



CITY OF MARKHAM
Virtual Meeting

June 19, 2024
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 10th regular meeting of the Committee of Adjustment for the year 2024 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight, Chair	7:00 pm
Arun Prasad	7:00 pm
Jeamie Reingold	7:00 pm
Sally Yan	7:00 pm
Patrick Sampson	7:00 pm

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment

1. DISCLOSURE OF INTEREST

None

2. MINUTES: June 5, 2024

THAT the minutes of Meeting No. 9, of the City of Markham Committee of Adjustment, held June 5, 2024 respectively, be:

- a) Approved on June 19, 2024.

Moved by: Arun Prasad
Seconded by: Patrick Sampson

Carried

3. REQUESTS FOR DEFERRAL

3.1 A/041/24

Agent Name: Arrow Architecture Ltd. (Alex Wu)
12 Thomas Reid Road, Markham
PLAN M1719 LOT 14

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit:

- a) **By-law 2024-19, Section 6.3.2.2.m):**
a maximum projection of 6.9 metres of an attached private garage beyond the main wall of the building, whereas the by-law permits a maximum projection of 1.8 metres; and
- b) **By-law 2024-19, Section 6.3.2.2.f):**
a minimum front yard setback 12.18 metres, whereas the by-law requires a minimum front yard setback of 13.75 metres;

as it related to the extension of an existing garage.

Staff requested a deferral of the application. An additional variance was identified after notice of the application had been mailed out.

Member Prasad motioned for deferral.

Moved by: Arun Prasad
Seconded by: Jeamie Reingold

THAT Application No. **A/041/24** be **deferred** sine die.

Resolution Carried

4. PREVIOUS BUSINESS

4.1 A/078/23

Agent Name: Oxnard Development Inc. (Soheil Khodadadi)
83 Elgin Street, Thornhill
PLAN 8 PT LOT 10 RS65R16105 PART 2

The applicant was requesting relief from the requirements of By-law 2237, as amended, to permit:

- a) **By-law 2237, Amending By-law 101-90, Section 1.2 (i):**
a building height of 10.45 metres, whereas the by-law permits a maximum building height of 9.8 metres;
- b) **By-law 2237, Amending By-law 101-90, Section 1.2 (iv):**
a building depth of 31.57 metres, whereas the by-law permits a maximum building depth of 16.8 metres;
- c) **By-law 2237, Amending By-law 101-90, Section 1.2 (v):**

a garage projection of 8.58 metres, whereas the by-law permits a maximum garage projection of 2.1 metres; and

d) By-law 28-97, Section 6.2.4.2 b) i):

a driveway width of 13.57 metres, whereas the by-law permits a maximum driveway width of 9.82 metres;

as it related to a proposed two storey single detached dwelling.

The agent, Christian Jattan, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Joan Honsberger, representative for the Ward 1 Neighbourhood Association, spoke to the Committee requesting information regarding the floodplain, proposed drainage, trees, construction parking and pedestrian safety. Joan expressed that the house was too large.

Christian Jattan provided information regarding the floodplain limits, tree preservation plan, grading, and drainage.

Member Yan commented that the changes to the design and the garage relocation mitigated impacts for the neighbours. Member Yan supported the application and considered the requests minor.

Member Reingold indicated that the area had numerous large homes and noted that TRCA had no concerns and tree preservation plans had been provided. Member Reingold agreed with the staff report's recommendations and supported the application.

The Chair indicated that grading, drainage, tree preservation, and construction-related activities were reviewed prior to the issuance of a building permit.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan

Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application No. **A/078/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

4.2 A/003/24

**Agent Name: In Roads Consultants (Ida Evangelista)
59 Woodward Avenue, Thornhill
PLAN 2446 LOT 199**

The applicant was requesting relief from the requirements of By-law 2237, as amended, to permit:

- a) **By-law 2237, Amending By-law 101-90; Section 1.2(iv):**
a building depth of 17.33 metres, whereas the by-law permits a maximum building depth of 16.8 metres;
- b) **By-law 2237, Amending By-law 101-90; Section 1.2(i):**
a building height of 9.4 metres, whereas the by-law permits a maximum building height of 8.6 metres;
- c) **By-law 2237, Amending By-law 101-90; Section 1.2(ii):**
a front yard setback of 9.55 metres, whereas the by-law requires a minimum front yard setback of 10.7 metres;
- d) **By-law 2237, Amending By-law 101-90, Section 1.2 (vii):**
a floor area ratio of 58.63 percent (3,880.39 square feet), whereas the by-law permits a maximum floor area ratio of 50 percent (3, 313 square feet);

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

The agent, Ida Evangelista, appeared on behalf of the application.

Member Sampson did not support the application, indicating that the Committee had not supported floor area ratio requests of over 55 percent in the area.

Member Prasad did not support the application, expressing that the applicants had not reduced the requests sufficiently since the last hearing.

Member Yan expressed that the application reflected infill development in the area. Member Yan noted that the owners had worked with the neighbours to overcome potential impacts. Member Yan supported the application, indicating the design was modest, and the requests were minor.

Member Reingold agreed that the home was large for the lot. However, it presented as a modest home that fit the context of the neighbourhood and complimented the existing infill development.

The Chair noted that the applicant had reduced the massing at the streetscape by utilizing the depth of the lot.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Jeamie Reingold
Approval: Greg Knight
Opposed: Patrick Sampson
Opposed: Arun Prasad

The majority of the Committee approved the application.

THAT Application No. **A/003/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5. NEW BUSINESS:

5.1 A/187/23

Agent Name: Arrow Engineering and Home inspection Inc. (Emad Girgis)
154 Cartmel Drive, Markham
PLAN 65M2427 LOT 29

The applicant was requesting relief from the requirements of By-law 90-81, as amended, to permit:

- a) **By-law 90-81, Section 6.1.2:**
a minimum north side yard setback of 1.2 metres, whereas the by-law requires a minimum side yard setback of 1.8 metres; and
- b) **By-law 90-81, Section 6.1.2:**
a minimum front yard setback of 6.1 metres, whereas the by-law requires a front yard setback of 8 metres;

as it related to a proposed second storey addition above an existing garage.

The owner, appeared on behalf of the application.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application No. **A/187/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.2 A/031/24

Agent Name: Gregory Design Group (Shane Gregory)
4140 19th Avenue, Markham
CON 5 PT LOT 31 RS65R18861 PART 4

The applicant was seeking permission under Section 45(2)(a) of the Planning Act:

- a) to permit an extension to an existing legal non-conforming residential dwelling;

as it related to new rear and second floor additions to the existing building.

The agent, Russ Gregory, appeared on behalf of the application.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application No. **A/031/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.3 A/038/24

Agent Name: The Planning Partnership (Arthur Grabowski)
5396 Highway 7 East, Markham
CON 7 PT LOT 11

The applicant was requesting relief from the requirements of By-law 1229 and 28-79, as amended, to permit:

- a) **By-law 1229, Section 11.1(e) (Area Standards):**
a minimum exterior side yard setback of 4.87 metres (15.98 feet), whereas the by-law requires a minimum exterior side yard setback of 9.14 metres (30 feet);

- b) **By-law 1229, Table 11.1 (Area Standards):**
a maximum lot coverage of 50 percent, whereas the by-law permits a maximum lot coverage of 35 percent;
- c) **By-law 1229, Table 11.1 (Area Standards):**
a maximum building height of 16 metres, whereas the by-law permits a maximum building height of 12 metres;
- d) **By-law 1229, Section 11.1 (I) (Area Standards):**
one loading space, whereas the by-law requires two loading spaces for a building with a gross floor area over 1,860 square metres;
- e) **Parking By-law 28-97, Table B:**
a minimum of 225 parking spaces, whereas the by-law requires 248 parking spaces; and
- f) ~~**Parking By-law 28-97, Section 5.1:**~~
~~a minimum of two accessible parking spaces, whereas the by-law requires 12 accessible parking spaces;~~ **Withdrawn.**

as it related to a motor vehicle sales establishment within a three-storey building.

The agent, Bruce Hall, appeared on behalf of the application. Bruce indicated that the applicant was withdrawing variance **f)**. The proposal was to create urban development on Highway 7 that represented contemporary automotive uses.

Member Reingold commented on the intelligent design elements in the proposal and expressed that the automotive client understood their parking needs.

Member Yan agreed with their colleague that the proposal would regenerate the streetscape, noting that the new Comprehensive Zoning By-law required less parking than the current standards.

Member Prasad motioned for approval with conditions.

Moved by: Arun Prasad
Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application No. **A/038/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.4 A/042/24

Agent Name: IBI Group (Catriona Moggach)
1 Steelcase Road, Markham
CON 3 PT LOT 1 PT LOT 2 65R38283 PARTS 1 AND 3

The applicant was requesting relief from the requirements of By-law 108-81, as amended, to permit:

- a) **By-law 108-81, Section 4.3.8 and 7.1.1 (a):**
retail sales accessory to a permitted industrial use, whereas the by-law does not permit retail sales within an industrial building whether or not accessory or incidental to a permitted use;
- b) **By-law 108-81, Section 8.103.1 Parking Provision:**
a parking rate of 2 parking spaces per premises, plus 1 parking space for every 200 m² of gross floor area, whereas the by-law requires a parking rate of 1 parking space per 40 m² of net floor area of each premises up to 1,200 m², 1 parking space for each 100 m² of net floor area of each premises between 1,200 m² and 6,000 m², and 1 parking space for each 215 m² of net floor area of each premises in excess of 6,000 m²;

as it related to a light manufacturing and warehouse building with industrial uses.

The agent, Catriona Moggach, appeared on behalf of the application.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application No. **A/042/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. Adjournment

Moved by: Jeamie Reingold
Seconded by: Arun Prasad

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:31 pm, and the next regular meeting would be held on July 10, 2024.

Committee of Adjustment Minutes
Wednesday June 19, 2024

CARRIED

Original Signed on
July 10, 2024
Secretary-Treasurer
Committee of Adjustment

Original Signed on
July 10, 2024
Chair
Committee of Adjustment