

Memorandum to the City of Markham Committee of Adjustment

January 20, 2023

File: A/251/22
Address: 41 West Normandy Drive, Markham
Applicant: Jun An
Agent: Jun An
Hearing Date: Wednesday, February 1, 2023

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following “Residential Two*241 (R2*241)” under By-law 177-96, as amended, as it relates to a proposed coach house above the existing detached garage. The variance requested is to permit:

a) By-law 177-96, Section 6.3.1.2:

a detached private garage setback of 5.26 m from the main building on the lot, whereas the By-law permits a minimum garage setback of 6m

BACKGROUND

Property Description

The 294.34 m² (3,168.24 ft²) subject property is located on the south side of West Normandy Drive, south of Highway 7 and east of Ninth Line. The property is located within an established residential neighbourhood comprised of two-storey detached dwellings.

The property is developed with a two-storey detached dwelling and a detached one-storey garage. There is one tree located in the boulevard along the front property line.

Proposal

The applicant is proposing to construct a coach house above the existing detached garage which will have an approximate floor area of 55.11 m² (593.19 ft²).

The applicant is requesting a variance to the setback from the main building to the private garage to facilitate the development of a proposed coach house.

Official Plan and Zoning

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

The Official Plan designates the subject property “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings.

Zoning By-Law 177-96

The subject property is zoned “Residential Two*241 (R2*241)”, as amended, which permits low rise housing forms including single detached dwellings. Exception *241 permits one accessory dwelling unit which can be in the form of a coach house, subject to meeting the applicable development standards. The proposed development does not comply with the By-law requirements, with respect to the setback from the main building.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on December 4, 2022 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.

Reduction in Setback from the Main Building

The applicant is requesting a minimum setback of 5.26 metres from the main building, whereas the By-law requires 6.0 metres from the main building to a detached private garage. This represents a reduction of 0.74 metres.

The requested variance would apply to a one-storey mechanical room, which has a width of approximately 1.24 m and is considered a component of the detached garage. Staff are of the opinion that the mechanical room is limited in width, and would allow for adequate amenity space in the rear yard to be maintained. Staff are satisfied that the requested variance is minor in nature, and in keeping with the general intent and purpose of the By-law.

Fire and Emergency Services Comments

Fire and Emergency Services Department has no objections, provided that the Owner registers the accessory apartment with Markham Fire and Emergency Services. Should this application be approved, the applicant will be required to obtain a building permit which ensures the accessory apartment will be in compliance with Building Code and Fire Code regulations, and will be required to register their second suite with the Fire Department prior to the occupancy of the unit.

PUBLIC INPUT SUMMARY

No written submissions were received as of January 20, 2023. 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 refer to Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Brashanthe Manoharan, Planner II, East District

REVIEWED BY:



Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/251/22

1. That the variances apply only to the proposed development for as long as it remains.
2. That the variances apply only to the proposed development, in substantial conformity with the batch stamped plans attached as Appendix "B" to this Staff Report, 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 their designate.

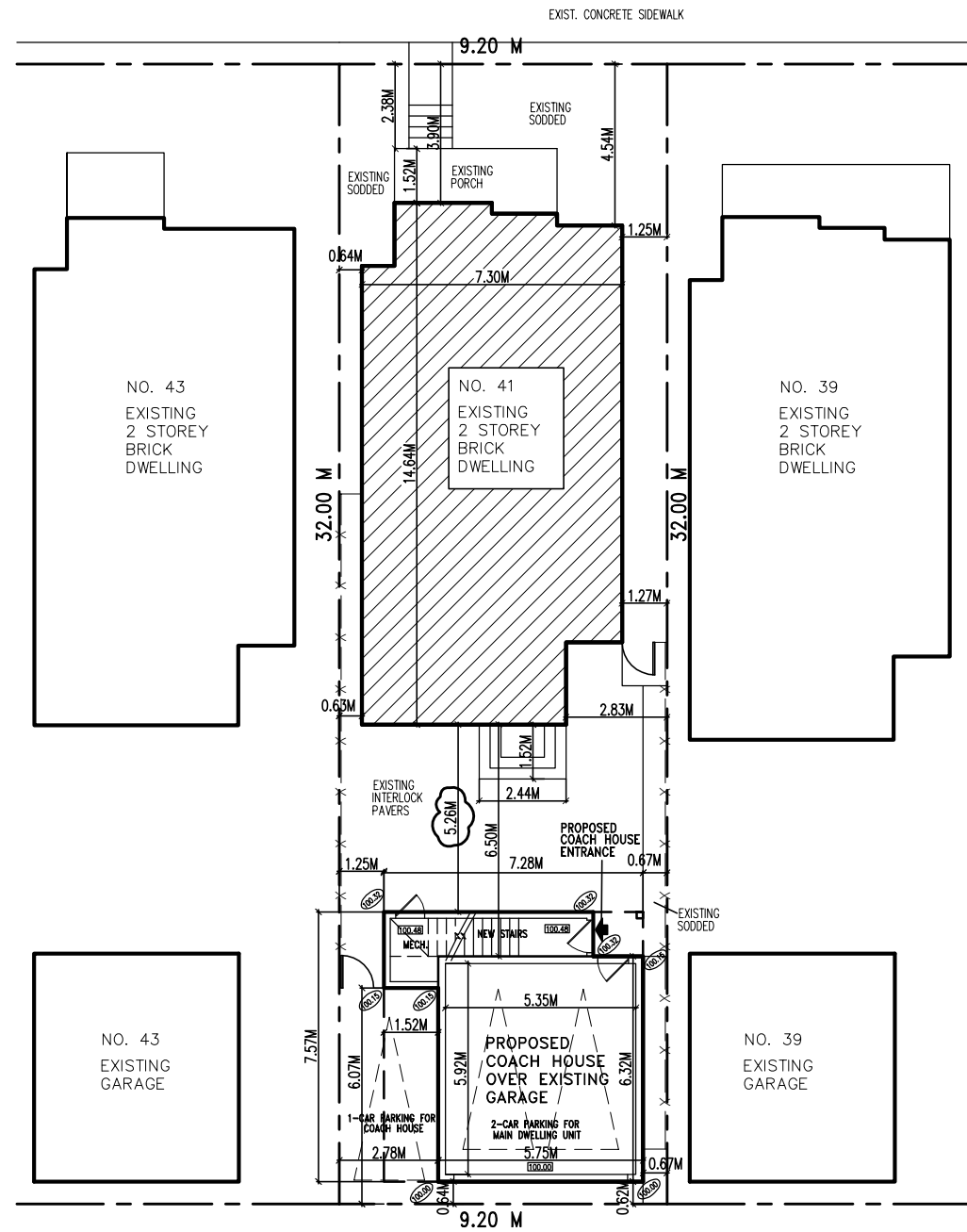
CONDITIONS PREPARED BY:



Brashanthe Manoharan, Planner II, East District

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/251/22

WEST NORMANDY DR.



LANE



SITE PLAN
1:200

NOTE: EXISTING TWO STOREY DETACHED DWELLING (MAIN BUILDING) EXISTING NO CHANGES.
NOTE: PROPOSED COACH HOUSE ABOVE EXISTING 2-CAR GARAGE.

ZONING: 41 WEST NORMANDY DR IS ZONED R2*241 UNDER BY-LAW 177-96 AS AMENDED THE PROPOSED USE OF COACH HOUSE IS PERMITTED UNDER SECTION 7.241.1

ZONING SUMMARY:

	PERMITTED	PROPOSED
MAIN BUILDING	EXISTING NO CHANGE	
DETACHED GARAGE & COACH HOUSE ABOVE	PERMITTED	PROPOSED
MIN. SETBACK FROM INTERIOR SIDE LOT LINE (EAST)	0.3 M	0.67 M
MIN. SETBACK FROM INTERIOR SIDE LOT LINE (WEST)	0.3 M	1.25 M
MAX. HEIGHT	8 M	6.63 M
MAX. LOT COVERAGE	20% (58.88 M ²)	18.72% (55.11 M ²)
MIN. SETBACK FROM REAR LOT LINE	0.6 M	0.62 M
MIN. PARKING SPACES	3	3
MIN. SETBACK FROM MAIN BUILDING	6.0 M	5.26 M

STATISTICS:

LOT AREA	294.4 M ² (EXISTING)
LOT FRONTAGE	9.2 M (EXISTING)
MAIN BUILDING	
MAIN BUILDING COVERAGE	99.96 M ² (EXISTING) (33.95%)
MAIN BUILDING FLOOR AREA	199.92 M ² (EXISTING)
DETACHED GARAGE & COACH HOUSE ABOVE	
EXISTING GARAGE AREA	36.34 M ² (EXISTING)
ADDITION GROUND FLOOR AREA	8.67 M ²
ADDITION SECOND FLOOR AREA	55.11 M ²
ESTABLISHED GRADE	100.18 M

Appendix B

File: 22.265856.000.00.MNV

Date: 01/27/23

MM/DD/YY

1. ALL WORK SHALL BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE ONTARIO BUILDING CODE.
2. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
3. DO NOT SCALE DRAWING.
4. ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER BY PHONE AND SUBSEQUENT WRITTEN CONFIRMATION PRIOR TO COMMENCEMENT OF THE WORK.
5. USE ONLY LATEST REVISED DRAWINGS.
6. THE DESIGN AND CONTRACT DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED, ALTERED, OR REUSED WITHOUT THE DESIGNER'S WRITTEN AUTHORITY.

designed by:

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ANJIA HOME DESIGN INC.
67 CHERRYSTONE DR.
M2H 1S2
TORONTO ONTARIO CANADA

THIS UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER.

JUN AN
BCIN: 103596
ANJIA HOME DESIGN INC.
BCIN: 113604


SIGNATURE

project: **COACH HOUSE ADDITION OVER GARAGE AT 41 WEST NORMANDY DR, MARKHAM, ONTARIO**

drawing: **SITE PLAN**

scale: **1:200**

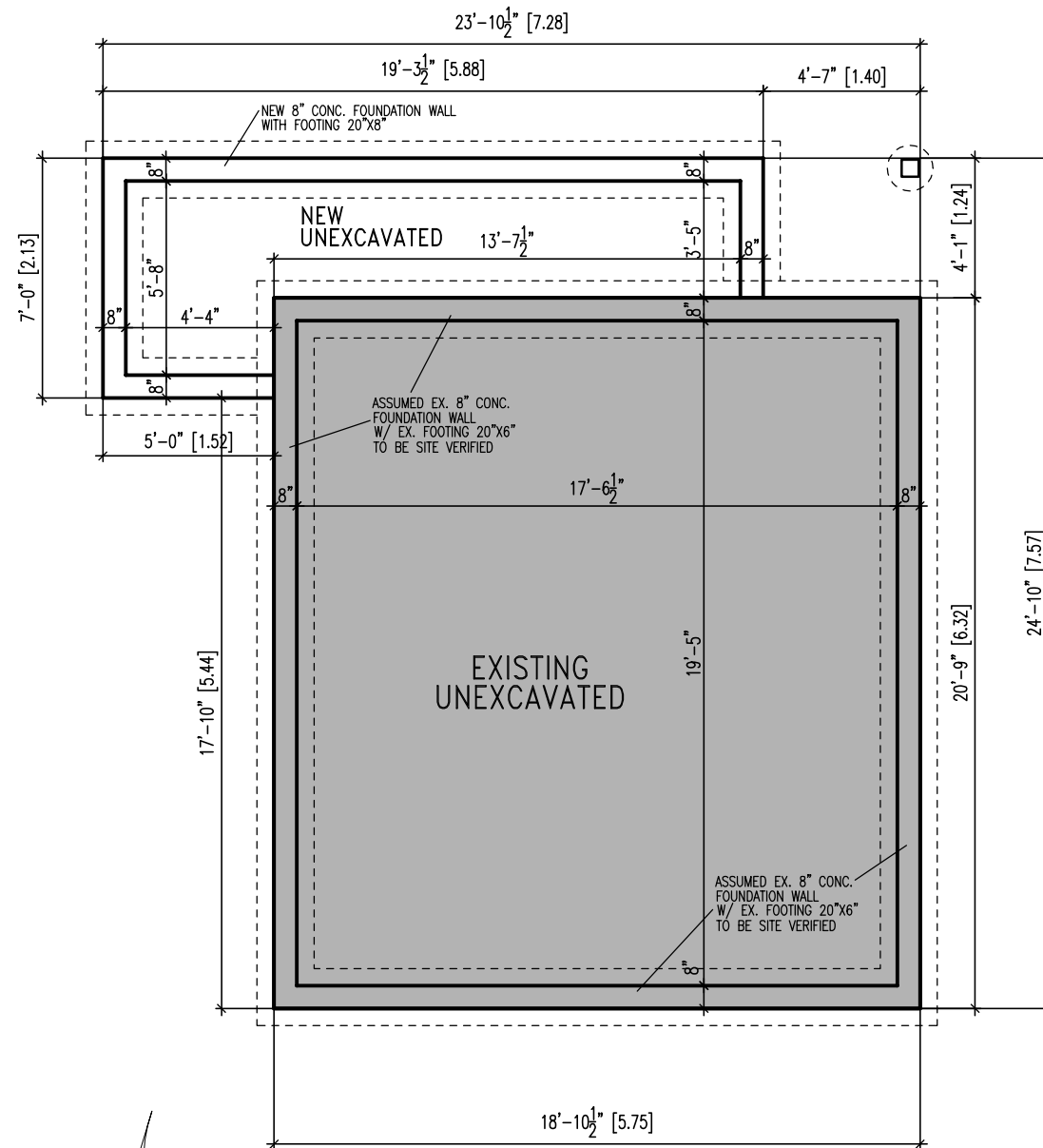
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NO	ISSUED FOR	DATE
1	ISSUED FOR ZPR	NOV 23, 2022
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Appendix B

File: 22.265856.000.00.MNV

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FOUNDATION PLAN
SCALE 3/16"=1'-0"

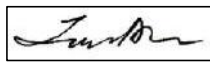
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drawing: **FOUNDATION PLAN**

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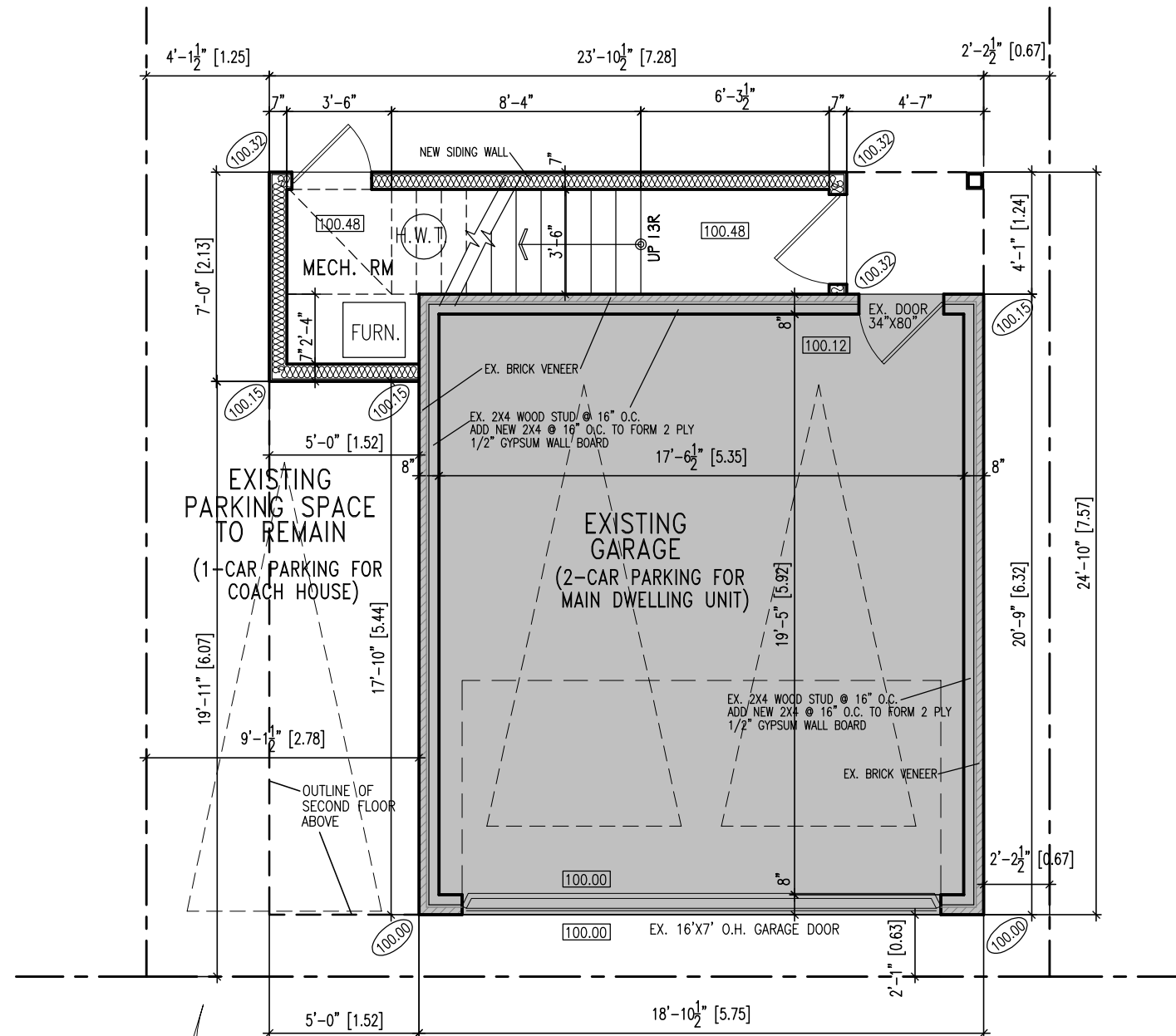
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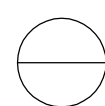
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GROUND FLOOR PLAN
 SCALE 3/16"=1'-0"
 GARAGE AREA (EXISTING)= 36.34 S.M.
 ADDITION GFA= 8.67 S.M.

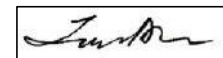
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drawing: **GROUND FLOOR PLAN**

scale: **3/16"=1'-0"**

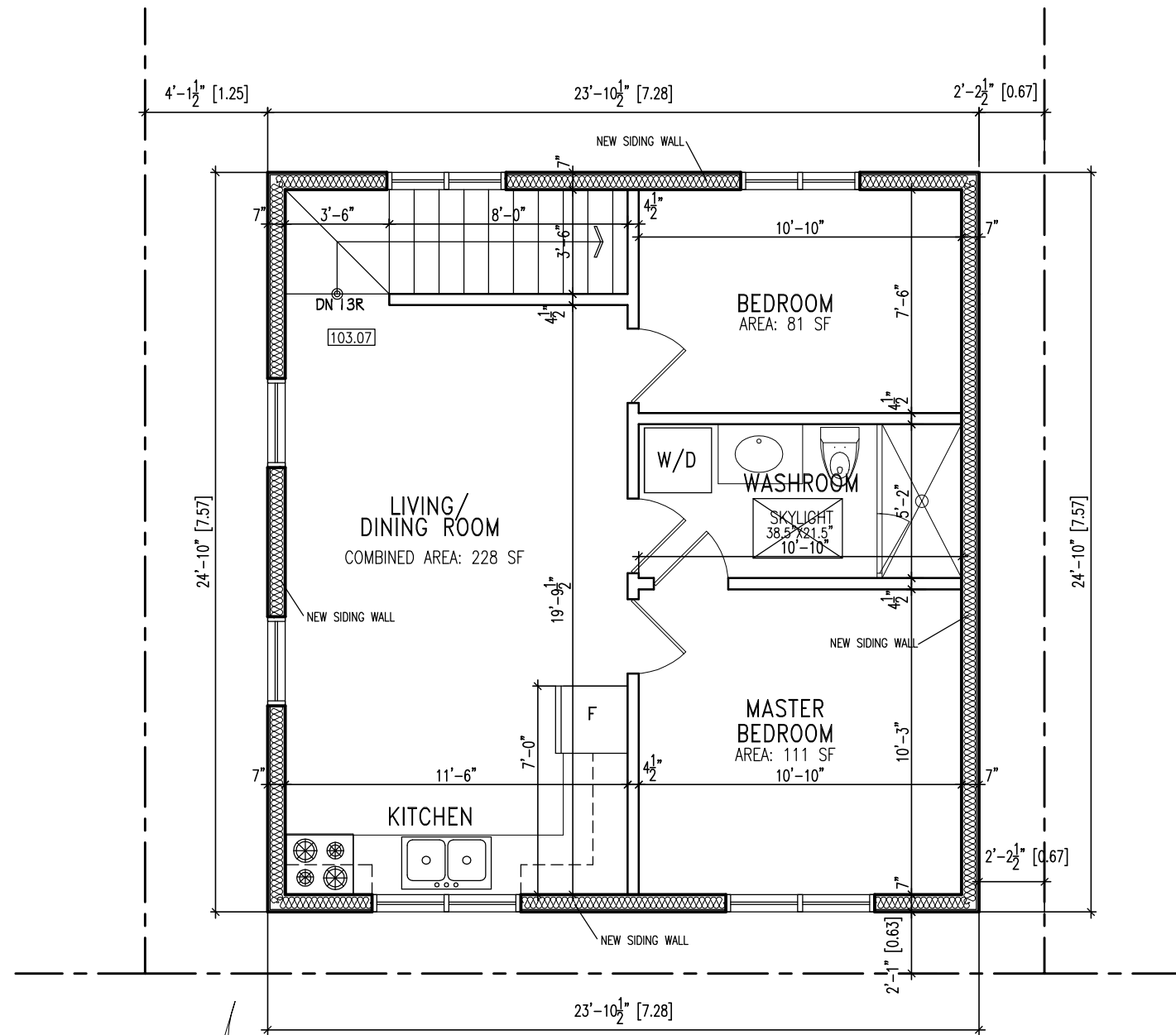
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SECOND FLOOR PLAN
SCALE 3/16"=1'-0"
GFA= 55.11 S.M.


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AT 41 WEST NORMANDY DR, MARKHAM, ONTARIO**

drawing: **SECOND FLOOR PLAN**

scale: **3/16"=1'-0"**

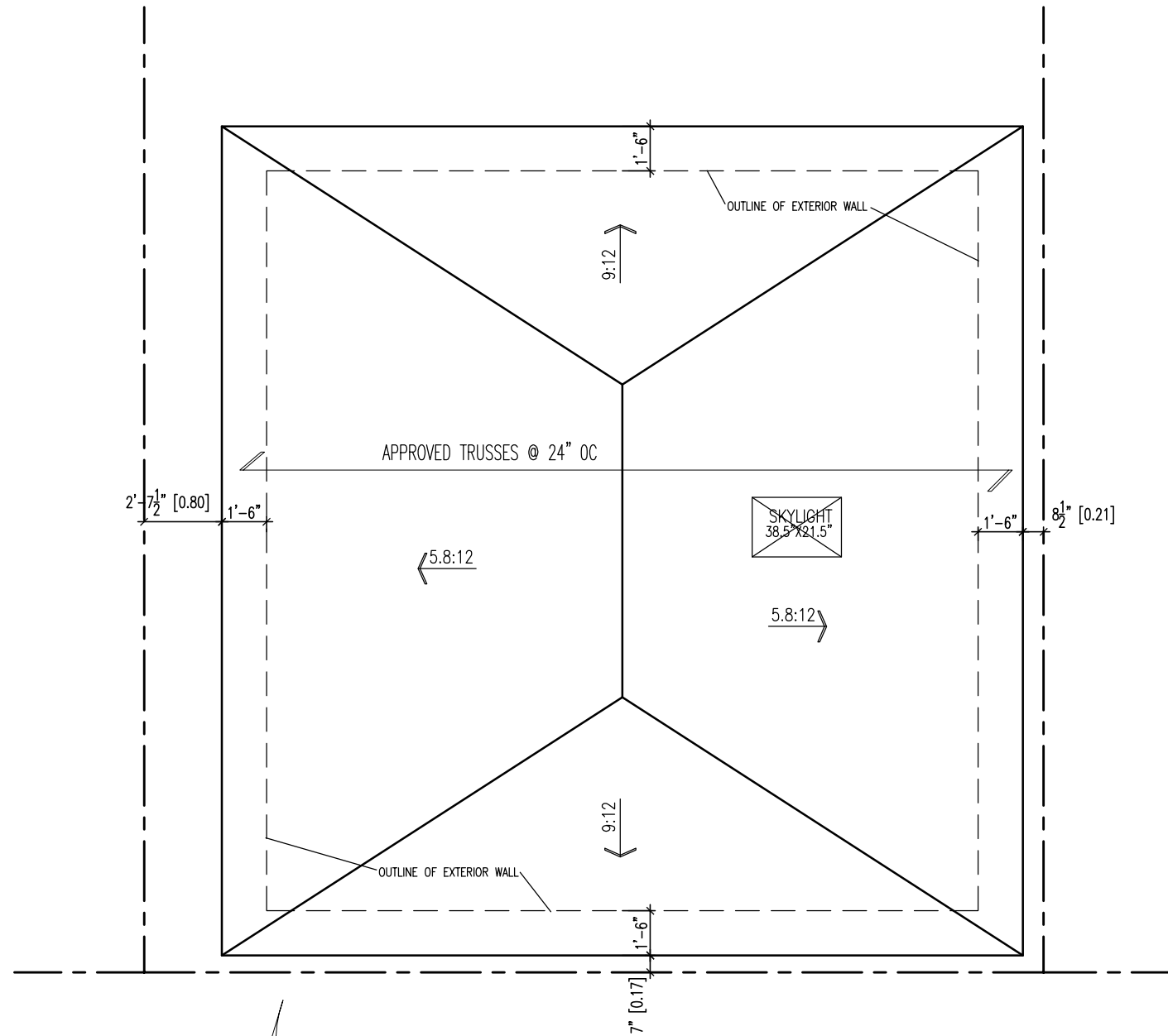
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ROOF PLAN
SCALE 3/16"=1'-0"

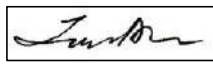
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AT 41 WEST NORMANDY DR, MARKHAM, ONTARIO**

drawing: **ROOF PLAN**

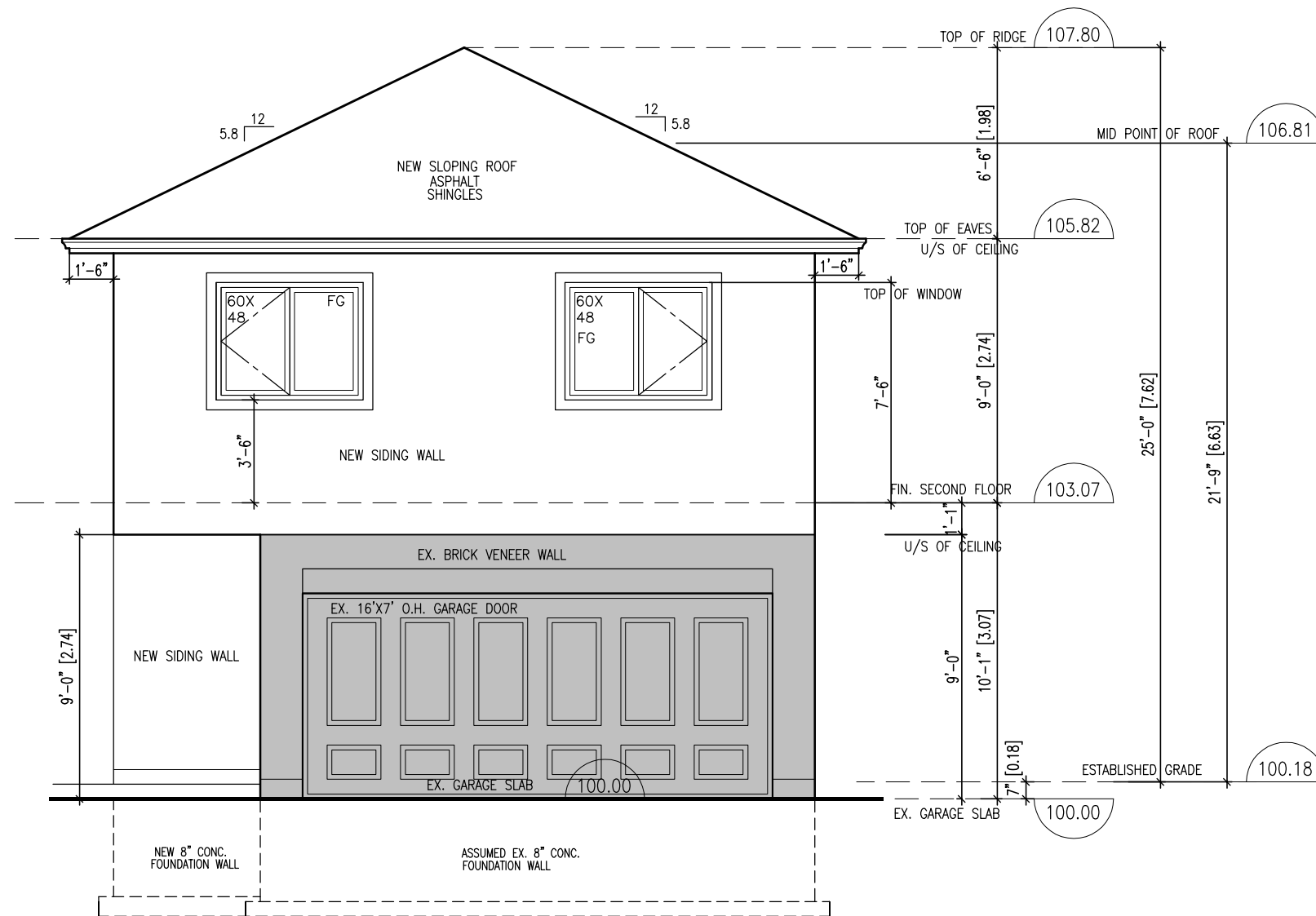
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Appendix B

File: 22.265856.000.00.MNV

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SOUTH ELEVATION
SCALE 3/16"=1'-0"

UNPROTECTED OPENING CALCULATIONS
FACING LANE

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project: **COACH HOUSE ADDITION OVER GARAGE
AT 41 WEST NORMANDY DR, MARKHAM, ONTARIO**

drawing: **SOUTH ELEVATION**

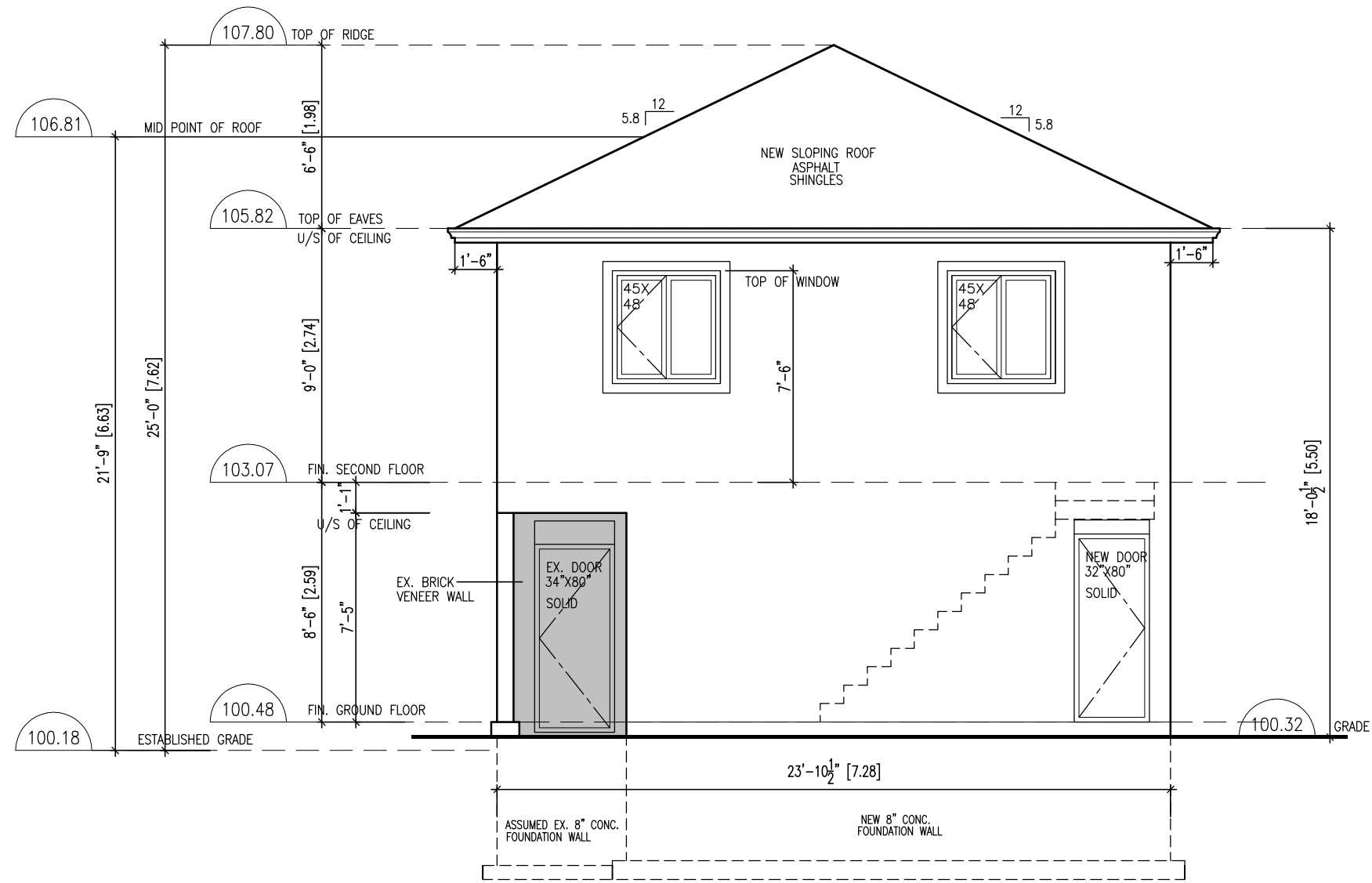
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
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Appendix B

File: 22.265856.000.00.MNV

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 NORTH ELEVATION
SCALE 3/16"=1'-0"

UNPROTECTED OPENING CALCULATIONS
 TOTAL AREA OF EXPOSING BUILDING FACE = 40.04 S.M. (431 S.F.)
 LIMITING DISTANCE = 1.2M
 PERMITTED GLAZED OPENINGS = 7% (30.17 S.F.)
 ACTUAL GLAZED OPENINGS = 6.96% (30.00 S.F.)

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drawing: **NORTH ELEVATION**

scale: **3/16"=1'-0"**

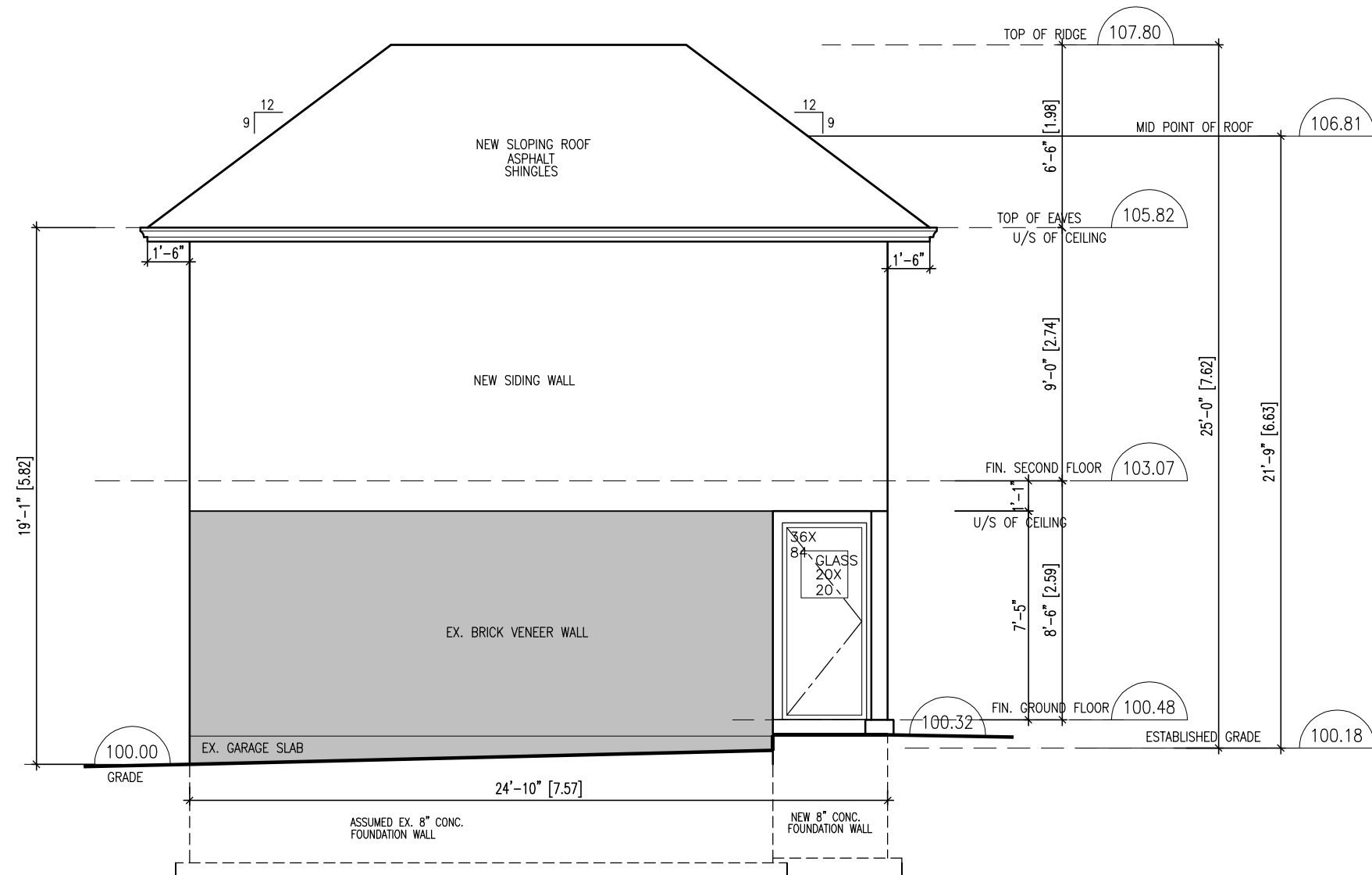
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 EAST ELEVATION
SCALE 3/16"=1'-0"

UNPROTECTED OPENING CALCULATIONS
 TOTAL AREA OF EXPOSING BUILDING FACE = 43.1 S.M. (464 S.F.)
 LIMITING DISTANCE = 1.2M
 PERMITTED GLAZED OPENINGS = 7% (32.48 S.F.)
 ACTUAL GLAZED OPENINGS = 0.6% (2.79 S.F.)

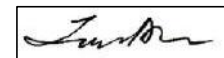
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drawing: **EAST ELEVATION**

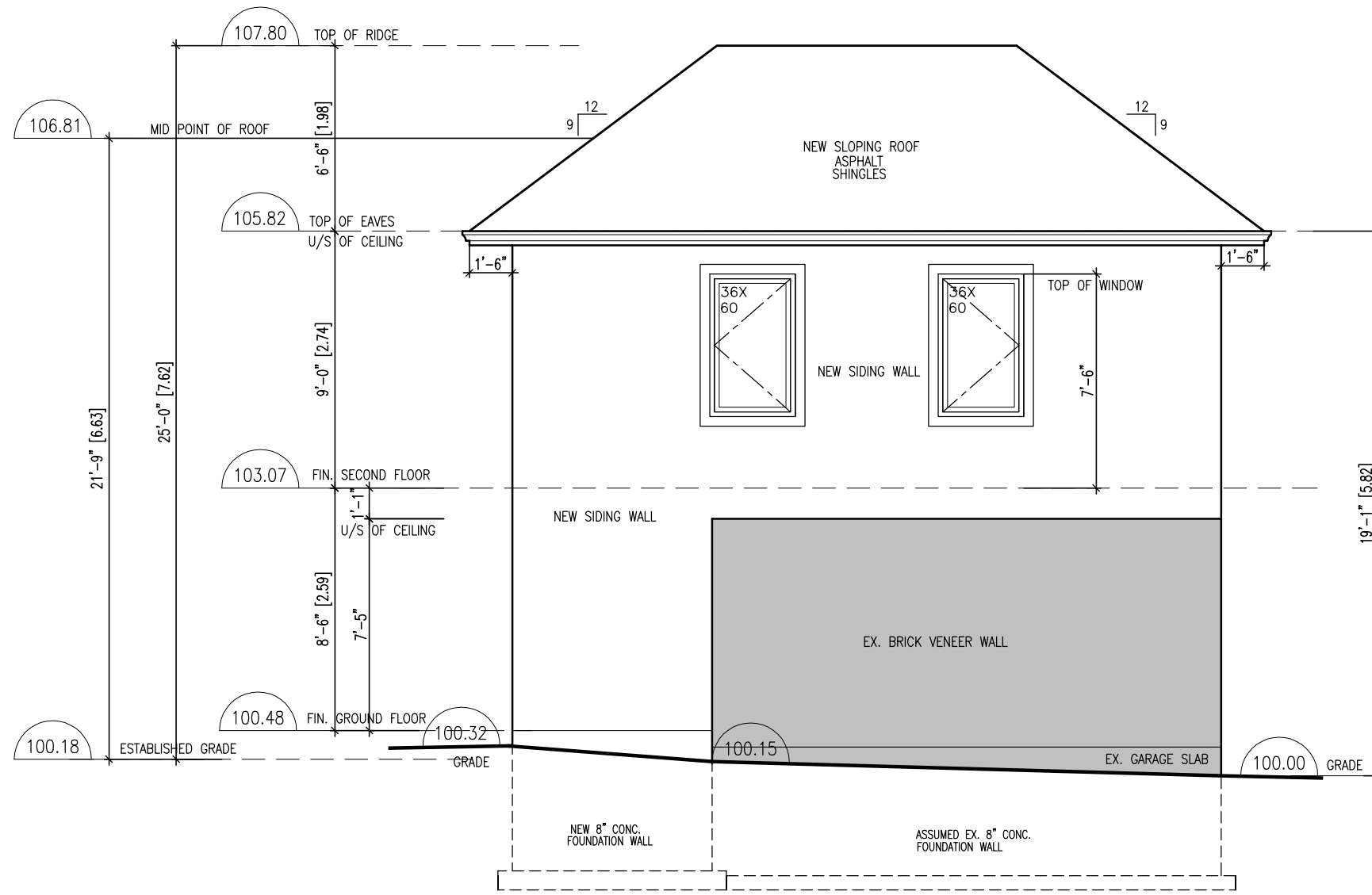
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WEST ELEVATION
 SCALE 3/16"=1'-0"

UNPROTECTED OPENING CALCULATIONS
 TOTAL AREA OF EXPOSING BUILDING FACE = 43.1 S.M. (464 S.F.)
 LIMITING DISTANCE = 1.25M
 PERMITTED GLAZED OPENINGS = 7% (32.48 S.F.)
 ACTUAL GLAZED OPENINGS = 6.47% (30 S.F.)

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ANJIA HOME DESIGN INC.
 67 CHERRYSTONE DR.
 M2H 1S2
 TORONTO, ONTARIO, CANADA

THIS UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER.

JUN AN
 BCIN: 103596

ANJIA HOME DESIGN INC.
 BCIN: 113604

Jun An
 SIGNATURE

1	ISSUED FOR ZPR	NOV 23, 2022
NO.	ISSUED FOR	DATE

project: **COACH HOUSE ADDITION OVER GARAGE AT 41 WEST NORMANDY DR, MARKHAM, ONTARIO**

drawing: **WEST ELEVATION**

scale: **3/16"=1'-0"**

page: **A2.4**