



## MEMORANDUM

**TO:** Heritage Markham Committee

**FROM:** Evan Manning, Senior Heritage Planner

**DATE:** August 14, 2024

**SUBJECT:** Committee of Adjustment Variance Application  
109 Main Street, Unionville (“Old Lutheran Parsonage”)  
Proposed Accessory Building

**FILE:** A/059/24

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**Property/Building Description:** Two-storey detached dwelling constructed c.1880 and a detached garage constructed c.2008 as per MPAC records

**Use:** Residential

**Heritage Status:** Designated under Part IV of the *Ontario Heritage Act* (refer to By-law 379-86) and surrounded by Part V of the *Ontario Heritage Act* - Unionville Heritage Conservation District (the “UHCD”).

### **Application/Proposal**

- The City has received a Minor Variance (“MNV”) Application seeking relief from the applicable zoning by-laws to enable construction of a two-storey accessory building containing a secondary suite;
- The building is proposed in the rear yard of 109 Main Street (the “Subject Property” or the “Property”).

### **Requested Variances to the Zoning By-laws**

The applicant requires the following relief from By-law 122-72, as amended:

- To permit **one dwelling** unit inside a detached accessory building whereas the by-law does not permit accessory buildings for the use of human habitation;
- To permit a maximum height of **7.21m (23'-8")** whereas maximum height of an accessory building is **15' (4.57m)**;
- To permit a total floor area of **254.90 sq.m. (2,743.72 sq.ft.)** whereas accessory building floor area should not exceed **750 sq.ft. (69.69 sq.m.)**.

The applicant also requires the following relief from By-law 2024-19 (note that this is the new Comprehensive Zoning By-law which is not yet in-force):

- To permit a maximum of **3** accessory buildings whereas a maximum of **2** permitted for a lot area less than or equal to 4,000 sq.m;
- To permit a maximum height of **7.21m (23'-8")** for an accessory building whereas a maximum height of **3.0m (9'-8")** permitted for a lot area less than or equal to 4,000 sq.m.
- To permit a garden home located **52m** from a lot line abutting a street whereas the by-law requires no further than **30m**;
- To permit a maximum gross floor area of **254.9 sq.m.** for an accessory building whereas a maximum gross floor area of **20 sq.m.** is permitted for a lot area greater than 500 sq.m. and less than 4,000 sq.m.

## **Background**

### *Context*

- The Subject Property is located on the east side of Main Street between Highway 7 to the south and Eckardt Avenue to the north. Single-detached dwellings border or are adjacent to the Property on all sides with the exception of its rear (east) lot line which borders municipally-owned parkland ("Denby Valley). There is a vacant lot immediately to the north of the Property;
- The Subject Property has a variable lot depth ranging from approximately 105m along its northern property line to 77m along its southern property line. The considerable depth of the lot accommodates the existing heritage dwelling, a detached 3-bay garage, and a pool enclosure (the latter of these are considered "accessory buildings" within By-law 2024-19).

## **Legislative Context**

### *Ontario Heritage Act*

- As noted above, the Subject Property is designated under Part IV (individual designation) and is surrounded by Part V properties as per the *Ontario Heritage Act* (the "Act");
- The Act provides direction for properties with dual designation. For those properties contained within a heritage conservation district ("HCD") where the HCD Plan was adopted prior to 2005, such as the UHCD Plan, the Part IV designation by-law prevails. If the HCD Plan was adopted post-2005, the Plan prevails. As such, the impact of this proposal has been evaluated against the cultural heritage value of the Property as described within By-law 379-86 rather than against the policies and guideline of the UHCD Plan (a copy of By-law 379-86 is included as Appendix 'C' of this memo).

### *Planning Act*

- Now permits up to three residential units per lot (ie. two in the main dwelling and one in an ancillary building).

### *Comprehensive Zoning By-law 2024-19*

- The new by-law provides definitions for ‘Accessory Building or Structure’, ‘Coach House’, ‘Garden Home’ and ‘Garden Suite’. What is being proposed would be a **Garden Home** which is “means a dwelling unit located within an **accessory building or structure** in the rear yard of a lot that is not accessed by a lane and which is accessory to the principal use dwelling unit on the same lot”. Further information is provided in Appendix ‘E’ of this memo.

### **Staff Comment**

#### *Requested Variances*

- Staff do not support the approval path being sought by the applicant. The *Planning Act* describes a four-part test that must be satisfied for an application to be considered minor in nature. Should Staff determine that an application fails this test, a refusal report is prepared for Committee of Adjustment ( “COA”) consideration;
- Given the proposal’s large numerical deviation from development permissions described in the applicable zoning by-laws, it is the opinion of Staff that the application is not minor in nature and should be processed as a Zoning By-law amendment application rather than Minor Variance application. Note that this does not mean that Staff do not generally support the proposed concept, rather Staff do not support the proposed approval path through the COA;
- Staff have notified the applicant of this position and have advised that a refusal report will be prepared for a future COA hearing. At the time of writing, the applicant has decided to proceed to the COA with the knowledge that Staff are not in support of the approval path;
- There are different zoning provisions for an accessory building which does not have a dwelling unit in it versus an accessory building built as a Garden Home. Specifically, a garden home is to not exceed the greater of 50% of the gross floor area of the principal use dwelling unit on the same lot or 60 square metres and a maximum height of 4.5 metres. The dwelling proposed is 254.9 square metres in size and 7.21 metres in height.

#### *Conceptual Design*

- Staff have no objection from a heritage perspective to the siting of the accessory building given its limited visibility from the street. The siting of the building is also not anticipated to have an adverse visual impact on neighbouring properties given that the property to the immediate north of the Subject Property is vacant, and the rear yard of 7 Eckhardt Avenue, the next closest property to the proposed building, has a considerable depth of approximately 45m (148ft);
- Staff have completed a preliminary review of the proposed accessory building and have no significant concern with the exterior design. A more in-depth review will occur following future submission of a Major Heritage Permit;

- Staff are of the opinion that the proposed accessory building will not have an adverse impact on the cultural heritage value of the Subject Property as described within By-law 379-86 or on adjacent properties within the UHCD.

#### *Next Steps*

- As noted above, the applicant has decided to proceed to the COA with the knowledge that Staff will recommend refusal of the MNV application. It is anticipated that the application will be considered by the COA in the Fall;
- Should the applicant be successful at the COA, submission of a Major Heritage Permit will be required prior to Building Permit issuance. Once submitted, Staff will bring the Major Heritage Permit application to Heritage Markham for comment;
- Should the COA refuse the application, the applicant will have the option to (a) appeal the decision to the Ontario Land Tribunal (“OLT”) or (b) submit a Zoning By-law Amendment application in an attempt to secure the necessary development permissions.

### **Suggested Recommendation for Heritage Markham**

THAT Heritage Markham receives as information the opinion of Heritage Section staff as to the anticipated impact of the proposal on the cultural heritage value of 109 Main Street.

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#### **ATTACHMENTS:**

Appendix ‘A’	Location Map and Aerial Image of the Subject Property
Appendix ‘B’	Image of the Subject Property
Appendix ‘C’	By-law 379-86
Appendix ‘D’	Drawings
Appendix ‘E’	Extract from the Comprehensive Zoning By-law (By-law 2024-19)

File Path: Q:\Development\Heritage\PROPERTY\MAINSTU\109

## Appendix 'A'

### 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 looking east towards the Subject Property (Source: Google Earth)

## **Appendix 'B'**

### *Image of the Subject Property*



*The primary (west) elevation of the Subject Property as viewed from Main Street. Note the vacant lot to the north (right) (Source: Google)*

**Appendix 'C'**  
*By-law 379-86*

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NUMBER 379-86

A by-law to designate a certain property  
as being of Historic and/or Architectural  
value or interest

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WHEREAS Section 29, subsection 6 of The Ontario Heritage Act, Chapter 337, R.S.O. 1980, authorizes the Council of a municipality to enact by-laws to designate a real property, including all the buildings and structures thereon, to be of historic and/or architectural value or interest;

AND WHEREAS the Council of the Corporation of the Town of Markham has caused to be served on the owners of the lands and premises at:

Dr. John Cain  
109 Main Street  
Unionville, Ontario  
L3R 2G1

and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having a general circulation in the municipality once for each of three consecutive weeks;

AND WHEREAS the reasons for designation are set out in Schedule 'B', attached hereto and forming part of this by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. THAT the following real property, more particularly described in Schedule 'A' attached hereto and forming part of this by-law is hereby designated as being of historic and/or architectural value or interest:

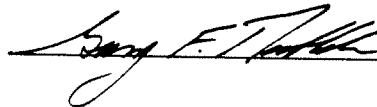
109 Main Street  
Unionville



2. AND THAT the Town Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule 'A' attached hereto in the proper Land Registry Office.

READ a first and second time this 11th day of November, 1986.

READ a third time and passed this 11th day of November, 1986.

  
CLERK

  
MAYOR

DESCRIPTION OF LANDS

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Those lands and premises located in the Town of Markham, in the Regional Municipality of York, and being composed of Part of Village Lot No. 21, Plan 401, now being Part 1 on Reference Plan 65R-7710.

As previously set out in Instrument No. 412725.

REASONS FOR DESIGNATION

(109 Main Street, Unionville)

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The dwelling located at 109 Main Street, Unionville, Part of Lot 21, Registered Plan 401, is recommended for designation for its historical and architectural significance.

Built in 1879 as an Evangelical Lutheran Church parsonage for the Bethesda and St. John's congregations, the building is considered to be the craftsmanship of local carpenter and builder George Robinson. The two storey, frame building, with bay windows and a quatrefoil in the street-facing gable, contributes to the predominately late Victorian residential character of Unionville's Main Street, south of the railway.

D E S I G N A T E D P R O P E R T Y

MUNICIPAL ADDRESS 109 MAIN STREET, UNIONVILLE

DESIGNATING BY-LAW 379-86

PASSED November 11th, 1986

REGISTERED AS INSTRUMENT #418577

ON DECEMBER 9th, 1986

ASSESSMENT ROLL NUMBER 020-180-618-00

OWNER Dr. John Cain  
109 Main Street  
Unionville, Ontario  
L3R 2G1

LEGAL DESCRIPTION

SCHEDULE 'A' TO BY-LAW NUMBER 379-86

DESCRIPTION OF LANDS

---

Those lands and premises located in the Town of Markham, in the Regional Municipality of York, and being composed of Part of Village Lot No. 21, Plan 401, now being Part 1 on Reference Plan 65R-7710.

As previously set out in Instrument No. 412725.

R E A S O N   F O R   D E S I G N A T I O N

OF:

109 MAIN STREET, UNIONVILLE

SCHEDULE 'B' TO BY-LAW NUMBER 379-86

REASONS FOR DESIGNATION

(109 Main Street, Unionville)

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The dwelling located at 109 Main Street, Unionville, Part of Lot 21, Registered Plan 401, is recommended for designation for its historical and architectural significance.

Built in 1879 as an Evangelical Lutheran Church parsonage for the Bethesda and St. John's congregations, the building is considered to be the craftsmanship of local carpenter and builder George Robinson. The two storey, frame building, with bay windows and a quatrefoil in the street-facing gable, contributes to the predominately late Victorian residential character of Unionville's Main Street, south of the railway.

**Appendix 'D'**  
*Drawings*



May 30, 2024

City of Markham  
Committee of Adjustment

**Re: List of Variances  
109 Main Street Unionville  
City of Markham**

Please accept the following list of variances as we cannot fit them on the application form:

1. By-law 2024-19  
Section 4.8.1 (c) (i)  
To permit a maximum of 3 accessory buildings whereas a maximum of 2 permitted for a lot area less than or equal to 4,000 sq.m.
2. By-law 2024-19  
Section 4.8.1 (d) (i)  
To permit a maximum height of 7.21 (23'-8") for an accessory building whereas a maximum height of 3.0m permitted for a lot area less than or equal to 4,000 sq.m.
3. By-law 2024-19  
Section 4.9.10 (g)  
To permit a garden home located 52m from a lot line abutting a street whereas the by-law requires no further than 30m.
4. By-law 2024-19  
Section 4.8.1 (b) (ii)  
To permit a maximum gross floor area of 254.9 sq.m. for an accessory building whereas a maximum gross floor area of 20 sq.m. permitted for a lot area greater than 500 sq.m. and less than 4,000 sq.m.
5. By-law 122-72  
Section 7.4 (b)  
To permit one dwelling unit inside a detached accessory building whereas the by-law does not permit accessory buildings for the use of human habitation.
6. By-law 122-72  
Section 7.4 (b)  
To permit a maximum height of 7.21m (23'-8") whereas maximum height of an accessory building is 15 ft.
7. By-law 122-72  
Section 7.4 (g)  
To permit a total floor area of 254.90 sq.m. (2,743.72 sq.ft.) whereas accessory building floor area should not exceed 750 sq.ft.

Thank you,

Russ Gregory  
Gregory Design Group

MAIN STREET (KENNEDY ROAD)  
(ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6)

PROPOSED TWO STOREY FRAME GARDEN HOME  
FIN GRD FLOOR = 174.10

SKETCH SHOWING TOPOGRAPHY OF  
LOTS 21, 22 AND 23  
REGISTERED PLAN 401  
CITY OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 200  
0 5 10 metres

LOT 11,  
CONCESSION 6

**CAUTION**

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
BOUNDARY INFORMATION HAS BEEN COMPILED FROM AVAILABLE RECORDS AND HAS NOT BEEN VERIFIED BY FIELD SURVEY.

**BENCHMARK**

ELEVATIONS SHOWN ON THIS SKETCH ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM BENCHMARK No. M-21-002, HAVING A PUBLISHED ELEVATION OF 175.660 METRES.

**LEGEND**

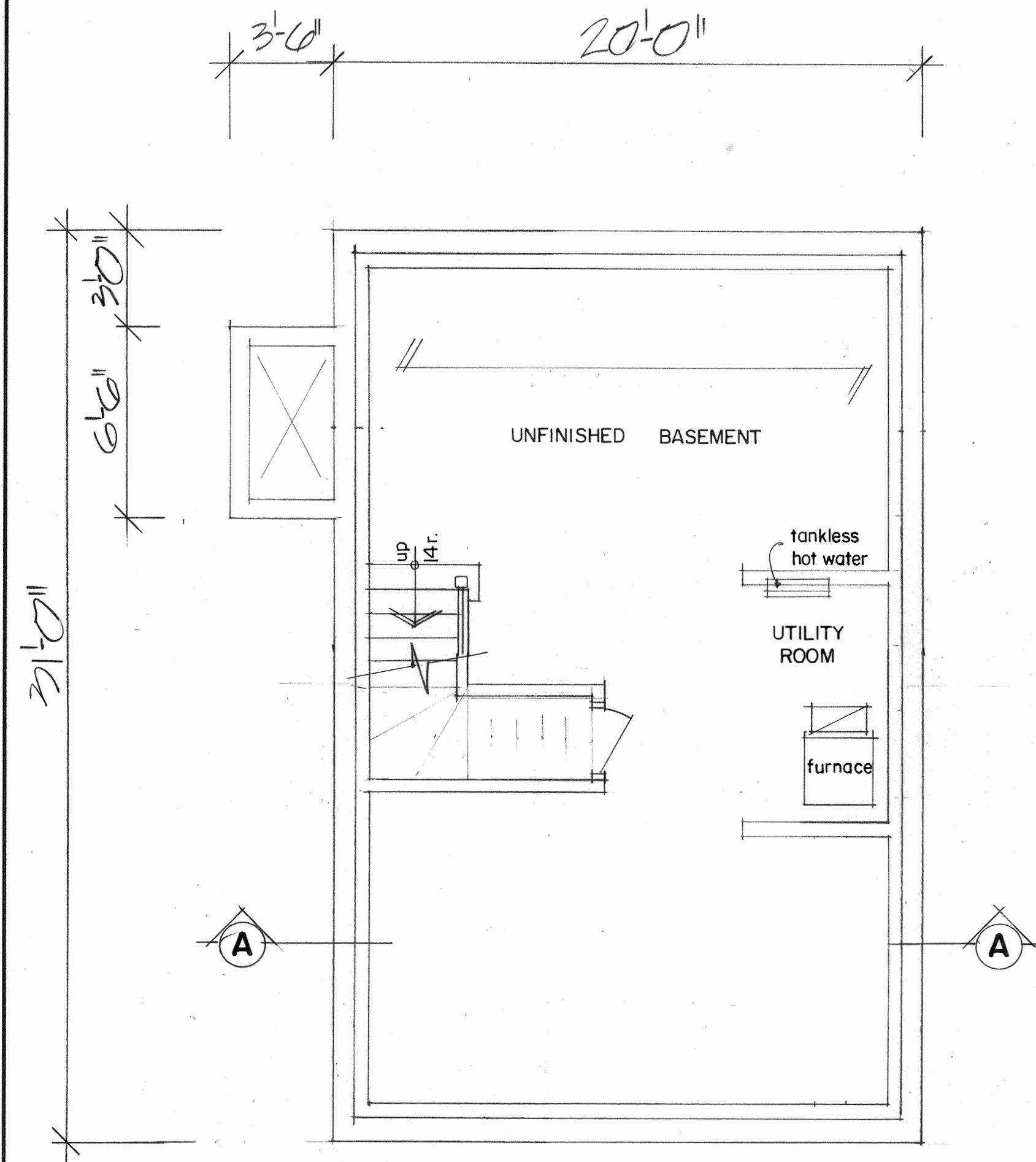
- CB DENOTES DOUBLE CATCHBASIN
- CB DENOTES SINGLE CATCHBASIN
- WC DENOTES WATER CHAMBER
- G METER DENOTES GAS METER
- GV DENOTES GAS VALVE
- MH DENOTES MANHOLE
- TMH DENOTES TELEPHONE MANHOLE
- SAN MH DENOTES SANITARY MANHOLE
- WMH DENOTES WATER MANHOLE
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- FP DENOTES FLAG POLE
- LS DENOTES LIGHT STANDARD
- ⊕ PED DENOTES TELEPHONE PEDESTAL
- ⊕ H DENOTES FIRE HYDRANT
- ⊕ WK DENOTES WATER KEY
- ⊕ SV DENOTES SPRINKLER VALVE
- ⊕ WV DENOTES WATER VALVE
- ⊕ FF DENOTES FINISHED FLOOR
- ⊕ OFF DENOTES GARAGE FINISHED FLOOR
- ⊕ WS DENOTES WINDOW SILL ELEVATION

**BUILDING AREAS**  
 EX. TWO STOREY HOUSE = 249.6 M<sup>2</sup>  
 EX. FRAME GARAGE = 81.5 M<sup>2</sup>  
 EX. POOL HOUSE = 7.7 M<sup>2</sup>  
 NEW GARDEN HOME = 59.7 M<sup>2</sup>  
**TOTAL = 398.5 M<sup>2</sup>**  
 AREA OF LOT = 2747.3 M<sup>2</sup>  
 BUILDING COVERAGE = 14.4 %

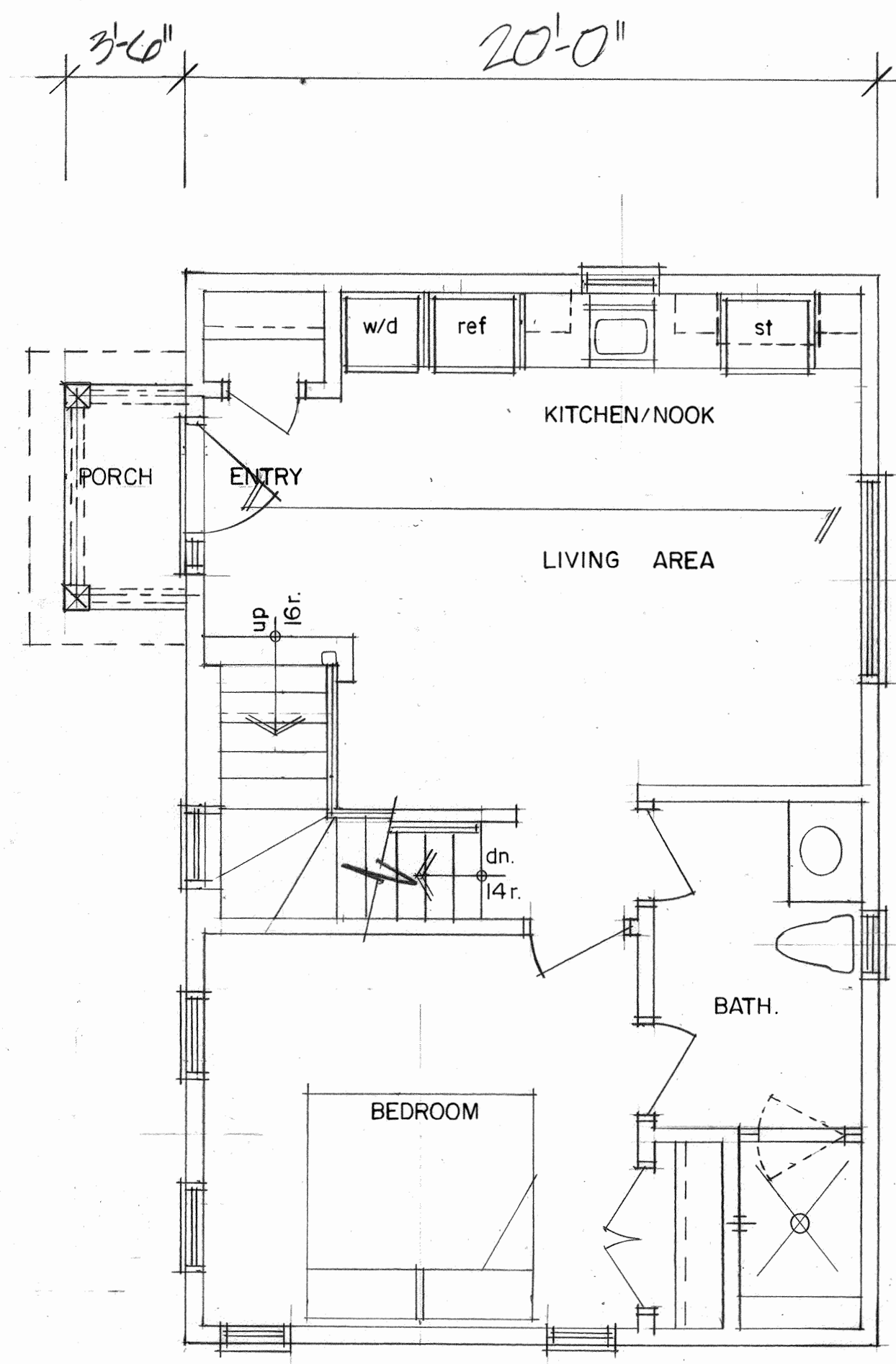
TRCA REGIONAL FLOOD ELEVATION  
= 174.54 MMSL  
(INFO SUPPLIED ON APR 23/24)

<b>PROJECT:</b> <b>TWO STOREY GARDEN HOME</b>  <b>109 MAIN STREET</b> <b>CITY OF MARKHAM</b>  <b>THE GREGORY DESIGN GROUP</b>  18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C. of the Building Code. I am qualified, and the firm registered, in the appropriate classes/categories.  INDIVIDUAL B.C.I.N. - 25825 FIRM B.C.I.N. - 30906  Russ Gregory NAME SIGNATURE	<b>DRAWN:</b> <b>R. GREGORY</b> <b>DATE:</b> 5/16/24 <b>SCALE:</b> 1:200
	<b>GENERAL NOTES:</b> All construction is to conform to section "P" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor/designer is responsible to re-claim and destroy all previous and un-revised copies of the drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.	<b>PROJECT NO.:</b> 2459-24  <b>DRAWING NO.:</b> <b>SITE PLAN</b>



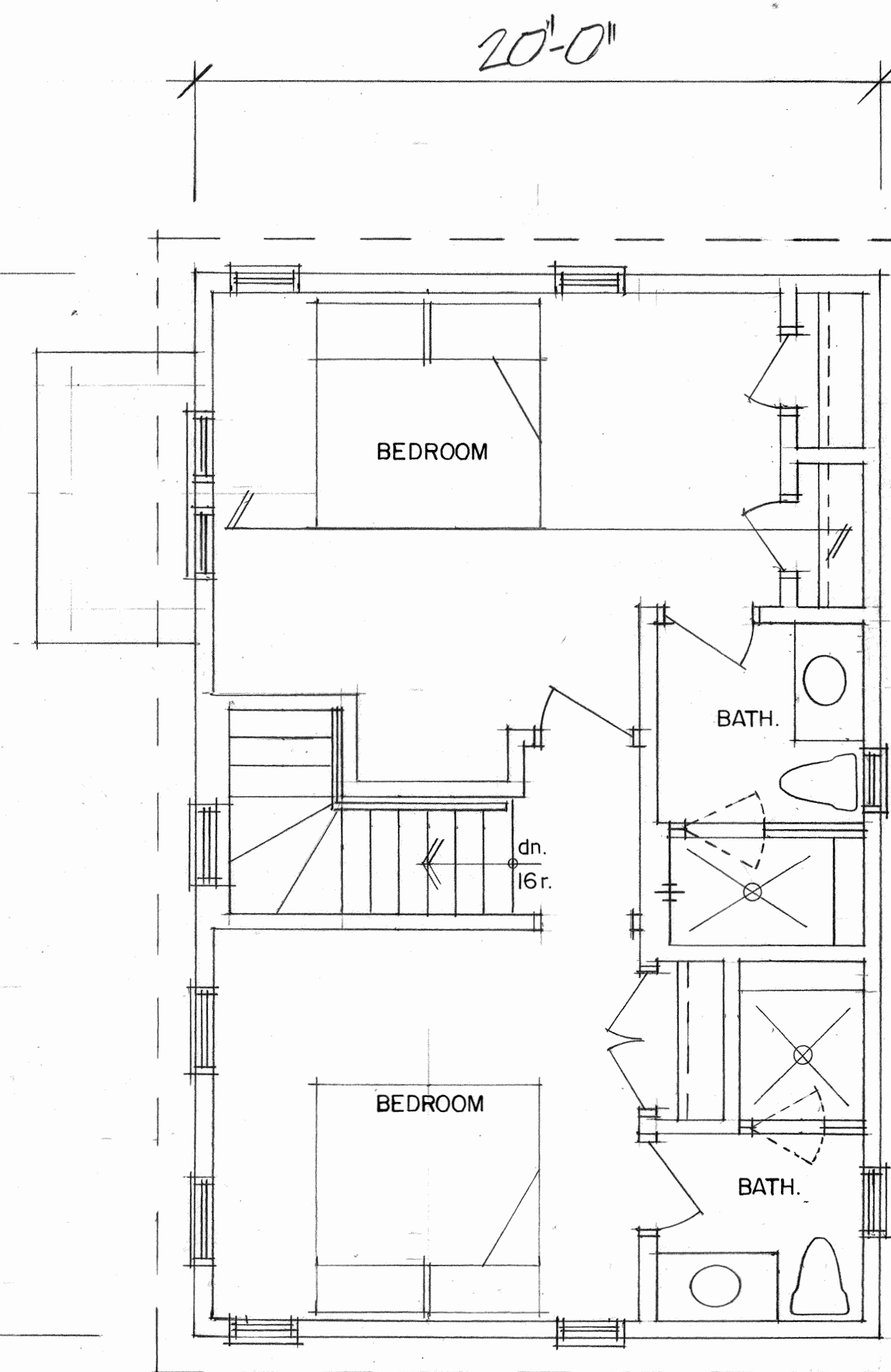


**BASEMENT & FOUNDATION PLAN**



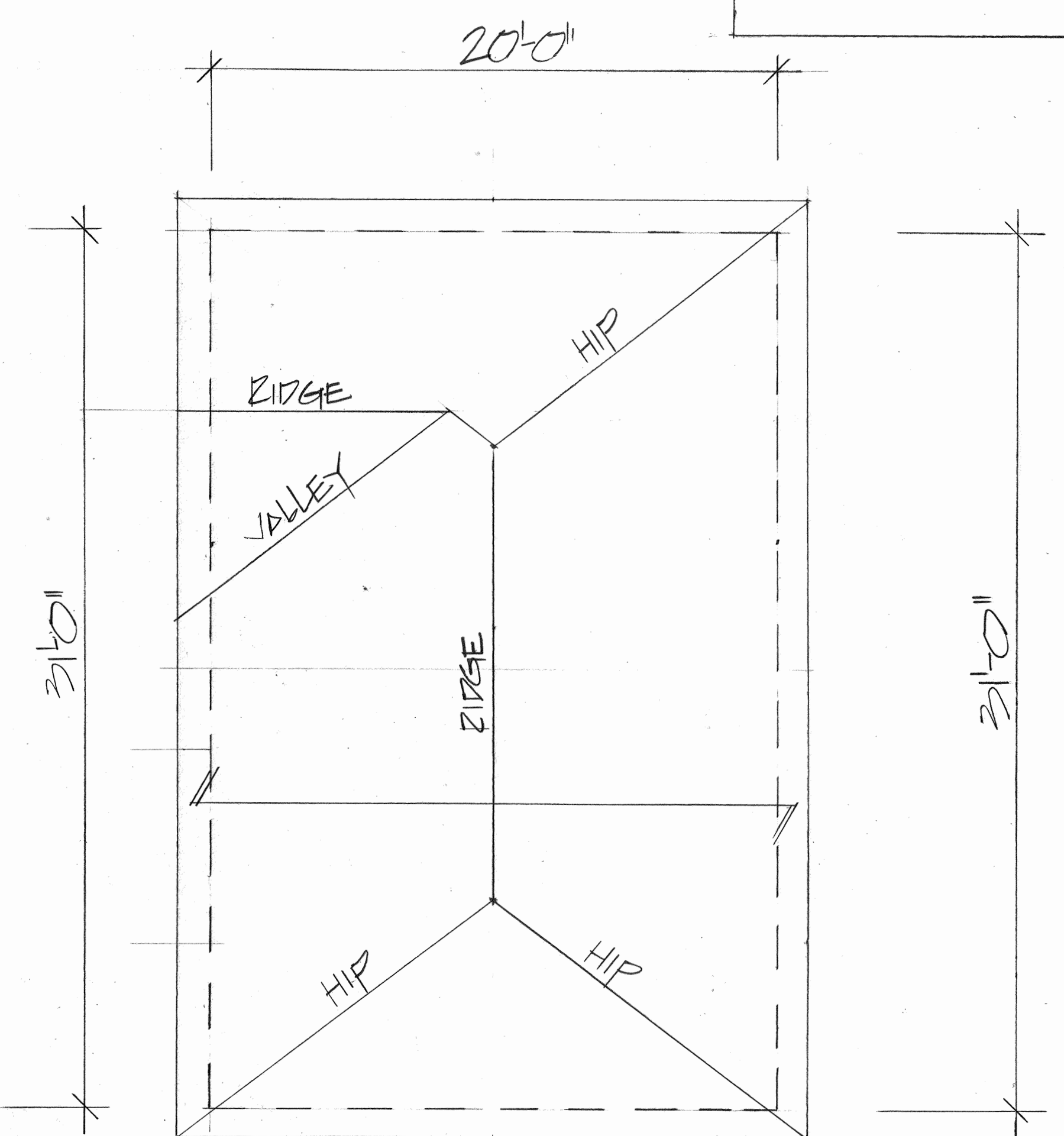
**GROUND FLOOR PLAN**

GROUND FLOOR AREA = 620 sq. ft.  
 BUILDING AREA = 643 sq. ft.



**SECOND FLOOR PLAN**

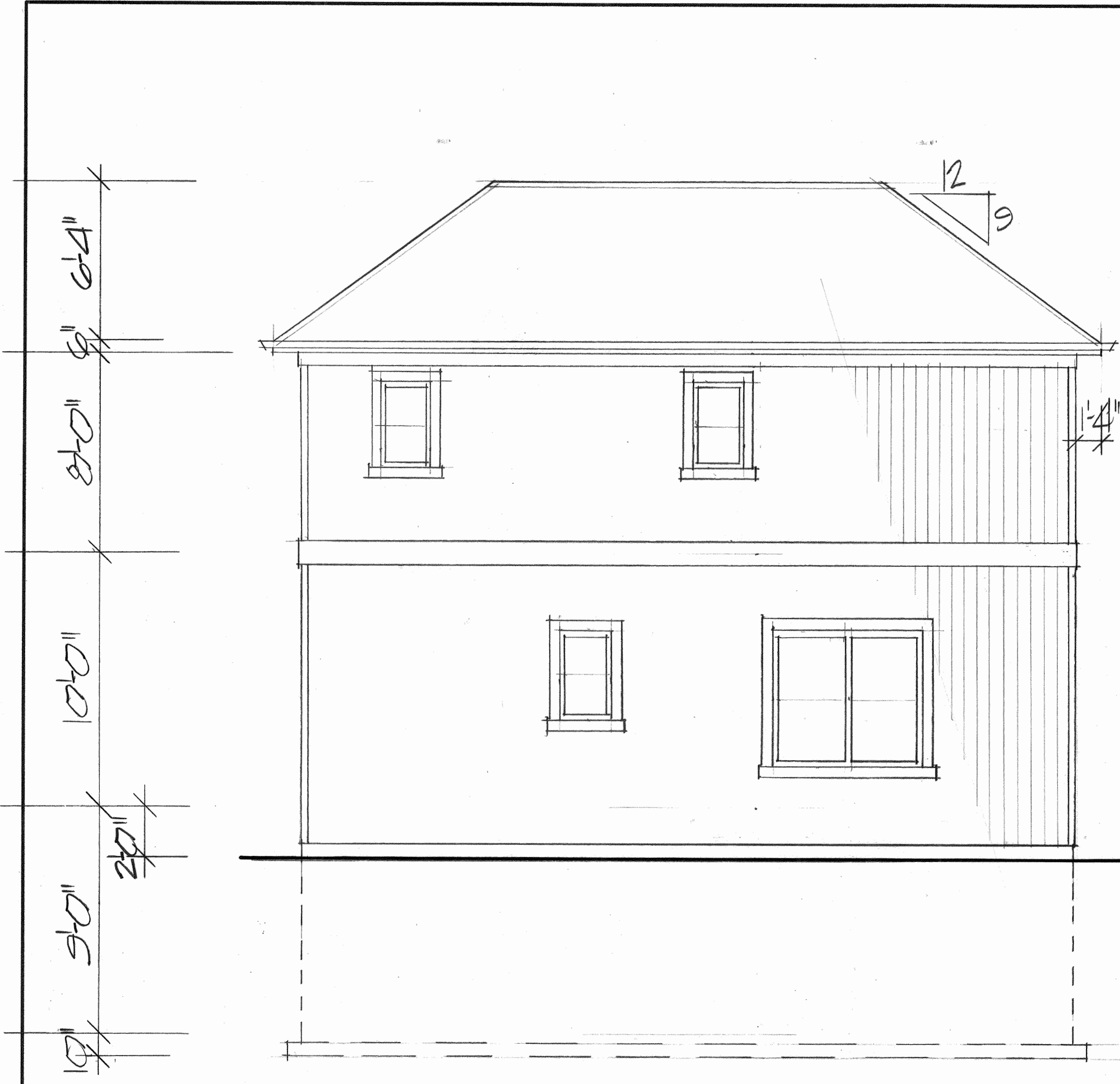
SECOND FLOOR AREA = 620 sq. ft.  
 OPEN SPACE = 37 sq. ft.  
 TOTAL = 583 sq. ft.



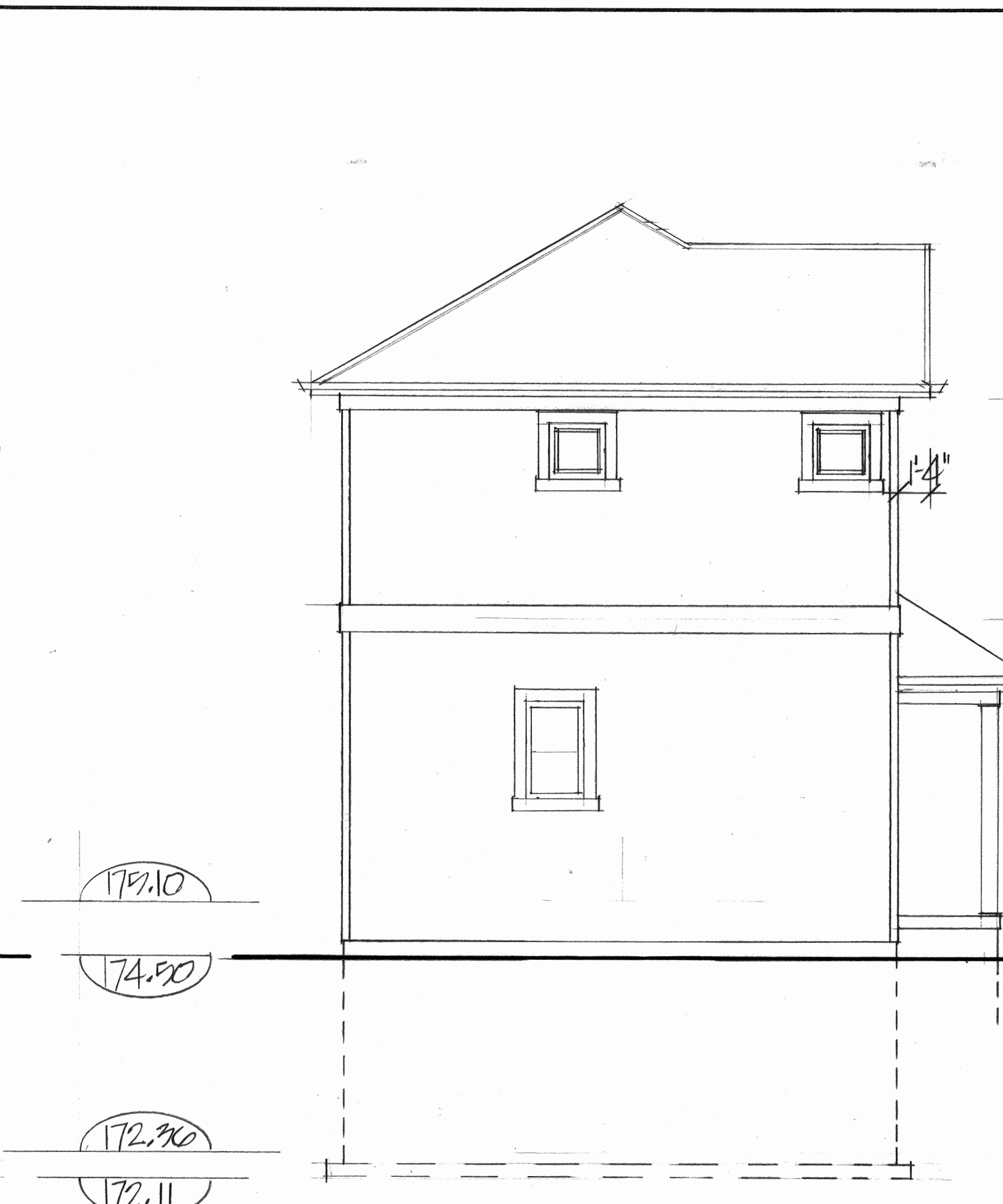
**ROOF PLAN**

NOTE - ENTIRE BUILDING TO BE SPRINKLERED TO ACHIEVE REQUIRED FIRE PROTECTION...

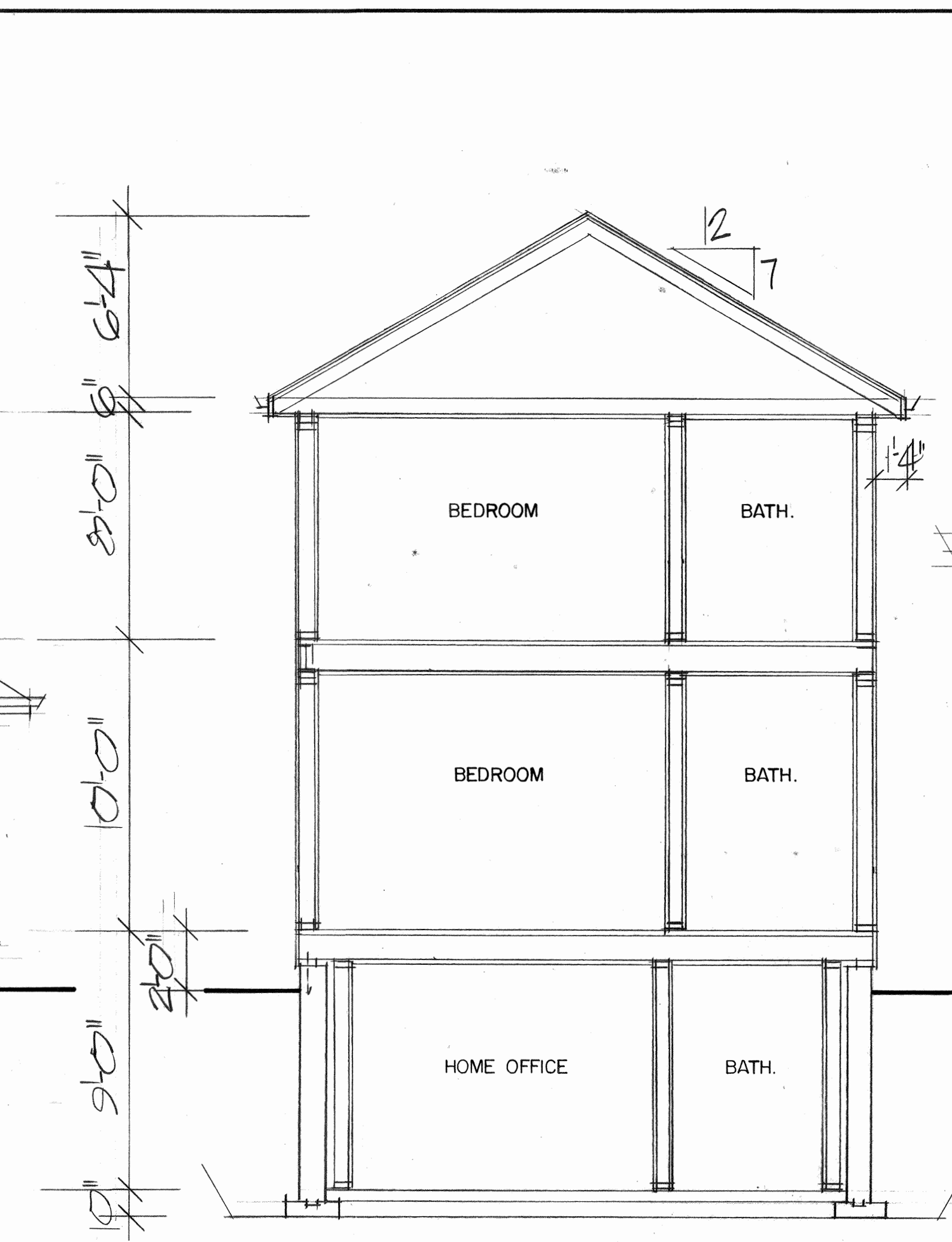
PROJECT: <b>TWO STOREY GARDEN HOME</b>  <b>109 MAIN STREET</b> <b>CITY OF MARKHAM</b>  <b>THE GREGORY DESIGN GROUP</b>  18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C, of the Building Code, I am qualified, and the firm registered, in the appropriate classed categories.  INDIVIDUAL B.C.I.N. - 25825 FIRM B.C.I.N. - 20908  Russ Gregory NAME SIGNATURE	DRAWN: <b>R. GREGORY</b>  DATE: <b>7/17/24</b>  SCALE: <b>1/4" = 1'-0"</b>
	GENERAL NOTES: All construction is to conform to section "7" of the Ontario Building Code (latest edition). Contractor shall check and verify all notes and dimensions. Do not scale drawings. Owner/contractor/designer is responsible to re-claim and destroy all previous and un-travelled copies of this drawing. These drawings are the property of the Gregory Design Group and/or its clients only. Building permits should be obtained prior to commencing construction.	PROJECT NO.: <b>2459-24</b>  DRAWING NO.: <b>A-1</b>



**NORTH ELEVATION**



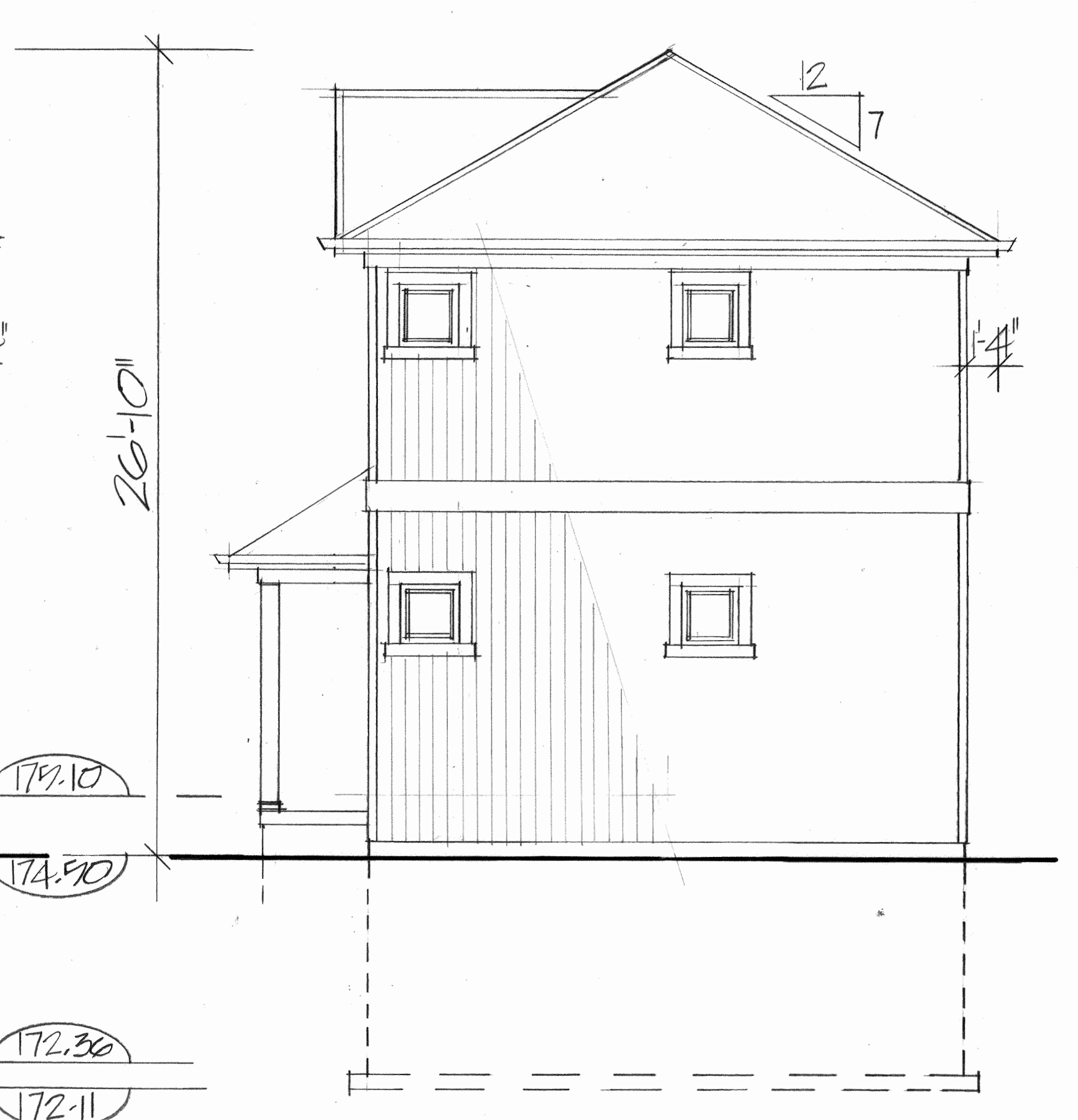
**WEST SIDE**



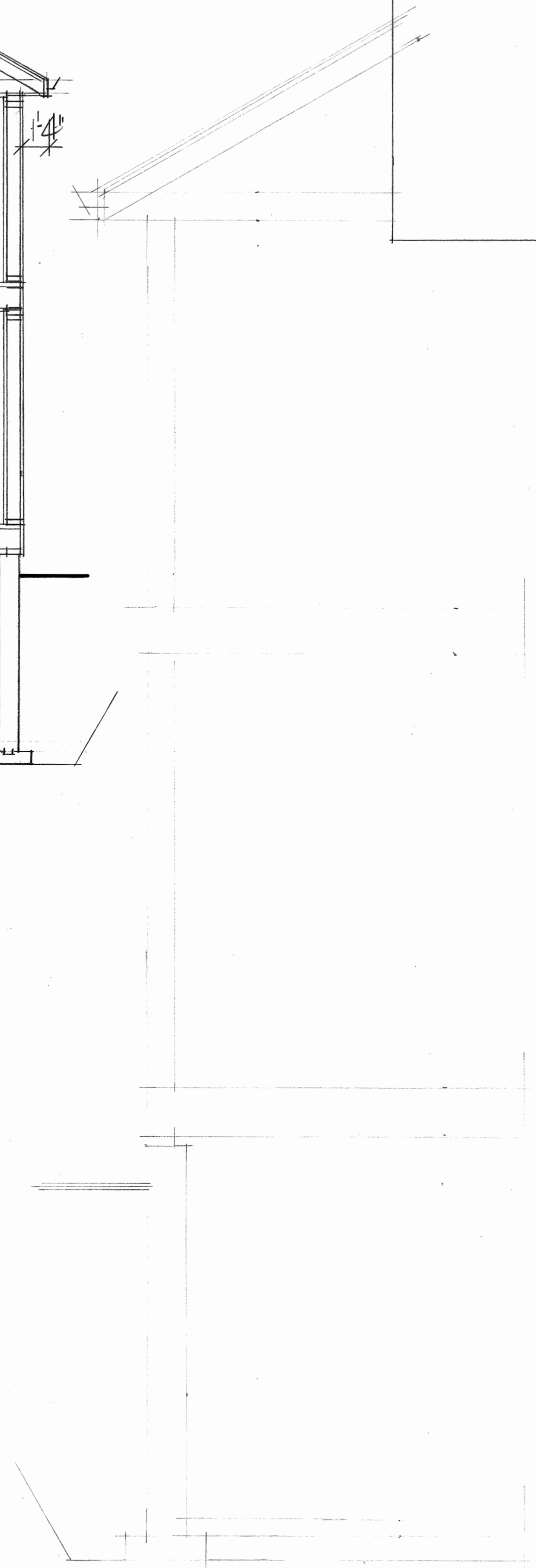
**SECTION 'A-A'**



**SOUTH ELEVATION**



**EAST SIDE**



**WALL SECTION**  
1/2" = 1'-0"

<b>PROJECT:</b> <b>TWO STOREY GARDEN HOME</b>	<small>I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C. of the Building Code. I am qualified, and the firm registered in the appropriate classes/categories.</small>	<b>DRAWN:</b> <b>R. GREGORY</b>
	<small>INDIVIDUAL B.C.I.N. -25825          FIRM B.C.I.N. -30909</small>	<b>DATE:</b>
<small>Russ Gregory          NAME SIGNATURE</small>	<b>SCALE:</b> 1/4" = 1'-0"	<b>PROJECT NO.:</b> 2459-24
<b>THE GREGORY DESIGN GROUP</b> 18 Paradise Ave MARKHAM, ONTARIO, L3P 3B9 (416) 720-4667 russ@gregorydesigngroup.net	<small>GENERAL NOTES:          All construction is to conform to section "10" of the Ontario Building Code (latest edition).          Contractor shall check and verify all notes and dimensions.          Do not scale drawings.          Owner/contractor/designer is responsible to re-claim and destroy all previous and un-revised copies of this drawing.          These drawings are the property of the Gregory Design Group and/or its clients only.          Building permits should be obtained prior to commencing construction.</small>	<b>DRAWING NO.:</b> <b>A-2</b>

## Appendix 'E'

### *Extract from the Comprehensive Zoning By-law*

#### Comprehensive Zoning By-law

##### **Definitions**

**Accessory Building or Structure** means a detached building or structure, the use of which is incidental to, subordinate to and exclusively devoted to the principal use in the main building located on the same lot.

**Coach House** means a dwelling unit where the majority of the unit is located above a detached private garage in the rear yard of a lot that is accessed by a lane, and which is accessory to the principal use dwelling unit on the same lot.

**Garden Home** means a dwelling unit located within an **accessory building or structure** in the rear yard of a lot that is not accessed by a lane and which is accessory to the principal use dwelling unit on the same lot.

**Garden Suite** means a **temporary** dwelling unit regulated under the Planning Act that is accessory to the principal use dwelling unit on the same lot and which is **designed to be portable**. For the purposes of this definition, a garden suite may include a dwelling unit in a recreational motor vehicle.

#### **4.8.1 ACCESSORY BUILDINGS OR STRUCTURES**

Unless otherwise identified in this By-law, accessory buildings or structures are subject to the following provisions:

- a) No accessory building or structure shall:
  - (i) Be erected on a lot prior to the erection of the main building on the lot;
  - (ii) Be used for human habitation unless expressly permitted in this By-law;
  - (iii) Be located within a public easement;
  - (iv) Be located within a front yard, or a front yard and an exterior side yard within a Mixed Use zone; and,
  - (v) Exceed 15 square metres if located on hazardous lands or hazardous sites.
- b) The maximum permitted gross floor area per accessory building or structure is:
  - (i) 15 square metres if the lot area is less than or equal to 500 square metres;
  - (ii) 20 square metres if the lot area is greater than 500 square metres and less than 4,000 square metres;
  - (iii) 60 square metres if the lot area is 4,000 square metres or greater.
- c) The maximum number of accessory buildings or structures permitted on a lot is:

- (i) 2 if the lot area is less than or equal to 4,000 square metres;
  - (ii) 4 if the lot area is greater than 4,000 square metres.
- d) The maximum height per accessory building or structure is:
  - (i) 3.0 metres if the lot area is less than or equal to 4,000 square metres;
  - (ii) 5.5 metres if the lot area is greater than 4,000 square metres.
- e) The minimum setback for an accessory building or structure from the interior side lot line and rear lot line is:
  - (i) 1.2 metres;
  - (ii) Notwithstanding (i) above, the setback may be reduced to 0.5 metres if the lot area is less than 4,000 square metres and the wall of the building has no doors or windows on the wall facing the lot line;
  - (iii) Where an accessory building or structure is located between the main building and an interior side lot line, the minimum setback for an accessory building or structure from the interior side lot line shall be equal to the required interior side yard for the main building.
- f) The minimum setback for an accessory building or structure from the exterior side lot line shall be no less than the setback between the main building and the exterior side lot line on any sized lot.
- g) The minimum setback for an accessory building or structure from any other building or structure on the lot is 1.8 metres.
- h) Notwithstanding (e) above, within a Mixed Use zone, no accessory building or structure shall be located within 3.0 metres of a residential zone boundary.

#### **4.9.10 GARDEN HOMES**

A garden home is permitted accessory to a detached dwelling, semi-detached dwelling or, townhouse dwelling subject to the following:

- a) A garden home is only permitted **within an accessory building or structure in accordance with section 4.8.1**, or within an existing legally non-conforming use, accessory building or structure;
- b) There is no coach house, garden suite, or other additional dwelling unit located within a building accessory to a detached dwelling, semi-detached dwelling, or townhouse dwelling on the lot;
- c) The garden home is located in the rear yard;
- d) The garden home does not exceed the greater of 50% of the gross floor area of the principal use dwelling unit on the same lot or 60 square metres;

- e) The garden home is set back a minimum of 6 metres from the main building on the lot;
- f) The garden home has a height of no greater than 4.5 metres;
- g) The garden home is located no further than 30 metres from a lot line abutting a street;
- h) The garden home is accessed from the street by an unobstructed path of travel that has a minimum width of 1.2 metres;
- i) The garden home is located a minimum of:
  - (i) 1.2 metres from the rear lot line;
  - (ii) The required exterior side yard for the main building from the exterior side lot line; and,
  - (iii) 1.2 metres from the interior side lot line.