



COMMITTEE OF ADJUSTMENT

AGENDA

Wednesday, January 22, 2020

7:00pm

Location: City of Markham, Council Chamber

Address: 101 Town Centre Boulevard, (Anthony Roman Centre)

Minutes: December 11, 2019

DISCLOSURE OF INTEREST

PREVIOUS BUSINESS

1. A/30/19

Owner Name: Ainkaran Manoranjitham

Agent Name: Varatha Design Associates (Ken Varatha)

122 Chloe Cres, Markham

PLAN 65M2525 PT LOT 34 RS65R11113 PARTS 13 & 14

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

a) Section 5.2.1:

a secondary dwelling unit, whereas the By-law permits no more than one single detached dwelling on one lot;

b) Section 4.6(a):

a maximum projection of 0.70 m into the side yard, whereas the By-law permits an uncovered platform or step to project a distance of not more than 0.45 m into any required yard;

as it relates to an existing basement apartment and walkout. **(East District, Ward 7)**

2. A/32/19

Owner Name: ZHANG YING

Agent Name: Henry He

14 Buttonfield Rd, Markham

PLAN 65M2556 LOT 114

The applicant is requesting relief from the requirements of By-law 118-79 as amended to permit:



a) Section 6.1 & 7.1.1:

a second dwelling unit/basement apartment, whereas the By-law permits no more than one single detached dwelling unit on a lot;

as it relates to an existing basement apartment that was built without a permit.

(Central District, Ward 2)

3. A/56/19

Owner Name: H & W Development Corp. (David Wang)

Agent Name: Walker, Nott, Dragicevic Associates Limited

10 Cedarland Drive, Markham

PLAN 65M3998 BLK 4

The applicant is requesting relief from the requirements of By-law 2004-96 as amended to permit:

a) Section 5, Table A1:

to permit apartment dwellings in a MC-PS1 zone, whereas the By-law does not permit apartment dwellings in the MC-PS1 zone;

b) Amending By-law 2010-205, Schedule B1 Location of Zones, Schedule B2 Maximum Permitted Net Floor Area, Schedule B3 Minimum and Maximum Heights, & Schedule B4 Setbacks:

to permit an apartment building to be constructed in the MC-PS1 zone in accordance with the development standards applicable to the MC-D2*3 zone, notwithstanding the zone boundaries of Schedules B1, B2, B3 & B4;

c) Section 4.14.2B Parking Space Requirements - Residential Uses:

to permit a maximum of 1.10 parking spaces per dwelling unit, whereas the By-law permits a minimum of 1 parking space per dwelling unit and does not permit the provision of additional parking spaces;

d) Section 4.14.2B Parking Space Requirements - Residential Uses:

to permit a minimum of 0.15 parking spaces per unit for visitors, whereas the By-law permits a minimum of 0.2 parking spaces per unit for visitors;

e) Amending By-law 2010-205, Schedule B3 Minimum and Maximum Heights:

to permit a maximum building height of 54.8 metres for both buildings, whereas the By-law permits a maximum height of 30 metres (west) and 35 metres (east);

f) Amending By-law 2010-205, Schedule B3 Minimum and Maximum Heights:

to permit a building or structure to have a maximum height of 238.00 G.S.C. (Geological Survey of Canada), whereas the By-law permits a maximum of 233.00 G.S.C. (Geological Survey of Canada);

g) Section 5, Special Provision 2 of Table A1:



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Special Provision 2 of Table A1 shall not apply, whereas the By-law does not permit dwelling units to be located within 10 metres of the streetline on the first storey of any building;

h) Amending By-law 2010-205, Schedule B4 Setbacks Condition 1:

to permit a maximum building setback of 6.8 metres for any wall facing a streetline or public park, whereas the By-law permits a maximum setback of 1.0 metre for 80 percent of the wall facing a streetline or public park and 2.5 metres for the remaining 20 percent;

as it relates to two proposed residential apartment buildings. **(Central District, Ward 8)**

4. A/115/19

Owner Name: Walter Ribeiro

Agent Name: Ian Robertson Design (Bobbi-Jo Mackinnon)

52 Dove Lane, Thornhill

PLAN 3512 PT LOT 25 AND 26 65R36933 PARTS 1 AND 5

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

a) Amending By-law 101-90, Section 1.2(i) - Building Height:

a maximum building height of 10.96 metres, whereas the By-law permits a maximum building height of 9.8 metres;

b) Section 6.1 - Front Yard Setback:

a minimum front yard setback of 26.7 feet (8.14 metres), whereas the By-law requires a minimum front yard setback of 27 feet;

c) Amending By-law 101-90, Section 1.2(iv) - Building Depth:

a maximum building depth of 29.83 metres, whereas the By-law permits a maximum building depth of 16.8 metres;

d) Section 6.1 - Rear Yard Setback:

a minimum rear yard setback of 19.75 feet (6.02 metres), whereas the By-law requires a minimum rear yard setback of 25 feet;

e) Section 4.4.1 - Accessory Buildings:

to erect an accessory building (Cabana) in the side yard, whereas the By-law requires all accessory buildings which are not part of the main building to be erected in the rear yard;

f) Amending By-law 101-90, Section 1.2(vii) - Floor Area Ratio:

a maximum floor area ratio of 54.8 percent (9,254 sq.ft.), whereas the By-law permits a maximum floor area ratio of 50 percent (8,349 sq.ft.);



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

NEW BUSINESS:

1. A/99/19

Owner Name: 254632 Ontario Inc. (Brian Hoecht)
Agent Name: Bobby James & Associates
120 Doncaster Avenue, Thornhill
REG COMP PLAN 10327 LOT 21

The applicant is requesting relief from the requirements of By-law 2053 as amended to permit:

a) Section 8 (iii) - Commercial Permitted Land Uses:

to permit a motor vehicle sales establishment, whereas the By-law does not permit this commercial use;

b) Section 9 - Prohibited Land Uses:

to permit outdoor storage, display and sales area of motor vehicles, whereas the By-law does not permit outdoor/open storage of vehicles;

as it relates to a proposed accessory use for an Automotive Sales Establishment and Repair Facility. (**West District, Ward 1**)

2. A/142/19

Owner Name: Neil Lauritsen
Agent Name: Neil Lauritsen
10 Dryden Crt, Markham
PLAN M1484 LOT 6

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

a) Section 11.1:

a front yard setback of 6.3 m, whereas the By-law requires front yard setback of 7.5 m;

b) Section 11.1:

a side yard setback of 1.818 m and 1.8 m on either sides of the property, whereas the by-law requires side yard setback of 1.829 m on either side property lines;

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



3. A/144/19

**Owner Name: Jenny Fung
Agent Name: Step Design Studio Inc.
7 Willowgate Drive, Markham
PLAN 5880 LOT 11**

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

a)Section 1.2 (iii) under by law 1229 as amended by 99-90, properties zoned R1 - Max. Building Depth:

Proposed maximum Building Depth of 18.03m; whereas, by-law permits Maximum Building Depth of 16.80m

b)Section 1.2(i) By-law 1229 as amended by 99-90, properties zoned R1 - Max. Building Height:

Proposed Maximum Building Height of 10m; whereas, by-law permits Maximum Building Height of 9.80m

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

4. A/146/19

**Owner Name: Mark Cullen
Agent Name: Robert Hurlburt Homes Ltd (Robert Hurlburt)
126 Church St, Markham
PLAN 1445 PT LOT 1**

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

a)Section 1.2 (iv), as amended by By-law 99-90:

to permit garage projection of 4.14 m, whereas By-law allows maximum garage projection of 2.1 m;

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



5. A/147/19

Owner Name: Krashnik Investments Ltd. (Mrs Doris Rosenberg)
Agent Name: David Johnston Architect Ltd. (David Johnston)
9833 Markham Rd, Markham
CONC 8 PT LOT 19 65R7230 PTS 1&2

The applicant is requesting relief from the requirements of By-law 88-76 as amended to permit:

a) Amending By-law 2005-277, Sections 1.1 & 1.2:

to permit retail stores, whereas the By-law permits one retail store with a maximum GFA of 1500sqm; and

b) Section 6.1:

to permit one personal service shop, whereas the By-law does not permit personal service shops;

as it relates to uses in units within an existing industrial complex. **(East District, Ward 5)**

6. A/149/19

Owner Name: Innovative Health Holdings Inc. (Chi-Sam Tran)
Agent Name: Innovative Health Holdings Inc. (Chi-Sam Tran)
35 Karachi Dr, Markham
YORK REGION CONDO PLAN 1172 LEVEL 1 UNIT 40

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

1. A lot frontage of 96m, whereas the by-law requires a minimum lot frontage of 150m;
2. A lot area of 2.1ha, whereas the by-law requires a minimum lot area of 5ha;
3. A parking area to encroach 4.5m into the minimum required landscaped open space area adjacent to Markham Road, whereas the by-law does not allow a parking area to encroach into the minimum required landscaped open space;
4. A minimum building height of 6.5m for buildings CRU C1, CRU C2, CRU C3, and CRU C4, whereas the by-law requires a minimum building height of 8m within 40m of Karachi



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Drive and Markham Road;

5. A minimum building height of 7.5m for buildings CRU C5, CRU C6, CRU C7, CRU C8, and CRU C9, whereas the by-law requires a minimum building height of 8m within 40m of New Delhi Drive and Markham Road;

6. A reduction in the required number of loading spaces to zero, whereas the by-law requires a total of nine loading spaces (one loading space per building);

7. Parking ratios of 1 parking space per 28 sq m for Block 3 (south side) only, whereas the by-law requires 1 parking space per 18.5 sq m of leasable floor area greater than 2500sq m, as they relate to an existing commercial shopping centre.

Variances one through seven have previously been approved by the Committee of Adjustment under applications A/34/07, A/15/09, and A/132/11. The applicant is proposing these same variances in order to change the conditions of approval regarding the gross leasable floor area of medical offices and clinics:

1) Committee of Adjustment Decision A/132/11 - Condition 3:

That the total maximum Gross Leasable Floor Area devoted to medical offices and clinics be revised to permit at least 9.21 percent of the total gross leasable floor area of all buildings on the site, whereas Condition 3 of A/132/11 permits a maximum of 7 percent;

as it relates to a proposed denture office in an existing commercial building. **(East District, Ward 7)**

7. A/150/19

Owner Name: Hai Yin Enterprises Inc.

Agent Name: Ming Zhao

8333 Kennedy Rd, Markham

YORK REGION CONDO PLAN 1228 LEVEL 2 UNIT 111

a) Section 7.374, Table A2:

to permit a recreational establishment, whereas the By-law does not permit a recreational establishment;

as it relates to an existing bubble tea, internet, and board game café. **(Central District, Ward 3)**



8. B/027/19

**Owner Name: Shiying Tan
Agent Name: Gregory Design Group
28 Aileen Road, Thornhill
PLAN 2382 PT LOT 11 65R37329 PART 2**

The applicant is requesting provisional consent to:

- a) sever and convey a parcel of land with approximate lot area of 697.3 sq. m and frontage of 15.93 m (Part 1);
- b) retain a parcel of land with approximate lot area of 697.3 sq. m and frontage of 15.93 m (Part 2).

The purpose of this application is to create a new residential lot.

This serves as a re-application for consent B/09/18, which was approved by the Committee of Adjustment on September 12, 2018 but lapsed due to unfulfilled conditions of approval. This application is also related to consent B/29/16. **(West District, Ward 1)**

Adjournment

- 1. Next Meeting, February 5, 2020**
- 2. Adjournment**