

Leung, Justin

From: Malik, Aqsa
Sent: Monday, October 22, 2018 9:29 AM
To: Leung, Justin
Subject: RE: 127 Sherwood Forest Dr

Hi Justin,

The original report is still applicable - there were no revisions from the applicant – and it should be good to go.

Best,
Aqsa

Aqsa Malik , MScPl, Hons.B.Sc
Planner I | Zoning & Special Projects | City of Markham
Anthony Roman Centre | 101 Town Centre Boulevard, Markham, ON, L3R 9W3
T: 905.475.4858 ext. 2944 | www.markham.ca

From: Leung, Justin
Sent: Friday, October 19, 2018 9:19 AM
To: Malik, Aqsa <AMalik@markham.ca>
Subject: 127 Sherwood Forest Dr

Hi Aqsa, you may recall this property's MV application had been deferred as the public notice hadn't gone out. I know you had previously prepared a staff report for this one. Did you want to include email addendum or slightly revise this report before I get it out to public? Thanks.

Justin Leung, MES(PI) ACST(A) MCIP RPP
Secretary-Treasurer, Committee of Adjustment
Development Services Commission
City of Markham

101 Town Centre Boulevard
Markham, Ontario L3R 9W3
Phone: 905-477-7000 ext. 2051
Fax: 905-479-7768
Jleung@markham.ca



Memorandum to the City of Markham Committee of Adjustment

October 1, 2018

File: A/134/18
Address: 127 Sherwood Forest Dr, Markham
Applicant: Shuang Liu
Agent: Dan Zhou
Hearing Date: Wednesday October 10, 2018

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

The applicant is requesting relief from the following requirements of By-law 1229, R1, as amended, to permit:

- a) **Section 11.2(c)(i):** an unenclosed/uncovered porch and steps to encroach a maximum of 8.58 feet into the required front yard setback, whereas the By-law permits a maximum encroachment of 18 inches into any required yard; as it relates to an addition of a deck to an existing two storey dwelling.

The applicant is requesting relief for an unenclosed/uncovered porch and steps to encroach a maximum of 102.96 inches (8.58 ft.) into the required front yard setback, whereas the By-law permits a maximum encroachment of 18 inches (1.5 ft.) into any required yard. This represents a difference of approximately 84.96 inches (7.08 ft.). The property is a corner lot with one property abutting the east side and Bud lane abutting the west side. The proposed porch and steps project from the first floor of the raised bungalow towards Sherwood Forest Drive, the defined front yard. Staff recognize that the property has a unique configuration, it is oriented towards Bud lane but Sherwood Forest Drive is considered the front yard under the Zoning By-law.

There is an existing hedgerow that provides some screening from the street and the neighbouring property. If the hedgerow was to be removed, the deck would be highly visible from the street as it would be projecting into the front yard along Sherwood Forest Drive, there would also be a loss of screening for the abutting neighbour to the east. Staff asked the applicant to consider adding a platform and lowering the proposed porch to reduce the visibility of the proposed deck from the street and the abutting neighbour to the east. The applicant chose to proceed without making any changes. The proposed porch comes off the ground floor of a raised bungalow and provides some screening from the neighbouring property and streets via the existing hedgerow. Given this, Staff are of the opinion that the variance request is appropriate for the unique lot.

Applicant's Stated Reason(s) for Not Complying with Zoning

According to the information provided by the applicant, *"The dwelling is a corner lot and the house is facing Bud Lane. The front yard by definition has been used as the back yard since it has the most privacy. Please see Google images attached. Also the proposed deck is next to kitchen/dining room area. It will allow us to better enjoy the outdoors"*.

Zoning Preliminary Review (ZPR) not Undertaken

The applicant has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. 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.

PUBLIC INPUT SUMMARY

No written submissions were received as of October 1, 2018. 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. 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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:


Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:


Stacia Muradali, Senior Planner, East District
File Path: Amanda\Files\18 248361 Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/134/18

1. That the porch remain unenclosed and uncovered;
2. The variances apply only to the proposed development as long as it remains;
3. The owner must provide replacement screening if the existing hedgerow is removed, satisfactory to the Director of Planning and Urban Design or their designate;
4. 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 dated September 13, 2018, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.

CONDITIONS PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects

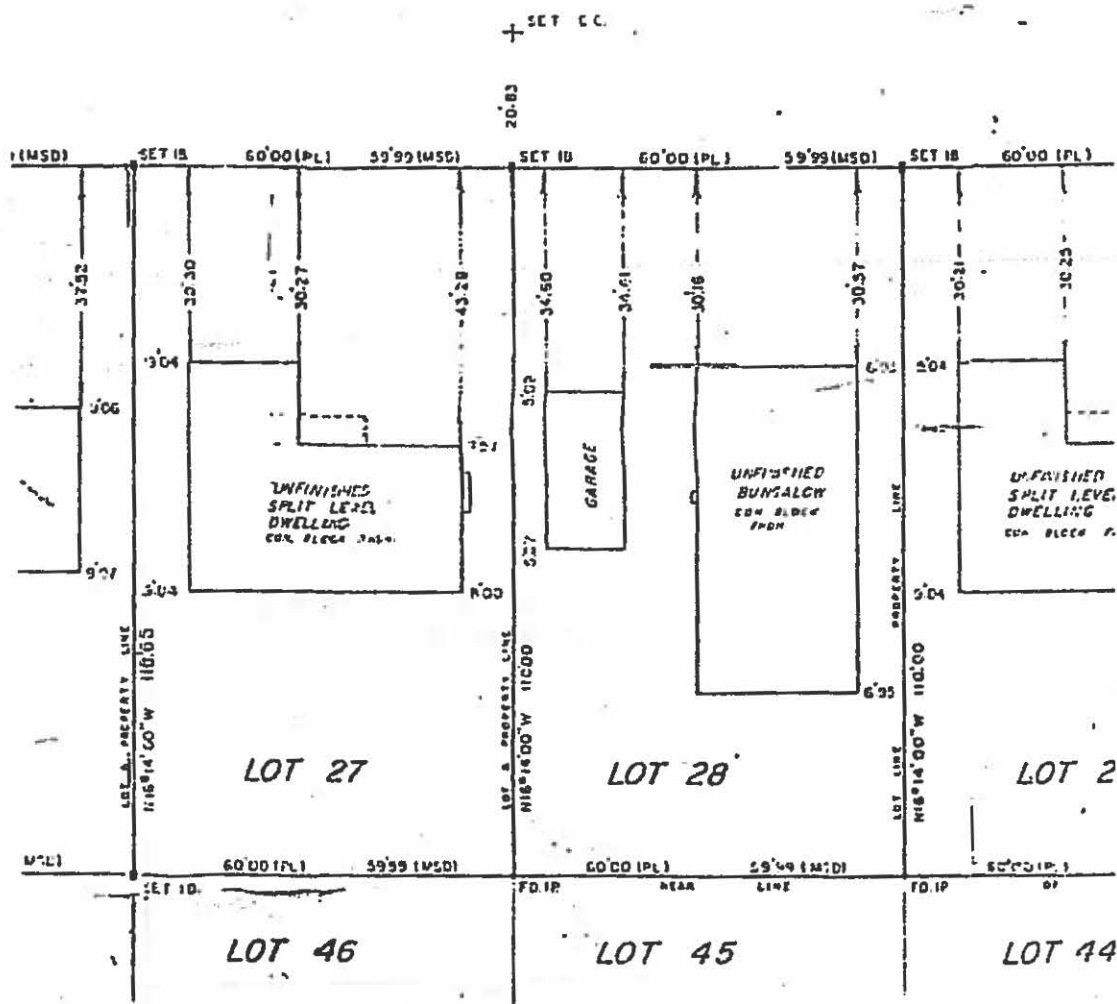
LOCATION OF BUILDING ON
(INCL.) RP 5881

NTY OF YORK... BEING IN THE VILLAGE OF MARKHAM.

RWOOD

N73°46'00"E 166VLMFG BEARING PER RP 5681

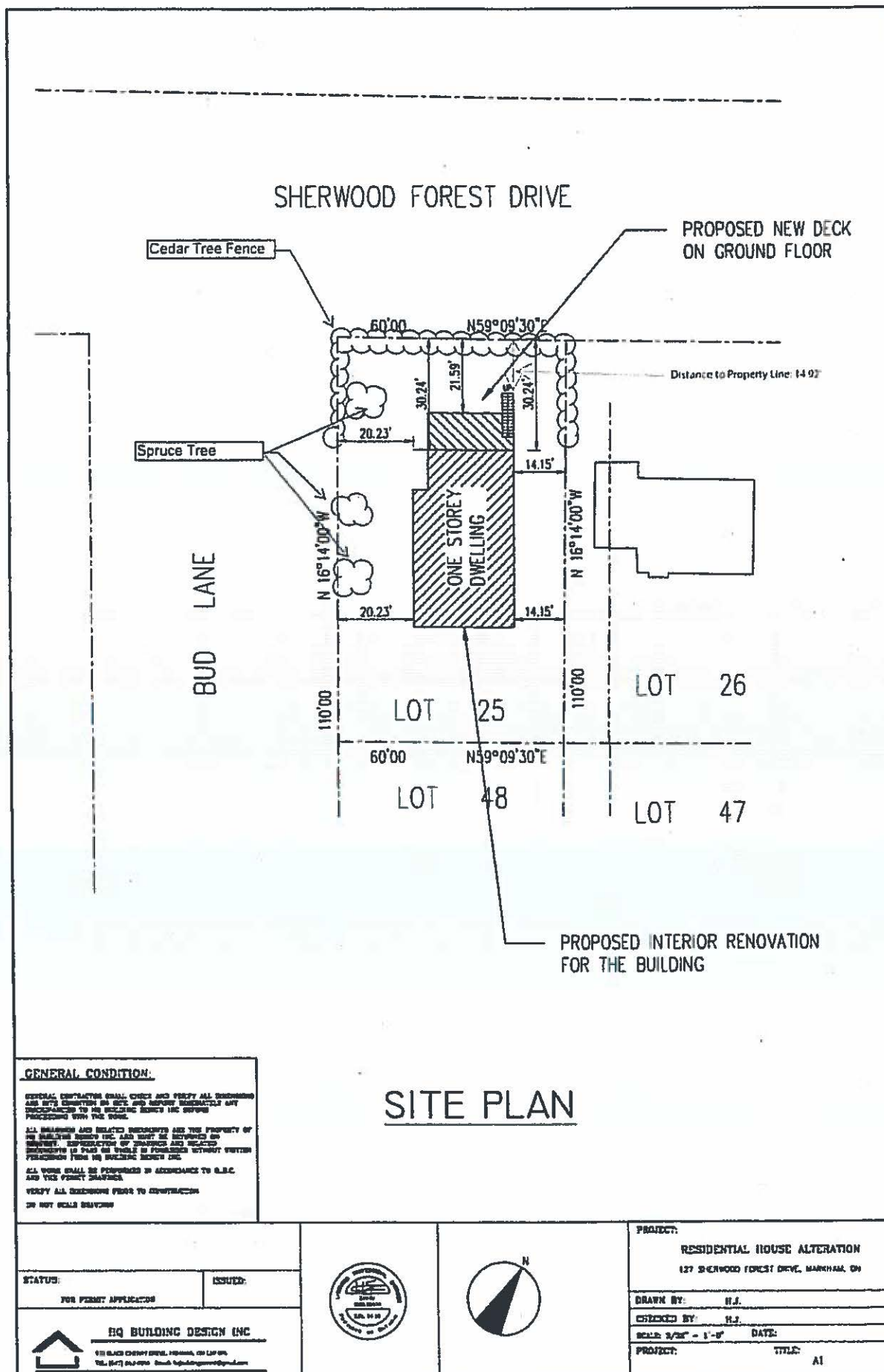
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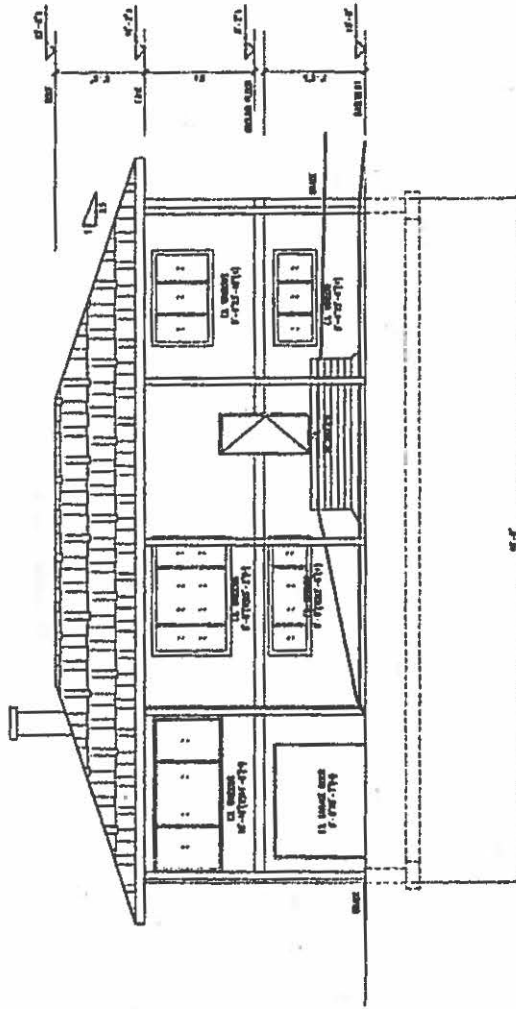


2 of 4

LOT 26

work not made





EXISTING FRONT ELEVATION

GENERAL CONDITION:

GENERAL CONTRACTOR SHALL OBTAIN AND VERIFY ALL NECESSARY PERMITS AND CITY ORDINANCES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CITY ORDINANCES. ALL MATERIALS AND RELATED WORKMANSHIP ARE THE PROPERTY OF THE CLIENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CITY ORDINANCES. ALL WORK SHALL BE PROTECTED AS APPLICABLE TO R.I.C. AND THE PERMITS REQUIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CITY ORDINANCES.

STATUS:

FOR PERMIT APPLICATION

ISSUED:



HJQ BUILDING DESIGN INC.

100 MAIN STREET, SUITE 100, BOSTON, MA 02108
TEL: (617) 552-0000 FAX: (617) 552-0001

PROJECT:

RESIDENTIAL HOUSE RENOVATION
127 S CHURCH STREET, BOSTON, MA

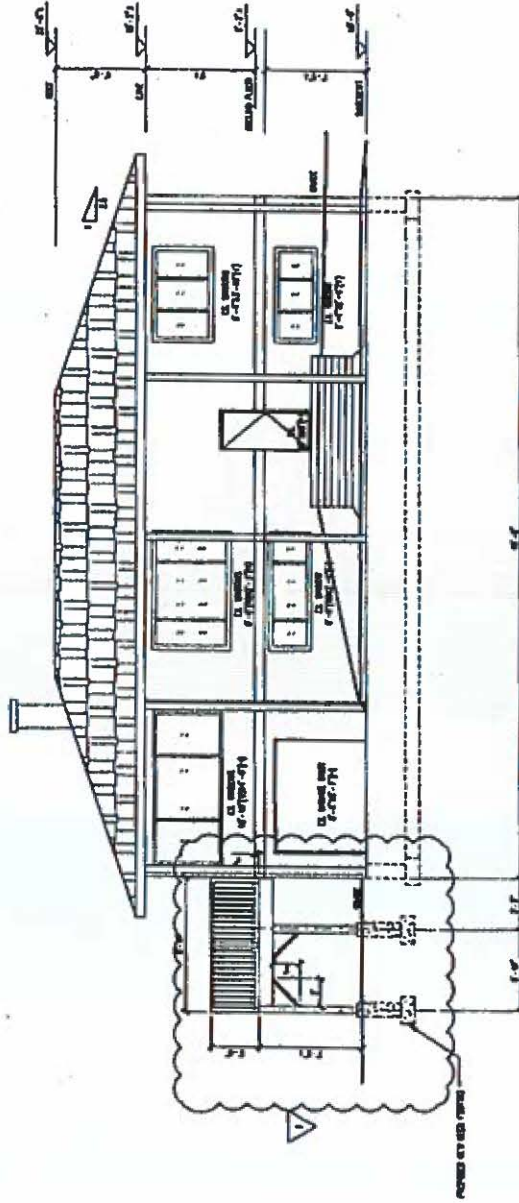
DRAWN BY: H.J.

CHECKED BY: H.J.

SCALE: 1/8" = 1'-0"

DATE: 11/1/00

TITLE: A2



PROPOSED FRONT ELEVATION

1/4" = 1'-0"

GENERAL CONDITION:

GENERAL CONTRACTOR SHALL VERIFY AND REPORT ALL EXISTING CONDITIONS TO THE CLIENT AND TO THE BUILDING DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS.

STATUTE FOR FRONT APPLICATION

ISSUED:

HQ BUILDING DESIGN INC.
110 SOUTH GARY STREET, SUITE 100, LAFAYETTE, LA 70501
504.485.1234

PROJECT:

RESIDENTIAL HOUSE RENOVATION
117 S. CEDAR STREET DRIVE, BAYVIEW, OH

DATE: 11/11/11

DESIGNED BY: H.B.

SCALE: 1/8" = 1'-0"

PROJECT: TITLE: A3



EXISTING REAR ELEVATION
(NO CHANGE)

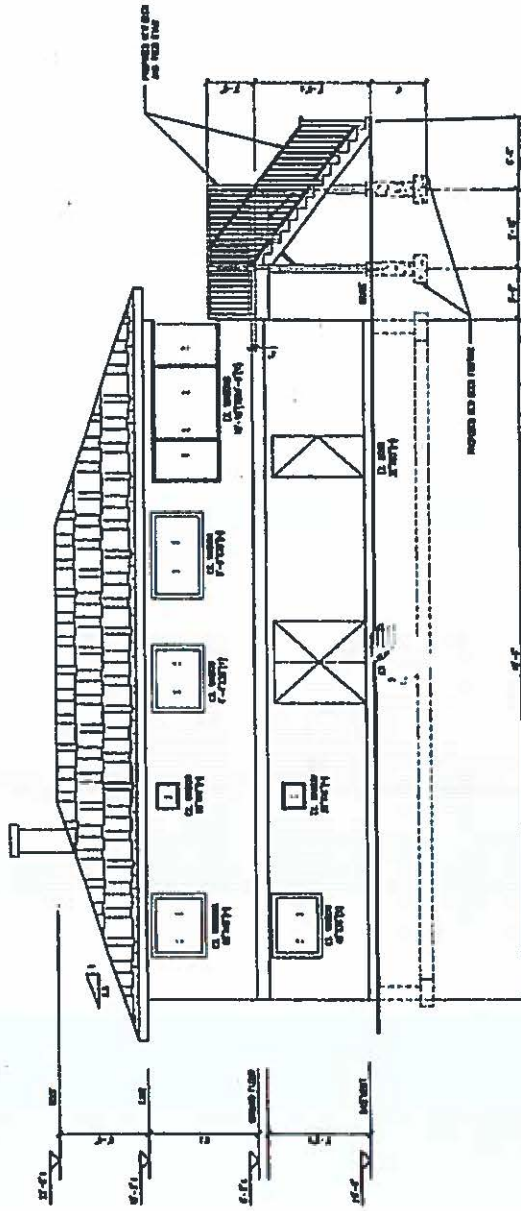
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RESIDENTIAL HOUSE RENOVATION
137 S. CHANDLER FOREST DRIVE, WARREN, ON


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Category 99	1.0
Category 100	1.0

PRODCT:

Ad



PROPOSED REAR ELEVATION

GENERAL CONDITIONS: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.		PROJECT: RESIDENTIAL HOUSE RENOVATION 117 S-CORCORAN STREET DRIVE, MARIETTA, GA	
STATUS: FOR PERMIT APPLICATION		ISSUED:	
 HQ BUILDING DESIGN INC. 110 SOUTH CHERRY STREET, SUITE 100, MARIETTA, GA 30067 (770) 426-0000		DATE:	
PROJECT:		TITLE: AS	