

Memorandum to the City of Markham Committee of Adjustment

December 1, 2021

File: A/171/21
Address: 559 White's Hill Avenue – Markham, ON
Applicant: Forest Hill Homes (Eddie Lee)
Hearing Date: December 8, 2021

The following comments are provided on behalf of the East District team.

The applicant is requesting relief from the following “Residential Two Exception *190*193*488 (R2*190*193*488)” zone requirement under By-law 177-96, as amended, as it relates to a proposed semi-detached garage, to permit:

a) By-law 177-96, Sec. 6.3.1.7(b):

a maximum lot coverage of 18.70%, whereas the by-law requires a maximum lot coverage of 18.0%.

BACKGROUND

Property Description

The 185.41 m² (1,995.74 ft²) subject property is located on the south side of White's Hill Avenue, north of William Forster Road, east of Cornell Rouge Boulevard, and west of Donald Cousens Parkway. The subject property is irregularly shaped, which is partially due to a notch that abuts the southwest corner of the property (Appendix “B”). The property is located within the Cornell community, which is predominantly a residential neighbourhood comprised of an array of low rise housing forms, with access to a mix of commercial, open space areas, and institutional uses. Residential properties are primarily lane-based, in which vehicular access and parking is provided via rear lanes and garages along public streets.

Proposal

To facilitate the new development of one dwelling unit as part of a row of houses (townhouse) with a semi-detached two-car garage, the applicant is requesting to increase the maximum lot coverage.

Official Plan and Zoning

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

The Official Plan designates the subject property “Residential Low Rise”, which provides for low rise housing forms.

Zoning By-Law 177-96

The subject property is zoned “Residential Two Exception (R2*190*193*488)” under By-law 177-96, as amended, which permits one semi-detached dwelling per lot.

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 variance 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 18.70%, whereas the By-law permits a maximum lot coverage of 18.0% for lots that have a lot frontage of less than 9.75 m (31.99 ft). This equates to a difference of 1.30 m² (14.0 ft²). The proposed increase would allow the applicant to construct two full-sized parking spaces required for the primary townhouse dwelling unit. Staff are of the opinion that the requested variance is minor in nature, appropriate and maintains the general intent of the zoning by-law.

PUBLIC INPUT SUMMARY

No written submissions were received as of December 1, 2021. It is noted that 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 conditions of approval attached as Appendix "A" 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:



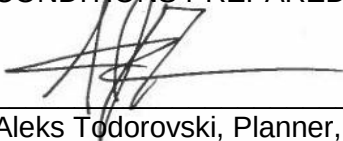
Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/171/21

1. The variances apply only to the proposed development 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.

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'Aleks Todorovski', is written over a horizontal line.

Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/171/21

R.F. Merrill
2218045 Ontario Limited
Design Control Review

I, Richard F. Merrill, certify that the Plans/
Drawings comply with the approved
architectural control guidelines. This
stamp is ONLY for the purposes of design
control and carries no other professional
obligation.

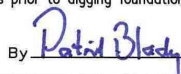
Reviewed by: 
Date: June 30, 2021
Reviewed for: Final Review

LOT GRADING

wsp

REVIEWED ☒
REVIEWED AS MODIFIED ☐
REVISE AND RE-SUBMIT FOR REVIEW ☐
NOT REVIEWED ☐

This review by the undersigned is for the sole purpose of
ascertaining conformance with the general grading concept,
but no approval is given or responsibility assumed by the
undersigned for correctness of dimensions or details or
conformity to zoning by-law, which remain the responsibility
of the architect.
Builder to verify lateral elevations prior to digging foundation.

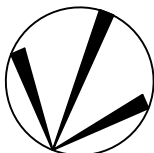
Date: JUNE 29, 2021 By: 

LEGEND

GM → GAS METER
FFE FINISHED FLOOR ELEVATION
TFW TOP OF FOUNDATION WALL
TBS TOP OF BASEMENT SLAB
USF UNDERSIDE FOOTING
USFR(REAL) UNDERSIDE FOOTING REAR
USFG UNDERSIDE FOOTING GARAGE
TEF TOP OF ENGINEERED FILL
R NUMBER OF RISERS
WOD WALKOUT DECK
LOB LOOK OUT BASEMENT
WOB WALKOUT BASEMENT
REV REV PLAN
STD STANDARD PLAN
DOOR DOOR LOCATION
BELL BELL VAULT
CALBE CALBE TV
CATCH CATCH BASIN
DOUBLE DOUBLE CATCH BASIN
ENGINEERED ENGINEERED FILL
HYDRANT HYDRANT
STREET STREET LIGHT
WATER WATER VALVE
MAIL MAIL BOX
TRANSFORMER TRANSFORMER
WATER WATER CONNECTION
STORM + SAN. CONNECTION (2 LOTS)
STORM + SAN. CONNECTION (1 LOT)
A/C A/C CONDENSER
ROOF ROOF DOWNSPOUT TO SPLASH PAD
SWALE SWALE DIRECTION
CHAIN CHAIN LINK FENCE
PRIVACY PRIVACY FENCE
SOUND SOUND BARRIER
FOOTING FOOTING TO BE EXTENDED TO 1.25 (MIN) BELOW GRADE
MAX 3:1 SLOPE

NOTES:
"DOWNSPOUTS TO DISCHARGE ONTO GROUND
VIA "SPLASH PAD"
BASE CURB ELEVATION TO
BE CHECKED VS. GARAGE SLAB ELEVATION TO
ENSURE ADEQUATE DRIVEWAY GRADE BEFORE
CONSTRUCTING GARAGE". FOR DETAILS OF
THE PRIVACY FENCE REFER TO THE
LANDSCAPE DRAWINGS.
BUILDER TO CONFIRM SERVICE CONNECTION
INVERTS PRIOR TO CONSTRUCTION
BUILDER TO ENSURE WATER BOX IS
ACCESSIBLE AND OPERATIONAL AT ALL TIMES

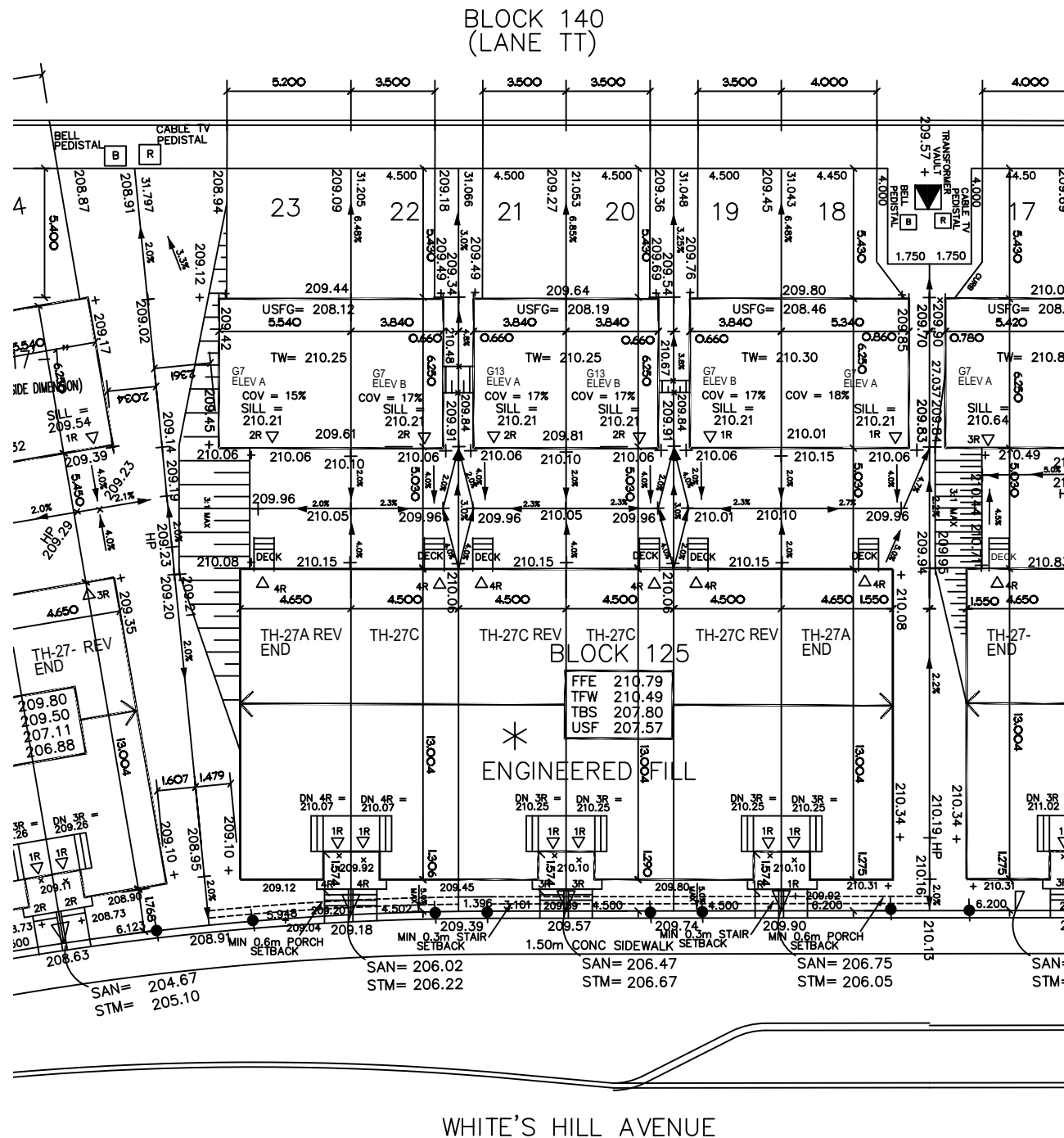
NOTE:
BUILDER TO VERIFY LOCATION OF ALL HYDRANTS,
STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES.
IF MIN DIMENSIONS ARE NOT MAINTAINED BUILDER IS
TO RELOCATE AT HIS OWN EXPENSE
DRAWN BY: JP DATE: MAY 2020
SCALE: 1 : 250 LOT NUMBER: BLOCK 125



JAMES PIGGOTT
Residential Design Consultant
3A King Street South, Suite 4
Cookstown Ont. L0L 1L0
(705) 458 8433

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 BE A DESIGNER.
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5. OF DIVISION C OF THE
JAMES PIGGOTT 25146
NAME SIGNATURE
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4. OF DIVISION C OF THE
JAMES PIGGOTT 34700
FIRM NAME

REVISIONS		
NO	DATE	
1	14/11/2020	WSP FINAL COMMENTS
2	2/11/2020	BASEMENT SLAB AND UNDERSIDE OF FOOTINGS LOWERED BY 0.300M
3	28/4/2021	PORCH, STAIR MIN SETBACKS ADDED, GARAGE COV %
4	12/10/2021	GARAGE COVERAGE REVISED
5	-	-

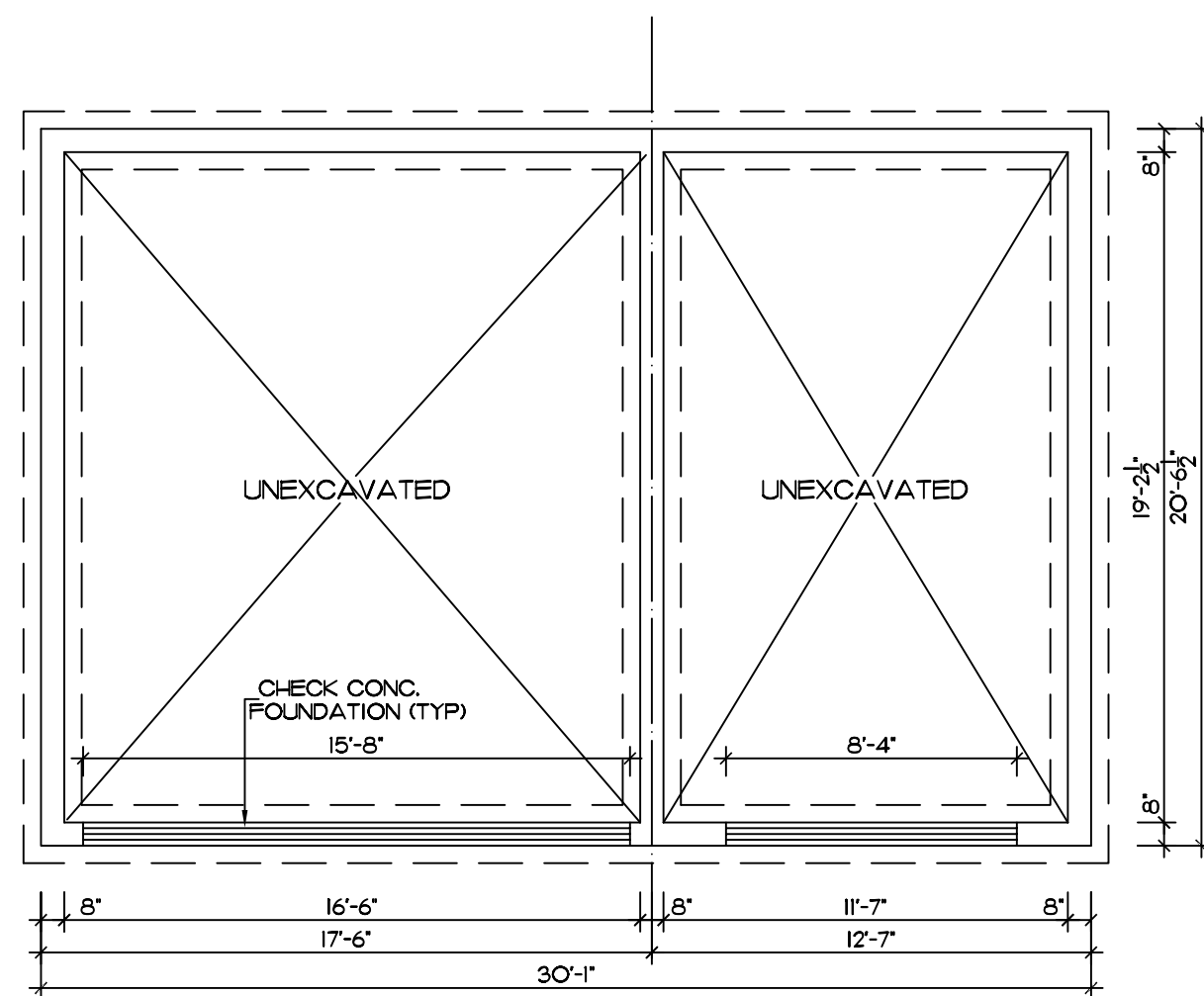


Appendix B

File: 21.143100.000.00.MNV
Date: 12/03/21
MM/DD/YY

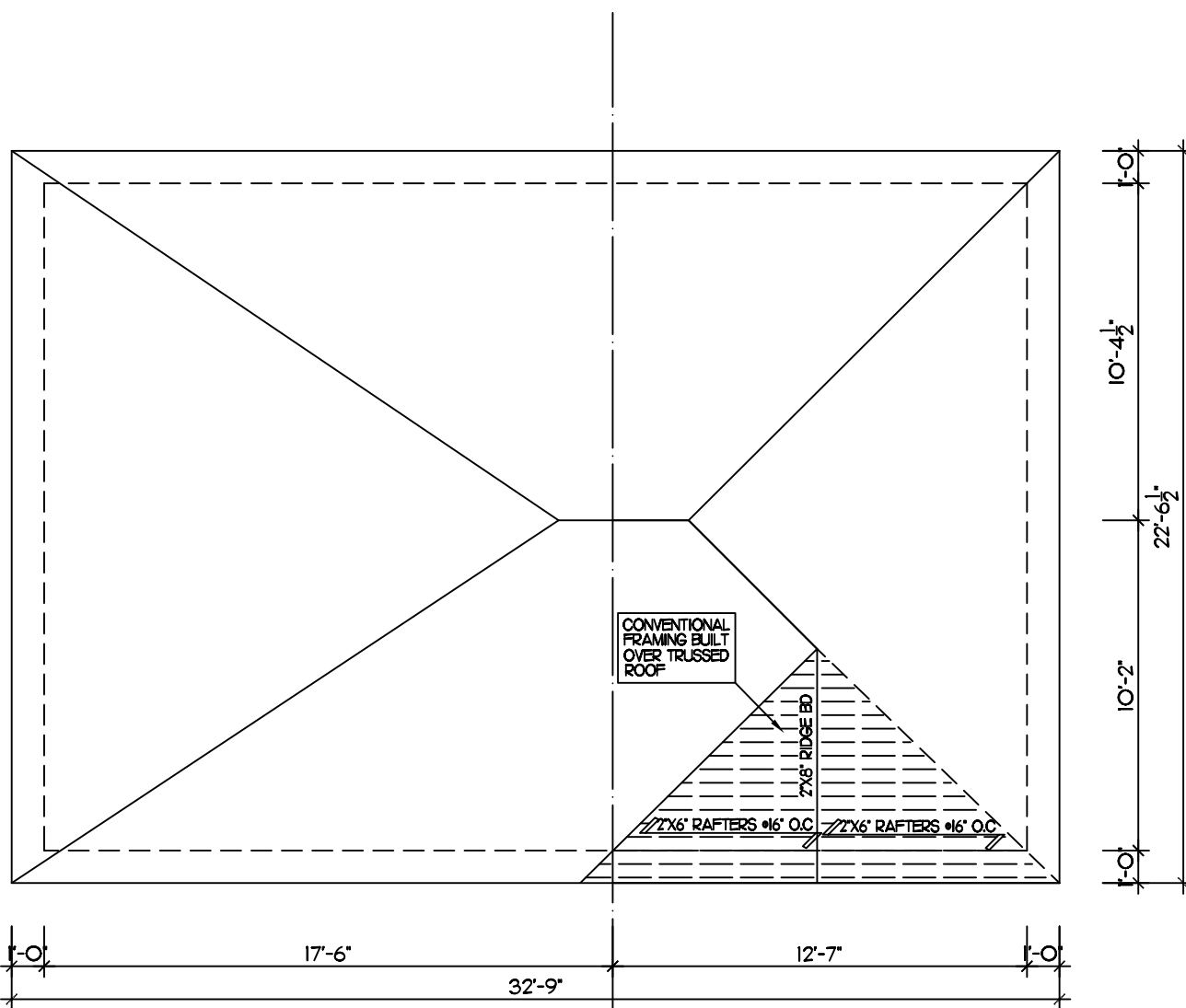
CLIENT
FOREST HILL HOMES
PROJECT/LOCATION
CORNELL — PHASE 7
MARKHAM, ONTARIO
DRAWING
SITE GRADING PLAN

BUILDING STATISTICS	
REG. PLAN No	65M-4544
ZONE	R2
BLOCK NUMBER	125
LOT NUMBERS	18-23
BLDG AREA (m) ²	N/A ²
COVERAGE(%)	N/A
No. OF STOREYS	3



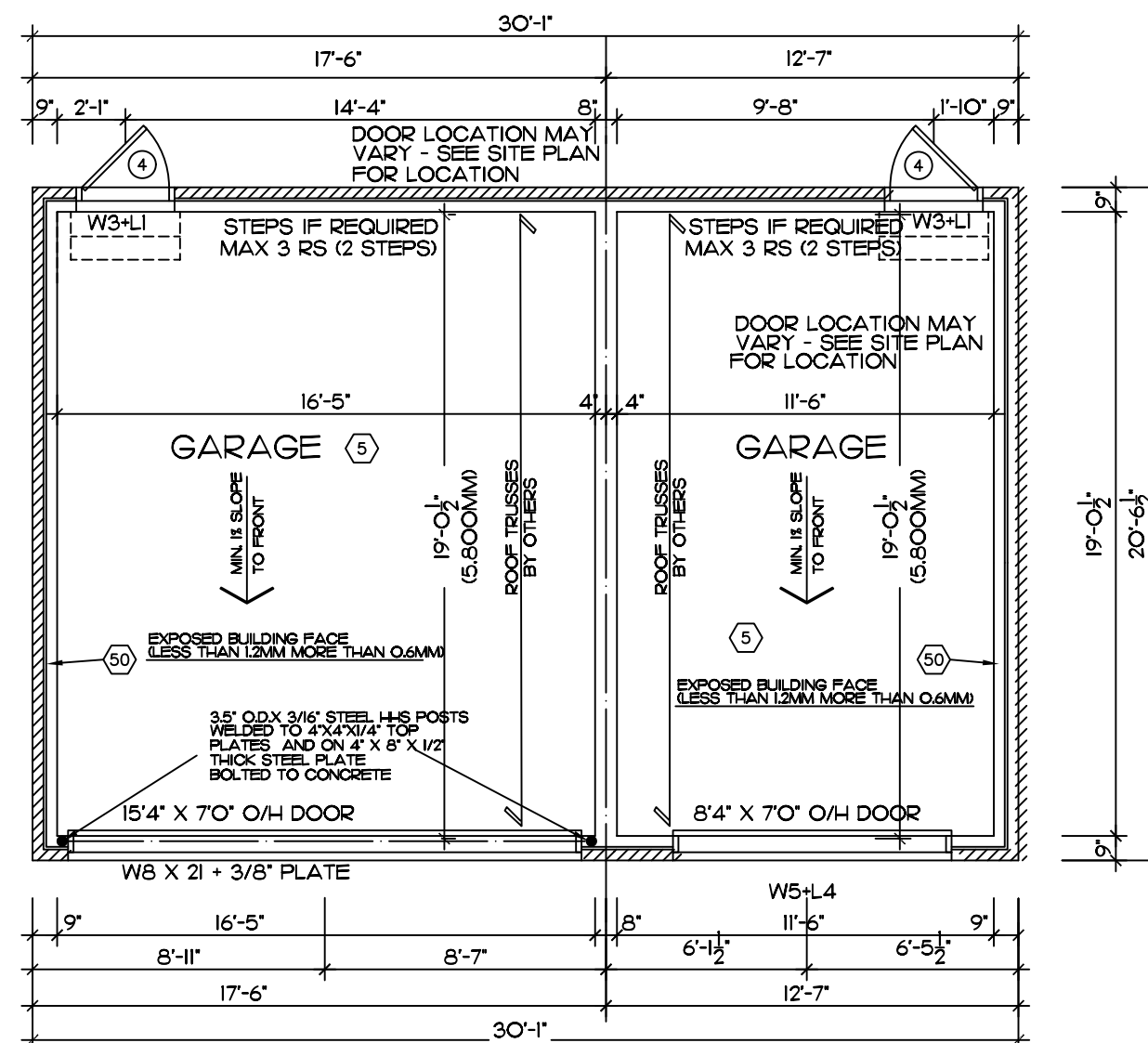
FOUNDATION
ELEV 'A'
TYPE G7 LOT 18

ELEV 'B'



ROOF PLAN
ELEV 'A'
TYPE G7 LOT 18

ELEV 'B'



GROUND FLOOR
ELEV 'A'
TYPE G7 LOT 18

ELEV 'B'

	-	-
	-	-
	-	-
3	12/10/2021	REDUCED FOR LOT 18
2	5/11/2021	DIMENSIONS ROOF
1	21/01/2021	TOWN OF MARKHAM COMMENTS
	DATE	DESCRIPTION
REVISIONS		

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 BE A DESIGNER.

REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5. OF DIVISION C OF THE BUILDING CODE

QUALIFICATIONS INFORMATION	
JAMES PIGGOTT	25146
NAME	BCIN

REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4. OF DIVISION C OF THE BUILDING CODE

REGISTRATION INFORMATION	
JAMES PIGGOTT	34700
FIRM NAME	BCIN

GENERAL NOTES:

CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND CHECK ALL CONDITIONS ON THE JOB BEFORE PROCEEDING WITH WORK. ALL DISCREPANCIES TO BE REPORTED TO THE DESIGN CONSULTANT BEFORE PROCEEDING WITH THE WORK.

LATEST APPROVED DRAWINGS ONLY TO BE USED FOR CONSTRUCTION.
DRAWINGS NOT TO BE SCALED.

James Piggott
Residential Design Consultant

3A King Street South, Suite 4
Cookstown Ont. L0L 1L0
(705) 458 8433

FOREST HILL HOMES

2700 Dufferin St. Unit 34
Toronto, Ont. M6B 4J3

PROJECT CO-ORDINATOR

J PIGGOTT

DRAWN BY:

JP

DATE:

SEPT 2020

CHECKED BY:

DATE:

SCALE:

3/16" = 1'-0"

PROJECT NAME:

CORNEL

UNIT TYPE:

GARAGE TYPE G7
LOT 18

SHEET NAME:

PLANS

PROJECT NO.:

DWG NO.:

A1

FILE NAME:

GARAGE LOT 18

Appendix B

File: 21-143100-000.00.MNV

Date: 12/03/21



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Toronto, Ont. M6B 4J3

PROJECT CO-ORDINATOR
J PIGGOTT

DRAWN BY: JP DATE: SEPT 2020

CHECKED BY: DATE:

SCALE:
3/16" = 1'-0"

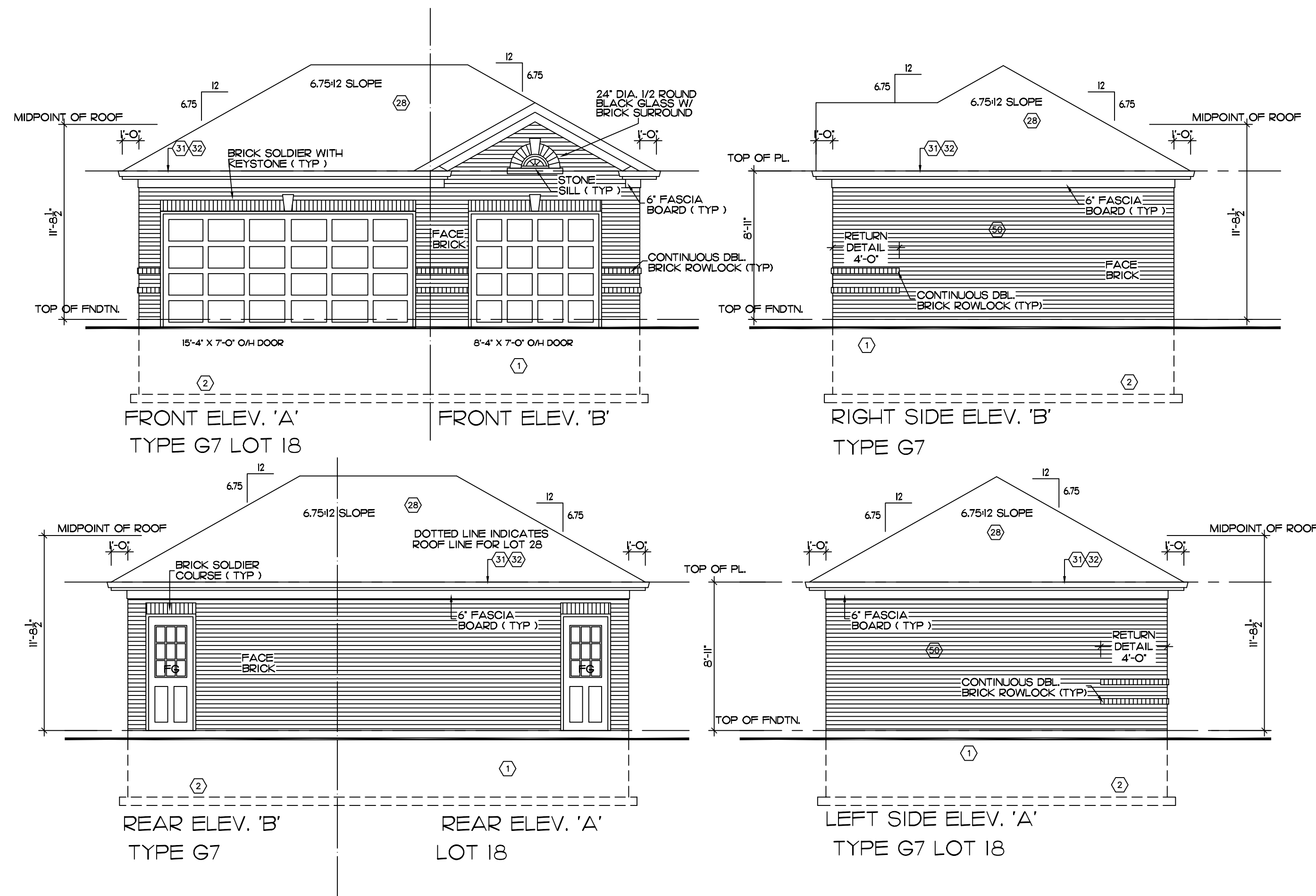
PROJECT NAME:
CORNEL

UNIT TYPE:
GARAGE TYPE G7
LOT 18

SHEET NAME:
ELEVATIONS

PROJECT NO.: DWG NO.:
A2

FILE NAME:
GARAGE LOT 18



	DATE	DESCRIPTION
2	12/10/2021	REDUCED FOR LOT 18
1	21/01/2021	TOWN OF MARKHAM COMMENTS
	DATE	DESCRIPTION
REVISIONS		