

Memorandum to the City of Markham Committee of Adjustment

March 2, 2022

File: A/194/21
Address: 22 Honeybourne Crescent – Markham, ON
Applicant: Jenani Veeravagupillai
Agent: Brutto Consulting (Francesco Fiorani)
Hearing Date: March 9, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential One – (R1)” zone requirements under By-law 1229, as amended, as they relate to a new two-storey detached dwelling. The variances requested are to permit:

- a) **Amending By-law 99-90, Section 1.2(i):**
a maximum height of 10.10 m (33.14 ft), whereas the by-law permits a maximum height of 9.80 m (32.15 ft);
- b) **Amending By-law 99-90, Section 1.2(ii):**
a maximum depth of 18.14 m (59.51 ft), whereas the by-law permits a maximum depth of 16.80 m (55.12 ft); and
- c) **Amending By-law 99-90, Section 1.2(vi):**
a maximum floor area ratio of 51.88%, whereas the by-law permits a maximum floor area ratio of 45.0%.

PROPERTY DESCRIPTION

The 987.77 m² (10,632.36 ft²) subject property is located on the west side of Honeybourne Crescent, north of Highway 7 East, east of Robinson Street, and south of Bullock Drive. There is an existing single detached dwelling and shed on the subject property, with mature vegetation throughout. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached and semi-detached dwellings. There are several examples of infill development along the street, and within the surrounding area.

PROPOSAL

The applicant is proposing to demolish the existing dwelling and shed, to construct a new two-storey detached dwelling. The applicant requests three variances to increase the maximum depth, height, and floor area ratio.

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. Section 8.2.3.5 of the Official Plan outlines infill development criteria for the “Residential Low Rise” designation with respect to height, massing, and setbacks. This criteria is established to ensure that infill development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street, while accommodating a diversity of building styles. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, development is

required to meet the general intent of these development criteria. Regard shall also be had for the retention of existing trees and vegetation.

Zoning By-Law 1229

The subject property is zoned “Residential One (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot.

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 neighbourhoods. It specifies development standards for building depth, garage projection, garage width, floor area ratio, height, and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to the maximum depth, height, and floor area ratio.

ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN

The applicant has completed a ZPR on January 12, 2022 to confirm the variances required for the proposed development.

COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended*, states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (the “Committee”):

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, 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 requests a maximum building height of 10.10 m (33.14 ft), whereas the By-law permits a maximum building height of 9.80 m (32.15 ft).

The By-law calculates building height using the vertical distance of a building measured between the level of the crown of the street and highest point of the ridge of a gable, hip, gambrel, or other type of pitched roof.

Staff are of the opinion that any impacts from the requested increase of 0.30 m (0.98 ft) would be minimal, and that the variance would result in a new house development that is compatible with other two-storey developments along Honeybourne Crescent. Staff consider the requested variance to be minor in nature and have no concerns.

Increase in Maximum Building Depth

The applicant requests a maximum building depth of 18.14 m (59.51 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.12 ft). This is an increase of 1.34 m (4.39 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 variance includes a front covered porch, which adds approximately 1.83 m (6.0 ft) to the overall depth of the building. Excluding the porch, the main component of the building has a depth of 16.85 m (55.28 ft). With respect to the increase, the majority of the mass of the dwelling is oriented towards the centre of the lot, which assists in mitigating any potential impacts on adjacent properties. Staff are of the opinion that the requested variance appropriately maintains the general intent and purpose of the By-law, and is minor in nature.

Increase in Maximum Floor Area Ratio

The applicant requests a maximum floor area ratio of 51.88%, whereas the By-law permits a maximum floor area ratio of 45.0%. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 415.32 m² (4,470.47 ft²), whereas the By-law permits a dwelling with a maximum floor area of 360.21 m² (3,877.28 ft²). This is an increase of 55.11 m² (593.19 ft²).

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. With exception to the requested variances detailed above, the proposed development complies with all other zoning provisions that establish the prescribed building envelope, and assist in ensuring the proposed dwelling will be in keeping with the intended scale of residential infill developments within the neighbourhood, and along the street. The proposed development also incorporates building projections/articulation points along the side and rear elevations, which helps reduce the overall mass of the dwelling. Staff are of the opinion that the requested variance is minor in nature, and appropriately maintains the general intent of the By-law.

Tree Protection and Compensation

Staff recommend that the tree related conditions be adopted with any approval of this application, to ensure that the applicant installs the appropriate tree protection barriers and provides compensation to the City, 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. Further mitigation may be required to ensure the protection of certain trees is achieved.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 2, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

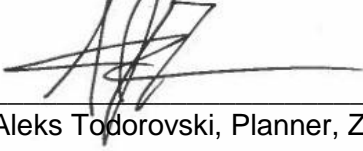
Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the variance request meets the four tests. Staff recommend that the Committee consider public input and the subsequent conditions of approval in reaching a decision. The onus 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:



Brad Roberts, Manager of Zoning and Special Projects

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/194/21

1. 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 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. 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 Director of Planning and Urban Design, or their designate, 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.
4. That tree replacements be provided and/or tree replacement fees be paid to the Director of Planning and Urban Design, or their designate, 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 Director of Planning and Urban Design, or their designate.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City's Streetscape Manual (2009), as amended, and inspected by the Tree Preservation Technician, or their designate, 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:



Aleks Todorovski, Planner, Zoning and Special Projects

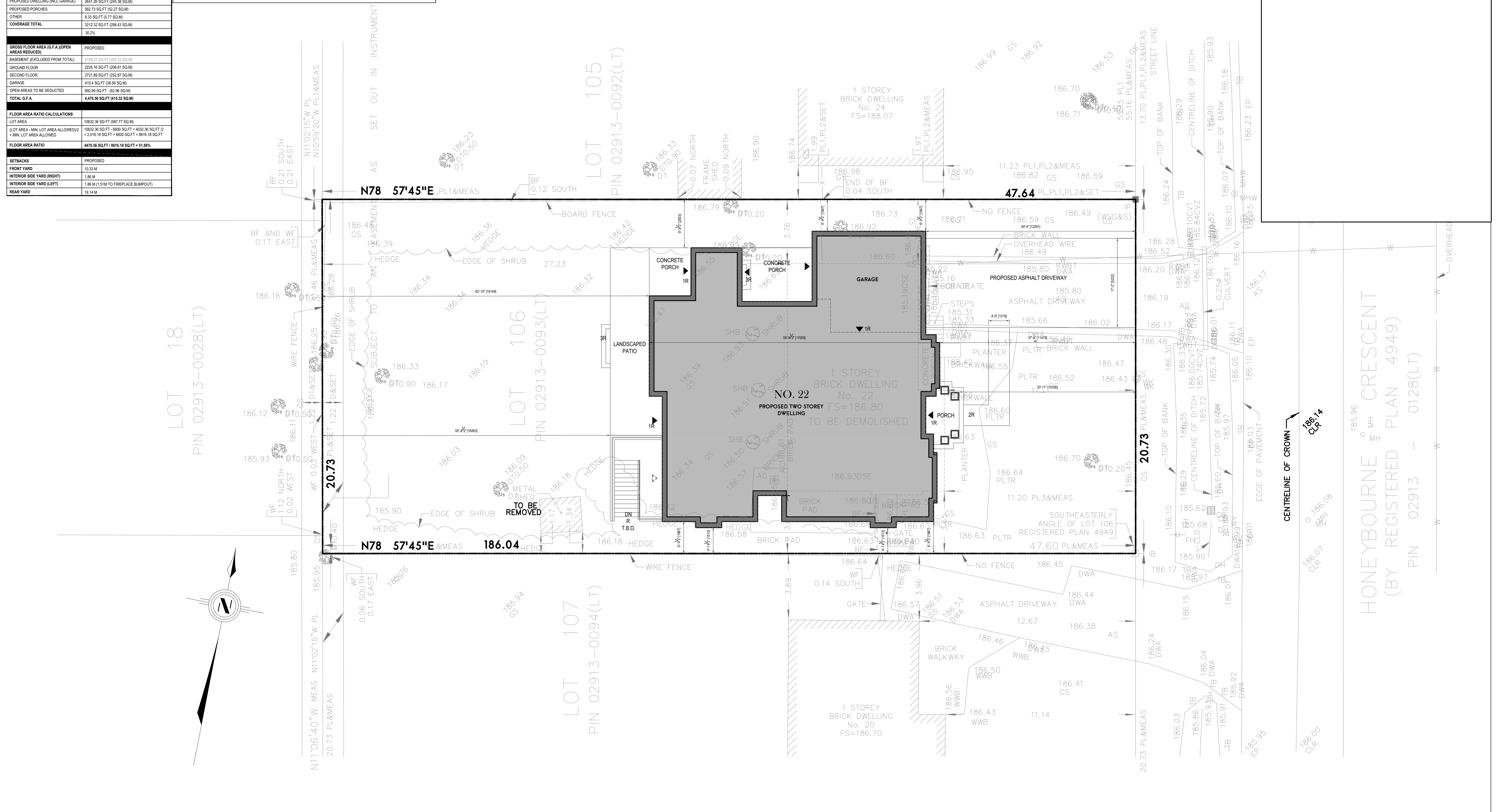
APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/194/21

SITE STATISTICS - 22 HONEYBOURNE CRES.

SITE ZONING DATA:	
	PROPOSED
LOT AREA	10632.36 SQ FT (987.77 SQ M)
LOT FRONTAGE	20.73 M
AVERAGE GRADE	186.14 M
HEIGHT TO MID-POINT	8.67 M
HEIGHT TO HIGHEST RIDGE	10.10 M
LOT COVERAGE	
PROPOSED DWELLING (INCL GARAGE)	2641.26 SQ FT (245.38 SQ M)
PROPOSED PORCHES	902.73 SQ FT (82.27 SQ M)
OTHER	8.33 SQ FT (0.77 SQ M)
COVERAGE TOTAL	3212.32 SQ FT (298.43 SQ M)
	30.2%
GROSS FLOOR AREA (G.F.A.) (OPEN AREAS REDUCED)	
BASEMENT (EXCLUDED FROM TOTAL)	2748.37 SQ FT (255.19 SQ M)
GROUND FLOOR	2226.18 SQ FT (206.81 SQ M)
SECOND FLOOR	2721.89 SQ FT (252.87 SQ M)
GARAGE	415.4 SQ FT (38.59 SQ M)
OPEN AREAS TO BE DEDUCTED	802.99 SQ FT (74.86 SQ M)
TOTAL G.F.A.	4,478.56 SQ FT (413.32 SQ M)
FLOOR AREA RATIO CALCULATIONS	
LOT AREA	10632.36 SQ FT (987.77 SQ M)
LOT AREA - MIN. LOT AREA ALLOWED/2 + MIN. LOT AREA ALLOWED	10632.36 SQ FT - 6600 SQ FT + 4032.36 SQ FT / 2 = 2,016.18 SQ FT + 6600 SQ FT = 8616.18 SQ FT
FLOOR AREA RATIO	4478.56 SQ FT / 8616.18 SQ FT = 51.88%
SETBACKS	
FRONT YARD	10.33 M
INTERIOR SIDE YARD (RIGHT)	1.86 M
INTERIOR SIDE YARD (LEFT)	1.86 M (1.51 M TO FIREPLACE BUMP-OUT)
REAR YARD	19.14 M

Component to Subtract	Size	Level
Finished Floor	3/4	19.03
Floor Joist	1 1/2	241.30
Sill Plate	1 1/2	38.10
U/S Sill Plate - T/O Basement Slab	119	3023.60
Basement Slab	4	101.60
Footings	8	203.20
		183.33
		183.05

Level	Value
1/0 Finished Floor	187.05
1/0 Floor Joist	187.00
1/0 Sill Plate	186.78
1/0 Foundation Wall	186.74
1/0 Basement Slab	183.72
1/0 Footings	183.62
U/S Footings	183.41
	183.33
	183.05



SITE PLAN

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GENERAL NOTES

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QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANIFESTED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

REGISTRATION INFORMATION

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C3.2.4 OF THE ONTARIO BUILDING CODE.

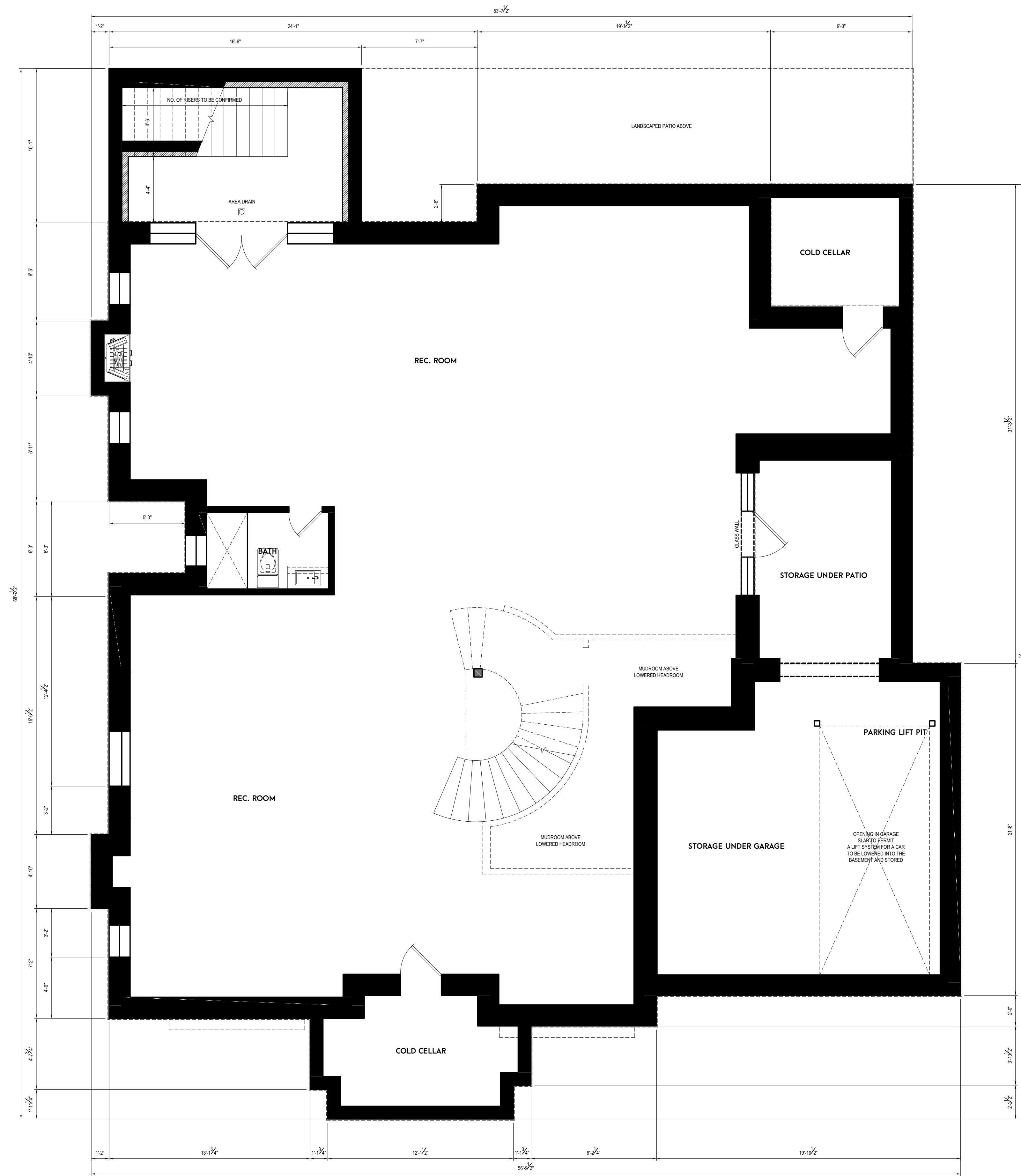
ISSUE LIST	REVISION LIST
1 ISSUED FOR CLIENT	1 REVISED AS PER CLIENT 11.05.2021
2 ISSUED FOR REVIEW	2 REVISED AS PER CLIENT 11.27.2021
3	3 REVISED AS PER CLIENT 11.30.2021
4	4 REVISED FOR CMA 01.18.2022
5	5 MMLD/PPY

PROJECT NORTH **TRUE NORTH**

DRAWING TITLE: A.B. **CHECKED BY:** SITE PLAN
DRAWN BY: 22 HONEYBOURNE CRESCENT
PROJECT ADDRESS: 2021-12 **SCALE:** 1:100
SHEET NO.: **MV.DD.YYYY**

ASP

GROSS FLOOR AREA CALCULATIONS:	
BASEMENT AREA (NOT INCL.)	2748.37 SQ.FT (255.33 SQ.M)
GARAGE AREA	415.4 SQ.FT (38.59 SQ.M)
GROUND FLOOR AREA	2228.18 SQ.FT (206.81 SQ.M)
SECOND FLOOR AREA	2721.89 SQ.FT (252.87 SQ.M)
SUBTOTAL	5,363.95 SQ.FT (497.31 SQ.M)
OPEN AREAS (DEDUCTED)	892.99 SQ.FT (82.96 SQ.M)
TOTAL GROSS FLOOR AREA:	4,470.96 SQ.FT (414.35 SQ.M)



1/8" = 1'-0"
BASEMENT FLOOR PLAN

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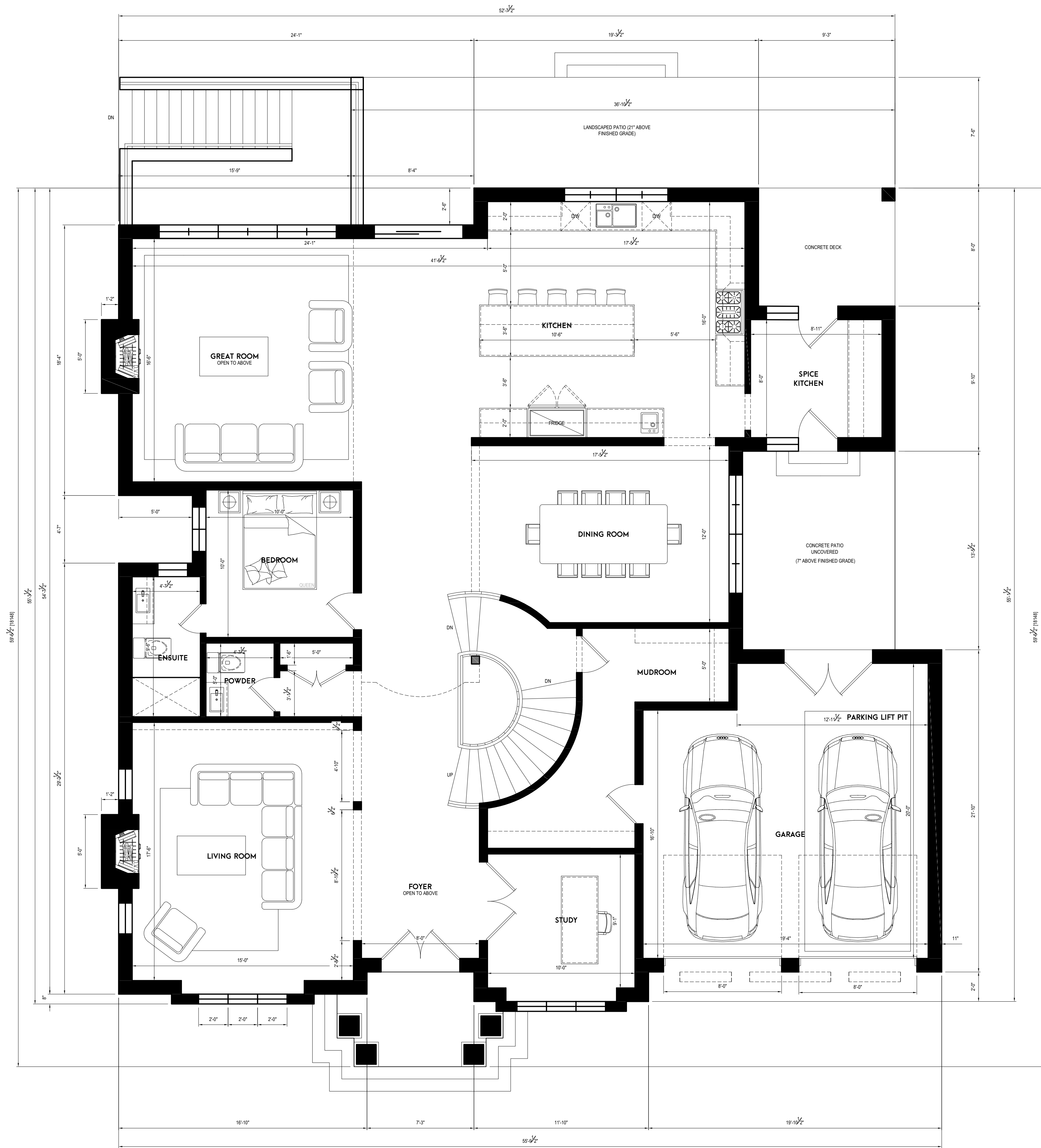
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REVISION LIST	
1	ISSUED FOR CLIENT
2	ISSUED FOR REVIEW
3	
4	
5	

PROJECT NORTH TRUE NORTH

DRAWING TITLE: BASEMENT FLOOR PLAN
DRAWN BY: A.B. **CHECKED BY:** K.V.K.
PROJECT ADDRESS: 22 HONEYBROOK CRESCENT
PROJECT NO.: 2021-112 **SCALE:** 1/8" = 1'-0"
SHEET NO.: **A101**

GROSS FLOOR AREA CALCULATIONS	
BASEMENT AREA (NOT INCL.)	2746.37 SQ FT (255.33 SQ M)
GARAGE AREA:	415.4 SQ FT (38.59 SQ M)
GROUND FLOOR AREA:	2226.19 SQ FT (206.81 SQ M)
SECOND FLOOR AREA:	2721.89 SQ FT (252.87 SQ M)
SUBTOTAL:	5369.85 SQ FT (497.31 SQ M)
OPEN AREAS (DEDUCTED):	892.99 SQ FT (82.96 SQ M)
TOTAL GROSS FLOOR AREA:	4476.86 SQ FT (414.35 SQ M)



1/8" = 1'-0"
GROUND FLOOR PLAN

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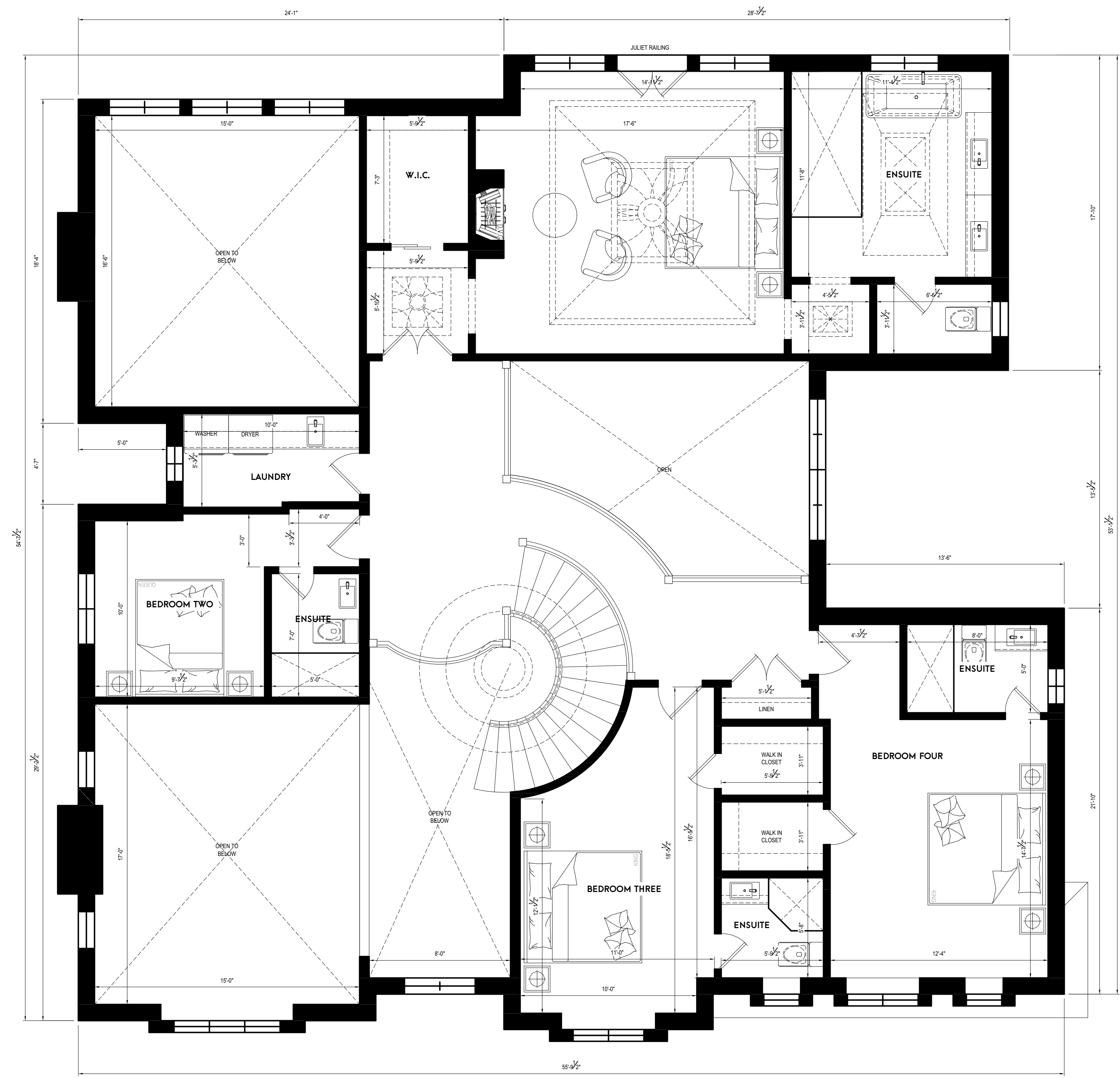
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1	REVISED AS PER CLIENT 11.05.2021
2	REVISED AS PER CLIENT 11.27.2021
3	REVISED AS PER CLIENT 11.30.2021
4	REVISED FOR CMA 01.18.2022
5	MM/DD/YYYY

PROJECT NORTH TRUE NORTH

DRAWING TITLE: GROUND FLOOR PLAN
DRAWN BY: A.B. **CHECKED BY:** K.V.K.
PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
PROJECT NO.: 2021-112
SHEET NO.: A102

GROSS FLOOR AREA CALCULATIONS	
BASEMENT AREA (NOT INCL.)	2746.37 SQ.FT (255.33 SQ.M)
GARAGE AREA	415.4 SQ.FT (38.59 SQ.M)
GROUND FLOOR AREA	2225.16 SQ.FT (206.81 SQ.M)
SECOND FLOOR AREA	2721.89 SQ.FT (252.87 SQ.M)
SUBTOTAL	5,363.55 SQ.FT (497.31 SQ.M)
OPEN AREAS (DEDUCTED)	892.99 SQ.FT (82.96 SQ.M)
TOTAL GROSS FLOOR AREA	4,470.56 SQ.FT (414.35 SQ.M)



1/8" = 1'-0"
SECOND FLOOR PLAN

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3	REVISED AS PER CLIENT 11.30.2021
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PROJECT NORTH **TRUE NORTH**

ISSUE LIST

1	ISSUED FOR CLIENT	10.06.2021
2	ISSUED FOR REVIEW	12.09.2021
3	MV.DD.YYYY	
4	MV.DD.YYYY	
5	MV.DD.YYYY	

DRAWING TITLE: SECOND FLOOR PLAN
DRAWN BY: A.B. **CHECKED BY:** K.V.K.
PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
PROJECT NO.: 2021-112 **SCALE:** 1/8" = 1'-0"
SHEET NO.: **A103**



1/8" = 1'-0"
FRONT ELEVATION

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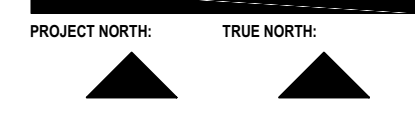
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ISSUE LIST	
1	ISSUED FOR CLIENT 10.08.2021
2	ISSUED FOR REVIEW 12.09.2021
3	MM/DD/YYYY
4	MM/DD/YYYY
5	MM/DD/YYYY



DRAWING TITLE: ARCHITECTURAL ELEVATIONS
 DRAWN BY: A.B. CHECKED BY: K.V.K.
 PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
 PROJECT NO: 2021-112
 SHEET NO. **A201**



Drawn: Of Point = 1/8", 1/4"

REAR ELEVATION

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 JUSTIN SHERRY 43529
 B.C.I.N.

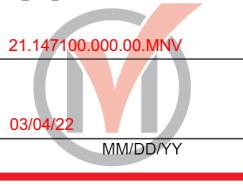
REGISTRATION INFORMATION
 REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.14 OF THE ONTARIO BUILDING CODE.
 SMALL DWELLINGS INC. 10314
 B.C.I.N.

REVISION LIST		ISSUE LIST	
1	REVISED AS PER CLIENT	1	ISSUED FOR CLIENT
2	REVISED AS PER CLIENT	2	ISSUED FOR REVIEW
3	REVISED AS PER CLIENT	3	
4	REVISED FOR CMA	4	
5		5	

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS
 DRAWN BY: A.B. CHECKED BY: K.V.K.
 PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
 PROJECT NO.: 2021-112
 SHEET NO.:
 SCALE: 1/8" = 1'-0"

A203



RIGHT ELEVATION



HUIS DESIGN STUDIO
 CUSTOM HOME DESIGN AND RENOVATIONS
 2457 DOWIE ROAD | MISSISSAUGA, ONTARIO L4Y 2A1
 T947.298.8651 | E: INFO@HUISDESIGN.CA
 HUISDESIGN.CA

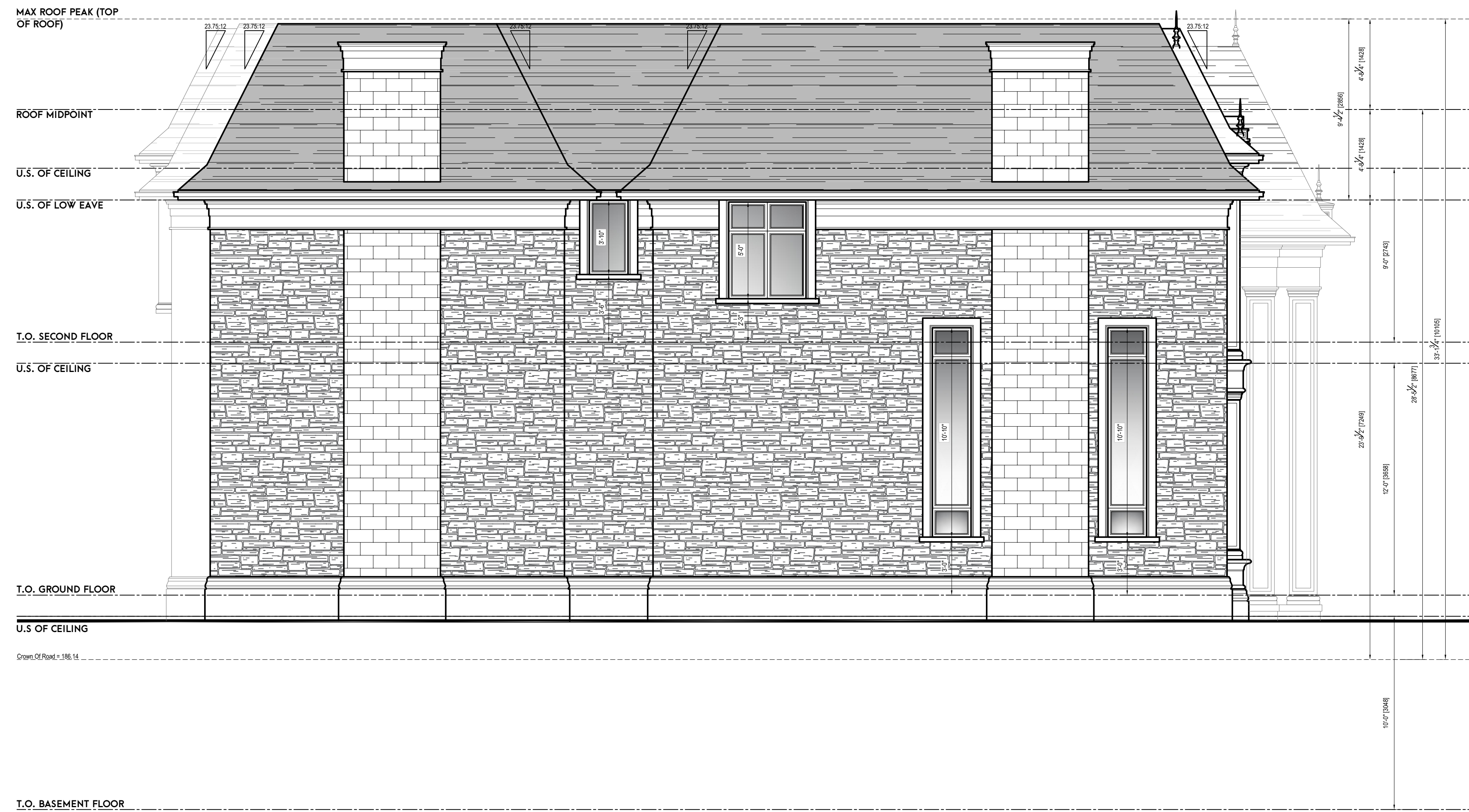
GENERAL NOTES
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QUALIFICATION INFORMATION
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANIFESTED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.
FRM NAME JUSTIN SHERRY
B.C.I.N. 4329

REVISION LIST	
1	REVISED AS PER CLIENT 11.05.2021
2	REVISED AS PER CLIENT 11.27.2021
3	REVISED AS PER CLIENT 11.30.2021
4	REVISED FOR CMA 01.18.2022
5	MV.DD.YYYY

PROJECT NORTH TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS
DRAWN BY: A.B. **CHECKED BY:** K.V.K.
PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
PROJECT NO.: 2021-112
SHEET NO.: A202



LEFT ELEVATION

huis design studio
 CUSTOM HOME DESIGN

HUIS DESIGN STUDIO
 CUSTOM HOME DESIGN AND RENOVATIONS
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 T:905.298.8651 | E:INFO@HUISDESIGNS.COM
 HUISDESIGNS.COM

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QUALIFICATION INFORMATION

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FRM NAME: JUSTIN SHERRY
 B.C.I.N.: 43529

REGISTRATION INFORMATION

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.14 OF THE ONTARIO BUILDING CODE.

FRM NAME: SMALL DWELLINGS INC.
 B.C.I.N.: 10314

REVISION LIST	
1	REVISED AS PER CLIENT 11.05.2021
2	REVISED AS PER CLIENT 11.27.2021
3	REVISED AS PER CLIENT 11.30.2021
4	REVISED FOR CMA 01.18.2022
5	- MM/DD/YYYY

ISSUE LIST	
1	ISSUED FOR CLIENT 10.08.2021
2	ISSUED FOR REVIEW 12.09.2021
3	- MM/DD/YYYY
4	- MM/DD/YYYY
5	- MM/DD/YYYY

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ARCHITECTURAL ELEVATIONS
 DRAWN BY: A.B. CHECKED BY: K.V.K.
 PROJECT ADDRESS: 22 HONEYBOURNE CRESCENT
 PROJECT NO.: 2021-112
 SHEET NO.: A204