

Memorandum to the City of Markham Committee of Adjustment

March 29, 2022

File: A/006/22
Address: 56 Delhi Crescent – Markham, ON
Applicant: Gary M. Hatanaka
Agent: SDG Design (Stefano Di Giulio)
Hearing Date: April 6, 2022

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

The applicant is requesting relief from the following “Third Density – Single Family Residential – (R3)” zone requirement under By-law 134-79, as amended, to permit:

a) By-law 134-79, Section 7.2 (c):

a maximum lot coverage of 36.53%, whereas the by-law allows a maximum lot coverage of 33.33%.

PROPERTY DESCRIPTION

The 677.08 m² (7,288.0 ft²) subject property is located on the north side of Delhi Crescent, south of 16th Avenue, and generally bound by Normandale Road. There is an existing two-storey detached dwelling on the property and a shed located in the rear yard. The property is located in an established residential community that predominantly contains two-storey dwellings. The subject property is within close proximity to a large open space area to the south and east (Toogood Pond).

PROPOSAL

The applicant proposes to construct front and rear covered porches with approximate areas of 6.20 m² (67.0 ft²) and 22.80 m² (245.0 ft²), respectively.

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 permits low rise housing forms, including single detached dwellings.

Zoning By-Law 134-79

The subject property is zoned “Third Density – Single Family Residential – (R3)” under By-law 134-79, as amended, which permits one single detached dwelling per lot. The proposed development does not comply with the By-law requirement with respect to the maximum lot coverage.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. Staff advise that it is ultimately 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, R.S.O. 1990, c. P.13, as amended*, states that 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.

Increase in Maximum Lot Coverage

The applicant is requesting a maximum lot coverage of 36.53%, whereas the By-law permits a maximum floor area ratio of 33.33%. The proposed lot coverage includes the front and rear covered porch, which cumulatively adds 29.0 m² (312.15 ft²) to the existing and built area. Excluding the proposed covered porches, the building complies with the by-law requirement. The covered porches are one storey in height and unenclosed, and staff are of the opinion that approval of proposed development would not significantly add to the scale and massing of the existing single detached dwelling.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 29, 2022. 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*, and are of the opinion that the variance request meets the four tests. 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" – Conditions of Approval

Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



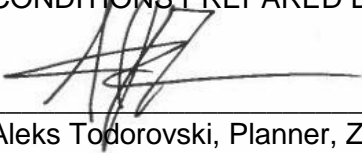
Dimitri Pagratis, Senior Planner, Central District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/006/22

1. The variance applies only to the proposed development as long as it remains.
2. That the variance applies only to the proposed development, in substantial conformity with the plans 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.

CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/006/22

Appendix B

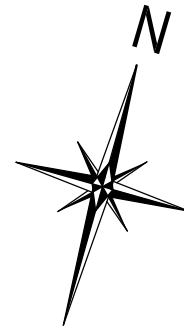
File: 22.109273.000.00.MNV

Date: 03/31/22
MM/DD/YY

SITE STATISTIC FOR No. 56 DELHI CRESCENT

	EXISTING FLOOR AREA	PROPOSED FLOOR AREA	TOTAL FLOOR AREA
GROUND FLOOR	2,249 SQ.FT.	0 SQ.FT.	2,249 SQ.FT.
SECOND FLOOR	1,953 SQ.FT.	0 SQ.FT.	1,953 SQ.FT.
STORAGE SHED	100 SQ.FT.	0 SQ.FT.	100 SQ.FT.
FRONT PORCH CANOPY ROOF	0 SQ.FT.	67 SQ.FT.	67 SQ.FT.
REAR PORCH CANOPY ROOF	0 SQ.FT.	245 SQ.FT.	245 SQ.FT.
LOT AREA	60.04' (18.30m) X 121.40' (37.00m) = 7,288 SQ.FT.		
LOT COVERAGE	2,661 SQ.FT. / 7,288 SQ.FT. = 36.53 %		
FLOOR AREA RATIO	4,202 SQ.FT. / 7,288 SQ.FT. = 57.6 %		

Reg'd Plan M-1971



ADJACENT LOT 48

ADJACENT LOT 47

ADJACENT LOT 46

PLAN OF SURVEY LOT 42 - REG'D PLAN M-1971

CITY OF MARKHAM
SCALE 1 : 250

NOTE:
NO CHANGE TO EXISTING GRADES NEXT TO THE PROPOSED REAR EXTERIOR ROOF CANOPY ADDITION.

SCOPE OF WORK:
PROPOSED EXTERIOR REAR PORCH ROOF CANOPY ONLY SUPPORTED ON SONOTUBE FOUNDATION PIERS:
NEW ADDED AREA = 245 SQ.FT. (22.8 SQ.M)

REFER TO ASK-2 - SITE PROPERTY DATA FOR ZONE REQUIREMENTS FOR R3 UNDER BY-LAW 134-79 AS AMENDED:

NOTE:
NO CHANGE TO EXISTING GRADES NEXT TO THE PROPOSED FRONT EXTERIOR ROOF CANOPY ADDITION.

SCOPE OF WORK:
PROPOSED EXTERIOR FRONT PORCH ROOF CANOPY ONLY SUPPORTED ON EXISTING CONC. SLAB W/ FOUNDATIONS:
NEW ADDED AREA = 67 SQ.FT. (6.2 SQ.M)

LEGEND

- PROPERTY LINE
- EXIST. DWELLING
- NEW ADDITION
- TO BE REMOVED
- EXISTING FENCE



CUSTOM HOMES & ADDITIONS
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sdgdesign@rogers.com

PROJECT Front & Rear Porch CANOPIES
56 DELHI CRESCENT (LOT 42), MARKHAM, ON L3R 4J6

SUBJECT "THE HATANAKA RESIDENCE" - CANOPY ADDITIONS
SITE PLAN W/ FRONT AND REAR CANOPY ADDITIONS

DRAWN BY: SDG ISSUE DATE: 10 JAN 2022 SCALE: 1 : 250

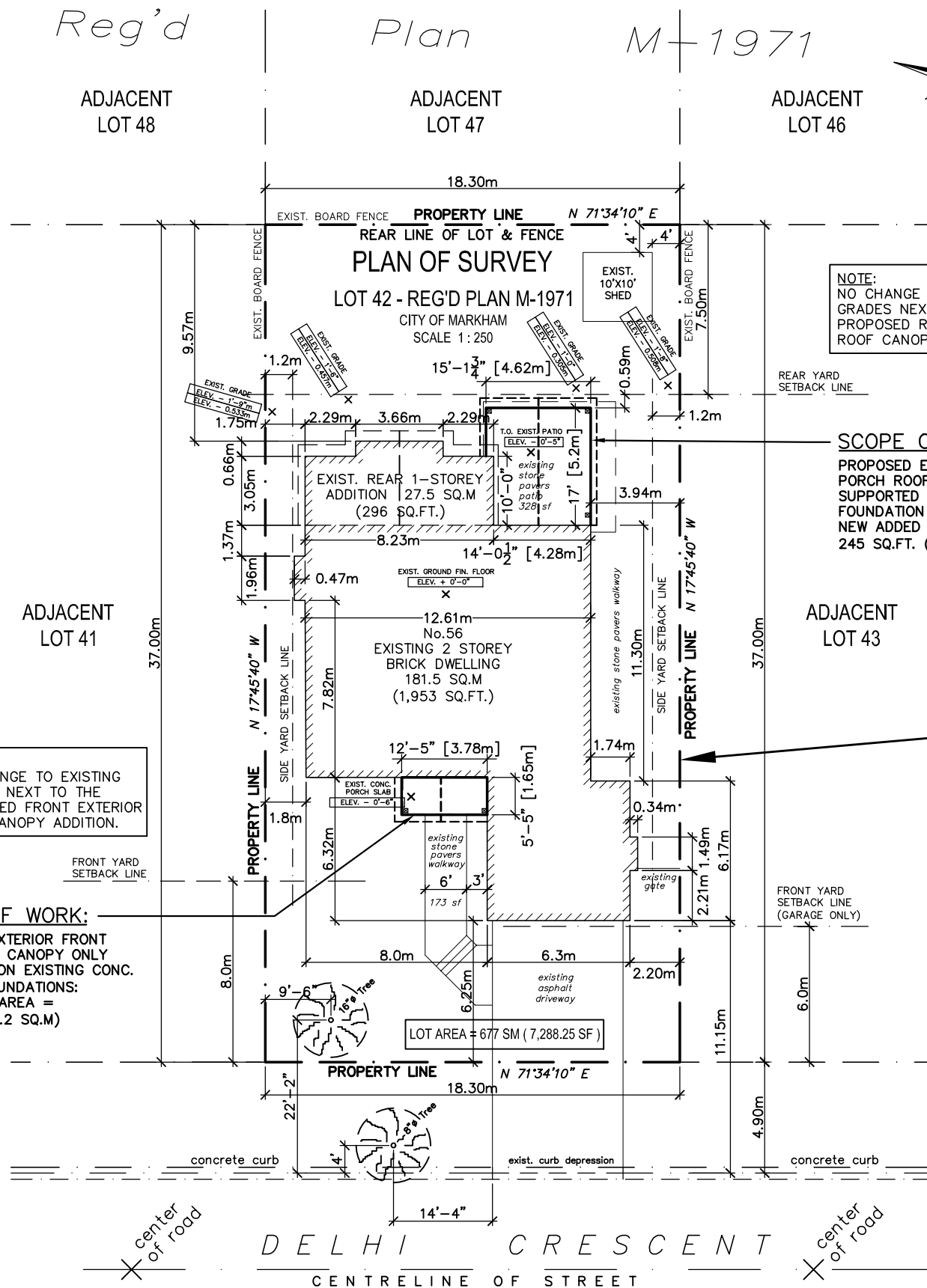
PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

PROJECT No.
21-420

REFER TO ASK-1 - 6

ISSUED FOR : MINOR VARIANCE

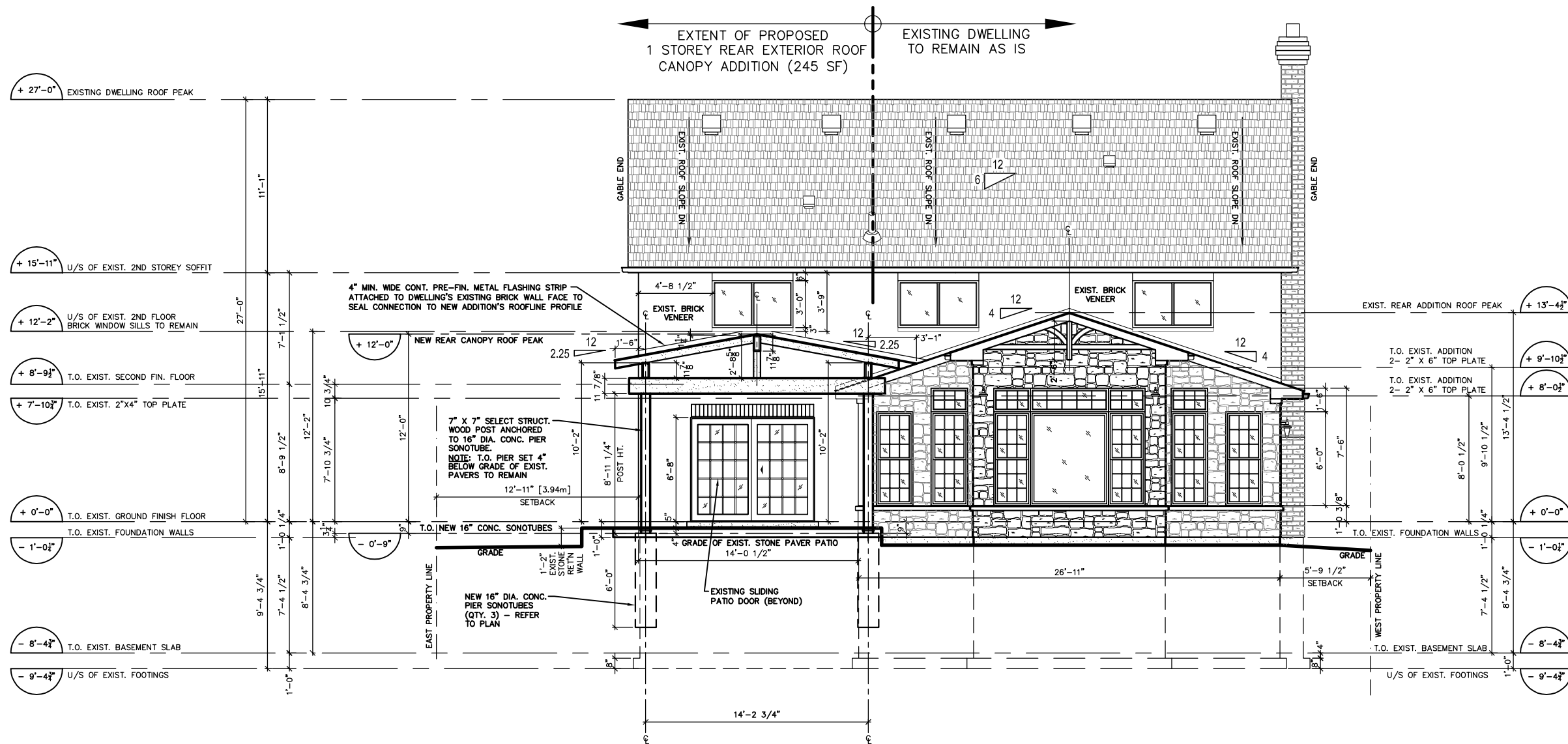
DWG. No. ASK-1



Appendix B

File: 22.109273.000.00.MNV

Date: 03/31/22
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4 NORTH (REAR) ELEVATION
A-05 SCALE 1/8" = 1'-0"

sdg design
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PROJECT Front & Rear Porch CANOPIES
56 DELHI CRESCENT (LOT 42), MARKHAM, ON L3R 4J6

SUBJECT "THE HATANAKA RESIDENCE" - CANOPY ADDITIONS
NORTH ELEVATION W/ REAR ROOF CANOPY ADDITION

DRAWN BY: SDG ISSUE DATE: 10 JAN 2022 SCALE: 1/8" = 1'-0"

PROJECT No. 21-420

REFER TO ASK-1 - 6

ISSUED FOR: MINOR VARIANCE

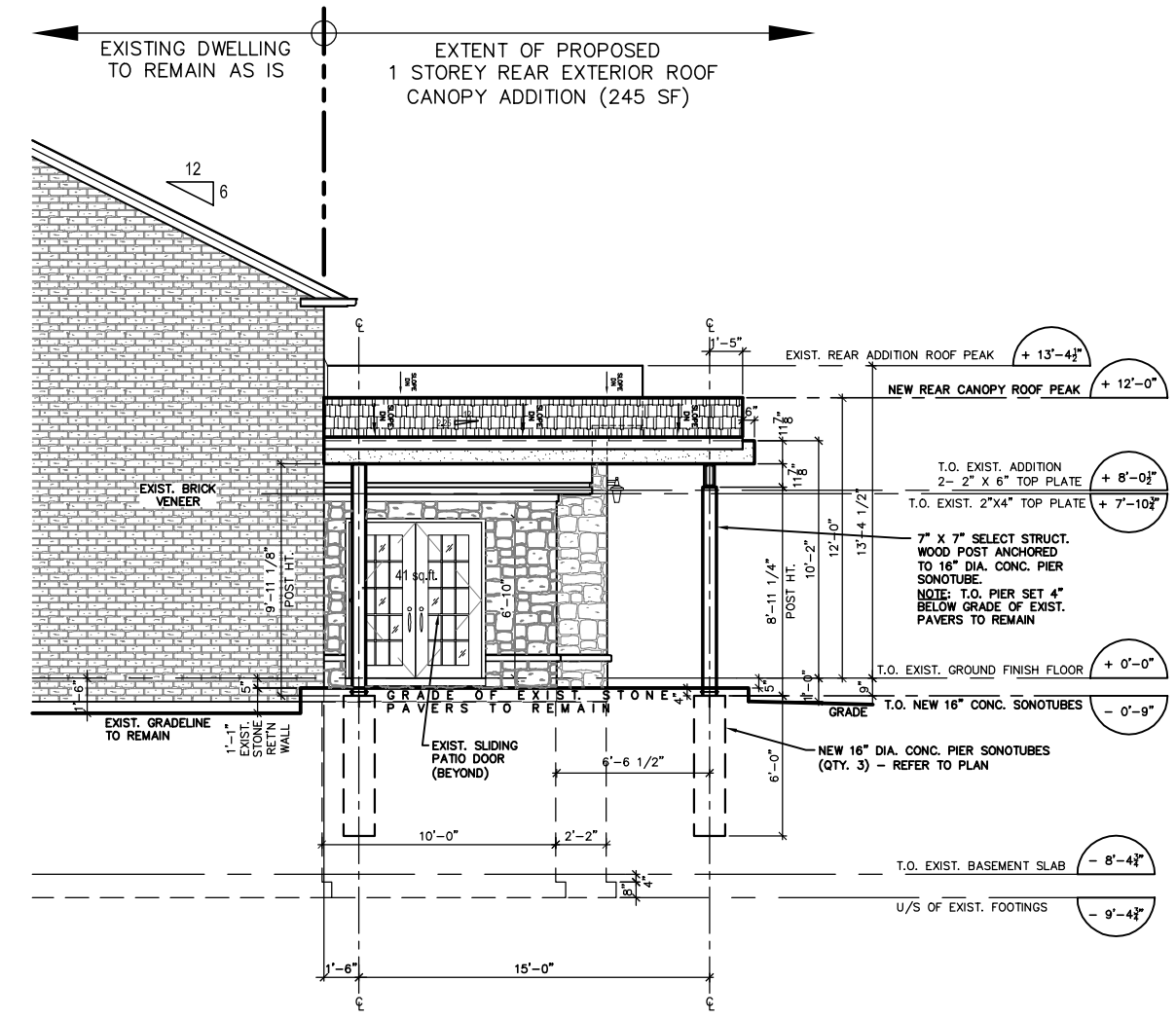
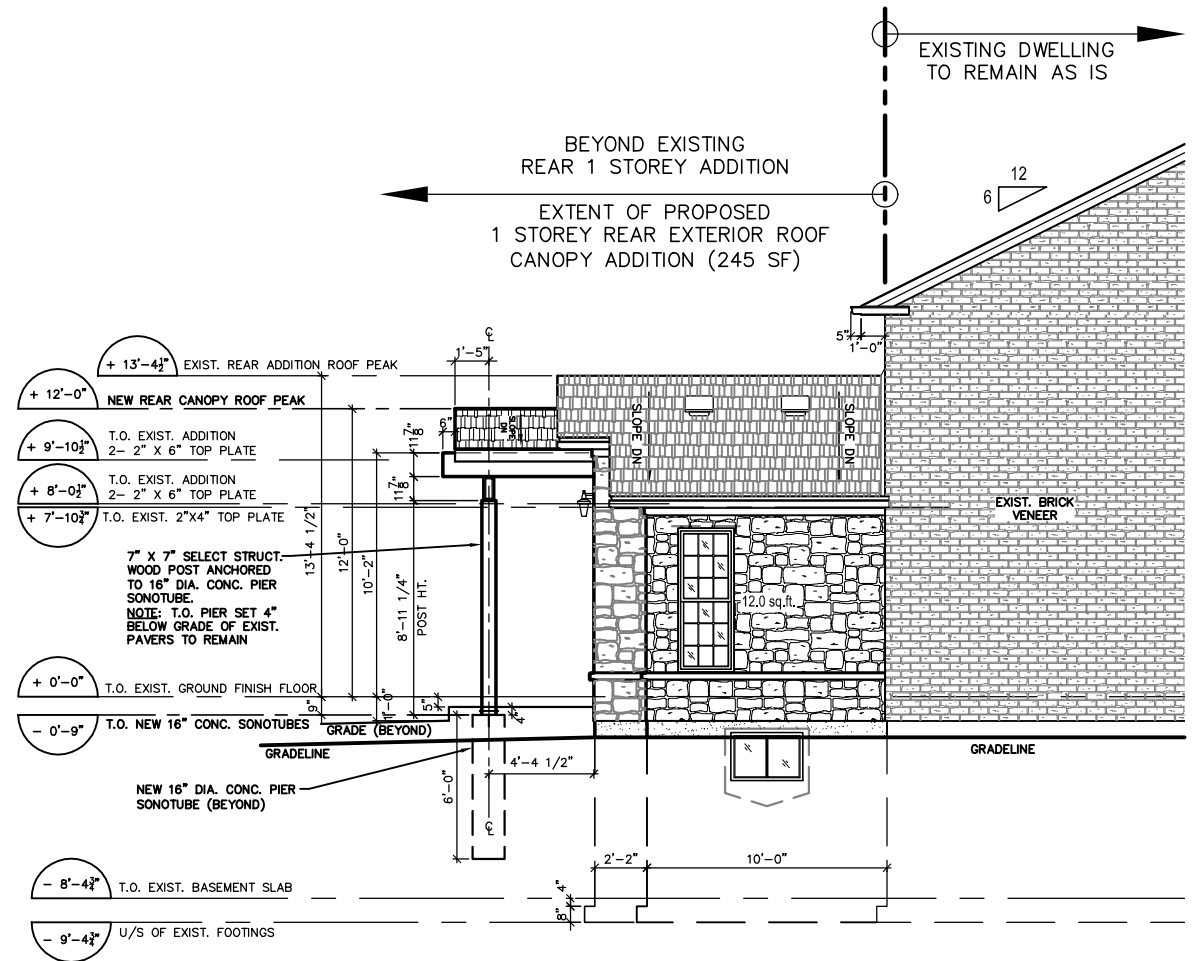
DWG. No. ASK-5

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

Appendix B

File: 22.109273.000.00.MNV

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5 PART WEST (SIDE) ELEVATION
A-05 SCALE 1/8" = 1'-0"

3 PART EAST (SIDE) ELEVATION
A-05 SCALE 1/8" = 1'-0"

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PROJECT Front & Rear Porch CANOPIES
56 DELHI CRESCENT (LOT 42), MARKHAM, ON L3R 4J6

SUBJECT "THE HATANAKA RESIDENCE" - CANOPY ADDITIONS
EAST & WEST SIDE ELEVATIONS W/ REAR CANOPY ADDITION

DRAWN BY: SDG ISSUE DATE: 10 JAN 2022 SCALE: 1/8" = 1'-0"

PROJECT No. 21-420

REFER TO ASK-1 - 6

ISSUED FOR: MINOR VARIANCE

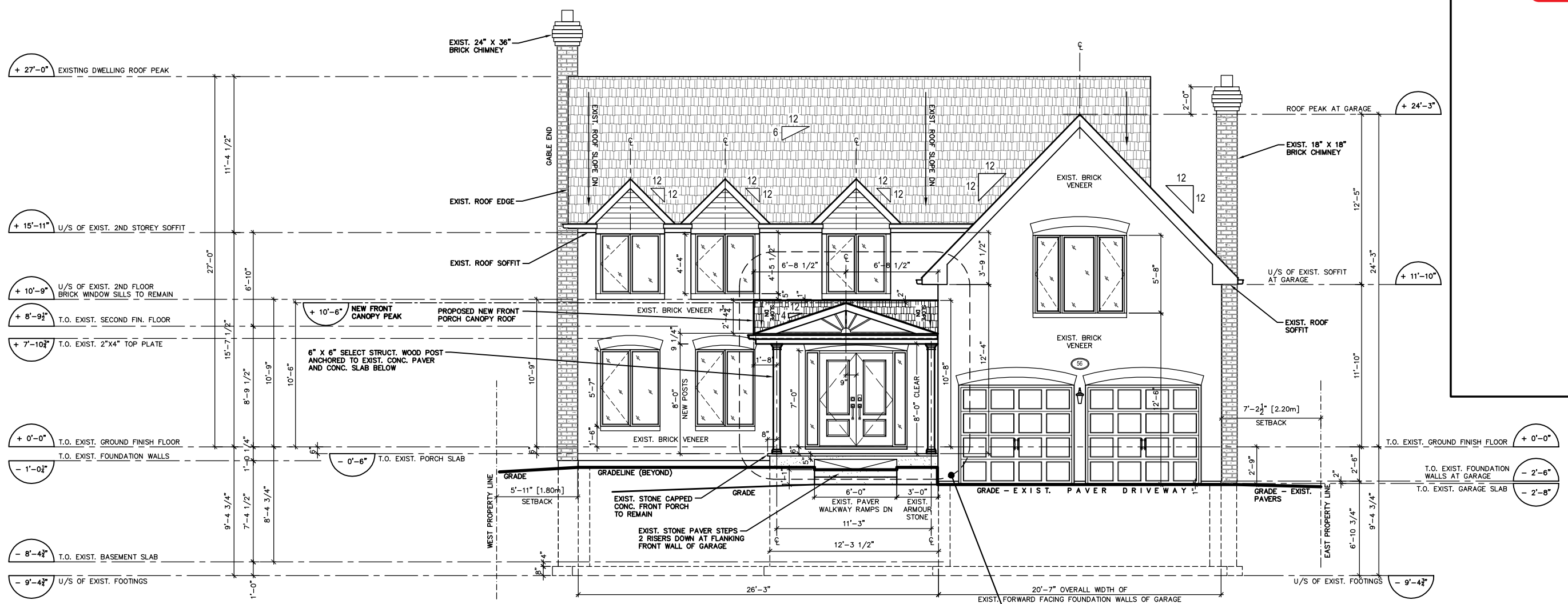
DWG. No. ASK-6

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE

Appendix B

File: 22.109273.000.00.MNV

Date: 03/31/22
MM/DD/YY



SCOPE OF WORK:
PROPOSED EXTERIOR FRONT PORCH ROOF CANOPY

sdg design
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PROJECT	Front & Rear Porch CANOPIES 56 DELHI CRESCENT (LOT 42), MARKHAM, ON L3R 4J6
SUBJECT	"THE HATANAKA RESIDENCE" - CANOPY ADDITIONS SOUTH ELEVATION W/ FRONT CANOPY ADDITION
DRAWN BY:	SDG
ISSUE DATE:	11 MAR 2022
SCALE:	1/8" = 1'-0"

PROJECT No.	21-420
REFER TO	ASK-1 - 6
ISSUED FOR :	MINOR VARIANCE
DWG. No.	ASK-7

PREPARED FOR: COMMITTEE OF ADJUSTMENT - APPLICATION FOR MINOR VARIANCE