

# Memorandum to the City of Markham Committee of Adjustment

September 5, 2025

**File:** A/052/25  
**Address:** 144 Snowshoe Crescent, Thornhill  
**Applicant:** MOHAMMAD TOURANI  
**Hearing Date:** Wednesday, September 10, 2025

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

The applicant is requesting relief from the following requirements of By-law 2024-19, Residential - Established Neighbourhood Low Rise (RES-ENLR), as amended, to permit:

**a) By-law 2024-19, Section 4.8.8 (f):**

a minimum interior east side yard stair setback of 0.71 m, whereas the by-law requires a minimum interior side yard stair setback of 1.2 m; and

**b) b) By-law 2024-19; Section 4.8.9.2 (a)(i):**

a minimum 0.71 m landscape strip width made up of soft landscaping abutting the north interior side lot line, whereas the by-law requires minimum 1.5 m landscape strip width made up of soft landscaping abutting interior side lot lines;

as it relates to the existing side entrance.

## BACKGROUND

### Property Description

The 245 m<sup>2</sup> (2637.16 ft<sup>2</sup>) subject property is located on the north side of Snowshoe Crescent, south of John Street and west of Highway 404. 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.

### Proposal

The variances are requested to permit a staircase that the applicant has built accessing the basement to remain. The staircase has been built without a permit issued by the City of Markham Building Standards Department.

### 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.

### Zoning By-Law 2024-19

The subject property is zoned RES-ENLR under By-law 2024-19, as amended, which permits detached dwellings. The proposal does not comply with respect to the east side yard stair setback or the minimum landscape strip. Further details on the variances are provided in the comment section below.

### **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 (HP 24.168492) 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.

### **Reduced Stair Setback and Landscape Strip Width Variance**

The Owner is requesting to permit a minimum interior east side yard stair setback of 0.71 m, whereas the by-law requires a minimum interior side yard stair setback of 1.2 m. The Owner is also requesting to permit a minimum 0.71 m landscape strip width, whereas the by-law requires a minimum 1.5 m landscape strip width made up of soft landscaping abutting interior side lot lines. These variances are required for the staircase accessing the basement of the Subject Property.

The property is a link house with the adjacent property, 142 Snowshoe Crescent, which restricts the ability to provide infill development within the west side yard. However, it is the opinion of Staff the staircase encroaching into the east side yard does not maintain the general intent and purpose of the Official Plan. In the Plan's criteria for infill development, impacts on adjacent properties must be minimized in relation to grading, drainage, access, etc. In addition, Fire Services requires an unobstructed path of 1.2 m wide to access the basement in the case of emergency, which is not provided in this instance, and Engineering Staff has commented that the stair setback does not permit enough room for the required drainage swale, which is required for stormwater drainage on site.

As such, the requested variances do not meet the four tests of the Planning Act. However, the Applicant has informed Staff that they have plans to relocate the staircase to a more compliant access point on the Subject Property.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of September 5, 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 requested variances do not meet the four tests of the Planning Act and recommend the application be deferred, until the Applicant has made needed revisions to relocate the staircase. 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.

PREPARED BY:



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Theo Ako-Manieson, Planner I, West District

REVIEWED BY:



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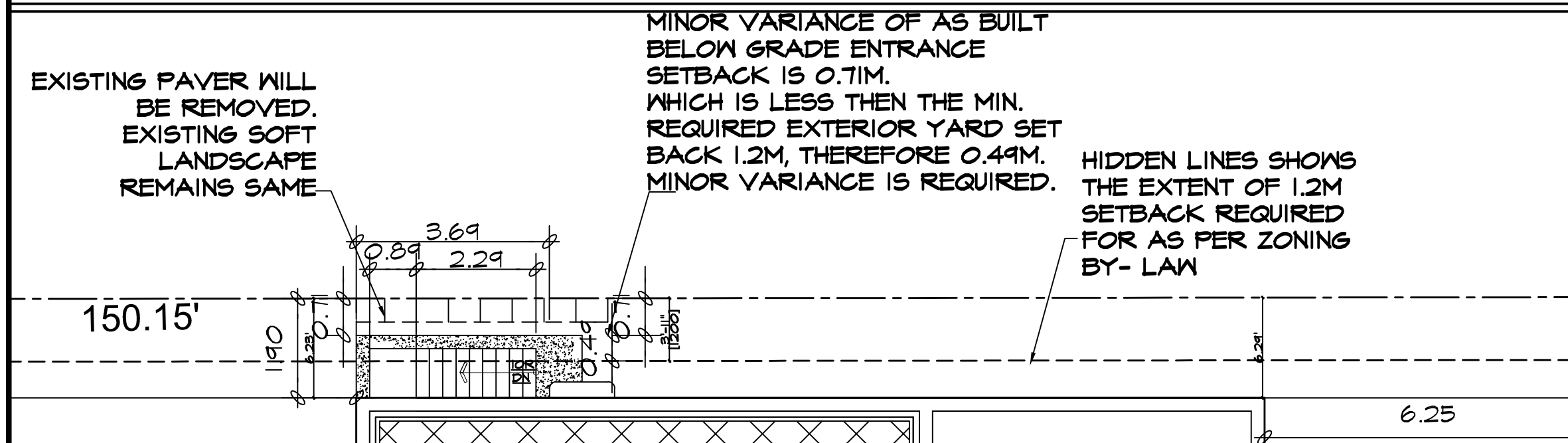
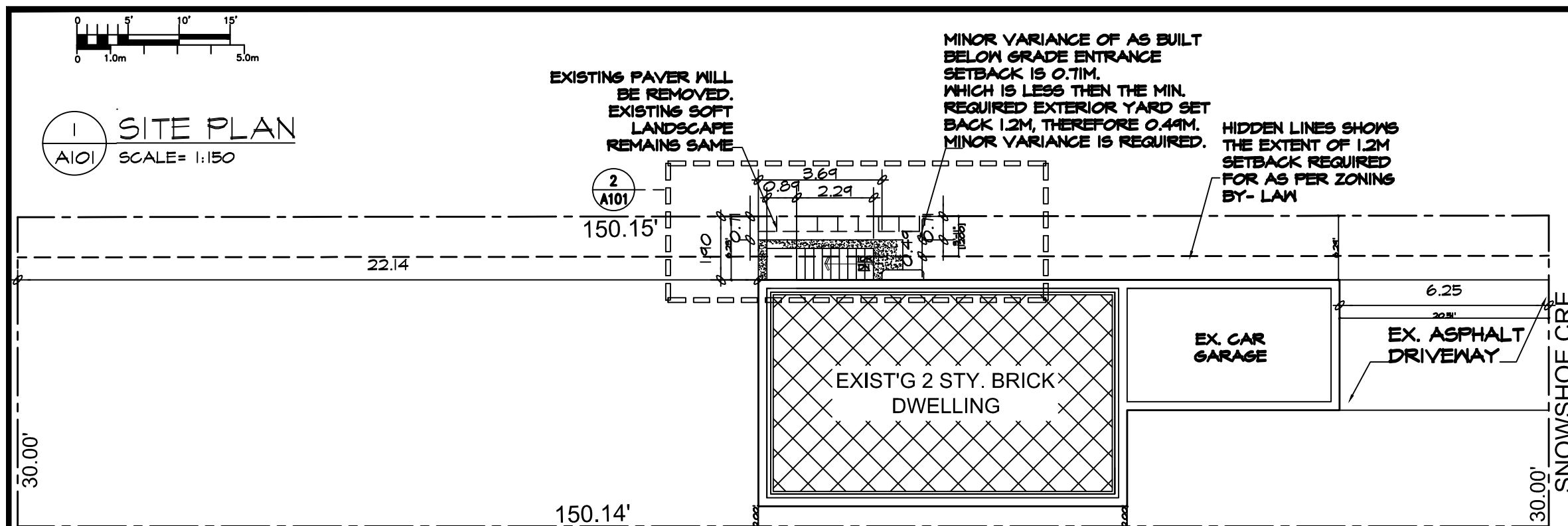
Rick Cefaratti, MCIP, RPP, Acting-Development Manager, West District

File Path: Amanda\File\ 25 117921 \Documents\District Team Comments Memo

# Appendix B

File: 25.11721.000.000000

Date: 9/5/2025  
MM/DD/YYYY



EXISTING		PROPOSED
BUILDING AREA (G.F) =99.21 SQ.M [1,067.44 SQ.FT.] (INCL.GARAGE)		STAIRCASE AREA=4.41 SQ.M.
SITE DATA		M/SM
PLAN NO:		M-1412
LOT AREA		404.17 SQ.M.

**ARCHISYSTEM INC.**  
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CERTIFICATE OF PRACTICE # 5465

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**MOHAMMAD TOURANI**

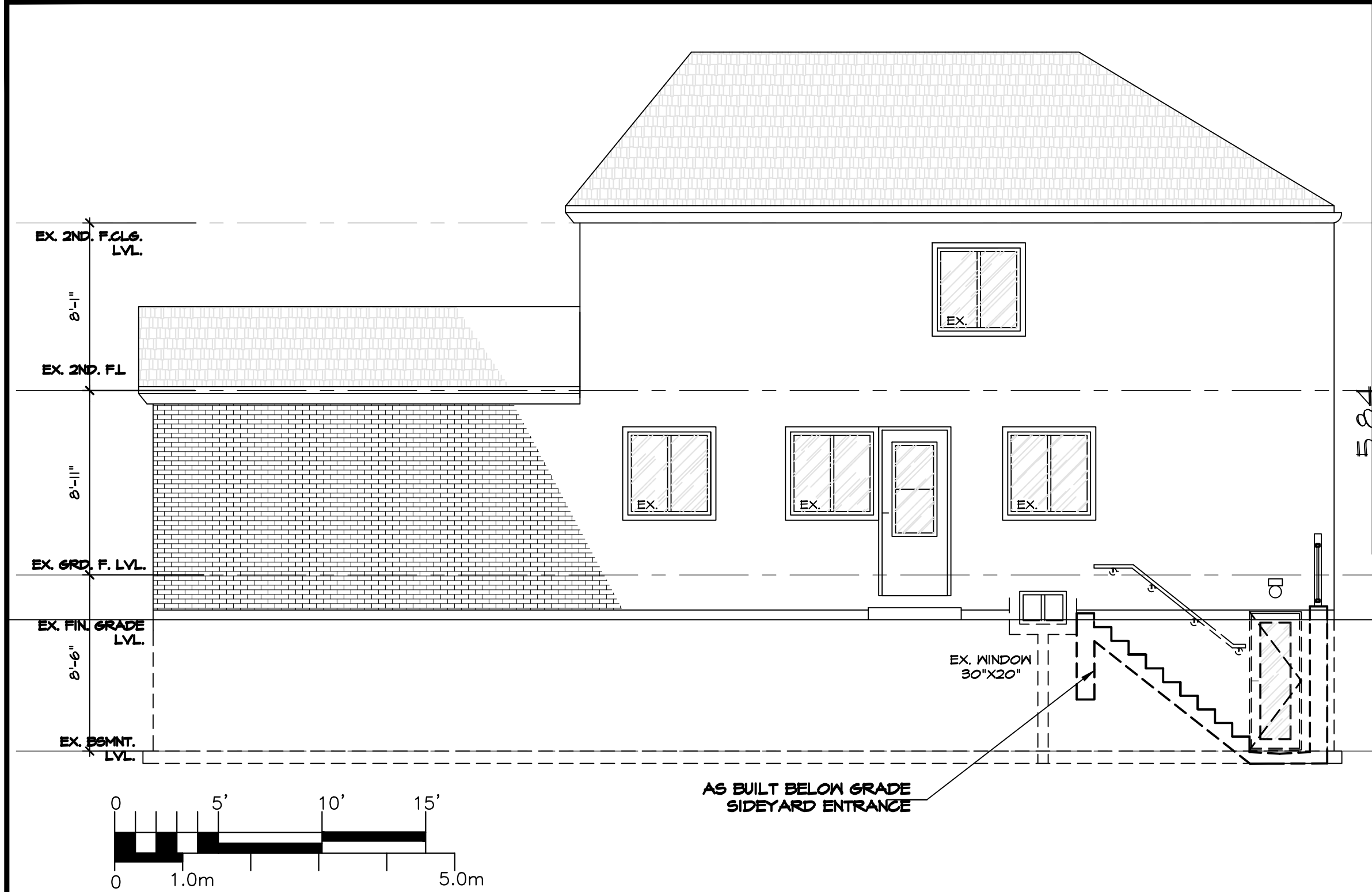
Project  
MINOR VARIANCE OF AS BUILT BELOW GRADE SIDEYARD ENTRANCE AT 144 SNOWSHOE CRES THORNHILL ON L3T 4M9.

Owners:  
**MOHAMMAD TOURANI**

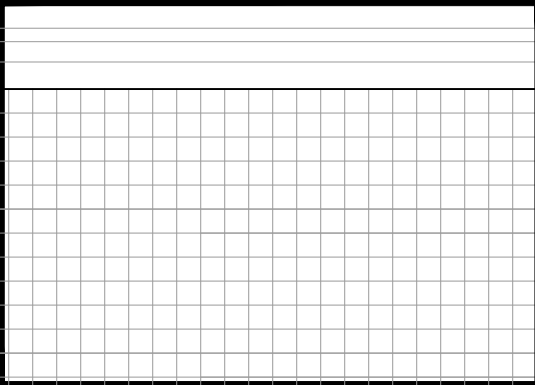
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Revisions	Drawn By: SN	Checked By: AM
△	Scale: AS NOTED	Date: 26.05.2025
△		D'wg. no. <b>A101</b>
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Appendix B

File: 25.11721.000.000000  
Date: 9/5/2025  
MM/DD/YYYY



1 RIGHT SIDE ELEVATION  
A301 SCALE=3/16"=1'-0"



MOHAMMAD TOURANI

Project  
MINOR VARIANCE OF AS  
BUILT BELOW GRADE  
SIDEYARD ENTRANCE AT  
144 SNOWSHOE CRES  
THORNHILL ON L3T 4M9.  
  
Owners:  
MOHAMMAD TOURANI

Sheet title: RIGHT SIDE ELEVATION		
Revisions	Drawn By: SN	Checked By: AM
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△		D'wg. no. A301
△		REV. NO: -
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