



COMMITTEE OF ADJUSTMENT

AGENDA

Wednesday, November 09, 2022

7:00pm

Location: Virtual Meeting on Zoom Platform

Minutes: October 19, 2022

DISCLOSURE OF INTEREST

VALIDATION OF TITLE (PLANNING ACT SECTION 57)

1. B/024/22

Owner Name: Li-May Ong and Fon King Liu

Agent Name: Gowling WLG (Canada) LLP (Kevin Dias)

66 Barnstone Drive, Markham

**PLAN 65M4193 PT BLK 110 PLAN 65M4240 PT BLK 37 RP 65R32875 PTS
12 AND 26**

The owners are requesting to obtain a Certificate of Validation:

- a) in order that a contravention of Section 50 of the Planning Act or a predecessor of it, or of a by-law passed under a predecessor of Section 50, or an order made under clause 27(1)(b) of the Planning Act as it reads on the 25th day of June, 1970, being chapter 296 of the Revised Statutes of Ontario, 1960 or a predecessor of it, does not have and shall be deemed never to have had, the effect of preventing the conveyance of, or creation of any interest in the parcel of land described as follows: Part Block 110, Plan 65M4193, Part 12 65R32875; City of Markham, being all of PIN 03060-7555 (LT); and Part Block 37, Plan 65M4240, Part 26 65R32875; City of Markham, being all of PIN 03060-7557 (LT).

(East District, Ward 4)

SECONDARY SUITES

1. A/083/22

Owner Name: Nanthakumar Kathiravelu & Selvamalar Nanthakumar

Agent Name: Juara Design Studio (Raj Balasundaram)

14 Dynasty Drive, Markham

PLAN 65M3551 LOT 65



COMMITTEE OF ADJUSTMENT

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

- a) **Amending By-law 51-94, Section 1.3(b):**
an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot.

as it relates to a proposed secondary suite (basement apartment).

(Central District, Ward 8)

2. A/173/22

Owner Name: Bing Qian and Xia Zhang
Agent Name: Markham Drafting & Design (Dongshan Cui)
56 Col Marr Road, Markham
PLAN 65M2522 LOT 6

The applicant is requesting relief from the requirements of By-law 118-79, as amended, to permit:

- a) **Section 6.1:**
a second dwelling unit, whereas the By-law permits no more than one dwelling unit per lot.

as it relates to a proposed secondary suite (basement apartment).

(Central District, Ward 2)

PREVIOUS BUSINESS

1. A/051/22

Owner Name: Nichols Law Professional Corporation (Graham Nichols)
Agent Name: Malone Given Parsons Ltd (Elyse Holwell)
51 Main Street, Markham
PLAN 18 BLK D PT LOT 9

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

- a) **Section 7.1(b)(ii):**
the use of a veterinary clinic, whereas the by-law does not permit this use; and



b) Parking By-law 28-97, Section 8.2.1(b):

4 parking spaces, whereas the by-law requires 6 parking spaces.

as it relates to the proposed veterinary clinic.

(Heritage District, Ward 4)

2. A/040/22

Owner Name: Samia Sahyone

Agent Name: MMK Engineering Inc. (Miral Hanna)

20 Gainsville Avenue, Markham

The applicant is requesting relief from the requirements of By-law 11-72, as amended, to permit:

a) Section 6.1:

a minimum side yard setback of 4 feet 2 inches (1.27 metres), whereas the By-law requires a minimum side yard setback of 6 feet (1.82 metres) for a two-storey building;

as it relates to a proposed detached dwelling on the retained lot (Parts 8, 10, and 12).

This application is related to Consent Applications B/003/22 and B/006/22 which were approved by the Committee of Adjustment on August 10, 2022. Related Minor Variance applications A/031/22 and A/039/22, will be withdrawn.

(Central District, Ward 3)

NEW BUSINESS:

1. B/020/22

Owner Name: Paul Jamieson

Agent Name: Minto Communities Inc. (Anderson Marques)

38 Eureka Street, Markham

PLAN 2886 PT BLK B

The applicant is requesting provisional consent to:



COMMITTEE OF ADJUSTMENT

- a) sever and convey a parcel of land with an approximate lot area of 1,429 sq. m (0.1429 ha) (Parts 1 and 2); and
- b) retain a parcel of land approximate lot area of 1,477 sq. m (0.1477 ha) (Part 3).

The purpose of this application is to sever a portion of the subject property (rear yard) to facilitate the creation of new municipally-owned parkland. The existing dwelling fronting Eureka Street will be retained within a new lot of reduced size. This application is related to a Zoning By-law Amendment (PLAN 22 243326) and Site Plan Control application (SPC 22 116603).

(Heritage District, Ward 3)

2. B/021/22

Owner Name: Kelly Jamieson
Agent Name: Minto Communities Inc. (Anderson Marques)
36 Eureka Street, Markham
PLAN 2886 PT BLK B

The applicant is requesting provisional consent to:

- a) sever and convey a parcel of land with an approximate lot area of 1,430 sq. m (0.1430 ha) (Part 1); and
- b) retain a parcel of land approximate lot area of 1,482 sq. m (0.1482 ha) (Part 2).

The purpose of this application is to sever a portion of the subject property (rear yard) to facilitate the creation of new municipally-owned parkland. The existing dwelling fronting Eureka Street will be retained within a new lot of reduced size. This application is related to a Zoning By-law Amendment (PLAN 22 243326) and Site Plan Control application (SPC 22 116603).

(Heritage District, Ward 3)

3. A/160/22

Owner Name: Mukul and Nandita Kshirasagar
Agent Name: Lifestyle Home Products (Andrijana Adamovic)
111 Hertford Crescent, Markham
PLAN 65M2951 PT LOT 59 RS65R16964 PART 91



COMMITTEE OF ADJUSTMENT

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

a) **Section 6.2.2:**

a minimum rear yard setback of 5.64 metres, whereas the By-law requires a minimum rear yard setback of 7.50 metres;

as it relates to a proposed rear sunroom addition.

(Central District, Ward 8)

4. A/043/22

Owner Name: Red Banner Developments Ltd (Keith Lahey)

Agent Name: ARK Group (Daniel Wong)

5990 16th Avenue, Markham

PLAN 65M3551 LOT 65

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

a) **Section 12.24.4:**

a combined maximum gross floor area of 19.90 percent for all types of restaurants at 5970 and 5990 16th Avenue, whereas the By-law permits a combined maximum gross floor area of 15.0 percent for all types of restaurants at 5970 and 5990 16th Avenue;

as it relates to a proposed restaurant use.

(Heritage District, Ward 4)

5. A/163/22

Owner Name: Vince Wong and Fiona Choy

Agent Name: Vince Wong

14 Wales Avenue, Markham

PLAN 1318 LOT 20

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 (vi):

a maximum floor area ratio of 53.70 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;

as it relates to proposed two-storey single detached dwelling.

(East District, Ward 4)

6. A/029/22

Owner Name: Hua Lu

Agent Name: TAES Architects Inc. (Shenshu Zhang)

28 Hawkrigde Avenue, Markham

PLAN 4065 LOT 32

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 17.17 m, whereas the By-law permits a maximum depth of 16.80 m; and

b) Amending By-law 99-90, Section 1.2 (vi):

a maximum floor area ratio of 53.50 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;

as it relates to a proposed two-storey detached dwelling.

(East District, Ward 4)

Adjournment

1. Next Meeting, November 23, 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)**