

Memorandum to the City of Markham Committee of Adjustment

September 6, 2018

File: B/25/16; A/181/16; A/182/16
Address: 1 Station St Markham
Applicant: Paterson Twins Limited (Dave Paterson)
Agent: (none)
Hearing Date: Wednesday September 12, 2018

The following comments are provided on behalf of the Heritage Districts Team: The applicant proposes to:

- a) sever and convey a parcel of land with an approximate area of 393 sq. m and lot frontage of 24.26 m (Part 1);
- b) retain a parcel of land with an approximate area of 413.1 sq. m and lot frontage of 21.34 m (Part 2).

The purpose of this application is to create two residential development lots for a pair of semi-detached dwellings.

This application is related to minor variance applications A/181/16 and A/182/16. The applicant is requesting relief from the provisions of By-law 1229, as amended:

a) **Table 11.1:**

To permit a minimum front yard setback of 0.61 m whereas the By-law requires a minimum front yard setback of 25 ft (7.62 m).

as it relates to the proposed construction of a pair of semi-detached dwellings.

BACKGROUND

Property Description

The subject property is located within the Markham Village Heritage Conservation District. The property contains an older one and a half storey frame dwelling that is proposed to be demolished. There is a number of mature trees, mainly in the rear yard. The immediate neighbourhood context is a GO Station to the north, heritage dwellings to the east, and older single detached dwellings to the south and west, on St. Goran Crescent, facing the railway line used by GO Transit/Metrolinx.

The property is an irregularly-shaped parcel as shown on the attached site plan. The lot frontage is 45.6 m (149.6 ft); the average depth is 33.8 m (111 ft) and the lot area is 793.8 m² (8,545 ft²).

Proposal

This group of Committee of Adjustment applications is related to Site Plan Control Application SC 18 225068. The applicant proposes to construct a pair of semi-detached dwellings, and sever the property into two separate parcels. The common wall connection will be between the attached garages. The proposed site plan and building elevations are attached as Appendix 'B'. The dwellings have been designed to reflect local late Victorian

vernacular architecture and materials, with input from Heritage Section staff on design details and placement on the property. Each dwelling is two storeys, approximately 260 square metres (2,800 square feet) in gross floor area.

Official Plan and Zoning

Official Plan 2014 (as partially approved on November 24, 2017 and further updated on April 9, 2018)

The subject property is designated "Residential – Low Rise", which provides for a variety of low rise dwelling types, including semi-detached dwellings. In considering applications in a "Residential – Low Rise" area, which included severances, infill development is required to meet the general intent of Section 8.2.3.5 of the Official Plan 2014 with respect to lot frontage and lot area, 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. Regard shall also be had for retention of existing trees and vegetation, and the overall orientation and sizing of new lots within a residential neighbourhood. Planning staff has had regard for the infill development criteria in the preparation of the comments provided below.

Zoning

The subject property is zoned R3 – Residential, under By-law 1229, as amended. The proposed use is permitted under the By-law.

Zoning Preliminary Review

The applicants have not applied for a Zoning Preliminary Review for the proposed development. It is the owner's responsibility to ensure that the proposal complies with all zoning requirements. If any variances are identified during the Building Permit process, the applicant will be required to re-apply to the Committee of Adjustment to address any non-compliance.

Heritage Status

The subject property is designated under Part V of the Ontario Heritage Act as part of the Markham Village Heritage Conservation District. The existing dwelling is classified as a Type B building in the District Plan and is proposed to be demolished. Demolition approval was granted by Council in 2007, after consultation with Heritage Markham. The property's location within a designated heritage conservation district requires that new construction is subject to Site Plan Control and new development must be designed according to the policies and guidelines of the District Plan.

Applicant's Reasons Why it is Not Possible to Comply with the Provisions of the Zoning By-law

On each of the two Minor Variance application forms it is stated "This change will allow us to build one semi-detached home on the property along with the front matching existing home placements on the street currently."

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 the 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.

Heritage Markham

Heritage Markham reviewed the Consent and Minor Variance applications at its meeting of June 13, 2018 and had no objection to their approval from a heritage perspective, subject to the recommended condition that the applicant obtain Site Plan Endorsement for the proposed development. At its meeting of September 5, 2018, Heritage Markham review the related Site Plan Control application and had no concerns.

Engineering and Urban Design

Both Engineering and Urban Design staff has reviewed the proposed development in detail, initially within the context of the Committee of Adjustment applications and more recently, within the context of the Site Plan Control application. Engineering and Urban Design matters will be dealt with as part of the on-going review of the Site Plan Control application. No significant issues have been identified thus far.

Metrolinx

The planning applications have been circulated for comment to Metrolinx due to the proximity of the site to the GO rail line. Metrolinx typically requires a setback of 30m from the railway right-of-way to the building face for residential development, and this proposal has a setback in the order of 20m. However, Metrolinx has advised that in light of existing surrounding development and in the interest of the preservation of mature trees, they are willing to accept the reduced setback subject to the applicant entering into a development agreement to address this situation. The applicants have been working with Metrolinx staff on the specifics of the development agreement. Metrolinx requires notice of the anticipated street closure of Station Street associated with sewer construction to service this development.

Heritage Planning

The subject property meets the By-law requirements for lot frontage and area for a pair of semi-detached dwellings, therefore the proposed development and severance is supported by staff.

The site layout has been designed in consultation with Heritage Planning staff and Urban Design staff to address the streetscape in this area, the unusual configuration of the property, and mature trees. The location of the property, at the corner of Station Street and St. Goran Crescent, has a very wide boulevard due to the local road pattern, and it was staff that recommended that the proposed dwellings be moved forward on the property to achieve an appropriate streetscape within the context of the site and neighbourhood, and to maximize tree preservation. The wide boulevard provides ample foreground for the proposed dwellings, which is the reason why staff suggested the reduced front yard setback to the applicant and support the requested variances.

PUBLIC INPUT SUMMARY

Staff has received comments from an adjacent property owner and from the Ward Councillor. The main concerns of the adjacent property owner focus on the construction aspects of the proposed development (parking of construction workers in the area, street obstruction and closure for the installation of the sewer connection). These matters can be addressed in consultation with the assigned Building Inspector at the Building Permit stage, and are not matters relating to the merits of the Consent and Minor Variance applications, from a planning perspective.

CONCLUSION

In concluding that the proposal is appropriate, staff have had regard for the criteria in Section 51 (24) of the Planning Act and the Residential Infill Development Criteria in the Official Plan 2014, and have no objection to the proposed severance. Staff is of the opinion that the requested variances for front yard setback meet the four tests of the Planning Act and can be supported.

Staff recommends that the Committee of Adjustment consider public input in reaching a decision.


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

PREPARED BY:



George Duncan, Senior Heritage Planner

REVIEWED BY:



Regan Hutcheson, Manager of Heritage Planning

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/25/16, A/181/16 and A/182/16

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 date-stamped August 10, 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.
4. That the consent become effective only after the construction of the foundation of semi-detached dwellings is substantially completed, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
5. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
6. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under Files B/26/16, in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
7. Submission to the Secretary-Treasurer of seven white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
8. The Owner enter into a Development Agreement with Metrolinx as noted in an email communication dated August 14, 2018, attached as Appendix "C" to this staff report, to the satisfaction of Metrolinx, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.
9. Provide confirmation from an Ontario Land Surveyor that severed and retained parcels, in their final configuration, meet all requirements of applicable law, including any development standards for building and structure, and that the Secretary-Treasurer receive written confirmation that this condition has been satisfied by the Zoning Supervisor or their designate.
10. Fulfillment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act, R.S.O. 1990, c.P.13.

CONDITONS PREPARED BY:



George Duncan, Senior Heritage Planner

OTHERS (HOME OWNER / CONTRACTOR) TO BE RESPONSIBLE FOR THE FOLLOWING :

- UP TO DATE SURVEY BY REGISTERED LAND SURVEYOR.
- GRADING PLAN IF DEEMED REQUIRED, COMPLETED BY REGISTERED LAND SURVEYOR.
- SITE PLAN FOR SITE PLAN AGREEMENT IF DEEMED REQUIRED, COMPLETED BY REGISTERED LAND SURVEYOR.
- LOCATION OF ALL IN GROUND UTILITIES INCLUDING BUT NOT LIMITED TO HYDRO, GAS, SEWER, WATER CABLE, TELEPHONE, FIBRE OPTIC AND EXISTING SEPTIC SYSTEM COMPONENTS. (ONTARIO ONE CALL FOR IN GROUND UTILITIES 800-400-2255)
- LOCATION OF ALL ABOVE OR ON GROUND UTILITIES WITH SPECIAL CONSIDERATION GIVEN TO HYDRO LINES ON AND ADJACENT TO PROJECT PROPERTY. (HYDRO ONE GENERAL INQUIRES 1-888-684-9376) (LOOK UP)
- ** THIS IS NOT A SURVEY, AND SHALL NOT BE USED IN-PLACE OF A SURVEY
- ** EARLY DRAFTING & DESIGN ACCEPTS NO RESPONSIBILITY FOR BUILDING PLACEMENT, FIT OR SETBACKS AS SHOWN.

STATION STREET

RECEIVED

AUG 10 2018

DEVELOPMENT SERVICES
CITY OF MARKHAM

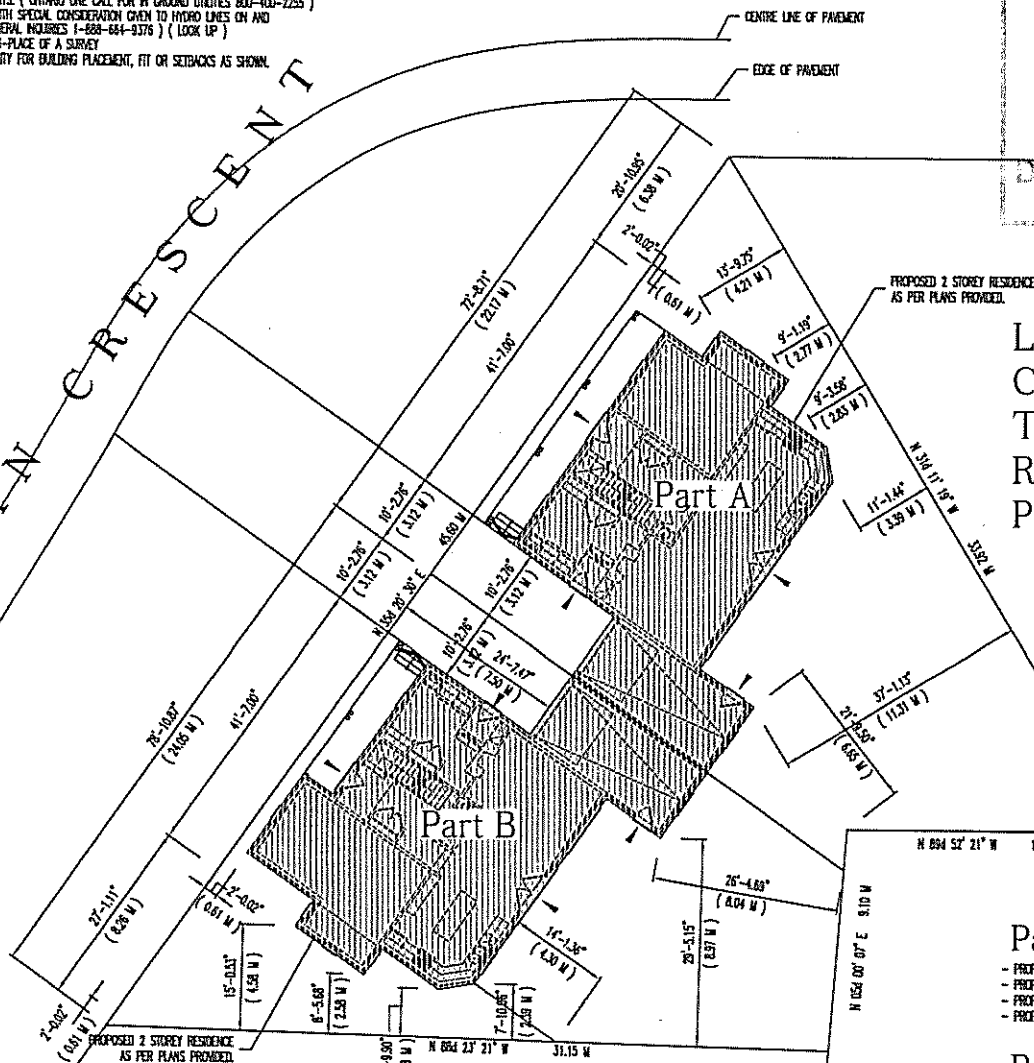


Project: 905-495-1171
Client: B.A.T.L.Y. DRAFTING & DESIGN
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Proposed Preliminary Site Plan
#1 Station Street City of Markham

ST GORAN CRESCENT

APPENDIX B



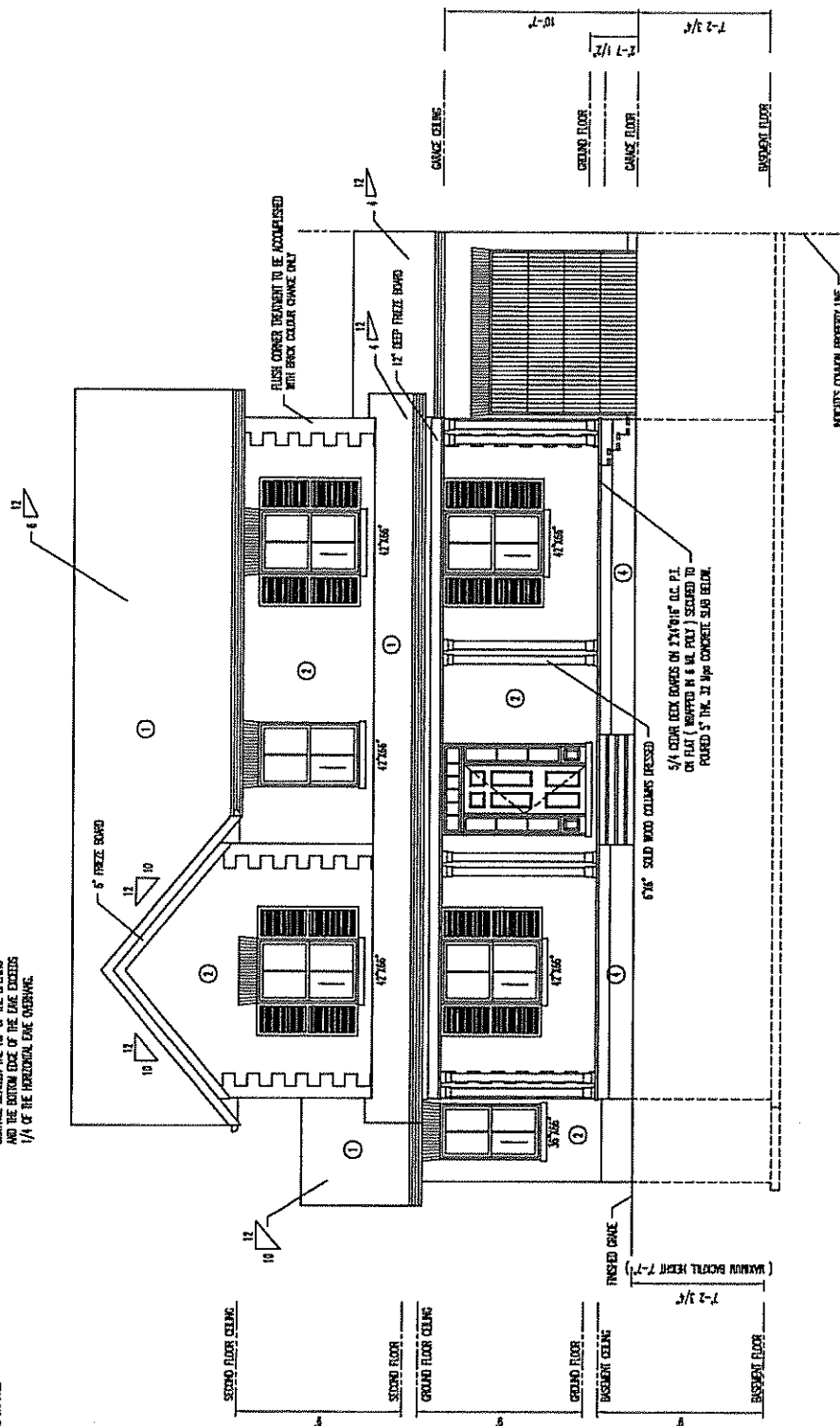
Part A

- PROPOSED LOT AREA = 4615.42 SQ. FT. (428.77 S.M.)
- PROPOSED RESIDENCE COVERAGE = 1659.01 SQ. FT. (154.12 S.M.) (INCLUDES PORCH)
- PROPOSED TOTAL COVERAGE = 1659.01 SQ. FT. (154.12 S.M.) OR 35.95 %
- PROPOSED COVERAGE EXCLUDING PORCH = 1473.59 SQ. FT. (136.50 S.M.) OR 31.83 %

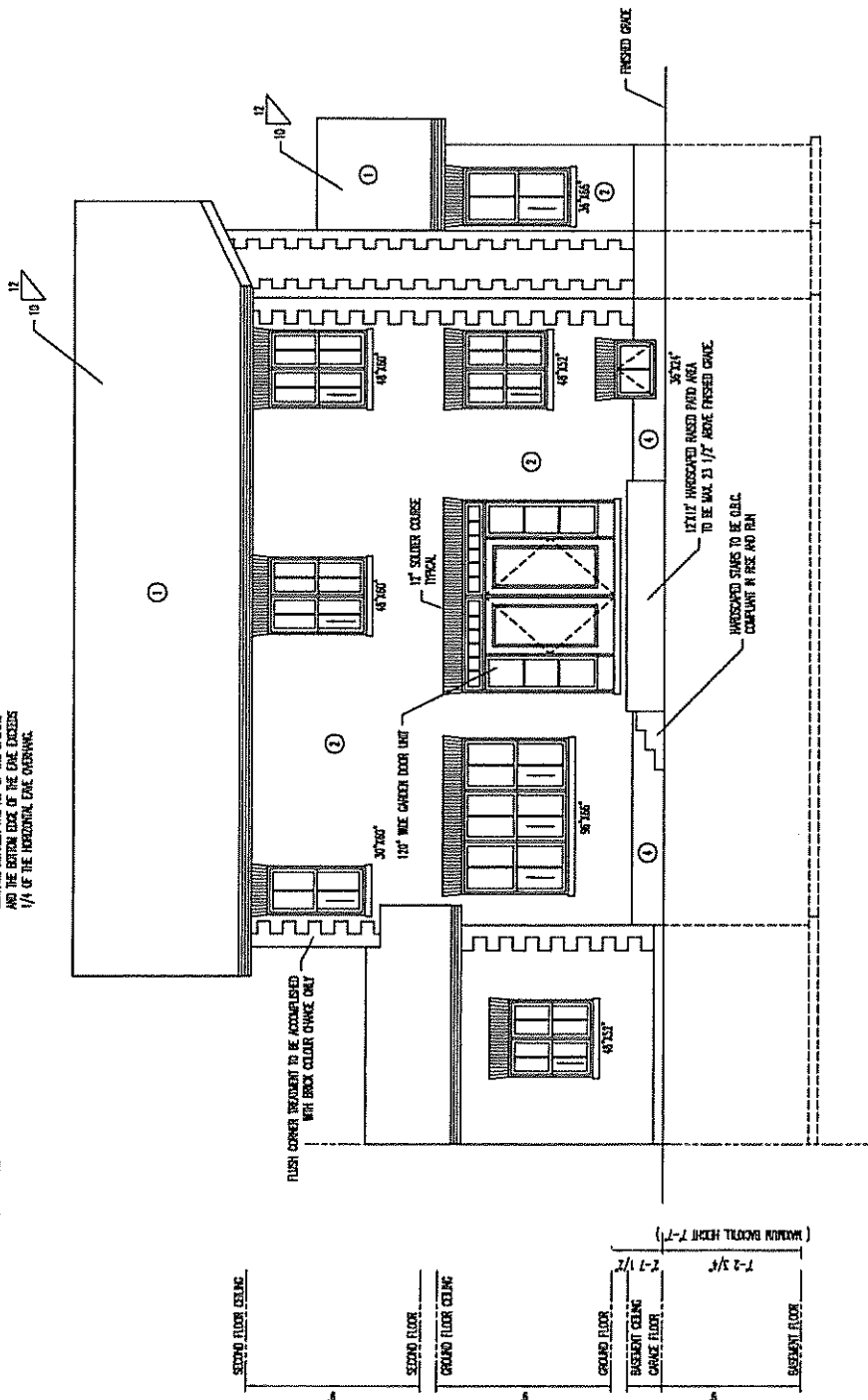
Part B

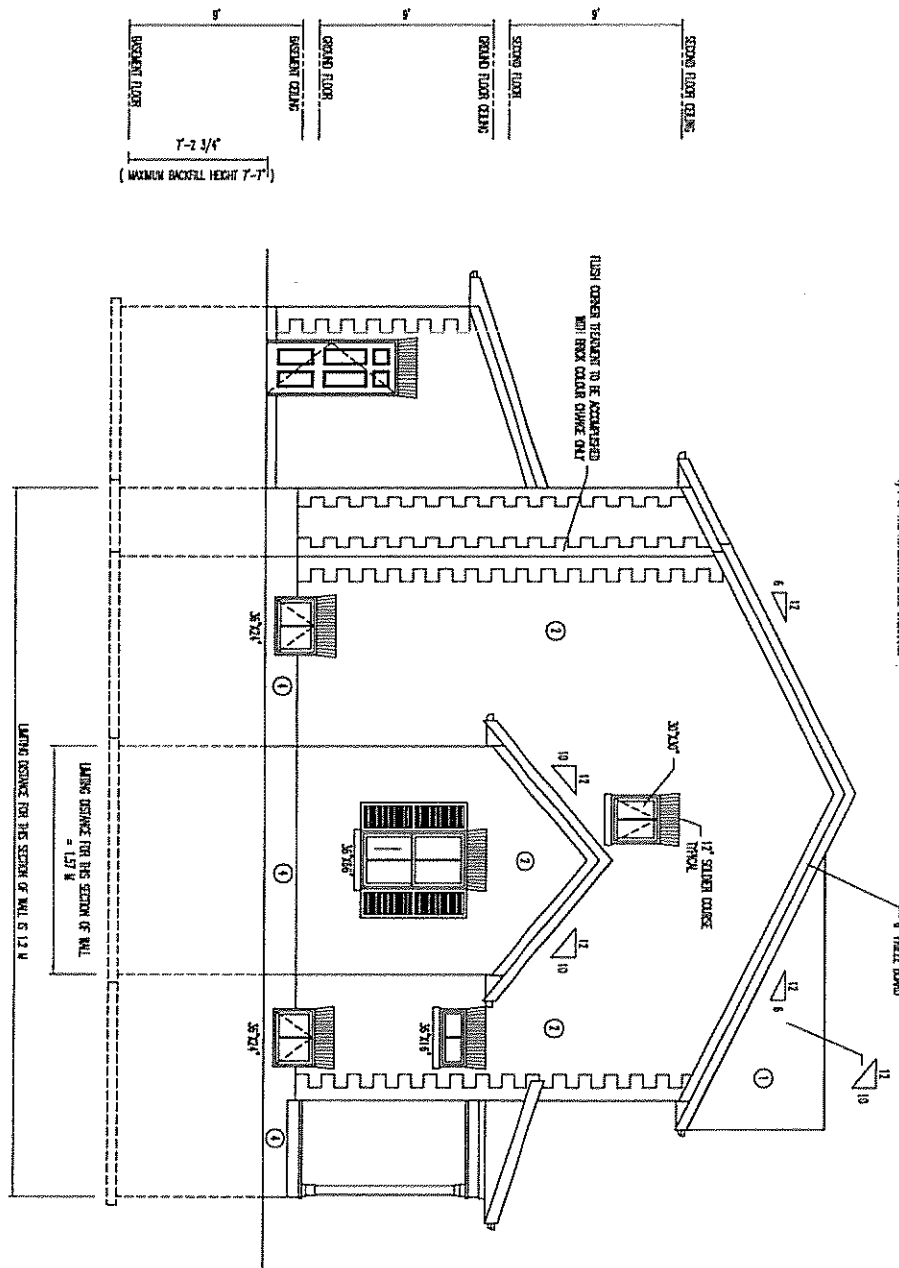
- PROPOSED LOT AREA = 4149.85 SQ. FT. (385.53 S.M.)
- PROPOSED RESIDENCE COVERAGE = 1658.45 SQ. FT. (154.07 S.M.) (INCLUDES PORCH)
- PROPOSED TOTAL COVERAGE = 1658.45 SQ. FT. (154.07 S.M.) OR 39.96 %
- PROPOSED COVERAGE EXCLUDING PORCH = 1542.20 SQ. FT. (143.27 S.M.) OR 37.16 %

THESE RESULTS SUGGEST THAT THE EFFECTS OF THE TREATMENT ARE NOT DUE TO A DIRECT EFFECT OF THE TREATMENT ON THE BLOOD PRESSURE.



- PAUX STONE VESSELS TO BE INSTALLED IN MANUFACTURES SPECIFICATIONS.





DESIGN FOR IMPACT

- CONCRETE SHALL BE MIN. 2 THICKNESS OF SCHEDULE 40 CORN. STEEL PLATE. ALL REINFORCING BARS SHALL BE 1/2" DIA. STEEL. THE SCHEDULE SHALL BE 1/2" THICKNESS. THE LOWER EDGE OF THE ROOF SO THAT IT EXPOSES APPROXIMATELY 1/2" (MIN) BEYOND THE EAVES AND THE FRONT OF THE ROOF AND EXTENDED THE ENTIRE BOTTOM EDGE WITH WALLS SPACED MIN. 12" (MAXIMUM).
- SCHEDULE SHALL BE MIN. TYPE IV UNREINFORCED HOT ROLLING MIN. 1/2" (MINIMUM) DIA. ON SCHEDULES OF THE SAME WIDTH AND CLARITY AS THESE USED AS A BACK COVERING WITH THESE FACING UP THE ROOF SLATE.
- SCHEDULE SHALL BE FASTENED WITH MIN. 4 WALLS ON SCHEDULES FROM 3'-3" (MIN) DIA. SCHEDULES SO THAT NO WALLS OR STUDIES ARE EXPOSED

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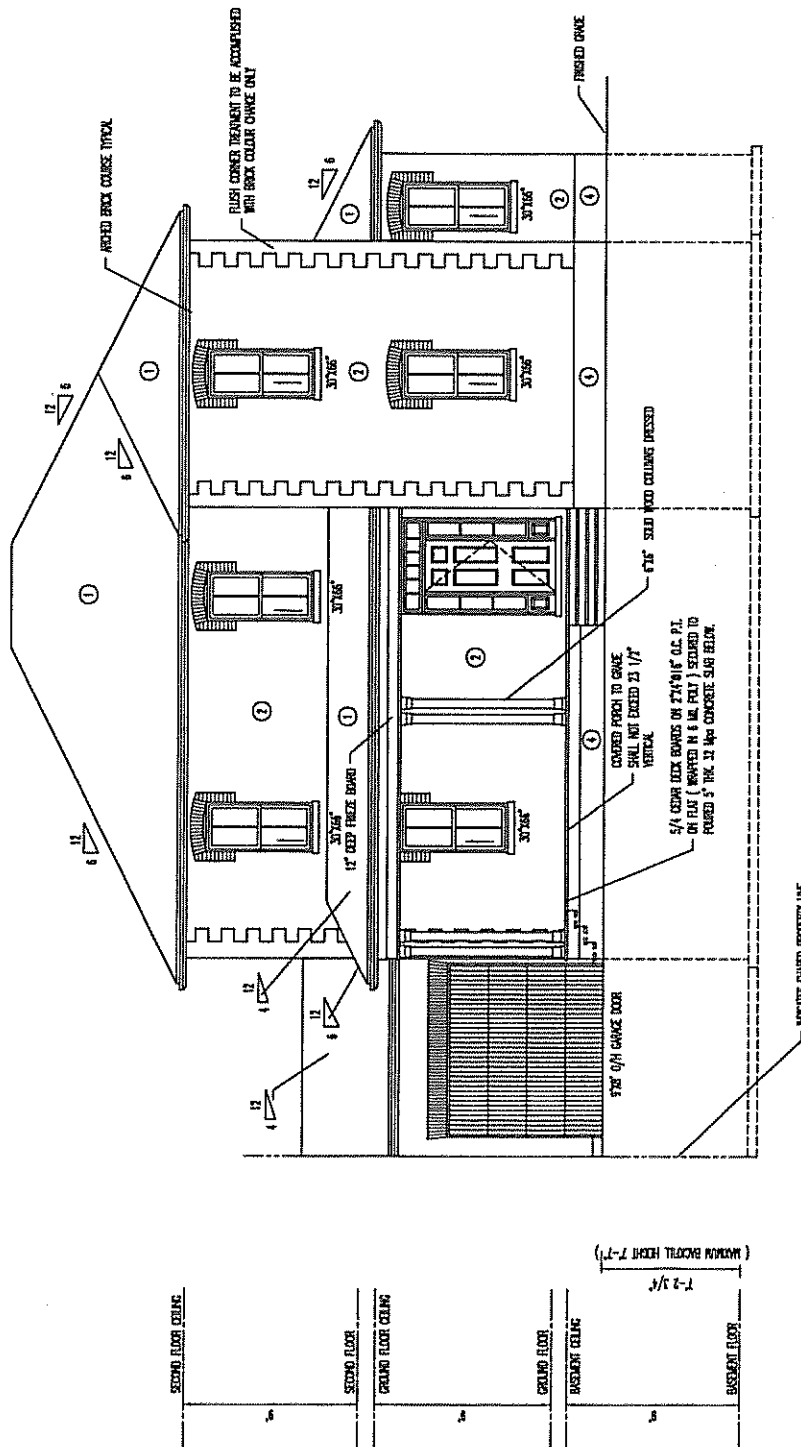
- READING ON A READING SUPPORT SHALL BE OF SOLID
- UP TO 3/4" (19mm) THICK FOR WALL READING
- UP TO 3/8" (9.5mm) THICK FOR PANEL READING
- WALL READING SHALL BE 1/4" (6.3mm) HIGH
- HAVE UNBROKEN EDGES
- PROVIDE INFORMATION IN USA-280 "Mandatory
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TIME

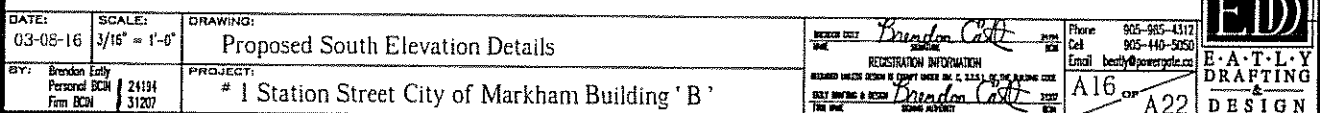
- SHALL BE NAILED TO FRAMING MEMBERS, FUSIONS MEMBERS ON TO BLOCCING BETWEEN THE FRAMING MEMBERS.
- STEEL STUDS SHALL CONFORM TO DCSB 81-GP-244, "SOUND, STUDS AND FASCIA, STEEL, GALVANIZED, PEE FRASSED, RESISTENT".
- HORIZONTAL AND VERTICAL STOPS ALUMINUM STUDS SHALL CONFORM TO DCSB 81-GP-244, "SOUND, STUDS AND FASCIA, ALUMINUM, PRETREATED, RESISTENT".
- NAIL STUDS SHALL CONFORM TO DCSB 41-GP-2444, "SOUND, STUDS AND FASCIA, REED NAIL".

2023, 2024 Bill

- FROM STONE WALKER TO BE INSTALLED IN MANUFACTURES SPECIFICATIONS



- FLUX SIDE WHEEL**
- FLUX SIDE WHEEL TO BE INSTALLED TO MANUFACTURERS SPECIFICATIONS



THESE ARE THE

- CONCRETE SHALL BE MIN. 3 THICKNESS OF SHEET-PIPING. IT MUST BE CASTED WITH REINFORCING BARS. THE FIRST STEP SHALL BE INSTALLED WITHIN 18" OF THE LOWER EDGE OF THE ROOF SO THAT IT EXPOSES APPROXIMATELY 1/16" (MIN) BEYOND THE EARS AND THE TOP OF THE ROOF WAS INSTALLED WITHIN 18" OF THE EARS. EACH STEP SHALL BE SPACED MIN. 12" (MAX) FROM EACH OTHER.
- STANDARD STEP SHALL BE MIN. 1/2" W/ 1/4" UNFINISHED SURFACE FOR WALKING. MIN. 12" (MAX) WIDE OF SHEETPIPING OF THE SAME WIDTH AND QUALITY AS THOSE USED AS A ROOF COVERING WITH THOSE FACING UP THE ROOF SLIDE.
- SHEETPIPING SHALL BE FASTENED WITH MIN. 4 NAILS OR STAPLES FOR 3'-4" MIN SHEETPIPING SO THAT NO NAILS OR STAPLES ARE EXPOSED

1. Introduction

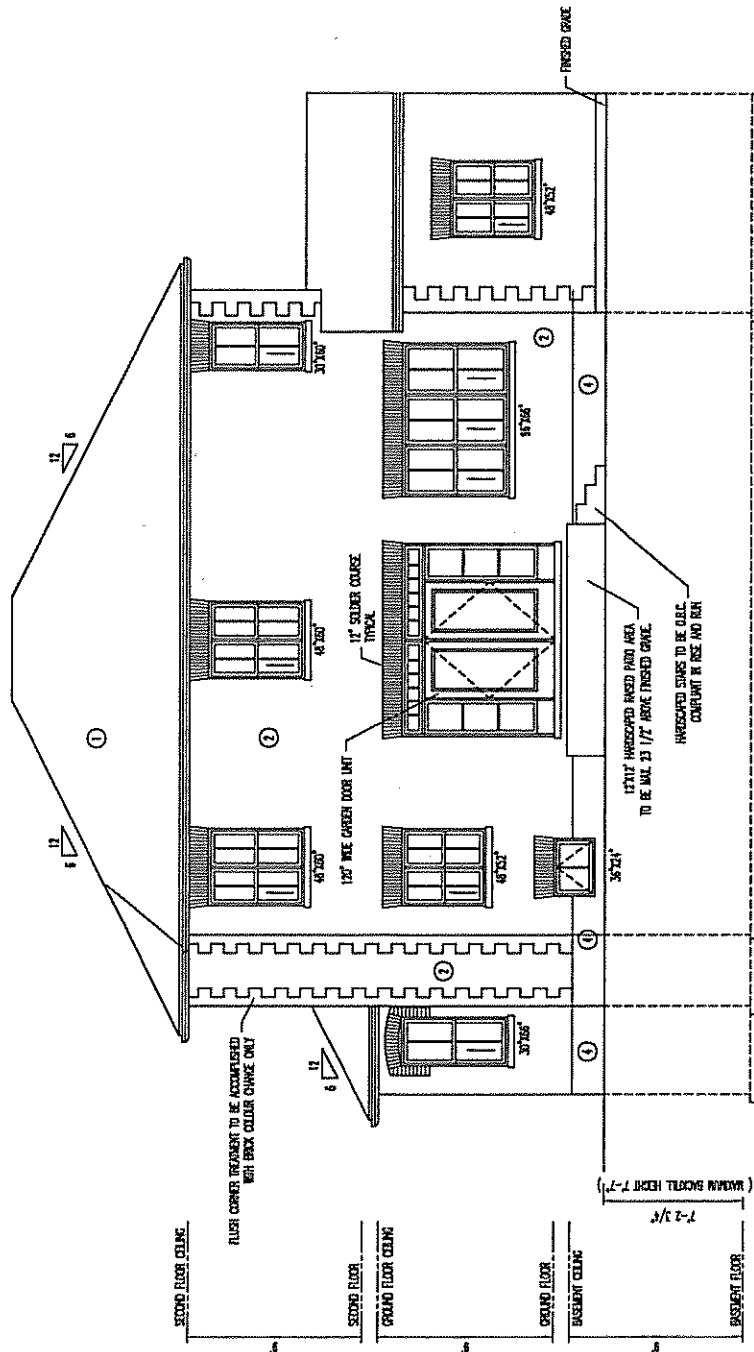
- RESTING ON A BEARING SURFACE SHALL BE OF SIZED RAILS WITH A MIN. (1/4") THICK TOP RAIL BEARING UP TO THE RAIL
- WOODEN RAILS MAY BE 1 1/2" BOUND RAIL SHALL HAVE IMPROVED JOINTS
- POINTS INCREASED IN CSA - 3" WOODEN JOINTS FOR RAILINGS - (INCLUDES THE TONGE DETAILS)
- PLASTIC SHALL BE INSTALLED
 - SHOWN ADJUTED WOODEN WALKWAY SAILS
 - OVER THE BACKS AND TOPS OF PAVEMENT WALKS
 - OVER THE REARS OF FIVE BLOCK PAVEMENTS
 - WOODEN WALK WALKS
 - OVER THE REARS OF WALK AND DOOR OPENINGS IN EXTERIOR WALLS NEAR THE VERTICAL DISTANCE BETWEEN THE TOP OF THE OPENING AND THE BOTTOM EDGE OF THE CASE EXTENDS 1/4 OF THE HORIZONTAL CASE EXTENSIVE

SALES

- SHALL BE NUTLED TO FRAMING MEMBERS, FLOORING MEMBERS OR TO BLOOMS BETWEEN THE FRAMING MEMBERS.
- STEEL SONG SHALL CONFORM TO CODES 81-07-44, "STEEL, SHEETS AND PLATE, STEEL, GALVANIZED, PRE-PAINTED, RESIDENTIAL."
- HORIZONTAL AND VERTICAL STEEL ALUMINUM SONG SHALL CONFORM TO CODES 81-07-74, "STEEL, SHEETS AND PLATE, ALUMINUM, PREPAINTED, RESIDENTIAL."
- W/OT SONG SHALL CONFORM TO CODES 81-07-144, "STEEL, SHEETS AND PLATE, ALUMINUM, RESIDENTIAL."

SELECTED REFERENCES

- STONE WOULD BE REPORTED TO WASHINGTON OFFICIALS



Duncan, George

From: Brandon Gaffoor <Brandon.Gaffoor@metrolinx.com>
Sent: August 14, 2018 3:08 PM
To: Duncan, George
Cc: Adam Snow; Ivan Cheung
Subject: RE: 1 Station Street Minor Variance and Consent Applications

Hi George,

It was nice speaking with you this afternoon.

Thank you for providing the below email which summarizes the City of Markham's position for the 1 Station Street application. We will begin working with the landowner on the development agreement. As noted in our conversation, Metrolinx will require notice of the anticipated street closure that is associated with sewer construction on Station Street.

Thanks,

BRANDON GAFFOOR, B.E.S.

Junior Analyst – Third Party Projects Review
Pre-Construction Services | Capital Projects Group
Metrolinx | 20 Bay Street | Suite 600 | Toronto | M5J 2E3
T: 416.202.7294 C: 647.289.1958



From: Duncan, George [mailto:gduncan@markham.ca]
Sent: August-14-18 2:40 PM
To: Brandon Gaffoor
Subject: 1 Station Street Minor Variance and Consent Applications

As a follow up to our telephone conversation this afternoon, the City of Markham supports the proposed development in this context. The proposed dwellings are compatible in scale and placement with the existing surrounding older dwellings. The reduced front yard setback was recommended to the applicant by City staff to facilitate the preservation of significant mature trees on the subject property. A very wide City boulevard will provide a front yard appearance. We are anticipating the submission of a Site Plan Control application relating to the current applications to the Committee of Adjustment.

George Duncan

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Anthony Roman Centre
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