# Memorandum to the City of Markham Committee of Adjustment

September 5, 2025

**File:** **A/084/25**
**Address:** **76 Highland Park Boulevard, Thornhill**
**Agent:** **Aleksandar Markovic**
**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 6.3.2.2.1:**
a minimum west side yard setback of 1.52 m and a minimum combined interior side yard setback on both sides of 3.36 m, whereas the by-law requires a minimum side yard setback of 1.8 m and a minimum combined interior side yard setback on both sides of 4.0 m;

b) **By-law 2024-19, Section 6.2.1b):**
a maximum roof projection of 2.54 m above the maximum outside wall height, whereas the by-law permits a roof structure with a pitch of less than 25 degrees to project a maximum of 1 m above the maximum outside wall height;

c) **By-law 2024-19, Section 6.3.2.2.c:**
a maximum main building coverage of 24% for any storey above the first, whereas the by-law permits a maximum main building coverage of 20% for any storey above the first;

as it relates to a proposed two-storey residential dwelling.

**BACKGROUND**

**Property Description**

The 650 $m^2$ (6996.54 $ft^2$) subject property is located on the north side of Highland Park Boulevard, north of Steeles Avenue and east of Yonge Street. 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 Owner is proposing to demolish the existing one-storey dwelling and construct a two-storey dwelling on the subject property. To facilitate this, the existing front porch and sheds within the east side yard and rear side yard will also be demolished. The driveway is expected to be regraded and extended from its original location.

## 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 a range of lower-scale residential buildings in established neighbourhoods, including single detached dwellings.

Area Specific Policy 9.18.5 also applies to the Subject Property and intends to provide a set of development standards in the zoning by-law that limits the size and massing of new dwellings or additions, ensuring infill development respects the existing pattern and character of adjacent development. This includes development standards for lot coverage, building depth, floor area ratios, height, number of storeys, garage projections, and garage widths.

Zoning By-Law 2024-19
The subject property is zoned “Residential – Established Neighbourhood Low Rise” (RES-ENLR) under By-law 2024-19, which permits detached dwellings. The proposal does not comply with respect to the side yard setbacks, roof projection and second storey building coverage. 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.25.109525) to confirm the variances required for the proposed development. The applicant submitted revised drawings on August 22, 2025. The applicant has not conducted another Housing Review cycle for the revised drawings. Consequently, it is the owner’s responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

**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 Side Yard Setback Variance**
The Owner is requesting to permit a minimum west side yard setback of 1.52 m and a minimum combined interior side yard setback on both sides of 3.36 m, whereas the by-law requires a minimum side yard setback of 1.8 m and a minimum combined interior side yard setback on both sides of 4.0 m for the two-storey portion of the dwelling.

The proposed combined side yard setback represents a reduction of 0.64 m from the required setback of 4.0 m, or a 16% decrease. While the requested relief will provide a reduced setback from the west side, Staff opine that the reduced interior sideyards will not adversely impact the character of the neighbourhood.

The proposed interior side yards will continue to maintain adequate space for soft landscaping drainage swales between adjacent properties. Engineering Staff note that the site is in the Thornhill area, which is known as a local flood prone area. The proposed redevelopment will require a Stormwater Management Brief for a complete Residential Infill Grading and Servicing (RGS) application, showing the control of 100-year post-development flows to 2-year or 5-year cycles, dependent on local upgrades. Staff are of the opinion that the requested variance is minor in nature, as the proposed decrease will not have an adverse impact on the neighbouring property.

**Roof Projection Variance**

The Owner is requesting to permit a roof projection of 2.54 m above the maximum outside wall height, whereas the by-law permits a roof structure with a pitch of less than 25 degrees to project only a maximum of 1.0 m above the maximum outside wall height.

The intent of the maximum roof projection is to maintain a consistent roofline and prevent excessive height that may adversely impact the surrounding properties. It should be noted that the design of the roof, specifically the slope at the front of the roof is consistent with the character of the neighbourhood, and is in line with the by-law's intent to create proper articulation of massing between the first and second storey. Staff are of the opinion that the proposed encroachment is minor in nature, as it maintains an appropriate roofline between neighboring dwellings, and as such, have no concerns.

**Increase in Main Building Coverage Variance**

The Owner is requesting to permit a main building coverage of 24% for the second storey, whereas the by-law permits a maximum main building coverage of 20%. The intent of the maximum building coverage requirements includes, but are not limited to, ensuring that appropriate angular planes are provided and that the built form and character of the neighbourhood is maintained.

The proposed increase to the main building coverage will increase the dwelling width, which, as explained in the side yard setback variance rationale, is minor in nature.

The proposed dwelling will be providing building lines, front and rear yard setbacks that will be consistent with adjacent properties, maintaining the intent of the By-law to regulate massing along the neighbourhood streetscape. The proposed second-storey and its required relief for building coverage will not significantly add to the scale and massing of the dwelling, and does not alter the character of the neighbourhood. Staff are of the opinion that the requested variance is minor in nature and have no concerns.

## 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 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.

PREPARED BY:

Theo Ako-Manieson, Planner I, West District

REVIEWED BY:

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

File Path: Amanda\File\ 25 125637 \Documents\District Team Comments Memo

**APPENDIX "A"**
**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/084/25**

1. The variances apply only to the proposed development as long as it remains;

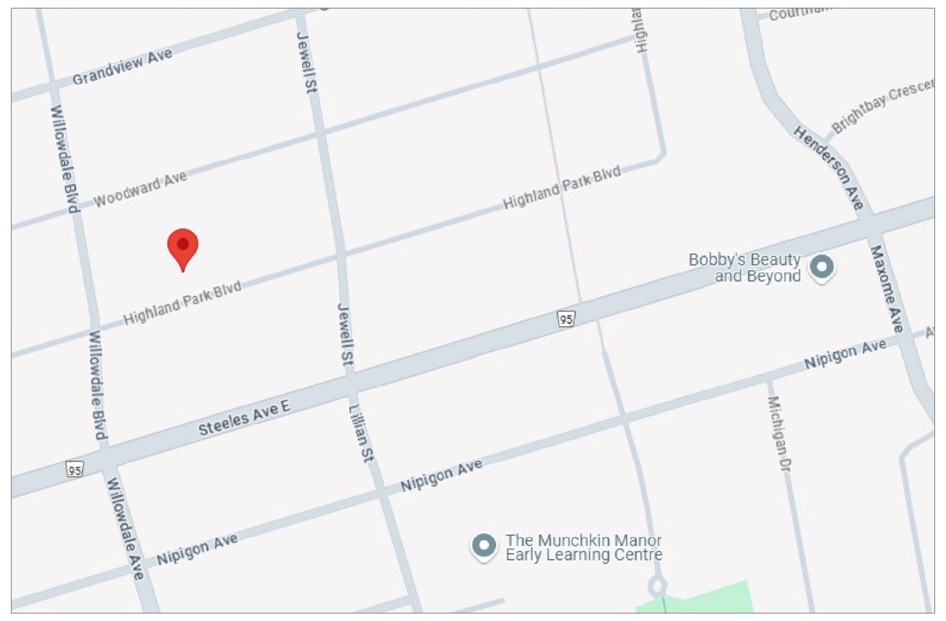
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report, and that the Secretary Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;

CONDITIONS PREPARED BY:

Theo Ako-Manieson, Planner I, West District

**ISSUED FOR PERMIT**
**JANUARY 2025.**

## KEY PLAN




## ZONING INFO

ZONE - RES-ENLR

| SITE DATA | SQ.FT. | M2 | |
|---|---|---|---|
| LOT AREA | 7000.00 | 650.50 | 100% |
| MIN. LOT FRONTAGE | 15.24 m' | EXISTING LOT FRONTAGE | 15.24 m' |

| SET BACKS | PROPOSED | | REQUESTED | |
|---|---|---|---|---|
| | M | FT. | M | FT. |
| FRONT BUILDING | 12.93 | 42.42' | | |
| FRONT STAIRS | 12.17 | 39.93' | | |
| REAR | 12.67 | 41.57' | | |
| SIDE | 1.52 | 5.00' | | |
| SIDE | 1.84 | 6.04' | | |
| HEIGHT TO TOP OF PLATE | 7.00 | 30.51' | | |
| LOT COVERAGE 29.98% | 194.95 | 2098.40 | MAX. COVERAGE 30.0% | |

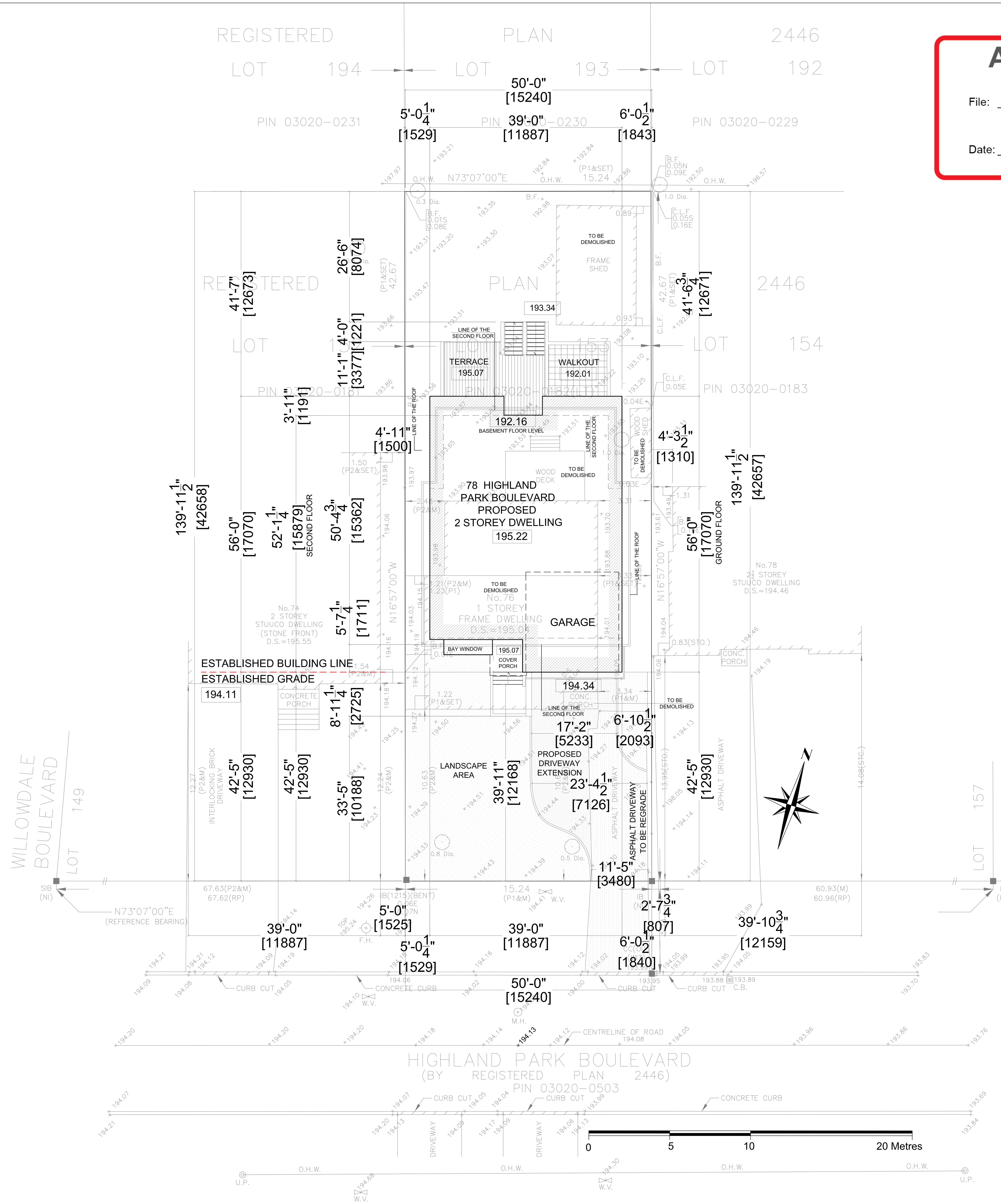
PROPOSED BUILDING INFORMATION

| | | | | |
|---|---|---|---|---|
| BASEMENT | 152.50 | 1642.00 | | |
| GROUND FLOOR AREA + GARAGE 29.73% | 191.40 | 2060.00 | | |
| SECOND FLOOR AREA 24.00% | 156.10 | 1680.00 | | |
| GROSS FLOOR AREA | 500.00 | 5382.00 | 500.00 | 5382.00 |

DRIVEWAY / LANDSCAPE AREA

| | | | |
|---|---|---|---|
| FRONT YARD | | 226.06 | 2433.20 |
| DRIVEWAY | | 91.20 | 981.60 |
| LANDSCAPE AREA | 59.66% | 134.86 | 1451.60 |
| SOFT LANDSCAPE AREA | 55.32% | 125.05 | 1346.00 |

CALCULATED AREA IS INSIDE PROPERTY LINE





Appendix B
File:
Date: 9/5/2025 MM/DD/YYYY



ALEKSANDAR V. MARKOVIC
Architecture . Interiors
1 Valley Woods Rd., North York, Ontario M3A 2R4
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THIS DRAWING MUST BE READ IN THE CONTEXT OF ALL OTHER DRAWINGS WHICH CONSTITUTE THE CONSTRUCTION DOCUMENT.
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DO NOT SCALE THE DRAWINGS.

Issued
ISSUED FOR COMMITTEE OF ADJUSTMENT / SEVERANCE, CONSENT

The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the Requirements set out in the Ontario Building Code to be a designer.
REGISTRATION INFORMATION
Required unless design is exempt under 2.17.4.1. of the Ontario Building Code
LJILJANA MARKOVIC Name — 33107 BCDN #
Signature
Aleksandar V. Markovic Practice Name — 34372 BCDN#

Revised

| NO. | REVISIONS | DATE |
|---|---|---|
| 1 | AS PER EXAMINER'S NOTES | MAY, 2025. |
| 2 | | |
| 3 | | |

Client
Hua Lin
Yuan Chen

Project Name and Address
PROPOSED 2 STOREY DWELLING
76 Highland Park Blvd., Markham, ON, L3T 1B5

Drawing Title
SITE PLAN

Checked by
A.M.
Scale
AS NOTED
Drawing/Sheet No.
A0.1
Project No.
25-01

# 1 PROPOSED SITE PLAN

SCALE: 1'-0" = $\frac{3}{32}$"

Appendix B

File:

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

UNPROTECTED OPENINGS (NORTH ELEVATION):

TOTAL EXPOSING BUILDING FACE: 1345.5 Sq.Ft./ 125.0m2
DISTANCE : 5.0' / 1.52m'
MAX. OF GLAZED OPENINGS - 94.2 Sq.Ft./ 8.7m2 - 7.00%
UNPROTECTED OPENINGS - 64.0 Sq.Ft./ 5.9m2 - 4.76%,
UNPROTECTED OPENINGS
- 15.0 Sq.Ft. x 2, SECOND
- 17.0 Sq.Ft. x 2, GROUND

TOTAL - 64.0 Sq.Ft. - 4.76%

1 **PROPOSED EAST ELEVATION**

SCALE: 1'-0" = 1/4"

SCALE: 1 : 50


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Name — BCDN #

Signature
Aleksandar V. Markovic — 34372
Practice Name — BCDN#

Revised

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Client
Hua Lin
Yuan Chen

Project Name and Address
PROPOSED 2 STOREY DWELLING

76 Highland Park Blvd.,
Markham, ON, L3T 1B5

Drawing Title
EAST
ELEVATION

Checked by
A.M.

Scale
AS NOTED

Drawing/Sheet No.
A2.4

Project No.
25-01

1 **PROPOSED**

**NORTH ELEVATION**

SCALE: 1'-0" = $\frac{1}{4}$"

SCALE: 1 : 50

# Appendix B

File: 25.125437.000.00.MNV

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


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| LJILJANA MARKOVIC<br>Name | 33107<br>BCDN # |
| Signature<br>Aleksandar V. Markovic<br>Practice Name | 34372<br>BCDN# |

Revised

| NO. | REVISIONS | DATE |
|---|---|---|
| 1 | AS PER EXAMINER'S NOTES | MAY, 2025. |

Client

Hua Lin
Yuan Chen

Project Name and Address

PROPOSED 2 STOREY DWELLING

76 Highland Park Blvd.,
Markham, ON, L3T 1B5

Drawing Title

NORTH ELEVATION

Checked by

A.M.

Scale

AS NOTED

Drawing/Sheet No:

A2.3

Project No:

25-01

1 **PROPOSED SOUTH ELEVATION**

SCALE: 1'-0" = $\frac{1}{4}$"

SCALE: 1 : 50

# Appendix B

File: 25.125437.000.00.MNV

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


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Revised

| NO. | REVISIONS | DATE |
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| 1 | AS PER EXAMINER'S NOTES | MAY, 2025. |

Client

Hua Lin
Yuan Chen

Project Name and Address

PROPOSED 2 STOREY DWELLING

76 Highland Park Blvd.,
Markham, ON, L3T 1B5

Drawing Title

SOUTH ELEVATION

Checked by

A.M.

Scale

AS NOTED

Drawing/Sheet No:

A2.1

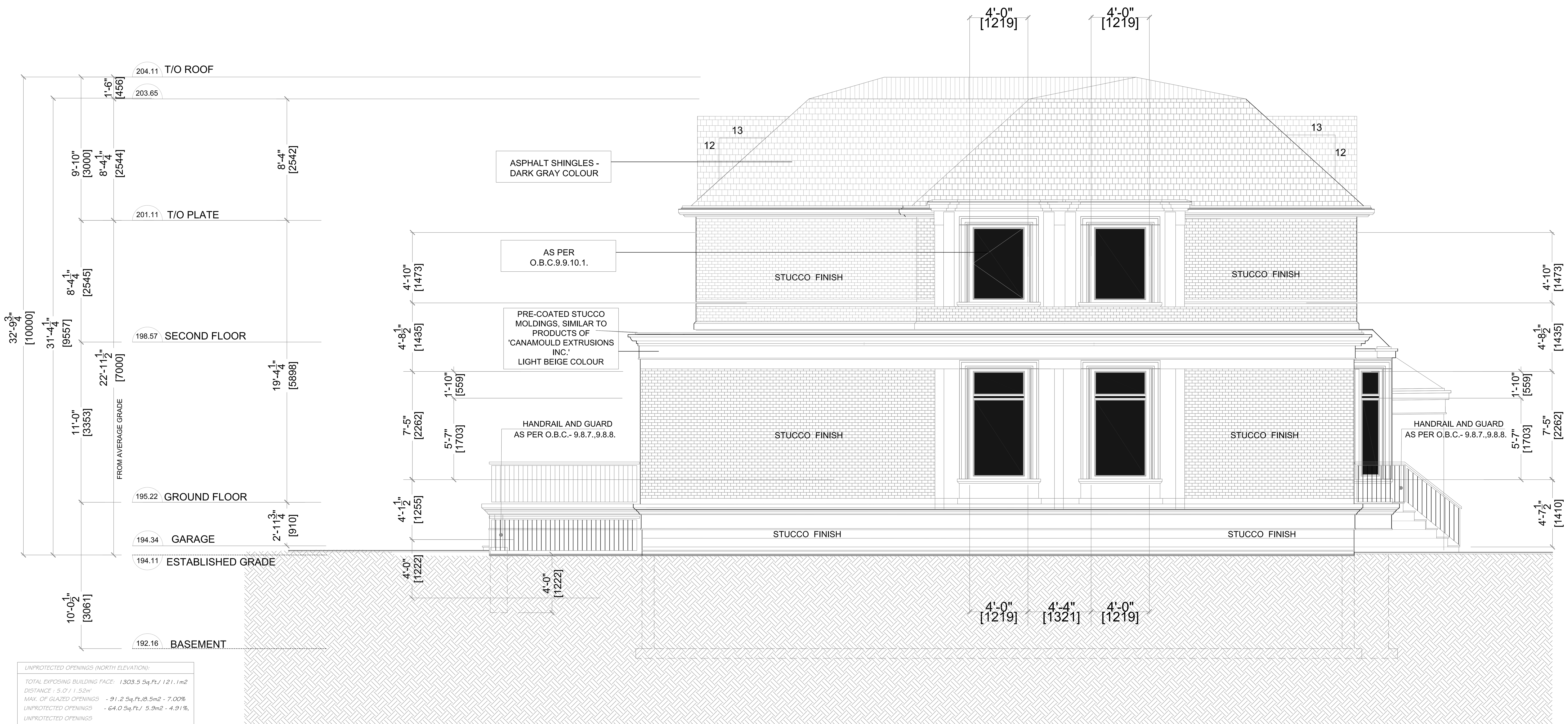
Project No:

25-01

**Appendix B**

File:

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




UNPROTECTED OPENINGS (NORTH ELEVATION):

TOTAL EXPOSING BUILDING FACE: 1303.5 Sq.Ft./ 121.1m2
DISTANCE : 5.0' / 1.52m'
MAX. OF GLAZED OPENINGS - 91.2 Sq.Ft./8.5m2 - 7.00%
UNPROTECTED OPENINGS - 64.0 Sq.Ft./ 5.9m2 - 4.91%,
UNPROTECTED OPENINGS
- 15.0 Sq.Ft. x 2, SECOND
- 17.0 Sq.Ft. x 2, GROUND

TOTAL - 64.0 Sq.Ft. - 4.91%

1 **PROPOSED WEST ELEVATION**

SCALE: 1'-0" = 1/4"

SCALE: 1 : 50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|---|---|
| LJILJANA MARKOVIC<br>Name | 33107<br>BCDN # |
| Signature<br>Aleksandar V. Markovic<br>Practice Name | 34372<br>BCDN# |

Revised

| NO. | REVISIONS | DATE |
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| 2 | | |
| 3 | | |

Client
Hua Lin
Yuan Chen

Project Name and Address
PROPOSED 2 STOREY DWELLING
76 Highland Park Blvd., Markham, ON, L3T 1B5

Drawing Title
WEST ELEVATION

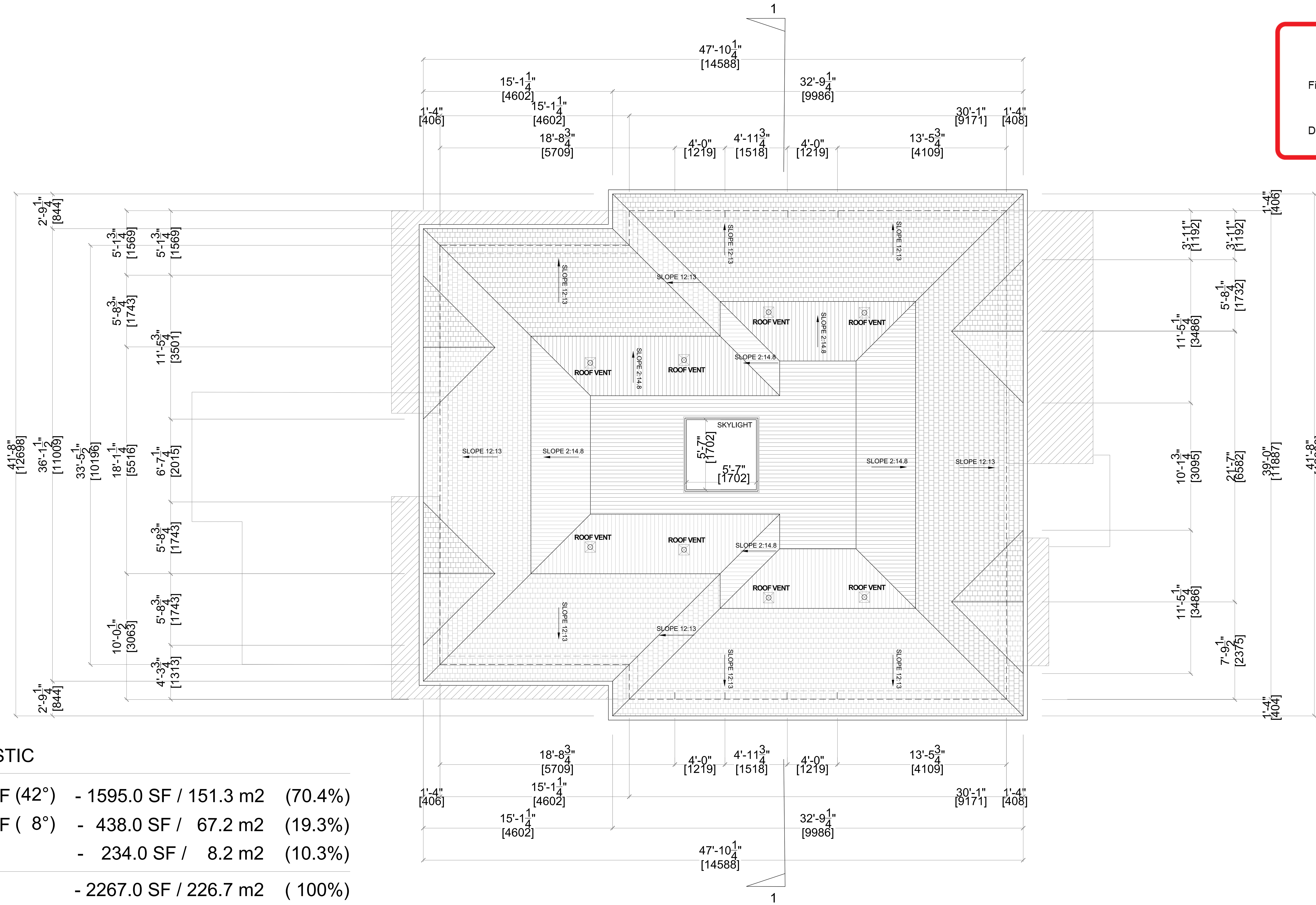
Checked by
A.M.

Scale
AS NOTED

Drawing/Sheet No.
A2.2

Project No.
25-01

Appendix B
File:
Date: 9/5/2025
MM/DD/YYYY




## ROOF STATISTIC

| | | |
|---|---|---|
| SLOPED ROOF (42°) | - 1595.0 SF / 151.3 m2 | (70.4%) |
| SLOPED ROOF ( 8°) | - 438.0 SF / 67.2 m2 | (19.3%) |
| FLAT ROOF | - 234.0 SF / 8.2 m2 | (10.3%) |
| | - 2267.0 SF / 226.7 m2 | ( 100%) |

4 **PROPOSED ROOF PLAN**

SCALE: 1'-0" = 1/4"

SCALE: 1 : 50

## LEGEND

SMOKE ALARMS AND CARBON MONOXIDE DETECTORS O.B.C. 2012 9.10.19.3. ; 9.33.4.2.

| Symbol | Requirement | Notes |
|---|---|---|
| (S.A.) SMOKE ALARM | REQUIRED SMOKE ALARMS WITHIN EACH DWELLING UNIT | MAY BE BATTERY OPERATED EXCEPT WHERE SMOKE ALARMS ARE REQUIRED TO BE INTERCONNECTED DUE TO SEPARATION BETWEEN UNITSAND EGRESS REQUIREMENTS. ALARMS MUST BE LOCATED ON OR NEAR THE CEILING WITHIN 5M OF BEDROOM DOORS. |
| (C.M.) CARBON MONOXIDE DETECTOR | REQUIRED CARBON MONOXIDE DETECTORS WITHIN EACH DWELLING UNIT ADJACENT TO EACH SLEEPING AREA | MUST CONFORM TO CAN/CSA-6.19 OR UL 2034. CO DETECTORS MAY BE BATTERY OPERATED OR PLUGGED INTO AN ELECTRICAL OUTLET. |

### IMPORTANT NOTICE

ALL STRUCTURAL ELEMENTS RECOMMENDED BY STRUCTURAL ENG. WILL BE VERIFIED BY FLOOR JOISTS /ROOF TRUSSES MANUFACTURER

### IMPORTANT NOTICE

ALL THERMAL INSULATION INFORMATION CAN BE FIND IN ENERGY EFFICIENCY DESIGN SUMMARY

## Energy Efficiency Design Summary: Prescriptive Method
(Building Code Part 9, Residential)

This form is used by a designer to demonstrate that the energy efficiency design of a house complies with the building code using the prescriptive method described in Subsection 3.1.1. of SB-12. This form is applicable where the ratio of gross area of windows/sidelights/skylights/glazing in doors and sliding glass doors to the gross area of peripheral walls is not more than 22%.

| For use by Principal Authority | |
|---|---|
| Application No: | Model/Certification Number |

**A. Project Information**

| Building number, street name | Unit number | Lot/Con |
|---|---|---|
| 76 Highland Park Blvd | | |
| **Municipality** | **Postal code** | **Reg. Plan number / other description** |
| Markham | | |

**B. Prescriptive Compliance** [indicate the building code compliance package being employed in this house design]

*SB-12 Prescriptive (input design package):* Package: A1 Table: 3.1.1.2.A(IP)

**C. Project Design Conditions**

| Climatic Zone (SB-1): | Heating Equipment Efficiency | Space Heating Fuel Source |
|---|---|---|
| ■ Zone 1 (< 5000 degree days) | ■ ≥ 92% AFUE | ■ Gas ☐ Propane ☐ Solid Fuel |
| ☐ Zone 2 (≥ 5000 degree days) | ☐ ≥ 84% < 92% AFUE | ☐ Oil ☐ Electric ☐ Earth Energy |
| **Ratio of Windows, Skylights & Glass (W, S & G) to Wall Area** | | **Other Building Characteristics** |
| Area of walls = 398.7 m² or ____ ft² | W, S & G % = 18.1 | ☐ Log/Post&Beam ☐ ICF Above Grade ☐ ICF Basement |
| Area of W, S & G = 72.3 m² or ____ ft² | Utilize window averaging: ☐Yes ☐No | ☐ Slab-on-ground ■ Walkout Basement ☐ Air Conditioning ☐ Combo Unit ☐ Air Sourced Heat Pump (ASHP) ☐ Ground Sourced Heat Pump (GSHP) |

**D. Building Specifications** [provide values and ratings of the energy efficiency components proposed]

**Energy Efficiency Substitutions**

☐ ICF (3.1.1.2.(5) & (6) / 3.1.1.3.(5) & (6))
☐ Combined space heating and domestic water heating systems (3.1.1.2.(7) / 3.1.1.3.(7))

| ☐ Airtightness substitution(s) | | |
|---|---|---|
| Airtightness test required (Refer to Design Guide Attached) | ☐ Table 3.1.1.4.B Required: ____ | Permitted Substitution: ____ |
| | ☐ Table 3.1.1.4.C Required: ____ | Permitted Substitution: ____ |
| | Required: ____ | Permitted Substitution: ____ |

| Building Component | Minimum RSI / R values or Maximum U-Value(1) | | Building Component | Efficiency Ratings | |
|---|---|---|---|---|---|
| **Thermal Insulation** | Nominal | Effective | **Windows & Doors** Provide U-Value(1) or ER rating | | |
| Ceiling with Attic Space | 60 | 59.22 | Windows/Sliding Glass Doors | 0.25 | |
| Ceiling without Attic Space | 31 | 27.65 | Skylights/Glazed Roofs | 0.49 | |
| Exposed Floor | 31 | 29.8 | **Mechanicals** | | |
| Walls Above Grade | 22 | 17.03 | Heating Equip.(AFUE) | 96% | |
| Basement Walls | 20 ci | 21.12 | HRV Efficiency (SRE% at 0° C) | 75% | |
| Slab (all >600mm below grade) | | | DHW Heater (EF) | 0.8 | |
| Slab (edge only ≤600mm below grade) | 10 | | DWHR (CSA B55.1 (min. 42% efficiency)) | 42% | # Showers__ |
| Slab (all ≤600mm below grade, or heated) | 10 | 11.13 | Combined Heating System | | |

(1) U value to be provided in either W/(m²•K) or Btu/(h•ft²•F) but not both.

**E. Designer(s)** [name(s) & BCIN(s), if applicable, of person(s) providing information herein to substantiate that design meets the building code]

**Qualified Designer** Declaration of designer to have reviewed and take responsibility for the design work.

| Name | BCIN | Signature |
|---|---|---|
| Dan Pusica | 21266 | DPusica |

CA # 100142273

LICENSED PROFESSIONAL ENGINEER
I. KATZENBERG
90324401
SEP. 21 2024
PROVINCE OF ONTARIO

FOR STRUCTURAL INFORMATION ONLY

FOR 76 HIGHLAND PARK BOULVR.D THORNHILL.

ALEKSANDAR V. MARKOVIC
Architecture . Interiors
1 Valley Woods Rd., North York, Ontario M3A 2R4
Cell: (647) 838.0781 Email:a.v.m.design@sympatico.ca

THIS DRAWING MUST BE READ IN THE CONTEXT OF ALL OTHER DRAWINGS WHICH CONSTITUTE THE CONSTRUCTION DOCUMENT.
THIS DRAWING WAS DEVELOPED FOR A SPECIFIC PURPOSE. USE FOR ANY OTHER PURPOSE IS NOT PERMITTED.
THIS DRAWING SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT OF THE DESIGNER.
ALL DIMENSIONS ARE TO BE VERIFIED ON SITE PRIOR TO FABRICATION, INSTALLATION OR COMMENCING WITH WORK.
ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER FOR CLARIFICATION.
DO NOT SCALE THE DRAWINGS.

Issued

ISSUED FOR COMMITTEE OF ADJUSTMENT / SEVERANCE, CONSENT

*The undersigned has reviewed & taken responsbility for this design,and has the Qualifications and meets the Requirements set out in the Ontario Building Code to be a designer.*

*REGISTRATION INFORMATION*
*Required unless design is exempt under 2.17.4.1. of the Ontario Building Code*

| | |
|---|---|
| LJILJANA MARKOVIC<br>Name | 33107<br>BCDN # |
| Signature<br>Aleksandar V. Markovic<br>Practice Name | 34372<br>BCDN# |

Revised

| NO. | REVISIONS | DATE |
|---|---|---|
| 1 | AS PER EXAMINER'S NOTES | MAY, 2025. |
| 2 | | |

Client
Hua Lin
Yuan Chen

Project Name and Address
PROPOSED 2 STOREY DWELLING

76 Highland Park Blvd., Markham, ON, L3T 1B5

Drawing Title
ROOF PLAN

Checked by
A.M.

Scale
AS NOTED

Drawing/Sheet No.
A1.5

Project No.
25-01