



**CITY OF MARKHAM
Virtual Meeting**

**May 28, 2025
7:00 pm**

COMMITTEE OF ADJUSTMENT

Minutes

The 9th 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
Arun Prasad	7:00 pm

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment
Alexianna Hewitt, Development Clerk

2. DISCLOSURE OF PECUNIARY INTEREST: None

3. APPROVAL OF PREVIOUS MINUTES: May 14th, 2025

THAT the minutes of Meeting 08, of the City of Markham Committee of Adjustment, held May 14th, 2025, be approved.

Moved by: Jeannie Reingold

Seconded by: Patrick Sampson

Carried

4. REQUESTS FOR DEFERRAL: None

5. PREVIOUS BUSINESS:

5.1 A/150/24

**Agent Name: Eden Engineering & Design Inc. (Albert Yerushalmi)
15 Frank Ash Street, Markham
PLAN 65M4479 LOT 64 65R37177 PARTS 38, 39 AND 40**

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

- a) **By-law 2024-19, Section 4.9.12(c):**
a coach house dwelling on a lot that has a lot frontage of 8.28 metres, whereas the by-law requires a minimum lot frontage of 9.75 metres; and
- b) **By-law 2024-19, Section 4.9.12(d):**
a coach house dwelling to be setback 5.26 metres from the main building on the lot, whereas the by-law requires a minimum setback from the main building of 6 metres;

as it related to the proposed coach house dwelling.

The agent, Albert Yerushalmi, appeared on behalf of the application, explaining the addition had been reduced to reflect the coach house on the adjacent property and that the variances were technical relating to existing conditions.

The Committee received one written piece of correspondence.

Member Sampson noted that the current proposal reflected the development on the adjacent property and expressed that the pie-shaped lot influenced the variances.

Member Reingold indicated that the applicant had made the necessary changes to bring a proposal that related to the existing development.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application **A/150/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

5.2 A/138/24

Agent Name: Ida Evangelista, In Roads Consultants
8 Summerfeldt Crescent, Markham
PLAN M1441 LOT 144

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

- a) **By-law 2024-19, Section 6.3.2 C):**
a maximum second-storey main building coverage of 24.54 percent, whereas the by-law permits a maximum main building coverage for the second-storey of 20 percent of the lot area;
- b) **By-law 2024-19, Section 6.3.2 I):**
a minimum combined interior side yard setback of 3.69 metres, whereas the by-law requires a minimum combined interior side yard setback of 4.0 metres;
- c) **By-law 2024-19, Section 4.8.10.1.a):**
a minimum front yard porch depth of 1.53 metres, whereas the by-law requires a minimum front yard porch depth of 1.8 metres; and
- d) **By-law 2024-19, Section 5.3.6 a):**
a double private garage size of 5.31 metres x 5.81 metres, whereas the by-law requires a minimum of 5.75 metres x 6 metres for a two-car private garage;

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

The agent, Ida Evangelista, appeared on behalf of the application. Ida indicated that additional changes were made to the plans to provide various articulations to the front of the house, as well as reducing the second-floor coverage below 25 percent and increasing the size of the front porch. The proposed setbacks had not changed. However, the current proposal, which incorporated a walkway, would meet engineering standards for drainage and allow for adequate passage of air and light. The house would have a complementary relationship to neighbouring properties while providing a diversity of building types in the neighbourhood.

Elizabeth Brown, Committee of Adjustment representative for the Markham Village Sherwood Forest Residents Association, indicated that the applicant had made reductions; however, the requested variances were numerically significantly over what was permitted. Elizabeth expressed that, in their opinion, the proposal had too much massing, and the larger side-yard setbacks were required to provide relief from the massing between the homes.

Ian Free, a Unionville resident, agreed with the previous presenter, remarking that the variances, either alone or in aggregate, were not minor, and the applicant had made only minor changes since the previous meeting.

Christiane Bergauer-Free, a neighbourhood resident, commented that the proposal was for a square block build with too much massing and expressed concerns relating to privacy, overshadowing, and the lack of compatibility with the existing neighbourhood.

Ida Evangelista responded that the proposal was for a multigenerational home that would provide living space for the family. Ida commented that the setback would not

cause impacts to the adjacent properties as the second floor at the rear was stepped back to minimize shadowing and protect privacy in the rear yards. The immediate neighbours had been consulted and were in support of the application as presented. Ida expressed the requests were minor, met the intent of the Zoning By-law, were appropriate for the neighbourhood, and desirable for the development of the land.

Member Reingold saw no fundamental changes to the plans, indicating the design needed to be softened to be sensitive to the existing neighbourhood and respect given to the side-yard setbacks. Understanding that multigenerational families had different needs, Member Reingold expressed that there were no separate standards in the by-law for multigenerational homes. Member Reingold did not support the application, indicating that the massing needed to be reduced and softened, the setbacks should not be crowded, and the design needed to show respect for the character of the neighbourhood.

Member Yan commented that this was a third reiteration of the plans, and only minor changes had been made. Noting that the development was on a small lot, Member Yan conveyed to the applicant that the changes to variances a) and b) were not significant enough, and the second floor, as presented, was still too large. Member Yan articulated that the CZBL had been in effect for less than a year, and significant consultation had been made to establish the standards for existing neighbourhoods. Member Yan noted that the applicant had referred to reduced side-yard setbacks as minor. However, the Committee sought to establish buffers between homes to mitigate the impacts of larger builds.

Member Sampson agreed with their colleagues that reducing the massing of the second floor at the front of the house was necessary.

The Chair expressed that the Committee had provided similar comments in the previous meetings. Acknowledging that the immediate neighbours agreed, the Chair indicated that the applicant still needed to reduce the size of the second floor. The Chair asked if the applicant wanted to defer the decision.

Ida Evangelista requested a deferral.

Member Sampson motioned for deferral.

Moved by: Patrick Sampson

Seconded by: Arun Prasad

THAT Application **A/138/24** be **deferred** sine die.

Resolution Carried

6. NEW BUSINESS:

6.1 A/028/25

**Agent Name: The Biglieri Group Ltd. (Morgan Baker)
8545 McCowan Road, Markham
PLAN 3965 PT LOTS 1 & 3 65R7715 PTS 1 – 3**

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

a) By-law 1229, Amending By-law 326-82, Section 1.2(b):

retail sales of jewelry, whereas the by-law does not permit retail sales of jewelry;

as it related to a proposed Jewelry Store.

The agent, Morgan Baker, appeared on behalf of the application.

Member Yan expressed that the request was straightforward, met the policy framework, was minor and met the four tests of the *Planning Act*.

Member Prasad motioned for approval with conditions.

**Moved by: Arun Prasad
Seconded by: Sally Yan**

The Committee unanimously approved the application.

THAT Application **A/028/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.2 A/029/25

**Agent Name: KLM Planning Partners Inc. (Marshall Smith)
146 Old Kennedy Road, Markham
19TM16012 PT BLOCK 1 PT BLOCK 11 UNIT 4**

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

Block 11:

a) By-law 177-96, Section 7.585.2 g), Amending By-law 2017-108:

an attached private garage to be setback 2 metres from the private street, whereas the by-law requires a minimum setback from the private street of 5.8 metres;

Blocks 1 - 10:

b) By-law 177-96, Section 6.2.1 a) ii), Amending By-law 2017-108:

decks with a height between 0.6 metres and 1.0 metres to be setback a minimum of 3 metres from the interior side lot line, whereas the by-law requires a minimum setback of 5 metres from the interior side lot line;

as it related to a proposed townhouse development.

This application was related to Draft Plan of Subdivision 19TM-16012 and Site Plan SC 17 138057.

The agents, Courtney Fish and Marshall Smith, appeared on behalf of the application.

Member Yan noted that the variances were technical, provided flexibility to accommodate the various units across the property, and motioned for approval with conditions.

Moved by: Sally Yan

Seconded by: Patrick Sampson

The Committee unanimously approved the application.

THAT Application **A/029/25** be **approved** subject to conditions contained in the addendum to the staff report.

Resolution Carried

6.3 A/147/24

Agent Name: STEP Design Studio Inc. (Stepan Sukiasyan)
7 Sunman Court, Markham
65M4758 LOT 4

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

a) By-law 2024-19, Section 6.3.2.2 (c)(xiv):

a combined main building coverage of 610 square metres, whereas the by-law permits a maximum combined main building coverage of 500 square metres;

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

a first storey main building coverage of 35 percent of the lot area and a proposed second storey main building coverage of 33 percent of the lot area, 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;

- c) **By-law 2024-19, Section 6.3.2.2 (d):**
a lot coverage of 39.9 percent, whereas the by-law permits a maximum lot coverage of 35 percent;
- d) **By-law 2024-19, Section 6.3.2.2 (J):**
an outside wall height of 7.29 metres, whereas the by-law permits a maximum outside wall height of 7.0 metres;
- e) **By-law 2024-19, Section 6.2.1:**
a pitched roof with a slope of not less than 25 degrees to project 4.61 metres above the maximum permitted outside wall height of 7.0 metres, whereas the by-law permits pitched roofs with a slope of not less than 25 degrees to project a maximum of 3.0 metres above the maximum permitted outside wall height;
- f) **By-law 2024-19, Section 6.3.2.2 (f):**
a front yard setback of 7 metres, whereas the by-law requires a minimum front yard setback of 12.50 metres;
- g) **By-law 2024-19, Section 6.3.2.2 (G):**
a rear yard setback of 5.05 metres, whereas the by-law requires a minimum rear yard setback of 7.5 metres;
- h) **By-law 2024-19, Section 6.3.2.2 (I):**
a combined interior side yard setback of ~~3.63 metres~~, **4.5 metres** whereas the by-law requires a minimum combined interior side yard setback of 5.71 metres;
- i) **By-law 2024-19, Section 6.3.2.2 (e):**
a maximum distance of 14.97 metres from the established building line for any storey above the first, whereas the by-law permits a maximum distance from the established building line of 14.5 metres;
- j) **By-law 2024-19, Section 5.3.3 (a):**
a horseshoe driveway on a lot with a main building setback of 7.0 metres, whereas the by-law requires a main building setback of 8.0 metres; and
- k) **By-law 2024-19, Section 4.8.10.1 (d):**
to permit a porch with a floor height of 1.56 metres above the average grade level of the porch, whereas the by-law permits a maximum porch floor height of 1.2 metres;

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

The agent, Stepan Sukiasyan, appeared on behalf of the application. Stepan explained that the property was one of the last properties within the subdivision to be designed. While other properties had been approved for similar massing by the Committee of

Adjustment, this property required additional variances, as it was subject to different development standards subsequent to the passing of By-law 2024-19.

Member Reingold indicated that the proposed house was well-designed with good proportions. However, they felt that the reduced side yard setbacks resulted in crowding between the adjacent houses.

Stepan Sukiasyan responded that the house was appropriately related to the other approved houses within the subdivision, and the neighbourhood had driven the design. Additionally, Stepan indicated that the massing of the garage bridged the building to the adjacent lot.

Member Yan indicated that the proposed development needed to be considered in terms of its presentation on the lot and agreed with their colleague that they could not support the request for reduced side-yard setbacks.

Member Sampson referenced the site plan for the subdivision and commented that the proposed house was one of the smallest in the entire subdivision.

The Chair commented that this was a subdivision of large houses which were not yet under construction and the proposal would not create impacts related to existing uses, noting that no neighbouring property owners had provided comments on the development.

Member Sampson motioned for approval with conditions. The motion was not seconded, and the motion failed.

Member Yan motioned to approve variances a), b), c), d), e), f), g), i), j), and k), and refuse variance h). The motion was not seconded and failed.

After discussion with the applicant to determine an agreed upon reduction to variance h), Member Yan motioned to approve the application subject to conditions with an amendment to variance h) to reduce the combined interior side yard setback to 4.5 metres.

Moved by: Sally Yan
Seconded by: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application **A/147/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.4 A/156/24

Agent Name: EcoVue Consulting Services (Kent Randall)
67 Chatelaine Drive, Markham
PLAN 65M3064 PT LOT 3 RP 65R35410 PT 2

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

- a) **By-law 2024-19, Section 6.3.2.2 j):**
a maximum outside wall height of 7.52 metres, whereas the by-law permits a maximum outside wall height of 7.0 metres;
- b) **By-law 2024-19, Section 6.3.2.2 (c)(xiv):**
a maximum main building coverage of 749 square metres, whereas the by-law permits a maximum main building coverage of 500 square metres;
- c) **By-law 2024-19, Section 6.3.2.2 e):**
a maximum building distance for the first storey from the established building line of 19.71 metres, whereas the by-law permits a maximum main building distance of 19.5 metres for the first storey from the established building line; and
- d) **By-law 2024-19, Section 6.3.2.2 e):**
a maximum building distance for the second storey from the established building line of 14.58 metres, whereas the by-law permits a maximum main building distance of 14.5 metres for the second storey from the established building line;

as it related to a proposed new two storey dwelling.

The agent, Jessica Reid, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Priya Bajwa, a neighbour, noted that the houses on the street were currently similar in size and wondered how this larger house would relate to the streetscape and neighbourhood.

Member Yan commented that the lot pattern differed on each side of the street and noted that the proposal met the development standards for setbacks, would be a similar fit to the other houses on the street, and would have minimal impact on the adjacent properties.

Member Sampson motioned for approval with conditions.

Moved by: Patrick Sampson
Seconded by: Sally Yan

The Committee unanimously approved the application.

THAT Application **A/156/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

7. Adjournment

Moved by: Arun Prasad

Seconded by: Jeamie Reingold

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:46 pm, and the next regular meeting would be held on June 11, 2025.

CARRIED

Original Signed
June 11, 2025
Secretary-Treasurer
Committee of Adjustment

Original Signed
June 11, 2025
Chair
Committee of Adjustment