



**CITY OF MARKHAM**  
**Virtual Meeting on Zoom**

**May 03, 2023**  
**7:00 pm**

**COMMITTEE OF ADJUSTMENT**

**Minutes**

The 8<sup>th</sup> regular meeting of the Committee of Adjustment for the year 2023 was held at the time and virtual space above with the following people present:

Arrival Time

Gregory Knight Chair	7:00 pm
Tom Gutfreund	7:00 pm
Arun Prasad	7:00 pm
Jeamie Reingold	7:00 pm

Shawna Houser, Secretary-Treasurer  
Greg Whitfield, Supervisor, Committee of Adjustment  
Trisha Sridharan, Development Technician, Zoning and Special Projects  
Aaron Chau, Development Technician, Zoning and Special Projects

**Regrets**

Kelvin Kwok  
Sally Yan  
Patrick Sampson

**DISCLOSURE OF INTEREST**

None

**Minutes: April 19, 2023**

THAT the minutes of Meeting No. 07, of the City of Markham Committee of Adjustment, held April 19, 2023 respectively, be:

- a) Approved on May 03, 2023.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

**Carried**

## **PREVIOUS BUSINESS**

### **1. A/001/23**

**Owner Name: Calvin Ho Tai Wong**  
**Agent Name: Calvin Ho Tai Wong**  
**118 Romfield Circuit, Thornhill**  
**PLAN M1346 LOT 218**

The applicant was requesting relief from the requirements of By-law 2489, as amended, to permit:

- a) Section 6.1:**  
a maximum lot coverage of 33.60 percent (2,019 square feet), whereas the By-law permits a maximum lot coverage of 33 1/3 percent (1,997 square feet); and
- b) Section 6.1:**  
a west side yard setback of 4 feet (1.22 metres), whereas the By-law requires a minimum side yard setback of 6 feet (1.83 metres) for the second floor addition;

as it related to a proposed second-floor addition.

The Chair introduced the application.

Russ Gregory appeared on behalf of the application, acting as a representative of the owner. Russ provided an overview of the project and indicated that revisions had been made to the original proposal to satisfy the requirements of Urban Design and Forestry staff. In addition, a tree protection plan had been submitted and reviewed to address previously expressed forestry issues.

The Committee received three written pieces of correspondence.

Richard Bonk, of 50 Stornoway Crescent, spoke to the Committee. Rick had no objection to constructing a second-storey addition, noting it was a similar design to his home. However, there were concerns regarding the two-storey addition to the rear of the home. Richard remarked that the addition resulted in an increased building depth that would project too far into the rear yard. The proposed addition was large and a visual distraction with considerable massing. Richard highlighted Official Plan policies that spoke to infill projects having scale and visual massing appropriate for the site and surrounding area. In particular, Richard spoke on behalf of the resident of 120 Romfield Circuit and their concerns that a two-storey addition would result in a loss of privacy and increased shadowing of their property. Richard indicated that the rear setback was inconsistent with other rear setbacks on the street and would impact adjacent properties. Richard indicated they were aware of the changes to accommodate and protect the tree in the neighbour's yard. Still, he questioned what guarantees would be available to ensure the continuing health of the tree.

Susan Geller, of 52 Stornoway Crescent, spoke to the Committee, observing that the proposed addition was higher than surrounding buildings and, coupled with the increased depth, it would overshadow other houses in the area and result in a loss of privacy and enjoyment of the surrounding properties.

Russ Gregory indicated that only variances for coverage and a side yard setback were required, and the proposal met the other development standards, including depth and rear yard setback. The area was transitioning with numerous renovations to the existing housing stock. The shadowing and decreased sunlight had been considered during the design phase to limit impacts on neighbouring properties.

After reviewing the setbacks, Member Gutfreund concluded that shadowing and sunlight impact on adjacent properties would be minimal. Member Gutfreund understood the resident's concerns. However, they felt the setbacks would be consistent with neighbouring properties. The member had no objections to the application and considered the application minor and met the four tests of the *Planning Act*.

Member Reingold concurred with their colleague that the proposal was minor and any impacts would be minimal, remarking that it was a good transitional home.

The Chair commented that the application was minor and reasonable for the development of the property.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/001/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**2. A/124/22**

**Owner Name: Xinyu Huang**  
**Agent Name: Chuan Liang Architects (Chuan Liang)**  
**7 Fredericton Rd, Markham**  
**PLAN 4427 LOT 26**

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

**a) Amending By-law 99-90, Section (vi):**

a maximum floor area ratio of 49.1 percent, whereas the By-law permits a maximum floor area ratio of 45 percent;

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

The Chair introduced the application.

The agent, Chuan Liang, appeared on behalf of the application.

The Committee received one written piece of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth spoke regarding the massing of the proposal at the rear of the property and with considerable open to below areas. Elizabeth drew attention to policies in the Official Plan regarding infill development having consideration for the neighbourhood character, massing and scale and existing trees and vegetation. Elizabeth asked for clarification if the proposed circular driveway had been removed and what recommendation had been made regarding the existing trees on site. Elizabeth recommended that the applicant bring down the massing and protect the trees.

The agent explained that the application had been revised to remove the circular driveway and determine the health of the trees with arborist recommendations regarding removal and retention. The agent noted that the proposal had a lot coverage of only 23 percent, and the rear of the house was a basement walkout which emphasized the massing in the rear of the property. The rear massing utilized the property's natural slope, and the design was consistent with neighbouring houses.

Member Gutfreund commented that one variance was requested, and the request was well within what was generally considered acceptable to Committee. The member noted that any open to below areas were at the rear of the house and did not contribute to additional massing on the streetscape. Member Gutfreund indicated the proposal had a low lot coverage and was minor and motioned for approval with conditions.

**Moved By: Tom Gutfreund**

**Seconded By: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/124/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**3. A/149/22**

**Owner Name: Yi Huang**  
**Agent Name: Xiaoru Song**  
**98 Clark Avenue, Thornhill**  
**CON 1 PT LOT 28**

The applicant was requesting relief from the requirements of By-law 2237, as amended, to permit:

**a) Amending By-law 101-90, Section 1.2 (vii):**

a floor area ratio of 54.95 percent, whereas the By-law permits a maximum floor area ratio of 50 percent;

as it related to a proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Victor Guitberg, appeared on behalf of the application. Victor explained the changes made to the design to address the committee recommendations made at the previous meeting. The changes reduced the overall floor area ratio and allowed for the elimination of the building depth variance. The owner had the support of three neighbours with whom they had spoken.

The Committee received two written pieces of correspondence.

Jean Hunn, of 99 Clark Avenue, spoke to the Committee. Jean had previously addressed the Committee and opposed the proposed height and massing of the house. Jean expressed that it did not appear that significant changes had been made to the plans, and the design and massing were inconsistent with the area's character.

Joan Honsberger, 60 Elgin Street, and representative of the Ward One Residents Association, addressed the Committee. They indicated that the proposed floor area ratio was significantly higher than permitted in the bylaw and requested clarification regarding the ceiling heights for each floor, indicating that eight-foot ceiling heights were standard for the area.

Evelyn Ellison illustrated how the proposed house would look in relation to the adjacent properties.

The Chair asked the agent to provide details regarding the ceiling heights.

The agent clarified the ceiling heights and explained that eight-foot ceilings were no longer the standard of modern construction. The agent explained that the bedrooms at the front of the house had been designed loft style with sloped ceilings to soften the façade and lessen impacts on the streetscape.

Member Gutfreund commented that a Zoning Preliminary Review had been submitted, and a height variance had not been identified. The member noted that the Committee generally accepts an increase in floor area ratio of 10 to 11 percent throughout the City, and the proposal fell within this range. Member Gutfreund supported the application indicating that the proposal was minor and met the four tests of the *Planning Act*.

Member Prasad agreed with Member Gutfreund and supported the application.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**

**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/149/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**4. A/242/22**

**Owner Name: Oxana Mukan**  
**Agent Name: Donya Abasiliasi**  
**36 Jondan Crescent, Thornhill**  
**PLAN M1345 LOT 49**

The applicant was requesting relief from the requirements of By-law 2489, as amended, to permit:

- a) **By-law 2489, Section 6.1:**  
a building height of 28 feet and 3 inches, whereas the By-law permits a maximum height of 25 feet;
- b) **By-law 2489, Section 6.1:**  
a lot coverage of 34.9 percent, whereas the By-law permits a maximum lot coverage of 33 1/3 percent;

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

The Chair introduced the application.

The agent, Shervin Farzan, appeared on behalf of the application. Shervin indicated the design had been altered based on the requests of the Committee, and the new design resulted in a smaller structure with reduced height and eliminated the variance for a reduced side yard setback.

Member Gutfreund thanked the applicant for making changes to the plans that met the Committee's recommendations. The member expressed that the proposal was minor, met the four tests of the *Planning Act*, and was supported by staff.

Member Prasad asked if a rendering of the proposed house was available.

Greg Whitfield explained that a rendering had not been submitted and was not an application requirement. Greg provided a copy of the front elevation for viewing, noting it was the document submitted to detail streetscape massing.

The applicant indicated that a rendering was not available for the project and provided further information regarding the proposed height as it related to the adjacent homes.

Member Prasad indicated that they had insufficient information to determine if the application met the test of appropriate and desirable development of the property.

Member Gutfreund agreed with member Prasad that renderings provide additional information to assist in reviewing the application. However, they believed sufficient information was provided to make a decision and motioned for approval with conditions.

Member Gutfreund motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**  
**Opposed: Arun Prasad**

The majority of Committee approved the application.

THAT Application No. **A/242/22** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**NEW BUSINESS:**

**5. A/034/23**

**Owner Name: ARK Group (Daniel Wong)**  
**Agent Name: ARK Group (Daniel Wong)**  
**163 Fred Varley Drive, Markham**  
**PLAN 7566 LOT 47**

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

**a) Section 6.1.1:**

a minimum front yard setback of 25 feet and 5 inches, whereas the By-law requires a minimum front yard setback of 27 feet;

**b) Parking By-law 28-97, Section 6.2.4.1 c):**

motor vehicle parking between an outside wall of an attached private garage and an interior side lot line, whereas the By-law does not permit motor vehicle parking between an attached private garage and an interior side lot line; and

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

a maximum driveway width of 9.96 metres, whereas the By-law permits a maximum driveway width of 6.1 metres;

as it related to a proposed second storey addition.

The Chair introduced the application.

The agent, Daniel Wong, appeared on behalf of the application. Daniel was representing the project as both the owner and general contractor. Daniel disagreed with the staff's assessment of the driveway widening and did not see the need for tapering the driveway or a reduced width at the property entrance. The proposed driveway resembled the widening of properties facing the subject property. Operations staff had called him and indicated that they do not permit curb cuts greater than 7 metres; however, in this area of Fred Varley Drive, the driveways are flush with the roadway.

The Committee received one written piece of correspondence.

Member Reingold expressed that the proposed addition reflected the existing architecture on the property and within the area. Regarding the driveway, the member noted that driveway expansions were common across the City and did not see a justification for refusing the request or requiring a modification to the applicants' proposal as submitted. Member Reingold supported the application indicating it was a nicely designed addition that made sense within the context of the area and suitable development of the property. The member did not support the staff's recommendation to taper the driveway.

Member Gutfreund agreed with the applicant's assessment regarding the curb and did not support the planning comments regarding the driveway as detailed in the staff report. Member Gutfreund supported the application as submitted.

Member Prasad agreed with their colleagues, noting that the design was well done and did not support the staff's position regarding the driveway.

The Chair requested that the applicant clarify why a variance was required for a carport but not a garage. Daniel indicated that the variance related to definitions within the



parking by-law. Additionally, Daniel explained that they had chosen to add a carport to maintain and add to the charm of the design as it related to the older Unionville neighbourhood.

Before finalizing a motion to approve the application, Greg Whitfield requested clarification regarding what conditions would apply to the approval and read through the conditions listed in Appendix "C" and "D," outlining the conditions to be added if the application was approved without modification. The standard conditions for all applications, including the standard tree conditions listed in Appendix "C," would have any references to specific variances removed and would be applied to the decision.

Furthermore, Greg Whitefield clarified for the member that while there was not a conventional curb on the property, the property did have a curb, and the paving would be taking place in the municipal right of way. The planner responsible for the application did communicate with the City's Operations department, and condition three of Appendix "D" was added at the recommendation of Operations staff. Greg indicated that if the applicant had further conversations with Operations staff after the decision became final and binding and it was determined a Curb Modification Application was not required, staff could clear the condition as advised.

Member Gutfreund requested confirmation of the applicant's acceptance of the conditions.

After further discussion between the applicant and the Committee, it was determined that Committee would approve only condition three of Appendix "D" and conditions one and two of Appendix "C" would be modified to remove the reference to variances a) and b).

The applicant agreed to the inclusion of condition three.

Member Gutfreund motioned for approval with conditions as detailed above.

**Moved By: Tom Gutfreund**  
**Seconded By: Arun Prasad**

The Committee unanimously approved the application.

THAT Application No. **A/034/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**6. A/046/23**

**Owner Name: Simon Drosi**  
**Agent Name: Fine Lines Design (Joshua Theriault)**  
**32 Shady Lane Crescent, Thornhill**  
**PLAN 7686 LOT 374**

The applicant was requesting relief from the requirements of By-law 2150, as amended, to permit:

**a) Section 3.7:**

a second floor eaves encroachment of 24 inches, whereas the By-law permits a maximum encroachment of 18 inches into the required side yards;

**b) Section 3.7:**

an uncovered platform/stairs encroachment of 7.611 feet into a front yard, whereas the By-law permits a maximum encroachment of no more than 5 feet into a front yard;

**c) Section 4.4.1:**

an existing shed to be 1.7 feet from the nearest lot line, whereas the By-law requires at least 2 feet;

**d) Section 6.1:**

a building height of 26.54 feet, whereas the By-law permits a maximum building height of 25 feet; and

**e) Section 6.1:**

a second floor east side yard setback of 4.72 feet, whereas the By-law requires a minimum side yard setback of 6 feet;

as it related to a proposed two-storey single detached dwelling.

The Chair introduced the application.

The agent, Joe Domb, appeared on behalf of the application. Joe provided a short presentation detailing the variances, highlighting other similar projects in the area and addressing concerns related to privacy arising from the proposed second-storey balconies.

The Committee received one written piece of correspondence.

Tiago and Belinda Naccarato Dos Santos, of 34 Shady Lane Crescent, spoke to the Committee, indicating they were happy to see the project going forward. They did not have concerns regarding the proposed size or height of the house; their concerns related to the side yard setback, as the eaves of the proposed structure would be very

close to the property line. They wished to see the setback maintained to reduce the impacts of shadowing and sightlines that could reduce privacy in their backyard. The proposed hardscaping in the rear yard also raised concerns about drainage impacts.

Member Gutfreund requested clarification regarding the neighbour's comments on flooding caused by hardscaping.

Tiago Naccarato indicated that currently, there were some drainage issues on both properties and concerns related to the potential for increased flooding due to the proposed increase in hard surface areas in the rear yard, as detailed on the plans.

Joe Domb indicated that engineering had reviewed the proposal and was not concerned with the proposed variances.

The Chair indicated to the neighbours that all new development required approval of a RIGS application which often improved existing grading and drainage conditions.

Greg Whitfield confirmed a Residential Infill Grading and Servicing approval would be required before the issuance of a Building permit.

Member Gutfreund indicated the requests were minor, met the four tests, and that drainage concerns would be addressed through the grading permit and motioned for approval with conditions.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**

The Committee unanimously approved the application.

THAT Application No. **A/043/23** be **approved** subject to conditions contained in the staff report.

Resolution Carried

**7. A/260/22**

**Owner Name: Fan Yang**  
**Agent Name: Michael Mao**  
**30 Arrowflight Drive, Markham**  
**PLAN 5810 LOT 5**

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

**a) Section 11.2 (c)(i):**

a porch to encroach 64 inches into a required yard, whereas the By-law permits 18 inches;

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

a maximum floor area ratio of 51.87 percent, whereas the By-law permits a maximum floor area ratio of 45 percent; and

**c) Table 11.1:**

a minimum setback of 6.98 feet to the exterior side lot line, whereas the By-law permits 10 feet;

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

The Chair introduced the application.

The agent, Victor Guitberg, appeared on behalf of the application, indicating that changes had been made to meet staff suggestions since the original application submission.

The Committee received three written pieces of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth presented the area's character that had yet to see significant infill development. In Elizabeth's opinion, the application was not minor. The building envelope needed to be considered in relation to the massing, as the two had a complementary relationship. Elizabeth mentioned that the new house was very large, closer to the front lot line and pushed significantly into other required yards. The carport was not included in the floor area ratio. The proposal would encroach closer to existing trees resulting in their removal. The proposal was oversized for the area.

Member Reingold agreed that the proposal had significant massing and scale, noting that it would be the only home in the immediate setting of this size. In addition, the member observed that the area had yet to experience significant turnover or new infill development. Member Reingold did not have an issue with the carport but noted that as the structure was already designed with substantial width and the carport added the appearance of even greater massing at the streetscape. Therefore, the member did not support the application expressing that the proposal was too large for the street.

Member Gutfreund supported their colleague's comments, observing that the property was a prominent corner lot and a development of this size would dominate the entire streetscape of the surrounding area. Member Gutfreund remarked that the carport added to the already significant width of the design and made the proposal uncharacteristically wide and that the proposed massing needed to suit the area's character. The member did not support the proposal as presented, indicating that the

floor area ratio needed to be reduced to be closer to the development standard and within the range generally considered by the Committee and the overall scale of the project, in particular, the width needed to be brought down to more closely relate with the existing streetscape.

Member Prasad indicated agreement with their colleagues and asked if the applicant would consider deferral to return with a reasonable floor area ratio.

The Chair summarized the Committee and neighbour comments indicating that revisions to the plans should consider the Official Plan policies for existing residential areas regarding creating a design complementary to the neighbourhood's character, scale and massing, and mature vegetation.

Member Prasad motioned for deferral.

**Moved By: Arun Prasad**  
**Seconded By: Jeamie Reingold**

THAT Application No. **A/260/22** be **deferred** sine die.

Resolution Carried

**8. A/110/22**

**Owner Name: Kevin Cribari**  
**Agent Name: Joseph N. Campitelli Architect Inc. (Joseph Campitelli)**  
**19 Grenfell Crescent, Markham**  
**PLAN 4949 LOT 74**

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

- a) **Section 11.2 (c) (i):**  
eaves to encroach a maximum of 41 inches into the required front yard, whereas the By-law permits a maximum encroachment of 18 inches into a required yard;
- b) **Table 11.1:**  
a maximum lot coverage of 42.2 percent, whereas the Zoning By-law allows a maximum lot coverage of 35 percent;
- c) **By-law 1229, Section 11.1:**  
a minimum flankage yard of 8.0 feet, whereas the Zoning By-law permits a minimum flankage yard of 10.0 feet;

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

a maximum floor area ratio of 52.4 percent, whereas the Zoning By-law permits a maximum floor area ratio of 45 percent;

**e) Amending By-law 99-90, Section 1.2 (ii):**

a maximum depth of 22.42 metres, whereas the Zoning By-law permits a maximum depth of 16.80 metres;

**f) Amending By-law 99-90, Section 1.2 (i):**

a maximum height of 11.0 metres, whereas the zoning By-law permits a maximum height of 9.80 metres; and

**g) Section 11.2 (c) (i):**

eaves to encroach a maximum of 24 inches into the flankage side yard, whereas the By-law permits a maximum encroachment of 18 inches into a required yard;

as it related to a proposed two-storey single detached dwelling and accessory building.

The Chair introduced the application.

The owner, Kevin Cribari, appeared on behalf of the application. Kevin outlined the proposed dwelling's details and features, indicating they had made revisions to satisfy staff comments.

The Committee received a support letter package provided by the owner and three additional written pieces of correspondence.

Elizabeth Brown, 65 Lincoln Green Drive, the Committee of Adjustment representative for the Markham Village Sherwood Conservation Residents Association, spoke to the Committee. Elizabeth indicated that they understood the applicant was a member of the neighbourhood and was attempting to build a dwelling that would suit the area's character, having a lovely presence on the streetscape, and be an asset to the neighbourhood. However, the number and size of requested variances could not be viewed as minor.

The request for an increased floor area ratio was 16 percent over permitted and did not include the unfinished attic space. The requests for increased lot coverage and height further accentuated the massing and scale of the house, and the cumulative impacts of the seven variances would be significant.

Elizabeth highlighted policies in the Official Plan indicating the need for complementary development within established neighbourhoods. Elizabeth remarked that the staff did not support the application, and as many revisions had already been made to the plans, it might be difficult to make further significant changes. Elizabeth observed it was a well-thought-out design and could appreciate the presence it would have but concluded that,

overall, the design was too large for the area. The Residents Association sought requests that could be described as minor and closer to the existing development standards.

Member Reingold had visited the site and noted that the proposed house would be very large within the neighbourhood context, including in relation to other recent infill developments. The proposal was overdevelopment and was too large for the area, and the requests for additional relief on a large lot created cumulative effects and impacts. The house was exceptionally designed but was over massing for the property and out of scale with the area. Therefore, member Reingold could not support the application as currently presented.

Member Gutfreund agreed with their colleague and the staff report that the cumulative impacts of the combined variance resulted in the overdevelopment of the lot. The house was beautifully designed; if shrunken down, it would be appropriate for the area. The member indicated that while previous applications may have received similar variance requests, the Committee does not operate on precedence, and the request was outside of what the current Committee considers typically acceptable.

The applicant responded to comments by neighbours and the Committee members indicating that the proposed home was not over-massed for the lot and had lower rooflines and significant greenspace presenting to the streetscape.

The Chair commended the applicant for their passion in creating a design that would suit the area's character. However, they cautioned the applicant that they needed to listen to the comments of staff and the Committee concerning the size of the proposal. In particular, the unfinished spaces in the attic that could be converted into a habitable area in the future need to be considered with regard to their overall impact on both the size and massing of the proposal.

The Chair pointed out that the Committee members did not intend to refuse the application. However, they had indicated they did not support the application. The Chair asked if the applicant wanted to defer the application.

The applicant agreed to a deferral.

Member Gutfreund motioned for deferral.

**Moved By: Tom Gutfreund**  
**Seconded By: Jeamie Reingold**

THAT Application No. **A/110/22** be **deferred** sine die.

Resolution Carried

Committee of Adjustment Minutes  
Wednesday May 03, 2023

Adjournment

**Moved by: Arun Prasad**  
**Seconded by: Tom Gutfreund**

THAT the virtual meeting of the Committee of Adjustment was adjourned at 9:20 pm, and the next regular meeting would be held on May 17, 2023.

CARRIED

Original signed May 18, 2023

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Secretary-Treasurer  
Committee of Adjustment

Original signed May 18, 2023

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Chair  
Committee of Adjustment