



CITY OF MARKHAM
Virtual meeting on zoom

October 6, 2021
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 18th 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
Tom Gutfreund	7:00PM
Patrick Sampson	7:00PM
Gregory Knight, Chair	7:00PM
Arun Prasad	7:00PM
Kelvin Kwok	7:00PM

Justin Leung, Secretary-Treasurer
Bradley Roberts, Manager, Zoning and Special Projects
Aleks Todorovski, Planner I, Zoning and Special Projects

Regrets
Sally Yan

DISCLOSURE OF INTEREST

-none

Minutes: September 22, 2021

THAT the minutes of Meeting No. 17 of the City of Markham Committee of Adjustment, held September 22, 2021 respectively, be

- a) Approved as submitted, on October 6, 2021

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

PREVIOUS BUSINESS:

1. B/010/20

Owner Name: Vaultra Storage (30 Heritage Developments Limited Partnerships Inc.) (Shawn Shanmuganathan)
Agent Name: Malone Given Parsons Ltd (Elyse Holwell)
30 Heritage Road, Markham
CON 7 PT LT 11

For provisional consent to:

- a) sever and convey a parcel of land (Parcel A) with an approximate lot frontage of 53.20 m (174.54 ft) and approximate lot area of 0.48 hectares (1.2 acres);
- b) retain a parcel of land (Parcel B) with an approximate lot frontage of 73.5 m (241.14 ft) and approximate lot area of 0.7 hectares (1.72 acres);
- c) to establish an access easement with an approximate area of 0.08 hectares (0.21 acres) in favour of Parcel B;
- d) to establish an access easement with an approximate area of 0.05 hectares (0.13 acres) in favour of Parcel A;
- e) to establish an access easement over Parcel B in favour of Parcel A.

The purpose of this application is to create a new commercial lot for a proposed 6-storey commercial self-storage building. This application is also related to Site Plan Control and Zoning By-law Amendment Applications SPC/PLAN 20 106216. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No B/010/20 be deferred sine die.

Resolution Carried

2. B/016/20

Owner Name: AKRISE HOMES INC (Richard Kong)
Agent Name: STEP Design Studio Inc. (Stepan Sukiasyan)
11 Grandview Boulevard, Markham
PLAN 4365 LOT 22

For provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 9.13 m (29.95 ft) and an approximate lot area of 374.77 sq m (4,033.71 sq ft) (Part 2);
- b) retain a parcel of land with an approximate lot frontage of 21.34 m (70.01 ft) and an approximate lot area of 875.48 sq m (9,423.59 sq ft) (Part 1).

The purpose of this application is to sever and convey Part 2 of 11 Grandview Boulevard (see B/016/20) with the intent to merge this parcel with the severed portion of 15 Grandview Boulevard (see Part 3 of B/010/21) to facilitate the creation of one new residential lot.
(East District, Ward 4)

The Secretary-Treasurer introduced the application.

The agent Stepan Sukiasyan spoke on behalf of the application. He indicated that this is not the first application of this type in the neighbourhood.

Michael Huang of 7 Grandview Avenue spoke on the application. He inquired if the applicant's drawings were available. The Secretary-Treasurer indicated that the Notice of Hearing has link to COA website with information such as drawings.

Rich Coram of 18 Ovida Boulevard spoke on the application. He does not support the proposal. He indicated that the Official Plan is not being met. 20 and 22 Grandview Boulevard severance was a different type of proposal. He describes this as a unique neighbourhood/area.

Mike Donovan of 7 Erlane Avenue spoke on the application. He does not believe the lot pattern is being retained with this proposal.

Elizabeth Brown of 65 Lincoln Green Drive spoke on the application. She indicated there is proposed tree removal on these sites, which is of concern. There will now be 3 houses being squeezed in.

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Vid Sansanwal of 8 Grandview Boulevard spoke on the application. He believes that this proposal will allow diversity in housing options.

Imre Fejer of 10 Ovida Boulevard spoke on the application. He feels the proposal will change the neighbourhood attributes.

Joe Ricci of 10 Riverview Road spoke on the application. He recognizes intensification but should also consider existing neighbourhood relations and community aesthetics.

Tupper Wheatley of 9 Willowgate Drive spoke on the application. He notes that there were 19 letters of objection.

Councillor Rea spoke on the application. She is concerned with the proposal.

Mr. Sukiasyan believed there should be diversity of lots.

Mr. Roberts stated that there is no new draft Official Plan (OP) that was circulated to public. There is a draft Zoning By-law that has been circulated.

Mr. Gutfreund is concerned with the proposal and if it conforms with the OP.

The Chair the Chair found the submission by residents persuasive that the application does not conform to sections 8.2.3.5 (a), (f) and (h) of the Official Plan (OP) that the proposal would result in a development pattern that is incompatible with neighbouring land uses and is an unsuitable use of the lands.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No B/016/20 be refused.

Resolution Carried

3. B/010/21

Owner Name: AKRISE HOMES INC (Richard Kong)
Agent Name: STEP Design Studio Inc. (Stepan Sukiasyan)
15 Grandview Boulevard, Markham
PLAN 4365 LOT 21

For provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 10.67 m (35.01 ft) and an approximate lot area of 437.94 sq m (4,713.95 sq ft) (Part 3);
- b) retain a parcel of land with an approximate lot frontage of 19.80 m (64.96 ft) and an approximate lot area of 812.32 sq m (8,743.74 sq ft) (Part 4).

The purpose of this application is to sever and convey Part 3 of 15 Grandview Boulevard (see B/010/21) with the intent to merge this parcel with the severed portion of 11 Grandview Boulevard (see Part 2 of B/016/20) to facilitate the creation of one new residential lot. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

Moved By: Jeamie Reingold
Seconded By: Arun Prasad

THAT Application No B/010/21 be refused.

Resolution Carried

4. A/069/21

Owner Name: Jing Hua Zhou
Agent Name: AND Architecture Inc. (Sam Wu)
23 Hagerman Boulevard, Markham
PLAN M1441 LOT 239

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

- a) **By-law 11-72, Section 6.1:**
a minimum side yard setback of 5'0" for a two-storey portion, whereas the By-law requires a minimum side yard setback of 6'0" for a two-storey portion;

b) By-law 11-72, Section 6.1:

a maximum lot coverage of 35.98 percent, whereas the By-law requires a maximum lot coverage of 33.33 percent;

c) By-law 11-72, Section 6.1:

a maximum building height of 26' 5 1/2", whereas the By-law requires a maximum building height of 25'0";

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

The Secretary-Treasurer introduced the application.

The agent David Johnston spoke on the application.

Jeff Yamamoto of 25 Hagerman Boulevard spoke on the application. He commissioned a sun-shade study that shows potential impact to their property.

Committee member Arun Prasad asked if Mr. Johnston is the registered agent for this application.

Mr. Johnston stated he was retained to present at the Committee of Adjustment meeting. He does not believe the sun-shade is of issue here.

Committee member Tom Gutfreund asked for details on the sun-shade study.

Mr. Yamamoto stated that the sun-shade study was done according to original proposal and not the current revised one.

Moved By: Tom Gutfreund

Seconded By: Jeamie Reingold

Opposed By: Arun Prasad

THAT Application No A/069/21 be approved subject to conditions contained in the staff report.

Resolution Carried

5. A/097/21

**Owner Name: Valerie Patel
Agent Name: Nikol Paar
80 Peter Street, Markham
PLAN 3905 LOT 18**

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

- a) Amending By-law 99-90, Section 1.2 (I):**
a maximum building height of 10.08 m, whereas the By-law permits a maximum building height of 9.80 m;
- b) Amending By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 52.0 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;

as it relates to a proposed new detached dwelling. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Nikol Paar spoke on the application. She indicated changes to the proposal have been made according to Committee comments.

**Moved By: Arun Prasad
Seconded By: Kelvin Kwok**

THAT Application No A/097/21 be approved subject to conditions contained in the staff report.

Resolution Carried

6. A/122/21

**Owner Name: Sujuan Wei
Agent Name: AND Architecture Inc. (Sam Wu)
62 Fred Varley Drive, Markham
PLAN 7566 LOT 358**

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

- a) **Section 6.1:**
an interior side yard setback of 5 feet (east) and 5 feet (west), whereas the By-law requires an interior side yard setback of 6 feet;
- b) **Section 6.1:**
a maximum lot coverage 34.96 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent;
- c) **Section 6.1:**
a maximum building height of 27 feet and 10 5/8 inches (8.5 metres), whereas the By-law permits a maximum building height of 25 feet;

as it relates to a proposed 2-storey dwelling. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent David Johnston spoke on this application. Changes have been made to the proposal and letters of support from the adjacent property-owners have been obtained.

Ian Free of 145 Krieghoff Avenue spoke on this application. He continues to support the proposal.

Christiane Beauger-Free of 145 Krieghoff Avenue spoke on this application. She is concerned about water runoff being negatively impacted.

Committee member Patrick Sampson raised concern with the building height.

Committee member Arun Prasad asked if updated drawings could be provided.

Committee member Tom Gutfreund raised concerns with the proposal and that updated drawings are not available.

Moved By: Arun Prasad
Seconded By: Kelvin Kwok

THAT Application No A/122/21 be deferred sine die

Resolution Carried

NEW BUSINESS:

1. **A/105/21**

Owner Name: HONGMEI LI
Agent Name: Henry Wen
135 Royal Orchard Boulevard, Thornhill
PLAN 7686 LOT 294

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

a) By-law 2150, Section 5.1:

an accessory dwelling unit within basement, whereas the By-law permits no more than one dwelling unit on a lot;

as it relates to a proposed secondary suite (basement apartment). **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The agent Henry Wen appeared on behalf of application. He indicated that Toronto and Region Conservation Authority (TRCA) raised no concerns with this proposal. They believe the four tests for minor variance, as per Planning Act, are met.

Committee member Jeamie Reingold supports the proposal.

Moved By: Jeamie Reingold
Seconded By: Arun Prasad

THAT Application No A/105/21 be approved subject to conditions contained in the staff report.

Resolution Carried

2. **A/115/21**

Owner Name: Livante Holdings (BG Phase IV) Inc
Agent Name: Gatzios Planning & Development Consultants Inc.
Vetmar Avenue, Markham
PLAN 65M4328 BLK 94

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

- a) **By-law 177-96, Amended by By-law 2009-207, Section 7.403.2 a):**
a front yard setback (adjacent to Vetmar Avenue) of 1.0 m, whereas the By-law requires a minimum front yard setback of 1.8 m;
- b) **By-law 177-96, Amended by By-law 2009-207, Section 7.403.2 e):**
a rear yard setback (adjacent to Woodbine Avenue By-pass) of 2.0 m, whereas the By-law requires a minimum rear yard setback of 3.0 m;
- c) **By-law 177-96, Amended By-law 2009-207, Section 7.403.2 g):**
a maximum building height of 29 m, whereas the By-law allows a maximum building height of 20 m;
- d) **Parking By-law 29-97, Section 3, Table A and B:**
360 parking spaces, whereas the By-law requires a total of 411 parking spaces;

as it relates to proposed mixed used condominium building and townhouse development. **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent James Koutsovitis appeared for the application. The land had originally been slated for development but they have made changes to the proposal, necessitating the minor variance requests. This is a form of intensification which is compatible for this area.

Danny Hung of 34 Cafora Lane spoke on the application. He is concerned with the high rise development being introduced here.

Mr. Koutsovitis stated that the subject property is not zoned for single detached dwellings. This condo had originally been planned and approved by the City.

Committee member Jeamie Reingold was not sure about granting these additional changes to the original proposal.

Committee member Tom Gutfreund asked what the OP policies are for lands located to east of Victoria Square.

Ms. Gatzios responded that there are employment lands to the east.

Committee member Arun Prasad asked how much is non-residential development.

There will be allocation for office and retail uses.

Committee member Kelvin Kwok asked if there is community benefits for this development.

Ms. Gatzios responded that the current mid-rise building has gone through several iterations based on discussions with City staff. Mr. Koutsovitis stated that there will be additional landscaping provided here. They focused the density with taller building at the corner, away from the current residential area.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No A/115/21 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/121/21

Owner Name: David Hill
Agent Name: Ballantry Homes (Viz Srikandarajah)
32 Elm Street, Markham
PLAN 4292 LOT 7

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

- a) By-law 1229, Section 11.1:**
a maximum lot coverage of 36.0 percent, whereas the By-law permits a maximum lot coverage of 35.0 percent;

as it relates to the addition of an accessory building. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Viz Srikandarajah spoke on the application.

Committee member Patrick Sampson asked if the original house was built with need of variance requests.

Mr. Srikandarajah indicated there were, but not related to lot coverage.

Moved By: Patrick Sampson
Seconded By: Kelvin Kwok

THAT Application No A/121/21 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/123/21

Owner Name: Guizhen Shi
Agent Name: LBMizrahi Architect (Limor Benmor-Mizrahi)
92 Meadowview Avenue, Thornhill
REG COMP PLAN 10327 LOT 59

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

- a) By-law 101-90, Section 1.2 (i):**
a building height of 9.60 m, whereas the By-law permits a maximum building height of 8.6 m;
- b) By-law 101-90, Section 1.2 (iv):**
a building depth of 18.63 m, whereas the By-law permits a maximum building depth of 16.80 m;
- c) By-law 101-90, Section 1.2 (vii):**
a floor area ratio of 57.93 percent, whereas the By-law permits a maximum floor area ratio of 50.0 percent;
- d) By-law 101-90, Section 6.1:**
a front yard setback of 9.0 m, whereas the By-law allows a minimum front yard setback of 10.7 m;
- e) Section 3.7:**
a front yard unenclosed roof porch encroachment of 37.0", whereas the By-law permits an unenclosed roof porch encroachment of 18.0";

as it relates to a proposed detached dwelling with integral garage. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The agent Limor Benmore-Mizrahi spoke on the application. Changes to the proposal were made based on discussions with City staff. The height would be consistent with other houses in this neighbourhood.

Committee member Jeamie Reingold believed it is an appropriate proposal here.

Committee member Arun Prasad supports the proposal.

Moved By: Arun Prasad
Seconded By: Jeamie Reingold

THAT Application No A/123/21 be approved subject to conditions contained in the staff report.

Resolution Carried

5. A/136/21

Owner Name: Christina Henninger
Agent Name: Sustain Design Architects Inc. (Cavin Cheung)
25 Dove Lane, Thornhill
PLAN 9766 PT LOT 46 RS64R4750 PART 2

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

- a) Amending By-law 101-90, Section 1.2 (vii):**
a floor area ratio of 52.8 percent (5,408 square feet), whereas the By-law permits a maximum floor area ratio of 50.0 percent (5,119 square feet);

as it relates to the addition of interior floor space in an existing single detached dwelling. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The owner Christina Henninger appeared for the application.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No A/136/21 be approved subject to conditions contained in the staff report.

Resolution Carried

Adjournment

Moved by Patrick Sampson
Seconded by Jeamie Reingold

Committee of Adjustment Minutes
Wednesday, October 6, 2021

THAT the virtual meeting of Committee of Adjustment be adjourned 10:16 PM, and the next regular meeting will be held October 20, 2021.

CARRIED



Secretary-Treasurer,
Committee of Adjustment



Acting Chair