

Memorandum to the City of Markham Committee of Adjustment

February 10, 2021

File: A/004/21
Address: 7089, 7097, 7099 and 7101 Yonge Street and 1, 11 and 15 Grandview Avenue, Thornhill
Applicant: Yonge Grandview Corp. (Andrew Murphy)
Hearing Date: Wednesday February 17, 2021

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

The applicant is requesting relief from the following requirements of By-law 2237, CA1/OS1 as amended:

The applicant is requesting relief from the requirements of By-law 2237, as amended to permit:

- a) **Parking By-law 28-97, Section 6.1.2:**
Two (2) required commercial parking spaces to have a minimum length of 5.7 metres, whereas the By-law requires a minimum length of not less than 5.8 metres, located within the underground parking garage;
- b) **Site Specific By-law 2013-56, Section 2.2.3:**
One (1) parking space per Live/Work unit, whereas the By-law requires 2 parking spaces per Live/Work unit;

The requested variances relate to a recently constructed a 27-storey mixed-use residential high rise building on the subject lands.

BACKGROUND

Property Description

The 0.65 hectare (4.07 acre) subject property is located on the southeast corner of Yonge Street and Grandview Avenue along the Yonge Steeles Corridor in Thornhill. The property is located within an established residential neighbourhood comprised of a mix of one and two-storey detached dwellings.

There is a twenty seven (27) storey mixed use high rise building on the property, which was constructed in 2020. It includes grade related retail uses within the podium portion of the building and a public strata park fronting onto Grandview Avenue.

Proposal

The applicant is requesting variances to recognize two (2) undersized parking stalls as well as a reduced parking requirement for fourteen (14) live work units.

Official Plan and Zoning

Markham Official Plan 2014 (as partially approved on November 24, 2017 and further updated on April 9, 2018)

The subject lands are designated Mixed Use High Rise under the Markham Official Plan 2014. This designation provides for a mixed use development comprising of high density residential and non-residential uses including office, retail and service uses.

Official Plan (Revised 1987)

Until such time as a Secondary Plan is prepared for the Yonge Steeles Corridor area, the provisions of the Official Plan (1987) and the Thornhill Secondary Plan remain in force. The subject lands are designated Commercial (Community Amenity Area) under the previous Official Plan (Revised 1987). However, these lands were subject to an OMB approved site specific Official Plan Amendment under the Official Plan (Revised 1987) which provides for a mixed use development comprising of high density residential and non-residential uses including office, retail and service uses.

Zoning By-Law 2237

The area of the site fronting on to Yonge Street is zoned Community Amenity Area 1 (CA1). The rear portion of the site where the public park is proposed (11 and 15 Grandview Avenue) is zoned Open Space (O1) and Single Detached Residential Fourth Density (R4) (17 Grandview Avenue) under By-law 2237, as amended by Site Specific Zoning By-law 2013-56. High density mixed use buildings are permitted along the Yonge Street frontage. Public Parks are permitted along the Grandview Avenue frontage.

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 Parking Dimension Variance (existing condition)

The applicant is requesting to permit a reduced parking length of 5.7 metres for two of the required commercial parking spaces. According to the applicant, the two parking spaces are deficient in length due to the available space between the drive aisle and a structural wall for the building within the parking garage. Staff does not anticipate any adverse impact as a result of the requested variance.

Reduce Parking for Live/Work Units Variance

The applicant is requesting a variance to permit one (1) parking space per Live/Work unit, whereas the By-law requires 2 parking spaces per Live/Work unit. According to the applicant, the fourteen (14) parking spaces originally intended for the live work units will be repurposed to provide visitor parking as part of the common elements of the residential condominium portion of the building. Staff further note that there are no visitor parking requirements in the zoning by-law.

Transportation Planning staff have commented that the requested variance is unlikely to result in any significant impacts on the parking supply of the property.

Consequently, Staff have no objections to the approval of the proposed parking reduction.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 10, 2021. 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.

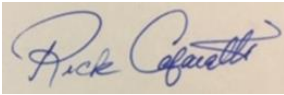
CONCLUSION

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 see Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:

A handwritten signature in blue ink that reads "Rick Cefaratti". The signature is written in a cursive style and is placed on a light-colored rectangular background.

Rick Cefaratti, MCIP RPP, Senior Planner, West District

REVIEWED BY:

A handwritten signature in black ink that reads "Stephen Kitagawa". The signature is written in a cursive style.

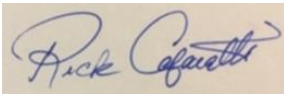
Stephen Kitagawa, MCIP, RPP, Acting-Development Manager, West District

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APPENDIX "A"
CONDITION TO BE ATTACHED TO ANY APPROVAL OF FILE A/004/21

1. The variances apply only to the proposed development as long as it remains;

CONDITION PREPARED BY:

A handwritten signature in blue ink on a light brown rectangular background. The signature reads "Rick Cefaratti" in a cursive script.

Rick Cefaratti, MCIP RPP, Senior Planner, West District

