



CITY OF MARKHAM
Virtual meeting on zoom

July 14, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 11th 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>
Jeannie Reingold	7:00PM
Tom Gutfreund	7:00PM
Patrick Sampson	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
Melissa Leung, Development Technician
Justin Mott, Development Technician

Regrets
Gregory Knight, Chair

DISCLOSURE OF INTEREST

None

Minutes: July 7 and 9, 2020

THAT the minutes of Meeting No. 9 the City of Markham Committee of Adjustment, held July 7, be

- a) Approved as submitted, on July 14, 2020

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT the minutes of Meeting No. 10 of the City of Markham Committee of Adjustment, held July 9, be

- a) Approved as submitted, on July 14, 2020

Moved By: Kelvin Kwok

Seconded By: Patrick Sampson

NEW BUSINESS:

1. A/050/20

Owner Name: Arrowdale Developments Ltd and Bonnydon Ltd (Michael Freedman)

Agent Name: Treasure Hill (Joran Weiner)

**1 to 3, 5, 7, 10, 12, 21 to 24, 26, 33, 39, 48, 53, 55, 62, 64, 66, 68 to 71, 73 to 75 Crofting Crescent; 2, 6, 8, 10, 12, 14 and 28 Collier Crescent; 391, 395 and 401 Fred McLaren Blvd; 49 to 52, 54, 56, 65 to 68 Furrow Street; 61 and 77 Greenspire Avenue; 44, 58, 60 and 62 Titus Street; 41 to 46, 48, 50, 58 to 62 and 65 Willow Street, Markham
65M4573 LOT 2**

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

- a) Section 5, Table B2.Q:**
a maximum garage width of 5.5 m with a lot frontage of 10.7 m to 12.19 m, whereas the By-law allows for a maximum of 3.5 m;
- b) Parking By-law 28-97, Section 6.2.4.2 b) i) b):**
a minimum of 35 percent soft landscaping, whereas the By-law requires a minimum of 40 percent;
- c) Section 6.6.3 a) ii):**
stairs or landings to encroach into the required front exterior side and interior side yards, whereas the By-law allows encroachment into required front, exterior side yard;
- d) Section 5, Table B2.T:**
a minimum rear yard of 6.0 m on a lot not accessed by a lane, whereas the By-law requires a minimum of 7.0 m;

as it relates to the construction of new single detached dwellings on 67 lots in a registered M-Plan. **(East District, Ward 6)**

The Secretary-Treasurer introduced the application.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No. A/050/20 be deferred sine die.

Resolution Carried

2. A/057/20

Owner Name: Thyagarajah Sivakumar
Agent Name: J-R Home Designer Inc. (John Ramirez)
103 Parkway Ave, Markham
PLAN M1378 LOT 94

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 Net floor area ratio of 51.30 percent, whereas a maximum Net floor area ratio of 45 percent is permitted.

as it relates to a new 2 storey house with an attached garage. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent John Ramirez appeared on behalf of the application. He contends the proposal is consistent with the other adjacent houses. He had reviewed the resident comments and contends they are misinformed about their proposal.

Elizabeth Brown of 65 Sherwood Forest Drive spoke in opposition to the application. She believes, with the net floor area (NFA) calculation, that the proposed building is too large for the neighbourhood. She believes the infill by-law has established generous standards to allow for a house to be constructed. In-fill development has not been an established development pattern for this area.

Committee member Jeamie Reingold asked about the design for front façade. She also stated that, on initial review, the proposal is not atypical to other in-fill homes the Committee has assessed in the past.

Mr. Ramirez responded they are looking at a 'soft' type stone material.

Committee member Sally Yan stated that she sees that the proposal has been revised so that only one variance request is needed. She supports the proposal as it has been structured.

Committee member Arun Prasad concurs with Sally Yan and her determinations.

Committee member Kelvin Kwok does not feel the proposal is 'overbearing' for the neighbourhood.

Committee member Jeamie Reingold commented that she would support the proposal if front façade could be further revised.

Moved By: Sally Yan

Seconded By: Arun Prasad

**Sally Yan, Arun Prasad and Kelvin Kwok supported
Patrick Sampson and Jeamie Reingold opposed**

THAT Application No A/057/20 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/061/20

Owner Name: St. Mary and St. Samuel The Confessor Coptic Orthodox Church (JOHN SARKIS)

**Agent Name: S.C. Land Management Corporation (Sal Crimi)
9377 McCowan Rd, Markham**

CON 7 PT LOT 16 RP 65R34173 PARTS 2 TO 7, 9 TO 11 AND 13 TO 15

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

a) Section 7.4.89.2 g) ii:

to permit a Maximum Gross Floor Area of 680 sq.m for a Day Nursery, whereas the By-law only permits a Maximum Gross Floor Area of 460 sq. m. for a Day Nursery;

b) Parking By-law 28-97, Section 3.0:

to permit a total of 12 parking spaces together with the sharing of the existing 246 parking spaces on the site, for a proposed Day Nursery having 9 classrooms and a maximum of 137 students, whereas the By-law requires a total of 41 parking spaces for the proposed Day Nursery;

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

The Secretary-Treasurer introduced the application.

The agent Sal Crimi appeared on behalf of the application. He stated that this is an existing building they will use for the day care facility. The use will not conflict with the existing church use.

Committee member Arun Prasad asked if this 'house' is separate from the church.

Mr. Crimi responded that they are all an integrated property.

Committee member Sally Yan asked if this is a for profit daycare.

Mr. Crimi responded it will be for profit as this is a means for the church to bring in additional revenue.

Moved By: Arun Prasad

Seconded By: Patrick Sampson

THAT Application No. A/061/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/065/20

Owner Name: BETHANY LODGE

Agent Name: Blackthorn Management Inc. (Mr Michael Da Silva Jr)

34 Swansea Rd, Markham

CON 6 PT LOT 10 PLAN 65M2520 LOTS 22-24

The applicant is requesting relief from the requirements of By-law 122-72 as amended to permit:

a) Schedule C, Amending By-law 2005-153:

to permit a maximum height of 4 storeys, whereas the By-law permits a maximum height of 3 storeys;

as it relates to a proposed addition to an existing seniors residence. **(Central District, Ward 3)**

The Secretary-Treasurer introduced the application.

The agent Michael Da Silva Jr appeared on behalf of the application. The proposal is to add an additional storey due to increasing need for seniors care. They have discussed it with the Bethany Lodge board. They will also look to mitigate impact to existing residents.

Georgia and Peter Kolovos of 37 Eton Street spoke in opposition to the application. They are concerned with the increase in building height.

Ted Spiliopoulos of 40 Eton Street spoke in opposition to the application.

Sam Guastelluccia of 38 Eton Street also spoke in opposition to the application.

Committee member Jeamie Reingold asked about the fourth floor and potential impacts to neighbouring property's.

Mr. Da Silva Jr. responded that the fourth floor construction is mostly along one portion of the property.

Committee member Sally Yan stated that there appears to have some public concerns.

Mr. Da Silva Jr. stated that the proposal has been ongoing for 2 years.

Committee member Kelvin Kwok asked if a sun shadow study was done.

Mr. Da Silva Jr. responded there has been some assessment done on certain streets.

The Acting Chair commented he is not sure a sun shade study would be necessary here.

Committee member Jeamie Reingold commented that she does not believe that the rear facing properties are not as significantly impacted by this proposal.

Committee member Sally Yan inquired if an information package can be prepared for the neighbouring residents.

Mr. Da Silva Jr. agreed to provide further clarification and information to the neighbours after the meeting.

Moved By: Jeamie Reingold
Seconded By: Arun Prasad

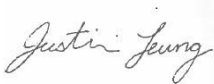
THAT Application No. A/065/20 be approved subject to conditions contained in the staff report.

Resolution Carried

MOTION TO ADJOURN

Moved by Patrick Sampson
Seconded by Kelvin Kwok

THAT the virtual meeting of Committee of Adjustment be adjourned at 8:20 PM, and the next regular meeting will be held on July 16, 2020.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Acting Chair