

**Memorandum to the City of Markham Committee of Adjustment**  
April 23, 2024

**File:** A/184/23  
**Address:** 10197 Victoria Square Boulevard, Markham  
**Applicant:** Humphries Planning Group Inc. (Puneh Jamshidi)  
**Hearing Date:** Wednesday, May 1, 2024

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

The applicant is requesting relief from the following requirements of the Rural Residential One (RR1) Zone, in By-law 304-87, as amended, to permit:

- a) **By-law 304-87, Section 7.1:**  
an accessory building (garden home) to be located in the front yard; whereas, the By-law does not permit an accessory building (garden home) in the front yard;
- b) **By-law 304-87, Section 7.5 (b)(i):**  
a south side yard setback of 1.6 metres for the single-detached dwelling; whereas, the By-law requires a minimum side yard setback of 3 metres;
- c) **By-law 304-87, Section 7.5 (b)(i):**  
a north side yard setback 2.39 metres for the accessory building (garden home); whereas, the By-law requires a minimum side yard setback of 3 metres;
- d) **By-law 304-87, Section 7.5 (b)(i):**  
a front yard setback of 6.4 metres for the accessory building (garden home); whereas, the By-law requires a minimum front yard setback of 7.5 metres;

as it relates to a proposed two-storey detached dwelling and a proposed one-storey accessory building (garden home) in the front yard.

**COMMENTS**

The Committee of Adjustment deferred this application sine die at their meeting on February 21, 2024. The Committee, as well as a member of the public, noted concerns that the proposed garden home was out of character for the neighbourhood and would negatively impact the streetscape. The applicant submitted revised plans on March 20, 2024 (Refer to Revised Site Plan, Appendix B). Changes have been made to the requested side yard setback and front yard setback variances for the accessory building (garden home), as shown in Table 1.

| <b>Table 1 – Variance Comparison</b> |  |  |
|--------------------------------------|--|--|
|                                      | <b>Original Variance</b>   | <b>Current Variance</b>  |
| Side Yard Setback (garden home)      | a north side yard setback of <b>2.02 metres</b> for the accessory building (garden home) | a north side yard setback of <b>2.39 metres</b> for the accessory building (garden home) |
| Front Yard Setback (garden home)     | a <b>3.6 metre</b> front yard setback for the accessory building (garden home)           | a <b>6.4 metre</b> front yard setback for the accessory building (garden home)           |

Staff's previous comments provided to the Committee of Adjustment dated February 15, 2024 remain applicable (Refer to Staff Report, Appendix C). The Toronto and Region Conservation Authority (TRCA) have reviewed the revised plans and have confirmed they have no objection to the proposed variances, subject to the conditions outlined in their letter (Appendix D).

### **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 meet 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.

### **Appendices**

Appendix "A" – Conditions of Approval

Appendix "B" – Revised Plans

Appendix "C" – Staff Report

Appendix "D" – TRCA Conditions

PREPARED BY:



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Hailey Miller, Planner II, Planning and Urban Design Department

REVIEWED BY:



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Rick Cefaratti, MCIP, RPP, Senior Planner, West District

File Path: Amanda\File\ 23 143031 \Documents\District Team Comments Memo

## **APPENDIX “A”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/184/23**

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 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 Manager of By-law Enforcement & Regulatory Services Division 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 in accordance with the City's Streetscape Manual, 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 Manager of By-law Enforcement & Regulatory Services Division;
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 Manager of By-law Enforcement & Regulatory Services Division;
6. That the applicant satisfies the requirements of *TRCA*, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as 'Appendix D' to this Staff Report, to the satisfaction of *TRCA*, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of *TRCA*.

CONDITIONS PREPARED BY:



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Hailey Miller, Planner II, Planning and Urban Design Department



# Appendix B

File: 23.143031.000.00.MNV

Date: 4/26/2024

MM/DD/YY

## SITE STATISTICS (Markham BY-LAW 304-87 as amended) (Main Building)

| ZONING       | RR1                | LOT NO.   | PART OF LOT 22            |
|--------------|--------------------|-----------|---------------------------|
| PLAN NO.     | 65M-3763           | LOT AREA  | 44,903.70 SF (4,171.69SM) |
| LOT FRONTAGE | 163'-11" (49.96 M) | LOT DEPTH | 277'-6 1/2" (84.60 M)     |

| DESCRIPTION                     | EXISTING                  | PROPOSED                  | REQUIRED | SECTION               |
|---------------------------------|---------------------------|---------------------------|----------|-----------------------|
| MIN. LOT FRONTAGE               | 163'-11" (49.96 M)        | 163'-11" (49.96 M)        | 45 M     | 7.5 (a) (i)           |
| MIN. LOT AREA                   | 44,903.70 SF (4,171.69SM) | 44,903.70 SF (4,171.69SM) | 4,000 SM |                       |
| MAX. BUILDING HEIGHT            |                           | 10.70 M                   | 10.70 M  | 7.5 (c)               |
| BUILDING LENGTH                 |                           | 17.81 M                   |          |                       |
| BUILDING WIDTH                  |                           | 30.20 M                   |          |                       |
| NO. OF STORIES                  | 1                         | 2                         |          |                       |
| DRIVEWAY WIDTH                  |                           | 30.48 M*                  | 14.54 M  | 6.2.4.2; 6.2.4.5      |
| FRONT YARD SOFT LANDSCAPING     |                           | 171.64 SM                 | 42.46%   | 40% (Bylaw 28-97)     |
| BUILDING AREA                   |                           | 3,682 SF (342.05 SM)      |          |                       |
| GROSS FLOOR AREA (EXCL. GARAGE) |                           | 5,585 SF (518.73 SM)      |          | GARAGE AREA: 75.71 SM |
| LOT COVERAGE                    |                           | 3,682 SF (342.05 SM)      | 8.20%    |                       |
| TOTAL LOT COVERAGE              |                           | 4,382 SF (407.09 SM)      | 9.76%    |                       |

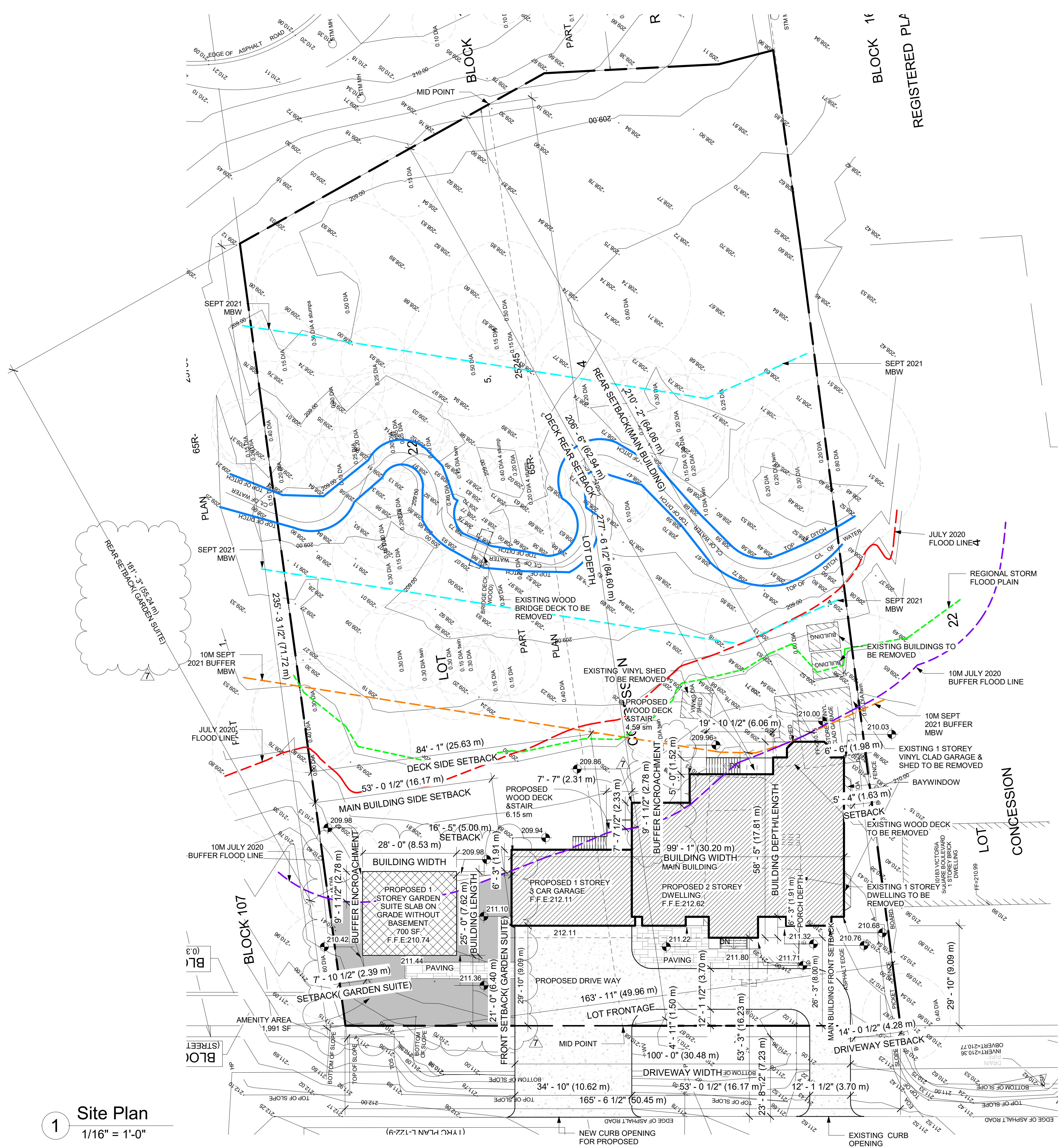
| SETBACK      | EXISTING | PROPOSED | REQUIRED | SECTION     |
|--------------|----------|----------|----------|-------------|
| FRONT (WEST) |          | 8.0 M    | 7.5 M    |             |
| SIDE (NORTH) |          | 16.17 M  | 3 M      | 7.5 (b) (i) |
| SIDE (SOUTH) |          | 1.63 M*  | 3 M      |             |
| REAR (EAST)  |          | 64.06 M  | 7.5 M    |             |

## SITE STATISTICS (Markham BY-LAW 304-87 as amended) (Garden Suite)

| ZONING       | RR1                | LOT NO.   | PART OF LOT 22            |
|--------------|--------------------|-----------|---------------------------|
| PLAN NO.     | 65M-3763           | LOT AREA  | 44,903.70 SF (4,171.69SM) |
| LOT FRONTAGE | 163'-11" (49.96 M) | LOT DEPTH | 277'-6 1/2" (84.60 M)     |

| DESCRIPTION                     | EXISTING                  | PROPOSED                  | REQUIRED | SECTION     |
|---------------------------------|---------------------------|---------------------------|----------|-------------|
| MIN. LOT FRONTAGE               | 163'-11" (49.96 M)        | 163'-11" (49.96 M)        | 45 M     | 7.5 (a) (i) |
| MIN. LOT AREA                   | 44,903.70 SF (4,171.69SM) | 44,903.70 SF (4,171.69SM) | 4,000 SM |             |
| MAX. BUILDING HEIGHT            |                           | 4.27 M                    | 10.70 M  | 7.5 (c)     |
| BUILDING LENGTH                 |                           | 7.62 M                    |          |             |
| BUILDING WIDTH                  |                           | 8.53 M                    |          |             |
| NO. OF STORIES                  | 1                         | 1                         |          |             |
| DRIVEWAY WIDTH                  |                           | N/A                       |          |             |
| BUILDING AREA                   |                           | 700 SF (65.03 SM)         |          |             |
| GROSS FLOOR AREA (EXCL. GARAGE) |                           | 700 SF (65.03 SM)         |          |             |
| LOT COVERAGE                    |                           | 700 SF (65.03 SM)         | 1.56%    |             |
| TOTAL LOT COVERAGE              |                           | 4,383 SF (408.11 SM)      | 9.78%    |             |

| SETBACK                       | EXISTING | PROPOSED | REQUIRED | SECTION     |
|-------------------------------|----------|----------|----------|-------------|
| FRONT (WEST)                  |          | 6.40 M*  | 7.5 M    |             |
| SIDE (NORTH)                  |          | 2.39 M*  | 3 M      | 7.5 (b) (i) |
| SIDE (SOUTH) TO MAIN BUILDING |          | 5.0 M    | 3 M      |             |
| REAR (EAST)                   |          | 55.24 M  | 7.5 M    |             |

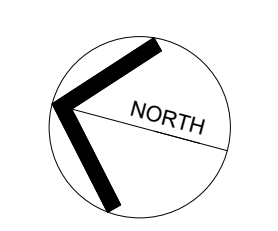


1 Site Plan  
1/16" = 1'-0"

| No | Revision         | Date       | By |
|----|------------------|------------|----|
| 2  | TRCA Revision 01 | 2023-05-12 | EW |
| 3  | ZPR Application  | 2023-06-01 | EW |
| 4  | ZPR Revision 01  | 2023-08-18 | EW |
| 5  | TRCA Revision 02 | 2023-09-01 | EW |
| 6  | ZPR Revision 02  | 2023-09-27 | EW |
| 7  | TRCA Revision 03 | 2024-03-12 | EW |

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### TAES Architects Inc.

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Toronto ON M3B 2R7  
T: 416 800 3284  
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### Sunrise Group Residence

10197 Victoria Square Blvd  
Markham, Ontario

Project number T2021047

Drawn Scale As indicated

Checked Date

### SITE PLAN & STATISTICS

Drawing No. A001

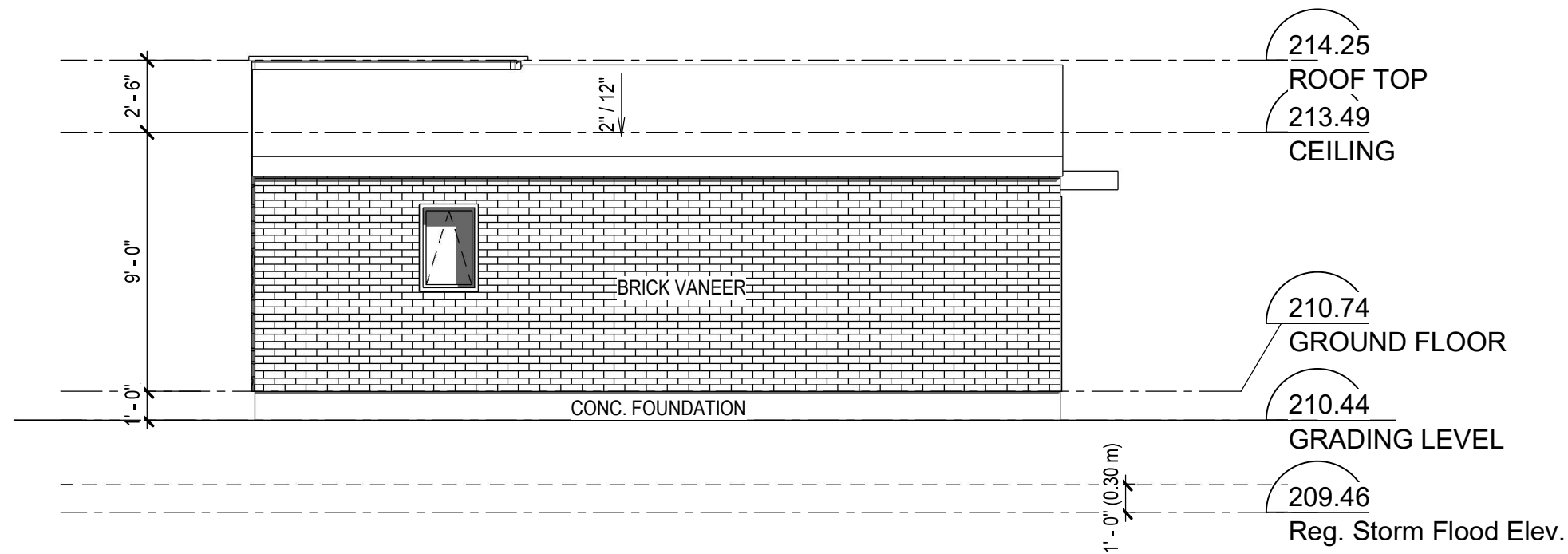


# Appendix B

File: 23.143031.000.00.MNV  
 Date: 4/26/2024  
 MM/DD/YY



**1** WEST ELEVATION (FRONT)  
 A101a SCALE: 3/16" = 1'-0"



**2** EAST ELEVATION (REAR)  
 A101a SCALE: 3/16" = 1'-0"

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| No. | Revision         | Date       | By |
|-----|------------------|------------|----|
| 1   | TRCA Application | 2023-05-12 | EW |
| 2   | Revision 03      | 2024-03-14 | EW |

## TAES Architects Inc.

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**GARDEN SUITE**  
 10197 Victoria Square Blvd  
 Markham, Ontario

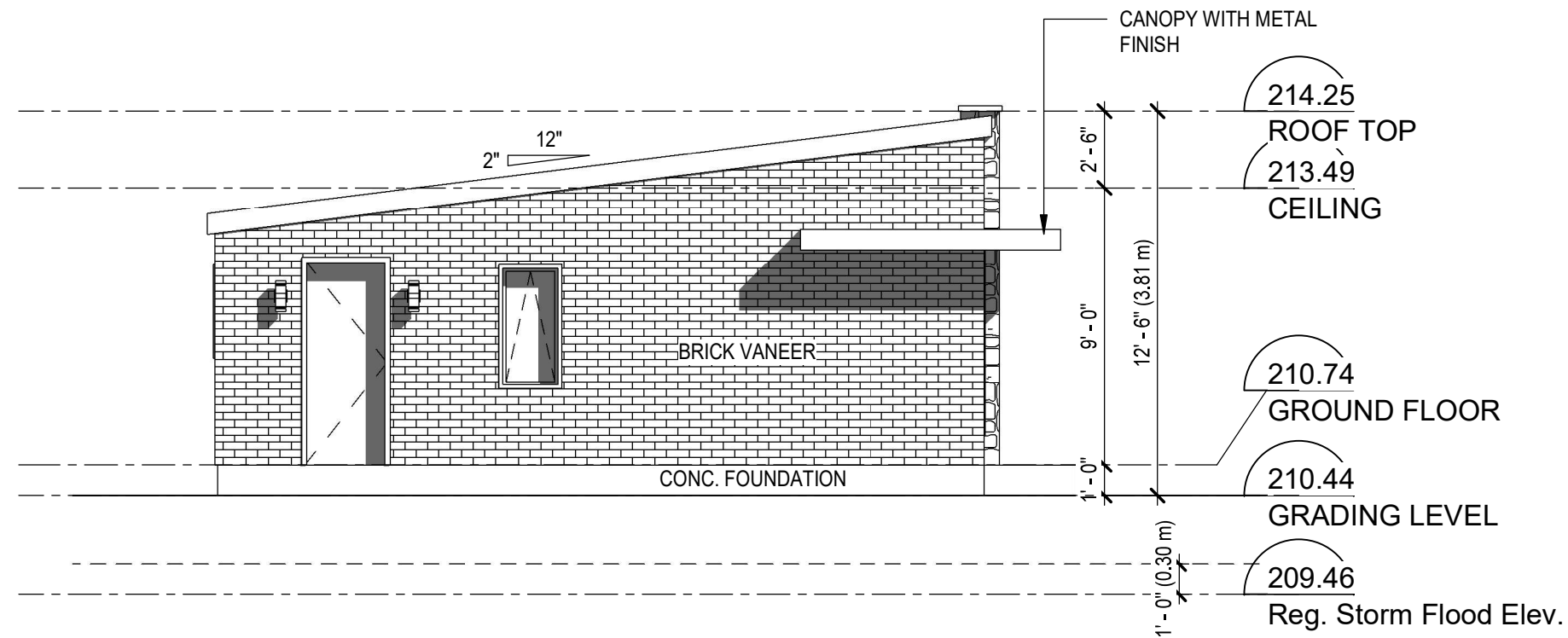
|                |                 |
|----------------|-----------------|
| Project number | 2021047         |
|                | 3/16" = 1'-0"   |
| Drawn          | Scale           |
| Checked        | Date Issue Date |

## ELEVATIONS

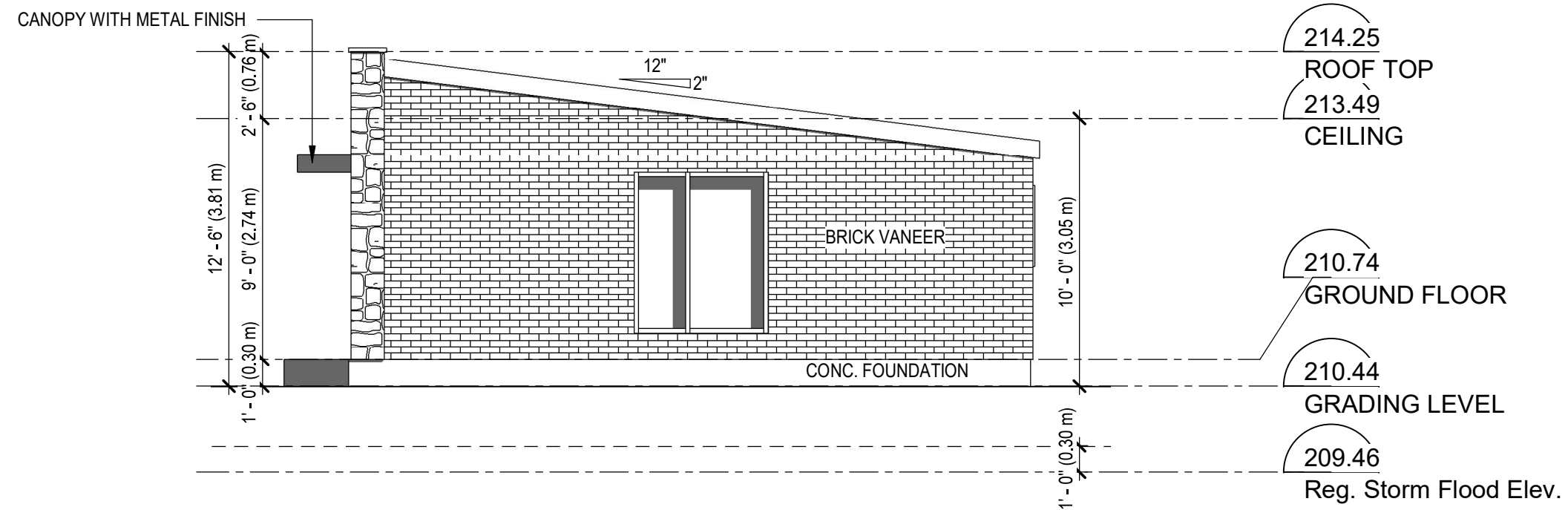
Drawing No. A101a

# Appendix B

File: 23.143031.000.00.MNV  
 Date: 4/26/2024  
 MM/DD/YY



**1 SOUTH ELEVATION**  
 A101b SCALE: 3/16" = 1'-0"



**2 NORTH ELEVATION**  
 A101b SCALE: 3/16" = 1'-0"

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|-----|------------------|------------|----|
| 1   | TRCA Application | 2023-05-12 | EW |
| 2   | Revision 03      | 2024-03-14 | EW |

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**GARDEN SUITE**  
 10197 Victoria Square Blvd  
 Markham, Ontario

|                |                 |
|----------------|-----------------|
| Project number | 2021047         |
| Scale          | 3/16" = 1'-0"   |
| Drawn          | Scale           |
| Checked        | Date Issue Date |

## ELEVATIONS

Drawing No. **A101b**



## Appendix C

File: 23.143031.000.00.MNV

Date: 4/26/2024  
MM/DD/YY

### Memorandum to the City of Markham Committee of Adjustment February 15, 2024

**File:** A/184/23  
**Address:** 10197 Victoria Square Boulevard, Markham  
**Applicant:** Humphries Planning Group Inc. (Puneh Jamshidi)  
**Hearing Date:** Wednesday, February 21, 2024

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

The applicant is requesting relief from the following requirements of the Rural Residential One (RR1) Zone, in By-law 304-87, as amended, to permit:

- a) **By-law 304-87, Section 7.1:**  
an accessory building (garden home) to be located in the front yard; whereas, the By-law does not permit an accessory building (garden home) in the front yard;
- b) **By-law 304-87, Section 7.5 (b)(i):**  
a south side yard setback of 1.6 metres for the single-detached dwelling; whereas, the By-law requires a minimum side yard setback of 3 metres;
- c) **By-law 304-87, Section 7.5 (b)(i):**  
a north side yard setback 2.02 metres for the accessory building (garden home); whereas, the By-law requires a minimum side yard setback of 3 metres;
- d) **By-law 304-87, Section 7.5 (b)(i):**  
a 3.6 metre front yard setback for the accessory building (garden home); whereas, the By-law requires a minimum front yard setback of 7.5 metres;

as it relates to a proposed two-storey detached dwelling and a proposed one-storey accessory building (garden home) in the front yard.

### BACKGROUND

#### Property Description

The 4,171.69 m<sup>2</sup> (44,903.7 ft<sup>2</sup>) subject property is located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive East and east of Woodbine Avenue. There is an existing one storey single-detached dwelling on the subject property, which according to assessment records was constructed in 1998.

The subject property is partially located within the TRCA's Regulated Area as the rear portion of the site contains a Regulatory Flood plain and erosion hazard associated with the Rouge River watershed.

#### Proposal

The applicant is proposing to demolish the existing single-detached dwelling and construct a new two storey 342.05 m<sup>2</sup> (3,682 ft<sup>2</sup>) detached dwelling and a one-storey accessory building (garden home) in the front yard.

#### Provincial Policies

##### More Homes, More Choice Act, 2019

The *More Homes, More Choice Act, 2019*, S.O. 2019, c. 9 – (Bill 108), received Royal Assent on June 6, 2019 and portions were proclaimed on September 3, 2019. The proclaimed portions of

Bill 108 amended the *Planning Act, R.S.O. 1990, c. P.13, as amended*, to require Official Plans to contain policies providing for two residential units in detached, semi-detached and rowhouse (townhouse) dwellings, as well as permitting a residential unit in ancillary structures to a detached, semi-detached, or rowhouse dwelling. Under this legislation, “second suites” or “secondary suites” are now referred to as “additional residential units”, and the terms are used synonymously in this memorandum.

#### Provincial Policy Statement, 2020

Section 1.4.3 of the *Provincial Policy Statement, 2020*, requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet the affordable housing needs of current and future residents. Amongst other means, this can be achieved by permitting and facilitating residential intensification, including additional residential units, and redevelopment by accommodating a significant supply and range of housing options through intensification and redevelopment while taking into account existing building stock.

#### A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan, 2019)

Section 2.1.4 (c) of the *Growth Plan, 2019* requires municipalities to provide a diverse range and mix of housing options including second units to support complete communities.

### **Official Plan and Zoning**

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

The Subject Lands are designated “Residential Low Rise” and “Greenway” in the 2014 Official Plan. The “Residential Low Rise” designation permits 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. These criteria are 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, the width of proposed garages and driveways. Planning staff have had regard for the requirements of the infill development criteria.

The “Greenway” designation applies to the east portion of the subject lands and is intended to protect natural heritage and hydrologic features. The Greenway System also protects cultural heritage resources associated with valley lands and watercourse corridors. This designation permits the proposed single-detached dwelling.

#### Zoning By-law 304-87

The Subject Lands are zoned Rural Residential One (RR1) under By-law 304-87, as amended which permits the proposed uses. The proposed development does not comply with the By-law with respect to location of the accessory building (garden home), side yard setback, and front yard setback.

#### Zoning Preliminary Review (ZPR) Undertaken

The Owner has completed a Zoning Preliminary Review (ZPR) on July 12, 2023 to confirm the variances required for the proposed development.



### **Tree Preservation**

The applicant will be required to submit a Tree Inventory and Preservation Plan as part of their Residential Infill Grading and Servicing application. Staff recommend that any approval of the application include the tree protection and compensation conditions attached in Appendix A.

### **Natural Heritage Review**

The application was deferred at the December 7, 2023 Committee of Adjustment Meeting to provide the applicant time to submit additional information requested by the City's Natural Heritage Staff. The requested additional information has since been provided, and Natural Heritage Staff have no further comments or concerns.

### **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.

### **Accessory Building Located in the Front Yard Variance**

The applicant is proposing an accessory building (garden home) to be located in the front yard, whereas the By-law does not permit an accessory building to be located in the front yard. A large portion of the subject property is located in the TRCA's Regulated Area which contain a flood plain and erosion hazard. Due to the natural heritage features located on the subject property, the accessory building cannot be located in the rear yard. Consequently, the applicant is proposing to locate the accessory building in the front yard.

Staff are of the opinion that the proposed accessory building will not have a significant impact on neighbouring properties.

### **Reduced Side Yard Setback Variances**

The applicant is requesting a south side yard setback of 1.6 metres for the single-detached dwelling, whereas, the By-law requires a minimum side yard setback of 3 metres. The applicant is also requesting a north side yard setback of 2.02 metres for the accessory building (garden home), whereas, the By-law requires a minimum side yard setback of 3 metres.

Engineering staff have reviewed the application and have no concern with the variances respecting drainage. Planning Staff are of the opinion the proposed side yard setbacks are minor in nature and are appropriate for the lot.

### **Reduction in Front Yard Setback**

The applicant is requesting a reduced front yard setback of 3.6 metres to the accessory building (garden home), whereas, the By-law requires a minimum front yard setback of 7.5 metres. Due to the natural heritage features located on the subject lands, the proposed accessory building (garden home) cannot be moved further back on the property. Staff further note that the subject property is surrounded by properties with a mix of lot sizes, building types, and front yard setbacks.

Staff are of the opinion the front yard setback variance will not adversely impact the character of the neighbourhood.

## **EXTERNAL AGENCIES**

### Toronto and Region Conservation Authority (TRCA)

The subject lands are located within TRCA's Regulated Area and contain a Regulatory (Storm) flood plain and erosion hazard (meander belt) associated with a tributary of the Rouge River watershed. TRCA provided comments on November 28, 2023, indicating that they have no concerns subject to the conditions outlined in their letter (Appendix C).

## **PUBLIC INPUT SUMMARY**

As of February 15, 2023, the City has received two letters expressing concerns with the requested variances and the potential impact for traffic congestion, excessive noise, grading and flooding concerns, and impacts to mature trees. 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 meet 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 see Appendix "A" for conditions to be attached to any approval of this application.

### PREPARED BY:



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Hailey Miller, Planner II, Planning and Urban Design Department

### REVIEWED BY:



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Rick Cefaratti, MCIP, RPP, Senior Planner, West District

File Path: Amanda\File\ 23 143031 \Documents\District Team Comments Memo



**APPENDIX “A”  
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/184/23**

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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 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 Manager of By-law Enforcement & Regulatory Services Division 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 in accordance with the City's Streetscape Manual, 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 Manager of By-law Enforcement & Regulatory Services Division;
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 Manager of By-law Enforcement & Regulatory Services Division;
6. That the applicant satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to this Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.

CONDITIONS PREPARED BY:



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Hailey Miller, Planner II, Planning and Urban Design Department

# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY

# RESIDENCE

10197 Victoria Square Blvd  
Markham, ON



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |
|     |                    |            |    |
|     |                    |            |    |

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## TAES Architects Inc.

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## Sunrise Group Residence

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Markham, Ontario

Project number T2021047

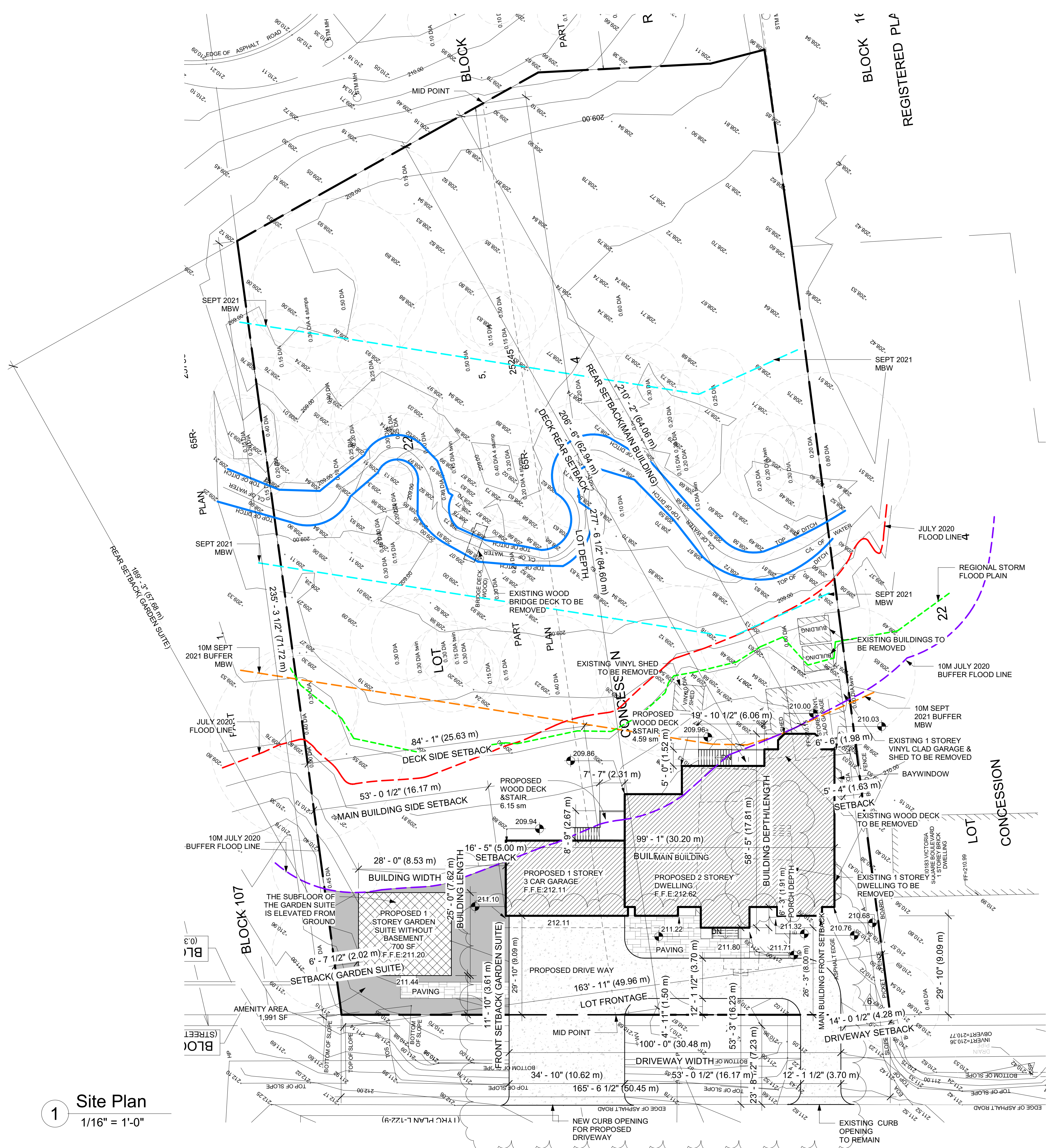
Drawn Scale

Checked Date

## COVER SHEET

Drawing No.  
A000





SITE STATISTICS (Markham BY-LAW 304-87 as amended) (Main Building)

| ZONING       | RR1                | LOT NO.   | PART OF LOT 22            |
|--------------|--------------------|-----------|---------------------------|
| PLAN NO.     | 65M-3763           | LOT AREA  | 44,903.70 SF (4,171.69SM) |
| LOT FRONTAGE | 163'-11" (49.96 M) | LOT DEPTH | 277'-6 1/2" (84.60 M)     |

| DESCRIPTION                     | EXISTING                  | PROPOSED                   | REQUIRED | SECTION                        |
|---------------------------------|---------------------------|----------------------------|----------|--------------------------------|
| MIN. LOT FRONTAGE               | 163'-11" (49.96 M)        | 163'-11" (49.96 M)         | 45 M     | 7.5 (a) (i)                    |
| MIN. LOT AREA                   | 44,903.70 SF (4,171.69SM) | 44,903.70 SF (4,171.69SM)  | 4,000 SM |                                |
| MAX. BUILDING HEIGHT            |                           | 10.70 M                    | 10.70 M  | 7.5 (c)                        |
| BUILDING LENGTH                 |                           | 17.81 M                    |          |                                |
| BUILDING WIDTH                  |                           | 30.20 M                    |          |                                |
| NO. OF STORIES                  | 1                         | 2                          |          |                                |
| DRIVEWAY WIDTH                  |                           | 30.48 M*                   | 14.54 M  | 6.2.4.2; 6.2.4.5 (Bylaw 28-97) |
| FRONT YARD SOFT LANDSCAPING     |                           | 171.64 SM 42.46%           | 40%      |                                |
| BUILDING AREA                   |                           | 3,682 SF (342.05 SM)       |          |                                |
| GROSS FLOOR AREA (EXCL. GARAGE) |                           | 5,585 SF (518.73 SM)       |          | GARAGE AREA: 75.71 SM          |
| LOT COVERAGE                    |                           | 3,682 SF (342.05 SM) 8.20% |          |                                |
| TOTAL LOT COVERAGE              |                           | 4,382 SF (407.09 SM) 9.76% |          |                                |

| SETBACK      | EXISTING | PROPOSED | REQUIRED | SECTION     |
|--------------|----------|----------|----------|-------------|
| FRONT (WEST) |          | 8.0 M    | 7.5 M    |             |
| SIDE (NORTH) |          | 16.17 M  | 3 M      | 7.5 (b) (i) |
| SIDE (SOUTH) |          | 1.63 M*  | 3 M      |             |
| REAR (EAST)  |          | 64.06 M  | 7.5 M    |             |

SITE STATISTICS (Markham BY-LAW 304-87 as amended) (Garden Suite)

| ZONING       | RR1                | LOT NO.   | PART OF LOT 22            |
|--------------|--------------------|-----------|---------------------------|
| PLAN NO.     | 65M-3763           | LOT AREA  | 44,903.70 SF (4,171.69SM) |
| LOT FRONTAGE | 163'-11" (49.96 M) | LOT DEPTH | 277'-6 1/2" (84.60 M)     |

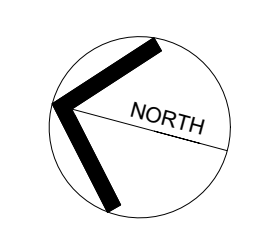
| DESCRIPTION                     | EXISTING                  | PROPOSED                   | REQUIRED | SECTION     |
|---------------------------------|---------------------------|----------------------------|----------|-------------|
| MIN. LOT FRONTAGE               | 163'-11" (49.96 M)        | 163'-11" (49.96 M)         | 45 M     | 7.5 (a) (i) |
| MIN. LOT AREA                   | 44,903.70 SF (4,171.69SM) | 44,903.70 SF (4,171.69SM)  | 4,000 SM |             |
| MAX. BUILDING HEIGHT            |                           | 4.27 M                     | 10.70 M  | 7.5 (c)     |
| BUILDING LENGTH                 |                           | 7.62 M                     |          |             |
| BUILDING WIDTH                  |                           | 8.53 M                     |          |             |
| NO. OF STORIES                  | 1                         | 1                          |          |             |
| DRIVEWAY WIDTH                  |                           | N/A                        |          |             |
| BUILDING AREA                   |                           | 700 SF (65.03 SM)          |          |             |
| GROSS FLOOR AREA (EXCL. GARAGE) |                           | 700 SF (65.03 SM)          |          |             |
| LOT COVERAGE                    |                           | 700 SF (65.03 SM) 1.56%    |          |             |
| TOTAL LOT COVERAGE              |                           | 4,393 SF (408.11 SM) 9.78% |          |             |

| SETBACK                       | EXISTING | PROPOSED | REQUIRED | SECTION     |
|-------------------------------|----------|----------|----------|-------------|
| FRONT (WEST)                  |          | 3.61 M*  | 7.5 M    |             |
| SIDE (NORTH)                  |          | 2.02 M*  | 3 M      | 7.5 (b) (i) |
| SIDE (SOUTH) TO MAIN BUILDING |          | 5.0 M    | 3 M      |             |
| REAR (EAST)                   |          | 57.68 M  | 7.5 M    |             |

| No | Revision         | Date       | By |
|----|------------------|------------|----|
| 1  | TRCA Application | 2022-08-11 | EW |
| 2  | TRCA Revision 01 | 2023-05-12 | EW |
| 3  | ZPR Application  | 2023-06-01 | EW |
| 4  | ZPR Revision 01  | 2023-08-18 | EW |
| 5  | TRCA Revision 02 | 2023-09-01 | EW |
| 6  | ZPR Revision 02  | 2023-09-27 | EW |

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Sunrise Group  
 Residence

10197 Victoria Square Blvd  
 Markham, Ontario

Project number T2021047

Drawn Scale As indicated

Checked Date

SITE PLAN &  
 STATISTICS

Drawing No. A001

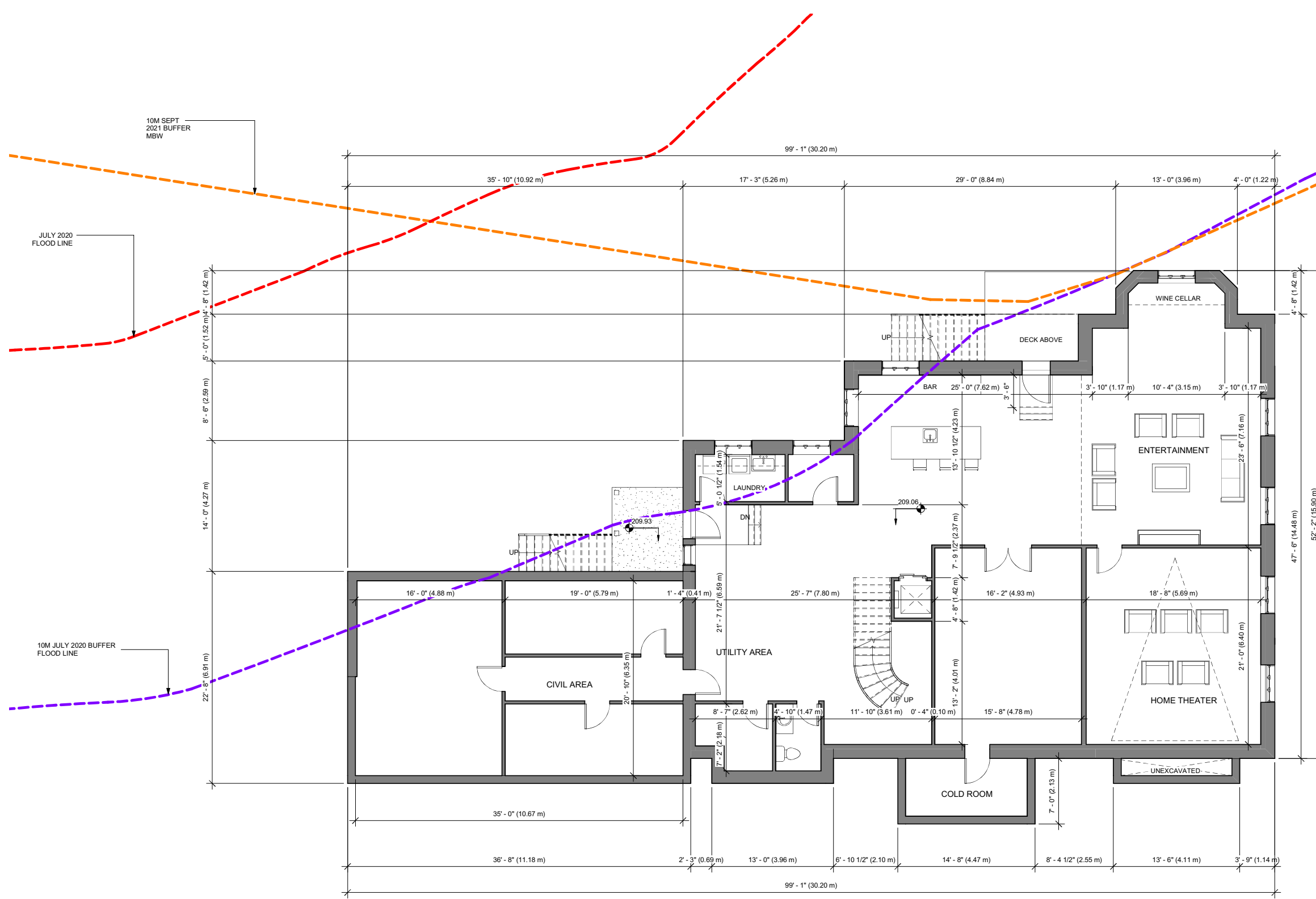
1 Site Plan  
 1/16" = 1'-0"



# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 4   | Client Review      | 2023-03-23 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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## BASEMENT FLOOR PLAN

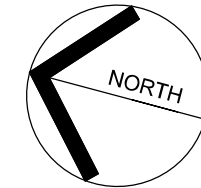
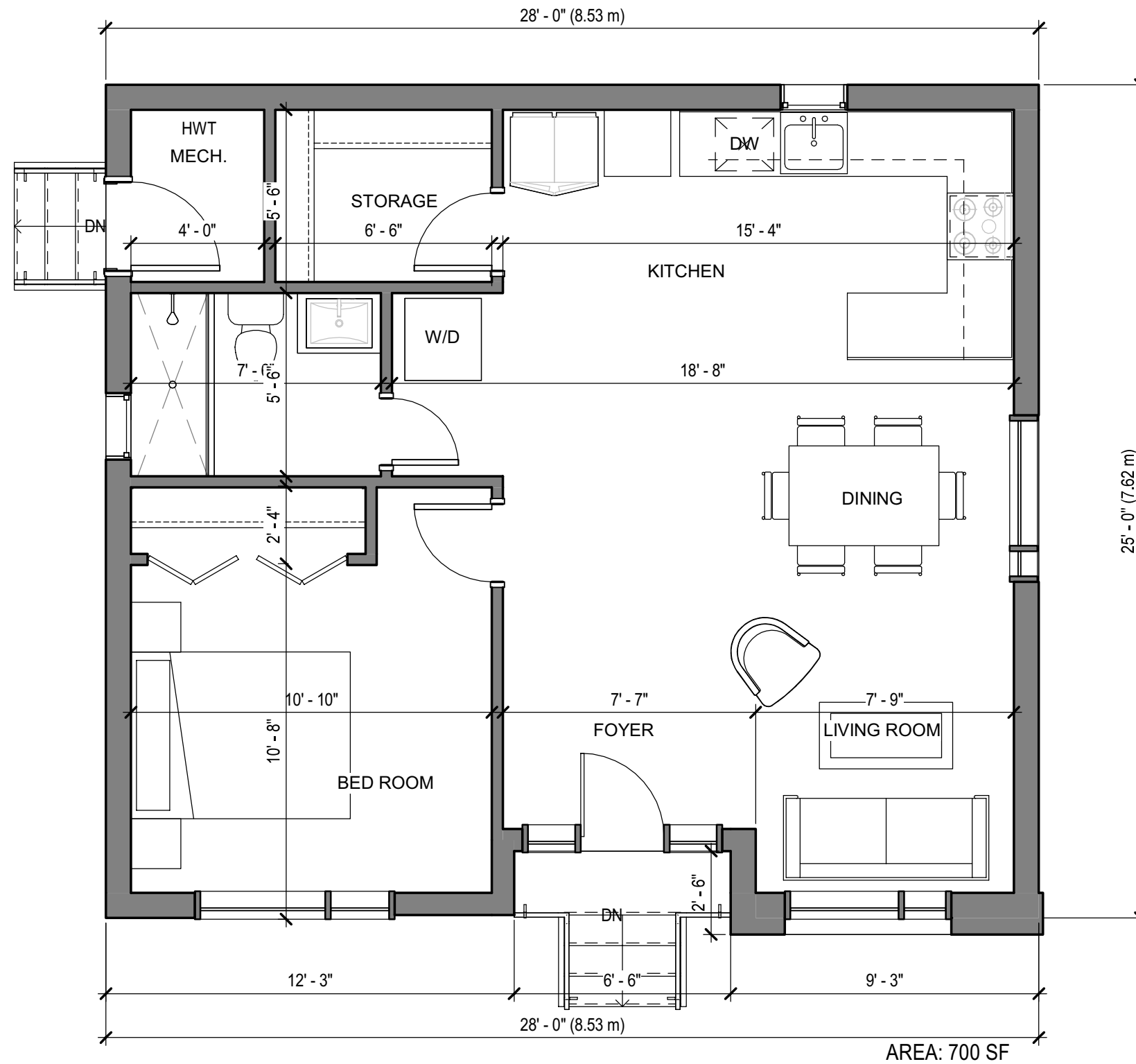
Drawing No. A101



# Appendix B

File: 23.143031.000.00.MNV

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| No. | Revision         | Date       | By |
|-----|------------------|------------|----|
| 1   | TRCA Application | 2023-05-12 | EW |

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**GARDEN SUITE**  
10197 Victoria Square Blvd  
Markham, Ontario

Project number: 2021047  
Scale: 1/4" = 1'-0"

Drawn: \_\_\_\_\_ Scale: \_\_\_\_\_

Checked: \_\_\_\_\_ Date: \_\_\_\_\_ Issue Date: \_\_\_\_\_

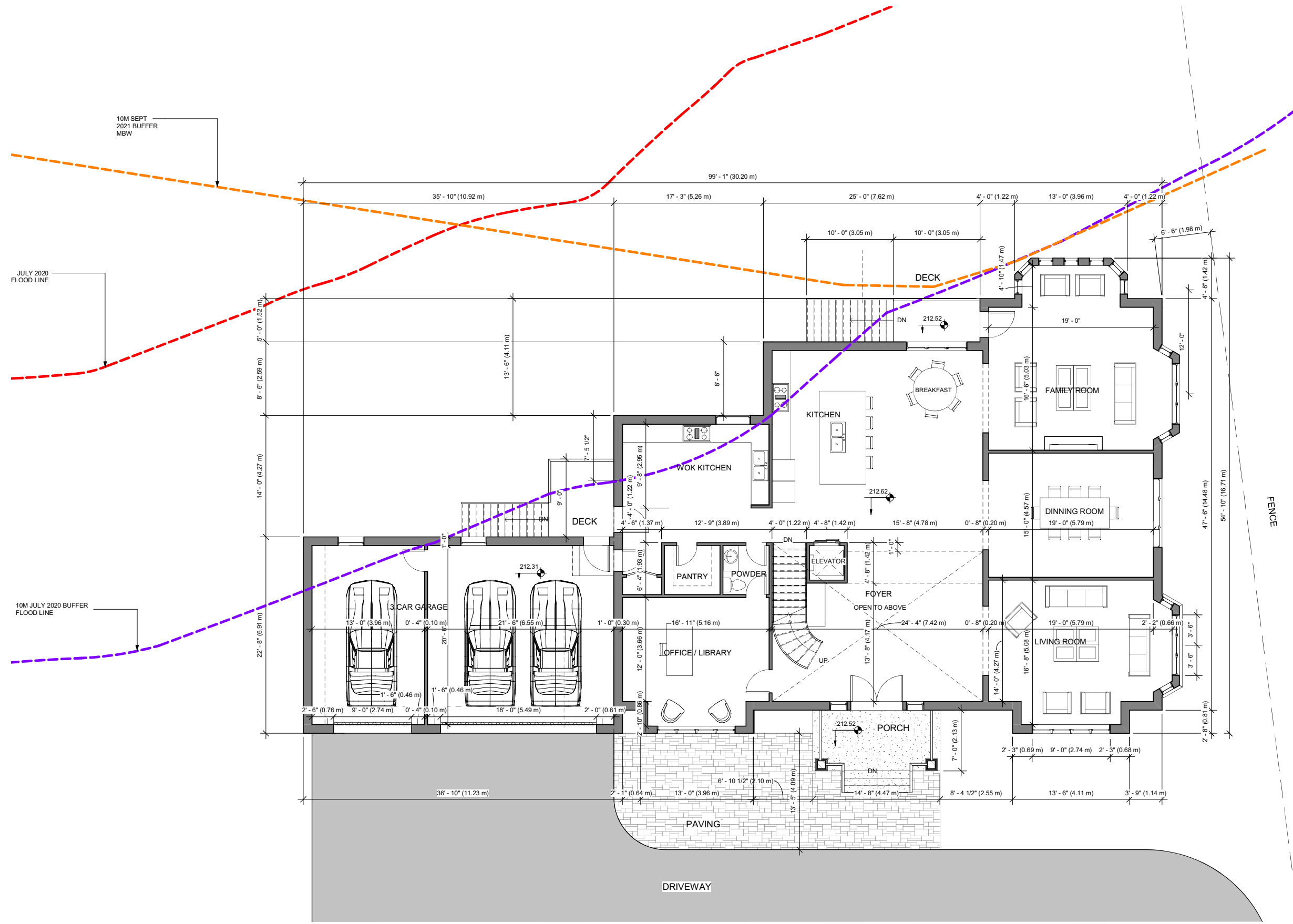
## GROUND FLOOR PLAN

Drawing No. **A100**

# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 4   | Client Review      | 2023-03-23 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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Project number T2021047

Drawn Scale 3/16" = 1'-0"

Checked Date

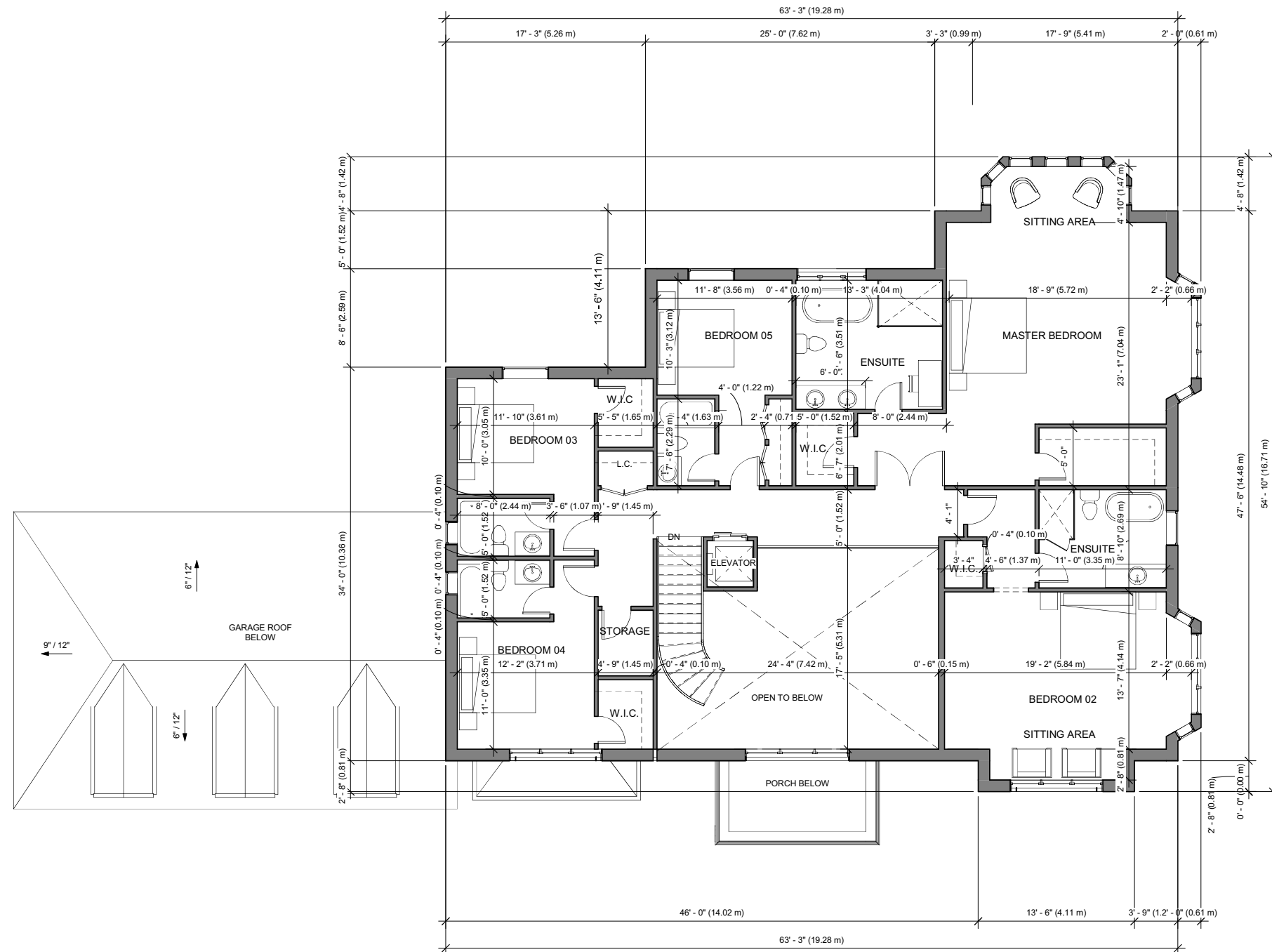
## GROUND FLOOR PLAN

Drawing No. A102

# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 4   | Client Review      | 2023-03-23 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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Project number T2021047

Drawn Scale 3/16" = 1'-0"

Checked Date

**SECOND FLOOR  
PLAN**

Drawing No. **A103**



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |
| 6   | ZPR Application    | 2023-06-01 | EW |
| 7   | ZPR Revision 01    | 2023-08-18 | EW |

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Project number T2021047

Drawn Scale 3/16" = 1'-0"

Checked Date

**WEST ELEVATION (FRONT)**

Drawing No. **A201**



# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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## Sunrise Group Residence

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Markham, Ontario

Project number T2021047

Drawn Scale 1/4" = 1'-0"

Checked Date

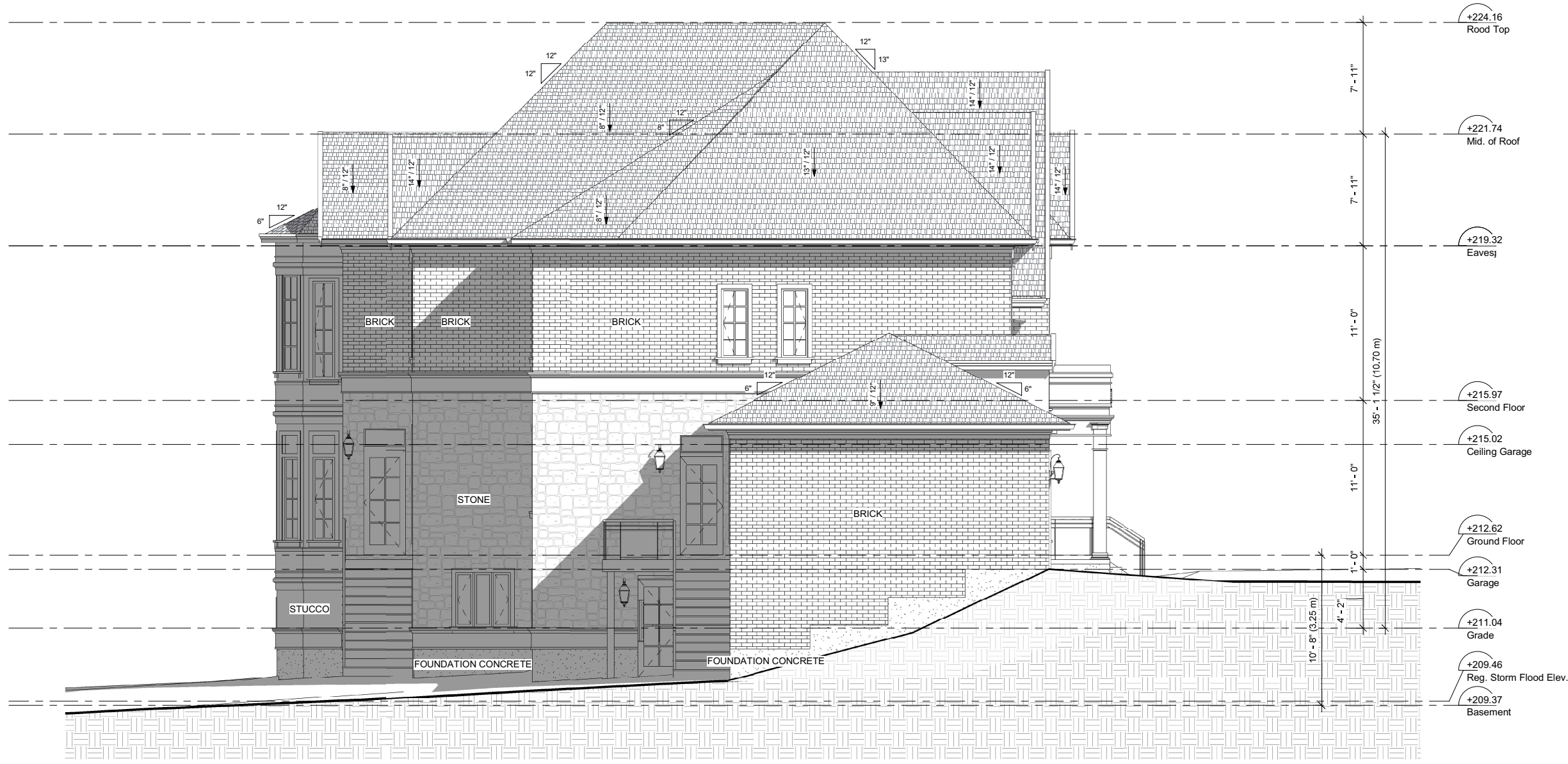
## SOUTH ELEVATION

Drawing No. A202

# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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Project number T2021047

Drawn Scale 1/4" = 1'-0"

Checked Date

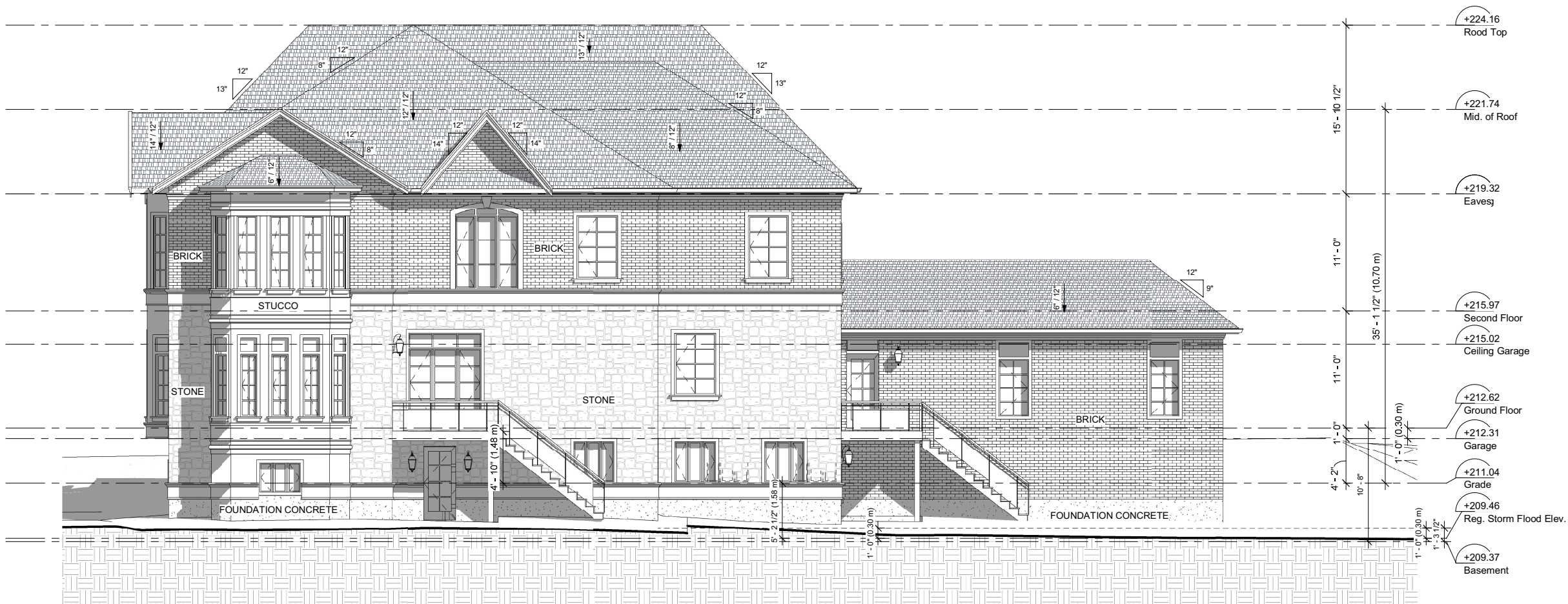
## NORTH ELEVATION

Drawing No. A203

# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



| No. | Revision           | Date       | By |
|-----|--------------------|------------|----|
| 1   | Preliminary Design | 2021-10-04 | TM |
| 2   | Preliminary Design | 2021-11-17 | TM |
| 3   | TRCA Application   | 2022-08-11 | EW |
| 5   | TRCA Revision 01   | 2023-05-12 | EW |

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Project number T2021047

Drawn Scale 3/16" = 1'-0"

Checked Date

## EAST ELEVATION (REAR)

Drawing No. A204



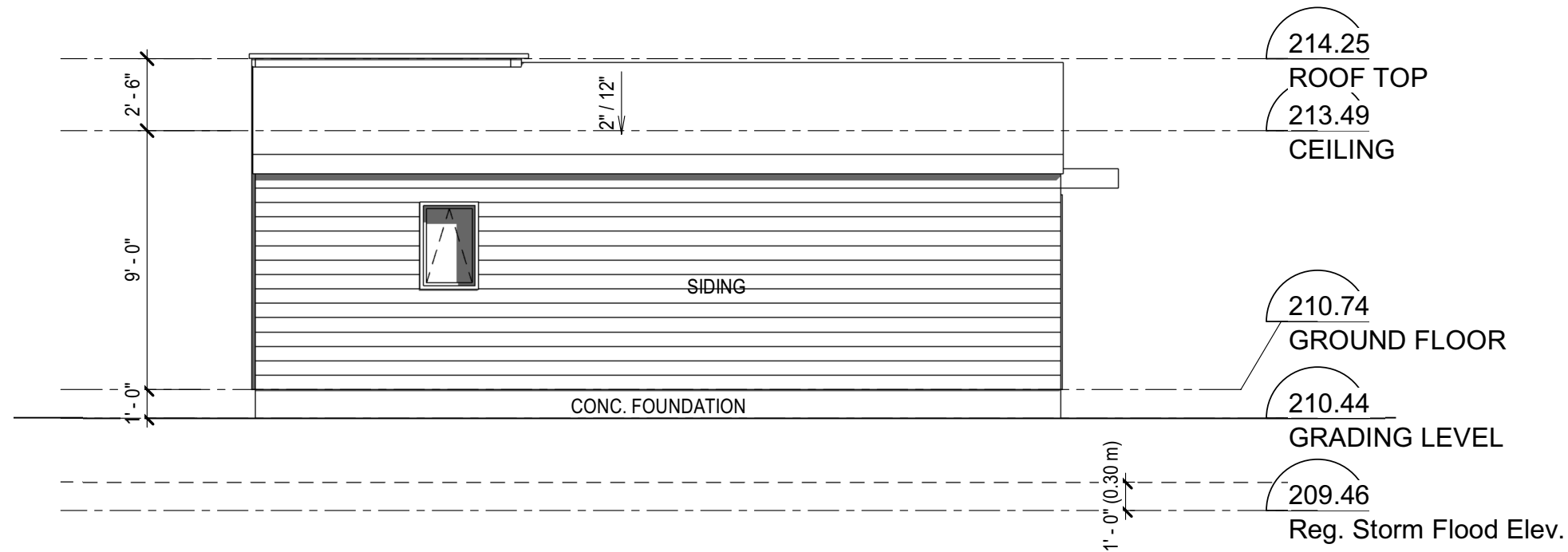
# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



**1** WEST ELEVATION (FRONT)  
A101a SCALE: 3/16" = 1'-0"



**2** EAST ELEVATION (REAR)  
A101a SCALE: 3/16" = 1'-0"

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| No. | Revision         | Date       | By |
|-----|------------------|------------|----|
| 1   | TRCA Application | 2023-05-12 | EW |
| 2   | Revision 02      | 2024-01-23 | EW |

## TAES Architects Inc.

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**GARDEN SUITE**  
10197 Victoria Square Blvd  
Markham, Ontario

Project number 2021047  
3/16" = 1'-0"

Drawn Scale

Checked Date Issue Date

## ELEVATIONS

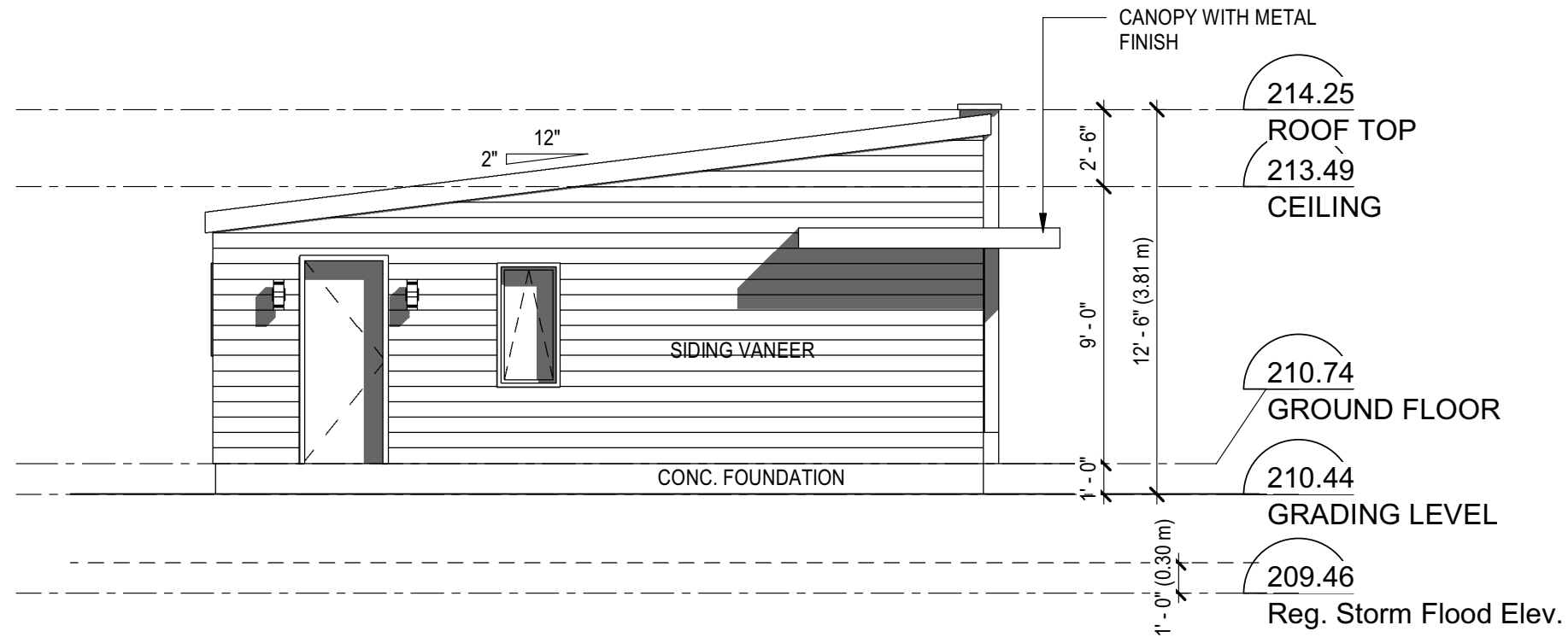
Drawing No. A101a



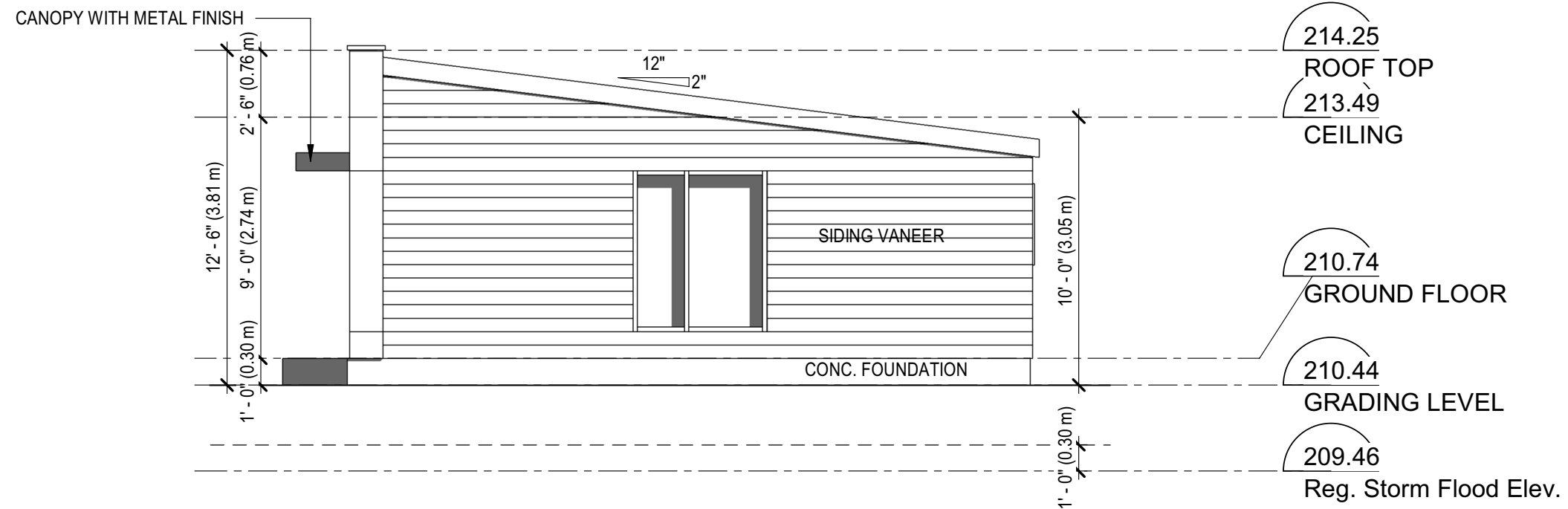
# Appendix B

File: 23.143031.000.00.MNV

Date: 02/16/24  
MM/DD/YY



**1 SOUTH ELEVATION**  
A101b SCALE: 3/16" = 1'-0"



**2 NORTH ELEVATION**  
A101b SCALE: 3/16" = 1'-0"

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| No. | Revision         | Date       | By |
|-----|------------------|------------|----|
| 1   | TRCA Application | 2023-05-12 | EW |
| 2   | Revision 02      | 2024-01-23 | EW |

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**GARDEN SUITE**  
10197 Victoria Square Blvd  
Markham, Ontario

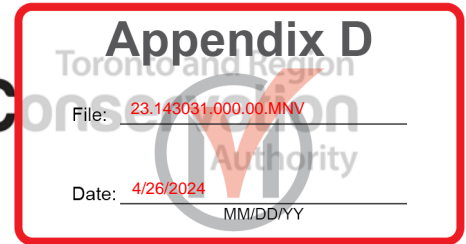
Project number 2021047  
Scale 3/16" = 1'-0"

Drawn \_\_\_\_\_

Checked \_\_\_\_\_ Date \_\_\_\_\_ Issue Date \_\_\_\_\_

## ELEVATIONS

Drawing No. A101b



March 28, 2024

CFN 68438.16  
Ex Ref: 67942, 69471, 66380.02, 69471

**Via E-Plan**

Dear Hailey Miller,

**Re: Minor Variance Application – (Application A/184/23)  
10197 Victoria Square Boulevard  
Part Lot 22, Concession 4, Markham  
(Woodbine Avenue and Elgin Mills Road East)  
Applicant: Humphries Planning Group Inc. (Puneh Jamshidi)  
Owner: Yongqin Li**

Toronto and Region Conservation Authority (TRCA) staff provide the following comments in response to the referenced Committee of Adjustment application, received by TRCA on March 21, 2024. We provide the following in accordance with TRCA’s commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see [TRCA Role in the Plan Input and Review Process](#).

**Purpose of the Application**

TRCA staff understand that the purpose of this application is to request relief from the following requirements of By-law 2237, as amended, to facilitate the development of a proposed two-storey detached dwelling and a proposed one-storey accessory garden suite on the front yard:

- a) **By-law 304-87, Section 7.1:** an accessory garden suite dwelling in the front yard, whereas the by-law does not have a provision to permit an accessory building in the front yard;
- b) **By-law 304-87, Section 7.5:** a side yard setback of 1.6 metres (south) for the house and 2.02 metres (north) for the garden suite, whereas the by-law requires a minimum of 3 metres for the side yard setback; and
- c) **By-law 304-87, Section 7.5:** a 3.6 metre front yard setback for the garden suite, whereas the by-law requires a minimum of 7.5 metres for the front yard setback.

**Background and Preliminary Comments**

TRCA has been involved with the review of the proposed developments within the subject property since February 2023:

On February 14, 2023, TRCA issued a permit (Permit No: C-230111) to facilitate the demolition of the existing one-storey detached dwelling, detached garage, three sheds, and a watercourse crossing, in order to develop a two-storey detached dwelling with an attached garage, driveway and rear decks.

Subsequently, TRCA received a permit application for a garden suite northwest of the subject property, which is currently under review. During the review of the submitted permit application for the garden suite, TRCA staff noticed revisions to the original dwelling and associated amenities. These revisions are intended to accommodate the development of an additional deck, a larger driveway, and alterations to the proposed two-storey dwelling, reducing its size. As such, a revision to the above-noted approved permit is required.

On November 28, 2023, TRCA staff provided comments on the first submission of this Minor Variance Application, having no objections to the proposal at the time subject to the conditions that the applicant obtains the above noted permit and permit revision.

On March 21, 2024, staff received the resubmission of the Minor Variance Application and noticed that the location of the garden suite had been revised with minor encroachment into the floodplain setback. Staff can support the proposed revision to the location of the garden suite as it maintains the same approach we agreed upon during the review of the original dwelling.

Based on the above, the finalized/revised materials are required to be submitted to TRCA as part of the garden suite permit application and a revision to the approved permit to the original dwelling. Please contact the undersigned to obtain the permit revision requirement checklist.

### **TRCA Permit Requirements**

The subject land contains a Regulatory (Storm) Flood plain and erosion hazard (meander belt) associated with a tributary of the Rouge River watershed and its adjacent regulated allowance. Furthermore, the subject land contains an unevaluated wetland and is within its area of interference.

Due to the presence of natural hazards, the issuance of a TRCA permit pursuant to the Conservation Authorities Act is required prior to any development or site alteration within the regulated portion of the property.

Based on the review of materials circulated with this application, the proposed development is located within the regulated portions of the property. Thus, **a permit is required** from TRCA to facilitate the development associated with this application.

### **TRCA Plan Review Fee**

By copy of this letter, the applicant is advised that TRCA have implemented a fee schedule for its planning application review services in accordance with applicable provincial regulations. This Minor Variance Application is subject to a fee of \$950 (Minor Variance – Residential - Standard). The applicant is responsible for fee payment within 60 days of the committee hearing date. Interest will be charged and accumulated beyond that time. Please contact the Planner noted below for an electronic invoice to facilitate payment.

**Recommendations**

Based on the comments provided, TRCA staff have **no objection** to the proposed variances as part of the Minor Variance Application A/184/23 subject to the **conditions** identified in Appendix A.

Should you have any questions or comments, please contact the undersigned.

Regards,



Rameez Sadafal  
Planner I – York East Review Team  
Development Planning and Permits | Development and Engineering Services  
Telephone: (437) 880-2163  
Email: rameez.sadafal@trca.ca  
/rs

Attached: Appendix A: TRCA Conditions of Approval



**Appendix A: TRCA Conditions of Approval**

| # | TRCA Conditions  |
|---|--|
| 1 | The applicant submits the TRCA plan review fee of \$950 within 60 days of the committee hearing date.  |
| 2 | The applicant seeks and is issued a permit by TRCA pursuant to the <u>Conservation Authorities Act</u> to facilitate the development of the proposed garden suite. |
| 3 | The applicant seeks and is issued a permit revision by TRCA pursuant to the <u>Conservation Authorities Act</u> to accommodate revisions to Permit No: C-230111.   |