



**COMMITTEE OF ADJUSTMENT**

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**AGENDA**

**Wednesday, September 21, 2022**

**7:00pm**

**Location: Virtual Meeting on Zoom Platform**

**Minutes: September 7, 2022**

**DISCLOSURE OF INTEREST**

**NEW BUSINESS:**

**1. A/114/22 – REQUEST FOR DEFERRAL**

**Owner Name: Sakineh Safarзад Gourabjavar**  
**Agent Name: RAA Design Studio Inc. (Forough Radman)**  
**67 Babcombe Drive, Thornhill**  
**PLAN M941 LOT 114**

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

**a) Amending By-law 100-90, Section 1.2(i):**

a building height of 9.15 meters, whereas the By-law permits a maximum flat roof building height of 8.0 meters;

**b) Amending By-law 100-90, Section 1.2(iii):**

a maximum building depth of 22.40 meters, whereas the By-law permits a maximum building depth of 16.8 meters;

as it relates to the construction of a new two-storey detached dwelling.  
**(West District, Ward 1)**

**2. A/045/21**

**Owner Name: SINGH-KOHAR HARINDERPAL**  
**Agent Name: Kaushik Suthar**  
**35 Shadlock Street, Markham**  
**PLAN 4603 PT LOT 4**

The applicant is requesting relief from the requirements of By-law 90-81, as amended to permit:

a) **By-law 28-97, Section 6.1.2 (a) & (b):**

two required parking spaces to be provided on the driveway, whereas the By-law only permits one required parking space to be provided within the required front yard;

b) **By-law Section 90-81, Section 4.6 (a):**

a maximum encroachment of 0.49m into the required side yard, whereas the By-law permits a maximum encroachment of 0.45m into any required yards;

c) **By-law 90-81, Section 5.2.1:** an accessory dwelling unit in the basement, whereas the by-law permits no more than one single detached dwelling unit on one lot

as it relates to a proposed secondary dwelling in the basement.  
**(East District, Ward 7)**

3. **A/071/22**

**Owner Name: Yi Chen**

**Agent Name: TLE Design and Management Inc (Tong Li)**

**2 Weatherill Road, Markham**

**PLAN 65M3376 LOT 64**

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

a) **Section 6.5:**

one accessory dwelling unit, whereas no more than one dwelling unit is permitted on a lot; and

b) **Parking By-law 28-97, Section 3:**

two parking spaces on the lot, whereas three parking spaces are required for a detached dwelling with one accessory dwelling unit;

as it relates to a proposed secondary suite (basement apartment).  
**(West District, Ward 6)**



**4. A/076/22**

**Owner Name: Karunadevy Thevakumaran & Yobiga Thevakumaran**  
**Agent Name: Nimal Nadarajah**  
**4 James Glover Drive, Markham**  
**PLAN 65M4398 LOT 303**

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

**a) By-law 177-96, Section 6.5:**

A legal basement (accessory apartment) in the dwelling unit (two-unit), whereas the By-law permits no more than one dwelling unit on a lot;

**b) By-law 28-97, Section 3:**

Two parking spaces whereas the By-law permits three parking spaces for a detached dwelling with one accessory apartment;

**c) By-law 28-97, Section 6.2.4.2 b):**

a driveway width of 8.49m (27.85 ft) whereas the By-law permits a maximum driveway width of 4.67m (15.32 ft).

as it relates to a proposed secondary dwelling (basement apartment).  
**(West District, Ward 6)**

**5. A/130/22**

**Owner Name: Wheelock Pun**  
**Agent Name: Gregory Design Group (Shane Gregory)**  
**3 Snowball Lane, Markham**  
**PLAN 65M2058 LOT 45L**

The applicant is requesting relief from the requirements of By-law 184-78, as amended to permit:

**a) Section 7.2 (b):**

a minimum rear yard setback of 6.5 metres, whereas the By-law requires a minimum rear yard setback of 7.5 metres; and



**b) Section 7.2 (c):**

a minimum lot coverage of 40.7 percent, whereas the By-law permits a maximum of 40 percent;

as it relates to a proposed two-storey rear addition.

**(Central District, Ward 3)**

**6. A/041/22**

**Owner Name: Pradyt Chakraborty**

**Agent Name: Sol-Arch (Jonathan Benczkowski)**

**22 Byer Drive, Markham**

**PLAN M1976 LOT 43**

The applicant is requesting relief from the requirements of By-law 153-80, as amended to permit:

**a) Section 7.2 (b):**

a minimum 1.20 metre side yard setback, whereas the By-law requires a minimum side yard setback of 1.80 metres;

**b) Section 7.2 (b):**

a minimum rear yard setback of 7.08 metres, whereas the By-law requires a minimum rear yard setback of 7.50 metres; and

**c) Section 7.2 (c):**

a maximum lot coverage of 43.63 percent, whereas the By-law permits a maximum lot coverage of 33.30 percent;

as it relates to a proposed building addition and existing rear covered porch.

**(East District, Ward 4)**

**7. A/085/22**

**Owner Name: Tim Huang, Xie Ju Fen, Huang Jinbiao**

**Agent Name: Tim Huang**

**9 Hughson Drive, Markham**

**PLAN 4556 LOT 28 65R37039 PART 1**

The applicant is requesting relief from the requirements of By-law 221-81, as amended to permit:

- a) **Amending By-law 2012-13, Section 7.2.2 (iii):**  
a minimum exterior side yard setback of 1.90 metres, whereas the By-law requires a minimum exterior side yard setback of 2.0 metres;
- b) **Amending By-law 2012-13, Section 7.2.2 (i):**  
a minimum front yard setback of 7.70 metres, whereas the By-law requires a minimum front yard setback of 9.0 metres; and
- c) **Amending By-law 2012-13, Section 7.2.2 (viii):**  
a maximum of three-storeys, whereas the By-law permits a maximum of two-storeys within a single vertical plane;

as it relates to a proposed two-storey single detached dwelling.  
**(Central District, Ward 2)**

**8. A/132/22**

**Owner Name: Mathiroban Shanmugalingam**  
**Agent Name: Vanle Architect Inc. (Tom Vanle)**  
**6 Wignall Crescent, Markham**  
**PLAN 4603 PT LOT 4**

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

- a) **Amending By-law 99-90, Section 1.2 (ii):**  
a maximum depth of 17.04 metres, whereas the By-law permits a maximum depth of 16.80 metres;
- b) **Amending By-law 99-90, Section 1.2 (vi):**  
a maximum floor area ratio of 53 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent; and
- c) **Amending By-law 99-90, Section 1.2 (i):**  
a maximum height of 11.27 metres, whereas the By-law permits a maximum height of 9.80 metres;

as it relates to a proposed two-storey detached dwelling.  
**(East District, Ward 4)**

**9. B/008/22**

**Owner Name: Xiang Yun Chen**  
**Agent Name: Paar Design Inc. (Nikol Paar)**  
**3 Lunar Crescent, Markham**  
**PLAN 4556 LOT 26**

The applicant is requesting provisional consent to:

- a) sever and convey a parcel of land with an approximate lot frontage of 19.33 metres (63.42 feet) and an approximate lot area of 790.35 sq. m. (8,507.26 sq. ft.) (Part 2); and
- b) retain a parcel of land with an approximate lot frontage of 19.58 metres (64.24 feet) and an approximate lot area of 0.05 hectares 790.35 sq. m. (8,507.26 sq. ft.) (Part 1).

The purpose of this application is to create a total of two lots for two single-detached residential dwellings. This application is related to minor variance applications A/050/22 and A/058/22.

**(Central District, Ward 2)**

**10. A/50/22**

**Owner Name: Xiang Yun Chen**  
**Agent Name: Paar Design Inc. (Nikol Paar)**  
**3 Lunar Crescent, Markham**  
**PLAN 4556 LOT 26**

The applicant is requesting relief from the requirements of By-law 221-81 as amended, to permit:

- a) **Amending By-law 2012-13, Section 7.2.2 (ix):**  
a maximum building depth of 21.11 metres, whereas the By-law permits a maximum building depth of 19.90 metres;
- b) **Amending By-law 2012-13, Section 7.2.2 (viii):**  
three storeys within a single vertical plane, whereas the By-law permits a maximum of two storeys within a single vertical plane; and
- c) **Amending By-law 2012-13, Section 7.2.2(v):**  
a minimum lot frontage of 49.29 percent (19.18 metres), whereas the By-law requires a minimum lot frontage of 50 percent (19.455 metres);



as it relates to a proposed detached dwelling (Part 1). This application is related to Minor Variance Application A/058/22 and Consent Application B/008/22, which are being reviewed concurrently.  
**(Central District, Ward 2)**

**11. A/058/22**

**Owner Name: Xiang Yun Chen**  
**Agent Name: Paar Design Inc. (Nikol Paar)**  
**3 Lunar Crescent, Markham**  
**PLAN 4556 LOT 26**

The applicant is requesting relief from the requirements of By-law 221-81 as amended, to permit:

- a) **Amending By-law 2012-13, Section 7.2.2 (ix):**  
a maximum building depth of 21.11 metres, whereas the By-law permits a maximum building depth of 19.90 metres;
  - b) **Amending By-law 2012-13, Section 7.2.2 (ii):**  
an interior side yard setback of 1.45 metres, whereas the By-law permits a minimum interior side yard setback of 1.80 metres; and
  - c) **Amending By-law 2012-13, Section 7.2.2 (viii):**  
three storeys within a single vertical plane, whereas the By-law permits a maximum of two storeys within a single vertical plane;
- as it relates to a proposed detached dwelling (Part 2). This application is related to Minor Variance Application A/050/22 and Consent Application B/008/22, which are being reviewed concurrently.  
**(Central District, Ward 2)**

**PREVIOUS BUSINESS:**

**12. B/002/22**

**Owner Name: Old Village Construction (Mary & Graham Dewar)**  
**Agent Name: David Johnston Architect Ltd. (David Johnston)**  
**28 Station Street, Markham**  
**CON 7 PT LOT 13**



The applicant is requesting provisional consent to:

- a) Sever and convey a parcel of land with an approximate lot frontage of 23.78 meters (78.01 feet) and an approximate lot area of 485.38 square meters (5224.58 square feet) (Part 1).
- b) Retain a parcel of land with an approximate lot width of 23.78 meters (78.01 feet) and an approximate lot area of 456.73 square meters (4916.20 square feet) (Part 2). The retained lot will not have frontage on a public street.

The purpose of this application is to develop the land to hold two single detached dwellings:

- 1. the existing heritage house fronting Station Street, and
- 2. the proposed dwelling fronting Backus Court.

This application is related to Minor Variance Applications A/088/22 and A/089/22, which are being reviewed concurrently.

**(Heritage District, Ward 4)**

**13. A/088/22**

**Owner Name: Old Village Construction (Mary & Graham Dewar)**  
**Agent Name: David Johnston Architect Ltd. (David Johnston)**  
**28 Station Street, Markham**  
**CON 7 PT LOT 13**

The applicant is requesting relief from the requirements of By-law 153-80 as amended, to permit:

- a) **By-law 153-80, Section 7.2(b):**  
A front yard setback of 4.6 meters, whereas the By-law requires a minimum of 6.0 meters;
- b) **By-law 153-80, Section 7.2(b):**  
A rear yard setback of 2.4 meters, whereas the By-law requires a minimum of 7.5 meters; and
- c) **By-law 153-80, Section 5.4:**  
a lot without frontage on a street; whereas the by-law requires a lot upon which a building or structure is erected to abut or front a public street.





## ***COMMITTEE OF ADJUSTMENT***

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as it relates to proposed detached dwelling on the retained lot. This application is related to Minor Variance Application A/089/22 and Consent Application B/002/22, which are being reviewed concurrently.

**(Heritage District, Ward 4)**

### **14. A/089/22**

**Owner Name: Old Village Construction (Mary & Graham Dewar)**

**Agent Name: David Johnston Architect Ltd. (David Johnston)**

**28 Station Street, Markham**

**CON 7 PT LOT 13**

The applicant is requesting relief from the requirements of By-law 153-80 as amended, to permit:

**a) By-law 153-80, Section 7.2(b):**

A front yard setback of 4.6 meters, whereas the By-law requires a minimum of 6.0 meters.

as it relates to a proposed detached dwelling on the severed lot. This application is related to Minor Variance Application A/088/22 and Consent Application B/002/22, which are being reviewed concurrently.

**(Heritage District, Ward 4)**

**Closed Educational Session** (*Municipal Act S. 239 3.1.1*)

### **Adjournment**

- 1. Next Meeting, (October 5, 2022)**
- 2. Adjournment**

**\*\*\*Applications will be heard in the order that they appear in the agenda, or in any other order at the Committee's discretion\*\*\* (By-law 2014-170)**