

Memorandum to the City of Markham Committee of Adjustment

January 07, 2019

File: A/178/18
Address: 25 Galsworthy Dr, Markham
Applicant: 49th Summit Investment Inc. (Zhang Tan Zheng)
Agent: AND Architecture Inc. (Sam Wu)
Hearing Date: Wednesday January 23, 2019

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

The applicant is requesting relief from the following requirements of By-law 1229, R1, as amended to construct a new two-storey detached dwelling:

a) **Infill By-law 99-90, Section 1.2 (vi):**

a maximum net floor area ratio of 51.5 percent, whereas the By-law permits a maximum net floor area ratio of 45 percent;

as it relates to a proposed new residential dwelling.

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

The applicant has not provided a reason for not complying with Zoning.

Zoning Preliminary Review Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. It is the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

Increase in Maximum Floor Area Ratio

The applicant is requesting relief to permit a floor area ratio of 51.5 percent, whereas the By-law permits a maximum floor area ratio of 45 percent. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 389.27 m² (4,190.04 ft²), whereas the By-law permits a dwelling with a maximum floor area of 340.14 m² (3,661.2 ft²). This represents an increase of approximately 49.13 m² (528.84 ft²).

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area. It is not a definitive measure of the mass of the dwelling, since it does not include "open to below" areas that may exist within the dwelling (e.g. two-storey foyers, atriums and/or stairs). In addition to the space associated with the stairs, there is an approximately 15.1 m² (162.54 ft²) open to below area on the second floor above the foyer which is excluded from the gross floor area calculation under the by-law.

Majority of the homes on Galsworthy Drive between Robinson Street and Highway 7 are single storey detached dwellings developed around the late 1950s. The surrounding streets include a number of new infill homes that are larger than existing homes on the street and have included minor variance approvals for net floor rear ratio increases ranging from approximately 50.6 to 52 percent. While the proposed building will be larger than homes in the immediate vicinity, it will be

similar in scale to infill development to its east on Jonquil Crescent and on Galsworthy Drive north of Robinson Street. All other building setbacks and development standards are being achieved in accordance with the by-law.

PUBLIC INPUT SUMMARY

No written submissions were received as of January 07, 2019. 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. 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.

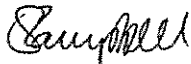
Please see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:



Sally Campbell, Development Manager, East District

File Path: Amanda\File\ 18 258549 \Documents\District Team Comments Memo

APPENDIX "A"

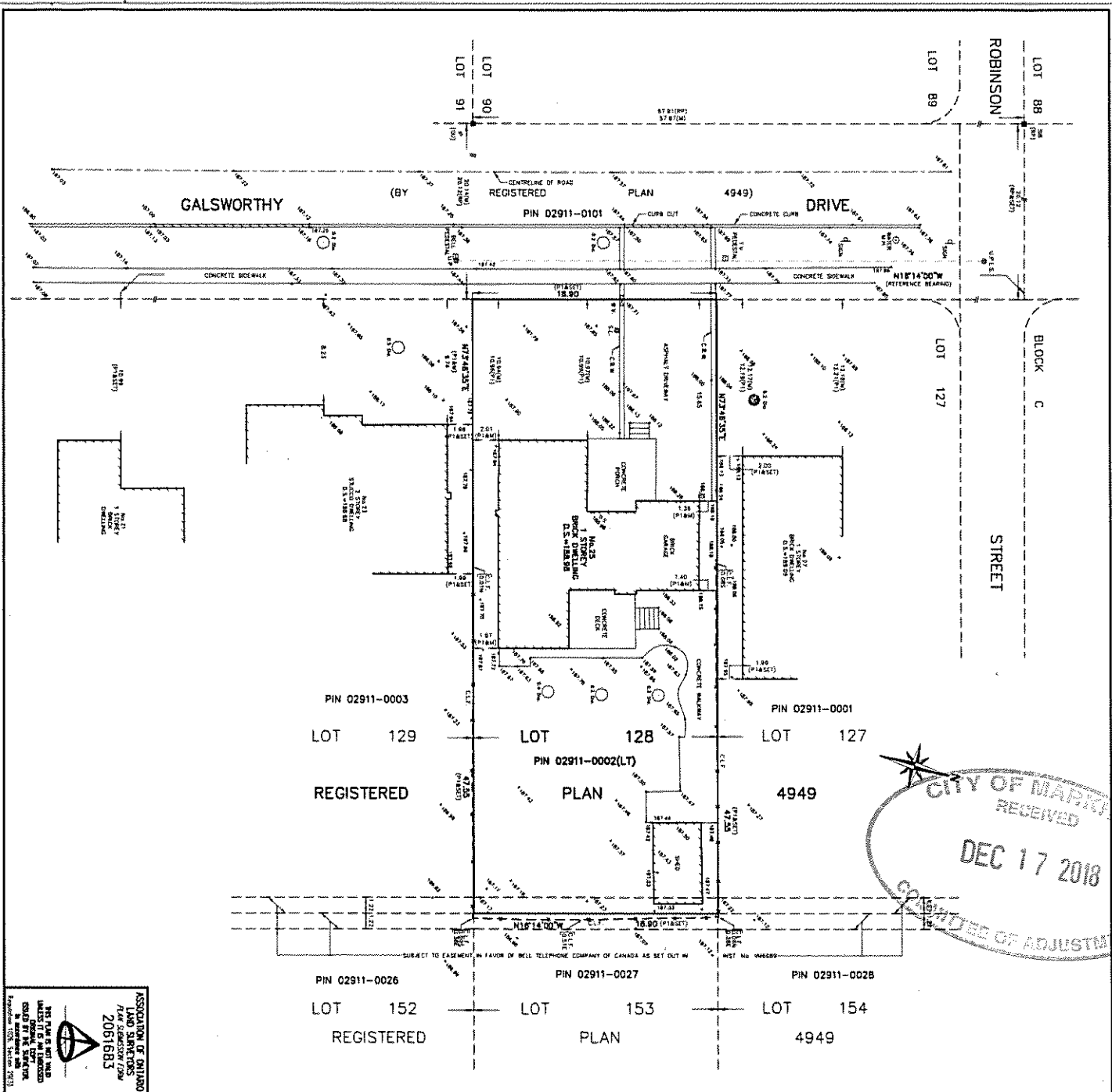
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/178/18

1. That the front covered porch remain unenclosed;
2. The variances apply only to the proposed development as long as it remains;
3. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and received by the City of Markham on December 17, 2018, 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.
4. 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 Tree Preservation Technician or Director of Operations 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.
5. 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 Tree Preservation Technician or Director of Operations.
6. 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 Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects



CITY OF MARKHAM
RECEIVED
DEC 17 2018
DEPARTMENT OF ADJUSTMENT

ASSOCIATION OF ONTARIO
LAND SURVEYORS
170 DUNDAS ST. W.
TORONTO, ONT. M5G 1C6
416-963-9100
2061683

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF
REGISTERED PLAN 4949
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK

SCALE 1:200
MANDARIN SURVEYORS LIMITED, O.L.S. ©
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- MONUMENT UNIDENTIFIED SET
- MONUMENT FOUND
- MONUMENT STAKED FROM BAY
- MONUMENT IRON BAR
- MONUMENT IRON PIPE
- MONUMENT SURVEY BY WAYNES, O.L.S.
- DATE NOVEMBER 28, 1954
- REGISTERED PLAN 4949
- MONUMENT WITNESS
- MONUMENT PROPERTY IDENTIFIER NUMBER
- MONUMENT PROPERTY IDENTIFIER NUMBER
- MONUMENT NORTH, SOUTH, EAST, WEST
- MONUMENT CHAIN LINK FENCE
- MONUMENT CONCRETE RETAINING WALL
- MONUMENT ORIGINAL SURROUNDING
- MONUMENT FINISHED SOIL ELEVATION AT ENTRY
- MONUMENT OVERHEAD WIRE
- MONUMENT UNIDENTIFIED POLE
- MONUMENT STREET LIGHT
- MONUMENT WATER VALVE
- MONUMENT CATCH BASIN
- MONUMENT CONCRETE TREE
- MONUMENT DECORATIVE TREE

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE,
REBARING SHOWN HEREON ARE ASTROPHOTIC AND ARE REFERRED TO
AS TIES TO CONCRETE FOUNDATION AS SHOWN ON REGISTERED PLAN 4949
HAVING A BEARING OF N18°14'00"E

BENCHMARK NOTE
BENCHMARKS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY
OF MARKHAM BENCHMARK NAL-55-0211 HAVING AN ELEVATION OF 108.63 M
AT THE INTERSECTION OF THE CENTRELINE OF GALSWORTHY DRIVE AND
SOUTHWEST CORNER, TABLE IS 34.2 M EAST OF THE CENTRELINE OF
GALSWORTHY DRIVE, 44.3 M NORTH OF THE CENTRELINE OF ROBINSON STREET,
2.5 M NORTH OF THE SOUTHWEST CORNER OF SCHOOL BUILDING, 0.8 M BELOW
GROUND AND 0.2 M ABOVE GROUND.

THIS REPORT WAS PREPARED FOR DENA, YULAN AND THE UNDERSIGNED
ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

PART 2 (SURVEY REPORT)

1. REGISTERED EASEMENTS AND/OR RIGHT OF WAYS, SUBJECT TO AN
EASEMENT IN FAVOR OF BELL CANADA AS IN BEST NO. UNLESS
OTHERWISE NOTED.
2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE FENCES AROUND THE
NORTHERLY, SOUTHERLY AND EASTERLY LIMITS OF THE SUBJECT PROPERTY.
3. THIS PLAN DOES NOT COMPLY WITH ZONING BY-LAWS.

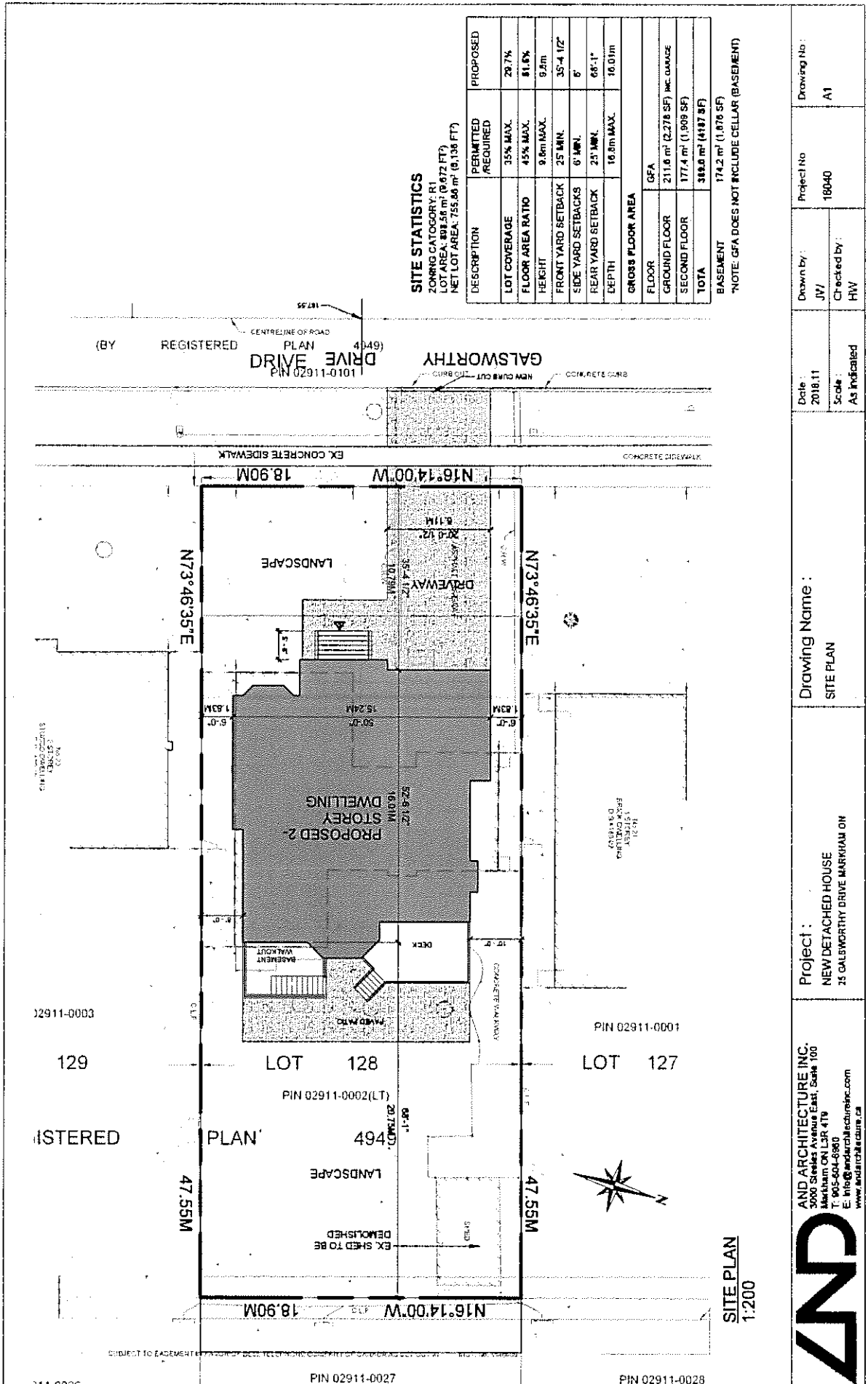
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE
REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2018

NOVEMBER 18, 2018

DATE

MANDARIN SURVEYORS LIMITED
2400 HOLLAND AVE. #721 PHOENIX (416) 291-1288 FAX: (416) 779-4056
SCARBOROUGH, ONTARIO, M1S 1Y7 E-MAIL: MANDARIN@MANDARINSURVEYORS.COM



SITE STATISTICS

ZONING CATEGORY: R1
 LOT AREA: 898.58 m² (9,672 FT²)
 NET LOT AREA: 755.60 m² (8,136 FT²)

DESCRIPTION	PERMITTED /REQUIRED	PROPOSED
LOT COVERAGE	35% MAX.	29.7%
FLOOR AREA RATIO	45% MAX.	81.5%
HEIGHT	9.6m MAX.	9.2m
FRONT YARD SETBACK	2.5 MIN.	3.5-4.12'
SIDE YARD SETBACKS	6' MIN.	6'
REAR YARD SETBACK	2.5 MIN.	6.6-11'
DEPTH	16.8m MAX.	16.01m
GROSS FLOOR AREA		
FLOOR	GFA	
GROUND FLOOR	211.6 m ² (2,278 SF)	INC. DAMAGE
SECOND FLOOR	177.4 m ² (1,909 SF)	
TOTAL	389.0 m² (4,187 SF)	
BASEMENT	174.2 m² (1,876 SF)	

NOTE: GFA DOES NOT INCLUDE CELLAR (BASEMENT)

Project No	18040
Project Name	NEW DETACHED HOUSE
Project Address	25 GALSWORTHY DRIVE MARRUM ON
Project Date	2018.11
Project Scale	As indicated
Project Drawing No	A1

Drawn by: JY
 Checked by: HW

Date: 2018.11
 Scale: As indicated

Drawing Name: SITE PLAN

Project: NEW DETACHED HOUSE
 25 GALSWORTHY DRIVE MARRUM ON

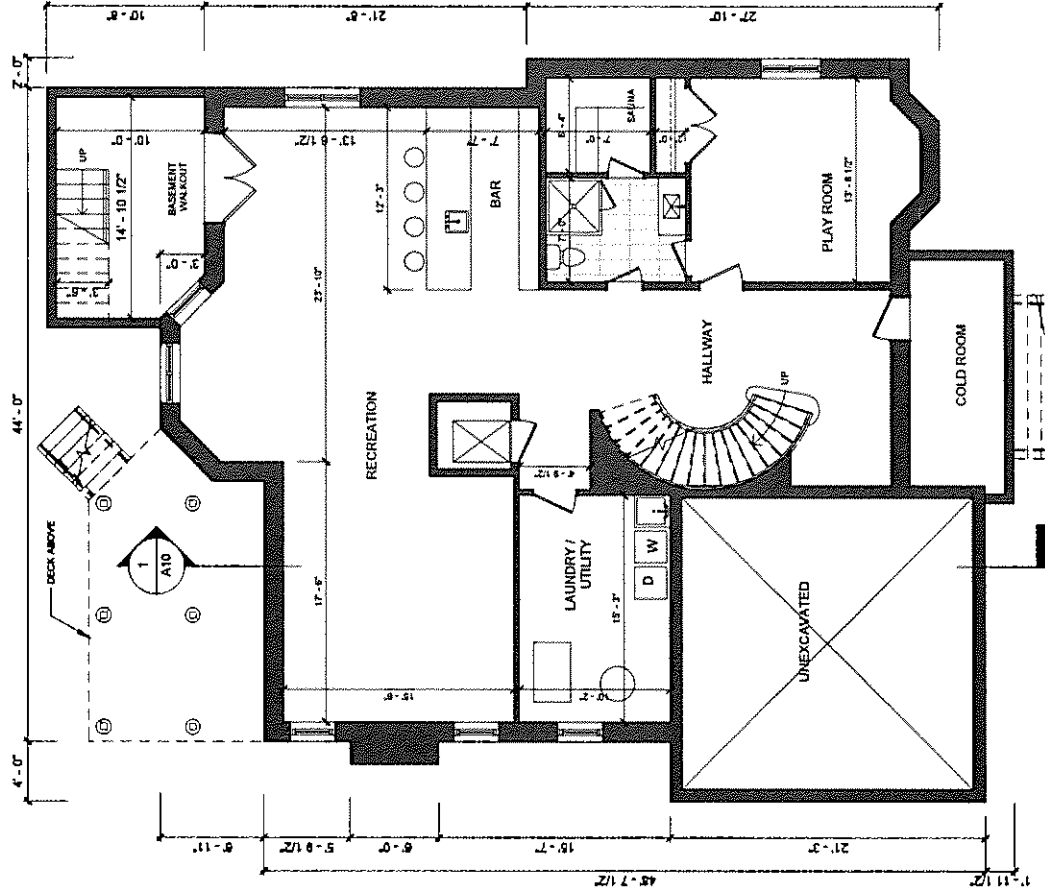
CND
 AND ARCHITECTURE INC.
 3000 Steeles Avenue East, Suite 100
 Markham ON L3R 4T6
 T: 905-504-6960
 E: info@cndarchitecture.com
 www.cndarchitecture.ca

SITE PLAN
 1:200





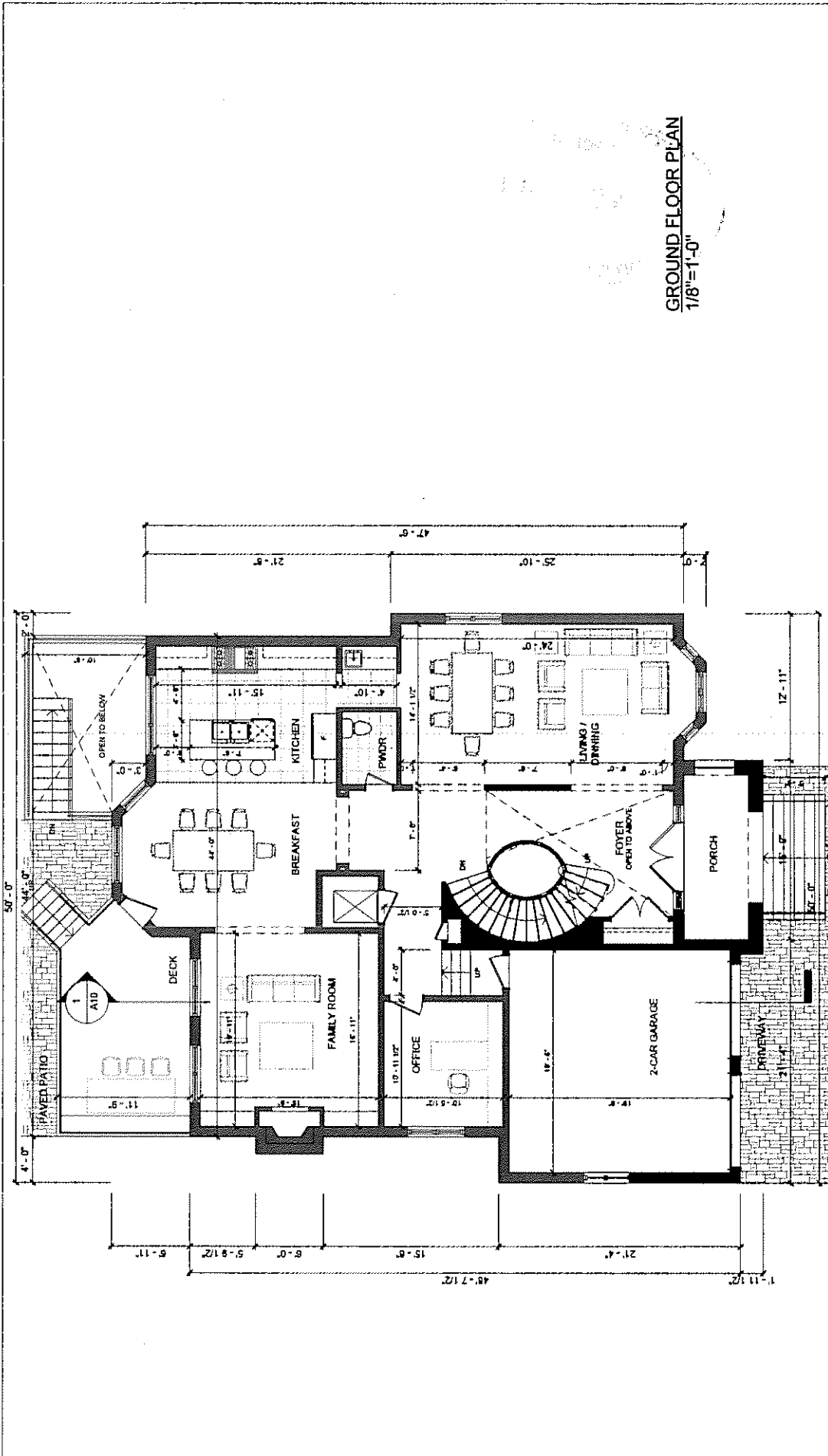
BASEMENT PLAN
1/8" = 1'-0"



Date : 2018.11	Drawn by : JW	Project No 18040	Drawing No : A2
Scale : 1/8" = 1'-0"		Drawing Name : BASEMENT FLOOR PLAN	
Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON		Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON	

AND ARCHITECTURE INC.
2003 Steeles Avenue East, Suite 100
Markham ON L3R 4T9
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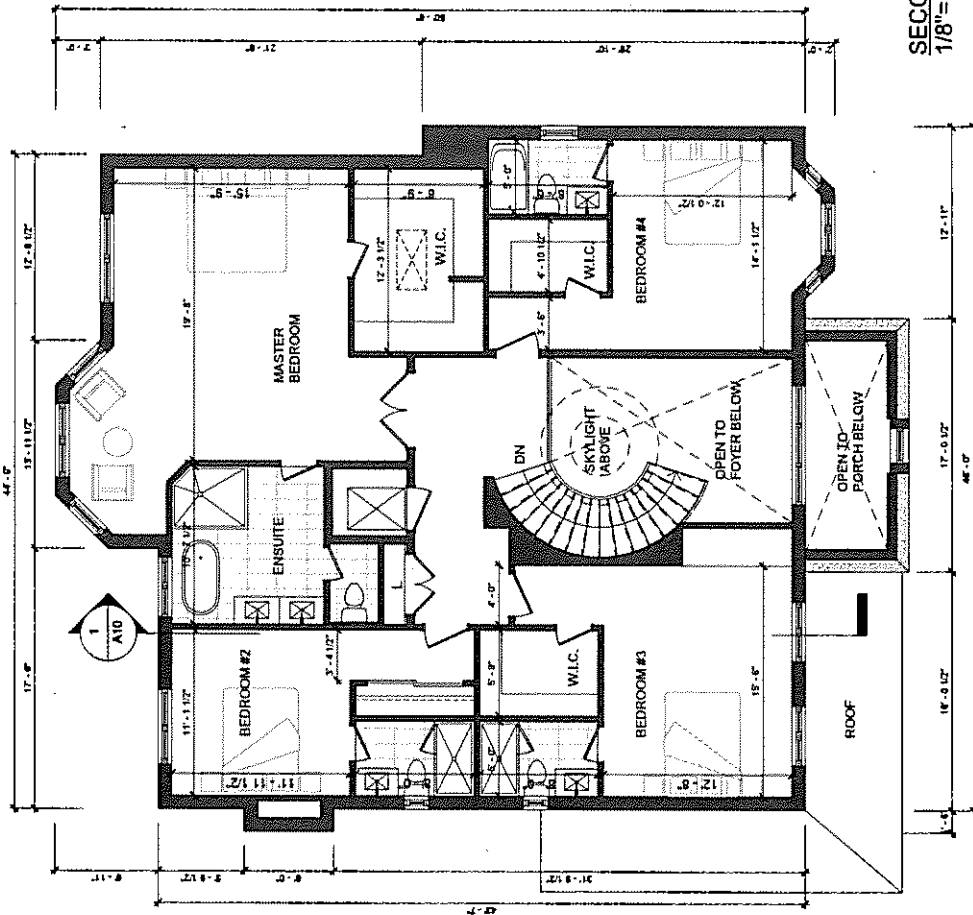


GROUND FLOOR PLAN
1/8" = 1'-0"

Project : NEW DETACHED HOUSE 75 GALSWORTHY DRIVE MARKHAM ON	Drawing Name : GROUND FLOOR PLAN		Date : 2018.11	Project No : 18040	Drawing No. : A3
	Scale : 1/8" = 1'-0"		Drawn by : JW	Checked by : HW	

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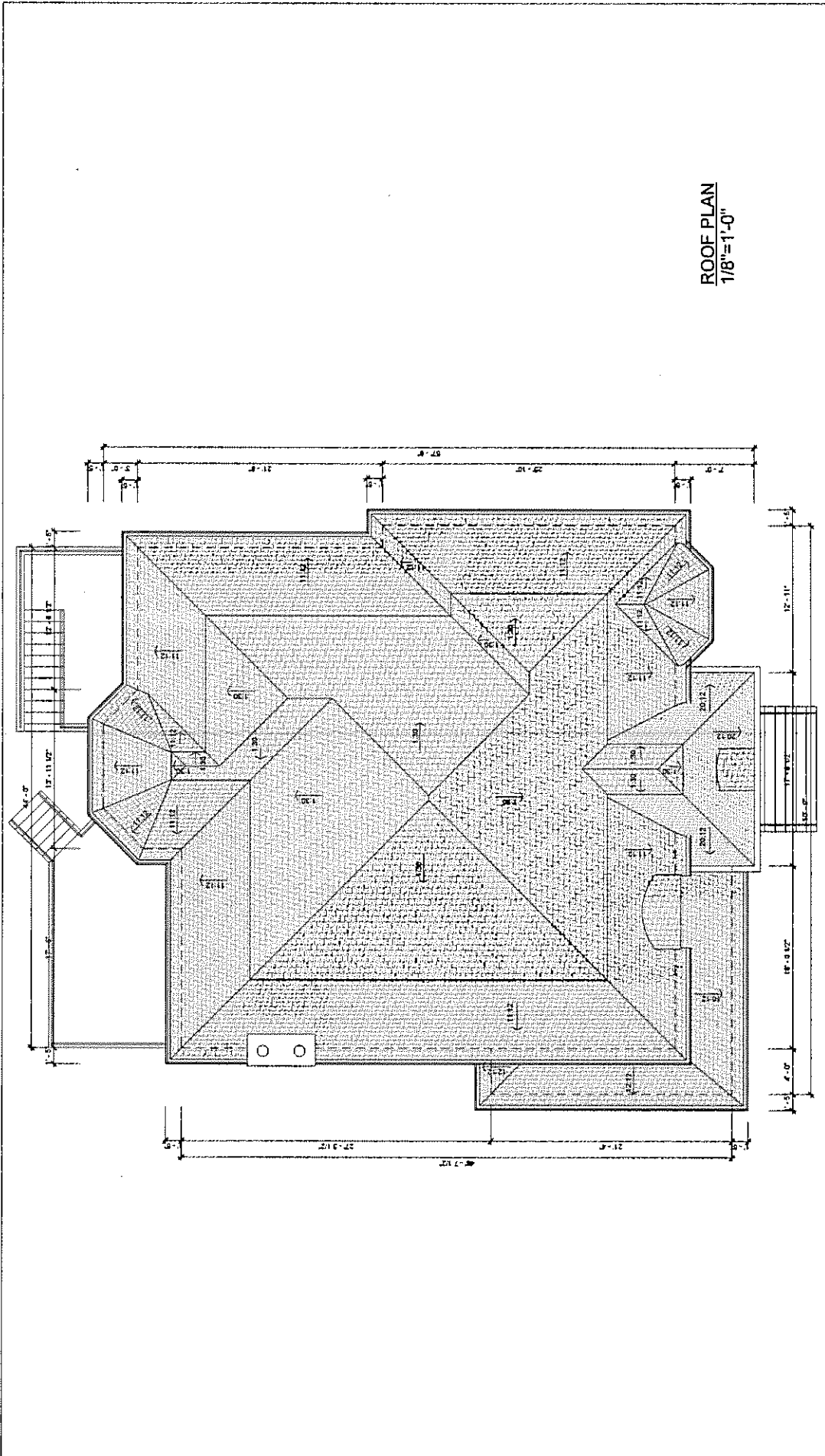


SECOND FLOOR PLAN
1/8" = 1'-0"

<p>Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON</p>	<p>Drawing Name : SECOND FLOOR PLAN</p>	<p>Date : 2018.11</p> <p>Scale : 1/8" = 1'-0"</p>	<p>Drawn by : JW</p> <p>Checked by : HW</p>	<p>Project No 18040</p>	<p>Drawing No : A4</p>
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 www.andarchitectsinc.com

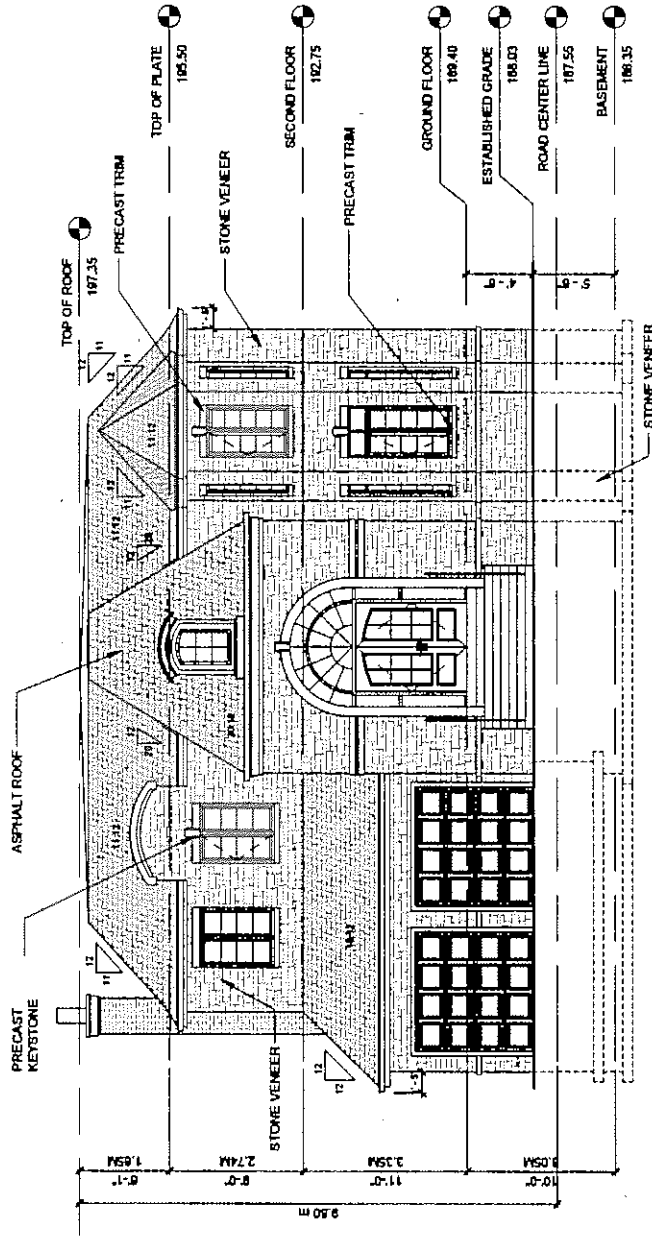




ROOF PLAN
 1/8" = 1'-0"

Project: NEW DETACHED HOUSE 25 GALS WORTHY DRIVE, MARGHAM ON	Drawing Name: ROOF PLAN	Date: 09/13/18 Scale: 1/8" = 1'-0"	Project No: 18040	Drawing No: A5
AND ARCHITECTURE INC. 3000 Steeles Ave. East, Suite 100 Markham ON L3R 4T8 T: 905-504-8900 E: info@andarchitecture.com www.andarchitecture.ca	Project: NEW DETACHED HOUSE 25 GALS WORTHY DRIVE, MARGHAM ON	Drawing Name: ROOF PLAN	Date: 09/13/18 Scale: 1/8" = 1'-0"	Project No: 18040





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

AND ARCHITECTURE INC.
 1000 Steeles Avenue East, Suite 100
 Markham ON L3R 4T9
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Project :
 NEW DETACHED HOUSE
 25 GALESWORTHY DRIVE MARKHAM ON

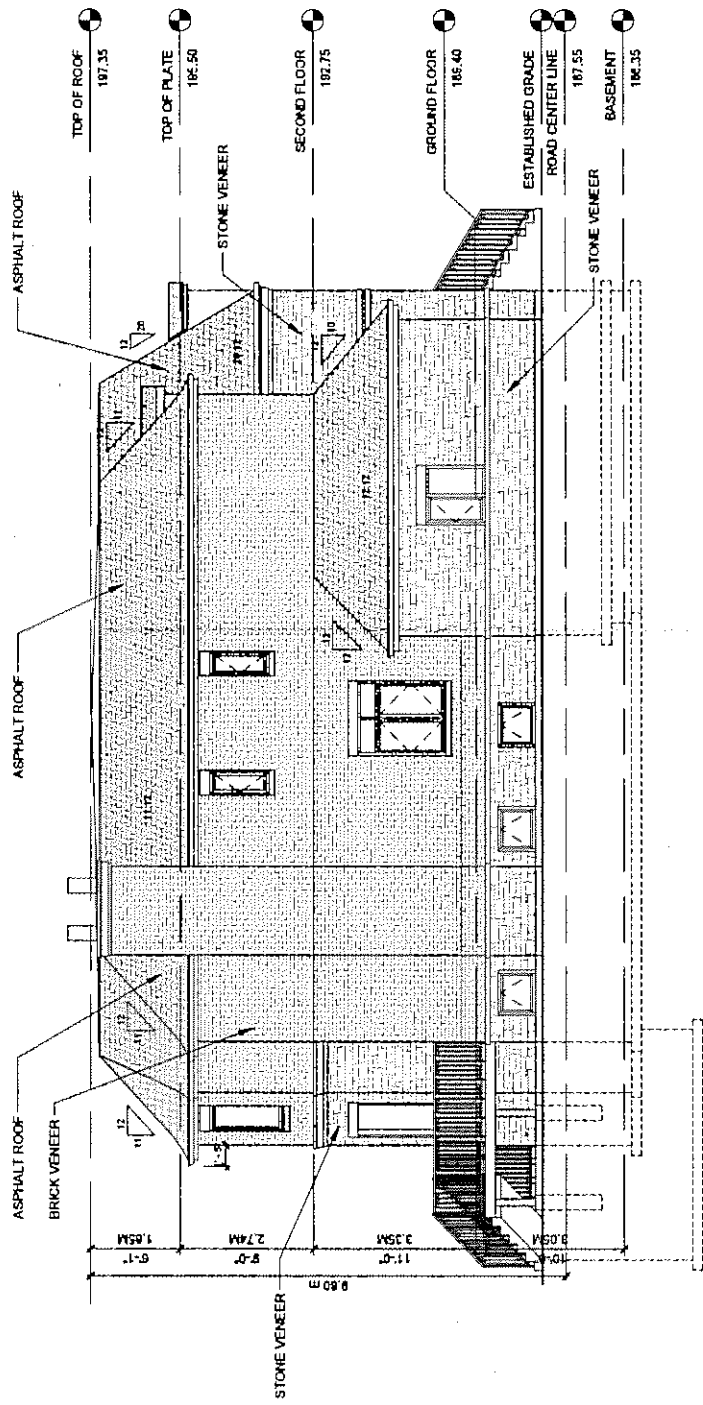
Drawing Name :
 WEST ELEVATION

Date :
 09/13/18
Scale :
 1/8" = 1'-0"

Drawn by :
 Author
Checked by :
 Checker

Project No
 18040

Drawing No :
 A5

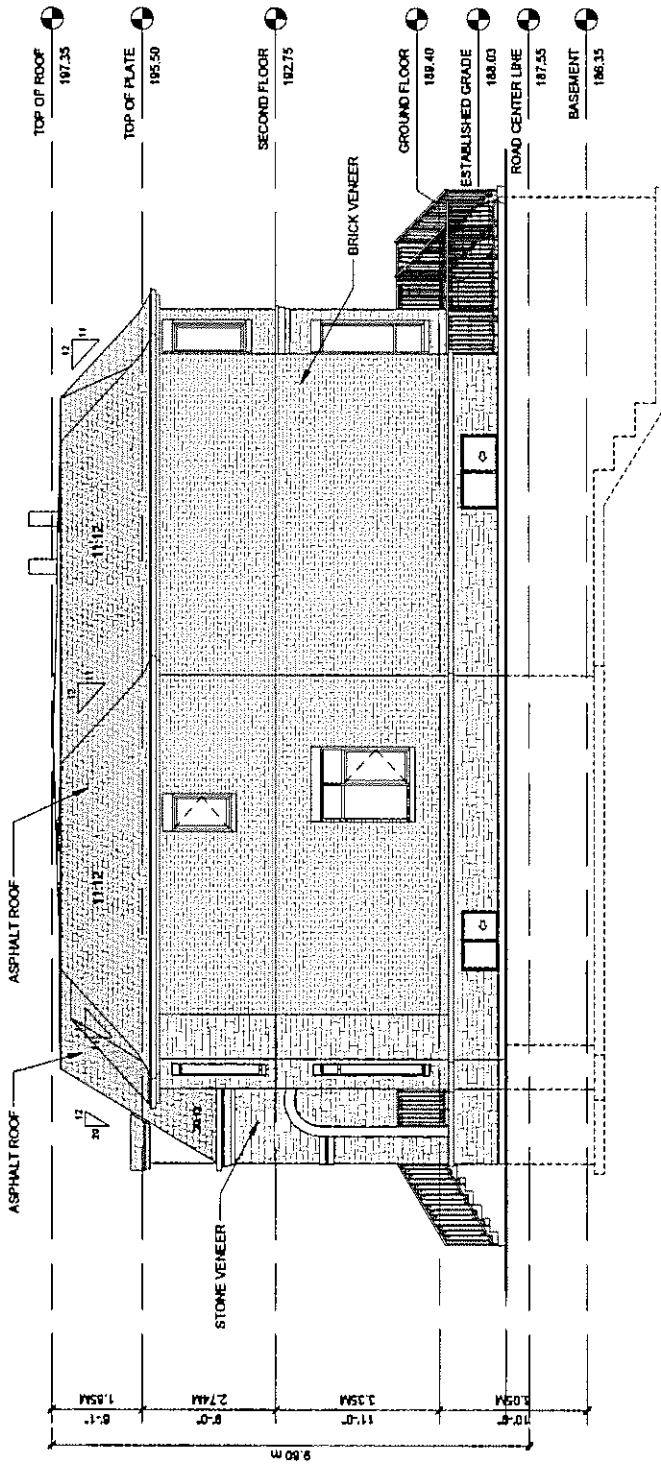


1 NORTH ELEVATION
1/8" = 1'-0"

<p>Project: NEW DETACHED HOUSE 73 GALSWORTHY DRIVE, MARRHAM, ON</p>	<p>Drawing Name: NORTH ELEVATION</p>	<p>Date: 09/13/18 Scale: 1/8" = 1'-0"</p>	<p>Drawn by: Author Checked by: Checker</p>	<p>Project No: 18040</p>	<p>Drawing No: A7</p>
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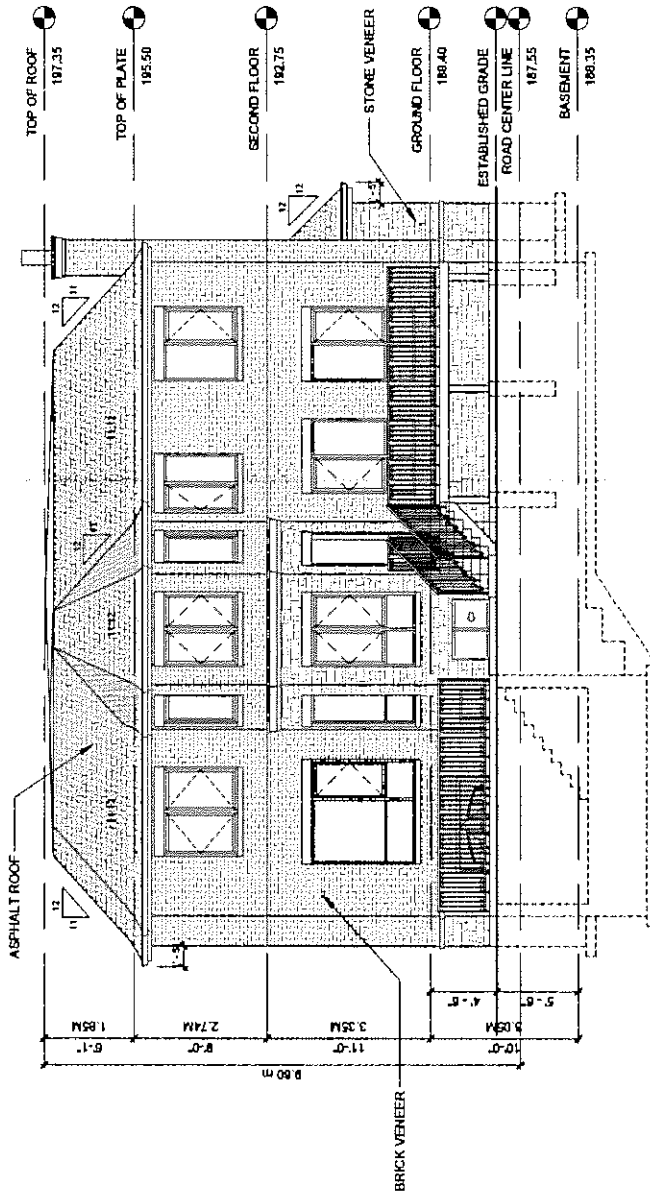
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Markham ON L3R 4T9
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1 SOUTH ELEVATION
1/8" = 1'-0"

AND ARCHITECTURE INC. 2000 Steeles Avenue East, Suite 100 Markham ON L3R 4T9 T: 905-604-8860 E: info@andarchitectureinc.com www.andarchitectureinc.ca	Project: NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARRHAM ON	Drawing Name: SOUTH ELEVATION	Date: 09/13/18 Scale: 1/8" = 1'-0"	Drawn by: Author Checked by: Checker	Project No 18040	Drawing No: AB
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1 EAST ELEVATION
1/8" = 1'-0"

AND ARCHITECTURE INC.
3000 Shredas Avenue East, Suite 100
Markham ON L3R 4T8
T: 905-404-6960
E: info@andarchitecture.com
www.andarchitecture.ca

Project:
NEW DETACHED HOUSE
25 GALEWORTHY DRIVE MARKHAM ON

Drawing Name:
EAST ELEVATION

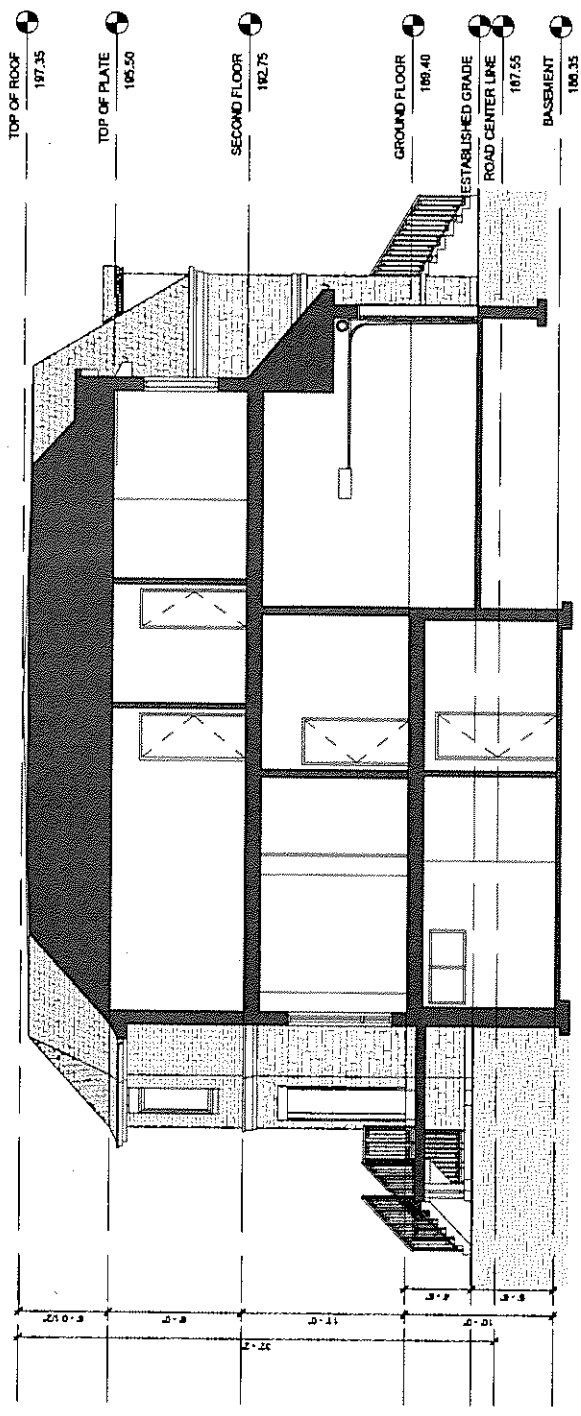
Date:
09/20/18
Scale:
1/8" = 1'-0"

Drawn by:
Author
Checked by:
Checker

Project No:
18040

Drawing No:
A9





1 BUILDING SECTION
1/8" = 1'-0"

AND ARCHITECTURE INC. 3003 Steeles Avenue East, Suite 100 Markham ON L3R 4T9 T: 905-804-8880 E: info@andarchitecture.com www.andarchitecture.ca	Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON	Drawing Name : BUILDING SECTION	Date : 09/13/18 Scale : 1/8" = 1'-0"	Drawn by : Author Checked by : Checker	Project No : 18040 Drawing No : A10
			Project : NEW DETACHED HOUSE 25 GALS WORTHY DRIVE MARKHAM ON		

