



**CITY OF MARKHAM**  
**Virtual meeting on zoom**

**June 23, 2020**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 5th regular meeting of the Committee of Adjustment for the year 2020 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
Kelvin Kwok	7:00PM
Arun Prasad	7:00PM
Sally Yan	7:00PM

Justin Leung, Secretary-Treasurer, Committee of Adjustment  
Bradley Roberts, Manager, Zoning and Special Projects  
Nathalie Orsi, Supervisor, Development Services Administration  
Francois Hermon Morneau, Development Technician  
Justin Mott, Development Technician  
Melissa Leung, Development Technician

**Minutes: March 4, 2020**

THAT the minutes of Meeting No. 4 of the City of Markham Committee of Adjustment, held March 4, 2020 be

- a) Approved as submitted, on June 23, 2020

**Moved By: Patrick Sampson**  
**Seconded By: Arun Prasad**

Resolution Carried

**DISCLOSURE OF INTEREST**

None

**PREVIOUS BUSINESS**

**1. A/154/19**

**Owner Name: Bo Wang  
Agent Name: Brutto Consulting (Claudio Brutto)  
11 Worsley Crt, Markham  
PL 7566 LT 174**

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

- a) Section 6, Schedule B:**  
to permit a maximum height of 26 ft 11 in, whereas the By-law permits a maximum height of 25 ft;
- as it relates to a proposed two-storey single detached dwelling. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent Francesco Fiorani appeared on behalf of the application. Mr. Fiorani outlined that they have made changes to the front façade especially in terms of design material.

Ian Free of 145 Krieghoff Avenue spoke in opposition to the application. He continues to have issues with the building height being proposed. He believes the height calculation is not being properly calculated. The in-fill houses occurring here are not compatible for the established neighbourhood.

Chris Berger Free of 145 Krieghoff Avenue spoke in opposition to the application. She believes the neighbourhood character is being eliminated. Tree protection is also of concern here. There appears to be a room beneath the basement which may be an issue from a fire perspective. She is concerned of cumulative effect of these in-fill houses for the overall neighbourhood.

Committee member Jeamie Reingold indicates the variance appears minor but want to ensure height measurement was done properly.

Staff responded all proper municipal processes have been followed.

Committee member Tom Gutfreund outlined that he believes the neighbourhood is in transition. He also asked about potential tree impacts.

Mr. Fiorani didn't indicate trees to be removed but acknowledge tree protection fencing is already erected on site.

**Moved By: Sally Yan**  
**Seconded By: Arun Prasad**

THAT Application No. A/154/19 be approved subject to conditions contained in the staff report.

Resolution Carried

**NEW BUSINESS:**

**1. A/015/20**

**Owner Name: Sidra Chishti**  
**Agent Name: Sidra Chishti**  
**123 Lawrence Pilkington Ave, Markham**  
**PLAN 65M4427 PT LOT 58 RP 65R35881 PT 3**

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

**a) Table A1:**

to permit an accessory basement apartment, whereas an accessory basement apartment is not permitted;

as it relates to a proposed basement apartment. **(East District, Ward 5)**

The Secretary-Treasurer introduced the application.

The owner appeared on behalf of the application. Additional parking space will be provided in the garage.

Committee member Arun Prasad asked about intention for this suite.

Ms. Chisti responded they intend to rent out the unit.

**Moved By: Arun Prasad**  
**Seconded By: Tom Gutfreund**

THAT Application No. A/015/20 be approved subject to conditions contained in the staff report.

Resolution Carried

**2. A/019/20**

**Owner Name: KOHULADEVI SIVAPALAN and SIVAPALAN  
THIRUNAVUKARASU**  
**Agent Name: Nishanthan Sivapalan**  
**1 Kruger Rd, Markham**  
**PLAN 65M3092 PT LT 26 65R19123 PTS 15 & 16**

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

**a) Section 4.6(a):**

an uncovered platform with steps to project a distance of not more than 1.07m into the required Flanking Yard, whereas the By-law permits a distance of not more than 0.45m;

**b) Section 5.2.1:**

a Second Dwelling Unit, whereas the By-law permits no more than one (1) semi-detached dwelling on one (1) lot;

as it relates to an existing basement apartment and side yard entrance that was built without a permit. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The agent Nishanthan Sivapalan appeared on behalf of the application. He is the son of the applicant. The proposal is to allow for a legalized basement apartment.

Surinder Narula participated but didn't have comments.

Committee member Tom Gutfreund asked about the intent of the basement apartment.

Mr. Sivapalan responded it will be rented out, if approved.

**Moved By: Tom Gutfreund**

**Seconded By: Kelvin Kwok**

THAT Application No. A/019/20 be approved subject to conditions contained in the staff report.

Resolution Carried

**3. A/020/20**

**Owner Name: AMIR PREMJI and SHANAZ PREMJI**  
**Agent Name: IAN ROBERTSON DESIGN (BOBBI-JO MACKINNON)**  
**20 Boynton Cir, Markham**  
**PLAN M1958 LOT 4**

The applicant is requesting relief from the requirements of By-law 304-87, as amended to permit:

- a) Section 7.5(b)(iv):**  
to permit a sideyard setback of 2.10m, whereas the By-law permits a setback of 3.0m;

as it relates to a gazebo. **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent Ian Robertson appeared on behalf of the application.

Committee member Jeamie Reingold inquired about, on initial review, a large cabana being proposed.

Mr. Robertson responded that they do not believe the structures they propose will adversely affect neighbouring properties. He acknowledges a letter of concern but does not believe that resident in question will be significantly impacted.

**Moved By: Tom Gutfreund**  
**Seconded By: Patrick Sampson**

THAT Application No. A/020/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. **A/022/20**

**Owner Name: Decheng Liu**  
**Agent Name: Gregory Design Group (Russ Gregory)**  
**78 Fred Varley Dr, Markham**  
**PLAN 7566 LOT 350**

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

**a) Schedule B:**

to permit a maximum lot coverage of 38.3 % (2390 sq.ft.), whereas the By-law permits 33.3 % (2081 sq.ft);

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

The Secretary-Treasurer introduced the application.

The agent Russ Gregory appeared on behalf of the application. He states the design has been done to complement the existing neighbourhood fabric.

Ian Free of 145 Krieghoff Avenue spoke in opposition to the application. He does not believe this house can 'fit' for this property lot. He is concerned a proposed guest room may be used for Air bnb type use.

Chris Berger Free of 145 Krieghoff Avenue spoke in opposition to the application. She was not consulted by the applicant on their proposal prior to the meeting and also believes the owner, who she contends is rebuilding several properties in the area, is provided false information/specification to the Committee here and on previous COA applications they have submitted.

Committee member Tom Gutfreund asked if variances identified are accurate. He believes the proposal has been done in a complimentary nature and notes the owner of property is intending to reside here.

Mr. Gregory responded that they had discussed with Building Standards Dept to confirm variances and doesn't believe future application would be needed.

Jian Luo, the owner of 78 Fred Varley Drive, further indicated that they are proposing this rebuild as they have their parents residing here as well and want to be able to accommodate them.

Committee member Sally Yan stated that there will be multi-generational family homes will become more commonplace. This proposal would be archetypal of those societal shifts.

Committee member Jeamie Reingold believes this house will be compatible for this neighbourhood context.

**Moved By: Tom Gutfreund**  
**Seconded By: Sally Yan**

THAT Application No. A/022/20 be approved subject to conditions contained in the staff report.

Resolution Carried

**MOTION TO ADJOURN**

**Moved by Arun Prasad**  
**Seconded by Sally Yan**

THAT the virtual meeting of Committee of Adjustment be adjourned at 8:21 PM, and the next regular meeting will be held on June 25, 2020.



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Secretary-Treasurer,  
Committee of Adjustment

CARRIED



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Chair