Minutes of the

City of Richmond Hill

Committee of Adjustment Meeting

June 26, 2025

Status of Applications Considered

Item	Application	Property	Decision
A	CN-25-07	262 Douglas Road	APPROVED
B	B012/18	11005 Yonge Street	APPROVED
C	MV-24-51	0 East Beaver Creek Road	APPROVED
D	MV-24-67	1151 Stouffville Road	APPROVED
E	**MV-25-07**	**38 Garden Street**	**DEFERRED**
F	MV-25-10	930 Elgin Mills Road	APPROVED
G	MV-25-14	24 Okanagan Dr	APPROVED
H	MV-25-19	46 Maryvale Crescent	APPROVED
I	MV-25-20	35 Orlon Crescent	APPROVED
J	**MV-25-15**	**135 Marla Court**	**DEFERRED**

Present: Mustafa Master
Carlo Di Rezze
Suzanne Payne
Nataliya Kelbas

Courtney Cullum, Secretary-Treasurer
Lisa Paterra, Assistant Secretary-Treasurer
Darren Ding, Planner
Giuliano La Moglie, Planner

Regrets: Dean Gossi

Conflicts of interest:
There were none.

Request for adjournments or withdrawals:

- MV-25-07 (38 Garden Street) requested to defer
- MV-25-15 (135 Marla Court) requested to defer

The following applications were heard by the Committee:

Item A: Consent Application CN-25-07 (262 Douglas Road)

The applicant is requesting approval of an application for provisional consent to:
a) sever and convey a parcel of land with an approximate lot frontage of 9.29 m (30.47 ft) and an approximate lot area of 283.5 sq.m (930.11 sq.ft) (Part 2 on draft RPlan); and,

b) retain a parcel of land with an approximate lot frontage of 9.3 m (30.51 ft) and an approximate area of 283.9 sq.m (931.43 sq.ft) (Part 1 on draft RPlan)

Public requests submitted for notice of decision: None.

Additional correspondence received and provided to committee from: None.

Representation: (add name(s) of who presented)

- Jim Kotsopoulos, Agent

Comments:

Chairman Master asked if anyone in the audience wished to comment.
There were none.

Chairman Master asked if Planning had any further comments.
There were none.

Chairman Master asked if the Committee had any comments.

Member Payne was concerned about the Official Plan and the idea of compatibility in that neighbourhood and severing this property will result in approximately two 30 foot lots and the surrounding homes look to be 60 or more lot frontage and it would look like you have these tiny slivers across from some rather large homes. Member Payne asked the Mr. Kotsopoulos to comment on that.

Chairman Master asked Mr. Kotsopoulos to address member Payne's question.

Mr. Kotsopoulos responded that the compatibility of the proposed severance with the surrounding neighbourhood has been a key consideration throughout the two-year review process. Although the resulting lots are smaller, the proposed use remains low density residential, which is consistent with the broader land-use context. Comprehensive studies and analysis were conducted and the conclusion was both that the lot fabric and the built form would remain compatible with the surrounding area.

Chairman Master asked if there are any further comments. Chairman Master requested a motion.

Moved by: Carlo Di Rezze
Seconded by: Nataliya Kelbas

That Consent Application **CN-25-07** on behalf of Arash Azimifar be approved subject to the following conditions:

Condition #	Department / Agency Contact:	Condition:
1.	Committee of Adjustment: 905-771-2443	That the applicant provides the Secretary-Treasurer with the legal description of the severed land in the form of a letter or draft transfer prepared by the applicant's solicitor.
2.	Committee of Adjustment: 905-771-2443	That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3.	Committee of Adjustment: 905-771-2443	That the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the City of Richmond Hill within 30 days of the date of

Condition #	Department / Agency Contact:	Condition:
		registration in the Land Registry/Land Titles Office a copy of the receipted and registered electronic transfer document including the Form 4 for Consent CN-25-07
4.	Finance: Christina Giannakakis 905-771-5550	The Owner shall pay to the City all current and outstanding taxes to the date of consent.
5.	Finance: Christina Giannakakis 905-771-5550	**CASH-IN-LIEU OF PARKLAND:** No parkland or Cash-in-Lieu is required as a condition of consent. However, the Applicant (Owner) should be made aware that the City will require land to be conveyed for park or other recreation purposes or, at the option of the City, a payment of Cash-in-Lieu of such land prior to the issuance of a building permit pursuant to section 42 of the *Planning Act*. The Owner shall enter into an agreement acknowledging the foregoing, which agreement shall be registered on title to the **SEVERED** parcel for the purpose of notice. Further, the owner shall pay the City the cost set out in the City's Tariff of Fees By-law with respect to the preparation, processing and registration of the agreement. If the Owner does not wish to enter into the above agreement, the Owner may voluntarily pay any Cash-in-Lieu owing under section 42 of the *Planning Act* prior to the granting of the consent. The Applicant (Owner) may determine the amount of Cash-in-Lieu required by contacting the Finance Department.
7.	Engineering: Michael Ayers 905-747-6426	GRADING CONDITION That the applicant: 1. Submit to the City's Infrastructure Planning and Development Engineering a grading plan prepared by a professional engineer or Ontario land surveyor detailing the drainage pattern while showing the existing and proposed elevations for both the severed and retained lands along with the adjoining lands; 2. Obtain the City's approval of the grading plan referred to in (1); 3. Enter into an agreement with the City (unless not required by the City) for either (i) grading and drainage; or (ii) grading and servicing, which addresses the provision of swales, easements and/or catch basins and which will be registered on title to the lands in priority to all other claims, encumbrances or other item or matter that the City Solicitor deems to be an encumbrance or claim; and 4. Ensure that any easements required to be provided pursuant to the agreement referred to in (3) are registered in priority to all other claims, encumbrances or any other item or matter the City Solicitor deems to be an encumbrance or claim.
8.	Engineering: Michael Ayers 905-747-6426	FURTHER GRADING RELATED INFORMATION Three prints of the above requested grading plan must be submitted for review and any related inquiries, should be directed to Mike Ayers, Development Engineering Technologist, Infrastructure Planning and Development Engineering, 905-747-6426.

<table>
<tr><th>Condition #</th><th>Department / Agency Contact:</th><th>Condition:</th></tr>
<tr><td></td><td></td><td>The City's current fees for such services will be used to determine the amount of payment for such services. The current City’s fees are as follows and may change at any time without notice.
<table>
<tr><th>Fee Description:</th><th>Fee:</th></tr>
<tr><td>Plan Review</td><td>$ 1071.00 + HST (plus 2.6% customer service portal fee)</td></tr>
<tr><td>Agreement Preparation</td><td>$ 1057+ 5354.00 + HST (plus 2.6% customer service portal fee)</td></tr>
<tr><td>Registration/Admin.</td><td>$ 44.38</td></tr>
<tr><td>Install Catchbasin with Frame and Cover</td><td>$ 7725.00 + HST</td></tr>
<tr><td>Survey Layout</td><td>$ 832.00 + HST</td></tr>
<tr><td>Pre C.C.T.V. Scan</td><td>$ 773.00 + HST x 2 = $1746.98</td></tr>
<tr><td></td><td></td></tr>
<tr><td>Install Cleanout</td><td>$ 2326.00+ HST</td></tr>
<tr><td>Install vertical riser beyond 4.5 m in depth</td><td>$ 2278.00 per metre + HST</td></tr>
<tr><td>Decommission Catchbasin</td><td>$ 1,993.00 + HST</td></tr>
</table></td></tr>
<tr><td>9.</td><td>Engineering: Michael Ayers
905-747-6426</td><td>SERVICE CONNECTION CONDITION
That the Applicant arrange and pay to the City for the installation of service connections to render the severed and retained parcels fully serviced. The current Tariff of Fees schedule will be used to determine the amount of payment for the service connections. At time of printing, the City’s fees for standard configuration of services are as follows and may change at any time without notice:
<table>
<tr><th>Fee Description:</th><th>Fee:</th></tr>
<tr><td>25 mm water service</td><td>$1308.00 per metre + HST</td></tr>
<tr><td>Combined 25 mm water service with storm or sanitary</td><td>$531.00 per metre + HST</td></tr>
<tr><td>Disconnect Water service</td><td>$1,993.00 + HST</td></tr>
<tr><td>Water disconnect in a combined trench</td><td>$1,898.00 + HST</td></tr>
<tr><td>125 mm sanitary or 150 mm storm single connection</td><td>$1,263.00 per metre + HST</td></tr>
<tr><td>Combined storm and sanitary</td><td>$1,266.00 per metre + HST</td></tr>
<tr><td>Disconnect Storm or Sanitary</td><td>$6,328.00 +HST each</td></tr>
<tr><td>Combined trench Storm or Sanitary disconnect</td><td>$1,266.00 +HST each</td></tr>
<tr><td>Post C.C.T.V. scan</td><td>$773.00 + HST</td></tr>
</table>
Arrangements and payment for service connections can be made through Mr. Diogo Oliveira, Manager Water, Wastewater and Roads, Operations Division, Community Services Department, (905) 771-9996x2971.
Before servicing can take place, see below and confirm that the City is able to proceed;
• All fencing/hoarding sits behind the property line to ensure that our contractor has full access to the property to complete the install.
• There should be no construction materials or excessive garbage within our right of way at the time of installation.
• We will be decommissioning your existing services on the day of installation and you will be responsible to connect and install the new services from property line to the home.
• Please confirm there are no tenants living in the home.
• Once new services have been installed it will be your responsibility to protect them. If any damages do occur, the City will complete the repair and you will be charged an additional repair fee.</td></tr>
<tr><td>10.</td><td>Engineering: Michael Ayers
905-747-6426</td><td>REGISTERED PLANS
That the applicant provide to the Infrastructure Planning and Development Engineering, to the attention of Mr. Michael Ayers, three white prints of the deposited plan of reference which outlines the necessary requirements of all Infrastructure Planning and Development Engineering conditions.</td></tr>
</table>

Condition #	Department / Agency Contact:	Condition:
11.	Region of York developmentservices@york.ca	Prior to the approval of the Consent application, the City of Richmond Hill shall confirm that adequate water supply and sewage capacity have been allocated for the proposed new lot.
12.	Zoning Afshin Bazar 905-771-6499	That the Owner apply to and receive from the Council of the City of Richmond Hill demolition approval pursuant to Demolition Control By-law No. 15-90 as required, and that the Owner demolish all buildings and/or structures and remove all debris to the satisfaction of the Chief Building Official.

Motion Carried

Item B: Consent Application B012/18 (11005 Yonge Street)

The applicant is requesting approval of an application for provisional consent to:

a) a lease in excess of 21 years in favor of McDonald's Restaurant of Canada Ltd. over a portion of the lands situated at 11005 Yonge Street. The proposed leased lands are approximately 1,125 square metres (12,109.79 square feet) for the existing McDonald's restaurant on site. The retained parcel of land will be approximately 25,989 square metres (279,752.42 square feet). There are no physical changes proposed for the subject lands.

Public requests submitted for notice of decision: Michael Manett, Planning Consultant for the Owner (North Elgin Centre Limited) made a submission for the record.

Additional correspondence received and provided to committee from:

Presentation provided by Steven Ferri

Representation:

Mike Crough, Agent
Steven Ferri, Lawyer

Comments:

Chairman Master asked if anyone in the audience wished to comment.

Michael Manett, Planning Consultant for the Owner (North Elgin Central Limited) raised concern about procedural and technical deficiencies in the materials being considered in this application. Mr. Manett raised several key concerns; that the application lacks a required schedule identifying the lands to be retained and the lands to be conveyed, which is a minimum required for consent applications, including lease applications. Mr. Manett was concerned that there were inaccuracies in the Staff Report. He also voiced that a copy of the lease was not provided to the Committee and that the lease is a central piece to the application. Mr. Manett mentioned that the lease includes a no build zone, which is of concern to the property owner. North Elgin central has filed a complete application for redevelopment and rezoning of the site within the past month. Approval of the current consent application jeopardizes that development.

Mr. Manett emphasised that that the materials he submitted include more details and that the members should review them.

Steven Ferri addresses Mr. Manett's concerns. He clarifies that Dentons LLP is acting on behalf of North Elgin Central Limited. That Dentons has submitted additional authorization for Mr. Crough and himself to appear in front of the committee today and that they do not have similar authorization for Mr. Manett. He confirms that contrary to Mr. Manett's claim, the schedule showing the lands subject to the lease and those retained was included in Mr. Crows presentation. He also confirms that the Notice prepared by the city has accurate and proper legal description. Mr. Ferri clarified that a decision on a consent application does not preclude a property owner from pursuing a rezoning application. He mentions that there is no known restriction in the lease that would prevent McDonald

from consenting to broader development. He also mentions that the current application is not about future development but rather a consent to extend the existing lease past the 21 years period.

Chairman Master asked if anyone else in the audience wished to comment other than the representations we already had.

There are no other comments from the audience.

Chairman Master asked if Planning had any further comments.
There were none.

Chairman Master asked if Planning had any further comments.
There were none

Chairman Master is seeking clarification on the lease extension, asking if the lease will expire in 2047.

Steven Ferri corrects that the lease will expire in 2037.

Chairman Master questions why the lease states 21 years and not 12 years. He also expresses that the property owner should have a chance to provide input during the renewal process.

Chairman Master asked if the Committee had any comments.

Member Di Rezze expresses no major concerns with the application itself but raises issues with the accuracy of the Staff Repot. He references the June 24, 2025 correspondence from Mr. Manett, which highlights several errors, including an incorrect sketch showing lands at 70 Bernard and repeated inaccuracies about the site. Member Di Rezze also notes that the report refers to requested variances, even though none are included in the application. He urges that the Staff Report be corrected before proceeding, unless it can be confirmed that Mr. Manett's claims are inaccurate.

Member Payne notes that several of the earlier comments in Mr. Manett's June 24, 2025 message appears to have been corrected, particularly in the opening section of the report. However, Member Payne suggests that Planning Staff should confirm the status of the remaining comments.

Member Kelbas asks what would happen to the lease if the application is denied. She questions if it will simply expire in 2027, and then what would happen after that? Member Kelbas also questions why signing a new lease isn't being considered as an option. She also questions why the Committee hasn't seen the 2021 court order that outlines the no-build zone provisions and would like to review it before making a decision.

Chairman Master requests that Planning address some of these questions before the applicant.

Mr. La Moglie, Planner, addressed Member Payne's questions. Planning Staff did go through the comments provided by Michael Manett and confirmed that the Staff Report is accurate, except for one error in the zoning staff comment, which incorrectly states that there are variances associated with the consent application. All other information in the Staff Report is correct and based on the submitted application materials.

Chairman Master asks Member Di Rezze if he has a response to add and states this can be delt with by adding a condition.

Member Di Rezze noted that the applicant would have time to fulfill the proposed conditions, while some conditions may not be immediately achievable, the process allows the applicant sufficient time to address them, including items such as the deposited plan mentioned in the Staff Report.

Mr. Ferri explains that the reference to the 21-year rule is based on the lease having already been in place for over 21 years. Under the Planning Act, a lease exceeding 21 years requires a consent to remain valid. The lease in question is set to expire in 2037 and today's decision does not extent it beyond that date. Mr. Ferri clarified that an agreement existed for NEC to bring forward this consent application. When that did not happen, the court authorized McDonald's to step in and submit the application. If the application was denied, the lease would likely terminate immediately, leading to potential job losses and the loss of McDonald's assets at the site—likely prompting further court

action. Regarding alleged errors in the documentation, Mr. Ferri addressed concerns about the inclusion of 70 Bernard in a key map, stating this is standard mapping practice and not an error. He also addressed the site plan, explaining that highlighted areas simply represent the lease premises. Mr. Ferri emphasized that the reason for the application is that there is ongoing litigation. The court has directed that a decision from the committee is needed to proceed, and the outcome will affect the broader lease dispute. The court also affirmed that the lease is not void and that NEC is prevented from submitting further objections due to its prior actions, as outlined in the court order.

Chairman Master sought clarification on the implications of the consent requirement, specifically whether the consent would come back before the committee.

Mr. Ferri explained that this is a standard procedural step handled by the Secretary-Treasurer, not the Committee of Adjustment. The applicant must submit a legal description or draft transfer, typically through a law firm, to register the consent in the land titles system. This is an administrative step, not one requiring further committee involvement.

Member Di Rezze states that McDonalds has representation here and inquired the Owner had representation here.

Mr. Ferri confirmed he represents NEC (the property owner), though the situation is complex due to the court requiring McDonald’s to initiate the application. While only the owner can apply, NEC provided the necessary consent and authorized the application, indicating their support. There was no similar confirmation from Mr. Manett.

Member Kelbas asked Planning Staff to clarify if this is in the best interest of the City to continue a long term lease, given that the site is within the Key Development Area and part of the secondary plan area?

Mr. La Moglie, Planner states that a minor zoning by-law amendment application was recently submitted and is still under review. It aims to allow phased development of the site. Planning staff have not yet determined if the proposal will be supported and will assess how the existing McDonald’s restaurant fits into the development plans.

Member Kelbas asked Planning Staff if they have considered the implications if this application is denied.

Mr. La Moglie, Planner responded that while the Zoning By-law amendment application will be reviewed separately, it does not affect the evaluation of this Consent application, which is focused on continuing the use of an existing restaurant, a permitted use within the KDA. The current review is based on the merits of the Consent application.

Member Kelbas asked whether the committee could approve a different lease term rather than the one proposed.

Mr. Ferri clarified that the committee has no authority to modify the lease term. It can only approve or deny the consent. Lease terms are a private property right, protected under the Planning Act, and cannot be altered by the committee or the municipality.

Chairman Masker asks if the committee could condition approval on McDonald’s consenting to future development related to a recent zoning by-law amendment.

Mr. Ferri responded that McDonald’s does not object to the zoning amendment as currently proposed. However, imposing a condition forcing McDonald’s to waive its lease rights would exceed the committee’s authority. Mr. Ferri also addressed a revised site plan proposed by Mr. Manett. Highlighting that it would make the McDonald’s location inoperable—eliminating key features like parking, signage, access points, emergency vehicle routes, and delivery zones. These changes would violate McDonald’s lease rights, which are intended to preserve the functionality and safety of the site.

Mr. Manett raised concern that the exact lands to be retained and severed under the lease were still unclear, noting that a plan had not yet been submitted showing this, nor were easements addressed—both of which could impact operations and future development. Mr. Manett also questioned whether the zoning amendment could proceed if the lease remains in place, due to potential encumbrances on the site.

Mr. Ferri emphasized that a clear visual of the leased lands was already presented during the meeting. The lease area covers the entire premises, excluding existing buildings, and any new development would still require McDonald's consent per the lease terms. He also mentions that Planning staff reaffirmed their support for the consent application, confirming it meets the Planning Act criteria and is consistent with the Provincial Policy Statement.

Chairman Master requests a motion.

Moved by: Carlo Di Rezze
Seconded by: Suzanne Payne
Opposed: None

That Consent Application **B012/18** on behalf of North Elgin Centre Inc. be approved subject to the following conditions:

Condition #	Department / Agency Contact:	Condition:
1.	Committee of Adjustment: 905-771-2443	That the applicant provides the Secretary-Treasurer with the legal description of the severed land in the form of a letter or draft transfer prepared by the applicant's solicitor.
2.	Committee of Adjustment: 905-771-2443	That the applicant provides one white print of a deposited plan of reference of the entire land which conforms substantially with the application as submitted.
3.	Committee of Adjustment: 905-771-2443	That the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the City of Richmond Hill within 30 days of the date of registration in the Land Registry/Land Titles Office a copy of the receipted and registered electronic transfer document including the Form 4 for Consent B012/18
4.	Finance: Christina Giannakakis 905-771-5550	Payment of all current and outstanding taxes to date of consent.

Motion Carried

Item C: Minor Variance Application MV-24-51 (0 East Beaver Creek Road)

The following relief to Zoning By-law 150-80, as amended, is requested to reduce the minimum required landscaping strip.

	By-Law Requirement	**Proposed**	**Deficiency**
Minimum required landscape strip abutting East Beaver Creek Road (west frontage)	6.00 m (19.69 ft)	4.50 m (14.76 ft)	1.50 m (4.92 ft.)

Public requests submitted for notice of decision: None.

Additional correspondence received and provided to committee from: None.

Representation:

Nick Pileggi, Agent

Comments:

Chairman Master asked if anyone in the audience wished to comment.

There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master asked if the Committee had any comments.

Member Di Rezze wanted clarification, if the shaded pink area on the site plan is a regional easement.

Mr. Pileggi confirmed it is a regional easement that has to do with the grading from the overpass from Norman Bethune Avenue. It's not subject to this application.

Member Payne questioned whether the address on the application should reflect the civic number 80 Norman Bethune Avenue instead of 0 East Beaver Creek Road.

Mr. Pileggi clarified that 0 East Beaver Creek Road remains the legal address, but since the site is currently vacant and mail isn't received there, it would be appropriate to list both addresses.

Chairman Master requests a motion.

Moved by: Nataliya Kelbas
Seconded by: Suzanne Payne
Opposed: None

That Minor Variance Application **MV-24-51** on behalf of S & A Developments Limited be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.

2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Motion Carried

Item D: Minor Variance Application MV-24-67 (1151 Stouffville Road)

The following relief to Zoning By-law 150-80, as amended, is requested, to facilitate the construction of a new 3-Storey Single Family Detached dwelling.

	By-Law Requirement	**Proposed**	**Deficiency**
Maximum Height of Detached Accessor Building	4.50 m (14.76 ft.)	5.06 m (16.60 ft.)	0.56 m (1.84 ft.)

Public requests submitted for notice of decision: None.

Additional correspondence received and provided to committee from: None.

Representation:

Heman Shih, Agent

Comments:

Chairman Master asked if anyone in the audience wished to comment.
There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master asked if the Committee had any comments.

Chairman Master requests a motion.

Moved by: Nataliya Kelbas
Seconded by: Carlo Di Rezze
Opposed: None

That Minor Variance Application **MV-24-67** on behalf of Hao Huang and Jie Pan Huang be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.
2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Motion Carried

Item E: Minor Variance Application MV-25-07 (38 Garden Street) – Deferred

The following relief to Zoning By-law 2523, as amended, is requested:

	Zoning By-law Requirement	Proposed	Deficiency
Minimum Front Yard Setback	9.14 m (30.00 ft.)	6.22 m (20.41 ft.)	2.92 m (9.58 ft.)

Public requests submitted for notice of decision: N/A
.

Additional correspondence received and provided to committee from: N/A

Representation: N/A

Comments: N/A

Moved by: N/A
Seconded by: N/A
Opposed: N/A

Item F: Minor Variance Application MV-25-10 (930 Elgin Mills Road)

The following relief to Zoning By-law 131-20, as amended, is requested:

	Zoning By-law Requirement	Proposed	Deficiency
Parking Space Size	2.75 m x 5.8 m (9.02 ft. x 19.02 ft.)	2.65 m x 5.8 m (8.69 ft. x 19.02 ft.)	0.10 m x 0.0 m (0.32 ft. x 0.0 ft.)

Public requests submitted for notice of decision: None

Additional correspondence received and provided to committee from: None

Representation:

Representation was absent.

Comments:

Chairman Master asks if the Committee could proceed with this application as the applicant was not present.

Secretary Treasure Cullum confirmed a decision can be made in absentia.

Member Di Rezze noted that the reduction is reasonable and common in other jurisdictions.

Chairman Master asked if anyone in the audience wished to comment.
There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master requests a motion.

Moved by: Suzanne Payne
Seconded by: Nataliya Kelbas
Opposed: None

That Minor Variance Application **MV-25-10** on behalf of Elbay Developments be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.
2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Motion Carried

Item G: Minor Variance Application MV-25-14 (24 Okanagan Dr)

The following relief to Zoning By-law 3-74, as amended, is requested, to facilitate the construction of a walkout basement:

	By-Law Requirement	**Proposed**	**Deficiency**
Interior Side Yard Setback to Below Grade Entrance	1.5 m (4.92 ft.)	1.07 m (3.51 ft.)	0.43 m (1.41 ft.)

Public requests submitted for notice of decision: None

Additional correspondence received and provided to committee from: None

Representation:

Arash Bahamin, Agent
Comments:

Chairman Master asked if anyone in the audience wished to comment.
There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master asked if the Committee had any comments.

Member Di Rezze wanted clarity of this is already existing or proposed.

Mr. Bahamin confirms that it is existing.

Chairman Master requests a motion.

Moved by: Carlo Di Rezze
Seconded by: Nataliya Kelbas
Opposed by: None

That Minor Variance Application **MV-25-14** on behalf of Mahdi Salem & Paris Darzi be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.

2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Motion Carried

Item H: Minor Variance Application MV-25-19 (46 Maryvale Cres)

The following relief to Zoning By-law 2523, as amended, is requested:

		Zoning By-law Requirement	Proposed	Deficiency
1.	**Maximum Lot Coverage**	20.00%	24.40%	4.40%
2.	**Maximum Floor Area of Detached Garage**	40 sq m (430.56 sq ft)	58.5 sq m (629.69 sq ft)	18.5 sq m (199.13 sq ft)

Public requests submitted for notice of decision: None

Additional correspondence received and provided to committee from: None

Representation:

Mr. Jim Levac from Glen Schnarr & Associates

Comments:

Chairman Master asked if anyone in the audience wished to comment.
There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master voiced his concern with tree number 14 and its proximity to a proposed garage that does not meet the 10-meter setback. Chairman master expressed no issue with the proposed deletion but invited member feedback.

Member Di Rezze inquired about the grading and servicing plan, specifically, whether a grading plan had been submitted. He also inquired about the location of the drainage outlet.

Mr. Levac response was that Green Park staff are handling the permit and have submitted all the necessary documents including the grading plan. As per the drainage outlet, Mr. Levac was unsure of and would have to confirm with a civil engineer.

Member Payne wanted to clarify if Tree 14 was the large Willow.

Mr. Levac confirmed that it was the large Willow.

Member Kelbas asked whether the four trees were not excluded from the garage-related condition, the only way to comply with the 10 meter setback would be to move the garage.

Mr. Levac explained that the the setback distances (6.3 to 7.7 meters) are measured from the edge of the Tree Protection (TP) zone, but policy speaks to setbacks from the significant woodland boundary, not the TP zone itself. If the condition were interpreted as requiring a 10-meter setback from the TP zone, it wouldn't be possible to meet it without relocating the garage. Therefore, the applicant requested that the four trees be excluded from the condition, noting that no tree removal is proposed and appropriate root protection measures would be in place during construction.

Member Kelbas then asked about the 7.5-meter setback shown on the left side of the drawing—whether it referred to a tree or the woodland line.

Mr. Levac specified that the 7.5 meters is to the woodland boundary, not to any specific tree. That area contains only brush, and no inventoried trees, which is why staff raised no concerns.

Member Di Rezze confirmed that there's usually no setback to a TPZ, as it's meant to protect the tree. He added that conservation authorities may allow reduced setbacks to woodlots if the impact is minor, as in this case.

Chairman Master requests a motion.

Moved by: Carlo Di Rezze
Seconded by: Nataliya Kelbas
Opposed by: Suzanne Payne

That Minor Variance Application **MV-25-19** on behalf of C-Star Corp. be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.
2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.
3) The applicant shall submit a revised Tree Inventory and Preservation Plan drawing showing the 10 metre minimum vegetation protection zone from the edge of the Tree Protection Zones around Trees 8, 9, 10, 11, 12 and 13 on the Tree Inventory and Preservation Plan drawing V100 prepared by Strybos Barron King Landscape Architecture and dated March 26, 2025 to the satisfaction of the Park and Natural Heritage Planning section.

Motion Carried

Item I: Minor Variance Application MV-25-20 (35 Orlon Crescent)

The following relief to Zoning By-law 2523, as amended, is requested:

		Zoning By-law Requirement	Proposed	Deficiency
1.	**Minimum Side Yard Setback (north) to Below Grade Entrance**	1.52 m (5.00 ft.)	1.18 m (3.87 ft.)	0.34 m (1.12 ft.)
2.	**Minimum Side Yard Setback (south) to Window Well**	1.52 m (5.00 ft.)	0.66 m (2.17 ft.)	0.86 m (2.82 ft.)
3.	**Maximum Height of Accessory Structure**	2.75 m (9.00 ft.)	3.35 m (11.00 ft.)	0.61 m (2.00 ft.)

Public requests submitted for notice of decision: None

Additional correspondence received and provided to committee from: None.

Representation:

Mr. Mehdy Ajvand, Agent

Comments:

Chairman Master asked if anyone in the audience wished to comment.
There are no other comments from the audience.

Chairman Master asked if Planning had any comments.
There are no comments from Planning

Chairman Master asked if the Committee had any comments.

There are no comments from Planning

Chairman Master requests a motion.

Moved by: Nataliya Kelbas
Seconded by: Suzanne Payne
Opposed by: None

That Minor Variance Application **MV-25-20** on behalf of Jing-Bo Lin be approved subject to the following conditions:

1) That the variances pertain only to the request as submitted with the application.
2) That development be substantially in accordance with the sketch submitted with the application as required by Ontario Regulation 200/96, as amended, Section 5.25.

Motion Carried

Item J: Minor Variance Application MV-25-15 (135 Marla Court) - Deferred

The following relief to Zoning By-law 150-80, as amended, is requested:

		Zoning By-law Requirement	Proposed	Deficiency
1.	**Minimum Front Yard Setback**	7.62 m (25 ft.)	5.7 m (18.70 ft.)	1.92 m (6.30 ft.)
2.	**Maximum Gross Floor Area**	227.54 sq. m. (2,449.22 sq. ft.)	314.95 sq.m (3,390.09 sq.ft.)	87.41 sq.m. (940.87 sq. ft.)
3.	**Maximum Height of Building**	8.5 m (27.88 ft.)	8.8 m (28.87 ft.)	0.3 m (0.99 m)
4.	**Minimum Front Yard Setback to the second storey**	9.1 m (29.85 ft.)	7.66 m (25.13 ft.)	1.44 m (4.72 ft.)
5.	**Minimum Side Yard Setback (North) to the second storey**	3.0 m (9.84 ft.)	1.98 m (6.49 ft.)	1.02 (3.34 ft.)
6.	**Minimum Side Yard Setback (South) to the second storey**	3.0 m (9.84 ft.)	1.83 m (6.00 ft.)	1.17 (3.83 ft.)

Public requests submitted for notice of decision: N/A

Additional correspondence received and provided to committee from: N/A

Representation: N/A

Comments: N/A

Moved by: N/A
Seconded by: N/A
Opposed by: N/A

Other Business

Secretary Treasurer Cullum informed the Committee that there are additional meeting dates being added and a revised calendar will be sent out.

Withdrawals

None

That the meeting be adjourned.

Motion Carried by Nataliya Kelbas and Suzanne Payne

The meeting adjourned at 8:39 PM

DocuSigned by:
Mustafa Master
484398E9CFA1497...

Mustafa Master
Chairman

DocuSigned by:
Courtney Cullum
81DBD127AF9F4F4...

Courtney Cullum
Secretary-Treasurer
Committee of Adjustment