

Memorandum to the City of Markham Committee of Adjustment

October 22, 2025

File: A/121/25
Address: 50 Sciberras Road, Markham
Applicant/ Agent: Wang Architects Inc.
Hearing Date: Wednesday, October 29, 2025

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

The applicant is requesting relief from the following requirements of the “Residential Established Neighbourhood Low Rise (RES-ENLR)” Zone in By-law 2024-19, as amended, to permit:

- a) **Section 4.8.10.2 d)(i)**: a maximum height of 8.33 metres from established grade to the underside of the roof of the porch, whereas the by-law permits the underside of the roof of a porch to be a maximum of 4.5 metres above established grade;
- b) **Section 4.8.10.2 d)(iii)**: a maximum porch projection into the front yard of 0.9 metres, whereas the by-law permits a maximum porch projection into the front yard of 0.6 metres;
- c) **Section 6.3.2.2 J)**: a maximum outside wall height of 7.41 metres, whereas the by-law permits a maximum outside wall height of 7 metres;
- d) **Section 6.3.2.2 E)**: a maximum second floor distance from the established building line of 17.9 metres, whereas the by-law permits a maximum second floor distance from the established building line of 14.5 metres; and
- e) **Section 4.8.10.2 d)(iv)**: stairs used to access a porch to project a maximum of 1.12 metres beyond the permitted porch encroachment, whereas the by-law permits stairs used to access a porch to project a maximum of 0.45 metres beyond the permitted porch encroachment;

as they relate to a proposed two-storey residential dwelling.

BACKGROUND

Property Description

The 1093.3m² (11,768.2ft²) subject property is located on the west side of Sciberras Road, south of Fred Varley Drive (the “Subject Lands”) (refer to Appendix “A” – Aerial Photo). 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.

There is an existing one-storey dwelling on the property. Mature vegetation exists on the property including mature trees and shrubs in the rear yard.

Proposal

The applicant is proposing to demolish the existing dwelling and construct a 431.57m² (4,645.4ft²) two-storey dwelling (the “Proposed Development”) (refer to Appendix “B” – Plans).

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24, 2017, and updated on April 9, 2018)

The Official Plan designates the Subject Lands as “Residential Low Rise”, which permits low-rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines infill development criteria for the “Residential Low Rise” designation with respect to height, massing, and setbacks. These criteria are established to ensure that infill developments are 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 the above noted development criteria.

Zoning By-Law 2024-19

The subject property is zoned RES-ENLR (Residential – Established Neighbourhood Low Rise) under By-law 2024-19, as amended, which permits one single detached dwelling per lot. The Proposed Development does not comply with the By-law requirements necessitating the variances requested and described above.

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 (25.126878 HP) to confirm the initial variances required for the proposed development. Consequently, it is the Applicant’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 later 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 in order for a variance to be granted by the Committee of Adjustment:

1. The variance must be minor in nature;
2. The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
3. The general intent and purpose of the Zoning By-law must be maintained;
4. The general intent and purpose of the Official Plan must be maintained.

Increase in Maximum Porch Roof Height

The applicant proposes to permit a maximum porch roof height of 8.33m (27.33ft) from the established grade to the underside of the porch roof, whereas By-law 2024-19 permits a maximum of 4.5m (14.76ft). This represents an increase of 3.83m (12.57ft) or approximately 185% above the permitted height.

The intent of the height provision is to ensure that porch elements remain subordinate to the principal building and maintain a consistent relationship with the overall massing and character of surrounding dwellings. Staff acknowledge that the Applicant may be seeking

to achieve an architecturally distinctive front entry feature; however, the proposed height substantially exceeds what is typical for porch design in the area.

A review of adjacent properties and the surrounding streetscape reveals that porch roofs generally range between 3.5m and 5.0m in height. The proposed height of 8.33m would therefore appear visually disproportionate and inconsistent with the prevailing built form.

Staff are of the opinion that this variance does not maintain the intent of the Zoning By-law, and that a reduction in the proposed porch roof height would still achieve the Applicant's design intent and be more consistent with surrounding homes. However, staff acknowledge that the proposed increase in porch roof height will not impact abutting properties or be the streetscape.

Increases to Maximum Porch Projection and Maximum Porch Stair Encroachment

The applicant proposes to permit a maximum porch projection of 0.9m (2.95ft) into the front yard, whereas the By-law permits a maximum of 0.6m (1.97ft). The Applicant also proposes for stairs accessing the porch to project 1.12m (3.67ft) beyond the permitted porch encroachment, whereas the By-law permits a maximum projection of 0.45m (1.48ft).

The intent of these provisions is to ensure that porches and associated stairs provide functional access while maintaining an appropriate setback without extending excessively into the front yard or encroaching upon the streetscape.

Staff have no objection to the requested variances for porch projection and stair encroachment. As the proposed increases are modest and are not expected to result in any adverse impacts on the streetscape or adjacent properties, Staff consider them to be appropriate development of the property, and maintain the general intent and purpose of both the Zoning By-law and the Official Plan.

Increase to Maximum Wall Height

The Applicant proposes to permit a maximum outside wall height of 7.41m (24.31ft), whereas the By-law permits a maximum height of 7.0 m (22.97 ft). This is an increase of 0.41 m (1.35ft) above the permitted limit.

The intent of the maximum outside wall height provision is to regulate the height, scale and massing of dwellings to ensure compatibility with adjacent properties and a consistent streetscape character. The proposed 0.41 m increase is modest and does not materially affect visual impact or overshadowing potential and remains consistent with the overall built form and height profile of neighbouring dwellings.

Staff are of the opinion that the proposed variance is appropriate for the development of the property, and maintains the general intent and purpose of the Zoning By-law and the Official Plan. Accordingly, Staff consider the variance to be supportable.

Increase in Maximum Second Floor Distance from the Established Building Line

The Applicant proposes to permit a maximum second floor distance of 17.9m (58.73ft) from the established building line, whereas the By-law permits a maximum of 14.5m

(47.57ft). This is an increase of 3.4m (11.16ft) or approximately 23.4% beyond the permitted limit.

The intent of the building line provision is to ensure that the second-storey massing maintains an appropriate relationship with the established front and rear building lines, thereby preserving consistent built form and privacy to abutting rear yard amenity space. The proposed increase extends the second floor deeper into the rear yard, which may contribute to greater building mass and reduced open space at grade.

Staff acknowledge that the design remains compatible with the general two-storey built form of neighbouring dwellings and that the increased second-floor depth does not result in excessive shadowing or overlook impacts. The proposal maintains the intent of the Zoning By-law and Official Plan, promoting appropriate massing and transition in built form. Staff consider the variance to be appropriate in context and supportable.

PUBLIC INPUT SUMMARY

No written submissions were received as of October 22, 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 variances b), c), d), and e) meets the four tests of the Planning Act and have no objection.

With respect to variance a), Planning Staff recommend the porch roof height be reduced to better align with the intent of the Zoning By-law and surrounding context. However, staff do acknowledge that the proposed roof height will have no impact on abutting properties or the streetscape.

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 "C" for conditions to be attached to any approval of this application.

PREPARED BY:



Michelle Chen, Development Technician, Planning and Urban Design Department

REVIEWED BY:

A handwritten signature in blue ink, appearing to read 'Stephen Corr', is positioned above a horizontal line.

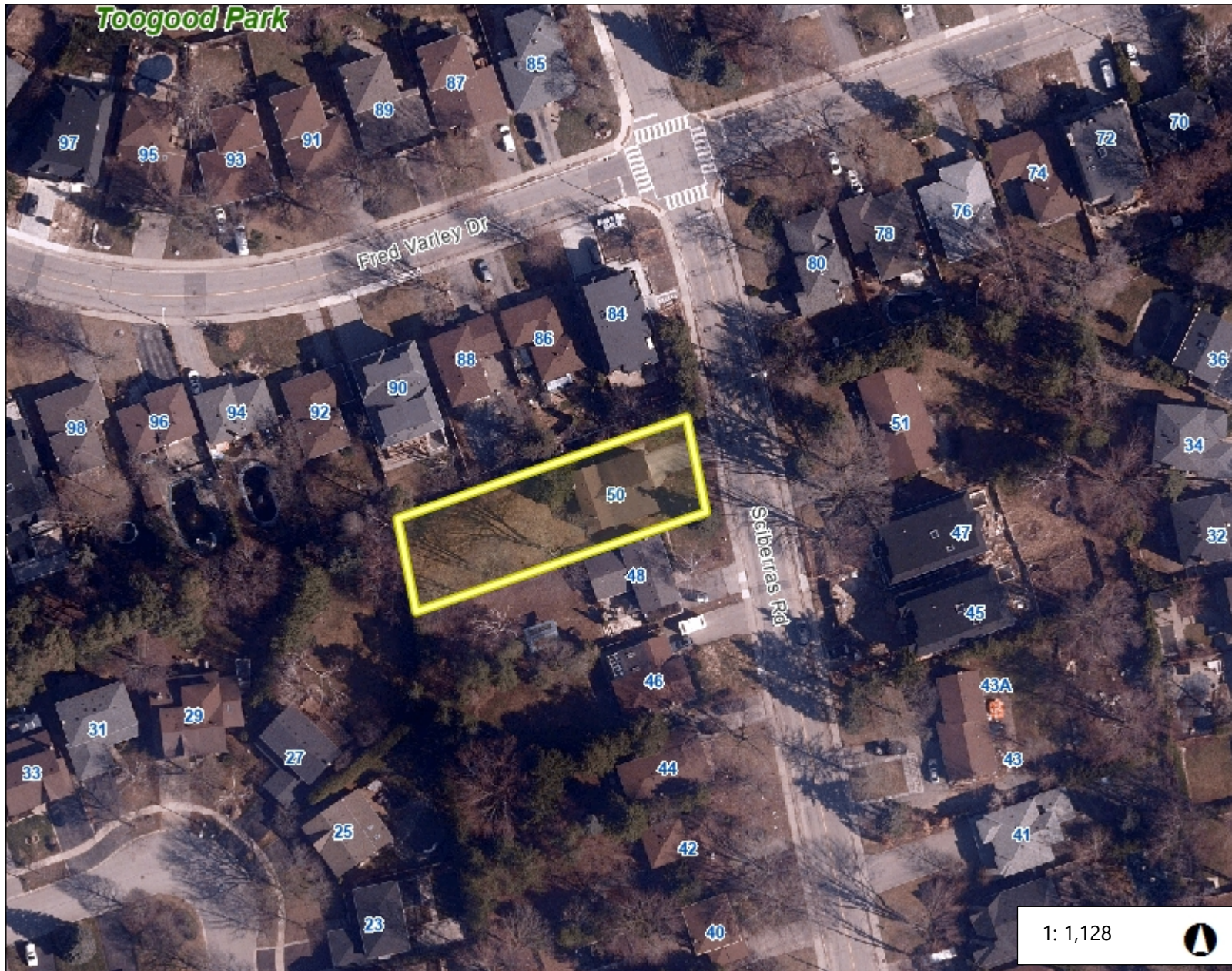
Stephen Corr, Acting Development Manager, Central District

APPENDICES

Appendix "A" – Aerial Photo

Appendix "B" – Drawings

Appendix "C" – A/121/25 Conditions of Approval



Legend

 SUBJECT SITE

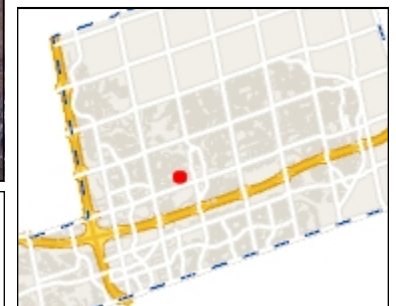
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57.3 0 28.65 57.3 Meters

NAD_1983_UTM_Zone_17N
© City of Markham

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email cgis@markham.ca and you will be directed to the appropriate department.



Appendix B

File:
Date: 10/22/2025
MM/DD/YYYY

SITE STATISTICS

ZONING CATEGORY: RES-ENLR (ESTABLISHED NEIGHBOURHOOD LOW RISE)
LOT AREA: 1,097.05 m²

MAIN BUILDING COVERAGE	FIRST FLOOR	SECOND FLOOR
	253.83 m² (23.14%)	218.70 m² (19.94%)
LOT COVERAGE	300.0 m² (27.34%) (INCLUDING MAIN BUILDING, FRONT&REAR PORCH, WALK-OUT STAIR)	

GROSS FLOOR AREA (GFA)

FLOOR	AREA
GROUND FLOOR	212.55 m² (2,288 SF)
SECOND FLOOR	218.70 m² (2,354 SF)
TOTAL	431.25 m² (4,642 SF)

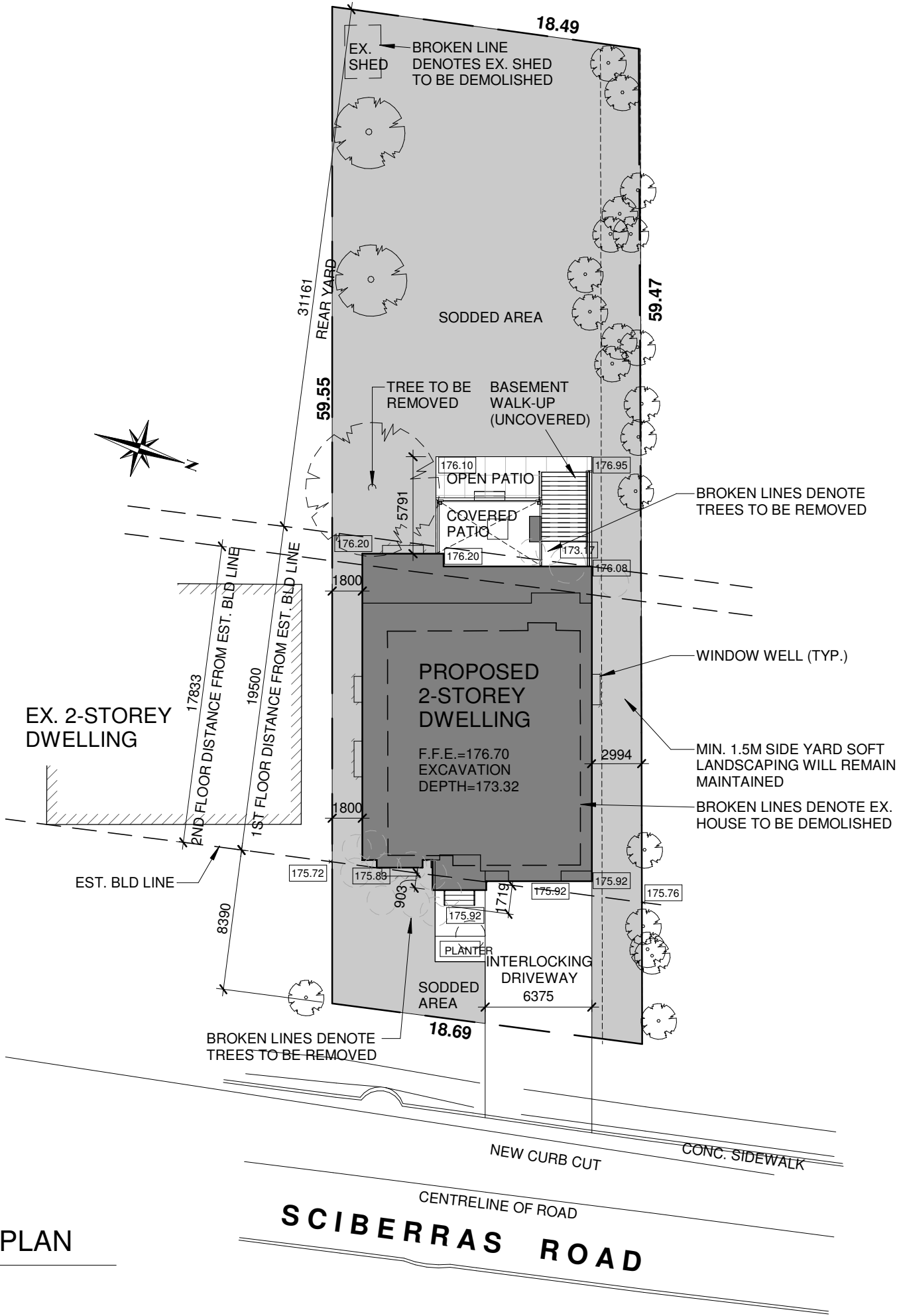
* GROSS AREA DOES NOT INCLUDE GARAGE AND BASEMENT

SETBACKS

FRONT YARD SET BACK	8.39m
REAR YARD SET BACK	31.0m
SIDE YARD SET BACK	1.8m / 2.5m

HARD LANDSCAPE

FRONT YARD	7.09%
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No.	Date:	Issued/Revision:	By
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Project : PRIVATE RESIDENCE 50 SCIBERRAS ROAD MARKHAM ON	Date : Issue Date	Project No W00095
	Scale : As indicated	
Drawing Name : SITE PLAN	Drawn by : Author	Drawing No
	Checked by : Checker	A1

Appendix B

File: 75_12345678901234567890

Date: 10/22/2025

MM/DD/YYYY

Date: 10/22/2025
MM/DD/YYYY


$$1/8'' = 1'-0''$$

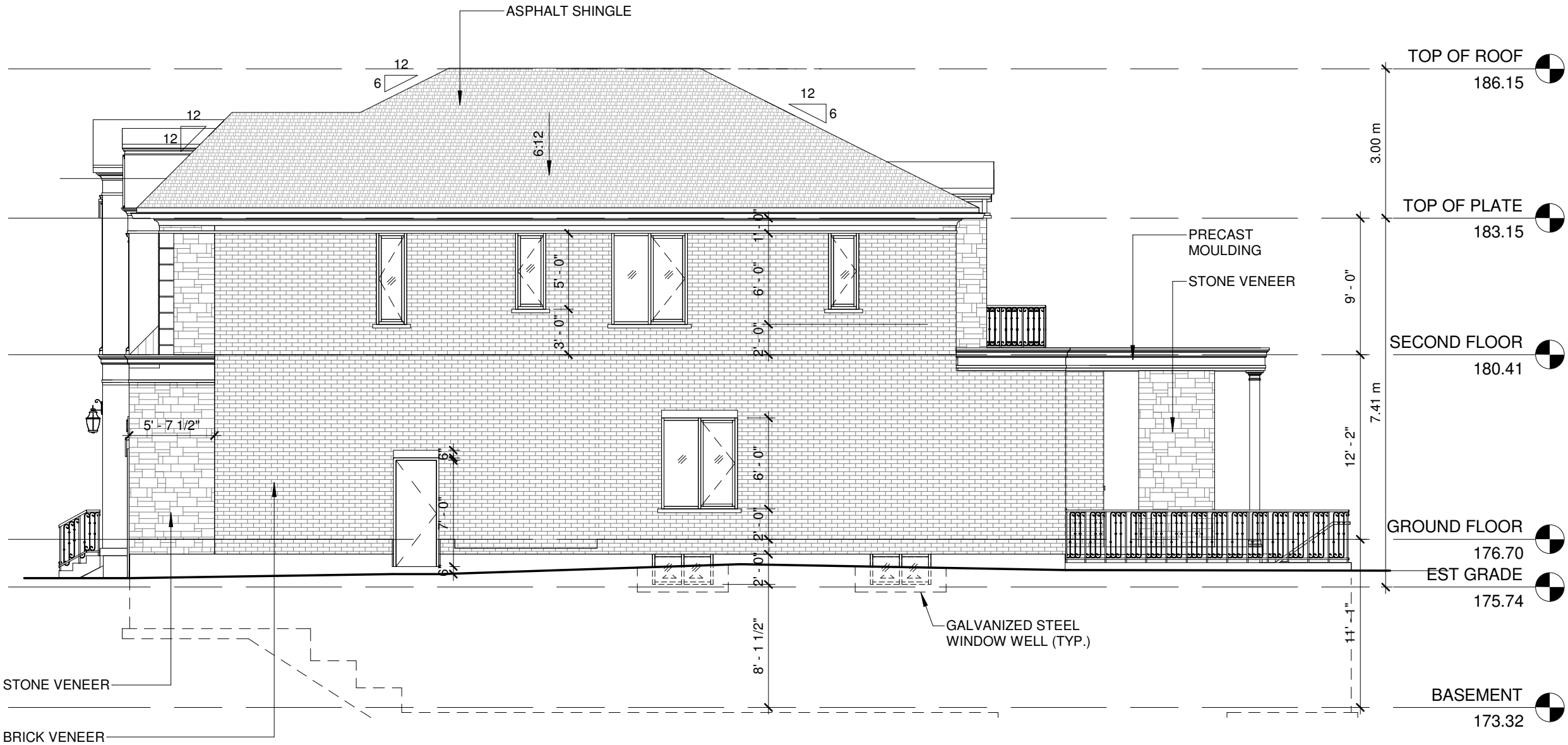
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Drawing Name : EAST ELEVATION		Drawn by : Author	Drawing No A6
		Checked by : Checker	

Appendix B

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NORTH ELEVATION

1/8" = 1'-0"



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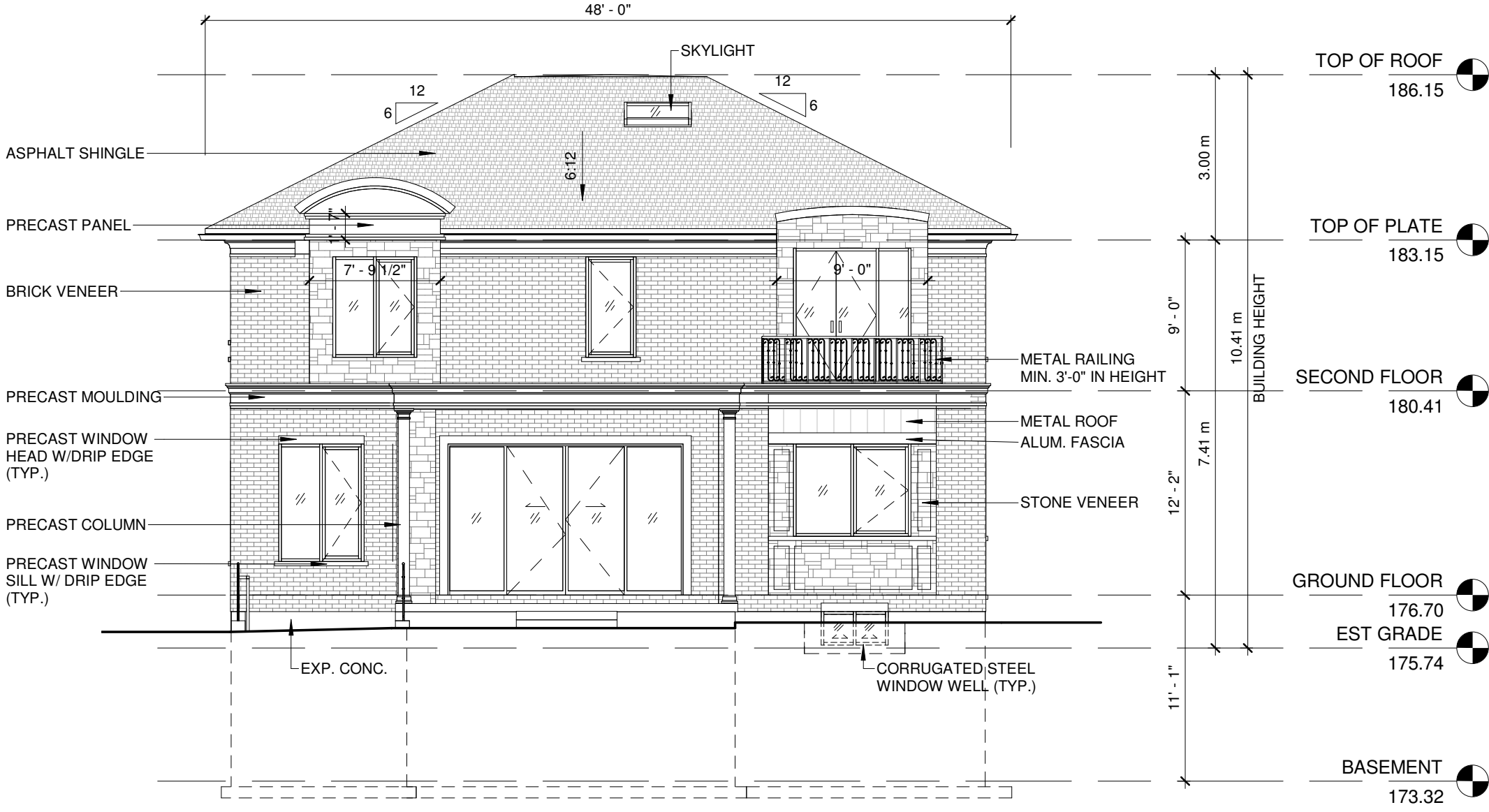
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Drawing Name : NORTH ELEVATION	Drawn by : Author	Drawing No	
	Checked by : Checker	A7	

Appendix B

File:

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MM/DD/YYYY



WEST ELEVATION

1/8" = 1'-0"



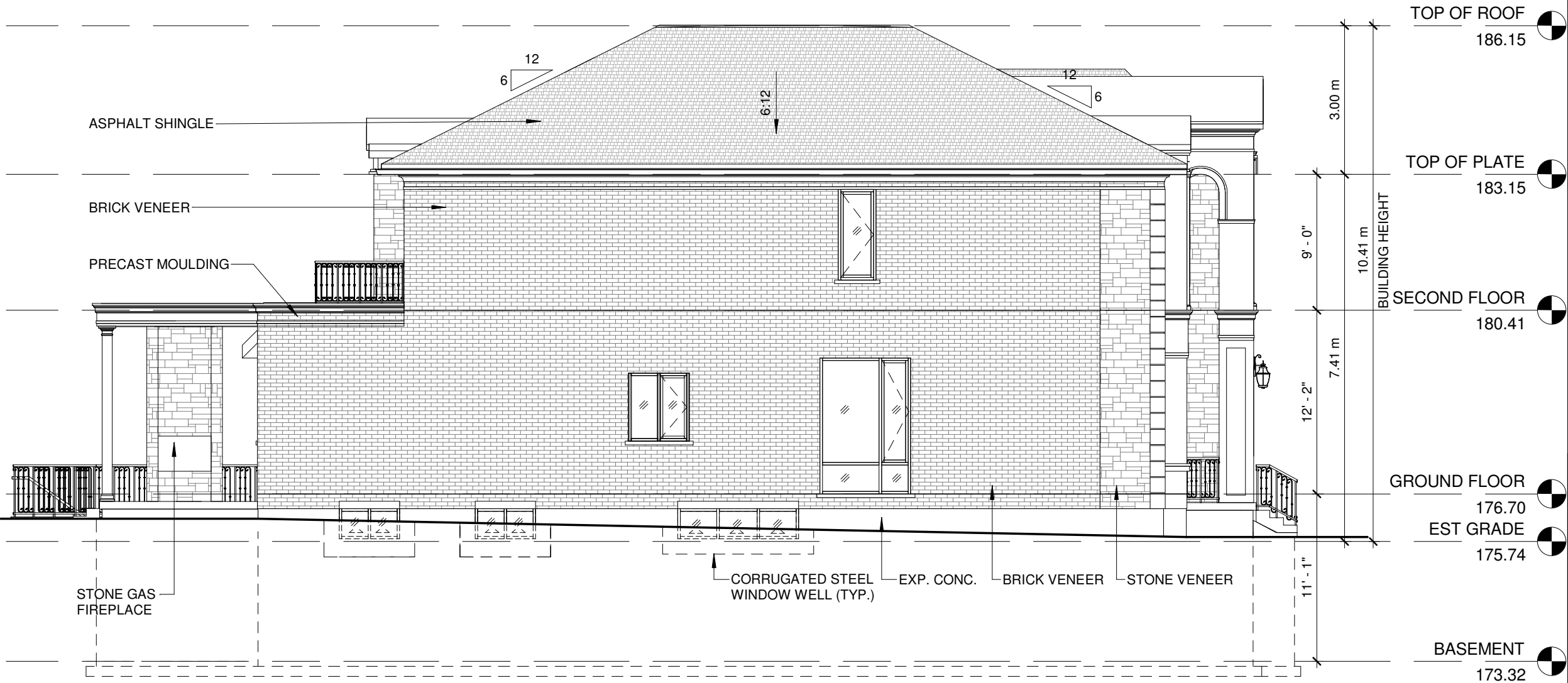
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No.	Date:	Issued/Revision:	By
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		Checked by : Checker	A8

Appendix B

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SOUTH ELEVATION

1
1/8" = 1'-0"



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No.	Date:	Issued/Revision:	By
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APPENDIX "C"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/121/25

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:



Michelle Chen, Development Technician, Planning and Urban Design Department