



**SUBJECT:** PRELIMINARY REPORT  
Application for Zoning By-law Amendment to permit two semi-detached and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street. (Ward 4).  
File No. ZA 19 128208.

**PREPARED BY:** Aqsa Malik, Planner I, East District. Ext. 2230

**REVIEWED BY:** Sally Campbell, M.C.I.P., R.P.P., Manager, East District. Ext. 2645

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**RECOMMENDATION:**

1. That the report titled “PRELIMINARY REPORT, Application for Zoning By-law Amendment to permit two semi-detached and one single detached dwelling at 12 & 16 Deer Park Lane on the west side of Elizabeth Street. (Ward 4). File No. ZA 19 128208” be received.

**PURPOSE:**

This report provides preliminary information on the above noted Zoning By-law Amendment application submitted by Gil and Marina Shcolyar. This report contains general information in regards to applicable Official Plan or related policies as well as other outstanding issues identified by Staff to date. The report should not be taken as Staff’s opinion or recommendation on the application.

**PROCESS TO DATE:**

Application deemed complete

The Zoning By-law Amendment application was deemed complete on August 14<sup>th</sup>, 2019.

Next Steps

- The Ward 4 Councillor has indicated that a Community Information Meeting will be arranged prior to the statutory public meeting;
- A Statutory Public Meeting will be planned for fall of 2019;
- A recommendation report will be provided at a future Development Services Committee meeting, if required; and
- An application to the Committee of Adjustment for consent to sever the subject land will be required in the future.

**BACKGROUND:**

Property Description

The subject lands, municipally known as 12 and 16 Deer Park Lane are located in the Markham Village Community at the northwest corner of Deer Park Lane and Elizabeth Street (See Figure 1). The subject lands have a total area of approximately 0.17 ha (0.43 ac). The subject lands are currently developed with an existing one-storey detached dwelling. The balance of the subject lands (12 Deer Park Lane) includes a rear wooden garage and (16 Deer Park Lane) two sheds and

a deck in the rear yard. To the north of the subject lands are existing single-detached residential dwellings, to the south and east of the subject lands are existing townhouse and semi-detached residential dwellings and, to the west of the subject lands are a mix of retail/service commercial and single detached residential dwellings.

## **PROPOSAL:**

### **12 & 16 Deer Park Lane**

A zoning by-law amendment application has been submitted for the subject lands fronting onto Deer Park Lane. The applicant has requested the following on a portion of the lands to facilitate the development of two semi-detached dwellings fronting onto Deer Park Lane: rezone from R1 to R2, a reduction in minimum lot area, minimum lot frontage, minimum rear yard setback and an increase in maximum lot coverage.

The balance of the lands will remain R1 and to facilitate the development of one single detached dwelling fronting onto Elizabeth Street the applicant has requested the following site-specific development standards: a reduction in minimum lot area and minimum lot frontage and, an increase in minimum front yard setback and minimum rear yard setback. Both the rezoned R2 and existing R1 portion of the subject lands require site-specific development standards as shown in the chart below.

Zone Standards	Existing R1 Zone Standards	Proposed R1 Zone Standards	Existing R2 Zone Standards	Proposed R2 Zone Standards
Min. Lot Area	613 m <sup>2</sup> (6,600 ft <sup>2</sup> )	600 m <sup>2</sup> * (6,458.35 ft <sup>2</sup> )	762 m <sup>2</sup> (8,202.1 ft <sup>2</sup> )	550 <sup>2</sup> * (5,920.15 ft <sup>2</sup> )
Min. Lot Frontage	18.28 m (60 ft)	13.5 m* (44.3 ft)	22.86 m (75 ft)	20.0 m* (65.62 ft)
Min. Front Yard Setback	7.62 m (25 ft)	9.0 m* (29.53 ft)	7.62 m (25 ft)	5.0 m* (16.40 ft)
Min. Rear Yard Setback	7.62 m (25 ft)	15.0 m* (49.21 ft)	7.62 m (25 ft)	6.0 m* (19.7 ft)
Max. Lot Coverage	35%	35%	40%	50%*

\*Special Provisions the applicant is seeking.

### **2014 Official Plan**

The subject lands are designated as Residential Low Rise under the City of Markham Official Plan 2014 (partially approved on Nov 24/17, and further updated on April 9/18) which provides for low rise housing forms, including single detached and semi-detached dwellings.

### **Zoning**

The subject lands are zoned 'Single Family Residential' (R1) under Zoning By-law 1229, as amended, which permits a single detached dwelling on a lot with a minimum lot area of 613 m<sup>2</sup>

(6,600 ft<sup>2</sup>) and frontage of 18.28 m (60 ft).

**OPTIONS/ DISCUSSION:**

The following is a brief summary of matters that have been identified and will be considered:

- Appropriateness of the proposed zoning amendment in terms of the resulting lot areas and frontages and the relationship with the existing lotting pattern in the immediate vicinity and neighbourhood character;
- The orientation and size of the new lots that the zoning by-law amendment would facilitate;
- Consistency of potential future lots with regard to front, rear and side yard setbacks in this area; and
- Removal or retention of existing mature trees and vegetation, as a result of the rezoning to facilitate the creation of future development lots.

Staff note that a by-law order was issued on July 3<sup>rd</sup>, 2018 for the illegal removal of trees on the subject lands. On March 4<sup>th</sup>, 2019 the applicant agreed to sign an undertaking which requires the replanting of thirty-seven (37) new trees. The applicant agreed that the cash-in-lieu value of thirty-seven (37) new trees would be kept as a letter of credit by the City and only released if the conditions of the by-law order were met.

No other issues have been raised to date. Any additional matters identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to the Committee.

**FINANCIAL CONSIDERATIONS**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The application has been circulated to various City departments and external agencies and is currently under review.

**RECOMMENDED BY:**

Biju Karumanchery, M.C.I.P., R.P.P  
Director, Planning and Urban Design

Arvin Prasad, M.C.I.P., R.P.P  
Commissioner of Development Planning

**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Aerial Photo

Figure 4 – Site Plan

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