

# Memorandum to the City of Markham Committee of Adjustment

November 5, 2019

**File:** A/109/19  
**Address:** 79 Green Lane, Thornhill  
**Applicant:** Gatzios Planning & Development Consultants Inc. (Maria Gatzios)  
**Hearing Date:** Wednesday, November 13, 2019

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

The applicant is requesting relief from the following requirements of By-law 77-73 as amended:

**a) Section 8.3.1.1:**

to permit pet care services including daycare, grooming, training and treatment, including associated pet retail sales, whereas the By-law only permits business offices and veterinary clinics;

as it relates to a proposed dog day care.

## **BACKGROUND**

### **Property Description**

The 4046.86 m<sup>2</sup> (43,560.04 ft<sup>2</sup>) subject property is located on the south side of Green Lane, east of Bayview Avenue and north of John Street. The subject property has two buildings on site, one towards the front of the property and one towards the rear. The front building is approximately 258.87 m<sup>2</sup> (2786.45 ft<sup>2</sup>) and is currently vacant. It was previously used as a veterinary clinic. The building towards the rear is an auto repair facility.

### **Proposal**

The owner would like to lease the vacant building, located at the front of the property, for pet care services including daycare, grooming, training and treatment, and retail sales.

### **Official Plan and Zoning**

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 City of Markham Official Plan. The designation is intended to accommodate a range of employment uses as well as small-scale retail and service uses that serve and support other business uses and employees, and that may also serve the general public. "Service Employment" uses are generally located within a variety of configurations and building forms, and typically adjoin and are accessible from larger established employment areas.

### Zoning By-Law 77-73

The subject property is zoned M (Industrial) & BC (Business Corridor) under By-law 77-73, as amended (See Appendix "C"). Only the portion of the site zoned BC is proposed to be used for pet care services. The only uses permitted on this portion of the site are business offices and veterinary clinics. The proposal does not comply with the By-law with respect to use.

### **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.

## **Use Variance**

The "Service Employment" designation includes uses that provide goods and services to businesses in Markham, but may also serve resident needs. These include office, small-scale retail, and service uses. The applicant is requesting to permit a dog day care with grooming, training and treatment, and associated retail sales. Currently, the only permitted uses are business offices and veterinary clinics.

There are no proposed changes to the exterior of the building. The proposed dog day care and veterinary clinic are comparable in so far as they both provide services to dog owners and their pets. Staff are of the opinion that the proposed use will not have a significant impact on neighbouring properties, is desirable, and the general intent of the Zoning By-law and Official Plan will be maintained.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of November 5, 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 and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

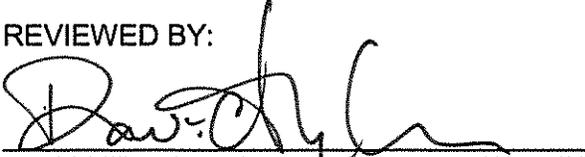
The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

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

PREPARED BY:

  
\_\_\_\_\_  
Hailey Miller, Planner, Zoning and Special Projects

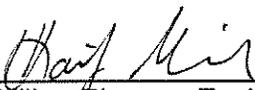
REVIEWED BY:

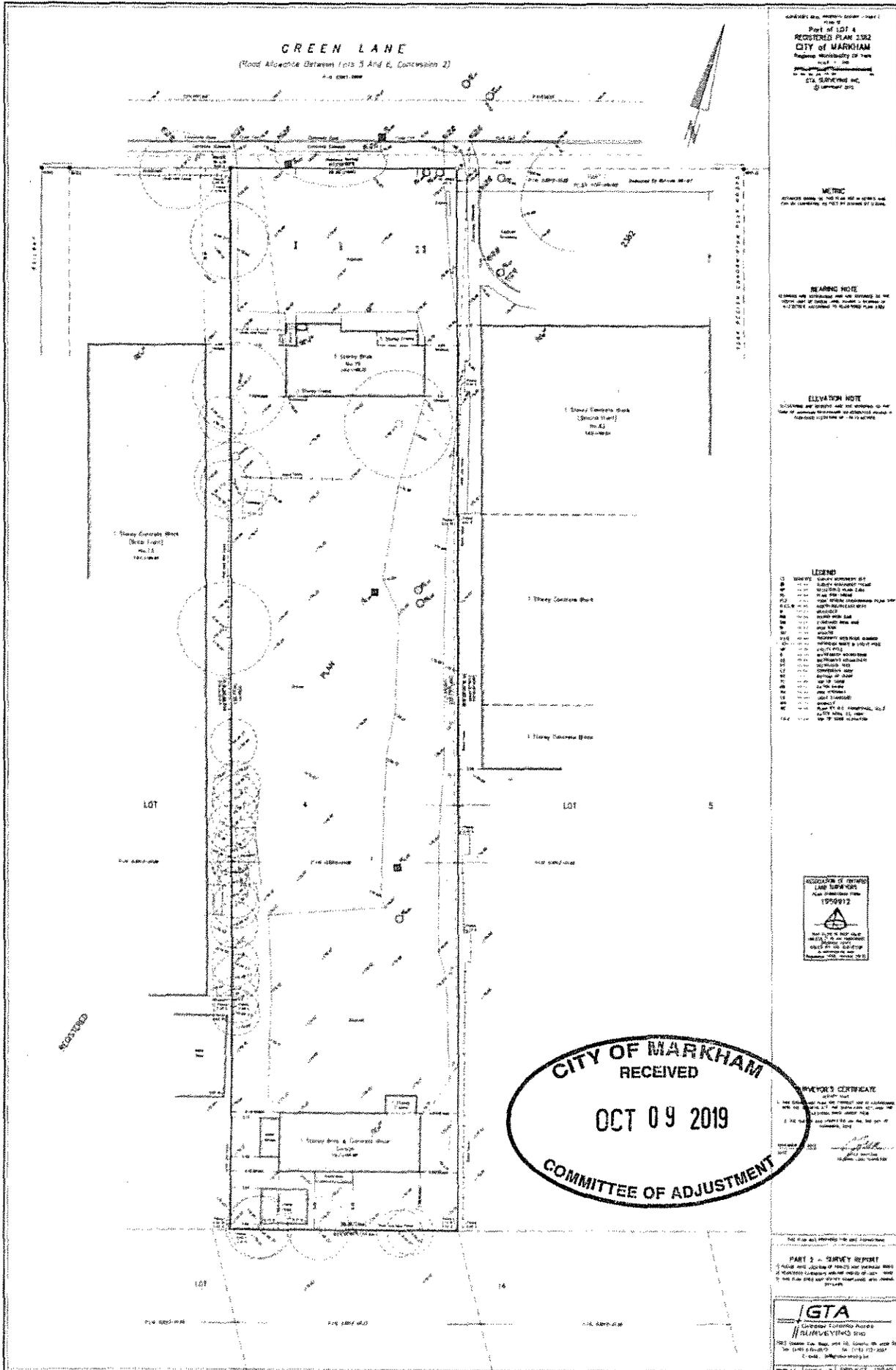
  
\_\_\_\_\_  
David Miller, Development Manager, West District

**APPENDIX "A"**  
**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/109/19**

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 received by the City of Markham on October 9, 2019, 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 retail sales only be permitted as accessory to the dog day care business;
4. That the retail portion of the proposed development be limited to the *Reception and Seating Area* as shown on drawing A2 of Appendix "B", dated October 9, 2019.

CONDITIONS PREPARED BY:

  
\_\_\_\_\_  
Hailey Miller, Planner, Zoning and Special Projects



CONVEYED BY: METRIC SURVEYING INC. (PART 1)  
 PLAN NO. 19050912  
 Part of LOT 4  
 REGISTERED PLAN 1982  
 CITY OF MARKHAM  
 Regional Municipality of York  
 PLAN NO. 19050912  
 METRIC SURVEYING INC.  
 250 SHEPPARD AVE. E.  
 SUITE 201  
 MARKHAM, ONT. L3R 9V7

**METRIC**  
 ALL DIMENSIONS ARE IN METERS AND MILLIMETERS UNLESS OTHERWISE NOTED BY DIMENSION LINE.

**BEARING NOTE**  
 ALL BEARINGS ARE REFERENCED TO THE NORTH AND ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED BY DIMENSION LINE.

**ELEVATION NOTE**  
 ELEVATIONS ARE REFERENCED TO THE MEAN SEA LEVEL UNLESS OTHERWISE NOTED BY DIMENSION LINE.

- LEGEND**
- 1. 100% 100% CONCRETE
  - 2. 100% 100% CONCRETE
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  - 16. 100% 100% CONCRETE

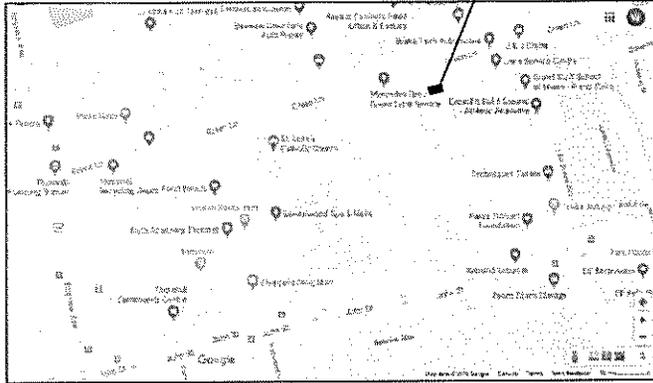


**CITY OF MARKHAM RECEIVED**  
**OCT 09 2019**  
**COMMITTEE OF ADJUSTMENT**

**ENGINEER'S CERTIFICATE**  
 I, the undersigned, being a duly qualified Professional Engineer, do hereby certify that the foregoing is a true and correct copy of the original plan as filed in my office on the 10th day of October, 2019.

**IGTA**  
 International Geomatics Technicians Association  
 19050912  
 19050912

# DOGGY HOUSE: INTERIOR ALTERATIONS



## KEY MAP

## PROJECT SCOPE:

INTERIOR ALTERATIONS OF AN EXISTING VET FACILITY INTO A DOG DAY CARE

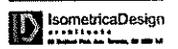
## STATISTICS: (TO REMAIN UNCHANGED)

BASEMENT AREA: 104.91 SM (1129.30 SF)  
 GROUND FLOOR AREA: 153.96 SM (1657.28 SF)  
 TOTAL GFA: 258.87 (2786.58 SF)

## DRAWING INDEX

- A0 - COVER SHEET & OBC MATRIX
- A1 - EXISTING & DEMO GROUND FLOOR PLAN
- A2 - PROPOSED GROUND FLOOR PLAN
- A3 - GROUND FLOOR FRAMING PLAN
- A4 - BASEMENT PLAN
- A5 - BUILDING SECTION & ELEVATION

Item	Ontario Building Code Data Matrix Parts 3 & 9				OBC Reference						
	Project Description:	<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Part 11 <input type="checkbox"/> Alteration	<input checked="" type="checkbox"/> Part 3	<input type="checkbox"/> Part 9						
1	Project Description:	<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Part 11 <input type="checkbox"/> Alteration	<input checked="" type="checkbox"/> Part 3	<input type="checkbox"/> Part 9	2.1.1 8.10.1.3					
2	Major Occupancy(s)					3.1.2.1.(1) 9.10.2					
3	Building Area (m <sup>2</sup> )	Existing 153.96 New _____ Total 153.96				1.1.3.2 1.1.3.2					
4	Gross Area	Existing 258.87 New _____ Total 258.87				1.1.3.2 1.1.3.2					
5	Number of Storeys	Above grade 1 Below grade 0				3.2.1.1 & 1.1.3.2 2.1.1.3					
6	Height of Building (m)	EXISTING UNCHANGED				2.1.1.3					
7	Number of Streets/Access Routes	EXISTING UNCHANGED				3.2.2.10 & 3.2.5.5					
8	Building Classification	GROUP D - 3.2.2.55				3.2.2.20-83 9.10.4					
9	Sprinkler System Proposed	<input type="checkbox"/> entire building <input type="checkbox"/> basement only <input type="checkbox"/> in lieu of roof rating <input checked="" type="checkbox"/> not required				3.2.2.20-83 3.2.1.5 3.2.2.17 9.10.8					
10	Standpipe required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				3.2.9					
11	Fire Alarm required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				3.2.4 9.10.7.2					
12	Water Service/Supply is Adequate	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
13	High Building	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				3.2.8					
14	Permitted Construction	<input checked="" type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible				3.2.2.20-83 9.10.8					
	Actual Construction	<input checked="" type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible									
15	Mezzanine(s) Area m <sup>2</sup>	N/A				3.2.1.1.(3)-(8) 9.10.4.1					
16	Occupant load based on	<input type="checkbox"/> m <sup>2</sup> /person <input checked="" type="checkbox"/> design of building				3.1.1.6 9.9.1.3					
	Basement:	Occupancy SERVICE Load 1 persons									
	1 <sup>st</sup> Floor:	Occupancy SERVICE Load 3 persons									
	2 <sup>nd</sup> Floor:	Occupancy _____ Load _____ persons									
	3 <sup>rd</sup> Floor:	Occupancy _____ Load _____ persons									
17	Barrier-free Design	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain) EXISTING UNCHANGED				3.8 9.5.2					
18	Hazardous Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				3.3.1.2.(1) & 3.3.1.18(1) 9.10.1.3					
19	Required Fire Resistance Rating (FRR)	Horizontal Assemblies		Listed Design No. or Description (SG-2)	3.2.2.20-83 & 3.2.1.4	9.10.8 9.10.9					
		FRR (Hours)									
		Floors _____ Hours	3/4-HR /EXIST. UNCHANGED								
		Roof _____ Hours									
		Mezzanine _____ Hours									
		FRR of Supporting Members		Listed Design No. Or Description (SG-2)							
Floors _____ Hours	3/4-HR /EXIST. UNCHANGED										
Roof _____ Hours											
	Mezzanine _____ Hours										
20	Spatial Separation - Construction of Exterior Walls								3.2.3	9.10.14	
	Wall	Area of EBF (m <sup>2</sup> )	L.D. (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings	FRR (Hours)	Listed Design or Description	Comb Const	Comb. Constr. Non-Cladding	Non-comb. Constr.
	North										
	South							EXISTING UNCHANGED			
	East										
West											
21	Other - Describe										



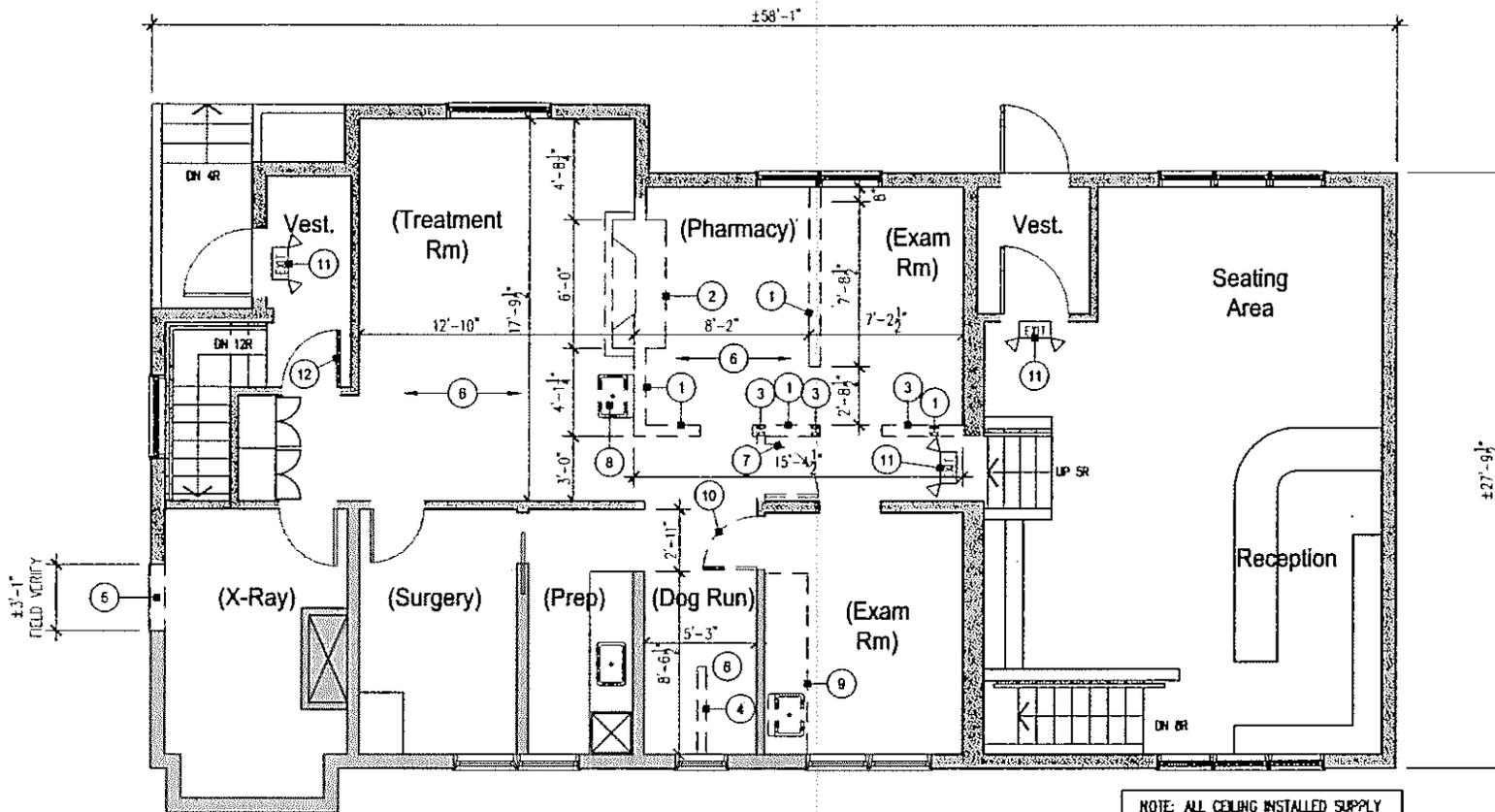
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project: Addition & Renovations  
 77 Green Lane  
 Thornhill, ON

Cover Sheet & OBC Matrix  
 sheet no. A0



**DEMOLITION NOTES**

- ① EXISTING INTERIOR PARTITION STUD FRAME WALL TO BE REMOVED
- ② EXISTING DECOMMISSIONED MASONRY FIREPLACE TO BE REMOVED. LEAVE PORTION BELOW GROUND FLOOR INTACT
- ③ EXISTING 3-2X4 BUILT-UP POST TO BE REMOVED. PROVIDE ADEQUATE TEMPORARY CEILING JOISTS SHORING PRIOR TO REMOVAL
- ④ EXISTING HALF HEIGHT PARTITION STUD FRAME WALL TO BE REMOVED
- ⑤ UNCOVER EXTERIOR WALL SIDING AND REMOVE INFILLED WINDOW OPENING. NOTES:  
1. NO NEW LINTEL REQ'D AS IT WAS AN EXISTING WINDOW OPENING PREVIOUSLY REMOVED.  
2. WALL MIGHT CONTAIN A LAYER OF LEAD USED AS PART OF XRAY ROOM. REMOVE AS REQUIRED TO SUIT NEW OPENING.
- ⑥ REMOVE EXISTING TILE, AS REQUIRED ONLY, TO SUIT NEW FLOOR FINISH. EXTENTS OF REMOVAL TO BE DETERMINED BY OTHERS.
- ⑦ CAREFULLY SAW CUT & REMOVE TOP-HALF OF PARTITION WALL, TO 36" AFF. INSTALL DOUBLE PLATE ON TOP C/W GWL PATCH & MAKE GOOD.
- ⑧ REMOVE EXISTING SINK, CAP & KEEP DRAIN LINE FOR RE-USE.
- ⑨ REMOVE EXISTING MILLWORK & SINK, CAP & KEEP DRAIN LINE FOR FUTURE RE-USE, AS REQUIRED.
- ⑩ REMOVE & REUSED EXISTING DOOR, REMOVE & PREP DOOR FRAME AS REQUIRED, REFER TO FLOOR PLAN

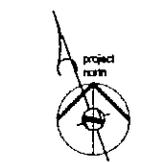
NOTE: ALL CEILING INSTALLED SUPPLY AIR GRILLES, DUCTWORK & SMOKE DETECTORS TO REMAIN, TYP.

- ⑪ EXISTING WORKING EMERGENCY & EXIT LIGHTS TO REMAIN, TYP.
- ⑫ EXISTING FIRE RATED DOOR TO REMAIN

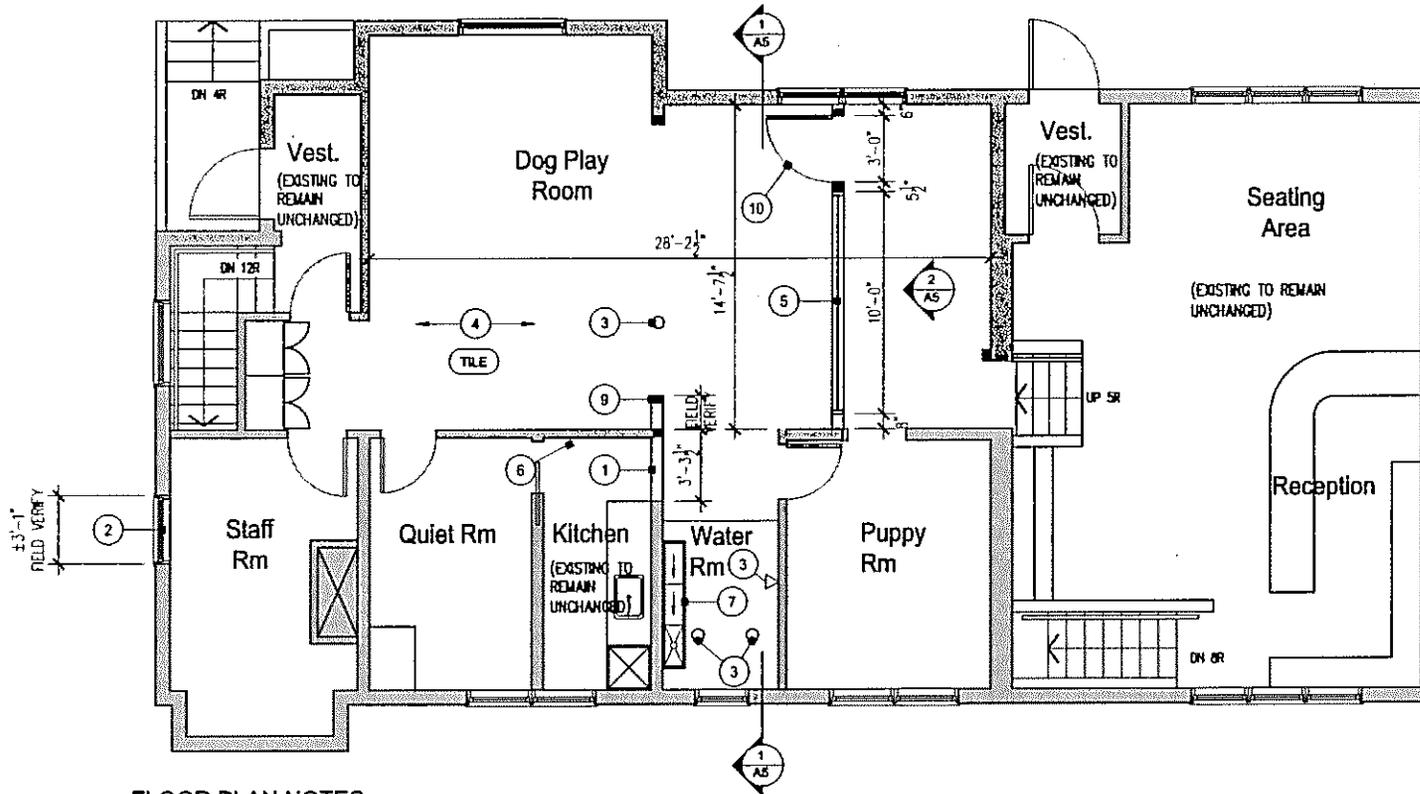
① Existing /Demo Ground Floor Plan  
Scale: 3/16"=1'-0"  
All measurements should be considered approximate



DATE: 10/20/2014  
PROJECT: 14-001-001  
DRAWING: 14-001-001-01

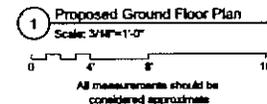


<p>project <b>Addition &amp; Renovations</b> To Green Lane Thornhill, ON</p> <p>Existing /Demo Ground Floor Plan</p> <p>sheet no. <b>A1</b></p>
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**FLOOR PLAN NOTES**

- ① #RLL WALL OPENING W/ 2X4 STUD @ 16" O.C. C/W 1/2" GNB BOTH SIDES. TAPE /FLOAT /SAND /PRIME & PAINT
- ② INSTALL NEW WINDOW IN EXISTING MASONRY OPENING. FIELD VERIFY SIZE. PATCH & REPAIR WALL AS REQUIRED.
- ③ INSTALL NEW FLOOR DRAIN INTO EXISTING DRAIN LINE FROM REMOVED SINK
- ④ PATCH /MAKE GOOD FLOOR TILE. EXTENTS OF TILE WORK TO BE DETERMINED BY CLIENT.
- ⑤ 10'x4'x3/8" ONE-SIDED VIEWING SAFETY LAMINATED GLASS IN WOOD FRAME.
- ⑥ NEW 30X80 WOOD DOOR & FRAME, FIELD VERIFY SIZE
- ⑦ NEW MULTI-LEVEL CUSTOM FABRICATED STEEL DOG WATER DISPENSER C/W WATER FAUCET & DRAIN. CONNECT DRAIN TO EXISTING LINE BEHIND ADJACENT ROOM'S SINK
- ⑧ 10'x4'x3/8" ONE-SIDED VIEWING SAFETY LAMINATED GLASS IN WOOD FRAME.
- ⑨ NEW BUILT-UP POST, FIELD VERIFY LOCATION OF EXISTING LOAD BEARING BASEMENT WALL BELOW, REFER TO FRAMING PLAN
- ⑩ RE-INSTALL EXISTING DOOR W/ VIEWING GLAZING, INSTALL DOOR CLOSER



isometricaDesign  
ARCHITECTS  
1000 Lakeshore Blvd. East, Suite 200  
Scarborough, Ontario M1V 4Y1



DATE: 08/20/2014  
PROJECT: 15 Green Lane  
THUNDERBOLT, ON

PROJECT NO.: 15GLN  
DRAWING NO.: 15GLN-GF-01



△ CHECK FOR PERMIT 08/20/2014

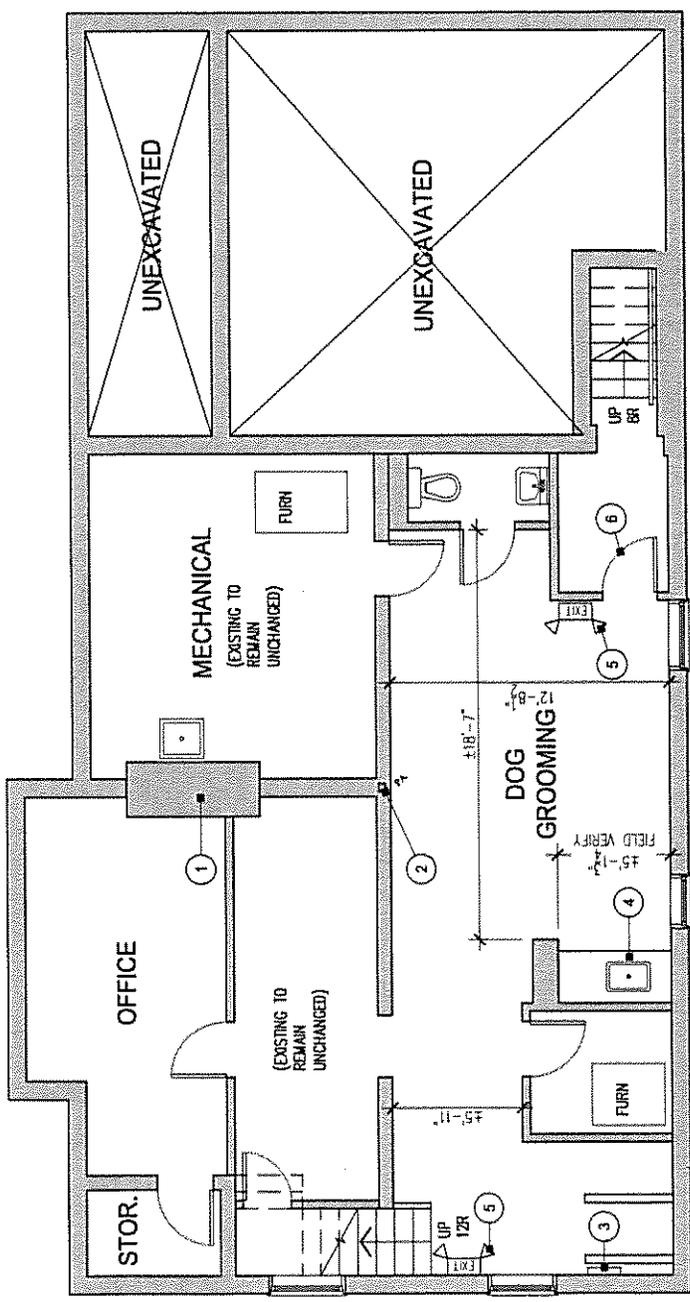
PROJECT: Addition & Renovations  
15 Green Lane  
Thunderbolt, ON

PROPOSED  
Ground Floor Plan

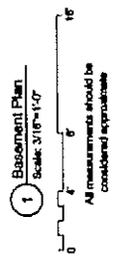
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**A2**





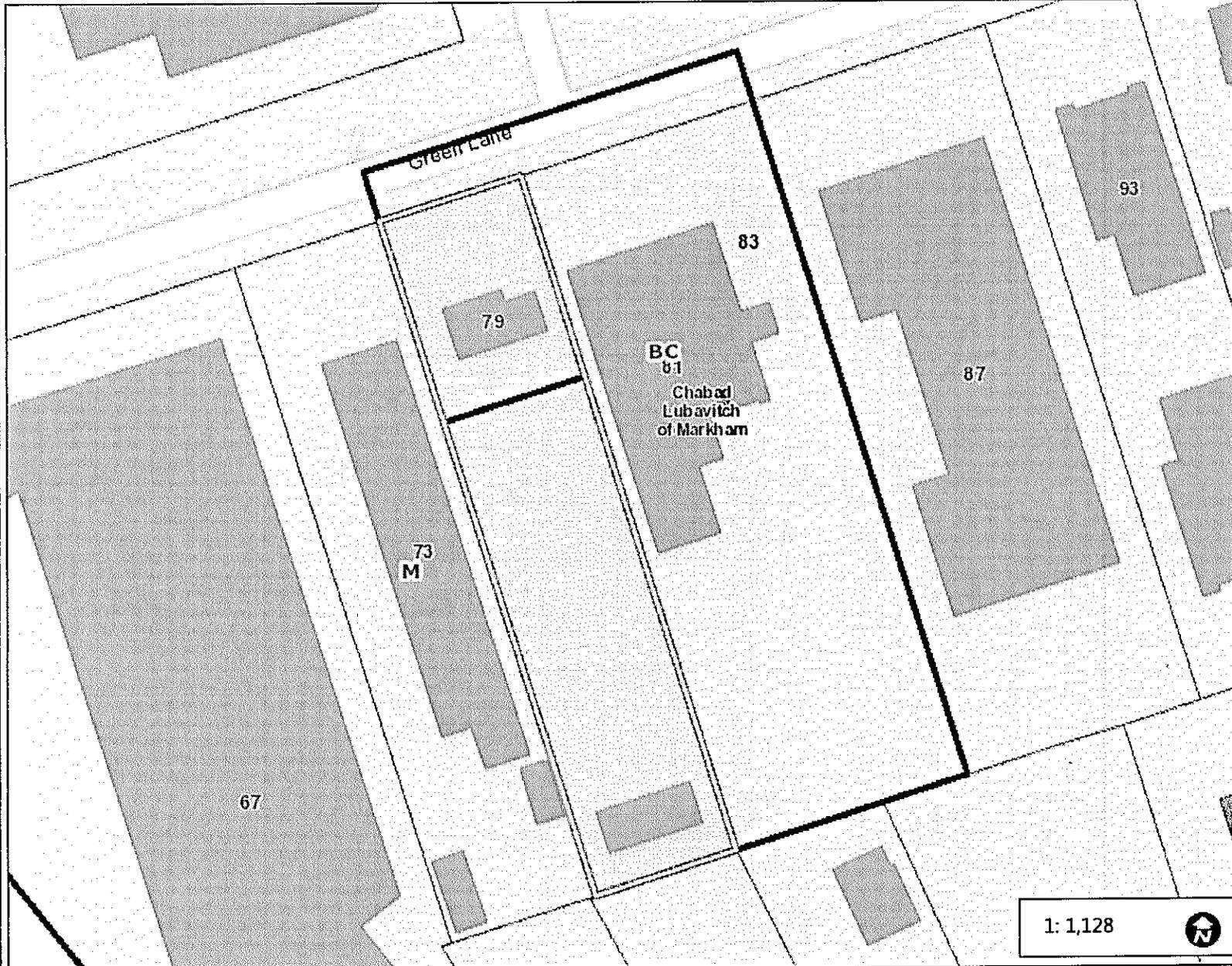
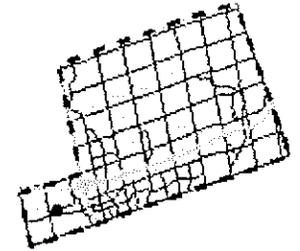
NOTE: ALL CEILING INSTALLED SUPPLY AIR GRILLES, DUCTWORK & SMOKE DETECTORS TO REMAIN, TYP.



**BASEMENT PLAN NOTES**

- 1 EXISTING FIREPLACE FOUNDATION TO REMAIN UNCHANGED
- 2 POINT LOAD ABOVE (PA) STS ON EXISTING LOAD BEARING CONCRETE BLOCK WALL
- 3 EXISTING ELECTRICAL PANEL TO REMAIN UNCHANGED
- 4 NEW SINK IN MILLWORK COUNTERTOP, REUSE EXISTING WATER LINE & DRAIN
- 5 EXISTING WORKING EMERGENCY & EXIT LIGHTS TO REMAIN, TYP.
- 6 EXISTING FIRE RATED DOOR TO REMAIN





Legend

- Zoning Designations
- LANDMARKS\_6000
- SLRN\_6000
- PARKS\_6000
- Building Footprints
- Ponds
- Creeks
- Rivers
- Parcel (MPAC)
- Park Facilities
- Parks
- <all other values>
- Under Development

APPENDIX C

1: 1,128



Notes