

Memorandum to the City of Markham Committee of Adjustment

October 15, 2018

File: A/145/18
Address: 52 Fred Varley Dr, Markham
Applicant: Jacob Vander Velde
Agent: Step Design Studio Inc. (Stepan Sukiasyan)
Hearing Date: Wednesday October 24, 2018

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

The applicant is requesting relief from the following requirements of By-law 11-72, R4, as amended:

- a) **Schedule B:** a maximum lot coverage of 35.6 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent;
- b) **Section 3.7:** an uncovered platform and steps to encroach 2.34 m into the required exterior side yard, whereas the By-law does not permit uncovered platforms to encroach into a required exterior side yard;

as they relate to a proposed addition to a residential dwelling that is under construction.

BACKGROUND

Property Description

The 638.71 m² (6,875.02 ft²) subject property is located on the south side of Fred Varley Drive, east of Sciberras and west of Main Street Unionville. The property is located within a residential neighbourhood comprised of a mix of one and two-storey detached dwellings. The house is currently under construction. Prior to being demolished, there was a one-storey detached 162.67 m² (1,751 ft²) dwelling on the property, which according to assessment records was constructed in 1966. The subject property is partially within TRCA's Regulated Area as the rear portion of the site is traversed by a valley corridor associated with the Rouge River Watershed.

Proposal

The applicant is proposing to construct a platform in the exterior side yard and a balcony in the rear yard to the proposed two-storey detached dwelling.

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. Infill development is required to meet the general intent of the 2014 Official Plan with respect to height, massing and setbacks to ensure that the development is appropriate for the site and also generally consistent with the zoning requirements for adjacent properties and properties along the same street. Regard must also be had for retention of existing trees and vegetation, as well as the width of proposed garages and driveways. Planning staff have had regard for the infill development criteria in the preparation of the comments provided below.

Zoning By-Law 11-72

The subject property is zoned R4 'Fourth Density Single Family Residential' under By-law 11-72, as amended, which permits a single detached dwelling. The proposed development does not

comply with the by-law with respect to maximum lot coverage and encroachment into exterior side yard.

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, *"Balcony addition will improve the overall design aesthetic of the façade while keeping the overall building volume and coverage at a minimum. Uncovered platform is needed to grant access to dwelling's main entrance without major regrading and awkward slopes"*.

Zoning Preliminary Review Not Undertaken

The owner has confirmed 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.

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 Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 35.6 percent, whereas the By-law permits a maximum floor area ratio of 33.33 percent. The proposed lot coverage includes a balcony in the rear yard which adds approximately 15.06 m² (162.10 ft²) to the overall building area. Excluding the balcony, the building has a lot coverage of approximately 33.25 percent which, complies with the by-law requirement. The balcony is unenclosed, uncovered on the second storey, and will comply with the minimum rear yard setback requirement set out in the zoning by-law. Given this, Staff are of the opinion that the proposed balcony and subsequent increase in lot coverage will not significantly add to the scale and massing of the dwelling.

Uncovered Platform Encroachment

The applicant is requesting an uncovered platform and steps encroachment of 2.34 m (7.67 ft) exterior side yard, whereas the By-law does not permit uncovered platforms to encroach into a required exterior side yard. Given that the minimum exterior yard setback will be maintained and that the platform is uncovered and unenclosed, Staff are of the opinion that the variance request is minor in nature and will not result in adverse impacts to the existing character of the streetscape.

EXTERNAL AGENCIES

TRCA Comments

The subject property is located within Toronto Region and Conservation Authority (TRCA)'s Regulated Area. The rear portion of the site is traversed by a valley corridor associated with the Rouge River Watershed. TRCA provided comments on October 02, 2018 (Appendix C), indicating that they have no concerns subject to conditions outlined in their letter.

PUBLIC INPUT SUMMARY

No written submissions were received as of October 15, 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.


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 requests meet the four tests of the Planning Act and have no objection. 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:


Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:


Richard Kendall, Development Manager, Central District
File Path: Amanda\File\ 18 251436 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/145/18

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 B' to this Staff Report and dated September 20, 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;
3. That the portico remain unenclosed and balcony remain uncovered (second storey) and unenclosed as shown in the plan(s) attached in 'Appendix B' to this staff report;
4. That the front platform remain uncovered and unenclosed;
5. 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 the Director of Planning and Urban Design or designate 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;
6. 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 Director of Planning and Urban Design or their designate;
7. 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 Director of Planning and Urban Design or designate;
8. That the applicant fulfill all the conditions identified in the TRCA letter attached as 'Appendix C' to this staff report and dated October 2, 2018.

CONDITIONS PREPARED BY:


Aqsa Malik, Planner, Zoning and Special Projects

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF
LOT 362
REGISTERED PLAN 7566
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK

SCALE 1:200
 10m 0 10 METRES
 THAM SURVEYING LIMITED, O.L.S. ©

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

PART 2 (SURVEY REPORT)
 1. REGISTERED EASEMENTS AND/OR RIGHT OF WAY: PART OF LOT 362, REGISTERED PLAN 7566, SUBJECT TO EASEMENTS AS SET OUT IN INSTRUMENT NO. M456054 AND NO. M456053.
 2. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAW.
 3. THIS PLAN SHOULD BE READ IN CONJUNCTION WITH A SURVEY REPORT DATED AUGUST 29TH, 2018.

THIS REPORT WAS PREPARED FOR VANDER VELDE, JACOB AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

LEGEND

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- SB DENOTES STANDARD IRON BAR
- PI DENOTES IRON PIPE LOCATION SURVEY OF LOT 360, REGISTERED PLAN 7568 BY TOPOGEST INC., O.L.S. DATED FEBRUARY 28TH, 2017
- PL1 DENOTES REGISTERED PLAN 7568
- PL2 DENOTES BUILDING LOCATION SURVEY OF LOT 359, 360, 361, REGISTERED PLAN 7566 BY HOLDING & BARRIS, O.L.S. DATED OCTOBER 28TH, 1998
- (OCT) DENOTES OCTAGON COUNTER, O.L.S.
- (OAU) DENOTES OAK UNLASHED
- PM DENOTES PROPERTY IDENTIFIER NUMBER
- MEAS DENOTES MEASURED
- CLF DENOTES CHAINING FENCE
- CC DENOTES CHAINING CORNER
- CC DENOTES CHAINING CORNER
- E/W DENOTES EAST / WEST
- F.F.E. DENOTES FINISHED FLOOR ELEVATION AT ENTRANCE
- DENOTES OVERHEAD WIRE

NOTES

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.
 BEARINGS SHOWN HEREIN ARE ASTROMERIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF FRED VARLEY DRIVE AS SHOWN ON REGISTERED PLAN 7566, HAVING A BEARING OF N 77° 33' 40" E.

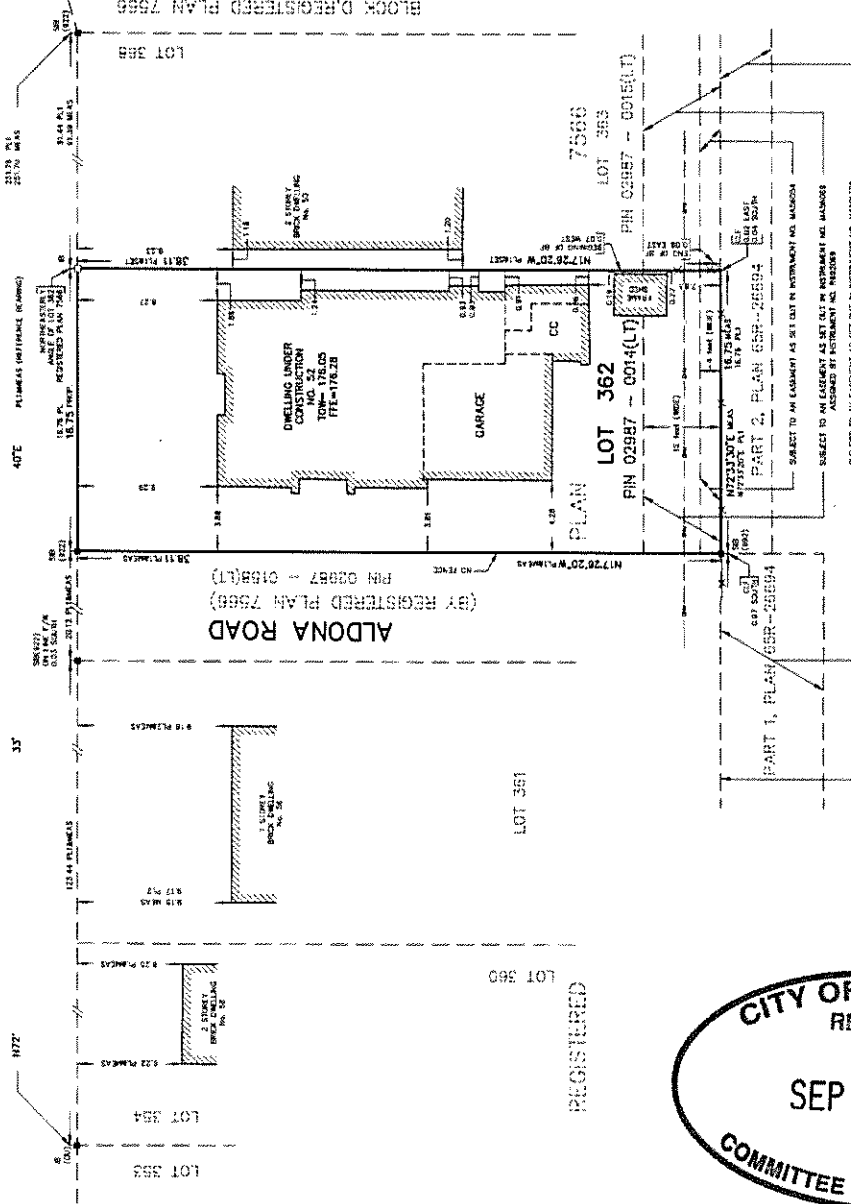
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 13TH DAY OF AUGUST, 2018.

DATE: Sept 04/18
 SIGNATURE: *[Signature]*
 THAM SURVEYOR

THAM SURVEYING LIMITED
 ONTARIO LAND SURVEYORS
 www.thamsurveying.ca
 8888 KEELE STREET, UNIT 7 PHONE: 905-761-4521 FAX: 905-761-6523
 VAUGHAN, ONTARIO, L4V 2K2 1-855-761-6521
 THAM ST. L20 NUMBER 19-027099 233 KANSER 18-057

FRED VARLEY DRIVE
 (BY REGISTERED PLAN 7566)
 PIN 02986 - 0157(LT)



ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN 2055228
 REGULATION 100, Section 10(1)

PIN 02987 - 0397(LT)
 PART 5, PLAN 658-28584
 BLOCK B, REGISTERED PLAN 2856

CITY OF MARKHAM
 RECEIVED
 SEP 20 2018
 COMMITTEE OF ADJUSTMENT

52 FRED VARLEY DR. UNIONVILLE, ON PROPOSED NEW DWELLING

Sheet Index 11x17

ID	LAYOUT NAME	REMARK
A1.1	SITE STATS	
A1.2	SITE PLAN	
A2.1	BASEMENT PLAN	
A2.2.1	GROUND FLOOR PLAN	
A2.2.2	GROUND FLOOR RCP	
A2.3.1	SECOND FLOOR PLAN	
A2.3.2	SECOND FLOOR RCP	
A2.4	ROOF PLAN	
A3.1	WEST ELEVATION	
A3.2	NORTH ELEVATION	
A3.3	EAST ELEVATION	
A3.4	SOUTH ELEVATION	
A4.1	BUILDING SECTION A	
A4.2	BUILDING SECTION B	
A4.3	BUILDING SECTION C	
A5.1	WALL SECTION A & B	
A5.2	WALL SECTION C	



AREA & ZONING INFORMATION

52 FRED VARLEY DR., UNIONVILLE, ONTARIO L3R 1B3
R4. MARKHAM ZONING BY-LAW 11-72 AS AMENDED

	ZONING	EXISTING		PROPOSED		REQUIRED		NOTES
		EXISTING LOT & DWELLING		PROPOSED DWELLING		MARKHAM BY-LAW 11-72 AS AMENDED		
1.1	LOT AREA	808.71 M ²	8,875.02 SQ. FT.			808.71 M ²	8,875.02 SQ. FT.	
	<u>SETBACKS</u>							
2.1	LOT FRONTAGE	18.76 M	66.00 FT			18.76 M	66.00 FT	
2.2	LOT DEPTH	41.76 M	136.00 FT			41.76 M	136.00 FT	
2.3	FRONT YARD SETBACK (NORTH SIDE)	0.22 M	0.72 FT	8.23 M	27.00 FT	8.23 M	27.00 FT	
2.4	FRONT YARD SETBACK (WEST SIDE)	1.82 M	6.00 FT	3.61 M	12.00 FT	3.61 M	12.00 FT	
2.5	FRONT YARD SETBACK (EAST SIDE)	3.61 M	11.84 FT	1.22 M	4.00 FT	1.22 M	4.00 FT	
2.6	FRONT YARD SETBACK (SOUTH SIDE)	1.82 M	6.00 FT	1.82 M	6.00 FT	1.82 M	6.00 FT	
2.7	REAR YARD SETBACK (NORTH SIDE)	14.60 M	48.00 FT	7.62 M	25.00 FT	7.62 M	25.00 FT	
2.8	BUILDING DEPTH			19.74 M	64.76 FT			
	<u>WALL AREA</u>							
3.1	LOT AREA	808.71 M ²	8,875.02 SQ. FT.					
3.2	DWELLING AREA	117.40 M ²	1,263.08 SQ. FT.	212.40 M ²	2,286.26 SQ. FT.			
3.3	CANOPY AREA			18.06 M ²	193.10 SQ. FT.			18.06 M ² CANOPY OVER PORCH
3.4	TOTAL BUILDING AREA	117.40 M ²	1,263.08 SQ. FT.	230.46 M ²	2,479.36 SQ. FT.			
3.5	LOT COVERAGE PERCENTAGE	14.4%		25.1%		MAX. 23.27%		
3.6	FRONT YARD AREA							
3.7	FRONT YARD LANDSCAPE AREA							
3.8	FRONT YARD SOFT LANDSCAPING							
3.9	REAR YARD AREA							
3.10	REAR YARD LANDSCAPING AREA							
	<u>GROSS FLOOR AREA</u>							
4.1	GROUND FLOOR GFA	207.70 M ²	2,236.89 SQ. FT.	151.54 M ²	1,700.02 SQ. FT.			
4.1	GROUND FLOOR GFA			62.28 M ²	672.81 SQ. FT.			
4.2	SECOND FLOOR GFA			194.50 M ²	2,091.54 SQ. FT.			
4.3	TOTAL GFA	207.70 M ²	2,236.89 SQ. FT.	346.04 M ²	3,792.56 SQ. FT.			
4.4	LOT AREA	808.71 M ²	8,875.02 SQ. FT.			808.71 M ²	8,875.02 SQ. FT.	
	<u>HEIGHT</u>							
5.1	EST. GRADE			175.03 M				
5.2	GRADE @ GARAGE			175.04 M				
5.3	FIN. FLOOR ELEVATION			175.25 M				
5.4	MID POINT OF ROOF ELEVATION			180.25 M				
5.5	DWELLING HEIGHT			7.82 M	25.00 FT	7.62 M	25.00 FT	
5.6	FIN. GROUND FLOOR HEIGHT			0.90 M	2.97 FT			



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND THE QUALIFICATION OF THE DESIGN AND THE DESIGN DOCUMENTS.

QUALIFICATION INFORMATION

PROFESSIONAL DESIGNER IN CONSTRUCTION (P.D.C.) OF THE PROVINCE OF ONTARIO

STEPAN Blandin

NAME: STEPAN BLANDIN

REGISTRATION INFORMATION

PROFESSIONAL DESIGNER IN CONSTRUCTION (P.D.C.) OF THE PROVINCE OF ONTARIO

STEPAN BLANDIN

NAME: STEPAN BLANDIN

REVIEWED FOR CONSTRUCTION PERMIT

APR 28, 2018

REVIEWED FOR CONSTRUCTION PERMIT

FEB 12, 2018

REVIEWED FOR BUILDING PERMIT

FEB 2, 2018

REVISIONS & ISSUES

DATE

APPROVED

NO.

PROJECT NAME

52 FRED VARLEY DR. UNIONVILLE, ON

DESIGNED BY

STEPAN S.

DATE

8/5/2018

APPROVED BY

STEPAN S.

PROJECT NUMBER

16.34

PROJECT DESCRIPTION

PROPOSED NEW DWELLING

SCALE

1:1.25, 1:1

REVISION NUMBER

5.1-1.21

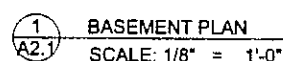
DRAWING TITLE

SITE STATS

DRAWING NUMBER

A1.1

-

[illegible]

LEGEND

- SECTION
 1 CONSTRUCTION NOTES
 2 WINDOW SCHEDULE
 3 DOOR SCHEDULE
 4 PARTITION SCHEDULE
 5 STEEL COLUMN
 6 SOLID BEARING PLATE
 7 SOLID WOOD BEARING
 8 STRUCTURAL BEAM
 9 POINT LOAD FROM ABOVE

- DJ DOUBLE JOIST
 TJ TRIPLE JOIST
 FT PRESSURE TREATED LUMBER
 GT GIRDER TRUSS BY ROOF TRUSS MANUF.
 EXHAUST VENT
 EXHAUST FAN
 ROOF VENT
 FLOOR DRAIN
 SMOKE ALARM
 CARBON MONOXIDE DETECTOR

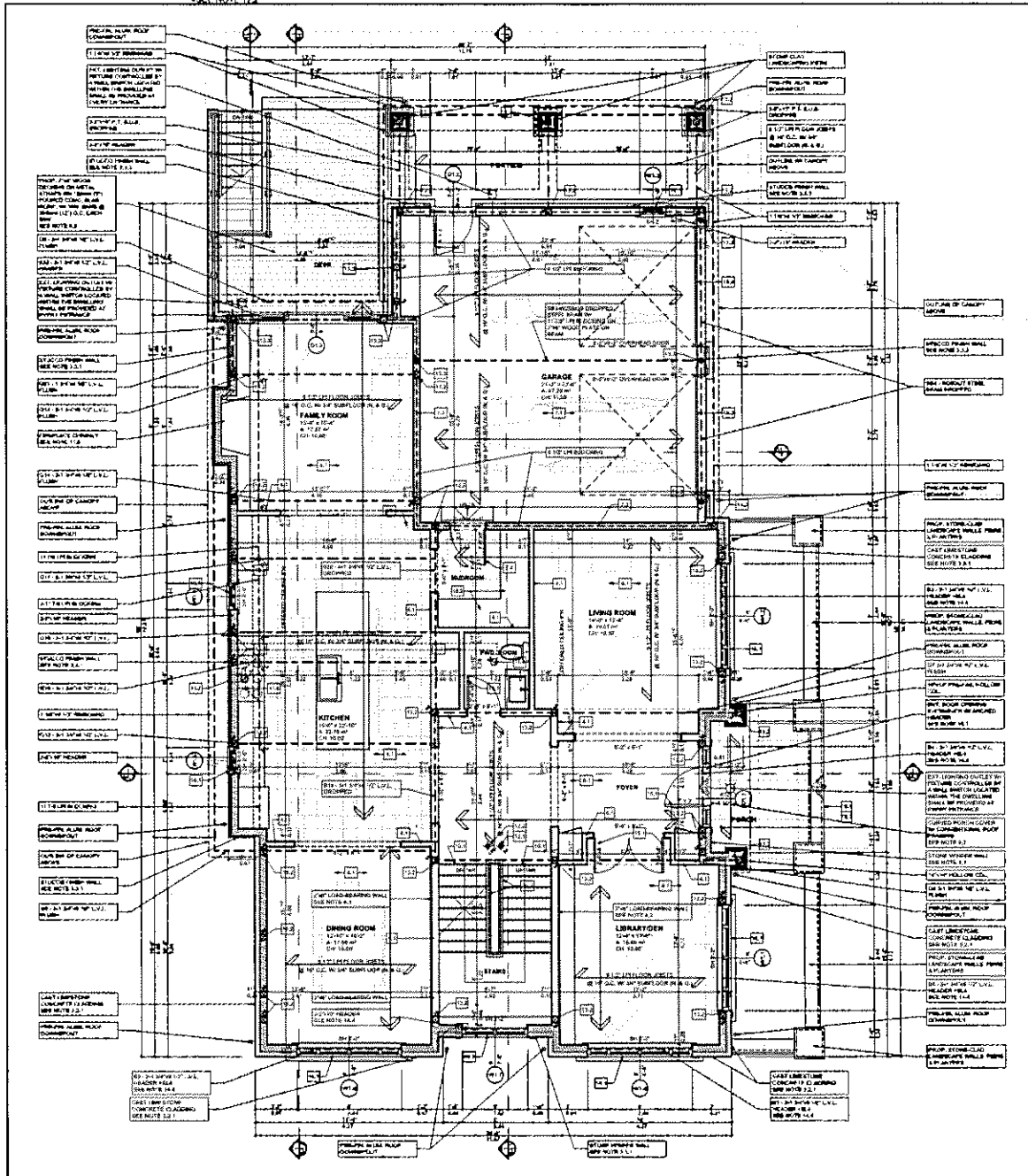
- EXISTING WALLS/ELEMENTS
 WALLS/ELEMENTS TO BE REMOVED
 NEW PROPOSED WALLS/ELEMENTS
 FLAT ARCH
 POURED CONC. WALL
 CONC. BLOCK WALL
 BRICK VENEER WALL
 INTERIOR PARTITION

NOTES

INSULATION & WEATHERPROOFING

- (SEE O.B.C. SB-12)
 TABLES 3.1.1.2, 3.1.2, 3.1.3 & 3.1.4 - COMPLIANCE PACKAGE A1
 CEILING W/OUT ATTIC RSI 5.46 (R60)
 CEILING W/OUT ATTIC RSI 5.46 (R31)
 BASEMENT WALLS RSI 2.11+1.76 (R12+R106)
 WALLS ABOVE GRADE RSI 3.54+0.88d (R18+R50)
 EXPOSED FLOOR RSI 5.46 (R31)
 SLABS ON GRADE (UNHEATED) RSI 1.76 (R10)
 SLABS ON GRADE (HEATED) RSI 1.76 (R10)
 IN THE CASE OF BASEMENT WALL ASSEMBLIES WHERE RSI 3.52 (R20) IS REQUIRED RSI 2.11 (R12) + 1.76 (R10) CONT. IS PERMITTED OR VICE VERSA
 SEE GENERAL NOTES FOR MORE SPECIFICATIONS

CONSTRUCTION TRUE NORTH



1 GROUND FLOOR PLAN
 A2.2.1 SCALE: 1/8" = 1'-0"



905.470.8577 C. 416.407.9528
 E. INFO@STEP.DESIGN.CA W. STEP.DESIGN
 A. 250 TOWN CENTRE BLVD. UN. 5
 MARKHAM, ONTARIO, L3R 9C5

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND THE QUALIFICATION AND USE OF THE PROFESSIONAL NOTED IN THE ATTACHED DOCUMENTS.

QUALIFICATION INFORMATION
 PROVIDED UNDER THE PROFESSIONAL ACT, 1990, OF THE PROVINCE OF ONTARIO.

STEPAN SUBSTANTIAL
 NAME: SIGNATURE: A2.2.1

REGISTRATION INFORMATION
 PROVIDED UNDER THE PROFESSIONAL ACT, 1990, OF THE PROVINCE OF ONTARIO.

STEPAN SUBSTANTIAL INC.
 FIRM NAME: A2.2.1

REVIEWED FOR CONSTRUCTION REVIEW
 DATE: AUG 13, 2016
 REVIEWED FOR CONSTRUCTION REVIEW
 DATE: FEB 12, 2016
 REVIEWED FOR BUILDING PERMIT
 DATE: FEB 12, 2016
 REVISIONS & ISSUES
 DATE: APPROVED: NO.

PROJECT NAME
 52 FRED VARLEY DR.
 UNIONVILLE, ON

PROJECT DESCRIPTION
 PROPOSED NEW DWELLING

DRAWING TITLE
 GROUND FLOOR PLAN

DRAWN BY
 STEPAN S.

DATE
 9/5/2016

APPROVED BY
 STEPAN S.

PROJECT NUMBER
 16.34

SCALE
 1:96

REVISION NUMBER
 5.1-1.21

DRAWING NUMBER
 A2.2.1

LEGEND

- SECTION
- CONSTRUCTION NOTES
- WINDOW SCHEDULE
- DOOR SCHEDULE
- PARTITION SCHEDULE
- STEEL COLUMN
+ SEE NOTES 13.3 & 13.4
- SOLID BEARING PLATE
+ SEE NOTE 14.2
- SOLID WOOD BEARING
+ SEE NOTE 13.2
- STRUCTURAL BEAM
+ SEE NOTE 14.1
- POINT LOAD FROM ABOVE

DOUBLE JOIST

TRIPLE JOIST

PRESSURE TREATED LUMBER

ORDER TRUSS BY ROOF TRUSS MANUF.

EXHAUST VENT
+ SEE NOTE 13.1

EXHAUST FAN
+ SEE NOTE 13.4

ROOF VENT
+ SEE NOTE 8.7

FLOOR DRAIN

SMOKE ALARM
+ SEE NOTE 12.1

CARBON MONOXIDE DETECTOR
+ SEE NOTE 12.2

EXISTING WALL/ELEMENTS

WALL/ELEMENTS TO BE REMOVED

NEW PROPOSED WALL/ELEMENTS

FLAT ARCH

POURED CONC. WALL
+ SEE NOTES 2.

CONC. BLOCK WALL

BRICK VENEER WALL
+ SEE NOTE 3.

INTERIOR PARTITION
+ SEE NOTES 4.1

NOTES

INSULATION & WEATHERPROOFING

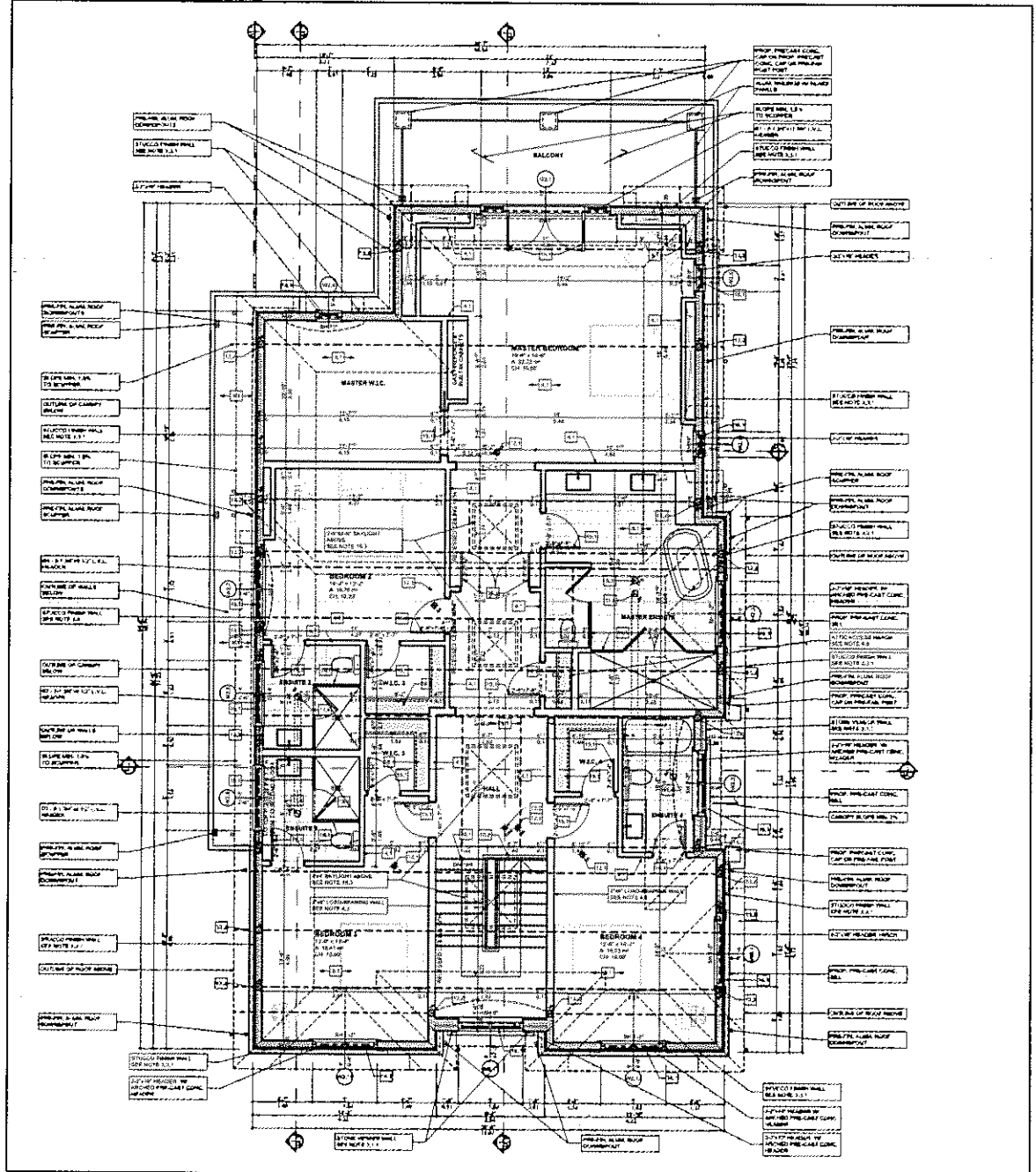
(SEE O.B.C. 58-12)

TABLES 3.1.1.2.2 (SI & IP) - COMPLIANCE PACKAGE A1

- + CEILING W/ ATTIC RSI 10.56 (R60)
- + CEILING W/OUT ATTIC RSI 6.46 (R31)
- + BASEMENT WALLS RSI 2.11 + 1.78 (R12+R10d)
- + WALLS ABOVE GRADE RSI 3.34 + 0.88d (R19+R5d)
- + EXPOSED FLOOR RSI 1.46 (R31)
- + SLABS ON GRADE (UNHEATED) RSI 1.78 (R10)
- + SLABS ON GRADE (HEATED) RSI 1.78 (R10)

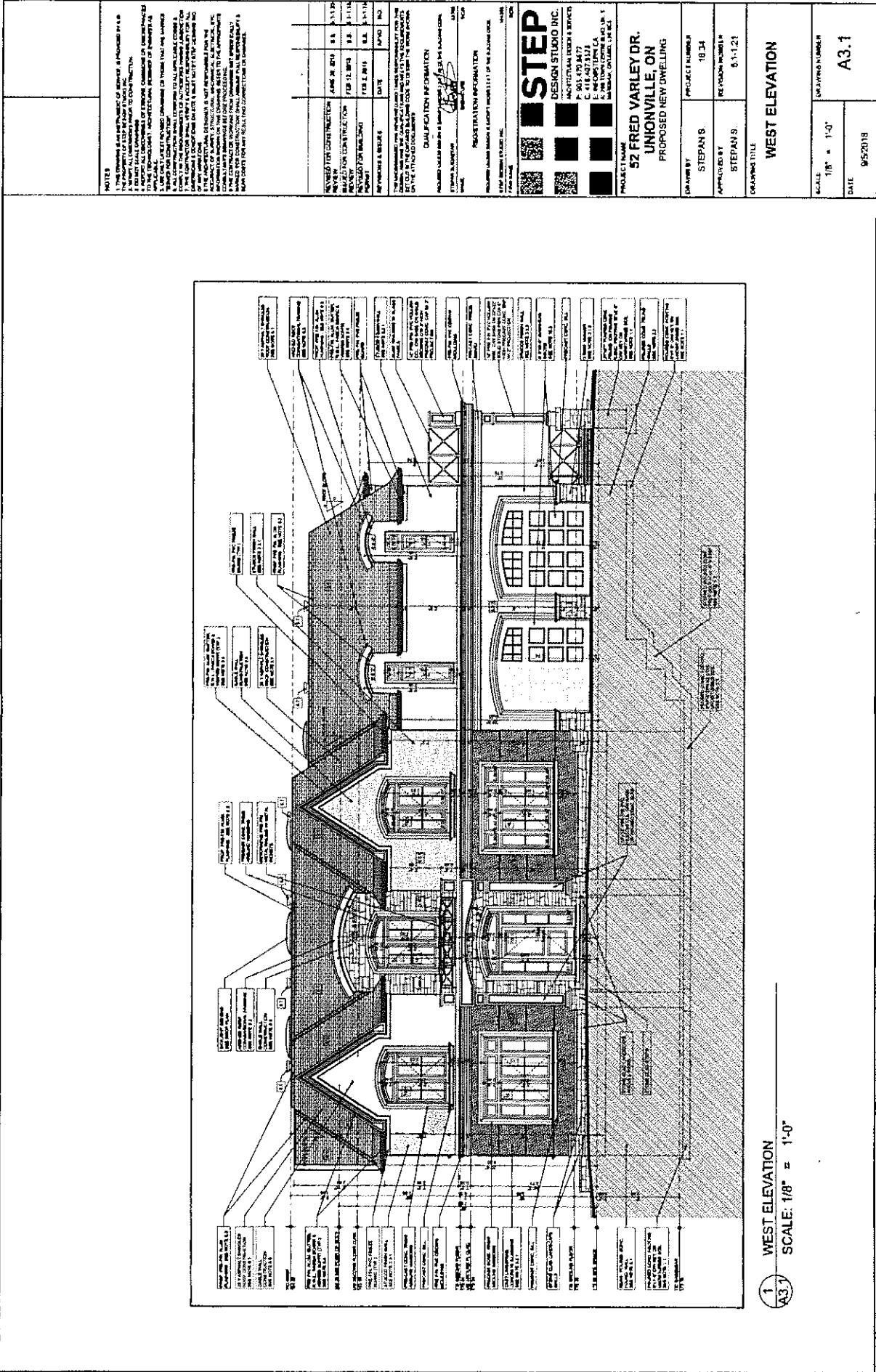
+ IN THE CASE OF BASEMENT WALL ASSEMBLIES WHERE RSI 3.32 (R20) IS REQUIRED RSI 2.11 (R12) + 1.78 (R10) CONT. IS PERMITTED OR VICE VERSA

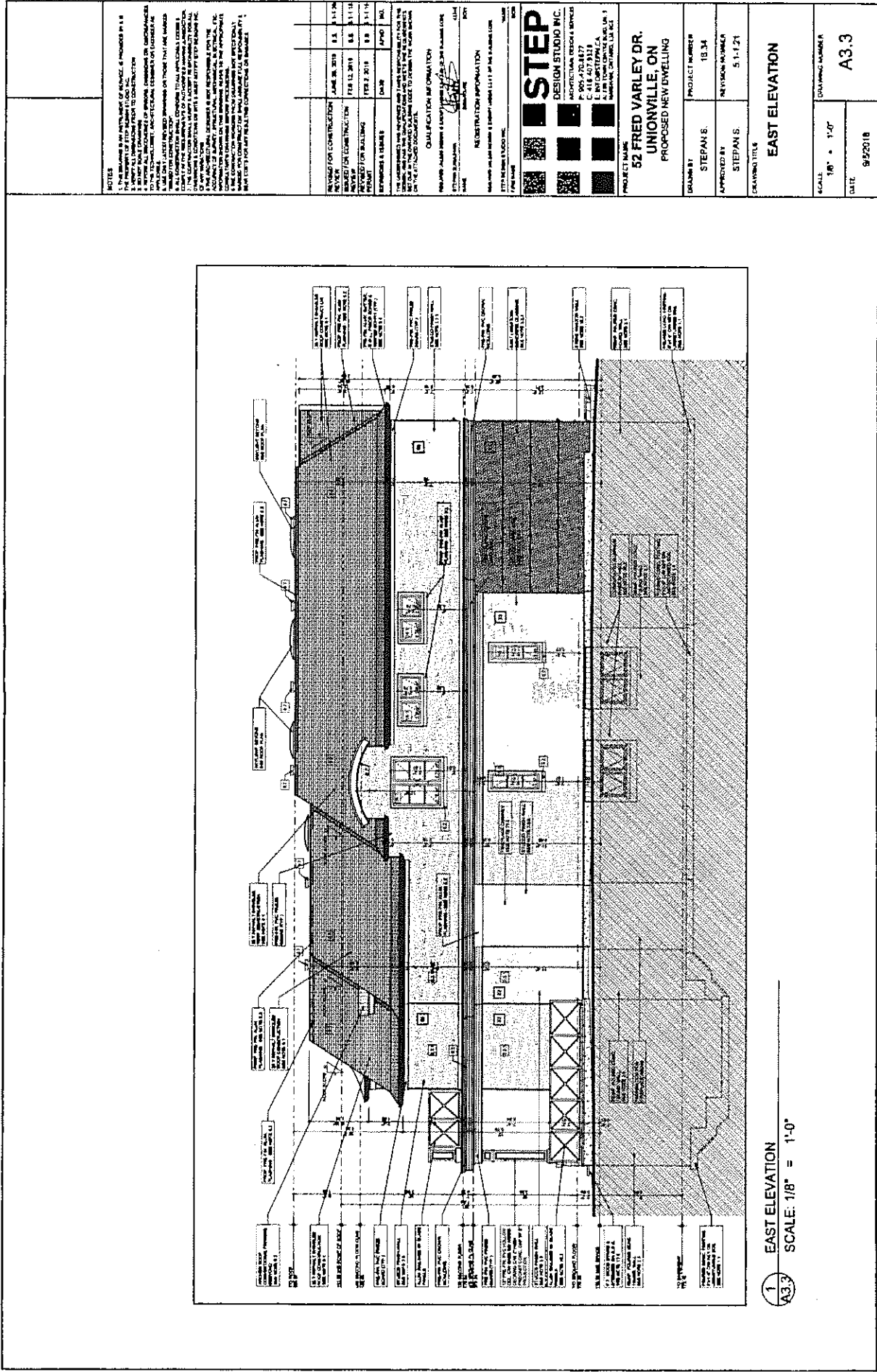
+ SEE GENERAL NOTES FOR MORE SPECIFICATIONS



1
2.3.1 **SECOND FLOOR PLAN**
SCALE: 1/8" = 1'-0"

<p>STEP DESIGN STUDIO INC.</p>	<p>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND HAS THE QUALIFICATION AND MEETS THE REQUIREMENTS SET OUT IN THE CITY AND BUILDING CODES TO DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS</p> <p>QUALIFICATION INFORMATION</p> <p>REGISTERED ARCHITECT IN ONTARIO UNDER THE REGULATION OF THE ARCHITECTS ACT</p> <p>STEPAN S. STANISLAW</p> <p>NAME: _____ REG. NO.: 25731</p>	<p>REVIEWED FOR CONSTRUCTION PERMIT</p> <p>APR 29, 2018</p> <p>REVIEWED FOR CONSTRUCTION PERMIT</p> <p>FEB 12, 2018</p> <p>REVIEWED FOR BUILDING PERMIT</p> <p>FEB 2, 2018</p> <p>REVISIONS & ISSUES</p> <p>DATE</p> <p>APPROVED</p> <p>NO.</p>	<p>PROJECT NAME:</p> <p>52 FRED VARLEY DR. UNIONVILLE, ON</p> <p>PROPOSED NEW DWELLING</p> <p>DRAWING TITLE</p> <p>SECOND FLOOR PLAN</p>	<p>DRAWN BY</p> <p>STEPAN S.</p> <p>APPROVED BY</p> <p>STEPAN S.</p> <p>SCALE</p> <p>1:96</p>	<p>DATE</p> <p>9/5/2018</p> <p>PROJECT NUMBER</p> <p>16.34</p> <p>SECTION NUMBER</p> <p>5.1-1.21</p> <p>DRAWING NUMBER</p> <p>A2.3.1</p>
	<p>PROVIDED UNLESS OTHERWISE NOTED UNDER 1.2.1.1 OF THE BUILDING CODE</p> <p>STEP DESIGN STUDIO INC.</p> <p>PROFESSIONAL DESIGNER'S SIGNATURE</p> <p>DATE</p>				
	<p>1. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>2. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>3. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>4. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>5. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>6. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>7. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>8. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>9. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>10. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p>				
	<p>11. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>12. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>13. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>14. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>15. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>16. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>17. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>18. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>19. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p> <p>20. THE UNDERSIGNED IS NOT PROVIDING ANY SERVICES OR PRODUCTS TO BE PROVIDED BY A THIRD PARTY OR ANY OTHER PERSON OR ENTITY.</p>				





1 EAST ELEVATION
A3.3 SCALE: 1/8" = 1'-0"

NOTES

1. THE DRAWING IS AN INSTRUMENT OF SERVICE, & PROVIDED BY A PROFESSIONAL ENGINEER FOR THE PROJECT AND SITE SPECIFICALLY DESCRIBED HEREIN. IT IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

2. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE STRUCTURE SHOWN ON THIS DRAWING. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS, NOR DOES THE ENGINEER WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

3. THE ENGINEER'S DESIGN IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE NOTES AND SPECIFICATIONS. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS, NOR DOES THE ENGINEER WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

4. THE ENGINEER'S DESIGN IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE NOTES AND SPECIFICATIONS. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS, NOR DOES THE ENGINEER WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

REVISION	DATE	DESCRIPTION
1	JUNE 28, 2018	ISSUED FOR PERMIT
2	JULY 12, 2018	REVISED FOR CONSTRUCTION
3	AUGUST 1, 2018	REVISED FOR BUILDING
4	SEPTEMBER 1, 2018	REVISED FOR PERMIT

QUALIFICATION OF CONSULTANT

NAME: JAMES J. STEPHAN, JR.

ADDRESS: 10000 W. 10TH AVE., SUITE 100, WESTMINSTER, CO 80031

PHONE: (303) 440-1111

FAX: (303) 440-1112

EMAIL: JAMES@JSTEPHAN.COM

WEBSITE: WWW.JSTEPHAN.COM

REGISTERED INFORMATION

NAME: JAMES J. STEPHAN, JR.

ADDRESS: 10000 W. 10TH AVE., SUITE 100, WESTMINSTER, CO 80031

PHONE: (303) 440-1111

FAX: (303) 440-1112

EMAIL: JAMES@JSTEPHAN.COM

WEBSITE: WWW.JSTEPHAN.COM

PROJECT NAME

52 FRED VARLEY DR., UNIONVILLE, ON PROPOSED NEW DWELLING

DRAWN BY	STEPHAN S.	PROJECT NUMBER	10.34
APPROVED BY	STEPHAN S.	REVISION NUMBER	5.1.1.21

EAST ELEVATION

SCALE	1/8" = 1'-0"	DRAWING NUMBER	A3.3
DATE	9/5/2018		

NOTES

1. THE DRAWING IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY INDICATED THEREON. IT IS NOT TO BE REPRODUCED, COPIED, 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 ARCHITECT.
2. THE ARCHITECT'S RESPONSIBILITY IS TO PROVIDE A DESIGN THAT COMPLETES THE PROJECT AND TO PROVIDE A DESIGN THAT COMPLETES THE PROJECT AND TO PROVIDE A DESIGN THAT COMPLETES THE PROJECT.
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REVISIONS & NOTES

NO.	DATE	BY	APP'D	NO.
1	JUNE 28, 2014	SS	SS	1
2	FEB 12, 2014	SS	SS	2
3	FEB 12, 2014	SS	SS	3
4	FEB 12, 2014	SS	SS	4
5	FEB 12, 2014	SS	SS	5
6	FEB 12, 2014	SS	SS	6
7	FEB 12, 2014	SS	SS	7
8	FEB 12, 2014	SS	SS	8
9	FEB 12, 2014	SS	SS	9
10	FEB 12, 2014	SS	SS	10

DESIGN INFORMATION

PROJECT NAME

52 FRED VARLEY DR.
UNIONVILLE, ON
PROPOSED NEW DWELLING

PROJECT NUMBER

18.34

DESIGNED BY

STEPAN S.

APPROVED BY

STEPAN S.

DATE

5-1-21

DRAWING TITLE

SOUTH ELEVATION

SCALE

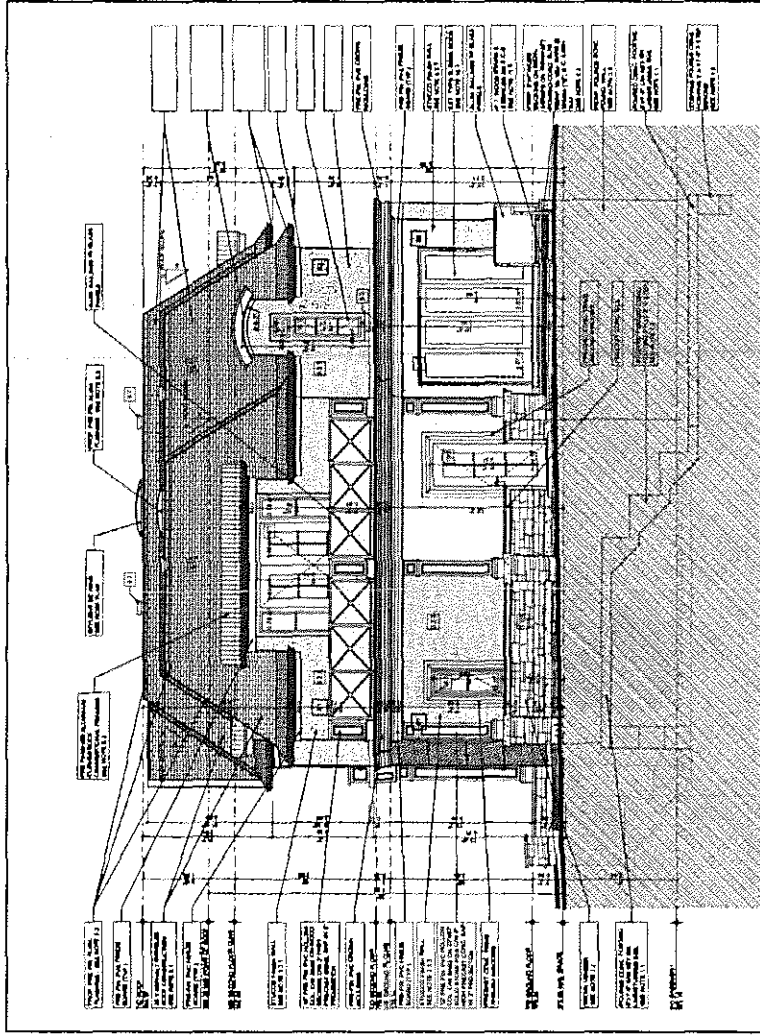
1/8" = 1'-0"

DRAWING NUMBER

A3.4

DATE

05/2018



1 SOUTH ELEVATION
A3.4
SCALE: 1/8" = 1'-0"



Toronto and Region
Conservation
Authority

October 2, 2018

CFN: 59072.20
X-CFN: 58181

BY E-MAIL ONLY

Mr. Justin Leung
Secretary-Treasurer
Committee of Adjustment
City of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

Dear Mr. Leung:

Re: Minor Variance Application – A/145/18
52 Fred Varley Drive, Markham, ON
Jacobs Todd Vander Velde (Owner)
Step Design Studio Inc. (Agent: Stepan Sukiasyan)

This letter will acknowledge receipt of the above noted application. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and provide the following comments.

PURPOSE OF THE APPLICATION

A/145/18

The applicant is requesting relief from the requirements of By-law 11-72, as amended, as it relates to a proposed residential dwelling.

Requested Variance(s) to the Zoning By-law:

- a) **Schedule B:**
A maximum lot coverage of 35.6 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent;
- b) **Section 3.7:**
An uncovered platform and steps to encroach 2.34 m into the required exterior side yard, whereas the By-law does not permit uncovered platforms to encroach into a required exterior side yard.

APPLICABLE TRCA REGULATIONS AND POLICIES

Ontario Regulation 166/06 (as amended):

The subject property is located within TRCA's Regulated Area, as it is adjacent to the Regulatory Floodplain associated with the Rouge River Watershed. In accordance with Ontario Regulation 166/06, as amended, (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), a permit is required from the TRCA prior to any of the following works taking place:

- a. straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b. development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined as:

- i. the construction, reconstruction, erection or placing of a building or structure of any kind;
- ii. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- iii. site grading;
- iv. the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.

TRCA's Roles and Responsibilities

TRCA provides our technical review comments through several roles. This includes TRCA's commenting role under the *Planning Act*; the Conservation Authority's delegated responsibility of representing the provincial interest of natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, 2005 and 2014; TRCA's Regulatory Authority under Ontario Regulation 166/06 (as amended), Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses; and our Memorandum of Understanding (MOU) with the Region of York, where we advise our municipal partners on matters related to Provincial Policies relevant to TRCA's jurisdiction.

TRCA strives to ensure consistency between our comments under the *Planning Act* and our comments under the *Conservation Authorities Act*, the proposed development must meet the tests of our Regulation at the time of application. This means that the TRCA must be satisfied that the form of development can satisfy the tests of Ontario Regulation 166/06, as amended, and demonstrate that there will be 'no negative impacts' in order for TRCA staff to support a permit. Details in respect to TRCA's policies can be found in Section 7 and 8 of TRCA's The Living City Policies.

Living City Policies for Planning and Development in the Watersheds of the TRCA (LCP)

The LCP describes a "Natural System" of water resources, natural features and areas, natural hazards, potential natural cover and/or buffers. TRCA policies generally require that natural features within the "Natural System" be protected from development, site alteration and infrastructure. Notwithstanding additional setbacks prescribed by federal, provincial or municipal requirements, TRCA defines the limit of the "Natural System" as the greater of, but not limited to the following:

- Valley and Stream Corridors: 10 metre buffer from the greater of the long-term stable top of slope (LTSTOS), top of slope (TOS), Regulatory Floodplain, meander belt and any contiguous natural features or areas;
- Woodlands: 10 metre buffer from the dripline and any contiguous natural features or areas;
- Wetlands: 30 metre buffer from Provincially Significant Wetlands (PSWs) and a 10 metre buffer from all other wetlands and any contiguous natural features or areas.

APPLICATION SPECIFIC COMMENTS

Ontario Regulation 166/06, as amended:

The subject property is located within TRCA's Regulated Area, as it is adjacent to the Regulatory Floodplain associated with the Rouge River Watershed. On this basis, prior to any works commencing on the subject property a TRCA permit pursuant to Ontario Regulation 166/06, as amended, is required from this Authority.

Please be advised, TRCA issued a permit on August 11, 2017 (Permit No. C-170618) to facilitate the construction of the proposed works on the subject property. However, upon review of the materials associated with the variance application it appears as though several amendments have been made to the drawings since the issuance of our permit. As such, the applicant is required to obtain a TRCA permit revision.

Please submit a TRCA permit revision form (https://trca.ca/app/uploads/2016/11/Permit-Re-Issuance-Application-Form-October-2016_new.pdf) and four hard copies of all the applicable drawings to TRCA's head office. At the time of submission, the application form should be accompanied with a cover letter detailing the proposed changes and the permit revision fee of \$437.50. The fee is payable to Toronto and Region Conservation Authority via cheque or credit card.

In addition to the above, staff have no concerns with the proposed variances associated with this application. However, we request that the applicant submit the pertinent materials to obtain a TRCA permit revision.

APPLICATION FEE

Please be advised, in addition to TRCA's Regulating responsibilities, TRCA has a role as a commenting agency for *Planning Act* applications circulated by member municipalities to assess whether a proposed development may be impacted by the TRCA.

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 review fee (2018 TRCA Planning Fees Schedule – Variance – Residential – Minor). The applicant is responsible for fee payment and should forward the fee to this office within 60 days of this letter.

RECOMMENDATION

TRCA has **no objections** to the approval of Minor Variance Application A/145/18 subject to the following condition(s) being addressed to our satisfaction:

1. The applicant remits the outstanding TRCA Planning Services review fee of \$580.00 for our review of the Minor Variance Application; and
2. The applicant successfully obtains a TRCA permit revision pursuant to Ontario Regulation 166/06, as amended.

I trust these comments are of assistance. Should you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Aidan Pereira
Planner I, Planning & Development
apereira@trca.on.ca
(416) 661-6600 ext. 5723

AP/as