

Memorandum to the City of Markham Committee of Adjustment

October 4, 2019

File: A/82/19
Address: 6 Tollesbury Place Markham
Applicant: TAES Architects Inc. (Shenshu Zhang)
Hearing Date: Wednesday, October 16, 2019

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

The applicant is requesting relief from the following requirements of the Suburban Residential First Density (SUR1) zone in By-law 11-72, as amended:

a) Amending By-law 325-79, Section 3 (d):

a minimum side yard of 3.5 m (11.48 ft) at the north side lot line, whereas the By-law requires a minimum of 4.5 m (14.76 ft);

b) Parking By-law 28-97, Section 6.2.4.4 a) i) & 6.2.4.6:

driveway access to attached garage that faces an interior side lot line to have a minimum setback of 4.2 m (13.77 ft) from the interior side lot line, whereas the By-law requires a minimum of 4.5 m (14.76 ft);

as it relates to a proposed two-storey residential dwelling.

COMMENTS

The Committee of Adjustment deferred this application on September 11, 2019 due to concerns that the side yard setbacks are not compatible or appropriate for the neighbourhood (See Appendix "C" for Staff Report). The applicant has not revised the drawings; however, the applicant has reworded variance b) to accurately reflect the By-law.

Reduced Setback to Driveway

The By-law requires a minimum side yard setback to the driveway of 4.5 m (14.76 ft) for the portion in the front yard, whereas the applicant is proposing a side yard setback to the driveway of 4.2 m (13.78 ft). This is a reduction of 0.3 m (0.98 ft). The portion of the driveway, in the interior side yard does not have a setback requirement in the By-law. However, the proposed 2.0 m (6.56 ft) setback within the interior side yard allows for storm sewer and overland flow drainage through an easement in favour of the City. As a condition of approval, the portion of the driveway within the interior side yard should maintain a minimum 2.0 metre interior side yard setback, and that the Owner provide screening for this portion of the driveway and soft landscaping along the remainder of the driveway (see Appendix "A"). Staff believe the variance to be minor in nature and appropriate for the development.

Due to comments at the September 11, 2019 Committee of Adjustment meeting regarding the location of the existing and proposed driveway, Staff have asked the applicant to provide a Site Plan showing their location. The applicant will provide this at the meeting.

Reduced Side Yard Setback

The applicant is requesting a minimum west side yard setback of 11.48 ft (3.5 m), whereas the By-law requires a minimum side yard setback of 14.76 ft (4.5 m). This represents a difference of

3.28 ft (1.0 m). Staff's comments for the September 11, 2019 meeting dated August 30, 2019 remain applicable.

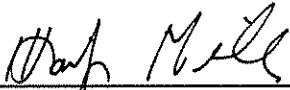
CONCLUSION

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 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:



Hailey Miller, Development Technician, Zoning and Special Projects

REVIEWED BY:



David Miller, Development Manager, West District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/82/19

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 September 05, 2019, 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 portion of the driveway within the interior side yard maintain a minimum 2.0 metre interior side yard setback to the satisfaction of the Director of Engineering or their Designate;
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 Tree Preservation Technician or Director of Operations 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 Tree Preservation Technician or Director of Operations;
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 Tree Preservation Technician or Director of Operations;
7. That a Landscape Plan be provided showing adequate screening and soft landscaping between the driveway and property line, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
8. That the applicant submit a letter from the Toronto and Region Conservation Authority (TRCA) confirming that any TRCA conditions, financial or otherwise have been satisfied.

CONDITIONS PREPARED BY:

Hailey Miller
Hailey Miller, Development Technician, Zoning and Special Projects

RESIDENCE

6 Tollesbury Place, Markham, ON



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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-06-25	EW
2	Variance Application	2019-08-05	CR

TAES Architects Inc.

96 SCARBOROUGH ROAD
TORONTO, ON M0S 2R7 CANADA
T: 416 800 3254 F: 416 800 3485

6 Tollesbury Place

Markham, ON

Project Number: T2019008

Drawn: Scale:

Checked: Date: AUGUST 2019

Cover

Drawing No. A000

APPENDIX B
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ZONING	SUR1 (BY-LAW 11-72)	LOT NO.	29
PLAN NO.	M-1962	LOT AREA	43610 SF (4051.37 M ²)
LOT FRONTAGE	83' - 2" (25.35 M)	LOT DEPTH	353' - 3 1/2" (107.68 M)

DESCRIPTION	EXISTING	PROPOSED	REQUIRED	SECTION	
MIN.LOT FRONTAGE		83' - 0" (25.30 M)	25.30 M	3(d)(i)	
MIN. LOT AREA		4051.37 M²	(4000M²)VD.4 Hect.		
MAX.BUILDING HEIGHT		10.70 M	10.70 M	3(d)(v)	
NO. OF STORIES		2			
MIN. FLOOR AREA, GROSS(INC.GARAGE)		11148 SF (1035.62 M²)	166 M²	3(d)(ii)	
GARAGE AREA		846 SF (78.59 M²)			
SW POOL AREA		1633 SF (151.71 M²)			
BUILDING AREA(INC.SW POOL)		6500.86SF (603.93M²)			
MAX LOT COVERAGE		6500.86SF (603.93M²)	14.9%	25%	3(d)(iv)
BUILDING DEPTH (INC.SW POOL)		27.32 M			
DRIVEWAY WIDTH		17' - 10 1/2" (5.44 M)*	15' - 0" (4.68 M)		
DRIVEWAY SETBACK (EAST)		6' - 6 1/2" (2.00 M)*	24' - 2 1/2" (7.37 M)		
SETBACK	EXISTING	PROPOSED	REQUIRED		
FRONT (SOUTH)		84' - 4" (25.71 M)	8.2 M	3(d)(ii)	
SIDE (WEST)		11' - 6" (3.50 M)	4.5 M		
SIDE (EAST)		24' - 2 1/2" (7.37 M)	4.5 M		
REAR (NORTH)		169' - 8" (51.71 M)	12.0 M		

*TRCA PERMIT ISSUED

*ESTABLISHED GRADE:
=187.34+188.36+189.39+187.52+188.74+189.58
=188.49

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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-06-28	EW
2	Variance Application	2019-08-06	CR

TAES Architects Inc.

98 SCARSDALE ROAD
TORONTO, ON M3B 2B7 CANADA
T: 416 800 3284 F: 416 800 3485

6 Tollesbury Place

Markham, ON

Project number T2019008
6" = 1'-0"

Drawn Scale

Checked Date AUGUST 2019

Statistics

Drawing No. A002

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No.	Revision	Date	By
1	Preparation	2010-05-28	ESV
2	Variance Application	2010-05-28	ESV

TAES Architects Inc.

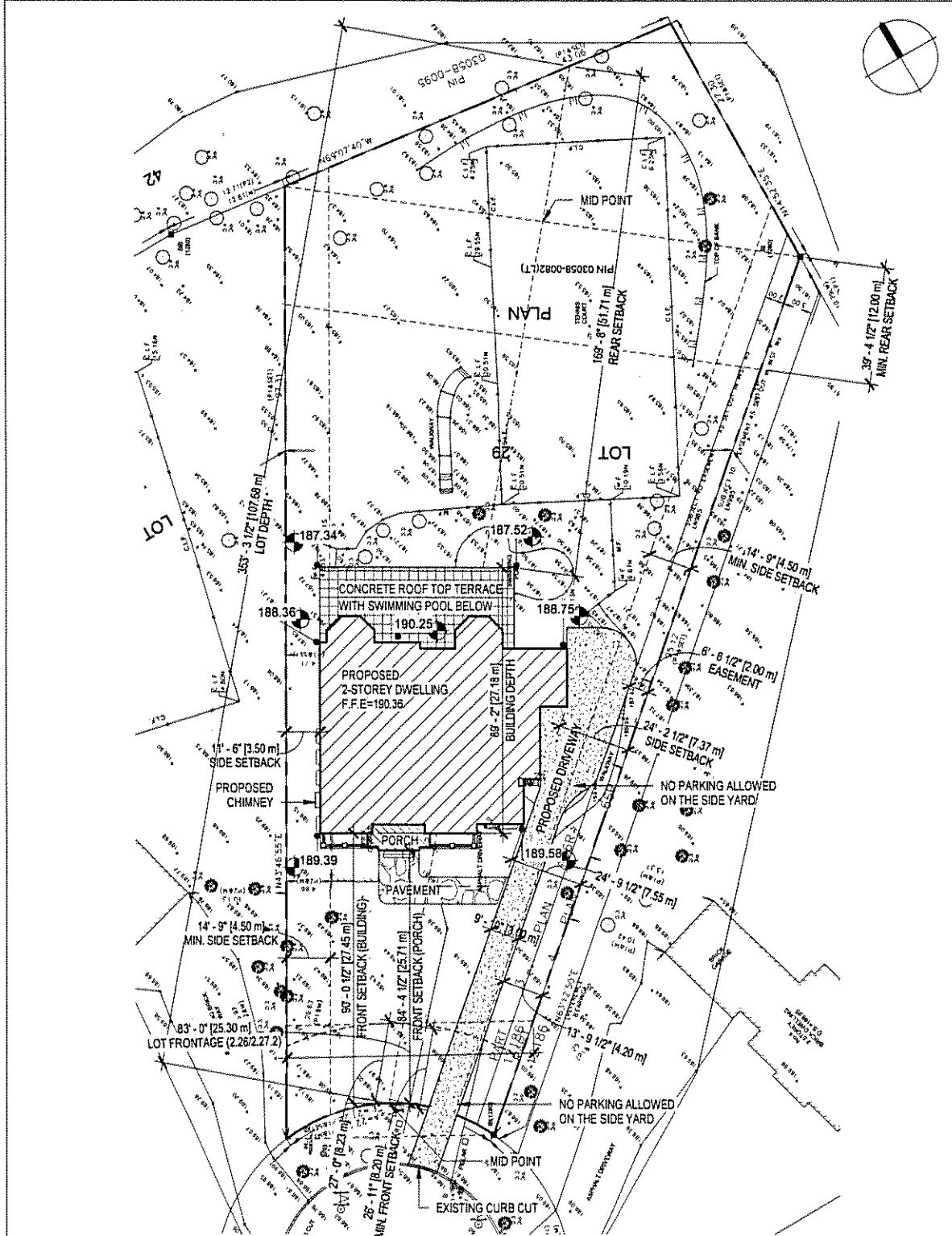
96 SCARSDALE ROAD
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T: 416 603 3241 F: 416 603 3465

6 Tollesbury Place
Markham, ON

Project number	2010008
Scale	1/2" = 1'-0"
Drawn	
Checked	
Date	AUGUST 2010

Site Plan

Drawing No. **A001**



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No.	Revision	Date	By
1	Preliminary Zoning Review	2010-05-28	EW
2	Variance Application	2010-05-28	CR

TAES Architects Inc.

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6 Tollesbury Place

Markham, ON

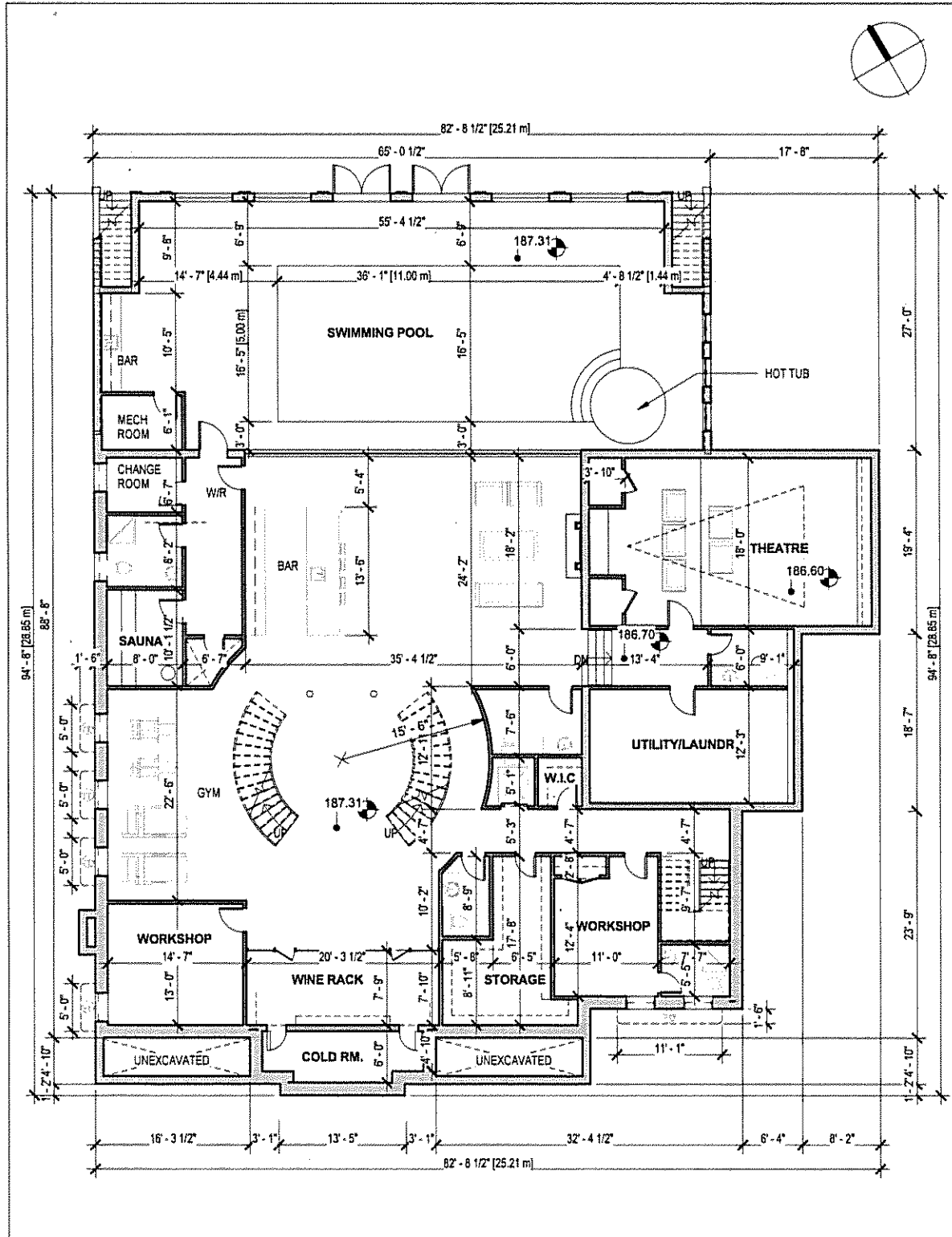
Project Number: T201028
Scale: 1" = 10'-0"

Drawn: Scale

Checked: Date: AUGUST 2010

Basement Floor

Drawing No. A101



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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-06-28	EW
2	Variances Application	2019-08-06	CB

TAES Architects Inc.

98 SCARSDALE ROAD
TORONTO, ON M2H 2R7 CANADA
T: 416 800 3284 F: 416 800 3485

6 Tollesbury Place

Markham, ON

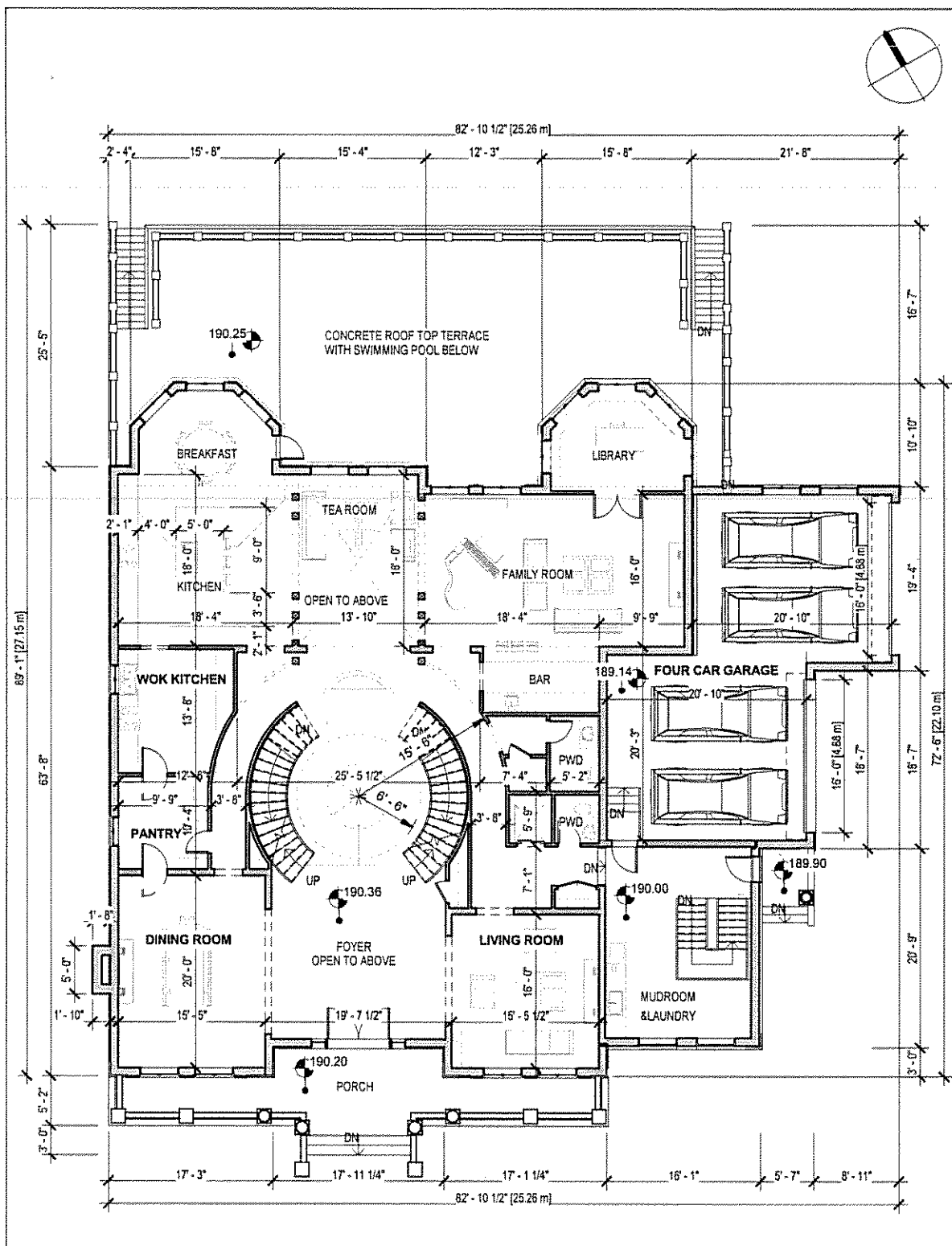
Project number	12019008
1" = 10'-0"	

Scénario 2020

Checked	Date	AUGUST 2019
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Ground Floor Plan

Drawing No. 1400



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No.	Revision	Date	By
1	Preliminary Drawing Review	2018-05-29	EW
2	Variance Application	2018-04-05	CR

TAES Architects Inc.

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TORONTO, ON M1S 2T7 CANADA
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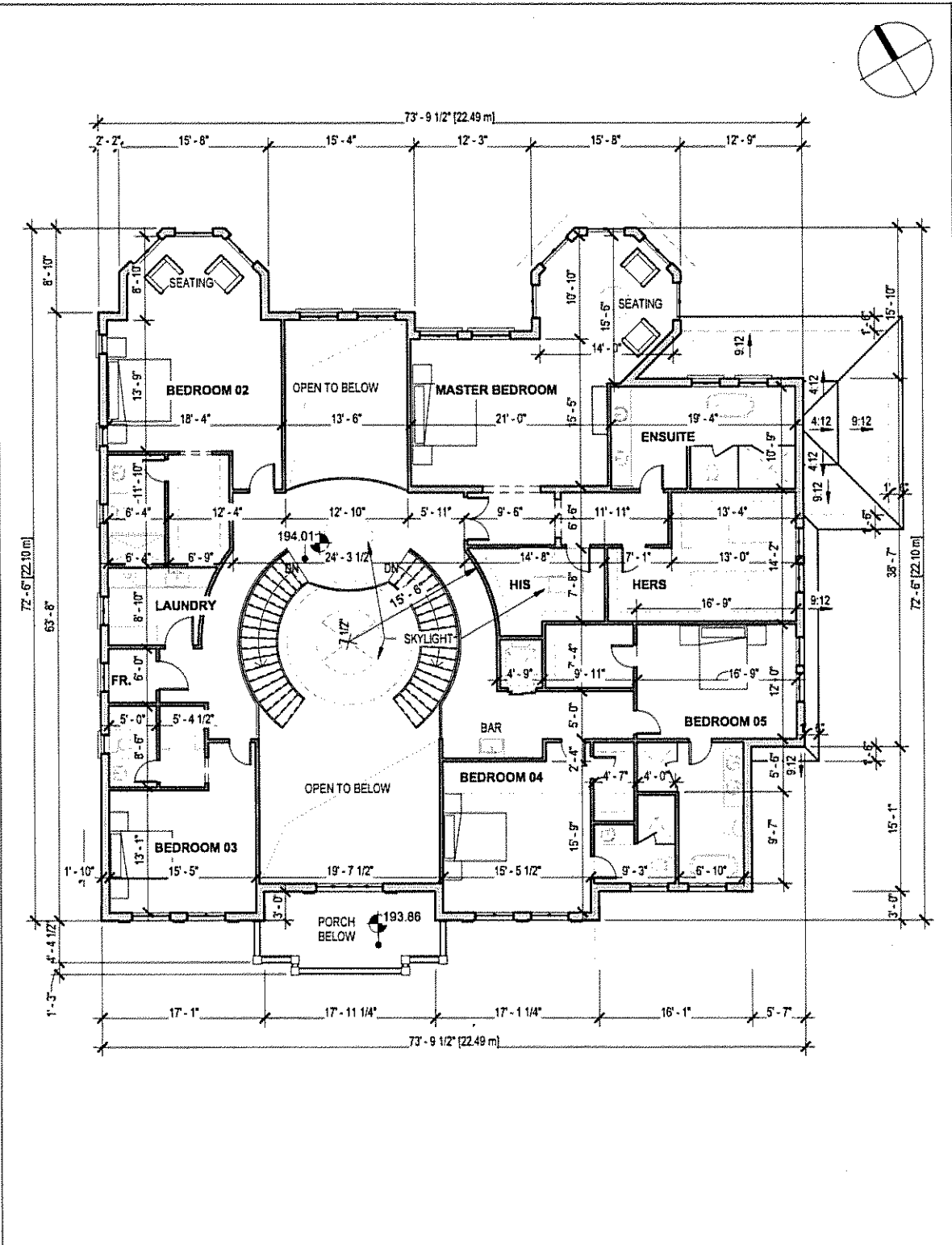
6 Tollesbury Place

Markham, ON

Project number	12018028
Scale	1" = 10'-0"
Drawn	
Checked	
Date	AUGUST 2019

Second Floor Plan

Drawing No. **A103**



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No.	Revision	Date	By
1	Initial Design Review	2012-08-28	TA
2	Final Design Review	2012-08-28	TA

TAES Architects Inc.

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TORONTO, ON M3J 2K7 CANADA
T: 416 800 3384 F: 416 800 3485

6 Tollesbury Place

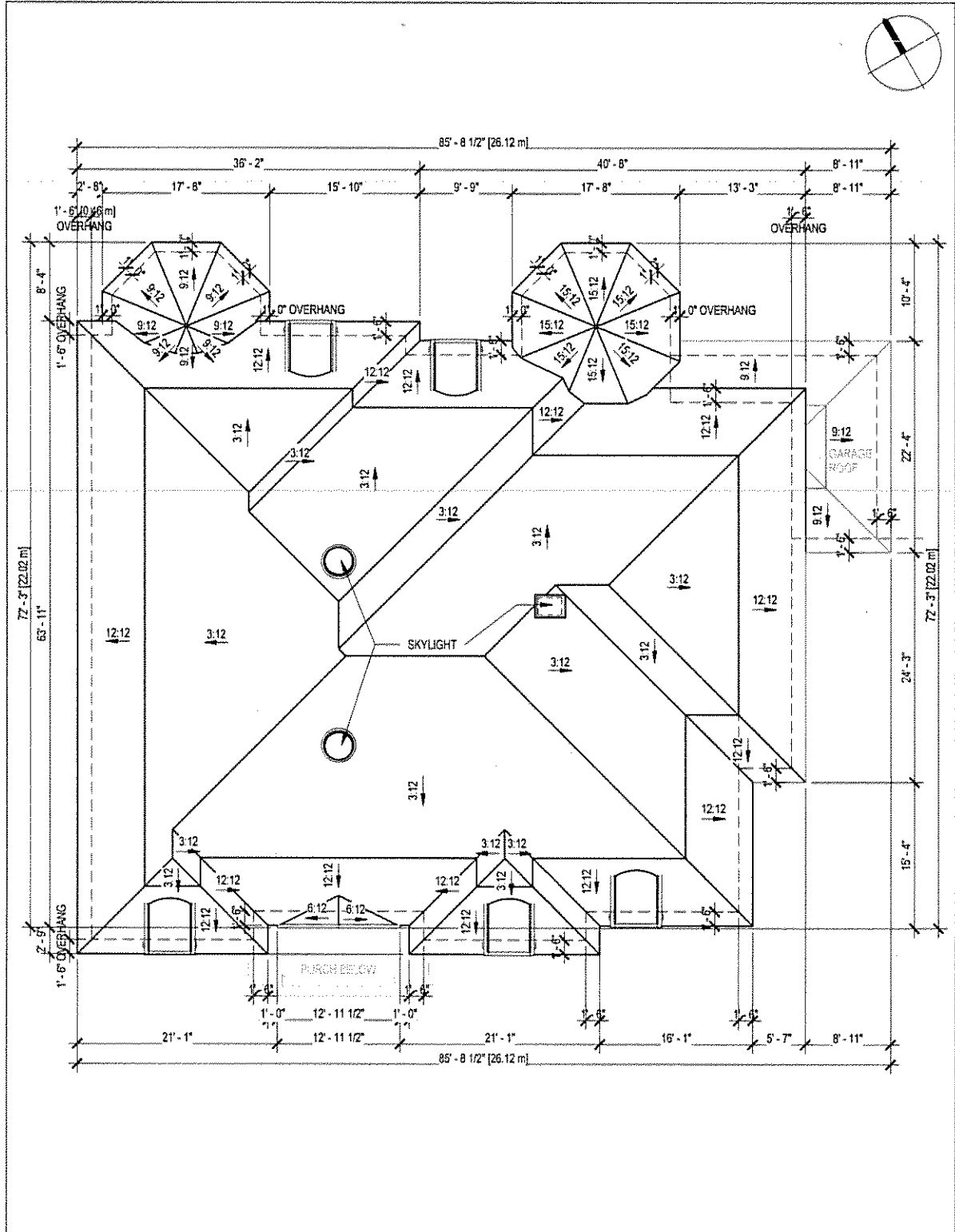
Markham, ON

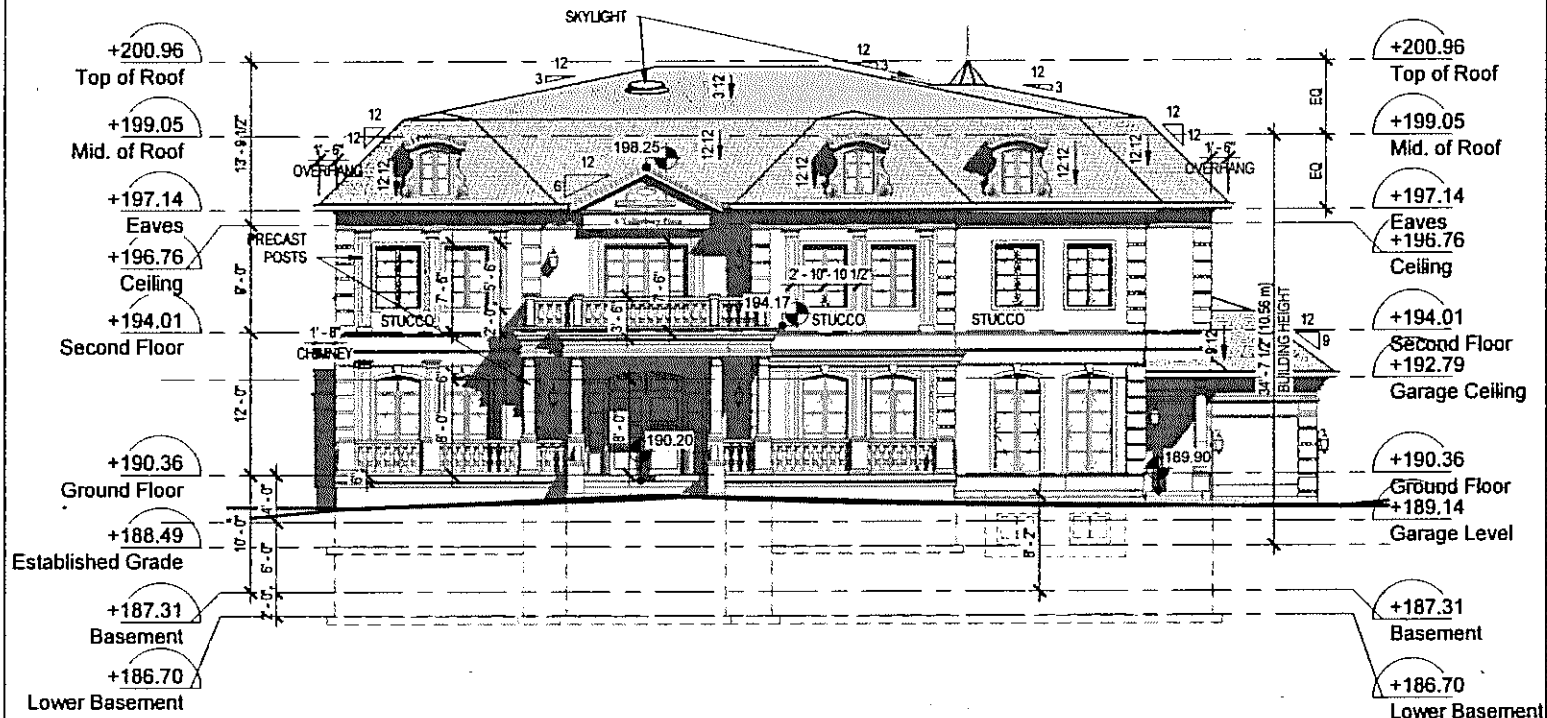
Project number: 22010009
Scale: 1" = 10'-0"

Drawn: Scale
Checked: Date: AUGUST 2013

Roof Plan

Drawing No. **A104**





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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-06-28	EW
2	Variance Application	2019-06-08	CR

TAES Architects Inc.

98 SCARBOROUGH ROAD
TORONTO, ON M8S 2R7 CANADA
T: 416 800 3284 F: 416 800 3455

6 Tollesbury Place

Markham, ON

Project Number: T2019008
Scale: 1" = 10'-0"

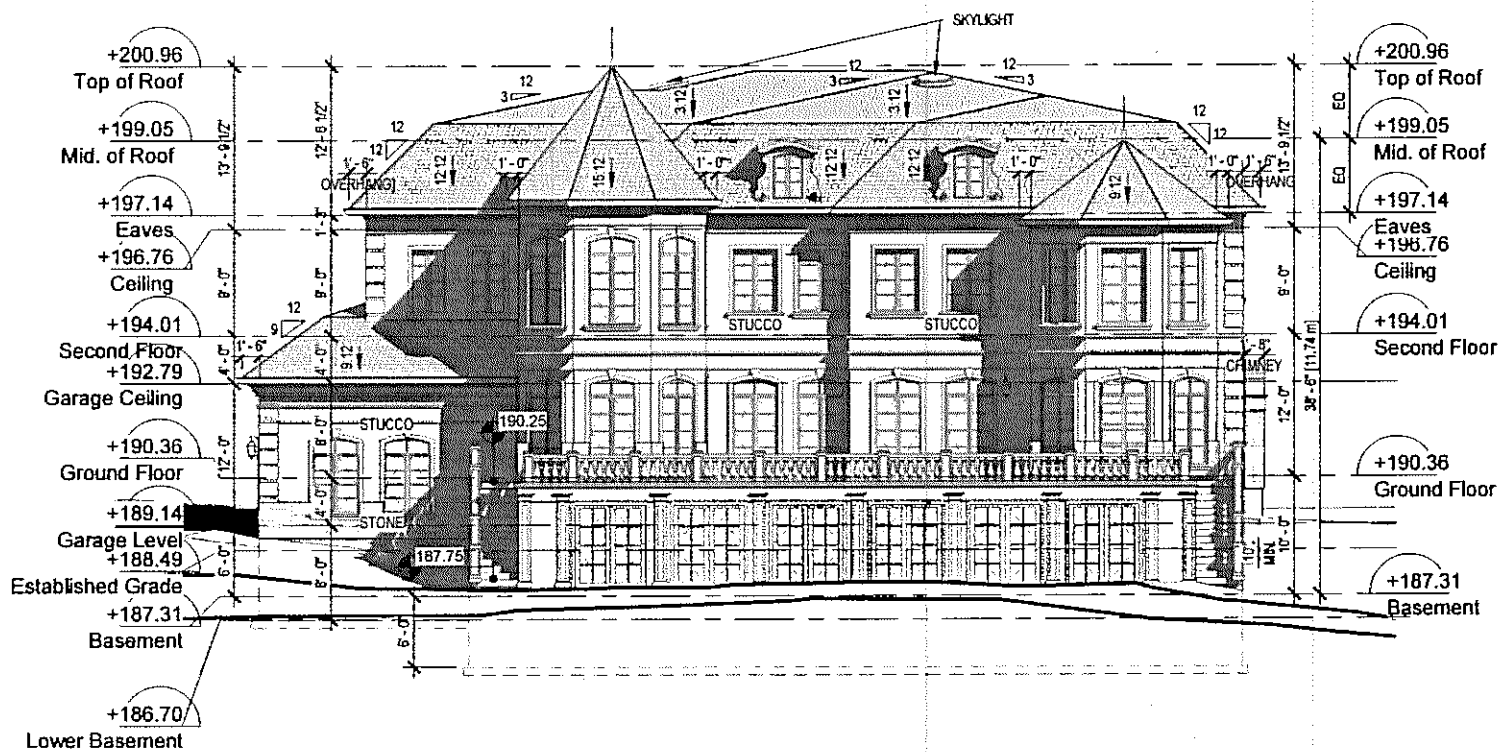
Drawn: Scale

Checked: Date: AUGUST 2019

South (Front) Elevation

Drawing No.

A201



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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-05-28	EW
2	Variance Application	2019-05-08	GR

TAES Architects Inc.

68 SCARSDALE ROAD
TORONTO, ON M3S 2R7 CANADA
T: 416 800 3284 F: 416 800 3485

6 Tollesbury Place

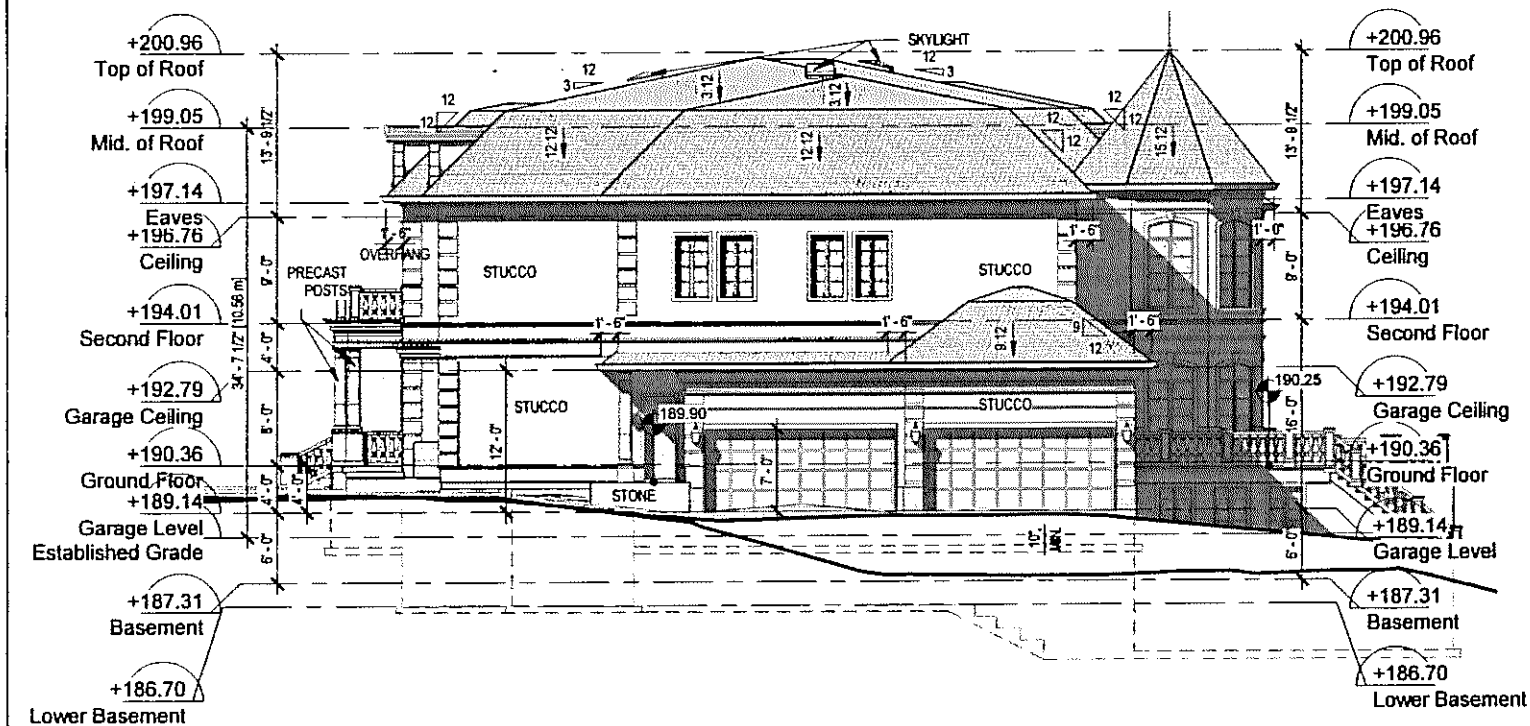
Markham, ON

Project number: T2019006
Scale: 1" = 10'-0"

Drawn: Scale: Checked: Date: AUGUST 2019

North (Rear) Elevation

Drawing No. A202



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No.	Revision	Date	By
1	Preliminary Zoning Review	2018-05-28	EW
2	Variance Application	2018-08-08	CH

TAES Architects Inc.
96 SCARSDALE ROAD
TORONTO, ON M2S 2T7 CANADA
T: 416 800 3284 F: 416 800 3485

6 Tollesbury Place
Markham, ON

Project Number: T2018008
Scale: 1" = 10'-0"

Drawn: _____

Checked: _____ Date: AUGUST 2018

East Elevation

Drawing No. **A203**

Memorandum to the City of Markham Committee of Adjustment

August 30, 2019

File: A/82/19
Address: 6 Tollesbury Place Markham
Applicant: TAES Architects Inc. (Shenshu Zhang)
Hearing Date: Wednesday, September 11, 2019

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

The applicant is requesting relief from the following requirements of the Suburban Residential First Density (SUR1) zone in By-law 11-72, as amended:

- a) **Amending By-law 325-79, Section 3 (d):**
a minimum side yard of 3.5 m (11.48 ft) at the north side lot line, whereas the By-law requires a minimum of 4.5 m (14.76 ft);
- b) **Parking By-law 28-97, Section 6.2.4.4 a) i) & 6.2.4.6:**
driveway access to attached garage that faces an interior side lot line to have a minimum setback of 2.0 m (6.56 ft) from the interior side lot line, whereas the By-law requires a minimum of 4.5 m (14.76 ft);

as it relates to a proposed two-storey residential dwelling.

BACKGROUND

Property Description

The 4051.37 m² (43,609 ft²) subject property is located on the east side of Tollesbury Place, north of 16th Avenue and east of Warden Avenue. There is an existing one-storey detached dwelling on the property, which according to assessment records was constructed in 1981. Mature vegetation exists across the property. The property is located within an established residential neighbourhood comprised of mostly two-storey detached dwellings. It is partially within TRCA's Regulated Area as the rear portion of the site is within a valley corridor and Regulatory Storm floodplain associated with the Rouge River Watershed.

Proposal

The applicant is proposing to demolish the existing dwelling and construct a new 1035.62 m² (114 ft²) two-storey detached dwelling. The proposed dwelling has an attached four-car garage and includes a front covered porch.

Official Plan and Zoning

Official Plan 2014 (partially approved on Nov 24/17, and further updated on April 9/18)

The subject property is designated "Residential Low Rise", which provides for low-rise housing forms including single detached dwellings. Section 8.2.3.5 of the 2014 Official Plan outlines development criteria for the 'Residential Low Rise' designation with respect to height, massing and setbacks. This criteria is established to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. In considering applications for development approval in a 'Residential Low Rise' area, including variances, infill development is required to meet the general intent of these development criteria. Regard shall also be had for retention of existing trees and vegetation, the

width of proposed garages and driveways and the overall orientation and sizing of new lots within a residential neighbourhood.

Zoning By-Law 11-72

The subject property is zoned Suburban Residential First Density (SUR1) under By-law 11-72, as amended, which permits Single Detached Dwellings. The proposed development does not comply with the By-law requirements with respect to the side yard setback requirement.

Parking Standards By-law 28-97

The proposed dwelling does not comply with the standard of the Parking By-law 28-97 with respect to the minimum setback to the driveway. Further details of the parking requirement is provided in the comment section below.

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

According to the information provided by the applicant, the reason for not complying with Zoning is, *"the property with an easement has a irregular shape and the garage doors are designed on side wall to east."*

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on August 8, 2019 to confirm the variances required for the proposed development.

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.

Reduced Setback to Driveway

The applicant's initial request was for relief from Parking By-law 28-97 to permit a minimum setback of 2.0 m (6.56 ft) to a driveway within the front yard that provides access to an attached garage that faces an interior side lot line, whereas the by-law requires a minimum of 4.5 m (14.76 ft).

This represented a difference of approximately 2.5 m (8.20 ft). The variance was requested in part due to the location of the garage at the east side of the proposed dwelling. Through consultation with Staff, the applicant has revised their plans to show the majority of the driveway, including the portion within the front yard, with a driveway setback of approximately 4.20 m (13.77 ft). This is a reduction of 0.30 m (0.98 ft) from the by-law requirement. The remainder of the driveway within the interior side yard has a setback of 2.0 m (6.56 ft) and complies with the requirements of the by-law, as it is not located within the front yard. The proposed 2.0 m (6.56 ft) setback within the interior side yard allows for storm sewer and overland flow drainage through an easement in favour of the City. It should be noted that the dwelling maintains a setback of 7.37 m (24.17 ft) to the interior side lot line. Given the setback to the dwelling complies with the by-law, and the majority of the driveway is proposed to be setback 4.20 m, it is Staff's opinion that committee approve variance b) to state:

Driveway within the front yard that provides access to attached garage that faces an interior side lot line to have a minimum setback of 4.20 m (13.77 ft) from the interior side lot line, whereas the By-law requires a minimum of 4.5 m (14.76 ft);

It is Staff's view that this variance is minor in nature. Staff also recommend that as a condition of approval that the portion of the driveway within the interior side yard maintain a minimum 2.0 metre interior side yard, and that the Owner provide screening for the portion of the driveway that is setback 2.0 m and soft landscaping along the remainder of the driveway (see Appendix A).

Reduced Side Yard Setback

The applicant is requesting a minimum west side yard setback of 11.48 ft (3.5 m), whereas the By-law requires a minimum side yard setback of 14.76 ft (4.5 m). This represents a difference of 3.28 ft (1.0 m). This reduction is minor in nature and does not appear to negatively impact neighbouring properties in terms of grading or landscaping.

TRCA Comments

The subject property is located within Toronto Region and Conservation Authority (TRCA)'s Regulated Area. The rear portion of the site is traversed by a valley corridor associated with the Rouge River Watershed. TRCA provided comments on August 29, 2019 (Appendix C), indicating that they have no concerns subject to conditions outlined in their letter.

PUBLIC INPUT SUMMARY

No written submissions were received as of August 30, 2019. 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 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:


Hailey Miller, Development Technician, Zoning and Special Projects

REVIEWED BY:


David Miller, Development Manager, West District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/82/19

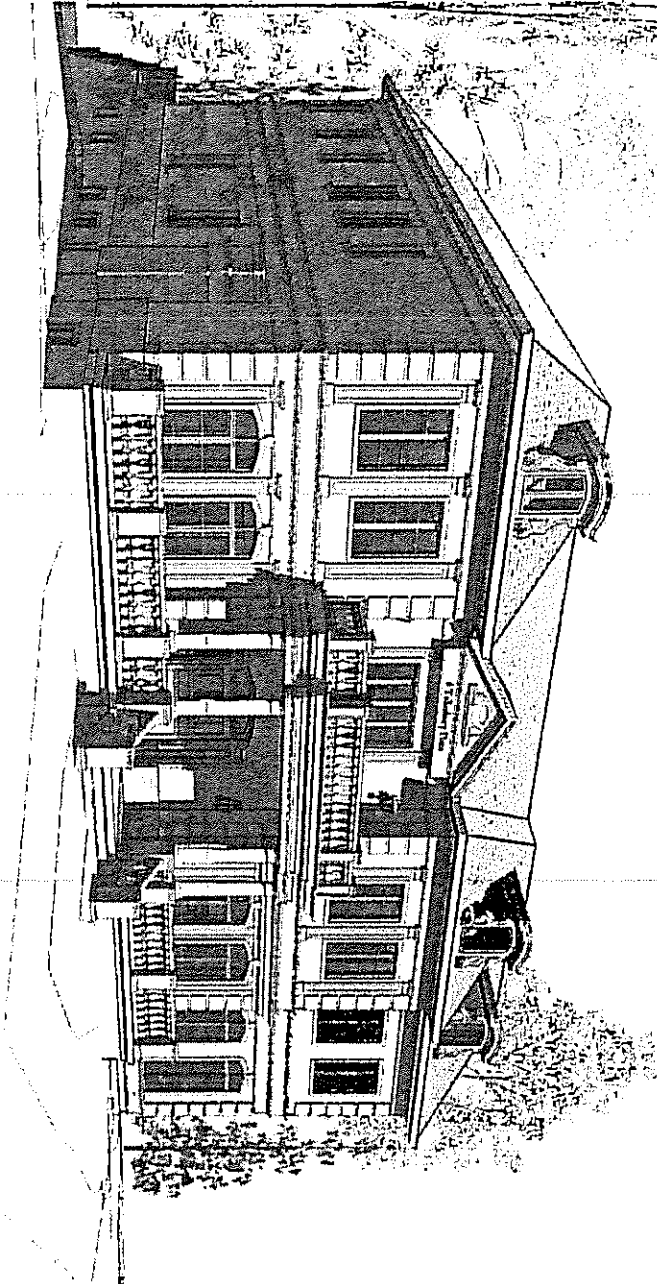
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and received by the City of Markham on September 05, 2019, and that the 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 portion of the driveway within the interior side yard maintain a minimum 2.0 metre interior side yard setback to the satisfaction of the Director of Engineering or their Designate;
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 Tree Preservation Technician or Director of Operations 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 Tree Preservation Technician or Director of Operations;
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 Tree Preservation Technician or Director of Operations;
7. That a Landscape Plan be provided showing adequate screening and soft landscaping between the driveway and property line, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design or designate;
8. That the applicant submit a letter from the Toronto and Region Conservation Authority (TRCA) confirming that any TRCA conditions, financial or otherwise have been satisfied.

CONDITIONS PREPARED BY:


Hailey Miller, Development Technician, Zoning and Special Projects

RESIDENCE

6 Tollesbury Place, Markham, ON



CITY OF MARKHAM
RECEIVED
SEP 05 2019
COMMITTEE OF ADJUSTMENT

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No.	Revision	Date	By
1	Primary Design Review	2019-08-15	TAES
2	Revised Design	2019-08-15	TAES

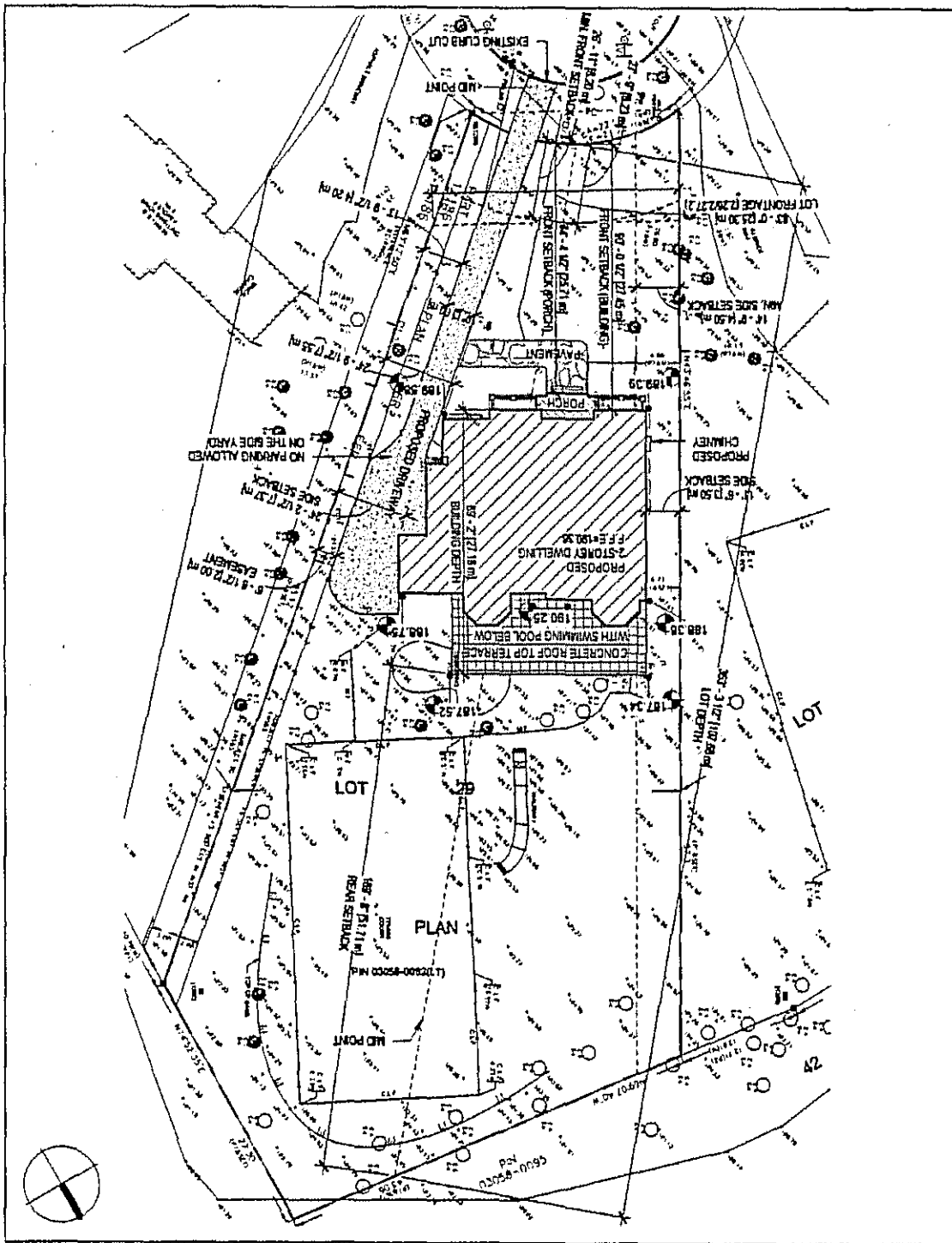
TAES Architects Inc.
18 SCARBOROUGH RD.
TORONTO, ON M1S 2B7 CANADA
T: 416 800 2841 F: 416 800 2846

6 Tollesbury Place
Markham, ON

Project: Tollesbury
Drawn: E. Lee
Checked: J. Lee
Date: August 1, 2019

Cover

Drawing No. A000



6 Tokesbury Place Markham, ON	
TAES Architects Inc. 1000 SHEPPARD AVE. E. TORONTO, ONTARIO M2X 1K7 T: 416.291.1234 F: 416.291.1235	
Project Number: 1000000000 Date: 10/1/11	Project Name: 6 Tokesbury Place Date: 10/1/11
Designer: [Name] Checker: [Name]	Date: AUGUST 2011
Site Plan	
Drawing No. A001	

ZONING	5UR1 (BY-LAW 11-72)	LOT NO.	29
PLAN NO.	M-1962	LOT AREA	43610 SF (4051.37 M ²)
LOT FRONTAGE	83'-2" (25.35 M)	LOT DEPTH	357'-3 1/2" (107.68 M)

DESCRIPTION	EXISTING	PROPOSED	REQUIRED	SECTION	
MIN. LOT FRONTAGE		83' - 0" (25.30 M)	25.30 M	3(d)(i)	
MIN. LOT AREA		4051.37 M²	(4000M²)/0.4 Hect.		
MAX. BUILDING HEIGHT		10.70 M	10.70 M	3(d)(v)	
NO. OF STORIES		2			
MIN. FLOOR AREA, GROSS (INC. GARAGE)		11148 SF (1035.62 M²)	186 M²	3(d)(ii)	
GARAGE AREA		848 SF (78.59 M²)			
SW POOL AREA		1533 SF (151.71 M²)			
BUILDING AREA (INC. SW POOL)		6500.86SF (603.93M²)			
MAX LOT COVERAGE		6500.86SF (603.93M²)	14.9%	25%	3(d)(n)
BUILDING DEPTH (INC. SW POOL)		27.32 M			
DRIVEWAY WIDTH		17' - 10 1/2" (5.44 M)*	15' - 0" (4.88 M)		
DRIVEWAY SETBACK (EAST)		6' - 6 1/2" (2.00 M)*	24' - 2 1/2" (7.37 M)		
SETBACK	EXISTING	PROPOSED	REQUIRED		
FRONT (SOUTH)		84' - 4" (25.71 M)	8.2 M	3(d)(3)	
SIDE (WEST)		11' - 6" (3.50 M)	4.5 M		
SIDE (EAST)		24' - 2 1/2" (7.37 M)	4.5 M		
REAR (NORTH)		159' - 8" (51.71 M)	12.0 M		

*TRCA PERMIT ISSUED

*ESTABLISHED GRADE:
=187.34+188.36+189.39+187.52+188.74+189.58
=188.48

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No.	Revision	Date	By
1	Preliminary Zoning Review	2019-06-25	EW
2	Variance Application	2019-08-09	CR

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T: 416 803 3284 F: 416 803 3485

6 Tollesbury Place

Markham, ON

Project number: T2019008
Scale: 1" = 1'-0"

Drawn: Scale:

Checked: Date: AUGUST 2019

Statistics

Drawing No. **A002**

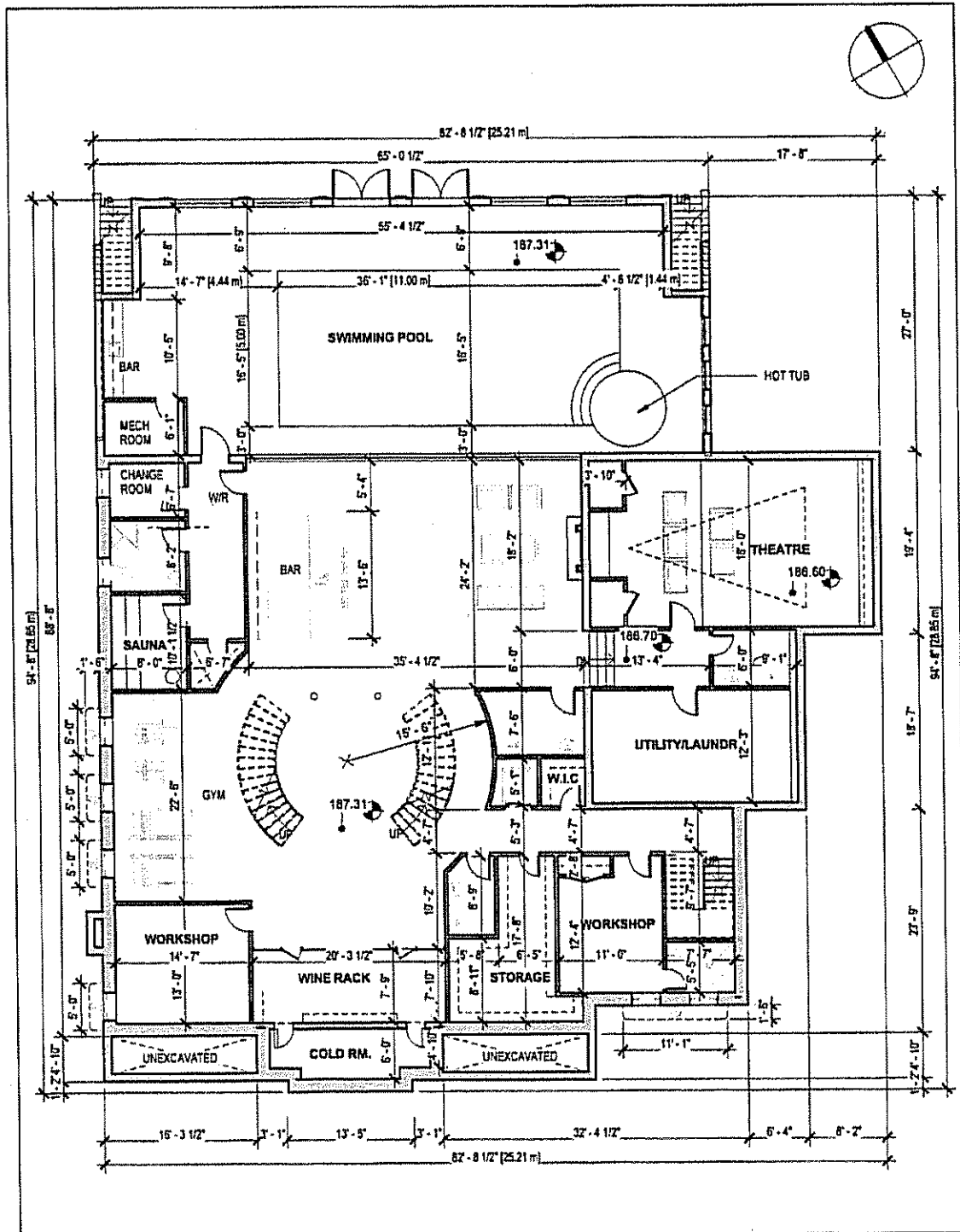
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Rev	Revisions	Date	By
1	Preparation	2011-05-25	EV
2	Architect's Review	2011-05-25	EV
3	Architect's Approval	2011-08-08	CS

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 1000 DUNDAS STREET WEST
 TORONTO, ONTARIO M6J 1B7 CANADA
 T 416 803 3341 F 416 803 3455

6 Tollesbury Place
 Markham, ON

Project Number	12018008
Scale	1" = 12'-0"
Drawn	Scale
Checked	Date
August 2011	
Basement Floor	
Drawing No.	A101



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No.	Revision	Date	By
1	Preliminary Drawing Review	2018-05-29	EW
2	Permit Application	2018-05-18	CR

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6 Tollesbury Place

Markham, ON

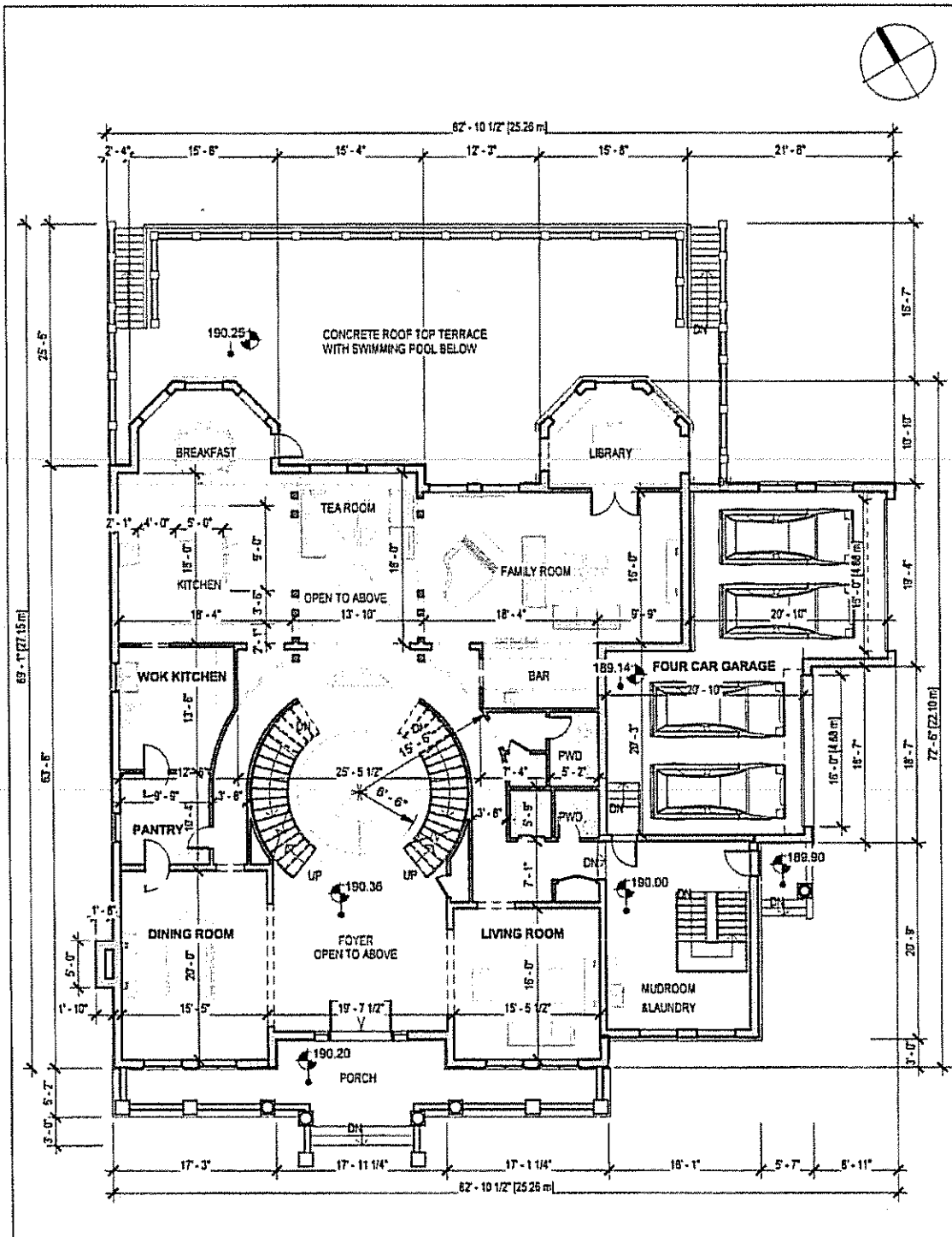
Printed: 11/11/2013 11:11:11 AM

Argument	Scale
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Checked	Date	Checked by
	AUGUST 1 1970	

Ground Floor Plan

Drawing No. **A102**



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No.	Revision	Date	By
1	Professional Drawing Review	2013-04-23	ESB
2	License Application	2013-09-05	CR

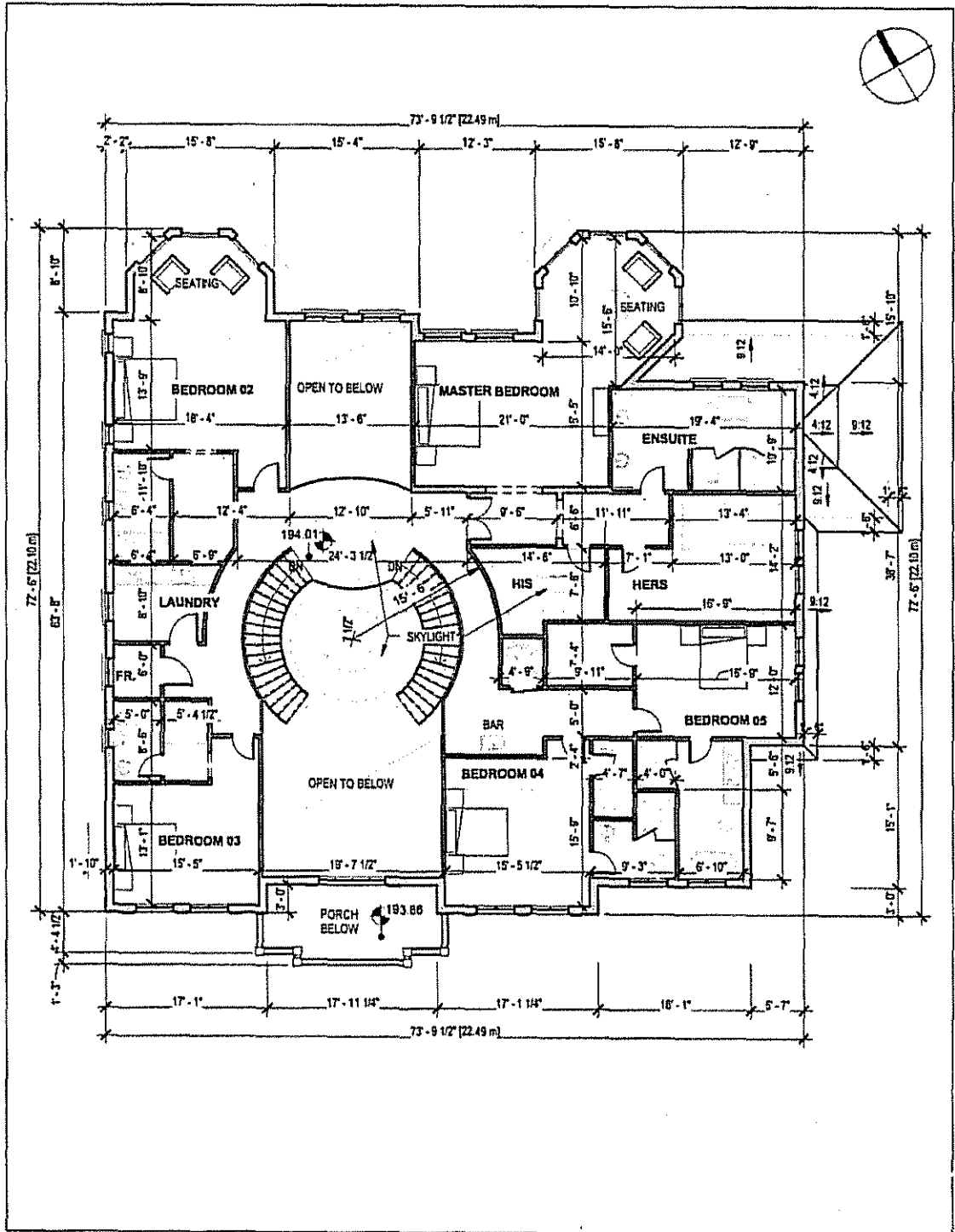
TAES Architects Inc.
 85 EGLINTON ROAD
 TORONTO, ON M6E 2B7 CANADA
 T: 416 800 3264 F: 416 800 3465

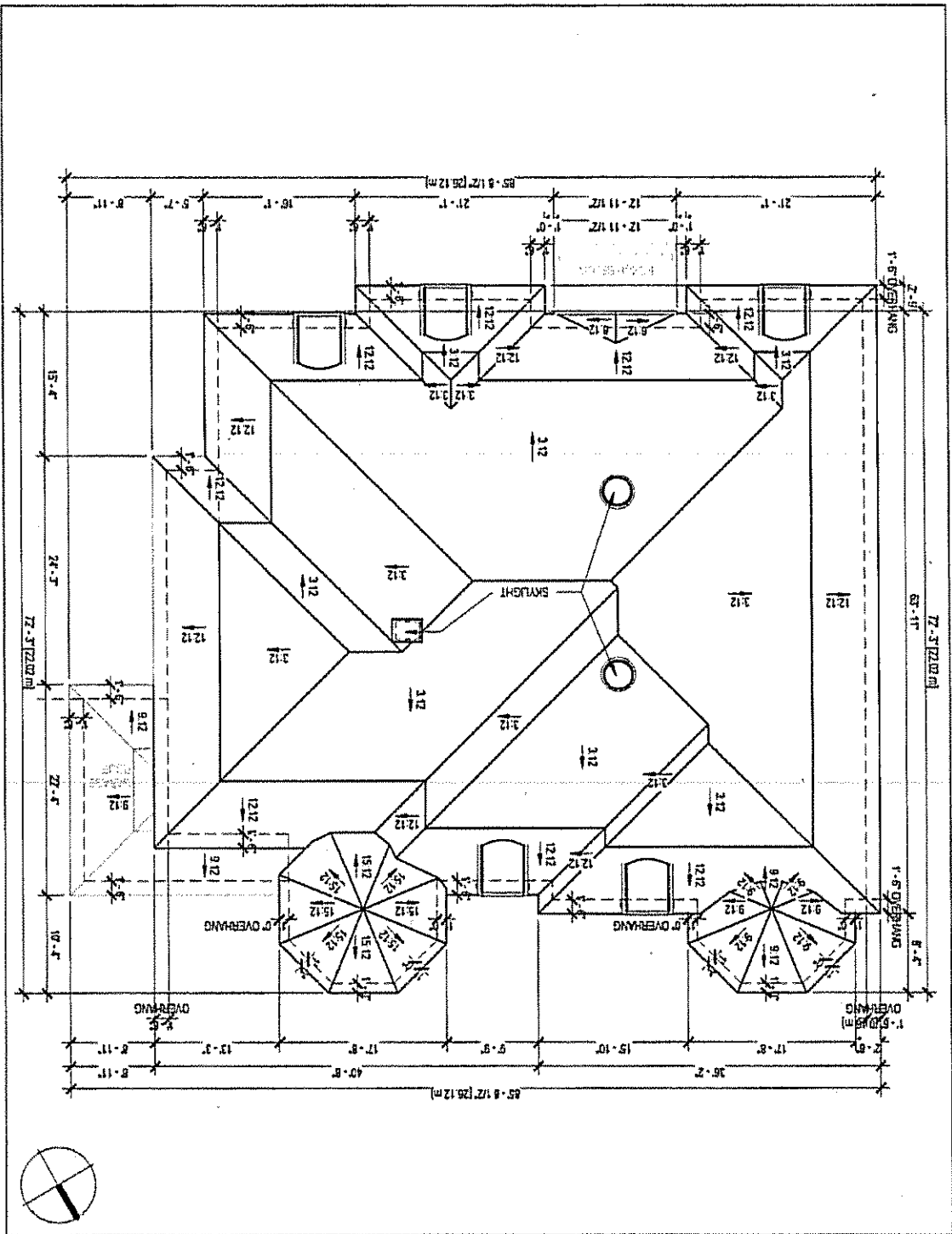
6 Tollesbury Place
 Markham, ON

Project number: 12019008
 Drawn: Scale: 1" = 10'-0"
 Checked: Date: August 2013

Second Floor Plan

Drawing No. **A103**





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No.	Revision	Date	By
1	Initial Design Review	2011-08-29	TAES
2	Final Approval	2011-08-29	TAES

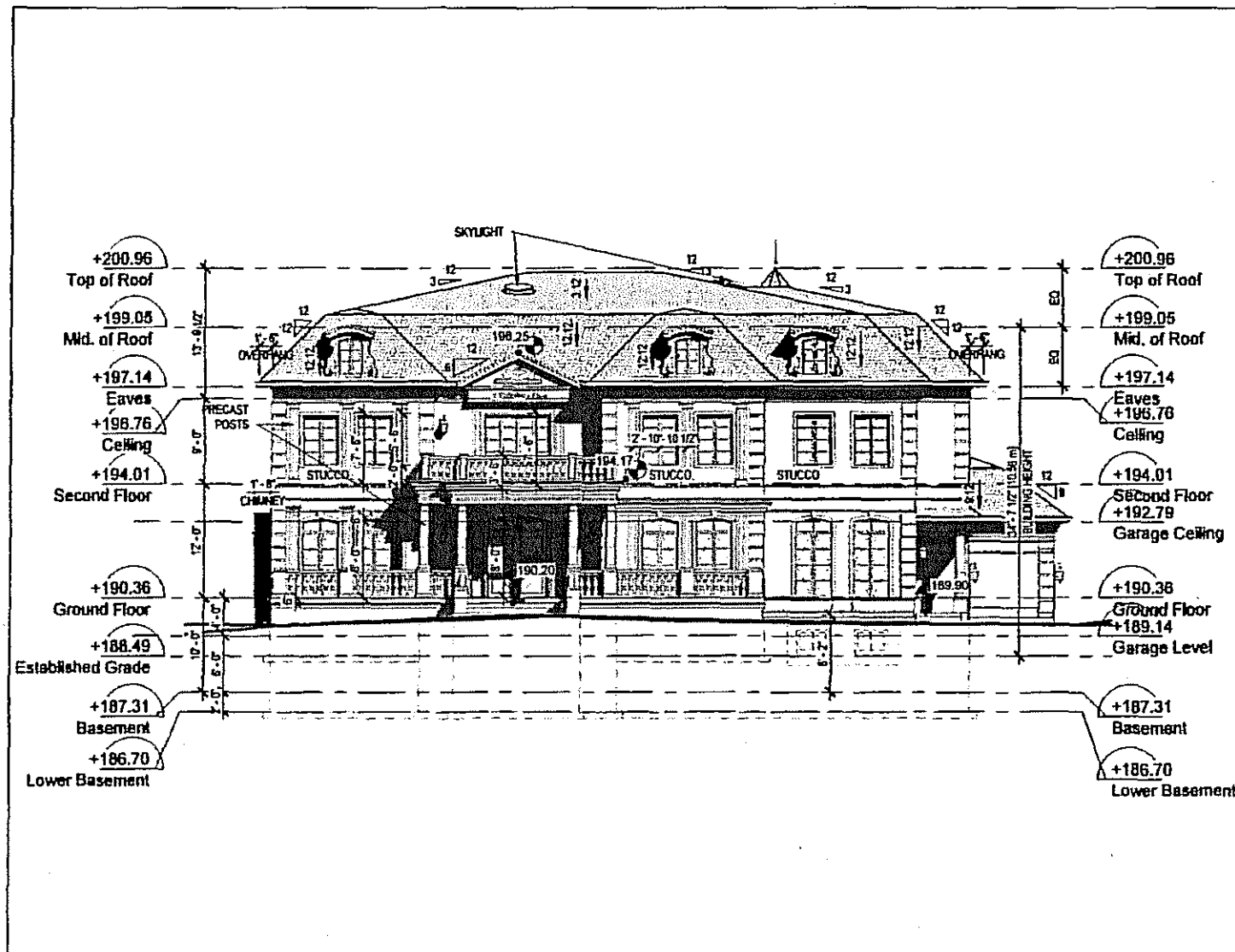
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 T. 416.603.2811 F. 416.603.2865

6 Tollebury Place
 Mainham, ON

Project Name: Tollebury Place
 Scale: 1" = 16'-0"
 Drawn: [Blank]
 Checked: [Blank] Date: AUGUST 2011

Roof Plan

Drawing No: A104



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No.	Revision	Date	By
1	Preliminary Survey Review	2018-05-25	CM
2	Issued for Approval	2018-08-08	CR

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 T: 416 803 3264 F: 416 803 3465

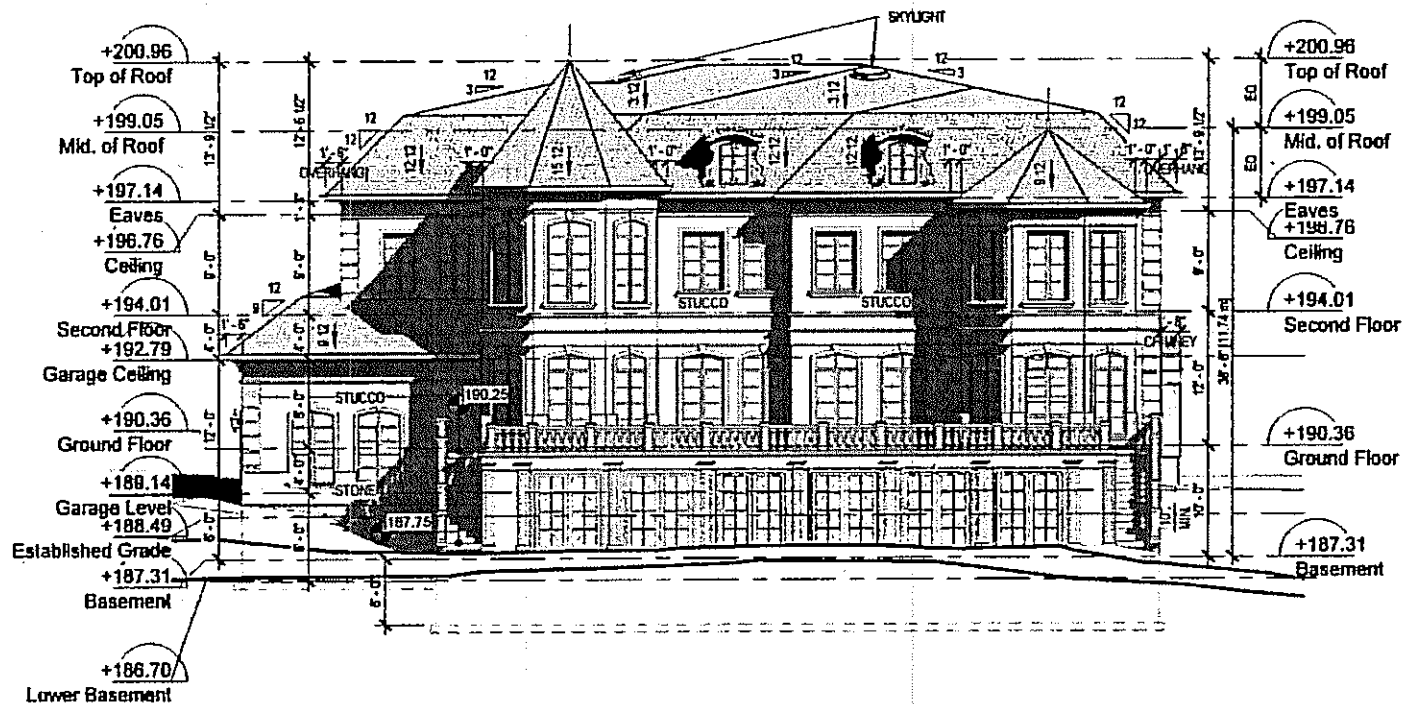
6 Tolesbury Place
 Markham, ON

Project Number	13010039
Drawn	Scale
Checked	Date AUGUST 2018

South (Front) Elevation

Drawing No. **A201**

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No.	Revisions	Date	By
1	Preliminary Working Drawing	2018-08-20	PA
2	Permit Application	2018-08-20	CH

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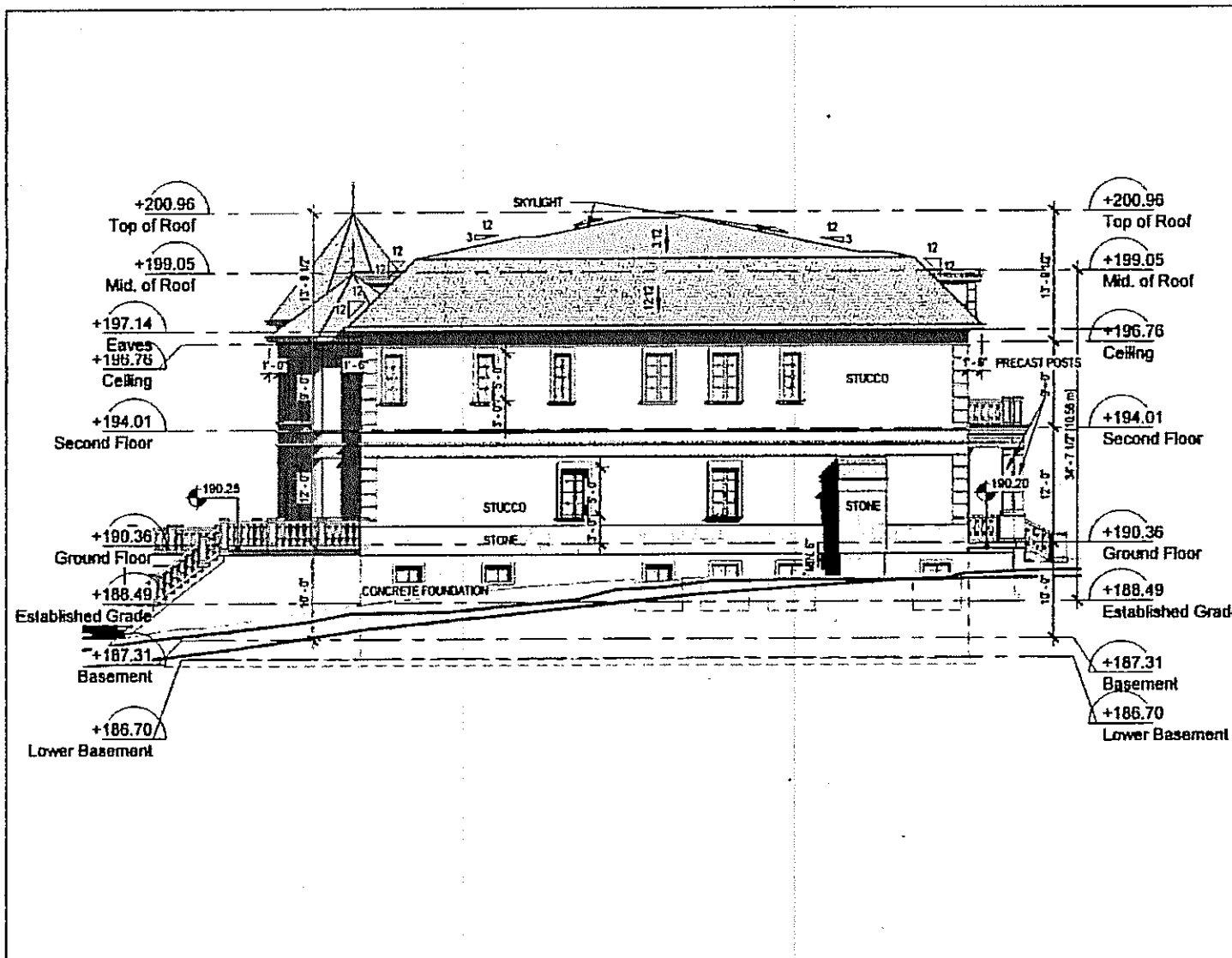
6 Toxesbury Place

Markham, ON

Project Number	T301009
Scale	1" = 16'-0"
Drawn	Scale
Checked	Date AUGUST 2018

North (Rear) Elevation

Drawing No. **A202**



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No.	Revision	Date	By
1	Preliminary Drawing Review	2018-08-28	JW
2	Final Application	2018-08-28	CR

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 TORONTO, ON M0B 3T7 CANADA
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6 Tolesbury Place
 Markham, ON

Project Number: T2079008
 Scale: 1" = 10'-0"
 Drawn: Scale
 Checked: Date: AUGUST 2018

West Elevation
 Drawing File: A204

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APPENDIX C –

Toronto and Region
Conservation
Authority

August 29, 2019

CFN 60812.11
X Ref CFN 61577

By Email Only (email: JLeung@markham.ca)

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

Dear Mr. Leung:

Re: A/82/19 (Minor Variance Application)
6 Tollesbury Place, City of Markham
Owner: Yuan Tian

Thank you for the opportunity to review the above captioned application. Toronto and Region Conservation Authority (TRCA) staff have reviewed this application and our comments are provided herein.

Purpose of the Application

It is our understanding that the applicant is requesting relief from the requirements of By-law 11-72, as amended, as it relates to a proposed two-storey residential dwelling. The requested variance(s) to the Zoning By-law are identified below.

- a) Amending By-law 325-79, Section 3 (d)**
To permit a minimum side yard of 3.5 metres (11.48 feet) at the north side lot line, whereas the By-law requires a minimum of 4.5 metres (14.76 feet);
- b) Parking By-law 28-97, Section 6.2.4.4 a) i) & 6.2.4.6**
To permit driveway access to attached garage that faces an interior side lot line to have a minimum setback of 2.0 metres (6.56 feet) from the interior side lot line, whereas the By-law requires a minimum of 4.5 metres (14.76 feet).

Applicable TRCA Regulations and Policies

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

Ontario Regulation 166/06, as amended:

Based on the available information at this time, the subject property is entirely within TRCA's Regulated Area as it is located within the 120 metre area of interference associated with a Provincially Significant Wetland (PSW) and located partially within a valley corridor and Regulatory Storm floodplain associated with the Rouge River Watershed. In accordance with Ontario Regulation 166/06, a permit is required from the TRCA prior to any of the following works taking place in the Regulated Area:

- a) 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, or;
- 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:

The Living City Policies for Planning and Development in the Watersheds of the TRCA (LCP) is a TRCA policy document that guides the implementation of TRCA's legislated and delegated roles and responsibilities in the planning and development approvals process. 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), stable toe of slope, 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 PSWs and a 10 metre buffer from all other wetlands and any contiguous natural features or areas.

Application Specific Comments

TRCA staff note that the subject property is currently developed with a dwelling, garage, driveway and tennis court. The rear (i.e. northeast) portion of the property is within a valley and Regulatory Storm floodplain. A PSW feature is located on the adjacent properties at the bottom of the valley.

Based on our review, the proposed replacement dwelling appears to be located outside of the 10 metre buffer to the valley corridor and more than 30 metres from the PSW feature. As a result, TRCA staff have no objection to the location of the replacement dwelling.

Permitting (Ontario Regulation 166/06):

As noted above, based on the available information at this time, the subject property is located entirely within TRCA's Regulated Area. As such, a TRCA permit is required from this Authority prior to any works commencing on subject property, pursuant to Ontario Regulation 166/06, as amended.

TRCA Permit No. C-190550 was issued on June 7, 2019 for minor landscaping alterations at the rear of the existing dwelling; however, a separate TRCA permit will be required for the proposed dwelling. The following items are to be submitted for the TRCA permit application once the owner has obtained all necessary planning approvals (e.g. minor variance):

1. Permit Application Form – Please refer to <https://trca.ca/planning-permits/apply-for-a-permit/>
2. Permit Application Fee – \$470 (2018 Permitting Services Fee Schedule – Single Residential – Minor.
3. 4 x hardcopies of a grading plan with erosion and sediment control measures
Note: Please delineate the rest of the top of slope (i.e. continue the line south) and 10 metre buffer
4. 4 x hardcopies of the detailed drawings

This application is to be submitted to our office by mail or in person.

Application Review Fee

By copy of this letter, the applicant is advised that the TRCA's review fee for this application is \$580 (2018 TRCA Planning Fee Schedule – Residential Variance – Minor). This fee must be provided to our office within 60 days of this letter.

Recommendation

In light of the above, TRCA staff have no objection to this application, subject to the following conditions:

1. That the applicant remits the outstanding TRCA Planning Services review fee of \$580;
2. That the owner obtained a permit from the TRCA under Ontario Regulation 166/06, as amended, for the proposed development.

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

Sincerely,



Michelle Bates
Planner I
Development Planning and Permits
Extension 5618

MB/lb