



CITY OF MARKHAM
Virtual meeting on zoom

July 2, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 8th 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>
Jeannie Reingold	7:00PM
Tom Gutfreund	7:00PM
Patrick Sampson	7:00PM
Gregory Knight, Chair	7:00PM
Arun Prasad	7:00PM
Sally Yan	7.00PM

Regrets

Kelvin Kwok

Justin Leung, Secretary-Treasurer
Bradley Roberts, Manager, Zoning and Special Projects
Francois Hermon-Morneau, Development Technician
Melissa Leung, Development Technician

DISCLOSURE OF INTEREST

None

NEW BUSINESS:

1. **A/018/20**

Owner Name: Fang Chen & Junhua He
Agent Name: Rachel Y.H. Sun Architect (Rachel Sun)

**7 Shorthill Dr, Markham
PLAN 65M2269 LOT 17**

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

- a) **Section 6.1:**
one accessory dwelling unit in the basement, whereas the By-law permits a single detached dwelling;
- b) **Section 7.2:**
a minimum side yard setback of 0.3m, whereas the By-law requires a minimum of 1.2m for 1 storey;
- c) **Section 7.2:**
a maximum lot coverage of 35.5 percent, whereas the By-law permits a maximum of 33-1/3 percent;
- d) **Section 6.2:**
an accessory building located 0.45m from the side yard, whereas the By-law permits a minimum of 0.6m from the nearest lot line;

as it relates to an existing rear shed and basement apartment with a walkout that was built without a permit. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

Rachel Sun appeared before the application. She indicated that they are requesting deferral to obtain an updated survey and to provide revised drawings.

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

THAT Application No. A/018/20 be deferred sine die

Resolution Carried

2. A/030/20

**Owner Name: Jayadeep Patra & Madhusmita Gharai-Patra
Agent Name: Nikol Paar
251 Church St, Markham
PLAN 180 PTBLK H**

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

- a) **Infill By-law 99-90, Section 1.2(vi) - Net Floor Area Ratio:**
a maximum floor area ratio of 48.85 percent, whereas the By-law permits a maximum of 45 percent;
- b) **Infill By-law 99-90, Section 1.2(i) - Height:**
a maximum building height of 10.1 metres, whereas the By-law permits a maximum height of 9.8 metres;

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

The Secretary-Treasurer introduced the application.

The agent Nikol Paar appeared on behalf the application. The original proposal had been revised and two of the variance requests had been removed.

Committee member Tom Gutfreund comments that the overall proposal is appropriate for the site context.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No A/030/20 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/031/20

Owner Name: Sean Young & Novellette Young
Agent Name: Vanle Architect Inc (Tom Vanle)
7683 9th Line, Markham
CON 9 PT LOT 5

The applicant is requesting relief from the requirements of By-law 194-82 as amended to permit:

- a) **Section 7.2:**
a minimum lot area of 1,800.28 m², whereas the By-law requires 2,040 m²;
- b) **Section 4.5.1(a):**
a minimum setback of 25.18 m to the centre line of 9th line, whereas the By-law permits no part of any Building or Structure to be within 36.5 m of the centre line of 9th line;
- c) **Section 6.1:**

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

d) Section 7.2 (c):

a minimum (north) side yard setback of 2.80m, whereas the By-law requires a minimum side yard setback of 3.0m;

as it relates to a proposed two-storey detached dwelling. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The owner Sean Young spoke on the application. This proposal is to allow for them and their parents to reside at this house.

Committee member Tom Gutfreund inquired about the elevator in the house.

Mr. Young responded that it is for potential future accessibility issues of family members.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No. A/031/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/032/20

Owner Name: Prazaanah Balasbramaniyam & Mythily Balachandran
Agent Name: Zanjani Architect Inc (Sia Zanjani)
14 Thurgate Crescent, Thornhill
PLAN M1442 LOT 37

The applicant is requesting relief from the requirements of By-law 2612 as amended to permit:

a) Schedule B, Building Height:

a maximum building height of 31 ft 10 in, whereas the By-law permits maximum building height of 25 ft from established grade to midpoint of sloping roof;

b) Schedule B, Front yard setback:

a minimum front yard setback of 22 ft 6 1/4 in' (Basement Cold Cellar), whereas, the By-law requires minimum front yard setback of 27 feet;

c) Schedule B, Lot coverage:

a maximum lot coverage of 2441 sq. ft. (38.9 percent), whereas the By-law permits maximum lot coverage of 2088 sq. ft. (33 1/3 percent);

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

The Secretary-Treasurer introduced the application.

The agent Sia Sanjani appeared on behalf of the application. He stated that most of the properties of this neighbourhood abut conservation lands. The style of house has resulted in the variance requests.

Y Jar and LY Wong of 12 Thurgate Crescent spoke in opposition to the application. They indicated this a 'box like' structure which is being proposed.

Julia Pare of 21 Thurgate Crescent spoke in opposition to the application. Most houses of the area are set further back and this proposal is not consistent with that existing character.

Committee member Tom Gutfreund comments that the proposal appears too large for this sized lot. He believes that the Official Plan (OP) policies are not being met here and is concerned about allowing such a proposal to be permitted for this neighbourhood.

Bob Fu of 19 Thurgate Crescent asked if applicant had 3d renderings of proposed home.

Committee member Patrick Sampson notes this is one of the first of this type of in-fill house for this neighbourhood. As such, he would want to be cautious in his assessment of it here.

Committee member Sally Yan reiterated comments of Committee member Sampson. In addition, she also expressed concerns for building height.

Mr. Zanjani responded that potentially they could comply with zoning requirements as per variance B. He also showed, through pictures, the grade elevations of the area which he surmises as to why they have oriented their proposal as such.

Mr. Wong stated that the measurements as provided by the agent don't accurately depict the setbacks as proposed and impact on neighbouring properties.

Committee member Arun Prasad commented that he believes the applicant should further discuss proposal with neighbours to try and reach a more appropriate design.

Moved By: Arun Prasad
Seconded By: Patrick Sampson

THAT Application No. A/032/20 be deferred sine die.

Resolution Carried

5. **A/033/20**

Owner Name: Jingmei Wu
Agent Name: SAHAND HOMES Inc (Shervin Farzam Behboudi)
90 Fred Varley Dr, Markham
PLAN 7566 LOT 282

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

- a) **Section 6.1:**
an East side yard setback of 5 ft, whereas the By-law requires a minimum of 6 ft;
- b) **Section 3.7:**
a West side yard setback of 4.5 ft, whereas the By-law requires a minimum of 6 ft;
- c) **Section 6.1:**
a maximum building height of 26 ft, whereas the By-law permits a maximum of 25 ft;
- d) **Section 6.1:**
a maximum lot coverage of 35.77 percent, whereas the By-law permits a maximum of 33 1/3 percent;
- e) **Section 3.7:**
an unenclosed covered porch and steps to project 5 ft 11 in into the required front yard, whereas the By-law permits an uncovered platform to project no more than 5 ft into the required yard;
as it relates to a proposed two-storey detached dwelling. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent Shervin Behboudi appeared on behalf of the application. He cites that there have been other similar houses constructed in the area.

Committee member Jeamie Reingold comments that the overall massing here is significant.

Mr. Behboudi responded that attempts have been made to reach a more sympathetic house footprint.

Committee member Sally Yan stated that this portion of Fred Varley Drive has not seen as significant in-fill development begin to occur.

The Chair did comment that minor variances are not precedent setting with each proposal looked at individually and according to its specific context.

The agent requests deferral to revise the proposal.

Moved By: Sally Yan
Seconded By: Jeamie Reingold

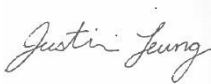
THAT Application No. A/033/20 be deferred sine die.

Resolution Carried

MOTION TO ADJOURN

Moved by Tom Gutfreund
Seconded by Jeamie Reingold

THAT the virtual meeting of Committee of Adjustment be adjourned at 8: 26 PM, and the next regular meeting will be held on July 7, 2020.



CARRIED



Secretary-Treasurer,
Committee of Adjustment

Chair