

Memorandum to the City of Markham Committee of Adjustment

October 11, 2023

Files: B/032/23, A154/23, A/155/23
Address: 44 Rouge Street, Markham Village
Applicant: Cantam Group LTD. (Yaso Somalingam)
Agent: Cantam Group LTD. (Yaso Somalingam)
Hearing Date: Wednesday, October 18, 2023

The following comments are provided on behalf of Heritage Section staff for the property municipally-known as 44 Rouge Street (the "Subject Property"):

Consent Application

Pursuant to the provisions of Section 53 of *The Planning Act*, R.S.O. 1990, c.P.13, as amended, and Ontario Regulation No. 197/96, the applicant is requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 15.09 metres (49.51 feet) and an approximate lot area of 454.90 square metres (4,896.5 square feet) (Part 1);
- b) **retain** a parcel of land with an approximate lot frontage of 15.03 metres (49.31 feet) and an approximate lot area of 454.0 square metres (4,886.82 square feet) (Part 2);

to facilitate the severance of the Subject Property to create one (1) new residential lot.

Minor Variance Applications

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

A/154/23 - (Conveyed Lot – Part 1):

To permit:

- a) **Table 11.1, By Law 1229:** a front yard setback of 19.94ft (6.08m); whereas the bylaw requires a minimum of 25ft.
- b) **By-law 1229 Section 11.2 (c)(i):** a porch with stairs to encroach 79.4 inches into a flankage yard; whereas the bylaw permits a maximum of 18 inches.
- c) **Table 11.1, By Law 1229:** a rear yard setback of 23.85ft; whereas the bylaw requires a minimum of 25ft.
- d) **Table 11.1, By Law 1229:** a lot area of 454.90 sq m (4895.43 sqft); whereas the bylaw requires a minimum of 613.16 (6600 sqft).
- e) **Table 11.1, By Law 1229:** a lot frontage of 15.09 m (49.51 ft); whereas the bylaw requires a minimum of 60 ft.
- f) **By-law 99-90 Section 1.2 (vi):** a maximum floor area ratio of 69.50 percent; whereas the by law permits a maximum of 45 percent.
- g) **Table 11.1, By Law 1229:** a lot coverage of 36.8 percent; whereas the bylaw permits a maximum of 35 percent.

as it relates to a proposed two-storey dwelling on the conveyed lot.

A/155/23 - (Retained Lot – Part 2):

To permit:

- a) **Table 11.1, By Law 1229:** a lot area 454.0 sq.m (4886.5 sq.ft); whereas the bylaw requires a minimum of 613.16 sq.m (6600 sq.ft).
- b) **Table 11.1, By Law 1229:** a lot frontage of 15.03 m (49.31 ft); whereas the bylaw requires a minimum of 18.28 (60 ft).
- c) **By-law 99-90, Section 1.2(iii):** a depth of 17.91m; whereas the bylaw permits a maximum of 16.8m.
- d) **By-law 99-90, Section 1.2 (vi):** a maximum floor area ratio of 57.78 percent; whereas the bylaw permits a maximum of 45 percent.
- e) **Table 11.1, By-Law 1229:** a rear yard setback of 14.7ft; whereas the bylaw requires 25ft.

as it relates to a proposed addition to the existing dwelling on the retained lot.

COMMENTS

As it relates to the above-referenced applications, Heritage Section and Urban Design staff have identified inadequate rear yard amenity space for both the retained and conveyed parcel as an area of concern. Subsequently, Staff recommend that the consent and minor variances applications be deferred sine die by the Committee of Adjustment until such time as the applicant has addressed this concern.

PREPARED BY:



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REVIEWED BY:



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