

Memorandum to the City of Markham Committee of Adjustment

March 19, 2018

File: A/171/17
Address: 11 Fredericton Road, Markham
Applicant: Anna Maria Sgouros and Nicholas Steve Kalantzis
Agent: SDG Design (Stefano Di Giulio)
Hearing Date: Wednesday March 28, 2018

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of By-law 1229 - R1, as amended:

- a) **Infill By-law 99-90, Section 1.2(i):**
a maximum building height of 10.11 metres, whereas the By-law permits a maximum height of 9.8 metres;
 - b) **Infill By-law 99-90, Section 1.2(iii):**
a maximum building depth of 21.14 metres, whereas the By-law permits a maximum depth of 16.8 metres;
 - c) **Infill By-law 99-90, Section 1.2(vi):**
a maximum floor area ratio of 49.9 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- as they relate to a proposed residential dwelling.

The application was deferred by the Committee of Adjustment on February 21st, 2018 to allow the applicant to address concerns raised at the meeting respecting building height, massing of the building, loss of visibility at the intersection and setback relationship with other homes on the street. In response, the applicant submitted revised plans on March 14th, 2018 (Appendix B) which show the following changes:

- The building is shifted approximately 5 ft (1.52 m) farther away from the street, resulting in a front yard setback of 30 ft (9.1 m);
- Reduction in lot coverage from 35.46 percent to 34.97 percent, which now complies with the maximum 35 percent lot coverage requirement and therefore the variance related to lot coverage is no longer required;
- Reduction in gross floor area from 410.92 m² (4,423 ft²) to 396.42 m² (4,267 ft²) and the floor area ratio is consequently reduced from 51.7 percent to 49.9 percent;
- Reduction in building height from 10.66 m (34.77 ft) to 10.11 m (33.16 ft);
- Increase in building depth from 20.85 m (68.4 ft) to 21.14 m (69.35 ft). The increase in depth mainly relates to the front covered porch. The depth of the main building (excluding the porches) measured between the front and rear wall is 15.53 m (50.95 ft) which is about 0.51 m (1.67 ft) shorter than the original proposal.

Staff's previous comments dated February 20, 2018 (see Appendix C) remain applicable. Staff have no objection to the approval of the variances being requested.

TRCA Comments

While the footprint has been shifted approximately 1 m (3.28 ft) closer to the rear lot line, TRCA maintain that the building is appropriately setback from the Limit of the Long Term Stable Top of Bank (LTSTOB) and therefore have no objection to the requested variances.

PUBLIC INPUT SUMMARY

As of March 19th, 2018, no written submissions were received since the application was re-circulated. 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 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. 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:



Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:



Stacia Muradali, Senior Planner, East District

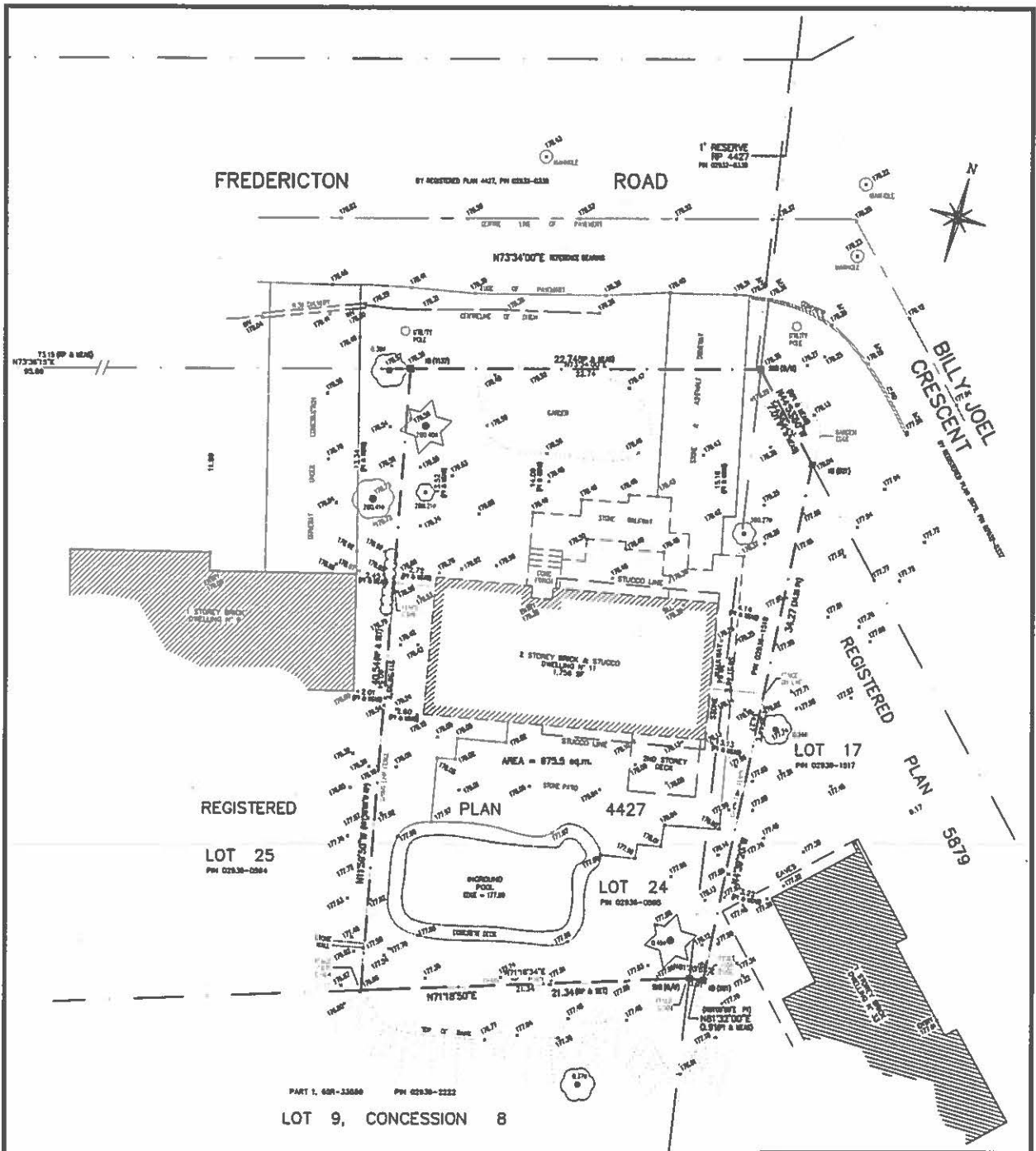
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APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/171/17

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 to this Staff Report dated March 13th, 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 applicant obtains all the necessary permits and/or approval from Toronto and Region Conservation Authority for the proposed development, and that the Secretary-Treasurer receive written confirmation from Toronto and Region Conservation Authority that this condition has been fulfilled to their satisfaction;
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 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.
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 Director of Planning and Urban Design or their designate.
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 Director of Planning and Urban Design or designate;
7. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

CONDITIONS PREPARED BY:


Carlson Tsang, Planner, Zoning and Special Projects



SURVEYOR'S REAL PROPERTY REPORT

PART 1: PLAN OF LOT 24 REGISTERED PLAN 4427 and PART OF LOT 17 REGISTERED PLAN 5879 CITY OF MARKHAM GEOGRAPHIC TOWNSHIP OF MARKHAM REGIONAL MUNICIPALITY OF YORK SCALE 1 : 250
E.W. BOWYER B.Sc., O.L.S.

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PART 2: REPORT
 1 - THIS REPORT WAS PREPARED FOR A. SGOUROS & S. KALANTZIS.
 2 - BOUNDARIES CONFORM SUBSTANTIALLY TO LEGAL DESCRIPTION.
 3 - NO EASEMENTS ARE RECORDED ON TITLE.
 4 - FENCES VARY FROM PROPERTY LINES AS SHOWN.
 5 - NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

NOTE: THIS REPORT CAN BE UPDATED BY THIS OFFICE. NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION.

LEGEND

BM	DENOTES	SURVEY MONUMENT FOUND
SP	DENOTES	SURVEY MONUMENT PLANTED FROM B.M.
ST	DENOTES	STANDARD IRON BUSH
SP1	DENOTES	E. & S. MONUMENT, C.L.S.
SP2	DENOTES	REGISTERED PLAN 4427
SP3	DENOTES	REGISTERED PLAN 5879
SP4	DENOTES	NEARBY
SP5	DENOTES	ORIGIN LONDON
SP6	DENOTES	NORTH, SOUTH, EAST, WEST
SP7	DENOTES	CONFERRED / REDUCED THICK

E. W. BOWYER INC.
 ONTARIO LAND SURVEYORS
 LAND DEVELOPMENT CONSULTANTS
 8075 HARRISBURG ROAD, SUITE 202A
 MARKHAM, ONTARIO L3R 9A5
 TEL 905-944-8086, FAX 905-944-8089
 P.O. BOX 202A, MARKHAM, ONT. L3R 9A5
 PHN 905-944-8086, FAX 905-944-8089
 PHN 905-944-8086/81518 9100 Rte. 10-408 © U.S.A. 2017/11-1327.DWG

BENCHMARK
 ELEVATIONS ARE REFERRED TO BM 02926.3523
 ELEVATION = 178.06

ASSOCIATION OF ONTARIO LAND SURVEYORS PLAN SUBMISSION FORM 2023046

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON 23 JULY 2017

DATE: 8 AUGUST 2017

E.W. Bowyer
E.W. BOWYER B.Sc., O.L.S.

By association with Eng'g, Inc. 2015

REMARKS NOTE: BEARINGS ARE ASTROMERIC AND ARE REFERRED TO THE SOUTH LIMIT OF FREDERICTON ROAD AS SHOWN ON REGISTERED PLAN 4427 HAVING A BEARING OF N 74° 34' 00" E.

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

sdg design
 CUSTOM HOMES & ADDITIONS
416.909.4452
 34 ELM STREET
 MARKHAM, ONT. L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@rogers.com

PROJECT PROPOSED CUSTOM HOME
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1

SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE'
 EXISTING 2017 SURVEY PLAN W/ ORIGINAL DWELLING (1:250)

DRAWN BY: SDG **ISSUE DATE:** 13 MAR 2018 **SCALE:** 1 : 250

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

PROJECT No. 17-080

REFER TO ASK-1 to ASK-12

ISSUED FOR: C.O.A. HEARING

DWG. No. ASK-1

DATA FOR ZONE REQUIREMENTS FOR R1-RESIDENTIAL INFILL - By-law 1229/99-90:

i) ACTUAL LOT AREA = IRREGULAR 74.62 FT. LOT FRONTAGE X 133.02 FT. LOT DEPTH => 10,500.3 SQ.FT. (975.5 SM)

ii) MAX. FLOOR AREA RATIO SHALL BE 45% OF NET LOT AREA CALCULATED AS FOLLOWS:

NET LOT AREA = 6,600 SQ.FT. + 1/2 (ACTUAL LOT AREA - 6,600 SQ.FT)
 6,600 SQ.FT. + 1/2 (10,500 SQ.FT. - 6,600 SQ.FT)
 6,600 SQ.FT. + 1/2 (3,900 SQ.FT)
 6,600 SQ.FT. + 1,950 SQ.FT.
 NET LOT AREA = 8,550 SQ.FT.
 THUS, ALLOWED MAX. FLOOR AREA RATIO = 45% OF 8,550 SQ.FT. => 3,848 SQ.FT.

- iii) AREA OF PROPOSED FRONT COVERED PORCH w/ STEP = 422 SQ.FT. (39.2 SQ.M.)
- iv) AREA OF PROPOSED REAR COVERED PORCH w/ STAIRS = 369 SQ.FT. (34.3 SQ.M.)
- v) AREA OF PROPOSED SIDE PORCH = 328 SQ.FT. (30.5 SQ.M.)
- vi) AREA OF PROPOSED WALK-OUT = 75 SQ.FT. (7.0 SQ.M.)
- vii) PROPOSED GROUND LEVEL GROSS FLOOR AREA = 2,545 SQ.FT. (236.4 SQ.M.)
- viii) PROPOSED SECOND LEVEL GROSS FLOOR AREA = 1,722 SQ.FT. (160.0 SQ.M.)

ix) DWELLING'S TOTAL LOT COVERAGE AREA = (422 + 369 + 328 + 2,553) SQ.FT. = 3,672 SQ.FT. (341 SQ.M.)
 3,672 SQ.FT. OF DWELLING COVERAGE AREA DIVIDED BY ACTUAL LOT AREA OF 10,500.3 SQ.FT. = 34.97% LOT COVERAGE
 IS LESS THAN THE MAX. ALLOWABLE LOT COVERAGE OF 35% AND COMPLIES WITH THE ZONING BY-LAW.

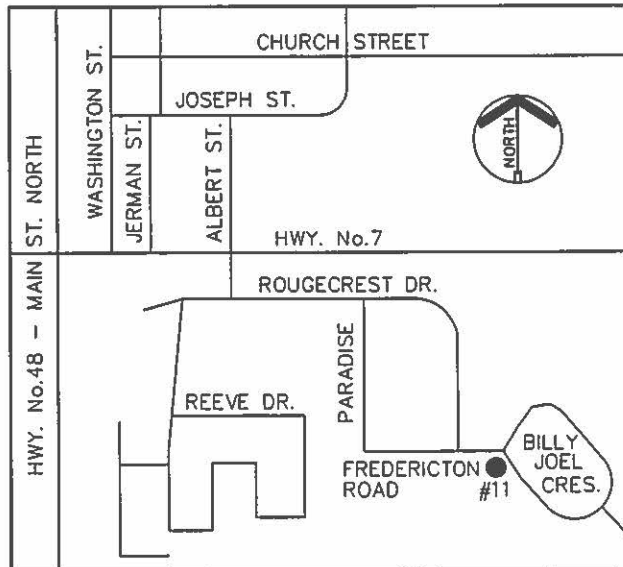
x) PROPOSED 2-STORY DWELLING HAS BEEN DESIGNED WITH THE BUILDING HEIGHT AT ITS ROOF PEAK MEASURED VERTICALLY AT 33'-2 1/8" (10.11m) FROM THE EXISTING STREET CROWN AT GEOD. +178.57m (ELEV. - 3'-4") AND EXCEEDS THE ALLOWABLE 9.8m (32'-2") MAXIMUM BUILDING HEIGHT BY 1'-0 1/8" (0.31m), THUS NOT CONFORMING WITH THE ZONING BY-LAW REQUIREMENT.
 NOTE: BUILDING HEIGHT MEASURED FROM THE CROWN OF THE STREET WHICH IS 3'-4" (1.02m) BELOW THE GROUND SUBFLOOR ELEVATION SET AT + 0'-0" or GEOD. +179.59m
 THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE 3% RELIEF OF 0.31m (1'-0 1/8") ADDITIONAL BUILDING HEIGHT

xi) DWELLING'S PROPOSED BUILDING DEPTH HAS BEEN DESIGNED WITH A BUILDING DEPTH OF 69'-4 3/8" (21.14m), MEASURED TO THE REAR MIDDLE SOUTH-EAST CORNER OF THE PROPOSED 1-STORY EXTERIOR COVERED PORCH, AND DOES NOT CONFORM WITH THE ZONING BY-LAW REQUIREMENT OF THE MAXIMUM BUILDING DEPTH SET AT 16.8m (55'-1 3/8").
 THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 4.34m (14'-3") ADDITIONAL BUILDING DEPTH
 - ADDITIONAL BUILDING DEPTH ONLY RESULTS FROM 1-STORY DESIGN OF BOTH THE FRONT & REAR EXTERIOR PORCH CANOPIES.

xii) DWELLING'S PROPOSED GROSS FLOOR AREA (GFA) = (GROUND FLOOR GFA 2,545 SQ.FT. + SECOND FLOOR GFA 1,722 SQ.FT.) = 4,267 SQ.FT.
 THUS, 4,267 SQ.FT. DIVIDED BY 8,550 SQ.FT. (NET LOT AREA) EQUALS 49.9% AND EXCEEDS THE ALLOWABLE MAX. FLOOR AREA RATIO SET AT 45% (OR 3,848 SQ.FT.) AND DOES NOT CONFORM WITH ZONING BY-LAW REQUIREMENT.
 THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 4.9% (419 SQ.FT.) OF ADDITIONAL GROSS FLOOR AREA

SITE STATISTIC FOR No. 11 FREDERICTON ROAD			
	CALCULATION NOTES	PROPOSED FLOOR AREA	TOTAL FLOOR AREA
FRONT PORCH	- NOT INCLUDED IN GFA CALCULATION	422 SQ.FT.	422 SQ.FT.
REAR PORCH	- NOT INCLUDED IN GFA CALCULATION	369 SQ.FT.	369 SQ.FT.
SIDE PORCH	- NOT INCLUDED IN GFA CALCULATION	328 SQ.FT.	328 SQ.FT.
REAR WALKOUT	- NOT INCLUDED IN LOT COVERAGE	75 SQ.FT.	75 SQ.FT.
2 CAR GARAGE	N/A	504 SQ.FT.	504 SQ.FT.
GROUND FLOOR VOID	- REDUCES GRND FLR GFA CALCULATION	8 SQ.FT.	8 SQ.FT.
GROUND FLOOR LIVING	N/A	2,041 SQ.FT.	2,041 SQ.FT.
GROUND FLOOR GFA	N/A	2,545 SQ.FT.	2,545 SQ.FT.
SECOND FLR REAR BALCONY	- NOT INCLUDED IN GFA CALCULATION	88 SQ.FT.	88 SQ.FT.
SECOND FLR INNER BALCONY	- NOT INCLUDED IN GFA CALCULATION	134 SQ.FT.	134 SQ.FT.
SECOND FLOOR AREA	N/A	1,976 SQ.FT.	1,976 SQ.FT.
SECOND FLOOR VOIDS	- REDUCES 2ND FLOOR GFA CALCULATION	254 SQ.FT.	254 SQ.FT.
SECOND FLOOR GFA	N/A	1,722 SQ.FT.	1,722 SQ.FT.
LOT AREA	IRREGULAR 74.62' X 133.02'	= 10,500.3 SQ.FT.	
LOT COVERAGE	3,672 SQ.FT. / 10,500.3 SQ.FT. = 34.97 %		
GROSS FLOOR AREA	4,267 SQ.FT. / 8,550 SQ.FT. = 49.90 %		

SITE PLAN DATA FOR ZONING REVIEW:	
a)	FRONT YARD TOTAL AREA = 2,255 SQ.FT. (209.5 SM)
b)	FRONT YARD HARD LANDSCAPING = 785 SQ.FT. (72.9 SM) - EQUALS 34.8% of Front Yard
c)	FRONT YARD SOODED & SOFT LANDSCAPING = 1,470 SQ.FT. (136.6 SM) - EQUALS 65.2% of Front Yard
d)	REAR YARD TOTAL AREA = 3,712 SQ.FT. (345 SM) - REAR YARD SOODED & SOFT LANDSCAPING at 100% = 3,712 SQ.FT. (345 SM)
NOTE: NO REAR YARD HARD LANDSCAPING (No additional walkways or patios proposed)	



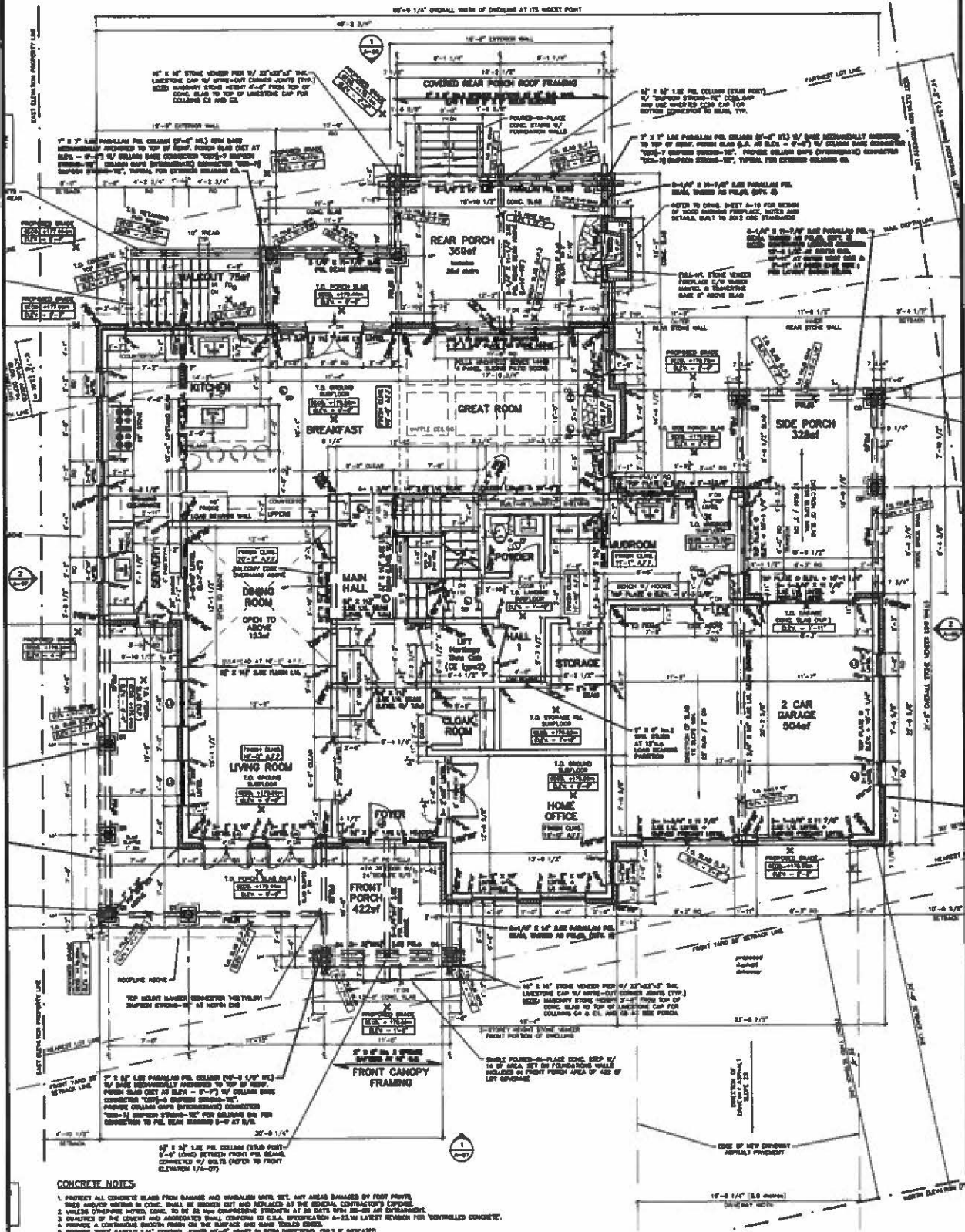
1 SITE KEY PLAN
 ASK-2 SCALE N/A

3,672 SQ.FT. OF DWELLING AREA DIVIDED BY 10,500.3 SQ.FT. OF ACTUAL LOT AREA = 34.97% LOT COVERAGE IS LESS THAN AND COMPLIES WITH THE R1 DESIGNATION OF ZONING BY-LAW 1229 REQUIREMENTS OF THE MAX. LOT COVERAGE OF 35%

DWELLING'S TOTAL PROPOSED GROSS FLOOR AREA = (2,545 + 1,722) SQ.FT. = 4,267 SQ.FT. DIVIDED BY 8,550 SQ.FT. (NET LOT AREA) EQUALS 49.9% IS GREATER THAN THE ALLOWABLE MAX. FLOOR AREA RATIO SET AT 45% AND DOES NOT CONFORM WITH ZONING BY-LAW REQUIREMENT. THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED. NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 4.9% (419 SQ.FT.) OF ADDED AREA.


<p>CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sgdgdesign@rogers.com</p>	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' SITE DATA PER BY-LAW 1229/99-90 ZONE REQUIREMENTS	REFER TO ASK-1 to ASK-12
	DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: AS NOTED	ISSUED FOR: C.O.A. HEARING
	PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE	

REFER TO ASK-7 FOR PROPOSED DWELLING GROUND FLOOR AREA CALCULATIONS:

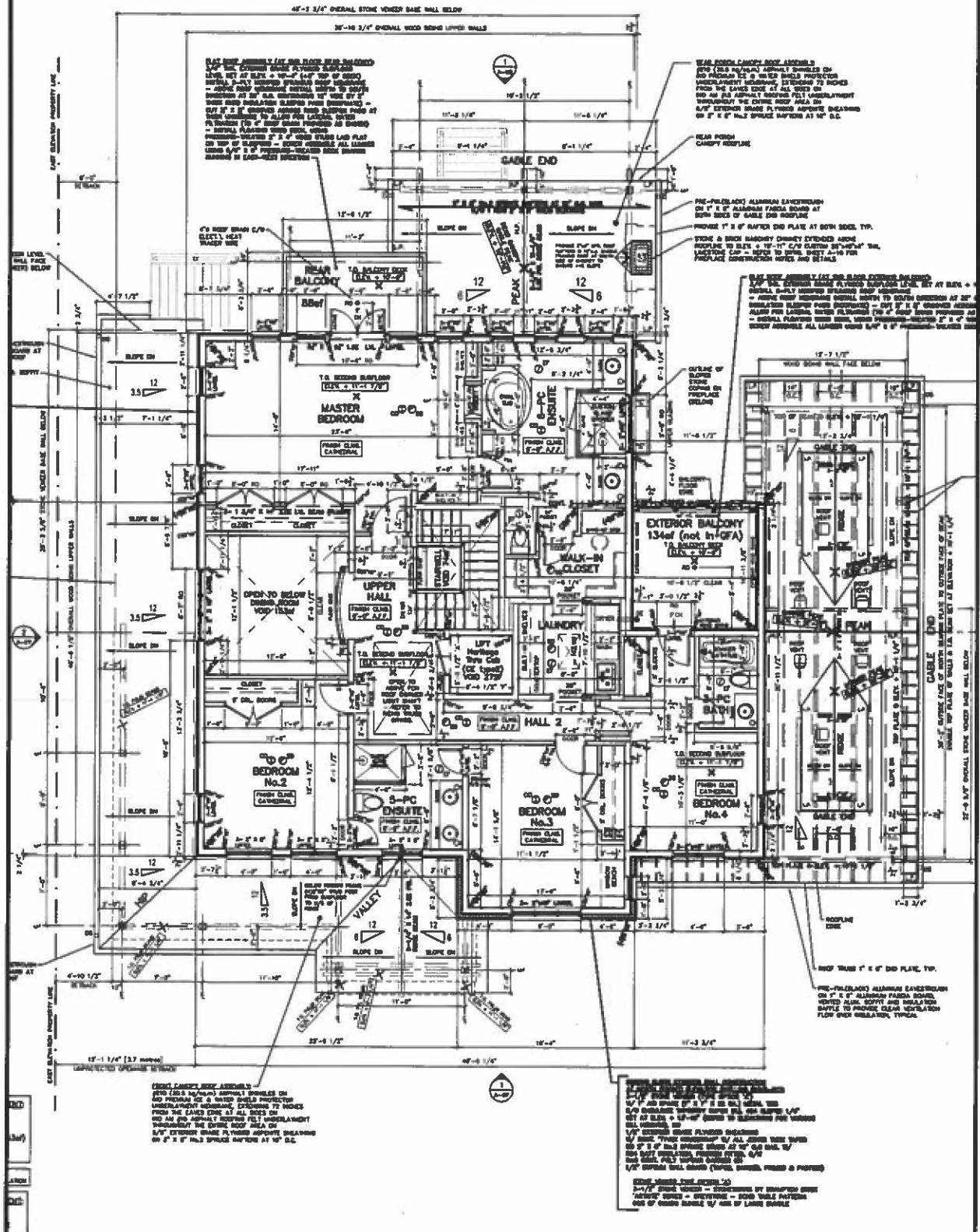


CONCRETE NOTES

1. PROTECT ALL CONCRETE SLABS FROM DAMAGE AND WEAR/DAMAGE UNTIL SET. ANY AREAS DAMAGED BY FOOT PRINTS, TOES AND/OR WHEELS IN CONCRETE SHALL BE BROKEN OUT AND REPLACED AT THE GENERAL CONTRACTOR'S EXPENSE.
2. UNLESS OTHERWISE NOTED, CONCRETE TO BE 3000 PSI COMPRESSIVE STRENGTH AT 28 DAYS WITH 28-DAY AIR DRYING.
3. DIMENSIONS OF THE CURBS AND APPROXIMATE WALL THICKNESS TO BE IN ACCORDANCE WITH THE LATEST REVISION FOR CONTROLLED CONCRETE.
4. PROVIDE A CONTINUOUS SLOTTED STRIP FROM THE SURFACE AND HOLD TIGHTLY TO THE SURFACE.
5. PROVIDE "WET" SLOTTED STRIP FROM THE SURFACE AND HOLD TIGHTLY TO THE SURFACE.

 CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT. L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING GROUND FLOOR PLAN	REFER TO ASK-1 to ASK-12 ISSUED FOR: C.O.A. HEARING
DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8" = 1'-0"	PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE	

REFER TO ASK-7 FOR PROPOSED DWELLING SECOND FLOOR AREA CALCULATIONS:



sdg design
 CUSTOM HOMES & ADDITIONS
 416.909.4452
 34 ELM STREET
 MARKHAM, ONT. L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@rogers.com

PROJECT **PROPOSED CUSTOM HOME**
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1

SUBJECT **'THE SGOUROS & KALANTZIS RESIDENCE'**
 PROPOSED DWELLING SECOND FLOOR PLAN

DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8" = 1'-0"

PROJECT No. **17-080**

REFER TO ASK-1 to ASK-12

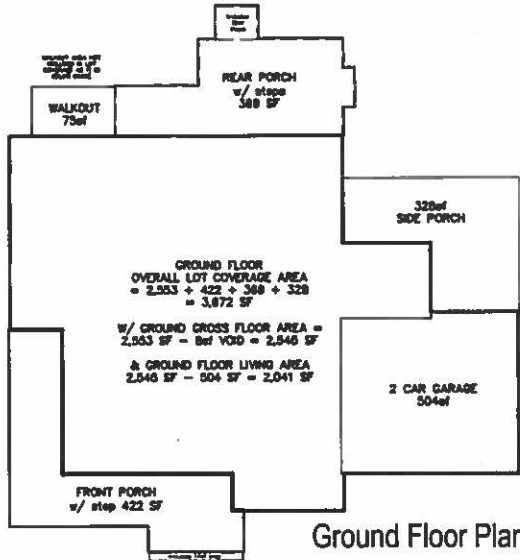
ISSUED FOR: C.O.A. HEARING

DWG. No. **ASK-6**

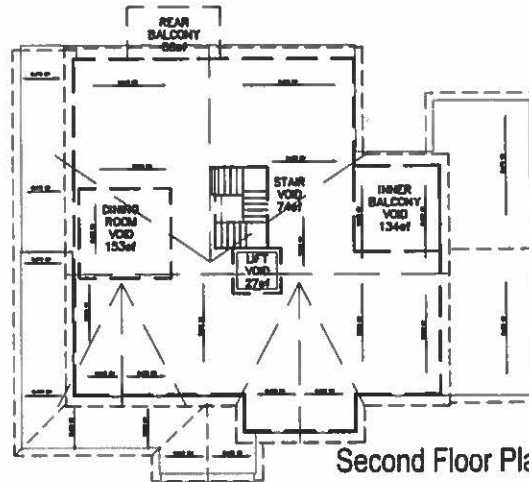
SECOND FLOOR AREA CALCULATION FOR COMMITTEE OF ADJUSTMENT:

SECOND LEVEL GROSS FLOOR AREA DESIGNED AT 2,110 SF
 MINUS INNER BALCONY - 134 SF = 1,976 SF
 MINUS (STAIR VOID -74sf + LIFT VOID -27sf + DINING VOID -153sf)
 = - 254 SF
 THEREFORE, 1,976 SF - 254 SF = 1,722 SF

NOTE:
 EXTERIOR UNCOVERED 'REAR BALCONY' 88 SF AREA NOT INCLUDED IN GFA CALCULATION



Ground Floor Plan



Second Floor Plan

GROUND FLOOR OVERALL LOT COVERAGE AREA = 2,553 + 422 + 369 + 328 => 3,672 SF

W/ GROUND GROSS FLOOR AREA = 2,553 SF - 8sf VOID (GROUND FLOOR GFA = 2,545 SF)

NOTE: GROUND FLOOR LIVING AREA = 2,041 SF (as GARAGE AREA = 504 SF)
 2,545 SF - 504 SF = 2,041 SF

NOTE:
 AS PER BY-LAW 1229/99-90's DEFINITIONS THE 'WALKOUT' AREA OF 75 SF IS NOT INCLUDED IN LOT COVERAGE AS IT IS BELOW GRADE

LOT AREA = 10,500.3 SF (975.5 SM)
 MAX. 35% OF LOT AREA = 3,675.1 SF MAX. ALLOWABLE AREA
 DWELLING LOT COVERAGE = 3,672 SF / 10,500.3 SF = 34.97%

GROUND FLOOR AREA CALCULATION FOR COMMITTEE OF ADJUSTMENT:

GROUND FLOOR GFA = 2,545 SF
 + SECOND FLOOR GFA = 1,722 SF => 4,267 SF
 THUS 4,267 SF DIVIDED BY 8,550 SF NET LOT AREA = 49.9%

sdg design
 CUSTOM HOMES & ADDITIONS
416.909.4452
 34 ELM STREET
 MARKHAM, ONT., L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@rogers.com

PROJECT PROPOSED CUSTOM HOME
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1

SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE'
 PROPOSED GRND & SECOND FLR PLANS AREA CALCULATIONS

DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: AS NOTED

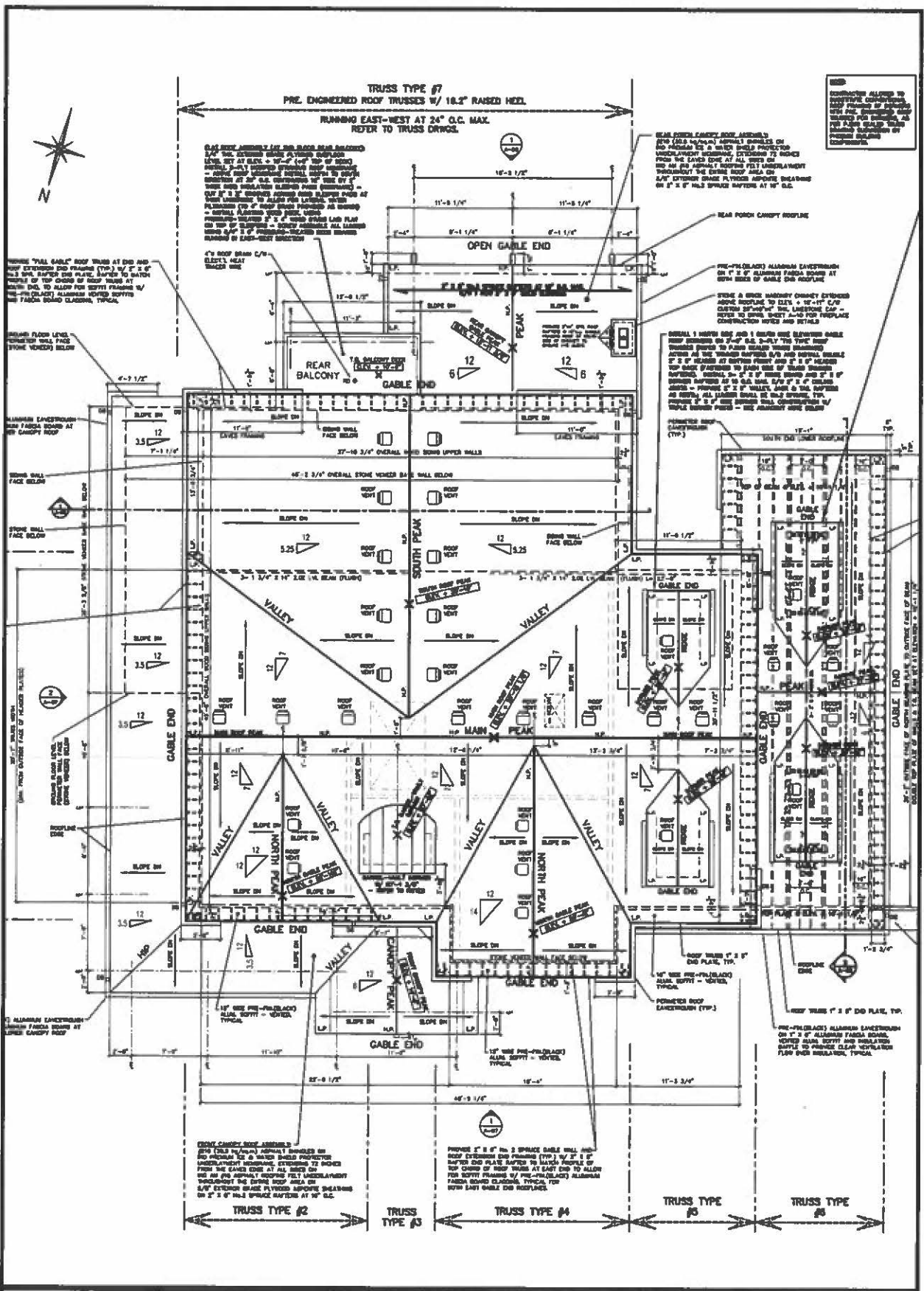
PROJECT No. 17-080

REFER TO ASK-1 to ASK-12

ISSUED FOR : C.O.A. HEARING

DWG No. ASK-7

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

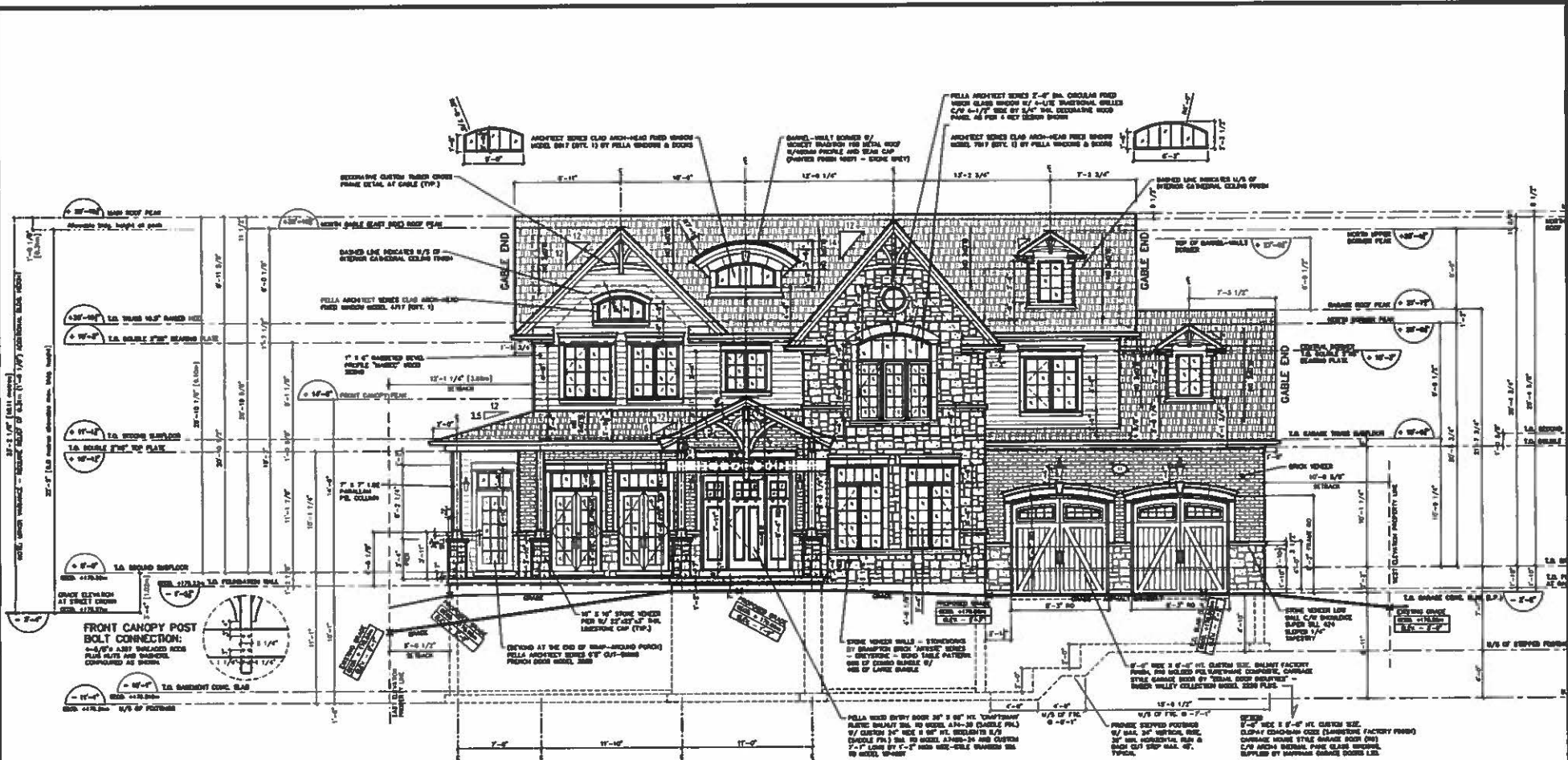


sdg design
 CUSTOM HOMES & ADDITIONS
 416.909.4452
 34 ELM STREET
 MARKHAM, ONT, L3P 2V5
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PROJECT PROPOSED CUSTOM HOME
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1
 SUBJECT 'THE SGOURDS & KALANTZIS RESIDENCE'
 PROPOSED DWELLING OVERALL ROOF PLAN
 DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8" = 1'-0"

PROJECT No. 17-080
 REFER TO ASK-1 to ASK-12
 ISSUED FOR: C.O.A. HEARING
 DWG. No. ASK-8

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE



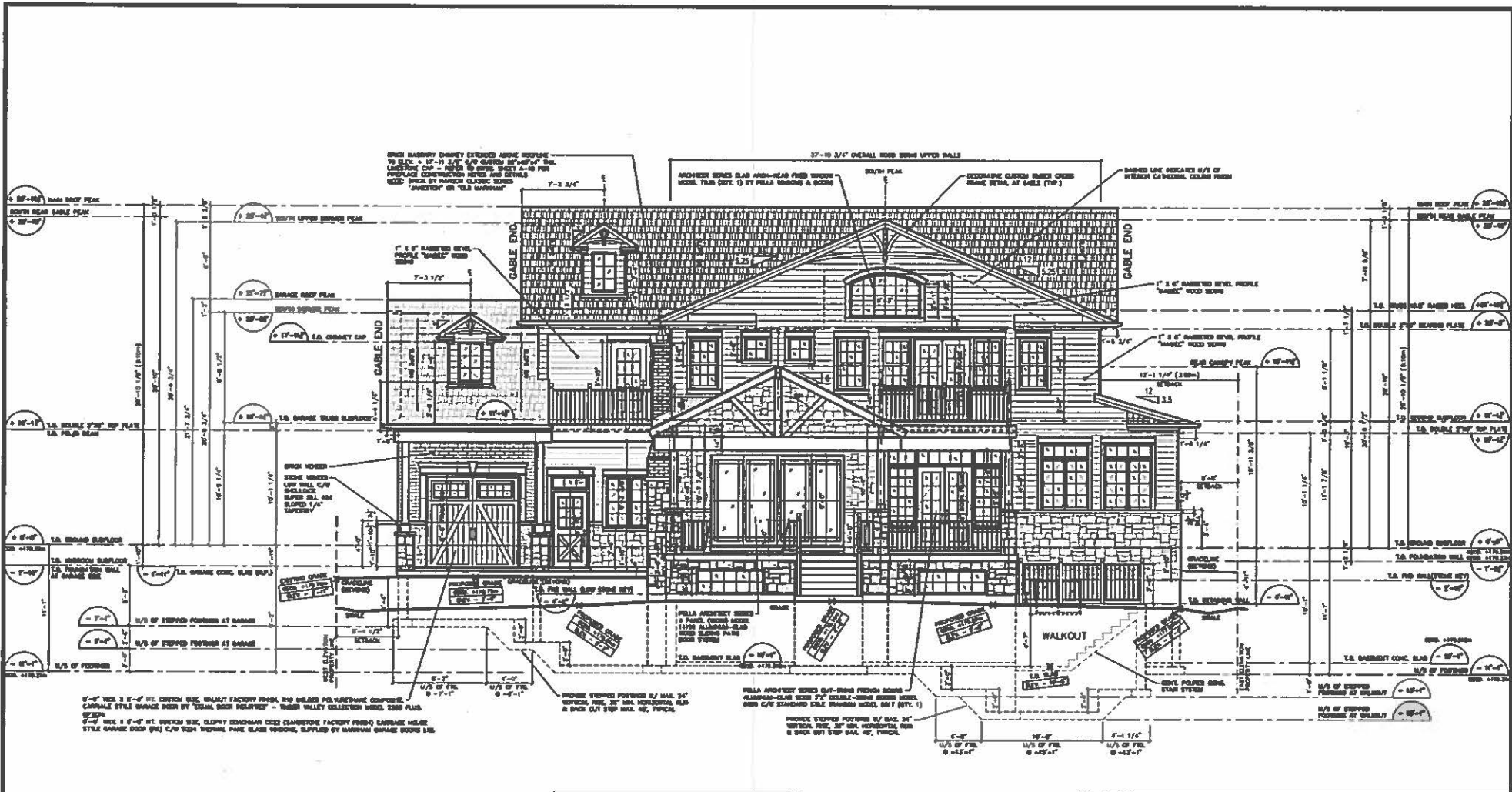
1 PROPOSED NORTH (FRONT) ELEVATION
 A-07 SCALE 1/4" = 1'-0"

sdg design
 CUSTOM HOMES & ADDITIONS
 416.909.4452
 34 ELM STREET
 MARKHAM, ONT., L3P 2V5
 CELL 416-909-4452
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PROJECT PROPOSED CUSTOM HOME
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1
 SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE'
 NORTH (FRONT VIEW ALONG FREDERICTON ROAD) ELEVATION
 DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8" = 1'-0"

PROJECT No. 17-080
 REFER TO ASK-1 to ASK-12
 ISSUED FOR: C.O.A. HEARING
 DWG. No. ASK-9

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE



1 PROPOSED SOUTH (REAR) ELEVATION
 A-08 SCALE 1/4" = 1'-0"



CUSTOM HOMES & ADDITIONS
416.909.4452
 34 ELM STREET
 MARKHAM, ONT., L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@ragers.com

PROJECT **PROPOSED CUSTOM HOME**
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1

SUBJECT **'THE SGOUROS & KALANTZIS RESIDENCE'**
PROPOSED DWELLING SOUTH (REAR) ELEVATION

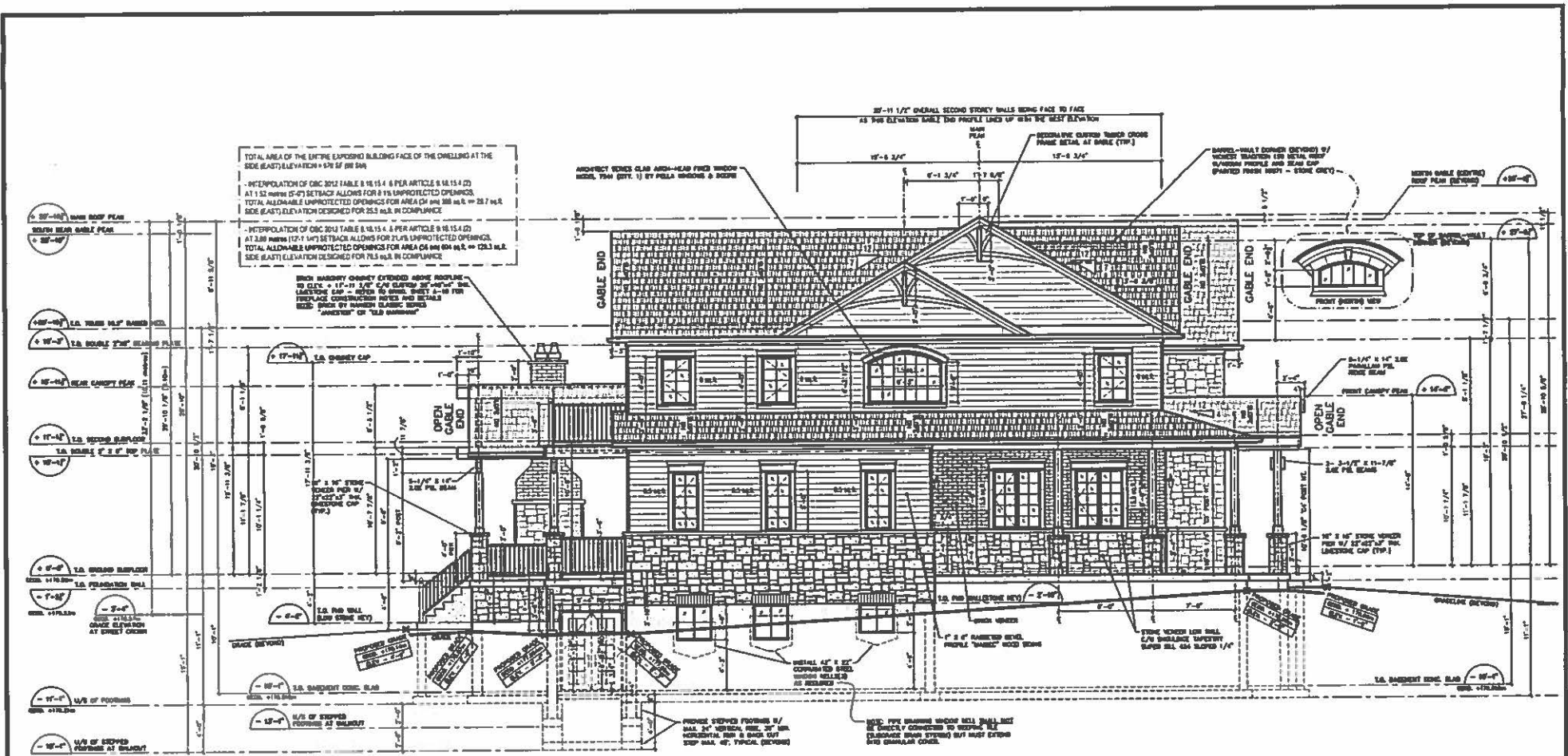
DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8"=1'-0"

PROJECT No. **17-080**

REFER TO ASK-1 to ASK-12
 ISSUED FOR: C.O.A. HEARING

DWG. No. **ASK-10**

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE



TOTAL AREA OF THE ENTIRE EXPOSED BUILDING FACE OF THE DWELLING AT THE SIDE (EAST) ELEVATION = 292 SF (99.94)

INTERPOLATION OF CBC 2012 TABLE 8.16.15.4 & PER ARTICLE 8.16.15.4 (2) AT 1.52 meters (5'-0") SETBACK ALLOWS FOR 8 Y/S UNPROTECTED OPENINGS.

TOTAL ALLOWABLE UNPROTECTED OPENINGS FOR AREA OF 292 SQ. FT. = 25.7 M² (278.4 SQ. FT.)

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INTERPOLATION OF CBC 2012 TABLE 8.16.15.4 & PER ARTICLE 8.16.15.4 (2) AT 1.52 meters (5'-0") SETBACK ALLOWS FOR 7 PLUS UNPROTECTED OPENINGS.

TOTAL ALLOWABLE UNPROTECTED OPENINGS FOR AREA OF 292 SQ. FT. = 25.7 M² (278.4 SQ. FT.)

SEE EAST ELEVATION DESIGNED FOR 7 PLUS M² IN COMPLIANCE.

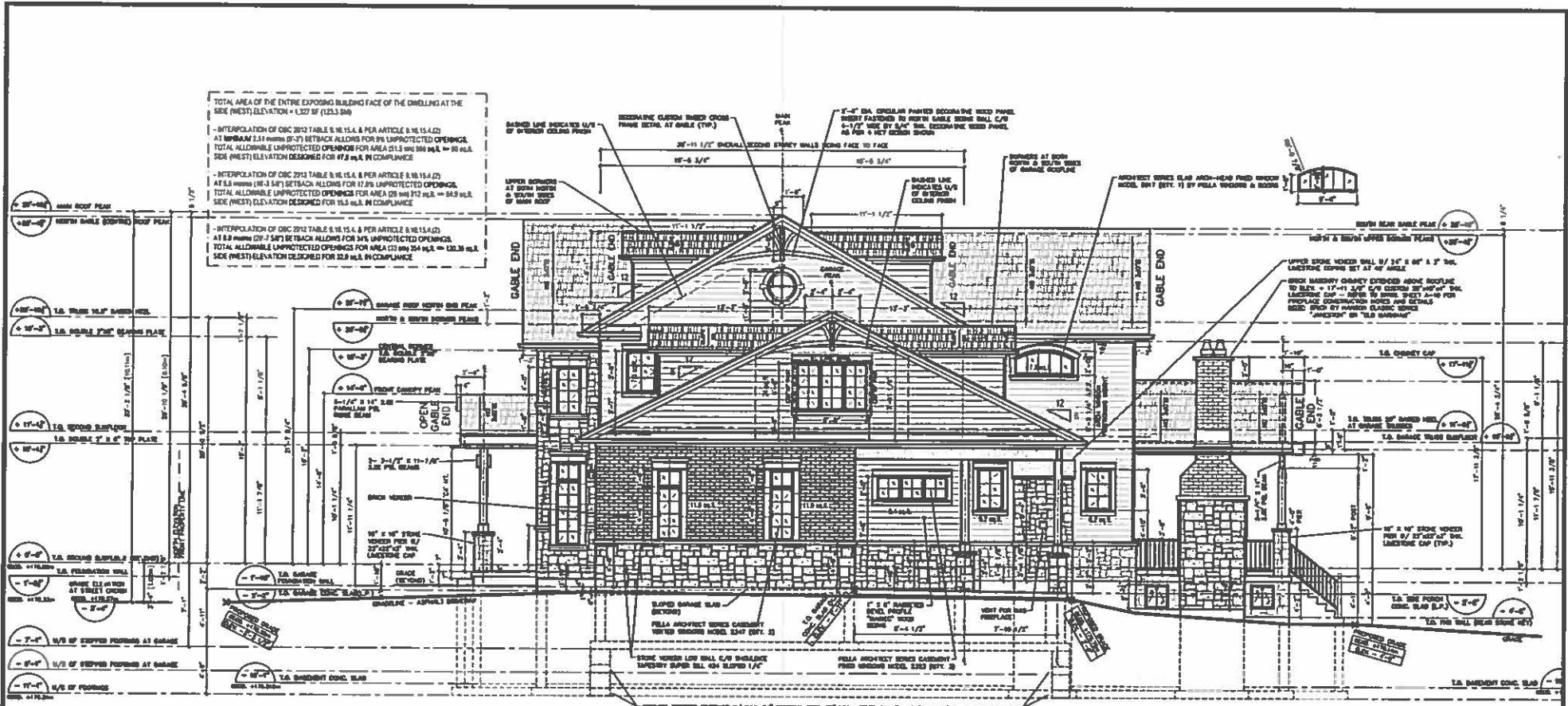
WHEN MASONRY CHIMNEY EXTENDED ABOVE ROOFLINE TO ELEV. + 11'-11 1/2" CAN CURVED 20" DIA. GALV. LASTERING CAP = REFER TO GRID SHEET 14-10 FOR REPLACE CONSTRUCTION NOTES AND DETAILS. SPEC. OF MASONRY CLASSIC SERIES "JANNEY" OF "OLD GARDEN".

PERMITS SHOWN FORING 8" x 8" VERTICAL, 20" x 20" HORIZONTAL, FOR 8' DIA. GUT. SEP. MAX. 40' TYPICAL (SEE 14-10)

2 PROPOSED EAST ELEVATION
A-07 SCALE 1/4" = 1'-0"

sdg design
CUSTOM HOMES & ADDITIONS
416.909.4452
34 ELM STREET
MARKHAM, ONT., L3P 2V5
CELL 416-909-4452
FAX 905-201-2275
sdgdesign@rogers.com

PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1		PROJECT No. 17-080
SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING EAST (SIDE) ELEVATION		REFER TO ASK-1 to ASK-12
ISSUED FOR: C.O.A. HEARING	DWG. No. ASK-11	
DRAWN BY: SDG	ISSUE DATE: 13 MAR 2018	SCALE: 1/8" = 1'-0"
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE		




TOTAL AREA OF THE ENTIRE EXPOSING BUILDING FACE OF THE DWELLING AT THE SIDE (WEST) ELEVATION = 1,327 SF (123.3 SQ)

- INTERPOLATION OF OBC 2012 TABLE 8.16.15.4. & PER ARTICLE 8.16.15.4(2) AT 8.8' HOURS (7'-7") RETRACK ALLOWED FOR 3% UNPROTECTED OPENINGS. TOTAL ALLOWABLE UNPROTECTED OPENINGS FOR AREA (21.3 SQ) 84 sq.ft. = 99 sq.ft. SIDE (WEST) ELEVATION DESIGNED FOR 17.2 sq.ft. IN COMPLIANCE.

- INTERPOLATION OF OBC 2012 TABLE 8.16.15.4. & PER ARTICLE 8.16.15.4(2) AT 8.8' HOURS (7'-7") RETRACK ALLOWED FOR 3% UNPROTECTED OPENINGS. TOTAL ALLOWABLE UNPROTECTED OPENINGS FOR AREA (29.4 SQ) 91.2 sq.ft. = 94.9 sq.ft. SIDE (WEST) ELEVATION DESIGNED FOR 15.5 sq.ft. IN COMPLIANCE.

- INTERPOLATION OF OBC 2012 TABLE 8.16.15.4. & PER ARTICLE 8.16.15.4(2) AT 8.8' HOURS (7'-7") RETRACK ALLOWED FOR 3% UNPROTECTED OPENINGS. TOTAL ALLOWABLE UNPROTECTED OPENINGS FOR AREA (33.3 SQ) 99.9 sq.ft. = 123.3 sq.ft. SIDE (WEST) ELEVATION DESIGNED FOR 32.8 sq.ft. IN COMPLIANCE.

2 PROPOSED WEST ELEVATION
A-08 SCALE 1/4" = 1'-0"

 CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING WEST (SIDE) ELEVATION	REFER TO ASK-1 to ASK-12 ISSUED FOR : C.O.A. HEARING
DRAWN BY: SDG ISSUE DATE: 13 MAR 2018 SCALE: 1/8"=1'-0"	PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE	

APPENDIX C

Addendum to the City of Markham Committee of Adjustment February 20, 2018

File: A/171/17
Address: 11 Fredericton Road, Markham
Applicant: Anna Maria Sgouros & Nichoals Steve Kalantzis
Agent: SDG Design (Stefano Di Giulio)
Hearing Date: Wednesday February 21, 2018

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of By-law 1229 - R1, as amended:

- a) **Table 11.1:**
a lot coverage of 35.46 percent, whereas the By-law permits a maximum lot coverage of 35 percent;
- b) **Infill By-law 99-90, Section 1.2(i):**
a building height of 10.66 metres, whereas the By-law permits a maximum height of 9.8 metres;
- c) **Infill By-law 99-90, Section 1.2(iii):**
a building depth of 20.85 metres, whereas the By-law permits a maximum depth of 16.8 metres;
- d) **Infill By-law 99-90, Section 1.2(vi):**
a floor area ratio of 51.7 percent, whereas the By-law permits a maximum floor area ratio of 45 percent; as they relate to a proposed residential dwelling.

In the staff report dated February 9, 2018 (see Appendix B), staff recommend the application be deferred until all the concerns identified in the TRCA letter (see Letter attached in Appendix B) are fully addressed. On February 16, 2018, TRCA provided second comments indicating that a geotechnical soil stability report has been submitted by the applicant to assess slope ability and erosion risk on the property. TRCA staff are satisfied with the results of the geotechnical assessments and have no objection to the variance requests provided that the applicant obtains a TRCA permit for the proposed development (see Appendix C1).

The variances and the building design remain the same as originally submitted. Planning comments on each variance have already been provided on the previous comments (see Appendix B). Planning staff consider variance requests supportable in the context of the four tests of the Planning Act.

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

PREPARED BY:



 Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:



 Stacia Muradali, Senior Planner, East District

Appendix A

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/171/17

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 January 22nd, 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 Secretary Treasurer receives written confirmation from Toronto and Region Conservation Authority (TRCA) that the conditions indicated in the letter dated February 16th, 2018 (Appendix C1) have been fulfilled to the satisfaction of Toronto and Region Conservation Authority (TRCA);
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 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.
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 Director of Planning and Urban Design or their designate.
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 Director of Planning and Urban Design or designate;
7. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

CONDITIONS PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects

Memorandum to the City of Markham Committee of Adjustment

February 09, 2018

File: A/171/17
Address: 11 Fredericton Road, Markham
Applicant: Anna Maria Sgouros & Nichoals Steve Kalantzis
Agent: SDG Design (Stefano Di Giulio)
Hearing Date: Wednesday February 21, 2018

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following requirements of By-law 1229 - R1, as amended:

- a) **Table 11.1:**
lot coverage of 35.46 percent, whereas the By-law permits a maximum lot coverage of 35 percent;
 - b) **Infill By-law 99-90, Section 1.2(i):**
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a building depth of 20.85 metres, whereas the By-law permits a maximum depth of 16.8 metres;
 - d) **Infill By-law 99-90, Section 1.2(vi):**
a floor area ratio of 51.7 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- as they relate to a proposed residential dwelling.

BACKGROUND

Property Description

The 975.51 m² (10,500.3 ft²) subject property is located on the south of Fredericton Road, near the turn into Billy Joel Crescent, south of Highway 7 and east of Main Street Markham North. It 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. There is an existing 158.5 m² (1,706 ft²) two-storey detached dwelling on the property, which according to assessment records was built in 1954. The property also contains an inground swimming pool in the rear yard.

Proposal

The applicant is proposing to demolish the existing home and construct a two-storey detached dwelling with a gross floor area of 410.91 m² (4,423 ft²). The existing inground pool in the rear yard is proposed to be removed. The driveway will be relocated to the west side of the property. Two Crabapple trees are proposed to be removed as a result of the development. The applicant will be required to work with the City's Tree Preservation Technician to provide tree replacement and/or compensation in accordance with the City's Streetscape Manual prior to the issuance of a building permit.

Official Plan and Zoning

2014 Official Plan (partially approved on Oct 30/15, May 26/16, Mar 10/17, April 21/17, Nov 24/17)

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

The subject property is zoned R1- Single Detached dwelling under By-law 1229, as amended, which permits single detached dwellings. The proposed development does not comply with the by-law requirement with respect to lot coverage.

Residential Infill Zoning By-law

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 building height, building depth and net floor area ratio.

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

According to the information provided by the applicant, *"The home seeks minor relief in lot coverage, building depth and building height. The proposed GFA at 51.7 percent is the result of the home being designed barrier-free with added areas for a lift and wider hallways at ground and second floor to allow this family of 6 to provide for the care of two senior family members.*

Zoning Preliminary Review Not Undertaken

The applicant has confirmed that a Zoning Preliminary Review (ZPR) has not been undertaken. 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 deck. 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.

COMMENTS

TRCA (Toronto and Region Conservation Authority) Comments

The subject property is adjacent to a valley corridor associated with the Rouge River Watershed. According to TRCA's comments dated January 9, 2018 (Appendix C), the proposed dwelling is approximately 5 m (16.4 ft) closer towards the top of bank (TOB) of the valley corridor than the existing dwelling on the property and may encroach into the Erosion Hazard Limit of the Limit of the Long Term Stable Top of Bank (LTSTOB). TRCA recommends the application be deferred to allow the applicant to undertake a geotechnical investigation to assess slope ability and erosion risk on the property, and will provide additional comments upon receipt of the geotechnical results.

City Staff concur with the TRCA recommendation for a deferral and requests that the Committee defers the application until the applicant has appropriately addressed the

TRCA comments, and determines if the proposed dwelling and variances are impacted by the TRCA 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 Lot Coverage

The applicant is requesting relief to permit a maximum lot coverage of 35.46 percent, whereas the By-law permits a maximum lot coverage of 35 percent. Staff are of the opinion that the proposed lot coverage represents a modest increase from the by-law.

Increase in Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 10.66 m (34.97 ft), whereas the By-law permits a maximum building height of 9.8 m (32.15 ft). This represents an increase of 0.86 m (2.82 ft). The By-law calculates building height using the vertical distance of 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 0.33 m (1.08 ft) above the crown of road.

Many parts of the second storey is setback from the main floor to help break down the vertical massing of the proposed dwelling. This also allows the second floor to provide more separation from adjacent homes to alleviate shadowing impact. The peak of the building will be approximately 7.74 m (24.4 ft) away from the adjacent home to the east, and 8.84 m (29 ft) from the home to the west.

Increase in Building Depth

The applicant is requesting relief from the by-law to permit a maximum building depth of 20.85 m (68.4 ft), whereas the by-law permits a maximum building depth of 16.8 m (55.11 ft). This represents an increase of 4.05 m (13.28 ft). Building depth is measured based on the shortest distance between two lines, both parallel to the front lot line, one passing through the point on the dwelling which is the nearest and the other through the point on the dwelling which is the farthest from the front lot line. Given the configuration of the lot, building depth is measured on an angle through the proposed building.

The proposed building depth includes the front and rear covered porches, which combined add approximately 4.98 m (16.33 ft) to the overall depth of the building. The actual length measured between the front and rear main wall, excluding the front and rear covered porch, is 16.04 m (52.62 ft), which complies with the by-law requirement. Notwithstanding the increase in depth, the dwelling will provide a rear yard setback of 11.4 m (37 ft), which is approximately more 3.78 m (12.4 ft) more than what the by-law requires.

Increase in Maximum Net Floor Area Ratio

The applicant is requesting relief from the by-law to permit a maximum floor area ratio of 51.7 percent, whereas the by-law permits a maximum floor area ratio of 45 percent. The proposed increase in floor area ratio will facilitate the construction of a two-storey dwelling with a gross floor area of 410.91 m² (4,423 ft²), whereas the by-law permits a dwelling with

a maximum gross floor area of 357.45 m² (3,847.55 ft²). This represents an increase of 53.46 m² (575.43 ft²).

While the proposed dwelling is larger than the majority of the one-storey homes on the street that were originally developed in the 1950's, the main dwelling (excluding the porches) complies with all setbacks, lot coverage and building depth requirements ensuring the building envelope will be in keeping with the intended scale of infill developments for the neighbourhood. Staff note that efforts have been made to reduce the overall massing of the building by incorporating recessed second floors and wall articulation. It is the opinion of staff that the proposed dwelling is well designed with unique architectural elements that would complement the appearance and attractiveness of the existing streetscape.

PUBLIC INPUT SUMMARY

As of February 9th, 2017, no written submissions were received since the application was re-circulated. 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

Based on the discussion above, Staff recommend this application be deferred to provide the applicant an opportunity to work with TRCA to address the comments identified in the TRCA letter dated January 9th, 2018 (Appendix C) and to determine how the proposed dwelling and variances are impacted.

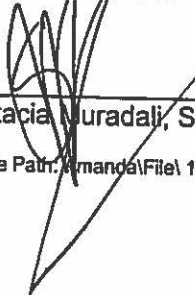
The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

PREPARED BY:



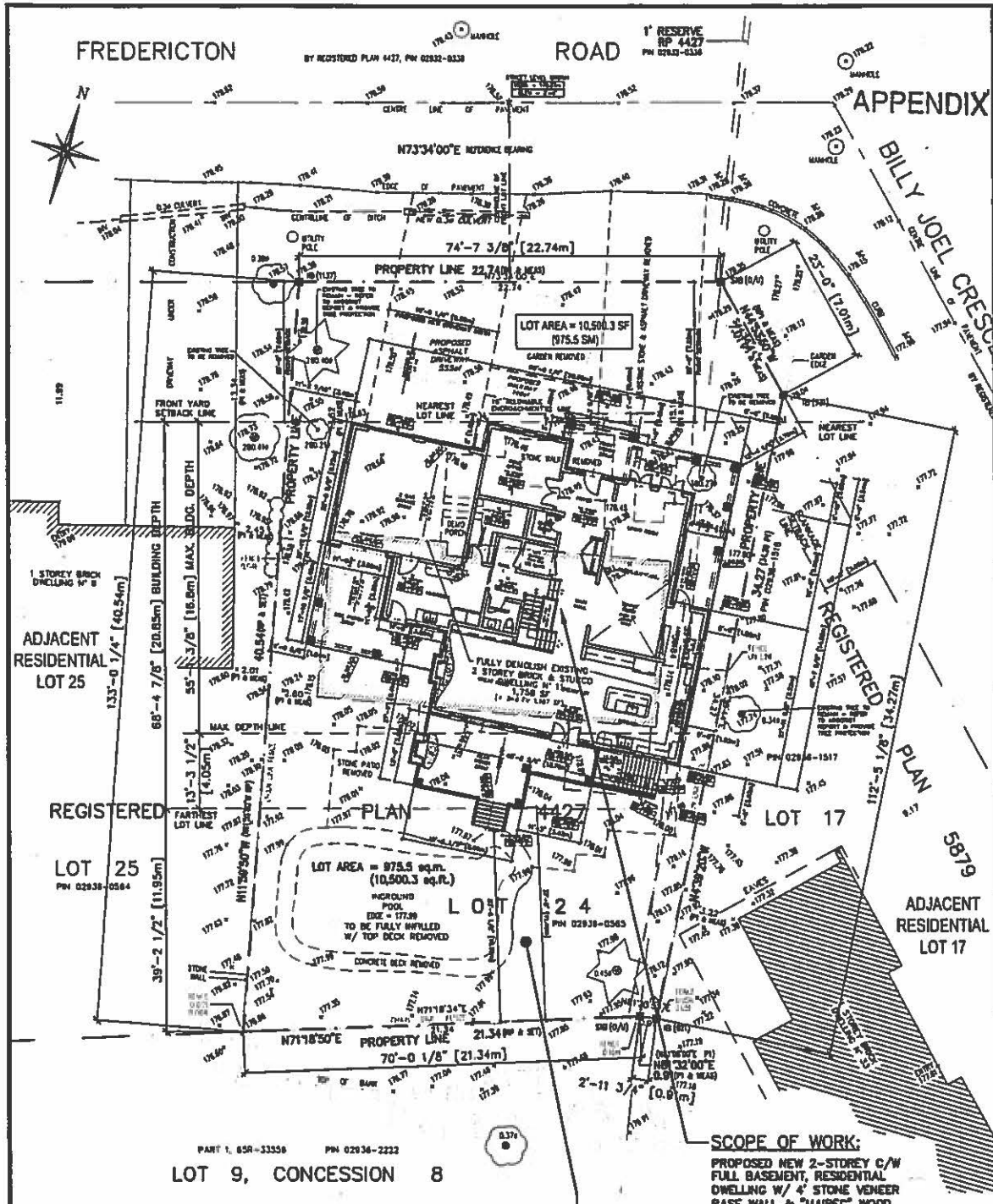
Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:



Stacia Muradali, Senior Planner, East District

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REFER TO ASK-3 - DATA FOR ZONE REQUIREMENTS
FOR R1-RESIDENTIAL INFILL - BY-LAW 1229 / 99-90:

SCOPE OF WORK:
PROPOSED NEW 2-STORY C/W
FULL BASEMENT, RESIDENTIAL
DOWELLING W/ 4" STONE VENEER
BASE WALL & "MAIBEC" WOOD
HORIZONTAL SIDING FINISH;
PROPOSED BUILDING FOOTPRINT
AREA = 3,723 SQ.FT. (346 SM)
(EXCLUDES 'WALKOUT')

2 SITE PLAN WITH PROPOSED NEW CUSTOM HOME
ASK SCALE 1 : 200 (SURVEY PLAN OF LOT 24 - PLAN 4427 and PART OF LOT 17 - PLAN 5879)

T.O. SUBFLR = +179.50m
T.O. FND WALL = +179.23m
T.O. B.SLAB = +176.52m
U/S F.T.C. = +176.21m

<p>CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com</p>	<p>PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1</p>	<p>PROJECT No. 17-080</p>
	<p>SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' SITE PLAN-LOT SURVEY W/ SITE DATA (1 : 200)</p>	<p>REFER TO ASK-1 to ASK-12</p>
	<p>DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1 : 200</p>	<p>ISSUED FOR: C.O.A. HEARING</p>
<p>PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE</p>		<p>DWG. No. ASK-2</p>

DATA FOR ZONE REQUIREMENTS FOR R1-RESIDENTIAL INFILL - By-law 1229/99-90:

i) ACTUAL LOT AREA = IRREGULAR 74.62 FT. LOT FRONTAGE X 133.02 FT. LOT DEPTH => 10,500.3 SQ.FT. (975.5 SM)

ii) MAX. FLOOR AREA RATIO SHALL BE 45% OF NET LOT AREA CALCULATED AS FOLLOWS:

NET LOT AREA = 6,600 SQ.FT. + 1/2 (ACTUAL LOT AREA - 6,600 SQ.FT.)
 6,600 SQ.FT. + 1/2 (10,500 SQ.FT. - 6,600 SQ.FT.)
 6,600 SQ.FT. + 1/2 (3,900 SQ.FT.)
 6,600 SQ.FT. + 1,950 SQ.FT.
 NET LOT AREA = 8,550 SQ.FT.

THUS, ALLOWED MAX. FLOOR AREA RATIO = 45% OF 8,550 SQ.FT. => 3,848 SQ.FT.

- iii) AREA OF PROPOSED FRONT COVERED PORCH = 385 SQ.FT. (35.7 SQ.M.)
- iv) AREA OF PROPOSED REAR COVERED PORCH = 369 SQ.FT. (34.3 SQ.M.)
- v) AREA OF PROPOSED SIDE PORCH = 308 SQ.FT. (28.6 SQ.M.)
- vi) AREA OF PROPOSED WALK-DUT = 75 SQ.FT. (7.0 SQ.M.)
- vii) PROPOSED GROUND LEVEL GROSS FLOOR AREA = 2,650 SQ.FT. (246.2 SQ.M.)
- viii) PROPOSED SECOND LEVEL GROSS FLOOR AREA = 1,773 SQ.FT. = (164.7 SQ.M.)

ix) DWELLING'S TOTAL LOT COVERAGE AREA = (385 + 369 + 308 + 2,650 + 11) SQ.FT. = 3,723 SQ.FT. (346 SQ.M.).
 3,723 SQ.FT. OF DWELLING COVERAGE AREA DIVIDED BY ACTUAL LOT AREA OF 10,500.3 SQ.FT. = 35.46% LOT COVERAGE IS GREATER THAN THE MAX. ALLOWABLE LOT COVERAGE OF 35% AND DOES NOT COMPLY WITH THE ZONING BY-LAW. THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 0.46% (48 SQ.FT.) OF ADDITIONAL LOT COVERAGE

x) PROPOSED 2-STORY DWELLING HAS BEEN DESIGNED WITH THE BUILDING HEIGHT AT ITS ROOF PEAK MEASURED VERTICALLY AT 34'-11 3/4" (10.66m) FROM THE EXISTING STREET CROWN AT GEOD. +178.57m (ELEV. - 3'-4") AND EXCEEDS THE ALLOWABLE 8.8m (32'-2") MAXIMUM BUILDING HEIGHT BY 2'-9 3/4" (0.857m), THUS NOT CONFORMING WITH THE ZONING BY-LAW REQUIREMENT.
 NOTE: BUILDING HEIGHT MEASURED FROM THE CROWN OF THE STREET WHICH IS 3'-4" (1.02m) BELOW THE GROUND SUBFLOOR ELEVATION SET AT + 0'-0" OR GEOD. +179.59m
 THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 0.857m (2'-9 3/4") ADDITIONAL BUILDING HEIGHT

xi) DWELLING'S PROPOSED BUILDING DEPTH HAS BEEN DESIGNED WITH A BUILDING DEPTH OF 68'-4 7/8" (20.85m), MEASURED TO THE REAR MIDDLE SOUTH-EAST CORNER OF THE PROPOSED 1-STORY EXTERIOR COVERED PORCH, AND DOES NOT CONFORM WITH THE ZONING BY-LAW REQUIREMENT OF THE MAXIMUM BUILDING DEPTH SET AT 18.8m (55'-1 3/8"). THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 4.05m (13'-3 1/2") ADDITIONAL BUILDING DEPTH

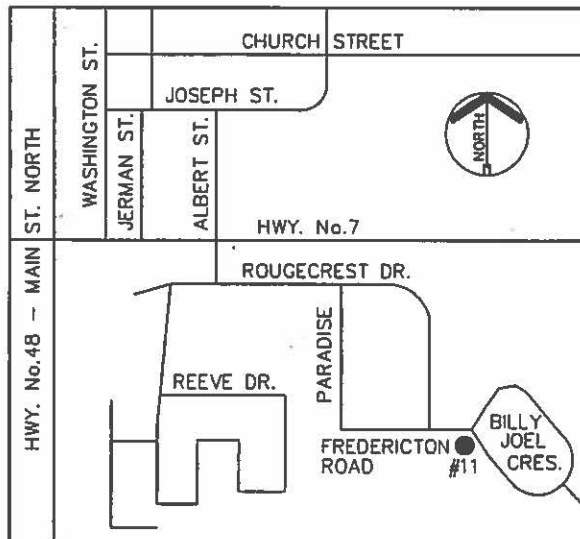
xii) DWELLING'S PROPOSED GROSS FLOOR AREA (GFA) = (GROUND FLOOR GFA 2,650 SQ.FT. + SECOND FLOOR GFA 1,773 SQ.FT.) = 4,423 SQ.FT. THUS, 4,423 SQ.FT. DIVIDED BY 8,550 SQ.FT. (NET LOT AREA) EQUALS 51.7% AND EXCEEDS THE ALLOWABLE MAX. FLOOR AREA RATIO SET AT 45% (OR 3,847.5 SQ.FT.) AND DOES NOT CONFORM WITH ZONING BY-LAW REQUIREMENT. THUS, THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED.
 NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 6.7% (575.8 SQ.FT.) OF ADDITIONAL GROSS FLOOR AREA

SITE STATISTIC FOR No. 11 FREDERICTON ROAD			
	CALCULATION NOTES	PROPOSED FLOOR AREA	TOTAL FLOOR AREA
FRONT PORCH	- NOT INCLUDED IN GFA CALCULATION	385 SQ.FT.	385 SQ.FT.
REAR PORCH	- NOT INCLUDED IN GFA CALCULATION	369 SQ.FT.	369 SQ.FT.
SIDE PORCH	- NOT INCLUDED IN GFA CALCULATION	308 SQ.FT.	308 SQ.FT.
REAR WALKOUT	- NOT INCLUDED IN LOT COVERAGE	75 SQ.FT.	75 SQ.FT.
2 CAR GARAGE	N/A	516 SQ.FT.	516 SQ.FT.
GROUND FLOOR VOID	- REDUCES GRND FLR GFA CALCULATION	11 SQ.FT.	11 SQ.FT.
GROUND FLOOR LIVING	N/A	2,134 SQ.FT.	2,134 SQ.FT.
GROUND FLOOR GFA	N/A	2,650 SQ.FT.	2,650 SQ.FT.
SECOND FLR REAR BALCONY	- NOT INCLUDED IN GFA CALCULATION	88 SQ.FT.	88 SQ.FT.
SECOND FLR TOTAL AREA	N/A	2,205 SQ.FT.	2,205 SQ.FT.
SECOND FLOOR VOIDS	- REDUCES 2ND FLOOR GFA CALCULATION	432 SQ.FT.	432 SQ.FT.
SECOND FLOOR GFA	N/A	1,773 SQ.FT.	1,773 SQ.FT.
LOT AREA	IRREGULAR 74.62' X 133.02'	= 10,500.3 SQ.FT.	
LOT COVERAGE	3,723 SQ.FT. / 10,500.3 SQ.FT. = 35.46 %		
GROSS FLOOR AREA	4,423 SQ.FT. / 8,550 SQ.FT. = 51.7 %		


3,723 SQ.FT. OF DWELLING AREA DIVIDED BY 10,500.3 SQ.FT. OF ACTUAL LOT AREA = 35.46% LOT COVERAGE IS GREATER THAN THE R1 DESIGNATION OF ZONING BY-LAW 1229 REQUIREMENTS OF THE MAX. LOT COVERAGE OF 35%. NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 0.46% (48 SQ.FT.) OF ADDED LOT COVERAGE.

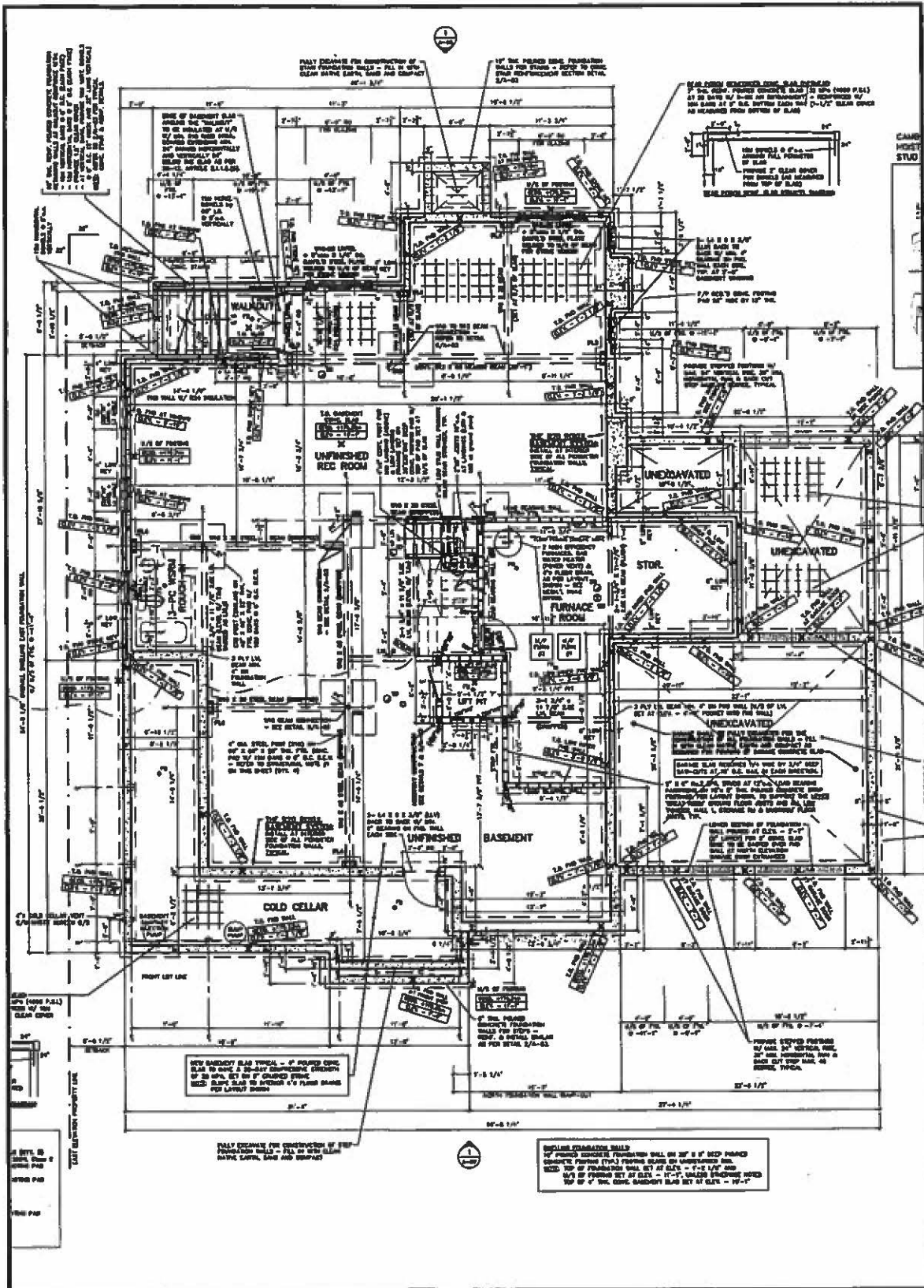
DWELLING'S TOTAL PROPOSED GROSS FLOOR AREA = (2,650 + 1,773) SQ.FT. = 4,423 SQ.FT. DIVIDED BY 8,550 SQ.FT. (NET LOT AREA) EQUALS 51.7% IS GREATER THAN THE ALLOWABLE MAX. FLOOR AREA RATIO SET AT 45% AND DOES NOT CONFORM WITH ZONING BY-LAW REQUIREMENT. THE PROPOSED DWELLING DESIGN SUBMISSION REQUIRES C.O.A. APPROVAL TO PROCEED. NOTE: MINOR VARIANCE - REQUIRE RELIEF OF 6.7% (575.8 SQ.FT.) OF ADDED GROSS FLOOR AREA.


SITE PLAN DATA FOR ZONING REVIEW:
 a) FRONT YARD TOTAL AREA = 2,255 SQ.FT. (209.5 SM)
 b) FRONT YARD HARD LANDSCAPING = 895 SQ.FT. (84.5 SM)
 - EQUALS 39.8% OF Front Yard
 c) FRONT YARD SOODED & SOFT LANDSCAPING = 1,360 SQ.FT. (145 SM)
 - EQUALS 60.2% OF Front Yard
 d) REAR YARD TOTAL AREA = 3,712 SQ.FT. (345 SM)
 - REAR YARD SOODED & SOFT LANDSCAPING at 100% = 3,712 SQ.FT. (345 SM)
 Note: NO REAR YARD HARD LANDSCAPING (No additional walkways or patios proposed)



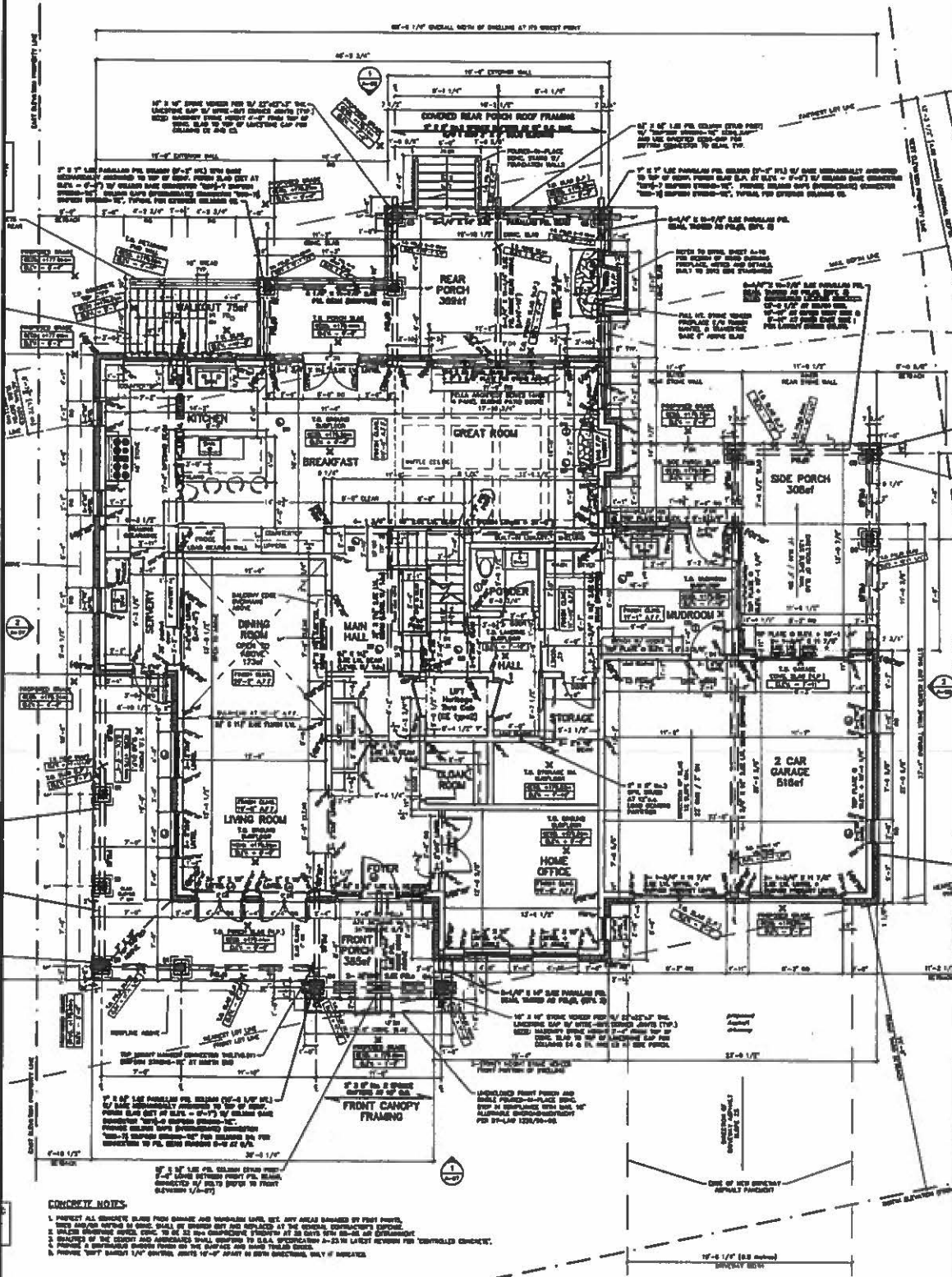
1 SITE KEY PLAN
 ASK-2 SCALE N/A

 CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' SITE DATA PER BY-LAW 1229/99-90 ZONE REQUIREMENTS	REFER TO ASK-1 to ASK-12
	DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: AS NOTED	ISSUED FOR: C.O.A. HEARING
	PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE	




 <p>sdg design CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com</p>	<p>PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1</p>	<p>PROJECT No. 17-080</p>
	<p>SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING FOUNDATION / BASEMENT PLAN</p>	<p>REFER TO ASK-1 to ASK-12 ISSUED FOR: C.O.A. HEARING</p>
	<p>DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"</p>	<p>DWG. No. ASK-4</p>
	<p>PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE</p>	

REFER TO ASK-7 FOR PROPOSED DWELLING GROUND FLOOR AREA CALCULATIONS:

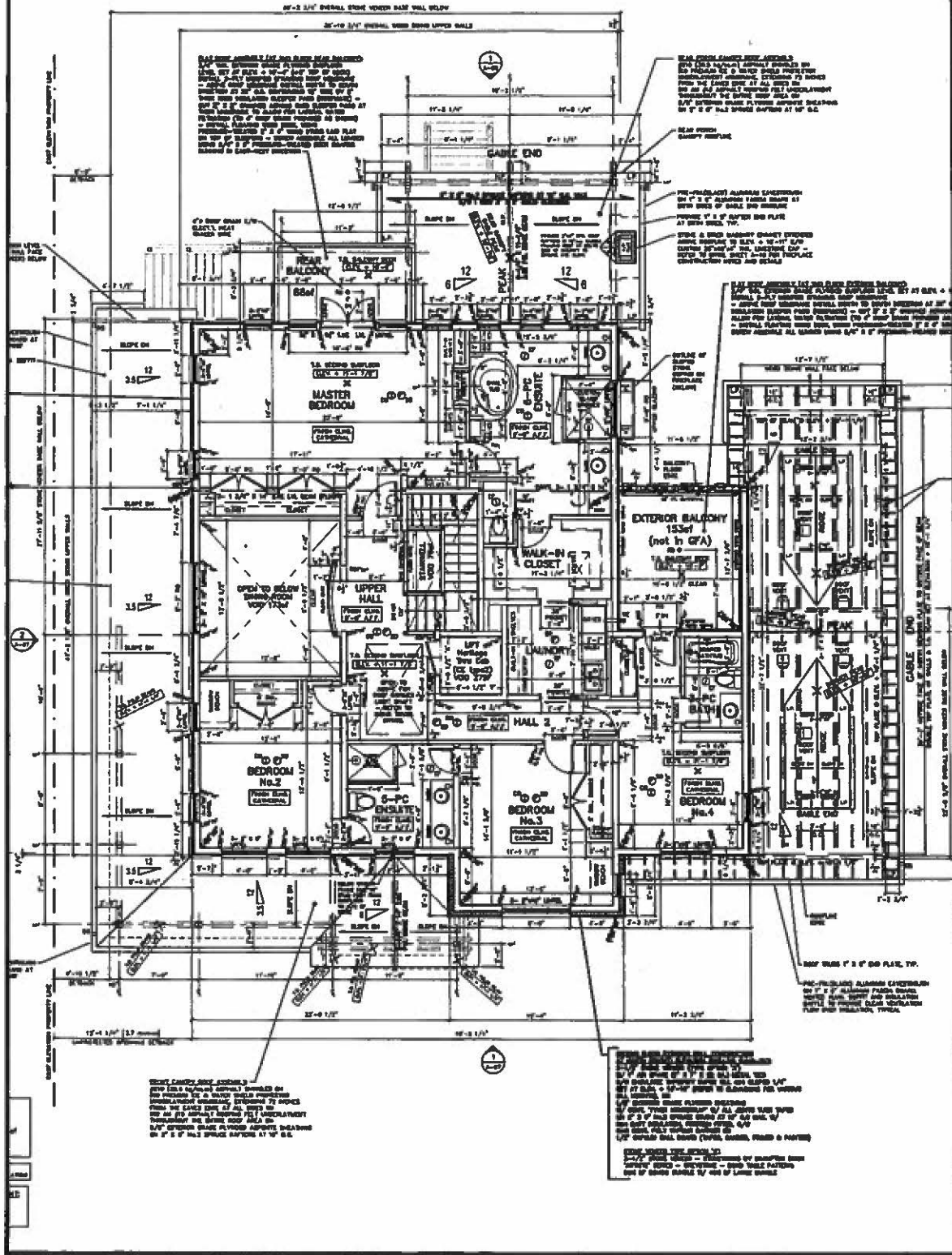



CONCRETE NOTES:

1. PERFECT ALL CONCRETE SLABS FROM SHIMMER AND BRUSHING DATE, SET. ANY AREAS DAMAGED BY FOOT PRINTS, TREE ANCHOR PATCHES OR OTHER SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
2. UNLESS OTHERWISE NOTED, CONC. TO BE 35 MPA COMPRESSIVE STRENGTH AT 28 DAYS WITH 5% AIR ENTRAINMENT.
3. SHAPES OF THE FORMS AND JOINTS SHALL BE AS SHOWN IN S.D.A. SPECIFICATION A-23 IN LATEST EDITION FOR "CONTROLLED CONCRETE".
4. FINISH: A FINISHABLE SURFACE FINISH ON THE SURFACE AND SMOOTH TYPICAL FINISH.
5. FINISH: "BUSH" FINISH 1/8" MINIMUM, JOINTS 1/4" MINIMUM IN BOTH DIRECTIONS, ONLY IF SPECIFIED.

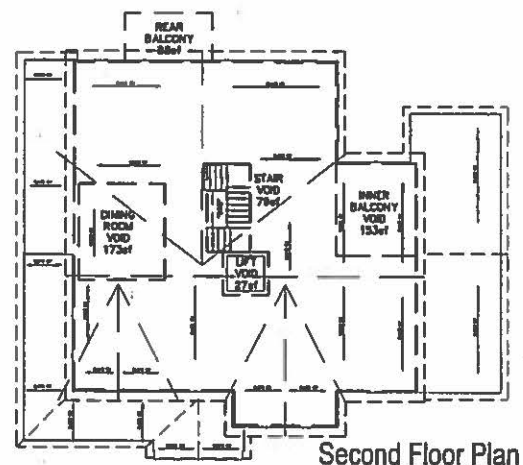
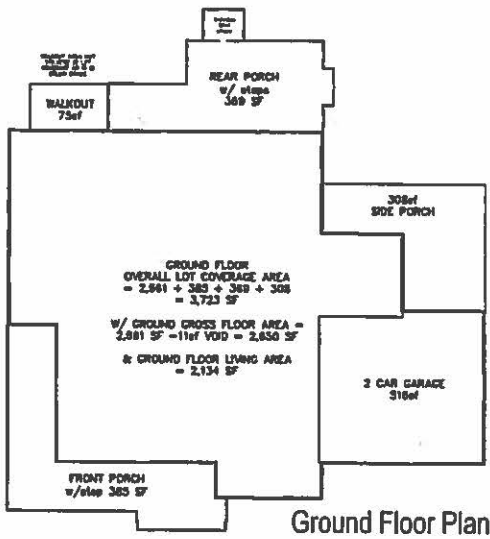
 CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL: 416-909-4452 FAX: 905-201-2275 sgd@sdgdesign.com	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING GROUND FLOOR PLAN	REFER TO ASK-1 to ASK-12 ISSUED FOR: C.O.A. HEARING
	DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"	DWG. No. ASK-5
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE		

REFER TO ASK-7 FOR PROPOSED DWELLING SECOND FLOOR AREA CALCULATIONS:



 CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-809-4452 FAX 905-201-2275 sgd@sdgdesign.com	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING SECOND FLOOR PLAN	REFER TO ASK-1 to ASK-12 ISSUED FOR: C.O.A. HEARING
	DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"	DWG. No. ASK-6
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE		

SECOND LEVEL GROSS FLOOR AREA DESIGNED AT 2,205 SF
 MINUS INNER BALCONY -153 SF = 2,052 SF
 MINUS STAIR VOID -79sf, LIFT VOID -27sf & DINING VOID -173sf
 =>
 (2,052 SF - 279 SF) = 1,773 SF



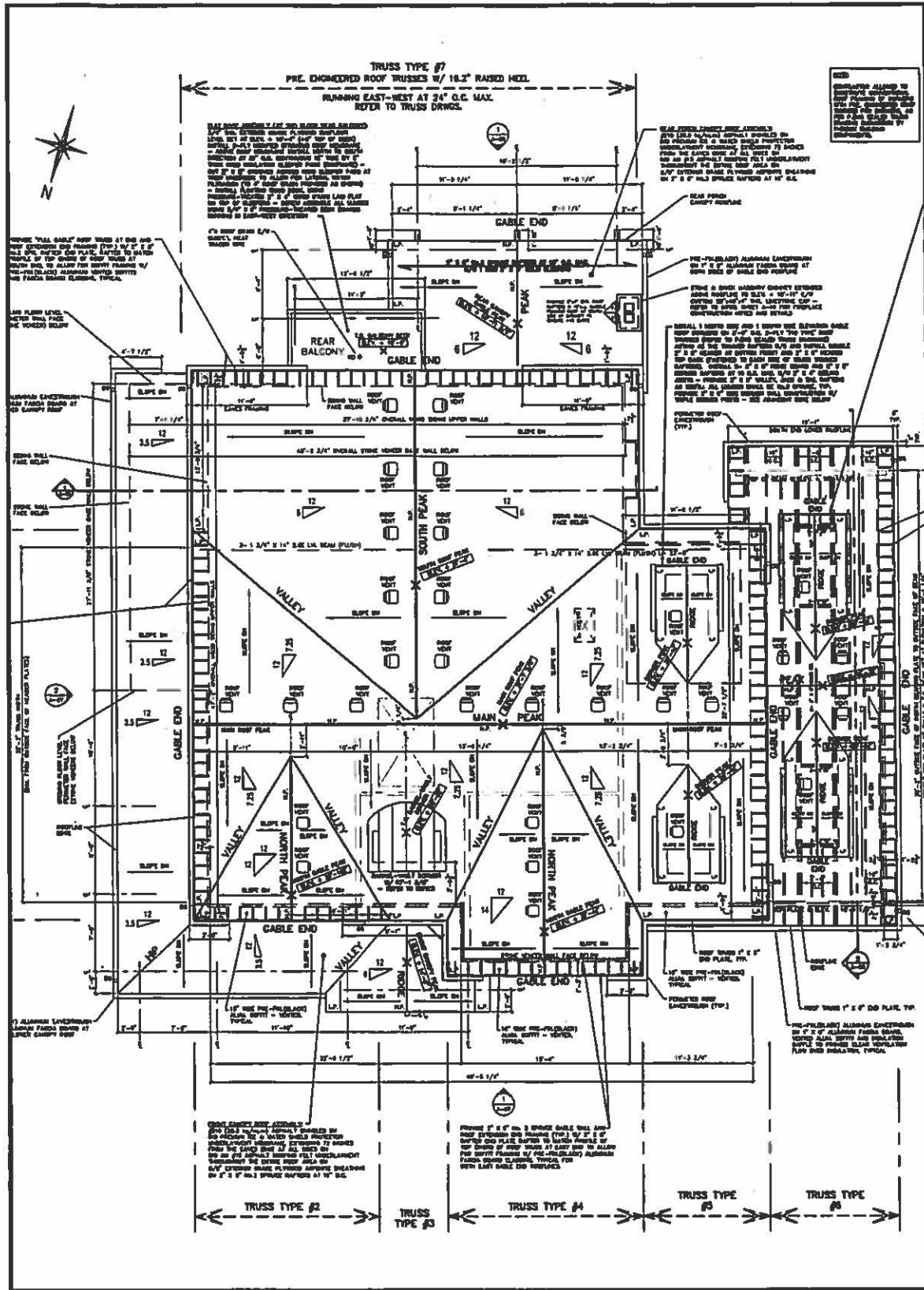
GROUND FLOOR OVERALL LOT COVERAGE AREA = 2,661 + 385 + 369 + 308 => 3,723 SF
 W/ GROUND GROSS FLOOR AREA = 2,661 SF - 11sf VOID (GROUND FLOOR GFA = 2,650 SF)
 NOTE: GROUND FLOOR LIVING AREA = 2,134 SF (as GARAGE AREA = 516 SF)


NOTE:
 AS PER BY-LAW 1229/99-90's DEFINITIONS THE 'WALKOUT' AREA OF 75 SF IS NOT INCLUDED IN LOT COVERAGE AS IT IS BELOW GRADE

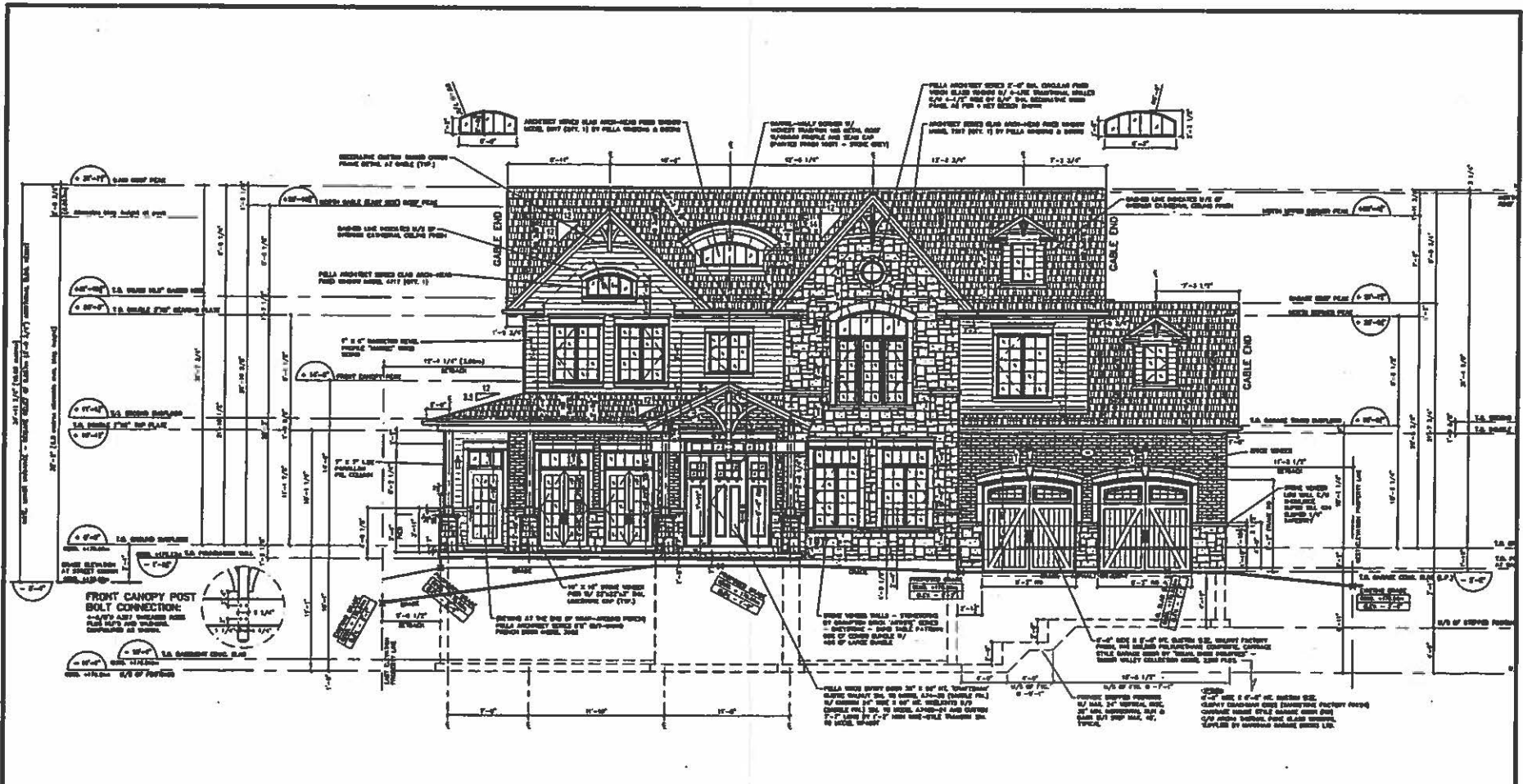
LOT AREA = 10,500.3 SF (975.5 SM)
 MAX. 35% OF LOT AREA = 3,675.1 SF MAX. ALLOWABLE AREA
 DWELLING LOT COVERAGE = 3,723 SF / 10,500.3 = 35.46%

GROUND FLOOR AREA CALCULATION FOR COMMITTEE OF ADJUSTMENT:
 GROUND FLOOR GFA = 2,650 SF
 + SECOND FLOOR GFA = 1,773 SF => 4,423 SF
 THUS 4,423 SF DIVIDED BY 8,550 SF NET LOT AREA = 51.7%

<p>CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT. L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@rogers.com</p>	PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1	PROJECT No. 17-080
	SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED GRND & SECOND FLR PLANS AREA CALCULATIONS	REFER TO ASK-1 to ASK-12 ISSUED FOR : C.O.A. HEARING
	DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: AS NOTED	DWG No. ASK-7
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE		



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	<p>SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' PROPOSED DWELLING OVERALL ROOF PLAN</p>	<p>REFER TO ASK-1 to ASK-12</p>
	<p>DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"</p>	<p>ISSUED FOR: C.O.A. HEARING</p>
	<p>PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE</p>	



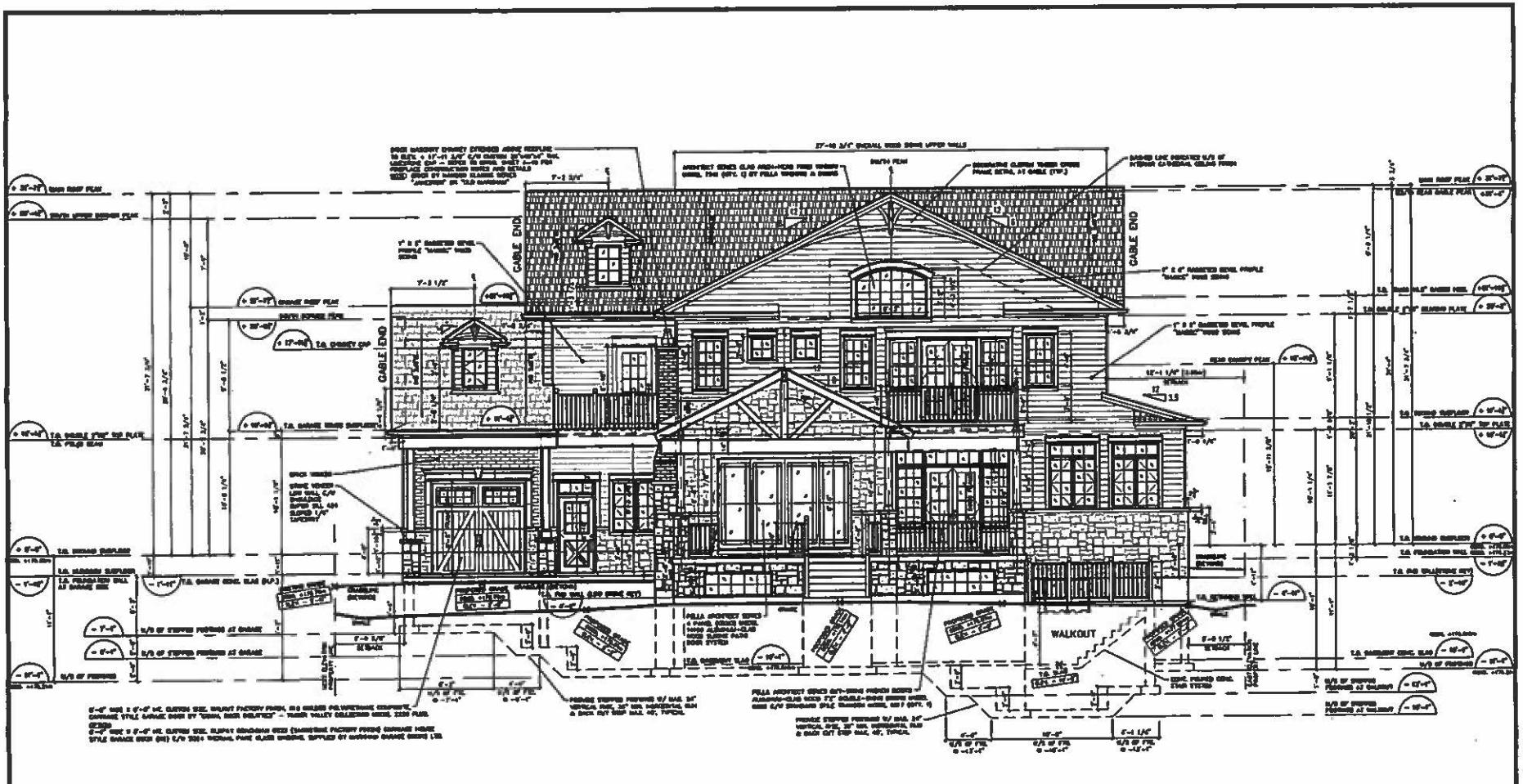
1 PROPOSED NORTH (FRONT) ELEVATION
 A-07 SCALE 1/4" = 1'-0"

sdg design
 CUSTOM HOMES & ADDITIONS
 416.909.4452
 34 ELM STREET
 MARKHAM, ONT. L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@rogers.com

PROJECT PROPOSED CUSTOM HOME
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1
 SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE'
 NORTH (FRONT VIEW ALONG FREDERICTON ROAD) ELEVATION
 DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"

PROJECT No. 17-080
 REFER TO ASK-1 to ASK-12
 ISSUED FOR: C.O.A. HEARING
 DWG. No. ASK-9

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE



1
A-08

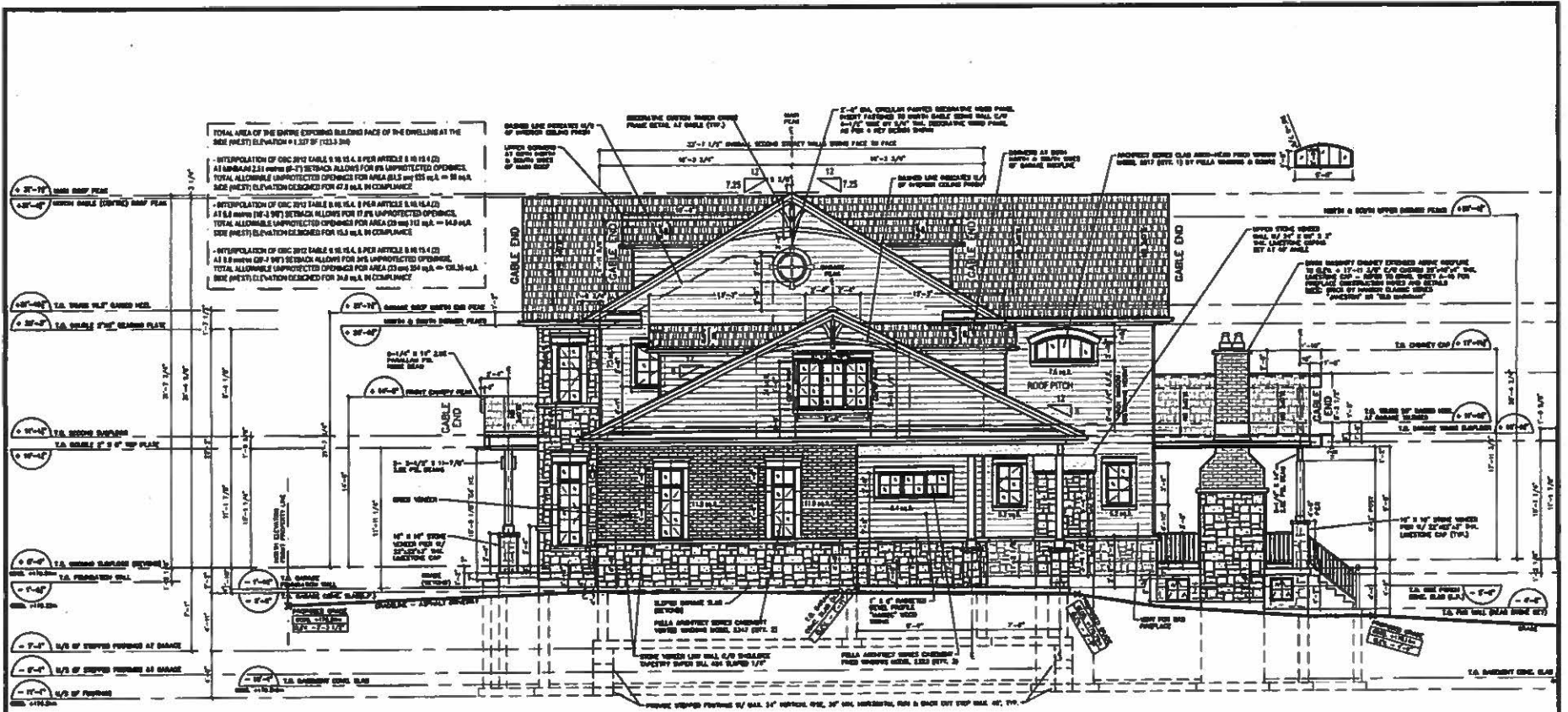
PROPOSED SOUTH (REAR) ELEVATION
SCALE 1/4" = 1'-0"

sdg design
CUSTOM HOMES & ADDITIONS
416.909.4452
34 ELH STREET
MARKHAM, ONT., L3P 2V5
CELL 416-909-4452
FAX 905-201-2275
sdgdesign@rogers.com

PROJECT **PROPOSED CUSTOM HOME**
11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1
SUBJECT **'THE SGOUROS & KALANTZIS RESIDENCE'**
PROPOSED DWELLING SOUTH (REAR) ELEVATION
DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1/8" = 1'-0"

PROJECT No. **17-080**
REFER TO ASK-1 to ASK-12
ISSUED FOR: **C.O.A. HEARING**
DWG. No. **ASK-10**

PREPARED FOR: **COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE**



2 PROPOSED WEST ELEVATION
 A-08 SCALE 1/4" = 1'-0"

sdg design
 CUSTOM HOMES & ADDITIONS
416.909.4452
 34 ELM STREET
 MARKHAM, ONT., L3P 2V5
 CELL 416-909-4452
 FAX 905-201-2275
 sdgdesign@rogers.com

PROJECT **PROPOSED CUSTOM HOME**
 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1

SUBJECT **'THE SGOUROS & KALANTZIS RESIDENCE'**
 PROPOSED DWELLING WEST (SIDE) ELEVATION

DRAWN BY SDG | ISSUE DATE 22 JAN 2018 | SCALE 1/8"=1'-0"

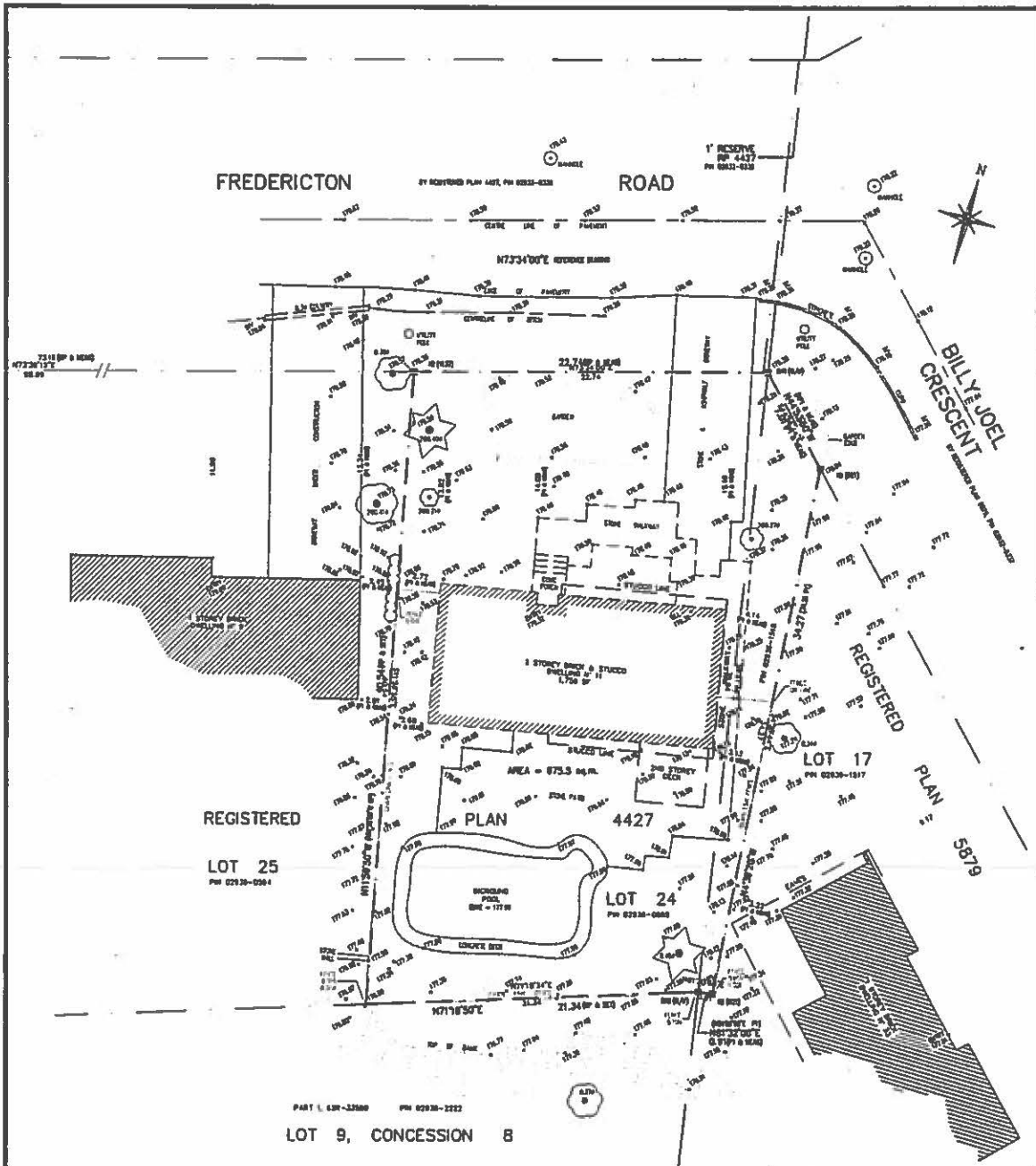
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

PROJECT No. **17-080**

REFER TO ASK-1 to ASK-12

ISSUED FOR: C.O.A. HEARING

DWG. No. **ASK-12**



SURVEYOR'S REAL PROPERTY REPORT

PART 1: PLAN OF
LOT 24
REGISTERED PLAN 4427 and
PART OF LOT 17
REGISTERED PLAN 5879
CITY OF MARKHAM
REGIONAL TOWNSHIP OF MARKHAM
REGIONAL MUNICIPALITY OF YORK
SCALE 1 : 250
E.W. BOWYER B.Sc., O.L.S.

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PART 2: REPORT

- 1 - THIS REPORT WAS PREPARED FOR A. SGOUROS & S. KALANTZIS.
- 2 - DIMENSIONS CONFORM SUBSTANTIALLY TO LEGAL DESCRIPTION.
- 3 - NO EASEMENTS ARE RECORDED ON TITLE.
- 4 - FENCES VARY FROM PROPERTY LINES AS SHOWN.
- 5 - NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

NOTE: THIS REPORT CAN BE UPDATED BY THIS OFFICE. NO ADDITIONAL CHARGES OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION.

LEGEND

[Symbol]	DENOTES SURVEY MONUMENT FOUND	SURVEY MONUMENT FOUND
[Symbol]	DENOTES HIGH BAR	DENOTES SURVEY MONUMENT PLANTED
[Symbol]	DENOTES STANDARD IRON BAR	DENOTES HIGH BAR
[Symbol]	DENOTES S. & S. BOWYER, B.S.C.	DENOTES STANDARD IRON BAR
[Symbol]	DENOTES REGISTERED PLAN 4427	DENOTES S. & S. BOWYER, B.S.C.
[Symbol]	DENOTES REGISTERED PLAN 5879	DENOTES REGISTERED PLAN 4427
[Symbol]	DENOTES UNBARRIED	DENOTES REGISTERED PLAN 5879
[Symbol]	DENOTES ORIGIN UNKNOWN	DENOTES UNBARRIED
[Symbol]	DENOTES NORTH, SOUTH, EAST, WEST	DENOTES ORIGIN UNKNOWN
[Symbol]	DENOTES CONFERENCES / OCCASIONS TREE	DENOTES NORTH, SOUTH, EAST, WEST

E. W. BOWYER INC.
ONTARIO LAND SURVEYORS
LAND DEVELOPMENT CONSULTANTS
1075 MARSHALL ROAD, SUITE 201A
MARKHAM, ONTARIO L3R 1A3
TEL: 905-949-8888 THE 905-949-8840
Pw 02930-0282/2018 990 Rev. 6-08 © VLP/UP/17/17-12/2018

BENCHMARK
ELEVATIONS ARE REFERRED TO IN METRES
ELEVATION = 178.00

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2023048

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYOR'S ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON 23 JULY 2017

DATE: 8 AUGUST 2017

E.W. Bowyer
E. W. BOWYER B.Sc., O.L.S.

THIS PLAN IS NOT VALID UNLESS IT IS IN CONFORMITY WITH THE SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.

READING NOTE: BEARINGS ARE AZIMUTHS AND ARE REFERRED TO THE SOUTH END OF FREDERICTON ROAD AS SHOWN ON REGISTERED PLAN 4427 HAVING A BEARING OF N 71° 34' 00" E.

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

<p>sdg design</p> <p>CUSTOM HOMES & ADDITIONS 416.909.4452 34 ELM STREET MARKHAM, ONT., L3P 2V5 CELL 416-909-4452 FAX 905-201-2275 sdgdesign@ogers.com</p>	<p>PROJECT PROPOSED CUSTOM HOME 11 FREDERICTON ROAD, MARKHAM, ON L3P 3C1</p>	<p>PROJECT No. 17-080</p>	
	<p>SUBJECT 'THE SGOUROS & KALANTZIS RESIDENCE' EXISTING 2017 SURVEY PLAN W/ ORIGINAL DWELLING (1:250)</p>	<p>REFER TO ASK-1 to ASK-12</p>	<p>ISSUED FOR: C.O.A. HEARING</p>
	<p>DRAWN BY: SDG ISSUE DATE: 22 JAN 2018 SCALE: 1 : 250</p>	<p>DWG. No. ASK-1</p>	<p>PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE</p>



Toronto and Region
Conservation
for The Living City®

March 16, 2018

CFN: 57057.20
X CFN: 58928

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: Variance Application - A/171/17 – Recirculation
11 Fredericton Road, Markham, ON
Anna Maria Sgouros & Nicholas Steve Kalantzis (Owner)
Stefano Di Guilio (Agent)

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/171/17

It is our understanding that the applicant is requesting relief from the requirements of By-law 1229, as amended, as it relates to a proposed residential dwelling.

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

- a. **Infill By-law 99-90, Section 1.2(i):**
A building height of 10.11 metres, whereas the By-law permits a maximum height of 9.8 metres;
- b. **Infill By-law 99-90, Section 1.2(iii):**
A maximum building depth of 21.14 metres, whereas the By-law permits a maximum depth of 16.8 metres;
- c. **Infill By-law 99-90, Section 1.2(vi):**
A maximum floor area ratio of 49.9 percent, whereas the By-law permits a maximum floor area ratio of 45 percent.

APPLICABLE TRCA REGULATIONS AND POLICIES

Ontario Regulation 166/06 (as amended):

The subject property is partially located within TRCA's Regulated Area, as the rear portion of the site is adjacent to a valley corridor 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.

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

Planning & Development:

As noted above, the subject property is within a TRCA Regulated Area of the Rouge River Watershed. To ensure development is appropriately setback from the limit of natural features and their associated hazards, TRCA typically requires a minimum 10 metre (m) buffer, which is considered part of the valley corridor, be established from the greater of the following constraints:

- The physical top of bank (TOB);
- The Regulatory Floodplain (i.e. greater of the Regional Storm or 100 Year Flood event standards);
- The limit of the Long Term Stable Top of Bank (LTSTOB); or,
- The limit of contiguous vegetation associated with the valley corridor.

The Regulatory Floodplain is contained within the valley corridor and does not extend on to the subject property. Furthermore, the TOB of the valley corridor appears to be adjacent to the rear property line. We note, the dripline of contiguous vegetation associated with the valley corridor does not extend upon the subject lands.

Based on the results of our site visit on December 7, 2017, the footprint of the proposed replacement dwelling is situated approximately 5m closer towards the TOB than the existing dwelling. Additionally, it is our understanding that the existing in-ground pool and concrete top decking will be infilled/removed. These structures/landscaping were observed to be approximately setback 5-6 metres from the TOB.

Please be advised, we recently reviewed a TRCA permit application (TRCA CFN #58928) to facilitate the construction of the proposed works. A Geotechnical Slope Stability Report, prepared by Perzia GeoSolutions, dated February 12, 2018 was submitted as part of a TRCA permit application. TRCA staff were generally satisfied with the methodology and results of the geotechnical assessment. Furthermore, it

was established that the greatest development constraint on the property was the LTSTOB. As such, TRCA staff are satisfied that the proposed replacement dwelling is appropriately setback approximately 13-14 metres from the LTSTOB.

Erosion and Sediment Controls (ESCs):

To prevent sediment from potentially leaving the subject site and from entering into the valley corridor, ESCs (i.e. silt fencing) are required. Should you wish to adhere to the above noted comments and proceed with the proposed works, please ensure that all relevant plans/drawings are revised to demonstrate that ESCs in accordance with TRCA's *Erosion and Sediment Control Guideline for Urban Construction, December 2006*. The ESCs should cover the full extent of the construction area associated with the proposed works throughout all phases of construction until the completion of the project. Please note, typical silt fencing details (OPSD 219.130) should be included on all relevant plans/drawings (see: Appendix C [C-26] of TRCA's Erosion and Sediment Control guidelines for Urban Construction, 2006 – <http://trca.on.ca/dotAsset/40035.pdf>).

RECOMMENDATION

In light of the comments noted above, TRCA staff have **no objections** to the approval of Minor Variance Application A/171/17 subject to the following condition being addressed to our satisfaction:

1. The application successfully obtains a TRCA permit pursuant to Ontario Regulation 166/06, as amended.

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

Sincerely,



Aidan Pereira
Planner I, Planning & Development
apereira@trca.on.ca
Extension 5723

AP/dc