

Memorandum to the City of Markham Committee of Adjustment

April 01, 2026

File: A/016/26
Address: 76 Quantum Street, Markham
Agent: Peng Engineering Inc. (Peter Peng)
Hearing Date: Wednesday, April 8, 2026

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. The requested variances are to permit:

- a) **By-law 2024-19, Section 4.8.8 (i)**: an encroachment of 0.95 metres into the required side yard, whereas the by-law permits a maximum encroachment of 0.45 metres into the required side yard;

as it relates to a proposed basement walk-out entrance to an existing two storey residential dwelling.

BACKGROUND

Property Description

76 Quantum Street (the “subject property”) is located south of 14th Avenue, west of Featherstone Avenue and is a corner lot. The property is located within an established residential neighbourhood comprised primarily of two-storey detached dwellings.

Proposal

The applicant has constructed a basement walkout entrance which encroaches 0.95 metres into the flankage yard which is fenced.

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.

Zoning By-Law 2024-19

The subject property is zoned “Residential Established Neighborhood Low Rise (RES-ENLR)” under By-law 2024-19, as amended, which permits detached dwellings.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from the building department through their permit process (24.169264 HP) to confirm the variances required for the proposed development.

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.

Increased maximum encroachment into the required side yard

The applicant is requesting that an existing basement walkout encroach a maximum of 0.95 metres into the required side yard whereas; a maximum encroachment of 0.45 metres is permitted. The subject property is located on a corner lot and the basement walkout is located on the flankage yard which is generous ranging between 2.51 metres at the front of the house to 4.89 metres at the rear of the house. A setback of 2.1 metres is provided where the basement walkout encroaches into the side yard which is adequate to allow emergency access, drainage and visual distance to the fence which does not impact the streetscape. Staff are of the opinion that the variance meets the 4 tests of the Planning Act.

PUBLIC INPUT SUMMARY

No written submissions were received as of April 3rd, 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

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 (4) tests of the Planning Act and do not object to approval of the variance to permit a maximum encroachment of 0.95 metres into the required side yard. 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:



Stacia Muradali, Development Manager, East District

REVIEWED BY:



Greg Whitfield, Supervisor of Committee of Adjustment

File Path: Amanda\File\ 26 110637 \Documents\District Team Comments Memo

APPENDIX "A"

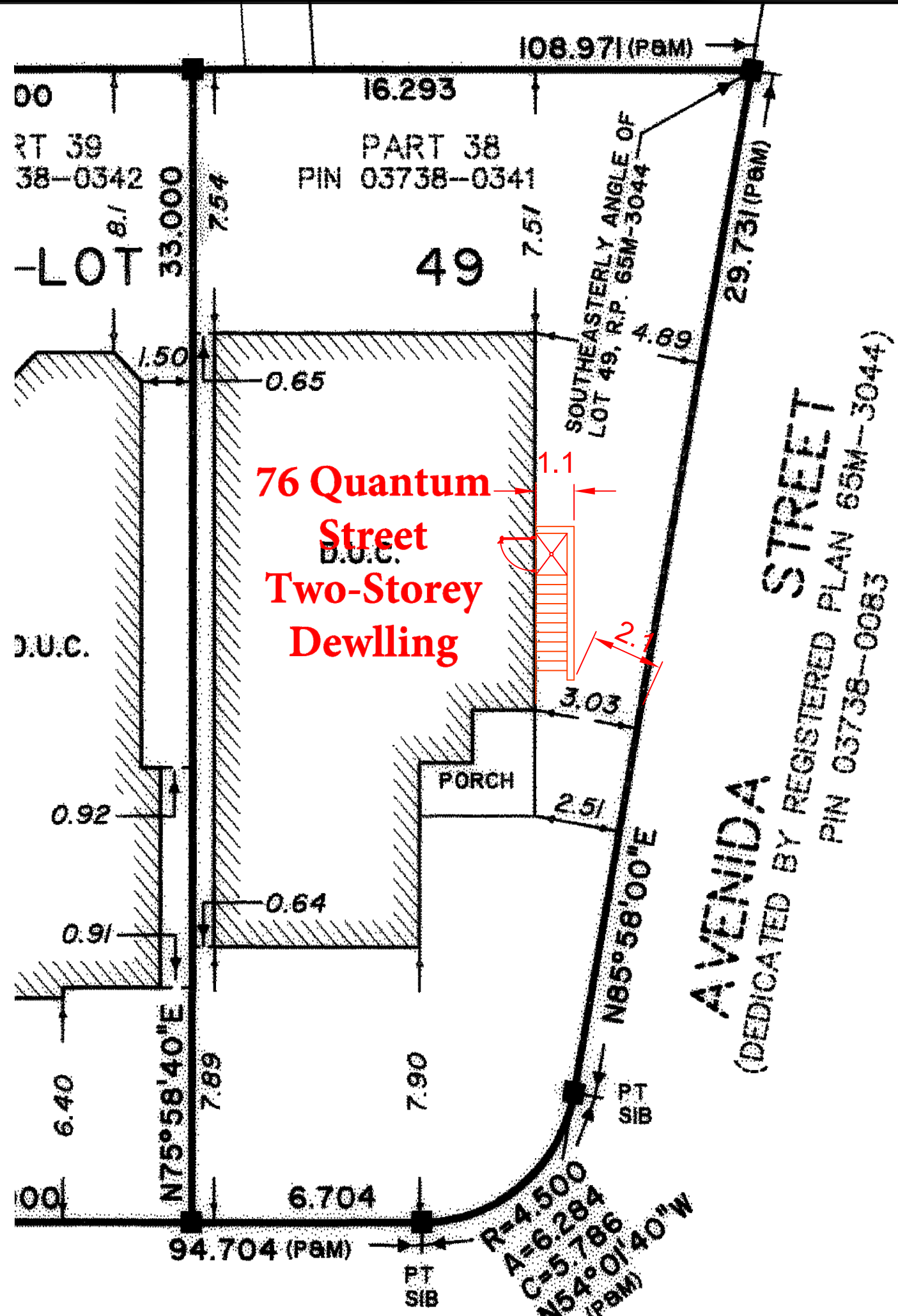
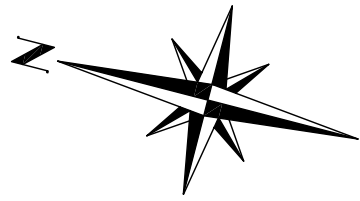
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/016/26

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 blue ink, consisting of a stylized, cursive name followed by a long horizontal flourish.

Stacia Muradali, Development Manager, East District



Appendix B

File: 26.110637.000.00.MNV

Date: 4/7/2026

MM/DD/YY

NO.	ISSUE / REVISION	BY	DATE
0	ISSUE FOR PERMIT	P.P.	2024.04.25

The contractor shall check and verify all dimensions and report all errors and omissions to the Engineer before proceeding with the work. This drawing is the property of the Engineer and must be returned on completion of the work. Do not scale drawings.

PROJECT:
WALKOUT BASEMENT
 76 QUANTUM STREET, MARKHAM ONTARIO

DRAWING:
SITE PLAN

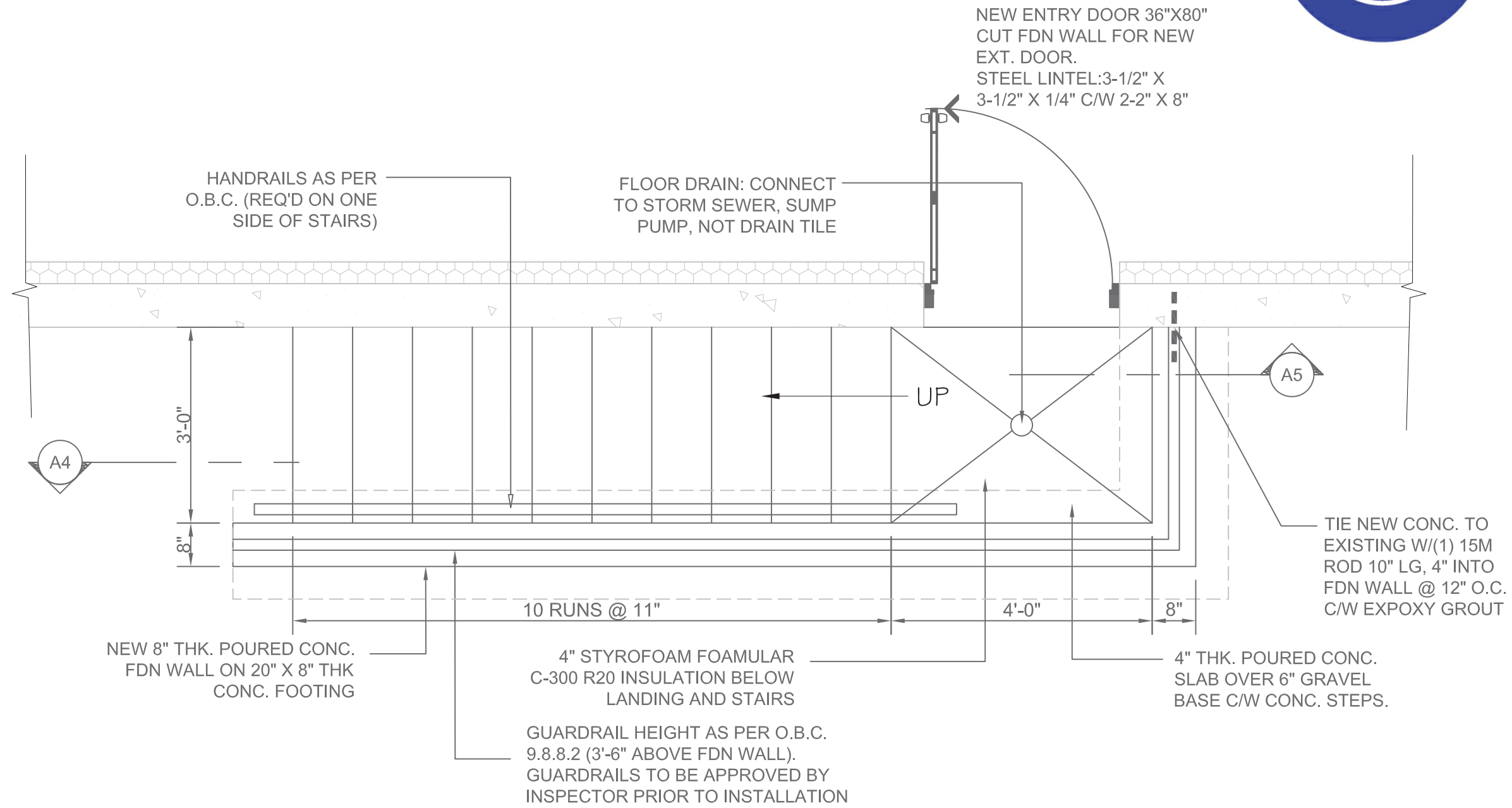
PENG ENGINEERING INC.
 3951 WALLACE POINT ROAD
 PETERBOROUGH, ONTARIO K9J 0E4
 TEL: (647) 636-3628 WWW.PENGENGINEERING.COM
 EMAIL: INFO@PENGENGINEERING.COM

DRAWN BY : E.Y.	CHECKED BY : P.P.
SCALE: N.T.S.	DATE: APR. 25, 2024
PROJECT NO: 2024055	DRAWING NO: A1



Appendix B

File: 26.110637.000.00.MNV
 Date: 4/7/2026
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PROPOSED WALKOUT PLAN DETAIL



NO.	ISSUE / REVISION	BY	DATE
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PROJECT:
WALKOUT BASEMENT
 76 QUANTUM STREET, MARKHAM ONTARIO

DRAWING:
PROPOSED WALKOUT PLAN DETAIL

PENG ENGINEERING INC.
 3951 WALLACE POINT ROAD
 PETERBOROUGH, ONTARIO K9J 0E4
 TEL: (647) 636-3628 WWW.PENGENGINEERING.COM
 EMAIL: INFO@PENGENGINEERING.COM

DRAWN BY : E.Y.	CHECKED BY : P.P.
SCALE: N.T.S.	DATE: APR. 25, 2024
PROJECT NO: 2024055	DRAWING NO: A3



Appendix B

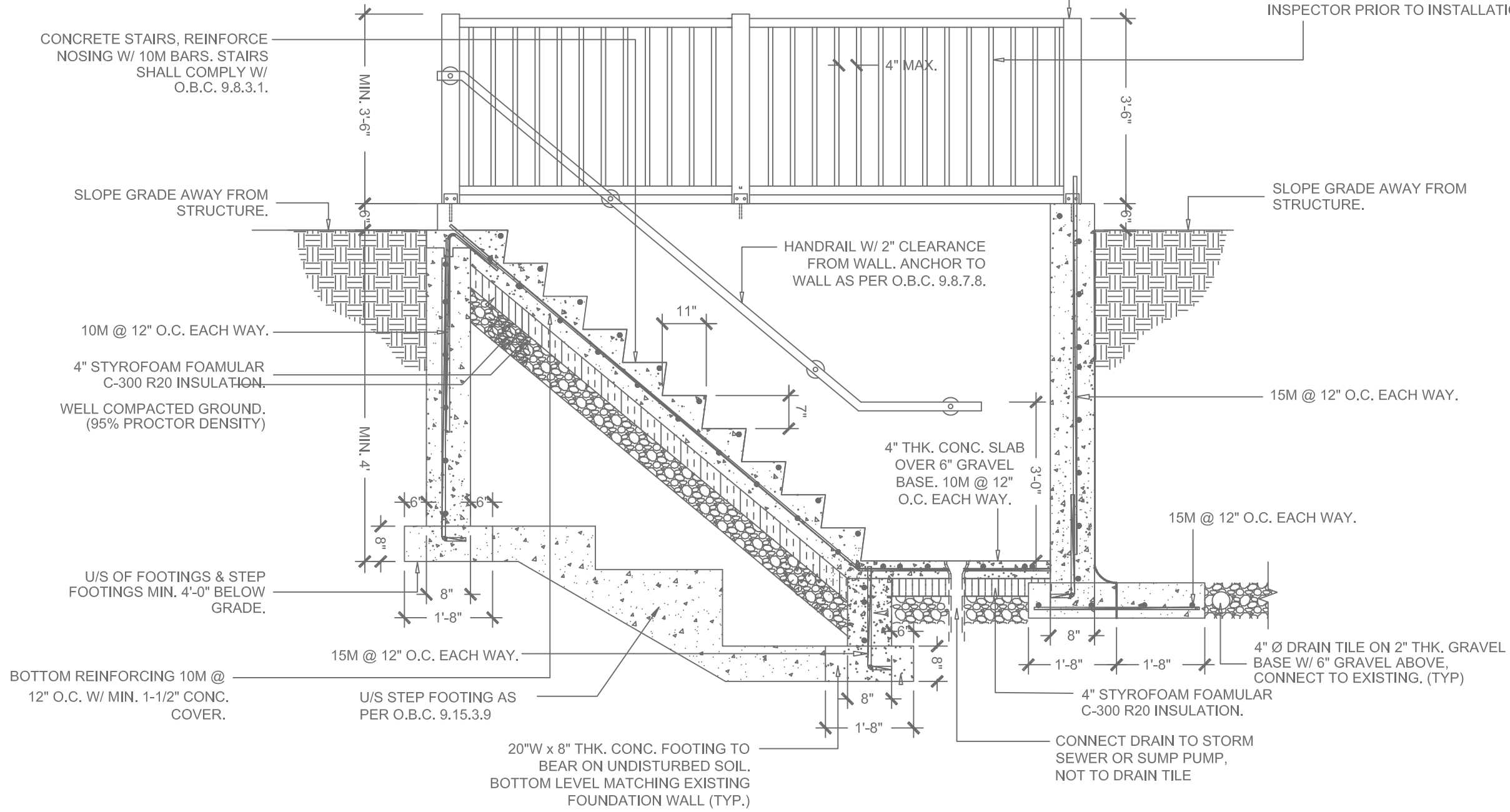
File: 26.110637.000.00.MNV

Date: 4/7/2026
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GUARDS SHALL BE CONSTRUCTED AS TO NOT FACILITATE CLIMBING AND BE SECURELY ANCHORED TO THE STRUCTURE.

STAIRS, HANDRAILS AND GUARDS SHALL BE CONSTRUCTED IN ACCORDANCE W/ O.B.C. DIV. B 9.8. AND SB-7.

GUARDRAIL HEIGHT AS PER O.B.C. 9.8.8.2. (3'-6" ABOVE FDN WALL)
GUARDRAILS TO BE APPROVED BY INSPECTOR PRIOR TO INSTALLATION.



A4 WALK-OUT SECTION DETAIL

NO.	ISSUE / REVISION	BY	DATE
0	ISSUE FOR INFO	P.P.	

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PROJECT: **WALKOUT BASEMENT**
76 QUANTUM STREET, MARKHAM ONTARIO

DRAWING: **WALKOUT SECTION DETAIL**

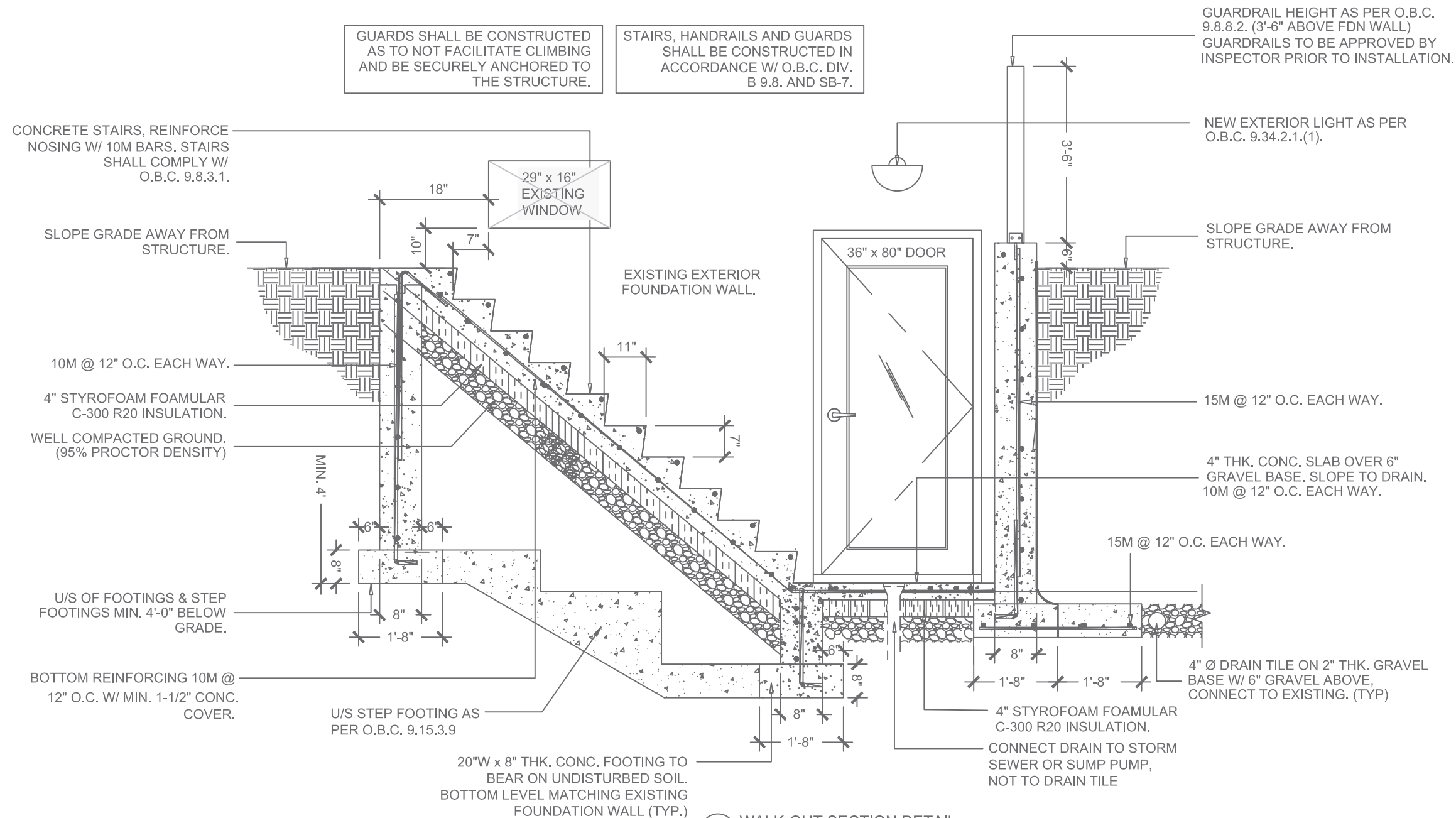
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DRAWN BY : E.Y.	CHECKED BY : P.P.
SCALE: N.T.S.	
PROJECT NO:	DRAWING NO: A4



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A5 WALK-OUT SECTION DETAIL

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PROJECT:
WALKOUT BASEMENT
 76 QUANTUM STREET, MARKHAM ONTARIO

DRAWING:
WALKOUT SECTION DETAIL

PENG ENGINEERING INC.
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DRAWN BY : E.Y.	CHECKED BY : P.P.
SCALE: N.T.S.	DATE: APR. 25, 2024
PROJECT NO: 2024055	DRAWING NO: A5

GENERAL NOTES:

1. ALL DIMENSIONS SHALL BE TAKEN FROM ARCHITECTURAL PLANS AND NOT SCALE OFF DRAWINGS.
2. CONTRACTOR SHALL CHECK ALL EXISTING CONSTRUCTION AND DIMENSIONS WITH THE LATEST ISSUE OF CONSTRUCTION DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
3. REFERENCES SHALL BE MADE TO ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR LOCATIONS AND SIZES OF PITS, BASES, HOUSE KEEPING PADS, SUMPS, TRENCHES, DEPRESSIONS, GROOVES, CURBS, CHAMFERS AND SLOPES NOT SHOWN ON STRUCTURAL DRAWINGS.
4. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE, LOCAL BYLAWS AND HEALTH AND SAFETY REGULATIONS.
5. TYPICAL STRUCTURAL DETAILS SHOWN ON DRAWINGS SHALL GOVERN THE WORK. IF DETAILS DIFFER ON OTHER DRAWINGS, THE MOST STRINGENT SHALL GOVERN.
6. EXCAVATION FOR THE PROPOSED WORK SHOULD NOT UNDERMINE THE FOUNDATIONS OF ADJOINING BUILDINGS, OR CAUSE DAMAGE TO UTILITIES, ROADS AND SIDEWALKS. A MAXIMUM 7:10 ANGLE OF REPOSE SHALL BE MAINTAINED UNLESS OTHERWISE CERTIFIED BY A GEOTECHNICAL ENGINEER.
7. CONTRACTOR SHALL PROVIDE ALL BRACING, SHORING AND NEEDLING NECESSARY FOR THE SAFE EXECUTION OF THE WORK.
8. SOIL ENGINEER SHALL BE RETAINED BY OWNER TO INSPECT AND CONFIRM SOIL BEARING CAPACITY AS INDICATED ON PLANS AND DETAILS PRIOR TO PLACEMENT OF FOUNDATIONS.
9. ALL STEEL LINTELS SHALL BE PROVIDED WITH A MINIMUM OF 6" BEARING AT EACH END. ALL STEEL LINTELS AND VENEER PLATES SHALL BE HOT DIP GALVANIZED. ROLLED LINTELS SHALL BE PROVIDED FOR ALL ARCHES. PRECAST LINTELS SHALL BE DESIGNED BY PRECAST ENGINEER AND REINFORCED TO SUPPORT WEIGHT OF VENEER ABOVE.

FOUNDATION AND CONCRETE NOTES:

1. MINIMUM SOIL BEARING CAPACITY = 75 KPA (SLS) SHALL BE VERIFIED BY THE SOIL ENGINEER.
2. THE SOIL ENGINEER SHALL VERIFY THE PROPOSED SUBGRADE TYPE AND ALLOWABLE BEARING PRESSURE BEFORE PLACING FOUNDATIONS ON SUBGRADE.
3. ALL FOOTINGS EXPOSED TO FREEZING SHALL BE PROVIDED WITH 4'-0" MINIMUM FROST PROTECTION BELOW FINAL FINISHED GRADE U.N.O.
4. SLAB ON GRADE SHALL BE 4" THICK REINFORCED W/ 6x6x6/6 WELDED WIRE MESH U.N.O.
5. ALL CONCRETE SHALL HAVE THE FOLLOWING MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS:
 - 35 MPa 5~8% AIR CLASS C1 EXPOSURE FOR PORCH STR. SLAB
 - 32 MPa 5~8% AIR CLASS C2 FOR GARAGE AND EXTERIOR SLABS ON GRADE
 - 25 MPa 5~7% AIR FOR EXTERIOR FOUNDATION WALLS
 - 25 MPa FOR BASEMENT SLAB ON GRADE
 - 20 MPa FOR FOOTINGS
6. WEeping TILE SHALL DRAIN TO THE STORM SEWER, DITCH, DRYWELL OR INSTALL COVERED SUMP PIT WITH AN AUTOMATIC PUMP.
7. ALL FOOTINGS SHALL BEAR ON UNDISTURBED SOIL, ROCK OR ENGINEERED FILL CERTIFIED BY SOIL ENGINEER. CENTRE ALL FOOTINGS UNDER WALL U.N.O.
8. DURING COLD WEATHER CONSTRUCTION, ALL FOUNDATIONS SHALL BE PROTECTED BY 4'-0" OF EARTH OR MATERIAL WITH AN EQUIVALENT INSULATING VALUE.
9. CONTRACTOR SHALL NOTIFY AND MAKE ALL ARRANGEMENT FOR A STRUCTURAL ENGINEER TO INSPECT RE-BAR SET-UP PRIOR TO POUR OF CONCRETE. OTHERWISE, ENGINEER WILL NOT CERTIFY WALLS OR FOOTING/SLABS.
10. BACKFILL SHALL BE PLACED WHEN THE WALLS AND FLOOR CONSTRUCTION'S AT THE TOP AND BOTTOM OF THE WALLS HAVE BEEN CAST AND ATTAINED 100% OF THEIR DESIGN STRENGTH.
11. WHERE THERE IS GRADE ON BOTH SIDES OF FOUNDATION WALLS, BACKFILLING SHALL BE CARRIED OUT IN SUCH A MANNER THAT THE LEVEL OF BACKFILLING ON ONE SIDE OF THE WALL IS NEVER MORE THAN 24" DIFFERENT FROM THE LEVEL ON THE OTHER SIDE OF THE WALL.
12. NON-SHRINK GROUT SHALL HAVE 35 MPa MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS.
13. GROUND WATER LEVEL MUST BE INSPECTED DURING THE CONSTRUCTION. FOR FOOTINGS CLOSER THAN 22" TO THE TOP OF THE GROUND WATER LEVEL. THE WIDTH AND THICKNESS MUST BE DOUBLED UNLESS OTHERWISE INSTRUCTED BY A SOIL ENGINEER.
14. WHERE STEP FOOTINGS ARE USED, THE VERTICAL RISE SHALL NOT EXCEED 23-5/8" AND THE HORIZONTAL RUN SHALL BE NOT LESS THAN 23-5/8".
15. CLEAR CONCRETE COVERS TO REINFORCEMENT ARE AS FOLLOWS:
 - CONCRETE PLACED AGAINST EARTH FOR ALL SIZES AND LOCATION - 3"
 - CONCRETE PLACED IN FORMS, EXPOSED TO EARTH OR WEATHER:
 - 10M TO 15M BAR - 1-1/2"
 - 20M BAR OR LARGER - 2"
 - CONCRETE PLACED IN FORMS, NOT EXPOSED TO EARTH OR WEATHER:
 - IN WALLS AND SLABS U.N.O. - 1-1/2"
 - IN BEAMS TO STIRRUPS - 1-1/2"



Appendix B

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PROJECT:
WALKOUT BASEMENT
 76 QUANTUM STREET, MARKHAM ONTARIO

DRAWING:
NOTES

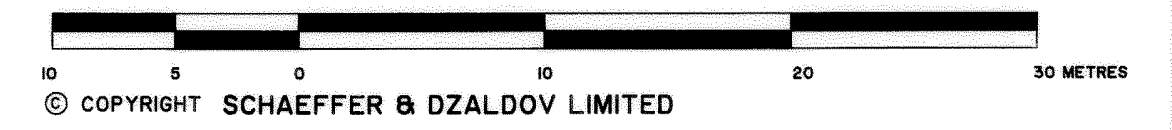
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DRAWN BY : E.Y.	CHECKED BY : P.P.
SCALE: N.T.S.	DATE: APR. 25, 2024
PROJECT NO: 2024055	DRAWING NO: A6

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

Appendix B

SURVEYOR'S REAL PROPERTY REPORT
 PART I
 PLAN SHOWING
 LOTS 41 TO 49,
 PART OF LOTS 40, 57, 58, 59,
 60 AND 61
 REGISTERED PLAN 65M-3044
 TOWN OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK
 SCALE 1:300
 File: 26.110637.000.00.MNV
 Date: 4/7/2026
 BOTH INCLUSIVE AND EXCLUSIVE



SURVEYOR'S REAL PROPERTY REPORT
 PART 2
 THIS PLAN MUST BE READ WITH SURVEYOR'S REAL PROPERTY REPORT DATED NOVEMBER 12, 2001.

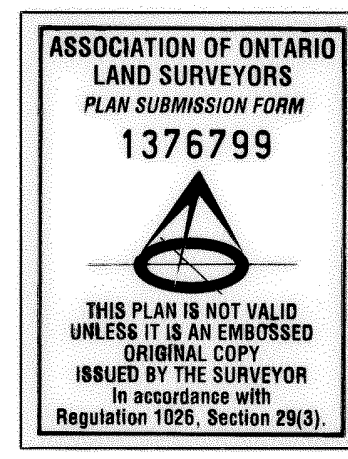
NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF QUANTUM STREET AS SHOWN ON REGISTERED PLAN 65M-3044, HAVING A BEARING OF N 14° 01' 20" W.
 DENOTES
 ■ PLANTED MONUMENT
 * FOUND MONUMENT
 SIB STANDARD IRON BAR
 IB IRON BAR
 P PLAN 65R-20994
 922 SCHAEFFER & DZALDOV LIMITED, O.L.S.
 D.U.C. DWELLING UNDER CONSTRUCTION
 PT POINT OF TANGENCY
 M MEASURED

ALL FOUND MONUMENTS ARE NUMBERED 922 UNLESS NOTED OTHERWISE.
 ALL FOUND MONUMENTS ARE IB'S UNLESS NOTED OTHERWISE.
 ALL TIES TO CONCRETE FOUNDATION UNLESS NOTED OTHERWISE.

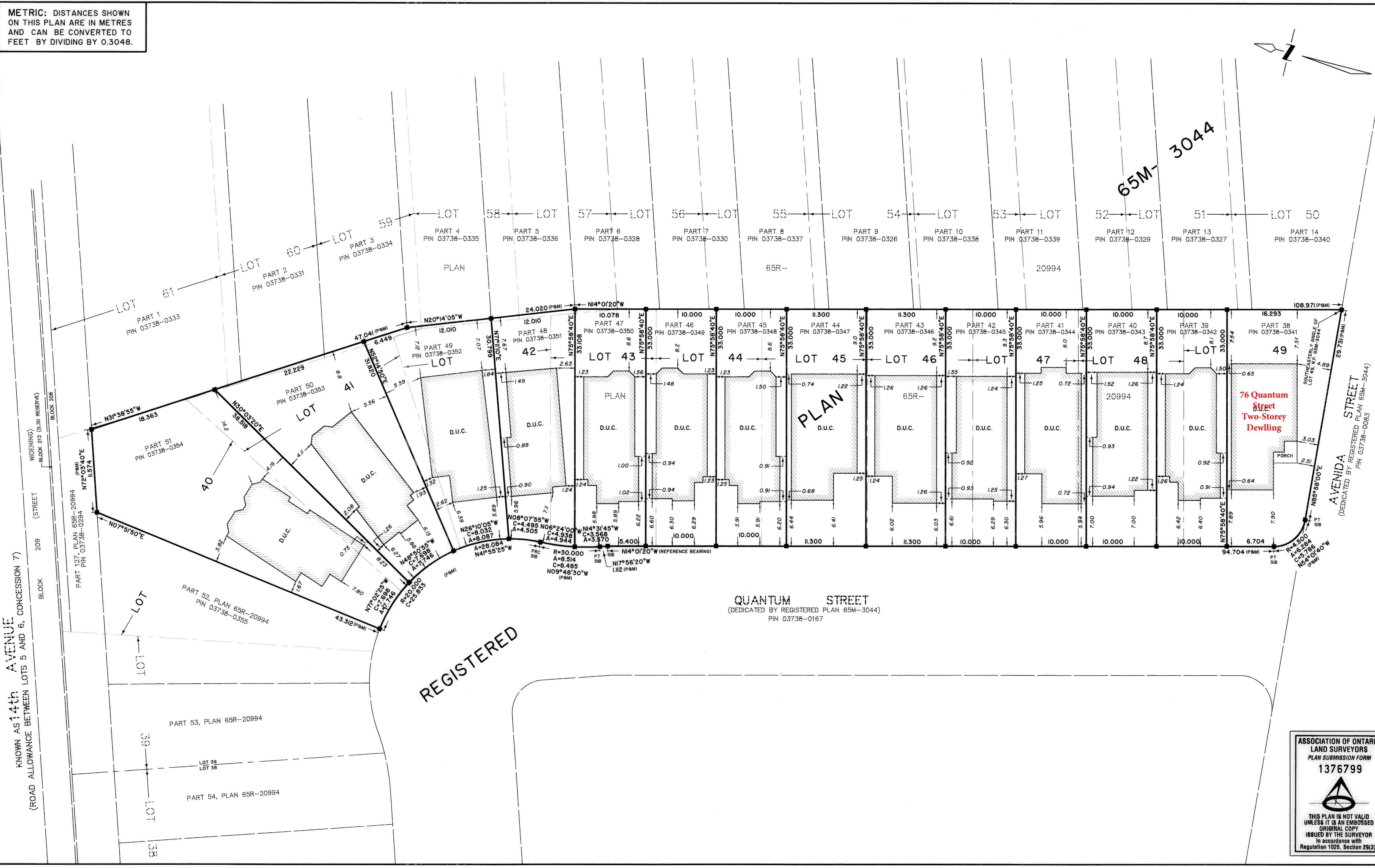
THIS REPORT WAS PREPARED FOR REMINGTON HOMES AND OTHER APPLICABLE PARTIES TO CURRENT TRANSACTIONS ONLY, AND THE UNDERSIGNED IS NOT LIABLE FOR ANY FUTURE TRANSACTIONS.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 22nd DAY OF OCTOBER, 2001.

DATE: NOVEMBER 12, 2001.
 OPHEE N. DZALDOV
 ONTARIO LAND SURVEYOR



SCHAEFFER & DZALDOV LIMITED
 ONTARIO LAND SURVEYORS
 64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL.(905)761-0101
 DRAWN ACAD/LW CHECKED BY SCALE 1:300 JOB NO. 98040-0



KNOWN AS 14th AVENUE
 (ROAD ALLOWANCE BETWEEN LOTS 5 AND 6, CONCESSION 7)

REGISTERED