



CITY OF MARKHAM
Virtual meeting on zoom

June 30, 2020
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 7th 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
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
Francois Hemon-Morneau, Development Technician
Aleks Todorovski, Planner I, Zoning and Special Projects

DISCLOSURE OF INTEREST

None

Minutes: June 23 and 25, 2020

THAT the minutes of Meeting No. 5 the City of Markham Committee of Adjustment, held June 23, be

- a) Approved as submitted, on June 30, 2020

Moved By: Arun Prasad
Seconded By: Tom Gutfreund

THAT the minutes of Meeting No. 6 of the City of Markham Committee of Adjustment, held June 25, be

- a) Approved as submitted, on June 30, 2020

Moved By: Patrick Sampson
Seconded By: Kelvin Kwok

Resolution Carried

PREVIOUS BUSINESS

1. A/147/19

Owner Name: Krashnik Investments Ltd. (Mrs Doris Rosenberg)
Agent Name: David Johnston Architect Ltd. (David Johnston)
Krashnik Investments Ltd.
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;
- 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)**

The Secretary-Treasurer introduced the application.

The agent David Johnston appeared on behalf of the application. They have read the staff report and are aware of the recommended conditions.

Committee member Jeamie Reingold wanted to inquire of what 'personal service shop' would entail. She also wanted to know if adult entertainment type service would be permitted.

Mr. Johnston responded that it would be a service specifically oriented to people.

Staff further outlined that adult entertainment type use is prohibited as per the Zoning By-law.

Committee member Arun Prasad asked if they want to expand retail uses at the site.

Mr. Johnston commented that the variance is just to position the property for future tenants.

Committee member Sally Yan asked if ownership of property has changed since the 1980s.

Mr. Johnston responded that the ownership has not changed.

Committee member Patrick Sampson asked that there appears to be a marijuana growing facility to rear of property.

Mr. Johnston responded that it appears to be. The owner Ms. Rosenberg acknowledged the use and that the auto parts business which may have been there is being phased out.

Committee member Kelvin Kwok asked if there are any auto repair on the subject property.

Ms. Rosenberg responded those uses are no longer being pursued on the site.

Moved By: Jeamie Reingold
Seconded By: Sally Yan

THAT Application No. A/147/19 be approved subject to conditions contained in the staff report.

Resolution Carried

NEW BUSINESS:

1. A/017/20

Owner Name: Wooden Spire Estates Inc
Agent Name: Trinistar Corporation (Tina Arruda)
6899 14th Ave, Markham
PLAN 65M3853 BLK 409

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

a) Amending By-law 2004-151, Section 7.233.1:
to permit a Commercial School, whereas the By-law does not permit Commercial Schools;

as it relates to a proposed Commercial School within an existing commercial building. **(East District, Ward 7)**

The Secretary-Treasurer introduced the application.

Moved By: Patrick Sampson
Seconded By: Arun Prasad

THAT Application No. A/017/20 be deferred sine die.

Resolution Carried

2. B/004/20

Owner Name: Vetmar Limited (Sandra Vettese)
Agent Name: Gagnon Walker Domes Lt (Marc de Nardis)
11050 Woodbine Ave, Markham
CON 3 PT LOT 27 PT LOT 28

To permit:

- 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 **(West District, Ward 2)**.

The Secretary-Treasurer introduced the application.

The agent Marc de Nardis appeared on behalf of the application. He has reviewed the staff report and is in agreement with the recommendation.

Moved By: Arun Prasad
Seconded By: Patrick Sampson

THAT Application No B/004/20 be deferred sine die

Resolution Carried

3. A/040/20

Owner Name: Naveen & Deepak Goyal
Agent Name: Building Experts Canada (Edgar Labuac)
15 Mindy Crescent, Markham
PLAN 65M3054 LOT 32L

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

a) Bylaw 90-81, Section 6.2:

to permit a secondary dwelling unit, whereas the By-law permits not more than one dwelling per lot;

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

The Secretary-Treasurer introduced the application.

The agent Edgar Labuac appeared on behalf of the application. Mr. Labuac indicated no exterior building alterations were being proposed and that their proposal is consistent with provincial policies.

Committee member Arun Prasad asked if owner lives in the house.

Mr. Labuac stated that they do.

Moved By: Arun Prasad
Seconded By: Jeamie Reingold

THAT Application No. A/040/20 be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/045/20

Owner Name: Lin Jian
Agent Name: Brutto Consulting (Claudio Brutto)
17 Jonquil Cres, Markham
PLAN 4949 LOT 160

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

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

a maximum floor area ratio of 49.84 percent; whereas the by-law permits a maximum 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 Claudio Brutto appeared on behalf of the application. He stated that staff are in support of the application.

Existing trees will be retained on site. In a comparison of other neighbouring properties granting variances, the request here is below that of other similar proposals of the area.

Councillor Karen Rea presented in opposition to the application. She does not believe this proposal will complement the character of this neighbourhood. She also raised concerned about the open to above space

Committee member Tom Gutfreund comments that the open to above space is of concerned to him.

Committee member Patrick Sampson asked about open to below not being assessed and the chart with variances of neighbourhood in the staff report.

Staff stated that open to below was not assessed here as it was not seen as relevant. In addition, the chart was to show the neighbourhood character and not to infer that this proposal is consistent with other in-fill of the area and as such it should be approved.

Committee member Sally Yan asked about the design and how the owner derived it.

Mr. Brutto stated that it is personal preference of owners and how they want to use the living space.

Committee member Arun Prasad asked if additional direction needed to calculate open to below space.

The Chair commented that he believes the front massing could be done in more sympathetic matter.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No. A/045/20 be deferred sine die.

Resolution Carried

MOTION TO ADJOURN

Moved by Kelvin Kwok
Seconded by Arun Prasad

THAT the virtual meeting of Committee of Adjustment be adjourned at 8:00 PM, and the next regular meeting will be held on July 2, 2020.



Secretary-Treasurer,
Committee of Adjustment

CARRIED



Chair