



CITY OF MARKHAM
Virtual meeting on zoom

November 4, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 21st 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	7:00 PM
Tom Gutfreund, Acting Char	7:00 PM
Patrick Sampson	7:00 PM
Arun Prasad	7:00 PM

Regrets
Gregory Knight
Sally Yan
Kelvin Kwok

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

DISCLOSURE OF INTEREST

None

Minutes: October 21, 2020

THAT the minutes of Meeting No. 20 of the City of Markham Committee of Adjustment, held October 21, respectively, be

- a) Approved as submitted, on November 4, 2020.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

PREVIOUS BUSINESS

1. A/01/19

Owner Name: Vishnu and Usha Doobay
Agent Name: SMDA (Rick Mateljan)
62 Sherwood Forest Drive, Markham
PLAN 5810 S PT LOT 198 N PT LOT 199

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 (iii):

a maximum building depth of 17.4 metres, whereas the By-law permits a maximum building depth of 16.80 metres;

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

The Secretary-Treasurer introduced the application.

The agent Rick Mateljan appeared on behalf of the application.

Elizabeth Brown spoke in opposition to the application. The applicant built the dwelling without the appropriate approvals.

Committee member Patrick Sampson has no concerns regarding approving the application.

Committee member Arun Prasad inquired about the size of the balcony.

Mr. Mateljan clarified it was a half balcony.

Committee member Tom Gutfreund inquired about the features on the top of the house.

Mr. Mateljan clarified that they were decorative finials.

Committee member Jeamie Reingold asked if they could remove the finials on top of the roof.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No A/01/19 be approved subject to the conditions contained in the staff report.

Resolution Carried

2. A/018/20

Owner Name: Fang Chen and 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 5.7 (a):**
To permit uncovered stairs to project a distance of 1.01 m into the required interior side yard; whereas the by-law permits a maximum projection of 0.45 metres
- c) Section 7.2:**
a maximum lot coverage of 34.6 percent, whereas the By-law permits a maximum of 33-1/3 percent;
- d) Section 6.2:**
an accessory building located 0.35m 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.

The agent Rachel Sun appeared on behalf of the application.

Committee member Patrick Sampson inquired about the number of people living in the basement and questioned the layout plan. Patrick requested that a condition exist so that a maximum of one kitchen is permitted in the basement level.

Committee member Arun Prasad agreed that the current layout plan created confusion.

Committee member Jeamie Reingold does not support the application.

Committee member Tom Gutfreund asked if the applicant wanted a defer or hear a decision. If a deferral is requested, the agent should come back to the committee with a newly revised plan.

Ms. Sun requested a deferral.

Moved By: Arun Prasad
Seconded By: Patrick Sampson

Jeamie Reingold opposed

THAT Application No A/018/20 sine die.

Resolution Carried

3. A/045/20

Owner Name: Lin Jian
Agent Name: Brutto Consulting (Claudio Brutto)
17 Jonquil Cres, Markham
PLAN 4949 LOT 160

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 49.84 percent; whereas the by-law permits a maximum of 45 percent;

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

The Secretary-Treasurer introduced the application.

The agent Claudio Brutto appeared on behalf of the application.

Mr. Brutto's architect presented drawings of the proposed dwelling.

Elizabeth Brown spoke in opposition to the application. She is concerned with the open to below.

Committee member Jeamie Reingold requested the applicant to bring down the size of the dwelling's massing.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No A/045/20 be approved subject to the conditions contained in the staff report.

Resolution Carried

NEW BUSINESS:

1. B/012/20

Owner Name: Gil Shcolyar and marina Shcolyar
Agent Name: Evans Planning Inc. (Eleni Mermigas)
12 Deer Park Lane, Markham
PLAN 1149 PT LTS 11 & 12

To permit:

- a) sever and convey a parcel of land with an approximate lot area of 302 sqm (3,250.70 sqft); b) retain a parcel of land with an approximate lot frontage of 22.63m (74.25 ft) and approximate lot area of 600 sqm (6,458.35 sqft).

The purpose of this application is to sever and convey the rear portion of the property to 16 Deer Park Lane with the intent to create a one single-family residential lot and two semi-detached residential lots. This application is related to consent applications B/013/20 and B/014/20 for 12 and 16 Deer Park Lane. This application is also related to Zoning Amendment application PLAN 19 128208. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Eleni Mermigas appeared on behalf of the application.

Moved By: Patrick Samspon
Seconded By: Arun Prasad

THAT Application No B/012/20 be approved subject to the conditions contained in the staff report.

Resolution Carried

2. B/013/20

Owner Name: Gil Shcolyar and Marina Shcolyar
Agent Name: Evans Planning Inc. (Eleni Mermigas)
16 Deer Park Lane, Markham
PL 1149 PT LT 11 PT LT 12

To permit:

- a) sever and convey a parcel of land with an approximate lot frontage of 13.50m (44.29 ft) and an approximate lot area of 604 sqm (6,501.40 sqft);
- b) retain a parcel of land with an approximate lot frontage of 22.63m (74.25 ft) and approximate lot area of 530 sqm (5,704.87 sqft).

The purpose of this application is to sever and convey the rear portion of the property with the intent to create a one single-family residential lot and two semi-detached residential lots. This application is related to consent applications B/012/20 and B/014/20 for 12 and 16 Deer Park Lane. This application is also related to Zoning Amendment application PLAN 19 128208. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No B/013/20 be approved subject to conditions contained in the staff report.

Resolution Carried

3. B/014/20

Owner Name: Gil Shcolyar and Marina Shcolyar
Agent Name: Evans Planning Inc. (Eleni Mermigas)
12 Deer Park Lane, Markham
PLAN 1149 PT LTS 11 & 12

To permit:

- a) sever and convey a parcel of land with an approximate lot frontage of 1.55m (5.08ft) and an approximate lot area of 39 sqm (419.79 sqft);
- b) retain a parcel of land with an approximate lot frontage of 21.06 (69.09 ft) and an approximate lot area of 562 sqm (6,049.32 sqft).

The purpose of this application is to sever and convey a portion of the property to 16 Deer Park Lane with the intent to create a one single-family residential lot and two semi-detached residential lots. This application is related to consent applications B/013/20 and B/014/20 for 12 and 16 Deer Park Lane. This application is also related to Zoning Amendment application PLAN 19 128208. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No B/014/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/090/20

Owner Name: Amphenol Canada-Condor Properties
Agent Name: Baldassarra Architects Inc (Milica Zekanovic)
5950 14th Ave, Markham
PLAN 65M2757 LOT 26

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

a) Section 4.6.1 (b):

to permit a building to be constructed within 22.63 m of the centre line of 14th Avenue, whereas the By-law requires 36 m;

b) Section 6.1 (d)(i):

to permit minimum a front yard setback of 3.44 m, whereas the By-law requires 12 m;

c) Section 4.7.1 (a):

to permit a minimum depth of 0.64 m landscaped open space, whereas the By-law required 9m;

as it relates to a proposed industrial building with office component. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The agent Milica Zekanovic appeared on behalf of the application.

Committee member Arun Prasad inquired about the parking lot exit.

Mr. Zekanovic clarified that the owner and the Region of York are in negotiations to build a median strip in the middle of the road.

Committee member Jeamie Reingold requested the agent to display renderings of the proposed building.

Mr. Zekanovic presented elevations and described the surrounding landscapes of the proposed building.

Committee member Patrick Sampson inquired about safety concerns regarding the widening of 14th avenue.

Mr. Zekanovic stated that their traffic consultant shared no concerns regarding the widening of 14th avenue.

Moved By: Arun Prasad
Seconded By: Jeamie Reingold

THAT Application No A/090/20 be approved subject to conditions contained in the staff report.

Resolution Carried

5. A/096/20

Owner Name: Balvinder Singh Jassar
Agent Name: YEJ Studio and Consulting Inc (Amr Robah)
61 Busch Ave, Markham
PLAN 65M2757 LOT 26

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

- a) By-law 177-96, Section 6.5:**
to allow an accessory dwelling unit (basement apartment); whereas the By-law does not permit an accessory dwelling unit

as it relates to a basement apartment in the existing residential dwelling.
(West District, Ward 6)

The Secretary-Treasurer introduced the application.

The agent Amr Robah appeared on behalf of the application.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No A/096/20 be approved subject to conditions contained in the staff report.

Resolution Carried

Adjournment

Moved by Patrick Samson
Seconded by Arun Prasad

THAT the virtual meeting of Committee of Adjustment be adjourned at 8:55 PM, and the next regular meeting will be held November 18, 2020.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Acting Chair