



CITY OF MARKHAM
Virtual Meeting

May 14, 2025
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 8th regular meeting of the Committee of Adjustment for the year 2025 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight Chair	7:00 pm
Jeannie Reingold	7:00 pm
Sally Yan	7:00 pm
Patrick Sampson	7:00 pm

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment
Derek Lutz, Development Technician

Regrets

Arun Prasad

2. DISCLOSURE OF PECUNIARY INTEREST: None

3. APPROVAL OF PREVIOUS MINUTES: April 30th, 2025

THAT the minutes of Meeting 7, of the City of Markham Committee of Adjustment, held April 30th, 2025 respectively, be approved.

Moved by: Jeannie Reingold

Seconded by: Patrick Sampson

Carried

4. REQUESTS FOR DEFERRAL

4.1 A/158/24

Agent Name: Rockim Design Inc. (Rock Kim)
7726 9th Line, Markham
PLAN 19 E PT LOT 3 BLK A

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) **By-law 2024-19, Section 5.3.3(a)(i):**
a circular driveway on a lot with a main building setback of 6.0 metres, whereas the by-law requires a main building setback of 8.0 metres;
- b) **By-law 2024-19, Section 6.2.1(b):**
a maximum roof projection above the outside wall height of 2.56 metres, whereas the by-law permits a roof projection above the outside wall height of 1 metre;
- c) **By-law 2024-19, Section 6.3.2.2(c):**
a maximum main building coverage of 20.4 percent for the second storey, whereas the by-law permits a maximum main building coverage of 20 percent for any storey above the first;
- d) **By-law 2024-19, Section 6.3.2.2(f):**
a minimum front yard setback of 6.0 metres, whereas the by-law requires a minimum front yard setback of 66.36 metres; and
- e) **By-law 2024-19, Section 6.3.2.2(j):**
a maximum outside wall height of 7.81 metres, whereas the by-law permits a maximum outside main wall height of 7 metres;

as it related to a proposed two-storey residential dwelling.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson

Seconded by: Sally Yan

THAT Application **A/158/24** be **deferred** sine die.

Resolution Carried

4.2 A/125/24

Agent Name: Four Seasons Sunrooms (Nour Elgendy)

293 Main Street, Markham

PLAN 1318 PT LOT 10, 11 RS65R8097 PART 1

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

- a) **By-law 1229, Table 11.1:**

a side yard setback of 3.64 feet, whereas the by-law requires a minimum side yard setback of 4 feet;

b) By-law 1229, Table 11.1:

a lot coverage of 40.20 percent, whereas the by-law permits a maximum lot coverage of 35 percent;

c) By-law 99-90, Section 1.2 (iii):

a maximum building depth of 22.83 metres, whereas the by-law permits a maximum building depth of 16.8m metres;

d) By-law 99-90, Section 1.2 (iv):

a maximum net floor area ratio of 61.60 percent, whereas the by-law permits a maximum net floor area ratio of 45 percent;

e) By-law 142-95, Section 2.3(a):

a deck to be located on the second floor, whereas the by-law requires a deck to be located at or below the level of the ground floor;

as it related to a two-storey rear addition.

The agent, Mat Jack, appeared on behalf of the application.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson

Seconded by: Sally Yan

THAT Application **A/125/24** be **deferred** sine die.

Resolution Carried

5. PREVIOUS BUSINESS:

5.1 A/009/25

Agent Name: Henry Chiu Architect Ltd (Henry Chiu)
7050 Woodbine Avenue, Markham
PLAN R4641 PT LOTS 1 & 2 PLAN 66R5173 PTS 7 – 12

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

a) By-law 2024-19, Section 9.4.3.1:

a commercial school, whereas the by-law does not permit a commercial school;

as it related to the conversion of an existing office use to a commercial school.

The agent, Henry Chiu, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Ben Quan, the planning consultant for the application, provided documentation outlining the school's operation, including the scope of programs, size, learning methods and platforms, and parking needs.

Mack Chen, an area business owner, expressed that the college would serve residents of the area and bring skilled workers to the Markham job market.

Member Sampson supported the application, indicating that it was minor, appropriate and similar to other colleges approved in employment areas.

Member Reingold agreed with their colleague and noted that similar uses had been approved in employment areas and had not presented adverse effects. Member Reingold indicated that the proposal was minor as it was limited in size and scope and would not create any unacceptable adverse impacts on abutting properties or the neighbourhood.

Member Yan appreciated the documentation and the outline of the school's operation provided by the applicant. Considering the use was small, coupled with remote learning and the ability to meet the parking demand, Member Yan agreed the change would be minor. Member Yan expressed that as the proposal would provide a complimentary use to the employment area, and the requested variance was, from a planning and public interest point of view, desirable for the appropriate development or use of the land, building or structure on the property.

The Chair noted that staff had opined that the change should be considered through a Zoning By-law Amendment rather than a Minor Variance. Greg Whitfield confirmed the staff position; however, they indicated that it was at the discretion of the Committee to determine if the application could be considered a minor variance.

Ben Quan requested clarification of the wording of Condition 1 as it would relate to a change of tenant requesting the same use. Additionally, Ben requested the removal of Condition 4, which specified that a Commercial school would be restricted to 645.44 m² and limited to the 3rd floor of the existing building. Ben made the request indicating they wished to provide greater flexibility for a tenant to expand the use within the building.

Greg Whitfield provided clarification that Condition 1 was a standard condition for all minor variance approvals that provided for the continuation of the approved variance for the lifetime of the built use on the property and was not tied to a specific operator. Greg outlined that expansion of the use within the building would be controlled by Conditions 2 through 4.

Member Yan stated that removing Condition 4 changed the analysis of the variance as minor and potentially introduced different impacts and indicated they would not support the removal of Condition 4.

Member Sampson indicated that removing Condition 4 should not be done without recirculating the application. City staff and other commenting agencies could have different comments if the floor area were increased, and believed a rezoning application would be more appropriate if the applicant wished to have the use generally applied to the property.

Ben Quan confirmed acceptance of the conditions as listed in the staff report.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/009/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.2 A/151/24

Agent Name: Sakora Design Inc. (Marco Razzolini)
138 Sherwood Forest Drive, Markham
PLAN 5881 LOT 16

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) **By-law 2024-19, Section 6.3.2.2(c):**
a maximum main building coverage of 21.79 percent for any storey above the first, whereas the by-law permits a maximum main building coverage of 20 percent for any storey above the first;
- b) **By-law 2024-19, Section 6.3.2.2(e):**
a maximum distance of 18.06 metres from the established building line for any storey above the first storey, whereas the by-law permits a maximum of 14.5 metres from the established building line for any storey above the first;
- c) **By-law 2024-19, Section 4.8.9.2(a)(i):**
a minimum soft landscaping strip of 1.23 metres, whereas the by-law requires a minimum soft landscaping strip of 1.5 metres;

d) By-law 2024-19, Section 4.8.10.1(a):

a minimum exterior side yard porch depth of 0.77 metres, whereas the by-law requires a minimum exterior side yard porch depth of 1.8 metres; and

e) By-law 2024-19, Section 4.8.10.2(d)(iii):

a porch to project 1.45 metres beyond the established building line, whereas the by-law permits a maximum projection of 0.6 metres beyond the established building line;

as it related to a new two-storey single family detached dwelling.

The agent, Marco Razzolini, appeared on behalf of the application.

The Committee received three written pieces of correspondence.

Mary Cosburn, a neighbour, indicated concerns about relocating the driveway to Sherwood Forest Drive due to on-street parking and construction activity.

Christiane Bergaurer-Free expressed concern regarding the environmental impacts of the development and asked if there was a way to keep the large tree on Sherwood Forest Drive.

Member Reingold appreciated the changes made by the applicant, indicating that it was appropriate development in the particular context of Jug Lane and transitioned well with the adjacent infill development.

Member Yan agreed with their colleague and commended the applicant for addressing the Committee's and residents' concerns from the previous meeting, expressing that it was a beautiful building for a corner lot leading into the subdivision.

Member Reingold motioned for approval with conditions.

Moved by: Jeamie Reingold

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/151/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.3 A/032/24

Agent Name: HJ Architects Inc. (Joanne Ying)
60 Chant Crescent, Markham
PLAN M1440 LOT 36

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) **By-law 2024-19, Section 6.3.2 c):**
a maximum second storey building coverage of 24 percent, whereas the by-law permits a maximum second storey building coverage of 20 percent;
- b) **By-law 2024-19, Section 6.3.2 e):**
a maximum distance of 16.3 metres from the established building line for the second storey, whereas the by-law permits a maximum distance of 14.5 metres from the established building line;
- c) **By-law 2024-19, Section 6.3.2 J):**
a maximum outside wall height of 7.4 metres, whereas the by-law permits a maximum outside wall height of 7 metres;
- d) **By-law 2024-19, Section 6.3.2 K):**
a maximum of three storeys for a detached dwelling, whereas the by-law permits a maximum of two storeys for a detached dwelling;
- e) **By-law 2024-19, Section 4.8.10.1 D):**
a maximum porch floor height above the average grade level of the porch of 1.42 metres, whereas the by-law permits a maximum of 1.2 metres; and
- f) **By-law 2024-19, Section 4.8.10.2 D)(iv):**
a maximum encroachment of stairs used to access a porch of 2.34 metres beyond the permitted porch encroachment, whereas the by-law permits a maximum encroachment of 0.45 metres;

as it related to the proposed two-storey residential dwelling.

The agent, Joanne Ying, appeared on behalf of the application.

The Committee received three written pieces of correspondence.

Elizabeth Brown indicated that maintaining the existing foundation of the raised bungalow contributed to the requested variances, and consideration should be given to mitigating the massing and scale of the proposal.

Ian Free indicated that the application had no real change, and the requests were not minor.

Christiane Bergauer-Free agreed with the other speakers, indicating no notable changes had been made to the application, and it did not meet the intent of the Official Plan. Christiane expressed concerns regarding retaining the existing foundation, water damage and the height of the building. Christiane further indicated that the application

should not be compared to applications approved under the previous by-law and thought the application did not meet the intent of By-law 2024-19.

Member Yan felt the changes made to the plans were not significant enough to address the Committee's concerns about height and massing, and the requests were not minor.

Member Sampson stated that the applicant had provided some relief to the massing of the house through the one-storey portion over the garage. However, the height of the building continued to contribute to the scale and massing of the building.

Member Reingold indicated that the existing foundation contributed to the height of the building, and the massing was still too significant. Member Reingold also indicated that the proposed raised entrance added to the proposal's massing.

The Chair asked the applicant if they wished to defer the application.

The agent requested a deferral.

Member Yan motioned for deferral.

Moved by: Sally Yan

Seconded by: Patrick Sampson

THAT Application **A/032/24** be **deferred** sine die.

Resolution Carried

6. NEW BUSINESS:

6.1 A/025/25

Agent Name: Rachelle Larocque
5560 14th Avenue, Markham
CON 7 PT LOT 6

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

a) By-law 177-96, Amending By-law 2022-86, Section j):

a minimum of 80 parking spaces including accessible parking spaces, whereas the by-law requires a minimum of 100 parking spaces;

as it related to a proposed two-storey multi-unit industrial building.

This application was related to Site Plan Control application 2020 116893 000 00 SPC.

The agent, Rachelle Larocque, appeared on behalf of the application.

Member Reingold noted the assessment of the transportation staff, indicating that the application was minor and would not cause adverse impacts.

Member Yan supported the application, indicating it was technical and met the standards in the CZBL.

Member Reingold motioned for approval with conditions.

Moved by: Jeamie Reingold
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/025/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.2 A/033/25
Agent Name: Weston Consulting (Jane McFarlane)
17 Chiavatti Drive, Markham
PLAN 2440 PT LOTS 18 & 20 RS65R17570 PART 12

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) By-law 2024-19, Section 6.3.2.2(F):**
a minimum front yard setback of 1.0 metre, whereas the by-law requires a minimum front yard setback of 16.26 metres; and
- b) By-law 2024-19, Section 6.3.2.2(I):**
a minimum combined interior side yard of 6.14 metres, whereas the by-law requires a minimum combined interior side yard of 7.5 metres;

as it related to a proposed below grade extension for general storage and vehicles for an existing two-storey residential dwelling.

The agent, Jane McFarlane, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/033/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.3 A/030/25

Agent Name: North Office Architects (Lang Cheng)
49 Cachet Parkway, Markham
PLAN 6897 LOT 43

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) **By-law 2024-19, Section 4.8.1(b):**
a maximum gross floor area of 216.5 square metres per accessory building (pool cabana), whereas the by-law permits a maximum gross floor area per accessory building of 60 square metres if the lot area was 4,000 square metres or greater; and
- b) **By-law 2024-19, Section 5.3.3(a):**
a two-level double arched horseshoe driveway in the front yard, whereas the by-law permits one horseshoe driveway for a lot with lot frontage greater than 16.8 metres;

as it related to the renovation and addition to the two-storey dwelling with a proposed basement garage and ancillary pool house.

The agent, Joe Dom, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Member Sampson indicated that the property was large with sufficient room for the development and the proposal would not impact the streetscape and motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/030/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.4 A/031/25

Agent Name: CloudTop Design Inc (Xudong Tang)
43 Aberfeldy Crescent, Thornhill
PL M1442 E PT LT 236 66R6721 PT 4

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit the following:

a) By-law 2024-19, Section 6.3.2.2 E):

a main building distance of 20.08 metres for the first and second storey, whereas the by-law permits a maximum distance of 19.5 metres for the first storey and 14.5 metres for any storey above the first from the established building line; and

b) By-law 2024-19, Section 6.3.2.2 c):

a main building coverage of 30.75 percent (1,250 square feet) for the first storey and 23.86 percent (970 square feet) for the second storey, whereas the by-law permits a maximum main building coverage of 30 percent of the lot area for the first storey and 20 percent of the lot area for any storey above the first;

as it related to a proposed two-storey rear addition to an existing residential dwelling.

The agent, Xudong Tang, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Member Yan motioned for approval with conditions.

Moved by: Sally Yan
Seconded by: Jeannie Reingold

The Committee unanimously approved the application.

THAT Application **A/031/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

7. Adjournment

Moved by: Patrick Sampson
Seconded by: Sally Yan

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:57 pm, and the next regular meeting would be held on May 28th, 2025.

CARRIED

Secretary-Treasurer
Committee of Adjustment

Chair
Committee of Adjustment