

Memorandum to the City of Markham Committee of Adjustment

July 10th, 2019

File: A/183/18
Address: 85 Steelcase Rd E, Markham
Applicant: Fuyu Corporation
Agent: Henry W Chiu Architect (Henry Chiu)
Hearing Date: Wednesday July 24, 2019

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

The applicant is requesting relief from the following requirements of By-law 108-81, M.C. (40%) as amended:

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

a minimum of 56 parking spaces, whereas the By-law requires a minimum of 73 parking spaces; as it relates to an existing industrial plaza.

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, *"to legalize existing condition, building constructed in 1972"*.

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:

- 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 Committee of Adjustment deferred the application at its first hearing on February 6th, 2019 requesting a parking study to understand the magnitude of the variance. The applicant submitted a parking study on May 7th, 2019. The Applicant is proposing a minimum of 56 parking spaces, whereas the By-law requires a minimum of 73 parking spaces for the existing industrial plaza. This represents a difference of 17 parking spaces or, approximately 30 percent. Transportation engineering have reviewed the parking study in support of the variance and accept the conclusion of the study subject to the conditions attached in Appendix 'A' of this report.

PUBLIC INPUT SUMMARY

No written submissions were received as of July 10th, 2019. 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.

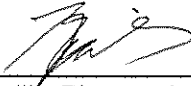
CONCLUSION

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. 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 I, East District

REVIEWED BY:



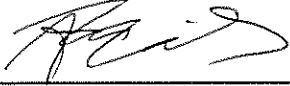
Richard Kendall, Development Manager, Central District

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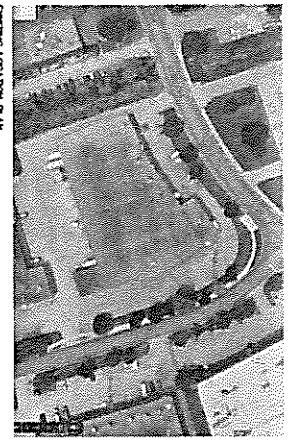
APPENDIX "A"
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/183/18

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

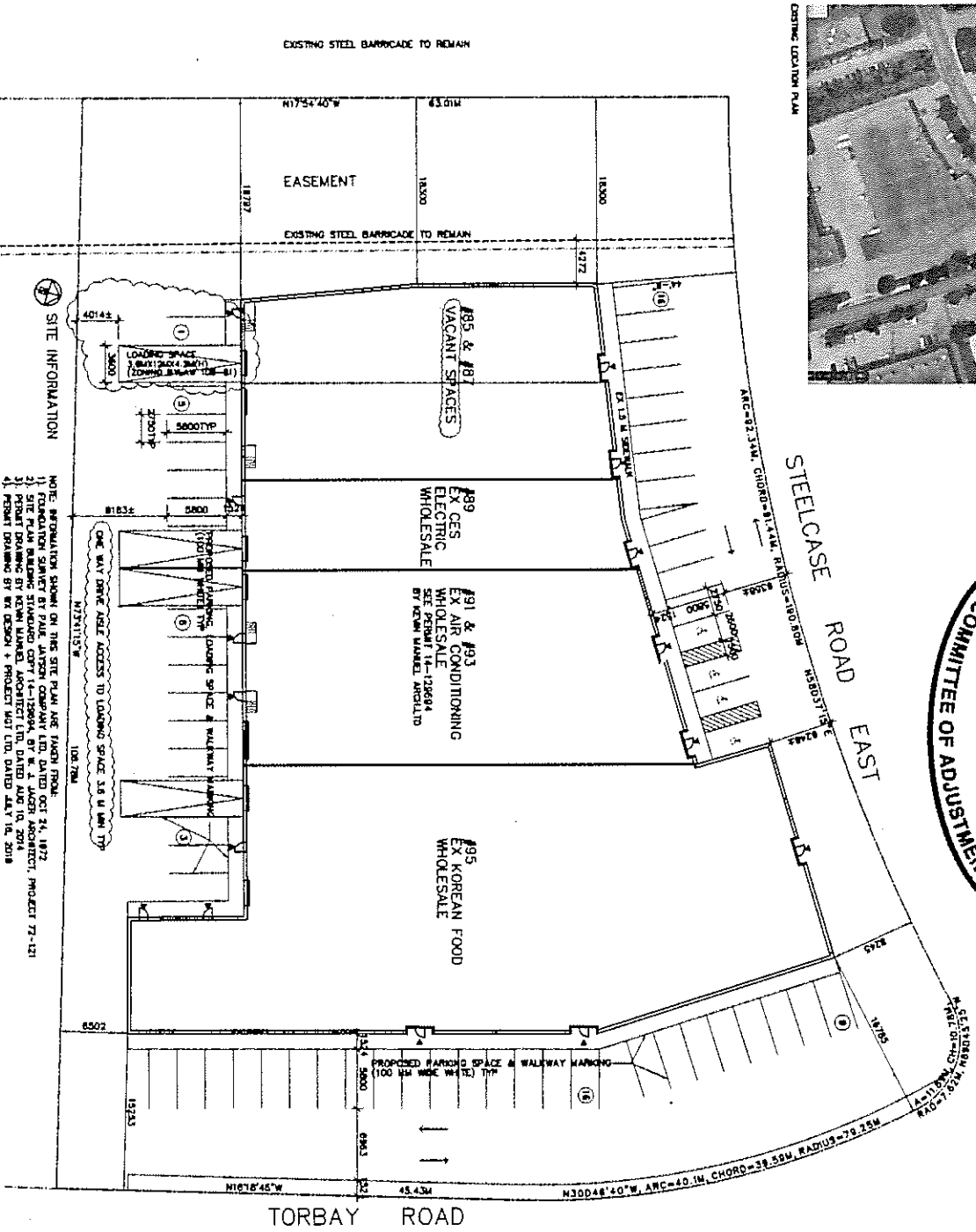
CONDITIONS PREPARED BY:



Aqsa Malik, Planner I, East District

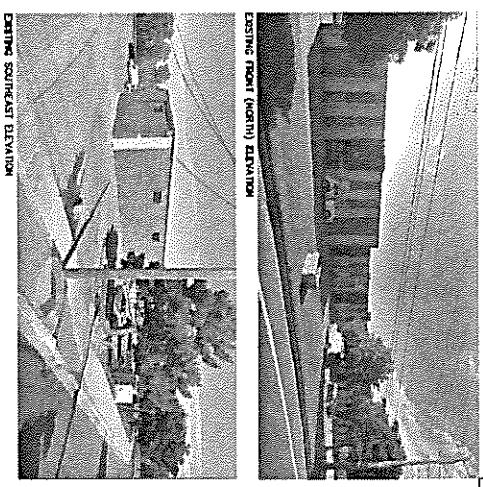


CITY OF MARKHAM
RECEIVED
JUN 21 2019
COMMITTEE OF ADJUSTMENT



SITE INFORMATION

NOTE: INFORMATION SHOWN ON THIS SITE PLAN ARE TAKEN FROM:
 1) FOUNDATION SURVEY BY PAUL JAYSON COMPANY LTD. DATED OCT 24, 1972
 2) SITE PLAN SUBMITTED TO THE CITY OF MARKHAM, PROJECT 77-121
 3) SITE PLAN SUBMITTED TO THE CITY OF MARKHAM, PROJECT 77-121
 4) PERMIT DRAWING BY WJ DESIGN + PROJECT MGT LTD. DATED MAY 16, 2018



EXISTING SOUTH-EAST ELEVATION

EXISTING NORTH ELEVATION

SITE INFORMATION

PLATS: S7/2018/67 S4
 EXISTING DTN/CDC CONVEYANCE: 200914 S7/2018/972 S4 (44-43)
 EXISTING BUILDING CONVEYANCE: 200914 S7/2018/972 S4 (44-43)

UNIT NO.	EXISTING DTN/CDC	NEW ADJUSTER GRANTEE/TENANT OPERATOR
#85 & #87	508 S4/2018 S4	VACANT SPACES
#89	140 S4/2018 S4	EX CES ELECTRIC WHOLESALE
#91 & #93	100 S4/2018 S4	EX AIR CONDITIONING WHOLESALE
#95	100 S4/2018 S4	EX KOREAN FOOD WHOLESALE
TOTAL	1408 S4/2018 S4 (IND. NEW LOT/BLK)	

PARKING CALCULATION:

INDUSTRIAL PARKING STANDARD:
 1200 S4 < 1200 S4, 1 CAR/40 S4
 1200 S4 < 6000 S4, 1 CAR/100 S4

PARKING REQUIRED:

#85 & #87: (1674 = 370 + 128 = 696 S4)
 #89: 696 S4 / 40 S4 = 17.4 CARS
 #91 & #93: 696 S4 / 40 S4 = 17.4 CARS
 #95: 696 S4 / 40 S4 = 17.4 CARS
 TOTAL PARKING REQUIRED: 52 CARS

ACCESSIBLE PARKING SPACE:

ACCESSIBLE PARKING SPACE: 71 X 5.5' = 4 CARS
 LOADING REQUIRED: 1 BAY PER TENANT SPACE = 4 BAYS

PARKING PROVIDED:

PROPOSED PARKING PROVIDED: 52 CARS
 STANDARD PARKING SPACE: 50 CARS
 ACCESSIBLE PARKING SPACE: 50 CARS
 PROVIDED LOADING SPACE PROVIDED: 4 BAYS

STANDARD PARKING SPACE:

STANDARD PARKING SPACE SIZE: 2.75' W X 5.8' L
 ACCESSIBLE PARKING SPACE SIZE: 1.5' W ACCESS AISLE
 LOADING SPACE SIZE: 1.5' W ACCESS AISLE
 2' W ACCESS AISLE: 1.5' W ACCESS AISLE (ZONING BY-LAW 108-81)
 ONE WAY DRIVE AISLE ACCESS TO LOADING SPACE: 3.00' W

NO.	REVISION	DATE	BY	CHKD.	APP'D.
01	ISSUED FOR PERMIT	2018.05.16	WJ	WJ	WJ
02	REVISION FOR MARKHAM VARIATION	2018.05.16	WJ	WJ	WJ
03	REVISION FOR MARKHAM VARIATION	2018.05.16	WJ	WJ	WJ
04	REVISION FOR MARKHAM VARIATION	2018.05.16	WJ	WJ	WJ
05	REVISION FOR MARKHAM VARIATION	2018.05.16	WJ	WJ	WJ

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