

Memorandum to the City of Markham Committee of Adjustment

November 08, 2018

File: A/135/18
Address: 7020 Warden Ave, Markham
Applicant: Warden Development Corporation (Dot Jones)
Agent: QX4 Investments Ltd. - Consulting Services (Ben Quan)
Hearing Date: Wednesday November 14, 2018

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

The applicant is requesting relief from the following requirements of By-law 28-97, BC, as amended:

a) Parking By-law 28-97, Section 3.0, Table B:

a minimum of 587 parking spaces, whereas the By-law requires a minimum of 622 parking spaces; as it relates to a proposed 110.2 sq. m restaurant to replace a tutoring school within the existing shopping centre.

Applicant's Stated Reason(s) for Not Complying with Zoning

According to the information provided by the applicant, the reason for not complying with Zoning is, "additional parking to meet requirements would require displacement of existing grassed area".

Zoning Preliminary Review Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. Consequently, 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 variances in the application contains errors, or if the need for additional variances are identified during the Building Permit review process, further variance application(s) may be required to address the outstanding matters and there will be a delay in application processing.

COMMENTS

The applicant is proposing a new restaurant at the north east corner of the property. The restaurant use will occupy approximately 110.2 m² (1,186 ft²) of the existing 10,620.34 m² (114,320 ft²) building. Staff note that a minor variance was approved in 2006 to permit a minimum of 587 parking spaces whereas the By-law requires a minimum of 608 parking spaces. The proposed restaurant use will further increase the deficiency on the site to 35 parking spaces whereas 587 parking spaces are available. This is a deficiency of approximately 5.6 percent from the minimum required 622 parking spaces. Staff note that the proposed restaurant is located at a corner of the existing plaza with a limited number of parking spaces directly east of the proposed restaurant. Majority of the existing parking spaces provided on site are more centrally located to other existing buildings. Transportation engineering staff have reviewed a parking study submitted in support of the variance and accept the conclusion of the Study subject to the conditions attached in 'Appendix A' of this report.

PUBLIC INPUT SUMMARY

As of September 14, 2018, the City received 1 letter expressing concerns over parking availability and accidents. 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:



Aqsa Malik, Planner, Zoning and Special Projects

REVIEWED BY:



Richard Kendall, Development Manager, Central District
File Path: Amanda\file\ 18 248729 \Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/70/18

1. The variances apply only to the proposed development as long as it remains;
2. That two additional bike racks be placed near Building 'B';
3. '15 minute short term parking' signage be added for all parking spaces facing Building 'B' that are not already used by the existing financial institution.

CONDITIONS PREPARED BY:



Aqsa Malik, Planner, Zoning and Special Projects



DATE	DESCRIPTION	AMOUNT	BALANCE
1	DEPOSIT TO BSB SAV	1000.00	1000.00
2	DEPOSIT FROM BSB	1000.00	2000.00
3	DEPOSIT TO BSB SAV	1000.00	3000.00
4	DEPOSIT FROM BSB	1000.00	4000.00
5	DEPOSIT TO BSB SAV	1000.00	5000.00
6	DEPOSIT FROM BSB	1000.00	6000.00
7	DEPOSIT TO BSB SAV	1000.00	7000.00
8	DEPOSIT FROM BSB	1000.00	8000.00
9	DEPOSIT TO BSB SAV	1000.00	9000.00
10	DEPOSIT FROM BSB	1000.00	10000.00

CREDIT:
TENDER
HOLDINGS
LTD.

PROJECT:
7020 Warden Ave
Markham, ON

SAFE VALUE
SITE PI

PROJECT NO.
2134

SCALE	DATE
1500	MAY 7 01

DRY	DRY
COM	COM

655 (M1111D)

SP-1

KEY POINTS



SURVEY INFORMATION

[illegible]

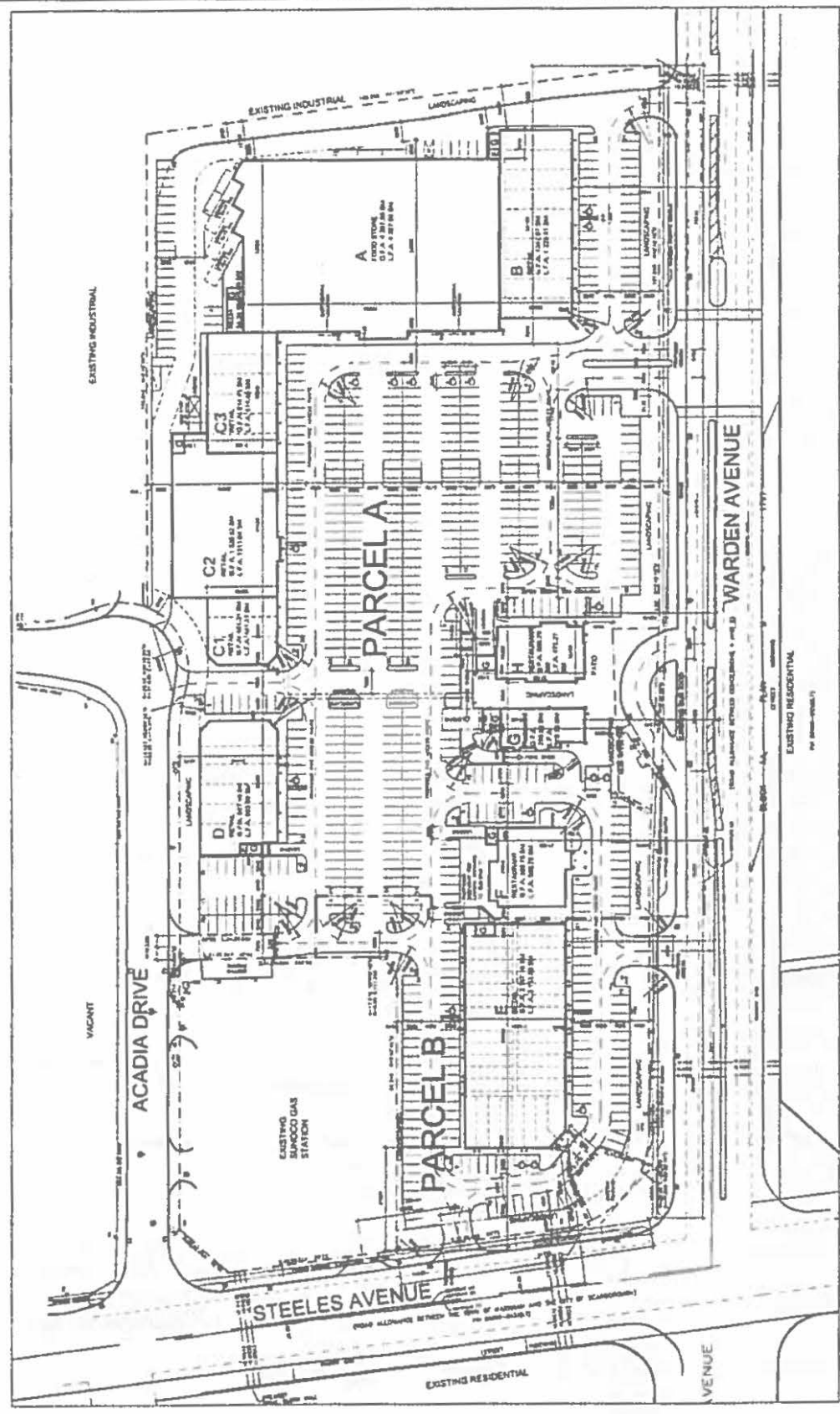
PARCEL D.

Building	AC	Area	22,000 sq ft	1980
Lot Area	1/2 Acre	ASD No.		
Lot Easements	100 ft to			
Present Building	Building 27			
Owner	John J. and Mrs. J. A. Managhi	1980		
Value	\$1,100,000	1980		
Lot Dimensions	50 ft by 50 ft			

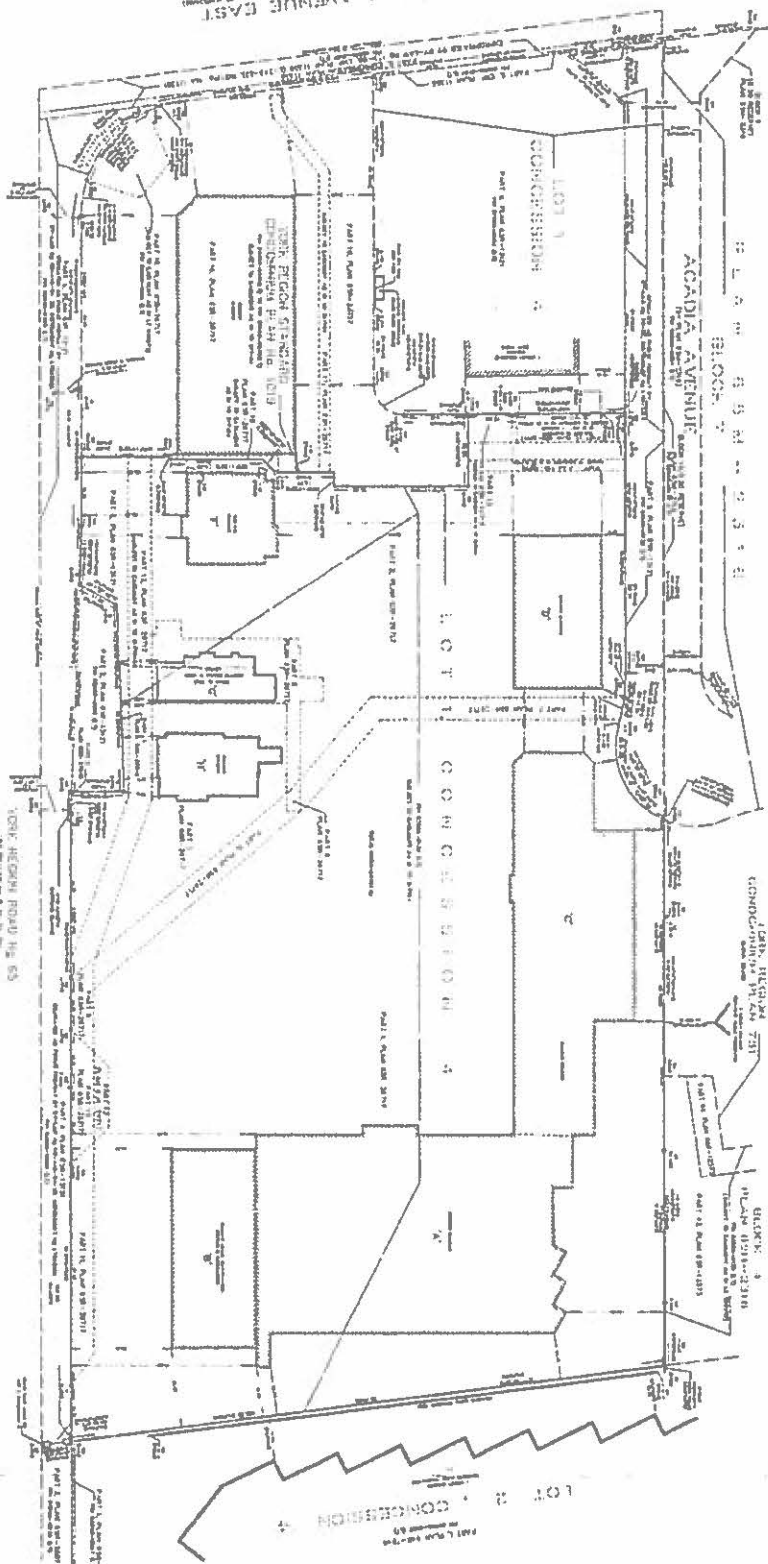
PARCEL A

[illegible]

PROJECT INFORMATION

[illegible]

STEELES AVENUE EAST

[illegible]

WARRICK AVENUE
1000 WARRICK AVENUE, SUITE 1000, CHICAGO, IL 60606
Tel: 312/467-1000 Fax: 312/467-1001

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1. The first step is to identify the problem. This involves understanding the current situation, identifying the problem, and determining the scope of the problem.

2. The second step is to analyze the problem. This involves gathering information, identifying the causes of the problem, and determining the impact of the problem.

3. The third step is to develop a solution. This involves brainstorming ideas, evaluating the ideas, and selecting the best solution.

4. The fourth step is to implement the solution. This involves developing a plan, allocating resources, and executing the plan.

5. The fifth step is to evaluate the solution. This involves monitoring the results, comparing the results to the expected outcomes, and making adjustments as needed.

6. The sixth step is to communicate the results. This involves sharing the results with the relevant stakeholders and providing feedback.

7. The seventh step is to document the process. This involves creating a record of the problem-solving process for future reference.

8. The eighth step is to review the process. This involves reflecting on the process and identifying areas for improvement.

9. The ninth step is to implement the improvements. This involves making changes to the process based on the review findings.

10. The tenth step is to monitor the results. This involves tracking the results of the improvements and making further adjustments as needed.

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SUMMARY'S CLAIMS

I am not a member of the National Association of Broadcasters.

Signed _____ Date _____

Special Agent

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KRCMTB

KRGMTB