

# Memorandum to the City of Markham Committee of Adjustment

September 09, 2020

**File:** A/034/20  
**Address:** 47 Hawkridge Avenue, Markham  
**Applicant:** Zhi Da Cen  
**Agent:** ARK Group  
**Hearing Date:** Wednesday September 16, 2020

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

The applicant is requesting relief from the following Residential One (R1) zone requirement of By-law 1229, as amended, as it relates to a proposed two-storey detached dwelling on the subject property. The variance requested is as follows:

- a) **Infill By-law 99-90, Section 1.2 (vi):**  
to permit a proposed net floor area ratio of 49.7 percent, whereas the By-law allows a maximum floor area ratio of 45 percent.

## **COMMENTS**

The Committee of Adjustment deferred this application at the hearing on July 7, 2020 due to concerns with the proposed massing of the dwelling. The applicant submitted revised plans on August 28, 2020, which reduced the proposed net floor area ratio from 53.5% to the now requested 49.7%. This was achieved by removing the breakfast area on the first floor and reducing the second floor area. The revised plans also have removed the previously requested variance to permit an increased uncovered stair encroachment in the front yard. The revised plans are shown in Appendix A.

The requested net floor area ratio will facilitate the construction of a two-storey detached dwelling with a gross floor area of 354.61 m<sup>2</sup> (3,817 ft<sup>2</sup>), whereas the By-law permits a gross floor area of 321.22 m<sup>2</sup> (3,457.58 ft<sup>2</sup>). This is an increase of 33.39 m<sup>2</sup> (359.42 ft<sup>2</sup>). Staff provided comments to the Committee of Adjustment on the previous submission in a memorandum dated June 30, 2020, in support of the application at that time. These comments remain applicable to the revised proposal, which reduce the requested net floor area ratio from 53.5% to 49.7%.

## **PUBLIC INPUT SUMMARY**

As of September 9, 2020, the City received three (3) letters expressing concerns over the proposed size of the dwelling. 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 scheduled Committee of Adjustment 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.

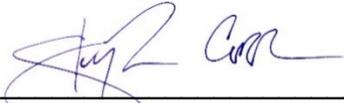
Please see Appendix "B" for conditions to be attached to any approval of this application.

PREPARED BY:



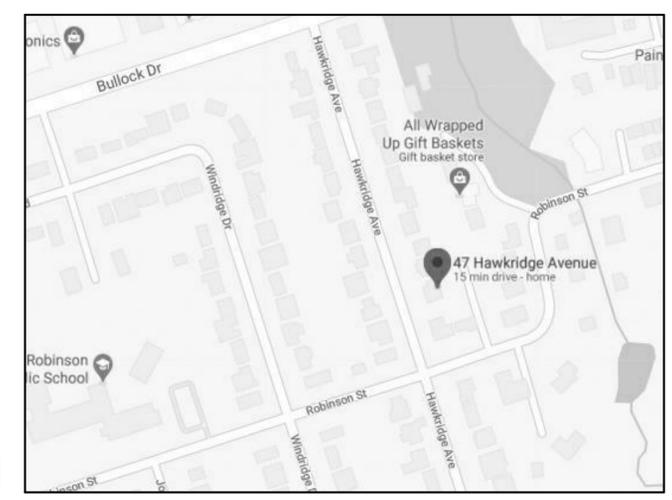
\_\_\_\_\_  
Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:



\_\_\_\_\_  
Stephen Corr, Development Manager, East District  
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| No. | Description | Date | By |
|-----|-------------|------|----|
|     |             |      |    |



4 KEY PLAN  
N.T.S.



| SITE STATISTIC   |   |   |   |
|--|---|---|---|
| ZONING DEVELOPMENT STANDARDS   | PERMITTED                                     | EXISTING                                | Proposed                                |
| Minimum Lot Frontage   | 60'-0"  | 19.09 m [62'-8"]                        | 19.09 m [62'-8"]                        |
| Minimum Lot Area   | 6,600 sq.ft.                                  | 814.78 m <sup>2</sup> [8,770.21 sq.ft.] | 814.78 m <sup>2</sup> [8,770.21 sq.ft.] |
| Minimum Front Yard Setback   | 25'-0"  | 9.27 m [30'-5"]                         | 8.12 m [26'-8"]                         |
| Minimum Side Yard Setback (NORTH)  | *4'-0" / **6'-0"                              | 1.47 m [4'-10"]                         | 1.21 m [4'-0"]                          |
| Minimum Side Yard Setback (SOUTH)  | *4'-0" / **6'-0"                              | 2.39 m [7'-10"]                         | 1.83 m [6'-0"]                          |
| Minimum Rear Yard Setback  | 25'-0"  | 22.25 m [73'-0"]                        | 19.13 m [62'-9"]                        |
| Unenclosed Porches and Steps Encroachment  | 0' - 18"                                      | -                                       | 0' - 18"                                |
| Maximum Building Height  | 9.80 m  | 4.57 m                                  | 9.69 m                                  |
| Maximum Building Depth   | 18.80 m                                       | 8.92 m                                  | 14.78 m                                 |
| Maximum Building Depth With Covered Porch Extension  | 18.90 m                                       | -                                       | 18.48 m                                 |
| Maximum Lot Coverage   | 35.00%  | 15.81%                                  | 27.02%                                  |
|  | 3,069.57 sq.ft.                               | 128.81 m <sup>2</sup> [1,386.52 sq.ft.] | 220.17 m <sup>2</sup> [2,370 sq.ft.]    |
| <b>PERMITTED MAX FLOOR AREA RATIO = NET LOT AREA x 45.0% = (6,600 SQ.FT + (8,770.21 - 6,600 SQ.FT)/2) x 45.0% = 3,458.30 SQ.FT</b> |   |   |   |
| <b>NET LOT AREA</b>  | <b>7,685.11 sq.ft. [713.97 m<sup>2</sup>]</b> |   |   |
| <b>BUILDING AREAS</b>  | <b>Proposed</b>                               |   |   |
| 1st Floor G.F.A.   | 1,636 sq.ft. [151.99 m <sup>2</sup> ]         |   |   |
| 2nd Floor G.F.A.   | 1,699 sq.ft. [157.84 m <sup>2</sup> ]         |   |   |
| GARAGE G.F.A.  | 482 sq.ft. [44.78 m <sup>2</sup> ]            |   |   |
| <b>TOTAL G.F.A.</b>  | <b>3,817 sq.ft. [354.61 m<sup>2</sup>]</b>    |   |   |
| <b>FLOOR AREA RATIO:</b>   | <b>[NET LOT AREA] x 49.68%</b>                |   |   |

NEW 2-STOREY DETACHED HOUSE:  
**47 HAWKRIGGE AVE.**  
 47 HAWKRIGGE AVENUE, MARKHAM, ON.



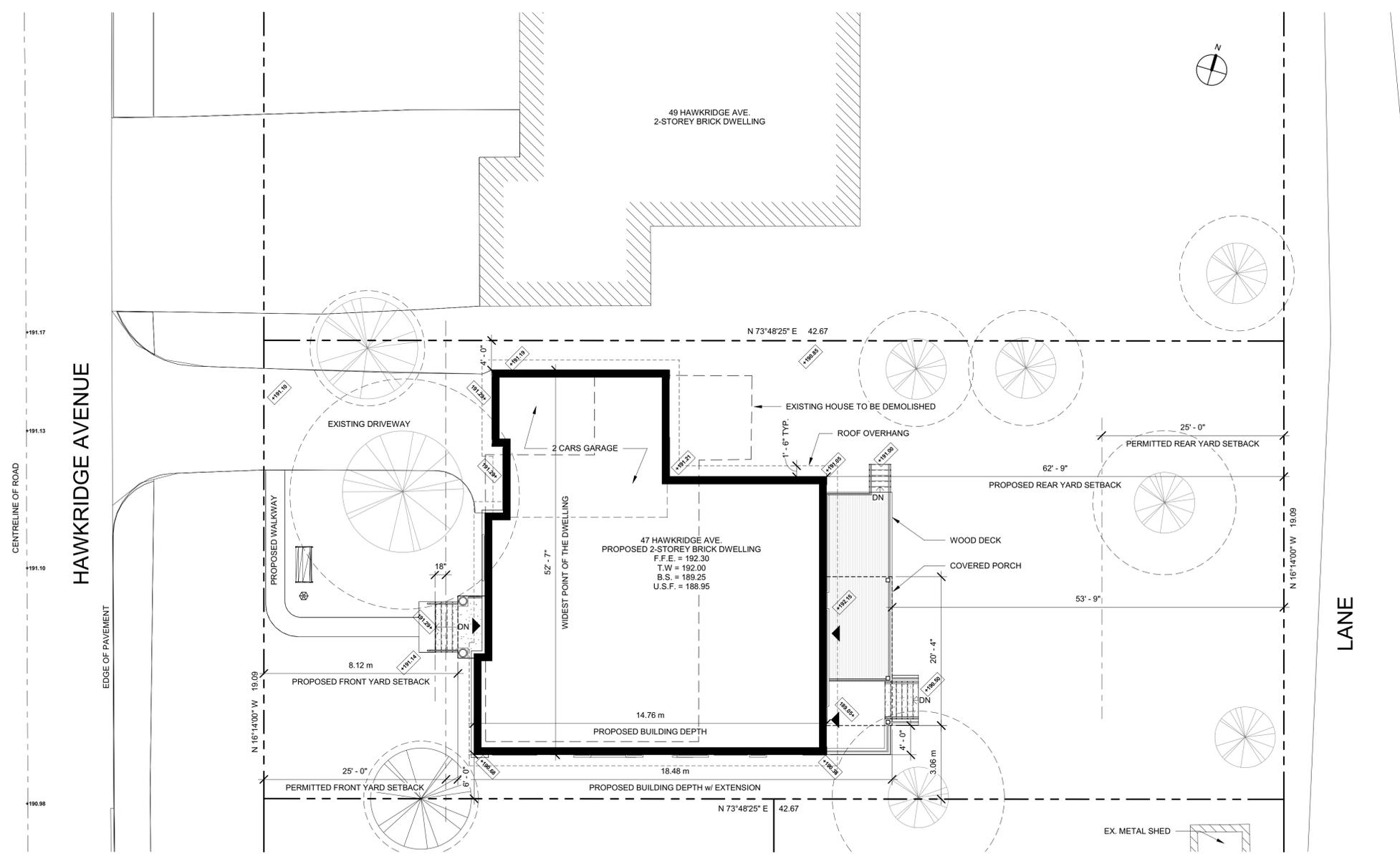
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**MINOR VARIANCE APPLICATION**

CONTRACTOR SHALL CHECK DIMENSIONS

|                |              |
|----------------|--------------|
| Drawn by       | KT           |
| Date           | JUL, 2020    |
| Scale          | As indicated |
| Project Number | 20012        |

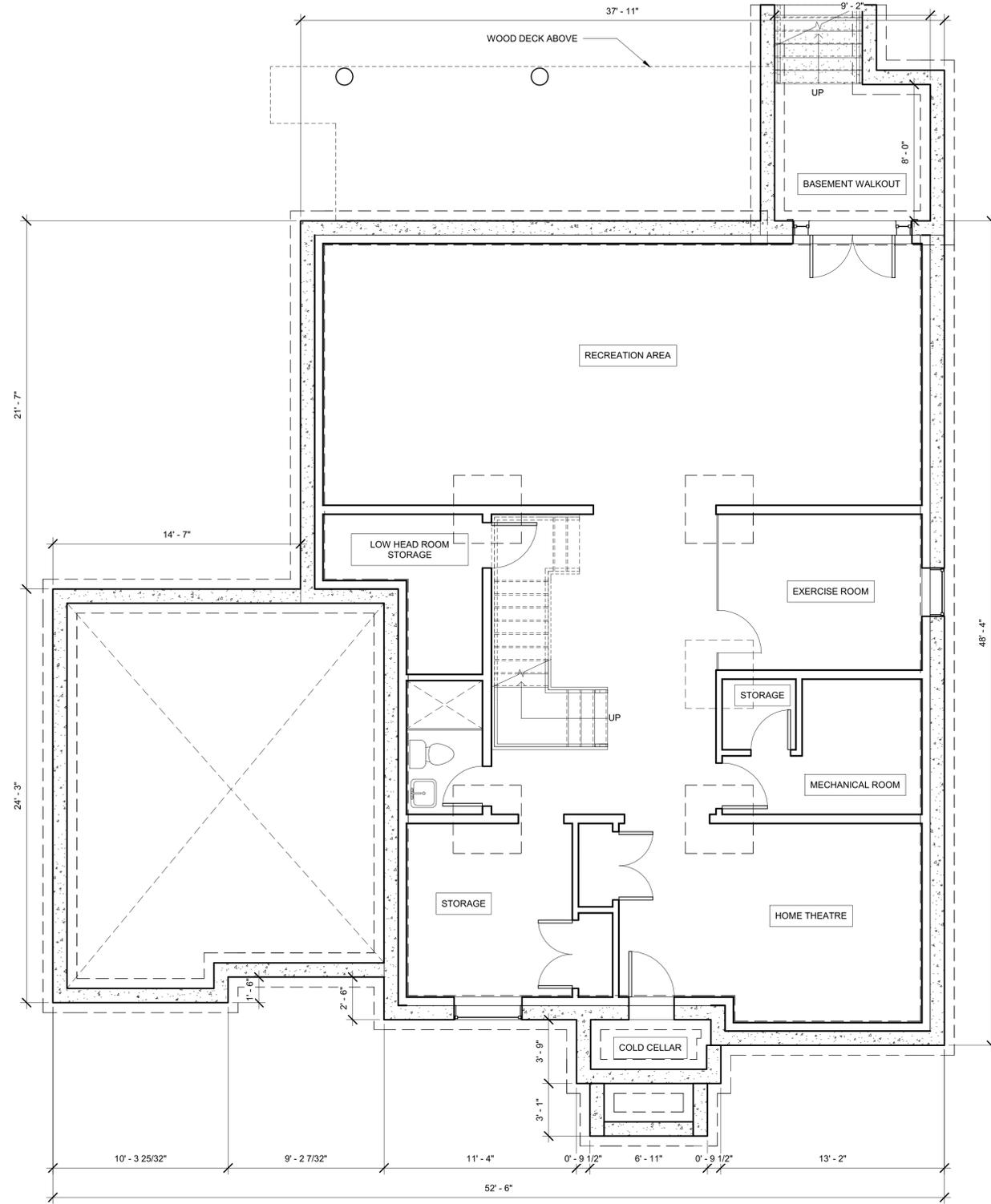
**SITE PLAN**  
 SHEET NUMBER  
**A1**



1 SITE PLAN  
1 : 100

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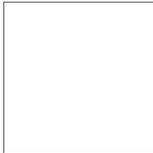
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② BASEMENT FLOOR  
 1/4" = 1'-0"

| No. | Description | Date | By |
|-----|-------------|------|----|
|     |             |      |    |

NEW 2-STORY DETACHED HOUSE:  
**47 HAWKRIDGE AVE.**  
 47 HAWKRIDGE AVENUE, MARKHAM, ON.



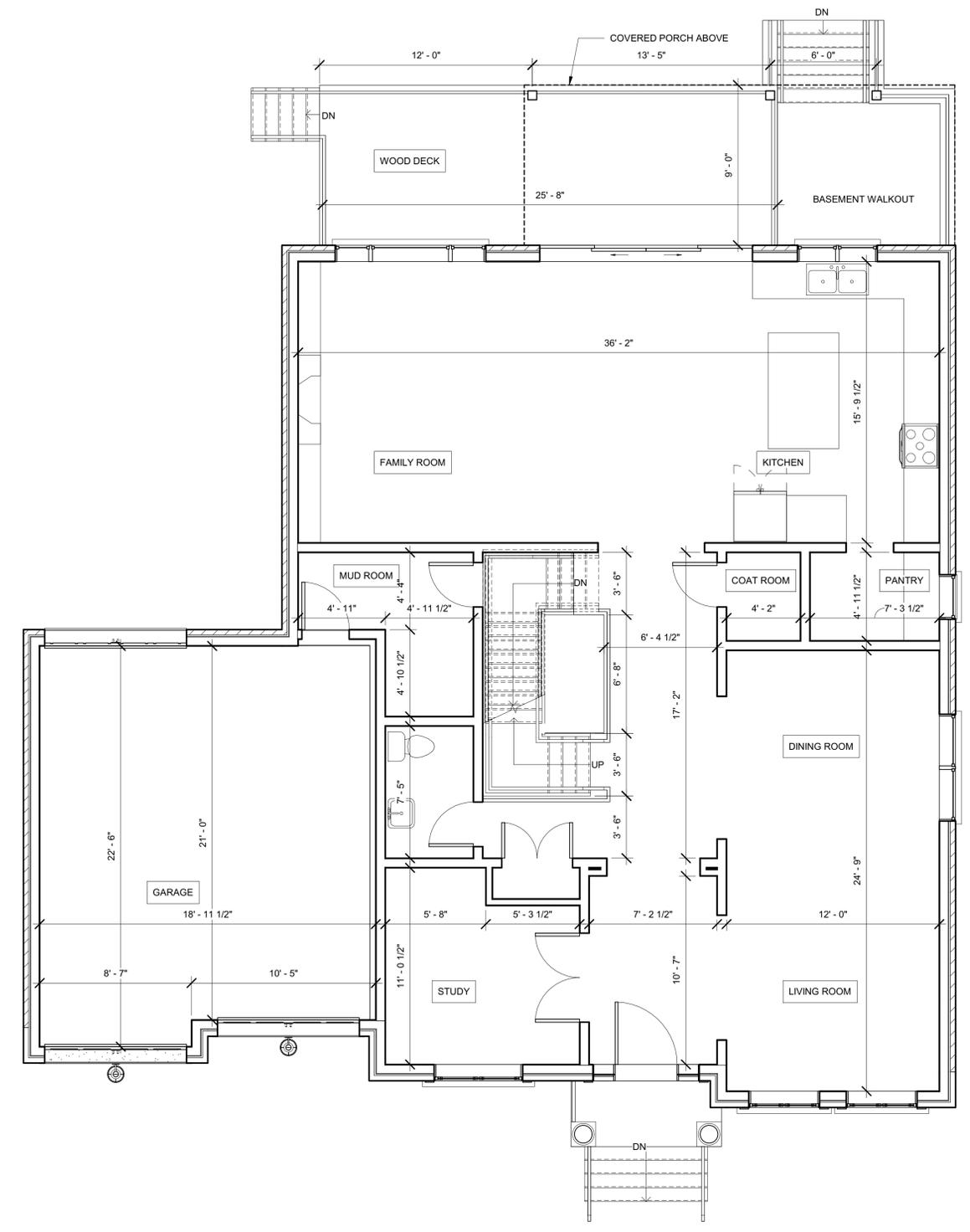
**MINOR VARIANCE APPLICATION**

|                                   |              |
|-----------------------------------|--------------|
| CONTRACTOR SHALL CHECK DIMENSIONS |              |
| Drawn by                          | KT           |
| Date                              | JUL, 2020    |
| Scale                             | 1/4" = 1'-0" |
| Project Number                    | 20012        |

DRAWING NAME  
**BASEMENT PLAN**

SHEET NUMBER  
**A2**

| No. | Description | Date | By |
|-----|-------------|------|----|
|     |             |      |    |



① 1ST FLOOR  
 1/4" = 1'-0"

NEW 2-STORY DETACHED HOUSE:  
**47 HAWKRIDGE AVE.**  
 47 HAWKRIDGE AVENUE, MARKHAM, ON.



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**MINOR VARIANCE APPLICATION**

CONTRACTOR SHALL CHECK DIMENSIONS  
 Drawn by: **KT**  
 Date: **JUL, 2020**  
 Scale: **1/4" = 1'-0"**  
 Project Number: **20012**

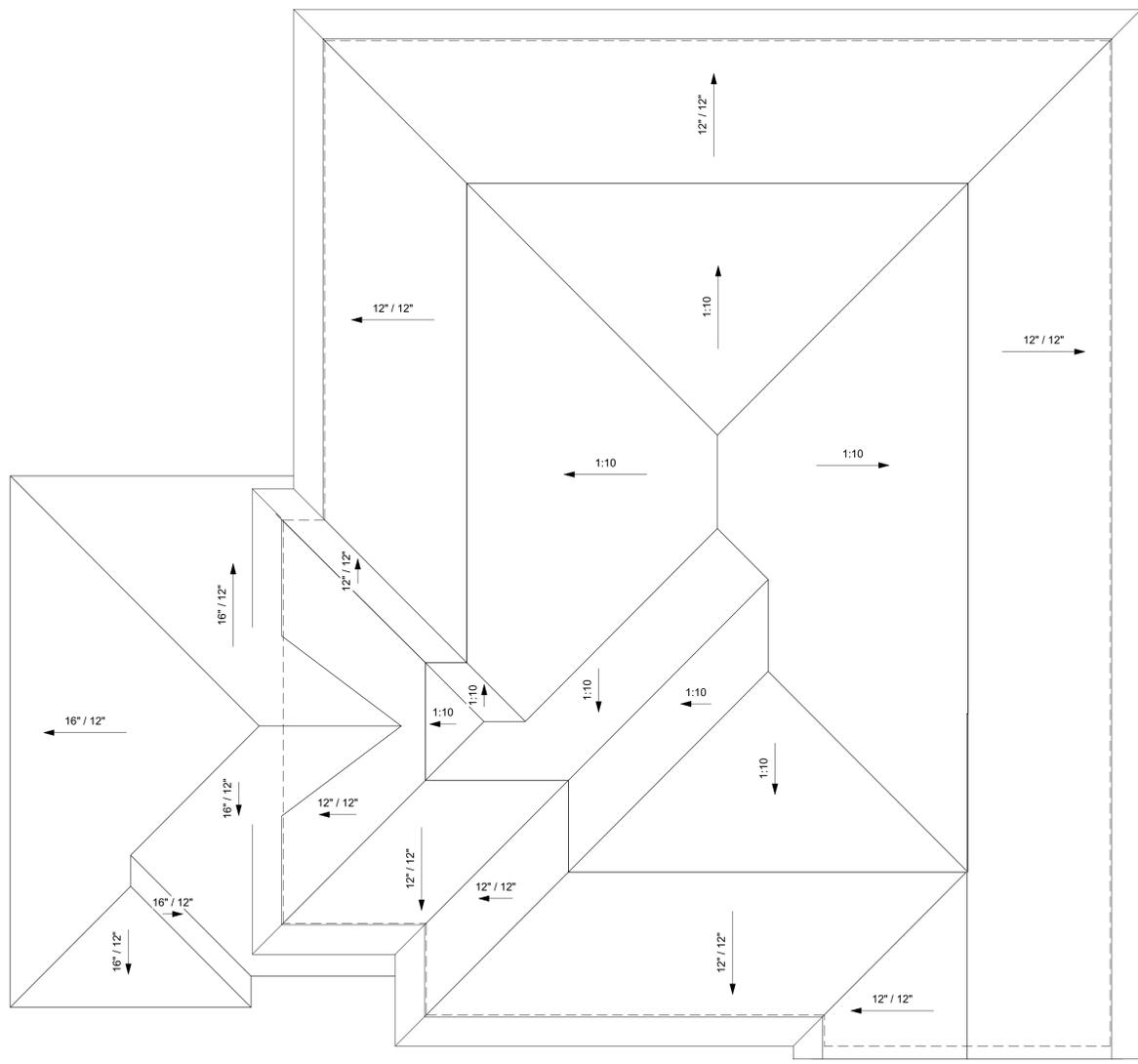
DRAWING NAME  
**1ST FLOOR PLAN**

SHEET NUMBER  
**A3**

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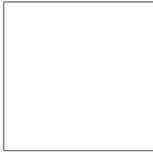
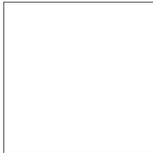




1 ROOF PLAN  
 1/4" = 1'-0"

| No. | Description | Date | By |
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|     |             |      |    |

NEW 2-STORY DETACHED HOUSE:  
**47 HAWKRIDGE AVE.**  
 47 HAWKRIDGE AVENUE, MARKHAM, ON.



**MINOR VARIANCE APPLICATION**

CONTRACTOR SHALL CHECK DIMENSIONS  
 Drawn by: **KT**  
 Date: **JUL, 2020**  
 Scale: **1/4" = 1'-0"**  
 Project Number: **20012**

DRAWING NAME  
**ROOF PLAN**

SHEET NUMBER  
**A5**

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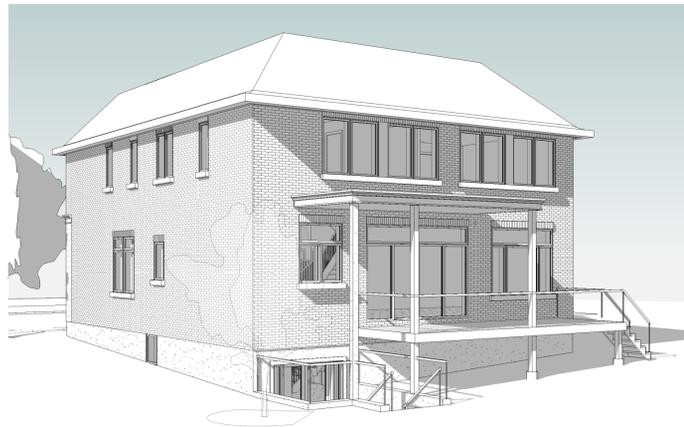
3 PERSPECTIVE - FRONT



4 PERSPECTIVE - FRONT 2



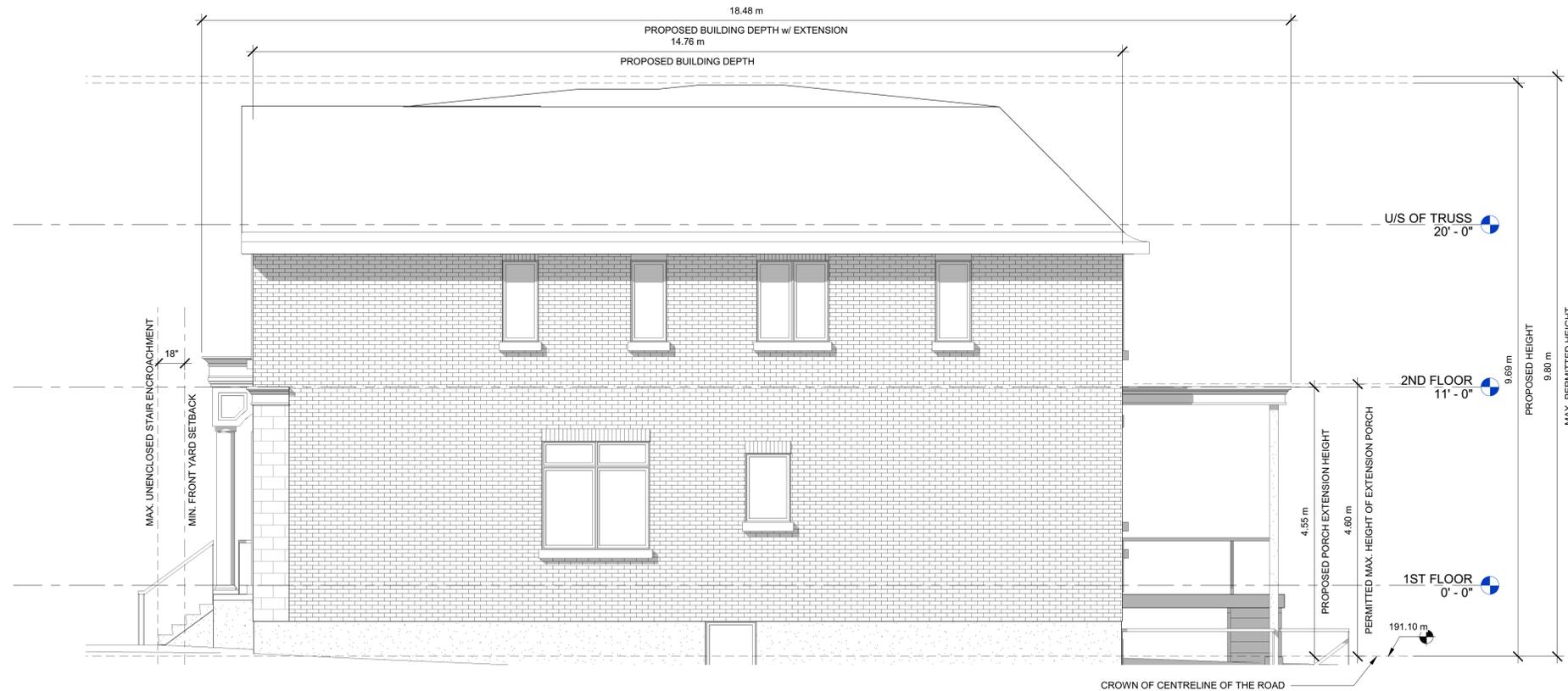
5 PERSPECTIVE - REAR



6 PERSPECTIVE - REAR 2



1 WEST ELEVATION  
1/4" = 1'-0"



2 SOUTH ELEVATION  
1/4" = 1'-0"

| No. | Description | Date | By |
|-----|-------------|------|----|
|     |             |      |    |

**Appendix A**  
 File: 20.105970.000.00.MNV  
 Date: 09/11/20

NEW 2-STORY DETACHED HOUSE:  
**47 HAWKRIDGE AVE.**  
 47 HAWKRIDGE AVENUE, MARKHAM, ON.



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**MINOR VARIANCE APPLICATION**

CONTRACTOR SHALL CHECK DIMENSIONS  
 Drawn by: KT  
 Date: JUL, 2020  
 Scale: 1/4" = 1'-0"  
 Project Number: 20012

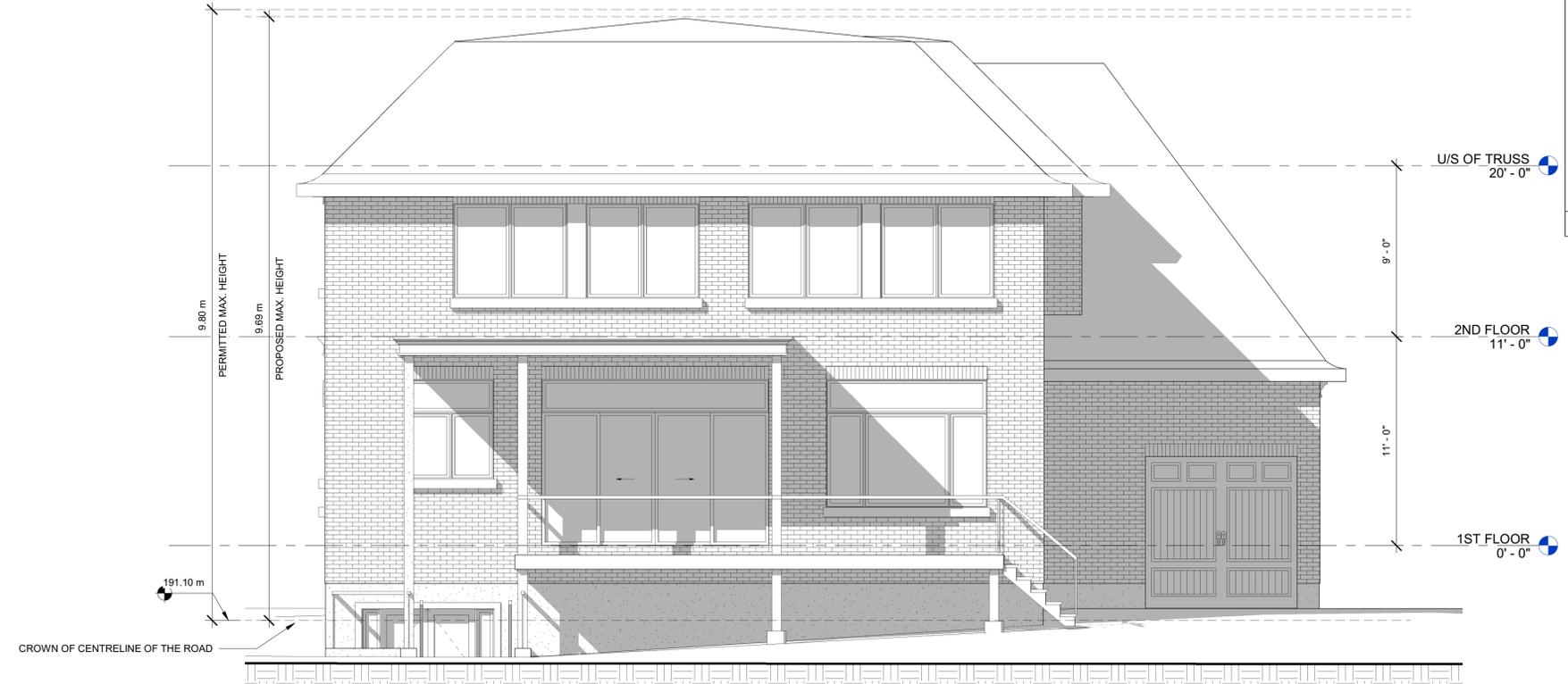
DRAWING NAME  
**WEST & SOUTH ELEVATIONS**

SHEET NUMBER  
**A6**

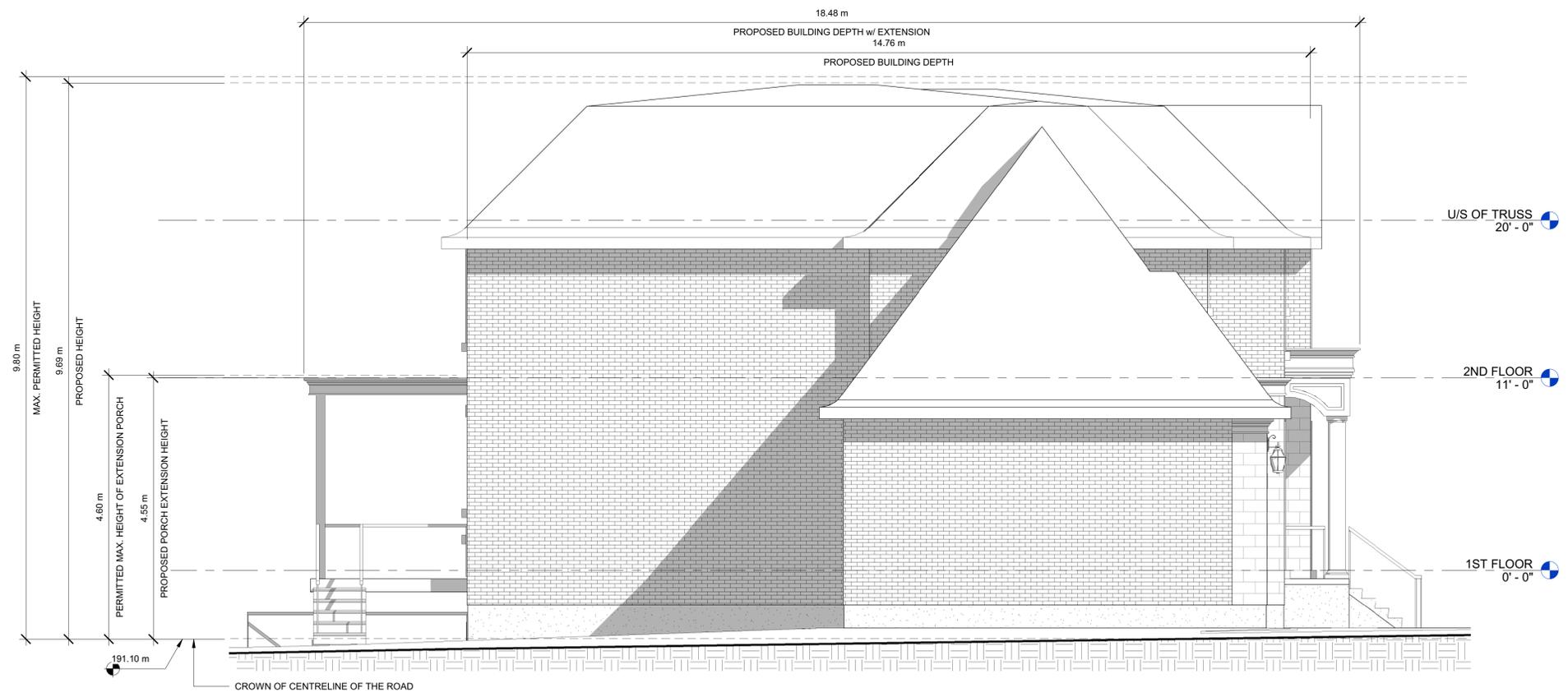
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|     |             |      |    |



① EAST ELEVATION  
1/4" = 1'-0"



② NORTH ELEVATION  
1/4" = 1'-0"

NEW 2-STORY DETACHED HOUSE:  
**47 HAWKRIDGE AVE.**  
 47 HAWKRIDGE AVENUE, MARKHAM, ON.



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**MINOR VARIANCE APPLICATION**

CONTRACTOR SHALL CHECK DIMENSIONS  
 Drawn by: **Author**  
 Date: **JUL, 2020**  
 Scale: **1/4" = 1'-0"**  
 Project Number: **20012**

DRAWING NAME  
**EAST & NORTH ELEVATIONS**

SHEET NUMBER  
**A7**

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## **APPENDIX “B”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/034/20**

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) 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;
3. 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;
4. 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; and
5. 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:



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Aqsa Malik, Planner, East District