

# Memorandum to the City of Markham Committee of Adjustment

February 08, 2022

**File:** A/187/21  
**Address:** 10 Alanadale Avenue, Markham  
**Applicant:** Z Square Group (Mengdi Zhen)  
**Agent:** Z Square Group (Mengdi Zhen)  
**Hearing Date:** Wednesday February 16, 2022

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

The applicant is requesting relief from the following requirements of the “R1 – Residential” zone under By-law 1229 as amended, to permit:

- a) **By-Law 99-90, Section 1.2 (i):**  
a maximum height of 8.44 metres, whereas the By-law permits a maximum height of 8.0 metres;
- b) **By-law 1229, Section 11.2 (c)(i):**  
a basement walkup to encroach 7.21 feet into the required rear yard, whereas the By-law permits a maximum encroachment of 18.0 inches into any required yard;
- c) **By-law 99-90, Section 1.2 (vi):**  
a maximum floor area ratio of 49.4 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;

as it relates to a proposed single detached dwelling.

## BACKGROUND

### Property Description

The 626.13 m<sup>2</sup> (6,739.60 ft<sup>2</sup>) subject property is located on the west side of Alanadale Avenue, north of Highway 7 and west of Main Street Markham North. The built form on Alanadale Avenue primarily consists of detached bungalows constructed in the 1960's. The surrounding area is characterized as an established residential neighbourhood, comprised of a mix of one and two-storey dwellings. There is an existing one-storey detached dwelling on the property, which according to assessment records was constructed in 1963. Two mature trees are located in the front yard.

### Proposal

The applicant is proposing to demolish the existing dwelling and construct a two-storey detached dwelling with a GFA of approximately 309.29 m<sup>2</sup> (3,329.22 ft<sup>2</sup>). One of the existing trees in the front yard is proposed to be removed.

### Official Plan and Zoning

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

The subject property is designated “Residential – Low Rise”, which provides for low rise housing forms including single detached dwellings. Infill development is required to meet the general intent of the 2014 Official Plan with respect to height, massing and setbacks 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 must also be had for retention of existing trees and vegetation, as well as the width of proposed garages and driveways.

#### Zoning By-Law 1229

The subject property is zoned R1 'Residential' under By-law 1229, as amended, which permits a single detached dwelling. The proposed development does not comply with the by-law with respect to yard encroachment for the basement walk-up stairs.

#### Residential Infill Zoning By-law 99-90

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighborhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, yard setbacks and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to maximum building height and floor area ratio.

#### **Zoning Preliminary Review (ZPR) Undertaken**

The owner has completed a Zoning Preliminary Review (ZPR) on November 16, 2021 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.

#### **Increase in Maximum Building Height**

The applicant is requesting relief to permit a maximum building height of 8.44 m (27.69 ft), whereas the By-law permits a maximum building height of 8 m (26.24 ft). This represents an increase of 0.44 m (1.44 ft).

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. It should be noted that the proposed grade of the front of the house is approximately 0.67 m (2.19 ft) above the crown of road. In addition, there are no requested variances to the side yard setback requirements, which mitigates any potential concerns over shadowing and loss of spaciousness that this community currently enjoys. Staff consider the requested variance to be minor in nature and have no concerns.

#### **Increase in Maximum Yard Encroachment**

The applicant is requesting a maximum yard encroachment of 7.21 ft (2.19 m) into the required rear yard, whereas the By-law permits a maximum yard encroachment of 18 in (0.45 m) into any required yards.

The variance applies to the proposed walk-up stairs on the west side of the dwelling, which in the opinion of Planning Staff will have minimal impacts to adjacent properties. Further, the walk-up stairs are uncovered and occupy a small portion of the rear yard, leaving an

appropriate outdoor amenity space in the rear yard area. Staff have no concerns with the approval of the requested variance.

#### **Increase in Maximum Floor Area Ratio**

The applicant is requesting relief to permit a floor area ratio of 49.4 percent, whereas the By-law permits a maximum floor area ratio of 45 percent. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 309.29 m<sup>2</sup> (3,329.22 ft<sup>2</sup>), whereas the By-law permits a dwelling with a maximum floor area of 278.84 m<sup>2</sup> (3,001.45 ft<sup>2</sup>). This represents an increase of approximately 30.45 m<sup>2</sup> (327.76 ft<sup>2</sup>).

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 building layout meets all other zoning provisions (such as setbacks, building depth and lot coverage) that establish the prescribed building envelope. These standards ensure that the proposed dwelling will be in keeping with the intended scale of residential infill developments in the neighbourhood. Further, the proposed dwelling is generally consistent with the size of a number of new recently constructed homes in the community. Staff have no concern with the requested variance.

#### **Tree Protection and Compensation**

Should the application be approved, staff recommend that the tree related conditions detailed in Appendix "A" be adopted to ensure that the applicant installs the appropriate tree protection barriers, and provides appropriate compensation, if necessary. Staff also note that the applicant is required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees that have a diameter at breast height (DBH) of 20.0 cm (7.87 in), or more on the subject property or neighbouring properties.

#### **PUBLIC INPUT SUMMARY**

No written submissions were received from the public as of February 9, 2022. 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 requested variances meet the four tests of the Planning Act. 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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



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Carlson Tsang, Senior Planner, East District

REVIEWED BY:



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Stacia Muradali, Development Manager, East District

File Path: Amanda\File\21 145946 \Documents\District Team Comments Memo

**APPENDIX “A”**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/187/21**

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 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 Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Director of Operations that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City’s Streetscape Manual, including street trees, in accordance with the City’s Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician or Director of Operations.
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:



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Carlson Tsang, Senior Planner, East District

ON 3.  
 REGISTERED PLAN 5810

R1, R2, R3, & R4 ZONES	Zone Requirements
Min. Lot Frontage (a)	60 ft.
Min. Lot Area (a)	6,600 ft <sup>2</sup>
Min. Front Yard	25 ft.
Min. Side Yard—One Storey Portion	4 ft.
Min. Side Yard—Two Storey Portion	6 ft.
Min. Flankage Yard—Abuts Street	10 ft.
Min. Rear Yard	25 ft.
Max. Number of Storeys	2
Max. Building Height	9.8 m
Max. Building Height—Flat Roof	8.0 m
Max. Building Depth (b)	16.8 m
Max. Lot Coverage (c)	35%
Max. Net Floor Area Ratio (d)	45%
Max. Garage Projection (e)	2.1 m
Max. Garage Width (Frontage <18.3 m)	7.7 m
Min. Dwelling Unit Floor Area	1,200 ft <sup>2</sup>

- NOTES:**
- ALL DIMENSIONS AND QUANTITIES OF MATERIALS ARE THE RESPONSIBILITY OF THE CONTRACTOR AN ACCEPTABLE LEVEL OF FINISH MUST BE ACHIEVED AND APPROVED BY OWNER.
  - ALL TRADES TO VERIFY DIMENSIONS AND DATA HEREIN WITH EXISTING ON SITE.
  - REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.
  - GENERAL CONTRACTOR TO PROVIDE ALL BLOCKING REQUIRED IN WALLS TO ACCOMMODATE INSTALLATION OF MILLWORK, ARTWORK, FURNITURE, WASHROOM ACCESSORIES, AND EQUIPMENT.
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  - DO NOT SCALE DRAWINGS.

BUILDING AREA		
Name	Area	Area (SF)
GROUND FLOOR	134.40 m <sup>2</sup>	1446.67 SF
GARAGE	41.18 m <sup>2</sup>	443.25 SF
	175.58 m <sup>2</sup>	1889.92 SF

GROSS FLOOR AREA (INCLUDING GARAGE)		
Name	Area	Area (SF)
GROUND FLOOR	134.40 m <sup>2</sup>	1446.67 SF
GARAGE	41.18 m <sup>2</sup>	443.25 SF
SECOND FLOOR	133.72 m <sup>2</sup>	1439.30 SF
	309.29 m <sup>2</sup>	3329.22 SF

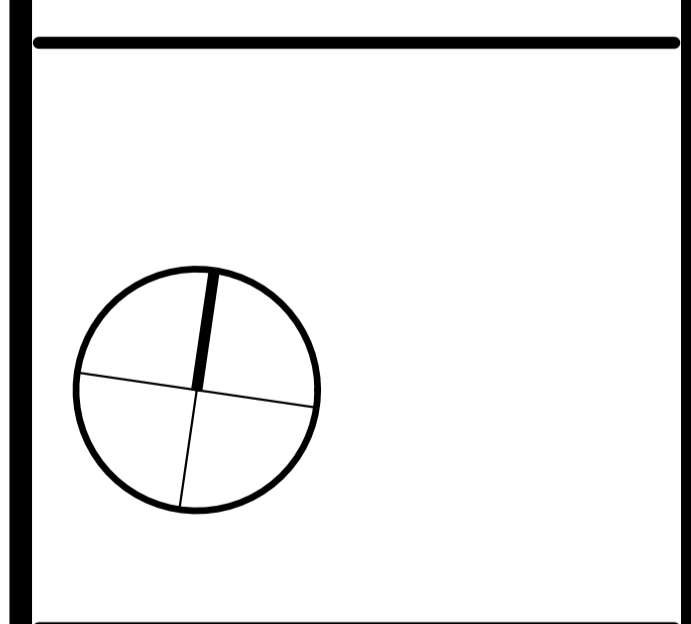
LOT AREA: 6739.61 SF  
 NET LOT AREA: (6739.61-6600)/2+6600= 6669.81  
 COVERAGE: 28.40% (MAX. 35%)  
 FSI: 49.39% (MAX. 45%)

**REVISION RECORD**

No.	Description	Date
1	ISSUED FOR REVIEW	2021-09-27
2	ISSUED FOR ZR	2021-09-30
3	REVISED AS PER CHANGEMARKS REPORT	2021-11-02

**ISSUE RECORD**

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 Toronto, Ontario, M2H 3B3  
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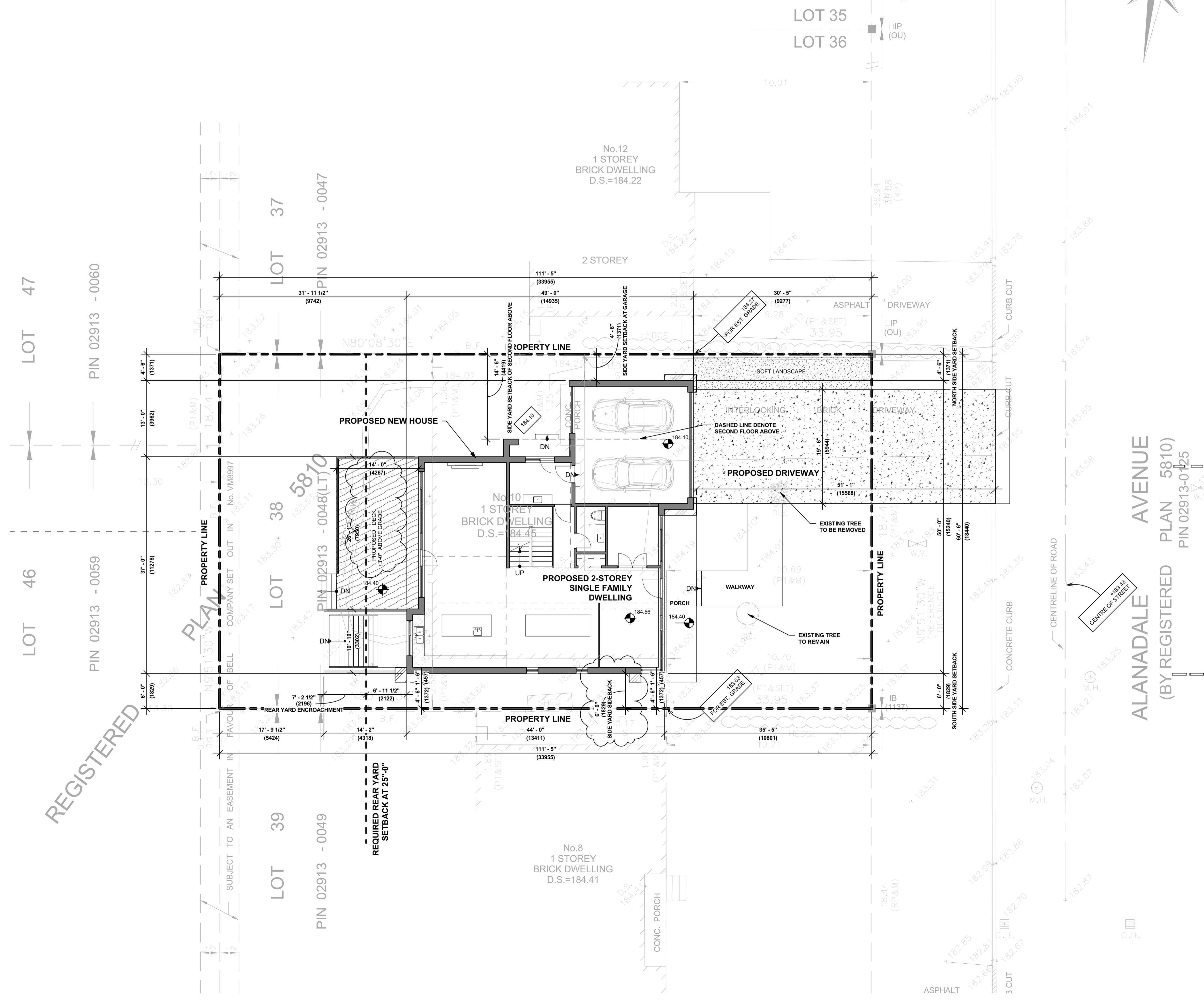


10 Alanadale Ave, Markham, ON  
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for  
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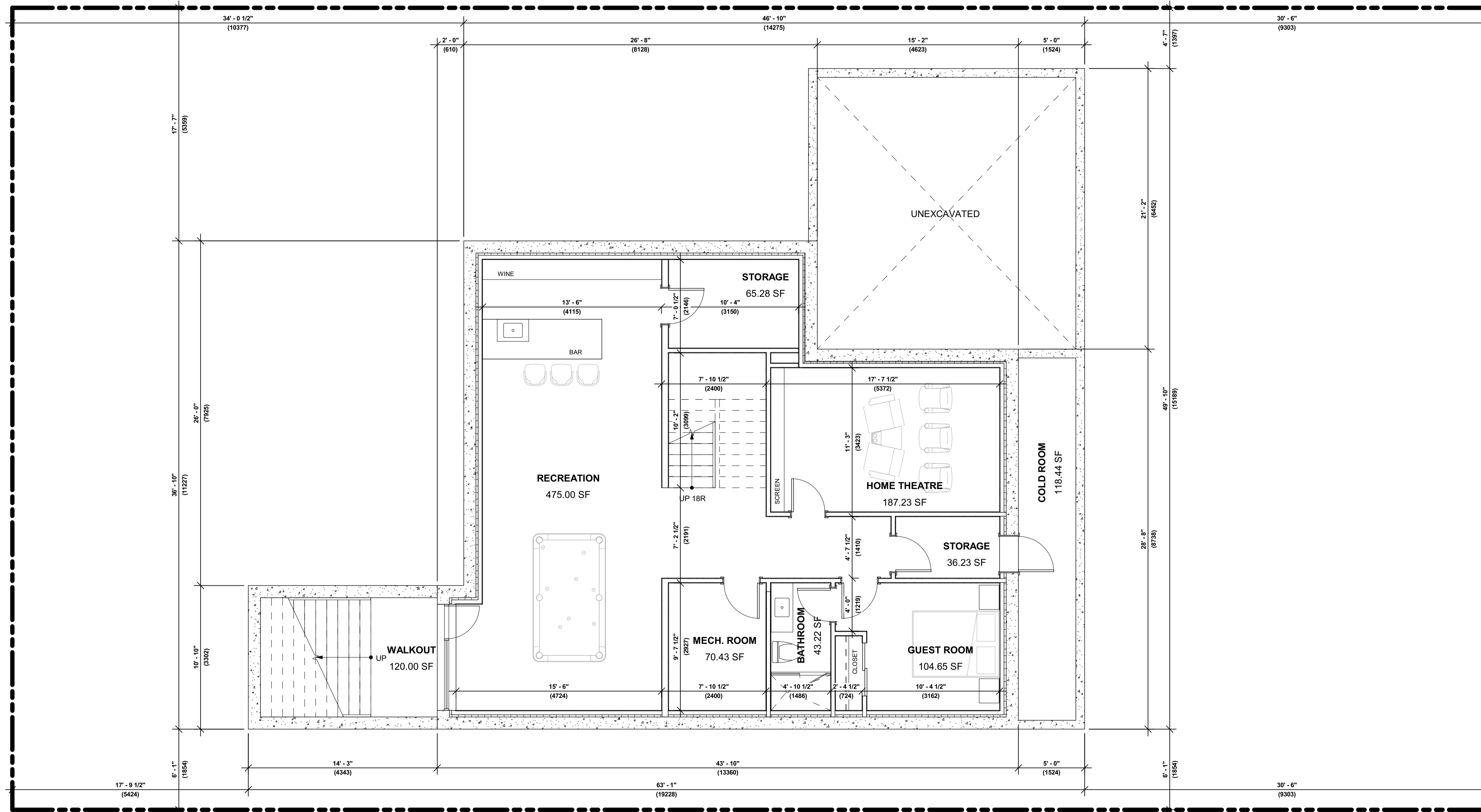
SITE PLAN  
**A1.1**

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REGISTERED

1 SITE PLAN  
 1 : 100



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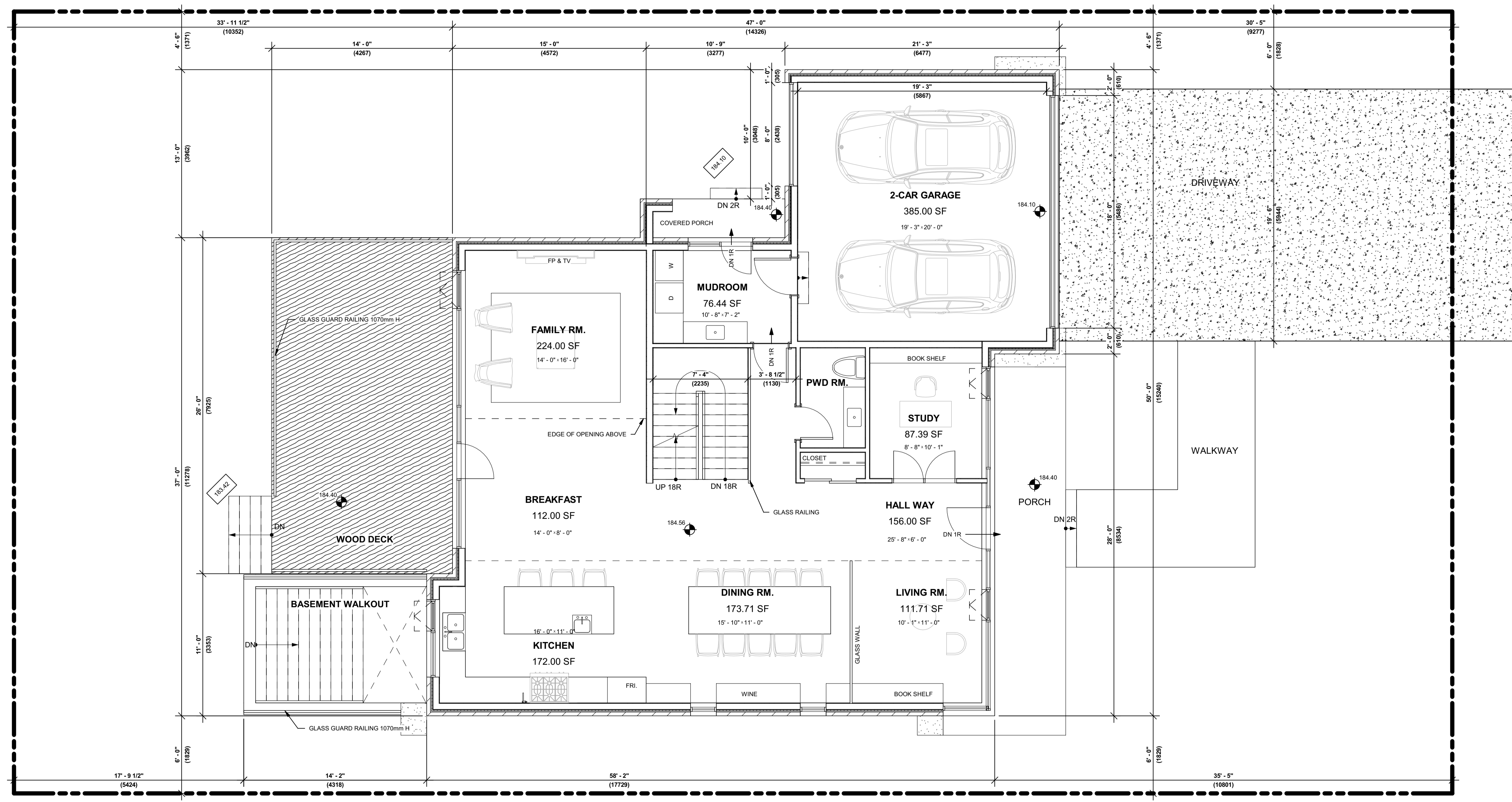
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**BASEMENT PLAN**  
**A2.1**

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① BASEMENT PLAN  
 1 : 50



① GROUND FLOOR PLAN  
 1 : 50

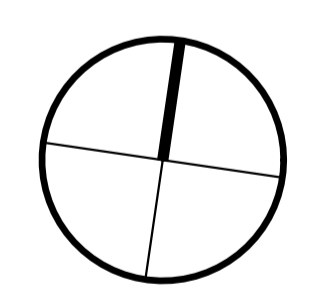
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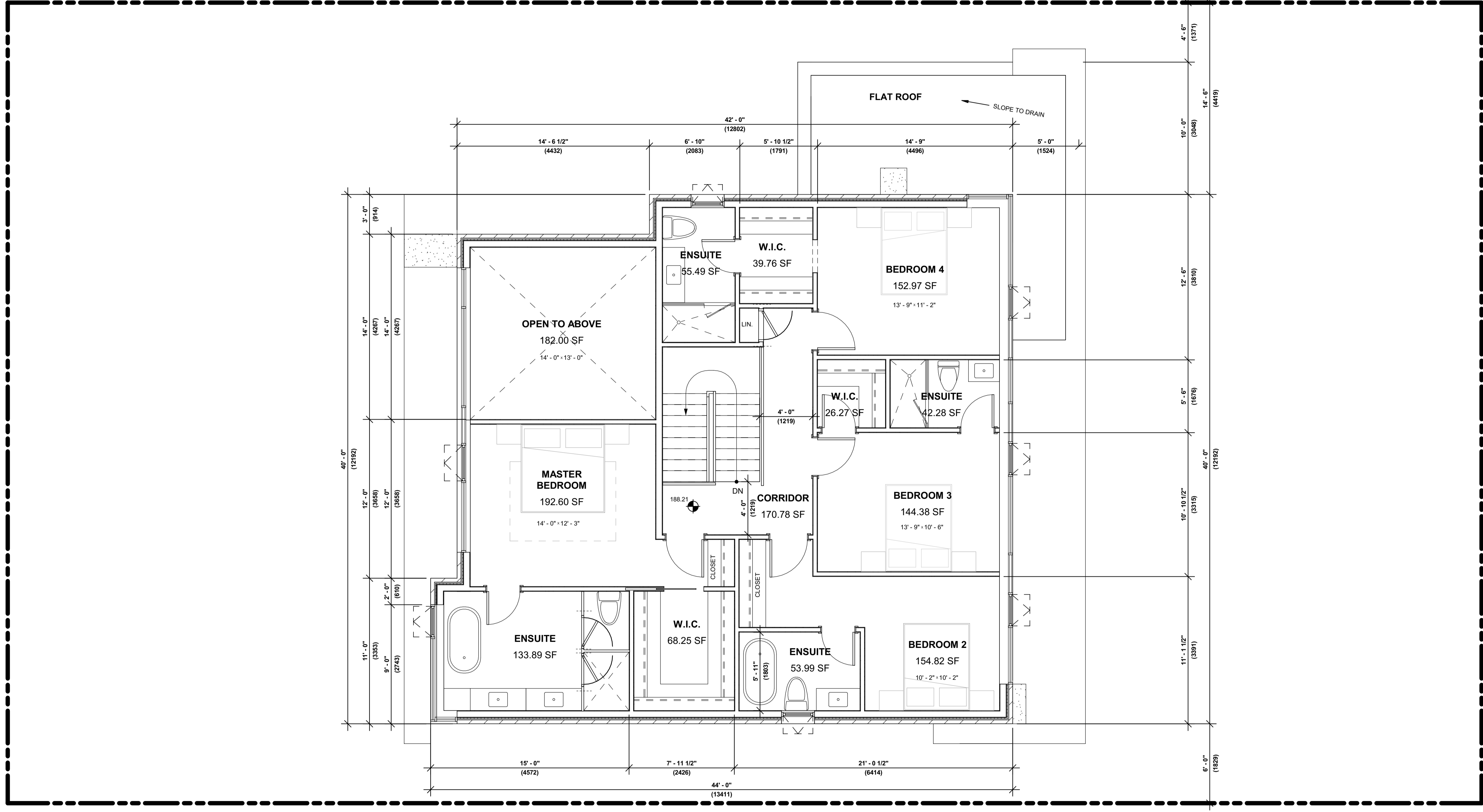
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for  
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GROUND FLOOR PLAN  
**A2.2**

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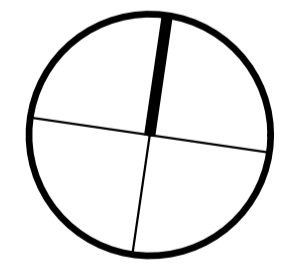
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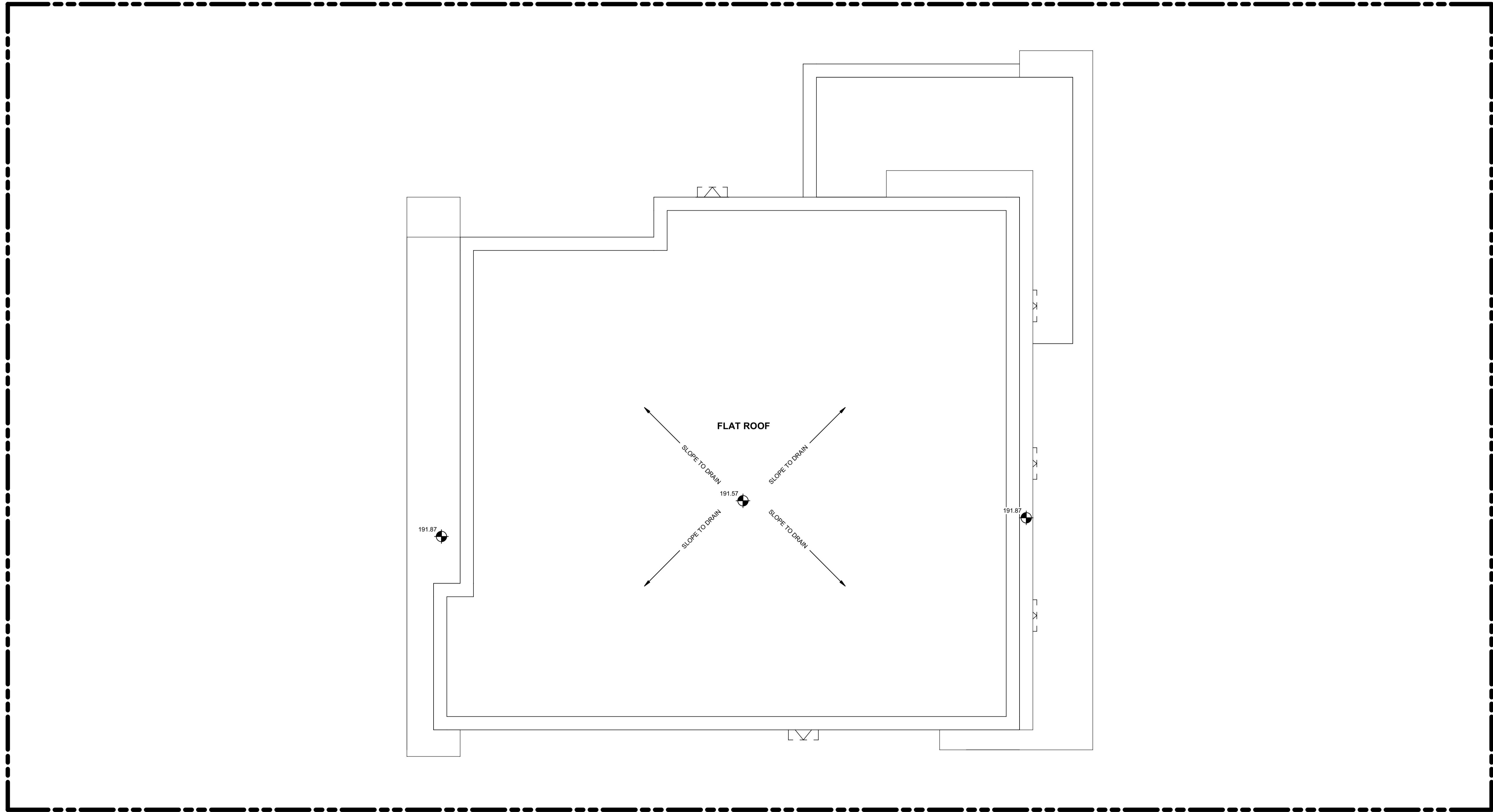
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**SECOND FLOOR PLAN**  
**A2.3**

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① SECOND FLOOR PLAN  
 1 : 50

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**NOTES:**

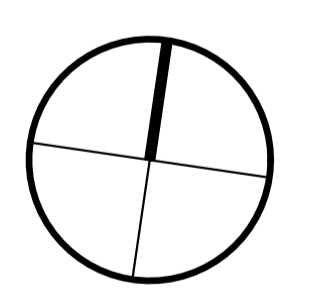
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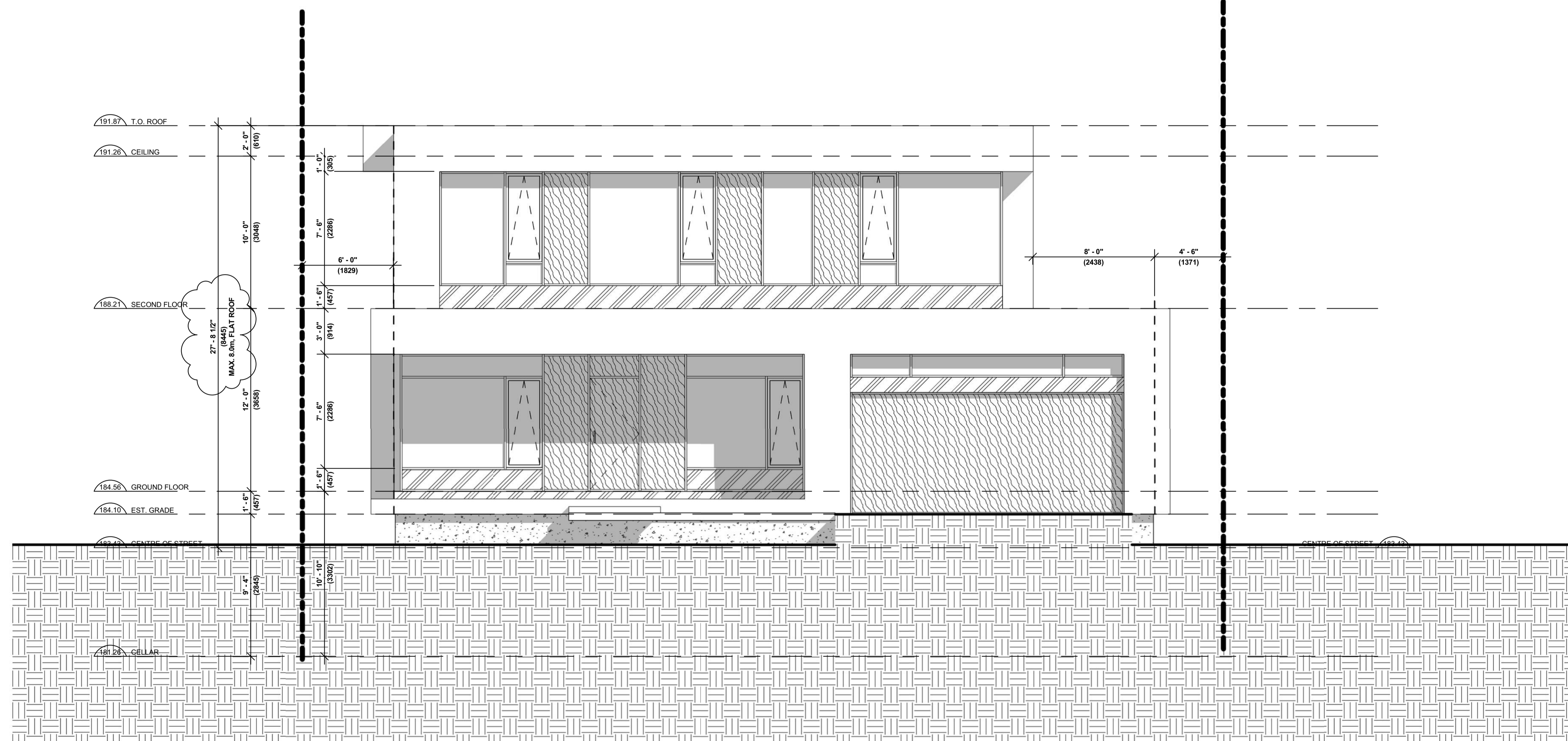
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ROOF PLAN  
**A2.4**

① ROOF PLAN  
 1 : 50

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1 EAST (FRONT) ELEVATION  
1 : 50

**NOTES:**

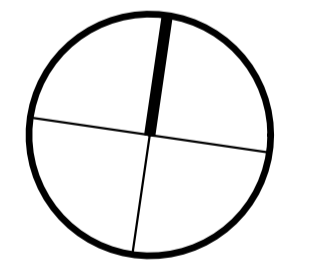
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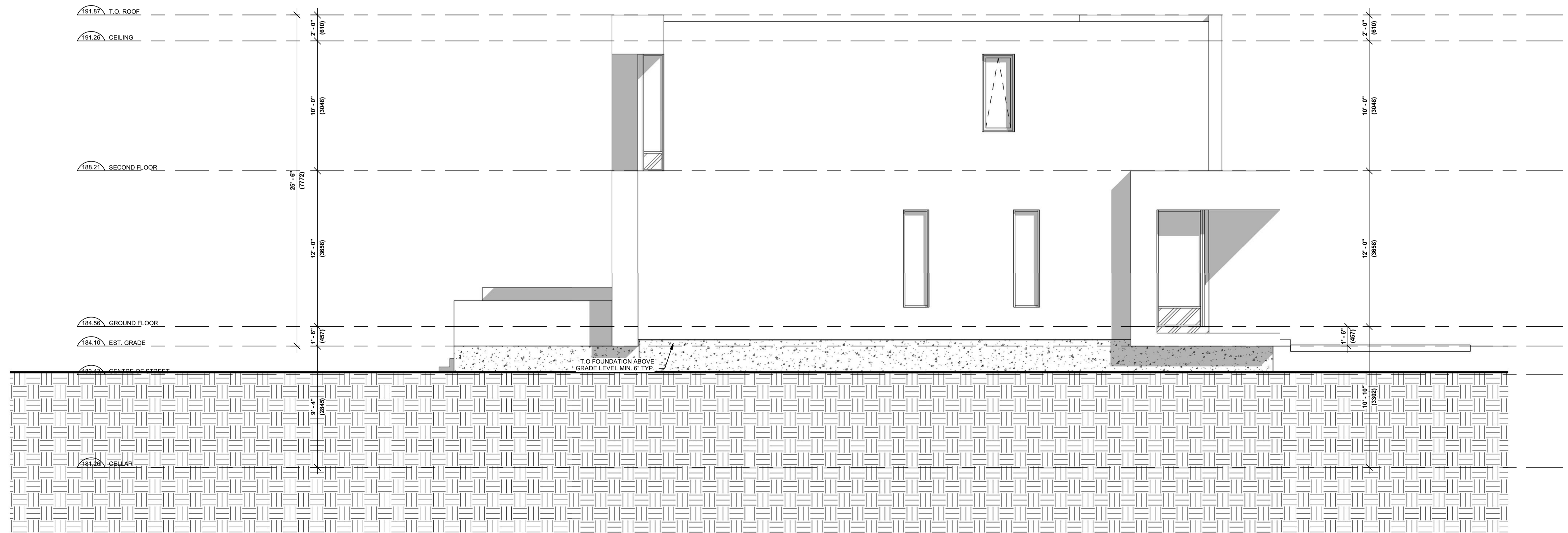
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EAST (FRONT) ELEVATION

A3.1

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1 SOUTH ELEVATION  
1:50

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for

<p>20050 1:50 PROJECT SCALE</p> <p style="text-align: right;">LMS ZMD DRAWN REVIEWED</p>	<p><b>SOUTH ELEVATION</b></p> <p style="font-size: 2em; font-weight: bold; margin: 0;">A3.2</p> <p style="font-size: 0.8em;">Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.</p>
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**NOTES:**

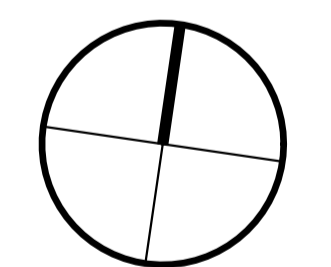
1. ALL DIMENSIONS AND QUANTITIES OF MATERIALS ARE THE RESPONSIBILITY OF THE CONTRACTOR, AN ACCEPTABLE LEVEL OF FINISH MUST BE ACHIEVED AND APPROVED BY OWNER.
2. ALL TRADES TO VERIFY DIMENSIONS AND DATA HEREIN WITH EXISTING ON SITE.
3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.
4. GENERAL CONTRACTOR TO PROVIDE ALL BLOCKING REQUIRED IN WALLS TO ACCOMMODATE INSTALLATION OF MILLWORK, ARTWORK, FURNITURE, WASHROOM ACCESSORIES, AND EQUIPMENT.
5. MOULD RESISTANT GYPSUM BOARD IN LIEU OF GYPSUM BOARD INDICATED ON WALL SURFACES WITHIN WASHROOMS & MUDROOMS.
6. TILE BACKER BOARD TO BE USED IN LIEU OF GYPSUM BOARD INDICATED ON WALL TYPES TO EXTENT OF WALLS WHERE CERAMIC WALL TILES ARE INDICATED TO BE INSTALLED.
7. DO NOT SCALE DRAWINGS.

**REVISION RECORD**

No.	Description	Date
1	ISSUED FOR REVIEW	2021-09-27
2	ISSUED FOR ZR	2021-09-30

**ISSUE RECORD**

	<p><b>Z Square Consulting Inc.</b>                  1100 Gordon Baker Road,                  Toronto, Ontario, M2H 3B3                  T 647 291 0088                  E info@zsquareconsulting.com                  W www.zsquareconsulting.com</p>
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10 Alandale Ave, Markham, ON  
 L3P 1S3

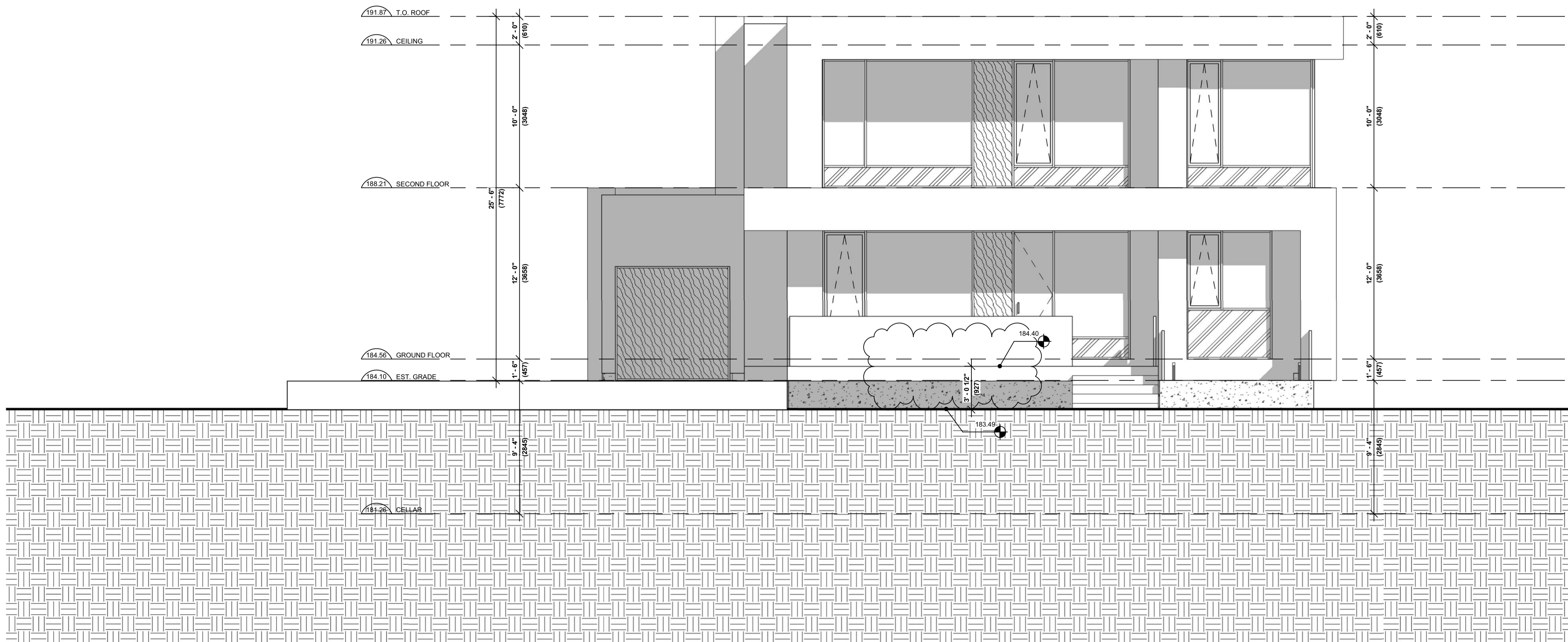
for

20050 1:50 PROJECT SCALE	LMS DRAWN	ZMD REVIEWED
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**WEST (REAR) ELEVATION**

**A3.3**

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.



① WEST ELEVATION  
 1:50

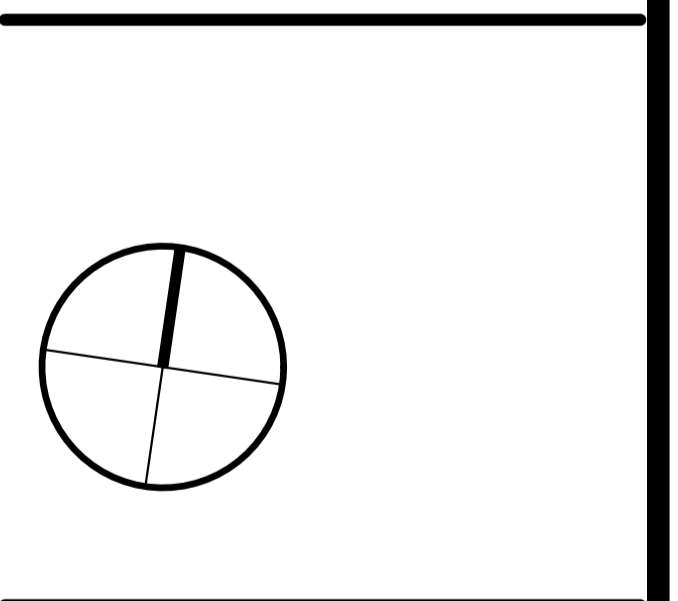
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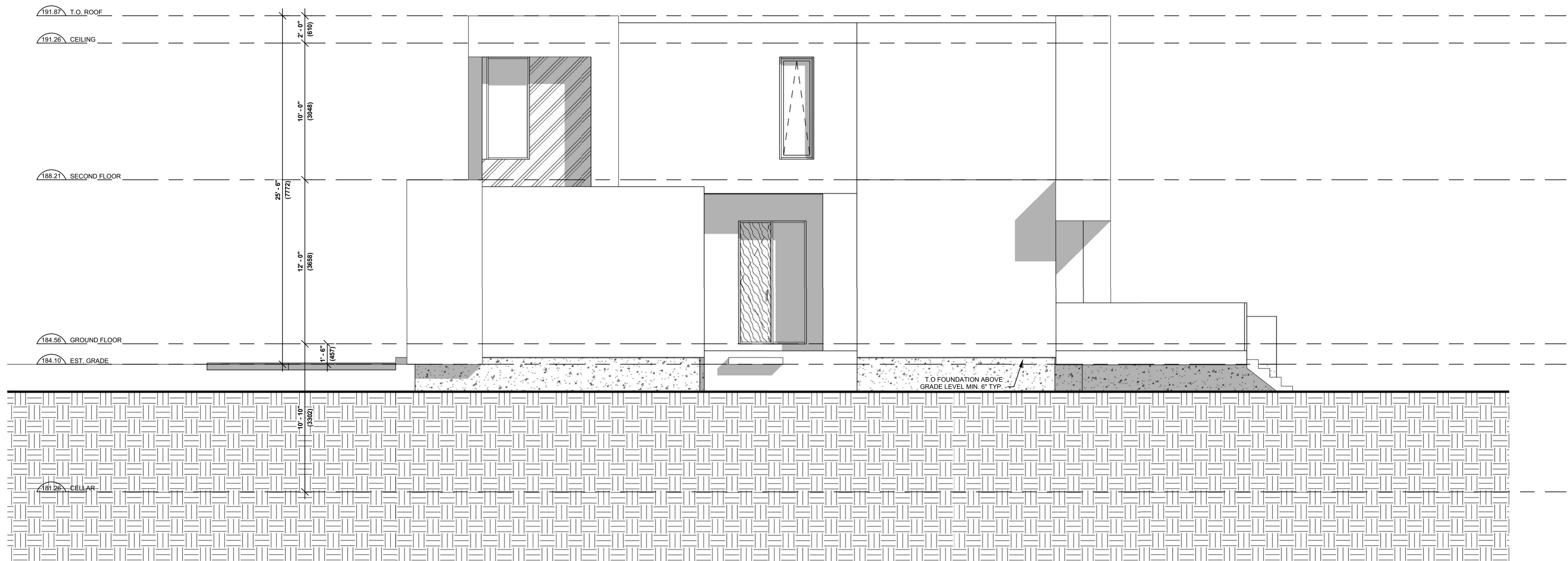
for

20050 1 : 50 PROJECT SCALE LMS ZMD DRAWN REVIEWED

NORTH ELEVATION  
**A3.4**

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11/22/2022 2:28:37 PM



① NORTH ELEVATION  
1 : 50