

# Memorandum to the City of Markham Committee of Adjustment

October 1, 2024

**File:** A/071/24  
**Address:** 27 Normandale Road, Markham  
**Agent:** Brian Lee Architect (Ryan Quan)  
**Hearing Date:** Wednesday, October 9, 2024

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

The Applicant is requesting relief from the following requirement from the “Residential – Established Neighbourhood Low Rise (RES-ENLR) Zone” requirements under By-law 2024-19, to permit:

**a) Section 6.3.2 c):**

a maximum main building coverage of 32.61 percent for the first storey, whereas the By-law permits a maximum main building coverage of 30 percent for the first storey;

as it relates to a proposed rear sunroom addition.

## **BACKGROUND**

### **Property Description**

The 935.50 m<sup>2</sup> (10,069.64 ft<sup>2</sup>) subject lands is located on the south side of Normandale Road, and generally located south of 16<sup>th</sup> Avenue and east of Village Parkway and north of Toogood Pond (the “Subject Lands”) (refer to Appendix “A” – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised of two-storey detached dwellings. Mature vegetation exists across the property.

There is an existing two-storey detached dwelling and garage on the property, which according to assessment records was constructed in 1981. Mature vegetation exists on the property including one large mature tree in the front yard.

The Subject Lands are located immediately North of the Toronto and Region Conservation Authority (TRCA) and is within the TRCA’s regulated boundary.

### **Proposal**

The Applicant is proposing to construct a one-storey 33.6 m<sup>2</sup> (362 ft<sup>2</sup>) covered heated sunroom (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. In addition, regard shall be had for the retention of existing trees and vegetation. Planning Staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below.

### Zoning By-Law 2024-19

The Subject Lands are zoned “RES-ENLR (Residential – Established Neighbourhood Low Rise)” under By-law 2024-19, which permits a detached dwelling. The Proposed Development does not comply with the By-law requirements as it relates to main building coverage for the first-storey.

### **Zoning Preliminary Review (ZPR) Not Undertaken**

The Agent has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the Agent has received comments from the building department through their permit process to confirm the variances required for the proposed development.

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 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 Main Building Coverage (first storey)**

The Applicant is requesting relief for a main building coverage for the first-storey of 32.61% (304.9 m<sup>2</sup> or 3,281.9 ft<sup>2</sup>) of the lot area, whereas the By-law permits a maximum first-storey coverage of 30% (280.65 m<sup>2</sup> or 3,020.89 ft<sup>2</sup>) of the lot area. This represents an additional 2.61% (24.25 m<sup>2</sup> or 261.01 ft<sup>2</sup>) coverage of the lot area for the first-storey.

Staff note that the proposed increase in building coverage is confined to a one-storey rear addition and will not substantially add to the scale or massing of the dwelling. Furthermore, the Subject Property backs onto Toogood Pond rather than a residential

property and provides for sufficient west yard setback of 7.92m (25.98 ft) and an east yard setback of 10.84m (35.56 ft). This will result in the Proposed Development having minimal impacts on neighbouring homes with respect to privacy, shadowing or views.

As such, Staff are of the opinion that the Proposed development is minor in nature and meets the intent of the By-law and have no concerns with the requested variance.

## **EXTERNAL AGENCIES**

### TRCA Comments

The Subject Lands is located within Toronto Region and Conservation Authority (TRCA)'s Regulated Area. TRCA provided comments on September 17, 2024 (Appendix "C"), indicating that they have no concerns subject to conditions outlined in their letter.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of October 1, 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 to the Proposed Development. 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 "D" for conditions to be attached to any approval of this application.

PREPARED BY:



\_\_\_\_\_  
Brendan Chiu, Planner I, Central District

REVIEWED BY:



\_\_\_\_\_  
Melissa Leung, Senior Planner, Central District

File Path: Amanda\File\ 24 180579 \Documents\District Team Comments Memo

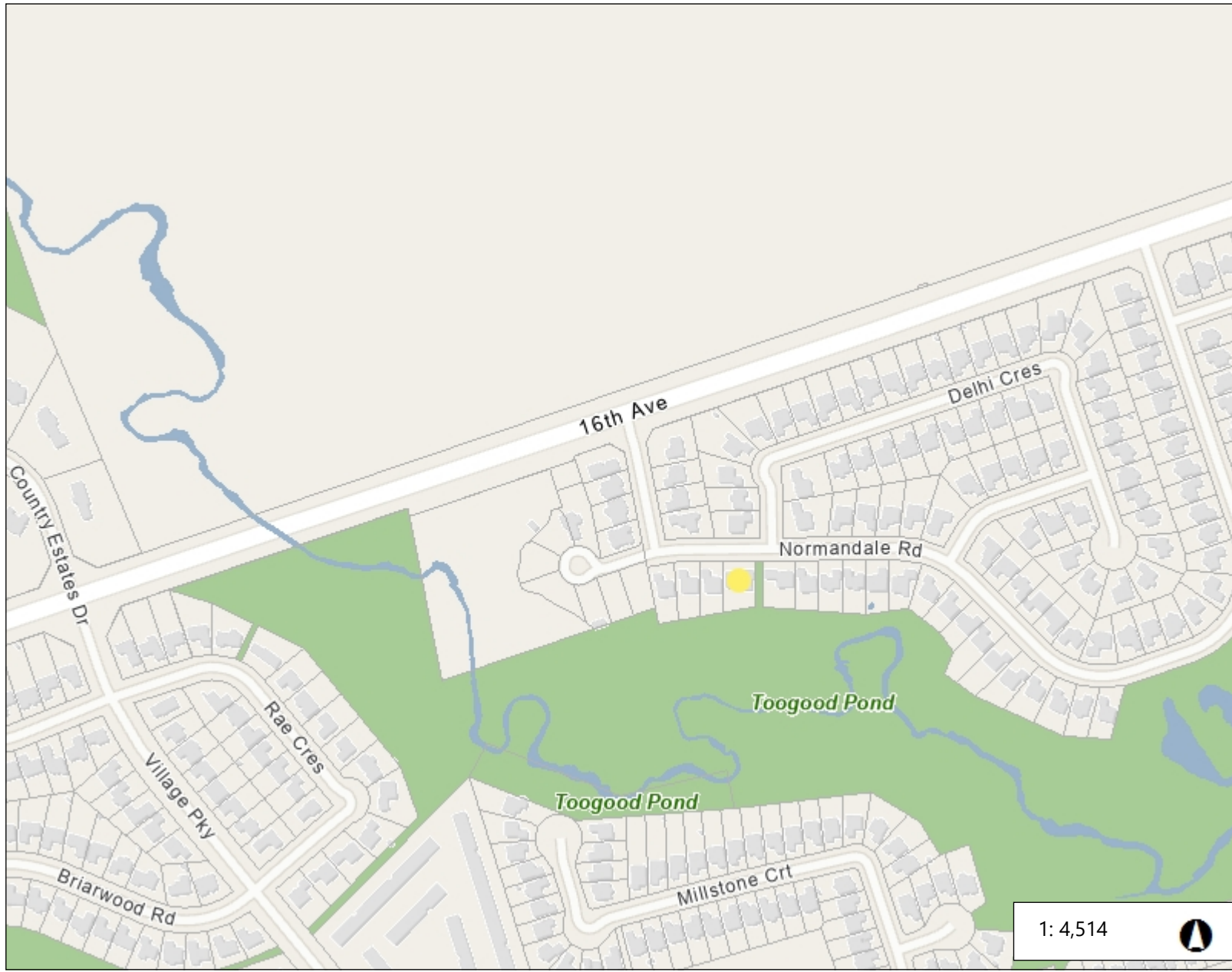
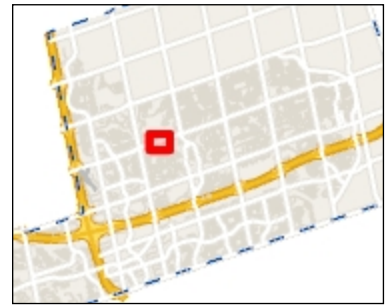
**APPENDICES**

Appendix "A" – Aerial Photo

Appendix "B" – Plans

Appendix "C" – TRCA Conditions of Approval

Appendix "D" – A/071/24 Conditions of Approval



- Legend
- Subject Lands
  - 27 Nomandale Road

1: 4,514



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](mailto:cgis@markham.ca) and you will be directed to the appropriate department.

Notes

# Appendix B

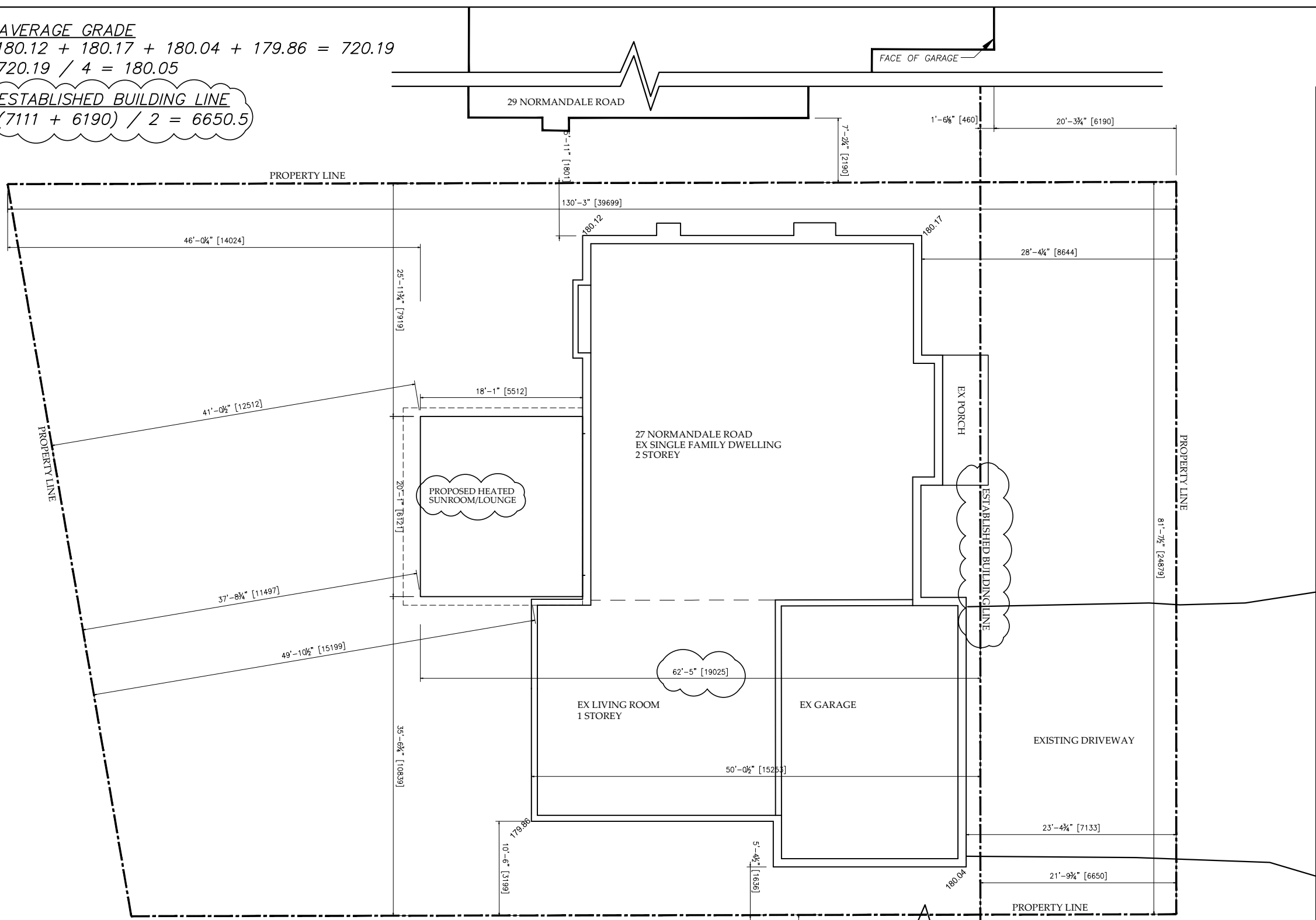
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Date: 10/3/2024  
MM/DD/YYYY



AVERAGE GRADE  
 $180.12 + 180.17 + 180.04 + 179.86 = 720.19$   
 $720.19 / 4 = 180.05$

ESTABLISHED BUILDING LINE  
 $(7111 + 6190) / 2 = 6650.5$



NORMANDALE ROAD

EXISTING  
 Basement = 148.6 sq. m. (1600 sq. ft.)  
 Ground Floor = 210.9 sq. m. (2270 sq. ft.)  
 Second Floor = 148.6 sq. m. (1600 sq. ft.)  
 Garage = 60.4 sq. m. (650 sq. ft.)

PROPOSED  
 Basement = UNCHANGED  
 Ground Floor = UNCHANGED  
 Second Floor = UNCHANGED  
 Garage = UNCHANGED  
 New Sunroom = 33.6 sq. m. (362 sq. ft.)

LOT INFO  
 Lot Frontage = 24.88m  
 Lot Area = 935.5 sq. m. (10069 sq. ft.)  
 Lot Coverage % =  $304.9 / 935.5 * 100 = 32.6\%$   
 Lot Gross Floor Area % =  $393.1 / 935.5 * 100 = 42.0\%$

TOTAL GROSS AREA  
 GROUND + SECOND + NEW SUNROOM  
 $210.9 + 148.6 + 33.6 = 393.1$  sq. m. (4231.3 sq. ft.)  
LOT COVERAGE  
 GROUND + GARAGE + NEW SUNROOM  
 $210.9 + 60.4 + 33.6 = 304.9$  sq. m. (3281.9 sq. ft.)

# TITLE : SITE PLAN



NO.	REVISION	DATE	DWN.	NO.	REVISION	DATE	DWN.
01	ISSUE FOR PERMIT	MAR 22 2024					
02	REVISED TITLE BLOCK NAMES & OTHER LABELS AS PER EXAMINER'S NOTES	MAY 22 2024					
03	ADDED ESTABLISHED BUILDING LINE & BUILDING DEPTH, CHANGE TO SUNROOM/LOUNGE	JULY 05 2024					

DATE : 24/04/26  
 CHECKED BY : ...  
 SCALE : 1:150

PROJECT #  
 27 NORMANDALE ROAD  
 UNIONVILLE, ON  
 L3R 4J7

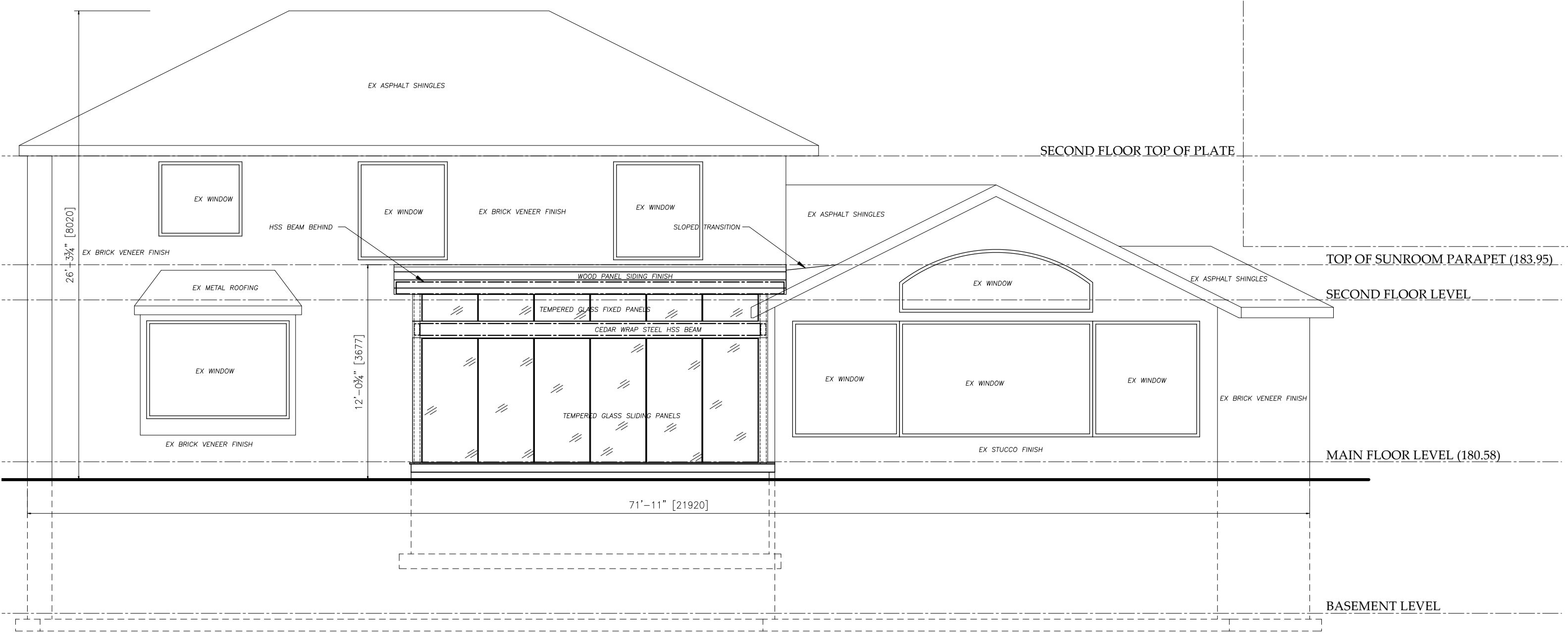
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**A1**  
 SHEET 1 OF 16



**Appendix B**

File: 24.180579.000.00.MNV

Date: 10/3/2024  
MM/DD/YYYY



TITLE :  
**NEW SUNROOM/LOUNGE SOUTH ELEV**

NO.	REVISION	DATE	DWN.	NO.	REVISION	DATE	DWN.
01	ISSUE FOR PERMIT	MAR 22 2024					
02	REVISED TITLE BLOCK NAMES & OTHER LABELS AS PER EXAMINER'S NOTES	MAY 22 2024					
03	ADDED ESTABLISHED BUILDING LINE & BUILDING DEPTH, CHANGE ADDITION TO SUNROOM/LOUNGE	JULY 05 2024					

DATE : 24/04/26  
CHECKED BY : ...  
SCALE : 3/16" = 1'-0"

PROJECT #  
27 NORMANDALE ROAD  
UNIONVILLE, ON  
L3R 4J7

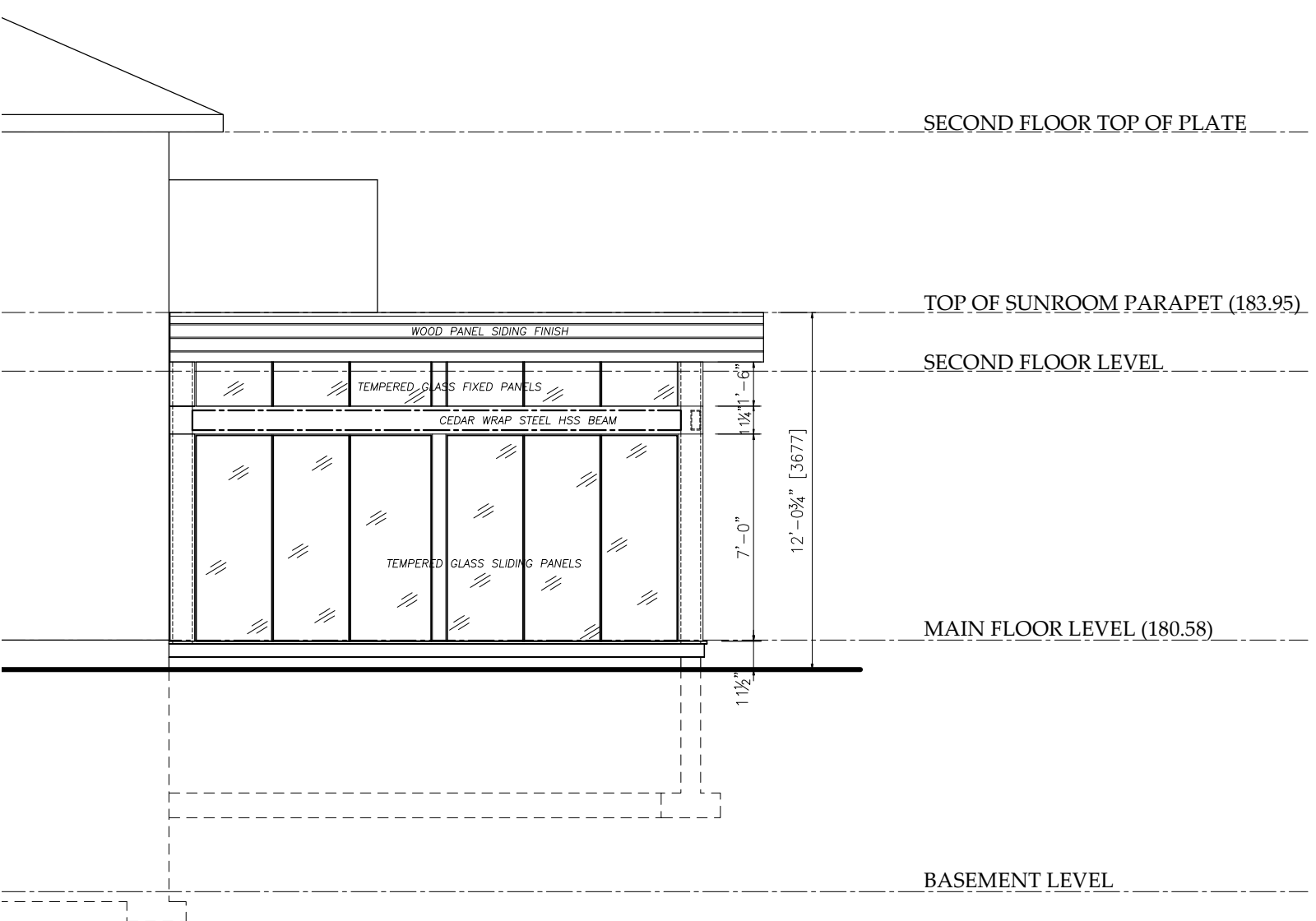
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**A4**  
SHEET 4 OF 16



# Appendix B

File: 24.180579.000.00.MNV

Date: 10/3/2024  
MM/DD/YYYY



TITLE :  
**NEW SUNROOM/LOUNGE WEST ELEVATION**

NO.	REVISION	DATE	DWN.	NO.	REVISION	DATE	DWN.
01	ISSUE FOR PERMIT	MAR 22 2024					
02	REVISED TITLE BLOCK NAMES & OTHER LABELS AS PER EXAMINER'S NOTES	MAY 22 2024					
03	ADDED ESTABLISHED BUILDING LINE & BUILDING DEPTH, CHANGE ADDITION TO SUNROOM/LOUNGE	JULY 05 2024					

DATE : 24/04/26  
CHECKED BY : ...  
SCALE : 3/16" = 1'-0"

PROJECT #  
27 NORMANDALE ROAD  
UNIONVILLE, ON  
L3R 4J7

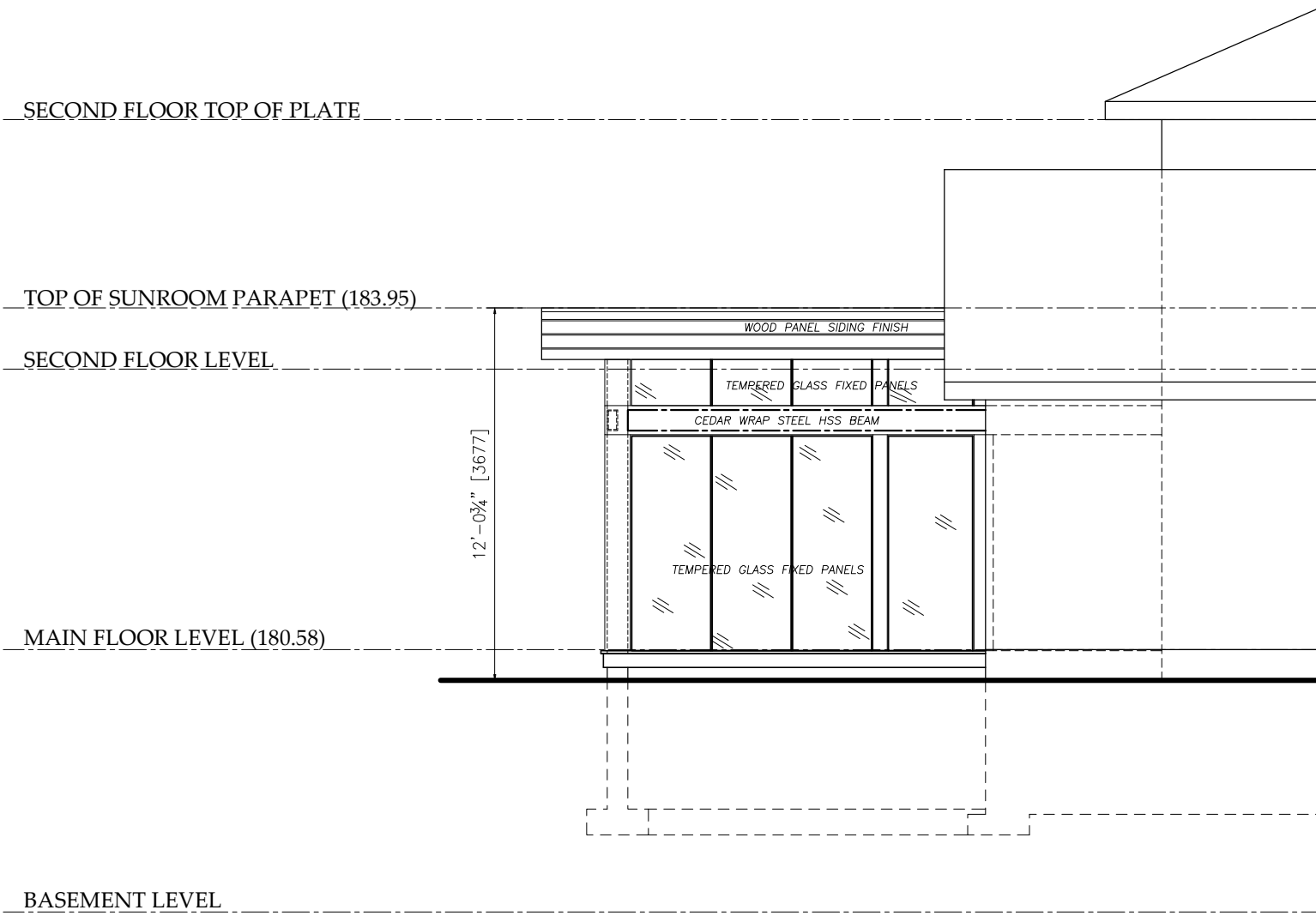
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SHEET 5 OF 16



# Appendix B

File: 24.180579.000.00.MNV

Date: 10/3/2024  
MM/DD/YYYY



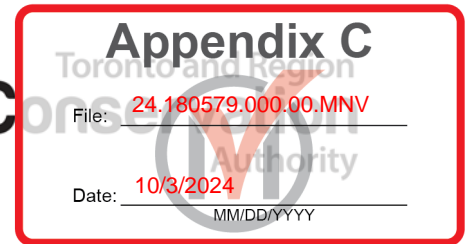
TITLE :  
**NEW SUNROOM/LOUNGE EAST ELEVATION**

NO.	REVISION	DATE	DWN.	NO.	REVISION	DATE	DWN.
01	ISSUE FOR PERMIT	MAR 22 2024					
02	REVISED TITLE BLOCK NAMES & OTHER LABELS AS PER EXAMINER'S NOTES	MAY 22 2024					
03	ADDED ESTABLISHED BUILDING LINE & BUILDING DEPTH, CHANGE ADDITION TO SUNROOM/LOUNGE	JULY 05 2024					

DATE : 24/04/26  
CHECKED BY : ...  
SCALE : 3/16" = 1'-0"

PROJECT #  
27 NORMANDALE ROAD  
UNIONVILLE, ON  
L3R 4J7

DRAWING #  
**A6**  
SHEET 6 OF 16



September 17, 2024

CFN: PAR-DPP-2024-00246

**BY E-MAIL ONLY**

Dear Brendan Chiu,

**Re: Minor Variance Application – (A/071/24)  
27 Normandale Road  
Part Lot 137, City of Markham  
(16<sup>th</sup> Avenue & Kennedy Road)  
Applicant: Long Quan (Ryan)  
Owner: Liang Hui Mo**

Toronto and Region Conservation Authority (TRCA) staff provide the following comments in response to the referenced Committee of Adjustment application, received by TRCA on September 3, 2024. We provide the following in accordance with TRCA’s commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see [TRCA Role in the Plan Input and Review Process](#).

**Purpose of the Application**

TRCA staff understand that the purpose of this application is to request the following variances under Zoning By-law 2024-19, Section 6.3.2 c):

- a) maximum 32.61 percent main building coverage for the first storey, whereas the by-law permits a maximum building coverage of 30 percent for the first storey;

The noted variance is being requested to facilitate the development of a proposed rear sunroom addition.

**Background**

TRCA has been involved in reviewing a TRCA Permit Application (PER-DPP-2024-00351) at 27 Normandale Road, Markham, which proposes constructing a covered sunroom addition to the rear of an existing single detached dwelling. The TRCA Permit Application is still under review and has not yet been issued.

**TRCA Permit Requirements**

The subject property is partially within TRCA’s regulated area as it contain erosion hazards associated with a tributary of the Rouge River Watershed and its adjacent regulated allowance.

## Appendix C

Due to the presence of natural hazards, the issuance of a TRCA permit pursuant to the Conservation Authorities Act is required prior to any development or site alteration within the regulated portion of the property.

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Date: 10/3/2024  
MM/DD/YYYY

Based on the review of materials circulated with this application, the proposed development is located within the regulated portions of the property. Thus, a **permit is required** from TRCA to facilitate the development associated with this application.

### **TRCA Plan Review Fee**

By copy of this letter, the applicant is advised that TRCA have implemented a fee schedule for its planning application review services in accordance with applicable provincial regulations. This Minor Variance Application is subject to a fee of \$950.00 (Minor Variance – Residential - Standard). The applicant is responsible for fee payment within 60 days of the committee hearing date. Please contact the Planner noted below for an electronic invoice to facilitate payment.

### **Recommendations**

Based on a review of the submitted materials, TRCA staff are satisfied that the proposed development is sufficiently setback from the erosion hazards and erosion access allowance is provided. As such, TRCA staff have **no objection** to the approval **A/071/24** subject to the **conditions** identified in Appendix A.

Should you have any questions or comments, please contact the undersigned.

Regards,



Matthew Pereira

Planner 1

Development Planning and Permits | Development and Engineering Services

437-880-2416

Matthew.pereira@trca.ca

Attached: Appendix A: TRCA Conditions of Approval

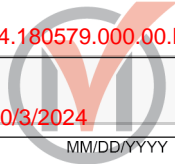
**Appendix A: TRCA Conditions of Approval**

**Appendix C**

File: 24.180579.000.00.MNV

Date: 10/3/2024

MM/DD/YYYY



#	TRCA Conditions
1	The applicant submits the TRCA plan review fee of \$950.00 within 60 days of the committee hearing date.
2	The applicant is issued a permit by TRCA pursuant to the <u>Conservation Authorities Act</u> . Please contact the undersigned to obtain a checklist of required materials.

## **APPENDIX “D”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/071/24**

1. The variances apply only to the Proposed Development as long as it remains;
2. That the variances apply only to the Proposed 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. That the Owner satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to this Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.
4. 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.
5. 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.

CONDITIONS PREPARED BY:



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Brendan Chiu, Planner I, Central District