

Memorandum to the City of Markham Committee of Adjustment

April 10, 2024

File: A/186/23
Address: 12 Hammok Crescent, Markham (Thornhill)
Agent: Contempo Studio (Marin Zabzuni)
Hearing Date: Wednesday, April 17, 2024

The following updated comments are provided on behalf of the West District Team. The Applicant is requesting relief from the following “Single Family Detached Special Residential Density (SR3)” zone requirements of By-law 1767, as amended, as it relates to a proposed two-storey detached dwelling. The variances requested are to permit:

- a) **By-law 1767, Section 14 (i)(c):**
a minimum rear yard setback of 26 feet 6 inches, whereas the by-law requires a minimum rear yard setback of 40 feet;
- b) **By-law 1767; Section 14(i)(c):**
a minimum front yard setback of 25 feet, whereas the by-law requires a minimum front yard setback of 30 feet;
- c) **Amending By-law 100-90; Section 1.2(i):**
a maximum building height of 8.62 metres, whereas the by-law permits a maximum flat roof building height of 8.0 metres;
- d) **Amending By-law 100-90; Section 1.2(iii):**
a building depth of 17.79 metres, whereas the by-law permits a maximum building depth of 16.8 metres;
- e) **Parking By-law 28-97, Section 6.2.4.5 (a)(i):**
a width of 3.7 metres for a second driveway, with a main building setback of 7.63 metres from the public street, whereas the by-law permits a maximum driveway width of 3.7 metres for a second driveway which connects to a public street to the other driveway provided the main building is setback a minimum of 8.0 metres from the public street.

BACKGROUND

This application was deferred by the Committee of Adjustment (the “Committee”) at the December 13, 2023 hearing, to provide the Applicant an opportunity to address the Committee’s concern regarding the cumulative impacts of the combined variances (Refer to Minutes – Appendix “D”), including hard surface coverage in the front yard and rear yards, reduced rear yard setback and overall the development proposal being significant in terms of proportions pushing the boundaries of the building envelope. In revising the proposal, the Applicant has reduced the width of the second driveway, building depth, increased the rear yard setback and has eliminated the floor area ratio variance. The initial variances requested are identified in the December 13, 2023 Staff Report (Refer to Appendix “E”).

COMMENTS

On December 4, 2023, the applicant submitted revised drawings with modifications to the requested variances, as outlined below. A Zoning Preliminary Review (ZPR) was

completed on December 1, 2023 to confirm the variances required for the proposed development.

Reduced Rear Yard Setback Variance

The Applicant is requesting relief to permit a minimum rear yard setback of 26.5 feet (8.08 metres), whereas a minimum of 40 feet (12.19 metres) is required. This represents a reduction of approximately 13.5 feet (4.11 metres). The variance is entirely attributable to the proposed rear covered porch. The main rear wall of the proposed building provides a rear yard setback of 38.08 feet (11.61 metres) and is generally consistent with the established rear yard setback pattern on the street.

Staff are of the opinion that the requested variance will not have an adverse impact on the abutting properties at 10 and 14 Hammok Crescent, is minor in nature, and is in keeping with the general intent and purpose of the By-law. Consequently, Staff have no objection to the variance.

Reduced Front Yard Setback Variance

The Applicant is requesting relief to permit a minimum front yard setback of 25 feet (7.62 metres), whereas a minimum of 30 feet (9.14 metres) is required. This represents a reduction of approximately 5 feet (1.52 metres). The variance is partially attributable to the front covered porch, the proposed building footprint and three-car garage.

The main front wall of the proposed dwelling will provide a front yard setback that is generally consistent with the established front yard setback pattern on the street. Staff are of the opinion that the proposed front yard setback is minor and have no concerns with the proposed variance.

Increased Maximum Building Height Variance

The Applicant is requesting relief to permit a maximum building height of 8.62 metres (28.28 feet), whereas a maximum building height of 8.0 metres (26.25 feet) is permitted. This represents an increase of 0.62 metres (2.03 feet).

Staff are of the opinion that the proposed maximum building height is minor in nature, will not adversely impact the streetscape and therefore have no concern with the requested variance.

Increased Maximum Building Depth Variance

The Applicant is requesting relief to permit a maximum building depth of 17.79 metres (58.37 feet), whereas a maximum building depth of 16.80 metres (55.12 feet) is permitted. This represents an increase of approximately 0.99 metres (3.25 feet).

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.

The variance includes a rear covered porch which adds approximately 4.12 metres (13.50 feet) to the overall depth of the building. The main component of the building, excluding the rear covered porch, has a depth of 13.67 metres (44.85 feet), which complies with the By-law requirements. The requested building depth variance is entirely attributable to the proposed rear covered porch, which is a scaled structure to provide

covered amenity space. The proposed rear covered porch consists of a north side yard setback of 6.10 metres (20 feet), and a rear yard setback of 7.81 metres (25.62 feet) and will not result in any impact to abutting properties.

Staff are of the opinion that the variance request is minor in nature and therefore have no concerns with the building depth of the proposed dwelling.

Increased Maximum Driveway Width to a Driveway Variance

The Applicant is requesting a maximum driveway width of 3.7 metres (12.14 feet) for a second driveway, with a main building setback of 7.63 metres (25 feet) from the public street, whereas a maximum width of 3.7 metres (12.14 feet) is permitted for a second driveway which connects to a public street to the other driveway, provided that the main building is setback a minimum of 8.0 metres (26.25 feet) from the public street.

The Applicant is requesting a variance for the main building setback as it relates to the circular driveway, which subsequently increases the amount of hardscape area in the front yard. The intent of these By-law provisions which are being varied is to limit the amount of hardscape areas. Staff note that there are existing walkways abutting the driveways. While these walkways are permitted, they add to the amount of hardscape in the front yard. It should also be noted that motor vehicles would not be allowed to access or park on these walkways.

The Parking By-law provisions for circular driveways state that for “lots with frontages greater than 19.20 metres (62.99 feet), a second 3.70 metres (12.14 feet) wide driveway is permitted provided that:

- i) the main building is setback at least 8.0 metres (26.25 feet) from the street line;
- ii) the driveways are at least 7.0 metres (22.97 feet) apart, at the street line; and
- iii) the second driveway connects the public street to the other driveway that provides direct access from the public street.”

The Applicant seeks approval for the variance, specifically due to the fact that the proposed building setback of 7.63 metres (25 feet) from the public street falls short of the By-law requirement of 8.0 metres (26.2 feet).

Staff is of the opinion that the requested variances to the Parking Standards By-law are minor in nature and will provide a functional use of the driveways while still maintaining a reasonable balance between hardscape and soft landscaping elements in the front yard.

Tree Protection and Compensation

The Subject Lands contain mature vegetation and large mature trees. During the review of the application, the City’s Tree Preservation Technician indicated concern with potential injury to the mature neighbouring trees at 12 Hammok Crescent. Staff recommend that the tree related conditions, as outlined in Appendix “C”, be adopted by the Committee to ensure the Applicant installs the appropriate tree protection barriers, if necessary. The Applicant will be required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees that have a diameter at breast height (DBH) of 20.0 cm (7.87 in) or more on the subject property or neighbouring

properties. Further mitigation through these processes may also be required to ensure that the protection of certain trees is achieved.

PUBLIC INPUT SUMMARY

Eight written submissions were received as of April 10, 2023, consisting of two letters of support and six letters of opposition, indicating concerns regarding overall scale and massing. 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 requested variances meet 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:



Hussnain Mohammad, Planner 1, Development Facilitation Office

REVIEWED BY:



Rick Cefaratti, MCIP RPP, Senior Planner, West District

APPENDICES

- Appendix "A" – Aerial Context Photo
- Appendix "B" – Plans
- Appendix "C" – A/186/23 Conditions of Approval
- Appendix "D" – Minutes
- Appendix "E" – December 13, 2023 – Staff Report

APPENDIX “C” – A/186/23 Conditions of Approval

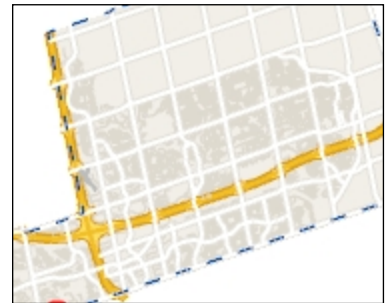
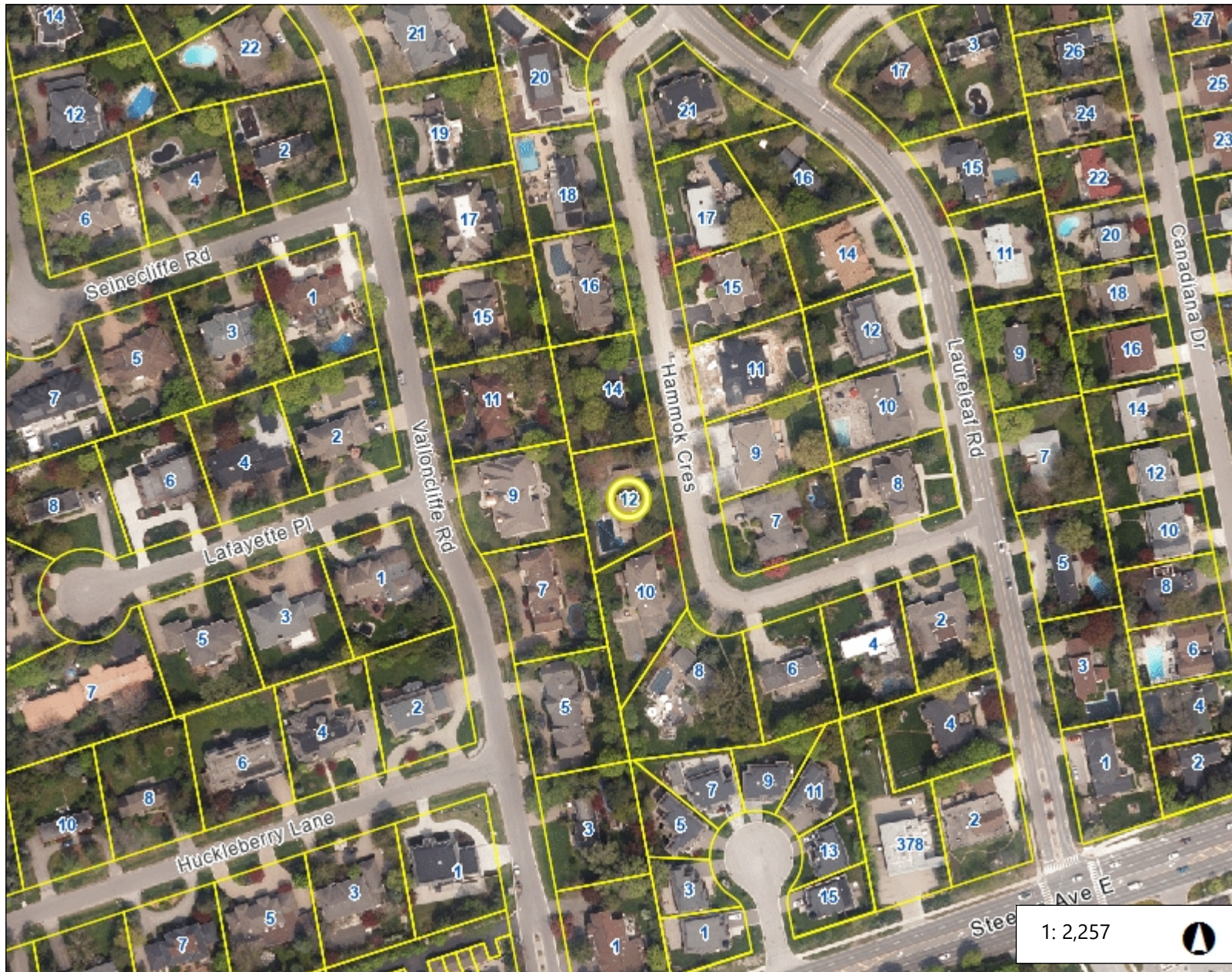
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/186/23

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.
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:



Hussnain Mohammad, Planner 1, Development Facilitation Office

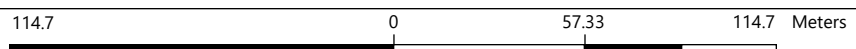


Legend

- Parcel Overlay

Notes

1: 2,257



Appendix B

File: 23.144111.000.00.MNV

Date: 4/11/2024
MM/DD/YY

This drawing, as an instrument of service, is provided by and is the property of Contempo Studio. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify Contempo Studio of any variations from the supplied information.

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No.	Issued for:	Date
1.	ZONING REVISION	2023.09.21
2.	ZONING REVISION	2024.02.08

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info@contempostudio.ca w. contempostudio.ca
t. (416) 770-0071 f. (416) 642-1691

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents:

QUALIFICATION INFORMATION

Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

MARIN ZABZUNI - SIGNATURE 45250
NAME BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.

CONTEMPO STUDIO 46972
FIRM NAME BCIN

2-Storey Detached Dwelling

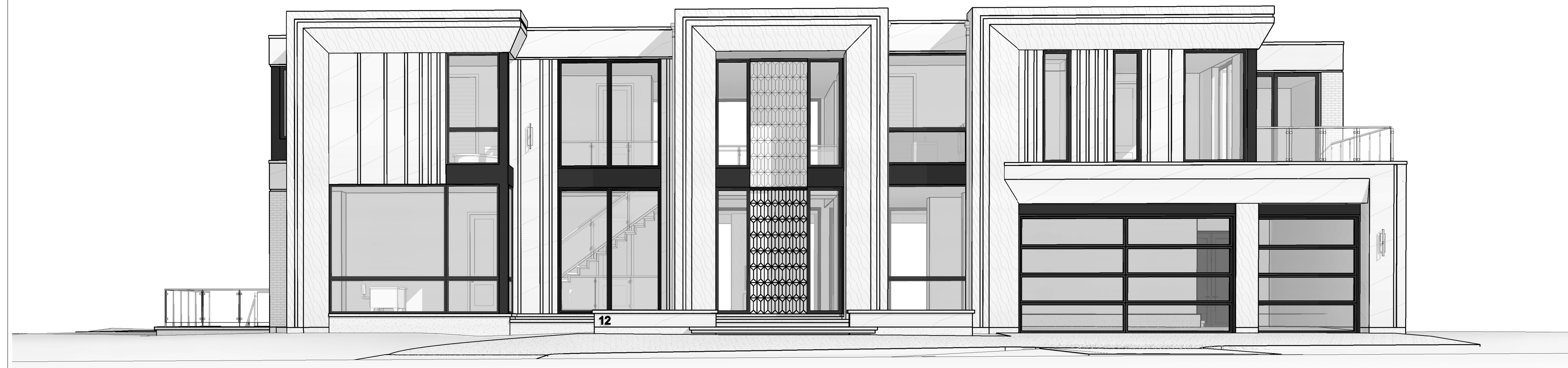
AT
12 HAMMOK CRESCENT
THORNHILL, ON

COVER PAGE

Project number: 2021-55
Rev. no.: 1
Scale:
Date: FEBRUARY, 2024
Drawn by: C.C. + J.T.
Approved by: M.Z.

Drawing number:

A0



1 3D View 1



2 3D View 2



3 3D View 3



KEY PLAN

PROJECT: 12 HAMMOK CRESCENT THORNHILL, ON

Project number: 2021-55
Date: FEBRUARY, 2024
ISSUED FOR: ZONING

ARCHITECTURAL DESIGN
CONTEMPO STUDIO

1140 THE QUEENSWAY
Toronto, Ontario M8Z 1P7
info@contempostudio.ca
w. contempostudio.ca
t. 416 770 0071
f. 416 642 1691

CONTRACTOR

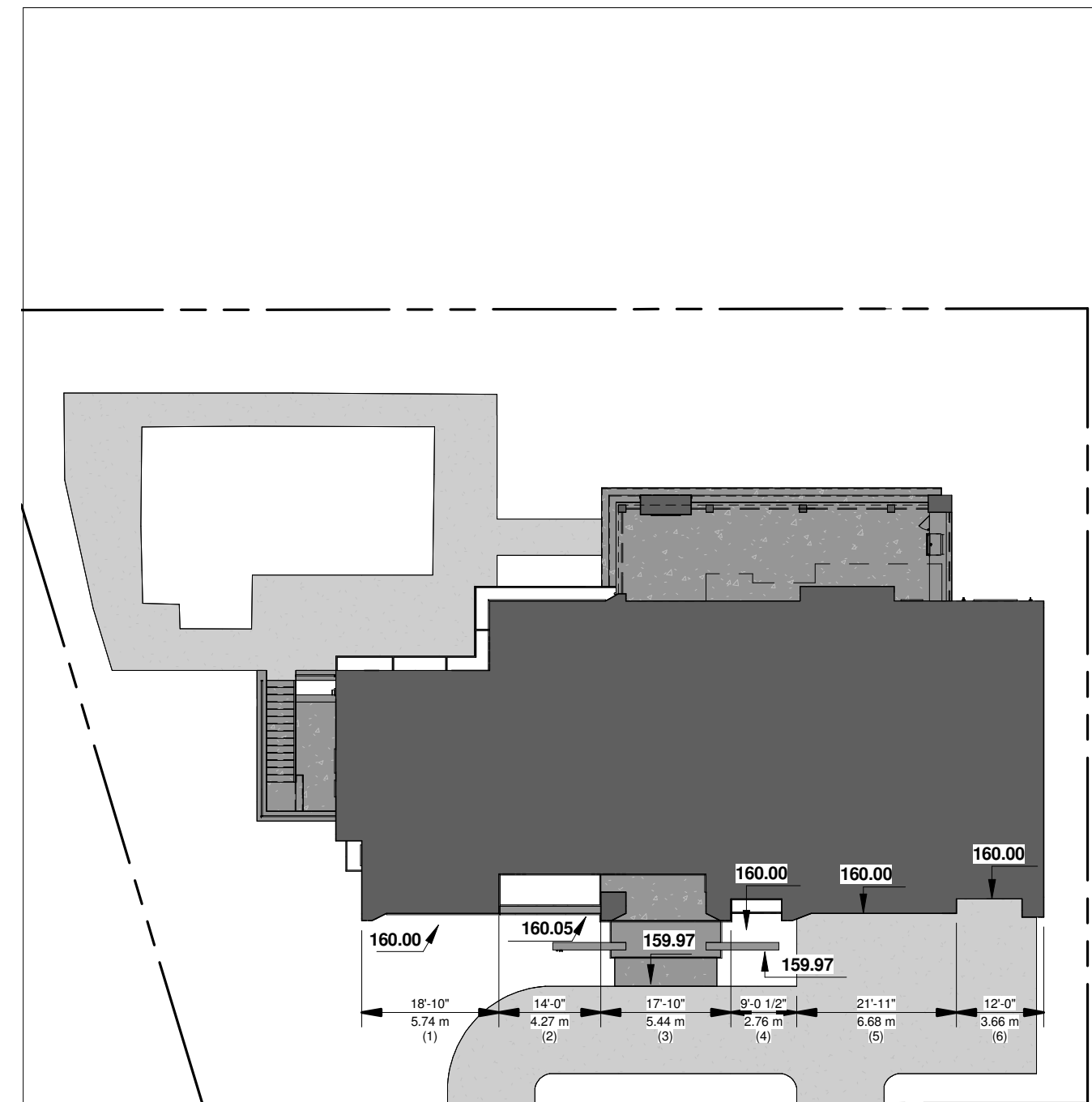
STRUCTURAL ENGINEERS

HVAC CONSULTANT

Sheet List

Sheet Number	Sheet Name
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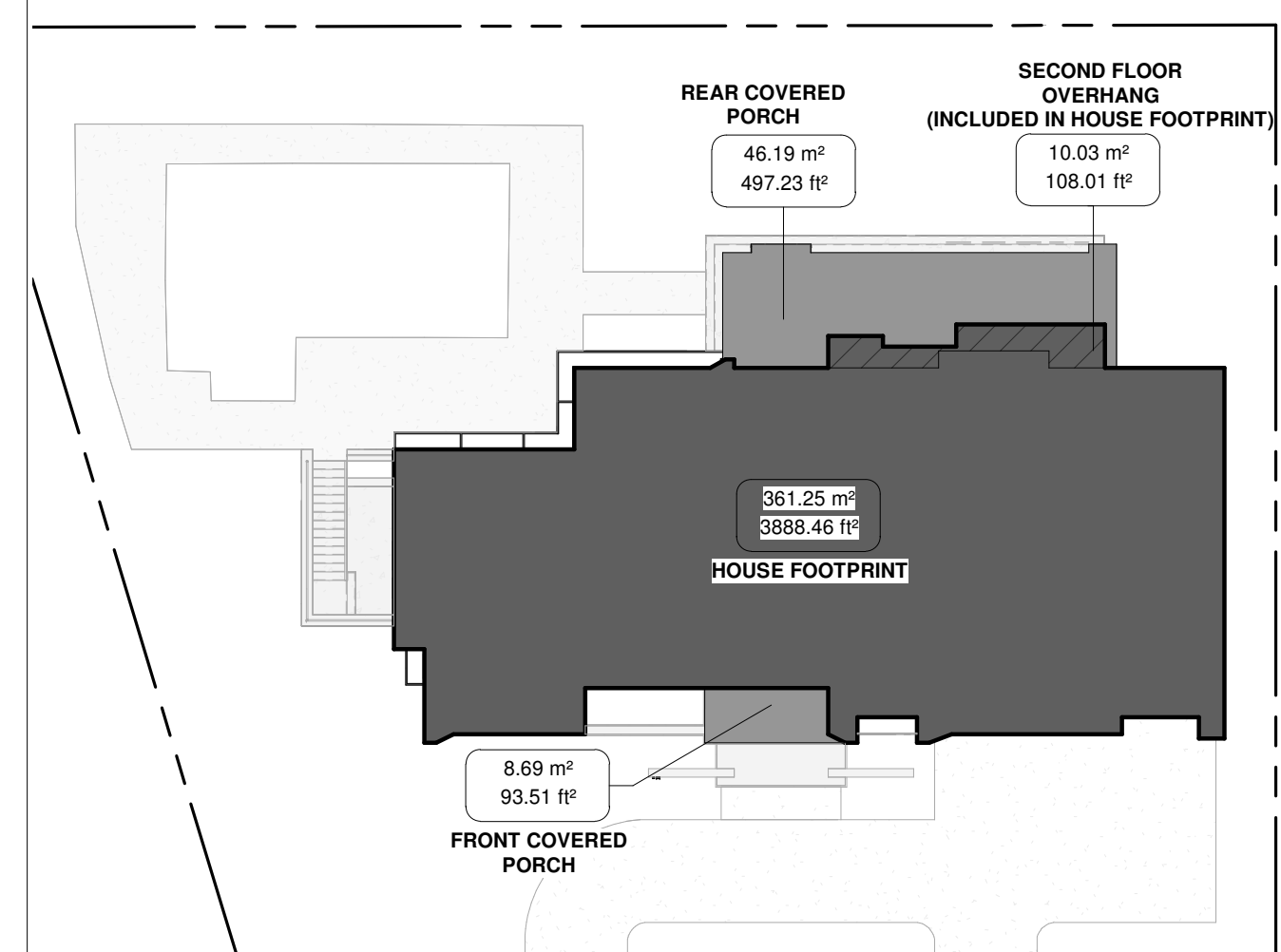
A0	COVER PAGE
A1	SITE PLAN
A1.1	DIAGRAMS
A2	BASEMENT PLAN
A3	FIRST FLOOR PLAN
A4	SECOND FLOOR PLAN
A5	ROOF PLAN
A6	3D PLANS
A7	EAST (FRONT) ELEVATION
A8	SOUTH (LEFT) ELEVATION
A9	WEST (REAR) ELEVATION
A10	NORTH (RIGHT) ELEVATION
A11	DOOR & WINDOW SCHEDULE
A12	ELEVATION AREAS



2 ESTABLISHED GRADE CALCULATION
3/64" = 1'-0"

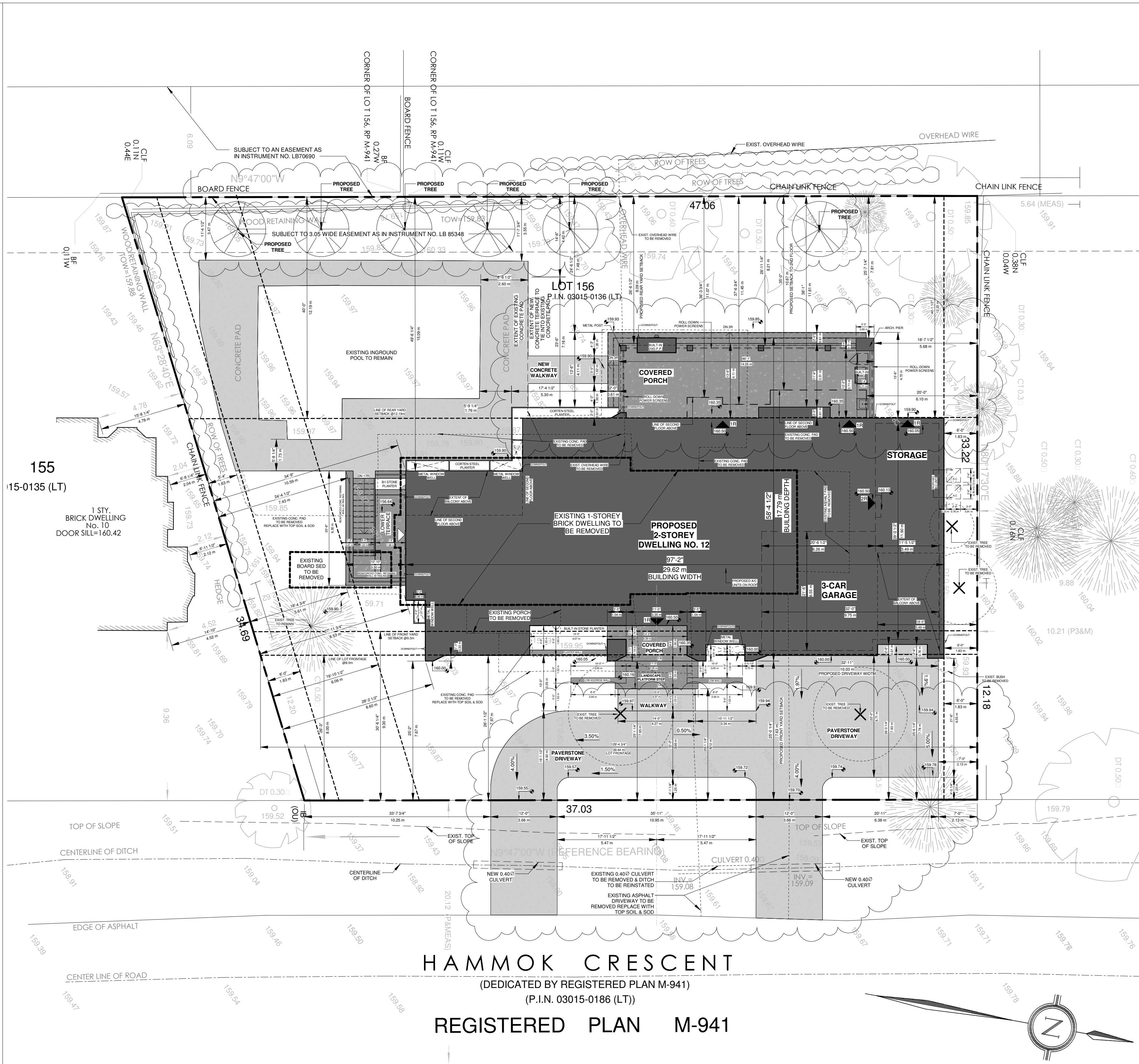
	Grade Point	Wall Length (m)	Product
1 Front Office Wall	160.00	5.74	918.40
2 Front Planter Wall	160.05	4.50	720.23
3 Front Porch	159.97	5.21	833.44
4 Front Dining Wall	160.00	2.76	441.60
5 Front 2-car Garage Wall	160.00	6.68	1,068.80
6 Front 1-car Garage Wall	160.00	3.66	585.60
Total	160.02	28.55	4,568.07
Total Product / Total Wall Length =		Est. Grade =	160.00

NOTES: Average of finished grade along front wall of building or structure



3 LOT COVERAGE CALCULATION
3/64" = 1'-0"

LOT COVERAGE
(8.69 m² + 361.25 m² + 46.19 m² / 1396.815 m²)
X 100
= 29.79%



HAMMOK CRESCENT
(DEDICATED BY REGISTERED PLAN M-941)
(P.I.N. 03015-0186 (LT))
REGISTERED PLAN M-941

1 SITE PLAN
3/32" = 1'-0"

INFORMATION TAKEN FROM:
SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY
LOT 156
REGISTERED PLAN M-941
CITY OF MARKHAM
(REGIONAL MUNICIPALITY OF YORK)
PREPARED BY: BARICH GRENKIE SURVEYING LTD.
DATED: OCTOBER 29, 2021

Level Schedule	
Name	Elevation
BASEMENT	156.79
CROWN OF ROAD GRADE	159.68
STRAPPED DOWN BASEMENT CEILING	159.84
REAR GRADE	159.90
ESTABLISHED GRADE	160.00
EDGE OF GARAGE	160.00
BASEMENT CEILING	160.14
COVERED PORCH	160.35
FIRST FLOOR	160.50
F.F. CEILING	163.85
S.F. CEILING	164.21
SECOND FLOOR	164.21
F.F. CEILING	167.26
MECHANICAL CEILING	167.56
TOP OF FLAT ROOF	168.00
TOP OF PARAPET - LIGHT STONE	168.10
TOP OF PARAPET - DARK STONE	168.30

PROJECT STATISTICS

Address: 12 Hammok Crescent, Thornhill, ON
Municipality: York (Formerly Township of Markham)
Legal Lot Description: Lot 156, Registered Plan M-941
Date: 3/7/2024

File: 23.144111.000.00.MNV
Date: 4/11/2024
MM/DD/YY

GROSS FLOOR AREA (GFA)	
Max FSI	47.00%
Max GFA	47.00%
First Floor	2,762.96 sq ft / 256.50 m ²
Second Floor	3,502.43 sq ft / 324.91 m ²
GFA Sub-Total	6,265.39 sq ft / 581.41 m ²
Attached Garage	8,883.40 sq ft / 821.55 m ²
GFA Total	15,148.79 sq ft / 1,402.96 m ²

LOT COVERAGE	
House Footprint	3,888.46 sq ft / 361.25 m ²
Front Covered Porch	93.51 sq ft / 8.69 m ²
Rear Covered Porch	497.23 sq ft / 46.19 m ²
Max Total	4,483.22 sq ft / 414.13 m ²
Max Total	4,479.20 sq ft / 413.79 m ²

BUILDING DEPTH	
Max Building Depth	16.81 m / 55.17 ft
Proposed	17.79 m / 58.37 ft

BUILDING HEIGHT	
Height From Established Grade	Proposed
Max Top of Pitch Roof	27.23 m / 89.48 ft
Max Top of Parapet	27.23 m / 89.48 ft
Max Top of Flat Roof	27.23 m / 89.48 ft
Height From Crown of Road	Proposed
Max Top of Pitch Roof	8.69 m / 28.51 ft
Max Top of Parapet	8.69 m / 28.51 ft
Max Top of Flat Roof	8.69 m / 28.51 ft
Max Storeys	2.00

FRONT YARD SETBACK CALCULATION	
Min Front Setbacks	30.71 m / 100.72 ft
Proposed	30.71 m / 100.72 ft

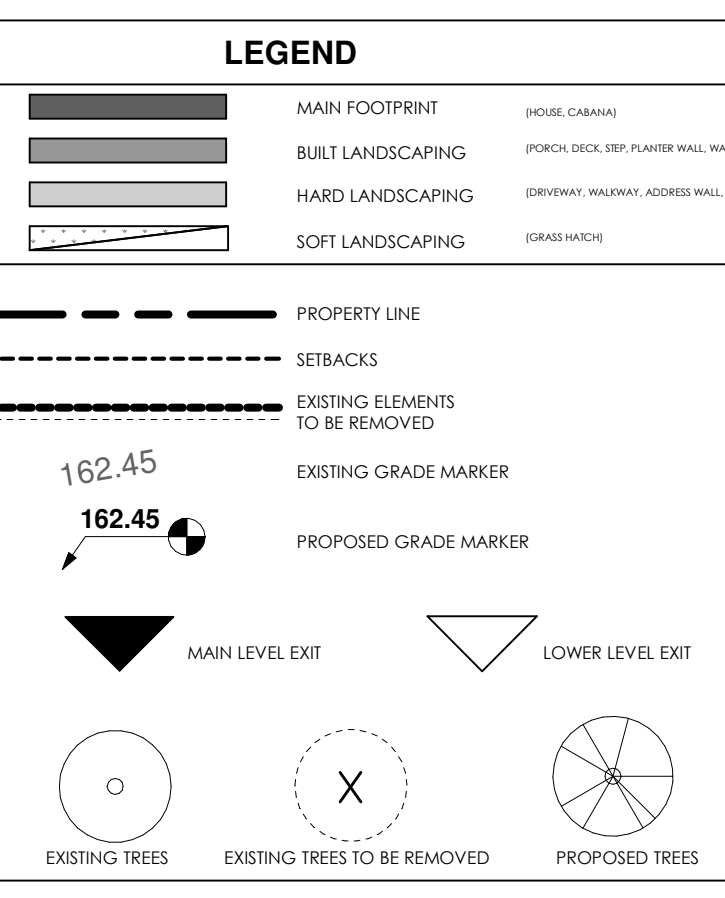
SETBACKS	
Min Front (East)	9.30 m / 30.51 ft
Min Left (South)	1.83 m / 6.00 ft
Min Right (North)	1.83 m / 6.00 ft
Min Rear (West)	12.19 m / 39.98 ft
Combined Side Yard	7.62 m / 25.00 ft
Deck (0-1m high) Side	3.00 m / 9.84 ft
Deck (0-1m high) Rear	3.00 m / 9.84 ft
Deck (>1m high) Side	1.83 m / 6.00 ft
Deck (>1m high) Rear	3.00 m / 9.84 ft

FRONT YARD LANDSCAPING	
Total Front Yard Area	3,405.29 m ² / 396.36 m ²
Less Porch	93.51 m ² / 10.30 m ²
Less Steps	71.00 m ² / 7.70 m ²
Less Planter Wall	14.00 m ² / 1.51 m ²
Less Driveway	1,373.43 m ² / 147.60 m ²
Less Low Stone Walls	20.00 m ² / 2.15 m ²
Total Front Yard Landscaping Area	1,847.35 m ² / 201.11 m ²
Less Hardscaping	50.00 m ² / 5.38 m ²
Total Front Yard Soft Landscaping Area	1,797.35 m ² / 195.73 m ²
Soft Landscaping Area	40.00%

GARAGE & DRIVEWAY	
Garage Entry Width	N/A m / 0.00 m
Max Garage Depth	21.90 m / 71.98 ft
Max Driveway Width	10.23 m / 33.71 ft

ENCROACHMENTS	
Eaves	0.46 m / 1.51 ft
Chimney	0.46 m / 1.51 ft
Architectural Feature	0.46 m / 1.51 ft
Covered Platform	0.46 m / 1.51 ft
Uncovered Platform/Steps	0.46 m / 1.51 ft

ACCESSORY STRUCTURES	
Max Coverage	0.00 m ² / 0.00 m ²
Max Height	TBC m / TBC ft
Min Side Setback	TBC m / TBC ft
Min Rear Setback	TBC m / TBC ft



Appendix B

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1.	ZONING REVISION	2023.09.21
2.	ZONING REVISION	2024.02.08

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Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

MARIN ZABZUNI *Signature* 45250
NAME SIGNATURE BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.

CONTEMPO STUDIO 46972
FIRM NAME BCIN

2-Storey Detached Dwelling
AT
12 HAMMOK CRESCENT
THORNHILL, ON
SITE PLAN

Project number: 2021-55
Rev. no.: 2
Scale: As Indicated
Date: FEBRUARY, 2024
C.C. + J.T.
Approved by: M.Z.

Drawing number: **A1**

Appendix B

File: 23.144111.000.00.MNV

Date: 4/11/2024
MM/DD/YY

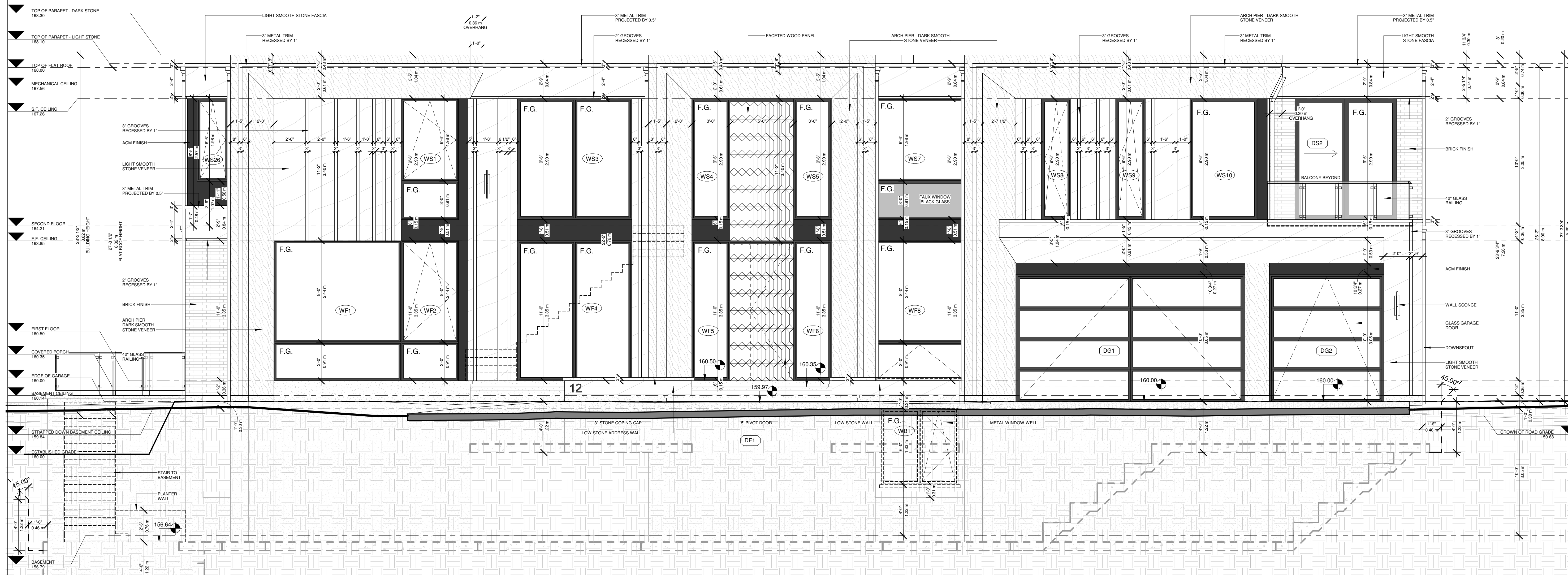
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MARIN ZABZUNI	45250
NAME	BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.	
CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
AT
12 HAMMOK CRESCENT
THORNHILL, ON

EAST (FRONT) ELEVATION

① EAST (FRONT) ELEVATION
1/4" = 1'-0"

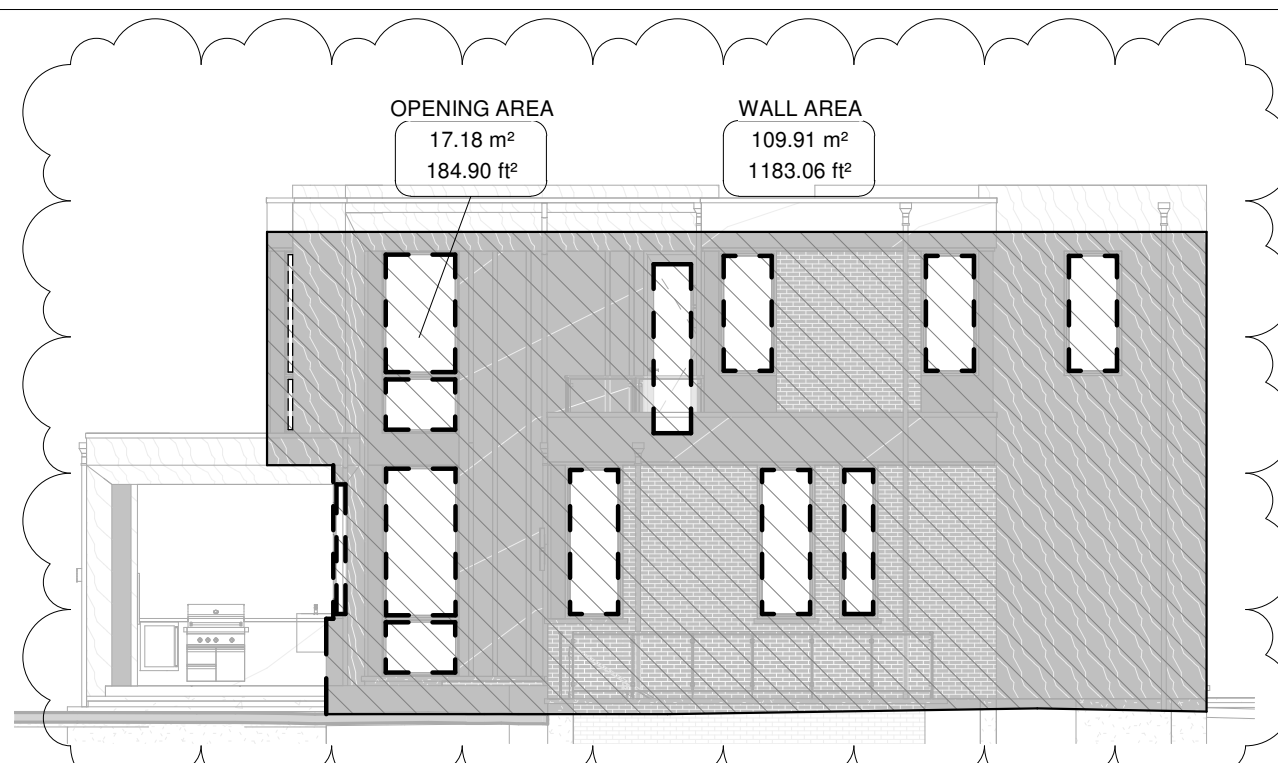
Project number:	2021-55
Rev. no.:	2
Scale:	1/4" = 1'-0"
Date:	FEBRUARY, 2024
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

Drawing number: **A7**

Appendix B

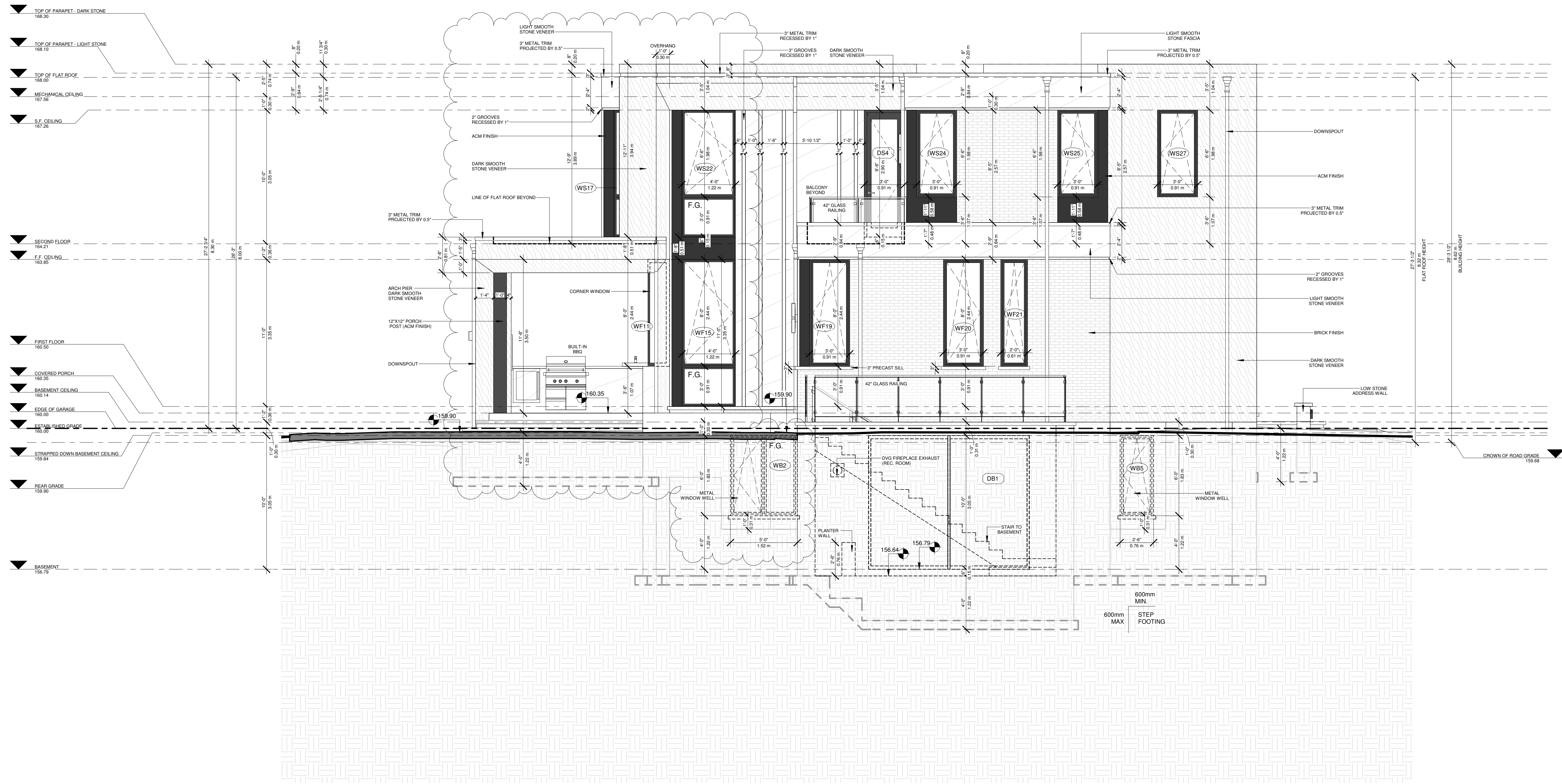
File: 23.144111.000.00.MNV

Date: 4/11/2024
MM/DD/YY



LEFT ELEVATION - TOTAL FACE CALCULATION METHOD - WALL AREA
LIMITING GSF FACE (LGF) = 4.50m
EXPOSED BUILDING FACE = 1183.06 ft² (109.91m²)
EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 31.18%
ALLOWABLE UPO AREA: 1183.06ft² @ 31.18% = 368.88 ft²
PROPOSED UPO AREA = 184.90ft² (GLAZING AREAS ONLY)
(183.88 ft² UNDER THE MAX ALLOWED)

2 PROPOSED UPO AREA - LEFT ELEVATION
1" = 10'-0"



1 SOUTH (LEFT) ELEVATION
1/4" = 1'-0"

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2.	ZONING REVISION	2024.02.08

contempostudio
1140 The Queensway, Toronto, Ontario M8Z 1P7
info@contempostudio.ca w. contempostudio.ca
t. (416) 770-0071 f. (416) 642-1691

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents:

QUALIFICATION INFORMATION	
Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.	
MARIN ZABZUNI NAME	45250 SIGNATURE BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.	
CONTEMPO STUDIO FIRM NAME	46972 BCIN

2-Storey Detached Dwelling
AT
12 HAMMOK CRESCENT
THORNHILL, ON

SOUTH (LEFT) ELEVATION

Project number:	2021-55
Rev. no.:	2
Scale:	As indicated
Date:	FEBRUARY, 2024
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

Drawing number: **A8**

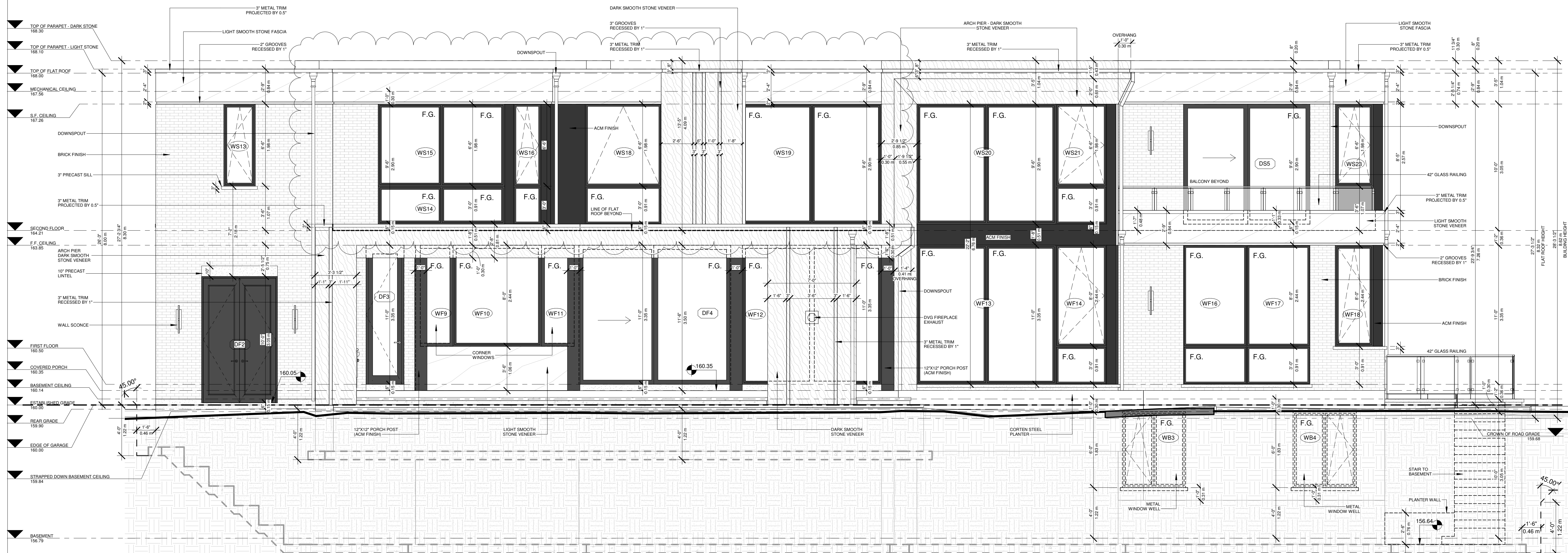
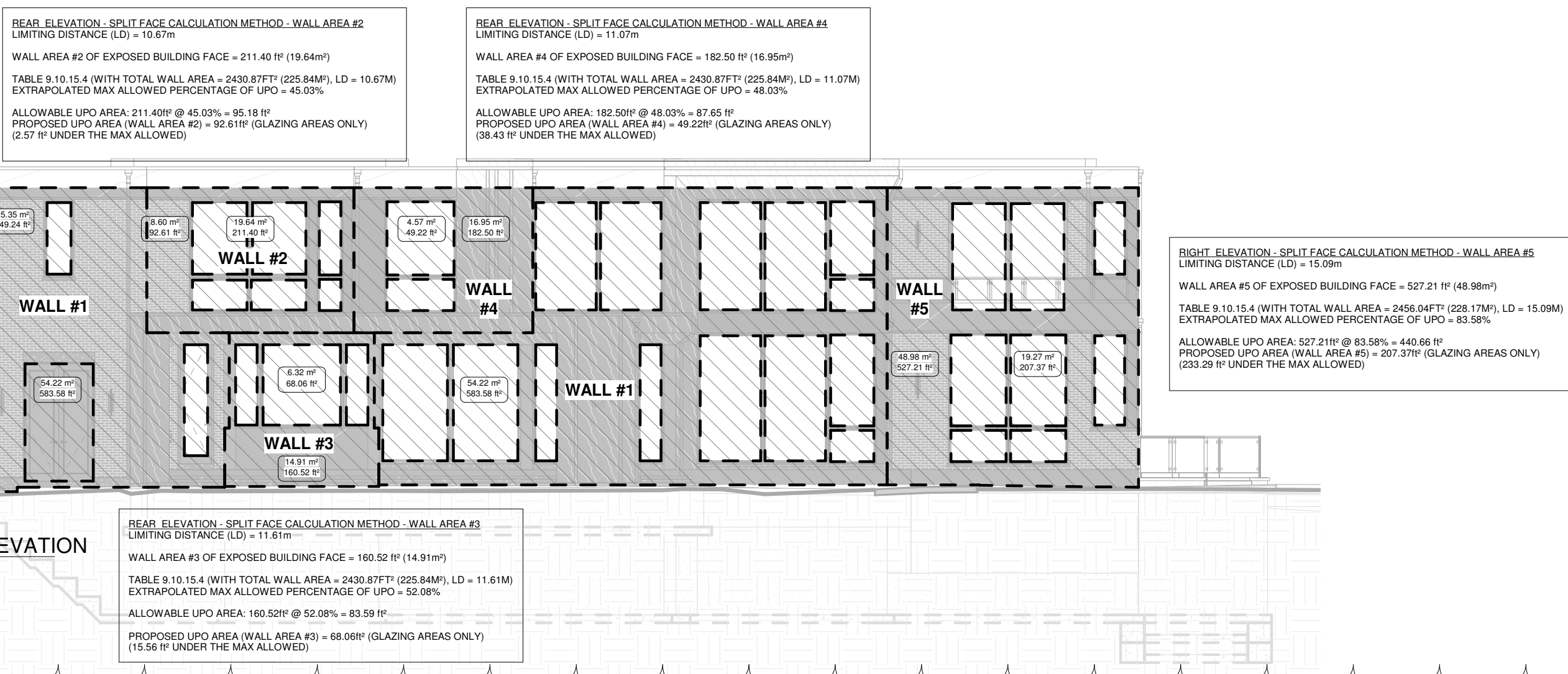
Appendix B

File: 23.144111.000.00.MNV

Date: 4/11/2024

MM/DDYY

2 PROPOSED UPO AREA - REAR ELEVATION
1" = 10'-0"



1 WEST (REAR) ELEVATION
1/4" = 1'-0"

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No.	Issued for:	Date
1.	ZONING REVISION	2023.09.21
2.	ZONING REVISION	2024.02.08

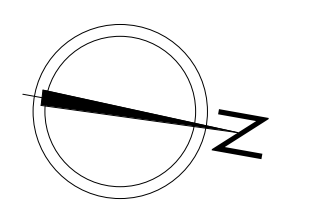
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NAME	SIGNATURE
	BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.	
CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
AT
12 HAMMOK CRESCENT
THORNHILL, ON

WEST (REAR) ELEVATION



Project number:	2021-55
Rev. no.:	2
Scale:	As indicated
Date:	FEBRUARY, 2024
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

Drawing number: **A9**

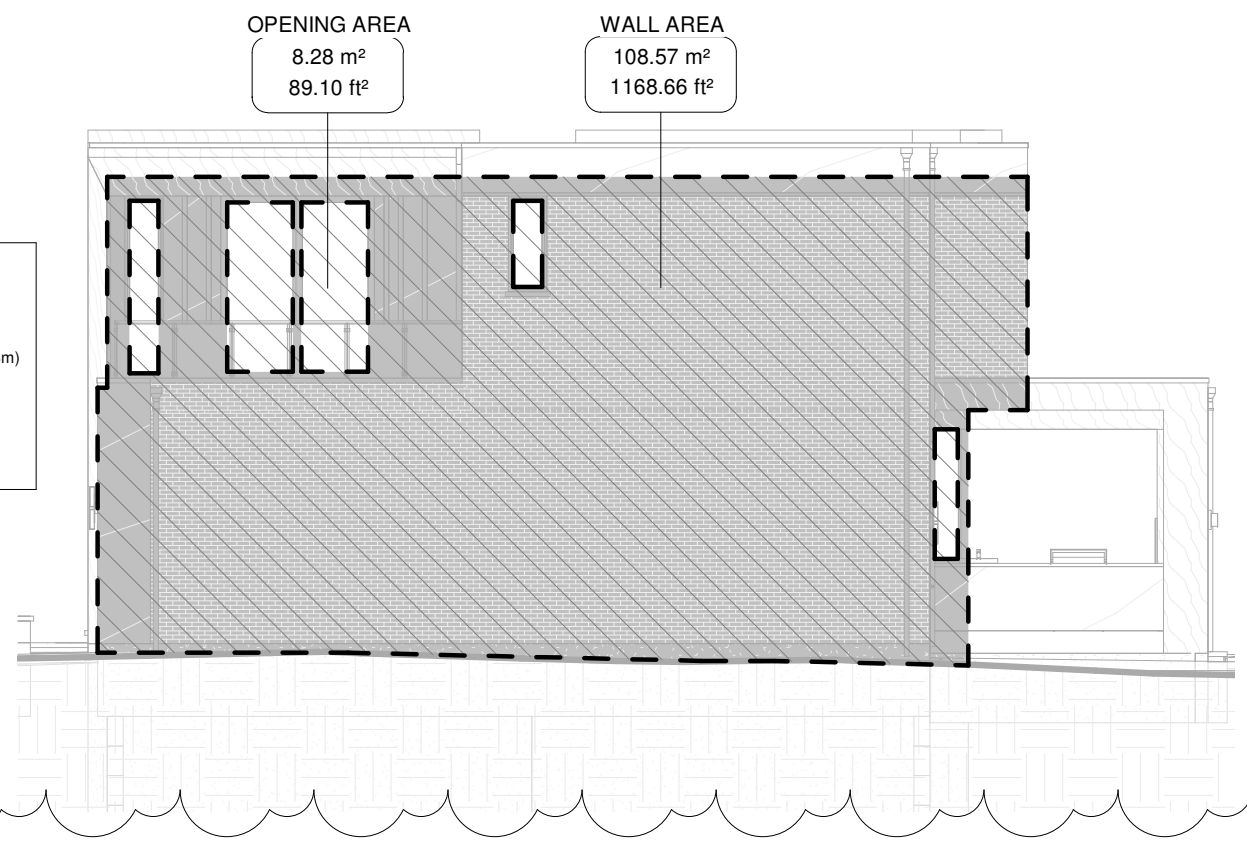
Appendix B

File: 23.144111.000.00.MNV

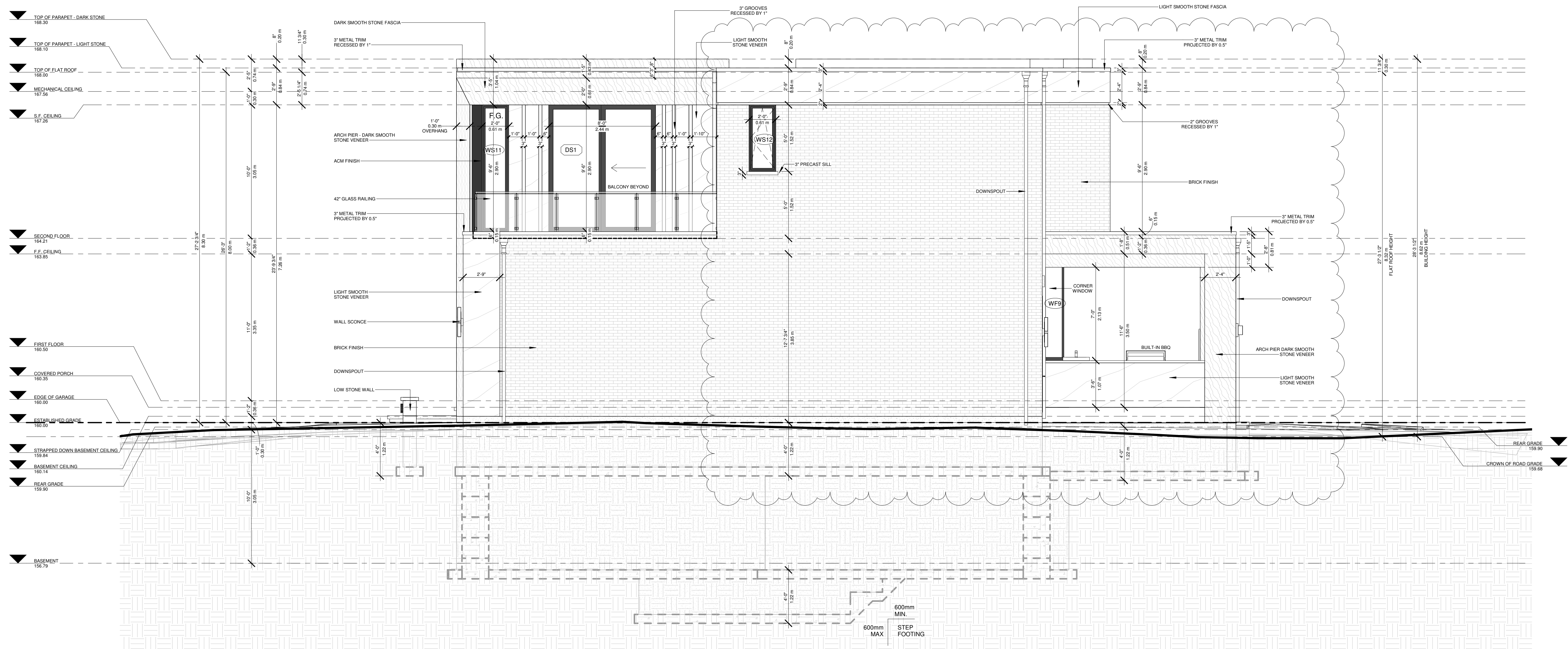
Date: 4/11/2024

MM/DD/YY

RIGHT ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA
LIMITING DISTANCE (LD) = 1.53m
EXPOSED BUILDING FACE = 1168.66 ft² (108.57 m²)
TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 1168.66 ft² (108.57 m²), LD = 1.53m)
EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 7.66%
ALLOWABLE UPO AREA: 1168.66 ft² @ 7.66% = 89.52 ft²
PROPOSED UPO AREA = 89.10 ft² (GLAZING AREAS ONLY)
(0.42 ft UNDER THE MAX ALLOWED)



2 PROPOSED UPO AREA - RIGHT ELEVATION
1" = 10'-0"



1 NORTH (RIGHT) ELEVATION
1/4" = 1'-0"

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CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
AT
12 HAMMOK CRESCENT
THORNHILL, ON

NORTH (RIGHT) ELEVATION

Project number:	2021-55
Rev. no.:	2
Scale:	As Indicated
Date:	FEBRUARY, 2024
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

Drawing number:

A10



CITY OF MARKHAM
Virtual Meeting on Zoom

December 13, 2023
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 22nd regular meeting of the Committee of Adjustment for the year 2023 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight Chair	7:00 pm
Tom Gutfreund	7:00 pm
Jeamie Reingold	7:00 pm
Sally Yan	7:00 pm
Patrick Sampson	7:00 pm
Arun Prasad	7:00 pm

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment
Erin O'Sullivan, Development Technician

Regrets

Kelvin Kwok

DISCLOSURE OF INTEREST

None

Minutes: November 29, 2023

THAT the minutes of Meeting No. 21, of the City of Markham Committee of Adjustment, held November 29, 2023 respectively, be:

- a) Approved on December 13, 2023.

Moved by: Tom Gutfreund
Seconded by: Patrick Sampson

Carried

REQUESTS FOR DEFERRAL

1. **A/184/23**

Owner Name: Yongqin Li
Agent Name: Humphries Planning Group Inc. (Puneh Jamshidi)
10197 Victoria Square Boulevard, Markham
CON 4 PT LT 22 65R25245 PT 5

The applicant was requesting relief from the requirements of By-law 304-87, as amended, to permit:

- a) **By-law 304-87, Section 7.1:**
an accessory garden suite dwelling to be located in the front yard whereas, the by-law does not permit an accessory building in the front yard;
- b) **By-law 304-87, Section 7.5 (b)(i):**
a south side yard setback of 1.6 metres for the house whereas, the by-law requires a minimum side yard setback of 3 metres;
- c) **By-law 304-87, Section 7.5 (b)(i):**
a north side yard setback 2.02 metres for the garden suite whereas, the by-law requires a minimum side yard setback of 3 metres;
- d) **By-law 304-87, Section 7.5 (b)(i):**
a 3.6 metre front yard setback for the garden suite whereas, the by-law requires a minimum front yard setback of 7.5 metres;

as it related to a proposed two-storey detached dwelling and a proposed one-storey accessory garden suite in the front yard.

Member Gutfreund motioned for deferral.

Moved by: Tom Gutfreund
Seconded by: Patrick Sampson

THAT Application No. **A/184/23** be **deferred** sine die.

Resolution Carried

PREVIOUS BUSINESS

1. **A/063/23**

Owner Name: Yorktech Supply Ltd (Daniel Yeung)
Agent Name: Tacoma Engineers Inc. (Chris Lahn)

**230 Yorktech Drive, Markham
CON 4 PT LOT 9 RS65R10042 PT OF PART 1 & PART 2**

The applicant was requesting relief from the requirements of By-law 165-80, as amended, to permit:

- a) **By-law 165-80, Section 4.5.3(a):**
loading spaces and overhead vehicular doors in a yard or wall of any building which adjoins or faces a street, whereas the by-law does not permit the location;
- b) **By-law 165-80, Section 5.2(d)(ii):**
a minimum interior (east) side yard setback of 3 metres, whereas the by-law requires a minimum of 6 metres;
- c) **By-law 165-80, Section 5.2(d)(iii):**
a minimum rear yard setback of 3.19 metres, whereas the by-law requires a minimum of 12 metres; and
- d) **Parking By-law 28-97, Section 3 Table B:**
32 parking spaces, whereas the by-law requires 47 parking spaces;

as it related to a proposed industrial building.

This application was related to a Site Plan Control Application (SPC 23 119531) which was being reviewed concurrently.

The Chair introduced the application.

The agent, Chris Lahn, appeared on behalf of the application. Chris indicated that the proposal would move existing outdoor storage into the new warehouse to reorganize and clean up the site, removing outdoor storage. Setbacks had been established to comply with TRCA's 10-metre buffer to Beaver Creek flood plain. As the proposal was to reorganize the site, no new employees would be added to the business, and parking demand would not increase.

The Committee received one written piece of correspondence.

Member Gutfreund confirmed that there would be no increase in employees or parking demand. Member Gutfreund supported the application, noting it was an appropriate use of the property and met the four tests of the *Planning Act*.

Member Yan supported the application, noting that it was minor and reflected the TRCA requirements.

Member Gutfreund motioned for approval with conditions.

Moved by: Tom Gutfreund
Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application No. **A/063/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

NEW BUSINESS:

Applications A/200/23, A/201/23 and A/202/23 were heard concurrently, the record of the discussion can be found under A/200/23.

1. A/200/23

Owner Name: Cedar Hedge Holdings Inc.
Agent Name: David Johnston Architect Ltd. (David Johnston)
253 Helen Avenue, Markham
PLAN 2196 PT LOT 8 RP 65R39759 PART 1

The applicant was requesting relief from the requirements of By-law 177-96, as amended, to permit:

- a) By-law 177-96, Section Table B2 (Part 1 of 3) C:**
a maximum garage width of 6.1 metres, whereas the by-law permits a maximum garage width of 3.5 metres for lots with a lot frontage of less than 11.6 metres;

as it related to a proposed single family dwelling.

The Chair introduced the application.

The agent, David Johnston appeared on behalf of the application and indicated agreement with the staff report.

Member Reingold indicated that larger garage widths made sense as they would meet lifestyle and climate needs. Member Reingold noted numerous other properties within the area with similar garage widths and agreed with the staff report. Member Sampson agreed with their colleague, noting that the larger garage width was consistent with the streetscape and neighbourhood, and the request was minor.

Member Reingold motioned for approval.

Moved by: Jeamie Reingold

Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application No. **A/200/23** be **approved**.

Resolution Carried

2. A/201/23

Owner Name: JSHA Holdings Inc.
Agent Name: David Johnston Architect Ltd. (David Johnston)
255 Helen Avenue, Markham
PLAN 2196 PT LOT 8 RP 65R39759 PART 2

The applicant was requesting relief from the requirements of By-law 177-96, as amended, to permit:

- a) **By-law 177-96, Section Table B2 (Part 1 of 3) C:**
a maximum garage width of 6.1 metres, whereas the by-law permits a maximum garage width of 3.5 metres for lots with a lot frontage of less than 11.6 metres;

as it related to a proposed single family dwelling.

The Chair introduced the application.

The agent, David Johnston appeared on behalf of the application.

Member Reingold motioned for approval.

Moved by: Jeamie Reingold
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application No. **A/201/23** be **approved**.

Resolution Carried

3. A/202/23

Owner Name: Cedar Hedge Holdings Inc.
Agent Name: David Johnston Architect Ltd. (David Johnston)
257 Helen Avenue, Markham
PLAN 2196 PT LOT 8 RP 65R39759 PART 3

The applicant was requesting relief from the requirements of By-law 177-96, as amended, to permit:

a) By-law 177-96, Section Table B2 (Part 1 of 3) C:

a maximum garage width of 6.1 metres, whereas the by-law permits a maximum garage width of 3.5 metres for lots with a lot frontage of less than 11.6 metres;

as it related to a proposed single family dwelling.

The Chair introduced the application.

The agent, David Johnston appeared on behalf of the application.

Member Reingold motioned for approval.

Moved by: Jeamie Reingold

Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application No. **A/202/23** be **approved** subject to conditions.

Resolution Carried

4. A/122/23

Owner Name: Yuen Ting Alice Poon

Agent Name: Alphyn Homes Inc. (Sean Baradaran)

141 Cornell Park Avenue, Markham

PLAN 65M3203 BLK 98

The applicant was requesting relief from the requirements of By-law 177-96, as amended, to permit:

a) By-law 177, Section 96:

a maximum height of 7.53 metres, whereas the by-law requires a maximum of 6.75 metres for a detached garage on a lot intersecting two lanes; and

b) By-law 177, Section 96:

a minimum rear yard setback of 0 metres, whereas the by-law requires a minimum rear yard setback of 0.6 metres for a detached garage;

as it related to a proposed coach house.

The Chair introduced the application.

The agent, Sean Baradaran, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Reingold indicated that the request was compatible with the existing home and in keeping with the development of the street.

Member Sampson agreed with their colleague and supported the application.

Member Reingold motioned for approval with conditions.

Moved by: Jeamie Reingold
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application No. **A/122/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5. A/178/23

Owner Name: Peter Andrews and Ruth Andrews
Agent Name: In Tech House Design Corporation (Andrii Golovnia)
38 Elgin Street, Thornhill
PLAN 8 PT LOT 3

The applicant was requesting relief from the requirements of By-law 2237, as amended, to permit:

- a) Amending By-law 101-90, Section 1.2 (vii):**
a maximum floor area ratio of 55.2 percent (4,195 square feet), whereas the by-law permits a maximum floor area ratio of 50 percent (3,795 square feet);

as it related to a proposed second-storey addition.

The Chair introduced the application.

The agent, Shamy Quershi, appeared on behalf of the application.

Member Gutfreund expressed that the project was a suitable addition to the neighbourhood that complimented the neighbourhood's character and met the four tests of the *Planning Act*.

Member Yan believed the design to be an excellent example of a multi-generational home and suited the streetscape.

Member Gutfreund motioned for approval with conditions.

Moved by: Tom Gutfreund
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application No. **A/178/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. A/186/23

Owner Name: Jaefar Mohammadi
Agent Name: Contempo Studio (Marin Zabzuni)
12 Hammok Crescent, Thornhill
PLAN M941 LOT 156

The applicant was requesting relief from the requirements of By-law 1767, as amended, to permit:

- a) **By-law 1767, Section 14 (i)(c):**
a minimum rear yard setback of 24 feet 6 inches, whereas the by-law requires a minimum rear yard setback of 40 feet;
- b) **Parking By-law 28-97, Section 6.2.4.5 (a)(i):**
a width of 4.27 metres for a second driveway, with a main building setback of 7.6 metres from the public street, whereas the by-law permits a maximum driveway width of 3.7 metres for a second driveway which connects to a public street to the other driveway provided the main building is setback a minimum of 8.0 metres from the public street.
- c) **Amending By-law 100-90; Section 1.2(i):**
a maximum building height of 8.62 metres, whereas the by-law permits a maximum flat roof building height of 8.0 metres;
- d) **By-law 1767; Section 14(i)(c):**
a minimum front yard setback of 25 feet, whereas the by-law requires a minimum front yard setback of 30 feet;
- e) **Amending By-law 100-90; Section 1.2(iii):**

a building depth of 18.4 metres, whereas the by-law permits a maximum building depth of 16.8 metres;

f) Amending By-law 100-90; Section 1.2 (vi):

a floor area ratio of 47.6 percent (7,155 square feet), whereas the by-law permits a maximum floor area ratio of 47 percent (7,058 square feet);

as it related to a proposed two-storey residential dwelling.

(West District, Ward 1)

The Chair introduced the application.

The agent, Marin Zabzuni, appeared on behalf of the application. Marin agreed with the staff report indicating that the variance resulted from conditions from the wide shallow lot, noting that there were other similar infill developments in the area and the requests were minor.

The Committee received seven written pieces of correspondence.

Tina Luo, a rear yard neighbour, spoke to the Committee and indicated their property was lower than the subject property and raised concerns regarding the rear yard setback and potential impacts of the overlook and reduced privacy from the second-storey living area and proposed balconies. Additionally, Tina commented on the hard surface coverage of the rear yard, with very little green space to mitigate impacts.

Member Gutfreund expressed concerns regarding the hard surface coverage in the front yard, with the increased driveway width creating increased runoff.

Member Reingold agreed with their colleague that the amount of hard surface in both the front and rear yards would have cumulative effects and indicated that the applicant should revisit the plans to reduce the hard surface in both yards.

Member Yan agreed with colleagues that the proposal included too much hard surface coverage in both yards. Member Yan did not support the two balconies in combination with the reduced rear yard setback as it created privacy impacts for the neighbours.

Member Sampson indicated that the proposed circular drive reflected the streetscape in the area. Member Sampson took exception to the description of the covered porch as it was a fully developed structure on the second storey with both indoor and outdoor living areas. The proposed porch and second storey encroached significantly into the rear yard setback, impacted the neighbours, and was undesirable.

The Chair indicated that the Committees' concerns with the variances resulted from a culmination of the impacts of various design features. The proposal was too large and pushed both the boundaries of the building envelope and the hardscaping guidelines. It

had large principal rooms, significant open-to-below space, multiple balconies, and considerable hardscaping. The Chair recognized other circular driveways in the area, noting that most had space for large mature trees. The building envelope and hardscaped areas would require the removal of mature trees to construct as proposed, and the proposal relied on vegetative screening on neighbouring properties. The requested rear yard setback was intrusive to neighbours and would create privacy issues.

Member Gutfreund agreed with the Chair, noting that it was a large home that would be overbuilt on a spacious but shallow lot. Member Gutfreund indicated insufficient justification had been given for the variances related to the driveway. Additionally, all Committee members had expressed concern with the proposed balconies in the rear and side yards, the amount of hard surfacing in the rear and front yards, the removal of mature trees, the lack of vegetative screening for the property and the reliance on neighbouring properties to provide privacy screening to reduce the impacts of the proposal.

Marin Zabzuni requested to defer the application.

Member Gutfreund motioned for defer with conditions.

Moved by: Tom Gutfreund
Seconded by: Patrick Sampson

THAT Application No. **A/186/23** be **deferred** sine die.

Resolution Carried

Adjournment

Moved by: Arun Prasad
Seconded by: Tom Gutfreund

THAT the virtual meeting of the Committee of Adjustment was adjourned at 7:58 pm, and the next regular meeting would be held on January 17, 2024.

CARRIED

Original Signed on
February 17, 2024
Secretary-Treasurer
Committee of Adjustment

Original Signed on
February 17, 2024
Chair
Committee of Adjustment

Memorandum to the City of Markham Committee of Adjustment

December 8, 2023

File: A/186/23
Address: 12 Hammok Crescent, Markham (Thornhill)
Owner: Jaefar Mohammadi
Agent: Contempo Studio (Marin Zabzuni)
Hearing Date: Wednesday, December 13, 2023

The following comments are provided on behalf of the West District Team. The Applicant is requesting relief from the following “Single Family Detached Special Residential Density (SR3)” zone requirements of By-law 1767, as amended, as it relates to a proposed two-storey detached dwelling. The variances requested are to permit:

- a) **By-law 1767, Section 14 (i)(c):**
a minimum rear yard setback of 24 feet 6 inches, whereas the by-law requires a minimum rear yard setback of 40 feet;
- b) **By-law 1767; Section 14(i)(c):**
a minimum front yard setback of 25 feet, whereas the by-law requires a minimum front yard setback of 30 feet;
- c) **Amending By-law 100-90; Section 1.2(i):**
a maximum building height of 8.62 metres, whereas the by-law permits a maximum flat roof building height of 8.0 metres;
- d) **Amending By-law 100-90; Section 1.2(iii):**
a building depth of 18.40 metres, whereas the by-law permits a maximum building depth of 16.8 metres;
- e) **Amending By-law 100-90; Section 1.2 (vi):**
a floor area ratio of 47.6 percent (7,155 square feet), whereas the by-law permits a maximum floor area ratio of 47 percent (7,058 square feet);
as it relates to a proposed two-storey residential dwelling.
- f) **Parking By-law 28-97, Section 6.2.4.5 (a)(i):**
a width of 4.27 metres for a second driveway, with a main building setback of 7.6 metres from the public street, whereas the by-law permits a maximum driveway width of 3.7 metres for a second driveway which connects to a public street to the other driveway provided the main building is setback a minimum of 8.0 metres from the public street.

BACKGROUND

Property Description

The 1,396.82 m² (15,035.19 ft²) Subject Lands are located on the west side of Hammok Crescent, south of Laureleaf Road and generally north of Steeles Avenue East (refer to Appendix “A” – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised of a mix of one and 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 165.10 m² (1,777.12 ft²) one-storey detached dwelling on the Subject Lands, which was constructed in 1962.

Proposal

The Applicant is proposing to construct a new two-storey detached dwelling with a gross floor area of 664.64 m² (7,154.17 ft²), as shown in Appendix "B".

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. The purpose of this development criteria is 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 1767, as amended

The Subject Lands are zoned SR3 - Single Family Detached Dwelling Special Residential Density under By-law 1767, as amended, which permits single detached dwellings. The proposed development does not comply with the by-law requirement with respect to the rear yard setback and front yard setback.

Residential Infill Zoning By-law 100-90, as amended

The Subject Lands are also subject to the Residential Infill Zoning By-law 100-90. 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 building height, building depth and floor area ratio.

Parking Standards By-law 28-97, as amended

The width of the proposed second driveway also does not comply with Parking Standards By-law 28-97. Further details of the parking requirement are provided below.

Zoning Preliminary Review (ZPR) Undertaken

The Owner has completed a Zoning Preliminary Review (ZPR) on October 11, 2023 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; and
- d) The general intent and purpose of the Official Plan must be maintained.

Reduced Rear Yard Setback Variance

The Applicant is requesting relief to permit a minimum rear yard setback of 24.5 feet (7.47 metres), whereas a minimum of 40 feet (12.19 metres) is required. This represents a reduction of approximately 15.5 feet (4.72 metres). The variance is entirely attributable to the proposed rear covered porch. The main rear wall of the proposed building provides a rear yard setback of 37.07 feet (11.30 metres) and is generally consistent with the established rear yard setback pattern on the street or rear yard setback pattern.

Staff are of the opinion that the requested variance will not have an adverse impact on the abutting properties at 10 and 14 Hammok Crescent, is minor in nature, and in keeping with the general intent and purpose of the By-law. Staff have no objection to the variance.

Reduced Front Yard Setback Variance

The Applicant is requesting relief to permit a minimum front yard setback of 25 feet (7.62 metres), whereas a minimum of 30 feet (9.14 metres) is required. This represents a reduction of approximately 5 feet (1.52 metres). The variance is partially attributable to the front covered porch, the proposed building footprint and three-car garage.

The main front wall of the proposed dwelling will provide a front yard setback that is generally consistent with the established front yard setback pattern on the street. Staff are of the opinion that the proposed front yard setback is minor and have no concerns with the proposed variance.

Increased Maximum Building Height Variance

The Applicant is requesting relief to permit a maximum building height of 8.62 metres (28.28 feet), whereas a maximum of 8.0 metres (26.25 feet) is permitted. This represents an increase of 0.62 metres (2.03 feet).

Staff are of the opinion that the proposed maximum building height is minor in nature, will have limited impact on the streetscape and therefore have no concern with the requested variance.

Increased Maximum Building Depth Variance

The Applicant is requesting relief to permit a maximum building depth of 18.40 metres (60.37 feet), whereas a maximum of 16.80 metres (55.12 feet) is permitted. This represents an increase of approximately 1.60 metres (5.25 feet).

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.

The variance includes a rear covered porch which adds approximately 4.42 metres (14.50 feet) to the overall depth of the building. The main component of the building, excluding the rear covered porch, has a depth of 13.98 metres (45.87 feet), which complies with the By-law requirements. The requested building depth variance is entirely attributable to the proposed rear covered porch, which is a scaled structure to provide covered amenity space. The proposed rear covered porch consists of a north side yard

setback of 6.10 metres (20 feet), and a rear yard setback of 7.48 metres (24.54 feet) and will not result in any impact to abutting properties.

Staff are of the opinion that the variance request is minor in nature and therefore have no concerns with the building depth of the proposed dwelling.

Increased Maximum Floor Area Ratio Variance

The Applicant is requesting relief to permit a floor area ratio of 47.60 percent (7,155 ft²), whereas a floor area ratio of 47.0 percent (7,058 ft²) is permitted. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 664.64 m² (7,154.17 ft²), whereas the By-law permits a dwelling with a maximum floor area of 655.73 m² (7,058 ft²). This represents an increase of approximately 8.91 m² (95.91 ft²), above what is permitted by the By-law.

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area however; it is not a definitive measure of the mass of the dwelling. The building layout meets most other zoning provisions that establish the prescribed building envelope, which ensures the proposed dwelling will be in keeping with the intended scale of residential infill developments for the neighbourhood.

Staff are of the opinion that the proposed maximum floor area ratio is compatible with development on the street, have no concern with the requested variance and that the size of the proposed dwelling is generally consistent with what the By-law permits.

Increased Maximum Driveway Width to a Driveway Variance

The Applicant is requesting a maximum driveway width of 4.27 metres (14.0 feet) for a second driveway, with a main building setback of 7.6 metres (24.9 feet) from the public street, whereas a maximum width of 3.7 metres (12.14 feet) is permitted for a second driveway which connects to a public street to the other driveway, provided that the main building is setback a minimum of 8.0 metres (26.25 feet) from the public street.

The Applicant is requesting an increase in the maximum driveway width for a circular driveway, which subsequently increase the amount of hardscape area in the front yard. The intent of these By-law provisions which are being varied is to limit the amount of hardscape areas. Staff note that there are existing walkways abutting the driveways. While these walkways are permitted, they add to the amount of hardscape in the front yard. It should also be noted that motor vehicles would not be allowed to access or park on these walkways.

The Parking By-law provisions for circular driveways state that for "lots with frontages greater than 19.20 metres (62.99 feet), a second 3.70 metres (12.14 feet) wide driveway is permitted provided that:

- i) the main building is setback at least 8.0 metres (26.25 feet) from the street line;
- ii) the driveways are at least 7.0 metres (22.97 feet) apart, at the street line; and
- iii) the second driveway connects the public street to the other driveway that provides direct access from the public street."

The existing driveway complies with the above criteria, except where the proposed second driveway has a width of 4.27 metres (14.0 feet) which exceeds the maximum width by 0.57 metres (1.87 feet) that is permitted under the above mentioned Parking Standards By-law.

The guidelines for both driveway and circular driveway widths aim to restrict the overall extent of hard surface driveway areas and emphasize the preservation of soft landscaping in the residential streetscape. The Applicant seeks approval for the variance in driveway dimensions, specifically requesting an increased maximum width for a second driveway as noted above. This variance is due to the fact that the proposed building setback of 7.6 metres (24.9 feet) from the public street, which falls short of the By-law requirement of 8.0 metres (26.2 feet).

Staff is of the opinion that the requested variance to the Parking Standards By-law are minor in nature and will provide a functional use of the driveways while still maintaining a reasonable balance between hardscape and soft landscaping elements in the front yard.

Tree Protection and Compensation

The Subject Lands contain mature vegetation and large mature trees. During the review of the application, the City's Tree Preservation Technician indicated concern with potential injury to the mature neighbouring trees at 12 Hammok Crescent. Staff recommend that the tree related conditions, as outlined in Appendix "C", be adopted by the Committee to ensure the Applicant installs the appropriate tree protection barriers, if necessary. The Applicant will be required to apply for and obtain a tree permit from the City for any proposed injury to, or removal of any trees that have a diameter at breast height (DBH) of 20.0 cm (7.87 in) or more on the subject property or neighbouring properties. Further mitigation through these processes may also be required to ensure the protection of certain trees is achieved.

PUBLIC INPUT SUMMARY

No written submissions were received as of December 1, 2023. 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 request variances meet 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:

H. Mohammad

Hussnain Mohammad, Planner 1, Development Facilitation Office

REVIEWED BY:

Rick Cefaratti

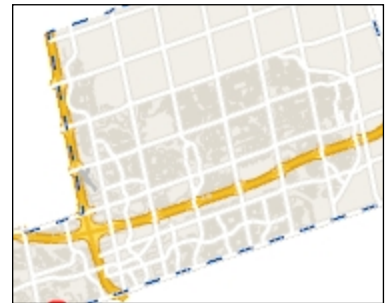
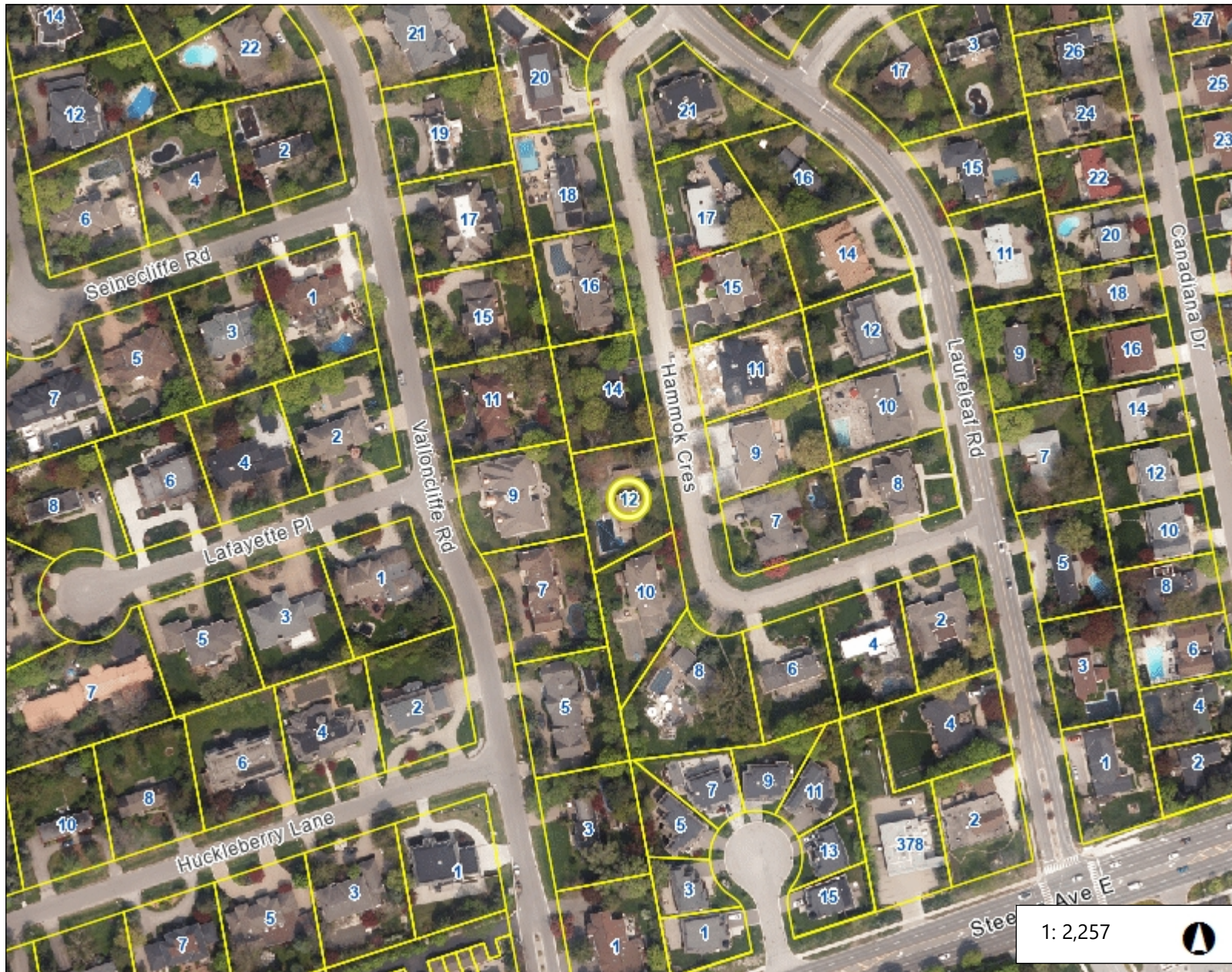
Rick Cefaratti, MCIP RPP, Senior Planner, West District

APPENDICES

Appendix "A" – Aerial Context Photo

Appendix "B" – Plans

Appendix "C" – A/186/23 Conditions of Approval



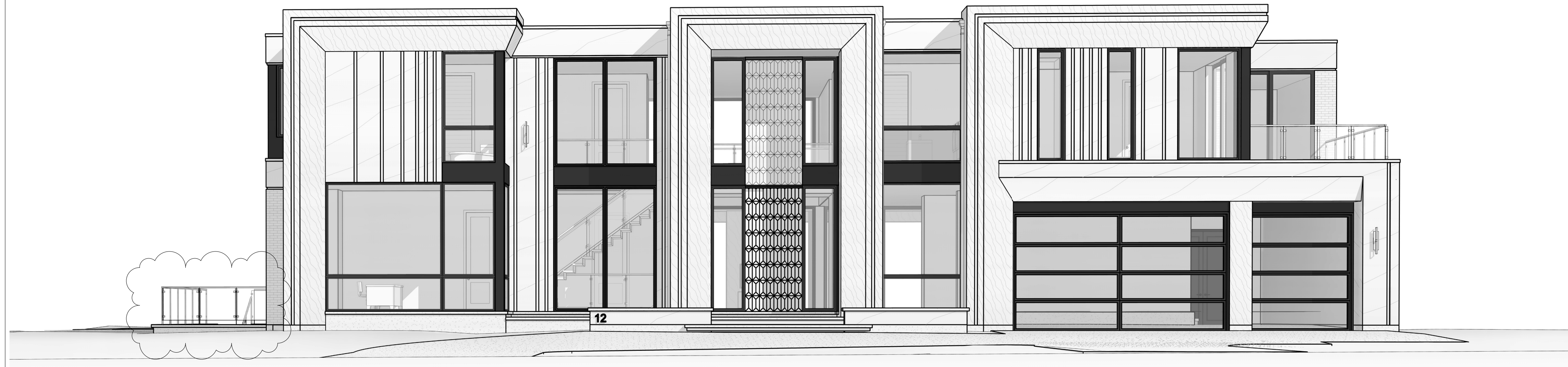
Legend

Parcel Overlay

1: 2,257

114.7 0 57.33 114.7 Meters

Notes



1 3D View 1



2 3D View 2



3 3D View 3



KEY PLAN

PROJECT:
**12 HAMMOK CRESCENT
 THORNHILL, ON**

Project number: 2021-55
 Date: SEPTEMBER, 2023
 ISSUED FOR: ZONING

ARCHITECTURAL DESIGN
 CONTEMPO STUDIO

1140 THE QUEENSWAY
 Toronto, Ontario M8Z 1P7
 info@contempostudio.ca
 w. contempostudio.ca
 t. 416 770 0071
 f. 416 642 1691

CONTRACTOR

STRUCTURAL ENGINEERS

HVAC CONSULTANT

Sheet List

Sheet Number	Sheet Name
--------------	------------

- | | |
|------|-------------------------|
| A0 | COVER PAGE |
| A1 | SITE PLAN |
| A1.1 | DIAGRAMS |
| A2 | BASEMENT PLAN |
| A3 | FIRST FLOOR PLAN |
| A4 | SECOND FLOOR PLAN |
| A5 | ROOF PLAN |
| A6 | 3D PLANS |
| A7 | EAST (FRONT) ELEVATION |
| A8 | SOUTH (LEFT) ELEVATION |
| A9 | WEST (REAR) ELEVATION |
| A10 | NORTH (RIGHT) ELEVATION |
| A11 | DOOR & WINDOW SCHEDULE |
| A12 | ELEVATION AREAS |

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 info@contempostudio.ca w. contempostudio.ca
 t. (416) 770-0071 f. (416) 642-1691

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents:

QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

MARIN ZABZUNI - SIGNATURE 45250
 NAME BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.

CONTEMPO STUDIO 46972
 FIRM NAME BCIN

2-Storey Detached Dwelling

AT
**12 HAMMOK CRESCENT
 THORNHILL, ON**

COVER PAGE

Project number: 2021-55
 Rev. no.: 1
 Scale:
 Date: SEPTEMBER, 2023
 Drawn by: C.C. + J.T.
 Approved by: M.Z.

Drawing number:

A0

PROJECT STATISTICS

Address:	12 Hammok Crescent, Thornhill, ON	COA:	YES
Municipality:	York (Formerly Township of Markham)	TRCA:	NO
Legal Lot Description:	Lot 156, Registered Plan M-941	RGS/SPC:	YES
Date:	9/20/2023	Heritage:	NO

GROSS FLOOR AREA (GFA)

Level	Permitted	Proposed
Max GFA	47.00%	47.00%
First Floor	2,846.69 sq. ft.	264.47 m ²
Second Floor	3,320.55 sq. ft.	308.49 m ²
GFA Sub-Total	6,167.24 sq. ft.	572.96 m ²
Attached Garage	986.93 sq. ft.	91.69 m ²
GFA Total	7,154.17 sq. ft.	664.64 m ²

LOT COVERAGE

Category	Permitted	Proposed
House Footprint	4,200.56 sq. ft.	390.25 m ²
Front Covered Porch	93.51 sq. ft.	8.69 m ²
Rear Covered Porch	307.27 sq. ft.	28.55 m ²
Max Total	4,601.36 sq. ft.	427.48 m ²

BUILDING DEPTH

Category	Permitted	Proposed
Max Building Depth	16.80 m	18.40 m

BUILDING HEIGHT

Category	Permitted	Proposed
Height From Established Grade	10.00 m	10.00 m
Max Top of Pitch Roof	26.25 m	8.00 m
Max Top of Parapet	9.00 m	8.62 m
Max Top of Flat Roof	26.25 m	8.00 m

FRONT YARD SETBACK CALCULATION

Category	Left Side	Right Side	Permitted
Avg. Neighbour Setbacks	9.36 m	9.24 m	9.30 m
Proposed	30.71 m	30.31 m	30.51 m

SETBACKS

Category	Permitted	Proposed
Min Front (East)	9.30 m	25.03 m
Min Left (South)	1.83 m	27.96 m
Min Right (North)	1.83 m	6.00 m
Min Rear (West)	12.19 m	24.54 m

FRONT YARD LANDSCAPING

Category	Permitted	Proposed
Total Front Yard Area	3,405.29 sq. ft.	316.36 m ²
Less Paved	93.51 sq. ft.	8.69 m ²
Less Steps	71.00 sq. ft.	6.60 m ²
Less Planter Wall	14.00 sq. ft.	1.30 m ²
Less Driveway	1,479.03 sq. ft.	137.41 m ²
Less Low Stone Walls	30.71 sq. ft.	2.85 m ²
Total Front Yard Landscaping Area	1,741.75 sq. ft.	160.51 m ²

GARAGE & DRIVEWAY

Category	Permitted	Proposed
Garage Entry Width	N/A m	27.00 m
Garage Projection	2.10 m	0.00 m
Circular Driveway	3.70 m	14.01 m
Max Driveway Width	10.23 m	32.91 m

ENCROACHMENTS

Category	Permitted	Proposed
Eaves	0.46 m	0.00 m
Chimney	0.46 m	1.33 m
Architectural Feature	0.46 m	1.25 m
Covered Platform	0.46 m	1.33 m
Uncovered Platform Steps	0.46 m	1.49 m

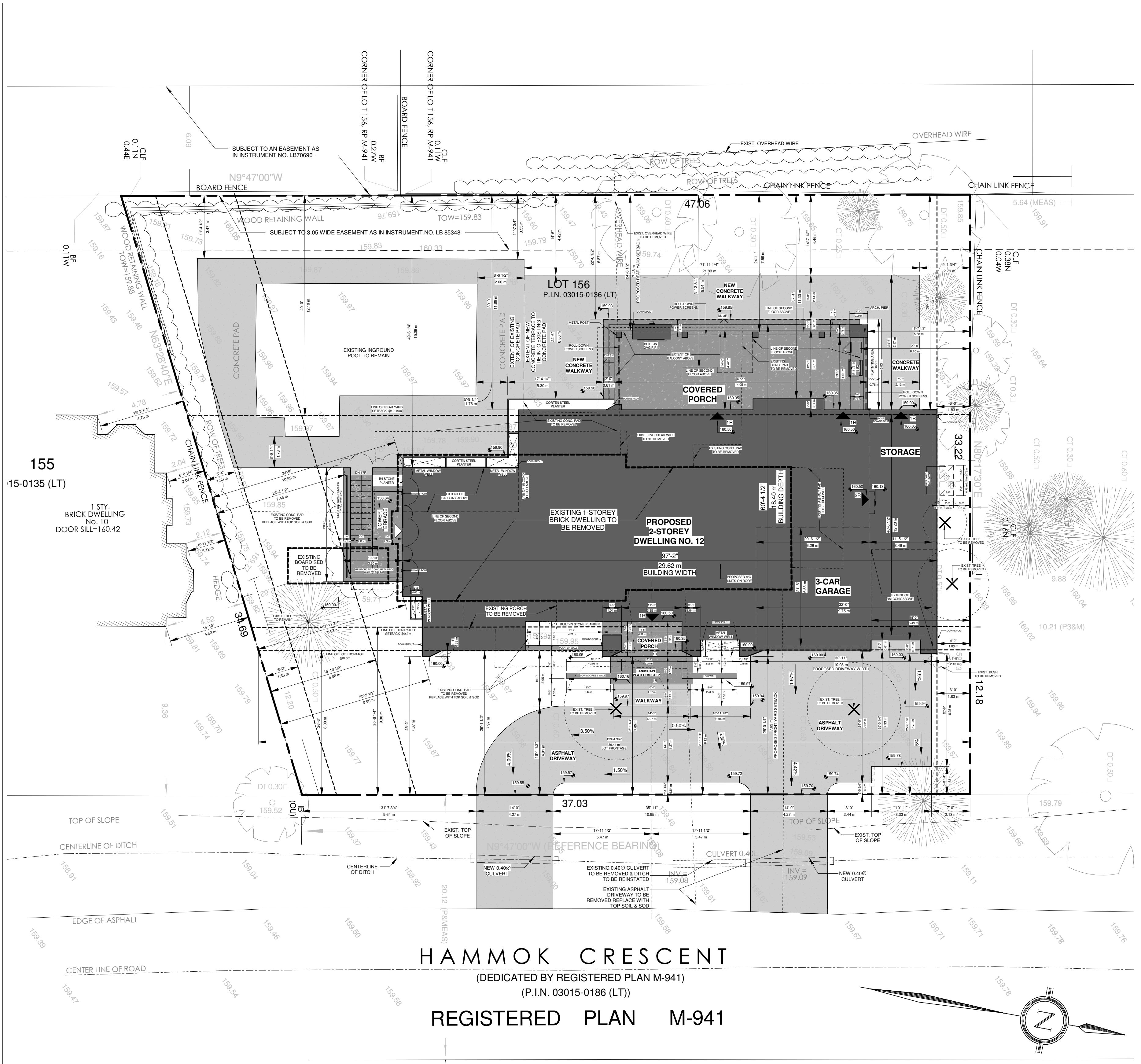
LEGEND

- MAIN FOOTPRINT (WHITE SHADE)
- BUILT LANDSCAPING (PITCHED CHECKER BOARD)
- HARD LANDSCAPING (DIAGONAL HATCH)
- SOFT LANDSCAPING (DOTTED HATCH)
- PROPERTY LINE (DASHED LINE)
- SETBACKS (DASHED LINE)
- EXISTING ELEMENTS TO BE REMOVED (DASHED LINE)
- EXISTING GRADE MARKER (CIRCLE WITH 'X')
- PROPOSED GRADE MARKER (CIRCLE WITH 'Z')
- MAIN LEVEL EXIT (TRIANGLE)
- LOWER LEVEL EXIT (INVERTED TRIANGLE)
- EXISTING TREES (CIRCLE WITH 'X')
- EXISTING TREES TO BE REMOVED (CIRCLE WITH 'X')
- PROPOSED TREES (CIRCLE WITH 'Z')

Level Schedule

Name	Elevation
BASEMENT	156.79
CROWN OF ROAD GRADE	159.68
STRAPPED DOWN BASEMENT CEILING	159.84
REAR GRADE	159.90
ESTABLISHED GRADE	160.00
EDGE OF GARAGE	160.00
BASEMENT CEILING	160.14
COVERED PORCH	160.35
FIRST FLOOR	160.50
F.F. CEILING	163.85
S.F. CEILING	164.21
SECOND FLOOR	164.21
S.F. CEILING	167.26
MECHANICAL CEILING	167.56
TOP OF FLAT ROOF	168.00
TOP OF PARAPET - LIGHT STONE	168.10
TOP OF PARAPET - DARK STONE	168.30

INFORMATION TAKEN FROM:
 SURVEYOR'S REAL PROPERTY REPORT
 PLAN OF SURVEY
 LOT 156
 REGISTERED PLAN M-941
 CITY OF MARKHAM
 (REGIONAL MUNICIPALITY OF YORK)
 PREPARED BY: BIRICH GRENKIE SURVEYING LTD.
 DATED: OCTOBER 29, 2021

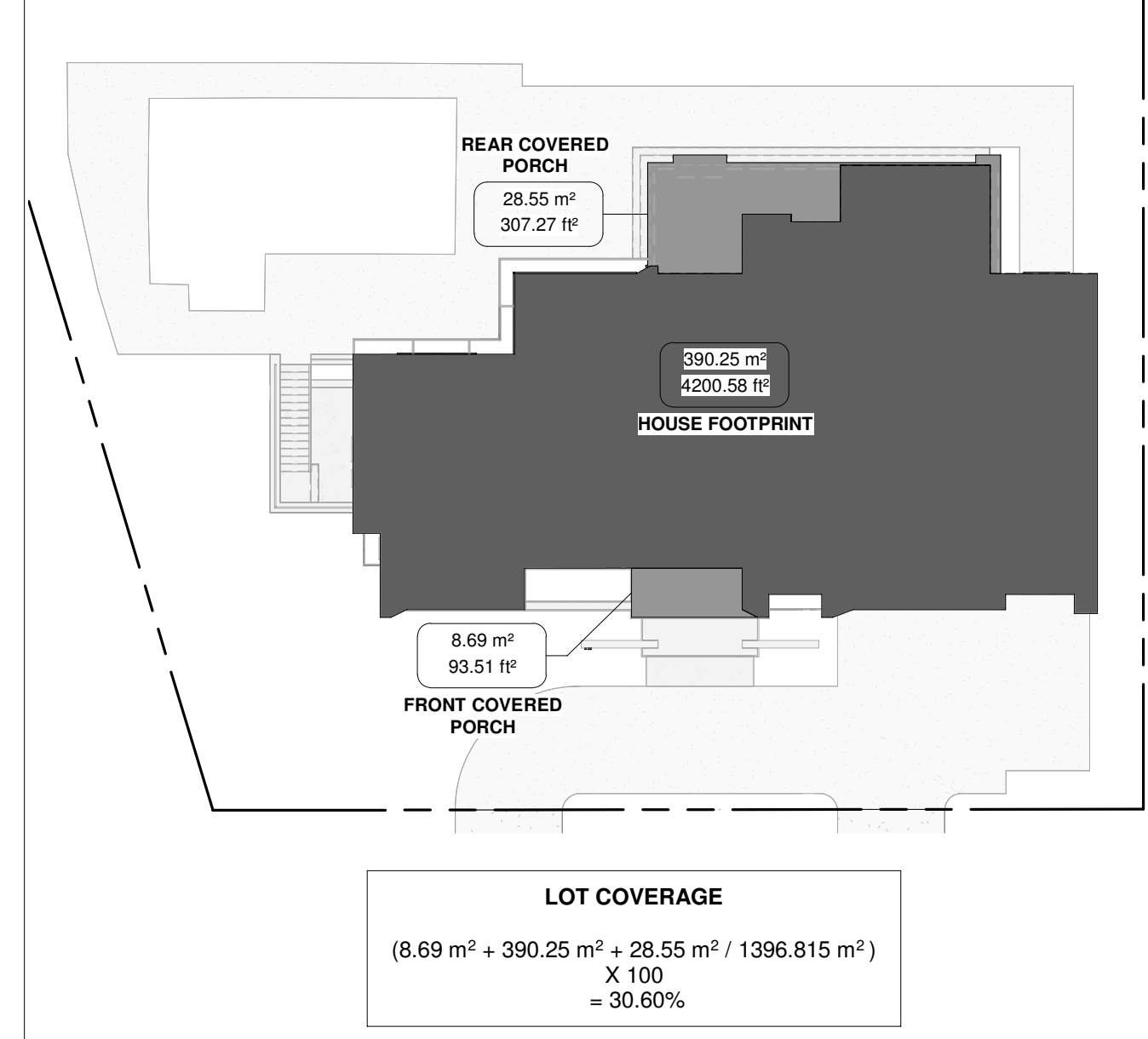
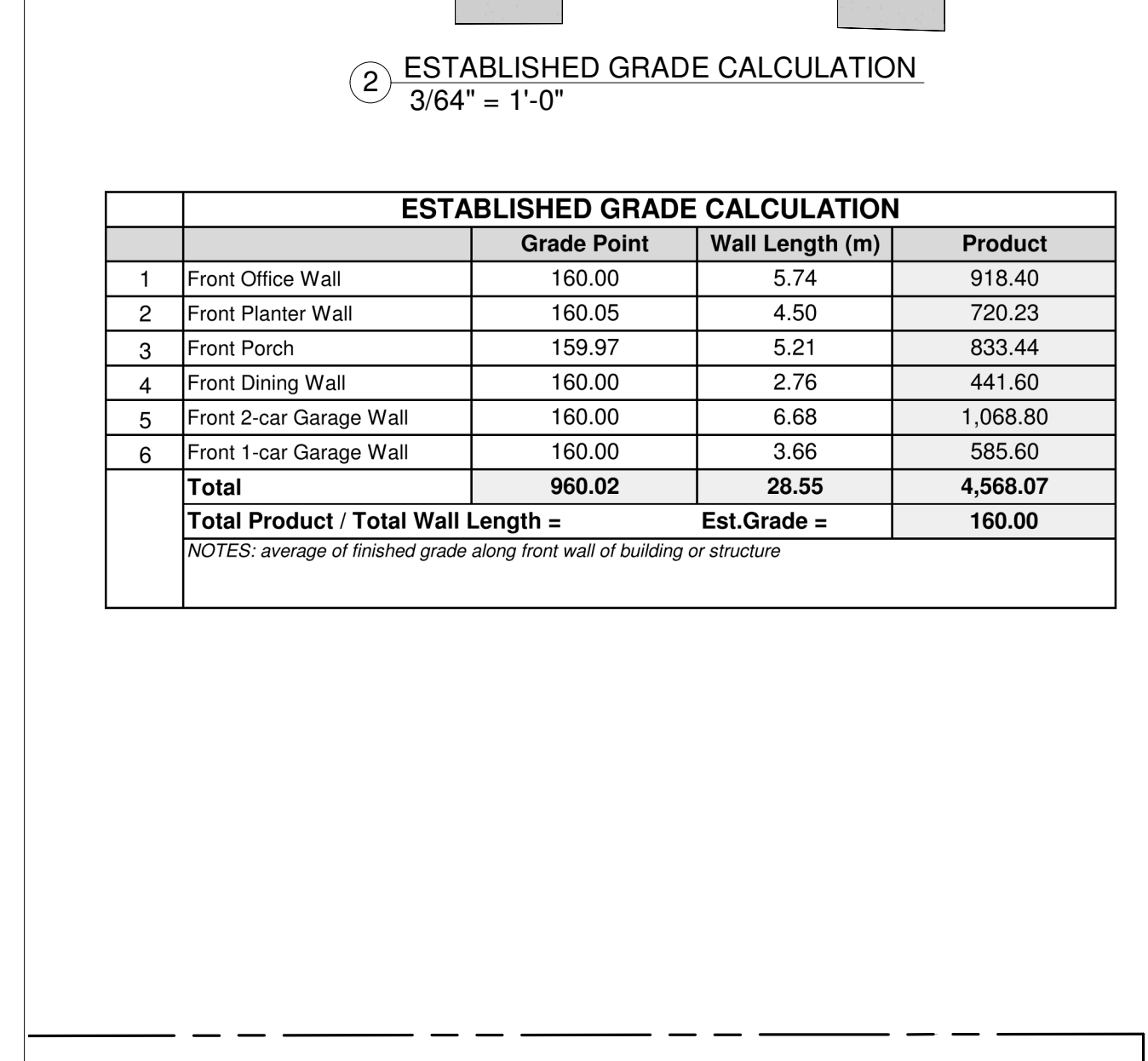
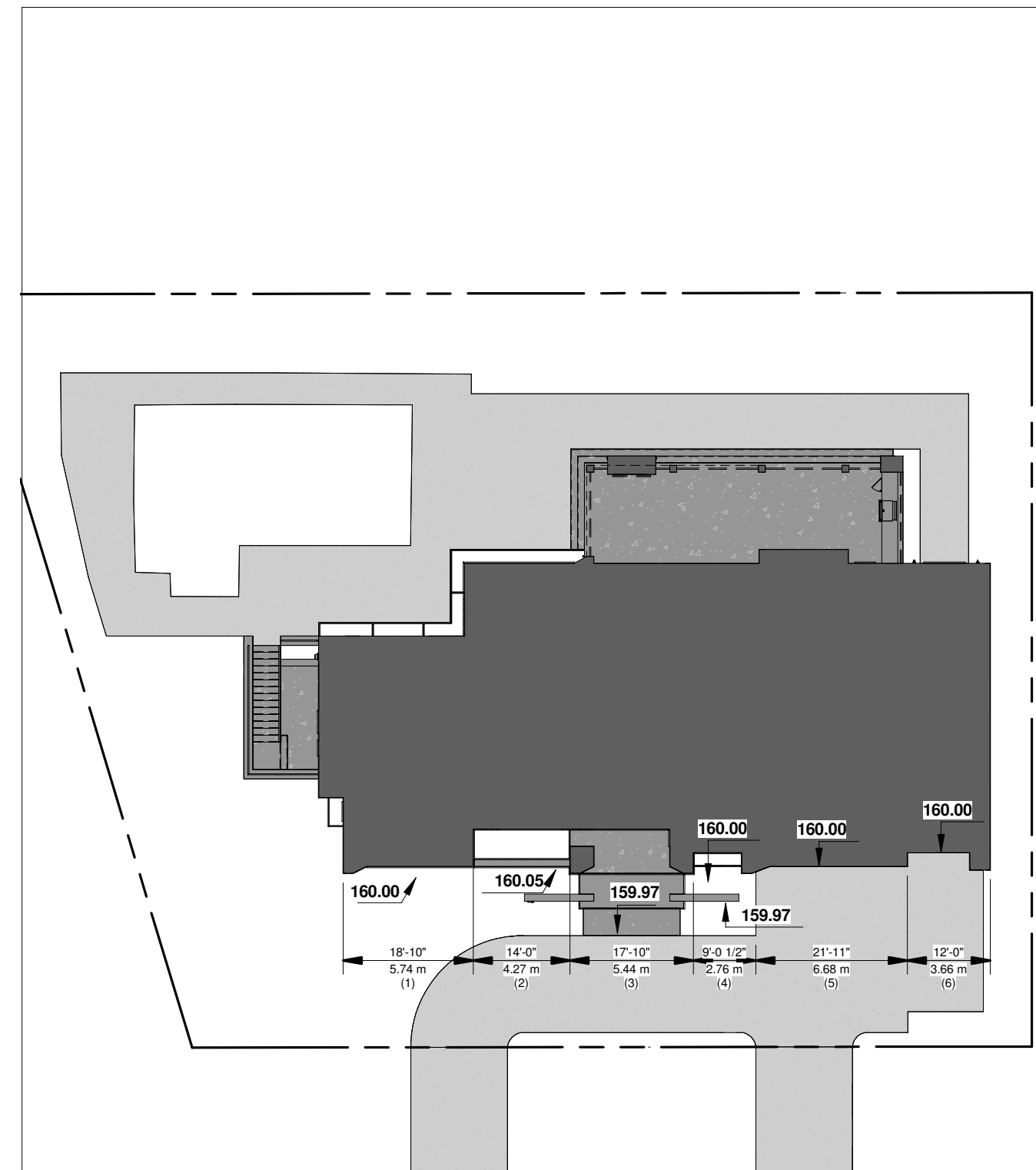


HAMMOK CRESCENT
 (DEDICATED BY REGISTERED PLAN M-941)
 (P.I.N. 03015-0186 (LT))

REGISTERED PLAN M-941

1 SITE PLAN
 3/32" = 1'-0"

LOT COVERAGE
 (8.69 m² + 390.25 m² + 28.55 m²) / 1396.815 m²
 X 100 = 30.60%



3 LOT COVERAGE CALCULATION
 3/64" = 1'-0"

LOT COVERAGE
 (8.69 m² + 390.25 m² + 28.55 m²) / 1396.815 m²
 X 100 = 30.60%

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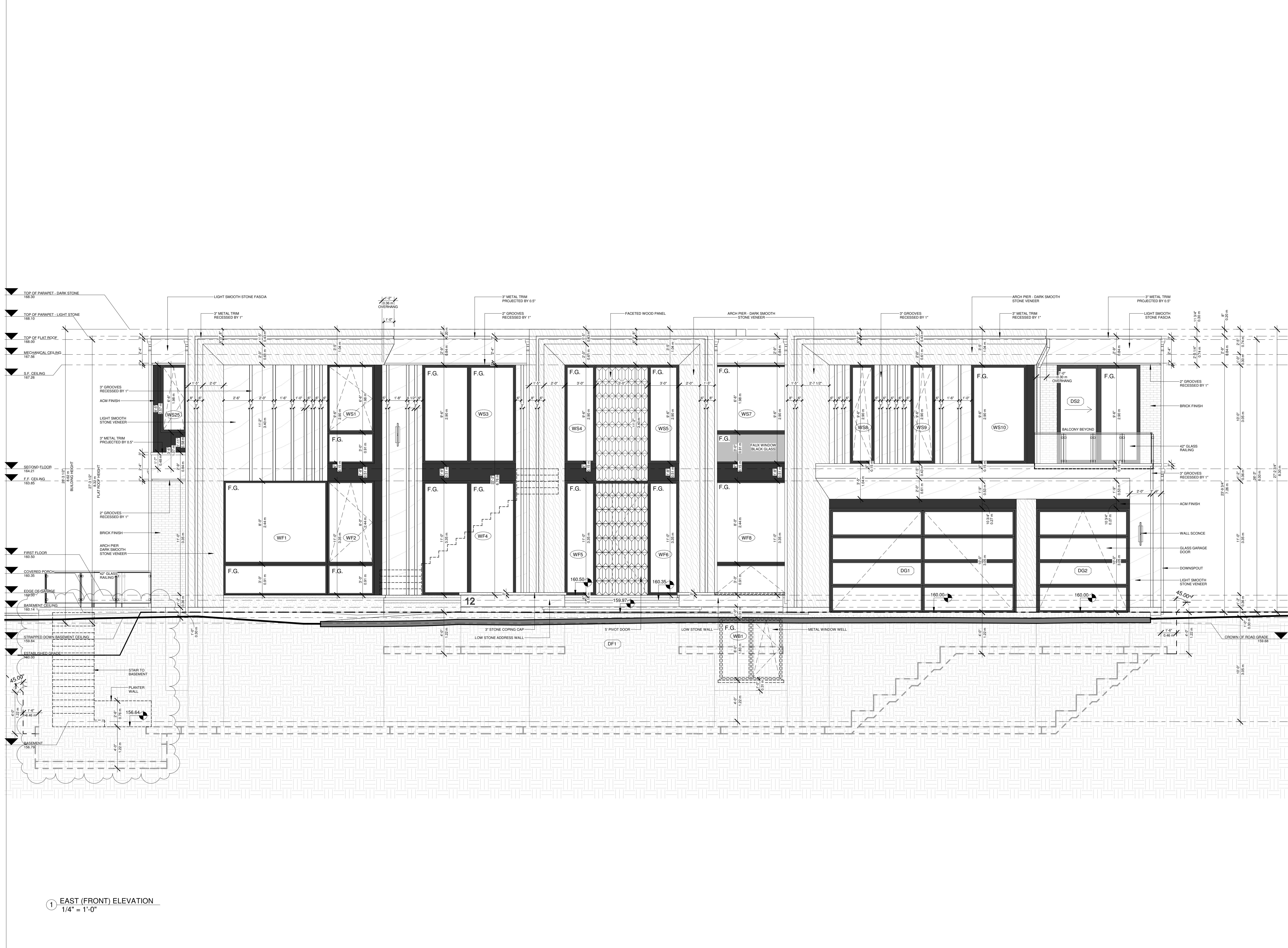
QUALIFICATION INFORMATION
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 MARIN ZABZUNI SIGNATURE 45250
 NAME SIGNATURE BCIN
 REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.
 CONTEMPO STUDIO 46972
 FIRM NAME BCIN

2-Storey Detached Dwelling
 AT
12 HAMMOK CRESCENT
THORNHILL, ON

SITE PLAN

Project number: 2021-55
 Rev. no.: 1
 Scale: As indicated
 Date: SEPTEMBER, 2023
 Drawn by: C.C. + J.T.
 Approved by: M.Z.

Drawing number: **A1**



① EAST (FRONT) ELEVATION
 1/4" = 1'-0"

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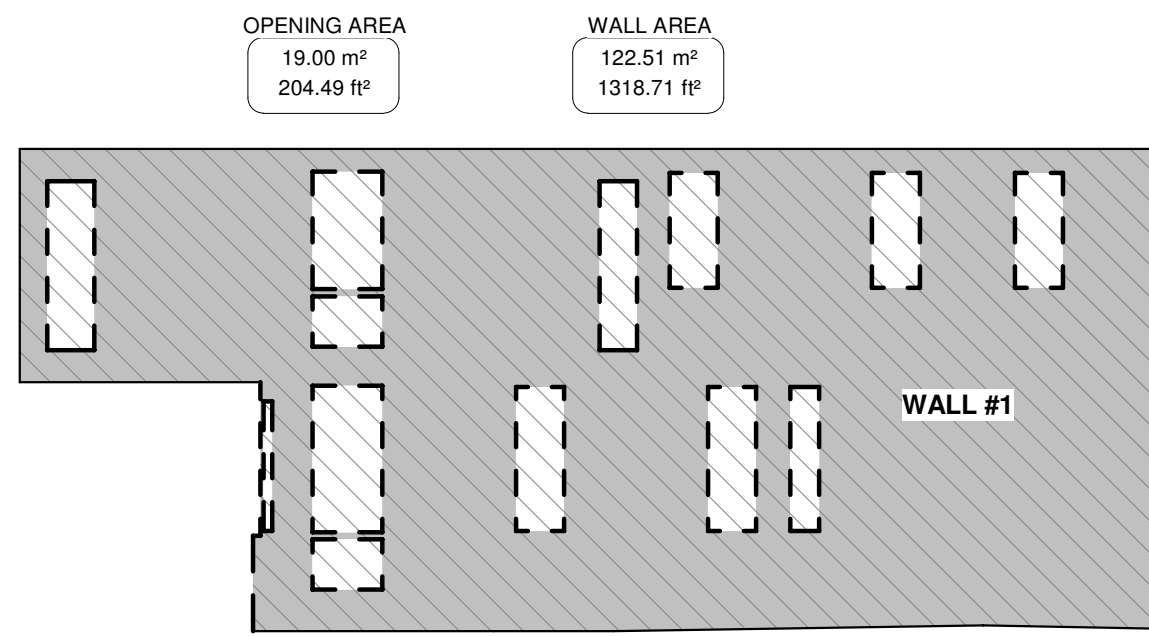
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MARIN ZABZUNI	45250
NAME	BCIN
REGISTRATION INFORMATION	
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CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
 AT
 12 HAMMOK CRESCENT
 THORNHILL, ON

EAST (FRONT) ELEVATION

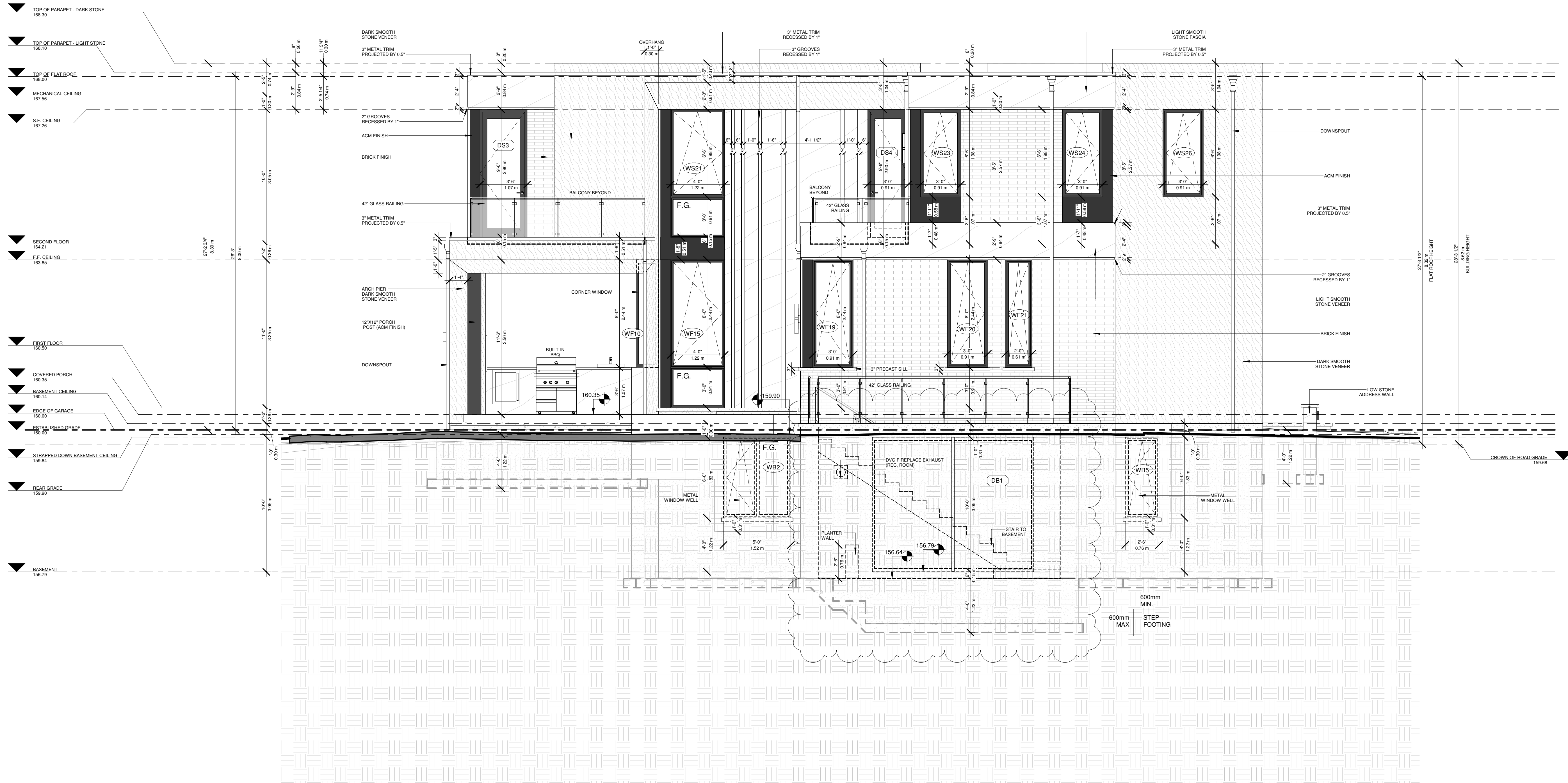
Project number: 2021-55
 Rev. no.: 1
 Scale: 1/4" = 1'-0"
 Date: SEPTEMBER, 2023
 Drawn by: C.C. + J.T.
 Approved by: M.Z.

Drawing number: **A7**



LEFT ELEVATION - TOTAL FACE CALCULATION METHOD - WALL AREA #1
 LIMITING DISTANCE (L.D.) = 8.5m
 WALL AREA #1 OF EXPOSED BUILDING FACE = 1318.71 ft² (122.51m²)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 31.18%
 ALLOWABLE UPO AREA: 1318.71ft² @ 31.18% = 411.17 ft²
 PROPOSED UPO AREA (WALL AREA #1) = 204.49ft² (GLAZING AREAS ONLY)
 (206.69 ft² UNDER THE MAX ALLOWED)

2 PROPOSED UPO AREA - LEFT ELEVATION
 1" = 10'-0"



1 SOUTH (LEFT) ELEVATION
 1/4" = 1'-0"

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NAME	BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.	
CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
 AT
 12 HAMMOK CRESCENT
 THORNHILL, ON

SOUTH (LEFT) ELEVATION

Project number:	2021-55
Rev. no.:	1
Scale:	As indicated
Date:	SEPTEMBER, 2023
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

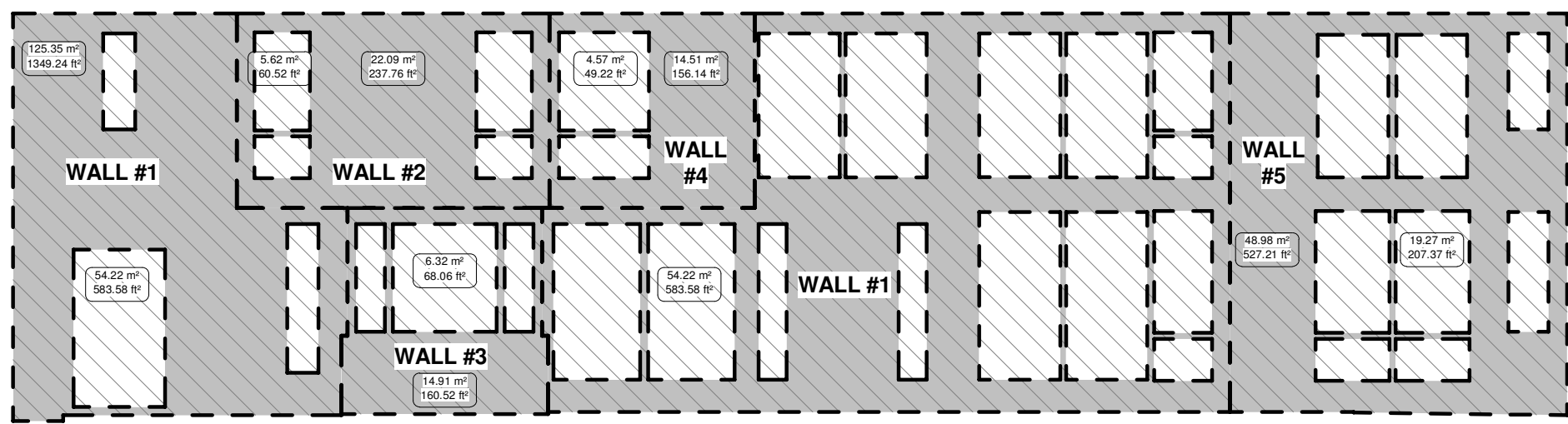
Drawing number:

A8

REAR ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA #2
 LIMITING DISTANCE (LD) = 7.58m
 WALL AREA #2 OF EXPOSED BUILDING FACE = 237.76 SF (22.09m²)
 TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 2430.87FT² (225.84M²), LD = 7.58M)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 26.18%
 ALLOWABLE UPO AREA: 227.76SF @ 26.18% = 60.18 SF
 PROPOSED UPO AREA (WALL AREA #2) = 60.52SF (GLAZING AREAS ONLY)
 (1.87 SF UNDER THE MAX ALLOWED)

REAR ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA #4
 LIMITING DISTANCE (LD) = 9.54m
 WALL AREA #4 OF EXPOSED BUILDING FACE = 156.14 SF (14.51m²)
 TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 2430.87FT² (225.84M²), LD = 9.54M)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 37.24%
 ALLOWABLE UPO AREA: 156.14SF @ 37.24% = 58.15 SF
 PROPOSED UPO AREA (WALL AREA #4) = 49.22SF (GLAZING AREAS ONLY)
 (8.93 SF UNDER THE MAX ALLOWED)

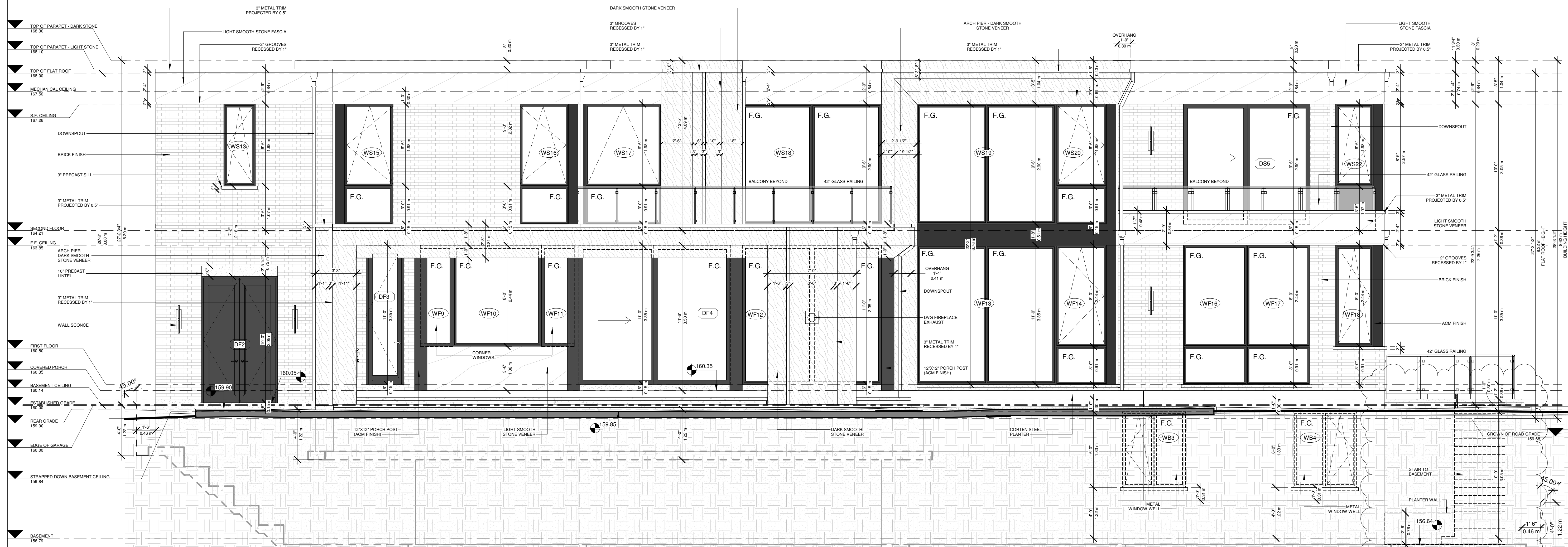
RIGHT ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA #5
 LIMITING DISTANCE (LD) = 15.09m
 WALL AREA #5 OF EXPOSED BUILDING FACE = 527.21 SF (48.98m²)
 TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 2456.04FT² (228.17M²), LD = 15.09M)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 83.58%
 ALLOWABLE UPO AREA: 527.21SF @ 83.58% = 440.66 SF
 PROPOSED UPO AREA (WALL AREA #5) = 207.37SF (GLAZING AREAS ONLY)
 (233.29 SF UNDER THE MAX ALLOWED)



REAR ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA #1
 LIMITING DISTANCE (LD) = 11.89m
 WALL AREA #1 OF EXPOSED BUILDING FACE = 1349.24 SF (125.35m²)
 TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 2430.87FT² (225.84M²), LD = 11.89M)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 54.18%
 ALLOWABLE UPO AREA: 1349.24SF @ 54.18% = 730.95 SF
 PROPOSED UPO AREA (WALL AREA #1) = 563.98SF (GLAZING AREAS ONLY)
 (147.37 SF UNDER THE MAX ALLOWED)

REAR ELEVATION - SPLIT FACE CALCULATION METHOD - WALL AREA #3
 LIMITING DISTANCE (LD) = 11.30m
 WALL AREA #3 OF EXPOSED BUILDING FACE = 190.52 SF (17.61m²)
 TABLE 9.10.15.4 (WITH TOTAL WALL AREA = 2430.87FT² (225.84M²), LD = 11.30M)
 EXTRAPOLATED MAX ALLOWED PERCENTAGE OF UPO = 49.75%
 ALLOWABLE UPO AREA: 190.52SF @ 49.75% = 94.78 SF
 PROPOSED UPO AREA (WALL AREA #3) = 68.06SF (GLAZING AREAS ONLY)
 (11.80 SF UNDER THE MAX ALLOWED)

2 PROPOSED UPO AREA - REAR ELEVATION
 1" = 10'-0"



1 WEST (REAR) ELEVATION
 1/4" = 1'-0"

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 This drawing is not to be scaled.
 The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked for construction must assume full responsibility and bear costs for any corrections or damages resulting from this work.
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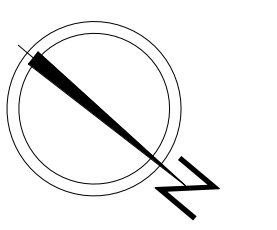
No. 1. Issued for: ZONING REVISION Date: 2023.09.21
 2.

contempostudio
 1140 The Queensway, Toronto, Ontario M8Z 1P7
 info@contempostudio.ca w. contempostudio.ca
 t. (416) 770-0071 f. (416) 642-1691

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents:
QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.
 MARIN ZABZUNI SIGNATURE 45250 BCIN
REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.
 CONTEMPO STUDIO 46972 BCIN
 FIRM NAME

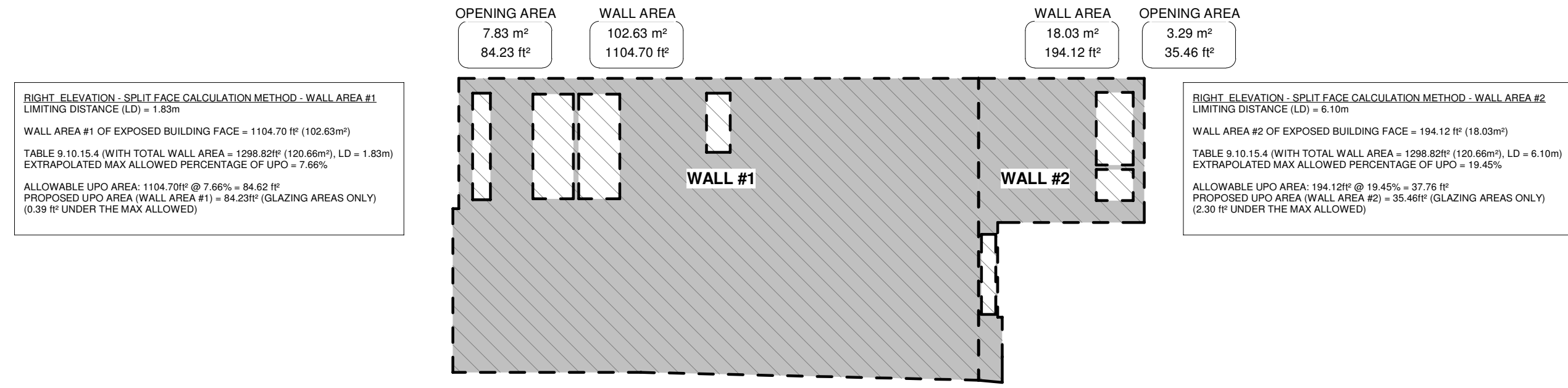
2-Storey Detached Dwelling
 AT
 12 HAMMOK CRESCENT
 THORNHILL, ON

WEST (REAR) ELEVATION

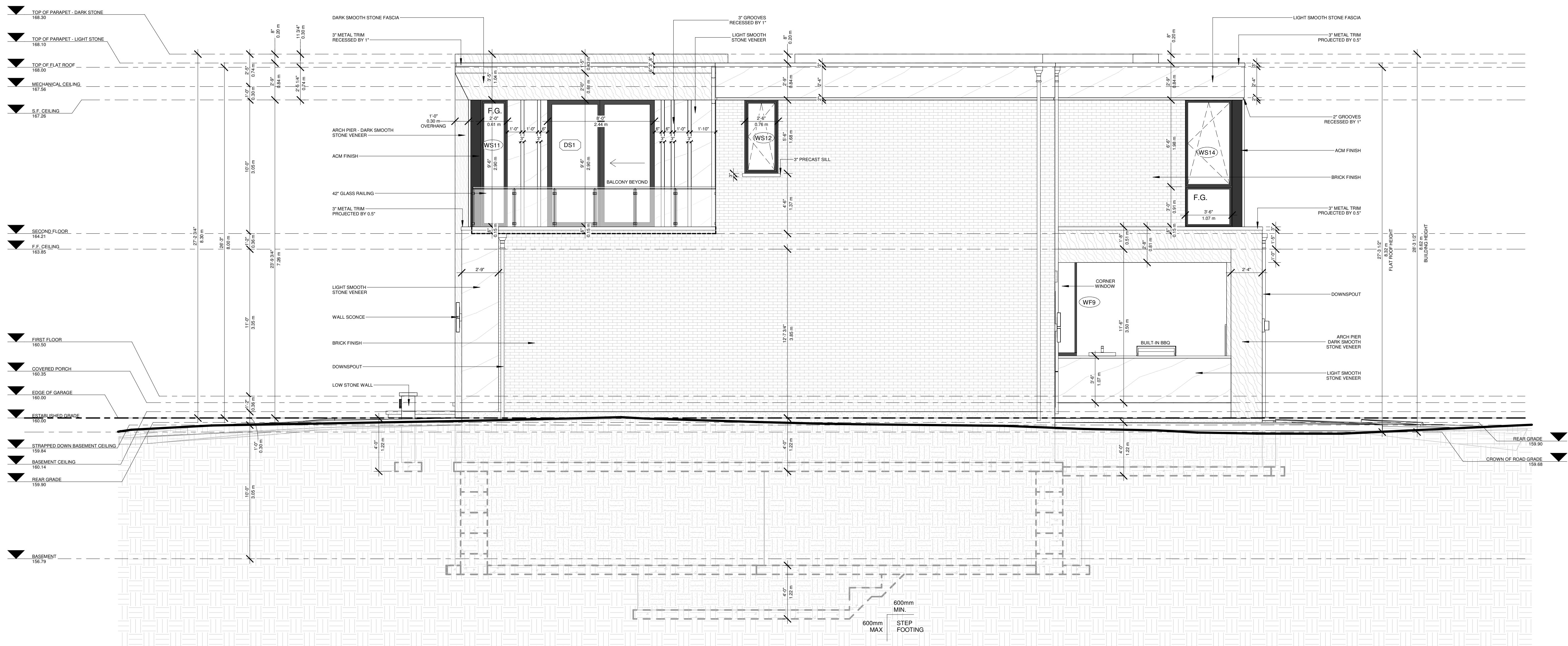


Project number: 2021-55
 Rev. no.: J
 Scale: As indicated
 Date: SEPTEMBER, 2023
 Drawn by: C.C. + J.T.
 Approved by: M.Z.

Drawing number: **A9**



2 PROPOSED UPO AREA - RIGHT ELEVATION
 1" = 10'-0"



1 NORTH (RIGHT) ELEVATION
 1/4" = 1'-0"

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This drawing is not to be scaled.

The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., information shown on this drawing. Refer to the appropriate consultant's drawings before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction. The contractor working from drawings not specifically marked "for construction" must assume full responsibility and bear costs for any corrections or damages resulting from his work.

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Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.	
MARIN ZABZUNI	45250
NAME	BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 3.2.4.7. Division C of the Ontario Building Code.	
CONTEMPO STUDIO	46972
FIRM NAME	BCIN

2-Storey Detached Dwelling
 AT
 12 HAMMOK CRESCENT
 THORNHILL, ON

NORTH (RIGHT) ELEVATION

Project number:	2021-55
Rev. no.:	As Indicated
Scale:	As Indicated
Date:	SEPTEMBER, 2023
Drawn by:	C.C. + J.T.
Approved by:	M.Z.

Drawing number:

A10

APPENDIX “C” – A/186/23 Conditions of Approval

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/186/23

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 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:



Hussnain Mohammad, Planner 1, Development Facilitation Office