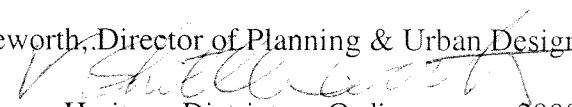




Memorandum

TO: John Livey, Chief Administrative Officer

FROM: Valerie Shuttleworth, Director of Planning & Urban Design


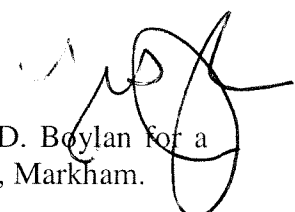
PREPARED BY: Regan Hutcheson, Heritage District co-Ordinator ext. 2080,

DATE: August 6, 2008

SUBJECT: Delegation of Authority to CAO to call a Public Meeting
Zoning By-law Amendment application to reduce Minimum
Lot Frontage requirement
ZA-08-117730
2 Peter Street, Markham
Debbie Boylan

RECOMMENDATION:

That a Public Meeting be held to consider the application submitted by D. Boylan for a zoning by-law amendment to permit a reduced lot frontage at 2 Peter Street, Markham.



PURPOSE:

The purpose of this memorandum is to:

- provide preliminary information regarding an application submitted by D. Boylan for a zoning by-law amendment to permit a reduced lot frontage at 2 Peter Street, Markham to facilitate the future severance of the property; and
- recommend that a Public Meeting be held to consider the application.

BACKGROUND:

Property and Area Context

The property is located in the Markham Village Heritage Conservation District, west of Main Street North and north of Beech Street. The dwelling is identified as a significant heritage resource (1 ½ storey, brick, single detached Queen Anne style dwelling constructed in the 1880s). The lot is larger than most on Peter Street and includes a portion of the Beech Street road allowance (33 ft). The existing lot frontage is 93 feet.

To the north, east and west of the property are single detached homes. To the south of the property is a townhouse development.

Official Plan and Zoning

The Official Plan (Revised 1987) designates the subject lands as Urban Residential. The property is not located within a Secondary Plan area. The subject property is zoned Residential (R1) and permits a single detached dwelling and an accessory building. The minimum lot frontage is 60 ft and the minimum lot area is 6600 sq ft.

Application is for reduced lot frontage to permit the future creation of an additional lot

The zoning by-law amendment is needed to reduce the lot frontage requirement to facilitate a future severance. Details of the proposal:

- Amend the zoning by-law to allow reduced lot frontage to permit a 14.10m (46.25 ft) new lot and a 15.5m (51ft) retained lot. The actual “lot frontage” from a zoning by-law perspective would be 14.66m (48.125ft) and 16.15m (53 ft) since the lot frontage for lots where the side lot lines are not parallel is calculated as the distance between the side lot lines measured twenty-five feet back from and parallel to the front lot line.
- Amendment would permit the future severance of 2 Peter Street to create an additional lot while retaining the heritage house on the retained lot, and to sever a small portion of 4 Peter Street (1.22m) and add it to 2 Peter Street to allow for the creation of a future new driveway north of the heritage house. The lot frontage at 4 Peter would decrease from 66 ft to 62ft.
- The two proposed lots at 2 Peter Street would comply with the minimum lot area requirement (6600 sq ft)
- Applicant indicates that the new lot would accommodate a threatened heritage dwelling to be relocated to the site. The new lot would be subject to a HOLD provision in the zoning by-law until the house relocation is approved by the Town.

Previous applications were withdrawn in 2005

In 2005, the owner applied to Committee of Adjustment for Minor Variance and Consent for 2 and 4 Peter Street. The proposal was to sever 2 Peter Street to create one new lot while retaining the heritage house on the retained lot, sever a small portion of 4 Peter Street and add it to 2 Peter Street to allow a new driveway north of the heritage house and to obtain the necessary variances for lot frontage and side yard setbacks related to the heritage house. Heritage Markham opposed the application (July 13, 2005) for the following reasons:

- The maintenance of variable lot sizes and frontages is an important factor in defining the character of the existing streetscape and pattern of development in the Markham Village Heritage Conservation District;
- The possible loss of mature vegetation;
- The impact of the severance on the existing heritage home at 2 Peter Street;
- The impact of the severance on the heritage streetscape.

The Committee of Adjustment applications were withdrawn July 27, 2005.

POTENTIAL BENEFITS OF APPROVAL OF THE PROPOSAL:

The proposed amendment may assist in the relocation and preservation of a threatened heritage building.

CONCERNS/ISSUES TO BE RESOLVED:

The following is a brief summary of concerns/issues raised to date. These matters, and any others identified through the circulation and detailed review of the proposal, will be addressed in a final staff report to be presented to Committee at a later date:

Affect on the Pattern of Existing Development

Twenty-three (23) of the lots on Peter Street between Beech Street and David Street have frontages of 66 ft and lot areas of 8712 sq ft. This same stretch of Peter Street includes 23 heritage single-detached dwellings which are situated on large lots with an abundance of space around each house. This has resulted in a unique rhythm of dwelling units along Peter Street which is one of the most intact heritage streets in the Town of Markham. Clearly, the character of this unique area has been set, in large part, by the lot frontages. The chart below illustrates that the vast majority of lots are within the 60-69 ft range:

Existing Frontage	# of dwelling units	Percentage
45-49 ft	1	2.5%
50-59 ft	3	7.5%
60-69 ft	30	75.0%
70-79 ft	3	7.5%
80-89 ft	0	0
90 ft and over	3	7.5%
TOTAL	40	100%

*analysis includes 1 to 42 Peter Street and 3,5,8,10 Beech Street

There are a few lots, primarily on corners, where the frontage is substantially less than the average lot frontage (i.e. 19 and 23 Peter Street).

The proposed severance is located at the southern end of Peter Street adjacent to a relatively recent condominium townhouse development to the south and five single-detached dwellings on Beech Street which give the appearance of denser development.

Prejudice the Pattern of Future Development

One of the matters to be considered is whether approval of lot frontage reduction for the purpose of a future severance proposal would in any way encourage other severances along the street. The current proposal would result in the creation of a lot with a 48 ft frontage. If one accepts that the heritage buildings on Peter Street are protected and will remain, a few opportunities remain to create new lots with a similar frontage. For example, through non-heritage lot acquisitions, the properties at 11, 13 and 15 Peter Street could be consolidated to yield four new lots with frontages of 47 feet and lot areas as follows: 3 @ 6600 sq ft and 1 @ 6072 sq ft (which would require a variance). Further, the lot at 20 Peter Street has a current lot frontage of 90.75 ft which could yield two lots with 45 ft frontages and lot areas of approximately 5200 sq ft (all would require variances).

Loss of Vegetation

Peter Street and this lot in particular, is characterized by a fair amount of mature vegetation that contributes to the heritage urban forest in the area. The proposal to relocate the driveway for 2 Peter Street to the north of the dwelling unit would result in the loss of a number of mature trees. One large, well-formed tree, a Manitoba Maple, would definitely be impacted by a driveway in the location proposed. Further, a large Maple tree with an extensive canopy is situated on the south property boundary of the existing 2 Peter Street, and any redevelopment on a severed lot could detrimentally impact the extensive root system.

Heritage Markham

In 2005, Heritage Markham reviewed a severance application and indicated that it does not support the proposal, as the maintenance of variable lot sizes and frontages is an important factor in defining the uniqueness and proportion of the existing streetscape and pattern of development in the Markham Village Heritage Conservation District. The Committee further noted that the new lot and dwelling would have a negative impact on the existing heritage dwelling and would result in the loss of mature vegetation.

Neighbourhood Concerns

Staff is aware of a number of local residents who have contacted the Town and are not in support of this application.

FINANCIAL CONSIDERATIONS:

No financial implications.

ENVIRONMENTAL CONSIDERATIONS:

Future severance may result in the loss of vegetation.

ACCESSIBILITY CONSIDERATIONS:

Not applicable

ENGAGE 21ST CONSIDERATIONS:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

The application is currently in circulation to Town department and agencies.

ATTACHMENTS:

- | | |
|-----------------|--------------------------------|
| Figure 1 | Location Map |
| Figure 2 | Area Context/Zoning Map |
| Figure 3 | Air Photo |
| Figure 4 | Site Plan |

FIGURE 1

FILE PATH

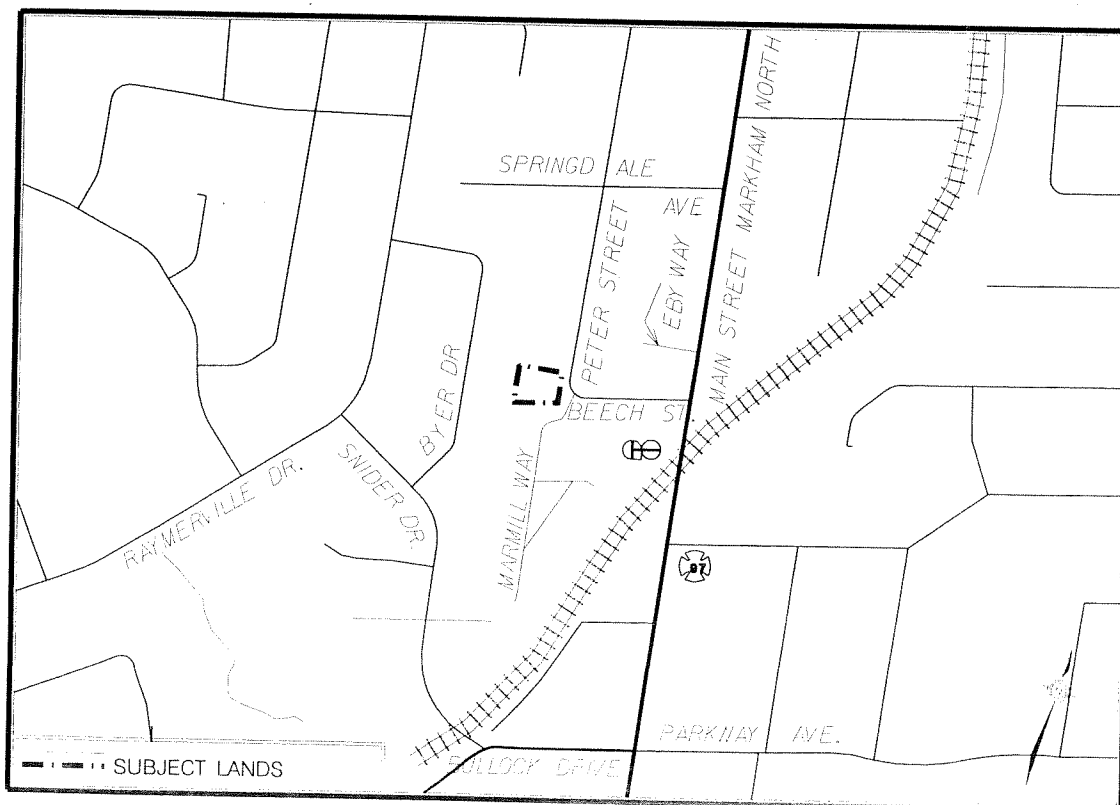
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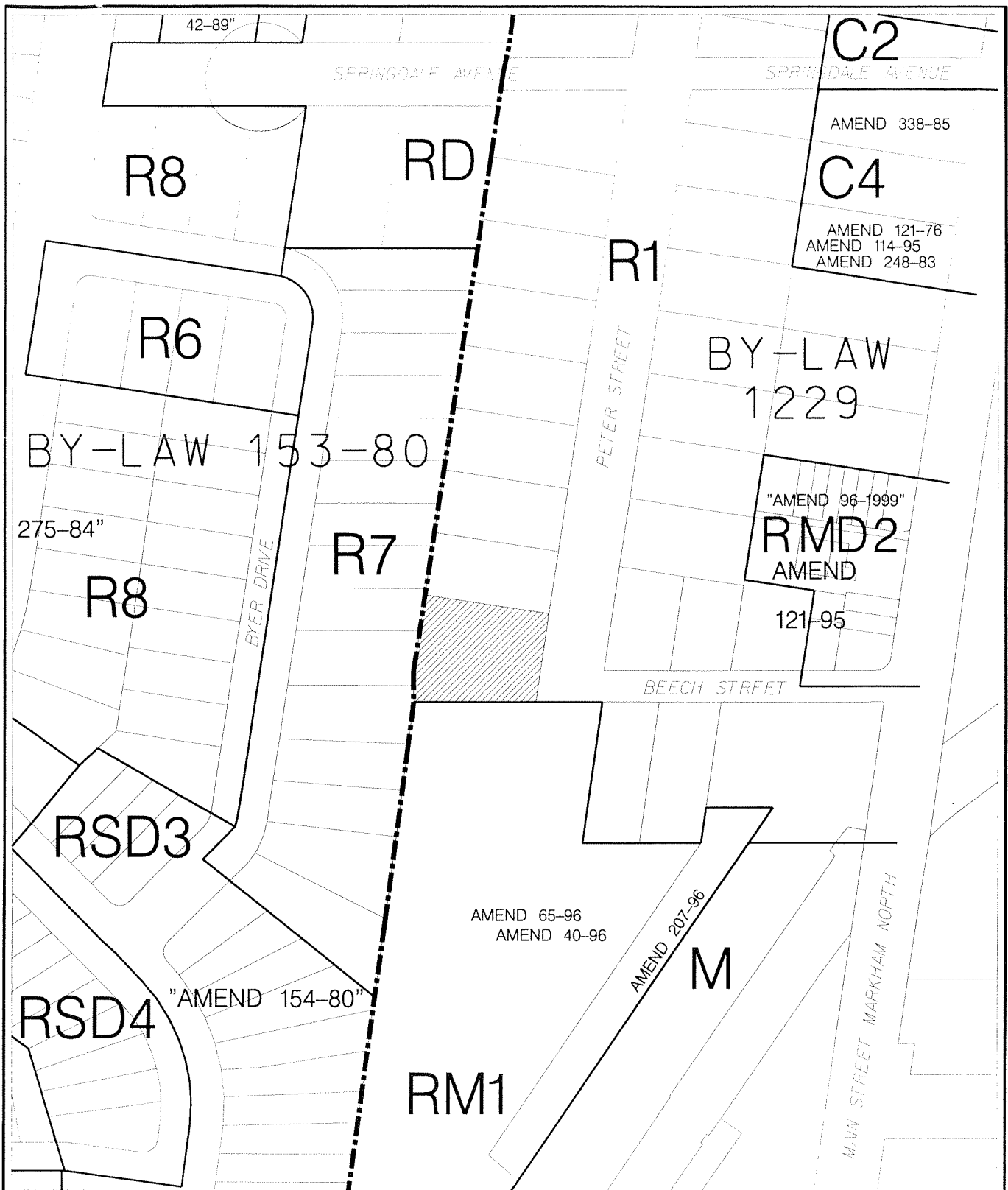
APPLICANT and AGENT

Mr. Jim Boylan, Ms. Deborah Boylan
2 Peter Street
Markham, ON L3P 2A4
905-472-1110 (T)

Mr. Ben Quan
QX4 Investments Limited
17 Bauer Crescent
Markham, ON L3R 4H3
905-477-2005 (T)
905-479-4517 (F)

LOCATION MAP





AREA CONTEXT/ZONING

APPLICANT: D. BOYLAN
2 PETER STREET MARKHAM

FILE No: ZA08117730(RH)



DEVELOPMENT SERVICES COMMISSION

DWN BY: DD

CHK BY: RH

SCALE 1:



SUBJECT LANDS

DATE: 08/07/08

FIGURE No.2

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AIR PHOTO 2007

APPLICANT: D. BOYLAN
2 PETER STREET MARKHAM

FILE No: ZA08117730(RH)



DEVELOPMENT SERVICES COMMISSION

DWN BY: DD

CHK BY: RH

SCALE 1:

 SUBJECT LANDS

DATE: 08/07/08

FIGURE No.3



SITE PLAN

APPLICANT: D. BOYLAN
2 PETER STREET MARKHAM

FILE No: ZA08117730(RH)



DEVELOPMENT SERVICES COMMISSION

DWN BY: DD

CHK BY: RH

SCALE 1:

SUBJECT LANDS

DATE: 08/07/08

FIGURE No. 4

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