

Memorandum to the City of Markham Committee of Adjustment

May 9, 2023

File: A/055/23
Address: 1000 Carlton Road, Markham
Applicant: York Region District School Board
Agent: Saccoccio Wepler Architects Inc.
Hearing Date: Wednesday, May 17, 2023

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

The Applicant is requesting relief from the “Institutional and Open Space Two (O2)” zone requirements of By-law 134-79, as amended, as it relates to four proposed new portable classrooms and the relocation of two existing portable classrooms. The variance request is to permit:

- a) **Parking By-law 28-97, Section 3.0:**
243 parking spaces, whereas the By-law requires a minimum of 270 parking spaces.

BACKGROUND

Property Description

The 6.94 ha (17.15 ac) Subject Lands are located on the northwest corner of Carlton Road and McCowan Road. There is an existing three-storey secondary school (Markville Secondary School) with a day care and portapack office structure on the property, which according to building permit records was constructed circa 1989.

Surrounding land uses include an established residential neighbourhood comprised of two-storey detached dwellings abutting the Subject Lands to the north and west. To the east, across McCowan Road, is a residential condominium apartment. To the south, across from Carlton Road, is an established residential neighbourhood and the York Regional Police District #5 Headquarters (refer to Appendix “A” – Aerial Photo).

Proposal

The Applicant is proposing to install four new portable classrooms on the parking lot on the west side of the existing school, and to also relocate the existing two portable classrooms from the northern portion of the site to the westerly parking lot. The relocation of the two portable classrooms will result in the re-establishment of 9 parking spaces, and the proposed location for all the portable classrooms will result in the removal of 21 parking spaces on the westerly parking lot (refer to Appendix “B” – Site Plan).

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 "[Residential Low Rise](#)", which permits detached dwellings, semi-detached dwellings, townhouses, and buildings associated with day care centres, places of worship, and public schools.

Planning Staff have had regard for the requirements of the Official Plan in the preparation of the comments provided below.

Zoning By-Law 134-79

The Subject Lands are zoned "Institutional and Open Space Two (O2)" under By-law 134-79, as amended, which permits a range of institutional uses including, but not limited to, athletic fields, day nurseries or day care centres, public institutions, and public, private or separate schools, colleges, and universities. Notwithstanding the uses permitted under the O2 zone, Public Uses, meaning uses maintained by a Public Authority (such as York Region District School Board), are also permitted in all zones under By-law 134-79, as amended.

Parking Standards By-law 28-97

Section 3.0, Table B of the [Citywide Parking Standards By-law 28-97](#) (the "Parking By-law"), requires:

- 4 parking spaces per classroom for Secondary Schools;
- 1.5 parking spaces per classroom plus 1 parking space per every five children capacity for Child Care Centres; and,
- 1 parking space per 30 square metre of net floor area of office space for Business Office uses.

The proposed development does not comply with the standards of the Parking By-law with respect to the minimum required number of parking spaces. Further details regarding the parking requirement is provided in the comment section below.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. It is the owner's responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

COMMENTS

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

- 1) The variance must be minor in nature;
- 2) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- 3) The general intent and purpose of the Zoning By-law must be maintained; and,
- 4) The general intent and purpose of the Official Plan must be maintained.

Parking Reduction

The Subject Lands currently provides a total of 255 parking spaces. The proposed four new portables and relocation of two portable classrooms will result in the net removal of 12 parking spaces, thereby resulting in the provision of 243 parking spaces. The additional portable classrooms will also increase the parking requirement to 270 parking spaces, resulting in a deficiency of 27 parking spaces (reduction of 10%).

Transportation Engineering Staff have reviewed the parking justification submitted by the Applicant in an email dated April 6, 2023 (refer to Appendix “C” – Parking Justification Email) and are of the opinion that the rationale is acceptable and that the parking reduction is unlikely to result in any significant impact on the parking supply of the property.

It is further noted that the proposed location of the school portables may cause injury to trees or the removal of trees to the north and west of the proposed portables. Staff recommend that should the Committee approve the variance, that a Tree Assessment and Preservation Plan be submitted for review and approval, to the satisfaction of Tree Preservation and By-law Enforcement Staff.

External Agency Comments

Metrolinx

The Subject Lands are located partially within 300 metres of Metrolinx’s Uxbridge Subdivision which carries Metrolinx’s Stouffville GO Train service. However, as the proposed portable classrooms are well outside the 300m of Metrolinx’s Uxbridge Subdivision, Metrolinx has no objections to the specified variances.

Nonetheless, the Applicant is advised of the following:

Warning: The Applicant is advised that the subject land is located within Metrolinx’s 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

PUBLIC INPUT SUMMARY

No written submissions were received as of May 9, 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 “D” for conditions to be attached to any approval of this application.

PREPARED BY:



Melissa Leung, MCIP RPP, Senior Planner, Central District

REVIEWED BY:

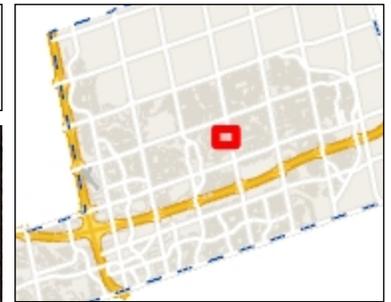
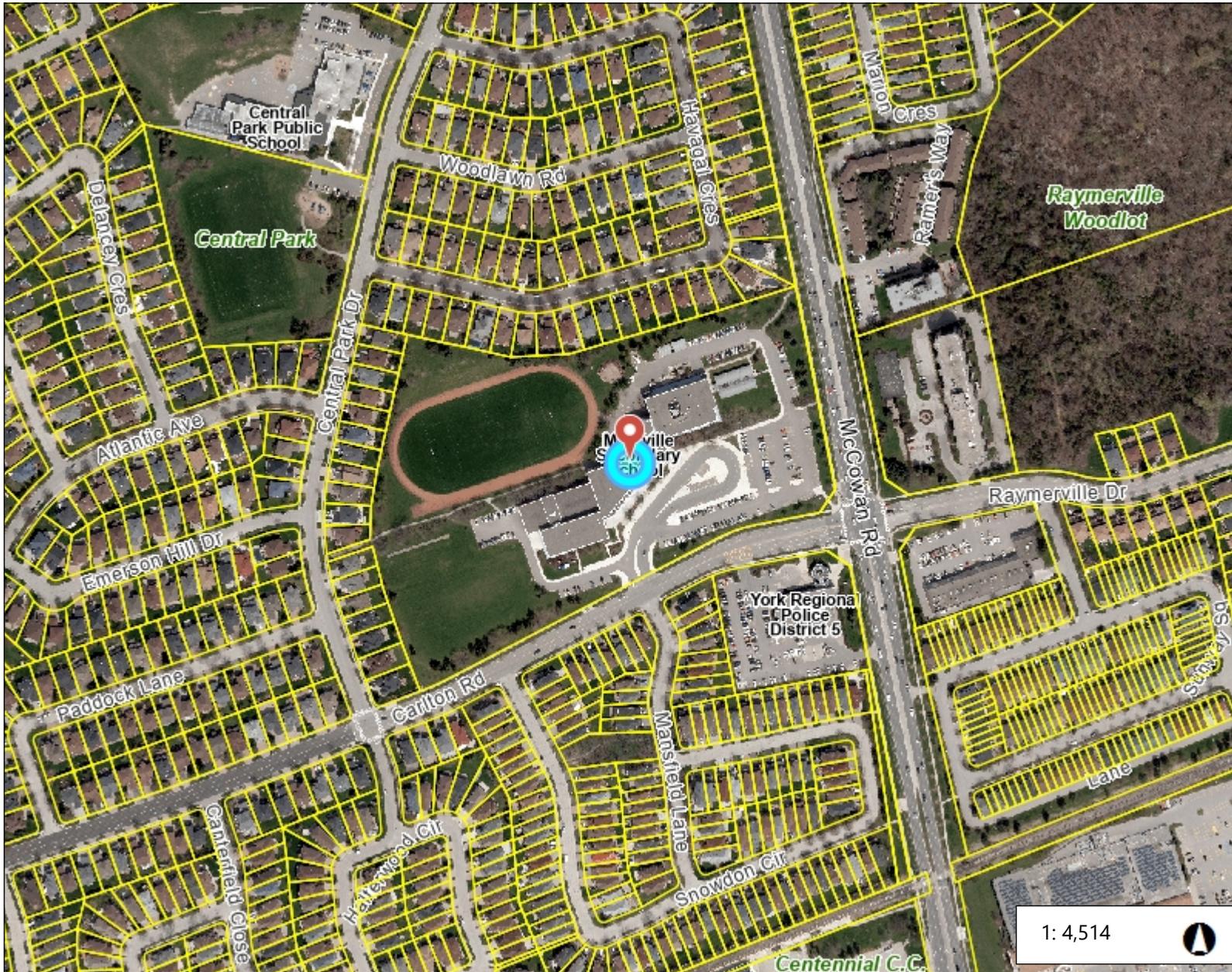


Deanna Schlosser, MCIP RPP, Senior Planner, Central District

File Path: Amanda\File\ 23 118031 \Documents\District Team Comments Memo

APPENDICES

- Appendix “A” – Aerial Photo
- Appendix “B” – Site Plan
- Appendix “C” – Parking Justification Email
- Appendix “D” – Conditions



Legend

- Parcel Overlay
- Ontario Road Network
- Ontario Water Body

1: 4,514



229.3 0 114.66 229.3 Meters

NAD_1983_UTM_Zone_17N
© City of Markham

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email cgis@markham.ca and you will be directed to the appropriate department.

Notes

A/055/23 - 1000 Carlton Road

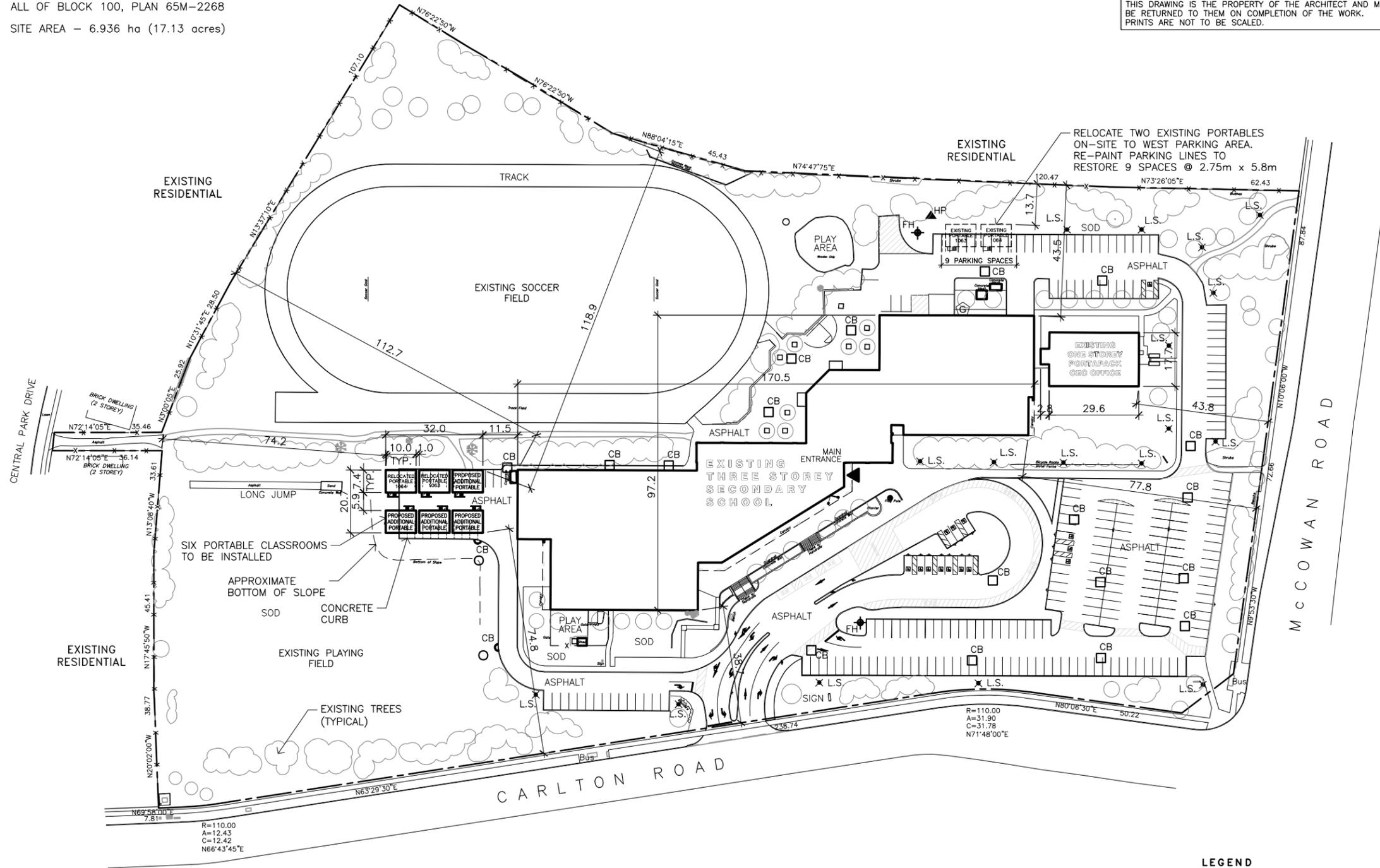
PART OF LOT 13, CONCESSION 6
 ALL OF BLOCK 100, PLAN 65M-2268
 SITE AREA - 6.936 ha (17.13 acres)

CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR SAME, REPORTING ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING THE WORK.
 THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED TO THEM ON COMPLETION OF THE WORK.
 PRINTS ARE NOT TO BE SCALED.

Appendix B

File: 23.118031.000.00.MNV

Date: 05/09/23
 MM/DD/YY



NOTE:
 ALL DIMENSIONS ARE GIVEN IN METRES

PARKING REQUIREMENTS BY-LAW 28-97 (PARKING)	
TOTAL SPACES REQUIRED :	SECONDARY SCHOOL - 4 SPACES / CLASSROOM (54): 216
	CHILDCARE CENTRE - 1.5 SPACES / CLASSROOM (3): 4.5
	- 1 SPACE / 5 CHILDREN (47 CHILDREN): 9.4
	CEC OFFICE - 1 SPACE / 30sm NET FLOOR AREA (477sm): 16
	EXISTING PORTABLES - 4 SPACES / CLASSROOM (2): 8
	NEW PORTABLES - 4 SPACES / CLASSROOM (4): 16
TOTAL :	270
TOTAL SPACES PROVIDED :	EXISTING : 241
	EXISTING BARRIER FREE : 14
	SPACES REMOVED : (12)
TOTAL :	243
*PROPOSED PARKING DEFICIENT BY 27 SPACES. 3.55 SPACES WILL BE PROVIDE PER CLASSROOM.	

SITE INFORMATION BY-LAW 134-79, ZONE O2	
SITE AREA : 6.936 ha (69,360 sm)	
LOT COVERAGE	
EXISTING BUILDING :	6606 sm 9.5%
EXISTING PORTAPACK :	537 sm 0.8%
EXISTING PORTABLES :	148 sm 0.2%
NEW/FUTURE PORTABLES :	296 sm 0.4%
TOTAL LOT COVERAGE :	7587 sm 10.9%

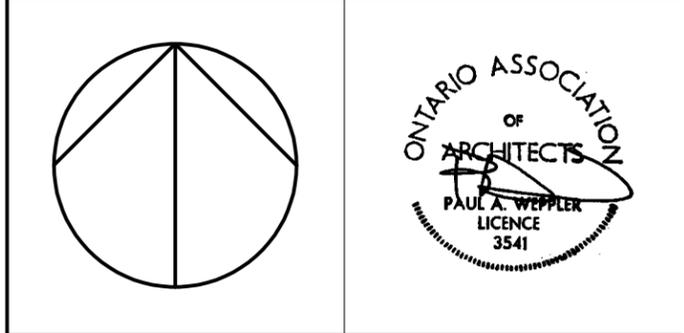
- LEGEND**
- BB BASKETBALL NET
 - C.B. CATCH BASIN
 - D.C.B. DOUBLE CATCH BASIN
 - x - FENCING
 - ◆ FH FIRE HYDRANT
 - ⊕ GM GAS METER
 - ✱ L.S. LIGHT STANDARD
 - M.H. MAN HOLE
 - PROPERTY LINE
 - ⊖ W WINDOW SIDE OF PORTABLE

LAYOUT
 LOCATE PORTABLES BY DIMENSIONS FROM EXISTING BUILDING AND CURB

SWA SACCOCCIO WEPPLER ARCHITECTS INC
 6534 KINGSTON ROAD TORONTO ON M1C 1L4
 (416) 282-1197 FAX (416) 282-7897

York Region DISTRICT SCHOOL BOARD

No	DATE	DESCRIPTION
1	28 MAR 2023	ISSUED FOR MINOR VARIANCE

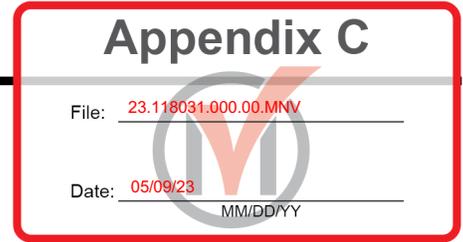


**PORTABLE CLASSROOM RELOCATIONS
 MARKVILLE SECONDARY SCHOOL
 1000 CARLTON ROAD UNIONVILLE**

SITE PLAN

DATE	DRAWN	SCALE	JOB No	DRAWING No
MAR 2023	S A M	1:1500	23101	A-101

Leung, Melissa



From: Dana Saccoccio <dana@swarchitects.ca>
Sent: Thursday, April 6, 2023 4:58 PM
To: Leung, Melissa
Cc: Paul Wepler; Lang, Jennifer; Shannon Martin
Subject: Re: A/055/23 - 1000 Carlton Road - Parking Justification Study
Attachments: Markville Site Plan - Parking Justification.pdf

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 Afternoon Melissa

Thank you for introducing yourself.

In response to your request for parking justification, we provide the following...

1. a) 60 Classrooms including six portables.
b) 125 School Staff confirmed by the school Principal.
c) Confirmation from Jennifer Lang, York Region District School Board Assistant Manger of Constuction and Maintenance and our point of contact for this project, that vacant parking spaces exist at any given time and that the existing parking lot can support the additional portable classrooms.

Good afternoon:

Further to our conversation regarding the minor variance application for adding portables to Markville SS, I spoke with the principal and he advised that the parking lot is underutilized and at any given time, there are many empty spaces. Therefore, the site can accommodate additional teaching spaces with the current parking provided.

Happy Easter!
Jennifer

Jennifer Lang, B.Arch., OAA, PMP

Assistant Manager of Construction & Maintenance

York Region District School Board

Facilities Management Centre

1260 Gorham Street, Newmarket, Ontario L3Y 8W4

P 905.727.0022 Ext 3320 C 647.268.0982

2. Attached Site Plan with calculations resulting in
 - a) 14 parking spaces compliant with the By-law for the exclusive use of the Childcare Centre. (pink)
 - b) 16 parking spaces for the exclusive use of staff occupying the Office structure. (orange)

c) 213 parking spaces for School use, which is 3.55 spaces per classroom (60 classrooms including portable classrooms).

The 213 parking spaces for the exclusive use of the school will more than adequately accommodate the maximum 125 staff associated with the school.

The minor variance application represents not more than 10% deficiency.

York Region District School Board provides student busing to the site.

Two municipal bus stops adjacent to the site have been identified on our attached site plan.

Our York Region District School Board point of contact for this project, Jennifer Lang's, intention is to proceed with the earliest hearing date, identified to us in the application portal as 17 May 2023, so as not to delay the installation of portables needed to support the student population at this particular site.

We trust that the above and attached information satisfies your request for parking justification and illustrates that the underutilized parking will support the parking requirements for 4 additional portable classrooms.

Thank you.

Dana

Dana Saccoccio . Architect



SACCOCCIO WEPPLER ARCHITECTS INC
6534 Kingston Road . Suite 201
Toronto . Ontario . M1C 1L4
T 416.282.1197 F 416.282.7697

dana@swarchitects.ca

From: Leung, Melissa <MelissaLeung@markham.ca>
Sent: April 6, 2023 11:37 AM
To: Dana Saccoccio <dana@swarchitects.ca>
Subject: A/055/23 - 1000 Carlton Road - Parking Justification Study

Good Morning,

I am the planner on file reviewing the minor variance application A/055/23 at 1000 Carlton Road for a reduction in parking as it relates to proposed school portables.

Please note that Staff will require submission of a Parking Justification Study as part of our review. I recommend holding off on scheduling this application for a COA meeting date until the Study has been received.

Thank you,

Melissa Leung, MCIP, RPP
Planner II, Central District
905-477-7000, Extension 2392

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 ALL OF BLOCK 100, PLAN 65M-2268
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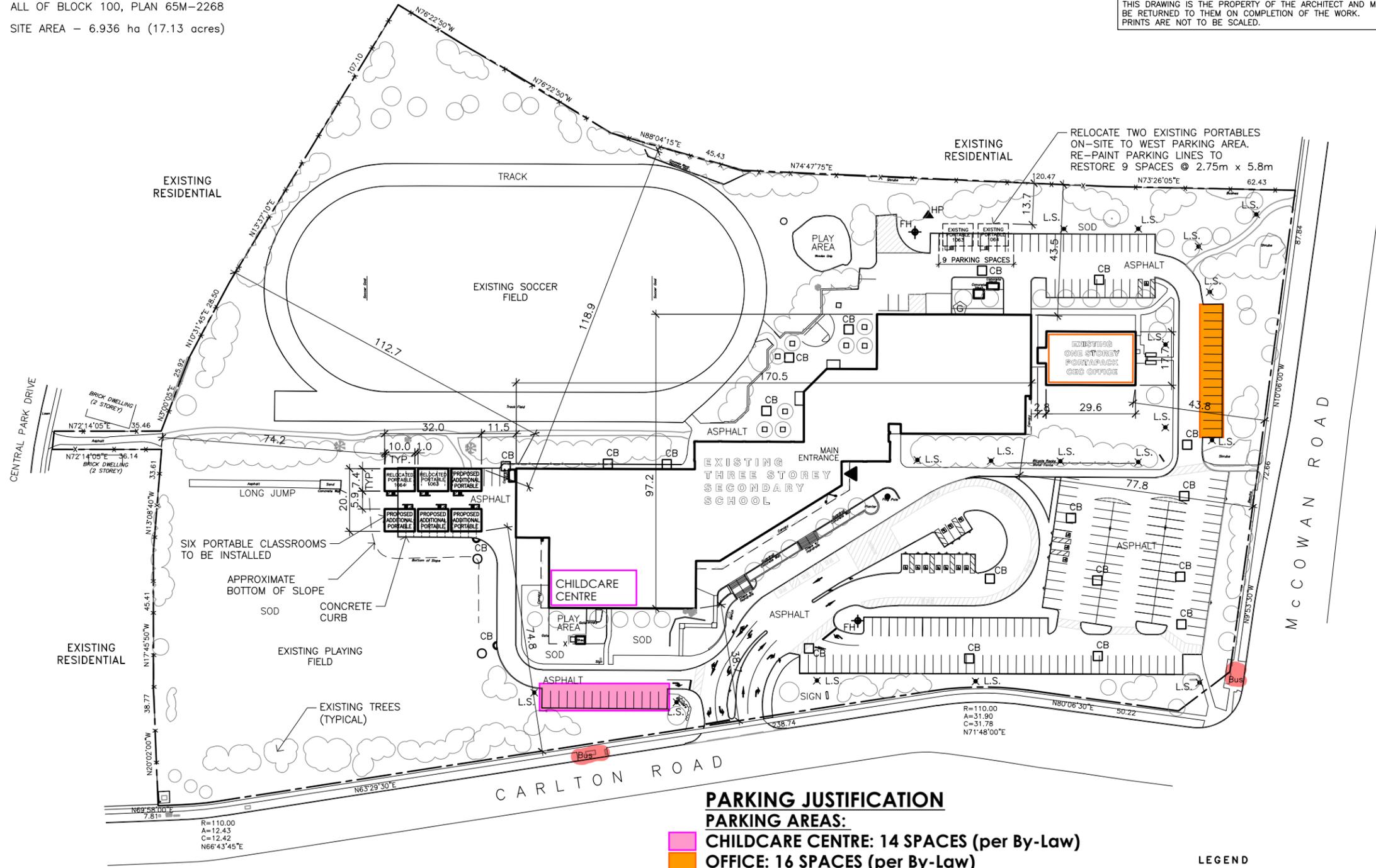
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Appendix C

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PARKING JUSTIFICATION
PARKING AREAS:
 CHILDCARE CENTRE: 14 SPACES (per By-Law)
 OFFICE: 16 SPACES (per By-Law)
 SCHOOL: 213 SPACES (3.55 Spaces / Classroom)
***Total provided parking spaces not more than 10% deficient**

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 - D.C.B. DOUBLE CATCH BASIN
 - x - FENCING
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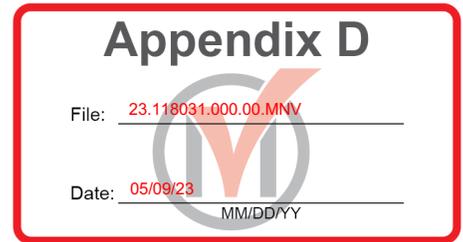
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 1000 CARLTON ROAD UNIONVILLE

SITE PLAN

DATE	DRAWN	SCALE	JOB No	DRAWING No
MAR 2023	S A M	1:1500	23101	A-101



APPENDIX “D”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/055/23

- 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 plan(s) 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 City, and that the Secretary-Treasurer receive written confirmation from Tree Preservation Technician or Manager of By-law Enforcement & Regulatory Services Division that this condition has been fulfilled to his/her satisfaction;
- 4) That prior to the commencement of construction or demolition, tree protection be erected and maintained around all trees on site in accordance with the City’s Streetscape Manual, 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 or Manager of By-law Enforcement & Regulatory Services Division; and,
- 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 or Manager of By-law Enforcement & Regulatory Services Division.

CONDITIONS PREPARED BY:

Melissa Leung, MCIP RPP, Senior Planner, Central District