

**Memorandum to the City of Markham Committee of Adjustment**  
October 27, 2023

**File:** A/177/23  
**Address:** Woodbine By-Pass, Markham  
**Applicant:** Zelinka Priamo Ltd. (Connor Wright)  
**Hearing Date:** Wednesday, November 1, 2023

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

The applicant is requesting relief from the following requirements of the Open Space 1 (OS1) Zone in By-law 177-96, as amended, to permit:

**a) By-law 177-96, Section 4.1, Table A3:**

an access driveway to be located within an OS1 Zone; whereas, the By-law does not permit an access driveway within the OS1 Zone;

as it relates to the proposed north access driveway to the subject lands.

**BACKGROUND**

**Property Description**

The 18.48 ha (45.67 ac) subject property is located on the west side of Woodbine Avenue, north of Major Mackenzie Drive East. The subject lands are currently vacant.

The subject lands are partially located within the Regulated Area of the Toronto and Region Conservation Authority (TRCA) as the northeast portion of the site contains flood and erosion hazards as well as wetland features associated with the Rouge River Watershed.

**Proposal**

The applicant is proposing to construct three industrial warehouse buildings with a total GFA of 82,827.18 m<sup>2</sup> (891,543.31 ft<sup>2</sup>). A related Site Plan Control application (SPC 22 112558) is currently being reviewed by the City.

**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” and “Greenway” in the 2014 Official Plan. The “Business Park Employment” 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. The “Greenway” designation applies only to the north portion of the subject lands where the north access driveway for the proposed development will be located. Greenway designated lands are intended to protect natural heritage and hydrologic features. The Greenway System also protects cultural heritage resources associated with valley lands and watercourse

corridors. However, the use permissions under the “Greenway” designation are currently under appeal and therefore the policies of the 1987 Official Plan continue to apply to the subject property.

### 1987 Official Plan

A portion of the subject property is designated “Business Park Area” in the 1987 Official Plan. The “Business Park Area” designation is intended for office and industrial business parks, typically with exposure to Provincial highways or major arterial roads. Uses provided for in the “Business Park Area” designation include: office, light industrial, trade and convention centres, and other similar uses. Driveways associated with these uses are permitted.

### Zoning By-Law 177-96

The subject property is zoned Business Park (BP) and Open Space 1 (OS1) under By-law 177-96, as amended. The OS1 Zone does not permit an access driveway for industrial or commercial purposes.

### **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 related 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.

### **Access Driveway within the OS1 Zone**

The Owner is proposing the northern access driveway to be located partially within the OS1 zone, whereas the OS1 zone only permits public parks and facilities for the control of flooding and erosion, playgrounds, pedestrian bridges, boardwalks, docks, bicycle paths and related accessory buildings and structures. The proposed driveway access will connect to the existing intersection at Woodbine Avenue and Betty Roman Boulevard (Refer to ‘Appendix D’).

Natural Heritage Staff has provided their comments through the associated Site Plan Control application and have indicated that since the northern access driveway is proposed to connect to an existing intersection, they have no concerns with the requested variance. Planning Staff are of the opinion that the requested variance is minor in nature.

## **EXTERNAL AGENCIES**

### TRCA Comments

The subject lands are located within the TRCA's Regulated Area. The TRCA provided comments on October 18, 2023, indicating that they have no concerns subject to the conditions outlined in their letter ('Appendix C').

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of October 27, 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:



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Hailey Miller, Planner II, West District

REVIEWED BY:



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

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/177/23**

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 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. That the applicant satisfies the requirements of the Toronto and Region Conservation Authority (TRCA), financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as 'Appendix C' to this Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.

CONDITIONS PREPARED BY:



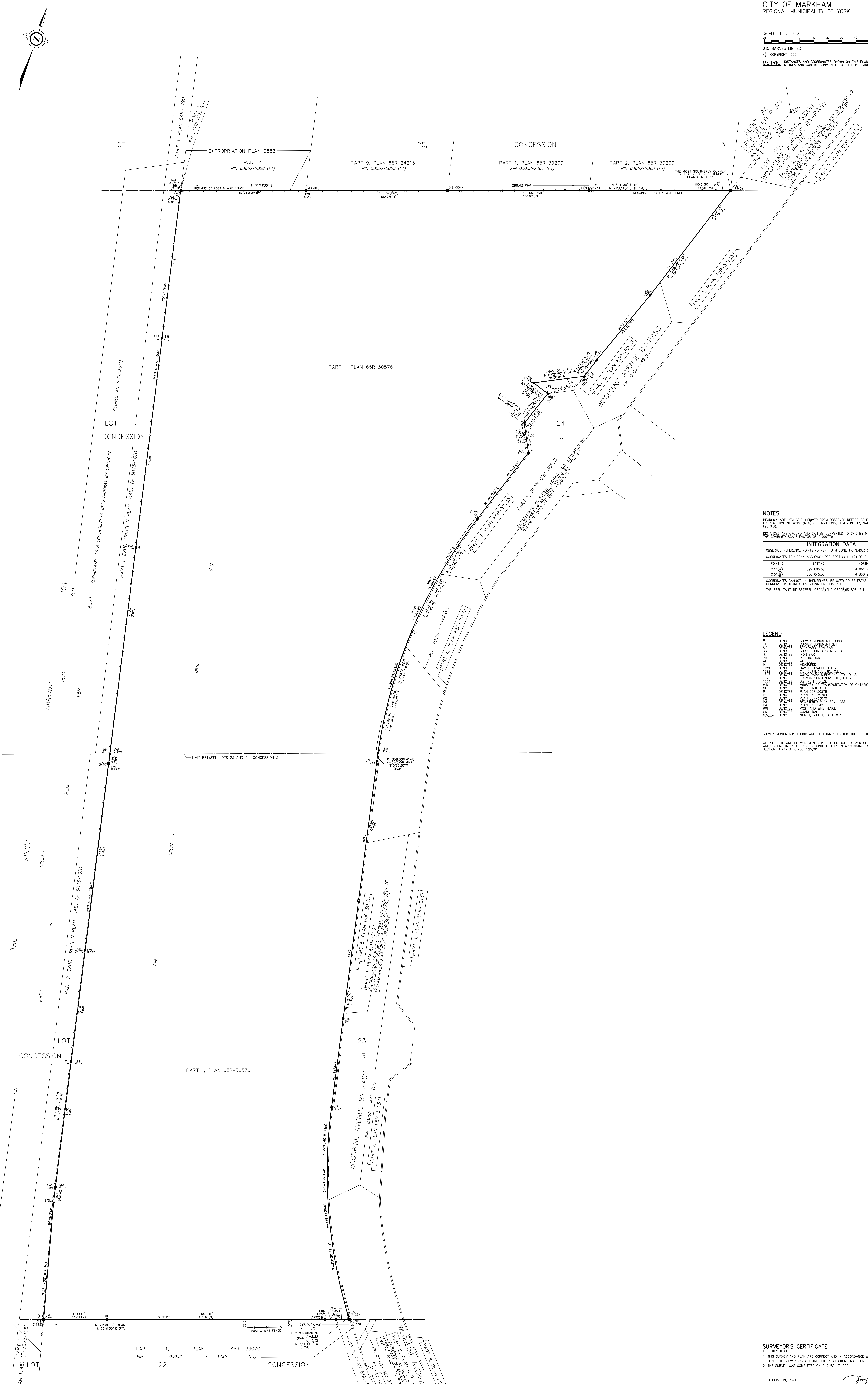
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Hailey Miller, Planner II, Planning and Urban Design Department



PLAN OF SURVEY OF  
PART OF LOTS 23 AND  
CONCESSION 3  
GEOGRAPHIC TOWNSHIP OF MARKHAM  
NOW IN THE  
CITY OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 750  
J.D. BARNES LIMITED  
© COPYRIGHT 2021  
METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**NOTES**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.99979.  
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREG 216/10.  
**INTEGRATION DATA**  
OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0).  
POINT ID EASTING NORTHING  
ORP (A) 629 885.52 4 861 786.72  
ORP (B) 630 045.36 4 860 991.18  
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.  
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 808.47 N 11°24'20\"/>

**LEGEND**  
■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET  
SB DENOTES STANDARD IRON BAR  
SBB DENOTES BURIED STANDARD IRON BAR  
IB DENOTES IRON BAR  
PB DENOTES PLASTIC BAR  
M DENOTES METAL  
W DENOTES WOODEN MEASURE  
1228 DENOTES DAVID WOODWARD, O.L.S.  
1222 DENOTES C.T. SUTHERLAND, O.L.S.  
1310 DENOTES GORDON PARRA SURVEYING LTD., O.L.S.  
1312 DENOTES ANDREW SURVEYORS LTD., O.L.S.  
1314 DENOTES J.E. HUNT, J.L.S., CORPORATION OF ONTARIO  
M10 DENOTES METRE  
N DENOTES NOT IDENTIFIABLE  
P DENOTES PLAN 65R-30576  
P1 DENOTES PLAN 65R-39209  
P2 DENOTES PLAN 65R-33070  
P3 DENOTES REGISTERED PLAN 65M-4033  
P4 DENOTES PLAN 65R-24213  
PF DENOTES POST AND WIRE FENCE  
OR DENOTES CHAIN RAIL  
N.S.L.E.W DENOTES NORTH, SOUTH, EAST, WEST

SURVEY MONUMENTS FOUND ARE J.D. BARNES LIMITED UNLESS OTHERWISE NOTED.  
ALL SET SB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF OREG 222/01.

**SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON AUGUST 17, 2021.

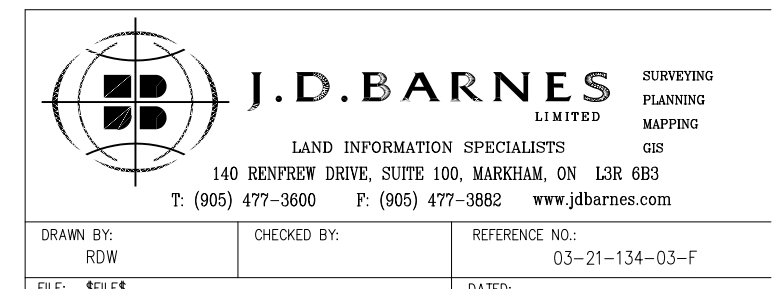
AUGUST 19, 2021  
DATE  
J.D. BARNES  
SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS  
Plan Information Form  
2158765  
J.D. BARNES SURVEYING  
LAND INFORMATION SPECIALISTS  
180 DENVER DRIVE, SUITE 106, MARKHAM, ON L3R 9B3  
T: (905) 475-3600 F: (905) 475-3882 www.jdbarnes.com  
DRAWN BY: JY/JCB CHECKED BY: JY/JCB REFERENCE NO: 21-21-636-00  
ISSUED BY THE SURVEYOR  
REGISTERED PROFESSIONAL  
REGISTRATION 1024, Section 24(1)



INFORMATION ON THIS SITE PLAN TAKEN FROM:

PLAN OF SURVEY OF PART OF LOTS 23 AND 24 CONCESSION 3 (GEOGRAPHIC TOWNSHIP OF MARKHAM, COUNTY OF YORK) NOW IN THE TOWN OF MARKHAM REGIONAL MUNICIPALITY OF YORK



DATE: 03-21-24-03-F

LEGEND TO SITE PLAN:

- DLD** - DENOTES DOCK LEVEL OVERHEAD DOOR
- GLD** - DENOTES GRADE LEVEL OVERHEAD DOOR
- E** - DENOTES EXIT DOOR
- ENTRANCE** - DENOTES ENTRANCE DOOR
- HYDRO** - DENOTES HYDRO TRANSFER CAN GROUND GRID CAN STEEL PROTECTION BOLLARDS - REFER ALSO TO ELEC. DWGS
- FR** - DENOTES PRIVATE FIRE HYDRANT CAN STEEL PROTECTION BOLLARDS - REFER ALSO TO CIVIL DWGS
- FR** - DENOTES FIRE ROUTE SIGN AT 30m (MAX) SPACING ALONG DESIGNATED FIRE ROUTES) REFER ALSO TO SHEET A101 DETAIL 11 FOR FURTHER DETAILS
- GR** - DENOTES CURB RAMP REFER TO SHEET A101
- M** - DENOTES MANHOLE OR CATCH BASIN - REFER TO CIVIL DWGS

LANDSCAPE DATA

LOT AREA (+/-)	SM	HA	COVERAGE %	INCLUDES NET LANDS AREA OF 19,220.91sm
1	18481.85	18.481		
2	SM	SP		
3.00	5954.61	59.546	32.31%	
4.00	3256	3.256	1.76%	
5.00	9526.0	95.260	5.32%	
6.00	24,076.00	240.760	15.73%	
1.00	TOTALS	101,942.61	55.15%	



KEY PLAN

PROJECT DATA

LOT AREA (+/-)	SM	HA	AC	ZONE	LOT AREA INCLUDES STORM POND AREA OF 3.2 AL. W.
1	18481.85	18.481	45.81	ZONING DESIGNATION - BP & OS1 UNDER BY-LAW 177-06 AS AMENDED	
2	SM	SP			
2.10	44,591.25	445.912	24.15%		
2.20	18,481.00	184.810	10.26%		
2.30	14,278.43	142.784	10.43%		
2.40	TOTALS	82,821.18	815,843.31	44.62%	

**WETLAND AREA CHART:**  
 AREA OF WETLAND (AREA 1) APPROPRIATION AT NEW NORTH ENTRY ENTRANCE DRIVEWAY = 1,487.53sm  
 AREA OF WETLAND (AREAS 2-4) COMPENSATION = 2,408.43sm  
 ADDITIONAL WETLANDS AREA PROVIDED = 720.9 sm

**NATURAL GAS METER / PIPE NOTES:**  
 1. GAS METERS SHALL NOT BE LOCATED ON BUILDING FACADES THAT FACE STREETS AND SHALL BE LOCATED DISCREETLY AWAY FROM PEDESTRIAN TRAVEL ROUTES AND SCREENED FROM PUBLIC VIEW.  
 2. GAS PIPES SERVING ROOF TOP MECHANICAL EQUIPMENT SHALL NOT BE VISIBLE TO ANY PUBLIC VIEW AND SHALL BE INSTALLED WITHIN THE WALL CONSTRUCTION.

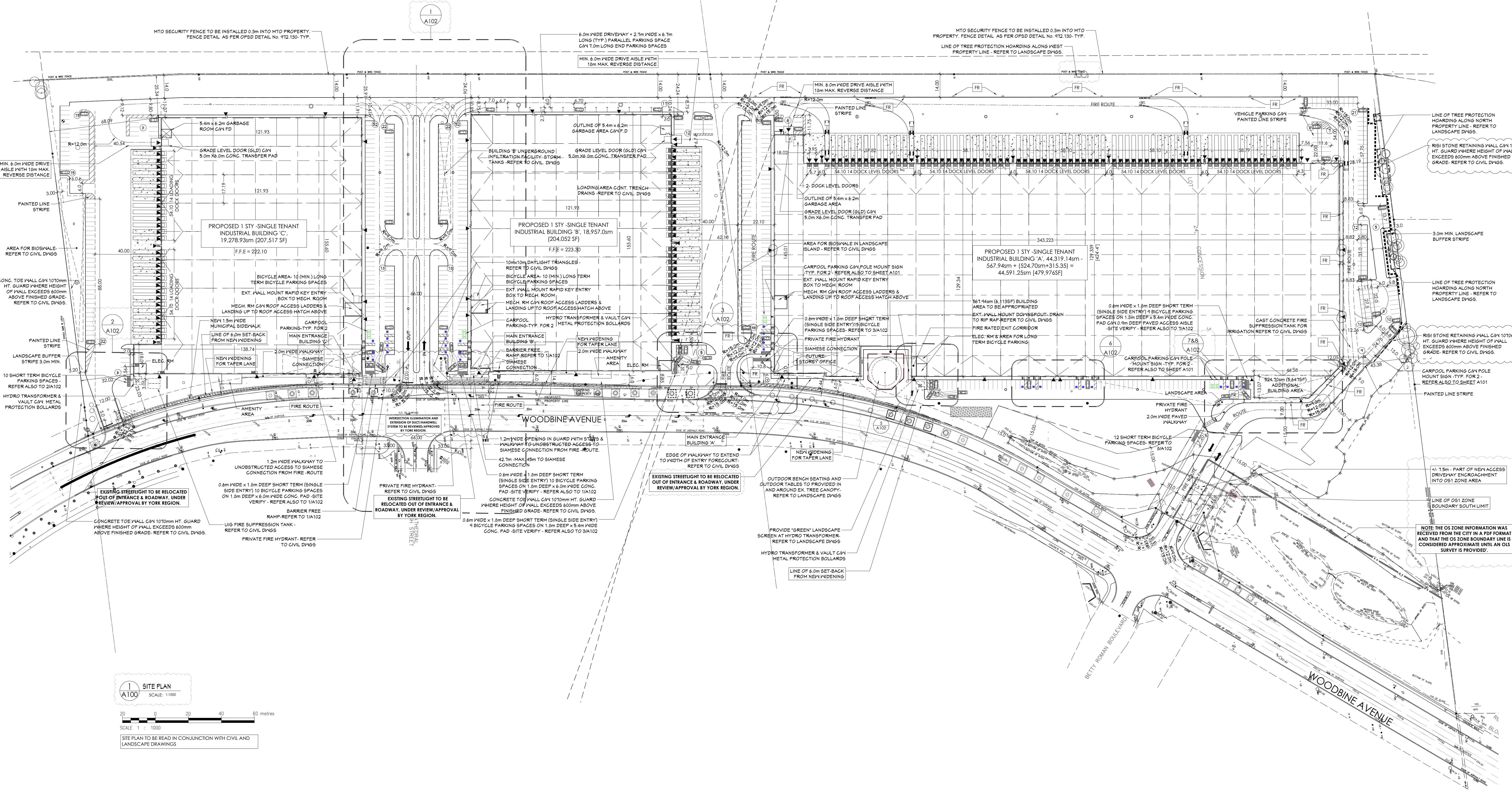
**INDUSTRIAL USES PARKING FORMULA AS PER CITY BY-LAW:**  
 NET FLOOR AREA OF EACH PREMISES UP TO 1000 SQ. M.  
 - 1 PARKING SPACE PER 40 SQ. M. OR PORTION THEREOF OF NET FLOOR AREA  
 NET FLOOR AREA OF EACH PREMISES BETWEEN 1000 SQ. M. AND 6000 SQ. M.  
 - 1 PARKING SPACE PER 100 SQ. M. OR PORTION THEREOF OF NET FLOOR AREA  
 NET FLOOR AREA OF EACH PREMISES IN EXCESS OF 6000 SQ. M.  
 - 1 PARKING SPACE PER 200 SQ. M. OR PORTION THEREOF OF NET FLOOR AREA

BICYCLE PARKING

BUILDING	BUILDING AREA	LONG TERM RATE AT 0.05 BICYCLES/100sm REQUIRED	SHORT TERM RATE AT 0.1 BICYCLES/100sm REQUIRED	TOTAL SPACES REQUIRED - LONG TERM & SHORT TERM	TOTAL SPACES PROVIDED - LONG TERM & SHORT TERM
1.00	BUILDING A	44,591.25	22,295	44.59	66.88
2.00	A	44,591.25	22,295	44.59	66.88
3.00	B	18,481.00	9.24	18.48	24
4.00	C	14,278.43	7.14	14.28	24
5.00	TOTALS (PROVIDED)	41.34	82.81	124.20	125

**NOTES TO PROJECT DATA TABLE:**  
 A. \* CONSIDERATION GIVEN TO A 10% OFFICE COMPONENT & 90% WAREHOUSE COMPONENT FOR PARKING REQUIREMENTS  
 B. ACCESSIBLE PARKING SPACES IN ACCORDANCE WITH SECTION 5.1 AS PER BY-LAW, WHICH SHALL HAVE A WIDTH NOT LESS THAN 2.6 METERS AND A LENGTH OF NOT LESS THAN 5.8 METERS. ACCESSIBLE PARKING SPACE SHALL HAVE A 1.5 METER WIDE ACCESS AISLE ADJACENT TO THE PARKING SPACE, WHICH MAY BE SHARED BETWEEN TWO ADJACENT ACCESSIBLE PARKING SPACES.  
 C. ACCESSIBLE PARKING STANDARDS  
 FIVE PER CENT OF THE PARKING SPACES REQUIRED IN TABLES A AND B SHALL BE DEDICATED AND USED AS ACCESSIBLE PARKING SPACES WHERE THE APPLICATION OF THIS REQUIREMENT RESULTS IN A NUMERIC FRACTION. A FRACTION LESS THAN 0.5 SHALL BE ROUNDED DOWN TO THE NEAREST WHOLE NUMBER. FRACTIONS EQUAL TO OR GREATER THAN 0.5 SHALL BE ROUNDED UP TO THE NEAREST WHOLE NUMBER.

PARKING REQUIRED	* PARKING PROVIDED (INCLUDES B/F PARKING REQUIREMENT)	(NOTES B & C) ACCESSIBLE PARKING SPACES	ACCESSIBLE PARKING SPACES PROVIDED
271 SPACES REQUIRED	271 SPACES PROVIDED	271 * 13% = 35.23	35.23
143 SPACES REQUIRED	126 SPACES PROVIDED	143 * 5% = 7.15	7.15
144 SPACES REQUIRED	168 SPACES PROVIDED (+24)	144 * 5% = 7.2	7.2
558 SPACES REQUIRED	565 SPACES PROVIDED (+7)	28	28



Appendix B

NO.	REVISIONS	DATE	BY:
43	RE ISSUED AS PER SPA COMMENTS - CITY OF MARKHAM	SEP 15/23	GN
42	ISSUED WITH UPDATED BUILDING A SITE DATA	SEP 05/23	GN
41	REVISED PARKING FROM BUILDING A ACROSS FROM EAST ELEVATION ADJACENT TO EAST LANDSCAPING - REISSUED FOR REVIEW & COORDINATION	AUG 23/23	GN
40	REISSUED FOR REVIEW & COORDINATION	AUG 17/23	GN
39	REVISION TO BUILDING A: RELOCATION OF MECH. RM AND FIRE DOORS TO SOUTH ELEVATION - ISSUED TO CLIENT FOR REVIEW AND COORDINATION	JULY 13/23	GN
38	REVISION TO BUILDING A: NORTHWEST WALL AMENITY AREA & WALKWAY - ISSUED TO CLIENT FOR REVIEW AND COORDINATION	JUNE 27/23	GN
37	REVISION TO BUILDING A: MECH. RM LOCATION RE - ISSUED TO CLIENT FOR REVIEW AND COORDINATION	JUNE 20/23	GN
36	REVISION TO BUILDING A: FOOTPRINT & PARKING - ISSUED TO CLIENT FOR REVIEW AND COMMENTS	JUNE 19/23	GN
35	ADDED BARRIER FREE RAMPS TO BUILDINGS B & C - RE ISSUED FOR COORDINATION	MAY 30/23	GN
34	REVISIONS TO SITE PLAN: ADDED TREE PROTECTION HOARDING AND ADJUSTED PARKING ALONG ABUTTING NORTH PROPERTY LINE - ISSUED FOR COORDINATION	MAY 25/23	GN
33	REVISIONS TO SITE PLAN: ADDED EXIT DOOR TO EAST ELEVATION C/W INTERIOR CONC. STAIR - ISSUED FOR COORDINATION	MAY 16/23	GN
32	REVISIONS TO SITE PLAN: PARKING AREA NORTH & WEST OF BUILDING A - ISSUED FOR REVIEW	MAY 09/23	GN
31	REVISIONS TO SITE PLAN: AREAS IN FRONT OF BUILDINGS A, B & C AS PER LATEST CIVIL DRAWINGS & COMMENTS	MAY 04/23	GN
30	REVISIONS TO SITE PLAN: AREAS IN FRONT OF BUILDINGS A, B & C AS PER LATEST CIVIL DRAWINGS & COMMENTS	MAY 02/23	GN
29	REVISIONS TO BUILDING B: REVISIONS TO ROOF SLOPES AS PER CLIENT INSTRUCTIONS. REVISIONS TO ROOF SLOPES ALL BUILDINGS AS PER PRELIMINARY STRUCTURAL LAYOUT	APR 23/23	GN
28	THIRD SPA SUBMISSION ISSUE AS PER SECOND ROUND SPA COMMENTS - CITY OF MARKHAM	MAR 29/23	GN
27	REVISIONS AS PER LATEST CIVIL DRAWINGS AND CLIENT COMMENTS - RE ISSUED FOR CONSULTANT COORDINATION	MAR 24/23	GN
26	REVISIONS AS PER LATEST CIVIL DRAWINGS AND CLIENT COMMENTS - RE ISSUED FOR CONSULTANT COORDINATION	MAR 06/23	GN
25	REVISIONS AS PER 2ND ROUND SPA COMMENTS - ISSUED FOR CONSULTANT COORDINATION	FEB 21/23	GN
24	SECOND SPA SUBMISSION ISSUE AS PER FIRST ROUND SPA COMMENTS - CITY OF MARKHAM	OCT 19/22	GN
23	ADDED MIN. 6.0m SET-BACK DIMENSION FROM HYDRO TRANSFORMERS TO EXTERIOR DOORS	SEP 13/22	GN
22	RELOCATED HYDRO TRANSFORMERS FROM VIEW CORRIDOR AND ADDED DEDICATED ELEC. RVS TO BUILDINGS B & C - ISSUED FOR REVIEW & COORDINATION	SEP 09/22	GN
21	REVISIONS AS PER CLIENT AND FIRST ROUND SPA COMMENTS	AUG 30/22	GN
20	REVISION TO SHOW DAYLIGHT TRIANGLES AT DRIVEWAY ENTRANCES	JULY 13/22	GN
19	ISSUED FOR SPA - CITY OF MARKHAM	FEB 23/22	GN
18	REVISIONS TO PARKING - ADDED 3 POINT TURN AROUND FACILITY TO BUILDINGS A, B & C - ISSUED FOR REVIEW AND COORDINATION	FEB 17/22	GN
17	ADJUSTED B/F PARKING TO BUILDING A: ADDED ROOF DRAIN & ROOF SLOPES TO ALL BUILDINGS - ISSUED FOR REVIEW AND COORDINATION	JAN 22/22	GN
16	REVISIONS TO BUILDING A: RELOCATED M-E R.M.s & SIAMSE CONNECTION - ISSUED FOR REVIEW	JAN 14/22	GN
15	ADJUSTED B/F PARKING TO BUILDING A: ADDED ROOF DRAIN & ROOF SLOPES TO ALL BUILDINGS - ISSUED FOR REVIEW	JAN 12/22	GN
14	ADJUSTED NET LANDS FOOTPRINT AREA AS PER CIVIL ENGINEERING & REVISIONS TO CLIENT FOR REVIEW AND COORDINATION - BUILDINGS A, B & C	DEC 20/21	GN
13	ADJUSTED SOFT LANDSCAPE AREA BELOW ENF. CANOPY SURFACE & REVISIONS TO CLIENT FOR REVIEW AND COORDINATION - BUILDINGS A, B & C	DEC 15/21	GN
12	ADJUSTED SOFT LANDSCAPE AREA BELOW ENF. CANOPY SURFACE & REVISIONS TO CLIENT FOR REVIEW AND COORDINATION - BUILDINGS A, B & C	DEC 08/21	GN
11	ADDED B/F PARKING AND CURB RAMPS & REVISIONS TO CLIENT FOR REVIEW AND COORDINATION	NOV 29/21	GN
10	ADDED B/F PARKING AND CURB RAMPS & REVISIONS TO CLIENT FOR REVIEW AND COORDINATION	NOV 15/21	GN
9	ISSUED TO CLIENT FOR REVIEW AND COORDINATION	NOV 12/21	GN
8	REVISION TO SITE PLAN AS PER CITY COMMENTS	OCT 21/21	GN
7	REVISION TO SITE PLAN AS PER CITY COMMENTS	SEP 27/21	GN
6	ISSUED TO CLIENT	SEP 03/21	GN
5	ENLARGED BUILDING A - ENCROACHMENT INTO 14m MTD SET-BACK	SEP 01/21	GN
4	REWORK SITE AS PER UPDATED	SEP 01/21	GN
3	ADDED UPDATED WETLANDS AREA TO SITE PLAN	AUG 26/21	GN
2	ADDED PARKING TO BUILDING A: ISSUED TO CLIENT	JULY 02/21	GN
1	ISSUED TO CLIENT	JUNE 28/21	GN

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION. DRAWINGS SHALL NOT BE SCALED.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

**NATALE ARCHITECT INC.**  
 Suite 218, 1410 Woodbine Ave., Unit 101, Markham, ON L3R 9V7  
 Tel: (416) 231-1201 Fax: (416) 231-1202

ONTARIO ASSOCIATION OF ARCHITECTS  
 GND/NATALE  
 LICENSE 4184  
 SEP 15/23

CLIENT: **TRIOVEST**

PROJECT: PROPOSED INDUSTRIAL BUILDINGS WOODBINE AVE. BY-PASS, MARKHAM, ONTARIO

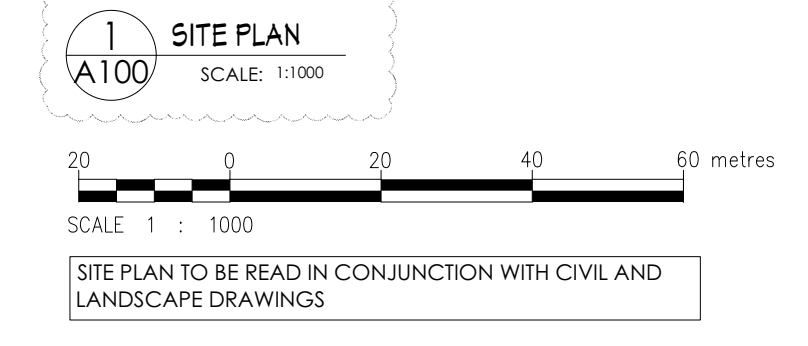
SP# SPC 22 112558

DRAWING: SITE PLAN, & SITE DATA

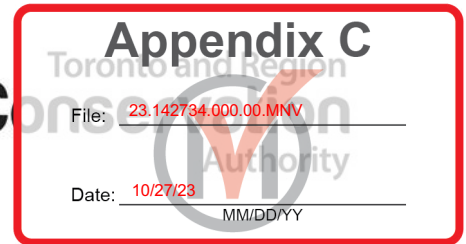
THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:

DATE	SCALE
JUNE 2021	AS NOTED

PROJECT NO.: DRAWING NO.: **21-14 A100**







October 18, 2023

CFN 68438.12  
Ex Ref: 66425.05

**Via E-Plan**

Dear Hailey Miller,

**Re: Minor Variance Application – (Application A/177/23)  
Woodbine By-Pass  
Part Lot 23 and 24, Concession 3, Markham  
(West of Woodbine Avenue and Betty Roman Boulevard)  
Applicant: Zelinka Priamo Ltd. (Connor Wright)  
Owner: 1000027304 Ontario Limited (Joanna Wang)**

Toronto and Region Conservation Authority (TRCA) staff provide the following comments in response to the referenced Committee of Adjustment application, received by TRCA on September 29, 2023. We provide the following in accordance with TRCA’s commenting role under the Planning Act and regulatory role under the Conservation Authorities Act (CA Act). For additional information, please see [TRCA Role in the Plan Input and Review Process](#).

**Purpose of the Application**

TRCA staff understand that the purpose of this application is to request relief from the requirements of By-law 177-96, Section 4.1, as amended, to allowed for a proposed north access driveway to be partially located in lands zoned as OS1.

**Background**

TRCA is currently reviewing the re-submission of the related Site Plan Control (SPC) Application 22 112558. The proposed north access driveway has been shown in the Site Plan Application materials and traverses a wetland and the southern edge of a stream corridor. Accordingly, an ecological compensation plan is required to address feature impacts associated with the driveway construction and related site alteration works. The applicant has been working with our office to address comments on their ecological compensation plan. A revised ecological compensation plan was recently submitted to our office and is presently under review. This plan will need to be finalized to our satisfaction before staff are in a position to support the associated Site Plan Approval and a future TRCA permit.

**TRCA Permit Requirements**

The subject lands contain stream corridors and their associated Regulatory flood and erosion hazards, as well as wetland features associated with the Rouge River Watershed and its adjacent regulated allowance.

Due to the presence of natural hazards, the issuance of a TRCA permit pursuant to the Conservation Authorities Act is required prior to any development or site alteration within the regulated portion of the property.

Based on the review of materials circulated with this application, the proposed development is located within the regulated portions of the property. Thus, a **permit is required** from TRCA to facilitate the development associated with this application.

**TRCA Plan Review Fee**

By copy of this letter, the applicant is advised that TRCA have implemented a fee schedule for its planning application review services in accordance with applicable provincial regulations. This Minor Variance Application is subject to a fee of \$1250. The applicant is responsible for fee payment within 60 days of the committee hearing date. Interest will be charged and accumulated beyond that time. Please contact the Planner noted below for an electronic invoice to facilitate payment.

**Recommendations**

Based on the comments provided, TRCA staff have **no objection** to the approval of **Application A/177/23** subject to the **conditions** identified in Appendix A.

Should you have any questions or comments, please contact the undersigned.

Regards,



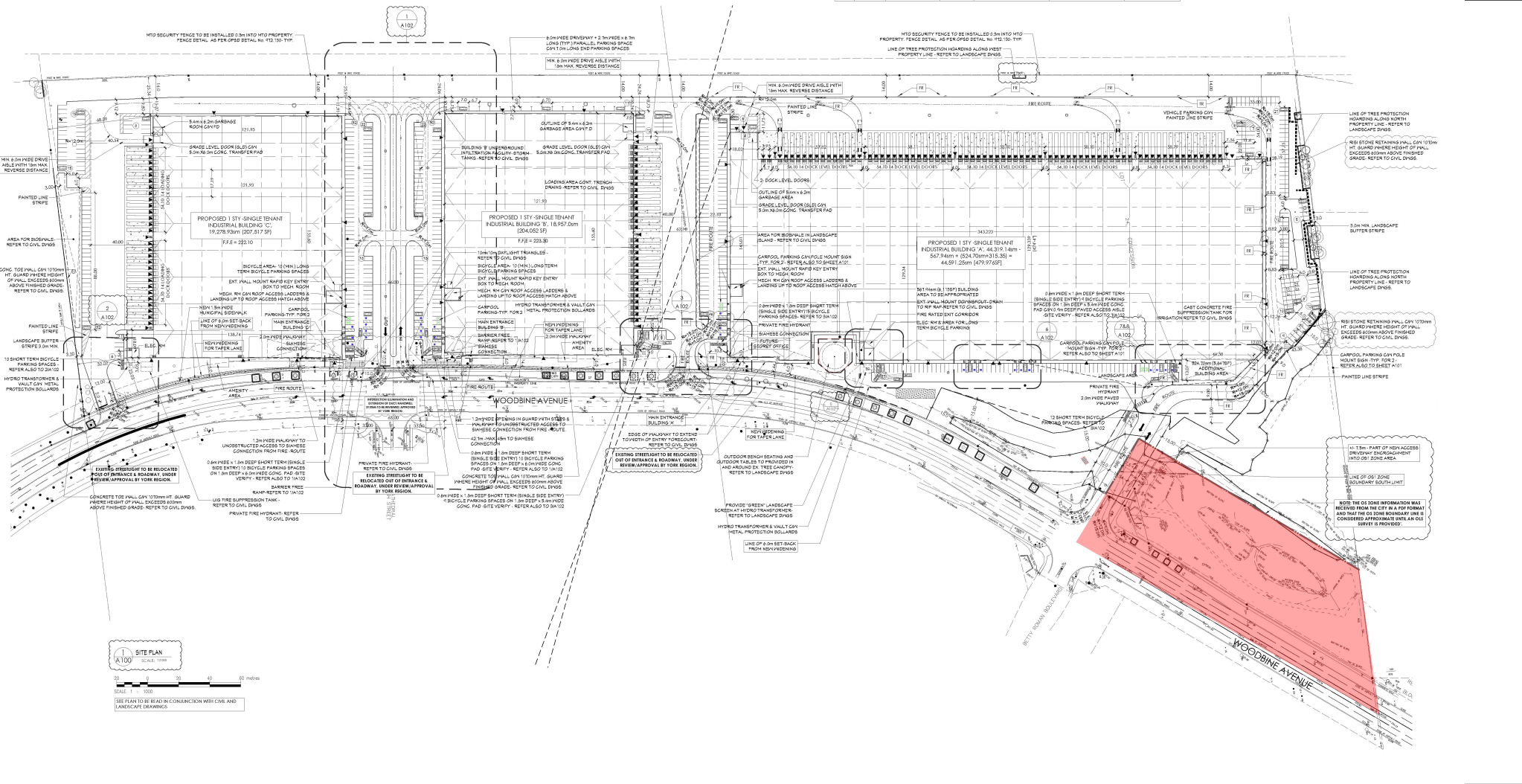
Rameez Sadafal  
Planner 1 – York East Review Area  
Development Planning and Permits | Development and Engineering Services  
Telephone: (437) 880-2163  
Email: rameez.sadafal@trca.ca

/rs

Attached: Appendix A: TRCA Conditions of Approval

**Appendix A: TRCA Conditions of Approval**

#	TRCA Conditions
1	The applicant submits the TRCA plan review fee of \$1,250 within 60 days of the committee hearing date.
2	The applicant provides an ecological compensation plan for the driveway construction and related site alteration works to the satisfaction of TRCA and obtains a permit from TRCA pursuant to the <u>Conservation Authorities Act</u> for the proposed works in our Regulated Area.
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# APPENDIX D

Woodbine By-Pass  
 FILE No. MNV 23 142734

Open Space 1 (OS1) Zone