



CITY OF MARKHAM
Virtual meeting on zoom

July 7, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 9th 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	7:00PM
Tom Gutfreund	7:00PM
Patrick Sampson	7:00PM
Gregory Knight, Chair	7:00PM
Kelvin Kwok	7:00PM
Arun Prasad	7:00PM
Sally Yan	7.00PM

Justin Leung, Secretary-Treasurer
Bradley Roberts, Manager, Zoning and Special Projects

DISCLOSURE OF INTEREST

-Committee member Tom Gutfreund indicated that for consent B/003/20 that he has a potential business interest relating to this. During discussion of that application, he would recuse himself.

Minutes: June 30 and July 2, 2020

THAT the minutes of Meetings No. 7 of the City of Markham Committee of Adjustment, held June 30, respectively, be

- a) Approved as submitted, on July 7, 2020

Moved By: Arun Prasad

Seconded By: Sally Yan

THAT the minutes of Meetings No. 8 of the City of Markham Committee of Adjustment, held July 2, respectively, be

- a) Approved as submitted, on July 7, 2020

Moved By: Kelvin

Seconded By: Jeamie

PREVIOUS BUSINESS

1. A/003/20

**Owner Name: BO-HAN LEE
Agent Name: Emami Design (Amir Emami)
157 Krieghoff Ave, Markham
PLAN 7566 LOT 198**

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

- a) Section 6.1:**
a maximum height of 26 ft 8 in, whereas the By-law permits a maximum height of 25 feet;
- b) Section 6.1:**
a maximum lot coverage of 37.33 percent, whereas the By-law permits a maximum lot coverage of 33 1/3 percent;
- c) Section 3.7:**
overhang projection of 36 inches into the required yard, whereas the By-law permits a maximum of 18 inches;

as it relates to a proposed two-storey detached dwelling. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent Amir Emami spoke on the application. They have acted to make changes to the proposal. They have revised their design proposal making it more consistent with the house adjacent to theirs.

Chris Bergauer Free of 145 Krieghoff Avenue spoke in opposition to the application. She contends the lot coverage variance remains unchanged. Sunlight and vegetation will be negatively impacted. She believes the flooding issues of the neighbourhood are being exasperated.

Ian Free of 145 Krieghoff Avenue spoke in opposition to the application. The building height is not necessary here for this design. The shadowing issue is noted with this proposal.

Committee member Tom Gutfreund believes the lot coverage continues to be an issue.

Mr. Emani responded part of the reason for the design is due to feng shui considerations of the client.

Committee member Saly Yan asked if neighbours had been consulted.

Mr. Emani stated that they had attempted to contact all adjacent neighbours.

Committee member Arun Prasad asked if open to below space could be reduced.

Mr. Emani responded that the drawings may not show the actual dimensions of the house for this property context.

Committee member Tom Gutfreund asked that variance requests be reduced for variance a to 25 feet 8 inches, variance b to 35.5 % lot coverage while variance c remains unchanged. If applicant is able to do this, they would allow such changes and approve the proposal.

Moved By: Tom Gutfreund
Seconded By: Sally Yan

THAT Application No. A/003/20 be approved subject to conditions contained in the staff report and that Variance A reduced to 25 feet 8 inches, Variance B to 35.5 % with Variance C unchanged.

Resolution Carried

NEW BUSINESS:

1. B/003/20

Owner Name: Ladies' Golf Club of Toronto (Monica McIntosh)
Agent Name: The Residences At Royal Bayview Inc. (Deborah Walsom)
Ladies' Golf Club of Toronto
7859 Yonge St, Thornhill
CON 1 PT LOT 31 65R25941 PT 1

To permit:

- a) sever and convey a parcel of land with approximate lot frontage of 46 m and approximate lot area of 1.07 ha;
- b) retain a parcel of land with approximate lot frontage of 180 m and approximate lot area of 51.30 ha.

The purpose of this application is to create a new lot to permit the development of two 12- and 14-storey residential buildings and a public parkette on a 1.07 ha portion of the Ladies' Golf Club of Toronto property. This application is related to OP/ZA 18 171600 and SPC 18 258868. **(West District, Ward 1)**

The Secretary-Treasurer introduced the application.

The legal counsel Jason Park was representing the applicant. He outlined that this is a severance of portion of Ladies Golf Course to facilitate a condo apartment development. The other development applications have already been approved by City Council.

Committee member Sally Yan inquired about parkland and if it is sufficient here.

Mr. Park responded that they would look to make contribution on payment of cash-in-lieu for parkland.

Moved By: Sally Yan
Seconded By: Arun Prasad

THAT Application No. B/003/20 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/034/20

Owner Name: ZHI DA CEN
Agent Name: ARK Group (Daniel Wong)
47 Hawkrigde Ave, Markham
PLAN 6584 LOT 1

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

- a) Section 11.2 (c):**

To permit uncovered stair to encroach 40 inches into required front yard, whereas the By-law permits a maximum of 18 inches into the required yard;

b) Infill By-law 99-90, Section 1.2 (vi):

To have a proposed net floor area ratio of 53.5 percent, whereas the By-law allows a maximum floor area ratio 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 Ken Tai appeared on behalf of the application. He contends that in-fill development is continuing trend of the neighbourhood.

Greg Ireland of 49 Hawkrigde Avenue spoke in support of the application.

Councillor Rea states that she believes drawings as provided are inaccurate. She is further concerned that the four tests are not being met here.

Gary Bowerman of 110 Robinson Street spoke in opposition to the application. He also inquired if sediment control may be needed here.

Elizabeth Chong and Doug Crocker of 60 Hawkrigde Avenue spoke in opposition to the application. They contend the persons who support the application are 'transient' residents who will be moving soon so don't have genuine interest in this proposal.

Elizabeth Brown of 65 Sherwood Forest Drive spoke in opposition to the application. It appears that the numbers on the drawings appear accurate. In addition, the proposal appears too large for this lot.

Committee member Tom Gutfreund believes the variance requests continue to be too substantial.

The Chair also stated that potentially a deferral to address the overall massing may be appropriate.

Moved By: Tom Gutfreund

Seconded By: Jeamie Reingold

THAT Application No A/034/20 be deferred sine die.

Resolution Carried

3. **A/053/20**

Owner Name: Qiang Sun
Agent Name: Rachel Y.H. Sun Architect (Rachel Sun)
3 Snowcrest Crt, Markham
PLAN 65M2509 LOT 91

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 in basement; whereas by-law permits no more than 1 single detached dwelling on 1 lot;

b) Section 6.1.2 (d):

To permit interior side yard setback of 1.38 m; whereas by-law requires minimum interior side yard setback of 1.8 m;

as it relates to a proposed secondary suite, addition on 2nd floor above the garage and a 3rd parking space by enlarging existing garage. **(Central District, Ward 8)**

The Secretary-Treasurer introduced the application.

The agent Rachel Sun appeared on behalf of the application. The proposal is to create a second unit for the owner's parents.

Kavitha Thanabalasingam of 9 Snowcrest Court didn't initially refuse the proposal, but did note that this design would not be consistent with other adjacent houses.

Tony Pileggi of 44 Beckenridge Drive raised that it appears construction has begun at site and that they didn't want the unit be rented out.

Staff responded if construction had commenced for part of proposal which needed variance, there could be a Building issue and that the public should let Building Standards Department know to investigate. In addition, provincial policies permit secondary suites which could be rented out so the City cannot regulate or restrict this.

Committee member Arun Prasad asked if the net floor area (NFA) could be increased as a result.

Staff responded that the NFA issue does not apply to all neighbours of the city

Moved By: Patrick Sampson
Seconded By: Kelvin Kwok

THAT Application No. A/053/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/062/20

Owner Name: Duyang Li
Agent Name: Elyn Lin
86 Havelock Gate, Markham
PL 65M2930 LT 25

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

a) Section 4.6(a):

To permit a roofed porch with unenclosed sides to project a distance of not more than 2.19m into the required Flanking Yard, whereas a distance of not more than 0.45m is required;

as it relates to a proposed rear yard canopy. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The agent Elyn Lin appeared on behalf of the applicant.

Committee member Tom Gutfreund asked if the canopy will be enclosed.

Ms. Lin responded that it will not.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No. A/062/20 be approved subject to conditions contained in the staff report.

Resolution Carried

MOTION TO ADJOURN

Moved by Arun Prasad

Seconded by Kelvin Kwok

THAT the virtual meeting of Committee of Adjustment be adjourned at 9:06 PM, and the next regular meeting will be held on July 9, 2020.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Chair