



CITY OF MARKHAM
Virtual Meeting

June 11, 2025
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 10th 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
Michelle Chen, Development Technician

Regrets

Arun Prasad

2. DISCLOSURE OF PECUNIARY INTEREST: None

3. APPROVAL OF PREVIOUS MINUTES: May 28th, 2025

THAT the minutes of Meeting 09, of the City of Markham Committee of Adjustment, held May 28th, 2025, be approved.

Moved by: Patrick Sampson
Seconded by: Jeannie Reingold

Carried

4. REQUESTS FOR DEFERRAL

4.1 A/019/25

Agent Name: I.G.P. Realty Advisors Inc. (Blair Gagnon)
2830 16th Avenue, Markham

PL 65M3184 PT LT 2 PT BLK 3 65R19878 1 TO 5

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 9.4.2.1:**
an outdoor display and sales area, whereas the by-law does not permit an outdoor display and sales area associated with a motor vehicle fueling station;
- b) **By-law 2024-19, Section 4.9.7 a)(ii):**
a 3.1 metre east lot line landscaping strip, whereas the by-law requires a minimum landscape strip of 6.0 metres adjacent to the east lot line;
- c) **By-law 2024-19, Section 5.10.3:**
an unobstructed stacking space length of 6.0 metres, whereas the by-law requires a minimum unobstructed drive-through service establishment (restaurant) stacking space length of 6.5 metres;
- d) **By-law 2024-19, Section 5.10.4(A):**
Eight (8) drive through service establishment stacking spaces for a restaurant use, whereas the by-law requires a minimum of 10 drive-through service establishment stacking spaces for a restaurant use; and
- e) **By-law 2024-19, Section 5.10.3:**
an unobstructed stacking space length of 6.0 metres, whereas the by-law requires a minimum car wash stacking space length of 6.5 metres;

as it related to a proposed gasoline island and a convenience store with a quick serve restaurant and drive-through.

The agent, Blair Gagnon, appeared on behalf of the application.

Member Yan motioned for deferral.

Moved by: Sally Yan
Seconded by: Jeamie

THAT Application **A/019/25** be **deferred** sine die.

Resolution Carried

5. OTHER BUSINESS:

5.1 B/005/25

Agent Name: Robins Appleby LLP (Kavita Pandya)

**4241 Major Mackenzie Drive, Markham
65M4698 PT BLOCK 1 65R40302 PARTS 19 AND 20**

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

**Moved by: Patrick Sampson
Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **B/005/25** be **approved**.

Resolution Carried

5.2 B/007/25

**Agent Name: Robins Appleby LLP (Kavita Pandya)
4231 Major Mackenzie Drive, Markham
65M4698 PT BLOCK 1 65R40302 PARTS 6 TO 8**

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

**Moved by: Patrick Sampson
Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **B/007/25** be **approved**.

Resolution Carried

5.3 B/008/25

**Agent Name: Robins Appleby LLP (Kavita Pandya)
4229 Major Mackenzie Drive, Markham
65M4698 PT BLOCK 1 65R40302 PARTS 3 TO 5**

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/008/25** be **approved**.

Resolution Carried

5.4 B/009/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
4227 Major Mackenzie Drive, Markham
65M4698 PT BLOCK 1 65R40302 PARTS 1 AND 2

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/009/25** be **approved**.

Resolution Carried

5.5 B/010/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
15 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 85

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/010/25** be **approved**.

Resolution Carried

5.6 B/011/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
17 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 86

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/011/25** be **approved**.

Resolution Carried

5.7 B/012/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
19 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 87

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/012/25** be **approved**.

Resolution Carried

5.8 B/013/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
21 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 88

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/013/25** be **approved**.

Resolution Carried

5.9 B/014/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
41 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 100

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/014/25** be **approved**.

Resolution Carried

5.10 B/015/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
45 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PART 102

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/015/25** be **approved**.

Resolution Carried

5.11 B/017/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
47 West Village Lane, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 103 AND 104

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/017/25** be **approved**.

Resolution Carried

5.12 B/018/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
1 Bright Terrace Way, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 1 TO 4

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/018/25** be **approved**.

Resolution Carried

5.13 B/019/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
3 Bright Terrace Way, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 5 TO 7

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/019/25** be **approved**.

Resolution Carried

5.14 B/020/25

Agent Name: Robins Appleby LLP (Kavita Pandya)
5 Bright Terrace Way, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 8 TO 10

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

Moved by: Patrick Sampson

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **B/020/25** be **approved**.

Resolution Carried

5.15 B/021/25

**Agent Name: Robins Appleby LLP (Kavita Pandya)
7 Bright Terrace Way, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 11 TO 15**

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

**Moved by: Patrick Sampson
Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **B/021/25** be **approved**.

Resolution Carried

5.16 B/022/25

**Agent Name: Robins Appleby LLP (Kavita Pandya)
11 Bright Terrace Way, Markham
65M4698 PT BLOCK 1 65R40305 PARTS 19 TO 23**

The owners were requesting to obtain a Certificate of Validation in order to address a contravention under the Planning Act.

Member Sampson motioned for approval.

**Moved by: Patrick Sampson
Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **B/022/25** be **approved**.

Resolution Carried

6. NEW BUSINESS:

6.1 A/020/25

Agent Name: I.G.P. Realty Advisors Inc. (Blair Gagnon)
274 Steeles Avenue, Markham
CON 2 PT LOT 1

The applicant was seeking **permission under Section 45(2)(a) of the *Planning Act*** to permit:

- a) an enlargement and extension to an existing legal non-conforming use** by reconstructing the existing motor vehicle fueling station and constructing an accessory motor vehicle washing establishment and restaurant with accessory drive-through service establishments.

The agent, Blair Gagnon, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Member Sampson asked if shared access to Bayview Avenue for the adjacent property would be continued and maintained.

Blair Gagnon indicated that it was intended that shared access would be continued and maintained.

Member Yan expressed that the extension would provide flexibility for complementary uses, the feasibility of which would be determined during the site plan process.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/020/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.2 A/039/25

Agent Name: Hirman Architects Inc. (Mani Yeganegi)
21 Limcombe Drive, Thornhill
PLAN M896 LT 67

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

a) By-law 2024-19, Special Standard (xiv):

a maximum combined main building coverage of 552 square metres, whereas the by-law permits a maximum combined main building coverage of 500 square metres;

as it related to a proposed first floor addition to an existing residential dwelling.

The agent, Jonathan Benczkowski, appeared on behalf of the application.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson

Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/039/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.3 A/043/25

Agent Name: Four Seasons Sunrooms (Nour Elgendy)
39 Ambleside Crescent, Markham
PLAN 65M2249 LOT 46

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 32.5 percent for the first storey, whereas the by-law permits a maximum main building coverage of 30 percent for the first storey;

as it related to a proposed one-storey sunroom addition.

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

Member Sampson agreed with the recommendations of the staff report, considered the request minor and motioned for approval with conditions.

Moved by: Patrick Sampson

Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application **A/043/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.4 A/024/25

Agent Name: Viya Sisters Inc. (Mayu Balasubramaniam)
33 Hawkridge Avenue, Markham
PLAN 4065 LOT 11

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)(ii):**
an accessory building to be a maximum of 24.58 square metres (**bathroom building**), whereas the by-law permits a maximum of 20 square metres per accessory building;
- b) **By-law 2024-19, Section 4.8.1(b)(ii):**
an accessory building to be a maximum of 41.16 square metres (**cabana**), whereas the by-law permits a maximum of 20 square metres per accessory building;
- c) **By-law 2024-19, Section 4.8.1(d):**
an accessory building (**bathroom building**) with a maximum height of 3.91 metres, whereas the by-law permits a maximum height of 3 metres;
- d) **By-law 2024-19, Section 4.8.1(d)(i):**
an accessory building (**cabana**) with a maximum height of 5.79 metres, whereas the by-law permits a maximum height of 3 metres; and
- e) **By-law 2024-19, Section 4.8.1(e):**
a minimum interior side yard setback of 0.41 metres (**cabana**), whereas the by-law requires a minimum interior side yard setback of 1.2 metres;

as it related to an existing cabana and an existing outdoor washroom.

The agent, Jonathan Benczkowski, appeared on behalf of the application. Jonathan acknowledged that the request was for approval of structures constructed without a building permit. However, as the buildings were in place, it could be demonstrated that the structures had minimal impact and had the support of the neighbours.

The Committee received one written piece of correspondence.

Member Sampson was concerned that the approval could set a precedent.

Member Reingold indicated that in the context of the site, the structures were visually appropriate and the height was not extraordinary and similar to the height of other approved structures.

Member Yan noted that the application had come to the Committee through a new owner seeking to legalize existing structures. Member Yan agreed with the applicant and their colleague that the impacts on the neighbouring properties had been demonstrated to be minimal. That approval could not be considered precedent-setting, as each application was considered on its merits.

Member Sampson indicated support, considering the tenure of the structures and the support of the neighbours.

The Chair noted that staff did not support the application and that the application did not meet the land use policies, and it failed to meet three of the four tests of the *Planning Act*.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson

Seconded by: Sally Yan

Opposed: Greg Knight

The majority of the Committee supported the application.

THAT Application **A/024/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.5 A/036/25

Agent Name: Inspire Homes (Louis Orazem)
5 Thorny Brae Drive, Thornhill
PLAN 7695 LOT 206

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 8.34 metres, whereas the by-law requires a minimum front yard setback of 9.11 metres; and
- b) **By-law 2024-19, Section 6.3.2.2 (c):**
a maximum second-storey main building coverage of 33.2 percent, whereas the by-law permits a maximum second storey main building coverage of 20 percent;

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

The agent, Roshan Thirugnanasampathar, Design Plan Services appeared on behalf of the application.

The Committee received one written piece of correspondence.

Jamie Cheung, a neighbour, spoke to the Committee and wished to see the plans to understand how the addition would relate to their property and asked for consideration during construction.

Ian Free expressed that the requests were not minor and would set a precedent in the neighbourhood.

Member Sampson indicated that the second-floor coverage was contrary to what the Committee commonly supported, and the application did not meet the intent of the Zoning By-law.

Member Reingold supported the application, indicating it was a sympathetic architectural style with a good transition for the streetscape, as the addition was tucked into the rear yard, and a good use of existing infrastructure.

Member Yan agreed that it was sensitive infill development with minimal impacts that would maintain the existing footprint and did not require increased height or reduced rear or side-yard setbacks. Member Yan indicated this was an appropriate expansion for this addition; however, they noted they would not support similar requests for a new build.

The Chair noted that the requests were to reconfigure and expand the structure using the existing footprint and maintaining the massing at the rear of the structure. The design would provide structural integrity for the addition. The Chair agreed with Member Yan that they would not support variances of this size for a new infill dwelling.

Member Reingold motioned for approval with conditions.

Moved by: Jeamie Reingold

Seconded by: Sally Yan

Opposed: Patrick Sampson

The majority of the Committee supported the application.

THAT Application **A/024/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.6 A/047/25

Agent Name: Paar Design Inc. (Nikol Paar)
16 Honeybourne Crescent, Markham
PLAN 4949 LOT 109

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 maximum second storey distance from the established building line of 16.43 metres, whereas the by-law permits a maximum second storey distance from the established building line of 14.5 metres;
- b) **By-law 2024-19, Section 6.3.2.2 (g):**
a minimum rear yard setback of 6.71 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres;
- c) **By-law 2024-19, Section 6.3.2.2 (c):**
a maximum second storey main building coverage of 22.99 percent, whereas the by-law permits a maximum second storey main building coverage of 20 percent;
- d) **By-law 2024-19, Section 6.2.1 (b):**
a maximum projection of a roof with a pitch less than 25 degrees of 3 metres from the permitted outside wall height, whereas the by-law permits a maximum projection of a roof with a pitch of less than 25 degrees of 1 metre from the permitted outside wall height;

as it related to a proposed two storey residential dwelling.

The agent, Nikol Paar, appeared on behalf of the application. Nikol indicated the design team had worked closely with the owner and planning staff to bring a design that would be appropriate for the street while meeting the needs of a multi-generational family.

The Committee received two written pieces of correspondence.

Sandra Wilson, a rear neighbour, inquired about drainage and the balcony at the rear of the property and was concerned about flooding and privacy for the neighbouring properties.

Christiane Free, a Markham resident, expressed that the requested variances were overly large and would reduce green space on the property, impacting drainage.

Member Reingold noted that the street was transitioning and had several large homes, and concerns about flooding would be addressed through the infill grading application. Member Reingold felt the massing had articulation and was an appropriate design.

Nevertheless, they were concerned that the balcony could create overlook of other properties and asked the agent if an alternate design could be proposed for the balconies to reduce the impacts on privacy.

Member Yan complimented the agent for working with staff to reduce the requests and soften the façade before coming to the Committee. Member Yan agreed that altering the balcony design would reduce the privacy impacts.

Nikol Paar indicated that the owner was not tied to the balcony design and changes could be made.

The Chair agreed with the comments of the Committee and that a change to the rear balcony was appropriate and recommended a condition be added to the decision to remove the rear balcony.

Member Yan motioned for approval with conditions contained in the staff report and the addition of a condition to remove the balcony.

Moved by: Sally Yan
Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application **A/047/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.7 A/042/25

Agent Name: Prohome Consulting Inc. (Vincent Emami)
7 Worsley Court, Markham
PLAN 7566 LOT 172

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 second storey main building coverage of 25.72 percent, whereas the by-law permits a maximum second storey main building coverage of 20 percent;
- b) By-law 2024-19, Section 6.3.2.2 i):**
a minimum combined interior side yard setback of 4.12 metres, whereas the by-law requires a minimum combined interior side yard setback of 5 metres; and
- c) By-law 2024-19, Section 4.8.10.1 a):**

a minimum front porch depth of 1.2 metres, whereas the by-law requires a minimum front porch depth of 1.8 metres;

as it related to a proposed two storey detached dwelling.

The agent, Ida Evangelista, appeared on behalf of the application. Ida noted that the lot was irregularly shaped and the applicant was proposing elements that were appropriate and relevant for the development of the site, met the intent of the Zoning By-law, and reduced visual impacts while maintaining the character of the area and meeting the needs of the owner's multi-generational family. The neighbours had been canvassed and supported the application.

The Committee received fifteen written pieces of correspondence.

Rex Jin and Yunjun Jin, the immediate neighbours on both sides of the property, indicated they fully supported the application. Rex noted that the court had undergone regeneration. The property was surrounded by new builds and had not been maintained. The front yard setback was appropriate as it would bring it in line with the new builds at 5 and 9 Worsley Court. Many neighbours had expressed support, and the proposal was the consistent desire of the community and would positively impact the entire street.

Ian Free, a resident of Unionville, expressed that the variances were too large and added to the ongoing drainage issues within the area.

Christiane Bergauer-Free a resident of Unionville, asked how the interests of the TRCA would be addressed and how the application would impact Toogood Park.

The Chair indicated to the members of the public that the Committee was familiar with Worsley Court and the recent infill development on the court.

Member Reingold expressed that the green space afforded by side-yard setbacks allowed new, larger homes to integrate with existing structures on the street and did not support any reductions in the setbacks. Additionally, Member Reingold expressed that the massing of the home was not appropriate and needed to be reduced and softened.

Ida Evangelista noted that the dwelling could not be pushed further back on the property due to the TRCA-regulated area at the rear of the property, and notwithstanding the design still maintained substantial greenspace in the front of the property.

Member Yan noted the setbacks were influenced by the pie-shaped lot configuration and acknowledged the landscaping that was included in the design, indicating that, in this circumstance, the setbacks were acceptable. However, Member Yan agreed with their colleague that the increased second-storey coverage needed to be reduced.

Member Sampson did not object to the side yard reductions but disagreed with the second-floor coverage, indicating that efforts should be made to reduce the massing and add articulation to the street-facing façade.

The Chair agreed with the comments of the members and asked if the applicant wanted to defer the application.

Ida Evangelista requested to defer the application.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson
Seconded by: Sally Yan

THAT Application **A/042/24** be **deferred sine die**.

Resolution Carried

7. Adjournment

Moved by: Jeamie Reingold
Seconded by: Patrick Sampson

THAT the virtual meeting of the Committee of Adjustment was adjourned at 9:08 pm, and the next regular meeting would be held on July 16, 2025.

CARRIED

Signed
July 16, 2025
Secretary-Treasurer
Committee of Adjustment

Signed
July 16, 2025
Chair
Committee of Adjustment