

Memorandum to the City of Markham Committee of Adjustment

April 09, 2024

Files: B/009/22, B/028/22, A/245/22, A/246/22 and A/247/22
Address: 81 and 85 Woodward Ave, Thornhill
Applicant: In Roads Consultants (Ida Evangelista)
Hearing Date: Wednesday, April 17, 2024

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

The purpose of the following Consent and Minor Variance applications is to sever and convey the subject lands municipally known as 81 and 85 Woodward Avenue into three residential lots, and to facilitate the construction of three proposed single-detached dwelling fronting onto Woodward Avenue.

Consent Application B/009/22 – 81 Woodward Avenue

Pursuant to the provisions of Section 53 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and Ontario Regulation No. 197/96, the Application is requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 7.62 m (25 ft) and an approximate lot area of 325.16 m² (3,499.99 ft²) (Part 2); and
- b) **retain** a parcel of land with an approximate lot frontage of 15.24 m (50 ft) and an approximate lot area of 650.32 m² (6,999.99 ft²) (Part 1).

Consent Application B/028/22 – 85 Woodward Avenue

Pursuant to the provisions of Section 53 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and Ontario Regulation No. 197/96, the Application is requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 7.62 m (25 ft) and an approximate lot area of 325.16 m² (3,499.99 ft²) (Part 3); and
- b) **retain** a parcel of land with an approximate lot frontage of 15.24 m (50 ft) and an approximate lot area of 650.32 m² (6,999.99 ft²) (Part 4).

Minor Variance Application A/245/22 – 81 Woodward Avenue (Part 1)

The Applicant is requesting relief from the requirements of By-law 2237, as amended, as it relates to a proposed residential dwelling on the retained lot, to permit:

- a) **By-law 2237, Section 6.1:**
a minimum east side yard setback of 1.56 metres, whereas the by-law requires a minimum side yard setback of 1.80 metres for a two-storey dwelling;
- b) **By-law 2237, Amending By-law 101-90, Section 1.2(iv):**
a building depth of 19.01 metres, whereas the by-law permits a maximum building depth of 16.8 metres;
- c) **By-law 2237, Amending By-law 101-90, Section 1.2 (vii):**
a floor area ratio of 56.8 percent (3,767 ft²), whereas the by-law permits a maximum floor area ratio of 50 percent (3,313 ft²);

- d) **By-law 2237, Amending By-law 101-90, Section 1.1 (i):**
a building height of 9.37 metres, whereas the by-law permits a maximum building height of 8.6 metres; and,
- e) **By-law 2237, Amending By-law 101-90, Section 1.2 (ii):** a front yard setback (Basement cold cellar/Porch) of 8.49 metres; whereas, the By-law requires a minimum front yard setback of 10.7 metres.

Minor Variance Application A/246/22 – 85 Woodward Avenue (Part 4)

The Applicant is requesting relief from the requirements of By-law 2237, as amended, as it relates to a proposed residential dwelling on the retained lot, to permit:

- a) **By-law 2237, Section 6.1:**
a minimum east side yard setback of 1.58 metres, whereas the by-law requires a minimum side yard setback of 1.80 metres for a two-storey dwelling;
- b) **By-law 2237, Amending By-law 101-90, Section 1.2(iv):**
a building depth of 19.01 metres, whereas the by-law permits a maximum building depth of 16.80 metres;
- c) **By-law 2237, Amending By-law 101-90, Section 1.2 (vii):**
a floor area ratio of 57.7 percent (3,823 ft²), whereas the by-law permits a maximum floor area ratio of 50 percent (3,313 ft²);
- d) **By-law 2237, Amending By-law 101-90, Section 1.2 (i):**
a building height of 9.57 metres, whereas the by-law permits a maximum building height of 8.6 metres; and,
- e) **By-law 2237, Amending By-law 101-90, Section 1.2 (ii):**
a front yard setback (Basement cold cellar/Porch) of 8.39 metres; whereas, the By-law requires a minimum front yard setback of 10.7 metres.

Minor Variance Application A/247/22 – 85 Woodward Avenue (Parts 2 and 3)

The Applicant is requesting relief from the requirements of By-law 2237, as amended, as it relates to a proposed residential dwelling on the retained lot, to permit:

- a) **By-law 2237, Section 6.1:**
a minimum east side yard setback of 1.58 metres, whereas the by-law requires a minimum side yard setback of 1.80 metres for a two-storey dwelling;
- b) **By-law 2237, Amending By-law 101-90, Section 1.2(iv):**
a building depth of 19.01 metres, whereas the by-law permits a maximum building depth of 16.80 metres;
- c) **By-law 2237, Amending By-law 101-90, Section 1.2(vii):**
a floor area ratio of 57.7 percent (3,823 ft²), whereas the by-law permits a maximum floor area ratio of 50 percent (3,313 ft²);
- d) **By-law 2237, Amending By-law 101-90, Section 1.2 (i):**
a building height of 9.57 metres, whereas the by-law permits a maximum building height of 8.6 metres; and,
- e) **By-law 2237, Amending By-law 101-90, Section 1.2 (ii):**
a front yard setback (Basement cold cellar/Porch) of 8.48 metres; whereas, the By-law requires a minimum front yard setback of 10.7 metres.

BACKGROUND

Property Description

The 1,950.96 m² (20,999.96 ft²) subject lands are located on the south side of Woodward Avenue, east of Willowdale Boulevard and west of Jewell Street. There is an existing foundation and basement that remains for a single detached house on 81 Woodward Avenue which, according to property records, was constructed in 2006 and demolished in 2021 due to a fire. On 85 Woodward Avenue, a single detached house was constructed in 1950. Mature vegetation exists throughout the property.

The subject lands are located within an established residential neighborhood comprised of one and two-story detached dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments.

Proposal

The Applicant is proposing to sever convey the subject lands, municipally known as 81 and 85 Woodward Avenue, to facilitate the creation of 3 new residential lots and the construction of 3 new single detached dwellings, ranging from a Gross Floor Area of 349.97 m² (3,767 ft²) to 355.17 m² (3,823 ft²). The creation of the third residential lot will be achieved through the merging of the severed parcels of 81 and 85 Woodward Avenue. The proposed building depth for all three dwellings is 19.01 m (62.35 ft) and building height ranges from 9.37 m (30.77 ft) to 9.57 m (31.40 ft). The severance will facilitate the restoration of the lot pattern of the original Plan of Subdivision.

Zoning Preliminary Review (ZPR) Undertaken

The applicant has completed a Zoning Preliminary Review (ZPR) to confirm the initial variances required for the proposed development. The applicant submitted revised drawings on February 2, 2024. 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. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

OFFICIAL PLAN AND ZONING

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

The 2014 Official Plan designates the Subject Lands “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 “Residential Low Rise” designation to ensure infill development respects and reflects the existing pattern and character of the surrounding neighborhood. These criteria include policies with respect to height, massing, setbacks, and protection of existing vegetation. Section 10.3.2.4 of the Official Plan outlines criteria for provisional consents which include but are not limited to:

- a. The lot(s) can be adequately serviced;
- b. No extension, improvement or assumption of municipal services, public streets, or new street allowance is required;
- c. The lot(s) will have frontage on a public street;
- d. The lot(s) will not restrict the ultimate development of adjacent lands;
- e. The size and shape of the lot(s) conform with the requirements of the zoning by-law, is appropriate to the use proposed and is compatible with adjacent lots;

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 neighborhood. Planning Staff have taken into account the infill development criteria while preparing the comments below.

Zoning By-Law 2237, as amended

The subject property is zoned “Fourth Density Single Family Residential” (R4) under By-law 2237, as amended, which permits one single detached dwelling per lot. This zone category requires lots to have a minimum lot frontage of 15.24 m (50.0 ft), and a minimum lot area of 580.64 m² (6,250 ft²). The proposed Consent to Sever application will facilitate the creation of lots that meets the minimum required lot frontage and exceed the minimum required lot area as required by the By-law. Provided below is a series of tables that summarize the proposed lot frontages and variance requests for each lot. (Refer to Tables 1-4)

Municipal Address	Required Lot Frontage	Proposed Lot Frontage	Required Lot Area	Proposed Lot Area
81 Woodward Ave. (Part 1)	15.24 m (50 ft)	15.24 m (50 ft)	580.64 m ² (6,250 ft ²)	650.32 m ² (7,000 ft ²)
85 Woodward Ave. (Parts 2 and 3)				
85 Woodward Ave. (Part 4)				

Table 1 – Proposed Severance Applications for 81 & 85 Woodward Avenue

Municipal Address	Min. Side Yard Setback (2-Storey)	Proposed Side Yard Setback (2-Storey)	Min. Front Yard Setback	Proposed Front Yard Setback
81 Woodward Ave. (Part 1)	1.80 m (5.91 ft)	1.56 m (5.12 ft)	10.70 m (35.10 ft)	8.49 m (27.86 ft)
85 Woodward Ave. (Parts 2 and 3)		1.58 m (5.18 ft)		8.48 m (27.82 ft)
85 Woodward Ave. (Part 4)				8.39 m (27.53 ft)

Table 2 – Proposed Minor Variance Applications – Front and Side Yard Setbacks for 81 & 85 Woodward Avenue

Municipal Address	Max. Building Depth	Proposed Building Depth	Max. Building Height	Proposed Building Height
81 Woodward Ave. (Part 1)	16.80 m (55.12 ft)	19.01 m (62.35 ft)	8.60 m (28.22 ft)	9.37 m (30.77 ft)
85 Woodward Ave. (Parts 2 and 3)				9.57 m (31.40 ft)
85 Woodward Ave. (Part 4)				

Table 3 – Proposed Minor Variance Applications – Building Height and Depth for 81 & 85 Woodward Avenue

Municipal Address	Max. Floor Area Ratio	Proposed Floor Area Ratio	Max. Allowable Gross Floor Area	Proposed Gross Floor Area
81 Woodward Ave. (Part 1)	50%	56.8%	307.79 m ² (3,313 ft ²)	349.97 m ² (3,767 ft ²)
85 Woodward Ave. (Parts 2 and 3)		57.7%		355.17 m ² (3,823 ft ²)
85 Woodward Ave. (Part 4)				

Table 4 – Proposed Minor Variance Applications – Floor Area Ratio and Gross Floor Area for 81 & 85 Woodward Avenue

COMMENTS

Consent Applications B/002/22 and B/028/22

The Applicant is proposing three new residential lots to be created through two applications for provisional consent. Specifically, the applicant proposes the severance of 81 Woodward Avenue into two lots (Parts 1 and 2) and 85 Woodward Avenue into two lots (Parts 3 and 4). The creation of a third lot is proposed through the merging of Parts 2 and 3. (Refer to Appendix “F” – Draft Reference Plan)

As noted in previous sections, the three new residential lots will have a lot frontage of 15.24m (50 ft) and a lot area of 650.32 m² (7,000 ft²). All lots comply with the minimum lot frontage of 15.24 m (50 ft) and minimum lot area of 580.64 m² (6,250 ft²) set out by Zoning By-Law 2237, as amended.

After consulting the original Registered Plan for the neighborhood of Highland Park (RP-2446), Planning Staff have concluded that the proposed severance restores the neighborhood’s original lot fabric. Lots 188 to 190 on RP-2446, municipally addressed as 81, 83 and 85 Woodward Avenue, originally featured a lot frontage of 15.24 m (50 ft), a lot depth of 42.67 m (140 ft) and a lot area of 650.32 m² (7,000 ft²).

Engineering staff note that the lots have adequate servicing and does not require the extension of municipal services or public streets. Therefore, staff deem that the proposed severance complies with all intents of the 2014 Official Plan and have no objections to the proposed severance.

Minor Variance Applications A/245/22, A/246/22 and A/247/22

The *Planning Act* states that four tests must be met in order for a minor variance to be granted by the Committee of Adjustment:

1. The variance must be minor in nature;
2. The variance must be desirable, in opinion of the Committee of Adjustment, for the appropriate development or use of land, building, or structure;
3. The general intent and purpose of the Zoning By-law must be maintained; and,
4. The general intent and purpose of the Official Plan must be maintained.

In consideration of the Minor Variance Applications submitted, staff note that each application seeks relief from the same sections of the Zoning By-Law. To streamline the analysis process and ensure clarity, staff will present a unified discussion organized by section, rather than addressing individual requests from each application separately.

Variance Requests 'A' – Reduced East Side Yard Setback – By-Law 2337, Section 6.1

The applicant is requesting to permit a reduced minimum east side yard setbacks of 1.56 m (5.12 ft) for 81 Woodward Avenue (Part 1) and 1.58 m (5.18 ft) for both the merged lot (Part 2 and 3) and 85 Woodward (Part 4), whereas a minimum of 1.80 m (5.91 ft) is required for the two-storey portion of the dwelling.

The requested variances only apply to the two-storey portion of the building. The main floor complies with the minimum side yard setback requirement. Engineering staff have reviewed the application and have no concern with the variance respecting drainage. Staff have no concerns with the requested variances for reduced minimum east side yard setbacks and opine that the existing characteristic of the neighborhood will not be adversely impacted.

Variance Requests 'B' – Increase in Building Depth – Amending By-Law 101-90, Section 1.2 (iv)

The applicant is requesting to permit an increased maximum building depth of 19.01 m (62.35 ft) for all 3 proposed dwellings, whereas a maximum building depth of 16.80 m (55.12 ft) is permitted. This represents an increase of approximately 2.21 m (7.23 ft).

Building depth is measured based on the shortest distance between two lines, both parallel to the front lot line, one passing through the point on the dwelling which is the nearest and the other through the point on the dwelling which is the farthest from the front lot line.

The proposed dwellings will include a front covered porch which features a depth of 2.24 m (7.35 ft) for both 81 Woodward Avenue (Part 1) and the merged lot (Parts 2 and 3) and 2.32m (7.61 ft) for 85 Woodward Avenue (Part 4). The main portion of the dwellings, excluding the porches, will feature a building depth of 17.35 m (56.92 ft) for 81 Woodward Avenue (Part 1) and 17.34 m (56.89 ft) for the merged lot (Parts 2 and 3) and 85 Woodward Avenue. Staff note that the depth of the main component of the buildings are in line with similar infill developments in the neighborhood, which ranges from 17 m (55.77 ft) to 18.34 m (60.17 ft).

Considering the substantial depth of the lots, and that the depth of the main component of the proposed dwellings are in line with similar infill developments in the neighborhood, staff are of the opinion that the requested variances are minor in nature, and maintains the general intent and purpose of the Zoning By-Law. Staff have no objections to these requested variances.

Variance Requests 'C' – Increase in Floor Area Ratio – Amending By-Law 101-90, Section 1.2 (vii)

The applicant is requesting relief to permit a floor area ratio of 56.8 percent for 81 Woodward Avenue (Part 1) and 57.7 percent for both the merged lot (Parts 2 and 3) and 85 Woodward Avenue Part 4), whereas a maximum floor area ratio of 50 percent is permitted. The requested variances will facilitate the construction of two-storey detached dwellings with a floor area of 349.97 m² (3,767 ft²) for 81 Woodward Avenue (Part 1) and 355.17 m² (3,823 ft²) for the merged lot (Parts 2 and 3) and 85 Woodward Avenue (Part 4). The By-law permits a dwelling with a maximum floor area of 307.79 m² (3,313 ft²). This represents an increase of approximately 42.18 m² (454.02 ft²) and 47.38 m² (509.99 ft²) respectively.

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area however; it is not a definitive measure of the mass of the dwelling.

The proposed building layouts will comply with all other zoning provisions (such as lot coverage and garage projection) that establish the prescribed building envelope, which ensures the proposed dwelling will be in keeping with the intended scale of residential infill developments for the neighbourhood. The proposed gross floor area is also consistent with the recent infill development trend, including a number of nearby infill homes that have obtained variance approval to permit an increased floor area ratio.

Staff opine that the requested variances are minor in nature and that the increased floor area will not adversely impact the existing character of the neighborhood as the proposed dwelling will be similar in size with other infill homes in the area.

Variance Requests 'D' – Increase in Building Height – Amending By-Law 101-90, Section 1.2 (i)

The applicant is requesting to permit a maximum building height of 9.37 m (30.77 ft) for 81 Woodward Avenue (Part 1) and 9.57 m (31.40ft) for the merged lot (Parts 2 and 3) and 85 Woodward Avenue (Part 4), whereas a maximum building height of 8.60 m (28.22 ft) is permitted. This represents an increase of 0.77 m (2.55 ft) and 0.97 m (3.18 ft) respectively.

The By-law calculates building height using the vertical distance of a building or structure measured between the level of the crown of the street and highest point of the roof surface. The building heights proposed are similar to recently approved infill developments in the area, ranging from 9.1m (29.86 ft) to 9.4 m (30.84 ft). Staff are of the opinion that the requested variances to building height will not adversely impact the existing character of the neighborhood and general intent and purpose of the By-Law will be maintained.

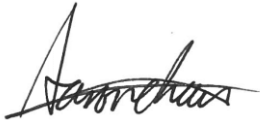
Variance Request E – Reduced Front Yard Setback – Amending By-Law 101-90, Section 1.2 (ii)

The applicant is requesting to permit a minimum front yard setback of 8.49 m (27.86 ft) for 81 Woodward Avenue (Part 1), 8.48 m (27.82 ft) for the merged lot (Parts 2 and 3) and 8.39 m (27.53 ft) for 85 Woodward Avenue (Part 4), whereas a minimum of 8.60 m (28.22 ft) is required. These variances are entirely attributable to the proposed cold cellar in the basement of each future dwelling. Staff note that the main front wall of the building provides a front yard setback of 10.72 m (35.17 ft) for 81 Woodward Avenue (Part 1) and the merged lot (Parts 2 and 3), and 10.71 m (35.14 ft) for 85 Woodward Avenue (Part 4), which exceeds the minimum front yard setback required by the Zoning By-Law. The main front wall of all 3 proposed dwellings is consistent with the established front yard setback pattern on the street. Staff have no objections to these variances.

CONCLUSION

Planning Staff have reviewed the application with respect for the criteria in Sections 45(1) and 51 (24) of the Planning Act. The proposed severance will create lots that meet or exceed zoning requirements and the proposed detached residential dwellings are appropriate and desirable for the neighborhood. Staff recommend that the approval of these applications to be subject to the conditions provided in Appendices “A”, “B”, “C”, “D” and “E”, including that the applicant enter into a Development Agreement with the City. Staff Recommend that the Committee consider public input in reaching a decision.

PREPARED BY:



Aaron Chau, Planner I

REVIEWED BY:



Rick Cefaratti, MCIP, RPP, Senior Planner, West District

APPENDICIES

- Appendix “A” – B/009/22 Conditions of Approval
- Appendix “B” – B/028/22 Conditions of Approval
- Appendix “C” – A/245/22 Conditions of Approval
- Appendix “D” – A/246/22 Conditions of Approval
- Appendix “E” – A/247/22 Conditions of Approval
- Appendix “F” – Draft Reference Plan
- Appendix “G” – Drawings
- Appendix “H” – Aerial Photo

APPENDIX “A”
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/009/22

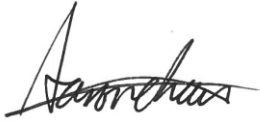
1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under Files B/038/23 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted in Appendix “H”
4. Payment of the required Conveyance Fee for the creation of residential lots per City of Markham Fee By-law 211-83, as amended.
5. That the Owner obtain and complete the demolition permitting process for the existing dwellings and applicable accessory buildings on the severed and retained parcels and, that the Secretary-Treasurer receive written confirmation that this conditions has been fulfilled to the satisfaction of the Chief Building Official or designate;
6. Provide confirmation from an Ontario Land Surveyor that the severed and retained parcels, in their final configuration, meets all the requirements of the applicable Zoning By-law, including any development standards for building and structures, and that the Secretary-Treasurer receive written confirmation that this condition has been satisfied to the satisfaction of the Zoning Supervisor or designate.
7. That the Owner confirm that:
 - a. No existing easements registered on title that will be impacted by the proposed severance
 - b. Any and all existing services for the Retained Lot do not traverse the Severed Lot, or interconnected to the servicing of the Severed Lot
8. The Owner shall provide a functional servicing plan to show how individual water and sewer services will be provided for the Severed Lot, to the satisfaction of the Director of Engineering;
9. The Owner shall provide a functional grading plan to demonstrate that the proposed grades will be compatible with the existing grades, to the satisfaction of the Director of Engineering
10. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Tree Assessment and Preservation Plan (TAPP) Requirements (June 2019), through the future

Residential Infill Grading & Servicing (RIGS) TREE Permit process prior to the issuance of building permit

11. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's accepted Tree Assessment Preservation Plan (TAPP), through the Residential Infill Grading & Servicing (RIGS) TREE Permit process
12. 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 Tree Preservation By-Law 2008-96 and Conditions of a TREE Permit, to be inspected by City Staff.
13. The Owner shall enter into a Development Agreement with the City to the satisfaction of the City Solicitor, Director of Planning and Urban Design, Director of Operations, and/or the Director of Engineering, or their designates, which Development Agreement shall be registered on title to the lands in priority to all mortgages, charges, liens and other encumbrances, and the Owner shall procure and cause to be executed and registered at its own cost and expense such discharges, postponements, and subordination agreements as may be required by the City in order to provide for the priority of registration for the Development Agreement on title to the Lands. The Development Agreement shall specifically provide for matters including but not limited to:
 - a. Payment of all applicable fees in accordance with the City's fee by-law;
 - b. Submission of securities respecting any works to be provided in accordance with the Development Agreement;
 - c. Payment of cash-in-lieu of Parkland Dedication in accordance with By-law 195-90, as amended, upon execution of the development agreement. The applicant shall submit an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the City;
 - d. Notice that the lands may not be connected to the City's water system, sewage system and/or drainage system (the "Municipal Services"), and that in order to connect to the Municipal Services, the Owner must submit an application to the City and pay for the connections to the Municipal Services, which shall be installed by the City.
 - e. Submit site servicing, grading, utility, and erosion and sediment control plan, to the satisfaction of the Director of Engineering;
 - f. Construct the required servicing, grading, and utilities for this development to the satisfaction of the Director of Engineering;
 - g. To construct and/or implement any required excavation, removal, relocation, restoration and/or implement of any above or below ground municipal services or utilities that may be necessary for this development, to the satisfaction of the Director of Engineering;
 - h. submission of an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the city

14. That the Applicant shall submit to the Region for review and approval, a Site Servicing Plan for the new lot showing both plan and profile views of the proposed water and wastewater service connections relative to the location of the Region's watermain. The location of Regional infrastructure shall be field verified to the satisfaction of York Region. Additionally, Regional staff shall be invited to be on-site during confirmatory field work and provided with at least 2 weeks advance notice.
15. That the Applicant satisfies that water and wastewater servicing capacity is available to service this application as provided by the Regional Municipality of York in their comments to the Applicant, 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. Prior to final approval, the Region's Planning and Economic Development Branch shall certify that the above condition(s) has/have been met to its satisfaction. York Region requests a copy of the Notice of Decision be emailed to developmentsservices@york.ca if/when it becomes available.
16. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

CONDITONS PREPARED BY:



Aaron Chau, Planner I

APPENDIX “B”
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/028/22

1. 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.
2. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under Files B/038/23 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted in Appendix “H”
4. Payment of the required Conveyance Fee for the creation of residential lots per City of Markham Fee By-law 211-83, as amended.
5. That the Owner confirm that:
 - a. No existing easements registered on title that will be impacted by the proposed severance
 - b. Any and all existing services for the Retained Lot do not traverse the Severed Lot, or interconnected to the servicing of the Severed Lot
6. The Owner shall provide a functional servicing plan to show how individual water and sewer services will be provided for the Severed Lot, to the satisfaction of the Director of Engineering;
7. The Owner shall provide a functional grading plan to demonstrate that the proposed grades will be compatible with the existing grades, to the satisfaction of the Director of Engineering
8. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Tree Assessment and Preservation Plan (TAPP) Requirements (June 2019), through the future Residential Infill Grading & Servicing (RIGS) TREE Permit process prior to the issuance of building permit
9. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's accepted Tree Assessment Preservation Plan (TAPP), through the Residential Infill Grading & Servicing (RIGS) TREE Permit process
10. 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 Tree

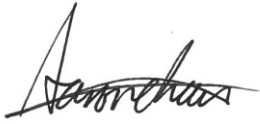
Preservation By-Law 2008-96 and Conditions of a TREE Permit, to be inspected by City Staff.

11. The Owner shall enter into a Development Agreement with the City to the satisfaction of the City Solicitor, Director of Planning and Urban Design, Director of Operations, and/or the Director of Engineering, or their designates, which Development Agreement shall be registered on title to the lands in priority to all mortgages, charges, liens and other encumbrances, and the Owner shall procure and cause to be executed and registered at its own cost and expense such discharges, postponements, and subordination agreements as may be required by the City in order to provide for the priority of registration for the Development Agreement on title to the Lands. The Development Agreement shall specifically provide for matters including but not limited to:
 - a. Payment of all applicable fees in accordance with the City's fee by-law;
 - b. Submission of securities respecting any works to be provided in accordance with the Development Agreement;
 - c. Payment of cash-in-lieu of Parkland Dedication in accordance with By-law 195-90, as amended, upon execution of the development agreement. The applicant shall submit an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the City;
 - d. Notice that the lands may not be connected to the City's water system, sewage system and/or drainage system (the "Municipal Services"), and that in order to connect to the Municipal Services, the Owner must submit an application to the City and pay for the connections to the Municipal Services, which shall be installed by the City.
 - e. Submit site servicing, grading, utility, and erosion and sediment control plan, to the satisfaction of the Director of Engineering;
 - f. Construct the required servicing, grading, and utilities for this development to the satisfaction of the Director of Engineering;
 - g. To construct and/or implement any required excavation, removal, relocation, restoration and/or implement of any above or below ground municipal services or utilities that may be necessary for this development, to the satisfaction of the Director of Engineering;
 - h. submission of an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the city
12. That the Applicant shall submit to the Region for review and approval, a Site Servicing Plan for the new lot showing both plan and profile views of the proposed water and wastewater service connections relative to the location of the Region's watermain. The location of Regional infrastructure shall be field verified to the satisfaction of York Region. Additionally, Regional staff shall be invited to be on-site during confirmatory field work and provided with at least 2 weeks advance notice.
13. That the Applicant satisfies that water and wastewater servicing capacity is available to service this application as provided by the Regional Municipality of

York in their comments to the Applicant, 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. Prior to final approval, the Region's Planning and Economic Development Branch shall certify that the above condition(s) has/have been met to its satisfaction. York Region requests a copy of the Notice of Decision be emailed to developmentsservices@york.ca if/when it becomes available.

14. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

CONDITONS PREPARED BY:

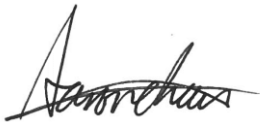


Aaron Chau, Planner I

APPENDIX "C"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF A/245/22

1. The variances apply only to the proposed development as long as it remains;
2. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Tree Assessment and Preservation Plan (TAPP) Requirements (June 2019), through the future Residential Infill Grading & Servicing (RIGS) TREE Permit process prior to the issuance of building permit
3. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's accepted Tree Assessment Preservation Plan (TAPP), through the Residential Infill Grading & Servicing (RIGS) TREE Permit process
4. 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 Tree Preservation By-Law 2008-96 and Conditions of a TREE Permit, to be inspected by City Staff.

CONDITONS PREPARED BY:

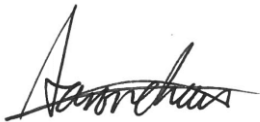


Aaron Chau, Planner I

APPENDIX “D”
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF A/246/22

1. The variances apply only to the proposed development as long as it remains;
2. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Tree Assessment and Preservation Plan (TAPP) Requirements (June 2019), through the future Residential Infill Grading & Servicing (RIGS) TREE Permit process prior to the issuance of building permit
3. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's accepted Tree Assessment Preservation Plan (TAPP), through the Residential Infill Grading & Servicing (RIGS) TREE Permit process
4. 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 Tree Preservation By-Law 2008-96 and Conditions of a TREE Permit, to be inspected by City Staff.

CONDITONS PREPARED BY:

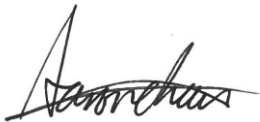


Aaron Chau, Planner I

APPENDIX "E"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF A/247/22

1. The variances apply only to the proposed development as long as it remains;
2. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Tree Assessment and Preservation Plan (TAPP) Requirements (June 2019), through the future Residential Infill Grading & Servicing (RIGS) TREE Permit process prior to the issuance of building permit
3. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's accepted Tree Assessment Preservation Plan (TAPP), through the Residential Infill Grading & Servicing (RIGS) TREE Permit process
4. 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 Tree Preservation By-Law 2008-96 and Conditions of a TREE Permit, to be inspected by City Staff.

CONDITONS PREPARED BY:



Aaron Chau, West

PLAN 65R- Appendix F

DATE: _____

FILE NO. 22-11664-000-00CSNT

DATE 4/19/2024

1. REQUIRE THIS PLAN TO BE RE-CERTIFIED UNDER THE LAND TILES ACT.

PART	LOT	PLAN	AREA
1	ALL OF LOT 190	PLAN 2446	650.32 m ²
2	PART OF LOT 189	PLAN 2446	325.16 m ²
3	PART OF LOT 188	PLAN 2446	325.16 m ²
4	ALL OF LOT 187	PLAN 2446	650.32 m ²

PLAN OF SURVEY OF
 LOTS 188, 189 AND, 190
 REGISTERED PLAN 2446
 CITY OF MARKHAM

SCALE & NOTES
 SCALE 1:200

BARICH GRENKIE SURVEYING LTD.
 A DIVISION OF GEOMATICA

ALL DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND COULD BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SB DENOTES STANDARD IRON BAR
- CB DENOTES CEMENT CONCRETE SET IN WASCOR
- OB DENOTES BRONZE ORIGIN UNKNOWN
- CC DENOTES CEMENT CONCRETE
- WT DENOTES WET
- PT DENOTES PLAN BY TOWAN-STANTU LTD., O.L.S.
- D1 DENOTES DATED AUGUST 12, 2007
- D2 DENOTES INSTRUMENT NO. 1953899

BEARING NOTE
 BEARINGS ARE UTM GRID, REFERRED TO THE GENERAL MERIDIAN OF UTM ZONE 17, DATUM NAD83 (GSD) (GTR05).

HORIZONTAL DATUM NOTE
 PROJECTION: UNIVERSAL TRANSVERSE MERCATOR
 DATUM: NAD83 (GSD) (GTR05)
 GRID SCALE CONVERSION
 MULTIPLYING BY A CORRECTED SCALE FACTOR OF 0.9997165.

NOTE: ALL CONGRUENCES SHOWN ARE WITH ASTROMETRIC BEARINGS ON UNDERLYING PLANS.

POINT ID	NORTHING	EASTING
ORP A	485032.384	627626.698
ORP B	485031.077	627627.920
ORP C	485032.454	627626.698
ORP D	485033.446	627627.185

NEAREST SURVEY POINTS DERIVED FROM GCS UTM AS AT THE NETWORK ENTRY OBSERVATIONS UTM ZONE 17, NAD83 (GSD) (GTR05) COORDINATES TO UTM ACCURACY PER SEC 142) OF 0.06E, 216/10

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THIS PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON XXXX XX, 2020.

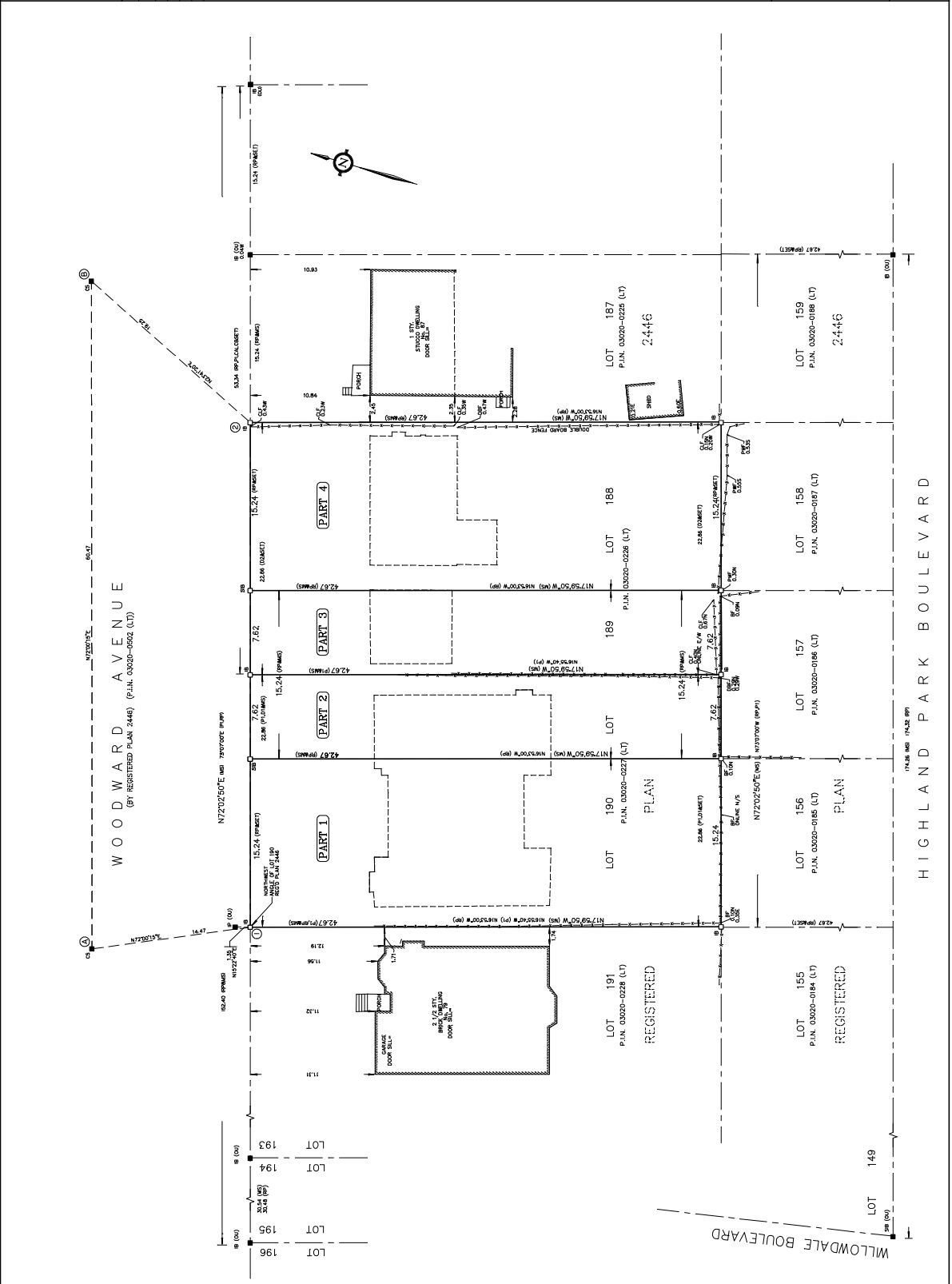
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

XXXXXX XX, 2020

DRAFT

Barich Grenkie
 Surveying Ltd.
 A DIVISION OF GEOMATICA

DWN BY: XX
 CHK BY: XX
 JOB No.: 21-7200



Appendix G

File: 22.1.16544.00.00.CSNT

Date: 4/19/2024



Project
85 WOODWARD AVE.

JULY 25, 2021

NO.	REVISION	DATE
1	CON. PERMIT	08/21/2024



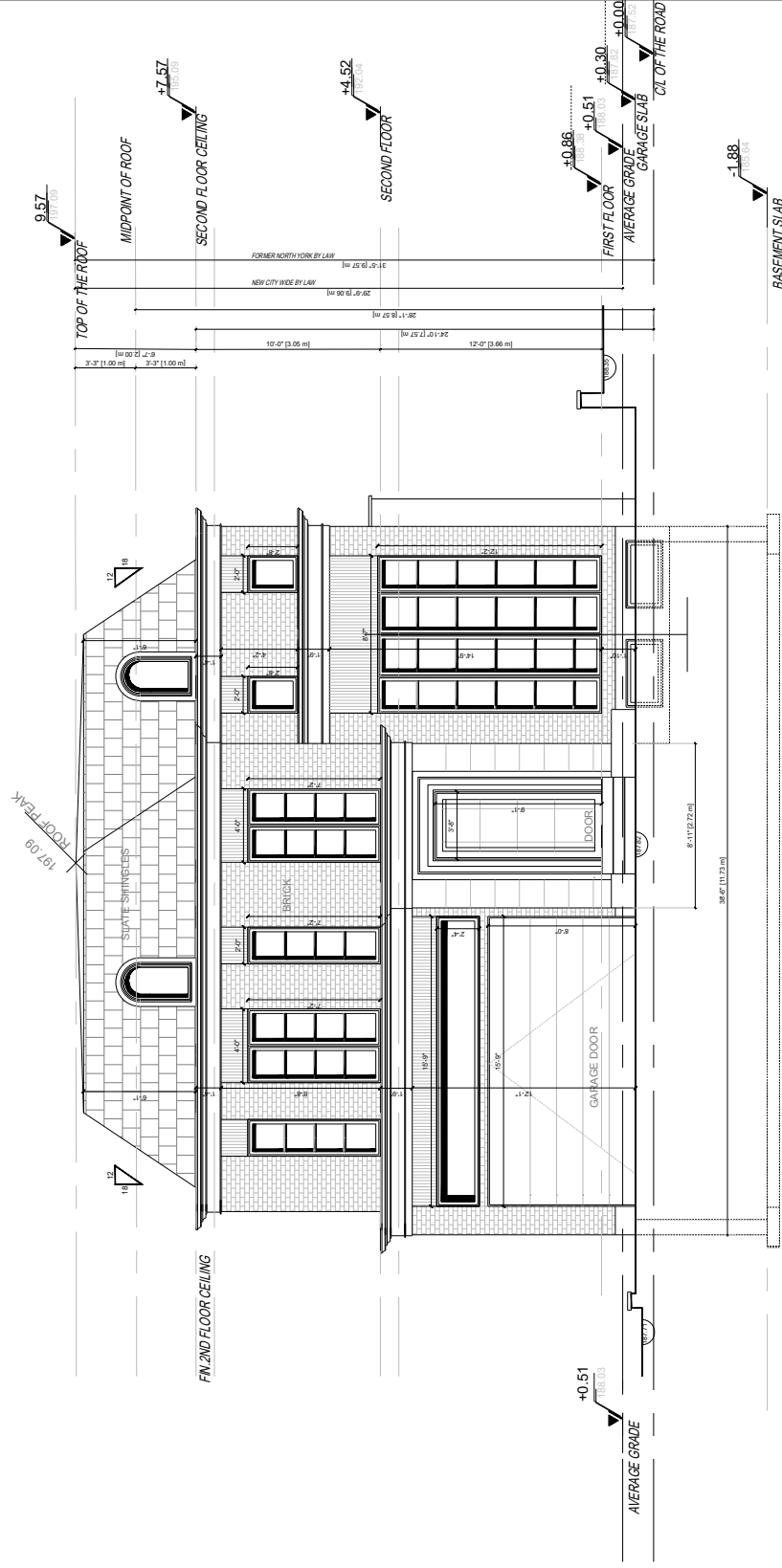
M.J. IMPERIAL DESIGN INC.
ADDRESS:
600 West 63rd Street, 304
New York, NY 10023
Phone: (212) 361-3261
Fax: (212) 361-3262
email: mjad@mjimperial.com

THE CLIENT/OWNER/OWNER'S AGENT IS SOLELY RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED AND REPORTS ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY REQUIREMENTS OF APPLICABLE LOCAL JURISDICTIONS.
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Designed by: M.J.
Checked by: J.D.
Scale: 1/4" = 1'-0"
Project No: 1999-21
Date: 25/07/2021

Drawing Title

A07



FRONT (NORTH) ELEVATION
TOTAL EXPOSED AREA 101.40 m²
TOTAL OPENING AREA 21.90 m²
OPENING RATIO 21.66%

Appendix G

File: 22.1.16544.00.00.CSNT

Date: 4/18/2024



Project
85 WOODWARD AVE.

JULY 25, 2021

NO.	REVISION	DATE
01	FOR PERMIT	10/10/2023

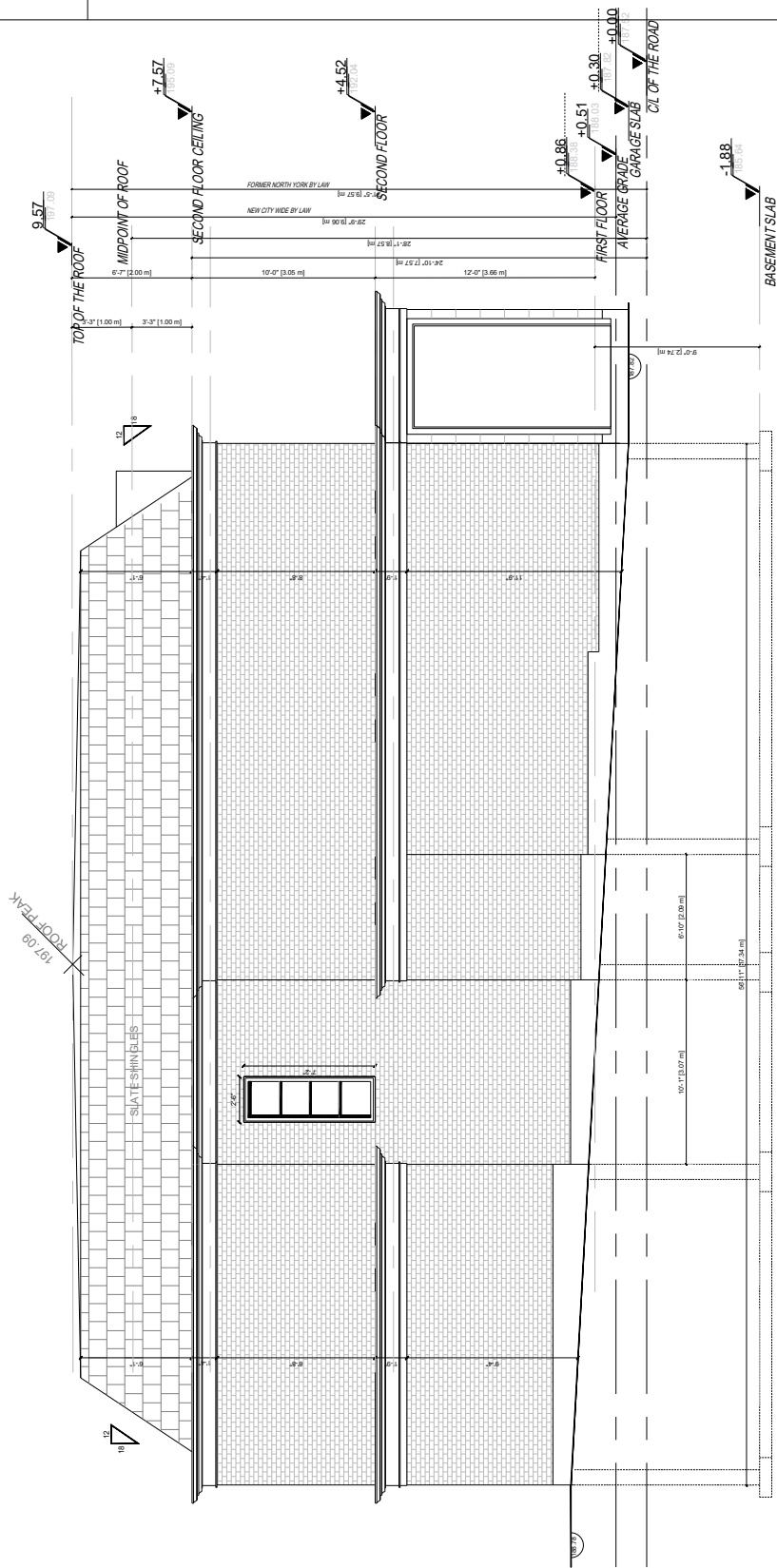
M.J. IMPERIAL DESIGN INC
 ADDRESS: 401 W. 34th St
 10th Floor, 10th Floor
 New York, NY 10018
 Phone: (212) 757-7771
 Email: mji@imperialdesign.com

This is a preliminary drawing and is not to be used for the recovery of any structural, mechanical, electrical, or plumbing work.
 It is the responsibility of the architect to verify the accuracy of all information and to obtain all necessary permits and approvals from the appropriate authorities.
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Designed by:	M.J.
Checked by:	J.D.
Scale:	1:1/4"
Project No:	1999-21
Date:	25/07/2021

Drawing Title

A08



SIDE (EAST) ELEVATION
 TOTAL EXPOSED AREA 145.50 | m² 566.11(S.F.)
 TOTAL OPENING AREA 1.60 | m² 17.22(S.F.)
 OPENING RATIO 1.09%

Appendix G

File: 22.1.16544.00.00.CSNT

Date: 4/15/2024



Project
85 WOODWARD AVE.

JULY 25, 2021

NO.	REVISION	DATE
01	DRG PERMIT	05/10/2021



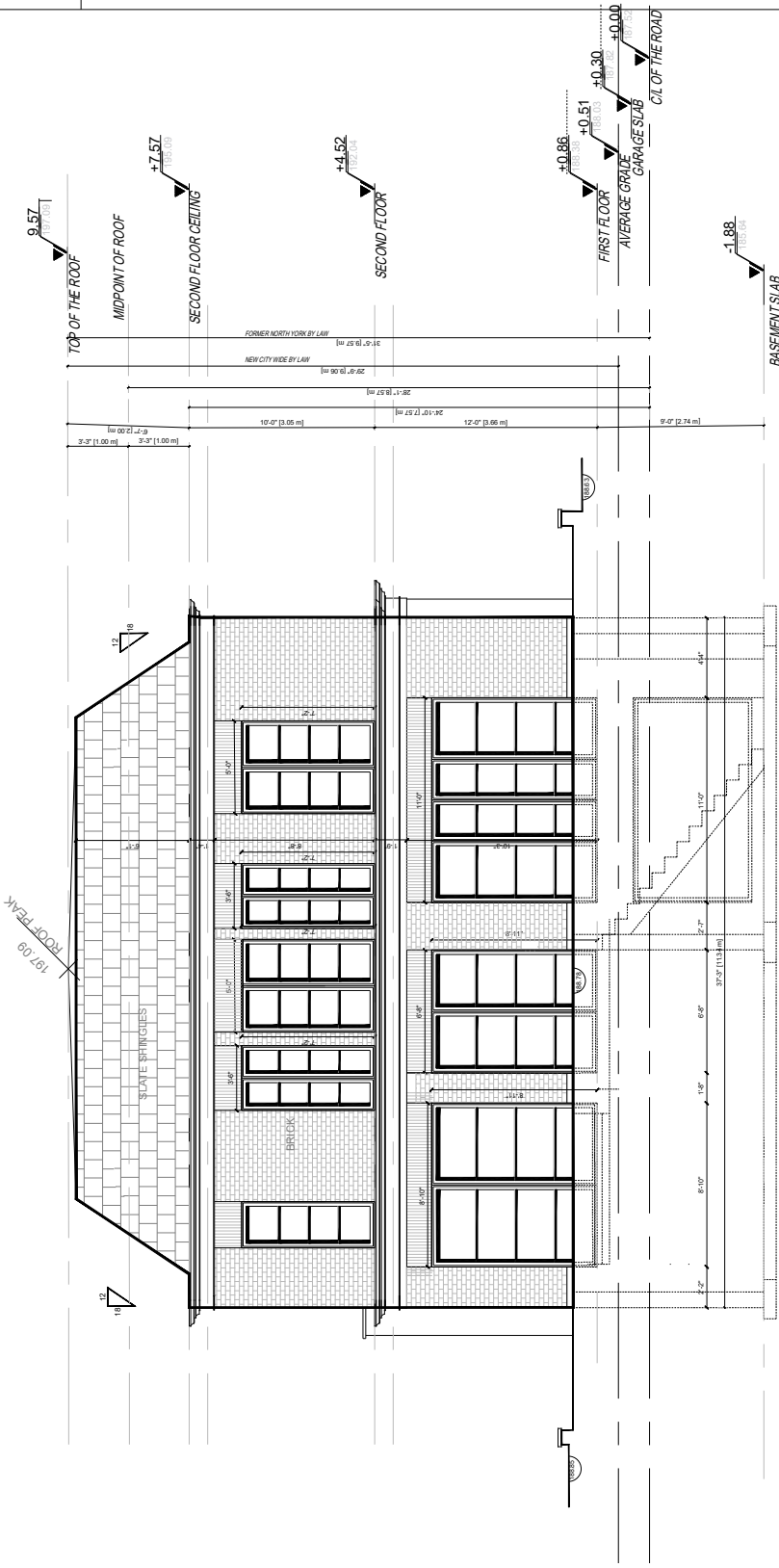
M.J. IMPERIAL DESIGN INC
ADDRESS:
500 NEW YORK BLVD
SUITE 100
ROSELAND, NJ 07068
PHONE: 973.261.9921
WWW.MJID.COM
EMAIL: mjad@mjid.com

The M.J. IMPERIAL DESIGN INC. is not responsible for the accuracy of any information provided by the client. The client shall verify all information and data prior to the start of any work. The Architect shall not be responsible for any errors or omissions in the drawings, specifications and related documents. The drawings are prepared for the client's use and are not to be used for any other purpose without the written consent of the Architect.

Designed by:	M.J.
Checked by:	J.D.
Scale:	1"=1'-0"
Project No.:	1999-21
Date:	25/07/2021

Drawing Title

A09



FRONT (SOUTH) ELEVATION
TOTAL EXPOSED AREA 88.40 | m
TOTAL OPENING AREA 30.00 | m
OPENING RATIO 33.58%

Appendix G

File: 22.1.16544.00.00.CSNT

Date: 4/18/2024



Project: 85 WOODWARD AVE.

JULY 25 2021

NO.	REVISION	DATE
01	FOR PERMIT	02/10/2023



M.J. IMPERIAL DESIGN INC

ADDRESS: 5000 N. 10TH ST. SUITE 200 WILMINGTON, DE 19802
PHONE: (302) 253-7899 FAX: (302) 253-7898
EMAIL: mjimperialdesign@gmail.com

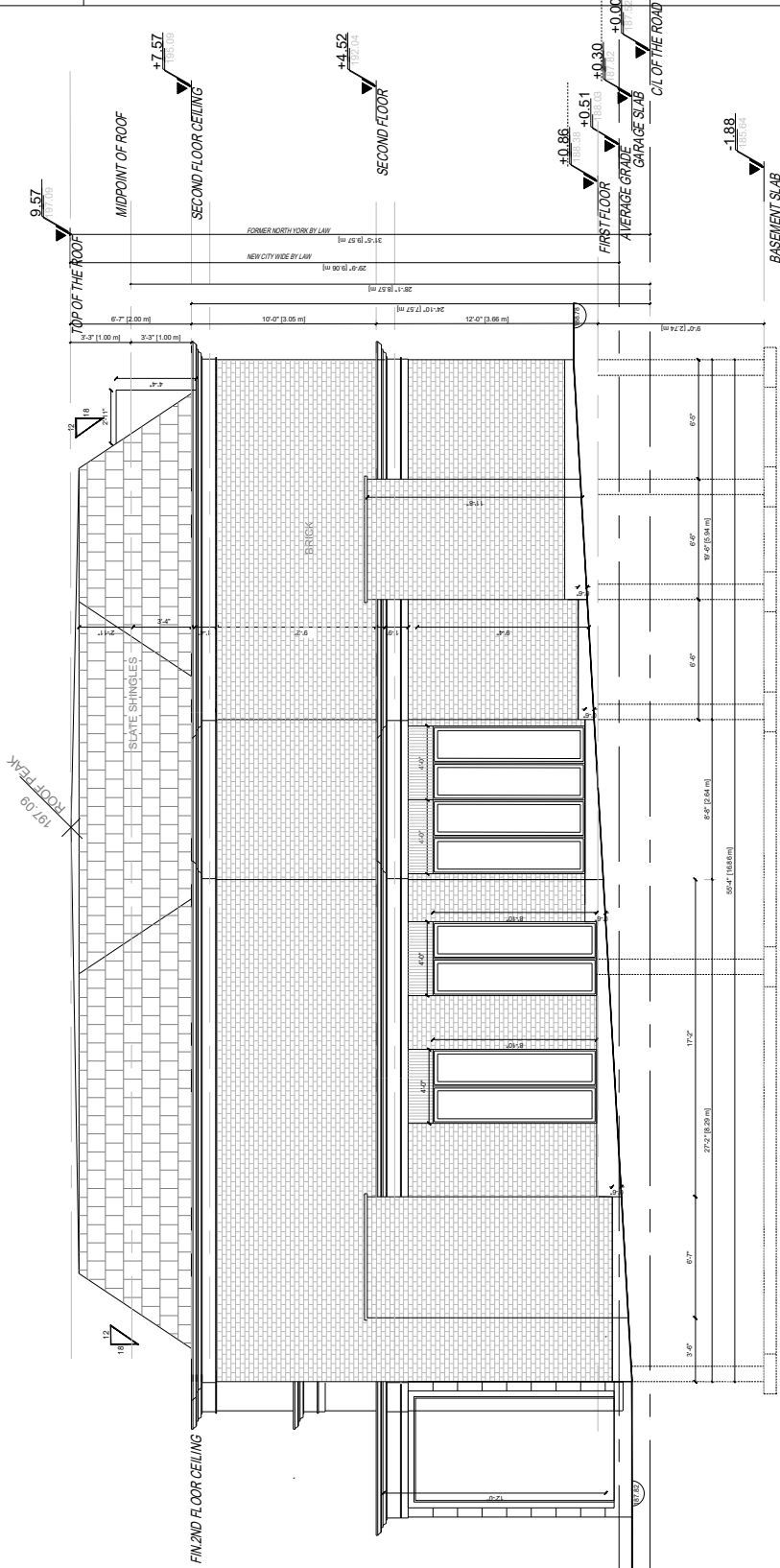
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR THE PROJECT PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE PROJECT PRIOR TO COMMENCEMENT OF CONSTRUCTION.

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Designed by:	M.J.
Checked by:	J.D.
Scale:	1/4" = 1'-0"
Project No.:	1999-21
Date:	25/07/2021

Drawing Title	
---------------	--

A10



SIDE (WEST) ELEVATION

TOTAL EXPOSED AREA 141.40 | m² 1522.0 | [S.F.]
TOTAL OPENING AREA 12.70 | m² 136.70 | [S.F.]
OPENING RATIO 8.98%

Appendix G

File: 22.116544.000.OSNT

Date: 4/15/2024



Project
81 WOODWARD AVE.

JULY 25, 2021

NO.	REVISION	DATE
00	FOR PERMIT	2021/07/25



M.J. IMPERIAL DESIGN INC

ARCHITECT
5001 WOODBINE ST. SUITE 304
WILMINGTON, DE 19804
TEL: 302.486.4100
FAX: 302.486.4101
EMAIL: mji@mjimperialdesign.com

The ARCHITECT, DESIGNER, and CONTRACTOR shall be responsible for the accuracy of having structural, mechanical, electrical, etc.

Contractor shall check all dimensions on the work and report any discrepancy to the Architect before proceeding with construction. All dimensions shall be taken from the approved drawings and Report events of all other files having precedence.

All drawings, specifications and related documents in this set of drawings shall be read in conjunction with the drawings, specifications and related documents in the previous sets of drawings. All drawings shall be read in conjunction with the drawings, specifications and related documents in the previous sets of drawings.

The Architect is not responsible for construction methods or materials used by the contractor.

Designed by: M.J.

Checked by: J.D.

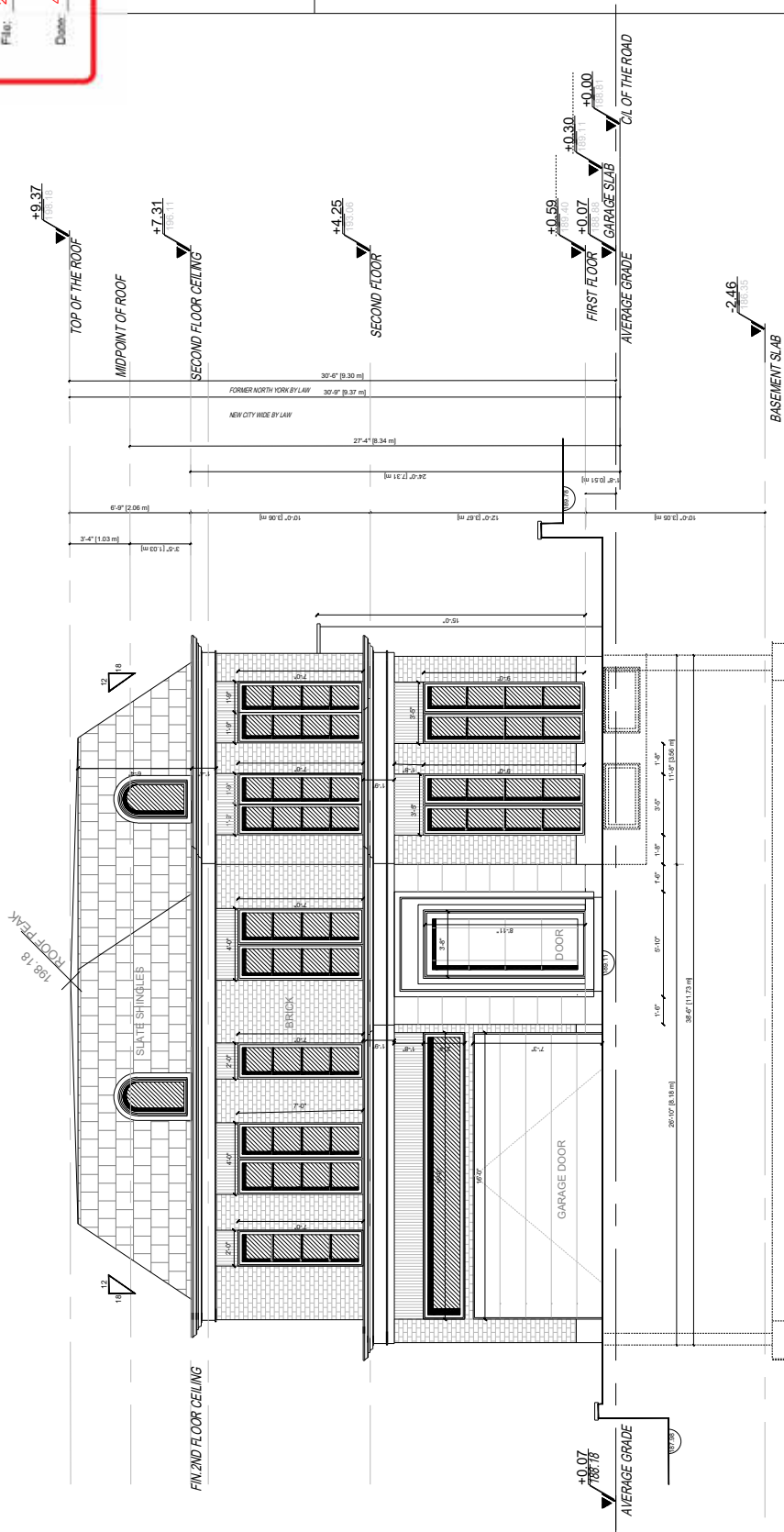
Scale: 1"=3/4"

Project No: 1999-21

Date: 25/07/2021

Drawing Title

A07



FRONT (NORTH) ELEVATION

TOTAL EXPOSED AREA 101.10 m

TOTAL OPENING AREA 21.13 m

OPENING RATIO 21.66%

Appendix G

File: 22.116544.000.OSNT

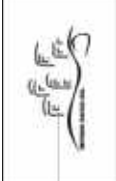
Date: 4/15/2024



Project
81 WOODWARD AVE.

JULY 25, 2021

NO.	REVISION	DATE
00	ISSUE PERMIT	03/10/2021



M.J. IMPERIAL DESIGN INC

ADDRESS: 6011 DUM FRIER
 SUITE 503, WILSON AVENUE
 PHOENIX, AZ 85032
 PHONE: (602) 386-7861
 EMAIL: m.j.imperialdesign@gmail.com

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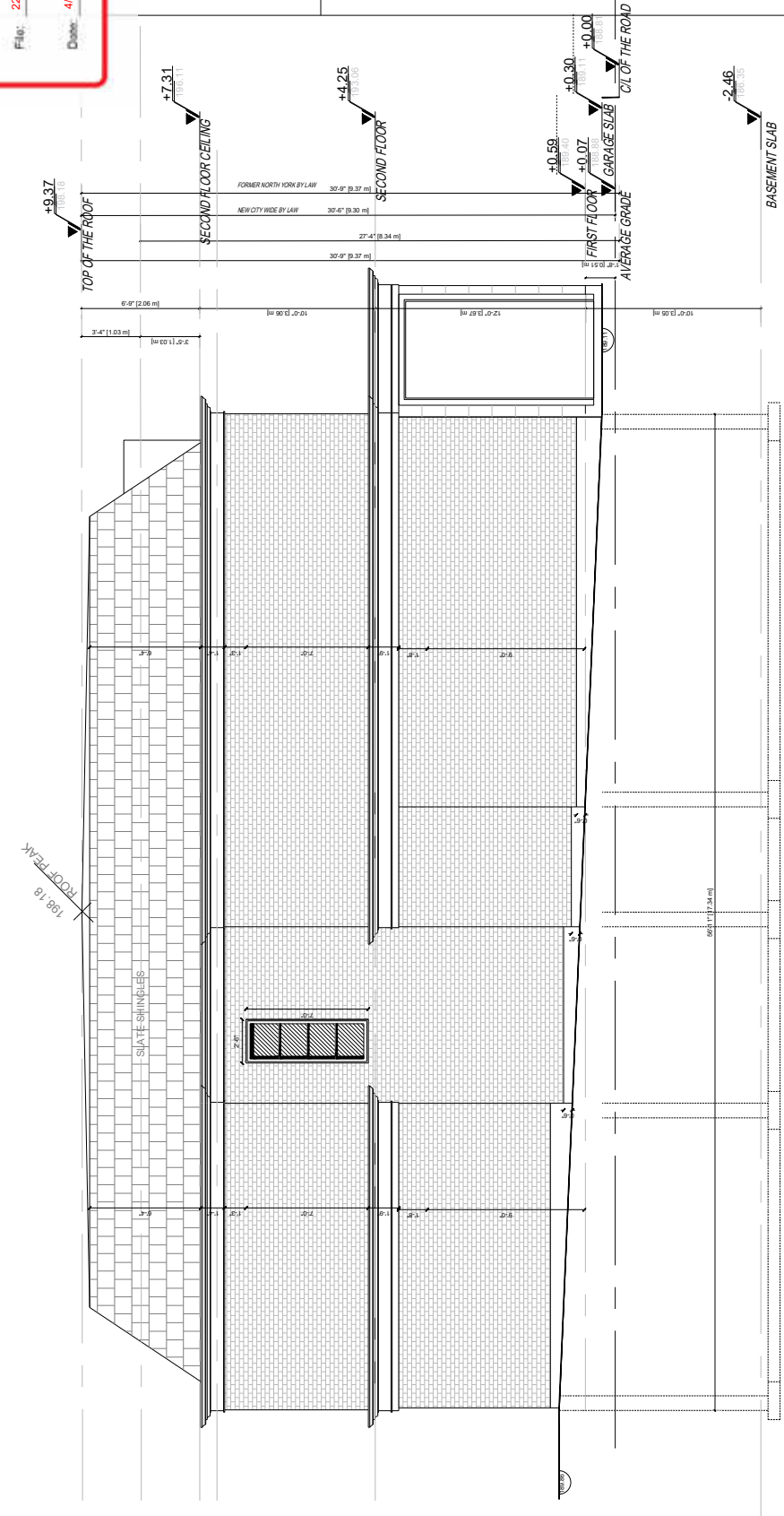
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This drawing is not to be used for construction unless approved by the Engineer.

Designed by:	M.J.
Checked by:	J.D.
Scale:	1"=3'-4"
Project No.:	1999-21
Date:	25/07/2021

Drawing Title

A08



SIDE (EAST) ELEVATION
 TOTAL EXPOSED AREA: 151.20 [m² / 1627.50 (S.F.)]
 TOTAL OPENING AREA: 1.60 [m² / 17.22 (S.F.)]
 OPENING RATIO: 01.05%

Appendix G

File: 22.176544.000.00.OSNT
 Date: 4/15/2024

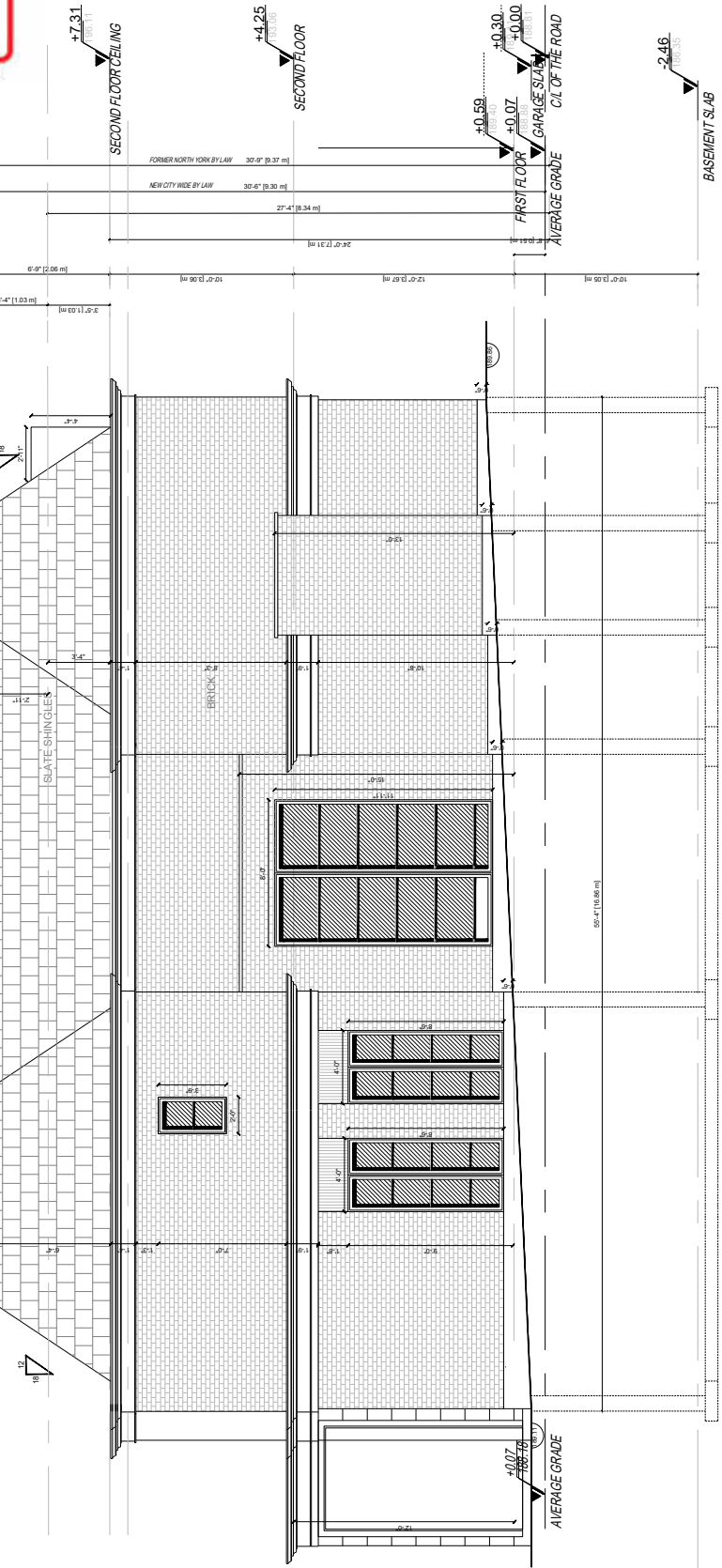
Project: 81 WOODWARD AVE.
 Date: JULY 25, 2021

Address: 81 WOODWARD AVE
 NEW YORK, NY 10003
 Project No: 1999-21
 Date: 25/07/2021

Designed by: M.J.
 Checked by: J.D.
 Scale: 1"=3/4"
 Project No: 1999-21
 Date: 25/07/2021

Drawing Title

A10



THE M.J. IMPERIAL DESIGN GROUP IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY OR EXISTING DIMENSIONS, ELEVATIONS, ETC.
 CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO PROCEEDING. CONTRACTOR MUST COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
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 THIS DRAWING IS TO BE USED FOR CONSTRUCTION PURPOSES ONLY.

DESIGNED BY: M.J.
 CHECKED BY: J.D.
 SCALE: 1"=3/4"
 PROJECT NO: 1999-21
 DATE: 25/07/2021

DRAWING TITLE

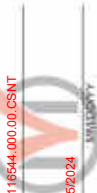
A10

SIDE (WEST) ELEVATION
 TOTAL FINISHED AREA 147.00 | m² (582.20[S.F])
 TOTAL OPENING AREA 11.68 | m² (55[S.F])
 OPENING RATIO 11.68%

Appendix G

File: 22.116544.000.00.OSNT

Date: 4/15/2024



Project
83 WOODWARD AVE.

JULY 25, 2021

REV.	REVISION	DATE
01	FOR PERMIT	07/27/2021

M.J.J. IMPERIAL DESIGN INC
 ADDRESS:
 2001 LONG BEACH BLVD. 304
 SUITE 100
 LONG BEACH, CA 90801
 TEL: (562) 433-1164
 FAX: (562) 433-1164
 EMAIL: info@mjjdesign.com

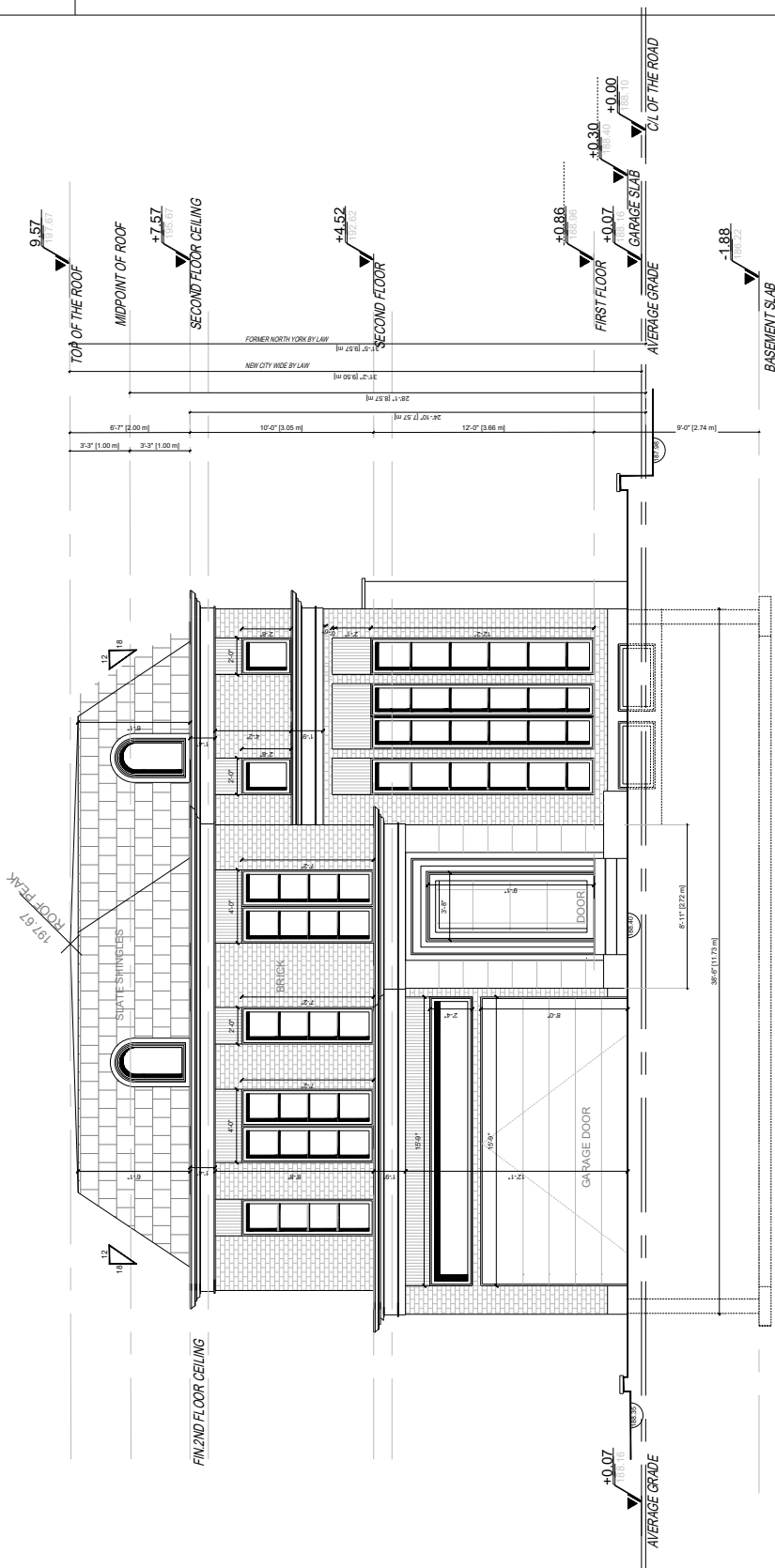
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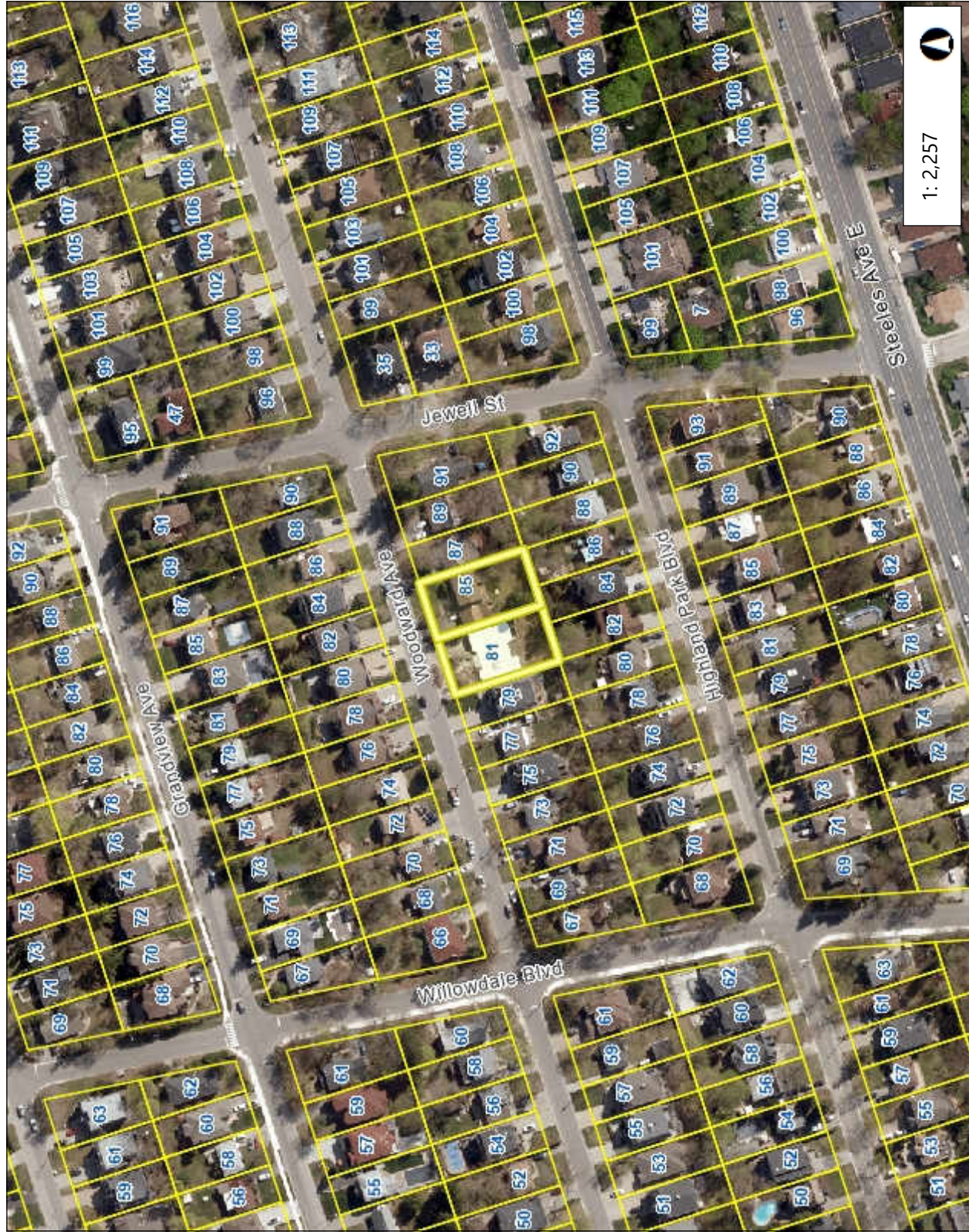
Designed by:	M.J.J.
Checked by:	J.D.
Scale:	1:1/4"
Project No.:	1999-21
Date:	25/07/2021

Drawing Title

A07



FRONT (NORTH) ELEVATION
 TOTAL EXPOSED AREA 101.10 | m
 TOTAL OPENING AREA 21.90 | m
 OPENING RATIO 21.66%



1: 2,257

114.7 Meters

57.33

0

114.7

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email cgis@markham.ca and you will be directed to the appropriate department.



Legend

- Parcel Overlay
- Aerial 2023
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Parcel
- Park Facility
- Parks
- Under Development
- <all other values>

Notes