

Memorandum to the City of Markham Committee of Adjustment
December 03, 2025

File: A/130/25
Address: 10 Rouge River Circle, Markham
Applicant: Sensus Design and Build (Jesse Sahlani)
Hearing Date: Wednesday, December 10, 2025

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

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

- a) **By-law 2024-19, Section 6.3.2.2 (E):**
a maximum distance for the first storey of the main building from the established building line of 38.40 metres, whereas the by-law permits a maximum distance of 19.5 metres for the first storey of the main building from the established building line;
- b) **By-law 2024-19, Section 6.3.2.2 (E):**
a maximum distance for the second storey of the main building from the established building line of 29.90 metres, whereas the by-law permits a maximum distance of 14.5 metres for the second storey from the established building line;
- c) **By-law 2024-19, Section 5.3.3(c)(ii)(1):**
a maximum arc portion width for a circular driveway of 6 metres, whereas the by-law permits a maximum of 3.7 metres;
- d) **By-law 2024-19, Section 6.3.2.2(c)(xiv):**
A maximum main building coverage of 1229.55 square metres, whereas the by-law permits a maximum main building coverage of 500 square metres;
- e) **By-law 2024-19, Section 6.3.2.2 (J):**
a maximum outside wall height of 8.90 metres, whereas the by-law permits a maximum outside wall height of 7 metres; and
- f) **By-law 2024-19, Section 6.2.1(b):**
a maximum flat roof projection over the maximum outside wall height of 4.64 metres, whereas the by-law permits a maximum flat roof projection over the maximum outside wall height of 1 metre;

as it relates to a proposed two-storey residential dwelling.

BACKGROUND

Property Description

The 4,256 m² (45,811 ft²) subject property is located on the north/east side of Rouge River Circle, south of 14th Avenue and west of 9th Line. There is an existing two storey detached dwelling on subject the property, which according to assessment records was constructed in 1971. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings on large lots. The surrounding area is undergoing a transition with newer dwellings being developed as infill developments. Mature vegetation exists across the property.

The application was previously deferred at the November 26th, 2025 Committee of Adjustment meeting as it was identified that an error in the calculation of variance d) had occurred as part of the Zoning Review submitted by the applicant. Further review by Zoning Staff concluded additional revisions to the originally requested variances were required, as indicated above. The proposed plans remain unchanged from the previous meeting held on November 26th, 2025.

Proposal

The applicant is proposing to demolish the existing detached dwelling and construct a new two storey detached dwelling on the subject property.

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 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 Residential Established Neighbourhood Low Rise (RES-ENLR) under By-law 2024-19, as amended, which permits the proposed detached dwelling. The proposal does not comply to the By-law with respect to maximum distance of the first and second storey from the established building line, maximum width of a circular driveway, maximum main building coverage, maximum outside wall height, and maximum flat roof projection.

Zoning Preliminary Review (ZPR) Undertaken

The Owner has completed a Zoning Preliminary Review (ZPR) on October 14, 2025 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.

Maximum First and Second Storey Distance from the Established Building Line

The applicant is requesting relief to permit a maximum distance for the first storey of the main building from the established building line of 38.40 m (125.98 ft), whereas the By-law permits a maximum distance of 19.5 m (63.98 ft) for the first storey of the main building from the established building line. This is an increase of 18.90 m (62 ft).

The applicant is also requesting relief to permit a maximum distance for the second storey of the main building from the established building line of 29.90 m (98.09 ft), whereas the By-law permits

a maximum distance of 14.5 m (47.57 ft) for the second storey of the main building from the established building line. This is an increase of 15.4 m (50.52 ft).

The intent of this By-law provision is to regulate the building depth and massing in relation to the neighbouring dwellings.

The proposed dwelling is generally in line with neighbouring properties and provides larger side yard and rear yard setbacks than required under the By-law. The generous setbacks assist in providing a separation from abutting properties. Given the size of the lot and its relationship with the other homes within the immediate vicinity, Staff opine that the proposed increase in the maximum first/second storey distance is unlikely to result in any adverse impact on the adjacent properties and the established character of the neighbourhood.

Maximum Circular Driveway Width

The applicant is requesting relief to permit a maximum arc portion width for a circular driveway of 6 m (19.69 ft), whereas the By-law permits a maximum arc portion width for a circular driveway of 3.7 m (12.14 ft). This represents an increase of 2.3 m (7.55 ft).

Given the size of the lot, Staff opine the larger driveway width can be accommodated while still maintaining adequate soft landscaping on the property. Staff do not anticipate any negative impacts on adjacent properties or on the streetscape and have no concerns with the requested variance.

Maximum Outside Wall Height and Maximum Roof Projection

The applicant is requesting relief to permit a maximum outside wall height of 8.90 m (29.19 ft), whereas the By-law permits a maximum outside wall height of 7 m (22.96 ft). This represents an increase of 1.9 m (6.23 ft).

The applicant is also requesting relief to permit a maximum flat roof projection of 4.64 m (15.22 ft), whereas the By-law permits a maximum flat roof projection of 1 m (3.28 ft). This represents an increase of 3.64 m (11.94 ft).

Staff are of the opinion that the overall proportion of the building remains appropriate and consistent with the scale and massing of other existing homes in the area. In addition, the large lot size and setbacks provided to the street and neighbouring properties reduces any negative impacts of the additional height.

Maximum Combined Main Building Coverage

The applicant is requesting relief to permit a maximum main building coverage of 1229.55 m² (13,234.77 ft²), whereas the By-law permits a maximum main building coverage of 500 m² (5,381.96 ft²). This represents an increase of 729.55 m² (7,852.81 ft²).

As noted previously, the proposed development is located on a generous sized lot, maintains all required setbacks, and does not exceed the total lot coverage. Given the above, Staff are of the opinion that the increase in main building coverage will not adversely impact the character of the neighbourhood, especially given the large sized lot.

PUBLIC INPUT SUMMARY

No written submissions were received as of December 3, 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 proposed building fits within the context of the surrounding neighbourhood, which includes larger homes with generous lot sizes. However, given the large deviation from the By-law, Staff recommend that the Committee satisfy themselves as to the appropriateness of the variances as well as 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:



Hailey Miller, RPP, MCIP, Senior Planner, East District

REVIEWED BY:



Stacia Muradali, RPP, MCIP, Development Manager, East District

File Path: Amanda\File\ 25 136983 \Documents\District Team Comments Memo

**APPENDIX “A”
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/130/25**

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;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a Qualified Tree Expert in accordance with the City's Tree Assessment and Preservation Plan (TAPP) Requirements (2024) as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Tree Preservation By-law Administrator that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan;
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, neighbouring properties, and street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation By-law Administrator; and,
5. If required as per Tree Preservation review, tree securities and/or tree fees be paid to the City and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation By-law Administrator.

CONDITIONS PREPARED BY:



Hailey Miller, RPP, MCIP, Senior Planner, East District

PROPOSED SINGLE FAMILY DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

NO.	DESCRIPTION	DATE
1	ISSUED FOR ZONING REVIEW/COA	09-16-2025
2	RE ISSUED FOR ZONING REVIEW/COA	10-07-2025
3	ISSUED FOR ZONING REVIEW/COA	10-20-2025
4	RE ISSUED FOR ZONING REVIEW/COA	

Appendix B

File: _____

Date: **12/4/2025**
MM/DD/YYYY

NOTES:
DRAWINGS TO BE READ IN CONJUNCTION WITH THE GENERAL NOTES AND THE O.B.C.

ALL DRAWINGS & INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED & VERIFIED ON SITE PRIOR TO CONSTRUCTION OR FABRICATION OF ITS COMPONENTS. UNLESS NOTED OTHERWISE, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION.

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PROFESSIONAL STAMPS:

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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 be a designer.

Qualification Information
Required unless design is exempt under Div. C- 3.2.5 of the Building Code

JESSE SAHLANI 44549
NAME B.C.I.N.
SENSUS DESIGN & BUILD INC. 123494
FIRM B.C.I.N.

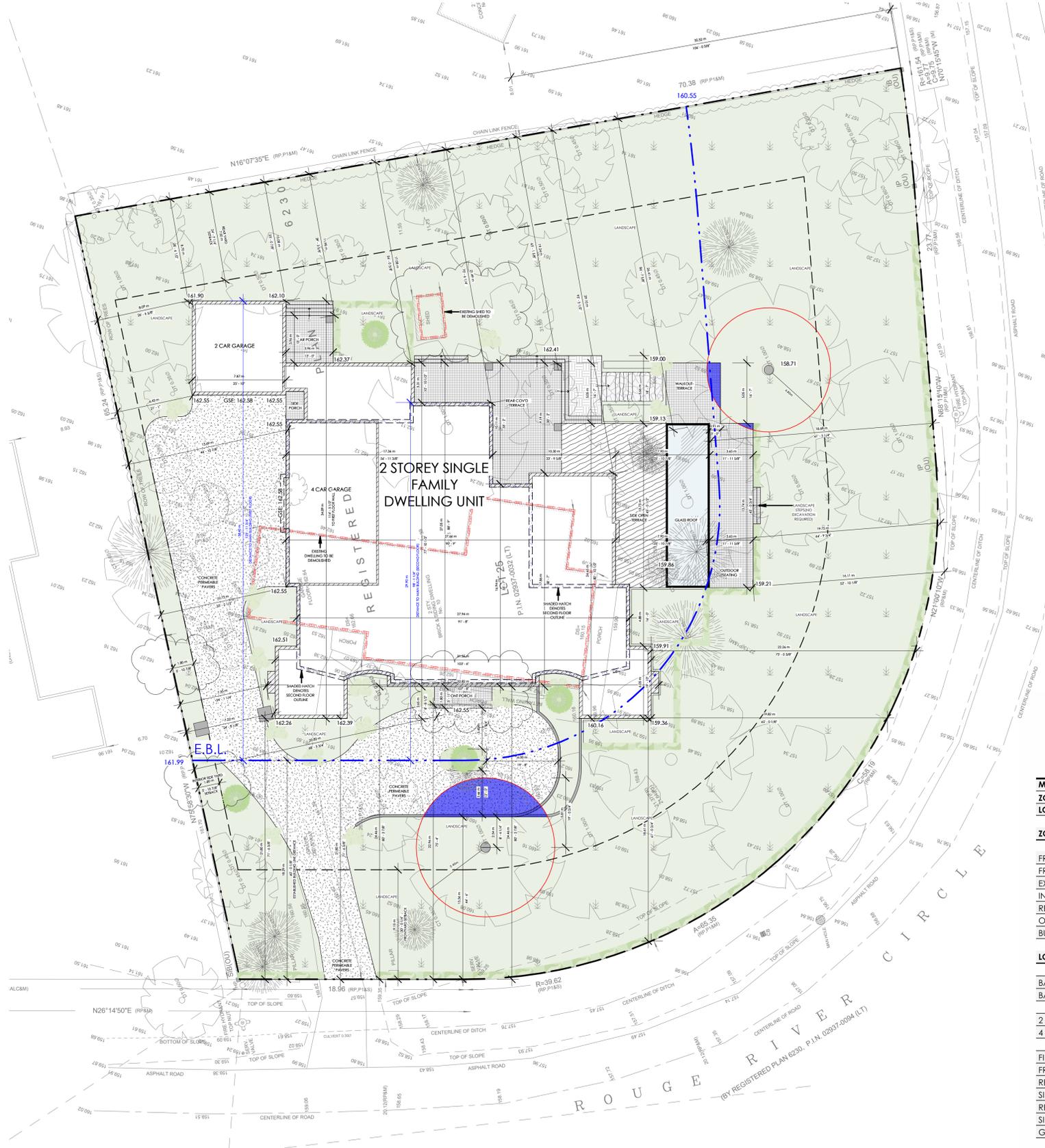
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SHEET TITLE:

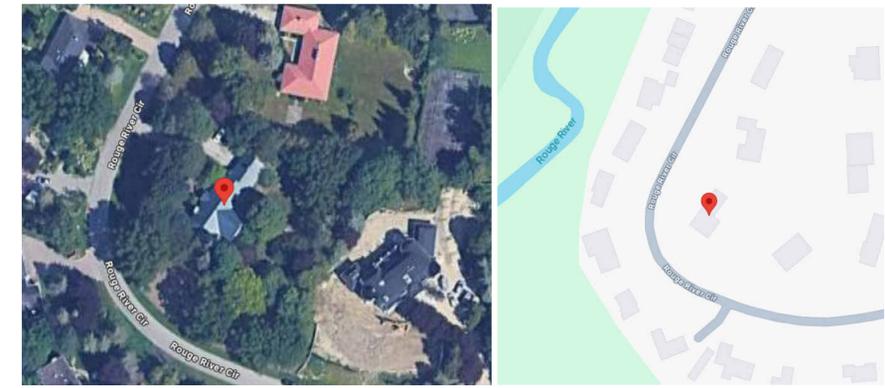
PROPOSED SITEPLAN

DRAWN BY: SVP SHEET No.
CHECKED BY: JS
DATE: 11-25-2025
SCALE: AS SHOWN **.SP1**



HATCH PATTERN (SITE PLAN)

	PROPOSED DWELLING UNIT
	PROPOSED LANDSCAPE
	PROPOSED LANDSCAPE PAVERS
	PROPOSED DRIVEWAY
	PROPOSED PAVERS FOR TERRACES
	PROPOSED POOL/WATER FEATURE
	EXISTING TO REMAIN
	PROPOSED GLASS STRUCTURE



KEY PLAN
NOT TO SCALE

SITE STATISTICS

MUNICIPAL ADDRESS		10 Rouge River Cir, Markham, ON L3S 4M6	
ZONING		RES-ENLR (RESIDENTIAL ESTABLISHED NEIGHBOURHOOD LOWRISE)	
LOT AREA		4256.23 m ²	45813.59 ft ²
ZONING INFORMATION		PERMITTED	
		(metre)	(feet)
FRONTAGE (MIN.)		117.85	386.55
FRONT YARD SETBACK	18.29/2	9.15	91.74
EXTERIOR SIDE YARD SETBACK		2.40	5.90
INTERIOR SIDE YARD SETBACK		1.80	5.90
REAR YARD SETBACK		7.50	24.60
OUTSIDE WALL HEIGHT (MAX 2 STOREYS)		7.00	22.96
BUILDING HEIGHT		10.00	32.80
LOT COVERAGE		PROPOSED	
	%	(m ²)	(ft ²)
BASEMENT FLOOR & INSIDE POOL AREA		820.98	8836.92
BASEMENT WALK OUT - TERRACE	2.21%	94.16	1013.50
2 CAR GARAGE	1.45%	61.58	662.89
4 CAR GARAGE	2.46%	104.76	1127.63
FIRST FLOOR	13.25%	564.10	6071.90
FRONT PORCH	0.20%	8.70	93.68
REAR COVD TERRACE	1.82%	77.57	834.92
SIDE OPEN TERRACE	1.80%	76.55	824.02
REAR PORCH	0.37%	15.70	169.00
SIDE PORCH	0.08%	3.58	38.54
GLASS ROOF AREA	1.18%	50.21	540.50
SECOND FLOOR	10.62%	451.88	4864.04
TOTAL LOT COVERAGE	24.83%	1056.92	11376.58
MAX PERMITTED LOT COVERAGE	30.00%	1276.87	13744.08
PROPOSED		(metre)	(feet)
		EXISTING TO REMAIN:	
		18.61	61.04
		12.81	42.02
		6.43	21.09
		8.70	28.54
		10.18	33.39
		13.54	44.41
EBL	18.29	18.29	18.29
	CORNER		LOT
ESTABLISHED GRADE	161.99	160.55	161.27

NO.	DESCRIPTION	DATE
1	ISSUED FOR SHOP ZONING REVIEW/COA	09-16-2025

Appendix B

File: 25-00000-000-0000

Date: 12/4/2025

MM/DD/YYYY

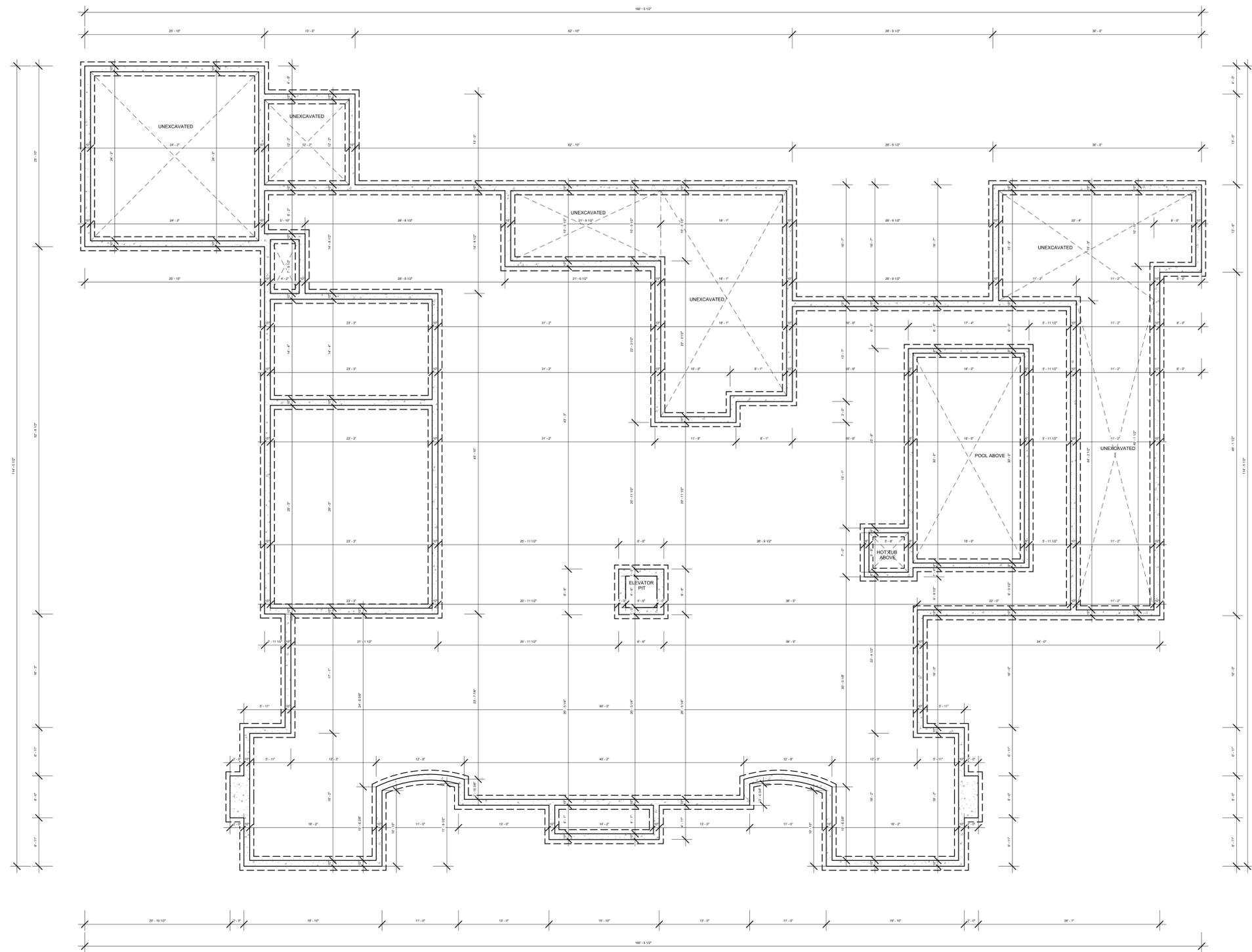
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NAME B.C.I.N.

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FIRM B.C.I.N.

PROPOSED SINGLE FAMILY DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:

PROPOSED FOUNDATION PLAN

DRAWN BY: SVP	SHEET No.
CHECKED BY: JS	A1
DATE: 09-16-2025	
SCALE: AS SHOWN	

1
A1 **PROPOSED FOUNDATION PLAN**
1/8" = 1'-0"

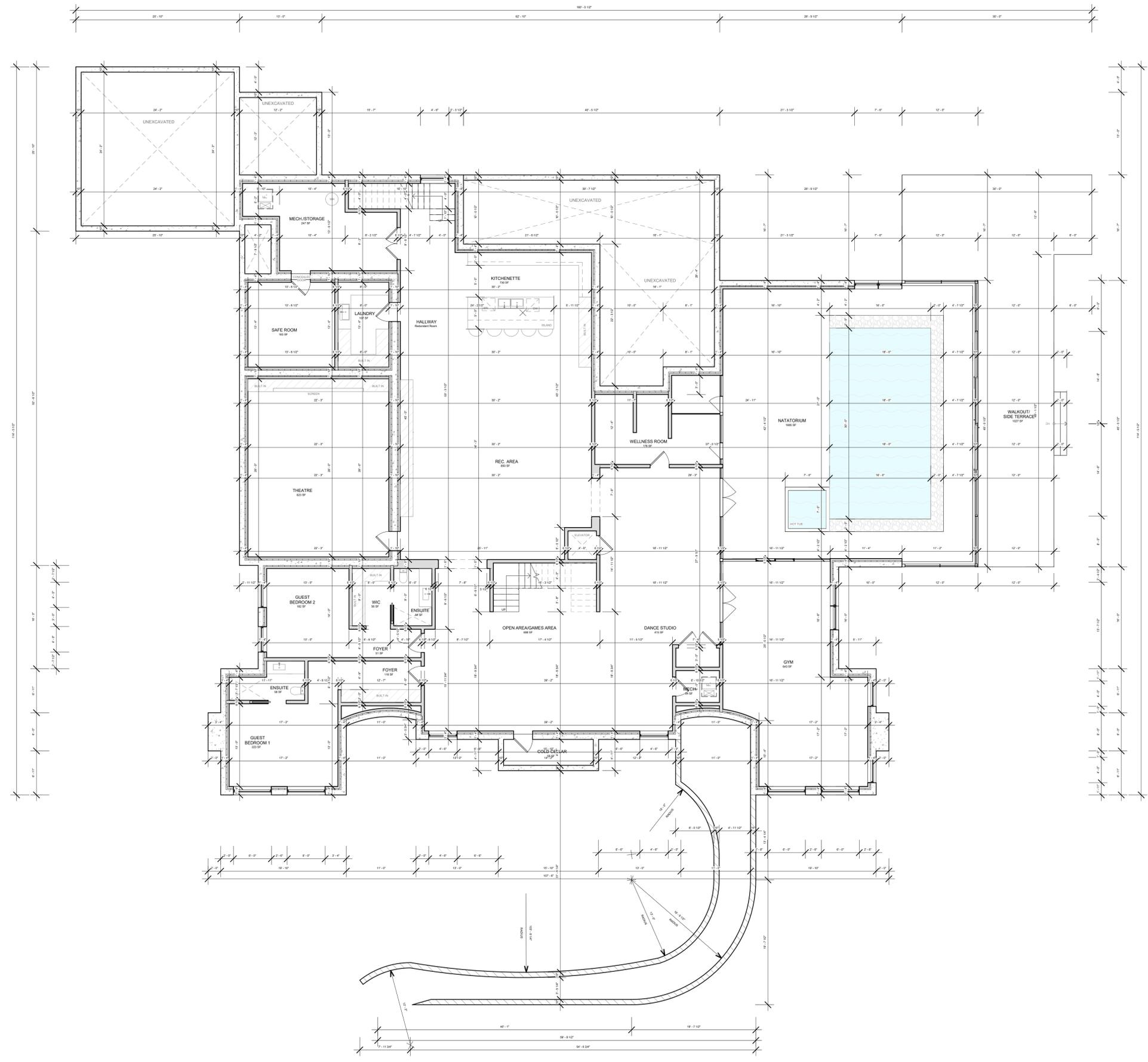
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SHEET TITLE:

PROPOSED BASEMENT PLAN

DRAWN BY: SVP	SHEET No.
CHECKED BY: JS	
DATE: 09-16-2025	
SCALE: AS SHOWN	A2

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A2

PROPOSED BASEMENT PLAN

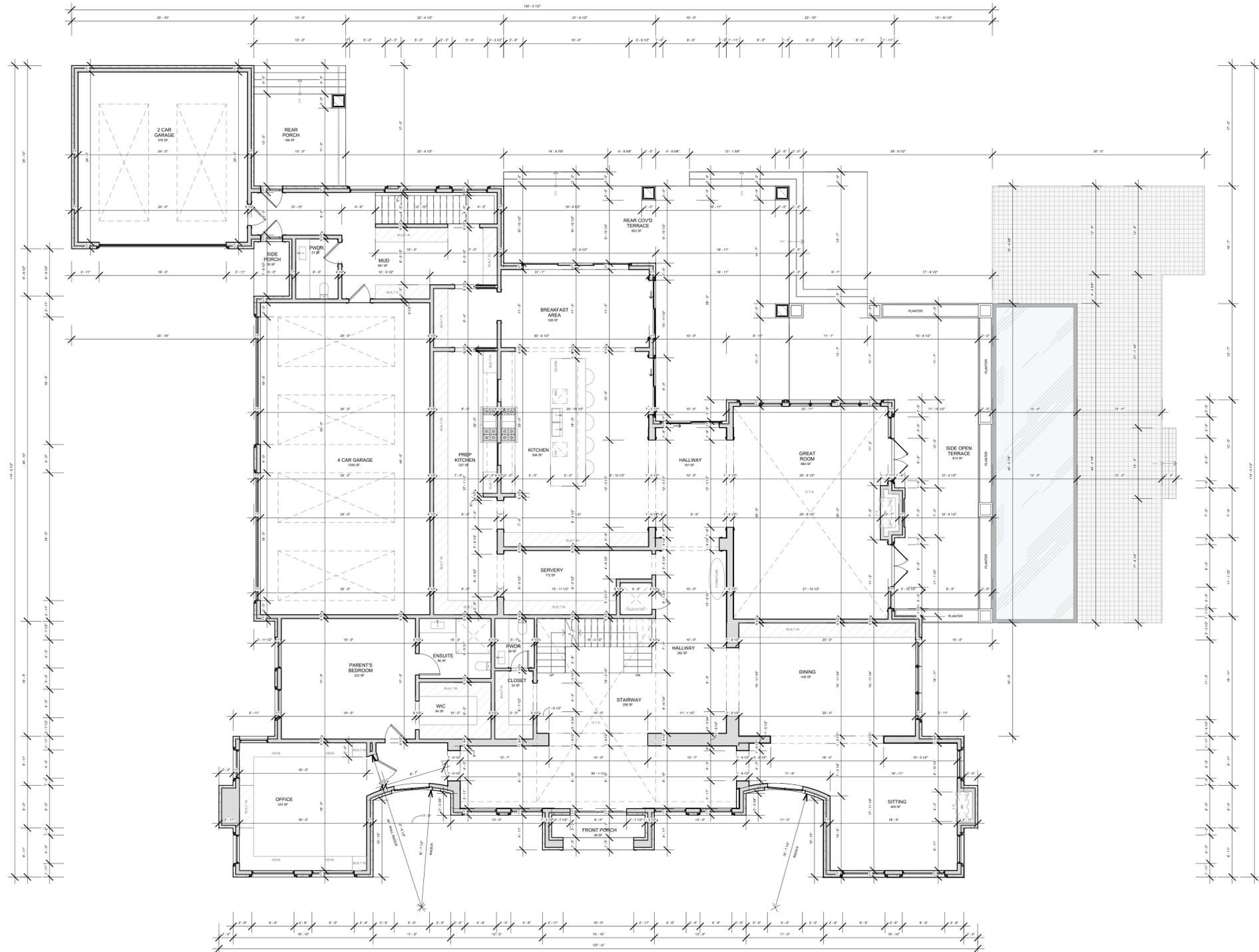
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10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:

PROPOSED FIRST FLOOR PLAN

1
A3

PROPOSED FIRST FLOOR PLAN

1/8" = 1'-0"

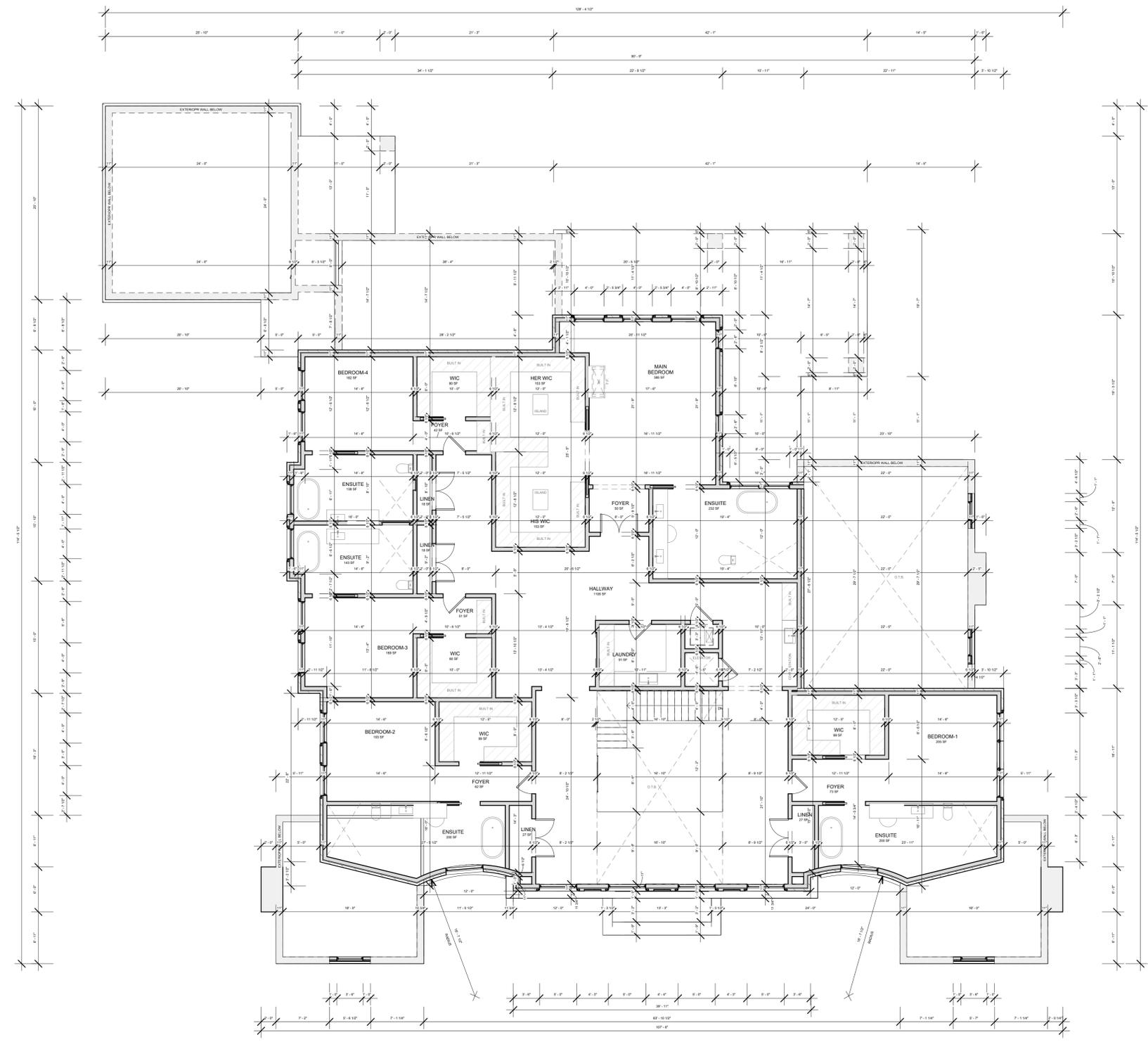
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SCALE: AS SHOWN	A3

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PROPOSED SINGLE FAMILY DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:
PROPOSED SECOND FLOOR PLAN

1
A4
PROPOSED SECOND FLOOR PLAN
1/8" = 1'-0"

DRAWN BY: SVP	SHEET No.
CHECKED BY: JS	
DATE: 09-16-2025	
SCALE: AS SHOWN	A4

NO.	DESCRIPTION	DATE
1	ISSUED FOR SHOP ZONING REVIEW/COA	09-16-2025

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File: _____

Date: 12/4/2025

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NOTES:

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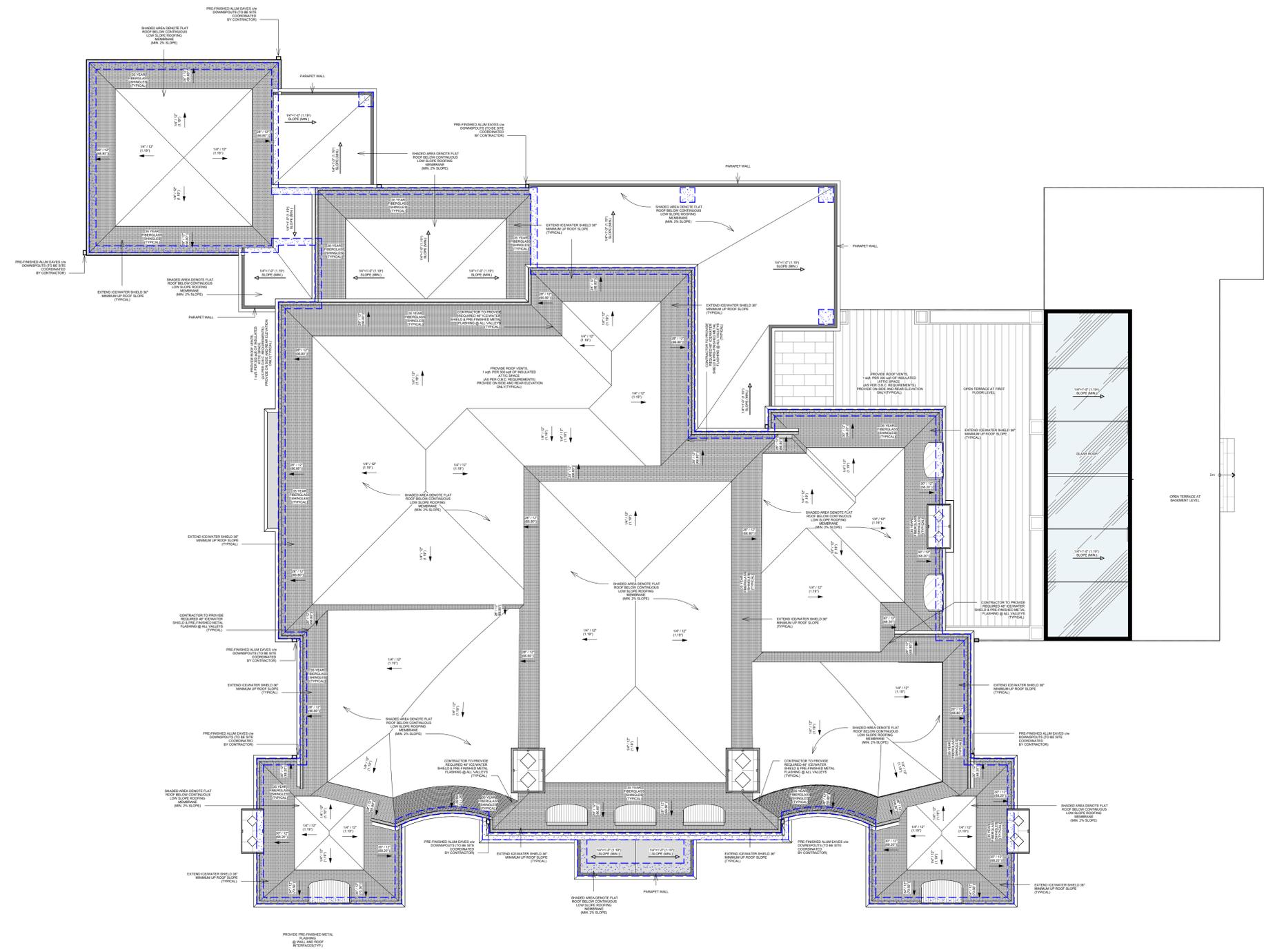
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LEGEND	
	SHADED AREA DENOTES 30-YEAR FIRE-RESISTANCE RATED ROOF MEMBRANE ASSEMBLY PER ROOF CODES
	30-YEAR FIRE-RESISTANCE RATED ROOF MEMBRANE ASSEMBLY PER ROOF CODES
	PRE-FINISHED ALUMINUM EAVES (TYPICAL)
	PARAPET WALL AROUND FLAT ROOF AREAS ONLY
	EXTERIOR WALL BELOW
	PRE-FINISHED ALUM EAVES TO BE SITE COORDINATED BY CONTRACTOR



1
A5
PROPOSED ROOF PLAN
 1/8" = 1'-0"

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 UNIT # 510
 PHONE: 416-919-1433
 EMAIL: jesse@sensusedesignbuild.ca
 www.sensusedesignbuild.ca

PROFESSIONAL STAMPS:

*DISCLAIMER: ISSUED FOR ZONING REVIEW PURPOSES ONLY NOT TO BE USED WITHOUT APPROVAL OF SENSUS DESIGN STUDIO

N

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 be a designer.

Qualification Information
 Required unless design is exempt under Div. C - 3.2.5 of the Building Code

JESSE SAHLANI 44549
 NAME B.C.I.N.

SENSUS DESIGN & BUILD INC. 123494
 FIRM B.C.I.N.

PROPOSED
 SINGLE FAMILY
 DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:

PROPOSED
 ROOF PLAN

DRAWN BY: SVP	SHEET No.
CHECKED BY: JS	
DATE: 09-16-2025	
SCALE: AS SHOWN	A5

NO.	DESCRIPTION	DATE
1	ISSUED FOR SHOP ZONING REVIEW/COA	09-16-2025

Appendix B

V

File: _____

Date: **12/4/2025**
MM/DD/YYYY



NOTES:
1. ALL GRADES SHOWN ARE PRELIMINARY AND ARE SUBJECT TO FIELD VERIFICATION BY THE CONTRACTOR. FINAL EXTERIOR COLORS TO BE COORDINATED WITH CONTRACTOR, OWNER & DESIGNER.

T.O. ROOF (174.82)

T.O. SECOND FLOOR DBL. PLT. (170.18)

SECOND FLOOR (167.10)

T.O. FIRST FLOOR DBL. PLT. (166.78)

MAIN FLOOR (163.09)

T.O. FOUNDATION (162.73)

GARAGE SILL (162.58)

AVG GRADE (161.27)

EST. GRADE (159.99)

T.O. SLAB (159.68)

T.O. FOOTING (159.58)

B.O. FOOTING (159.33)

LOWER -T.O. FOOTING (157.45)

LOWER -B.O. FOOTING (157.20)

NOTES:
DRAWINGS TO BE READ IN CONJUNCTION WITH THE GENERAL NOTES AND THE O.B.C.

ALL DRAWINGS & INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED & VERIFIED ON SITE PRIOR TO CONSTRUCTION OR FABRICATION OF ITS COMPONENTS. UNLESS NOTED OTHERWISE, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING, OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY CONSTRUCTION. ALL DIMENSIONS ARE GIVEN IN IMPERIAL UNITS UNLESS OTHERWISE INDICATED.

ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT / DESIGNER & MUST BE RETURNED UPON REQUEST.

1
A6
PROPOSED FRONT ELEVATION
1/8" = 1'-0"



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T.O. SLAB (159.68)

T.O. FOOTING (159.58)

B.O. FOOTING (159.33)

LOWER -T.O. FOOTING (157.45)

LOWER -B.O. FOOTING (157.20)

2
A6
PROPOSED REAR ELEVATION
1/8" = 1'-0"

SENSUS
DESIGN STUDIO
DESIGN | INTERIORS | CONSTRUCTION

1315 LAWRENCE AVE EAST, TORONTO ON
UNIT # 510
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NAME B.C.I.N.

SENSUS DESIGN & BUILD INC. 123494
FIRM B.C.I.N.

PROPOSED SINGLE FAMILY DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:

PROPOSED FRONT & REAR ELEVATION

DRAWN BY: SVP SHEET No.
CHECKED BY: JS
DATE: 09-16-2025
SCALE: AS SHOWN

A6

NO.	DESCRIPTION	DATE
1	ISSUED FOR SHOP ZONING REVIEW/COA	09-16-2025

Appendix B

File: 25-00000-001-001

Date: 12/4/2025

MM/DD/YYYY

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1
A7
PROPOSED LEFT ELEVATION
1/8" = 1'-0"



2
A7
PROPOSED RIGHT ELEVATION
1/8" = 1'-0"

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 DESIGN STUDIO
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 FIRM B.C.I.N.

PROPOSED SINGLE FAMILY DWELLING UNIT

10 ROUGE RIVER CIRCLE, MARKHAM, ON L3S 4M6

SHEET TITLE:
PROPOSED LEFT & RIGHT ELEVATION

DRAWN BY: SVP SHEET No.
 CHECKED BY: JS
 DATE: 09-16-2025
 SCALE: AS SHOWN **A7**