

Memorandum to the City of Markham Committee of Adjustment
May 9, 2024

File: A/023/24
Address: 98 Babcombe Drive, Markham (Thornhill)
Agent: In Roads Consultants (Ida Evangelista)
Hearing Date: Wednesday, May 15, 2024

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

The Agent is requesting relief from the following requirements of By-law 1767, Third Density Residential (R3) zone, as it relates to a second storey addition to an existing residential dwelling, to permit.

a) By-law 1767, Section 18 (i)(d):

a second-storey north side yard setback of 4.16 feet, whereas the by-law requires a side yard setback of 6 feet;

BACKGROUND

Property Description

The 725.17 m² (7,805.65 ft²) Subject Lands are located on the south side of Babcombe Drive, east of Laureleaf Road, and generally north of Apricot Street (refer to Appendix “A” – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised of one and two-storey detached dwellings.

There is an existing two-storey detached dwelling on the Subject Lands which was constructed in 1965, according to assessment records. Mature vegetation exists on the property including a mix of medium and large mature trees in the front yard and several medium sized trees in the rear yard.

Proposal

The Agent is proposing to construct a 72.85 m² (784.15 ft²), one-storey addition above the existing garage with a total dwelling gross floor area of 288.15 m² (3,101.62 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 R3 – Third Density Residential 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 side yard setback.

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 department through their permit process (HP 23 150357) 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.

Reduced Side Setback Variance

The Agent is requesting relief to permit a minimum side yard setback of 4.16 feet (1.23 metres), whereas a minimum of 6 feet (1.83 metres) is required. This represents a reduction of approximately 1.84 feet (0.56 metres). The variance is attributable to the second story addition above the existing garage. More, specifically, it is attributable to the pinch-point located on the north-east corner of the dwelling. It is important to note that the addition is above the existing garage, and there are no changes to the existing building footprint.

Engineering Staff have reviewed the application and have no concern with the variance respecting drainage. Staff are of the opinion that the side yard setback is minor in nature, and have no concern with the requested variance.

PUBLIC INPUT SUMMARY

No written submissions were received as of May 9, 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 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 Agent 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:



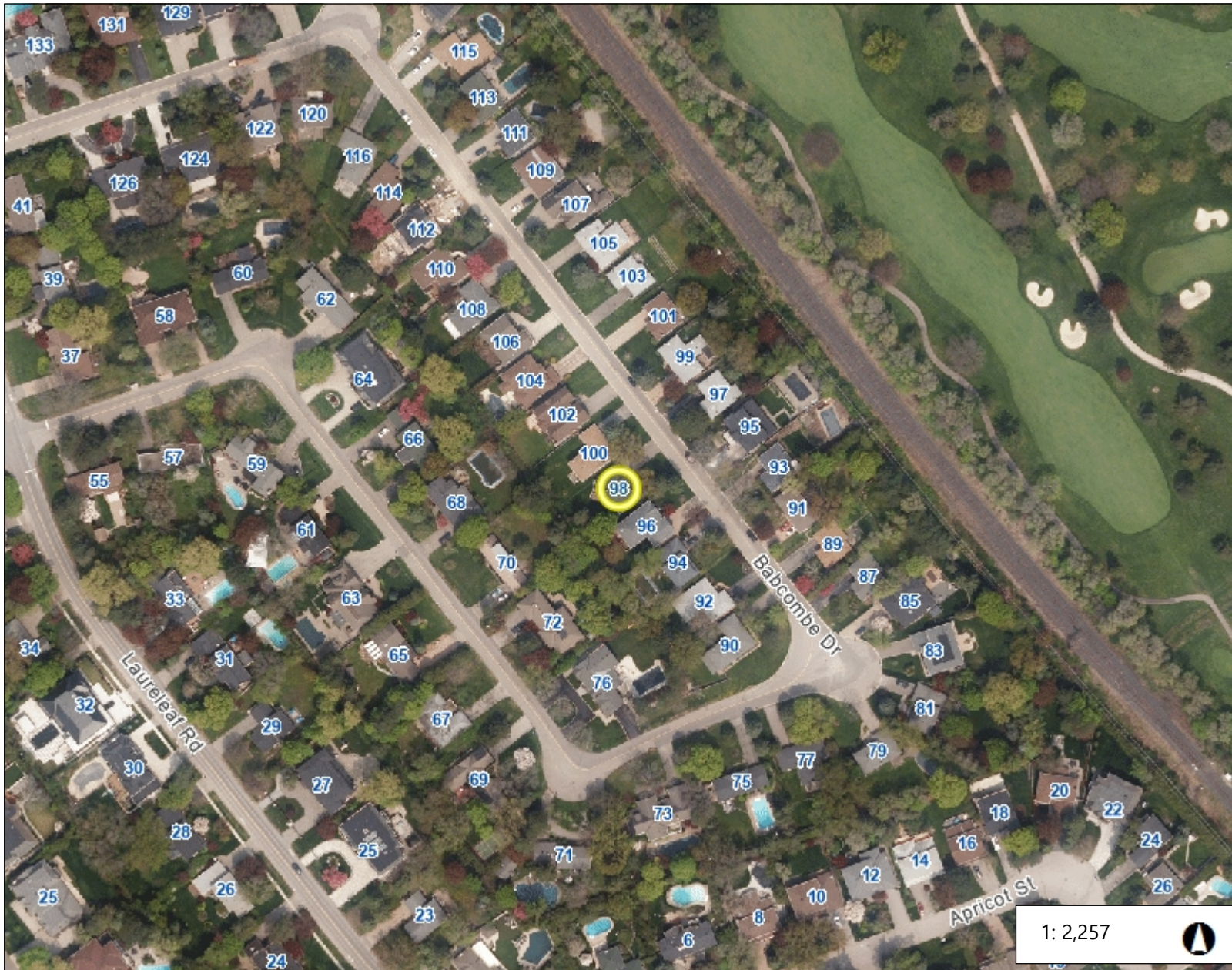
Rick Cefaratti, MCIP RPP, Senior Planner, West District

APPENDICES

Appendix “A” – Aerial Context Photo

Appendix “B” – Plans

Appendix “C” – A/023/24 Conditions of Approval



Legend

Aerial 2023

1:2,257



114.7 0 57.33 114.7 Meters

Notes

ARCHITECTURAL DRAWING LIST

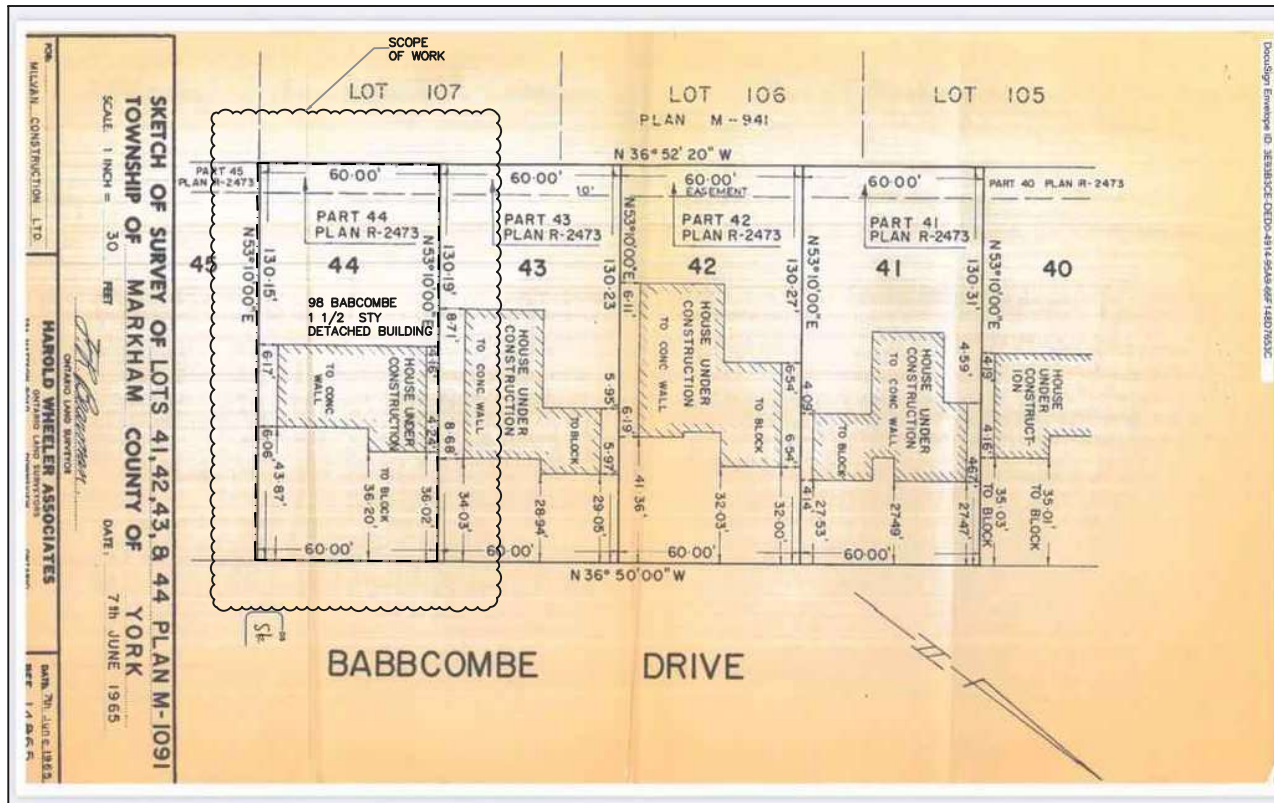
- A0.1 COVER SHEET & Site Plan
- A1.1 EXISTING BASEMENT FLOOR PLAN
- A1.2 EXISTING GROUND FLOOR PLAN
- A1.3 EXISTING SECOND PLAN
- A1.4 EXISTING ROOF PLAN
- A1.5 PRO. BASEMENT FLOOR PLAN
- A1.6 PRO. GROUND FLOOR PLAN
- A1.7 PRO. SECOND FLOOR PLAN
- A1.8 PRO. ROOF PLAN
- A2.1 EXISTING FRONT ELEVATION
- A2.2 EXISTING REAR ELEVATION
- A2.3 EXISTING NORTH ELEVATION
- A2.4 EXISTING SOUTH ELEVATION
- A2.5 PRO. FRONT ELEVATION
- A2.6 PRO. REAR ELEVATION
- A2.7 PRO. NORTH ELEVATION
- A2.8 PRO. SOUTH ELEVATION
- A3.1 STRUCTURAL NOTE
- A3.2 ARCHITECTURAL NOTE
- A3.3 ARCHITECTURAL NOTE
- A3.4 ARCHITECTURAL NOTE
- A3.5 ARCHITECTURAL DETAILS
- A3.6 ARCHITECTURAL DETAILS
- A3.7 STRUCTURAL DETAILS
- A3.8 STRUCTURAL DETAILS
- A4.1 PRO. SECTION A-A

AREA	EXISTING	PROPOSED	TOTAL	ALLOWED
LOT COVERAGE	18.94 %	1.79 %	20.74 %	33.30 %
BASEMENT AREA	1068.05 S.F.	412.48 S.F.		
TOTAL BASEMENT AREA	1480.53 S.F.			
GROUND FLOOR AREA	1068.05 S.F.	138.90 S.F.	1206.95 S.F.	
TOTAL GROUND AREA	1480.53 S.F.	1820.43 S.F.		
SECOND FLOOR	836.95 S.F.	844.32 S.F.	1681.27 S.F.	
NO. OF STORES	1 1/2 STY	AT SECOND FLOOR	2 STY FULL	2 STY
BUILDING HEIGHT	7.82 M	0.21 M	7.83 M	9.80 M <small>(CROWN OF ROAD TO TOP OF ROOFING)</small>
PARKING	2 CAR		2 CAR	2 CAR

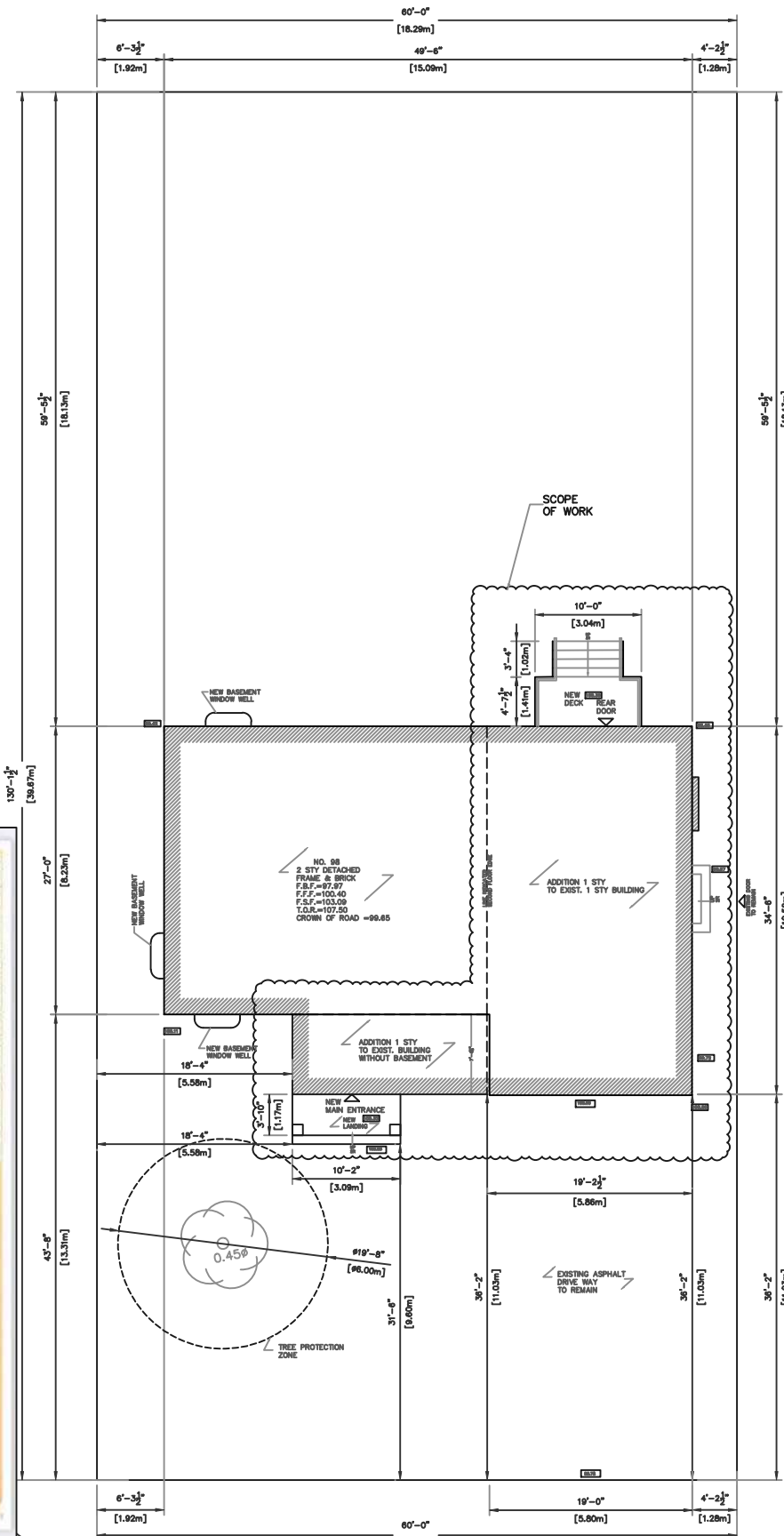
SETBACKS	EXISTING	PROPOSED	ALLOWED
FRONT	38'-2"	38'-2"	27'-0"
REAR	59'-5 1/2"	59'-5 1/2"	25'-0"
SIDES	NORTH 4'-2 1/2"	NORTH 4'-2 1/2"	ONE STY 4'-0"
	SOUTH 6'-3 1/2"	SOUTH 18'-4"	TWO STY 6'-0"

SITE DATA	
ZONING	R3
LOT #	LOT 107 (PART 44)
PLAN #	R-2473
LOT AREA	7808.65 S.F.
LOT FRONTAGE	18.29 M
LOT DEPTH	38.67 M

NOTE:
ALL INFORMATION TAKEN FROM ISSUED OLD SURVEY
*HAROL WHEELER ASSOCIATES ISSUANCE DATE (7th JUNE 1965)



Existing Site Plan



Proposed Site Plan

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- 2- VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- 3- DO NOT SCALE DRAWINGS.
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- 5- USE ONLY LATEST REVISED DRAWINGS OF THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
- 6- ALL STRUCTURAL DESIGN MUST BE REVIEWED AND APPROVED BY CERTIFIED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION.

Issued For:

1 COA	March, 08, 2024
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Project No:

23-135

Project Name:

Addition to Exist. two Sty Building

Detached building

98 Babcombe Dr.

Thornhill, ON.

L3T 1N1

Drawing Title:

Cover Sheet & Site Plan

Scale: Drawing No:

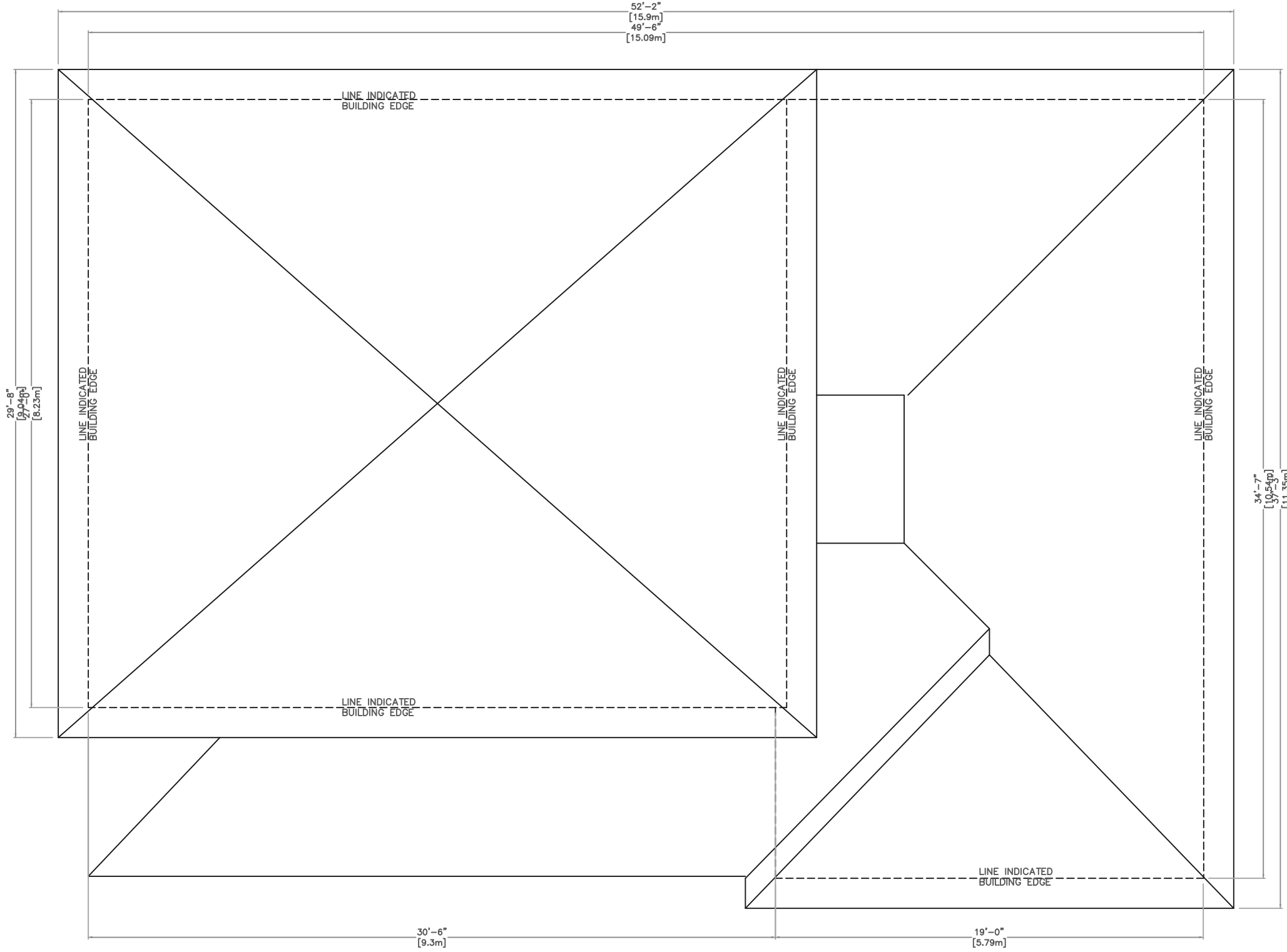
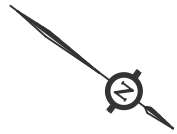
SCALE

A0.1

OPTIONS DESIGN & BUILD

Planning Design Management

1701 Creditstone Rd.
Concord, Ontario, L4K 5V6
T 647.703.2786
T 416.879.7976



Appendix B

File: 24.164216.000.00.MNV

Date: 5/10/2024

MM/DD/YY

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1	COA	March,08,2024

Project No:

23-135

Project Name:

Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Existing Roof
Plan

Scale: Drawing No:

SCALE

3/16"=1'-0"

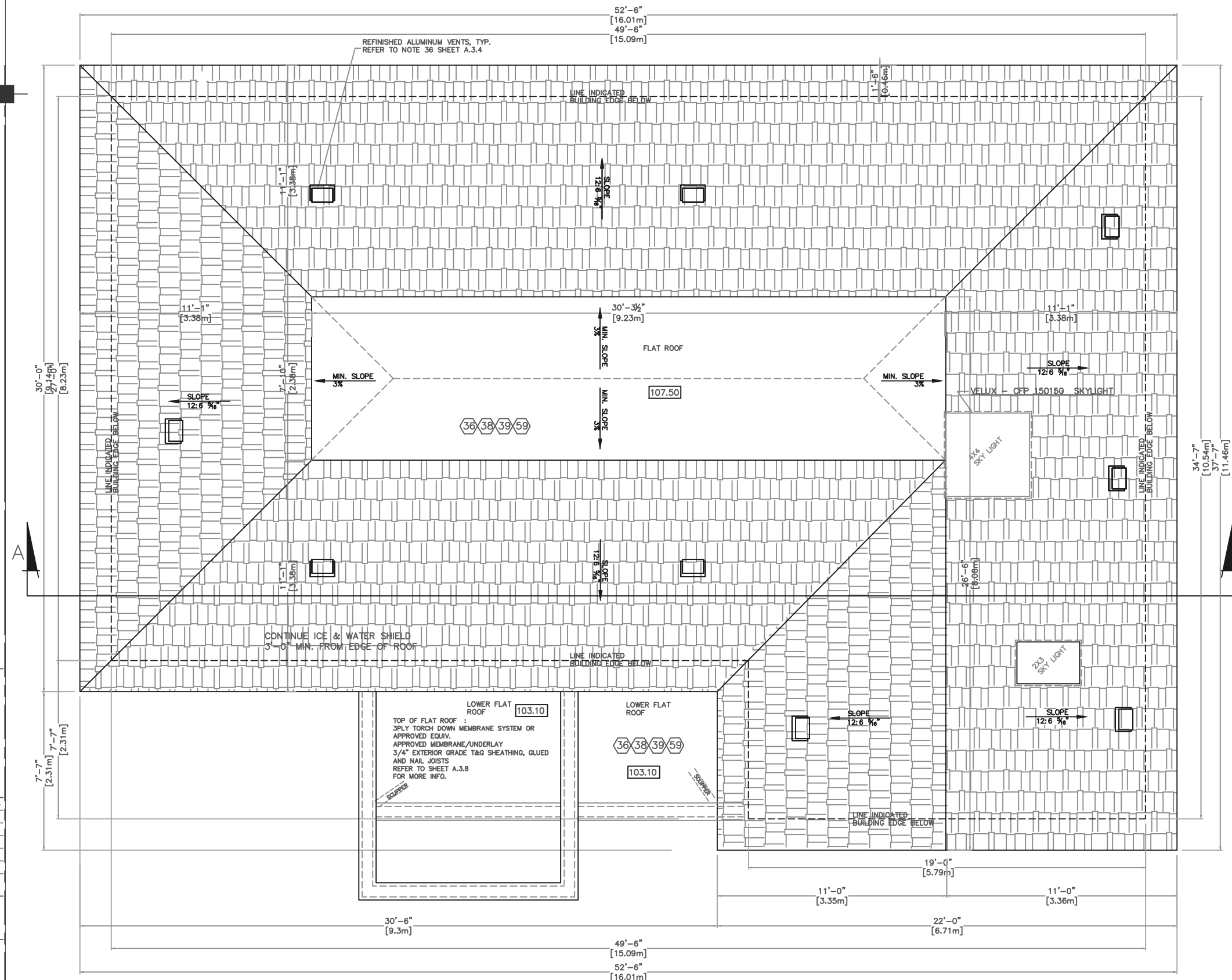
A1.4

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1	COA	March,08,2024

Project No:
23-135
Project Name:
Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1
Drawing Title:
Proposed Roof
Plan
Scale: Drawing No:
SCALE
3/16"=1'-0" **A1.8**

NOTE:
-ALL ROOF TRUSSES DESIGN BY OTHERS ALSO DIMENSIONS WHICH INDICATED ON ROOF TRUSSES DRAWINGS, SHALL BE DOUBLE CHECK BY CONTRACTOR/BUILDER AND COMPARE WITH FINAL ISSUED PERMIT DRAWINGS PRIOR TO CONSTRUCTION.
ANY DISCREPANCY IN DIMENSIONS, SHALL BE REPORTED TO DESIGNER & ROOF TRUSS COMPANY AND APPROVED NEW ROOF TRUSS DESIGN AND LAYOUT AFTER PERMIT DRAWINGS ISSUANCE, WILL SUPERSEDE THE PREVIOUS.
-FOR ROOF SHEATHING INSTALLATION REFER TO SHEET A.3.7, DETAIL 18

NOTES:
1-REFER TO EEDS FORMS TO CONFIRM INSULATION REQUIREMENTS.
2-ROOF TRUSSES AND FLOOR JOIST LAY-OUT TO MANUFACTURERS SPECIFICATIONS
3-TOP OF PLATE HEIGHT MIGHT DIFFER FROM THE CEILING HEIGHT NOTED ON ELEVATIONS, TOP OF PLATE HEIGHT TO BE CONFIRMED BY TRUSS COMPANY.

NOTE:
1-ENTIRE OF EXISTING ROOFS TO BE REPLACE WITH NEW
2-PRIOR ORDER TO MAKE ROOF TRUSSES, CONTRACTOR SHALL CHECK ALL 2X6 STUD WALLS LOCATION TO MATCH WITH ROOF TRUSS SPAS ON DRAWINGS, ANY DISCREPANCIES SHOULD BE REPORTED TO DESIGNER & ROOF TRUSS COMPANY.

ROOF TRUSSES TO TOP PLATE WALL FASTENING:
A TIE DOWN STRAP (UPLIFT PLATE) SHALL USED TO RESIST THE UPLIFT LOAD AND TYPICAL SLANT NAILING SHALL USED TO RESIST THE LATERAL LOAD. ALSO THE WALL SHEATHING MUST ATTACHED TO THE TOP MEMBER OF THE DOUBLE TOP PLATE,

NOTE:
1- BUILT-UP OVER FLAT TRUSS TOP CHORD W/ 1/2" EXTERIOR PLYWOOD 2"x2" TAPERED PURLINS 1/2" EXTERIOR PLYWOOD
2- PROVIDE ROOF VENTS MIN. 1/300 FINISH CEILING AREA, MIN. 50% TO BE AT ROOF RIDGE
3- ALL ROOF TRUSSES OR CONVENTIONAL ROOF, AND FRAMING TO CONFORM TO PART 9 OF OBC.

BUILD UP POST
 POINT LOAD
L.B.W. LOAD BEARING WALL
2X6 S.P.F.STUDS @ 16"O/C ALL INTERIOR WALLS

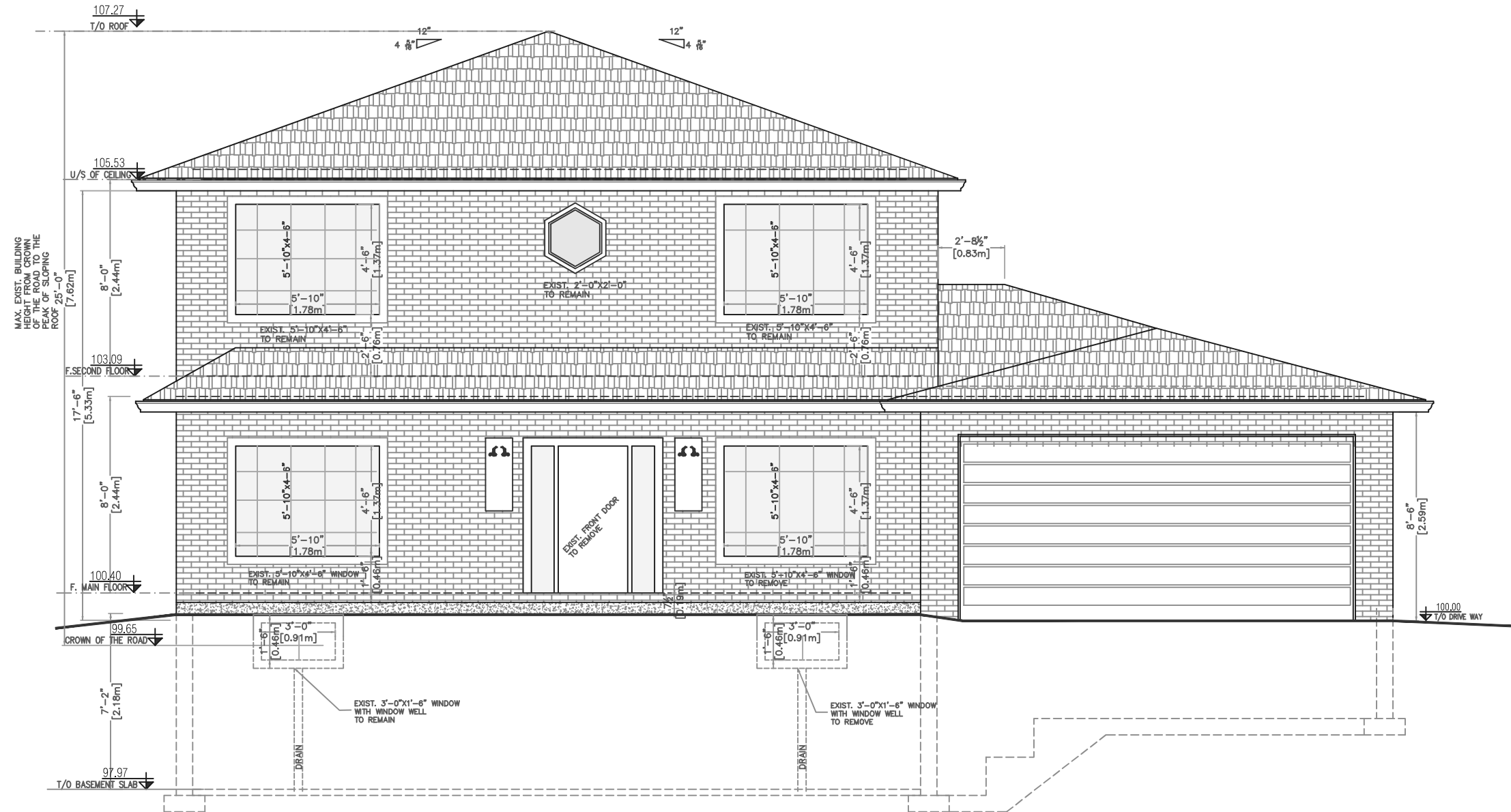
PL-SOLID BEARING (GRATER OF 4-2X8 MIN. & BEAM WIDTH)
GIRDER TRUSS..... G.T.
ROOF DESIGN LOADS
TOP CHORDS: LL=25.0 PSF
DL=10.0 PSF
BOT. CHORDS: LL=13 PSF
DL=9.0 PSF

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Project No:

23-135

Project Name:

Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Existing Front
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

A2.1

OPTIONS DESIGN & BUILD

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Project Name:

Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Existing Rear
Elevation

Scale: Drawing No:

SCALE
3/16"=1'-0"

A2.2

OPTIONS DESIGN & BUILD

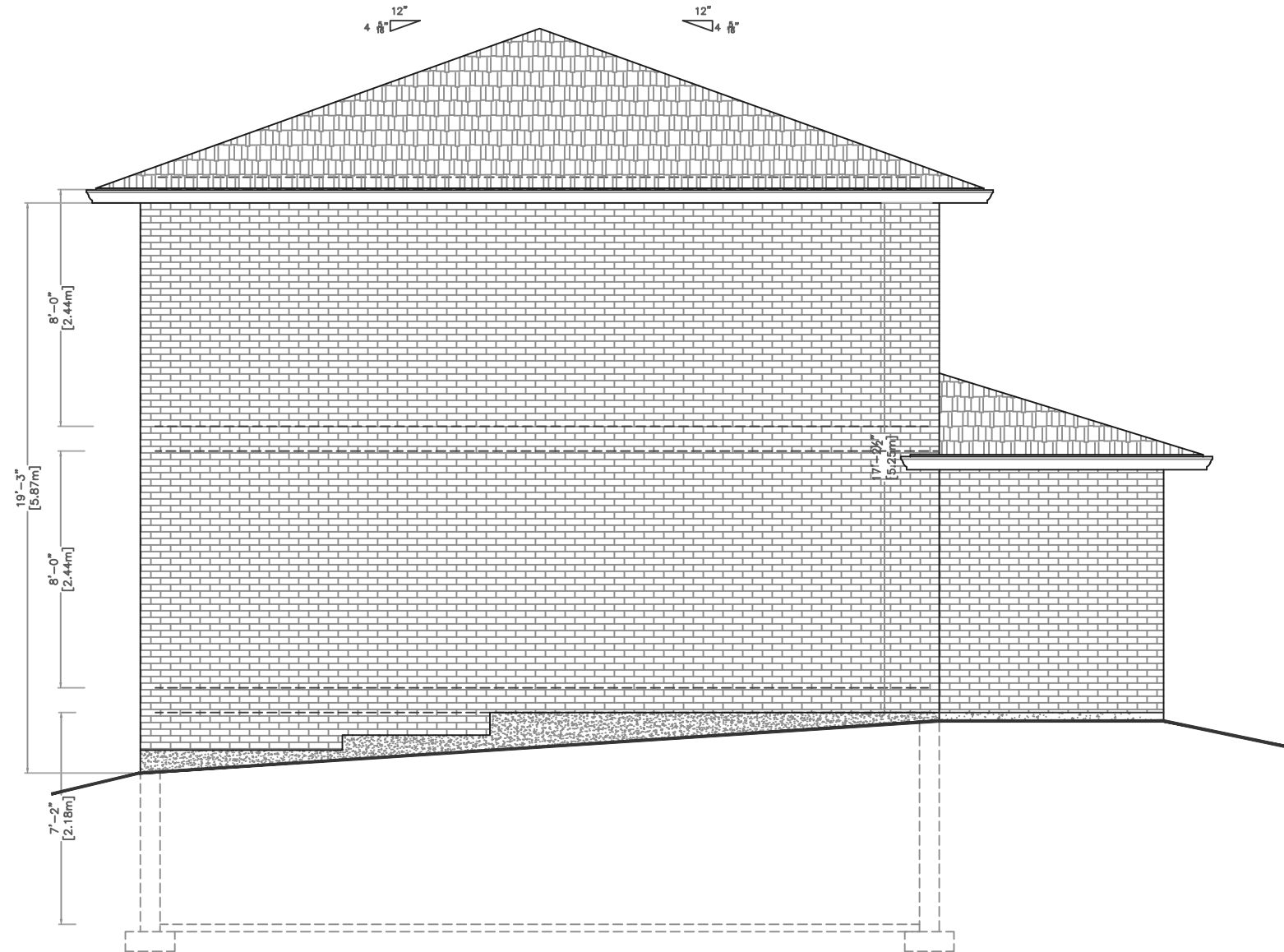
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23-135

Project Name:

Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Existing North
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

A2.3

OPTIONS DESIGN & BUILD

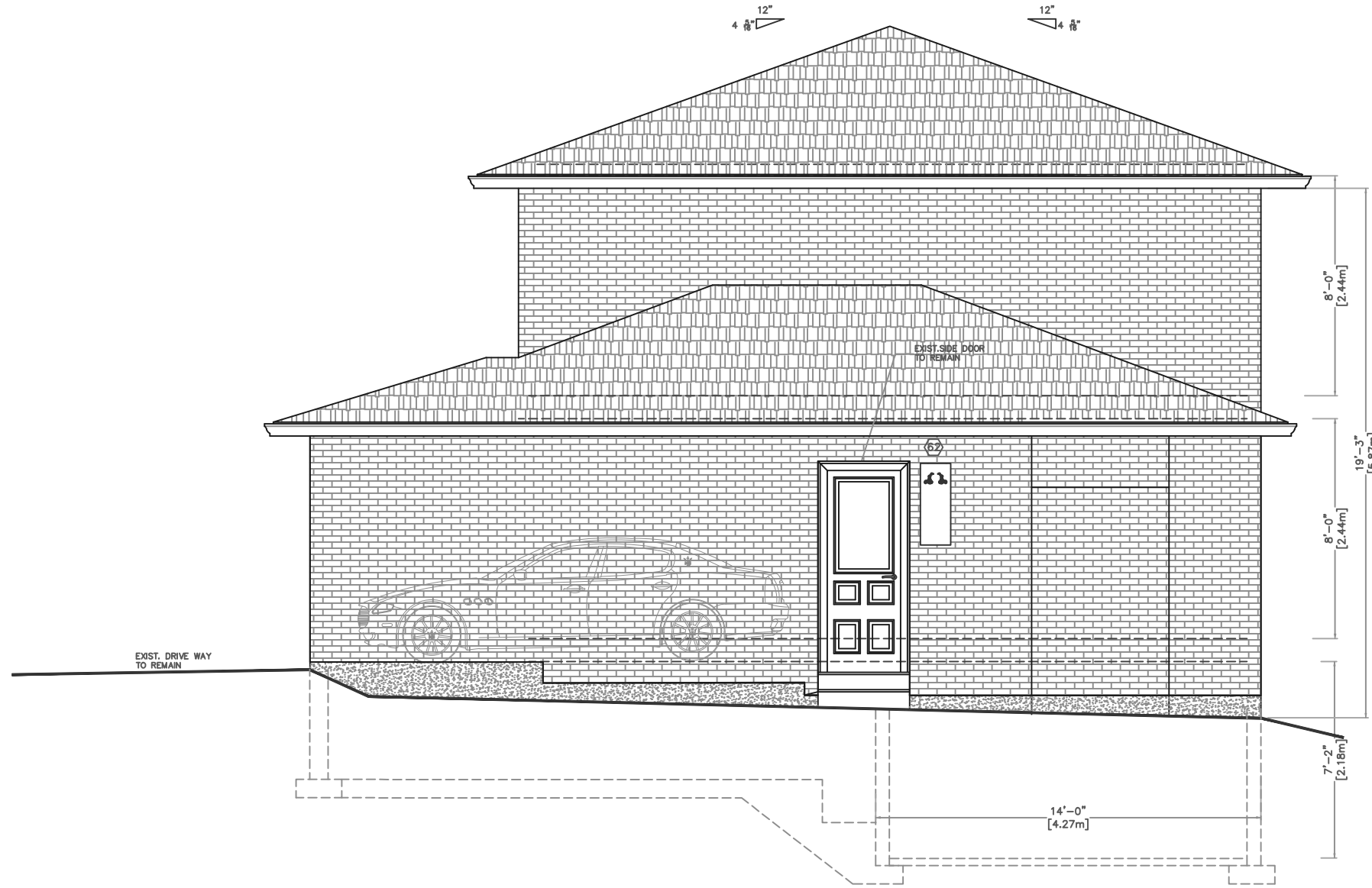
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Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Existing South
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

A2.4

OPTIONS DESIGN & BUILD

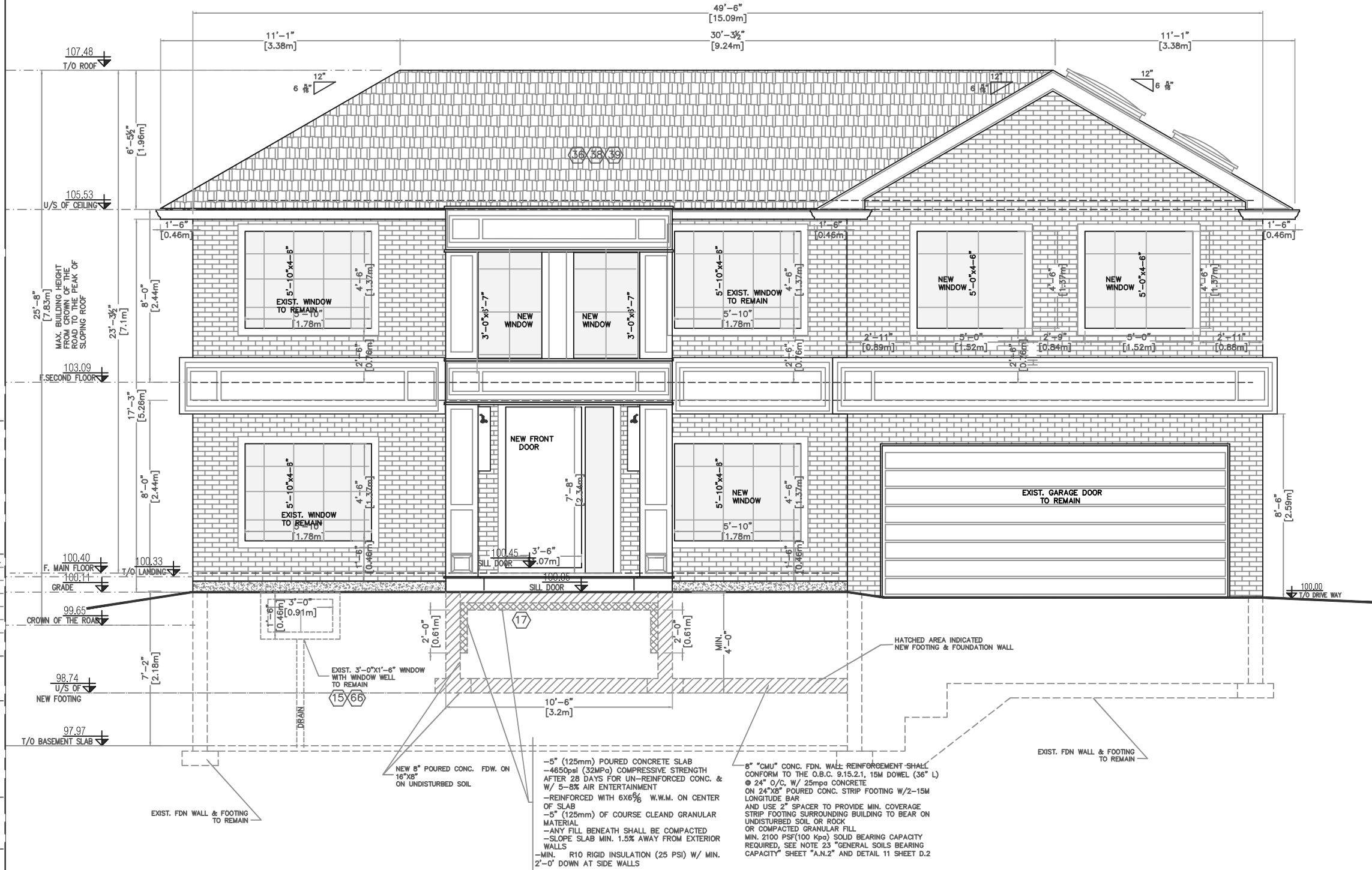
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Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Proposed Front
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

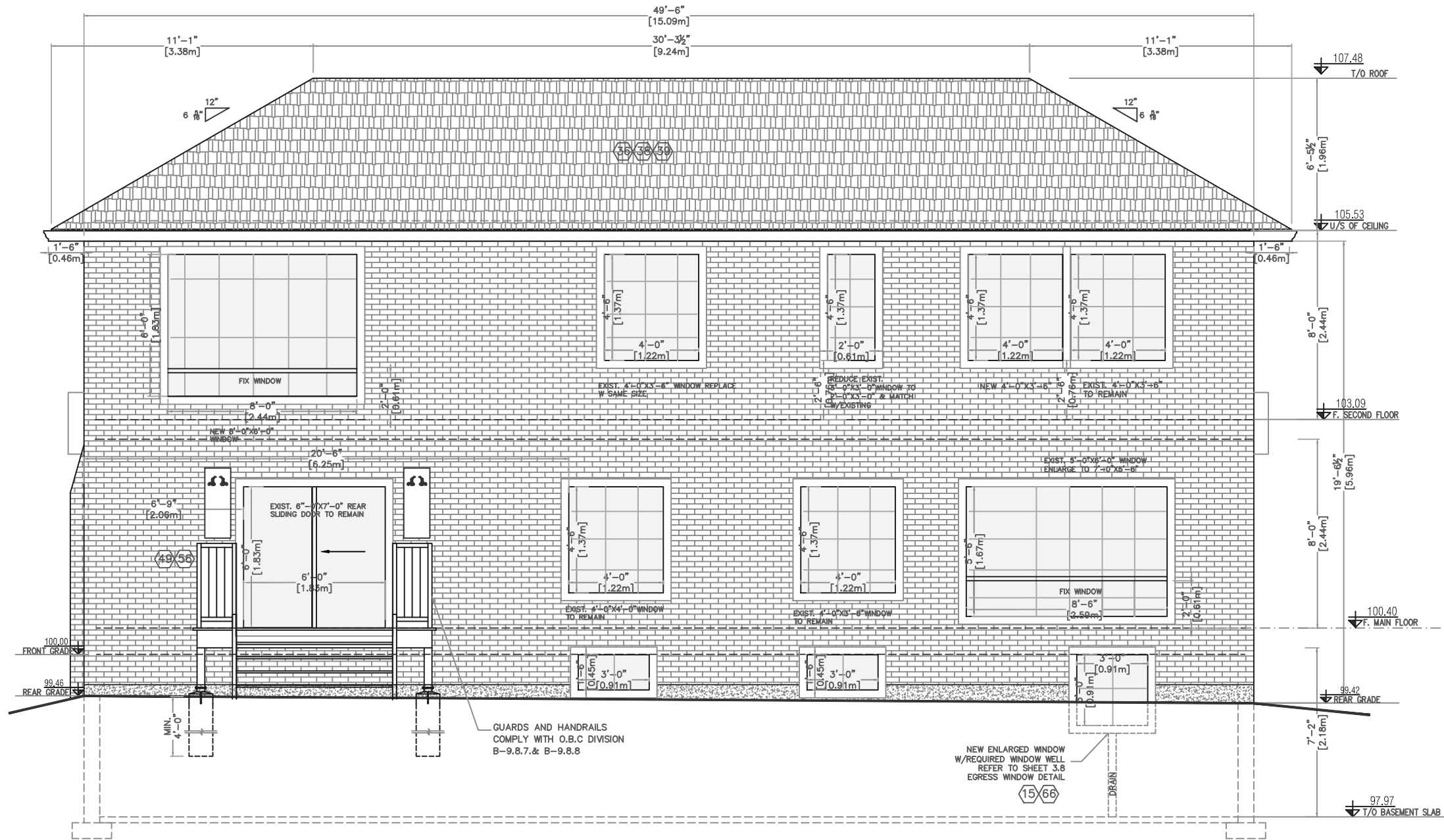
A2.5

OPTIONS DESIGN & BUILD

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Detached building
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Thornhill, ON.
L3T 1N1

Drawing Title:

Proposed Rear
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

A2.6

OPTIONS DESIGN & BUILD

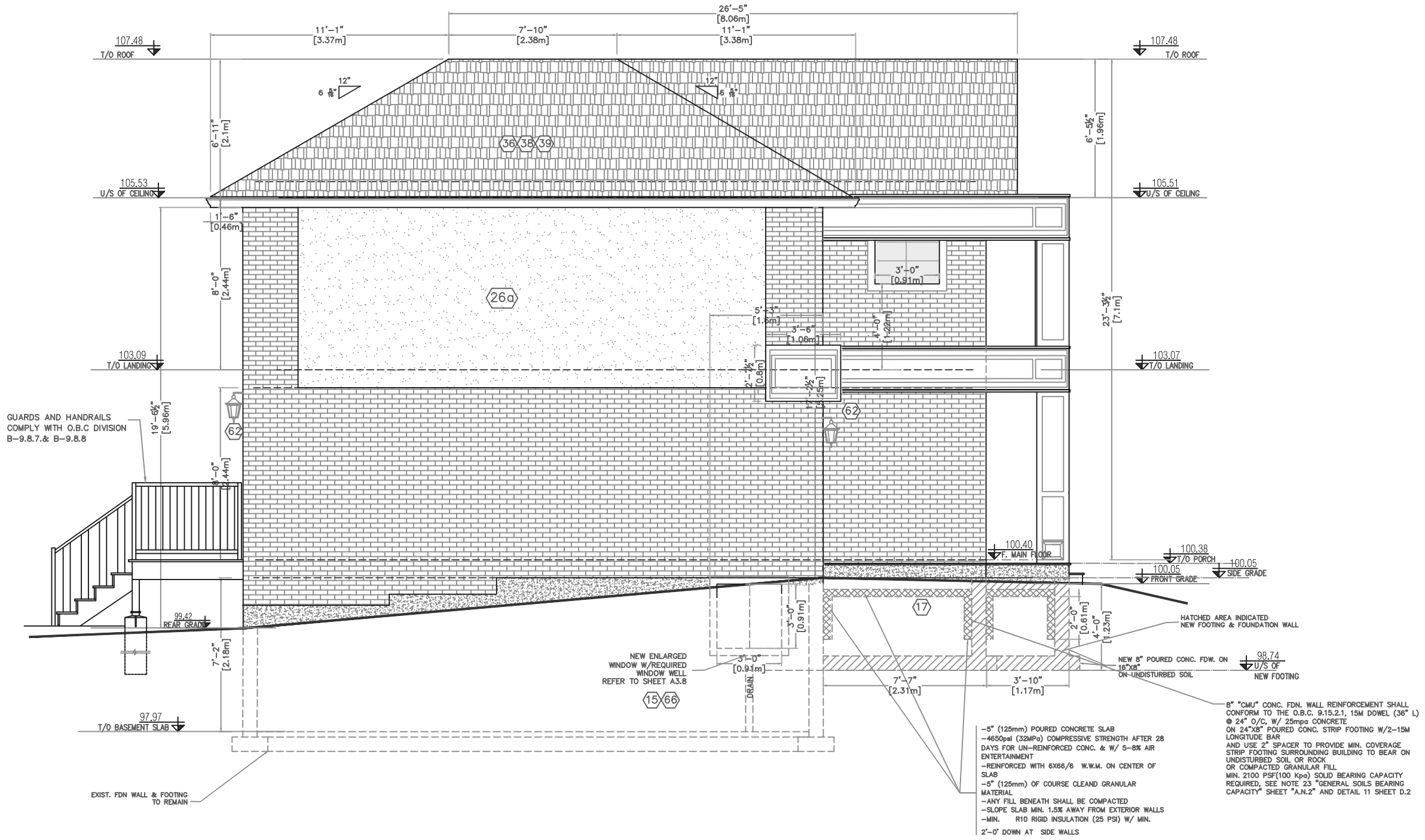
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GUARDS AND HANDRAILS
COMPLY WITH O.B.C DIVISION
B-9.8.7. & B-9.8.8

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Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:
Proposed North
Elevation

Scale: Drawing No:
SCALE **A2.7**
3/16"=1'-0"

- 5" (125mm) POURED CONCRETE SLAB
 - 4650psi (32MPa) COMPRESSIVE STRENGTH AFTER 28 DAYS FOR UN-REINFORCED CONC. & W/ 5-8% AIR ENTERTAINMENT
 - REINFORCED WITH 6X6/6 W.W.M. ON CENTER OF SLAB
 - 5" (125mm) OF COURSE CLEAN GRANULAR MATERIAL
 - ANY FILL BENEATH SHALL BE COMPACTED
 - SLOPE SLAB MIN. 1.5% AWAY FROM EXTERIOR WALLS
 - MIN. R10 RIGID INSULATION (25 PSI) W/ MIN. 2'-0" DOWN AT SIDE WALLS
- 8" "CMU" CONC. FDN. WALL REINFORCEMENT SHALL CONFORM TO THE O.B.C. 9.15.2.1, 15M DOWEL (36" L) @ 24" O/C, W/ 25mpa CONCRETE ON 24"x8" POURED CONC. STRIP FOOTING W/2-15M LONGITUDE BAR AND USE 2" SPACER TO PROVIDE MIN. COVERAGE STRIP FOOTING SURROUNDING BUILDING TO BEAR ON UNDISTURBED SOIL OR ROCK OR COMPACTED GRANULAR FILL MIN. 2100 PSF(100 Kpa) SOLID BEARING CAPACITY REQUIRED, SEE NOTE 23 "GENERAL SOILS BEARING CAPACITY" SHEET "A.N.2" AND DETAIL 11 SHEET D.2

OPTIONS DESIGN & BUILD

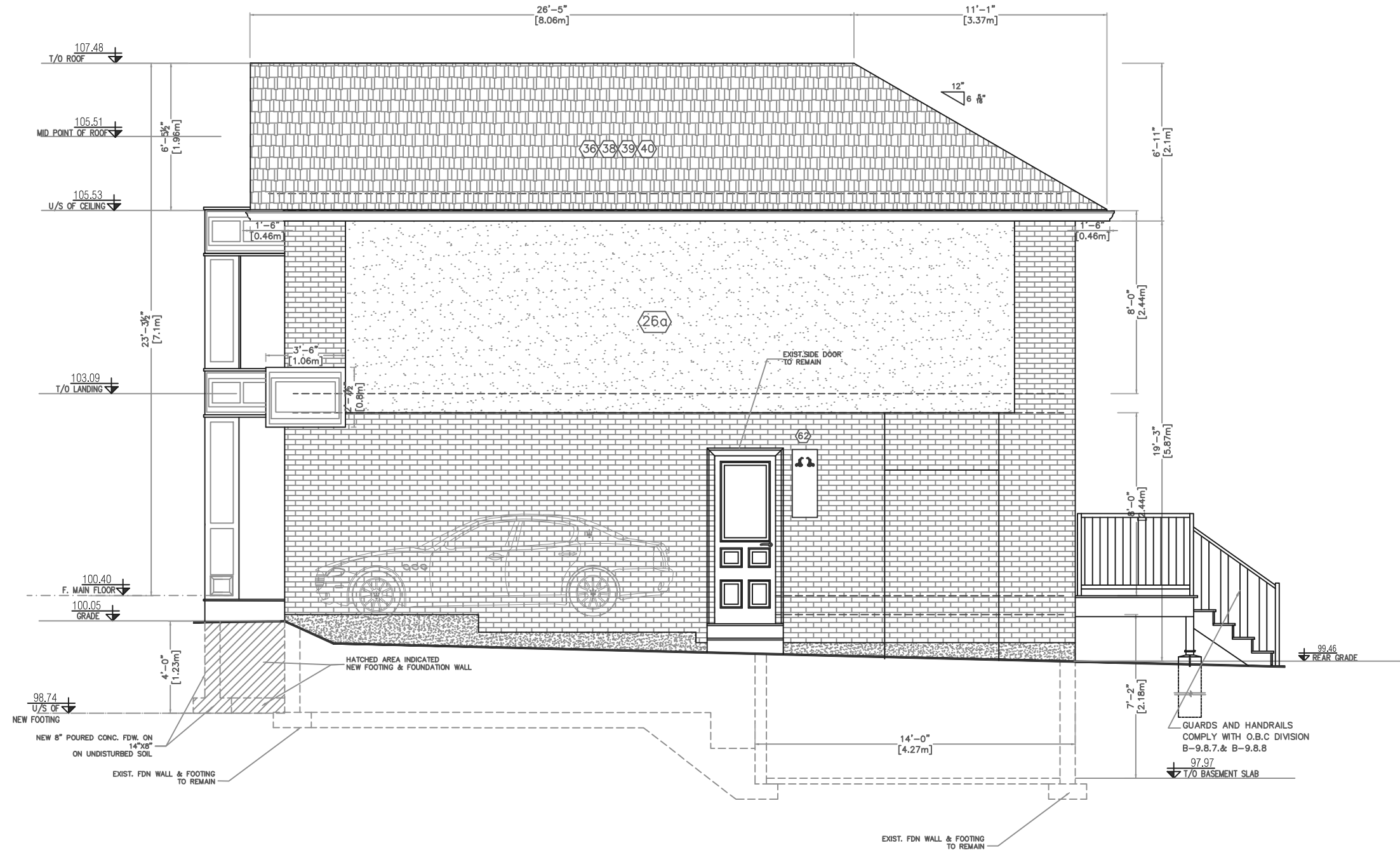
Planning Design Management

1701 Creditstone Rd.
Concord, Ontario, L4K 5V6
T 647.703.2786
T 416.879.7976

Appendix B

File: 24.164216.000.00.MNV

Date: 5/10/2024
MM/DD/YY



- 1- ALL WORK SHALL BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE ONTARIO BUILDING CODE.
- 2- VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- 3- DO NOT SCALE DRAWINGS.
- 4- ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO DESIGNER BY PHONE AND SUBSEQUENT WRITTEN CONFIRMATION PRIOR TO COMMENCEMENT OF THE WORK.
- 5- USE ONLY LATEST REVISED DRAWINGS OF THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
- 6- ALL STRUCTURAL DESIGN MUST BE REVIEWED AND APPROVED BY CERTIFIED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION.

Issued For:

1	COA	March, 08, 2024

Project No:

23-135

Project Name:

Addition to Exist. two Sty Building
Detached building
98 Babcoombe Dr.
Thornhill, ON.
L3T 1N1

Drawing Title:

Proposed South
Elevation

Scale: Drawing No:

SCALE

3/16"=1'-0"

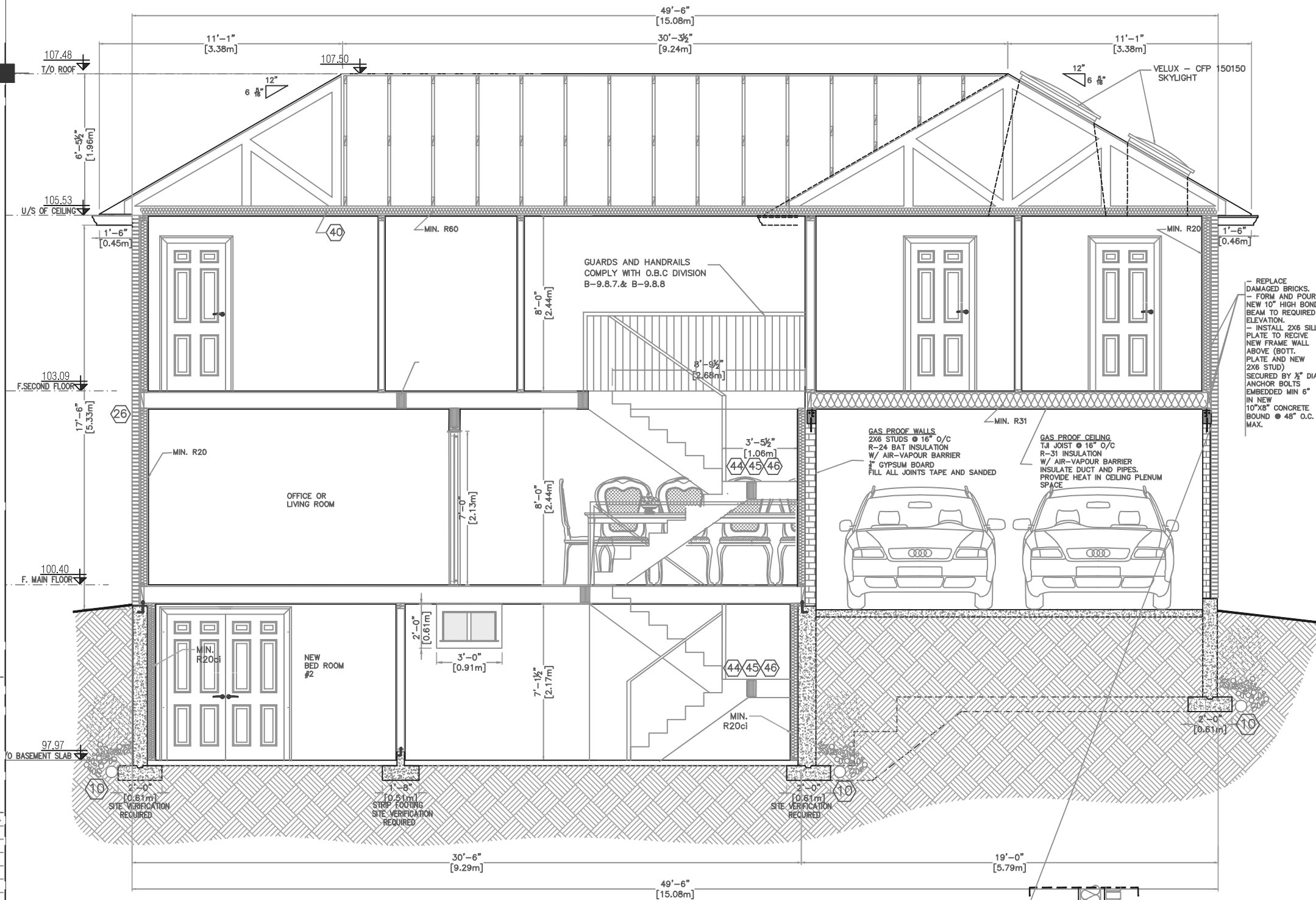
A2.8

OPTIONS DESIGN & BUILD

Planning Design Management
1701 Creditstone Rd.
Concord, Ontario, L4K 5V6
T 647.703.2786
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Appendix B

File: 24.164216.000.00.MNV
Date: 5/10/2024
MM/DD/YY



REPLACE DAMAGED BRICKS.
FORM AND POUR NEW 10" HIGH BOND BEAM TO REQUIRED ELEVATION.
INSTALL 2X6 SILL PLATE TO RECEIVE NEW FRAME WALL ABOVE (BOTT. PLATE AND NEW 2X6 STUD) SECURED BY 1/2" DIA ANCHOR BOLTS EMBEDDED MIN 6" IN NEW 10"X8" CONCRETE BOUND @ 48" O.C. MAX.

GAS PROOF WALLS
2X6 STUDS @ 16" O/C
R-24 BAT INSULATION
W/ AIR-VAPOUR BARRIER
7" GYPSUM BOARD
FILL ALL JOINTS TAPE AND SANDED

GAS PROOF CEILING
TJI JOIST @ 16" O/C
R-31 INSULATION
W/ AIR-VAPOUR BARRIER
INSULATE DUCT AND PIPES.
PROVIDE HEAT IN CEILING PLENUM SPACE

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Drawing Title:

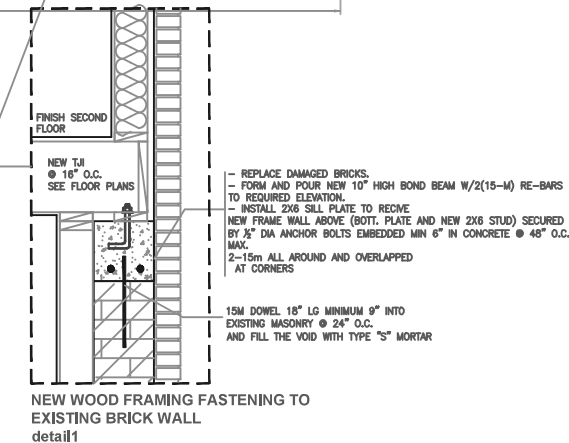
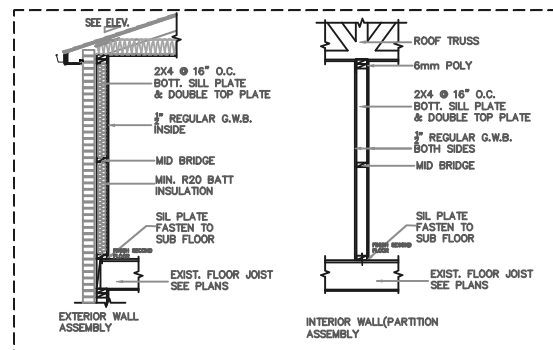
Proposed
Section A-A

Scale: Drawing No:

SCALE

3/16"=1'-0"

A4.1



APPENDIX “C”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/023/24

1. The variances apply only to the proposed development as long as it remains; and
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 "Hussnain Mohammad". The signature is written in a cursive style with a large initial 'H'.

Hussnain Mohammad, Planner 1, Development Facilitation Office