

# Memorandum to the City of Markham Committee of Adjustment

July 02, 2025

**File:** A/053/25  
**Address:** 69 George Street, Markham  
**Applicant:** SHDESIGN (Randa Zabaneh)  
**Hearing Date:** Wednesday, July 16, 2025

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

The applicant is requesting relief from the following requirements of By-law 2024-19, RES-ENLR, as amended, as it relates to a proposed two-storey detached dwelling. The variances requested are to permit:

**a) By-law 2024-19, Section 6.3.2.2 (J):**

a maximum outside wall height of 7.32 metres, whereas the by-law permits a maximum outside wall height of 7 metres; and

**b) By-law 2024-19, Section 6.2.1 (b):**

a roof structure with a pitch of less than 25 degrees to project 2.77 metres above the maximum outside wall height, whereas the by-law permits a maximum projection of 1 metre.

## BACKGROUND

### Property Description

The 956.68 m<sup>2</sup> (10,297.61 ft<sup>2</sup>) subject property is located on the east side of George Street, south of Ramona Boulevard, and east of Main Street Markham North. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments. Mature vegetation exists across the property.

There is an existing detached dwelling on the property, which according to assessment records was constructed in 1950. The Subject Lands are located within the Markham Village Heritage Conservation District but is not listed on the Heritage Property Register.

### Proposal

The applicant is proposing to construct a two-storey single detached dwelling with a Gross Floor Area of 400.37 m<sup>2</sup> (4,309.59 ft<sup>2</sup>).

### Official Plan and Zoning

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

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

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

### Zoning By-Law 2024-19

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

### **Applicant's Stated Reason(s) for Not Complying with Zoning**

According to the information provided by the applicant, the reason for not complying with Zoning is, "Not possible to comply as home is designed, based on home owners needs and wants as well both deficiencies are based on interpretation – outside wall height is measured to top of plate at inside (not visible), Roof slope is 12/12 and in order to comply with building height we have a flat at top in which bylaw interprets that area as main flat roof".

### **Zoning Preliminary Review (ZPR) Undertaken**

The owner has completed a Zoning Preliminary Review (ZPR) on 4/11/2025 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.

### **Increase in Maximum Outside Wall Height**

The applicant is requesting relief to permit a maximum outside wall height of 7.32 m (24.02 ft) whereas the By-law permits a maximum outside wall height of 7 m (22.97 ft). This represents an increase of 0.32 m (1.05 ft).

Staff note that the lot is generously sized, aiding in minimizing the potential impact resulting from the increased wall height. Furthermore, recent infill development in the immediate area includes dwellings with similar height variances. Staff opine that the increase in outside wall height is minor in nature and will not adversely affect the established character of the neighborhood.

### **Increase in Roof Projection**

The applicant is requesting a roof with a pitch of less than 25 degrees to project 2.77 m (9.09 ft) above the permitted outside wall height, whereas the by-law permits a maximum roof projection of 1 m (3.28 ft).

The proposed roof structure is modest in scale and well integrated into the overall architectural design of the dwelling. Its design maintains appropriate proportions and articulation, which serve to minimize any visual impact resulting from the increased height. The proposal respects the intended massing and scale of the surrounding area and is compatible with the existing built form of the neighbourhood. Staff have no objections to the requested variance.

## **EXTERNAL AGENCIES**

### Metrolinx Comments

The subject property is located adjacent to Metrolinx's Uxbridge Subdivision which carries Metrolinx's Stouffville GO Train service. Metrolinx provided comments on this application on May 27, 2025 (Appendix "C"), requiring that an environmental easement is provided in accordance with Section 3.9 of the Federation of Canadian Municipalities and Railway Associate of Canada's Guidelines for New Development in Proximity to Railway Operations. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property.

Additionally, the Applicant is asked to provide a warning clause in all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor.

Staff recommend that the proposed development is subject to the associated condition of Approval regarding the environmental easement and warning clause provided in Appendix "A". Further comments on the proposal are provided in Appendix "C".

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of July 9, 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 objections. 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/053/25 Conditions of Approval

Appendix "B" – Drawings


Appendix "C" – Metrolinx Comments

PREPARED BY:

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

Aaron Chau, Planner I, East District

REVIEWED BY:

A handwritten signature in black ink, appearing to read "Stacia Muradali", written over a horizontal line.

Stacia Muradali, Development Manager, East District


File Path: Amanda\File\ 25 118029 \Documents\District Team Comments Memo

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/053/25**

1. The variances apply only to the proposed development as long as it remains
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. That the applicant satisfies the requirements of Metrolinx, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix C to this Staff Report, to the satisfaction of Metrolinx, and that the Secretary Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:

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

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Aaron Chau, Planner I, East District

69 GEORGE STREET

LOT AREA

LOT AREA = 956.68 sq.m (10,297.61 sq.ft.)

LOT COVERAGE MAX 35% (3,604.42 sq.ft.)

- FIRST FLR AREA (incl. GARAGE) = 2,365.41 sq.ft.
- FRONT PORCH AREA = 125.92 sq.ft.
- COVERED PATIO = 561.86 sq.ft.

TOTAL = 3,053.19 sq.ft.

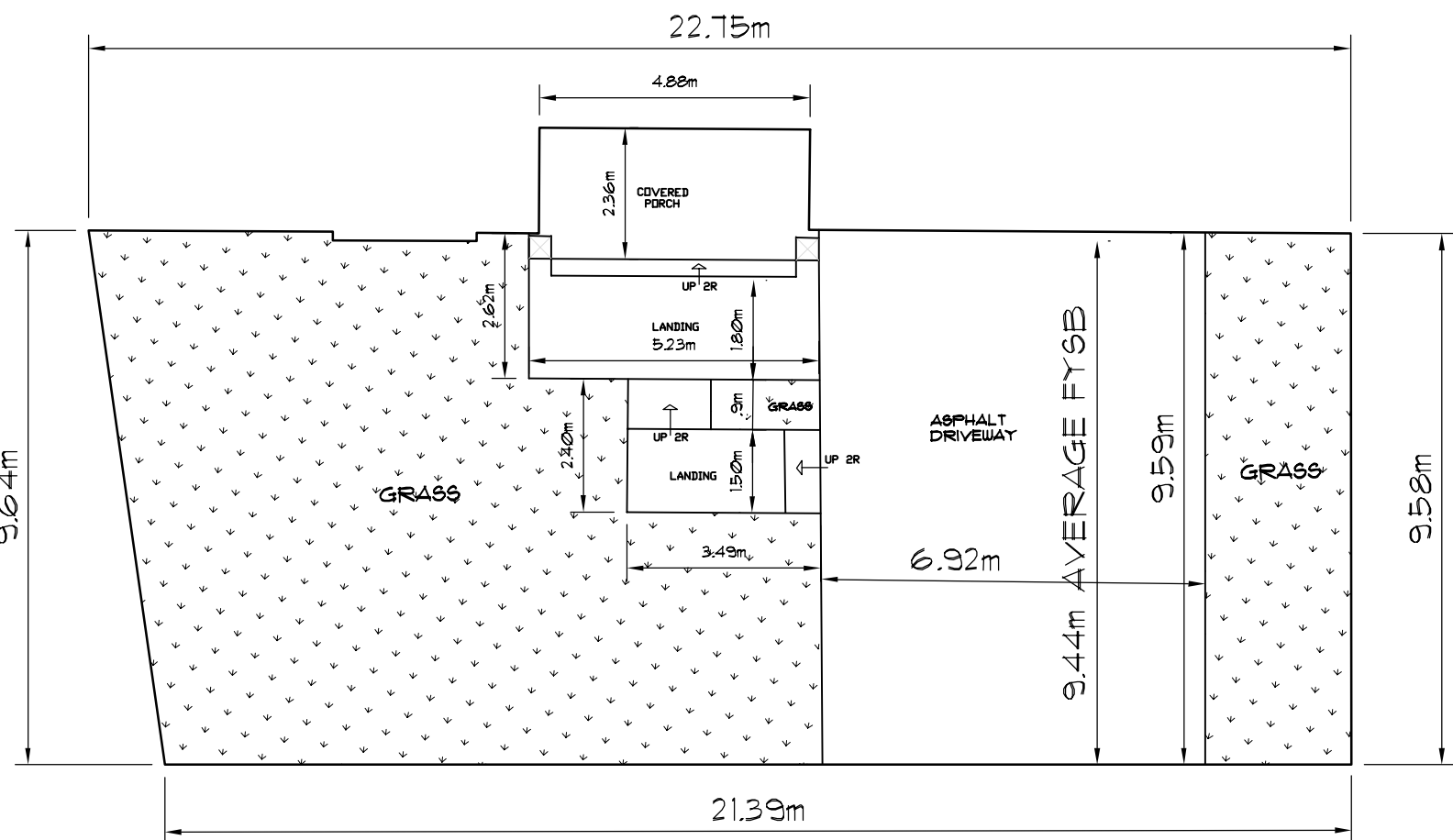
PROVIDED 29.65% - REQUIRED 35.0%

BYLAW # 2024-19

MAX MAIN BUILDING COVERAGE

- FIRST FLR AREA (incl. garage) = 2,365.41 sq.ft.  
@22.97% < 30%
- SECOND FLOOR AREA = 1,944.18 sq.ft.  
@18.88% < 20%

TOTAL = 4,309.59 sq.ft.  
(400.37 sq.m)



N.T.S

FRONT YARD AREA: - 220.78 sq.m

FRONT PORCH AREA = 11.70 sq.m  
WALKWAY & STAIRS = 18.0 sq.m  
DRIVEWAY = 66.59 sq.m  
TOTAL (HARD) = 96.29 sq.m  
44.61%

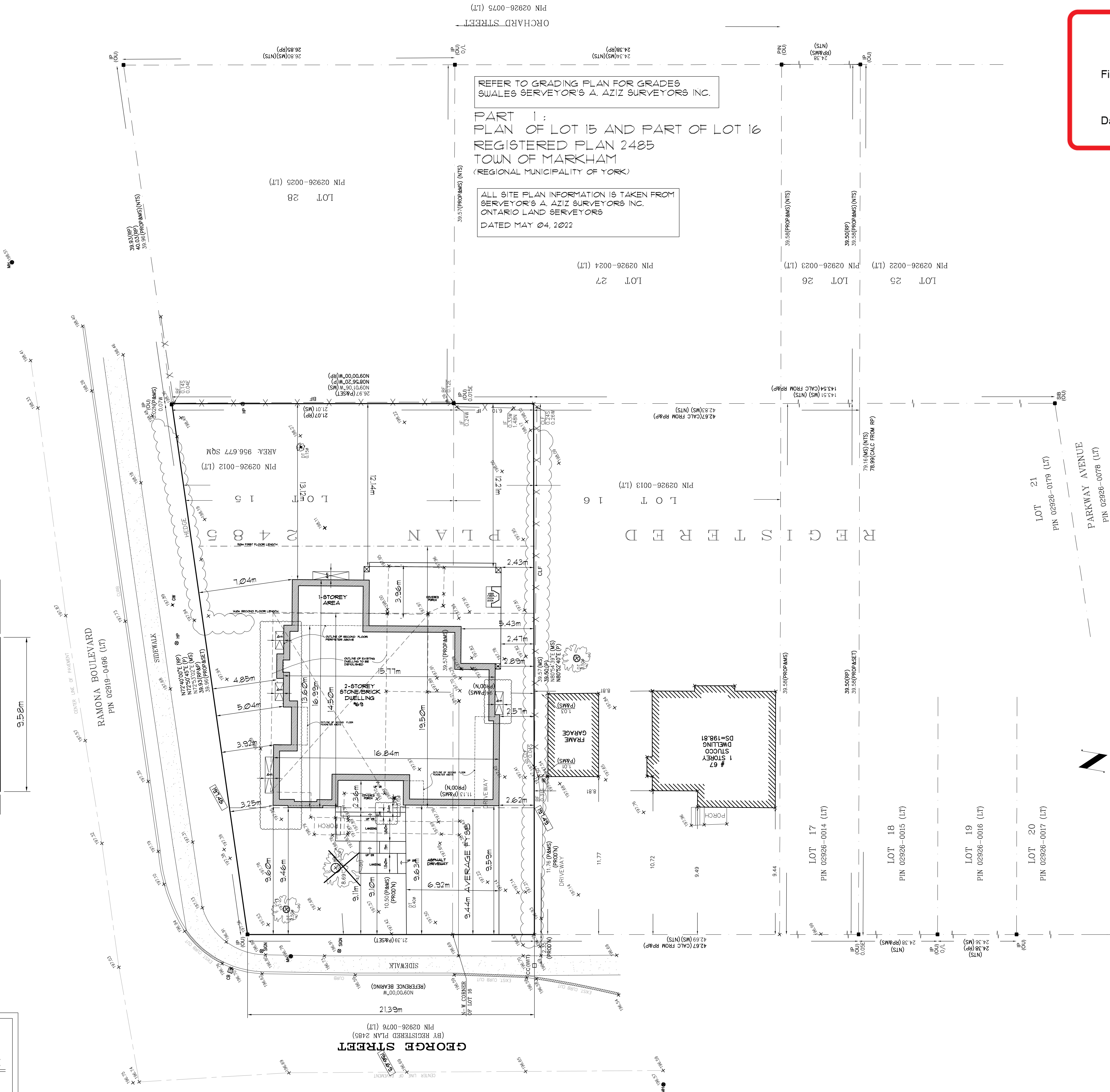
SH DESIGN

YOUR VISION, OUR EXPERTISE

- RESIDENTIAL DESIGNS
- CUSTOM HOMES
- ADDITIONS & RENOVATIONS

Cell: (416) 414-9176  
Email: shdesign@rogers.com

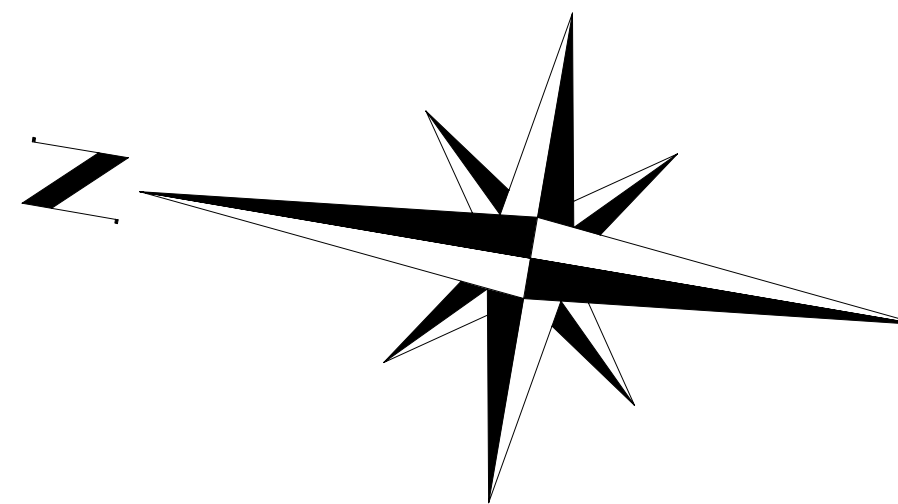
NO.	REVISIONS	DATE
1	ISSUED FOR BUILDING PERMIT & TENDER	MAR. 03, 2025
2	REVISED FOR ZPR REVIEW & COA APPROVAL	APRIL 14, 2025



## Appendix B

File: 25178025-000-0000

Date: 7/10/2025  
MM/DD/YYYY



PROPOSED 2-STOREY  
DWELLING  
FOR:-  
KINAHAN RESIDENCE  
AT:-

69 GEORGE STREET  
MARKHAM, ONTARIO

SITE PLAN

DRAWN BY:	CHECKED BY:	SHEET S.P.
DATE MARCH 2025	SCALE 1:150	FILE



Appendix B

File: 2518002000000000

Date: 7/10/2025

MM/DD/YYYY



FRONT ELEVATION

NO.	REVISIONS	DATE
1	ISSUED FOR PRELIMINARY ZONING REVIEW	MAR. 03, 2025

SH DESIGN

YOUR VISION, OUR EXPERTISE

DESIGN, CONSULTATIONS, DRAFTING

- RESIDENTIAL DESIGNS
- CUSTOM HOMES
- ADDITIONS & RENOVATIONS

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PROPOSED 2-STORY DWELLING

FOR:-

KINAHAN RESIDENCE

AT:-

69 GEORGE STREET

MARKHAM, ONTARIO

FRONT ELEVATION

DRAWN BY:	CHECKED BY:	SHEET
DATE	SCALE	FILE
MAR. 2025	3/16"=1'-0"	A-6

Appendix B

File: 25.18623.000.00000  
Date: 7/10/2025  
MM/DD/YYYY



REAR ELEVATION

NO.	REVISIONS	DATE
1	ISSUED FOR PRELIMINARY ZONING REVIEW	MAR. 03, 2025

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DESIGN, CONSULTATIONS, DRAFTING

- RESIDENTIAL DESIGNS
- CUSTOM HOMES
- ADDITIONS & RENOVATIONS

Cell: (416) 414-9116

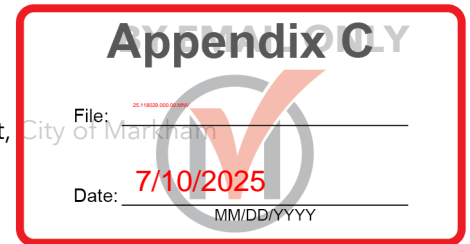
Email: shdesign@rogers.com

PROPOSED 2-STORY DWELLING  
FOR:-  
KINAHAN RESIDENCE  
AT:-  
69 GEORGE STREET  
MARKHAM, ONTARIO

DRAWN BY:	CHECKED BY:	SHEET
DATE	SCALE	FILE
MAR. 2025	3/16"=1'-0"	A-1



**TO:** Shawna Houser, Secretary-Treasurer, Committee of Adjustment,  
**DATE:** May 27, 2025  
**RE:** Adjacent Development Review: A/053/25  
69 George Street, Markham, ON  
Minor Variance



Dear Committee of Adjustment,

Metrolinx is in receipt of the Minor Variance application for 69 George Street, Markham, to request relief from the requirements of By-Law 2024-19, as amended, as it relates to a new two-storey dwelling. This item was circulated on May 15<sup>th</sup>, 2025, and to be heard by the Committee as early as June 25<sup>th</sup>, 2025. Metrolinx's comments on the subject application are noted below:

- The subject property is located adjacent of Metrolinx's Uxbridge Subdivision which carries Metrolinx's Stouffville GO Train service.

#### **GO/HEAVY-RAIL - CONDITIONS OF APPROVAL**

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact [jenna.auger@metrolinx.com](mailto:jenna.auger@metrolinx.com) with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:
  - **Warning:** The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please contact [jenna.auger@metrolinx.com](mailto:jenna.auger@metrolinx.com).

Best Regards,

**Jenna Auger**

Adjacent Construction Review (ACR), Formerly Third-Party Projects Review (TPPR)  
Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2S3  
T: (416)-881-0579

### Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the “**Easement Lands**”).

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night (provided that doing so is not contrary to law applicable to Metrolinx) with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations.

THIS Easement and all rights and obligations arising from the above easement shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of a party hereto, if such party comprises more than one person, shall be joint and several.

Easement in gross.