

Memorandum to the City of Markham Committee of Adjustment

October 09, 2025

File: A/087/24
Address: 53 Old English Lane, Thornhill
Agent: Hirman Architects Inc. (Mani Yeganegi)
Hearing Date: Wednesday, October 15, 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 J):**
a maximum outside wall height of 8.39 m, whereas the by-law permits a maximum outside wall height of 7 m;
- b) **By-law 2024-19, Section 6.3.2.2 L):**
a garage door width of 52.2% (33 ft 8 in), whereas the by-law permits a maximum garage door width of 50% (32 ft 3 in) of the building facade;
- c) **By-law 2024-19, Section 6.3.2.2 E):**
a maximum distance from the established building line of 20.74 m for the first and second storey, whereas the by-law permits a maximum first storey distance from the established building line of 19.5 m and a maximum second storey distance from the established building line of 14.5 m;
- d) **By-law 2024-19, Section 6.3.2.2 C):**
a maximum second storey main building coverage of 22.2%, whereas the by-law permits a maximum second storey main building coverage of 20%; and
- e) **By-law 2024-19, Special Standard (xiv):**
a maximum combined main building coverage of 753.1 m², whereas the by-law permits a maximum combined main building coverage of 500 m²;

as it relates to a proposed two-storey residential dwelling with a rear yard pool house.

BACKGROUND

Property Description

The 1695.9 m² (18 254.6 ft²) subject property is located on the north side of Old English Lane, north of Steeles Avenue and east of Bayview Avenue. 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 applicant is proposing to demolish the existing dwelling and rear yard shed to construct a two-storey residential dwelling. The proposal, in addition to increasing the footprint of the dwelling, includes a pool house in the rear of the property.

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 outside wall height, garage door width, distance from the building line, second storey main building coverage and combined main building coverage. Further details on the variances are provided in the comment section below.

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, “*NEEDING MORE LIVABLE SPACE*”.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on June 25, 2024 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.

Maximum Outside Wall Height Variance

The applicant is requesting to permit a maximum outside wall height of 8.39 m, whereas the by-law permits a maximum outside wall height of 7.0 m.

The By-law calculates building height using the vertical distance of a building or structure measured from established grade to the highest top plate of the outside wall of the upper most floor or storey. The proposed massing for the dwelling is articulated by the shape of the second storey and roof, providing appropriate relief. Staff are of the opinion that the proposed maximum outside wall height will not adversely impact the character of the surrounding area and that the requested variance is minor in nature.

Garage Door Width Variance

The applicant is requesting to permit a garage door width of 52.2% (33 ft 8 in), whereas the by-law permits a maximum garage door width of 50% (32 ft 3 in) of the building

façade. The variance is for the proposed four car garage on the east side of the subject property. Staff are of the opinion that the requested variance is minor in nature as the proposed changes will have minimal impact on the building facade and as such, have no concerns.

Building Distance Variance

The applicant is requesting to permit a maximum distance of 20.74 m for the first and second storey of the proposed dwelling, whereas the by-law permits a maximum first storey distance from the established building line of 19.5 m and a maximum second storey distance from the established building line of 14.5 m.

Staff note that the established building line is defined as “a line that is the average distance between the front lot line and the nearest wall of the main building facing the front lot line on the two neighbouring lots fronting the same street”. The intent of this By-law provision is to regulate the building depth and massing in relation to the surrounding dwellings.

The purpose of the requested variance to building distance is to account for the curved lot frontage of the adjacent property, which would shorten the average distance used to measure the established building line. The proposed dwelling will maintain appropriate front yard (9.62 m) and rear yard (15.66 m from the main building) depths, and also accommodate the new dwelling and pool house. Consequently, Staff are of the opinion that the requested variance is minor in nature as the proposed changes to the distance from the established building line will have limited impact on the streetscape and will not adversely impact the neighbouring properties

Increase in Main Building Coverage Variance

The Owner is requesting to permit a main building coverage of 22% 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 dwelling will provide appropriate setbacks that are compliant and consistent with adjacent properties and will maintain the intent of the By-law to regulate massing along the neighbourhood streetscape. Tree Preservation have reviewed the application and have commented that any impacts regarding mature trees on site will be implemented during the Residential Infill Grading and Servicing (RGS) process. Staff are of the opinion that the proposed second-storey relief for building coverage will not significantly alter the character of the neighbourhood, and have no concerns.

Combined Main Building Coverage Area Variance

The Owner is requesting to permit a maximum combined main building coverage of 753.1 m², whereas By-law 2024-19 permits a maximum combined main building coverage of 500 m².

The intent of the maximum permitted building coverage provision in the By-law includes, but is not limited to, ensuring appropriate proportions of the dwelling to coverages, and within the context of the surrounding neighbourhood.

The Owner has worked with Staff to reduce the proposal through revisions to the building distance from the established building line, combined side yard setbacks, main building coverage, and lot coverage, among other variances.

Given that the proposed building coverage maintains compliant setbacks, and does not exceed the permitted lot coverage, the proposed increase in the building coverage will not significantly add to the scale and massing of the dwelling. Staff have reviewed the proposed coverage and are of the opinion that the increase will not adversely impact the character of the neighborhood or the amenity areas of adjacent properties.

As an advisory comment, Engineering Staff note that the site is located in the Thornhill area, which is known as a local flood prone area. The proposed redevelopment will require Stormwater Control for a complete Residential Infill Grading and Servicing (RGS) application, showing the control of 100-year post-development flows to 2-year cycles.

PUBLIC INPUT SUMMARY

No written submissions were received as of October 8, 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\ 24 185562 \Documents\District Team Comments Memo

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/087/24

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. Submission of a Tree Assessment and Preservation Plan, prepared by a Qualified Tree Expert in accordance with the City’s Tree Assessment and Preservation Plan (TAPP) Requirements (2024) as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Tree Preservation By-law Administrator 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, neighbouring properties, and 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 By-law Administrator.
5. If required as per Tree Preservation review, tree securities and/or tree fees be paid to the City and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation By-law Administrator.

CONDITIONS PREPARED BY:



Theo Ako-Manieson, Planner I, West District

Appendix B

File: 24.18702.000.0000
Date: 10/10/2025
MM/DD/YYYY

MAIN BLD

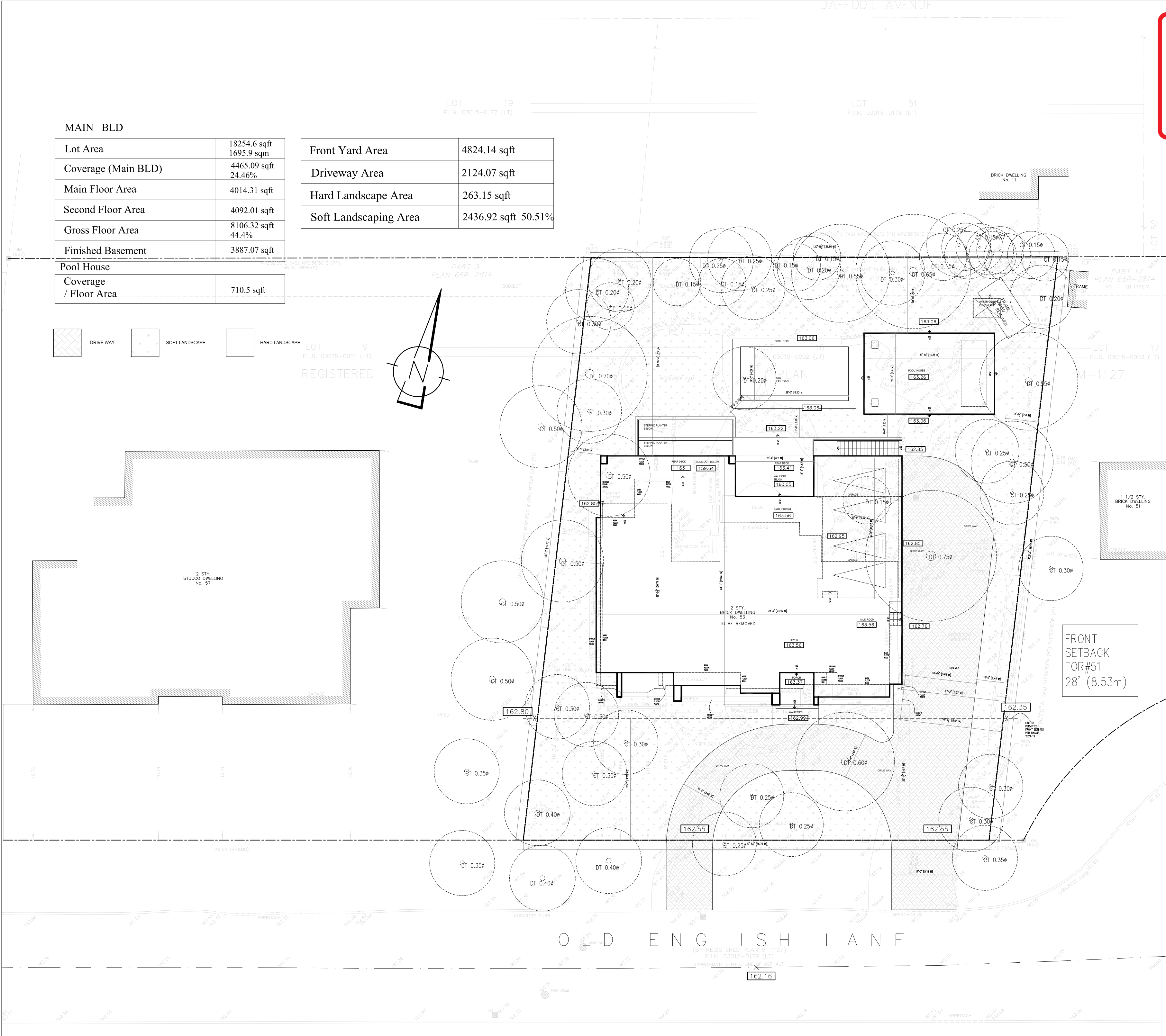
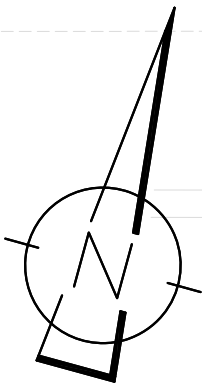
Lot Area	18254.6 sqft 1695.9 sqm
Coverage (Main BLD)	4465.09 sqft 24.46%
Main Floor Area	4014.31 sqft
Second Floor Area	4092.01 sqft
Gross Floor Area	8106.32 sqft 44.4%
Finished Basement	3887.07 sqft

Pool House	
Coverage / Floor Area	710.5 sqft

Front Yard Area	4824.14 sqft
Driveway Area	2124.07 sqft
Hard Landscape Area	263.15 sqft
Soft Landscaping Area	2436.92 sqft 50.51%



LOT 9
P.I.N. 03015-0001 (LT)
REGISTERED



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SHEET TITLE: SITE PLAN

SCALE: 3/32"=1'-0"
PAPER SIZE: 18"x24"

ARCHITECTURAL DESIGN
HIRMAN ARCHITECTS INC.
46 MCCALLUM DRIVE
RICHMOND HILL, ON., L4C 7S8
Tel: (647) 401-3922

PROJECT:
53 OLD ENGLISH LANE
, MARKHAM

SHEET NUMBER:

A0

Appendix B

File: 24.187022.000.00.0000
Date: 10/10/2025
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SHEET TITLE: ROOF

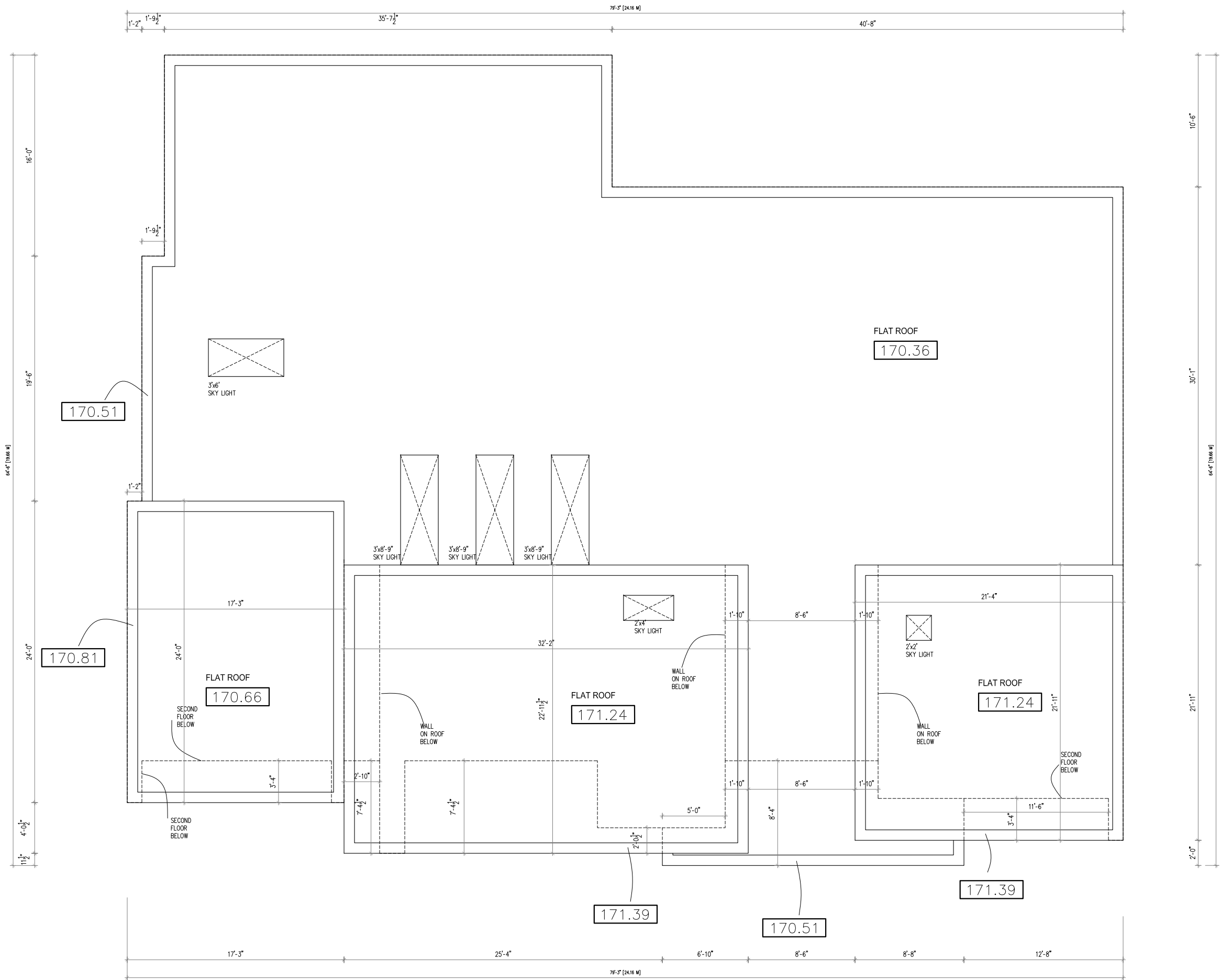
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PROJECT:
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, MARKHAM

SHEET NUMBER:

A4



Appendix B

File: 24.187022.000.00.0000
Date: 10/10/2025
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Hirman
Hirman Architects
ISSUED FOR
ZONING REVIEW 2024-05-29
COA 2024-07-31
REVISED 2025-06-28

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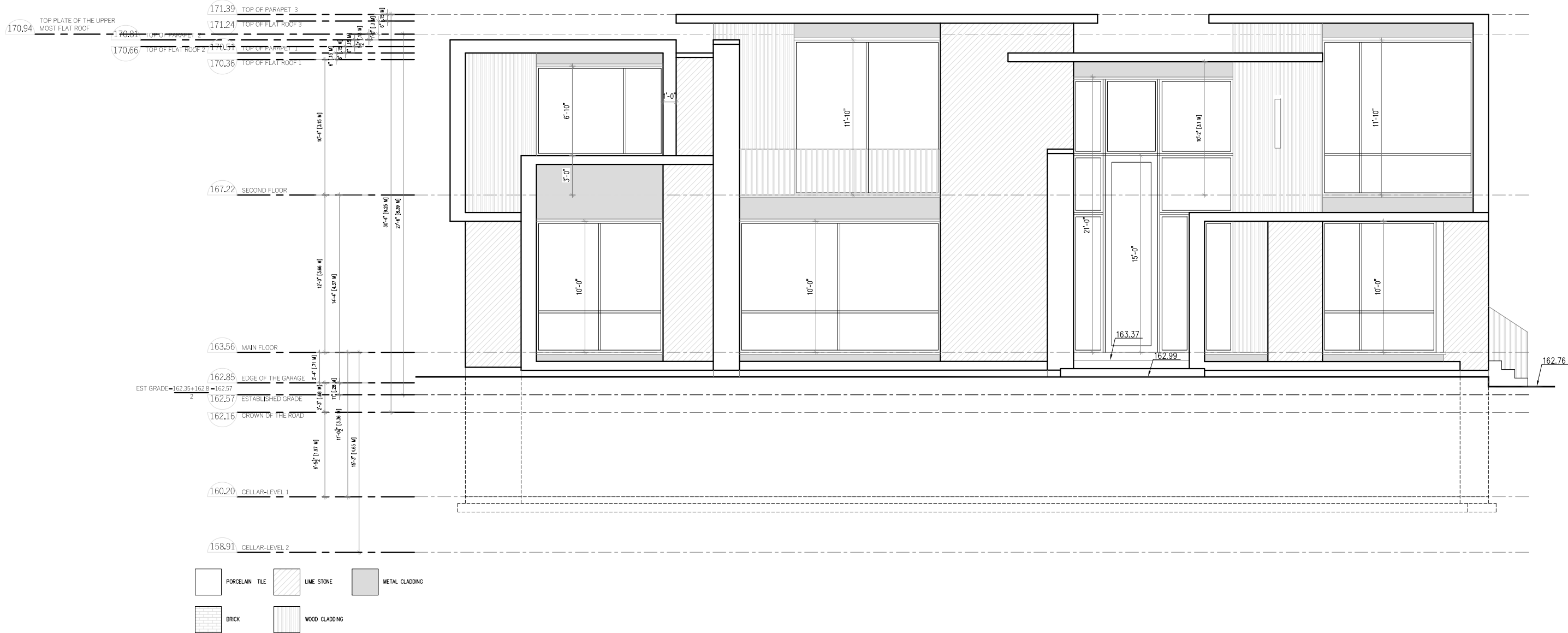
SHEET TITLE:
MAIN (SOUTH) ELEVATION

SCALE: 1/8"=1'-0"
PAPER SIZE: 18"x24"

ARCHITECTURAL DESIGN
HIRMAN ARCHITECTS INC.
46 MCCALLUM DRIVE
RICHMOND HILL, ON., L4C 7S8
Tel: (647) 401-3922

PROJECT:
53 OLD ENGLISH LANE
, MARKHAM

SHEET NUMBER: A5



Appendix B

File: 24.187522.000.00.0000
Date: 10/10/2025
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ISSUED FOR
ZONING REVIEW 2024-05-29
COA 2024-07-31
REVISED 2025-06-28

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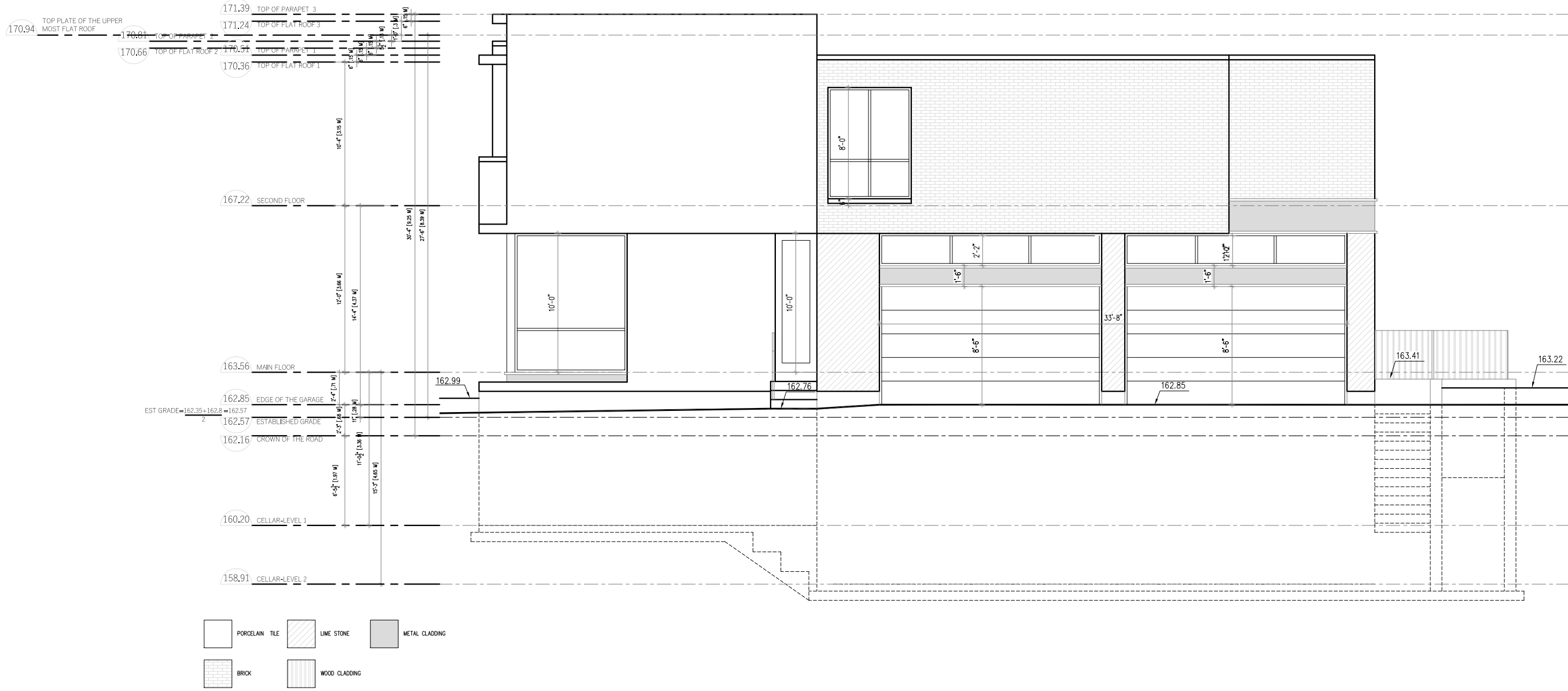
SHEET TITLE: SIDE (EAST) ELEVATION

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PROJECT:
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, MARKHAM

SHEET NUMBER: A6



Appendix B

File: 24.187022.000.00.0000
Date: 10/10/2025
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Hirman
Hirman Architects
ISSUED FOR
ZONING REVIEW 2024-05-29
COA 2024-07-31
REVISED 2025-06-28

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SHEET TITLE:
REAR (NORTH) ELEVATION

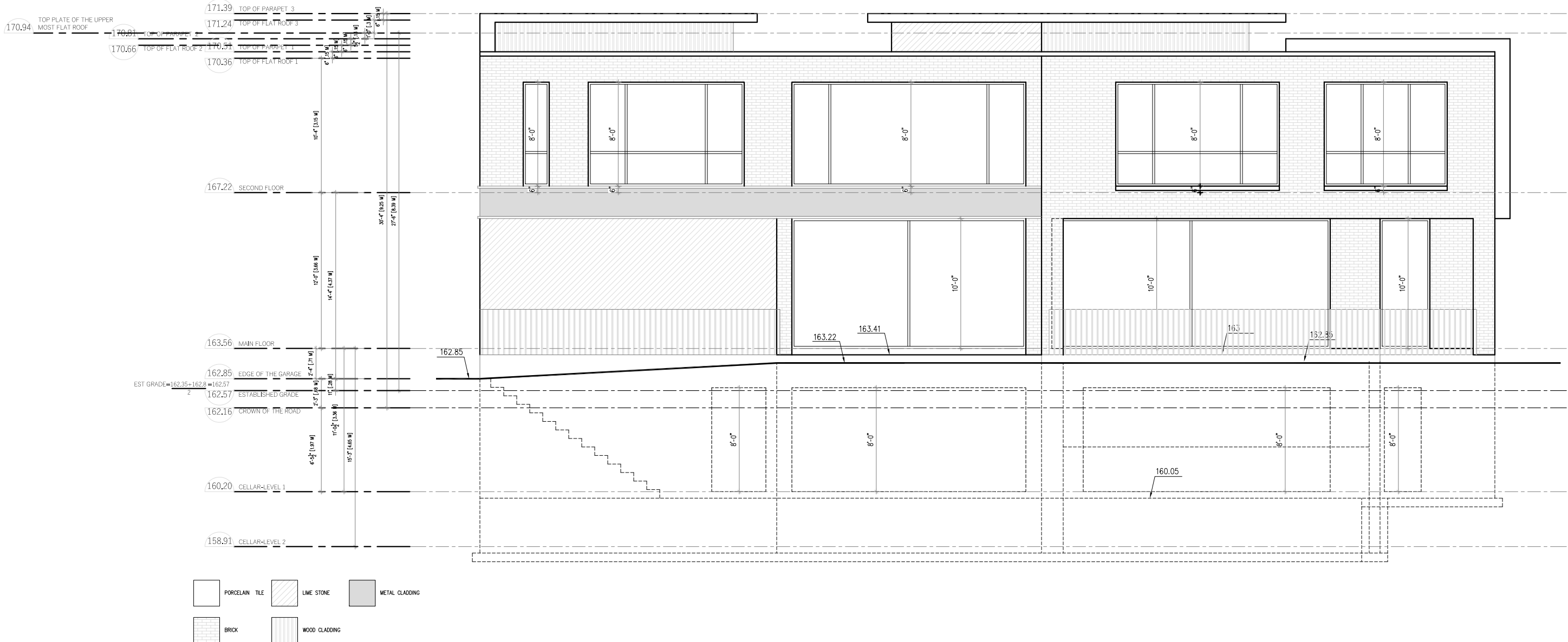
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SHEET NUMBER: A7



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



SHEET NUMBER: **A8**

