



CITY OF MARKHAM
Virtual Meeting

February 05, 2025
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 2nd, regular meeting of the Committee of Adjustment for the year 2025 was held at the time and virtual space above with the following people present:

Arrival Time

Jeannie Reingold, Acting Chair	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
Vivian Yap, Development Technician

Regrets

Gregory Knight, Chair

2. DISCLOSURE OF PECUNIARY INTEREST

None

3. APPROVAL OF PREVIOUS MINUTES: January 22, 2025

THAT the minutes of Meeting 01, of the City of Markham Committee of Adjustment, held January 22, 2025 respectively, be:

- a) Approved on February 05, 2025.

Moved by: Sally Yan
Seconded by: Patrick Sampson

Carried

4. DEFERRAL

4.1 B/029/24

Agent Name: Malone Given Parsons Ltd. (Rohan Sovig)
3985 Highway 7 East, Markham
PLAN 65M4294 BLK 2

The owner was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 80 metres and an approximate lot area of 7,949.6 square metres (Part 3, 4, 6, and 9);
- b) **retain** a parcel of land with an approximate lot frontage of 174.43 metres and an approximate lot area of 29,908.2 square metres (Parts 1, 2, and 5).

The purpose of this application was to sever the Subject Lands to facilitate the creation of one (1) new lot for a high-density residential development.

The agent, Rohan Sovig, appeared on behalf of the application.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson
Seconded by: Sally Yan

THAT Application **B/029/24** be **deferred** until February 19, 2025.

Resolution Carried

5. NEW BUSINESS:

5.1 B/017/24

Agent Name: JKO Planning Services Inc. (Jim Kotsopoulos)
32 Kirk Drive, Thornhill
PLAN 4184 LOT 35

The owner was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 15.24 metres and an approximate lot area of 696.77 square metres (Part 1); and
- b) **retain** a parcel of land with an approximate lot frontage of 15.24 metres and an approximate lot area of 696.77 metres (Part 2).

The purpose of this application was to sever the subject lands to facilitate the creation of one new residential lot.

The application was associated with Zoning By-law Amendment Application PLAN 2024 161084 000 00.

The agent, Jim Kotsopoulos, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Prasad agreed with the staff report.

Member Yan noted that the application had gone through a site-specific Zoning By-law Amendment, and this application implemented the amendment. The proposal was compatible with surrounding properties and the provincial policies, and there were no objections from external agencies.

Member Sampson had questions regarding the lot, future house sizes, and trees.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan

Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application **B/017/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

Applications B/036/24 and B/037/24 were heard concurrently with the discussion recorded under application B/036/24.

5.3 B/036/24

Agent Name: Goldberg Group (Adam Layton)

28 Main Street, Unionville

CON 5 PT LOT 9 65R36917 PARTS 5, 6 AND 7

The owner was requesting provisional consent to:

- a) establish an easement** over Parts 1 and 9 (East Parcel) in favour of 34 Main Street, Unionville for the purposes of loading, vehicular and pedestrian access from Bill Crothers Drive;

- b) establish an easement** over Part 1 (West Parcel) in favour of 34 Main Street, Unionville for the purposes of loading, vehicular and pedestrian access from Bill Crothers Drive.

This application was related to Consent Application B/037/24.

The agent, Adam Layton, appeared on behalf of the application.

Member Yan noted that the applications would create functional integration between the two properties and indicated they were appropriate in the context of the area.

Member Prasad asked for clarification on the building heights and ground floor uses and motioned for approval with conditions.

Moved by: Arun Prasad

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/036/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.4 B/037/24

Agent Name: Amica Unionville Inc. (Annalisa Longo)
34 Main Street, Unionville
CON 5 PT LOT 9 RP 65R32741 PARTS 2 3 AND 6 TO 9

The owner was requesting provisional consent to:

- a) establish an easement** over Parts 2, 3, 4, 5, 6, and 7 in favour of 28 Main Street, Unionville for the purposes of garbage truck, moving truck, and pedestrian access from Bill Crothers Drive and Main Street.

This application was related to Consent Application B/036/24.

The agent, Annalisa Longo, appeared on behalf of the application.

Member Prasad motioned for approval with conditions.

Moved by: Arun Prasad

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/037/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.5 A/192/22

Agent Name: Bousfields Inc. (Kate Cooper)
7323 Highway 7 East, Markham
CON 9 PT LOTS 9 AND 10 RP 65R25950 PT PARTS 1 AND 2 RP 65R32267
PARTS 4 AND 5 PT PART 3

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

- a) **By-law 177-96, Section 7.348.1:**
a Multiple Dwelling use, whereas the by-law does not permit this use;
- b) **By-law 177-96, Section 7.348.2 d):**
a 0.2 metre setback from the streetline, whereas the by-law requires a 3.0 metre setback from a streetline other than the Highway 7 streetline;
- c) **By-law 177-96, Section 7.349.2 d):**
a minimum setback from the south limit of the CA1*349*350 zone of 11.9 metres, whereas the by-law requires a minimum setback of 12 metres;
- d) **By-law 177-96, Section 7.349.2 e):**
a minimum setback from the streetline of 0.2 metres, whereas the by-law requires a minimum setback from the streetline 3 metres; and
- e) **By-law 177-96, Section 7.349.3 b):**
the ground floor of a residential building to have a maximum of 100 percent residential use, whereas the by-law permits a maximum of 35 percent residential use for the ground floor;

as it related to a proposed stacked townhouse development.

The agent, Simran Bhatti, appeared on behalf of the application.

Member Prasad asked questions regarding the amenity space and parking that would be provided to the residents.

Member Yan indicated that the requests were to modify a site-specific proposal to meet changing community and market needs and were appropriate for the development of the property and motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application **A/192/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.6 A/146/24

Agent Name: Gregory Design Group (Shane Gregory)
28 Hawkrige Avenue, Markham
PLAN 4065 LOT 32

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 minimum combined side yard setback of 3.91 metres, whereas the by-law requires a minimum combined side yard setback of 5.34 metres;

as it related to a single storey garage addition.

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

Member Sampson noted the request was for a small addition, and neighbours had not objected and motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application **A/146/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.7 A/144/24

Agent Name: Gregory Design Group (Shane Gregory)
32 Marlow Crescent, Markham
PLAN 65M2057 LOT 61R

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 (G):**
a minimum rear yard setback of 6.07 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres;
- b) **By-law 2024-19, Section 6.3.2.2 (I)(xii):**
a minimum interior side yard setback of 1.12 metres, whereas the by-law requires a minimum interior side yard setback of 1.2 metres for a dwelling that was linked below grade on the date of the passing of this By-law;
- c) **By-law 2024-19, Section 4.8.10:**
a front porch with a minimum of only one side open, whereas the by-law requires a front porch to have a minimum of two sides that are open and unenclosed;
- d) **By-law 2024-19, Section 4.8.10.1 (a):**
a minimum front porch depth of 1.2 metres, whereas the by-law requires a minimum front porch depth of 1.8 metres for a porch that serves main building access to the street;
- e) **By-law 2024-19, Section 6.3.2.2 (C):**
a maximum main building coverage of 32.9 percent for the first storey, whereas the by-law permits a maximum main building coverage of 30 percent for the first storey; and
- f) **By-law 2024-19, Section 6.3.2.2 (C):**
a maximum main building coverage of 24.1 percent for the second storey, whereas the by-law permits a maximum main building coverage of 20 percent for the second storey;

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

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

The Committee received one written piece of correspondence.

Member Yan indicated that the lot had constraints as it was small and irregular. However, the application was a good example of infill development that would improve a small house and accommodate the needs of a family. It was minor and would have minimal impacts.

Member Sampson agreed with their colleague and motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **A/144/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.8 A/088/24

Agent Name: Building Experts Canada Ltd. (Miaoyi Xue)
59 Lee Avenue, Markham
PLAN 2440 W PT LOT 32

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit:

- a) **By-law 2024-19, Section 4.9.10 (g):**
a garden home to be located no further than 51 metres from a lot line abutting a street, whereas the by-law permits a garden home to be located no further than 30 metres from a lot line abutting a street;
- b) **By-law 2024-19, Section 4.9.10 (d):**
a gross floor area of 54.93 percent of the principal use dwelling unit (287.2 square metres) for a garden home, whereas the by-law permits a garden home that does not exceed the greater of 50 percent of the gross floor area (261.39 square metres) of the principal use dwelling unit on the same lot or 60 square metres;

as it related to the proposed garden home.

The agent, Miaoyi Xue, appeared on behalf of the application.

Mike, a neighbour, requested additional information.

Siva Kumarasamy, an adjacent neighbour expressed concerns regarding parking, overuse of the property, privacy, property values, disruptions to the day-to-day lives of other residents of the area, and neglect of the property standards. Siva expressed that the impact from further development of the property would have significant impacts on adjacent neighbours and the overall well-being of the neighbourhood, and alternative solutions should be considered to meet the needs of the owners.

Member Prasad did not support the application and had concerns about the safety of future residents and neighbours. Additionally, the application appeared to be for a commercial enterprise rather than a residential use.

Member Yan noted that the applicant had agreed to remove variance **b)** and that to achieve variance **a)**, the applicant needed to meet fire code requirements to obtain a building permit. However, Member Yan expressed that the applicant should clarify what

would be built if variance **b)** was withdrawn to demonstrate that the proposal would be scaled down and safe.

Greg Whitfield confirmed with the applicant that they were withdrawing variance **b)**.

The Acting Chair noted that the staff report reflected that the intent of the by-law was to permit modest-sized garden homes, and the application did not keep that intent. Additionally, as emergency services had flagged the application, it would be appropriate for the applicant to consider a deferral of the application to re-evaluate the plans.

The applicant requested a deferral.

Member Prasad moved for deferral.

Moved by: Arun Prasad

Seconded by: Sally Yan

THAT Application **A/088/24** be **deferred sine die**.

Resolution Carried

5.9 A/110/24

Agent Name: Hirman Architects Inc. (Mani Yeganegi)
94 Babcombe Drive, Thornhill
PLAN M1091 LOT 46

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit:

a) By-law 2024-19, Section 6.2.1(b):

a roof projection of 1.82 metres above the maximum outside wall height, whereas the by-law permits a roof structure with a pitch of less than 25 degrees to project only a maximum of 1.0 metres above the maximum outside wall height;

b) By-law 2024-19, Section 6.3.2.2(c):

a main building coverage of 33.07 percent (2581.99 square feet) for the first storey and 29.52 percent (2,304.49 square feet) for the second storey, whereas the by-law permits a maximum main building coverage of 30 percent (2,342 square feet) of the lot area for the first storey and 20 percent (1,561 square feet) of the lot area for any storey above the first;

c) By-law 2024-19, Section 6.3.2.2(e):

a main building distance of 17.58 metres from the established building line for the second storey, whereas the by-law permits a maximum distance of 14.5 metres for any storey above the first from the established building line;

as it related to the construction of a new two-storey single-detached dwelling.

The agent, Jonathan Beczkowski, appeared on behalf of the application.

Member Sampson expressed that despite the reductions made by the applicant, the application was not minor and was not in keeping with the intent of the by-law regarding the second storey.

Jonathan Beczkowski demonstrated that there was a second-storey step back and that the architectural features provided relief for the streetscape.

Member Yan indicated that the applicant had made significant reductions to the application, and the plan was consistent with other infill developments within the area; the request was minor and motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Arun Prasad

The Committee unanimously approved the application.

THAT Application **A/110/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. Adjournment

Moved by: Arun Prasad
Seconded by: Patrick Sampson

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:45 pm, and the next regular meeting would be held on February 19, 2025.

CARRIED

Original Signed
February 19, 2025
Secretary-Treasurer
Committee of Adjustment

Original Signed
February 19, 2025
Chair
Committee of Adjustment