

Memorandum to the City of Markham Committee of Adjustment

April 13, 2022

File: A/022/22
Address: 51 Coledale Road, Markham
Applicant: Satinder Brar
Agent: Four Seasons Sunrooms
Hearing Date: Wednesday April 20, 2022

The following comments are provided on behalf of the Central Team:

The applicant is requesting relief from the following requirements of the “Eighth Density – Single Family Residential (R8) Zone” in By-law 118-79, as amended, to permit:

a) Section 7.2b:

a rear yard setback of 6.9 metres, whereas the By-law requires a minimum rear yard setback of 7.5 metres;

b) Section 7.2c:

a lot coverage of 36.9 percent, whereas the By-law permits a maximum lot coverage of 33 1/3 percent;

as it relates to a proposed rear one-story sunroom addition.

BACKGROUND

Property Description

The 482.22 m² (5,190.57 ft²) subject property is located on the east side of Coledale Road, west of Hollingham Road and located generally south of 16th Avenue and west of Warden Avenue (see Appendix “A” – Aerial Photo). The property is located within an established residential neighbourhood comprised of two-storey detached dwellings. There is an existing elementary school located immediately to the west, across the street from the subject property.

A 272 m² (2,927.78 ft²) two-storey detached dwelling is presently sited on the property, which according to assessment records, was constructed in 1987. Mature vegetation exists on the property including one large mature tree in the front yard.

Proposal

The applicant is proposing to construct a 13.51 m² (145.42 ft²) one-storey sunroom addition attached to the rear of the existing two-storey detached dwelling (see Appendix “B” – Plans).

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24, 2017, and updated on April 9, 2018)

The subject property is designated “Residential Low Rise”, which permits low-rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines infill development criteria for the “Residential Low Rise” designation with respect to height, massing, and setbacks. This criteria is established to ensure that infill development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street, while accommodating a diversity of building styles. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, development is required to meet the general intent of the above noted development criteria. In addition, regard shall be had for the retention of existing trees and vegetation.

Zoning By-Law 118-79

The subject property is zoned “Eighth Density – Single Family Residential” (R10) under By-law 118-79, as amended, which permits a single detached or semi-detached dwelling. The proposed development does not comply with the By-law with respect to minimum rear yard setback and lot coverage.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on January 6, 2022 to confirm the variances required for the proposed development.

COMMENTS

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Reduction in Rear Yard Setback

The applicant is requesting relief to permit a minimum rear yard setback of 6.9 m (22.64 ft), whereas the By-law requires a minimum rear yard setback of 7.5 m (24.61 ft). This represents an 8.0 percent (0.6 m or 1.97 ft) reduction to the permitted minimum rear yard setback.

The variance is entirely attributable to the proposed rear sunroom addition. The main rear wall of the building provides a rear yard setback of 9.65 m (31.66 ft) and meets the By-law requirement. Due to the one-storey nature of the proposed addition, Staff have no concerns with the requested variance.

Increase in Maximum Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 36.9 percent (178.19 m² or 1,918 ft²), whereas the By-law permits a maximum floor area ratio of 33.33 percent (160.72m² or 1,730 ft²). This represents a 10.71 percent (51.65 m² or 555.91 ft²) increase to the permitted building footprint.

As noted, the proposed lot coverage relates to the rear sunroom addition which adds approximately 2.87 percent (13.83 m² or 148.88 ft²) to the overall building coverage. Excluding the sunroom addition, the existing dwelling has a lot coverage that is generally consistent with what the By-law permits.

Staff are of the opinion that the proposed increase in lot coverage is minor in nature, and that the proposed development will not significantly add to the scale and massing of the dwelling.

PUBLIC INPUT SUMMARY

No written submissions were received as of April 13, 2022. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning Staff have reviewed the application with respect to Section 45(1) of The *Planning Act*, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests of the *Planning Act* and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "C" for conditions to be attached to any approval of this application.

PREPARED BY:



Melissa Leung, Planner, Central District

REVIEWED BY:



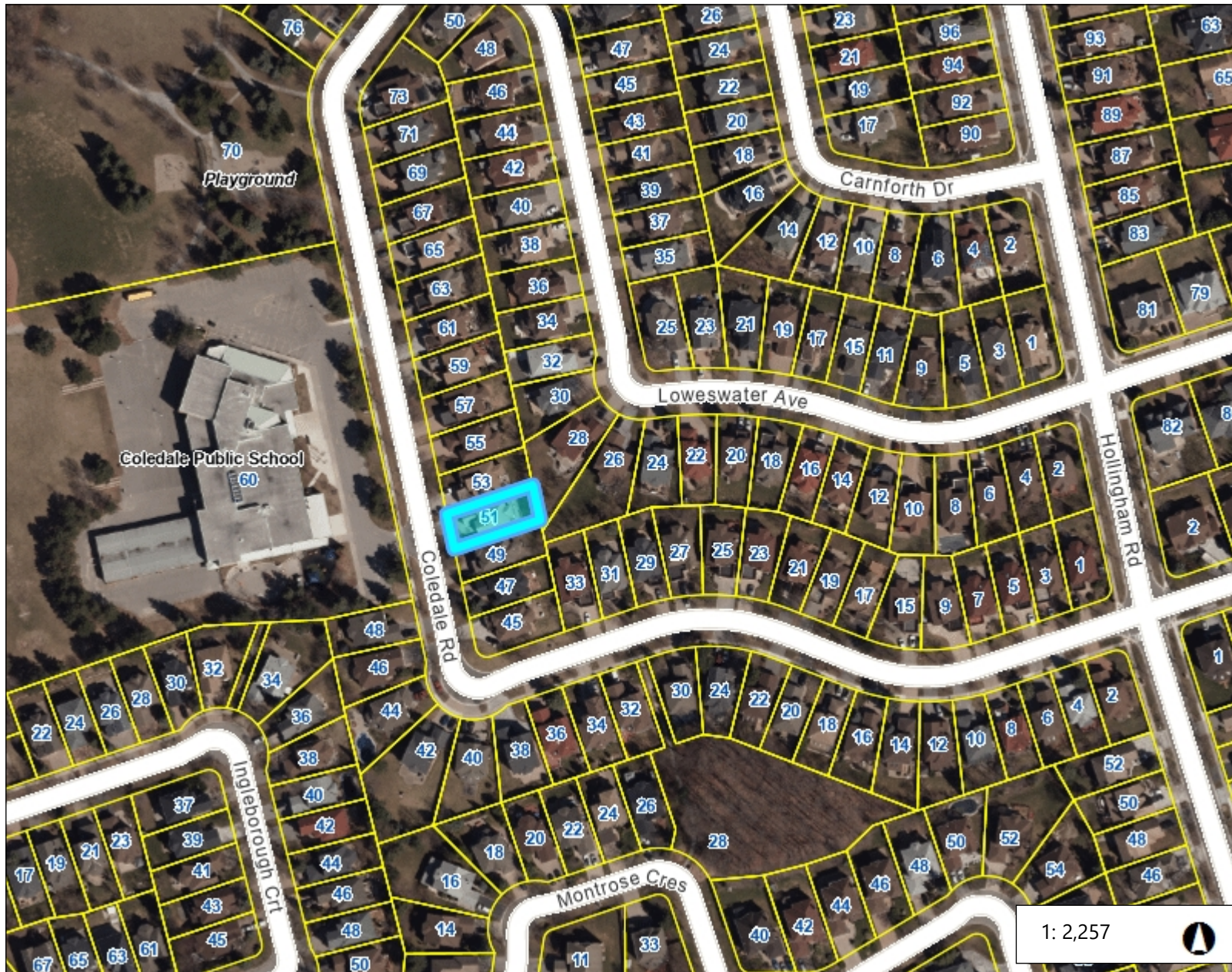
Dimitri Pagratis, Senior Planner, Central District

APPENDICES

Appendix "A" – Aerial Photo

Appendix "B" – Plans

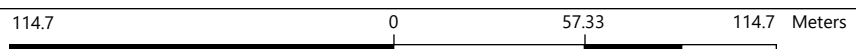
Appendix "C" – Conditions



Legend

- Parcel
- Park Facility
- Parks
 - Under Development
 - <all other values>

1: 2,257



DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email cgis@markham.ca and you will be directed to the appropriate department.

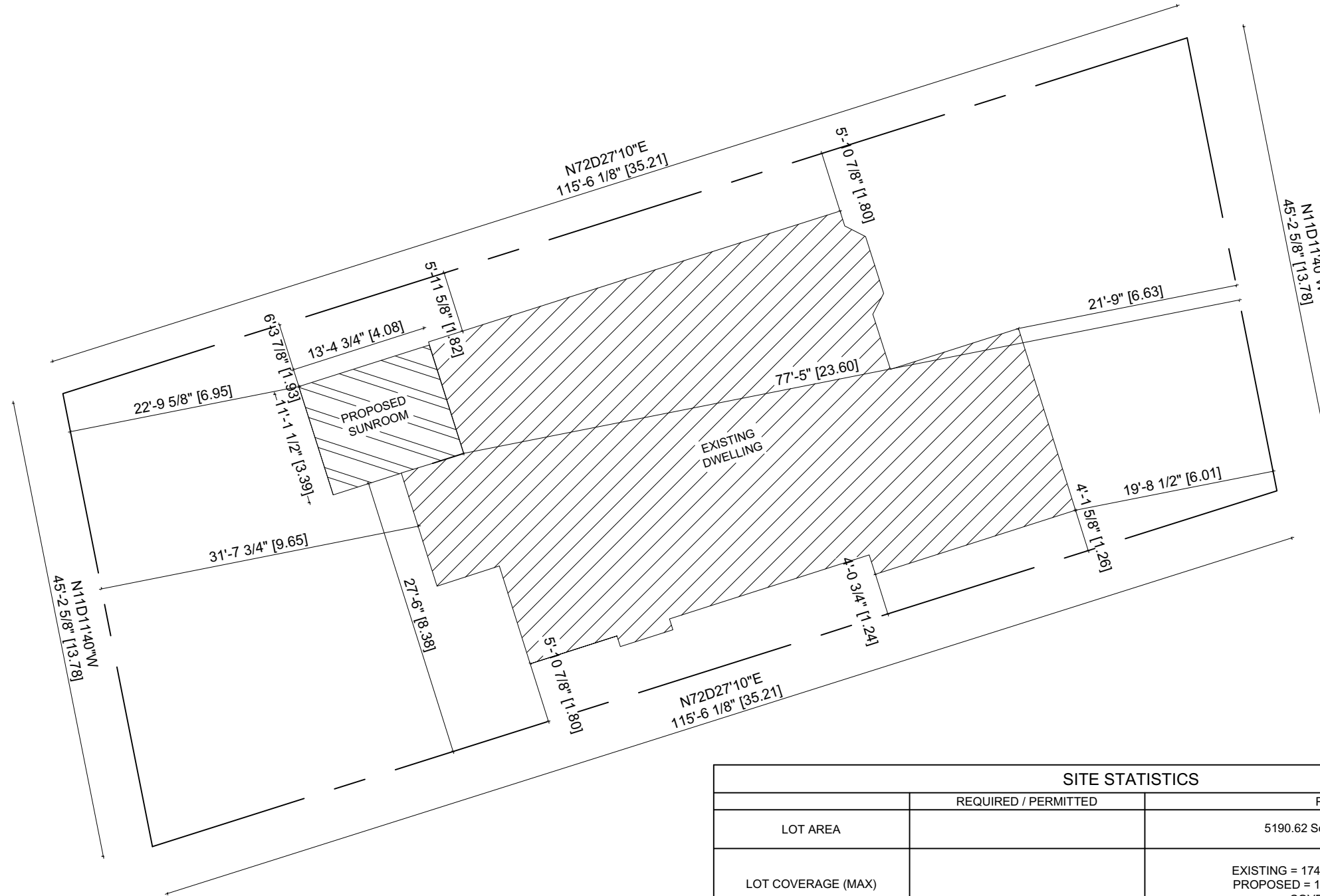
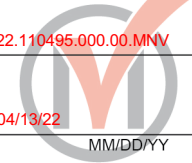
Notes

A/022/22 - 51 Coledale Road

Appendix B

File: 22.110495.000.00.MNV

Date: 04/13/22
MM/DD/YY



SITE STATISTICS		
	REQUIRED / PERMITTED	PROVIDED
LOT AREA		5190.62 Sq. Ft. / 482.22 Sq. M.
LOT COVERAGE (MAX)		EXISTING = 1749.66 Sq. Ft. / 162.55 Sq. M. PROPOSED = 145.47 Sq. Ft. / 13.51 Sq. M COVERAGE = 36.9%
FRONT YARD SETBACK (MIN)		23.6M
SIDE YARD SETBACK (MIN)		1.82M & 8.38M
REAR YARD SETBACK (MIN)		7.07M
HEIGHT (MAX)		4 M +/- (GRADE TO RIDGE)

Site Plan

Appendix B

File: 22.110495.000.00.MNV

Date: 04/13/22
MM/DD/YY

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

NORTH Elevation

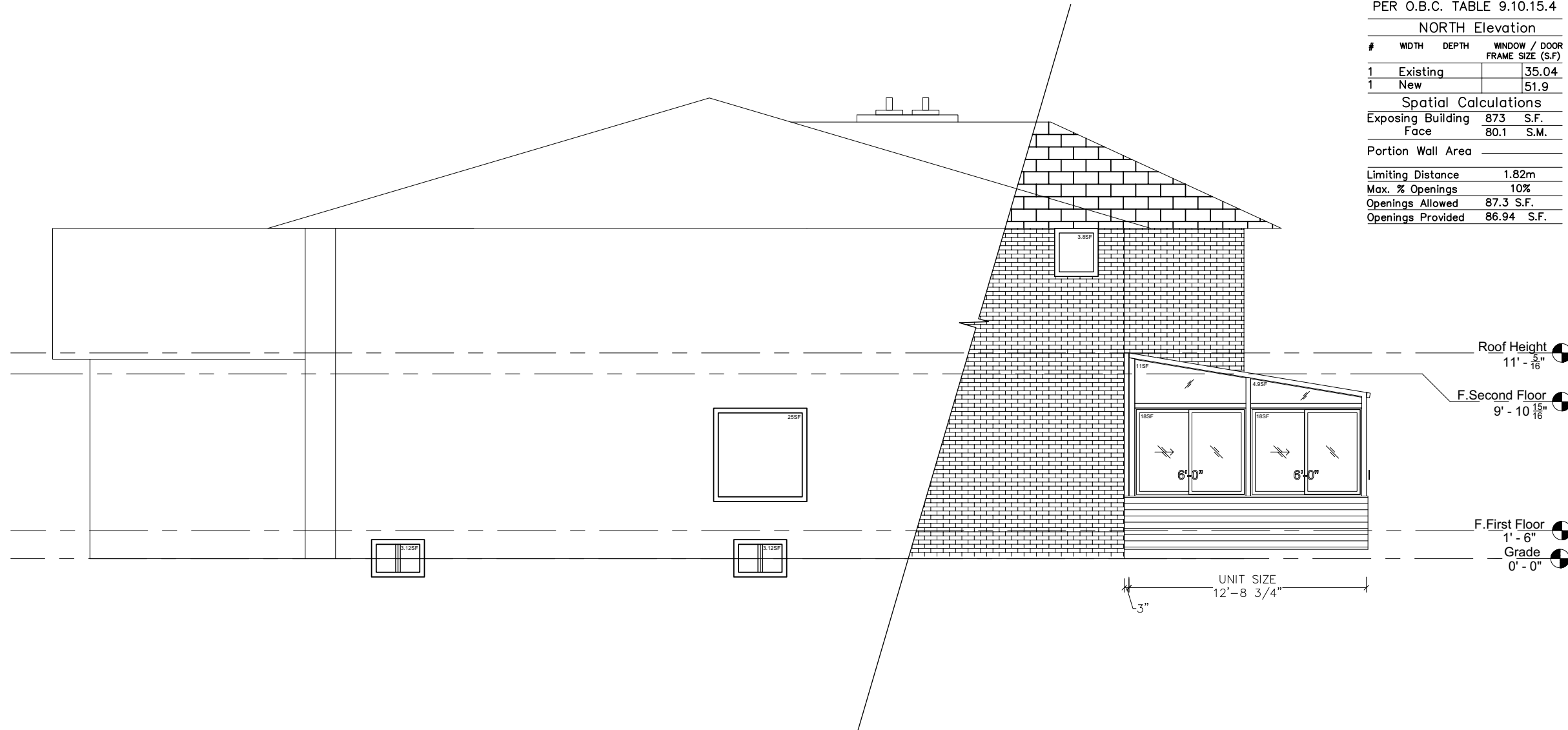
#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		35.04
1	New		51.9

Spatial Calculations

Exposing Building Face	873	S.F.
	80.1	S.M.

Portion Wall Area

Limiting Distance	1.82m
Max. % Openings	10%
Openings Allowed	87.3 S.F.
Openings Provided	86.94 S.F.



North Elevation

Appendix B

File: 22.110495.000.00.MNV

Date: 04/13/22
MM/DD/YY

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

NORTH Elevation

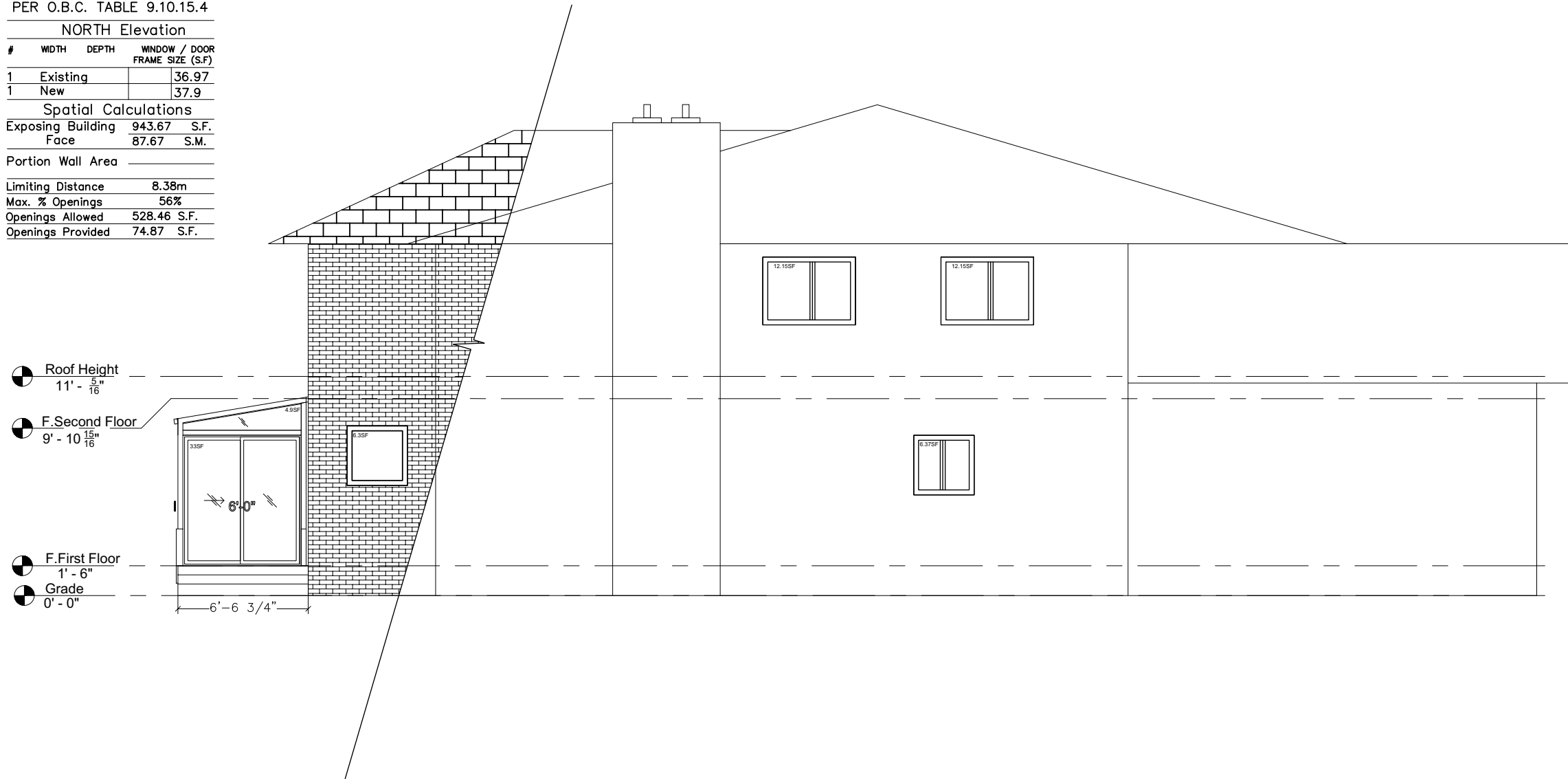
#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		36.97
1	New		37.9

Spatial Calculations

Exposing Building Face 943.67 S.F.
87.67 S.M.

Portion Wall Area

Limiting Distance 8.38m
Max. % Openings 56%
Openings Allowed 528.46 S.F.
Openings Provided 74.87 S.F.



South Elevation



Customer Approval: _____ Date: _____

Project Name
Satinder & Jagdeep Brar
51 Coledale Road, Markham

Scale 1:75 Date CONSTANT Revision # VARIABLE

Revision Date VARIABLE Sheet No. **A6**

Appendix B

File: 22.110495.000.00.MNV

Date: 04/13/22
MM/DD/YY

GLAZED OPENING CALCULATIONS

PER O.B.C. TABLE 9.10.15.4

NORTH Elevation

#	WIDTH	DEPTH	WINDOW / DOOR FRAME SIZE (S.F)
1	Existing		100
1	New		36

Spatial Calculations

Exposing Building Face	600.19	S.F.
	55.76	S.M.

Portion Wall Area _____

Limiting Distance	7.07m
Max. % Openings	57%
Openings Allowed	342.11 S.F.
Openings Provided	136 S.F.



West Elevation

Appendix C

File: 22.110495.000.00.MNV


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APPENDIX "C"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/022/22

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and stamped by the City of Markham on April 13, 2022, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Director of Operations that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan;
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City's Streetscape Manual, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician or Director of Operations; and
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician or Director of Operations.

CONDITIONS PREPARED BY:



Melissa Leung, Planner, Central District