

Memorandum to the City of Markham Committee of Adjustment

March 15, 2021

File: A/015/21
Address: 10 Grenfell Crescent, Markham
Applicant: Danny Landoli
Agent: David Johnston Architect Ltd.
Hearing Date: Wednesday March 24, 2021

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

The applicant is requesting relief from the following requirements of the “Residential One” (R1) zone requirements of By-law 1229, as amended, as they relate to a proposed two-storey detached dwelling. The requested variances are to permit:

- a) **By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 50 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- b) **By-law 99-90, Section 1.2 (iii):**
a maximum building depth of 18.9 metres (62 ft), whereas the By-law permits a maximum of 16.8 metres (55 ft); and
- c) **By-law 99-90, Section 1.2 (i):**
a maximum building height of 10.71 metres (35 ft), whereas the By-law permits a maximum of 9.8 metres (32 ft).

BACKGROUND

Property Description

The 971.02 m² (10,452 ft²) subject property is located on the west side of Grenfell Crescent, north of Highway 7 and west of Main Street Markham. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. There is an existing one-storey detached dwelling on the property, which according to the application form, was constructed in the 1960s. The surrounding area is undergoing a transition with newer and larger infill redevelopments replacing the original housing stock. Mature vegetation exists on the property including one large mature tree in the front yard.

Proposal

The applicant is proposing to construct a new two-storey 396.04 m² (4,263 ft²) detached dwelling with an attached two car garage, covered rear porch and second storey terrace.

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. Section 8.2.3.5 of the 2014 Official Plan outlines development criteria for the ‘Residential – Low Rise’ designation with respect to height, massing and setbacks. This criteria is established 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 and, the overall orientation and sizing of new lots within a residential neighbourhood.

Zoning By-Law 1229

The subject property is zoned Residential One (R1) under By-law 1229, as amended, which permits one-family detached dwellings.

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 maximum floor area ratio, maximum building depth and maximum building height.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on January 25, 2020, 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; and,
- d) The general intent and purpose of the Official Plan must be maintained.

Increase in Maximum Floor Area Ratio

The applicant is requesting a floor area ratio of 50 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 approximately 396 m² (4263 ft²), whereas the By-law permits a dwelling with a maximum floor area of 356.44 m² (3,836.7 ft²). This represents an increase of approximately 39.6 m² (426.3 ft²).

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area. The proposed dwelling includes 20.78 m² (223.63 ft²) of "open to below" area which is excluded from the calculation for Floor Area Ratio requirement. Notwithstanding the open to below area, staff are of the opinion the requested increase will result in a detached dwelling that will be in keeping with the intended scale of residential infill developments for the neighbourhood.

Increase in Maximum Building Height

The applicant is requesting a maximum building height of 10.71 m (35 ft), whereas the By-law permits a maximum building height of 9.8 metres (32 ft). This is an increase of approximately 0.91 m (3 ft).

The By-law calculates building height using the vertical distance of building or structure measured between the level of the crown of the street and highest point of the roof surface. It should be noted that the proposed average grade of the front of the house is approximately 0.71 m (2.33 ft) above the crown of road. Neighbouring homes on the street generally follow this

pattern where they are typically above the crown of road. Staff are of the opinion the requested variance is appropriate for the development.

Increase in Maximum Building Depth

The applicant is requesting a maximum building depth of 18.9 m (62 ft), whereas the By-law permits a maximum building depth of 16.8 m (55 ft). This is an increase of approximately 2.1 m (6.9 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. The variance includes a below grade cold cellar and a one-storey covered rear porch, which add approximately 1.8 m (5.92 ft) to the overall depth of the building. The main component of the two-storey dwelling has a depth of 16.8 m (55 ft) which complies with the by-law requirement. Staff have no concerns with the proposed building depth given that the requested variances are in part attributable to the below grade cold cellar and first storey covered rear porch of the proposed dwelling.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 15, 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, 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, East District

REVIEWED BY:



Stephen Corr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/015/21

1. The variances apply to the proposed dwelling as long as it remains; and
2. 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, 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:



Aqsa Malik, Planner, East District

Appendix B

File: 21.104581.000.00.MNV

Date: 03/19/21
MM/DD/YY

No	Description

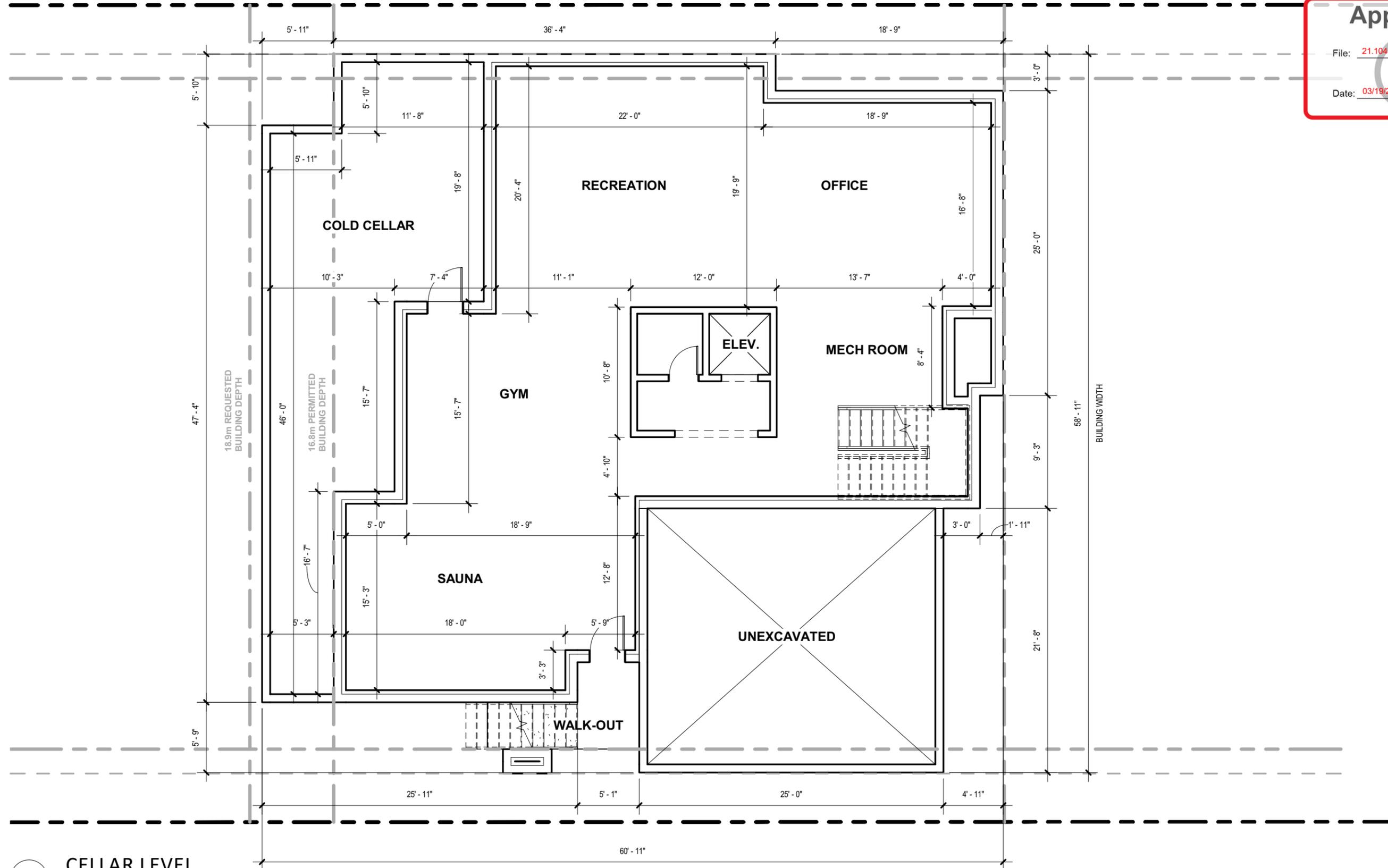
PROPOSED TWO-STORY HOUSE
10 GRENFELL CRES, MARKHAM, ON.

DANNY IANDOLI & VITAMARIA LONGO-IANDOLI



C of A MINOR VARIANCE

Drawn by: YS
Date: 2021-01-27
Scale: 1/8" = 1'-0"
Project Number: 20019
DRAWING NUMBER: BASEMENT PLAN
SHEET NUMBER: A-1.3



1 CELLAR LEVEL
1/8" = 1'-0"
2021-01-27 9:46:37 AM

U:\20server\20019 - 10 Grenfell Cres, Markham\00 Revit & AutoCAD\20019 - 10 Grenfell Cres - 2020-12-22 - C of A.rvt

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SURVEYOR'S REAL PROPERTY REPORT

PART 1) PLAN OF LOT 1, REGISTERED PLAN 5160

CITY OF MARKHAM REGIONAL MUNICIPALITY OF YORK

Scale 1 : 200

PETER N. AUBREY O.L.S., © 2020

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

Appendix B

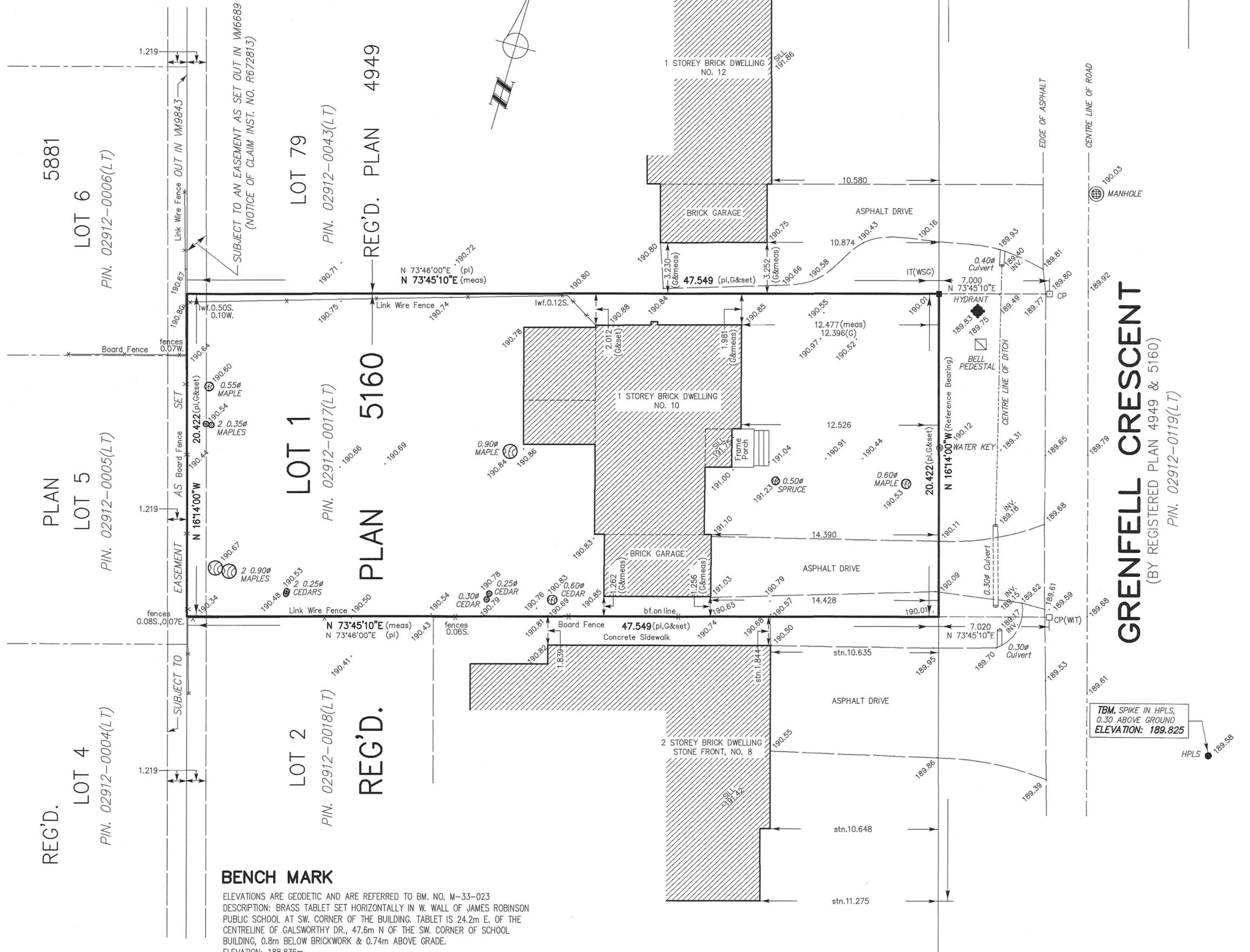
File: 21.104581.000.00.MNV

REG'D PLAN 4949

REG'D PLAN 4949

Date: 03/19/21

MM/DD/YY



BENCH MARK

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO BM. NO. M-33-023
 DESCRIPTION: BRASS TABLET SET HORIZONTALLY IN W. WALL OF JAMES ROBINSON PUBLIC SCHOOL AT SW. CORNER OF THE BUILDING. TABLET IS 24.2m E. OF THE CENTRELINE OF GALSWORTHY DR., 47.6m N OF THE SW. CORNER OF SCHOOL BUILDING, 0.8m BELOW BRICKWORK & 0.74m ABOVE GRADE.
 ELEVATION: 188.836m

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
 2139021

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR. In accordance with Regulation 1026, Section 29(3).

NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF GRENFELL CRESCENT, AS SHOWN ON REGISTERED PLAN 5160, HAVING A BEARING OF N 16°14'00"W.

□ DENOTES SURVEY MONUMENT SET	lwf DENOTES LINK WIRE FENCE
■ DENOTES SURVEY MONUMENT FOUND	bf DENOTES BOARD FENCE
SIB DENOTES STANDARD IRON BAR	OU DENOTES ORIGIN UNKNOWN
IB DENOTES IRON BAR	WIT DENOTES WITNESS
CC DENOTES CUT CROSS	stn DENOTES STONE
CP DENOTES CONCRETE PIN	INV DENOTES INVERT
pl DENOTES REGISTERED PLAN 5160	
G DENOTES W.S. GIBSON O.L.S., SURVEY DATED OCTOBER 24, 1956	
pl2 DENOTES REG'D PLAN 4949	
WSG DENOTES W.S. GIBSON O.L.S.	

BUILDING TIES ARE TO BRICK CORNERS EXCEPT AS NOTED.

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 THE 2nd. DAY OF DECEMBER, 2020

DATE : DECEMBER 18th, 2020

PETER N. AUBREY
 ONTARIO LAND SURVEYOR

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PART 2:

1. FENCE LOCATIONS ARE SHOWN ON THIS PLAN.
 2. SUBJECT TO EASEMENT AS SET OUT IN INSTRUMENT IN VM6689.

THIS SURVEY WAS PREPARED FOR : 2630882 ONTARIO LTD.

DONALD ROBERTS SURVEYING LTD. ONTARIO LAND SURVEYOR
 111 RAILSIDE ROAD SUITE 304 TORONTO ON M3A 1B2 (416)755-5320 mail@darsurveys.ca

DRAWN	J.R.H.
CHECKED	P.N.A.
DATE	DECEMBER 15, 2020
SCALE	1 : 200

REF NO.
20-9870