

Memorandum to the City of Markham Committee of Adjustment

September 19, 2023

File: A/137/23
Address: 52 Jondan Crescent, Markham (Thornhill)
Owner: Gerry Morra
Agent: Gerry Morra
Hearing Date: Wednesday, September 27, 2023

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

The Owner is requesting relief from the following “Third Density Single Family Residential (R3A)” zone requirements of By-law 2489, as amended, as it relates to a proposed covered front porch and roof alteration. The variances requested are to permit:

a) By-law 2489, Section 3.7:

a front yard unenclosed roofed porch encroachment of 80 inches, whereas the By-law permits a maximum encroachment of 18 inches into the required front yard setback.

b) By-law 2489, Section 3.7:

a front yard hip roof eaves encroachment of 20 inches, whereas the By-law permits a maximum encroachment of 18 inches.

BACKGROUND

Property Description

The 561.80 m² (6,047.16 ft²) Subject Lands are located on the east side of Jondan Crescent, north of Romfield Circuit, and generally east of Bayview Avenue (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. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments.

There is an existing 151.10 m² (1,626.43 ft²) two-storey detached dwelling on the Subject Lands which was constructed in 1971, according to assessment records.

Proposal

The Owner is proposing to construct a new 10.50 m² (113.02 ft²) covered front porch and roof alteration to the existing dwelling, 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 2489, as amended

The Subject Lands are zoned “Third Density Single Family Residential (R3A)” under By-law 2489, as amended, which permits a single detached dwelling. The proposed development does not comply with the By-law requirements with respect to roof encroachments into the front yards.

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 116056) 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.

Increased Maximum Eaves/Roofed Encroachment Variance

The Applicant is requesting a maximum eaves projection of an unenclosed roofed porch of 80 inches (2.0 metres) into the front yard setback, whereas the By-law permits eaves to project a maximum of 18.0 inches (0.46 metres) into the front yard setback.

This is an increase of 62 inches (1.46 metres), and staff have confirmed this would not encroach into the adjacent property. Engineering Staff have not raised any concerns or objections to the variances with respect to water runoff, and Planning Staff are of the opinion that the requested variance is minor in nature.

The Applicant is also requesting a maximum eaves projection of a front hip roof of 20 inches (0.51 metres) into the front yard setback, whereas the By-law permits eaves to project a maximum of 18.0 inches (0.46 metres) into the front yard setback.

This is an increase of 2 inches (0.05 metres), and staff have confirmed this would not encroach into the adjacent property. Engineering Staff have not raised any concerns or objections to the variances with respect to water runoff, and Planning Staff are of the opinion that the requested variance is minor in nature.

PUBLIC INPUT SUMMARY

No written submissions were received as of September 19, 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 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:



Hussnain Mohammad, Planner 1, Development Facilitation Office

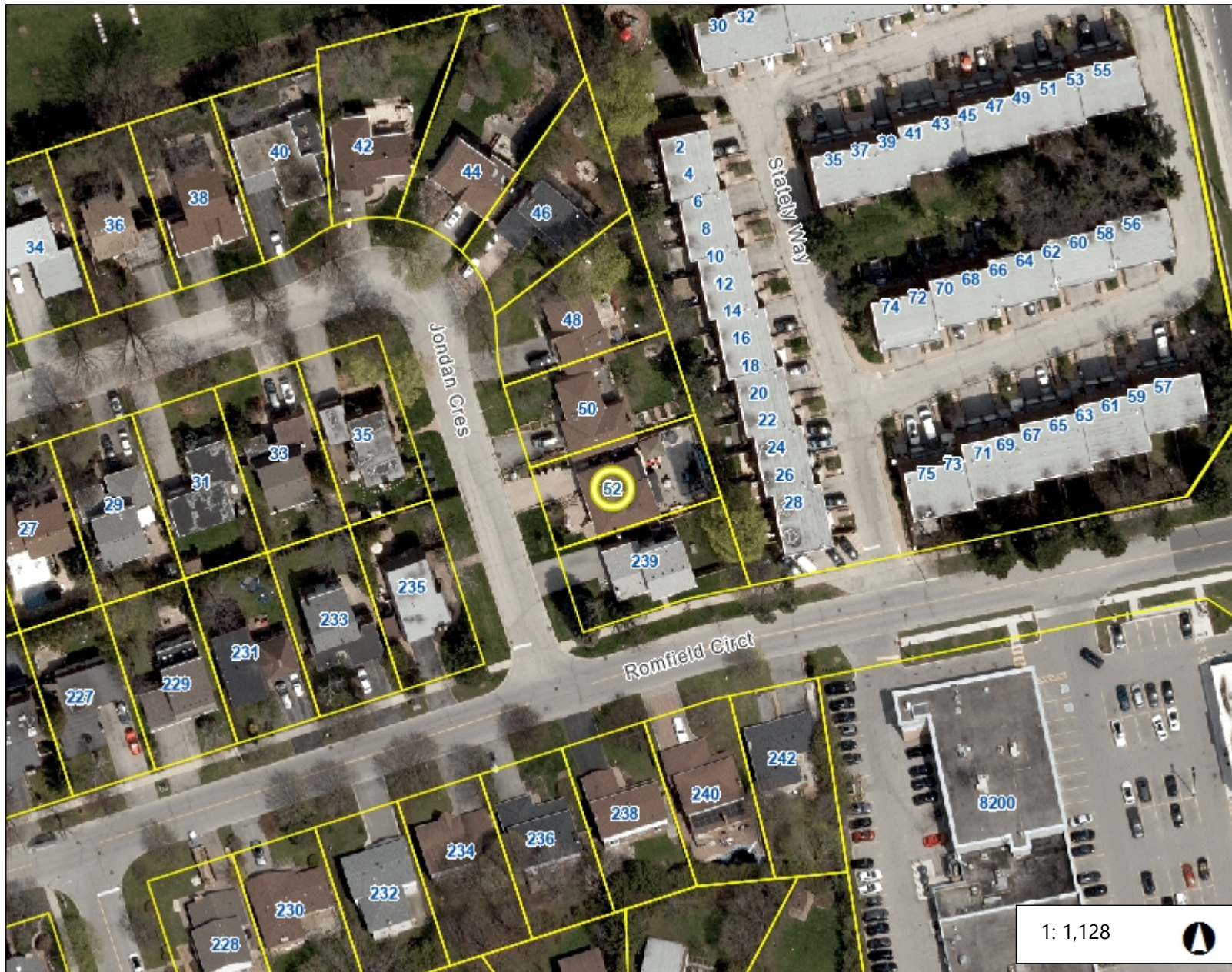
REVIEWED BY:



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

APPENDICES

- Appendix “A” – Aerial Context Photo
- Appendix “B” – Plans
- Appendix “C” – A/137/23 Conditions of Approval



Legend

Subject Lands

1: 1,128



57.3 0 28.65 57.3 Meters

Notes

PROPOSED COVERED FRONT PORCH & ROOF ALTERATION

52 Jondan Cres., Thornhill, ON L3T 3Z5

A0-COVER PAGE

A1-SITE PLAN

A2-FRONT PORCH FOUNDATION PLAN

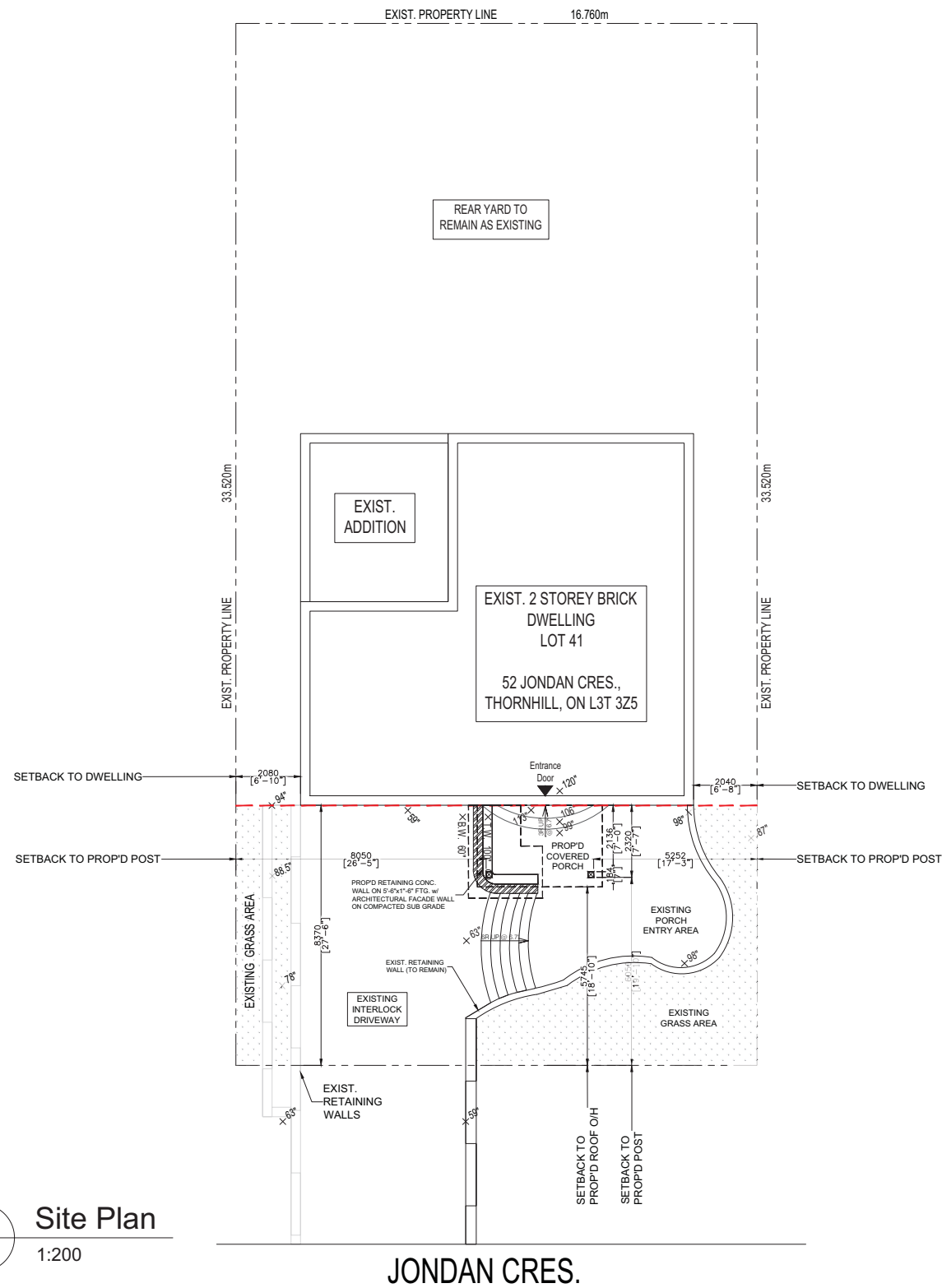
A3-FRONT PORCH PLAN

A4-FRONT PORCH ROOF PLAN

A5-PROPOSED PORCH DETAILS

A6-PROPOSED ELEVATIONS

**Square
Design
Group**



SITE DEVELOPMENT	
CATEGORY	AREA
TOTAL LOT AREA	561.8 m ²
HOUSE FOOTPRINT	151.1 m ²
PROPOSED FRONT PORCH FOOTPRINT	10.5 m ²
LOT COVERAGE	PROVIDED
EXISTING HOUSE	26.9%
PROPOSED FRONT PORCH	1.9%
TOTAL COVERAGE	28.8%
FRONT YARD AREA	140.2 m ²
SOFT LANDSCAPE AREA (REQ'D 50%)	44.4 m ² (31.6%)
HARD LANDSCAPE AREA	95.8 m ² (68.4%)

LEGEND	
X.X.XX	-Proposed Grades
X.XX	-Existing Grades
▲	-Entrance Door
---	-Front yard line

1 Site Plan
A1 1:200



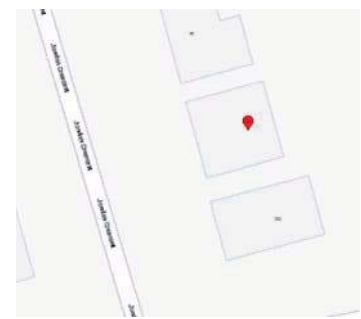
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GENERAL NOTES
 CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
 THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.

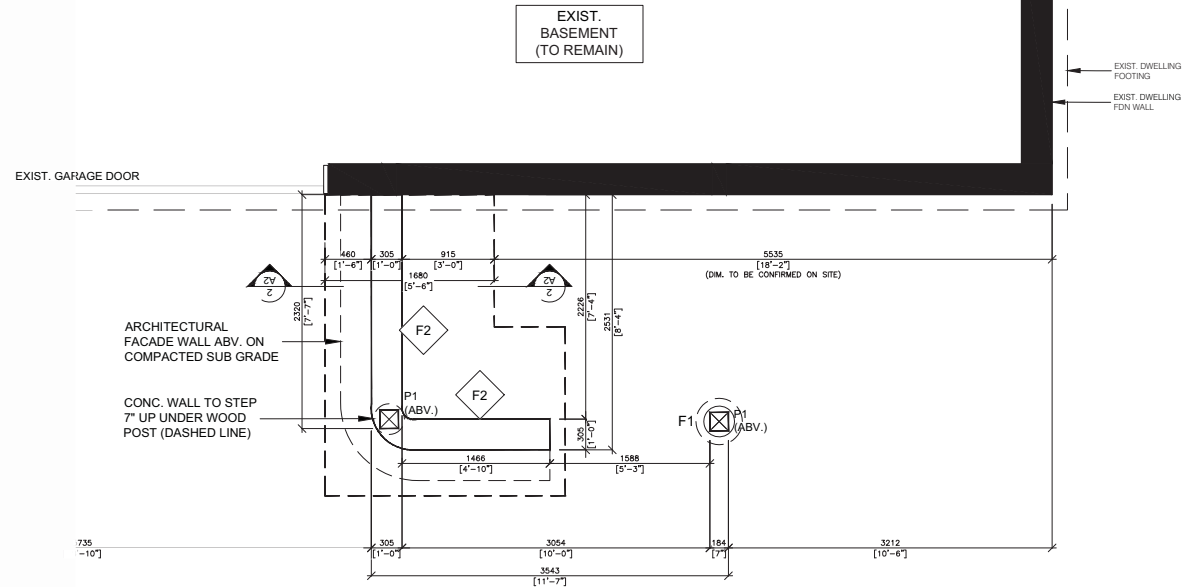
PROJECT NAME: **52 Jondan Cres., Thornhill, ON L3T 3Z5**

DRAWING TITLE: **Site Plan**

DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: _____



SHEET NO:
A1



1 Porch Structural / Foundation Plan
A2 1:75

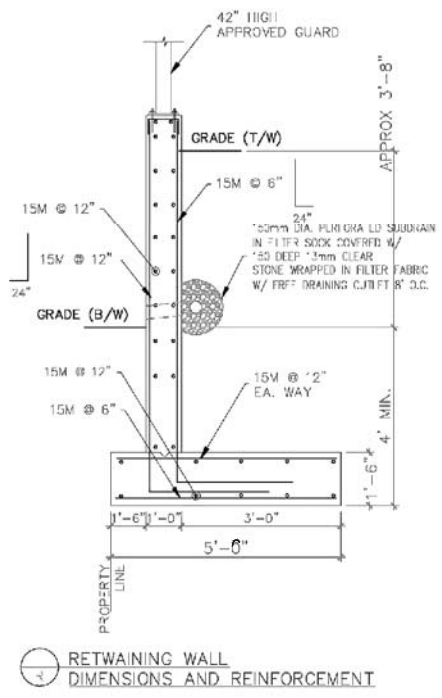
GENERAL NOTES:

- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH ONTARIO BUILDING CODE ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH ONTARIO BUILDING CODE AND REGULATIONS.
- DESIGN LIVE LOADS ARE (North York):
ROOF : $S_s = 1.2$ KPA, $S_r = 0.4$ KPA
FLOORS : 40 PSF
WIND 1/50 : 0.44 KPA BASIC
EARTHQUAKE : $S_a(0.2) = 0.19$
- MATERIALS SHALL BE AS FOLLOWS: MATERIALS SHALL BE AS FOLLOWS:
3.1 CONCRETE 32MPA AT 28 DAYS WITH 5%-8% AIR ENTRAINMENT CONCRETE 32MPA AT 28 DAYS WITH 5%-8% AIR ENTRAINMENT
3.2 REINFORCEMENT STEEL, CSA G30, 18M, GRADE 400 REINFORCEMENT STEEL, CA G30, 18M, GRADE 400
3.3 GROUT, HILTI HIT HY 200 OR EQUAL GROUT, HILTI HIT HY 200 OR EQUAL
3.4 4" & 2" STYROFOAM SM INSULATION W/ THE FOLLOWING PHYSICAL PROPERTIES: 4" & 2" STYROFOAM SM INSULATION W/ THE FOLLOWING PHYSICAL PROPERTIES:
THERMAL RESISTANCE PER INCH : R-VALUE 5.0
COMPRESSIVE STRENGTH : 30 PSI, 210 KPA
3.5 BACKFILL TO BE OPS GRANULAR B1, OR SUITABLE EXCAVATED MATERIAL BACKFILL TO BE OPS GRANULAR B1, OR SUITABLE EXCAVATED MATERIAL.
3.6 LVL'S TO HAVE MATERIAL PROPERTIES OF 2900FB & 1.9E OR GREATER. LIVE LOAD DEFLECTION FOR IS LVL'S L/360.
FOR EXPOSED USE LVL'S MUST COME WITH TREATMENT.
- ASSUMED MINIMUM SOIL BEARING CAPACITY BELOW NEW FOUNDATION SYSTEM IS 75KPA. CONTACT ENGINEER IF SOFT CLAY, FILL OR ORGANIC SOIL IS ENCOUNTERED.
- ELECTRIC FEED FOR THE LIGHT TO BE SEPARATE FROM ANY OTHER SWITCHED CIRCUIT. ELECTRIC FEED FOR THE LIGHT TO BE SEPARATE FROM ANY OTHER SWITCHED CIRCUIT.
- EXTERIOR DOOR SHALL CONFORM TO STANDARD AS PER O.B.C. AND RESIST FORCE ENTRY.
- GLASS TO ENTRANCE DOOR TO HOUSE OR INDIVIDUAL DWELLING UNITS SHALL BE SAFETY GLASS TO ENTRANCE DOOR TO HOUSE OR INDIVIDUAL DWELLING UNITS SHALL BE SAFETY GLASS OR WIRED GLASS WHERE THE AREA GLASS EXCEEDS 0.5 SQ.M AND EXTENDS TO LESS THAN 900MM FROM THE BOTTOM OF THE DOOR AS PER OBC 2012 DIV. B.9.6.1.4(2)
- EXTERIOR STAIRS
200mm RISE MAXIMUM
125mm MINIMUM
210mm RUN MINIMUM
355mm MAXIMUM
255mm TREAD MINIMUM 355mm MAXIMUM
- PRE-ENGINEERED GUARDS
1070mm HIGH WHERE DISTANCE FROM GRADE TO BOTTOM OF WALKOUT EXCEEDS 1800mm:
900mm FOR LESSER HEIGHTS, MAXIMUM 100mm BETWEEN VERTICAL PICKETS

FOUNDATION SCHEDULE:

F1: 1'-0" FOOTING SONOTUBE WITH 18" EXPANDED BASE. CONCRETE STRENGTH SHALL BE 32 MPA W/ 5-8% AIR ENTRAINMENT ON NATIVE SOIL. MIN. 4'-0" DEPTH, TYP.

F2: 12" (305mm) POURED FOUNDATION WITH 66"x18" FOOTING
1/2" FROST BREAK MIN. CONCRETE STRENGTH SHALL BE 32 MPA WITH 5-8% AIR ENTRAINMENT. ON NATIVE SOIL.
MIN. 4'-0" DEPTH
ADD 4" WEEPING TILE AROUND FOUNDATION WALL AS PER OBC



2 Foundation Section Detail
A2 1:50

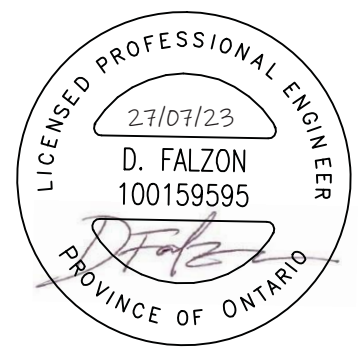
- GENERAL NOTES:**
- ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR. ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR.
 - STUDS SHALL BE STUD GRADE SPRUCE, UNLESS OTHERWISE NOTED.
 - JOIST HANGERS: PROVIDE APPROVED METAL HANGERS FOR ALL JOISTS AND BUILT-UP WOOD MEMBERS INTERSECTING WITH BUILT-UP WOOD MEMBERS.
 - WOOD FRAMING NOT TREATED WITH A WOOD PRESERVATIVE IN CONTACT WITH CONCRETE SHALL BE SEPARATED FROM THE CONCRETE BY AT LEAST 2mm POLYURETHANE FLM, No. 50 (42bb) ROLL ROOFING OR OTHER DAMPPROOFING MATERIAL.
- 2.2 STEEL:**
- STEEL SHALL CONFORM TO CAN/CSA-G40-21 GRADE 300W. HOLLOW STRUCTURAL SECTIONS SHALL CONFORM TO CAN/CSA-G40-21 GRADE 350W CLASS H.
 - REINFORCING STEEL SHALL CONFORM TO CSA-G30-18M GRADE 400W.
- 2.3 CONCRETE:**
- THE MINIMUM COMPRESSIVE STRENGTH F_c OF ALL CONCRETE SHALL BE 30MPa.
 - CLEAR COVER TO REINFORCING STEEL SHALL BE AS FOLLOWS:
100mm +/- 20mm FOR TYPICAL CASES AGAINST EARTH
70mm +/- 20mm FOR WALLS UNLESS NOTED

FOUNDATION GENERAL NOTES: OBC 9.15.3.

- ALL CONCRETE FOOTINGS SHALL REST ON UNDISTURBED SOIL WITH ALLOWABLE BEARING CAPACITY OF 150 KPA (ULS) 100 KPA (SLS). (TO BE SITE VERIFIED BY GEOTECHNICAL ENG.) AND BE FOUNDED A MIN. OF 4'0" BELOW FINISHED GRADE.
- CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 30 MPa AFTER 28 DAYS.
- STRUCTURAL STEEL MEMBERS AND INSERTS SHALL BE CSA PURPOSE STEEL.
- BACKFILL SHALL BE PLACED AND COMPACTED EQUALLY ON BOTH SIDES OF FOUNDATION WALLS TO AVOID LATERAL LOADING.

CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12.



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GENERAL NOTES

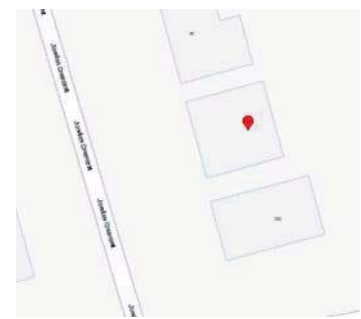
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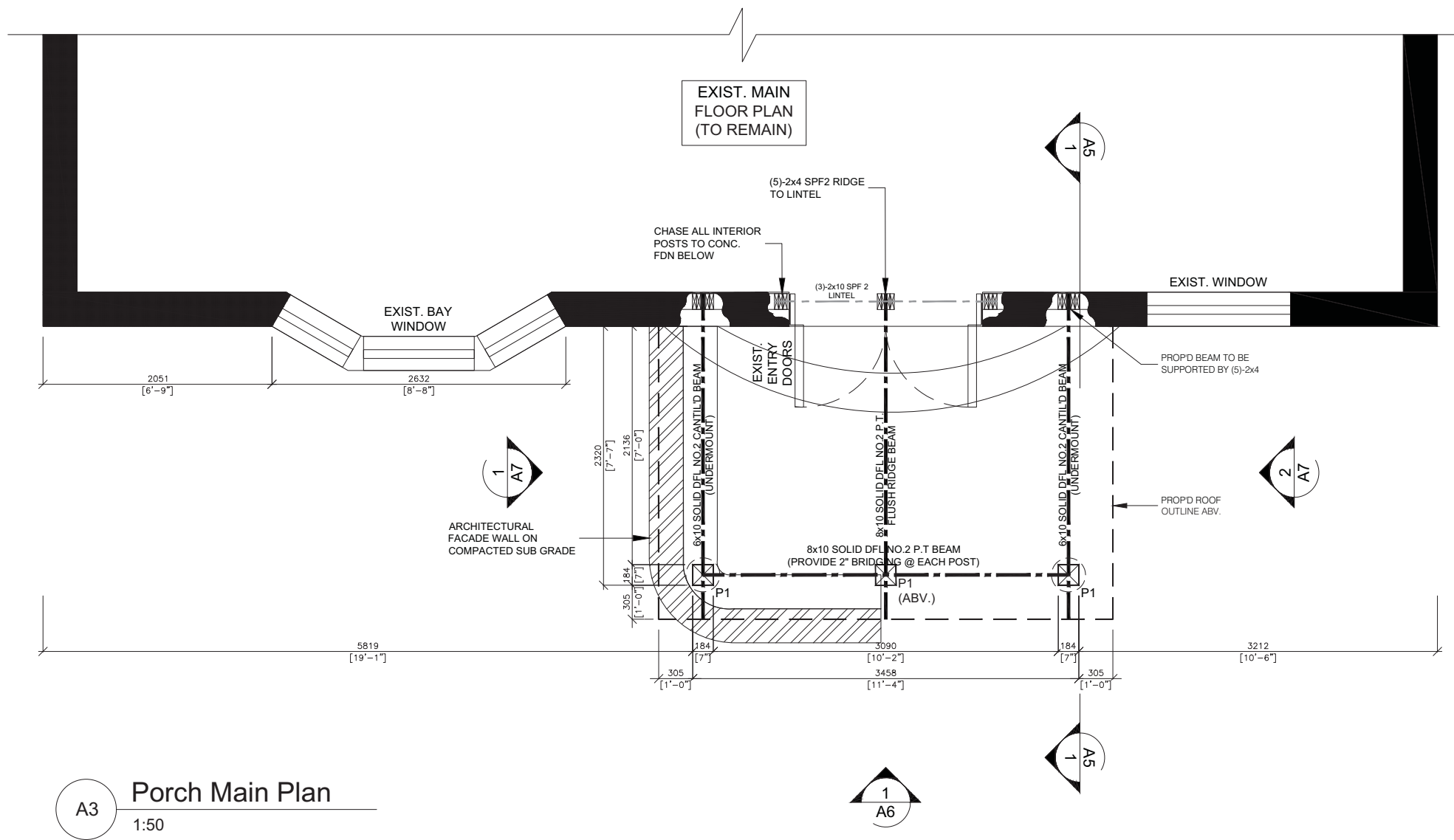
PROJECT NAME: **52 Jondan Cres., Thornhill, ON L3T 3Z5**

DRAWING TITLE: **Foundation Structural Plan**

DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: _____



SHEET NO:
A2

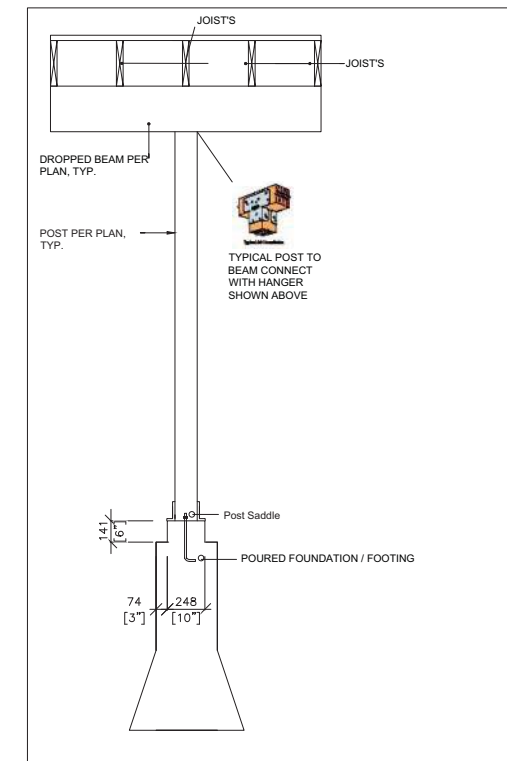


POST SCHEDULE

P1: 8"x8" SOLID P.T. POST

P1: 8"x8" SOLID P.T. POST

- ALL POSTS TO BE ON STEEL POST SHOE
- ANY FRAMING TO BE ON SIL GASKET
- ANY LVL BEAMS EXPOSED TO EXTERIOR TO BE PROTECTED FROM ELEMENTS BASED ON MANUFACTURE SPECS
- ANY LUMBER EXPOSED TO OUTDOOR ELEMENTS TO BE WEATHER TREATED
- ANY CONNECTION TO BE DONE WITH PROPER SIMPSON STRONG TIE OR COMPLY WITH OBC



TYP. CONNECTION DETAIL



A3 Porch Main Plan
1:50

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GENERAL NOTES

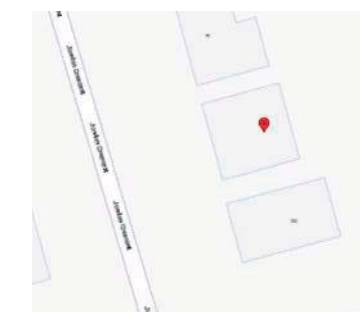
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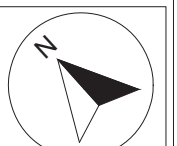
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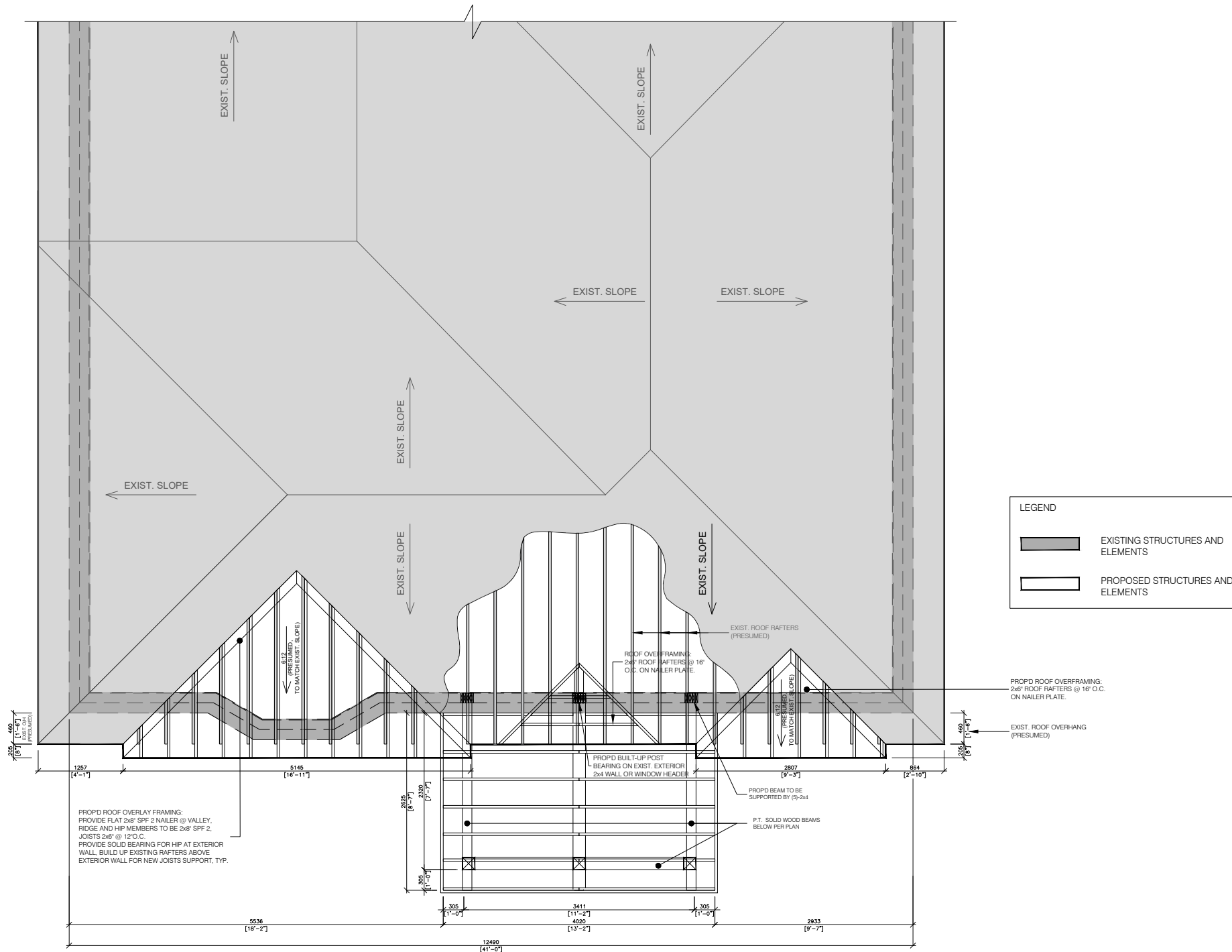
DRAWING TITLE: **Porch Plan**

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SHEET NO:
A3





1
A4
Porch Roof Framing Plan
1:75

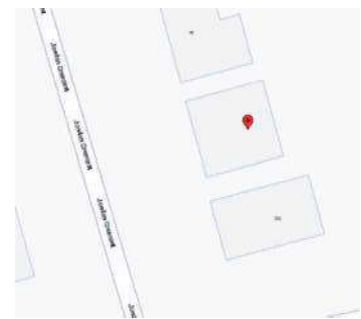
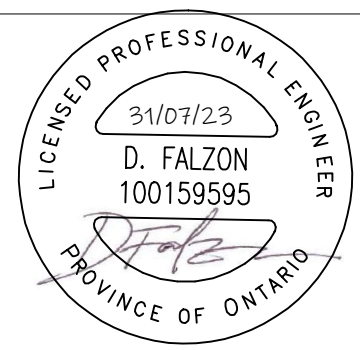
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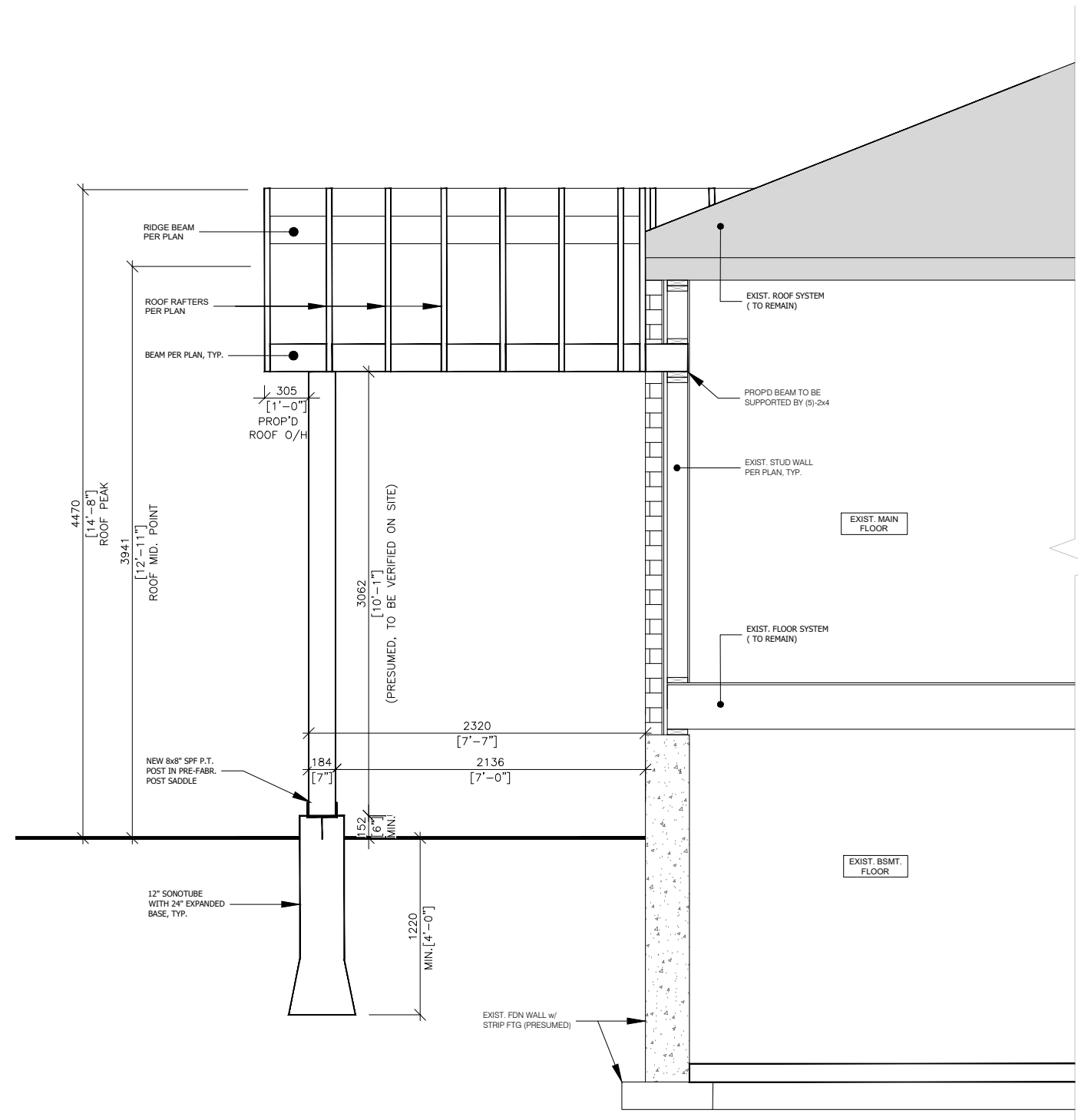
PROJECT NAME: **52 Jondan Cres., Thornhill, ON L3T 3Z5**

DRAWING TITLE: **Porch Roof Framing Plan**

DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: _____



SHEET NO:
A4



1 Prop'd Porch Details
 A5 1:40

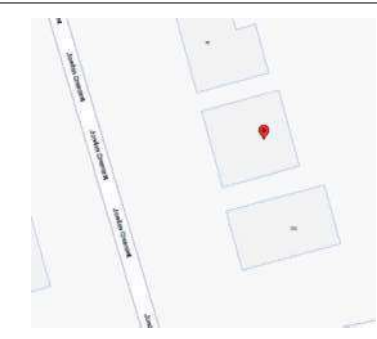
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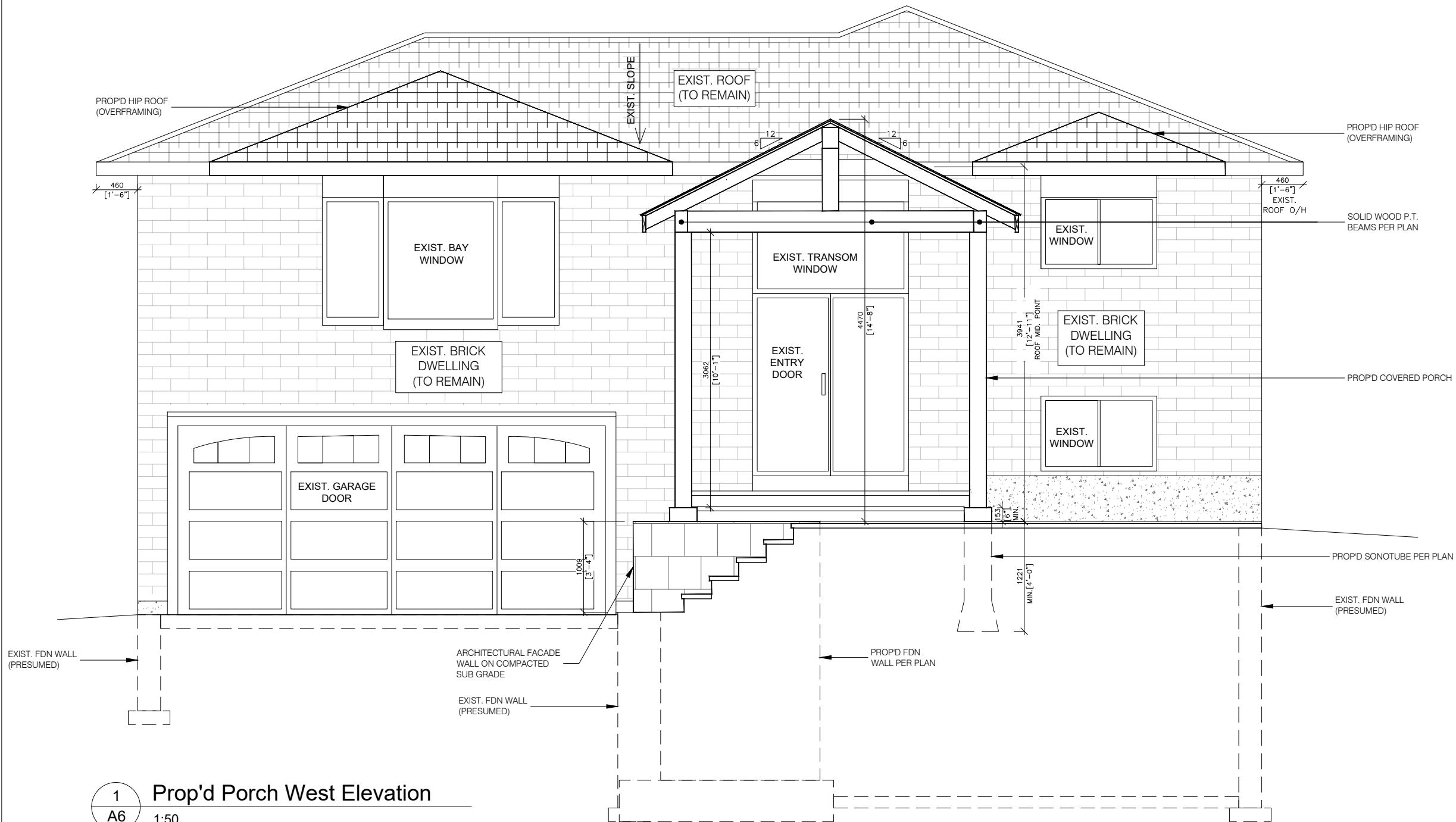
PROJECT NAME: **52 Jondan Cres., Thornhill, ON L3T 3Z5**

DRAWING TITLE: **Proposed Porch Details**

DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: _____



SHEET NO:
A5



1 Prop'd Porch West Elevation
A6 1:50

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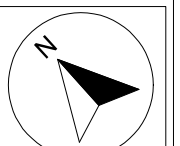
PROJECT NAME: 52 Jondan Cres.,
Thornhill, ON L3T 3Z5

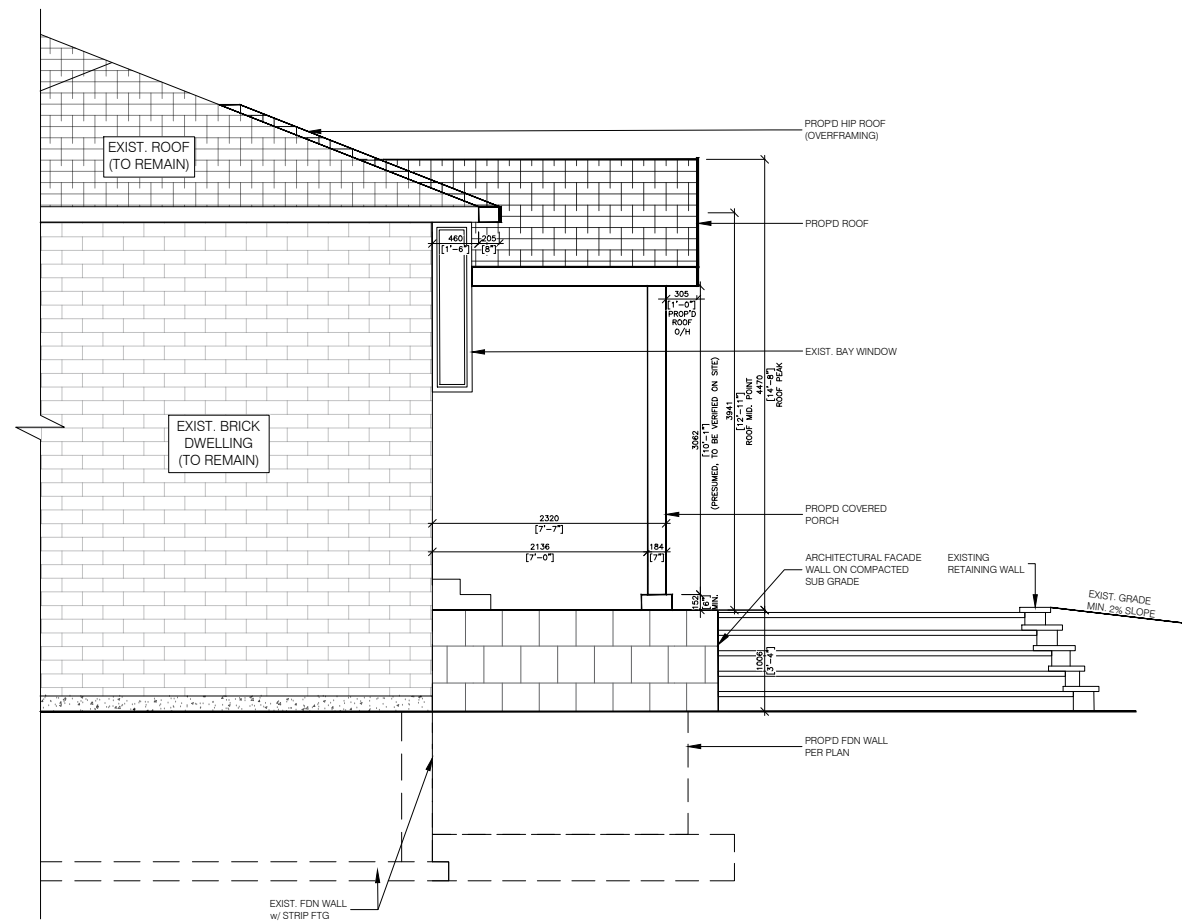
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Porch Elevation

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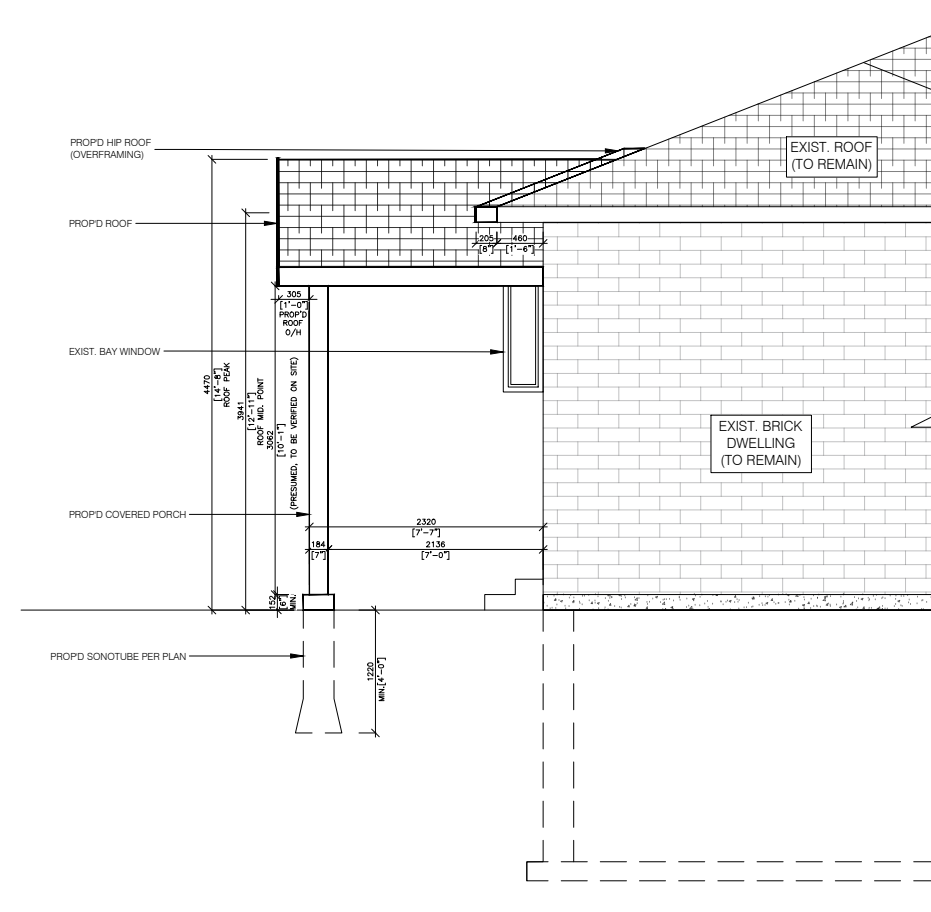


SHEET NO:
A6





1 Prop'd Porch North Elevation
A7 1:75



2 Prop'd Porch South Elevation
A7 1:75

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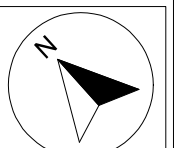
PROJECT NAME: 52 Jondan Cres.,
Thornhill, ON L3T 3Z5

DRAWING TITLE:
Porch Elevations

DRAWN BY: CHECKED BY: APPROVED BY: DATE:



SHEET NO:
A7



APPENDIX “C” – A/137/23 Conditions of Approval

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/137/23

1. The variances apply only to the proposed development as long as it remains;
2. That the variance 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.

CONDITIONS PREPARED BY:



Hussnain Mohammad, Planner 1, Development Facilitation Office