

# Memorandum to the City of Markham Committee of Adjustment

May 19, 2022

**File:** A/017/22  
**Address:** 4 Ranger Court – Markham, ON  
**Applicant:** Ricky Wong  
**Agent:** Nafiss Design Inc (Nafiseh Zangiabadi)  
**Hearing Date:** May 25, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Eighth Density Single Family Residential – (R8)” zone requirements under By-law 162-78, as amended, as they relate to a new second-storey addition above a garage, and an existing accessory building. The variances requested are to permit:

**a) Amending By-law 61-97, Section 7.2 (b):**

a minimum side yard setback of 1.27 m (4.17 ft), whereas the By-law requires a minimum side yard setback of 1.80 m (5.91 ft); and

**b) Section 7.2 (c):**

a maximum lot coverage of 35.09%, whereas the By-law permits a maximum lot coverage of 33.33%.

## PROPERTY DESCRIPTION

The 498.86 m<sup>2</sup> (5,369.70 ft<sup>2</sup>) subject property is located on the west side of Ranger Court, north of Highway 407, east of the Rouge Valley, and south of Senator Reesor’s Drive. There is an existing two-storey detached dwelling located on the property, which has a one-storey attached garage that projects into the front yard area. According to assessment records, the dwelling was constructed circa 1983. An accessory building (shed) currently exists in the rear yard. The property is located within an established residential neighbourhood comprised of a mix of low rise dwellings.

## PROPOSAL

The applicant is proposing to construct a new second-storey addition to accommodate an additional bedroom above the garage, with a north side yard setback of 1.27 m (4.17 ft). Initially, the 7.20 m<sup>2</sup> (77.50 ft<sup>2</sup>) shed was setback a distance of 0.26 m (0.85 ft) from the rear and side lot lines, which does not comply with the minimum By-law requirements of 0.60 m (1.97 ft). However, the applicant has confirmed that the shed has been relocated to comply with the minimum setback requirement from either lot line (see drawings in Appendix “B”). As such, a variance to permit reduced yard setbacks to the accessory building is no longer required.

## OFFICIAL PLAN AND ZONING

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

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings. Infill development is required to meet the general intent of the Official Plan with respect to height, massing, and setbacks to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties, and properties along the street, while

accommodating a diversity of building styles. Regard shall also be had for the retention of existing trees and vegetation, as well as the proposed width of garages and driveways.

#### Zoning By-Law 162-78, as amended

The subject property is zoned “Eighth Density Single Family Residential – (R8)” under By-law 162-78, as amended, which permits one single detached dwelling per lot. The proposed development does not comply with the By-law with respect to the minimum side yard setback, and maximum lot coverage.

#### **ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN**

The owner has completed a ZPR on November 15, 2021 to confirm the variances required for the proposed development.

#### **COMMENTS**

The *Planning Act, R.S.O. 1990, c. P.13, as amended* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (the “Committee”):

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

#### Reduction in Side Yard Setback (Two-Storey Portion)

The applicant is requesting a minimum side yard setback of 1.27 m (4.17 ft) for the two-storey portion of the dwelling, whereas the By-law requires a minimum side yard setback of 1.80 m (5.91 ft) for a two-storey portion.

**NOTE:** The By-law requires a minimum side yard setback of 1.20 m for a one-storey portion.

The requested variance only applies to the two-storey portion along the north side of the dwelling where the one-storey garage is currently setback 1.27 m (4.17 ft) from the side lot line. The proposed second-storey addition is within the footprint, and aligns with the north wall of the existing garage. Staff are of the opinion that the requested variance is minor in nature, and have no objections.

#### Increase in Maximum Lot Coverage

The applicant is requesting a maximum lot coverage of 35.09% (175.04 m<sup>2</sup> or 1,884.23 ft<sup>2</sup>), whereas the By-law permits a maximum lot coverage of 33.33% (166.27 m<sup>2</sup> or 1,789.72 ft<sup>2</sup>). This is an increase of 1.76%, or approximately 8.77 m<sup>2</sup> (94.51 ft<sup>2</sup>).

As defined in the By-law, maximum lot coverage includes the footprint of all buildings on a lot, including the rear yard shed. The existing shed and a portion of the existing main dwelling adds approximately 7.20 m<sup>2</sup> (77.50 ft<sup>2</sup>) and 1.58 m<sup>2</sup> (17.01 ft<sup>2</sup>) to the overall building area, respectively. The proposed increase in lot coverage is mostly attributable to the accessory building, which does not add to the scale and mass of the main dwelling, nor has a marked impact on the outdoor amenity area in the rear yard. Staff are of the opinion that the requested variance is minor in nature, and maintains the general intent and purpose of the By-law.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of May 19, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

**CONCLUSION**

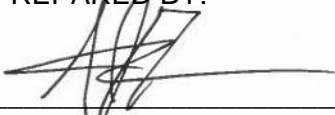
Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the requested variances meet the four tests. Staff recommend that the Committee consider public input and the subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

**APPENDICES**

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



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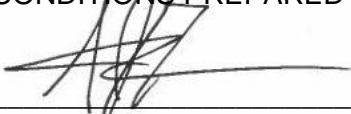
Stacia Muradali, Development Manager, East District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/017/22**

1. The variances apply only to the proposed development for as long as it remains.
2. That the variances apply only to the proposed 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 Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.

CONDITIONS PREPARED BY:



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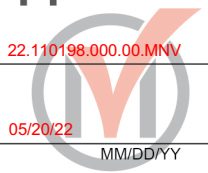
Aleks Todorovski, Planner, Zoning and Special Projects

**APPENDIX "B"**  
**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/017/22**

**Appendix B**

File: 22.110198.000.MNV

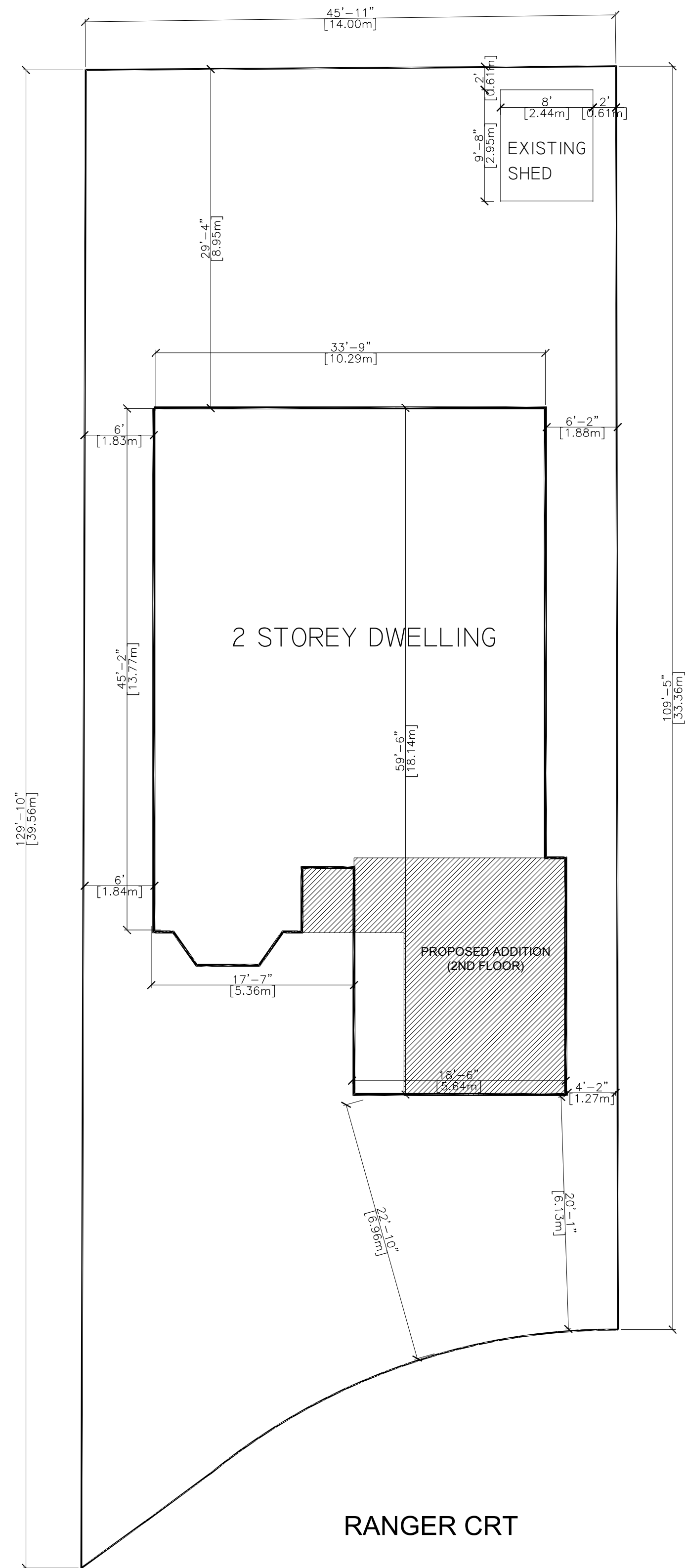
Date: 05/20/22



**ZONING DATA MATRIX : 4 RANGER COURT**

	EXISTING	PROPOSED
Lot#: 248 , Plan#: 1960		
Lot Area	5369.70 SQ.FT	TO REMAIN UN-CHANGED
Front Yard Setback	6.13 M.	TO REMAIN UN-CHANGED
Side Yards Setback	1.27 M. & 1.83 M.	TO REMAIN UN-CHANGED
Height	8.82 M.	TO REMAIN UN-CHANGED
Length	18.14 M.	TO REMAIN UN-CHANGED

Main Floor Area (EXCL. GARAGE)	1444.30 SQ.FT.	TO REMAIN UN-CHANGED
Second Floor Area	1422.70 SQ.FT.	1749.10 SQ.FT.
Shed	77.33 SQ.FT.	77.33 SQ.FT.
Foot Print Area (Shed included for proposed)	1804.90 M	1883.63 SQ.FT.
Gross Floor Area	2867.00 SQ.FT.	3193.40 SQF
GFA%	53.39%	59.47%
COVERAGE% (Shed included)	35.08%	TO REMAIN UN-CHANGED



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION AND WELLS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT AS EXEMPT UNDER DIVISION C - 3.2.2.1. OF THE 2006 ONTARIO BUILDING CODE (OR 3.3.2.1. OF THE 1997 ONTARIO BUILDING CODE)

NAME AND BCIN: NAFISEH ZANGIABADI 43395

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION C-3.2.2.1. OF THE 2006 O.B.C. ( OR 3.3.2.1. OF THE 1997 O.B.C.)

NAME AND BCIN: NAFISS DESIGN INC 44961

E-MAIL: info@livensia.com Cell Number: (647) 637 3010  
Address: 30 Apple Orchard Path, Thornhill, Ontario, L3T 3B6

STRUCTURAL DESIGN

ISSUED FOR:

ZONING SUBMISSION 2021, AUG. 16th

PAPER SIZE 18X24

DATE 2021, AUGUST 16th

PROJECT ADDRESS:

**4 RANGER CRT.  
MARKHAM  
ONTARIO, CANADA**

TITLE

**COVER**

SCALE:

**N/A**

GENERAL NOTES:

1. THESE DRAWINGS ARE THE COPYRIGHT PROPERTY OF NAFISS DESIGN INC AND MAY NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.
2. THESE DRAWINGS ARE FOR PERMIT APPLICATION PURPOSE. CONTRACTOR MUST CHECK ALL APPLICABLE BY-LAWS AND OBC. ANY DISCREPANCY MUST BE REPORTED TO THE DESIGNER.
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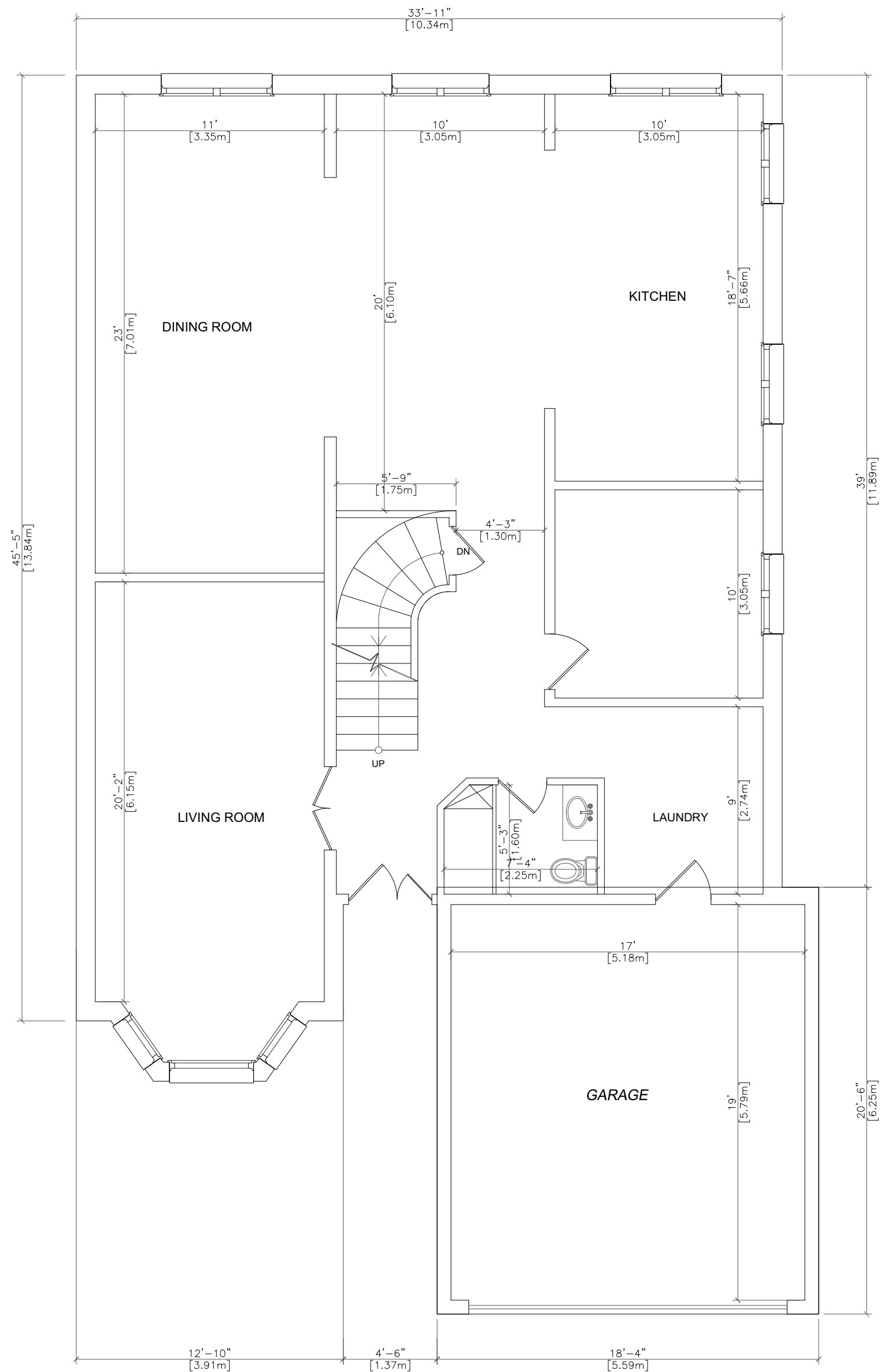
DRAWING:

**A0**

# Appendix B

File: 22.110198.000.00.MNV

Date: 05/20/22 MM/DD/YY



## EXISTING MAIN FLOOR

**TO REMAIN UNCHANGED**  
**AREA: 1444.30 SQF**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND THE CONSTRUCTION AND WELLS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT.

REGISTRATION INFORMATION:  
 REGISTERED PROFESSIONAL ENGINEER IS EXEMPT UNDER DIVISION C - 3.2.2.1. OF THE 2006 O.B.C. (OR 2.1.5.1. OF THE 1997 ONTARIO BUILDING CODE)  
 NAME AND BCIN:  
**NAFISEH ZANGIABADI 43395**

REGISTRATION INFORMATION:  
 REGISTERED PROFESSIONAL ARCHITECT IS EXEMPT UNDER DIVISION C - 3.2.2.1. OF THE 2006 O.B.C. (OR 2.1.5.1. OF THE 1997 O.B.C.)  
 NAME AND BCIN:  
**NAFISS DESIGN INC 44961**

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PROJECT ADDRESS:

**4 RANGER CRT.**  
**MARKHAM**  
**ONTARIO, CANADA**

TITLE

**EXISTING MAIN FLOOR PLAN**

SCALE:

**3/16" = 1'-0"**

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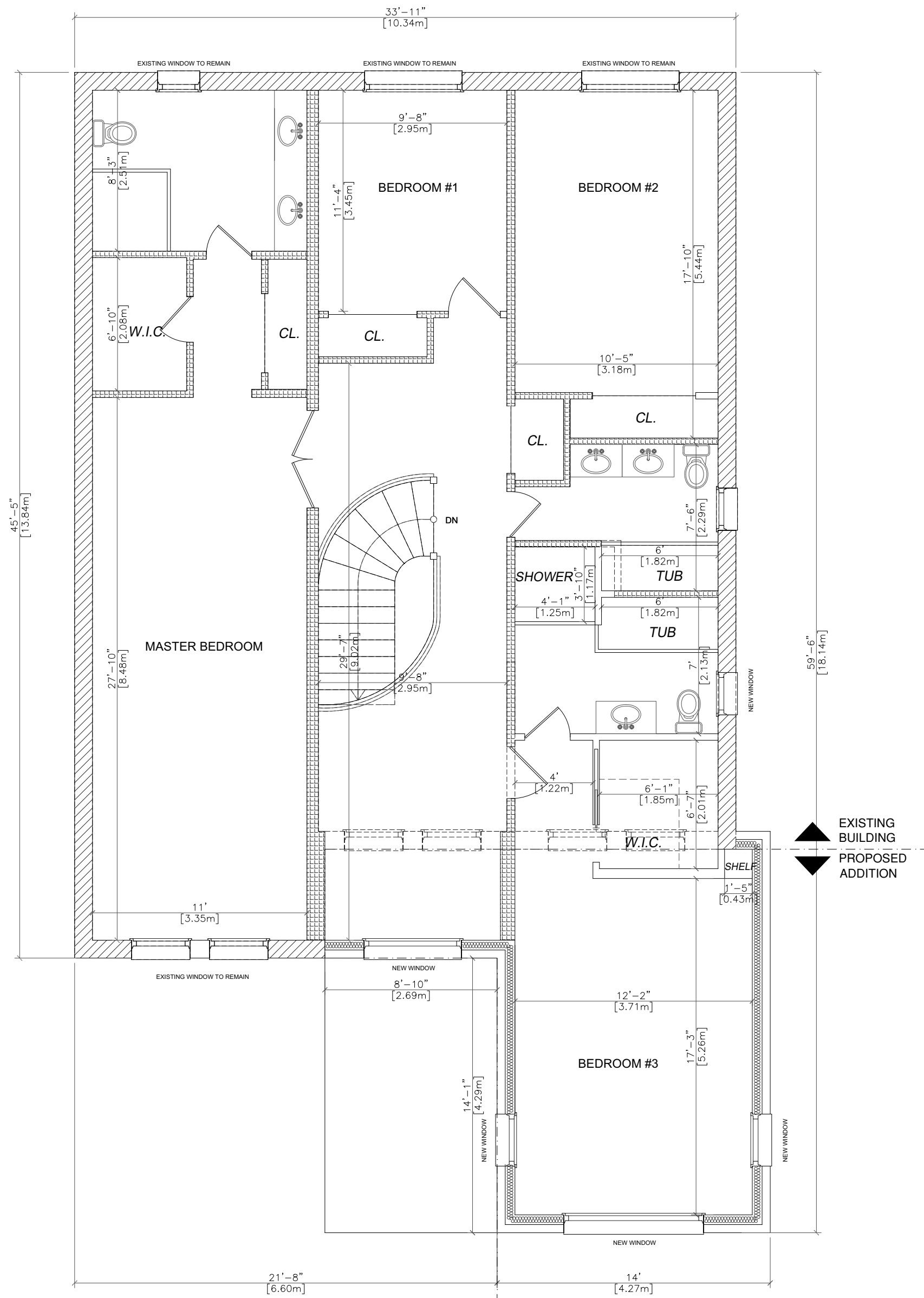
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**A2**

# Appendix B

File: 22.110198.000.00.MNV

Date: 05/20/22



## PROPOSED SECOND FLOOR

AREA: 1749.10 SQF

- EXISTING EXTERIOR WALLS
- NEW EXTERIOR WALLS
- EXISTING INTERIOR WALLS
- NEW INTERIOR WALLS
- DEMOLISHED WALLS
- TO BE CLOSED OFF

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DATE 2021, AUGUST 16th

PROJECT ADDRESS:  
**4 RANGER CRT.  
MARKHAM  
ONTARIO, CANADA**

TITLE  
**PROPOSED SECOND FLOOR PLAN**

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

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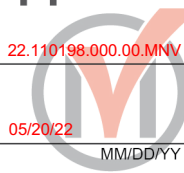
DRAWING: **A9**



# Appendix B

File: 22.110198.000.00.MNV

Date: 05/20/22



PEAK OF ROOF (+108.82)

PEAK OF ROOF (+107.35)

SECOND FLOOR CEILING (+106.20)  
UNDERSIDE OF THE EAVES

FINISHED SECOND FLOOR (+103.76)

FINISHED MAIN FLOOR (+100.71)

GROUND (+100.00)

BASEMENT SLAB (+97.64)



## PROPOSED MAIN ELEVATION

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NAME AND BCIN: NAFISEH ZANGIABADI 43395

REGISTRATION INFORMATION REQUIRED UNDER DIVISION C-3.2.4.1. OF THE 2006 O.B.C. (OR 2.1.5.1. OF THE 1997 O.B.C.)

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DATE 2021, AUGUST 16th

PROJECT ADDRESS:

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MARKHAM  
ONTARIO, CANADA**

TITLE

**PROPOSED MAIN ELEVATION**

SCALE:

**3/16"=1'-0"**

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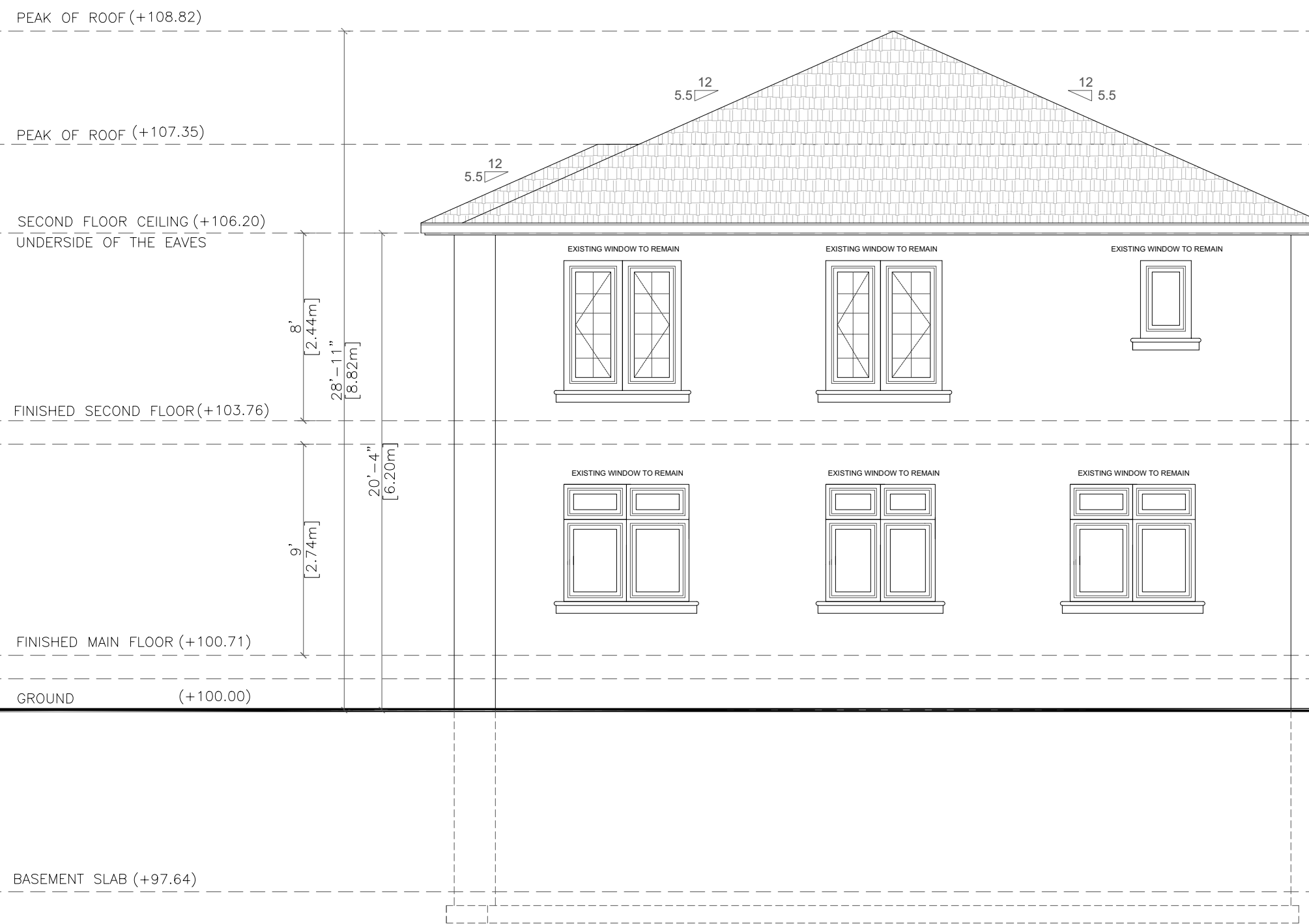
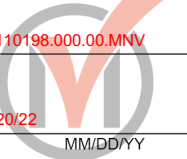
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**A11**

# Appendix B

File: 22.110198.000.00.MNV

Date: 05/20/22



## PROPOSED REAR ELEVATION

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 NAME AND BCIN:  
**NAFISEH ZANGIABADI 43395**

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E-MAIL: info@ilvensia.com Cell Number: (647) 637 3010  
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 ONTARIO, CANADA**

TITLE  
**PROPOSED REAR ELEVATION**

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

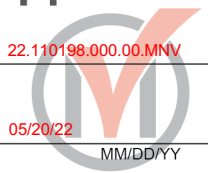
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DRAWING:  
**A12**

**Appendix B**

File: 22.110198.000.00.MNV

Date: 05/20/22



PEAK OF ROOF (+108.82)

PEAK OF ROOF (+107.35)

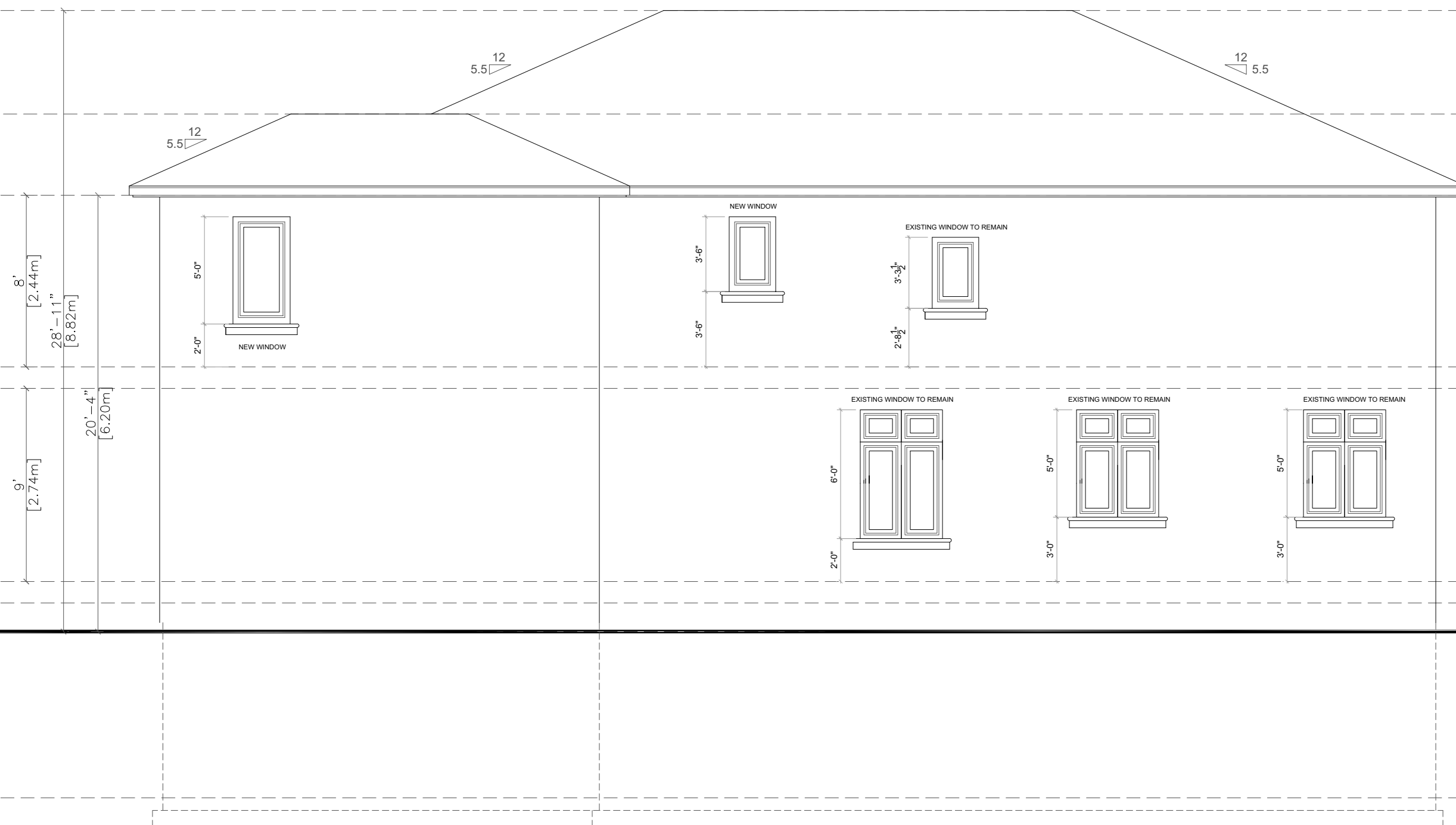
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UNDERSIDE OF THE EAVES

FINISHED SECOND FLOOR (+103.76)

FINISHED MAIN FLOOR (+100.71)

GROUND (+100.00)

BASEMENT SLAB (+97.64)



**PROPOSED SIDE ELEVATION**

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NAME AND BCIN: NAFISEH ZANGIABADI 43395

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STRUCTURAL DESIGN

ISSUED FOR:

ZONING SUBMISSION 2021, AUG. 16th

PAPER SIZE 18X24

DATE 2021, AUGUST 16th

PROJECT ADDRESS:  
**4 RANGER CRT.  
MARKHAM  
ONTARIO, CANADA**

TITLE  
**PROPOSED SIDE ELEVATION**

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

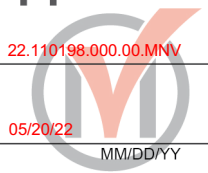
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DRAWING: **A13**

# Appendix B

File: 22.110198.000.00.MNV

Date: 05/20/22 MMDDYY



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UNDERSIDE OF THE EAVES

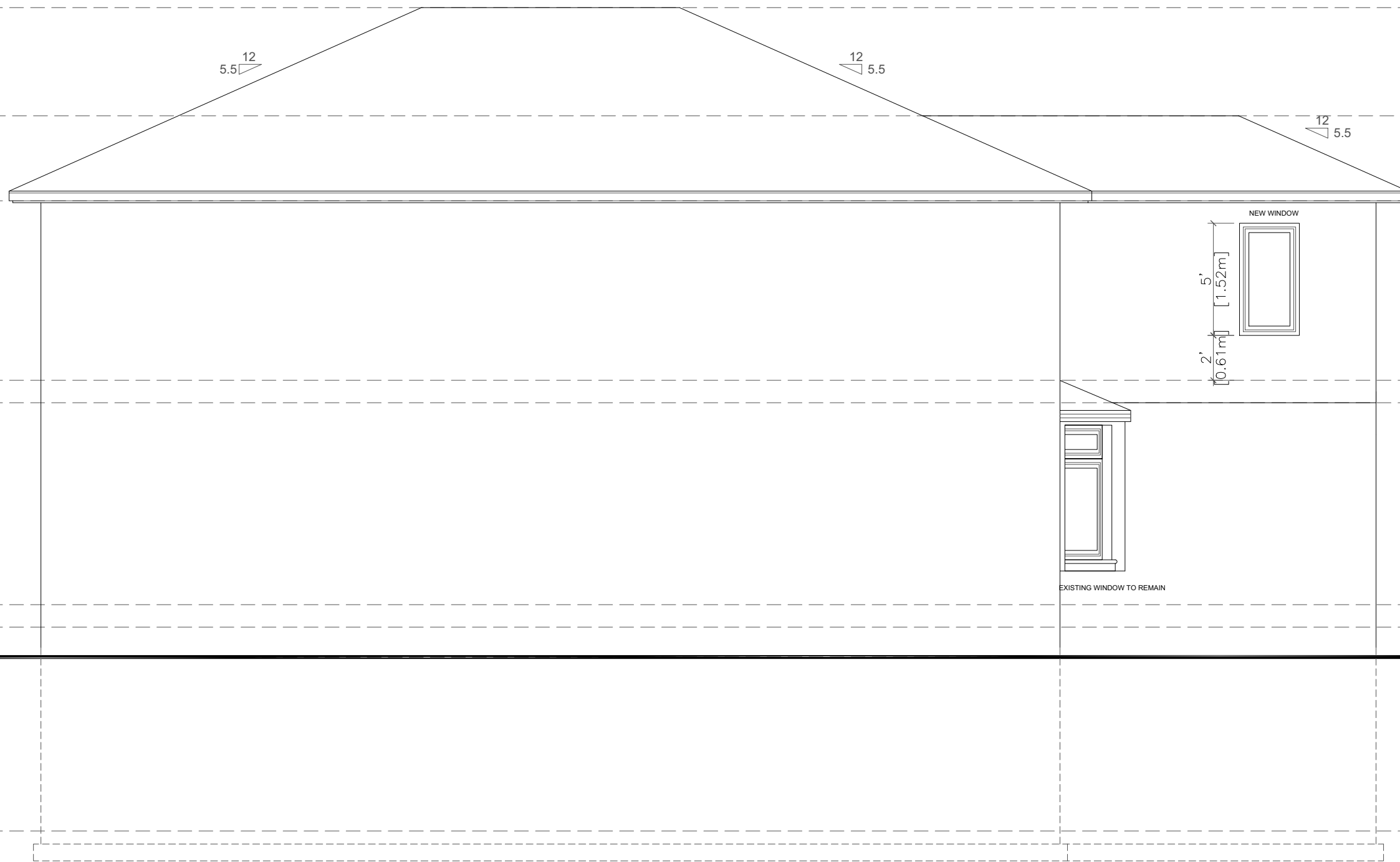
FINISHED SECOND FLOOR (+103.76)

FINISHED MAIN FLOOR (+100.71)

GROUND (+100.00)

BASEMENT SLAB (+97.64)

8'  
[2.44m]  
28'-11"  
[8.82m]  
9'  
[2.74m]  
20'-4"  
[6.20m]



## PROPOSED SIDE ELEVATION

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**NAFISEH ZANGIABADI 43395**

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION C-3.2.4.1. OF THE 2006 O.B.C. (OR 2.1.5.1. OF THE 1997 O.B.C.)

NAME AND BCIN:  
**NAFISS DESIGN INC 44961**

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Address: 30 Apple Orchard Path, Thornhill, Ontario, L3T 3B6

STRUCTURAL DESIGN

ISSUED FOR:

ZONING SUBMISSION 2021, AUG. 16th

PAPER SIZE 18X24

DATE 2021, AUGUST 16th

PROJECT ADDRESS:

**4 RANGER CRT.  
MARKHAM  
ONTARIO, CANADA**

TITLE **PROPOSED SIDE ELEVATION**

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

**GENERAL NOTES:**  
1. THESE DRAWINGS ARE THE COPYRIGHT PROPERTY OF NAFISS DESIGN INC AND MAY NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.  
2. THESE DRAWINGS ARE FOR PERMIT APPLICATION PURPOSE. CONTRACTOR MUST CHECK ALL APPLICABLE BY-LAWS AND OBC. ANY DISCREPANCY MUST BE REPORTED TO THE DESIGNER.  
3. DO NOT SCALE DRAWINGS.  
4. ALL WORK SHALL BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE ONTARIO BUILDING CODE.  
5. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.  
6. USE ONLY LATEST REVISED DRAWINGS.  
7. ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB SITE AND ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO DESIGN FIRM PHONE AND SUBSEQUENT WRITTEN CONFIRMATION PRIOR TO COMMENCEMENT OF THE WORK.

DRAWING:

**A13**