

Memorandum to the City of Markham Committee of Adjustment

May 25, 2023

File: A/078/23
Address: 83 Elgin St, Thornhill
Applicant: Oxnard Development Inc. (Soheil Khodadadi)
Owner: Jeff Jafarpour
Hearing Date: Wednesday May 31, 2023

The following comments are provided on behalf of the West Team:

The applicant is requesting relief from the following requirements of By-law 2237 as amended, R4, R2 as amended, as it relates to a proposed two-storey single detached dwelling:

- a) **By-law 2237 Amending By-law 101-90, Section 1.2 (i):**
A building height of 10.45 metres, whereas the By-law permits a maximum building height of 9.8 metres;
- b) **By-law 2237 Amending By-law 101-90, Section 1.2 (iv):**
A building depth of 33.0 metres, whereas the By-law permits a maximum building depth of 16.8 metres;
- c) **By-law 2237 Amending By-law 101-90, Section 1.2 (v):**
A garage projection of 8.33 metres, whereas the By-law permits a maximum garage projection of 2.1 metres;
- d) **By-law 28-97, Section 6.2.4.2 b) i):**
A driveway width of 14.0 metres, whereas the By-law permits a maximum driveway width of 9.82 metres.

COMMENTS

As it relates to the proposed development, Staff have identified tree preservation as an area of concern as the construction of the proposed dwelling will cause injury to adjacent trees outside of the subject lands during excavation. Subsequently, Staff recommend that the application be *deferred sine die* by the Committee of Adjustment until such time as the Applicant has addressed these concerns. Staff note that the Applicant has agreed to the deferral and has indicated that they will work with the Tree Preservation Staff to revise their plan to reduce the risk to injury of the trees located on adjacent properties.

PREPARED BY:



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REVIEWED BY:



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