

Memorandum to the City of Markham Committee of Adjustment

March 4, 2021

File: A/003/21
Address: 2 Talisman Crescent – Markham, ON
Applicant: William Gunton
Agent: SH Design
Hearing Date: March 10, 2021

The following comments are provided on behalf of the East Team.

The applicant is requesting relief from the following “Residential One (R1)” zone requirements under By-law 1229, as amended, as they relate to a new single detached dwelling, to permit:

- a) **Infill By-law 99-90, Section 1.2 (i):**
a maximum building height of 9.90 m (32.48 ft), whereas the By-law permits a maximum building height of 9.80 m (32.15 ft);
- b) **Infill By-law 99-90, Section 1.2 (iii):**
a maximum building depth of 20.50 m (67.26 ft), whereas the By-law permits a maximum building depth of 16.90 m (55.45 ft);
- c) **Infill By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 49.43%, whereas the By-law permits a maximum floor area ratio of 45.0%.

NOTE: The applicant applied for three variances as shown in the Notice of Hearing to facilitate the proposed development (see Appendix “D”). A new Zoning Preliminary Review (ZPR) was completed on February 26, 2021, which confirms a reduced building height from 10.24 m (33.60 ft) to 9.90 m (32.48 ft). The revised variance is captured above. Staff were notified of the revision after the Notice of Hearing was circulated to members of the public.

BACKGROUND

Property Description

The 725.62 m² (7,810.51 ft²) subject property is located on the west side of Talisman Crescent, north of Ramona Boulevard, and east of Main Street Markham North. The property is developed with an existing one-storey detached dwelling. Mature vegetation exists throughout the property. The property is located within an established residential neighbourhood containing a mix of one and two-storey detached dwellings. Mature trees are a predominant characteristic along Talisman Crescent. The area is undergoing a transition with larger two-storey dwellings being developed as infill redevelopments.

Proposal

The applicant is proposing to demolish the existing one-storey detached dwelling, and construct a two-storey detached dwelling with covered porches located in the front and rear yards. The plans submitted in support of the variance application propose a first floor area of approximately 190.38 m² (2,049.25 ft²) which includes the garage floor area, and 140.47 m² (1,512.0 ft²) on the second floor for a total gross floor area of approximately 330.85 m² (3,561.25 ft²).

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines development criteria for the “Residential Low Rise” designation with respect to height, massing and setbacks. This criteria is established to ensure that the development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, infill development is required to meet the general intent of these development criteria. Regard shall also be had for retention of existing trees and vegetation, and the width of proposed garages and driveways and the overall orientation.

Zoning By-Law 1229, as amended

The subject property is zoned “Residential One (R1)” under By-law 1229, as amended, which permits one single detached dwelling per lot.

Residential Infill Zoning By-law 99-90

The subject property is also subject to the Residential Infill Zoning By-law 99-90. The intent of this By-law is to ensure the built form of new residential construction will maintain the character of existing neighbourhoods. It specifies development standards for building depth, garage projection, garage width, net floor area ratio, height, and number of storeys. The proposed development does not comply with the Infill By-law requirements with respect to maximum building height, maximum building depth, and maximum floor area ratio.

Zoning Preliminary Review (ZPR) Undertaken

The applicant completed a ZPR on December 18, 2020, to confirm the initial variances required for the proposed development. As previously noted, the applicant completed a new ZPR on February 26, 2021, which confirms that a reduced building height of 9.90 m (32.48 ft) is now being proposed.

COMMENTS

The *Planning Act* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (“the Committee”):

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Increase in Maximum Building Height

The applicant is requesting a maximum building height of 9.90 m (32.81 ft), whereas the By-law permits a maximum building height of 9.80 m (32.15 ft). This is an increase of 0.10 m (0.33 ft).

Staff are of the opinion that the requested variance is a negligible increase that will not result in any adverse impacts, and therefore have no objections.

Increase in Maximum Building Depth

The applicant is requesting a maximum building depth of 20.50 m (67.26 ft), whereas the By-law permits a maximum building depth of 16.80 m (55.12 ft). This is an increase of approximately 3.70 m (12.14 ft).

The applicant is proposing a dwelling with a front and rear covered porch/patio which are one-storey in height, and cumulatively add approximately 4.67 m (15.32 ft) to the overall building depth. The main component of the two-storey dwelling, excluding the covered porch/patio, has a building depth of 15.82 m (51.90 ft) which complies with the By-law requirement.

Staff are of the opinion that the requested variance generally meets the general intent of the By-law, and do not object to the requested variance.

Increase in Maximum Floor Area Ratio

The applicant is requesting a floor area ratio of 49.43%, whereas the By-law permits a maximum floor area ratio of 45.0%. The variance will facilitate the construction of a two-storey detached dwelling with a floor area of 330.85 m² (3,561.25 ft²), whereas the By-law permits a dwelling with a maximum floor area of 301.23 m² (3,242.37 ft²) on this lot. This is an increase of approximately 28.77 m² (318.88 ft²).

Staff are of the opinion that the requested variance will result in a dwelling that would be in keeping with the intended scale of residential infill developments within the surrounding area, and do not object to its approval.

Tree Protection and Compensation

The applicant submitted a Tree Preservation Plan dated February 25, 2021 which confirms a total of five trees exist on the subject property, and one tree within the municipal boulevard (Appendix "C"). The applicant has worked with staff to preserve and protect all trees on the subject property, including the mature tree located in the front yard. The applicant is proposing to remove the tree located in the municipal boulevard due to its poor condition. The applicant will be required to obtain a tree permit from Urban Forestry staff prior to any removal.

Staff are satisfied that the proposed measures to protect the trees on the subject property make for an appropriate development, and recommend that the tree related conditions provided in Appendix "A" are adopted by the Committee in the event of approval.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 4, 2021. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and are of the opinion that the variance request meets the four tests of the *Planning Act* and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

APPENDICES

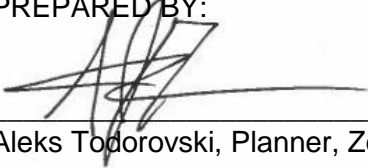
Appendix "A" – Conditions of Approval

Appendix "B" – Plans

Appendix "C" – Tree Preservation Plan

Appendix "D" – Notice of Hearing

PREPARED BY:

A handwritten signature in black ink, appearing to read 'Aleks Todorovski', written over a horizontal line.

Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:

A handwritten signature in blue ink, appearing to read 'Stephen Corr', written over a horizontal line.

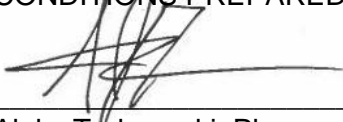
Stephen Corr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/003/21

1. The variances apply only to the proposed development as long as it remains.
2. That the variances apply only to the subject development, in substantial conformity with the batch stamped plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Streetscape Manual (2009), as amended, to be reviewed and approved by the Tree Preservation Technician, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician that this condition has been fulfilled to his/her satisfaction, and that any detailed Siting, Lot Grading and Servicing Plan required as a condition of approval reflects the Tree Assessment and Preservation Plan.
4. That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site, including street trees, in accordance with the City's Streetscape Manual (2009) as amended, and inspected by City Staff to the satisfaction of the Tree Preservation Technician.
5. That tree replacements be provided and/or tree replacement fees be paid to the City if required in accordance with the Tree Assessment and Preservation Plan, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Tree Preservation Technician.

CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/003/21

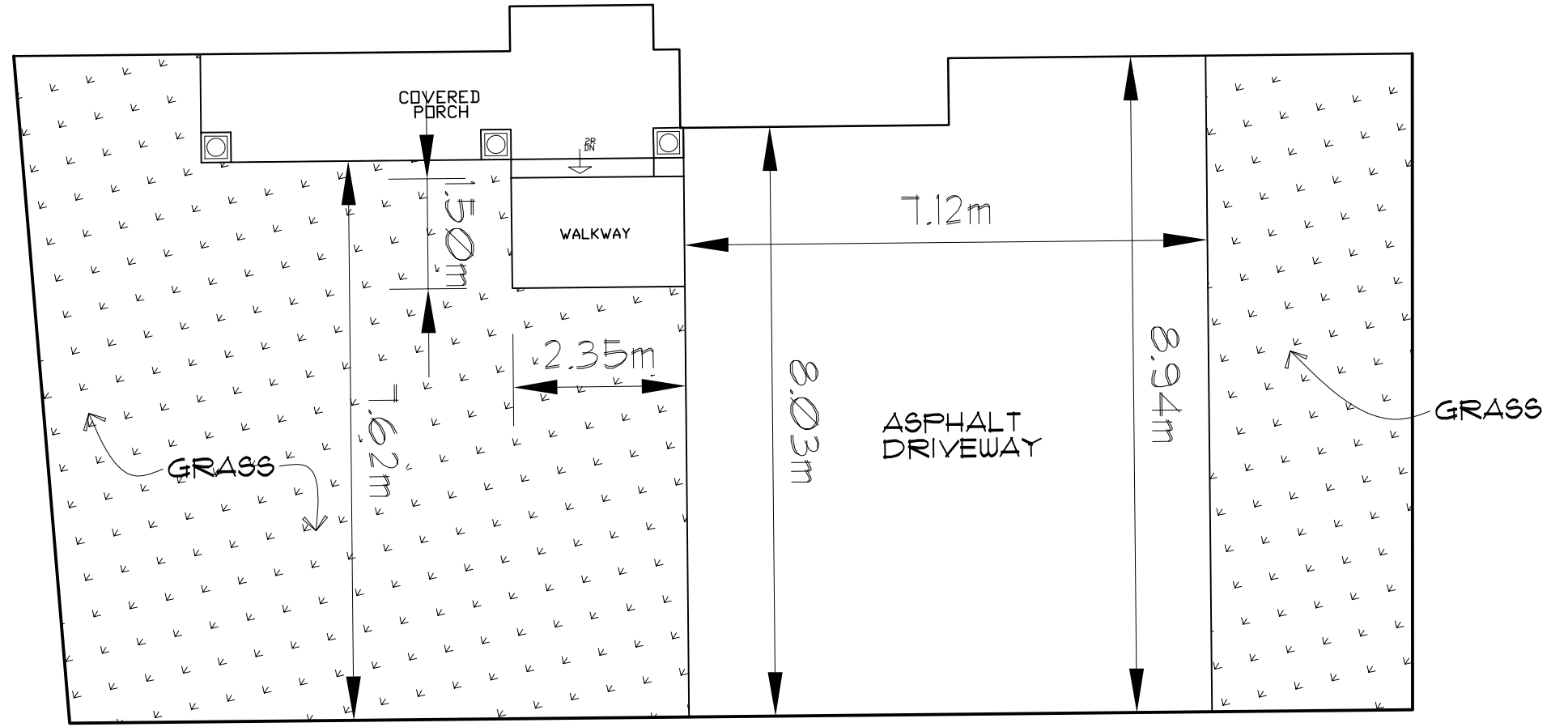
2 TALISMAN CRESCENT
 LOT AREA = 725.62 sq.m (7,810.51 sq.ft.)
 LOT COVERAGE (CALCS) MAX 35%
 - DWELLING (incl. GARAGE) = 2,049.25 sq.ft. (190,38 sq.m)
 - COVERED FRONT PORCH = 116.52 sq.ft. (10.83 sq.m)
 - COVERED REAR PATIO = 394.44 sq.ft. (36.64 sq.m)

TOTAL = 2,560.21 sq.ft. (237.85 sq.m)
 PROVIDED 32.18%

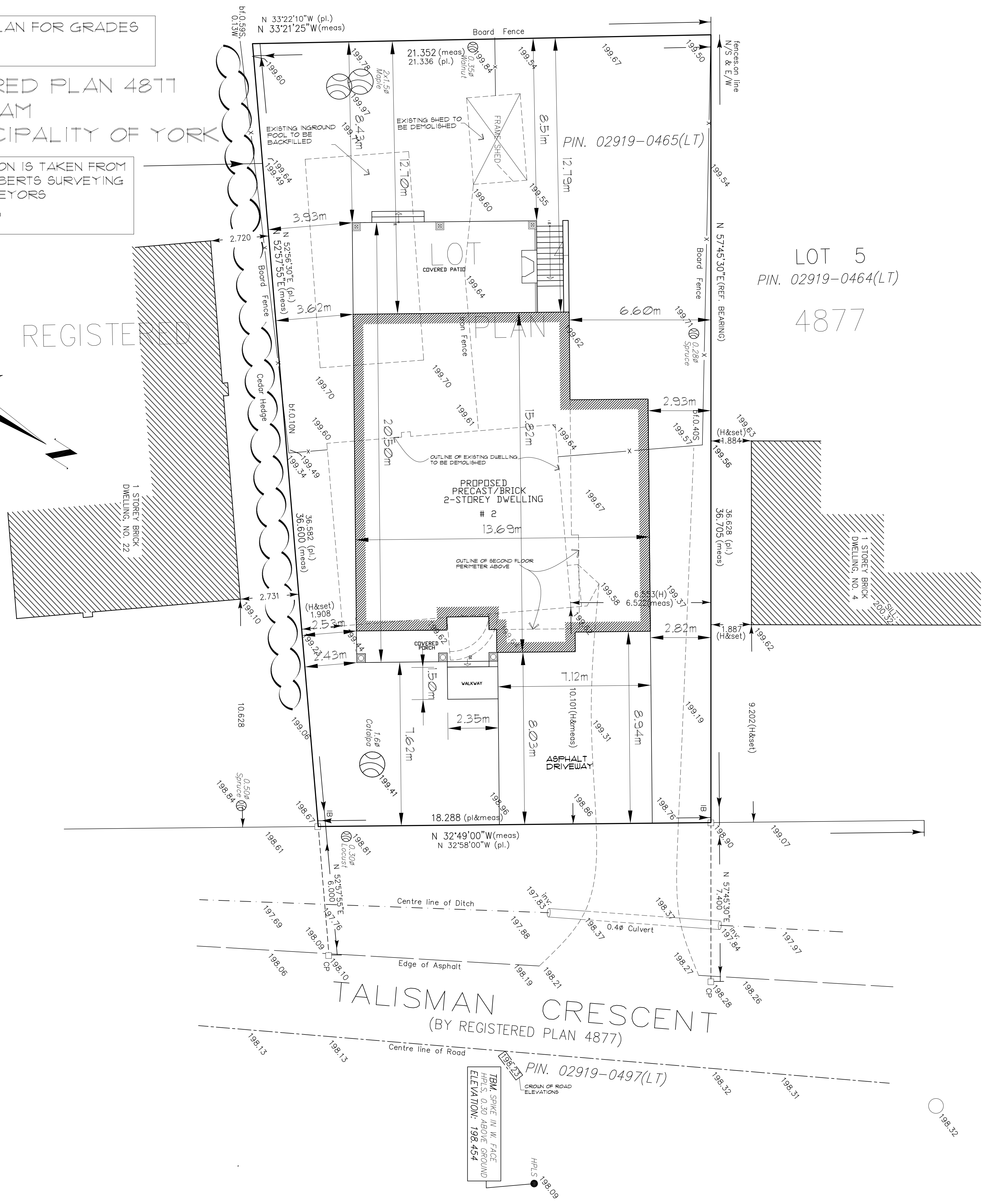
NET FLOOR AREA - 7,205.25 sq.ft.
 MAX FLOOR AREA RATIO - 45%
 - FIRST FLOOR AREA (incl. garage) = 2,049.25 sq.ft. excludes open to below (first floor) (8.50 sq.ft.)
 - SECOND FLOOR AREA = 1,512.0 sq.ft. excludes STAIRS (second floor) (88.34 sq.ft.)

TOTAL = 3,561.25 sq.ft. (330.85 sq.m)
 PROVIDED 45.60%
 - FIN. BASEMENT AREA = 1,130.53 sq.ft.

FRONT YARD AREA: - 166.1 sq.m
 FRONT PORCH AREA = 12.21 sq.m
 WALKWAY & STAIRS = 10.83 sq.m
 DRIVEWAY = 60.36 sq.m
 TOTAL (HARD) = 83.4 sq.m @ 50.21%



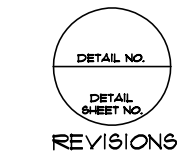
REFER TO GRADING PLAN FOR GRADES SWALES
 LOT 4 REGISTERED PLAN 4877
 CITY OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK
 ALL SITE PLAN INFORMATION IS TAKEN FROM SURVEYOR'S DONALD ROBERTS SURVEYING LTD. ONTARIO LAND SURVEYORS
 DATED OCTOBER 23, 2020



PROPOSED 2-STOREY DWELLING		
2 TALISMAN CRES		
MARKHAM, ONTARIO		
SITE PLAN		
DRAWN BY:	CHECKED BY:	SHEET S.P.
DATE NOV. 2020	SCALE 1:100	FILE

NO.	REVISIONS	DATE
1	ISSUED FOR PRELIMINARY ZONING REVIEW	NOV. 23, 2020
2	ISSUED FOR COA APPROVAL	JAN 09, 2021

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NO.	DESCRIPTION	DATE
1	ISSUED FOR ZONING REVIEW	NOV. 23, 2020
2	ISSUED FOR C.O.A. APPROVAL	JAN 09, 2021

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PROPOSED 2-STORY DWELLING

2 TALISMAN CRESCENT

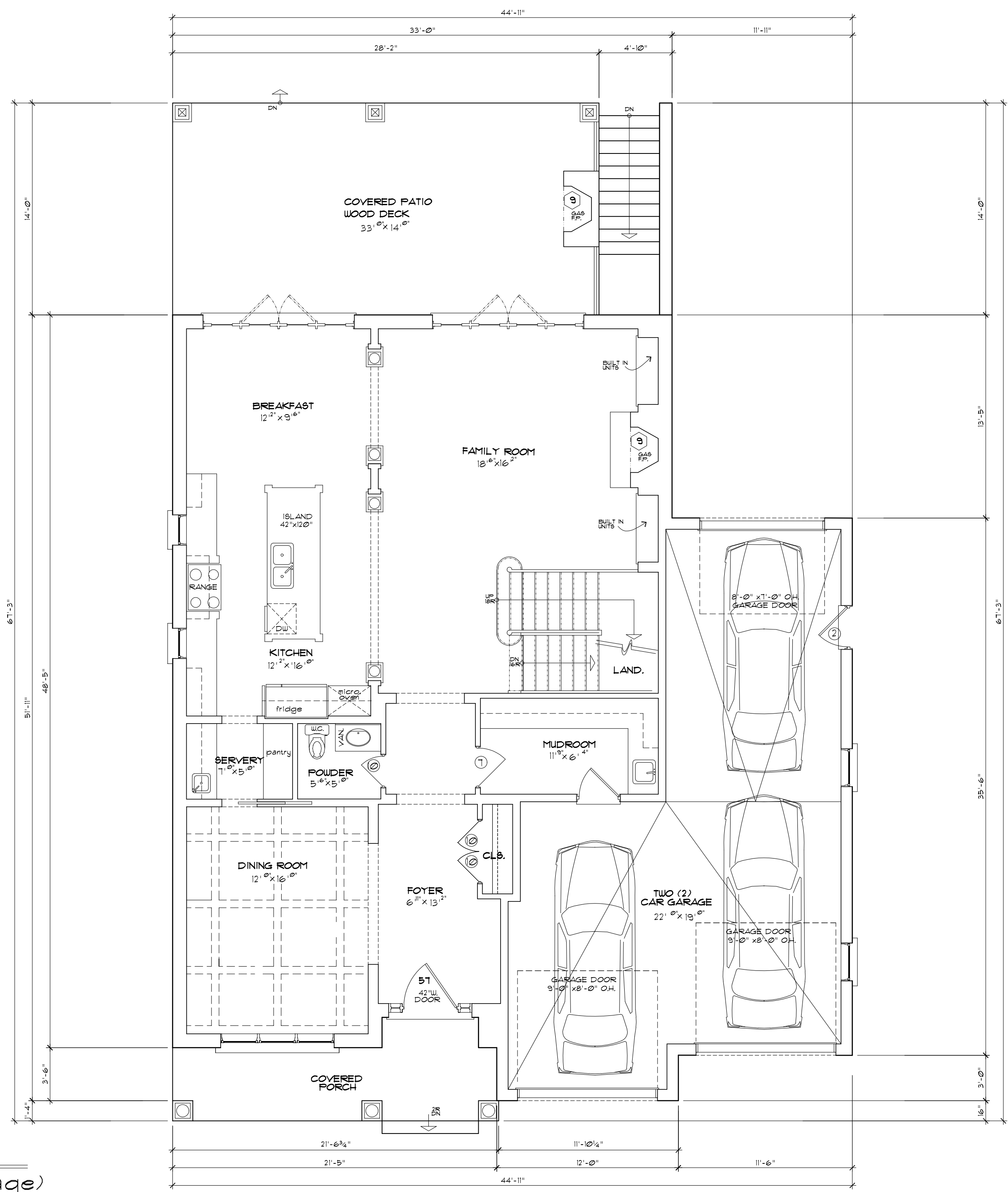
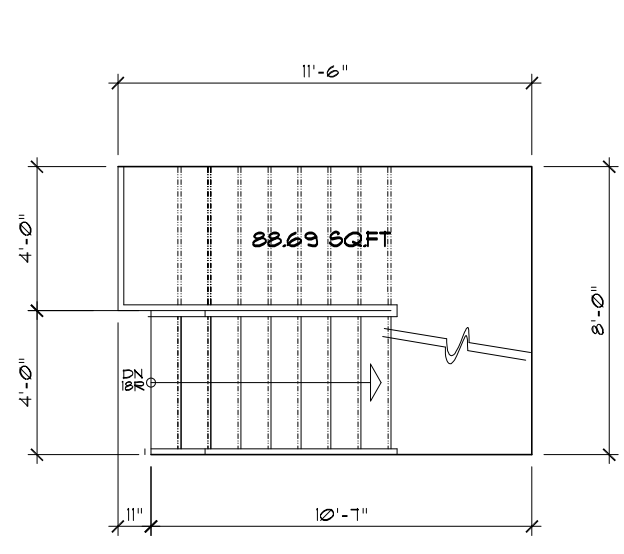
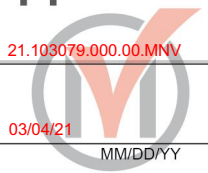
MARKHAM, ONTARIO

BASEMENT FLOOR PLAN

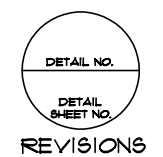
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NOV 2020	3/16" = 1'-0"	A-1



BASEMENT FLOOR PLAN



FIRST FLOOR PLAN
 2,049.30 sq.ft. (includes garage)
 1,403.5sq.ft. (excludes garage)



REVISIONS

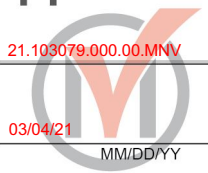
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PROPOSED 2-STORY DWELLING
 2 TALISMAN CRESCENT
 MARKHAM, ONTARIO

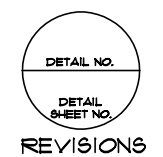
FIRST FLOOR PLAN

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NOV 2020	3/16" = 1'-0"	A-2



SECOND FLOOR PLAN

1,600.5 sq.ft. (includes stairs)



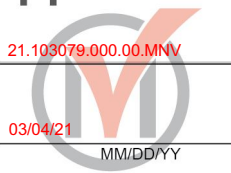
NO.	REVISIONS	DATE
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2	ISSUED FOR C.O.A. APPROVAL	JAN 09, 2021

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PROPOSED 2-STORY DWELLING
 2 TALISMAN CRESCENT
 MARKHAM, ONTARIO

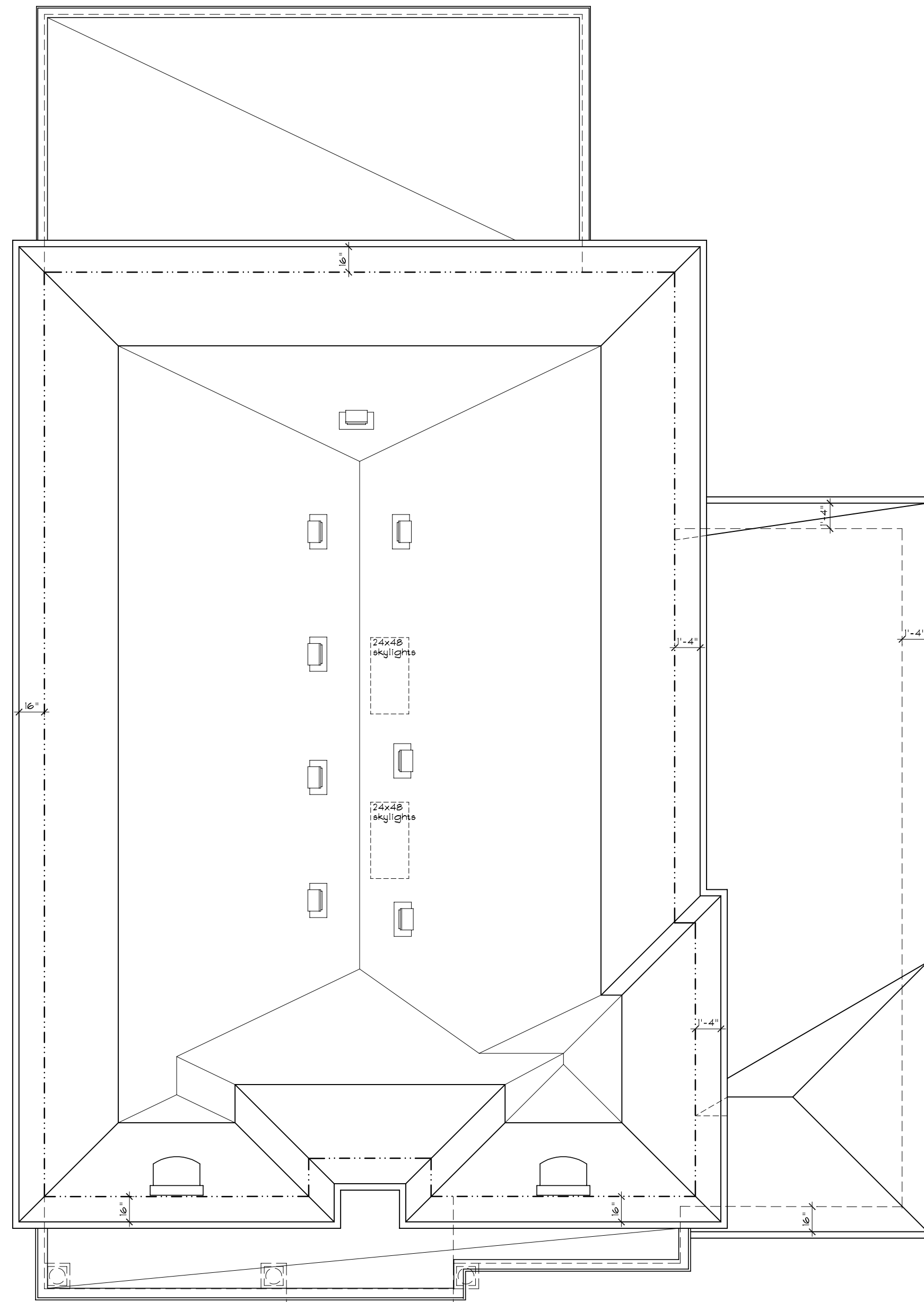
SECOND FLOOR PLAN

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DATE	SCALE	FILE
NOV 2020	3/16" = 1'-0"	A-3



PROJECT STATISTICS – RESIDENTIAL

ADDRESS:	2 TALISMAN CRESCENT		
ZONING:	R1- RESIDENTIAL "bylaw 1229"		
LOT AREA:	725.62		m2
LOT FRONTAGE:	18.288		m
LOT DEPTH:-	36.60		m
	ALLOWED	PROPOSED	
HEIGHT TO HIGHEST RIDGE:	9.8m	10.24m	m
MAX NET FLOOR AREA= 45%			
GROUND FLOOR: includes garage		190.38	m2
SECOND FLOOR (less O.T.B.)		140.45	m2
TOTAL GFA	45%	45.6%	330.85 m2
LOT COVERAGE			
DWELLING (incl. garage)		190.38	m2
FRONT PORCH		10.83	m2
REAR COVERED PATIO		36.64	m2
			m2
TOTAL LOT COVERAGE	35%	432.78%	237.85 m2
SETBACKS			
	REQUIRED	PROPOSED	
FRONT YARD	(25'-0") 7.62m	(25'-0") 7.62m	m
SIDE YARD (NORTH)	1.81m	2.82	m
SIDE YARD (SOUTH)	1.81m	2.43	m
REAR YARD	7.62m	8.43	m



ROOF PLAN



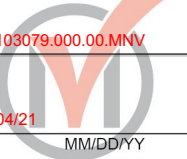
NO.	REVISIONS	DATE
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2	ISSUED FOR C.O.A. APPROVAL	JAN 09, 2021

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PROPOSED 2-STOREY DWELLING
 2 TALISMAN CRESCENT
 MARKHAM, ONTARIO

ROOF PLAN

DRAWN BY:	CHECKED BY:	SHEET
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NOV 2020	3/16" = 1'-0"	A-4



FRONT ELEVATION



REAR ELEVATION

DETAIL NO.
DETAIL
SHEET NO.

REVISIONS

NO.	REVISIONS	DATE
1	ISSUED FOR ZONING REVIEW	NOV. 23, 2020
2	ISSUED FOR C.O.A. APPROVAL	JAN 09, 2021
3	REVISED FOR ZONING REVIEW	FEB. 11, 2021
4	REVISED FOR C.O.A.	FEB. 26, 2021

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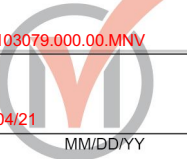
PROPOSED 2-STORY DWELLING

2 TALISMAN CRESCENT

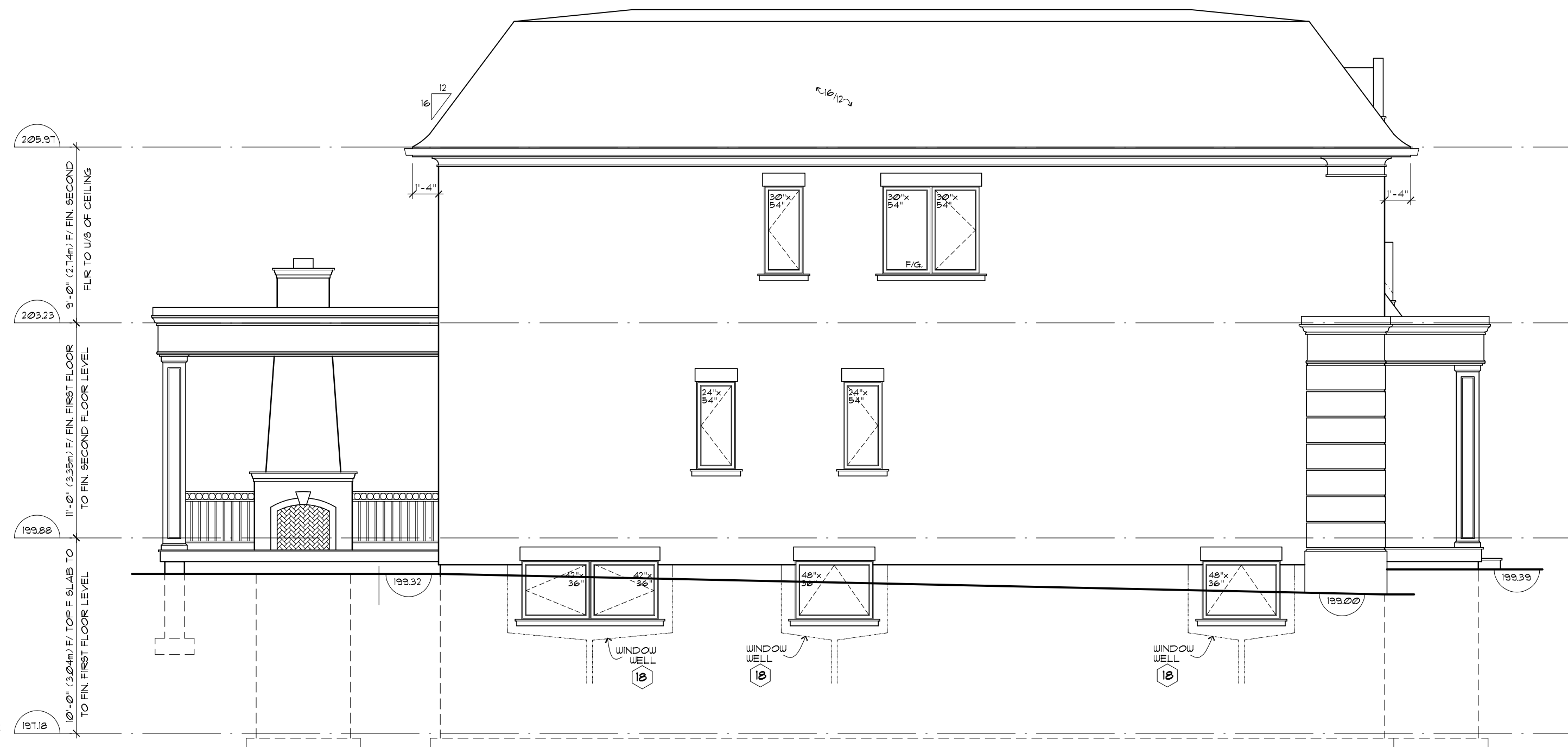
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FRONT & REAR ELEVATIONS

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NOV 2020	3/16" = 1'-0"	A-5



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REVISIONS

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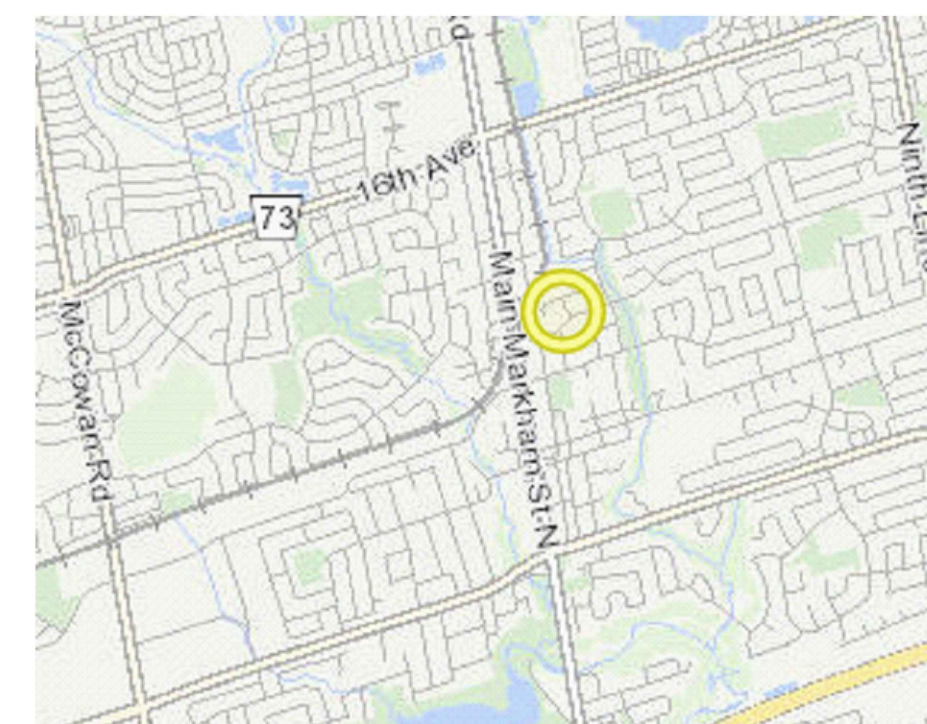
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PROPOSED 2-STORY DWELLING
 2 TALISMAN CRESCENT
 MARKHAM, ONTARIO

LEFT & RIGHT SIDE ELEVATIONS

DRAWN BY:	CHECKED BY:	SHEET
DATE	SCALE	FILE
NOV 2020	3/16" = 1'-0"	A-6

APPENDIX "C"
TREE PRESERVATION PLAN



KEY PLAN NOT TO SCALE



- LEGEND
- EXISTING DECIDUOUS TREE
 - EXISTING CONIFEROUS TREE
 - TREE TAG NUMBER & DIAMETER MEASUREMENT
 - MINIMUM TREE PROTECTION DISTANCE (HATCHED AREA INDICATES ANTICIPATED INJURY)
 - IDEAL TREE PROTECTION DISTANCE
 - TREE TO BE REMOVED
 - TREE PROTECTION FENCING - SOLID BOARD HOARDING
 - TREE PROTECTION FENCING - SNOW FENCE-CLAD
 - REPLACEMENT TREE TO BE PLANTED

PRELIMINARY

HOT FOR SUBMISSION

CLIENT

MR. BILL GUNTON

PROJECT

PROPOSED RESIDENTIAL INFILL DEVELOPMENT
2 TALISMAN CRESCENT
MARKHAM, ONTARIO

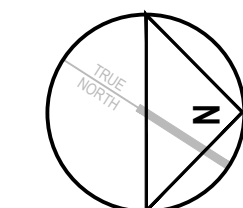
TITLE

TREE PRESERVATION PLAN

DATE: FEBRUARY 22, 2021
PROJECT NO.: TA-20-052
DRAWN BY: LAS
SCALE: 1:125
PAGE: 1 OF 1

DRAWING NO. PROJECT NORTH

TP1



TREE INVENTORY AND PRESERVATION RECOMMENDATIONS

TAG #	COMMON NAME	LATIN BINOMIAL	DBH (cm)	Min. TPZ (m)	Ca L	CONDITIO N	REMARKS	RECOMMENDATIONS
1005	Colorado Blue Spruce	<i>Picea pungens</i> cv.	50	3.0	PP	Good	Co-dominant leader with included bark; average-poor growth rates	PRESERVE & PROTECT Install TPZ fencing
1006	European Mountainash	<i>Sorbus aucuparia</i>	15 x [15x11]	3.0	MT	Poor	2 main stems; 11 cm dia. Stem is dead and bark sloughing from south side of stem main stem; 4th stem removed; crown is imbalanced to the east	REMOVE Permit to Remove required
1007	Catalpa	<i>Catalpa speciosa</i>	119	7.6	SL	Good	Co-dominant stems with severe included bark; large scaffold removed on west side of southern stem; minor deadwood	PRESERVE, PROTECT & MAINTAIN Permit to Injure required Install TPZ fencing Hand Excavation required within prescribed area for installation of water service and for proposed foundation wall. Hand excavation is to be completed under the supervision of a Qualified Arborist. Any exposed roots are to be cleanly pruned back to the soil surface immediately upon uncovering. Hand excavation required within TPZ of tree to install swale to be completed under the supervision of the attending Arborist. Provide crown cleaning and thinning. Provide deep root fertilization (low nitrogen formulation) once all construction is complete
1008	White Spruce	<i>Picea glauca</i>	28	2.4	SL	Very Good	Crown raised, slight crown imbalance; additional lower limbs removed on north side	PRESERVE, PROTECT & MAINTAIN Permit to Injure required Install TPZ fencing Hand excavation required within TPZ of tree to install swale. Provide deep root fertilization (low nitrogen formulation) once all construction is complete
1009	Silver Maple	<i>Acer saccharinum</i>	106	6.9	SL	Fair	Co-dominant stems with severe included bark; northern stem was so-cornant however, western stem was removed; tree appears to have been previously topped; grade appears to have been raised around tree and small garden retaining wall installed; trunk taper is poor	PRESERVE, PROTECT & MAINTAIN Permit to Injure required Install TPZ fencing No heavy machinery to enter into the TPZ at any time. All required works within the TPZ are to be completed by hand under the supervision of a Qualified Arborist, including: - removal of existing stone retaining wall and concrete patio surface - removal of existing shed - removal of extra soils - any required grading
1010*	Norway Maple	<i>Acer platanoides</i> cv.	12	1.8	SL	Very Good	Crown imbalanced to the east; grade appears to have been raised around tree and small garden retaining wall installed; trunk taper is poor	PRESERVE, PROTECT & MAINTAIN Permit to Injure required Install TPZ fencing No heavy machinery to enter into the TPZ at any time. All required works within the TPZ are to be completed by hand under the supervision of a Qualified Arborist, including: - removal of existing stone retaining wall and concrete patio surface - removal of existing metal shed - removal of extra soils - any required grading
1011	Black Walnut	<i>Juglans nigra</i>	37	2.4	SL	Poor	Growing into existing board fence, listing slightly to the northeast; large pruning wound/scar along west side of bole; crown imbalanced to the northeast; crown has been poorly pruned; crown is small; grade appears to have been raised around tree and small garden retaining wall installed; trunk taper is poor	PRESERVE, PROTECT & MAINTAIN Permit to Injure required Install TPZ fencing No heavy machinery to enter into the TPZ at any time. All required works within the TPZ are to be completed by hand under the supervision of a Qualified Arborist, including: - removal of existing stone retaining wall and concrete patio surface - removal of existing metal shed - removal of extra soils - any required grading

GENERAL NOTES

- The contractor is responsible to ensure all construction staging areas, stockpiling, construction traffic and vehicular access does not occur within the Tree Protection Zones
- Prior to the commencement of any site activity the tree protection barriers specified on this plan must be installed and written notice provided to the City of Markham.
- Tree Protection Barriers must remain in effective condition until all site activities are complete
- Written notice must be provided and approved by the City of Markham prior to removal of any Tree Protection Barriers
- The Contractor shall verify all dimensions and immediately inform the Consulting Arborist of any discrepancies between the information on the drawings and the actual conditions. Written approval must be obtained prior to proceeding
- The Contractor is responsible to examine the site, tree, plant and soil conditions prior to commencing work. Written notification to the Consulting Arborist must be provided of any conditions that may impact the successful tree protection measures outlined on this plan and in the approved Arborist Report
- The Contractor will coordinate with all other work/trades that may impact the completion of all work associated the tree protection measures on this plan and outlines in the approved Arborist Report

TREE PROTECTION PLAN NOTES

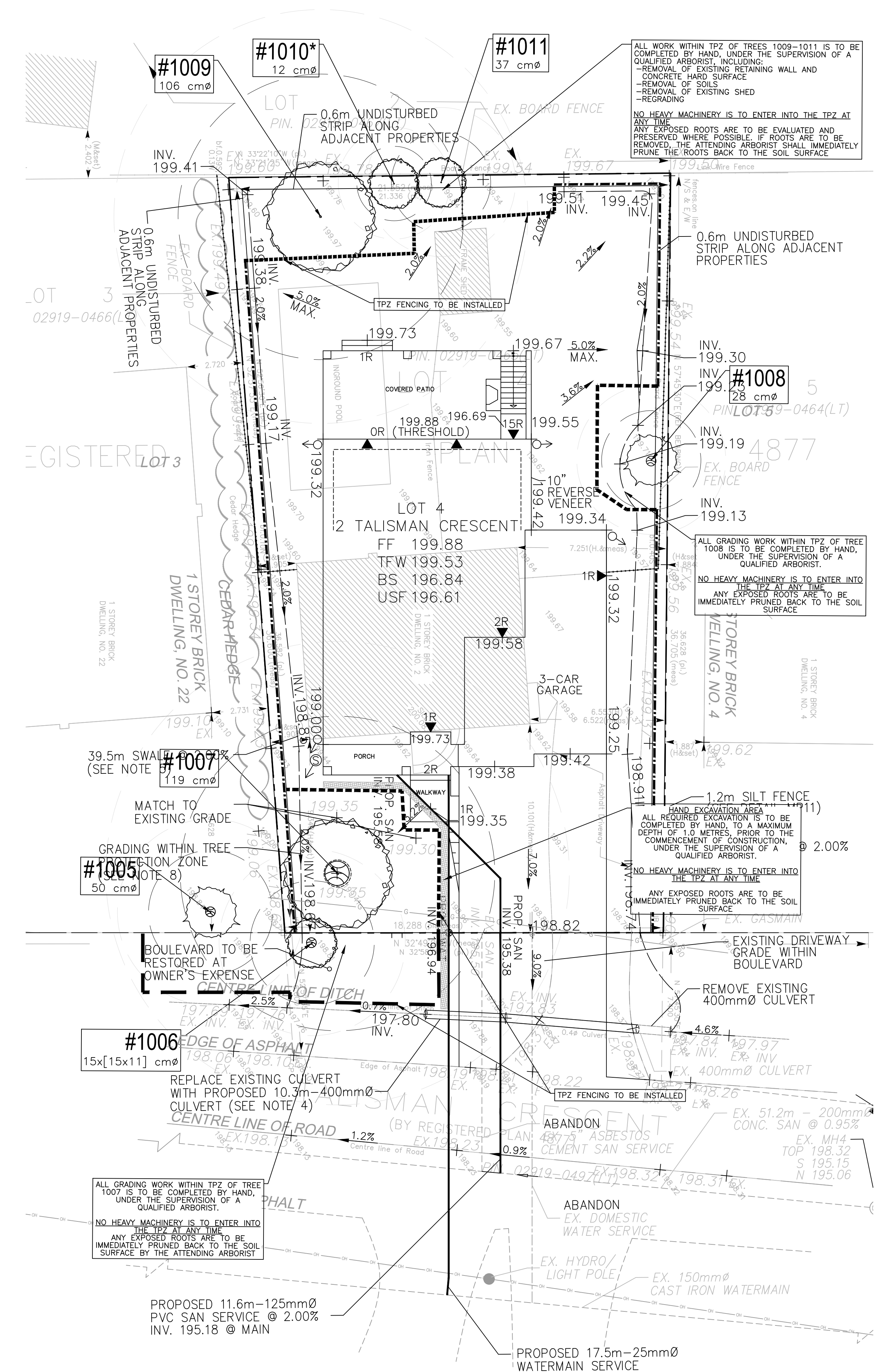
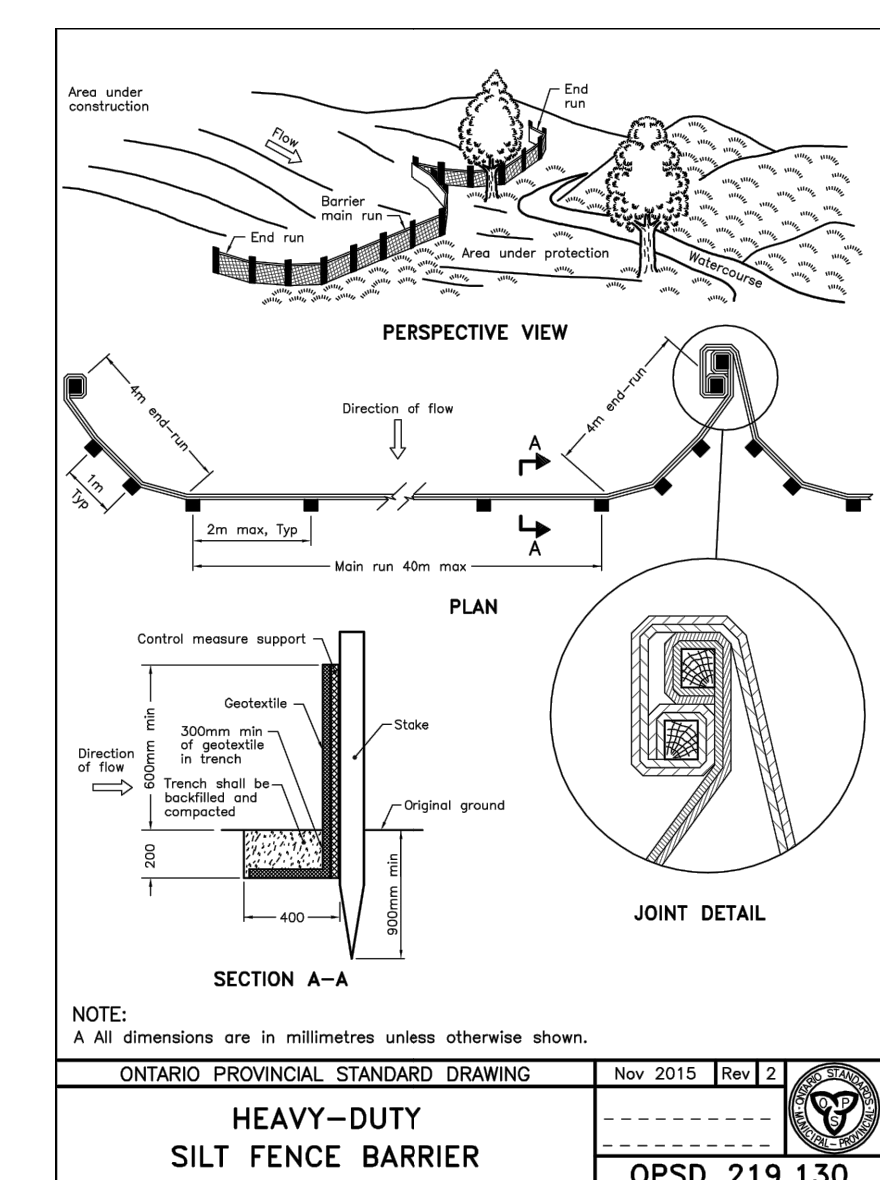
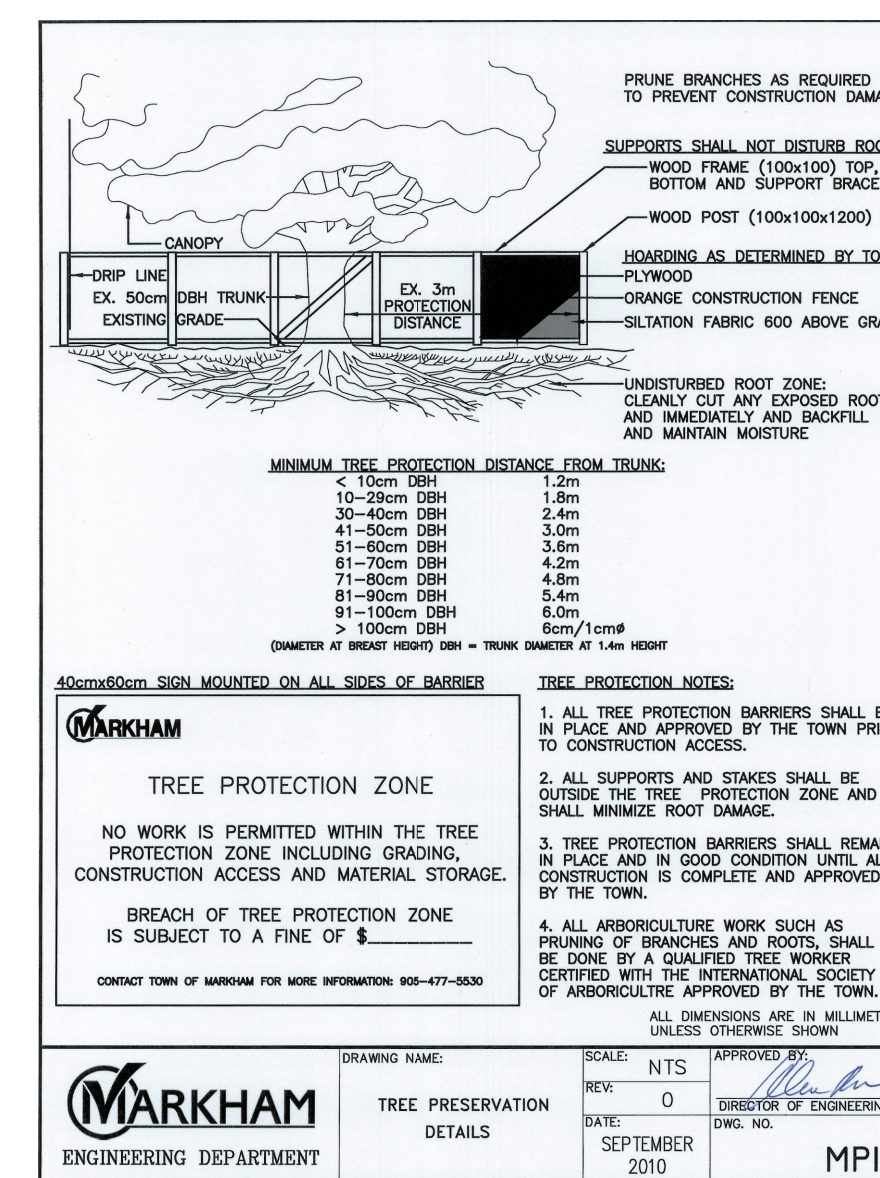
- Prior to site disturbance, the owner must confirm that no migratory birds are making use of the site for nesting. The owner must ensure that works are in conformance with the Migratory Bird Convention Act and that no migratory bird nests will be impacted by the proposed development
- It is the applicants' responsibility to discuss potential impacts to trees located near or wholly on adjacent properties or on shared boundary lines with their neighbours. Should such trees be injured to the point of instability or death the applicant may be held responsible through civil action
- All existing trees which are to remain shall be protected with fencing erected around the entire perimeter of the Tree Protection Zone as dictated on the Tree Preservation Plan.
- Areas within the protective fencing shall remain undisturbed and shall not be used for the storage of building materials or equipment
- This work shall be completed, to the satisfaction of the City of Markham, prior to site development. The developer or his/her agent shall take every precaution necessary to prevent damage to trees to be retained.
- No rigging cables shall be wrapped around or installed in trees; and surplus soil, equipment, debris or materials shall not be placed over root systems of the trees within the protective fencing. No contaminants will be dumped or flushed where feeder roots of trees exist.
- Where limbs or portions of trees are removed to accommodate construction work, they will be carefully removed by an Arborist qualified in the Province of Ontario or an ISA Certified Arborist
- Where root systems of protected trees are exposed directly adjacent to or damaged by construction work, they shall be trimmed nearby by a qualified arborist and the area back filled with appropriate material to prevent desiccation.
- An ISA certified Arborist or Arborist qualified in the Province of Ontario shall be on site for any work which impacts any tree or Tree Protection Zone.

SITE PREPARATION

- All trees to be Removed shall be flagged with orange fluorescent tape or spray paint around the entire circumference of the tree. The Consulting Arborist shall sign off on the trees marked for removal on-site
- All trees to be Preserved shall be flagged with white tape or spray paint around the entire circumference of the tree. The Consulting Arborist shall sign off on the trees marked for preservation

TREE PROTECTION BARRIERS

- The required Tree Protection Barriers shall be constructed out of 1.2 meter (4 feet) high plywood sheets installed on 2x4 frames. Where plywood fencing creates a restriction to sightlines, orange plastic snow fencing installed on 2x4 frames can be used
- Tree Protection Barriers are to be erected prior to the commencement of any demolition, construction or grading activities on the site and are to remain in place for the duration of the development
- Tree Protection Barriers shall be maintained erect, in good repair and in effective condition throughout the duration of construction
- All supports and bracing used to secure the Tree Protection Barriers should be located outside of the Tree Protection zone to minimize damage to tree roots
- No materials or fill may be stored within the Tree Protection Zone
- Equipment or vehicles shall not be stored within the Tree Protection Zone
- No construction activity, grade changes, surface treatments, flushing of equipment or materials, or excavations of any kind is permitted within the Tree Protection Zone



APPENDIX "D"
NOTICE OF HEARING



COMMITTEE OF ADJUSTMENT

MEETING DATE AND TIME: Wednesday, March 10, 2021 at 7:00 p.m.
LOCATION: The Civic Centre is closed to the public. The Public Meeting will be held digitally. Participants or attendees are required to email the COA@markham.ca for more information on how to participate.

File Number: A/003/21
Owner(s): William Gunton
Agent: SHDESIGN
Property Address: 2 Talisman Crescent, Markham
Legal Description: PLAN 4877 LOT 4
Zoning: By-law 1229 as amended; R1
Ward: 4

PURPOSE OF THE APPLICATION:

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

- a) **Infill By-law 99-90, Section 1.2 (i):**
a maximum building height of 10.24 metres, whereas the By-law permits a maximum building height of 9.8 metres;
- b) **Infill By-law 99-90, Section 1.2 (iii):**
a maximum building depth of 20.50 metres, whereas the By-law permits a maximum depth of 16.9 metres;
- c) **Infill By-law 99-90, Section 1.2 (vi):**
a maximum floor area ratio of 49.43 percent, whereas the By-law permits a maximum floor area ratio of 45.0 percent;

as it relates to a new single detached dwelling.

NOTICE REQUIREMENTS FOR LANDLORDS & CONDOMINIUM CORPORATIONS

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

THE COMMITTEE OF ADJUSTMENT AND MINOR VARIANCES

The role of the Committee of Adjustment is to offer flexibility in dealing with minor adjustments to Zoning By-law permissions. The Committee of Adjustment 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.

The Committee of Adjustment, after hearing the applicant and every other person who desires to be heard in respect to this application may approve, refuse, modify or otherwise alter the application at the hearing without further notice provided.

MAKING YOUR VIEWS KNOWN

This notice has been mailed to you, as required by the *Planning Act*, to ensure that you are provided an opportunity make your views known by either:

- **Attending the Digital Public Hearing and/or**
- **Delivering a Letter in Person or by Mail or Email to the Undersigned**

* 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*

Do note that written comments must be received by the undersigned no later than 4:00 p.m. two (2) days before the hearing.

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/wps/portal/home/business/planning/committeeofadjustment/agendas-minutes-staff-reports>

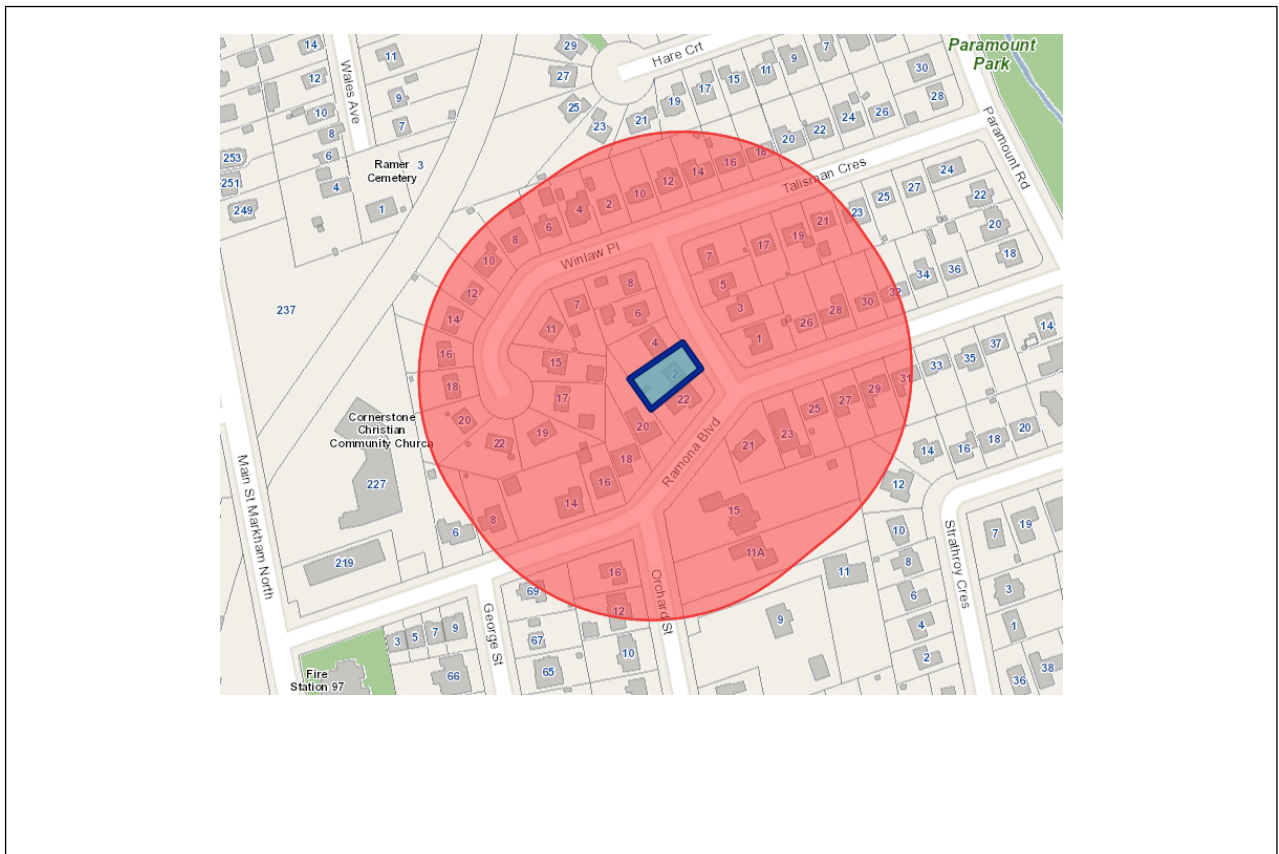
NOTICE OF DECISION and LOCAL PLANNING APPEAL TRIBUNAL PROCEEDINGS

Any person wishing to comment on this application but who is unable to attend the hearing 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 Local Planning Appeal Tribunal hearings must submit a written request for a copy of the decision, or you will be not 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, failing which this application may be dismissed.



Justin Leung

Justin Leung, MES (PI), ACST (A) MCIP RPP
Secretary-Treasurer, Committee of Adjustment

City of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

For more information about this matter, contact:

(tel) 905.475.4721

(fax) 905.479.7768

COA@markham.ca