Memorandum to the City of Markham Committee of Adjustment May 10, 2023

File:	A/026/23
Address:	74 Beckenridge Drive, Markham
Applicant:	Steven Steiger
Agent:	Square Design Consulting (Anthony Bartolini)
Hearing Date:	Wednesday, May 17, 2023

The following comments are provided on behalf of the Central District Team.

The Applicant is requesting relief from the City-wide Deck By-law 142-95, as amended, as it relates to a proposed deck and covered porch in the rear yard. The variance requested is to permit:

a) Deck By-law 142-95, Section 2.2 (b) (i):

a deck in excess of 1 metre (3.28 feet) in height to project a maximum of 8.26 metres (27.10 feet) from the point on the dwelling closest to the rear lot line, whereas the By-law permits a maximum projection of 3 metres (9.84 feet) from the point on the dwelling closest to the rear lot line.

BACKGROUND

Property Description

The 1,153.60 m² (12,417.25 ft²) Subject Lands are located on the north side of Beckenridge Drive, generally located east of Kennedy Road and south of the rail corridor (refer to Appendix "A" – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised primarily of two-storey detached dwellings.

There is an existing 226.90 m² (2,442.33 ft²) two-storey detached dwelling on the Subject Lands, which according to assessment records was constructed in 1988. The Subject Lands contain mature vegetation and large mature trees in the front and rear yards.

Proposal

The Applicant is proposing to construct a new 35.40 m² (381.04 ft²) covered porch and deck (refer to Appendix "B" – Plans) in the rear yard.

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. This criterion 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 retention of existing trees and vegetation, the width of proposed garages and driveways.

Zoning By-law 90-81, as amended

The Subject Lands are zoned "Single Family Residential – Special (R3-S) zone requirements under By-law 90-81, as amended, which permits a single detached dwelling.

City-wide Deck Standards By-law 142-95, as amended

The City-wide Deck Standards By-law 142-95, as amended (the "Deck By-law"), sets out the deck standards for the Subject Lands. Section 2.2 (b)(i), permits a maximum projection of 3 metres (9.84 feet) from the point on the dwelling closest to the rear lot line. The proposed development does not comply with the By-law requirements, as it consists of a deck higher than 1 metre (3.28 feet) in height that projects 8.26 metres (27.10 feet) from the point on the dwelling closest to the rear lot line. Further details of the maximum deck projection requirement are provided in the comment section below.

Zoning Preliminary Review (ZPR) Not Undertaken

The Owner has confirmed that a Zoning Preliminary Review (ZPR) has <u>not</u> 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.

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.

Maximum Deck Projection

The Applicant is requesting a maximum deck projection of 8.26 metres (27.10 feet) from the point on the dwelling closest to the rear lot line, whereas the By-law permits a maximum deck projection of 3 metres (9.84 feet) from the point on the

dwelling closest to the rear lot line. This represents an increase of approximately 5.26 metres (17.26 feet).

The Applicant is not applying for variances for lot coverage, height, or setbacks. The proposed deck is accessed off the first storey of the dwelling; has a height of 0.699 metres (2.29 feet) above average grade; is partly covered; and, maintains a rear yard setback of 20.03 metres (65.71 feet). Given the lot size, Staff are of the opinion that the variance requested is minor in nature and have no concern with the requested variance.

Tree Protection and Compensation

As noted previously, the Subject Lands contain mature vegetation and large mature trees. During the review of the application, the City's Tree Preservation Technician indicated no concerns in regards to the Minor Variance, however noted that tree preservation is required on site and further attention will be required to ensure barriers are to the City of Markham's standards.

Staff recommend that the tree related conditions, as outlined in Appendix "C", be adopted by the Committee to ensure the Applicant installs the appropriate tree protection barriers, if necessary. Staff note the Applicant is required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees that have a diameter at breast height (DBH) of 20.0 cm (7.87 in) or more on the subject property or neighbouring properties. Further mitigation through these processes may also be required to ensure the protection of certain trees is achieved.

PUBLIC INPUT SUMMARY

No written submissions were received as of May 10, 2023. 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 "C" for conditions to be attached to any approval of this application.

PREPARED BY:

Mohammad

Hussnain Mohammad, Planner 1, Zoning and Special Projects

REVIEWED BY:

JSm

Deanna Schlosser, MCIP RPP, Senior Planner, Central District

APPENDICES Appendix "A" – Aerial Photo Appendix "B" – Plans Appendix "C" – A/026/23 Conditions of Approval



PROPOSED REAR COVERED PORCH, DECK, SWIM SPA AND LANDSCAPING

74 Beckenridge Dr, Markham, ON L3S 2V3

A00-COVER PAGE A1-SITE PLAN A2-DECK PLAN A3-REAR PORCH PLAN A5-ELEVATIONS A6-ELEVATIONS A7-ELEVATIONS A9-DETAIL 1







- <u>STRUCTURAL_NOTES:</u> 1. Workmanship and materials shall be in accordance with part 9
- of the Ontario Building Code and local regulations.
- 2. See Architectural drawings for dimensions, elevations and finishes. 3. All structural components shall be interconnected to resist code mandated live.
- dead and environmental loads
- 4. DESIGN LIVE LOADS ARE:
- ROOF : Ss = 1.3 KPA, Sr = 0.4 KPA
- FLOORS : 40 PSF
- WIND 1/50 : 0.44 KPA BASIC EARTHQUAKE : Sa(0.2) = 0.18
- climatic data used as per OBC
- 5. Contractor is responsible for safe execution of work, as per osha and other applicable safety codes. a temporary shoring plan and construction sequence duly signed by an Ontario licensed professional engineer to be submitted for approval before start of any relevant work. Approved shop drawings along with approve permit drawings shall be always available at site for reference.

Foundations

- 1. Footings shall be placed on undisturbed soil capable of supporting 2000 psf.
- 2. Footings excavations shall be inspected by soils engineer before concrete is placed.
- 3. Footings exposed to freezing shall be placed at least 4'-0" below finished grade. 4. Protect footings exposed to frost action during construction
- by 4'-0" minimum of soil or its equivalent.
- 5. The line of slope between adjacent footings or excavations or along stepped footings shall not exceed a rise of 7 in a run of 10. maximum step shall be 2'-0".
- 6. Where a foundation wall retains soil on each side, place backfill on both sides simultaneously.
- 7. Foundation walls retaining earth between slabs at different levels shall be shored until the slab at higher level is in place and has reached its required strength. Concrete specification
- The ultimate 28 days compressive strength of concrete shall be 20.0 MPA unless noted otherwise.
- 2. The ultimate 28 days compressive strength of concrete exposed to freezing and thawing (exterior slabs, garage floor slab, side walks, curbs, retaining walls, etc.) shall be 32 MPA with minimum air entrainment content of 5%-8% and maximum water/cement ratio by mass of 0.45. 3. Do not use calcium chloride or other salts in concrete
- 4. Reinforcing steel shall be deformed bars to CSA G30.18 with a minimum
- vield strength of 400 MPA. 5. Welded wire mesh shall conform to CSA.G30.5, welded steel
- wire fabric for concrete reinforcement. 6. Detail reinforcing in accordance with reinforcing steel manual of
- standard practice prepared by RSIO. 7. Only ready mix concrete is permitted on this job. the concrete
- supplier shall be responsible for concrete mix design.
- 8. Supply and install concrete, reinforcing steel and formwork including placing, finishing and curring as shown on the drawings
- in accordance with CSA A23 and CSA G 30. 9. Non-shrink, non-metallic grout shall be used by Sika Canada inc. or an approved equal.

STEEL LINTEL SCHEDULE

L1	Up to 4'-6" Opening	L 3 1/2" x 3 1/2" x 5/16"
L2	Up to 5'-6" Opening	L 4" x 3 1/2" x 5/16"
L3	Up to 6'-6" Opening	L 5" x 3 1/2" x 5/16"
L4	Up to 7'-6" Opening	L 5" x 3 1/2" x 3/8"
L5	Up to 9'-10" Opening	L 6" x 4" x 3/8"
L6	Up to 11'-0" Opening	L 7" x 4" x 3/8"

Structural Steel

- 1 Structural steel shall be as follows
- W, S, HP, WWF SHAPES CAN/CSA G40.21-350W. CAN/CSA G40.21-350W. CLASS C HSS
- L, PL. CAN/CSA G40.21-300W 2. Obtain field measurements as required.
- 3. Provide holes where required for attachment of other work to steel. place holes so as not to cause any appreciable reduction
- in strength of the member 4. Fabricate, supply and erect structural steel work in accordance with the following standards:
- Design, fabrication and erection CSA-S16.1 Welding CSA-W47
- SSPC-SP3-63 Cleaning Bolts 3/4" Ø U.N.O
- ASTM-325-80A Paint (1 shop coat + field touch up) CGSB-1.40-M89
- 5. Design connections for the reactions produced by the loading conditions
- 6. No splices in new beams and columns shall be allowed unless approved by the engineer.
- 7. All steel lintels bearing on masonry to have minimum 6" bearing

Wood

- 1. All wood construction to be in accordance with CSA standard CAN3-086-01
- 2. All lumber to be grade stamped and shall be dry spruce #1 or #2 conforming to CSA-086-01 u/n otherwise.
- Lumber for stud walls shall be spruce stud grade u/n otherwise.
- 4. Trus joists, LSL and PSL beams shall be as manufactured by Trus Joist Canada Itd. or an approved equal. the supplier shall be responsible for design of all connections and shall submit shop drawings bearing a stamp of P. Eng. responsible for the design. All connections, unless noted otherwise, to be in accordance
- with O.B.C. 2012
- 6. All load bearing stud walls shall have one row of solid blocking at mid height unless noted otherwise. 7. Bridging for trus joists shall be as recommended by the manufacturer. however, spacing of bridging shall not exceed
- 12 feet.
- 8. Metal hangers shall be made from light gauge galvanized metal and shall have allowable load capacity (as per manufacturer's data) greater than reactions produced by loading conditions. Use Simpson Strong-tie or equal. 9. Protect lumber in direct contact with concrete or mortar with
- 10 mil. polyethylene sheet. 10. Provide adequate temporary bracing for all stud walls during
- construction. 11. Double up studs at each end of an opening unless noted otherwise.
- 12. Plywood as per CSA O 86.1

WOOD LINTEL SCHEDULE

WB1	Up to 3'-6" Opening	3 - 2" x 6"
WB2	Up to 5'-6" Opening	3 - 2" x 8"
WB3	Up to 6'-6" Opening	3 - 2" x 10"
WB4	Up to 7'-6" Opening	3 - 2" x 12"

NOTES 1

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GENERAL NOTES CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE	PROJECT NAME: 74 Beckenridge Dr, Markham, ON L3S 2V3
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PLUMBING PIPE FROST PROTECTION DETAIL	WATER PIPES FROST PROTECTION DETAIL		
DETAIL TO COMPLY WITH 7.3.5.4(1) O.B.C. T第T	DETAIL TO COMPLY WITH 7.3.5.4(1) O.B.C.		
4" RIGID INSULATION PLUMBING DRAIN	4" RIGID INSULATION		
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Sanitary sewer and the water supply lines.	Samary sever and the water supply lines.		
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FOR STRUCTURAL ONLY



SITE PLAN 1

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1 FLOOR PLAN

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ELEVATION B 1

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74 Beckenridge Dr, Markham, ON L3S 2V3

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Appendix B	
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Appendix B		
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20metres

RALPH PAUL-ONT. LAND SURVEYOR

APPENDIX "C" – A/026/23 Conditions of Approval

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/026/23

- 1. The variance applies only to the proposed development as long as it remains;
- That the variance applies only to the subject development, in substantial conformity with the plan(s) attached as Appendix "B" to this Staff Report, 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 Manager of By-law Enforcement & Regulatory Services Division 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 Manager of By-law Enforcement & Regulatory Services Division.
- 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 Manager of By-law Enforcement & Regulatory Services Division.

CONDITIONS PREPARED BY:

Mohannad