

Memorandum to the City of Markham Committee of Adjustment

March 12, 2021

File: A/005/21
Address: 18 Grenfell Crescent – Markham, ON
Applicant: Hetal Peshavaria
Agent: Memar Architects
Hearing Date: March 24, 2021

The following comments are provided on behalf of the East Team.

The applicant is requesting relief from the following “Residential One (R1)” requirements under By-law 1229, as amended, as they relate to a proposed two-storey detached dwelling. The variances requested are to permit:

a) Infill By-law 99-90, Section 1.2 (iii):

a maximum building depth of 19.62 m (64.37 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.12 ft); and

b) Infill By-law 99-90, Section 1.2 (vi):

a maximum floor area ratio of 52.55%, whereas the By-law permits a maximum floor area ratio of 45.0%.

BACKGROUND

Property Description

The 1,058.05 m² (11,388.76 ft²) subject property is located on the west side of Grenfell Crescent, north of Robinson Street, south of Abercorn Road, and west of Galsworthy Drive. The property is developed with an existing one-storey detached dwelling and contains an in-ground pool, and an accessory building (shed), both in the rear yard. Mature vegetation and trees also exist on the property. There is an existing 1.22 m (4.0 ft) wide Bell Canada easement located along the rear lot line on the subject property (Appendix “B”). The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached and semi-detached dwellings. The surrounding area is undergoing a transition with larger two-storey dwellings being developed as infill developments.

Proposal

The applicant is proposing to demolish the existing one-storey detached dwelling and shed, and construct a new two-storey detached dwelling on the subject property. The proposed dwelling has a fully enclosed two car-garage, a partially enclosed car port, a front covered porch, a rear yard deck and rear yard basement walk-up stairs. The car port is situated on the south side of the dwelling and is accessed through the two car garage. It is partially enclosed in that it has a rooftop, side wall support columns and no door. The plans submitted in support of the variance application propose a first floor area of approximately 258.91 m² (2,786.88 ft²), and a second floor area of 180.20 m² (1,939.66 ft²), for a total gross floor area of 439.11 m² (4,726.54 ft²).

The existing pool will be retained, and the proposed redevelopment also includes construction of a new one-storey accessory pool house building in the rear yard along the west lot line. This structure will have a total gross floor area of 53.0 m² (570.49 ft²). Staff note that the requested variances only apply to the proposed dwelling.

Official Plan and Zoning

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

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

Zoning By-Law 1229

The subject property is zoned “Residential One (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot.

Residential Infill Zoning By-law 99-90

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of the Infill 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, floor area ratio, height, and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to the maximum building depth, and maximum floor area ratio.

Previous Minor Variance Approval (A/164/97)

The Committee of Adjustment (“the Committee”) previously approved minor variance application (A/164/97) to permit a reduced setback for the existing shed in 1997, by permitting:

- an existing setback for an accessory structure of 1.20 m (3.94 ft), whereas the By-law requires a minimum setback of 1.22 m (4.0 ft).

Approval of this variance was conditional that the variance would apply only to the existing shed for as long as it remains. With its removal it would no longer apply.

Zoning Preliminary Review (ZPR) Undertaken

The applicant completed a ZPR on January 8, 2021 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:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Increase in Maximum Building Depth

The applicant is requesting a maximum building depth of 19.62 m (64.37 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.12 ft). This is an increase of approximately 2.82 m (9.25 ft).

Above grade, the proposed two-storey dwelling has a building depth that ranges between 16.51 m (54.17 ft) along the north side and 17.87 m (58.63 ft) along the south side. The proposed building form is articulated in which the interior side yard setbacks range between 1.22 m (4.0 ft) and 2.52 m (8.27 ft) on the north side, and 1.22 m (4.0 ft) and 4.30 m (14.11 ft) on the south side. The second storey contains setbacks which minimize the building mass and potential impact from the requested building depth variance. Staff are of the opinion that the proposed building depth meets the general intent of the By-law, and would not adversely impact neighbouring dwellings, and is therefore appropriate for the site. Staff have no objections to the requested variance.

Increase in Maximum Floor Area Ratio

The applicant is requesting a floor area ratio of 52.55%, whereas the By-law permits a maximum floor area ratio of 45.0%. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 439.11 m² (4,726.54 ft²), whereas the By-law permits a dwelling with a maximum floor area of 376.03 m² (4,047.55 ft²). This is an increase of 63.08 m² (678.99 ft²).

In terms of the scale of the dwelling, staff are satisfied that the proposed development would be compatible and generally consistent with the mix of detached dwellings within the surrounding area, including larger infill redevelopments and the smaller original housing stock built in the mid 1950s. As noted, the applicant uses architectural massing such as the use of setbacks and setbacks which reduces the overall visual mass of the dwelling. Staff consider the requested variance to be appropriate for the site and have no objections.

Staff note that the one-storey carport, as a partially unenclosed structure is not included in the calculation of floor area ratio, as required by the By-law. If enclosed, it would add approximately 18.89 m² (203.33 ft²) to the building and subsequently result in a dwelling with a net floor area ratio of approximately 54.81%. The applicant is advised that the enclosure of the carport would require a separate variance application, and approval.

Tree Protection and Compensation

The applicant submitted an Arborist Report and Tree Preservation Plan dated March 10, 2021 which confirms a total of two trees on the subject property, one of which is a White Spruce tree located in the front yard, and the other is a Honey Locust in the rear yard (Appendix "C"). The applicant has worked with staff to shift the dwelling to lessen any impact to the White Spruce tree located in the front yard.

Staff are of the opinion that the protection of the Honey Locust tree located in the front yard will assist in softening the appearance of the dwelling, and recommend that the Committee adopt the tree related conditions provided in Appendix "A" in the event of approval to ensure the applicant provides adequate tree protection and compensation in accordance with the City's Streetscape Manual. Operations staff note that the cedar

hedges are shared and neighbouring consent is to be acquired for the proposed removal of any shared hedges.

Metrolinx Requirements

Metrolinx provided comments on this application on March 4, 2021 (Appendix "D"), requesting that the applicant enter into an agreement to grant Metrolinx an environmental easement for "Operational Emissions", registered on title against the subject residential dwelling in favour of Metrolinx as the property is located within 300.0 m (984.25 ft) of the rail corridor right of way. Metrolinx has provided wording for the requested environmental easement which references details related to "Operational Emissions" as detailed in Appendix "D". Staff recommend that the proposed development be subject to the associated condition of approval provided in Appendix "A".

PUBLIC INPUT SUMMARY

No written submissions were received as of March 12, 2021. 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 By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

APPENDICES

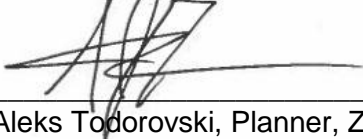
Appendix "A" – Conditions of Approval

Appendix "B" – Plans

Appendix "C" – Arborist Report and Tree Preservation Plan

Appendix "D" – Metrolinx Comments: March 4, 2021

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Stephen Corr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/005/21

1. The variances apply only to the proposed development as long as it remains.
2. That the variances apply only to the subject development, in substantial conformity with the batch stamped plans 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 Tree Preservation Technician, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician that this condition has been fulfilled to his or 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, including street trees, in accordance with the City's Streetscape Manual (2009), as amended, and inspected by the Tree Preservation Technician to his or her satisfaction of the Tree Preservation Technician.
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.
6. That the applicant satisfies the requirements of Metrolinx, as indicated in their letter to the Secretary-Treasurer attached as Appendix "D" to this Staff Report, and that the Secretary-Treasurer receives written confirmation that this conditions has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:



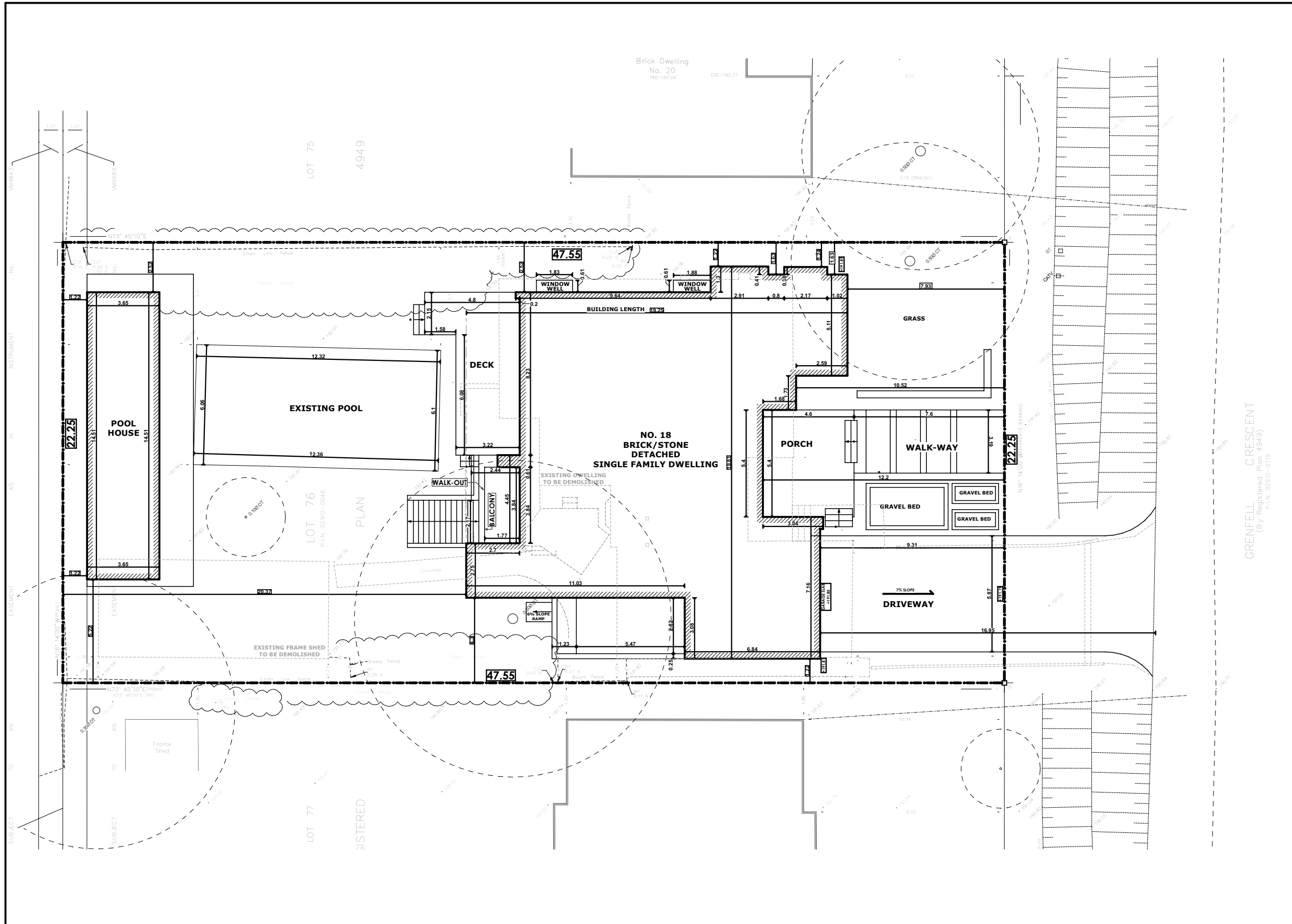
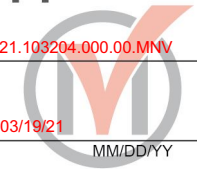
Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/005/21

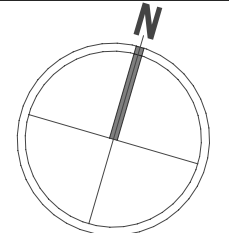
Appendix B

File: 21.103204.000.00.MNV

Date: 03/19/21
MM/DD/YY



Grenfell Crescent
(By Registered Plan 4949)
P.L.N. 02912-0119



NOTES:-
- THE HOUSE IS MOVED 0.30m TOWARDS THE WEST TO ALLOW MORE PROTECTION FOR THE PRESERVED TREE IN THE FRONT. TPZ WILL BE REVISED ACCORDINGLY

ALL DRAWINGS AND DOCUMENTS ARE PRELIMINARY UNLESS APPROVED BY THE CITY AND MUST NOT BE USED FOR ANY CONSTRUCTION BEFORE ISSUANCE OF BUILDING PERMIT. CONTRACTORS/BUILDER MUST VERIFY ALL DIMENSIONS/SPECS/DETAILS & AS-BUILT INFORMATION INCLUDING STRUCTURAL AND MECHANICAL PRIOR TO COMMENCEMENT OF WORK AND REPORT ANY DISCREPANCIES TO MEMAR. DESIGN, DRAWINGS & SPECIFICATIONS ARE ALL PROPERTY OF MEMAR UNDER COPY RIGHT ACT AND MUST NOT BE USED FOR ANY OTHER PROJECT AND/OR BY ANY OTHER PERSON INCLUDING ORIGINAL CLIENT WITHOUT WRITTEN PERMISSION.

DATE:	ISSUED FOR:
3/16/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:	SITE PLAN
PROJECT TITLE/ADDRESS:	18 Grenfell Crescent, Markham, ON L3P 1S5

--

DRAWN BY:	S.A.
CHKD BY:	S.T.
SCALE:	1:200
LAST MODIFIED ON:	Tuesday, March 16, 2021



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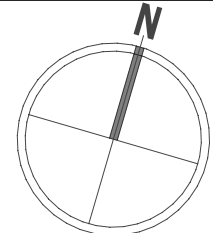
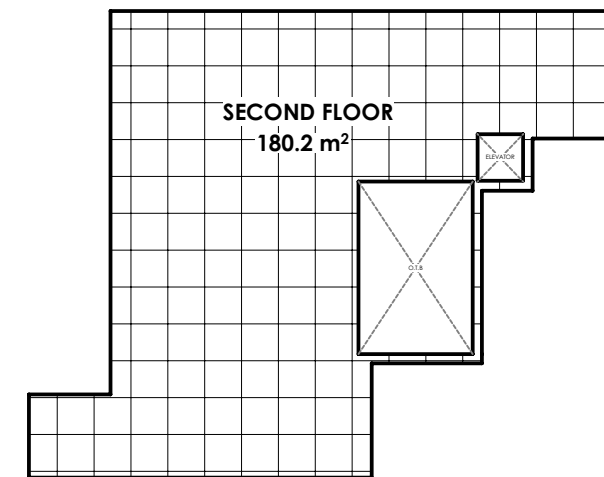
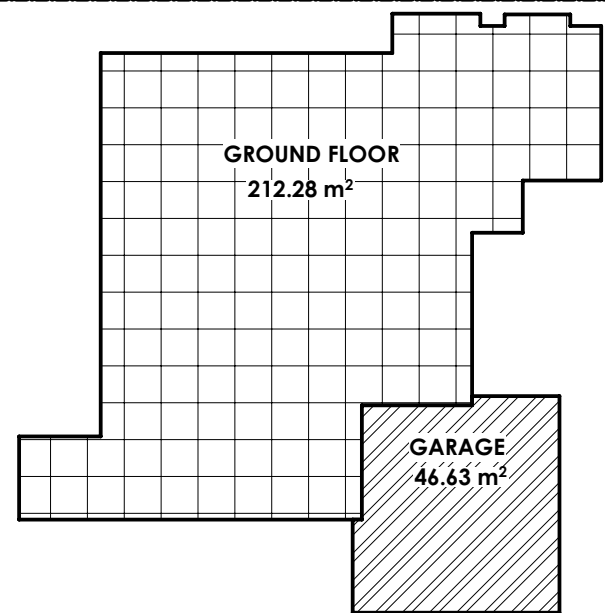
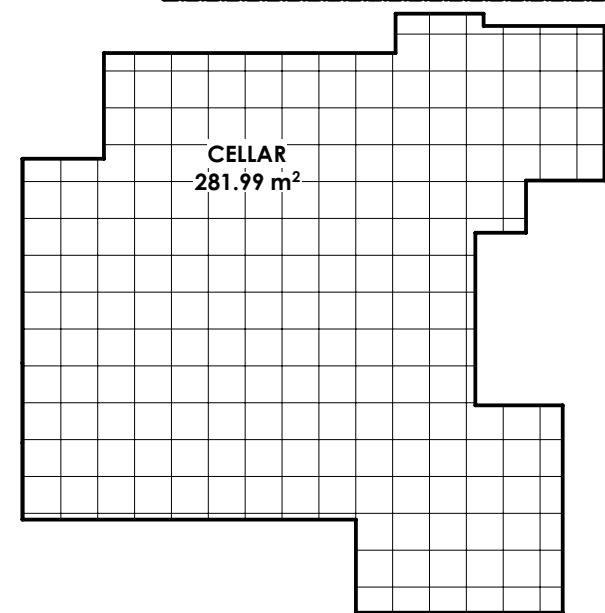
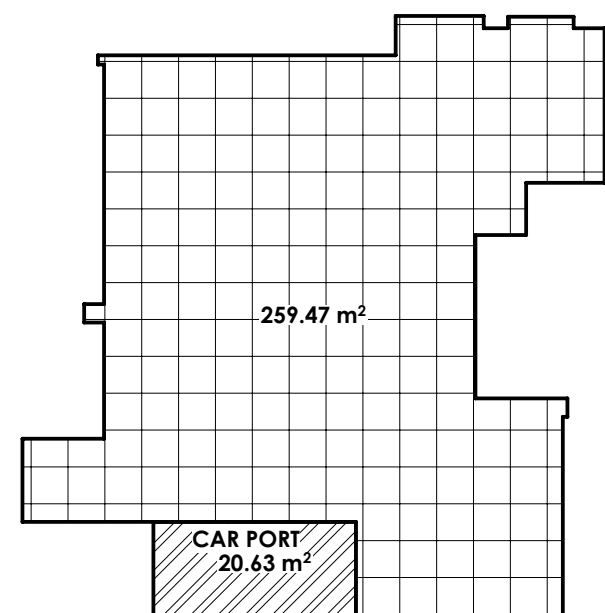
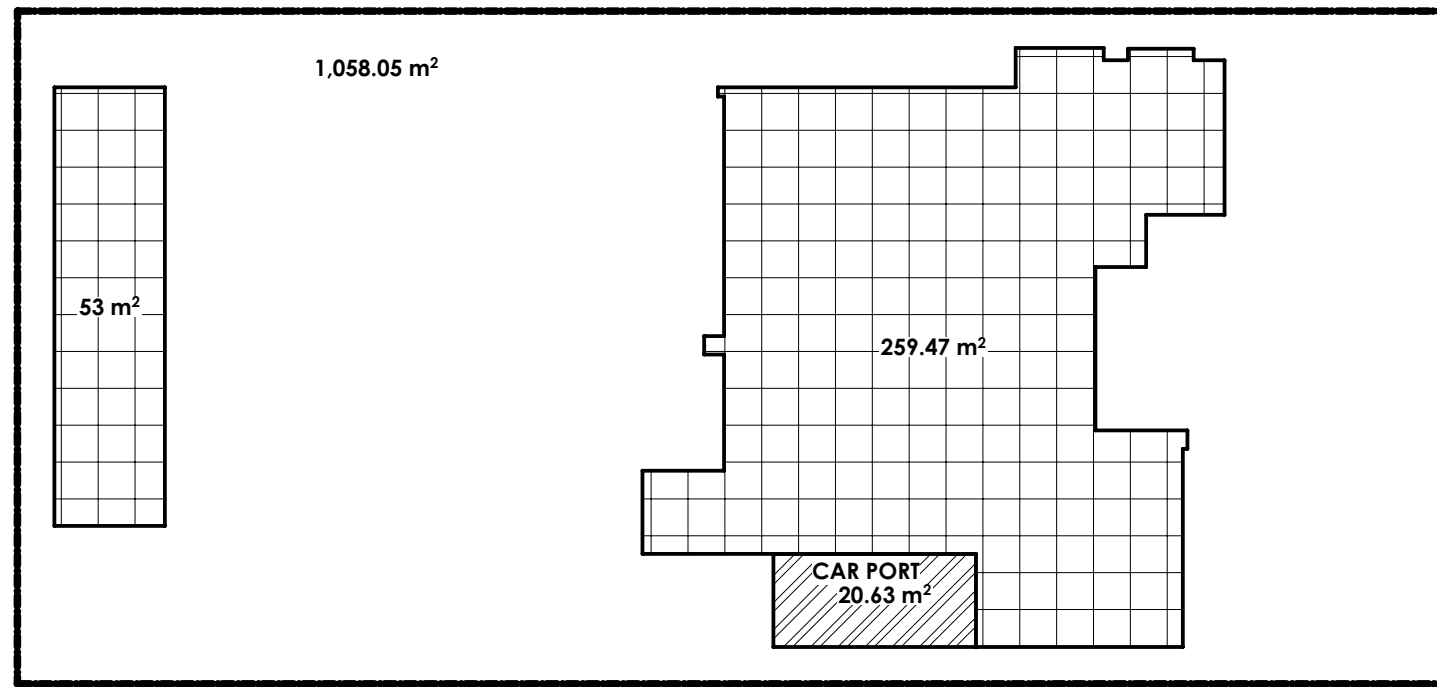


A.01

Appendix B

File: 21.103204.000.00.MNV

Date: 03/19/21
MM/DD/YY



LOT AREA: 1,058.05 m ²		LOT COVERAGE		AREA	%	TOTAL
NET LOT AREA: 835.60 m ²				DWELLING	259.47 m ²	24.52%
			POOL HOUSE	53 m ²	5%	31.47%
			CAR PORT	20.63 m ²	1.95%	
FLOOR	CELLAR	GROUND FLOOR	SECOND FLOOR	GARAGE	TOTAL GFA (INCLUDING GARAGE, NOT INCLUDING CELLAR)	FLOOR AREA RATIO
AREA	281.99 m ²	212.28 m ²	180.2 m ²	46.63 m ²	439.11 m ²	52.55%

NOTES:-

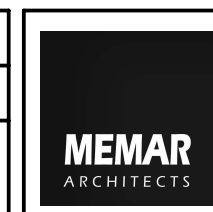
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DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:
AREA CALCULATIONS
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

DRAWN BY:
S.A.
CHKD BY:
S.T.

SCALE:
1:250
LAST MODIFIED ON:
Tuesday, January 12, 2021



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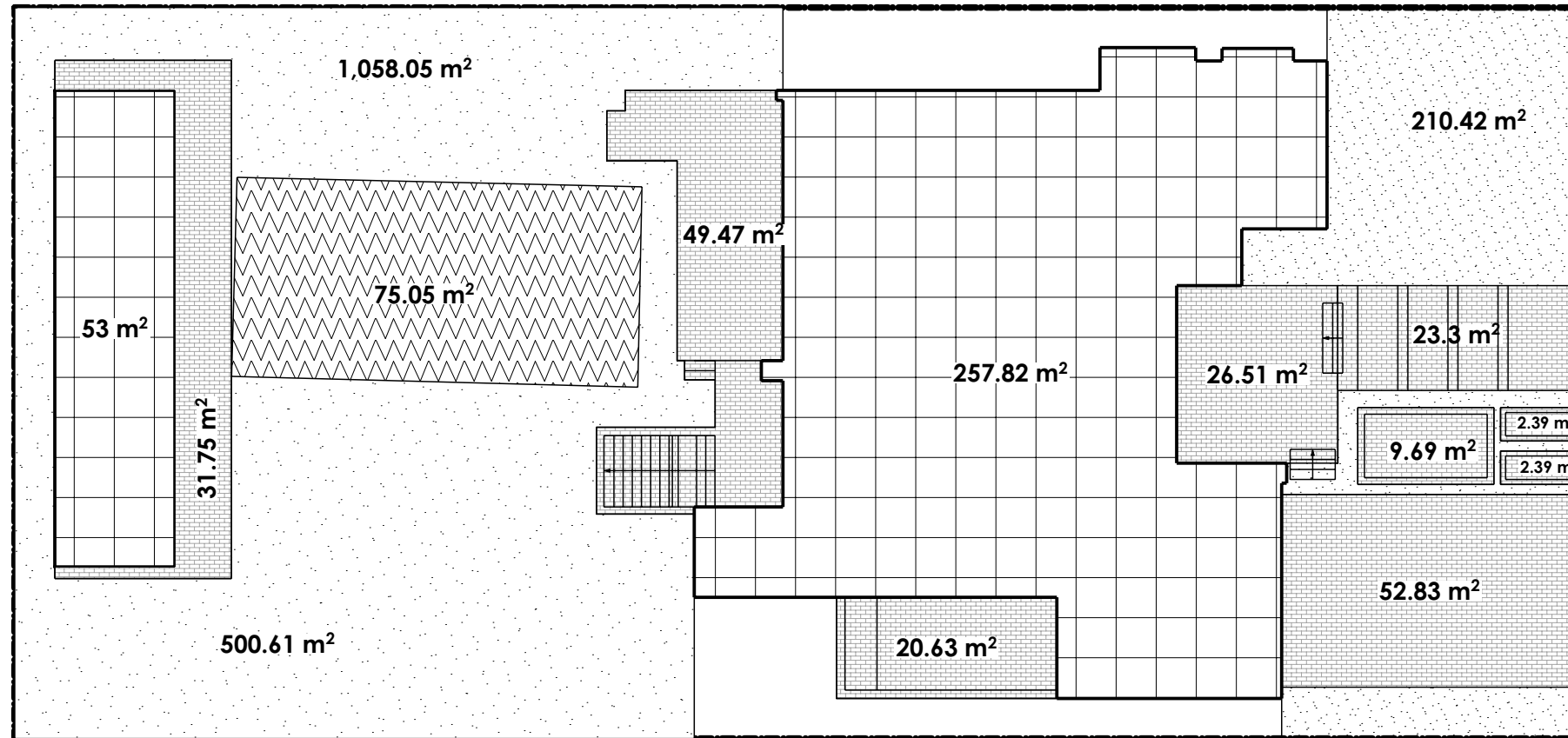


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Appendix B

File: 21.103204.000.00.MNV

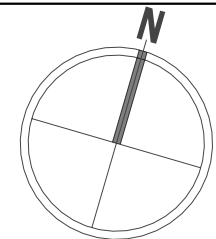
Date: 03/19/21
MM/DD/YY



LANDSCAPING

LANDSCAPE	1	2	3	4	5
Min required	30%		Lot Frontage >= 15m 60%	75%	50%
	total lot landscape / lot area Driveway, high decks/porches are not landscape- sidewalk- SHORT DECK IS LANDSCAPE	front yard area from main wall to front property line excluding permitted projections	front yard landscape (2) Driveway, high Decks/porches are not landscape- sidewalk, stairs and porches are landscape	SOFT landscape of front yard (3) SOFT LANDSCAPE IS ONLY GRASS/SHRUB	Total Rear Yard Landscape Driveway, high Decks/porches are not landscape- sidewalk is landscape
Actual Site	691.69 m² 65.37 %	210.42 m²	157.59 m² 74.89 %	93.31 m² 59.21 %	447.61 m² 64.71 %

LOT AREA: 1,058.05 m²



NOTES:-

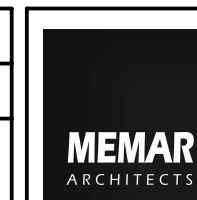
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DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:
LANDSCAPE CALCULATIONS
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

DRAWN BY:
S.A.
CHKD BY:
S.T.

SCALE:
1:200
LAST MODIFIED ON:
Tuesday, January 12, 2021



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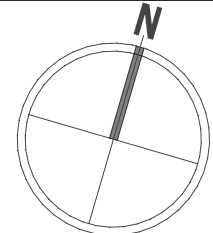
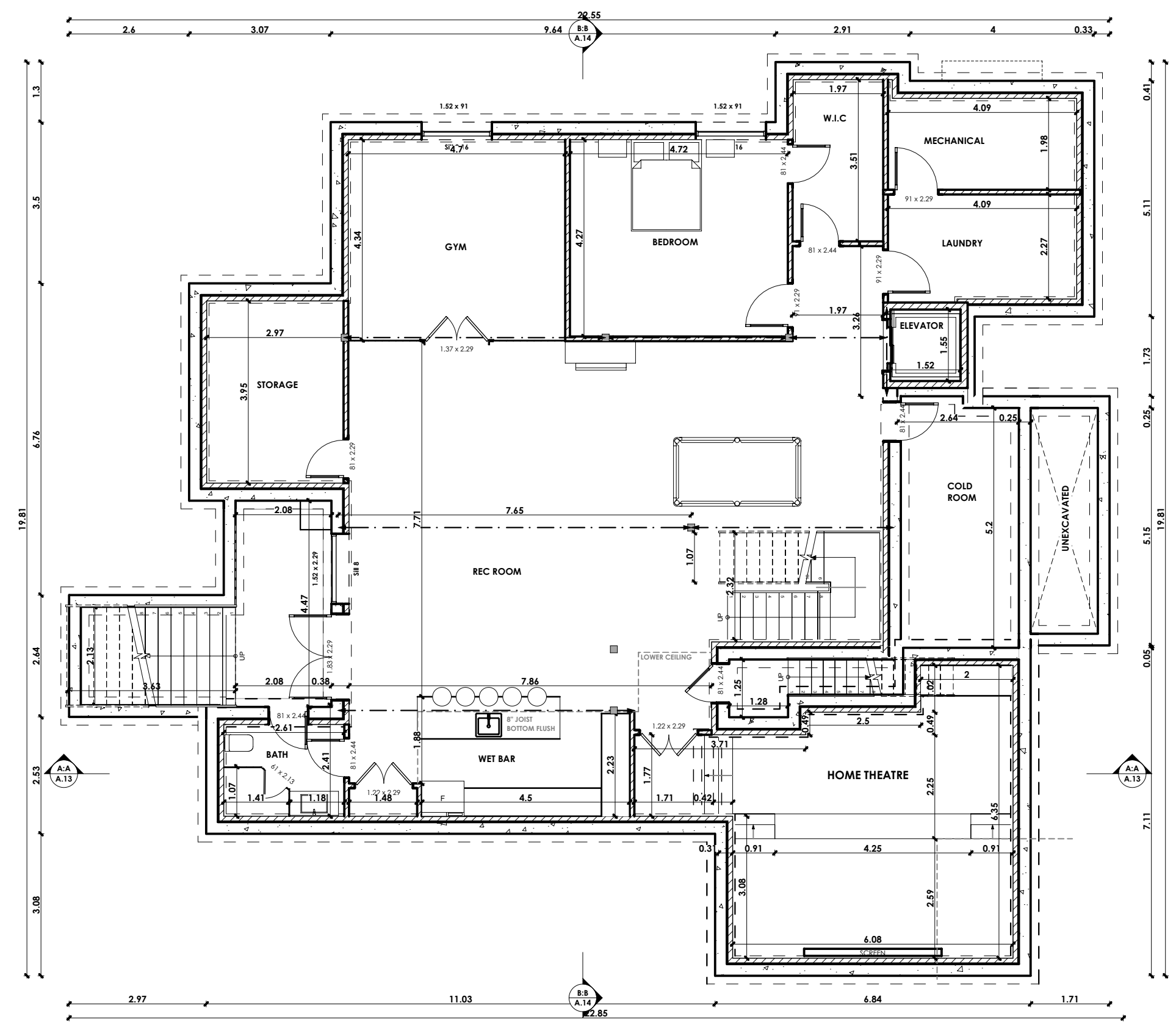


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Date: 03/19/21
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DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:
CELLAR
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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DRAWN BY:	SCALE:
S.A.	1:100
CHKD BY:	LAST MODIFIED ON:
S.T.	Tuesday, January 12, 2021



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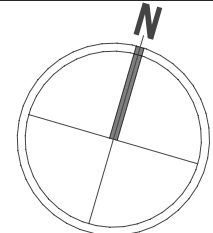


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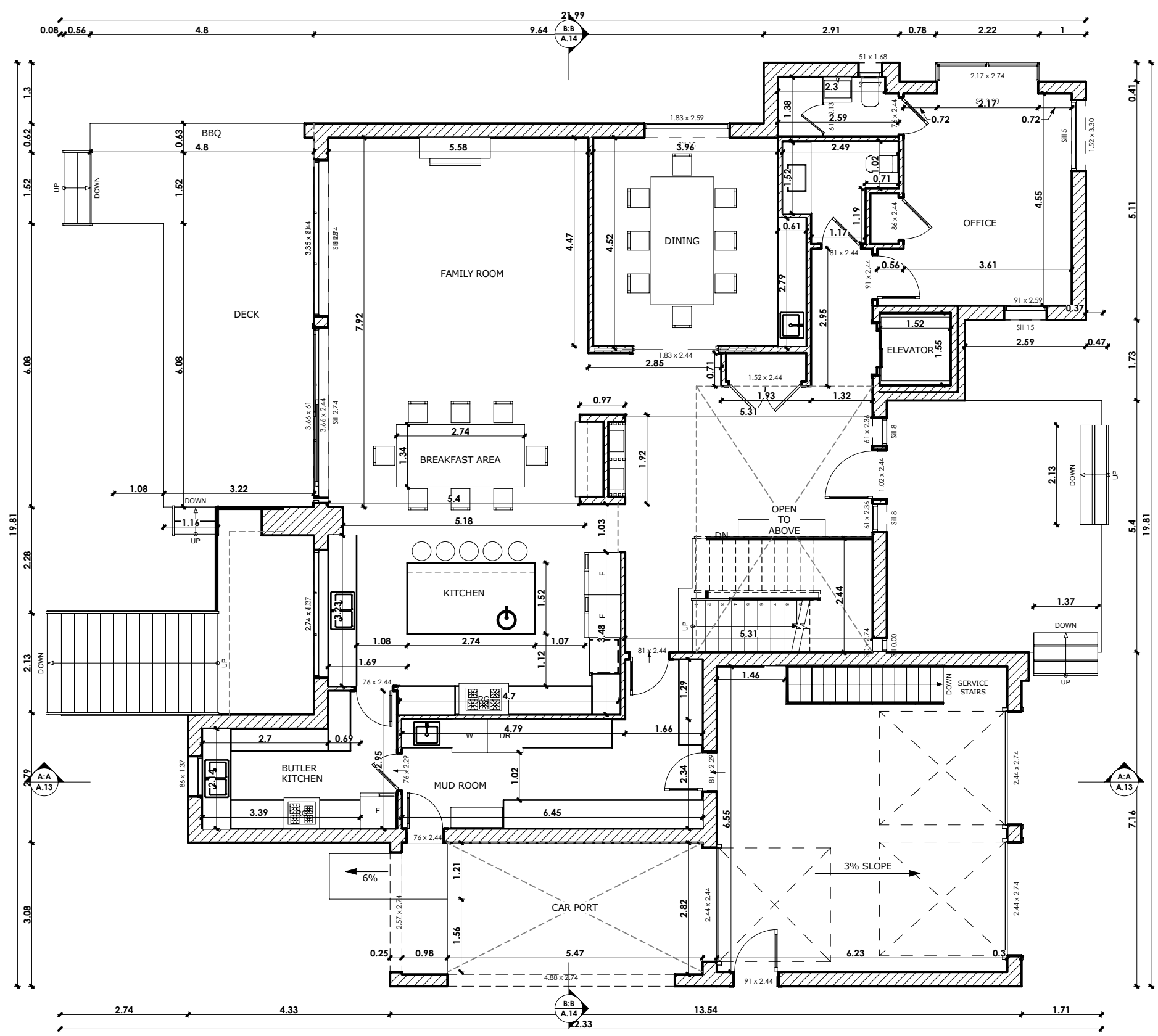
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DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:
GROUND FLOOR
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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DRAWN BY:	SCALE:
S.A.	1:100
CHKD BY:	LAST MODIFIED ON:
S.T.	Tuesday, January 12, 2021



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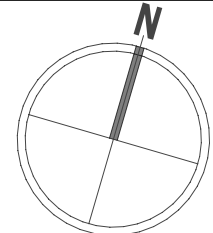
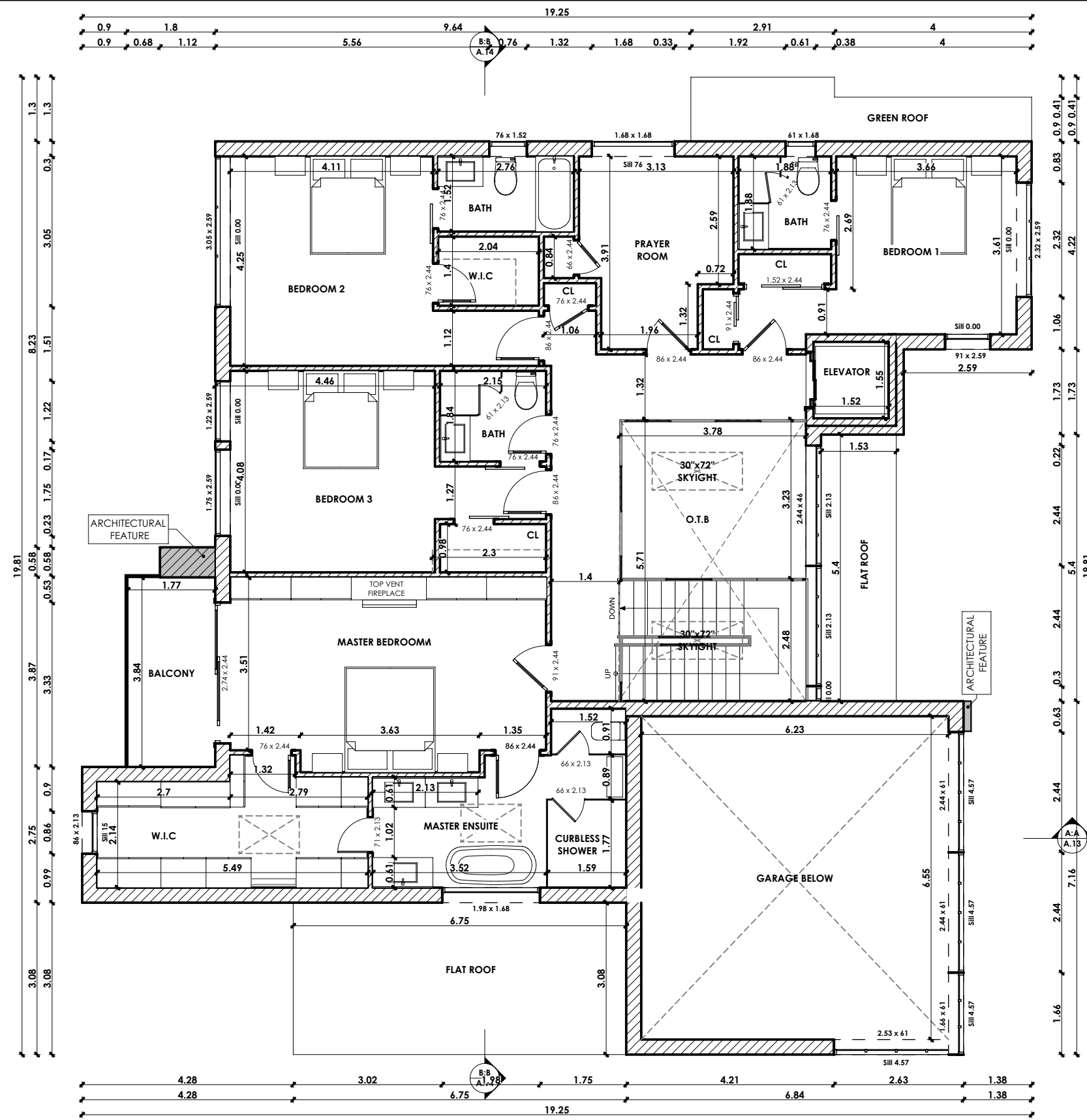


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DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:	SECOND FLOOR
PROJECT TITLE/ADDRESS:	18 Grenfell Crescent, Markham, ON L3P 1S5

DRAWN BY:	S.A.
CHKD BY:	S.T.

SCALE:	1:100
LAST MODIFIED ON:	Tuesday, January 12, 2021



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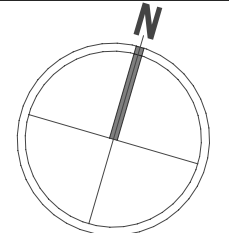
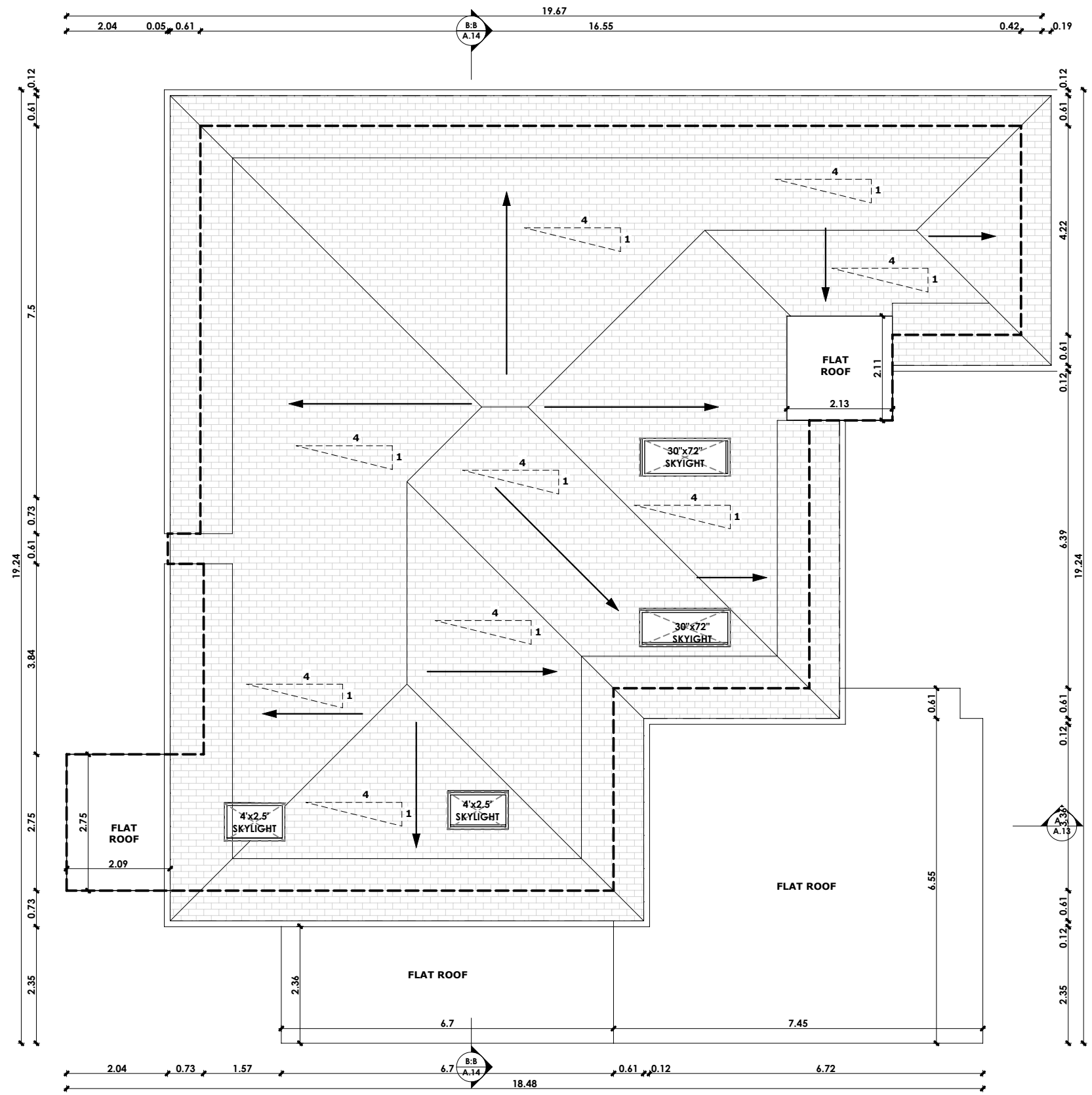


A.06

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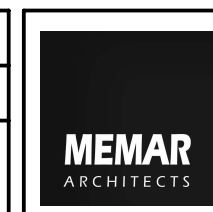
DATE:	ISSUED FOR:
1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:	ROOF PLAN
PROJECT TITLE/ADDRESS:	18 Grenfell Crescent, Markham, ON L3P 1S5

--

DRAWN BY:	S.A.
CHKD BY:	S.T.

SCALE:	1:100
LAST MODIFIED ON:	Tuesday, January 12, 2021



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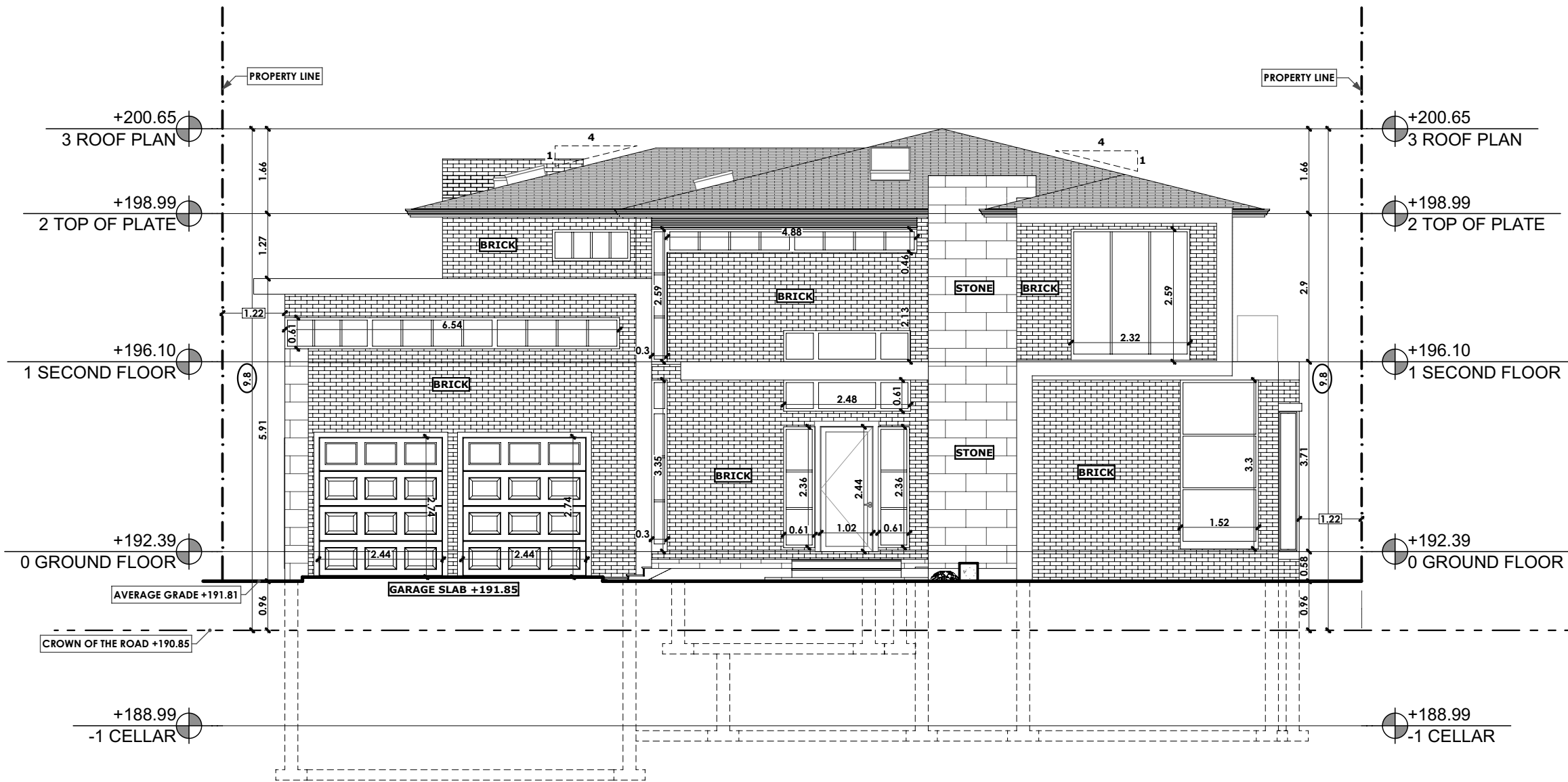


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DATE:	ISSUED FOR:
3/16/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:	EAST ELEVATION
PROJECT TITLE/ADDRESS:	18 Grenfell Crescent, Markham, ON L3P 1S5

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DRAWN BY:	S.A.
CHKD BY:	S.T.

SCALE:	1:100
LAST MODIFIED ON:	Tuesday, March 16, 2021



"Memar Architects Inc."
2323 Yonge St, Unit 503
Toronto, ON, M4P 2C9
T: 416-551-5764

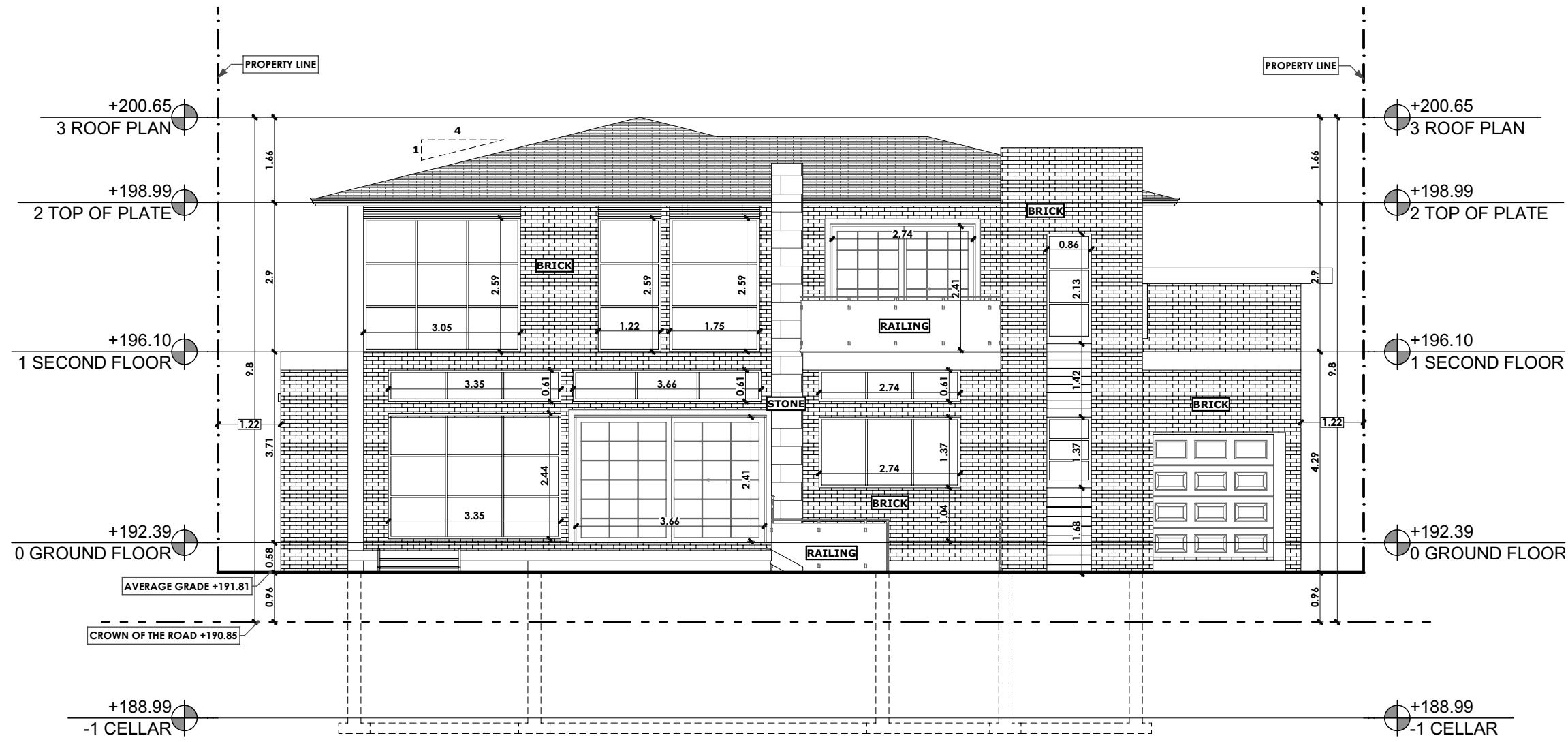


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Appendix B

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3/16/2021	COMMITTEE OF ADJUSTMENT

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WEST ELEVATION
PROJECT TITLE/ADDRESS:
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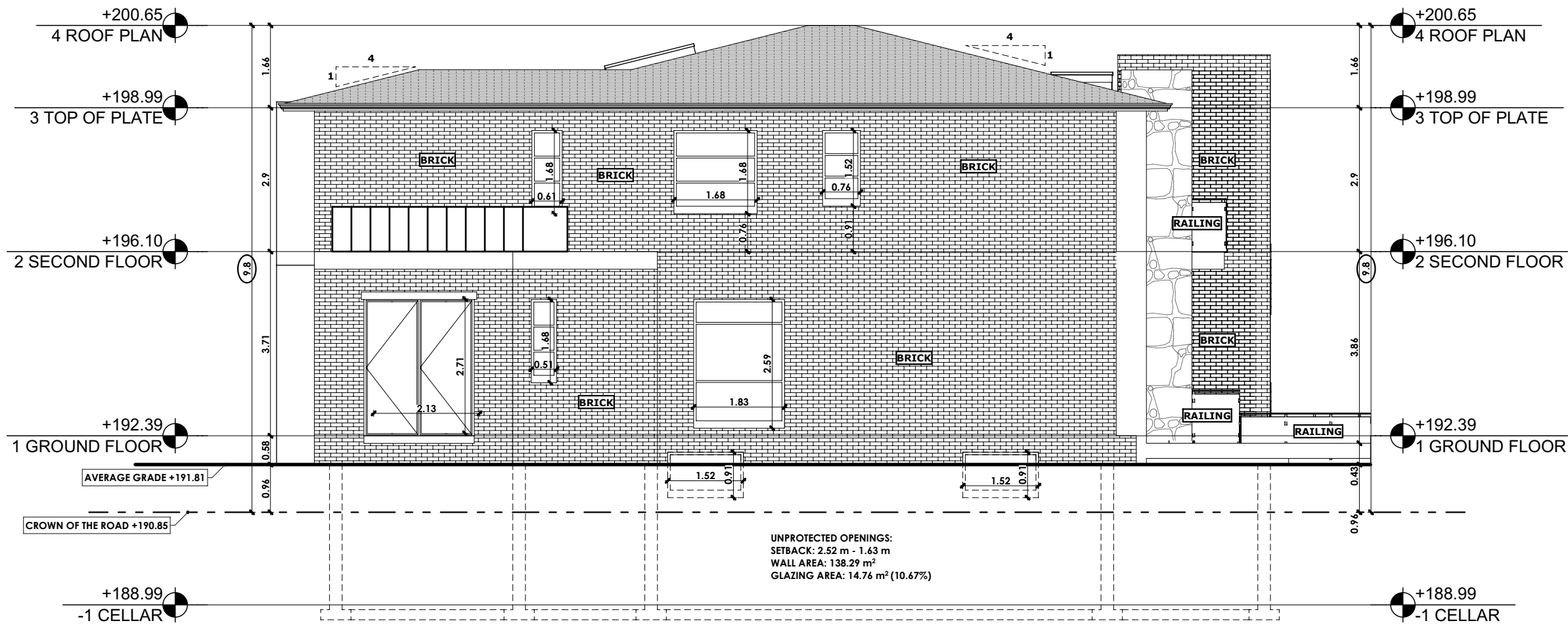


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NORTH ELEVATION
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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CHKD BY:	LAST MODIFIED ON:
S.T.	Tuesday, January 12, 2021



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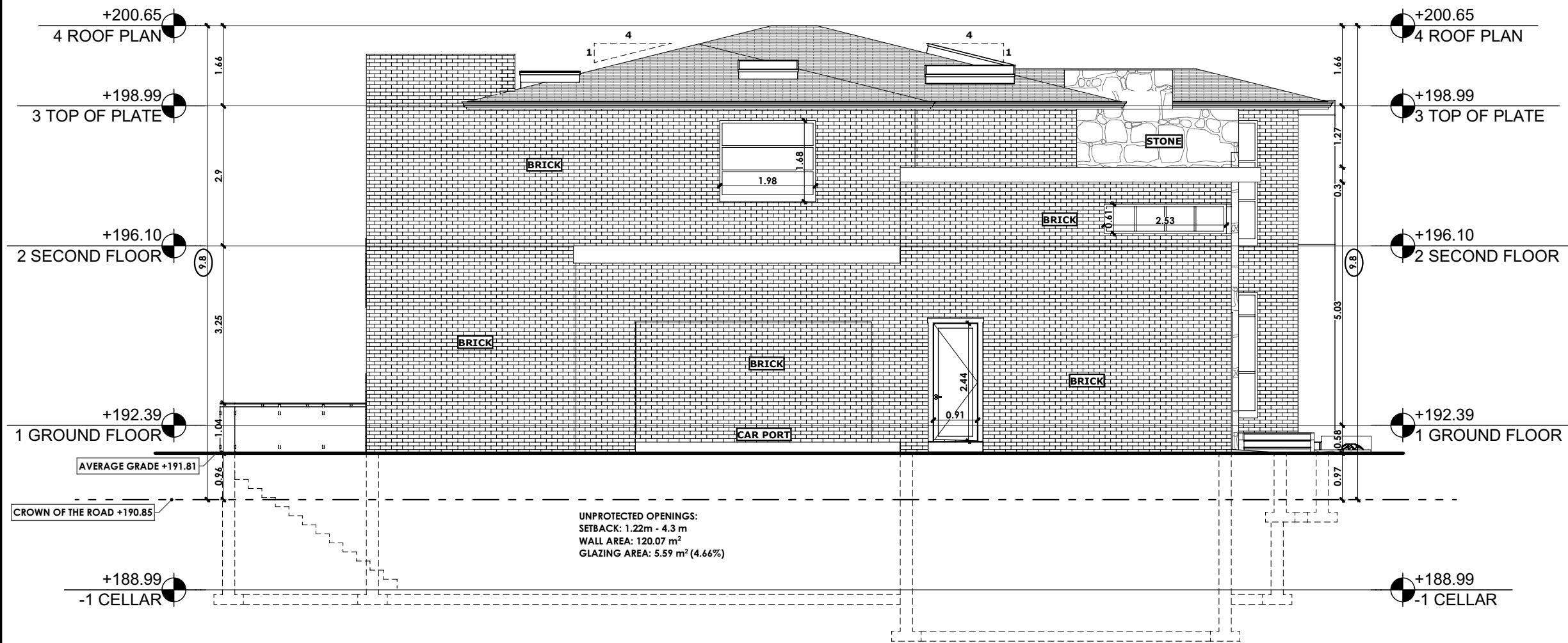


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File: 21.103204.000.00.MNV

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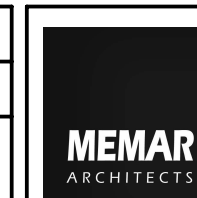
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1/12/2021	COMMITTEE OF ADJUSTMENT

DRAWING TITLE:
SOUTH ELEVATION
PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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CHKD BY:
S.T.

SCALE:
1:100
LAST MODIFIED ON:
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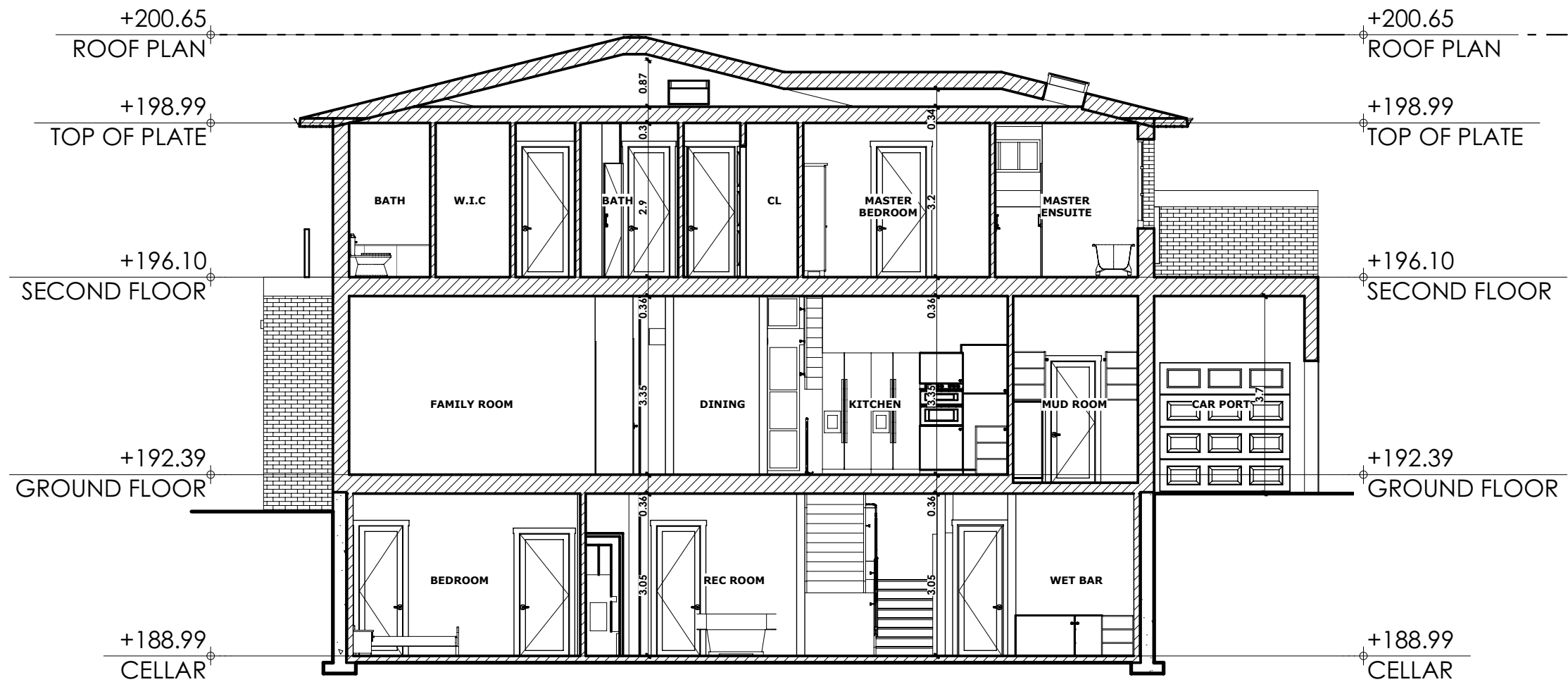


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File: 21.103204.000.00.MNV

Date: 03/19/21
MM/DD/YY



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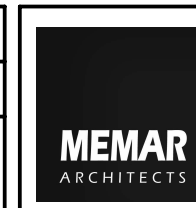
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PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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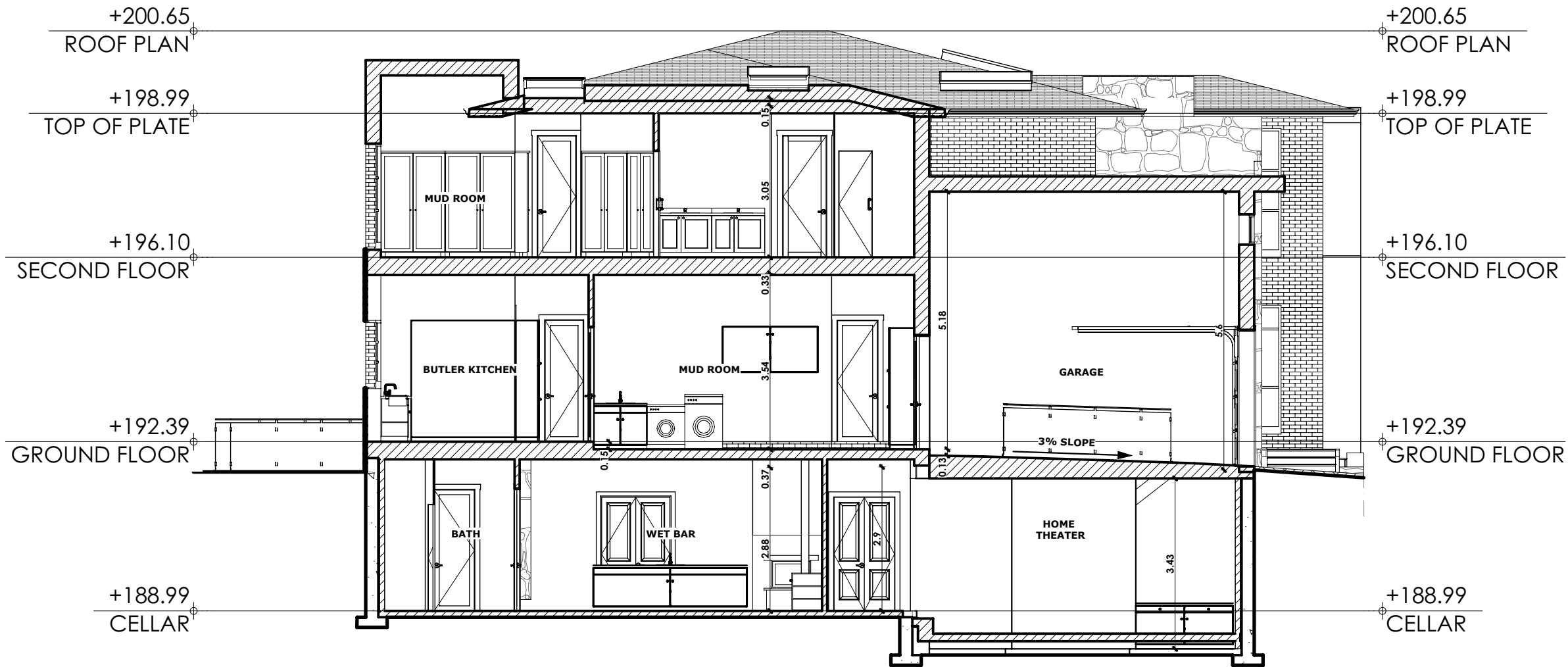


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Appendix B

File: 21.103204.000.00.MNV

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PROJECT TITLE/ADDRESS:
18 Grenfell Crescent, Markham, ON L3P 1S5

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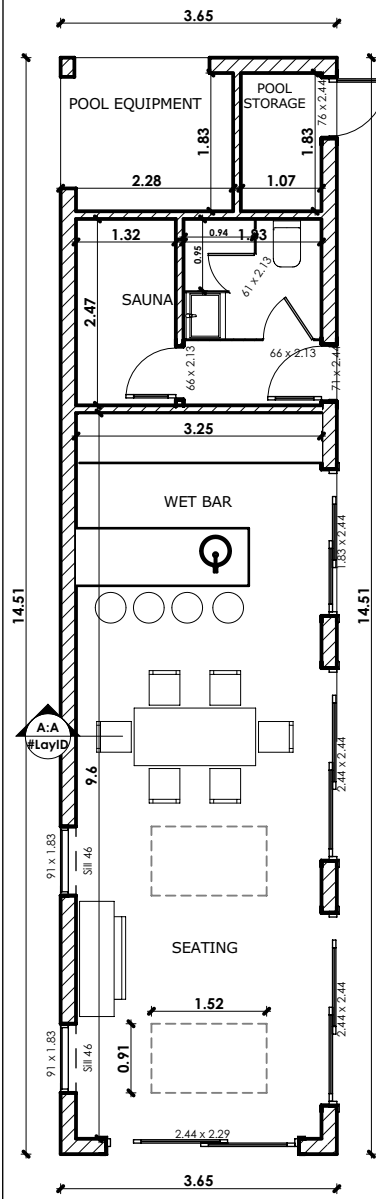


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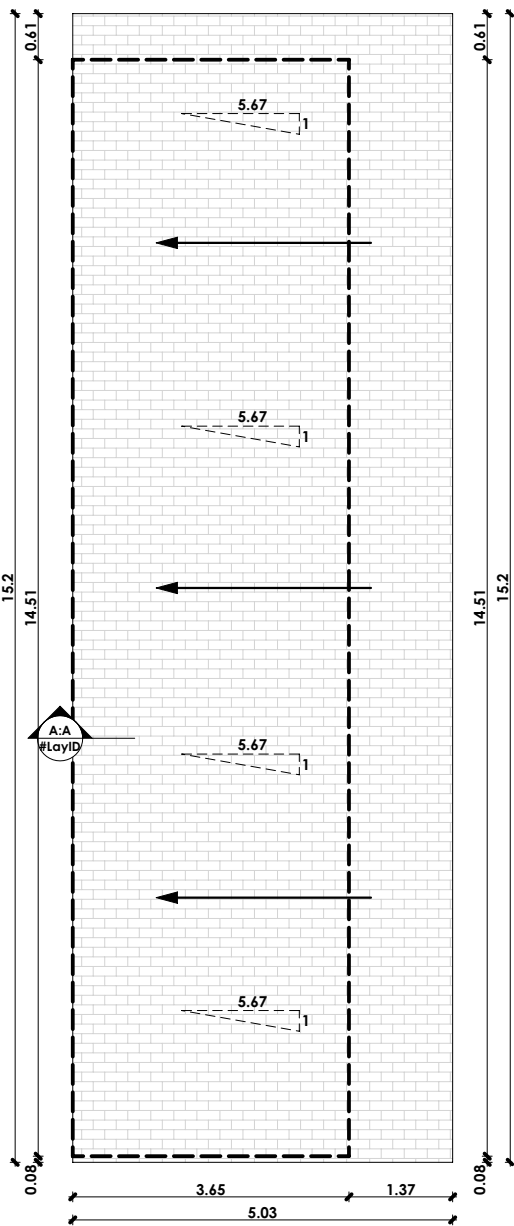
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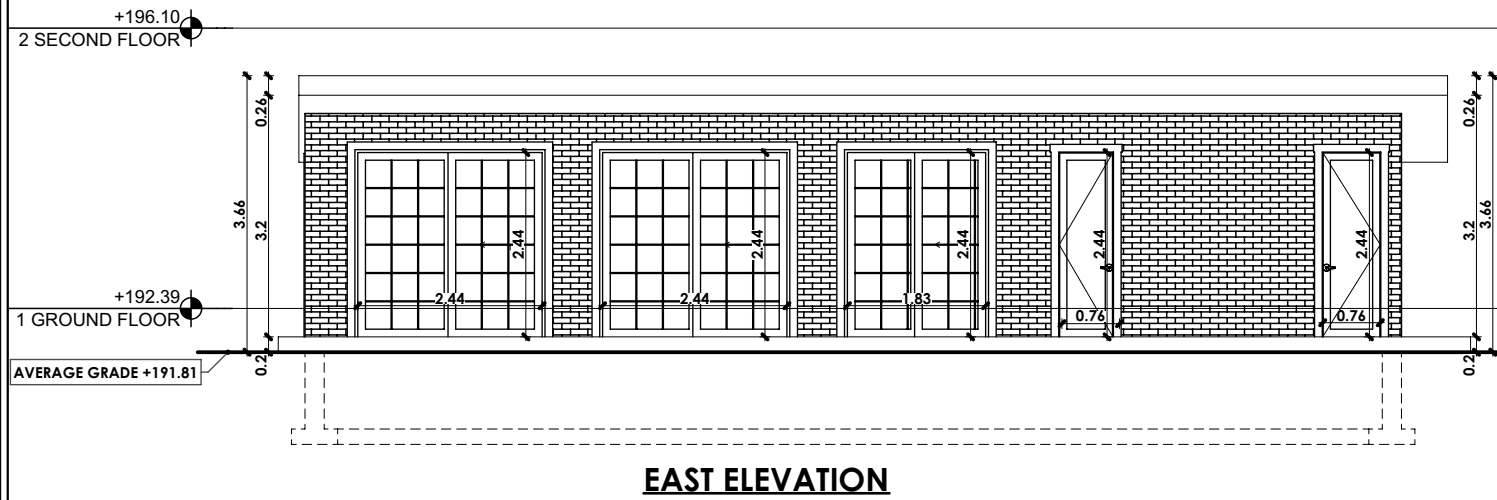
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MM/DD/YY



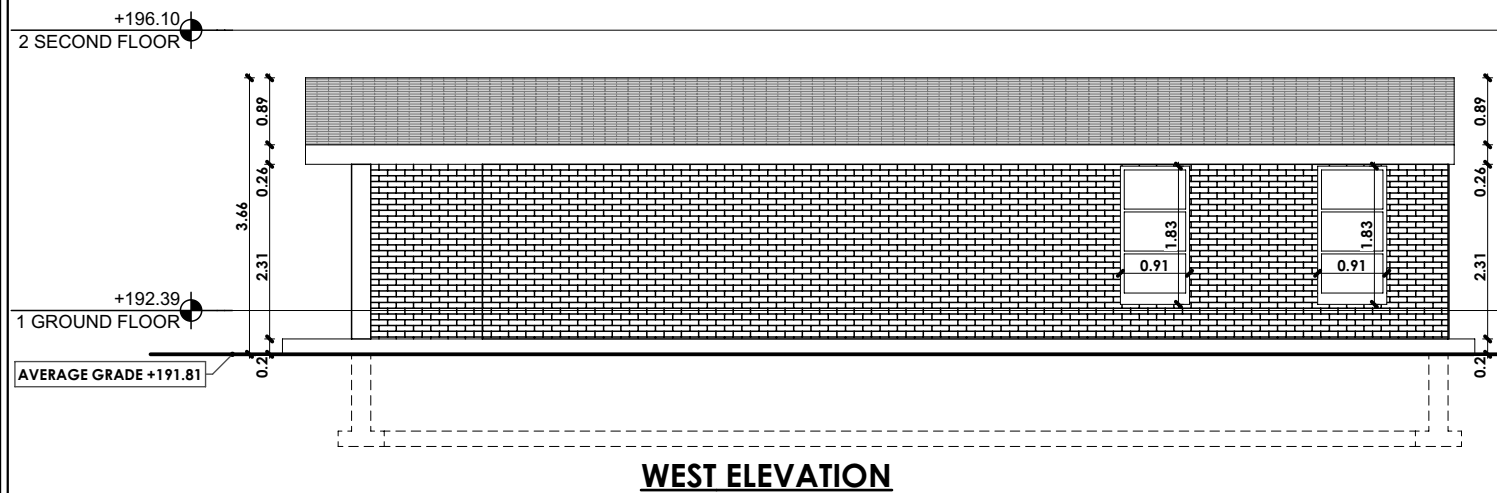
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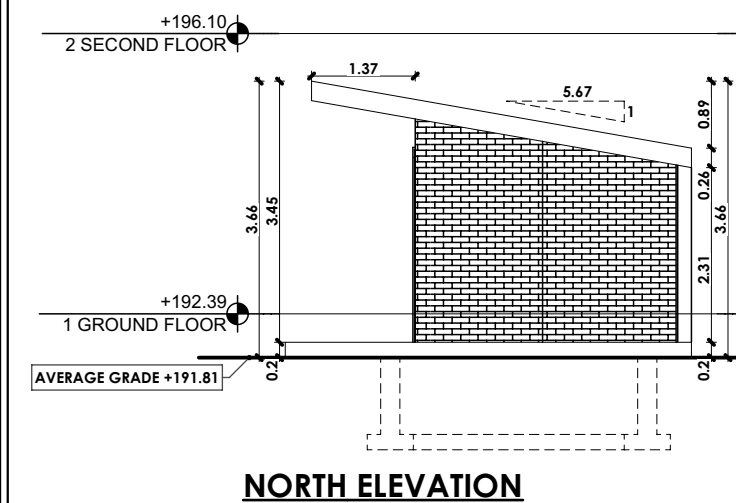
ROOF PLAN



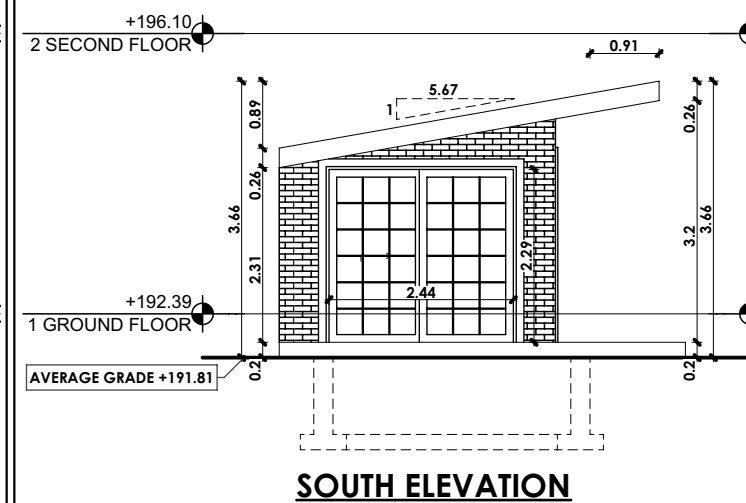
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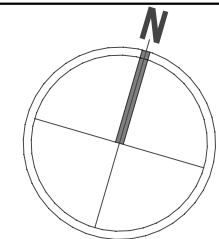
WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



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DATE:	ISSUED FOR:
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DRAWING TITLE:	POOL HOUSE
PROJECT TITLE/ADDRESS:	18 Grenfell Crescent, Markham, ON L3P 1S5

DRAWN BY:	S.A.
CHKD BY:	S.T.

SCALE:	1:100
LAST MODIFIED ON:	Tuesday, January 12, 2021



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A.08

APPENDIX "C"
ARBORIST REPORT AND TREE PRESERVATION PLAN



Tree Assessment & Tree Preservation Plan

Prepared for:
Hetal Peshavaria
18 Grenfell Cres.
Markham ON L3P 1S5
416-274-6712
hitesh.peshavaria@gmail.com

Site Address:

Same as above

Modified:

March 10, 2021

Prepared by:

Mark Ellis

A handwritten signature in black ink, appearing to read 'Mark Ellis', is displayed on a white rectangular background.

ISA Board Certified Master Arborist ON-1686BM

www.cinereaurbanforestryservices.ca

cinerea.ufs@gmail.com

905-715-5921

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Table of Contents

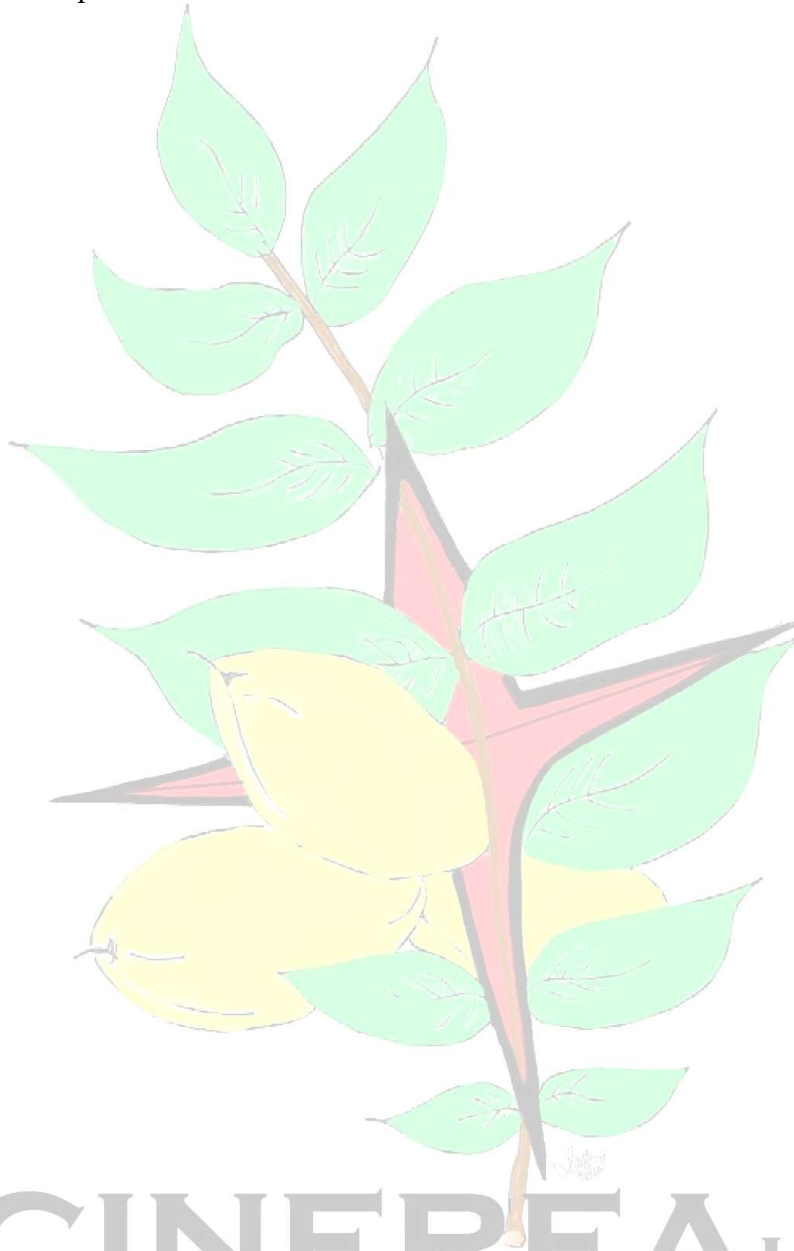
Summary	3
Key Arboricultural Terms	4
Introduction & Assignment (Nature of Work)	5
Assignment Limitations	5
Methods	6
Observations	6
Tree Replacement Information	7
Tree Appraisal	7
Tree Maintenance Plan	7
Pruning & Root Pruning Plan	7
Arborist Recommendations	8
Construction Notes	8
Conclusion	8
Appendix 1 – Tree Inventory	10
Appendix 2 – Photos (Trees Are Centred)	12
Appendix 3 - Hoarding Details	23
Appendix 4 – Tree Protection Sign	26
Appendix 5 - References	27
Appendix 6 - Arborist Qualifications	28





Summary

This report is in regards to the construction works of new house at 18 Grenfell Cres. Markham ON. General health assessment and tree protection measures and practices have been identified within this report.



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Key Arboricultural Terms

Crown Cleaning – To remove the dead portions of a trees canopy via pruning.

Crown Raising – To prune lower branches of a tree to a specified height. Most deciduous trees should be elevated to height of 2 metres (6.5 feet) once mature to allow for pedestrian access under tree.

Crown Reduction – To reduce the height of a tree. Usually only performed only over mature trees or trees that are experienced dieback at the top and exterior portions of crown.

Crown Thinning – To selectively remove branches from the interior of a tree canopy in efforts to allow other branches to grow larger and provide more aeration throughout canopy.

DBH – Diameter at breast height. In the City of Toronto and the City of Markham this measurement is from the ground to 1.37 metres in height. In the Town of Oakville this measurement is at 1.37 metres in height. Within the City of Ottawa this measurement is at 1.2 metres in height.

EAB – Acronym for Emerald Ash Borer. An invasive insect from China that kills North American ash *Fraxinus* trees by eating through the trees' cambium.



ISA – International Society of Arboriculture

ISA Certified Arborist – trained and knowledgeable in all aspects of arboriculture. ISA Certified Arborist® have met all requirements to be eligible for the exam, which includes three or more years of full-time, eligible, practical work experience in arboriculture and/or a degree in the field of arboriculture, horticulture, landscape architecture, or forestry from a regionally accredited educational institute. This certification covers a large number of topics giving the candidates flexibility in the arboricultural profession. A code of ethics for ISA Certified Arborists® strengthens the credibility and reliability of the work force. This certification is accredited by the American National Standards Institute, meeting and exceeding ISO 17024.

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ISA Board Certified Master Arborist - The ISA Board Certified Master Arborist® credential is the highest level of certification offered by ISA. This credential recognizes ISA Certified Arborists® who have reached the pinnacle of their profession. In addition to passing an extensive scenario-based exam, candidates must abide by a Code of Ethics, which ensures quality of work. Fewer than two percent of all ISA Certified Arborists® currently hold this certification.



MTPZ – Minimum Tree Protection Zone. A distance defined by a local municipality that will ensure reasonable protection for a tree should construction activities occur outside of the zone. It is usually based on a multiple of six times the distance the diameter of the tree.

Introduction & Assignment (Nature of Work)

Cinerea Urban Forestry Services was commissioned by Hitesh Peshavaria to complete a Tree Assessment and Preservation Plan (TAPP) for the proposed construction works of a new house and pool house at 18 Grenfell Cres. Markham ON.

An inventory and general health assessment was performed for all City-owned trees of any diameter and privately-owned trees measuring 18 cm or greater within 6 metres of the property boundaries. **This arborist report shall be supplemented by a large-scale printing of the Tree Preservation Plan (24 x 36 inch)**

Assignment Limitations

Recommendations for tree preservation have been based upon the client supplied drawings.



This Tree Assessment was compiled from field data collected from the ground. A basic visual assessment of the trees was performed.

More data may be obtained regarding risk through a basic or advanced ISA Tree Risk Assessment. As trees change over time, this report noting conditions of health and structure of trees on site shall be void after a period of 1 year.

The opinions conveyed within this report are those of Mark Ellis, ISA BCMA ON-1686BM. Another arborist or forester may look at the same tree(s) and have different opinions. Thus; opinions may be subjective.

Methods

- Tools used to assess the trees included a clinometer, metric measuring tape, metric measuring wheel, binoculars, digital camera, metal probe, metric diameter tape
- City-owned trees of any diameter and privately-owned trees measuring 15 cm or greater were included for the purposes of this report. Trees with three or more stems totalling 20cm dbh or greater were also inventoried. Where trees were seen as a potential hazard they were inventoried even if their DBH was below 20cm.
- All diameters of trees were measured at a height of 1.37 metres

Observations

- Field work was completed by Mark Ellis on March 5, 2021
- Weather at time of assessment was sunny and 15°C
- Tree # 4 to be removed to facilitate construction
- Client and other parties requiring tree # 1 to be preserved
- Tree # 1 crowding the front of house and has been unmaintained

A large, semi-transparent watermark of the Cinerea Urban Forestry Services logo is centered on the page. It features a stylized tree with green leaves and a brown trunk, with the company name overlaid in a large, grey, sans-serif font.

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Tree Replacement Information

Tree Compensation – Current

Tree DBH (measured at 1.37m)	Non-Construction Tree Permit	Infill Tree Permit & Minor Variances	Subdivisions, Site Plans, Severances, & Heritage Infill
≥20 cm up to 40 cm	2:1	2:1	2:1
>40 cm up to 60 cm	3:1	3:1	Negotiated amount based on Appraisal
>60 cm up to 80 cm	4:1	4:1	
>80 cm	5:1	5:1	
Minimum Size for Replanting	6 cm ø deciduous or 300 cm tall conifers	6 cm ø deciduous or 300 cm tall conifers	6 cm ø deciduous or 300 cm tall conifers
Cash-in-Lieu Rate	\$300 per tree	\$600 per tree	\$600 per tree
Replanting ratio of 6:1 applied when removed without a permit and ordered to replant.			

1 tree (58 cm dbh honey locust) will be removed to facilitate construction. Trees are required to be replanted or paid on a cash-in-lieu of planting basis to the City of Markham.

The calculations regarding number of trees to be replanted and amount of cash-in-lieu allowed will be determined by the City of Markham. As well the cash-in-lieu of planting rate is subject to increase in price at any time as determined by City of Markham.

Due to existing trees at site, minimum spacing requirements, and proposed construction, the cash-in-lieu of planting method is suggested.

Tree Appraisal

Tree appraisal shall be performed at the City's request should it be required. All trees will be appraised using the Trunk Formula Method from the Council of Tree and Landscape Appraisers Guide for Plant Appraisal 10th Edition. In general, methods used are the Reproduction Method – Trunk Formula Technique and the Cost Approach, Reproduction Method, Direct Cost for appraisal.

Tree Maintenance Plan

Pruning & Root Pruning Plan

Tree # 1 will be required to be pruned away from the proposed house via crown reduction. This pruning will only occur on the south side of the tree up to a height of approximately 4 metres.





An exploratory dig will be conducted at the extent of the proposed construction within the MTPZ of tree # 1 to determine the feasibility of construction along with potential root pruning. All roots found will be approved to be pruned prior to cutting by the City of Markham Forestry Dept.

Arborist Recommendations

- Submit Tree Assessment and Preservation Plan to City of Markham Urban Forestry
- Install tree protection fencing as per the Tree Preservation Plan
- Remove tree # 4 to facilitate construction
- Prune tree # 1 away from existing and proposed house
- Conduct exploratory dig via AirSpade to determine feasibility of construction within MTPZ of tree # 1 and potential root pruning; to be done in conjunction with the City of Markham Urban Forestry Dept.

Construction Notes

No construction materials or debris are to be stored within the Minimum Tree Protection Zones of any tree as noted on the Tree Preservation Plan. All hoarding is to remain in place for duration of the construction. Hoarding is to be removed once construction is completed.

Conclusion

The scope of construction is to demolish the existing house and build a new home along with a pool house in the backyard area. The existing pool will remain.

Tree # 1 is a 56cm dbh white spruce *Picea glauca* in the front of the property in front of the house. It was my initial specification to remove tree # 1 due to construction however its preservation is paramount to involved municipal parties. This tree is to be pruned away from the existing house as well as proposed house to facilitate construction via crown reduction pruning. Total above ground pruning will not encompass more than 20% of the trees total crown and will be more like 10%. An exploratory dig performed by an ISA Certified Arborist familiar with the process shall be done at the extent of proposed construction within the MTPZ of the tree. This will be done to determine the feasibility of preservation of the tree combined with the proposed construction. Should the arborist and the City of Markham Urban Forestry Dept. determine that the tree can be preserved through root pruning then root pruning shall be conducted. A permit to injure will be required for this tree.

Note that regardless of construction, this tree should be pruned away from the existing house to allow reasonable access, improve airflow, take branches away from eavestrough and to unrestrict the view of the front window.



Tree # 4 will be required to be removed to facilitate construction. This is a 58 cm dbh honey locust. The City of Markham will determine the amount of replacement trees/cash-in-lieu of planting required due to the removal of this tree. This is based on a negotiated amount with the client using the appraised value of the tree. Furthermore, replanting on the property is not advised due to minimum spacing guidelines, the existence of trees, and proposed construction.

The MTPZ of tree # 5 encroaches onto the property however this will be fully protected with tree protection fencing. Existing hedges and fences protected the extent of the MTPZ of tree # 7 however protected this tree is foolhardy since it is in very poor condition and has been topped.

The client is advised to hire insured company employing ISA Certified Arborists to perform tree removal operations. All tree preservation fencing should be installed to the City of Markham standard drawing T1. The fencing should hold up for the duration of the construction and should be constructed to withstand 90km/hr winds. Typical good fencing uses 2x4 frame lumber screwed together with orange web fencing affixed in the front yard areas and ¾” plywood in the rear yard areas. Orange web fencing is approved in the front yard areas as it does not obstruct vehicular site lines.

The client is to submit this tree assessment and preservation plan along with any application(s) to remove/injure trees as they wish to City of Markham Urban Forestry.



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Appendix 1 – Tree Inventory

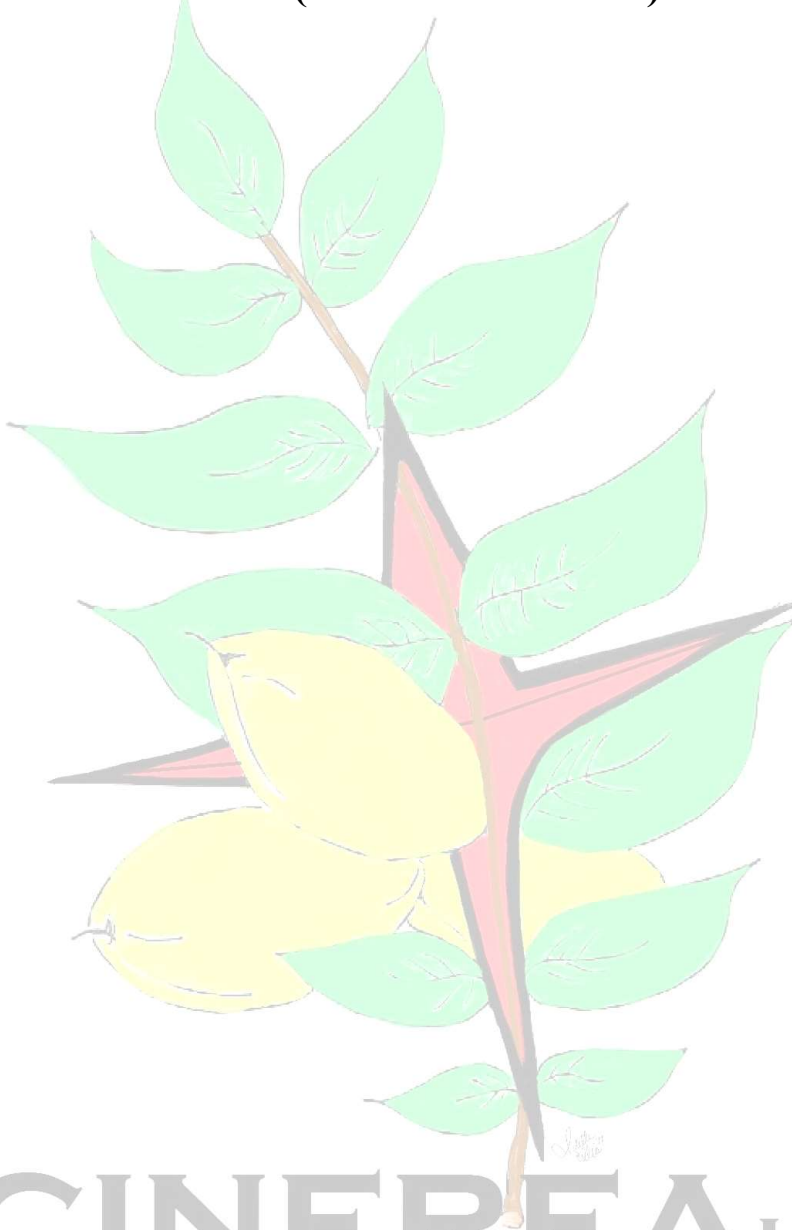
Tree #	Common Name	Latin	dbh (cm) @ 1.37 m	Crown Spread (m)	Height	Ownership	City of Markham Minimum Tree Protection Zone (m)	Health	Structure	Overall Condition	Address	Location	Comments	Arborist Recommendations
1	White Spruce	<i>Picea glauca</i>	56	9	18	Private	3.6	Good	Excellent	Excellent	18 Grenfell Cres.	1.3 metres north of north building line 12.7 metres west of curb	Proposed construction to occur within MTPZ	<p>Tree protection fencing Prune away from proposed house via crown reduction pruning ISA Certified Arborist to conduct an exploratory dig via AirSpade at the limit of construction within MTPZ to determine extent of roots to be injured. If preservation possible with root pruning then roots shall be pruned by the arborist. To be done in conjunction with the City of Markham</p>
2	Blue Spruce	<i>Picea pungens</i>	63	8	19	Private	4.2	Good	Excellent	Good	20 Grenfell Cres.	7.1 metres north of north building line 11.1 metres west of curb		



3	Freeman Maple	<i>Acer x freemanii</i>	11	3	5	Private	1.8	Excellent	Excellent	Excellent	16 Grenfell Cres.	4.8 metres south of north property line 7.2 metres west of curb	Newly planted tree Appears to be a City tree that was planted on private side	
4	Honey Locust	<i>Gleditsia triacanthos var. inermis</i>	58	13	16	Private	3.6	Excellent	Good	Good	18 Grenfell Cres.	3 metres north of south property line 5.1 metres west of west building line at south building line	Dense crown	Remove due to proposed construction
5	Sugar Maple	<i>Acer saccharum</i>	58	10	18	Private	3.6	Good	Fair	Good	16 Grenfell Cres.	1.4 metres south of north property line 0.3 metres east of west property line		Tree protection fencing
6	Sugar Maple	<i>Acer saccharum</i>	39	10	18	Private	2.4	Good	Fair	Good	16 Grenfell Cres.	5.2 metres south of north property line 1.1 metres east of west property line		
7	Weeping Willow	<i>Salix x babylonica</i>	91	8	13	Private	6.0	Very Poor	Very Poor	Very Poor	152 Sherwood Forest Dr.	4.2 metres north of north property line of 18 Grenfell Cres. 5.8 metres west of west property line of 18 Grenfell Cres.	Previously topped Response growth makes up entire live foliage	



Appendix 2 – Photos (Trees Are Centred)



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Fig. 1 – Tree # 1 – *Picea glauca* – Tree Protection Fencing – Crown Reduction Pruning Away From Proposed House – ISA Certified Arborist to Conduct Exploratory Dig Via AirSpade to Determine Feasibility of Preservation and Conduct Potential Root Pruning – To Be Done In Conjunction With City of Markham Urban Forestry Dept.



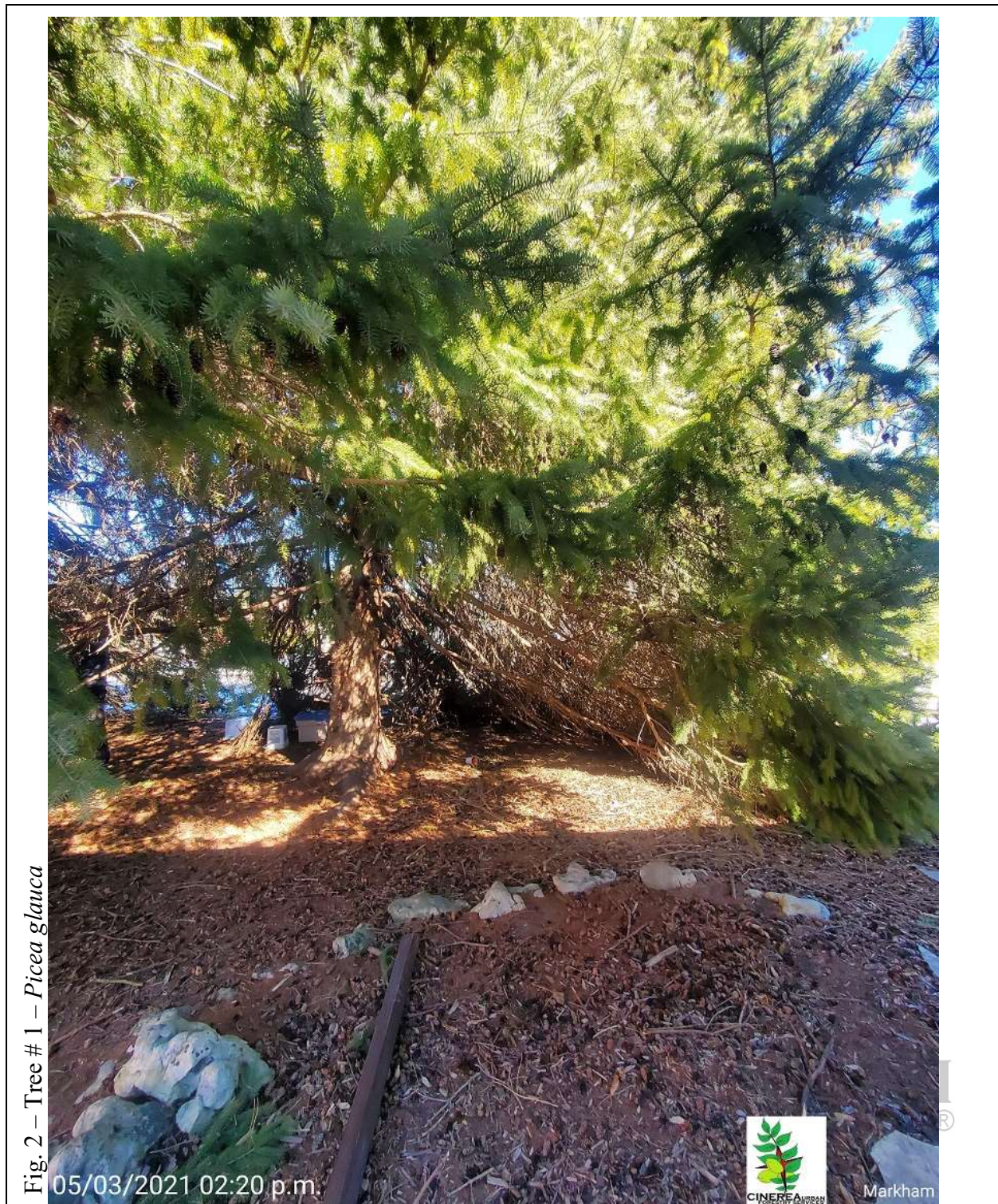


Fig. 2 – Tree # 1 – *Picea glauca*



Fig. 3 – Tree # 2 – *Picea pungens* – 20 Grenfell Cres.

05/03/2021 02:23 p.m.



Markham



Fig. 4 – Tree # 3 – *Acer x freemanii* – 16 Grenfell Cres.



05/03/2021 02:24 p.m.



Markham



Fig. 5 – Tree # 4 – *Gleditsia triacanthos* var. *inermis* - Remove





Fig. 6 – Tree # 5 – *Acer saccharum* – 16 Grenfell Cres. – Tree Protection Fencing



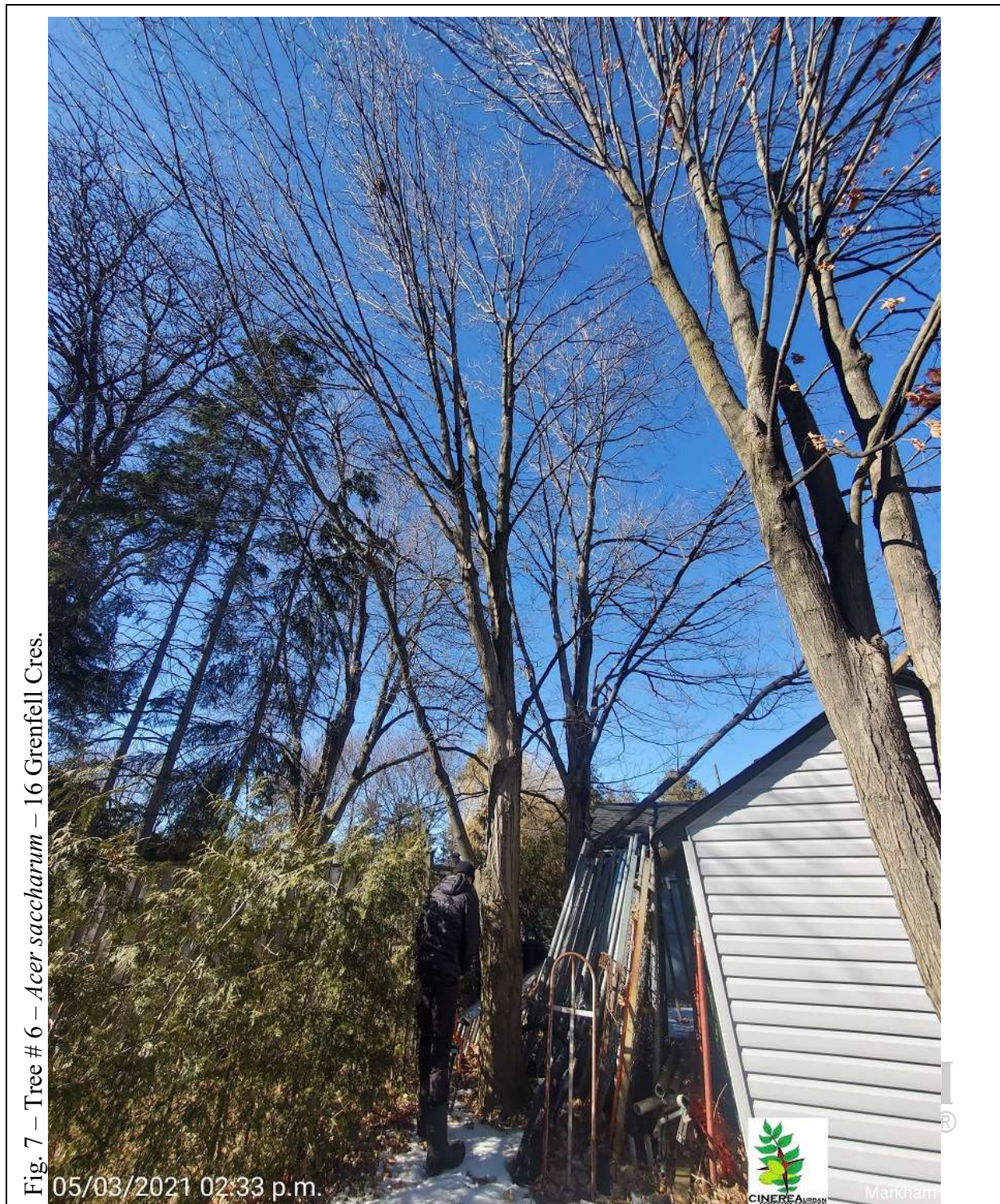




Fig. 8 – Tree # 7 – *Salix x babylonica* – 152 Sherwood Forest Dr.



05/03/2021 02:40 p.m.



Markham

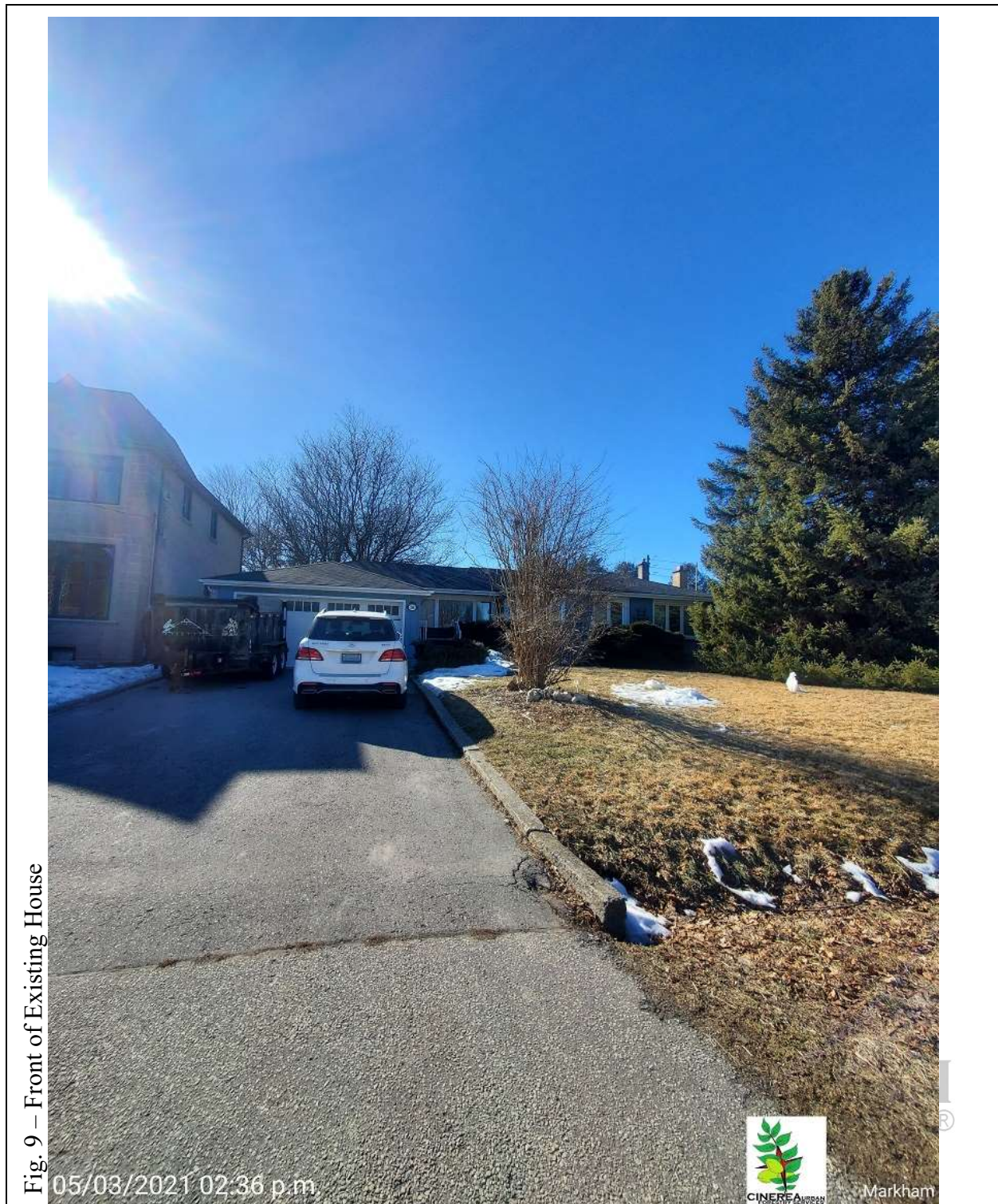


Fig. 9 – Front of Existing House

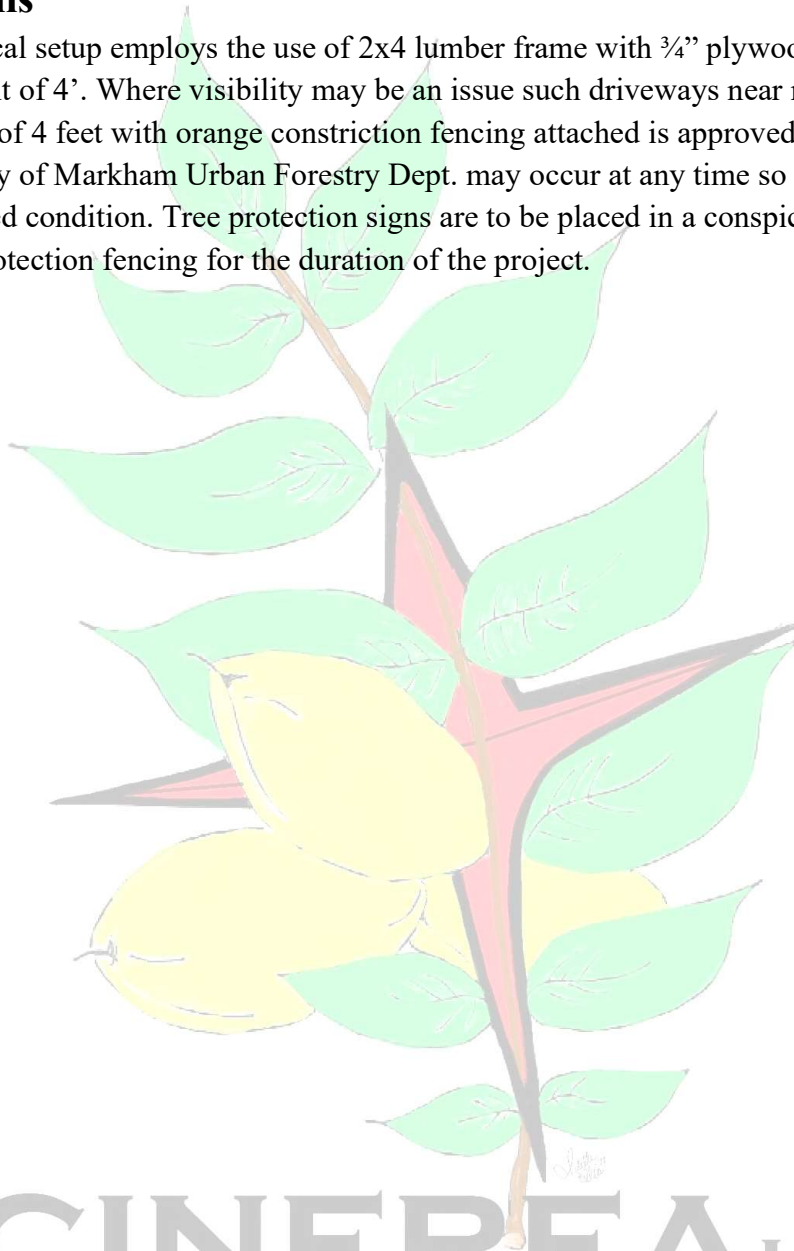




Appendix 3 - Hoarding (Temporary Tree Protection Fencing)

Details

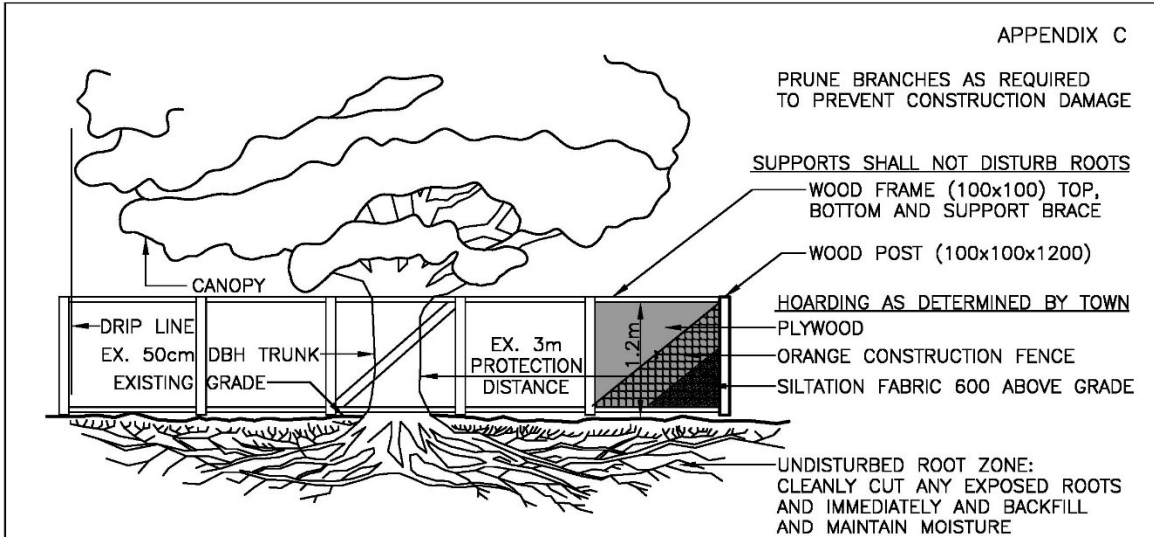
A typical setup employs the use of 2x4 lumber frame with ¾” plywood attached, usually built to a height of 4’. Where visibility may be an issue such driveways near roads, a 2x4 frame built to a height of 4 feet with orange constriction fencing attached is approved. Random inspections by the City of Markham Urban Forestry Dept. may occur at any time so hoarding must be kept in installed condition. Tree protection signs are to be placed in a conspicuous area on all sides of tree protection fencing for the duration of the project.



CINEREA URBAN
FORESTRY SERVICES®



APPENDIX C



MINIMUM TREE PROTECTION DISTANCE FROM TRUNK:

< 10cm DBH	1.2m
10-29cm DBH	1.8m
30-40cm DBH	2.4m
41-50cm DBH	3.0m
51-60cm DBH	3.6m
61-70cm DBH	4.2m
71-80cm DBH	4.8m
81-90cm DBH	5.4m
91-100cm DBH	6.0m
> 100cm DBH	6cm/1cm \emptyset

(DIAMETER AT BREAST HEIGHT) DBH = TRUNK DIAMETER AT 1.4m HEIGHT

40cmx60cm SIGN MOUNTED ON ALL SIDES OF BARRIER

MARKHAM

TREE PROTECTION ZONE

NO WORK IS PERMITTED WITHIN THE TREE PROTECTION ZONE INCLUDING GRADING, CONSTRUCTION ACCESS AND MATERIAL STORAGE.

BREACH OF TREE PROTECTION ZONE IS SUBJECT TO A FINE OF \$ _____

CONTACT TOWN OF MARKHAM FOR MORE INFORMATION: 905-477-5530

TREE PROTECTION NOTES:

1. ALL TREE PROTECTION BARRIERS SHALL BE IN PLACE AND APPROVED BY THE TOWN PRIOR TO CONSTRUCTION ACCESS.
2. ALL SUPPORTS AND STAKES SHALL BE OUTSIDE THE TREE PROTECTION ZONE AND SHALL MINIMIZE ROOT DAMAGE.
3. TREE PROTECTION BARRIERS SHALL REMAIN IN PLACE AND IN GOOD CONDITION UNTIL ALL CONSTRUCTION IS COMPLETE AND APPROVED BY THE TOWN.
4. ALL ARBORICULTURE WORK SUCH AS PRUNING OF BRANCHES AND ROOTS, SHALL BE DONE BY A QUALIFIED TREE WORKER CERTIFIED WITH THE INTERNATIONAL SOCIETY OF ARBORICULTURE APPROVED BY THE TOWN.

TREE PRESERVATION DETAILS

<p>THE CORPORATION OF THE TOWN OF MARKHAM</p>	SCALE:	DATE:	DRAWING No.
	N.T.S.	JUNE 2009	T-1



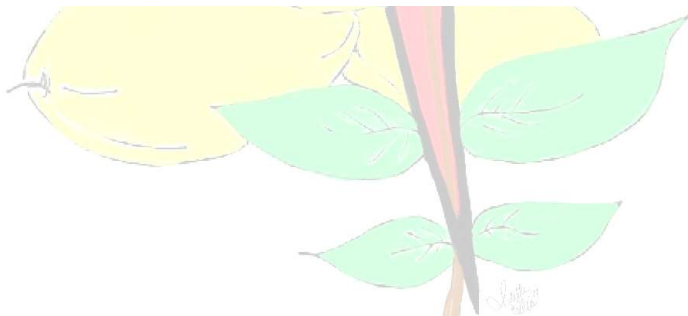
Included below are some examples of what is **NOT** considered acceptable tree protection fencing: Fig. 13 – Unapproved Tree Protection Fencing





Appendix 4 – Tree Protection Sign

A sign resembling the sign below shall be mounted in a conspicuous area on all sides of the Tree Protection Fencing. The signs are to be provided by consultant/contractor whom builds hoarding. Some examples are shown below. An example of a sign is included below.



CINEREA URBAN FORESTRY SERVICES®



Appendix 5 - References

1. A silvicultural guide to managing southern Ontario forests. (2000). [Toronto]: [Ministry of Natural Resources].
2. Anderson, H. and Corlett, A. (2004). *Ontario tree marking guide*. [Toronto]: Ministry of Natural Resources.
3. Dunster, J., Smiley, E., Matheny, N. and Lilly, S. (n.d.). *Tree risk assessment manual*.
4. Fite, K. and Smiley, E. (2008). *Best management practices - Managing trees during construction*. Champaign, IL: International Society of Arboriculture.
5. Gilman, E. (2002). *Best management practices – Tree Pruning*. Champaign, IL: International Society of Arboriculture.
6. Matheny, N. and Clark, J. (2008). *Municipal specialist certification study guide*. Champaign, IL: International Society of Arboriculture.
7. Lily, Sharon. *Glossary Of Arboricultural Terms*. 1st ed. Champaign: International Society of Arboriculture, 2015.



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FORESTRY SERVICES®



Appendix 6 - Arborist Qualifications

Mark Ellis is the owner/operator at Cinerea Urban Forestry Services. He has previously held



positions as Senior Consulting Arborist with Davey Resource Group, Arborist Foreman with Regional Municipality of Wood Buffalo and Forest Health Care with the City of Toronto. He is one of only five persons in Canada that hold both the ISA Board Certified Master Arborist & ISA Certified Arborist Municipal Specialist certifications. Mark has over 10 years of experience working for not-for-profit corporations, private companies, and municipalities in arboriculture, forestry and urban forestry. His experience includes planning the urban forest, tree climbing and removal, integrated pest management, surveying for destructive forest pests, and GIS based mapping to name a few. Annually, Cinerea Urban Forestry Services prepares over 250 Arborist Reports, Tree Protection Plans, and Tree Preservation Plans.

Education

- Sir Sandford Fleming – Forest Technician Diploma

Industry Related Certifications

- ISA Board Certified Master Arborist Municipal Specialist # ON-1686BM (2013-2022)
- ISA Tree Risk Assessment Qualification (TRAQ) (2013-2023)
- Butternut Health Assessor #532
- Ontario Certified Seed Collector #383
- Ontario MOE Pesticide License #046418 (Forestry, Industrial Vegetation, & Landscape Exterminator)
- Alberta Pesticide Applicator # LCA23671 (Forestry, Industrial, Landscape)
- OFSWA Chainsaw Operator Certification
- Arboriculture Canada – Technical Tree Falling & Cutting
- Certified Ontario Tree Marking Course
- SP-102 Forest Industry Wildland Firefighting

Member

- International Society of Arboriculture Member #221000
- International Society of Arboriculture Ontario Chapter Member #221000
- Tree Care Industry Association





Project:
18 Grenfell Cres, Markham

Tree Preservation Plan

Client:
Hitesh Peshavaria
18 Grenfell Cres.
Markham ON L3P 1S5
416-274-6712
hitesh.peshavaria@gmail.com

Notes:

- All field data collected by Mark Ellis, ISA BCMA ON-1686BM on March 5, 2021
- Tree # 4 to be removed to facilitate construction.

Legend:

Identification Number

2

Markham Minimum Tree Protection Zone (MTPZ)

Approx Crown Spread

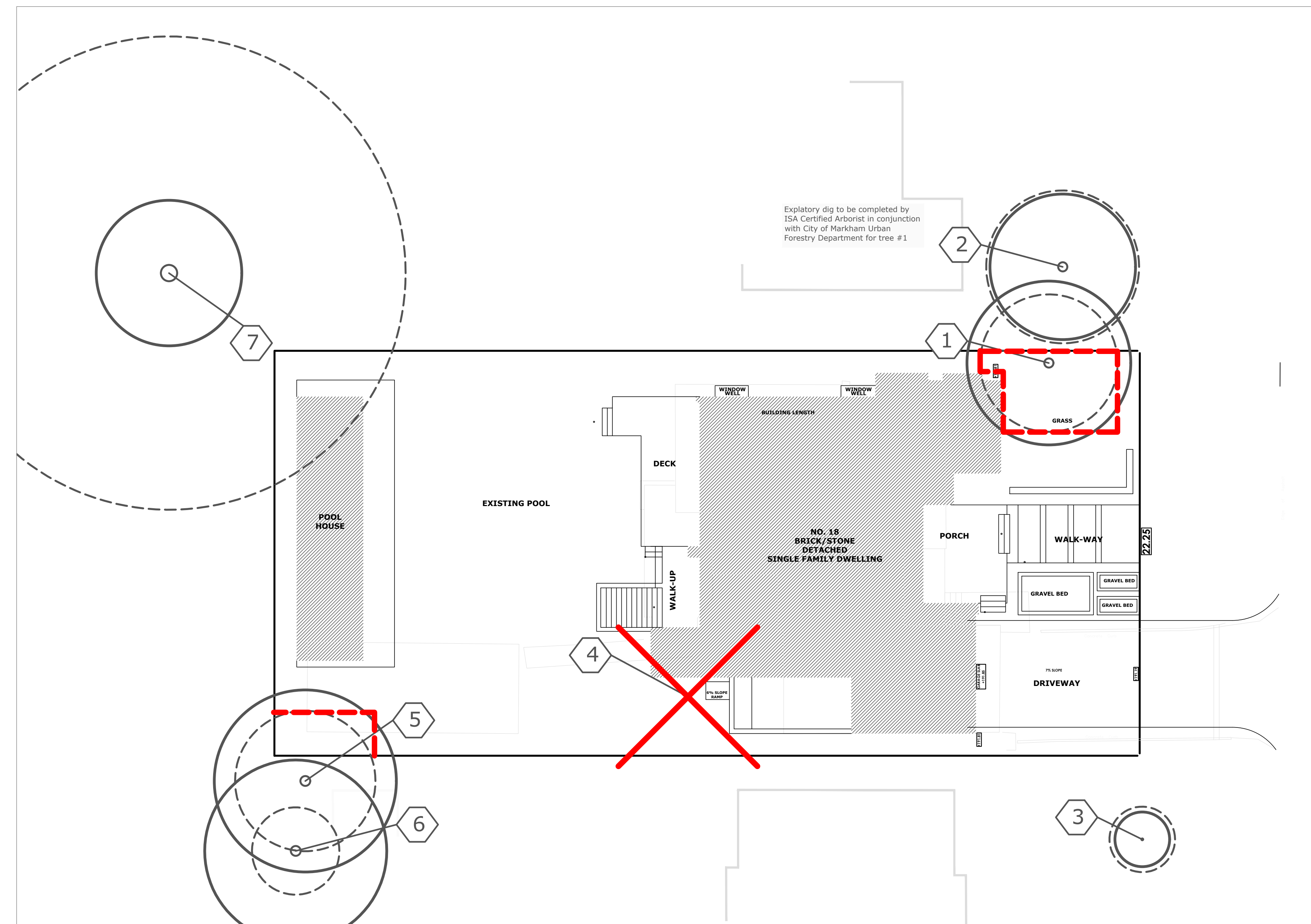
Tree Protection Fencing - Rigid Hoarding

Existing Tree to Remain and be Protected

Existing Tree to be Removed to Facilitate Construction

No.	DATE	BY	REVISIONS

APPROVALS		STAMP	
MUNICIPAL			
DIRECTOR OF ENGINEERING			
DATE			
DRAWING NO.	SCALE		
TP - 1	1:150		
CONTRACT NO.	SHEET		
	1 OF 1		



APPENDIX C

PRUNE BRANCHES AS REQUIRED TO PREVENT CONSTRUCTION DAMAGE

SUPPORTS SHALL NOT DISTURB ROOTS

WOOD FRAME (100x100) TOP, BOTTOM AND SUPPORT BRACE

WOOD POST (100x100x1200)

HOARDING AS DETERMINED BY TOWN

PLYWOOD

ORANGE CONSTRUCTION FENCE

SILTATION FABRIC 600 ABOVE GRADE

UNDISTURBED ROOT ZONE: CLEANLY CUT ANY EXPOSED ROOTS AND IMMEDIATELY AND BACKFILL AND MAINTAIN MOISTURE

MINIMUM TREE PROTECTION DISTANCE FROM TRUNK:

< 10cm DBH	1.2m
10-29cm DBH	1.8m
30-40cm DBH	2.4m
41-50cm DBH	3.0m
51-60cm DBH	3.6m
61-70cm DBH	4.2m
71-80cm DBH	4.8m
81-90cm DBH	5.4m
91-100cm DBH	6.0m
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(DIAMETER AT BREAST HEIGHT) DBH = TRUNK DIAMETER AT 1.4m HEIGHT

40cmx60cm SIGN MOUNTED ON ALL SIDES OF BARRIER

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TREE PRESERVATION DETAILS

MARKHAM
THE CORPORATION OF THE TOWN OF MARKHAM

SCALE: N.T.S. DATE: JUNE 2009 DRAWING No. T-1

Tree #	Common Name	Latin	dbh (cm) @ 1.37 m	Crown Spread (m)	Height	Ownership	City of Markham Minimum Tree Protection Zone (m)	Health	Structure	Overall Condition	Address	Location	Comments	Arborist Recommendations
1	White Spruce	<i>Picea glauca</i>	56	9	18	Private	3.6	Good	Excellent	Excellent	18 Grenfell Cres.	1.3 metres north of north building line 12.7 metres west of curb	Proposed construction to occur within MTPZ	Tree protection fencing Prune away from proposed house via crown reduction pruning ISA Certified Arborist to conduct an exploratory dig via AirSpade at the limit of construction within MTPZ to determine extent of roots to be injured. If preservation possible with root pruning then roots shall be pruned by the arborist. To be done in conjunction with the City of Markham
2	Blue Spruce	<i>Picea pungens</i>	63	8	19	Private	4.2	Good	Excellent	Good	20 Grenfell Cres.	7.1 metres north of north building line 11.1 metres west of curb		
3	Freeman Maple	<i>Acer x freemanii</i>	11	3	5	Private	1.8	Excellent	Excellent	Excellent	16 Grenfell Cres.	4.8 metres south of north property line 7.2 metres west of curb	Newly planted tree Appears to be a City tree that was planted on private side	
4	Honey Locust	<i>Gleditsia triacanthos var. inermis</i>	58	13	16	Private	3.6	Excellent	Good	Good	18 Grenfell Cres.	3 metres north of south property line 5.1 metres west of west building line at south building line	Dense crown	Remove due to proposed construction
5	Sugar Maple	<i>Acer saccharum</i>	58	10	18	Private	3.6	Good	Fair	Good	16 Grenfell Cres.	1.4 metres south of north property line 0.3 metres east of west property line		Tree protection fencing
6	Sugar Maple	<i>Acer saccharum</i>	39	10	18	Private	2.4	Good	Fair	Good	16 Grenfell Cres.	5.2 metres south of north property line 1.1 metres east of west property line		
7	Weeping Willow	<i>Salix x babylonica</i>	91	8	13	Private	6.0	Very Poor	Very Poor	Very Poor	152 Sherwood Forest Dr.	4.2 metres north of north property line of 18 Grenfell Cres. 5.8 metres west of west property line of 18 Grenfell Cres.	Previously topped Response growth makes up entire live foliage	

APPENDIX "D"
METROLINX COMMENTS: MARCH 4, 2021

Todorovski, Aleks

From: Leung, Justin on behalf of Committee of Adjustment
Sent: Thursday, March 4, 2021 2:48 PM
To: Todorovski, Aleks
Cc: Mott, Justin; Hemon-Morneau, Francois
Subject: FW: 18 Grenfell Crescent (A/005/21)
Attachments: Metrolinx Environmental Easement, January 2021.pdf

From: Daniel Brent <Daniel.Brent@metrolinx.com>
Sent: Thursday, March 4, 2021 2:46 PM
To: ProjectDox@markham.ca
Cc: Committee of Adjustment <COA@markham.ca>; development.coordinator <development.coordinator@metrolinx.com>
Subject: 18 Grenfell Crescent (A/005/21)

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hi Justin,

Further to the circulation for the above property, received January 29, 2021, we note the subject lands are located within Metrolinx's 300-metre zone of influence surrounding the Uxbridge Subdivision, which carries Stouffville GO train service. Our comments on this proposal are set out below.

1. The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwelling in favour of Metrolinx. I have attached our Environmental Easement language as a reference.
2. The following warning clause shall be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way:
Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

A copy of this email will be stored in ePlan. Please let me know if you have any questions.

Thanks,
Daniel

Daniel Brent, M.SEM., EP, MCIP, RPP

Project Manager | Third Party Projects Review

Metrolinx

30 Wellington St. W, Second Floor | Toronto | Ontario | M5L 1B1

T: 416.202.7566 | M: 647.248.1272 | daniel.brent@metrolinx.com

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described as [insert legal description] (the "**Easement Lands**");

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "**Operational Emissions**").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.