

# Memorandum to the City of Markham Committee of Adjustment

June 26, 2018

**File:** A/70/18  
**Address:** 8500 & 8432 Leslie Street, 220 Commerce Valley Drive West,  
Thornhill  
**Applicant:** Shatsford Developments Inc. (Ennio Zuccon)  
**Agent:** Baldassarra Architects (Hannah Penman)  
**Hearing Date:** Wednesday July 11, 2018

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

The applicant is requesting relief from the following requirements of By-law 165-80, as amended:

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

a minimum of 1 parking space for every 30 sq. m of Net Floor Area, whereas the By-law requires a minimum of 1 parking space for every 20 sq. m Net Floor Area; as it relates to a proposed medical office in an existing mixed-use building.

## **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, *"existing conditions does not allow for further expansion in parking"*.

## **Zoning Preliminary Review Not Undertaken**

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. Consequently, 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 variances in the application contains errors, or if the need for additional variances are identified during the Building Permit review process, further variance application(s) may be required to address the outstanding matters and there will be a delay in application processing.

## **COMMENTS**

The applicant is proposing a new medical office which increases the parking required on the site by 24 parking spaces from 1308 to 1332 parking spaces. This is approximately 2 percent of the total existing parking supply.

The medical office will be using space within the existing building that was previously occupied by a business office. A business office requires 1 space for every 30 sq. m of Net Floor Area and a medical offices requires 1 space for every 20 sq. m of Net Floor Area. The medical office will occupy approximately 1394 m<sup>2</sup> (15004 ft<sup>2</sup>) which, staff note equates to 70 parking spaces required. The business office rate equates to 46 parking spaces required. Consequently, a deficiency of 24 parking spaces results. Staff have reviewed the file with transportation engineering, who have no concerns with the parking deficit.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of June 26<sup>th</sup>, 2018. 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, provided a condition included that caps the total Gross Floor Area devoted to medical office at 1395 m<sup>2</sup> (15016 ft<sup>2</sup>). 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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:



David Miller, Development Manager, West District  
File Path: Amanda\File\ 18 234491 \Documents\District Team Comments Memo

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/70/18**

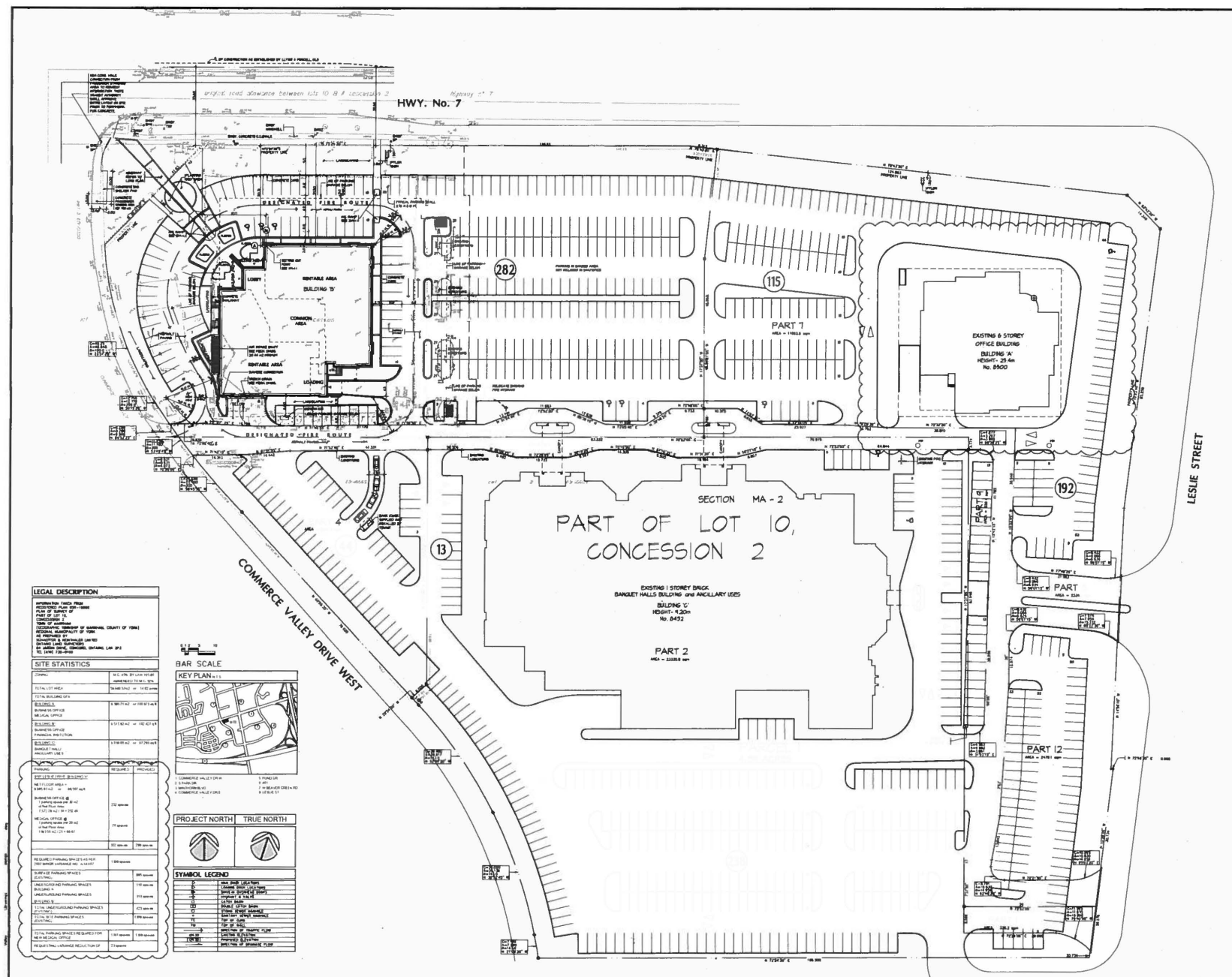
1. The variances apply only to the proposed development as long as it remains;
2. That the total Gross Floor Area devoted to a medical office be capped at 1395 m<sup>2</sup> (15016 ft<sup>2</sup>).

CONDITIONS PREPARED BY:

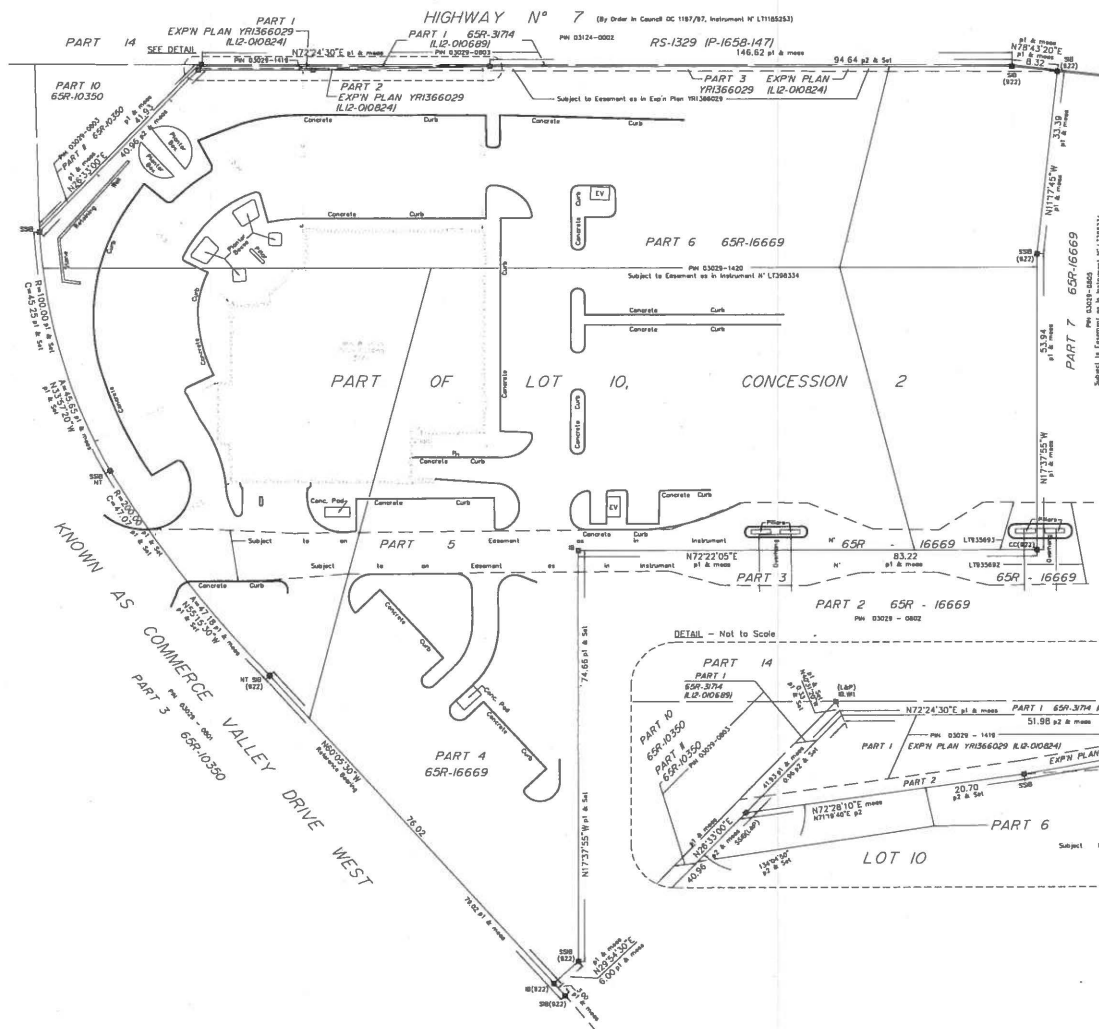
  
\_\_\_\_\_  
Aqsa Malik, Planner, Zoning and Special Projects



No	ISSUED	DATE
1	ISSUED FOR MINOR VARIANCE	MAY 2 2018



**BALDASSARRA**  
Architects, Inc.



# SURVEYOR'S REAL PROPERTY REPORT SHEET 1

PLAN OF  
PART OF LOT 10  
CONCESSION 2  
GEOGRAPHIC TOWNSHIP OF MARKHAM  
TOWN OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK  
LLOYD & PURCELL LTD SCALE 1:50

10 5 0 10 20 30 Metres

## BEARING REFERENCE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH WESTERLY LIMIT OF PART 4 AS SHOWN ON PLAN 65R-16669, HAVING A BEARING OF N80°05'30"W.

## METRIC

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

## LEGEND

SMB SHORT STANDARD IRON BAR  
SMB STANDARD IRON BAR  
IB IRON BAR  
CC CUT CROSS  
F FOUND  
SET  
MEASURED  
CONC. CONCRETE  
EV EXHAUST VENT  
P PILLAR  
EXP'N EXPROPRIATION  
NT NON-TANGENTIAL  
L&P LLOYD & PURCELL LTD  
F. SCHACHTER, D.L.S.  
PLAN 65R-16669  
P2 PLAN 65R-31714 (L12-010889)

REVISED OCTOBER 30, 2009 TO REFLECT PLANTER BOXES AND REVISED CURB.

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 29th DAY OF OCTOBER, 2009.

NOVEMBER 2, 2009

MOL A. LEGROW  
ONTARIO LAND SURVEYOR

NO ONE MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN WITHOUT THE WRITTEN PERMISSION OF LLOYD & PURCELL LTD., ONTARIO LAND SURVEYORS.

## SHEET 2

COMMENTS: -ALL BUILDING TIES HEREON ARE TO CONCRETE FOUNDATION UNLESS OTHERWISE INDICATED

EASEMENTS: -SUBJECT TO EASEMENTS AS IN INSTRUMENT N° L7398334, L735692 AND L735693.  
THIS REPORT WAS PREPARED FOR METROS CONSTRUCTION INC. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

LLOYD & PURCELL LTD.  
ONTARIO LAND SURVEYORS

1228 GORHAM STREET, UNIT 28, NEWMARKET, ONTARIO, L3Y 8Z  
(905) 895-6416 Fax (905) 893-5837 E-MAIL: l & p@ontariolandsurveyors.ca  
Toronto Line (905) 475-6500 Fax (905) 475-6505  
WWW.ONTARIOLANDSURVEYORS.CA



CAD: CC PC: SH JOB: 09-458  
CALC: BI CHK'D: NAL FILE: M2-E-10-3