



CITY OF MARKHAM
Virtual Meeting on Zoom

June 08, 2022
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 10th regular meeting of the Committee of Adjustment for the year 2022 was held at the time and virtual space above with the following people present:

	<u>Arrival Time</u>
Gregory Knight, Chair	7:00 PM
Tom Gutfreund	7:00 PM
Arun Prasad	7:00 PM
Patrick Sampson	7:00 PM
Jeamie Reingold	7:00 PM
Sally Yan	7:00 PM

Greg Whitfield, Acting Secretary-Treasurer
Geoff Day, Senior Planner II, Zoning and Special Projects
Dinal Manawadu, Development Technician, Committee of Adjustment

Regrets

Kevin Kwok

DISCLOSURE OF INTEREST

None

Minutes: May 25, 2022

THAT the minutes of Meeting No. 09 of the City of Markham Committee of Adjustment, held May 25, 2022, respectively, be

- a) Approved as amended, on June 8, 2022.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

Carried

Member Prasad put forward a motion to appoint Greg Whitfield as Acting Secretary-Treasurer for the June 8th Committee of Adjustment Hearing.

Moved By: Arun Prasad
Seconded By: Sally Yan

Carried

Member Tom Gutfreund put forward a motion to appoint Shawna Houser as the new Secretary-Treasurer for the Committee of Adjustment.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

Carried

PREVIOUS BUSINESS

1. A/173/21

Owner Name: Maria Periquet
Agent Name: Joseph Fazzini
9 Banquo Road, Thornhill
PLAN M1347 LOT 418

The applicant was requesting relief from the requirements of By-law 2489, as amended, to permit:

a) By-law 2489, Section 6.1:

a minimum front yard setback of 22.5 feet, whereas the By-law permits a minimum front yard setback of 27 feet;

b) By-law 2489, Section 6.1:

a maximum lot coverage of 36 percent, (2,166 ft²), whereas the By-law permits a maximum lot coverage of 33.3 percent, (2,005 ft²);

as it related to a proposed detached dwelling.
(West District, Ward 1)

The Chair introduced the application.

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The owner, Ana Periquet Fazzini, appeared on behalf of the application, and provided a presentation on the history of the application, and the revisions made in response to comments provided by City Staff and residents as a result of the previous deferral.

The owner advised that the variances were reduced from four to two variances being requested.

Elie Chalouh, owner of 7 Banquo Road, indicated they were not opposed to the application as it was presented. Elie Chalouh indicated the son of the owner at 11 Banquo Road, Mark Luz noticed an error in the proposed drawings with respect to the location of the top of the basement windows identified on the proposed drawings.

Mark Luz, speaking on behalf of the owner of 11 Banquo Road, spoke to the application, and suggested the front yard setback request be reduced to allow for the finished bricks to align with the house at 11 Banquo Road.

Chair Knight requested the applicant to explain if the basement issues brought to the Committee's attention are correct.

The applicant's Architect, Dan Berry, spoke to the basement window question, and advised it would be addressed through the building permit review process.

Chair Knight requested the architect to comment on the front yard setback.

Dan Berry indicated the setback could be reduced by 0.9 metres, but indicated the maximum the house could be setback further would be 0.49 metres, but indicated it would be up to the homeowner to accommodate such a request.

Owner spoke to the revisions and compromises made currently on the application, and requested the front yard setback variance remain as proposed.

Member Reingold spoke to the revisions made from previous submissions, and was in support of the application

Member Gutfreund agreed the variances were minor in nature, and was in support of the application.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

THAT Application No **A/173/21** be approved subject to conditions contained in the staff report.

Resolution Carried

2. **A/044/22**

Owner Name: Mr. Kiran Sharma
Agent Name: SHDESIGN (Randa Zabaneh)
30 Sir Caradoc Place, Markham
PLAN M1392 LOT 171

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

- a) **By-law 99-90, Section 1.2 (i):**
a maximum height of 10.64 meters, whereas the By-law permits a maximum height of 9.8 meters;
- b) **By-law 142-95, Section 2.2 (b)(i):**
a deck to project a maximum of 3.251 meters, whereas the By-law permits a maximum deck projection of 3.0 meters;
- c) **By-law 1229, Section 11.2 (c)(i):**
a porch to encroach 23.0 inches into the required front yard, whereas the By-law permits a maximum encroachment of 18.0 inches into any required yards;
- d) **By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 50.74 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;
- e) **By-law 1229, Section Table 11.1:**
a maximum lot coverage of 35.6 percent, whereas the By-law permits a maximum lot coverage of 35.0 percent;
- f) **By-law 99-90, Section 1.2 (ii):**
a depth of 19.15 meters, whereas the By-law permits a maximum of 16.8 meters;
- g) **By-law 1229, Section 11.2 (c) (i):**
a stair encroachment of 95 inches into the required rear yard, whereas the By-law permits a maximum of 18.0 inches into any required yards;
- h) **By-law 1229, Table 11.1:**

a rear setback of 23.17 feet, whereas the By-law requires a minimum of 25 feet;

as it related to a proposed detached dwelling.
(East District, Ward 4)

The Chair introduced the application.

The agent, Samir Hinnawi, appeared on behalf of the application. The applicant advised that the deferral from the previous meeting of May 25th was requested to address variances that had been missed. The applicant advised that there were no design changes to the proposal as previously submitted to the Committee.

The applicant spoke to the variances being requested, and provided their justification on the variances, and believe the variances to minor in nature.

Elizabeth Brown, of 65 Lincoln Green Drive, and Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, appeared to speak to the application. Elizabeth advised that Laura Galati, owner of 15 Sir Constantine Drive provided written comment.

Chair Knight confirmed that correspondence from Laura Galati was received.

Elizabeth Brown spoke to the property at 28 Sir Caradoc Place being constructed within the constraints of the by-law.

Elizabeth presented Sections 8.2.3.5 and 9.13.2 of the Official Plan as it relates to Infill Development within the City, and brought specific attention to the height and massing requirements of the Official Plan, which speaks to limiting the size and massing of a development to ensure it fits within the existing character of neighbourhood.

Elizabeth spoke to the open to below area proposed and the result it has on the overall massing of the building.

Elizabeth spoke to the height of the building, and the articulation presented in the design. She indicated how the slope of the lot would impact how the massing would appear much larger at the rear elevation than it would from the front.

Elizabeth spoke to the height of the proposed eaves being higher than the existing two-storey houses in the neighbourhood.

Elizabeth spoke to the rear porch elevation not showing the gas fireplace indicated on the plan, and inquired what impact the fireplace structure would have in the massing.

Elizabeth requested Committee refuse the application, and encouraged the applicant to revise the submission to reduce the variances being requested.

Member Reingold voiced their agreement with Elizabeth Brown and the combined effect the variances had on the proposal. Member Reingold indicated they believed the proposed height would have caused the structure to not blend in with the neighbourhood.

Member Yan agreed the cumulative number of variances impacts the scope of the application, specifically the height and floor area ratio, and would like the applicant to make revisions to their proposal.

Member Gutfreund reinforced the comments made by Members Yan and Reingold with respect to the height and floor area ratio, and indicated they wanted to see the height and floor area reduced, with the floor area ratio being reduced to under 50%.

Member Prasad suggested the applicant modify their proposal to reduce the variances requested, and indicated they would move for a deferral if the applicant agreed.

The applicant advised they were open to moving for a deferral, and provided additional context to address the comments provided by the interested parties and the Members of Committee.

Moved By: Arun Prasad
Seconded By: Jeamie Reingold

THAT Application No **A/044/22** be Deferred, sine die.

Resolution Carried

NEW BUSINESS:

1. B/018/20

Owner Name: Andrea Conlon
Agent Name: Gregory Design Group (Shane Gregory)
36 Washington Street, Markham
PL 18 BLK D PT T 12 PT LT 13 64R7685 PT 1

The applicant was requesting provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 7.50 m (24.61 ft) and an approximate lot area of 334 sq m (3,595.15 sq ft) (Part Two - South);
- b) retain a parcel of land with an approximate lot frontage of 8.20 m (26.9 ft) and an approximate lot area of 330 sq m (3,552.09 sq ft) (Part One - North).

The purpose of this application was to create a new residential/commercial lot.
(Heritage District, Ward 4)

The Chair introduced the application.

The agent, Russ Gregory, appeared on behalf of the application.

The agent indicated no variances were requested for the proposed severance, and that the proposal has gone through rezoning, and has been approved.

Chair Knight confirmed there was no further speakers on the application.

Member Gutfreund indicated they were in support of the application.

Moved By: Tom Gutfreund
Seconded By: Patrick Sampson

THAT Application No **B/018/20** be approved subject to conditions contained in the staff report.

Resolution Carried

2. B/013/21

Owner Name: Indrajit Chakraborty
Agent Name: Memar Architects Inc (Lucy Mar Guzman)
7739 9th Line, Markham
CON 9 PT LOT 5

The applicant was requesting provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 30.24 m (99.21 ft) and approximate lot area of 753 sq m (8,105.22 sq ft) (Part 3);

- b) retain a parcel of land with an approximate lot frontage of 28.67 m (94.06 ft) and approximate lot area of 1,027.90 sq m (11,064.22 sq ft) (Part 2), as amended

The purpose of this application was to create a new residential lot. This application related to Zoning By-law Amendment application PLAN 19 126535.

(East District, Ward 7)

The Chair introduced the application.

The agent, Sean Toussi, appeared on behalf of the application, and provided an overview of the proposal and nature of the requested severance, and indicated no variances were required as a result of the severance.

The agent advised of a typo on the Notice of Hearing to advise the lot frontage of the retained parcel (Part 2 of the Draft R-Plan) was identified as 26.66 metres (87.47 ft), and advised the correct frontage is 28.67 metres (94.06 ft).

Chair Knight confirmed there were no further speakers on the application

Member Sampson advised they were in support of the application.

Acting Secretary-Treasurer Greg Whitfield confirmed the Notice of Decision and Minutes would reflect the correction to the typo.

Moved By: Patrick Sampson

Seconded By: Sally Yan

THAT Application No **B/013/21** be approved subject to conditions contained in the staff report.

Resolution Carried

3. A/014/22

Owner Name: Jovan Nikolic
Agent Name: Next Project (GABRIELA GRIGORIU)
54 Wild Cherry Lane, Thornhill
PLAN 7686 LT 142

The applicant was requesting relief from the requirements of By-law 2150, as amended to permit:

- a) **By-law 2150, Section 6.1:**

a south side yard setback of 4.0 feet, 1 inch, whereas the By-law requires a minimum 2 storey side yard setback of 6.0 feet;

b) By-law 2150, Section 4.4.1:

an existing accessory building (Frame Shed) setback of 1.64 feet (0.5 meters), whereas the By-law requires a minimum side yard setback of 2.0 feet (0.6 meters);

as it related to a second floor addition over the existing garage and a front porch.
(West District, Ward 1)

The Chair introduced the application.

The agent, Gabriela Grigoriu, appeared on behalf of the application, and provided an overview of the application and variances being requested.

Chair Knight confirmed there were no further speakers on the application.

Member Gutfreund advised he was in support of the application.

Member Reingold agreed with Member Gutfreund, but inquired what the material of the shed would be constructed of, and whether the neighbours would be consulted on the materiality of the shed.

The applicant advised the shed would be made of cedar, and would require minimal maintenance, and would work with the neighbours, if necessary, to maintain the shed.

Member Prasad agreed with Member Gutfreund's comments.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No **A/014/22** be approved subject to conditions contained in the staff report.

Resolution Carried

4. A/025/22

Owner Name: Sumithra Sathiyarayanan

Agent Name: Arc Design Group (Peter Jaruczik)
10 Strathroy Crescent, Markham
PLAN 5223 LOT 10

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

- a) **Table 11.1:**
a minimum side yard setback of 1.31 m (4.29 ft), whereas the By-law requires a minimum side yard setback of 1.83 m (6 ft) for the two-storey portion;
- b) **Table 11.1:**
a minimum front yard setback of 5.41 m (17.75 ft), whereas the By-law requires a minimum front yard setback of 7.62 m (25 ft);
- c) **By-Law 99-90, Section 1.2 (i): As Amended**
a height of 11.89 m, (39.01 ft.) whereas the By-law permits a maximum height of 9.8m (32.05 ft.);
- d) **By-Law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 51.60 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;
- e) **By-Law 28-97, Section 6.2.4.4 (a)(i): As Amended**
a driveway to have a minimum setback of 0.74 m (2.43 ft) from the interior side lot line, whereas the By-law requires a driveway to be located no closer to an interior side lot line than the minimum distance requirement for the main building;

as it related to a proposed new two-storey single detached dwelling.
(East District, Ward 4)

The Chair introduced the application.

The applicant, Peter Jaruczik, appeared on behalf of the application, and provided an overview of the proposal via a presentation to Committee members.

Brian Cheng, owner of 8 Strathroy Crescent, appeared to speak to the application. Brian inquired on the height variance being requested.

The applicant confirmed the height had been reduced in cooperation with Planning staff to 11.89 metres.

Brian Cheng advised they constructed their home in line with the by-law, and requested the applicant reduce the height further.

Elizabeth Brown, of 65 Lincoln Green Drive, and Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association appeared to speak to the application. Elizabeth advised 8 Strathroy Crescent was constructed within the requirements of the by-law.

Elizabeth presented Sections 8.2.3.5 and 9.13.2 of the Official Plan as it relates to Infill Development within the City, and brought specific attention to the height and massing requirements of the Official Plan, which speaks to limiting the size and massing of a development to ensure it fits within the existing character of neighbourhood.

Elizabeth acknowledged the reduction in building height, but voiced their concern with the height still being 2.0 metres higher than the by-law requires.

Elizabeth advised the massing could still be reduced further. Advised the additional 2.0 metres above the height was located above the eaves, and requested the eaves and roof be lowered to address the visual massing.

Chair Knight confirmed there were no further speakers on the application.

Member Prasad inquired if the building at 8 Strathroy Crescent, was approved by the Resident's Association, and advised they did not agree with the request to reduce the height. Member Prasad indicated they would support the application as presented.

Member Reingold indicated they did not support the application, and that it did not reflect the character of the neighbourhood. Member Reingold believed the height of the building to be too large.

Member Gutfreund voiced their concerns with the height of the building and massing, and considered both to be much larger than what they would normally consider minor, and believe the floor area ratio should be reduced to under 50%. Member Gutfreund advised they were not in support of the application.

Member Prasad disagreed with the opinions of Members Reingold and Gutfreund, and did not believe 8 Strathroy Crescent to fit in with the neighbourhood. Reiterated they believed the design of 10 Strathroy Crescent, was well done, and that they would be in support of the application.

The applicant reiterated the character of the lot and how the proposed building was located further back than 8 Strathroy Crescent.

The applicant reiterated the height was a result of the upward slope of the lot, but that the majority of the basement is located below grade, and that the back of the house would be compliant above grade, but as a result of the nature of the lot and how height was measured within the by-law, requires the height to be measured from the basement slab below grade.

The applicant spoke to the roof design pitch, and advised of the pitch being the minimum slope permitted before being classified as a flat roof.

Russ Gregory spoke to the application on behalf of the owner to further support the applicant's presentation of the variances being requested. Russ advised the house should be reviewed against the unique nature of the lot.

Member Reingold had a technical question with respect to whether retaining walls and landscaping would be able to amend the issue surrounding the height.

Chair Knight advised there are options on the roof treatments, or burying the first floor within grade, but reiterated the application was to be reviewed as presented.

Member Yan indicated how they needed to be careful how they approached the application, and would be supportive of the height variance requested, but believed the floor area ratio should be reduced.

Member Sampson agreed that reductions to floor area should be addressed, and be revised to be more in line with what has previously been approved by Committee.

Member Prasad inquired about the area of the open to below space in the proposal.

The applicant advised the open to below space was 19 square metres.

The applicant advised their client would be in support of a deferral of the application to accommodate revisions to the proposal.

Member Prasad advised they would be supportive of a deferral

Member Prasad advised the Committee should begin to look at how they review applications, and did not believe that not every application needs to be below a floor area ratio of 50%.

Member Gutfreund supported a deferral of the application, and encouraged the applicant to address the comments provided to them to make revisions to reduce the proposal.

Moved By: Arun Prasad
Seconded By: Tom Gutfreund

THAT Application No **A/025/22** be Deferred sine die

Resolution Carried

5. **A/032/22**

Owner Name: Jason Gangaram
Agent Name: Building Experts Canada (Edgar Labuac)
65 Reginald Lamb Crescent, Markham
PLAN 65M3853 LOT 108

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

a) **By-law 177-96, Section 6.5:**

a second dwelling unit, whereas the By-law permits no more than one dwelling unit per lot;

as it related to a proposed secondary suite (basement apartment).
(East District, Ward 7)

The Chair introduced the application.

The owner, Jason Gandram, appeared on behalf of the application.

Brian Hoffman, owner of 41 Gainsville Avenue, appeared to speak to the application, and advised they were opposed to the application.

Chair Knight advised Mr. Hoffman that they were here to speak to the application at 3 Towne Court and would be called on shortly.

Chair Knight confirmed no further speakers.

Member Gutfreund is in support of the application and would move for approval.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No **A/032/22** be approved subject to conditions contained in the staff report.

Resolution Carried

6. **A/038/22**

Owner Name: Robert Devane
Agent Name: Jun An
3 Towne Court, Markham
PLAN M1368 LOT 4

The applicant was requesting relief from the requirements of By-law 11-72, as amended to permit:

- a) **Section 6.1:**
a minimum front yard setback of 4.57 m (15.0 ft), whereas the By-law requires a minimum front yard setback of 8.23 m (27.0 ft);
- b) **Section 6.1:**
a minimum side yard setback of 1.52 m (5 ft), whereas the By-law requires a minimum side yard setback of 1.83 m (6 ft);
- c) **Section 6.1:**
minimum rear yard setback of 5.84 m (19.16 ft), whereas the By-law requires a minimum rear yard setback of 25 feet;
- d) **Section 6.1:**
a maximum lot coverage of 35 percent, whereas the By-law permits a maximum lot coverage of 33.33 percent;

as it related to a proposed 2 storey single detached dwelling.
(Central District, Ward 3)

The Chair introduced the application.

The applicant, Jun An, appeared on behalf of the application.

Robert Devane, owner of 3 Towne Court, provided a presentation and overview of the variances being requested in the application.

Chair Knight confirmed written correspondence from Paul and Rachel Colangelo, owners of 5 Towne Court, was received.

Brian Hoffman, owner of 41 Gainsville Avenue, appeared to speak to the application, and advised they were opposed to the application.

Brian spoke to how the massing of the building would obstruct their views on the south side of their building.

Brian acknowledged the irregular shape of the lot, but advised the extension of the garage will impact the use of their home. Brian spoke to the height of the building, acknowledged it being in compliance, but believed the massing still to be too large.

Brian indicated concerns with the rear yard setback and the impact it would have on their rear yard with respect to sunlight, and the use of their pool.

Brian concluded that the variances requested were not minor in nature, did not meet the four tests, and requested Committee deny or defer the application in order to address the issues presented to Committee.

Ian Free, owner of 145 Krieghoff Avenue, appeared to speak to the application, and advised they were opposed to the application in its entirety, specifically noting concerns with the requested front yard setback, and the orientation of the garage.

Ian spoke to the level of infill development in the neighbourhood, and believed it is removing affordable homes in the neighborhood.

Julie Sellery, owner of 38 Gainsville Avenue, appeared to speak to the application, and indicated they were opposed to variances being requested, and believes the applicant is shoehorning an overdeveloped building on an irregular lot.

Julie indicated concerns with the proposed front yard setback and massing of the proposed garage and impact on north side neighbor.

Julie indicated issues with the removal of existing trees on the lot.

Julie did not believe the applicant had demonstrated why relief from the by-law should be granted, and did not believe the application had met the four tests of the Planning Act for Minor Variance.

Daniel O’Kopniak, 168 Krieghoff Street, appeared to speak to the application.

Daniel advised of their concerns related to the front yard setback being an 80% discrepancy from what the by-law allows.

Daniel spoke to how the development has had a disregard for mature trees on the lot.

Daniel acknowledged the recommendations within the staff report, but advised that the report did not clearly illustrate the impact the removal of trees would have on the lot.

Christiane Bergauer-Free, owner of 145 Krieghoff Avenue, appeared to speak to the application.

Christiane spoke to the lot coverage request not being minor, as the coverage request did not speak to the proposed patio, driveway, or basement entrance.

Christiane believed there would be a lack of landscaping and drainage on the lot as a result of the development.

Christiane spoke to the privacy issues that would be impacted by the proposed second floor balcony.

Christiane spoke to the massing of the proposed garage, and believed the driveway and garage should be reorientated to face the street.

Christiane spoke to the side yard setback, and believed there would be issues with emergency access to the lot.

Christiane spoke to the height overshadowing the neighbouring properties.

Christiane spoke to the removal of trees on the lot, and inquired whether a permit had been issued for the removal of trees on the lot.

Christiane believed the four tests were not being met, and would like to have the owners to acknowledge why they were requesting the scale of the building as presented.

Chair Knight confirmed there were no further speakers on the application.

Member Sampson spoke to the challenges of placing a 3-car garage onto the lot, and how all the concerns presented to Committee tie back to the garage. Member Sampson indicated they were not in support of the application as it currently has been presented.

Member Gutfreund spoke to the character of the lot, and the front yard setback being a 44% reduction in the required setback, and did not believe it to be minor.

Member Gutfreund did not believe the 3 car garage would fit with the character of the neighbourhood.

Member Gutfreund inquired if a tree removal permit was issued for the tree located in the front yard.

The owner confirmed that a permit was issued to remove the tree located in the front yard.

Member Gutfreund believed the proposal to be “too much house”, and would not support the application.

Member Yan inquired with the applicant a scenario of removing the garage extension, and designing it within the house whether the front yard setback would be in compliance and improve the front landscaping.

The owner shared their presentation to provide justification on their design. The owner advised the proposal was to follow the traditional design of the street, and wanted to avoid a more modern design of the home.

The applicant outlined how they could potentially remove the variances, and how it would impact the overall design of the home.

Member Yan inquired whether a 3-car garage was necessary, and if the design could support a two car garage.

Applicant defended having a 3-car garage, and advised the design of the garage was being respectful of the neighbours.

Member Prasad appreciated the detail of the owner’s presentation. Member Prasad advised he was in support of the application.

Member Reingold disagreed with Member Prasad’s assessment of the application. Member Reingold advised she would have preferred a house that did not appear overdeveloped rather than be designed to be of a traditional style.

Member Reingold did not believe the proposal was in keeping with the character of the neighbourhood.

Member Gutfreund asked to revisit the applicant’s comments regarding the potential to redesign the proposal to comply with the by-law.

The Owner reiterated the potential design changes to comply with the by-law, including revising the proposal to a more modernized design. Believed this design would not match the character of the neighbourhood.

Chair Knight requested any further comments from Committee.

Chair Knight believed the design to be problematic, reiterated that Committee can only consider what was before them.

Chair Knight did not believe the application to be minor in nature.

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Member Prasad reiterated their stance on the proposal, and believed the application was minor in nature, and would support a motion to approve the application.

Moved By: Arun Prasad
Seconded By: Sally Yan

Opposed: Patrick Sampson, Jeamie Reingold, Tom Gutfreund.

Motion Failed.

Chair Knight advised the owner of their options to defer the application, or to proceed with another motion from Committee.

The Owner indicated they would revise the application to comply so it would not require Committee approval, and requested Committee proceed with another motion.

Moved By: Patrick Sampson
Seconded By: Tom Gutfreund

Opposed: Arun Prasad, Sally Yan

THAT Application No **A/038/22** be denied

Resolution Carried

7. A/045/22

Owner Name: Cornell Rouge Development Corp. (Eddie Lee)
Agent Name: Forest Hill Homes (Eddie Lee)
Rustle Woods Avenue, Markham
65M4525 BLK 2

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

a) By-law 177-96, Section 7.607.2:

projections of decks and balconies on the first storey above the garage a minimum of 2.10 meters, whereas the By-law requires projections of decks and balconies on the first storey above the garage to be a minimum of 2.59 meters;

as it related to the deck projections above the garages for a proposed 60 unit townhouse project.

This application was related to a Site Plan Control Application (SPC 21 140960) that was being reviewed concurrently.

(East District, Ward 5)

The Chair introduced the application.

The agent, Joel Seider, appeared on behalf of the application, and provided an overview of the submission.

Member Reingold believes the request was reasonable, and supported the application.

Moved By: Jeamie Reingold
Seconded By: Tom Gutfreund

THAT Application No **A/045/22** be approved subject to conditions contained in the staff report.

Resolution Carried

8. A/054/22

Owner Name: Roger Johnson
Agent Name: Vin Engineering Inc. (Sunil Shah)
72 Innisvale Drive, Markham
PL 65M3759 PT LT 12 65R28030 PT 1

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

- a) **By-law 28-97, Section 3.0:**
two parking spaces, whereas the By-law requires a minimum of three parking spaces;
- b) **By-law 177, Section 6.3.1.2:**
a minimum setback from the main building of 4.66 m (15.29 ft), whereas the By-law requires a setback of 6 m (19.69 ft);

as it related to a proposed coach house on top of existing detached private garage.
(East District, Ward 5)

The Chair introduced the application.

The agent, Sunil Shah, appeared on behalf of the application to speak to the variances being requested.

Chair Knight confirmed no further speakers on the file.

Member Gutfreund spoke to the parking variance, and believed the proximity to transit routes supports this request, and was in support of the application.

Member Prasad inquired whether the coach house was intended to be for rental purposes.

The applicant confirmed the intent was for the coach house to be used for rental purposes.

Member Prasad indicated they were in support of the application.

Moved By: Tom Gutfreund
Seconded By: Arun Prasad

THAT Application No **A/054/22** be approved subject to conditions contained in the staff report.

Resolution Carried

9. A/063/22

Owner Name: Paul Ghioghiu
Agent Name: Gregory Design Group (Shane Gregory)
116 Parkway Avenue, Markham
PLAN M1378 LOT 110

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

- a) **Amending By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 48.90 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;
- b) **Section 11.2 (c)(i):**
a front porch to encroach 0.85 m (33.5 inches), whereas the By-law permits a maximum encroachment of 0.46 m (18 inches); and
- c) **Table 11.1:**

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a side yard setback of 1.19 m (3.9 ft), whereas the By-law requires a minimum side yard setback of 1.22 m (4 ft);

as it related to proposed second-storey addition.
(East District, Ward 4)

The Chair introduced the application.

The agent, Shane Gregory, appeared on behalf of the application and provided an overview of the variances being requested.

Member Sampson supported the design of the addition on the existing structure, and indicated they were support of the application.

Moved By: Patrick Sampson
Seconded By: Tom Gutfreund

THAT Application No **A/063/22** be approved subject to conditions contained in the staff report.

Resolution Carried

Adjournment

Moved by: Tom Gutfreund
Seconded by: Arun Prasad

THAT the virtual meeting of the Committee of Adjustment was adjourned at 9:54 pm, and the next regular meeting would be held on June 22, 2022.

CARRIED



Acting Secretary-Treasurer
Committee of Adjustment



Chair
Committee of Adjustment