



CITY OF MARKHAM
Virtual Meeting

September 25, 2024
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 15th 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
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

Regrets

Arun Prasad

2. DISCLOSURE OF PECUNIARY INTEREST

None

3. APPROVAL OF PREVIOUS MINUTES: September 11, 2024

THAT the minutes of Meeting No. 14, of the City of Markham Committee of Adjustment, held September 11, 2024 respectively, be:

- a) Approved on September 25, 2024.

Moved by: Jamie Reingold

Seconded by: Patrick Sampson

Carried

4. Comprehensive Zoning By-law 2024-19 Update

Greg Whitfield provided an update regarding Comprehensive Zoning By-law 2024-19 (CZBL), indicating that on September 19, 2024, the Ontario Land Tribunal ruled that the CZBL was deemed to have come into force and effect on January 31, 2024, on a City-wide basis save and except for specific properties that would continue under a scoped appeal process. As a result, the change impacted all of the applications listed on the agenda. Requests for variances under the previous by-law were no longer required and the Committee would only consider variances requested under By-law 2024-19.

As a result, the following applications were withdrawn;

A/076/24 – Withdrawn
12 Bridleford Court, Markham

A/086/24 - Withdrawn
15 Wales Avenue, Markham

5. NEW BUSINESS

5.1 A/090/24

Agent Name: Four Seasons Sunrooms (Nour Elgendy)
5 Digby Crescent, Markham
PLAN 65M2093 PT LOT 75 65R6768 PTS 27 & 28

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 (a):**
a minimum rear yard setback of 6.93 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres;

as it related to a proposed sunroom.

The agent representing Four Seasons Sunrooms, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Reingold agreed with the recommendations in the staff report and supported the application, indicating the request was minor and would not adversely impact the adjacent homes. Member Reingold expressed that the proposal was modest and compatible with surrounding development.

Member Sampson agreed with their colleague that the request was minor and supported the staff recommendations. Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application No. **A/090/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.2 A/058/24

Agent Name: Mike Bentivogli
46 Dickson Hill Road, Markham
CON 7 PT LOT 29 PARCEL 1

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

- a) **By-law 2024-19, Section 10.3.5.2(c):**
a minimum front yard setback of 6.4 metres, whereas the by-law requires a minimum front yard setback of 7.6 metres;
- b) **By-law 2024-19, Section 10.3.5.2(f):**
a minimum interior side yard setback of 1.5 metres, whereas the by-law requires a minimum interior side yard setback of 3 metres;

as it related to the enlargement of a garage and a one-storey addition above.

The agent, Mike Bentivogli, appeared on behalf of the application, indicating that the house was located on the lot in an irregular configuration.

Member Reingold supported the front yard setback. However, they requested additional supporting information and discussion before deciding on the side yard setback, expressing that side yards were a defining characteristic of the Hamlet.

Member Yan indicated that the proposal was for a modest addition and a new garage and agreed that the front yard setback was acceptable. In addition, Member Yan expressed that the proposal would maintain the large lot and sizeable side yards, which were characteristic of the Hamlet and noted that the neighbours had not expressed concerns with the proposal.

Member Sampson observed that the property was large and rural, the structures faced the road, and that the variance was in part due to a pinch point as the configuration of the property and house were not wholly rectangular.

The Chair expressed that the neighbouring house had an oversized side yard adjacent to the area of development, which would allow for considerable green space between the houses. Additionally, the Chair noted that properties within the Hamlet had varying-sized side yards, and the reduction would not negatively impact the streetscape.

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/058/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. Adjournment

Moved by: Patrick Sampson
Seconded by: Sally Yan

THAT the virtual meeting of the Committee of Adjustment was adjourned at 7:21 pm, and the next regular meeting would be held on October 9, 2024.

CARRIED

Original Signed on
October 9, 2024 _____
Secretary-Treasurer,
Committee of Adjustment

Original Signed on
October 9, 2024 _____
Chair