

Memorandum to the City of Markham Committee of Adjustment

March 31, 2022

File: A/203/21
Address: 50 Travail Rd, Markham
Applicant: Leeswood Construction (Nekisha Mohan)
Agent: Leeswood Construction (Nekisha Mohan)
Hearing Date: Wednesday April 06, 2022

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

The applicant is requesting relief from the following requirement of the "M.C. (40%)" zone under By-law 108-81, as amended, to permit:

a) Parking By-law 28-97, Section 3.0:

43 parking spaces, whereas the By-law requires 60 parking spaces, as it relates to a proposed addition to the rear of an existing industrial building.

BACKGROUND

Property Description

The 0.98 ha (2.42 ac) subject property is located on the north side of Travail Road, north of 14th Avenue and west of Markham Road. The existing use is an industrial building with a GFA of approximately 3,960 m² (42,625 ft²). There are currently 64 parking spaces on the property. Two vehicular accesses are provided from Travail Road. Surrounding uses include a number of industrial buildings to the south and east, a rail corridor to the north, and future employment lands to the west. The subject land is within the TRCA's regulated area as it is partially located in an area of interference of an unevaluated wetland to the west.

Proposal

The applicant is proposing to construct a 514.25 m² (5,535.34 ft²) warehouse addition at the rear of the existing building. The detailed design of the proposal is currently under review as part of Site Plan Application File: SPC 21 128537 (see Appendix B). The proposed warehouse addition will require the removal of some of the existing parking spaces adjacent to a loading area. Some of the parking spaces along the north lot line are also proposed to be removed to accommodate additional maneuvering space for large tractor trailers. Further, the parking spaces along the west property line need to be modified to provide adequate back-up space. Consequently, the subject land would have 43 parking spaces remaining, whereas the By-law would require a minimum of 60 parking spaces if the Site Plan Application were approved. The applicant is requesting relief to reduce the overall number of parking spaces, as required by the City's Parking By-law 28-97, as amended.

Official Plan and Zoning

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

The Official Plan designates the subject property "Service Employment", which provides for uses including light industrial and warehousing, office, financial institutions, motor vehicle body shops or repair facilities and, accessory retail uses. The proposed development conforms to the Official Plan.

Zoning By-Law 108-81

The subject property is zoned M.C. (40%) under By-law 108-81, as amended, which permits a range of industrial uses including the warehousing of goods and materials, assembly of manufactured goods, repair and servicing of goods, data processing centres, research laboratories and, printing establishments.

Parking Standards By-law 28-97

Parking Standards By-law 28-97, as amended requires a total of 60 parking spaces on the subject property as a result of the increased GFA from the proposed aforementioned warehouse addition.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on March 7, 2022 to confirm the variance required to permit 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.

Parking Reduction

The applicant is requesting relief from the requirements of Parking By-law 28-97, as amended to permit a minimum of parking 43 spaces, whereas the By-law requires a minimum of 60 spaces. This represents a reduction of 17 spaces. Transportation Staff have indicated that based on their review of the Parking Justification report prepared by the applicant's Transportation Consultant (GHD Group), the requested parking reduction can be supported. The applicant will be required to implement appropriate Transportation Demand Management (TDM) measures as a requirement of the Site Plan application to reduce auto dependence and encourage mode share options such as transit and cycling. The TDM requirements will be secured in the associated site plan agreement. Consequently, Planning staff have no objection to the requested variance.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 31, 2022. 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:



Carlson Tsang, Senior Planner, East District

REVIEWED BY:



Stacia Muradali, Development Manager, East District

File Path: Amanda\File\21 147767 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/203/21

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 obtains site plan approval for the proposed development and agrees in the associated site plan agreement to implement the Transportation Demand Management measures approved by the Director of Engineering or designate.

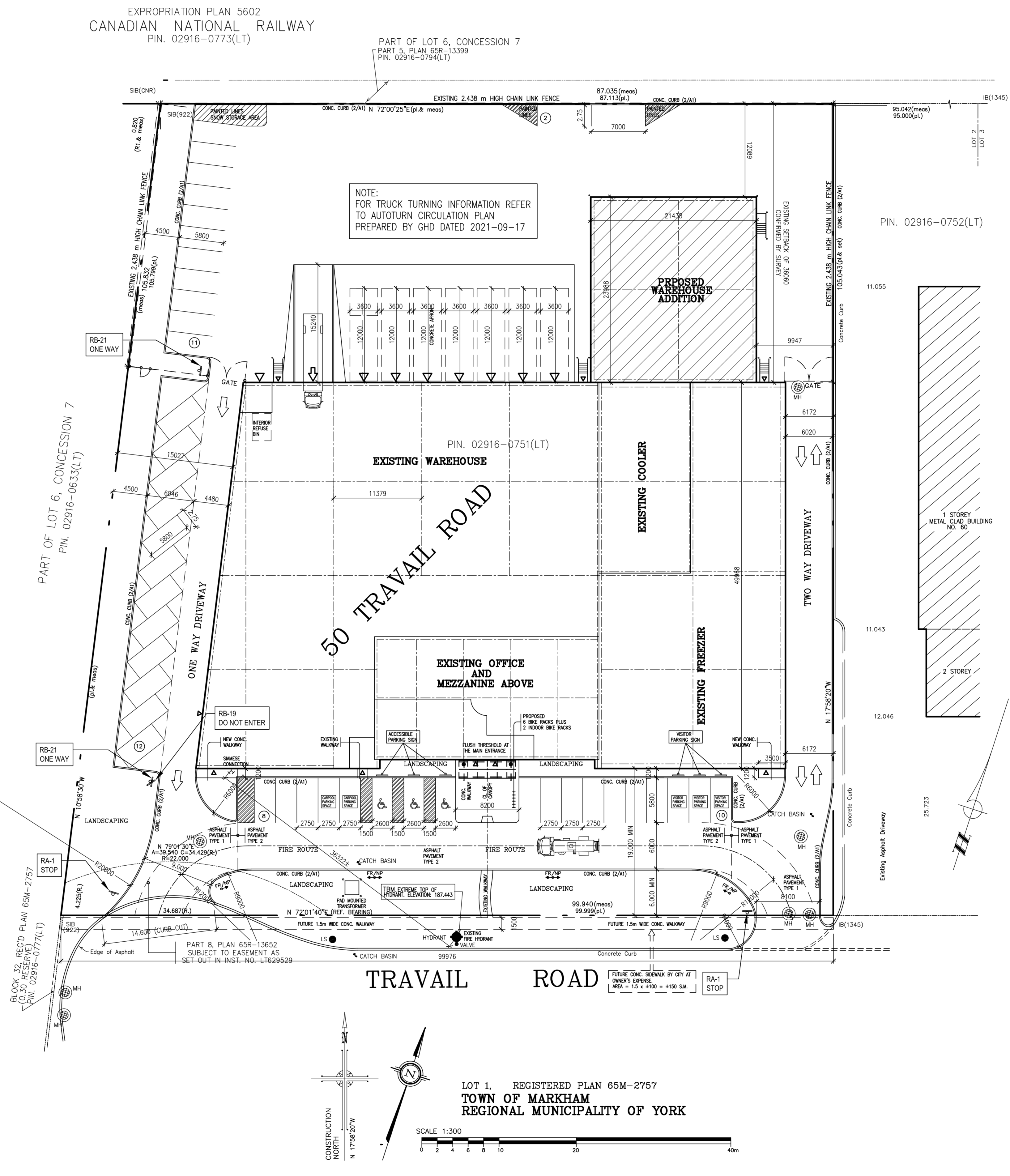
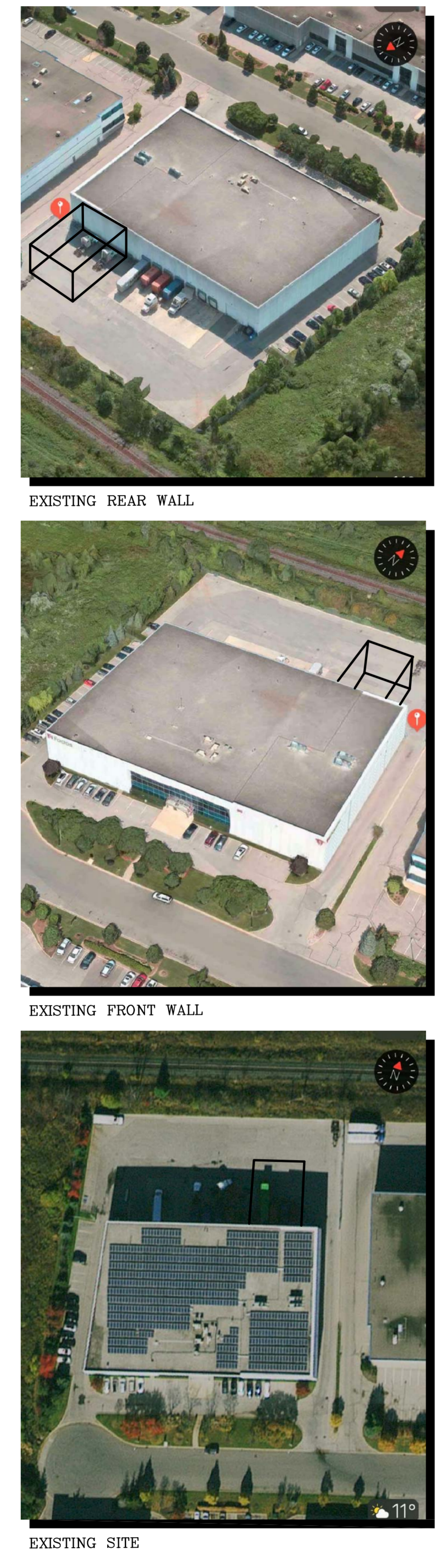
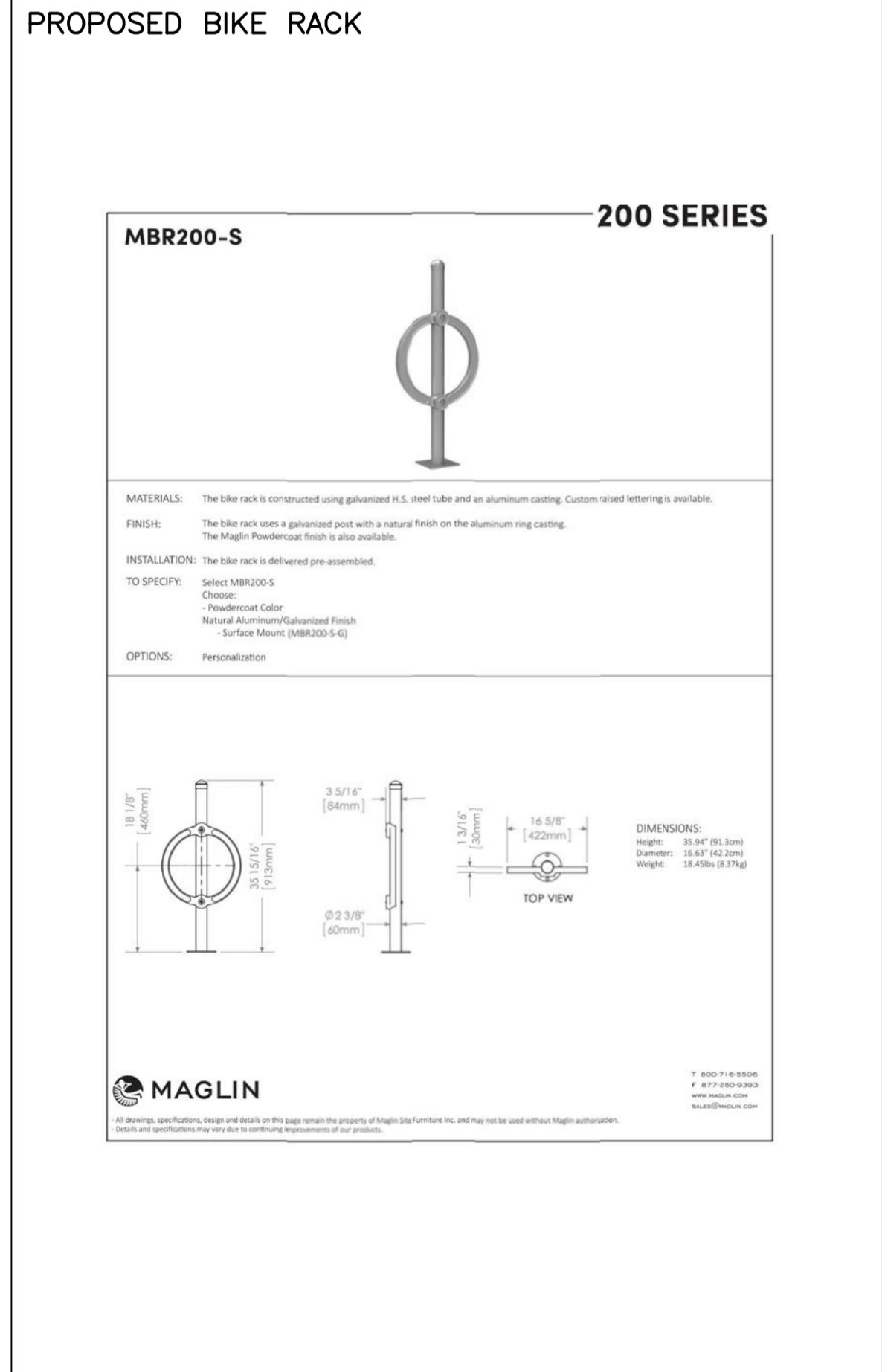
CONDITIONS PREPARED BY:



Carlson Tsang, Senior Planner, East District

EXISTING BUILDING CODE CLASSIFICATION (OBC 1997)
 Medium Hazard Industrial Building F Division 2
 One Storey (with Mezzanine), Non-Combustible, Fully Sprinklered Building
 (OBC 1997) Classified as: 3.2.2.72, 4,500 s.m. Maximum Building Area
 Mezzanine Not Fire Rated (Non-Combustible)
 Roof Not Fire Rated (Sprinklered)

CURRENT 2012 ONTARIO BUILDING CODE MATRIX			
NAME OF PROJECT:	LOCATION:	OBC Reference	
WAREHOUSE ADDITION FOR 50 TRAVAIL ROAD	50 TRAVAIL ROAD, MARKHAM, ONTARIO	Part 11	Part 3
Ontario's 2012 Building Code Data Matrix Parts 3 & 9			
1 Project Description:	<input type="checkbox"/> New	<input type="checkbox"/> Part 11	<input type="checkbox"/> Part 9
2 Major Occupancy(s)	<input type="checkbox"/> Addition	11.1 to 11.4	3.1.2.1(A) & 3.1.2.1(B)
3 Building Area (m ²)	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Alteration	11.1 to 11.4
4 Total Floor Area (m ²)	<input type="checkbox"/> Addition	<input type="checkbox"/> Alteration	11.1 to 11.4
5 Number of Storeys	<input type="checkbox"/> Above Grade	<input type="checkbox"/> Below Grade	11.1 to 11.4
6 Number of Streets/Fire Fighter Access	<input type="checkbox"/> ONE	<input type="checkbox"/> TWO	3.2.2.10 & 3.2.2.11
7 Building Classification	<input type="checkbox"/> 3.2.2.72 (Group F DIVISION 2, NON-COMBUSTIBLE, SPRINKLERED)	<input type="checkbox"/> 3.2.2.73 (Group F DIVISION 2, NON-COMBUSTIBLE, SPRINKLERED)	3.1.2.1(1) & 3.1.2.1(2)
8 Sprinkler System Proposed	<input type="checkbox"/> entire building	<input type="checkbox"/> selected compartments	3.2.2.20 - 3.2.2.23
9 Standstill Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3.2.2.24
10 Fire Alarm Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3.2.2.25
11 Water Service/Supply is Adequate	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3.2.2.26
12 High Building	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3.2.2.27
13 Construction Restrictions	<input type="checkbox"/> Combustible permitted	<input type="checkbox"/> Non-combustible required	3.2.2.28 - 3.2.2.31
14 Mezzanine(s) Area m ²	<input type="checkbox"/> 332.76 < 10% (EXISTING MEZZANINE)	<input type="checkbox"/> 332.76 > 10% (EXISTING MEZZANINE)	3.1.1.1(3)-(8)
15 Occupant load based on	<input type="checkbox"/> m ² /person	<input type="checkbox"/> design of building	3.1.1.7
REFER TO LETTER OF USE PROVIDED BY THE OWNER.			
16 Barrier-free Design	<input type="checkbox"/> Yes	<input type="checkbox"/> No (explain)	3.8, 9.5.2
17 Hazardous Substances	<input type="checkbox"/> Yes	<input type="checkbox"/> No	3.1.1.2 (A) & 3.1.1.3 (A)
18 Fire Resistance Rating (FRR) (hours)	<input type="checkbox"/> None	<input type="checkbox"/> 1	3.1.1.2 (B) & 3.1.1.3 (B)
19 Spatial Separation - Construction of Exterior Walls	<input type="checkbox"/> None	<input type="checkbox"/> 1	3.2.3, 9.10.14
20 Fire Resistance Rating of Precast Conc. Wall Panels = 2 HR.			



ZONING INFORMATION:
 BASED ON ZONING SEARCH NUMBER: 21 119351 00 DATED: APRIL 30, 2021
 THE SUBJECT PROPERTY IS ZONED M.C.(402) - SELECT INDUSTRIAL AND LIMITED COMMERCIAL UNDER BY-LAW 100881 AS AMENDED. PARKING BY-LAW 28-97 FOR DRIVEWAY AND PARKING PROVISIONS.

REQUIRED	PROVIDED
MINIMUM LOT FRONTAGE	30 METERS
MINIMUM LOT AREA	0.4 HECTARES
MINIMUM FRONT YARD	12 METERS
MINIMUM REAR YARD	12 METERS
MAXIMUM BUILDING HEIGHT	14 METERS
LOT COVERAGE	42.16%
PARKING REQUIRED Bylaw 28-97 (INDUSTRIAL USE):	60 SPACES (INCLUDES 3 ACCESSIBLE)
PARKING PROVIDED	43 SPACES (INCLUDES 3 ACCESSIBLE)

EXISTING BUILDING DATA:		EXISTING REAR WALL
EXISTING 1ST FLOOR OFFICE AREA:	462.19 S.M.	
EXISTING MEZZANINE OFFICE AREA:	332.77 S.M.	
EXISTING FREEZER AREA:	914.93 S.M.	
EXISTING WAREHOUSE AREA:	2,250.24 S.M.	
EXISTING CANOPY AT ROOF LEVEL:	32.19 S.F.	
EXISTING BUILDING AREA (FOOTPRINT):	3,627.36 S.M.	
EXISTING GROSS FLOOR AREA:	3,960.14 S.M.	
EXISTING DEDUCTIBLES:	292.40 S.M.	
EXISTING NET FLOOR AREA:	3,667.74 S.M.	
EXISTING LOT COVERAGE:	3,627.36 : 9,821.87 = 36.93%	

WAREHOUSE ADDITION DATA:		EXISTING FRONT WALL
PROPOSED BUILDING AREA (FOOTPRINT):	514.25 S.M.	
PROPOSED GROSS FLOOR AREA:	4,474.39 S.M.	
PROPOSED DEDUCTIBLES:	292.40 S.M.	
PROPOSED NET FLOOR AREA:	4,181.99 S.M.	
PROPOSED LOT COVERAGE:	4,141.61 : 9,821.87 = 42.16%	

PARKING CALCULATION PER BYLAW 28-97:		EXISTING SITE
EXISTING GROSS FLOOR AREA	3,960.14 S.M.	
PROPOSED ADDED GROSS FLOOR AREA	514.25 S.M.	
TOTAL GROSS FLOOR AREA	4,474.39 S.M.	
TOTAL DEDUCTIBLES	292.40 S.M.	
TOTAL NET FLOOR AREA	4,181.99 S.M.	
PARKING REQUIREMENTS BYLAW 28-97 (INDUSTRIAL USE):		
1,200 : 40 =	30.00	
(4,181.99 - 1,200) : 100 =	29.82	
TOTAL PARKING REQUIRED =	60 SPACES	
TOTAL ACCESSIBLE PARKING REQUIRED =	3 SPACES (5% OF TOTAL)	
TOTAL PARKING PROVIDED =	43 SPACES (EXISTING)	
TOTAL ACCESSIBLE PARKING PROVIDED =	3 SPACES (EXISTING)	

PARKING DIMENSIONS PER BYLAW 28-97:		EXISTING SITE
STANDARD PARKING SPACE:	5.80 x 8.50	
ACCESSIBLE PARKING SPACE:	3.00 x 6.00	
LOADING SPACE REQUIREMENTS PER BYLAW 28-97 SECTION 4.5.1. NUMBER OF SPACES:		
INDUSTRIAL, WITH GROSS FLOOR AREA GREATER THAN 1860 S.M. FOR EACH BUILDING	LOADING SPACES REQUIRED: 7	
LOADING SPACES PROVIDED:	7	

SIZE OF LOADING SPACE:		EXISTING SITE
LENGTH	NOT LESS THAN 12 M	
WIDTH	NOT LESS THAN 3.6 M	
HEIGHT	NOT LESS THAN 4.2 M	

1155758 Ontario Limited
 50 TRAVAIL ROAD
 MARKHAM, ONTARIO
 L3S 3J1, CANADA
 TEL: (416) 292-2228

CLIENT:
LEESWOOD CONSTRUCTION
 7200 WEST CREDIT AVENUE
 MISSISSAUGA, ONTARIO, L5N 5N1, CANADA
 TEL: (416) 309-4482 FAX: (416) 309-4483
 www.leeswood.co

PROJECT:
 WAREHOUSE ADDITION FOR:
1155758 Ontario Limited
 50 TRAVAIL ROAD, MARKHAM, ONTARIO

DRAWING:
SITE PLAN, SITE DETAILS
PROJECT INFORMATION

DATE: MAY 2021
DRAWING No.: A1.1

DRAWN BY: B.M.
CHECKED BY: F.M.
SCALE: AS SHOWN
ARCHITECTS JOB No.: FMA-21 133