

Memorandum to the City of Markham Committee of Adjustment

February 27, 2023

File: A/004/22
Address: 33 Washington Street, Markham Village
Applicant: Gregory Design Group (Shane Gregory)
Agent: Gregory Design Group (Shane Gregory)
Hearing Date: Wednesday, March 8, 2023

The following comments are provided by Heritage Section staff for the property municipally-known as 33 Washington Street (the “subject property” or the “property”):

The applicant is requesting relief from the following requirements of By-law 1229, R3 as amended, to permit:

- a) **By-law 1229, Table 11.3(a)(i):**
an accessory building with a height of 12.83 ft, whereas the by-law permits a maximum height of 12 ft;
- b) **By-law 1229, Table 11.1:**
a front yard setback of 11.91 feet, whereas the By-law requires a minimum front yard setback of 25.0 feet;
- c) **By-law 99-90, Section 1.2(v):**
a maximum floor area ratio of 53.35 percent, whereas the by-law permits a maximum floor area ratio of 45 percent;
- d) **By-law 99-90, Section 1.2(ii):**
a building depth of 18.83 m, whereas the by-law permits a maximum building depth of 16.8 metres.

as it relates to a proposed two-storey single-detached dwelling with detached garage.

BACKGROUND

Property Description

This application was deferred by the Committee of Adjustment (the “Committee”) at its hearing on February 1, 2023 to address the Committee’s concerns regarding the proposed floor area ratio of 55.51 percent. This report is intended to be read in conjunction with the Staff report previously considered by the Committee, dated January 27, 2023.

COMMENTS

On February 6, 2023, the applicant submitted revised drawings illustrating a two-storey dwelling and detached garage with a gross floor area of 392.50 square metres, a reduction of 15.80 square metres from the proposal as originally considered by the Committee on February 1, 2023. Expressed as a percentage, the revised floor area ratio is now proposed at 53.35 percent, a reduction of 2.16 percent from the applicant’s original submission. As noted above, the maximum floor area ratio as permitted by the Zoning By-law is 45 percent. The revised drawings also indicate a building depth of 18.83 m, a decrease of 0.33 m from the originally proposed depth of 19.16m. Staff remain of the opinion that the requested variances for maximum floor area ratio and building depth are both minor in nature and are therefore supportable. Note that the requested variances for accessory building height and front yard setback remain unchanged.

The applicant has not conducted a Zoning Preliminary Review for the revised drawings. 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.

Please refer to Appendix "C" for the revised drawings as submitted by the Applicant.

PUBLIC INPUT SUMMARY

No written submissions were received as of the time this report was finalized. 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 variances requested meets the four tests of the Planning Act and have no objection. Staff recommend that the Committee consider public input in reaching a decision should any be provided.

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 refer to Appendix "B" for conditions to be attached to any approval of this application.

PREPARED BY:



Evan Manning, Senior Heritage Planner

REVIEWED BY:



Regan Hutcheson, Manager of Heritage Planning

APPENDIX "A"
LOCATION MAP AND IMAGES OF THE SUBJECT PROPERTY



Property map showing the subject property outlined in yellow (Source: City of Markham)



The west (primary) elevation of 33 Washington Street (above) and street facing elevation of the existing garage fronting Jerman Street (below) (Source: Google)

APPENDIX “B”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/004/22

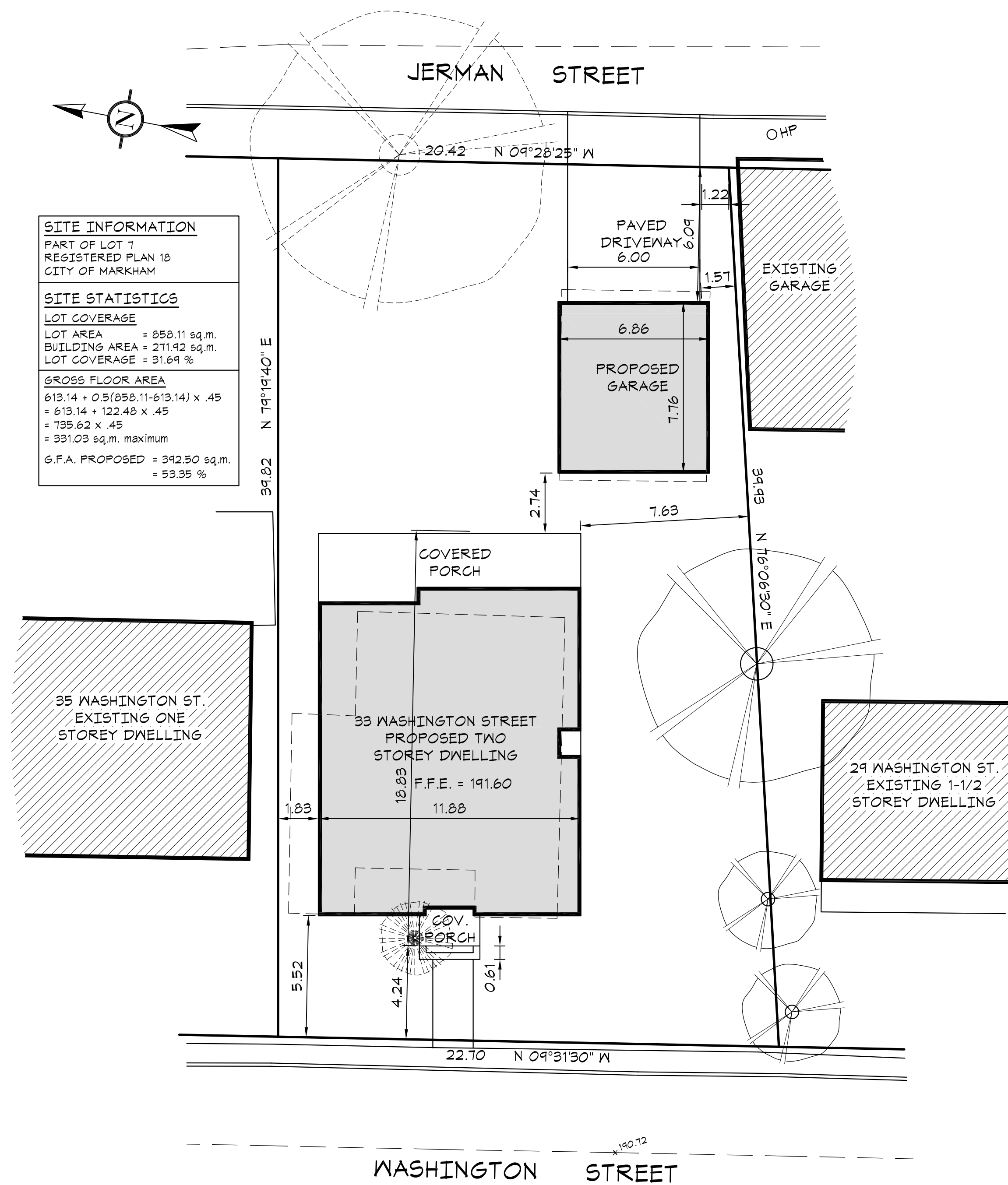
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as Appendix “D” to this Staff Report and received by the City of Markham in February 2023, and that the Secretary-Treasurer 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 Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the future Major Heritage Permit Approval process;
4. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City’s Trees for Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the future Major Heritage Permit Approval process;
5. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City’s Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the Major Heritage Permit, to be inspected by City staff to the satisfaction of the Director of Planning and Urban Design, or their designate.

CONDITIONS PREPARED BY:



Evan Manning, Senior Heritage Planner

APPENDIX "C"
REVISED DRAWINGS



GENERAL NOTES:

ALL CONSTRUCTION IS TO CONFORM TO SECTION "4" OF THE ONTARIO BUILDING CODE (LATEST EDITION).

CONTRACTOR SHALL CHECK AND VERIFY ALL NOTES AND DIMENSIONS.

DO NOT SCALE DRAWINGS.

OWNER / CONTRACTOR / DESIGNER IS RESPONSIBLE TO RE-CLAIM AND DESTROY ALL PREVIOUS AND UN-REVISED COPIES OF THIS DRAWING.

THESE DRAWINGS ARE THE PROPERTY OF THE GREGORY DESIGN GROUP AND / OR ITS CLIENTS ONLY.

BUILDING PERMITS TO BE OBTAINED PRIOR TO COMMENCING CONSTRUCTION.

REVISIONS AND DATA	DATE

I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.

Individual B.C.I.N. - 25025
Firm B.C.I.N. - 30506

Russ Gregory
NAME SIGNATURE

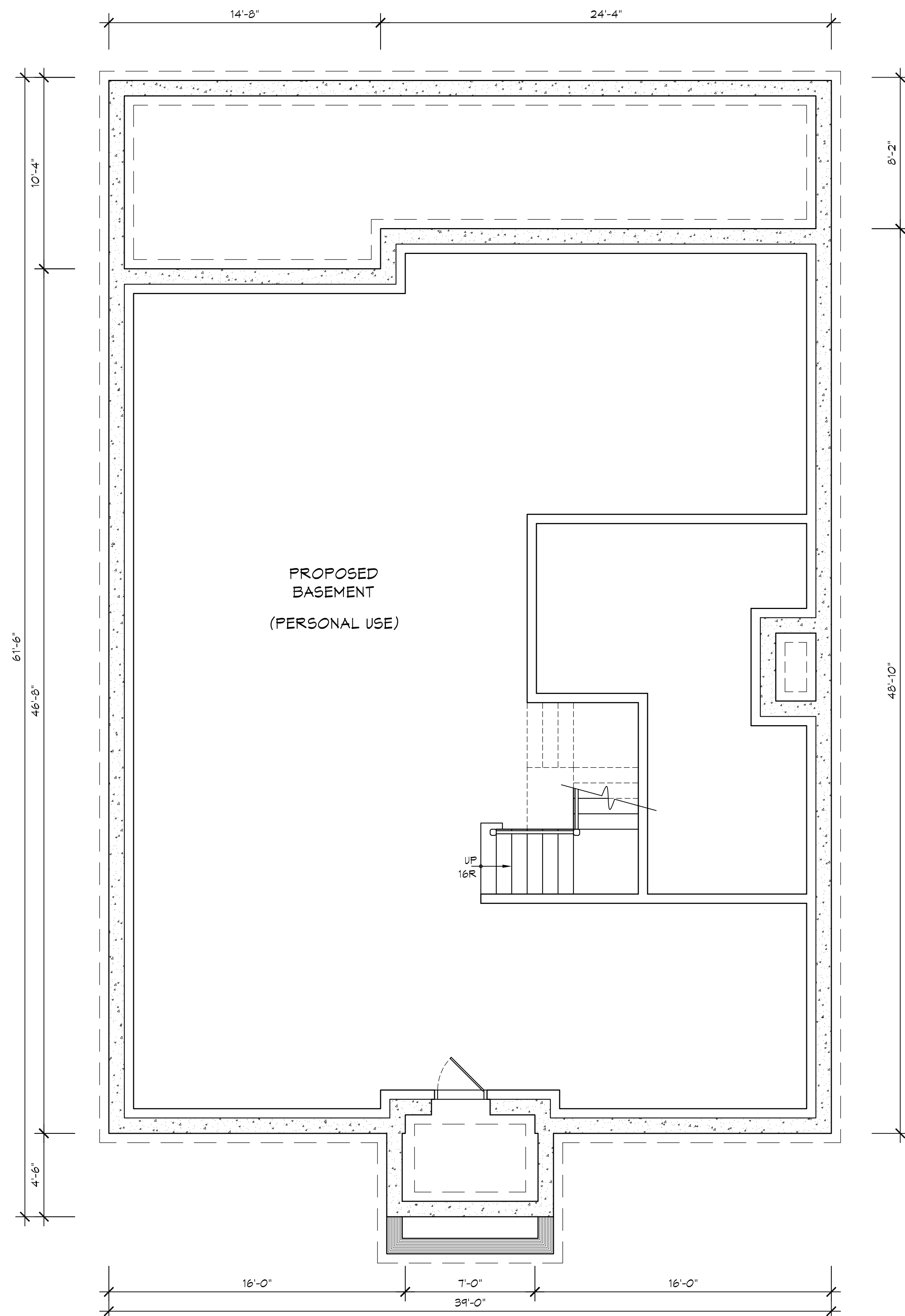
PROJECT TITLE

**NEW HOUSE DESIGN
33 WASHINGTON STREET
CITY OF MARKHAM**

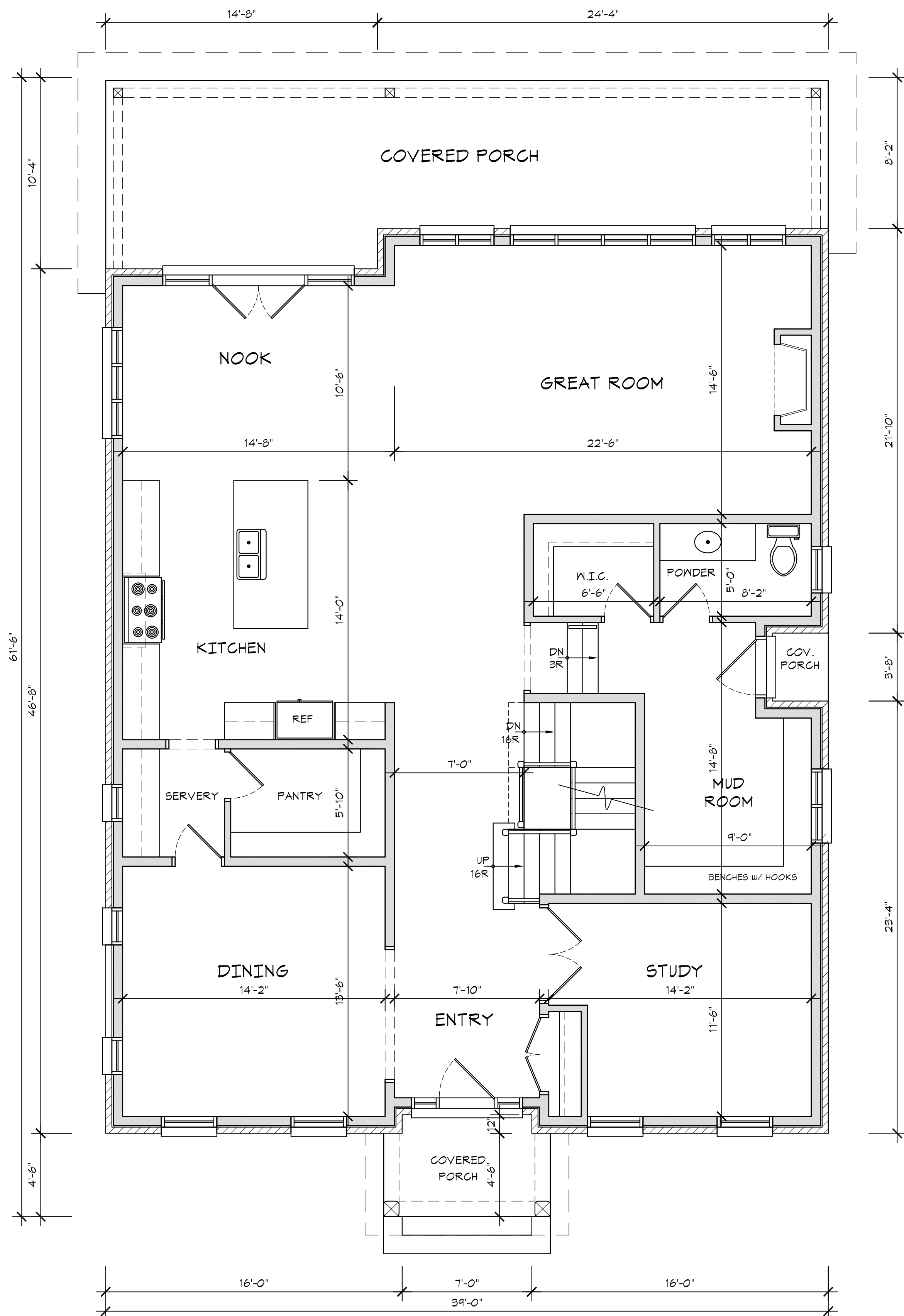
**THE GREGORY
DESIGN GROUP**

16 CHURCH STREET
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416-520-0978
shane@gregorydesigngroup.net

SCALE 1:150	DATE 02/02/23
PROJECT NUMBER 2284-21	SHEET NUMBER SP-1
DRAWN BY S.Gregory	CHECKED BY R.G.



BASEMENT & FOUNDATION PLAN



GROUND FLOOR PLAN

FLOOR AREA = 1,855 sq.ft. (172.33 sq.m.)
 BUILDING AREA = 2,257 sq.ft. (209.68 sq.m.)
 (INC. COVERED PORCHES)

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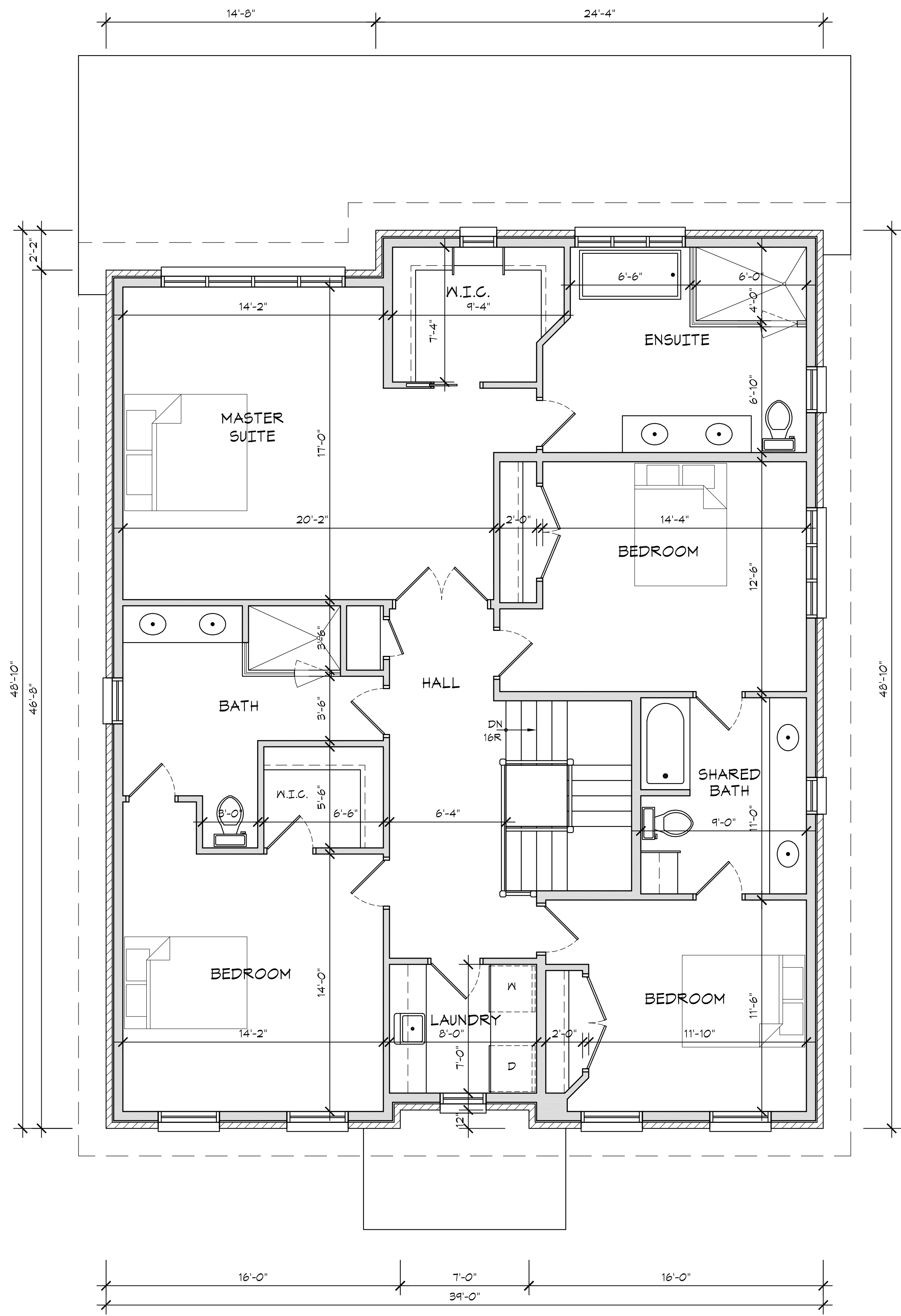
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SCALE 1/4"=1'-0"	DATE 02/02/23
PROJECT NUMBER 2284-21	SHEET NUMBER A-1
DRAWN BY S.Gregory	
CHECKED BY R.G.	



SECOND FLOOR PLAN

FLOOR AREA = 1,866 sq.ft.
 OPEN SPACE = 70 sq.ft.
 TOTAL NET FLOOR AREA = 1,796 sq.ft. (166.85 sq.m.)

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FRONT ELEVATION



RIGHT SIDE ELEVATION

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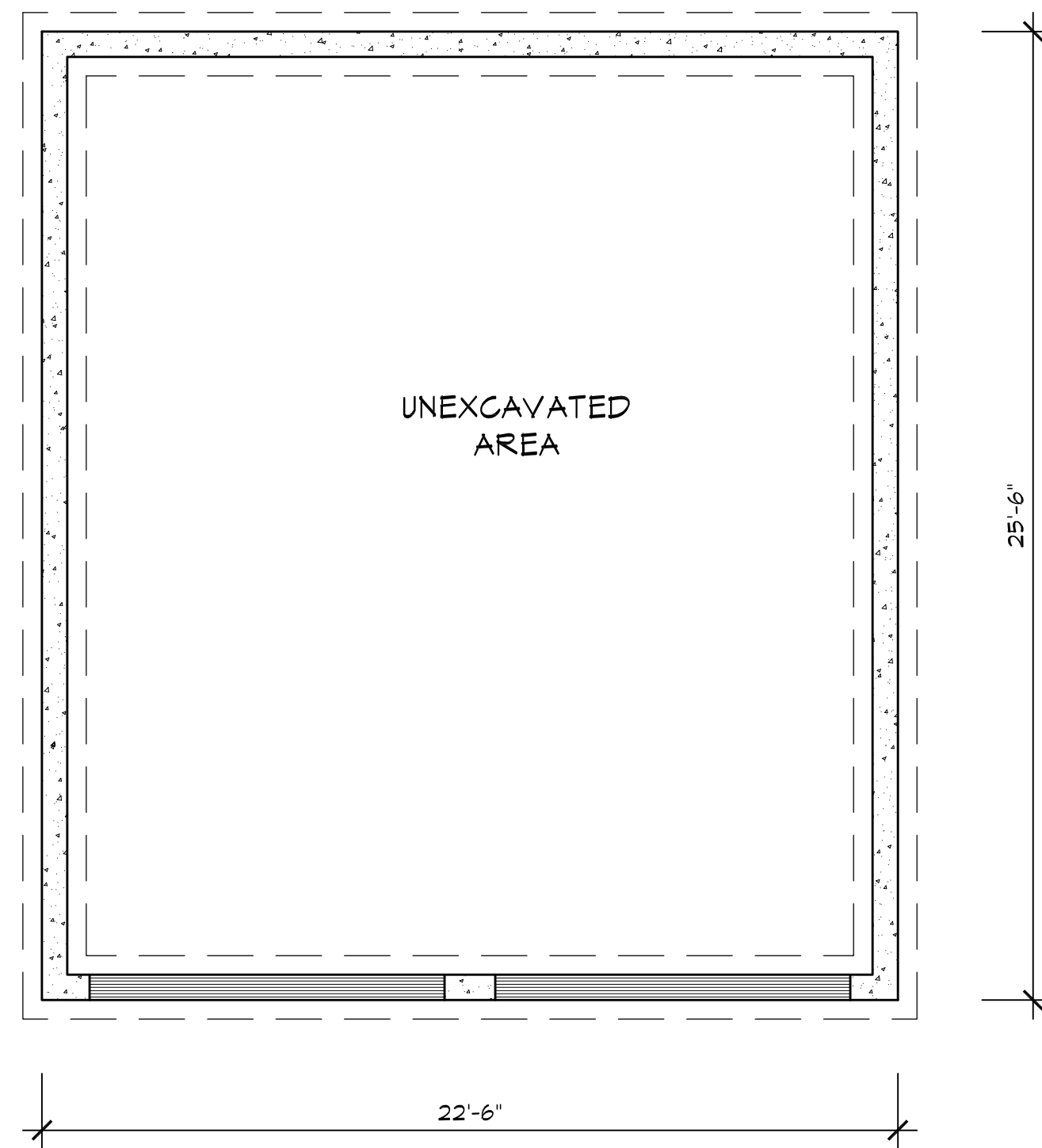
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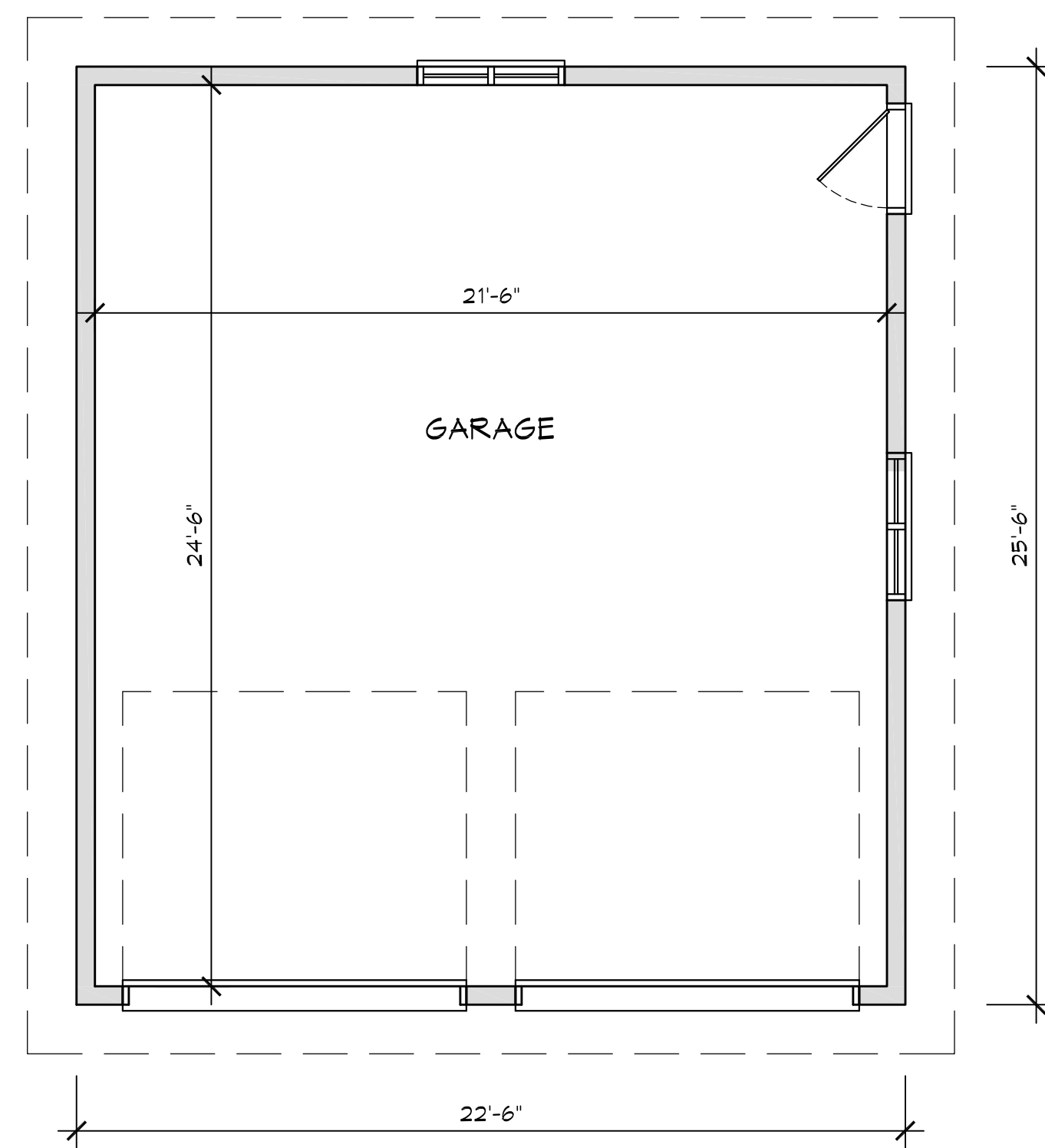
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SCALE 1/4"=1'-0"	DATE 02/02/23
PROJECT NUMBER 2284-21	SHEET NUMBER A-3
DRAWN BY S.Gregory	CHECKED BY R.G.

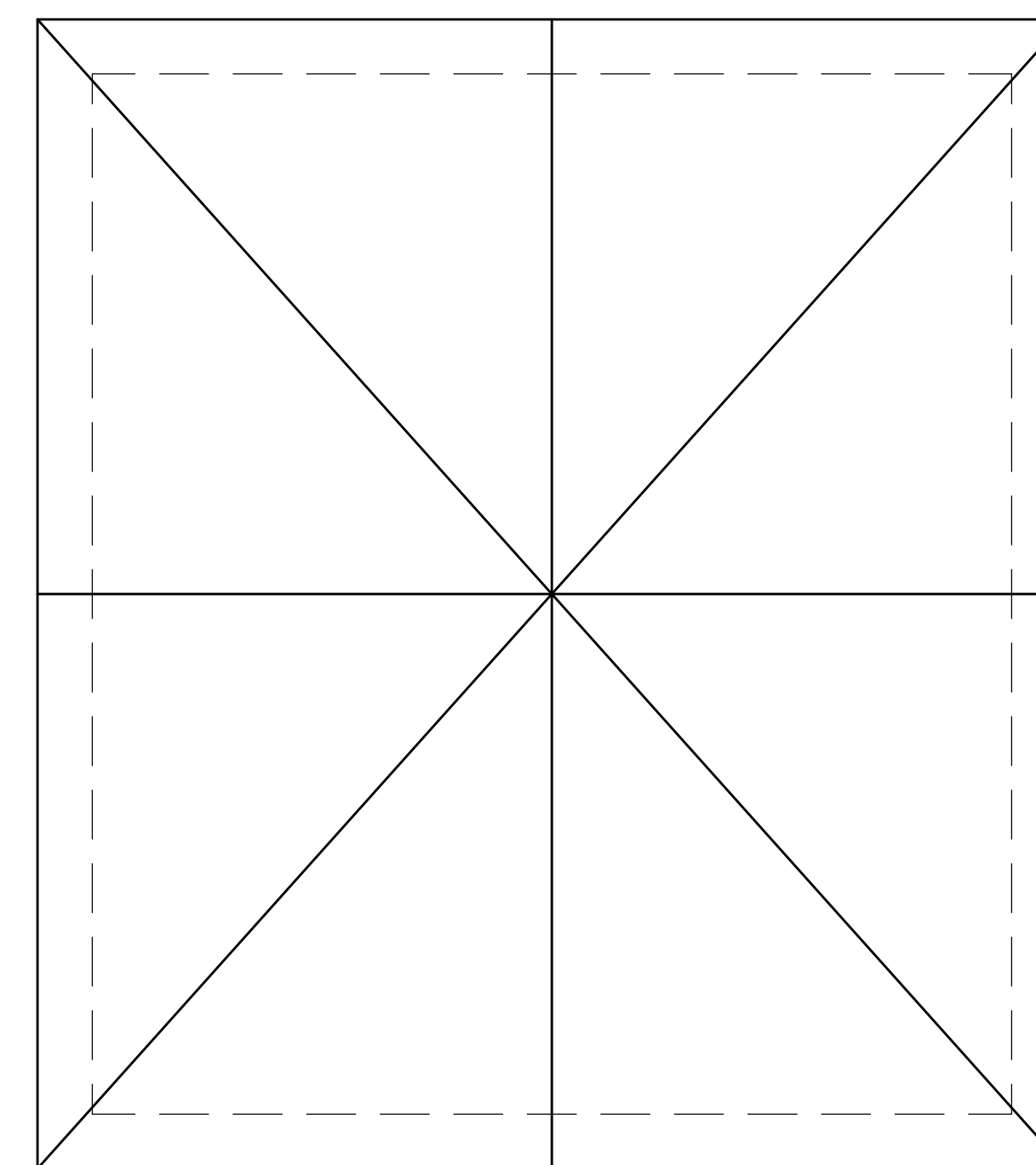


FOUNDATION PLAN



GARAGE PLAN

BUILDING AREA = 574 sq.ft. (53.32 sq.m.)



ROOF PLAN



LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

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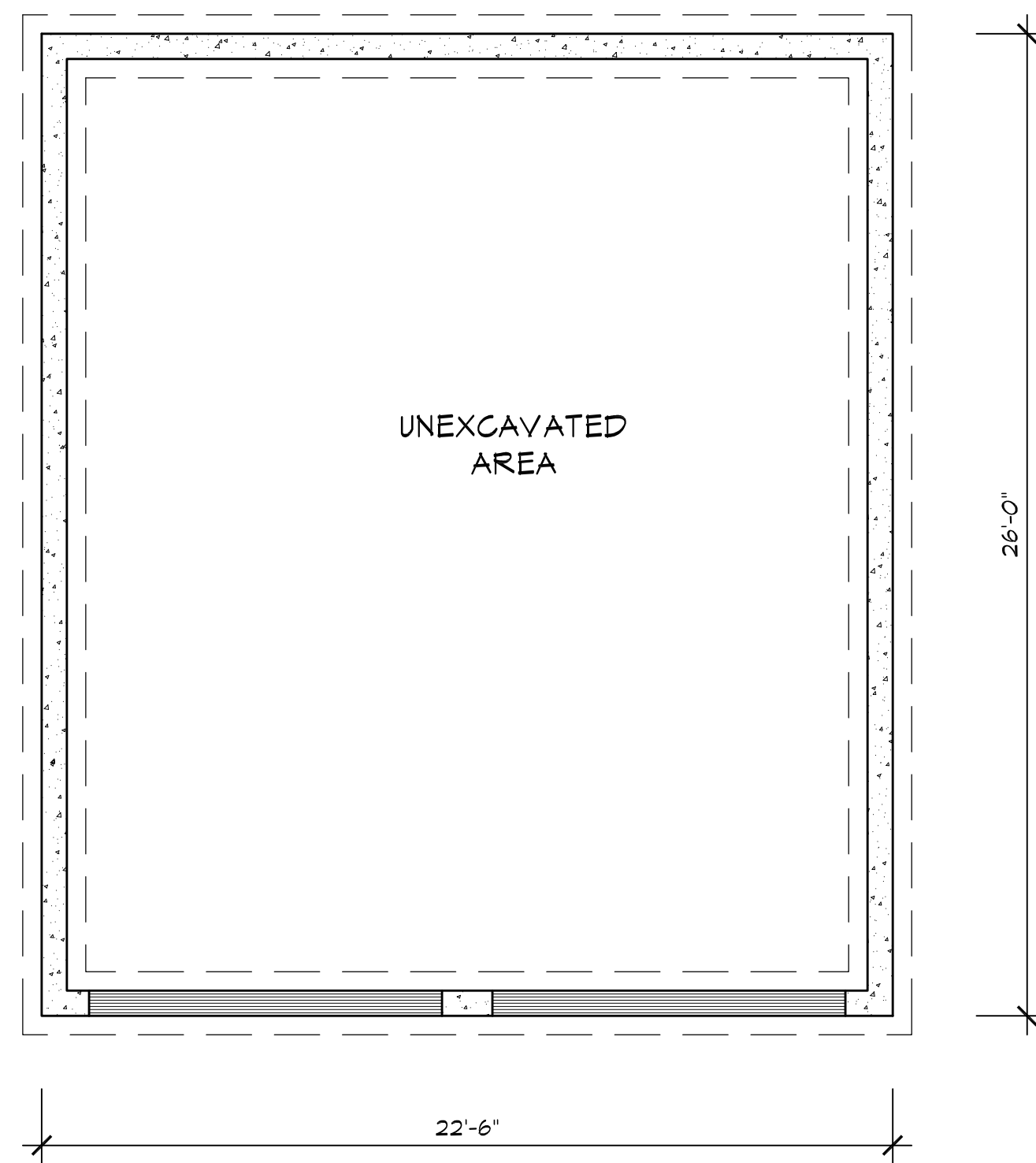
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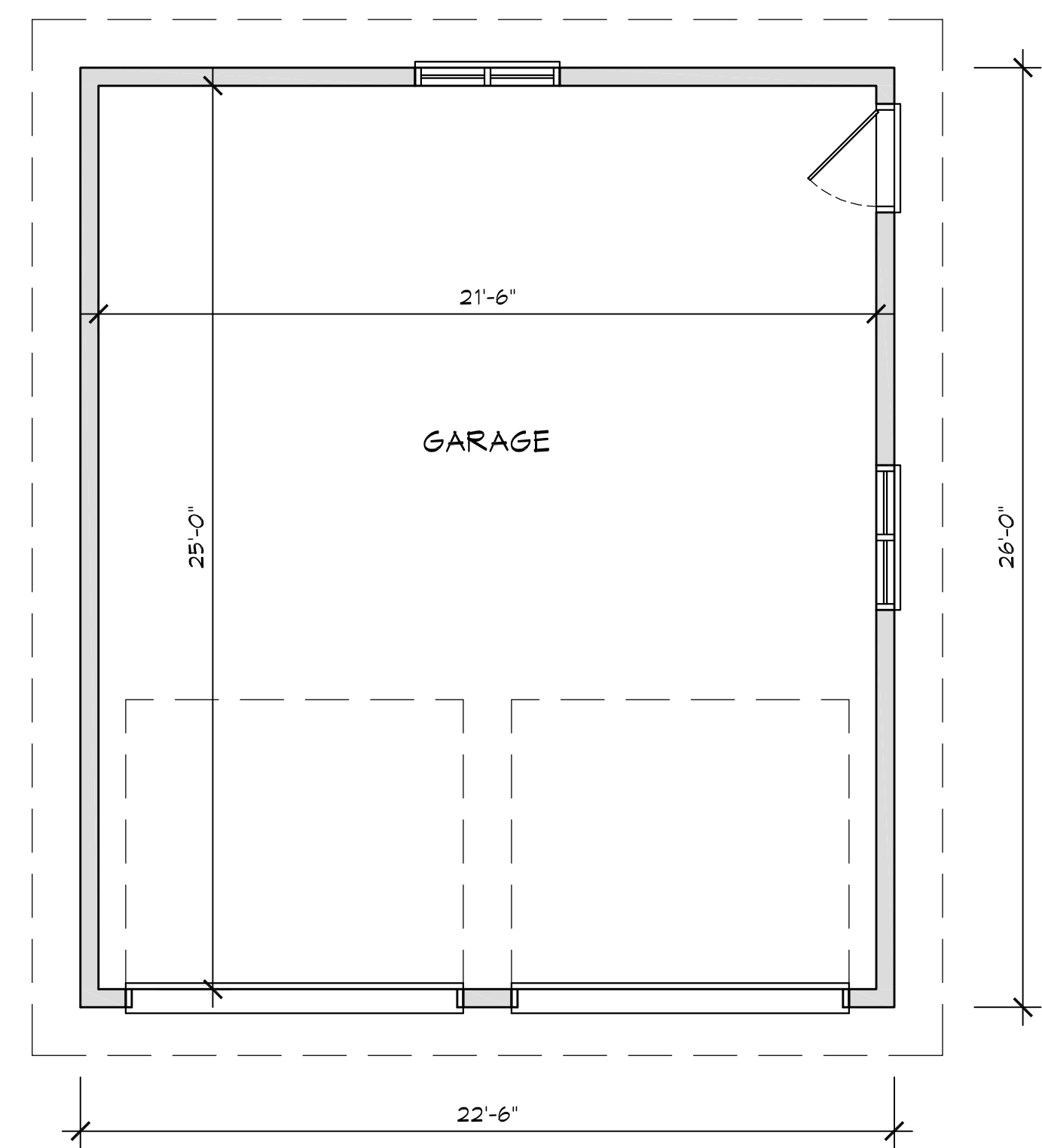
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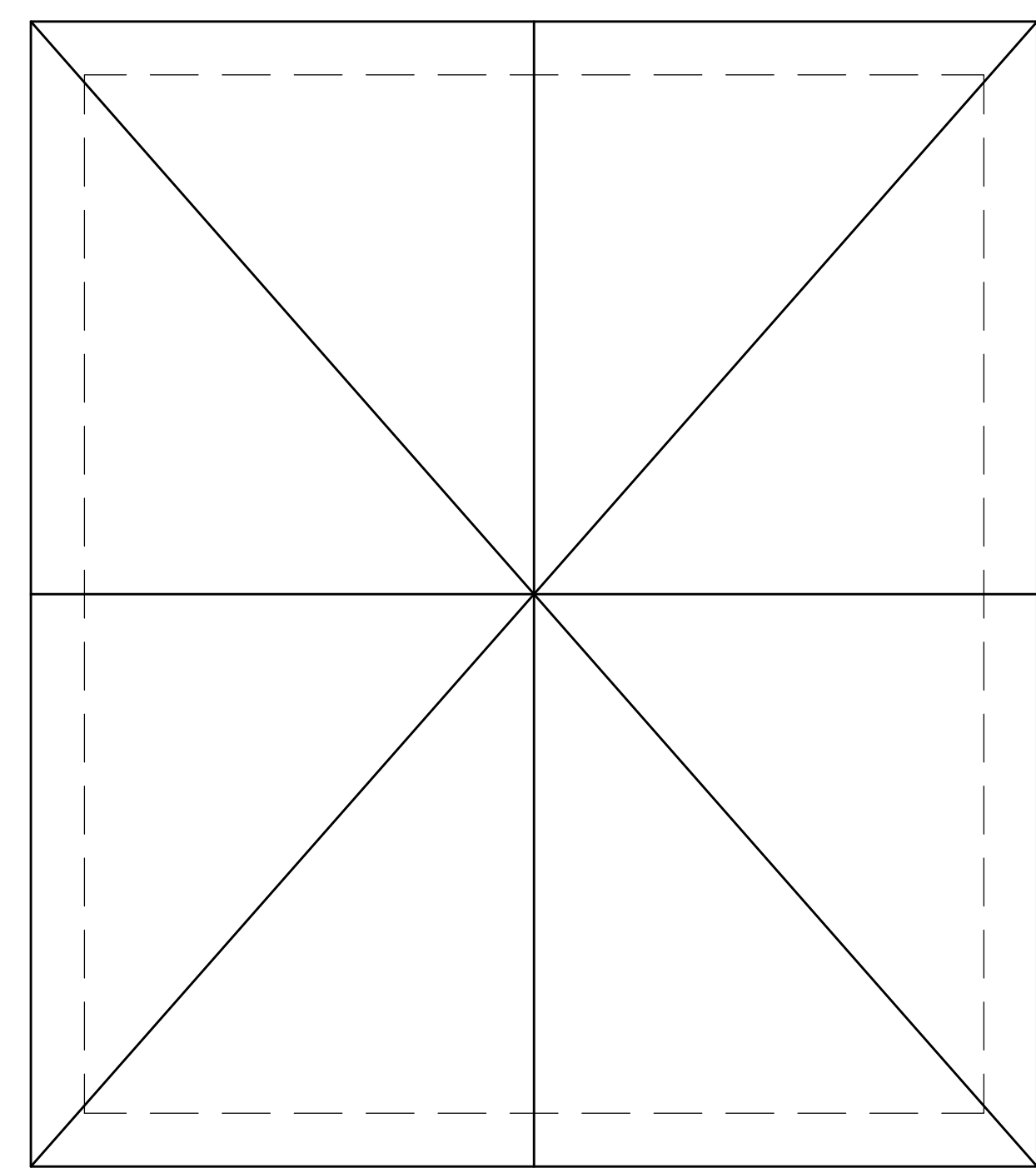


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