

Memorandum to the City of Markham Committee of Adjustment

March 5, 2021

File: B/07/18
Address: 14 Ramona Blvd Markham
Applicant: Lui Hui
Agent: In Roads Consultants (Ida Evangelista)
Hearing Date: Wednesday December 8, 2021

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

B/07/18

The applicant is requesting provisional consent to:

- a) sever and convey a parcel of land with approximate lot frontage of 7.9 m (26 ft.) and an area of 569.11 m² (6,125.8 ft²)(Part 1);
- b) retain a parcel of land with approximate lot frontage of 27.67m (90.8 ft.) and an area of 1,057m² (11,377.5 ft²) (Part 2).

The purpose of this application is to create a new residential lot fronting Ramona Blvd. This application is accompanied by the variance applications A/95/18 for the proposed new lot (Part 1) and A/96/18 for the retained lot (Part 2)

A/95/18 (proposed new lot-Part 1)

The applicant is requesting relief from the following requirements of By-law 1229, as amended; to permit:

- a) a lot frontage of 26 feet, whereas the By-law requires a minimum lot frontage of 60 feet;
- b) a minimum lot area of 6,125 ft² whereas the By-law requires a minimum lot area of 6,600 ft²;
- c) a minimum rear yard of 23 feet and 3 inches, whereas the By-law requires 25 feet; Parking By-law 28-97, Section 6.2.4.4 a) i);
- d) a driveway to be located 1 feet 6 inches from an interior side lot line, whereas the By-law requires a minimum setback of 4 feet;

as it relates to a proposed single family dwelling (Part 1). This application is related to consent application B/07/18 and minor variance application A/96/18.

A/96/18 (retained lot-Part 2)

The applicant is requesting relief from the following requirements of By-law 1229, as amended; to permit:

- a) a maximum floor area ratio of 45.52 percent, whereas the By-law permits a maximum of 45 percent;
- b) an accessory building to have a height of 17 feet, whereas the By-law permits a maximum of 12 feet;
- c) a minimum front yard of 12.27 feet, whereas the By-law requires 25 feet;

as it relates to a proposed new detached garage accessory building and the existing residential dwelling on (Part 2). This application is related to consent application B/07/18 and minor variance application A/95/18

BACKGROUND

Property Description

The subject 1,742.1m² (18,751.8 ft²) property is located on the north side of Ramona Boulevard and is occupied by a two storey detached heritage dwelling constructed circa 1855 called the Robinson House (See Figure 1-Location Map and Figure 2-Photograph of the Robinson House).

The Robinson Property was once a large farm property that fronted Main Street North, and Ramona Boulevard roughly follows the former path of the old farm lane connecting the house to Main Street. Unlike neighbouring properties developed in the late 20th and early 21st century that have modern homes fronting Ramona Boulevard, the front of the Robinson House faces west towards Main Street. This, and the relatively large size of the property make 14 Ramona a unique historical anomaly in the neighbourhood. Because of the heritage significance of the property, the boundaries of the Markham Village Heritage Conservation District were adjusted to include this property, whereas immediately adjacent properties are not part of the District (see Figure 3)

The old Robinson property has been greatly reduced in size, first through the development of the surrounding residential neighbourhood in the 1960's and more recently through a severance application which created the building lot and new two storey dwelling to the east at 16 Ramona Boulevard in 2010. At that time, Planning Staff was of the opinion that any further severance of the property to create a new building lot was not appropriate, due to the potential negative impacts it would have on the Robinson House. In an attempt to prevent any further severances of the property, Planning Staff recommended that a 1 ft. strip of land along the front of the property be conveyed to the City as a condition of the 2010 severance, but this condition was ultimately not supported or imposed by the Committee of Adjustment at the time.

In 2018, the current owner of the property submitted another severance proposal to the City that was notably different from the severance and new dwelling approved by the Committee of Adjustment in 2010.

In order to mitigate negative heritage impacts to the Robinson House, the 2018 severance proposed constructing a new dwelling to the west of the Robinson House resembling a traditional coach house or barn-like building, as well as other unifying landscape treatments to create the illusion that the new dwelling was actually an accessory building historically associated with the Robinson House, and that the lot was not actually severed.

As innovative as this proposal was, it was not supported by Planning Staff and Heritage Markham Committee due to the negative impacts it would have had on the significant heritage attributes of the property which included the blocking of views to and from the west elevation of Robinson House, the required loss of existing trees due to a proposed new driveway immediately to the east of Robinson House, and because it did not maintain the variation in lot sizes that are character defining attribute of the Markham Village Heritage Conservation District.

The applicant therefore deferred the application and considered the feedback provided to by Planning Staff and Heritage Markham Committee to develop the current concept.

Proposal

Like the previous proposal, the current proposal attempts to create the illusion that the proposed new dwelling on the conveyed lot is historically related to the existing Robinson House through unifying landscape treatments and through a more convincing architectural design for the new dwelling that is smaller in scale, and clearly subordinate to the Robinson House.

The new dwelling is proposed to be located in the same general location as an existing 59.17m² (636.9 ft²).1-1/2 storey detached accessory building/garage that was approved by the City in 2011 (See Figure 4 Perspective View of Proposed New Buildings). The proposed new dwelling is also significantly smaller than the dwelling proposed in the 2018 severance application, and existing driveways are utilized as much as possible without introducing a new driveway immediately to the east of the Robinson House. This previously proposed new driveway necessitated tree removals and placed two driveways immediately adjacent to each other, which was not desirable from an Urban Design perspective.

The current severance proposal also achieves private amenity spaces for both the conveyed and retained lots that are superior in size and siting than the 2018 proposal.

In addition, instead of proposing to create a new building lot with an area of 7,374.3 ft² as in 2018, the proposed new lot is now 6,125.9 ft² which is lower than the minimum lot size required by the By-law. The area of the proposed new dwelling including the garage has also be reduced from 3,466.0 ft² to 2,729.7 ft² and the proposed location of the new house has been moved further back on the property so as not to block views and appear more subordinate do the existing Robinson House.

The new severance proposal also reduces the total number of associated variances from 11 required in 2018 to 7 and the scope of those variances are more minor in nature than those proposed in 2018.

The variances required on the conveyed lot are to permit a reduction in the minimum lot frontage, rear yard setback and lot area from what the Bylaw requires, as well as a variance to permit the driveway to be located 1'-6" from the newly created interior lot line.

The variances required for the retained lot are to permit an increase to the minimum net floor area ratio, an increased building height for the accessory building and to legalize the existing reduced front yard setback of the historic Robinson House.

To better understand the differences between the 2018 severance proposal and the current proposal, staff has prepared a comparison chart (see Appendix "E").

Official Plan and Zoning

Official Plan 2014

The subject property is designated 'Residential – Low Rise', which provides for low rise housing forms including single detached dwellings. In considering applications for development approval in a 'Residential Low Rise' area, which includes severances and infill development, the proposed severance is required to meet the general intent of Section 8.2.3.5 of the 2014 Official Plan with respect to lot frontage and lot area 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 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 neighbourhood.

Section 9.13 of the Official Plan provides area and site specific policies for 'Residential Low Rise' lands in the Markham Village Heritage Centre which state that the intent of the policies as they apply to infill development is to ensure that new infill respects and reflects the existing pattern and character of adjacent development.

Section 9.13.4.1 contains land use objectives that include building upon the diverse characteristics of the Markham Village Heritage Centre by maintaining or creating a variety of residential housing forms, tenures and densities, while recognizing the distinct character of heritage buildings, historic sites and landscapes of the Markham Village Heritage Conservation District and to ensure that compatible infill development and redevelopment will have regard for the protection and preservation of heritage buildings, building design, building materials, landscaping and tree preservation.

Section 9.13.4.3 states that all new development and redevelopment in the Markham Village Heritage Centre shall conform to the Markham Village Heritage Conservation District Plan which shall take precedence over any other policies of the Official Plan

Section 4.5.3.10 of the Official Plan contains Cultural Heritage Policies related to Development Approvals requiring the evaluation of each land severance and variance proposal that directly affects a cultural heritage resource itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan. This shall include the preservation of the existing lot fabric or historical pattern of lot development on the specific street or in the immediate neighbourhood where it contributes to the uniqueness, and forms part of the historical character of the area.

The existing lot occupied by the Robinson House is a historic anomaly due to its unique history of being a large farmhouse that once faced Main Street North on a lot much larger than the ones occupied by the surrounding 1960's homes facing the street. The proposed severance and new dwelling reflects the unique features of this lot and strives to create the illusion that the new dwelling on the conveyed lot is an architecturally complementary outbuilding to the Robinson House, and that the property has not been divided into separate ownership.

Zoning By-law 1229

The property is zoned R1 "Residential" under By-law 1229, as amended, and only permits detached dwellings. The R1 zone provisions require a minimum lot area of 6,600 ft² and a minimum lot frontage of 60 ft. The proposed severance would create a new lot having

an area of 6,125 ft² or 93% of the minimum lot size required by the By-law, and a retained lot for the Robinson house that is 12,627 ft², which is almost twice the minimum lot area required by the By-law.

This difference in lot area between the size of the retained lot and conveyed lot is by design, to both create a subordinate relationship of the conveyed lot to the retained lot occupied by the Robinson House, and to maintain the variations in lot size that are a character defining aspect of Markham's historic residential neighbourhoods.

Similarly, the proposed lot 26 ft. lot frontage of the conveyed lot is designed to reinforce the subordinate relationship of the conveyed lot to the larger frontage of the retained lot, and to keep as much of the historic front lawn of the Robinson House in the continued ownership of the occupant of the Robinson House.

It is notable that the previous severance concept that was not supported by Heritage Planning staff of Heritage Markham proposed a conveyed lot that met the both the minimum required lot frontage and lot area of the Zoning By-law, but it failed to satisfactorily respect and address the heritage significance of the Robinson House.

COMMENTS

Consent application are evaluated in the context of Section 51 (24) of the *Planning Act*, as well as provincial and local land division policies.

LAND DIVISION

In order for land division to occur under the *Planning Act*, the process requires both provincial interests and local planning concerns to be satisfied. In Markham, land division is regulated within a policy-led planning system that consists of a number of inter-related types of legislation and policies including:

- The Planning Act and the Provincial Policy Statement (PPS)
- Other Provincial Plans (if applicable)
- Markham Official Plan
- Community Improvement Plans (if applicable)
- Local Zoning By-laws
- Site Plan Control Area By-law

a) The Planning Act

The *Planning Act* in Ontario provides the framework for the province's policy-led planning system. All decisions regarding consent applications must:

- Have regard to criteria listed in subsection 51(24) which relates to the subdivision of land, and includes, but is not limited to:
 - Effect on matters of provincial interest listed in section 2 of the Act;
 - Suitability of the land for the purposes for which it is to be subdivided;
 - Lot dimensions and shapes;
 - Restrictions of the land;
 - Interrelationship with site plan control matters

Each of these criteria is explored below:

Matters of Provincial Interest

The subject property at 14 Ramona Boulevard does involve a matter of provincial interest, that being Section 2(c) “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” as the property is occupied by a Type ‘A’ building designated under Part V of the Ontario Heritage Act, as it is included in the Markham Village Heritage Conservation District and subject to Heritage Conservation Easement Agreement with the City. The proposed severance has been fine tuned to address the site specific heritage attributes, the architectural significance of the Robinson House, and the historic characteristics of the Markham Village Heritage District, through the preservation of significant vegetation, and the maintenance of varied lot sizes.

Suitability of the Land for its Intended Use

The property is in residential use and both the conveyed and retained lot are proposed to remain in low rise residential use.

Lot Dimensions and Shapes

The dimensions and shapes of the lots resulting from the proposed severance are not similar in shape to adjacent lots, but they would be similar in area. However, in this case, conformity with dimensions and shapes of adjacent lots is of little concern, as the existing lot already represents a historic anomaly that reveals the history of the site and the greater concern should be maintaining the uniqueness of the property and respect for the heritage significance of the Robinson House.

Restrictions on the Land and Interrelationship with Site Plan Control Matters

The restrictions on the subject property relate to the fact that the property is officially designated pursuant to Part V of the *Ontario Heritage Act*. Council has adopted a heritage conservation district plan through a specific by-law. This heritage plan provides policies and design guidelines to guide alterations and development. The owner must obtain a “Heritage Act” permit from the municipality to alter any part of the property, or to erect, demolish or remove any building on the property. Therefore any new development (lot creation and any future buildings) are subject to the restrictions and guidance found in the heritage conservation district plan.

The proposed severance and new buildings maintain the uniqueness of the property within the neighbourhood and help illuminate the agricultural history of the site by proposing a new architecturally compatible dwelling on the conveyed lot, and an accessory building on the retained lot that appear as historic outbuildings subordinate in scale and location to the Robinson House.

The lot at 14 Ramona is unique within the Markham Village Heritage Conservation District because it is completely surrounded by properties that are not within the district. The implementations of the policies and guidelines contained in the Markham Village Heritage Conservation District to this property, and not those immediately adjacent to it, will help reinforce the unique heritage character of this property.

b) Consistency with the Provincial Policy Statement

The Provincial Policy Statement (PPS) 2020 sets the policy foundation for regulating the development and use of land in Ontario. Decisions that affect a planning matter are to be consistent with the Provincial Policy Statement. Section 2.6 of the PPS addresses cultural

heritage resources. The policy requires that significant built heritage resources and **significant cultural heritage landscapes (a heritage conservation district) shall be conserved, and that Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.**

The proposed severance and new buildings do conserve the unique heritage attributes of the property, maintain the character of the Markham Village Heritage Conservation District and underscore the architectural significance of the Robinson House, as the location and design of all other elements of the property are referenced to the Robinson house with the intent of being subordinate.

c) Conformity with the Official Plan

The Official Plan represents the municipality's chief planning tool to provide direction to approval authorities and the public on local planning matters. The 2014 Official Plan includes applicable policies respecting **infill development** (Section 8.2.3.5) and **heritage conservation** (Section 9.13.4.1 and Sections 4.5.3.9 and 4.5.3.10).

Infill Development

Section 8.2.3.5 which describes development criteria or infill development in areas designated as "Residential Low Rise" states that Council shall ensure infill development respects and reflects the existing pattern and character of adjacent development by ensuring that the lot frontages and lot areas of the proposed new lots shall be consistent with the sizes of existing lots on both sides of the street on which the property is located. In this particular case, respecting and reflecting the pattern and character of adjacent development should not be the goal as the heritage character of the existing lot is derived from its uniqueness and difference from adjacent lots. The proposed severance and new buildings, maintain and reinforce the uniqueness of this historic property within the surrounding neighbourhood.

Heritage Conservation

The Land Use Objectives described in Section 9.13. 4.1 of the 2014 Official Plan regarding the Markham Village Heritage Centre are to recognize the distinct character of the heritage buildings, historic sites and landscapes of the Markham Village Heritage Centre and to ensure that compatible infill development and redevelopment will have regard for the protection and preservation of heritage buildings, building design, building materials, landscaping and tree preservation.

The proposed severance and new buildings recognize and have regard for the heritage attributes of the property through careful siting, building design, landscaping treatments and tree preservation.

d) Compliance with the Zoning By-law

The zoning by-law enables the municipality to implement the vision set out in the Official Plan. It identifies the permitted land uses and the required development standards.

Although the proposed severance and new buildings do require a total of seven variances, (three for the retained lot and four for the conveyed lot), the requested variances reflect

the applicants desire to address and prioritize heritage concerns of the property, are minor in nature and desirable for the appropriate development of the land.

As an example, the requested variance to permit a minimum lot frontage of 26 ft. where 60 ft. is required could be seen to be major, if the intent of the conveyed lot was to be compatible with adjacent properties developed in the 1960's, but in this case the primary intent is to respect and reflect the unique heritage attributes of the property and heritage district. The proposed 26 ft. lot frontage achieves this by making the lot subordinate in size to the retained lot occupied by the Robinson House, retains the historic front lawn area in the ownership of the occupants of the Robinson House, and maintains variation in lot size and configuration that is a defining characteristic of historic neighbourhoods.

Therefore this variance which appears numerically significant is actually minor in nature, desirable for the appropriate development of the land, and maintains the intent and purpose of both the City's Official Plan and Zoning By-law.

e) Site Plan Control Area By-law

As noted in section a), the property is subject to the City's Site Plan Control By-law to ensure that future development is compatible and addresses City goals and objectives. All properties in heritage conservation district in the City are subject to site plan control and the execution of a Site Plan Agreement, prior to securing a building permit.

Through the Site Plan Control process the architectural design and siting of buildings and other features can be strictly regulated to ensure that any development is compatible with and subordinate to the existing Robinson House.

VARIANCES

Zoning Preliminary Review (ZPR) Undertaken

The owner completed a Zoning Preliminary Review (ZPR) on November 20, 2020 to confirm the variances required for the proposed development.

Planning 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

Conveyed Lot

Minimum Lot Frontage and Lot Area

The requested variance to permit a minimum lot frontage of 26 ft. whereas the By-law requires a minimum lot frontage of 60 ft. is significant numerically, but as discussed earlier, minor in nature and appropriate when considering the overriding heritage concerns of this unique property.

The requested variance to permit a minimum lot area of 6,125 ft² whereas the By-law requires a minimum lot size of 6,600 ft² can be considered minor in nature as it is only 7.2% less than the minimum lot size required, and because it also reflects the overriding heritage concern of making the retained lot subordinate in size to that of the retained lot and the maintenance of varied lot sizes in the Markham Village Heritage Conservation District.

As previously noted, the applicant could have proposed a severance where both the retained and conveyed lot met the minimum lot frontage and lot area required by the Zoning By-law, but this would not have adequately addressed heritage concerns, and was rejected by Planning staff when previously proposed in 2018.

Rear Yard Setback and Setback of Driveway from Interior Side Yard

The proposed rear yard setback of the new dwelling on the conveyed lot is minor in nature as it is only 1'-9" smaller than the minimum rear yard setback required by the By-law and it allows for an appropriate private amenity space for the new dwelling without creating any undue negative impacts on neighbouring property owners.

The proposed setback of the driveway for the new dwelling from the interior lot line is also minor in nature as there are no apparent negative impacts to either the owner of the new dwelling or the occupant of the Robinson House which is far removed from the driveway of the new dwelling.

Retained Lot

Maximum Net Floor Area Ratio

The requested variance to permit a maximum net floor area ratio of 45.52% whereas the By-law permits 45% is minor in nature.

Maximum Building Height of an Accessory Building

The requested variance to permit the proposed accessory building to have a building height of 17 ft. whereas that By-law permits accessory buildings to have a maximum building height of 12 ft. can also be considered to be minor in nature in light of the overriding heritage issues of the property. Like the proposed new dwelling on the conveyed lot, the accessory building proposed for the retained lot is designed to resemble a historic outbuilding or coach house subordinate in siting, scale and materials to the existing Robinson House. Historic Markham Village outbuildings are traditionally 1-1/2 stories tall, while the By-law was created in the 1960's and only contemplated one storey late 20th century garages typical of suburbia. Given the compatibility of the proposed accessory building with the property, Robinson House and the Markham Village Heritage Conservation District, the requested variance is also desirable for the appropriate development of the land and maintains the intent and purpose of the City's Official Plan and Zoning By-law.

Minimum Front Yard Setback

The variance requesting a reduced front yard setback for the historic Robinson House is to legalize an existing historic condition and is therefore minor in nature.

Urban Design and Engineering

The City's Urban Design Section and Engineering Department have not provided any comments regarding the proposed severance and related variances. However, the City's

Urban Design Section's intent is to preserve as much of the existing healthy vegetation as possible or to require appropriate replanting through the Site Plan Approval process

Heritage Markham

Heritage Markham Committee reviewed the requested variances on February 10, 2021 and provided no recommendation on the proposed severance and variances. The Extract from the meeting is attached as Appendix "F". ,

PUBLIC INPUT SUMMARY

No additional written submissions from members of the Public were received as of March 4, 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 proposal within the context of the criteria in Sections 51 (24) and 45 (1) of The Planning Act, R.S.O. 1990, c. P.13, as amended, and recommend that the proposed severance (B/07/18) and related minor variance applications (A/95/18) and (A/96/18) be approved.

Should the committee find merit in the severance and variance applications, staff recommends that the conditions related to the proposed severance listed in in Appendix 'A' and conditions related to the requested variances listed in Appendix 'B' be imposed by the Committee. Staff also recommends that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why the proposed consent and variance applications should be granted.

PREPARED BY:



Peter Wokral, Senior Heritage Planner

REVIEWED BY:



Regan Hutcheson, Manager of Heritage Planning

Figure 2-Photograph of the Robinson House



Figure 3 – Map of Markham Village Heritage Conservation District (near subject property)

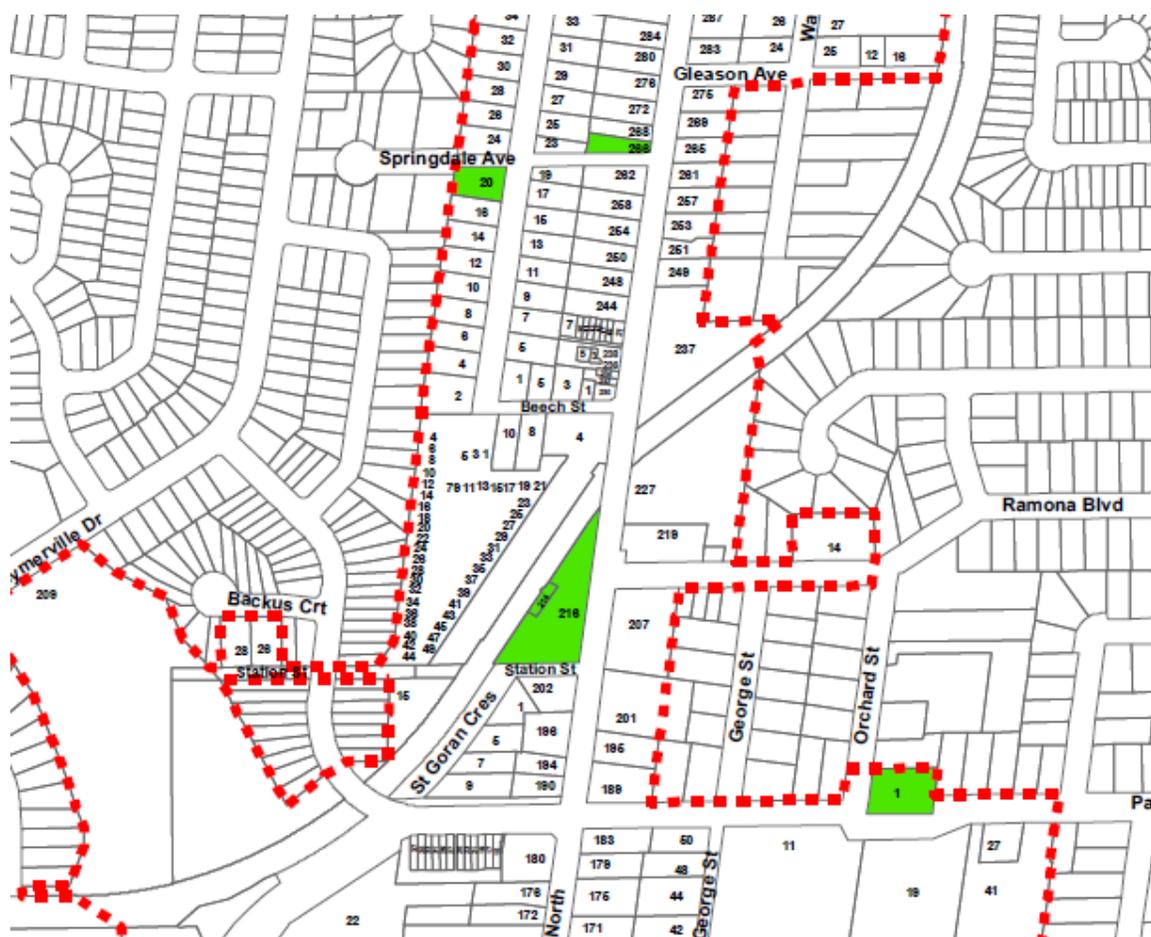
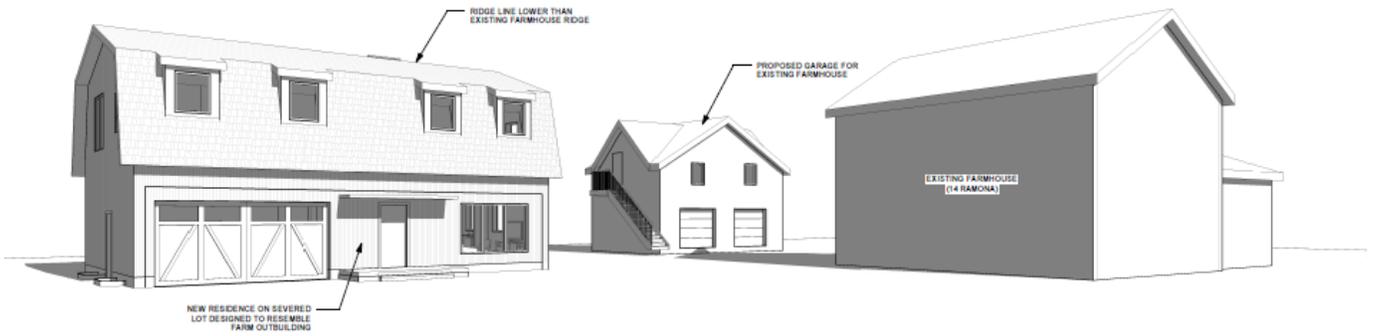


Figure 4- Perspective Views of Proposed New Buildings



APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/07/18

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/07/18, 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 seven white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
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 applicant satisfies the requirements of the Metrolinx financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix C to this Staff Report, to the satisfaction of Meterolinx and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.
6. Fulfillment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act, R.S.O. 1990, c.P.13.

CONDITONS PREPARED BY:



Peter Wokral, Senior Heritage Planner

APPENDIX “B”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF A/95/18 and A/96/18

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 D' 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 to the Secretary-Treasurer a copy of the Site Plan Endorsement memo for the proposed development;
4. That the owner implement and maintain all of the works required in accordance with the conditions of this variance;
5. 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 the Director of Planning and Urban Design or designate 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.
6. 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 Director of Planning and Urban Design or their designate.
7. 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 Director of Planning and Urban Design or designate;
8. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;

CONDITONS PREPARED BY:



Peter Wokral, Senior Heritage Planner

APPENDIX “C”

From: development.coordinator <development.coordinator@metrolinx.com>
Sent: Thursday, March 4, 2021 5:48 PM
To: Leung, Melissa <MelissaLeung@markham.ca>
Cc: Committee of Adjustment <COA@markham.ca>
Subject: RE: B/07/18, A/95/18 and A/96/18 - 14 Ramona Boulevard - Consent and Minor Variance Recirculation

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hello Melissa,

Further to the circulation for 14 Ramona Boulevard, Markham dated January 20th, 2020, I note that the subject site is located within 300 metres of the Metrolinx Uxbridge Subdivision which carries Stouffville GO Train service, I further note that the subject minor variance application is to increase the building footprint of the residential dwelling and add an accessory building. Metrolinx has no objections to the application, however, ask that the following be included in any conditions of approvals related to the minor variance and/or subsequent site plan application;

*The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwelling in favour of Metrolinx. I have attached our Environmental Easement language as a reference.

Should you have any questions or concerns, please feel free to contact myself.

Thank you,

Terri Cowan MES, PMP

Project Manager - Subways

Third Party Projects Review| Capital Projects Group

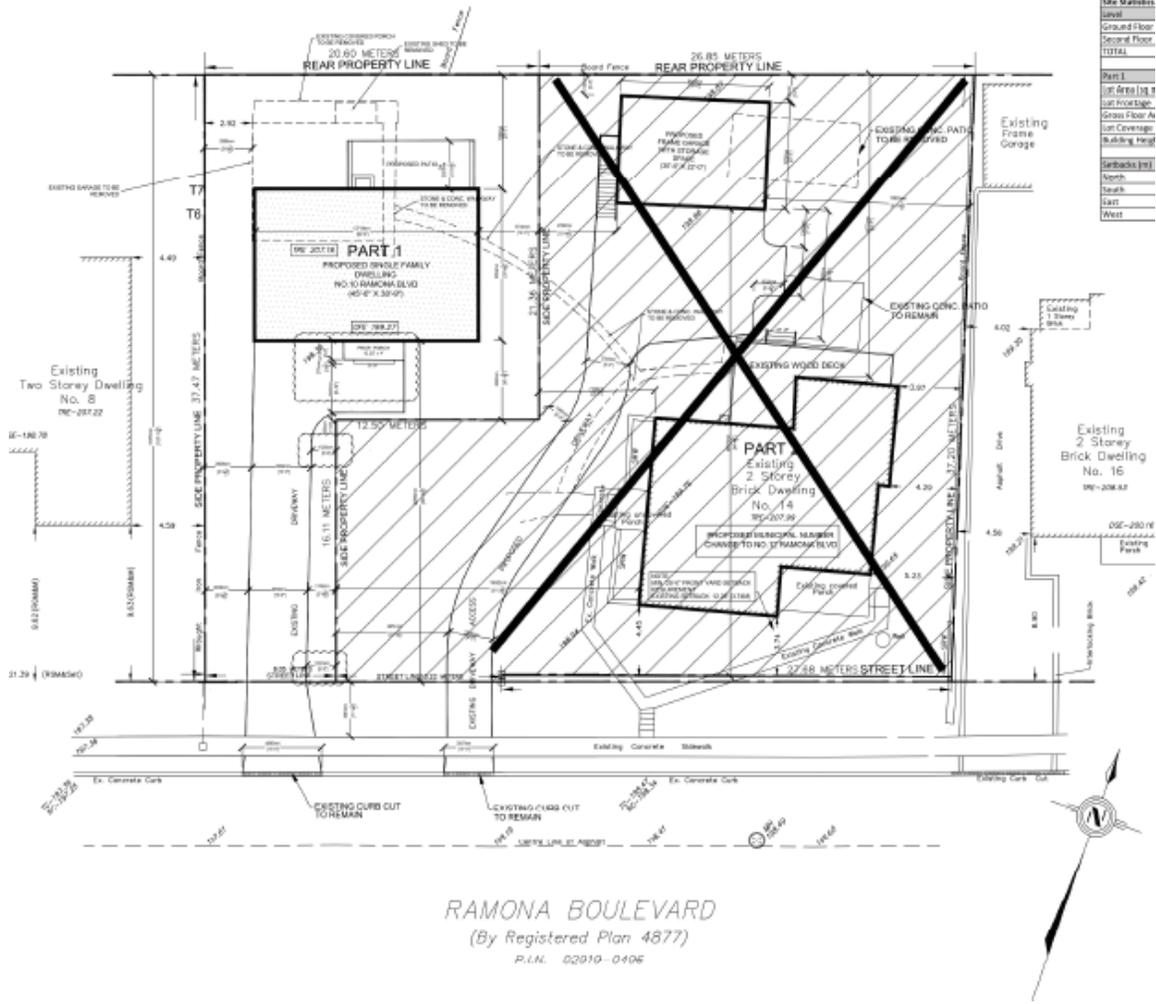
Metrolinx | 20 Bay Street, Suite 600 | Toronto, Ontario | M5J 2W3

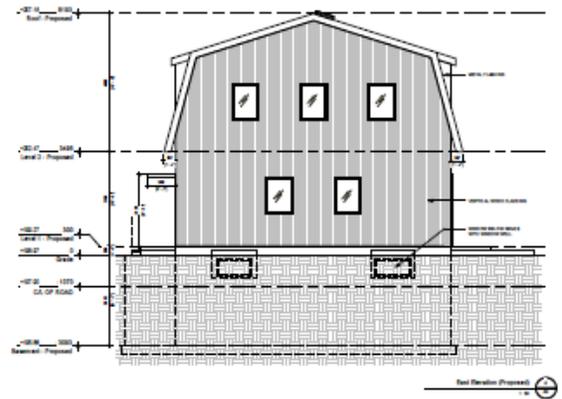
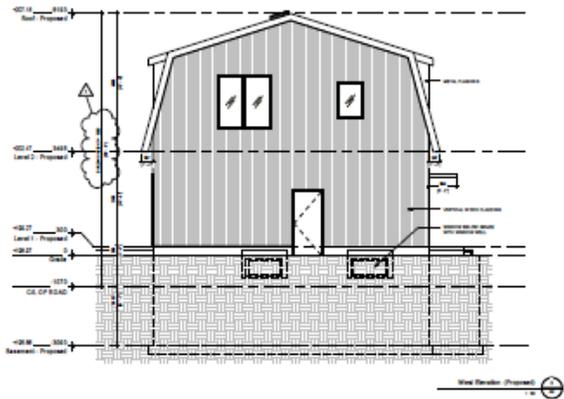
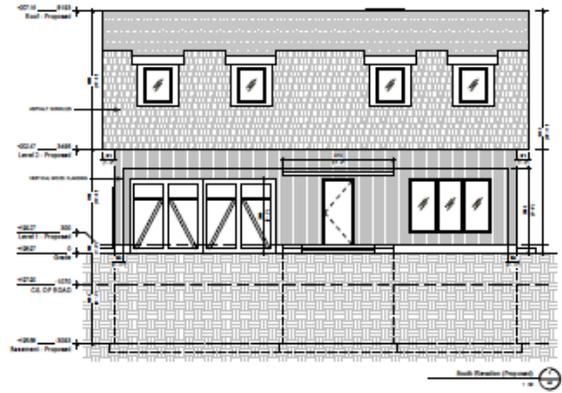
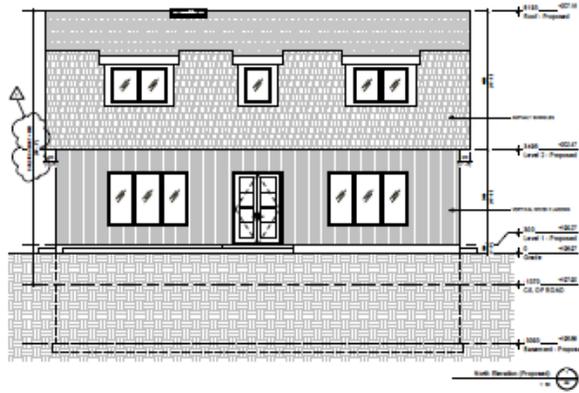
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APPENDIX "D"

Proposed Site Plan and Elevations



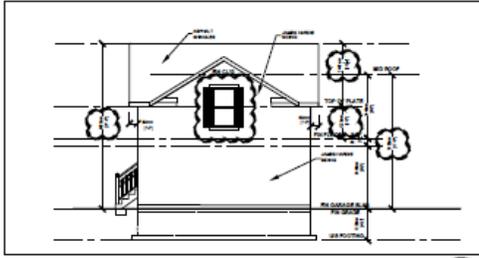


NOT FOR CONSTRUCTION

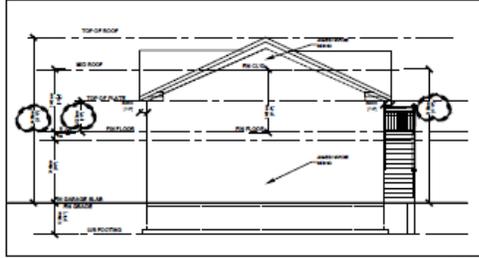
ERA Engineering & Architecture

11 Riverside Way, Spring Hill, QLD 4001
 Phone: (07) 5555 5555
 Email: info@era.com.au
 Website: www.era.com.au

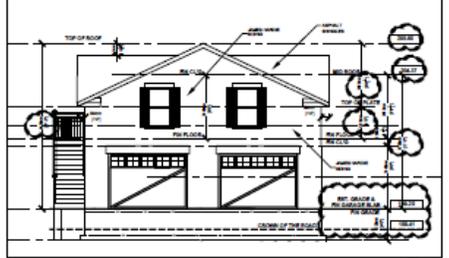
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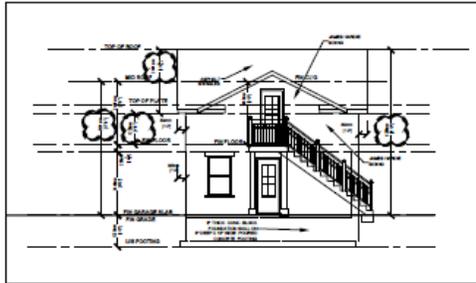
PROPOSED GARAGE EAST ELEVATION 6
SCALE 1:75 A-5



PROPOSED GARAGE NORTH ELEVATION 5
SCALE 1:75 A-5



PROPOSED GARAGE SOUTH ELEVATION 4
SCALE 1:75 A-5



PROPOSED GARAGE WEST ELEVATION 7
SCALE 1:75 A-5

APPENDIX “E” – Comparison Chart

	2018 Proposal	2021 Proposal	Change
Area of Conveyed Lot	685.1 m ² (7,374.3 ft ²) No variance required	569.1m ² (6,125.9 ft ²) Variance required	-1,248.4 ft ² 16.9% decrease in area of conveyed lot
Area of Retained Lot (Robinson House lot)	1,056.3 m ² (11,369.9 ft ²) No variance required	1,172.3m ² (12,618.5 ft ²) No variance required	+ 1,248.6 ft ² 11% increase in the area of the retained lot
Lot Frontage of Conveyed Lot	18.3m (60 ft.) No variance required	7.9m (26 ft.) Variance required	57% decrease in the proposed frontage of the conveyed lot
Lot Frontage of Retained Lot	27.5m (90.2ft.) No variance required	37.9m (124.3 ft.) No variance required	38% increase in the proposed frontage of the retained lot
Floor Area of proposed new dwelling on conveyed lot including garage	322.0m ² (3,466.0 ft ²)	253.62m ² (2,729.7 ft ²)	Reduction of 736.3 ft ² or 21%
Net Floor Area Ratio of proposed new dwelling on conveyed lot	63.2%	No variance required	28% decrease in the proposed net floor area ratio of new dwelling on conveyed lot
Maximum Building Depth of proposed new dwelling on conveyed lot	20.5m	No variance required	
Minimum rear yard setback of proposed dwelling on conveyed lot	9.7 ft.	23'-3"	An increase of 13.5ft. or a 140% increase
Number of variances required for conveyed lot	5	4	Decrease of 1or 20%
Maximum Net Floor Area Ratio of Robinson House and proposed new accessory building on retained lot	50%	45.5% (45% required by the By-law)	9% decrease in the Maximum net floor area ratio of both the Robinson House and the proposed

			new accessory building
Height of proposed accessory building on retained lot	19 ft.	17 ft.	A decrease of 2 ft. in height or 10.5%
Side yard setback of accessory building retained lot	2 ft.	No variance required	
Rear yard setback of accessory building on retained lot	2 ft.	No variance required	
Number of variances required on retained lot	6	3	A decrease of 3 or 50%

APPENDIX “F” – Heritage Markham Extract – February 10, 2021

6.2 COMMITTEE OF ADJUSTMENT AND SITE PLAN CONTROL APPLICATIONS

14 RAMONA BOULEVARD MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT PROPOSED NEW DWELLING SEVERANCE AND VARIANCES (16.11)

FILE NUMBERS:

- B/07/18
- A/95/18
- A/96/18

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Peter Wokral, Senior Heritage Planner presented the staff memorandum on the Committee of Adjustment and Site Plan Application for 14 Romano Boulevard. Staff support this proposal as it tries to address the issues previously identified by the Committee, which were the lack of tree preservation, the view of the Robinson House, and the size of the building lot.

The Committee provided the following feedback on the Committee of Adjustment and Site Plan Control Application for 14 Ramona Boulevard:

- Suggested that a 26 foot wide lot was too narrow and should not be approved;
- Expressed concern that the rear yard of the Robinson House would become mostly hard surfaces;
- Expressed concern that trees would be taken down to build the driveway to the new home;
- Noted that the orientation of the heritage house is not the orientation of the lot, which makes it a challenging lot to work with;
- Felt the proposal would take away from the frontage of Robinson House;
- Suggested the house should comply with the City’s Infill-By-law;
- Suggested that the Robinson House and the new home share a driveway to permit for a wider lot;
- Expressed concern that the property owners may have disagreements in the future over the maintenance of the front lawn;

- Suggested that a site visit be conducted to better visualize the proposal and that the matter be referred to the Architecture Review Sub-Committee;

Peter Wokral responded to inquiries from the Committee. Staff noted the smaller new lot and reduced frontage complements the heritage property by protecting public views of the true front elevation of the dwelling. The City's arborist has also advised that the trees near the driveway are in poor condition. Staff are not aware of anything that would necessitate the removal of the trees, but it may be the intention of the Applicant to remove the trees and plant new trees elsewhere on the property.

Regan Hutcheson, Manager of Heritage Planning advised that City is currently not permitting in-person site visits by volunteers due to the pandemic.

Recommendation:

THAT the Committee of Adjustment and Site Plan Control Application for 14 Ramona Boulevard be referred to the Architectural Review Committee for further analysis.

Lost

Recommendation:

THAT Heritage Markham does not object to the proposed severance of 14 Ramona Boulevard (file B/07/18) or the requested variances (files A/95/18 and A/96/18) from a heritage perspective subject to the following conditions:

- o That the size, scale and architectural designs of the proposed new dwelling on the conveyed lot and the proposed new accessory building on the retained lot reflect the concept drawings attached to this application subject to minor improvements of the architectural details and window specifications etc
- o That any fence in the front yard of the conveyed lot (which will be the side yard fence of the retained lot) be a wooden picket or wooden rail fence no higher than 42 inches to allow continual views of the front elevation of the Robinson House; and
- o That Site Plan Approval is obtained for the proposed new dwelling (conveyed lot) and accessory building (retained lot) containing standard clauses regarding colours, materials window treatment, etc.;

THAT review of the future site plan applications for the proposed new dwelling on the conveyed lot and the proposed new accessory building on the retained lot be delegated to Heritage Section Staff unless there are any significant deviations to their proposed designs as reviewed by the Committee;

AND THAT Heritage Markham does not object to the demolition of the existing detached garage on the proposed conveyed lot, provided that it is first advertised for relocation or salvage prior to the issuance of a demolition permit.

Lost (by a tie vote)

No other motions were considered by the Committee.