

Memorandum to the City of Markham Committee of Adjustment

July 19, 2024

File: A/027/24
Address: 505 Cochrane Drive, Markham
Agent: Shurway Contracting Ltd (Raffy Bekmezian)
Hearing Date: Wednesday July 24, 2024

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

The applicant is requesting relief from the following requirements of By-law 165-80, M.C. (100%), as amended, to permit:

a) Amending Parking By-law 28-97, Section 3.0, Table B:

a minimum of 77 parking spaces, whereas the by-law requires a minimum of 85 parking spaces on the lot; as it relates to the proposed extension of a treadmill facility.

BACKGROUND

Property Description

The 16,223.656 m² (174,629.980 ft²) subject property is located on the south side of Cochrane Drive, north of Highway 407 and east of Highway 404. The property is currently used as an exercise equipment store, comprised of an office and warehouse. It is located near various office and industrial uses, including, but not limited to manufacturing, warehousing, hotels, etc.

Proposal

The applicant is proposing to construct a 698.19 m² addition to the existing warehouse. To facilitate this, the applicant is requesting a parking reduction of 8 spaces.

Official Plan and Zoning

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

The subject property is designated "Business Park Office Priority Employment", which promotes and supports new major office development and higher order educational institutions and emphasizes access to rapid transit service. This designation permits/provides

Area specific policy 9.20 also applies to the subject property. The policy seeks to provide for a mixed-use key development area in the Woodbine/404 district, which functions as a portion of a Regional Corridor and integrates a balance and diversity of residential, retail, office and public uses, at transit-supportive densities along the Highway 7 rapidway.

Comprehensive Zoning By-law 2024-19

The subject property is zoned "Employment – Business Park (Office Priority) (EMP-BP (O))" under By-law 2024-19, which permits, among other uses, business offices and industrial uses. By-law 2024-19 has been appealed to the Ontario Land Tribunal. Until such time as this By-law is approved, all existing zoning by-laws that were in force prior to

Council enactment, remain in force, which means Zoning By-law 165-80 remains in force. The proposed development complies with the requirements of By-law 2024-19.

Zoning By-law 165-80

The subject property is zoned “Select Industrial and Limited Commercial [M.C(100%)]” under By-law 165-80, which permits the warehousing of goods and materials and business offices.

Parking Standards By-law 28-97

The proposed development does not comply with the standards of the Parking Bylaw 28-97 with respect to the minimum required parking spaces. Further details of the parking requirements are provided in the comment section below.

Applicant’s Stated Reason(s) for Not Complying with Zoning

According to the information provided by the applicant, the reason for not complying with Zoning is, *“The owner needs more storage space for his goods/parts. The construction of the new addition would eliminate 44 parking spaces which haven’t been used as car parking spaces, just trailer parking. The total occupant load of the facility is approximately 40 persons.”*

Zoning Preliminary Review (ZPR) Undertaken

The owner completed a Zoning Preliminary Review (ZPR) on June 25th, 2024 to confirm the variance required for the proposed development.

COMMENTS

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

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, 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.

Reduce Parking Variance

The applicant is requesting relief from the requirements of By-law 28-97, to facilitate an addition to the warehouse portion of the property, which is permitted within the Comprehensive Zoning By-law, and matches the intent of the Official Plan. The site currently provides a total of 77 parking spaces, whereas a minimum of 85 spaces are required.

Transportation Planning staff have commented that the reduction in parking will unlikely result in any significant impact on the parking supply of the property.

Considering this, staff are of the opinion the proposed parking reduction is minor in nature, and appropriate development of the land.

Application for Site Plan approval is required

Based on the size of the proposed addition, an application for Site Plan approval will be required prior to the issuance of a building permit.

EXTERNAL AGENCIES

MTO Comments

The subject property abuts an MTO Building and Land Use buffer. The rear portion of the site is adjacent to Highway 404 and Highway 407. MTO provided comments on June 24th, 2024 (Appendix C), indicating that they have no concerns with the requested variance, and has requested to be circulated on the associated site plan application.

PUBLIC INPUT SUMMARY

No written submissions were received as of July 19, 2024. 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 objections provided conditions are met. 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 zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

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

PREPARED BY:



Theo Ako-Manieson, Planner I, Planning and Urban Design Department

REVIEWED BY:



Rick Cefaratti, Acting-Development Manager, West District

File Path: Amanda\File\ 24 165585 \Documents\District Team Comments M

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/027/24

1. The variances apply only to the proposed development as long as it remains;
2. That the variance applies only to the subject development, in substantial conformity with the plan(s) attached as ‘Appendix B’ to this Staff Report and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the future Site Plan Approval process.
4. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City’s Trees for Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the future Site Plan Approval process.
5. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City’s Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the site plan agreement, to be inspected by City staff to the satisfaction of the Director of Planning and Urban Design, or their designate.

CONDITIONS PREPARED BY:



Theo Ako-Manieson, Planner I, Planning and Urban Design Department

1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
2. DO NOT SCALE DRAWINGS.
3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
4. USE ONLY LATEST REVISED DRAWINGS ISSUED FOR CONSTRUCTION THAT ARE MARKED AS SUCH.
5. THE DRAWINGS ARE THE PROPERTY OF ARCHXES DESIGN INC. ARCHITECTS AND MUST BE USED ONLY FOR THE PROJECT AND MUST NOT BE REPRODUCED OR USED FOR ANY OTHER PROJECT. ANY OTHER USE IS PROHIBITED.

Appendix B

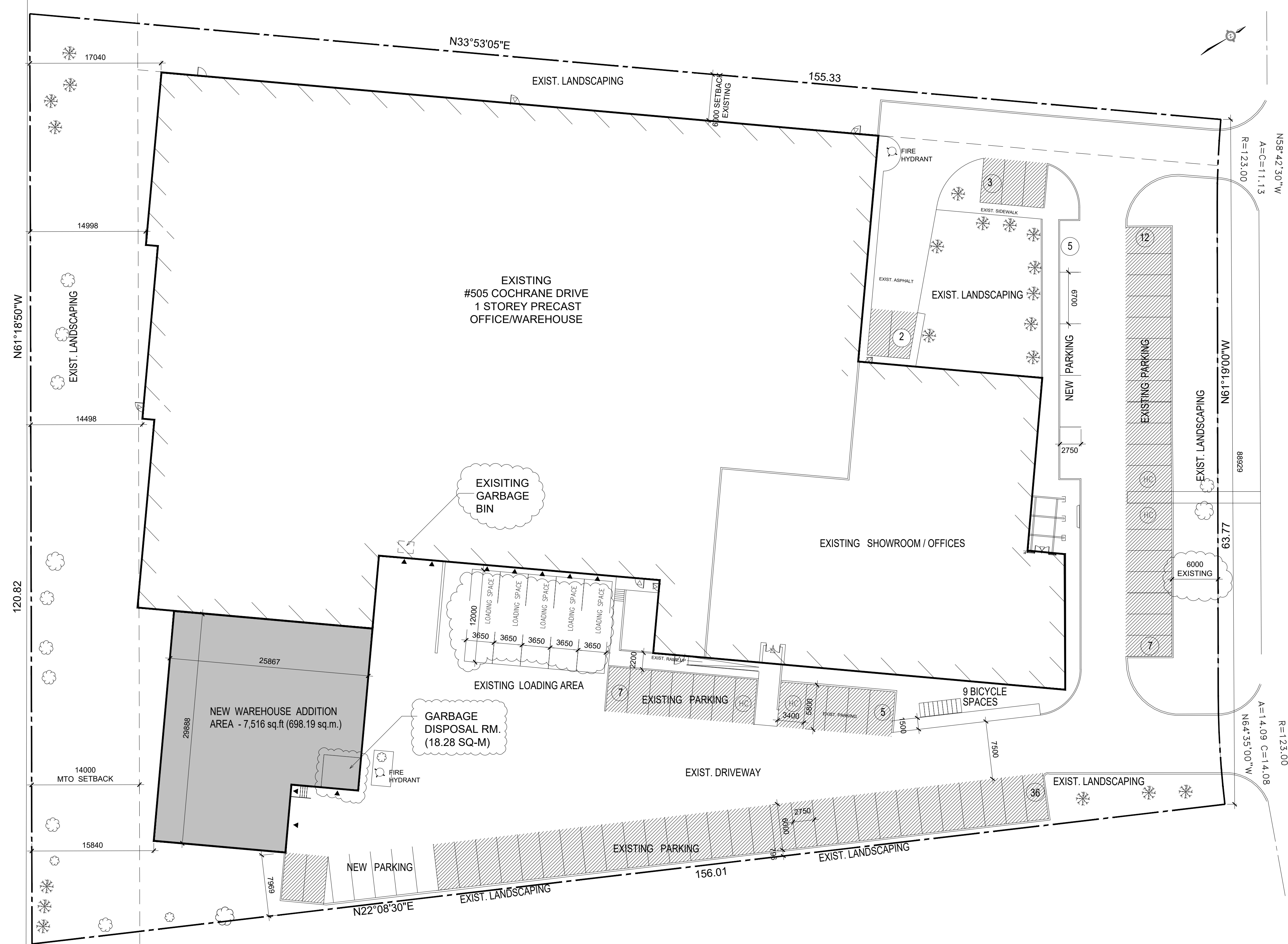
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Date: 7/18/2024
MM/DD/YY



KEY PLAN - N.T.S.

SUBJECT PROPERTY



SUMMARY

SITE/LOT AREA = 16,223.656 SQ. M

BUILDING AREAS

- EXISTING BUILDING AREA = 7,102.21 SQ.M.
- NEW ADDITION AREA = 698.19 SQ. M
- TOTAL BUILDING AREA = 7,800.4 SQ. M
- EXISTING WAREHOUSE AREA = 5,612.105 SQ. M
- EXISTING RETAIL/OFFICE AREA = 1,490.105 SQ. M
- NEW ADDITION AREA = 698.19 SQ. M

BICYCLE PARKING REQUIRED

TOTAL REQUIRED - 9
TOTAL PROVIDED - 9

LOADING SPACES PROVIDED

TOTAL 5 SPACES PROVIDED

10.		
9.		
8.	MAY 30/24	RESPONSE TO CITY COMMENTS
7.	MAY 07/24	RESPONSE TO ZPR COMMENTS
6.	MAR.27/24	ISSUED FOR ZPR
5.	MAR.14/24	ISSUED FOR MINOR VARIANCE
4.	MAR.12/24	ISSUED
3.	MAR.07/24	ISSUED
2.	JAN.29/24	ISSUED
1.	NOV.23/23	ISSUED



ARCHXES DESIGN INC., ARCHITECTS

5700 Con 2, Brock RR#1
Sunderland, Ontario, Canada, L0C 1H0
Tel: (905) 852-9339
Fax: (905) 852-9393
e-mail: archxesdesign@explornet.com

CLIENT:	OWNER:
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PROJECT: PROPOSED ADDITION TO THE TREADMILL FACTORY
505 COCHRANE DR.
MARKHAM, ONTARIO

DRAWING TITLE: SITE PLAN

DRAWN: AG
CHECKED: MK
SCALE: AS NOTED
DATE: NOV. 23/23

PROJECT NUMBER: 2023-09	DRAWING NUMBER: A1.0
REFERENCE NUMBER: 2023-09-A1.0	

PARKING REQUIRED - NEW BY-LAW 2024-19

EXISTING WAREHOUSE - 5,612.105 sq.m.
NEW WAREHOUSE ADDITION - 698.19 sq.m.
TOTAL WAREHOUSE - 6,310.295 sq.m.
PARKING RATIO - 2 SPACES + 1/200 sq.m OF GFA
PARKING REQUIRED FOR WAREHOUSE - 32 SPACES

EXISTING OFFICE - 1,490.105 sq.m.
PARKING RATIO - 1/35 sq.m.of GFA
PARKING REQUIRED FOR OFFICE - 43 SPACES

TOTAL PARKING REQUIRED - 75 SPACES
INCLUDING 4% (3) BARRIER FREE PARKING SPACES

PARKING REQUIRED - FORMER BY-LAW 28-97 (BASED ON NET FLOOR AREA)

WAREHOUSE (INCLUDING ADDITION) - 6,310.295 - 186.8922 = 6,123.4028sq.m.
TOTAL NET AREA WAREHOUSE - 6,123.4028 sq.m.
PARKING RATIO - (>6000sq.m.) - 1/200 sq.m OF NET FLOOR AREA
PARKING REQUIRED FOR WAREHOUSE - 31 SPACES

EXISTING OFFICE - 1,490.105 sq.m. - 151.5743 = 1,338.5307sq.m.
PARKING RATIO - 1/30 sq.m.of GFA
PARKING REQUIRED FOR OFFICE - 45 SPACES

TOTAL PARKING REQUIRED - 85 SPACES
INCLUDING 5% (4) BARRIER FREE PARKING SPACES

PARKING PROVIDED - 77 SPACES INCLUDING 4 BARRIER FREE SPACES

1 SITE PLAN
A1.0 SCALE 1:300

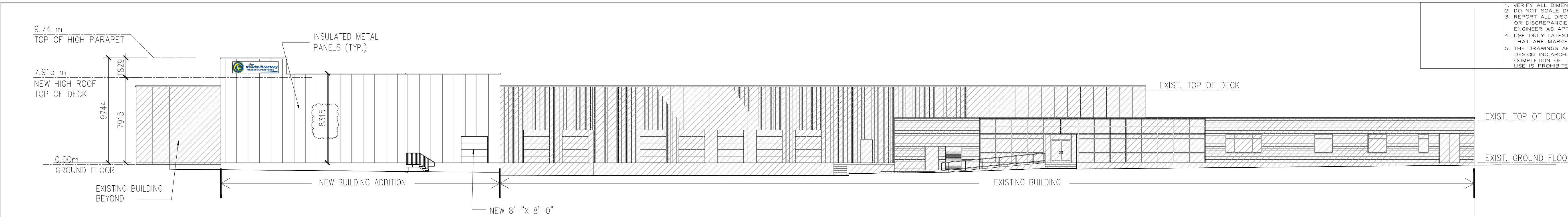
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Appendix B

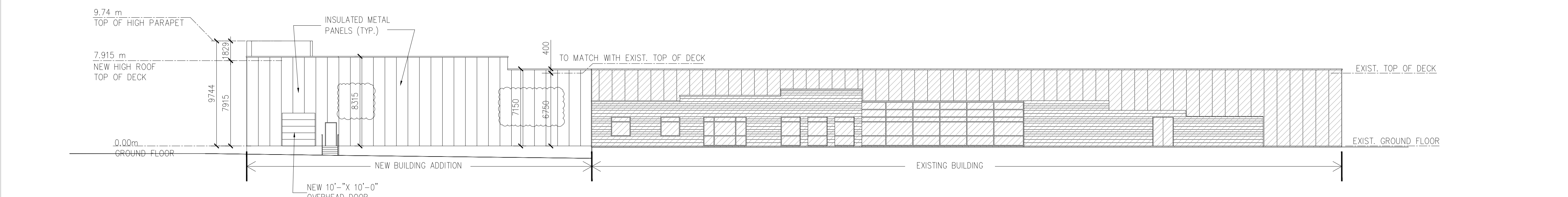
File: 24.165585.000.00.MNV

Date: 7/18/2024

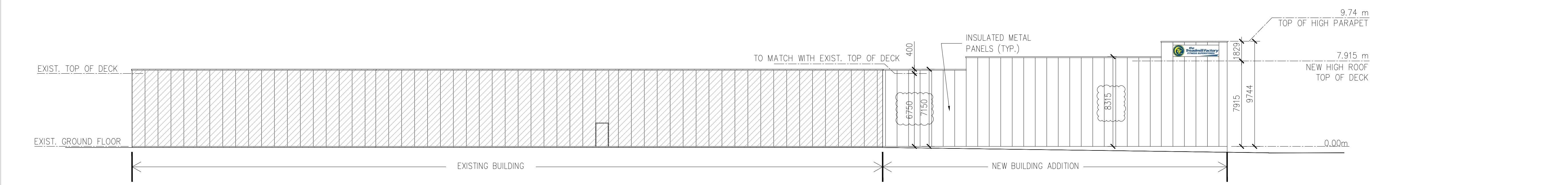
MM/DD/YYYY



1 EAST ELEVATION
A3.0 SCALE 1:200



2 NORTH ELEVATION
A3.0 SCALE 1:200



3 SOUTH ELEVATION
A3.0 SCALE 1:200

10.		
9.		
8.		
7.		
6.	MAY 30/24	RESPONSE TO CITY COMMENTS
5.	MAY 07/24	RESPONSE TO ZPR COMMENTS
4.	MAR.27/24	ISSUED FOR ZPR
3.	MAR.14/24	ISSUED FOR MINOR VARIANCE
2.	MAR.12/24	ISSUED
1.	MAR.05/24	ISSUED



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CLIENT: _____ OWNER: _____

PROJECT:
**PROPOSED ADDITION TO
 THE TREADMILL FACTORY**
 505 COCHRANE DR.
 MARKHAM, ONTARIO

DRAWING TITLE
BUILDING ELEVATIONS

DRAWN: AG
 CHECKED: MK
 SCALE: AS NOTED
 DATE: NOV. 23/23

PROJECT NUMBER 2023-09	DRAWING NUMBER A3.0
REFERENCE NUMBER 2023-09-A3.0	

From: [Mulrenin, Colin \(MTO\)](#)
Sent: Monday, June 24, 2024 9:58 AM
To: [O'Sullivan, Erin](#)
Subject: RE: A/027/24 - 505 Cochrane Drive - Minor Variance

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Good morning,

MTO has no concerns with this minor variance. Please ensure we are circulated on the associated SPA.

Regards,

Colin Mulrenin (He/Him)

Corridor Management Planner (York/Simcoe) | Highway Corridor Management Section
Ministry Of Transportation | Ontario Public Service
437-533-9427 | colin.mulrenin@ontario.ca

7th Floor
159 Sir William Hearst Avenue
Toronto ON Postal Code M3M 0B7



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From: O'Sullivan, Erin <EOSullivan@markham.ca>
Sent: Friday, June 21, 2024 3:27 PM
To: Brutto, Daniel <DBrutto@markham.ca>; Ako-manieson, Theo <TAko-manieson@markham.ca>
Subject: A/027/24 - 505 Cochrane Drive - Minor Variance

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good Afternoon,

An ePLAN Minor Variance application has been received for [505 Cochrane Drive \(A/027/24\)](#). Please see attached Circulation Memo and associated plans.

Thank you,

Erin O'Sullivan
Development Technician, Committee of Adjustment
905-477-7000, Extension 2064

City of Markham Planning and Urban Design Department
101 Town Centre Boulevard, Markham ON L3R 9W3
markham.ca



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