



**CITY OF MARKHAM**  
**Virtual Meeting**

**July 24, 2024**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 12<sup>th</sup> regular meeting of the Committee of Adjustment for the year 2024 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight Chair	7:00 pm
Arun Prasad	7:11 pm
Jeamie Reingold	7:00 pm
Patrick Sampson	7:00 pm

Erin O’Sullivan, Assistant Secretary-Treasurer  
Greg Whitfield, Supervisor, Committee of Adjustment  
Vivian Yap, Development Technician

**Regrets**

Sally Yan

**2. DISCLOSURE OF PECUNIARY INTEREST**

None

**3. APPROVAL OF PREVIOUS MINUTES: July 10, 2024**

THAT the minutes of Meeting No. 11, of the City of Markham Committee of Adjustment, held July 10, 2024 respectively, be:

- a) Approved on July 24, 2024.

**Moved by: Jeamie Reingold**

**Seconded by: Patrick Sampson**

**Carried**

#### 4. REQUESTS FOR DEFERRAL

##### 4.1. B/032/23

**Agent Name: Cantam Group LTD. (Yaso Somalingam)**  
**44 Rouge Street, Markham**  
**PLAN 173 BLK L LOT 12**

The applicant was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 15.09 metres (49.51 feet) and an approximate lot area of 454.90 square metres (4,896.36 square feet) (Part 1);
- b) **retain** a parcel of land with an approximate lot frontage of 15.03 metres (49.31 feet) and an approximate lot area of 454.0 square metres (4,886.67 square feet) (Part 2);

This application proposed to sever the Subject Property to create one (1) new residential lot.

This application was related to Minor Variance applications A/154/23 and A/155/23.

Member Sampson motioned for deferral.

**Moved by: Patrick Sampson**  
**Seconded by: Jeamie Reingold**  
**Absent: Arun Prasad**

THAT Application No. **B/032/23** be **deferred** sine die.

Resolution Carried

##### 4.2 A/154/23

**Agent Name: Cantam Group LTD. (Yaso Somalingam)**  
**44 Rouge Street, Markham**  
**PLAN 173 BLK L LOT 12**

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

- a) **By-law 1229, Section 11.2 (c) (i):**

a porch with stairs to encroach 50.4 inches into a required yard, whereas the by-law permits a maximum encroachment of 18 inches;

**b) By-law 1229, Table 11.1:**

a minimum lot area of 4896.36 square feet, whereas the by-law requires a minimum lot area of 6600 square feet;

**c) By-law 1229, Table 11.1:**

a lot frontage of 49.50 feet, whereas the by-law requires a minimum lot frontage of 60 feet; and

**d) By-law 1229, Amending By-law 99-90, Section 1.2 (vi):**

maximum floor area ratio of 48.82 percent, whereas the by-law permits a maximum floor area ratio of 45 percent;

as it related to a proposed two-storey residential dwelling on the severed lot.

Member Sampson motioned for deferral.

**Moved by: Patrick Sampson**

**Seconded by: Jeamie Reingold**

**Absent: Arun Prasad**

THAT Application No. **A/154/23** be **deferred** sine die.

Resolution Carried

**4.3 A/155/23**

**Agent Name: Cantam Group LTD. (Yaso Somalingam)**

**44 Rouge Street, Markham**

**PLAN 173 BLK L LOT 12**

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

**a) By-law 1229, Table 11.1:**

a minimum lot area of 4886.67 square feet, whereas the by-law requires a minimum lot area of 6600 square feet;

**b) By-law 1229, Table 11.1:**

a lot frontage of 49.31 feet, whereas the by-law requires a minimum lot frontage of 60 feet;

- c) **By-law 1229, Amending By-law 99-90, Section 1.2 (vi):**  
a maximum floor area ratio of 48.61 percent, whereas the by-law permits a maximum floor area ratio of 45 percent; and
- d) **Section 1.2(ii), Amending By-law 99-90 Section 1.2(iii):**  
a maximum depth of 17.48 metres, whereas the by-law permits a maximum depth of 16.8 metres;

as it related to a dwelling on the retained lot.

Member Reingold motioned for deferral.

**Moved by: Jeamie Reingold**  
**Seconded by: Patrick Sampson**  
**Absent: Arun Prasad**

THAT Application No. **A/154/23** be **deferred** sine die.

Resolution Carried

## **5. NEW BUSINESS:**

### **5.1. B/039/23**

**Agent Name: WSP Canada Group Ltd. (Robert Rappolt)**  
**60 Columbia Way, Markham**  
**PLAN M2029 PT BLKS 10 AND 11 RP 65R20668 PARTS 2 TO 19, 21 AND 22 PT PARTS**  
**1, 19 AND 20 RP 65R35379 PARTS 1 TO 11, 14 TO 19**

The applicant was requesting provisional consent to:

- a) **sever and convey** a parcel of land with an approximate lot frontage of 167.10 metres and an approximate lot area of 17,467.9 square metres (Parts 1, 2 and 3);
- b) **retain** a parcel of land with an approximate lot frontage of 104.90 metres and an approximate lot area of 40,177.3 square metres (Parts 4 to 21);
- c) **establish an easement** over the retained lands (Parts 4 and 9) in favour of the severed lands (Parts 1, 2, and 3) for the purposes of access;
- d) **establish an easement** over portions of the retained lands (Parts 4 to 21) in favour of the severed lands (Parts 1, 2, and 3) for the purposes of utilities and servicing.

The purpose of this application was to create one new lot and to establish various servicing and access easements.

The agent, Breanna Veilleux, appeared on behalf of the application and noted that they would remain available for questions.

Allan Taylor representing the owner Redbourne Investment Inc., spoke to the Committee.

Member Sampson expressed that he supported the application as the submission was straight forward.

Member Sampson motioned for approval with conditions.

**Moved by: Patrick Sampson**

**Seconded by: Jeamie Reingold**

**Absent: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **B/039/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

## 5.2 A/027/24

**Agent Name: Shurway Contracting Ltd (Raffy Bekmezian)**  
**505 Cochrane Drive, Markham**  
**PLAN 65M2073 LOT 3 AND PT LOT 4 65R8531 PT 1**

The applicant was requesting relief from the requirements of By-law 165-80, as amended, to permit:

**a) Parking By-law 28-97, Section 3.0, Table B:**

a minimum of 77 parking spaces, whereas the by-law requires a minimum of 85 parking spaces on the lot;

as it related to the proposed extension of a treadmill facility.

The agent, Raffy Bekmezian, appeared on behalf of the application.

Member Reingold asked about the traffic of visitors to the site. The agent, Raffy Bekmezian stated that the treadmill showroom had minimal visitors throughout the day and the parking lot

has available vacant spaces on the site. The owner, Victor Proudian spoke to Member Reingold's question as well noting that the majority of the sales for the company occur online and that a few people may come in to the property to view models in the showroom.

Member Reingold asked if there would be any fitness classes, which the owner Victor Proudian answered that fitness classes would not occur.

The Chair noted that Member Prasad joined the meeting at 7:11pm.

Member Prasad supported the application.

Member Prasad motioned for approval with conditions.

**Moved by: Arun Prasad**  
**Seconded by: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/027/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

### 5.3 **A/043/24**

**Agent Name: AEM Designs (Ravinder Singh)**  
**308 Ridgecrest Road, Markham**  
**PLAN 65M3390 BLK 227 / 65M3368 BLK 366**

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

- a) **By-law 28-97, Section 3.0 Table B:**  
a minimum of 2 parking spaces, whereas the by-law requires a minimum of 3 parking spaces;

as it related to the addition of a basement dwelling.

The agent, Ravinder Singh, appeared on behalf of the application.

Member Reingold supported the application and noted that the application met the aims of the *Planning Act* in terms of providing housing for the local population.

Member Prasad asked if the residents of the home would be prepared to manage multiple vehicles with the two parking spots. The agent Ravinder Singh stated that the residents of the home were prepared to manage with two parking spots. Member Prasad supported the application

Member Prasad motioned for approval with conditions.

**Moved by: Arun Prasad**  
**Seconded by: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/043/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**5.4 A/049/24**

**Agent Name: Baldassarra Architects Inc. (Milica Zekanovic)**  
**5900 14th Avenue, Markham**  
**PLAN 65M2757 LOTS 12-14 AND PART OF LOTS 24 AND 25**

The applicant was requesting relief from the requirements of By-law 108-81, as amended, to permit:

**a) By-law 28-97, Section 3.0 (Table B):**

a minimum of 162 parking spaces, whereas the by-law requires a minimum of 255 parking spaces;

as it related to a multi-unit building.

The agent, Milica Zekanovic, appeared on behalf of the application.

Member Reingold asked for further clarification regarding the percentage of parking reduction, as she was concerned about the decrease in spots. The agent, Milica Zekanovic expressed that the parking requirements comply with By-law 2024-19 once the By-law was in full force and effect.

The Chair confirmed with the agent Milica Zekanovic that had By-law 2024-19 been in full force and effect the application for a variance would not be required.

Member Prasad asked what the purpose for multiple industrial units would be. The agent Milica Zekanovic explained that due to a shift in the market a trend has occurred to divide larger

industrial units into smaller units to meet market conditions. Member Prasad supported the application.

Member Prasad motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application No. **A/049/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

#### **5.5 A/050/24**

**Agent Name: MHBC Planning (Jillian Sparrow)**  
**8502 Woodbine Avenue, Markham**  
**CON 3 PT LT 10 65R17970 PT 7**

The applicant was requesting relief from the requirements of By-law 2024-19 & By-law 165-80, as amended, to permit:

#### **By-law 2024-19**

**a) By-law 2024-19, Section 5.4.1(S):**

a minimum of 17 parking spaces, whereas the by-law requires a minimum of 20 parking spaces;

#### **By-law 165-80, as amended:**

**a) By-law 28-97, Section 3, Table B:**

a minimum of 17 parking spaces, whereas the by-law requires a minimum of 20 parking spaces;

as it related to a proposed financial institution.

The agent, Oz Kemal, appeared on behalf of the application and remained available for questions.

Member Reingold supported the application and noted that it was straightforward.



Member Prasad asked if there would be a drive through for the financial institution. The agent, Oz Kemal clarified that there not would be a drive through. Member Prasad supported the application.

Member Sampson asked about Transportation Staff's comments and suggested conditions. The Chair asked Greg Whitfield, Supervisor, Committee of Adjustment to speak on the comments from the Staff Report. Greg Whitfield noted the previous discussion with Staff regarding a potential shared parking agreement with the adjacent property 8500 Woodbine Avenue which was also under ownership by the individual applying for the variance to 8502 Woodbine Avenue. Greg Whitfield stated that a condition for shared parking was not implemented at this time but could potentially be considered for future applications on the property.

Member Prasad motioned for approval with conditions.

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

The Committee unanimously approved the application.

THAT Application No. **A/050/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

## **5.6 A/063/24**

**Agent Name: KLM Planning Partners Inc. (Marshall Smith)**  
**7190 - 7200 Markham Road, Markham**  
**PLAN 65M2901 BLOCK 17**

The applicant was requesting relief from the requirements of By-law 2024-19 & By-law 177-96, as amended, to permit:

### **By-law 2024-19**

#### **a) Section 1.7.4:**

That the requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval under Section 41 of the Planning Act or a heritage permit in accordance with the Heritage Act, was filed and accepted by the City on or prior to July 11<sup>th</sup>, 2024; whereas the by-law requires the site plan application to have been filed and accepted prior to the effective date of this By-

law provided the application conforms to the relevant By-law listed in Section 1.5 before the effective date of this By-law.

**By-law 2022-114**

**a) Amending By-law 2022-114, Section 7.606.2(n):**

a minimum of 1.1 parking spaces per dwelling unit, whereas the by-law requires a minimum of 1.25 parking spaces per dwelling unit;

**b) Amending By-law 2022-114, Section 7.606.2(i):**

a maximum of 308 dwelling units on a lot, whereas the by-law permits a maximum of 269 dwelling units on a lot;

as it related to a proposed townhouse development.

This application was related to Zoning By-law Amendment (ZA 2017 109850) and Site Plan (SC 2017 109850).

The agent, Marshall Smith, appeared on behalf of the application.

The Committee received three opposed written pieces of correspondence.

Member Reingold asked if a Zoning Preliminary Review had been completed. The agent Marshall Smith indicated that zoning had been reviewed through a previous Site Plan Control application. Member Reingold supported the application due to the Transportation Justification Study that was completed and support from Transportation Staff.

Member Sampson asked why Staff did not comment if they were in support or not in support of the application in the Staff Report. The Chair asked Greg Whitfield, Supervisor, Committee of Adjustment to comment on the Staff Report. Greg Whitfield stated that staff found the variances to be fair, but as the variance under By-law 2024-19 had intricacies, staff felt it would be best to take a neutral stance.

Member Prasad asked for clarity on the conditions from Transportation Staff. The agent Marshall Smith stated that Transportation Staff wanted to ensure a fulsome transportation demand strategy would take place including two information sessions with residents. The agent, Marshall Smith noted that Presto cards to a certain dollar value would be provided to residents to encourage transit use and inform them about public transit measures in the area.

The Chair asked who provided the conditions for the transportation demand strategy. The agent, Marshall Smith noted that Markham Transportation Staff provided the condition.

Member Prasad asked where the entry to the complex would be and if there were any transit stops nearby. The agent, Marshall Smith stated that there is a bus stop on the corner of the site

at Denison Street and Markham Road. Marshall Smith addressed site entrances with shared access easements, one off of Denison Street and one off of Markham Road.

Ken Chow, a resident in close proximity to the site, spoke to the Committee, and raised concerns about the traffic in the area.

Member Sampson motioned for approval with conditions.

**Moved by: Patrick Sampson**

**Seconded by: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/063/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

#### 5.7 A/057/24

**Agent Name: Prohome Consulting Inc (Vincent Emami)**  
**15 Tuscan Court, Markham**  
**PLAN 7566 LOT 220**

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

- a) **By-law 2024-19, Section 4.8.10.1(a):**  
a minimum front yard porch depth of 1.4 metres, whereas the by-law requires a porch depth of at least 1.8 metres;
- b) **By-law 2024-19, Section 6.3.2.2(C):**  
a maximum second-storey main building coverage of 26.7 percent of the lot area, whereas the by-law permits a maximum building coverage for the second-storey of 20 percent of the lot area;
- c) **By-law 2024-19, Section 6.3.2.2(E):**  
a maximum distance of 20.43 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;
- d) **By-law 2024-19, Section 6.3.2.2(E):**

a maximum distance of 17.31 metres for the second storey measured from the established building line, whereas the by-law permits a maximum distance of 14.5 metres for the second storey measured from the established building line; and

**e) By-law 2024-19, Section 6.3.2.2(F):**

a minimum front yard setback of 8.36 metres, whereas the by-law permits a minimum front yard setback of 8.74 metres;

as it related to a proposed two-storey residential dwelling with a finished basement and a wood deck.

The agent, Francesco Fiorani, appeared on behalf of the application stating that he was in agreement with the Staff Report. Francesco noted that the application is in full conformity with By-law 11-72, which the architect developed the plans around.

The Committee received ten written pieces of correspondence, one signed letter of support with five signatures, and nine objections.

Daniela Ghiculete a neighbour, spoke to the Committee. Daniela shared that in her opinion along with other neighbours on the street, that the variances were not minor in nature. Daniela was concerned about the size and massing of the house, the potential removal of trees, and privacy. Daniela requested for a shadow study to be completed.

Kenneth Wan a neighbour, spoke to the Committee. Kenneth was concerned about the wooden deck in the rear yard, tree removal, increased hardscaping, and water drainage.

Ivan Leong, a neighbour, indicated that they were asked to sign a support letter prior to seeing the plans, but redacted their signature once they viewed them. Ivan was concerned about traffic and safety on the street.

Christiane Bergauer-Freewas in objection to the application. Christiane was concerned about the trees on the property, the potential damage to the mature root systems, site grading issues, and privacy. Christiane was of the opinion that By-law 2024-19 was implemented in part to regulate infill development and should be adhered to.

Ian Free, objected to the application. Ian was concerned about the calculations of the site statistics. Ian asked what was the purpose and intent of By-law 2024-19 if the variances were approved, as in his opinion the variances were not minor.

Endel Mell, a neighbour to the rear, opposed the application. Endel was concerned about the setback to the rear property line, water runoff, and privacy. Endel asked to see the proposed site plan showing the existing trees.

Zoe Cristidis-Mell a neighbour to the rear, was concerned about tree removal noting that the trees added a great value to their neighbourhood.

Shirly Wei Xue, the owner, spoke to the Committee stating that the design of the home was to accommodate the needs of their multi-generational family.

The Chair asked the agent to speak on trees and storm water management. The agent, Francesco Fiorani noted that a Tree Inventory and Preservation Plan had been modified to the request of Tree Preservation Staff. The Chair asked if there was a drawing that indicated where the major trees were and which trees would be removed. Francesco answered that one tree to the south west of the property was intended to be removed. The Chair asked if the south east tree and the front yard tree would remain, Francesco noted that those trees would remain on the property.

The Chair asked for comments on how stormwater would be dealt with. Francesco noted that the proposal for the new home would be subject to drainage review by the City's Engineering department and the building permit process.

Member Reingold was concerned about the size of the house, flooding issues, trees, and the visual massing of the house and how that would fit within the neighbourhood scope. Member Reingold suggested architectural elevations to make the home more compatible with the neighbourhood.

Member Sampson was of the opinion that privacy was a concern and stated that the variances were beyond what is minor, and reductions to the variances were required.

Member Prasad agreed with his colleagues and suggested that the applicant request a deferral.

The Chair stated that the concepts of By-law 2024-19 were designed to deal with things such as massing and variances to the By-law that are not minor would not be appropriate. The Chair acknowledged that public input would need to be considered in determining variance approval to By-law 2024-19 as well. The Chair addressed that there are serious concerns from the community related to the massing of the house, lack of privacy, and impact to the trees.

Member Prasad motioned for deferral.

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

THAT Application No. **A/057/24** be **deferred** sine die.

Resolution Carried

Adjournment

Committee of Adjustment Minutes  
Wednesday July 24, 2024

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

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:47 pm, and the next regular meeting would be held on August 14th, 2024.

CARRIED

Original Signed on August 14<sup>th</sup>, 2024  
Assistant Secretary-Treasurer  
Committee of Adjustment

Original Signed on August 14<sup>th</sup>, 2024  
Chair