

# Memorandum to the City of Markham Committee of Adjustment

August 24, 2020

**File:** A/048/20  
**Address:** 220 Cachet Woods Court, Markham  
**Owner:** Magdi Wanis, 10057428 CANADA CORP.  
**Agent:** Corbett Land Strategies Inc. (Nick Wood)  
**Hearing Date:** September 2, 2020

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

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

- a) **Section 6.4.1 (d)(iii):** a maximum gross floor area for an accessory retail store of 278 m<sup>2</sup> (2,992.36 ft<sup>2</sup>), whereas the By-law permits a maximum of 100 m<sup>2</sup> (1,076.39 ft<sup>2</sup>);
- b) **Section 6.4.3 (a):** a maximum allowable floor area ratio of 137 percent, whereas the By-law permits a maximum of 70 percent;
- c) **Section 4.6.2 (d)(i):** a minimum front yard setback of 3.0 m (9.84 ft.), whereas the By-law requires a minimum front yard setback of 12.0 m (39.37 ft.);
- d) **Section 5.2 (d)(iii):** a minimum north interior side yard setback of 3.0 m (9.84 ft.), whereas the By-law requires a minimum interior side yard of 7.93 m (26.01 ft.);
- e) **Section 5.2 (d)(iii):** a minimum south interior side yard setback of 6.0 m (19.68 ft.), whereas the By-law requires a minimum interior side yard of 7.93 m (26.01 ft.);
- f) **Section 5.2. (d)(v):** a yard encroachment (north) of 1.5 m (4.92 ft.), whereas the By-law permits a maximum encroachment of 0.45 m (1.47 ft.);
- g) **Section 5.2 (d)(v):** a yard encroachment (south) of 2.0 m (6.56 ft.), whereas the By-law permits a maximum encroachment of 0.45 m (1.47 ft.);
- h) **Section 5.2 (d)(v):** a yard encroachment (front) of 1.5 m (4.92 ft.), whereas the By-law permits a maximum encroachment of 0.45 m (1.47 ft.);
- i) **Parking By-law 28-97, Section 3.0:** a minimum of parking 344 spaces, whereas the By-law requires a minimum of 427 spaces;

The requested variances relate to a proposed 5-storey office building on the subject property.

## COMMENTS

As an update to the previous comments provided by the Planning and Urban Design Department for the July 9, 2020 Committee of Adjustment hearing, staff note that through the review process for the associated Site Plan application (SPC 20 112535), the variances required to facilitate the five storey office development on the subject lands have now been confirmed. Consequently, an additional variance to permit 344 parking spaces, whereas a minimum of 427 spaces (see variance “i”) above) is required, has also been confirmed.

The applicant recently (August 13, 2020) submitted a Parking Justification Study prepared by LEA Consulting Ltd., (“The Study”), in support of the parking variance. However, based

on Transportation Planning staff's review of the "The Study", the justification provided by the applicant does not adequately address the proposed reduction in parking which is approximately 20% less than the By-law requirement. Consequently, Staff recommend that the application be deferred sine die to provide additional time for the applicant's Transportation consultant to revisit the "The Study" in order to provide further justification for the proposed reduction in parking. The applicant has been made aware of staff's recommendation and are in agreement with a deferral of the variance application.

PREPARED BY:

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REVIEWED BY:

*Stephen Kitigawa*, MCIP, RPP, Acting-Manager, West District

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