Memorandum to the City of Markham Committee of Adjustment August 8, 2024

File: A/041/24

Address: 12 Thomas Reid Road, Markham Applicant: Arrow Architecture Ltd. (Alex Wu) Hearing Date: Wednesday, August 14, 2024

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

On January 31, 2024, City of Markham Council enacted Comprehensive Zoning By-law 2024-19. As By-law 2024-19 is currently under appeal with the Ontario Land Tribunal (OLT), any Applications under Section 45 of the *Planning Act* that do not benefit from the transition clauses under Section 1.7 of By-law 2024-19 must comply with By-law 2024-19 and any previous By-laws in effect. As such, the applicant is requesting relief from the following "Single Family Rural (RRH)" zone requirements of By-law 83-73 and "Residential Established Neighbourhood Low Rise (RES-ENLR)", as amended, to permit:

a) By-law 2024-19, Section 6.3.2.2.m):

a maximum projection of 6.9 metres of an attached private garage beyond the main wall of the building, whereas the by-law permits a maximum projection of 1.8 metres;

b) By-law 2024-19, Section 6.3.2.2.f):

a minimum average front yard setback of the neighbouring lots of 12.2 metres, whereas the by-law requires the average front yard setback to be a minimum of 13.75 metres;

c) By-law 2014-19, Section 6.3.2.2.i):

a minimum combined interior side yards of 6.6 metres, whereas the by-law requires a minimum of 25 percent of the lot width (7.5 metres);

as it relates to a proposed garage extension.

BACKGROUND

Property Description

The 2,714 m² (29,213 ft²) Subject Lands are located on the west side of Thomas Reid Road, east of Victoria Square Boulevard, and north of Elgin Mills Road East (refer to Appendix "A" – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised of two-storey detached dwellings. Mature vegetation exists across the property with several mature trees in the front yard and rear yards. There is an existing 257.60 m² (2,773.78 ft²) two-storey detached dwelling on the Subject Lands which was constructed in 1977, according to assessment records.

Proposal

The Applicant is proposing to increase the size of the existing two-car garage to a four-car garage, as shown in Appendix "B".

Application History

The application was deferred by the Committee of Adjustment (the "Committee") at the June 19, 2024 hearing, to provide the Applicant an opportunity to address Committee's and/or Staff's concerns. In resubmitting the application, the Applicant has made changes to the proposal or the requested variance(s) on the basis of Committee's and/or Staff's comments. The applicant has added the combined side yards variance which was excluded in the original submission.

Zoning Preliminary Review (ZPR) Not Undertaken

The Applicant has confirmed that a Zoning Preliminary Review (ZPR) has <u>not</u> been conducted. However, the Applicant has received comments from the building department through their permit process (HP 2024 166262) 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:
- 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.

The variances are entirely attributable to the one-storey garage extension, as no changes are proposed to the existing principle building. Any modification to the existing garage is constrained by a pool to the rear, a side yard setback of 4.2 metres and the existing garage being attached to the principle building.

Staff note from a streetscape perspective the proposed garage would continue to appear as a two-car garage given the tandem parking spaces proposed and that it is not uncommon, given the large lot frontages in the area, for three-car garages to be visible from the street. There are several examples of this along Thomas Reid Road. Staff are therefore of the opinion that the proposal will not detract from the overall character of the neighbourhood and the development remains compatible with the surrounding built environment.

PUBLIC INPUT SUMMARY

No written submissions were received as of August 8, 2024. 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.

APPENDIX "C" - A/041/24 Conditions of Approval

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/041/24

- 1. The variances apply only to the proposed development as long as it remains; and
- 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 that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to his or her satisfaction.

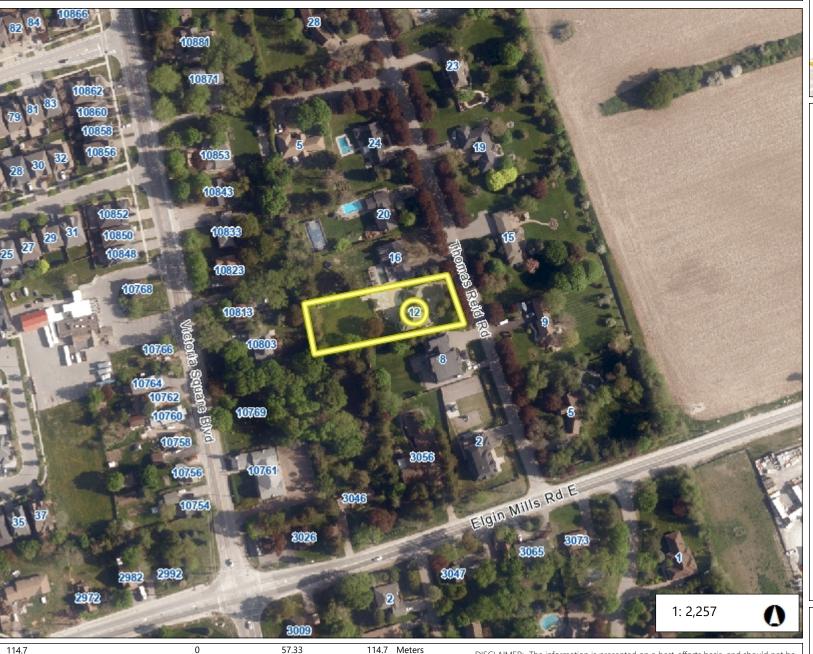
CONDITIONS PREPARED BY:

Mohammad

Hussnain Mohammad, Planner 1, Development Facilitation Office



Appendix "A" - Aerial Photo (12 Thomas Reid Road)







Aerial 2023

Red: Band_1

Green: Band_2

Blue: Band_3

Parcel

Park Facility

Parks

Under Development

and other val

<all other values>

Notes

NAD_1983_UTM_Zone_17N © City of Markham 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.

Applicable Zoning By-law: (both parent zoning by-laws apply)

Property Roll Number: Zoning By-law:

1936020160480140000

By-law 83-73 as amended RRH - Single Detached Rural under By-law 83-73 Zoning Designation (Zone):

Official Plan Designation: Residential Low Rise

Min. Lot Frontage: 100' Min. Front Yard Setback: 25' Min. Rear Yard Setback: 25' Min. Side Yard Setback: 10' Max. Building Height: 35'

Property Roll Number: Zoning By-law: Zoning Designation (Zone): Official Plan Designation:

1936020160480140000 By-law 2024-19

RES-ENLR (Residential Established Neighbourhood Low Rise) under by-law 2024-19 Residential Low Rise

Min. Lot Frontage: Min. Front Yard Setback: The average front yard setback of the neighbouring lots

Min. Rear Yard Setback: 7.5 metres Min. Side Yard Setback:

1.8 metres provided minimum combined interior side yards on both sides are the greater of 4.0 metres, or 25% of the lot width

EXISTING LANDSCAPE AREA = 1841.6 EXISTING FRONT YARD = 126.5 HARD PAVING BACK YARD = 286.9 EXISTING POOL AREA = 54.1 The greater of 23.0 metres or the average lot frontage of the two neighbouring lots DRIVEWAY REDUCED AREA = 44 EXISTING DRIVEWAY AREA = 147.5 EXISTING BUILDING AREA = 257.6 PROPOSED GARAGE ADDITION = 44 EXISTING FOOTPRINT AREA = 257.6 FOOTPRINT INCREASED AREA = 44

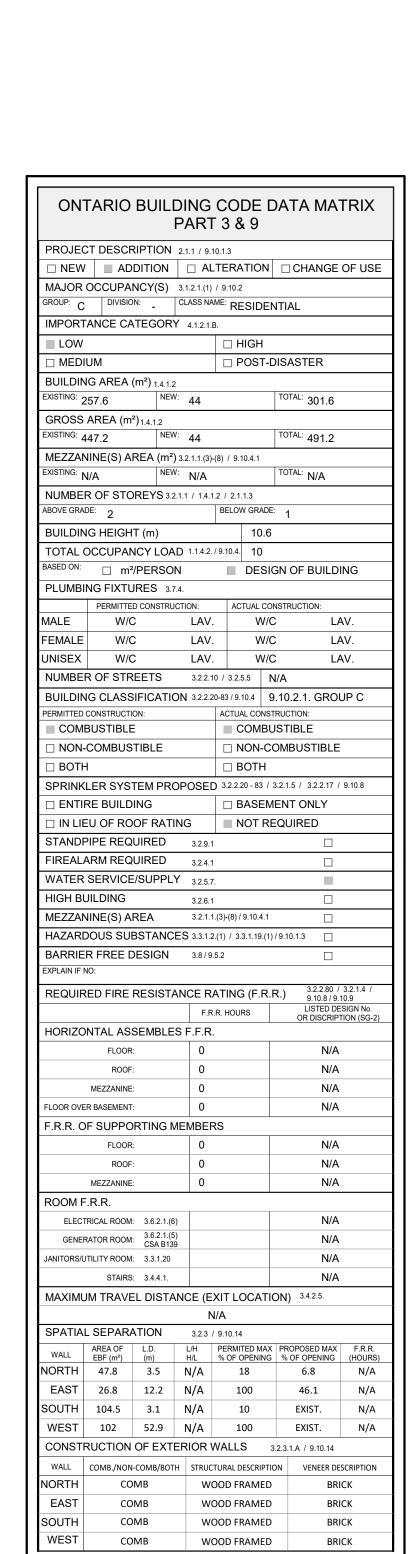
EXISTING (m²)

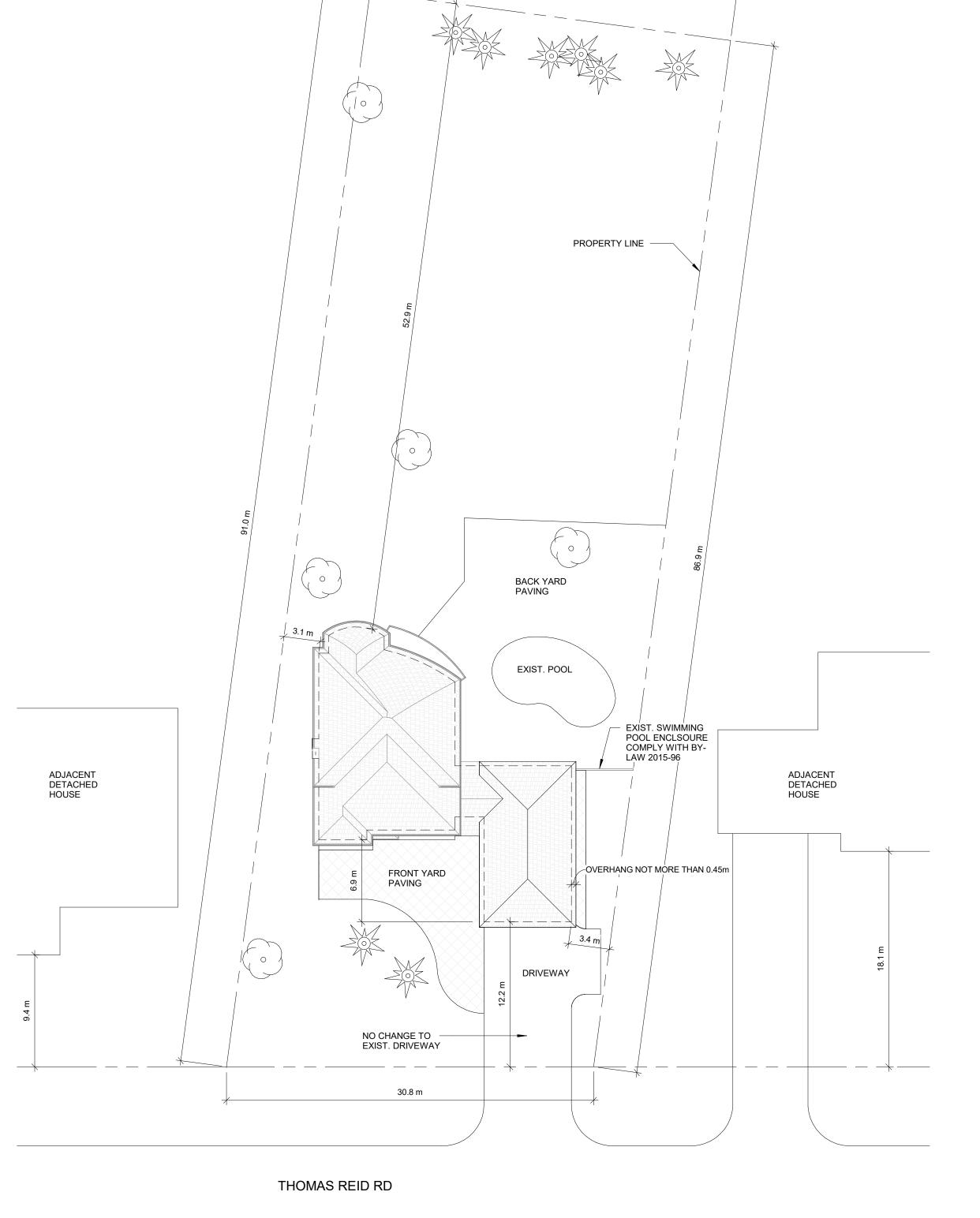
LOT AREA = 2714.2

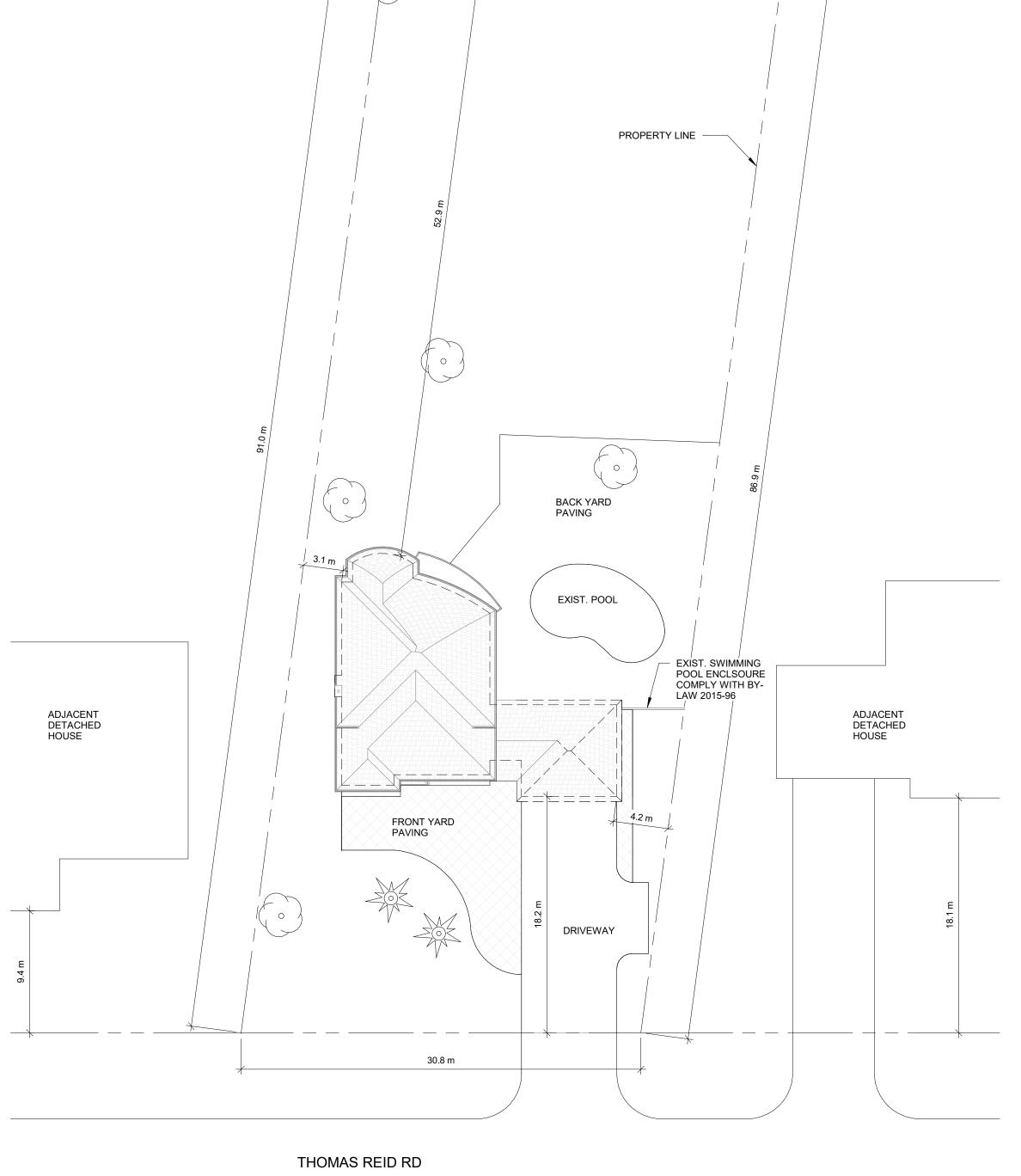
(10)

Appendix B TOTAL (EXISTING + LOT AREA = 2714.2 TOTAL LANDSCAPE TOTAL HARD PAVING TOTAL POOL AREA TOTAL DRIVEWAY ₁Date: TOTAL BUILDING A TOTAL FOOTPRINT MM/DD/YY

Key Plan







NEW PROPOSED (m²)

EXISTING SITE PLAN A003 1:250

03/28/2024 ARROW ARCHITECTURE LTD. **BLACK ARROW CONSTRUCTION**

– o architects z

TANTAN LI
LICENCE
9489

ISSUES/REVISIONS

ISSUED FOR BUILDING PERMIT

ISSUED FOR MINOR VARIANCE

2024-03-28

400A, 1090 Don Mills Rd. North York, ON. M3C 3R6 Website: www.arrowconstruction.co Email: black.arrow.architecture@gmail.com ARROW Tel: (647)978-7680

CHECK, VERIFY AND REPORT ANY

DISCREPANCIES TO THE CONSULTAI WHOSE SEAL IS AFFIXED TO THIS

BE SCALED FOR THE PURPOSE OF VERIFYING DIMENSIONS.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED AND DATED IN THE SPACE TO THE LEFT BY THE NAMED CONSULTANT.

Owner

House Addition

12 Thomas Reid Rd, Markham, ON L6C 1A5

SITE PLAN & OBC MATRIX

04/30/24 As indicated

24003

Appendix B File: 24.169881.000.00.MNV Date: 8/8/2024 MM/DD/YY

DEMOLITION PLAN NOTES

- A. DEMOLITION DWGS TO BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL, STRUCTURAL, ELECTRICAL, MECHANICAL DEMOLITION, REFERENCE DRAWINGS.

 B. CONTRACTOR TO SITE VERIFY ALL EXISTING DIMENSIONS & CONFIRM ALL EXISTING CONDITIONS PRIOR TO DEMOLITION. REPORT ANY DISCREPANCIES AND UNFORESEEN INTERFERENCES AT SITE PRIOR TO COMMENCING DEMOLITIONS AND NEW
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- D. PROVIDE DUST AND DEBRIS PROTECTION TO MATERIALS TO REMAIN & AREAS OUTSIDE THE ZONE OF WORK IN ACCORDANCE WITH SPECIFICATIONS.
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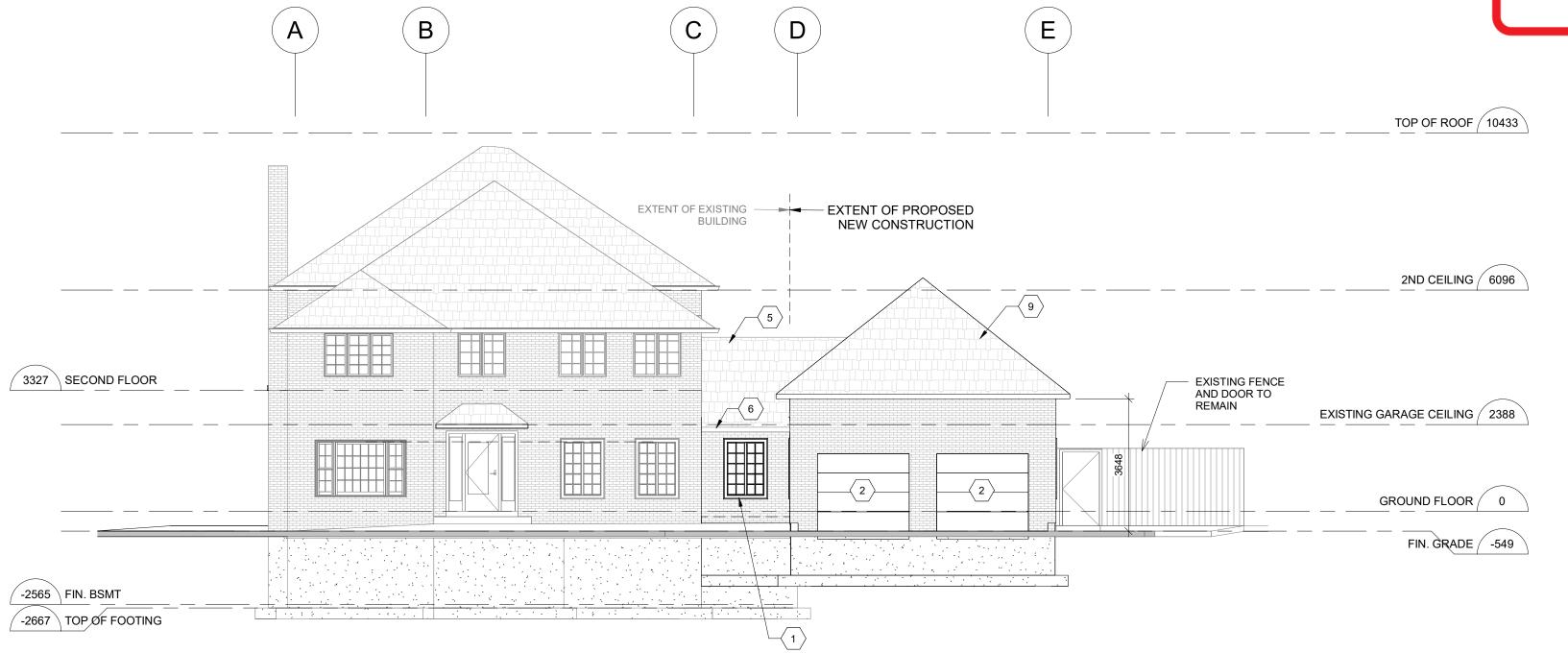
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- M. PHOTOGRAPHS ARE USE FOR VISUAL REFERENCE ONLY (TYPICAL)

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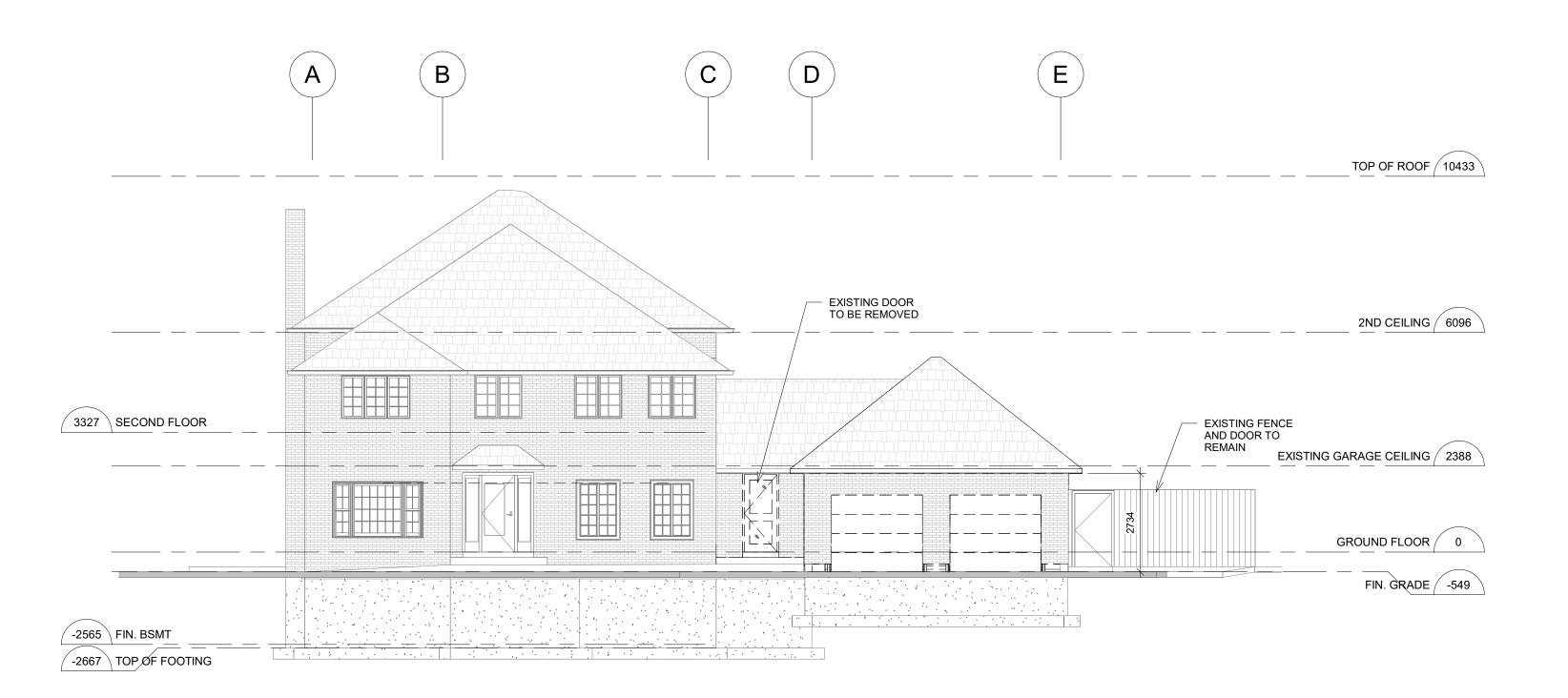
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PROPOSED EAST ELEVATION

1:100



1 EXISTING EAST ELEVATION

Key Plan

03/28/2024

ARROW ARCHITECTURE LTD.
BLACK ARROW CONSTRUCTION

400A, 1090 Don Mills Rd. North York, ON. M3C 3R6
Website: www.arrowconstruction.co

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House Addition

12 Thomas Reid Rd, Markham, ON L6C 1A5

ARROW

EAST ELEVATIONS

 Drawn By
 AW
 Project North

 Checked By
 AW

 Project No.
 24003

 Drawing No.
 Drawing No.

A010

Appendix B File: 24.169881.000.00.MNV Date: 8/8/2024 MM/DD/YY

Key Plan

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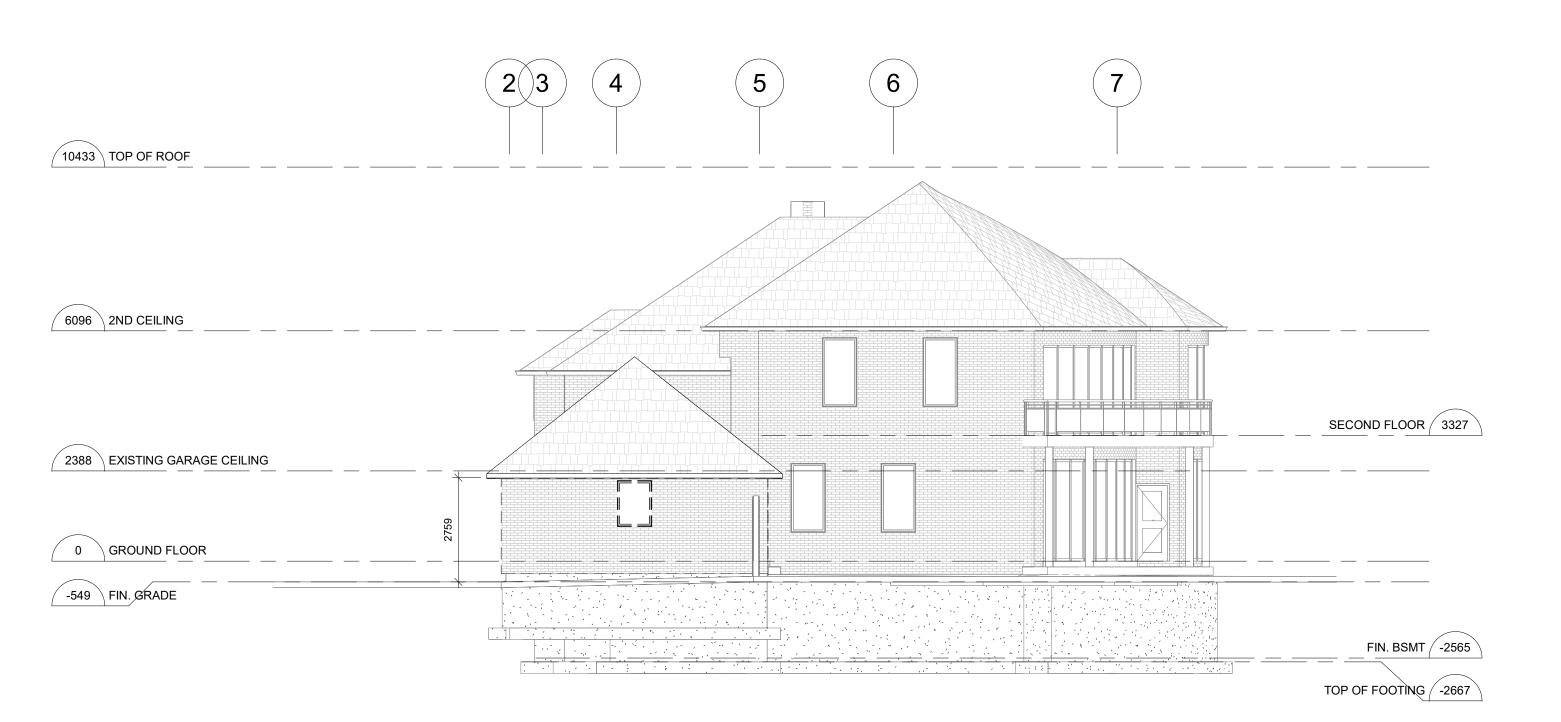
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2 PROPOSED NORTH ELEVATION
1:100





ISSUES/REVISIONS ISSUED FOR BUILDING PERMIT 2024-03-28 ISSUED FOR MINOR VARIANCE 2024-04-30 CHECK, VERIFY AND REPORT ANY CHECK, VERHIT AND REPORT ANY
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Owner

House Addition

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As indicated

NORTH ELEVATIONS

04/30/24

ΑW

ΑW

24003

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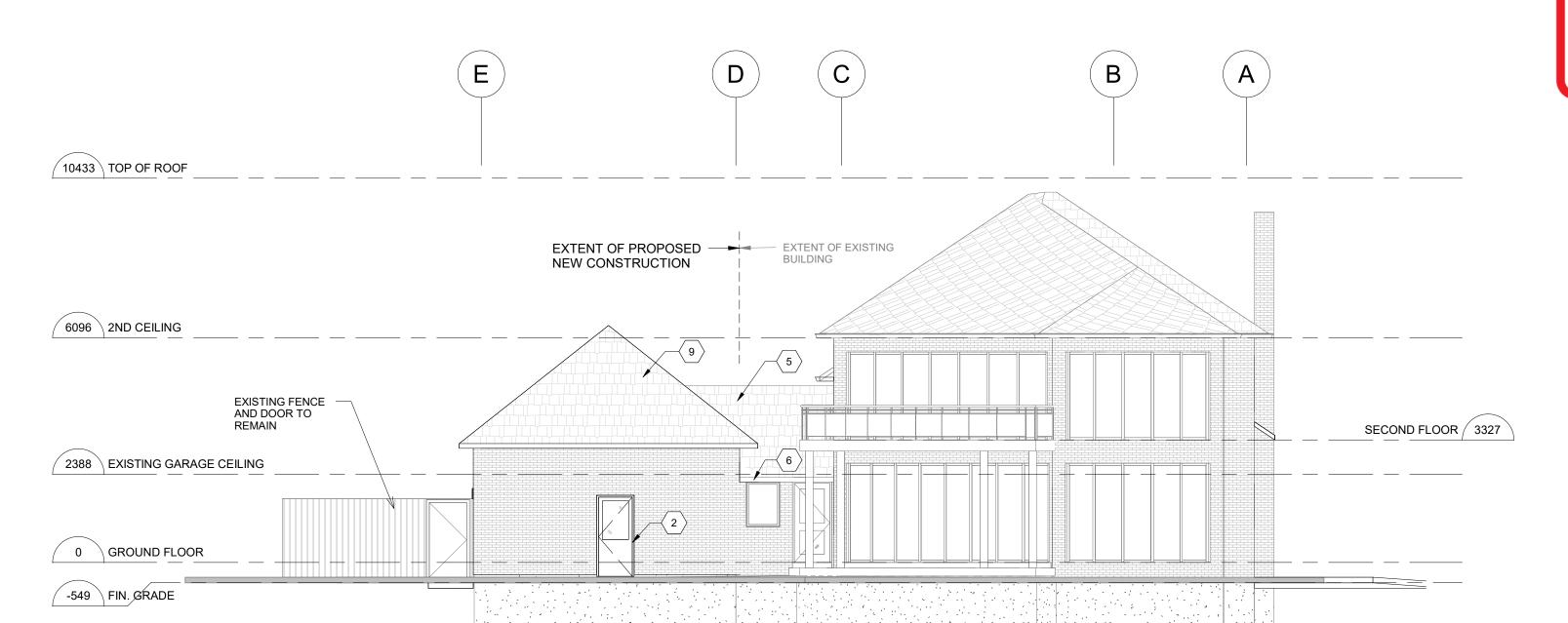
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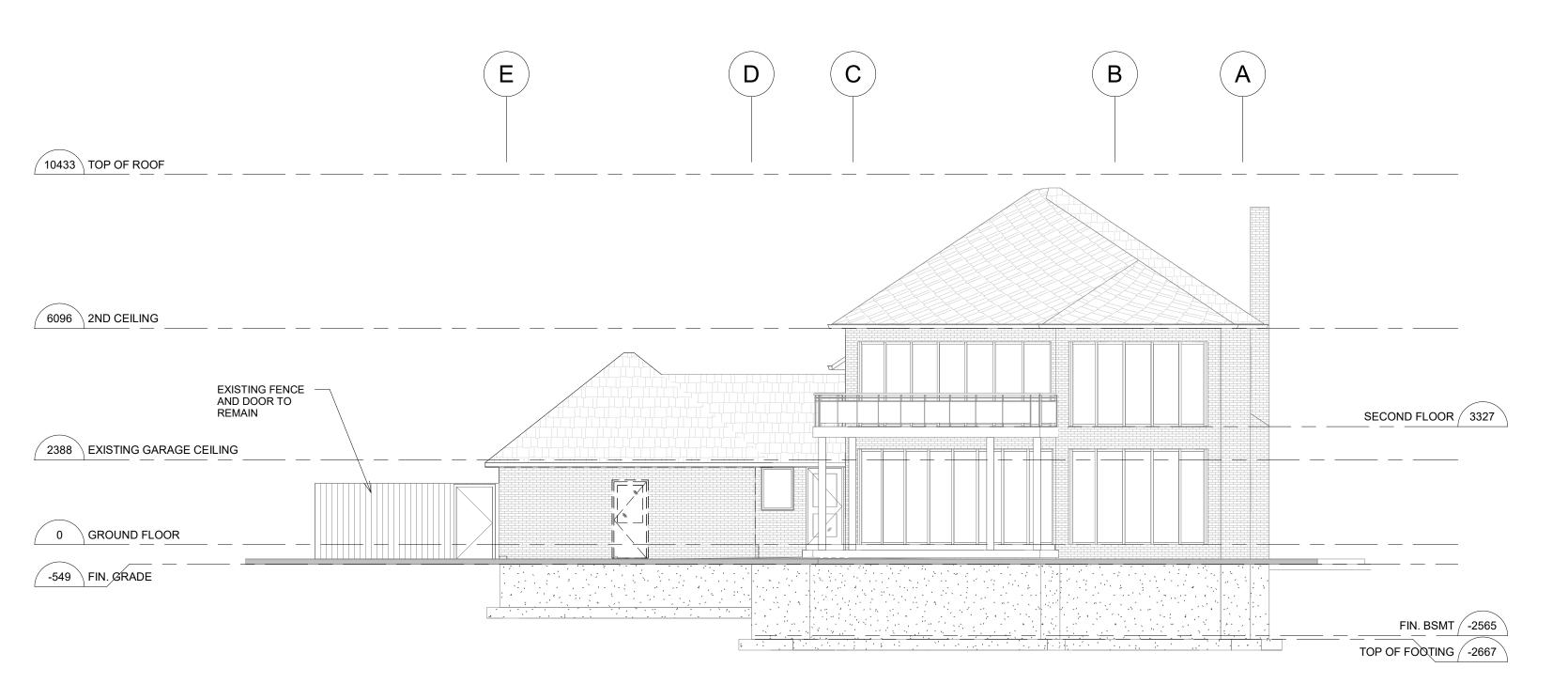
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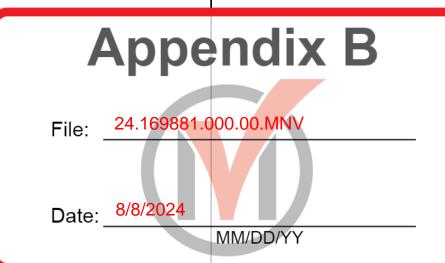


2 PROPOSED WEST ELEVATION
A012 1:100



1 EXISTING WEST ELEVATION

A012 1:100



Key Plan

FIN. BSMT / -2565

TOP OF FOOTING / -2667

ISSUES/REVISIONS

ISSUE TITLE DATE

1 ISSUED FOR BUILDING PERMIT 2024-03-28
2 ISSUED FOR MINOR VARIANCE 2024-04-30

ARROW ARCHITECTURE LTD.
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– o architects z

TANTAN LI LICENCE 9489

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Owner

Email: black.arrow.architecture@gmail.com

House Addition

12 Thomas Reid Rd, Markham, ON L6C 1A5

rawing Title

WEST ELEVATIONS

 Date
 Scale

 Drawn By
 AW

 Checked By
 AW

 Project No.
 24003

Δ012

Appendix B Date: 8/8/2024

Key Plan

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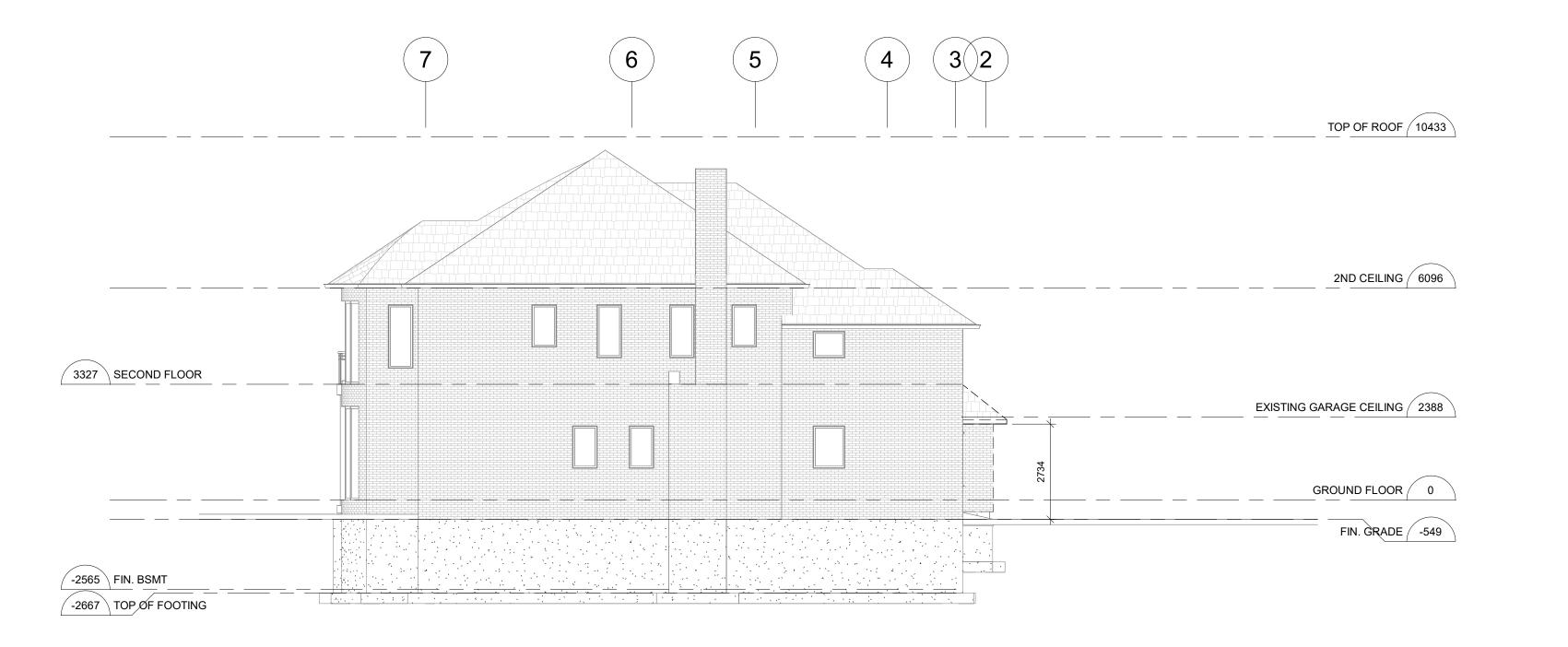
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- CONTRACTOR TO INSURE THE ENVELOPE @ EXTERIOR INNER AND OUTER CORNER JUNCTIONS ARE AIR TIGHT.
- PHOTOGRAPHS ARE USE FOR VISUAL REFERENCE ONLY (TYPICAL)

DEMOLITION KEYNOTES

- PROPOSED WINDOW, THE SIZE AND HEIGHT TO MATCH THE EXISTING WINDOW ON GROUND FLOOR OF EAST ELEVATION
- EXISTING DOOR TO BE REUSE AND RELOCATED AFTER THE CONSTRUCTION OF NEW
- GARAGE WALL. EXISTING WALL MOUNTED DEVICES TO BE RELOCATED, AND WALL SURFACE TO BE CLEANED AND FREE OF DEBRIS FOR THE CONSTRUCTION OF NEW SCOPE.
- EXISTING STRUCTURE TO REMAIN AS IS. MAINTAIN AND PROTECT FROM ANY DAMAGE THROUGHOUT CONSTRUCTION.
- EXISTING ROOF SHINGLE AND TRUSS TO BE MODIFIED FOR THE CONSTRUCTION OF ADDITION, REFER TO STRUCTURAL DWG.
- EXISTING SOFFIT, EAVES, AND GUTTER TO BE MODIFIED FOR THE CONSTRUCTION OF
- 7 EXCAVATE THE SOIL IN WORK AREA FOR THE CONSTRUCTION OF ADDITION.
- 8 EXISTING STEP TO BE REMOVED
- PROPOSED NEW ROOF SHINGLE TO MATCH THE EXISTING ROOF SHINGLE COLOR



PROPOSED SOUTH ELEVATION



EIXSTING SOUTH ELEVATION

ISSUES/REVISIONS

ISSUED FOR BUILDING PERMIT 2024-03-28 ISSUED FOR MINOR VARIANCE 2024-04-30

CHECK, VERIFY AND REPORT ANY CHECK, VERHIT AND REPORT ANY
DISCREPANCIES TO THE CONSULTANT
WHOSE SEAL IS AFFIXED TO THIS
DRAWING. THIS DRAWING SHALL NOT
BE SCALED FOR THE PURPOSE OF
VERIFYING DIMENSIONS. – o architects z TANTAN LI LICENCE 9489 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED AND DATED IN THE SPACE TO THE LEFT BY THE NAMED CONSULTANT.

03/28/2024

ARROW ARCHITECTURE LTD. **BLACK ARROW CONSTRUCTION** ARROW

400A, 1090 Don Mills Rd. North York, ON. M3C 3R6 Website: www.arrowconstruction.co Email: black.arrow.architecture@gmail.com Tel: (647)978-7680

Owner

House Addition 12 Thomas Reid Rd, Markham, ON L6C 1A5

SOUTH ELEVATION

04/30/24 As indicated Author Checker 24003

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 requested variance 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 refer to Appendix "C" for conditions to be attached to any approval of this application.

PREPARED BY:

Mohammad

Hussnain Mohammad, Planner 1, Development Facilitation Office

REVIEWED BY:

~ ~ B*

Daniel Brutto, MCIP RPP, Acting Development Manager, West District

APPENDICES

Appendix "A" – Aerial Context Photo

Appendix "B" - Plans

Appendix "C" – A/041/24 Conditions of Approval