



CITY OF MARKHAM
Virtual meeting on zoom

July 21, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 13th 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, Acting Chair	7:00PM
Patrick Sampson	7:00PM
Sally Yan	7.00PM

Regrets

Gregory Knight, Chair
Arun Prasad
Kelvin Kwok

Melissa Leung, Acting Secretary-Treasurer
Bradley Roberts, Manager, Zoning and Special Projects
Justin Mott, Development Technician
Aleks Todorovski, Planner I

DISCLOSURE OF INTEREST

None

Minutes: July 14 and July 16, 2020

THAT the minutes of Meeting No. 11 of the City of Markham Committee of Adjustment, held July 14, respectively, be

- a) Approved as submitted, on July 21, 2020, with amendment to item 4, A/065/20 34 Swansea Road, indicating that the applicant has agreed to compile an information package for the neighbouring residents.

Moved By: Patrick Sampson
Seconded By: Jeamie Reingold

THAT the minutes of Meeting No. 12 of the City of Markham Committee of Adjustment, held July 16, respectively, be

- a) Approved as submitted, on July 21, 2020.

Moved By: Patrick Sampson
Seconded By: Sally Yan

PREVIOUS BUSINESS

1. B/004/20

Owner Name: Vetmar Limited (Sandra Vettesse)
Agent Name: Gagnon Walker Domes Ltd. (Marc De Nardis)
11050 Woodbine Ave, Markham
CON 3 PT LOT 27 PT LOT 28

For provisional consent to:

- a) sever and convey a parcel of land with approximate lot frontage of 280.37 m and approximate lot area of 11.18 ha;
- b) retain a parcel of land with approximate lot frontage of 117.28 m and approximate lot area of 2.55 ha;
- c) establish easements for reciprocal access, passage and servicing.

The purpose of this application is to separate the leasehold and condominium components of a proposed development for four industrial buildings. This application is related to minor variance application A/023/20 and A/024/20. **(West District, Ward 2)**

The Secretary-Treasurer introduced the application.

The agent Marc De Nardis appeared on behalf of the application.

Moved By: Sally Yan
Seconded By: Patrick Sampson

THAT Application No. B/004/20 be approved subject to conditions contained in the staff report.

Resolution Carried

2. 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 23 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 a maximum of 0.76m 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: Sally Yan

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

Resolution Carried

NEW BUSINESS:

1. A/037/20

Owner Name: BRIAN COUPERTHWAITE and Robin Couperthwaite
Agent Name: Gregory Design Group (Russ Gregory)
12 Orchard St, Markham
PLAN 2485 LOT 27

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

- a) Section 11.1:**
a maximum lot coverage of 35.10 percent, whereas the By-law permits a maximum lot coverage of 35 percent;
- b) Infill By-law 99-90, Section 1.2 (iii):**
a maximum building depth of 20.73 m, whereas the By-law permits a maximum building depth of 16.8 m;
- c) Infill By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 51 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- d) Infill By-law 99-90, Section 11.1:**
a minimum front yard setback of 7.0m (22.96 ft), whereas the By-law requires 7.62m (25 ft);

as it relates to a proposed 1-1/2 storey 'bungalow.' **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Russ Gregory appeared on behalf of the application. Minor changes have been made to the original proposal based on Staff comments.

Elizabeth Brown of the Sherwood Forest Ratepayer Group spoke in opposition to the application. The proposed three-car garage is too large and could potentially accommodate four cars. There are no other houses in the area with a three-car garage facing the street. The coverage, building depth, floor area ratio, and front yard setback variances can be reduced or eliminated by making the garage smaller.

Mr. Gregory commented that the initial front yard setback was 8.0m, however, the front yard setback was revised and the building moved forward as per Staff comments in order to preserve the tree in the rear yard. Three-car garages can also be found along the street. The building depth and lot coverage variances are attributed to the covered porch.

Committee member Jeamie Reingold commented that the proposed dwelling is appropriate for the area and appreciates that great consideration was made to preserve the trees on the property.

Moved By: Jeamie Reingold

Seconded By: Sally Yan

THAT Application No. A/037/20 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/047/20

Owner Name: Mohinder Singh Jaswal and Santosh Kumari Jaswal

Agent Name: ASHRA PROFESSIONALS INC (HETAL PARMAR)

135 Walford Rd, Markham

PLAN 65M2468 LOT 18

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) Single Detached Dwelling on one (1) lot;

as it relates to a proposed basement apartment. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

The agent Hetal Parmar appeared on behalf of the application. The proposal is for a secondary suite which will include enlargement on windows and a side entrance. There is enough parking on the property to accommodate the unit. The unit is intended for the owner's children.

Committee member Patrick Sampson inquired if the rental unit is meant for commercial purposes or for family use.

Ms. Parmar indicated that the unit is for the owner's son.

Moved By: Sally Yan

Seconded By: Patrick Sampson

THAT Application No A/047/20 be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/064/20

Owner Name: Todd McDowell and Elizabeth Butler
Agent Name: Gregory Design Group (Shane Gregory)
31 Wales Avenue, Markham
PLAN 1318 LOT 35 RS65R14183 PART 2

The applicant is requesting relief from the requirements of By-law 1229 and 163-78 as amended to permit:

a) Section 11.3 (a)(i):

a maximum building height of 22.47 feet (6.85 m), whereas the By-law requires a building height of 12 feet (3.65 m);

b) Section 6.1:

an accessory dwelling unit, whereas the By-law does not permit the use;

c) Section 3.2:

a dwelling unit in an accessory building, whereas the By-law does not permit an accessory dwelling to be used for human habitation;

as it relates to a proposed accessory structure. **(Heritage District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Shane Gregory appeared on behalf of the application. The height variance is largely attributed to Heritage Staff's request that the front elevation match the existing height of the dwelling.

Committee member Patrick Sampson inquired if the adjoining neighbours are in support of this application.

Mr. Gregory responded that neighbours to the north submitted a letter of support. He has also reached out to other neighbours and did not receive any opposition.

Committee member Patrick Sampson further about the height of the proposed structure in comparison to the existing structure.

Mr. Gregory clarified that the height will only be increased by a foot or two.

Committee member Patrick Sampson also inquired if the secondary suite will be used for income purposes.

Mr. Gregory confirmed that the second unit is intended for the family and their live-in nanny.

Committee member Sally Yan inquired whether or not there are three accessory structures on the property.

Mr. Gregory clarified that the existing detached garage will be demolished and replaced with a detached garage with second storey accessory dwelling unit. The storage storage shed is connected to the detached garage through a breezeway. There is only one accessory structure as the storage shed, detached garage and breezeway are connected and encompassed under one roof.

Moved By: Sally Yan
Seconded By: Jeamie Reingold

THAT Application No. A/064/20 be approved subject to conditions contained in the staff report.

Resolution Carried

MOTION TO ADJOURN

Moved by Jeamie Reingold
Seconded by Patrick Sampson

THAT the virtual meeting of Committee of Adjustment be adjourned at 7:47 PM, and the next regular meeting will be held on July 23, 2020.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Chair