

Memorandum to the City of Markham Committee of Adjustment

April 10, 2024

File: A/156/23
Address: 5 Sherwood Forest Drive, Markham
Applicant: LHW Engineering (Lihang Wang)
Hearing Date: Wednesday, April 17, 2024

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

The applicant is requesting relief from the following requirements of By-Law 1229, as amended, as it relates to a proposed two-storey single detached dwelling. The requested variances are to permit:

a) By-law 99-90, Section 1.2 (vi):

a maximum floor area ratio of 50.9 percent, whereas the by-law permits a maximum floor area ratio of 45 percent

BACKGROUND

Property Description

The application was deferred by the Committee of Adjustment (the "Committee") at the January 17th, 2024 hearing, for the applicant to address the Committee's concern over the massing and scale of the proposed dwelling. (Refer to Minutes – Appendix "E")

COMMENTS

On March 6, 2024, the applicant had revised the Minor Variance Application and also submitted updated drawings in response to the Committee's concern of the scale and massing of the proposed dwelling. The previous variance request to permit a maximum floor area ratio of 49.8 percent has been increased to 50.9 percent, as a result of the revisions to address the Committee's concerns. The previously proposed carport has been eliminated, in favor of a two-car attached garage. The proposed dwelling will have a total Gross Floor Area of 313.2 m² (3,371.26 ft²). This is an increase of approximately 34.85 m² (375.13 ft²) over the maximum floor area of 278.35 m² (2,996.13 ft²) that the By-law permits.

Staff remain of the opinion that the requested variance is minor in nature and that the increased floor area will not adversely impact the character of the neighborhood.

PUBLIC INPUT SUMMARY

No written submissions were received as of **March 10 2024**. 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.

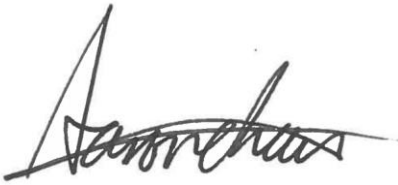
CONCLUSION

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.

PREPARED BY:



Aaron Chau, Planner I, East District

REVIEWED BY:



Rectangular Snip

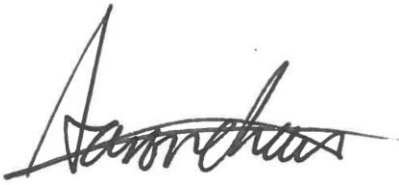
Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/156/23

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 C' to this Staff Report and plans attached to the 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 his or her satisfaction;

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