

Development Services Public Meeting Agenda

Meeting Number 6 May 7, 2019, 7:00 PM - 10:00 PM Council Chamber

All Members of Council Development Services Chair: Regional Councillor Jim Jones Vice Chair: Keith Irish

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Alternate formats for this document are available upon request.

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- 1. CALL TO ORDER
- 2. DISCLOSURE OF PECUNIARY INTEREST
- 3. **DEPUTATIONS**
- 4. **REPORTS**
 - 4.1 PRELIMINARY REPORT, CAN-AM EXPRESS, C/O HALEY PLANNING SOLUTIONS, TEMPORARY USE ZONING BY-LAW AMENDMENT APPLICATION TO PERMIT THE OUTDOOR STORAGE OF MOTOR VEHICLES INCLUDING LICENSED CHARTER BUSES AT 332 AND 338 JOHN STREET (WARD 1)

FILE NO. ZA 18 231295 (10.5)

R. Cefaratti, ext. 3675

4.2 PRELIMINARY REPORT NEAMSBY INVESTMENTS INC. APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT A TWO-STOREY BUILDING FOR RECREATIONAL AND ATHLETIC PURPOSES WITH

BADMINTON AS THE MAIN USE, AT 1375 DENISON STREET (WARD 8) FILE NOS. OP/ZA 18 177790 (10.3, 10.5)

S. Bordone, ext. 8230

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4.3 PRELIMINARY REPORT SCARDRED 7 COMPANY LIMITED 4038 HIGHWAY 7 (NORTH SIDE, EAST OF VILLAGE PARKWAY) APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND

DRAFT PLAN OF SUBDIVISION TO PERMIT A RESIDENTIAL DEVELOPMENT ACCOMMODATING 50 TOWNHOUSE DWELLINGS AND 20 SINGLE DETACHED DWELLINGS (WARD 3) FILE NO. ZA/SU 18 180309 (10.5, 10.7)

S. Heaslip, ext. 3140

5. ADJOURNMENT



Report to: Development Services Committee

Meeting Date: April 29, 2019

SUBJECT:	PRELIMINARY REPORT, Can-Am Express, C/O Haley Planning Solutions, Temporary Use Zoning By-law Amendment Application to permit the outdoor storage of motor vehicles including licensed charter buses at 332 and 338 John Street (Ward 1) File No. ZA 18 231295
PREPARED BY:	Rick Cefaratti, M.C.I.P., R.P.P., ext. 3675
REVIEWED BY:	Planner II, West District Dave Miller, MCIP, RPP, West District Manager

RECOMMENDATION:

1) That the report titled "Preliminary Report, Can-Am Express, C/O Haley Planning Solutions, Temporary Use Zoning By-law Amendment Application to permit the outdoor storage of motor vehicles including licensed charter at 332 and 338 John Street, (Ward 1), File No. ZA 18 231295" be received.

PURPOSE:

This report provides preliminary information on a Temporary Use Zoning By-law application to permit outdoor storage of motor vehicles, including licensed charter buses, at 332 and 338 John Street (subject lands). This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND:

The subject lands have an approximate area of 0.38 ha, (0.94 ac.). They are located on the north side of John Street, between the CN Rail Line and McKelvey Drive in Thornhill. To the north is a commercial plaza which fronts on to Green Lane. To the south across John Street, is a commercial self-storage facility and several vacant buildings zoned for industrial uses. To the east are a number of employment uses and low rise residential buildings, including live-work townhouses. To the west is an automotive preparation / reconditioning facility (Mercedes Benz Canada) and the CN Rail Line (Figures 1, 2 and 3). The Zoning Amendment Application was deemed complete on December 18, 2018.

Process to date and next steps:

- The application to amend the Zoning By-law was deemed complete on December 18, 2018.
- A Statutory Public Meeting will be scheduled for May 7, 2019 to provide an opportunity for formal public participation regarding the proposed amendment to the Zoning By-law;
- Following the Public Meeting, a recommendation report may be required, regarding the proposed Temporary Use Zoning By-law Amendment, to address matters raised in this report and at the Public Meeting;

PROPOSAL:

The Temporary Use Zoning By-law Amendment by Can-Am Express requests that outside parking and storage of licensed buses be permitted on a temporary basis on the subject properties. No additional buildings or structures are being considered as part of the proposal (see Figure 4 – Site Plan). Section 39 of the Planning Act authorizes a municipality to enact Temporary Use By-laws for a maximum period of 3 years.

As noted below, a previous Temporary Use Zoning By-law Amendment was approved to permit outdoor storage of licensed charter buses at 332 John Street.

OFFICIAL PLAN AND ZONING:

2014 Official Plan

The City's 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018) designates the property Service Employment. This designation provides for a range of employment uses including, service, office manufacturing, warehousing and limited retail and commercial uses. Accessory outdoor storage is only permitted in conjunction with manufacturing, warehousing, a motor vehicle body shop, motor vehicle repair and motor vehicle retail uses. Outdoor storage is not permitted as a principle use on this property.

Staff note that the temporary use policies of the 2014 Official Plan establish that Council may pass by-laws to authorize the temporary use of land for a use that is not permitted under the Service Employment land use designation for a period not exceeding 3 years.

<u>Zoning</u>

The subject properties are zoned M – Industrial under By-law 77-73, as amended (See Figure 2). This zone permits industrial uses, including warehousing and / or manufacturing of goods, service and repair of goods and permits indoor storage of goods and materials. Outdoor storage of licensed buses is not a permitted use on the property.

A previous Temporary Use Zoning By-law Amendment was approved (File No. ZA 15 131193) to permit outdoor storage of licensed charter buses at 332 John Street. The owner is asking to extend permission to continue the outdoor storage at 332 John Street, and expand the outdoor storage area of automobiles and licensed charter buses on a temporary basis to include 338 John Street.

OPTIONS/ DISCUSSION:

No issues have been raised to date. Any issues identified through the circulation and detailed review of the proposal will be addressed in a final staff report to be presented to Committee at a later date, if required.

The previous Temporary Use By-law included the following special provisions:

- a) business offices shall only locate within buildings existing on the date of the passing of the By-law;
- b) additions to existing buildings are not permitted;
- c) construction of new buildings is not permitted; and,

d) the installation of additional impermeable surface material is not permitted;

These provisions should continue to apply to a temporary use by-law on the subject properties if approved.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications were reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:

Ron Blake, M.C.I.P., R.P.P. Senior Development Manager Arvin Prasad, M.C.I.P., R.P.P. Commissioner of Development Services

ATTACHMENTS:

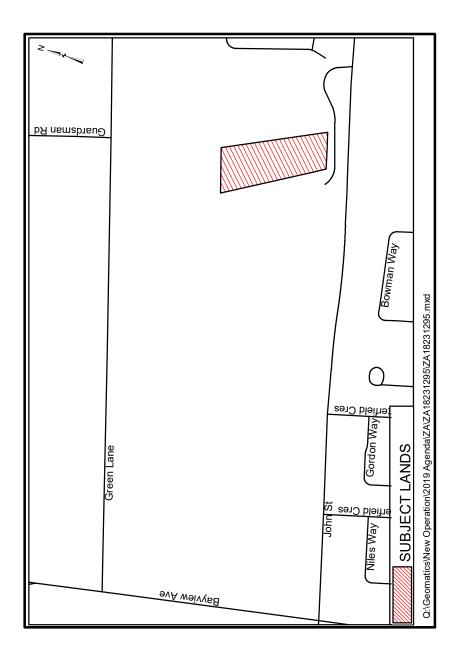
Figure 1: Location Map Figure 2: Aerial Photo Figure 3: Area Context/Zoning Figure 4: Site Plan

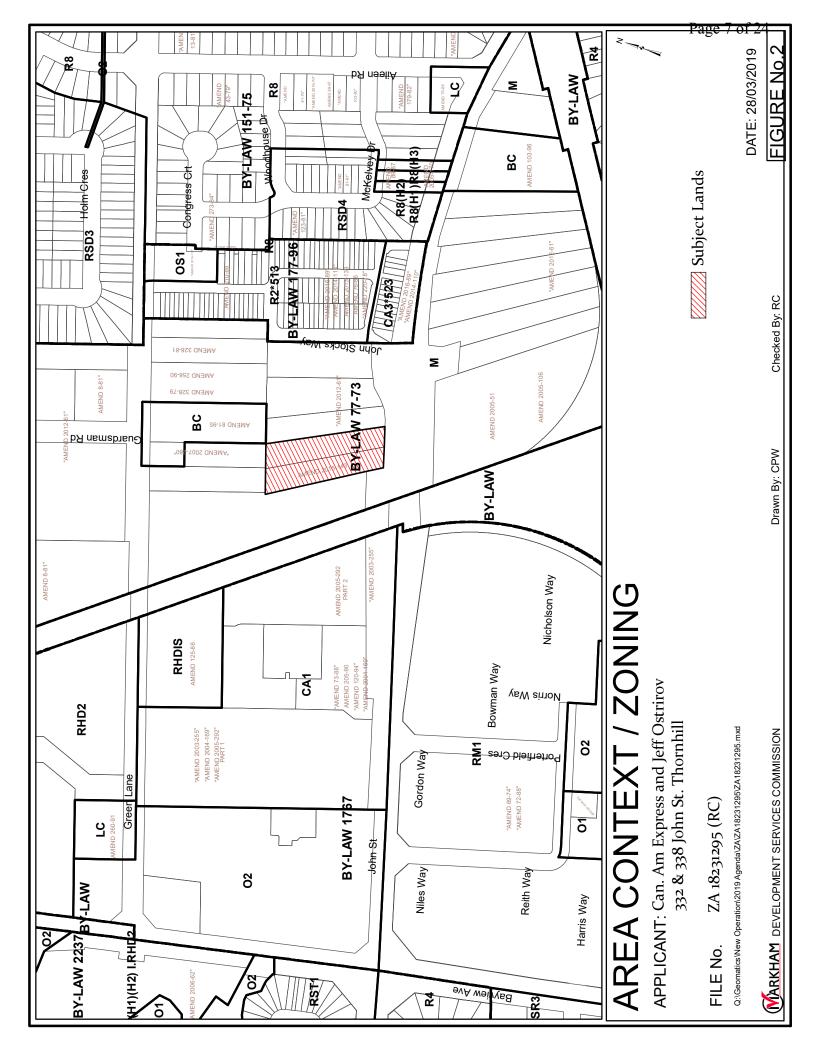
OWNER:

Can-Am Express Inc. C/O Yefim (Jeff) Ostrirov 332 John Street Thornhill, Ontario, L3T 5W6 Tel: (905) 561-2946 Email: canamx@hotmail.com

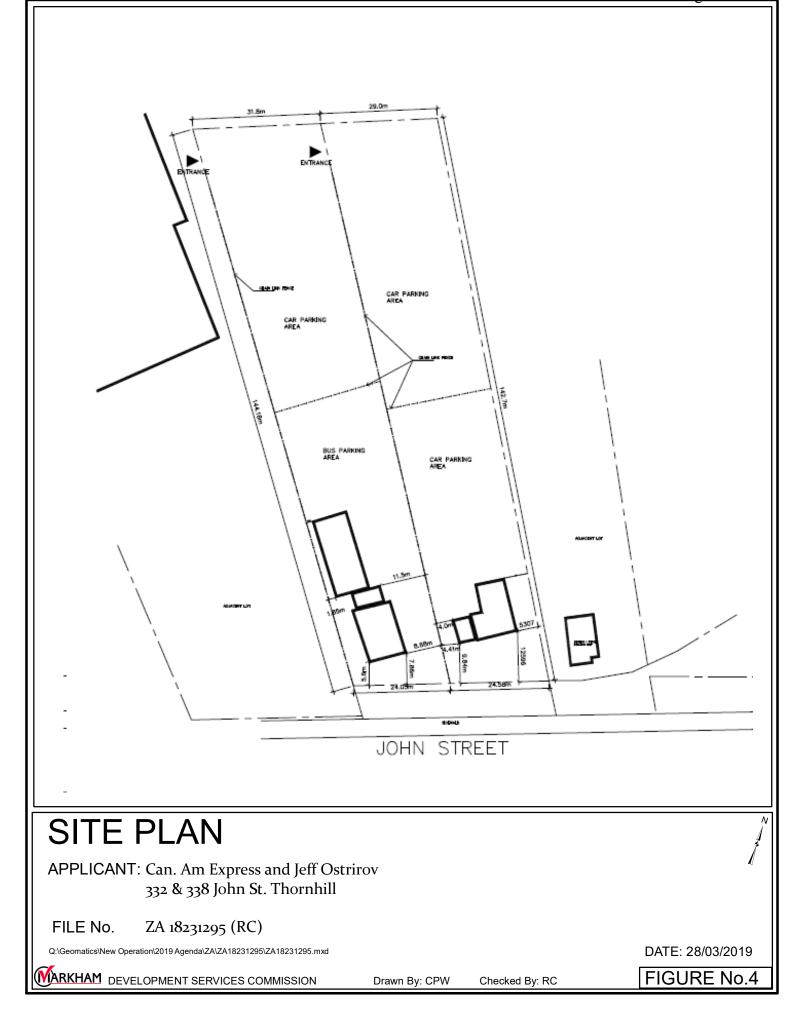
APPLICANT:

Haley Planning and Development Solutions C/O Bill Haley 132 Gloucester Grove Toronto, Ontario, M6C 2B1 Tel: (905) 561-2946 Email: <u>billhaley@rogers.com</u>











Report Date: April 15, 2019

SUBJECT:	PRELIMINARY REPORT Neamsby Investments Inc. Applications for Official Plan and Zoning By-law Amendments to permit a two-storey building for recreational and athletic purposes with badminton as the main use, at 1375 Denison Street (Ward 8) File Nos. OP/ZA 18 177790
PREPARED BY:	Sabrina Bordone, M.C.I.P., R.P.P., extension 8230 Senior Planner, Central District
REVIEWD BY:	Richard Kendall, M.C.I.P., R.P.P., extension 6588 Manager, Central District

RECOMMENDATION:

1) That the report titled "PRELIMINARY REPORT, Neamsby Investments Inc., Applications for Official Plan and Zoning By-law Amendments to permit a twostorey building for recreational and athletic purposes with badminton as the main use, at 1375 Denison Street (Ward 8), File Nos. OP/ZA 18 177790", be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the applications. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the applications.

Applications deemed complete

The applications for Official Plan and Zoning By-law Amendments were deemed complete by staff on January 11, 2019.

The Applicant has also submitted an application for Site Plan Approval for this development (SPC 18 257179). It is currently being reviewed by staff and external agencies.

Next Steps:

- Scheduling of Statutory Pubic Meeting,
- Recommendation Report respecting the proposed Official Plan and Zoning Bylaw Amendments applications; and, if approved,
- Adoption of the proposed Official Plan Amendment; and,

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• Enactment of the proposed Zoning By-law Amendment.

BACKGROUND:

Subject Property and Area Context

The subject lands are approximately 0.51 ha (1.27 ac) in size and are located on the south side of Denison Street, east of Birchmount Road (Figure 1). The site is vacant with a grouping of trees within the centre of the site.

Surrounding uses are as follows:

- To the north, east and west are light industrial/manufacturing uses. Further east, at 1443 Denison Street, is a recently approved table tennis facility.
- To the south is low density residential.

Proposal is for a two-storey building for recreational and athletic purposes with badminton as the main use

The Applicant is proposing to construct a 2,828 m² (30,437 ft²), building for recreational and athletic purposes, with badminton as the main use. The building is comprised of two main components: a one-storey front portion with a café, reception/pro shop, change rooms, offices and studio space on the ground floor and a second-storey component with taller ceiling heights to accommodate ten (10) badminton courts. Parking is located at-grade at the rear of the site, partially covered by the second storey portion of the building.

Vehicular access will be from Denison Street. Two driveways are proposed. One driveway will operate as a full moves access leading to the parking area. The second driveway will operate as an outbound only egress. A total of 78 parking spaces (including 4 accessible parking spaces) are proposed, in accordance with the requirements of the City's Parking By-law 28-97, as amended. Parking is proposed to be located mainly along the western portion of the site and along the rear of the site, with the provision of a limited number of parking spaces at the Denison Street frontage (Figure 4).

A conceptual rendering of the proposed development is shown on Figure 5.

Provincial Policy Conformity

When considering a development application, staff assess whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017).

The proposal is consistent with the following PPS policies:

• Policy 1.1.1 (b) – requires that an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreation and park and open space uses be accommodated to meet long-term needs. Page 3

- Policy 1.3.1 directs planning authorities to promote economic development and competitiveness by providing the following:
 - a) providing for an appropriate mix and range of employment and institutional uses meet long-term needs.
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
 - c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

The employment specific policies within the PPS are intended to protect Employment Lands while providing a range of economic opportunities for complete communities. The addition of the proposed use, which is provided for as an ancillary use in the "Business Park Employment" designation of the City's Official Plan (as discussed below) and is a recreational opportunity that will support the surrounding community.

Official Plan and Zoning

2014 Official Plan

The subject lands are designated "Business Park Employment" in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018). This designation provides for offices, manufacturing, processing and warehousing uses with no accessory outdoor storage, hotels, etc. Ancillary uses such as retail, services, restaurant, commercial fitness centre, or financial institution are provided for in nonindustrial buildings provided the combined gross floor area devoted to all ancillary uses is limited to a maximum of 15 percent of the total gross floor area of the building and access to the premises of all ancillary uses is integrated within the building. The proposed facility, which would occupy 100% of the floor area of the building, does not conform with the policies of the 2014 Official Plan. Accordingly, an Official Plan Amendment is required to permit the proposed recreational and athletic facility as a stand-alone use.

Zoning

The subject lands are zoned "Select Industrial and Limited Commercial" [M.C.(40%)] by By-law 108-81, as amended. This zone category permits a range of industrial uses and limited commercial uses such as banks and financial institutions, professional and business offices, commercial schools and hotels and motels.

A Zoning By-law Amendment is required to permit the proposed use(s) and associated development standards, including but not limited to: increase in the maximum permitted Floor Area Ratio (F.A.R.), reduction in East side yard setback, reduction in the number of required loading spaces, reduction in the length of a required loading space, and reduction in the minimum required landscape width.

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OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues or matters of importance raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee:

- Staff are reviewing the Planning Justification Report prepared by Groundswell Urban Planners Inc. submitted with the applications.
- Staff are reviewing the proposal in terms of its compatibility with its existing context and surrounding uses.
- Site plan matters including but not limited to: built from, siting, massing, setbacks, compatibility, access, parking, garbage storage, loading, snow storage, landscape buffers, tree preservation, etc., will be addressed in a Final Recommendation Report to Development Services Committee.
- Review of Technical Studies including Stormwater Management Report and Functional Servicing Report, Tree Inventory and Presentation Plan, Transportation Impact Study, Environmental Noise Assessment, Environmental Site Assessment (Phase 1 and 2), and Geotechnical Report, are under review.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link) Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed application will be reviewed in the context of the Growth Management strategic priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:

Ron Blake, M.C.I.P., R.P.P. Senior Development Manager

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

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ATTACHMENTS:

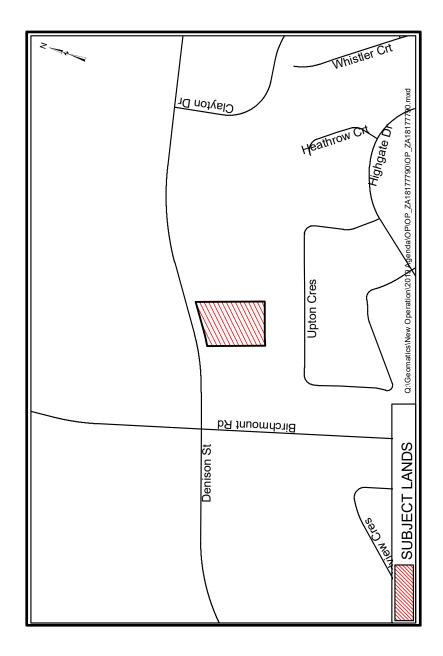
Figure 1: Location MapFigure 2: Area Context/ZoningFigure 3: Air PhotoFigure 4: Site PlanFigure 5: Conceptual Rendering

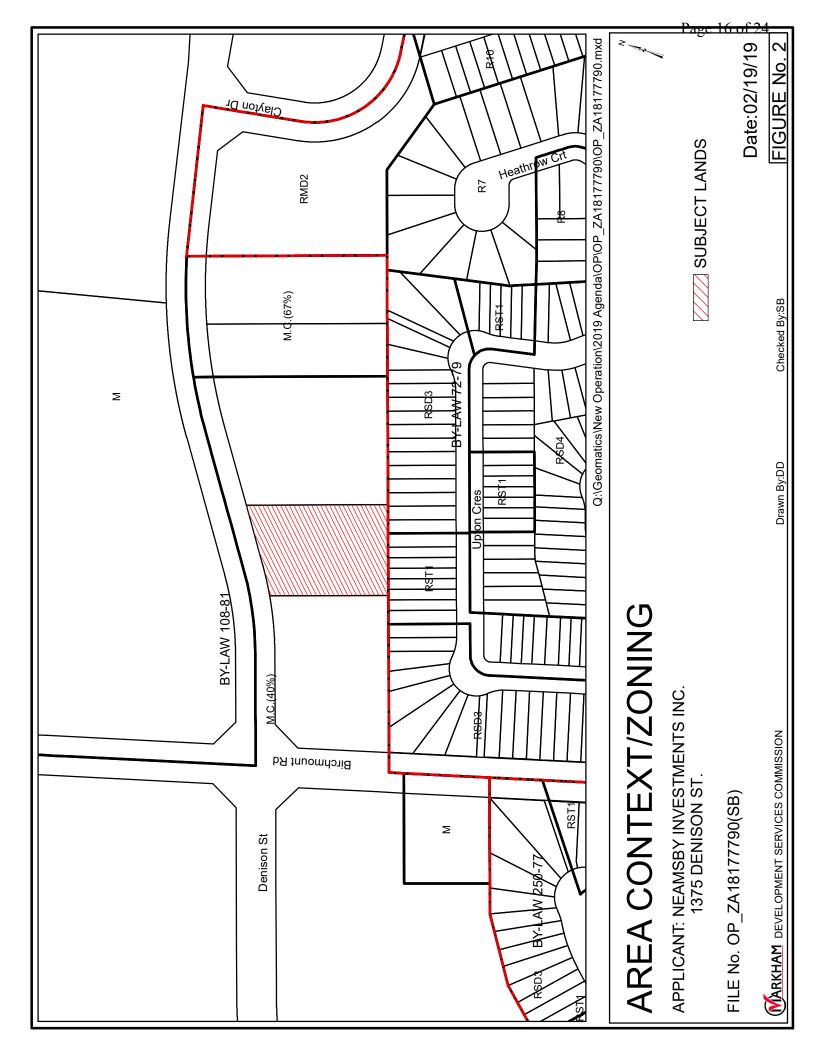
AGENT:

Anthony Sototmayor Neamsby Investments Inc. 7501 Keele St, Unit 100 Vaughan, ON L4K 1Y2

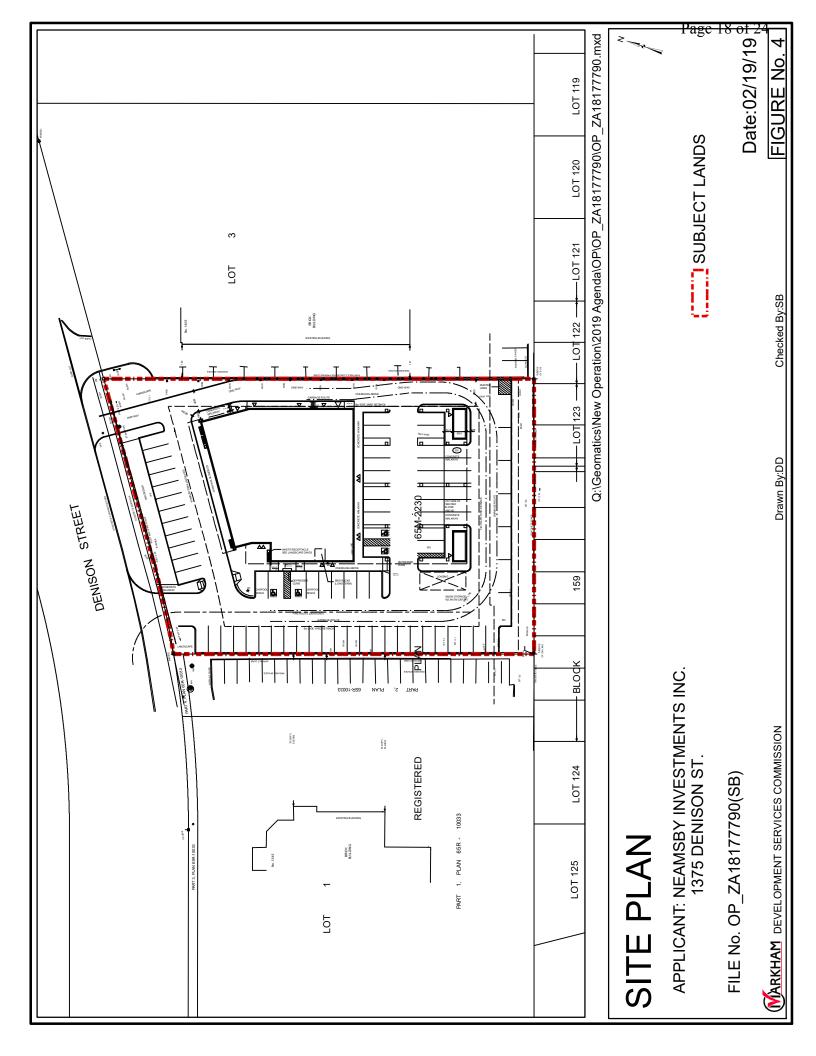
Tel: (905) 761-8200 ext. 2335 Email: <u>asotomayor@remingtongroupinc.com</u>

File path: Amanda\File 18 177790\Documents\Preliminary Report













Report to: Development Services Committee

Report Date: February 25, 2019

SUBJECT:	Preliminary Report Scardred 7 Company Limited 4038 Highway 7 (north side, east of Village Parkway) Applications for zoning by-law amendment and draft plan of subdivision to permit a residential development accommodating 50 townhouse dwellings and 20 single detached dwellings (Ward 3) File No. ZA/SU 18 180309
PREPARED BY:	Scott Heaslip, MCIP, RPP, Senior Development Coordinator, Central District ext. 3140
REVIEWED BY:	Richard Kendall, MCIP, RPP, Manager, Central District ext. 6588

RECOMMENDATION:

That the report titled "PRELIMINARY REPORT, Scardred 7 Company Limited, 4038 Highway 7 (north side, east of Village Parkway), Applications for zoning by-law amendment and draft plan of subdivision to permit a residential development accommodating 50 townhouse dwellings and 20 single detached dwellings (Ward 3), File No. ZA/SU 18 180309;" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the subject applications. It contains general information regarding applicable Official Plan or other policies and issues/concerns identified by staff from our preliminary review of the proposed development, and should not be taken as staff's opinion or recommendation on the applications. A Statutory Public Meeting has not been scheduled.

BACKGROUND:

The subject property is located on the north side of Highway 7, east of Village Parkway. (see Figures 1 and 3).

The property statistics are as follows:

- Area 2.42 ha (5.8 acres)
- Frontage 110 metres (361 feet)
- Depth 220 metres (722 feet).

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The front portion of the property contains a 1-storey commercial building occupied by a Canada Computers store. The rear portion contains a vacant 2-storey building which was formerly occupied by the head office of White Rose Nurseries.

Surrounding uses (see Figure 3):

- To the west, a newly constructed condominium townhouse development consisting of a 4-storey building fronting on Highway 7 and 3-storey buildings in the remainder of the site.
- To the east, Volvo and Audi dealerships. The City has approved the redevelopment of this property with three new buildings accommodating Volvo, Audi and Jaguar/Land Rover dealerships.
- To the north, newly constructed single detached dwellings fronting on Fitzgerald Avenue and backing onto the subject property.
- To the south across Highway 7, a Whole Foods supermarket and a Sheridan Nurseries garden centre.

Process to date:

- The subject applications were deemed complete by staff on December 19, 2018.
- The preliminary report is to be considered by Development Services Committee on the current date (February 25, 2019)

Next Steps:

• A Statutory Public Meeting is required to provide an opportunity for formal public participation regarding the proposed zoning by-law amendment and draft plan of subdivision.

Proposal

The applicant is proposing to develop the subject property as follows (Figures 4, 5, 6 and 7):

- New public streets as shown on Figure 4 (Preliminary Site Plan) and Figure 5 (Draft Plan of Subdivision). The intersection of the easterly street and Highway 7 will be signalized. (The existing driveways at this location are currently signalized.) The intersection of the westerly street with Highway 7 will be restricted to right-turn-in/right-turn-out movements by the existing median in Highway 7. The plan provides the opportunity for the potential future connection to Ferrah Street, which currently terminates in a dead end at the east boundary of the subject property.
- A 1.2 hectare (3 acre) block in the south portion of the property to accommodate a 50-unit condominium townhouse development. The proposed 3-storey townhouse buildings (see Figure 6) will front onto either a public road or a private open space and back onto a private laneway providing access to attached 2-car garages. 12 on-site visitor parking spaces are also proposed in accordance with the City's by-laws.

Report to: Development Services Committee

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• 20 single detached lots in the north portion of the property (Figure 7). 12 of the lots are proposed to have a frontage of 12 metres (39 feet). The remaining 8 lots are proposed to have a frontage of 10.6 metre (35 feet).

The applicant has applied to the City for the following:

- An amendment to the City's zoning by-laws to permit the proposed use and built form program.
- A draft plan of subdivision to permit the public streets, single detached lots and townhouse block to be laid out as proposed.
- Site plan approval for the townhouse development. (Single detached dwellings are not subject to site plan approval.)

Provincial Policy Conformity

When considering a development application staff assesses whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017). Matters still being assessed as part of the review of the zoning by-law amendment application include:

- Evaluating how the proposed development conforms with building strong healthy communities and managing growth;
 - a) by supporting the achievement of complete communities;
 - b) ensuring that there are adequate and accessible public and open spaces, parks and trails;
 - c) planning for sewage, water services and stormwater management;
 - d) providing transportation systems which are safe and energy efficient and facilitate the movement of people and goods and are appropriate to address projected needs; and
 - e) assessing the proposal with respect to the range (eg. type, sizes, affordability and accessibility) of housing proposed.

Region of York Official Plan

The subject property is designated 'Urban Area' in the York Region Official Plan, 2010. This designation provides for the proposed residential development.

City of Markham Official Plan

The applicable Official Plan policies include:

- The south portion of the subject property is designated 'Mixed Use Mid Rise' in the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018). This designation permits residential buildings and mixed-use buildings (building containing a mix of commercial and residential uses). A site-specific policy permits a maximum height of 4 storeys.
- The north portion is designated Residential Low Rise.' A site-specific policy permits single detached dwelling only in this area.

The proposed development is consistent with these policies.

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Report to: Development Services Committee

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The subject property is zoned "Special Commercial 1" (SC1) by By-law 118-79, as amended. This zoning permits a range of commercial uses.

OPTIONS/ DISCUSSION:

The following is a brief summary of issues raised to date. These matters, and others identified through the circulation and detailed review of the proposal will be addressed in a final report to Committee:

The proposed development conforms with the applicable Official Plan policies. The proposed layout of streets, lots and blocks and the proposed built form program are generally acceptable subject to refinement to address any technical issues identified by City staff and public agencies.

The nearest existing and proposed public parks are one block east on Ferrah Street and one block south on Rougeside Promenade. Staff have not identified a requirement for additional public parkland at this location. The applicant is proposing to satisfy their parkland requirement through the payment of "cash-in-lieu" of land dedication.

Next Steps

A Statutory Public Meeting is required to provide an opportunity for formal public participation regarding the proposed zoning by-law amendment and draft plan of subdivision.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various internal departments and external agencies and are currently under review.

RECOMMENDED BY:

Kon Blake, M.C.I.P., R.P.P. Senior Development Manager Planning and Urban Design

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

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ATTACHMENTS:

Figure 1 - Location Map

Figure 2 - Area Context/Zoning

Figure 3 - Air Photo

Figure 4 - Preliminary Site plan

Figure 5 – Draft Plan of Subdivision

Figure 6 - Preliminary Elevations - Townhouses

Figure 7 - Preliminary Elevations - Single Detached Dwellings

AGENT:

Chris Pereira M. Behar Planning and Design Inc. 25 Valleywood Drive Markham, Ontario L3R 5L9

Tel: (905) 470-6273, ext. 222 Email: <u>chris@mbpd.ca;</u>

OWNER:

Alex Shaw Scardred 7 Company Limited 4038 Highway 7 Markham, Ontario L3R 9X8

Tel: (905) 940-3339, ext. 130 Email: <u>alex.shaw@peakgarden.com;</u>

File path: Amanda/File 18 180309\Documents\Recommendation Report