

Memorandum to the City of Markham Committee of Adjustment

November 05, 2025

File: A/131/25
Address: 133 Thomas Catterall Street, Markham
Agent: RN Design (David Huie)
Hearing Date: Wednesday November 26, 2025

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

The applicant is requesting relief from the following requirements of By-law 177-96, as amended, as it relates to a proposed rear detached garage. The variance requested is to permit:

a) By-law 177-96, Section 6.3.2.1 a) iii):

a minimum interior side yard setback of 0 metres for a detached private garage, whereas the by-law requires a minimum interior side yard setback of 0.5m for a detached private garage

BACKGROUND

Property Description

The 342.80 m² (3,689.87 ft²) subject property is located on the east side of Thomas Catterall Street, south of Highway 7 East, and west of Donald Cousens Parkway. The property is located within a newly established residential subdivision comprised of a mix of two-storey detached and townhouse dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments.

Proposal

The applicant is proposing to construct a townhouse dwelling. The proposal also includes a detached rear laneway garage.

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 and townhouse dwellings.

Zoning By-Law Residential Mid Rise

The subject property is zoned R2-LA*657 under By-law 177-96, as amended, which permits Single and Semi-Detached Dwellings, Duplex, Triplex and Fourplex Dwellings, Townhouse Dwellings, and Home Occupation and Home Child Care.

Exception *657 relates to permitted uses being limited to Townhouse Dwellings, Single Detached Dwellings designated under Part IV of the Ontario Heritage Act, Home Occupations, Home Child Care, and One Accessory Dwelling Unit. Exception *657 also relates to the application of specific Zone Standards.

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 detached garage is not paired, therefore the setback is required.*”

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 Interior Side Yard Setback (Detached Private Garage)

The applicant is requesting a minimum interior side yard setback of 0m for a detached private garage, whereas the By-Law requires a minimum interior side yard setback of 0.5m.

The requested variance only applies to the rear laneway detached private garage, which is a result of the subject property being an end-unit townhouse. Unlike the other garages within the development that are paired and share a mutual lot line, this garage is standalone and therefore does not share a lot line with the neighboring garage. The subject garage is also a double car garage whilst the other garages are single car garages. The variance does not result in a precedent given the unique conditions with the dwelling and associated garage located on an end lot and not paired with a neighboring garage.

Staff have no objections to the requested variance, as it does not impact adjacent properties and addresses a By-law provision which does not reflect the character of the subject property.

PUBLIC INPUT SUMMARY

No written submissions were received as of November 17, 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.

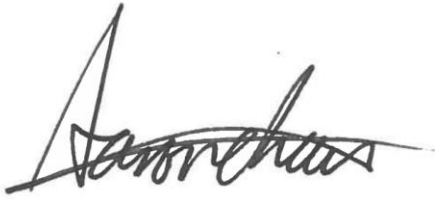
CONCLUSION

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:



Aaron Chau, Planner I, East District

REVIEWED BY:



Stacia Muradali, Development Manager, East District

File Path: Amanda\File\ 25 136997 \Documents\District Team Comments Memo

APPENDICIES

Appendix "A" – A/131/25 Conditions of Approval

Appendix "B" - Drawings

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/131/25

1. The variances apply only to the proposed rear laneway detached private garage 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 in a cursive style.

Aaron Chau, Planner I, East District

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

Appendix B

File: _____
Date: **11/17/2025**
MM/DD/YYYY

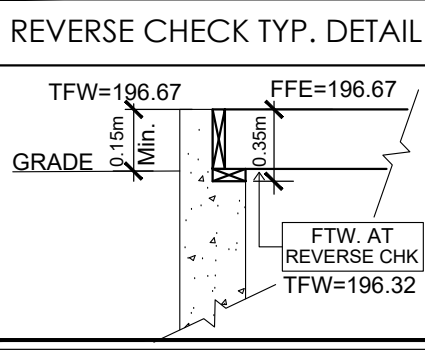
LEGEND	
FFE FINISHED FLOOR ELEVATION	SP SUMP PUMP
TFW TOP OF FOUNDATION WALL	BP BELL PEDESTAL
TBS TOP OF BASEMENT SLAB	CP CABLE PEDESTAL
USF UNDER SIDE FOOTING	CB CATCH BASIN
USFR UNDER SIDE FOOTING @ REAR	DBL. CATCH BASIN
USFG UNDER SIDE FOOTING @ GARAGE	EF ENGINEERED FILL
TEF TOP OF ENGINEERED FILL	HC HYDRO CONNECTION
R NUMBER OF RISERS TO GRADE	FH FIRE HYDRANT
WOD WALKOUT DECK	SL STREET LIGHT
LOB LOOKOUT BASEMENT	MB MAIL BOX
WOB WALK OUT BASEMENT	TR TRANSFORMER
WUB WALK UP BASEMENT	SC2 SEWER CONNECTIONS 2 LOTS
REV REVERSE PLAN	SC1 SEWER CONNECTIONS 1 LOT
STD STANDARD PLAN	WC WATER CONNECTION
△ DOOR	WV WATER VALVE CHAMBER
○ WINDOW	HV HYDRANT AND VALVE
AC AIR CONDITIONING	HM HYDRO METER
DS DOWN SPOUT TO SPLASH PAD	GM GAS METER
DSPT DOWNSPOUT CONNECTED TO STM	MS MANHOLE - STORM
SD SWALE DIRECTION	MS-S MANHOLE - SANITARY
-X- CHAINLINK FENCE	
-XX- PRIVACY FENCE	
-XXX- SOUND BARRIER	
- - - FOOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE	

ISSUED OR REVISION COMMENTS				
NO.	DESCRIPTION	DATE	DWN	CHK
7	REVISED PER CLIENT COMMENT	04-DEC-24	-	AL
8	REVISED PER CLIENT COMMENT	22-APR-25	-	AL
9	REV AS PER CITY COMMENTS	20-MAY-25	-	AL
10	ISSUED FINAL	18-AUG-25	D.H	

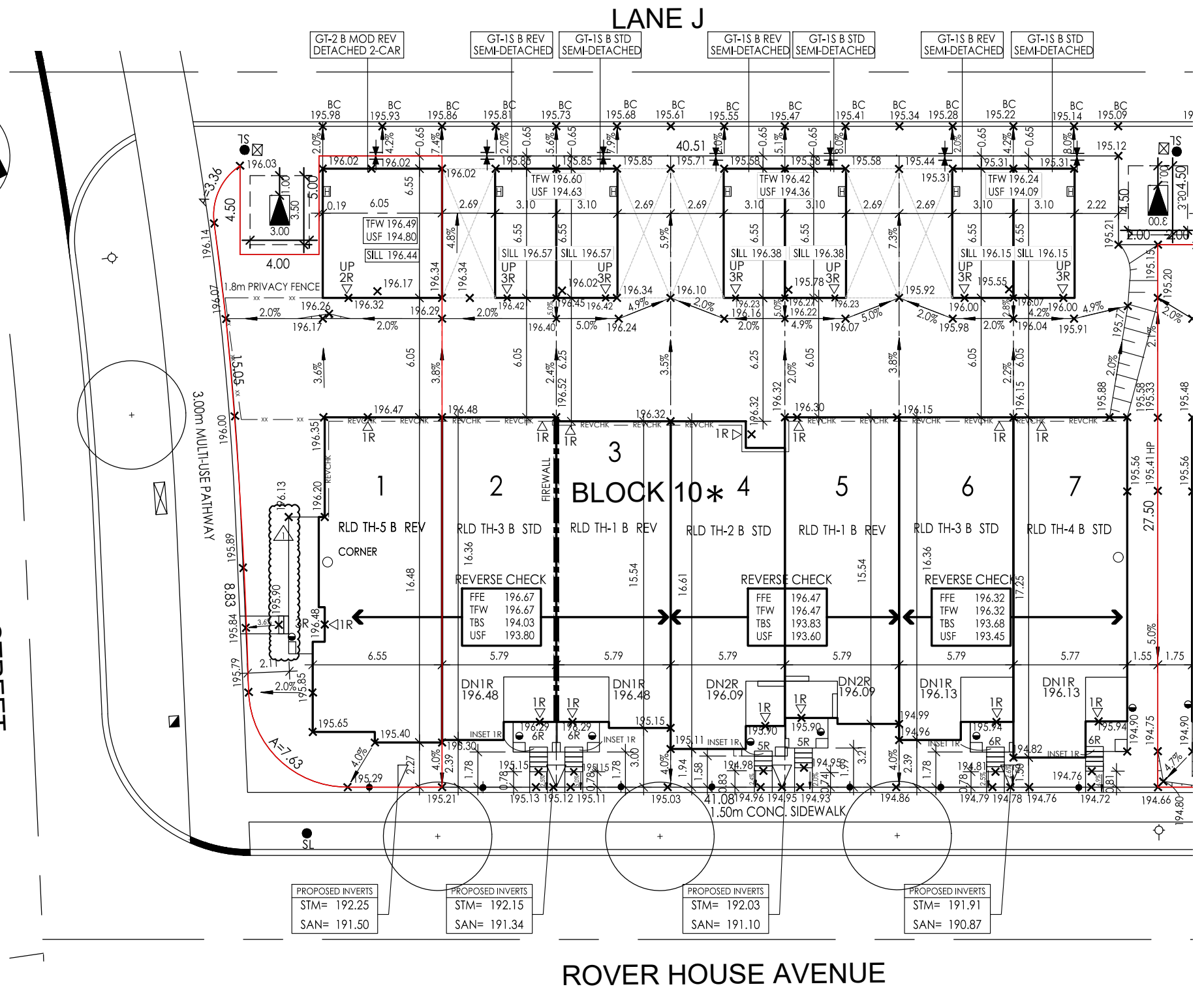
RN DESIGN
WWW.RNDESIGN.COM
T:905-738-3177
WWW.THEPLUSGROUP.CA

I, ARTHUR PUJ YAN LAW DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF **RN DESIGN LTD.** UNDER DIVISION C, PART-3 SUBSECTION-3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.
QUALIFIED DESIGNER BCIN: 41230
FIRM BCIN: 26995
DATE:

CLIENT: **LINDWIDE DEVELOPMENTS**
PROJECT/LOCATION: **CORNELL CITY OF MARKHAM**
DRAWING: **SITE PLAN**
DRAWN BY: **BWS** SCALE: **1:250**
PROJECT No.: **19090** LOT NUMBER: **BLK 10**



THOMAS CATTERALL STREET



LOT#	MUNICIPAL ADDRESS	MODEL	GARAGE MODEL	GARAGE DIM. W x L (m)	LOT FRONTAGE (m)	AMENITY SPACE (m2)	BUILDING HEIGHT (m)
1	2	RLD TH-5 B REV	GT-2-MOD B REV DETACHED 2 CAR	5.59 X 6.10	9.65	65.4	8.2
2	4	RLD TH-3 B STD	GT-1S B REV SEMI-DETACHED	2.77 X 6.10	5.79	35.0	
3	6	RLD TH-1 B REV	GT-1S B STD SEMI-DETACHED	2.77 X 6.10	5.79	36.2	
4	8	RLD TH-2 B STD	GT-1S B REV SEMI-DETACHED	2.77 X 6.10	5.79	38.9	
5	10	RLD TH-1 B REV	GT-1S B STD SEMI-DETACHED	2.77 X 6.10	5.79	35.0	
6	12	RLD TH-3 B STD	GT-1S B REV SEMI-DETACHED	2.77 X 6.10	5.79	35.0	
7	14	RLD TH-4 B STD	GT-1S B STD SEMI-DETACHED	2.77 X 6.10	7.32	44.4	

SERVICE CONNECTIONS ARE PROPOSED: BUILDER TO CONFIRM AS-BUILT CONNECTIONS. PRIOR TO CONSTRUCTION OF FOOTINGS.

- FOOTINGS TO BEAR ON NATURAL UNDISTURBED SOIL AND BE A MIN. OF 1.22m BELOW FINISHED GRADE. UNDERSIDE OF FOOTINGS SHOWN ARE TAKEN FROM ARCHITECTURAL PLANS AND MY NOT REPRESENT ACTUAL FOOTING LEVEL.
- BASE CURB ELEVATION TO BE CHECKED VS GARAGE SLAB ELEVATION TO ENSURE ADEQUATE DRIVEWAY GRADE BEFORE CONSTRUCTING GARAGE.
- DOWNSPOUTS TO DISCHARGE ONTO GROUND VIA SPLASH PAD
- FOR DETAILS OF THE LANEWAY & PRIVACY FENCE REFER TO THE LANDSCAPE DRAWINGS

BUILDING TO ENSURE WATERBOX IS ACCESSIBLE AND OPERATIONAL AT ALL TIMES