

# Memorandum to the City of Markham Committee of Adjustment

April 12, 2021

**File:** A/032/21  
**Address:** 344 John Street, Thornhill  
**Applicant:** Macaulay Shiomi Howson (Nick Pileggi)  
**Hearing Date:** Wednesday April 21, 2021

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

The applicant is requesting relief from the following requirements of the Industrial (M) zone in By-law 77-73, as amended:

**a) Section 7.2(f):**

a maximum building height of 45 feet, whereas the By-law permits a maximum building height of 35 feet.

as it relates to a proposed addition.

## BACKGROUND

### Property Description

The 5,380 m<sup>2</sup> (57,910 ft<sup>2</sup>) subject property is located on the north side of John Street, east of Bayview Avenue. There is an existing 886 m<sup>2</sup> (9,494 ft<sup>2</sup>) two storey building on the property. The property is located in a predominantly industrial area and is adjacent to multi-tenant buildings.

### Proposal

The applicant is proposing to construct a 996 m<sup>2</sup> (10,720.85 ft<sup>2</sup>) rear-yard addition to the existing two storey Parya Trillium Foundation building. The subject property is currently being operated as a Private Club and no changes to use are being proposed as part of the expansion. There are no proposed impacts to trees. The applicant will be required to apply for a Site Plan Control application.

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

The subject property is designated 'Service Employment' in the 2014 Official Plan. The designation applies to lands that are planned and developed for service and retail uses together with light industrial and warehousing and small office uses that are dispersed within an overall mix of uses. This designation is intended to accommodate a range of employment uses, small scale retail, and service uses that serve and support other business uses, and that may also serve the general public. 'Service Employment' uses are generally located within a variety of configurations and building forms.

### Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on March 18, 2021 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.

### **Increase in Maximum Building Height**

The applicant is requesting relief to permit a maximum building height of 13.72 m (45 ft), whereas the By-law permits a maximum building height of 10.67 m (35 ft). This represents an increase of 3.05 m (10 ft).

Given that the proposed addition to the building is located in the rear yard, away from the street, Staff are of the opinion that the proposed increase in height will not have any significant impact on neighbouring properties, and is minor in nature.

### **EXTERNAL AGENCIES**

#### **Metrolinx**

Metrolinx provided comments for this application on April 5, 2021 (Appendix C), requiring that the Owner grant Metrolinx an environmental easement for operational emissions, registered on title against the subject property in favour of Metrolinx. Staff recommend a condition be added requiring the applicant to satisfy Metrolinx's requirements.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of April 13, 2021. 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.

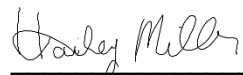
### **CONCLUSION**

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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



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Hailey Miller, Planner I, West District

REVIEWED BY:



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Stephen Kitagawa, Acting Development Manager, West District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/032/21**

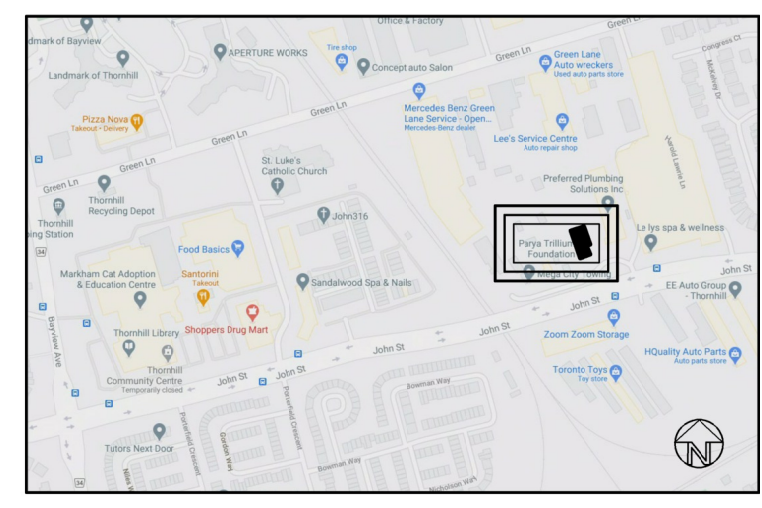
1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;
3. That the applicant satisfies the requirements of Metrolinx, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as 'Appendix C' to this Staff Report, to the satisfaction of Metrolinx, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:



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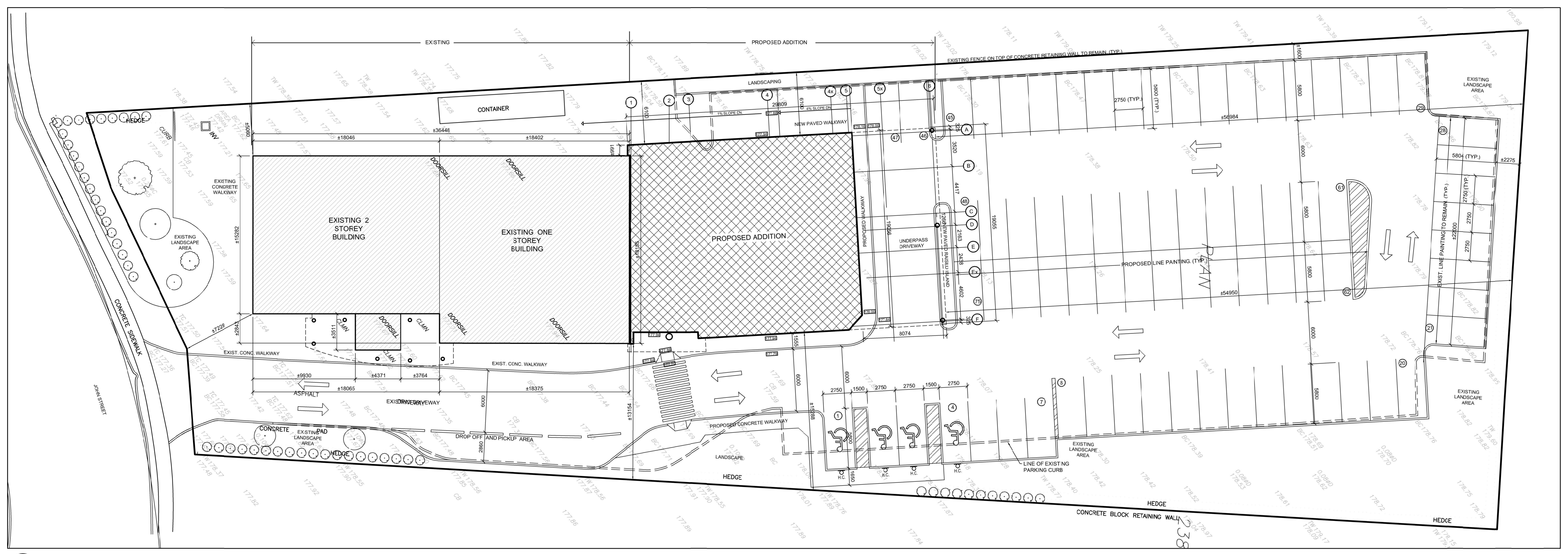
Hailey Miller, Planner I, West District



LOCATION MAP

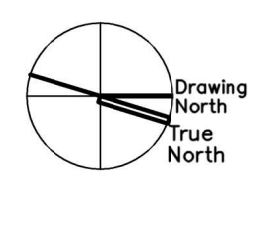
PARYA TRILLIUM FOUNDATION COMMUNITY CENTRE AREA CALCULATIONS AND STATISTICS		
USE	EXISTING AND PROPOSED OCCUPANCY	
LOT AREA	1.33 acrs = 5,380 m <sup>2</sup>	
FLOOR AREA CALCULATIONS	EXISTING	ADDITION
BASEMENT FLOOR GROSS AREA	-	-
FIRST FLOOR GROSS AREA	607 m <sup>2</sup>	416 m <sup>2</sup>
SECOND FLOOR GROSS AREA	279 m <sup>2</sup>	580 m <sup>2</sup>
TOTAL EXISTING GROSS FLOOR AREA	886 m <sup>2</sup>	
TOTAL EXISTING AND NEW GROSS FLOOR AREA	1,882 m <sup>2</sup>	
EXISTING BUILDING AREA	607 m <sup>2</sup>	
NEW ADDITION BUILDING AREA	580 m <sup>2</sup>	
LOT COVERAGE INCLUDING PROPOSED ADDITION	1,187 / 5,380 = 22.1%	
INTERIOR FLOOR AREA TO BE RENOVATED	5.7 m <sup>2</sup>	
PARKING (PROVIDED)	75 (INCLUDING 4 B.F. SPACE)	

2 STATISTICS  
A101



1 PROPOSED SITE PLAN  
A101 SCALE: 1:200

- Notes**
- Contractor shall check and verify all dimensions and shall report discrepancies to ETUDE ARCHITECT INC. prior to construction.
  - Do not scale this drawing. ETUDE ARCHITECT INC. accepts no responsibility for measurements scaled from the drawings.
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NO.	DESCRIPTION	DATE
7	RE-ISSUED FOR ZONING REVIEW	03/19/2021
6	ISSUED FOR ZONING REVIEW	02/19/2021
5	ISSUED FOR PLANNING REVIEW	01/19/2021
4	REVISED & ISSUED FOR CLIENT REVIEW	12/15/2020
3	REVISED & ISSUED FOR CLIENT REVIEW	12/09/2020
2	REVISED & ISSUED FOR CLIENT REVIEW	12/04/2020
1	ISSUED FOR CLIENT REVIEW	11/20/2020

REVISIONS / ISSUES

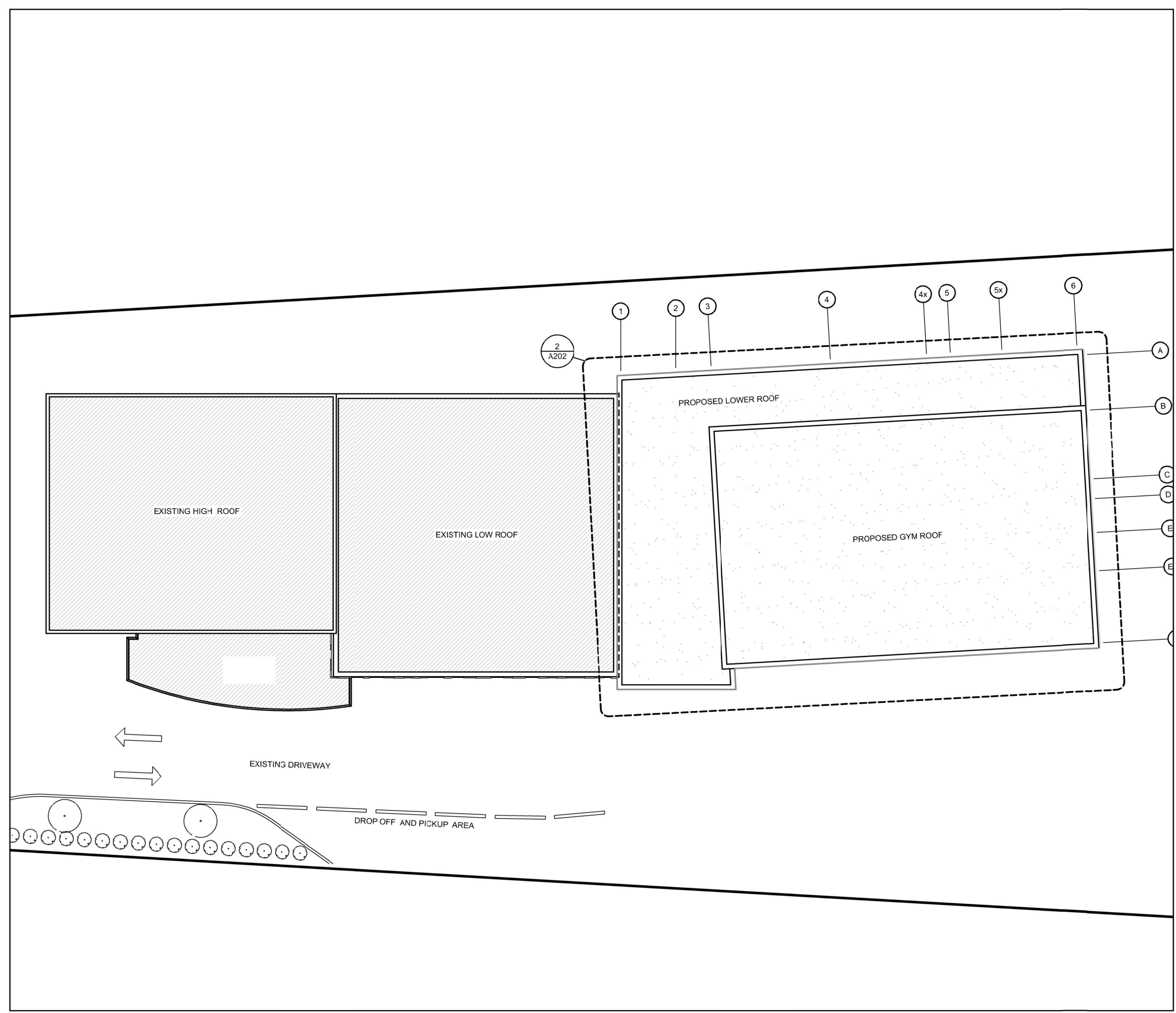
**Parya Trillium Foundation**  
 344 John Street, Thornhill, Ont. L3T 5W6  
 Tel: (905) 764-0202

**ETUDE ARCHITECT INC.**  
 30 KERN ROAD, SUITE 106, TORONTO, ONTARIO M3B 1T1  
 T: 416.226.5779 F: 416.226.9844 E: info@etudearchitect.com

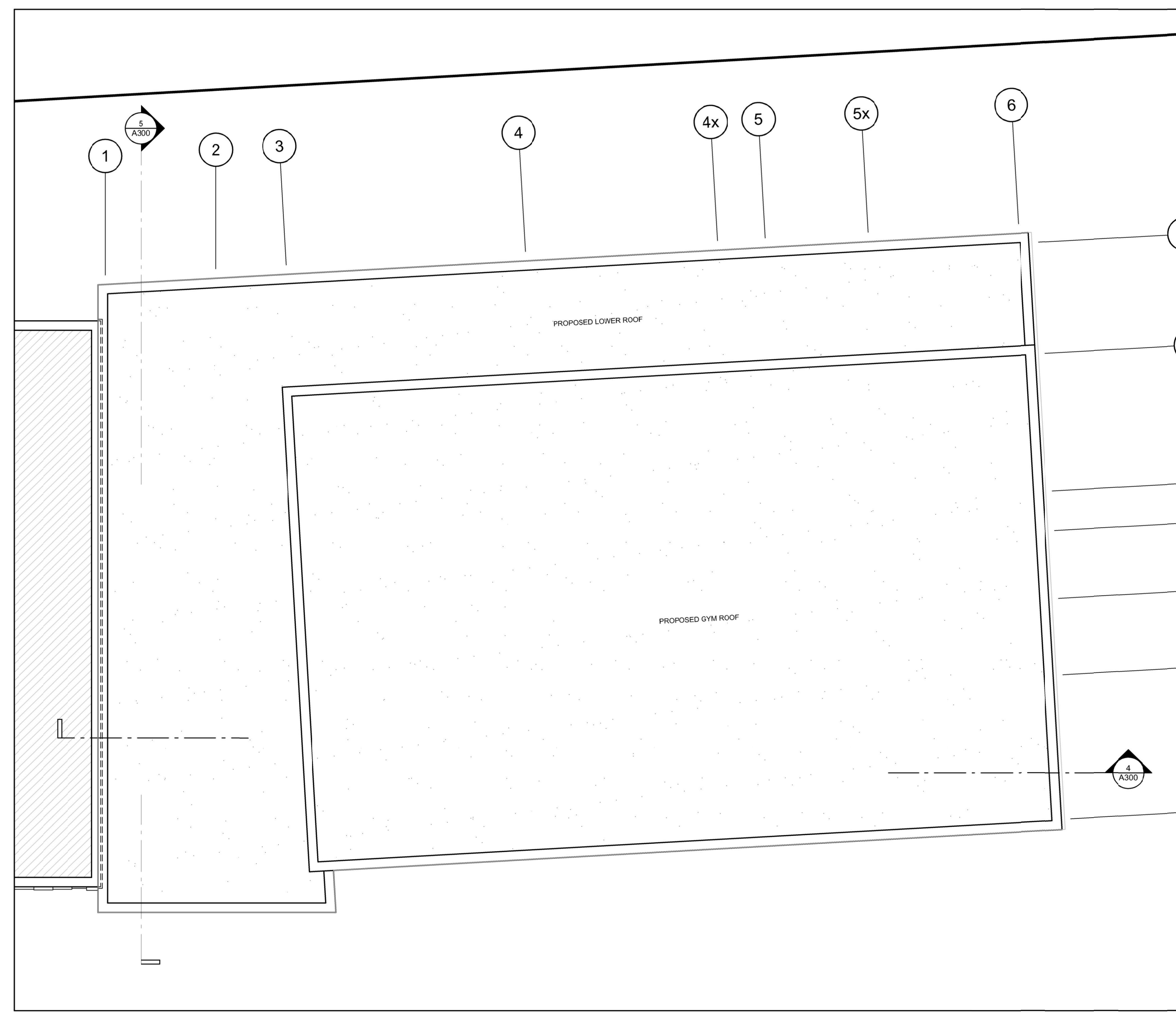
Project Name  
**PARYA TRILLIUM FOUNDATION COMMUNITY CENTRE GYMNASIUM & SEMINAR ROOM ADDITION**  
 344 JOHN STREET, THORNHILL, ON L3T 5W6

Drawing Title  
**PROPOSED FLOOR PLANS**

Graphic Scale AS NOTED	Sheet no. <b>A101</b>
Drawn AM / MO / AK	Checked A.M.
CAD File -	Scale AS NOTED
Date NOVEMBER 2020	Project No. 221105
	Revision No. N/A



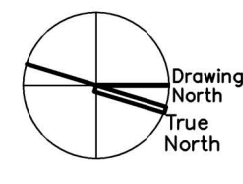
1 EXISTING & PROPOSED ROOF PLAN  
 A201 SCALE: 1:200



2 PROPOSED ROOF PLAN  
 A201 SCALE: 1:100

**Notes**

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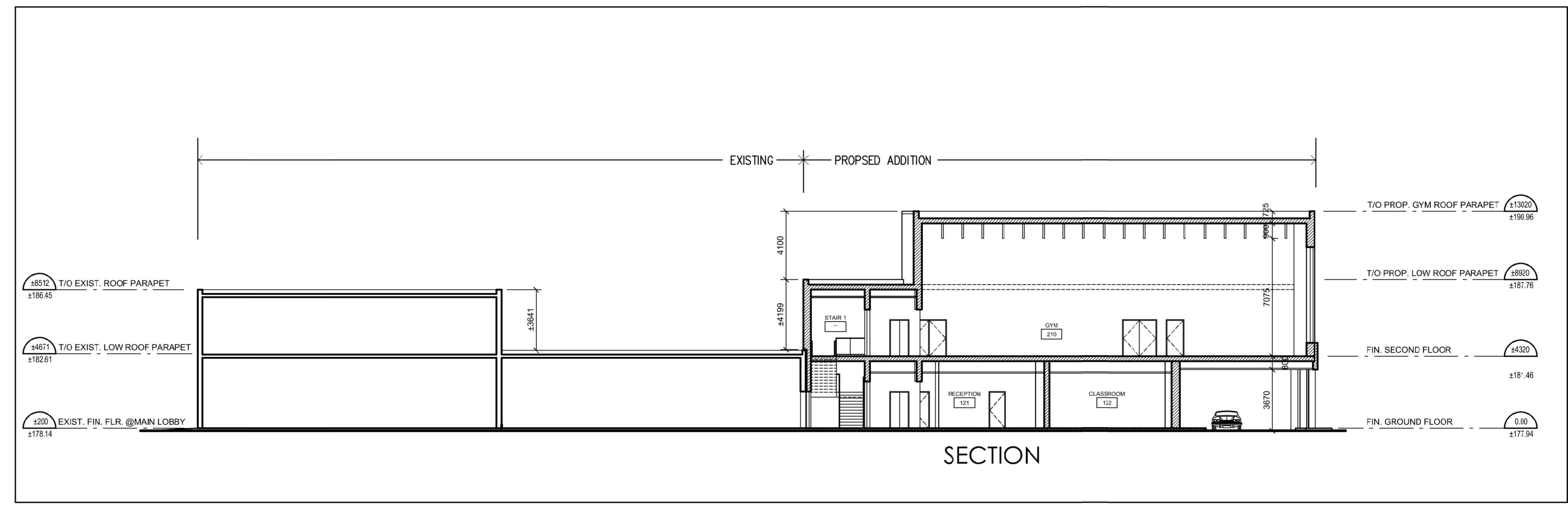
Project Name

**PARYA TRILLIUM FOUNDATION  
 COMMUNITY CENTRE GYMNASIUM  
 & SEMINAR ROOM ADDITION**

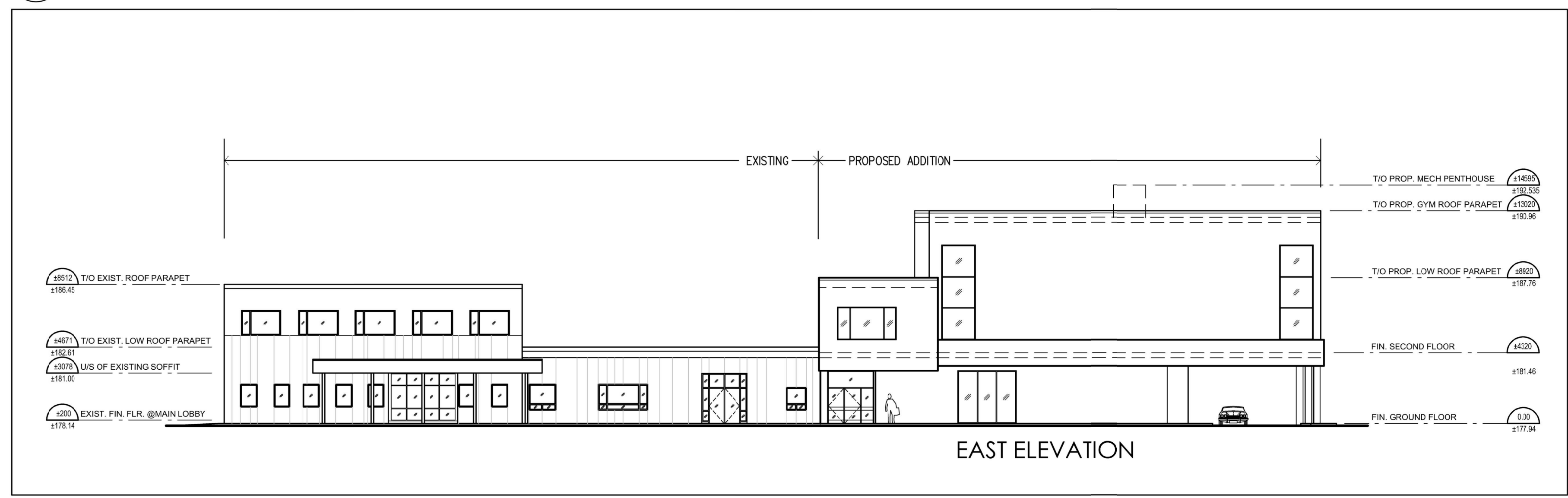
344 JOHN STREET, THORNHILL, ON L3T 5W6

Drawing Title  
**ROOF PLANS**

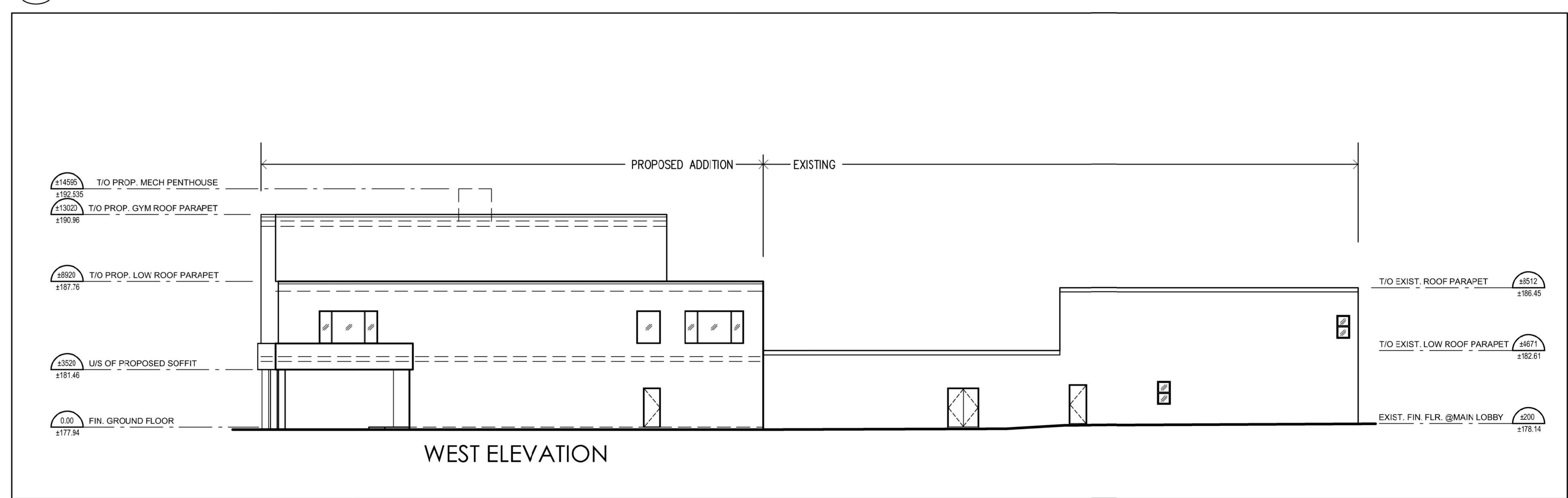
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Drawn AM / MO / AK	Checked A.M.	
CAD File --	Scale AS NOTED	
Date NOVEMBER 2020	Project No. 221105	Revision No. N/A



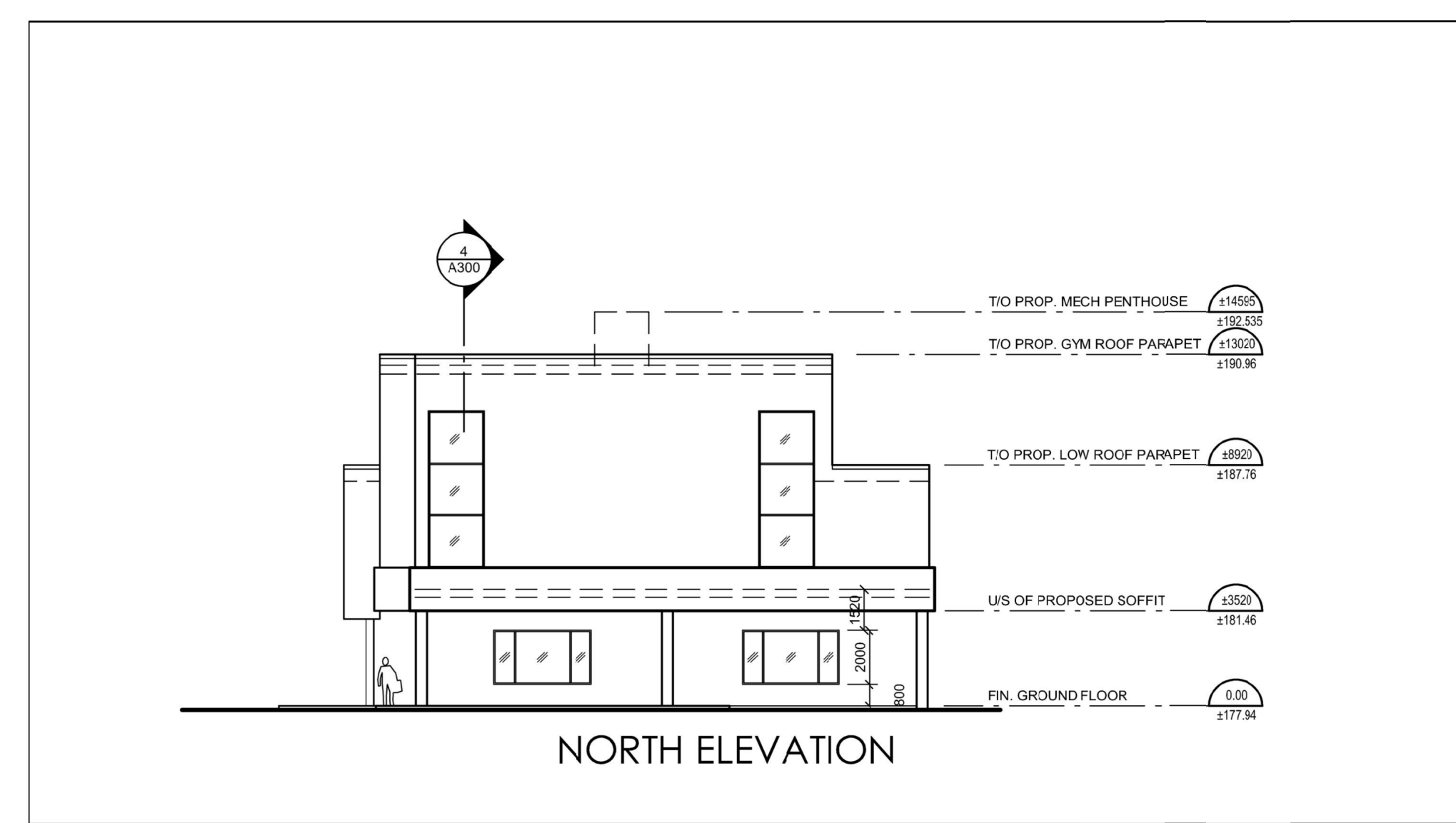
**4 PROPOSED BUILDING SECTION**  
 A400 SCALE: 1:200



**3 PROPOSED EAST ELEVATION**  
 A400 SCALE: 1:200



**1 PROPOSED WEST ELEVATION**  
 A400 SCALE: 1:200



**2 PROPOSED NORTH ELEVATION**  
 A400 SCALE: 1:200

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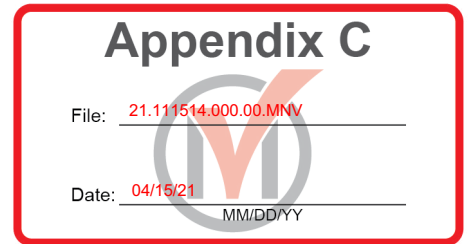
Project Name

**PARYA TRILLIUM FOUNDATION COMMUNITY CENTRE GYMNASIUM & SEMINAR ROOM ADDITION**  
 344 JOHN STREET, THORNHILL, ON L3T 5W6

Drawing Title  
**ELEVATIONS & SECTION**

Graphic Scale AS NOTED	Checked A.M.	Sheet no. <b>A400</b>
Drawn AM / MO / AK	Scale AS NOTED	
CAD File --	Project No. 221105	Revision No. N/A
Date NOVEMBER 2020		

**From:** [Daniel Brent](#)  
**To:** ["coa@markham.ca"](mailto:coa@markham.ca)  
**Subject:** 344 John Street (A/032/21)  
**Date:** Monday, April 05, 2021 15:47:00  
**Attachments:** [Metrolinx Environmental Easement March 2021.docx](#)  
[image003.png](#)



Hi Justin,

Further to the minor variance circulation for the above property, received March 31, 2021, we note the subject lands are located within Metrolinx's 300-metre zone of influence surrounding the Bala Subdivision, which carries Richmond Hill GO train service. Our comment on this proposal is set out below.

1. It is recommended the Owner grant Metrolinx an environmental easement for operational emissions, registered on title against the subject property in favour of Metrolinx. I have attached our Environmental Easement language as a reference.

Metrolinx otherwise has no objection, in principle, to the approval of the minor variance application, subject to the addressing of the above remark.

A copy of this email will be stored in ePlan. Please let me know if you have any questions.

Thanks,  
Daniel

**Daniel Brent, M.SEM., EP, MCIP, RPP**

Project Manager | Third Party Projects Review

Metrolinx

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