



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

**January 22, 2025**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 1<sup>st</sup> 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

Gregory Knight Chair	7:04 pm
Jeamie Reingold	7:04 pm
Sally Yan	7:04 pm

Shawna Houser, Secretary-Treasurer  
Greg Whitfield, Supervisor, Committee of Adjustment  
Erin O'Sullivan, Development Technician

**Regrets**

Patrick Sampson  
Arun Prasad

**2. DISCLOSURE OF PECUNIARY INTEREST**

The Chair, Greg Knight, declared a conflict of interest for an application heard at a previous meeting for which they were not in attendance, Application A/122/24, 2 Wismer Place, which was heard at the December 4th, 2024, meeting. As the previous property owner, the Chair declared a conflict of interest out of caution for any conflict that could be perceived due to their former relationship with the property.

**3. APPROVAL OF PREVIOUS MINUTES: December 18, 2024**

THAT the minutes of Meeting 20, of the City of Markham Committee of Adjustment, held December 18, 2024 respectively, be:

- a) Approved on January 22, 2025.

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

**Carried**

#### 4. PREVIOUS BUSINESS

##### 4.1 A/091/24

**Agent Name: Prohome Consulting Inc. (Vincent Emami)**  
**29 Jeremy Drive, Markham**  
**PLAN 7566 LOT 3**

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 c) & (iii) (iv):**  
a maximum main building coverage of 25.43 percent for the second storey, whereas the by-law permits a maximum main building coverage of 20 percent for the second storey;
- b) **By-law 2024-19, Section 6.3.2 c) & (iii) (iv):**  
a maximum combined building coverage of 509.85 square metres, whereas the by-law permits a maximum combined building coverage of 500 square metres;
- c) **By-law 2024-19, Section 6.3.2 e):**  
a maximum distance of 16.27 metres for the second storey measured from the established building line, whereas the by-law permits a maximum distance of 14.5 metres for the second storey measured from the established building line;
- d) **By-law 2024-19, Section 6.2.1 b):**  
a roof structure to project a maximum of 1.5 metres above the permitted outside wall height, whereas the by-law permits over 10 percent of a roof containing a roof pitch less than 25 degrees is permitted to project a maximum of 1 metre above the permitted outside wall height; and
- e) **By-law 2024-19, Section 6.3.2 l):**  
a minimum combined interior side yard of 4.79 metres, whereas the by-law requires a minimum combined interior side yard of 5.75 metres;

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

The agent, Ida Evangelista, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Ian Free, a Unionville resident, opposed the application, stating that the variances in aggregate were not minor and that the impacts were further compounded as the adjacent properties contained much smaller houses. Ian stated the proposal did not meet the four tests of the Planning Act.

Christiane Bergauer-Free, a Unionville resident, opposed the application, indicating the application did not comply with Official Plan policies and would adversely impact the environment and the neighbours' privacy. Additionally, the build was not suited for the size of the lot and would strain the existing infrastructure.

Ida Evangelista indicated that the house size was necessary to accommodate a multigenerational family.

Member Reingold stated that the variances requested were significant, individually and collectively. The house was overly large and square, and Member Reingold felt there was no reason for the combined side yard setback on a lot of this width, the proposal should be reduced.

Member Yan indicated that the request was reviewed under By-law 2024-19, and the request could not be compared to variances granted under the previous by-law on properties within the immediate area. Member Yan concurred with their colleague that the proposal needed to be reduced in the second-floor coverage and the combined side yards.

The Chair stated that if the large tree in the front yard were retained, it would mask some of the massing. However, the proposal needed reduced height and coverage, and increased side yards.

Ida Evangelista requested a deferral.

Member Yan motioned for deferral.

**Moved by: Sally Yan**

**Seconded by: Jeamie Reingold**

THAT Application **A/094/24** be **deferred** sine die.

### **Resolution Carried**

## **5. NEW BUSINESS:**

### **5.1. A/123/24**

**Agent Name: Interior Resources Associates Inc. (Walter Ma)**  
**158 Main Street, Unionville**  
**CON 5 PT LT 12 65R23053 PT 4**

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

- a) By-law 2024-19, Section 5.4.1(g)(SP#5):**

a minimum of zero parking spaces, whereas the by-law requires a minimum of six parking spaces;

as it related to a proposed restaurant use.

The agent, Walter Ma, appeared on behalf of the application.

Member Reingold identified that visitors to Main Street, Unionville accessed the area through a variety of transportation modes and those utilizing parking found opportunities both within the Heritage District and surrounding areas. The proposed use and required parking were compatible to the area in both form and scale and met the four tests of the *Planning Act*.

Member Yan indicated that Main Street, Unionville had some history with parking variances as business uses changed. Transportation considered the request minor with minimal impacts. There was a need to support appropriate uses for the area and it was good for the local economy. Member Yan supported the application stating it was minor, met the four tests of the *Planning Act*, agreeing with their colleague that visitors understood and figured out parking.

The Chair agreed that there are different traffic dimensions emerging for the area including the use of ride share programs that alleviate parking demands.

Member Reingold motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application **A/123/24** be **approved** subject to conditions contained in the staff report.

### **Resolution Carried**

#### **5.2 A/128/24**

**Agent Name: Yue Li**  
**53 Jinnah Avenue, Markham**  
**PLAN 65M4686 LOT 27**

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

- a) **By-law 177-96, Section 5, Table B2, Part 1 of 3, E:**  
an interior side yard setback of 0.9 metres, whereas the by-law requires a minimum interior side yard setback of 1.2 metres;

as it related to a new exterior side door.

The owner, Serena Li, appeared on behalf of the application.

Geetha, a neighbour, supported and indicated that all of the houses on the street have the same issue.

Member Reingold expressed the application made sense and would not impact the neighbours.

Member Yan indicated the application was minor and motioned for approval with conditions.

**Moved by: Sally Yan**

**Seconded by: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application **A/128/24** be **approved** subject to conditions contained in the staff report.

**Resolution Carried**

**5.3 A/139/24**

**Agent Name: Einat Fishman**  
**14 Whitelaw Court, Thornhill**  
**PLAN M1727 LOT 7**

The applicant was requesting relief from the requirements of By-law 1767, as amended, to permit:

**a) By-law 1767, Section 9(i):**

an encroachment of an uncovered platform into the required rear yard of 312 inches, whereas the by-law permits a maximum encroachment of an uncovered platform into the required rear yard of 18 inches;

as it related to an existing deck.

Roey Fishman appeared on behalf of the owner. Roey indicated that the property was located on a ravine, the proposed deck presented no privacy or overlook issues, and the encroachment was minor. Furthermore, Roey indicated that the proposal met the policies of the Official Plan and was desirable as it provided an additional outdoor amenity space in the rear yard. The development would require TRCA approval.

Member Yan indicated that the application did not meet the intent of the Official Plan policies or Provincial policies and posed health and safety risks.

Member Reingold stated it was unfortunate that the deck was built without a permit, and supported the recommended refusal of staff and the TRCA.

The Chair expressed that the application did not meet the four tests of the Planning Act.

Roey Fishman requested a deferral on behalf of the applicant to provide further opportunities for consultation with TRCA.

Member Yan motioned for deferral.

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

THAT Application **A/139/24** be **deferred** sine die.

### **Resolution Carried**

#### **5.4 A/124/24**

**Agent Name: Nafiss Design Inc. (Nafiseh Zangiabadi)**  
**25 Wilson Street, Markham**  
**PL 247 PT LTS 15 & 17 65R18060 PT 2**

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 interior side yard setback of 1.94 metres, a minimum interior side yard setback of 0.54 metres (West Side), and a minimum interior side yard setback of 1.40 metres (East Side), whereas the by-law requires a minimum combined interior side yard setback of 4 metres and a minimum interior side yard setback of 1.8 metres; and
- b) By-law 2024-19, Section 4.8.3(a)(ii):**  
a deck with an interior side yard setback of 0.61 metres, whereas the by-law requires a deck with a minimum interior side yard setback of 1.8 metres;

as it related to a rear one storey addition to an existing two storey residential dwelling.

The agent, Nafiseh Zangiabadi, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Yan motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application **A/124/24** be **approved** subject to conditions contained in the staff report.

### **Resolution Carried**

#### **5.5 A/134/24**

**Agent Name: RT Architects (Raffi Tashdjian)**  
**45 Thorny Brae Drive, Thornhill**  
**PLAN 7695 LOT 160**

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 maximum second storey coverage of 21 percent, whereas the by-law permits a maximum second storey coverage of 20 percent;
- b) **By-law 2024-19, Section 6.3.2.2 e):**  
a maximum distance of the main building from the established building line of 17.1 metres for the second storey, whereas the by-law permits a maximum distance of the main building from the established building line of 14.5 metres;

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

The agent, Raffi Tashdjian, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Reingold asked if the house would be used commercially based on the written comments.

Raffi Tashdjian indicated it was a simple addition to a single detached house.

Member Yan expressed the proposal would have minimal impacts on the surrounding properties and motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application **A/134/24** be **approved** subject to conditions contained in the staff report.

## Resolution Carried

### 5.6 A/130/24

**Agent Name: Pro Vision Architecture Inc. (David Eqbal)**  
**2 Windridge Drive, Markham**  
**PLAN 4429 LOT 18**

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 (f):**  
a garden home with a maximum height of 5.8 metres, whereas the by-law permits a garden home with a maximum height of 4.5 metres;
- b) **By-law 2024-19, Section 5.3.2 (f):**  
a driveway with a maximum width of 8.95 metres, whereas the by-law permits a driveway with a maximum width of 8.49 metres;

as it related to a proposed coach house and a new two-storey residential dwelling.

The agent, David Eqbal, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Elizabeth Brown, Committee of Adjustment representative for the Sherwood Forest, Markham Village Residents Association, spoke to the Committee, indicating the presentation provided by the agent had given additional information that answered their questions.

Member Reingold indicated the requests were minor, and the proposal left room for soft landscaping in the rear yard, noting the main house met the zoning standards and the second structure made sense to meet the objective of creating additional modern living space.

Member Yan supported the application, indicating the zoning standards permitted a garden home, and this was the last house on the street and it abutted commercial uses and would result in minimal impacts on adjacent properties.

The Chair expressed that the proposal was appropriate for the lot within the neighbourhood context.

Member Reingold motioned for approval with conditions.

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



The Committee unanimously approved the application.

THAT Application **A/130/24** be **approved** subject to conditions contained in the staff report.

### **Resolution Carried**

#### **5.7 A/138/24**

**Agent Name: Prohome Consulting Inc. (Vincent Emami)**  
**8 Summerfeldt Crescent, Markham**  
**PLAN M1441 LOT 144**

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 c):**  
a maximum second-storey main building coverage of 26 percent, whereas the by-law permits a maximum main building coverage for the second-storey of 20 percent of the lot area;
- b) **By-law 2024-19, Section 6.3.2 E):**  
a maximum distance of 14.72 metres for the second-storey measured from the established building line, whereas the by-law permits a maximum distance of 14.5 metres for the second-storey measured from the established building line;
- c) **By-law 2024-19, Section 6.3.2 I):**  
a minimum combined interior side yard setback of 3.69 metres, whereas the by-law requires a minimum combined interior side yard setback of 4.0 metres;
- d) **By-law 2024-19, Section 4.8.10.1.a):**  
a minimum front yard porch depth of 1.38 metres, whereas the by-law requires a minimum front yard porch depth of 1.8 metres; and
- e) **By-law 2024-19, Section 5.3.6 a):**  
a double private garage size of 5.31 metres in width and 5.81 metres in length, whereas the by-law requires a minimum of 5.75 metres in width and 6 metres in length for a two-car private garage;

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

The agent, Ida Evangelista, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Ian Free, a Unionville resident, objected to the proposal, indicating that combined requests were not minor. The lot was smaller than others in the area, with smaller

adjacent houses which would be overshadowed and have their privacy impacted by a house that did not fit the lot or the area.

Christiane Bergauer-Free, a Unionville resident, raised concerns regarding the removal of trees and the massing of the proposed house, stating the proposal did not meet the intent of the Official Plan or the Comprehensive Zoning By-law. Christiane expressed that current variance requests could not be compared to previous approvals under the previous by-law as the standards differed.

Yingbo Ma, the owner of the property, indicated that the house design took into account the need to care for aging parents, and that it would be the smallest new home on the street.

Member Reingold indicated that both numerically and visually, the requests were significant, and the proposed house was too large for the lot and did not support any variance for reduced side yards.

Member Yan did not support variances a), b) and c) and expressed that the overall design should be reduced.

The Chair indicated the second floor should be reduced, and the streetscape design should be softened to reduce the appearance of massing on the streetscape.

Ida Evangelista requested a deferral.

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

The Committee unanimously approved the.

THAT Application **A/138/24** be **deferred** sine die.

### **Resolution Carried**

#### **6. Adjournment**

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

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:54 pm, and the next regular meeting would be held on February 05, 2025.

### **CARRIED**

Original Signed  
February 05, 2025  
Secretary-Treasurer  
Committee of Adjustment

Original Signed  
February 05, 2025  
Acting Chair  
Committee of Adjustment