

Memorandum to the City of Markham Committee of Adjustment

March 10, 2025

File: A/155/24
Address: 5300 14th Avenue, Markham
Agent: Stantec Consulting Ltd. (Emma Borho)
Hearing Date: Wednesday, March 19, 2025

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

The applicant is requesting relief from the following Residential – Public Education (RES-PE) Zone requirements of By-law 2024-19, as amended. The requested variance is to permit:

a) By-law 2024-19, Table 5.4.1:

one parking space per 54 square metres of gross floor area, whereas the by-law requires one parking space per 30 square metres of gross floor area.

BACKGROUND

Property Description

The 60,937.39m² (655,924.61 ft²) subject property is located on the north side of 14th Avenue, west of Middlefield Road and east of McCowan Road. The property is occupied by Father Michael McGivney Catholic Academy and a sports dome. Surrounding land uses include a CN railway line and Highway 407 to the north, vacant lands to the east, and low-rise subdivision to the south and west.

Related Applications

In 2014, a Minor Variance (A/62/14) was approved for the subject lands to permit a proposed sports dome, as noted below:

- Section 6.6.2 (d): a maximum height of 20.75 metres, whereas the By-law permits a maximum building or structure height of 10.7 metres;
- By-law 28-97, Table B: a total of 340 parking spaces, whereas the By-law requires a minimum of 514 parking spaces; and
- By-law 28-97: 8 barrier free spaces on site, whereas the By-law requires 10 barrier free spaces

Further, this application is associated with a current Site Plan Control Application (SPC 22 118426) for a proposed parking lot and access realignment.

Proposal

The applicant is proposing a parking reduction for the Subject Lands, resulting in a reduction of 37 parking spaces from the existing parking supply of 345 spaces. There are no proposed changes to any existing structures on the Subject Lands.

Official Plan and Zoning

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

The subject property is designated “Residential Low Rise”, which provides for low rise housing forms including public schools.

Zoning By-Law 2024-19

The subject property is zoned Residential – Public Education (RES-PE) under By-law 2024-19, as amended, which permits public schools under the jurisdiction of the York Region District School Board, the York Catholic District School Board, the Conseil Scolaire de district du Centre Sud-Ouest, the Conseil Scolaire de district Catholique Centre-Sud, or other similar provincially approved educational institutions.

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:

“It is not possible to comply because a driveway realignment/parking lot configuration will result in a reduction in parking supply. The existing parking supply meets current demand of the site, avoids new surface parking, and increases overall green space. With the reduction, there will still be a parking surplus.”

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 Site Plan Control Application (SPC 22 118426) review process 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.

Parking Reduction

The Applicant is requesting a parking rate of one parking space per 54 square metres of gross floor area, whereas the by-law requires one parking space per 30 square metres of gross floor area. This rate would provide a total of 308 parking spaces for the site, which is a reduction of 37 parking spaces from the current supply of 345 spaces as approved by the 2014 Minor Variance (A/62/12).

A Parking Justification Study was submitted on December 2, 2024 in support of the application that concluded that the proposed parking supply of 308 spaces is sufficient to accommodate the existing uses on the Subject Lands. Transportation Engineering staff have reviewed the study and are of the opinion that the variance is appropriate based on the findings of the parking study and is unlikely to result in any significant impact on the parking supply of the property.

Staff have no objections to the requested parking reduction and are of the opinion that the requested variance will not result in any adverse impacts to the site.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 12, 2024. 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:



Brashanthe Manoharan, Planner II, East District

REVIEWED BY:

Stacia Muradali, Development Manager, East District

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/155/24

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 attached as Appendix "B" to this Staff Report; or further revised by any site plan 'endorsed' or 'approved' drawings under File SPC 22 118426, and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the future Site Plan Approval process.
4. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's Trees for Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the future Site Plan Approval process.
5. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City's Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the site plan agreement, to be inspected by City staff to the satisfaction of the Director of Planning and Urban Design, or their designate

CONDITIONS PREPARED BY:



Brashanthe Manoharan, Planner II, East District

GENERAL NOTES:

- 1. ALL WORK SHALL BE CARRIED OUT IN COMPLIANCE WITH THE APPLICABLE HEALTH AND SAFETY ACT AND REGULATIONS FOR CONSTRUCTION PROJECTS.
2. ALL WORK AND MATERIALS TO CONFORM WITH THE CURRENT PROVISIONAL BUILDING CODE, MINISTRY OF THE ENVIRONMENT, CONSERVATION AND FORESTRY OF ONTARIO, REGIONAL MUNICIPALITY OF YORK, CITY OF MARKHAM, AND ONTARIO PROVISIONAL STANDARDS AND SPECIFICATIONS. LOCAL UTILITY STANDARDS AND MINISTRY OF TRANSPORTATION STANDARDS WILL APPLY.
3. THE CONTRACTOR IS ADVISED THAT WORKS BY OTHERS MAY BE ONGOING DURING THE PERIOD OF THIS PROJECT. THE CONTRACTOR SHALL COORDINATE CONSTRUCTION ACTIVITIES WITH ALL OTHER CONTRACTORS AND PRESENT CONSTRUCTION PROJECTS.
4. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES DURING CONSTRUCTION. ALL EXISTING UTILITIES MUST BE LOCATED PRIOR TO COMMENCEMENT OF WORK. ANY VARIANCE IN LOCATION (VERTICAL OR HORIZONTAL) IS TO BE REPORTED TO THE SITEWORK ENGINEER OF RECORD 48 HRS PRIOR TO COMMENCEMENT. LOST TIME AND/OR ANY ADDITIONAL WORKS DUE TO FAILURE OF THE CONTRACTOR TO OBTAIN UTILITY LOCATIONS AND ELEVATIONS AND NOTIFY THE SITEWORK ENGINEER OF RECORD OF ANY CONFLICTS 48 HRS PRIOR TO CONSTRUCTION SHALL BE AT THE CONTRACTOR'S EXPENSE.
5. THE CONTRACTOR SHALL INSTALL ALL SETTLEMENT CONTROL DEVICES PRIOR TO THE COMMENCEMENT OF SITE GRADING WORK. SLOTTED WATER MUST NOT BE PERMITTED TO ENTER INTO ANY EXISTING CATCH BASINS, INLET STRUCTURES, OR WATERCOURSES. ADDITIONAL CONTROLS AS DEEMED REQUIRED BY THE AUTHORITIES AND/OR THE SITEWORK ENGINEER OF RECORD DURING CONSTRUCTION ACTIVITIES SHALL BE PROVIDED BY THE CONTRACTOR. THE CONTRACTOR MUST INSPECT SETTLEMENT CONTROLS ON A REGULAR BASIS AND AFTER EVERY RAINFALL EVENT. REPAIRS MUST BE COMPLETED IN A TIMELY MANNER TO PREVENT SEEDMENT FROM ENTERING ANY WATER SYSTEMS. ADDITIONAL SLOTTED WATER MUST BE AVAILABLE IN CASE IMMEDIATE REPAIR IS REQUIRED. REFER TO THIS DRAWING FOR DESIGN AND SETTLEMENT CONTROL REQUIREMENTS.
6. CONTRACTOR TO OBTAIN A ROAD OCCUPANCY PERMIT PRIOR TO COMMENCING ANY WORK WITHIN THE ROAD ALLOWANCE IF REQUIRED BY THE MUNICIPALITY OR AUTHORITY. ALL UNDERGROUND SERVING WORK ON THE RIGHT OF WAY AND EASEMENTS TO BE RESPECTED BY THE AUTHORITY PRIOR TO BACKFILLING. ALL WORKS WITHIN THE ROAD ALLOWANCE SHALL BE COMPLETED BY THE OWNER AT THE CONTRACTOR'S EXPENSE.
7. CONTRACTOR WILL BE RESPONSIBLE FOR ALL REMOVALS REQUIRED TO FACILITATE NEW CONSTRUCTION. REFER TO TOPOGRAPHIC PLAN OF SURVEY DRAWING PREPARED BY STANTEC GEOMETRICS LTD., DATED MAY 3, 2022, FOR EXISTING CONDITION INFORMATION. ALL EXISTING SERVICE STRUCTURES, VALVES AND HYDRANTS ARE TO BE ADJUSTED TO PROPOSED ELEVATIONS.
8. THE CONTRACTOR SHALL PROVIDE TO THE SITEWORK ENGINEER OF RECORD 1 (ONE) SET OF SITE SERVING, GRADING, SITE ELECTRICAL, AND LANDSCAPE RECORD DRAWINGS.
9. CONSTRUCTION ACCESS TO SITE SHALL BE THROUGH Y028 PROPERTY ONLY. HEAVY EQUIPMENT ACCESS SHALL BE THROUGH THE EXISTING MCGOWAN ROAD ENTRANCE ONLY.
10. CONTRACTOR TO MAINTAIN EMERGENCY ACCESS TO THE SCHOOL AT ALL TIMES.
11. CONTRACTOR TO MAINTAIN SAFE ACCESS FOR CHIEF CARE CENTRE OPERATIONS AT ALL TIMES.

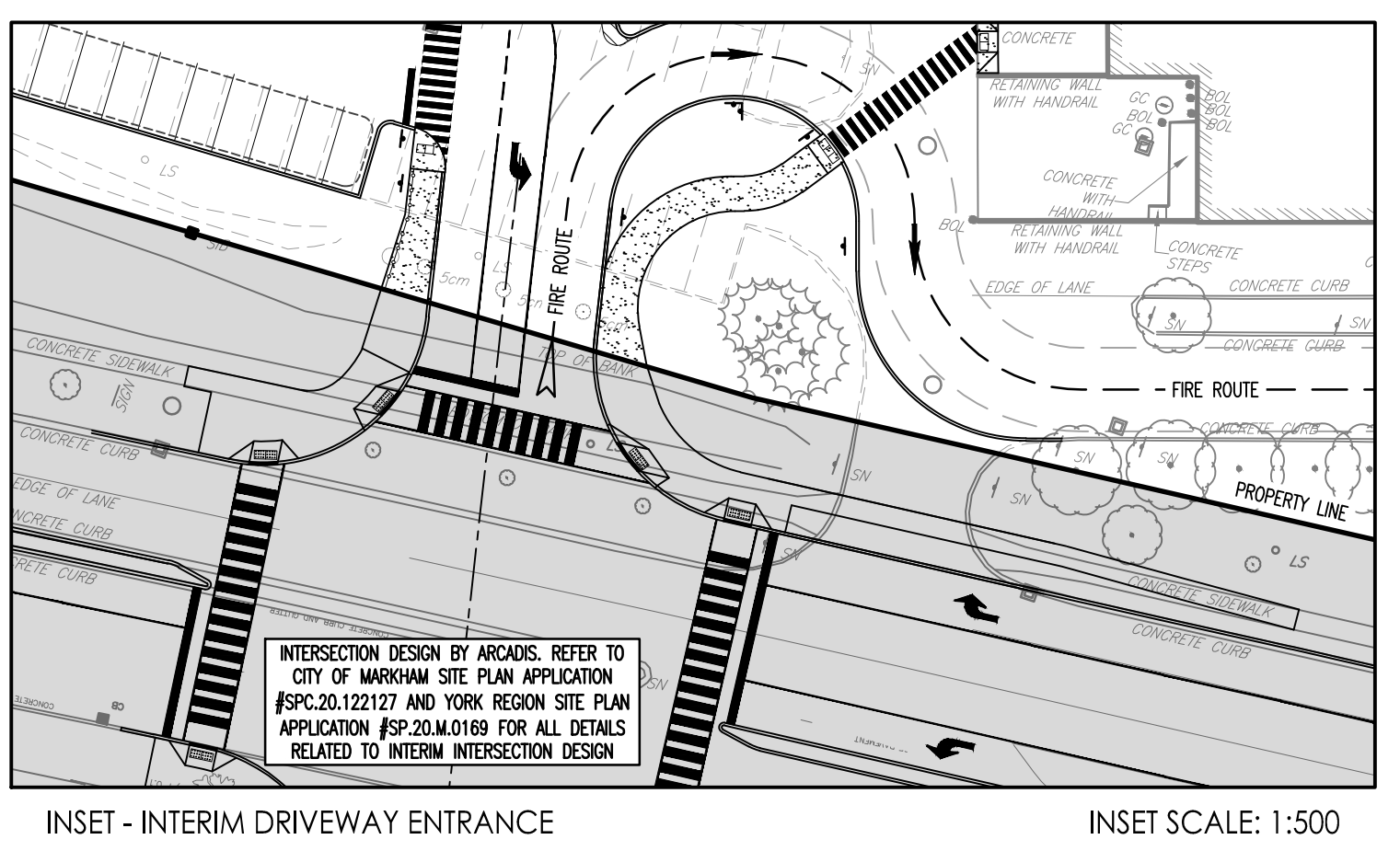
SITE LAYOUT:

- 1. REFER TO THIS DRAWING FOR ALL DIMENSIONS AND CONSTRUCTION LAYOUT REQUIREMENTS FOR CURBS, SIDEWALKS, AND SITE DETAILS FOR PRESENTATION PURPOSES. EXISTING CURBS AND SIDEWALKS CURVATURE IS LINEARLY APPROXIMATED IN THE TOPOGRAPHIC SURVEY AND IN THIS DRAWING. BASE, NON-CURVED CURVES SUBJECT TO REVEAL, SHALL BE CONSTRUCTED TO MATCH THEIR EXISTING CURVATURE ON SITE.
2. REFER TO LANDSCAPE DRAWINGS PREPARED BY STANTEC CONSULTING FOR ALL PLANTING DETAILS.
3. CONTRACTOR SHALL INSTALL ALL FIRE ROUTE SIGNAGE IN ACCORDANCE WITH ALL LOCAL REQUIREMENTS, REGULATIONS, SPECIFICATIONS, AND BY-LAWS.
4. ALL PRESENT MARKING, LINE PAINTING, DIRECTIONAL LINES/ARROWS SHALL BE PLACED IN ACCORDANCE WITH THE SITE PLAN C-101 PREPARED BY STANTEC CONSULTING LTD. OR THE OWNER'S TRAFFIC ENGINEERING CONSULTANT'S DRAWINGS. LINE PAINTING AND DIRECTIONAL SYMBOLS SHALL BE APPLIED WITH A MINIMUM OF TWO COATS OF ORGANIC SOLVENT BASED PAINT IN ACCORDANCE WITH OPS 1712.

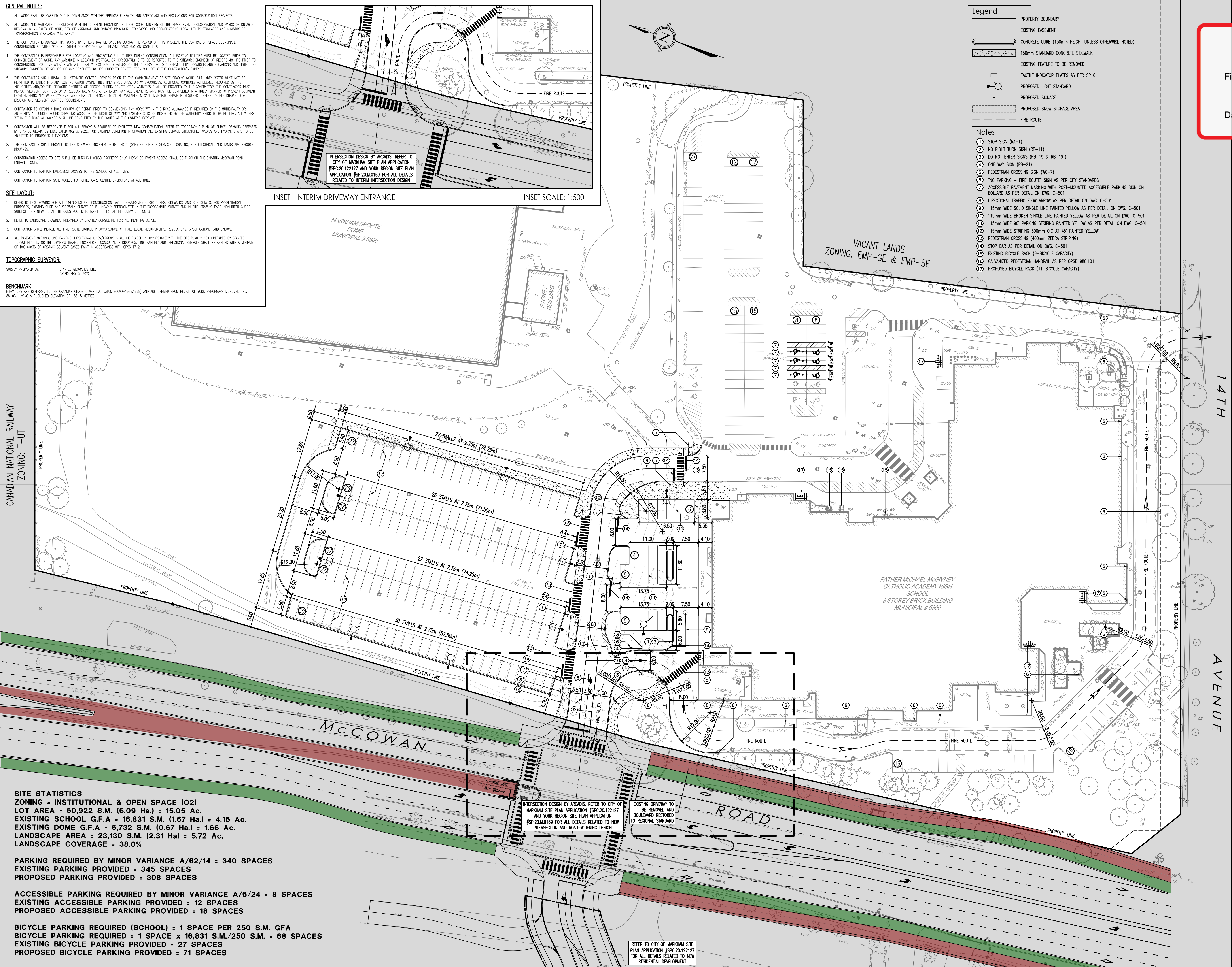
TOPOGRAPHIC SURVEYOR:

SURVEY PREPARED BY: STANTEC GEOMETRICS LTD.
DATED: MAY 3, 2022

BENCHMARK: ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1982/1979) AND ARE DERIVED FROM REGION OF YORK BENCHMARK MONUMENT NO. 88-03, HAVING A PUBLISHED ELEVATION OF 188.15 METRES.



INSET - INTERIM DRIVEWAY ENTRANCE INSET SCALE: 1:500



Legend

- PROPERTY BOUNDARY
EXISTING EASEMENT
CONCRETE CURB (150mm HEIGHT UNLESS OTHERWISE NOTED)
150mm STANDARD CONCRETE SIDEWALK
EXISTING FEATURE TO BE REMOVED
TACTILE INDICATOR PLATES AS PER SP16
PROPOSED LIGHT STANDARD
PROPOSED SIGNAGE
PROPOSED SNOW STORAGE AREA
FIRE ROUTE

Notes

- 1 STOP SIGN (RA-1)
2 NO RIGHT TURN SIGN (RB-11)
3 DO NOT ENTER SIGN (RB-19 & RB-19T)
4 ONE WAY SIGN (RB-21)
5 PEDESTRIAN CROSSING SIGN (WC-7)
6 'NO PARKING - FIRE ROUTE' SIGN AS PER CITY STANDARDS
7 ACCESSIBLE PAVEMENT MARKING WITH POST-MOUNTED ACCESSIBLE PARKING SIGN ON BOLLARD AS PER DETAIL ON DWG. C-501
8 DIRECTIONAL TRAFFIC FLOW ARROW AS PER DETAIL ON DWG. C-501
9 115mm WIDE SOLID SINGLE LINE PAINTED YELLOW AS PER DETAIL ON DWG. C-501
10 115mm WIDE BROKEN SINGLE LINE PAINTED YELLOW AS PER DETAIL ON DWG. C-501
11 115mm WIDE '90' PARKING STRIPING PAINTED YELLOW AS PER DETAIL ON DWG. C-501
12 115mm WIDE STRIPING 600mm O.C. AT 45° PAINTED YELLOW
13 PEDESTRIAN CROSSING (400mm ZEBRA STRIPING)
14 STOP BAR AS PER DETAIL ON DWG. C-501
15 EXISTING BICYCLE RACK (9-BICYCLE CAPACITY)
16 GALVANIZED PEDESTRIAN HANDRAIL AS PER OPSD 980.101
17 PROPOSED BICYCLE RACK (11-BICYCLE CAPACITY)

CANADIAN NATIONAL RAILWAY ZONING: T-U-T

VACANT LANDS ZONING: EMP-GE & EMP-SE

FATHER MICHAEL MCGIVNEY CATHOLIC ACADEMY HIGH SCHOOL 3 STOREY BRICK BUILDING MUNICIPAL # 5300

SITE STATISTICS
ZONING - INSTITUTIONAL & OPEN SPACE (O2)
LOT AREA = 60,922 S.M. (6.09 Ha.) = 15.05 Ac.
EXISTING SCHOOL G.F.A = 16,831 S.M. (1.67 Ha.) = 4.16 Ac.
EXISTING DOME G.F.A = 6,732 S.M. (0.67 Ha.) = 1.66 Ac.
LANDSCAPE AREA = 23,130 S.M. (2.31 Ha) = 5.72 Ac.
LANDSCAPE COVERAGE = 38.0%

PARKING REQUIRED BY MINOR VARIANCE A/62/14 = 340 SPACES
EXISTING PARKING PROVIDED = 345 SPACES
PROPOSED PARKING PROVIDED = 308 SPACES

ACCESSIBLE PARKING REQUIRED BY MINOR VARIANCE A/6/24 = 8 SPACES
EXISTING ACCESSIBLE PARKING PROVIDED = 12 SPACES
PROPOSED ACCESSIBLE PARKING PROVIDED = 18 SPACES

BICYCLE PARKING REQUIRED (SCHOOL) = 1 SPACE PER 250 S.M. GFA
BICYCLE PARKING REQUIRED = 1 SPACE x 16,831 S.M./250 S.M. = 68 SPACES
EXISTING BICYCLE PARKING PROVIDED = 27 SPACES
PROPOSED BICYCLE PARKING PROVIDED = 71 SPACES

REFER TO CITY OF MARKHAM SITE PLAN APPLICATION (SPC.20.12127) FOR ALL DETAILS RELATED TO NEW RESIDENTIAL DEVELOPMENT

Appendix B
File: 24.200305.000.00.MNV
Date: 3/12/2025
MM/DD/YYYY



300 - 675 Cochrane Drive West Tower
Markham, Ontario L3R 0B8
Tel. 905.944.7777
www.stantec.com

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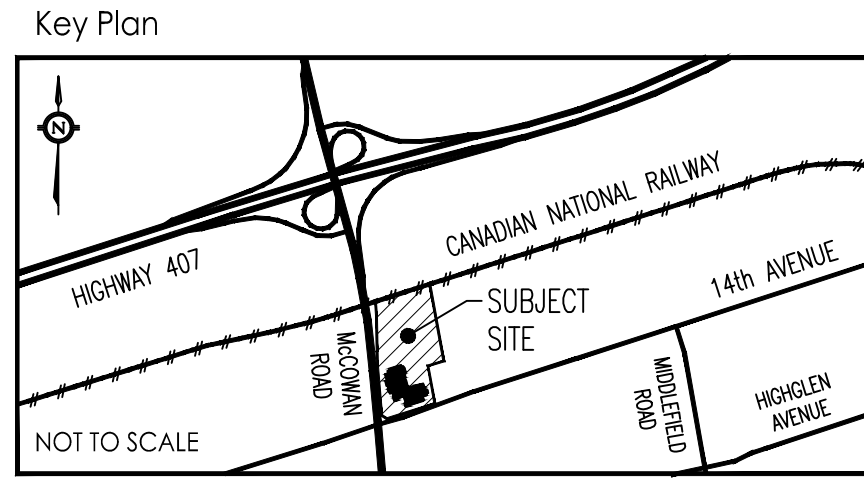
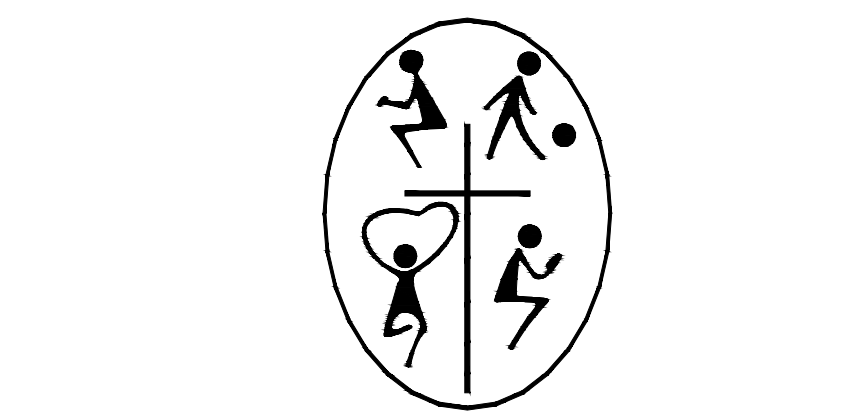


Table with 4 columns: Issue/Revision, Description, Date, and By/Approved. Includes entries for minor variance and site plan approval.



Client/Project: YORK CATHOLIC DISTRICT SCHOOL BOARD
SPC 22 118426
PARKING LOT RECONFIGURATION
FATHER MICHAEL MCGIVNEY CA
5300 - 14th AVENUE, MARKHAM, ONTARIO

Title: SITE PLAN

Project No. 160623023
Drawing No. C-101



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