



**CITY OF MARKHAM**  
**Virtual Meeting**

**December 18, 2024**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 20<sup>th</sup> 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	7:03 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: December 4, 2024**

THAT the minutes of Meeting 19, of the City of Markham Committee of Adjustment, held December 4, 2024 respectively, be:

- a) Approved on December 18, 2024.

**Moved by: Patrick Sampson**  
**Seconded by: Sally Yan**

**Carried**

**4. PREVIOUS BUSINESS**

None

## 5. NEW BUSINESS:

### 5.1 A/132/24

**Agent Name: Lifestyle Home Products (Andrijana Adamovic)**  
**88 Proctor Avenue, Thornhill**  
**65M4758 LOT 1**

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 E):**  
a maximum main building distance of 20.83 metres for the first storey from the established building line, whereas the by-law permits a maximum main building distance of 19.5 metres for the first storey from the established building line;

as it related to the addition of a sunroom to a two-storey residential dwelling.

Evelin Ellison expressed that they were not concerned with the sunroom addition but wanted to highlight the bird-friendly guidelines for the large glass surfaces.

Member Sampson supported the application, agreeing with the staff report's recommendations, indicating that as the property backed onto a park, any impacts would be limited.

Member Reingold felt the request was reasonable and supported the application.

Member Sampson motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application **A/132/24** be **approved** subject to conditions contained in the staff report.

### **Resolution Carried**

### 5.2 A/133/24

**Agent Name: Groundswell Urban Planners (Nour Bedas)**  
**116 Elgin Street, Thornhill**  
**PLAN 8 W PT LOT 15**

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 I):**

a combined interior side yard on both sides of 5.0 metres, whereas the by-law requires combined interior side yards on both sides of 6.85 metres;

as it related to a second storey addition to an existing two-storey residential dwelling.

The agent, Nour Bedas, appeared on behalf of the application.

Member Reingold agreed with recommendations in the staff report indicating the application was minor, the footprint of the building would not change, and the addition would improve living conditions.

Member Yan agreed with their colleague, expressing that the application was a good example of infill development and maintained the development standards with minor impacts.

Member Reingold motioned for approval with conditions.

**Moved by: Jeamie Reingold**

**Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **A/133/24** be **approved** subject to conditions contained in the staff report.

**Resolution Carried**

**5.3 A/136/24**

**Agent Name: STEP Design Studio Inc. (Stepan Sukiasyan)**  
**88 Lee Avenue, Markham**  
**65M4758 LOT 1**

The applicant was requesting relief from the requirements of By-law 193-81, as amended, to permit:

**a) Amending By-law 2008-151, Section 7.26 (1)(a)(iii):**

a minimum front yard setback of 8 metres, whereas the by-law requires a minimum front yard setback of 12.19 metres;

**b) Parking Standards By-law 28-97, Section 6.2.4.4(b)(i):**

a minimum driveway setback of 6.95 metres to the rear lot line, whereas the by-law requires a minimum driveway setback of 8 metres to the rear lot line; and

**c) By-law 193-81, Section 6.1(c):**

a maximum lot coverage of 32.53 percent, whereas the by-law permits a maximum lot coverage of 25 percent;

as it related to a proposed two-storey residential dwelling.  
The agent, Stepan Sukiasyan, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Sampson indicated that the request was in line with previous Committee approvals.

Member Yan noted the previous planning application history for the subdivision, including the site-specific by-law and minor variances, and expressed that the lot coverage was compatible with other lots in the subdivision. Member Yan supported the application and motioned for approval with conditions stating the requests were minor and enhanced the safety of the lot.

**Moved by: Sally Yan**  
**Seconded by: Patrick Sampson**

The Committee unanimously approved the application.

THAT Application **A/136/24** be **approved** subject to conditions contained in the staff report.

#### **Resolution Carried**

#### **5.4 A/137/24**

**Agent Name: Gregory Design Group (Shane Gregory)**  
**9 Wiarton Court, Thornhill**  
**PLAN 8261 LOT 11**

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 (c):**  
a main building coverage of 23.3 percent (1782 square feet) for the second storey, whereas the by-law permits a maximum main building coverage of 20 percent (1,525 square feet) of the lot area for any storey above the first;
- b) By-law 2024-19, Section 4.8.8 (i):**  
side yard eaves/roof overhang encroachment of 0.60 metres, whereas the by-law permits a maximum encroachment into the required interior side yard of 0.45 metres;
- c) By-law 2024-19, Section 4.8.10.2 (d) (iii):**  
a porch and underground cold cellar to project 1.22 metres beyond the established building line, whereas the by-law permits a porch with underground cold cellar to project a maximum of 0.6 metres beyond an established building line; and

**d) By-law 2024-19, Section 4.8.10.2 (d) (iv):**

stairs used to access a porch to project 0.91 metres beyond a permitted porch encroachment, whereas the by-law permits stairs used to access a porch to project 0.45 metres beyond a permitted porch encroachment;

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

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

The Committee received one written piece of correspondence.

Afsaneh Karamizadeh & Morteza Tajdolat, neighbours, spoke to the Committee, noting the difference in the front yard setbacks of the two properties, which, coupled with the size and height, would impact the streetscape and sightlines and hide their home.

Member Reingold asked if there was a way to move the home back without impacting the mature trees in the rear yard.

Member Yan indicated that the site had constraints related to the nature of the frontages on the court, expressing, however that the streetscape was spacious and there would be adequate space with the proposed setback and open porch.

The Chair expressed that due to the nature of the cul-de-sac design the alignment of the homes would always be staggered and expressed that moving the house back on the lot would create significant impacts to the neighbouring rear yards.

Member Yan motioned for approval with conditions.

**Moved by: Sally Yan**

**Seconded by: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application **A/137/24** be **approved** subject to conditions contained in the staff report.

**Resolution Carried**

**5.5 A/189/23**

**Agent Name: 10292702 Canada Inc. (Hua Tong)**  
**38 Elm Street, Markham**  
**PLAN 4292 LOT 4**

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

- a) **By-law 99-90, Section 1.2(i):**  
a maximum building height of 10.8 metres, whereas the by-law permits a maximum building height of 9.8 metres;
- b) **By-law 99-90, Section 1.2 (ii):**  
a maximum building depth of 21.4 metres, whereas the by-law permits a maximum building depth of 16.8 metres; and
- c) **By-law 99-90, Section 1.2(vi):**  
a maximum Floor Area Ratio of 53.1 percent, whereas the by-law permits a maximum Floor Area Ratio of 45 percent;

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

The agent, Tanveer Ahmed, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Member Sampson indicated that the Committee had consistently not approved floor area ratio variances of greater than 50 percent in this area and requested the applicant revise the proposal to remain under 50 percent floor area ratio.

Member Yan agreed with their colleague and stated that the massing combined with the other variances resulted in a request that was out of scale for the area.

Member Reingold expressed that the written comments provided by Elizabeth Brown illustrated that massing in conjunction with the height and scale of the proposed house was uncharacteristic for the area. The proposed house with the three-car garage was very tall and visually imposing.

The Chair concurred with the other members. The infill development on Elm Street had features softened to the streetscape. The Chair recommended that the applicant reduce the size of the proposal.

Tanveer Ahmed asked for clarification regarding the requested height and proposed three-car garage.

The Chair noted that the houses on Elm Street with three-car garages were on the opposite side of the street and significantly wider and larger lots.

The applicant requested a deferral.

Member Reingold motioned for deferral.

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

THAT Application **A/189/24** be **deferred** sine die.

## Resolution Carried

### 5.6 A/141/24

**Agent Name: Macaulay Shiomi Howson (Nick Pileggi)**  
**8050 Woodbine Avenue, Markham**  
**R2841 PTS 2,3 & 15**

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

- a) **By-law 177-96, Table B8(K):**  
a landscape width abutting the exterior lot line of 1.0 metre, whereas the by-law requires a minimum landscape width of 3.0 metres abutting any lot line other than the front lot line;
- b) **By-law 177-96, Table B8(K):**  
a landscape width abutting the rear lot line of 1.5 metres, whereas the by-law requires a minimum landscape width of 3.0 metres abutting any lot line other than the front lot line;
- c) **By-law 177-96, Table B8 (G):**  
a 57.5 metre depth of the parking area in the exterior side yard, whereas the by-law permits a maximum 12 metre depth of parking area in the exterior side yard;
- d) **By-law 177-96, Section 6.9.2:**  
existing loading spaces to be located in the exterior side yard, whereas the by-law only permits loading spaces to be located in an interior side or rear yard;
- e) **By-law 177-96, Table B8 (G):**  
an existing 37 metre depth of the parking area in the front yard, whereas, the by-law permits a maximum 12.0 metre depth of parking area in the front yard;
- f) **By-law 177-96, Table B8 D):**  
an existing maximum front yard setback of approximately 46 metres, whereas the by-law permits a maximum front yard setback of 19.0 metres;
- g) **By-law 28-97, Section 3.0 Table B:**  
a minimum of 252 parking spaces, whereas, the by-law requires a minimum of 303 required parking spaces on the lot;

as it relates to the internal expansion of office space in an existing industrial building.

The agent, Nick Pileggi, appeared on behalf of the application.

Evelin Ellison, President of the Ward One Residents Association, indicated that the neighbourhood association had worked with the previous owner to install night-sky-

friendly lights on the property and expressed that the Association hoped the new owner would maintain standards that would not create light pollution.

Member Sampson indicated that the requests would relieve existing non-conforming conditions on the property, the requested parking variance was minor and exceeded the City's new standards.

Member Yan indicated that the requested variances were minor and would facilitate the change from industrial to office uses, and the property had flexibility built into the parking.

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/141/24** be **approved** subject to conditions contained in the staff report.

### **Resolution Carried**

Applications B/030/24 and B/031/24 were heard concurrently with the discussion recorded under B/030/24.

#### **5.7 B/030/24**

**Agent Name: Macaulay Shiomi Howson (Nick Pileggi)**  
**Major Mackenzie Drive, Markham**  
**PLAN RP 65R33373 PTS 1 2 AND 3**

The applicant was requesting provisional consent to:

- a) sever and convey** a parcel of land with an approximate lot frontage of 12.24 metres and an approximate lot area of 0.68 ha (Part 4);
- b) retain** a parcel of land with an approximate lot frontage of 115.7 metres and an approximate lot area of 5.5 ha (Parts 1, 2, 3, and 5);
- c) establish an easement** over Part 4 for the purposes of access in favour of the retained lands (Parts 1, 2, 3, and 5).

The purpose of this application was to sever the Subject Lands to be merged with the adjacent lands to the north and to facilitate the creation of a mutual access easement.

This application was related to PLAN 23 116352, SPC 24 159325 and SALT 24 161074 which were currently under review.



The agent, Nick Pileggi, appeared on behalf of the application and requested to remove condition seven, expressing that the owner could not assure that they could complete the conveyance before the deadline for issuing a certificate.

Jinyue Jiang, a resident, asked for additional information regarding the intersection of the future overpass and Markland Street.

The Chair indicated that the final siting and timelines for the proposed overpass were not part of the Consent application, and the Committee did not have information regarding the proposed overpass.

Committee members expressed that they would prefer staff direction regarding the removal or rewording of condition seven.

Nick Pileggi requested deferral to review the conditions and obtain the owners' agreement.

Member Sampson motioned for deferral to allow the applicant to meet with the owner and staff regarding the consent conditions.

**Moved by: Patrick Sampson**  
**Seconded by: Sally Yan**

THAT Application **B/030/24** be **deferred** sine die.

### **Resolution Carried**

#### **5.8 B/031/24**

**Agent Name: Macaulay Shiomi Howson (Nick Pileggi)**  
**Markland Street, Markham**  
**CON 3 PT LOT 21**

The applicant was requesting provisional consent to:

- a) sever and convey** a parcel of land with an approximate lot frontage of 46.95 metres and an approximate lot area of 0.93 ha (Parts 8 and 9);
- b) retain** a parcel of land with an approximate lot frontage of 85.99 metres and an approximate lot area of 2.64 ha (Parts 6 and 7).

The purpose of this application was to sever the Subject Lands to be merged with the adjacent lands to the east (Part 10).

This application was related to Consent Application B/030/24. This application was related to PLAN 23 116352, SPC 24 159325 and SALT 24 161074 which were currently under review.

The agent, Nick Pileggi, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Sampson motioned for deferral to allow the applicant to meet with the owner and staff regarding the conditions of consent.

**Moved by: Patrick Sampson**

**Seconded by: Sally Yan**

THAT Application **B/031/24** be **deferred** sine die.

**Resolution Carried**

**6. Adjournment**

**Moved by: Sally Yan**

**Seconded by: Jeamie Reingold**

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:29 pm, and the next regular meeting would be held on January 22, 2024.

**CARRIED**

Original Signed January 22, 2025

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Secretary-Treasurer  
Committee of Adjustment

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Chair  
Committee of Adjustment