



***COMMITTEE OF ADJUSTMENT***

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**AGENDA**

**Wednesday, December 16, 2020**

**7:00pm**

**Location: Virtual meeting on zoom platform**

**Minutes: Wednesday, December 2, 2020**

**DISCLOSURE OF INTEREST**

**PREVIOUS BUSINESS:**

**1. 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)



**2. A/048/20**

**Owner Name: 10057428 CANADA CORP. (Magdi Wanis)**  
**Agent Name: 10057428 CANADA CORP. (Magdi Wanis)**  
**220 Cachet Woods Crt, Markham**  
**PLAN 65M4414 BLK 2 65R37169 PARTS 2 AND 3**

The applicant is requesting relief from the requirements of By-law 165-80 as amended to permit:

**b) Section 6.4.3 (a):**

a maximum allowable floor area ratio 140 percent, whereas the By-law permits a maximum of 70 percent;

**j) Section 4.7.1 (b):**

a minimum landscape strip along Cachet Woods of 1.5m, whereas the By-law requires a minimum of 6.0m;

as it relates to a proposed 5-storey office building. **(West District, Ward 2)**

*\*Previous variances A-I had been heard and considered at the December 2, 2020 Committee of Adjustment (COA) meeting. Variance B has now been revised and will also be re-considered at this meeting.*

**3. A/100/20**

**Owner Name: Moheb Kheir**  
**Agent Name: Neveen**  
**14 Meyer Circle, Markham**  
**PLAN M1898 PT LOTS 51 & 52**

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

**a) By-law 163-78, Sec. 7.2(b):**

allow an interior side yard setback of 1.21 m; where as the By-law requires minimum interior side yard setback of 1.8 m

as it relates to a proposed two storey rear and side addition. **(East District, Ward 4)**



**NEW BUSINESS:**

**1. A/109/20**

**Owner Name: 2431988 Ontario Ltd.**

**Agent Name: Larkin+ land use planners (Daniel Ceron)**

**7 Highway E, Markham**

**CON 9 PT LOT 11 RP 65R31242 PARTS 2 AND 3**

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

**a) By-law 2017-16, section 7.569.2.d):**

a Maximum Building Height of 48.0 metres, whereas the By-law permits a Maximum Building Height of 40.0 metres;

**b) By-law 2017-16, section 7.569.2.f):**

a maximum number of 13 storeys, whereas the By-law permits a maximum number of 12 storeys;

**c) By-law 2017-16, section 7.570.2.j):**

a maximum number of 312 dwelling units, whereas the By-law permits a maximum number of 270 dwellings units;

**d) By-law 2017-16, sections 7.569.2.i), and 7.570.2.k):**

a minimum setback of 0.0 metres for any underground parking garage to a lot line between CA2\*569, and R3\*570 zones, whereas the By-law requires a minimum setback of 0.5 metres for an underground parking garage to any lot line;

**e) By-law 177-96, section 3.136:**

That the ground floor with a maximum height of 5.8 metres, and the Amenity Area located at the 13th storey with a maximum height of 6.0 metres shall be deemed to be one-storey each, whereas the By-law requires that 'Any portion of a storey exceeding 4.2 metres in height shall be deemed to be an additional storey';

**f) By-law 28-97, Section 3.0 Table A item "C Multiple Dwellings":**

a minimum of 1.05 parking spaces per dwelling plus 0.15 parking spaces per dwelling unit for visitors, whereas the By-law requires '1.25 parking spaces per dwelling plus 0.25 parking spaces per dwelling unit for visitors';

**g) By-law 28-97, Section 3.0 Table A item "D Apartment Dwellings":**

a minimum of 1.05 parking spaces per dwelling plus 0.15 parking spaces per dwelling unit for visitors, whereas the By-law requires '1.25 parking spaces per dwelling plus 0.25 parking spaces per dwelling unit for visitors';

**h) By-law 28-97, Section 5.1:**

That five percent of the proposed parking spaces per variance to the minimum required, shall be dedicated and use as accessible parking spaces, whereas the By-law requires that five per cent of the parking spaces required in Tables A and B shall be dedicated and use as accessible parking spaces;



**i) Parking By-law 28-97, Tables A and B and Variance A/109/20:**

a reduction of up to 7 parking spaces from the combined required totals of visitor parking for residential and non-residential uses for the Mixed-use Apartment Building to recognize the sharing of visitor parking;

**j) By-law 28-97, Section 6.1.1 (a):**

Required parking spaces to be located on an adjacent lot, whereas the By-law requires that parking spaces required by Sections 3 and 4 of this By-law shall be provided on the same lot as the Building, structure, or use requiring the parking;

as it relates to the proposed development of a 259 unit condominium apartment building and 312 stacked townhouse units on the subject lands, which are being reviewed by the City concurrently with Site Plan Application SPC 19 136373. **(East District, Ward 5)**

**2. A/111/20**

**Owner Name: Lei Zhang  
24A Gladiator Rd, Markham  
CON 7 PT LOT 10 65R30336 PT 1**

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

**a) By-law 1229, Sec. 6.1:**

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

as it relates to a proposed secondary suite **(basement apartment. (East District, Ward 4)**

**3. A/119/20**

**Owner Name: Lidosa Ltd (Ronald Hurlburt)  
Agent Name: WeirFoulds LLP (Paul Chronis)  
411 Manhattan Dr, Markham  
CON 6 PT LOT 14 RS65R12164 PARTS 2,5 & 7**

The applicant is requesting relief from the requirements of By-law 134-79 as amended to permit:

**a) By-law 134-79, Sec 2.3:**



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to permit an increase in gross floor area (GFA) of all restaurants and take-out restaurants to 274 m<sup>2</sup>, whereas the by-law permits a maximum GFA of 223 m<sup>2</sup> for all restaurants and take-out restaurants;

as it relates to an existing multi-use building. **(Central District, Ward 3)**

### **4. A/120/20**

**Owner Name: Xue Mei Wu**

**Agent Name: Gregory Design Group (Shane Gregory)**

**24 Church St, Markham**

**PLAN 18 BLK 1 PT LOT 2**

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 49.50 percent, whereas the By-law permits a maximum net floor area ratio of 45.0 percent;

**b) Infill By-law 99-90, Section 11.3(a)(i);**

a maximum building height for accessory structure of 4.05 m, whereas the By-law permits a maximum height of 3.65 m;

as it relates to a proposed detached garage on existing foundation. **(Heritage District, Ward 4)**

### **Adjournment**

**1. Next Meeting, January 20, 2021**

**2. Adjournment**