



Notice of Public Hearing

Minor Variance / Permission

(Section 45 of the *Planning Act*)

COMMITTEE OF ADJUSTMENT

MEETING DATE AND TIME: Wednesday, December 18, 2024 at 7:00 p.m.

LOCATION: This Public Hearing will be held virtually. Participants or attendees are required to email Staff at COA@markham.ca for more information on how to participate.

File Number: A/189/23

Agent: 10292702 Canada Inc.
Property Address: 38 Elm Street, Markham
Legal Description: PLAN 4292 LOT 4
Zoning: By-law 2024-19 and 1229, as amended; RES-ENLR and R1
Ward: 4

PURPOSE OF THE APPLICATION:

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

- a) **By-law 99-90, Section 1.2(i)**: a maximum building height of 10.8 metres, whereas the by-law permits a maximum building height of 9.8 metres;
- b) **By-law 99-90, Section 1.2 (ii)**: a maximum building depth of 21.4 metres, whereas the by-law permits a maximum building depth of 16.8 metres; and
- c) **By-law 99-90, Section 1.2(vi)**: a maximum Floor Area Ratio of 53.1 percent, whereas the by-law permits a maximum Floor Area Ratio of 45 percent;

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

NOTICE REQUIREMENTS FOR LANDLORDS AND CONDOMINIUM CORPORATIONS:

A copy of this notice must be posted by the Owner(s) of any land that contains seven or more residential units in a location that is visible to all the residents.

THE COMMITTEE OF ADJUSTMENT (THE “COMMITTEE”) AND MINOR VARIANCES:

The Committee’s role offers flexibility in dealing with minor adjustments to Zoning By-law permissions. The Committee forms its opinions through its detailed review of all material filed with an application, letters received, deputations made at the public hearing, and results of site inspections. After hearing the Applicant and every person who desires to be heard in respect to this application, the Committee may approve, refuse, modify, or otherwise alter the application at the hearing without further notice provided.

HOW TO ATTEND AND PARTICIPATE AT THE MEETING

As required by the *Planning Act*, you are provided written notice to ensure that you may make your views known by either of the two following options:

1. Watch via live stream at <https://www.markham.ca>.

Request to attend the ZOOM meeting in writing, along with a completed [Interested Party Comment and Deputation Form](https://www.markham.ca/sites/default/files/economic-development-business/What%20to%20Expect%20at%20a%20COA%20Hearing/COA%2BInterested%2BParty%2BComment%2Band%2BDeputation%2BForm%2Bno%2Bsubmit%20(1).pdf) at ([https://www.markham.ca/sites/default/files/economic-development-business/What%20to%20Expect%20at%20a%20COA%20Hearing/COA%2BInterested%2BParty%2BComment%2Band%2BDeputation%2BForm%2Bno%2Bsubmit%20\(1\).pdf](https://www.markham.ca/sites/default/files/economic-development-business/What%20to%20Expect%20at%20a%20COA%20Hearing/COA%2BInterested%2BParty%2BComment%2Band%2BDeputation%2BForm%2Bno%2Bsubmit%20(1).pdf)mailto:) to COA@markham.ca.

OR

Deliver a letter in person to the DROP BOX at the Civic Centre (Thornhill Entrance), or by mail or email to the undersigned.



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Written comments must be received no later than 4:00 pm, two days prior to the Hearing date to ensure the Committee members can review all written comments prior to the hearing.

NOTE: Under The Municipal Freedom of Information Act: personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be a part of the public record.

TO VIEW THE MATERIALS IN THE APPLICATION FILE:

Materials will be posted on the link below prior to the scheduled meeting date:

<https://www.markham.ca/economic-development-business/planning-development-services/committee-adjustment/meeting-agendas-minutes-and-staff-reports>

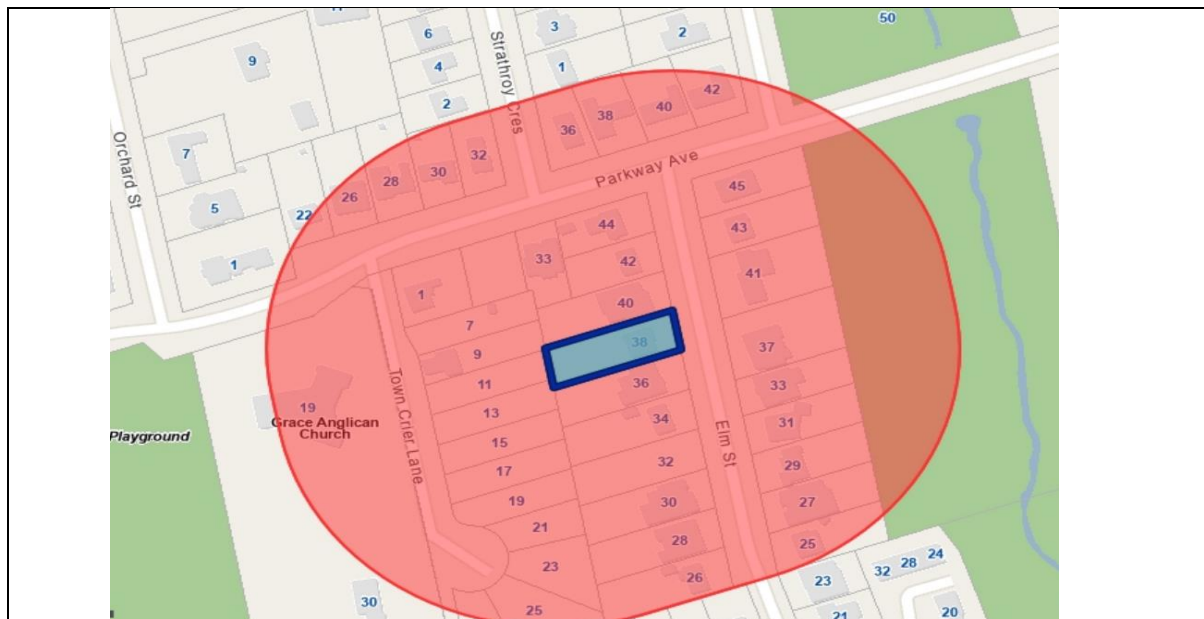
NOTICE OF DECISION and ONTARIO LAND TRIBUNAL PROCEEDINGS

Any person wishing to comment on this application, but who is unable to attend, may send a signed written submission to the Secretary Treasurer prior to the Hearing. A submission received prior to the Hearing is not considered a Notice of Appeal.

A copy of the decision will be sent to the Applicant and Agent. Any other person or agency wishing to receive a copy of the decision, or any notice of relevant Ontario Land Tribunal hearings, must submit a written request for a copy of the decision, or you would not be entitled to receive notice of any further proceedings.

IMPORTANT NOTICE TO OWNERS AND/OR AGENTS:

The Applicant or representative for the Applicant **MUST** appear at the hearing in support of the application. Failure to appear would result in dismissal of this application.



Shawna Houser
Secretary-Treasurer, Committee of Adjustment

For more information about this matter, contact:

☎ 905.475.4721 🖨 905.479.7768 ✉ COA@markham.ca