

Memorandum to the City of Markham Committee of Adjustment

June 18, 2018

File: A/55/18
Address: 41 Morgan Ave, Thornhill
Applicant: Frank Pacitto
Agent: Frank Pacitto
Hearing Date: Wednesday June 27, 2018

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

The applicant is requesting relief from the following requirements of By-law 2237, as amended:

- a) **Section 6.1:**
a minimum front yard setback of 23.3 ft, whereas the By-law requires a minimum front yard setback of 27 ft;
- b) **Infill By-law 101-90 Section 1.2 (i.):**
a maximum building height of 9.49 m, whereas the By-law requires a maximum building height of 8.6 m;
- c) **Section 6.1:**
a maximum lot coverage of 38.2 percent, whereas the by-law requires a maximum lot coverage of 33 1/3 percent;
- d) **Infill By-law 101-90 Section 1.2 (iv.):**
a maximum building depth of 17.47 m, whereas the By-law requires a maximum building depth of 16.8 m;
- e) **Infill By-law 101-90 Section 1.2 (vii.):**
a maximum floor area ratio of 57.5 percent, whereas the By-law requires a maximum floor area ratio of 50 percent;

as they relate to a proposed addition to an existing detached dwelling.

BACKGROUND

Property Description

The 601.78 m² (6477.50 ft²) subject property is located on the south side of Morgan Avenue, east of Yonge Street. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. There is an existing two-storey detached 312.99 m² (3369.08 ft²) dwelling on the property, which according to assessment records was constructed in 1949.

Proposal

The applicant is proposing an addition above an existing porch at the front (north side) of the existing two storey detached dwelling. The proposal also includes the enlargement of a window at the front (north side) of the second floor.

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 2237

The subject property is zoned R4 'Fourth Density Residential' under By-law 2237, as amended, which permits a single detached dwelling. The proposed development does not comply with the by-law with respect to front yard setback and lot coverage.

Residential Infill Zoning By-law 101-90

The subject property is also subject to the Residential Infill Zoning By-law 101-90. 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 floor area ratio.

Zoning Preliminary Review Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. Consequently, it is the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variances 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

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.

Reduction in Front Yard Setback

The applicant is requesting relief to permit a minimum front yard setback of 23.3 ft (7.10 m), whereas the By-law requires a minimum front yard setback of 27 ft (8.23 m). This represents a difference of approximately 3.7 ft (1.13 m), or 13.7 percent.

Staff note a Minor Variance approval in 1979 for a minimum front yard setback from 27 feet to 21.66 ft (6.60 m), exclusively for a front covered porch with a concrete platform measuring 12 ft (3.66 m) in length and 5.33 ft (1.62 m) in width (Appendix C). As such, the existing front yard setback for the veranda is 21.66 ft and represents a difference of approximately 1.64 ft or 6 percent from the proposed front yard setback.

The proposed variance is entirely attributable to the covered front porch. The main front wall of the building provides a front yard setback of 28.28 ft (8.61 m) and is generally consistent with the established front yard setback pattern on the street. Staff are of the opinion that the proposed variance is appropriate for the lot and will have no adverse impacts.

Increase in Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 9.49 m (31.13 ft), whereas the By-law permits a maximum building height of 8.6 m (28.22 ft). This represents an increase of approximately 0.89 m (2.92 ft) or, 10.35 percent.

Staff note that in 1990 a Minor Variance application was approved to increase the maximum building height from 8.6 m to 8.75 m in order to permit the construction of a two-storey addition at the rear of the existing single family dwelling (Appendix D). This represents difference of approximately 0.74 m (2.43 ft) or 7.8 percent from the proposed height. During this time the Infill By-law was not passed and as such building height was not measured between the level of the crown of the street and the highest point of the surface. It should be noted that the first floor of the house is approximately 1.91m (6.27 ft) above the centre line.

The proposed variance is entirely attributable to a minor addition above the existing covered porch at the front of the house. Excluding this addition, the overall height of the main dwelling is generally consistent with what the by-law permits. Further the overall building height is generally in keeping with what currently exists. Staff are of the opinion that the proposed height of the dwelling, while larger than the existing neighbouring homes is generally compatible with the character of the area and will not add significantly to the vertical massing onto the street.

Increase in Maximum Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 38.2 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent. The existing lot coverage comprises of the main dwelling, an existing covered front porch, and rear accessory building. The proposed lot coverage includes a 5.34 m² (57.51 ft²) addition above the existing front porch. The main component of the building has a building area of 165.55m² (178 ft²) with a lot coverage of approximately 27.41 percent. Given that the addition is above the existing roofed porch, Staff are of the opinion that the increase in lot coverage will have no adverse impacts and is generally in keeping with the existing building.

Increase in Maximum Building Depth

The applicant is requesting relief to permit a maximum building depth of 17.47 m (57.31 ft), whereas the By-law permits a maximum building depth of 16.8 m (55.12 ft). This represents an increase of approximately 0.67 m (2.19 ft), or 4%.

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.

The variance includes a front covered porch which adds approximately 1.5 m (4.92 ft) to the overall depth of the building. The main component of the building, excluding the porch, has a depth of 15.97 m (52.39 ft) which complies with the by-law requirement. The existing detached dwelling provides generous setback between neighbouring properties minimizing overlooking opportunities. Staff are of the opinion that the proposed variance is appropriate for the lot.

Increase in Maximum Floor Area Ratio

The applicant is requesting relief to permit a floor area ratio of 57.5 percent, whereas the By-law permits a maximum floor area ratio of 50 percent. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 320.50 m² (3449.94 ft²), whereas the By-law permits a dwelling with a maximum floor area of 296.12 m² (3187.50 ft²). This represents an increase of approximately 24.38 m² (262.42 ft²). It is important to note that existing dwelling has

a floor area of 335.38 m² (3610 ft²) and a floor area ratio of 56.62 percent. The increase in floor area is in part, due to a minor front addition above the existing covered porch.

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area. It is not a definitive measure of the mass of the dwelling, since it does not include "open to below" areas that may exist within the dwelling (e.g. two-storey foyers, atriums and/or stairs). The proposal does not include any open to below area. Staff are of the opinion that the proposed variance, though an increase from what is permitted is generally in keeping with what currently exists.

PUBLIC INPUT SUMMARY

No written submissions were received as of June 18th, 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

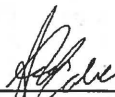
CONCLUSION

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 request meets the four tests of the Planning Act and have no objection. Staff recognize that the detached dwelling existed prior to the Infill By-law and that the applicant is applying for a minor variance for the proposed addition above the existing covered porch and in part, to comply with the Infill By-law. 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:



David Miller, Development Manager, West District

File Path: Amanda\File\ 18 232858 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/55/18

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 received by the City of Markham on *May 07 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. 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.
4. 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.
5. 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;
6. That the front and rear covered porches remain unenclosed.

CONDITIONS PREPARED BY:


Aqsa Malik, Planner, Zoning and Special Projects

Google Maps 40 Morgan Ave

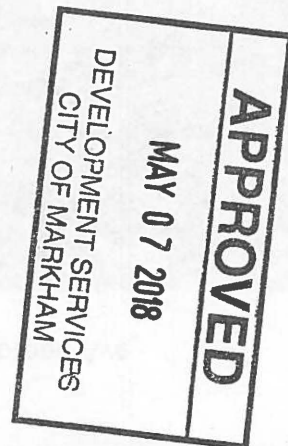


Markham, Ontario

Google, Inc.

Street View - Jul 2015

Image capture: Jul 2015 © 2018 Google

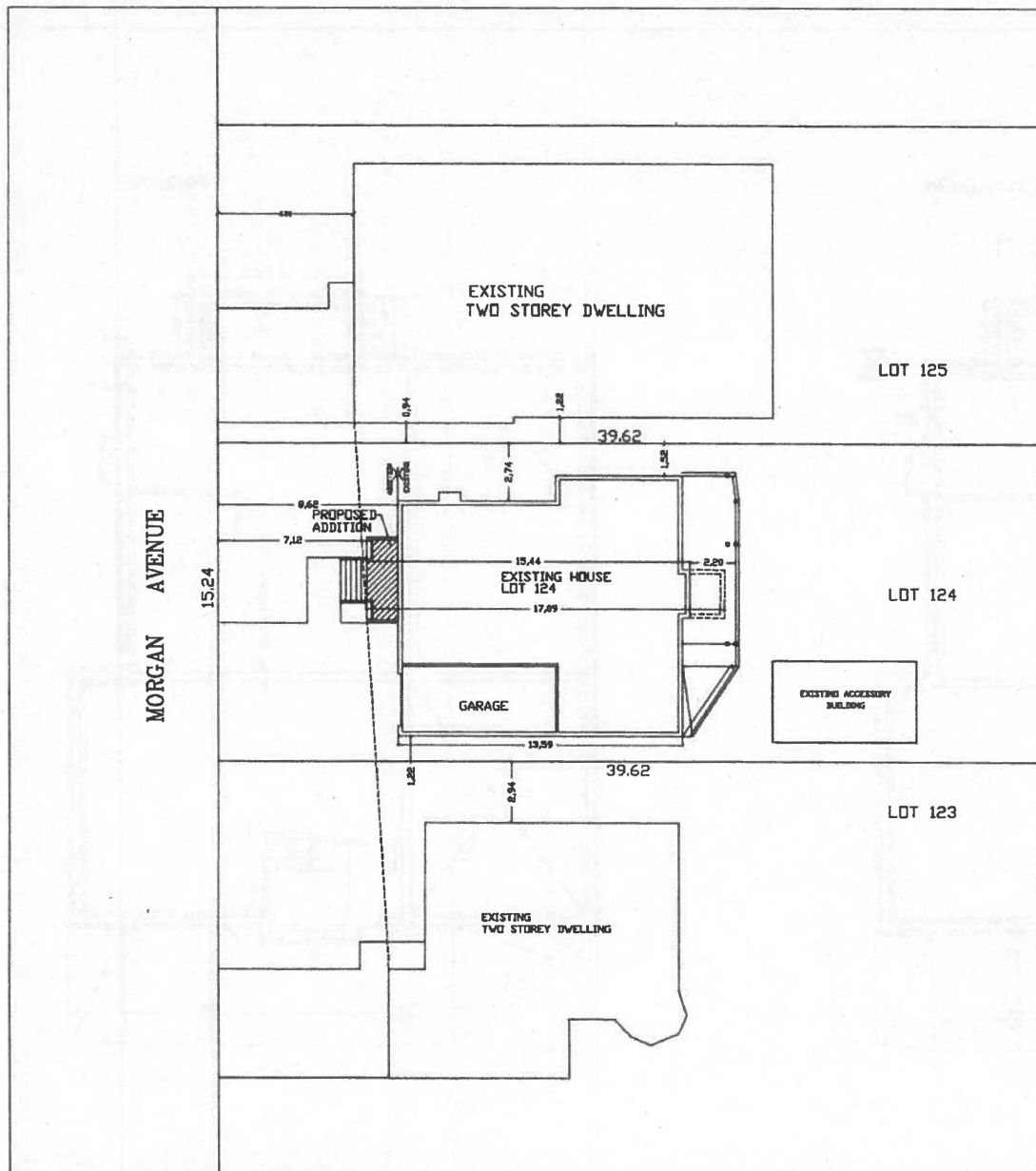


APPENDIX B

Google Maps 41 Morgan Ave



Imagery ©2018 Google, Map data ©2018 Google 10 m



DATE/REV	4	REVISION FOR BUILDING PERMIT	R.S.
DATE/REV	3	REVISION FOR BUILDING PERMIT	R.S.
DATE/REV	2	REVISION FOR BUILDING PERMIT	R.S.
DATE/REV	1	REVISION FOR BUILDING PERMIT	R.S.
DATE	NO.	DESCRIPTION	BY

MARK USED ALL POINTS DATED PREVIOUS TO FINAL DATE ABOVE.

REVISIONS

KEY TO DETAIL LOCATION
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DRAWING NUMBER

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED ON COMPLETION OF THE WORK. DRAWINGS ARE NOT TO BE SCALED.



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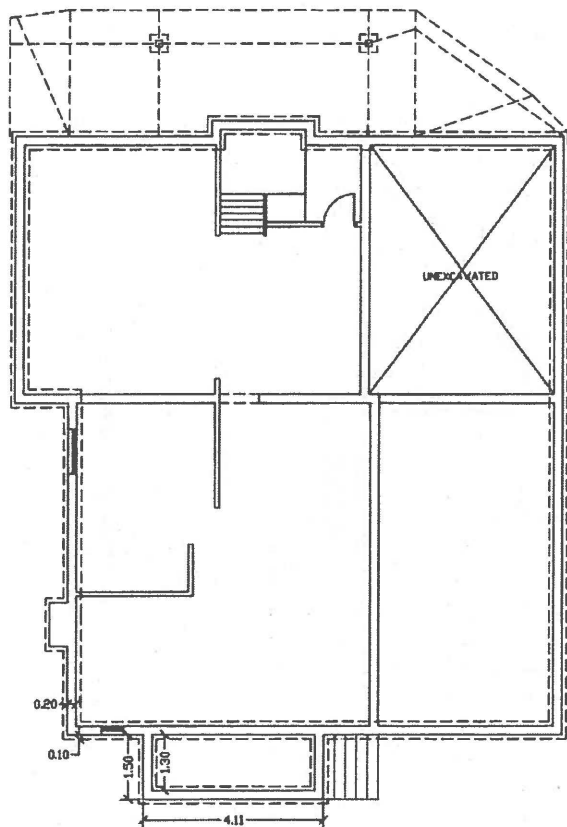
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**REDESIGN OF FRONT ELEVATION
41 MORGAN AVENUE
MARKHAM, ONTARIO**

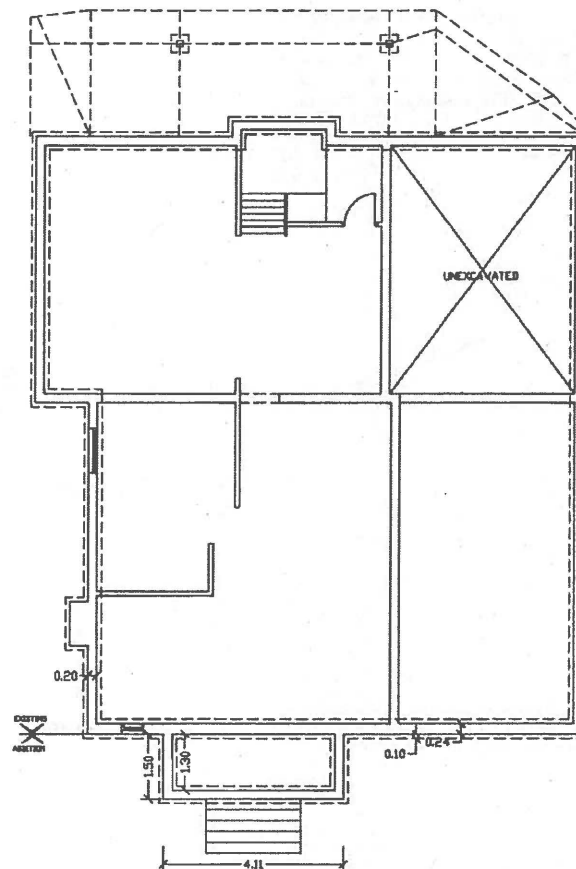
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SITE PLAN

DESIGN BY	CHECKED BY	SCALE
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DATE	PROJECT No.	DRAWING No.
MAY/ 2017	81717	A-1



BASEMENT



RENOVATED BASEMENT

NOV. 8/2007	4	RELEASED FOR BUILDING PERMIT	R.S.
NOV. 18/2007	5	RELEASED FOR BUILDING PERMIT	R.S.
AUG. 8/2007	6	RELEASED FOR BUILDING PERMIT	R.S.
APR. 7/2007	1	RELEASED FOR BUILDING PERMIT	R.S.
DATE	NO.	DESCRIPTION	BY

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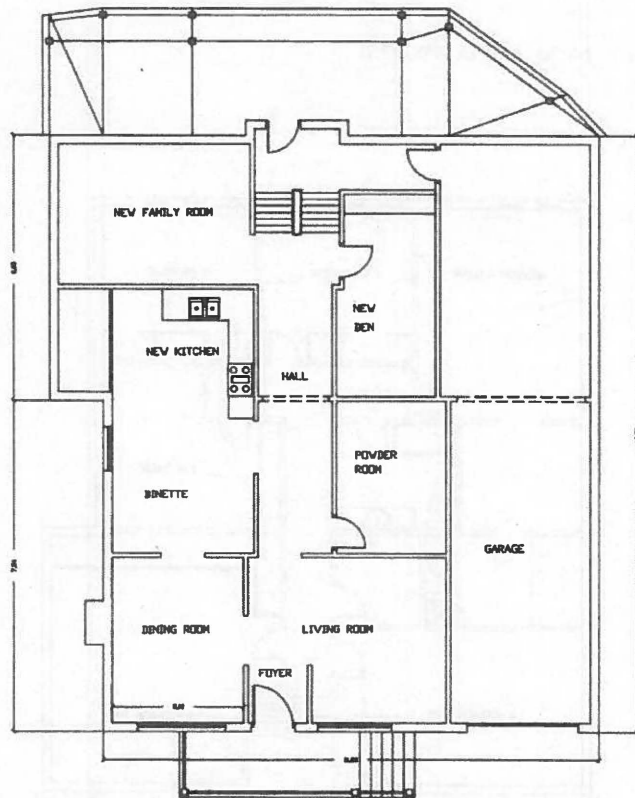
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SHEET TITLE

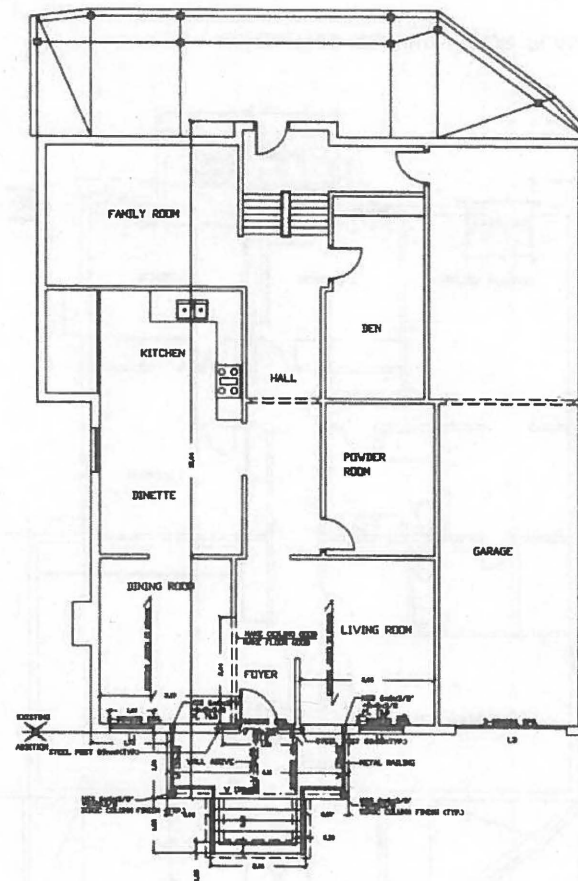
BASEMENT PLAN

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DATE	PROJECT No.	DRAWING No.
MAY/ 2017	81717	A-2

Steel Lintels:
 L1 = 3 1/2"x3 1/2"x1/4" (4' max. span)(4" brg.)
 L2 = 5"x3 1/2"x5/16" (7' max. span)(6" brg.)
 L3 = 6"x4"x5/8" (8' max. span)(6" brg.)



EXISTING GROUND FLOOR PLAN



RENOVATED GROUND FLOOR PLAN

DATE	NO.	DESCRIPTION	BY
MAY/2008	1	PREPARED FOR BUILDING PERMIT	R.S.
MAY/2007	4	PREPARED FOR BUILDING PERMIT	R.S.
MAY/2007	5	PREPARED FOR BUILDING PERMIT	R.S.
APRIL/2007	8	PREPARED FOR BUILDING PERMIT	R.S.
APRIL/2007	1	PREPARED FOR BUILDING PERMIT	R.S.

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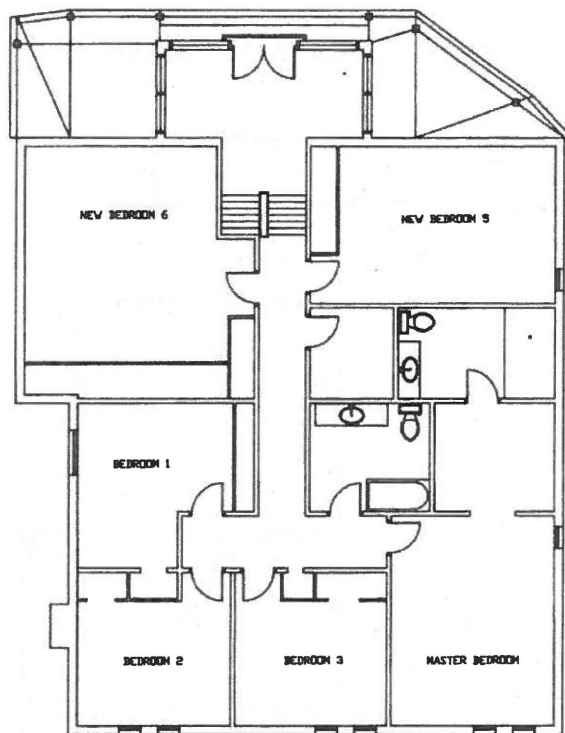
PROJECT TITLE

REDESIGN OF FRONT ELEVATION
 41 MORGAN AVENUE
 MARKHAM, ONTARIO

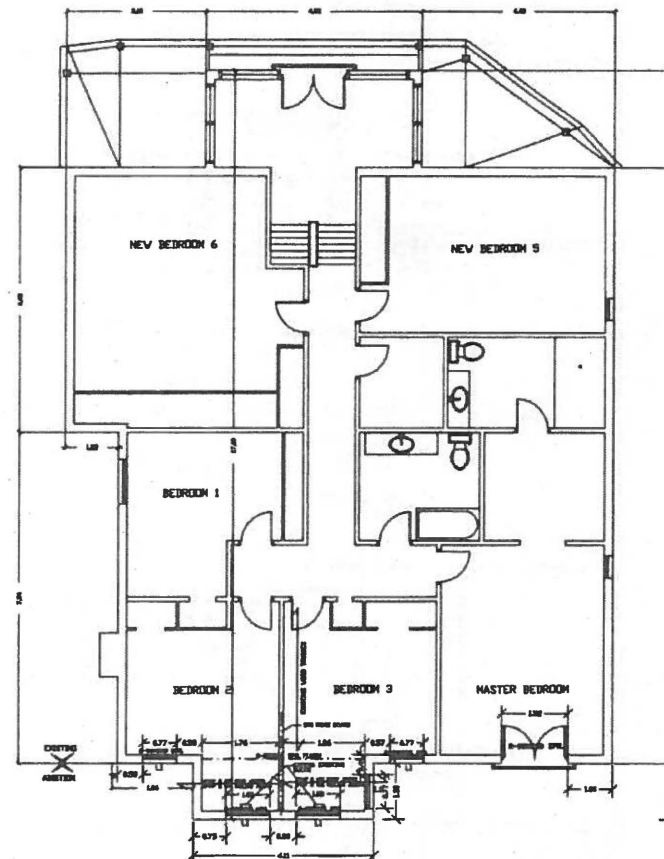
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GROUND FLOOR PLAN

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MAY/2017	81717	A-3



SECOND FLOOR PLAN



RENOVATED SECOND FLOOR PLAN

Steel Units :
 L1 = 3 1/2"x3 1/2"x1/4" (4' max. span)(4' brg.)
 L2 = 5"x3 1/2"x5/16" (7' max. span)(6' brg.)
 L3 = 6"x4 1/2"x5/8" (9' max. span)(6' brg.)

DATE	NO.	DESCRIPTION	BY
MAY 8/2017	1	RELEASED FOR BUILDING PERMIT	R.S.
MAY 8/2017	4	RELEASED FOR BUILDING PERMIT	R.S.
OCT 18/2017	5	RELEASED FOR BUILDING PERMIT	R.S.
NOV 8/2017	6	RELEASED FOR BUILDING PERMIT	R.S.
APR 17/2017	1	RELEASED FOR BUILDING PERMIT	R.S.

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PROJECT TITLE

**REDESIGN OF FRONT ELEVATION
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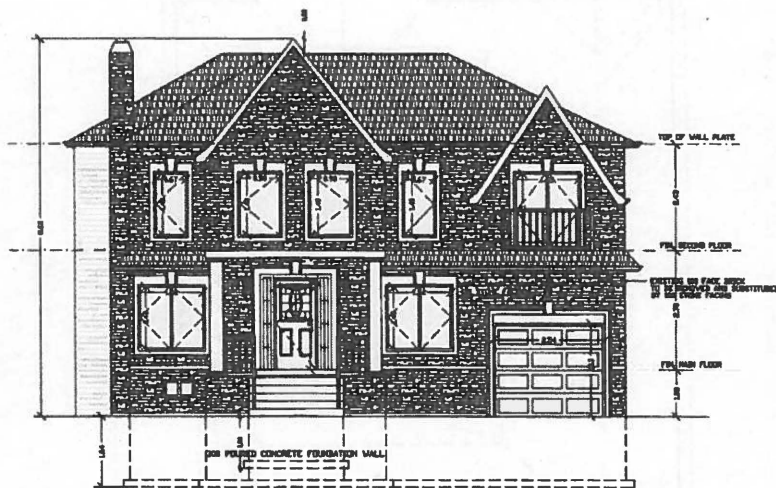
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**SECOND FLOOR PLAN
 ELEVATIONS**

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MAY/2017	81717	A-4



EXISTING NORTH ELEVATION



RENOVATED NORTH ELEVATION

DATE	NO.	DESCRIPTION	BY
APRIL 1, 2017	1	RELEASED FOR BUILDING PERMIT	R.S.
MAY 1, 2017	2	RELEASED FOR BUILDING PERMIT	R.S.
JUNE 1, 2017	3	RELEASED FOR BUILDING PERMIT	R.S.
JULY 1, 2017	4	RELEASED FOR BUILDING PERMIT	R.S.

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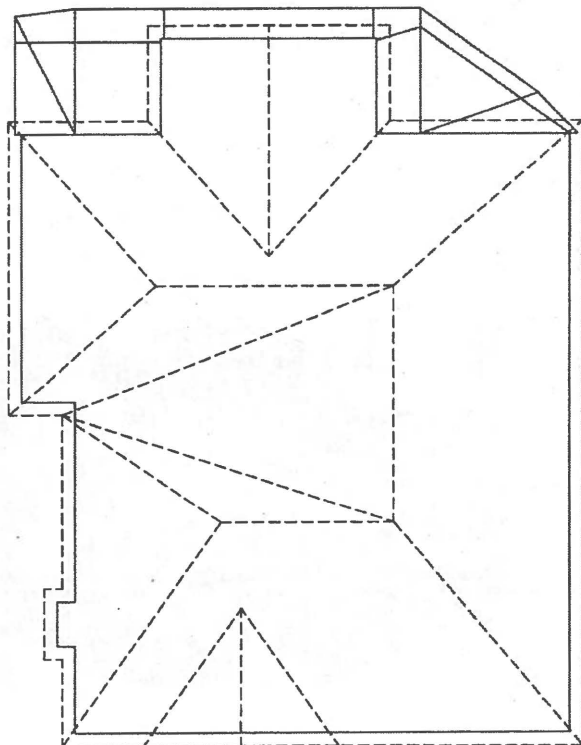
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REDESIGN OF FRONT ELEVATION
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 MARKHAM, ONTARIO

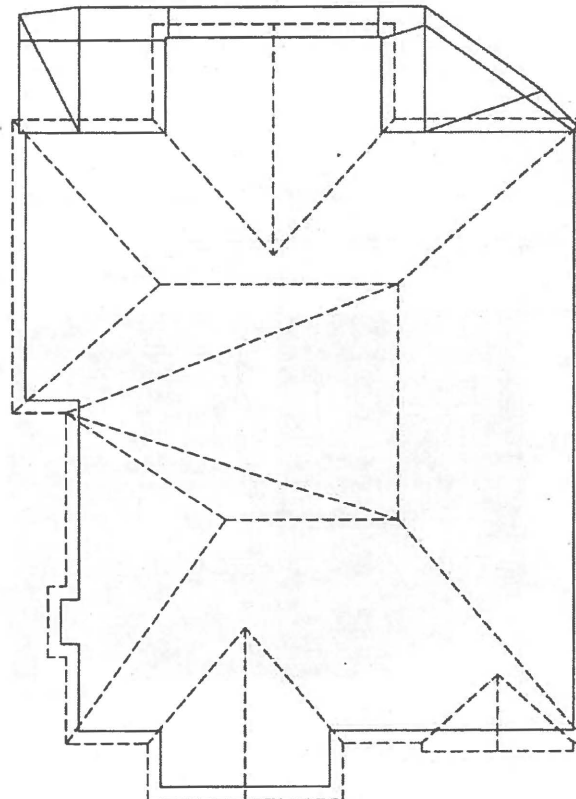
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ROOF PLAN

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MAY/ 2017	81717	A-5



ROOF PLAN



RENOVATED ROOF PLAN

REV. NO./DATE	4	REDESIGNED FOR BUILDING PERMIT	R.S.
REV. NO./DATE	3	REDESIGNED FOR BUILDING PERMIT	R.S.
REV. NO./DATE	2	REDESIGNED FOR BUILDING PERMIT	R.S.
REV. NO./DATE	1	REDESIGNED FOR BUILDING PERMIT	R.S.
DATE	NO.	DESCRIPTION	BY

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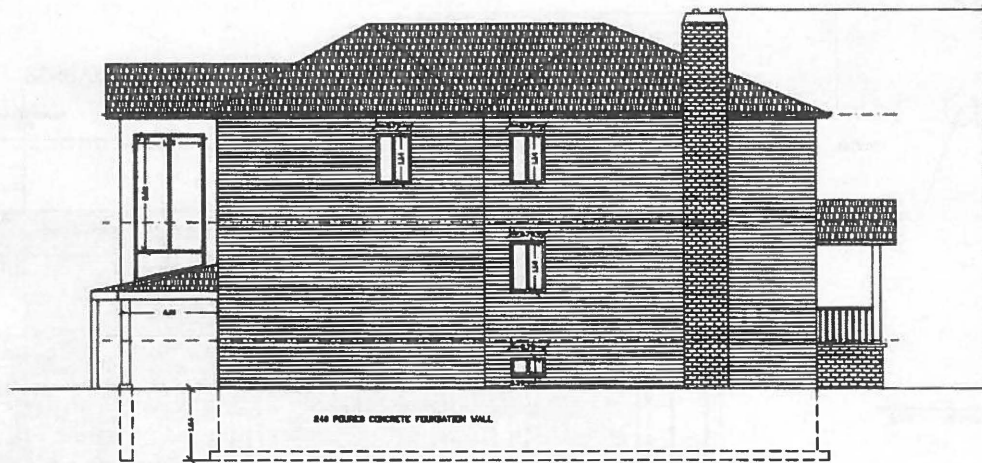
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ROOF PLAN

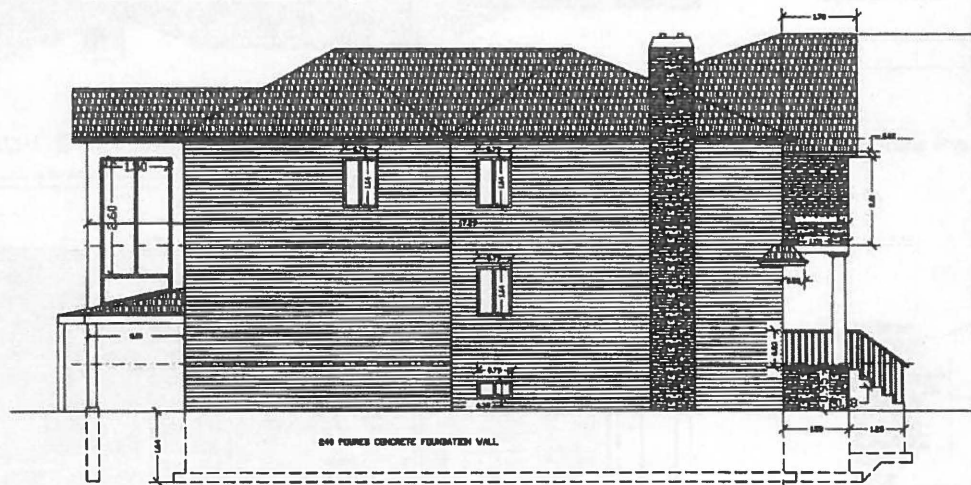
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DATE	PROJECT NO.	DRAWING NO.
MAY/ 2017	81717	A-6



EXISTING EAST ELEVATION

DISTANCE CALCULATIONS FOR LEFT SIDE ELEVATION
IN ACCORDANCE WITH 9.10.14.4.(1) OF THE ONTARIO BUILDING CODE

WALL	AREA OF OPENING (m ²)	AREA OF OPENING (m ²)	EXISTING DISTANCE LESS THAN 2 (m)	PERMITTED MAX. # OF OPENINGS	PROPOSED # OF OPENINGS
RIGHT SIDE	0.57	0.53	1.20	7	0.54



RENOVATED LEFT ELEVATION

DISTANCE CALCULATIONS FOR RENOVATED LEFT SIDE ELEVATION
IN ACCORDANCE WITH 9.10.14.4.(1) OF THE ONTARIO BUILDING CODE

WALL	AREA OF OPENING (m ²)	AREA OF OPENING (m ²)	EXISTING DISTANCE LESS THAN 2 (m)	PERMITTED MAX. # OF OPENINGS	PROPOSED # OF OPENINGS
RIGHT SIDE	0.54	0.50	1.20	7	0.50

DATE/REV	4	RELEASED FOR BUILDING PERMIT	R.S.
DATE/REV	3	RELEASED FOR BUILDING PERMIT	R.S.
DATE/REV	2	RELEASED FOR BUILDING PERMIT	R.S.
DATE/REV	1	RELEASED FOR BUILDING PERMIT	R.S.

DATE	NO.	DESCRIPTION	BY
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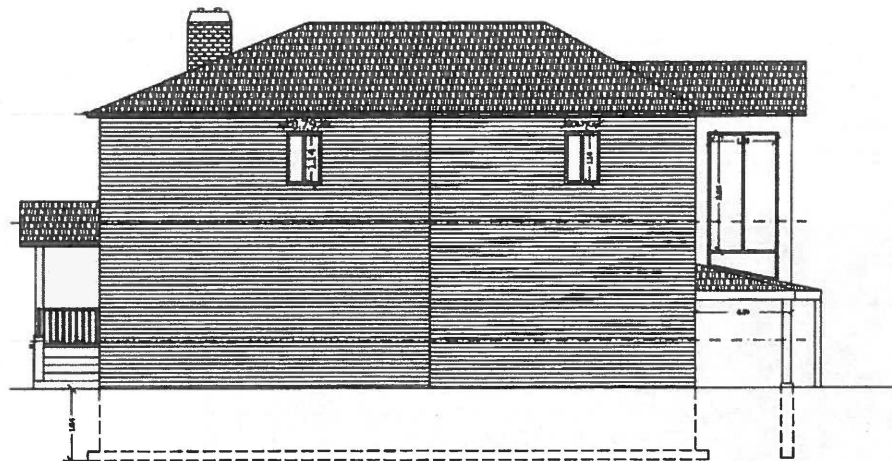
PROJECT TITLE

REDESIGN OF FRONT ELEVATION
41 MORGAN AVENUE
MARKHAM, ONTARIO

SHEET TITLE

EXISTING AND RENOVATED
ELEVATIONS

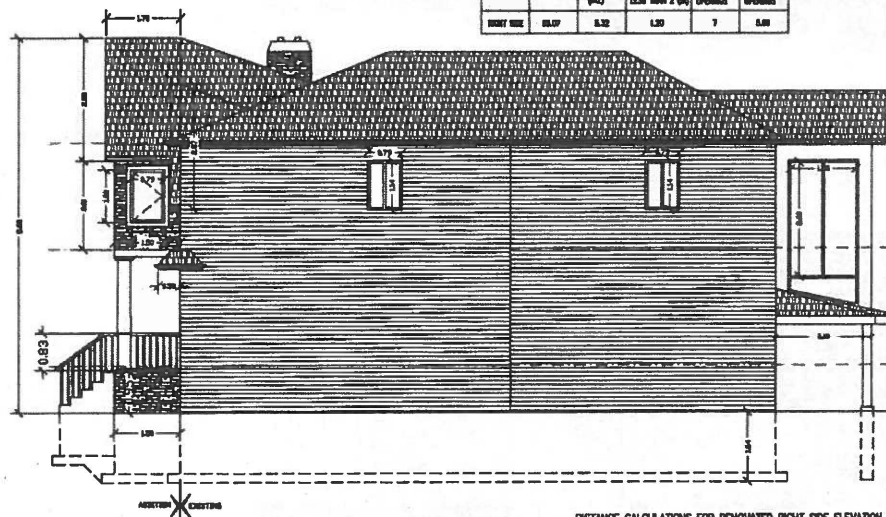
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DATE	PROJECT No.	DRAWING No.
MAY/ 2017	81717	A-7



RIGHT ELEVATION

DISTANCE CALCULATIONS FOR RIGHT SIDE ELEVATION
IN ACCORDANCE WITH 9.10.14.4.(1) OF THE ONTARIO BUILDING CODE

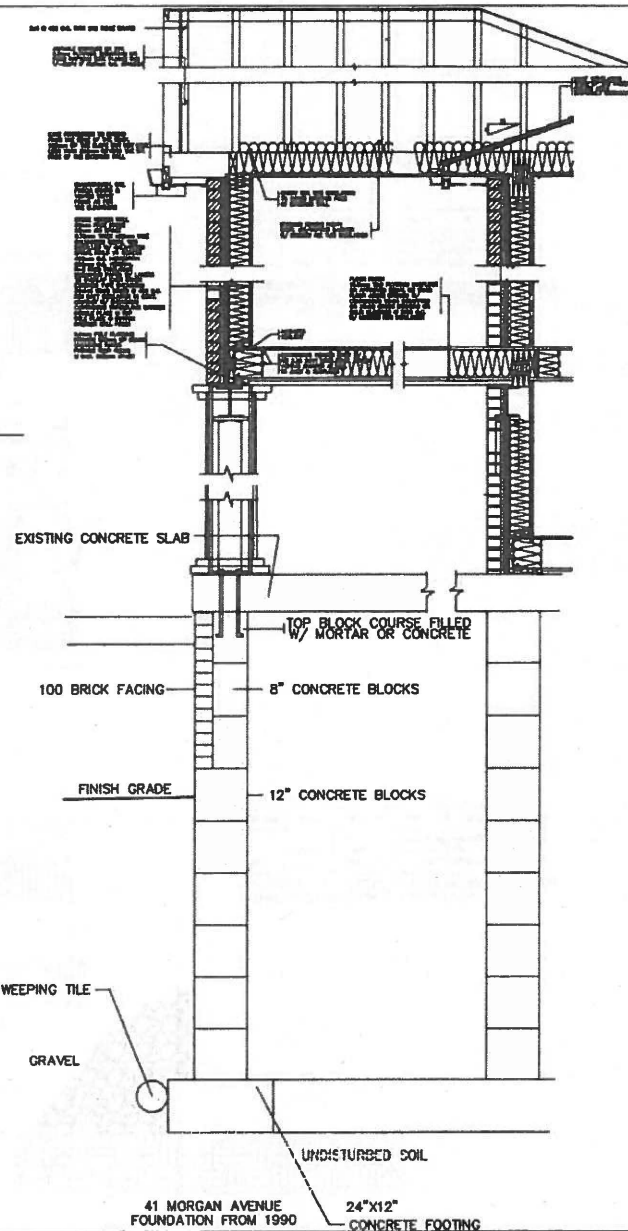
WALL	AREA OF OPENING (sq ft)	AREA OF OPENING (sq ft)	MINIMUM DISTANCE LESS THAN 2 (ft)	PERMITTED MAX. S. OF OPENING	PROPOSED S. OF OPENING
RIGHT SIDE	15.07	5.32	1.20	7	5.08



RENOVATED RIGHT ELEVATION

DISTANCE CALCULATIONS FOR RENOVATED RIGHT SIDE ELEVATION
IN ACCORDANCE WITH 9.10.14.4.(1) OF THE ONTARIO BUILDING CODE

WALL	AREA OF OPENING (sq ft)	AREA OF OPENING (sq ft)	MINIMUM DISTANCE LESS THAN 2 (ft)	PERMITTED MAX. S. OF OPENING	PROPOSED S. OF OPENING
RIGHT SIDE	15.07	5.32	1.20	7	5.08



Limit schedule for supporting
brick or stone veneers above openings:
L1 = 3 1/2" x 1 1/2" x 1/2" (6" max. span) (6" hgs)
L2 = 5 1/2" x 1 1/2" x 1/2" (7" max. span) (6" hgs)
L3 = 6 1/2" x 1 1/2" (7" max. span) (6" hgs)

DATE/REVISION	DESCRIPTION	BY
NOV. 8/2017	4. RELEASED FOR BUILDING PERMIT	R.S.
NOV. 15/2017	4. RELEASED FOR BUILDING PERMIT	R.S.
NOV. 15/2017	4. RELEASED FOR BUILDING PERMIT	R.S.
NOV. 15/2017	4. RELEASED FOR BUILDING PERMIT	R.S.
NOV. 15/2017	1. RELEASED FOR BUILDING PERMIT	R.S.

DATE NO. DESCRIPTION BY
HARRIS VED. ALL PRINTS DATED
PREVIOUS TO FINAL DATE ABOVE

REVISIONS
KEY TO DETAIL LOCATION
DETAIL LOCATION
DRAWING NUMBER

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS
AND CONDITIONS ON THE JOB AND REPORT DISCREPANCIES
TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND
MUST BE RETURNED ON COMPLETION OF THE WORK.
DRAWINGS ARE NOT TO BE SCALED



ROBERT SEGARRA
ARCHITECT INC.

99 WILDRICK ROAD EAST UNIT 603
RICHMOND HILL, ONTARIO L4G 0H6
OFFICE (905) 737-4459 FAX (905) 737-4459
E-MAIL: r.segarra@rogers.com

PROJECT TITLE

REDESIGN OF FRONT ELEVATION
41 MORGAN AVENUE
MARKHAM, ONTARIO

SHEET TITLE

EXISTING AND RENOVATED
ELEVATIONS

DESIGN BY	CHECKED BY	SCALE
R.S.	R.S.	1:50
DATE	PROJECT No.	DRAWING No.
MAY/2017	81717	A-8

July 25, 1979

APPLICATION: CA/79/41

SUBMISSION: A -- 41

This application for a minor variance was submitted by FRANK PACITTO, owner Lot 124, Plan 2426 in the Town of Markham. The subject property has an area of 6,500 square feet and a frontage of 50 feet and is municipally known as 41 Morgan Avenue, Thornhill, Ontario.

Mr. Frank Pacitto was present to request relief from the requirements of By-law 2237, as amended. The applicant is requesting a variance to reduce the minimum front yard requirement from 27 feet to 22 feet to permit the construction of a covered porch and a cold cellar at the front of the existing residence.

Mr. Pacitto explained that the covered porch will provide weather protection for the front entrance to the residence. Also, the porch has been designed to suitably complement the remodelling of the front of the house.

Mr. Vigus was concerned that the proposal could establish a precedent for other similar applications to reduce the minimum front yard setback requirement of the by-law.

It was the opinion of the Committee that justification for the proposed cold cellar had not been demonstrated by the applicant and therefore consideration for this part of the application could not be given.

The Committee members concurred that the required variance for the covered porch had been justified by the applicant.

Mr. Pacitto acknowledged and confirmed that it is not the intent of the Committee to infer or imply permission for a cold storage cellar or an extension of any basement walls at the front of the existing dwelling.

It was

Moved by Mr. Kay

Seconded by Mr. Vigus

THAT application CA/79/41 submitted and as amended by Frank Pacitto, owner of Lot 124, Plan 2426, municipally known as 41 Morgan Avenue, Thornhill requesting a variance to reduce the minimum front yard setback from 27 feet to 21 feet 8 inches to permit only a covered veranda with a concrete platform measuring 12 feet in length and 5 feet 4 inches in width, but not including a cold cellar or an extension of the basement walls at the front of the existing residence, be approved for the following reasons:

216.

July 25, 1979

- i) in the opinion of the Committee the general intent and purpose of the by-law will be maintained
- ii) in the opinion of the Committee the general intent and purpose of the Official Plan will be maintained
- iii) in the opinion of the Committee the granting of the variance is acceptable for the appropriate development of the property
- iv) in the opinion of the Committee the requested variance is minor in nature.

Resolution carried.

[Handwritten signature]

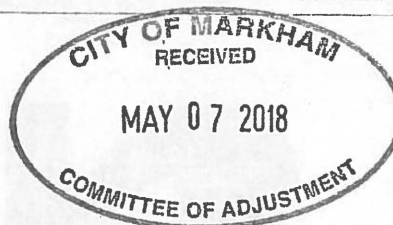
APPENDIX D

MARKHAM

D. Watson
Secretary-Treasurer

COMMITTEE OF ADJUSTMENT

May 31, 1990



Mr. Robert Segarra,
Architect,
145 Garden Avenue,
Richmond Hill, Ontario.
L4C 6L7

Dear Sir:

RE: Variance Application No. A/81/90 - 124
FRANK and PASQUALINA PACITTO, Lot 142,
Plan 2426; 41 Morgan Avenue, Thornhill

Enclosed please find copy of Committee of Adjustment resolution
passed at its meeting of May 30, 1990, re the above.

Yours truly,

Deborah Watson (Miss),
Secretary-Treasurer,
Committee of Adjustment.

dw
att.
0022w-9

c.c. - Mr. and Mrs. Pacitto ✓
- C.I.B.C.
- Manager, Plan Review
- file copy

Joan S. Homer

Keith S. Daunt

Thomas S. Gove
Chairman

Denis E. Reilly

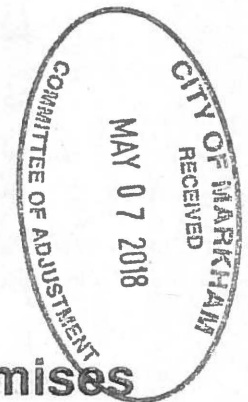
Robert L. Siegel

The Corporation of The Town of Markham 8911 Woodbine Avenue, Markham, Ontario, Canada L3R 1A1
(416) 477-7000 FAX No. (416) 477-0691

TOWN OF MARKHAM

BUILDING PERMIT NO.

90-0912



This Card Must Be Prominently Displayed on The Premises
Described Below and Visible From The Street

APPROVED FOR: S.E.D. ADDN 2 Storey AUG 29 1990

Owner or Builder Frank & Pat Pacitto

Lot 124 Plan No. _____

Concession 2426

W. C. WALKER,
Building Director
8911 Woodbine Avenue
MARKHAM, ONT.



D. Watson
Secretary-Treasurer

COMMITTEE OF ADJUSTMENT

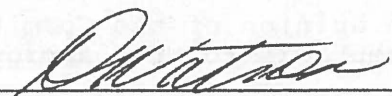
NOTICE OF DECISION

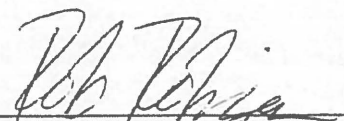
APPLICATION: A/81/90

I hereby certify that the attached is a true copy of the decision of the Committee of Adjustment in the matter of Application No. A/81/90, passed at a hearing held on May 30, 1990, for which the last date for appeal is June 29, 1990. After this date, the decision of the Committee of Adjustment becomes final and binding and cannot be appealed.

Appeals to the Ontario Municipal Board must be served personally or sent by registered mail to the Secretary-Treasurer, Committee of Adjustment, accompanied by a cheque in the amount of \$125.00 for the first appeal and \$25.00 for each additional appeal, payable to the Treasurer of Ontario, and must give reasons for the appeal.

Sworn before me at the Town
of Markham this 31st day of
May, 1990.


Deborah Watson (Miss),
Secretary-Treasurer,
Committee of Adjustment,
Town of Markham.


A Commissioner, etc.

Joan S. Homer

Keith S. Daunt

Thomas S. Gove
Chairman

Denis E. Reilly

Robert L. Siegel

The Corporation of The Town of Markham 8911 Woodbine Avenue, Markham, Ontario, Canada L3R 1A1
(416) 477-7000

FAX No. (416) 477-0691

COMMITTEE OF ADJUSTMENT RESOLUTION

Application: A/81/90

Submission: A-81

Date of Resolution: Wednesday, May 30, 1990

Name: FRANK and PASQUALINA PACITTO

Location: Lot 124, Plan No. 2426; 41 Morgan Avenue, Thornhill

Last date for appeal: June 29, 1990

It was

Moved by 

Seconded by 

THAT Application No. A/81/90, submitted on behalf of FRANK and PASQUALINA PACITTO, owners of Lot 124, Plan No. 2426, municipally known as 41 Morgan Avenue, Thornhill, requesting relief from the requirements of By-law No. 2237, as amended by By-law No. 86-89, to (a) reduce the minimum easterly side yard setback requirement from 1.8 m to 1.524 m, and to (b) reduce the minimum westerly side yard setback requirement from 1.8 m to 1.2 m, in order to permit the construction of a two-storey addition at the rear of the existing single family dwelling, be approved for the following reasons:

- (1) in the opinion of the Committee, the general intent and purpose of the by-law will be maintained;
- (2) in the opinion of the Committee, the general intent and purpose of the Official Plan will be maintained;
- (3) in the opinion of the Committee, the granting of the variances is acceptable for the appropriate development of the lot;
- (4) in the opinion of the Committee, the requested variances are minor in nature.

Application: A/81/90,
May 30, 1990,
Page 2.

SUBJECT to the following conditions:

- (a) to submit to the Town Engineer, prior to the issuance of a building permit, a \$5,000.00 lot grading deposit and lot grading plan;
- (b) that the variances be only as shown on a site plan and elevation drawings prepared by Robert Segarra Architect Inc., dated April, 1990, identified as Project No. 4790, drawing Nos. A-1, A-2, and A-3;
- (c) that the variances apply only to the subject addition as long as it remains.

Resolution carried.

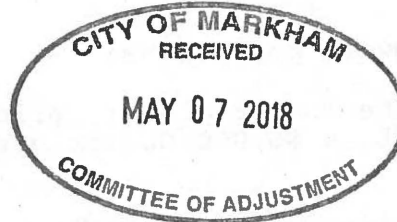
0021w-16-17



D. Watson
Secretary-Treasurer

COMMITTEE OF ADJUSTMENT

July 31, 1990



Mr. Robert Segarra
Architect
145 Garden Avenue
Richmond Hill, Ontario
L4T 1R3

Dear Sir:

RE: Variance Application No. A/118/90
FRANK PACITTO, 41 Morgan Avenue
Lot 124, Plan No. 2426

Enclosed please find Committee of Adjustment resolution passed
at its meeting of July 25, 1990 re the above.

Yours truly,

Deborah L. Watson (Miss),
Secretary-Treasurer,
Committee of Adjustment.

as
att.
0081w-17

- c.c. - CIBC
- Frank Pacitto
- Manager, Plan Review
- file copy

Joan S. Homer

Keith S. Daunt

Thomas S. Gove
Chairman

Denis E. Reilly

Robert L. Siegel



D. Watson
Secretary-Treasurer

COMMITTEE OF ADJUSTMENT


NOTICE OF DECISION

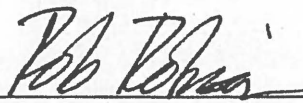
APPLICATION: A/118/90

I hereby certify that the attached is a true copy of the decision of the Committee of Adjustment in the matter of Application No. A/118/90 passed at a hearing held on July 25, 1990, for which the last date for appeal is August 24, 1990. After this date, the decision of the Committee of Adjustment becomes final and binding and cannot be appealed.

Appeals to the Ontario Municipal Board must be served personally or sent by registered mail to the Secretary-Treasurer, Committee of Adjustment, accompanied by a cheque in the amount of \$125.00 for the first appeal and \$25.00 for each additional appeal, payable to the Treasurer of Ontario, and must give reasons for the appeal.

Sworn before me at the Town of Markham this 26th day of July, 1990.


Deborah Watson (Miss),
Secretary-Treasurer,
Committee of Adjustment,
Town of Markham.


A Commissioner, etc.

Joan S. Homer

Keith S. Daunt

Thomas S. Gove
Chairman

Denis E. Reilly

Robert L. Siegel

COMMITTEE OF ADJUSTMENT RESOLUTION

Application: A/118/90

Submission: A-118

Name: FRANK and PASQUALINA PACITTO

Location: Lot 124, Plan No. 2426; 41 Morgan Avenue, Thornhill

Last date for appeal: August 24, 1990

It was

Moved by 

Seconded by 

THAT Application No. A/118/90, submitted on behalf of FRANK and PASQUALINA PACITTO, owners of Lot 124, Plan No. 2426, municipally known as 41 Morgan Avenue, Thornhill, requesting relief from the requirements of By-law No. 2237, as amended by By-law No. 86-89, to (a) increase the maximum building height from 8.6 m to 8.75 m, and (b) increase the number of storeys from 2 to 3, in order to permit the construction of a two-storey addition at the rear of the existing single family dwelling, be approved for the following reasons:

- (1) in the opinion of the Committee, the general intent and purpose of the by-law will be maintained;
- (2) in the opinion of the Committee, the general intent and purpose of the Official Plan will be maintained;
- (3) in the opinion of the Committee, the granting of the variances is acceptable for the appropriate development of the lot;
- (4) in the opinion of the Committee, the requested variances are minor in nature.