



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

**February 6, 2019**  
**7:30 p.m.**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 2<sup>nd</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>
Gregory Knight	7:30PM
Jeannie Reingold	7:30PM
Tom Gutfreund, Acting Chair	7:30PM

Justin Leung, Secretary-Treasurer

*Absence*

Philip Gunn  
Gary Muller  
Arun Prasad

**Minutes: January 23, 2019**

THAT the minutes of Meeting No. 1 of the City of Markham Committee of Adjustment, held January 23, 2019, be

- a) Approved as submitted, on February 6, 2019

**Moved By: Greg**

**Seconded By: Jeannie**

Carried

**DISCLOSURE OF INTEREST –**

None

**PREVIOUS BUSINESS:**

**1. A/172/18**

**Owner Name: Q-West Centre Inc (Denis Gubert)**  
**Agent Name: KLM Planning Partners Inc. (Alistair Shields)**  
**Q-West Centre Inc**  
**8570 Woodbine Ave, Markham**  
**CON 3 PT LT 11 65R35635 PTS 1, 2, 3**

The applicant is requesting relief from the requirements of By-law 165-80 as amended to permit:

- a) **Amending By-law 2015-122, Section 7.115.3 m) 2) i):**  
restaurants within shopping centres including associated food courts or eating areas to have a parking rate of 1 parking space per 25 square metres of leasable floor area for that portion which occupies 36 percent or less of the total leasable floor area of the shopping centre, whereas the By-law requires 1 parking space per 25 square metres of leasable floor area for that portion which occupies 20 percent or less of the total leasable floor area of the shopping centre;
- b) **Amending By-law 2015-122, Section 7.115.3 m) 2) ii):**  
restaurants within shopping centres including associated food courts or eating areas to have a parking rate of 1 parking space per 9 metres of leasable floor area for that portion which occupies more than 36 percent of the total leasable floor area of the shopping centre, whereas the By-law requires 1 parking space per 9 metres of leasable floor area for that portion which occupies more than 20 percent of the total leasable floor area of the shopping centre;

as they relate to a commercial development. **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent Alistair Shields appeared on behalf of the application.

Committee member Jeamie Reingold indicated the request appears logical.

**Moved By: Jeamie Reingold**  
**Seconded By: Gregory Knight**

THAT Application No. A/172/18 be approved subject to conditions contained in the staff report.

Resolution Carried

**NEW BUSINESS:**

**1. B/23/18**

**Owner Name: Nam Ngok Leung and Yoshimi Diane Inouye  
Agent Name: Alawn Lai  
15 Noble St, Markham  
PLAN 2440 PT LOT 3 PT LOT 4**

The owner is requesting to:

- a) sever and convey a parcel of land with lot frontage of 45.72 m and area of 3044.30 sq. m (Part 2);
- b) retain a parcel of land with lot frontage of 24.38 m and area of 1523.07 sq. m (Part 1).

The purpose of this application is to sever a portion of the existing residential property at 15 Noble Street to be conveyed to a proposed subdivision to the east. This serves as a re-application for consent B/03/14, which was approved by the Committee of Adjustment on June 12, 2014 but lapsed due to unfulfilled conditions of approval. Related minor variance application A/38/14 was approved concurrently. **(Central District, Ward 8)**

The Secretary-Treasurer introduced the application.

**Moved By: Tom Gutfreund  
Seconded By: Jeamie Reingold**

THAT Application No. B/23/18 be deferred sine die.

Resolution Carried

**2. A/133/18**

**Owner Name: Mamdouh Nassim & Mary Maowad  
62 Cobbler Cres, Markham  
PLAN 65M2088 BLK 126 AND PLAN 65M2142 BLK 124**

The applicant is requesting relief from the requirements of By-law 153-80 as amended to permit:

- a) **Section 6.1:**  
a second suite (basement apartment), whereas the By-law permits no more than one dwelling unit per lot;
- b) **Section 7.2 (c):**

a maximum lot coverage of 34.01percent whereas the by-law permits a maximum lot coverage of 33.33percent;

as it relates to an existing basement apartment and shade structure in the rear yard for which no permit record exists. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The applicant Mamdouh Nassim appeared on behalf of the application. He indicated the finished basement has been in existence since 1985. As such, he had been looking for a house which had a finished basement.

Kay Chen of 29 Cobbler Crescent spoke in opposition to the application. There is concern about safety for the unit. Property values could be affected.

The applicant responded that they will ensure suitable tenants are found for the unit.

**Moved By: Gregory Knight**  
**Seconded By: Jeamie Reingold**

THAT Application No. A/133/18 be approved subject to conditions contained in the staff report.

Resolution Carried

**3. B/24/18**

**Owner Name: Daniel Pasta**  
**8 Hughson Dr, Markham**  
**PLAN 4556 LOT 4**

The owner is requesting:

- a) sever and convey a parcel of land with a lot frontage of 14.97 m and an approximate lot area of 827.50 sq. m (Part 1);
- b) retain a parcel of land with a lot frontage of 14.97 m and an approximate lot area of 827.50 sq. m (Part 2).

The purpose of this application is to create two residential lots. This application is related to minor variance applications A/179/18 and A/180/18. **(Central District, Ward 2)**

The Secretary-Treasurer introduced the application.

The applicant Daniel Pasta appeared on behalf of the application.

**Moved By: Gregory Knight**  
**Seconded By: Jeamie Reingold**

THAT Application No. B/24/18 be approved subject to conditions contained in the report.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried

**4. A/179/18**

**Owner Name: Daniel Pasta**  
**8 Hughson Dr, Markham**  
**PLAN 4556 LOT 4**

The applicant is requesting relief from the requirements of By-law 221-81 as amended to permit:

- a) **Amending By-law 2012-13, Section 7.2.2 (i):**  
a minimum front yard setback of 8.55 m, whereas the By-law requires a minimum front yard setback of 9.0 m;
- b) **Amending By-law 2012-13, Section 7.2.2 (ix):**  
a maximum dwelling depth of 23.43 m, whereas the By-law permits a maximum building dwelling depth of 19.9 m.

as it relates to a proposed residential dwelling. This application is related to consent application B/24/18 and minor variance application A/180/18. **(Central District, Ward 2)**

The Secretary-Treasurer introduced the application.

The applicant had their architect presented on the proposal. The architect showed that the variance requests are minor and due to the pie shaped lot.

**Moved By: Jeamie Reingold**  
**Seconded By: Gregory Knight**

THAT Application No. A/179/18 be approved subject to conditions contained in the report.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried

5. **A/180/18**

**Owner Name: Daniel Pasta  
8 Hughson Dr, Markham  
PLAN 4556 LOT 4**

The applicant is requesting relief from the requirements of By-law 221-81 as amended to permit:

- a) **Amending By-law 2012-13, Section 7.2.2. (ii):**  
a minimum interior side yard setback of 1.6 m, whereas the By-law requires a minimum interior side yard setback of 1.80 metres;
- b) **Amending By-law 2012-13, Section 7.2.2 (ix):**  
a maximum dwelling depth of 23.43 m, whereas the By-law permits a maximum building dwelling depth of 19.9 m.

as it relates to a proposed residential dwelling. This application is related to consent application B/24/18 and minor variance application A/179/18. **(Central District, Ward 2)**

The Secretary-Treasurer introduced the application.

The applicant had their architect presented on the proposal. The architect showed that the variance requests are minor and due to the pie shaped lot.

**Moved By: Gregory Knight  
Seconded By: Jeamie Reingold**

THAT Application No. A/180/18 be approved subject to conditions contained in the report.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried

6. B/25/18

**Owner Name: ROSEMARY TORELLI**  
**Agent Name: Marcus Gagliardi**  
**27 Hughson Dr, Markham**  
**PLAN 4556 LOT 34**

The owner is requesting:

- a) sever and convey a parcel of land with a lot frontage of 16.34 m and an approximate lot area of 698 sq. m (Part 1);
- b) retain a parcel of land with a lot frontage of 16.34 m and an approximate lot area of 698 sq. m (Part 2).

The purpose of this application is to create two residential lots. **(Central District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent Marcus Gagliardi appeared on behalf of application. Mr. Gagliardi indicated their proposal similar to 8 Hughson Drive. In addition, no minor variances are required.

**Moved By: Jeamie Reingold**  
**Seconded By: Gregory Knight**

THAT Application No. B/25/18 be approved subject to conditions contained in the report.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried

7. **A/182/18**

**Owner Name: Zhi Hui Liang**  
**Agent Name: TAES Architects Inc. (Shenshu Zhang)**  
**5 Emily Carr St, Markham**  
**PLAN M1368 LOT 68**

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

- a) **Schedule 'B':**  
a maximum building height of 27 feet (8.23 metres) whereas the By-law permits a maximum building height of 25 feet (7.62 metres);
- b) **Schedule 'B':**  
a maximum lot coverage of 36 percent whereas the By-law permits a maximum lot coverage of 33 1/3 percent;
- c) **Schedule 'B':**  
a minimum north side yard setback of 5 feet 8 1/2 inches (1.74 metres) whereas the By-law requires a minimum side yard setback of 6 feet (1.83 metres);

as it relates to a proposed new residential dwelling. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent Shenshu Zhang appeared on behalf of the application. 5 letters of support were received.

The Chair asked about the height variance request and why it was needed.

Mr. Zhang responded due to water drainage issues that is why they were requesting this variance.

**Moved By: Jeamie Reingold**  
**Seconded By: Gregory Knight**

THAT Application No. A/182/18 be approved subject to conditions contained in the staff report

Resolution Carried



8. **A/183/18**

**Owner Name: FUYU CORPORATION**  
**Agent Name: Henry W Chiu Architect (Henry Chiu)**  
**FUYU CORPORATION**  
**85 Steelcase Rd, Markham**  
**PLAN 9001 LOT 75**

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

- a) **Parking By-law 28-97, Table B:**  
a minimum of 56 parking spaces, whereas the By-law requires a minimum of 73 parking spaces;

as it relates to an existing industrial plaza. **(Central District, Ward 8)**

The Secretary-Treasurer introduced the application.

The agent Henry Chiu appeared on behalf of the application. Mr. Chiu indicated that a building permit had been issued for this property. However, only recently was a parking deficiency on site was found. Moreover, relating files on this property are no longer in existence.

The Chair indicated that they will rely on staff for more information.

Committee member Greg Knight commented that applicant may want to consult and see if minor variance is necessary. This is possibly a legal non conforming situation.

**Moved By: Jeamie Reingold**  
**Seconded By: Gregory Knight**

THAT Application No. A/183/18 be deferred sine die.

Resolution Carried

9. **A/03/19**

**Owner Name: ARDEVAN BAKHTARI & DARYA BAKHTARI**  
**Agent Name: Markham High Tech Inc. Architects (Michael Forte)**  
**154 Ramona Blvd, Markham**  
**PLAN 9143 LOT 92**

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 Net Floor Area Ratio of 53 percent, whereas the By-law permits a maximum Net Floor Area Ratio of 45 percent;

as it relates to a proposed addition to a residential dwelling. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Michael Forte appeared on behalf of the application.

Liz Brown of 65 Lincoln Green Drive spoke in opposition to the application. This does not appear to be a minor request. Ms. Brown indicated the plans appear to have some inconsistencies. She is concerned that variance, if approved, could be something larger than what staff had been reviewing.

The agent indicated the property was originally not in compliance.

Committee member Jeamie Reingold stated that while not precedent setting, ratepayer groups do follow variance requests in the area.

**Moved By: Gregory Knight**  
**Seconded By: Jeamie Reingold**

THAT Application No. A/03/19 be deferred sine die.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried

**10. A/04/19**

**Owner Name: Simon Drosi**  
**32 Shady Lane Cres, Thornhill**  
**PLAN 7686 LOT 374**

The applicant is requesting relief from the requirements of By-law 2150as amended to permit:

- a) **Section 6.1:**  
a minimum west side yard setback of 4-4' feet and a minimum east side yard setback of 4'-5' feet, whereas the By-law requires a minimum side yard setback of 6 feet on both sides;
- b) **Section 6.1:**  
a maximum building height of 25'-2' feet, whereas the By-law permits a maximum building height of 25 feet;

as they relate to a proposed addition to a residential dwelling. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The applicant appeared on behalf of the application.

**Moved By: Greg**

**Seconded By: Jeamie**

THAT Application No. A/04/19 be approved subject to conditions contained in the report.

The Committee, in making its decision on this matter, took into consideration the written comments received on the application. Oral submissions have been taken into consideration as well.

Resolution Carried


### **MOTION TO ADJOURN**

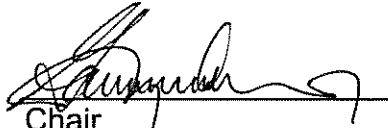
**Moved by Greg**

**Seconded by Jeamie**

THAT the meeting of Committee of Adjustment be adjourned at 8:29 p.m., and the next regular meeting will be held on February 20, 2019.

CARRIED

  
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Secretary-Treasurer,  
Committee of Adjustment

  
\_\_\_\_\_  
Chair