

Memorandum to the City of Markham Committee of Adjustment

February 05, 2024

File: A/009/24
Address: 29 Pringle Ave, Markham
Applicant: DB Designs (Dylan Borsten)
Owner: Brenda Langendyk
Hearing Date: Wednesday, February 21, 2024

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

The applicant is requesting relief from the following requirements of By-law 1229, as amended, as it relates to a proposed addition to a residential dwelling.

a) By-law 1229, Section 11.2 (c) (i):

A porch to encroach 34.60 inches into a required yard, whereas the by-law permits a maximum encroachment of 18 inches;

b) By-law 1229, Table 11.1:

A rear yard setback of 16.99 feet, whereas the by-law requires a minimum rear yard setback of 25 feet;

c) By-law 1229, Amending By-law 99-90, Section 1.2(iii):

A depth of 24.40 metres, whereas the by-law permits a depth of 16.80 metres

BACKGROUND

Property Description

The 880.55 m² (9478.16 ft²) subject property is located on the west side of Pringle Avenue, north of Highway 7 East and east of Main Street Markham North. The property is located within an established residential neighbourhood comprised of two-storey detached dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments. Mature vegetation exists across the property.

There is an existing two storey single detached dwelling on the property, which according to assessment records was constructed in 1972.

Proposal

The applicant is proposing to construct a one-storey 97.44 m² (1048.85 ft²) addition on the north side of the existing two-storey single detached dwelling.

Official Plan and Zoning

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

The Subject Lands are designated “Residential Low Rise”, which permits low rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines development criteria for the “Residential Low Rise” designation with respect to height, massing and setbacks. The purpose of this development criteria is 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. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, infill 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, the width of proposed garages and driveways. Planning staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below

Zoning By-Law 1229

The subject property is zoned R1 under By-law 1229, as amended, which permits residential low rise.

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, 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 the new building depth as a result of the proposed single story addition.

Applicant’s Stated Reason(s) for Not Complying with Zoning

According to the information provided by the applicant, the reason for not complying with Zoning is, *“due to the shape and size of the lot”*

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on January 11, 2024 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 Depth

The applicant is requesting relief to permit a maximum building depth of 24.40 m (80.05 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.12 ft). This represents an increase of approximately 7.60 m (24.93 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. Given the configuration of the lot, building depth is measured on an angle through the proposed building. The variance includes a 7.42 m (24.33 ft) wide single-story rear covered porch which adds approximately 4.88 m (16 ft) to the overall depth of the building. Staff note that the proposed rear-covered porch does not span the entire width of the main building. The increase in the building's depth primarily results from the inclusion of a 7.94 m (26.06 ft) wide component in the proposed addition, which extends the total depth of the building by approximately 5.31 m (17.42 ft).

Staff opine that due to the nature of the lot, and the increase in building depth is attributed to a relatively narrow part of the building, the variance requested is minor in nature and will not impact adjacent properties.

Increased Porch Encroachment

The applicant is requesting relief to permit an increased porch encroachment of 0.88 m (34.60 in), whereas the By-law permits a maximum encroachment of 0.46 m (18 in) into a required yard.

The requested variance only applies to the 1.21m (3.96 ft) unenclosed concrete front porch. Staff note that the increased porch depth enhances usability and will not negatively impact the streetscape. Staff are of the opinion that this request is minor in nature and maintains the general intent of the Zoning bylaw and Official Plan.

Reduction in Rear Yard Setback

The applicant is requesting relief to permit a minimum rear yard setback of 16.99 ft (5.18 m), whereas the By-law requires a minimum front yard setback of 25 ft (7.62 m). This represents a reduction of approximately 8.01 ft (2.44 m). The variance is entirely attributable to the proposed covered rear porch. The main rear wall of the building provides a maximum rear yard setback of 26.41 ft (8.05 m) which complies with the minimum rear yard setback. The remaining rear yard is still sufficient to provide a functional amenity area and staff therefore have no objections.,

PUBLIC INPUT SUMMARY

No written submissions were received as of **February 7, 2024**. 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 variance request meets the four tests of the Planning Act and have no objection. 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 refer to Appendix "A" for conditions to be attached to any approval of this application.

APPENDICIES

Appendix "A" – A/009/24 Conditions of Approval
Appendix "B" – Plans

PREPARED BY:



Aaron Chau, Planner I, Planning and Urban Design Department

REVIEWED BY:



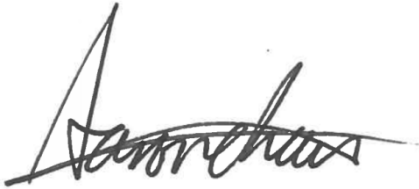
Stacia Muradali, Development Manager, East District

File Path: Amanda\File\ 24 159648 \Documents\District Team Comments Memo

APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/009/24

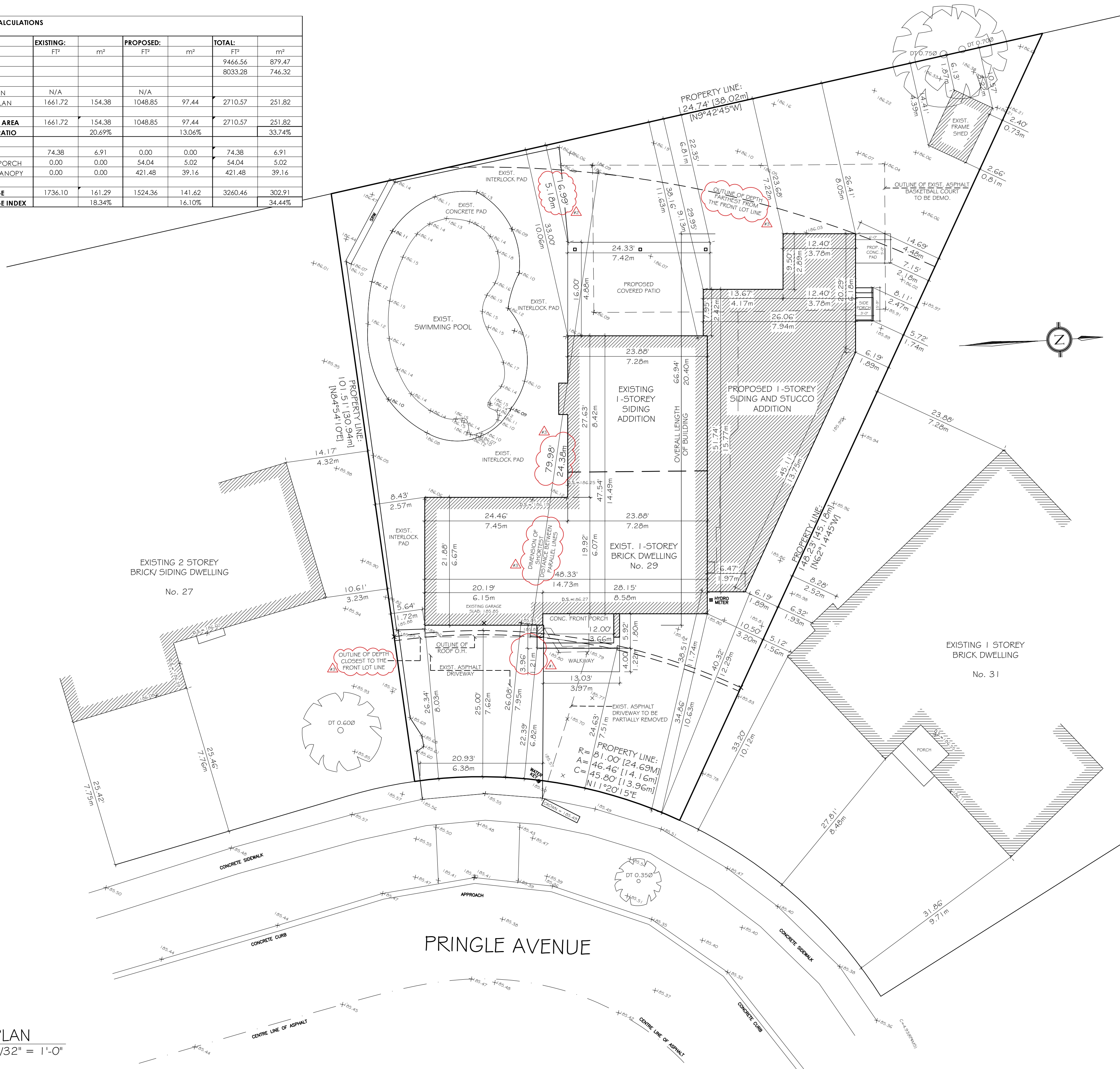
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix C' to this Staff Report and received by the City of Markham on January 22, 2024 and that the Secretary-Treasurer 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 'Aaron Chau', written in a cursive style.

Aaron Chau, Planner I, Planning and Urban Design Department

AREA DATA CALCULATIONS					
AREA:	EXISTING:		PROPOSED:	TOTAL:	
	FT ²	M ²	FT ²	M ²	M ²
LOT AREA				9466.56	879.47
NET LOT AREA				8033.28	746.32
BASEMENT PLAN	N/A		N/A	2710.57	251.82
FIRST FLOOR PLAN	1661.72	154.38	1048.85	97.44	
GROSS FLOOR AREA	1661.72	154.38	1048.85	97.44	2710.57
FLOOR AREA RATIO		20.69%		13.06%	33.74%
EXIST. SHED	74.38	6.91	0.00	0.00	74.38
PROP. FRONT PORCH	0.00	0.00	54.04	5.02	54.04
PROP. REAR CANOPY	0.00	0.00	421.48	39.16	421.48
LOT COVERAGE	1736.10	161.29	1524.36	141.62	3260.46
LOT COVERAGE INDEX		18.34%		16.10%	34.44%



SITE PLAN
SCALE: 3/32" = 1'-0"

Appendix B

File: 24-1596-18.000.00.MNV

Date: 02/20/24

Owner:
Ron and Brenda Langendyk
29 Pringle Avenue
Markham, Ontario

Project:
Proposed 1 Sty. Side Add., Rear Canopy, Front & Side Porches
29 Pringle Avenue
Markham, Ontario

Designer:
DB Designs
Dylan Borsten
Architectural Technologist
Phone: 647-928-5886
Email: Dylan@db-designs.ca

All prints and specifications are the sole property of the Architectural Technologist and must be returned at the completion of the project.
Prints and specifications shall not be reproduced without the permission of the Architectural Technologist.
The contractor shall check and verify all dimensions on the work and report any discrepancies to the Architectural Technologist before proceeding. Drawings are not to be scaled. Drawings are not to be used for construction purposes unless signed by the architectural Technologist.

Drawing Title:
Site Plan

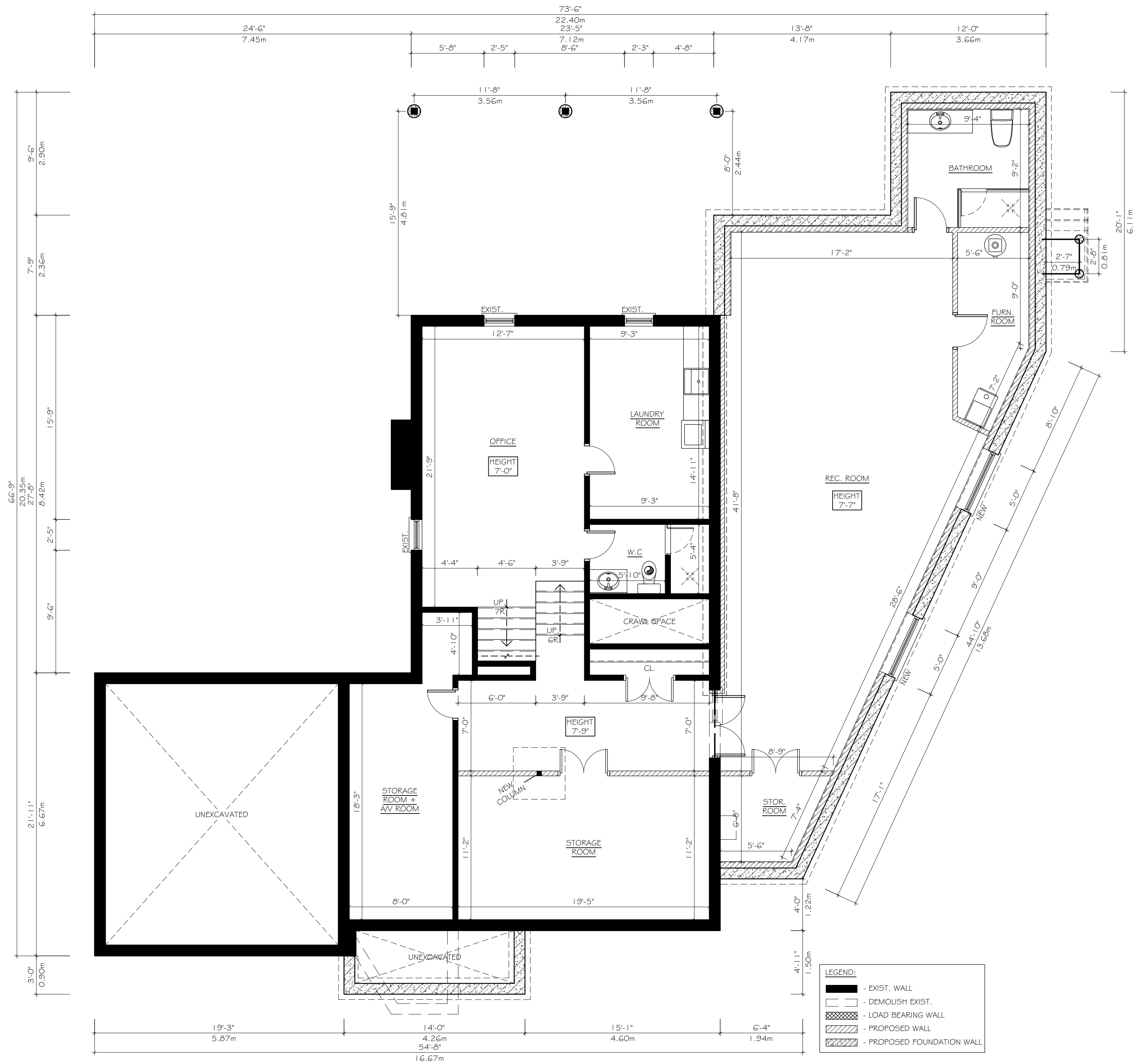
No.	Date	Revision	Int.
24-01-22		CoFA APPLICATION	D.B.
24-01-06		ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20		ISSUED FOR ZONING ZPR	D.B.

Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/32"=1'-0"
File No:		Drawing No:	A1
Project No:			

Appendix B

File: 24.159648.000.00.MNV

Date: 02/20/24 MM/DD/YYYY



BASEMENT FLOOR PLAN
SCALE: 3/16" = 1'-0"

Owner:

**Ron and Brenda
Langendyk**
29 Pringle Avenue
Markham, Ontario

Project:

**Proposed 1 Sty. Side
Add., Rear Canopy,
Front & Side Porches**
29 Pringle Avenue
Markham, Ontario

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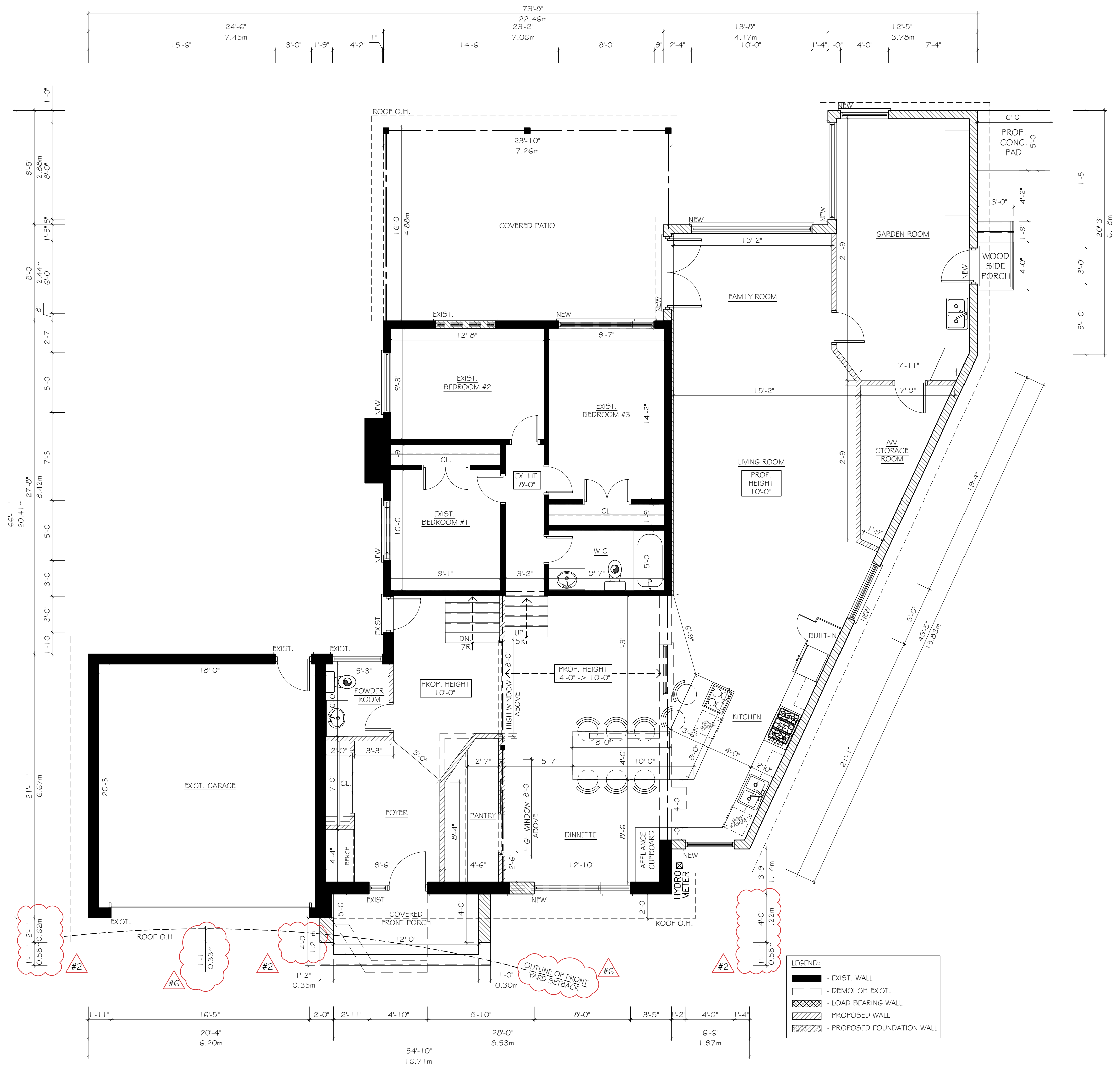
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Drawing Title:
Basement Plan

No.	Date	Revision	Int.
24-01-22		CoFA APPLICATION	D.B.
24-01-06		ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20		ISSUED FOR ZONING ZPR	D.B.

Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/16"=1'-0"
File No:		Drawing No:	A2
Project No:			



FIRST FLOOR PLAN
 SCALE: 3/16"=1'-0"

Owner:
Ron and Brenda Langendyk
 29 Pringle Avenue
 Markham, Ontario

Project:
Proposed 1 Sty. Side Add., Rear Canopy, Front & Side Porches
 29 Pringle Avenue
 Markham, Ontario

Designer:
DB Designs
 Dylan Borsten
 Architectural Technologist
 Phone: 647-928-5886
 Email: Dylan@db-designs.ca

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Drawing Title:
First Floor Plan

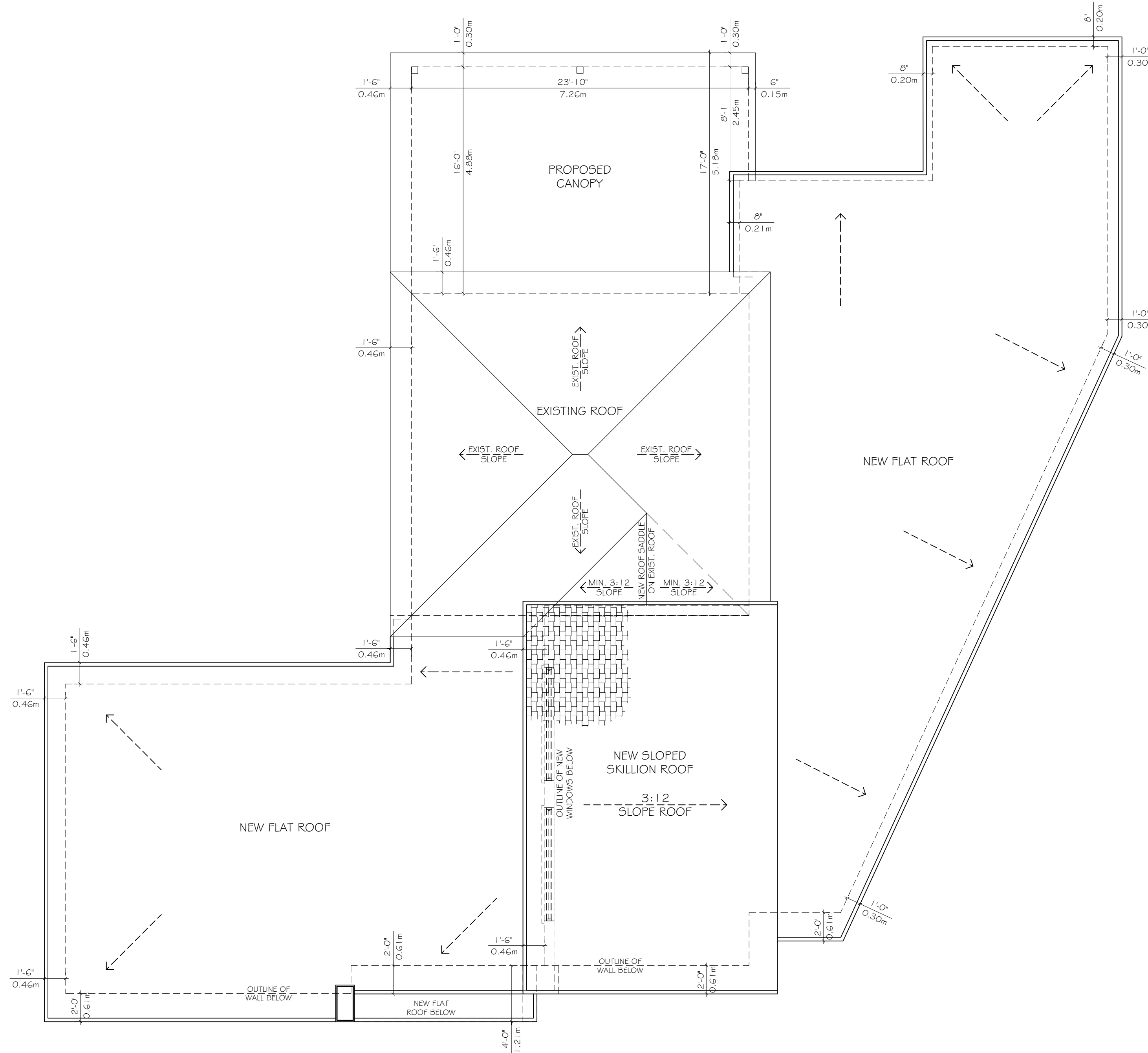
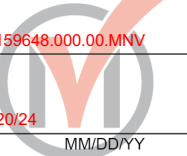
No.	Date	Revision	Int.
24-01-22		CoFA APPLICATION	D.B.
24-01-06		ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20		ISSUED FOR ZONING ZPR	D.B.

Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/16"=1'-0"
File No:		Drawing No:	A3
Project No:			

Appendix B

File: 24-159648.000.00.MNV

Date: 02/20/24



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

Owner:
**Ron and Brenda
Langendyk**
29 Pringle Avenue
Markham, Ontario

Project:
**Proposed 1 Sty. Side
Add., Rear Canopy,
Front & Side Porches**
29 Pringle Avenue
Markham, Ontario

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Dylan Borsten
Architectural Technologist
Phone: 647-928-5886
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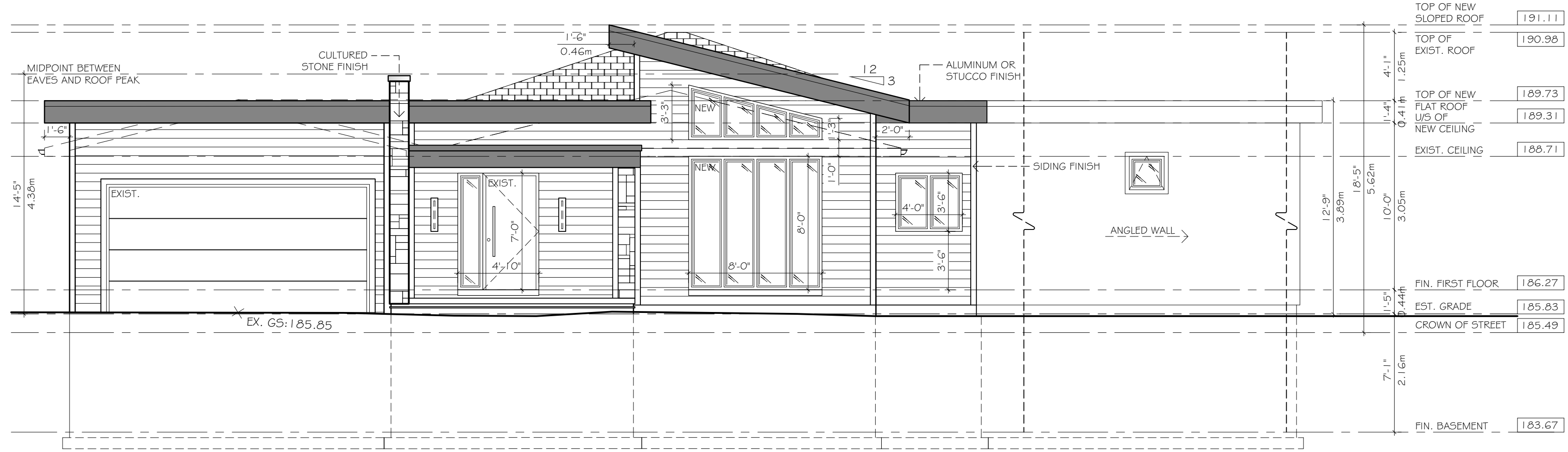
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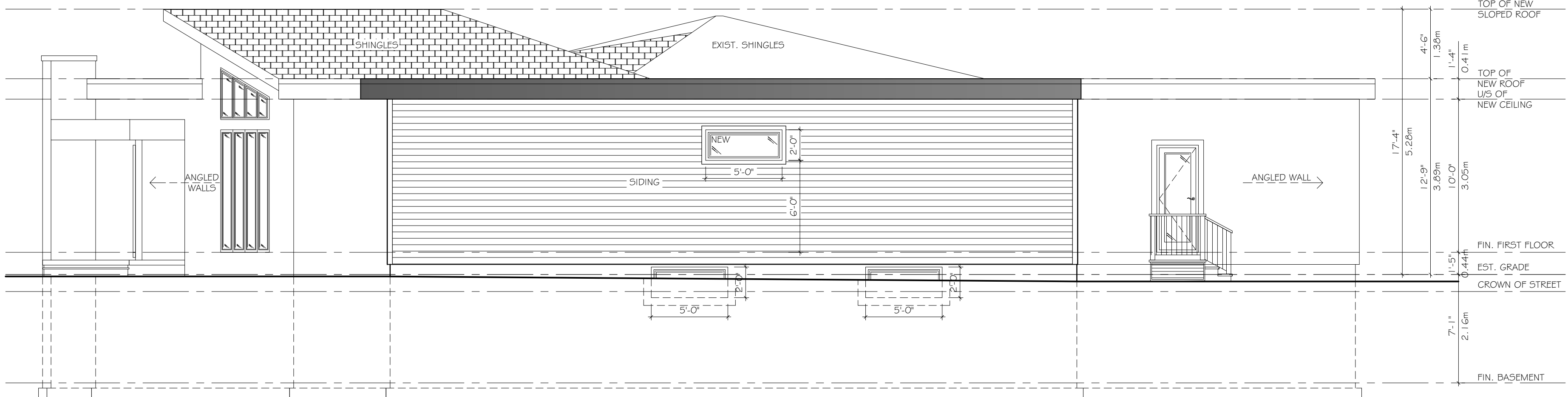
Drawing Title:
Roof Plan

No.	Date	Revision	Int.
24-01-22		CoFA APPLICATION	D.B.
24-01-06		ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20		ISSUED FOR ZONING ZPR	D.B.

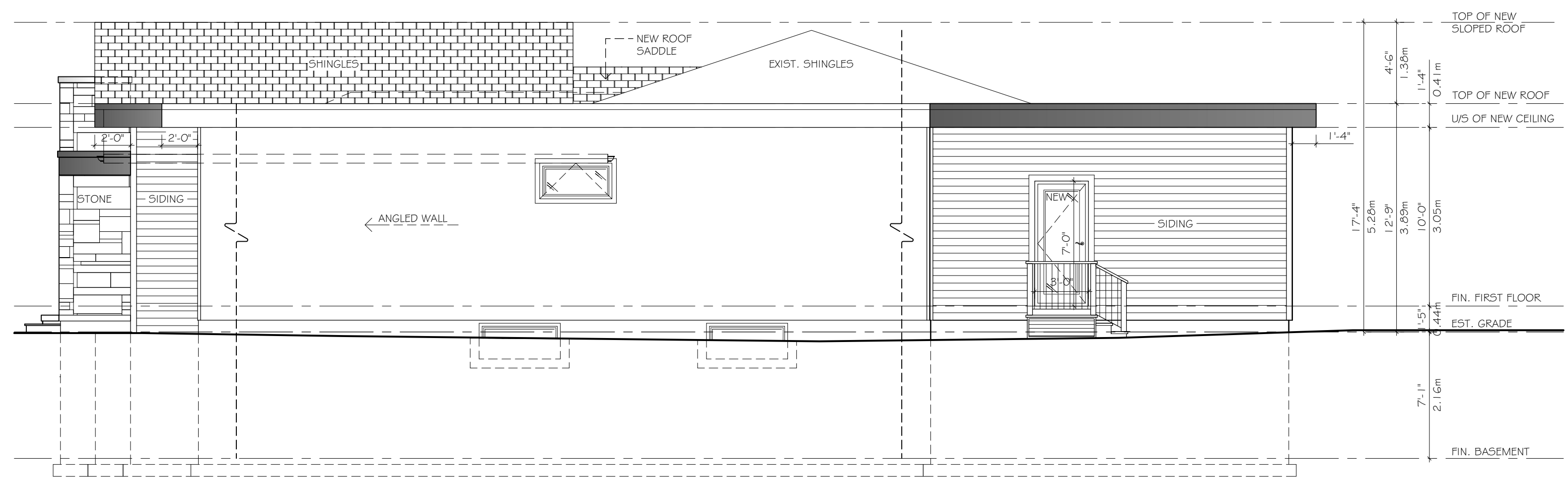
Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/16"=1'-0"
File No:		Drawing No:	A4
Project No:			



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



NORTH-EAST ELEVATION
 SCALE: 3/16" = 1'-0"



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

Owner:
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 29 Pringle Avenue
 Markham, Ontario

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 29 Pringle Avenue
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Drawing Title:
Elevations

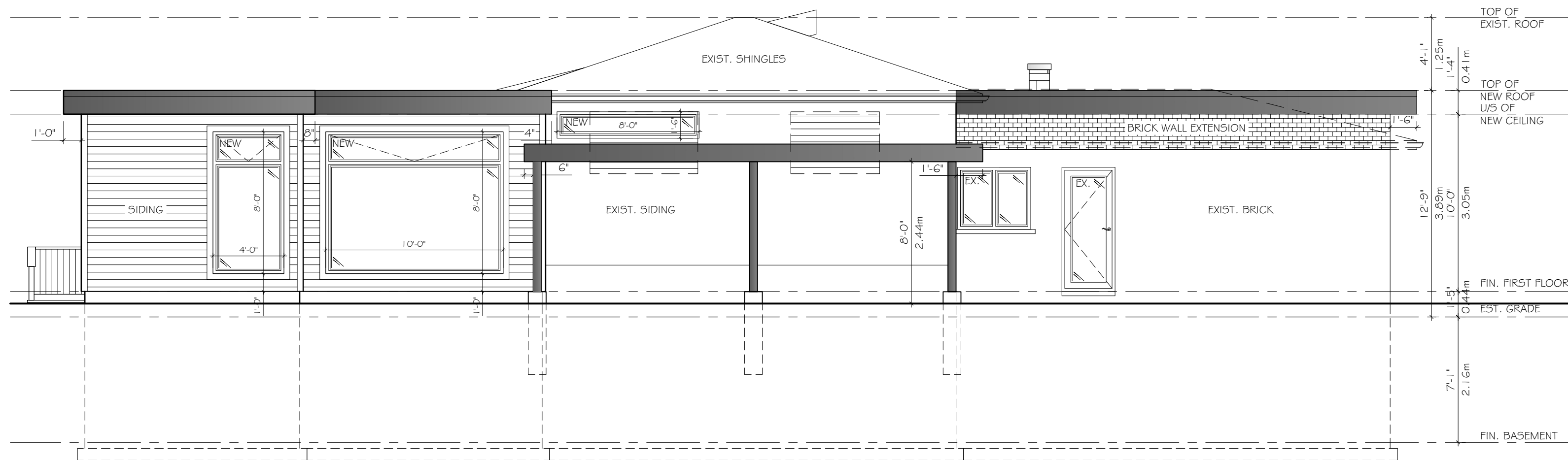
24-01-22	CofA APPLICATION	D.B.
24-01-06	ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20	ISSUED FOR ZONING ZPR	D.B.
No.	Date	Revision

Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/16" = 1'-0"
File No:		Drawing No:	A5
Project No:			

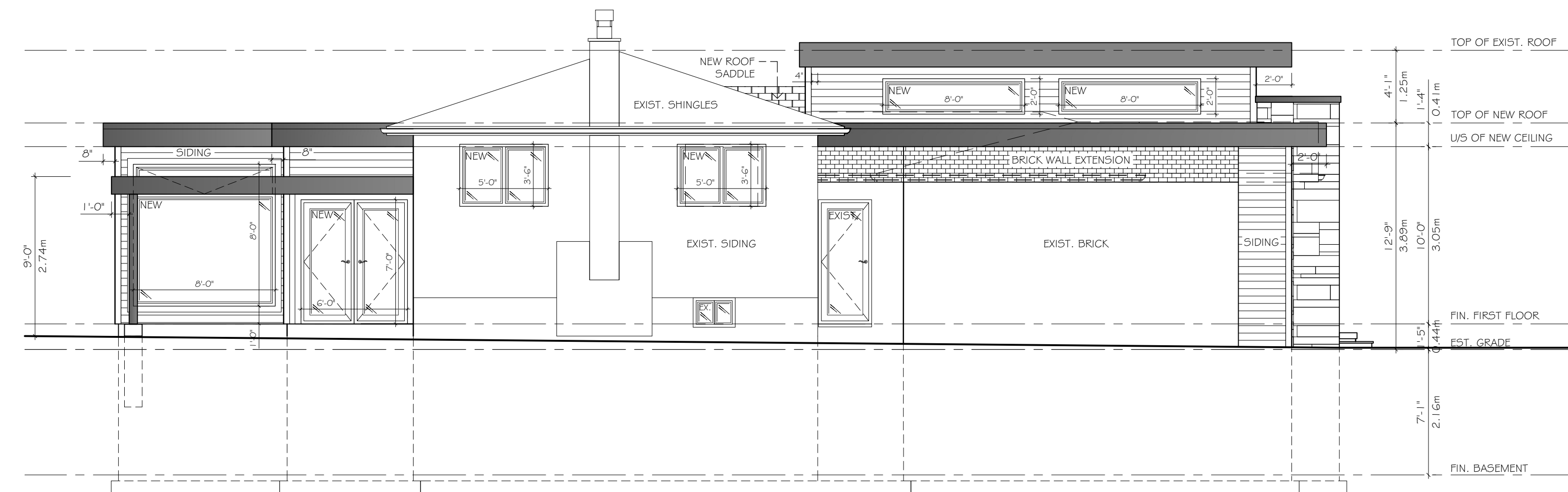
Appendix B

File: 24.159648.000.00.MNV

Date: 02/20/24



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



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

Owner:

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Langendyk
29 Pringle Avenue
Markham, Ontario

Project:

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Front & Side Porches
29 Pringle Avenue
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Designer:

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Drawing Title:

Elevations

No.	Date	Revision	Int.
24-01-22		CoFA APPLICATION	D.B.
24-01-06		ADDITION DIMENSIONS PROVIDED FOR ZPR	D.B.
23-12-20		ISSUED FOR ZONING ZPR	D.B.

Drawn:	DB	Date:	2023-06-01
Checked:	DB	Scale:	3/16"=1'-0"
File No:		Drawing No:	A6
Project No:			

SURVEYOR'S REAL PROPERTY REPORT
 PART 1
 PLAN OF
 LOT 29
 REGISTERED PLAN M-1385
 IN THE
 CITY OF MARKHAM
 (REGIONAL MUNICIPALITY OF YORK)
 SCALE & NOTES

Scale 1:100

ALTIMAP LAND SURVEYORS INC.
 © COPYRIGHT 2022

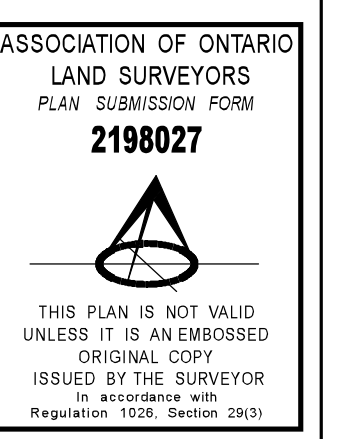
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM TOWN OF MARKHAM BENCHMARK No. M39-006 LOCATED AT THE SOUTHEAST CORNER OF A WALKWAY JOINING PRINGLE AVENUE AND CAPTAIN ROLPH BOULEVARD ON THE NORTH SIDE OF PRINGLE AVENUE BETWEEN HOUSE NOS. 79 AND 81., HAVING A PUBLISHED ELEVATION OF 186.211 METERS.

BEARING NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF PRINGLE AVENUE AS SHOWN ON REGISTERED PLAN M-1385 HAVING A BEARING OF N72°03'00"E.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
RIB	DENOTES	ROUND IRON BAR
IP	DENOTES	IRON PIPE
CP	DENOTES	CONCRETE PIN
OU	DENOTES	ORIGIN UNKNOWN
CC	DENOTES	CUT CROSS
WT	DENOTES	WITNESS
MH	DENOTES	MANHOLE
B.C.	DENOTES	BEGINNING OF CURVE
E.C.	DENOTES	END OF CURVE
T.C.	DENOTES	TANGENT OF CURVE
PRC	DENOTES	POINT OF REVERSE CURVE
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
LS	DENOTES	LIGHT STANDARD
INV	DENOTES	INVERT ELEVATION
HYD	DENOTES	FIRE HYDRANT
CRW	DENOTES	CONCRETE RETAINING WALL
SRW	DENOTES	STONE RETAINING WALL
WRW	DENOTES	WOOD RETAINING WALL
TOW	DENOTES	TOP OF WALL ELEVATION
NTS	DENOTES	NOT TO SCALE
MS	DENOTES	MEASURED
FN	DENOTES	FOUNDATION
BR	DENOTES	BRICK
ST	DENOTES	STUCCO
SL	DENOTES	SIDING
CLF	DENOTES	CHAIN LINK FENCE
BF	DENOTES	BOARD FENCE
D.S.	DENOTES	DOOR SILL ELEVATION
MF	DENOTES	METAL FENCE
FFE	DENOTES	FINISHED FLOOR ELEVATION
GFE	DENOTES	GARAGE FLOOR ELEVATION
RP	DENOTES	REGISTERED PLAN M-1385
F1	DENOTES	PLAN BY SCHAEFFER & REINTHALER O.L.S. DATED JULY 29, 1971
P2	DENOTES	PLAN BY SCHAEFFER & REINTHALER O.L.S. DATED NOVEMBER 30, 1971
P3	DENOTES	PLAN BY SCHAEFFER & REINTHALER O.L.S. DATED SEPTEMBER 30, 1971



PART 2
 REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE.

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND PHYSICAL FEATURES AS DEPICTED ON THE FACE OF THIS PLAN. BUILDING TIES ARE TO BRICK/CONCRETE UNLESS OTHERWISE NOTED

THIS PLAN WAS PREPARED FOR BRENDA LANGDYK AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON AUGUST 08, 2022

AUGUST 09, 2022

GUIDO V. CONSOLI
 ONTARIO LAND SURVEYOR