

Memorandum to the City of Markham Committee of Adjustment

March 2, 2023

File: A/015/23
Address: Markland Street, Markham
Applicant: Glenn Schnarr and Associates (Ethan Bohnert)
Hearing Date: Wednesday, March 8, 2023

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

The applicant is requesting relief from the following requirements of the Business Park (BP) zone under By-law 177-96, as amended:

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

To permit a minimum of 36 parking spaces, whereas a minimum of 59 parking spaces are required;

as it relates to the proposed development of an industrial warehouse with an accessory office.

BACKGROUND

Property Description

The 3,451 m² (8,766 ft²) subject property is located on the west side of Markland Street, north of Major Mackenzie Drive East and east of Highway 404. The subject property is currently vacant.

Proposal

The applicant is proposing to construct a 4,241 m² (45,646 ft²) industrial warehouse building with accessory office on the subject property. Staff are currently reviewing an associated Site Plan Control application (File Number: SPC 22 257557).

Official Plan and Zoning

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

The subject property is designated "Business Park Employment" in the 2014 Official Plan. This designation is intended to provide for prestige, larger scale, industrial and office development in business park settings with high visibility and access to 400 series highways, arterial roads, and transit services. Uses provided for in the "Business Park Employment" designation include: office, manufacturing, warehousing, hotel, and trade and convention centre.

Zoning By-Law 177-96

The subject property is zoned Business Park (BP) under By-law 177-96, as amended, which permits industrial warehousing.

Parking Standards By-law 28-97

The proposed development does not comply with the standards of Parking By-law 28-97 with respect to minimum parking space requirements. Further discussion relating to the proposed parking variance is provided in the comments section below.

Zoning Preliminary Review (ZPR) Not Undertaken

The Owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from the Building Department through the

associated Site Plan Control application to confirm the variances 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.

Reduced Parking Spaces

The applicant has requested relief from Parking By-law 28-87 to permit a minimum of 36 parking spaces, whereas a minimum of 59 parking spaces is required. This is a reduction of 23 spaces.

Transportation Staff have reviewed the Transportation Impact Study submitted in support of the proposal and have commented that they have no concerns with the proposed parking reduction.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 2, 2023. 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 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:



Hailey Miller, Planner II, West District

REVIEWED BY:



Rick Cefaratti, MCIP, RPP, Senior Planner II, West District

APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/015/23

1. The variances apply only to the proposed development as long as it remains.

CONDITIONS PREPARED BY:



Hailey Miller, Planner II, West District



1 context plan
 SCALE n.l.s.

SITE STATISTICS

ZONING:	EMPLOYMENT ZONE BP - BUSINESS PARK ZONING BY-LAW NO. 177-96 (CITY OF MARKHAM)
TOTAL SITE AREA:	8,766.45 S.M. 94,361.26 S.F. 0.88 HECTARES 2.17 ACRES
LOT FRONTAGE: (MARKLAND STREET)	61.3 M / 201.12 FT

LOT AND BUILDING ZONE REQUIREMENTS

ZONE PROVISIONS	REQUIRED	PROVIDED
MINIMUM LOT AREA	0.8 HA	0.88 HA
MINIMUM LOT FRONTAGE	6.0 M	61.3 M
MINIMUM FRONT YARD (MARKLAND ST)	6.0 M	6.0 M
MAXIMUM PARKING DEPTH IN FRONT YARD	12.0 M	N/A
MINIMUM EXTERIOR SIDE YARD	3.0 M	N/A
MAXIMUM PARKING DEPTH IN EXTERIOR SIDE YARD	12.0 M	N/A
MINIMUM INTERIOR SIDE YARD (WEST)	3.0 M	3.15 (NORTH) 15.9 (SOUTH)
MINIMUM REAR YARD	3.0 M	14.0 M
MINIMUM LANDSCAPE BUFFER (FRONT LOT LINE)	6.0 M	6.0 M
MINIMUM LANDSCAPE BUFFER (SIDE + REAR LOT LINES)	3.0 M	3.1 (NORTH) 3.0 (SOUTH) 14.0 (REAR)
MAXIMUM FLOOR SPACE INDEX	1.75	0.48
MINIMUM HEIGHT	6.0 M	9.59 M
MAXIMUM HEIGHT	46.0 M	13.87 M
HIGHWAY CORRIDOR	14.0 M	14.0 M

BUILDING CLASSIFICATION

CLASSIFIED UNDER ONTARIO REGULATION 330/12
 O.B.C. 3.2.2.72: GROUP F, DIVISION 2, UP TO 4 STOREYS, SPRINKLERED
 (PROPOSED BUILDING AREA: 3,451.39 S.M.)

EFFECTIVE RESTRICTIONS
 1. A BUILDING CLASSIFIED AS GROUP F IS PERMITTED TO CONFORM TO SENTENCE (2) PROVIDED:
 a. IT IS NOT MORE THAN 4 STOREYS IN BUILDING HEIGHT, AND
 b. IT HAS A BUILDING AREA NOT MORE THAN:
 (i) 6,000 S.M. IF 3 STOREYS IN BUILDING HEIGHT

2. THE BUILDING REFERRED TO IN SENTENCE (1) SHALL BE OF NONCOMBUSTIBLE CONSTRUCTION, AND:
 a. FLOOR ASSEMBLIES SHALL BE FIRE SEPARATIONS WITH A FIRE-RESISTANCE RATING NOT LESS THAN 1 H
 b. MEZZANINES SHALL HAVE A FIRE RESISTANCE RATING NOT LESS THAN 1H, LOADBEARING WALLS, COLUMNS AND ARCHES SHALL HAVE A FIRE RESISTANCE RATING NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY

BUILDING AREAS

BUILDING AREA:	3,451.39 S.M.	37,150.45 S.F.
GROSS FLOOR AREA:		
OFFICE GROUND FLOOR:	383.00 S.M.	4,125.58 S.F.
OFFICE SECOND FLOOR:	394.60 S.M.	4,247.44 S.F.
OFFICE THIRD FLOOR:	394.60 S.M.	4,247.44 S.F.
TOTAL OFFICE:	1,172.22 S.M.	12,617.67 S.F.
WAREHOUSE:	3,068.38 S.M.	33,027.88 S.F.
TOTAL BUILDING:	4,240.61 S.M.	45,645.55 S.F.
NET FLOOR AREA: (DEDUCTIONS AS PER CITY OF MARKHAM ZONING BY-LAW 28-97 DEFINITION)		
OFFICE GROUND FLOOR:	336.67 S.M.	3,623.89 S.F.
OFFICE SECOND FLOOR:	347.96 S.M.	3,745.41 S.F.
OFFICE THIRD FLOOR:	347.96 S.M.	3,745.41 S.F.
TOTAL OFFICE:	1,032.59 S.M.	11,114.74 S.F.
WAREHOUSE:	3,016.70 S.M.	32,471.49 S.F.
TOTAL BUILDING:	4,049.29 S.M.	43,586.19 S.F.

DENSITY AND COVERAGE CALCULATIONS

BUILDING AREA / SITE AREA:	3,451.39 S.M. / 8,766 S.M.	39.37 %
PAVED AREA / SITE AREA:	2,477.84 S.M. / 8,766 S.M.	28.27 %
LANDSCAPED AREA / SITE AREA:	2,636.77 S.M. / 8,766 S.M.	32.36 %
TOTAL COVERAGE:		100 %

PARKING CALCULATIONS

CITY OF MARKHAM ZONING BY-LAW 28-97
 TOTAL NET FLOOR AREA: 4,049.29 S.M.
 (INCLUDES OFFICE AS ACCESSORY TO WAREHOUSE)

MINIMUM PARKING SPACES REQUIRED (TABLE B - INDUSTRIAL USES):
 1 PER 40 S.M. NET FLOOR AREA UP TO 1,200 S.M.
 = 1,200 S.M. / 40 S.M.
 = 30 SPACES
 1 PER 100 S.M. NET FLOOR AREA 1,200 S.M. - 6,000 S.M.
 = 2,849.29 S.M. / 100
 = 28.49
 = 29 SPACES
 = 59 SPACES

TOTAL PARKING REQUIRED = 59 SPACES

BARRIER-FREE PARKING SPACES REQUIRED:
 = 5% OF PARKING REQUIRED
 = 5% X 59
 = 3 BARRIER FREE SPACES

PARKING PROVIDED
 STANDARD = 34 SPACES
 BARRIER-FREE = 2 SPACES
 TOTAL = 36 SPACES

BICYCLE PARKING

TOTAL NET FLOOR AREA: 4,049.29 S.M.
 (INCLUDES OFFICE AS ACCESSORY TO WAREHOUSE)

SHORT TERM BICYCLE PARKING SPACES REQUIRED (INDUSTRIAL USES):
 = 0.10 / 100 S.M. NET FLOOR AREA
 = 0.10 X 4,049.29 S.M. / 100 S.M.
 = 4.05

TOTAL SHORT TERM BICYCLE PARKING PROVIDED = 4 SPACES

drawing legend

[Symbol]	LANDSCAPE AREA	[Symbol]	PAINTED LINE STRIPPING	[Symbol]	PRINCIPAL ENTRANCE
[Symbol]	HEAVY DUTY PAVING	[Symbol]	PAINTED CROSSWALK	[Symbol]	SECONDARY ACCESS / EXIT
[Symbol]	CONCRETE SIDEWALK	[Symbol]	TYPICAL PARKING STALL -2.75m x 5.8m (UNLESS NOTED OTHERWISE)	[Symbol]	AT GRADE DRIVE-IN OVERHEAD DOOR
[Symbol]	POURED CONCRETE APRON AT LOADING	[Symbol]	TYPICAL BARRIER-FREE PARKING STALL -2.6m x 5.8m	[Symbol]	DOCK LEVEL OVERHEAD DOOR
[Symbol]	FLUSH CURB WITH TACTILE INDICATOR	[Symbol]	NEW PAD MOUNTED ELECTRICAL TRANSFORMER WITH STEEL BOLLARD PROTECTION	[Symbol]	PROPOSED GRADES
[Symbol]		[Symbol]	TYPICAL BICYCLE PARKING	[Symbol]	SITE GRADES
[Symbol]		[Symbol]	PARKING COUNT	[Symbol]	SINGLE HEAD LIGHT STANDARD ON CONCRETE BASE (REFER TO ELECTRICAL)
[Symbol]		[Symbol]	BARRIER FREE CURB RAMP	[Symbol]	WALL PACK LIGHT FIXTURE (REFER TO ELECTRICAL)
[Symbol]		[Symbol]	FIRE ACCESS ROUTE	[Symbol]	SOFFIT LIGHT (REFER TO ELECTRICAL)

drawing notes

- 01 OUTLINE OF BUILDING CANOPY
- 02 OUTLINE OF FACE OF BUILDING ABOVE
- 03 OUTLINE OF MECHANICAL / SPRINKLER ROOM
- 04 OUTLINE OF ELECTRICAL ROOM
- 05 NEW PAD MOUNTED ELECTRICAL TRANSFORMER WITH STEEL BOLLARD PROTECTION - REFER TO ELECTRICAL
- 06 EXISTING ELECTRICAL TRANSFORMER & PAD
- 07 FIRE DEPARTMENT CONNECTION - REFER TO MECHANICAL
- 08 NEW FIRE HYDRANT - REFER TO CIVIL
- 09 EXISTING FIRE HYDRANT - REFER TO CIVIL
- 10 TRAFFIC LINE PAINTING
- 11 STEEL STAIR AND LANDING
- 12 STEEL PIPE BOLLARDS
- 13 CONTINUOUS TRENCH DRAIN
- 14 OUTDOOR AMENITY SPACE - REFER TO LANDSCAPE
- 15 BICYCLE RACKS - REFER TO LANDSCAPE
- 16 POURED CONCRETE PAD
- 17 POURED CONCRETE STEPS WITH RETAINING WALL - REFER TO CIVIL
- 18 PARKING SPACE DESIGNATED FOR CAR POOL
- 19 EXISTING HYDRO POLE TO BE REMOVED AND RELOCATED - REFER TO ELECTRICAL
- 20 FIRE ROUTE SIGN TO BE INSTALLED PER CITY OF MARKHAM FIRE SERVICES STANDARDS
- 21 RAPID ENTRY KEY LOCK BOX

general notes

1. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS NOTED OTHERWISE.
2. REFER TO DRAWINGS AND REPORTS PREPARED BY:
 -SITE SURVEY: MTE ONTARIO LAND SURVEYORS LTD.
 -SITE SERVICES AND GRADING: MTE CONSULTANTS INC.
 -TRAFFIC: NEXTRANS CONSULTING ENGINEERS
 -LANDSCAPING: STRYBOS BARRON KING LTD.
 -ELECTRICAL SERVICES: LAPAS CONSULTING ENGINEERS LTD.
3. UNLESS NOTED OTHERWISE, CURB RADI ARE 1000 MM.
4. ALL WASTE AND RECYCLING SHALL BE STORED INTERNALLY AND COLLECTED UNDER PRIVATE CONTRACT.
5. WASTE AND RECYCLING CONTAINERS SHALL BE PROVIDED AT ALL BUILDING ENTRANCES.
6. LAND OWNER SHALL ARRANGE SNOW REMOVAL UNDER PRIVATE CONTRACT.
7. THERE SHALL BE NO OUTDOOR STORAGE.
8. FIRE ROUTE SHALL BE A MINIMUM OF 6.0M CLEAR WIDTH WITH A CENTERLINE TURNING RADIUS NO LESS THAN 12.0M IN ACCORDANCE WITH O.B.C. 3.2.5.6.(1)(a) AND (b).
9. FIRE ROUTE SHALL HAVE A CHANGE OF GRADIENT NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15M IN ACCORDANCE WITH O.B.C. 3.2.5.6.(1)(c).
10. FIRE ROUTE SHALL BE DESIGNED TO SUPPORT FIRE FIGHTING EQUIPMENT IN ACCORDANCE WITH O.B.C. 3.2.5.6.(1)(d).
11. PAVEMENT SHALL BE LIGHT DUTY ASPHALT UNLESS NOTED OTHERWISE.
12. PAVEMENT MARKINGS SHALL BE "WHITE" FOR VEHICULAR STALLS AND "YELLOW" FOR STRIPPED AREAS.
13. BARRIER-FREE PAVEMENT MARKINGS SHALL MEET CITY OF MARKHAM STANDARDS.
14. TRAFFIC CONTROL SIGNAGE & PAVEMENT MARKINGS SHALL MEET CITY OF MARKHAM STANDARDS.
15. ILLUMINATION SHALL BE DIRECTED DOWN AND AWAY FROM ADJACENT PROPERTIES.
16. SIGNAGE INDICATED SHALL BE USED FOR SITE PLAN PURPOSES ONLY AND IS NOT INTENDED TO INDICATE CONFORMITY WITH THE SIGN BY-LAW.
17. SIGNAGE SHALL BE PROVIDED TO IDENTIFY THE "PRINCIPAL" ENTRANCE FOR THE PURPOSE OF FIRE FIGHTING.
18. ALL BARRIER-FREE ENTRANCES AND PATHS OF TRAVEL SHALL BE DESIGN IN ACCORDANCE WITH CITY OF MARKHAM ACCESSIBILITY DESIGN GUIDELINES AND ADA ACCESSIBILITY STANDARDS.
19. PROPOSED PEDESTRIAN ROUTES SHALL NOT EXCEED 4% SLOPE FOR ACCESSIBILITY.
20. EXPOSED CONCRETE WALLS AND FOUNDATIONS SHALL BE FREE OF DEFECTS AND PROVIDED WITH A SMOOTH SANDBLAST FINISH.
21. BUILDING PERMIT ISSUANCE SHALL BE SUBJECT TO THE BUILDING PERMIT DRAWINGS NOT BEING IN CONTRAVENTION WITH THESE APPROVED PLANS AND DRAWINGS INCLUDING, BUT NOT LIMITED TO THE EXTERIOR DESIGN OF THE BUILDING AND EXTERIOR BUILDING MATERIALS.

HIGHWAY 404



2 OVERALL SITE PLAN
 SCALE 1:200



Pearce McCluskey Architects
 2203 Durwin Drive • Mississauga, Ontario • L5L 1X2
 www.pmarchitects.ca 1.905.607.2444

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OWNER: UCAN FASTENING PRODUCTS
 155 Champagne Dr.
 North York, ON M2J 2G5

CONTRACTOR: Maple Reinders
 2881 Argente Road
 Mississauga, ON L5N 1S4

- Re-issued for Site Plan Approval 06 Jan 23
- Issued for Coordination 04 Nov 22
- Issued for Site Plan Approval 26 Aug 22

UCAN
 FASTENING
 NEW OFFICE + WAREHOUSE
 1000 Markland Street
 Markham, Ontario L6C 0G7

OVERALL SITE PLAN

Project Number: 22012

Drawn By: AK
 Checked By: AK
 Date: JUNE 2022
 Scale: 1:200
 Sheet Number:

A 1.0