

# Memorandum to the City of Markham Committee of Adjustment

July 11, 2023

**File:** A/110/22  
**Address:** 19 Grenfell Crescent, Markham  
**Applicant:** Joseph N. Campitelli Architect Inc. (Joseph Campitelli)  
**Agent:** Joseph N. Campitelli Architect Inc. (Joseph Campitelli)  
**Hearing Date:** Wednesday, July 26, 2023

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following “Residential 1 (R1)” zone requirements under By-law 1229, as amended, as they relate to a proposed two-storey detached dwelling and a detached accessory structure located in the rear yard. The variances requested are to permit:

- a) **By-law 1229, Table 11.1:**  
a maximum lot coverage of 38.3 percent, whereas the Zoning By-law allows a maximum lot coverage of 35 percent,
- b) **Amending By-law 99-90, Section 1.2 (vi):**  
a maximum floor area ratio of 50.0 percent, whereas the Zoning By-law permits a maximum floor area ratio of 45 percent,
- c) **Amending By-law 99-90, Section 1.2 (ii):**  
a maximum depth of 21.01 metres, whereas the Zoning By-law permits a maximum depth of 16.80 metres.

## BACKGROUND

This application was deferred by the Committee of Adjustment (the “Committee”) at the May 3, 2023 hearing, for the applicant to address the Committee’s concern over cumulative impacts of the combined variances (Refer to Minutes - Appendix “D”). In revising the proposal, the applicant has reduced the requested lot coverage, floor area ratio, and building depth and has eliminated the building height, eaves encroachments into the front and flankage yards, and flankage yard setback. The initial variances requested are identified in the April 26, 2023 Staff Report (Appendix “C”).

## COMMENTS

On June 14, 2023, the applicant submitted revised drawings reducing the floor area by 3.55 m<sup>2</sup> (38.2 ft<sup>2</sup>), to now propose a floor area ratio of 50.0%. The applicant has also reduced the requested lot coverage variance 3.9%, proposing a maximum lot coverage of 38.3%. Lastly, the building depth has also been reduced to 21.01m (68.93 ft). The owner has completed a Zoning Preliminary Review (ZPR) on June 26, 2023 to confirm the variances required for the proposed development.

The revised floor area ratio variance will facilitate the construction of a two-storey detached dwelling with an approximate total net floor area of 390.37 m<sup>2</sup> (4,202 ft<sup>2</sup>). This is an increase of 39.01 m<sup>2</sup> (419.90 ft<sup>2</sup>) above the maximum permitted floor area ratio of 45%. The proposed dwelling layout complies with the required front, side, and rear yard setback

provisions, which ensures appropriate separation from the street and adjacent homes, thereby ensuring that the proposed dwelling will be in keeping with the intended scale of residential infill developments for the neighbourhood. Further, the second storey is recessed, which provides articulation to the elevations that minimizes the massing on the streetscape.

The Applicant is requesting relief for a maximum lot coverage of 38.3 percent, whereas the By-law permits a maximum lot coverage of 35 percent. The proposed lot coverage includes the detached accessory structure located in the rear yard which adds approximately 51.84 m<sup>2</sup> (558 ft<sup>2</sup>) to the total building area. Excluding the detached accessory structure, the proposed dwelling has a lot coverage of 32.8 percent. Given that the main dwelling is below the by-law requirement, staff are of the opinion that the proposed increase in lot coverage will not significantly add to the scale and massing of the dwelling and the resultant dwelling is generally consistent with what the by-law permits.

The applicant is requesting relief to permit a maximum building depth of 21.01 m (68.93 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.11 ft). This represents an increase of approximately 4.21 m (13.81 ft). As adequate amenity space is being provided in the rear yard, staff are of the opinion that the variance meets the general intent and purpose of the Zoning By-law.

### **PUBLIC INPUT SUMMARY**

As of July 11, 2023, the City received twelve (12) letters of support and two (2) letters of opposition expressing concerns over massing and scale. 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 variances requested 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 "A" for conditions to be attached to any approval of this application.

PREPARED BY:



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Brashanthe Manoharan, Planner II, East District

REVIEWED BY:



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Stacia Muradali, Development Manager, East District

**APPENDIX “A”**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/110/22**

1. That the variance applies only to the Proposed Development for as long as it remains.
2. That the variance applies only to the Proposed Development, in substantial conformity with the plans attached as Appendix “A” to this Staff Report, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
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 Director of Planning and Urban Design, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
4. That tree replacements be provided and/or tree replacement fees be paid to the Director of Planning and Urban Design, or their designate, 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 Director of Planning and Urban Design, or their designate.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City’s Streetscape Manual (2009), as amended, and inspected by the Tree Preservation Technician, or their designate, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.
6. That the applicant satisfies the requirements of Metrolinx, as indicated in their letter to the Applicant dated August 2, 2022, and that the Secretary-Treasurer receives written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:



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Brashanthe Manoharan, Planner II, East District



DWELLING STATISTICS			
	BY-LAW 1229	EXISTING	PROPOSED
1. ZONING	R1 - RESIDENTIAL	DETACHED SINGLE FAMILY RESIDENCE TO BE DEMOLISHED	DETACHED SINGLE FAMILY RESIDENCE
2. LOT FRONTAGE	MIN. 60' (18.29m)	61.7' (18.81m)	N/C
3. SITE AREA	MIN. 6,600sf (613sm)	10,211sf (948.64sm)	N/C
4. SETBACKS	FRONT YARD = MIN. 25'-0" (7.62m) SIDE YARD (ONE STRY.) = MIN. 4'-0" (1.2m) SIDE YARD (2 STRY.) = MIN. 6'-0" (1.83m) FALNKAGE YARD = MIN. 10'-0" (3.0m) REAR YARD = MIN. 25'-0" (7.62m)	N/A	FRONT YARD = 25'-0" SOUTH SIDE YARD 1ST FLR. = 7'-0" SOUTH SIDE 2ND FLR. = 10'-4" NORTH (STREET) SIDE YARD = 10'-0" REAR YARD = 62'-1"
5. BUILDING HEIGHT	MAX. 9.8m* (T/O RIDGE OF SLOPED ROOF) MAX. 8.0m* (T/O PARAPET OF FLAT ROOF) *FROM C/L OF ROAD ELEV. (E.L. = 190.32) MAX. 2 STOREYS (EXCL. CELLAR)	N/A	PROP. HEIGHT = 9.8m (32'-2")
6. COVERAGE	MAX. 35% (3,111sf)	N/A	GROUND FLOOR: 2,454sf 3 CAR GARAGE: 681sf PROP. BLDG. FOOTPRINT: 3,135sf ROOF ATTIC OVER GARAGE: 27sf FRONT PORCH: 113sf FRONT CANOPY OVER PLANTER: 72sf <b>TOTAL: 3,347sf (32.8%)</b> <b>ACCESSORY BLDG.: 558sf (5.5%)</b> <b>TOTAL COVERAGE: 3,905sf (38.3%)</b>  NOTE: CANOPY OVER PLANTER MEASURED TO EXTENT OF SUPPORT. COLUMNS
7. BUILDING DEPTH	MAX. 16.8 m (+2.1m ONE-STORY BLDG EXTN. OVER 16.8m, MAX. WIDTH 1/2 BLDG. WIDTH, MAX. HEIGHT 4.6m)	N/A	21.01m (68'-11")
8. NET FLOOR AREA RATIO	MAX. 45% (3,782sf/351.4sm)-INCL. GARAGE NET AREA = 8,405sf (780.8sm)  NET AREA CALC: 6,600 + ((10,211 - 6,600) / 2) = 8,405sf (780.8sm)	N/A	GROUND FLOOR - 2,454sf GARAGE - 681sf TOTAL GROUND FLR. - 3,135sf 2ND FLOOR AREA - 2,313sf TOTAL GFA - 5,448sf  DEDUCTIONS: STAIR WELL - 93sf ELEVATOR SHAFT - 25sf ATTIC AREA - 989sf REAR STAIR SHAFT - 139sf TOTAL DEDUCTIONS - 1,246sf <b>TOTAL NET AREA: 4,202sf</b> <b>NET RATIO: 50%</b>  BSMNT. AREA (NOT INCL.) - 3,248sf ROOF PROJECTIONS = 18"
9. PERMITTED PROJECTIONS	UNENCLOSED PORCH = 18" (0.46m) UNCOVERED PLATFORMS = 18" (0.46m)	N/A	

LANDSCAPE STATISTICS	
BY-LAW 27-97	PROPOSED (T.B.R.)
FRONT YARD LANDSCAPE REQ. MIN. 40%	TOTAL FRONT YARD AREA: 1,608sf EXCLUDED HARD SURFACE AREAS: PROP. DRIVEWAY: 818sf PROP. WALKWAY: 104sf PROP. PLANTER WALL: 24sf TOTAL SOFT LANDSC. AREA: 662sf (41%)

**SURVEY INFORMATION**

PLAN OF SURVEY  
PART 1, LOT 74,  
REGISTERED PLAN 4949  
CITY OF MARKHAM,  
REGIONAL MUNICIPALITY OF YORK

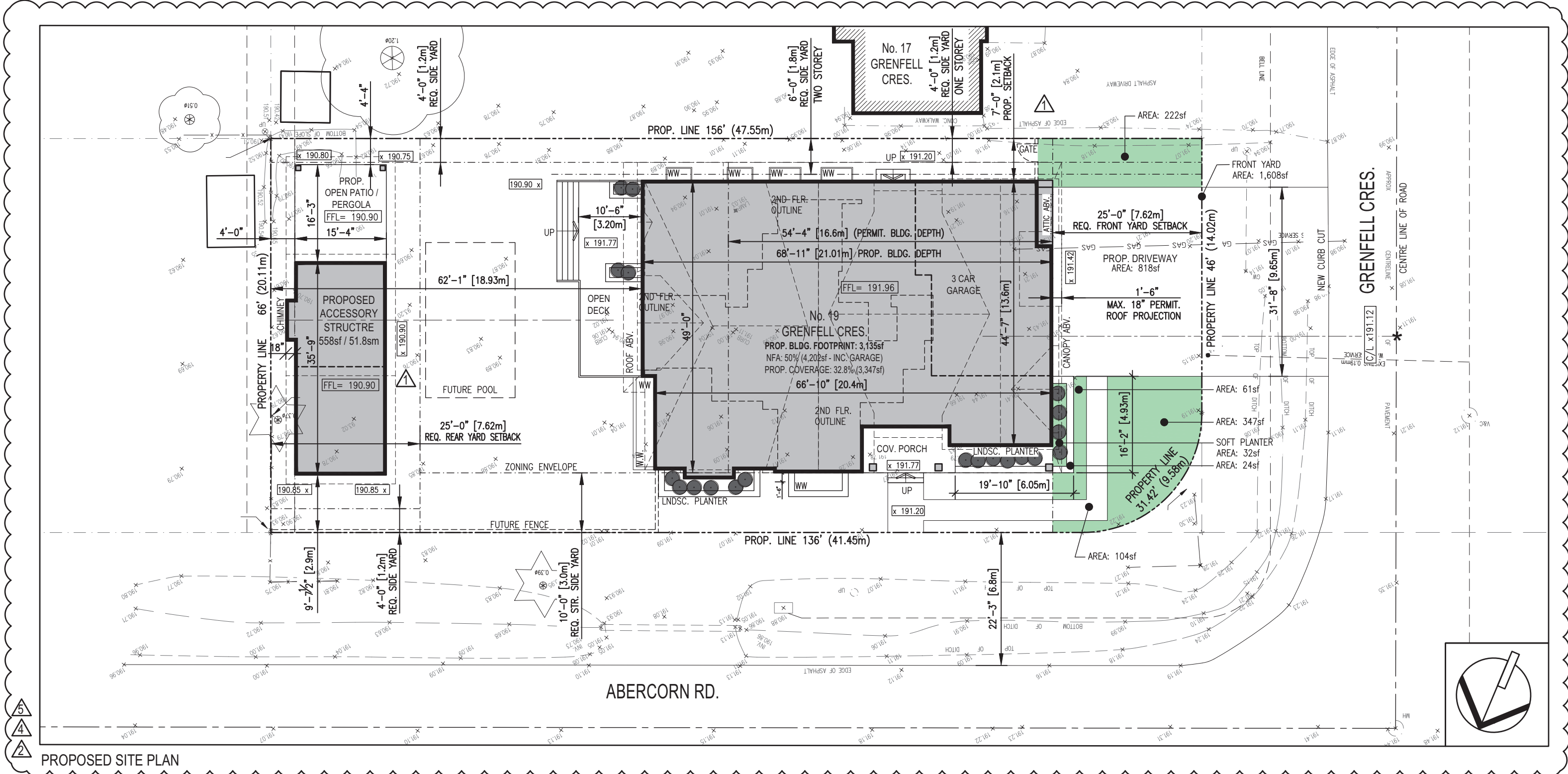
DATED: MARCH 12, 2021  
E. W. BOWYER INC.  
ONTARIO LAND SURVEYORS  
LAND DEVELOPMENT CONSULTANTS

9275 MARKHAM ROAD., SUITE 201A  
MARKHAM, ONTARIO L6E 1A3  
TEL. (905) 294-8093  
FAX. (905) 294-8349

LEGEND	
	PROPERTY LINE
	ZONING ENVELOPE
	PROPOSED BUILDING ENVELOPE (NFA)
	PROPOSED FRONT YARD SOFT LANDSCAPE AREA
	EXISTING GRADE ELEVATION
	PROP. ELEVATION



ACCESSORY BUILDING STATISTICS			
	BY-LAW 1229	EXISTING	PROPOSED
1. LOCATION	PERMITTED IN REAR YARD	EXISTING TO BE REMOVED	REAR YARD
2. SETBACKS	REAR/ SIDE YARD = 4'-0" (1.2m)		REAR SY = 4'-0" SOUTH SY = 4'-4" NORTH SY = 9'-7.5"
3. BUILDING HEIGHT	12'-0" (3.66m) TO ROOF MID-POINT 1 STOREY		12'-0" (3.66m) TO ROOF MID-POINT
4. COVERAGE	MAX. 10% OF LOT AREA (INCLUDED IN OVERALL LOT COVERAGE)		ENCLOSED STRUCTURE - 558sf / 5.5% (INCLUDED IN OVERALL LOT COVERAGE)



PROJECT: PROPOSED CUSTOM HOME SINGLE FAMILY RESIDENCE

CLIENT: MRS. KRISTEN & MR. KEVIN CRIBARI

CONSULTANTS:

ARCHITECT: JOSEPH N. CAMPITELLI ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8800 fax: 905-887-9400  
e-mail: info@jnc-architect.com

**Appendix B**

File: 22.263931.000.00.MVV

Date: 07/19/23

**LEGAL**

This drawing, as an instrument of service, is provided by, and is the property of, Joseph N. Campitelli, Architect Inc. (the "Architect"). The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the Architect of any variations from the supplied information. The Architect is not responsible for the accuracy of survey, structural, mechanical, electrical, engineering information, etc., which is shown on this drawing. Refer to the appropriate engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of the authorities having jurisdiction. Unless otherwise noted, no investigation has been undertaken or reported on by the Architect, in regards to the environmental condition of the site to which this drawing relates. This drawing is not to be used for construction purposes until countersigned by the Architect.

This drawing is not to be scaled. All architectural symbols indicated on this drawing are graphic representations only.

COUNTERSIGNED		
Joseph N. Campitelli, Architect	B.A.R.C.H., O.A.A., M.R.A.I.C.	
DATE		
DWG ISSUES		
NOV.12.2021	ISSUED FOR ZONING REVIEW	RD
APR.14.2022	RE-ISSUED FOR ZONING REVIEW	RD
JUN.01.2022	ISSUED FOR MINOR VARIANCE APPR.	RD
NOV.02.2022	ISSUED FOR ZONING REVIEW	RD
DEC.09.2022	RE-ISSUED FOR ZONING REVIEW	RD
FEB.14.2023	ISSUED FOR ZONING REVIEW	RD
JUN.08.2023	RE-ISSUED FOR MV APPROVAL	RD

DESCRIPTION		
ZPR FILE: 22.263931.000.00.ZPR		
MV FILE No: A / 110 / 22		
LEGAL		
PROJECT ARCHITECT:	J. CAMPITELLI	
ASSISTANT DESIGNER:		
DRAWN BY:	RD	
CHECKED BY:	J.C.	
DWG TITLE		
PROPOSED SITE PLAN SITE STATISTICS		
SCALE	DATE PRINTED	PROJECT NO.
1/16"=1'-0"	JUN.08.2023	284.21.D
SHEET NO.		
A.100		





LEGEND	
[Symbol]	PROP. WALLS
CH	CEILING HEIGHT
FFL	FINISH FLOOR LEVEL
FD	FLOOR DRAIN
AD	AREA DRAIN
FP	FIREPLACE
P.	WALL PANTRY
OV	OVEN
B	BENCH
MW	MILLWORK
CL	CLOSET
BIC	BUILT-IN CLOSET

**JOSEPH N CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-987-8800 fax: 905-987-9400  
e-mail: info@jnc-architect.com

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B.A.R.C.H., O.A.A., M.R.A.I.C.

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FEB.14.2023	ISSUED FOR ZONING REVIEW	RD
JUN.08.2023	RE-ISSUED FOR MV APPROVAL	RD

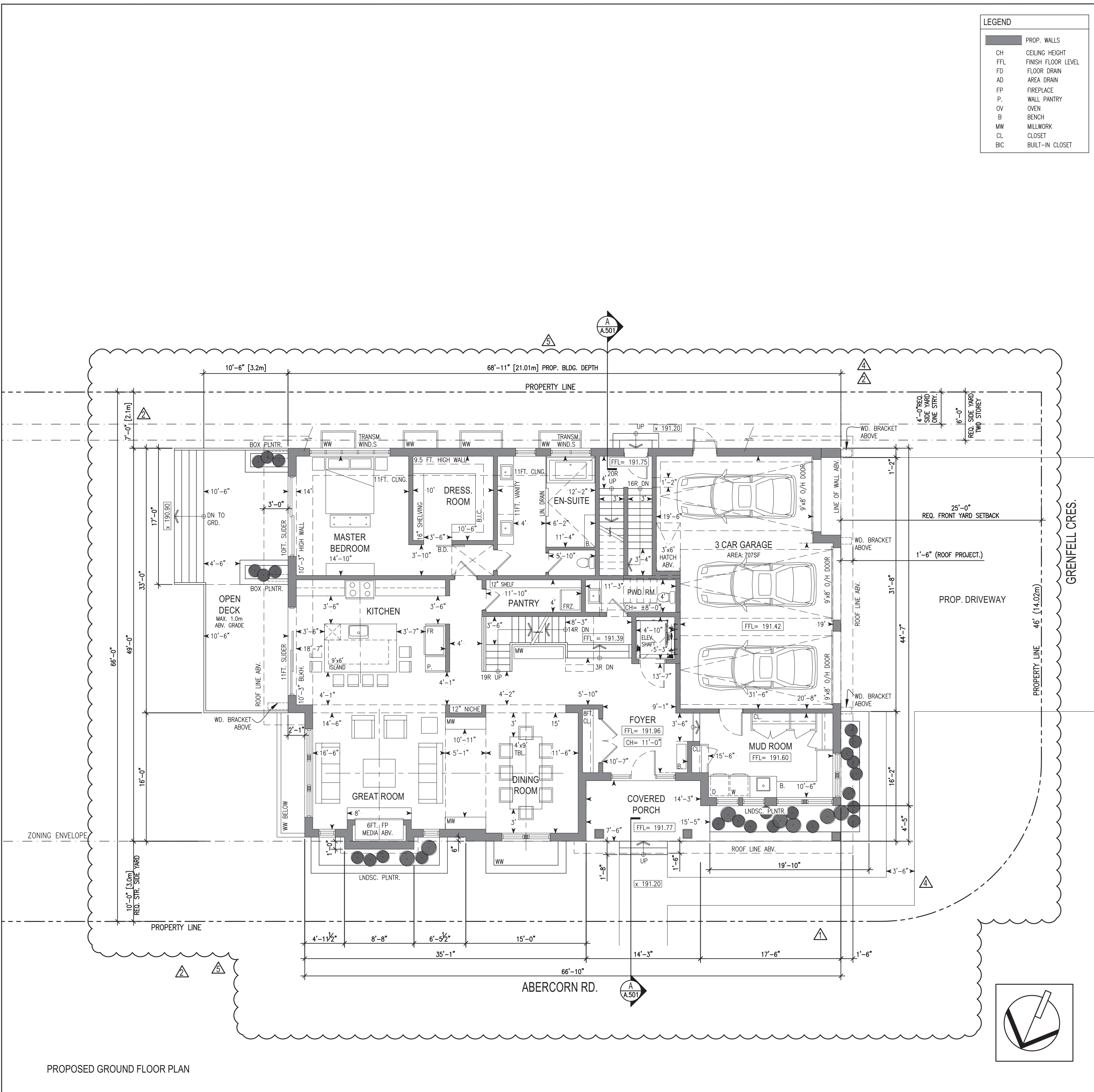
ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

PROPOSED  
GROUND FLOOR PLAN

SCALE: 1/8"=1'-0"  
DATE PRINTED: JUN 08, 2023  
PROJECT NO: 284.21.D

SHEET NO: **A.301**



PROPOSED GROUND FLOOR PLAN

AREA DIAGRAM

HATCHED AREA INCLUDED IN GFA CALCULATIONS  
AREA: 1,067sf

LEGEND

- CH PROP. WALLS
- CH CEILING HEIGHT
- FFL FINISH FLOOR LEVEL
- FD FLOOR DRAIN
- AD AREA DRAIN
- FP FIREPLACE
- P. WALL PANTRY
- OV OVEN
- B BENCH
- MW MILLWORK
- CL CLOSET
- BIC BUILT-IN CLOSET

PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENFELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

CONSULTANTS

ARCHITECT

**JOSEPH N. CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
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e-mail: info@jnc-architect.com

Appendix B

File: 22.243931.000.00.MNV

Date: 07/19/23

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Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

DWG. ISSUES

1. NOV.12.2021	ISSUED FOR ZONING REVIEW	RD
2. APR.14.2022	RE-ISSUED FOR ZONING REVIEW	RD
3. JUN.01.2022	ISSUED FOR MINOR VARIANCE APPR.	RD
4. NOV.02.2022	ISSUED FOR ZONING REVIEW	RD
5. DEC.09.2022	RE-ISSUED FOR ZONING REVIEW	RD
6. FEB.14.2023	ISSUED FOR ZONING REVIEW	RD
7. JUN.08.2023	RE-ISSUED FOR MV APPROVAL	RD

DESCRIPTION

ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

LEGAL

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

DWG. TITLE

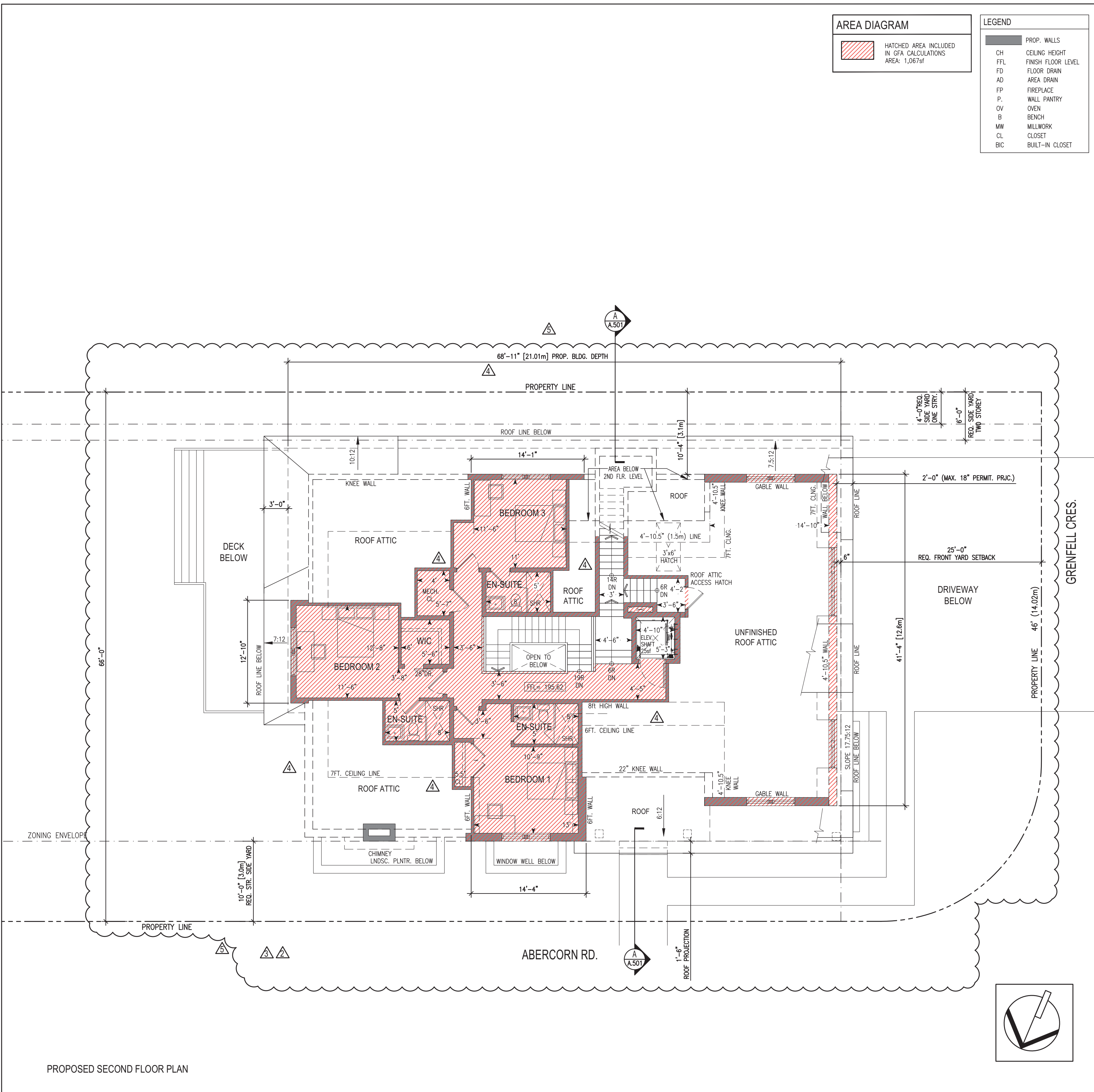
PROPOSED  
SECOND FLOOR PLAN

SHEET NO

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	JUN.08.2023	284.21.D

A.302

PROPOSED SECOND FLOOR PLAN



PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENPELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

ARCHITECT

**JOSEPH N. CAMPITELLI**  
ARCHITECT INC.

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7. JUN.08.2023	RE-ISSUED FOR MV APPROVAL	RD

DESCRIPTION

ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

LEGAL

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
R.B.  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

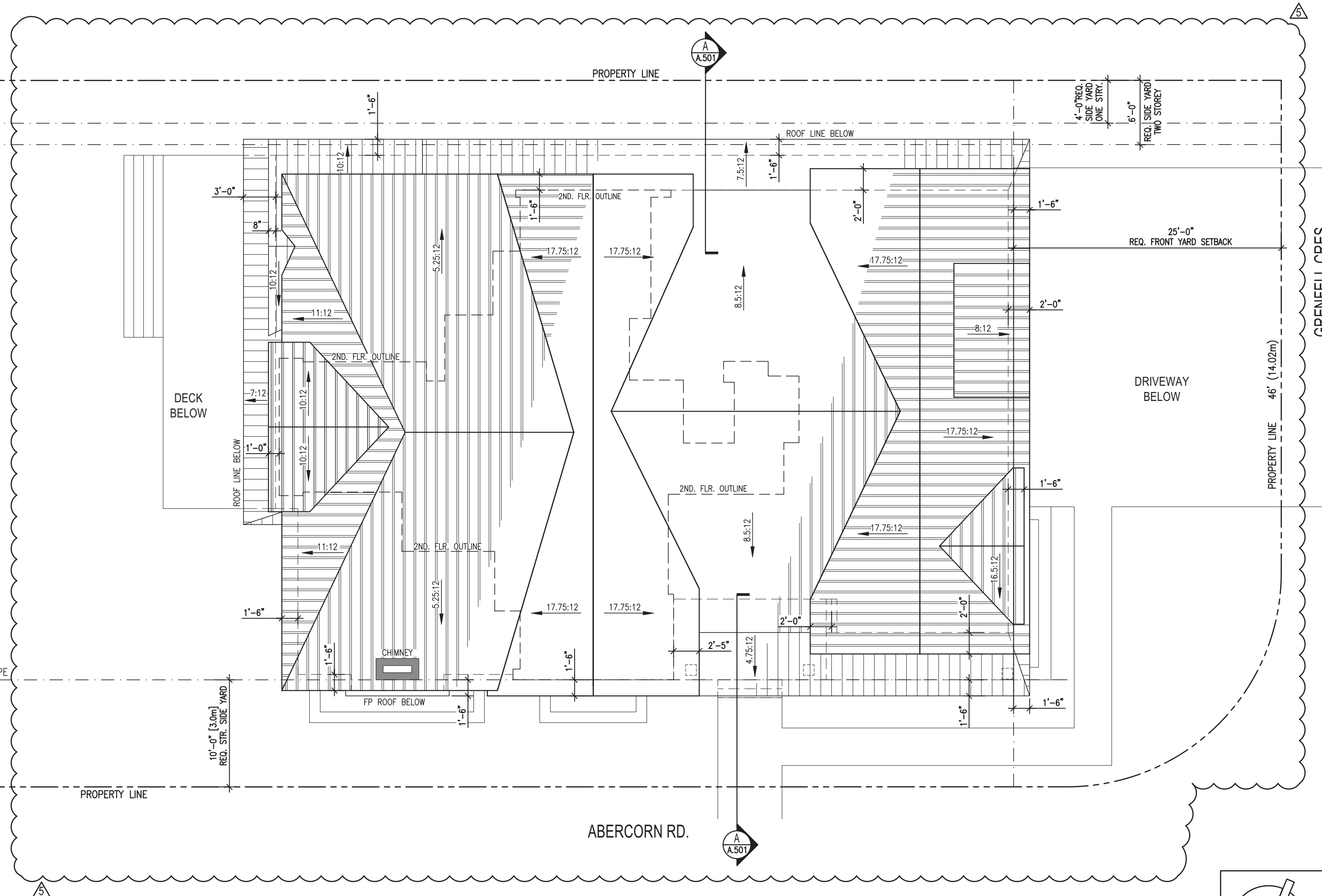
DWG. TITLE

PROPOSED ROOF PLAN

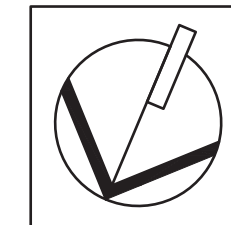
SHEET NO.

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	JUN 08.2023	284.21.D

**A.303**



PROPOSED ROOF PLAN

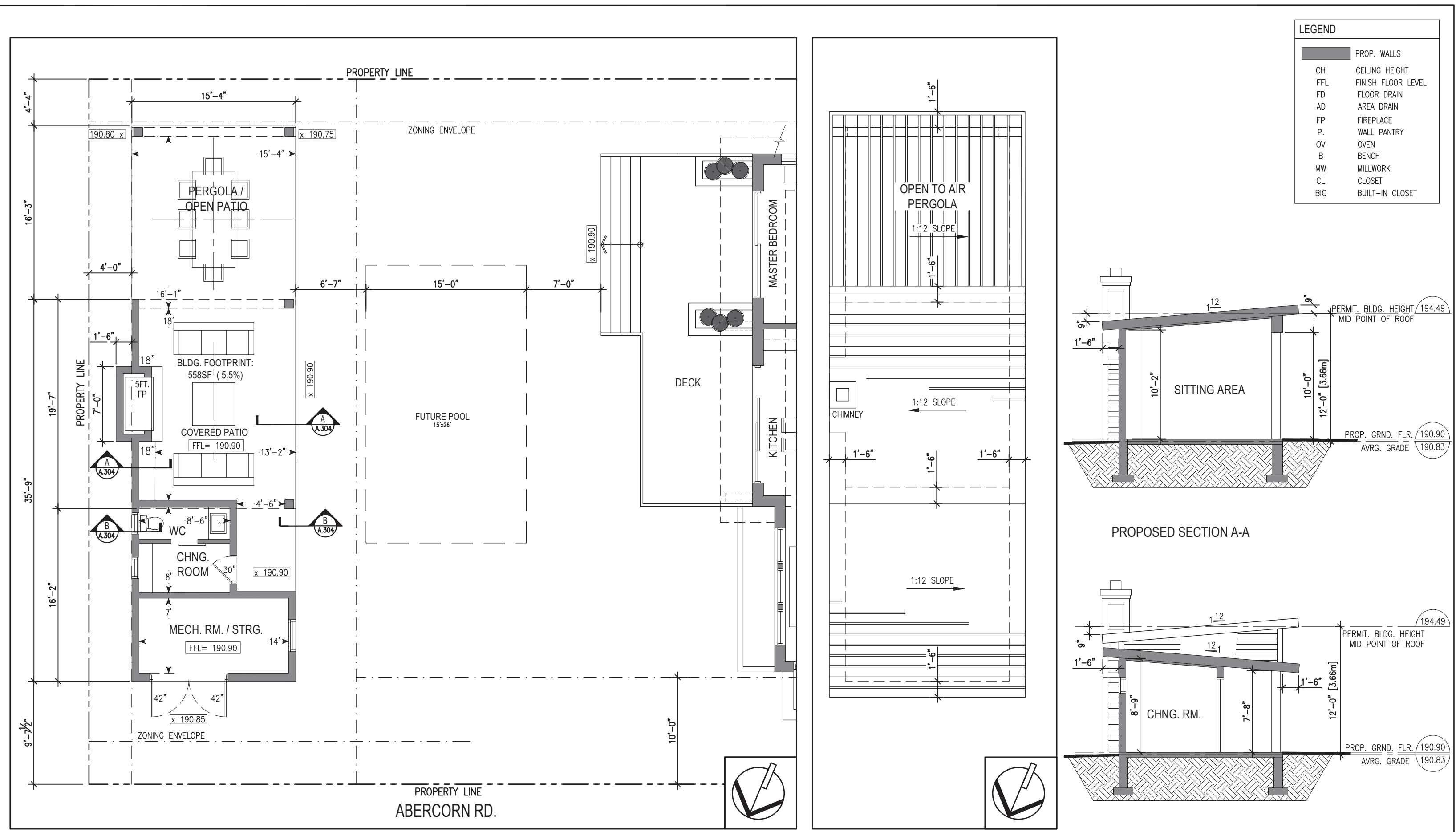


**Appendix B**

File: 22.245791.000.00.MVV

Date: 07/19/23





**LEGEND**

- PROP. WALLS
- CH CEILING HEIGHT
- FFL FINISH FLOOR LEVEL
- FD FLOOR DRAIN
- AD AREA DRAIN
- FP FIREPLACE
- P. WALL PANTRY
- OV OVEN
- B BENCH
- MW MILLWORK
- CL CLOSET
- BIC BUILT-IN CLOSET

**PROJECT**  
 PROPOSED CUSTOM HOME  
 SINGLE FAMILY RESIDENCE  
 19 GRENELL CRES.  
 MARKHAM, ON

**CLIENT**  
 MRS. KRISTEN & MR. KEVIN CRIBARI

**CONSULTANTS**

**ARCHITECT**  
**JOSEPH N. CAMPITELLI**  
 ARCHITECT INC.  
 10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
 tel: 905-887-8800 fax: 905-887-9400  
 e-mail: info@jnc-architect.com

**Appendix B**  
 File: 22-249791-000-00.MNV  
 Date: 07/19/23  
 MMD/YYY

PROPOSED GROUND FLOOR PLAN

PROPOSED ROOF PLAN

PROPOSED SECTION A-A

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**COUNTERSIGNED**  
 Joseph N. Campitelli, Architect  
 B.A.R.C.H., O.A.A., M.R.A.I.C.

**DATE**

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3. FEB. 14, 2023	ISSUED FOR ZONING REVIEW	RD
4. JUN. 08, 2023	RE-ISSUED FOR MV APPROVAL	RD

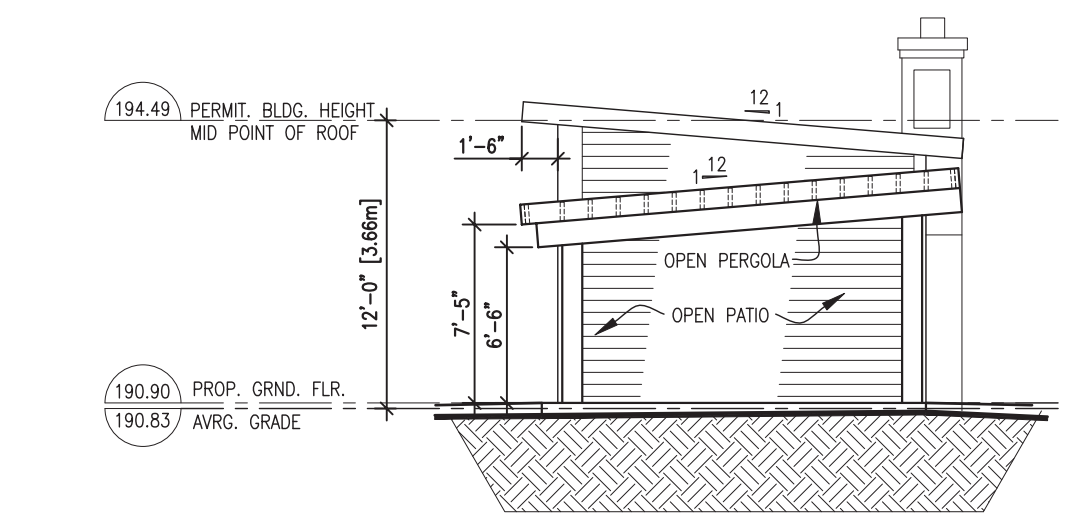
**DESCRIPTION**

**LEGAL**  
 PROJECT ARCHITECT:  
 J. CAMPITELLI  
 ASSISTANT DESIGNER:  
 DRAWN BY:  
 RD  
 CHECKED BY:  
 J.C.

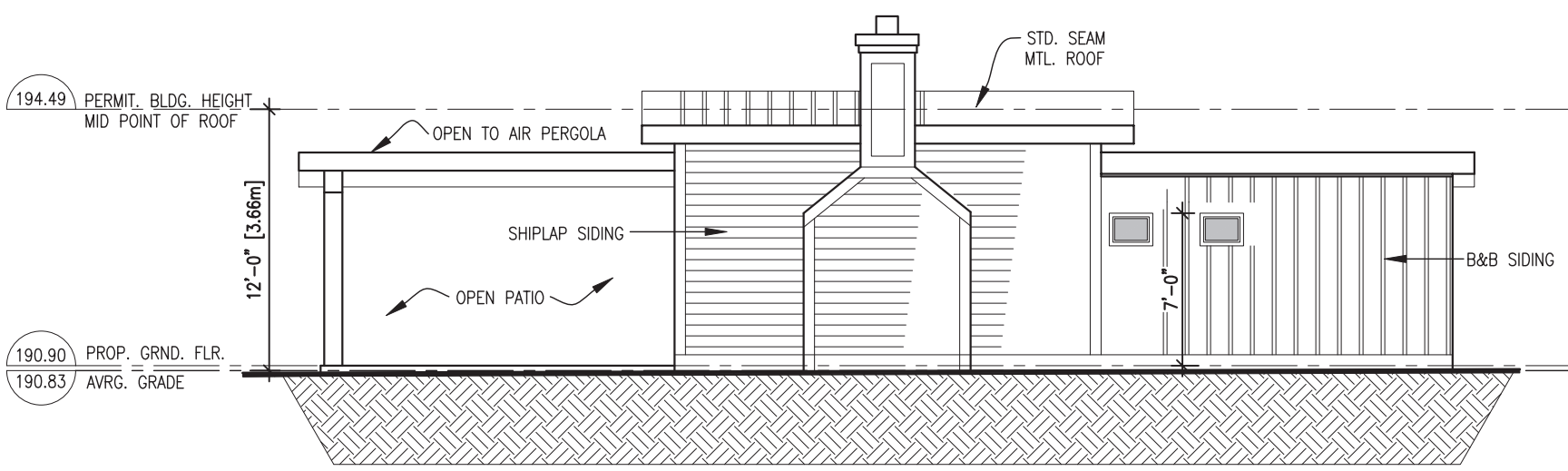
**DWG. TITLE**  
 PROP. ACCESSORY STRUCTURE  
 PLAN, ELEVATIONS, SECTIONS

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	JUN. 08, 2023	284.21.D

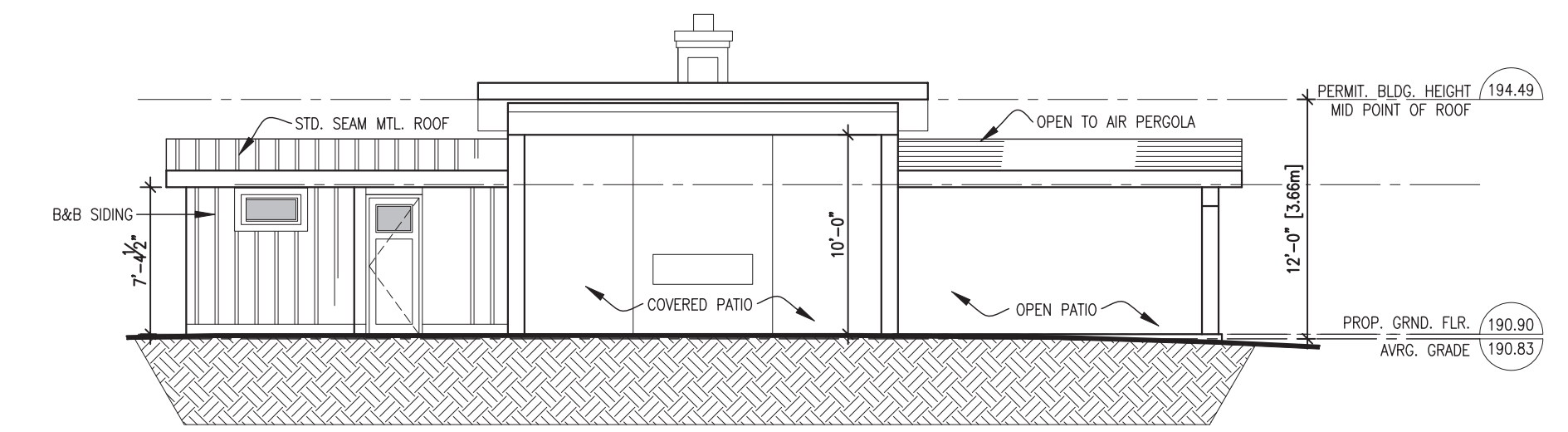
**SHEET NO.**  
**A.304**



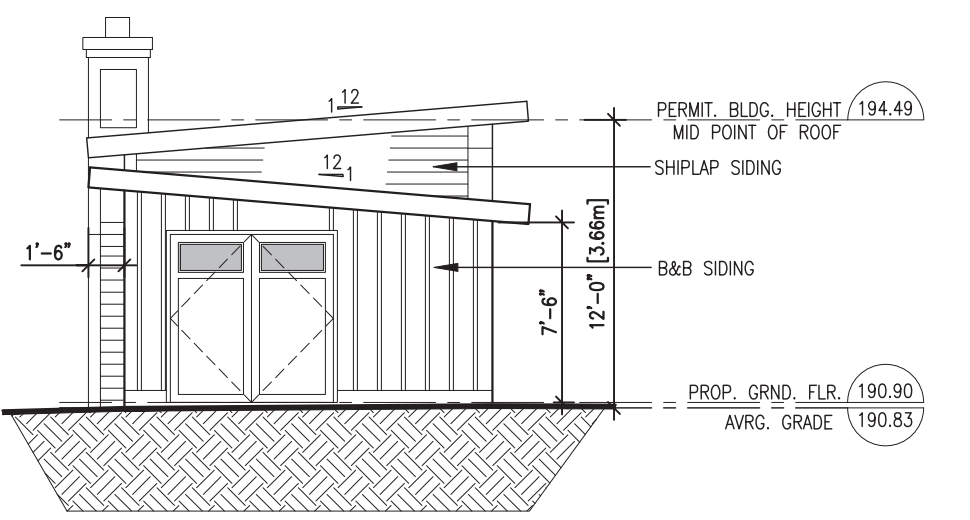
PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION

PROJECT  
CLIENT  
CONSULTANTS  
ARCHITECT  
LEGAL  
DWG. ISSUES  
DESCRIPTION  
LEGAL  
DWG. TITLE  
SHEETING

**JOSEPH N. CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8800 fax: 905-887-9400  
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COUNTERSIGNED  
Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

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DWG. ISSUES

1. NOV.12.2021	ISSUED FOR ZONING REVIEW	RD
2. APR.14.2022	RE-ISSUED FOR ZONING REVIEW	RD
3. JUN.01.2022	ISSUED FOR MINOR VARIANCE APPR.	RD
4. NOV.02.2022	ISSUED FOR ZONING REVIEW	RD
5. DEC.09.2022	RE-ISSUED FOR ZONING REVIEW	RD
6. FEB.14.2023	ISSUED FOR ZONING REVIEW	RD
7. JUN.08.2023	RE-ISSUED FOR MV APPROVAL	RD

ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

PROPOSED  
WEST & NORTH ELEVATIONS

SCALE: 1/8"=1'-0"  
DATE PRINTED: JUN.08.2023  
PROJECT NO: 284.21.D

A.401



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROJECT ARCHITECT  
CLIENT  
CONSULTANTS  
ARCHITECT  
LEGAL  
DWG. ISSUES  
DESCRIPTION  
LEGAL  
DWG. TITLE  
SHEET NO.

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COUNTERSIGNED  
Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

DWG. ISSUES	DESCRIPTION	DATE	STATUS
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6. FEB.14.2023	ISSUED FOR ZONING REVIEW		RD
7. JUN.08.2023	RE-ISSUED FOR MV APPROVAL		RD

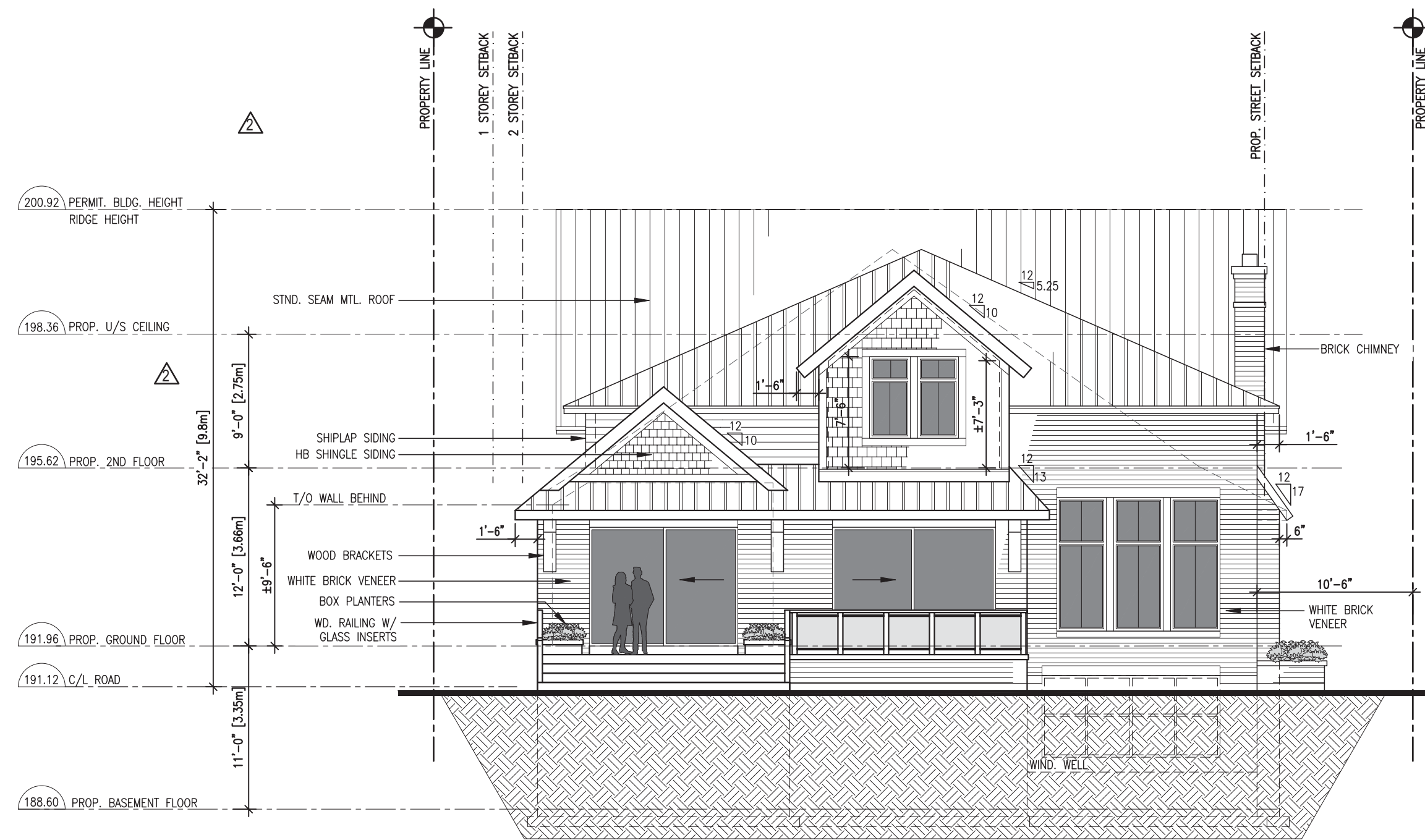
ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

PROPOSED  
EAST & SOUTH ELEVATIONS

SCALE: 1/8"=1'-0" DATE PRINTED: JUN 08, 2023 PROJECT NO: 284.21.D

A.402



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION



MRS. KRISTEN & MR. KEVIN CRIBARI

**JOSEPH N. CAMPITELLI**  
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10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
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**LEGAL**  
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Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

**DATE**

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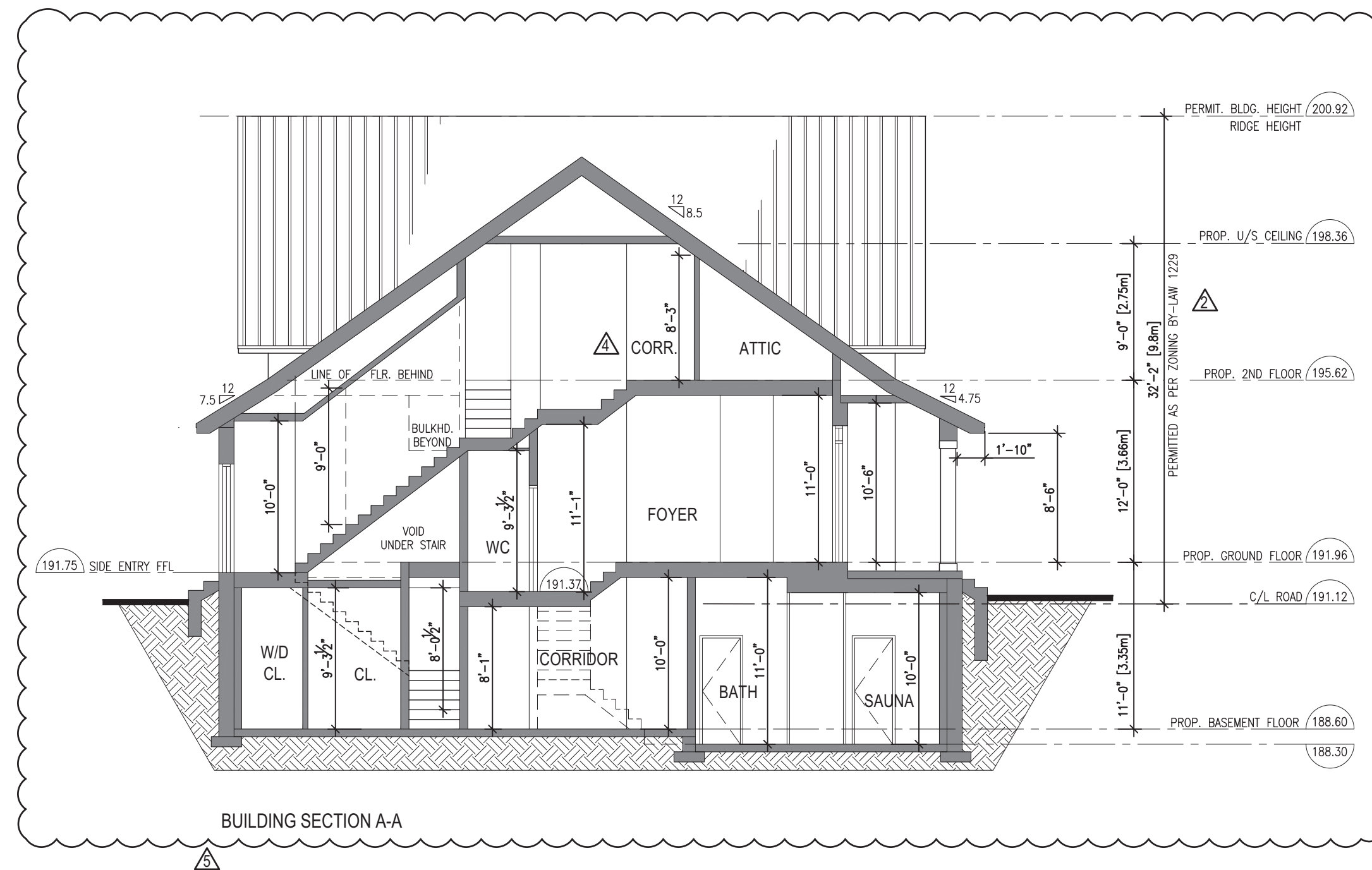
ZPR FILE: 22.263931.000.00.ZPR  
MV FILE No: A / 110 / 22

**LEGAL**  
PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

**BUILDING SECTION A-A**

SCALE: 1/8"=1'-0"  
DATE PRINTED: JUN 08, 2023  
PROJECT NO: 284.21.D

**SHEET NO**  
**A.501**



# Appendix C

File: 22.243791.000.00.MNV

Date: 07/19/23  
MM/DD/YY

## Memorandum to the City of Markham Committee of Adjustment

April 26, 2023

**File:** A/110/22  
**Address:** 19 Grenfell Crescent – Markham, ON  
**Applicant:** Kevin Cribari  
**Agent:** Joseph N. Campitelli Architect Inc.  
**Hearing Date:** May 3, 2023

### BACKGROUND

Staff had met with the applicant to discuss concerns with the Proposed Development and the cumulative effect of the requested variances. The applicant has made revisions to their plans on two separate instances for staff's review, after receiving accompanying zoning comments relating to each submission. *Table 1* provides a summary of the requested variances and changes:

*Table 1, Summary of Revised Submissions*

Permitted Development Standards	Requested Variances		
	1 <sup>st</sup> Submission to Staff	2 <sup>nd</sup> Submission to Staff	Current Submission to Staff
Maximum eaves encroachment into required front yard 0.45 m (18.0 in.)	1.04 m (41.0 in.)		
Maximum eaves encroachment into required flankage yard 0.45 m (18.0 in.)	Not requested		0.61 m (24.0 in.)
Minimum Flankage Yard Setback 3.05 m (10.0 ft)	Not Requested		2.44 m (8.0 ft)
Maximum Lot Coverage 35.0%	43.12%	42.70%	42.20%
Maximum Height 9.8 m (32.15 ft)	11.0 m (36.09 ft)	10.8 m (35.43 ft)	11.0 m (36.09 ft)
Maximum Depth 16.80 m (55.12 ft)	23.2 m (76.12 ft)	22.90 m (75.13 ft)	22.42 m (73.56 ft)
Maximum Floor Area Ratio 45.0%	56.35%	55.65%	52.40%

## PROPOSAL

The applicant is proposing to demolish the existing one-storey detached dwelling and construct a two-storey detached dwelling with a three car garage and accessory structure in the rear yard. Vehicular access for the dwelling would be provided from Grenfell Crescent via a new driveway, and the existing driveway would be removed. Including the garage area, the proposed dwelling would have a ground floor area of approximately 309.83 m<sup>2</sup> (3,335.0 ft<sup>2</sup>), and excluding the identified unfinished attic area a second floor area of approximately 99.31 m<sup>2</sup> (1,069.0 ft<sup>2</sup>), for a total gross floor area of 409.14 m<sup>2</sup> (4,403.95 ft<sup>2</sup>).

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

- a) By-law 1229, Section 11.2 (c) (i):  
eaves to encroach a maximum of 41.0 inches (1.04 m) into the required front yard, whereas the Zoning By-law permits a maximum encroachment of 18 inches (0.46 m) into a required yard;
- b) By-law 1229, Section 11.2 (c) (i):  
eaves to encroach a maximum of 24.0 inches (0.61 m) into the required flankage side yard, whereas the Zoning By-law permits a maximum encroachment of 18 inches (0.46 m) into a required yard;
- c) By-law 1229, Table 11.1:  
a flankage side yard of 2.44 m (8.0 ft), whereas the Zoning By-law requires a minimum flankage side yard of 3.05 m (10.0 ft);
- d) By-law 1229, Table 11.1:  
a maximum lot coverage of 42.20%, whereas the Zoning By-law allows a maximum lot coverage of 35.0%;
- e) Amending By-law 99-90, Section 1.2 (i):  
a maximum height of 11.0 m (36.09 ft), whereas the Zoning By-law permits a maximum height of 9.80 m (32.15 ft);
- f) Amending By-law 99-90, Section 1.2 (ii):  
a maximum depth of 22.42 m (73.56 ft), whereas the Zoning By-law permits a maximum depth of 16.80 m (55.12 ft); and
- g) Amending By-law 99-90, Section 1.2 (vi):  
a maximum floor area ratio of 52.40%, whereas the Zoning By-law permits a maximum floor area ratio of 45.0% (the “Proposed Development”).

**Note:** Should the Committee resolve to approve the application, staff recommend that the wording of variance e) be amended upon further confirmation with the Applicant to be consistent with the plans attached as Appendix “A”, and for the reasons later described under the Zoning Preliminary Review section of this report:

- e) Amending By-law 99-90, Section 1.2 (i):  
a maximum height of 10.80 m (35.43 ft), whereas the Zoning By-law permits a maximum height of 9.80 m (ft).

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

### **PROPERTY DESCRIPTION**

The 948.64 m<sup>2</sup> (10,211.0 ft<sup>2</sup>) Subject Property is located at the southeast corner of Grenfell Crescent and Abercorn Road, north of Highway 7 East, and west of Hawkridge Avenue, within an established residential neighbourhood that is predominantly comprised of a mix of one and two-storey single detached and semi-detached dwellings. The surrounding area is undergoing a transition with larger two-storey dwellings being developed as infill development. The Subject Property is currently developed with a one-storey single detached dwelling, and contains mature vegetation towards the rear of the lot.

### **OFFICIAL PLAN AND ZONING**

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

The Subject Property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings. Infill development is required to meet the general intent of the [Official Plan](#) with respect to height, massing, and setbacks to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the street, while accommodating diverse building styles and having regard for the retention of existing trees and vegetation.

The intent of the Official Plan is to provide for a set of development standards in the Zoning By-law that will limit the size and massing of new dwellings or additions to existing dwellings to ensure that infill development is complementary to the existing pattern and character of adjacent development.

Zoning By-Law 1229, as amended

The Subject Property is zoned “Residential One (R1)” under the Zoning By-law, which permits one single detached dwelling per lot. The Proposed Development does not comply with the Zoning By-law with respect to the minimum flankage yard, maximum lot coverage, and maximum eaves encroachment requirements.

Residential Infill Zoning By-law 99-90 (the “Infill By-law”)

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, floor area ratio, height, and number of storeys. The Proposed Development does not comply with the Infill By-law with respect to the maximum building depth, maximum building height, and maximum floor area ratio requirements.

### **ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN**

The Owner completed a ZPR on February 28, 2023, and received subsequent zoning comments on March 2, 2023 to confirm the variances required for the Proposed Development. Zoning staff identified that a height of 10.80 m (35.43 ft) is required.

As part of Planning staff’s detailed review, it was further confirmed that an eaves encroachment into the required flankage yard greater than the current request of 24.0 in (0.61 m) would be required to allow for the proposed one-storey eaves projection. Should

the applicant be looking to proceed with a request for a greater projection, a new Notice of Hearing would be required to account for this increase.

## COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended* (the “*Planning Act*”) states that all four tests must be met in order for a variance to be granted by the Committee of Adjustment (the “Committee”):

- a) The variance must be minor in nature
- b) The variance must be desirable, in the opinion of the Committee, 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
- d) The general intent and purpose of the Official Plan must be maintained

In 1990, Council amended Zoning By-law 1229, by implementing more restrictive standards in Infill By-law 99-90 with the purpose of ensuring that infill development is complementary to the existing pattern and character of adjacent development. The Proposed Development does not meet the general intent and purpose of the Zoning By-law as a number of development standards which ensure that new development is compatible with existing development are not being complied with. The Proposed Development is not appropriate because the larger house with more lot coverage will result in an overdevelopment of the lot. The Proposed Development will not be minor in nature as the combined variances will impact the streetscape and adjacent neighbours. It is the intent of the Official Plan to limit the size and massing of infill development in existing residential neighbourhoods to ensure it has a complementary relationship with existing dwellings. The Proposed Development does not maintain the general intent and purpose of the Official Plan as the size and scale of the house would not be complementary to the adjacent dwelling.

Staff are not in support of the Proposed Development (refer to plans in Appendix “A”), and are of the opinion that the cumulative impact of the requested variances will result in a development that does not meet the four tests.

### Tree Protection and Compensation

Staff have regard for tree protection and direct property owners to the City’s [Tree Permit](#) process for any on-site trees, including City street trees in accordance with the City’s Tree Preservation By-law. Tree Preservation staff has expressed concerns with the location of the accessory structure and pergola as it relates to encroachments into the minimum tree protection zones for those trees located on site, and recommend that the minimum tree protection zones be maintained. Planning staff note that the accessory structure is permitted by the Zoning By-law provided that it meets specific criteria, including that it does not occupy more than 10.0% of the lot area, is located in the rear yard, and also noting the maximum lot coverage request of 42.20% includes and is partially attributable to the proposed accessory building.

Construction of a new detached dwelling would be subject to a [Residential Infill Grading and Servicing Application](#). Property owners are required to obtain a Tree Permit from the City for any proposed injury to, or removal of trees located on the Subject Property or adjacent lands that have a diameter of 20.0 cm (7.87 in) or more, measured at 1.37 m (4.50 ft) above the ground at the base of the tree.

### Metrolinx Requirements

Metrolinx provided comments on August 2, 2022 as the Subject Property is located within 300.0 m of Metrolinx's Uxbridge GO rail corridor, and requests that an environmental easement for operation emissions be registered on title in order to ensure that clear notification to those who may acquire an interest in the Subject Property and reduce the potential for future land use conflicts in any event of approval.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of April 26, 2023. Additional information may be received after the writing of this 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*. While the area is in transition and staff acknowledge that there is an infill trend to construct larger two-storey dwellings, staff are of the opinion that the cumulative impact from the requested variances would result in an overdevelopment of the lot, and adversely impact the streetscape.

Staff are of the opinion that the Proposed Development does not meet the four tests, and recommend that the application be denied. Notwithstanding the foregoing, staff are willing to work with the applicant to address concerns should the Committee see merit in deferring the application. Staff recommend that the Committee consider public input in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

### **APPENDICES**

Appendix "A" – Plans

PREPARED BY:



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Aleks Todorovski, MCIP, RPP  
Planner II, East District

REVIEWED BY:



---

Stacia Muradali, MCIP, RPP  
Development Manager, East District

**APPENDIX "A"**  
**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/110/22**



DWELLING STATISTICS			
	BY-LAW 1229	EXISTING	PROPOSED
1. ZONING	R1 - RESIDENTIAL	DETACHED SINGLE FAMILY RESIDENCE TO BE DEMOLISHED	DETACHED SINGLE FAMILY RESIDENCE
2. LOT FRONTAGE	MIN. 60' (18.29m)	61.7' (18.81m)	N/C
3. SITE AREA	MIN. 6,600sf (613sm)	10,211sf (948.64sm)	N/C
4. SETBACKS	FRONT YARD = MIN. 25'-0" (7.62m) SIDE YARD (ONE STRY.) = MIN. 4'-0" (1.2m) SIDE YARD (2 STRY.) = MIN. 6'-0" (1.83m) FALNKAGE YARD = MIN. 10'-0" (3.0m) REAR YARD = MIN. 25'-0" (7.62m)	N/A	FRONT YARD = 26'-2" SOUTH SIDE YARD 1ST FLR. = 6'-0" SOUTH SIDE 2ND FLR. = 9'-4" NORTH SIDE YARD = 8'-0" REAR YARD = 58'-7"
5. BUILDING HEIGHT	MAX. 9.8m* (T/O RIDGE OF SLOPED ROOF) MAX. 8.0m* (T/O PARAPET OF FLAT ROOF) *FROM C/L OF ROAD ELEV. (E.L. = 190.32) MAX. 2 STOREYS (EXCL. CELLAR)	N/A	PROP. HEIGHT = 10.8m (35'-4.5")
6. COVERAGE	MAX. 35% (3,111sf)	N/A	GROUND FLOOR: 2,628sf 3 CAR GARAGE: 707sf PROP. BLDG. FOOTPRINT: 3,335sf FRONT PORCH: 132sf ROOF ATTIC OVER GARAGE: 31sf GARAGE CANOPY: 81sf FRONT CANOPY OVER PLANTER: 129sf COVERED REAR DECK: 42sf TOTAL: 3,750sf (36.7%) ACCESSORY BLDG.: 558sf (5.5%) TOTAL COVERAGE: 4,308sf (42.2%) NOTE: CANOPY OVER PLANTER MEASURED TO EXTENT OF SUPPORT. COLUMNS
7. BUILDING DEPTH	MAX. 16.8 m (+2.1m ONE-STORY BLDG. EXTN. OVER 16.8m, MAX. WIDTH 1/2 BLDG. WIDTH, MAX. HEIGHT 4.6m)	N/A	22.42m (73'-7")
8. NET FLOOR AREA RATIO	MAX. 45% (3,782sf/351.4sm)-INCL. GARAGE NET AREA = 8,405sf (780.8sm) NET AREA CALC: 6,600 + ((10,211 - 6,600) / 2) = 8,405sf (780.8sm)	N/A	GROUND FLOOR - 2,628sf GARAGE - 707sf TOTAL GROUND FLR. - 3,335sf 2ND FLOOR AREA - 2,425sf TOTAL GFA - 5,760sf DEDUCTIONS: STAIR WELL - 93sf ELEVATOR SHAFT - 25sf ATTIC AREA - 1,090sf REAR STAIR SHAFT - 148sf TOTAL DEDUCTIONS - 1,356sf TOTAL NET AREA: 4,404sf (40.8%) NET RATIO: 52.4% BSMNT. AREA (NOT INCL.) - 3,467sf GARAGE ROOF PROJECTION = 41' (3'-5")
9. PERMITTED PROJECTIONS	UNENCLOSED PORCH = 18' (0.46m) UNCOVERED PLATFORMS = 18' (0.46m)	N/A	

LANDSCAPE STATISTICS	
BY-LAW 27-97	PROPOSED
FRONT YARD LANDSCAPE REQ. MIN. 40%	TOTAL FRONT YARD AREA: 1,690sf EXCLUDED HARD SURFACE AREAS: PROP. DRIVEWAY: 879sf PROP. WALKWAY: 104sf PROP. PLANTER WALL: 27sf TOTAL SOFT LANDSC. AREA: 680sf (40.2%)

**SURVEY INFORMATION**

PLAN OF SURVEY  
PART 1, LOT 74,  
REGISTERED PLAN 4949  
CITY OF MARKHAM,  
REGIONAL MUNICIPALITY OF YORK

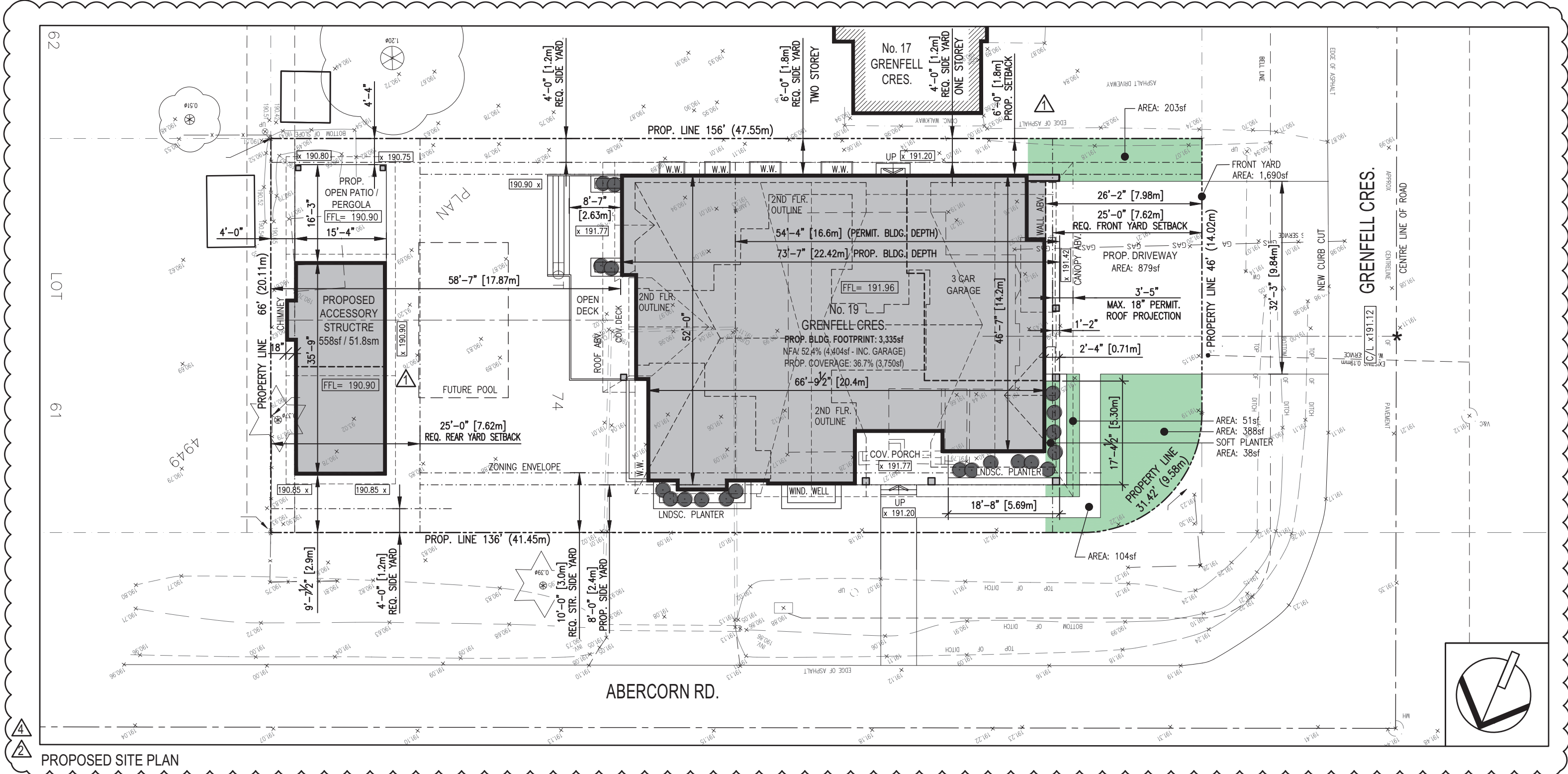
DATED: MARCH 12, 2021  
E. W. BOWYER INC.  
ONTARIO LAND SURVEYORS  
LAND DEVELOPMENT CONSULTANTS

9275 MARKHAM ROAD., SUITE 201A  
MARKHAM, ONTARIO L6E 1A3  
TEL. (905) 294-8093  
FAX. (905) 294-8349

LEGEND	
	PROPERTY LINE
	ZONING ENVELOPE
	PROPOSED BUILDING ENVELOPE (NFA)
	PROPOSED FRONT YARD SOFT LANDSCAPE AREA
	EXISTING GRADE ELEVATION
	PROP. ELEVATION



ACCESSORY BUILDING STATISTICS			
	BY-LAW 1229	EXISTING	PROPOSED
1. LOCATION	PERMITTED IN REAR YARD	EXISTING TO BE REMOVED	REAR YARD
2. SETBACKS	REAR/ SIDE YARD = 4'-0" (1.2m)		REAR SY = 4'-0" SOUTH SY = 4'-4" NORTH SY = 9'-7.5"
3. BUILDING HEIGHT	12'-0" (3.66m) TO ROOF MID-POINT		12'-0" (3.66m) TO ROOF MID-POINT
4. COVERAGE	MAX. 10% OF LOT AREA (INCLUDED IN OVERALL LOT COVERAGE)		ENCLOSED STRUCTURE - 558sf / 5.5% (INCLUDED IN OVERALL LOT COVERAGE)



PROJECT: PROPOSED CUSTOM HOME SINGLE FAMILY RESIDENCE

CLIENT: MRS. KRISTEN & MR. KEVIN CRIBARI

CONSULTANTS:

ARCHITECT: JOSEPH N. CAMPITELLI ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8800 fax: 905-887-9400  
e-mail: info@jnc-architect.com

**Appendix A**

File: 22.243791.000.00.MNV

Date: 04/28/23

**LEGAL**

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COUNTERSIGNED	Joseph N. Campitelli, Architect
DATE	
DATE	

DWG. ISSUES	DESCRIPTION	DATE	BY
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5. DEC.09.2022	RE-ISSUED FOR ZONING REVIEW	RD	
6. FEB.14.2023	ISSUED FOR ZONING REVIEW	RD	

**LEGAL**

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

DWG. TITLE	PROPOSED SITE PLAN SITE STATISTICS
SCALE	1/16"=1'-0"
DATE PRINTED	FEB.14.2023
PROJECT NO.	284.21.D

SHEET NO: A.100





LEGEND	
■	PROP. WALLS
CH	CEILING HEIGHT
FFL	FINISH FLOOR LEVEL
FD	FLOOR DRAIN
AD	AREA DRAIN
FP	FIREPLACE
P.	WALL PANTRY
OV	OVEN
B	BENCH
MW	MILLWORK
CL	CLOSET
BIC	BUILT-IN CLOSET

**JOSEPH N. CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8800 fax: 905-887-9400  
e-mail: info@jnc-architect.com

**LEGAL**

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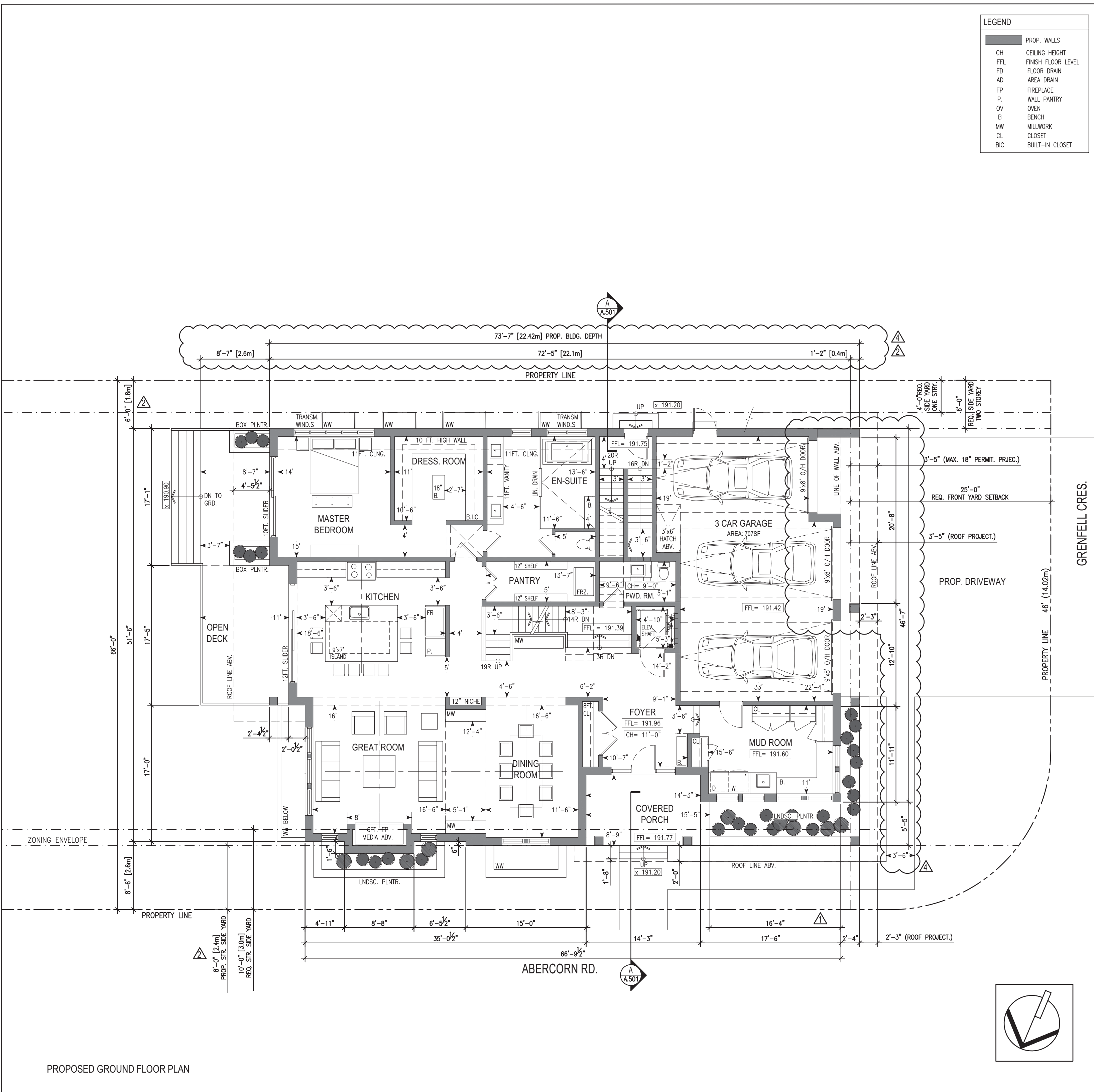
COUNTERSIGNED	
Joseph N. Campitelli, Architect	B.A.R.C.H., O.A.A., M.R.A.I.C.
DATE	

DWG. ISSUES	
1. NOV.12.2021	ISSUED FOR ZONING REVIEW RD
2. APR.14.2022	RE-ISSUED FOR ZONING REVIEW RD
3. JUN.01.2022	ISSUED FOR MINOR VARIANCE APPR. RD
4. NOV.02.2022	ISSUED FOR ZONING REVIEW RD
5. DEC.09.2022	RE-ISSUED FOR ZONING REVIEW RD
6. FEB.14.2023	ISSUED FOR ZONING REVIEW RD

LEGAL	
PROJECT ARCHITECT:	J. CAMPITELLI
ASSISTANT DESIGNER:	
DRAWN BY:	RD
CHECKED BY:	J.C.

DWG. TITLE	
PROPOSED GROUND FLOOR PLAN	
SCALE	DATE PRINTED
1/8"=1'-0"	FEB.14.2023
PROJECT NO.	284.21.D

**A.301**



PROPOSED GROUND FLOOR PLAN

AREA DIAGRAM

HATCHED AREA INCLUDED IN GFA CALCULATIONS  
AREA: 1,069sf

LEGEND

- CH PROP. WALLS
- FLL CEILING HEIGHT
- FD FINISH FLOOR LEVEL
- AD AREA DRAIN
- FP FIREPLACE
- P. WALL PANTRY
- OV OVEN
- B BENCH
- MW MILLWORK
- CL CLOSET
- BIC BUILT-IN CLOSET

PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENPELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

CONSULTANTS

ARCHITECT

**JOSEPH N. CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8900 fax: 905-887-9400  
e-mail: info@jnc-architect.com

Appendix A

File: 22.243791.000.00.MNV

Date: 04/28/23

MMDDYYYY

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Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

DWG. ISSUES

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5. DEC.09.2022	RE-ISSUED FOR ZONING REVIEW	RD
6. FEB.14.2023	ISSUED FOR ZONING REVIEW	RD

DESCRIPTION

LEGAL

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

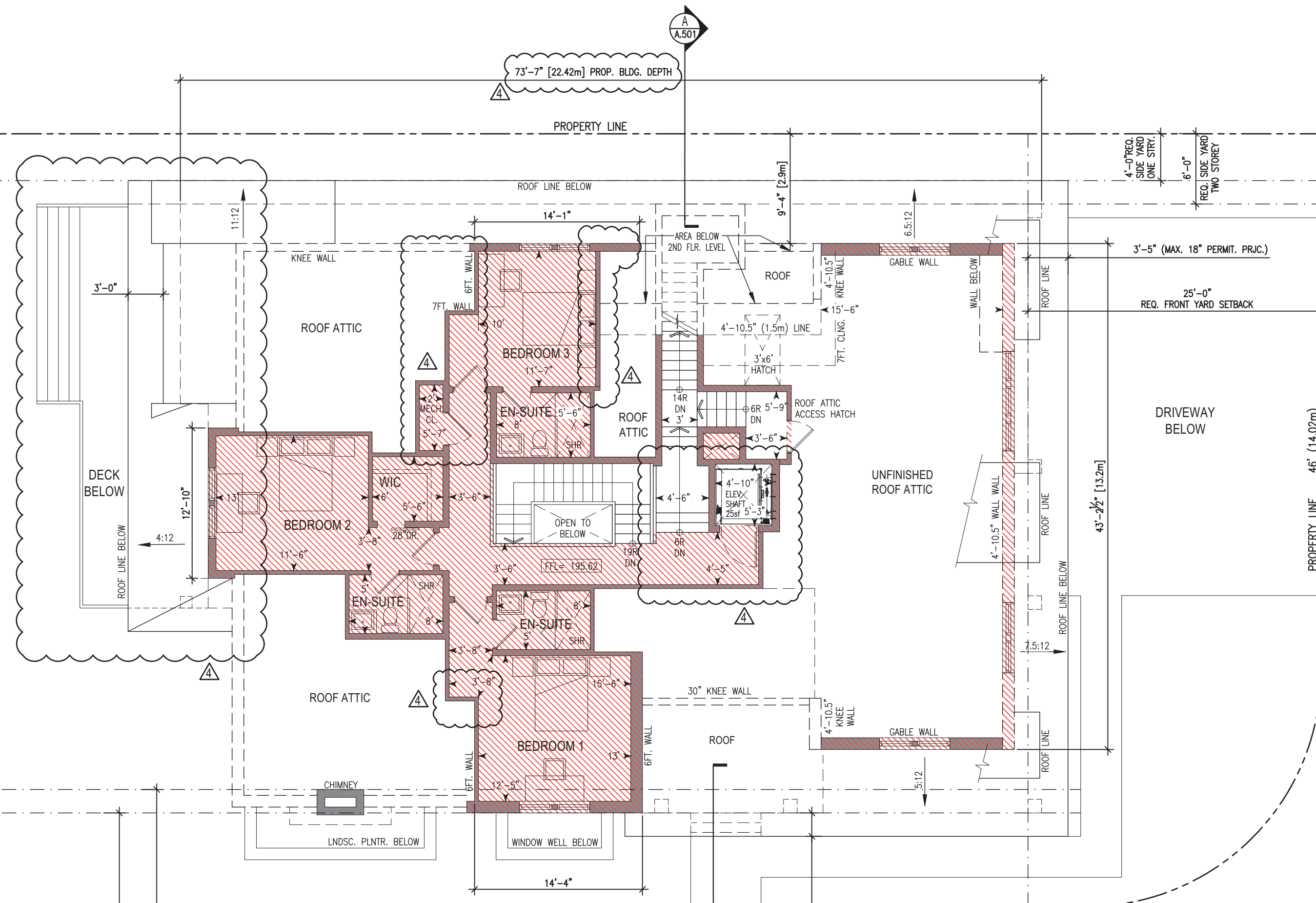
DWG. TITLE

PROPOSED  
SECOND FLOOR PLAN

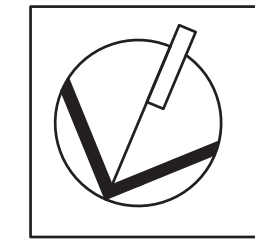
SHEET NO.

A.302

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	FEB.14.2023	284.21.D



PROPOSED SECOND FLOOR PLAN





PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENPELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

**JOSEPH N CAMPITELLI**  
ARCHITECT INC.

10 Bur Oak Avenue, Unit 3, Markham, ON L6C 0A2  
tel: 905-887-8800 fax: 905-887-9400  
e-mail: info@jnc-architect.com

**Appendix A**

File: 22.243791.000.00.MNV

Date: 04/28/23

PROJECT ARCHITECT  
CLIENT  
CONSULTANTS  
ARCHITECT  
LEGAL  
LEGAL  
DESCRIPTION  
LEGAL  
DWG. TITLE  
SHEET NO.

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Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

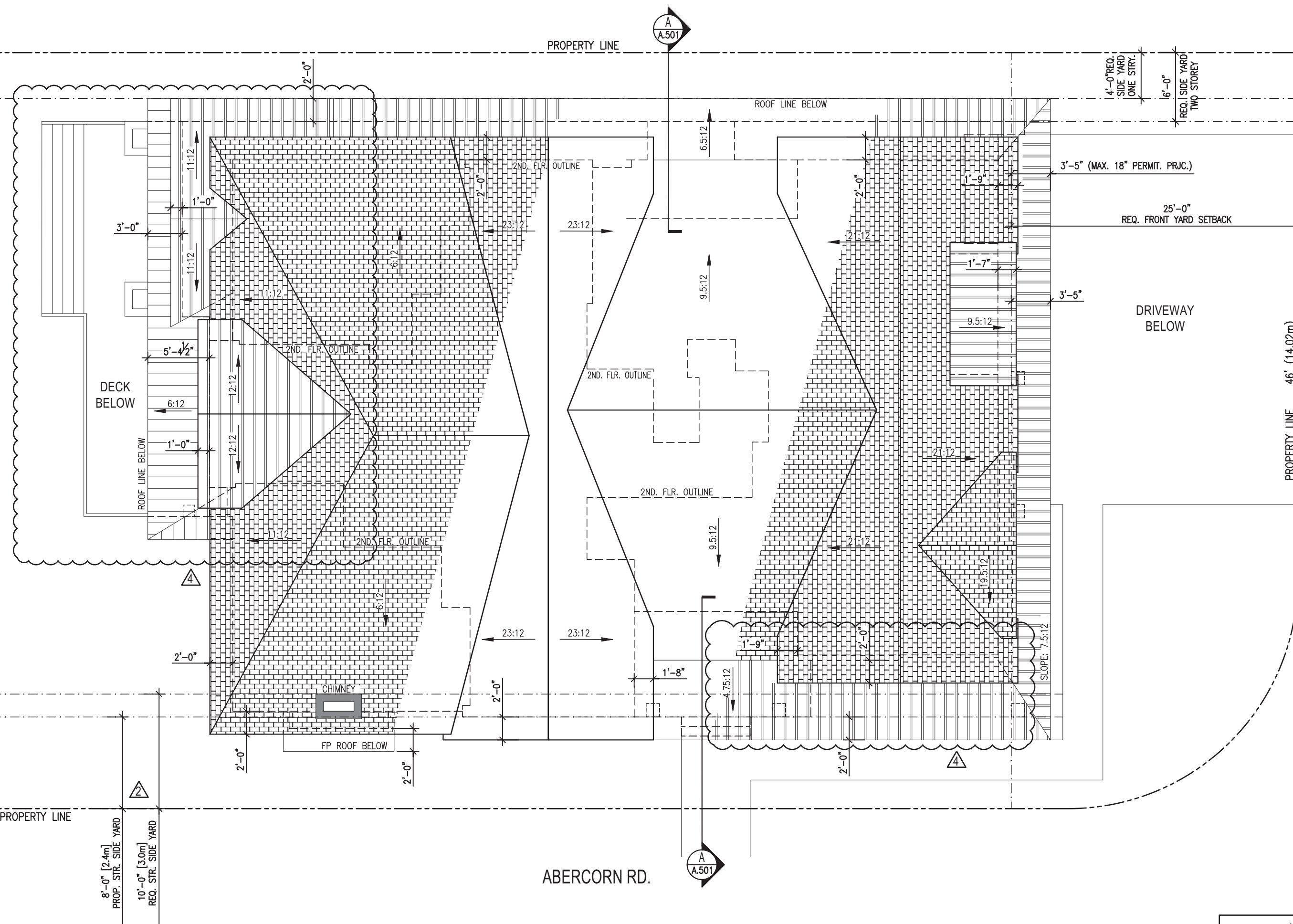
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2.	APR.14.2022	RE-ISSUED FOR ZONING REVIEW	RD
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6.	FEB.14.2023	ISSUED FOR ZONING REVIEW	RD

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

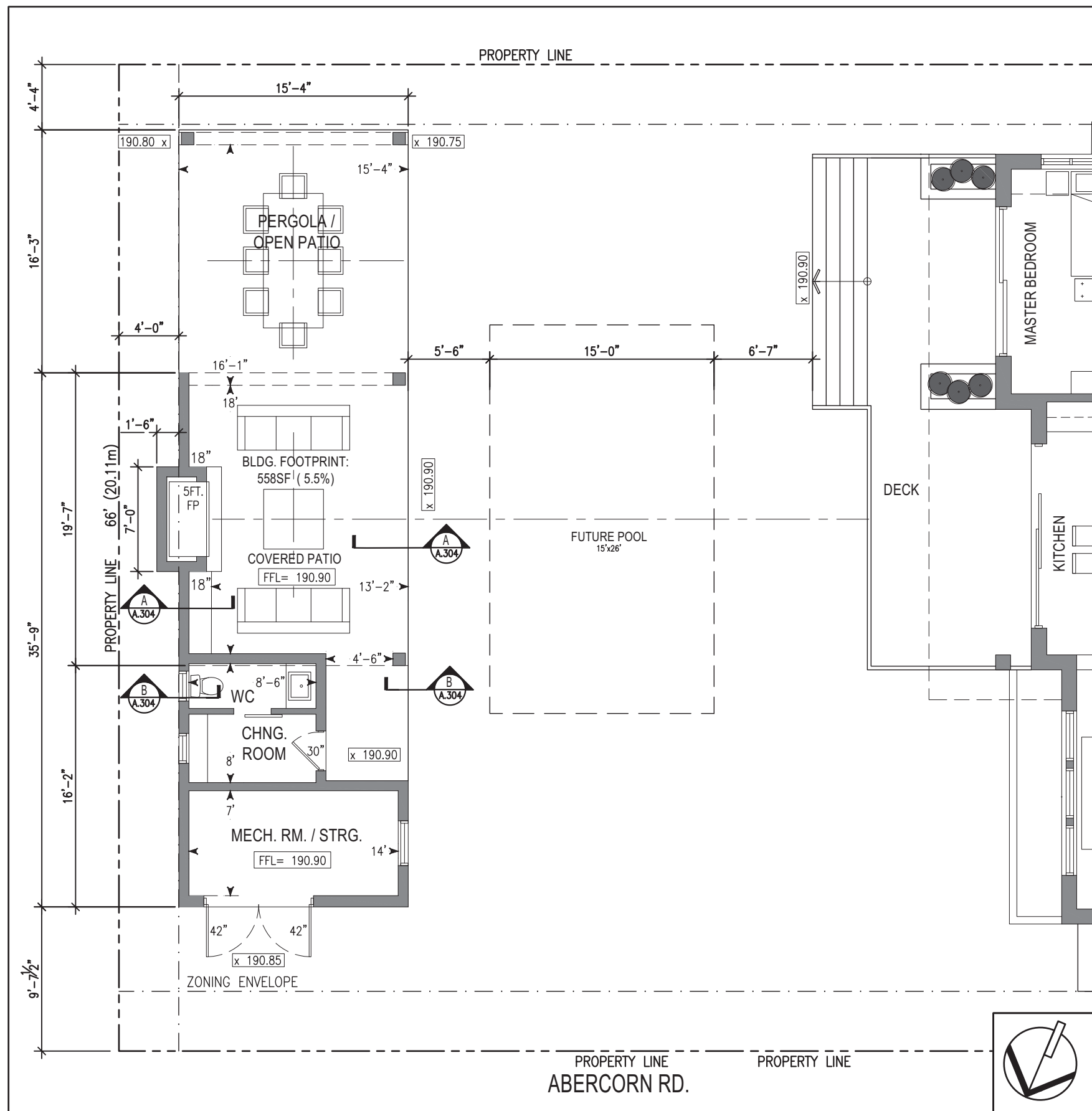
PROPOSED ROOF PLAN

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	FEB.14.2023	284.21.D

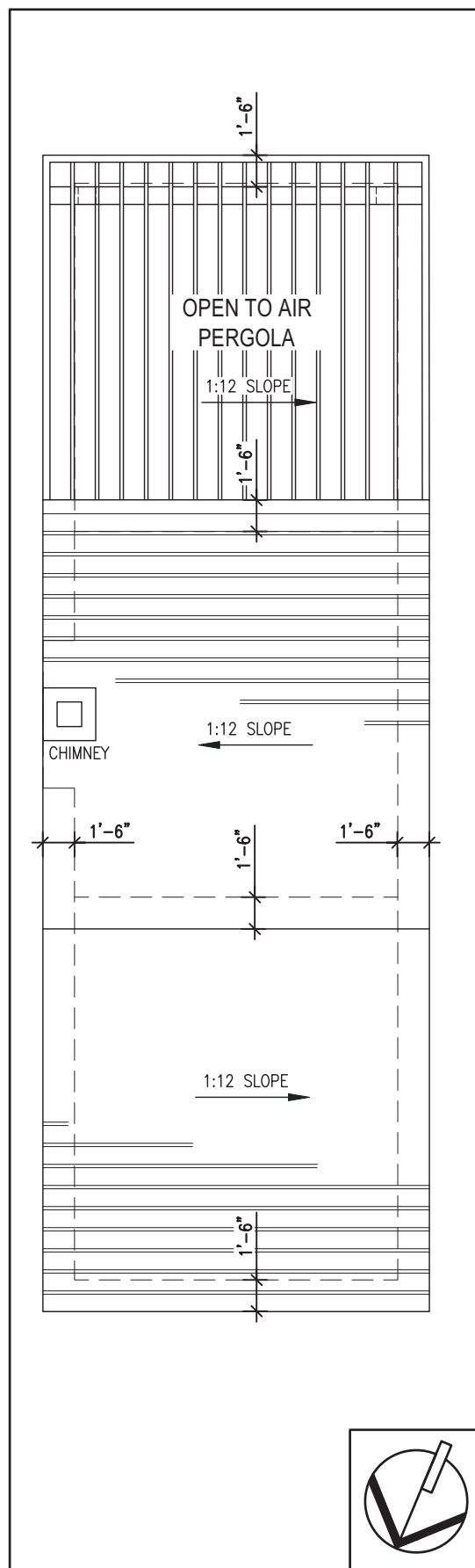
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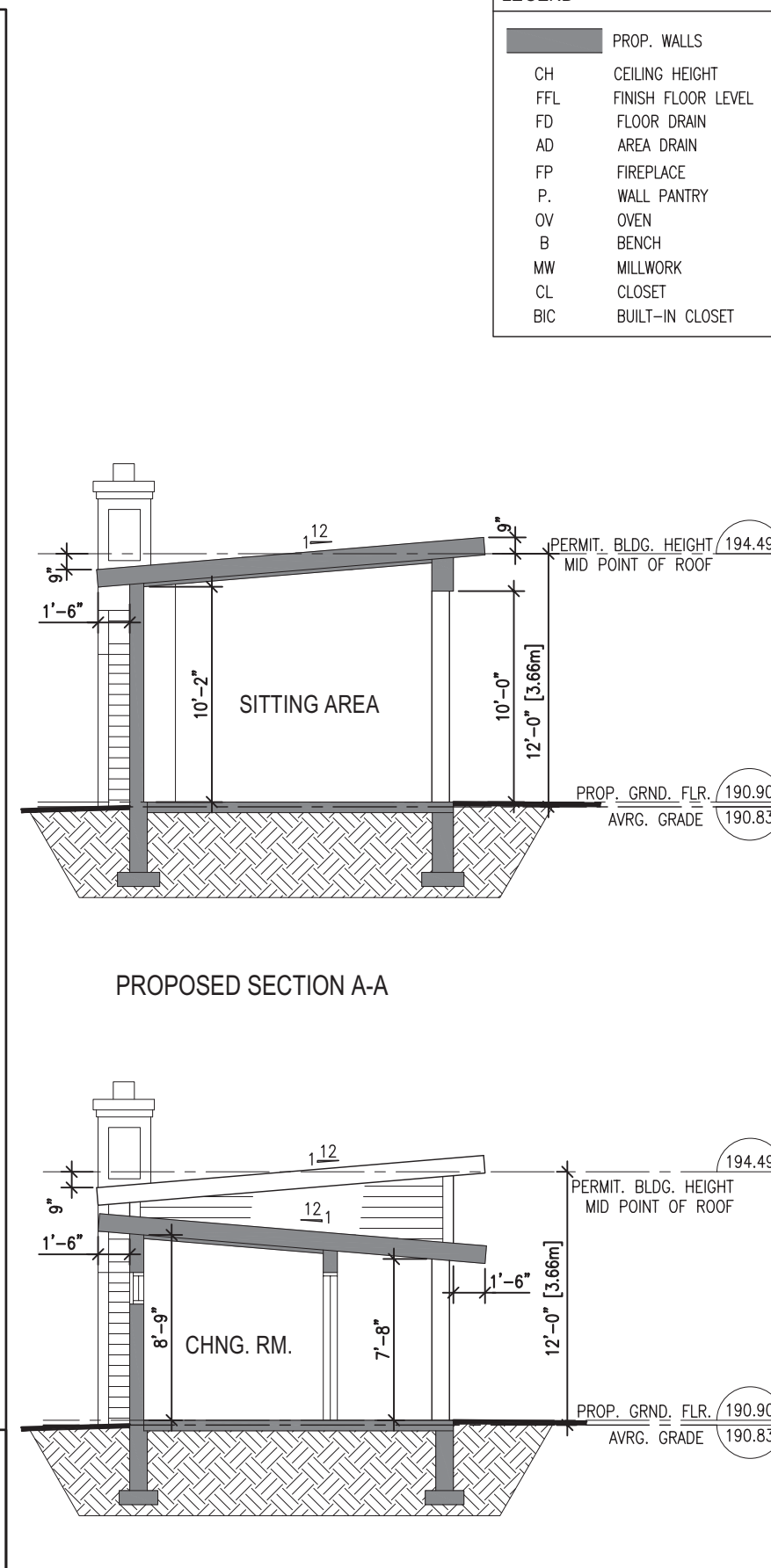
PROPOSED ROOF PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED ROOF PLAN



PROPOSED SECTION A-A

PROPOSED SECTION B-B

**LEGEND**

- PROP. WALLS
- CH CEILING HEIGHT
- FFL FINISH FLOOR LEVEL
- FD FLOOR DRAIN
- AD AREA DRAIN
- FP FIREPLACE
- P. WALL PANTRY
- OV OVEN
- B BENCH
- MW MILLWORK
- CL CLOSET
- BIC BUILT-IN CLOSET

PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

ARCHITECT

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Joseph N. Campitelli, Architect  
B.A.R.C.H., O.A.A., M.R.A.I.C.

DATE

DWG. ISSUES

1. APR. 14, 2022	ISSUED FOR ZONING REVIEW	RD
2. NOV. 02, 2022	ISSUED FOR ZONING REVIEW	RD
3. FEB. 14, 2023	ISSUED FOR ZONING REVIEW	RD

DESCRIPTION

LEGAL

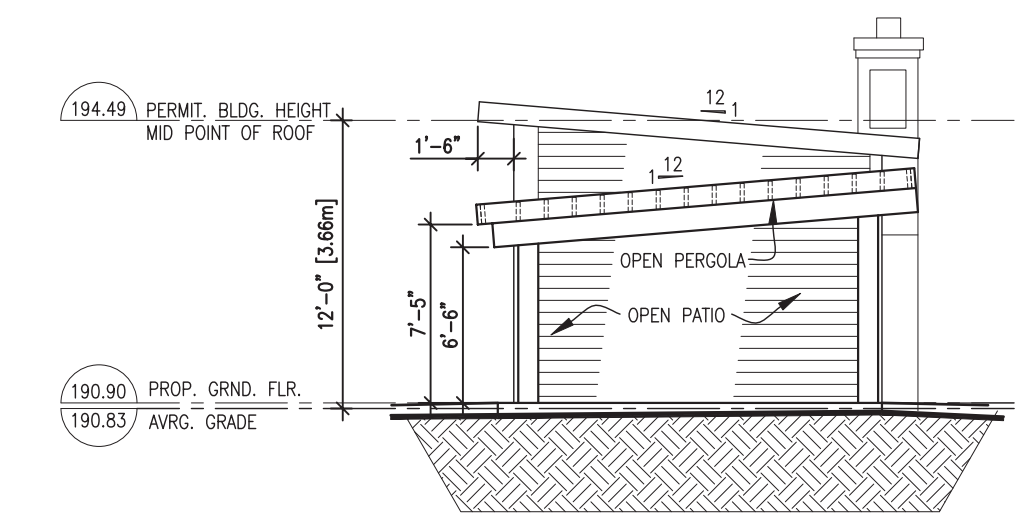
PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

DWG. TITLE

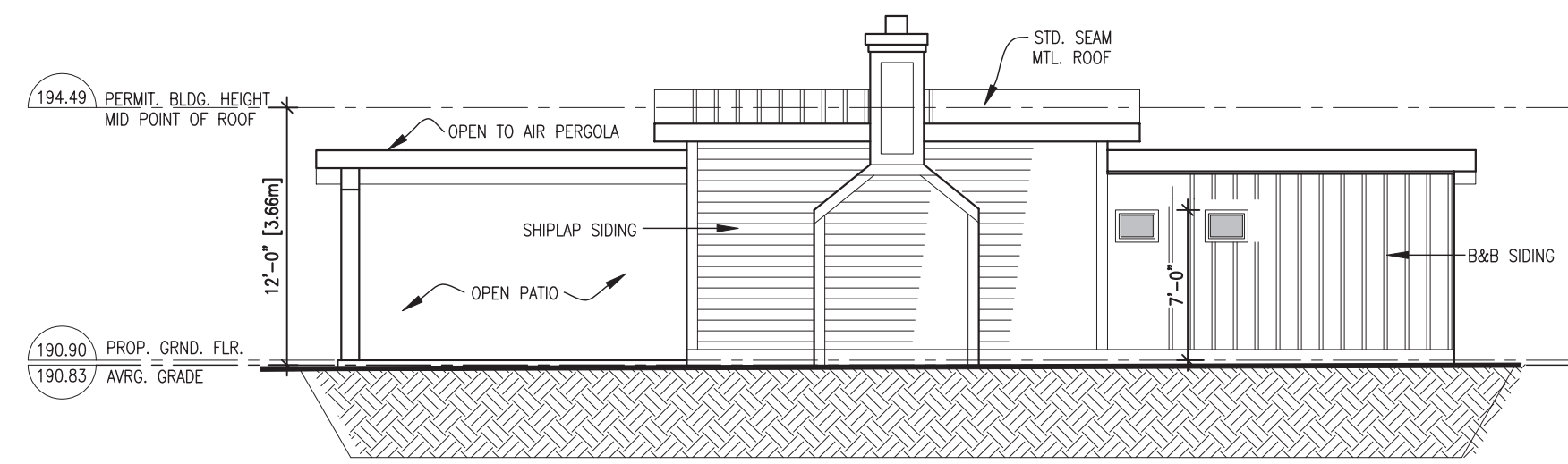
PROP. ACCESSORY STRUCTURE  
PLAN, ELEVATIONS, SECTIONS

SHEET NO.

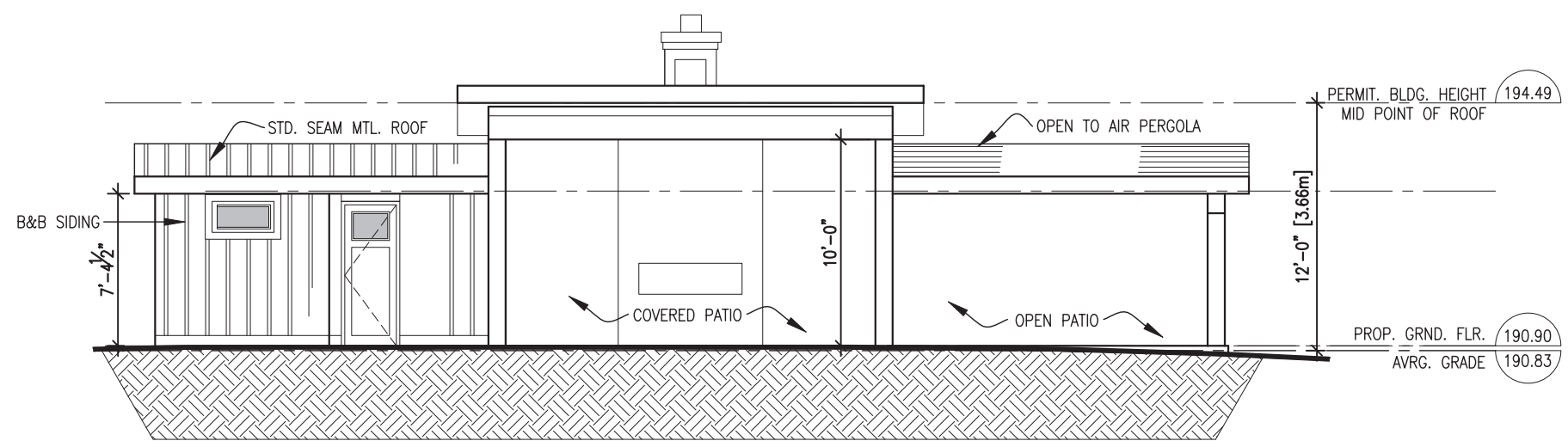
SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	FEB. 14, 2023	284.21.D



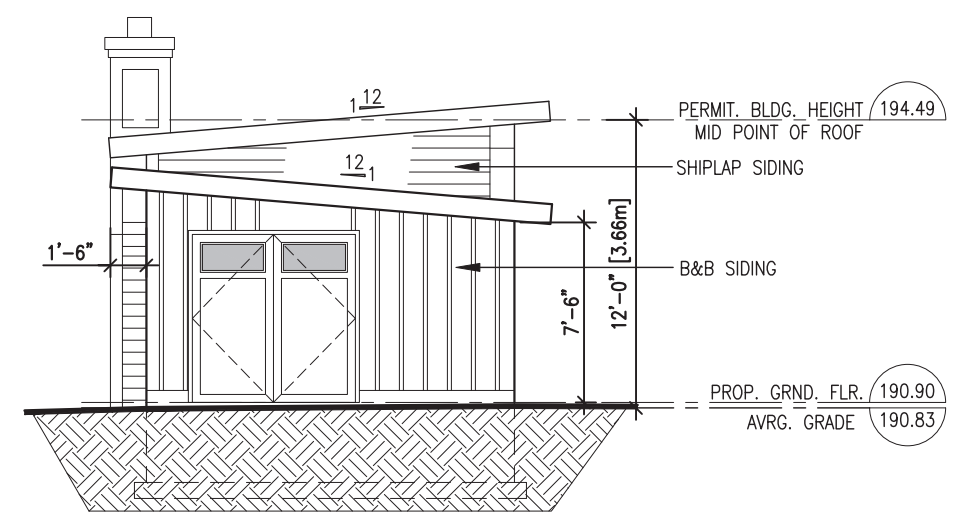
PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION

**A.304**



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6. FEB.14.2023	ISSUED FOR ZONING REVIEW	RD

DESCRIPTION

LEGAL

PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

DWG. TITLE

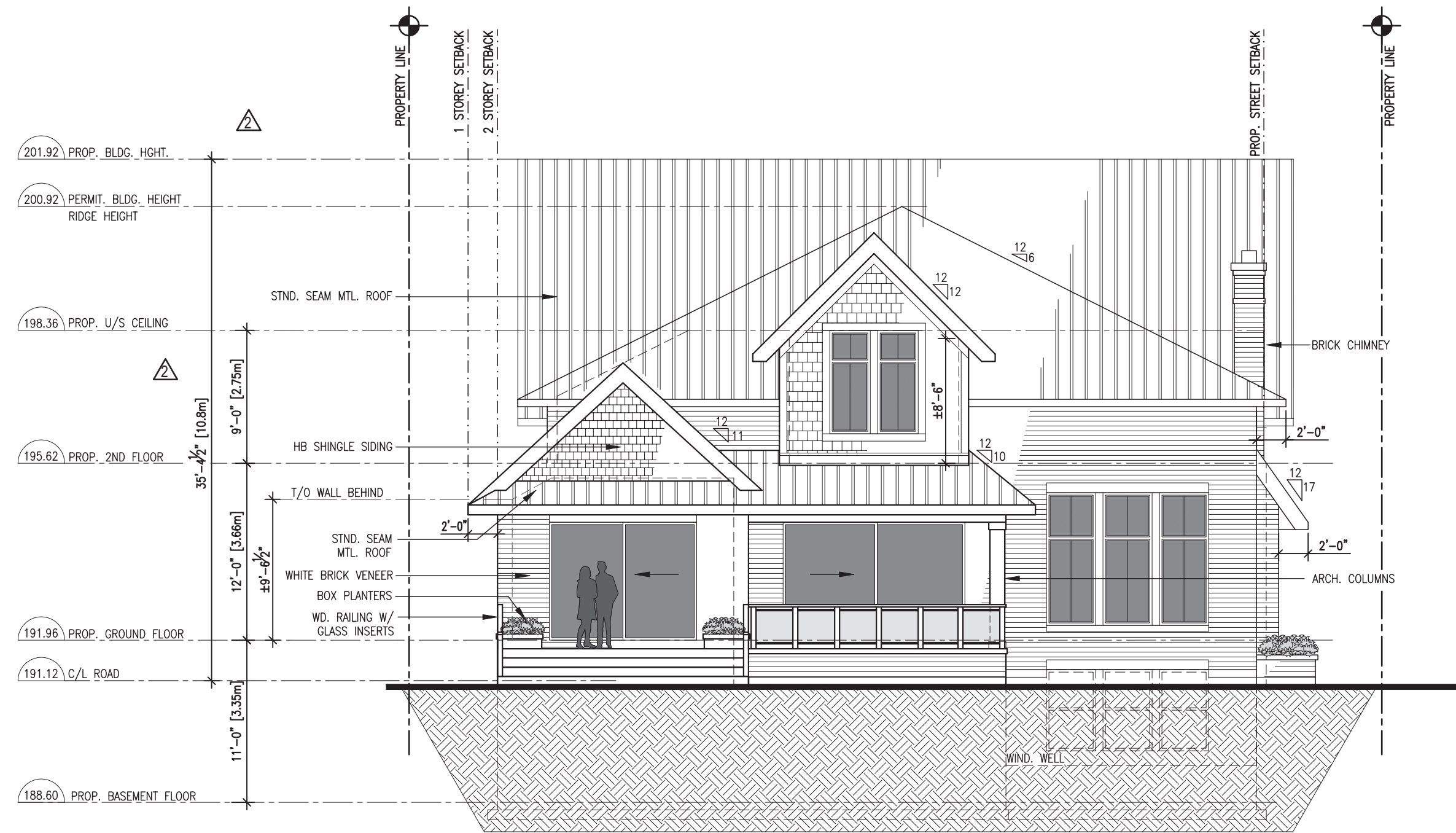
PROPOSED  
WEST & NORTH ELEVATIONS

SHEET NO.

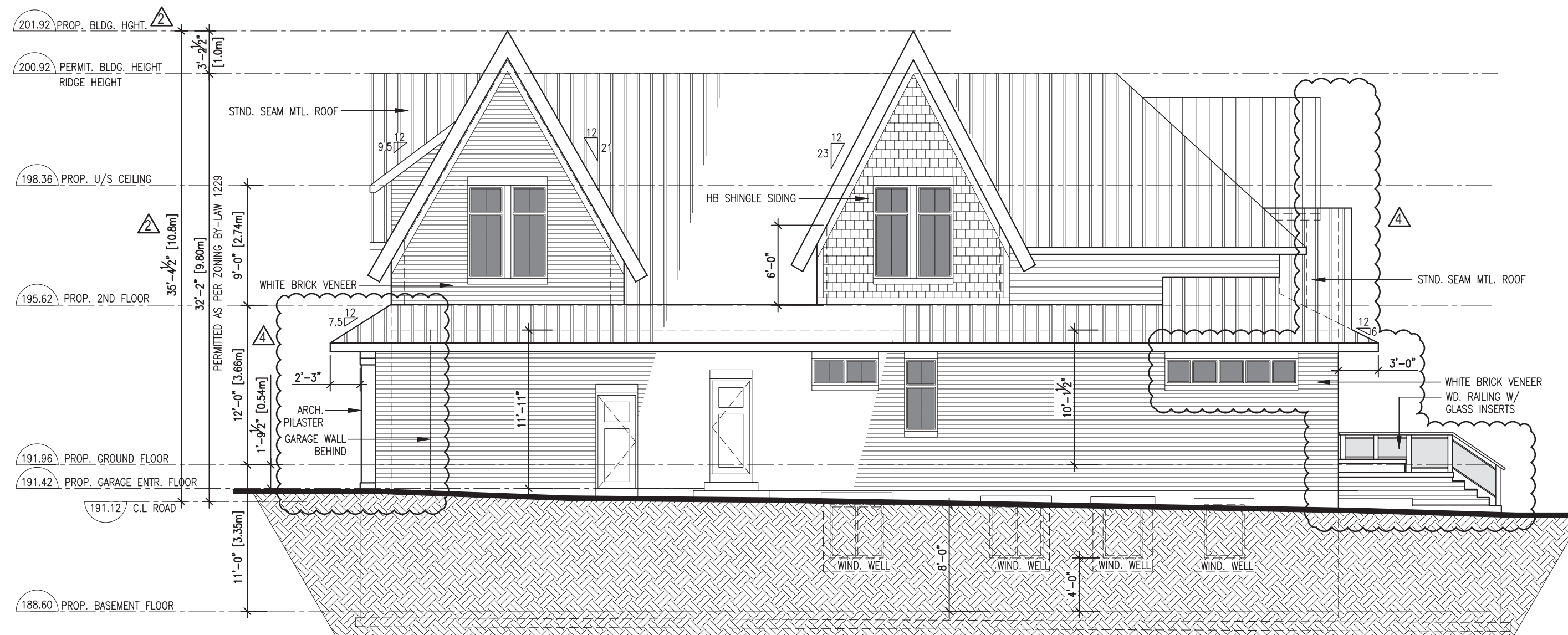
SCALE 1/8"=1'-0" DATE PRINTED FEB.14.2023 PROJECT NO. 284.21.D

A.401





PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION

PROJECT

CLIENT

CONSULTANTS

ARCHITECT

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ARCHITECT INC.

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DESCRIPTION

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PROJECT ARCHITECT:  
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J.C.

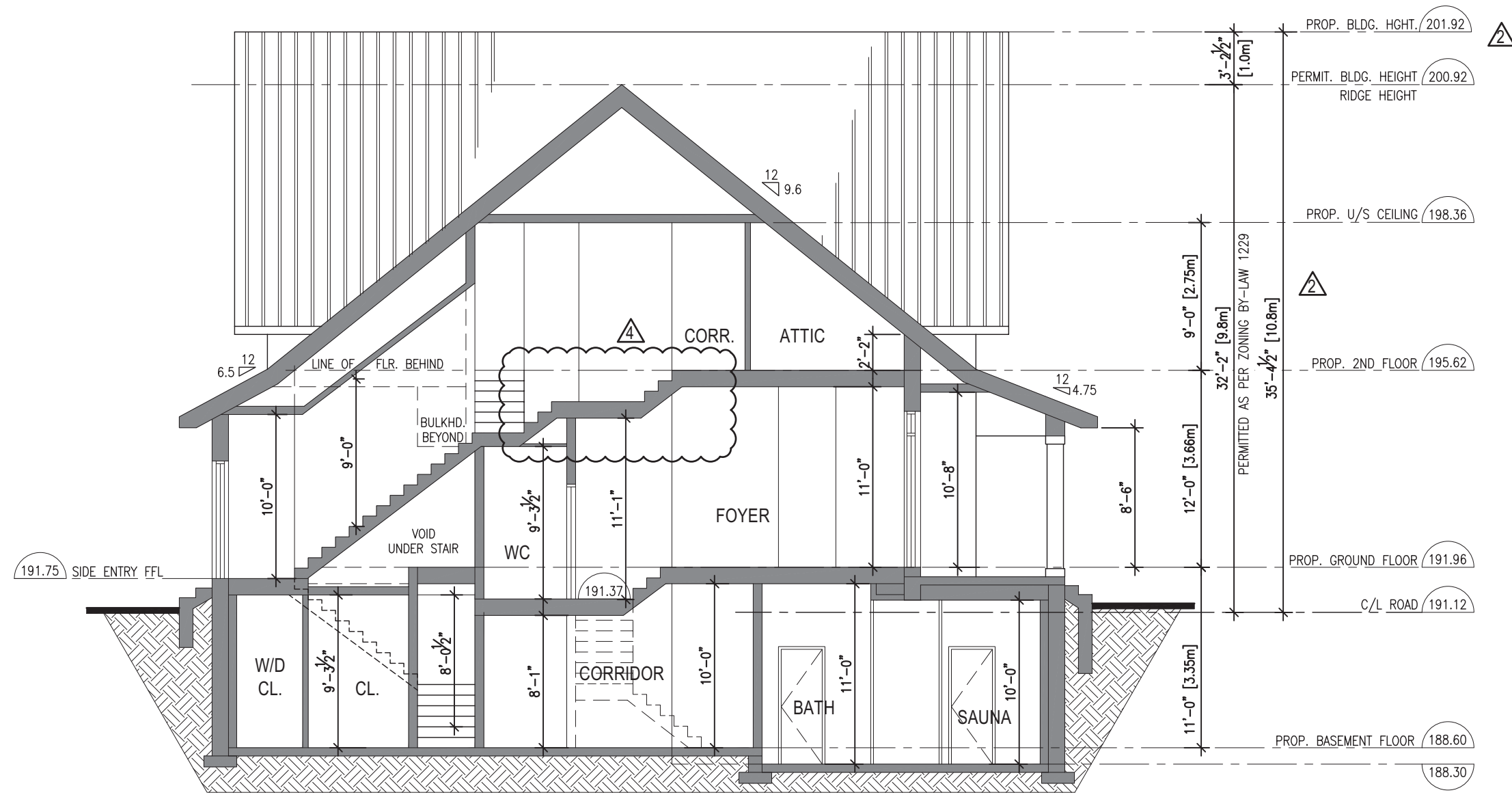
DWG. TITLE  
PROPOSED  
EAST & SOUTH ELEVATIONS

SCALE: 1/8"=1'-0" DATE PRINTED: FEB.14.2023 PROJECT NO: 284.21.D

SHEET NO

A.402





BUILDING SECTION A-A

PROPOSED CUSTOM HOME  
SINGLE FAMILY RESIDENCE

19 GRENFELL CRES.  
MARKHAM, ON

MRS. KRISTEN & MR. KEVIN CRIBARI

**JOSEPH N CAMPITELLI**  
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**LEGAL**  
PROJECT ARCHITECT:  
J. CAMPITELLI  
ASSISTANT DESIGNER:  
RD  
DRAWN BY:  
RD  
CHECKED BY:  
J.C.

**DWG. TITLE**  
BUILDING SECTION A-A

SCALE	DATE PRINTED	PROJECT NO.
1/8"=1'-0"	FEB.14.2023	284.21.D

**SHEET NO.**  
A.501

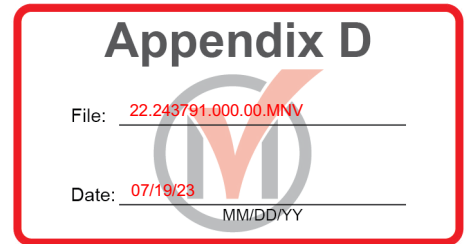
**Appendix A**

File: 22.243791.000.00.MNV

Date: 04/28/23

MMDDYY





**CITY OF MARKHAM  
Virtual Meeting on Zoom**

**May 03, 2023  
7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 8<sup>th</sup> regular meeting of the Committee of Adjustment for the year 2023 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight Chair	7:00 pm
Tom Gutfreund	7:00 pm
Arun Prasad	7:00 pm
Jeamie Reingold	7:00 pm

Shawna Houser, Secretary-Treasurer  
Greg Whitfield, Supervisor, Committee of Adjustment  
Trisha Sridharan, Development Technician, Zoning and Special Projects  
Aaron Chau, Development Technician, Zoning and Special Projects

**Regrets**

Kelvin Kwok  
Sally Yan  
Patrick Sampson

**DISCLOSURE OF INTEREST**

None

**Minutes: April 19, 2023**

THAT the minutes of Meeting No. 07, of the City of Markham Committee of Adjustment, held April 19, 2023 respectively, be:

- a) Approved on May 03, 2023.

**Moved By: Tom Gutfreund  
Seconded By: Arun Prasad**

**Carried**

## **PREVIOUS BUSINESS**

### **1. A/001/23**

**Owner Name: Calvin Ho Tai Wong**  
**Agent Name: Calvin Ho Tai Wong**  
**118 Romfield Circuit, Thornhill**  
**PLAN M1346 LOT 218**

The applicant was requesting relief from the requirements of By-law 2489, as amended, to permit:

- a) **Section 6.1:**  
a maximum lot coverage of 33.60 percent (2,019 square feet), whereas the By-law permits a maximum lot coverage of 33 1/3 percent (1,997 square feet); and
- b) **Section 6.1:**  
a west side yard setback of 4 feet (1.22 metres), whereas the By-law requires a minimum side yard setback of 6 feet (1.83 metres) for the second floor addition;

as it related to a proposed second-floor addition.

The Chair introduced the application.

Russ Gregory appeared on behalf of the application, acting as a representative of the owner. Russ provided an overview of the project and indicated that revisions had been made to the original proposal to satisfy the requirements of Urban Design and Forestry staff. In addition, a tree protection plan had been submitted and reviewed to address previously expressed forestry issues.

The Committee received three written pieces of correspondence.

Richard Bonk, of 50 Stornoway Crescent, spoke to the Committee. Rick had no objection to constructing a second-storey addition, noting it was a similar design to his home. However, there were concerns regarding the two-storey addition to the rear of the home. Richard remarked that the addition resulted in an increased building depth that would project too far into the rear yard. The proposed addition was large and a visual distraction with considerable massing. Richard highlighted Official Plan policies that spoke to infill projects having scale and visual massing appropriate for the site and surrounding area. In particular, Richard spoke on behalf of the resident of 120 Romfield Circuit and their concerns that a two-storey addition would result in a loss of privacy and increased shadowing of their property. Richard indicated that the rear setback was inconsistent with other rear setbacks on the street and would impact adjacent properties. Richard indicated they were aware of the changes to accommodate and protect the tree in the neighbour's yard. Still, he questioned what guarantees would be available to ensure the continuing health of the tree.

Susan Geller, of 52 Stornoway Crescent, spoke to the Committee, observing that the proposed addition was higher than surrounding buildings and, coupled with the increased depth, it would overshadow other houses in the area and result in a loss of privacy and enjoyment of the surrounding properties.

Russ Gregory indicated that only variances for coverage and a side yard setback were required, and the proposal met the other development standards, including depth and rear yard setback. The area was transitioning with numerous renovations to the existing housing stock. The shadowing and decreased sunlight had been considered during the design phase to limit impacts on neighbouring properties.

After reviewing the setbacks, Member Gutfreund concluded that shadowing and sunlight impact on adjacent properties would be minimal. Member Gutfreund understood the resident's concerns. However, they felt the setbacks would be consistent with neighbouring properties. The member had no objections to the application and considered the application minor and met the four tests of the *Planning Act*.

Member Reingold concurred with their colleague that the proposal was minor and any impacts would be minimal, remarking that it was a good transitional home.

The Chair commented that the application was minor and reasonable for the development of the property.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/001/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**2. A/124/22**

**Owner Name: Xinyu Huang**  
**Agent Name: Chuan Liang Architects (Chuan Liang)**  
**7 Fredericton Rd, Markham**  
**PLAN 4427 LOT 26**

The applicant was requesting relief from the requirements of By-law 1229, as amended, to permit:

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

a maximum floor area ratio of 49.1 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;

as it related to proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Chuan Liang, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth spoke regarding the massing of the proposal at the rear of the property and with considerable open to below areas. Elizabeth drew attention to policies in the Official Plan regarding infill development having consideration for the neighbourhood character, massing and scale and existing trees and vegetation. Elizabeth asked for clarification if the proposed circular driveway had been removed and what recommendation had been made regarding the existing trees on site. Elizabeth recommended that the applicant bring down the massing and protect the trees.

The agent explained that the application had been revised to remove the circular driveway and determine the health of the trees with arborist recommendations regarding removal and retention. The agent noted that the proposal had a lot coverage of only 23 percent, and the rear of the house was a basement walkout which emphasized the massing in the rear of the property. The rear massing utilized the property's natural slope, and the design was consistent with neighbouring houses.

Member Gutfreund commented that one variance was requested, and the request was well within what was generally considered acceptable to Committee. The member noted that any open to below areas were at the rear of the house and did not contribute to additional massing on the streetscape. Member Gutfreund indicated the proposal had a low lot coverage and was minor and motioned for approval with conditions.

**Moved By: Tom Gutfreund**

**Seconded By: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/124/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**3. A/149/22**

**Owner Name: Yi Huang**  
**Agent Name: Xiaoru Song**  
**98 Clark Avenue, Thornhill**  
**CON 1 PT LOT 28**

The applicant was requesting relief from the requirements of By-law 2237, as amended, to permit:

**a) Amending By-law 101-90, Section 1.2 (vii):**

a floor area ratio of 54.95 percent, whereas the By-law permits a maximum floor area ratio of 50 percent;

as it related to a proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Victor Guitberg, appeared on behalf of the application. Victor explained the changes made to the design to address the committee recommendations made at the previous meeting. The changes reduced the overall floor area ratio and allowed for the elimination of the building depth variance. The owner had the support of three neighbours with whom they had spoken.

The Committee received two written pieces of correspondence.

Jean Hunn, of 99 Clark Avenue, spoke to the Committee. Jean had previously addressed the Committee and opposed the proposed height and massing of the house. Jean expressed that it did not appear that significant changes had been made to the plans, and the design and massing were inconsistent with the area's character.

Joan Honsberger, 60 Elgin Street, and representative of the Ward One Residents Association, addressed the Committee. They indicated that the proposed floor area ratio was significantly higher than permitted in the bylaw and requested clarification regarding the ceiling heights for each floor, indicating that eight-foot ceiling heights were standard for the area.

Evelyn Ellison illustrated how the proposed house would look in relation to the adjacent properties.

The Chair asked the agent to provide details regarding the ceiling heights.

The agent clarified the ceiling heights and explained that eight-foot ceilings were no longer the standard of modern construction. The agent explained that the bedrooms at the front of the house had been designed loft style with sloped ceilings to soften the façade and lessen impacts on the streetscape.

Member Gutfreund commented that a Zoning Preliminary Review had been submitted, and a height variance had not been identified. The member noted that the Committee generally accepts an increase in floor area ratio of 10 to 11 percent throughout the City, and the proposal fell within this range. Member Gutfreund supported the application indicating that the proposal was minor and met the four tests of the *Planning Act*.

Member Prasad agreed with Member Gutfreund and supported the application.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/149/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**4. A/242/22**

**Owner Name: Oxana Mukan**  
**Agent Name: Donya Abasiliasi**  
**36 Jondan Crescent, Thornhill**  
**PLAN M1345 LOT 49**

The applicant was requesting relief from the requirements of By-law 2489, as amended, to permit:

- a) **By-law 2489, Section 6.1:**  
a building height of 28 feet and 3 inches, whereas the By-law permits a maximum height of 25 feet;
- b) **By-law 2489, Section 6.1:**  
a lot coverage of 34.9 percent, whereas the By-law permits a maximum lot coverage of 33 1/3 percent;

as it related to a proposed two-storey detached dwelling.

The Chair introduced the application.

The agent, Shervin Farzan, appeared on behalf of the application. Shervin indicated the design had been altered based on the requests of the Committee, and the new design resulted in a smaller structure with reduced height and eliminated the variance for a reduced side yard setback.

Member Gutfreund thanked the applicant for making changes to the plans that met the Committee's recommendations. The member expressed that the proposal was minor, met the four tests of the *Planning Act*, and was supported by staff.

Member Prasad asked if a rendering of the proposed house was available.

Greg Whitfield explained that a rendering had not been submitted and was not an application requirement. Greg provided a copy of the front elevation for viewing, noting it was the document submitted to detail streetscape massing.

The applicant indicated that a rendering was not available for the project and provided further information regarding the proposed height as it related to the adjacent homes.

Member Prasad indicated that they had insufficient information to determine if the application met the test of appropriate and desirable development of the property.

Member Gutfreund agreed with member Prasad that renderings provide additional information to assist in reviewing the application. However, they believed sufficient information was provided to make a decision and motioned for approval with conditions.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**  
**Opposed: Arun Prasad**

The majority of Committee approved the application.

THAT Application No. **A/242/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**NEW BUSINESS:**

**5. A/034/23**

**Owner Name: ARK Group (Daniel Wong)**  
**Agent Name: ARK Group (Daniel Wong)**  
**163 Fred Varley Drive, Markham**  
**PLAN 7566 LOT 47**

The applicant was requesting relief from the requirements of By-law 11-72, as amended, to permit:

**a) Section 6.1.1:**

a minimum front yard setback of 25 feet and 5 inches, whereas the By-law requires a minimum front yard setback of 27 feet;

**b) Parking By-law 28-97, Section 6.2.4.1 c):**

motor vehicle parking between an outside wall of an attached private garage and an interior side lot line, whereas the By-law does not permit motor vehicle parking between an attached private garage and an interior side lot line; and

**c) Parking By-law 28-97, Section 6.2.4.2:**

a maximum driveway width of 9.96 metres, whereas the By-law permits a maximum driveway width of 6.1 metres;

as it related to a proposed second storey addition.

The Chair introduced the application.

The agent, Daniel Wong, appeared on behalf of the application. Daniel was representing the project as both the owner and general contractor. Daniel disagreed with the staff's assessment of the driveway widening and did not see the need for tapering the driveway or a reduced width at the property entrance. The proposed driveway resembled the widening of properties facing the subject property. Operations staff had called him and indicated that they do not permit curb cuts greater than 7 metres; however, in this area of Fred Varley Drive, the driveways are flush with the roadway.

The Committee received one written piece of correspondence.

Member Reingold expressed that the proposed addition reflected the existing architecture on the property and within the area. Regarding the driveway, the member noted that driveway expansions were common across the City and did not see a justification for refusing the request or requiring a modification to the applicants' proposal as submitted. Member Reingold supported the application indicating it was a nicely designed addition that made sense within the context of the area and suitable development of the property. The member did not support the staff's recommendation to taper the driveway.

Member Gutfreund agreed with the applicant's assessment regarding the curb and did not support the planning comments regarding the driveway as detailed in the staff report. Member Gutfreund supported the application as submitted.

Member Prasad agreed with their colleagues, noting that the design was well done and did not support the staff's position regarding the driveway.

The Chair requested that the applicant clarify why a variance was required for a carport but not a garage. Daniel indicated that the variance related to definitions within the



parking by-law. Additionally, Daniel explained that they had chosen to add a carport to maintain and add to the charm of the design as it related to the older Unionville neighbourhood.

Before finalizing a motion to approve the application, Greg Whitfield requested clarification regarding what conditions would apply to the approval and read through the conditions listed in Appendix "C" and "D," outlining the conditions to be added if the application was approved without modification. The standard conditions for all applications, including the standard tree conditions listed in Appendix "C," would have any references to specific variances removed and would be applied to the decision.

Furthermore, Greg Whitefield clarified for the member that while there was not a conventional curb on the property, the property did have a curb, and the paving would be taking place in the municipal right of way. The planner responsible for the application did communicate with the City's Operations department, and condition three of Appendix "D" was added at the recommendation of Operations staff. Greg indicated that if the applicant had further conversations with Operations staff after the decision became final and binding and it was determined a Curb Modification Application was not required, staff could clear the condition as advised.

Member Gutfreund requested confirmation of the applicant's acceptance of the conditions.

After further discussion between the applicant and the Committee, it was determined that Committee would approve only condition three of Appendix "D" and conditions one and two of Appendix "C" would be modified to remove the reference to variances a) and b).

The applicant agreed to the inclusion of condition three.

Member Gutfreund motioned for approval with conditions as detailed above.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/034/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**6. A/046/23**

**Owner Name: Simon Drosi**  
**Agent Name: Fine Lines Design (Joshua Theriault)**  
**32 Shady Lane Crescent, Thornhill**  
**PLAN 7686 LOT 374**

The applicant was requesting relief from the requirements of By-law 2150, as amended, to permit:

- a) **Section 3.7:**  
a second floor eaves encroachment of 24 inches, whereas the By-law permits a maximum encroachment of 18 inches into the required side yards;
- b) **Section 3.7:**  
an uncovered platform/stairs encroachment of 7.611 feet into a front yard, whereas the By-law permits a maximum encroachment of no more than 5 feet into a front yard;
- c) **Section 4.4.1:**  
an existing shed to be 1.7 feet from the nearest lot line, whereas the By-law requires at least 2 feet;
- d) **Section 6.1:**  
a building height of 26.54 feet, whereas the By-law permits a maximum building height of 25 feet; and
- e) **Section 6.1:**  
a second floor east side yard setback of 4.72 feet, whereas the By-law requires a minimum side yard setback of 6 feet;

as it related to a proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Joe Domb, appeared on behalf of the application. Joe provided a short presentation detailing the variances, highlighting other similar projects in the area and addressing concerns related to privacy arising from the proposed second-storey balconies.

The Committee received one written piece of correspondence.

Tiago and Belinda Naccarato Dos Santos, of 34 Shady Lane Crescent, spoke to the Committee, indicating they were happy to see the project going forward. They did not have concerns regarding the proposed size or height of the house; their concerns related to the side yard setback, as the eaves of the proposed structure would be very

close to the property line. They wished to see the setback maintained to reduce the impacts of shadowing and sightlines that could reduce privacy in their backyard. The proposed hardscaping in the rear yard also raised concerns about drainage impacts.

Member Gutfreund requested clarification regarding the neighbour's comments on flooding caused by hardscaping.

Tiago Naccarato indicated that currently, there were some drainage issues on both properties and concerns related to the potential for increased flooding due to the proposed increase in hard surface areas in the rear yard, as detailed on the plans.

Joe Domb indicated that engineering had reviewed the proposal and was not concerned with the proposed variances.

The Chair indicated to the neighbours that all new development required approval of a RIGS application which often improved existing grading and drainage conditions.

Greg Whitfield confirmed a Residential Infill Grading and Servicing approval would be required before the issuance of a Building permit.

Member Gutfreund indicated the requests were minor, met the four tests, and that drainage concerns would be addressed through the grading permit and motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/043/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**7. A/260/22**

**Owner Name: Fan Yang**  
**Agent Name: Michael Mao**  
**30 Arrowflight Drive, Markham**  
**PLAN 5810 LOT 5**

The applicant was requesting relief from the requirements of By-law 1229, as amended, to permit:

**a) Section 11.2 (c)(i):**

a porch to encroach 64 inches into a required yard, whereas the By-law permits 18 inches;

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

a maximum floor area ratio of 51.87 percent, whereas the By-law permits a maximum floor area ratio of 45 percent; and

**c) Table 11.1:**

a minimum setback of 6.98 feet to the exterior side lot line, whereas the By-law permits 10 feet;

as it relates to a proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Victor Guitberg, appeared on behalf of the application, indicating that changes had been made to meet staff suggestions since the original application submission.

The Committee received three written pieces of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth presented the area's character that had yet to see significant infill development. In Elizabeth's opinion, the application was not minor. The building envelope needed to be considered in relation to the massing, as the two had a complementary relationship. Elizabeth mentioned that the new house was very large, closer to the front lot line and pushed significantly into other required yards. The carport was not included in the floor area ratio. The proposal would encroach closer to existing trees resulting in their removal. The proposal was oversized for the area.

Member Reingold agreed that the proposal had significant massing and scale, noting that it would be the only home in the immediate setting of this size. In addition, the member observed that the area had yet to experience significant turnover or new infill development. Member Reingold did not have an issue with the carport but noted that as the structure was already designed with substantial width and the carport added the appearance of even greater massing at the streetscape. Therefore, the member did not support the application expressing that the proposal was too large for the street.

Member Gutfreund supported their colleague's comments, observing that the property was a prominent corner lot and a development of this size would dominate the entire streetscape of the surrounding area. Member Gutfreund remarked that the carport added to the already significant width of the design and made the proposal uncharacteristically wide and that the proposed massing needed to suit the area's character. The member did not support the proposal as presented, indicating that the

floor area ratio needed to be reduced to be closer to the development standard and within the range generally considered by the Committee and the overall scale of the project, in particular, the width needed to be brought down to more closely relate with the existing streetscape.

Member Prasad indicated agreement with their colleagues and asked if the applicant would consider deferral to return with a reasonable floor area ratio.

The Chair summarized the Committee and neighbour comments indicating that revisions to the plans should consider the Official Plan policies for existing residential areas regarding creating a design complementary to the neighbourhood's character, scale and massing, and mature vegetation.

Member Prasad motioned for deferral.

**Moved By: Arun Prasad**  
**Seconded By: Jeamie Reingold**

THAT Application No. **A/260/22** be **deferred** sine die.

Resolution Carried

**8. A/110/22**

**Owner Name: Kevin Cribari**  
**Agent Name: Joseph N. Campitelli Architect Inc. (Joseph Campitelli)**  
**19 Grenfell Crescent, Markham**  
**PLAN 4949 LOT 74**

The applicant was requesting relief from the requirements of By-law 1229, as amended, to permit:

- a) **Section 11.2 (c) (i):**  
eaves to encroach a maximum of 41 inches into the required front yard, whereas the By-law permits a maximum encroachment of 18 inches into a required yard;
- b) **Table 11.1:**  
a maximum lot coverage of 42.2 percent, whereas the Zoning By-law allows a maximum lot coverage of 35 percent;
- c) **By-law 1229, Section 11.1:**  
a minimum flankage yard of 8.0 feet, whereas the Zoning By-law permits a minimum flankage yard of 10.0 feet;

**d) Amending By-law 99-90, Section 1.2 (vi):**

a maximum floor area ratio of 52.4 percent, whereas the Zoning By-law permits a maximum floor area ratio of 45 percent;

**e) Amending By-law 99-90, Section 1.2 (ii):**

a maximum depth of 22.42 metres, whereas the Zoning By-law permits a maximum depth of 16.80 metres;

**f) Amending By-law 99-90, Section 1.2 (i):**

a maximum height of 11.0 metres, whereas the zoning By-law permits a maximum height of 9.80 metres; and

**g) Section 11.2 (c) (i):**

eaves to encroach a maximum of 24 inches into the flankage side yard, whereas the By-law permits a maximum encroachment of 18 inches into a required yard;

as it related to a proposed two-storey single detached dwelling and accessory building.

The Chair introduced the application.

The owner, Kevin Cribari, appeared on behalf of the application. Kevin outlined the proposed dwelling's details and features, indicating they had made revisions to satisfy staff comments.

The Committee received a support letter package provided by the owner and three additional written pieces of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth indicated that they understood the applicant was a member of the neighbourhood and was attempting to build a dwelling that would suit the area's character, having a lovely presence on the streetscape, and be an asset to the neighbourhood. However, the number and size of requested variances could not be viewed as minor.

The request for an increased floor area ratio was 16 percent over permitted and did not include the unfinished attic space. The requests for increased lot coverage and height further accentuated the massing and scale of the house, and the cumulative impacts of the seven variances would be significant.

Elizabeth highlighted policies in the Official Plan indicating the need for complementary development within established neighbourhoods. Elizabeth remarked that the staff did not support the application, and as many revisions had already been made to the plans, it might be difficult to make further significant changes. Elizabeth observed it was a well-thought-out design and could appreciate the presence it would have but concluded that,

overall, the design was too large for the area. The Residents Association sought requests that could be described as minor and closer to the existing development standards.

Member Reingold had visited the site and noted that the proposed house would be very large within the neighbourhood context, including in relation to other recent infill developments. The proposal was overdevelopment and was too large for the area, and the requests for additional relief on a large lot created cumulative effects and impacts. The house was exceptionally designed but was over massing for the property and out of scale with the area. Therefore, member Reingold could not support the application as currently presented.

Member Gutfreund agreed with their colleague and the staff report that the cumulative impacts of the combined variance resulted in the overdevelopment of the lot. The house was beautifully designed; if shrunken down, it would be appropriate for the area. The member indicated that while previous applications may have received similar variance requests, the Committee does not operate on precedence, and the request was outside of what the current Committee considers typically acceptable.

The applicant responded to comments by neighbours and the Committee members indicating that the proposed home was not over-massed for the lot and had lower rooflines and significant greenspace presenting to the streetscape.

The Chair commended the applicant for their passion in creating a design that would suit the area's character. However, they cautioned the applicant that they needed to listen to the comments of staff and the Committee concerning the size of the proposal. In particular, the unfinished spaces in the attic that could be converted into a habitable area in the future need to be considered with regard to their overall impact on both the size and massing of the proposal.

The Chair pointed out that the Committee members did not intend to refuse the application. However, they had indicated they did not support the application. The Chair asked if the applicant wanted to defer the application.

The applicant agreed to a deferral.

Member Gutfreund motioned for deferral.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**

THAT Application No. **A/110/22** be **deferred** sine die.

Resolution Carried

Committee of Adjustment Minutes  
Wednesday May 03, 2023

Adjournment

**Moved by: Arun Prasad**  
**Seconded by: Tom Gutfreund**

THAT the virtual meeting of the Committee of Adjustment was adjourned at 9:20 pm,  
and the next regular meeting would be held on May 17, 2023.

CARRIED



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Secretary-Treasurer  
Committee of Adjustment



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Chair  
Committee of Adjustment