

Memorandum to the City of Markham Committee of Adjustment

January 29, 2024

File: A/004/24
Address: 21 Forest Park Crescent, Thornhill
Applicant: In Roads Consultants (Ida Evangelista)
Agent: In Roads Consultants (Ida Evangelista)
Hearing Date: Wednesday March 6, 2024

The following comments are provided on behalf of the West District:

The applicant is requesting relief from the following “Third Density Single Family Residential (R3)” zone requirements of By-law 2237, R3 as amended, as it relates to a proposed addition to a two-storey residential dwelling to permit:

a) Amending By-law 101-90, Section 1.2(iv):

a building depth of 20.1 metres, whereas the by-law permits a maximum building depth of 16.8 metres;

BACKGROUND

Property Description

The 975.35 m² (10,498.58 ft²) subject property is located on the east side of Forest Park Crescent, north of John Street and generally south of Ladies Golf Club of Toronto. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. Mature vegetation exists across the property.

The subject property currently contains a two-storey detached dwelling with a two-car garage and mature trees in the front and at the back of the property.

Proposal

The owner is proposing to construct a two-storey extension to the rear of the property.

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The Subject Lands are designated “Residential Low Rise”, which permits low rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines development criteria for the “Residential Low Rise” designation with respect to height, massing and setbacks. This criteria was established to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, infill development is required to meet the general intent of these development criteria. Regard shall also be had for retention of existing trees and vegetation, the width of proposed garages and driveways. Planning staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below.

Zoning By-Law 2237

The subject property is zoned Third Density Single Family Residential (R3)_under By-law 2237, as amended, which permits single detached dwellings.

Residential Infill Zoning By-law 101-90

The subject property is also subject to the Residential Infill Zoning By-law 101-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, yard setbacks and number of storeys. The proposed development does not comply with the infill By-law requirements with respect to the building depth.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from the Building Standards Department through their permit process 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.

Increase in Maximum Building Depth

The applicant is requesting relief to permit a maximum building depth of 20.1 m (65.9 ft), whereas the By-law permits a maximum building depth of 16.8 m (55.1 ft). This represents an increase of approximately 3.3 m (10.8 ft). The increased building depth is proposed for a portion of the dwelling towards the north side of the property, east of the existing 2-car garage.

Building depth is measured based on the shortest distance between two lines, both parallel to the front lot line, one passing through the point on the dwelling which is the nearest and the other through the point on the dwelling which is the farthest from the front lot line. Staff note that there are multiple mature trees between the subject property and the property to the north side at 23 Forest Park Crescent. This will mitigate any visual impacts of privacy that may be caused due to the proposed extension. Additionally, the subject property will align with the building located to at 19 Forest Park Crescent as a result of the rear extension. Staff are of the opinion that the proposed building depth is minor in nature and will not adversely impact the character of the neighbourhood.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 28, 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.

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

PREPARED BY:



Vrinda Bhardwaj, Development Technician, Planning and Urban Design Department

REVIEWED BY:



Rick Cefaratti, MCIP, RPP, Senior Planner II, West District

APPENDICIES

Appendix "A" – Aerial Photo

Appendix "B" – Architectural Plans

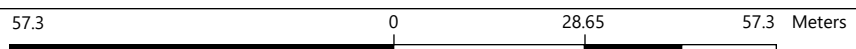
Appendix "C" – A/004/24 Conditions of Approval



Legend

- Parcel Overlay
- Aerial 2023**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- Parcel**
- Park Facility
- Parks**
 - Under Development
 - <all other values>

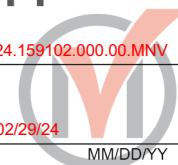
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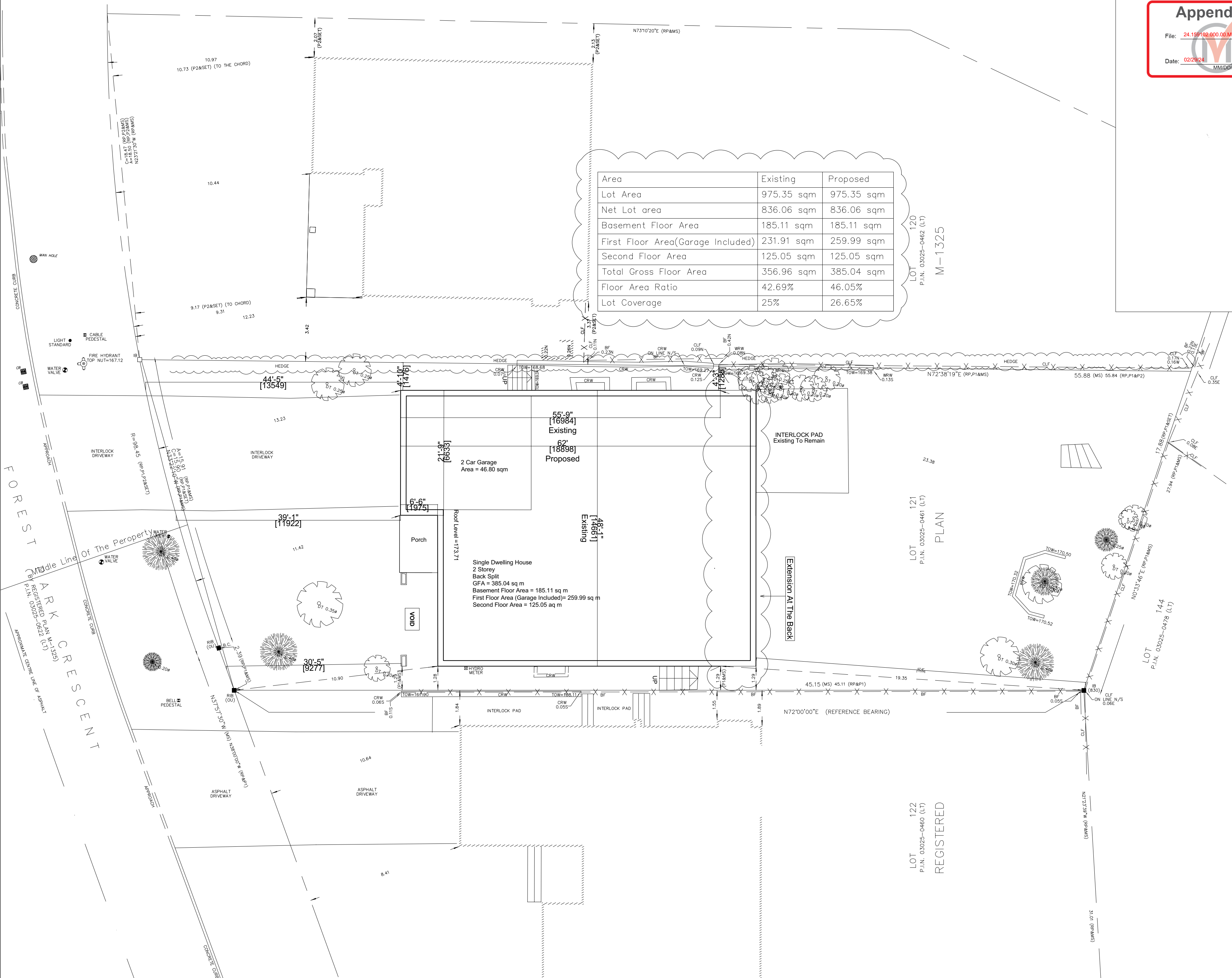
Appendix B

File: 24.159102.000.00.MNV

Date: 02/29/24



Area	Existing	Proposed
Lot Area	975.35 sqm	975.35 sqm
Net Lot area	836.06 sqm	836.06 sqm
Basement Floor Area	185.11 sqm	185.11 sqm
First Floor Area(Garage Included)	231.91 sqm	259.99 sqm
Second Floor Area	125.05 sqm	125.05 sqm
Total Gross Floor Area	356.96 sqm	385.04 sqm
Floor Area Ratio	42.69%	46.05%
Lot Coverage	25%	26.65%



GENERAL NOTES:
 DO NOT USE DRAWINGS FOR CONSTRUCTION UNLESS SIGNED BY ARCHITECT AND ISSUED FOR CONSTRUCTION.
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NO	DATE	NOTES
RO1	15-11-2023	

client
 Sara Rahgozar and Ali Jalali

project
 21 FOREST PARK CRESCENT (MARKHAM)
 REVISION PERMIT # 23 141771



SITE PLAN	
Scale	3/32" = 1'-0"
design by	S.R.
drawn by	S.R.
reviewed by	S.R.
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
A0.1	00

FOREST PARK CRESCENT
 Middle Line Of The Property
 REGISTERED PLAN N-1-1325
 P.I.N. 03025-0462 (LT)
 APPROXIMATE CENTRE LINE OF ASPHALT

LOT 122
 P.I.N. 03025-0460 (LT)
 REGISTERED

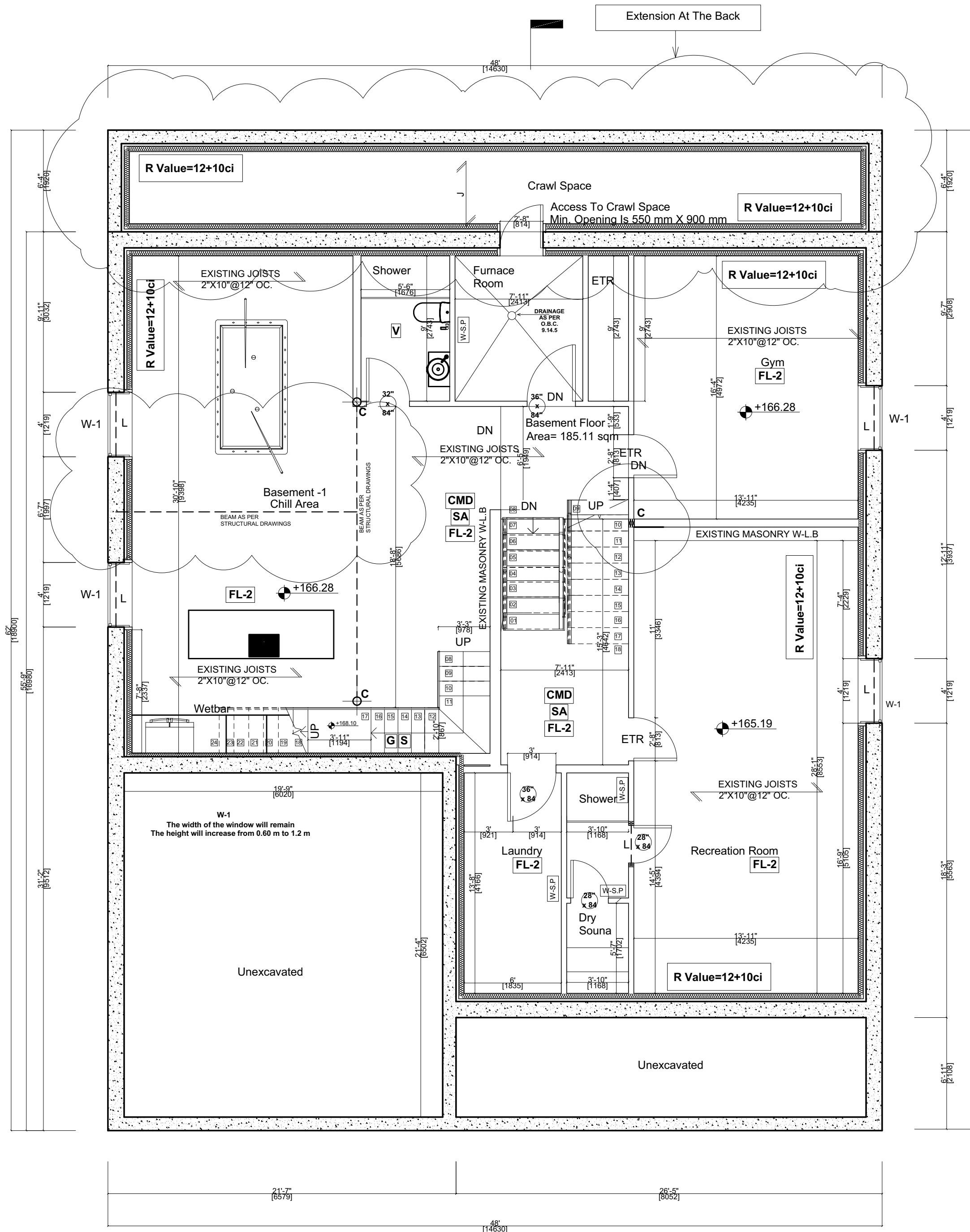
LOT 121
 P.I.N. 03025-0461 (LT)
 PLAN

LOT 120
 P.I.N. 03025-0462 (LT)
 M-1325

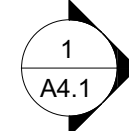
Appendix B

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Date: 02/20/24
MM/DD/YY



- ALL STEEL BEAMS AS PER STRUCTURAL DRAWINGS
- ALL LVLS AS PER STRUCTURAL DRAWINGS
- C ALL COLUMNS AS PER STRUCTURAL DRAWINGS
- ALL FOUNDATION WALLS & RETAINING WALLS AS PER STRUCTURAL DRAWINGS
- J ALL FLOOR JOIST AS PER STRUCTURAL DRAWINGS
- L ALL LITEL AS PER STRUCTURAL DRAWINGS
- ETR EXISTING TO REMAIN
- REM EXISTING TO REMOVE



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21 FOREST PARK CRESCENT (MARKHAM)
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21 Forest Park Cres, Thornhill, Ontario L3T 2M5
Tel: 416.357.5713
www.quadrantarchitects.com

drawing title

BASEMENT

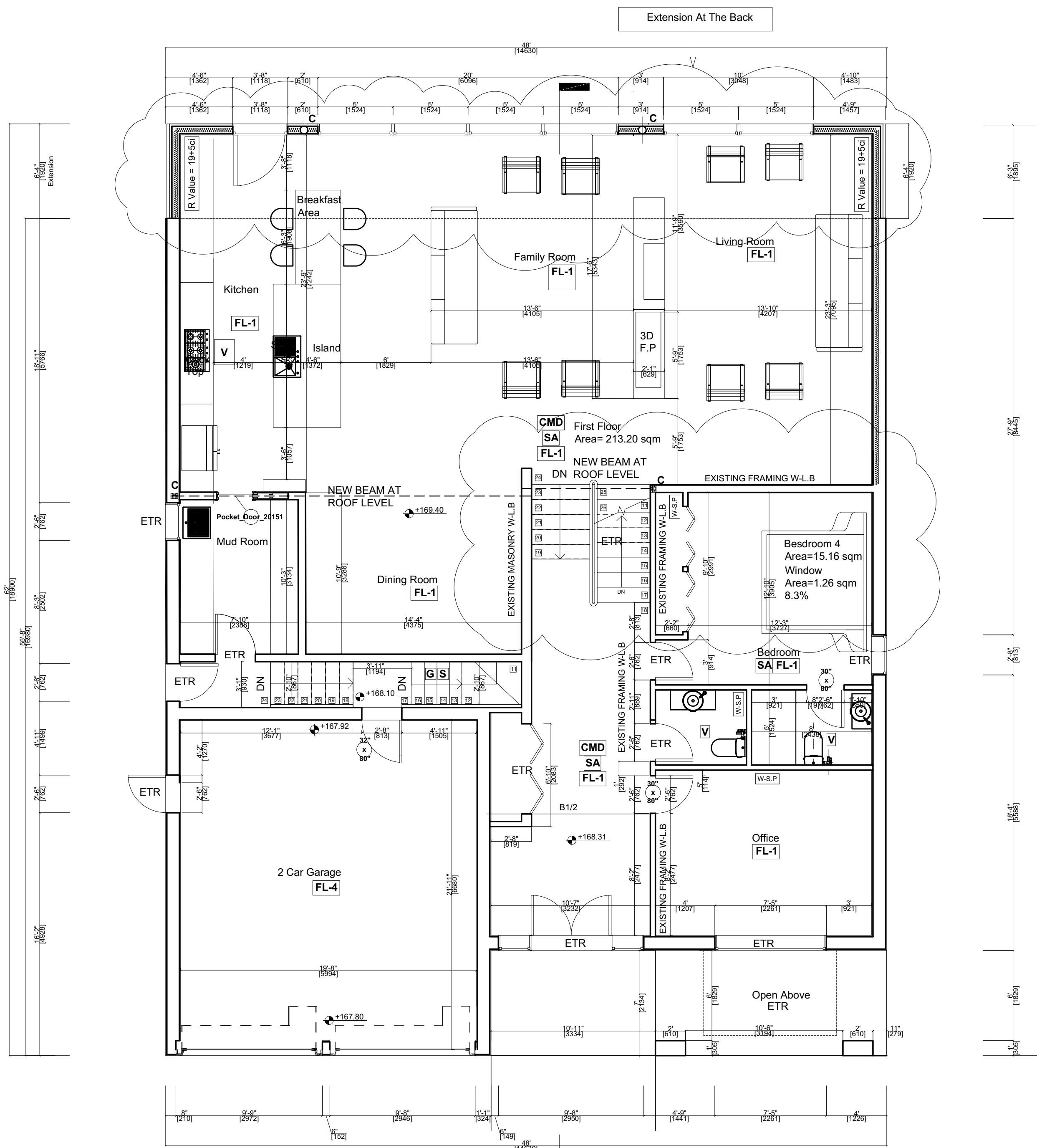
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drawn by	S.R
reviewed by	S.R
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
A1.02	00

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A4.1

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Quadrant Architects Inc.
21 Forest Park Cres, Thornhill, Ontario L3T 2M5
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drawing title

FIRST FLOOR

Scale 3/16" = 1'-0"

design by S.R

drawn by S.R

reviewed by S.R

proj. no. 2307

date JANUARY 23-2024

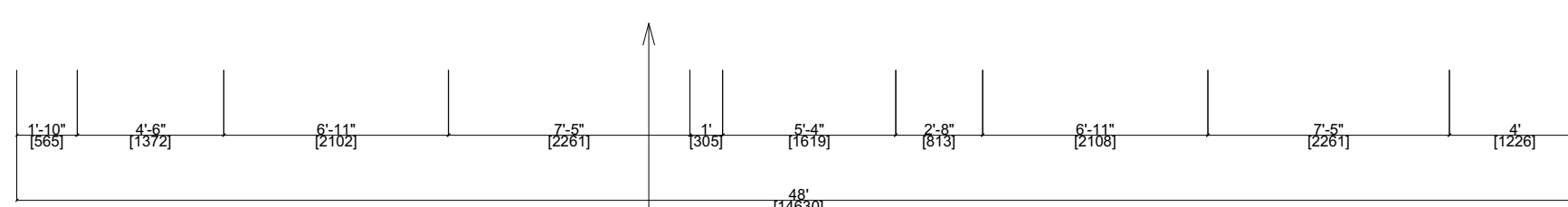
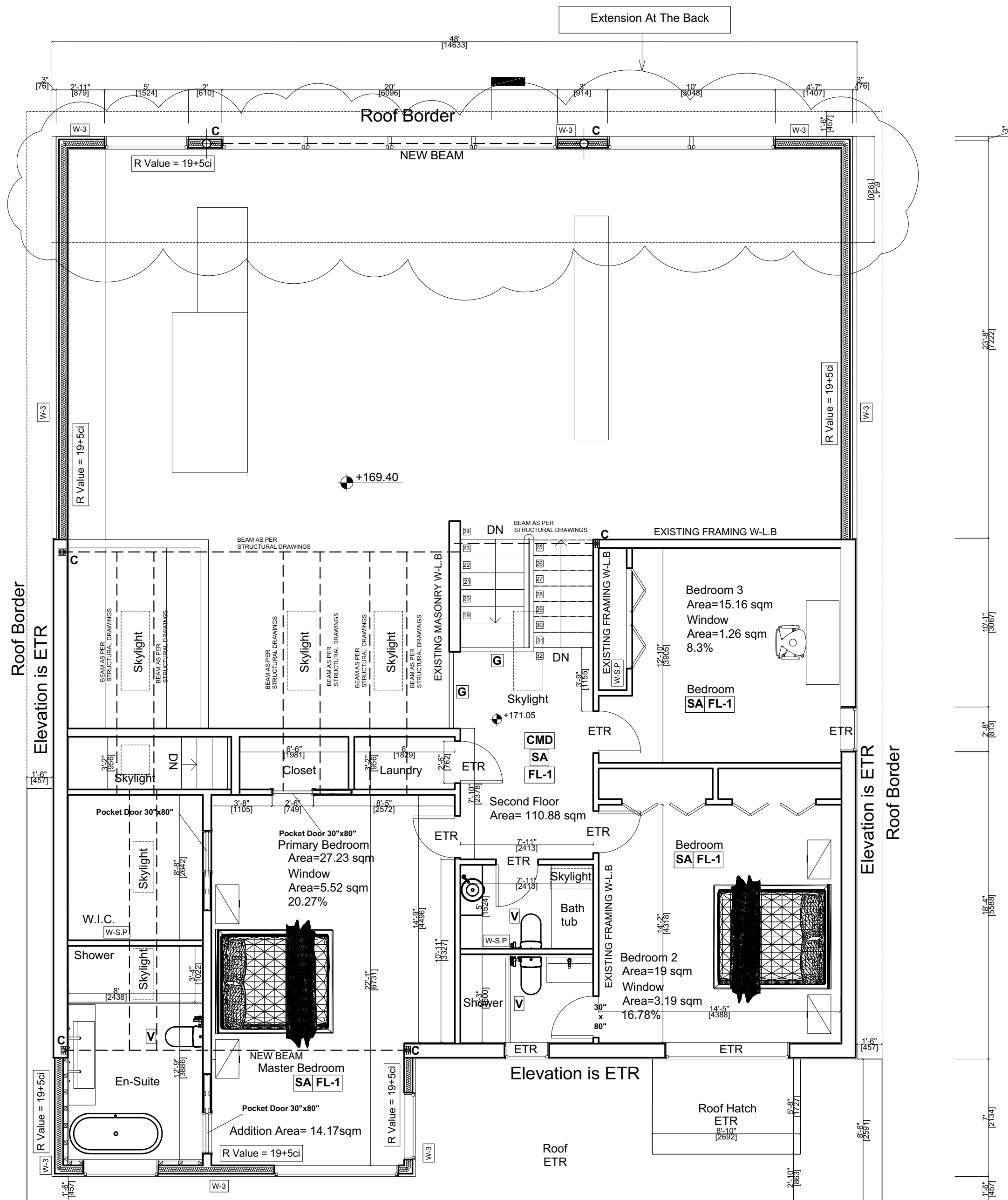
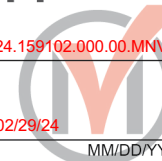
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Appendix B

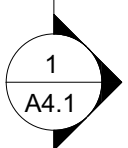
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Extension On Second Floor Above Garage



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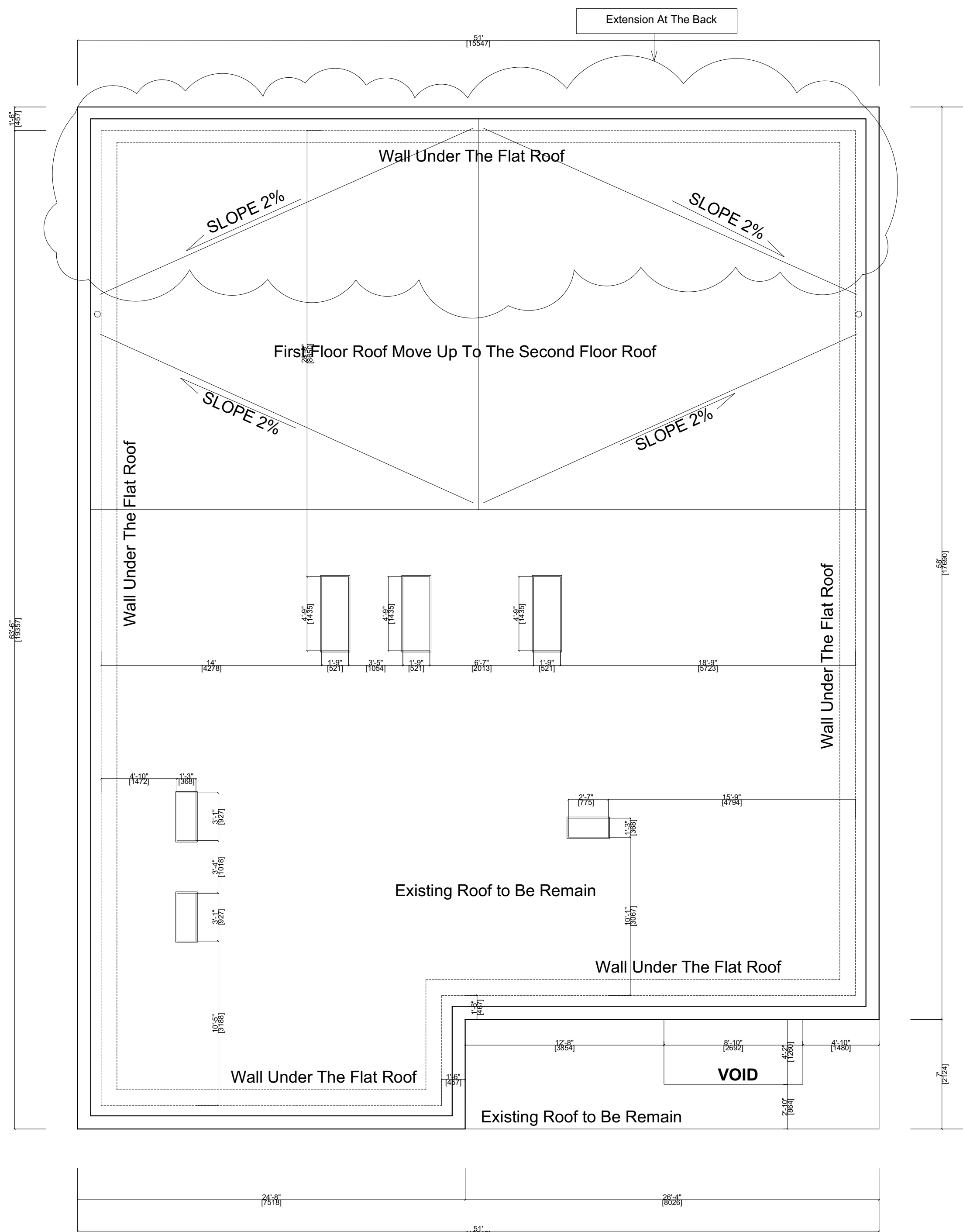
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Tel: 416.357.5713
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drawing title

SECOND FLOOR	
Scale	3/16" = 1'-0"
design by	S.R.
drawn by	S.R.
reviewed by	S.R.
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
A1.06	00

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		Sara Rahgozar and Ali Jalali
		project
		21 FOREST PARK CRESCENT (MARKHAM)
		REVISION PERMIT # 23 141771

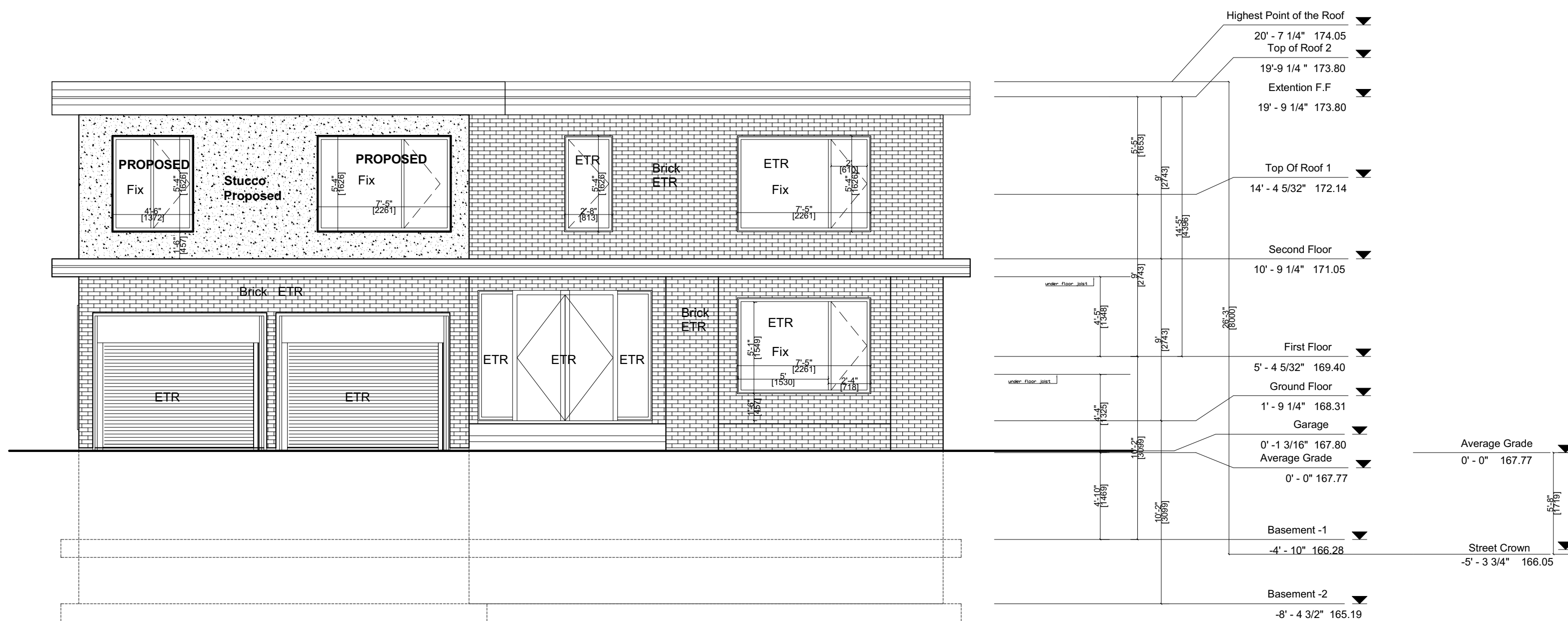


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design by	S.R
drawn by	S.R
reviewed by	S.R
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
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drawing title

FRONT ELEVATION	
Scale	3/16" = 1'-0"
design by	S.R
drawn by	S.R
reviewed by	S.R
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
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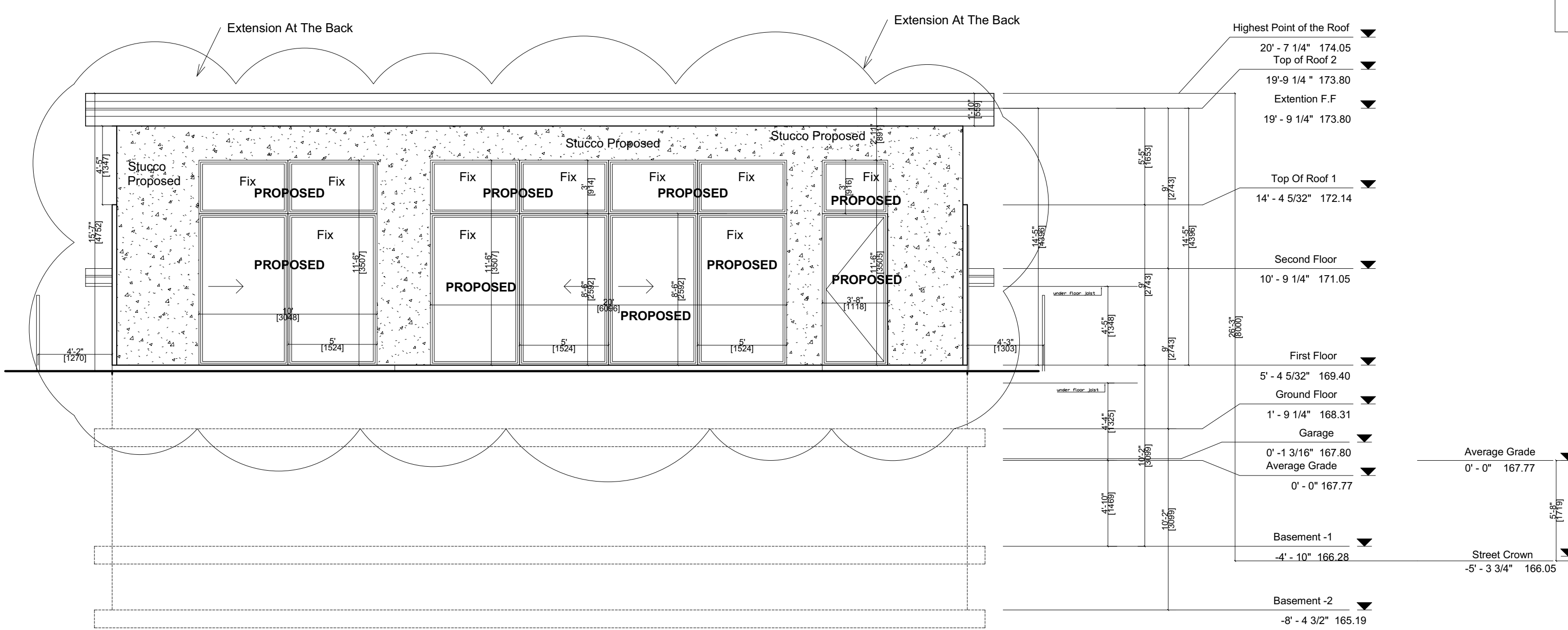
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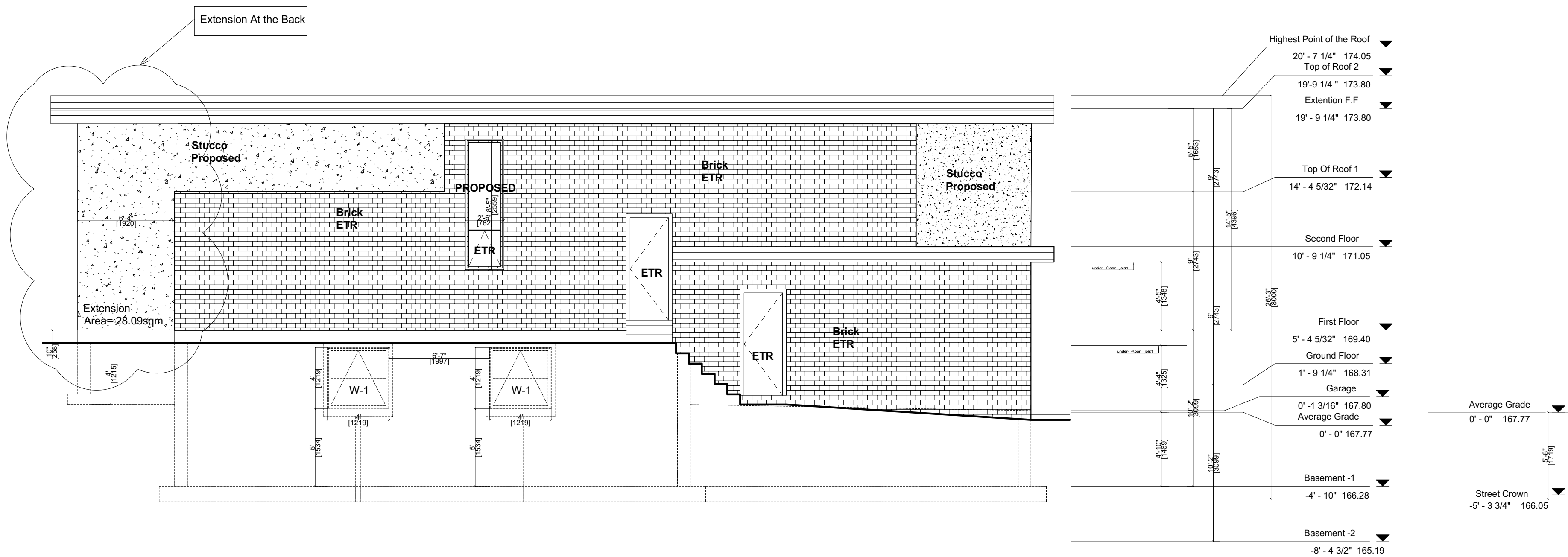
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Scale	3/16" = 1'-0"
design by	S.R
drawn by	S.R
reviewed by	S.R
proj. no.	2307
date	JANUARY 23-2024
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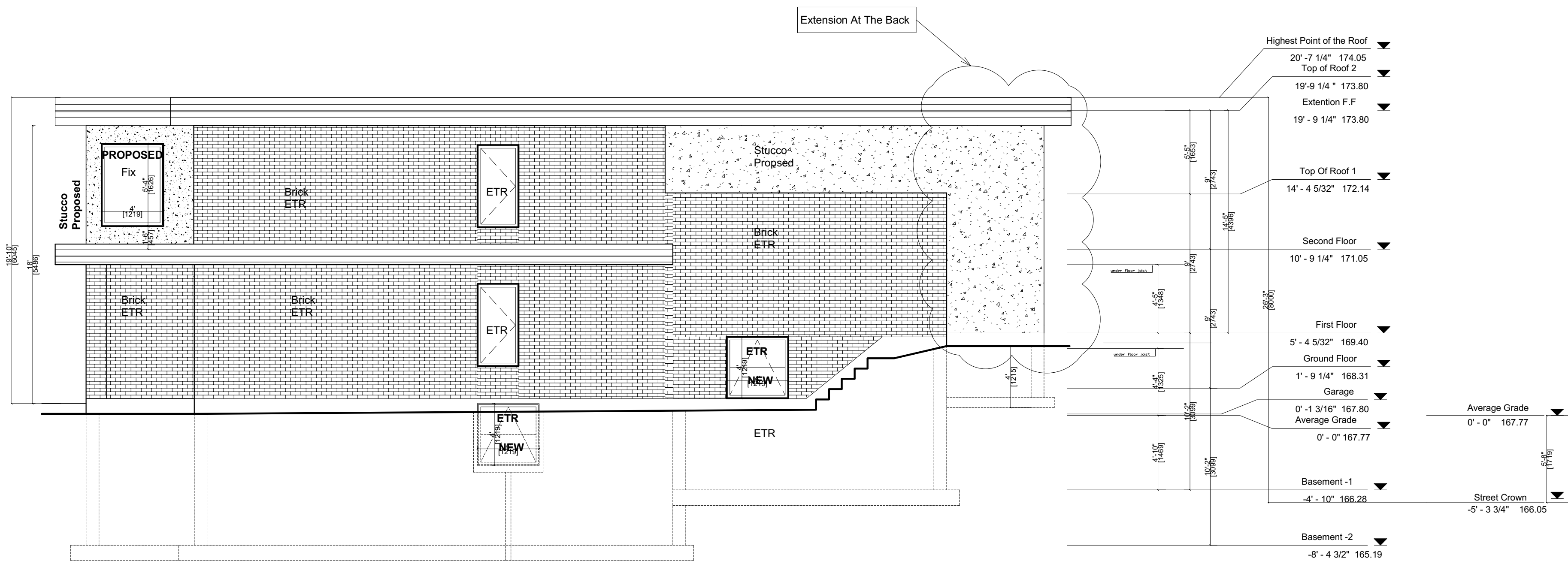
Quadrant Architects Inc.
21 Forest Park Cres, Thornhill, Ontario L3T 2M5
Tel: 416.357.5713
www.quadrantarchitects.com
drawing title

NORTH ELEVATION
Scale 3/16" = 1'-0"
design by S.R.
drawn by S.R.
reviewed by S.R.
proj. no. 2307
date JANUARY 23-2024
drawing no. revision no.
A2.3 00

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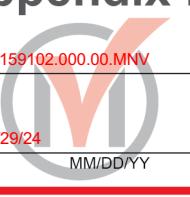
Quadrant Architects Inc.
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Tel: 416.357.5713
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drawing title

SOUTH ELEVATION	
Scale	3/16" = 1'-0"
design by	S.R
drawn by	S.R
reviewed by	S.R
proj. no.	2307
date	JANUARY 23-2024
drawing no.	revision no.
A2.4	00

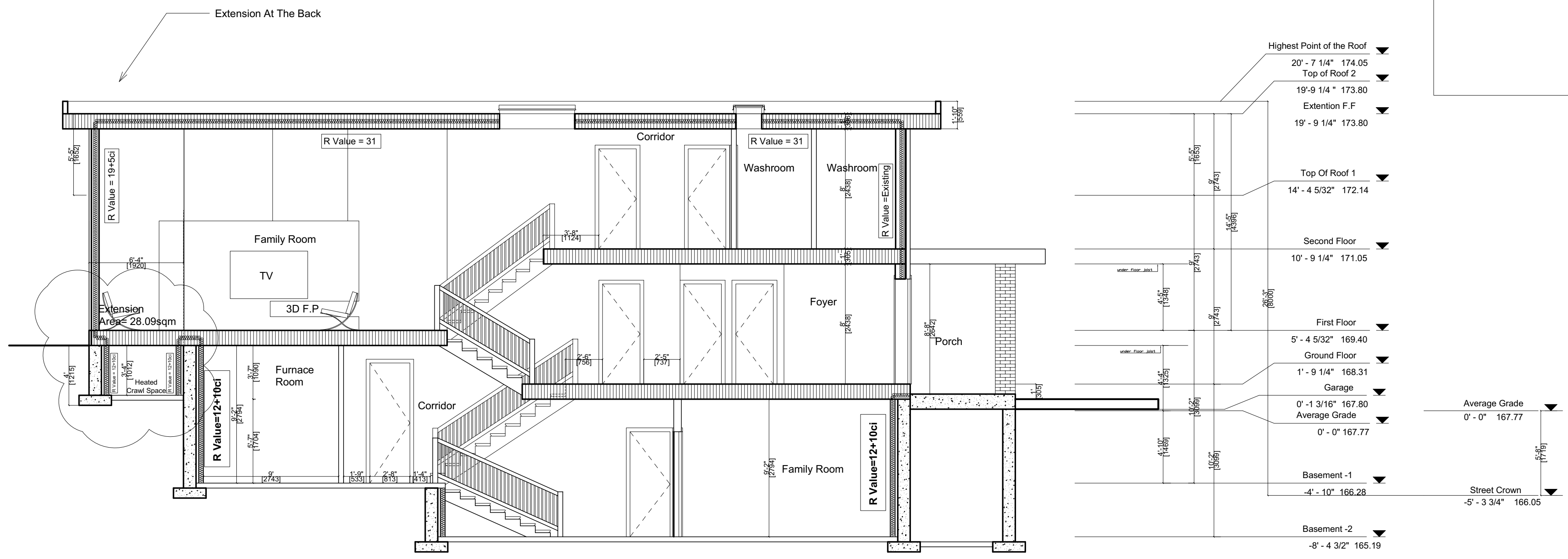
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Highest Point of the Roof	20' - 7 1/4" 174.05
Top of Roof 2	19' - 9 1/4" 173.80
Extension F.F	19' - 9 1/4" 173.80
Top Of Roof 1	14' - 4 5/32" 172.14
Second Floor	10' - 9 1/4" 171.05
First Floor	5' - 4 5/32" 169.40
Ground Floor	1' - 9 1/4" 168.31
Garage	0' - 1 3/16" 167.80
Average Grade	0' - 0" 167.77
Basement -1	-4' - 10" 166.28
Basement -2	-8' - 4 3/2" 165.19
Average Grade	0' - 0" 167.77
Street Crown	-5' - 3 3/4" 166.05

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drawing no.	revision no.
A4.1	00

SURVEYOR'S REAL PROPERTY REPORT
 PART 1
 PLAN OF SURVEY OF
LOT 121
REGISTERED PLAN M-1325
 IN THE
CITY OF MARKHAM
 (REGIONAL MUNICIPALITY OF YORK)

SCALE & NOTES
 Scale 1:100

ALTIMAP LAND SURVEYORS INC.
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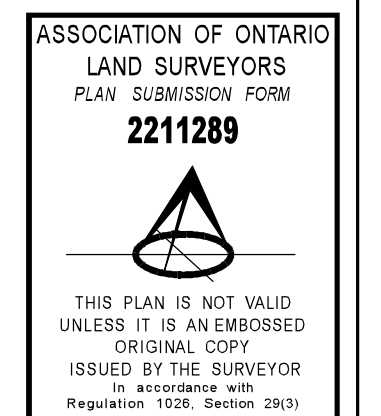
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ELEVATION NOTE
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF MARKHAM BENCHMARK NO. MG2-020, HAVING A PUBLISHED ELEVATION OF 165.845 METERS.

BEARING NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF LOT 121 AS SHOWN ON REGISTERED PLAN M-1325 HAVING A BEARING OF N72°00'00"E.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
RIB	DENOTES	ROUND IRON BAR
OJ	DENOTES	ORIGIN UNKNOWN
MH	DENOTES	MANHOLE
B.C.	DENOTES	BEGINNING OF CURVE
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
LS	DENOTES	LIGHT STANDARD
INV	DENOTES	INVERT ELEVATION
HYD	DENOTES	FIRE HYDRANT
CRW	DENOTES	CONCRETE RETAINING WALL
WRW	DENOTES	WOOD RETAINING WALL
TOW	DENOTES	TOP OF WALL ELEVATION
NTS	DENOTES	NOT TO SCALE
MS	DENOTES	MEASURED FOUNDATION
FN	DENOTES	FOUNDATION
BR	DENOTES	BRICK
ST	DENOTES	STUCCO
SI	DENOTES	SIDING
STY	DENOTES	STOREY
CLF	DENOTES	CHAIN LINK FENCE
BF	DENOTES	BOARD FENCE
D.S.	DENOTES	DOOR SILL ELEVATION
FFE	DENOTES	FINISHED FLOOR ELEVATION
GE	DENOTES	GARAGE FLOOR ELEVATION
RP	DENOTES	REGISTERED PLAN M-1325
P1	DENOTES	PLAN BY E. W. PETZOLD O.L.S. DATED JULY 21, 1972
P2	DENOTES	PLAN P. SALNA COMPANY LTD., O.L.S. NOVEMBER 02, 1971
830	DENOTES	E. W. PETZOLD O.L.S.



PART 2
REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE.

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND PHYSICAL FEATURES AS DEPICTED ON THE FACE OF THIS PLAN. BUILDING TIES ARE TO BRICK/CONCRETE UNLESS OTHERWISE NOTED

THIS PLAN WAS PREPARED FOR SARA RAHOZAR AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON OCTOBER 12, 2023.

OCTOBER 16, 2023

[Signature]
 GILDO V. CARVALHO
 ONTARIO LAND SURVEYOR

APPENDIX "C"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/004/24

1. The variances apply only to the proposed development for as long as it remains.
2. That the variances apply 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 Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction.

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'Vrinda Bhardwaj', with a horizontal line extending to the right.

Vrinda Bhardwaj, Development Technician, Planning and Urban Design Department