

## **Memorandum to the City of Markham Committee of Adjustment**

February 14, 2018

**File:** A/13/18  
**Address:** 9366 Kennedy Road, Markham  
**Owner:** Kylemore Communities (Yorkton) Limited  
**Hearing Date:** Wednesday February 21, 2018

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

The applicant is requesting relief from the requirements of By-law 177-96, as amended to permit:

**a) Table B1:**

a minimum lot frontage of 14.2 m (Block 1 on the Site Plan), whereas the By-law requires a minimum lot frontage of 15 m;

**b) Section 7.539.1 f) (ii):**

a minimum width of 4.83 m for a townhouse dwelling end unit (Block 7, Lot 1 on the Site Plan), whereas the By-law requires a minimum width of 5.75 m for townhouse dwelling end units;

as they relate to two proposed residential lots on endorsed Site Plan application SC 16 123806, and on Draft Approved Plan of Subdivision 19TM-14009.

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

The applicant did not provide a reason for not complying with the Zoning By-law.

### **Zoning Preliminary Review Not Undertaken**

Although the applicant did not complete a Zoning Preliminary Review (ZPR), the variances were identified by zoning staff during the Site Plan application review process. However, it is still 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 in the application contains errors, or if the need for additional variances are identified during the Building Permit review process, further variance application(s) may be required to address the outstanding matters and there will be a delay in application processing.

### **Public Input Summary**

No written submissions were received as of February 14, 2018. 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.

### **Comments**

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 have no concern with this application. 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.

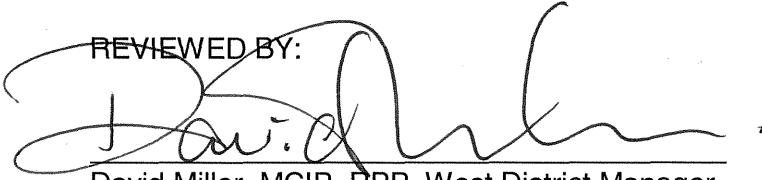
Please see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Rick Cefaratti, MCIP, RPP, Planner II, West District

REVIEWED BY:



David Miller, MCIP, RPP, West District Manager

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**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/13/18**

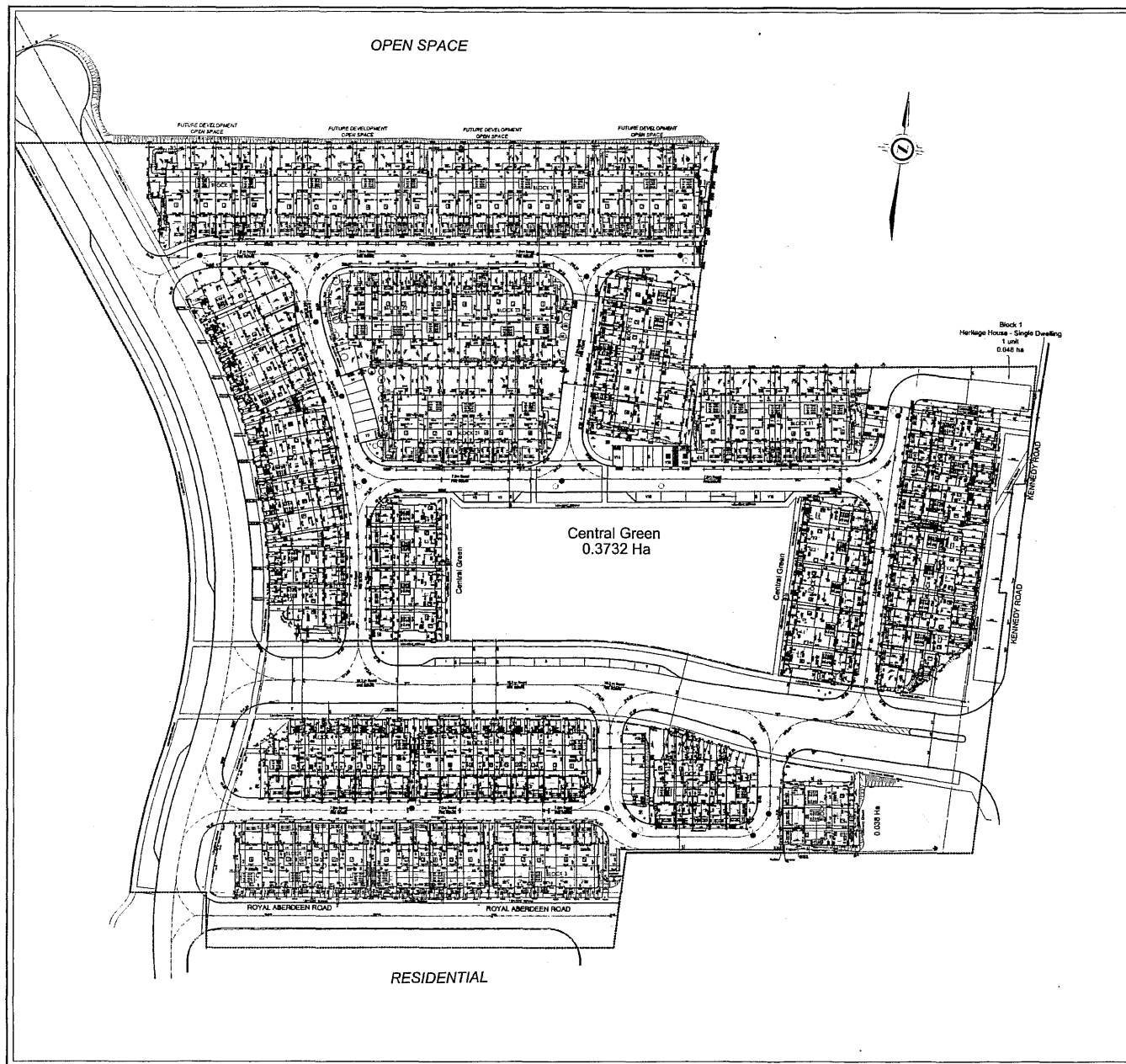
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix A' to this Staff Report and received on February 2<sup>nd</sup>, 2018, and that the Secretary-Treasurer 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:

A handwritten signature in cursive script, appearing to read "Rick Cefaratti", written in black ink.

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Rick Cefaratti, MCIP, RPP, Planner II, West District



KEY MAP

NTS

### Site Statistics

Address: YOMICON PHASE - II, MARKHAM

DEVELOPABLES	1 Site Area		Area (Sq. m.)	Area (Hectare)
	Site Area (Net)		45468.02	4.66
	Public Right of Way		3889.44	0.39
	Road Widening		973.69	0.30
	Heritage Building		436.27	0.04
	Total Site Area (developable)		51148.62	5.32
	Open Space @ 1:144/200 Units (Included)			0.44
DEVELOPABLES	2 Number of Units		Area (Sq. m.)	Percentage (%)
	Paved Area		3408.77	26.81
	Landscape/Open Space		15076.34	44.29
	Lot Coverage (excludes Patios, Decks etc.)		30163.51	28.90
	Total Site Area (developable)		35148.62	303.00
DENSITY	2 Number of Units		Total	
	15' Rear Loaded Towns		31	
	15-1	7		
	15-2	11		
	15-3	13		
	18' Rear Loaded Towns		55	
	18-1	11		
	18-2	20		
	18-3	19		
	18-4	4		
	18-5	1		
	23' Front Loaded Towns		46	
	23-1	18		
	23-2	18		
	23-3	10		
	Grand Total		132	
	4 Units per Hectare (LUPI)		36.00	
PARKING	30 Parking Space		Number of units	Res. Parking
	15' Rear Loaded Towns		31 @ 2 space/unit	62
	18' Rear Loaded Towns		55 @ 3.4 space/unit	214
	23' Front Loaded Towns		46 @ 3 space/unit	138
	Total Visitor's Parking		132 @ 0.25 space/unit	33
	Barrier Free Parking			1



EYLEMORE HOMES	
YOMICON PHASE II	
MARKHAM	
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