



**CITY OF MARKHAM**  
**Virtual Meeting on Zoom**

**November 15, 2023**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 20<sup>th</sup> regular meeting of the Committee of Adjustment for the year 2023 was held at the time and virtual space above with the following people present:

Arrival Time

Tom Gutfreund Acting Chair	7:00 pm
Jeamie Reingold	7:00 pm
Sally Yan	7:00 pm
Patrick Sampson	7:00 pm
Arun Prasad	7:00 pm

Shawna Houser, Secretary-Treasurer  
Greg Whitfield, Supervisor, Committee of Adjustment  
Erin O'Sullivan, Development Technician, Committee of Adjustment

**Regrets**

Gregory Knight Chair  
Kelvin Kwok

**DISCLOSURE OF INTEREST**

None

**Minutes: November 1, 2023**

THAT the minutes of Meeting No. 19, of the City of Markham Committee of Adjustment, held November 1, 2023 respectively, be:

- a) Approved on November 15, 2023.

**Moved by: Arun Prasad**  
**Seconded by: Sally Yan**

**Carried**

**NEW BUSINESS:**

1. **A/182/23**

**Owner Name: Dean & Dean Investments (Paul Dean)**  
**Agent Name: Studio Forma Interior Design Inc. (Stephanie Uprichard)**  
**10950 Woodbine Avenue, Unit 16, Markham**  
**YORK REGION CONDO PLAN 1485 LEVEL 1 UNIT 16**

The applicant was requesting relief from the requirements of By-law 177-96, as amended, to permit:

- a) **Parking Standards By-law 28-97, Section 3.0 Table B, Industrial Uses:** a parking rate of 1 parking space per 62 square metres of Gross Floor Area (GFA) for industrial uses; whereas; the by-law requires a parking rate of 1 parking space per 40 square metres of net floor area of each premises up to 1,200 square metres, 1 parking space for each 100 square metres of net floor area of each premises between 1,200 square metres and 6,000 square metres, and 1 parking space for each 200 square metres of net floor area of each premises in excess of 6,000 square metres;

as it related to the construction of a mezzanine within an existing unit.

The Chair introduced the application.

The agent, Chantelle Dean, appeared on behalf of the application.

Member Reingold supported the application, indicating the unit would have no exterior changes, noting that most employees worked offsite during the day and the unit's intended use was for storage and administration. The application met the four tests of the *Planning Act*.

Member Yan requested additional information regarding on-site parking.

Chantelle Dean indicated that the parking needs for the unit would stay the same. The site was still being developed, and at the time, there were 15 parking spaces adjacent to the unit that were not utilized.

Member Yan supported the application, indicating the request was minor.

Member Reingold motioned for approval with conditions.

**Moved by: Jeamie Reingold**  
**Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application No. **A/182/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

## **PREVIOUS BUSINESS**

### **1. A/134/23**

**Owner Name: Wendy Lo and David Liu**  
**Agent Name: Prohome Consulting Inc. (Vincent Emami)**  
**38 Fonthill Boulevard, Markham**  
**PLAN 7566 LOT 142**

The applicant is requesting relief from the requirements of By-law 11-72, as amended, to permit:

- a) **By-law 11-72, Section 6.1:**  
~~a minimum flankage side yard setback of 11 feet 2 inches, whereas the by-law requires minimum flankage side yard setback of 13 feet and 2 inches;~~ **withdrawn**
  
- b) **By-law 11-72, Section 6.1:**  
~~a maximum lot coverage of 34.92 percent, whereas the by-law permits a maximum of 33 1/3 percent;~~ **withdrawn**
  
- c) **By-law 11-72, Section 6.1:**  
a maximum building height of 26 feet 3 inches, whereas the by-law permits a maximum building height of 25 feet;

as it related to a new single detached dwelling with deck.

The Chair introduced the application.

The agent, Francesco Fiorani, appeared on behalf of the application.

The Committee received four written pieces of correspondence.

Gerald Sikrtanc, of 35 Fonthill Boulevard, spoke to the Committee, indicating that the house's second-storey element would negatively impact the use and privacy of their property.

Ian Free, of 145 Krieghoff Avenue, spoke to the Committee, expressing concern regarding the size and massing of the house, environmental impacts and site lines for traffic.

Christiane Bergauer-Free, of 145 Krieghoff Avenue, spoke to the Committee regarding the negative impacts of the house's size and massing and the loss of mature trees.

David Liu indicated that since the previous meeting, they had worked closely with the neighbours at 40 Fonthill to resolve issues raised and had made adjustments to address the Committee's concerns.

Member Reingold said the house would be very large for a corner lot, and there was a need to find a compromise to integrate infill development with the neighbourhood's character. Member Reingold had the same opinion as the last meeting that the flankage yard should remain unchanged to respect the corner.

Member Yan acknowledged the owner's work with the neighbours but believed the house's massing and scale needed to suit the lot and the neighbourhood.

Member Sampson calculated that the aggregate of the build was 68 percent of the lot and believed the house was too large.

The Acting Chair indicated agreement with their colleagues that the requested build was too large for the property and was unsympathetic to the area. Corner lots had positions of prominence, and the reduced flankage yard would emphasize the impact. The house was very long and would considerably impact the streetscape of Krieghoff Avenue.

After discussion with the Committee, the applicant and agent indicated they would withdraw variances a) and b) and move the application forward with only variance c) for the height. The applicant requested that the Committee make a decision to avoid further delays.

Greg Whitfield indicated that the revised drawings would be reviewed by staff to meet the condition for substantial conformity.

Member Reingold supported the application with the withdrawal of variances a) and b)

Member Yan indicated that the withdrawal of variances a) and b) addressed the Committee's concerns and noted that variance c) was minor and supported the application.

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/134/23** be **approved** subject to conditions contained in the staff report.

**2. A/145/23**

The Acting Chair introduced the application.

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

The Committee received one written piece of correspondence.

Francis Fernandes, of 4 Foxleigh Court, attended the meeting but could not present to the Committee and exited the meeting due to technical difficulties.

The Acting Chair had conducted a site visit, noted the eaves trough, considered the construction appropriate, and had no objection to the proposal.

Member Reingold indicated that the photos submitted by the applicant and neighbour clearly showed the construction and had no objections to the proposal.

Member Prasad agreed with Member Reingold and supported the application.

The Acting Chair experienced technical difficulties and exited the meeting.

Member Sampson requested information regarding the fences. Russ Gregory indicated that fences were built on each side of the property line. However, Russ noted sufficient separation of the overhang from the fence.

Member Sampson assumed the role of Acting Chair.

Member Reingold motioned for approval with conditions.

**Moved by: Jeamie Reingold**

**Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application No. **A/145/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

Adjournment

**Moved by: Sally Yan**

**Seconded by: Jeamie Reingold**

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:33 pm, and the next regular meeting would be held on November 29, 2023.

Committee of Adjustment Minutes  
Wednesday November 15, 2023

CARRIED

Original Signed  
November 29, 2023  
Secretary-Treasurer  
Committee of Adjustment

Original Signed  
November 29, 2023  
Chair  
Committee of Adjustment