

SUBJECT: RECOMMENDATION REPORT
Southshore Investments Inc. (Ford/Lincoln), 4592 and 4600
Highway 7 East, Site Plan Approval Application to facilitate a
new automobile dealership (Ward 3)
File No. SPC 20 107969

PREPARED BY: Dimitri Pagratis, M.C.I.P., R.P.P., extension 2960
Senior Planner, Central District

REVIEWED BY: Stephen Lue, M.C.I.P., R.P.P. extension 2520
Manager, Central District

RECOMMENDATION:

1. THAT the report titled “RECOMMENDATION REPORT, Southshore Investments Inc. (Ford/Lincoln), 4592 and 4600 Highway 7 East, Site Plan Approval Application to facilitate a new automobile dealership (Ward 3), File No. SPC 20 107969”, be received; and,
2. THAT the Site Plan application (File No. SPC 20 107969) submitted by Southshore Investments Inc. (Ford/Lincoln) be endorsed in principle, subject to the conditions attached as Appendix “A” and that Site Plan Approval be delegated to the Director of Planning and Urban Design, or his designate; and,
3. THAT Site Plan Endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that the Site Plan Agreement is not executed within that period; and further,
4. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends endorsement in principle of a Site Plan application (the “Application”) submitted by Southshore Investments Inc. (Ford/Lincoln) (the “Owner”) to facilitate the development of a new automobile dealership at 4592 and 4600 Highway 7 East.

BACKGROUND:

Site and Area context

The lands, municipally known as 4592 and 4600 Highway 7 East (the “subject lands”), are located on the north side of Highway 7 East, west of Kennedy Road, as shown on Figure 1. Figure 3 shows the surrounding land uses.

The Subject Lands have a combined area of approximately 0.81 ha (2.01 ac) and a frontage of approximately 86 m (282 ft.) along Highway 7. The portion of the Subject lands municipally known as 4600 Highway 7 East contains an existing building that was previously occupied by an automobile dealership (Village Luxury Cars). The portion of

the Subject Lands municipally known as 4592 Highway 7 East contains a building of heritage significance (the “Bewell Bungalow”), which was previously occupied by a commercial operation (Enterprise Rent-a-Car). A landscape buffer with mature trees is located on the south portion of the Subject Lands.

Process to date

- The Site Plan application was submitted on February 4, 2020
- The Owner submitted a Minor Variance Application (File A/143/20) to amend the minimum landscape setbacks along Highway 7 and to reduce parking standards. The City’s Committee of Adjustment approved Minor Variances (File A/143/20) on March 10, 2021.

Next Steps

- Subject to endorsement in principle by DSC, the site plan would be formally endorsed by Staff subject to the endorsement conditions attached to this report (Appendix “A”).
- Site Plan Approval can be issued upon execution of a Site Plan Agreement, after clearance of endorsement conditions.

The Proposed Development

The proposed development is for a new automobile dealership (Ford/Lincoln) on the Subject Lands. The Owner proposes to demolish the existing automobile dealership building at 4600 Highway 7 East and replace it with a new automobile dealership. The two properties comprising the Subject Lands (4592 and 4600 Highway 7 East) are currently divided into two separate parcels, but must be merged on title to create one contiguous parcel for zoning and other purposes. Conditions of draft plan approval set out in Appendix A to this report, require a letter to be submitted to the City from the owner’s solicitor prior to draft plan approval confirming that the merger has occurred.

The proposed two-storey automobile dealership consists of a motor vehicle sales and showroom, service department, parts room, motor vehicle storage, and office uses (the “Proposed Development”) and the following, as shown on Figure 4 and 5:

Table 1: Proposed Development (Ford/Lincoln)	
Gross Floor Area (“GFA”)	4,759 m ² (51,225 ft ²)
Parking	102 parking spaces (including five barrier-free spaces)
Access	Two separate right-in right-out accesses from Highway 7
Heritage	Retaining the Bewell Bungalow as a building of heritage significance

Official Plan and Zoning

2014 Markham Official Plan (the “2014 OP”)

The Subject Lands are designated “Mixed Use Low Rise” and “Special Policy Area” in the 2014 Official Plan. The site-specific zoning by-law, described below, pre-dates the current 2014 Official Plan designations. While the current Mixed Use Low Rise

designation of the 2014 Official Plan does not provide for the automobile dealership use, Section 11.1.3 of the 2014 Official plan recognizes that development and land uses legally existing at the time the Plan was approved shall be deemed to conform to the Plan.

The “Special Policy Area” (“SPA”) designation applies mostly on the west half of the Subject Lands, and are subject to “Area and Site Specific Policy” Section 9.19.7. The Proposed Development satisfies the SPA development criteria of the 2014 Official Plan as it continues an existing use on the Subject Lands and provides for suitable redevelopment that conforms with the policies.

Zoning By-laws 122-72 and 134-79, as amended

The Subject Lands are split-zoned “Special Commercial 3” (SC3) under By-law 122-72, as amended by By-law No. 261-86 (at 4592 Highway 7), and By-Law 134-79 as amended by By-Law 93-81(at 4600 Highway 7), as shown on Figure 2. Both site-specific by-laws allow for automobile sales and service establishments as permitted uses.

Minor Variance Application

The Owner submitted a Minor Variance Application (File A/143/20) to amend the minimum landscape setbacks along Highway 7 (from 9 metres at 4600 Highway 7 and 6 metres at 4592 Highway 7 to 4 metres on both properties) and to reduce parking standards (from 106 parking spaces to 102 parking spaces). The City’s Committee of Adjustment approved the requested Minor Variance (File A/143/20) on March 10, 2021 and the decision is final and binding.

OPTIONS/ DISCUSSION:

Urban Design Review

Urban Design Staff are generally satisfied with the Proposed Development. The Owner continues to work with Urban Design Staff to satisfy all outstanding matters related, but not limited to, minor updates to the site design and the finalization of site plan, landscape plans and cost estimates, and land appraisal for cash-in-lieu of parkland dedication.

Heritage Planning

The Owner originally proposed to remove the Bewell Bungalow, but through discussions with staff has agreed to retain it in situ as part of the Proposed Development, in accordance with the City’s policies.

Heritage Staff and the Heritage Markham Committee recommends the designation of the “Bewell Bungalow” under Part IV of the Ontario Heritage Act, which was also a condition of the variance approval by the Committee of Adjustment. Furthermore, as per the adopted Council policy regarding the requirement for a Heritage Conservation Easement Agreement as a condition of development approval, the Owner is to enter into a Heritage Conservation Easement Agreement with the City of Markham as a condition of site plan approval as set out in Appendix ‘A’ to this report. The Owner and staff have committed to continue to work together to satisfy all matters in this regard.

York Region Review

York Region is generally satisfied with the proposed site plan and has requested to be a party to the Site Plan Agreement.

Toronto and Region Conservation Authority (“TRCA”) Review

The Subject Lands lie within the TRCA regulated area, with the western portion of the Subject Lands located within the Unionville SPA. TRCA provided their comments in a letter, dated January 29, 2021, indicating no objections to the approval of the Application subject to the Owner satisfying the remaining technical comments and conditions of Site Plan Approval. The Owner continues to work with the TRCA to satisfy the conditions of approval in Appendix “A.”

CONCLUSION

In Staff’s opinion the Proposed Development is appropriate and represents good planning for the reasons contained in this report. Therefore, Staff recommend that the Application (File SPC 20 107969) be endorsed in principle and that authority for the final Site Plan Approval be delegated to the Director of Planning and Urban Design, subject to the conditions provided in Appendix “A.”

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Proposed Development has been reviewed in the context of a safe, sustainable and complete community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Proposed Development was circulated to internal City departments and external agencies, including York Region and TRCA, for review and comment. All comments/requirements of these departments and agencies are reflected in the final project plans or will be secured in the Site Plan Agreement.

RECOMMENDED BY:

Arvin Prasad, M.C.I.P, R.P.P
Commissioner of Development Services

Biju Karumanchery, M.C.I.P, R.P.P
Director, Planning and Urban Design

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Area Context/Zoning

Figure 3: Aerial Photo (2020)

Figure 4: Site Plan

Figure 5: Elevations

APPENDICES:

Appendix "A" – Conditions of Site Plan Approval

File path: Amanda\File 20 107969\Documents\Recommendation Report

APPENDIX “A”
City of Markham
Conditions of Site Plan Approval
Southshore Investments Inc. 4592 and 4600 Highway 7 East
File No. SPC 20 107969

1. Site Plan Endorsement

Prior to Site Plan Endorsement, the following shall be fulfilled:

- a) The Owner shall provide a clearance letter from the Trustee of the Landowners Group advising that the Owner has met their cost sharing obligations.
- b) The Owner shall satisfy all waste management comments, including any internal and external waste room requirements.
- c) The Owner shall satisfy all outstanding comments and technical requirements of City departments and applicable external agencies, and make necessary revisions, to the satisfaction of the Director of Engineering and the Director of Planning and Urban Design.

2. Site Plan Agreement

The Owner shall enter into a Site Plan Agreement with the City, containing all standard and special provisions and requirements of the City and applicable external agencies including, but not limited to the following:

- a) Provision for the payment by the Owner of all applicable fees, recoveries, development charges, cash-in-lieu of parkland, and any other financial obligations and securities.
- b) Provision for any easements and right-of-way dedications, if applicable.
- c) Provision to ensure all requirements of York Region are satisfied.
- d) Provision to ensure all requirements of the Toronto and Region Conservation Authority are satisfied.
- e) The Owner agrees to finalize and implement the Transportation Demand Management Plan and provide the respective Letter of Credit, to the satisfaction of the Director of Engineering.
- f) The Owner agrees to implement bird-friendly measures and dark sky lighting, to the satisfaction of Director of Planning and Urban Design.
- g) Provisions to ensure all waste management requirements are satisfied.

- h) Provisions to ensure all Fire and Emergency Services requirements are satisfied.
3. Site Plan Approval

Prior to the execution of Site Plan Agreement and issuance of Site Plan Approval, the Owner shall ensure the following:

- a) The Owner submit final site plans, building elevations, engineering, drawings, lighting plans, landscape plans and cost estimates, arborist report, tree preservation plan, along with any other drawings, plans, studies and reports including, but not limited to, a Construction Management Plan, which are required to comply with the requirements of the City and applicable external agencies, to the satisfaction of the Director of Planning and Urban Design and Director of Engineering..
- b) That the Owner shall provide a solicitor's opinion, to the satisfaction of the City Solicitor, or designate, that the properties known as 4592 and 4600 Highway 7 East have merged-in-title.
- c) The designation of the "Bewell Bungalow" under Part IV of the *Ontario Heritage Act* and that the Owner enter into a Heritage Conservation Easement Agreement with the City of Markham for the portion of the property containing the heritage resource as defined by an R-Plan to be provided by the owner.