



CITY OF MARKHAM
Virtual meeting on zoom

February 3, 2021
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 2nd 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
Sally Yan	7:00PM
Kelvin Kwok	7:00PM

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

DISCLOSURE OF INTEREST

Minutes: January 20, 2021

THAT the minutes of Meeting No. 1 of the City of Markham Committee of Adjustment, held January 20 respectively, be

- a) Approved as submitted, on February 3, 2021

-amended portion of minutes for 4 Calafia Street application as per Member Sally Yan's recommendation.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

PREVIOUS BUSINESS

1. A/043/20

Owner Name: Chamkaur Singh & Sukhvinder Kaur Singh
Agent Name: Cantam Group Ltd. (Yaso Somalingam)
106 Sophia Rd, Markham
PL 65M3092 PT LT 2 65R18820 PTS 7 & 8

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

a) Section 5.2.1:

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

b) Section 5.2.6:

to permit a door that faces the interior side lot line to be located 0.61m from the interior side lot line, whereas the By-law requires a minimum of 1.2m;

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

The Secretary-Treasurer introduced the application.

The own appeared on behalf of the application. Mr. Singh indicated he will look to meet building requirements.

Committee member Tom Gutfreund has concerns about the location of the door.

The Chair asked if there are issues with adjusting the interior space.

Manager of Zoning and Special Projects doesn't believe there would be. The conditions would remain even if variance b was removed.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No A/043/20 variance A be approved and B be removed subject to the conditions contained in the staff report.

Resolution Carried

2. A/051/20

**Owner Name: Sasha Lazarou
3 Sir Ector Crt, Markham
PLAN M1377 LT 18**

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),
a maximum floor area ratio of 48.7%; whereas the By-law permits a maximum floor area ratio of 45.0%.

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

The Secretary-Treasurer introduced the application.

The agent appeared for the application. They indicate that changes have been made to the proposal. They have attempted to create a proposal more consistent with the neighbourhood character.

Phil Brown of 8 Sir Ector Court spoke on the application. He indicated that exterior material for the proposed building is important. However, he would leave these issues to the applicant to address themselves.

Michael Lazarou, owner of the property, states he had spoken to Mr. Brown earlier and is willing to discuss building materials to be used.

Committee member Jeamie Reingold indicated support for the application as proposed.

Committee member Tom Gutfreund commented that he recognizes the work of the applicant in addressing resident comments.

Committee member Sally Yan concurred that local consultation done by applicant is beneficial.

**Moved By: Sally Yan
Seconded By: Jeamie Reingold**

THAT Application No A/051/20 be approved subject to the conditions contained in the staff report.

Resolution Carried

3. **A/092/20**

Owner Name: Elina Eidkham
Agent Name: MDI Development Inc. (Amir Reza Kamalian)
19 Thorny Brae Dr, Thornhill
PLAN 7695 LOT 200

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

a) Section 6.1 - Building Height:

a maximum building height of 28.87 ft (8.80 m) from grade, whereas the By-law permits a maximum building height of 25 feet (7.62 m);

b) Section 6.1 - Lot Coverage:

a maximum lot coverage of 34.76 percent, whereas the By-law permits a maximum lot coverage of 33 1/3 percent;

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

The Secretary-Treasurer introduced the application.

Lisa Visser was appearing on behalf of the applicant. Ms. Visser commented she believed variance A maybe inaccurate.

The Manager of Zoning and Special Projects looked into the matter further and believes that the variance A is accurate.

Committee member Jeamie Reingold indicated she would support the proposal as presented.

Committee member Tom Gutfreund raised issues with the overall scale of the proposal.

Committee member Patrick Sampson is concerned about the building height.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No A/092/20 be approved with variance A revised to 8.2 m subject to the conditions contained in the staff report.

Resolution Carried

NEW BUSINESS:

1. **A/122/20**

Owner Name: Armdale Property Management (Peter Sestito)
Agent Name: Malone Given Parsons (Jennifer Le)
100 Renfrew Drive, Markham
PLAN 65M2355 PT LOTS 1,2,3,4 65R11319 PT 1

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

a) By-law 165-80, Sec. 6.4.1:

a respite hotel allowing minimum of 11 bedroom suites; whereas By-law does not permit this use

b) By-law 165-80, Sec. 6.4.1(a):

health centre for older adults with Alzheimer's and related disabilities; whereas the By-law does not permit this use.

as it relates to a proposed expansion to an existing respite hotel and to allow a health centre for persons with Alzheimer's and related disabilities. **(West District, Ward 2)**
The Secretary-Treasurer introduced the application.

The agent Matthew Cory appeared on behalf of the application. He stated that the applicant had a previous variance application heard and considered by the Committee. Mr. Cory stated that the operation has been ongoing here at the site. His company's office share space with the use and they have not had issues thus far.

Ashley Kwong, the applicant, spoke on the application. Due to the pandemic, only a portion of the centre could be kept opened. They want to expand the centre to make the business more financially viable in the long term.

The Chair asked if the agent provided a planning rationale report.

Mr. Cory responded that it was part of the submission.

Committee member Jeamie Reingold asked what changes have made to the centre with this application.

Mr. Cory indicated that the area which is fitness room would be converted for 11 additional room. This room would support 2 patients/clients.

Committee member Sally Yan asked is it for respite centre and a hotel.

Mr. Cory responded that this was part of their interpretation. He is not sure that the planning staff interpretation is appropriate.

Ms. Kwong further stated that it is a for profit business.

The Chair stated it appears this proposal is an incremental add.

Moved By: Sally Yan
Seconded By: Patrick Sampson

THAT Application No A/122//20 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/124/20

Owner Name: Danny Tam
Agent Name: Trevor Gain and Associates (Trevor Gain)
22 Tilman Circle, Markham
PLAN M1901 PT LOTS 9 & 10 RS65R4215 PARTS 81 & 138

The applicant is requesting relief from the requirements of By-law 163-78 as amended to permit:

a) By-law 163-78, Sec. 7.2(b):
to permit a minimum rear yard setback of 5.2 m; whereas the by-law requires a rear yard setback of 7.5m

as it relates to a proposed one storey rear addition. **(East District, Ward 4**

The Secretary-Treasurer introduced the application.

The agent Trevor Gain appeared on behalf of the application. There is no privacy or overlook issues.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No A/124/20 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/126/20

Owner Name: Elie Fotsing
Agent Name: YEJ Studio and Consulting Inc (Amr Robah)
33 Saltspring Dr, Markham
PLAN 65M3814 PT LOT 37 65R28149 PART 1

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

a) Table A, Section 6.5:

one accessory dwelling unit in the basement, whereas the By-law does not permit an accessory dwelling unit;

b) By-law 28-97, Section 6.1.2 (a):

two parking spaces, whereas the By-law requires a minimum of three parking spaces; and

c) By-law 177-96, Section 7.133.2 k)

a driveway to be setback 0 m from an interior side lot line, whereas the By-law requires a minimum setback of 0.3 m.

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

The Secretary-Treasurer introduced the application.

The agent Amr Robah appeared on behalf of the application.

Committee member Patrick Sampson stated his concerns relating to parking variance. He raised issues with vehicles parking on the pad/walkway leading to the front facing house door.

The Manager Zoning and Special Projects commented that this scenario as described earlier could be with properties who pre-dated a driveway by-law as passed by the City. As such, it is difficult if this scenario is illegal or not.

The owner Ellie Fotsing stated that they have been parking on the interlock area without issue.

Committee member Tom Gutfreund indicates the parking issue needs to be looked at further. However, he supports, overall, the application.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No A/126/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. **A/130/20**

Owner Name: Jian Li
Agent Name: Gregory Design Group (Shane Gregory)
50 George St, Markham
PLAN 18 PT LOT 5 BLK K

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

a) Section 1.2 (iii):

a building depth of 18.50m, whereas the By-law allows a maximum building depth of 16.76m;

b) Section 1.2 (vi):

a net floor area ratio of 45.3 percent, whereas the By-law allows a maximum net floor area ratio of 45 percent;

as it relates to a proposed two-storey addition with attached garage to an existing one-storey single family dwelling. **(Heritage District, Ward 4)**

The Secretary-Treasurer introduced the application.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No A/130/20 be deferred sine die

Resolution Carried

5. **A/131/20**

Owner Name: Saeed Hassanirokh
Agent Name: Evans Planning Inc. (Adam Layton)
4 Almond Ave, Thornhill
PLAN M835 LOT 172

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

a) Section 6.1:

a side yard setback of 1.52 metres, whereas the By-law requires a minimum setback of 1.8 metres;

b) Section 6.1:

a maximum height of 9.06 metres, whereas the By-law permits a maximum height of 8.0 metres;

c) Infill By-law 101-90, Section 1 (vii):

a floor area ratio of 61 percent, whereas the By-law permits a maximum floor area ratio of 50 percent;

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

The Secretary-Treasurer introduced the application.

Adam Layton of Evans Planning appeared on behalf of the application. He indicated they want to defer the application to attempt to revise proposal and speak with residents on the proposal as well.

Moved By: Patrick Sampson

Seconded By: Kelvin Kwok

THAT Application No A/131/20 be deferred sine die.

Resolution Carried

6. A/138/20

Owner Name: Arancia Investments Corp. (Nicholas Fidei)

Agent Name: Treasure Hill Homes (Chris Muns)

Arancia Investments Corp.

2 Crofting Cres, Markham

65M4573 LOT 12

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

Section 5, Table B2.Q:

To permit a maximum garage width of 5.5m with a lot frontage of 12.1m - 13.29m, whereas the By-law permits a garage width of 4.5m;

as it relates to the proposed residential dwellings at 2 Crofting Crescent, 33 Crofting Crescent, 39 Crofting Crescent, 74 Crofting Crescent, 65 Willow Street, 391 Fred McLaren Blvd, 195 Fred McLaren Blvd, 401 Fred McLaren Blvd, 67 Furrow Street, and 77 Greenspire Avenue. **(East District, Ward 6)**

The Secretary-Treasurer introduced the application.

The agent Lincoln Lo appeared on behalf of the application. These 10 lots are part of a larger subdivision and had a previous variance application as well. Due to administrative issue, this variance/issue had initially been missed.

Committee member Tom Gutfreund raised issue that another variance application is now before the Committee. He also raised issues about landscaping at the site.

Mr. Lo indicated that conditions with the previous variance applications have been satisfied.

Committee member Patrick Sampson commented that he has concerns with the application.

Committee member Jeamie Reingold stated a potential 'layering' issue with approval of this application. She also asked potential local improvements they may commit to in this neighbourhood.

Mr. Lo responded he would speak with his client Treasure Hill to see if anything could be done here.

Moved By: Arun Prasad
Seconded By: Kelvin Kwok
Patrick Sampson opposed

THAT Application No A/138/20 be approved subject to conditions contained in the staff report.

Resolution Carried

Adjournment

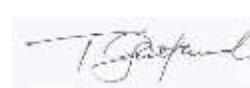
Moved by Arun Prasad
Seconded by Kelvin Kwok

THAT the virtual meeting of Committee of Adjustment be adjourned 9:07 PM, and the next regular meeting will be held February 17, 2021.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Chair