

Memorandum to the City of Markham Committee of Adjustment

June 28, 2021

File: A/075/21
Address: 29 Montgomery Court – Markham, ON
Applicant: Eric Ho
Agent: Four Seasons Sunrooms (Nour Elgendy)
Hearing Date: July 7, 2021

The following comments are provided on behalf of the Central Team. The applicant is requesting relief from the following “Fourth Density – Single Family Residential (R4)” zone requirements under By-law 221-81, as amended, as it relates to a proposed rear sunroom addition. The requested variance is to permit:

a) **By-law 221-81, Sec. 6.1.2 c):**

a maximum lot coverage of 34.80%, whereas the by-law permits a maximum lot coverage of 33.33%.

BACKGROUND

Property Description

The 617.25 m² (6,644.07 ft²) subject property is located on the east side of Montgomery Court, north of Highway 7 East, south of Apple Creek Boulevard, and west of Woodbine Avenue. The property is located within a residential neighbourhood which contains a mix of one and two-storey detached dwellings.

Proposal

The applicant is proposing to construct a one-storey 28.38 m² (305.53 ft²) sunroom addition to the rear of the existing detached dwelling.

Official Plan and Zoning

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

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings.

Zoning By-Law 221-81

The subject property is zoned “Fourth Density – Single Family Residential (R4)” under By-law 221-81, as amended, which permits one single detached dwelling per lot. The proposed development exceeds the maximum lot coverage requirement.

Zoning Preliminary Review (ZPR) Not Undertaken

The applicant has confirmed that a ZPR has not been conducted. However, the applicant has received comments from the building department through their permit process 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 Lot Coverage

The applicant is requesting a maximum lot coverage of 34.80%, whereas the By-law permits a maximum lot coverage of 33.33%. Approval of the requested variance would facilitate the construction of a one-storey sunroom addition to the east wall (rear) of the existing detached dwelling, with a gross floor area of approximately 28.38 m² (305.53 ft²).

Staff are of the opinion that the requested variance is minor in nature and that the proposed development will not significantly add to the scale and mass of the dwelling. In the event of approval, staff recommend that the conditions detailed in Appendix "A" be adopted.

PUBLIC INPUT SUMMARY

No written submissions were received as of June 28, 2021. 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

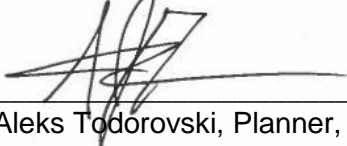
Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the variance request meets the four tests, and have no objections. Staff recommend that the Committee consider public input in reaching a decision.

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.

APPENDICES

Appendix "A" – Conditions of Approval
Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:




Sabrina Bordone, Senior Planner, Central District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/075/21

1. The variance applies only to the proposed development as long as it remains.
2. That the variance applies only to the proposed development, in substantial conformity with the batch stamped plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.

CONDITIONS PREPARED BY:



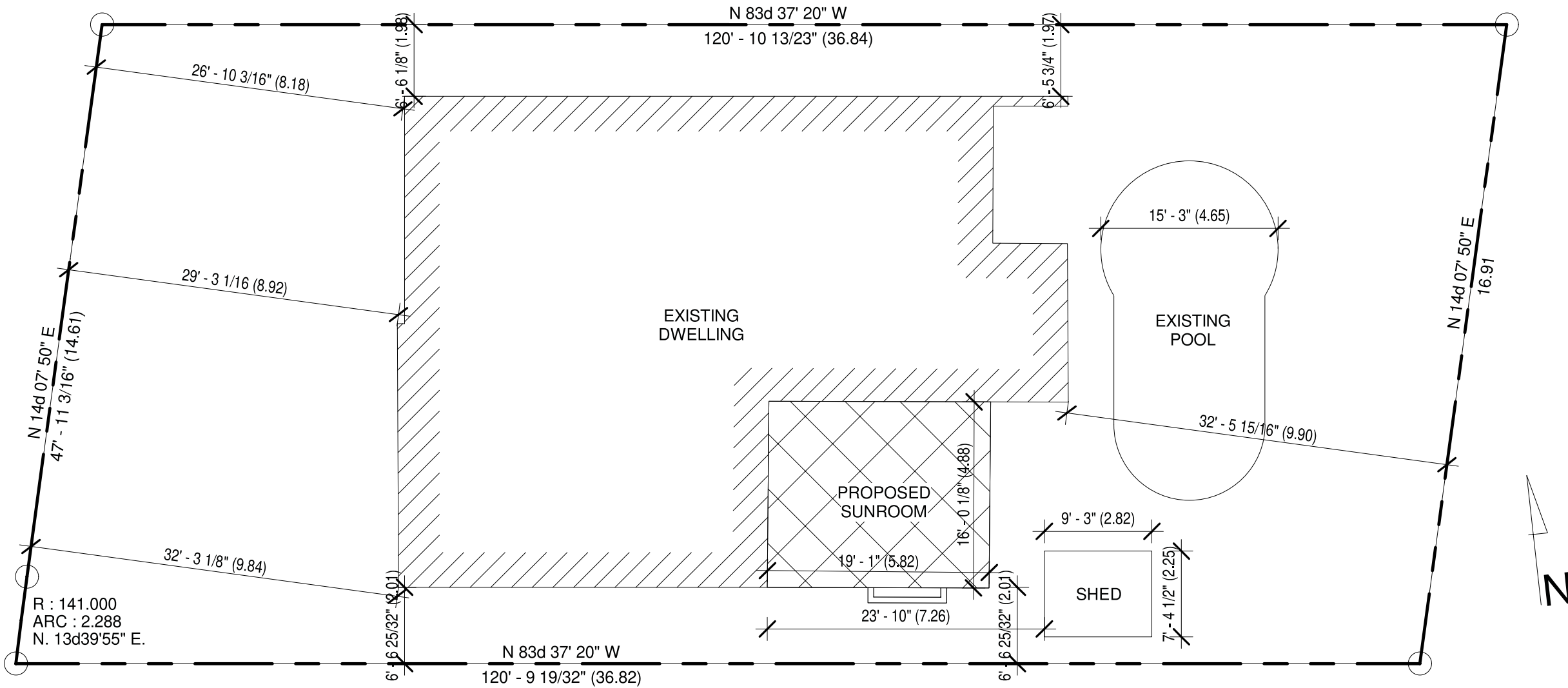
Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/075/21

Appendix B

File: 21.122675.000.00.MNV

Date: 07/02/21
MM/DD/YY



1 Site Plan
3/32" = 1'-0"

SITE STATISTICS

LOT AREA =	6,644.07 SF (617.25 SM)
EXISTING HOUSE =	1,936.29 SF (179.88 SM)
EXISTING SHED =	68.22 SF (6.34 SM)
ADDITION =	305.53 SF (28.38 SM)
LOT COVERAGE	
(HOUSE/SHED/ADDITION) =	34.75%
LOT COVERAGE (HOUSE) =	29.14 %
LOT COVERAGE (SHED) =	1.02 %
LOT COVERAGE (ADDITION) =	4.59 %

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

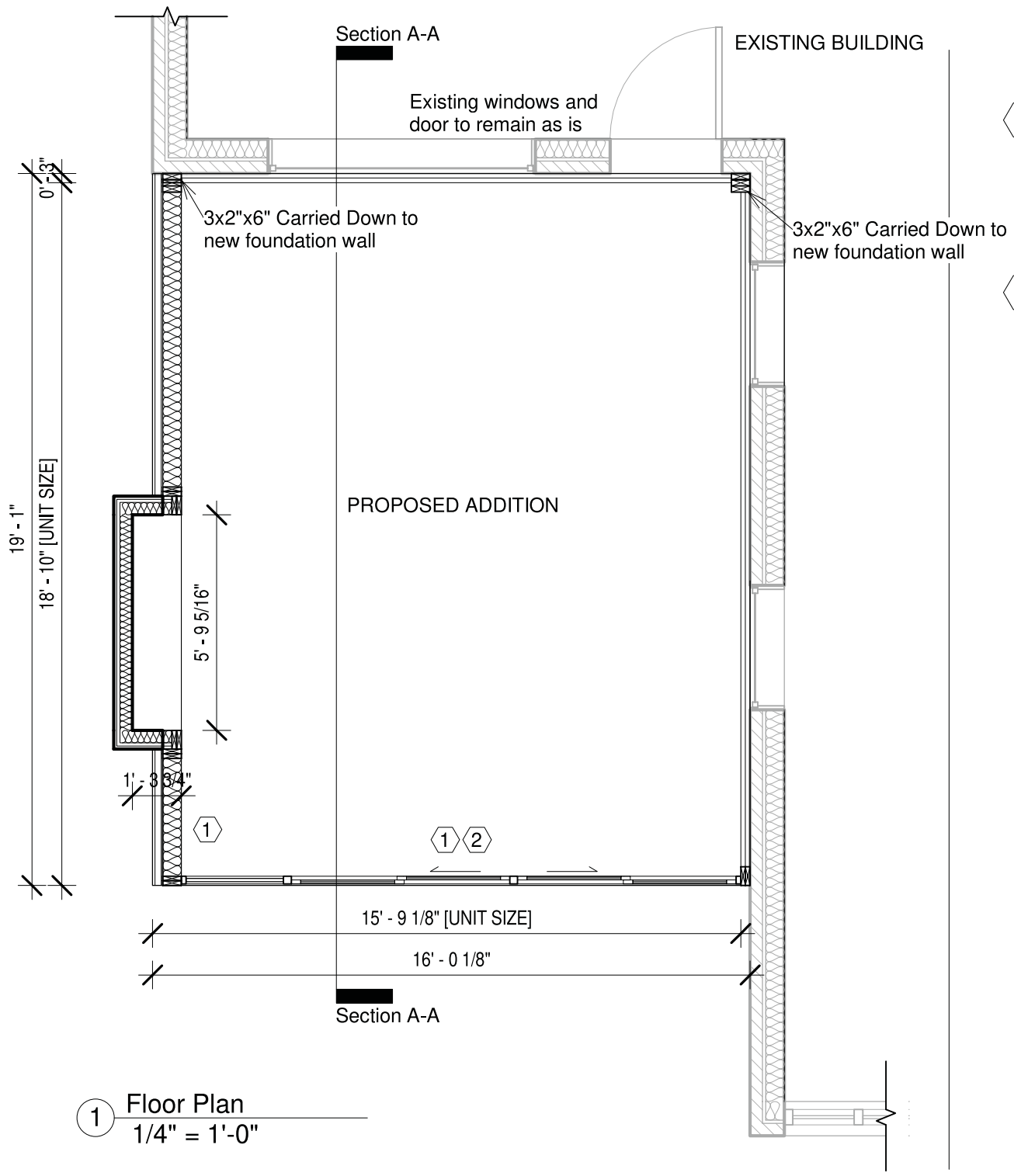
NAME	SIGNATURE	BCIN
Alexandra Aodesh		101509



Kathleen Chen & Eric Ho.
29 Montgomery Court Markham, ON L3R 0C3

No.	Description	Date

Site Plan		
Project number	Project Number	A102
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale 3/32" = 1'-0"		



NOTES

- ① **BASEWALL/ SOLID WALLS**
 WALL STUDS TO BE 2x6 ON 16" CENTERS
 R22 BATT INSULATION w. R10ci w. 6 MIL VAPOUR BARRIER
 1/2" DRYWALL TAPED, SANDED, PRIMED WHITE READY FOR PAINT
 1/2" PLYWOOD EXTERIOR SHEATHING WITH TYVEK BUILDING PAPER
 ARCHITECTURAL ALUMINUM SIDING EXTERIOR

- ② **VERTICAL GLAZING**
 DOORS & WINDOWS- RESISTANCE TO FORCED ENTRY AND AS TO O.B.C. DIV. B, 9.7.2. & 9.7.3. * 9.7.4. & 9.7.6.
 7E HIGH PERFORMANCE GLAZING
 TO BE CONSERVAGLASS (MC-7E)
 MULTI-COAT GLAZING TECHNOLOGY (CODE 7E)
 EASY-CLEAN II EXTERIOR COATING + STAY-CLEAN TECHNOLOGY
 ARGON GAS FILLED FOR BETTER INSULATION
 75% REDUCTION IN TOTAL SOLAR TRANSMITTANCE
 HIGH VISIBLE TRANSMITTANCE
 R 4.0/ U 0.25 CENTER OF GLASS INSULATION VALUE
 STAINLESS STEEL CONTINUOUS BENT SPACERS
 DUAL POLY- ISOBUTYLENE AND SILICONE SEALS
 FULLY TEMPERED INSULATED SAFETY GLASS
 PROTECTIVE GLASS MASKING



① Floor Plan
1/4" = 1'-0"

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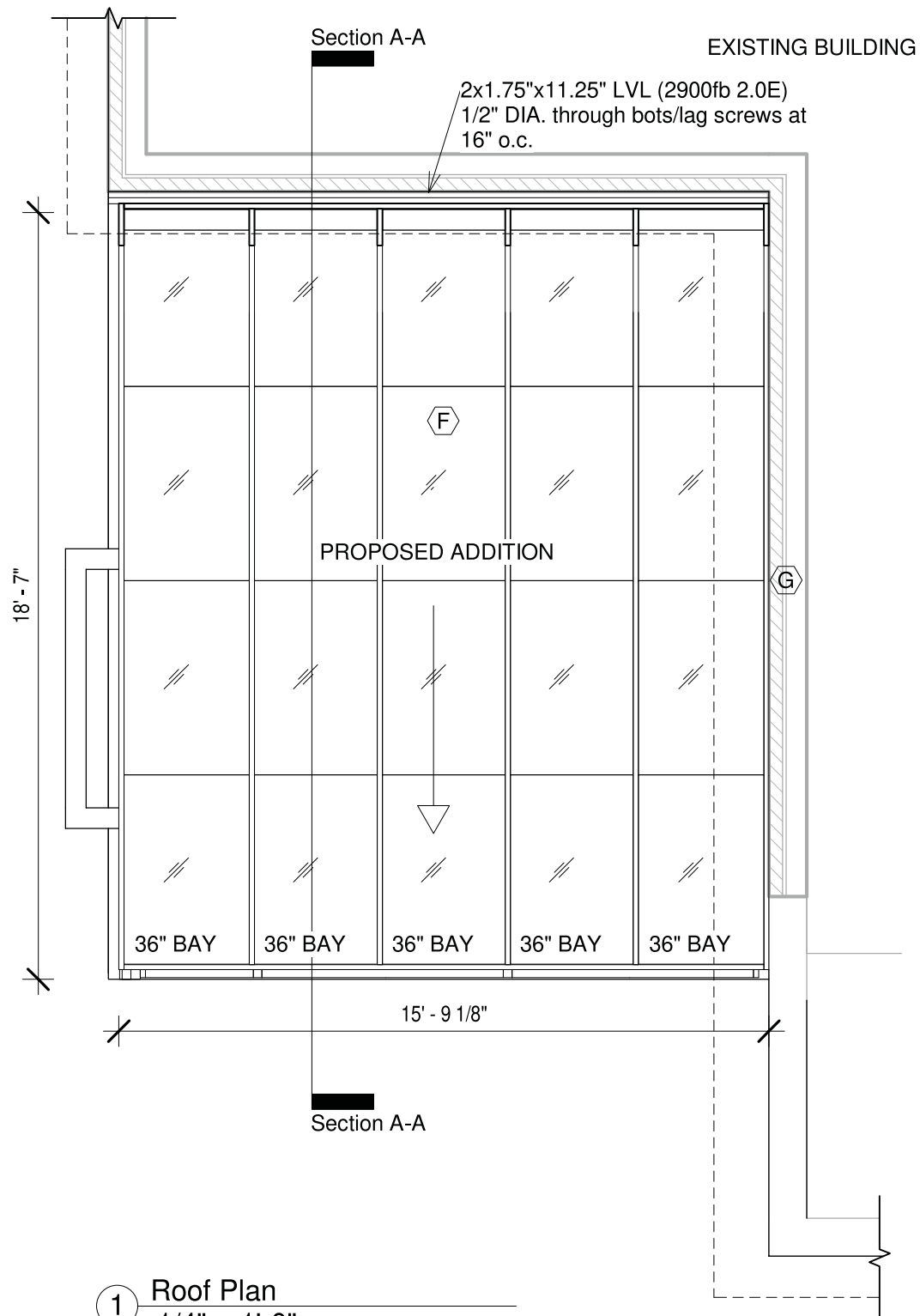
NAME	SIGNATURE	BCIN
Alexandra Aodesh		101509



Kathleen Chen & Eric Ho.
 29 Montgomery Court Markham, ON L3R 0C3

No.	Description	Date

Ground Floor Plan		
Project number	Project Number	A104
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale 1/4" = 1'-0"		



NOTES

- F ROOF GLAZING**
 CODE 78 HIGH PERFORMANCE GLAZING
 TO BE CONSERVAGLASS (MC-16)
 EASY-CLEAN II EXTERIOR COATING + STAY-CLEAN TECHNOLOGY
 ARGON GAS FILLED FOR BETTER INSULATION
 90% REDUCTION IN TOTAL SOLAR TRANSMITTANCE
 HIGH VISIBLE TRANSMITTANCE
 R 4.0/ U 0.25 CENTER OF GLASS INSULATION VALUE
 STAINLESS STEEL CONTINUOUS BENT SPACERS
 DUAL POLY-ISOBUTYLENE AND SILICONE SEALS
 FULLY TEMPERED INSULATED SAFETY GLASS
 PROTECTIVE GLASS MASKING
- G FLASHING**
 ALUM. FLASHINGS @ SILICONE SEALANT AT RIDGE MIN. 0.48mm
 THICK ALUM.
 COATED FLASHING SEAL AT SUNROOM RIDGE

DESIGN LOADS
 SNOW LOADS: 1.12kPa
 WIND LOADS: 0.44kPa



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Alexandra Aodesh		101509

1 Roof Plan
1/4" = 1'-0"



Kathleen Chen & Eric Ho.
 29 Montgomery Court Markham, ON L3R
 0C3

No.	Description	Date

Roof Plan		
Project number	Project Number	A105
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
Scale		1/4" = 1'-0"

GLAZED OPENING CALCULATIONS

PER O.B.C TABLE 9.10.15.4

Rear Elevation

#	WIDTH	DEPTH	WINDOW/DOOR FRAME SIZE(S.F)
1	Existing		149.31
2	New		120.23

Spatial Calculations

Exposing Building Face	514.58	S.F.
	47.80	S.M.

Portion Wall Area

Limiting Distance	9.90 M
Max. % Openings	100 %
Openings Allowed	514.58 S.F.
Openings provided	269.54 S.F.



Appendix B

File: 21.122675.000.00.MNV

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1 Rear Elevation
1/4" = 1'-0"



Kathleen Chen & Eric Ho.
29 Montgomery Court Markham, ON L3R 0C3

No.	Description	Date

Rear Elevation		A106
Project number	Project Number	
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	Scale 1/4" = 1'-0"

GLAZED OPENING CALCULATIONS

PER O.B.C TABLE 9.10.15.4

Right Elevation

#	WIDTH	DEPTH	WINDOW/DOOR FREAME SIZE(S.F)
1	Existing		n/a
2	New		35.28

Spatial Calculations

Exposing Building Face	916.55	S.F.
	85.15	S.M.

Portion Wall Area _____

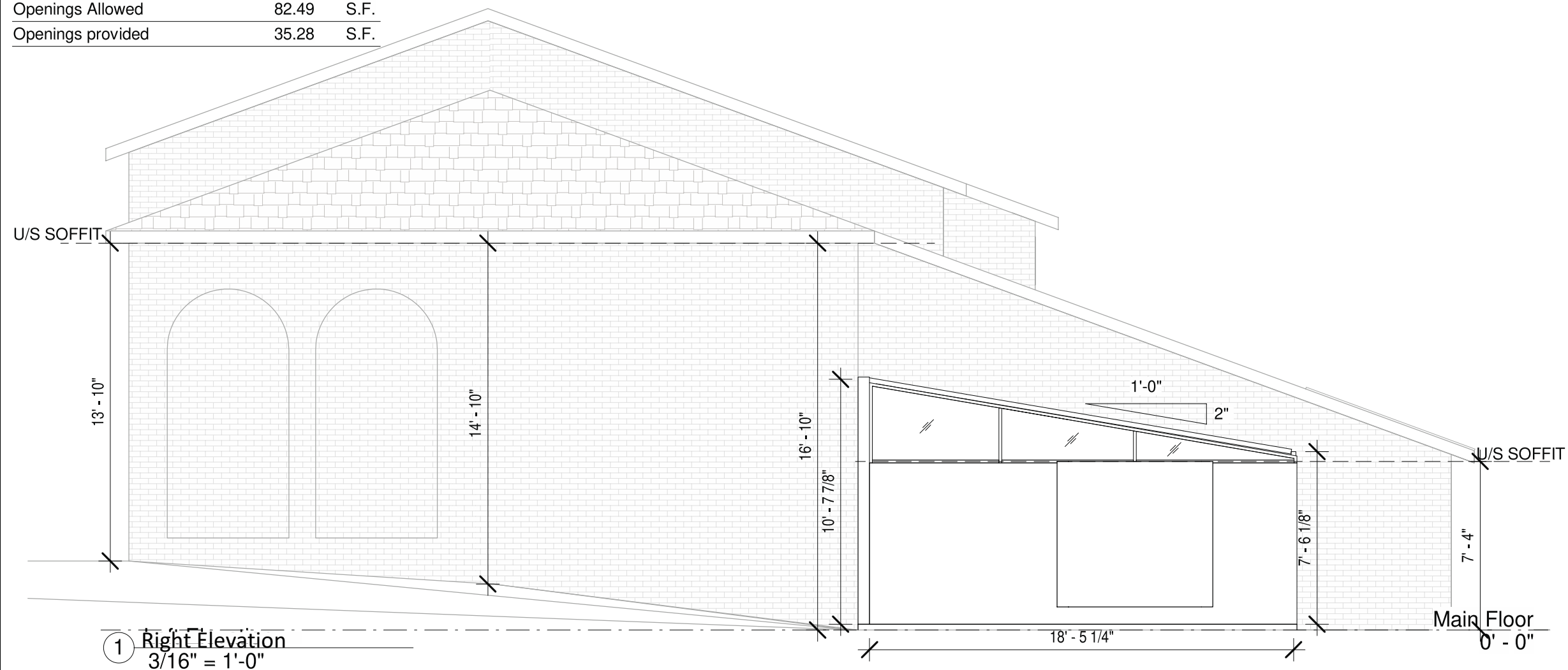
Limiting Distance	2.01
Max. % Openings	09 %
Openings Allowed	82.49 S.F.
Openings provided	35.28 S.F.

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Kathleen Chen & Eric Ho.
29 Montgomery Court Markham, ON L3R 0C3

No.	Description	Date

Right Elevation		
Project number	Project Number	A107
Date	Issue Date	
Drawn by	Author	
Checked by	Checker	
		Scale 3/16" = 1'-0"