

Memorandum to the City of Markham Committee of Adjustment

March 22nd, 2018

File: A/172/17
Address: 30 James Edward Drive, Markham
Applicant: Xuan Guo
Agent: Carneige Zhang
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 90-81, RSD4, as amended:

a) Amending By-law 2014-63, Section 15:

a north side yard setback of 0.99 metres to a side door, whereas the By-law requires a minimum side yard setback of 1.2 metres for a wall with a side door facing the interior side lot line;

b) Section 4.6 (a):

a maximum side yard encroachment of 0.75 m for the landing and steps, whereas the By-law permits a maximum encroachment of 0.45 m into any required yard for uncovered platforms or steps;

as it relates to an existing side door of an dwelling (see Photo 1).

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

According to the info provided by the agent, "The owner wants to open a side door."

Zoning Preliminary Review Undertaken

The applicant has completed that a Zoning Preliminary Review (ZPR) to confirm all the variances required for the application.

Comments

Engineering staff are of the opinion that the variance will have minimal impact on the adjacent property respecting drainage. Planning staff have no objection to the approval of the application. It should be noted that application does not include any request to allow a secondary suite in the basement.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 22nd, 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.

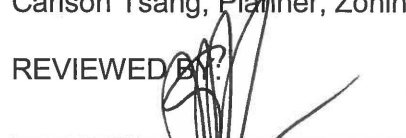
Please see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects

REVIEWED BY:



Stacia Murada, Senior Planner, East District
File Path: Amanda\Files\18 108872 \Documents\District Team Comments Memo

Photo 1




APPENDIX "A"

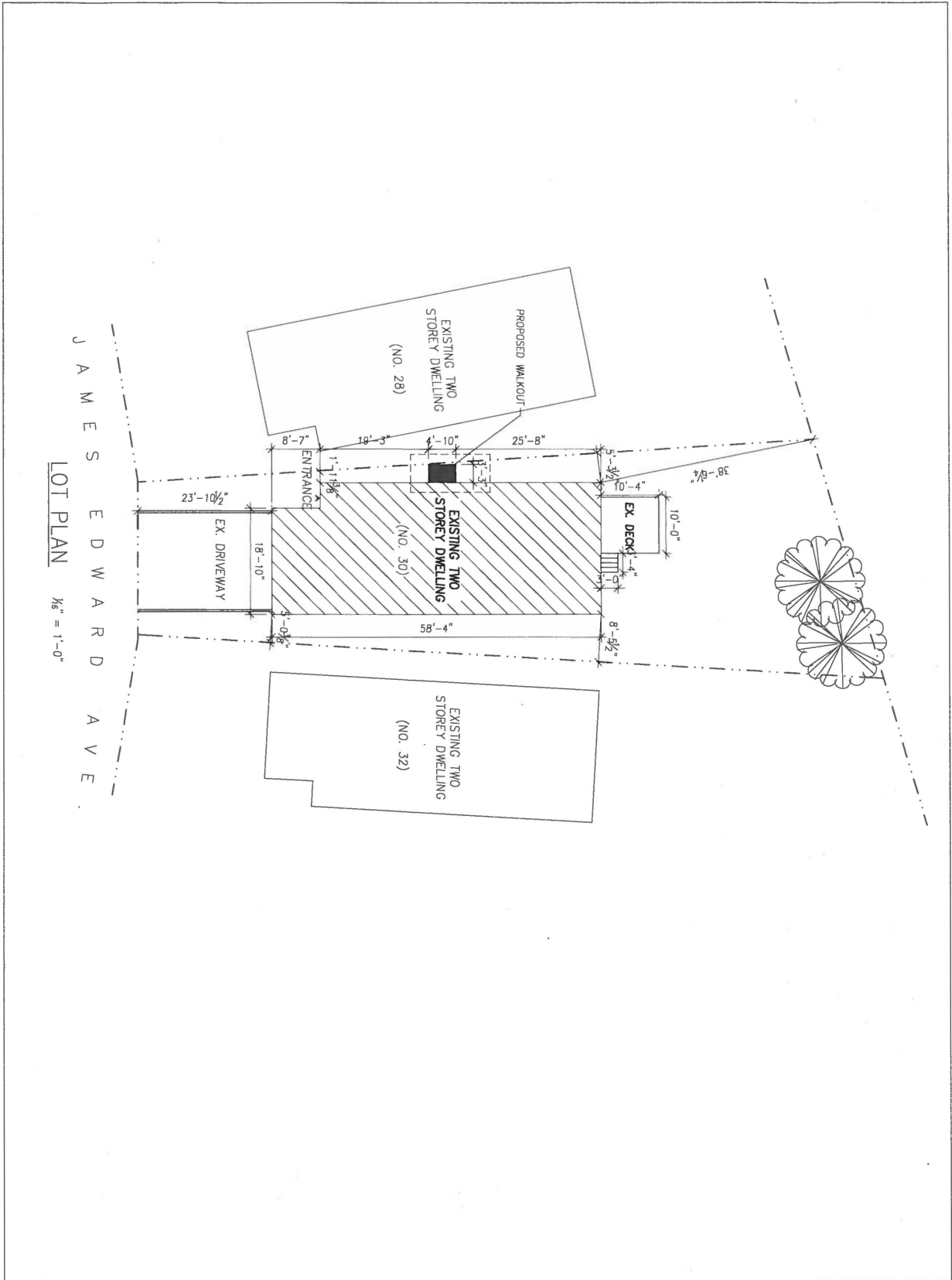
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/09/18

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix A' to this Staff Report and received on January 18th, 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.

PREPARED BY:



Carlson Tsang, Planner, Zoning and Special Projects



JAMES EDWARD AVE
 LOT PLAN
 $\frac{1}{8}'' = 1'-0''$

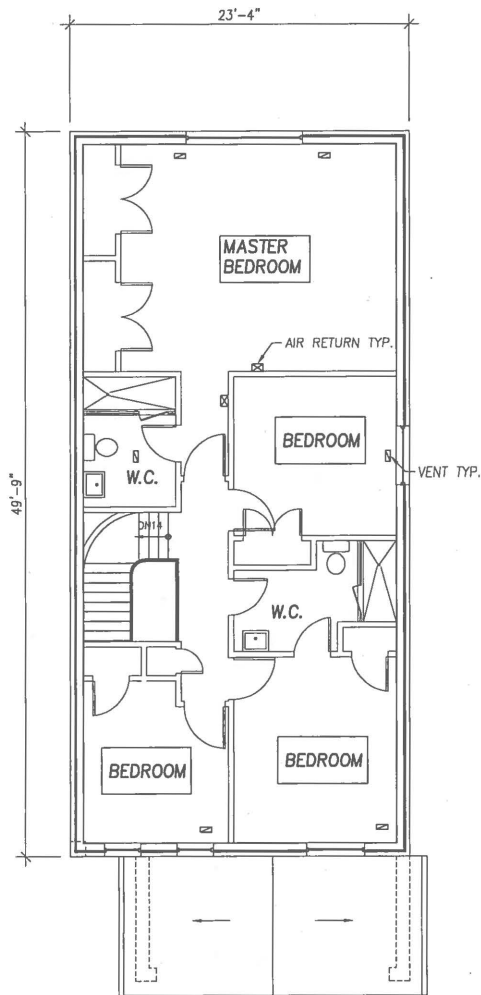
LHW ENGINEERING LTD.
 2046A PHARMACY AVE.
 SCARBOROUGH, ON M1T 1H8
 T: 416-299-8837, 647-923-4818
 LHW.ENGINEERING@GMAIL.COM



No.	Revision / Issue	Date
1	Issued for Minor Variance Application	22/11/17
2	Revised for Minor Variance Application	26/01/18

PROJ. TITLE
 30 JAMES EDWARD DR,
 MARKHAM, ON
 ENG. TITLE
 LOT PLAN

DATE NOV.22, 2017	DRAWN BY MX
SCALE AS SHOWN	ENGINEER BY BW
PROJ. NO. 171012	SPEC. NO. 01



SECOND FLOOR PLAN 1/8" = 1'-0"

SPECIFIED LOAD:
D.L. = 30 PSF
L.L. = 40 PSF

NOTES:
NO WORKS ON
SECOND FLOOR

CONSTRUCTION NOTES (UNLESS NOTED OTHERWISE)

ALL CONSTRUCTION TO BE CARRIED OUT IN CONFORMANCE WITH:

- THE ONTARIO BUILDING CODE (2012)
- ALL OTHER APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

EXCAVATION AND BACKFILL
EXCAVATION AND BACKFILL

- EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER SO AS TO PREVENT DAMAGE TO EXISTING STRUCTURES, ADJACENT PROPERTY AND UTILITIES.
- THE TOPSOIL AND VEGETABLE MATTER IN UNEXCAVATED AREAS UNDER A BUILDING SHALL BE REMOVED. THE BOTTOM OF EXCAVATIONS FOR FOUNDATIONS SHALL BE FREE OF ALL ORGANIC MATERIAL.

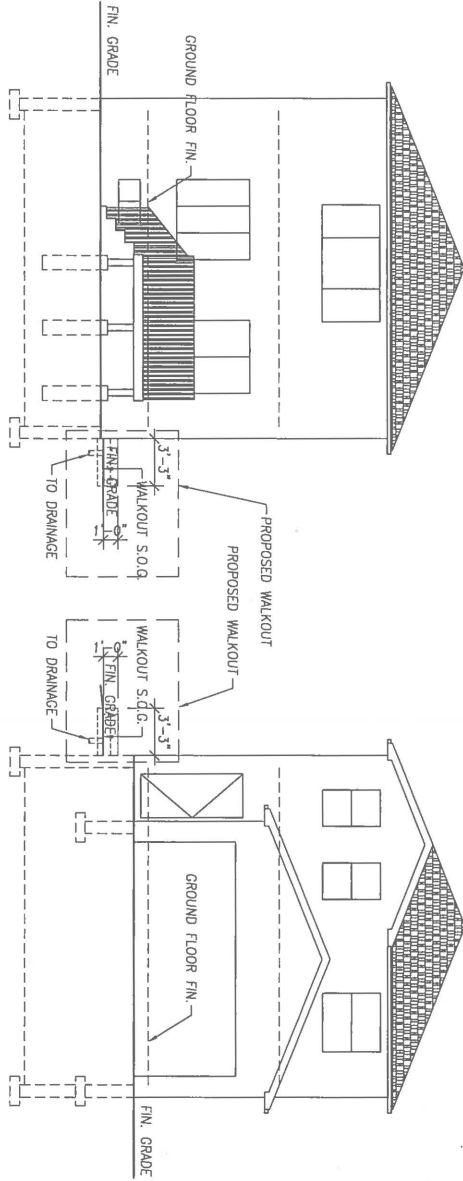
EXTERIOR SLABS AND CURBS

- 125MM(5") POURED CONC. 4650 PSI (32MPA) W/ 5-8% AIR ENTRAINMENT.

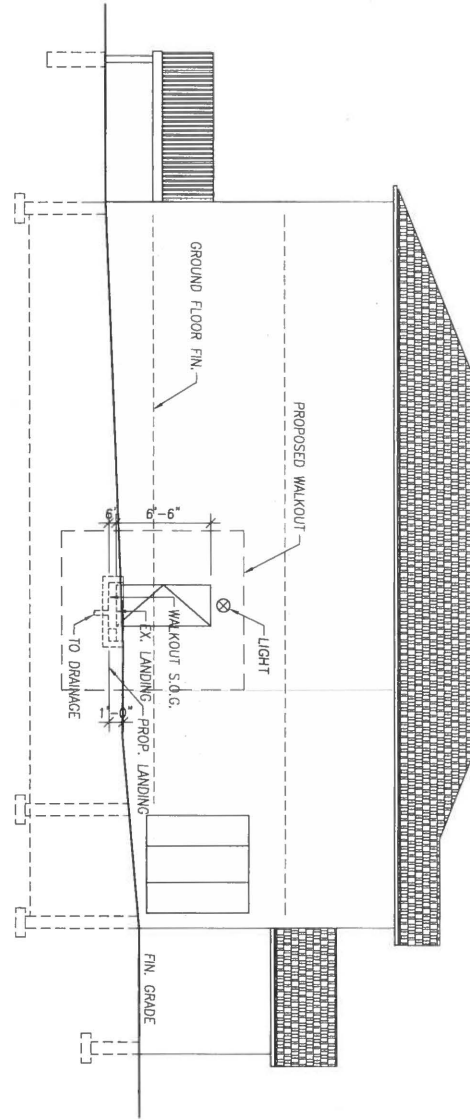
NOTE:
ALL FILL OTHER THAN COARSE CLEAN MATERIAL PLACED BENEATH CONCRETE SLABS SHALL BE COMPACTED TO PROVIDE UNIFORM SUPPORT.

DATE:	NOV/22, 2017	DATE:	22/11/17
SCALE:	AS SHOWN	DATE:	26/01/18
PROJ. NO.:	17102	NO.:	2
REV. NO.:	3 OF 5	REVISION / ISSUE:	Issued for Minor Variance Application
			Revised for Minor Variance Application
PROJ. TITLE:		30 JAMES EDWARD DR, MARKHAM, ON	
		INC. 1117 SECOND FLOOR PLAN	
LHW ENGINEERING LTD. 2046A PHARMACY AVE. SCARBOROUGH, ON M1T 1H8 T: 416-299-8837, 647-923-4818 LHW.ENGINEERING@GMAIL.COM			

EAST ELEVATION



NORTH ELEVATION



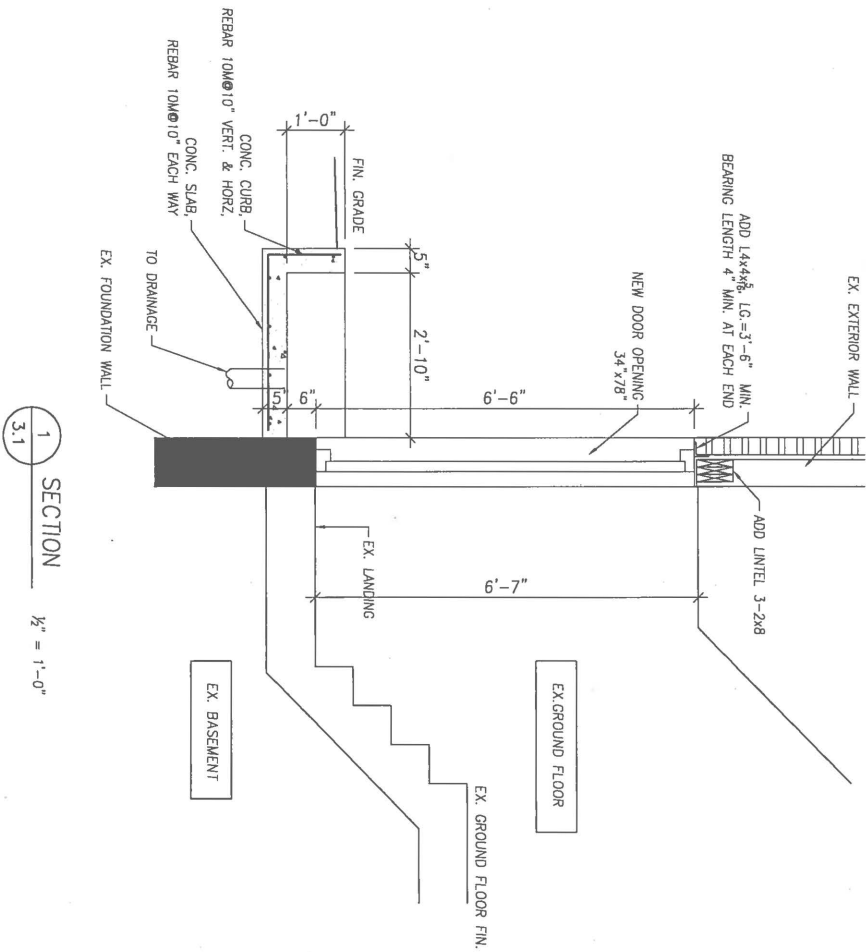
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No.	Revision / Issue	Date
1	Issued for Minor Variance Application	22/11/17
2	Revised for Minor Variance Application	26/01/18

PROJ. 1171A	30 JAMES EDWARD DR, MARKHAM, ON
INC. 1110F	ELEVATION PLANS

DATE	NOV.22, 2017	DRAWN BY	MX
SCALE	AS SHOWN	CHECKED BY	BW
FIG. NO.	171012	SHEET NO.	4 OF 5



1 SECTION
3.1
1/2" = 1'-0"

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PROJ. TITLE
**30 JAMES EDWARD DR,
 MARKHAM, ON**

INT. TITLE
SECTION

DATE
 NOV.22, 2017

SCALE
 AS SHOWN

PROJ. NO.
 171002

DRAWN BY
 MK

CHECKED BY
 BW

ERC. NO.
 5 OF 5

