

# Memorandum to the City of Markham Committee of Adjustment

November 26, 2025

**File:** A/142/25  
**Address:** 40 John Dexter Place, Markham  
**Applicant:** Ajtdesign.ca (Andy Trotter)  
**Hearing Date:** Wednesday, December 10, 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 second-storey addition above the attached garage for an existing two-storey residential dwelling. The requested variances are to permit:

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

a maximum main building coverage of 22.82 percent for the second storey, whereas the by-law permits a maximum main building coverage of 20 percent for any storey above the first; and

**b) By-law 2024-19, Section 6.3.2.2(i):**

a minimum west interior side yard setback of 1.37 metres, whereas the by-law requires a minimum interior side yard setback of 2.59 metres

## BACKGROUND

### Property Description

The 624.79 m<sup>2</sup> (6,725.18 ft<sup>2</sup>) subject property is located on the north side of John Dexter Place, west of Ninth Line and south of Highway 7 east. The property is located within an established residential neighbourhood comprised of two-storey detached dwellings. The immediate surrounding neighborhood has similar second storey additions completed in the past. There is an existing detached dwelling on the property, which according to assessment records was constructed in 1968. Mature vegetation exists on the property.

### Proposal

The applicant is proposing to construct a 61.36 m<sup>2</sup> (660.47 ft<sup>2</sup>) second-storey addition above the attached garage for an existing two-storey residential dwelling.

### 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. Section 8.2.3.5 of the 2014 Official Plan outlines development criteria for the "Residential Low Rise" designation to ensure infill development respects and reflects the existing pattern and character of the surrounding neighborhood. These criteria include policies with respect to height, massing, setbacks, and protection of existing vegetation.

### Zoning By-Law 2024-19

The subject property is zoned RES-ENLR under By-law 2024-19, as amended, which permits Detached, Semi-Detached, Home Child Care, and Shared Housing – Small Scale.

**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, *"the proposed 2<sup>nd</sup> level addition sits squarely on the existing garage"*

**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 (25.127196.00 HP) 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 Main Building Coverage (Second Storey)**

The applicant is requesting relief to permit a maximum main building coverage of 22.82 percent for the second storey, whereas the By-Law permits a maximum main building coverage of 20 percent for any storey above the first. This represents an increase of approximately 17.60 m<sup>2</sup> (189.65 ft<sup>2</sup>).

The building footprint remains unchanged and meets most other zoning provisions that establish the prescribed building envelope, which ensures the proposed dwelling will be in keeping with the scale of existing detached dwellings for the neighbourhood. The proposed gross floor area is also consistent with recent second storey addition trends in the immediate neighborhood.

Staff have no concerns with the requested variance.

**Reduced Interior Side Yard Setback**

The applicant is requesting relief to permit a reduced interior side yard of 1.37 metres, whereas the By-Law requires a minimum interior side yard of 2.59 metres.

Staff note that the proposed addition is situated atop the existing garage and that the dwelling footprint and setbacks are being maintained. The proposed reduction to the interior side yard setback will not disrupt the existing streetscape and maintains an appropriate scale for the neighbourhood. Staff have no concerns with the proposed variance.

Engineering Staff have reviewed the application and have no comments.

**PUBLIC INPUT SUMMARY**

As of December 3, 2025, the City received 2 letters of support for the application. 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.

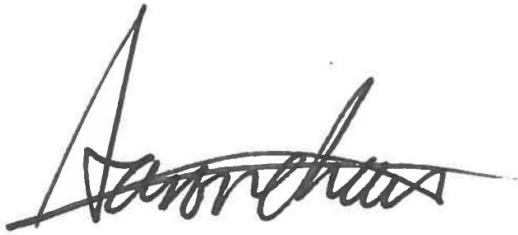
Please refer to Appendix "A" for conditions to be attached to any approval of this application.

**APPENDICIES**

Appendix "A" – A/142/25 Conditions of Approval

Appendix "B" – Drawings

PREPARED BY:



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Aaron Chau, Planner I, East District

REVIEWED BY:



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Stacia Muradali, Development Manager, East District

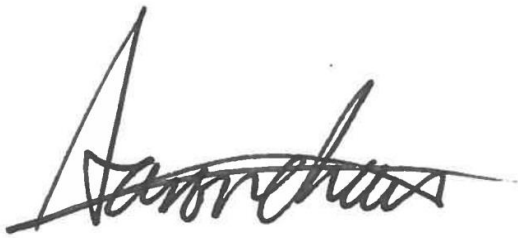
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**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/142/25**

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:

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

Aaron Chau, Planner I, East District

Appendix B

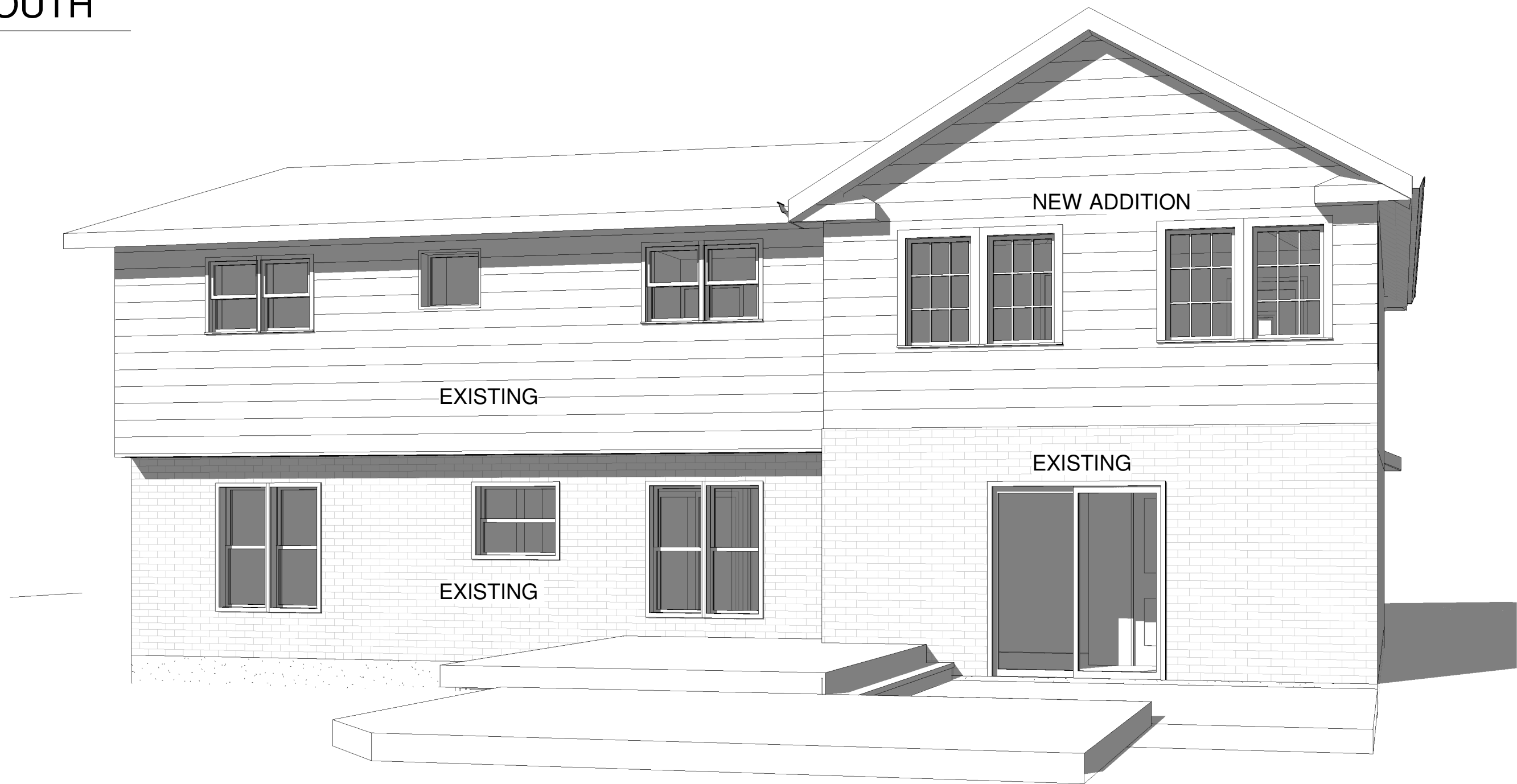
File: 25.130167.000.00.0000

Date: 12/3/2025

MM/DD/YYYY



1 SOUTH



2 NORTH

"DO NOT SCALE"  
CONTRACTOR MUST VERIFY ALL DIMENSIONS  
PRIOR TO COMMENCEMENT OF WORK  
ALL PERMITS AND SPECIFICATIONS  
ARE THE PROPERTY OF THE DESIGNER  
AND MUST BE RETURNED UPON  
COMPLETION OF THE WORK  
THE DRAWINGS ARE NOT TO BE USED FOR  
ANY OTHER JOB THAN THE ONE FOR  
WHICH THEY ARE ASSIGNED

The under signed has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer

QUALIFICATION INFORMATION  
Required unless design is exempt under 2.17.5.1 of the building code  
Andrew Trotter #38055  
Name Signature BCIN

REGISTRATION INFORMATION  
Required unless design is exempt under 2.17.5.1 of the building code  
AJTDESIGN.CA #102446  
Name Signature BCIN

AJTDESIGN.CA  
416 573 7625

40 JOHN DEXTER PL.  
MARKHAM, L3P 3G1

CONCEPT

Project number	2518
Date	OCT. 23, 2025
Drawn by	AJT
Checked by	AJT

A0

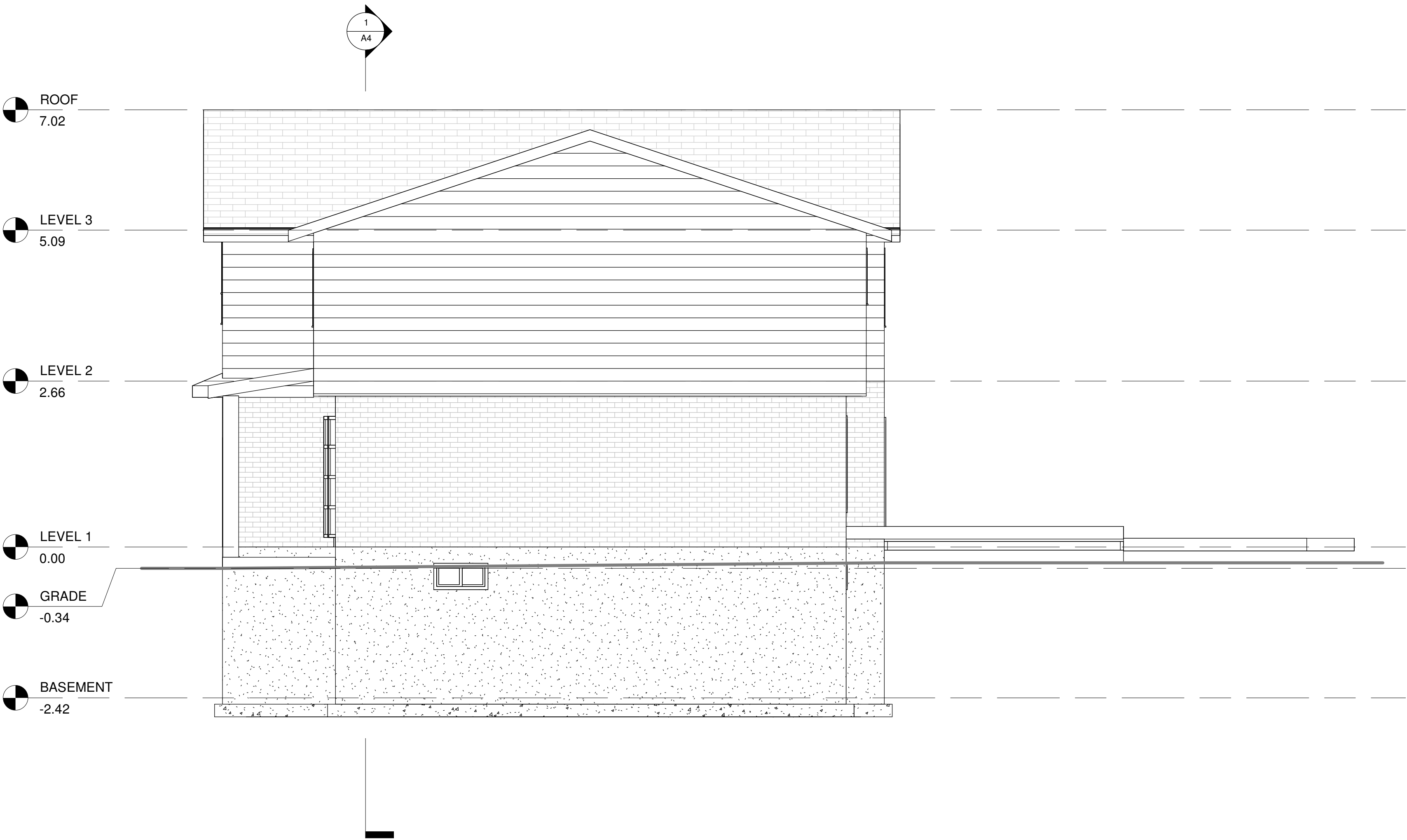
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Appendix B

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Date: 12/3/2025

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A10	EAST ELEVATION	
Project number		2518
Date		OCT. 23, 2025
Drawn by		AJT
Checked by		AJT
A10		
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Appendix B

File: 25.130167.000.00.0000

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A7 SOUTH ELEVATION

Project number	2518
Date	OCT. 23, 2025
Drawn by	AJT
Checked by	AJT
A7	
Scale	1 : 50

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GREY HATCH IS EXACT GLAZING



1 SOUTH

1 : 50

Appendix B

File: 25.130167.000.00.0000

Date: 12/3/2025

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Name		BCIN

REGISTRATION INFORMATION

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AJTDESIGN.CA	Signature	#102446
Name		BCIN

AJTDESIGN.CA

416 573 7625

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MARKHAM, L3P 3G1

A8 NORTH ELEVATION

Project number	2518
Date	OCT. 23, 2025
Drawn by	AJT
Checked by	AJT

A8

Scale	1 : 50
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1 NORTH

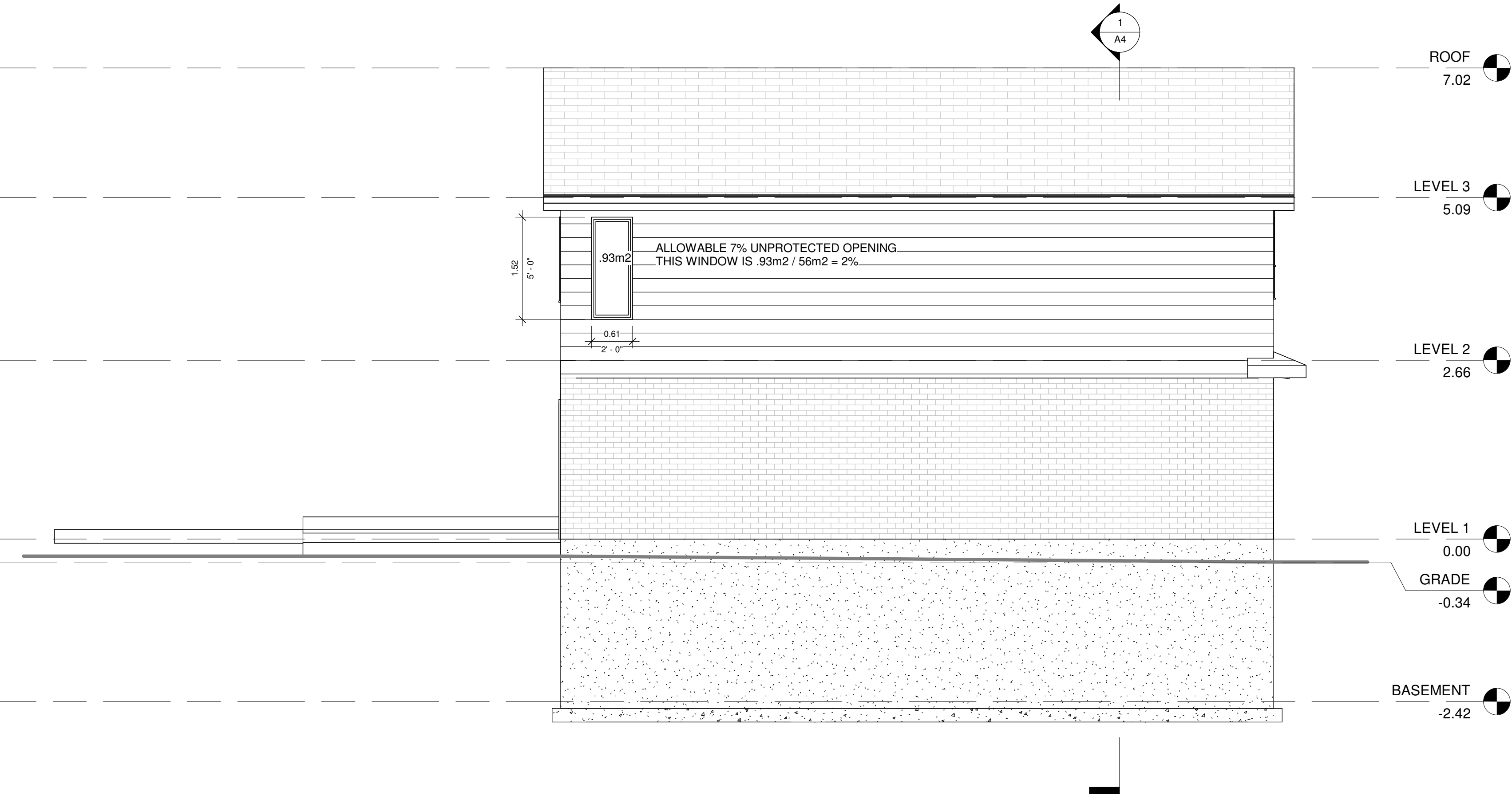
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Appendix B

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Date: 12/3/2025

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Name Signature BCIN

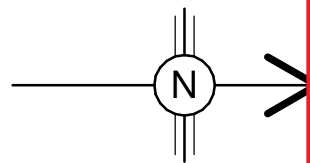
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416 573 7625

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MARKHAM, L3P 3G1

A9 WEST ELEVATION	
Project number	2518
Date	OCT. 23, 2025
Drawn by	AJT
Checked by	AJT
A9	
Scale	1 : 50

SITE STATISTICS	
ZONING =	RES-ENLR
LOT AREA =	624.79m <sup>2</sup>
EX. LEVEL 1 GFA =	137.01m <sup>2</sup>
EX. LEVEL 2 GFA =	81.22m <sup>2</sup>
NEW LEVEL 2 GFA =	142.58m <sup>2</sup>
EX. FSI =	0.35
NEW FSI =	0.45
MAIN BUILDING COVERAGE =	142.58m <sup>2</sup> (22.82%)
TOTAL LOT COVERAGE =	157.46m <sup>2</sup> (25.2%)
(INCL. PORCH & SHED)	(UNCHANGED - NO CHANGES TO BLDG. FOOTPRINT)

LANDSCAPING CALCULATIONS	
FRONT YARD =	166.83m <sup>2</sup>
SOFT LANDSCAPING =	97.76m <sup>2</sup> (58.6%)
REAR YARD =	286.34m <sup>2</sup>
GRASS =	116.25m <sup>2</sup>
POOL =	58.87m <sup>2</sup>
TOTAL SOFT LANDSCAPING =	175.12m <sup>2</sup> (61.2%)

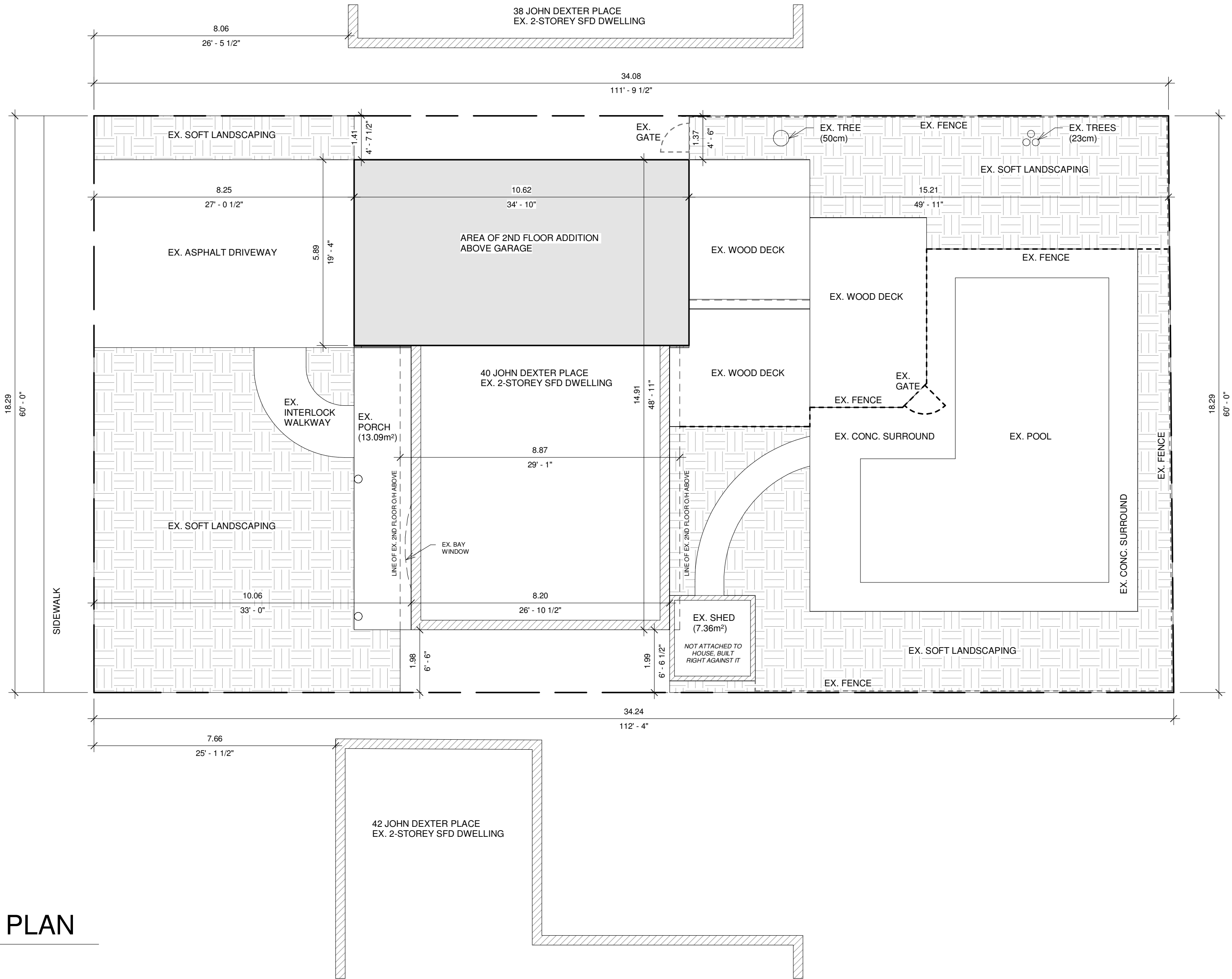


## Appendix B

File: 25.19147.000.00.000

Date: **12/3/2025**  
MM/DD/YYYY

JOHN DEXTER PLACE



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AJTDESIGN.CA Signature #102446 BCIN  
Name

AJTDESIGN.CA

416 573 7625

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MARKHAM, L3P 3G1

### SITE PLAN

Project number	2518
Date	OCT. 23, 2025
Drawn by	AJT
Checked by	AJT

AS

Scale	1 : 100
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1 SITE PLAN  
1 : 100