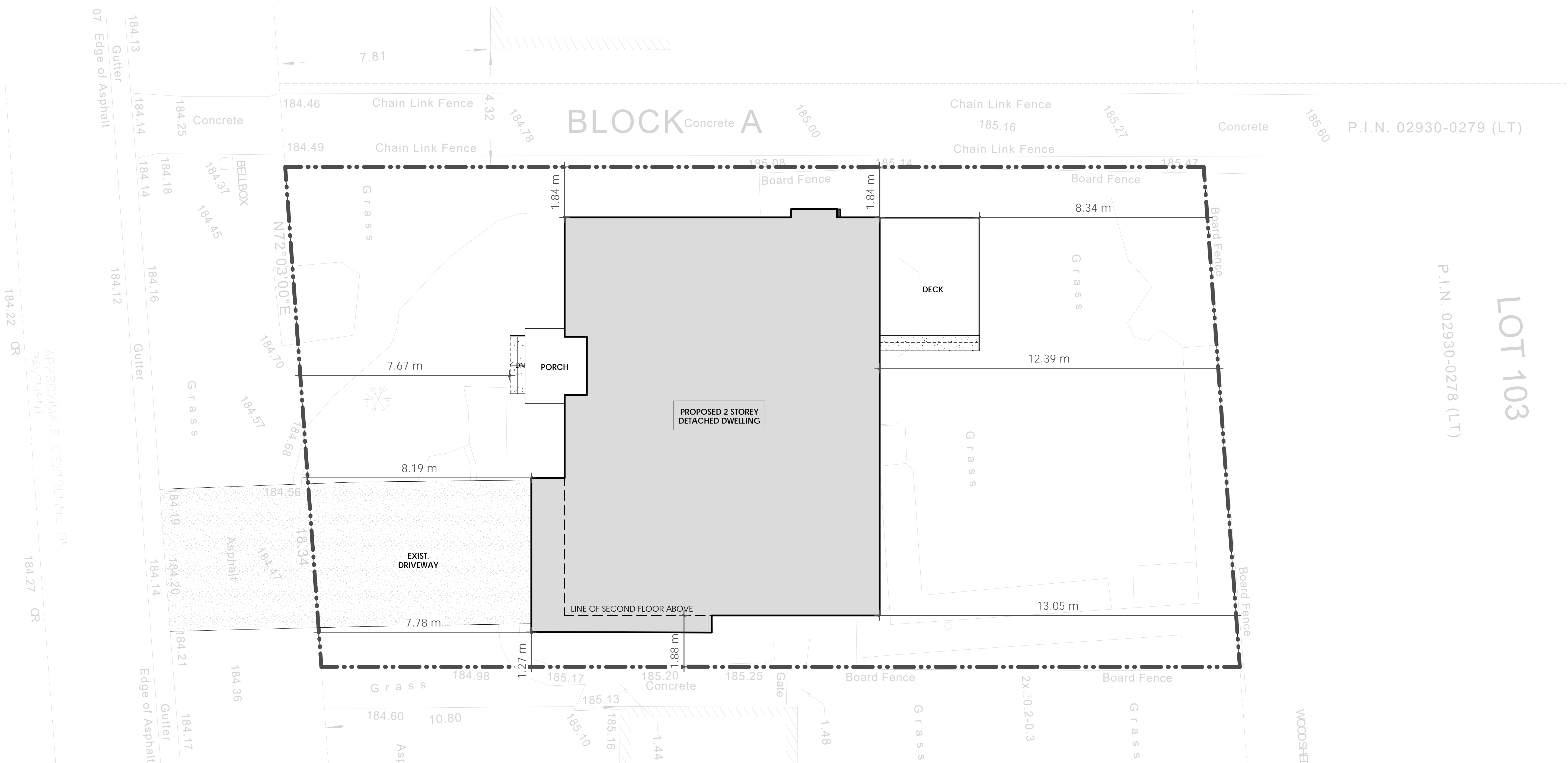
EXISTING WALL TO REMOVE



PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

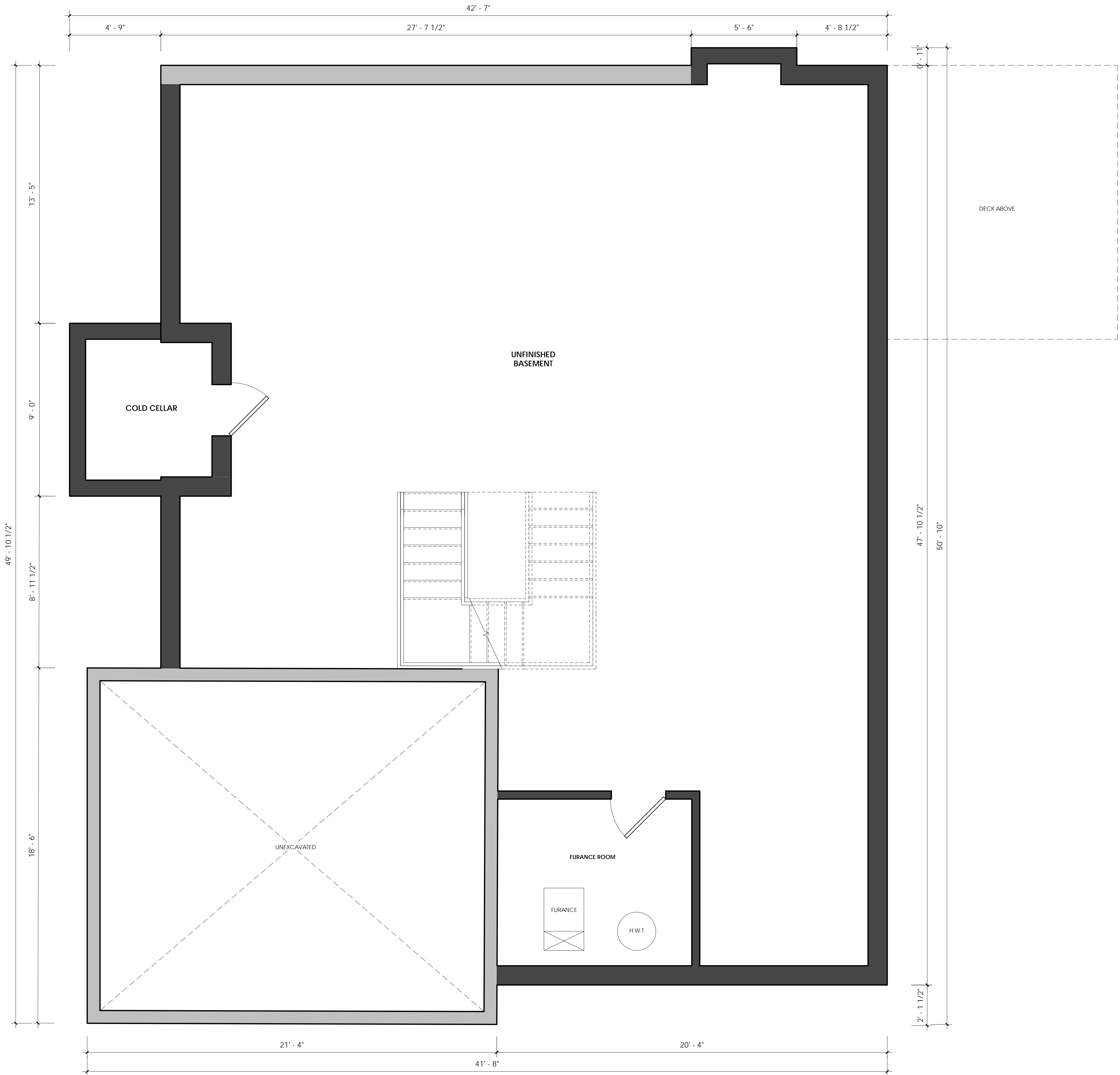
Drawing Name

## Site Plan

Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	1 : 75
Page No.	

## SITE PLAN

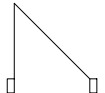
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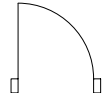
**BASEMENT PLAN**

3/8" = 1'-0"


**Legend**




EXISTING DOOR




NEW DOOR



EXISTING WALL TO REMAIN



EXISTING WALL TO REMOVE



PROPOSED WALL

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Project Address		
8 Hamilton Hall Dr. Markham		
Drawing Name		
Basement Plan		
Project number		036
Date		July 2019
Drawn by		HZ
Check by		RC
Scale		3/8" = 1'-0"
Page No.		







SECOND FLOOR PLAN - 1,399.01 SQ.FT.

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

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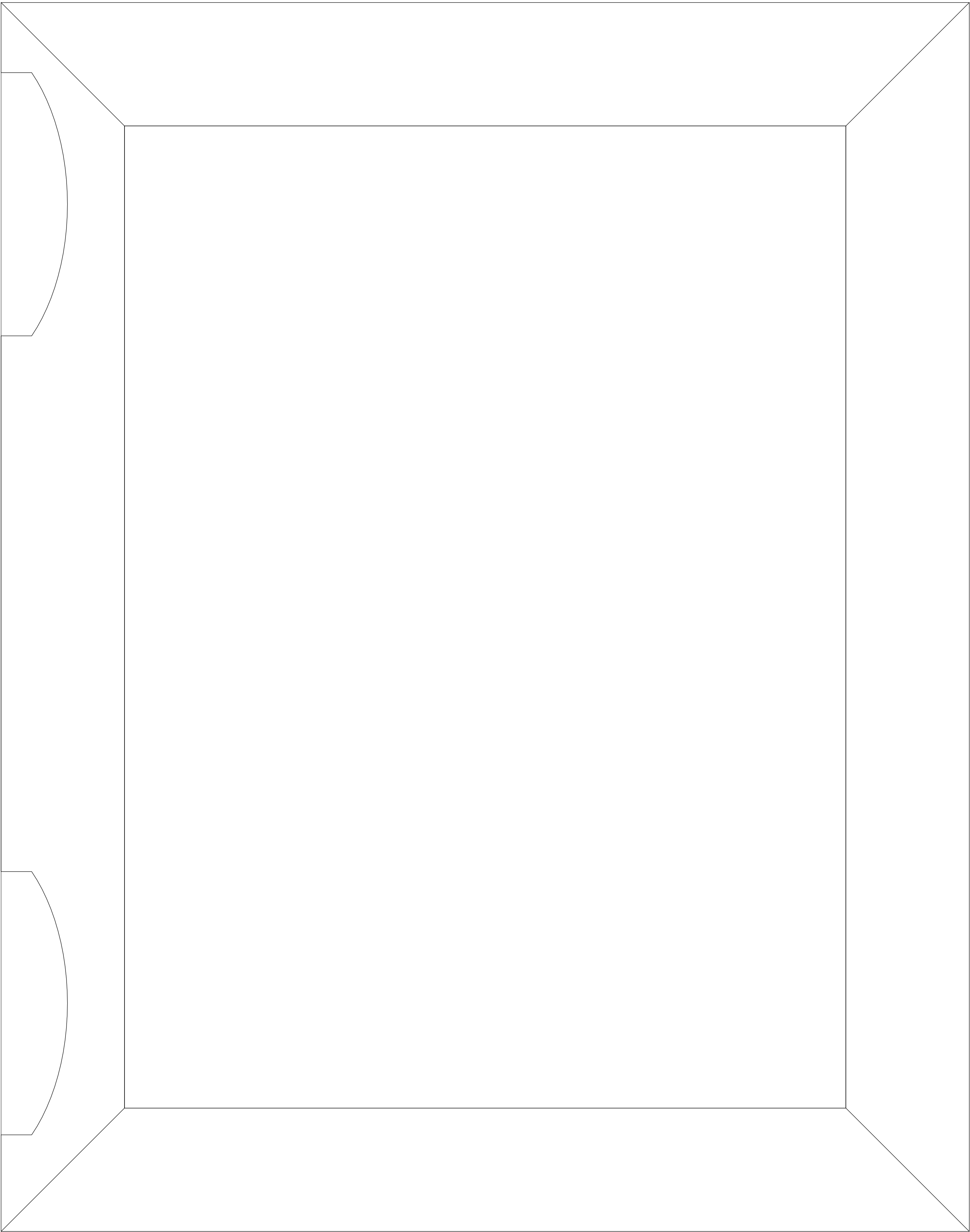
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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name  
Second Floor Plan

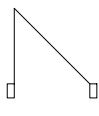
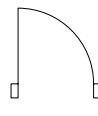

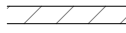
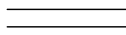
Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	



ROOF PLAN

3/8" = 1'-0"

Legend

-   
EXISTING DOOR
-   
NEW DOOR
-   
EXISTING WALL TO REMAIN
-   
EXISTING WALL TO REMOVE
-   
PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name	
Roof Plan	
Project number	036
Date	July 2019
Drawn by	Author
Check by	Checker
Scale	3/8" = 1'-0"
Page No.	



SOUTH ELEVATION

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

South Elevation

Project number 036

Date July 2019

Drawn by HZ

Check by RC

Scale 3/8" = 1'-0"

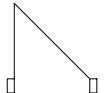
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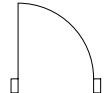
NORTH ELEVATION

3/8" = 1'-0"


**Legend**




EXISTING DOOR




NEW DOOR



EXISTING WALL TO REMAIN



EXISTING WALL TO REMOVE



PROPOSED WALL

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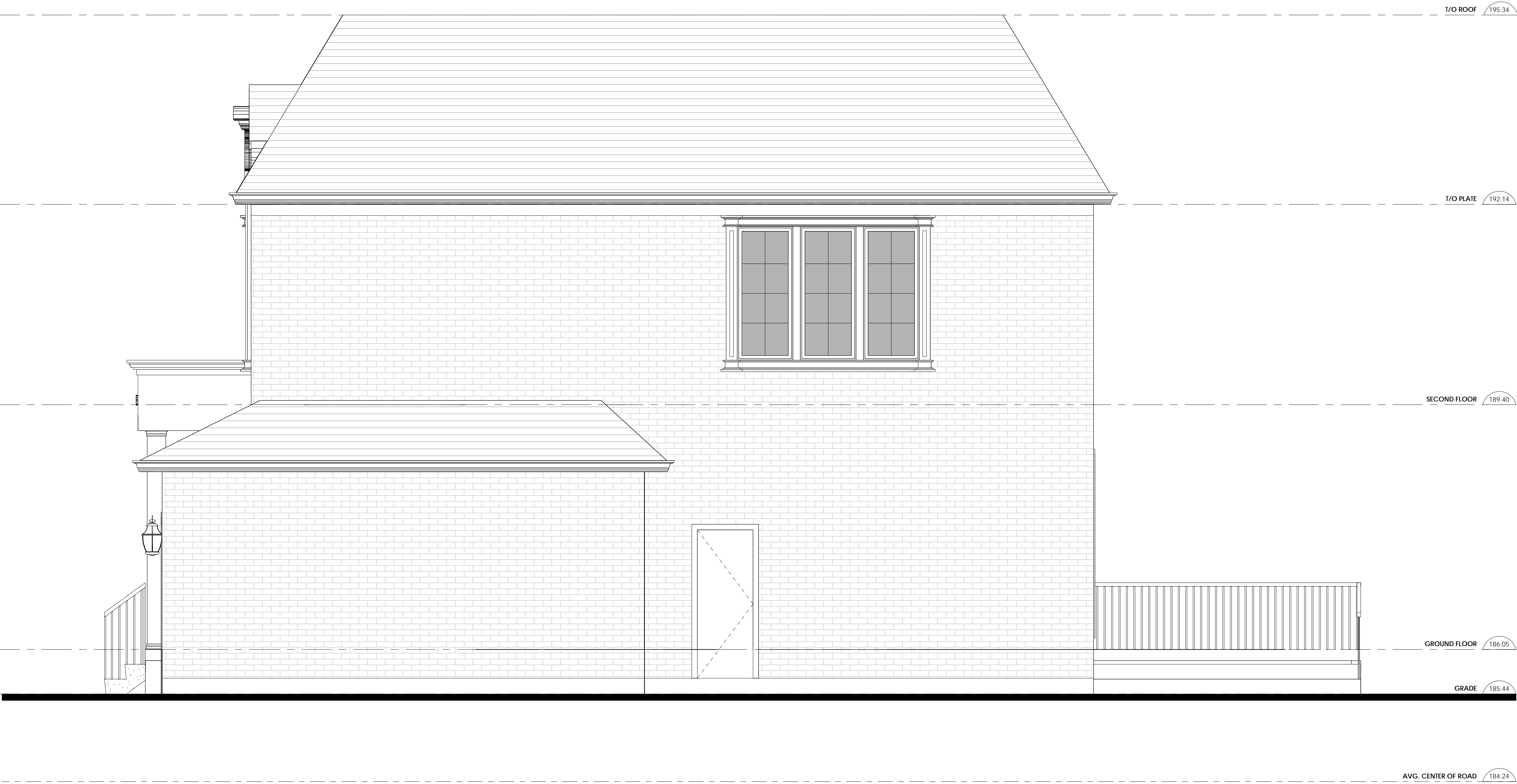
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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name	
Project number	036
Date	July 2019
Drawn by	HZ
Check by	RC
Scale	3/8" = 1'-0"
Page No.	



EAST ELEVATION

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

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1	Issued for Zoning Review	Jul 2019
No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name  
East Elevation

Project number036

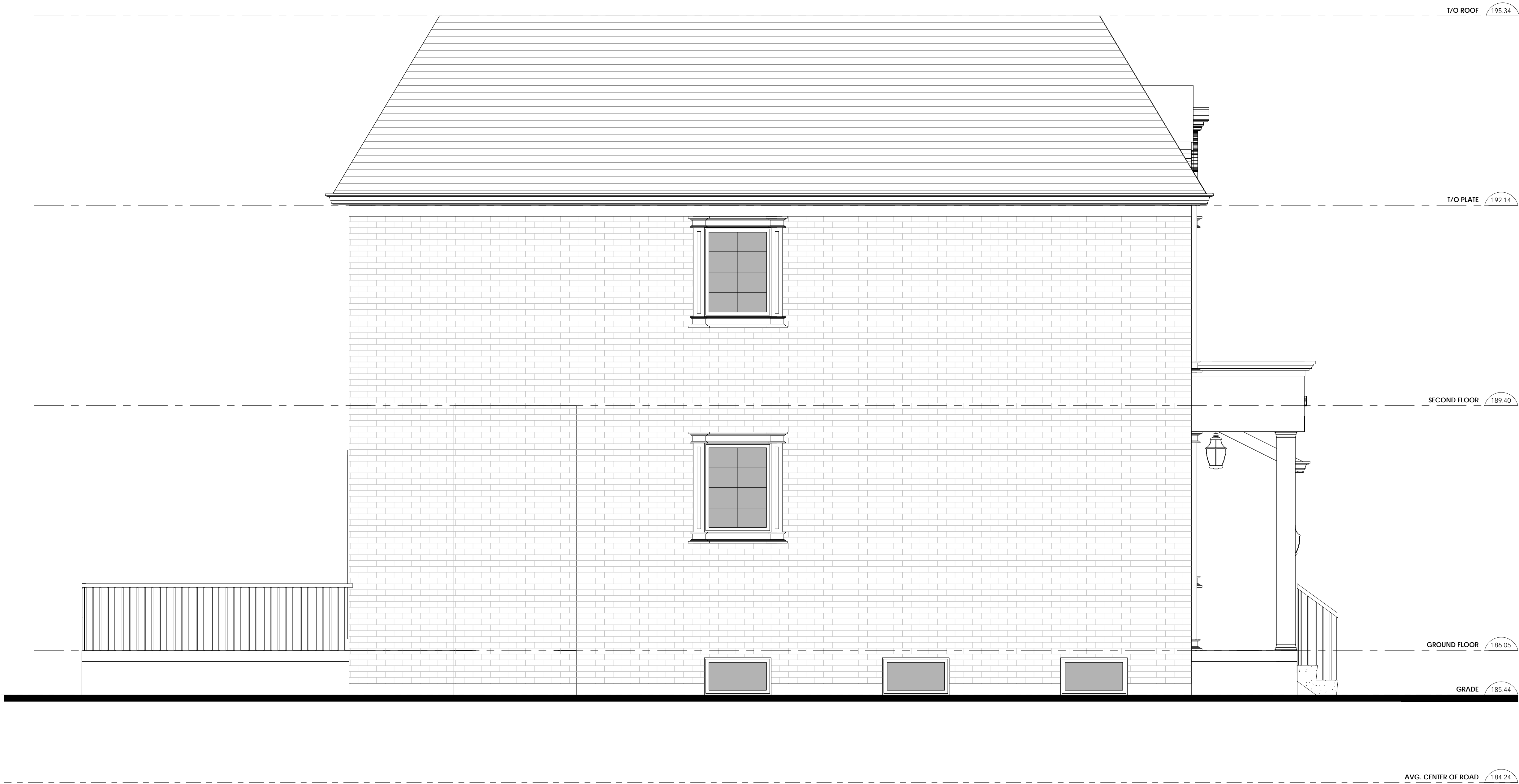
DateJuly 2019

Drawn byHZ

Check byRC

Scale3/8" = 1'-0"

Page No.



WEST ELEVATION

3/8" = 1'-0"

**Legend**

EXISTING DOOR

NEW DOOR

EXISTING WALL TO REMAIN

EXISTING WALL TO REMOVE

PROPOSED WALL

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No.	REVISION	DATE

Project Address  
8 Hamilton Hall Dr. Markham

Drawing Name

West Elevation

Project number 036

Date July 2019

Drawn by HZ

Check by RC

Scale 3/8" = 1'-0"

Page No.

**APPENDIX “C”**

**MINUTES EXTRACT: DECEMBER 11, 2019**



**CITY OF MARKHAM**  
**101 Town Centre Boulevard**  
**Markham, Ontario**  
**Council Chambers**

**December 11, 2019**  
**7:30 p.m.**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 22<sup>nd</sup> regular meeting of the Committee of Adjustment for the year 2019 was held at the time and place above with the following people present:

	<u>Arrival Time</u>
Jeamie Reingold	7:30PM
Tom Gutfreund	7:30PM
Arun Prasad	7:30PM
Sally Yan	7:30PM
Patrick Sampson	7:30PM
Gregory Knight, Chair	7:30PM

Justin Leung, Secretary-Treasurer  
Bradley Roberts, Manager, Zoning and Special Projects  
Melissa Leung, Committee of Adjustment Technician

Absent  
Kelvin Kwok

**Minutes: November 27, 2019**

THAT the minutes of Meeting No. 21 of the City of Markham Committee of Adjustment, held November 27, 2019, be

a) Approved as submitted, on December 11, 2019

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**

Carried

**DISCLOSURE OF INTEREST –**



Resolution Carried

5. **A/128/19**

**Owner Name: Jia Ling Ru**  
**Agent Name: CZC Building Consultants Ltd. (Ronald Cao)**  
**8 Hamilton Hall Dr, Markham**  
**PLAN M1385 LOT 124**

The applicant is requesting relief from the requirements of By-law 1229 as amended to permit:

- a) **Infill By-law 99-90, Section 1.2(vi):**  
to permit a maximum Net Floor Area of 52.96 percent, whereas the By-law permits a maximum Net Floor Area of 45 percent;
- b) **Infill By-law 99-90, Section 1.2(i):**  
to permit a maximum building height of 11.1 metres, whereas the By-law permits a maximum building height of 9.8 metres;

as it relates to a proposed two-storey detached dwelling. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Ronald Cao appeared on behalf of the application. The house is being proposed to meet needs of a growing family. The new home will sit on existing foundation. Design of house being done to address feng shui principles. Neighbour to the rear had indicated support of the proposal.

Ms. Brown spoke in opposition to the application. There are no other similar proposals or infill in the area. The numbers as requested are too high.

Committee member Tom Gutfreund feels the home is too large and not appropriate for the area.

**Moved By: Patrick Sampson**  
**Seconded By: Arun Prasad**

THAT Application No. A/128/19 be deferred sine die.


Resolution Carried

## **APPENDIX "D"**

### **REVISED CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/128/19**

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 revised plans attached as Appendix "B" to this Staff Report and received by the City of Markham on March 3, 2020, 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. That the owner implement and maintain all of the works required in accordance with the conditions of this variance.
4. 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.
5. 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.
6. 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:



---

Aleks Todorovski, Planner, Zoning and Special Projects