

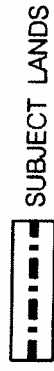
# AIR PHOTO 2005

APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



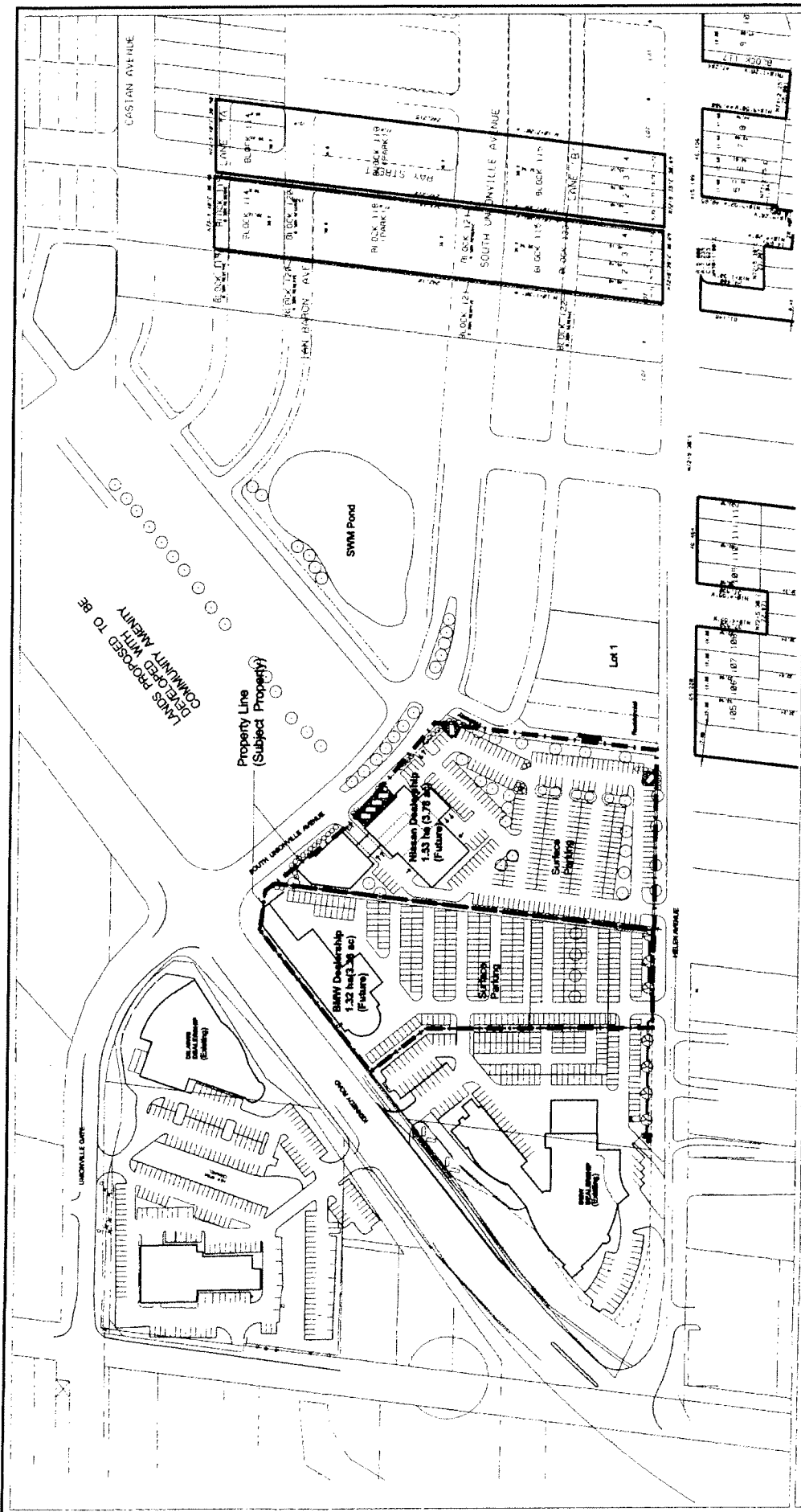
DEVELOPMENT SERVICES COMMISSION



DATE: 010507

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FIGURE No.3



# CONCEPTUAL SITE PLAN-INITIAL PHASE

APPLICANT: DOUGSON INVESTMENTS INC.  
 1475398 ONTARIO INC. (BMW)  
 92 HELEN AVENUE

FILE No: ZA06132779, OP06132776(TK)



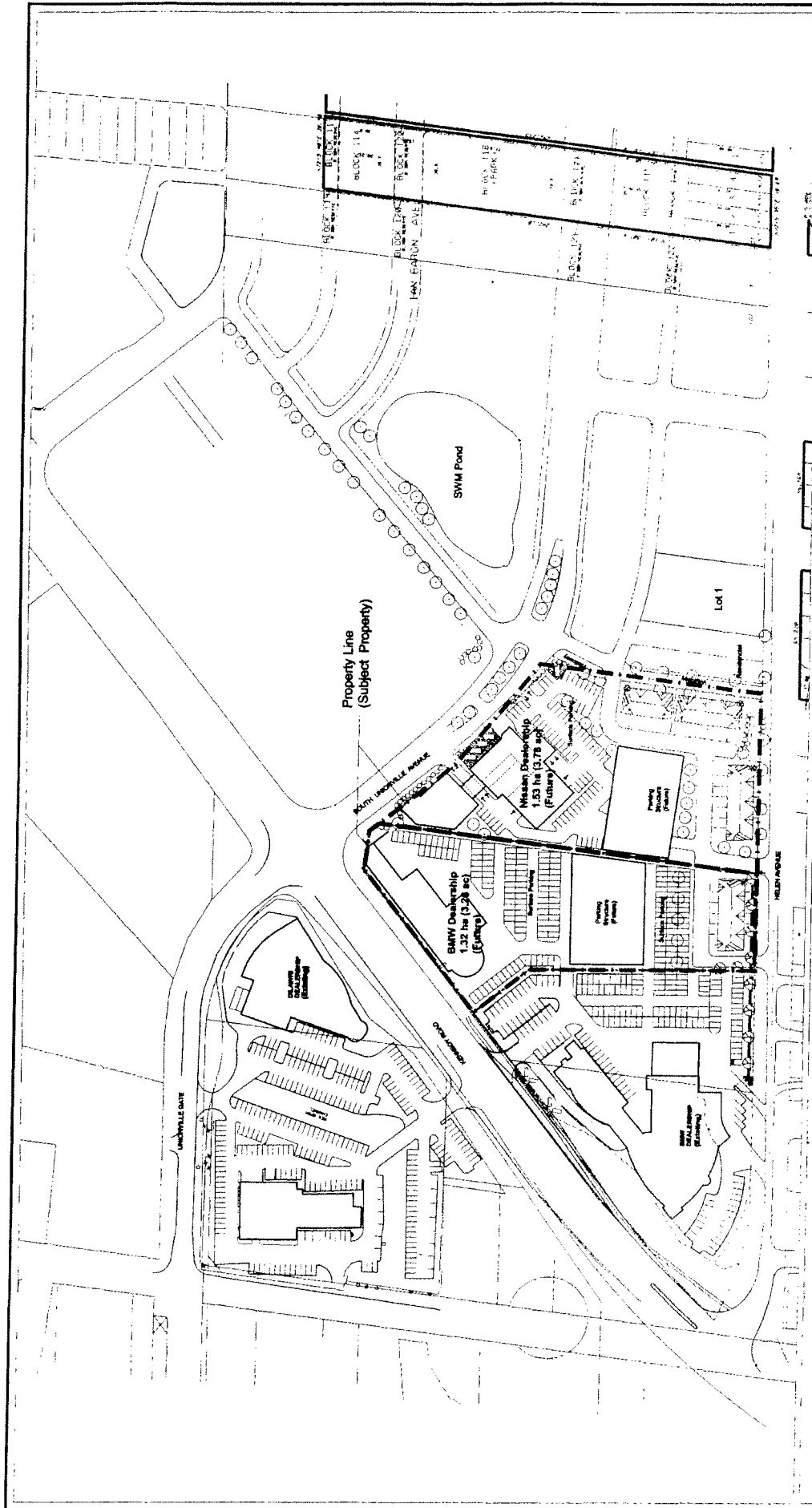
DEVELOPMENT SERVICES COMMISSION

--- SUBJECT LANDS

DATE: 03/19/07

DRAWN BY: DO CHECKED BY: TK SCALE: 1:

FIGURE NO. 4



# CONCEPTUAL SITE PLAN-FINAL PHASE

APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION

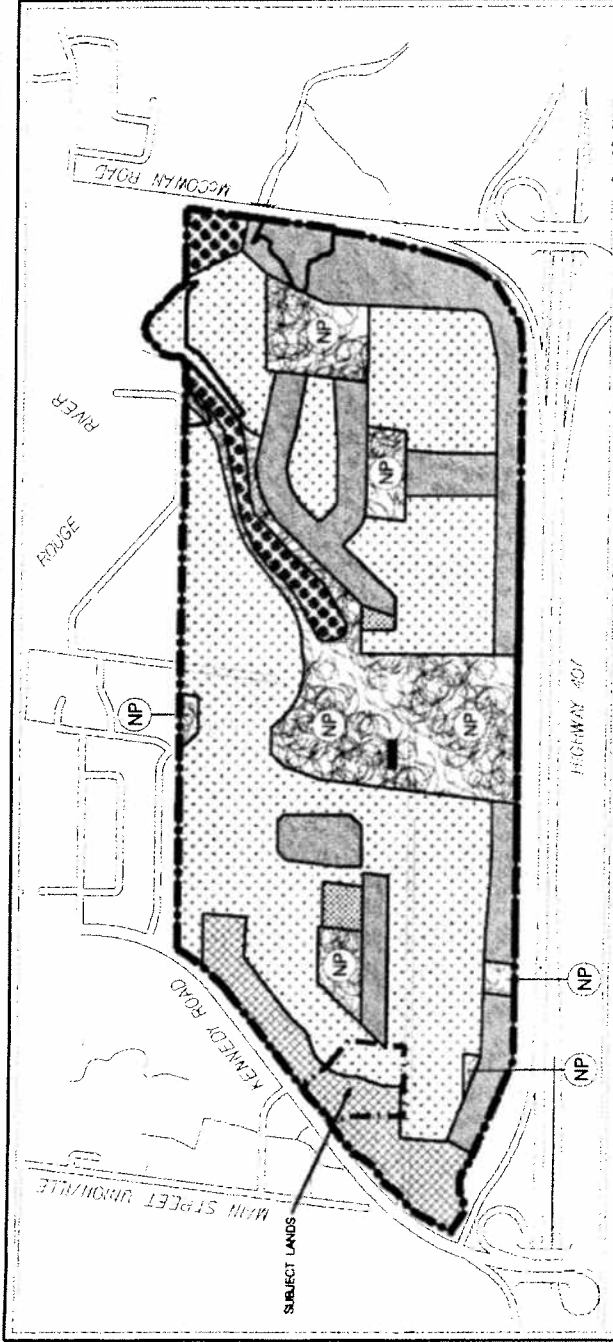
16/01/2007 2:24:38 PM

SUBJECT LANDS

DATE: 010507

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FIGURE No.5



SCHEDULE 'AA' - DETAILED LAND USE  
OF SOUTH UNIONVILLE PLANNING DISTRICT SECONDARY PLAN PD 34-1

- |  |   |  |
|--|---|--|
| <ul style="list-style-type: none"> <li>BOUNDARY OF SECONDARY PLAN AREA</li> <li>LOW DENSITY HOUSING</li> <li>MEDIUM DENSITY HOUSING</li> <li>COMMUNITY AMENITY AREA</li> </ul> | <ul style="list-style-type: none"> <li>NEIGHBOURHOOD COMMERCIAL</li> <li>ELEMENTARY SCHOOL</li> <li>OPEN SPACE</li> </ul> | <ul style="list-style-type: none"> <li>OPEN SPACE / NEIGHBOURHOOD PARK</li> <li>HAZARD LANDS</li> <li>SPECIAL POLICY AREA (Subject to Section 3.10.2 of the Official Plan (Revised 1987), as amended)</li> </ul> |
|--|---|--|

EXTRACT FROM SCHEDULE "D" TO OPA No.153

# SOUTH UNIONVILLE SECONDARY PLAN

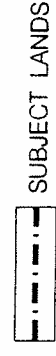
APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION

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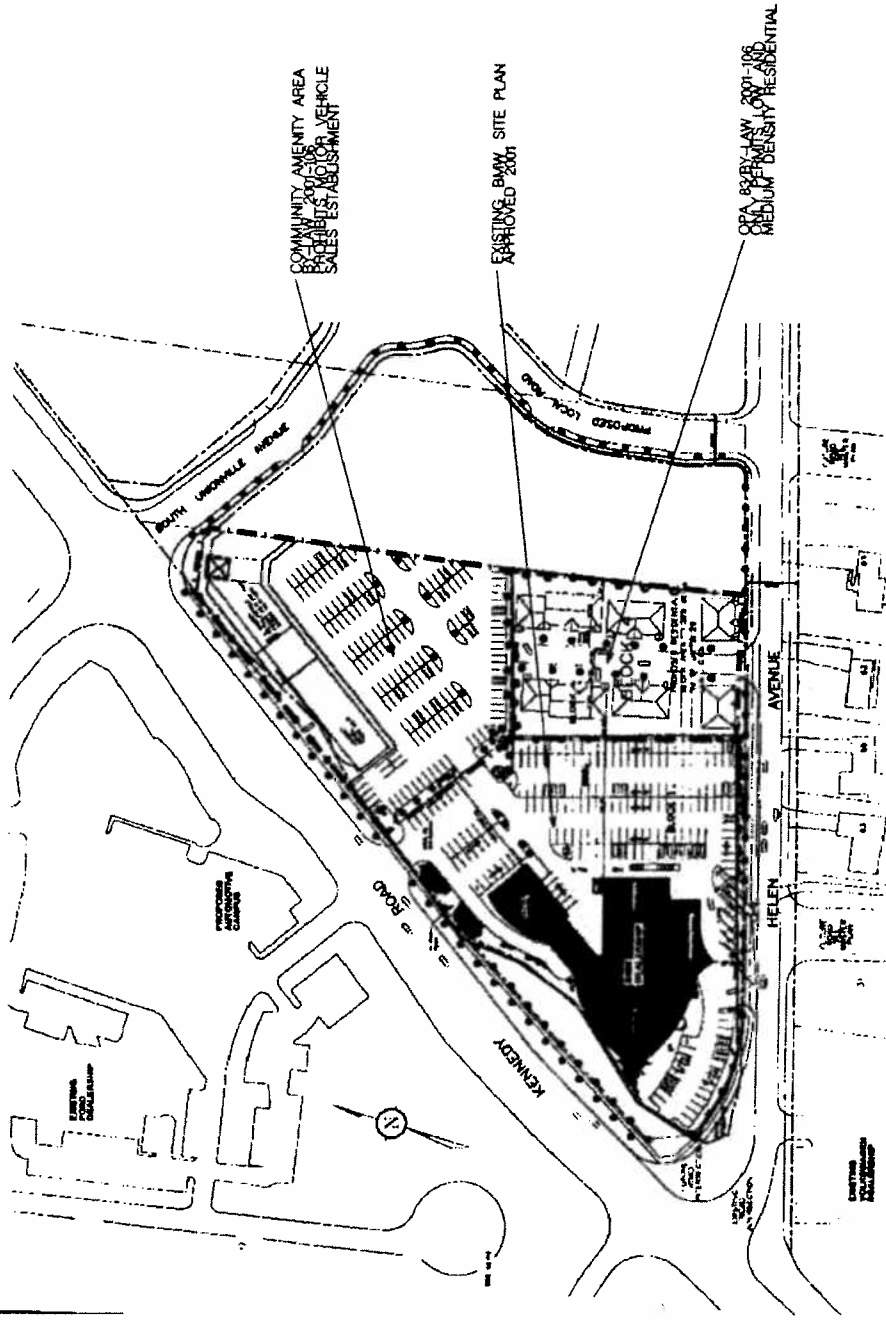


SUBJECT LANDS

DATE: 010507

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FIGURE No.6



SUBJECT LANDS

DATE: 03/05/07

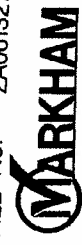
FIGURE No.7

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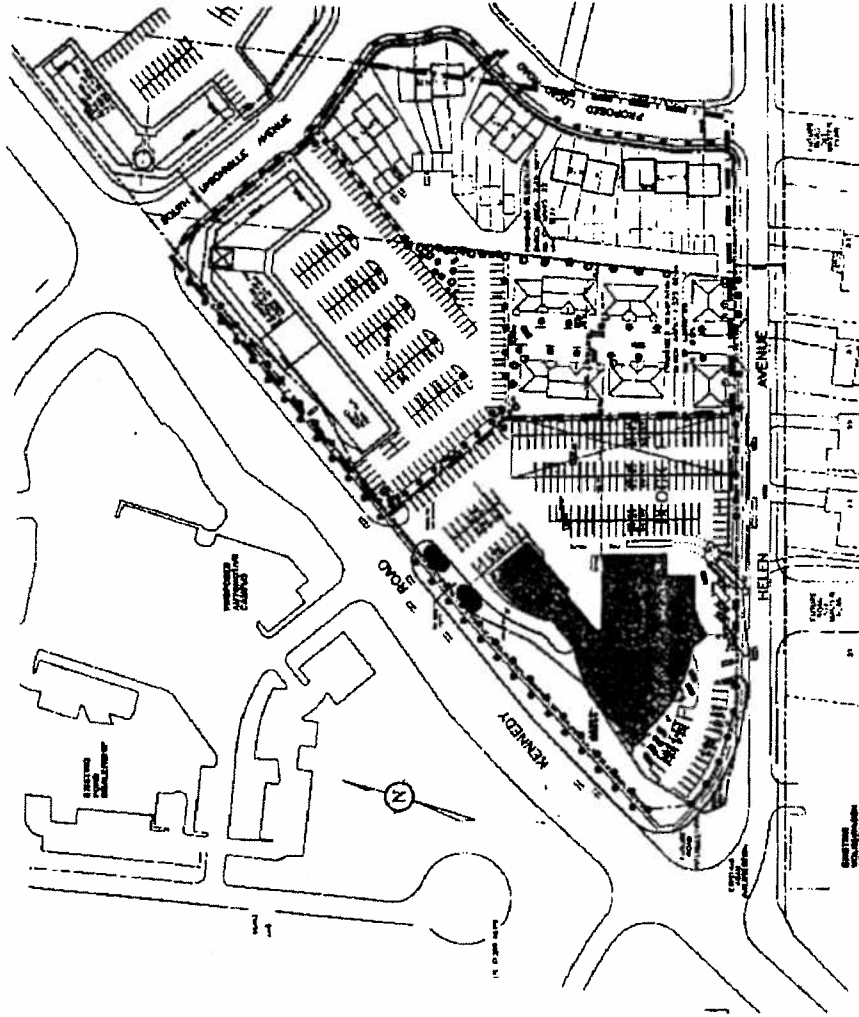
# BMW-PREVIOUS APPROVALS

APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION



# CONTEXT A PRESENTED TO COUNCIL 2001

APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION

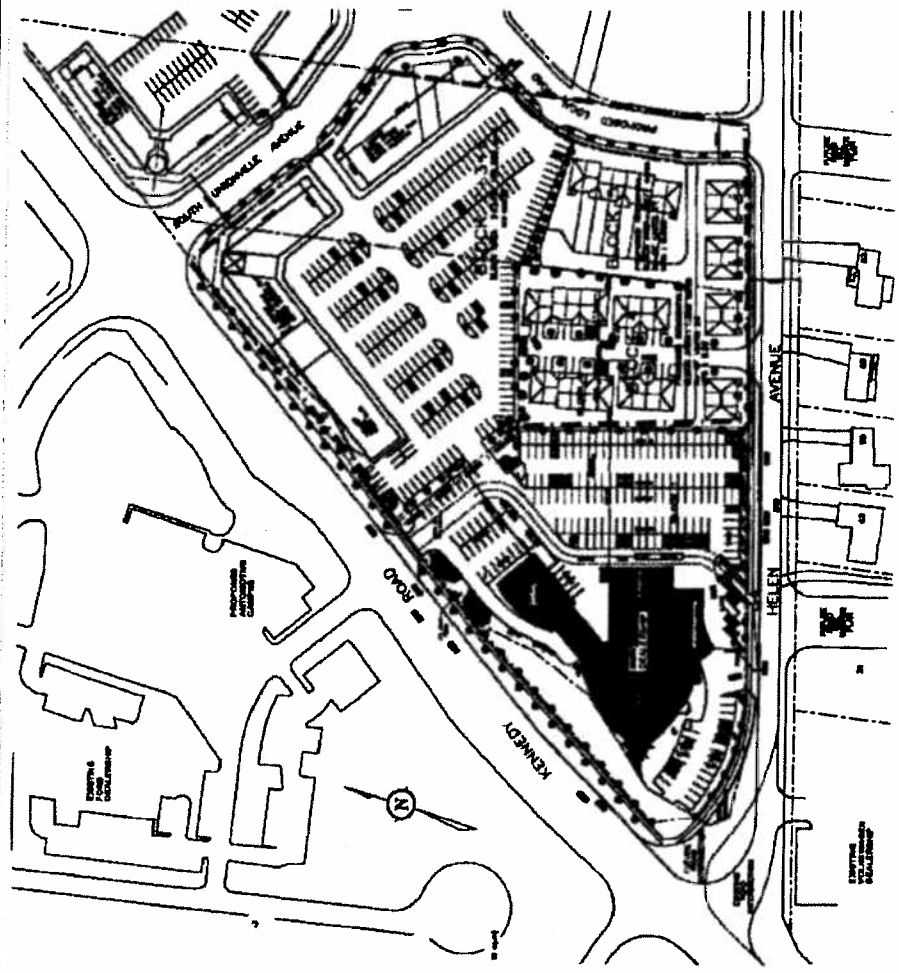
--- SUBJECT LANDS.

DATE: 03/19/07

DRAWN BY: DD CHECKED BY: TK SCALE: 1:

FIGURE No.8





--- SUBJECT LANDS

DATE: 03/19/07

FIGURE No. 9

DRAWN BY: DD CHECKED BY: TK SCALE: 1"

# CONTEXT B PRESENTED TO COUNCIL 2001

APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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DRAWN BY: DD CHECKED BY: TK SCALE 1:

FIGURE No.10

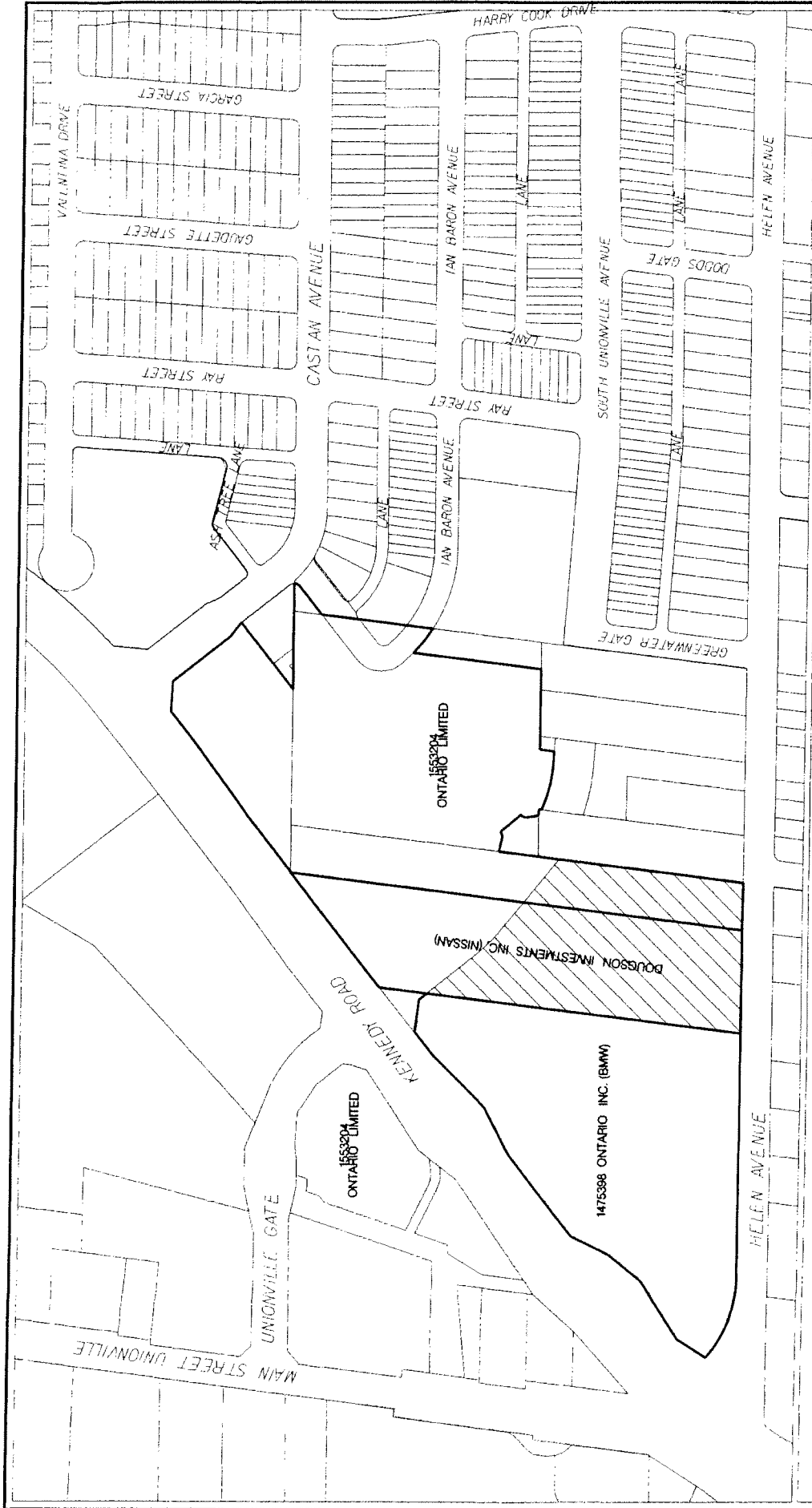
APPLICANT: DOUGSON INVESTMENTS INC.  
1475398 ONTARIO INC. (BMW)  
92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION

ZA061327779.dgn 19/03/2007 10:37:10 AM



# LAND OWNERSHIP

APPLICANT: DOUGSON INVESTMENTS INC.  
 1475398 ONTARIO INC. (BMW)  
 92 HELEN AVENUE

FILE No: ZA06132779;OP06132776(TK)



DEVELOPMENT SERVICES COMMISSION

DATE: 03/23/07

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FIGURE No.11

**TOWN OF MARKHAM  
CONDITIONS TO THE APPROVAL OF MINOR VARIANCE**

For the purpose of the Conditions of Approval, the words "site plan agreement" mean an Amending Agreement with the Town of Markham to the existing Site Plan Agreement, dated the 1<sup>st</sup> day of March, 2002, between 1475398 Ontario Inc., The Corporation of the Town of Markham and The Regional Municipality of York, as required by the Town.

**2003 OMB CONDITIONS**

**Application: A/197/02  
1475398 Ontario Inc.  
8111 Kennedy Road**

That the conditions to the minor variance to allow the parking lot expansion for staff vehicles immediately to the east of the existing dealership building, being the minor variance approved by the Ontario Municipal Board under Application A/197/02, OMB Case No. PL021099, OMB File No. V020572, by the Decision of S.W. Lee on April 7, 2003, continue to apply, except as superceded by the 2008 Conditions set out below and to be satisfied in accordance with paragraph 1(8) of the 2008 Conditions and the final site plan agreement to be executed by the Owner and the Town. The original Conditions were as follows:

- 1) That the proposed parking area be surfaced with gravel.
- 2) That privacy fencing be provided on the east and south boundaries of the proposed parking area.
- 3) That the applicant provide a 6m buffer along the eastern property line.
- 4) That the applicant enter into a site plan agreement with the Town for the lands containing the proposed parking area.
- 5) That there be a maximum of 99 parking spaces for the exclusive use of employees.
- 6) That the variance applies only to the subject development as long as it remains.

**2008 CONDITIONS OWNER TO SATISFY**

**Application: A/110/07  
1475398 Ontario Inc.  
8111 Kennedy Road**

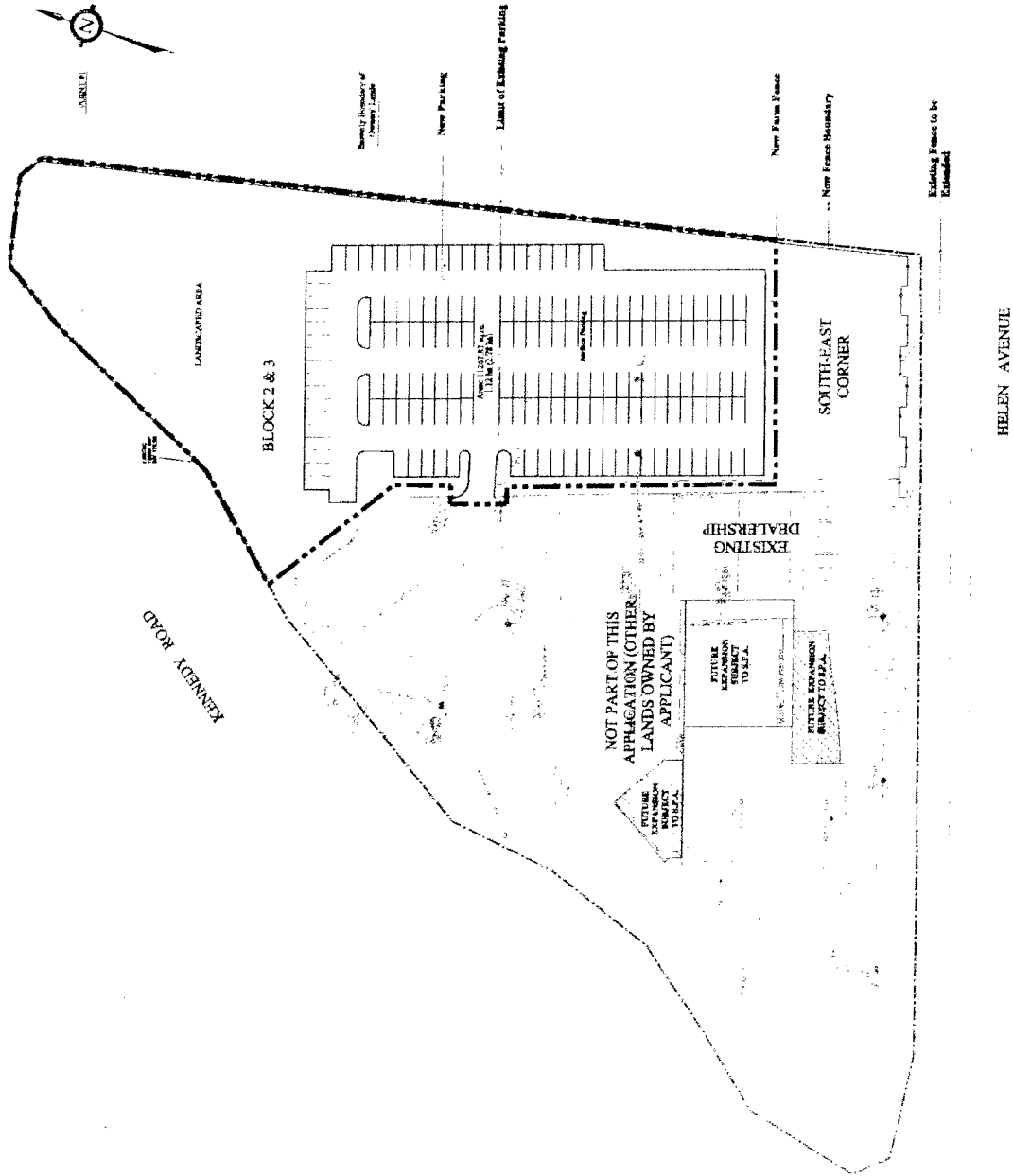
1. That the Conditions to permit additional parking spaces for outside motor vehicle storage within the area shown as "New Parking" on Drawing No. S-1, The Planning Partnership Project No. 0475, attached as Schedule "A" hereto, shall apply to the minor variance, approved by the Ontario Municipal Board, under Application A/110/07, OMB Case No. PL071140, and shall be satisfied by the Owner as set out below:

- 1) That the minor variance for the New Parking related to an established automobile dealership be permitted on a temporary basis only for a period of 5 years calculated from the later of the date of execution by the parties of the site plan agreement mentioned in paragraph 1(8) and the date of issuance of a permit by the Toronto Region Conservation Authority ("TRCA") for the works described in the Owner's Stormwater Management Report as provided below.
- 2) That the New Parking shall be:
  - i) restricted to the area generally shown as New Parking on the said Drawing No. S-1 attached hereto, with the actual dimensions to be determined through the site plan approval process; and
  - ii) surfaced with gravel.
- 3) That a privacy fence shall be installed by the Owner along a line which is not less than 6 metres from the northerly boundary of Helen Avenue running from the easterly limit of the Owner's existing privacy fence on Helen Avenue to the easterly limit of the Owner's lands. This extension of the existing privacy fence shall have the same characteristics and quality as the Owner's existing privacy fence facing Helen Avenue. Trees of a similar height and species to those presently growing between the northerly limit of Helen Avenue and the said existing privacy fence, shall be planted on the 6 metre set back area from Helen Avenue. The said extension of the privacy fence shall be installed and the trees planted by the Owner within 90 days from the date of approval by the Board of the minor variance.
- 4) That within 1 year from the later to occur of the date of issuance of a permit by the TRCA for the works described in the Owner's Stormwater Management Report and the date of execution of the site plan agreement mentioned in paragraph 1(8) ("One Year Period"), a privacy fence shall be installed by the Owner on the easterly boundary of the Owner's lands extending northerly from its intersection with the extension of the privacy fence on Helen Avenue referred to in paragraph 1(3) to a point approximately opposite "Point 1" on the said Drawing No. S-1 attached hereto with a 2 metre open space buffer on the westerly side of the said fence. In the event that within the One Year Period an automobile dealership is permitted to be constructed and used on abutting lands to the east of the Owner's lands, the Owner may install a chain link security fence on the easterly boundary of the Owner's lands in place of the said privacy fence. For clarity, this condition is not intended to prohibit the provision of the New Parking to be established and to be used during the One Year Period, provided that a permit has been issued by TRCA for the works described in the Owner's Stormwater Management Report above-mentioned and in paragraph 1(7) and provided the approval of the site plan and the execution of a site plan agreement between the Owner and the Town of Markham mentioned in paragraph 1(8) have occurred.
- 5) That a farm fence be installed by the Applicant along the northerly limit of the parcel of land identified as the "South-East Corner" on the said Drawing No. S-1 attached hereto as Schedule "A".
- 6) That, without derogating from the obligations of the Owner under paragraph 1(3), a detailed landscape plan, including tree preservation measures, be

submitted by the Owner to the Town of Markham's Director of Planning and Urban Design, which provides for enhanced screening and buffering around the perimeter of the site including Helen Avenue, Kennedy Road and South Unionville Avenue.

- 7) That the Owner submit a Stormwater Management Report to the satisfaction of the Town of Markham's Director of Engineering and the TRCA.
- 8) That, without derogating from the obligations of the Owner under paragraph 1(3), within 90 days of the date of the approval by the Ontario Municipal Board of the variance under Application A/110/07, the Owner shall obtain approval from the Town of Markham of a site plan for the said lands and shall execute a site plan agreement with the Town of Markham prior to any works approved by the TRCA being completed and prior to the Owner permitting the New Parking to be used on the subject lands referred to in Application A/110/07. For clarity, the Conditions to the minor variance granted under Application A/197/02 shall be implemented in the said site plan agreement with the Town of Markham, except Conditions superceded by the approval by the Board of the Conditions to the minor variance granted under Application A/110/07.
- 9) The site plan agreement shall include, but not be limited to, the following:
  - (i) the Owner shall complete all works described in the Owner's Stormwater Management Report within 90 days of the later to occur of (1) the date of issuance of a permit for the approval of such works by the TRCA and (2) the date of execution of the site plan agreement mentioned in paragraph 1(8);
  - (ii) the Owner shall agree to the removal of the New Parking from the lands referred to in Application A/110/07 within 1 month prior to date of termination of the within 5 year temporary minor variance use permission; and
  - (iii) the Owner shall and hereby agrees to execute forthwith upon approval by the Ontario Municipal Board of the variance herein all documentation required to give effect to any amendment to the site plan agreement (2002) and the Letter of Credit currently posted and on deposit by the Owner with the Town under the said agreement to authorize the Town of Markham to draw upon the Letter of Credit up to an amount not to exceed Seventy-Five Thousand (\$75,000.00) Dollars, or such amount as may be adjusted by the Town upon receipt and approval of all final plans and drawings contemplated under these Conditions to be incorporated in the amendments to the site plan agreement in accordance with these Conditions, in order to ensure that the conditions of approval herein are satisfied by the Owner and to ensure that the lands referred to in Application A/110/07 are returned to a satisfactory condition at the end of the 5 year temporary period of the minor variance to the satisfaction of the Director of Planning & Urban Design.
- 10) That the minor variance for the New Parking is conditional on the Owner obtaining a permit from the TRCA and delivering to the Town a copy of the TRCA permit for the works and TRCA's confirmation that it is satisfied with the Owner's proposed works which are provided for in the Owner's Stormwater Management Report.

# Schedule "A"



## LEGEND:

- PROPERTY BOUNDARY
- LINE OF FUTURE APPLICATION
- NEW DEVELOPMENT AREA
- EXISTING FENCE TO BE EXTENDED

DATE: 11/11/11  
 DRAWN BY: [illegible]  
 CHECKED BY: [illegible]  
 APPROVED BY: [illegible]

SGS  
 1113

MARKHAM  
 1113

TOWN & COUNTRY BMW  
 ADDITIONAL PARKING

DATE	REVISION	BY	DATE	REVISION	BY
11/11/11	1	[illegible]	11/11/11	1	[illegible]