

Memorandum to the City of Markham Committee of Adjustment

May 22, 2024

File: A/038/24
Address: 5396 7 Hwy East, Markham
Applicant: The Planning Partnership (Arthur Grabowski)
Hearing Date: Wednesday, June 19, 2024

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

The applicant is requesting relief from the following requirements of By-law 1229, as amended, as it relates to a motor vehicle sales establishment within a three-storey building, to permit:

- a) **By-law 1229, Section 11.1(e):**
a minimum exterior side yard setback of 4.87 metres (15.98 feet), whereas the by-law requires a minimum exterior side yard setback of 9.14 metres (30 feet);
- b) **By-law 1229, Section 11.1:**
a maximum lot coverage of 50 percent, whereas the by-law permits a maximum lot coverage of 35 percent;
- c) **By-law 1229, Table 11.1:**
a maximum building height of 16 metres (52.49 ft), whereas the by-law permits a maximum building height of 12 metres (39.37 ft);
- d) **By-law 1229, Section 11.1 (1):**
one loading space, whereas the by-law requires two loading spaces for a building with a gross floor area over 1,860 m² (20,020.87 ft²);
- e) **Parking By-law 28-97, Table B:**
a minimum of 225 parking spaces, whereas the by-law requires 248 parking spaces; and
- f) **Parking By-law 28-97, Section 5.1:**
a minimum of 7 accessible parking spaces, whereas the by-law requires 12 accessible parking spaces

BACKGROUND

Following the issuance of the Notice of Hearing for this application, the applicant has revised variance f), concerning the number of accessible parking spaces. Initially, the applicant requested a reduction to 2 spaces, however, the proposal has now been updated to include 7 accessible parking spaces.

Staff note that since a complete Zoning Preliminary Review was submitted prior to the passing of the City's Comprehensive Zoning By-Law 2014-19, as amended, the transition clauses under section 1.7.2 of the City's Comprehensive Zoning By-Law 2014-19, as amended, exempts the need for the applicant to apply for relief from the new By-Law.

Property Description

The 5,630.99 m² (57,705.22 ft²) subject property is located on the North side of Highway 7 East, west of Laidlaw Boulevard and South of Bullock Drive. The property is located within an established Industrial, Commercial and Institutional neighbourhood comprised of a mix of one and two-storey commercial buildings. Currently, there is a single storey motor vehicle sales establishment the property. It is partially within TRCA's Regulated Area as a small easternly portion of the site is traversed by a valley corridor associated with the Rouge River Watershed.

Proposal

The applicant is proposing to demolish the current single storey motor vehicle sales establishment to construct a 3-storey motor vehicle sales establishment with a combined Gross Floor Area of 5,691.7 m² (61,264.95 ft²). The proposal includes 225 parking spaces, with 7 accessible spaces, and 1 loading space with a total lot coverage of 47.05%.

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 "Mixed Use Mid Rise", which provides for mid to large scale retail development acting as focal points for neighborhood activities. In addition to residential and retail uses, the "Mixed Use Mid Rise" designation also provides for motor vehicle sales facilities that are wholly contained within a building.

Zoning By-Law 134-79

The subject property is zoned C3 under By-Law 1229, as amended, which permits motor vehicle sales establishments, automobile service stations, animal hospitals, banks, business and professional offices amongst other uses.

Parking Standards By-law 28-97

The proposed development also does not comply with the standard of the Parking By-law 28-97 with respect to the amount of required parking and accessible spaces. Further details of the parking requirement is provided in the comment section below.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on January 29, 2024 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.

Reduced Side Yard Setback

The applicant is requesting a reduction in the minimum exterior side yard setback from the required 9.14 m (30 ft) to 4.87 m (15.98 ft). Highway 7 East, is considered to be the exterior side yard for the Subject Lands. Staff note, that the subject lands are adjacent to a generous landscape buffer of approximately 7.10 m (23.30 ft) along Highway 7 east which is a wide arterial road. This buffer, located outside the property line, effectively mitigates any potential impacts caused by the reduced exterior side yard setback.

Engineering staff have reviewed the application and have no concern with the variance respecting drainage. Staff are of the opinion that the proposed reduced exterior side yard setback does not pose any adverse impacts and is in keeping with the general intent of the zoning bylaw. Hence, staff have no concerns regarding the approval of the requested variance.

Increase in Maximum Lot Coverage

The applicant is requesting relief for a maximum lot coverage of 50 percent, whereas the By-law permits a maximum lot coverage of 35 percent. Staff note that the surrounding properties primarily consist of motor vehicle sales establishments, motor vehicle repair establishments and other commercial uses. The surrounding area context and the nature of adjacent developments suggest that the increased lot coverage proposed by the applicant would be compatible with the existing area context and have minimal impact. Given the the compatibility and characteristics of the surrounding area, the proposed increase in lot coverage is considered appropriate and unlikely to cause adverse effects.

Increase in Maximum Building Height

The applicant is requesting relief to permit a maximum building height of 16 m (52.49 ft), whereas the By-law permits a maximum building height of 12 m (39.37 ft). This represents an increase of 2 m (6.56 ft). The By-law calculates building height using the vertical distance of building or structure measured between the level of the crown of the street and highest point of the roof surface. Given that the property is bounded by streets to the east and south, and is adjacent to the industrial developments to the west and north, the proposed height increase will result in no negative impacts to the adjacent developments. Staff recommend the approval of this variance request.

Loading Space Reduction

The applicant is proposing 1 loading space, whereas the By-law requires a minimum of 2 loading spaces for a building with a gross floor area over 1,860 m² (20,020.87 ft²). Transportation Engineering Staff has reviewed the application and expressed no concerns regarding the loading space requirements. The applicant has highlighted that the existing Audi dealership, comparable in use and size and located at 4080 Highway 7, is adequately served by only one loading space, which accommodates all loading activities effectively.

Additionally, the applicant has indicated that a nearby off-site facility at 10 Laidlaw Boulevard will support the proposed development by handling large-scale inventory deliveries, further alleviating any potential loading issues. The designated on-site loading space will primarily manage small-scale deliveries and waste management processes. Given these considerations, staff have no objections to the proposed reduction in loading spaces.

Parking Reductions

The site currently provides a total of 225 parking spaces. This represents an approximate 9.38% deficiency. The site also currently provides a total of 7 accessible parking spaces, whereas parking bylaw 28-97 requires a minimum of 12 accessible parking spaces.

Staff note that the applicant increased the number of accessible parking spaces to 7 from the initially proposed 2 after consultations with Transportation Staff. The currently proposed number of 7 accessible parking spaces meets the requirement as set forth in the City's new Comprehensive Zoning By-Law 2014-19, as amended, which is currently under appeal and not in full force and effect. However, because the new by-law is not in full force and effect, the applicant is required to comply with the former By-law 28-97, as amended, which requires 12 accessible parking spaces.

The Applicant has provided operational details of the proposed motor vehicles sales establishment, including the usage of a "Valet" model and drop off area which is flat and accessible. An accessible customer lounge and accessible shuttle service are also provided to clients. More details are provided in an email from the applicant detailing the operations of the proposed motor vehicle establishment (attached) which demonstrates the accessible attributes of the proposed development.

However, accessibility is a priority of Markham Council and Staff and as a result a reduction in the number of accessible parking spaces cannot be supported, notwithstanding that the number of accessible parking spaces will comply with the new comprehensive by-law 2024-19 once it comes into full force and effect.

The Applicant has provided a detailed Transportation Impact Study demonstrating that the reduction in the total number parking spaces will not adversely affect the subject property and Transportation Engineering staff are of the opinion that the variance to reduce the total number of parking spaces is minor and is unlikely to result in any significant impact. Staff therefore have no objections to the variance for a reduction in the total number of parking spaces.

TRCA Comments

The subject property is located within Toronto Region and Conservation Authority (TRCA)'s Regulated Area. A minor eastern portion of the site is traversed by a valley corridor associated with the Rouge River Watershed. TRCA provided comments on June 6, 2024, indicating that they have no concerns on the current Minor Variance Application since comments were provided on January 30, 2024 under Pre-Consultation Application PRCN 23 150149. TRCA staff note that a TRCA permit may be needed following the review of a future Site Plan Application.

PUBLIC INPUT SUMMARY

No written submissions were received as of **June 13, 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 variances a) to e) inclusive meet the four tests of the Planning Act and have no objection. However, staff cannot support variance f) and the committee should consider public input in reaching a decision and should satisfy themselves whether the variance meets the four tests of the Planning Act.

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:



Aaron Chau, Planner I, East District

REVIEWED BY:



Stacia Muradali, Development Manager, East District

APPENDICIES

Appendix "A" – A/038/24 Conditions of Approval

Appendix "B" – Drawings

Appendix "C" – Applicant Correspondence on Operations

APPENDIX “A”

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/038/24

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(s) attached as ‘Appendix B’ to this Staff Report and received by the City of Markham on April 30, 2024 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.
6. That the applicant satisfies the requirements of the Toronto and Region Conservation Authority (TRCA), financial or otherwise, as indicated in their e-mail to the file planner dated June 6, 2024, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.

CONDITIONS PREPARED BY:



Aaron Chau, Planner I, East District

PROJECT STATISTICS SUMMARY	
Municipal Address:	5396 Highway 7 E, Markham
Site Area	5,628.5 m ²
Average Grade: (Along lot lines adjacent to streets)	180.495 m
Building Height (Storeys):	3 Storeys
Building Height above Average Grade:	11.28 m
Gross Floor Area ("GFA") - No Limit	5,961.7 m ²
Net Floor Area ("NFA") - No Limit	6,203.8 m ²
Coverage (Permitted/Proposed)	35% Permitted / 47.05% Proposed
Vehicular Parking Required/Proposed (Standard: 1 space per 25 m ² NFA)	249 Spaces Required / 225 Spaces Provided
Bicycle Parking Total Provided	0 Spaces
Loading Spaces Provided	1 Space

	PARKING SPACES			OFF-SITE (LAIDLAW)	TOTAL PARKING SPACES
	CUSTOMER	PARKING	TOTAL		
ROOF		75	75		
FLOOR 3		69	69		
FLOOR 2		31	31		
FLOOR 1 (EXT)	25	25	50		
TOTAL			310	85	310

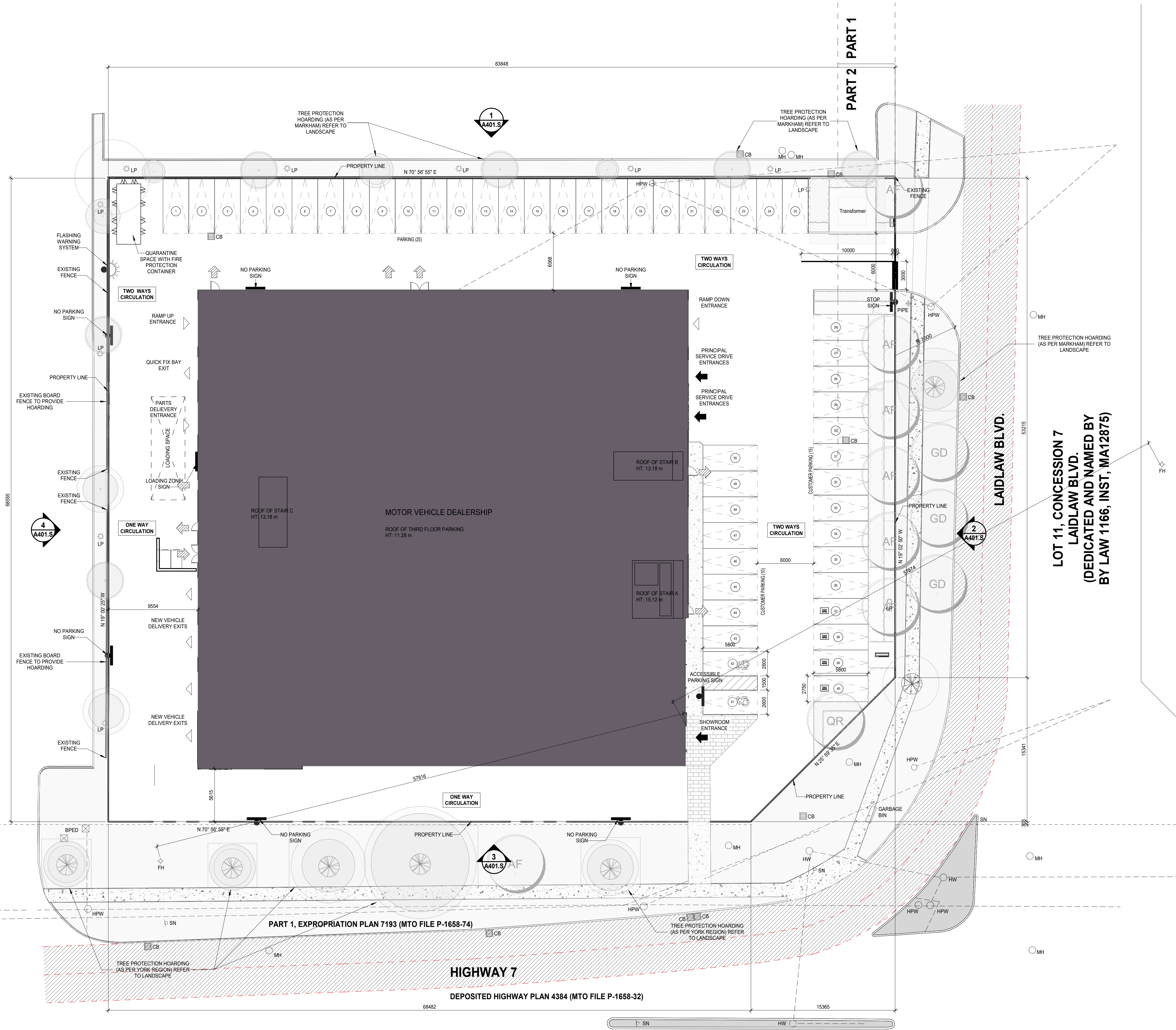
Accessibility Checklist - OBC & DOPS Compliance	
Minimum Requirements:	
1.0 Site Plan	
1.1 Passenger Loading Zone (2440 mm x 7400 mm), overhead clearance min. 3600 mm AFF	OBC 3.2.2 (1)
1.2 Exterior walls - permanent, firm and slip-resistant surface	OBC 3.8.3.1 (1)
1.3 Exterior walls min. 1100 mm wide	OBC 3.8.3.1 (1)
1.4 Exterior walls - overhead clearance min. 1980 mm AFF	OBC 3.8.3.1 (1)
1.5 Tactile attention indicators indicating entry into a vehicle	OBC 3.8.3.1 (1)
1.6 Curb ramps min. 1500 mm wide + flared sides, tactile attention indicators (TAI)	OBC 3.8.3.1 (1)
1.7 Sidewalks min. 1500 mm wide	OBC 3.8.3.1 (1)
1.8 Ramps with appropriate slope, handrails and landings	OBC 3.8.3.1 (1)
1.9 Stairs with appropriate rise and run, handrails, landings, nosings, and tactile attention indicators	OBC 3.8.3.1 (1)
1.10 Parking according to DOPS (Check by-law requirements) min. 2400 mm, and Access aisle - min. 1500 mm	OBC 3.8.3.1 (1)
2.0 Parking Area	
2.1 Served by a passenger elevator	OBC 3.8.3.1 (1)
2.2 Overhead clearance from parking entrance to accessible parking spaces	OBC 3.8.3.1 (1)
2.3 Access aisles	OBC 3.8.3.1 (1)
2.4 Curb ramps where level change max. 200 mm or less	OBC 3.8.3.1 (1)
2.5 Signage at accessible parking spaces, incorporating the International Symbol of Access	OBC 3.8.3.1 (1)
2.6 Vestibule min. 1500 mm (doors in series), min. 1500mm (doors) (1500 mm recommended)	OBC 3.8.3.3 (1)
2.7 Accessible parking spaces	DOPS 80.34.36
2.8 Accessible entrance into building	DOPS 80.36(3)
3.0 Building Entrance	
3.1 Barrier-free entrances to satisfy the OBC	OBC 3.8.1.2
3.2 Min. 1100 mm path of travel (Recommended 1800 mm)	OBC 3.8.1.1 (1)
3.3 Accessible door threshold (max. 13 mm)	OBC 3.8.1.12 (1)(6)
3.4 Signage incorporating the International Symbol of Access (ISA)	OBC 3.8.3.1 (2)
3.5 Door clear width min. 860 mm	OBC 3.8.3.1 (1)
3.6 Accessible door hardware (lever style handles, D or U shaped handles)	OBC 3.8.3.1 (1)(5)
3.7 Vestibule min. 1500 mm (doors in series), min. 1500mm turning circle (on-aligned doors) (1800 mm recommended)	OBC 3.8.3.3 (1)(1)
3.8 Designated barrier-free leaf (where multiple doors)	OBC 3.8.3.3 (1)(2)
3.9 Power door operator (min. 900 mm - max. 1100 mm AFF), min. 600 mm - max. 1500 mm from door swing where door swings towards control / proximity scanning devices	OBC 3.8.3.3 (4)
4.0 Amenity Spaces	
4.1 Operating controls at an accessible height	OBC 3.8.1.5
4.2 Universal washroom	OBC 3.8.2.2 (2)
4.3 Washrooms required to be barrier-free (universal washroom or barrier-free water closet stall or enclosure)	OBC 3.8.2.2 (3)(b)
4.4 Power door operator (min. 900 mm - max. 1100 mm AFF), min. 600 mm - max. 1500 mm from door swing where door opens towards control	OBC 3.8.3.3 (4)
5.0 General Requirements for All Spaces and Common Corridors	
5.1 Stairs with appropriate rise and run, handrails, landings, nosings, and tactile attention indicators	OBC 3.4.6.1
5.2 Min. 1100 mm path of travel (rec. 1800 mm)	OBC 3.8.1.1 (1)
5.3 If the width is less than 1600 mm, than min. 1800 mm x 1800 mm unobstructed space	OBC 3.8.1.1 (4)
5.4 Wall reinforcement in main bathrooms in all suites	OBC 3.8.2.1 (6)(4)
5.5 Door clear width min. 860 mm	OBC 3.8.3.1 (1)
5.6 Doors within a non-8R suite	OBC 3.8.3.1 (2)
5.7 Latch side clearance (LSC) min. 600 mm (pull side), min. 300 mm (push side)	OBC 3.8.3.3 (1)(10)
5.8 Power door operator where latch side clearance is not met	OBC 3.8.3.3 (1)(10)
5.9 All suite entry doors must have a min. 300 mm push side latch side clearance on the	OBC 3.8.3.3 (1)(9)
5.10 Vestibule min. 1500 mm (doors in series), min. 1500 mm clear turning space (on-aligned doors) (2400 mm recommended)	OBC 3.8.3.3 (1)(1)
5.11 Level floor area at door (Door width + LSC) x (1100 to 1300 mm)	OBC 3.8.3.3 (1)(3)
5.12 Ramps max. slope 1 in 12 (8.3%), 1570 mm x 1570 mm landings, bevelled edge of edge	OBC 3.8.3.1 (1)
5.13 Tactile attention indicators (TAI) at the top of all stairs and landings served by a door	OBC 3.8.3.1 (4)
5.14 Accessible service counter, recreation desk	DOPS 80.41
5.15 Finishes with no glare, min. 70% tonal contrast between wall and door	Better Practice
6.0 Mailroom	
6.1 Min. 1100 mm clear width at rear-loading mailroom	OBC 3.8.1.3
6.2 Mailboxes for barrier-free units should provide accessible reach ranges max. 1200 mm AFF	OBC 3.8.1.5 (1)(6)
6.3 Accessible entry to rear-loading mailroom	OBC 3.8.3.1 (1)
6.4 Min. 1500 mm clear turning space at lobby	OBC 3.8.3.3 (1)(1)
7.0 Double Garbage Chute	
7.1 Controls mounted between 900-1100 mm AFF	OBC 3.8.1.5 (1)(6)
7.2 White barrier-free path of travel extends into room, provide accessible entry door, and min. 1500 mm clear turning space	OBC 3.8.3.1 (1)
8.0 Exterior Amenity Space	
8.1 Accessible path of travel	OBC 3.8.1.1
8.2 Accessible entry door	OBC 3.8.3.3

Appendix B

File: 24.168953.000.00.MNV

Date: 6/14/2024

MM/DD/YY



SITE PLAN LEGEND	
[Symbol]	PROPERTY LINE
[Symbol]	LINE UP UNDER GROUND GARAGE BELOW
[Symbol]	MAIN BUILDING ENTRANCE
[Symbol]	RETAIL ENTRANCE
[Symbol]	EXIT
[Symbol]	VEHICLE / LOADING ENTRANCE / EXIT
[Symbol]	FIRE HYDRANT
[Symbol]	SIAMESE CONNECTION
[Symbol]	MANHOLE COVER
[Symbol]	HYDRO HAND WELL
[Symbol]	CATCH BASIN
[Symbol]	FLOOR DRAIN (PARKING SLAB)
[Symbol]	HYDRO POLE WOODEN
[Symbol]	LAMP POST
[Symbol]	TYPICAL PARKING SPACE
[Symbol]	TYPICAL B.F. PARKING SPACE
[Symbol]	F.F.F.E.
[Symbol]	FRESH FLOOR ELEVATION
[Symbol]	EXISTING ELEVATION
[Symbol]	PROPOSED ELEVATION
[Symbol]	TOP OF ROOF
[Symbol]	BUILDING ENVELOPE
[Symbol]	FIRE ACCESS ROUTE HEAVY DUTY PAVING ASSEMBLY TO BE DESIGNED TO MEET THE LOADS IMPOSED BY FIRE FIGHTING EQUIPMENT.
[Symbol]	GREEN ROOF
[Symbol]	TERRACE PAVERS

Date	No.	Description
2024-04-26	1	Issued for Committee of Adjustment

ISSUE RECORD	
2024-04-26	Issued for Committee of Adjustment

BDP. Quadrangle

Quadrangle Architects Limited
The West, 8 Spadina Avenue, Suite 2100, Toronto, ON M5V 0S9
416-598-1242 www.bdpquadrangle.com

Uptown Audi Markham
5396 Hwy 7, Markham, ON L3P 1B9
for DFC Auto Group

23251 1:200 NN MC
PROJECT SCALE DRAWN REVIEWED

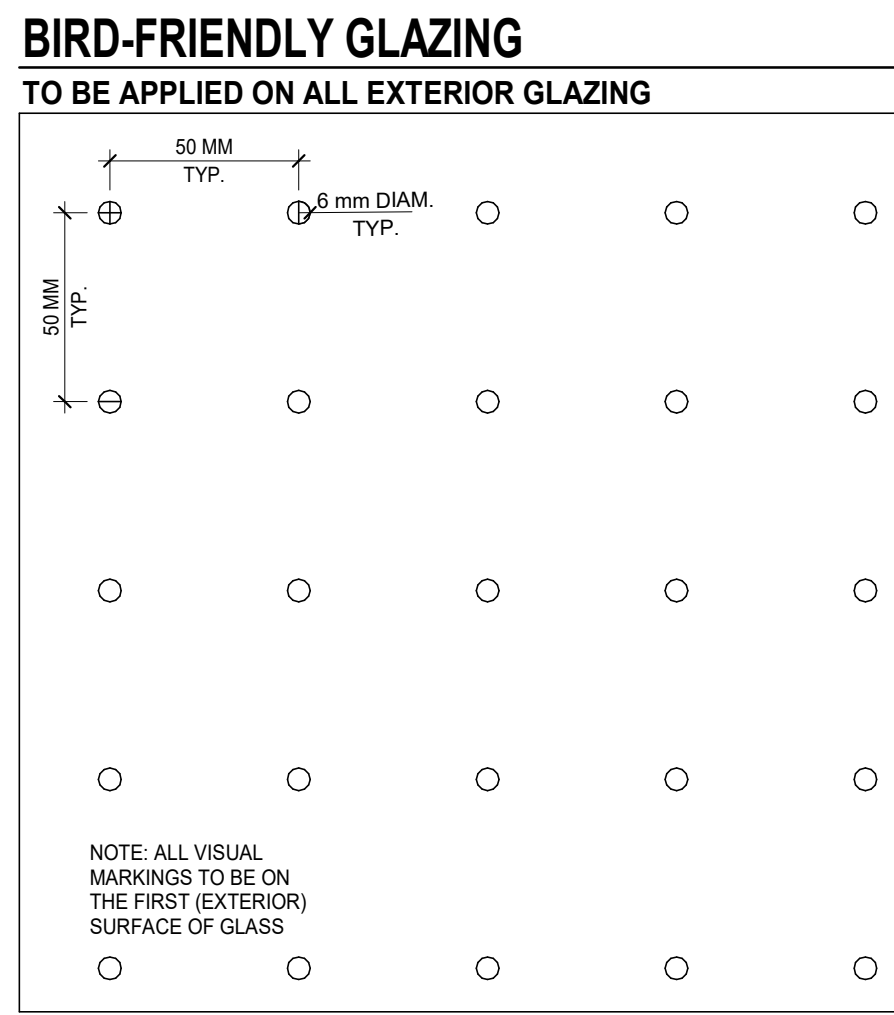
Site Plan

A102.S

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5 Bird Friendly Glazing Pattern
A401.S

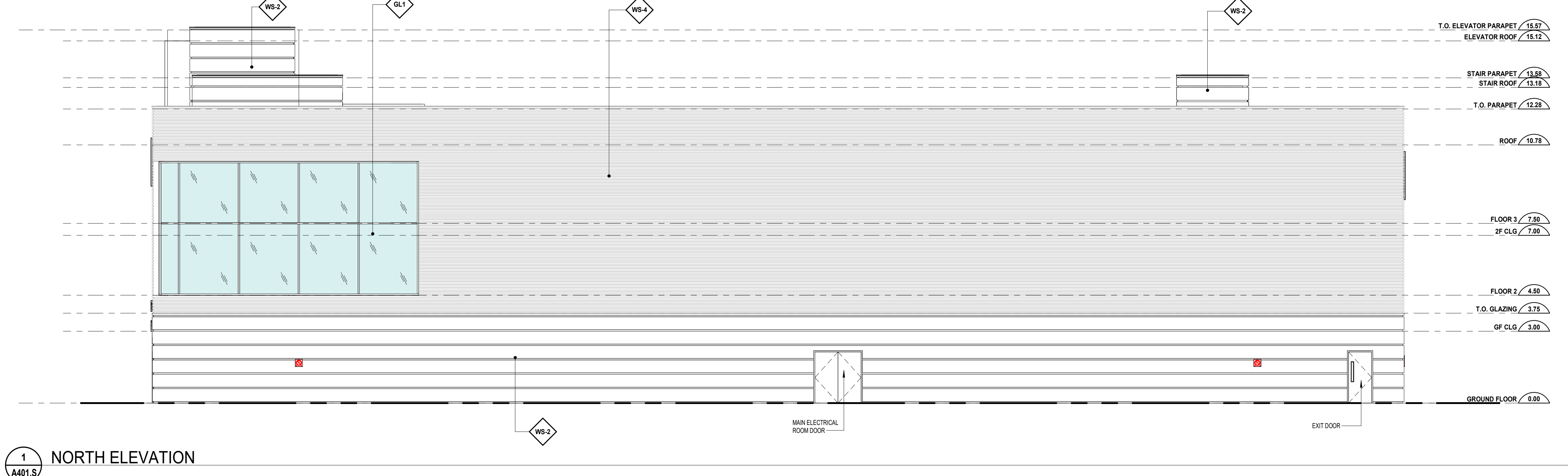
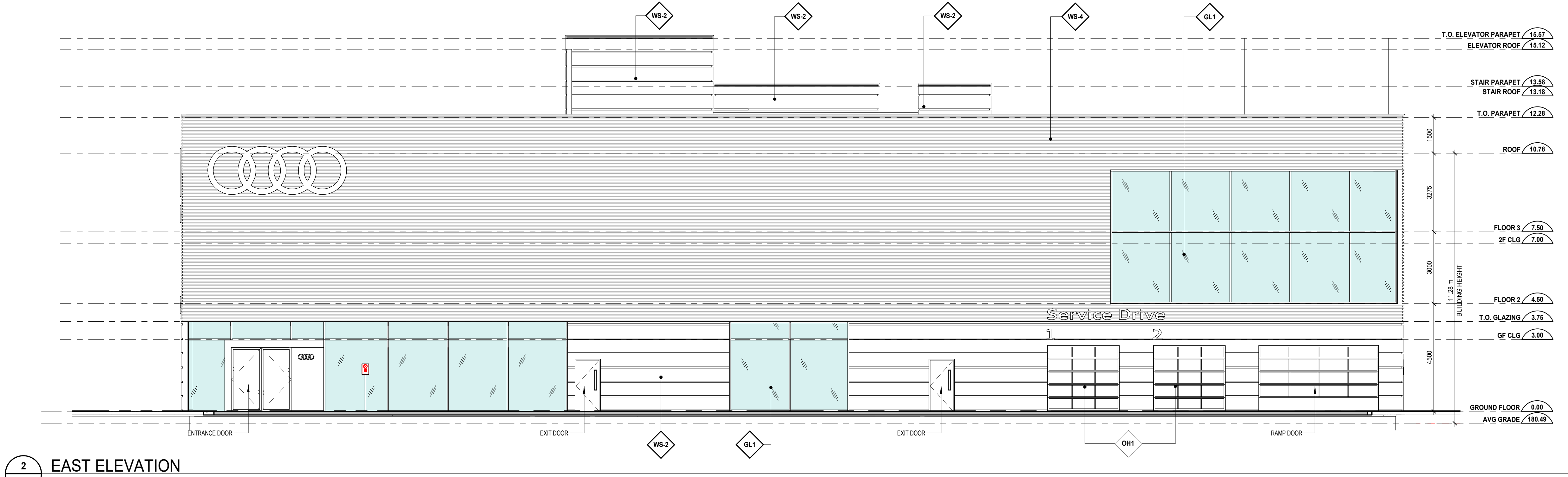
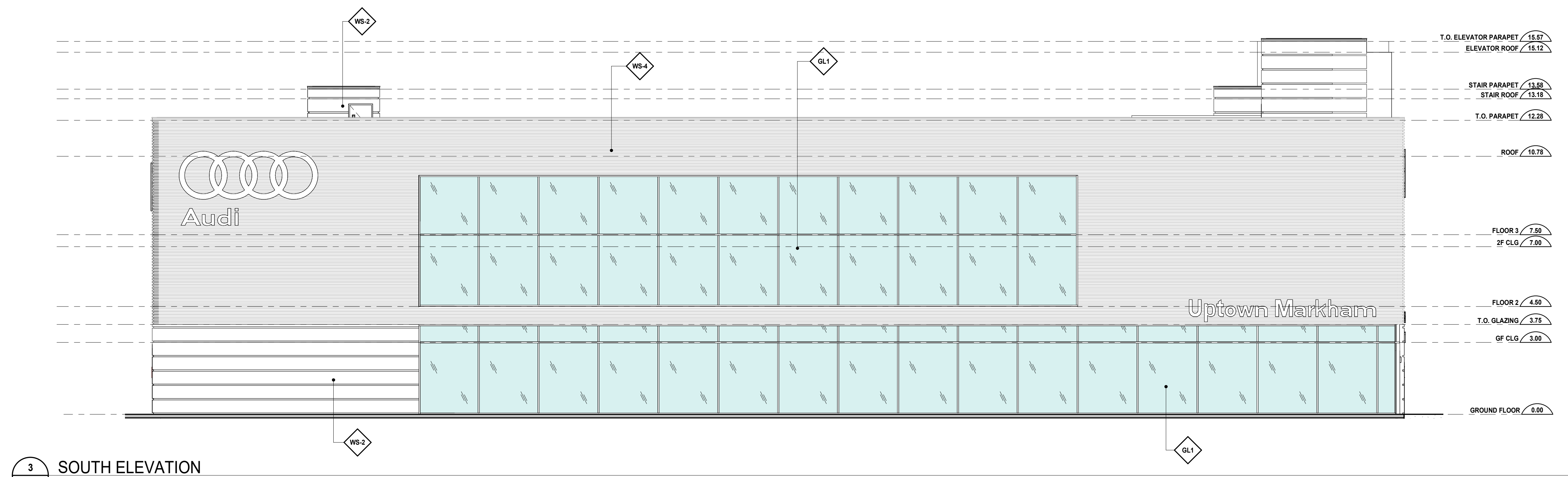
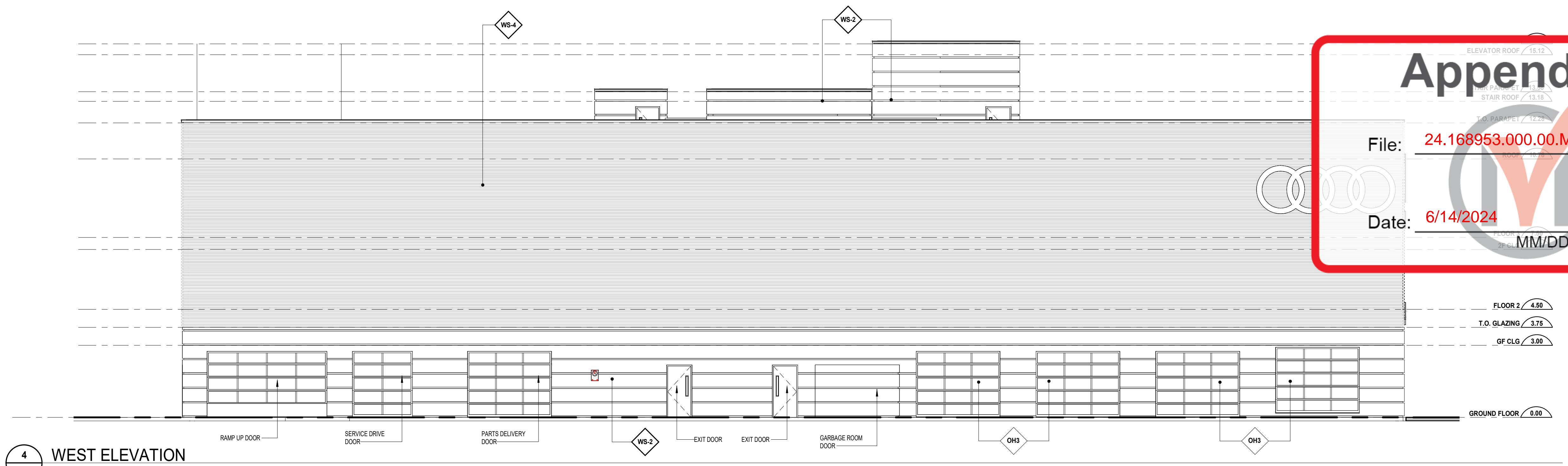
Appendix B

File: 24.168953.000.00.MNV

Date: 6/14/2024

MM/DD/YY

LEGEND:



- ALUMINUM CURTAIN WALL
- GLASS SLIDING DOOR
- ENTRY DOOR
- MOTORIZED ROLLER SHADES
- ANODIZED PLATE ALUMINUM SYSTEM
- ALUMINUM COMPOSITE MATERIAL PANEL
- METAL SIDING 7/8" CORRUGATED - PROFILE
- TRAPEZOIDAL RIBBED METAL CLADDING
- HONEYCOMB PERFORATED ALUMINUM PLATE
- CEMENTITIOUS PANELS, FLAT METAL PANELS OR ACM SYSTEM
- EXTERIOR PAINT
- EXTERIOR PAINT
- EXTERIOR PAINT
- FINE ASPHALT, DRIVING PARKING AREAS
- POROUS ASPHALT
- CONCRETE PAVING
- SPECIAL PAVING SURFACE, BLOCK FORMAT
- CONCRETE BRICK PAVERS
- PAVING SURFACE EDGING
- PAVING MARKINGS
- METAL FENCE
- SECURITY GATES
- SECURITY BOLLARD
- BOLLARD
- SERVICE / PARTS OVERHEAD DOOR
- SERVICE DRIVE-THROUGH OVERHEAD DOOR
- NVD OVERHEAD DOOR

Date	No.	Description
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REVISION RECORD

Date	No.	Description
2024-04-26	1	Issued for Committee of Adjustment

ISSUE RECORD

Date	No.	Description
2024-04-26	1	Issued for Committee of Adjustment

BDP. Quadrangle

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Uptown Audi Markham
5396 Hwy 7, Markham, ON L3P 1B9
100 DFC Auto Group

23251 1:100 NN MC
PROJECT SCALE DRAWN REVIEWED

Building Elevations

A401.S

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Appendix B

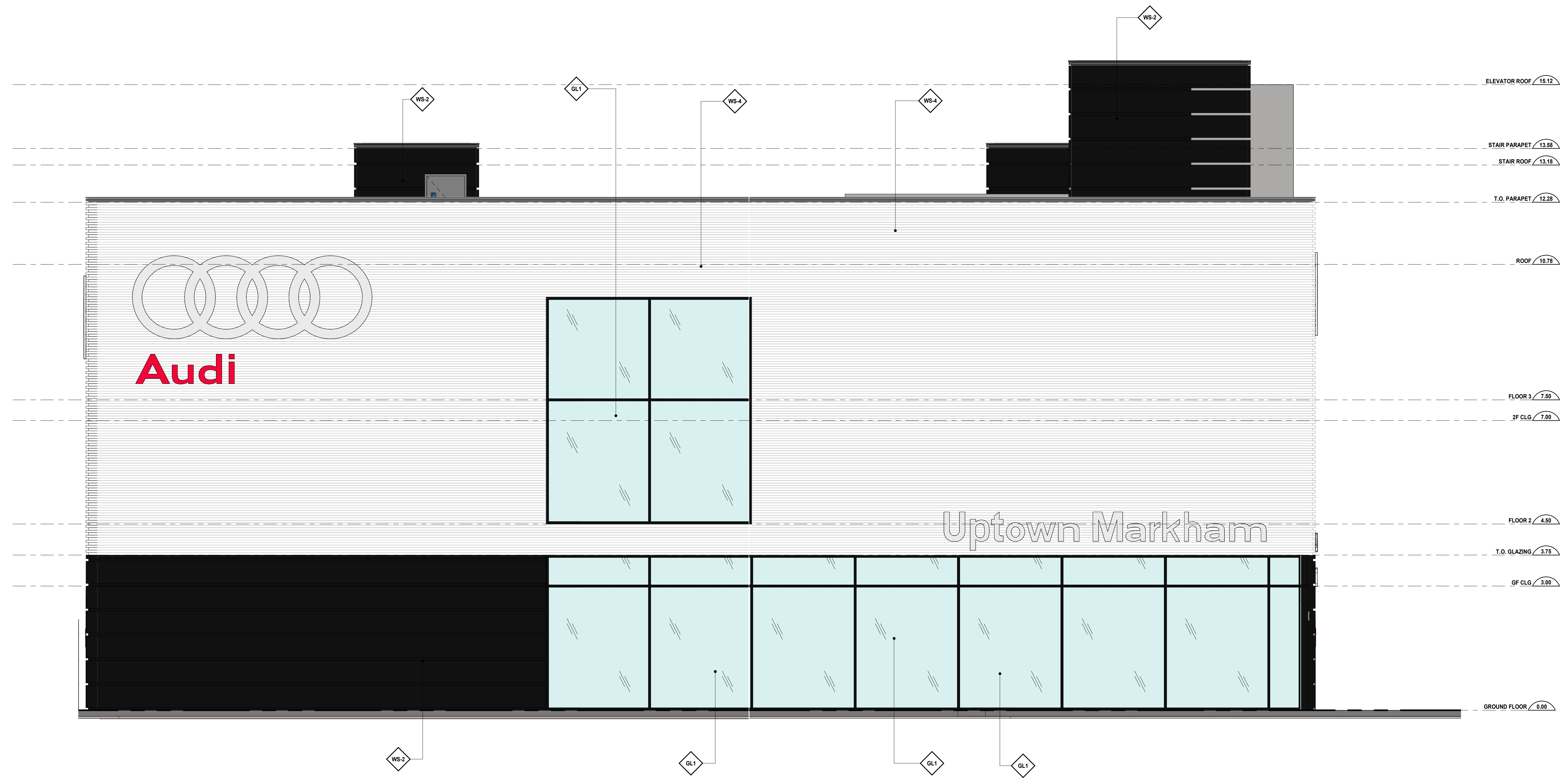
File: 24.168953.000.00.MNV

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LEGEND:

- ALUMINUM CURTAIN WALL
- GLASS SLIDING DOOR
- ENTRY DOOR
- MOTORIZED ROLLER SHADES
- ANODIZED PLATE ALUMINUM SYSTEM
- ALUMINUM COMPOSITE MATERIAL PANEL
-
- TRAPEZOIDAL RIBBED METAL CLADDING
- HONEYCOMB PERFORATED ALUMINUM PLATE OR ACM SYSTEM
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- EXTERIOR PAINT
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- PAVING SURFACE EDGING
- PAVING MARKINGS
- METAL FENCE
- SECURITY GATES
- SECURITY BOLLARD
- BOLLARD
- SERVICE / PARTS OVERHEAD DOOR
- SERVICE DRIVE-THROUGH OVERHEAD DOOR
- NVD OVERHEAD DOOR



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REVISION RECORD		

Date	No.	Description
2024-04-26	Issued for Committee of Adjustment	

Date	No.	Description
ISSUE RECORD		

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Uptown Audi Markham
 5396 Hwy 7, Markham, ON L3P 1B9
 109
 DFC Auto Group

23251 1:100 NN MC
 PROJECT SCALE DRAWN REVIEWED

1_50 Detailed Elevations

A402.S

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INTEGRATION DATA

6° UTM ZONE 17 COORDINATES
 NAD 83 (CSRS)(2010) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)
 THE UTM COORDINATES LISTED BELOW ARE TO URBAN ACCURACY AND COMPLY WITH
 SUBSECTION 14(2) OF ONTARIO REGULATION 219/10 FILED UNDER THE SURVEYORS ACT.

SPECIFIED CONTROL POINTS		
MONUMENT ID.	NORTHING	EASTING
HCM 092223024	4 858 737.109	638 366.013
HCM 092223023	4 858 821.140	638 607.658

REFERENCE POINTS		
POINT	NORTHING	EASTING
1	4 858 753.21	638 295.90
2	4 858 795.08	638 370.12
3	4 858 845.37	638 352.75
4	4 858 818.04	638 273.56

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

APPLY BEARING ROTATION FOR NAD83 CSRS 2010

PLAN	ORIGINAL BEARING REFERENCE	ROTATION ANGLE
P	ASTRONOMIC	-01°10'05"
P1	ASTRONOMIC	-01°10'05"
P2	ASTRONOMIC	-01°10'05"
P3	ASTRONOMIC	-01°10'05"
P4	ASTRONOMIC	-01°10'05"

PLAN OF SURVEY

Appendix B

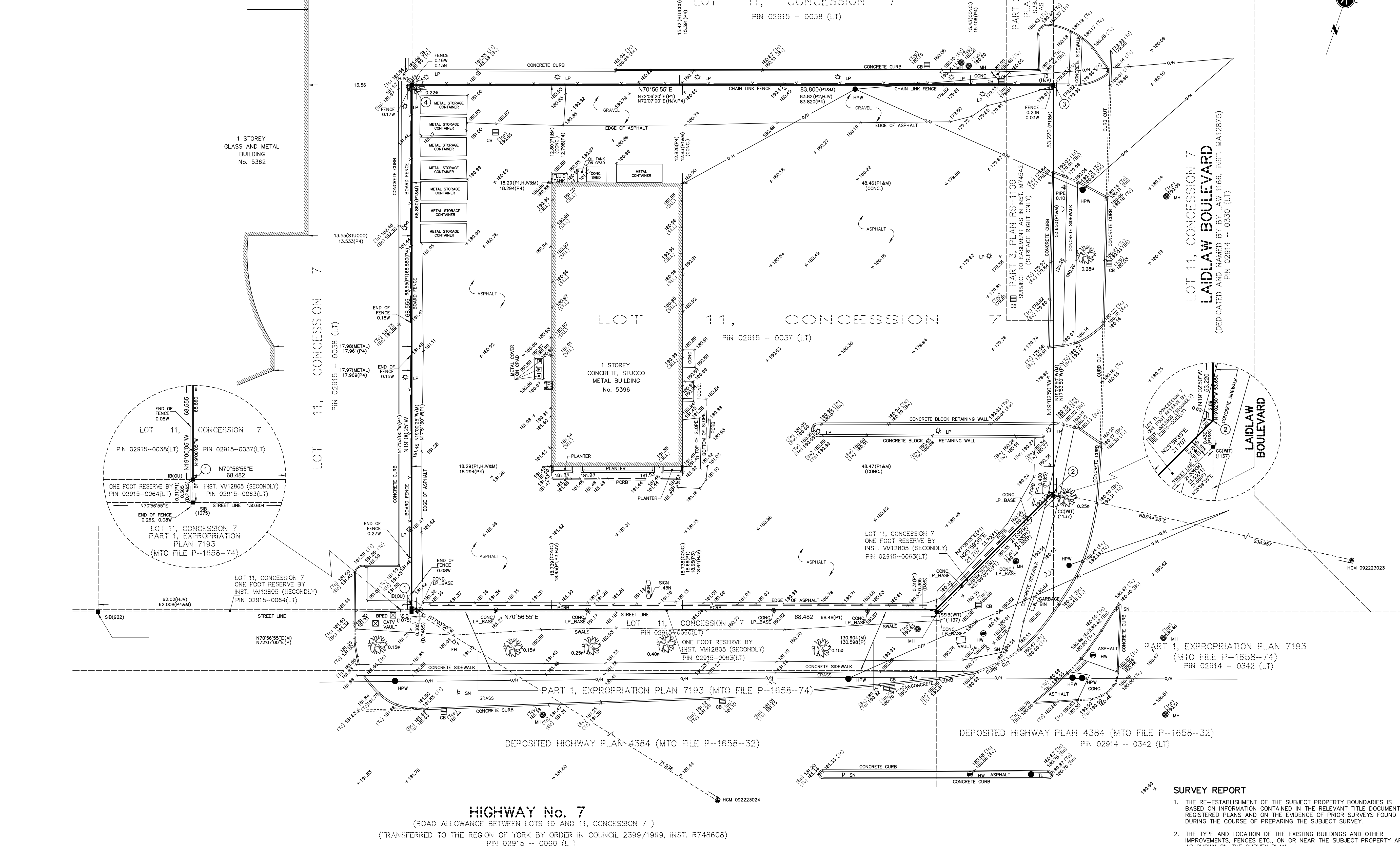
(GEOGRAPHIC TOWNSHIP OF MARKHAM)
 CITY OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK

File: 24.168953.000.00.MNV

Date: 6/14/2024

MM/DD/YY

AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



BEARING
 BEARINGS SHOWN HEREON ARE GRID DERIVED FROM HORIZONTAL CONTROL MONUMENTS No. 092223024 AND No. 092223023 AND ARE REFERRED TO THE 6° UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE. (NAD 83 (CSRS)(2010)).

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999813.

ELEVATION
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE RELATED TO THE CITY OF MARKHAM BENCHMARK No. M-33-026, HAVING AN ELEVATION OF 182.595 METRES.
 (VERTICAL DATUM: CGVD28:78)

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - HCM DENOTES HORIZONTAL CONTROL MONUMENT
 - ▣ SIB DENOTES STANDARD IRON BAR
 - ▢ SSB DENOTES SHORT STANDARD IRON BAR
 - ▧ IB DENOTES IRON BAR
 - CC DENOTES CONCRETE PIN
 - ⊕ CC DENOTES CUT CROSS
 - (M) DENOTES MEASURED
 - (S) DENOTES SET
 - (OU) DENOTES ORIGIN UNKNOWN
 - (WT) DENOTES WITNESS
 - (P) DENOTES EXPROPRIATION PLAN 7193
 - (P1) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY R.G.McKIBBON LTD, O.L.S. DATED JUNE 13, 2011
 - (P2) DENOTES PLAN RS-1109
 - (P3) DENOTES PLAN 648-7478
 - (P4) DENOTES SURVEYOR'S REAL PROPERTY REPORT BY HOLDING JONES VANDERVEEN, INC. O.L.S. DATED AUGUST 26, 2005.
 - (HJV) DENOTES PLAN AND FIELD NOTES BY HOLDING JONES VANDERVEEN, O.L.S. DATED MAY 14, 1982
 - (D) DENOTES INSTRUMENT V12805 (SECONDLY)
 - (922) DENOTES F. SCHAFER, O.L.S.
 - (1075) DENOTES P. T. HOLDING, O.L.S.
 - (1137) DENOTES R.G.McKIBBON LTD, O.L.S.
 - (1370) DENOTES KRCMAR SURVEYORS LTD, O.L.S.
 - (HJV) DENOTES HOLDING JONES VANDERVEEN, INC. O.L.S.
 - CPAD DENOTES CONCRETE PAD
 - CONC. DENOTES CONCRETE
 - LP_BASE DENOTES BASE FOR LAMP POST
 - PCRB DENOTES PRE-CAST CONCRETE CURB
 - SILL DENOTES DOOR SILL ELEVATION
 - (TC) DENOTES TOP OF CURB
 - (BC) DENOTES BOTTOM OF CURB
 - (TW) DENOTES TOP OF WALL
 - (BW) DENOTES BOTTOM OF WALL
 - BF DENOTES BOARD FENCE
 - 0/0- DENOTES HYDRO SERVICE (OVERHEAD)
 - 22.4.5 DENOTES EXISTING GRADE ELEVATION
 - BPED DENOTES BELL PEDESTAL
 - ⊙ DENOTES BOLLARD
 - ⊕ DENOTES CATCH BASIN
 - ⊕ DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
 - ⊕ DENOTES DOWN GUY ANCHOR
 - ⊕ FH DENOTES FIRE HYDRANT
 - ⊕ DENOTES GAS METER
 - ⊕ HW DENOTES HYDRO HAND WELL
 - ⊕ WP DENOTES HYDRO POLE - WOODEN
 - ⊕ LP DENOTES LAMP POST (PRIVATE)
 - ⊕ LS DENOTES LAMP STANDARD
 - ⊕ MH DENOTES MANHOLE
 - ⊕ Post DENOTES POST
 - ⊕ DENOTES SIGN

TOTAL SITE AREA = 5628.5m²

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 14th DAY OF OCTOBER, 2023

DATE: OCTOBER 16, 2023

MAJIA KRCMAR
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-60184

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MUNICIPAL ADDRESS: No. 5396 HIGHWAY 7, MARKHAM

FIELD: R.K. DRAWN: J.M. CHECKED: M.K. JOB NO: 23-146

DWG NAME: 23-146B101 | PLOT INFO: 13.36.16/Oct/2023 | WORK ORDER NO: 37680

1137 Centre Street Thornhill ON L4J 3M6 905.738.0053 F 905.738.9221 www.krcmar.ca

PLAN AVAILABLE AT www.ProtectYourBoundaries.ca

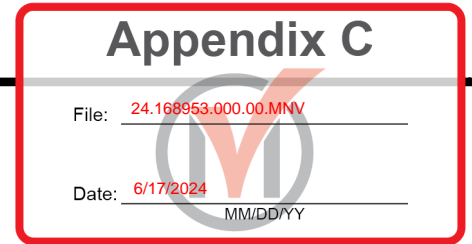
SURVEY REPORT

- THE RE-ESTABLISHMENT OF THE SUBJECT PROPERTY BOUNDARIES IS BASED ON INFORMATION CONTAINED IN THE RELEVANT TITLE DOCUMENTS, REGISTERED PLANS AND ON THE EVIDENCE OF PRIOR SURVEYS FOUND DURING THE COURSE OF PREPARING THE SUBJECT SURVEY.
- THE TYPE AND LOCATION OF THE EXISTING BUILDINGS AND OTHER IMPROVEMENTS, FENCES ETC. ON OR NEAR THE SUBJECT PROPERTY ARE AS SHOWN ON THE SURVEY PLAN.
- NOTE THE LOCATION OF CONCRETE SIDEWALK PARTIALLY SITUATED WITHIN THE SUBJECT PROPERTY AT SOUTH-EAST PROPERTY CORNER AT LAIDLAW BOULEVARD.
- COMPLIANCE WITH MUNICIPAL ZONING REQUIREMENTS IS NOT CERTIFIED BY THIS REPORT.
- THE PROPERTY COMPRISES ALL OF PIN 02915-0037(LT).
- SUBJECT TO EASEMENT OVER PART 3, PLAN RS-1109 AS IN INST M74542 (SURFACE RIGHT ONLY - STORM SEWER)

HIGHWAY No. 7
 (ROAD ALLOWANCE BETWEEN LOTS 10 AND 11, CONCESSION 7)
 (TRANSFERRED TO THE REGION OF YORK BY ORDER IN COUNCIL 2399/1999, INST. R748608)
 PIN 02915 - 0060 (LT)



Chau, Aaron



From: Bruce Hall <bhall@planpart.ca>
Sent: Monday, June 17, 2024 1:02 PM
To: Arthur Grabowski
Cc: Chau, Aaron; Muradali, Stacia; Whitfield, Greg
Subject: Re: 5396 Highway 7 East - Reduction in Accessible Parking Spaces Request

Hi Aaron and Stacia,

Thanks for the meeting. To follow up, based on our knowledge of the operation and use of the current dealership on Highway 7, the recently proposed 7 accessible spaces are more than appropriate and adequate for the purposes of accommodating those with mobility issues and challenges. We concur that this should be a municipal priority and, in fact, the current approach and model to serving existing and new dealership service and sales customers has this goal in mind.

To explain in more detail, for the majority of the customers, the dealership works on a "valet" model, as do many of the current range of dealerships and most are moving in this direction. On a daily basis, most customers that arrive at the dealership are coming to have their vehicle serviced. There is directional signage that prompts any customer bringing their vehicle onto the property to proceed directly to the "service drive" where vehicles drive straight into this drop off area where they are received and processed. Service customers don't actually park their own vehicles. Once customers and vehicles are within this service drive, which can accommodate 16 vehicles at once, they are "indoors" in a temperature controlled, and completely flat and fully accessible environment.

If customers are waiting for their vehicle to be serviced, they are directed to a customer lounge, which is nearby and again fully accessible. There is also a universal washroom located very close by for their convenience. If customers are going to leave their vehicle for service and return at a later time or date, there is a shuttle which will take them from the service area or the lounge to their home, place of business, transit or whatever destination they choose. An accessible shuttle vehicle is also available for those that require the same. When the customer's vehicle has been serviced, again, the dealership provides the same shuttle service to pick them up and bring them back to the dealership. The whole approach is to make it as convenient as possible for the customer.

For the customer or potential customer who is car shopping, the 7 accessible spaces are well distributed around the site to be convenient and safe, including 4 spaces located at grade directly adjacent to the sales entrance, which shall be located at the same grade and accessible from those spaces to the sales floor. Although all customer sales and service functions are on the main floor, all levels in the building are served by elevators and therefore completely accessible.

In our opinion, the proposed 7 parking spaces are more than adequate and meet the revised requirements under the updated Zoning By-law, which is not in full force and effect. The current requirement of 12 spaces under existing By-law 28-97 is beyond what is practically and reasonably required based on our experience with current operations at the existing dealership and once the updated Zoning By-law comes into full force and effect, the 7 parking spaces will comply with the By-law. This number of spaces was requested by your Transportation Planning Staff and complied with. The manner in which the existing and proposed dealership operates with a valet service for customers, accessible spaces within and throughout the building (including elevators and accessible washrooms) as well as shuttles for customer drop-off and pick-up actually exceeds the level of service that would be provided by simply offering more spaces inside. Customers can drive their vehicles right into the service area, they can be assisted by staff to exit their vehicles and then the vehicles are parked for them. All of these activities occur within a flat, level and accessible indoor environment protected from the elements, particularly snow and ice, such that a customer would never have to go outdoors and navigate parking. This includes shuttles which can be driven inside to pick up and drop off. For new car customers who are shopping for vehicles, there are 4 accessible parking spaces located right at the entrance to the

building and showroom. In our view, this provides a much higher level of safe, convenient and weather protected access in accordance with Markham's priority around accessibility.

We hope that this information will help you to consider that the reduction is appropriate in accordance with evolving direction around parking rates and see the approach as bring much more favourable than simply providing additional spaces. At a minimum, we hope that you can convey this information to the Committee of Adjustment for their consideration and deliberation of the matter as we do not wish to defer this matter as you have suggested. We will also convey this information to the Committee on Wednesday.

Please do not hesitate to contact us if you have any further questions or require additional information.

Thanks
Bruce

--

Bruce Hall BES, MCIP, RPP
Partner + Planner



New Office Location Effective May 27, 2024

215 Spadina Avenue, Suite 120
Toronto, Ontario, Canada, M5T 2C7

p 416.525.1133

e bhall@planpart.ca

One attachment

On Mon, Jun 17, 2024 at 11:12 AM Arthur Grabowski <agrabowski@planpart.ca> wrote:
Aaron,

We can meet at 11:30 am. I can send a zoom invite.

Arthur

On Mon, Jun 17, 2024 at 11:01 AM Chau, Aaron <AChau@markham.ca> wrote:

Hi Arthur,