

Memorandum to the City of Markham Committee of Adjustment

March 24, 2026

File: A/049/22
Address: 257 Main Street North, Markham Village
Applicant: Jun Chen Sun
Hearing Date: Wednesday, April 8, 2026

The following comments are provided on behalf of Heritage Section staff (“Staff”) for the property municipally known as 257 Main Street North (the “Subject Property”):

The applicant is requesting relief from the following requirements of By-law 1229, as amended, to permit:

- a) **By-law 1229, Amending By-law 99-90, Section 1.2 (ii):**
a three storey detached dwelling, whereas the by-law permits no more than two storeys within a single vertical plane;
- b) **By-law 1229, Amending By-law 99-90, Section 1.2(i):**
a maximum height of 11.1 metres, whereas the by-law permits a maximum height of 9.8 metres;
- c) **By-law 1229, Amending By-law 99-90, Section 1.2(iii):**
a maximum depth of 17.32 metres, whereas the by-law permits a maximum depth of 16.8 metres;
- d) **By-law 1229, Table 11.1:**
a maximum floor area ratio of 60.5 percent, whereas the by-law permits a maximum floor area ratio of 45 percent;
- e) **By-law 1229, Section 11.3:**
an accessory building (garage) to have a minimum interior side yard setback of 2.16 feet, whereas the by-law requires a minimum interior side yard setback of 4.0 feet;
- f) **By-law 1229, Section 11.3(a)(i):**
an accessory building with a maximum height of 13.19 feet, whereas the by-law permits an accessory building with a maximum height of 12.0 feet;

as it relates to a proposed addition to the existing dwelling and expansion of the existing detached garage.

BACKGROUND

Property Description

The 803m² (8,643ft²) Subject Property is located on the east side of Main Street North between Metrolinx’s Uxbridge Subdivision rail corridor to the south and Gleason Avenue to the north. The Subject Property is designated under Part V of the Ontario Heritage Act as part of the Markham Village Heritage Conservation District (the “MVHCD” or the “District”) and contains a one-storey dwelling with rear yard detached garage constructed c.1942 as per MPAC records.

Properties within heritage conservation districts, such as Markham Village, lack the uniformity typical of post-war subdivisions. As such, irregularity in setback, massing, and building height, among other development standards, are to be expected within the MVHCD and are revealing of its organic pattern of growth (itself a contributor to the heritage character of the District). In line with this development pattern, the dwellings on two abutting properties (253 and 261 Main Street North) are larger in scale than the dwelling on the Subject Property at a height of two and two-and-a-half storeys, respectively. Accessory buildings on adjacent properties are also larger in scale than the on-site garage. Refer to Figures 1 and 2 for images of the Subject Property and its context.

Proposal

The Applicant is proposing to modify the existing dwelling through the construction of vertical and rear additions. While portions of the underlying frame structure and foundation are proposed to be retained, it is functionally a demolition. Should approval be secured, the completed project will appear to be entirely new with remnants of the existing dwelling concealed behind new brick masonry. Expansion of the existing single car garage to accommodate a second bay is also proposed. Refer to Appendix "D" for drawings of the proposal.

Previous Consideration by the Committee of Adjustment

An earlier iteration of this proposal was considered by the Committee of Adjustment at its meeting on [August 22, 2022](#). In accordance with Staff recommendations, the Committee voted to defer the application until such time as the Applicant was able to address Staff concerns about compatibility with the heritage character of the MVHCD. The application currently before the Committee responds to these concerns.

POLICY

Official Plan

Section 10.5 of the Official Plan (the "OP") notes that it is the policy of Council that the Committee of Adjustment shall be guided by the general intent and purpose of the Plan in making decisions on minor variances to the zoning by-law and consent applications.

Land Use Policies

The Subject Property is designated "Residential Low Rise" within the OP which provides for low-rise housing forms including single detached dwellings

Section 8.2.3.5 of the OP outlines infill development criteria for the "Residential Low Rise" designation with respect to height, massing and setbacks. These criteria help ensure that infill development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street, while accommodating a diversity of building styles. In considering applications for development approval in a "Residential Low Rise" area, which includes variances, development is required to meet the general intent of these development criteria. Regard shall also be had for the retention of existing trees and vegetation.

Cultural Heritage Resources

The OP also includes applicable policies respecting **heritage conservation** (Section 4.5 – Cultural Heritage Resources).

From a heritage conservation policy perspective, two of the overall goals of the OP are "to protect established neighbourhoods, heritage conservation districts...by ensuring that

new development is compatible and complementary in terms of use, built form and scale” and “to celebrate Markham’s unique character by protecting cultural heritage resources and archaeological resources...to foster interaction between people and connections to their community” (Section 2.2.2).

Section 4.5 provides policy guidance on identification/recognition, protection, and development approvals. Two key development approval policies of Council are:

- ***“To provide for the protection and conservation of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources as a condition of minor variance approval and associated agreements” (Section 4.5.3.9); and***
- ***“To evaluate each variance proposal that directly affects a cultural heritage resource itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan” (Section 4.5.3.10)***

The definition of a “cultural heritage resource” includes a heritage conservation district.

Zoning

As this application predates Council adoption of the comprehensive zoning by-law (2024-19) in January 2024, it is subject to the provisions of the zoning by-laws in force at the time of the initial submission in 2022. These are described below:

By-Law 1229 as amended

The Subject Property is zoned R1 under By-law 1229 as amended, which permits one single-detached dwelling per lot.

Residential Infill Zoning By-law 99-90

The Subject Property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, yard setbacks and number of storeys. As noted above, the proposal does not comply with the infill By-law requirements with respect to building height and depth.

Zoning Preliminary Review (ZPR) Undertaken

The Applicant completed a Zoning Preliminary Review (ZPR) in November 2025 to confirm the variances required for the proposed development.

MVHCD Plan

Although the Subject Property is designated under Part V of the Ontario Heritage Act, Staff do not consider the existing dwelling to be to be historically significant within the context of the District given its relatively late date of construction and modest design value.

The MVHCD Plan provides policies and guidelines intended to manage change in a manner compatible with the heritage character of the District. The appropriateness of the requested variances from a heritage perspective have been reviewed against the policies and guidelines of the MVHCD Plan to determine whether they conserve the cultural heritage value of the Property and the MVHCD more broadly. It is the opinion of Staff that the proposed variances do not have an adverse impact on the cultural heritage value of

the Subject Property or the MVHCD more broadly. As noted in the appended meeting extract, this position is shared by the Heritage Markham Committee.

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 Number of Storeys

The Applicant is requesting relief to permit a building height of three storeys whereas the By-law permit a maximum building height of two-storeys. While the By-law considers the modified dwelling to be three-storeys as a result of building height being measured from the centreline of the street, it's readily understood to be two-and-a-half storeys in height. This corresponds to the height of the neighbouring dwellings at 253 and 261 Main Street North. In this regard, Staff find the proposal to be contextually appropriate and are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Increase in Maximum Building Height

The Applicant is requesting relief to permit a maximum building height of 11.1m whereas the By-law permits a maximum height of 9.8m. This represents an increase of approximately 1.3m (4.3ft). As the height of the neighbouring heritage dwelling at 261 Main Street North is approximately 12 metres, Staff find the requested variance to be contextually appropriate. As with the previous variance request with regard to how height is calculated within the by-law, Staff find the proposed increase in building height to be minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Increase in Maximum Building Depth

The Applicant is requesting relief to permit a maximum building depth of 17.32m (56.8ft), whereas the By-law permits a maximum building depth of 16.8m (55.1ft). This represents an increase of approximately 0.5m (1.64 ft).

From a Staff perspective, the visual impact of the additional building depth is negligible and won't have an adverse impact on the perception of building mass or the usability of rear yard amenity space. As such, Staff are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Increase in Maximum Floor Area Ratio

The Applicant is requesting relief to permit a floor area ratio of 60.5 percent, whereas the By-law permits a maximum floor area ratio of 45 percent, an increase of 15.5 percent beyond existing permissions.

Floor Area Ratio is a measure of the interior square footage of the dwelling as a percentage of the net lot area; however, it is not a definitive measure of the mass of the dwelling.

The modified dwelling meets all other zoning provisions (such as setbacks and lot coverage) that establish the prescribed building envelope. From a Staff perspective these measures are more revealing of the impact of building mass than floor area ratio. As the requested variances will enable the construction of a dwelling generally in keeping with the scale of those on abutting properties, most notably 261 Main Street North, Staff are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Reduction in Interior Side Yard Setback for an Accessory Building

The Applicant is requesting relief to permit a minimum interior side yard setback of 2.16ft (0.7m), whereas the By-law requires a minimum interior side yard setback of 4.0 ft (1.2 m). As this reflects an existing condition, and the existing garage is proposed to be retained, Staff are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Increase in Maximum Accessory Building Height

The Applicant is requesting relief to permit a maximum accessory building height of 13.19ft (4.02m), whereas the By-law permits a maximum height of 12.0ft (3.66m). This represents a modest increase of 1.19ft (0.36m) with little impact on perceptible building mass. Given that the proposed height is generally in keeping with the height of the accessory building immediately to the west at 12 Wales Avenue, and given the small numerical deviation from existing permissions, Staff are of the opinion that that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Internal Staff/Committee Comments

Heritage Markham Committee

Heritage Markham reviewed the application at its meeting on March 11, 2026 and had no objection to the requested variances from a heritage perspective. Refer to Appendix "B" for a copy of the meeting extract.

Urban Design Staff

The City's Urban Design Section has indicated that they have no objection to the requested variances subject to the approval conditions described in Appendix "A".

External Agency Comments

Metrolinx

Metrolinx provided comments via memorandum dated August 5, 2025 (refer to Appendix "C") indicating that they have no objection to the proposed variances subject to conditions as outlined in Appendix "A" of this report.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 30, 2026. 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

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 therefore have no objection to the proposal. 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:



Evan Manning, Senior Heritage Planner

REVIEWED BY:

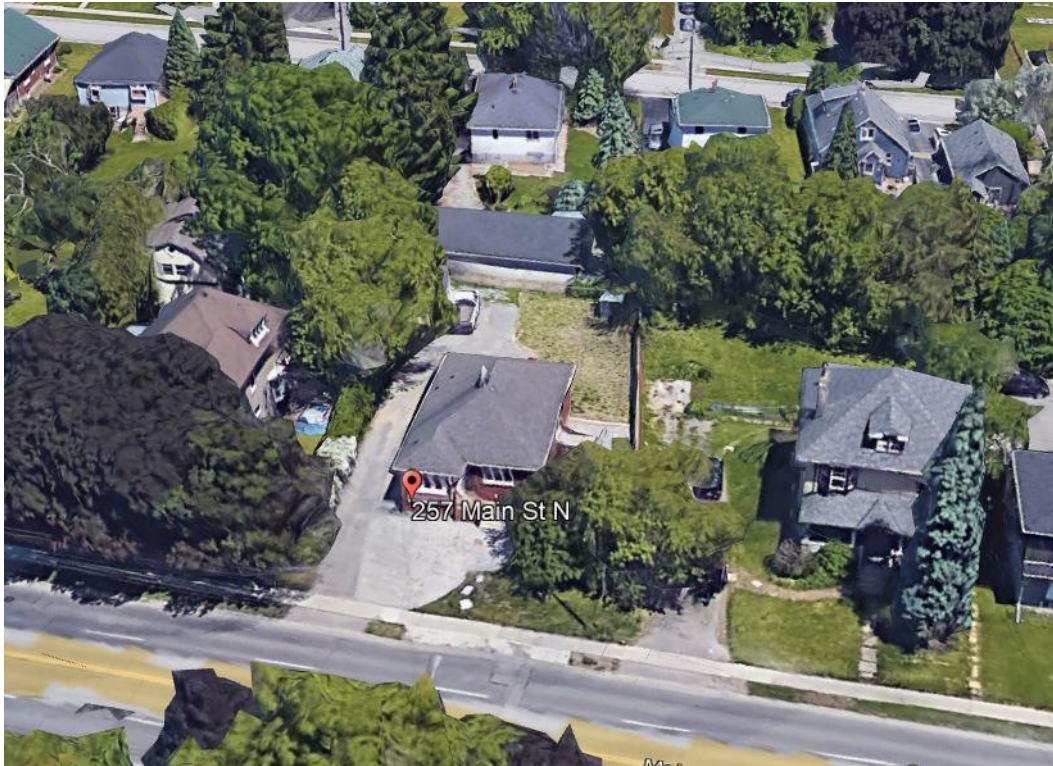


Regan Hutcheson, Manager, Heritage Planning

FIGURE 1:
Location Map and Aerial Image of the Subject Property



Property map showing the location of the Subject Property [outlined in blue] (Source: City of Markham)



Aerial image of the Subject Property (Source: Google)

FIGURE 2:
Images of the Subject Property



The west [primary] elevation of the existing dwelling as seen from Main Street North
(Source: City of Markham)



Rear yard of the Subject Property. The existing garage, seen above, is proposed to be enlarged
(Source: City of Markham)

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/049/22

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 “D” 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.
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the future Major Heritage Permit Approval process.
4. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's Trees for Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the future Major Heritage Permit Approval process.
5. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City's Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the Major Heritage Permit, to be inspected by City staff to the satisfaction of the Director of Planning and Urban Design, or their designate.
6. That the applicant satisfies the requirements of Metrolinx, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to this Staff Report, to the satisfaction of Metrolinx, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.

CONDITIONS PREPARED BY:



Evan Manning, Senior Heritage Planner

APPENDIX "B"
HERITAGE MARKHAM COMMITTEE EXTRACT



HERITAGE MARKHAM

EXTRACT

Date: March 18, 2026

To: R. Hutcheson, Manager of Heritage Planning
E. Manning, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.1 OF THE THIRD HERITAGE MARKHAM
COMMITTEE HELD ON MARCH 11, 2026

6. PART FOUR - REGULAR

6.1 COMMITTEE OF ADJUSTMENT APPLICATION

257 MAIN STREET NORTH, MARKHAM VILLAGE PROPOSED VERTICAL/REAR ADDITION AND GARAGE EXPANSION (16.11)

File Numbers:

A/049/22

Extracts:

R. Hutcheson, Manager, Heritage Planning

E. Manning, Senior Heritage Planner

Evan Manning, Senior Heritage Planner, introduced this item, advising that the application was submitted in 2022 and is therefore not subject to the provisions of the Comprehensive Zoning By-law. Mr. Manning advised that the proposal is functionally a demolition but that Heritage Section staff have no objection to the scope of demolition, find the variances minor in nature, and are supportive of the application.

The Committee expressed concerns with the additional paving at the front of the property, and recommended that it being reduced in width.

The Committee asked about the north facing dormer, asking if it could be reduced or removed. The Applicant confirmed that this would be considered though it would be difficult to achieve. Mr. Manning noted that variances are not required for the dormer and that Staff would discuss further with the applicant at the Major Heritage Permit stage as to whether it should be retained.

Recommendations:



HERITAGE MARKHAM

EXTRACT

THAT Heritage Markham has no objection from a heritage perspective to the proposed variances for 257 Main Street North.

AND THAT Heritage Markham supports a reduction of the front pavers and asks that the Applicant work with Heritage staff on the proposed design during the Major Heritage Permit stage;

AND THAT future review of a Major Heritage Permit application, and any other development application required to approve the proposed development, be delegated to Heritage Section staff should the design be substantially in accordance with the drawings appended to this memo.

Carried

APPENDIX "C"
METROLINX CONDITION OF APPROVAL

TO: Markham Committee of Adjustment
CC: Shawna Houser, Secretary-Treasurer, Committee of Adjustment
Evan Manning, Planner Development District
DATE: August 5th, 2025
RE: Adjacent Development Review: A/049/22
257 Main Street North, Markham, ON
Minor Variance

Dear Committee of Adjustment,

Metrolinx is in receipt of the Minor Variance application for 257 Main St N, Markham to facilitate additions to the existing dwelling which will facilitate a new basement suite, new second-storey floor and attic as well as an attached carport. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300m of the Metrolinx Uxbridge Subdivision which carries Metrolinx's Stouffville GO Train service.

GO/HEAVY-RAIL - CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Jenna.Auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:
 - Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Should you have any questions or concerns, please do not hesitate to contact me.

Best regards,
Jenna Auger
Project Analyst, Adjacent Construction Review
Metrolinx
20 Bay Street | Toronto | Ontario | M5J 2W3

Form of Easement

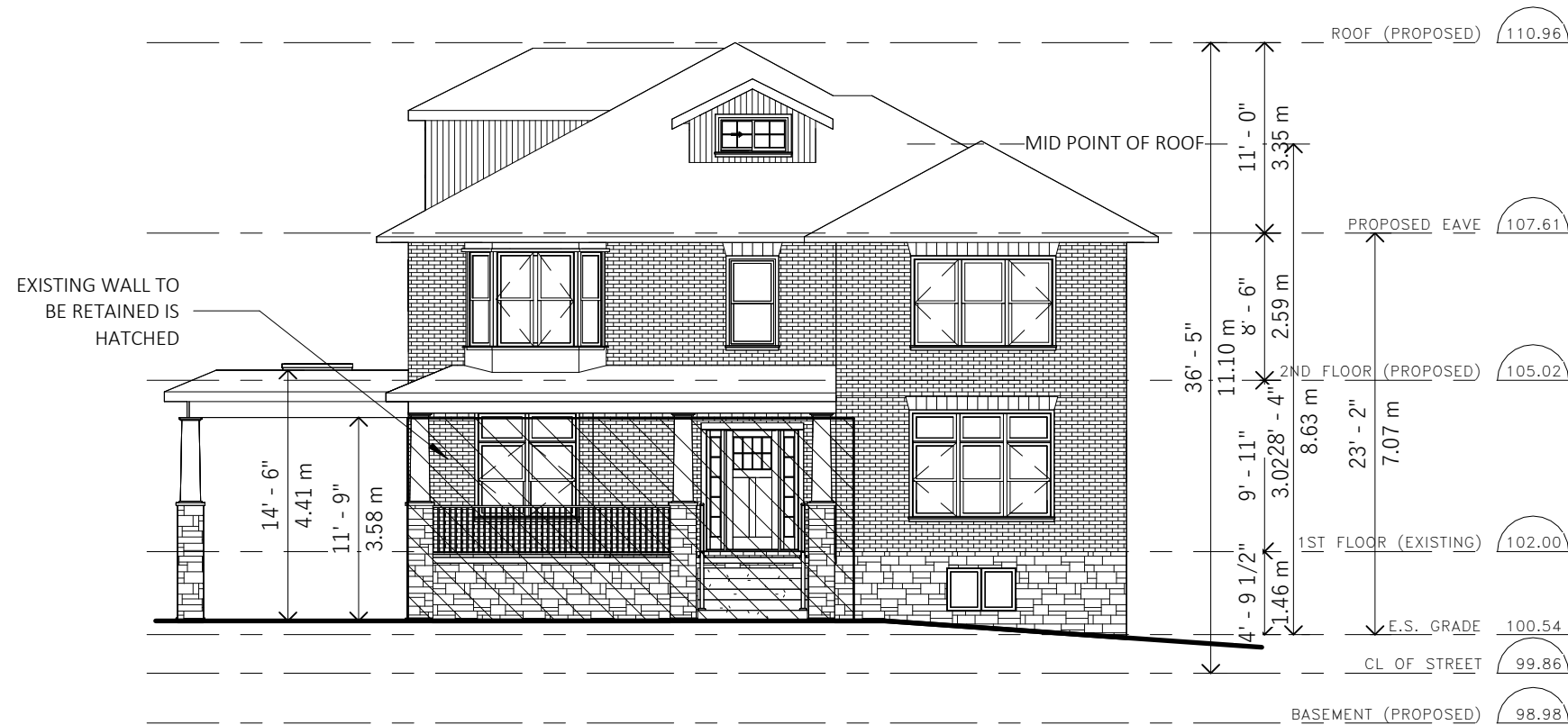
WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the **"Easement Lands"**).

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night (provided that doing so is not contrary to law applicable to Metrolinx) with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations.

THIS Easement and all rights and obligations arising from the above easement shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of a party hereto, if such party comprises more than one person, shall be joint and several.

Easement in gross.

APPENDIX "D"
DRAWINGS OF THE PROPOSAL



1 PROPOSED FRONT ELEVATION ANNOTATED
1" = 10'-0"

3 PROPOSED REAR ELEVATION ANNOTATED
3/32" = 1'-0"



2 PROPOSED SIDE ELEVATION ANNOTATED
1" = 10'-0"

NOTE: ALL EXISTING BRICK VENEER ON EXTERIOR WALLS SHALL BE REMOVED AND REPLACED WITH NEW BRICK TO MATCH THE NEW EXTERIOR WALL VENEER.

Project Address

257 Main St N, Markham,
ON L3P 1Y6

No.	Description	Date
4	REVISED FOR COA	02/12/26

Title ELEVATION EX & NEW

Project number 21/11/01
Date 12/19/2025
Drawn by Author
Checked by Checker

D2.5

Scale: As indicated



Project Address

257 Main St N, Markham,
ON L3P 1Y6

No.	Description	Date
1	REVISED FOR ZONING	02/05/25
3	REVISED FOR COA	09/23/25

Title **PROPOSED FRONT ELEVATION**

Project number 21/11/01
Date 01/06/2025
Drawn by
Checked by

A2.3

Scale: 3/16" = 1'-0"

1 **PROPOSED FRONT ELEVATION (WEST)**
3/16" = 1'-0"



Project Address
 257 Main St N, Markham,
 ON L3P 1Y6

No.	Description	Date
1	REVISED FOR ZONING	02/05/25

Title **PROPOSED REAR ELEVATION**

Project number 21/11/01
 Date 01/06/2025
 Drawn by
 Checked by

A2.4

Scale: 3/16" = 1'-0"

1 **PROPOSED REAR ELEVATION (EAST)**
 3/16" = 1'-0"

110.96 ROOF (PROPOSED)

107.61 PROPOSED EAVE

105.02 2ND FLOOR (PROPOSED)

102.00 1ST FLOOR (EXISTING)

100.54 E.S. GRADE

99.86 CL OF STREET



Project Address

257 Main St N, Markham,
ON L3P 1Y6

No.	Description	Date
1	REVISED FOR ZONING	02/05/25

Title **PROPOSED NORTH
ELEVATION**

Project number 21/11/01

Date 01/06/2025

Drawn by

Checked by

A2.5

Scale: 3/16" = 1'-0"

1 PROPOSED SIDE ELEVATION (NORTH)
3/16" = 1'-0"

110.96 ROOF (PROPOSED)

107.61 PROPOSED EAVE

105.02 2ND FLOOR (PROPOSED)

102.00 1ST FLOOR (EXISTING)

100.54 E.S. GRADE

99.86 CL OF STREET

98.98 BASEMENT (PROPOSED)

1

PROPOSED SIDE ELEVATION (SOUTH)

3/16" = 1'-0"

Project Address

257 Main St N, Markham,
ON L3P 1Y6

No.	Description	Date
1	REVISED FOR ZONING	02/05/25

Title **PROPOSED SOUTH
ELEVATION**

Project number 21/11/01

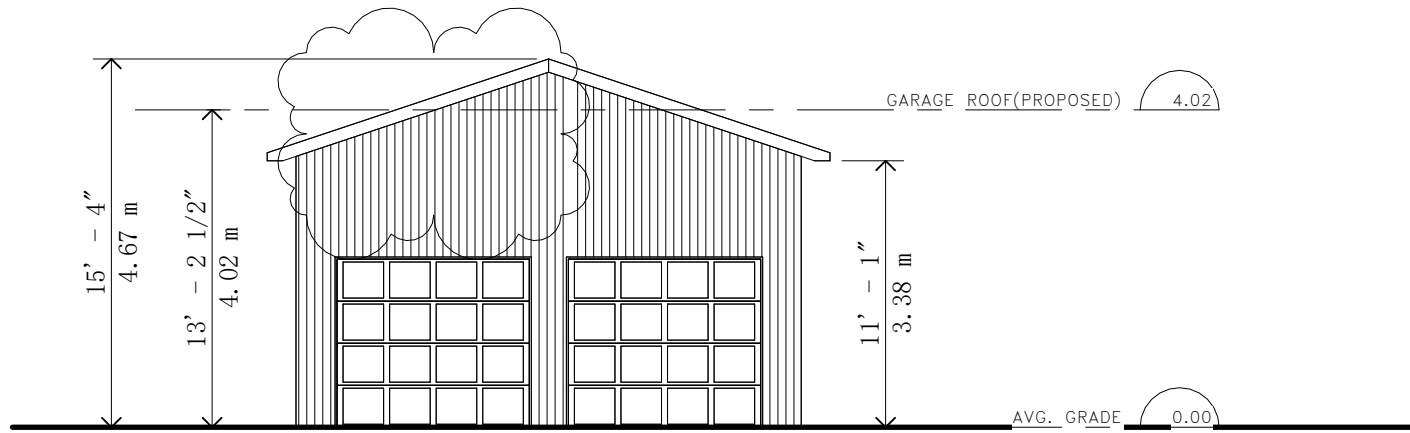
Date 01/06/2025

Drawn by

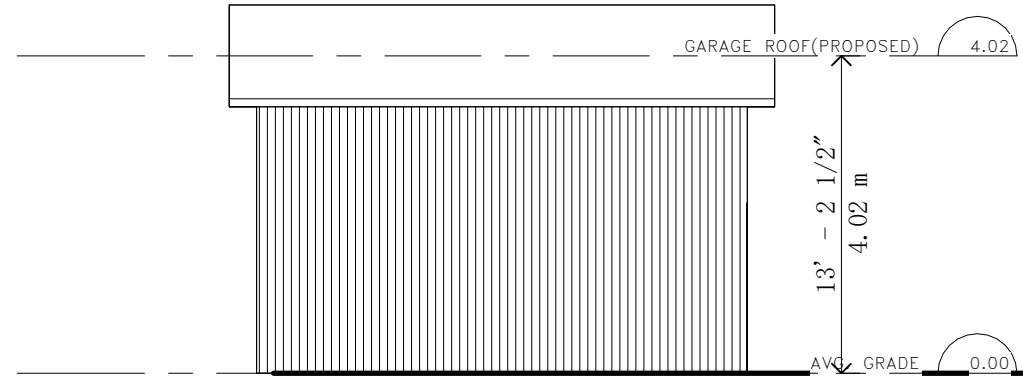
Checked by

A2.6

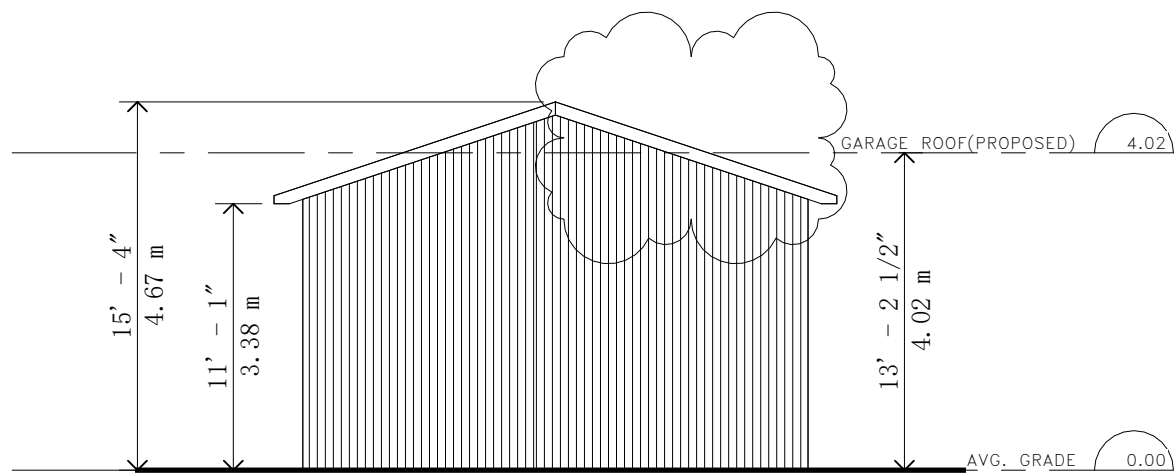
Scale: 3/16" = 1'-0"



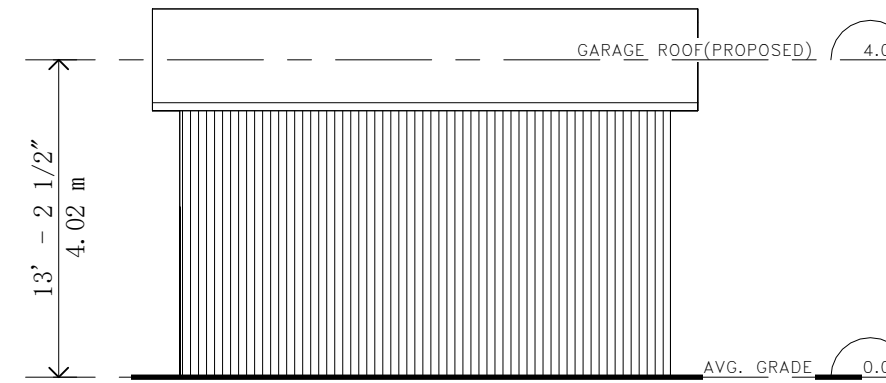
1 PROPOSED FRONT ELEVATION (WEST)
1/8" = 1'-0"



3 PROPOSED SIDE ELEVATION (NORTH)
1/8" = 1'-0"



2 PROPOSED REAR ELEVATION (EAST)
1/8" = 1'-0"



4 PROPOSED SIDE ELEVATION (SOUTH)
1/8" = 1'-0"

Project Address

257 Main St N, Markham,
ON L3P 1Y6

No.	Description	Date
1	REVISED FOR ZONING	02/10/25

Title	PROPOSED ELEVATION
Project number	21/11/01
Date	02/20/2022
Drawn by	Author
Checked by	Checker

G2.1

Scale: 1/8" = 1'-0"