

## Memorandum to the City of Markham Committee of Adjustment

July 3, 2024

**File:** B/012/24  
**Address:** 191 McNabb Street, Markham  
**Applicant:** The Remington Group (Joseph Pavia)  
**Agent:** The Remington Group (Joseph Pavia)  
**Hearing Date:** Wednesday, June 19, 2024

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

### **Consent Application B/012/24**

Pursuant to the provisions of Section 53 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and Ontario Regulation No. 197/96, the Applicant is requesting provisional consent to:

- a) **sever and convey** a parcel of land (Parts 1, 2 & 3) with an approximate lot frontage of 100 metres and an approximate lot area of 7,218.80 square metres;
- b) **retain** a parcel of land (Part 4) with an approximate lot area of 7,709.50 square metres; and
- c) **establish** an easement over Part 1 in favour of Part 4 for the purpose of servicing.

The purpose of this Application is to sever the Subject Lands to facilitate the creation of one (1) new commercial lot and to establish a servicing easement. The Application is related to Official Plan, Zoning By-law Amendment, and Site Plan Control application 22 120692.

### **BACKGROUND**

#### **Property Description**

The 4.9 ha (12.10 ac) Subject Lands are located on the north side of Denison Street and are generally to the west of Birchmount Road. The property is currently developed with an industrial building (Toshiba and Lean Supply Solutions Inc.) fronting onto McNabb Street with a 0.72 ha (1.78 ac) vacant portion to the south of the property fronting onto Denison Street. Surrounding land uses are primarily commercial and industrial (including warehouse) uses. There are low-rise residential areas further to the south of Denison Street, but these residential areas are not directly across from the Proposed Development.

#### **Proposal**

The Applicant is proposing to sever and convey the south portion of 191 McNabb Street to facilitate the development of a six-storey commercial self-storage facility with at-grade office space ("Proposed Development"). Appendix "B" shows the

Proposed Development located on the 0.72 ha (1.78 ac) vacant portion of the Subject Lands. The Application also includes a mutual private servicing easement between the severed lands and the retained parcel.

This Application is related to Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control Applications PLAN/SPC 22 120692. The related Official Plan and Zoning By-law Amendments to permit the Proposed Development were approved by Council on January 31, 2024. Staff are currently reviewing the Site Plan Application.

### **Official Plan and Zoning**

Official Plan 2014 (partially approved on November 24, 2017, and updated on April 9, 2018)

The Official Plan designates the Subject Lands “Business Park Employment”, which generally provides for larger scale industrial and office development in business park settings. The site-specific Official Plan Amendment (OPA No. 49) for the Subject Lands includes policy provisions that permit a “commercial storage facility” with office space at-grade provided that the office space is a minimum of 400 m<sup>2</sup> of the building’s gross floor area.

Zoning By-law 108-81, as amended

By-law 108-81, as amended, zones the Subject Lands “Select Industrial and Limited Commercial” [M.C. (235%) and M.C. (55%)]. Under the in-force site-specific Zoning By-law Amendment (By-law 2024-18), “Commercial Self-Storage Facility” is permitted as an additional use.

### **COMMENTS**

The Applicant is proposing to create one new lot through provisional consent, with an associated easement for the purpose of servicing. As previously noted, the intent of the Application is to create two separate parcels – one for the existing industrial building fronting onto McNabb Street (Part 4) and one for the Proposed Development (Parts 1, 2, and 3). The severed and retained lots conform with both the Official Plan and Zoning By-law. The Subject Lands are located in an employment area characterized by a range of lot areas and frontages. The proposed severance, if approved, will result in the creation of one (1) lot that will be generally consistent with existing development along Denison Street and can appropriately accommodate the Proposed Development. Further, Staff opine that the proposed easement for servicing is appropriate and have no objections to the requested consent and associated easement.

Engineering Staff have no objections, provided the Committee adopts the recommended condition in Appendix “A”, which requires confirmation that there are no existing easements registered on title that will be impacted by the proposed severance. They further note that in conjunction with Site Plan Control application for the severed lot, that the Applicant will be required to submit

separate site servicing and grading plans and Storm Water Management report for review and acceptance by the City.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of July 3, 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 proposal within the context of the criteria in Section 51 (24) of the *Planning Act* and are satisfied that the proposal is appropriate and recommend approval of the Application. Staff recommend that the Committee consider public input in reaching a decision should any be provided.

Please refer to Appendix “A” for conditions to be attached to any approval of this Application.

PREPARED BY:



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Brashanthe Manoharan, Planner II, Central District

REVIEWED BY:



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Barton Leung, Senior Planner, Central District

Appendix ‘A’ - Conditions of Approval

Appendix ‘B’ - Aerial Photo

Appendix ‘C’ - Draft Reference Plan

Appendix ‘D’ - Site Plan of lands to be Severed and Retained

## **APPENDIX “A”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/012/24**

1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled;
2. Submission to the Secretary-Treasurer of the required transfers to effect the severances and easements applied for under Files B/012/24 in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the *Planning Act*;
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the subject lands and easements which conforms substantially to the application as submitted in Appendix “C”;
4. Payment of the required Conveyance Fee for the creation of a lots per City of Markham Fee By-law 211-83, as amended;
5. Provide confirmation from an Ontario Land Surveyor that the severed and retained parcels, in their final configuration, meets all the requirements of the applicable Zoning By-law, including any development standards for building and structures, and that the Secretary-Treasurer receive written confirmation that this condition has been satisfied to the satisfaction of the Zoning Supervisor or designate;
6. That the Owner confirm there are no existing easements registered on title that will be impacted by the proposed severance;
7. 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 Site Plan Approval process;
8. 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 Site Plan Approval process;
9. 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;

10. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

CONDITONS PREPARED BY:



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Brashanthe Manoharan, Planner II, Central District





Appendix B

File: 24.168079.000.00.CSNT

Date: 7/4/2024

MM/DD/YY

Selected Industrial with Limited Commercial

Industrial

Residential

# AERIAL PHOTO (2023)

APPLICANT: Arcadis  
191 McNabb Street

FILE No. PLAN 22 120692

 Subject Lands



G:\New Operation\2022 Agenda\PLAN\PLAN22\_120692\Report Figures.mxd

 DEVELOPMENT SERVICES COMMISSION

Drawn By: JC

Checked By: BM

DATE: 12/20/2023

FIGURE No. 4



METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

McNABB STREET  
(DEDICATED BY REGISTERED PLAN M-1915)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. **PLAN 65R-**

RECEIVED AND DEPOSITED

**Appendix C**

File: 24.168079.000.00.CSNT

DATE: 7/4/2024

DAN DZALDOV  
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK REGION NO. 65

Date: 7/4/2024

PART	BLK	REGISTERED PLAN	AREA (m <sup>2</sup> )
1			69.3
2	ALL OF 8	M-1915	6445.6
3			7709.5
4			

PLAN OF SURVEY OF  
ALL OF BLOCK 8  
REGISTERED PLAN M-1915  
CITY OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:750

SCHAEFFER DZALDOV PURCELL LTD.

NOTES

- DENOTES PLANTED MONUMENT
- FOUND MONUMENT
- SSIB SHORT STANDARD IRON BAR
- SIB STANDARD IRON BAR
- IB IRON BAR
- P PLAN 65R-22408
- P1 SRPR BY SCHAEFFER DZALDOV BENNETT LTD., O.L.S., SURVEY DATED APRIL 8, 2011
- P2 REGISTERED PLAN M-1915
- P3 PLAN 65R-14543
- 922 SCHAEFFER DZALDOV PURCELL LTD.
- M MEASURED

ALL PLANTED MONUMENTS ARE SSIB'S.  
SSIB'S WERE PLANTED DUE TO THE PROXIMITY OF SUBSURFACE OBSTRUCTIONS.

BEARINGS ARE UTM GRID, DERIVED FROM SPECIFIED CONTROL POINT 092903416 AND OBSERVED REFERENCE POINT 1002, UTM ZONE 17, NAD83 (ORIGINAL).  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999792.

SPECIFIED CONTROL POINT (SCP) AND OBSERVED REFERENCE POINT (ORP):  
UTM ZONE 17, NAD83 (ORIGINAL)  
COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10

POINT ID.	NORTHING	EASTING
SCP 092903416	4854482.01	634877.54
ORP 1002	4854668.75	634936.49

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

DATE: \_\_\_\_\_ DAN DZALDOV  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER \_\_\_\_\_

**SCHAEFFER DZALDOV PURCELL LTD.**  
ONTARIO LAND SURVEYORS

64 JARDIN DRIVE CONCORD, ONTARIO L4K 3P3 TEL:(416)987-0101

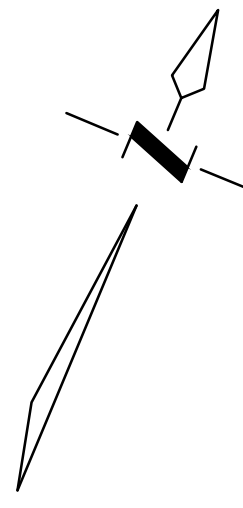
CALC. JZ DRAWN ACAD/LW CHECKED SCALE 1:750 JOB NO. 24-104-00

PLOT SIZE: 24X36 APRIL 10, 2024

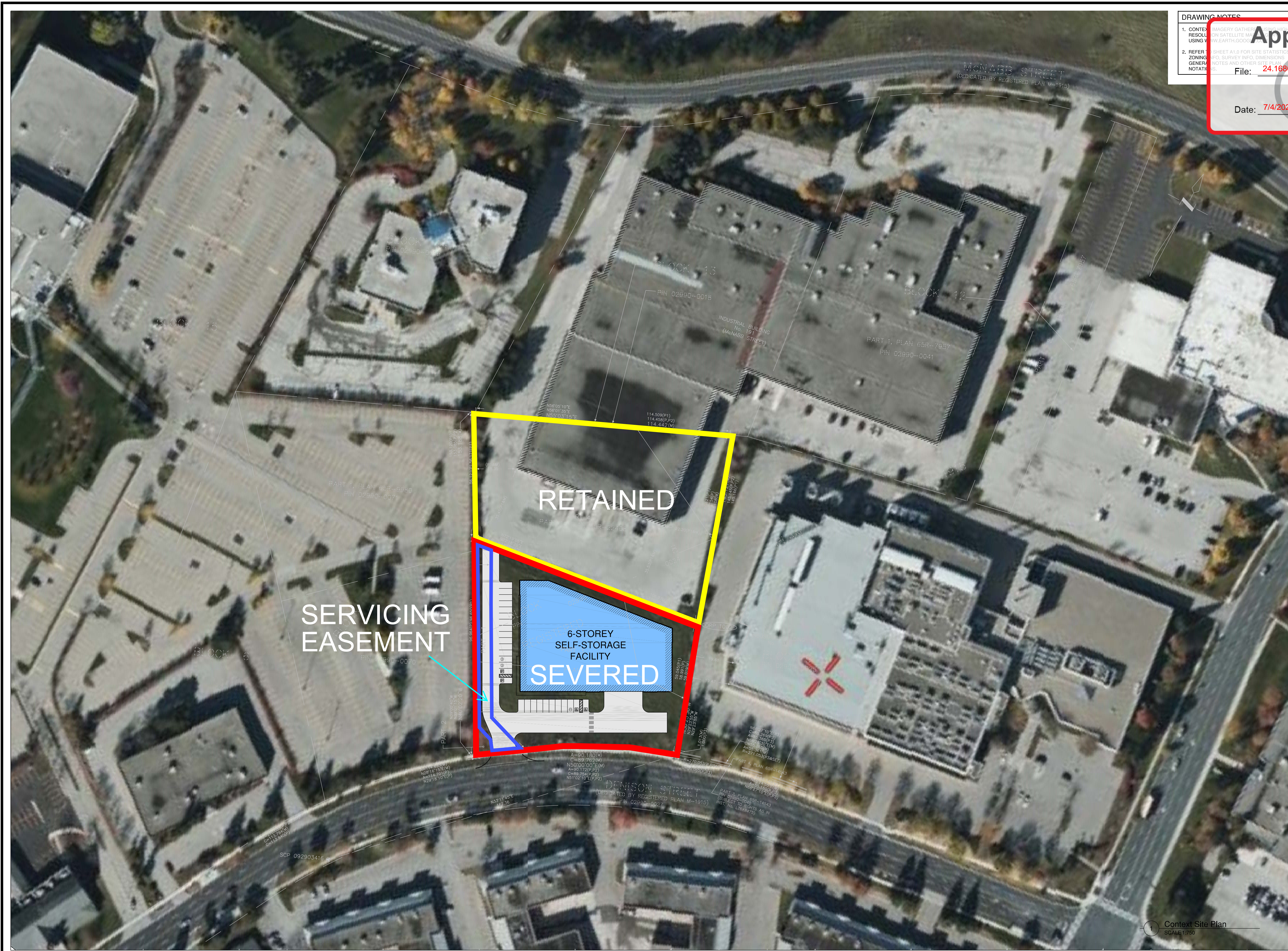


CURVE TABLE

NUM	ARC	RADIUS	BEARING	CHORD
C1	69.211	270.053	N52°13'20"E	69.022
C2	13.368	270.053	N4°27'45"E	13.366
C3	7.593	270.053	N41°14'20"E	7.593







**DRAWING NOTES**

1. CONTEXT IMAGERY GATHERED USING 15cm RESOLUTION SATELLITE IMAGERY FROM EARTHSTAR.
2. REFER TO SHEET A1.0 FOR SITE STATISTICS, ZONING, SURVEY INFO, DIMENSIONS, GENERAL NOTES AND OTHER SITE PLAN NOTATIONS.

File: **24.168079.000.00.CSNT**

Date: **7/4/2024**

MM/DD/YY

**Pearce McCluskey Architects**  
 2203 Durwin Drive • Mississauga, Ontario • L5L 1X2  
 www.pmaarchitects.ca L.905.607.2444

This drawing is not to be used for construction unless signed by the architect in charge.  
 Contractors must verify all dimensions and be responsible for same; report any discrepancies to the architect before commencing the work.  
 Plans are not to be scaled.  
 All drawings and related documents are the sole copyright property of the architects and must be returned upon request. Any reproduction of drawings and related documents in part or in whole is forbidden without the architects written permission.

Issued for severance 26 Apr 24

**Denison Storage**  
 New Self-Storage Facility  
 191 McNabb Street  
 Markham | Ontario

**Context Site Plan**

Project Number:  
**21016**

Drawn By: RAS  
 Checked By: RAS  
 Date: April 2024  
 Scale: 1:750  
 Sheet Number:

**A1.1**