



CITY OF MARKHAM
Virtual meeting on zoom

August 25, 2021
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 15th regular meeting of the Committee of Adjustment for the year 2021 was held at the time and virtual space above with the following people present:

	<u>Arrival Time</u>
Jeamie Reingold	7:00PM
Patrick Sampson	7:00PM
Gregory Knight, Chair	7:00PM
Sally Yan	7:00PM

Justin Leung, Secretary-Treasurer
Bradley Roberts, Manager, Zoning and Special Projects
Justin Mott, Development Technician

Regrets

Arun Prasad
Tom Gutfreund
Kelvin Kwok

DISCLOSURE OF INTEREST

None

Minutes: August 11, 2021

THAT the minutes of Meeting No. 14 of the City of Markham Committee of Adjustment, held August 11, 2021 respectively, be

- a) Approved as submitted, on August 25, 2021

Moved By: Sally Yan
Seconded By: Patrick Sampson

NEW BUSINESS:

1. A/080/21

**Owner Name: Vishmad Singh Arora
Agent Name: Contempo Studio (Marin Zabzuni)
23 Portree Crescent, Thornhill
PLAN 7695 LOT 225**

The applicant is requesting relief from the requirements of By-law 2150 as amended to permit:

- a) By-law 2150, Section 6.1:**
a lot coverage of 40.58 percent, whereas the By-law permits a maximum lot coverage of 33.5 percent;
- b) By-law 2150, Section 6.1:**
a building height of 27'7", whereas the By-law permits a height of 25';
- c) By-law 2150, Section 6.1:**
a side yard setback of 5' on the east side, whereas the By-law permits a minimum side yard setback of 6';
- d) By-law 2150, Section 6.1:**
a side yard setback of 5'8" on the west side, whereas the By-law permits a minimum side yard setback of 6';
- e) By-law 2150, Section 3.7:**
an unenclosed porch encroachment of 24", whereas the By-law permits a maximum porch encroachment of 18";
- f) By-law 2150, Section 3.7:**
a window well encroachment of 32", whereas the By-law permits a maximum of 18";

as it relates to a proposed 2 storey detached dwelling. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The agent Marin Zabzuni appeared on behalf of the application. He indicated that the building height was corrected in the staff report.

Committee member Patrick Sampson asked about the building height and if it is appropriate.

Mr. Zabzuni responded they had worked with City staff on this proposal.

Committee member Jeamie Reingold raised issues with the lot coverage variance request.

Mr. Zabzuni stated that the coverage is impacted by the front and rear decks proposed. The proposal is similar to other builds in the neighbourhood. They had also spoken with neighbours to gain their support.

Committee member Sally Yan commented that the variance request appears minor.

Moved By: Sally Yan
Seconded By: Patrick Sampson

THAT Application No A/080/21 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/082/21

Owner Name: Nan Li
Agent Name: Kris He
192 Ramona Boulevard, Markham
PLAN 9143 LOT 74

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

- a) By-law 1229, Section 6.1:**
an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

as it relates to a proposed secondary suite (basement apartment). **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The owner Nan Li was in attendance. They are proposing a basement apartment to generate additional income to support their family.

Bill Attwell of 188 Ramona Boulevard spoke in opposition to the application. He wasn't able to speak with the residents there. He had questions about how the secondary suite will be regulated and controlled by the City.

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Geoffrey Chalk of 190 Ramona Boulevard spoke in opposition to the application. He believes there are sheds which are built illegally on the site. He believes they are several by-law infractions which have occurred on the site.

The Chair stated that the Committee cannot handle property standard related issues. Members of the public should contact the appropriate municipal department to address those other issues.

Mr. Roberts responded that this property does not have limits in terms of number of accessory structures. The location of the access to the secondary suite is not mandated.

Committee member Sally Yan asked if additional fencing will be placed on site.

Ms. Li responded that they will erect fencing.

The Chair asked if condition wording on fencing could be provided.

Mr. Roberts responded it could be done, if the Committee wanted to do so.

Committee member Patrick Sampson indicated neighbor relations cannot be regulated by the committee.

Committee member Jeamie Reingold stated that there are local issues here and they should be addressed.

The Chair stated that the housing policies are passed by the province. However, he does not dismiss that there are local issues/concerns that have emerged as a result of the deployment of said policies.

Moved By: Patrick Sampson
Seconded By: Sally Yan
Opposed By: Jeamie Reingold

THAT Application No A/082/21 be approved subject to conditions contained in the staff report with additional condition that fencing/screening be placed near the entry way.

Resolution Carried

3. A/093/21

**Owner Name: Lochana Liyanage
Agent Name: Shiranai Liyanage
13 Black Walnut Drive, Markham
PLAN 65M3133 LOT 168**

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

a) By-law 177-96, Section 6.5:

a second dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

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

The Secretary-Treasurer introduced the application.

Agent Shiranai Liyanage appeared on behalf of application. He indicated that there is no rooming house operating there currently. Several family members are in the military and have rotating shifts, therefore they come to the house at different times of the day.

Committee member Sally Yan indicated support of application and that it aides in providing affordable housing.

Moved By: Sally Yan

Seconded By: Patrick Sampson

THAT Application No A/93/21 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/098/21

**Owner Name: Weins Canada Inc. (Ken Yokoyama)
Agent Name: Macaulay Shiomi Howson (Nick Pileggi)
7200 Victoria Park Avenue, Markham
PLAN M1785 BLK A**

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

a) Amending By-law 2017-62, Section 7.578.2 (l):

business office uses to occupy a minimum of 55.5 percent of gross floor area of all buildings on site, whereas the By-law requires a minimum of 60.0 percent;

as it relates to proposed office and motor vehicle dealership building. **(Central District, Ward 8)**

The Secretary-Treasurer introduced the application.

Agent Nick Pileggi appeared on behalf of the application. This is part of auto dealership type use here. They need this variance request to facilitate this type of development to occur.

Committee member Sally Yan asked how many workers are in the four storey structure.

Mr. Pileggi indicated the dealership head office is being moved here.

Moved By: Sally Yan

Seconded By: Jeamie Reingold

THAT Application No A/098/21 be approved subject to conditions contained in the staff report.

Resolution Carried

5. A/101/21

Owner Name: Christopher Malden

Agent Name: Christopher Malden

15 Jondan Crescent, Thornhill

PLAN M1345 LOT 73

The applicant is requesting relief from the requirements of By-law 2489 as amended to permit:

a) By-law 2489, Section 6.1:

a minimum east side yard setback of 4 ft (1.22 m), whereas the By-law requires a minimum side yard setback of 6 ft (1.83 m) for each side;

as it relates to addition to the existing dwelling. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

Amir Sadri of 17 Jondan Crescent spoke in opposition to the application. They had concerns about lighting.

Mr. Malden does not believe lighting will be adversely impacted on neighboring properties.

Moved By: Patrick Sampson
Seconded By: Sally Yan

THAT Application No A/101/21 be approved subject to conditions contained in the staff report.

Resolution Carried

6. **A/104/21**

Owner Name: Sheri Watson
Agent Name: Gregory Design Group (Shane Gregory)
36 John Dexter Place, Markham
PLAN 8330 LOT 121

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

- a) **By-law 1229, Section 11.2 (c)(i):**
a covered porch to encroach into the front yard 3'1", whereas the By-law permits a maximum encroachment of 1'6";
- b) **By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 46.22 percent, whereas the By-law permits maximum floor area ratio of 45 percent;

as it relates to proposed ground floor and second floor additions to an existing two storey single family dwelling. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

Agent Shane Gregory appeared on behalf of the application.

Committee member Patrick Sampson believes the proposal is due to the porch, and as such, believes it to be a minor proposal.

Moved By: Patrick Sampson
Seconded By: Sally Yan

THAT Application No A/104/21 be approved subject to conditions contained in the staff report.

Resolution Carried

7. A/106/21

**Owner Name: Jey Anandarajan
Agent Name: Ron Cariglia
14 Denby Court, Markham
PLAN 65M2100 PT LOT 4**

The applicant is requesting relief from the requirements of By-law 134-79 as amended to permit:

a) By-law 134-79, Section 8.2:

a rear yard setback of 6.84 m, whereas the By-law permits a minimum rear yard setback of 7.5 m;

as it relates to proposed addition to the rear portion of a residential dwelling.
(Central District, Ward 3)

The Secretary-Treasurer introduced the application.

Agent Ron Cariglia appeared on behalf of the application. They will submit for a Toronto and Region Conservation Authority (TRCA) permit, if application is approved here.

Committee member Patrick Sampson asked if applicant had spoken to neighbours about the proposal.

The owner Jey Anandarajan indicated that he has spoken to both adjacent neighbours and they are in support of the proposal.

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

THAT Application No A/106/21 be approved subject to conditions contained in the staff report.

Resolution Carried

8. A/108/21

Owner Name: Joh and Lidia Mintsopoulos
Agent Name: Gregory Design Group (Shane Gregory)
32 Joseph Street, Markham
PLAN 180 BLK D PT LOT 1

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

- a) By-law 1229, Section 1.2 (vi):**
a maximum net floor area ratio of 50.42 percent, whereas the By-law requires a net floor area ratio of 45.0 percent;
- b) By-law 1229, Section 1.2 (iii):**
a maximum building depth of 19.67 m, whereas the By-law requires a building depth of 18.9 m;
- c) By-law 1229, Section 11.1:**
a front yard setback of 5.08 m, whereas the By-law requires a front yard setback of 7.62 m;

as it relates to proposed two storey single family dwelling with attached garage. **(Heritage District, Ward 4)**

The Secretary-Treasurer introduced the application.

Agent Shane Gregory appeared on behalf of the application. The proposal has initially been brought to Heritage Markham committee which is in support of it.

Committee member Patrick Sampson supports the proposal.

Committee member Sally Yan indicated that urban design exercise will be assessed by Heritage Planning staff.

Moved By: Patrick Sampson
Seconded By: Sally Yan

THAT Application No A/108/21 be approved subject to conditions contained in the staff report.

Resolution Carried

9. A/109/21

Owner Name: Kenneth Ernest Nash
Agent Name: Nikol Paar
62 Morgan Avenue, Thornhill
PLAN 2426 LOT 84

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

- a) By-law 100-90, Section 1.2 (iv):**
a maximum building depth of 19.0 m, whereas the By-law permits a maximum building depth of 16.8 m;
- b) By-law 100-90, Section 3.7:**
flankage side yard setback of 12'10", whereas the By-law permits a minimum flankage yard setback of 14'1";
- c) By-law 100-90, Section 1.2 (vii):**
a floor area ratio of 55.0 percent (3507 sq ft), whereas the By-law permits a maximum floor area ratio of 50.0 percent (3188 sq ft);

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

The Secretary-Treasurer introduced the application.

The owner Kenneth Nash appeared for the application. They believe the staff report is quite descriptive of the proposal already.

Committee member Jeamie Reingold supports the proposal.

Committee member Sally Yan asked if there is a second storey balcony.

Mr. Nash responded that it was part of builder's design of the site. However, it is not something which they had initially requested.

Moved By: Sally Yan
Seconded By: Patrick Sampson

THAT Application No A/109/21 be approved subject to conditions contained in the staff report.

Resolution Carried

10. A/114/21

Owner Name: Dharan Prakash
Agent Name: Alfa Engineering Solutions Inc. (Marwan AL-Farraji)
42 Terrance Drive, Markham
PLAN 65M3976 LOT 151

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

- a) Section 6.5, By-law 177-96:**
a Second Dwelling Unit, whereas the By-law permits no more than one dwelling unit on a lot;
- b) Section 5.1, Table B2(e), By-law 177-96:**
a minimum interior side yard setback of 0.86 m, whereas the By-law permits a minimum of 1.2 m;

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

The Secretary-Treasurer introduced the application.

Agent Marwan Al-Farraji appeared on behalf of the application. They are requesting two variances.

Committee member Sally Yan asked if there is walk up stairs.

Mr. Al-Farraji responded there is not.

Moved By: Sally Yan
Seconded By: Patrick Sampson

THAT Application No A/114/21 be approved subject to conditions contained in the staff report.

Resolution Carried

Adjournment

Moved by Patrick Sampson
Seconded by Jeamie Reingold

THAT the virtual meeting of Committee of Adjustment be adjourned 8:53 PM, and the next regular meeting will be held September 8, 2021.

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Wednesday, August 25, 2021

CARRIED



Secretary-Treasurer,

Committee of Adjustment



Chair