

## Memorandum to the City of Markham Committee of Adjustment

December 02, 2025

**File:** A/057/25  
**Address:** 4611 Highway 7 East, Markham  
**Agent/Applicant:** Glen Schnarr & Associates Inc.  
**Hearing Date:** Wednesday, December 10, 2025

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

The Applicant is requesting relief from the “Mixed Use – Future Development (MU-FD)” zone under By-law 2024-19, as amended, as it relates to renovations to a motor vehicle sales establishment facility with surface parking area. The requested variances are to permit:

- a) **By-law 2024-19, Section 4.9.6(a):** a minimum landscape strip of 0 metres abutting a front lot line, whereas the by-law requires a minimum landscape strip of 3.0 metres abutting a front lot line;
- b) **By-law 2024-19, Section 4.9.6(b):** a minimum landscape strip of 0.8 metres abutting a (west) interior side lot line, a landscape strip of 1.3 metres abutting a (east) interior side lot line, a landscape strip of 1.4 metres abutting a rear lot line and a landscape strip of 2.8 metres abutting a rear lot line, whereas the by-law requires a minimum landscape strip of 6.0 metres abutting the interior side lot line and rear lot line;
- c) **By-law 2024-19, Section 5.2.6(c):** a maximum of 18 dead end parking spaces on a parking aisle, whereas the by-law permits a maximum of 6 dead end parking spaces on a parking aisle;
- d) **By-law 2024-19, Section 5.2.8(b):** a minimum drive aisle projection of 0 metres beyond the adjacent parking spaces where the parking spaces are located adjacent to the terminus of a parking aisle, whereas the by-law requires the full width of the drive aisle to project a minimum of 1.2 metres beyond the adjacent parking spaces where the parking spaces are located adjacent to the terminus of a parking aisle;
- e) **By-law 2024-19, Section 7.2.1.2(f)(i):** a minimum (west) interior side yard setback of 0.89 metres, whereas the by-law requires a minimum interior side yard setback of 3.0 metres;
- f) **By-law 2024-19, Section 5.2.5(a):** a minimum width of 2.6 metres for parallel EV parking space, whereas the by-law requires a minimum width of 2.75 metres for parallel EV parking spaces;
- g) **By-law 2024-19, Section 5.7.1:** a minimum of five (5) Level 2 electric vehicle charging ready parking spaces and three (3) Level 2 electric vehicle charging stations, whereas the by-law requires a minimum of five

- (5) Level 2 electric vehicle ready parking space and five (5) Level 2 electric vehicle charging stations; and,
- h) **By-law 2024-19, Section 5.2.4:** parking spaces to be obstructed by a loading space, whereas the by-law requires parking spaces to be unobstructed and available for parking purposes.

This Application is also related to a Site Plan Control application (SPC 24 197757) which is being reviewed concurrently.

### **Application History**

The Application was originally heard at the November 26<sup>th</sup>, 2025, Committee of Adjustment hearing where the Applicant advised that additional variances might be required for a deficiency in parking and requested to add the variance. The Application was deferred to address the legislative requirements for notice. On November 27<sup>th</sup>, 2025, the Applicant confirmed that an additional variance would not be required and proceeded with the submitted plans as considered by the Committee at the November 26<sup>th</sup>, 2025 meeting (refer to Appendix “A” – Plans).

### **ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN**

The Applicant has not conducted an updated ZPR for their latest plans, which is required as part of the Site Plan Control review process. Consequently, it is the Applicant'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 ZPR or Building Permit review processes, further variance application(s) may be required to address the non-compliance.

### **COMMENTS**

Staff have reviewed the plans and advise that the comments from the [original report](#) from November 18, 2025 remain applicable. Staff are of the opinion that the requested variances will not result in adverse impacts to neighbouring properties.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of December 2, 2025. 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 requests meet 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 "B" and "C" for conditions to be attached to any approval of this application.

PREPARED BY:



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Brendan Chiu, Planner I, Central District

REVIEWED BY:



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Melissa Leung, RPP MCIP, Senior Planner, Central District

#### APPENDICES

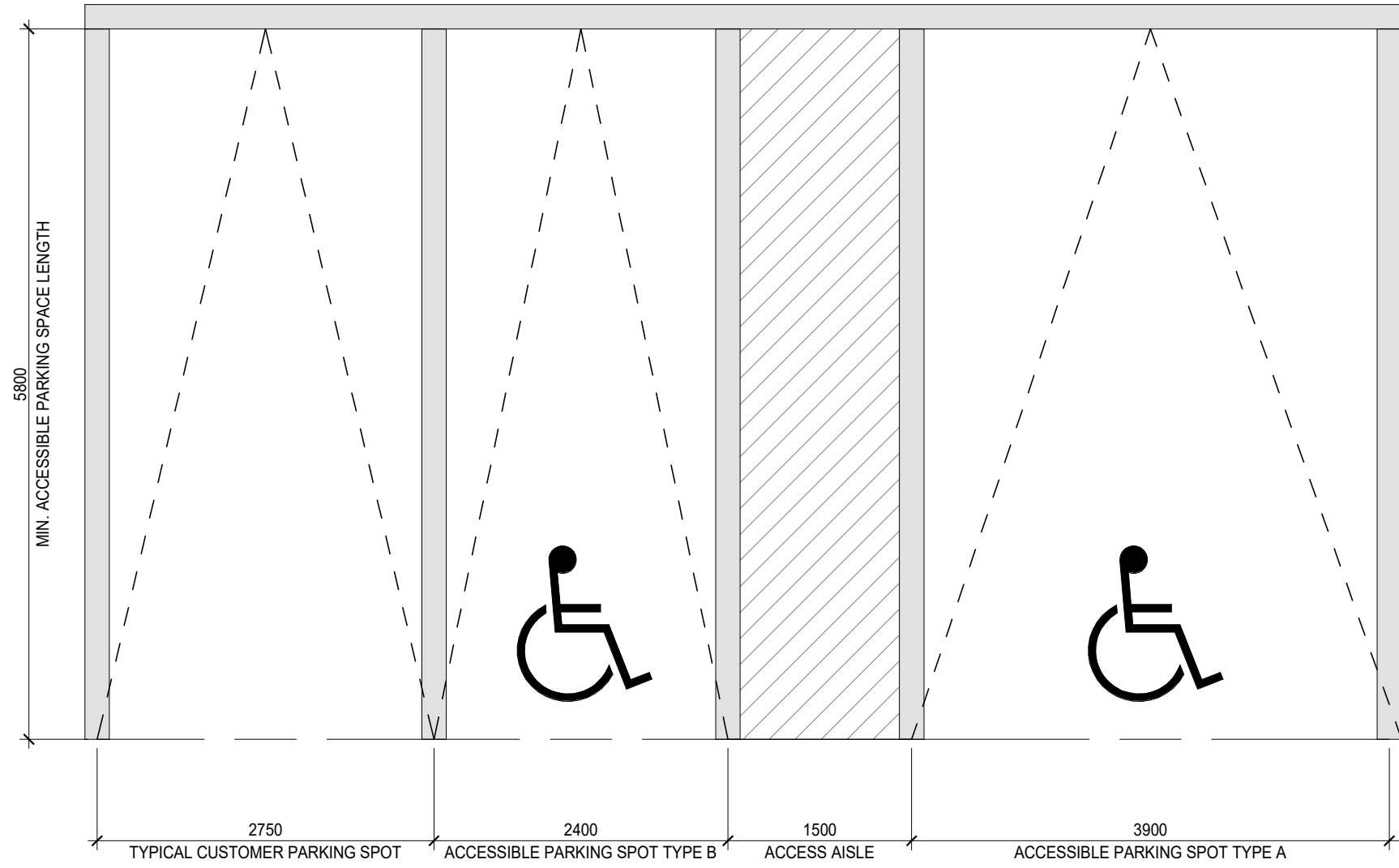
Appendix "A" - Plans

Appendix "B" – A/057/25 Conditions

Appendix "C" – TRCA Memo



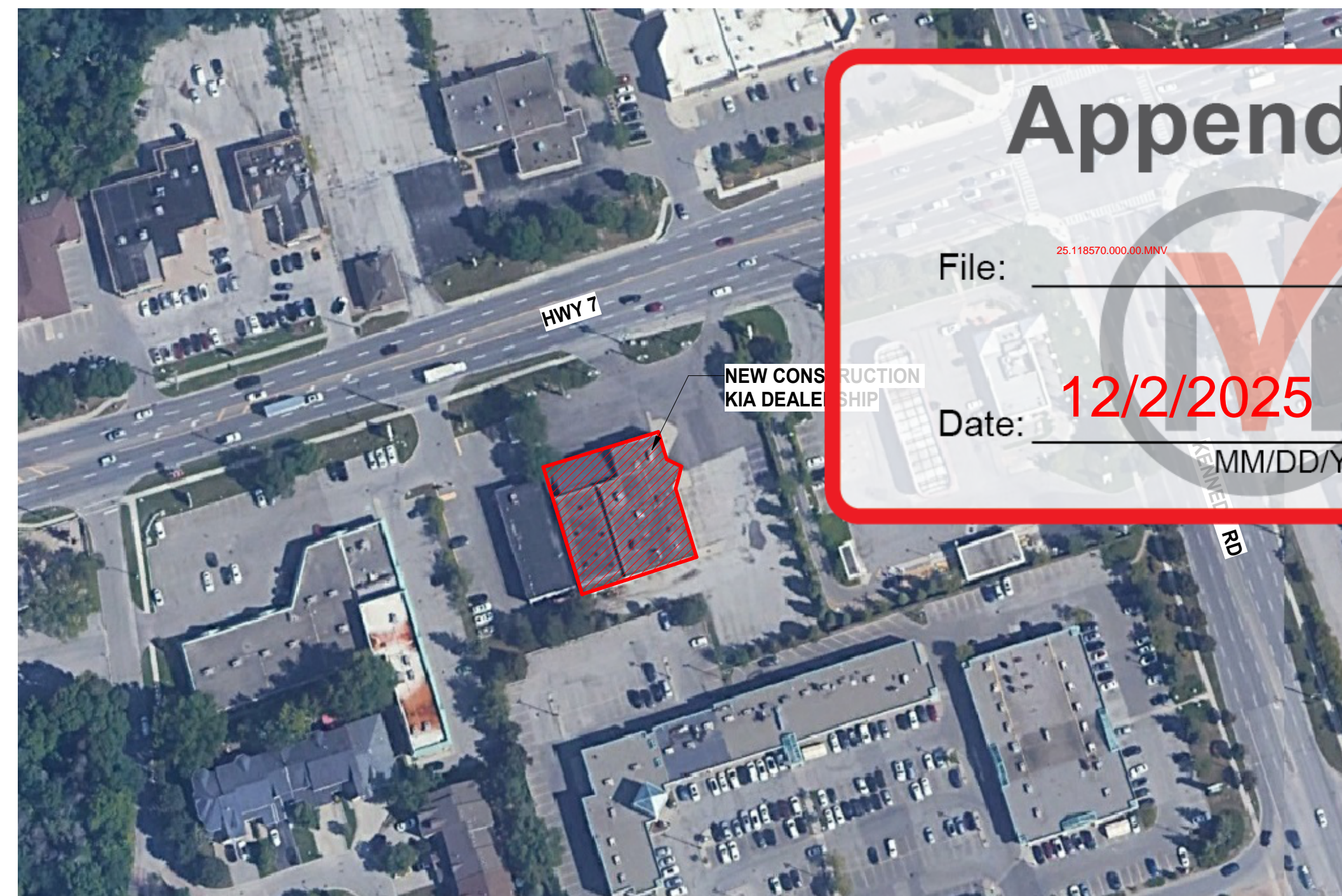
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3 Parking Spot Painted Lines Typ.  
SCALE: 1:50

## PROJECT SITE STATISTICS

LEGAL DESCRIPTION	PART OF LOT 10, CONCESSION 6		GROSS FLOOR AREA	162.7 m <sup>2</sup>	NET FLOOR AREA
MUNICIPAL ADDRESS	4611 HWY 7 UNIONVILLE, ON L3R 1M6		SECOND FLOOR	162.7 m <sup>2</sup>	31.2 m <sup>2</sup>
ZONING	NEW KIA DEALERSHIP		MOTOR VEHICLE SALES ESTABLISHMENT (SALES AREA, MERCANTILE USE - E)	N/A	N/A
BY-LAW 2024-19			MOTOR VEHICLE SALES ESTABLISHMENT (SERVICE SHOP, MEDIUM HAZARD INDUSTRIAL OCCUPANCIES USE - F2)	N/A	N/A
LOT FRONTAGE	60.83 m		SECOND FLOOR TOTAL	162.7 m <sup>2</sup>	31.2 m <sup>2</sup>
LOT AREA	4777.15 m <sup>2</sup>		SALES AREA TOTAL	891.1 m <sup>2</sup>	911.9 m <sup>2</sup>
TOTAL GROSS FLOOR AREA - PER THE CITY OF MARKHAM BY-LAW 001-2021	1582.8 m <sup>2</sup>		SERVICE SHOP TOTAL	830.9 m <sup>2</sup>	803.0 m <sup>2</sup>
BUILDING SETBACKS			GROSS FLOOR AREA TOTAL / NET FLOOR AREA TOTAL	1582.8 m <sup>2</sup>	1314.9 m <sup>2</sup>
	REQUIRED	PROVIDED	NUMBER OF UNITS	1	
NORTH	3.6 m	22.6 m	AREA OF LANDSCAPE STRIPS	106.39 m <sup>2</sup>	
SOUTH	6.9 m	6.5 m	PERCENTAGE OF LOT AREA	14.7%	
EAST	15.9 m	15.9 m	PARKING REQUIREMENT FOR THE SITE		
WEST	3.0 m	0.9 m	TOTAL NFA	1314.9 m <sup>2</sup>	
BUILDING AREA	1366.06 m <sup>2</sup>		TOTAL PARKING SPACES REQUIRED	44	
LOT COVERAGE (%)	29%		PARKING SPACES PROVIDED	49 INCLUDES BARRIER FREE PARKING	
MAX. ALLOWED BUILDING HEIGHT	4 m		PARKING SPACES PROVIDED BELOW GRADE	N/A	
BUILDING HEIGHT	7.2 m		BARRIER FREE PARKING SPACES REQUIRED	2	
NUMBER OF STORIES	2		BICYCLE RACK SPACES	N/A	
			LOADING SPACES PROVIDED	1	
GROUND FLOOR			ADJACENT PROPERTY ZONES AND USES		
MOTOR VEHICLE SALES ESTABLISHMENT (SALES AREA, MERCANTILE USE - E)	828.4 m <sup>2</sup>	479.8 m <sup>2</sup>	ZONES: EM1, EM2, U		
MOTOR VEHICLE SALES ESTABLISHMENT (SERVICE SHOP, MEDIUM HAZARD INDUSTRIAL OCCUPANCIES USE - F2)	803.9 m <sup>2</sup>	803.0 m <sup>2</sup>	USBS: PRESTIGE EMPLOYMENT ZONE, GENERAL EMPLOYMENT ZONE, UTILITY ZONE		
GROUND FLOOR TOTAL	1369.3 m <sup>2</sup>	1282.8 m <sup>2</sup>			



2 Context Plan  
A101.S

## Appendix A

File: 24-10007-001.dwg  
Date: 12/2/2025  
MM/DD/YYYY

### SITE PLAN LEGEND

PROPERTY LINE	
LINE OF UNDERGROUND GARAGE BELOW	
DEMOLITION LINE	
MAIN BUILDING ENTRANCE	
RETAIL ENTRANCE	
EXIT	
VEHICLE / LOADING ENTRANCE / EXIT	
FIRE HYDRANT	
SIAMSESE CONNECTION	
MANHOLE COVER	
AREA DRAIN	
CATCH BASIN	
FLOOR DRAIN (PARKING SLAB)	
FLOOR DRAIN (INTERIOR)	
EXISTING LIGHT	
BOLLARD	
TACTILE INDICATOR	
BP PARKING SIGNAGE	
LIGHT POLE	
TYPICAL PARKING SPACE	
TYPICAL B.F. PARKING SPACE	
FINISH FLOOR ELEVATION	
EXISTING ELEVATION	
PROPOSED ELEVATION	
TOP OF ROOF	
BUILDING ENVELOPE	
FIRE ACCESS ROUTE HEAVY DUTY PAVING. ASSEMBLY TO BE DESIGNED TO MEET THE LOADS IMPOSED BY FIRE FIGHTING EQUIPMENT.	

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## **APPENDIX “B”**

### **CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/057/25**

1. The variances apply only to the Proposed Development as long as it remains;
2. That the variances apply only to the Proposed Development, in substantial conformity with the plan(s) attached as Appendix “A” to this Staff Report, or further revised by any site plan ‘approved’ drawings, 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. That the Owner satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix “C” to this Staff Report, 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:



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Brendan Chiu, Planner I, Central District



October 6, 2025

TRCA File No. PAR-DPP-2025-00964  
Ex Ref: PAR-DPP-2025-00527 (Site Plan)

**VIA E-Plan**

Brendan Chiu  
Planner I, Central District  
City of Markham  
101 Town Centre Boulevard  
Markham, ON L3R 9W3

Dear Brendan Chiu

**Re: Minor Variance Application – A/057/25**  
**4611 Highway 7 East**  
**Concession 6, Part Lot 10**  
**Nearest Intersection: Highway 7 and Kennedy Road**  
**Applicant: Glen Schnarr & Associates Inc. c/o Patrick Pearson**  
**Owner: 597605 Ontario Inc. c/o David Boots**

Toronto and Region Conservation Authority (TRCA) staff reviewed the above noted application, received on September 10, 2025. The following comments are provided in accordance with TRCA's commenting role under the Planning Act and regulatory permitting role under the Conservation Authorities Act (CA Act). For additional information, please see [Ontario Regulation 686/21: Mandatory Programs and Services](#).

**Purpose of the Applications**

TRCA staff understand that the purpose of this minor variance application is to request relief from the requirements of By-law 2024-19, as amended, to permit the following:

- a) **By-law 2024-19, Section 4.9.6(a)**: a minimum landscape strip of 0 metres abutting a front lot line, whereas the by-law requires a minimum landscape strip of 3.0 metres abutting a front lot line;
- b) **By-law 2024-19, Section 4.9.6(b)**: a minimum landscape strip of 0.8 metres abutting a (west) interior side lot line, a landscape strip of 1.3 metres abutting a (east) interior side lot line, a landscape strip of 1.4 metres abutting a rear lot line and a landscape strip of 2.8 metres abutting a rear lot line, whereas the by-law requires a minimum landscape strip of 6.0 metres abutting the interior side lot line and rear lot line;
- c) **By-law 2024-19, Section 5.2.6(c)**: a maximum of 18 dead end parking spaces on a parking aisle, whereas the by-law permits a maximum of 6 dead end parking spaces on a parking aisle;
- d) **By-law 2024-19, Section 5.2.8(b)**: a minimum of 6.0 metres drive aisle width, whereas the by-law requires a full width of the drive aisle to project a minimum of 1.2 metres

beyond the adjacent parking spaces;

- e) **By-law 2024-19, Section 7.2.1.2(f)(i)**: a minimum (west) interior side yard of 0.9 metres, whereas the by-law requires a minimum of 3.0 metres;
- f) **By-law 2024-19, Section 5.2.5(a)**: a minimum width of 2.6 metres for parallel EV parking space, whereas the by-law requires a minimum width of 2.75 for parallel EV parking space;
- g) **By-law 2024-19, Section 5.7.1**: a minimum of five (5) Level 2 electric vehicle charging ready parking spaces and three (3) Level 2 electric vehicle charging stations, whereas the by-law requires a minimum of five (5) Level 2 electric vehicle ready parking space and five (5) Level 2 electric vehicle charging stations;
- h) **By-law 2024-19, Section 5.2.5(b)(iii)**: a minimum of 0.0 metres access aisle adjacent to a Type A accessible parking space, whereas the by-law requires a minimum of 1.5 metres access aisle adjacent to a Type A accessible parking space; and
- i) **By-law 2024-19, Section 5.2.4**: parking spaces to be obstructed by a loading space, whereas the by-law requires parking spaces to be unobstructed and available for parking purposes.

TRCA staff understand that this application relates to proposed renovations to a motor vehicle sales establishment facility with a surface parking area.

### **Background**

In January 2025, TRCA received a circulation for a Site Plan Control application (Municipal File No. SPC 24 197757, TRCA File No. PAR-DPP-2025-00527). A completeness review was conducted, with comments being provided to municipal staff on January 20<sup>th</sup>, 2025. On January 23<sup>rd</sup>, 2025, the application was deemed incomplete by the Municipality.

On February 24<sup>th</sup>, 2025, TRCA staff received supplementary materials from the applicant's engineers. Updated completeness review comments were provided to municipal staff on February 28<sup>th</sup>, 2025, which are to be addressed as part of the Site Plan Control application.

### **TRCA Permit Requirements**

The subject lands are located within a TRCA Regulated Area of the Rouge River Watershed, due to the presence of Regulatory Flood Plain on the subject property.

A TRCA permit is required prior to any development activity or site alteration within the regulated portion of the property pursuant to the CA Act and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

### **TRCA Plan Review Fee**

By copy of this letter, the applicant is advised that this application is subject to a TRCA Planning Review fee in the amount of \$1,250 (Minor Variance - Commercial). The applicant is responsible for fee payment. Please contact the Planner noted below for an electronic invoice to facilitate payment. For your reference, please see [TRCA Administrative Fee Schedule for Development Planning Services \(November 2022\)](#).

**Recommendation**

Based on the comments provided, TRCA staff have **no objection** to the approval of Minor Variance Application A/057/25, subject to the conditions identified in Appendix 'A' of this letter.

Please note that TRCA's conditional approval does not include any clearance and/or approvals for the associated Site Plan Control application or a future TRCA permit application.

Should you have any questions or comments, please contact the undersigned.

Regards,

A handwritten signature in blue ink that reads "Rameez Sadafal". The signature is fluid and cursive, with the first name "Rameez" and last name "Sadafal" clearly distinguishable.

Rameez Sadafal, M.Sc.PI

Planner – York East Review Area

Development Planning and Permits | Development and Engineering Services

Telephone: (437) 880-2163

Email: rameez.sadafal@trca.ca

Attached: Appendix A: Detailed Comments



**Appendix A: Detailed Comments**

#	TRCA Comments
1	Although TRCA staff have no concerns with the proposed variances, staff ask that the future electric car charging spaces be relocated outside of the Regulatory Flood Plain and its associated 10-metre setback.
2	The applicant submits the TRCA plan review fee of \$1,250 within 60 days of the committee hearing date.
3	The applicant seeks and is issued a permit by TRCA pursuant to the <u>Conservation Authorities Act</u> .