



CITY OF MARKHAM
Virtual Meeting

March 5, 2025
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 4th 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

| | |
|------------------------------|---------|
| Jeamie Reingold Acting Chair | 7:00 pm |
| Sally Yan | 7:00 pm |
| Patrick Sampson | 7:00 pm |

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment

Regrets

Gregory Knight Chair
Arun Prasad

2. DISCLOSURE OF PECUNIARY INTEREST

None

3. APPROVAL OF PREVIOUS MINUTES: February 19th, 2025

THAT the minutes of Meeting 03, of the City of Markham Committee of Adjustment, held February 19th, 2025 respectively, be:

- a) Approved on March 5, 2025.

Moved by: Patrick Sampson
Seconded by: Sally Yan

Carried

4. REQUEST FOR DEFERRAL OR WITHDRAWAL

4.1 A/032/24

Agent Name: HJ Architects Inc. (Joanne Ying)
60 Chant Crescent, Markham
PLAN M1440 LOT 36

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

- a) **By-law 2024-19, Section 6.3.2c):**
a maximum second storey building coverage of 24 percent, whereas the by-law permits a maximum second storey building coverage of 20 percent;
- b) **By-law 2024-19, Section 6.3.2e):**
a maximum distance of 16.3 metres from the established building line for the second storey, whereas the by-law permits a maximum distance of 14.5 metres from the established building line;
- c) **By-law 2024-19, Section 6.3.2J):**
a maximum outside wall height of 7.4 metres, whereas the by-law permits a maximum outside wall height of 7 metres; and
- d) **By-law 2024-19, Section 6.3.2K):**
a maximum of three storeys for a detached dwelling, whereas the by-law permits a maximum of two storeys for a detached dwelling;

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

The Committee received two written pieces of correspondence.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson
Seconded by: Sally Yan

THAT Application **A/032/24** be **deferred** sine die.

Resolution Carried

5. PREVIOUS BUSINESS

Application B/029/24 and B/002/25 were heard concurrently with the discussion recorded under application B/029/24.

5.1 B/029/24

Agent Name: Malone Given Parsons Ltd. (Rohan Sovig)
3985-3997 Highway 7 East, Markham
PLAN 65M4294 BLK 2

The applicant was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 66.04 metres and an approximate lot area of 7478.7 square metres (Parts 6, 7, 8, 9, 10);
- b) **retain** a parcel of land with an approximate lot frontage of 90.42 metres and an approximate lot area of 12,053.8 square metres (Part 5);
- c) **establish an easement** for the purpose of vehicular and pedestrian access over Part 10 in favour of the retained lands (Part 5), and the adjacent lands to the west, being Parts 1, 2, 12, and 13;

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

This application was related to Consent Application **B/002/25**, which was reviewed concurrently.

The agent, Lincoln Lo, appeared on behalf of the application outlining the proposal and clarified that the intention to add residential uses to the property had been contemplated since the initial applications for Official Plan and Zoning By-law Amendments.

The Committee received six written pieces of correspondence.

Emma Liang, a resident of Unionville, expressed opposition to the application and commented that the notification boundary of 120m was too small as the development would impact all Unionville residents. Emma expressed concerns that adding residential units on the site would worsen traffic congestion and impact local businesses, schools and other infrastructure.

Grace Jia, a neighbourhood resident, felt that the time frame and notification boundary lacked transparency.

Lincoln Lo responded to the residents' concerns, indicating that the merits of the severance to establish separate parcels and easements should not be confused with future development.

Member Yan acknowledged the residents' concerns and the uncertainty that change brings. However, Member Yan noted that the application would facilitate the progression of development on the site as detailed in OPA 21 and supported the application.

Member Sampson expressed that the Committee was only considering the severance of the land and not the future development proposal. As such, they considered the application a technical adjustment of the property boundaries.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application No. **B/029/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. NEW BUSINESS:

6.1 B/002/25

Agent Name: Malone Given Parsons Ltd. (Rohan Sovig)
3985-3997 Highway 7 East, Markham
PLAN 65M4294 BLK 2

The applicant was requesting provisional consent to:

- a) sever and convey** a parcel of land with an approximate lot frontage of 14.12 metres and an approximate lot area of 507.7 square metres (Parts 3, 4 and 11) to be consolidated with the adjacent lands to the east, severed under application B/029/24, being Parts 6, 7, 8, 9, and 10;
- b) retain** a parcel of land with an approximate lot frontage of 84.02 metres and an approximate lot area of 17,854.4 square metres (Parts 1, 2, 12, and 13);
- c) establish an easement** for the purpose of vehicular and pedestrian access over Parts 12 and 13 in favour of Parts 3, 4, 11, and the adjacent lands to the east, being Parts 5, 6, 7, 8, 9, and 10;

The purpose of this application was to sever a portion of the Subject Lands to be consolidated with the adjacent lands to the east and to establish easements to facilitate the creation of one (1) new lot for a high-density residential development.

This application was related to Consent Application **B/029/24**, which was being reviewed concurrently.

The agent, Lincoln Lo, appeared on behalf of the application.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/002/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

Application B/032/24 and B/033/24 were heard concurrently with the discussion recorded under application B/032/24.

5.2 B/032/24

Agent Name: The Remington Group (Joseph Pavia)
190 Enterprise Boulevard, Markham
CON 5 PT LOT 8 RP 65R37421 PARTS 1 TO 3

The applicant was requesting provisional consent to:

- a) sever and convey** a parcel of land (Part 2) having an approximate area of 1,284.2 m², to be added to the adjacent lands to the west, being Parts 18, 19, 20, 24 (save and except Part 3), 27 to 30 inclusive, Plan 65R-37421, known municipally as 170 Enterprise Boulevard;
- b) retain** a parcel of land (Part 1), having a frontage of approximately 62.29 m, and a lot area of approximately 2,834 m²;
- c) establish an easement** over the conveyed lands (Part 2) for the purposes of access and maintenance of services, utilities and building; support; emergency egress; construction; improvement; access and maintenance of thermal energy 'MDE' services; access, ingress and egress over above grade garage ramps, drive aisles and walkways; access through and removal of knock out panels in favour of the retained land (Part 1);
- d) establish an easement** over the retained lands (Part 1) for the purposes of access and maintenance of services, utilities and building; support; emergency egress; construction; improvements; access, ingress and egress over surface driveways, walkways, ramps, drive aisles, stairwell and corridors, in favour of the conveyed lands (Part 2).

The purpose of these applications was to transfer ownership and establish easements to facilitate the integration of a new above grade parking garage at 190 Enterprise Boulevard with the existing above-grade parking garage at 170 Enterprise Boulevard.

This would create logical separation between the hotel and new K2 residential condominium parking spaces.

The existing condominium (YRSCC 1359) residential parking spaces would remain unchanged.

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

The agent, Joseph Pavia, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Yan noted that the applications were technical, relating to strata layers to implement separation of use and maintenance between the commercial and residential components of the project. The applications made sense, and the rationale provided by the applicant demonstrated the appropriateness of the applications.

Member Sampson agreed with the recommendations in the staff report and supported the applications.

The Acting Chair agreed with their colleagues and supported the applications.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan

Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **B/032/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.3 B/033/24

Agent Name: The Remington Group (Joseph Pavia)

170 Enterprise Boulevard, Markham

CON 5 PT LOT 8 RP 65R37421 PARTS 18 - 20, 24, 27 - 30

The applicant was requesting provisional consent to:

- a) sever and convey** a parcel of land having an area of 2,246.5 m² (Part 3), to be added to the adjacent lands to the east (Part 1);
- b) retain** a parcel of land having a frontage of 34.38 m, and a lot area of 1746.5 m² (Parts 18, 19, 20, 24 (save and except Part 3), 27-30 inclusive, Plan 65R-37421);

- c) establish an easement** over the conveyed lands (Part 3) for the purposes of access and maintenance of services, utilities and building; support; emergency egress; construction; improvements; access, ingress and egress over surface driveways, walkways, ramps, drive aisles, stairwells and corridors in favour of the retained lands (Parts 18, 19, 20, 24 (Save and Except Part 3), 27 to 30 inclusive, Plan 65R-37421);
- d) establish easements** over Parts 18, 19, 20, 24 (Save and Except Part 3, 27 to 30 inclusive, Plan 65R-374210, for the purposes of access and maintenance of services, utilities and building; support; emergency egress; construction; improvement; access and maintenance of thermal energy 'MDE' services; access, ingress and egress over above grade garage ramps, drive aisles and walkways; access through and removal of knock out panels in favour of the conveyed lands (Part 3).

The purpose of these applications was to transfer ownership and establish easements to facilitate the integration of a new above grade parking garage at 190 Enterprise Boulevard, with the existing above-grade parking garage at 170 Enterprise Boulevard. This will create logical separation between the hotel and new K2 residential condominium parking spaces.

The existing condominium (YRSCC 1359) residential parking spaces will remain unchanged.

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

The agent, Joseph Pavia, appeared on behalf of the application.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **B/033/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.4 B/034/24

Agent Name: Bousfields Inc. (Ashley Paton)
Highway 48, Markham
CON 7 PT LOT 31

The applicant was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 54.3 metres and an approximate lot area of 3,212.4 square metres (Parts 2 to 6); and
- b) **retain** a parcel of land with an approximate lot frontage of 38.326 metres and an approximate lot area of 33,236.9 square metres (Part 1 and remainder of PIN 03726-0061).

The purpose of this application was to sever the subject lands to facilitate the transfer of ownership of the proposed public 'Street A'.

The application was associated with Ministry Zoning Order (O.Reg. 172/20) and conditionally approved Plan of Subdivision application PLAN 20 134853 000 00.

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

The agent, Liam Murphey, appeared on behalf of the application, outlining the timing for the development of the parcel and the parcel to the north in the Town of Whitchurch-Stouffville.

Member Sampson acknowledged that the application would facilitate the dedication of land for the street that would service the subdivisions on either side of the Markham/Whitchurch-Stouffville boundary and was technical and appropriate.

Member Yan sought clarification regarding which owner would be responsible for the construction of the road. Liam Murphy advised that the land owner in Whitchurch-Stouffville would facilitate that portion of the road as approvals were further advanced. Member Yan agreed with the recommendations in the staff report, noting that the application met the Consent of the Planning Act criteria.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **B/034/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.5 A/145/24

Agent Name: MGL & Co. Inc. (Maggie Low)
57 Montrose Crescent, Markham
PLAN 65M2273 LOT 25

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 distance of 20.90 metres for the first-storey measured from the established building line, whereas the By-law permits a maximum distance of 19.5 metres for the first-storey measured from the established building line;
- b) **By-law 2024-19, Section 6.3.2.2(G):**
a minimum rear yard setback of 6.55 metres, whereas the By-law requires a minimum rear yard setback of 7.5 metres;

as it related to a rear sunroom addition.

The agent, Maggie Low, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Robert DerBedrossian, a neighbour, expressed concerns that the addition had brought built form into the rear yard, disrupted aesthetic harmony, impacted privacy, creating a boxed-in feeling in their rear yard.

Anik Avenessuab, a neighbour, expressed concern that the addition had been constructed without a permit, indicating that the addition of the solid wall adjacent to the fence line obstructed the view to the street.

Acting Chair Reingold asked for clarification if the application had been revised and the owner intended to remove the hardscaping that had been previously installed.

Maggie Lo responded that the hard landscaping would be reduced to the area permitted in the by-law, and the soft landscaping would be restored. Maggie also responded that the applicant had built a solid wall adjacent to the fence to reduce overlook and privacy impacts.

Member Yan indicated that the two variances are minor and maintained the existing side yard setback, which was already minimal. Member Yan acknowledged that construction had occurred without a permit. However, the Committee could only consider the proposed variances and supported the application.

Member Sampson indicated that it was regrettable that the applicant built without a permit but felt that the sunroom was similar to other sunroom projects approved by the Committee and believed the requests were minor.

Acting Chair Reingold suggested that the owner consider adding some trees or vegetation to soften and screen the visual impacts of the addition for the property owners to the south.

Maggie Lo agreed that the vegetation was an appropriate recommendation.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **A/145/24** be **approved** subject to conditions contained in the staff report.

5.6 A/140/24

Agent Name: Renor and Associates Inc. (Imran Khan)
3 Treeline Court, Markham
PLAN 65M3453 LOT 34 RP 65R36305 PT 1

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

- a) **By-law 90-81, Section 6.1.2(b):**
a minimum rear yard setback of 3.36 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres;

as it related to a proposed second storey addition to an existing garage.

The agent, Imran Khan, appeared on behalf of the application.

Member Sampson agreed with the recommendations of the staff report, expressing that the addition would have minimal impact, was consistent with development in the neighbourhood and supported the application.

Member Yan expressed that the requested variance would facilitate a small addition that maintained the building envelope, was minor, was typical to the streetscape and did not present issues of massing or scale.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/140/24** be **approved** subject to conditions contained in the staff report.

7. Adjournment

Moved by: Patrick Sampson

Seconded by: Sally Yan

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:24 pm, and the next regular meeting would be held on March 19, 2025.

CARRIED

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

Original Signed
March 19, 2025
Chair
Committee of Adjustment