

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

July 18, 2018

**File:** A/75/18  
**Address:** 12 Gleason Ave Markham  
**Applicant:** Joanne Johnston  
**Agent:** David Johnston Architect Ltd.  
**Hearing Date:** Wednesday July 25, 2018

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

The applicant is requesting relief from the following requirements of By-law 1229, as amended, to permit:

- a) **Table 11.1:** a minimum front yard setback of 17'-6", whereas the By-law requires a minimum front yard setback of 25';

as it relates to a proposed second storey addition to the existing detached dwelling.

### **BACKGROUND**

#### **Property Description**

The subject property is located on the north side of Gleason Avenue within the Markham Village Heritage Conservation District. It is occupied by a one storey, 121.0m<sup>2</sup> (1,302 ft<sup>2</sup>) single detached dwelling constructed in 1951. The property is surrounded by other similar single detached dwellings (See Location Map Figure 1)

In 2009, the same applicant applied for, and obtained a variance to permit a minimum front yard setback of 20'-2" in support of a proposed second storey addition that was never constructed.

The front yard setback of the existing one storey dwelling, including the roof that overhangs the front porch roof is approximately 10'-10".

#### **Proposal**

The applicant now proposes to construct a slightly larger 79.0m<sup>2</sup> (850 ft<sup>2</sup>) second storey addition to the existing dwelling than what was proposed in 2009, without increasing the existing building's lot coverage (See Figure 2 proposed Site Plan and Elevations).

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

According to the information provided by the applicant, relief is requested because "the front yard setback for the 2<sup>nd</sup> storey protrudes into the permitted front yard setback."

#### **Zoning Preliminary Review Has been Undertaken**

The applicant has confirmed that a Zoning Preliminary Review has been undertaken and assigned the number ZPR 18 234152.

## 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.

The requested variance to permit a minimum front yard setback of 17'-6" is minor in nature because it is actually greater than the setback of ground floor of the existing one storey house constructed in 1951. It is appropriate for the development of the land and meets the general intent of both the City's Official Plan and Zoning By-law because it supports an architecturally complementary addition to an existing home which has no anticipated negative impacts on neighbouring property owners.

### Engineering and Urban Design

The City's Engineering Department and Urban Design Section have not provided any comments regarding the application.

### Heritage Markham

Heritage Markham reviewed the requested variance on July 11, 2018 and had no objection to its approval by the Committee of Adjustment.

## PUBLIC INPUT SUMMARY

No written submissions were received as of July 18, 2018. It is noted that additional comments may be received after the writing of the report and the Secretary Treasurer will provide comments at the meeting.

## CONCLUSION

It is the opinion of the Planning staff that the requested variance can be supported.

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:



Peter Wokral, Heritage Conservation Planner

REVIEWED BY:

Regan Hutcheson, Manager of Heritage Planning

File Path: Amanda\Files\ 18 234573 \Documents\District Team Comments Memo

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/75/18**

1. The variances apply only to the proposed development as long as it remains;
2. That the variance applies only to the subject development, in substantial conformity with the site plan and elevations attached as 'Figure 2' to this Staff Report and dated June 2017 and 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 owner submit to the Secretary-Treasurer a copy of the Site Plan Endorsement memo for the proposed development;

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'Peter Wokral', is written over a horizontal line.

Peter Wokral, Heritage Conservation Planner

FIGURE 1- LOCATION MAP

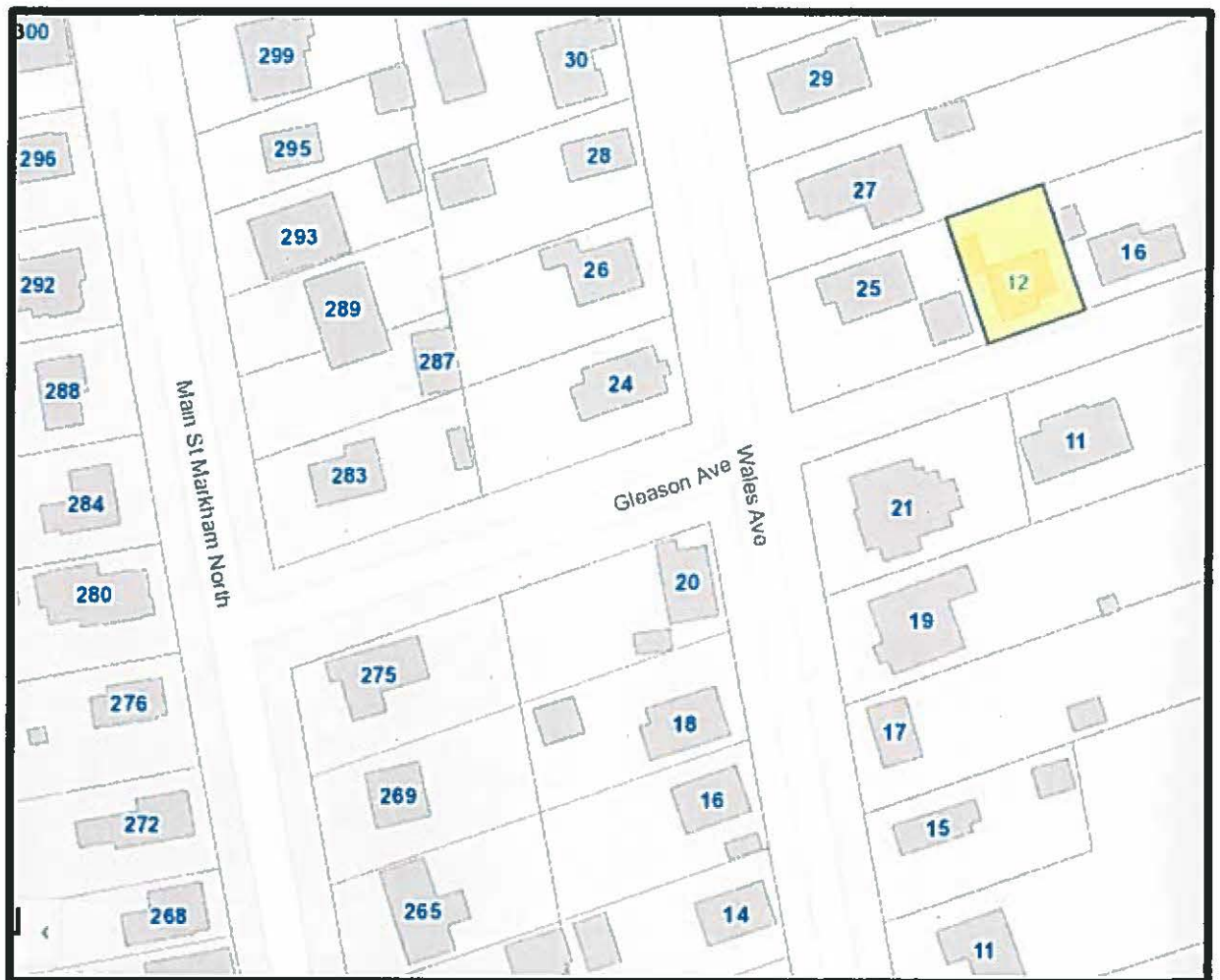
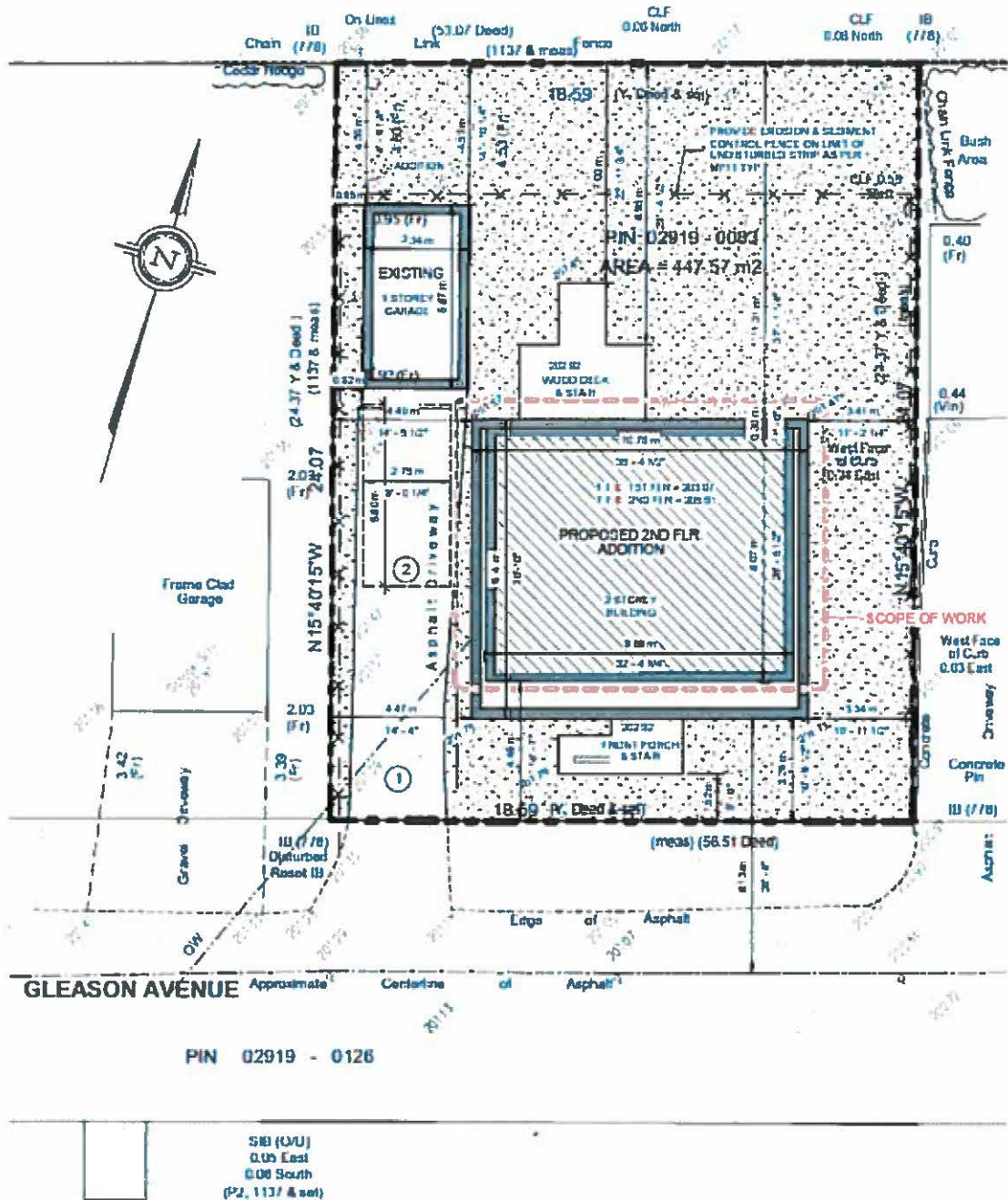


FIGURE 2- PROPOSED SITE PLAN AND ELEVATIONS FOR 12 GLEASON AVE. JUNE 2017 & 2018



## SITE PLAN



## ELEVATIONS

