

# Memorandum to the City of Markham Committee of Adjustment

September 20, 2021

**File:** B/011/21  
**Address:** 42 Herrick Place – Markham, ON  
**Applicant:** Simon Wai Kin Tong and Christin Chui Lin Tong  
**Agent:** Henry K. Hui & Associates (Mr Henry Hui)  
**Hearing Date:** September 22, 2021


The following comments are provided on behalf of the East District Team. The applicant is seeking a validation certificate under Section 57(1) of the *Planning Act, R.S.O.1990, c.P.13, as amended*, as the solicitors for the owner of the subject property have determined a previous transfer of title is in contravention of the *Planning Act*, preventing any sale of the property.

## COMMENTS

Following a detailed review of the Consent application for a Validation of Title, Planning staff recommend that the applicant firstly complete a Zoning Preliminary Review (ZPR) to confirm whether any non-compliances with the “Fourth Density – Semi-Detached Residential (RSD4)” under By-law 90-81 exist. This will assist Planning staff to determine whether any other planning applications are needed to address zoning non-compliances which may be required in accordance with the *Planning Act*.

As of the writing of this report (September 20, 2021), staff have not received confirmation of the applicant's request to defer this application. Planning staff recommend that this application be deferred sine die by the Committee of Adjustment (“the Committee”) to provide the applicant with the appropriate time to address staff comments.

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Stacia Muradali, Development Manager, East District