

Memorandum to the City of Markham Committee of Adjustment

July 18, 2025

File: A/054/25
Address: 33 Colborne Street, Thornhill
Agent: SPRAGGE + COMPANY ARCHITECTS LTD. (TOM SPRAGGE)
Hearing Date: Wednesday, July 30, 2025

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

The applicant is requesting relief from the following requirements of By-law 2024-19, RES-ENLR, as amended, to permit:

- a) **By-law 2024-19, Section 6.3.2.2 f)**: a minimum front yard setback of 7.32 metres, whereas the by-law requires a minimum front yard setback of 10.96 metres being the average front yard setback of the neighbouring lots;
- b) **By-law 2024-19, Section 6.3.2.2 m), Special Provision (viii)**: an attached private garage projection of 2.32 metres, whereas the by-law does not permit a garage to project beyond the main wall of a heritage building;
- c) **By-law 2024-19, Section 4.8.10.2d(iv)**: stairs used to access a porch to project a maximum of 1.02 metres beyond a permitted porch encroachment, whereas the by-law permits stairs used to access a porch to project a maximum of 0.45 metres beyond a permitted porch encroachment;
- d) **By-law 2024-19, Section 4.8.9.2 a)i)**: a minimum 1.25 metre landscape strip width made up of soft landscaping abutting the west interior side lot line and 1.24 metres abutting the east interior side yard, whereas the by-law requires a minimum 1.5 metre landscape strip width made up of soft landscaping abutting interior side lot lines;
- e) **By-law 2024-19, Section 6.3.2.2, Special Standard (xv)**: a maximum gross floor area of 309.23 square metres, whereas the by-law permits a maximum gross floor area of 280 square metres for the main building on lands within the Thornhill Heritage Conservation District;
- f) **By-law 2024-19, Section 6.3.2.2 l)**: a minimum west side yard setback of 1.25 metres and a minimum east side yard setback of 1.57 metres with a minimum combined interior side yard on both sides of 2.82 metres, whereas the by-law requires a minimum of 1.8 metres and combined interior side yards on both sides of 25 percent of the lot frontage being 4.57 metres; and
- g) **By-law 2024-19, Section 4.8.10.2d(iii)**: an existing porch to project a maximum of 3.85 metres beyond the established building line, whereas the by-law permits a porch to project a maximum of 0.6 metres beyond an established building line;

as it relates to a proposed two storey addition with an attached garage to an existing two storey residential heritage dwelling.

BACKGROUND

Property Description

The 950.86 m² (10,234.97 ft²) subject property is located on the south side of Colborne Street just eight properties east of Yonge Street. The property is located within the historic core of the Thornhill Heritage Conservation District, in a residential neighbourhood established in the mid 19th century predominantly comprised of 1 and 2-storey heritage dwellings. The subject property and surrounding neighbourhood is distinctive for the mature vegetation that supports the historic character of the Thornhill Heritage Conservation District.

The property is occupied by a modest frame heritage dwelling constructed circa 1900 that is identified as a Class 'A' building that helps define the historic character of the District.

Proposal

The applicant is proposing to construct a 2-storey residential addition to the rear of the existing house as well as a new 1-storey 2 bay attached garage to replace an existing 1-storey, detached, single bay garage (Refer to Appendix B Site Plan and Elevation Drawings).

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on July 17/24)

The Official Plan designates the subject property "Residential Low Rise", which provides for low rise housing forms including single detached dwellings. The Official Plan also contains policies protecting the physical character of established neighborhoods in section 8.2.3.1(a) which states:

"On lands designated 'Residential Low Rise' to respect the physical character of established neighborhoods including heritage conservation districts"

Zoning By-Law 2024-19

The subject property is zoned RES-ENLR under By-law 2024-19, as amended, which permits single detached dwellings.

Zoning Preliminary Review (ZPR) Undertaken

The applicant submitted a Zoning Preliminary Review which was deemed incomplete due to an outstanding fee, which confirms some of variances required for the proposed development. It is the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning 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 the non-compliance.

COMMENTS

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

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

- d) The general intent and purpose of the Official Plan must be maintained.

Reduced Front Yard Setback, Attached Garage Projection, Porch Stairs Encroachment and Porch Projection

The required variances to permit a reduced front yard setback, projection of the proposed attached garage and existing porch, and encroachment of the porch stairs are minor in nature, desirable for the appropriate development of the land and maintain the intent and purpose of the Zoning By-law and Official Plan because they support existing historic conditions of the property which contribute to the unique character of the Thornhill Heritage Conservation District and make it distinct from surrounding neighbourhoods that developed after the Second World War.

Reduced Landscape Strip and Side Yard Setbacks

The required variances to permit a reduced landscape strip on the west property line and reduced east and west side yard setbacks can also be considered minor in nature as the reduction in the required landscape strip is at most only 0.26m (10 inches) on the east side and this measurement is taken from the property line to a basement window well that is almost entirely below grade. It is also notable that the southeast corner of the existing house constructed in 1900 is mere inches from the east property line.

The proposed east side yard setback of 1.57m (5.16 in) is minor because this measurement is taken from the property line to a projecting bay window on the second floor. The majority of the east wall of the proposed 2-storey addition, is setback 1.8m (6 ft.) from the property line which was the required setback of a 2-storey portion of a building under the previous zoning By-law. The proposed west side yard setback of the attached garage of 1.25m (4.1ft.) is also minor as it is greater than the required side yard setback for a 1-storey portion of a building required by the previous zoning By-law which was 1.22m (4 ft.).

Increase to Maximum Gross Floor Area

The requested variance to permit a Maximum Gross Floor Area of 309.23m² (3,328.52 ft²) whereas the By-law permits a Maximum Gross Floor Area of 280.00m² (3,013.89 ft²) is considered minor as it only represents 29.23 m² (314.63 ft²) more than what is permitted, or the area of a single 17.7 ft. square room. It is also noteworthy that if the garage were not attached to the house, the proposed floor area would not require a variance as the By-law permits a dwelling having a maximum floor area of 280m² and a detached garage of 42m² (322m² in total) or 12.77m² more than what the applicant is requesting. The impact of this added floor space is also mitigated by the context sensitive architectural design of the additions, which are clearly subordinate to the existing house in terms of scale, height, materials and location, minimize negative impacts on existing mature vegetation, and do not negatively impact neighbouring properties.

City of Markham Urban Design Section

The City's Urban Design Section has not noted any objection to the requested variances but has requested the applicant to provide a satisfactory tree compensation plan for trees proposed to be removed to accommodate the additions to the existing house.

Heritage Markham

The Heritage Markham Committee reviewed the proposed additions to 33 Colborne Street on March 12, 2025 through the separate Major Heritage Permit application process and supported the design of the proposed additions and recommended that final review of any development application required to approve the proposal be delegated to the City (Heritage Section) staff (Refer to Appendix C Heritage Markham extract from March 12, 2025).

PUBLIC INPUT SUMMARY

No written submissions were received as of July 25, 2025. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning Staff have reviewed the application with respect to Section 45(1) of The Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the requested variances pass the four tests of the Planning Act and have no objection to their approval by the Committee of Adjustment. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

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

PREPARED BY:



Peter Wokral, Senior Heritage Planner

REVIEWED BY:




Regan Hutcheson, Manager, Heritage Planning

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/054/25

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 plans attached as ‘Appendix B’ to this Staff Report and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. Submission of a Tree Assessment, Preservation, and Compensation Plan, prepared by a Qualified Tree Expert in accordance with the City’s Tree Assessment, and Preservation Plan (TAPP) Requirements (2024) as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Tree Preservation By-law Administrator 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, Preservation and Compensation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, neighbouring properties, and 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 By-law Administrator.
5. If required as per Tree Preservation and Compensation review, tree securities and/or compensation fees be paid to the City and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation By-law Administrator.

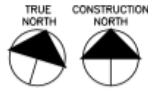
CONDITIONS PREPARED BY:

A handwritten signature in dark ink, appearing to read 'Peter Wokral', is written over a light gray background.

Peter Wokral, Senior Heritage Planner

APPENDIX “B”

PART 1:
PLAN OF PART OF LOT 8
SOUTH OF COLBORNE STREET
REGISTERED PLAN 71
CITY OF MARKHAM



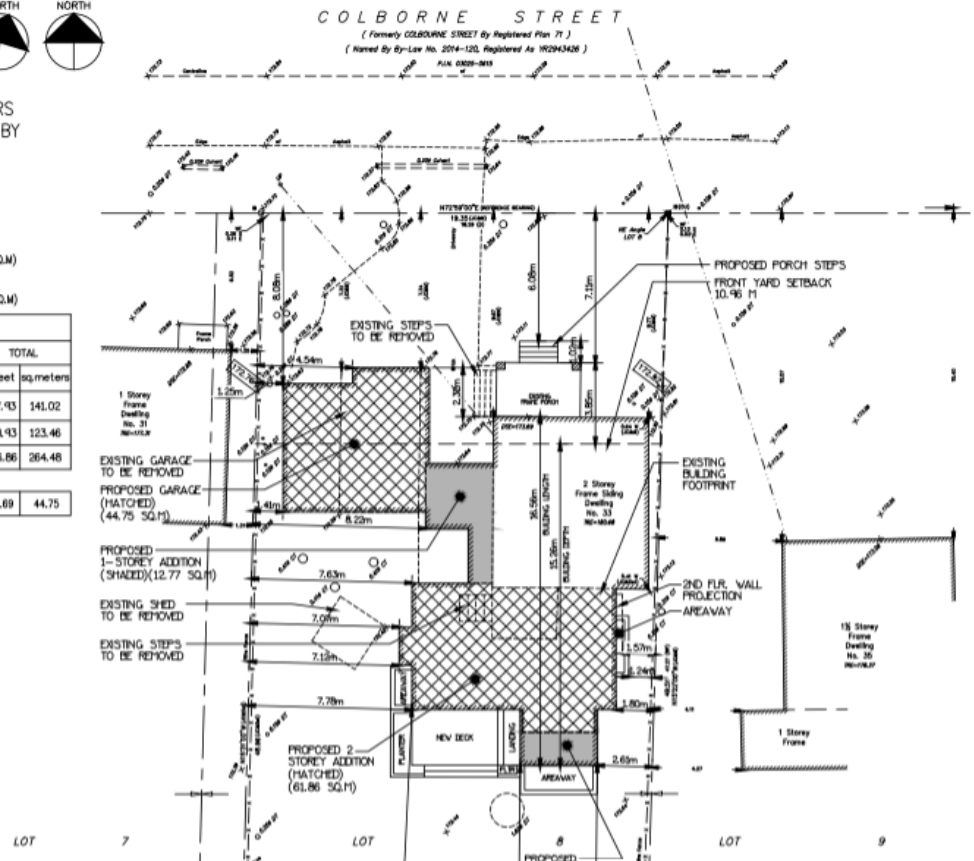
INFORMATION TAKEN FROM SURVEYORS
REAL PROPERTY REPORT PREPARED BY

YOUNG & YOUNG SURVEYING
ONTARIO LAND SURVEYORS
JULY 26, 2021

SITE AREA = 10234.97 SQ.FT. (950.86 SQ.M)
ALLOWABLE COVERAGE (33.3%) = 3,408.25 SQ.FT. (316.64 SQ.M)
EXISTING COVERAGE (12%) = 1227.19 SQ.FT. (114.01 SQ.M)
PROPOSED COVERAGE (23.07%) = 2360.96 SQ.FT. (219.34 SQ.M)

SITE DATA						
	EXISTING		PROPOSED		TOTAL	
	sq. feet	sq. meters	sq. feet	sq. meters	sq. feet	sq. meters
GROUND FLOOR	726.91	67.54	710.94	73.48	1537.93	141.02
SECOND FLOOR	646.78	60.09	682.15	63.37	1328.93	123.46
TOTAL	1373.77	127.63	1473.09	136.85	2846.86	264.48

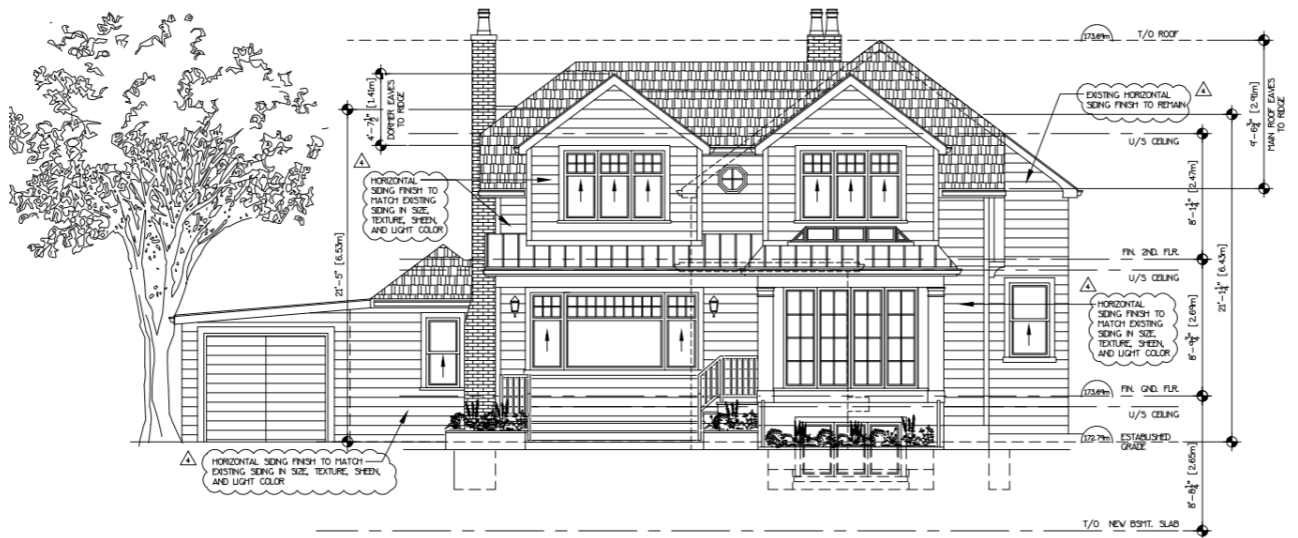
GARAGE	277.92	25.82	203.76	18.93	481.69	44.75
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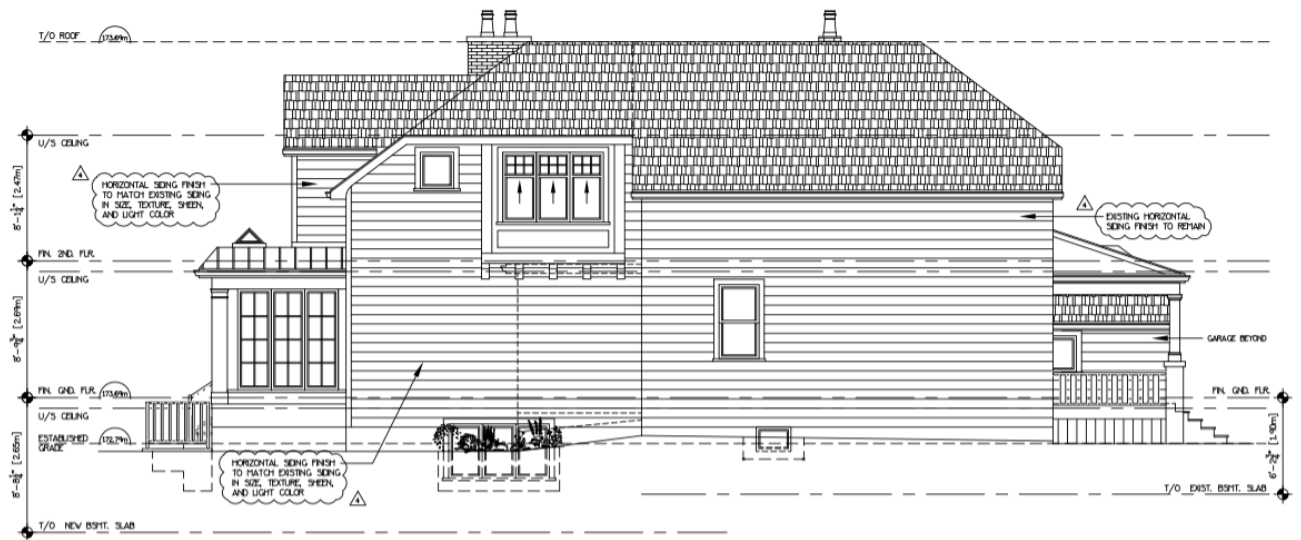
Proposed Site Plan



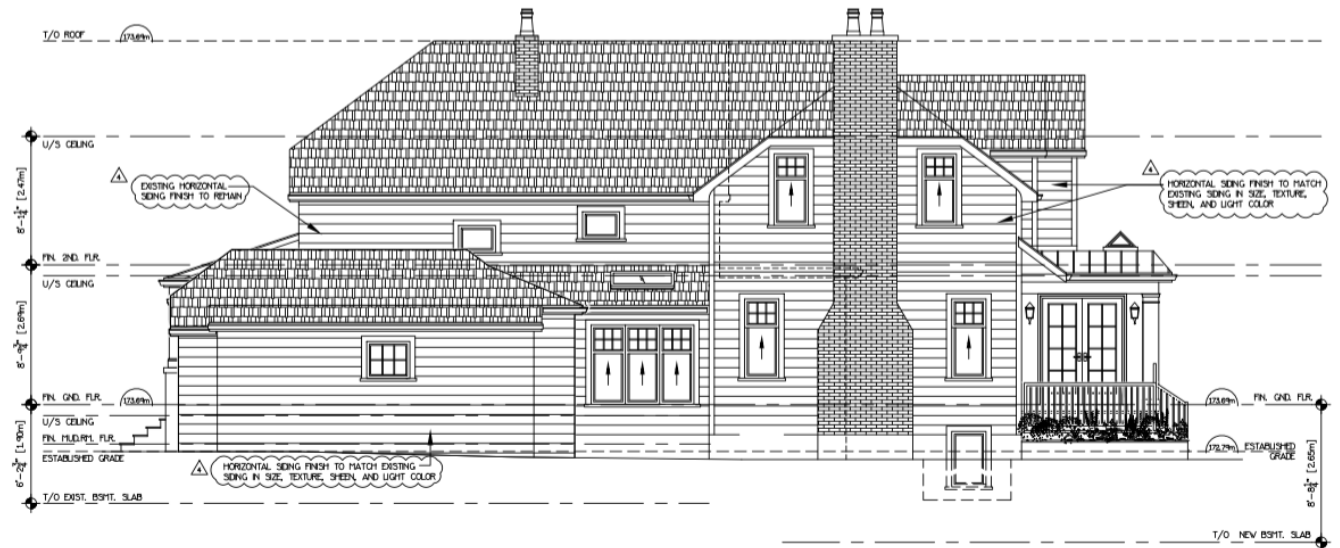
Proposed North Elevation



Proposed South Elevation



Proposed East Elevation



Proposed West Elevation

APPENDIX “C” Heritage Markham Extract of March 12, 2025



HERITAGE MARKHAM EXTRACT

Date: April 3, 2025

To: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Senior

EXTRACT CONTAINING ITEM # 6.2 OF THE THIRD HERITAGE MARKHAM
COMMITTEE HELD ON MARCH 12, 2025

6. PART FOUR - REGULAR

6.2 MAJOR HERITAGE PERMIT APPLICATION

PROPOSED 2-STOREY REAR ADDITION AND GARAGE 33 COLBORNE ST., THORNHILL (16.11)

File Number:
HE 25 110515

Extracts:
R. Hutcheson, Manager, Heritage Planning
P. Wokral, Senior Heritage Planner

Peter Wokral, Senior Heritage Planner, introduced this item as a Major Heritage Permit Application for a proposed 2-storey rear addition and expansion of the existing garage at 33 Colborne Street. Mr. Wokral noted that the site is occupied by several mature trees, and the siting of the proposed addition was designed to minimize damage to them. He explained that the position of the proposed rear addition was designed to preserve two Norway Spruce trees located behind the existing garage but would require the removal of a significant Silver Maple tree in the rear yard in declining health. Mr. Wokral pointed out that the current location of the garage is a historic anomaly that contributes to the unique character of Colborne Street. Mr. Wokral opined that maintaining the garage's location is appropriate to maximize tree preservation. Additionally, Mr. Wokral noted that the proposed addition adheres to the policies and guidelines contained in the Thornhill Heritage District Plan regarding additions to heritage buildings in terms of materials, scale, and form. Therefore, staff recommend that the Heritage Markham Committee support this proposal and the Major Heritage Permit Application.



Tom Spragge, the architect, and Mike Adamovsky, the owner, were present at the meeting to answer any questions.

Barry Nelson, deputant, expressed support on behalf of the Thornhill Historical Society of the proposed 2-storey rear addition and garage. Mr. Nelson thanked staff for their involvement in the design of the proposal which balances modern living within a heritage context. Mr. Nelson highlighted the importance of ensuring the preservation of the architectural integrity, maintenance of the historic streetscape, and the balance between heritage and environmental conservation. Mr. Nelson confirmed that the Thornhill Historical Society fully supports this application, as it represents a heritage-sensitive approach to responsible property enhancement within the Heritage Conservation District, provided that there are no variances required to permit its construction.

Evelin Ellison, deputant, expressed regret for the removal of the large Silver Maple tree but acknowledged that its declining health necessitated its removal to permit the proposed addition. Ms. Ellison shared historical context on the planting of the tree and its significance in the history of the property. Ms. Ellison also expressed concerns about the new garage potentially exceeding the 41.8 square meters allowed by the zoning By-law and inquired if the garage required any variances. Staff indicated that they were not aware of any variances, but that the staff recommendation would delegate the review of any variance application to staff for approval. Ms. Ellison also praised the design of the new addition noting that it reflects the original garage's architectural style with a slight setback. Ms. Ellison also asked for clarification if the existing width of the driveway opening on Colborne Street will be maintained, and if the proposed side yard setback of the garage is adequate to provide access for fire and emergency services, and if the exterior colour of the house and addition will continue to be white.

Mr. Wokral responded to questions from the deputant and Mr. Adamovsky, confirmed that they plan to keep the house proposed addition and garage painted white.

The Committee made the following comments:

- Agreed that the removal of the Silver Maple tree was warranted.
- Requested that future applications include images of the existing building to allow for comparison with the proposed alterations, especially for those not familiar with architectural drawings.



- Complimented the applicant and architect on the drawings and the overall design.

Recommendation:

THAT the deputation by Barry Nelson, on behalf of the Thornhill Historical Society, and Evelin Ellison be received;

THAT the written communication from the Thornhill Historical Society be received;

AND THAT Heritage Markham supports the design of the proposed 2-storey addition and new garage at 33 Colborne St from a heritage perspective, and delegates any further Heritage Markham review of any development application required for approval to the Heritage Section staff.

Carried

