

Memorandum to the City of Markham Committee of Adjustment

January 26, 2021

File: A/092/20
Address: 19 Thorny Brae Drive – Markham, ON (Thornhill)
Applicant: Elina Eidkham
Agent: MDI Development Inc.
Hearing Date: February 3, 2021

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

The applicant is requesting relief from the following “Third Density Single Family Residential (R3A)” zone requirements of By-law 2150, as amended, as they relate to a proposed two-storey detached dwelling, to permit:

a) Section 6.1 - Building Height:

a maximum building height of 28.87 ft (8.80 m) from grade, whereas the By-law permits a maximum building height of 25.0 feet (7.62 m);

b) Section 6.1 - Lot Coverage:

a maximum lot coverage of 34.76%, whereas the By-law permits a maximum lot coverage of 33.33%.

BACKGROUND

Staff note that the application was deferred by the Committee of Adjustment (“the Committee”) at the initial hearing, as proper notice was not provided in accordance with the *Planning Act* as noted in the initial staff report dated January 15, 2021 (Appendix “D”).

Property Description

The 558.88 m² (6,015.73 ft²) subject property is located on the south side of Thorny Brae Drive, north of Royal Orchard Boulevard, east of Royal Orchard Park, and west of Kirk Drive. The property is developed with an existing one-storey detached dwelling with an attached garage, and deck in the rear yard. There is one boundary tree located along the east property line, and mature trees that exist on neighbouring properties. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings.

Proposal

The applicant is proposing to demolish the existing one-storey dwelling and deck, to construct a two-storey detached dwelling with an attached two-car garage, and rear yard walk-up. The new dwelling would have an approximate ground floor area of 194.26 m² (2,091.0 ft²), and a second floor area of 188.58 m² (2,029.90 ft²) for a total gross floor area of 382.84 m² (4,120.90 ft²).

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 retention of existing trees and vegetation, and the width of proposed garages and driveways.

Zoning By-Law 2150

The subject property is zoned “Third Density Single Family Residential (R3A)” under By-law 2150, as amended, which permits one single detached dwelling per lot. The proposed development does not comply with the By-law requirements with respect to maximum building height, and maximum lot coverage.

Zoning Preliminary Review (ZPR) Undertaken

The applicant completed a ZPR to confirm the initial variances required for the proposed development. The applicant submitted revised drawings on January 7, 2021 which reduce the initial height request by approximately 0.30 m (0.98 ft). The applicant has not conducted a ZPR for the revised drawings.

Staff note that it is the applicant’s responsibility to ensure that the application has accurately identified all the variances to the By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the building permit review process, further variance application(s) may be required to address any non-compliances with the By-law.

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 Height

The applicant is requesting a maximum building height of 28.87 ft (8.80 m), whereas the By-law permits a maximum building height of 25.0 ft (7.62 m). This is an increase of 3.87 ft (1.18 m).

The applicant initially proposed a height of 9.10 m (29.86 ft). New infill developments should have regard to the height and massing of established homes to ensure the overall character of the neighbourhood is maintained. In considering the scale of the existing built form within the surrounding area regulated by the By-law permissions in effect, staff had some concern with the initial variance request. The applicant has worked with staff to reduce the height of the proposed dwelling, and while the reduction is minimal, staff are of the opinion that the revised height is more to scale with other existing dwellings within the surrounding area built circa 1967.

Increase in Maximum Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 34.76% or a floor area of 193.27 m² (2,091.07 ft²), whereas the By-law permits a maximum lot coverage of 33.33%

or a floor area of 186.27 m² (2005.04 ft²). This is an increase of approximately 1.43% or 8.0 m² (86.03 ft²).

Staff are of the opinion that the proposed increase in lot coverage will not significantly add to the scale and massing of the dwelling, and the resultant dwelling is generally consistent with what the By-law permits.

Tree Protection & Compensation

Mature trees and vegetation are primarily located along the east and west property lines, as shown in the survey (Appendix “B”). Urban Forestry staff have reviewed the application with respect to the proposed development. Staff recommend that tree protection and compensation conditions attached as Appendix “A” be adopted by the Committee in the event of approval.

Metrolinx Requirements

Metrolinx provided comments on this application on November 13, 2020, 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 of “Operational Emissions” as shown in Appendix “C”. Staff recommend that the proposed development is subject to the associated condition of approval provided in Appendix “A”. Metrolinx indicates that CN Rail is the primary commenting agency for the railway.

CN Rail Requirements

CN Rail has not provided comments on the application.

PUBLIC INPUT SUMMARY

No written submissions were received as of January 26, 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

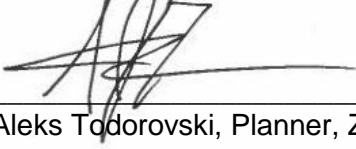
Appendix “A” – Conditions of Approval

Appendix “B” – Plans

Appendix “C” – Metrolinx Comments: November 13, 2020

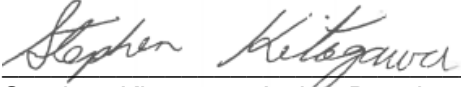
Appendix “D” – Staff Report: January 15, 2021

PREPARED BY:

A handwritten signature in black ink, appearing to read 'Aleks Todorovski', written over a horizontal line.

Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:

A handwritten signature in black ink, appearing to read 'Stephen Kitagawa', written over a horizontal line.

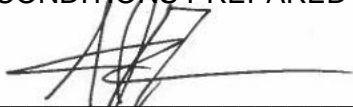
Stephen Kitagawa, Acting-Development Manager, West District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/092/20

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 City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Director of Operations that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician or Director of Operations.
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician or Director of Operations.
6. That the applicant satisfies the requirements of Metrolinx, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix "C" to this Staff Report, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:

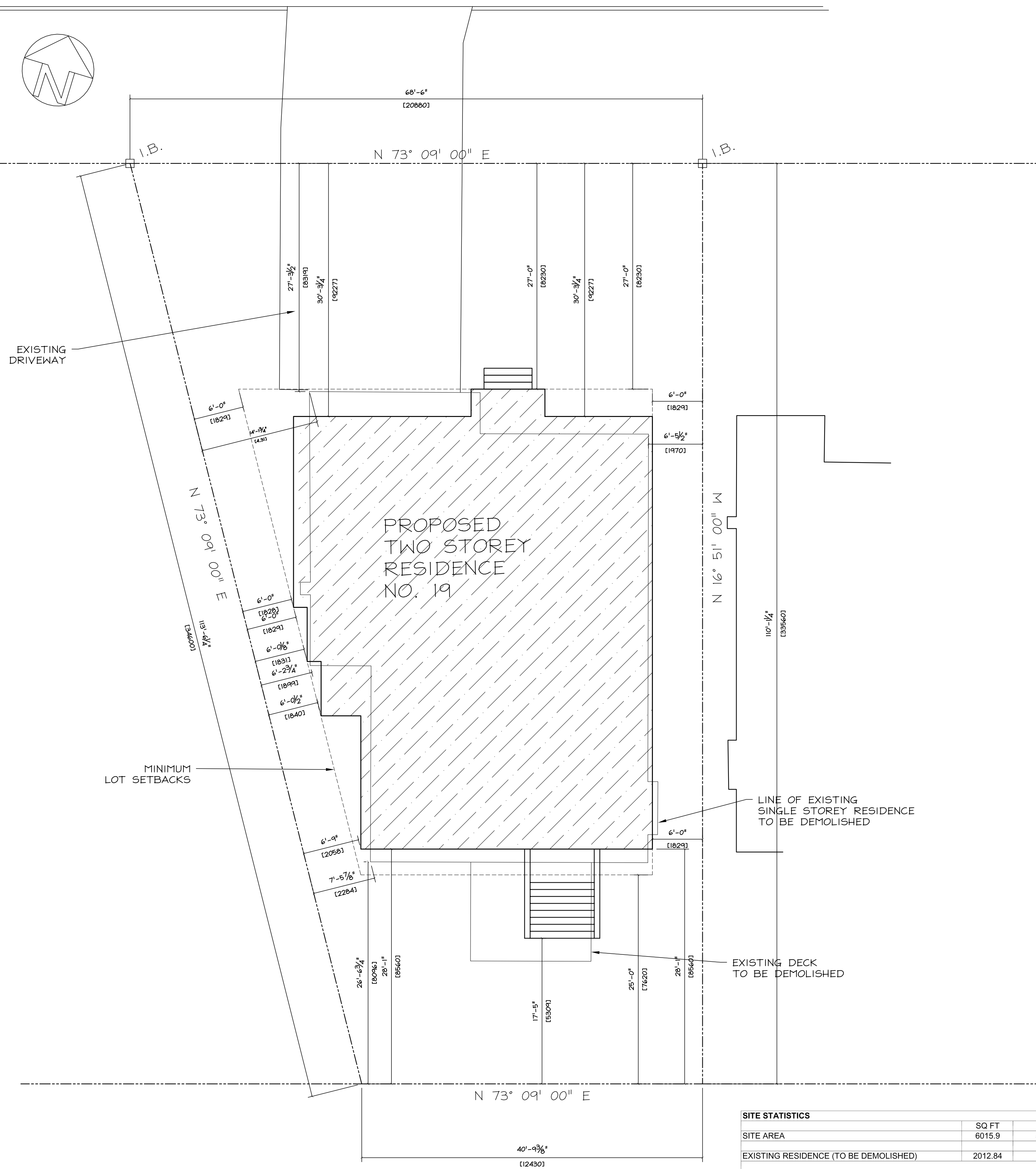
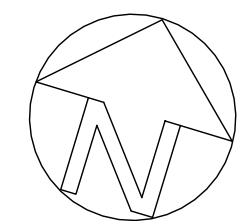


Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/092/20

THORNY BRAE DRIVE



Excavation and Backfill

- Excavation shall be undertaken in such a manner so as to prevent damage to existing structures, adjacent property and utilities.
- The topsoil and vegetable matter in unexcavated areas under a building shall be removed. The bottom of excavations for foundations shall be free of all organic material.
- If termities are known to exist, all stumps, roots and weed debris shall be removed to a minimum depth of 11 3/4' in excavated areas under a building, and the clearance between untreated structural wood elements and the ground shall be no less than 17 3/4'.
- Backfill within 23 5/8' of the foundation walls shall be free of deleterious debris and boulders over 9 7/8' in diameter.

Dampproofing and Drainage

- In normal soil conditions, the exterior surfaces of foundation walls enclosing basements and crawl spaces shall be dampproofed. Where hydrostatic pressure occurs, a waterproofing system is required.
- Masonry foundation walls shall be parged with 1/4" of mortar covered over the footing prior to dampproofing.
- 4" foundation drains shall be laid on level, undisturbed ground adjacent to the footings at or below the top of the basement slab or crawl space floor, and shall be covered with 6" of crushed stone. Foundation drains shall drain to a storm sewer, drainage ditch, dry well or sump.
- Window wells shall be drained to the footing.
- Downspouts not directly connected to a storm sewer shall have extensions to carry water away from the building, and provisions shall be made to prevent soil erosion.
- Concrete slabs in attached garages shall be sloped to drain to the exterior.
- The building site shall be graded so that surface, sump and roof drainage will not accumulate at or near the building and will not adversely affect adjacent properties.

Footings

- minimum 2200 psi poured concrete
- minimum 48" below finished grade
- Footings shall be founded on natural undisturbed soil, rock or compacted granular fill with minimum bearing capacity 60psi.

Footing Size

- | Floors Supported | Supporting Ext. Wall | Supporting Int. Wall | Column Area |
|------------------|----------------------|----------------------|----------------------|
| 1 | 9 7/8" | 9 7/8" | 4.3 ft ² |
| 2 | 13 3/4" | 13 3/4" | 8.1 ft ² |
| 3 | 17 3/4" | 19 3/4" | 10.9 ft ² |
- Masonry Veneer
 - Minimum 2 3/4" thick if joints are not raked and 3 1/2" thick if joints are raked.
 - Minimum 1" air space to sheathing.
 - Provide weep holes 1/2" o.c. at the bottom of the cavity and over doors and windows.
 - Direct drainage through weep holes with 20 mil poly flashing extending minimum 5 7/8" up behind the sheathing paper.
 - Veneer ties minimum 0.050" thick x 7/8" wide corrosion resistant straps spaced @ 23 5/8" vertically and 45 3/4" horizontally.
 - Fasten ties with corrosion resistant 0.125" diameter screws or spiral nails which penetrate at least 1-3/16" into studs.

Foundation Walls

- To be poured concrete, unit masonry or preserved wood (see drawings for type and thickness).
 - Dampproofing shall be a heavy coat of bituminous material.
 - Foundation wall to extend minimum 5 7/8" above finished grade.
 - A drainage layer is required on the outside of a foundation wall where the interior insulation extends more than 2'-11" below exterior grade. A drainage layer shall consist of:
 - Min. 4" mineral fibre insulation with min. Density of 3.6 lb/ft³
 - Min. 4" of free drainage granular material, or
 - An approved system which provides equivalent performance.
 - Foundation walls shall be braced or have the floor joists installed before backfilling.
- Concrete Floor Slabs**
- Garage, carport and exterior slabs and exterior steps shall be 4650psi concrete with 5-8# air entrainment.
 - Other slabs 3600psi concrete.
 - Minimum 3" thick, placed on a minimum 4" of coarse, clean, granular material.
 - All fill other than coarse clean material placed beneath concrete slabs shall be compacted to provide uniform support.

Masonry Walls

- Where constructed of 3 1/2" brick, wall shall be bonded with header course every 4th course.
- Provide 2" solid masonry or continuous 1 1/2" plate under all roof and floor framing members.
- Provide 1/2" solid masonry under beams and columns.
- Masonry wall to be tied to each tier of joists with 1 9/16" x 3/16" corrosion resistant steel straps, keyed minimum 4" into masonry. When joists are parallel to wall, ties are to extend across at least 3 joists @ 6'-7" o.c.
- Inside back of wall to be parged and covered with NBS breather-type asphalt paper.
- For reduced foundation walls to allow a brick facing while maintaining lateral support, tie minimum 1/2" brick to minimum 3 1/2" back-up block with corrosion resistant ties at least 0.028" in cross sectional area, spaced 7 7/8" vertically and 2'-11" horizontally, with joints completely filled with mortar.
- Masonry over openings shall be supported on corrosion resistant or prime painted steel lintels with a minimum of 5 7/8" end bearing.

Masonry Veneer

- Minimum 2 3/4" thick if joints are not raked and 3 1/2" thick if joints are raked.
- Minimum 1" air space to sheathing.
- Provide weep holes 1/2" o.c. at the bottom of the cavity and over doors and windows.
- Direct drainage through weep holes with 20 mil poly flashing extending minimum 5 7/8" up behind the sheathing paper.
- Veneer ties minimum 0.050" thick x 7/8" wide corrosion resistant straps spaced @ 23 5/8" vertically and 45 3/4" horizontally.
- Fasten ties with corrosion resistant 0.125" diameter screws or spiral nails which penetrate at least 1-3/16" into studs.

Wood Frame Construction

- All lumber shall be spruce-pine-fir No. 1 #2 and shall be identified by a grade stamp.
- Maximum moisture content 19% at time of installation.
- Wood framing members which are supported on concrete in direct contact with soil shall be separated from the concrete with 6 mil polyethylene.
- Walls
 - Exterior walls shall consist of:
 - cladding
 - sheathing paper lapped 4" at joints
 - 3/8" fibreboard or gypsum board or 1/4" plywood sheathing
 - 2x6 studs @ 16" o.c.
 - 2x6 bottom plate and double 2x6 top plate
 - 2x4 studs @ 16" o.c.
 - 2x4 bottom plate and double 2x4 top plate
 - 2x4 mid-girts if not sheathed
 - 1/2" gypsum board sheathing
- Interior loadbearing walls shall consist of:
 - 2x4 studs @ 16" o.c.
 - 2x4 bottom plate and double 2x4 top plate
 - 2x4 mid-girts if not sheathed
 - 1/2" gypsum board sheathing

Floors

- Joists to have minimum 1 1/2" end bearing.
- Joists shall bear on a sill plate fixed to foundation with 1/2" anchor bolts @ 7' 10" o.c.
- Header joists between 3' 11" and 10' 4" in length shall be doubled. Header joists exceeding 10' 6" shall be sized by calculations.
- Trimmer joists shall be doubled when supported header is between 2' 11" and 6' 7". Trimmer joists shall be sized by calculations when supported header exceeds 6' 7".
- 2x2 cross bridging required not more than 6' 11" from each support and from other runs of bridging.
- Joists shall be supported on joist hangers at all flush beams, trimmers, and headers.
- Joists located under parallel non-loadbearing partitions shall be doubled.

Roof & Ceilings

- Hip and valley rafter shall be 2" deeper than common rafters.
- 2x4 collar ties @ rafter spacing with 1x4 continuous brace at mid span if collar tie exceeds 7' 10" in length.

Notching & Drilling of Trusses, Joists, Rafters

- Holes in floor, roof and ceiling members to be maximum 1/4 x actual depth of member and not less than 2" from edges.
- Notches in floor, roof and ceiling members to be located on top of the member within 1/2 the actual depth from the edge of bearing and not greater than 1/3 joist depth.
- Wall studs may be notched or drilled provided that no less than 2/3 the depth of the stud remains, if load bearing, and 1 9/16" if non-load bearing.
- Roof truss members shall not be notched, drilled or weakened unless accommodated in the design.

Roofing

- Fasteners for roofing shall be corrosion resistant.
- Roofing nails shall penetrate through or at least 1/2" into roof sheathing.
- Every asphalt shingle shall be fastened with at least 4 nails.
- Eave protection shall extend 2' 11" up the roof slope from the eave, and at least 11 3/4" from the inside face of the exterior wall, and shall consist of Type 11 or Type 5 Roll Roofing laid with minimum 4" head and end laps cemented together or glass fibre or Polyester Fibre coated base sheets or self-sealing composite membranes consisting of modified bituminous coated material. Eave protection is not required for unheated buildings, for roofs exceeding a slope of 1 in 15, or where a low slope asphalt shingle application is provided.
- Open valleys shall be flashed with 2 layers of roll roofing, or layer of sheet metal min. 23 5/8" wide.
- Flashing shall be provided at the intersection of shingle roofs with exterior walls and chimneys.
- Sheet metal flashing shall consist of not less than 1/16" sheeting, 0.035 galvanized steel, 0.008" copper, 0.010" zinc, or 0.010" aluminum.

Columns, Beams & Lintels

- Steel beams and columns shall be shop primed.
- Minimum 3 1/2" end bearing for wood and steel beams, with 7 7/8" solid masonry beneath the beam.
- Steel columns to have minimum outside diameter of 2 7/8" and minimum wall thickness of 3/16".
- Wood columns for carports and garages shall be minimum 3 1/2" x 3 1/2" in all other cases either 5 1/2" x 5 1/2" or 1/4" round, unless calculations based on actual loads show lesser sizes are adequate. All columns shall be not less than the width of the supported member.
- Masonry columns shall be a minimum of 11 3/8" x 11 3/8" or 9 1/2" x 15".
- Provide solid blocking the full width of the supported member under all concentrated loads.

Insulation & Heatproofing

- Insulation shall be protected with gypsum board or an equivalent interior finish, except for unheated basements where 6 mil poly is sufficient for fiberglass type insulation.
- Ducts passing through unheated space shall be made airtight with tape or sealant.
- Caulking shall be provided for all exterior doors and windows between the frame and the exterior cladding.
- Weatherstripping shall be provided on all doors and access hatches to the exterior, except doors from a garage to the exterior.
- Exterior walls, ceilings and floors shall be constructed so as to provide a continuous barrier to the passage of water vapour from the interior and to the leakage of air from the exterior.

Thermal Compliance Package

Type of Heating Package Selected	Gas Furnace	Flt	Proposed
Ceiling with attic (nominal)	R-60		
Ceiling without attic (nominal)	R-31		
Exposed Floor (nominal)	R-31		
Exterior Wall Above Grade (nom)	R-22		
Basement Wall (nominal c)	R-20		
Basement Slabs:			
24" below grade	None		
24" below grade (nominal)	R-10		
Heated (nominal)	R-10		
Windows & Glass Doors (U Value)	0.28		
Skylights (U Value)	0.49		
Supply Ducts in unheated space	R-12		
Space Heating Equipment	96%		
HRV	75%		
DHW (EF)	0.8		

U Values are Metric, R Values in Imperial

Natural Ventilation

- Every roof space above an insulated ceiling shall be ventilated with unobstructed openings equal to not less than 1/500 of insulated area.
- Insulated roof spaces not incorporating an attic shall be ventilated with unobstructed openings equal to not less than 1/500 of insulated area.
- Roof vents shall be uniformly distributed and designed to prevent the entry of rain, snow or insects.
- Unheated crawl spaces shall be provided with 1 ft² of ventilation for each 538 ft².
- Minimum natural ventilation areas, where mechanical ventilation is not provided, are:
 - Bathrooms: 0.97 ft²
 - Other rooms: 3 ft²
- Unfinished basement 0.23 of floor area.

Doors and Windows

- Every floor level containing a bedroom and not served by an exterior door shall contain at least 1 window having an unobstructed open area of 3.6 ft² and no dimension less than 15", which is operable from the inside without tools.
- Exterior doors and windows within 6' 7" from grade shall be constructed to resist forced entry. Doors shall have a deadbolt lock.
- The principal entry door shall have either a door viewer, transparent glazing or a sidelight.

Exterior Walls

- No windows or other unprotected openings are permitted in exterior walls less than 3' 11" from property lines.
- 5/8" fire rated drywall shall be installed on the inside face of attached garage exterior walls and gable ends of roofs which are less than 3' 11" from property lines.
- Non combustible cladding shall be installed on all exterior walls less than 23 5/8" from property lines.

Ceramic Tile

- When ceramic tile applied to a mortar bed with adhesive, the bed shall be a minimum of 1/2" thick & reinforced with galvanized diamond mesh lath applied over polyethylene on subflooring on joists at no more than 16" o.c. with at least 2 rows cross bridging.

Access to Attics and Crawl Spaces

- Access hatch minimum 19 3/4" x 2' 4" to be provided to every crawl space and every roof space which is 108 ft² or more in area and more than 23 5/8" in height.

Garage Gasproofing

- The walls and ceiling of an attached garage shall be constructed and sealed so as to provide an effective barrier to exhaust fumes.
- All plumbing and other penetrations through the walls and ceiling shall be caulked.
- Doors between the dwelling and attached garage may not open into a bedroom and shall be weatherstripped and have a self-closer.

Alarms and Detectors

- At least one smoke alarm shall be installed on or near the ceiling on each floor and basement level 2' 11" or more above an adjacent level.
- Smoke alarms shall be interconnected and located such that one is within 16' 5" of every bedroom door and no more than 48' 3" travel distance from any point on a floor.
- A carbon monoxide detector shall be installed on or near the ceiling in every room containing a solid fuel burning fireplace or stove.

Stairs

- Maximum Rise: 7 7/8"
- Minimum Run: 8 1/4"
- Minimum Tread: 9 1/4"
- Minimum Head Room: 6' 5"
- Minimum Width: 2' 10"
- Curved stairs shall have a min. run of 5 7/8" at any point and a minimum average run of 7 7/8".
- Winders which converge to a point in stairs must turn through an angle of no more than 90°, with no less than 30" or more than 48" per tread. Sets of winders must be separated by 3' 11" along the run of the stair.
- A landing minimum 2' 11" in length is required at the top of any stair leading to the principal entrance to a dwelling, and other entrances with more than 3 risers.
- Exterior concrete stairs with more than 2 risers require foundations.

Handrails and Guards

- A handrail is required for interior stairs containing more than 2 risers and exterior stairs containing more than 3 risers.
- Guards are required around every accessible surface which is more than 23 5/8" above the adjacent level.
- Interior and exterior guards min. 2' 11" high. Exterior guards shall be 3' 6" high where height above adjacent surface exceeds 5' 11".
- Guards shall have no openings greater than 4" and no member between 4" and 2' 11" that will facilitate climbing.

Plumbing

- Every dwelling requires a kitchen sink, lavatory, water closet, bathtub or shower stall and the installation or availability of laundry facilities.
- A floor drain shall be installed in the basement, and connected to the sanitary sewer where gravity drainage is possible. In other cases, it shall be connected to a storm drainage system, ditch or dry well.

Electrical

- An exterior light controlled by an interior switch is required at every entrance.
- A light controlled by a switch is required in every kitchen, bedroom, living room, utility room, laundry room, dining room, bathroom, vestibule, hallway, garage and carport.
- A switched receptacle may be provided instead of a light in bedrooms and living rooms.
- Stairs shall be lighted, and except where serving an unfinished basement shall be controlled by a 3 way switch at the head and foot of the stairs.
- Basements require a light for each 323 ft² controlled by a switch at the head of the stairs.

Mechanical Ventilation

- A mechanical ventilation system is required with a total capacity at least equal to the sum of:
 - 10 cm³ each for basement and master bedroom
 - 5 cm³ for each other room
- A principal dwelling exhaust fan shall be installed and controlled by a centrally located switch identified as such.
- Supplemental exhaust shall be installed so that the total capacity of all kitchen, bathroom and other exhausts, less the principal exhaust, is not less than the total required capacity.
- A Heat Recovery Ventilator may be employed in lieu of exhaust to provide ventilation. An HRV is required if any solid fuel burning appliances are installed.
- Supply air intakes shall be located so as to avoid contamination from exhaust outlets.

The undersigned has reviewed and taken responsibility for this design, and the qualifications and scope of the assignments set out in the Ontario Building Code to be a designer.	
QUALIFICATION INFORMATION Registered under Design in respect under 3.2.1.1 of Division 7.2 of the Ontario Building Code	
NAME: J. PINHAY	BORN: 2022
QUALIFICATION INFORMATION Registered under Design in respect under 3.2.1.1 of Division 7.2 of the Ontario Building Code	
NAME: J. PINHAY	BORN: 2022
WITNESS TECHNICAL SERVICES	31689
TRUE NAME	BORN

CONSULTANT:

EXCALIBUR CAD DESIGNS
87 EDEWILD DRIVE
DANFORTH, ONTARIO
L4W 2Y4
PHONE: 919-940-3763
FAX: 919-940-3763
EMAIL: info@excalibur-cad.com
ADDRESS: 87 EDEWILD DRIVE

CLIENT:

AMY'S HOMES
PROPOSED NEW RESIDENCE
19 THORNY BRAE DRIVE
TORONTO, ONTARIO

DRAWING TITLE:

SITE PLAN

DESIGN BY:	PROJECT NO.
J. PINHAY	
DATE:	REFERENCE:
FEB 28 2020	
REVISION:	ISSUED BY:
AS NOTED	
CHECKED:	A-0

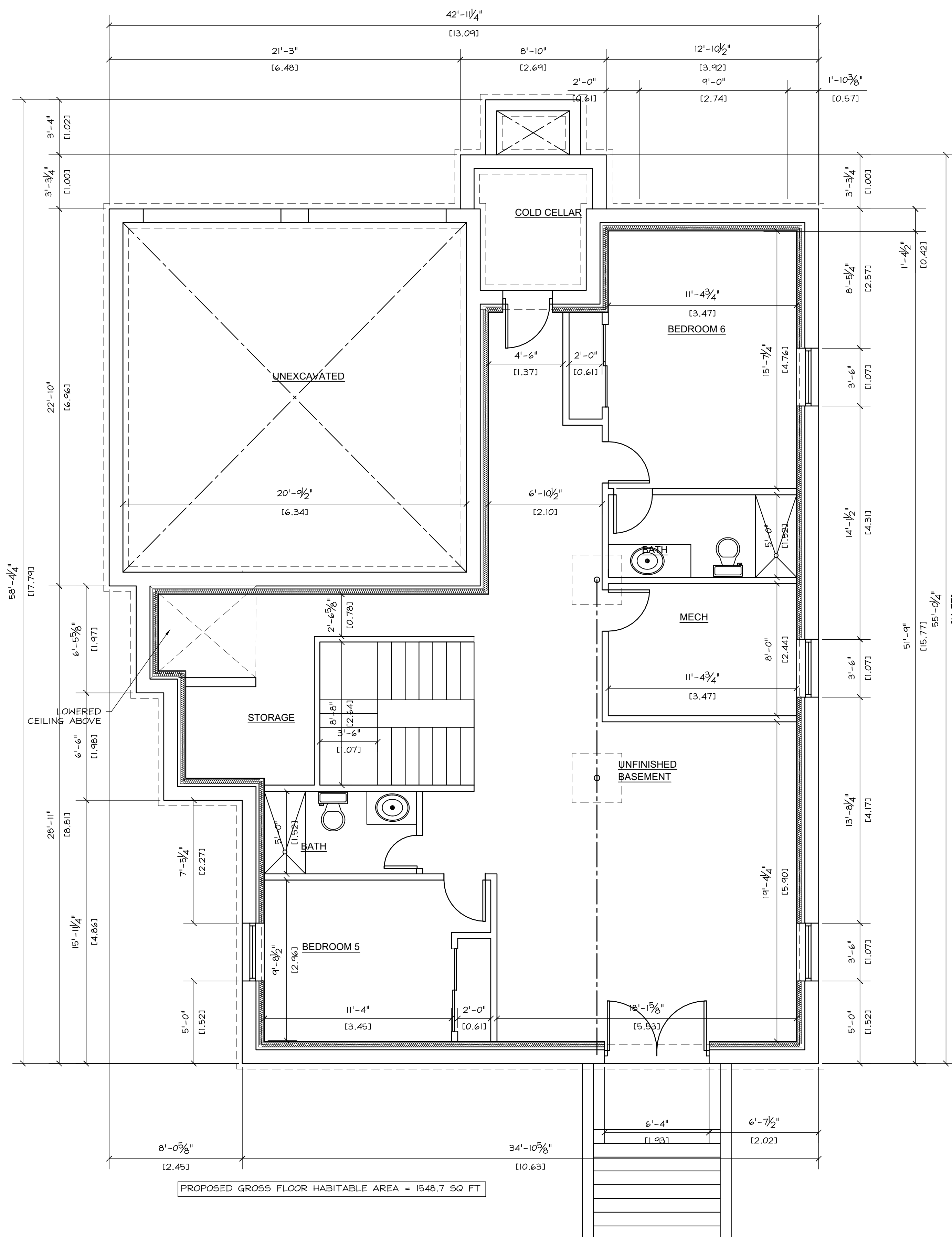
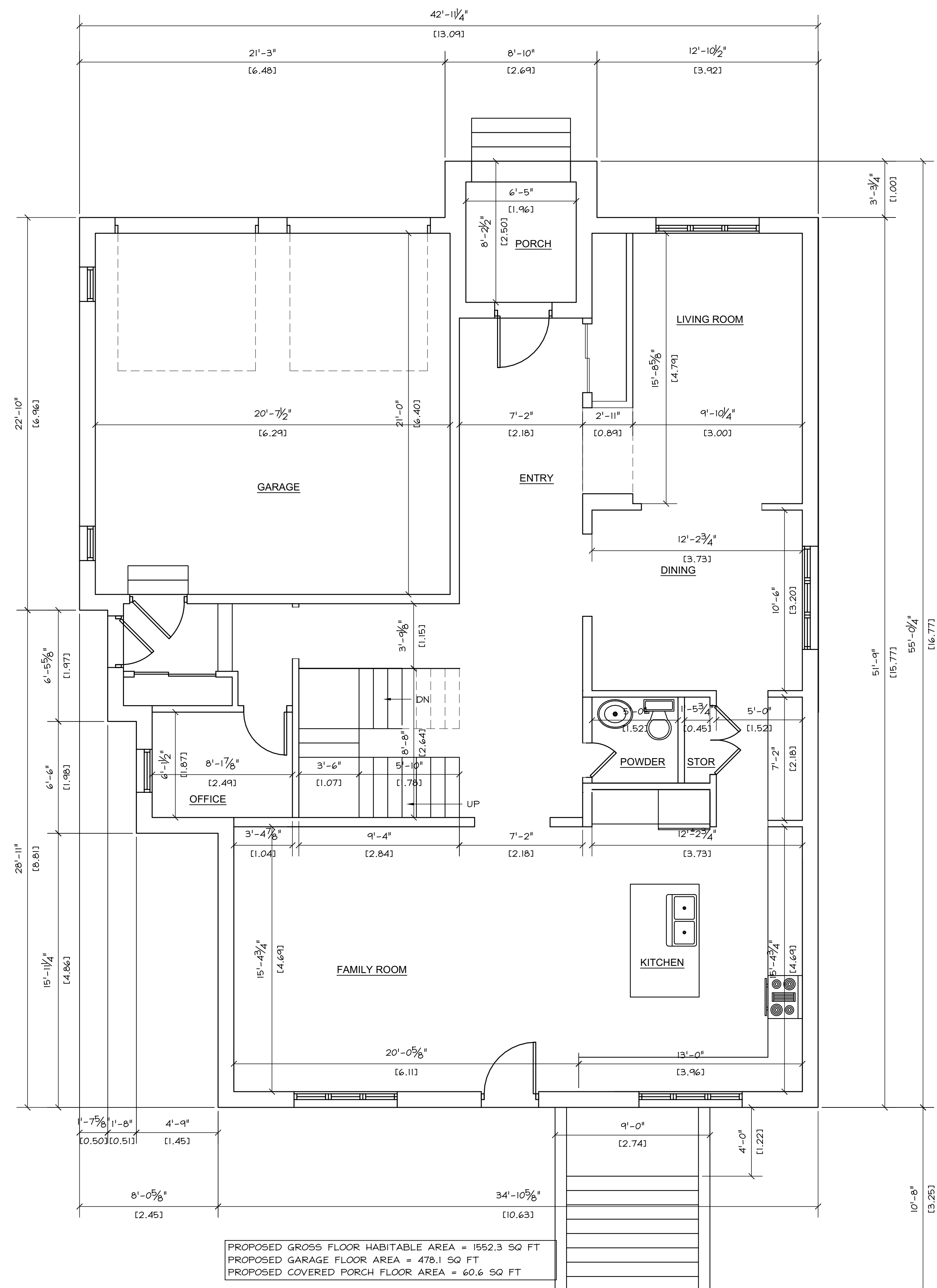
1
A-0

SITE PLAN

SCALE 1/8"=1'-0"

SITE STATISTICS

	SQ FT	SQ M
SITE AREA	6015.9	558.88
EXISTING RESIDENCE (TO BE DEMOLISHED)	2012.84	186.99
PROPOSED AREAS:		
PROPOSED MAIN FLOOR HABITABLE	1552.3	144.21
PROPOSED CONCRETE PORCH	60.6	5.63
PROPOSED GARAGE	478.1	44.42
PROPOSED UPPER FLOOR HABITABLE	2029.9	188.58
LOT COVERAGE %:		
MAIN FLOOR+PORCH+GARAGE+DECK/LOT %		34.76
MAIN FLOOR+GARAGE+UPPER FLOOR/LOT %		67.49

1 PROPOSED BASEMENT FLOOR PLAN
SCALE 3/16"=1'-0"2 PROPOSED MAIN FLOOR PLAN
SCALE 3/16"=1'-0"

NOTES:
1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK. ANY DISCREPANCIES SHOULD BE REPORTED TO EXCALIBUR CAD DESIGNS.

2. EXCALIBUR CAD DESIGNS IS NOT RESPONSIBLE FOR ANY LIABILITY DUE TO THE USE OF THESE DIMENSIONS WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THEIR INTEGRITY AND ACCURACY. THEY SHOULD BE EXAMINED BY A STRUCTURAL ENGINEER IF THERE IS ANY DOUBT BEFORE CONSTRUCTION.

3. ALL CONSTRUCTION MUST CONFORM TO THE ONTARIO BUILDING CODE, ALL LOCAL CODES, AND GOOD CONSTRUCTION PRACTICES.

The undersigned has reviewed and taken responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Registered urban design is exempt under 3.2.1 of Division "F" of the Ontario Building Code

DESIGN FIRM: EXCALIBUR CAD DESIGNS
NAME: J. PINHAY
DATE: FEB 28 2020
SIGNATURE: [Signature]
TITLE: ARCHITECT

QUALIFICATION INFORMATION
Registered urban design is exempt under 3.2.1 of Division "F" of the Ontario Building Code

DESIGN FIRM: EXCALIBUR CAD DESIGNS
NAME: J. PINHAY
DATE: FEB 28 2020
SIGNATURE: [Signature]
TITLE: ARCHITECT

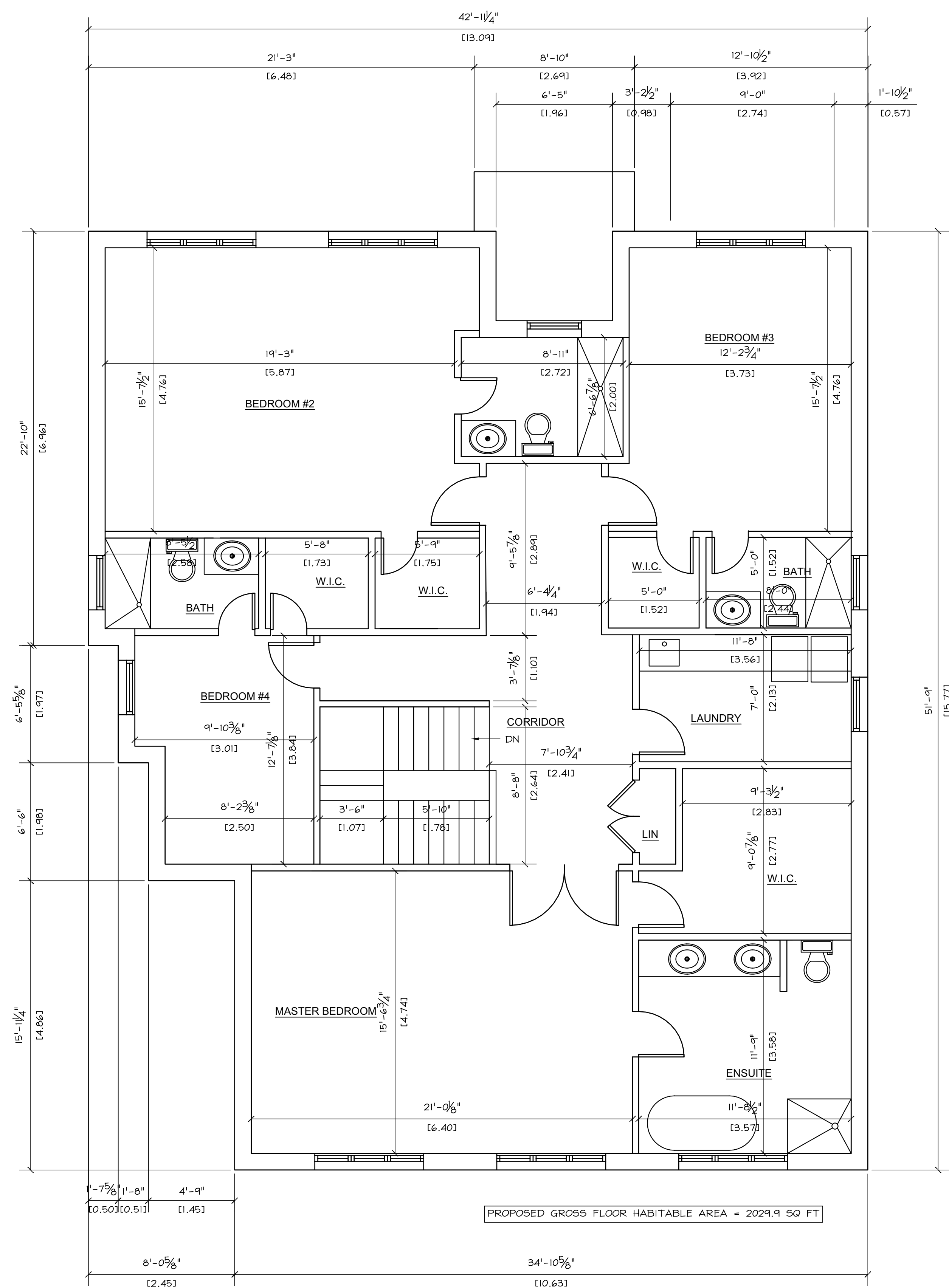
CONSULTANT:
EXCALIBUR CAD DESIGNS
97 EDLEWILD DRIVE
DANFORTH, ONTARIO
L4W 2Y4
PHONE: 919-945-3763
FAX: 919-945-3763
EMAIL: info@excalibur-cad.com
ADDRESS: 97 EDLEWILD DRIVE

CLIENT:
AMY'S HOMES
PROPOSED NEW RESIDENCE
19 THORN BAY DRIVE
TORONTO, ONTARIO

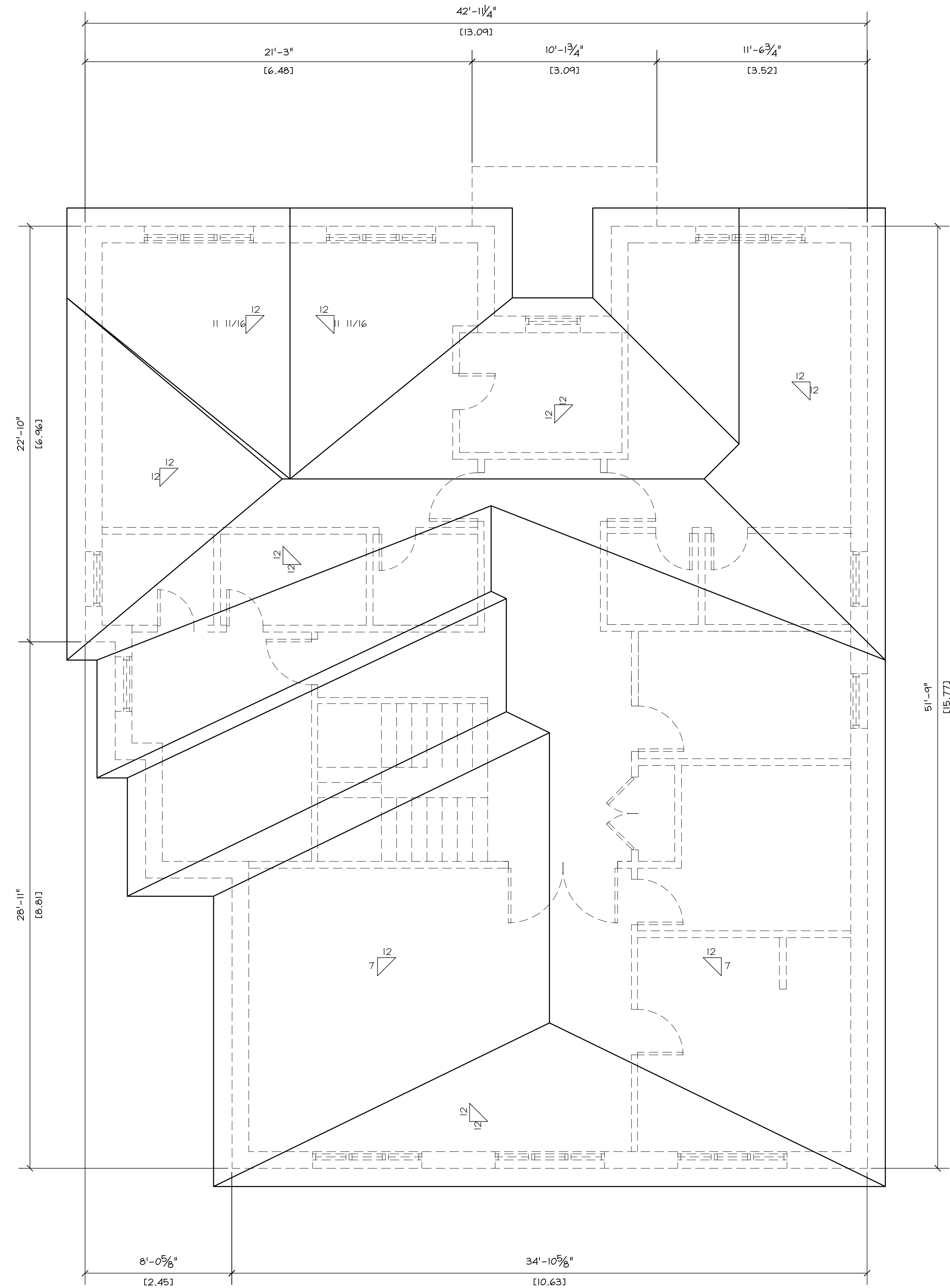
DRAWING TITLE:
PROPOSED FLOOR PLANS

DESIGNED BY:
J. PINHAY
DATE:
FEB 28 2020
CHECKED BY:
AS NOTED

PROJECT NO:
REFERENCE:
DRAWING NO:
A-1



1 PROPOSED UPPER FLOOR PLAN
A-2 SCALE 3/16"=1'-0"



2 PROPOSED ROOF PLAN
A-2 SCALE 3/16"=1'-0"

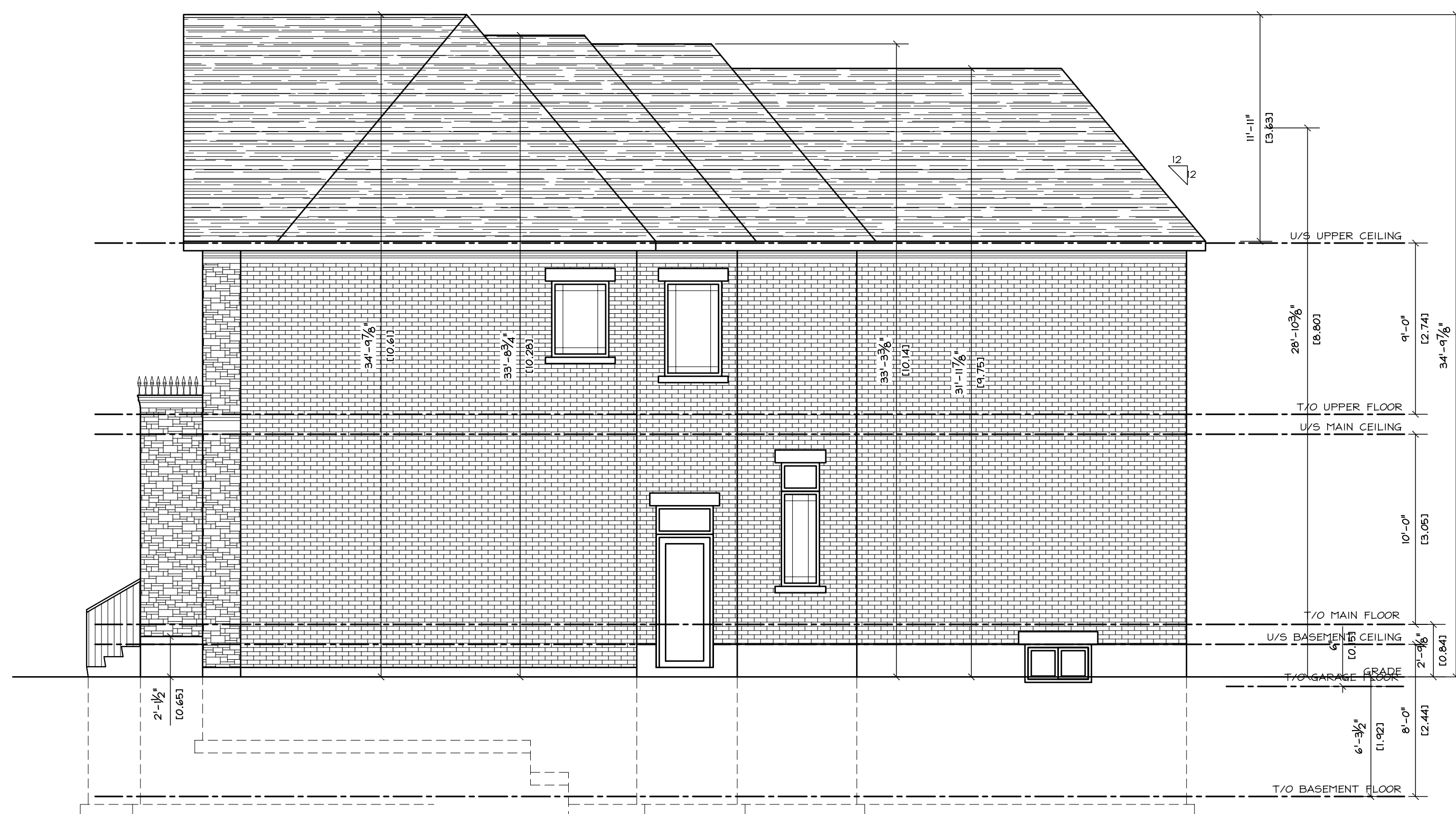
- NOTES:
1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK. ANY DISCREPANCIES SHOULD BE REPORTED TO EXCALIBUR CAD DESIGNS.
 2. EXCALIBUR CAD DESIGNS IS NOT RESPONSIBLE FOR ANY LIABILITY DUE TO THE USE OF THESE DRAWINGS. WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THEIR INTEGRITY AND ACCURACY, THEY SHOULD BE EXAMINED BY A STRUCTURAL ENGINEER IF THERE IS ANY DOUBT BEFORE CONSTRUCTION.
 3. ALL CONSTRUCTION MUST CONFORM TO THE ONTARIO BUILDING CODE, ALL LOCAL CODES, AND GOOD CONSTRUCTION PRACTICES.

The undersigned has reviewed and taken responsibility for the design and use of the drawings and plans. He/she represents and warrants that the drawings and plans are in accordance with the Ontario Building Code.	
QUALIFICATION INFORMATION: Registered unless design is exempt under 3.2.1 of Division 10 of the Ontario Building Code.	
NAME	SIGNATURE
AMY'S HOMES	30329
DATE	30329
QUALIFICATION INFORMATION: Registered unless design is exempt under 3.2.1 of Division 10 of the Ontario Building Code.	
NAME	SIGNATURE
AMY'S HOMES	30329
DATE	30329

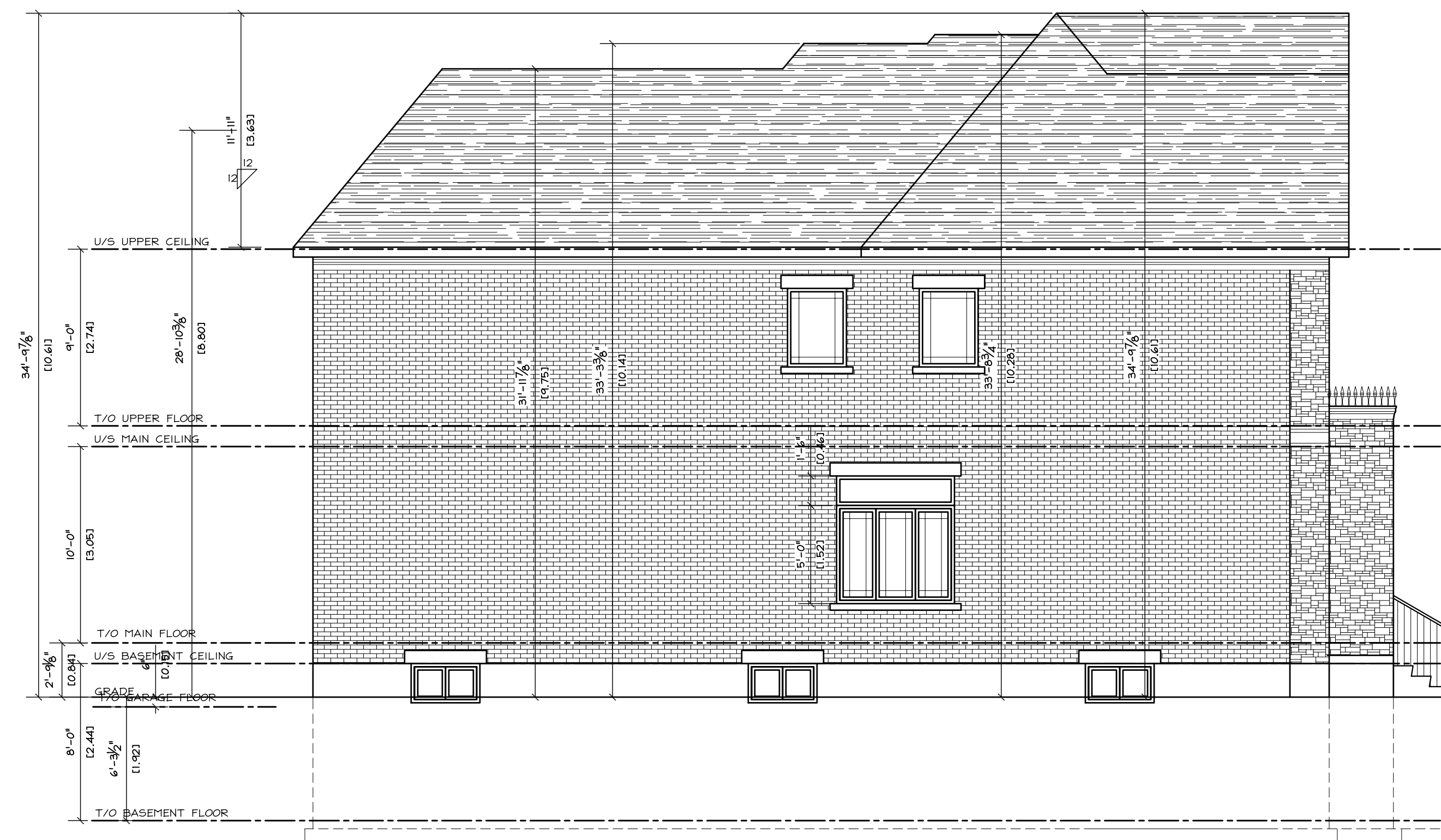
CONSULTANT:	
EXCALIBUR CAD DESIGNS	
87 EDELSWILD DRIVE DANFORTH, ONTARIO M1S 1Y4	
PHONE: 919-940-3763 FAX: 919-940-3763 EMAIL: amy@excalibur-cad.com WWW.EXCALIBUR-CAD.COM	
CLIENT:	
AMY'S HOMES PROPOSED NEW RESIDENCE 19 THORN BAY DRIVE TORONTO, ONTARIO	
DRAWING TITLE:	
PROPOSED FLOOR PLANS	
DRAWN BY:	PROJECT NO:
J. PINNEY	
DATE:	REFERENCE:
FEB 28 2020	REV A-APR 15/19
SCALE:	DRAWING NO:
AS NOTED	
CHECKED:	



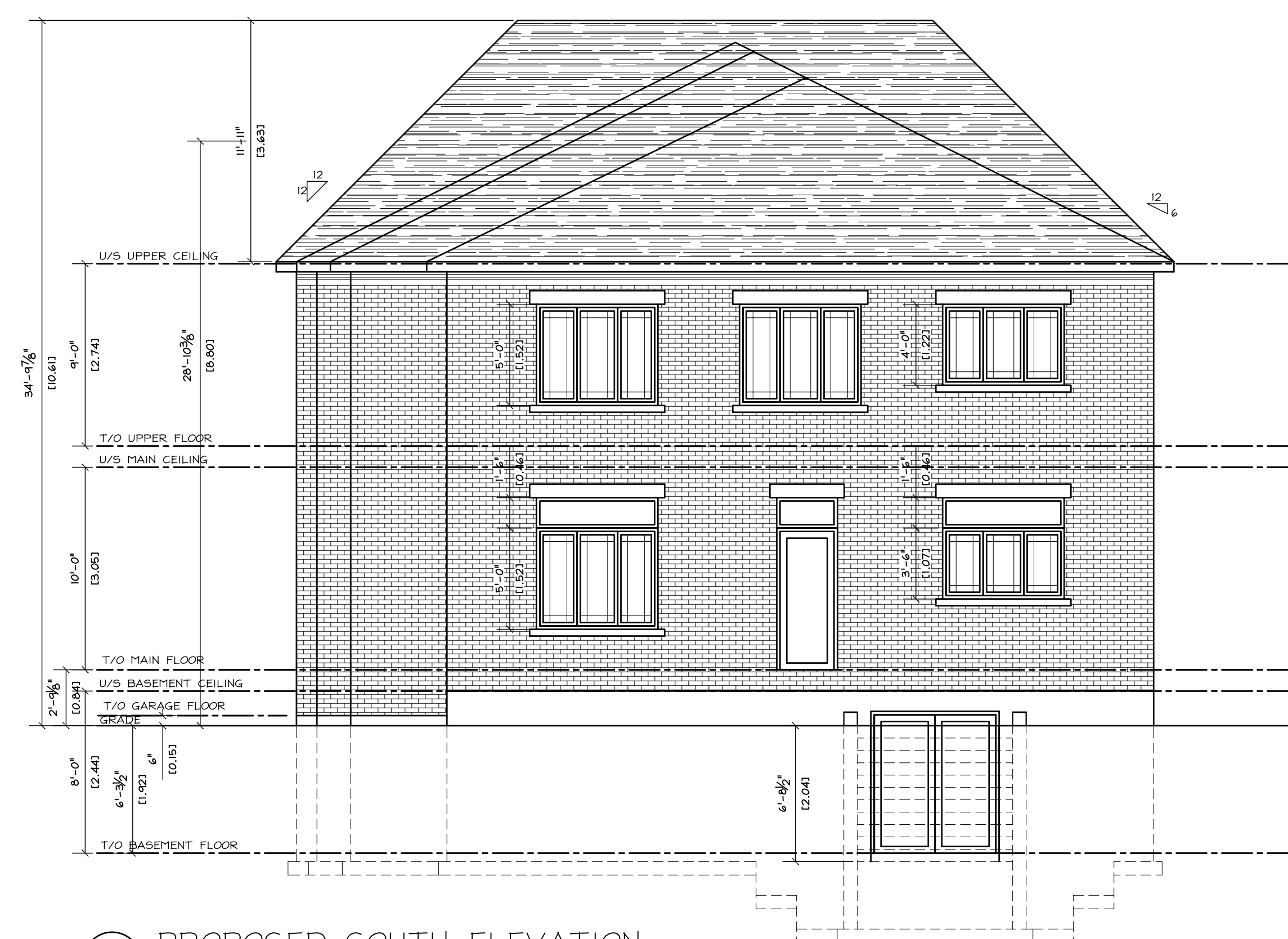
1 PROPOSED NORTH ELEVATION
A-3 SCALE 3/16"=1'-0"



2 PROPOSED WEST ELEVATION
A-3 SCALE 3/16"=1'-0"



3 PROPOSED EAST ELEVATION
A-3 SCALE 3/16"=1'-0"



4 PROPOSED SOUTH ELEVATION
A-3 SCALE 3/16"=1'-0"

NOTES:
1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK. ANY DISCREPANCIES SHOULD BE REPORTED TO EXCALIBUR CAD DESIGNS.
2. EXCALIBUR CAD DESIGNS IS NOT RESPONSIBLE FOR ANY LIABILITY DUE TO THE USE OF THESE DRAWINGS. WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THEIR INTEGRITY AND ACCURACY, THEY SHOULD BE EXAMINED BY A STRUCTURAL ENGINEER IF THERE IS ANY DOUBT BEFORE CONSTRUCTION.
3. ALL CONSTRUCTION MUST CONFORM TO THE ONTARIO BUILDING CODE, ALL LOCAL CODES, AND GOOD CONSTRUCTION PRACTICES.

The undersigned has reviewed and taken responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
QUALIFICATION INFORMATION
Registered urban design is exempt under 3.2.5.1 of Division "F" of the Ontario Building Code
JASON PINNEY 30229
NAME 30229
BORN
QUALIFICATION INFORMATION
Registered urban design is exempt under 3.2.5.1 of Division "F" of the Ontario Building Code
WESTOWN TECHNICAL SERVICES 31689
FIRM NAME BORN

CONSULTANT:
EXCALIBUR CAD DESIGNS
97 EDENWILD DRIVE
DANFORTH, ONTARIO
L4W 2Y4
PHONE: 919-943-3763
FAX: 919-943-3763
EMAIL: ADESIGNS@GDSB.COM

CLIENT:
AMY'S HOMES
PROPOSED NEW RESIDENCE
19 THORNTON DRIVE
TORONTO, ONTARIO

DRAWING TITLE:
PROPOSED UPPER FLOOR PLAN

DRAWN BY: J. PINNEY
DATE: FEB 28 2020
CHECKED: AS NOTED
PROJECT NO.:
REFERENCE: REV A-APR 15/19
DRAWING NO.:
A-3

APPENDIX “C”
METROLINX COMMENTS: NOVEMBER 13, 2020

development.coordinator

From: development.coordinator
Sent: November-13-20 1:26 PM
To: 'Leung, Justin'
Subject: 20.128506.000.00.MNV 1 9 Thorny Brae Drive, Markham (A/092/20)
Attachments: Metrolinx Environmental Easement, October 2020.pdf

Hello Justin,

Further to the circulation for 19 Thorny Brae Drive, Markham dated November 12th, 2020, I note the subject site is located within 300 metres of CNR's Bala Subdivision which carries Richmond Hill GO Train Service and further note that the application is to accommodate a two-storey detached dwelling. CNR will be the primary commenting agency in this regard. Metrolinx has no objection to the requested variances and my comments are regarding the forthcoming site plan application;

*The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwellings in favour of Metrolinx. I have attached our Environmental Easement language as a reference.

Should you have any questions or concerns, please feel free to contact myself.

Thank you,
Terri Cowan
Project Manager
Third Party Projects Review | Capital Projects Group
Metrolinx | 20 Bay Street, Suite 600 | Toronto, Ontario | M5J 2W3
T: 416-202-3903 C: 416-358-1595



From: ProjectDox@markham.ca [<mailto:ProjectDox@markham.ca>]
Sent: November-12-20 2:30 PM
To: development.coordinator
Subject: _EXT_ GO Metrolinx Department Review cycle #1 Assignment for 20.128506.000.00.MNV

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described [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.

APPENDIX “D”

STAFF REPORT: JANUARY 15, 2021

MEMORANDUM

DATE: January 15, 2021
TO: Chairman and Members, Committee of Adjustment
FILE: A/092/20
ADDRESS: 19 Thorny Brae Drive – Markham, ON (Thornhill)
HEARING DATE: January 20, 2021

The following comments are provided on behalf of the West Team. The applicant is requesting relief from the following “Third Density Single Family Residential (R3A)” zone requirements of By-law 2150, as amended, as they proposed two-storey detached dwelling, to permit:

a) Section 6.1 - Building Height:

a maximum building height of 28.87 ft (8.80 m) from grade, whereas the By-law permits a maximum building height of 25.0 feet (7.62 m);


b) Section 6.1 - Lot Coverage:

a maximum lot coverage of 34.76%, whereas the By-law permits a maximum lot coverage of 33.33%.

COMMENTS

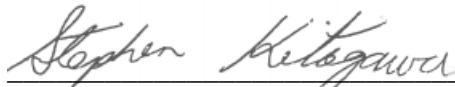
Staff are recommending that application A/092/20, a variance for 19 Thorny Brae Drive, be deferred until the next available meeting, as proper notice was not provided in accordance with the *Planning Act*.

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Stephen Kitagawa, Acting-Development Manager, West District