



**CITY OF MARKHAM**  
101 Town Centre Boulevard  
Markham, Ontario  
Council Chambers

**July 10, 2019**  
**7:30 p.m.**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 12<sup>th</sup> regular meeting of the Committee of Adjustment for the year 2019 was held at the time and place above with the following people present:

	<u>Arrival Time</u>
Jeamie Reingold	7:30PM
Tom Gutfreund, Acting Chair	7:30PM
Arun Prasad	7:30PM
Sally Yan	7:30PM
Patrick Sampson	7:30PM
Kelvin Kwok	7:30PM

Justin Leung, Secretary-Treasurer  
Bradley Roberts, Manager, Zoning and Special Projects

*Regrets*  
Gregory Knight

**Minutes: June 26, 2019**

THAT the minutes of Meeting No. 11 of the City of Markham Committee of Adjustment, held June 26, 2019, be

- a) Approved as submitted, on July 10, 2019

**Moved By: Arun Prasad**  
**Seconded By: Jeamie Reingold**

Carried

**DISCLOSURE OF INTEREST –**

None

**APPOINTMENT OF ACTING SECRETARY-TREASURERS**

That Francois Hemon-Morneau be appointed Acting Secretary-Treasurer to perform duties and responsibilities in the event of absence of Secretary-Treasurer.

**Moved By: Arun Prasad**  
**Seconded By: Jeamie Reingold**

Carried

That Justin Mott be appointed Acting Secretary-Treasurer to perform duties and responsibilities in the event of absence of Secretary-Treasurer.

**Moved By: Kelvin Kwok**  
**Seconded By: Sally Yan**

Carried

**PREVIOUS BUSINESS:**

1. **A/06/18**

**Owner Name: Trina and Dimitrios Kollis**  
**Agent Name: ST Engineering (Stavros Theodorakopoulos)**  
**15 Wales Ave, Markham**  
**PLAN 1318 LOT 21**

The applicant is requesting relief from the requirements of By-law 1229, as amended to permit:

**a) Infill By-law 99-90, Section 1.2 (vi):**  
a maximum Floor Area Ratio of 50.8 percent, whereas the By-law permits a maximum Floor Area Ratio of 45 percent;

as they relate to a proposed residential dwelling. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application. It was indicated that the applicant had chosen to defer their application so as to make revisions to their proposal.

**Moved By: Arun Prasad**  
**Seconded By: Kelvin Kwok**

THAT Application No. A/06/18 be deferred sine die.

Resolution Carried

2. A/148/18

**Owner Name: JINRONG WANG  
Agent Name: JINRONG WANG  
109 Milliken Meadows Dr, Markham  
PLAN 65M2971 PT BLK 81 RS65R17410 PART 1**

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

**a) Section 6.3.1:**

to permit a second dwelling unit in the basement; whereas the by-law only permits Street Townhouse Dwellings and Single Detached Dwellings;

as it relates to an existing basement apartment. **(Central District, Ward 8)**

The Secretary-Treasurer introduced the application.

The daughter Jessica Wang spoke on behalf of the owner. They indicated they want to rent out as an income property.

Committee member Sally Yan inquired as property issues here have been resolved.

Ms. Wang indicated they were in attendance at the last meeting but did not come up when application was called.

**Moved By: Arun Prasad**

**Seconded By: Patrick Sampson**

THAT Application No. A/14818 be approved subject to conditions contained in the staff report.

Resolution Carried

**Moved By: Jeamie Reingold**

**Seconded By: Arun Prasad**

THAT Application No. A/14818 be deferred sine die be rescinded.

Resolution Carried

**NEW BUSINESS:**

**1. A/56/19**

**Owner Name: H&W Development Corp. (David Wang)  
Agent Name: Walker, Nott, Dragicevic Associates Ltd. (Robert  
Dragicevic)  
10 Cedarland Drive, Markham  
PLAN 65M3998 BLK 4**

The applicant is requesting relief from the requirements of By-law 2004-196, as amended to permit:

**a) Amending By-law 2010-205, Schedules B1 (Location of Zones), B2 (Maximum Permitted Net Floor Area and Dwelling Units), B3 (Minimum and Maximum Heights), Schedule B4 (Setbacks), and X2 (Holding Zones):**

relief from the zone boundaries, as shown on Schedules B1, B2, B3, B4 and X2 to reflect the revised proposal;

**b) Amending By-law 2010-205, Schedule B3 Minimum and Maximum Heights:** a maximum building height of 57.4 metres (including mechanical penthouse) for both buildings, whereas the By-law permits a maximum height of 30 metres (west) and 35.0 metres (east);

**c) Amending By-law 2010-205, Schedule B4 Setbacks:**

a maximum setback of 6.7 metres from the streetline or public park, whereas the By-law permits a maximum setback of 1.0 metres for 80 percent of any wall facing the streetline or a public park and 2.5 metres for the remaining 20 percent of the wall;

**d) Section 4.14.2 Parking Space Requirements:**

a maximum total parking ratio of 1.10 parking spaces per dwelling unit (rounded up from 1.095 parking spaces per unit) plus 0.14 parking spaces per unit for visitors, whereas the By-law permits a maximum of 1 parking spaces per dwelling unit plus 0.2 parking spaces per unit for visitors;

as it relates to two proposed residential apartment buildings. **(North Markham District, Ward 2)**

The Secretary-Treasurer introduced the application.

Committee member Arun Prasad indicated, prior to discussing deferral, that more documentation from applicant should be provided. Such as comparative study of neighbouring buildings.

**Moved By: Patrick Sampson  
Seconded By: Arun Prasad**

THAT Application No. A/56/19 be deferred sine die.

Resolution Carried

**2. A/57/19**

**Owner Name: Evan and Cathy Lee MacDonald**  
**Agent Name: Joseph N. Campitelli Architect Inc. (Joseph Campitelli)**  
**3693 Elgin Mills Rd, Markham**  
**CON 4 PT LT 25 64R5956 PT 1**

The applicant is requesting relief from the requirements of By-law 2004-196, as amended to permit:

**a) Section 7.5 (b)(iii) Rear Yard Setback:**

a minimum rear yard setback of 5.8 metres, whereas the By-law requires a minimum rear yard setback of 7.5 metres;

as it relates to a proposed detached garage. **(North Markham District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent Joseph Campitelli appeared on behalf of the application. He indicated that it appears Heritage Markham does not have concerns with the proposal.

Committee member Jeamie Reingold indicated support for the proposal.

**Moved By: Jeamie Reingold**  
**Seconded By: Patrick Sampson**

THAT Application No. A/57/19 be approved subject to conditions contained in the staff report.

Resolution Carried

**3. A/58/19**

**Owner Name: Archna Sharma**  
**Agent Name: Archna Sharma**  
**114 Cynthia Jean St, Markham**  
**PLAN 65M3501 LOT 12**

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

**a) Table A1 & Section 6.5:**

an accessory basement dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

**b) Parking By-law 28-97, Section 3.0:**

a minimum of 2 parking spaces, whereas the By-law requires a minimum of 3 parking spaces;

as it relates to a proposed basement apartment. **(West District, Ward 6)**

The Secretary-Treasurer introduced the application.

The owner appeared on behalf of the application.

Committee member Arun Prasad inquired reasoning for the proposal.

Ms. Sharma indicated she resides alone and wants basement apartment for income purposes.

**Moved By: Arun Prasad**

**Seconded By: Patrick Sampson**

THAT Application No. A/58/19 be approved subject to conditions contained in the staff report.

Resolution Carried

**4. A/59/19**

**Owner Name: Mahindokht Kimiagara and Abbas Fakhry**

**Agent Name: Arcica Inc. (Mr Ali Shakeri)**

**20 Pheasant Valley Crt, Thornhill**

**PLAN M1212 LOT 19**

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

**a) Amending By-law 101-90, Section 1.2(viii):**

a proposed floor area ratio of 53.93 percent, whereas the By-law allows a maximum floor area ratio of 50 percent;

**b) Amending By-law 101-90, Section 1.2(i):**

a proposed building height of 9.58 metres, whereas the By-law allows a building height of 8.6 metres;

**c) Section 6.1:**

a proposed front yard setback of 19 feet (5.8 metres), whereas the By-law requires a minimum front yard setback of 27 feet (8.2 metres);

as it relates to a proposed two storey detached dwelling. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The agent Ali Shakeri appeared on behalf of the application. He stated the proposal is for a new house construction.

Committee member Tom Gutfreund raised issues with the variance request for height. He asked about the ceiling height.

Mr. Shakeri responded it is 11 feet.

Committee member Jeamie Reingold stated she does not support the variance request for height.

Mr. Shakeri commented that their request is not dis-similar to other variances approved in the area.

Committee member Arun Prasad inquired about the floor space area. He recommends possibility to revise the proposal.

Mr. Shakeri responded that many of new builds in area have similar design. He also showed a modern designed house which was built in neighbourhood which was built without need for a variance request. B

Committee member Kelvin Kwok asked why the front yard setback variance request was required.

Mr. Shakeri stated it is due to the design of the house affecting the house orientation/sitting.

Committee member Jeamie Reingold responded that the request is too substantial and changes may be preferable.

Committee member Sally Yan commented that the front elevation can be revised. *to reflect building height reduction and would then support application.*

Mr. Shakeri responded that if possible the Committee looked to modify proposal on the spot.

Committee member asked if building height could be reduced.

Mr. Shakeri commented he could do that.

Committee member Arun Prasad asked if the floor area request could be reduced.

Mr. Shakeri responded that this floor area variance request is not substantial.

Committee member Tom Gutfreund indicated floor area be reduced, building height variance deleted and last variance request remains.

**Moved By: Kelvin Kwok**  
**Seconded By: Sally Yan**

THAT Application No. A/59/19 be approved with Variance B being removed, subject to conditions contained in the staff report.

Resolution Carried

**MOTION TO ADJOURN**


**Moved by Jeamie Reingold**  
**Seconded by Arun Prasad**

THAT the meeting of Committee of Adjustment be adjourned at 8:30 p.m., and the next regular meeting will be held on July 24, 2019.

CARRIED



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Secretary-Treasurer,  
Committee of Adjustment



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Chair