

Memorandum to the City of Markham Committee of Adjustment

August 27, 2025

File: A/042/25
Address: 7 Worsley Court, Markham
Agent: Prohome Consulting Inc (Vincent Emami)
Hearing Date: Wednesday, September 10, 2025

The following comments are provided on behalf of the Central Team:

The Applicant is requesting relief from the following requirements of the “Residential – Established Neighbourhood Low Rise (RES-ENLR)” zone in By-law 2024-19, as amended, to permit:

- a) **By-law 2024-19, Section 6.3.2.2 c)**: a maximum second storey main building coverage of 23.91 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 4.2 metres, whereas the by-law requires a minimum combined interior side yard setback of 5.03 metres; and

as it relates to a proposed two storey detached dwelling.

Application History

The Application was deferred at the June 11, 2025 Committee of Adjustment (“COA”) meeting to allow the Applicant to address concerns related to size and massing, as detailed in Appendix “A” – Minutes Extract (June 11, 2025).

The Applicant has since submitted revised plans on July 15, 2025 (Appendix “B” – Revised Plans). The revised plans resulted in revised variance requests for maximum second-storey building coverage, removes the request for front porch depth, and maintains the request for the minimum combined interior side yard setback (the “current variance request”). Table 1 below shows a comparison between the variances from past submissions and the current revised submission.

Development Standards	RES-ENLR Zone Requirements	Initial Variance Request	Current Variance Request
Maximum second-storey main building coverage	20% (160.58 m ² or 1,728.47 ft ²)	25.72% (206.51 m ² or 2,222.86 ft ²)	23.91% (191.95 m ² or 629.76 ft ²)
Minimum front porch depth	1.8 m (5.9 ft)	1.2 m (3.94 ft)	Removed
Minimum combined interior side yard setbacks	5.03 m (16.50 ft)	4.2 m (13.52 ft)	Unchanged

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The Applicant has not conducted a ZPR for the revised plans. Consequently, it is the Owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

COMMENTS

Staff have reviewed the revised plans and advise that the comments from the previous report dated [June 2, 2025](#), including TRCA comments, remain applicable (Appendix "C"). Staff are of the opinion that the requested variances will not result in adverse impacts to neighbouring properties.

PUBLIC INPUT SUMMARY

The City received 15 letters of support regarding the initial variance, and four letters of opposition. In total, four residents spoke at the meeting, two in favour of the variances and two in opposition; citing drainage issues in the area, TRCA concerns, and that the variances were too large. No additional written submissions were received as of August 27, 2025 for the current variance request. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning Staff have reviewed the application with respect to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests of the Planning Act and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the Applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

Please refer to Appendix "D" for conditions to be attached to any approval of this application.

PREPARED BY:



Brendan Chiu, Planner I, Central District

REVIEWED BY:

A handwritten signature in black ink, appearing to read 'Melissa Leung', is positioned above a horizontal line.

Melissa Leung, RPP MCIP, Senior Planner, Central District

APPENDICES

Appendix "A" – Minutes

Appendix "B" – Revised Plans

Appendix "C" – TRCA Conditions of Approval

Appendix "D" - A/042/25 Conditions of Approval



**CITY OF MARKHAM
Virtual Meeting**

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**

Appendix A

File: 25.116485.00.00.0001

Date: 9/3/2025
MM/DD/YYYY

**June 11, 2025
7:00 pm**

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**.

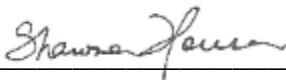
Resolution Carried

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.

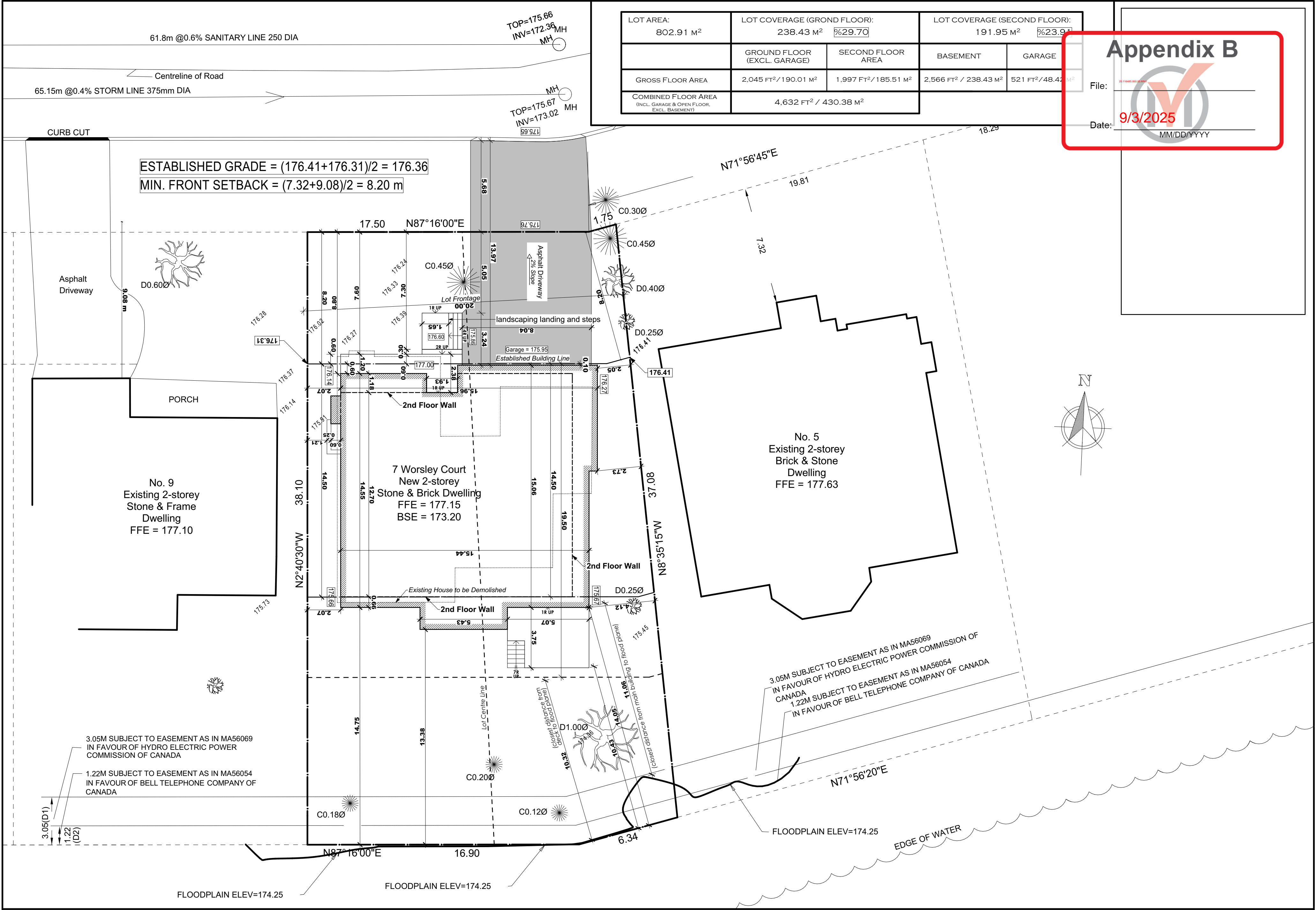
CARRIED



Secretary-Treasurer,
Committee of Adjustment



Chair



LOT AREA: 802.91 M ²	LOT COVERAGE (GROND FLOOR): 238.43 M ² %29.70		LOT COVERAGE (SECOND FLOOR): 191.95 M ² %23.91	
	GROUND FLOOR (EXCL. GARAGE)	SECOND FLOOR AREA	BASEMENT	GARAGE
GROSS FLOOR AREA	2,045 FT ² / 190.01 M ²	1,997 FT ² / 185.51 M ²	2,566 FT ² / 238.43 M ²	521 FT ² / 48.42 M ²
COMBINED FLOOR AREA (INCL. GARAGE & OPEN FLOOR, EXCL. BASEMENT)	4,632 FT ² / 430.38 M ²			

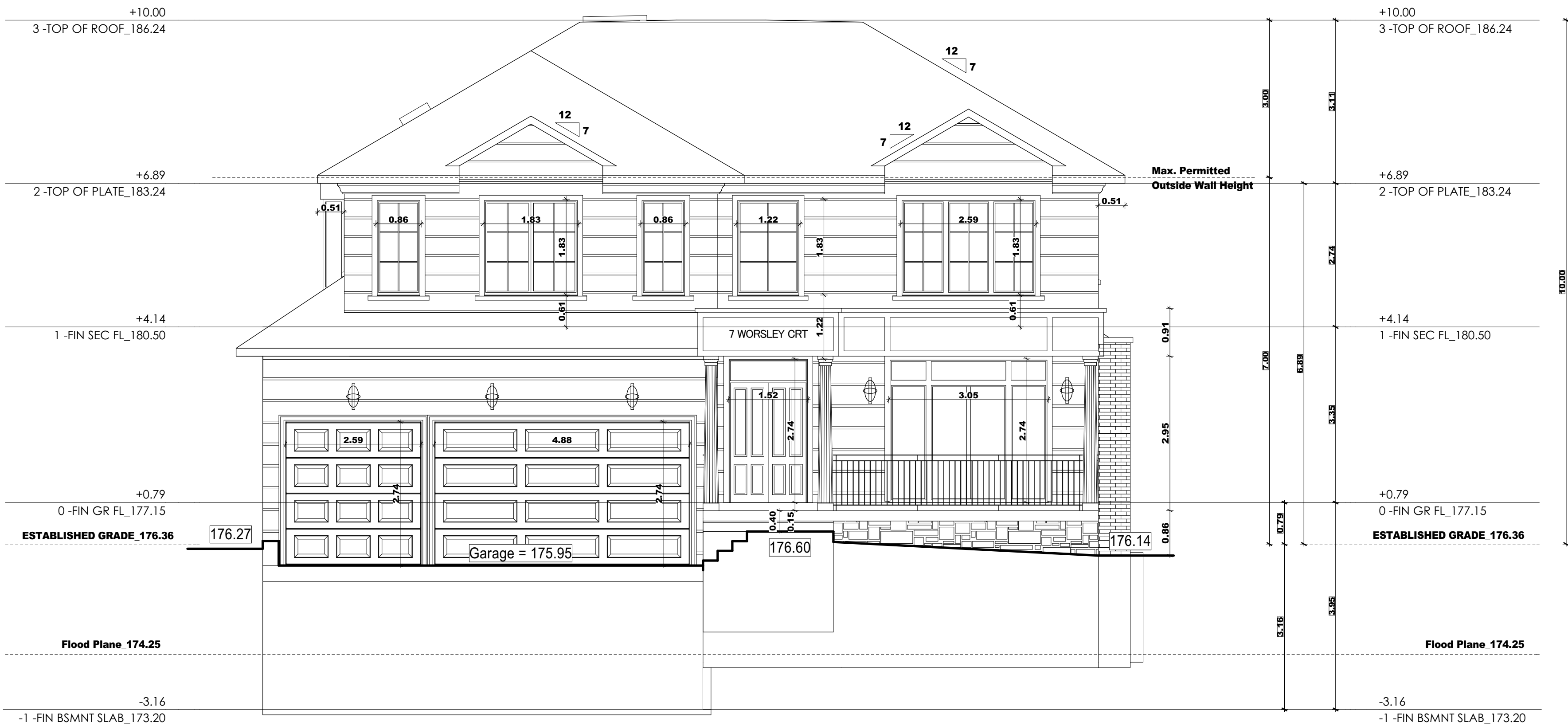
Appendix B

File: 25.115445.000.000000
Date: **9/3/2025**
MM/DD/YYYY

DATE:	ISSUED FOR:	FOR STRUCTURE ONLY		ONLY FOR ARCHITECTURAL STAMP ARCHITECTS VAHID BRAHAM JOMEH LICENCE 9929	DRAWN BY V.E.	SCALE:	DRAWING TITLE:	A.O1
						1:150	SITE PLAN	
						LAST MODIFIED ON:	PROJECT TITLE/ADDRESS:	
						JULY 15, 2025	7 WORSLEY Ct. MARKHAM, ON	

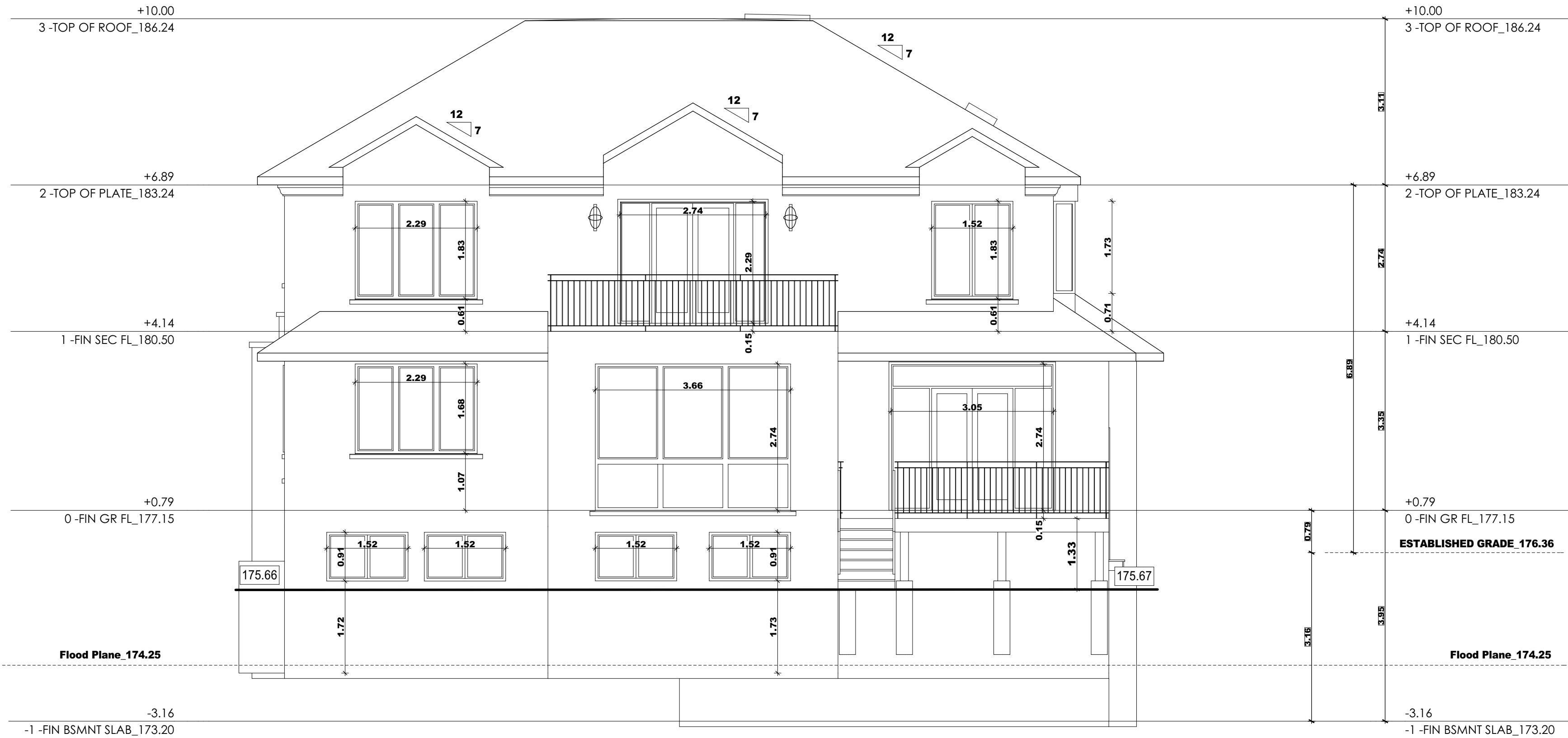
Appendix B

File: 25.150465.000.000000
Date: 9/3/2025
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Appendix B

File: 25.150465.000.000000
Date: 9/3/2025
MM/DD/YYYY

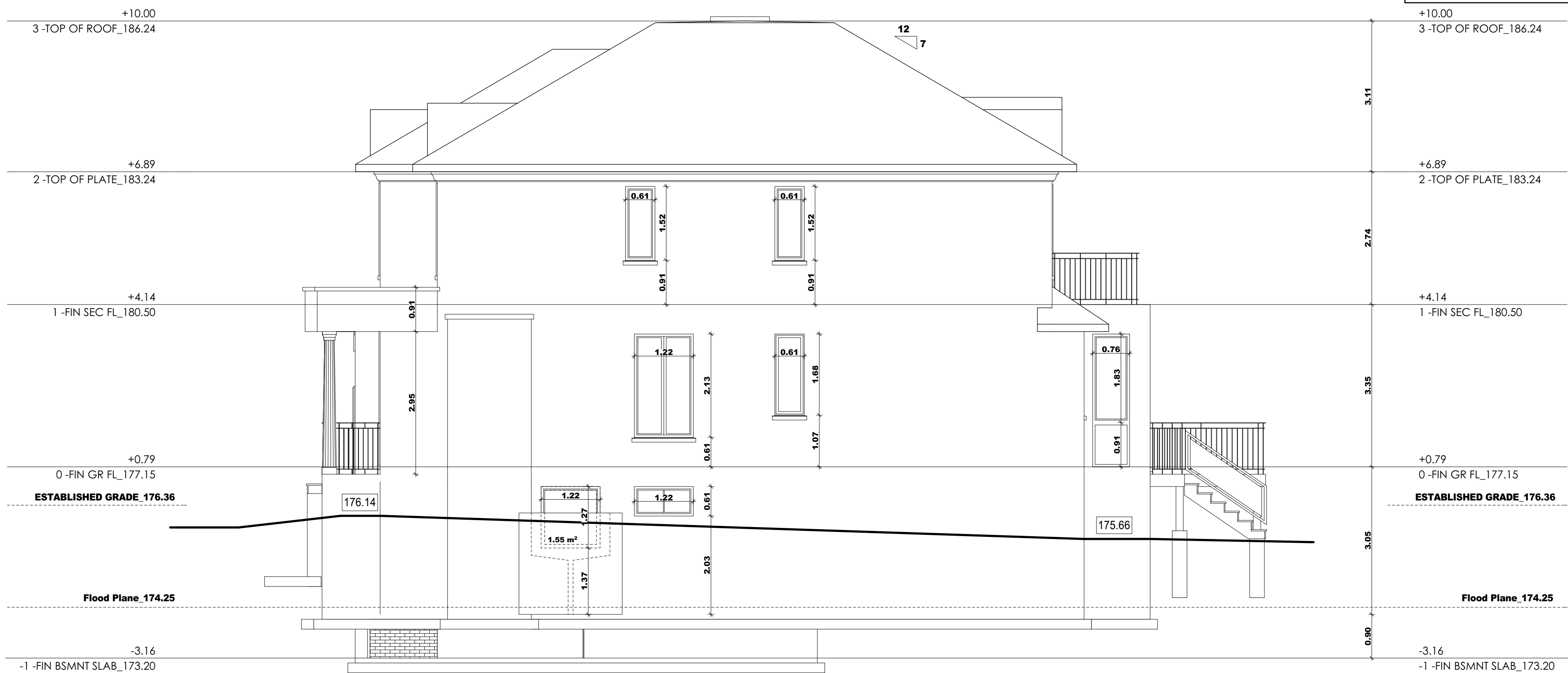


DATE:	ISSUED FOR:	FOR STRUCTURE ONLY		ONLY FOR ARCHITECTURAL STAMP ON TARIO ASSOCIATION ARCHITECTS VAHD BRAM JOMEH LICENCE 9929	DRAWN BY V.E	SCALE:	DRAWING TITLE:	A 2.2
						1:64	REAR ELEVATION	
						LAST MODIFIED ON:	PROJECT TITLE/ADDRESS:	
						JULY 15, 2025	7 WORSLEY Ct. MARKHAM, ON	

Appendix B

File: 25.150465.000.000000

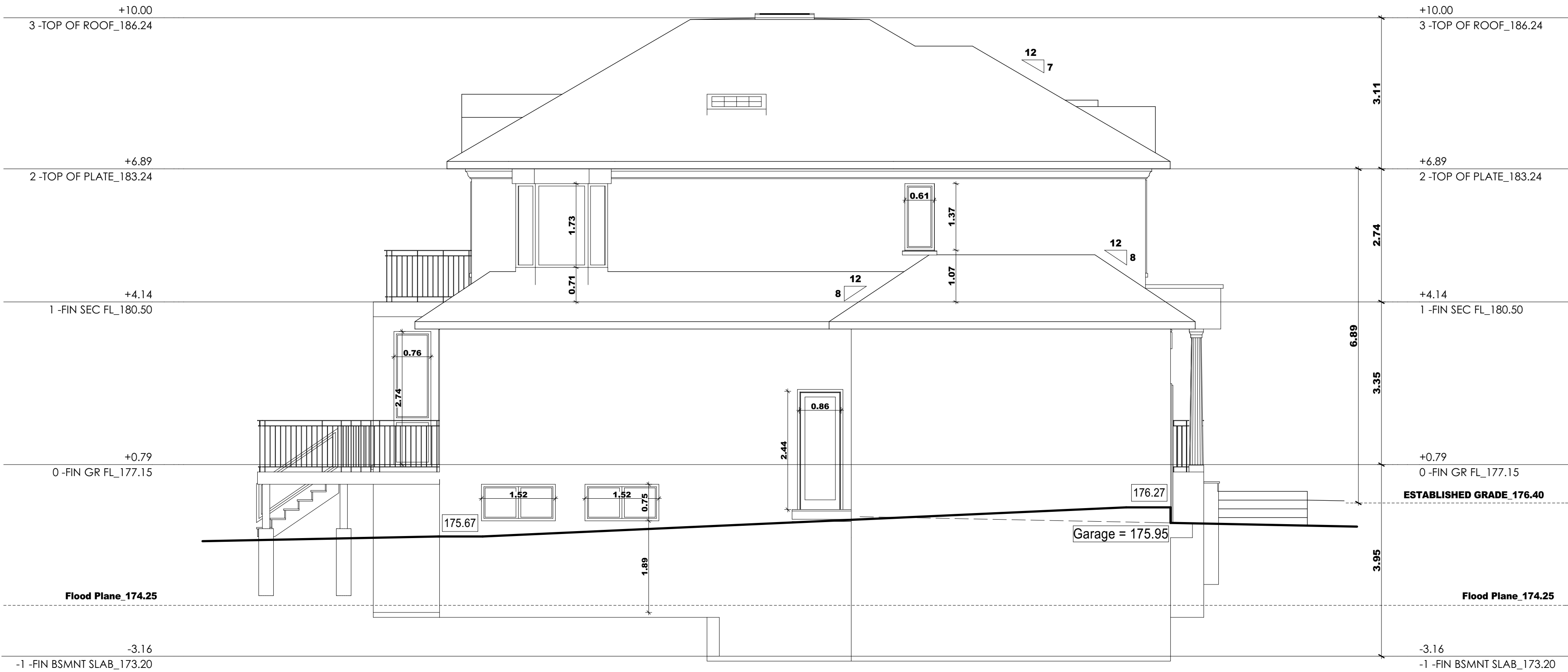
Date: 9/3/2025
MM/DD/YYYY



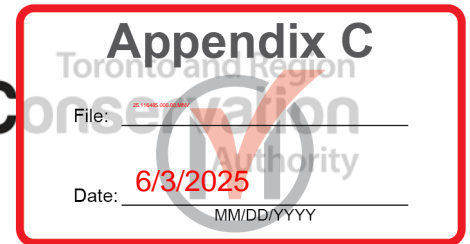
DATE:	ISSUED FOR:	FOR STRUCTURE ONLY		ONLY FOR ARCHITECTURAL STAMP ON JULY 15, 2025 OF ARCHITECTS VAHD BRAM JOMEH LICENCE 9929	DRAWN BY V.E	SCALE:	DRAWING TITLE:	A 2.3
						1:64	SIDE ELEVATION	
						LAST MODIFIED ON:	PROJECT TITLE/ADDRESS:	
						JULY 15, 2025	7 WORSLEY Ct. MARKHAM, ON	

Appendix B

File: 25.115445.000.000000
Date: 9/3/2025
MM/DD/YYYY



DATE:	ISSUED FOR:	FOR STRUCTURE ONLY		ONLY FOR ARCHITECTURAL STAMP ONTOARIO ASSOCIATION ARCHITECTS JULY 15, 2025 OF VAHD IRAM JOMEH LICENCE 9929	DRAWN BY V.E	SCALE:	DRAWING TITLE:	A 2.4
						1:64	SIDE ELEVATION	
						LAST MODIFIED ON:	PROJECT TITLE/ADDRESS:	
						JULY 15, 2025	7 WORSLEY Ct. MARKHAM, ON	



May 23, 2025

TRCA File No.PAR-DPP-2025-0077

VIA E-Plan

Dear Brendan Chiu, Planner I
Planning and Urban Design Department
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W9

Re: Minor Variance Application – A/042/25
7 Worsley Court, Markham
Part Lot 172, Registered Plan 7566, City of Markham
Nearest Intersection: Highway 7 & Main Street
Applicant: Ida Evangelista
Owner: Guo Lizhen

Toronto and Region Conservation Authority (TRCA) staff provide the following comments in response to the referenced Committee of Adjustment application, received by TRCA on May 7, 2, 2025. We provide the following in accordance with TRCA's commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see [Ontario Regulation 686/21](#).

Purpose of the Application

TRCA staff understand that the purpose of this application is to request relief from the requirements of By-law 2024-19, as amended, to facilitate the development of a new two storey single detached dwelling with a new wood deck in the rear.

REQUESTED VARIANCE(S) TO THE ZONING BY LAW:

To Permit:

- a) **By-law 2024-19, Section 6.3.2.2 c):** a second storey main building coverage of 25.72 percent, whereas the by-law permits a maximum of 20 percent;
- b) **By-law 2024-19, Section 6.3.2.2 i):** a combined interior side yard of 4.2 metres, whereas the by-law requires a minimum of 5 metres; and
- c) **By-law 2024-19, Section 4.8.10.1 a):** a street accessed porch with a floor to have a depth of 1.2 metres, whereas the by-law requires a minimum of 1.8 metres.

TRCA Permit Requirements

The subject lands are within TRCA's Regulated Area as it contains erosion and floodplain hazards associated with a tributary of the Rouge River Watershed and its adjacent regulated allowance.

Due to the presence of natural hazards, the issuance of a TRCA permit pursuant to the Conservation Authorities Act is required prior to any development or site alteration within the regulated portion of the property.

Based on the review of materials circulated with this application, the proposed development is located within the regulated portions of the property. Thus, **a permit is required** from TRCA to facilitate the development associated with this application.

TRCA Plan Review Fee

By copy of this letter, the applicant is advised that TRCA have implemented a fee schedule for its planning application review services in accordance with applicable provincial regulations. This Minor Variance Application is subject to a fee of \$950.00 (Minor Variance Application - Standard). The applicant is responsible for fee payment within 60 days of the committee hearing date. Interest will be charged and accumulated beyond that time. Please contact the Planner noted below for an electronic invoice to facilitate payment.

Recommendations

Based on the comments provided, TRCA staff have **no objection** to the approval Application **A/042/25** subject to the **conditions** identified in Appendix A.

Should you have any questions or comments, please contact the undersigned.

Regards,



Matthew Pereira
Planner 1

Development Planning and Permits | Development and Engineering Services
437-880-2416
Matthew.pereira@trca.ca

Attached: Appendix A: TRCA Conditions of Approval

BY EMAIL

cc: Guo Lizhen: lxq3720@163.com

Appendix A: TRCA Conditions of Approval

#	TRCA Conditions
1	The applicant submits the TRCA plan review fee of \$950.00 within 60 days of the committee hearing date.
2	The applicant seeks and is issued a permit by TRCA pursuant to the <u>Conservation Authorities Act</u> .

APPENDIX “D”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/042/25

1. The variances apply only to the Proposed Development as long as it remains;
2. That the variances apply only to the Proposed Development, in substantial conformity with the plan(s) attached as ‘Appendix B’ to this Staff Report and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. That the Owner satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to this Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.
4. Submission of a Tree Assessment and Preservation Plan, prepared by a Qualified Tree Expert in accordance with the City’s Tree Assessment and Preservation Plan (TAPP) Requirements (2024) as amended, to be reviewed and approved by the City, and that the Secretary-Treasurer receive written confirmation from the Tree Preservation By-law Administrator that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
5. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, neighbouring properties, and street trees, in accordance with the City’s Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation By-law Administrator.

CONDITIONS PREPARED BY:



Brendan Chiu, Planner I, Central District