

# Memorandum to the City of Markham Committee of Adjustment

September 18, 2025

**File:** A/103/25  
**Address:** 133, 135, and 137 Beaverbrae Drive, Markham  
**Agent/Applicant:** Malone Given Parsons Ltd  
**Hearing Date:** Wednesday, September 24, 2025

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

The Applicant is requesting relief from the following requirements of the “Residential Two - Special (R2-S\*642)” Zone under By-law 177-96, as amended, to permit:

- a) **Section 7.642.2b)**: a minimum lot frontage of 6.1 metres per unit on an interior lot, whereas the by-law requires a minimum lot frontage of 7.0 metres per unit on an interior lot;

as it relates to three townhouse lots located within Block 303 on PLAN 65M-4837.

## BACKGROUND

### Property Description

The subject lands are comprised of one 0.17 ha (1,700 m<sup>2</sup> or 18,298.65 ft<sup>2</sup>) block, known as Block 303 (the “Subject Lands”) (refer to Appendix “A” – Aerial Photo) and are generally located south of Elgin Mills Road E and east of Victoria Square Boulevard. The Subject Lands are currently being redeveloped as a residential neighbourhood.

### Proposal

The Applicant is proposing to construct a townhouse development on Block 303. The variance request applies only to the three interior townhouse lots with lot frontages of 6.1 m (20.0 ft) (the “Proposed Development”) (refer to Appendix “B” – Plans). The townhouses on either end of Block 303 have a lot frontage of 9.30 m (30.51 ft) and 13.92 m (45.67 ft) and do not require a variance.

### Official Plan and Zoning

Official Plan 2014 (partially approved on November 24, 2017, and updated on July 17, 2024)

The Official Plan designates the Subject Lands as “Residential Low Rise”, which permits low-rise housing forms. The Subject Lands are located within the Berczy Glen Secondary Plan (“OPA 24”) which permits townhouse dwellings with direct frontage on a public street. Planning Staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below.

### Zoning By-Law 177-96, as amended by By-law 2021-6

The Subject Lands are zoned “Residential Two - Special (R2-S\*642)” under By-law 177-96, as amended, which permits townhouse dwellings. The amending By-law 2021-6 requires that interior lots require a minimum frontage of 7.0 m (23.0 ft).

### **Zoning Preliminary Review (ZPR) Not Undertaken**

The Applicant has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. It is the Applicant'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 Minimum Lot Frontage**

The Applicant is requesting a minimum lot frontage of 6.1 m (20.0 ft), whereas the By-law permits a minimum lot frontage of 7.0 m (23.0 ft).

Staff have reviewed the application and have no concern with the variance and are of the opinion that reduction of lot frontages within the new subdivision does not significantly change the product that is being delivered. Staff opine that the proposed minimum lot frontage is minor in nature and meets the general intent and purpose of the Zoning By-law.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of September 18, 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 "C" for conditions to be attached to any approval of this Application.

PREPARED BY:



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Brendan Chiu, Planner I, Central District

REVIEWED BY:



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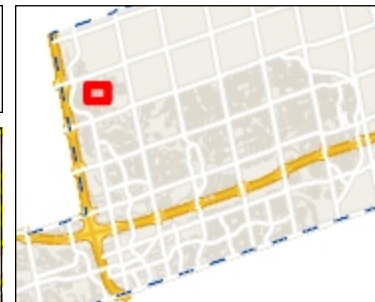
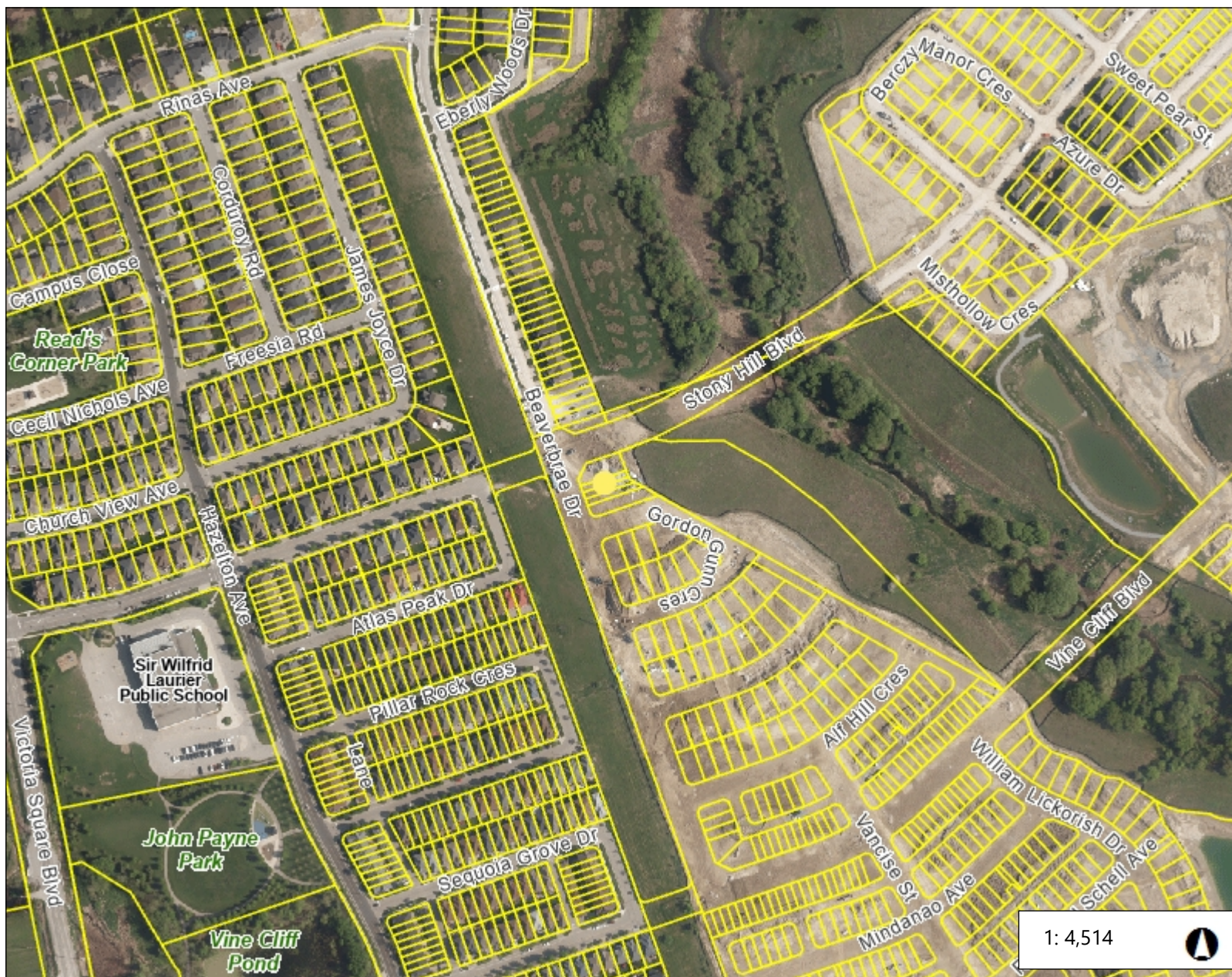
Melissa Leung, Senior Planner, RPP MCIP, Central District

Appendix "A" – Aerial Photo

Appendix "B" – Plans

Appendix "C" – Conditions of Approval for A/103/25





## Legend

- Subject Lands  
Block 303  
133, 135, 137  
Beaverbrae Crescent

1: 4,514



229.3 0 114.66 229.3 Meters

NAD\_1983\_UTM\_Zone\_17N  
© City of Markham

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [cgis@markham.ca](mailto:cgis@markham.ca) and you will be directed to the appropriate department.

Notes



STONY HILL BOULEVARD

Appendix B

File:

9/19/2025

Date:

MM/DD/YYYY

BEAVERBRAE DRIVE

GORDON GUNN CRESCENT

Grading Notes:

It shall be the responsibility of the builder to have all grades and services verified and checked before construction by an approved grading engineer. These grades and the placement of storm and sanitary services off the street are to meet the requirements of the municipality having jurisdiction.

VA3 Design Inc. is to be notified promptly of any discrepancies at least 1 (one) week prior to excavation commences in order that the building can be re-sited. Failure to observe these conditions may require expensive remedial action that will not be the responsibility of or cost to VA3 Design Inc. Foundation wall shall be poured to a minimum of 6" above approved grades.

Finished grade lines as indicated on the house prototype are for reference only and do not necessarily depict finish grading conditions of any particular lot.

BLOCK 303

LOT No.	Model Type	Garage Dimension W x L (m)	G.F.A (sq.m.)	Coverage (sq.m.)	Lot Area (sq.m.)	Coverage (%)	Driveway Area (m2)	Total Landscape Area (m2)	Total Landscape Area (%)	Lot Frontage (m)	Lot Depth (m)	Proposed Building Height (m)
1	ATH20-2C ELEV. A	3.00x6.05	210.50	130.40	465.23	28.03	27.70	307.13	66.02	13.92	37.22	
2	ATH20-1 ELEV. A MOD.	3.00x6.35	197.60	111.70	227.52	49.09	24.54	91.28	40.12	6.10	37.40	
3	ATH20-1 ELEV. A	3.00x6.05	196.70	110.80	233.66	47.42	25.44	97.42	41.69	6.10	40.45	
4	ATH20-1 ELEV. A	3.00x6.05	196.70	110.80	262.81	42.16	25.44	126.57	48.16	6.10	45.39	
5	ATH20-2C ELEV. A	3.00x6.05	210.50	130.40	472.64	27.59	27.70	314.54	66.55	9.30	54.16	
TOTAL			1012.00	594.10	1661.86	35.75	130.82	936.94	56.38			7.87

BLOCK 303

REVIEWED FOR

- Grading as being in conformance with the drainage concepts shown on the approved lot grading plans prepared by SCS Consulting Group Ltd.
- Conformance with the approved composite utility plans.
- Conformance with the City of Markham grading standards.

Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_  
SCS Consulting Group Ltd.

PROPOSED VALVE (LB) GRADE LEVEL BELL (LB) HYDRANT (H) TRANSFORMER (T) NO. OF RISERS (R) FINISHED FLOOR ELEVATION (FF) FINISHED MAIN LEVEL ELEVATION (ML) UNDERSIDE FOOTING ELEVATION (UF) FIN. BASEMENT FLOOR SLAB (BF) TOP OF FOUNDATION WALL (TFW) UNDERSIDE FOOTING AT REAR (UFR) UNDERSIDE FOOTING AT FRONT (UFF) UNDERSIDE FOOTING AT SIDE (UFS) W.O.D. WALK OUT DECK (W.O.D.) W.O.B. WALK OUT BASEMENT (W.O.B.) REV. REVERSE PLAN

STREET SIGN (S) MAIL BOX (M) RETAINING WALL (RW) CHAIN LINK FENCE (SEE LANDSCAPE PLAN) (CLF) ACOUSTICAL FENCE (SEE LANDSCAPE PLAN) (ACF) WOOD SCREEN FENCE (SEE LANDSCAPE PLAN) (WSF) HYDRO SERVICE LATERAL (HSL) HYDRO METER (HM) GAS METER (GM) SWALE DIRECTION (SD) EMBANKMENT (E) PROVIDE 3/4" DIA. CLEAR STONE IN THIS AREA (CS) THIS LOT CONTAINS ENGINEERED FILL (EF) AIR CONDITIONER REQUIRED (ACR) RAIN WATER DOWNSPOUT LOCATION (DISCHARGE ONTO SPLASHPAD) (RWD) SIDE WINDOW LOCATION (SWL) OPT. DOOR LOCATION (ODL) EXTERIOR DOOR LOCATION (EDL) REDUCE SIDE YARD (RSY)

north arrow



The undersigned 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.  
Richard Vink 24488 BCIN  
name signature  
VA3 Design Inc. 42658  
registration information  
Builder to verify location of all hydrants, street lights, transformers and other services. If minimum dimensions are not maintained, builder is to relocate at his own expense.  
Builder to verify service connection elevations prior to constructing foundations.

VA3 DESIGN  
255 Consumers Rd Suite 120  
Toronto ON M2J 1R4  
t 416.630.2255 f 416.630.4782  
va3design.com

FIELDGATE HOMES

project name AZURIA municipality MARKHAM, ON.  
date FEBRUARY 2025  
drawn by STEVE SOSTARIC checked by scale 1:250  
STEVE - H:\ARCHIVE\WORKING\2018\18015\FIE\SITE\18015-SP.dwg - Wed - Jun 11 2025 - 5:02 PM

SITE PLAN  
file name 18015-SP

drawing no. 1

lot/block no. BLOCK 303  
registered plan no. 18015  
project no. 18015

**APPENDIX “C”**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/103/25**

1. The variances apply only to the Proposed Development as long as it remains;
2. That the variances apply only to the Proposed 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:



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Brendan Chiu, Planner I, Central District