

Memorandum to the City of Markham Committee of Adjustment

April 1, 2022

File: A/010/22
Address: 25 Melchior Crescent – Markham, ON
Applicant: Ying Yu and Xi Chen
Agent: KCCL Architect Inc. (Kelvin Lo)
Hearing Date: April 6, 2022

The following comments are provided on behalf of the Central District Team. The applicant is requesting relief from the following “Eighth Density – Single Family Residential (R8)” zone requirement under By-law 118-79, as amended, to permit:

a) Section 6.1 and 7.1.1:

an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot.

PROPERTY DESCRIPTION

The subject property is located on the east side of Melchior Crescent, north of Apple Creek Boulevard, and west of Rodick Road. There is an existing two-storey single detached dwelling on the property. The driveway and garage area provides for a minimum of three parking spaces.

COMMENTS

Staff are satisfied that the proposed development meets the criteria under [Section 8.13.8](#) of the Official Plan for the establishment of a secondary suite, meets the policies of the Region’s Official Plan, and applicable Provincial policies. Staff support its approval in accordance with the requirements under Section 16(3) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*.

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The applicant has confirmed that a ZPR has not been conducted. Staff advise that it is ultimately the applicant’s responsibility to ensure that the application has accurately identified all 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.

PUBLIC INPUT SUMMARY

Three written submissions were received as of April 1, 2022, objecting to the proposed development, as summarized below:

- that the dwelling is being used as a rooming house;
- tenant use and turnover;
- on site and on street parking;
- increased traffic; and,
- impacts to neighbourhood safety.

Rooming houses are not permitted by the Zoning By-law, and staff note that the requested variance is to permit an accessory dwelling unit. Additional information may be received after the writing of this 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*, and are of the opinion that the variance request meets the four tests. Staff recommend that the Committee consider public input and the subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

APPENDICES

Appendix "A" – Conditions of Approval

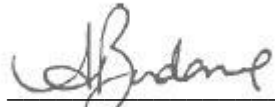
Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



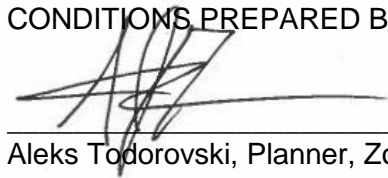
Sabrina Bordone, Acting Development Manager, Central District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/010/22

1. The variance applies only to the subject development for as long as it remains.
2. That the variance applies only to the subject development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, 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, if required by the Chief Building Official, a third-party report prepared by an architect or professional engineer licensed in the Province of Ontario, to assess compliance of existing construction with the provisions of the Ontario Building Code, and in particular relating to the change of use from a dwelling containing a single suite to a dwelling containing more than one suite.

CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/010/22

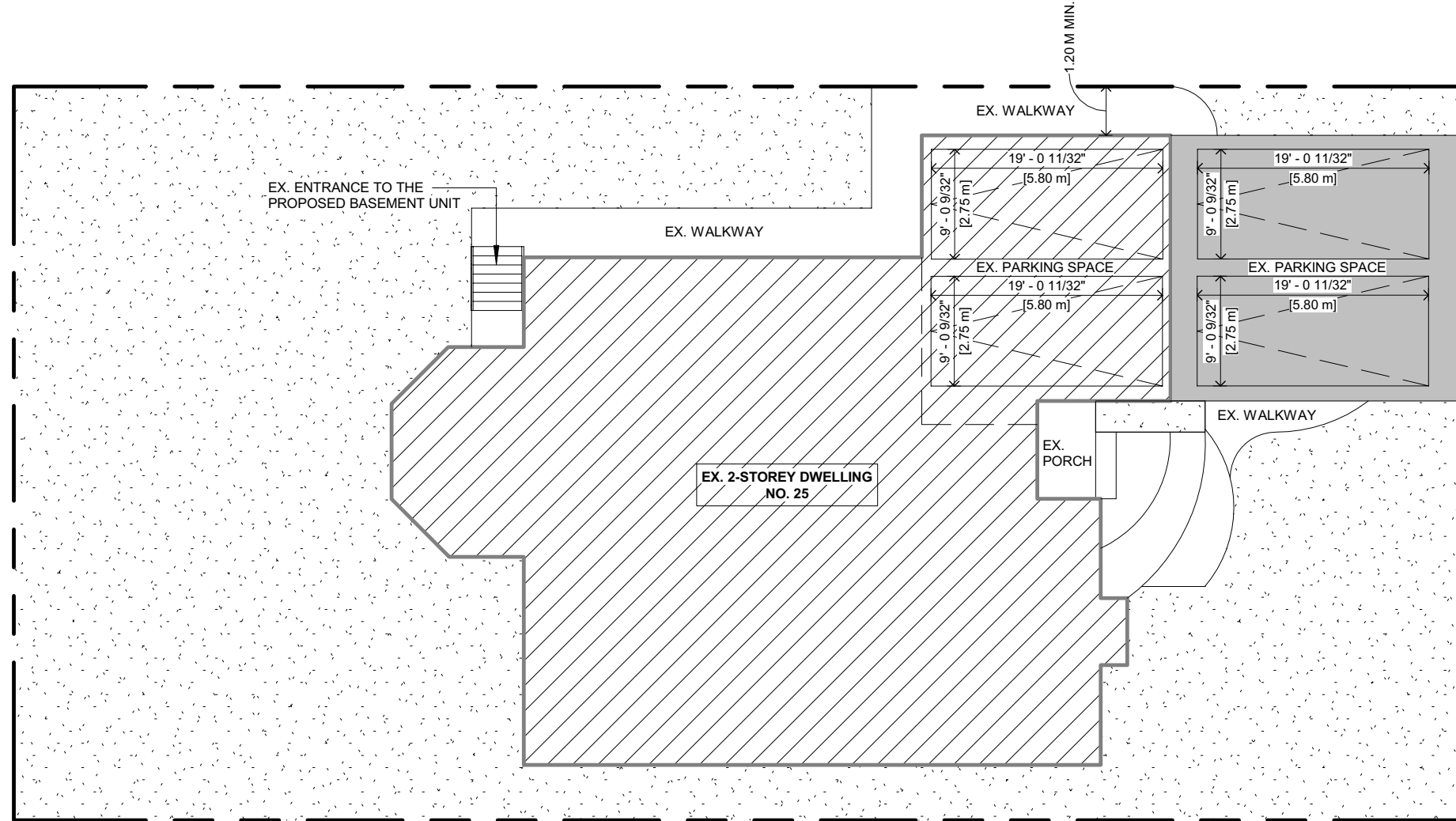
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Appendix B

File: 22.109674.000.00.MNV

Date: 04/04/22
MM/DD/YY

*** NO EXTERIOR ALTERATION ***



MELCHIOR CRES

1 SITE PLAN
1 : 150



KCCL
Architect

348 Hemlock Drive,
Whitchurch-Stouffville ON L4A 5A7
email: info@kcclarchitect.ca
office: 416-881-9898

CONTRACTOR SHALL
VERIFY SITE DIMENSIONS

NO.	DESCRIPTION	DATE	BY
1			

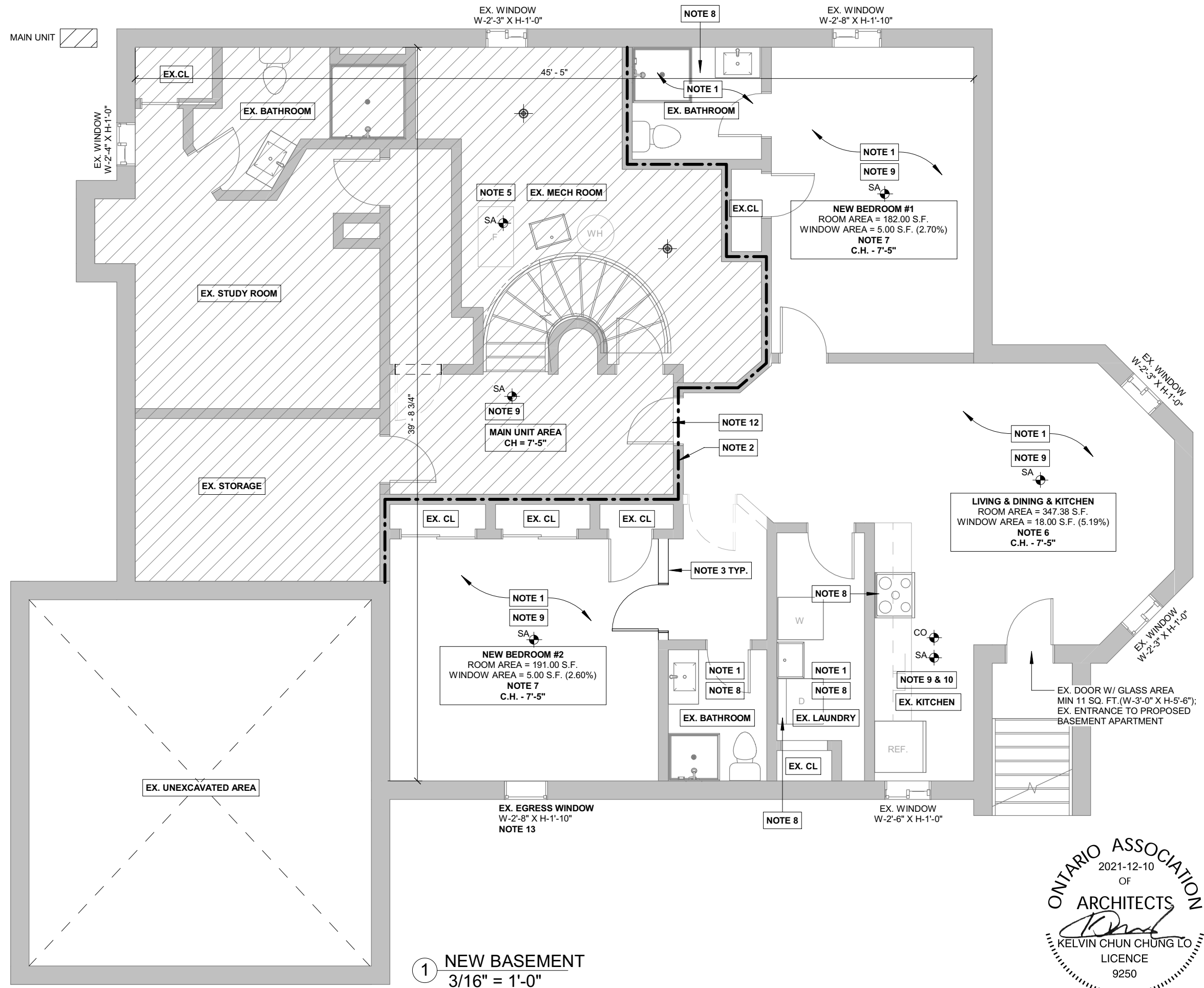
Drawn by **Author**
Date **2021-12-10**
Scale **1 : 150**
Project Number **21292**

DRAWING NAME
SITE PLAN

SHEET NUMBER
A1.1

PROPOSED BASEMENT 2ND UNIT
25 MELCHIOR CRESCENT
MARKAM, ON, L3R 9A5

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Appendix B

File: 22.109674.000.00.MNV

Date: 04/04/22

MM/DD/YY

KCCL Architect

348 Hemlock Drive,
Whitchurch Stouffville ON L4A 5A7
email: info@kcclarchitect.ca
office: 416-881-9898

CONTRACTOR SHALL
VERIFY SITE DIMENSIONS

NO.	DESCRIPTION	DATE	BY
1			

Drawn by RF
Date 2021-12-10
Scale 3/16" = 1'-0"
Project Number 21292

DRAWING NAME
NEW FLOOR PLAN

SHEET NUMBER
A2.3



PROPOSED BASEMENT 2ND UNIT
25 MELCHIOR CRESCENT
MARKAM, ON, L3R 9A5