

Memorandum to the City of Markham Committee of Adjustment

February 19, 2025

File: A/140/24
Address: 3 Treeline Court, Markham
Applicant: Renor and Associates inc. (Imran Khan)
Hearing Date: Wednesday, March 5, 2025

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

The applicant is requesting relief from the following requirements of the “Third Density – Single Detached Residential (R3)” Zone in By-law 90-81, as amended, as it relates to a proposed second storey addition to an existing garage, to permit:

a) By-law 90-81, Section 6.1.2(b):

a minimum rear yard setback of 3.36 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres

BACKGROUND

Property Description

The 1,366.17 m² (14,705.33 ft²) subject property is located on the south side of Treeline Court, east of Lemsford Drive, and south of Fourteenth Avenue. The property is located within an established residential neighbourhood comprised of two-storey detached dwellings. Mature vegetation exists across the property.

There is an existing two storey detached dwelling on the property, which according to assessment records was constructed in 2002, with the attached garage addition constructed in 2018.

Proposal

The applicant is proposing to construct a 33.45 m² (360 ft²) addition above the attached garage.

Official Plan and Zoning

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

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 8.2.3.1a which states:

“On lands designated ‘Residential Low Rise’ to respect the physical character of established neighborhoods including heritage conservation districts”

Zoning By-Law 90-81

The subject property is zoned Third Density – Single Detached Residential (R3) under By-law 90-81, as amended, which permits single detached dwellings.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from the building department through their permit process to confirm the variances required for the proposed development.

COMMENTS

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

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

Reduction in Rear Yard Setback

The applicant is requesting relief to permit a minimum rear yard setback of 3.36 m (11.02 ft), whereas the By-law requires a minimum rear yard setback of 7.5m (24.61 ft). This variance request is to facilitate the construction of a second storey addition above the existing attached garage, which was built in 2018. Due to the unique corner lot configuration, the structure is generally consistent with the setback pattern on the street and will not impact the adjoining properties.

Staff have no concerns with this request, as it maintains the existing footprint of the dwelling. Additionally, homes in the area commonly feature living spaces above garages, making the proposed addition consistent with the neighborhood's established character.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 27, 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 variance request meets the four tests of the Planning Act and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

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

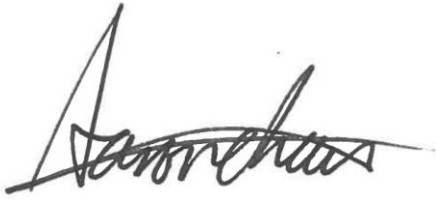
Please refer to Appendix "A" for conditions to be attached to any approval of this application.

APPENDICIES

Appendix "A" – A/140/24 Conditions of Approval

Appendix "B" – Drawings

PREPARED BY:

A handwritten signature in black ink, appearing to read "Aaron Chau". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aaron Chau, Planner I, East District

REVIEWED BY:

A handwritten signature in black ink, appearing to read "Stacia Muradali". The signature is more complex and scribbled than the one above, with a long horizontal stroke extending to the right.

Stacia Muradali, Development Manager, East District

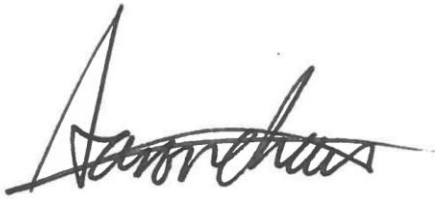
File Path: Amanda\File\24 197806 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/140/24

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 plan(s) attached as 'Appendix B' to this Staff Report and received by the City of Markham on December 8, 2024 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;

CONDITIONS PREPARED BY:

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

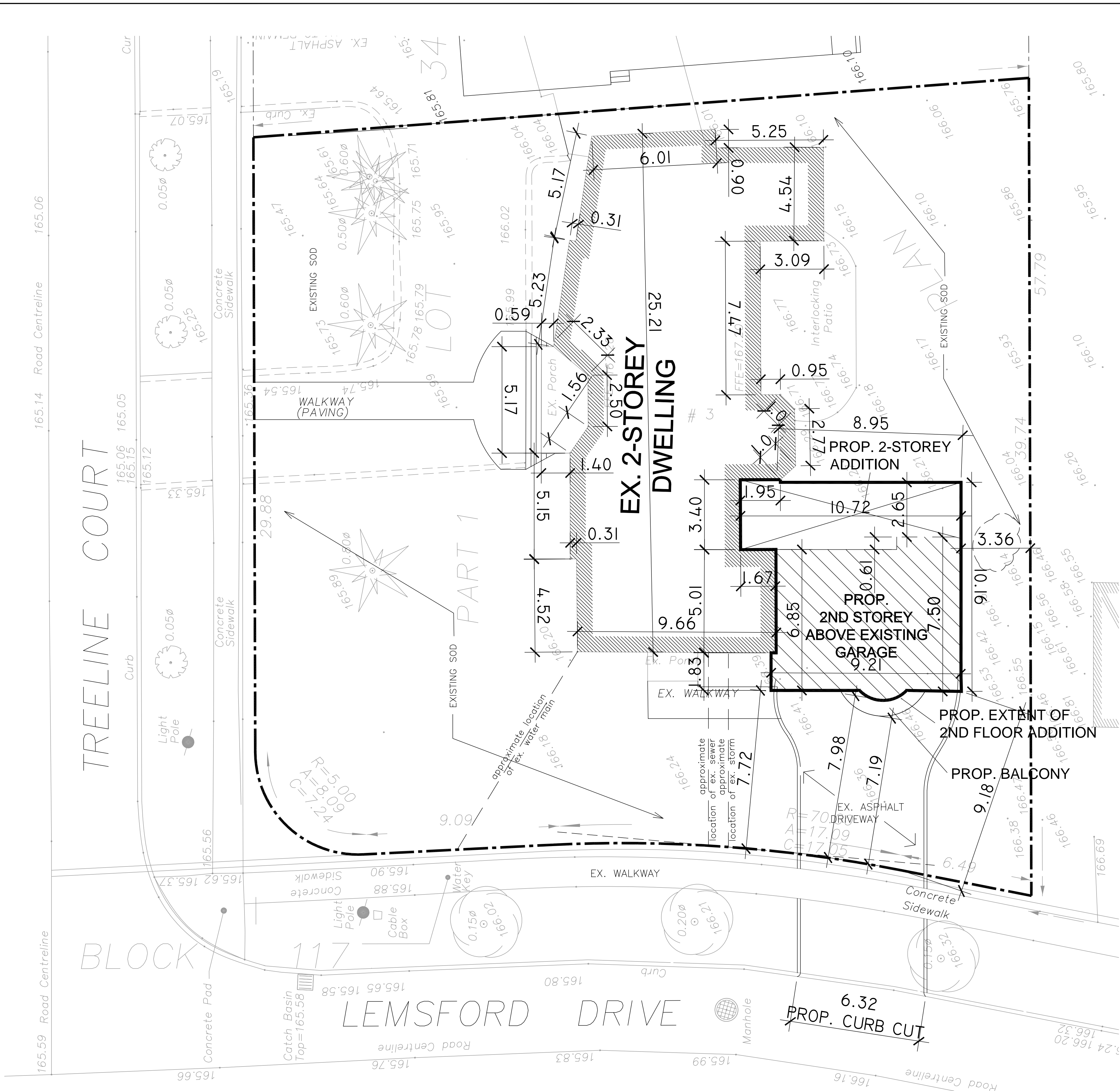
Aaron Chau, Planner I, East District

Appendix B

File: 24.197806.000.00.MNV

Date: 2/19/2025

MM/DD/YYYY



LEGAL DESCRIPTION
 PART OF LOT 34, PART 1
 REGISTERED PLAN 65R 36305
 TOWN OF MARKHAM

SURVEY INFORMATION
 WAS TAKEN FROM SURVEY
 PREPARED BY:
 IVAN B. WALLACE
 ONTARIO LAND SURVEYOR

SITE SUMMARY - ZONING: RESIDENTIAL

TOTAL SITE AREA: 1,366.17 sm (0.337 ac)

BUILDING COVERAGE: 357.43 sm (3,847 sf)
 (26.17% of LOT AREA)

EXISTING HOUSE: 247.64 sm (2,666 sf)
EXISTING GARAGE: 62.9 sm (677 sf)
EX. PORCH: 13.44 sm (144 sf)
PROP. ADDITION: 33.45 sm (360 sf)

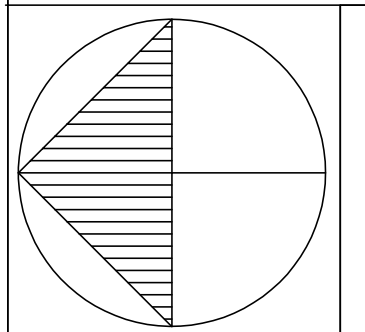
BUILDING G.F.A. GROUND FLOOR AREA: 343.99 sm (3,703 sf)
EXISTING HOUSE: 247.64 sm (2,666 sf)
EXISTING GARAGE: 62.9 sm (677 sf)
PROP. ADDITION: 33.45 sm (360 sf)

2ND FLOOR AREA: 307.14 sm (3,306 sf)
EXISTING HOUSE: 209.79 sm (2,260 sf)
PROP. ADDITION: 97.35 sm (1,047 sf)
TOTAL G.F.A.: 651.13 sm (7,009 sf)

ADDITION SETBACKS

	REQ'D	PROV'D
SIDE (WEST)	1.2 m	7.72 m
REAR (SOUTH)	0.6 m	3.36 m

IMRAN KHAN ARCHITECTS
 1906 PARKSIDE DRIVE, PICKERING, ONTARIO L1V 3N5
 EMAIL: ikhanarch@gmail.com, Tel: (416) 662-7593



DRAWING: PROPOSED GARAGE AND DEMOLITION OF EXISTING GARAGE TO EX. DWELLING 3 TREE LINE CT., MARKHAM, ONTARIO

RENOR & ASSOCIATES INC

DRAWN: ARGHAVON **PROJECT NO:** 20-34

PLOTTED DATE: JUNE. 19/23 **DRAWING NO:**

SCALE: AS SHOWN **A-1.1**

DRAWING: SITE PLAN

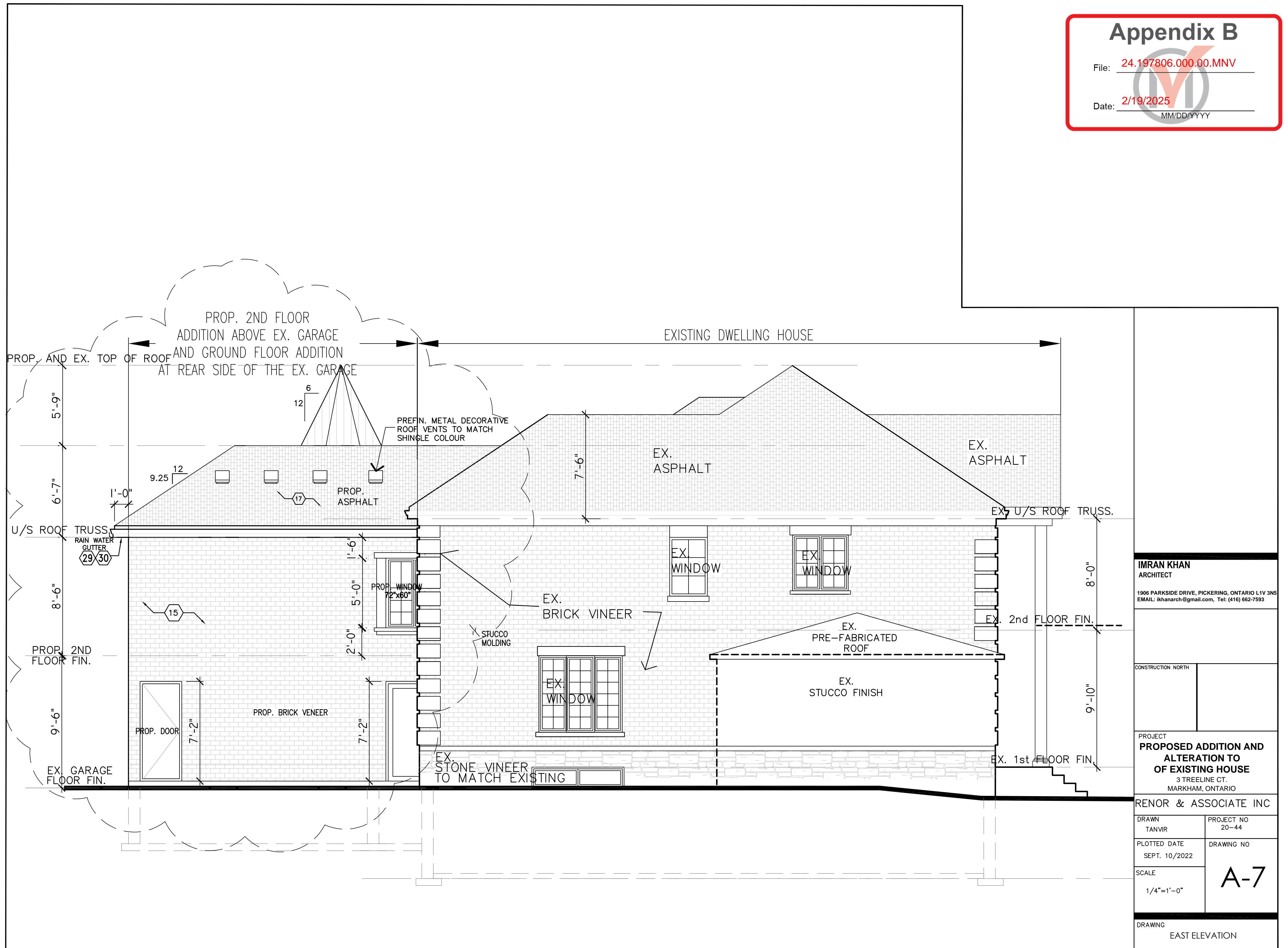
SITE PLAN

SCALE 1:100

Appendix B

File: 24.197806.000.00.MNV

Date: 2/19/2025
MM/DD/YYYY



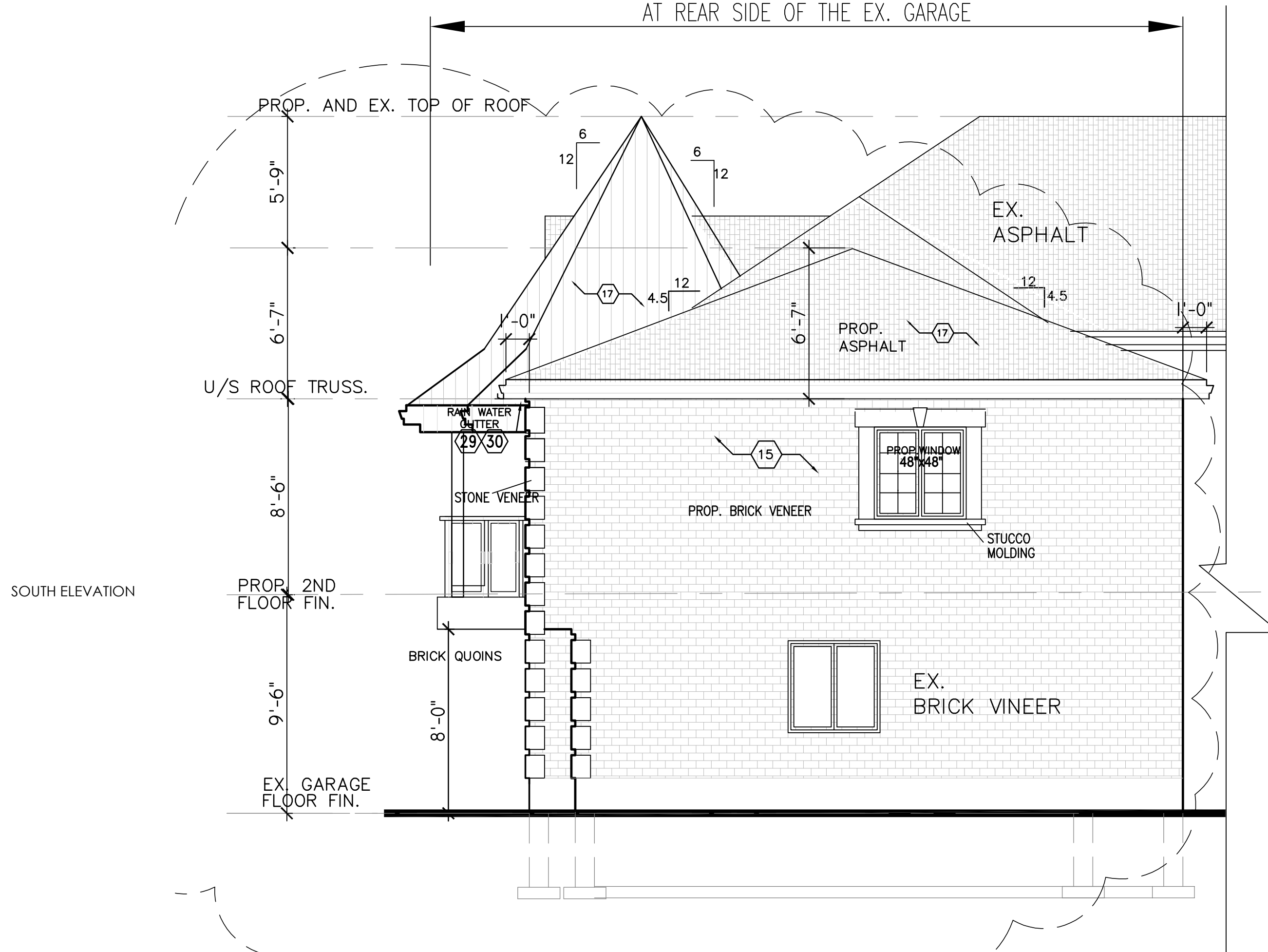
IMRAN KHAN ARCHITECT 1906 PARKSIDE DRIVE, PICKERING, ONTARIO L1V 3N5 EMAIL: ikhanarch@gmail.com, Tel: (416) 662-7593	
CONSTRUCTION NORTH	
PROJECT PROPOSED ADDITION AND ALTERATION TO OF EXISTING HOUSE 3 TREELINE CT. MARKHAM, ONTARIO	
RENOR & ASSOCIATE INC	
DRAWN TANVIR	PROJECT NO 20-44
PLOTTED DATE SEPT. 10/2022	DRAWING NO A-7
SCALE 1/4"=1'-0"	
DRAWING EAST ELEVATION	

Appendix B

File: 24.197806.000.00.MNV

Date: 2/19/2025
MM/DD/YYYY

PROP. 2ND FLOOR
ADDITION ABOVE EX. GARAGE
AND GROUND FLOOR ADDITION
AT REAR SIDE OF THE EX. GARAGE



SOUTH ELEVATION

IMRAN KHAN
ARCHITECT

1906 PARKSIDE DRIVE, PICKERING, ONTARIO L1V 3N5
EMAIL: ikhanarch@gmail.com, Tel: (416) 662-7593

CONSTRUCTION NORTH

PROJECT
**PROPOSED ADDITION AND
ALTERATION TO
OF EXISTING HOUSE**
3 TREELINE CT.
MARKHAM, ONTARIO

RENOR & ASSOCIATE INC

DRAWN
TANVIR

PROJECT NO
20-44

PLOTTED DATE
MAY. 10/2021

DRAWING NO

SCALE
1/4"=1'-0"

A-9

DRAWING
SOUTH ELEVATION
AND SCHEDULES

Appendix B

File: 24.197806.000.00.MNV

Date: 2/19/2025

MM/DD/YYYY

GENERAL NOTES

1. Generally, driveways to be located to maximize sheet flow drainage from house, driveway, etc.
2. Generally, driveways to be graded with 2.0% min. cross fall.
3. Where ditching is required, 9.0m minimum 450mm Lo-Hed equiv. csp's are to be installed under proposed driveways.
4. Generally, house to be constructed upon a 300mm (min. vertical) apron with the toe of the apron meeting existing grade of lot.
5. Grading of the apron (i.e. within 2-4 m of the building) should be maintained at standard grade of between 2% and 5% (min.).
6. Areas disturbed by lot grading shall be limited to those areas necessary to construct home, driveway & septic bed.
7. Downspouts to be constructed to splash blocks.
8. Maintain minimum 1.22m cover for footings.
9. Step footings where required.
10. Driveways to drain to street.
11. There is no existing Municipal Storm Sewer connection.

SERVICING NOTES

1. Proposed 25mm ϕ water service to be installed by open cut within the travelled roadway and by trenchless method (torpedoes) under the tree within the boulevard up to the property line curb box at owners expense. Water service from the property line curb box to the proposed building to be installed by trenchless method by the owner.
2. Proposed 125mm ϕ sanitary service will be connected with a riser and re-bench the manhole to direct the flow to the outlet of the manhole. The connection point will be adjusted onsite to confirm that there is no conflict with the existing steps in the manhole. If there is conflict, the steps will be adjusted, oil at owners expense.
3. The property owner at time of building permit application will need to contact the city engineering department (inspections) regarding service connection arrangements and payment accordingly.



RECEIVED

OCT 17 2016
DEVELOPMENT SERVICES
CITY OF MARKHAM

SITE STATISTICS - PART 1

ZONING	- R3
LOT AREA	- 1366 sq.m.
BUILDING AREA	- 307.4 sq.m.
LOT COVERAGE	- 22.5%
BUILDING HEIGHT	- 2.0m
NUMBER OF STOREYS	- 1
FRONT YARD	- 7.7m
SIDE YARD	- 2.9m

SITE STATISTICS - PART 2

ZONING	- R3
LOT AREA	- 680.1 sq.m.
BUILDING AREA	- 263.8 sq.m.
LOT COVERAGE	- 38.8%
BUILDING HEIGHT	- 2.0m
FRONT YARD	- 9.0m
SIDE YARD (BOTH)	- 1.2m/1.8m+
REAR YARD	- 2

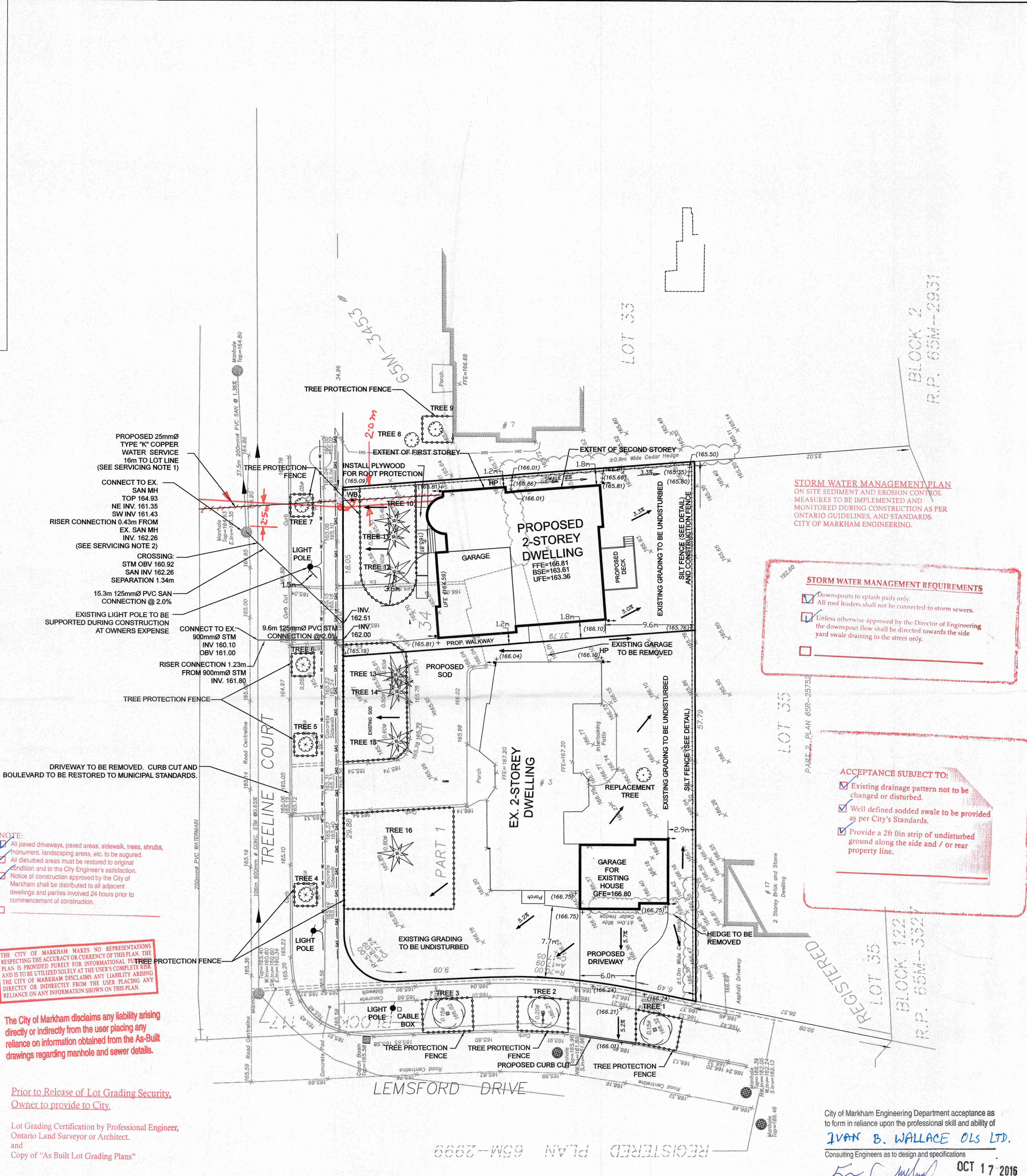
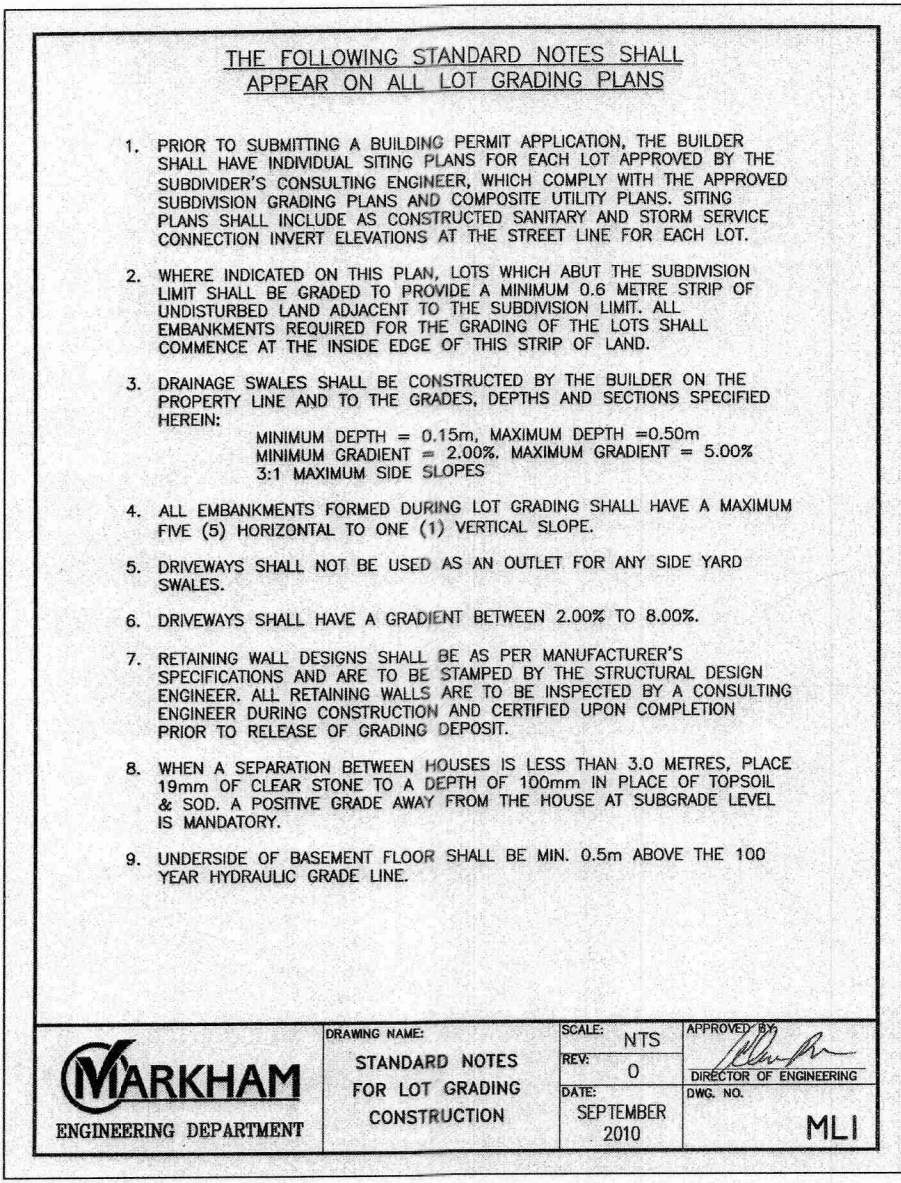
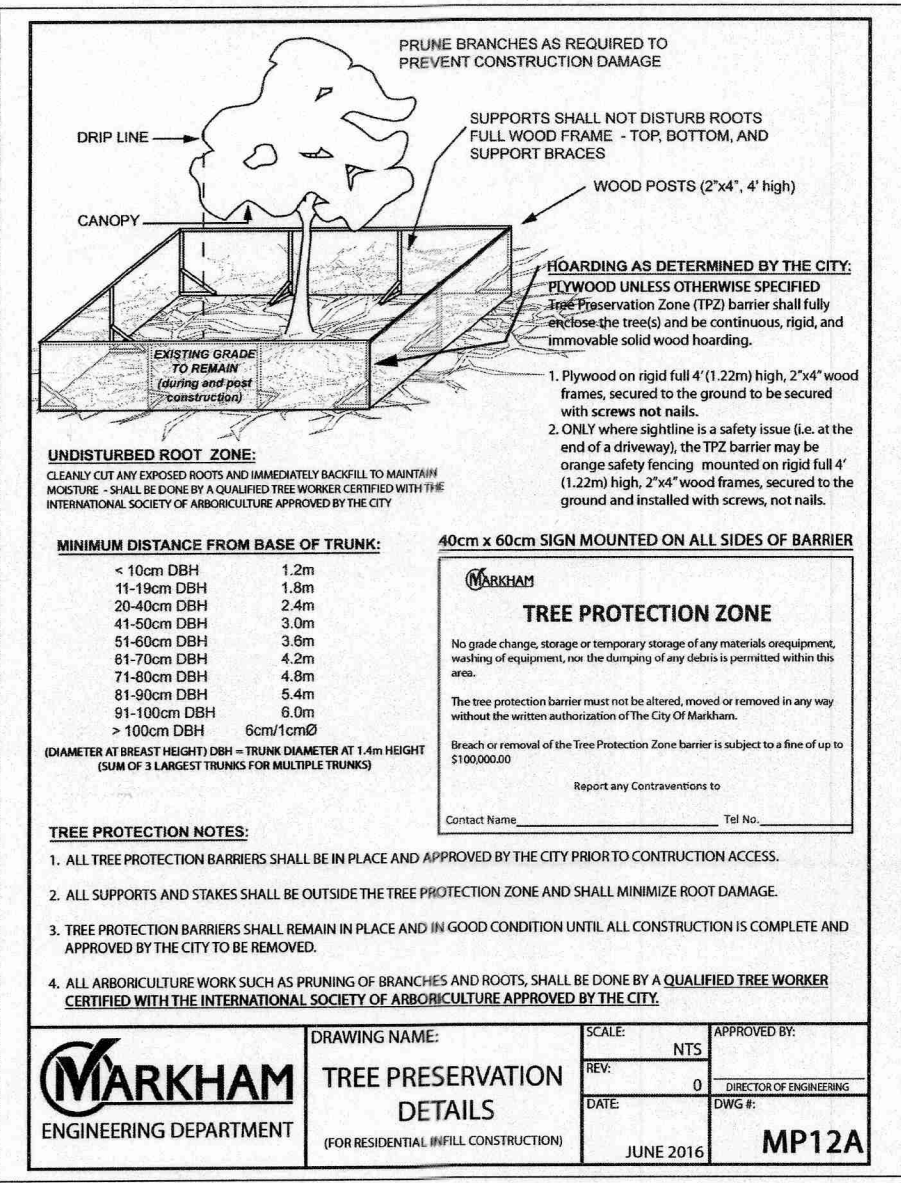
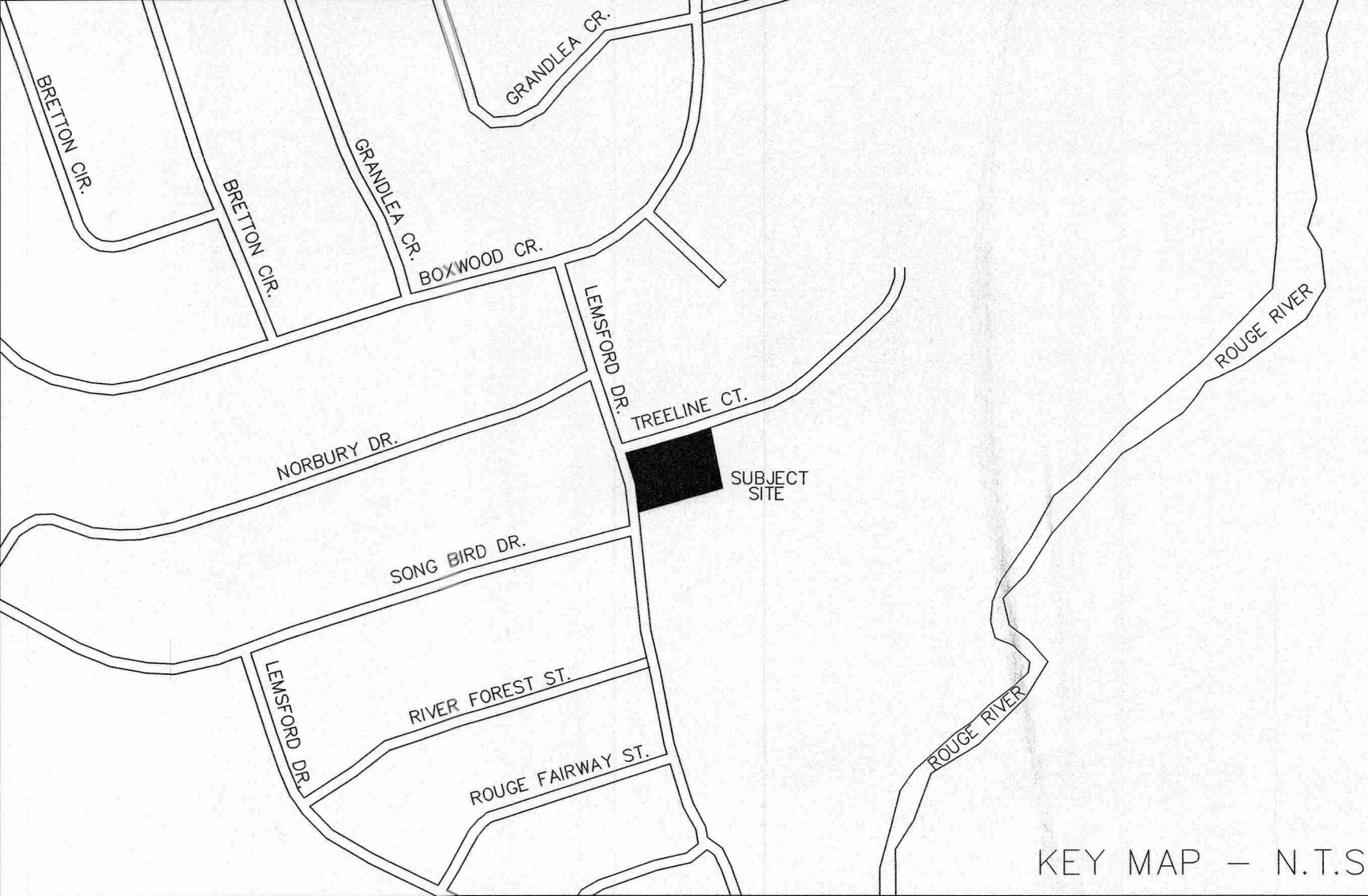
*IN ACCORDANCE WITH THE CITY OF MARKHAM BY-LAW 61-94

LEGEND

- FFE denotes First Floor Elevation
- TFE denotes Top of Foundation Elevation
- BFE denotes Basement Floor Elevation
- UFE denotes Underside of Footing Elevation
- SD denotes Sheet Drainage
- SE denotes Existing Spot Elevation
- PE denotes Proposed Elevation
- RL denotes Roof Water Leader location
- HP denotes High Point of Land
- WB denotes Property Line Curb Box
- denotes Existing Light Pole
- denotes Existing Gas Service
- denotes Existing Hydro Service

IVAN B. WALLACE
ONTARIO LAND SURVEYOR LTD.
www.ibwsurveyors.com
71 Meares Court, Unit 1, Bowmanville, Ontario, L1C 4H4
p: 905.623.2205 | f: 905.623.0612 | 1.800.667.0696
ibw@ibwsurveyors.com

CWG NAME: S-11021-SP-4 | PLOT DATE: OCTOBER 17, 2016
FRONT BY: C CHECKED BY: PARTY CHECK: W



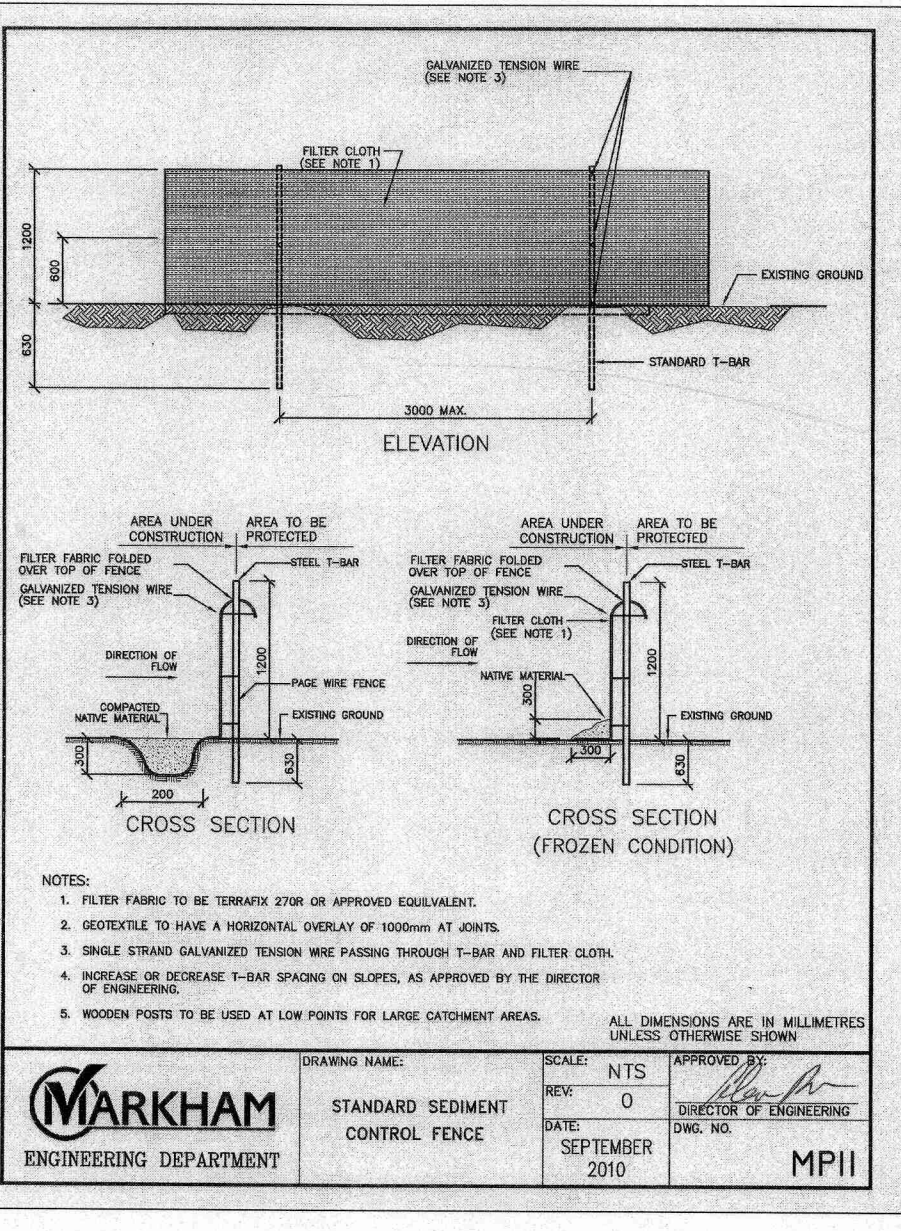
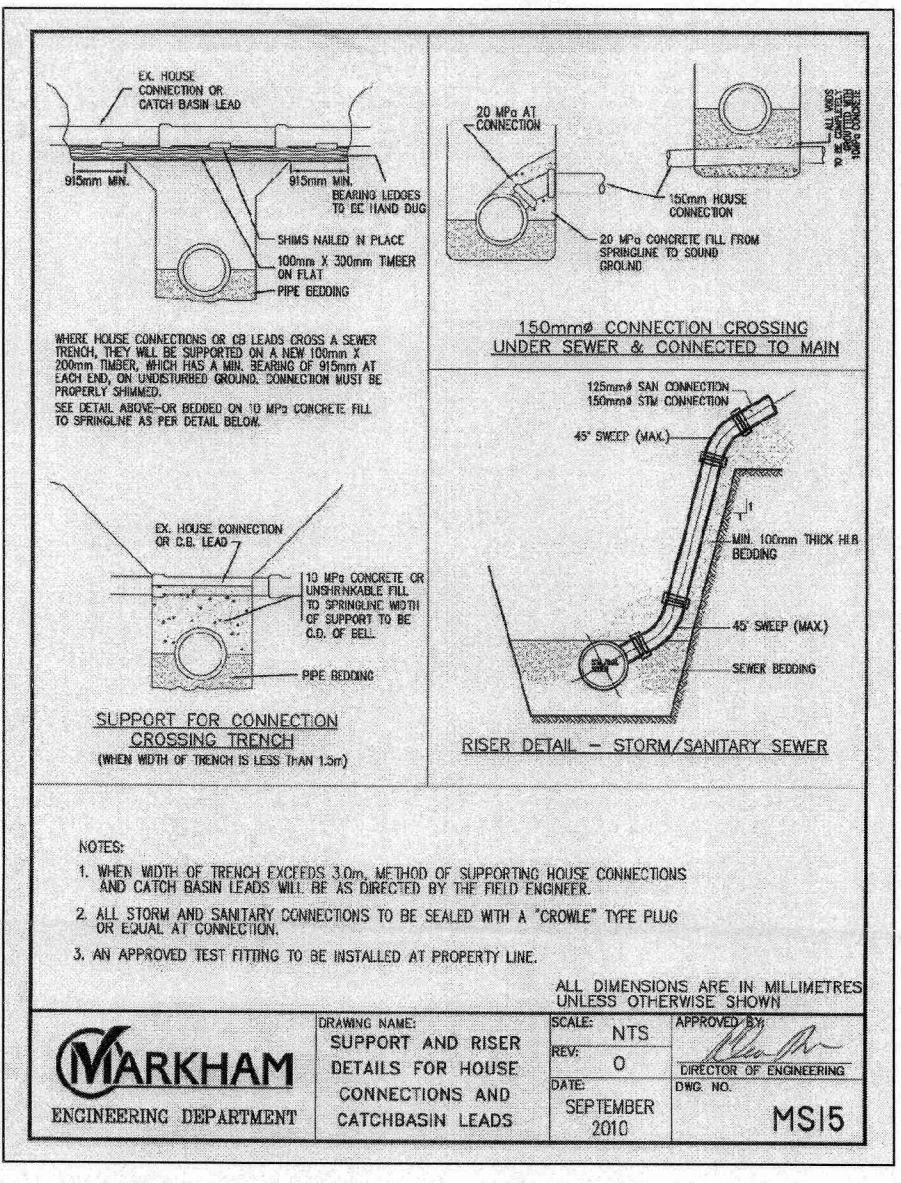
STORM WATER MANAGEMENT PLAN
ON SITE SEDIMENT AND EROSION CONTROL MEASURES TO BE IMPLEMENTED AND MONITORED DURING CONSTRUCTION AS PER ONTARIO GUIDELINES, AND STANDARDS. CITY OF MARKHAM ENGINEERING.

STORM WATER MANAGEMENT REQUIREMENTS

- Downspouts to splash pads only.
- All roof leaders shall not be connected to storm sewers.
- Unless otherwise approved by the Director of Engineering the downspout flow shall be directed towards the side yard swale draining to the street only.

ACCEPTANCE SUBJECT TO:

- Existing drainage pattern not to be changed or disturbed.
- Well defined sodded swale to be provided as per City's Standards.
- Provide a 2ft 0in strip of undisturbed ground along the side and / or rear property line.

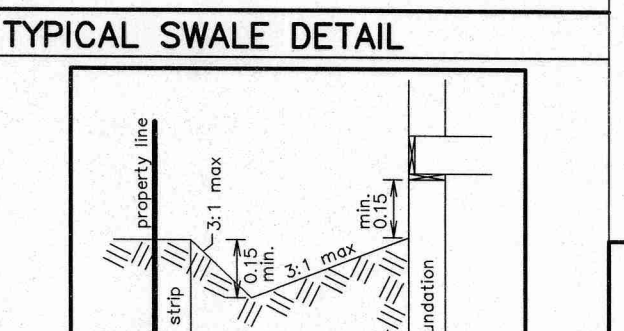


PLAN NOTES

Elevations are geodetic and referred to the Town of Markham benchmark 092033078 having a geodetic elevation of 165.485 meters

Distances and coordinates shown on this plan are metric and can be converted to imperial by dividing by 0.3048.

Boundary information shown hereon is in accordance with a Boundary Report by Ivan B. Wallace Ltd. dated



City of Markham Engineering Department acceptance as to form in reliance upon the professional skill and ability of
IVAN B. WALLACE OLS LTD.
Consulting Engineers as to design and specifications
Authorized Signature: [Signature] Date: OCT 17 2016

NOTE:

- All paved driveways, paved areas, sidewalk, trees, shrubs, monument, landscaping areas, etc. to be augured.
- All disturbed areas must be restored to original condition and to the City Engineer's satisfaction.
- Notice of construction approved by the City of Markham shall be distributed to all adjacent owners and parties involved 24 hours prior to commencement of construction.

THE CITY OF MARKHAM MAKES NO REPRESENTATIONS RESPECTING THE ACCURACY OR CURRENCY OF THIS PLAN. THIS PLAN IS PROVIDED PURELY FOR INFORMATIONAL PURPOSES AND IS TO BE UTILIZED SOLELY AT THE USER'S COMPLETE RISK AND IS TO BE LITIGATED SOLELY AT THE USER'S COMPLETE RISK AND IS TO BE LITIGATED SOLELY AT THE USER'S COMPLETE RISK AND IS TO BE LITIGATED SOLELY AT THE USER'S COMPLETE RISK.

The City of Markham disclaims any liability arising directly or indirectly from the user placing any reliance on information obtained from the As-Built drawings regarding manhole and sewer details.

Prior to Release of Lot Grading Security, Owner to provide to City.
Lot Grading Certification by Professional Engineer, Ontario Land Surveyor or Architect, and Copy of "As Built Lot Grading Plans"