



MEMORANDUM

TO: Heritage Markham Committee

FROM: Evan Manning, Senior Heritage Planner

DATE: September 13, 2023

SUBJECT: Committee of Adjustment Variance Application
86 John Street, Thornhill
Proposed Rear Addition with Integrated Garage
A/106/23

Property/Building Description: One-and-a-half storey detached dwelling and detached garage constructed in 1914 as per MPAC records.

Use: Residential

Heritage Status: Designated under Part V of the *Ontario Heritage Act* as a constituent property of the Thornhill Heritage Conservation District (“THCD”).

Application/Proposal

- The City has received a Committee of Adjustment (“COA”) application seeking variances to enable the future construction of a rear addition containing amenity space, two residential units, and a four car garage (tandem parking) at 86 John Street (the “Subject Property” or the “property”). An enclosed one-storey link is proposed to connect the rear addition with the north elevation of the existing dwelling. The existing garage is proposed to be removed to accommodate the addition;
- An amended COA application is required as a variance for Maximum Floor Area Ratio (identified in red below) was not included in the initial application (see below);
- The applicant has not yet submitted a Major Heritage Permit or Demolition Application for the Subject Property as they wish to first secure COA approval for the proposed variances.

Requested Variances to the Zoning By-laws

The applicant requires the following relief from By-law 2237, as amended, to permit:

a) By-law 2237, amending By-law 101-90, Section 1.2 (iv):

a building depth of 33.85 metres; whereas the By-law allows a maximum building depth of 16.8 metres;

b) By-law 2237, Section 6.1:

a rear yard setback of 6 feet and 2^{1/4} inches; whereas the By-law requires a minimum rear yard setback of 30 feet;

c) By-law 2237, amending By-law 223-94, Section 1.2 (vii):

a floor area ratio of 47.6%; whereas the By-law allows for a maximum floor area ratio of 33%

as it relates to a proposed rear addition with a one-storey connection to the heritage dwelling.

Heritage Markham Committee

- The Heritage Markham Committee (the “Committee”) previously considered a COA application for the Subject Property at its meeting on July 12, 2023;
- As the need for an additional variance was discovered, and in response to concerns over the scale and siting of the proposed addition as identified by an adjacent property owner, the Committee deferred consideration of the application until its September meeting to provide the applicant time to consider revisions to the proposal. Refer to Appendix ‘D’ for a copy of the July meeting extract.

Revised Proposal

The proposal has been revised in response to conversations facilitated by the Ward Councillor between the applicant and adjacent property owners. Below is a summary of the key design revisions:

- The rear yard depth has increased an additional 1.21ft relative to the previous iteration of the proposal. At its closest, the proposed addition is approximately 6ft from the rear (north) property line and at its farthest is approximately 15ft (note that the addition is angled so the setback from the rear property line increases going from west to east);
- The ridge of the roof has been lowered 0.43m (the addition is now less than 7" above the existing heritage dwelling);
- The building footprint has been reduced an additional 9.97m²;
- The gross floor area has been reduced an additional 14.05m²;
- The lot coverage is reduced a further 0.65% to 21.76%;
- The building depth has been reduced by 1.55m;
- The garage has been rotated 5 degrees to facilitate vehicle entry to the garage, thereby pulling the northwest corner of the garage to 9' 8-1/2" from the west property line;
- A landscape screen has been added along the north property line.

Refer to Appendix ‘E’ for a copy of the revised drawings.

Background

Thornhill Heritage Conservation District Plan

Categorization within the THCD Plan

- The Subject Property is categorized as ‘Class A – Buildings of Major Importance to the District’. As described in Section 2.2.2 (‘Building/Property Classification’) of the THCD Plan, Class A properties possess the following qualities:
 - *They possess cultural heritage value;*
 - *They are buildings and properties that maintain the heritage character of the District pre-1900;*
 - *These buildings possess heritage attributes or character defining elements such as historic materials, features, characteristics, forms, locations, spatial configurations, uses or historical associations that contribute to the cultural heritage value of the District. For example, a building may represent a historic architectural style or may*

have historic claddings, windows, architectural features, verandas or landscape elements;

- *Includes properties designated under Part IV of the Ontario Heritage Act and buildings identified as being of architectural significance in the 1986 Heritage District Plan.*

Infill By-law

- An Infill By-law was adopted by Council in 1990 (By-law 101-90) and later amended in 1994 (By-law 223-94) to help ensure that new development would result in dwelling units that were compatible in size and design with existing development in the area.
- According to the Infill Zoning by-law for this area (101-90, as amended), the maximum Floor Area Ratio is 33% for a Single Family Dwelling (SFD). According to analysis undertaken by Heritage Section staff (“Staff”) on this subject in 1994, the maximum building size allowable for all properties in the District was calculated. For 86 John Street, 33% of the Net Lot Area, would allow a dwelling and garage of **4,342.8 sq ft**. The current proposal is for a dwelling and integrated garage of **6,240.6 sq ft**.

Staff Comment

Requested Variances

- Note that the extensive rear yard setback variance is because the garage/addition is attached to the main house by a link and therefore the entire building mass is considered the main house from a zoning perspective;
- Staff generally have no objection to the variances from a heritage perspective. The siting and scale of the proposed addition does not diminish the prominence of the heritage dwelling as viewed from the street. Further, the introduction of new residential units represents a gentle form of intensification that allows the THCD to play a constructive role in addressing the housing shortage;
- While the proposed floor area ratio exceeds what is permitted in the By-law, the lot coverage of both the existing dwelling and proposed addition is approximately 22%. Given that this is below the permitted maximum lot coverage of 33 1/3%, and given that the dwelling and addition are legible as distinct volumes, Staff are of the opinion that the scale and massing of the proposal does not adversely impact the heritage character of either the Subject Property or adjacent heritage properties;
- Although not a heritage matter, the addition has been programmed to reduce overlook and privacy concerns for adjacent property owners. Those spaces that are most frequently used and/or require larger windows have been placed along the south and east elevations of the addition house where they are the farthest from adjacent dwellings. Further, the increased rear yard setback or the addition relative to the first iteration of the proposal reduces the visual impact of proposal on the property owner to the north at 4 Leahill Drive;
- Staff also have no objection to the construction of the one-storey link as it provides the benefit of a weather protected circulation route between the main dwelling and the proposed addition while still maintaining the legibility of both as distinct elements.

Future Removal of the Existing Garage

- While the existing garage is identified as a heritage attribute within the THCD Plan, it is the understanding of Staff that the structure is in poor condition. As such, Staff have no objection to its removal (refer to photographs of the garage in Appendix ‘B’);
- As the Subject Property is designated under the *Ontario Heritage Act*, consideration by the Heritage Markham Committee, and approval by City Council is required to permit the demolition of the existing garage.

Recommended Mitigation Measures

- In order to mitigate the visual impact of the proposed addition on the adjacent property owner at 4 Leahill Drive, Staff will recommend as approval conditions the installation of 6ft privacy fence along the Subject Property's north property line (there is currently a wire fence that offers little in the way of privacy) and the planting of a landscaped buffer adjacent to the new fence. These approval conditions are proposed to be linked to the COA application and future Major Heritage Permit application, respectively.

Conceptual Design

- Staff are generally supportive of the design of the proposed addition from a heritage perspective, and recommend that the Committee delegate to Staff the review and approval of a future Major Heritage Permit application;
- Note that tree removal is required to accommodate the proposed addition. Specifically, the spruce trees along the western property line are proposed to be removed;
- Staff encourage the applicant to provide greater differentiation in exterior appearance (e.g. cladding) between the proposed addition and the heritage dwelling so as to ensure the prominence of the heritage resource.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection from a heritage perspective to the revised proposal for 86 John Street including the requested variances;

AND THAT future review of a Major Heritage Permit application, and any other application required to enable the proposed development including a demolition permit application for the garage, be delegated to Heritage Section staff should the design be substantially in accordance with the drawings as appended to this memo.

ATTACHMENTS:

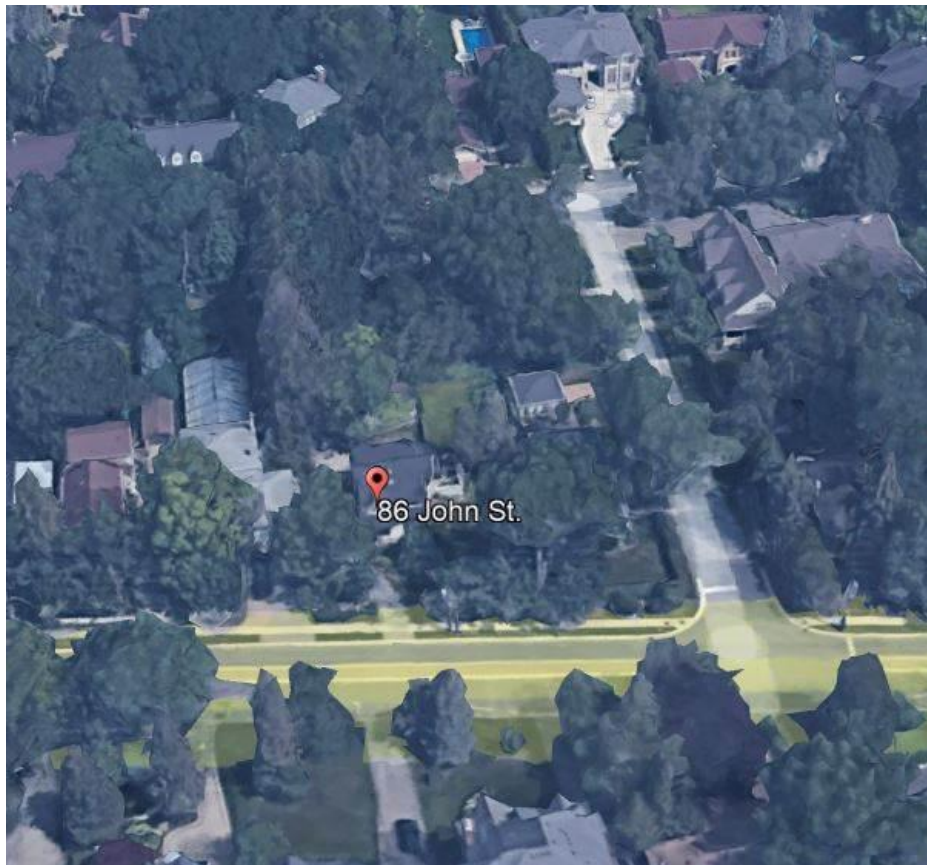
Appendix 'A'	Location Map and Aerial Image of the Subject Property
Appendix 'B'	Image of the Subject Property
Appendix 'C'	Thornhill HCD Inventory – 86 John Street
Appendix 'D'	Heritage Markham Extract
Appendix 'E'	Revised Drawings

Appendix ‘A’

Location Map and Aerial Image of the Subject Property



Property map showing the location of the Subject Property [outlined in blue] (Source: City of Markham)



Aerial image looking north towards the Subject Property showing the dense tree cover typical of the District [outlined in blue] (Source: Google Earth)

Appendix 'B'

Images of the Subject Property



The south (primary) elevation of heritage dwelling on the Subject Property (Source: Google)



Rear Garage. Note that the maple tree shown above has since been removed (Source: Heritage Section Photo Collection)



Rear Garage, 2020 (Heritage Section Photo Collection)

Appendix 'C'

Thornhill HCD Inventory – 86 John Street

Thornhill Heritage Conservation District Inventory



Billerman House

Location: 86 John Street
Year Built: Circa 1912-1914, renovation in 2002
Style: Arts-and-Crafts Craftsman Bungalow
Storeys: 2
Classification: A

Foundation:
Cladding: Stucco, clapboard.
Roof: Cross-gable, shed & front-gable dormers, asphalt shingles.
Windows: Casements.

Description: Sited sideways. Principal facade, on the left, is a 3-bay composition, with the entry in the centre flanked by octagonal bay windows. Front-gable entry porch has stucco walls, with unique 'lily pad' arched openings. Upstairs a broad front-gable has paired windows over the entry and single windows flanking. The street facade has two bays, with an A-B-B-A window to the left and a small hexagonal oriel to the right. The dormers above reflect the glazing pattern below. Very mature landscape with large trees.

Archives: Weaver 32, 33. Heritage Easement.

History: Built in 1912 for the Billerman family, and in their hands until 1998 after the death of George Billerman, son of the builder. Family accounts say it was intended to be 2-1/2 or 3 storeys tall, but the scheme wasn't completed due to financial constraints. Interior panels came from Queens Park after a fire in one of its wings in the early 1900s, and the panel backs are stamped with installation notes like 'Queens Park-North Corridor'. A very skillful and sensitive second-floor addition was completed in 2002 by Darryl Simmons and Nancy Capelli. See comments. Subject to a Conservation Easement with the Town.

Comments: The house is very interesting, both in its original form, and in its current state. The insubstantial roof edge and overhang on the original, compared with robust details on the ground floor (the brackets under the oriel window, for instance), lends credence to the story of the truncated construction.

The renovation has preserved all of the elements of the original cottage, and added an accurate rendition of a Craftsman style addition. This creates impression that the original owner added to the house a decade or so later, and it can be a successful design strategy for large additions. It distinguishes between the original building and the addition, but retains an overall historic character.

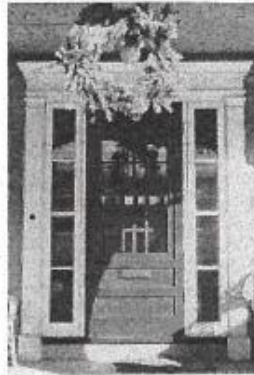


Thornhill Heritage Conservation District Inventory

86 John Street Continued



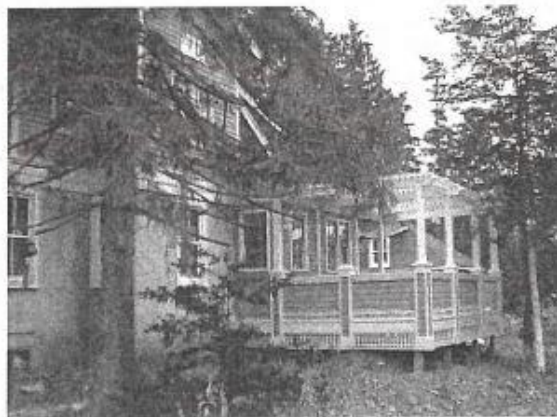
The Weaver Collection #32, November 1969.



Behind the Art-Nouveau-ish lily-pad porch is a surprisingly Georgian front entry, with strong moldings and a dentilled cornice. THCD photograph.



From the clothes, this looks like the 1920s. THCD photograph.



A gazebo/deck was part of the addition. THCD photograph.

Statement of Cultural Heritage Value or Interest

The Billerman House is a fine example of Arts and Crafts Movement influenced architecture from the early 20th century. The stuccoed first phase of the house was constructed in 1912-13 as a one storey structure. The Billermans resided here until 1998, a significant period of occupancy for a residence by one family. The design of the house has a pleasing asymmetry and informal finish typical of domestic architecture following the Arts and Crafts aesthetic. The original intent of the builder was a more substantial house of 2 ½ to 3 storeys, but financial constraints limited the scale of the house to one storey. In 2002, a frame second storey designed using classic American Arts and Crafts Movement features was added by a new owner, completing the vision of a larger dwelling.

Description of Heritage Attributes

Exterior character-defining attributes that embody the cultural heritage value of 86 John Street include:

- original stucco-clad house at ground floor level
- sympathetic frame second storey addition
- wood multi-paned casement windows
- canted bay windows and bracketed bay window at ground floor level
- main doorcase with Classical surround, sidelights and partially glazed door
- gable roofed stucco porch with heart-shaped openings
- carriage house with small shed roofed dormers.

Appendix ‘D’

Heritage Markham Extract

HERITAGE MARKHAM EXTRACT

Date: July 19, 2023

To: R. Hutcheson, Manager, Heritage Planning
E. Manning, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.2 OF THE EIGHTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JULY 12, 2023

6. PART FOUR - REGULAR

6.2 COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

86 JOHN STREET, THORNHILL PROPOSED COACH HOUSE (16.11)

File Number:
A/106/23

Evan Manning, Senior Heritage Planner, provided a summary of the Committee of Adjustment variance application for 86 John Street. Mr. Manning shared drawings of the proposal advising that the Applicant was amenable to a revised rear yard setback of 6ft as requested by Heritage Section staff. Mr. Manning advised that from a heritage design perspective, Heritage Section staff have no objection to the proposed addition and requested that further approvals be delegated to Staff.

Francis Lapointe, Deputant, advised that he had been retained by the adjacent property owner at 4 Leahill Drive to evaluate the Minor Variance application, and outlined his concerns to the Committee about the impact of the proposal on adjacent properties. Mr. Lapointe commented that the proposal was inaccurately described as a coach house, and that the scale and position of the addition was not optimal from a planning perspective. Further, Mr. Lapointe suggested that the addition would be better positioned at the northeast corner of the heritage dwelling. He also commented that the current proposal should not be considered acceptable based on his review of the Thornhill Heritage Conservation District Plan.

Scott Rushlow, Architect, commented that the proposed addition with a garage was sited to ensure that the heritage building remains prominent when viewed from the street and to ensure minimal impact on the surrounding neighbours.

The Committee provided the following feedback:

- Expressed concern for the survival of on-site trees, notably those adjacent to the east elevation of the proposed addition;
- Expressed concern with the scale of the addition and how it would conserve the character of the neighbourhood given its proposed size;
- Asked if other Departments have reviewed and commented on the application. Mr. Manning noted that the application was reviewed by Urban Design and Engineering staff who provided comments on tree preservation and drainage, respectively;
- Discussed deferral of the application to the Heritage Markham meeting in September to allow other City Departments to thoroughly review and comment on the application. Deferral of the Committee of Adjustment hearing was also recommended.

Recommendation:

THAT this item be heard prior to Item 6.2 to allow for deputations.

Carried

THAT consideration of this item be deferred to the September Heritage Markham Committee meeting.

AND THAT the Heritage Markham Committee request that the Committee of Adjustment also defer the hearing on this item until after Heritage Markham Committee has considered the item at its September meeting.

AND THAT the Applicant and other relevant parties meet with the local Councillor to further discuss the application.

Carried

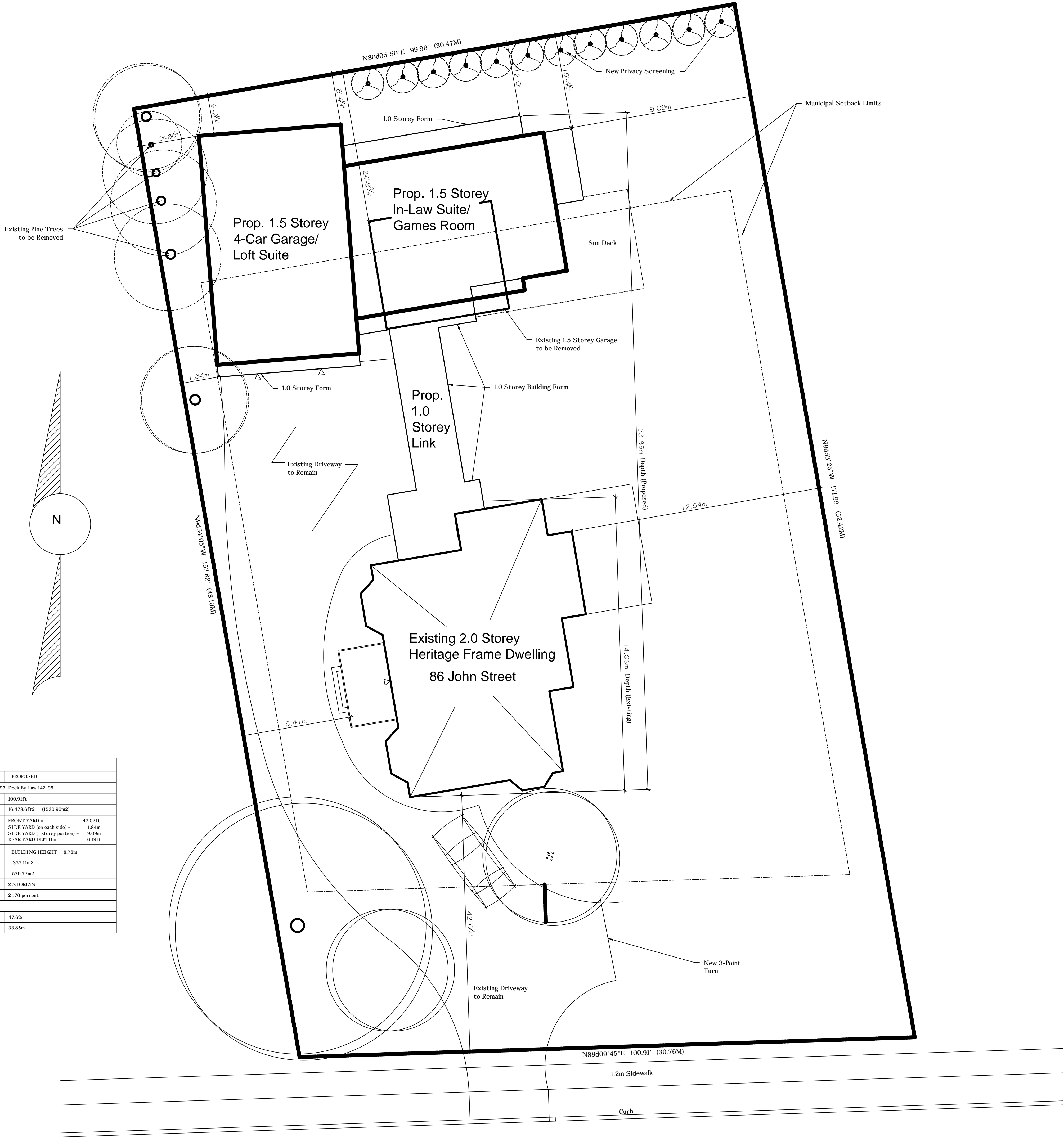
THAT the written submissions from Francis Lapointe, representing the owner of 4 Leahill Drive and Valerie Burke be received;

AND THAT the deputation from Francis Lapointe be received.

Carried

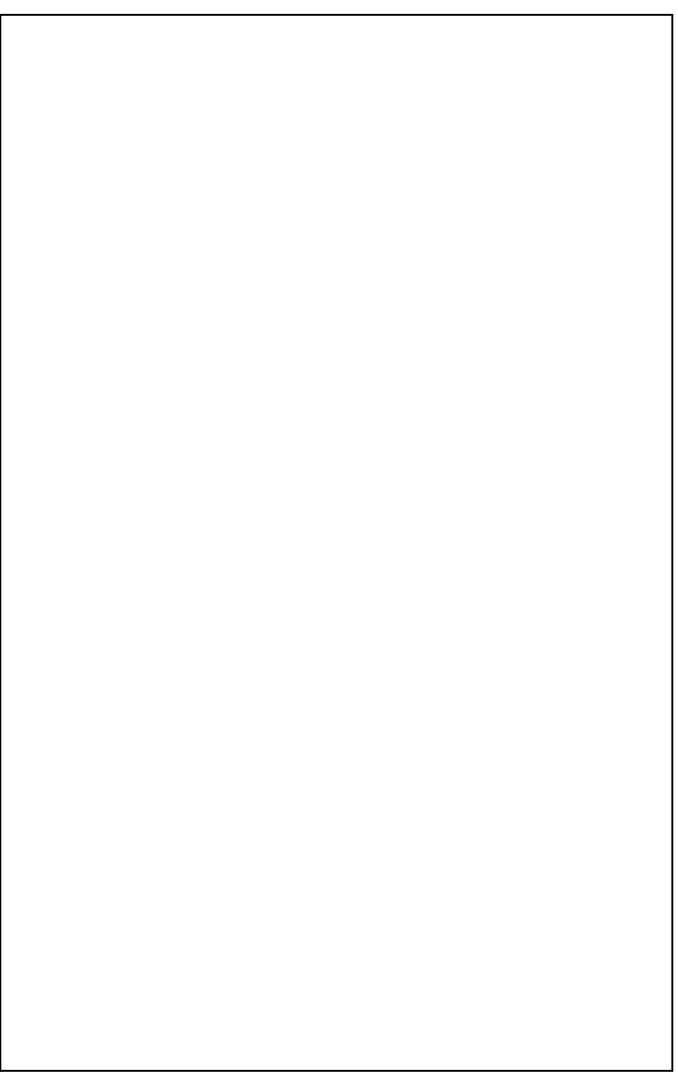
Appendix ‘E’
Revised Drawings

Site Statistics			
	BY-LAW	EXISTING	PROPOSED
1. ZONING	E2-Second Density Single Family Residential under By-Law 2237 as amended, Parking By-Law 28-97, Deck By-Law 142-95		
3. LOT FRONTAGE (min)	60.0 ft	100.91ft	100.91ft
2. LOT AREA (min)	9,750.0ft ²	16,478.6ft ² (1530.90m ²)	16,478.6ft ² (1530.90m ²)
4. SETBACKS (min)	FRONT YARD = 27.0ft SIDE YARD (on each side) = 1.8m SIDE YARD (1 storey portion) = 12m REAR YARD = 30.0ft	FRONT YARD = 42.02ft SIDE YARD (on each side) = 5.4m SIDE YARD (1 storey portion) = 12.54m REAR YARD DEPTH = 74.48ft	FRONT YARD = 42.02ft SIDE YARD (on each side) = 1.84m SIDE YARD (1 storey portion) = 9.09m REAR YARD DEPTH = 6.19ft
5. BUILDING HEIGHT (max)	9.8m	BUILDING HEIGHT = 8.60m	BUILDING HEIGHT = 8.78m
6. BUILDING AREA	N/A	118.09m ²	333.1m ²
6. GROSS BUILDING AREA	402.06m ²	204.94m ²	579.77m ²
7. NUM. OF STOREYS (max)	2 STOREYS	2 STOREYS	2 STOREYS
8. LOT COVERAGE (max)	33.1/3 percent	7.71 percent	21.76 percent
9. NET LOT AREA:	9,750ft ² + [(16,478.6ft ² - 9,750ft ²) / 2] = 13,114.3 ft ² Net Lot Area		
10. FLOOR AREA RATIO (max)	33% of NET LOT AREA = 4,327.72ft ² (max)	402.06m ² (max)	47.6%
11. DEPTH (max)	16.8m 2-Storey / 18.9m with Conditions	14.66m	33.85m



Proposed Site Plan 1.10e

Scale: 1:100



DETAIL
NUMBER

DRAWING
NUMBER

1 Issued for Client Review 23 / 08 / 2023

No. Description Date

The undersigned has reviewed and takes 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

Scott Rushlow 29726
NAME SIGNATURE BCIN

REGISTRATION INFORMATION

Scott Rushlow Associates Ltd 35924
FIRM BCIN

SCOTT RUSHLOW
a s s o c i a t e s L t d

111-111 Upper Duke Cres Markham ON L6G 0C8 905 852 5595

PROJECT

Capelli / Simmons
Residence
86 John Street
Markham, Ontario
(Part of Lot 30, Concession 1)

DRAWING TITLE

Site Plan 1.10e

Scale: 1:200

Date: Aug 23, 2023

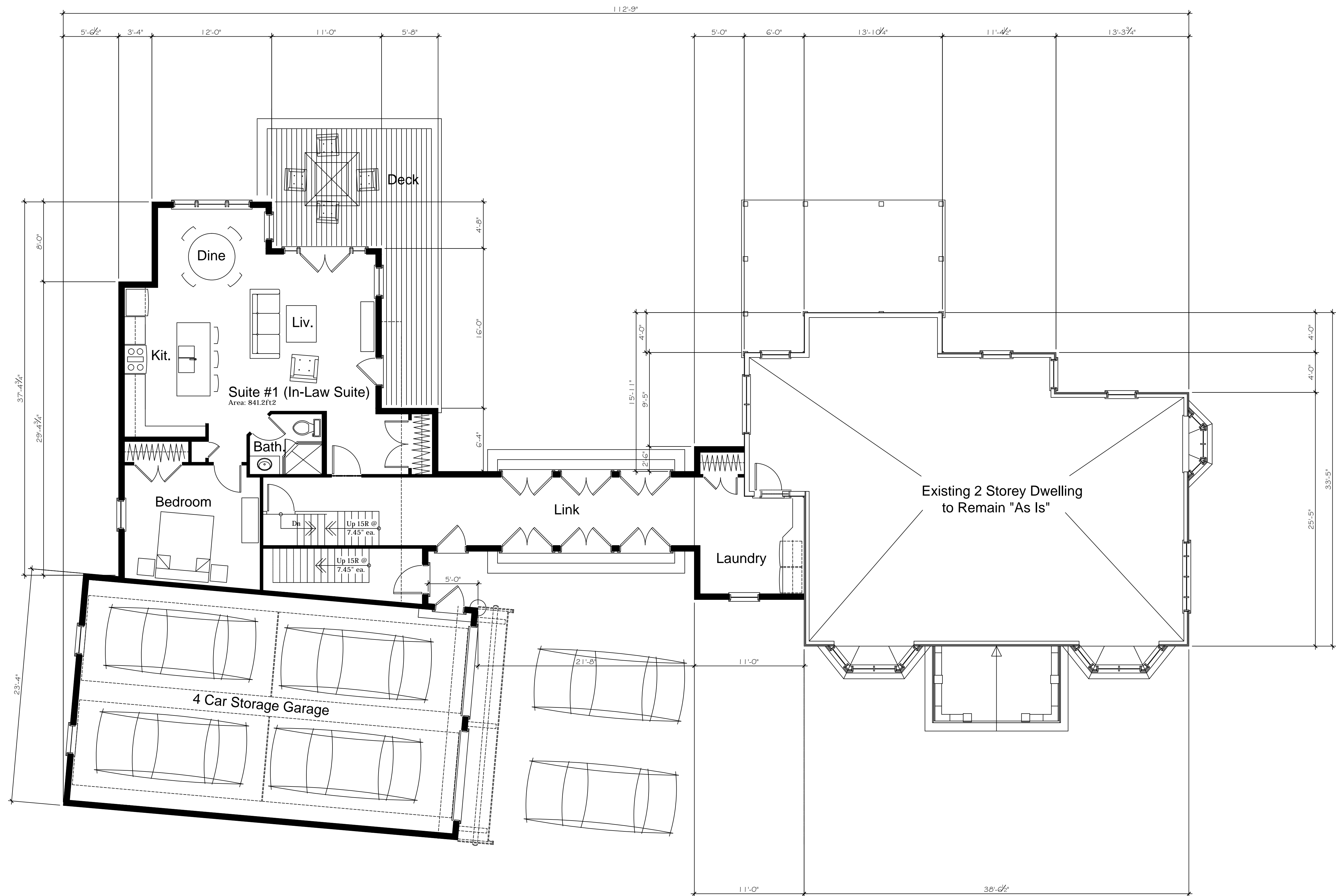
Job No.

Drawn By: S.R.

Checked By:

DRAWING NO.

SP1

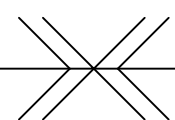


Ground Floor Plan 1.10e

Scale: $\frac{3}{16}"=1'-0"$

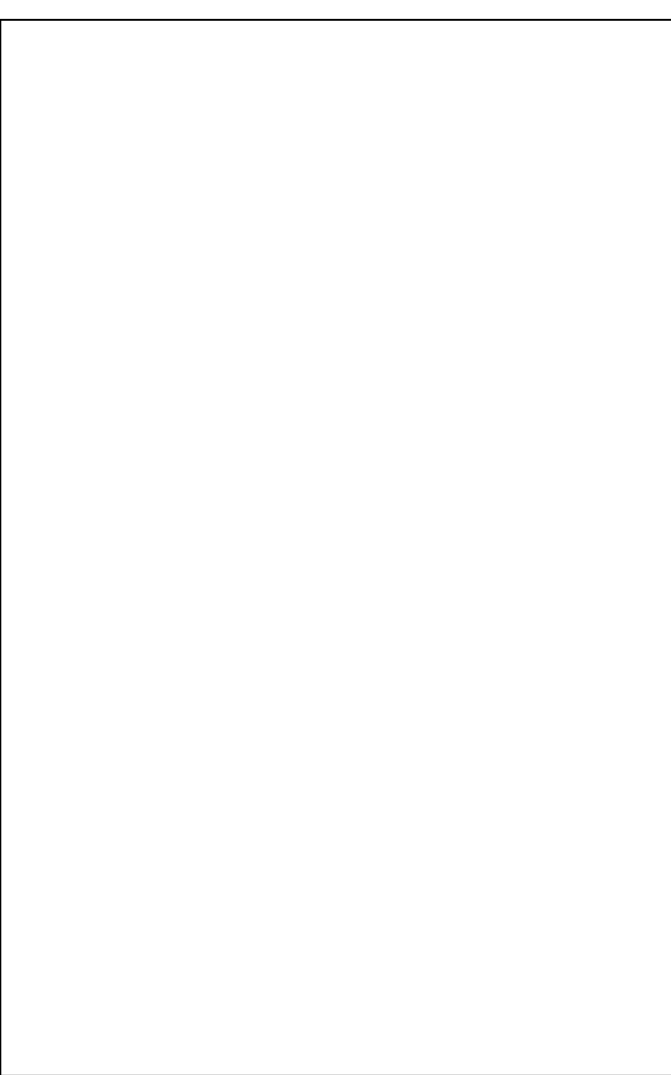
New Addition Area: 2,314.5ft² (Includes Garage)

Proposed New 2 Storey Addition



Existing Heritage Dwelling
to Remain "As Is"

Area: 1,271.1ft² (Existing Ground Floor)



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Scott Rushlow 29726
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Scott Rushlow Associates Ltd 35924
FIRM BCIN

SCOTT RUSHLOW
associates Ltd

111-111 Upper Duke Cres Markham ON L6G 0C8 905 852 5595

PROJECT

Capelli / Simmons
Residence
86 John Street
Markham, Ontario
(Part of Lot 30, Concession 1)

DRAWING TITLE

Ground Floor Plan 1.10e

Scale: $\frac{3}{16}"=1'-0"$

Date: Aug. 23, 2023

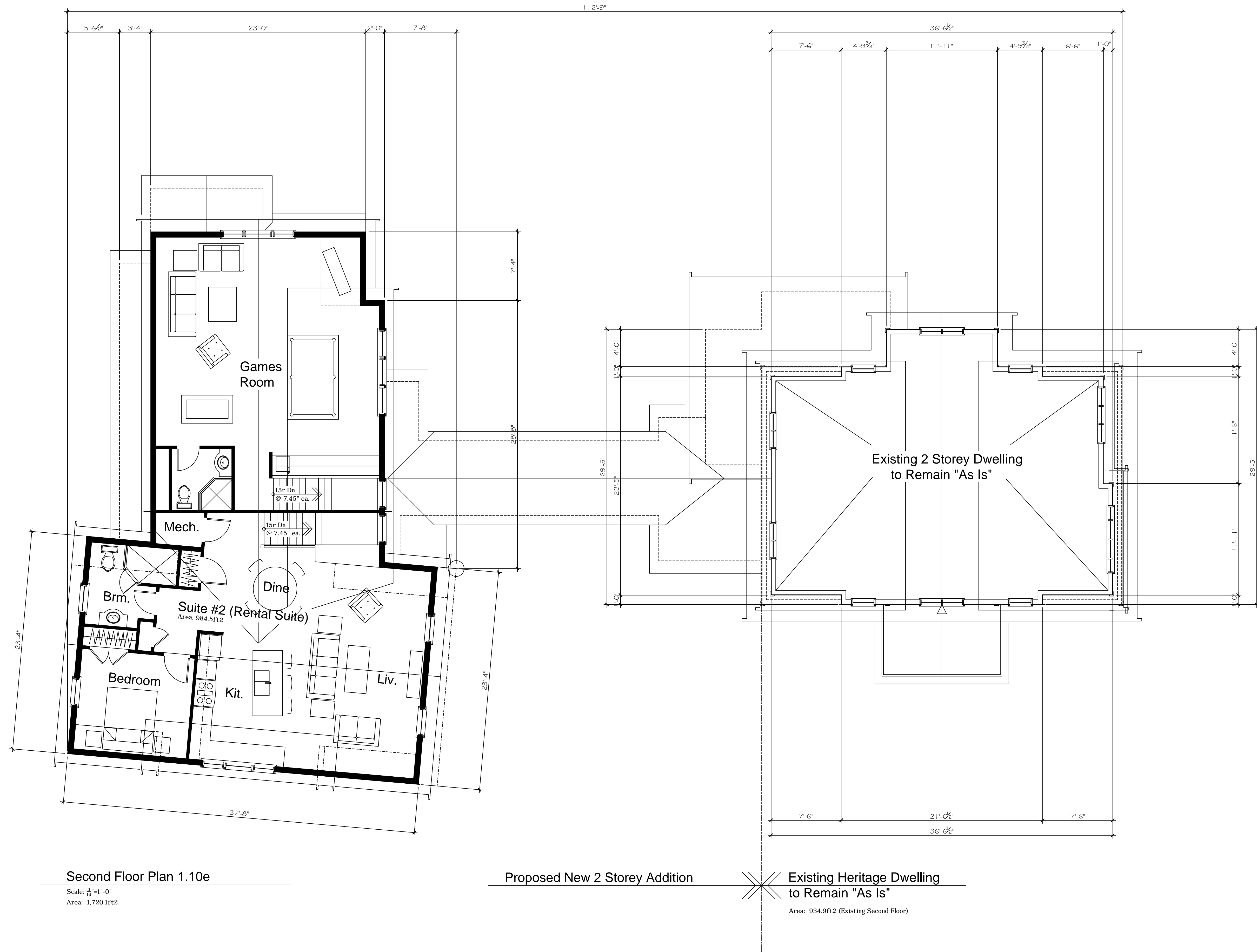
Job No.

Drawn By: S.R.

Checked By:

DRAWING NO.

A3



Second Floor Plan 1.10e

Scale: $\frac{3}{8}"=1'-0"$
Area: 1,720.1ft²

Proposed New 2 Storey Addition

Existing Heritage Dwelling
to Remain "As Is"

Area: 934.9ft² (Existing Second Floor)

DETAIL
NUMBER

DRAWING
NUMBER

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No.	Description	Date

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QUALIFICATION INFORMATION		
Scott Rushlow		29726
NAME	SIGNATURE	BCIN

REGISTRATION INFORMATION		
Scott Rushlow Associates Ltd		35924
FIRM		BCIN

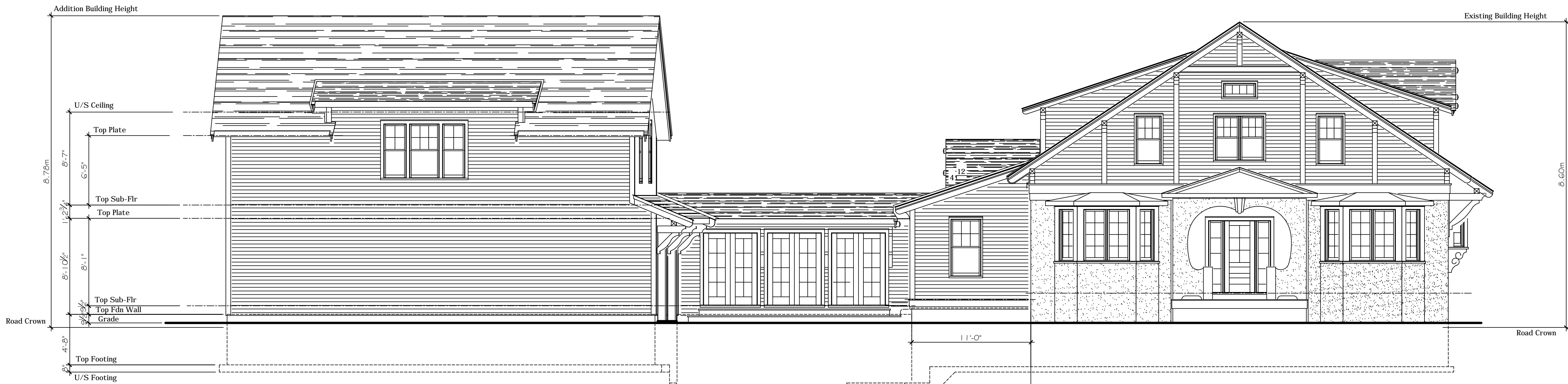
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associates Ltd
111-111 Upper Duke Cres Markham ON L6G 0C8 905 852 5595

PROJECT
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Residence
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Markham, Ontario
(Part of Lot 30, Concession 1)

DRAWING TITLE

Second Floor Plan 1.10e

Scale: $\frac{3}{8}"=1'-0"$	DRAWING NO. A4
Date: Aug. 23, 2023	
Job No.	
Drawn By: S.R.	
Checked By:	



West Elevation 1.10d

Scale: $\frac{3}{16}$ "=1'-0"

Proposed New 2 Storey Addition

Existing Heritage Dwelling
to Remain "As Is"



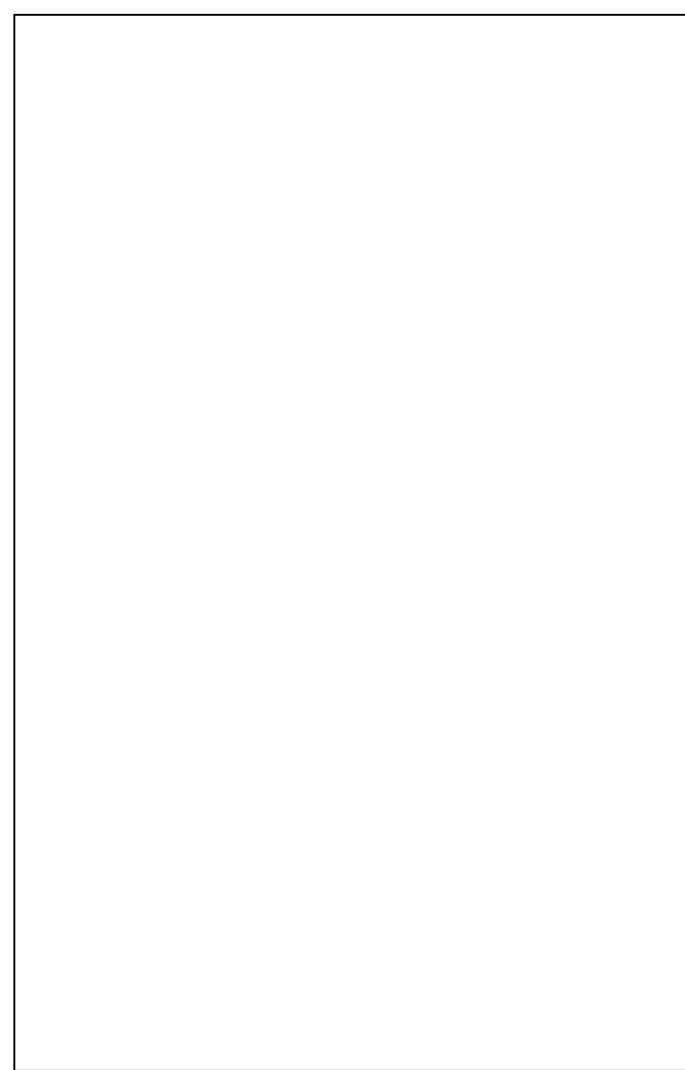
South Elevation 1.10d

Scale: $\frac{3}{16}$ "=1'-0"



South Elevation 1.10d

Scale: $\frac{3}{16}$ "=1'-0"



DETAIL
NUMBER

DRAWING
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associates Ltd

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PROJECT

**Capelli / Simmons
Residence**
86 John Street
Markham, Ontario
(Part of Lot 30, Concession 1)

DRAWING TITLE

Exterior Elevations 1.10e

Scale: $\frac{3}{16}$ "=1'-0"

Date: Aug. 23, 2023

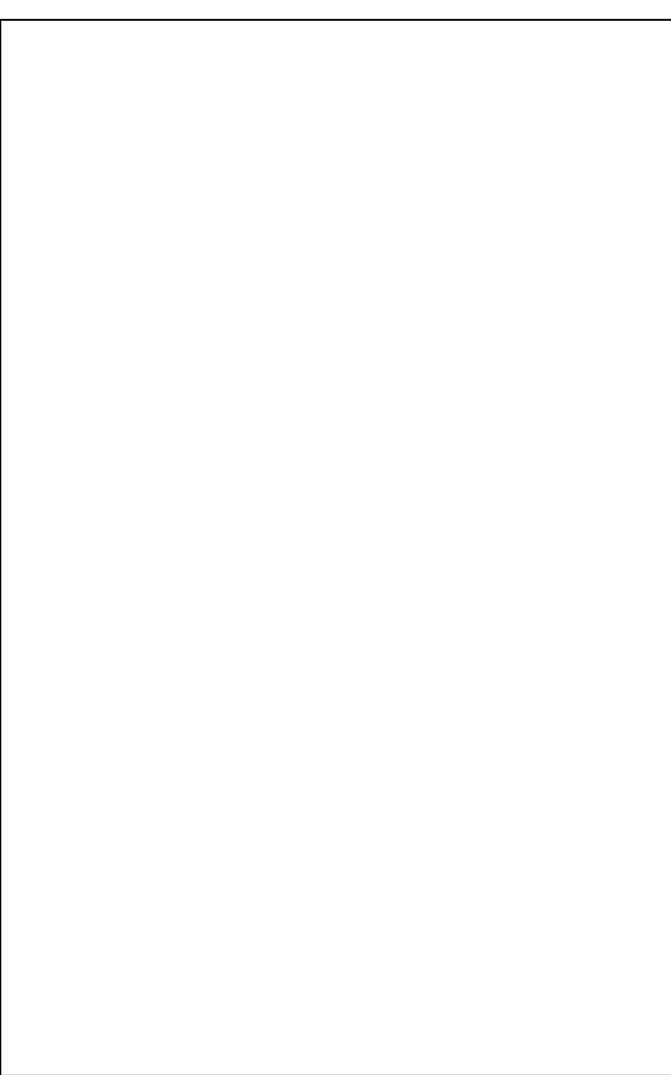
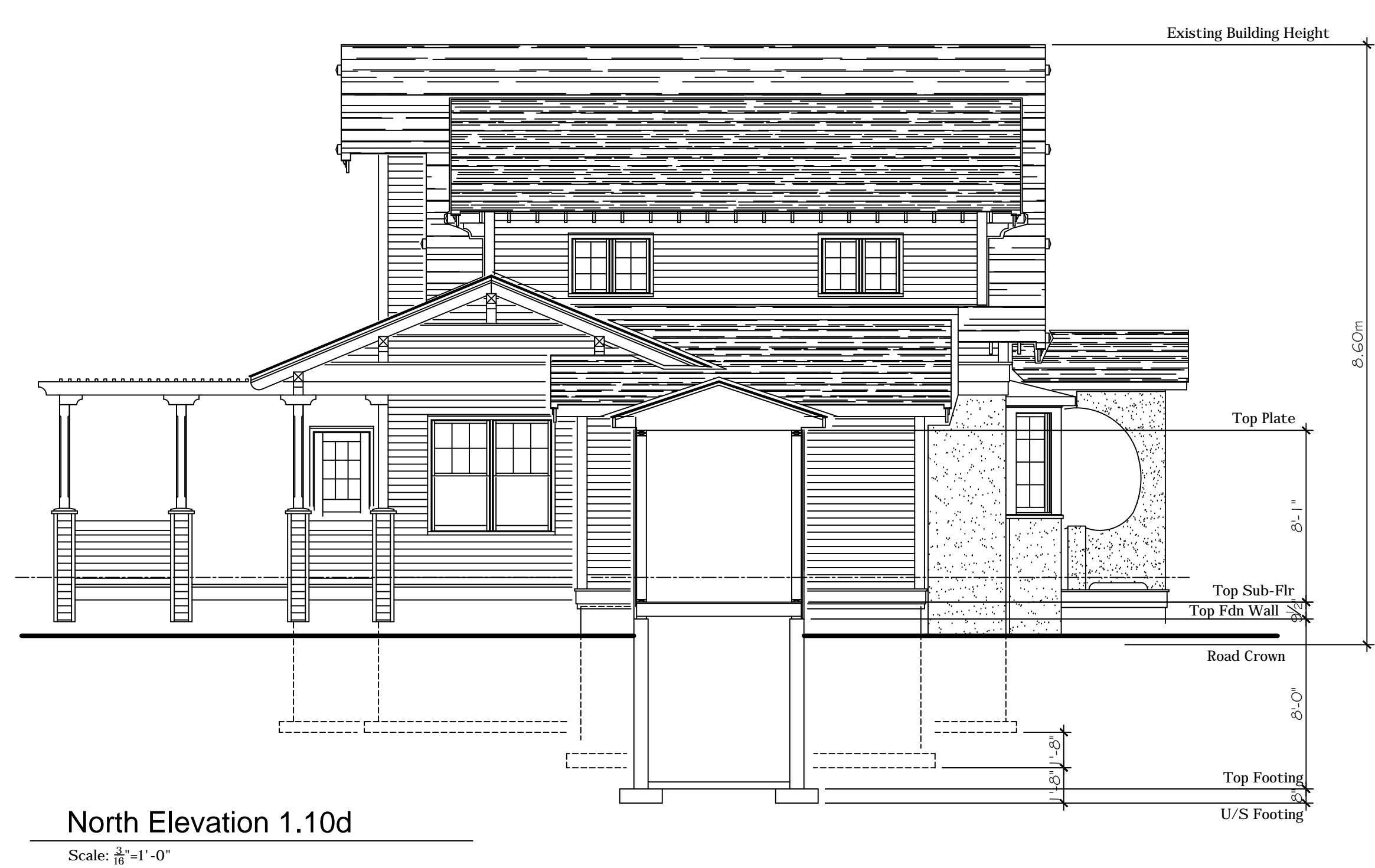
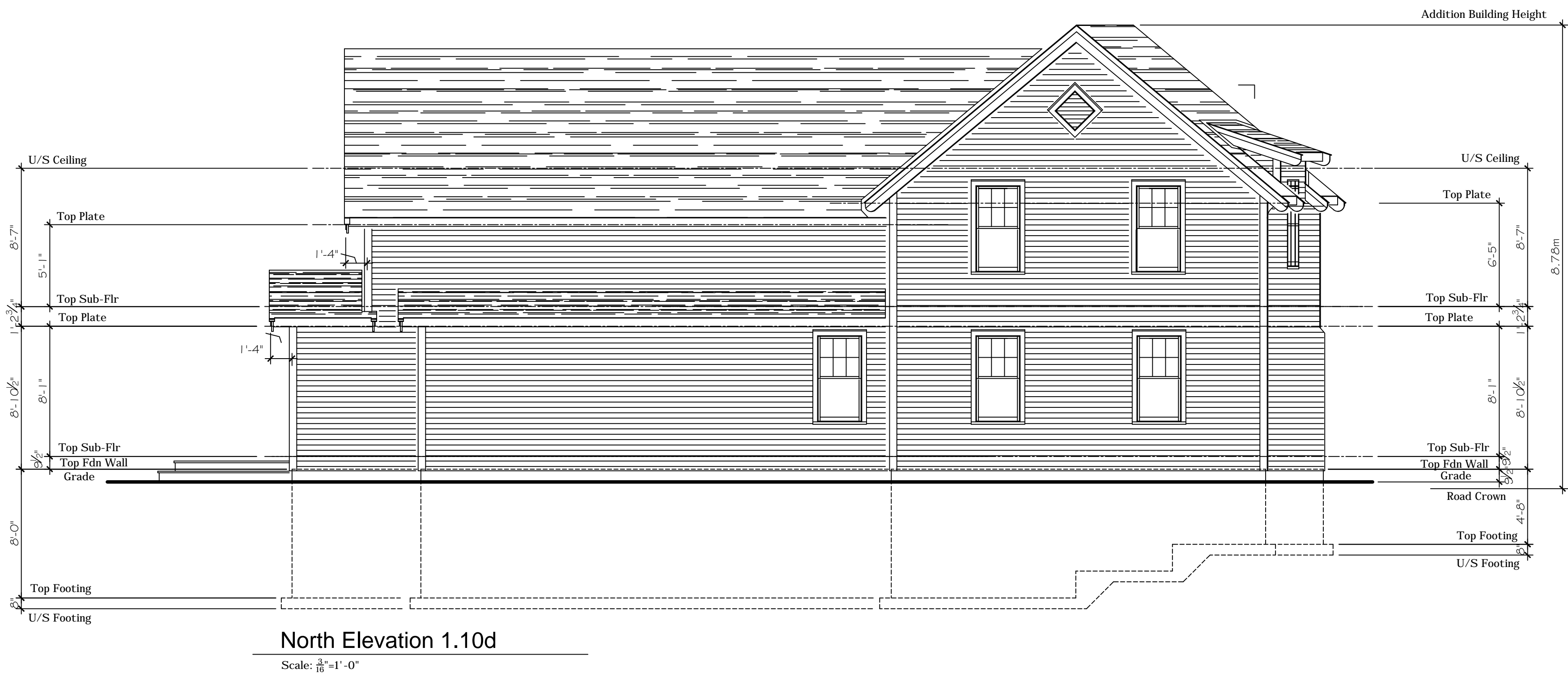
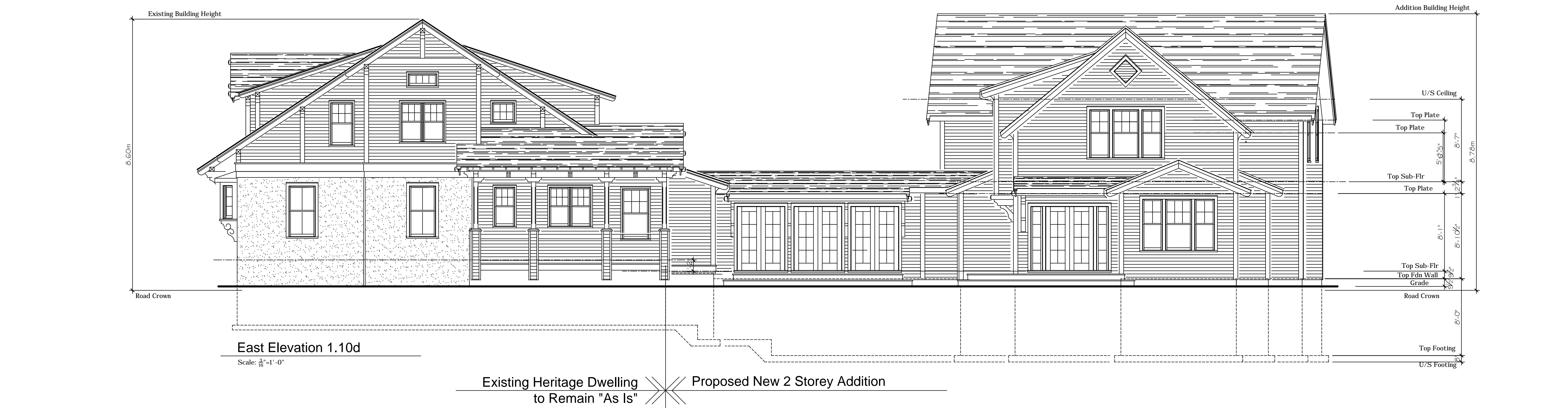
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Drawn By: S.R.

Checked By:

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A1



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Residence**
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DRAWING TITLE

Exterior Elevations 1.10e

Scale: $\frac{3}{16}"=1'-0"$	DRAWING NO.
Date: Aug. 23, 2023	
Job No.	
Drawn By: S.R.	
Checked By:	

A2