



CITY OF MARKHAM
Virtual Meeting

November 12, 2025
7:00 pm

COMMITTEE OF ADJUSTMENT

Minutes

The 18th 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

Jeannie Reingold, Vice Chair	7:00 pm
Joe Caricari	7:00 pm
Sheng Huang	7:00 pm
Bowie Leung	7:00 pm
John Tidball	7:00 pm

Shawna Houser, Secretary-Treasurer
Greg Whitfield, Supervisor, Committee of Adjustment

Regrets

Arun Prasad, Chair

1. CALL TO ORDER & LAND ACKNOWLEDGEMENT

2. DISCLOSURE OF PECUNIARY INTEREST

None

3. APPROVAL OF PREVIOUS MINUTES: September 10th, 2025

THAT the minutes of Meeting 17, of the City of Markham Committee of Adjustment, held October 29th, 2025 respectively, be:

- a) Approved on November 12th, 2025.

Moved by: Joe Caricari
Seconded by: John Tidball

Carried

4. REQUESTS FOR DEFERRAL:

4.1 A/120/25

**Agent Name: Malone Given Parsons Ltd. (Ms. Emily Grant)
10506 and 10508 Warden Avenue, Markham
CON 4 PT LT 24**

Transportation staff has requested additional information to provide comments and has requested a deferral.

The applicant was requesting relief from the requirements of By-law 177-96, as amended by By-law 2024-135, to permit the following:

- a) By-law 177-96, Amending By-law 2024-135, Section 7.743.2(h)(i):**
a maximum of 258 dwelling units, whereas the by-law permits a maximum of 160 dwelling units;
- b) By-law 177-96, Amending By-law 2024-135, Section 7.743.2 (n)(ii):**
a minimum of 0.15 parking spaces per unit for visitor parking, whereas the by-law requires a minimum of 0.25 spaces per unit for visitor parking;
- c) By-law 177-96, Table B7, CC):**
a minimum landscaped open space of 20 percent, whereas the by-law requires a minimum landscaped open space of 25 percent; and
- d) By-law 177-96, Amending By-law 2024-135, Section 7.743.2(c)(i):**
a minimum front yard setback of 3.6 metres, whereas the by-law requires a minimum front yard setback of 4.5 metres;

as it related to Block 38 of Draft Plan 19TM-22021.

This application was related to SPC 24 197537 000 00 which was under review concurrently.

The agent, Emily Grant, appeared on behalf of the application and agreed with the requested deferral.

Member Caricari motioned for deferral.

Moved by: Joe Caricari

Seconded by: John Tidball

THAT Application **A/120/25** be **deferred** sine die.

Resolution Carried

5. PREVIOUS BUSINESS:

5.1 A/139/24

**Agent Name: Einat Fishman
14 Whitelaw Court, Thornhill
PLAN M1727 LOT 7**

The applicant was requesting relief from the requirements of By-law 1767, as amended, to permit the following:

a) By-law 1767, Section 9(i):

an encroachment of an uncovered platform into the required rear yard of 138 inches, whereas the by-law permits a maximum encroachment of an uncovered platform into the required rear yard of 18 inches;

as it related to an existing deck.

The agent, Melissa Fasullo, appeared on behalf of the application.

Member Caricari asked regarding the construction status of the deck.

Member Tidball asked for clarification on the deck's duration.

Chair Reingold commented that the original application raised concerns about erosion and stability, and noted the status of the revisions and that approval from the TRCA had been obtained.

Member Tidball commented that the TRCA had accepted the current configuration of the deck, that the required remediation work had been completed, and motioned for approval with conditions.

**Moved by: John Tidball
Seconded by: Joe Caricari**

The Committee unanimously approved the application.

THAT Application **A/139/24** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. NEW BUSINESS:

6.1 A/117/25

Agent Name: YI Design Inc. (Chen Zhou)

**3265 Highway 7 East, Markham
CON 4 PT LOT 10 65R20150 PTS 8, 9 65R19636 PT 11, 12, 13, 14, 16 AND PT
PT 10**

The applicant was requesting relief from the requirements of By-law 165-80, as amended by By-law 179-95, to permit the following:

a) By-law 165-80, Amending By-law 179-95, Section 1.3.2 (g):

a minimum stair setback of 17.5 metres from the open space (O1) zone, whereas the by-law requires a minimum stair setback of 25 metres from the open space (O1) zone;

as it related to the proposed replacement of stairs to an existing commercial building.

The agent, Chen Zhou, appeared on behalf of the application.

Member Caricari supported the application, indicating that the reconstruction will improve the site's functionality and ensure safe operation of the units.

Member Tidball supported the proposal, noting that it decreased the encroachment, was minor, and met the four tests of the *Planning Act*.

Member Caricari motioned for approval with conditions.

Moved by: Joe Caricari

Seconded by: John Tidball

The Committee unanimously approved the application.

THAT Application **A/117/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.2 A/115/25

**Agent Name: YSH Engineering (Ye Hu)
28 Evaridge Drive, Markham
PLAN 65M3759 LOT 243**

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 4.9.12 (c):

a minimum lot frontage of 9 metres, whereas the by-law requires a minimum lot frontage of 9.75 metres; and

b) By-law 2024-19, Section 4.9.12 (b):

a coach house with a maximum gross floor area of 63.1 square metres, whereas the by-law permits a coach house with a maximum gross floor area of 60 square metres;

as it related to a proposed coach house dwelling.

The agent, Ye Hu, appeared on behalf of the application.

The Committee received two written pieces of correspondence.

Ronaldo Buenaventura, the neighbour, raised concerns with the Committee regarding the separation from the wall of their existing coach house, how maintenance could be carried out, and the potential for roof drainage to impact their property. Additionally, Ronaldo indicated that they were not aware whether consideration had been given to construction impacts and noise for the existing residents of their coach house.

Elizabeth Brown, Committee of Adjustment representative for the Markham Village Sherwood Forest Residents Association, noted that staff did not support the application and commented that the intended use was not as important, as once established, it would remain regardless of the initial intent. The proposal increased the massing and scale of the existing development and would be larger, taller, and wider than other coach houses in the area, and was not compatible with the neighbourhood.

Member Caricari addressed the residents' concerns, noting that many were not related to the variance requests but to construction. Member Caricari did not have an issue with variance a); however, they did have concerns regarding variance b) and felt the proposed coach house was large for the area and agreed that the massing was not compatible.

Member Huang asked for clarification regarding the setback as requested by Engineering.

The applicant explained that the sketch complied with the by-law; however, upon review of the drawings, the Engineering department identified that the proposed setback did not meet the minimum side yard width requirement to accommodate the drainage swale, and the design would be changed to comply with the Engineering standard.

Member Tidball indicated that, taking into consideration the provincial ARU policy framework, they agreed in principle with the proposal; they felt that the addition's configuration took it outside appropriate massing for the area.

Joe Caricari asked the applicant if the project would work if the proposed floor area were reduced.

The Chair indicated that the proposal represented overdevelopment of the property. They agreed that a coach house and additional space for the family were supported by policy; however, the proposal in its current configuration did not meet the by-law's intent. The proposal included massing that would affect the area's character. The Chair indicated that it would be beneficial for the applicant to defer and consider how to reduce the massing.

The Committee members agreed that the applicant should defer the decision to reconsider the configuration and the overall massing of the proposal.

Additionally, Member Tidball indicated that removing variance b) might not sufficiently address the over-massing on the property, as the development was proposed for a lot that did not meet the zoning standards to permit a coach house.

Member Huang also requested that the applicant provide a rendering of the proposal in relation to adjacent properties.

Member Caricari and Member Leung agreed that a deferral would allow the applicant to return with changes, and the Committee could further consider how it related to the community.

The applicant confirmed that they wished to defer the Committee's decision.

Member John Tidball motioned for deferral.

Moved by: John Tidball

Seconded by: Sheng Huang

THAT Application **A/115/25** be **deferred** sine die.

Resolution Carried

6.3 A/124/25

Agent Name: J+B Engineering Inc. (Hanieh Roshani)
21 Delhi Crescent, Markham
PLAN M1971 LT 14

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 4.9.10 g):

a garden home to be located a maximum distance of 41 metres from the street, whereas the by-law permits a garden home to be located a maximum distance of 30 metres from the street;

as it related to a proposed garden home.

The agents James Sam and Hanieh Roshani appeared on behalf of the application.

Member Caricari indicated that the intent of the by-law was clearly stated in the staff report and related to emergency services' ability to access the unit, and considered the request to be minor.

Member Tidball agreed with their colleague that the application was minor, expressing that the location was appropriate as it backed onto 16th Avenue.

The Chair also considered the application to be minor and suitably located on the property.

Member Caricari motioned for approval with conditions.

Moved by: Joe Caricari

Seconded by: John Tidball

The Committee unanimously approved the application.

THAT Application **A/124/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

Applications B/023/25, A/093/25, and A/101/25 were heard concurrently with the discussion recorded under application B/023/25.

6.5 B/023/25

Agent Name: Kagan Shastri DeMelo Winer Park LLP (Chris Drew)
200, 380, and 400 Bentley Street, Markham
PLAN 65M2438 BLK 6

The owner was requesting provisional consent to:

- a) sever and convey** a parcel of land having an approximate lot frontage 61.06 metres and an approximate lot area of 10,444.1 square metres (Parts 1, 5, and 6);
- b) retain** a parcel of land having an approximate lot frontage of 64.51 metres and an approximate lot area of 19,132 square metres (Parts 2, 3, and 4);

- c) **establish an easement** over Parts 1, 5 and 6 for the purposes of access and maintenance of utilities and services; drainage and overland flow; and emergency egress in favour of the retained land (Parts 2, 3, and 4);
- d) **establish an easement** over Parts 2, 3 and 4 for the purposes of access and maintenance of utilities and services; drainage and overland flow; and emergency egress in favour of the conveyed land (Parts 1, 5, and 6);
- e) **establish an easement** over Part 3 and 4 for the purposes of general pedestrian, vehicular, and emergency services ingress and egress over designated at-grade driveway in favour of the conveyed lands (Part 1, 5 and 6);
- f) **establish an easement** over Part 4 for the purposes of pedestrian, vehicular, and emergency services ingress and egress over designated at-grade driveway for maintenance of services in favour of conveyed lands (Part 1, 5 and 6);
- g) **establish an easement** over Part 5 for the purposes of general pedestrian, vehicular, and emergency services ingress and egress over designated at-grade driveway in favour of the retained lands (Part 2, 3 and 4);
- h) **establish an easement** over Part 5 for the purpose pedestrian, vehicular, and emergency services ingress and egress over designated at-grade driveway for maintenance services in favour of retained lands (Parts 2, 3 and 4); and
- i) **establish an easement** over Part 6 for the purpose of pedestrian, vehicular, and emergency services ingress and egress over designated at-grade truck sweep path for access to loading bays in favour of retained lands (Parts 2, 3 and 4).

The purpose of this application was to sever the Subject Lands to facilitate the creation of one new lot.

This application was related to Minor Variance applications A/093/25 and A/101/25, which were under concurrent review.

The agent, Adrian Frank, appeared on behalf of the application.

Member Tidball supported the application, noting that the variances met the four tests of the *Planning Act*, and commented that the existing landscape was already wider than required under the by-law.

The Chair agreed with the staff report, stating that the variances met the four tests of the *Planning Act*, would not impact the context of the area where the lots were located, and supported the severance and easements.

Member Tidball motioned for approval with conditions.

Moved by: John Tidball

Seconded by: Sheng Huang

The Committee unanimously approved the application.

THAT Application **B/023/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.6 A/093/25

Agent Name: Kagan Shastri DeMelo Winer Park LLP (Chris Drew)
200 Bentley Street, Markham
PLAN 65M2438 BLK 6

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 9.3.4(a)(ii):

a minimum landscape strip width of 0 metres abutting the east and west interior side lot lines and the north rear lot line, whereas the By-law requires a minimum landscape strip of 3 metres;

as it related to a building with warehouse and office uses.

This application was related to Consent application B/023/25 and Minor Variance application A/101/25. The applications were under review concurrently.

Member Tidball motioned for approval with conditions.

Moved by: John Tidball
Seconded by: Joe Caricari

The Committee unanimously approved the application.

THAT Application **A/093/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6.7 A/101/25

Agent Name: Kagan Shastri DeMelo Winer Park LLP (Chris Drew)
380 Bentley Street, Markham
PLAN 65M2438 BLK 6

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 9.3.4(a)(ii):

a minimum landscape strip width of 0 metres abutting the east interior side lot line and the north rear lot line, whereas the By-law requires a minimum landscape strip of 3 metres;

as it related to two buildings with warehouse and office uses.

This application was related to Consent application B/023/25 and Minor Variance application A/093/25. The applications were under review concurrently.

Member Tidball motioned for approval with conditions.

Moved by: John Tidball
Seconded by: Sheng Huang

The Committee unanimously approved the application.

THAT Application **A/101/25** be **approved** subject to conditions contained in the staff report.

Resolution Carried

6. Adjournment

Moved by: John Tidball
Seconded by: Bowie Leung

THAT the virtual meeting of the Committee of Adjustment was adjourned at 8:24 pm, and the next regular meeting would be held on November 26, 2025.

CARRIED

Original Signed
November 26, 2025
Secretary-Treasurer
Committee of Adjustment

Original Signed
November 26, 2025
Chair
Committee of Adjustment