

# Memorandum to the City of Markham Committee of Adjustment

April 18, 2023

**File:** A/001/23  
**Address:** 118 Romfield Circle, Markham (Thornhill)  
**Applicant:** Calvin Ho Tai Wong  
**Agent:** Gregory Design Group (Russ Gregory)  
**Hearing Date:** Wednesday, May 3, 2023

The following comments are provided on behalf of the West District Team:

The Applicant is requesting relief from the “Third Density Single Family Residential (R3A)” zone requirements under By-law 2489, as amended, as it relates to a proposed two storey addition and proposed canopy to an existing two-storey single detached dwelling. The variance requested is to permit:

- a) **Section 6.1:**  
a maximum lot coverage of 33.60 percent (2,019 sq. ft), whereas the By-law permits a maximum lot coverage of 33 1/3 percent (1,997 sq. ft).
- b) **Section 6.1:**  
a west sideyard setback of 4.0 ft. (1.22 m), whereas the By-law requires a minimum sideyard setback of 6.0 ft. (1.83 m) for the second floor addition.

## BACKGROUND

### Property Description

The 557.04 m<sup>2</sup> (5,995.93 ft<sup>2</sup>) “Subject Lands” are generally located on the north side of Romfield Circuit, northwest of Stornoway Crescent, and south of Marsnow Drive (Refer to Appendix “A” – Aerial Photo). The Subject Lands are located within an established residential neighbourhood comprised of two-storey detached dwellings.

There is an existing 166.33 m<sup>2</sup> (1,790.36 ft<sup>2</sup>) two-storey detached dwelling on the Subject Lands, which was constructed in 1971, according to assessment records. Mature vegetation exists on the property including two large mature tree in the front yard, and several trees abutting the rear yard.

### Proposal

The Applicant is proposing to construct a 180.16 m<sup>2</sup> (1,939.23 ft<sup>2</sup>) two-storey addition and proposed canopy to the existing dwelling on the Subject Lands with a total gross floor area of approximately 346.49 m<sup>2</sup> (3, 729.59 ft<sup>2</sup>) (refer to Appendix “B” – Plans).

### Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18).  
The Subject Lands are designated “Residential Low Rise”, which provides for 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. This criteria is established to ensure that infill development is 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 minor 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 development criteria in the preparation of the comments provided below.

#### Zoning By-Law 2489

The Subject Lands are zoned “Third Density Single Family Residential (R3A)” under By-law 2489, as amended, which permits a single detached dwelling.

#### **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 (HP 22 261908) 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; and
- d) The general intent and purpose of the Official Plan must be maintained.

#### **Reduced Side Yard Setback**

The Applicant is requesting a minimum west side yard setback of 4 feet (1.22 metres), for the two-storey portion of the dwelling, whereas the by-law a minimum side yard setback of 6 feet (1.83 metres) is required for the two-storey portion of the dwelling.

The requested variance only applies to the two-storey portion of the building. The existing main floor complies with the minimum side yard setback requirement. Engineering staff have reviewed the application and have no concern with the variance respecting drainage.

Staff are of the opinion that the proposed side yard setback is compatible with development on the street and have no concern with the requested variance.

#### **Increase in Maximum Lot Coverage**

The Applicant is requesting relief for a maximum lot coverage of 33.60 percent (2,019 sq. ft), whereas the By-law permits a maximum lot coverage of 33 1/3 percent (1,997 sq. ft).

The proposed lot coverage includes the front covered porch which adds approximately 4.0 m<sup>2</sup> (43.05 ft<sup>2</sup>) to the overall building area. Excluding the front covered porch and canopy which is 17.1 m<sup>2</sup> (184.06 ft<sup>2</sup>), the building with the proposed addition has a lot coverage of 29.86 percent (1,790.36 ft<sup>2</sup>) and would comply with the by-law requirement.

Given the front covered porch and canopy are unenclosed, Staff are of the opinion that the proposed increase in lot coverage will not significantly add to the scale and massing of the dwelling and the resultant dwelling is generally consistent with what the by-law

permits. Staff are of the opinion that the proposed lot coverage is compatible with development on the street and have no concern with the requested variance.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of April 18, 2023. 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 see Appendix “C” for conditions to be attached to any approval of this application.

PREPARED BY:



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Hussnain Mohammad, Planner, Zoning and Special Projects

REVIEWED BY:

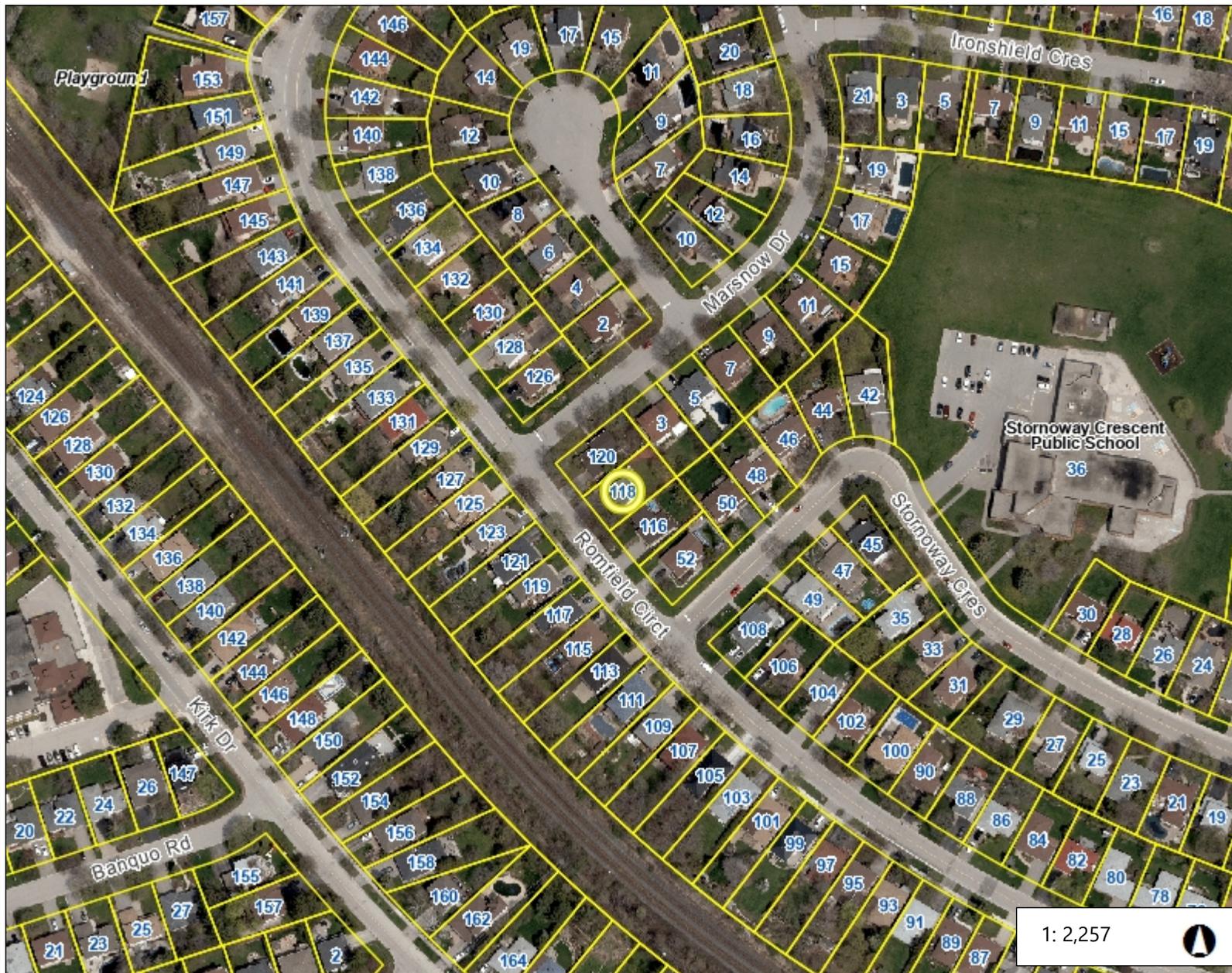
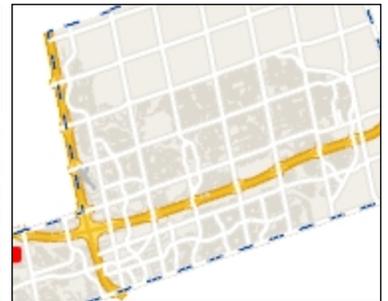


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Rick Cefaratti, MCIP RPP, Senior Planner II, West District

**APPENDICES:**

- Appendix A – Aerial Photo
- Appendix B – Plans
- Appendix C – Conditions



Legend

- Parcel Overlay
- Parcel
- Park Facility
- Parks
- Under Development
- <all other values>

1: 2,257



Notes

114.7 0 57.33 114.7 Meters

**STATISTICS**

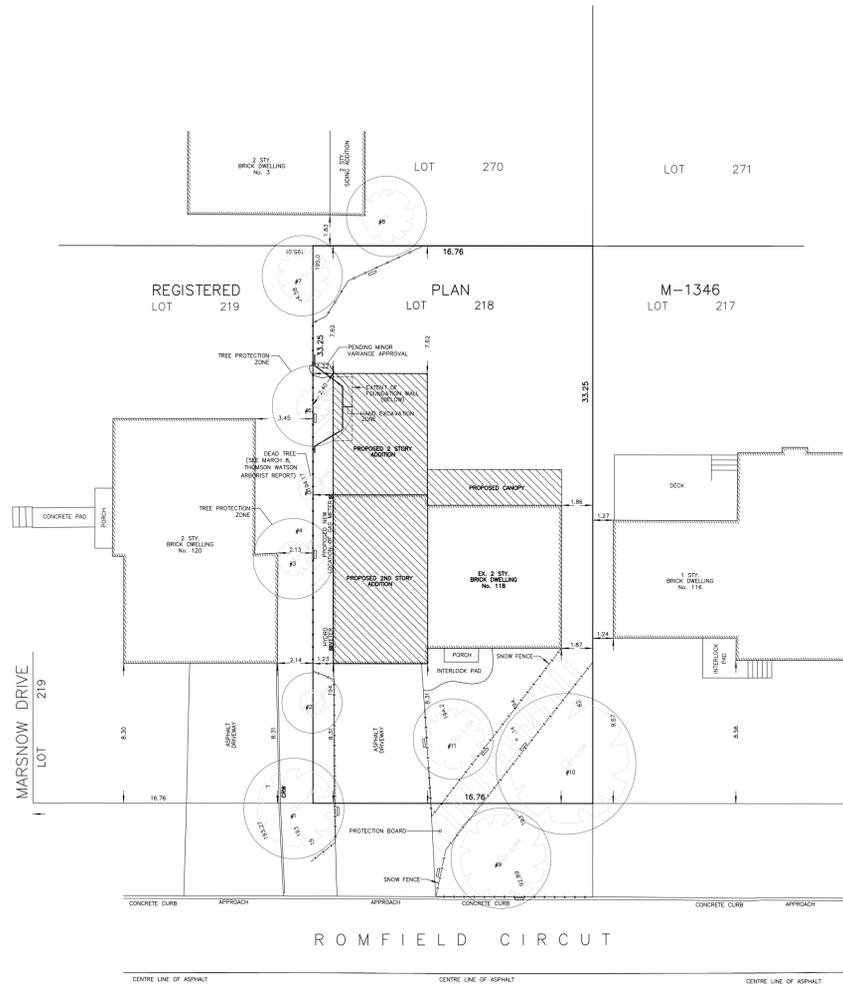
ADDRESS: 118 ROMFIELD CIRCUIT  
 CITY: MARKHAM, ONTARIO, L3T 3H8  
 LEGAL: LOT 218, REG. PLAN M-1346  
 ZONING: R3A - Single Detached Residential by-law 2489  
 SITE AREA: 557.04m<sup>2</sup>  
 AV. DEPTH: 33.25m  
 DWELLING: 2 STORY BRICK/SIDING SINGLE FAMILY DETACHED

	EXISTING	ALTERATION	ADDITION	PROPOSED
GARAGE:	35.22m <sup>2</sup>	-	-	35.22m <sup>2</sup>
BASEMENT:	91.12m <sup>2</sup>	2.32m <sup>2</sup>	42.93m <sup>2</sup>	134.05m <sup>2</sup>
FIRST FLOOR:	91.12m <sup>2</sup>	-	47.62m <sup>2</sup>	138.74m <sup>2</sup>
SECOND FLOOR:	76.37m <sup>2</sup>	32.98m <sup>2</sup>	96.16m <sup>2</sup>	172.53m <sup>2</sup>
COVERAGE:	23%		10%	33%(PENDING APPROVAL)

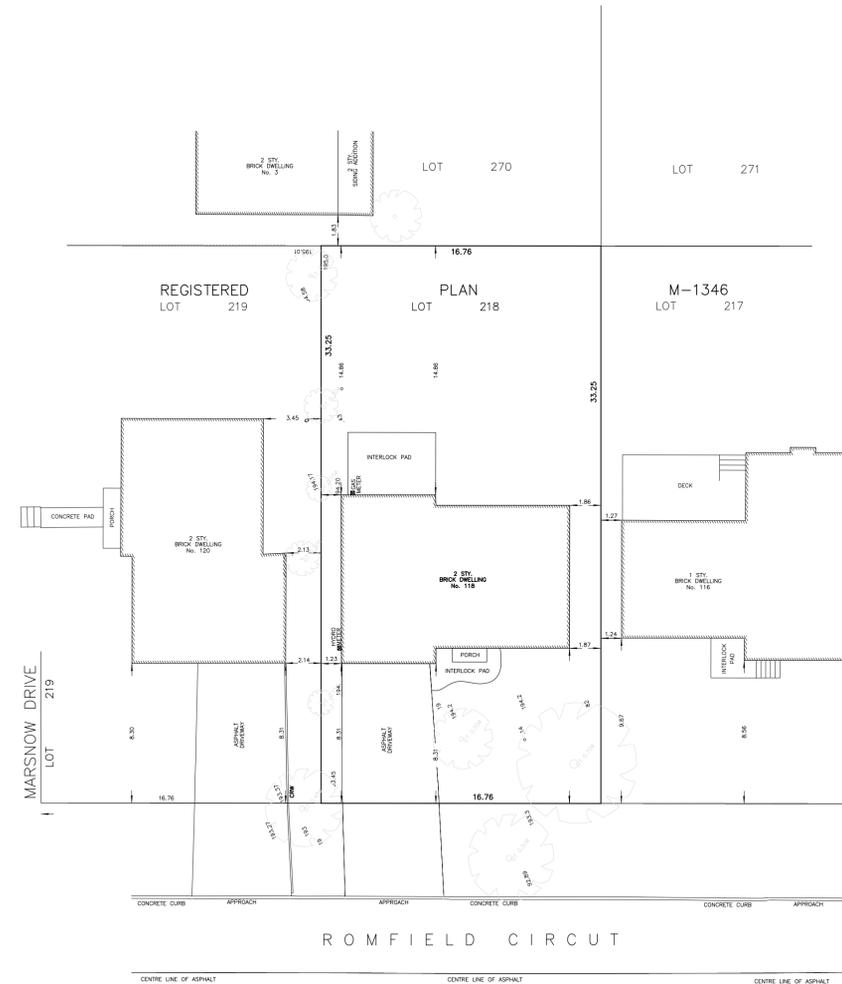
**NOTE:**  
 ALL EXISTING SITE AND LEGAL INFORMATION SHOWN HAS BEEN EXTRACTED FROM SURVEY PREPARED BY ALTIMAP LAND SURVEYORS INC, JOB NO. 22-2183

**TREE PROTECTION LEGEND**

- # TREE LOCATION AND NUMBER
- TREE PROTECTION ZONE
- x-x-x- SNOW FENCING
- o—o—o— SOLID FENCE
- ▨ HORIZONTAL PROTECTION BOARD
- TREE PROTECTION ZONE SIGN LOCATION
- HAND EXCAVATION PERIMETER



PROPOSED SITE PLAN  
 Scale: 1:200



EXISTING SITE PLAN  
 Scale: 1:200

**IMPORTANT**

ALL DIMENSIONS, NOTES AND DETAILS MUST BE CHECKED AND VERIFIED ON THE JOBSITE PRIOR TO START OF CONSTRUCTION. ANY DISCREPANCIES ARE TO BE IMMEDIATELY REPORTED TO 'MR & CO.' ANY EXTRAS AND/OR CHANGES RESULTING FROM FAILURE TO DO SO WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

ALL DRAWINGS, DETAILS AND SPECIFICATIONS ARE THE PROPERTY OF THE 'MR & CO.' AND ANY UNAUTHORIZED USE OF THE DRAWINGS, DETAILS AND SPECIFICATIONS IS PROHIBITED.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS AND DETAILS ISSUED FOR CONSTRUCTION OF THIS PROJECT.

CONTRACTORS SHALL READ ALL NOTES AND SPECIFICATIONS BEFORE BEGINNING WORK.

CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE DRAWINGS WITH ALL OTHER DISCIPLINES DRAWINGS, AND HE/SHE SHALL IMMEDIATELY NOTIFY 'MR & CO.' OF ANY INCONSISTENCIES OR OMISSIONS THAT HE/MAY DISCOVER.

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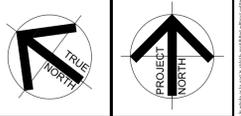
NO.	DATE	REVISED FOR	CH	BY
4	13.04.2023	REV. TREE PROTECTION PLAN	S.M.	S.M.
3	11.04.2023	TREE PROTECTION PLAN	S.M.	S.M.
2	16.12.2022	REVIEW COMMENTS	S.M.	S.M.
1	03.10.2022	BUILDING PERMIT / TENDER	S.M.	S.M.

REVISIONS



**MIR & CO.**

10 BLOORVIEW PL. UNIT #1207  
 NORTH YORK, ON M2J 0B1  
 TEL: + (416) 821 4400  
 EMAIL: saman@mirandco.ca



JOB TITLE  
**SINGLE FAMILY DWELLING  
 ADDITION AND RENOVATION**  
 118 ROMFIELD CIRCUIT  
 MARKHAM, ONTARIO, L3T 3H8

DRAWING TITLE  
**SITE PLAN, STATISTICS  
 AND TREE PROTECTION PLAN**

DRAWN BY: S.M. | CHECKED BY: S.M. | PROJECT No: 22-104

DATE: 04.04.2022 | DRAWING No: AS-01  
 SCALE: 1 : 200

**IMPORTANT**

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NO.	DATE	REVISION FOR	CH	BY
16.12.2022		REVIEW COMMENTS	S.M.	S.M.
03.10.2022		BUILDING PERMIT TENDER	S.M.	S.M.

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JOB TITLE  
**SINGLE FAMILY DWELLING  
 ADDITION AND RENOVATION**  
 118 ROMFIELD CIRCUIT  
 MARRHAM, ONTARIO L3T 3H7

DRAWING TITLE  
**SOUTH ELEVATION**

DRAWN BY S.M.	CHECKED S.M.	PROJECT No. <b>22-104</b>
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DATE 04.04.2022	DRAWING No. <b>AS-08</b>
SCALE 1/4" = 1'-0"	



**PROPOSED SOUTH ELEVATION**  
 Scale: 1/4" = 1'-0"



**EXISTING SOUTH ELEVATION**  
 Scale: 1/4" = 1'-0"

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NO.	DATE	REVISED FOR	CH	BY
16.12.2022		REVIEW COMMENTS	S.M.	S.M.
03.10.2022		BUILDING PERMIT / TENDER	S.M.	S.M.

**REVISIONS**



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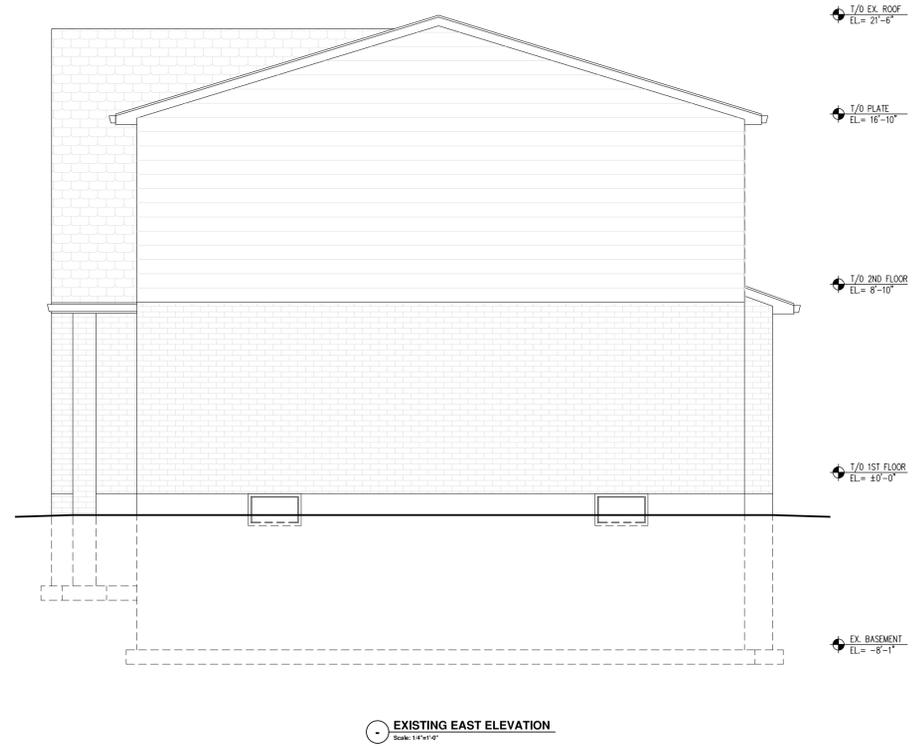
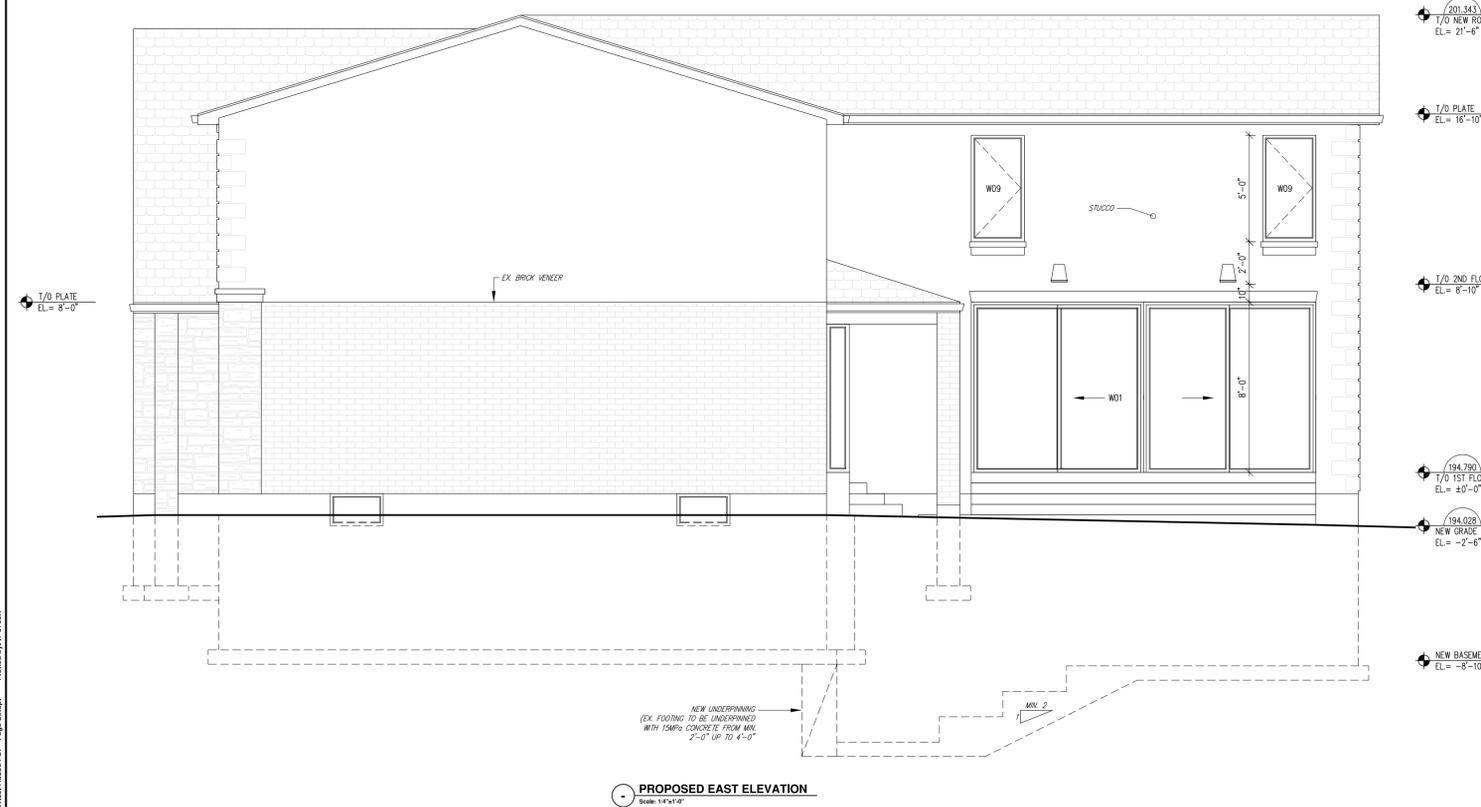


JOB TITLE  
**SINGLE FAMILY DWELLING  
ADDITION AND RENOVATION**  
118 ROMFIELD CIRCUIT  
MARRHAM, ONTARIO L3T 3H7

DRAWING TITLE  
**EAST ELEVATION**

DRAWN BY S.M.	CHECKED S.M.	PROJECT No. <b>22-104</b>
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DATE 04.04.2022	DRAWING No. <b>AS-09</b>
SCALE 1/4" = 1'-0"	



GLAZED OPENING CALC.(1.5m LIMITING DIST.)  
WALL FACE AREA = 596.1 ft<sup>2</sup>  
8% AGGREGATE ALLOWANCE = 22.7 ft<sup>2</sup>  
WINDOW AREA = 7.5 ft<sup>2</sup>  
90% GLAZED AREA=6.75 ft<sup>2</sup> < 22.7 ft<sup>2</sup>

GLAZED OPENING CALC.(8m LIMITING DIST.)  
WALL FACE AREA = 466.1 ft<sup>2</sup>  
100% AGGREGATE ALLOWANCE = 466.1 ft<sup>2</sup>  
WINDOW AREA = 155.0 ft<sup>2</sup>  
90% GLAZED AREA=139.5 ft<sup>2</sup> < 466.1 ft<sup>2</sup>

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NO.	DATE	REVISED FOR	CH	BY
3	11.04.2023	REVISED ELEVATION	S.M.	S.M.
2	16.12.2022	REVIEW COMMENTS	S.M.	S.M.
1	03.10.2022	BUILDING PERMIT / TENDER	S.M.	S.M.

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JOB TITLE  
**SINGLE FAMILY DWELLING  
 ADDITION AND RENOVATION**  
 118 ROMFIELD CIRCUIT  
 MARRHAM, ONTARIO L3T 3H7

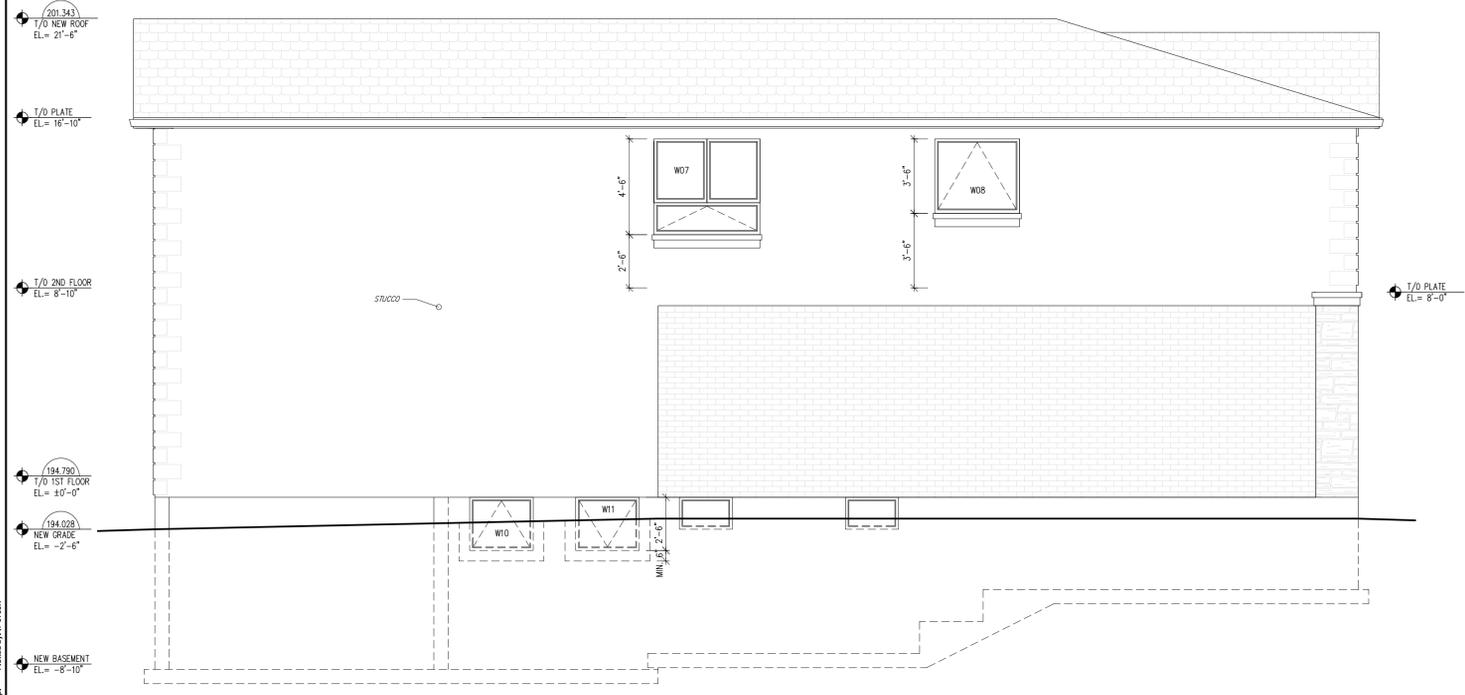
DRAWING TITLE  
**WEST ELEVATION**

DRAWN BY S.M.	CHECKED S.M.	PROJECT No. <b>22-104</b>
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DATE  
04.04.2022

SCALE  
**1/4" = 1'-0"**

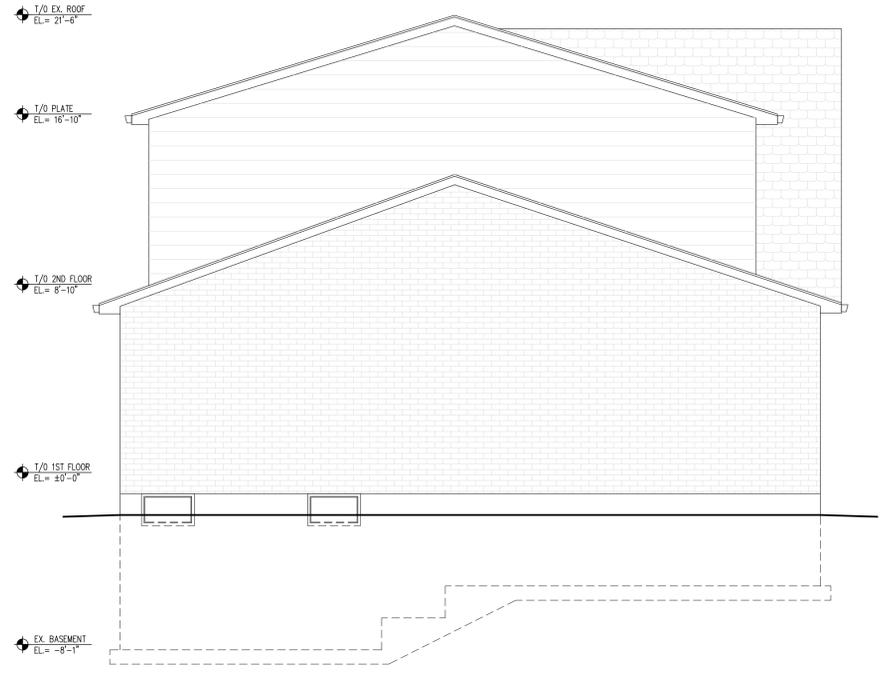
DRAWING No.  
**AS-10**



**PROPOSED WEST ELEVATION**  
 Scale: 1/4" = 1'-0"

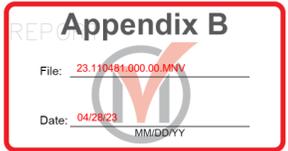
GLAZED OPENING CALC.(1.2m LIMITING DIST.)

WALL FACE AREA = 1057.4 ft <sup>2</sup>
7% AGGREGATE ALLOWANCE = 74.0 ft <sup>2</sup>
WINDOW AREA = 59.0 ft <sup>2</sup>
90% GLAZED AREA=53.1 ft <sup>2</sup> < 74.0 ft <sup>2</sup>



**EXISTING WEST ELEVATION**  
 Scale: 1/4" = 1'-0"





SCALE & NOTES  
 Scale 1:150  
  
 ALTIMAP LAND SURVEYORS INC.  
 © COPYRIGHT 2022

METRIC  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048  
 ELEVATION NOTE  
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF MARKHAM BENCHMARK No. M-02-012 LOCATED AT (BRASS TABLET SET IN WEST SIDE OF SCHOOL 0.34 METRES ABOVE GRADE, 16.0 METRES EAST OF CENTRELINE OF SCHOOL ENTRANCE AND 10.04 METRES NORTH OF SOUTHWEST CORNER OF SCHOOL), HAVING A PUBLISHED ELEVATION OF 196.987 METERS.  
 BEARING NOTE  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF ROMFIELD CIRCUIT AS SHOWN ON REGISTERED PLAN M-1346 HAVING A BEARING OF N37°39'00\"/>

**LEGEND**

■ DENOTES	SURVEY MONUMENT FOUND
□ DENOTES	SURVEY MONUMENT PLANTED
IB DENOTES	IRON BAR
SIB DENOTES	STANDARD IRON BAR
MH DENOTES	MANHOLE
B.C. DENOTES	BEGINNING OF CURVE
E.C. DENOTES	END OF CURVE
T.C. DENOTES	TANGENT OF CURVE
PRC DENOTES	POINT OF REVERSE CURVE
OH DENOTES	OVERHEAD UTILITY CABLES
DT DENOTES	DECIDUOUS TREE
CT DENOTES	CONIFEROUS TREE
LS DENOTES	LIGHT STANDARD
INV DENOTES	INVERT ELEVATION
HYD DENOTES	FIRE HYDRANT
CRW DENOTES	CONCRETE RETAINING WALL
SRW DENOTES	STONE RETAINING WALL
WRW DENOTES	WOOD RETAINING WALL
TOW DENOTES	TOP OF WALL ELEVATION
NTS DENOTES	NOT TO SCALE
MS DENOTES	MEASURED
FN. DENOTES	FOUNDATION
BR. DENOTES	BRICK
ST. DENOTES	STUCCO
SI. DENOTES	SIDING
CLF DENOTES	CHAIN LINK FENCE
BF DENOTES	BOARD FENCE
D.S. DENOTES	DOOR SILL ELEVATION
MF DENOTES	METAL FENCE
FFE DENOTES	FINISHED FLOOR ELEVATION
GFE DENOTES	GARAGE FLOOR ELEVATION
RP DENOTES	REGISTERED PLAN M-1346
P1 DENOTES	PLAN BY SCHAEFFER AND REINTHALER, O.L.S. DATED JULY 08, 1971 (LOTS 217&218)
P2 DENOTES	PLAN BY SCHAEFFER AND REINTHALER, O.L.S. DATED JULY 29, 1971
P3 DENOTES	PLAN BY SCHAEFFER AND REINTHALER, O.L.S. DATED JULY 08, 1971 (LOT 270)
922 DENOTES	SCHAEFFER AND REINTHALER, O.L.S.

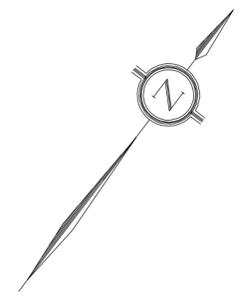
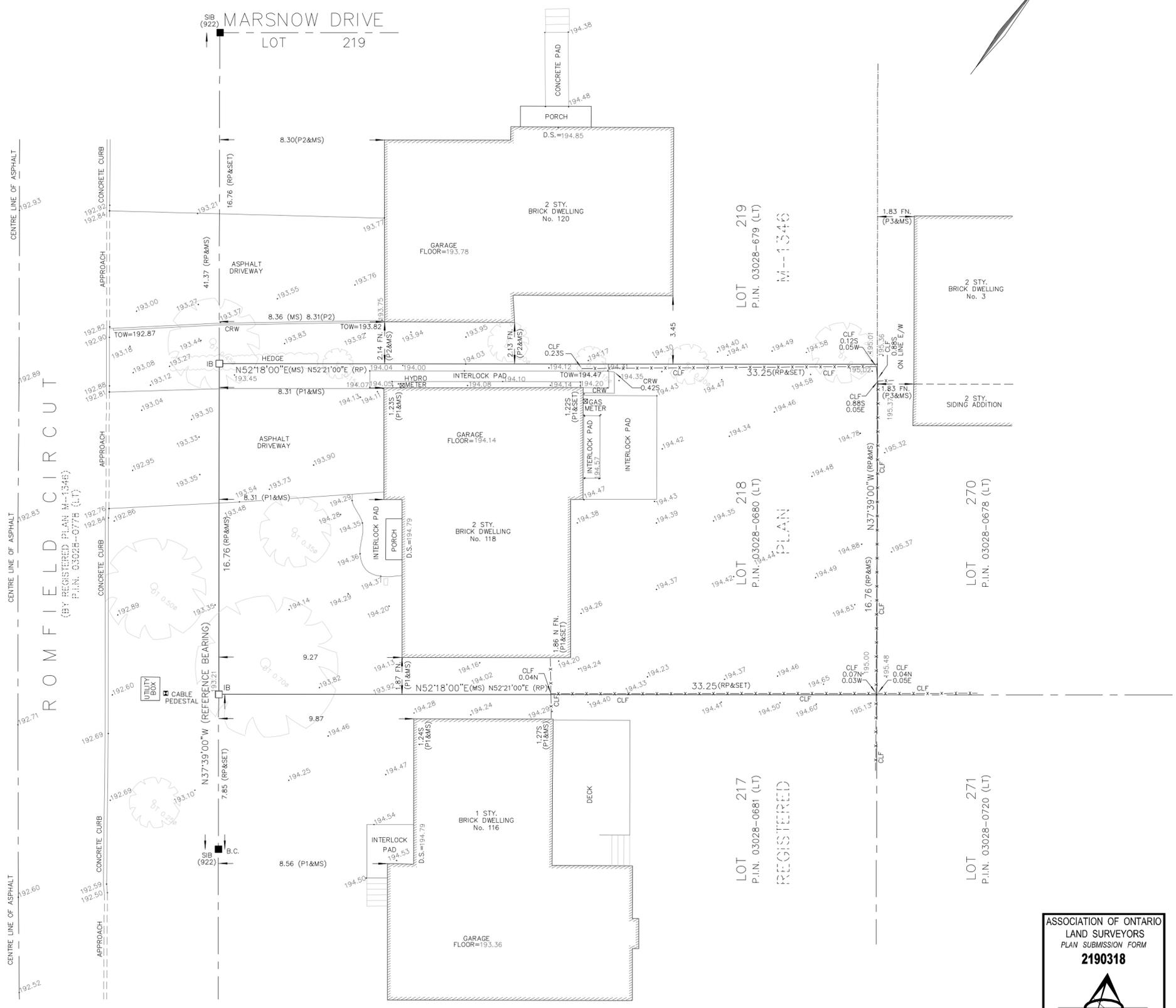
**PART 2**  
 REGISTERED EASEMENTS/RIGHTS-OF-WAY - NONE FOUND ON TITLE  
 ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND PHYSICAL FEATURES AS DEPICTED ON THE FACE OF THIS PLAN. BUILDING TIES ARE TO BRICK/CONCRETE UNLESS OTHERWISE NOTED  
 THIS PLAN WAS PREPARED FOR CALVIN WONG AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON MARCH 12, 2022.

MARCH 15, 2022

BRUNO TAVICOLI  
 ONTARIO LAND SURVEYOR

DWN BY: MA  
 CHK BY: BI  
 JOB No. : 22-2183



REVISED TO REFLECT REMOVAL OF 3 DECIDUOUS TREES AT THE NORTH LIMIT & 2 DECIDUOUS TREES AT THE EAST LIMIT

03/01/2023

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
**2190318**

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3)

**ALTIMAP LAND SURVEYORS INC.**  
 222 FINCH AVE W, UNIT 212, TORONTO, ON M2R 1M6  
 TEL 416 990 3001 INFO@ALTIMAP.CA

**APPENDIX “C”**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/001/23**

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 “B” to this Staff Report, 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;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Streetscape Manual (2009), as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Manager of By-law Enforcement & Regulatory Services Division 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;

CONDITIONS PREPARED BY:



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Hussnain Mohammad, Planner, Zoning and Special Projects