

**Memorandum to the City of Markham Committee of Adjustment**  
May 13, 2022

**File:** A/023/22  
**Address:** 344 Castlemore Avenue, Markham  
**Applicant:** Haroon Hussain  
**Hearing Date:** Wednesday, May 25, 2022

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

The applicant is requesting relief from the following requirements of the Residential Two-Special (R2-S) zone in By-law 177-96, as amended, to permit:

**a) Parking By-law 28-97, Section 3.0, Table A:**

a minimum of two (2) parking spaces; whereas, the By-law requires a minimum of three (3) parking spaces;

**b) Table A1 & Section 6.5:**

an accessory dwelling unit; whereas, the By-law permits no more than one dwelling unit on a lot;

as it relates to a proposed secondary dwelling unit (basement apartment).

**BACKGROUND**

**Property Description**

The 242 m<sup>2</sup> (2,605 ft<sup>2</sup>) subject property is located on the north side of Castlemore Avenue, south of Major Mackenzie Drive East and west of McCowan Road. There is an existing 190.05 m<sup>2</sup> (2,045.70 ft<sup>2</sup>) semi-detached dwelling on the subject property, which according to assessment records was constructed in 2002. The property is located within a residential neighbourhood comprised of a mix of two storey single and semi-detached dwellings.

**Proposal**

The applicant is requesting permission for a secondary suite in the basement of the existing dwelling. The proposal includes a new egress window at the side of the building. The proposed secondary suite would have direct and separate access provided by an existing basement walk out at the rear of the building. Aside from the new egress window, no changes are being proposed to the exterior of the dwelling or the property.

**COMMENTS**

Staff are satisfied that the proposed development meets the criteria under [Section 8.13.8 of the Official Plan](#) for the establishment of a secondary suite, and support its approval in accordance with the requirements under Section 16(3) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*.

Staff are of the opinion that the parking issue may be considered “self-regulating”, as the unit would only be of interest to a tenant that does not require a parking space, in the event that both parking spaces are required for use by the owner of the dwelling. It is noted that no overnight parking is permitted on this street, and violators would be ticketed nightly.

**Zoning Preliminary Review (ZPR) Undertaken**

The owner has completed a Zoning Preliminary Review (ZPR) on March 8, 2022 to confirm the variances required for the proposed development.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of May 13, 2022. 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.

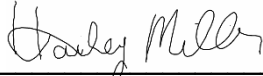
**CONCLUSION**

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 variances requested 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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



---

Hailey Miller, Planner I, West District

REVIEWED BY:



---

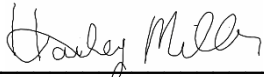
Rick Cefaratti, MCIP, RPP, Senior Planner II, West District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/023/22**

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 plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;
3. That the owner submit, if required by the Chief Building Official, a third-party report prepared by an architect or professional engineer licensed in the Province of Ontario, to assess compliance of existing construction with the provisions of the Ontario Building Code, and in particular relating to the change of use from a dwelling containing a single suite to a dwelling containing more than one suite.

CONDITIONS PREPARED BY:



---

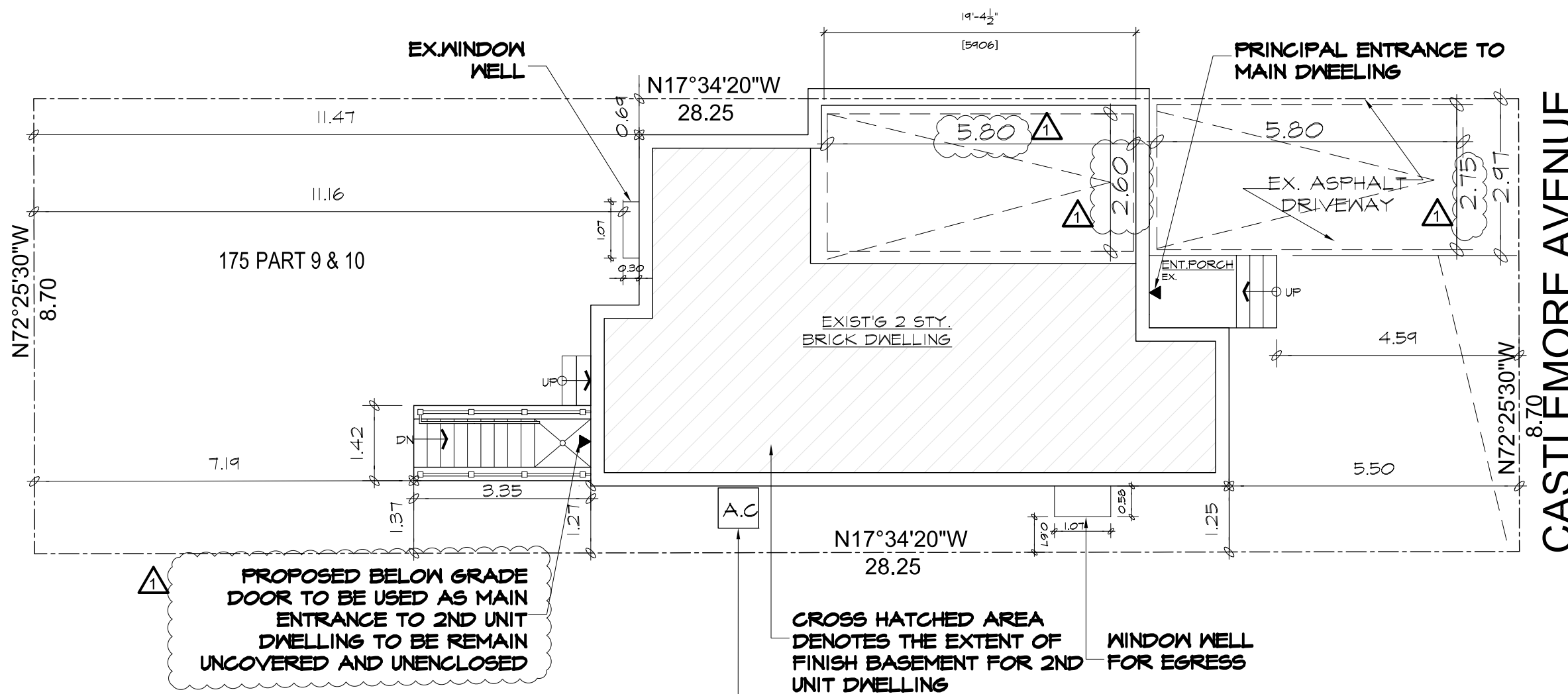
Hailey Miller, Planner I, West District

# Appendix B

File: 22.110757.000.00.MNV

Date: 05/20/22

MM/DD/YY



CASTLEMORE AVENUE

**PROPOSED BELOW GRADE DOOR TO BE USED AS MAIN ENTRANCE TO 2ND UNIT DWELLING TO BE REMAIN UNCOVERED AND UNENCLOSED**

**CROSS HATCHED AREA DENOTES THE EXTENT OF FINISH BASEMENT FOR 2ND UNIT DWELLING**

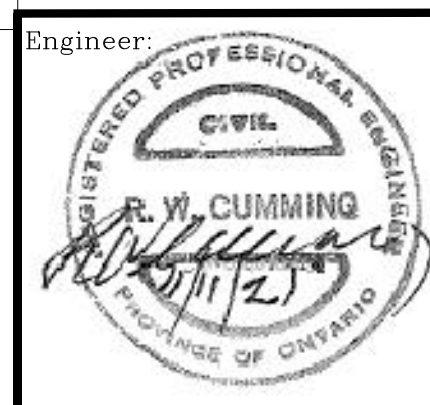
**WINDOW WELL FOR EGRESS**

**EXISTING A.C UNIT TO BE WALL MOUNTED AT THE CLEAR HEIGHT OF 8'-0"**

**1 SITE PLAN**  
A1.0 SCALE= 1:100

SITE DATA		M/SM
ZONING		
PLAN NO:		65R-24252
LOT NO:		175 PART 9 & 10
LOT AREA		242.00 SQ.M

EXISTING		PROPOSED
BUILDING AREA (G.F) (INCL. GARAGE+FRONT PORCH)	= 76.37 SQ.M	BASEMENT 2ND DWELLING AREA = 46.51 SQ.M (EXCLUDE FURNACE)
LOT COVERAGE	=31.5%	EX. LOT COVERAGE & GROSS FLOOR AREA UNCHANGED
GROSS FLOOR AREA (GRD+2ND FL EXCL. GARAGE,PORCH&)	=(58.41+64.43) SQ.M =122.84 SQ.M	
BASEMENT AREA	= 49.25 SQ.M	



Project  
 PROPOSED BASEMENT  
 FINISH PLAN FOR SECOND  
 DWELLING AT 344  
 CASTLEMORE  
 AVE., MARKHAM, ON

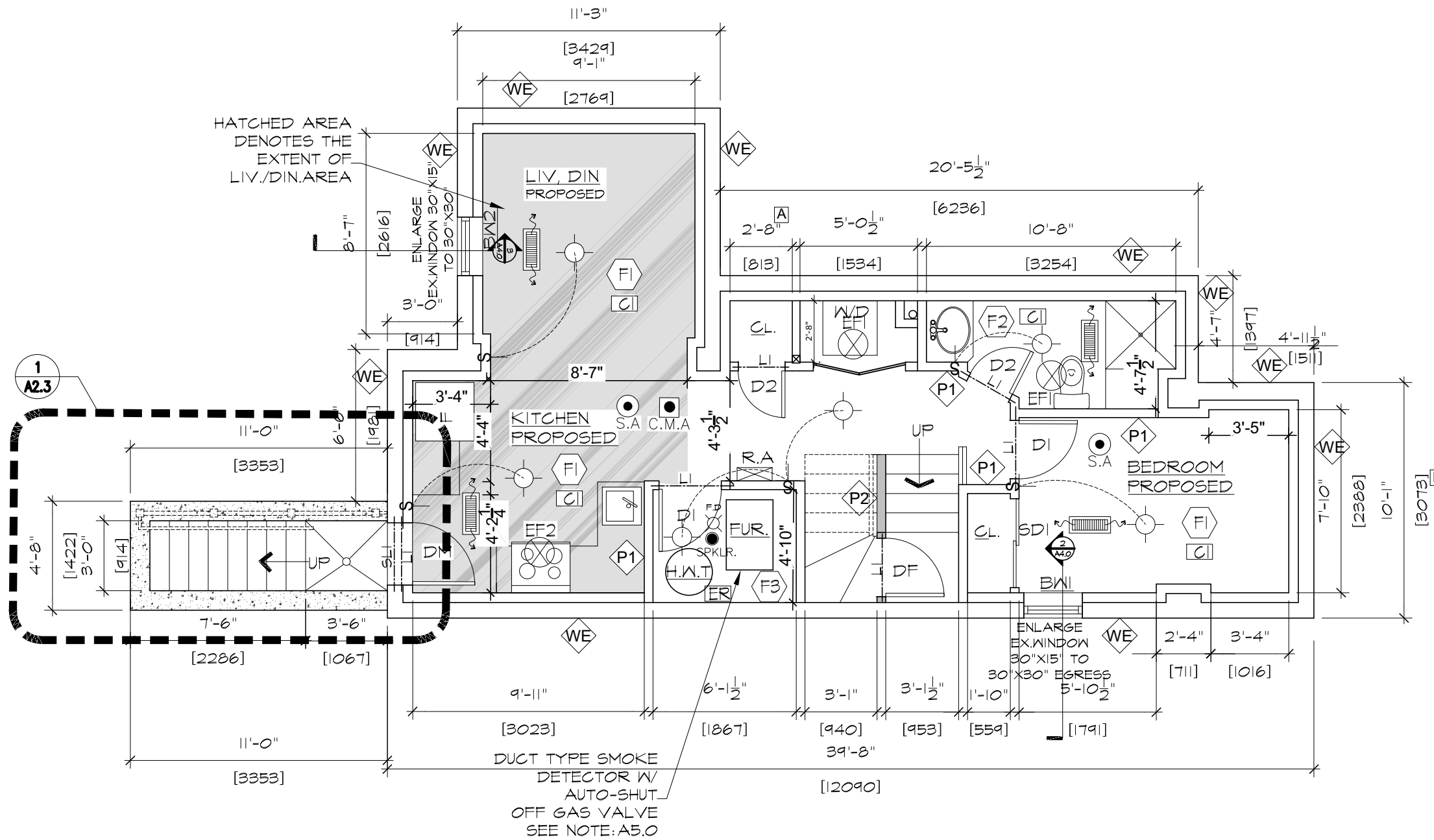
Owners:  
 FARRAH RAHIM  
 RAHIM RAHIM

Sheet title: SITE PLAN		
Scale: AS NOTED	2021.11.10	Project No:
	Revisions	Dwg. no.
	1 01-31-2022	<b>A1.0</b>
		REV. NO: -

# Appendix B

File: 22.110757.000.00.MNV

Date: 05/20/22  
MM/DD/YY



1 BASEMENT FLOOR PLAN  
A2.0 SCALE= 3/16" = 1'-0"

CALCULATION OF GLASS AREA AS PER OBC 9.7.2.3 & 11- C107				
TABLE	ROOM TYPE	AREA OF ROOM	AREA OF GLASS* PROVIDED	REQUIRED
A	LIV./DIN./KIT.	193.1 SQ.FT	30"X30"=5.62 SQ.FT 34"X80"=10 SQ.FT Total=15.62 SQ.FT	5% =9.65 SQ.FT.
B	BEDROOM-1	86.8 SQ.FT	30"X30"=5.62 SQ.FT	2.5% =2.17SQ.FT.

CALCULATED @ 90% OF OVERALL WINDOW AREA

Engineer:



Project

PROPOSED BASEMENT  
FINISH PLAN FOR SECOND  
DWELLING AT 344  
CASTLEMORE  
AVE., MARKHAM, ON

Owners:

FARRAH RAHIM  
RAHIM RAHIM

Sheet title:  
PROPOSED BASEMENT PLAN

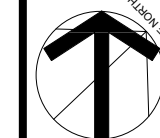
Scale:  
AS NOTED

2021.11.10

Project No:

Revisions

Dwg. no.



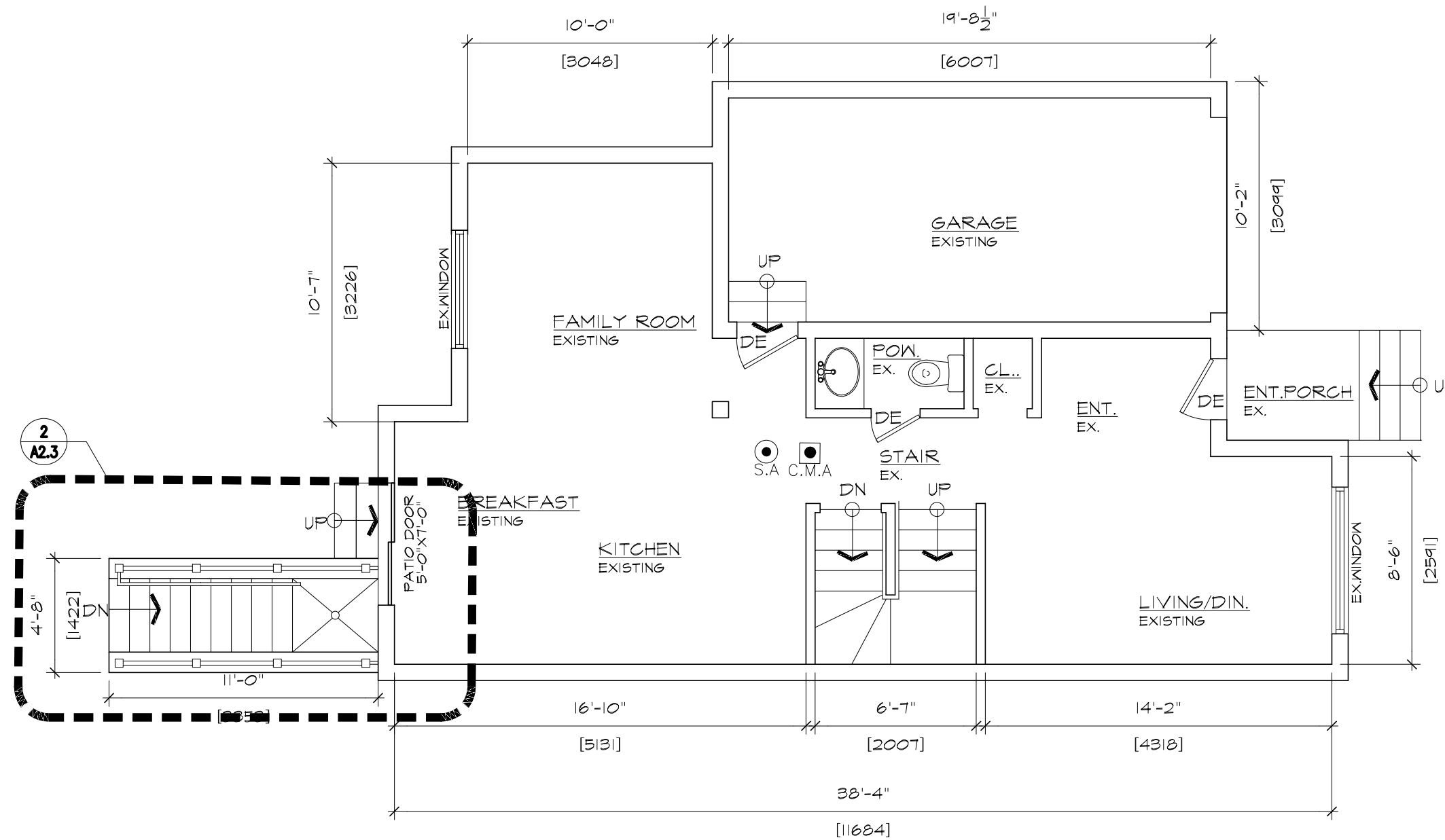
**A2.0**

REV. NO: -

# Appendix B

File: 22.110757.000.00.MNV

Date: 05/20/22  
MM/DD/YY



1 EX.FIRST FLOOR PLAN  
A2.1 SCALE = 3/16" = 1'-0"

Engineer:



Project

PROPOSED BASEMENT  
FINISH PLAN FOR SECOND  
DWELLING AT 344  
CASTLEMORE  
AVE., MARKHAM, ON

Owners:

RAHIM RAHIM  
FARRAH RAHIM

Sheet title:  
EX.FIRST FLOOR PLAN

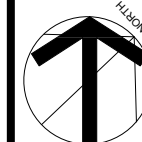
Scale:  
AS NOTED

2021.11.10

Project No:

Revisions

D'wg. no.



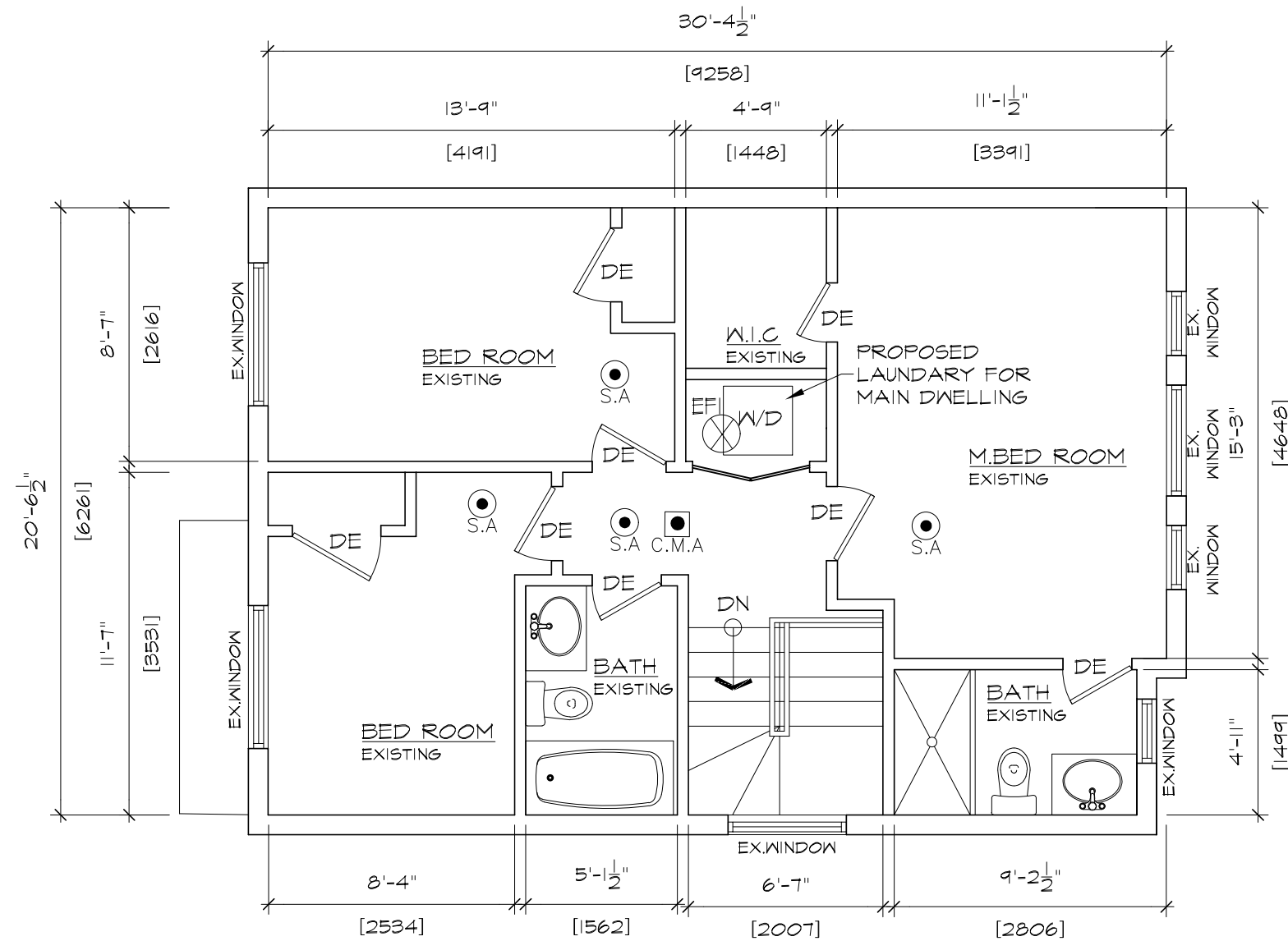
A2.1

REV. NO: -

# Appendix B

File: 22.110757.000.00.MNV

Date: 05/20/22  
MM/DD/YY



1 EX. SECOND FLOOR PLAN  
A2.2 SCALE= 3/16" = 1'-0"

Engineer:



Project

PROPOSED BASEMENT  
FINISH PLAN FOR SECOND  
DWELLING AT 344  
CASTLEMORE  
AVE., MARKHAM, ON

Owners:

FARRAH RAHIM  
RAHIM RAHIM

Sheet title:

EX.2ND FLOOR PLAN

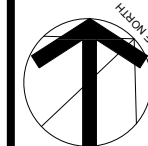
Scale:  
AS NOTED

2021.11.10

Project No:

Revisions

D'wg. no.



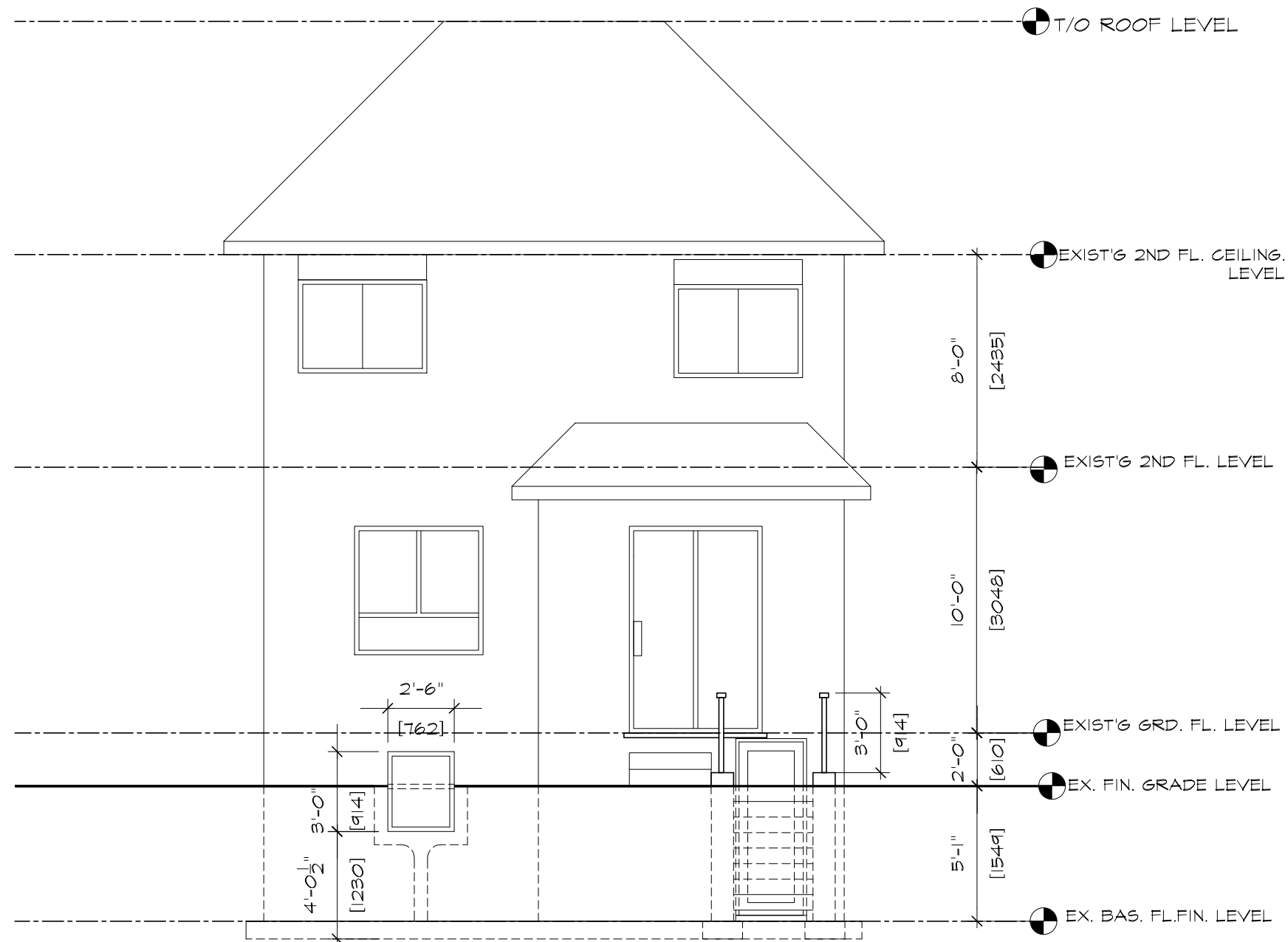
**A2.2**


REV. NO: -

# Appendix B

File: 22.110757.000.00.MNV

Date: 05/20/22  
MM/DD/YY



	Engineer:		Project		Sheet title:	
			PROPOSED BASEMENT FINISH PLAN FOR SECOND DWELLING AT 344 CASTLEMORE AVE., MARKHAM, ON		REAR ELEVATION	
					Scale:	2021.11.10
	AS NOTED	Revisions	D'wg. no.		<span style="font-size: 2em; font-weight: bold;">A3.0</span>	
		△ △	REV. NO: -			