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) <u>By-law 2024-19</u>, <u>Section 4.9.6(a)</u>: 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) <u>By-law 2024-19</u>, <u>Section 5.7.1</u>: 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 26th, 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 27th, 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 26th, 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 <u>original</u> <u>report</u> 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 <u>Planning Act</u>, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance requests meet the four tests of the <u>Planning Act</u> 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.

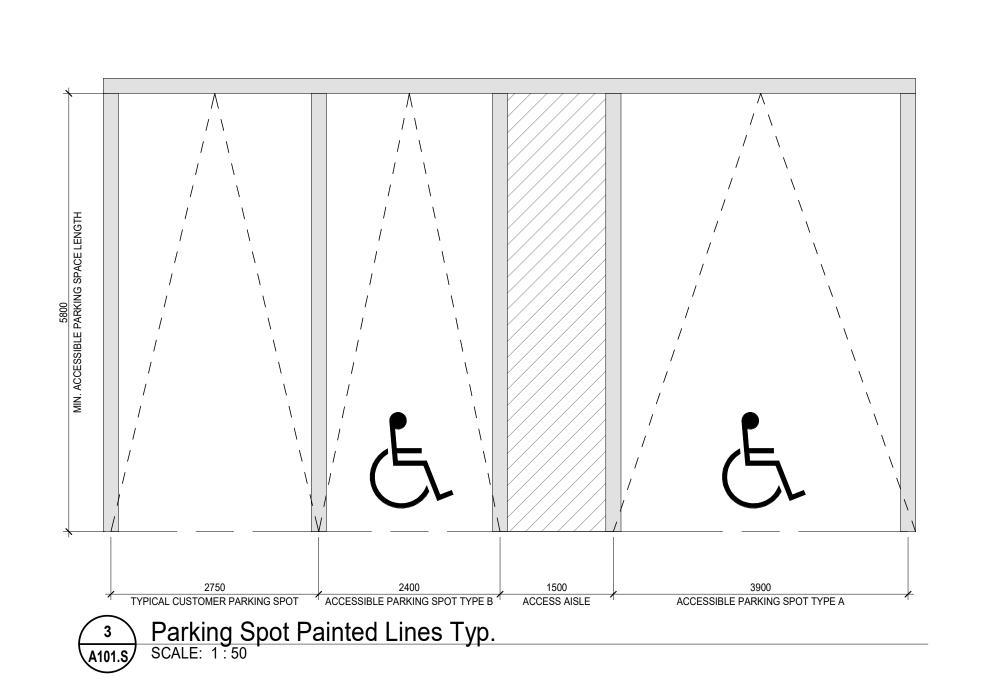
PREPARED BY:

Brendan Chiu, Planner I, Central District

REVIEWED BY:

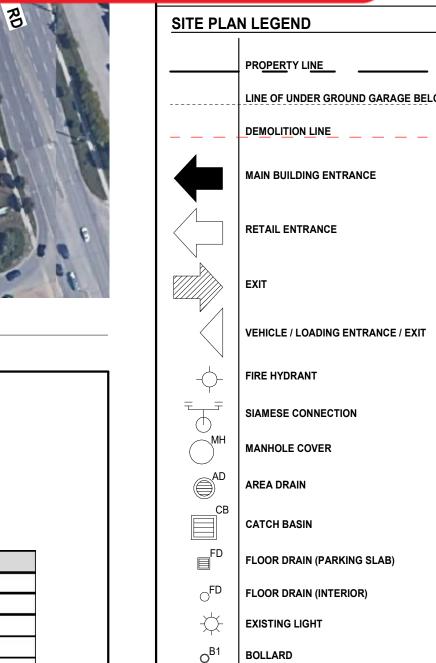
Melissa Leung, RPP MCIP, Senior Planner, Central District

APPENDICES
Appendix "A" - Plans
Appendix "B" - A/057/25 Conditions
Appendix "C" - TRCA Memo



PROJECT SITE STATISTIC	CS				
LEGAL DESCRIPTION	GAL DESCRIPTION PART OF LOT 10, CONCESSION 6			GROSS FLOOR AREA	NET FLOOR AREA
MINICIDAL ADDDESS	4611 HWY 7 UNIONVILLE, ON L3R 1M6		SECOND FLOOR		
		,	MOTOR VEHICLE SALES ESTABLISHMENT (SALES AREA, MERCANTILE USE - E)	162.7 m ²	31.2 m ²
	NEW KIA DEALERSHIP		MOTOR VEHICLE SALES ESTABLISHMENT (SERVICE SHOP, MEDIUM HAZARD INDUSTRIAL OCCUPANCIES USE - F2)	N/A	N/A
ZONING	BY-LAW 2024-19		SECOND FLOOR TOTAL	162.7 m ²	31.2 m ²
LOT FRONTAGE	60.83 m		SALES AREA TOTAL	691.1 m ²	511.0 m ²
LOT AREA	4777.15 m ²		SERVICE SHOP TOTAL	830.9 m ²	803.0m ²
TOTAL GROSS FLOOR AREA - PER THE CITY OF MARKHAM	1582.0 m ²		GROSS FLOOR AREA TOTAL / NET FLOOR AREA TOTAL	1582.0 m ²	1314.0 m ²
BY-LAW 001-2021			NUMBER OF UNITS	1	•
DI III DINIC CETDACKO			AREA OF LANDSCAPE STRIPS	700.99 m²	
BUILDING SETBACKS			PERCENTAGE OF LOT AREA	14.7%	
	REQUIRED	PROVIDED	PARKING REQUIREMENT FOR THE SITE		
NORTH	3.0 m	22.6 m	TARRING REGUIREMENT FOR THE SITE		
SOUTH	6.0 m	6.5 m	TOTAL NFA	1314.0 m ²	
EAST	7.5 m	16.9 m	TOTAL PARKING SPACES REQUIRED	44	
WEST	3.0 m	0.9 m	PARKING SPACES PROVIDED	49 INCLUDES BARRIE	ER FREE PARKING
			PARKING SPACES PROVIDED BELOW GRADE	N/A	
BUILDING AREA	1366.06 m ²		BARRIER FREE PARKING SPACES REQUIRED	2	
LOT COVERAGE (%)	29%		BARRIER FREE PARKING SPACES PROVIDED	2	
MAX. ALLOWED BUILDING HEIGHT	46 m		BICYCLE RACK SPACES	N/A	
BUILDING HEIGHT	7.2 m		LOADING SPACES PROVIDED	1	
NUMBER OF STORIES	2		ADJACENT PROPERTY ZONES AND USES	ZONES: EM1, EM2, U	
	GROSS FLOOR AREA	NET FLOOR AREA		USES: PRESTIGE EMI EMPLOYMENT ZONE,	PLOYMENT ZONE, GENERAL UTILITY ZONE
GROUND FLOOR			7		
MOTOR VEHICLE SALES ESTABLISHMENT (SALES AREA, MERCANTILE USE - E)	528.4 m ²	479.8 m ²			
MOTOR VEHICLE SALES ESTABLISHMENT (SERVICE SHOP, MEDIUM HAZARD INDUSTRIAL OCCUPANCIES USE - F2)	830.9 m ²	803.0 m ²			





TACTILE INDICATOR

BF PARKING SIGNAGE

TYPICAL PARKING SPACE

TYPICAL B.F. PARKING SPACE

F.F.E. FINISH FLOOR ELEVATION

EXISTING ELEVATION

###.### PROPOSED ELEVATION

BUILDING ENVELOPE

No. Description

FIRE ACCESS ROUTE HEAVY DUTY PAVING.
ASSEMBLY TO BE DESIGNED TO MEET THE
LOADS IMPOSED BY FIRE FIGHTING EQUIPMENT.

00000 TOP OF ROOF

REVISION RECORD

LIGHT POLE

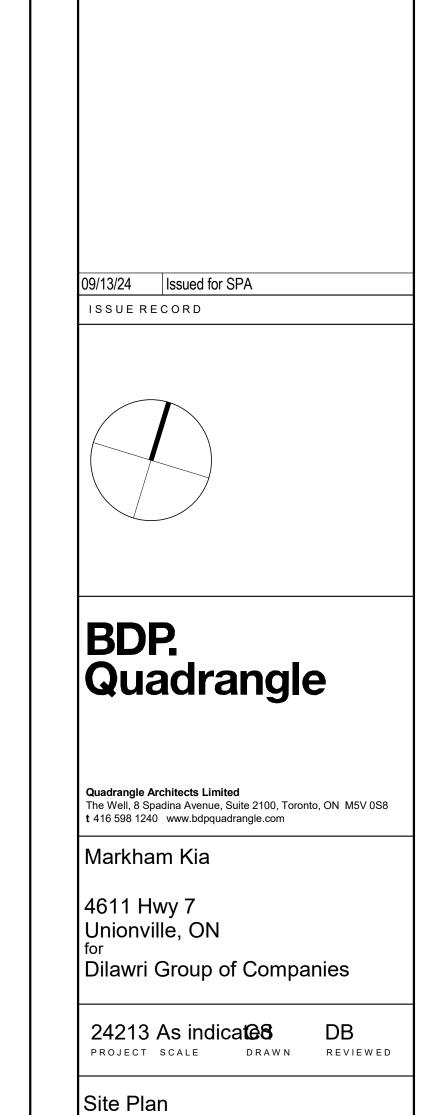
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		PROPOSED FUTURE R.O.W PROPOSED TEMPORARY	
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	2100 S Q 13400 Y 2 PARALLEL PARKING SPACES FIRE ROUTE	CONSTRUCTION FR DESIGN PROPOSED TEMPORARY EASEMENT SHOWN IN	
	30137 7 PARKING SPACES & 2 ACCESSIBLE SPACES 2424 2750 2750 2750 3087 3900 1500 2400 2750 2750	DASHED LINES PROPOSED FLOODLINE,	
	TYPE A 1 1 TYPE B 1 1 1 FUTURE ELECTRIC CAR CHARGING SPACES SHOWROOM	SHOWN IN RED	
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	16953 16953	10M PROPOSED	
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	2053 PROPERTY LINE N71°08'35"E 30479	15 80	
	8228 5800 TYP.	TACTILE	
	8 16500 16500 4947	INDICATOR STRIP PROPOSED LANDSCAPING	
	SOPERTY L	PROPOSED 25m² GARBAGE ENCLOSURE	
		85	
	11442 PROPERTY LINE N71°11'15"E	1311	

SITE PLAN
SCALE: 1:200

PROPERTY LINE N71°11'15"E

	sibility Checklist – OBC & DOPS Compliance num Requirements:		
1.0	Site Plan		
1.1	Passenger Loading Zone (2440 mm x 7400 mm), overhead clearance min. 3600 mm AFF	OBC 3.8.2.2.(3)	
1.2	Exterior walks paragraph firm and alia resistant surface	OBC 2 8 2 2 /1\/b\	_
1.2	Exterior walks - permanent, firm and slip-resistant surface Exterior walks min. 1100 mm wide	OBC 3.8.3.2.(1)(b)	_
1.4	Exterior walks min. 1100 mm wide Exterior walks - overhead clearance min. 1980 mm AFF	OBC 3.8.3.2.(1)(e) OBC 3.8.3.2.(1)(f)	_
1.4	Tactile attention indicators indicating entry into a vehicular route	OBC 3.8.3.2.(1)(h)	
1.6	Curb ramps min. 1500 mm wide + flared sides, tactile attention indicators (TAI)	OBC 3.8.3.2.(1)(1) OBC 3.8.3.2.(3)(b)	_
1.7	Sidewalks min. 1500 mm wide	DOPS 80.23(1)	
1.8	Ramps with appropriate slope, handrails and landings	DOPS 80.24(1)	_
1.9	Stairs with appropriate rise and run, handrails, landings, nosings, and tactile attention	DOPS 80.25	
	indicators		
1.10.	Parking according to DOPS (Check by-law requirements), Type A - min. 3400 mm, Type B -	DOPS 80.34-36	
	min. 2400 mm, and Access aisle - min. 1500 mm		
2.0	Parking Area		
2.1	Served by a passenger elevator	OBC 3.8.2.2.(1)(b)	
2.2	Overhead clearance from parking entrance to accessible parking min. 2100 mm AFF	OBC 3.8.2.2.(2)	
2.3	Access aisles	OBC 3.8.2.2.(3)(a)	
2.4	Curb ramps where level change max. 200 mm or less	OBC 3.8.2.2.(3)(b)	
2.5	Signage at accessible parking spaces, incorporating the International Symbol of Access (ISA)	OBC 3.8.3.1.(2)	
2.6	Vestibule min. 1500 mm (doors in series), min. 1500mm turning circle (un-aligned	OBC 3.8.3.3.(11)	
	doors) (2500 mm recommended)		
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 3.8.1.3.(1)	
3.3	Accessible door threshold (max. 13 mm)	OBC 3.3.1.12.(1)(d)	
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 3.8.3.3.(1)	
3.6	Accessible door hardware (lever style handles, D or U-shaped handles)	OBC 3.8.3.3.(3-5)	
3.7	Vestibule min. 1500 mm (doors in series), min. 1500mm turning circle (un-aligned doors) (2400 mm recommended)	OBC 3.8.3.3.(11)	
3.8	Designated barrier-free leaf (where multiple doors)	OBC 3.8.3.3.(12)	
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) OBC 3.8.3.3.(17-18)	
4.0	Amenity Spaces		
4.1	Operating controls at an accessible height	OBC 3.8.1.5.	
4.2	Universal washroom	OBC 3.8.2.3.(2)	
4.3	Washrooms required to be barrier-free (universal washroom or barrier-free water closet stall or enclosure)	OBC 3.8.2.3.(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	OBC 3.4.6.1.	
	indicators		
5.2	Min. 1100 mm path of travel (rec. 1800 mm)	OBC 3.8.1.3.(1)	
5.3	If the width is less than 1600 mm, than min. 1800 mm x 1800 mm unobstructed space	OBC 3.8.1.3.(4)	_
E 4	required every 30 m (recommend 1650 mm)	OBC 3 9 3 1 (C)(-1)	
5.4 5.5	Wall reinforcement in main bathrooms in all suites Door clear width min. 860 mm	OBC 3.8.2.1.(6)(d) OBC 3.8.3.3.(1)	_
5.6	Door clear width min. 860 mm Doors within a non-BF suite	OBC 3.8.3.3.(1)	
5.7	Latch side clearance (LSC) min. 600 mm (pull side), min. 300 mm (push side)	OBC 3.8.3.3.(2)	
5.8	Power door operator where latch-side clearance is not met	OBC 3.8.3.3.(10)	
5.8	All suite entry doors must have a min. 300 mm push side latch side clearance on the	OBC 3.8.3.3.(10)	
J.J	corridor side. Barrier-Free suites must also have a min. 600 mm pull side latch side clearance on the suite side.	OUC 3.0.3.3.(10)	
5.10	Vestibule min. 1500 mm (doors in series), min. 1500 mm clear turning space (un-aligned doors) (2400 mm recommended)	OBC 3.8.3.3.(11)	
5.11	Level floor area at door (Door width + LSC) x (1100 to 1500 mm)	OBC 3.8.3.3.(13)	
5.12	Ramp max. slope 1 in 12 (8.3%), 1670 mm x 1670 mm landings, demarcation of edge	OBC 3.8.3.4(1)	
5.13	Tactile attention indicators (TAI) at the top of all stairs and landings served by a door	OBC 9.8.9.6.(4)	
5.14	Accessible service counter, reception desk	DOPS 80.41	
5.14	Accessible service counter, reception desk	DOF3 00.41	

CATEGORY		PERFORMANCE INDICATOR	SCORE
Z		BE-1	3
Σ		BE-2 BE-3	
ON		BE-4	St. 5.
BUILT ENVIRONMENT		BE-5	ļ
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	_	MB-3	
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	-	MB-9 MB-10	2
F		NE-1	3
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NATURAL ENVIRONMENT		NE-11 NE-12	6
		INE-12	<u>. I</u>
		IB-1	
	- 1	IB-2	2
INFRASTRUCTURE & BUILDINGS		IB-3 IB-4	2
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ICE L		BRONZE	42
PERFORMANCE LEV		SILVER	
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Transaction of the same of the	evels <u>Min</u> i	imum Score Threshold:	
	Draft Plan of Subdivi	s Site Plans	Site plans or medium and high density residential
Droves	37.40	44 64	& mixed-use)
Bronze Silver	27-40 41-49	41-61 62-75	55-81 82-101
Gold	50+	75+	102+



A101.S

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.

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:

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 <u>Planning Act</u> and regulatory permitting role under the <u>Conservation Authorities Act</u> (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) <u>By-law 2024-19, Section 4.9.6(a):</u> 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) <u>By-law 2024-19</u>, <u>Section 4.9.6(b)</u>: 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) <u>By-law 2024-19, Section 5.2.6(c):</u> 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) <u>By-law 2024-19, Section 5.2.8(b):</u> 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 20th, 2025. On January 23rd, 2025, the application was deemed incomplete by the Municipality.

On February 24th, 2025, TRCA staff received supplementary materials from the applicant's engineers. Updated completeness review comments were provided to municipal staff on February 28th, 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,

Rameez Sadafal, M.Sc.Pl

Planner - York East Review Area

Development Planning and Permits I 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 Conservation Authorities Act.