

Memorandum to the City of Markham Committee of Adjustment

February 14, 2025

File: A/151/24
Address: 138 Sherwood Forest Drive, Markham
Applicant: Sakora Design Inc. (Marco Razzolini)
Hearing Date: Wednesday, February 19, 2025

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, as it relates to a new two-storey single family detached dwelling:

- a) **By-law 2024-19, Section 6.3.2.2(c):**
a maximum main building coverage of 26.54 percent for any storey above the first, whereas the by-law permits a maximum main building coverage of 20 percent for any storey above the first;
- b) **By-law 2024-19, Section 6.3.2.2(e):**
a maximum distance of 18.67 metres for any storey above the first storey of the main building from the established building line, whereas the by-law permits a maximum of 14.5 metres for any storey above the first storey of the main building from the established building line;
- c) **By-law 2024-19, Section 6.3.2.2(j):**
a maximum outside wall height of 7.26 metres, whereas the by-law permits a maximum outside wall height of 7 metres;
- d) **By-law 2024-19, Section 4.8.9.2(a)(i):**
a minimum soft landscaping strip of 1.23 metres, whereas the by-law requires a minimum soft landscaping strip of 1.5 metres;
- e) **By-law 2024-19, Section 4.8.10.1(a):**
a minimum exterior side yard porch with a depth of 0.62 metres, whereas the by-law requires a minimum exterior side yard porch with a depth of 1.8 metres; and
- f) **By-law 2024-19, Section 4.8.10.2(d)(iii):**
a porch to project 0.84 metres beyond the established building line, whereas the by-law permits a maximum of 0.6 metres beyond the established building line

BACKGROUND

Property Description

The 836.16 m² (9,000.35 ft²) subject property is a corner/through lot, located on the north side of Sherwood Forest Drive, east side of Jug Lane and south side of Bullock Drive (at the rear), and west of Main Street Markham North. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments. Mature vegetation exists across the property.

There is an existing single family detached dwelling on the property, which according to assessment records was constructed in 1962. The subject property is not located within the Markham Village Heritage Conservation District.

Proposal

The applicant is proposing to construct a new two-storey detached dwelling with a total gross floor area of 451.21 m² (4,856.74 ft²).

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

Section 8.2.3.5 of the 2014 Official Plan outlines development criteria for the “Residential Low Rise” designation to ensure infill development respects and reflects the existing pattern and character of the surrounding neighborhood. These criteria include policies with respect to height, massing, setbacks, and protection of existing vegetation.

Zoning By-Law 2024-19

The subject property is zoned RES-ENLR under By-law 2024-19, as amended, which permits a Detached Dwelling, Home Child Care Home Occupation, and Shared Housing-Small Scale.

Zoning Preliminary Review (ZPR) Undertaken

The applicant has completed a Zoning Preliminary Review (ZPR) to confirm the initial variances required for the proposed development. The applicant submitted revised drawings on January 24, 2025. The applicant has not conducted a Zoning Preliminary Review for the revised drawings. Consequently, it is the owner’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 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 Main Building Coverage (Second Storey)

The applicant is requesting a second storey main building coverage of 26.54% of the lot area, whereas the By-law permits a maximum of 20% for any storey above the first storey (30% for maximum for the first storey). This equates to a total second-storey coverage of approximately 221.4 m² (2,388.96 ft²), representing an additional 6.54% (54.71 m² or 588.89 ft²)

The proposed second storey coverage is less than the first storey which satisfies the intent of the By-law. Staff opine that the requested variance is appropriate, is similar with the recent surrounding infill development trend and will not negatively impact the surrounding neighborhood

Increase in Maximum Distance of the Main Building from the Established Building Line

The applicant is requesting a maximum distance of the main building from the established building line for any storey above the first storey of 18.75 m (61.52 ft), whereas the By-

Law permits a maximum of 14.5 m (47.57 ft). The intent of regulating this maximum distance is to maintain a uniform streetscape by ensuring consistent building alignment in addition to the building depth and massing in relation to neighboring dwellings. The proposed secondary storey will not disrupt the established building line along streetscape. Staff have no concern with this requested variance.

Increase in Maximum Outside Wall Height

The applicant is requesting a maximum outside wall height of 7.26 m (23.82 ft), whereas the By-Law permits a maximum of 7 m (22.97 ft). This represents an increase of 0.26 m (0.85 ft). This is a minor increase that will not impact abutting properties or adverse impact to the streetscape. The requested variance is appropriate, and staff have no objection.

Reduced Soft Landscaping Strip

The applicant is requesting a minimum soft landscaping strip of 1.23 m (4.04 ft), whereas the By-Law requires a minimum of 1.5 m (4.92 ft). The requested variance applies only where the basement window wells encroach into the required landscaping on the east side of the dwelling. Otherwise, this soft landscaping strip between the east side of the dwelling and interior lot line is 1.83 m (6.00 ft), exceeding the minimum requirement. Given that the reduction is limited to the proposed basement window wells, staff have no objections to the approval of this variance.

Reduction in Exterior Side Yard Porch Depth

The applicant is requesting a minimum exterior side porch depth of 0.62 m (2.03 ft), whereas the By-Law requires a minimum of 1.8 m (5.90 ft). This represents a decrease of 1.18 m (3.87 ft). The intent of the porch depth provision is to provide room for usable porches and for accessibility. The proposed exterior side yard is 3.07 m which does provide space to increase the depth of the proposed exterior porch. Staff note the front porch, however does comply with the By-law. Because of this, staff do not have concerns with the requested variance.

Increased Front Porch Projection

The applicant is requesting relief to permit an increased porch projection of 0.84 m (2.76 ft) beyond the established building line, whereas the By-Law permits a maximum of 0.6 m (1.97 ft) beyond the established building line.

This projection is necessary to ensure the front porch meets the minimum required depth of 1.8 m (5.90 ft), as required by the By-Law, providing a functional and accessible entry space. Staff consider this projection to be minor in nature and consistent with the scale and character of the neighbourhood. As such, staff have no concerns with the proposed variance.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 13, 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 "A" for conditions to be attached to any approval of this application.

APPENDICIES

Appendix "A" – A/151/24 Conditions of Approval

Appendix "B" - Drawings

PREPARED BY:



Aaron Chau, Planner I, East District

REVIEWED BY:




Stephen Corr, Senior Planner, For:
Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/151/24

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 received by the City of Markham on January 24 2025 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. The reduced soft landscaping variance only applies to the basement window wells on the east side of the dwelling.

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'Aaron Chau', written in a cursive style.

Aaron Chau, Planner I, East District



Appendix B

File: **24.200044.000.00.MNV**

Date: **2/14/2025**

MM/DD/YYYY

138 Sherwood Forest Dr Markham, ON

Designation	RES-ENLR & R1-First Density Residential	
Lot Area	836.16 m ²	9,000.35 sq ft
Lot Frontage	18.29 m	60.01 ft
Lot Depth	45.72 m	150.00 ft

Total Main Building Coverage - RES-ENLR		
	Existing	Proposed
Total Ground Floor	229.26 sq ft	2,467.78 sq ft
Total Second Floor	221.94 sq ft	2,388.96 sq ft
Total GFA	451.21 sq ft	4,856.74 sq ft

See Detailed Area Breakdown Below		
Main Building Coverage - RES-ENLR		
Ground Floor		
	Maximum	Proposed
Ground Floor	186.10 sq ft	2,003.15 sq ft
Garage	43.17 sq ft	464.63 sq ft
Max Coverage	229.26 sq ft	2,467.78 sq ft
Percentage	30%	27.42%
Second Floor		
	Maximum	Proposed
Second Floor	173.59 sq ft	1,868.50 sq ft
Open To Below	48.35 sq ft	520.46 sq ft
Max Coverage	167.23 sq ft	2,388.96 sq ft
Percentage*	20%	26.54%

Net Floor Area Ratio - R1		
Net Lot Area	Existing	Proposed
Ground Floor	186.10 sq ft	2,003.15 sq ft
Second Floor	173.59 sq ft	1,868.50 sq ft
Garage	43.17 sq ft	464.63 sq ft
Open To Below	48.35 sq ft	520.46 sq ft
Max NFAR	326.10 sq ft	451.21 sq ft
Percentage*	45%	62.26%

Basement Area		
Finished Area	Existing	Proposed
	180.92 sq ft	1,947.44 sq ft

Coverage		
	Existing	Proposed
House Footprint	229.26 sq ft	2,467.77 sq ft
Front Porch	6.15 sq ft	66.15 sq ft
Side Porch	2.55 sq ft	27.44 sq ft
Rear Porch	24.57 sq ft	264.49 sq ft
Total Coverage	262.53 sq ft	2,825.85 sq ft

Building Depth - R1		
Building Depth*	Maximum	Proposed
	16.80 m	18.67 m

Landscaping Slats		
Front Yard Landscaping Calculations		
Total Front Yard	1,545.54 sq ft	143.59 sq ft
Permitted Encroachments		
Driveway	497.63 sq ft	46.23 sq ft
Porch	66.15 sq ft	6.15 sq ft
Steps	21.00 sq ft	1.95 sq ft
Total Removed	584.78 sq ft	54.33 sq ft

Rear Yard Landscaping Calculations		
Total Rear Yard	3,984.85 sq ft	370.20 sq ft
Permitted Encroachments		
Porch	264.49 sq ft	24.57 sq ft
Steps	21.38 sq ft	1.99 sq ft
Total Removed	285.87 sq ft	26.56 sq ft

Front Hard Landscaping		
Planter Walls	17.21 sq ft	1.60 sq ft
Walkway	162.81 sq ft	15.13 sq ft
Total Hard L.A	180.02 sq ft	16.72 sq ft
Hard Landscape %	18.74%	

Rear Hard Landscaping		
Walk-Up	222.53 sq ft	20.67 sq ft
Paver Stone Terrace	221.26 sq ft	20.56 sq ft
Total Hard L.A	443.79 sq ft	41.23 sq ft
Hard Landscape %	12.00%	

Soft Landscaping		
Soft Landscaping	780.74 sq ft	72.53 sq ft
Soft Landscape %	81.26%	

Soft Landscaping		
Soft Landscaping	3,255.19 sq ft	302.42 sq ft
Soft Landscape %	88.00%	

General Information		
TRCA		No
Flood Plain		No
Arborist		Yes

Height Requirements			
	Maximum	Proposed	
Building Height (<= 25')	Avg/ 9.8 m	N/A	N/A
Max Height Roof projection	3.00 m	N/A	N/A
Flat Roof (R1) (from crown of road)	8.00 m	7.94 m	26.07 m
Outside Wall Height (RES-ENLR)*	7.00 m	7.26 m	23.82 m
Dormer Width	35%	N/A	N/A
Storeys	2	2	2

Setbacks			
	Minimum	Proposed	
Front	7.62 (25')	7.62 m	25.00 ft
East Side L (R1)	3.05 (10')	3.07 m	10.07 ft
Int Side R	1.83 (6')	1.83 m	6.00 ft
Combined	N/A	4.90 m	16.08 ft
Rear (R1) (2nd Floor)	7.62 (25')	19.43 m	63.75 ft

Encroachments & Exterior			
	Maximum	Proposed	
F. Porch*	0.80 m	1.45 m	4.76 ft
R. Porch	1.50 m	N/A	N/A
Arch Elements	0.60 m	N/A	N/A
Roof L	0.90 m	0.51 m	1.67 ft
Roof R	0.45 m	0.08 m	0.26 ft
Window Well L	0.60 m	0.60 m	1.97 ft
Window Well R	0.60 m	0.60 m	1.97 ft

Established Grade (By-Law 2024-19)			
Front	Left	Right	Average
	193.20	193.30	193.25

Average Front Yard Setback			
Front	Left	Right	Average
	N/A	7.62 m	7.62 m

Garage			
	Maximum	Proposed	
Projection	1.90 m	0.38 m	1.25 ft
Max. Garage Door Width	50%	41%	

Driveway			
	Maximum	Proposed	
Garage Door (5.49m +2m)	7.49 m	6.10 m	20.01 ft

PRINTS AND SPECIFICATIONS SHALL NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF SAKORA DESIGN INC.

ALL WORKS TO BE IN ACCORDANCE WITH ONTARIO BUILDING CODE AND ALL CODE REFERENCES REFER TO OBC 2012 DIVISION 'B'.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, DETAILS, OR DESIGN INTENT ITEMS THAT CANNOT BE DETERMINED FROM THE DRAWINGS, SAKORA DESIGN INC. SHALL BE NOTIFIED PRIOR TO PROCEEDING WITH CONSTRUCTION AND/OR FABRICATION.

FOR ADDITIONAL GENERAL NOTES PLEASE REFER TO THE GENERAL NOTES SHEET INCLUDED.

DRAWING ARE NOT TO BE SCALED.

3	25/01/24	REVISED AS PER CoFA PLANNER COMMENTS
2	24/12/04	REVISED AS PER CITY COMMENTS
1	24/11/01	ISSUED FOR ZONING
No:	DATE:	ISSUED FOR/REVISIONS

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 DESIGN THE WORK SHOWN ON THE ATTACHED DOCUMENTS:

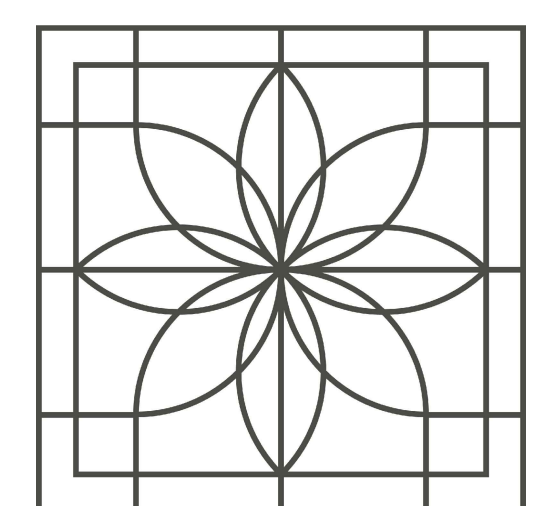
QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1 DIVISION C OF THE 2012 ONTARIO BUILDING CODE.

MARCO RAZZOLINI 111893
NAME SIGNATURE BCIN

REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4.1 DIVISION C OF THE 2012 ONTARIO BUILDING CODE.

SAKORA DESIGN INC. 123145
NAME SIGNATURE BCIN

NEW CUSTOM RESIDENCE
138 SHERWOOD FOREST DR
MARKHAM, ON



SAKORA
DESIGN

SITE PLAN

SCALE: 3/16" = 1'-0"
DATE: 25/01/24
DRAWN BY: LC
REVIEWED BY: MR
PROJECT #: 24-27

SP1

REFERENCE DATA ACQUIRED FROM PART 1 OF LOT 16 REGISTERED PLAN 5881, CITY OF MARKHAM, PREPARED BY MANDARIN SURVEYORS LIMITED, O.L.S., DATED JULY 02, 2024

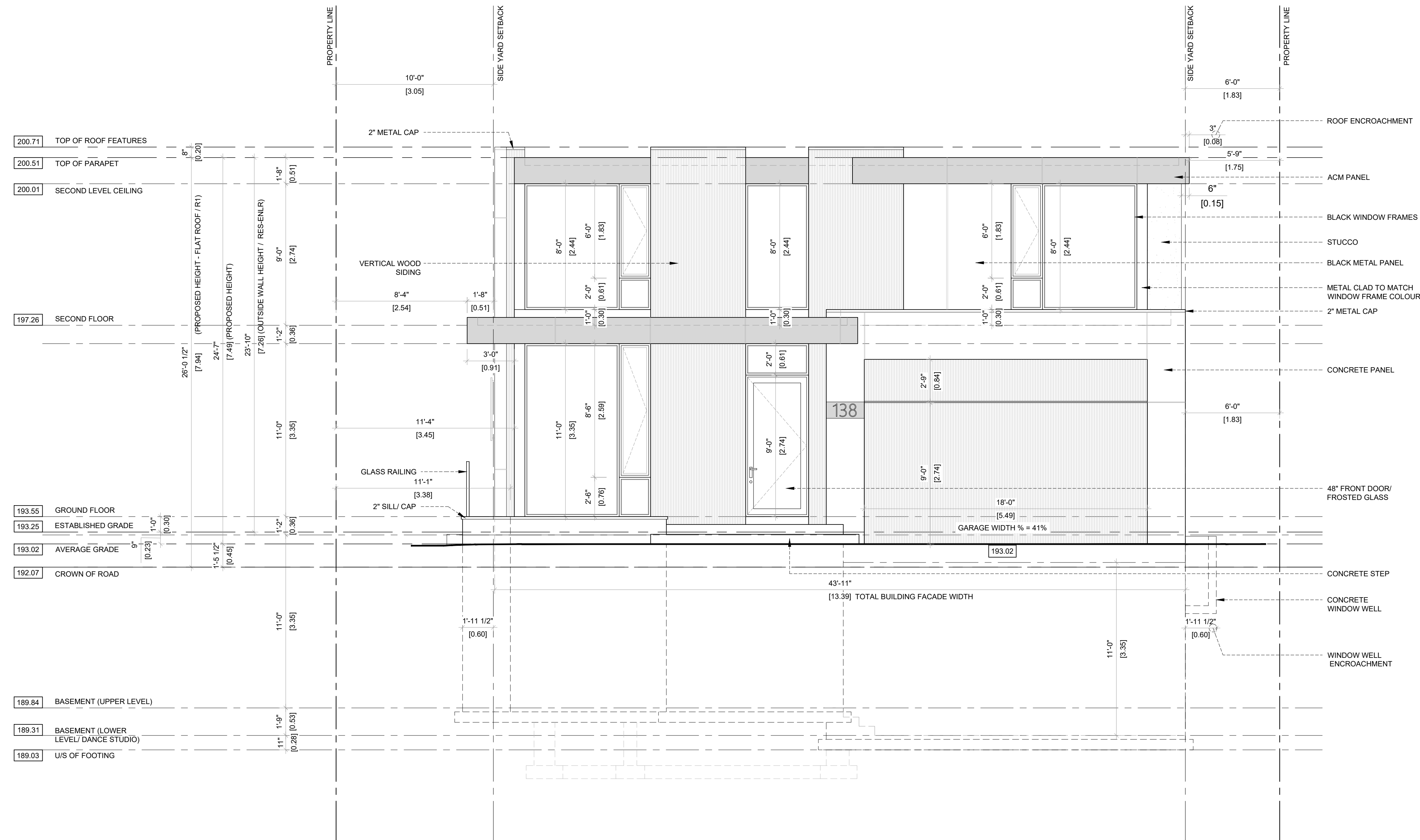
LEGEND (BY PLAN)

- EXISTING
- PROPOSED (NEW)
- PROPOSED (EXISTING)
- PROPOSED (DEMOLITION)
- PROPERTY LINE
- SETBACKS
- DEMO
- ENTRANCE

Appendix B

File: 24.200044.000.00.MNV

Date: 2/14/2025
MM/DD/YYYY



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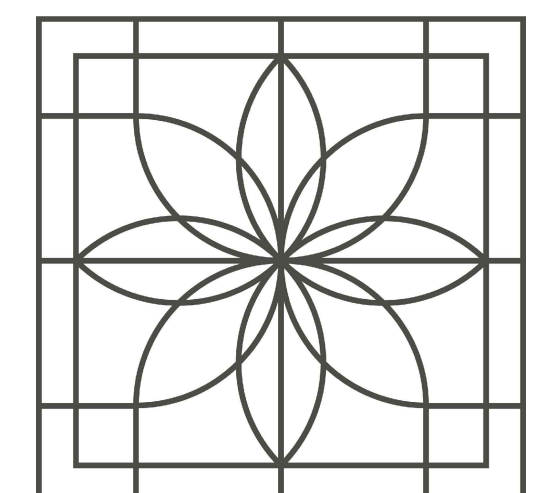
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SAKORA DESIGN INC. 123145
NAME SIGNATURE BCIN

NEW CUSTOM RESIDENCE

138 SHERWOOD FOREST DR
MARKHAM, ON



SAKORA
DESIGN

FRONT ELEVATION
(SOUTH)

SCALE: 1/4" = 1'-0"

DATE: 25/01/24

DRAWN BY: LC

REVIEWED BY: MR

PROJECT #: 24-27

A5

Appendix B

File: 24.200044.000.00.MNV

Date: 2/14/2025
MM/DD/YYYY

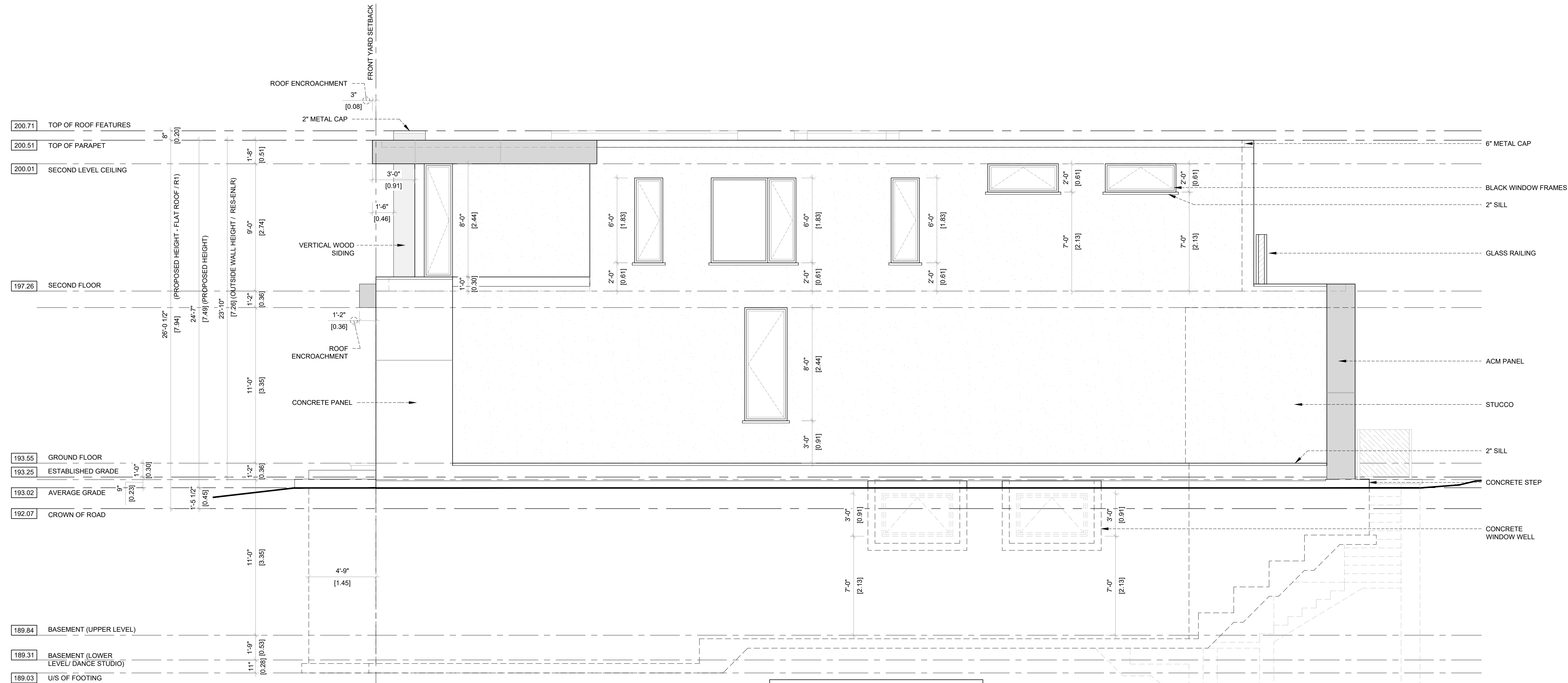
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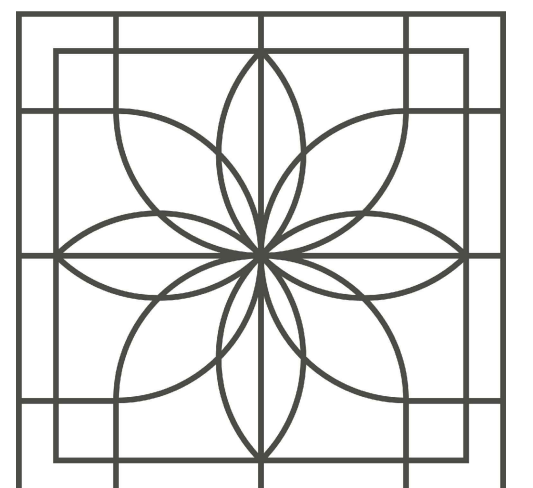
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SAKORA DESIGN INC. 123145
NAME SIGNATURE BCIN

NEW CUSTOM RESIDENCE
138 SHERWOOD FOREST DR
MARKHAM, ON



SAKORA
DESIGN

RIGHT ELEVATION
(EAST)

SCALE: 1/4" = 1'-0"

DATE: 25/01/24

DRAWN BY: LC

REVIEWED BY: MR

PROJECT #: 24-27

UNPROTECTED OPENING CALCULATION (9.10.15.4 (1))			
PROP. BUILDING FACE	1,411.55	sf	131.137 m ²
LIMITING DISTANCE	1.83m		
PERMITTED PERCENTAGE	7.00%		
PERMITTED GLAZED AREA	98.81	sf	9.180 m ²
PROPOSED GLAZED AREA	89.03	sf	8.271 m ²
PROPOSED PERCENTAGE	6.31%		

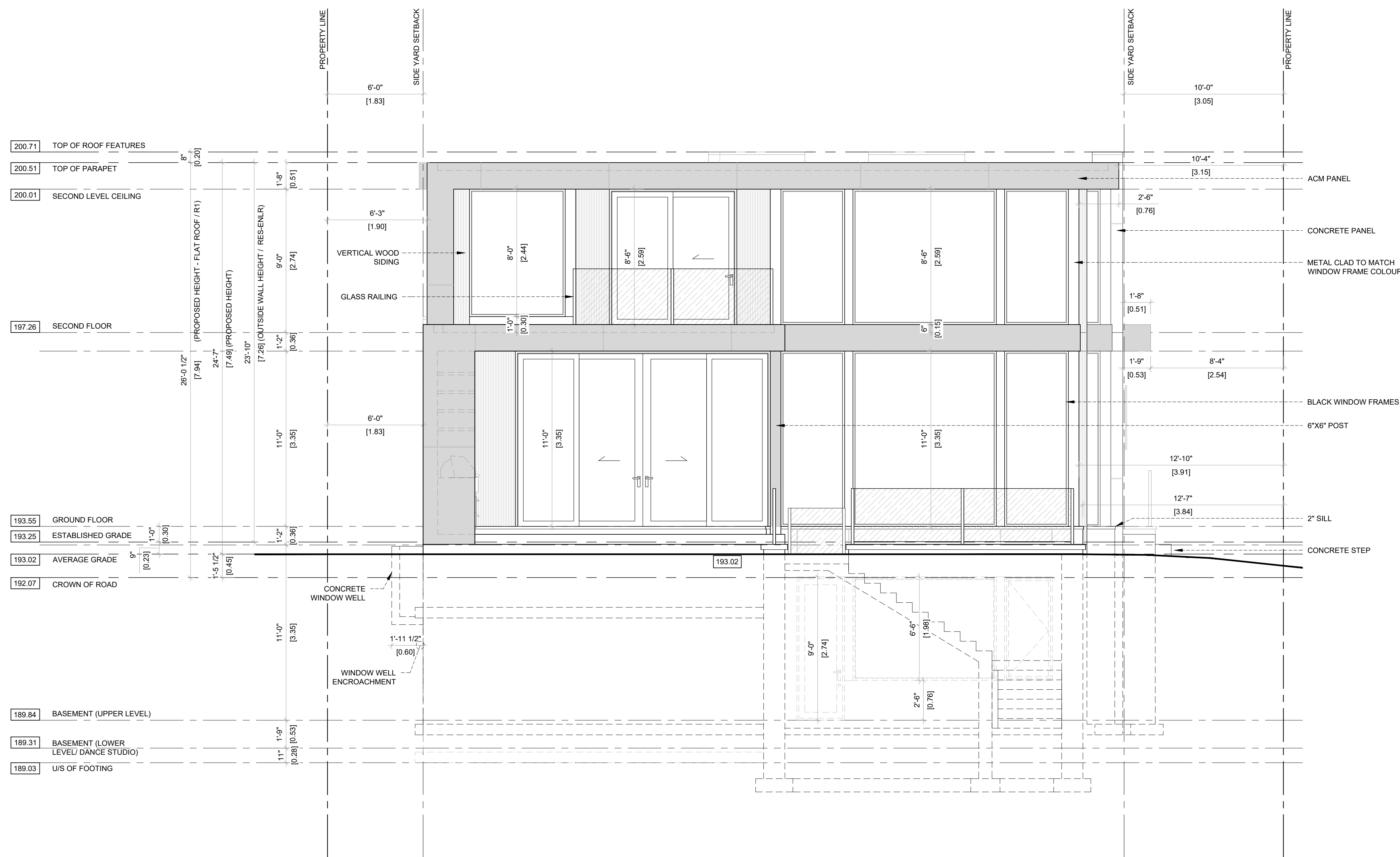
PLEASE NOTE: PROPOSED GLAZED AREA % OF OPENINGS HAS BEEN INTERPOLATED BASED ON O.B.C. TABLE 9.10.15.4 AND GLAZED AREAS WERE USED TO CALCULATE PROPOSED GLAZED AREAS NOTED ABOVE, AS ALLOWED BY 9.10.15.4

A6

Appendix B

File: 24.200044.000.00.MNV

Date: 2/14/2025
MM/DD/YYYY



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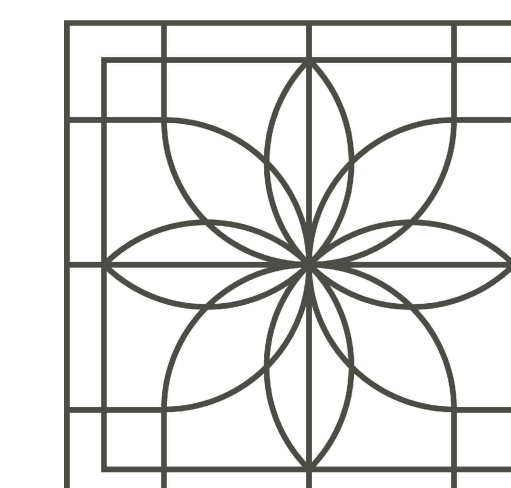
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SAKORA DESIGN INC. 123145
NAME SIGNATURE BCIN

NEW CUSTOM RESIDENCE

138 SHERWOOD FOREST DR
MARKHAM, ON



SAKORA
DESIGN

REAR ELEVATION
(NORTH)

SCALE: 1/4" = 1'-0"

DATE: 25/01/24

DRAWN BY: LC

REVIEWED BY: MR

PROJECT #: 24-27

A7

Appendix B

File: 24.200044.000.00.MNV

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MM/DD/YYYY

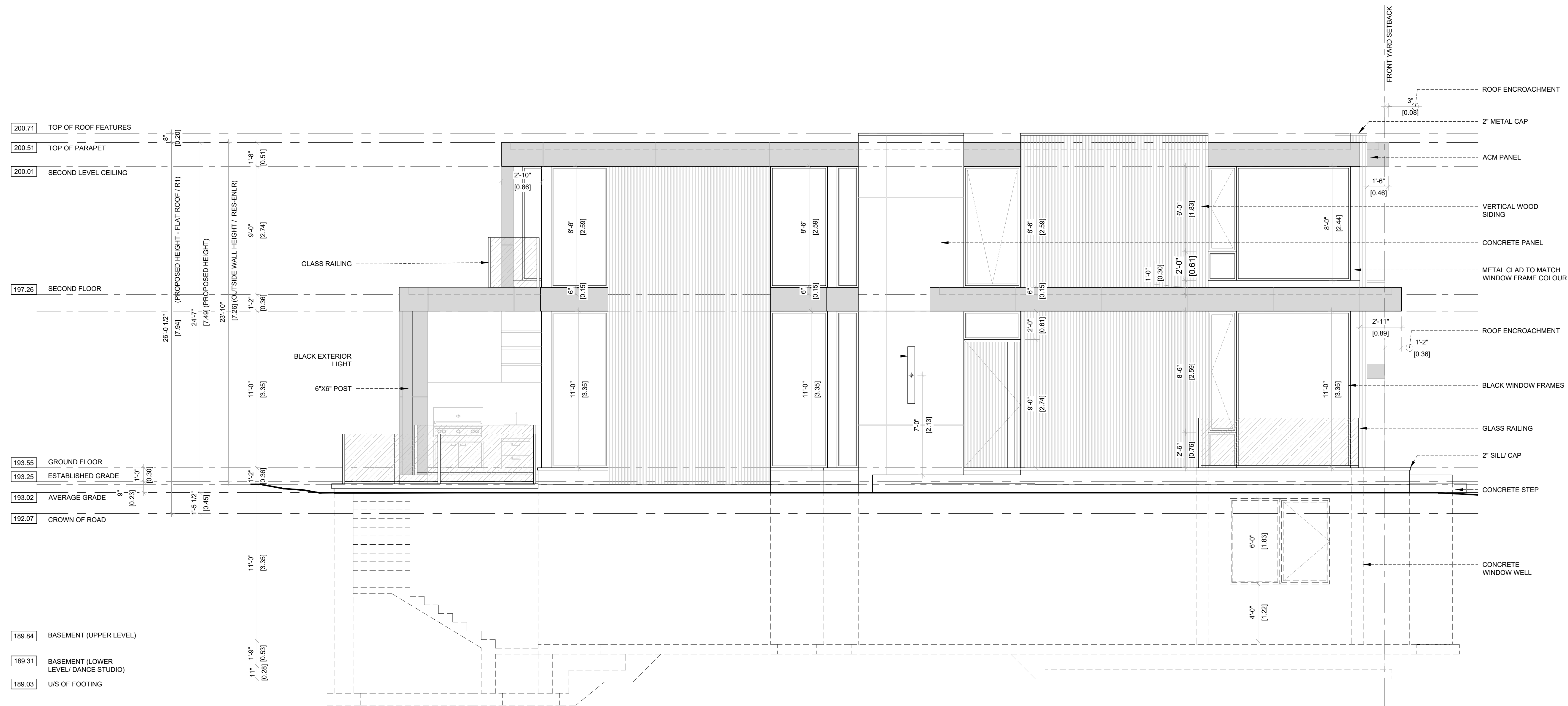
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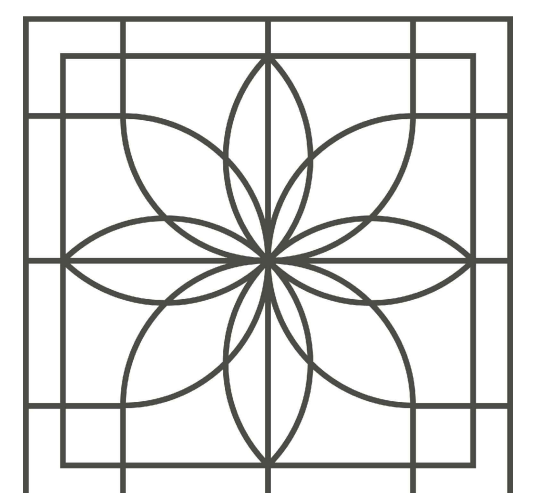
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NEW CUSTOM RESIDENCE
138 SHERWOOD FOREST DR
MARKHAM, ON



SAKORA
DESIGN

LEFT ELEVATION
(WEST)

SCALE: 1/4" = 1'-0"

DATE: 25/01/24


DRAWN BY: LC

REVIEWED BY: MR

PROJECT #: 24-27

A8

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2216839



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR.
In accordance with
Regulation 1026, Section 29(3).

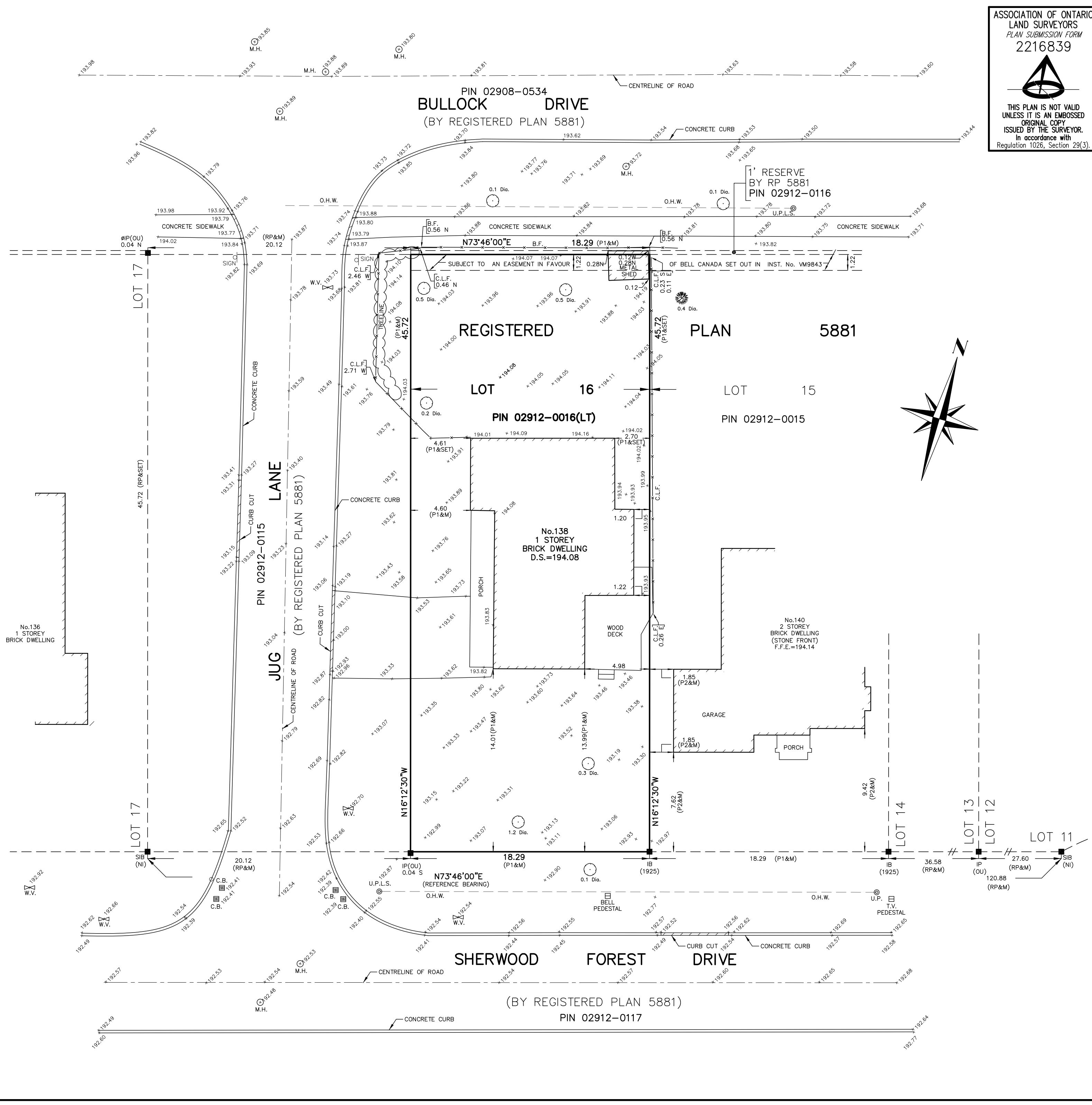
SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY OF
LOT 16
REGISTERED PLAN 5881
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF MARKHAM
File: 24.200044.000.00.MNV

Appendix B

Scale: 1:200
Date: 2/14/2025

MANDARIN SURVEYORS LIMITED
Date: MM/DD/YYYY

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



BENCHMARK NOTE
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY OF MARKHAM BENCHMARK No.092883028 HAVING AN ELEVATION OF 193.980 M. LOCATED AT SOUTH SIDE BULLOCK DRIVE AND EAST OF JUG LANE.

THIS REPORT WAS PREPARED FOR GAO, LI YING AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

PART 2 (SURVEY REPORT)

- REGISTERED EASEMENTS AND/OR RIGHT OF WAYS: SUBJECT TO EASEMENT IN FAVOR OF BELL CANADA AS SET OUT IN INST. No. VM9843.
- ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE FENCES AROUND THE NORTHERLY, EASTERLY AND WESTERLY LIMITS OF THE SUBJECT PROPERTY. NOTE THE LOCATION OF THE OVERHEAD WIRE AND WOOD BECK.
- THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.
BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF SHERWOOD FOREST DRIVE AS SHOWN ON REGISTERED PLAN 5881, HAVING A BEARING OF N73° 46' 00"E.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 30th DAY OF JUNE, 2024

JULY 02, 2024
DATE

Z. ZENG
ONTARIO LAND SURVEYOR

MANDARIN SURVEYORS LIMITED
ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR
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SURVEY BY: J.Z. DRAWN BY: S.N. CAD No: 24-232SRPR JOB No: 2024-232