



**AGENDA**

**Wednesday, November 13, 2019**

**7:30pm**

**Location: City of Markham, Council Chamber**

**Address: 101 Town Centre Boulevard, (Anthony Roman Centre)**

**Minutes: October 23, 2019**

**DISCLOSURE OF INTEREST**

**PREVIOUS BUSINESS (manual application input)**

**1. A/156/18**

**Owner Name: True Jesus Church (Apostolic Faith) Canada (Scott Tsai)**

**Agent Name: TAES Architects Inc. (Shenshu Zhang)**

**True Jesus Church (Apostolic Faith) Canada**

**14th Ave, Markham**

**PL 65M2457 PT LT 1 & PT BLK 16 65R21648 PTS 2 AND 4**

The applicant is requesting relief from the requirements of By-law 28-82 as amended to permit:

**a) Amending By-law 236-96, Section 6.5.3 (g):**

parking spaces to encroach 0.89 m into the required landscaped open space adjoining 14th Avenue, whereas the By-law does not permit parking spaces to encroach into landscaped open spaces adjoining streets and highways;

**b) Parking By-law 28-97, Table B:**

a minimum of 80 parking spaces, whereas the By-law requires a minimum of 88 parking spaces;

as it relates to a proposed three-storey church. **(Central District, Ward 8)**

**2. A/95/19**

**Owner Name: 168 Old Kennedy Inc. (A. Sivakumaran)**

**Agent Name: KLM Planning Partners Inc. (Marshall Smith)**

**168 Old Kennedy Inc.**

**168 Old Kennedy Rd, Markham**

**PLAN 65M4289 BLK 2**

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

- a) **Amending By-law 2009-105, Section 7.369.3(b):**  
a minimum required yard from the south lot line of 8.5 metres, whereas the By-law requires 11.45 metres;
- b) **Amending By-law 2009-105, Section 7.369.3(b):**  
a minimum required yard from the south lot line within 30 metres of the easterly lot line (Old Kennedy Road) of 1.50 metres, whereas the By-law requires 9 metres;
- c) **Amending By-law 2009-105, Section 7.369.4(a)(i):**  
a maximum of sixty-four (64) dwelling units within 87 metres of the easterly lot line (Old Kennedy Road), whereas the maximum is twenty-eight (28) dwelling units;
- d) **Amending By-law 2009-105, Section 7.369.4(a)(ii):**  
dwelling units within the ground floor of buildings beyond 30 metres of the easterly lot line, whereas dwelling units are not permitted within the ground floor of any building within 87 metres of (Old Kennedy Road) the easterly lot line;
- e) **Amending By-law 2009-105, Section 7.369.5(d):**  
a minimum of 7 parking spaces for non-residential uses, whereas the minimum number of parking spaces for non-residential uses within 87 metres of the easterly lot line (Old Kennedy Road) is 37 parking spaces;
- f) **Section 6.9.1(b):**  
0 loading spaces; whereas the by-law requires one loading space for a combination of non-residential uses with a net floor area of between 300 and 1,860 square metres;
- g) **Parking By-law 28-97, Section 6.1.4:**  
tandem parking spaces, whereas the by-law only permits tandem parking spaces on lots with buildings containing no more than four (4) Dwelling Units, and Condominium Townhouse Dwellings with parking provided at grade and accessed via private road;
- h) **Amending By-law 2009-105, Section 7.369.3(f):**  
for buildings beyond 30 metres of the easterly lot line, mechanical penthouses containing no living space shall not be considered a storey, whereas a mechanical penthouse containing a floor and a ceiling are considered a storey;

as it relates to a proposed mixed-use stacked townhouse development.  
**(Central District, Ward 8)**

**NEW BUSINESS:**

1. **A/15/18**

**Owner Name: Saeid Talebi**  
**Agent Name: Memar Architects Inc (Samer Abdelmalak)**  
**8 Elspeth Pl, Thornhill**  
**PLAN M862 LOT 15**

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

- a) **Section 3.7:**  
an eaves projection of 24 inches, whereas the By-law requires a maximum eave projection of 18 inches into any required yard;
- b) **Amending By-law 101-90, Section 1.2(i):**  
a maximum building height of 10.07 metres, whereas the By-law permits a maximum building height of 9.8 metres;
- c) **Section 6.1:**  
a minimum front yard setback of 25.2 feet, whereas the By-law requires a minimum front yard setback of 27 feet;
- d) **Section 3.7:**  
an unenclosed roofed porch encroachment of 80.5 inches, whereas the By-law permits a maximum encroachment of 18 inches in to the required front yard setback;
- e) **Section 6.1:**  
a minimum side yard setback of 1.55 metres on both sides, whereas the By-law requires a minimum side yard setback of 1.8 metres;

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

2. **B/15/19**

**Owner Name: Amica Unionville Inc. (Kathryn Randle)**  
**Agent Name: Amica Unionville Inc. (Kathryn Randle)**  
**34 Main St, Unionville**  
**CON 5 PT LOT 9**

The owner is requesting to:

- a) establish easements on the subject property for access and maintenance of the sanitary sewer in favour of Phase 3, Part 5, owned by Safe & Sound Storage Inc., over Parts 6, 7, 8 and 9, owned by Amica Unionville Inc.

The proposed consent is to formalize a service already approved by the City and constructed. **(Central District, Ward 3)**

**3. A/93/19**

**Owner Name: Amica Unionville Inc. (Jack Winberg)**  
**Agent Name: Amica Unionville Inc. (Kathryn Randle)**  
**34 Main St, Unionville**  
**CON 5 PT LOT 9**

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

- a) Amending By-law 2010-48, Section 6.8.2(a):**  
a minimum width of landscaped strip along the southern lot line of 0 m, whereas the By-law requires a minimum width of 3 m;
- b) Amending By-law 2010-48, Schedule E2:**  
a maximum of 294 retirement rooms of which a maximum of 16 may include cooking facilities, whereas the By-law permits a maximum 283;
- c) Amending By-law 2010-48, Schedule E3:**  
a maximum height of 16 m in height layer 2, whereas the By-law permits a maximum height of 11.3 m;
- d) Amending By-law 2010-48, Schedule E3:**  
a maximum height of 25 m in height layer 3, whereas the By-law permits a maximum height of 17.3 m;
- e) Amending By-law 2010-48, Schedule E3:**  
a maximum height of 32 m in height layer 4, whereas the By-law permits a maximum height of 26.3 m;
- f) Amending By-law 2010-48, Schedule E4:**  
a minimum setback of 9.90 m from the south lot line, whereas the By-law requires a minimum of 11 m;
- g) Amending By-law 2010-48, Schedule E4:**  
a minimum north building setback at ground level of 5 m, whereas the By-law requires 7 m;
- h) Amending By-law 2010-48, Schedule E4, Exception\*4:**  
an underground parking garage to encroach 10.5 m into the south property line setback, whereas the By-law permits 8 m;

as it relates to a proposed 9-storey retirement home with 144 units and 1 level of below grade parking. **(Central District, Ward 3)**

**4. A/105/19**

**Owner Name: MARIJA SALOPEK  
Agent Name: MARIJA SALOPEK  
272 Main St, Markham  
PLAN 1105 PT LOT 8**

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

**a) Section 6.1 (a):**

a second dwelling unit, whereas the By-law does not permit secondary suites;

as it relates to a proposed main floor secondary suite. **(Heritage District, Ward 4)**

**5. A/106/19**

**Owner Name: Asif Rehman & Syeda Tahira Asif  
Agent Name: Vin Engineering Inc. (Sunil Shah)  
36 Lady Fern Dr, Markham  
PLAN 65M-3133 LOT 196**

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

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

To permit an accessory basement dwelling unit, whereas the By-law permits no more than one single detached dwelling/dwelling unit on a lot, unless otherwise specified;

as it relates to a proposed basement apartment. **(East District, Ward 7)**

**6. A/107/19**

**Owner Name: Peng Fei Cao  
Agent Name: Z Square Group (Mengdi Zhen)  
147 Fitzgerald Ave, Markham  
PLAN 7566 LOT 271**

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

- a) **Section 6, Schedule B:**  
a maximum lot coverage of 33.60 percent, whereas the By-law permits a maximum lot coverage of 33-1/3 percent;
- b) **Section 6, Schedule B:**  
a minimum side yard setback of 4 ft (1.22 m) for both sides, whereas the By-law permits a minimum side yard setback of 6 ft (1.82 m);
- c) **Section 6, Schedule B:**  
a maximum height of 28.84 ft (8.79 m), whereas the By-law permits a maximum height of 25 ft (7.62 m);

as it relates to a proposed two-storey detached dwelling. **(Central District, Ward 3)**

7. **A/108/19**

**Owner Name: NASRUL KHAN**  
**Agent Name: SHDesign (Samir Hinnawi)**  
**419 Elson St, Markham**  
**PLAN 65M3741 LOT 37**

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

- a) **Section 6.1.2(b):**  
a side yard setback of 0.28 m. whereas the By-law requires a minimum side yard setback of 1.2 m;
- b) **Section 4.6(b):**  
a roofed porch with unenclosed sides ('covered patio') to project a distance of not more than 1.15 m into the required rear yard, whereas the By-law permits a distance of not more than 0.45 m into any required yard;
- c) **Section 6.1.2(b):**  
a minimum rear yard setback of 6.35 m to the covered patio, whereas the By-law requires a minimum setback of 7.5 m;

as it relates to an existing one-storey side yard addition and rear covered patio that was built without a permit. **(East District, Ward 7)**

8. **A/109/19**

**Owner Name: MICHAEL & ANGELA PAPAPETROU**  
**Agent Name: Gatzios Planning & Development Consultants Inc. (Maria Gatzios)**  
**79 Green Lane, Thornhill**

**PLAN 2382 PT LOT 4**

The applicant is requesting relief from the requirements of By-law 77-73 as amended to permit:

**a) Section 8.3.1.1:**

to permit pet care services including daycare, grooming, training and treatment, including associated pet retail sales, whereas the By-law only permits business offices and veterinary clinics;

as it relates to a proposed dog day care. **(West District, Ward 1)**

**9. A/111/19**

**Owner Name: Shoukatali & Almas Damani**  
**Agent Name: Gregory Design Group (Russ Gregory)**  
**47 Barlow Rd, Markham**  
**PLAN 65M2248 LOT 89**

The applicant is requesting relief from the requirements of By-law 118-79 as amended to permit:

**a) Section 6.1 & 7.1.1:**

to permit a second dwelling unit/basement apartment, whereas the By-law permits no more than one single detached dwelling unit on a lot;

as it relates to a proposed existing basement apartment. **(Central District, Ward 2)**

**10. B/20/19**

**Owner Name: Han Feng Pu**  
**Agent Name: Gregory Design Group (Russ Gregory)**  
**20 Grandview Boulevard, Markham**  
**PLAN 4365 LOT 11**

The owner is requesting:

a) sever and convey a parcel of land with lot frontage of 20.9 m and area of 856.1 sq. m (Part 2);

b) retain a parcel of land with lot frontage of 20.9 m and area of 856.2 sq. m (Part 1).



*COMMITTEE OF ADJUSTMENT*

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This serves as a re-application for an identical consent application B/22/14, which was approved by the Committee of Adjustment on October 21, 2015 but lapsed at the expiration of two years after the date of the issued Certificate.  
**(East District, Ward 4)**

**Adjournment**

- 1. Next Meeting, November 27, 2019**
- 2. Adjournment**