

Memorandum to the City of Markham Committee of Adjustment

April 22, 2022

File: A/019/22
Address: 7089 Yonge Street – Markham, ON (Thornhill)
Applicant: Devron Developments (Adrienne Van)
Hearing Date: May 4, 2022

The following comments are provided on behalf of the West District team. The applicant is requesting relief from the following requirements of Parking Standards By-law 28-97, as amended (the “Parking By-law”), as they relate to legalizing reduced parking space sizes. The requested variances are to permit:

a) Parking By-law 28-97, Section 6.1.2(a):

six parking spaces 0.10 m (0.33 ft) short, whereas the By-law requires 5.80 m (19.03 ft) in length; and

b) Parking By-law 28-97, Section 6.1.2(a):

one parking space 0.40 m (1.31 ft) short, whereas the By-law requires 5.80 m (19.03 ft) in length.

PROPERTY DESCRIPTION

The subject property is located at the southeast corner of Yonge Street Avenue and Grandview Avenue along the Yonge Steeles Corridor in Thornhill. The site has an existing 27-storey mixed use high rise building, with a surface parking area to the east of the building. Located north and east of the surface parking lot is a public strata park.

PROPOSAL

Through request of the above noted variances, the applicant seeks to recognize the existing length of seven non-residential surface parking spaces, six of which require a reduction of 0.10 m (3.94 in) in length, and one of which requires a reduction of 0.40 m (1.31 ft) in length.

OFFICIAL PLAN AND ZONING

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

The Official Plan 2014 designates the subject property “Mixed Use High Rise”, which provides for mixed use development comprising of high density residential and non-residential uses including office, retail, and service uses. Until such time a Secondary Plan is prepared for the Yonge Steeles Corridor key development area lands, the provisions of the Official Plan 1987 and the Thornhill Secondary Plan remain in force.

Official Plan 1987

The subject property is designated “Commercial” and “Community Amenity Area” under the Official Plan 1987. However, these lands were subject to an OMB approved site specific Official Plan Amendment under the Official Plan, which provides for a mixed use development comprising of high density residential and non-residential uses including office, retail, and services uses.

Zoning By-Law 2337

The subject property is split zoned “Open Space (O1)” and “Community Amenity Area 1 (CA1)” under By-law 2337, as amended.

Parking Standards By-law 28-97

Seven of the constructed surface parking spaces do not comply with the Parking By-law with respect to the minimum length requirement.

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The owner has confirmed that a ZPR has not been conducted. It is the owner's responsibility to ensure that the application has accurately identified all of 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 any non-compliances.

COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended*, states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (the "Committee"):

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, 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.

Reduced Parking Dimension

Located at the southeast corner of the property are 15 surface non-residential parking spaces, eight of which are located on the north side of the two-way drive aisle. Seven of the eight parking spaces have been constructed with a parking length that does not comply with the Parking By-law size requirements (see parking spaces #19 - #25 in Appendix "C"). The applicant requests variances to legalize the length of the parking spaces as noted above: six would have a length of 5.70 m (18.70 ft) (parking spaces #19 - #24) and one would have a length of 5.40 m (17.72 ft) (parking space #25), whereas the By-law requires that each parking space has a length of no less than 5.80 m (19.03 ft). This is a reduction of 0.10 m (0.33 ft), and 0.40 m (1.31 ft), respectively.

The applicant submitted a transportation letter and maneuvering analysis drawing, which concludes that the proposed parking sizes can accommodate the maneuvering of passenger vehicles. Transportation staff have reviewed the letter, and concur with the study's findings within this specific site context. The letter notes that there is currently a bollard that exists within the most easterly parking space (#19), and that the bollard is intended to be relocated while ensuring protection of the gas supply lines. The applicant has noted that the requested reduction to the size of parking space #25 as shown in Appendix "C" "*will legally need to be 5.40 m (17.72 ft) due to the location of the residential condo boundary*".

PUBLIC INPUT SUMMARY

No written submissions were received as of April 22, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and recommend that the Committee satisfy themselves as to the appropriateness of the

requested variances. Staff recommend that the Committee consider public input and the subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.


APPENDICES

Appendix "A" – Conditions of Approval

Appendix "B" – Plans


Appendix "C" – Draft Plan of Condo

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



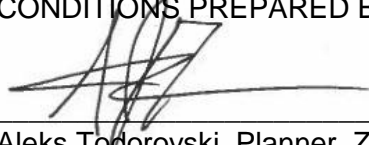
Rick Cefaratti, MCIP, RPP, Senior Planner II, West District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/019/22

1. That the variances apply only to the seven surface parking spaces for as long as they remain.
2. That the applicant submits site photos to the Director of Planning and Urban Design or designate, that shows the bollard which is currently located within the existing parking space has been relocated outside of the parking area relating to the subject development, and that the Secretary-Treasurer receive written confirmation that the site photos have been reviewed to the satisfaction of the Director of Planning and Urban Design, or their designate.
3. That the applicant installs signage for each parking space that indicates "*this parking space length is substandard, and is recommended for small vehicles only*", and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Planning and Urban Design, or their designate.

CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

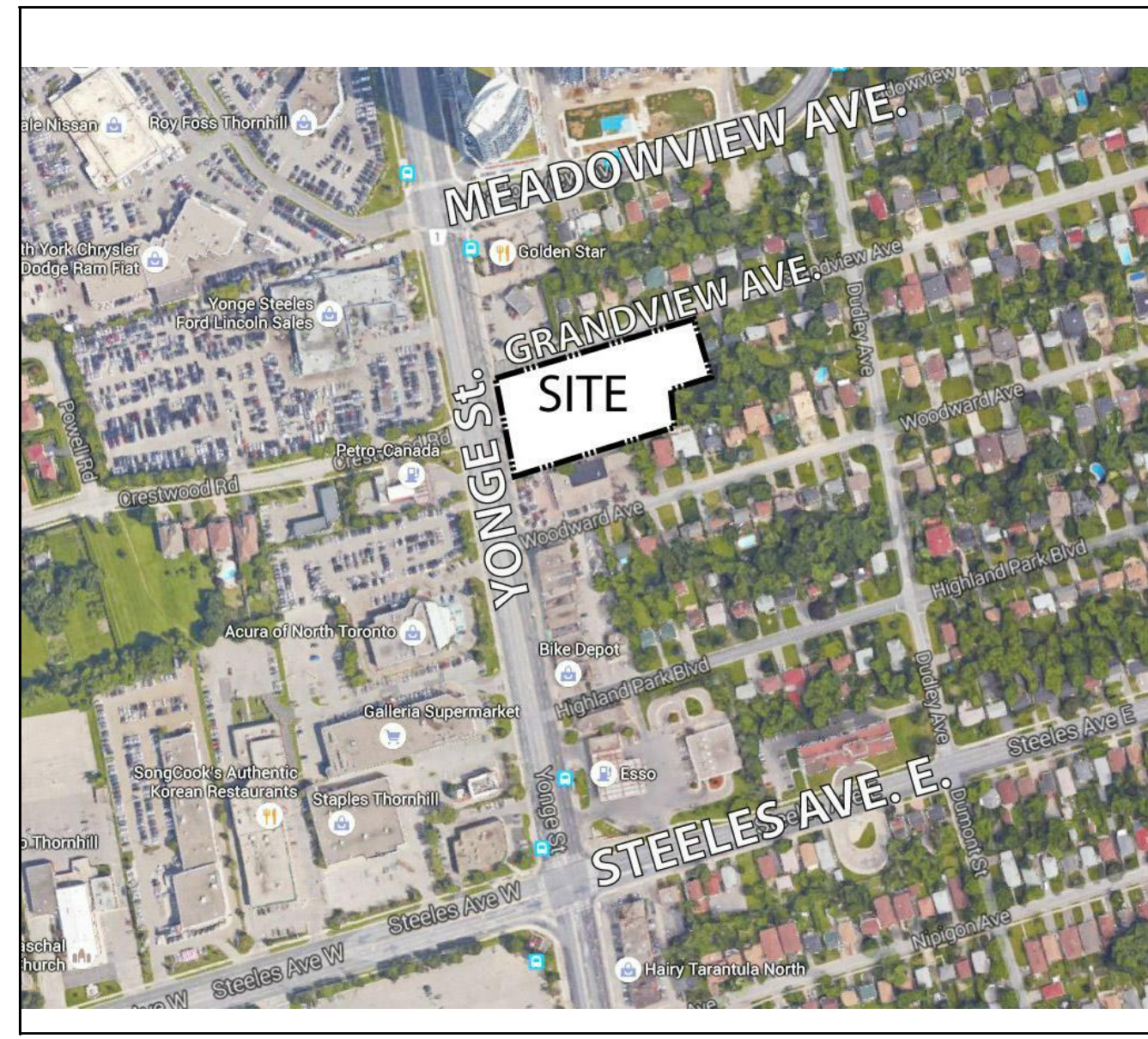
APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/019/22

STOP
Rb-1

EMERGENCY ACCESS ROUTE
Rb

Traffic Signs 6
NTS A1-01

BOUNDARY AND TOPOGRAPHIC SURVEY OF LOTS 319, 320 AND PART OF BLOCK A REGISTERED PLAN 2446 (CITY OF MARKHAM)
 BY KRCMAR SURVEYORS ON DECEMBER 17, 2015

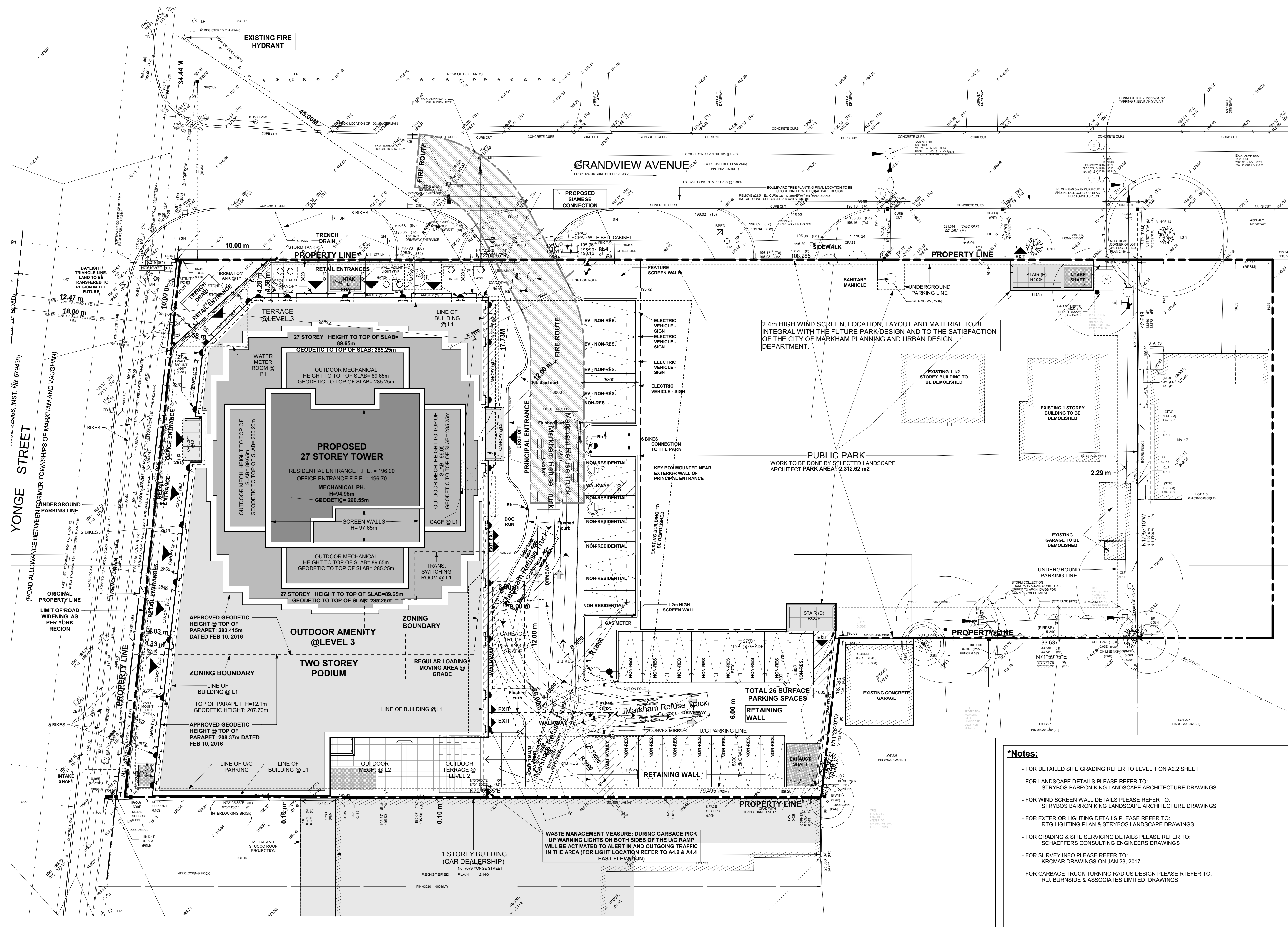


KIRKOR ARCHITECTS AND PLANNERS
 20 De Boers Dr. # 400 Toronto ON M3J 0H1
 TEL 416 665 6060 kirkorarchitects.com

No. _____ Revision _____ Date _____

Lot Information 5
NTS A1-01

Context Plan 4
NTS A1-01



PROJECT STATISTICS
7889 Yonge Street
FSI 3.75

1.0 LOT AREA

1.1 Total Lot Area (as per 2015)	1,812.00	678.00	2,490.00
1.2 Total Footprint (as per 2015)	1,812.00	2,239.20	4,051.20
1.3 Total Building Area	1,812.00	484.00	2,296.00
1.4 Total Parking Area	1,812.00	285.00	2,097.00
1.5 Total Area	1,812.00	3,773.20	5,583.20

2.0 FLOOR OCCUPATION

2.1 Total Floor Area	2,239.20	2,239.20	4,478.40
2.2 Total Parking Area	285.00	285.00	570.00
2.3 Total Area	2,524.20	2,524.20	5,048.40

3.0 GFA PERMITTED

3.1 GFA Permitted	2,524.20	2,524.20	5,048.40
3.2 GFA Proposed	2,524.20	2,524.20	5,048.40

4.0 UNIT COUNT

4.1 Units	1,812	1,812	3,624
4.2 Units	1,812	1,812	3,624

5.0 PARKING

5.1 Total Parking	285	285	570
5.2 Total Parking	285	285	570

6.0 NOTES

- FOR DETAILED SITE GRADING REFER TO LEVEL 1 ON A2.2 SHEET
- FOR LANDSCAPE DETAILS PLEASE REFER TO: STRYBOS BARRON KING LANDSCAPE ARCHITECTURE DRAWINGS
- FOR WIND SCREEN WALL DETAILS PLEASE REFER TO: STRYBOS BARRON KING LANDSCAPE ARCHITECTURE DRAWINGS
- FOR EXTERIOR LIGHTING DETAILS PLEASE REFER TO: RTG LIGHTING PLAN & STRYBOS LANDSCAPE DRAWINGS
- FOR GRADING & SITE SERVICING DETAILS PLEASE REFER TO: SCHAEFFERS CONSULTING ENGINEERS DRAWINGS
- FOR SURVEY INFO PLEASE REFER TO: KRCMAR DRAWINGS ON JAN 23, 2017
- FOR GARBE TRUCK TURNING RADIUS DESIGN PLEASE REFER TO: R.J. BURNSIDE & ASSOCIATES LIMITED DRAWINGS

THE VANGUARD
 Drafting Firm

Site Plan, Context Plan and Statistics

PROPOSED MIXED-USE DEVELOPMENT
 7889 Yonge Street, Markham, Ontario
 Scale: 1 : 175
 Drawn by: Author
 Checked by: Checker
 Project No.: 15-010
 Date: 02/28/22
 Drawing No.: A1-01

APPENDIX "C"
DRAFT PLAN OF CONDO

15-010 - 7089 YONGE ST.
 Mar. 09, 2021

Total GFA for Retail Space		
Level	SQ.M.	SQ.FT.
Grandview Unit #1	380.22	3999.87
Grandview Unit #2	72.27	831.73
Grandview Unit #3	110.17	1185.80
Yonge Unit #1	221.95	2382.71
Yonge Unit #2	221.71	2380.07
Yonge Unit #3	158.54	1491.23
Yonge Unit #4	212.22	2284.31
Total Area	1038.08	11174

Total GFA for Retail Non-Sellable (Common Space)		
Level	SQ.M.	SQ.FT.
1	66.9	720.10
Total Area	66.9	720.10

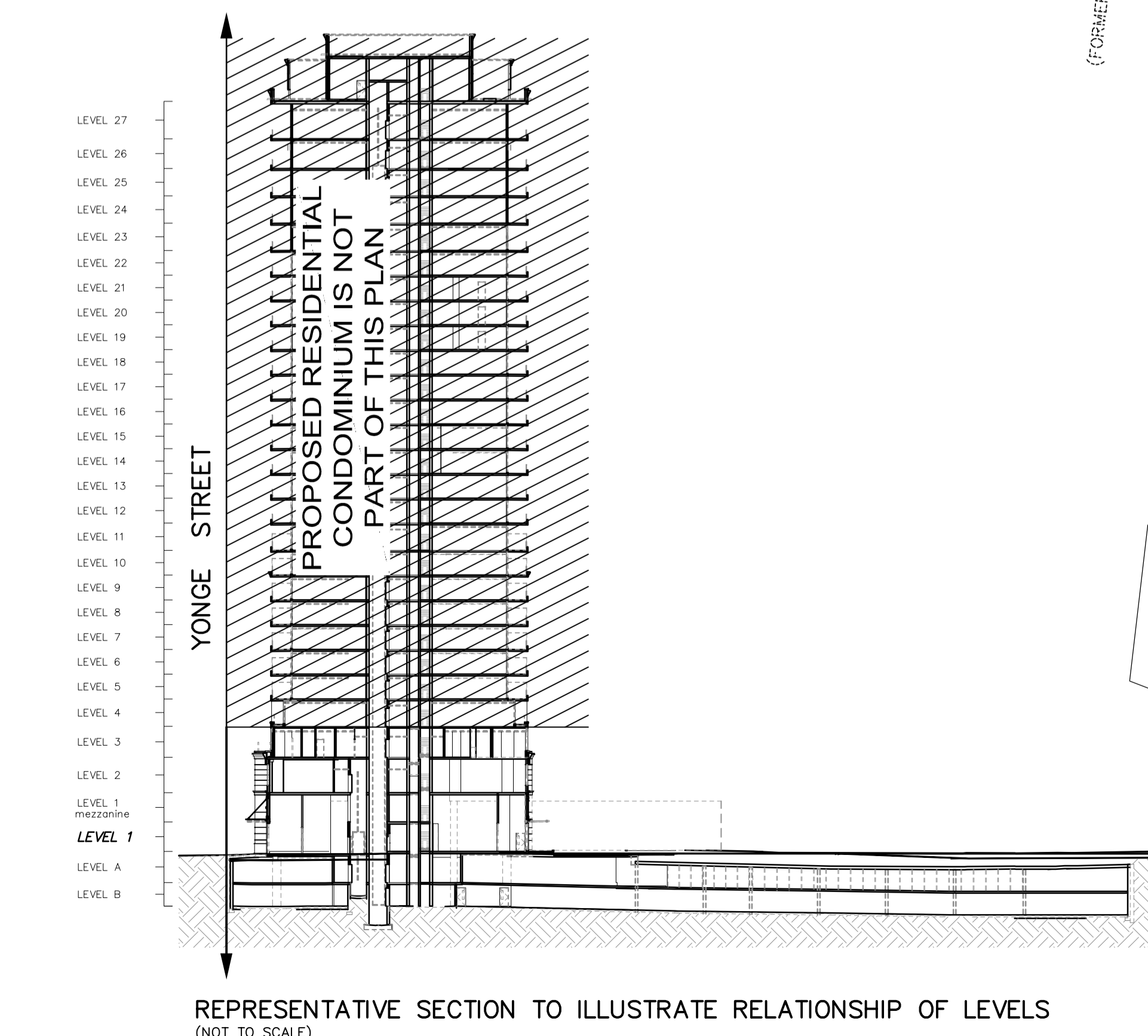
Total GFA for Office Space		
Level	SQ.M.	SQ.FT.
Office Unit #1	78.3	842.83
Office Unit #2	179.15	1928.33
Office Unit #3	144.4	1554.31
Office Unit #4	202.79	2182.81
Office Unit #5	119.85	1280.03
Office Unit #6	104.95	1129.67
Office Unit #7	104.37	1123.43
Office Unit #8	121.43	1307.05
Office Unit #9	103.54	1103.73
Office Unit #10	80.05	861.63
Office Unit #11	72.88	784.47
Office Unit #12	118.94	1280.20
Office Unit #13	78.98	850.08
Total Area	1504.63	16195.69

Total GFA for Office Non-Sellable (Common Space)		
Level	SQ.M.	SQ.FT.
1	80.67	866.13
2	208.23	2241.58
Total Area	323.68	3484.00

Total Parking Count	
Level	Parking Spaces
P1	88
1	26
Total	94

GRANDVIEW AVENUE (20.12m WIDE)
 (BY REGISTERED PLAN 2446)
 PIN 03020-0501(LT)

REGIONAL ROAD No. 1
 (FORMERLY THE KING'S HIGHWAY No. 1, TRANSFERRED BY ORDER IN COUNCIL 228/98, INST. No. 6789438)
 YONGE STREET (IRREGULAR WIDTH)
 (ROAD ALLOWANCE BETWEEN FORMER TOWNSHIPS OF MARKHAM AND VAUGHAN)
 PIN 03020-0524(LT)

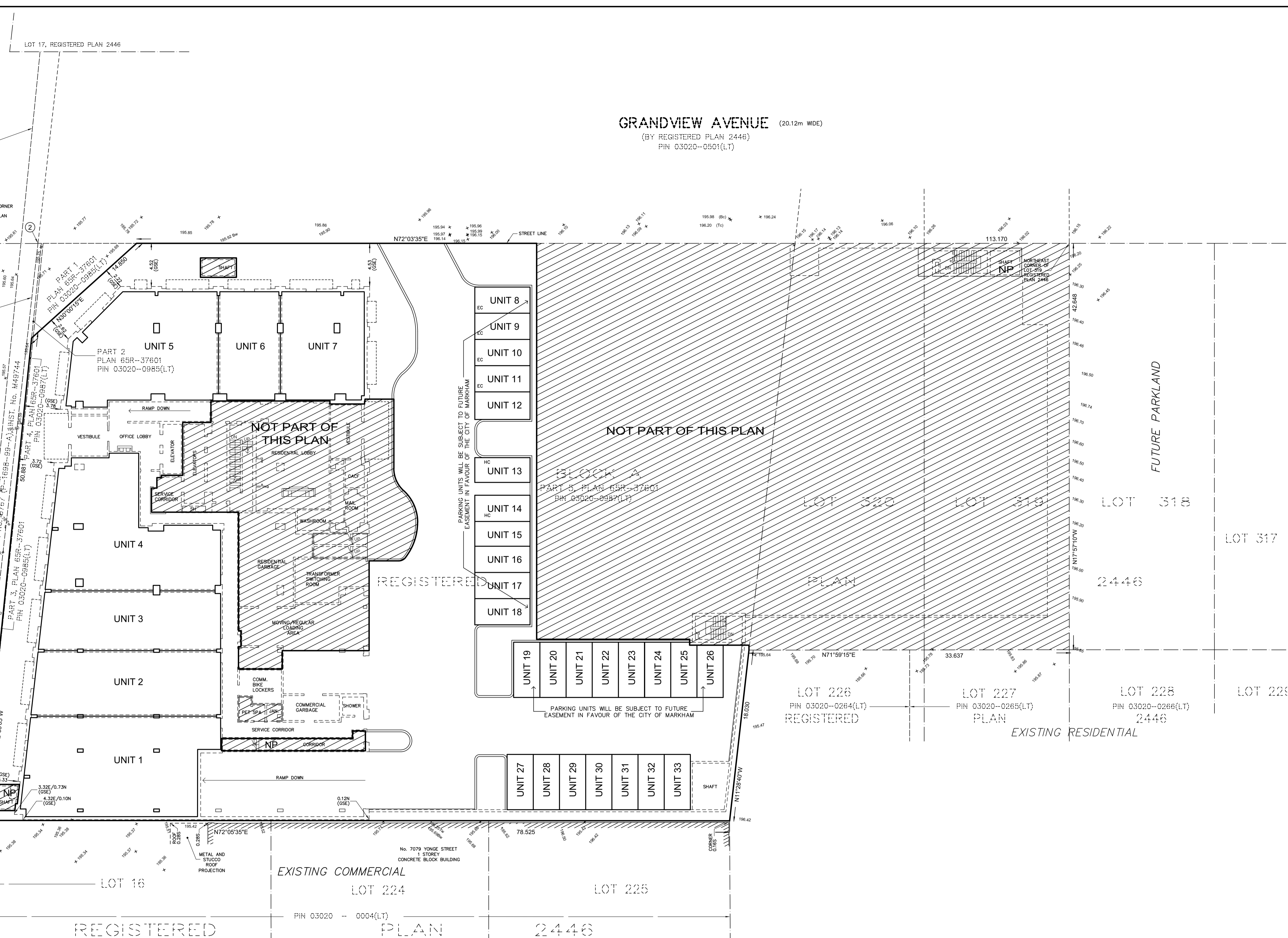


PLAN VIEW - ILLUSTRATING CONDOMINIUM BOUNDARIES AND UNITS 1 TO 7 INCLUSIVE (OFFICE)
 UNITS 8 TO 33 INCLUSIVE (PARKING)
 LEVEL 1

INTEGRATION DATA			
SPECIFIED CONTROL POINTS			
MONUMENT ID.	PUBLISHED VALUES NAD 83 ORIGINAL (M ZONE 17)	CALCULATED VALUES NAD 83 (CGRS) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)	
HCM 092023045	N: 4 850 876.479 E: 627 069.785	N: 4 850 876.209 E: 627 069.737	
HCM 092023046	N: 4 850 938.101 E: 627 299.496	N: 4 850 937.832 E: 627 299.468	
REFERENCE POINTS			
POINT	NORTHING	EASTING	
1	4 850 904.06	627 063.71	
2	4 850 963.76	627 051.59	

COORDINATE VALUES SHOWN ARE FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY. COORDINATES CANNOT BE TRUSTED. BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

6° UTM ZONE 17 COORDINATES NAD 83 (CGRS) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)			
THE UTM COORDINATES LISTED BELOW ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF SURVEY REGULATIONS 2016 FILED UNDER THE SURVEYORS ACT.			
POINT	NORTHING	EASTING	
1	4 850 904.06	627 063.71	
2	4 850 963.76	627 051.59	

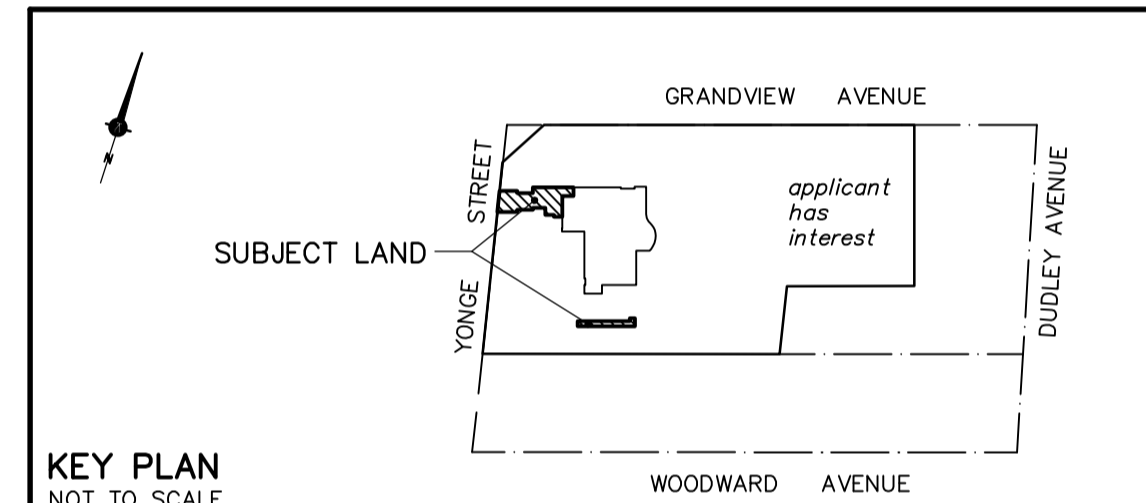


CONDOMINIUM TYPE:
 STANDARD

DRAFT PLAN OF CONDOMINIUM OF
 PART OF BLOCK A
 REGISTERED PLAN 2446
 CITY OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK

SCALE 1:200
 KRCMAR SURVEYORS LTD. 2020

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

(A) AS SHOWN ON DRAFT PLAN
 (B) AS SHOWN ON DRAFT PLAN
 (C) AS SHOWN ON DRAFT PLAN
 (D) RESIDENTIAL HIGHRISE
 (E) AS SHOWN ON DRAFT PLAN
 (F) AS SHOWN ON DRAFT PLAN
 (G) AS SHOWN ON DRAFT PLAN
 (H) PIPED WATER
 (I) CLAY LOAM
 (J) AS SHOWN ON DRAFT PLAN
 (K) FULLY SERVICED
 (L) AS SHOWN ON DRAFT PLAN

NOTES AND LEGEND

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM HORIZONTAL CONTROL MONUMENTS No. 090203045 AND No. 090203046, AND ARE REFERRED TO THE 6° UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE. (NAD 83 ORIGINAL).

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999786.

--- DENOTES CONDOMINIUM BOUNDARIES
 --- DENOTES BOUNDARIES OF UNITS AND/OR EXCLUSIVE USE PORTIONS OF THE COMMON ELEMENTS
 --- DENOTES FACE OF STRUCTURE
 UP DENOTES STAIRS UP
 DN DENOTES STAIRS DOWN
 FHC DENOTES FIRE HOSE CABINET
 G.C. DENOTES GARBAGE CHUTE
 SH DENOTES SHAFF
 CACF DENOTES CONTROL ALARM CENTRAL FACILITY
 JAN DENOTES JANITOR
 GSE DENOTES GROUND FLOOR SLAB EDGE
 NP DENOTES NOT PART OF THIS PLAN
 [Hatched] DENOTES PART OF THE COMMON ELEMENTS NOT INCLUDED IN UNIT

MUNICIPAL ADDRESS
 No. 7089 YONGE STREET, MARKHAM

OWNER'S CERTIFICATE
 I HEREBY AUTHORIZE KRCMAR SURVEYORS LTD. TO PREPARE AND SUBMIT THIS CONDOMINIUM DRAFT PLAN FOR APPROVAL.
 DECLARANT: YONGE GRANDVIEW CORP.

DATE: JUNE 26th, 2020
 SAFA SAFAPOUR - A.S.O.
 I HAVE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY SHOWN.

DATE: JUNE 26th, 2020
 WALDEMAR GOLINSKI
 ONTARIO LAND SURVEYOR

ALL EXISTING GRADE ELEVATIONS SHOWN HEREON ARE TAKEN FROM SITE GRADING PLAN (A1-03) DATED OCTOBER 31, 2017

DATE	REVISIONS
APR. 28, 2021	UNIT 31, LEVEL A TO BE DEEDED TO RESIDENTIAL CONDOMINIUM IN EXCHANGE FOR ACCESSIBLE PARKING UNIT 1, LEVEL A ON THE RESIDENTIAL CONDOMINIUM
APR. 16, 2021	PARKING UNITS 8 TO 33 INCLUSIVE, LEVEL 1, ADDED FUTURE EASEMENT NOT ADDED TO SURFACE PARKING SPACES
date	notes

PLANNING DEPARTMENT
 PLAN AVAILABLE AT www.ProtectYourBoundaries.ca

FIELD	DRAWN	SSmc	CHECKED	WG	JOB NO.	15-098
DWG NAME	15-0980202	PROJ INFO	13:43 11/Mar/2021	WORK ORDER NO.	32155	
1137 Centre Street, Thornhill, ON L4J 3M6 905.738.0053 F.905.738.9221 www.krcmar.ca						

REVISIONS