



CITY OF MARKHAM
Virtual Meeting on Zoom

February 2, 2022
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 2nd regular meeting of the Committee of Adjustment for the year 2022 was held at the time and virtual space above with the following people present:

	<u>Arrival Time</u>
Gregory Knight, Chair	7:00 PM
Jeamie Reingold	7:00 PM
Tom Gutfreund	7:00 PM
Sally Yan	7:00 PM
Kelvin Kwok	7:00 PM
Arun Prasad	7:00 PM

Absent: Patrick Sampson

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

DISCLOSURE OF INTEREST

None

Minutes: January 19, 2022

THAT the minutes of Meeting No. 01 of the City of Markham Committee of Adjustment, held January 19, 2022, respectively, be

- a) Approved as submitted, on February 2, 2022

Moved By: Arun Prasad
Seconded By: Tom Gutfreund

Carried

PREVIOUS BUSINESS:

1. **A/128/21**

Owner Name: Meng Cui
Agent Name: Custom CADD Inc. (Philippe Lamadeleine)
8 Jonquil Crescent, Markham
PLAN 4949 LOT 144

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

- a) **By-law 99-90, Table C (d):**
a maximum net floor area ratio of 49.0 percent, whereas the By-law permits a maximum net floor area ratio of 45.0 percent; and
- b) **By-law 99-90, Table C (b):**
a maximum building depth of 24.35 m, whereas the By-law permits a maximum building depth of 16.80 m;

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

The Secretary-Treasurer introduced the application.

The agent, Philippe Lamadeleine, appeared on behalf of the application.

Committee member Tom Gutfreund applauds the applicant and the agent for making changes and believes that the new design will fit the street fabric. He moves for approval.

Committee member Jeamie Reingold agrees with Tom. She is pleased with the architectural elements. It is an excellent fit for the neighbourhood.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No A/128/21 be approved subject to conditions contained in the staff report.

Resolution Carried

NEW BUSINESS:

1. **A/158/21**

Owner Name: Asif Karimov
Agent Name: Evans Planning Inc. (Qianqiao Zhu)
23 Ida Street, Thornhill
PLAN 9766 LOT 36

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

- a) **By-law 101-90, Section 1.2 (iii):**
a maximum number of three storeys, whereas the By-law permits a maximum number of two storeys; and
- b) **By-law 101-90, Section 1.2 (iv):**
a maximum depth of 23.70 metres, whereas the By-law permits a maximum depth of 16.80 metres;

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

The Secretary-Treasurer introduced the application.

The agent, Harry Zhu, appeared on behalf of the application.

Committee member Jeamie Reingold believes this is a unique situation because of how the property is configured on the property. Typically, the Committee does not receive variances for three-storey dwellings. She supports the application.

Committee member Arun Prasad asked to view the front elevation of the house.

The agent, Harry Zhu, stated that he presented the north elevation and the east elevation.

Committee member Arun Prasad wanted to see renderings of the final build.

The agent, Harry Zhu, stated he would show more elevations.

Committee member Arun Prasad wanted to see how the roofline would look once completed.

Committee member Kelvin Kwok referenced the site plan and wanted to know more about the three-storey side of the home and its relation to the pool.

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The agent, Harry Zhu, stated that the dwelling faces the pond and that the pool is on the southeast side of the property and explained that the arborist report is being prepared.

The architect, Carol Jin, stated they have an arborist report, and they will do their best to preserve as many trees as possible.

Committee member Kelvin Kwok asked why they are widening the driveway.

The architect, Carol Jin, stated they plan to widen the driveway to six meters to have a standard two-car driveway.

Committee member Sally Yan wanted to know more about the TRCA's concerns about changes that still needed to be addressed. For example, will this affect the variances being pursued?

The agent, Harry Zhu, stated they might dig deeper into the ground and change the foundation. However, he also confirmed that no changes would affect the variances.

Committee member Jeamie Reingold recommended adding large trees to the front of the house, only if the arborist report states that trees need to be replaced and real consideration should be given. I am requesting that additional conditions be added to the staff report.

Manager of Zoning & Special Projects, Brad Roberts, stated that Committee requested that the Secretary-Treasurer notes in the minutes that more giant trees should be added to the front portion of the property near Ida Street. A condition should be added that ensures that this is met. The meeting minutes will be sent to the City of Markham's Tree preservation reviewer.

Moved By: Tom Gutfreund
Seconded By: Sally Yan

THAT Application No A/158/21 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/162/21

Owner Name: Sarveswaran Vaithyanathasarma
Agent Name: Sarveswaran Vaithyanathasarma
134 Dundas Way, Markham
PLAN 65M4454 PT BLK 1 RP 65R35904 PT 68

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

- a) **By-law 177-96, Section 6.2.1 (b)(iii):**
the floor of the deck to be located at the second storey, whereas the By-law requires that the floor of the deck is not higher than the floor level of the first storey of the main building; and
- b) **By-law 177-96, Section 6.2.1 (b):**
a deck with a maximum rear yard projection of 3.74 metres, whereas the By-law permits a maximum rear yard projection of 3.0 metres;

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

The Secretary-Treasurer introduced the application.

The agent, Sarveswaran Vaithiyanathasarma, appeared on behalf of the application.

Committee member Tom Gutfreund referenced the previous meeting and a substantially more oversized deck that is not permitted in the By-law. It was refused. In this case, the deck is positioned on a flat area in the backyard, and the deck is a little bit bigger than the By-law permits. This may be the third application built on the second floor that has come to this Committee, more significant than the By-law permits. Tom believes that many owners may continue building more extensive decks that don't meet the requirements of the By-law. Maybe an amendment to the Deck By-law should be considered by City Council. Tom supports the application.

Committee Chair Greg Knight highlighted that most of the decks are consistent.

Manager of Zoning & Special Projects, Brad Roberts, stated an attempt by the local councillor to group all the deck applications under one application, which would be heard at Committee. However, he understands and highlighted that the City is looking to improve this issue.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No A/162/21 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/175/21

Owner Name: Jashbhai Patel
Agent Name: Four Seasons Sunrooms (Nour Elgendy)
68 Delancey Crescent, Markham
PLAN 65M2270 LOT 197

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

- a) **By-law 134-79, Section 7.2:**
a maximum lot coverage of 36.50 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent;

as it relates to a proposed sunroom in the rear of the property. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent, Nour Elgendy, appeared on behalf of the application.

Committee member Tom Gutfreund believes this is a genuinely minor variance. They are building a sunroom, and there is no opposition.

Committee member Jeamie Reingold stated that it is a great way to increase the enjoyment of one home, and she supports the application.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No A/175/21 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/179/21

Owner Name: Xiaojuan Gao
Agent Name: AND Architecture Inc. (Sam Wu)
60 Fred Varley Drive, Markham
PLAN 7566 LOT 359

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

- a) **Section 6.1:**
a minimum side yard setback of 5 feet, whereas the By-law requires a minimum side yard setback of 6 feet;
- b) **Section 6.1:**
a maximum lot coverage of 35.52 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 10 inches, whereas the By-law permits a maximum building height of 25 feet;

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

The Secretary-Treasurer introduced the application.

The agent, David Johnston, appeared on behalf of the application.

Committee member Jeamie Reingold believes the setbacks are overwhelming on the property, and improvements can be made to improve the development concerning the neighbourhood.

Committee member Tom Gutfreund notes that the height was significant and wanted to see a rendering compared to the neighbour's dwellings. It appears that many of the other homes have flat roofs. He asked the agent to present renderings to provide more context to the relation to the other homes.

The agent, David Johnston, stated that another new dwelling would be built right beside the current proposal, and it was approved last year.

Committee member Tom Gutfreund now understands how the street changes and supports the application.

Committee Chair Greg Knight highlighted that renderings help the Committee envision the urban fabric of the street.

Committee member Jeamie Reingold inquired about the need to knock off one foot on either side of the side yard setbacks and wanted to know why more greenspace is not being kept on these types of proposals.

The agent, David Johnston, clarified the By-law and highlighted that it grades easier when walking back and forth. In addition, it is a very traditional method of designing dwellings.

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Committee member Sally Yan likes to see the diversity of housing types in neighbourhoods, and she does not have a problem and supports the application.

Moved By: Tom Gutfreund
Seconded By: Sally Yan

THAT Application No A/179/21 be approved subject to conditions contained in the staff report.

Resolution Carried

5. A/183/21

Owner Name: Manoj Shokeen
Agent Name: Varatha Design Associates (Ken Varatha)
396 Kirkham Drive, Markham
65M4619 LOT 17R 65R38013 PART 35

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

- a) **By-law 28-97, Section 3.0, Table A:**
two parking spaces, whereas the By-law requires a minimum of three parking spaces; and
 - b) **By-law 90-81, Section 5.2:**
an accessory dwelling unit in the main building, whereas the By-law permits no more than one semi-detached dwelling per lot;
- as it relates to a basement apartment. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The agent, Ken Varatha, appeared on behalf of the application.

Committee member Jeamie Reingold likes that there is separate and direct access to the accessory suite and would support the application.

Committee member Arun Prasad believes that the basement is very well designed and would support the application.

Moved By: Arun Prasad
Seconded By: Jeamie Reingold

THAT Application No A/183/21 be approved subject to conditions contained in the staff report.

Resolution Carried

6. B/026/21

Owner Name: Fiera Real Estate Core Fund GP Inc., Fiera Real Estate Core Fund LP, Elgin Mills Holdings Inc.

**Agent Name: Gagnon Walker Domes Ltd. (Marc De Nardis)
51 & 53 Mobis Drive**

CON3 PT LOTS 27 AND 28 RP 65R39040 PARTS 1 4 5 7 TO 9

The applicant is requesting provisional consent to:

- a) an access and passage easement with an approximate lot frontage of 6.45 metres (21.16 feet), a lot of depth of 210.45 metres (690.45 feet), and an area of approximately 0.132 hectares (0.328 acres), in favor of the property municipally known as 10950 and 10952 Woodbine Avenue;
- b) a stormwater management easement with an approximate lot frontage of 34.06 metres (111.74 feet), a lot depth of 13.96 metres (45.80 feet), and an area of approximately of 0.024 hectares (0.061 acres), in favor of property municipally known as 10950 and 10952 Woodbine Avenue;

as it relates to a proposed warehouse complex (related to consent application B.027.21). **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent, Marc De Nardis, appeared on behalf of the application.

Committee member Tom Gutfreund stated these are technical variances, and there are no issues, and he supports the application.

Committee member Jeamie Reingold agrees with Tom and moves to approval.

Moved By: Jeamie Reingold

Seconded By: Arun Prasad

THAT Application No B/026/21 be approved subject to conditions contained in the staff report.

Resolution Carried

7. B/027/21

**Owner Name: ELGIN MILLS 404 INDUSTRIAL LIMITED PARTNERSHIP
Agent Name: Gagnon Walker Domes Ltd. (Marc De Nardis)
10950 & 10952 Woodbine Avenue
CON3 PT LOTS 27 AND 28 RP 65R39040 PARTS 1 4 5 7 TO 9**

The applicant is requesting provisional consent to:

- a) an access and passage easement with an approximate lot frontage of 5.55 metres (18.20 feet), a lot depth of 210.45 metres (690.45 feet), and an area of approximately 0.118 hectares (0.293 acres), in favor of the property municipally known as 51 and 53 Mobis Drive;
- b) a sanitary sewer easement with an approximate lot frontage of 171.34 metres (562.14 feet), a lot depth of 5.0 m (16.40 feet), and an area of approximately 0.082 hectares (0.203 acres), in favor of the property municipally known as 51 and 53 Mobis Drive;

as it relates to a proposed warehouse complex (related to consent application B.026.21). **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

**Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold**

THAT Application No B/027/21 be approved subject to conditions contained in the staff report.

Resolution Carried

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Adjournment

Moved by: Arun Prasad

Seconded by: Jeamie Reingold

THAT the virtual meeting of the Committee of Adjustment be adjourned at 8:15 pm, and the next regular meeting will be held on February 16, 2022.

CARRIED



Acting Secretary-Treasurer,
Committee of Adjustment

Chair