

Minutes of the 12th Meeting

Committee of Adjustment



Meeting Date: Thursday September 8, 2022

Meeting Time: 7:00 p.m.

Meeting Location: Virtual Meeting (Zoom)

Present:

S. Haslam, Chair

N. Chornobay

J. Cardwell

B. O'Carroll

D. McCarroll

J. Malfara, Secretary-Treasurer

Item 1: Disclosure of Interest:

There was no disclosure of interest by the members of the Committee of Adjustment

Carried

Item 2: Public Hearings

A/45/22

**Valiuddin Mohammed of Mechways Inc.
20 Swordfish Drive**

An application has been received from Valiuddin Mohammed of Mechways Inc., for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum exterior side yard setback to a below grade staircase from 3.0m to 1.8m.

The requested variance is required to permit the construction of a below grade access (staircase) into the dwelling.

In Support of Application

S. Syed (Agent)

In Opposition of Application

None at this time.

The Chair introduced the application and asked if anyone would like to speak to the subject application. The Chair also referenced the amended variance as noted within the Planning Commissioner's Report.

S. Syed introduced himself to the Committee as the agent representing the home owners. S. Syed provided an overview of the requested variance and advised the Committee that he agreed with the recommendations noted within the Planning Commissioner's Report.

The Chair asked if there were any questions from the Committee.

N. Chornobay asked if the proposed basement entrance is located behind the exterior side yard privacy fence.

S. Syed replied yes.

N. Chornobay asked if the ceiling height in the dwelling is 10 feet.

S. Syed replied that the main floor has 9 foot ceilings and the second storey has 8 foot ceilings.

The Chair asked if there were any additional questions from the Committee. There were none.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application.

J. Malfara advised the Committee that no correspondence was received and there was no one registered to speak to the application.

The Chair asked if there was anyone from the public who wished to speak to the subject application. There was no one.

Moved by: N. Chornobay

That the application to reduce the minimum exterior side yard setback to a below grade staircase from 3.0m to 1.8m located at 20 Swordfish Drive be **Granted**.

Carried

Reason: The members of the Committee were of the opinion that the variance is minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 2: Public Hearings

A/46/22

**Valiuddin Mohammed of Mechways Inc.
30 Swordfish Drive**

An application has been received from Valiuddin Mohammed of Mechways Inc., for a variance from the provisions of By-law 1784.

The application is for permission to reduce the minimum exterior side yard setback to a below grade staircase from 3.0m to 1.9m.

The requested variance is required to permit the construction of a below grade access (staircase) into the dwelling.

In Support of Application

S. Syed (Agent)

In Opposition of Application

None at this time.

The Chair introduced the application and asked if anyone would like to speak to the subject application. The Chair also referenced the amended variance as noted within the Planning Commissioner's Report.

S. Syed introduced himself to the Committee as the agent representing the home owners. S. Syed provided an overview of the requested variance and advised the Committee that he agreed with the recommendations noted within the Planning Commissioner's Report.

The Chair asked if there were any questions from the Committee. There were none.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application.

J. Malfara advised the Committee that no correspondence was received and there was no one registered to speak to the application.

The Chair asked if there was anyone from the public who wished to speak to the subject application. There was no one.

Moved by: J. Cardwell

That the application to reduce the minimum exterior side yard setback to a below grade staircase from 3.0m to 1.9m located at 30 Swordfish Drive be **Granted**.

Carried

Reason: The members of the Committee were of the opinion that the variance is minor in nature; that the general intent and purpose of the By-law and the

Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 2: Public Hearings

A/47/22

**Alireza Hashemi on behalf of Hakimeh Khatoun Darbin
19 Fothergill Court**

An application has been received from Alireza Hashemi on behalf of Hakimeh Khatoun Darbin, for variances from the provisions of By-law 2585.

The application is for permission to (1) reduce the minimum required lot frontage for a semi-detached dwelling containing an accessory apartment from 10.0m to 9.15m, and (2) reduce the minimum required front yard landscaped area from 40% to 39%.

The requested variances are required to permit the construction of an accessory apartment within the primary dwelling.

In Support of Application	A. Hashemi (Applicant) S. Khosravifard (Applicant)
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In Opposition of Application	None at this time.
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The Chair introduced the application and asked if anyone would like to speak to the subject application.

S. Khosravifard introduced herself as the applicant and provided an overview of the requested variances. She noted that the dwelling included a finished basement apartment when the dwelling was purchased by the current home owners. The requested variances are required to legalize the existing accessory apartment within the basement of the dwelling.

The Chair asked if there were any questions from the Committee.

B. O'Carroll asked the applicant to confirm that the finished basement is existing.

S. Khosravifard replied yes.

B. O'Carroll asked if the driveway will be widened to allow for 2 parking spaces.

S. Khosravifard replied yes.

D. McCarroll noted that he had concerns with lack of parking.

S. Khosravifard replied that two cars can be parked in the garage and two on the driveway.

D. McCarroll expressed that the parking two cars in the garage would be problematic based on its width as illustrated on the site plan.

J. Cardwell asked if a building permit has been applied for.

S. Khosravifard replied yes.

J. Cardwell asked if the proposed below grade window at the rear of the dwelling will have a drain at the bottom of the window well.

S. Khosravifard was unaware if a drain was proposed, but noted that this concern was not raised by the Building Department.

N. Chornobay asked if the accessory apartment is occupied.

S. Khosravifard replied no.

N. Chornobay asked if the requested variances are required to legalize the existing accessory apartment.

S. Khosravifard replied yes.

The Chair asked J. Malfara, Secretary-Treasurer, if any correspondence had been received in relation to the subject application. There was none.

The Chair asked if there was anyone from the public who wished to speak to the subject application. There was no one.

Moved by: N. Chornobay

That the application to (1) reduce the minimum required lot frontage for a semi-detached dwelling containing an accessory apartment from 10.0m to 9.15m, and (2) reduce the minimum required front yard landscaped area from 40% to 39% located at 19 Fothergill Court be **Granted**.

Carried

Reason: The members of the Committee were of the opinion that the variances are minor in nature; that the general intent and purpose of the By-law and the Official Plan is being maintained, and further that the granting of the application is desirable and would result in the appropriate development of the property.

Having considered the contents of all submissions, the staff report and oral submissions had an effect on the Committee's decision.

Item 3: Approval of Previous Minutes

Moved by: D. McCarroll

That the minutes of the Committee of Adjustment held on Thursday August 18, 2022 be adopted subject to revisions noted by B. O'Carroll.

Carried

Item 4: Other Business

There were no items raised under other business.

Item 5: Adjournment

Moved by: B. O'Carroll

That this meeting of the Committee of Adjustment be adjourned.

Carried

[Original approved]

Secretary Treasurer

[Original approved]

Chair