

Memorandum to the City of Markham Committee of Adjustment

September 04, 2025

File: A/027/25
Address: 21 Ovida Boulevard, Markham
Applicant: Prohome Consulting Inc (Vincent Emami)
Hearing Date: Wednesday, September 24, 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, to permit a new two-storey dwelling unit:

- a) **By-law 2024-19, Section 6.3.2.1 (c)(xvi):**
a combined main building coverage of 601.36 square metres, whereas the by-law permits a maximum combined main building coverage of 500 square metres;
- b) **By-law 2024-19, Section 6.3.2.2 (j):**
a maximum outside wall height of 7.37 metres, whereas the by-law permits a maximum outside wall height of 7.0 metres;
- c) **By-law 2024-19, Section 6.2.1 (b):**
a roof structure with a pitch of less than 25 degrees to project 1.88 metres beyond the maximum outside wall height, whereas the by-law permits a roof structure to project a maximum outside wall height of 1.0 metres;
- d) **By-law 2024-19, Section 6.3.2.2 (L):**
a maximum garage door width of 4.88 metres or 60 percent of the building facade, whereas the by-law permits a maximum garage door width of 50 percent of the building facade; and
- e) **By-law 2024-19, Section 4.8.8 (c)(ii):**
a balcony to project 4.6 metres from the main wall, whereas the by-law permits a maximum balcony projection of 1.8 metres; as it relates to a proposed two-storey residential dwelling.

BACKGROUND

Property Description

The 1,716.66 m² (18,477.98 ft²) subject property is located on the east side of Ovida Boulevard, south of Highway 7. 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.

There is an existing one storey detached dwelling on the property, which according to assessment records was constructed in 1972. Mature vegetation exists on the property.

Proposal

The applicant is proposing to construct a two-storey detached dwelling with a gross floor area of 601.36 m² (6,473 ft²).

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. The Official Plan also contains criteria for the protection of the physical character of established neighborhood in Section 8.2.3.1a which states:

“On lands designated ‘Residential Low Rise’ to respect the physical character of established neighborhoods including heritage conservation districts”

Zoning By-Law 2024-19

The subject property is zoned RES-ENLR under By-law 2024-19, as amended, which permits a detached dwelling, home childcare, home occupation, and shared housing-small scale.

Zoning Preliminary Review (ZPR) Undertaken

The applicant has completed a Zoning Preliminary Review (ZPR) to confirm the initial variances required for the proposed development. The applicant submitted revised drawings on July 31, 2025. The applicant has not conducted a Zoning Preliminary Review 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.

Increase in Maximum Main Building Coverage

The applicant is requesting relief to permit a maximum combined main building coverage of 601.36 square meters, whereas the by-law permits a maximum combined main building coverage of 500 square metres.

Despite the increased maximum combined main building coverage, staff note that the proposed main floor coverage of 17.05% and second floor coverage of 17.97% remain well below the By-law’s maximums of 30% and 20% respectively. The building layout meets most other zoning provisions such as setbacks that establish the prescribed envelope, which ensures the proposed dwelling is similar to the scale of recent residential infill developments in the neighborhood.

The proposed gross floor area is also in keeping with the recent trend of infill developments in the area. The subject lands are sizable and secluded, with limited visibility from the

street, thereby further reducing the potential for negative impacts associated with an increased combined building coverage.

Staff have no concerns for the proposed variance.

Increase in Maximum Outside Wall Height

The applicant is requesting relief to permit a maximum building height of 7.37 m (24.18 ft), whereas the By-law permits a maximum building height of 7 m (22.97 ft). This represents an increase of 0.37 m (1.21 ft).

This is a minor increase that will not adversely impact abutting properties and due to the secluded nature of the property, the increase in maximum outside wall height will not impact the streetscape. The requested variance is appropriate, and staff have no objection.

Increase in Roof Projection

The applicant is requesting relief to permit a roof structure with a pitch of less than 25 degrees to project 1.88 metres beyond the maximum outside wall height, whereas the by-law permits a maximum projection of a roof with a pitch of less than 25 degrees of 1.0 metre from the permitted outside wall height.

The roof structure is modest in scale overall and the minor increase in projection does not result in any negative impacts that will adversely impact the immediate surroundings. The design maintains appropriate proportions and remains consistent with the built form character of the neighborhood.

Increase in Maximum Garage Door Width

The applicant is requesting a maximum garage door width of 4.88m or 60 percent of the building façade, whereas the by-law permits a maximum garage door width of 50 percent of the building façade.

The requested variance is a result of the combination between lot configuration and the side-loading garage design. The subject property is located at the corner of Ovida Boulevard and Riverview Avenue, with the lot frontage oriented to the side. As a result, the garage is situated along the frontage.

The intent of the Zoning By-law provision is to ensure the garage does not dominate the primary façade of a dwelling. Staff opine that due to the unique nature of the lot configuration, and that the dwelling is sufficiently set back from the street, the variance request is desirable, and the intent of the by-law has been maintained. To further minimize the visual impact of the garage, staff suggest that the applicant consider installing a garage door that is complementary to the overall design of the building.

Increase in Balcony Projection

The applicant is requesting relief for an increased balcony projection of 4.6 m (15.09 ft) from the main wall, whereas the by-law permits a maximum balcony projection of 1.8 m (5.91 ft)

Staff note that the projection of 4.6 m (15.09 ft) is a result of a 1.8 m (5.91 ft) wide portion of the rear wall that is stepped back 2.8 m (9.19 ft). The majority of the balcony projects

1.8 m (5.91 ft), which complies with the By-Law. Staff are of the opinion that the variance for balcony projection will have minimal impact on the adjacent properties.

PUBLIC INPUT SUMMARY

No written submissions were received as of September 19, 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.

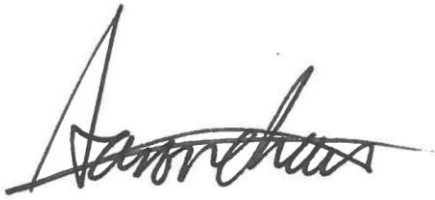
CONCLUSION

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 114157 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/027/25

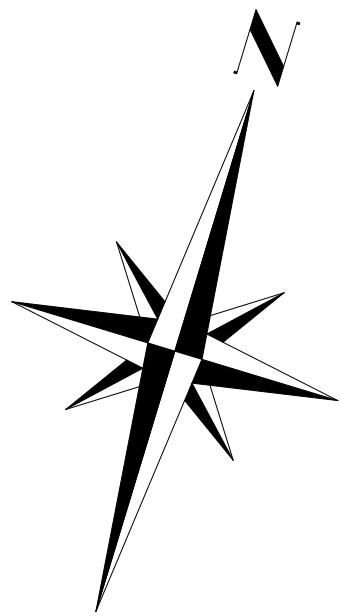
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and that the Secretary-Treasurer receive written confirmation from the Supervisor 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', with a large, sweeping initial 'A'.

Aaron Chau, Planner I, East District

LOT AREA: 1716.66 M ²		LOT COVERAGE (GROND FLOOR): 292.92 M ² 17.06%		LOT COVERAGE (SECOND FLOOR): 308.44 M ² 17.97%	
GFA	GROUND FLOOR (EXCL. GARAGE)	GARAGE	SECOND FLOOR AREA	BASEMENT	COMBINED FLOOR AREA (INCL. GARAGE & OPEN FLOOR, EXCL. BASEMENT)
TOTAL	2,686 FT ² /249.57 M ²	467 FT ² /43.35 M ²	3,320 FT ² /308.44 M ²	2,686 FT ² / 249.57 M ²	6,473 FT ² /601.36 M ²



OVIDA BOULEVARD

RIVERVIEW AVENUE

RIVERVIEW ROAD

Appendix B

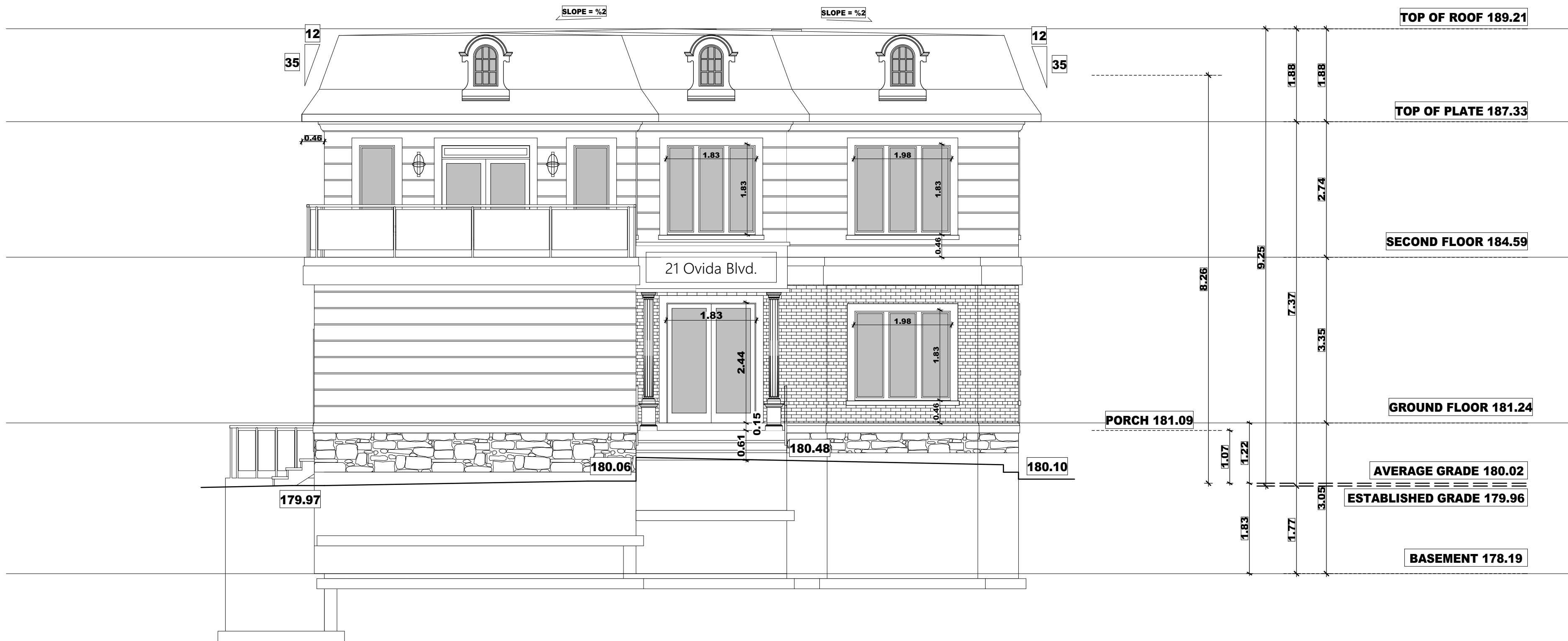
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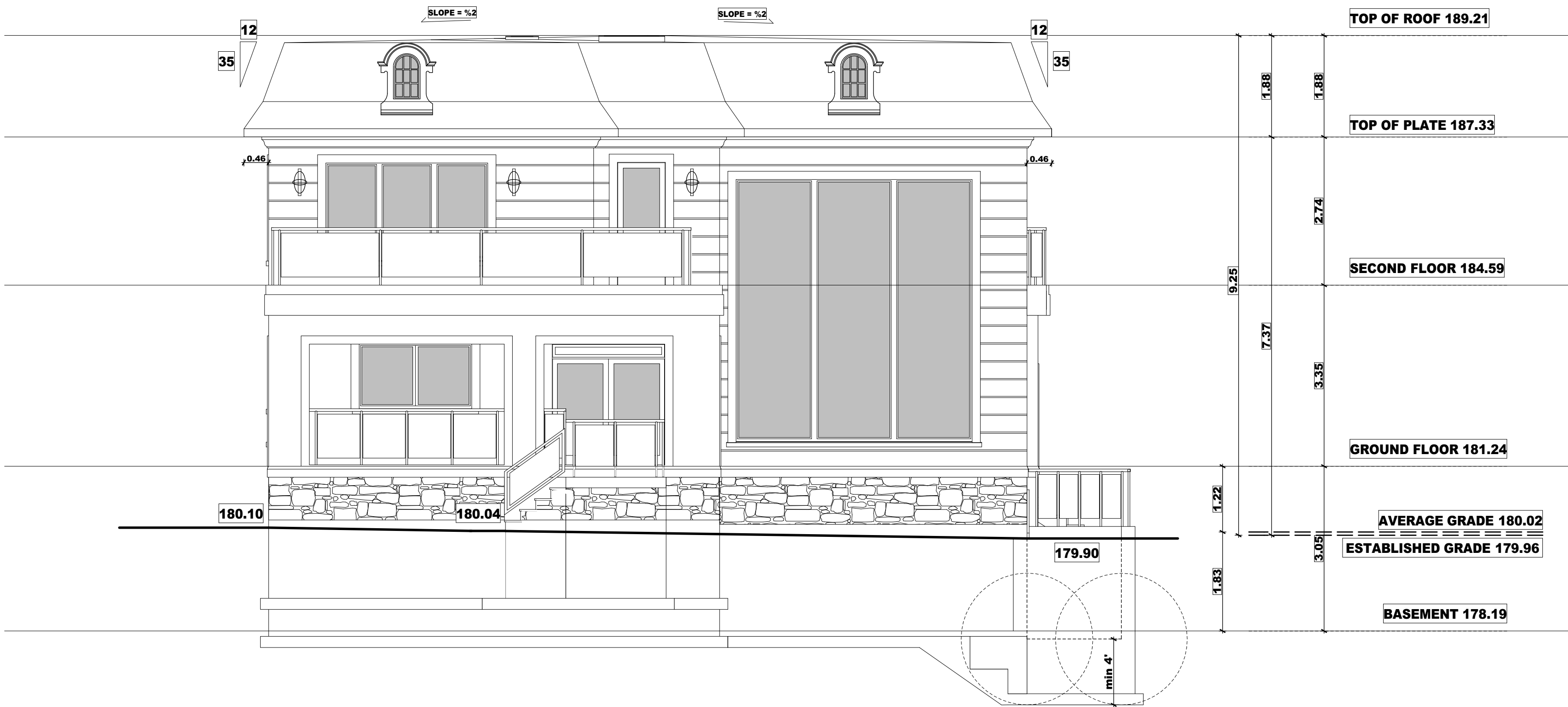
Appendix B

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Appendix B

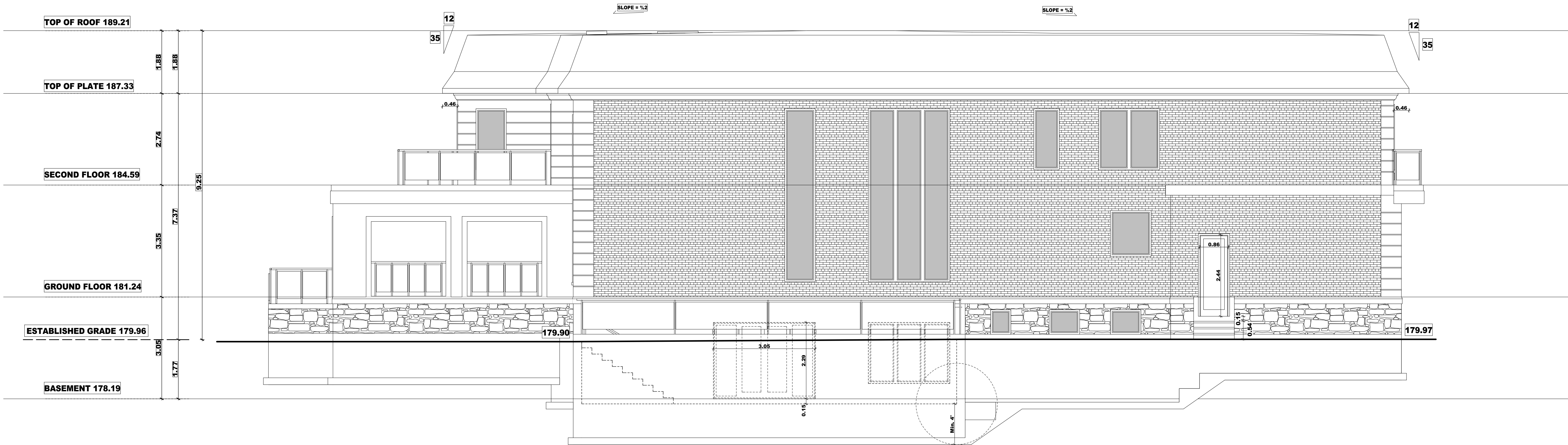
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Appendix B

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