

Memorandum to the City of Markham Committee of Adjustment

July 8, 2024

File(s): B/008/24, B/010/24 and B/011/24
Address: 2946, 2948, 2950, 2952, 2954 & 2956 Elgin Mills Road East
Agent: Alexander Planning Inc. (Deborah Alexander)
Hearing Date: Wednesday, July 10, 2024

The following comments are provided on behalf of the West Team on the Owner's request for provisional consent for the following applications:

B/008/24

- a) sever and convey a parcel of land with an approximate lot frontage of 10.53 metres, and an approximate lot area of 266.3 square metres (Parts 1, 19, 20);
and,
- b) retain a parcel of land with an approximate lot frontage of 6.9 metres, and an approximate lot area of 207.4 square metres (Parts 2, 17, 18).

The purpose of this application is to sever the Subject Lands to facilitate the creation of two (2) semi-detached units along the party wall. This application is associated with Consent applications B/010/24 and B/011/24. This application is related to Consent application B/015/21 which was approved in 2022.

B/010/24

- a) sever and convey a parcel of land with an approximate lot frontage of 6.9 metres, and an approximate lot area of 207.3 square metres (Parts 3, 15, 16);
and,
- b) retain a parcel of land with an approximate lot frontage of 6.9 metres, and an approximate lot area of 207.4 square metres (Parts 4, 13, 14).

The purpose of this application is to sever the Subject Lands to facilitate the creation of two (2)-semi-detached units along the party wall. This application is associated with Consent applications B/008/24 and B/011/24. This application is related Consent application B/029/21 which was approved in 2022.

B/011/24

- a) sever and convey a parcel of land with an approximate lot frontage of 6.9 metres, and an approximate lot area of 207.4 square metres (Parts 5, 11, 12);
- b) sever and convey a parcel of land with an approximate lot frontage of 7.63 metres, and an approximate lot area of 286.6 square metres (Parts 6, 7, 8, 9, and 10); and
- c) retain a parcel of land with an approximate lot area of 554 square metres (Part 21).

The purpose of this application is to sever the Subject Lands to facilitate the creation of two (2) semi-detached units along the party wall, and one (1) common element condominium laneway. This application is associated with Consent applications

B/008/24 and B/010/24. This application is also related Consent applications B/029/21 which was approved in 2022.

BACKGROUND

The Subject Lands have a combined area of 0.2 hectares, a frontage of approximately 46.0 metres on Elgin Mills Road East and is located on the north side of Elgin Mills Road East, between Duke of York Street and Victoria Square Boulevard. There are 6 semi-detached dwellings under construction on the Subject Lands.

Three single detached dwellings are located north of the Subject Lands. Victoria Square Park and Community Centre are located to the south, across Elgin Mills Road East. Single detached dwellings are located to the east and lane-based townhouses are located to the west of the Subject Lands in the Cathedral community.

Proposal

The purpose and effect of the severances is to further divide the existing three (3) individual lots created through previous applications for consent approved by the Committee of Adjustment in 2022 (file nos. B/10/21 and B/15/21) for semi-detached residential development on the Subject Lands. The three (3) additional severances will facilitate the future conveyance of semi-detached lots for semi-detached dwelling units on the Subject Lands.

Official Plan and Zoning

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

Official Plan 2014 designates the Subject Lands “Residential – Low Rise”, which permits low rise housing forms, where Section 8.2.3.5 outlines the development criteria for the ‘Residential – Low Rise’ designation with respect to height, massing, and setbacks. This criteria ensure that the Proposal is appropriate for the Subject Lands and generally consistent with the zoning requirements for adjacent properties and properties along the same street.

These lands are subject to the Area and Site-Specific Policies for the Cathedral District under Section 9.5 of the Official Plan. These policies are intended to protect and preserve the integrity of the historic hamlet of Victoria Square to ensure all new development planned is compatible with uses, building forms and scale, appropriate to the historic features and residential character of the former hamlet. Site-specific policy 9.5.9.5 permits semi-detached dwellings on the Subject Lands.

Zoning By-Law 177-96

By-law 177-96, as amended, zones the Subject Lands Residential Two R2*554, which permits up to six (6) semi-detached dwellings on the Subject Lands.

COMMENTS

The Owner has submitted these additional consent applications to further subdivide these lots in half. This will allow for separate conveyances of all six (6) proposed semi-detached dwellings.

A Draft Plan of Condominium Approval application will be required to establish the common elements of the Proposal that includes the private lane and any associated

features. These common element features will be tied to the future free hold semi-detached dwelling lots.

The Owner has demonstrated that six (6) semi-detached dwellings can be accommodated in compliance with the above noted zoning by-law.

The Owner executed a Site Plan Agreement in September of 2022 which was registered on title in February of 2023 that addresses all matters relating to municipal servicing and parkland dedication for the Subject Lands. Consequently, an additional Development Agreement is not required.

Zoning Preliminary Review Not Undertaken

The Owner has not completed a Zoning Preliminary Review (“ZPR”) for the subject application. However, compliance with the applicable zone requirements has been confirmed through the associated building permit process.

PUBLIC INPUT SUMMARY

No written submissions were received as of July 8, 2024. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on any comments received at the meeting.

CONCLUSION

In concluding that the Proposal is appropriate, staff have had regard for the criteria in Section 51 (24) of the *Planning Act* and recommend approval.

Please refer to Appendix “A” for conditions to be attached to any approval of this application.

PREPARED BY:



Rick Cefaratti, MCIP, RPP, Acting-Manager, West District

APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/008/24, B/010/24 and B/011/24

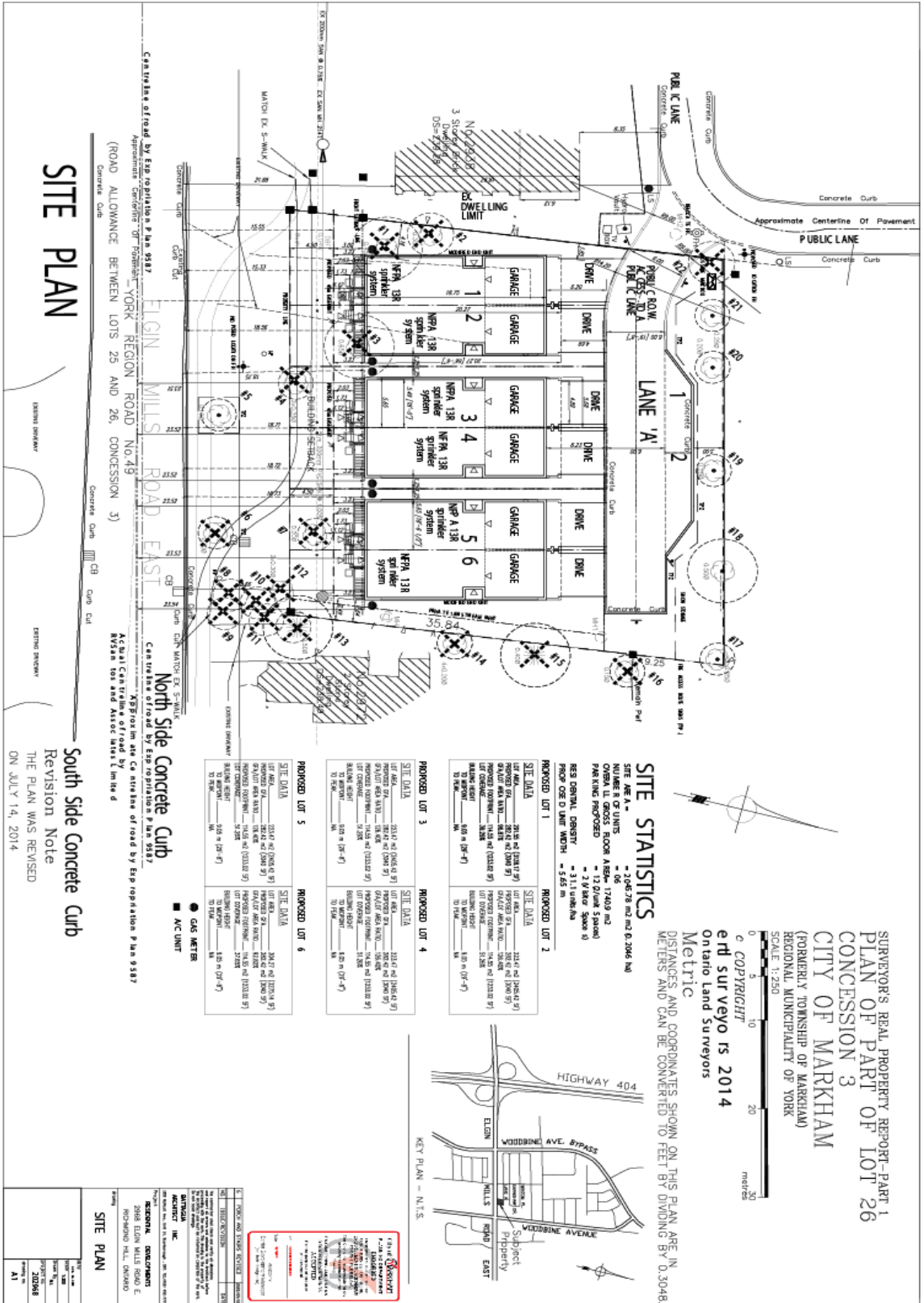
1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of the required transfers to affect the severances applied for under Files B/008/24, B/010/24 and B/011/24, in duplicate, conveying the Subject Lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the *Planning Act*.
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the Subject Lands, which conforms substantially to the application as submitted.
4. Payment of the required Conveyance Fee(s) for the creation of residential lots per City of Markham Fee By-law 211-83, as amended.
5. Fulfillment of all of the above conditions within two (2) years of the date that notice of the decision was given under Section 50(17) or 50(24) of the *Planning Act*, R.S.O. 1990, c.P.13.

CONDITONS PREPARED BY:



Rick Cefaratti MCIP, RPP, Acting-Manager, West District

Appendix 'B'



SITE PLAN

SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF PART OF LOT 26
 CONCESSION 3
 CITY OF MARKHAM
 (FORMERLY TOWNSHIP OF MARKHAM)
 REGIONAL MUNICIPALITY OF YORK

SCALE: 1:250

0 5 10 20 30 meters

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 erik surveyo rs 2014
 Ontario Land Surveyors
 Metric

SITE STATISTICS

SITE NET A =
 206.78 m² and 8,206.66 sq ft
 NET AREA OF LOTS = 660.80 m² and 24,384.08 sq ft
 GROSS FLOOR AREA = 17,409 m² and 64,144 sq ft
 PARCEL PROPOSED = 12 (One 5 axle)
 = 2 (2 axle) Space 30
 RES. DENSITY = 31.1 units/ha
 FRONT LOT WIDTH = 5.65 m

PROPOSED LOT 1

PROPOSED LOT 1	PROPOSED LOT 2
SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")	SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")

PROPOSED LOT 3

PROPOSED LOT 3	PROPOSED LOT 4
SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")	SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")

PROPOSED LOT 5

PROPOSED LOT 5	PROPOSED LOT 6
SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")	SITE DATA LOT AREA (m ²) = 214.61 (524.61 sq ft) LOT AREA (sq ft) = 214.61 (524.61 sq ft) PROPOSED GRA. VOLUME = 20.22 m ³ (721.18 cu yd) PROPOSED GRA. VOLUME (CU YD) = 721.18 (20.22 m ³) LOT COVERAGE = 42.21% (0.4221) BALANCE HEIGHT TO TOP OF CURB = 1.83 m (6' 0" - 1") TO FINISH = 1.83 m (6' 0" - 1")

South Side Concrete Curb
 Revision Note
 THE PLAN WAS REVISED
 ON JULY 14, 2014

North Side Concrete Curb
 Actual Curbs of road by Exp 1911 P 14 9387
 Approximate Center of Pavement
 CONCRETE CURB (ROAD ALLOWANCE BETWEEN LOTS 25 AND 26) CONCESSION 3

SCHEDULE	
DATE	DESCRIPTION
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING
2014	ISSUE FOR PERMITTING

