

SUBJECT: PRELIMINARY REPORT – 349-351 John Street Inc.,
Application for Zoning By-law Amendment to add
commercial uses including motor vehicle sales and storage, a
restaurant and a recreational establishment at 349 to 355 John
Street File No. PLAN 19 128732 (Ward 1)

PREPARED BY: Rick Cefaratti, MCIP, RPP
Senior Planner, West District, (Ext. 3675)

REVIEWED BY: Dave Miller, MCIP, RPP
Manager, West District, (Ext. 4960)

RECOMMENDATION:

1. That the report dated June 22, 2020, entitled “PRELIMINARY REPORT – 349-351 John Street Inc., Application for Zoning By-law Amendment to add commercial uses including motor vehicle sales and storage, a restaurant, and a recreational establishment at 349 to 355 John Street File No. PLAN 19 128732 (Ward 1)”, be received.

PURPOSE:

This report provides preliminary information on a Zoning By-law Amendment application to permit motor vehicle sales and storage, a restaurant, and a recreational establishment on the properties municipally known as 349 – 351 John Street (the ‘subject lands’). This report contains general information in regards to the applicable Official Plan and other policies including relevant issues. This report should not be taken as Staff’s opinion on the application.

The application has been deemed complete:

The application to amend the Zoning By-law was deemed complete on August 30, 2019.

Next Steps:

1. A Statutory Public Meeting to be held when appropriate;
2. Recommendation Report on the Zoning By-law amendment at a future date;
3. If the Zoning By-law Amendment application is approved, an application for site plan approval will be required for the proposed development;

Application Processing

It should be noted this application is moving forward during a period when the Province of Ontario has suspended Planning Act timelines for the review of an application and any appeal to the Local Planning Appeal Tribunal. Under the emergency legislation, municipalities have the discretion to continue the processing of applications, so long as the procedural requirements of the Planning Act can be met (e.g. sending of notices, public meetings, etc.). The application will be circulated to commenting departments and agencies and normal resolution of issues and case management will be undertaken. At the time of the writing of this report, matters respecting the finalization of approvals and

appeals are still being resolved. The Clerk, Legal Services and Development Services are working together to address the mandatory requirements and any technical issues that arise as a result of the emergency.

BACKGROUND:

The subject lands consist of three properties located on the south side of John Street, east of the northbound CN Rail tracks (see Figure 1 – Location Map and Figure 2 – Air Photo). They have a combined area of approximately 1.56 hectares (3.85 acres). There are two industrial buildings on the subject lands. Located to the north across John Street, is a new townhouse development (Shining Hill Homes). To the south is the east and west CN Rail Line. To the east are employment uses. To the west is a commercial self-storage facility. As shown in the Air Photo, the westerly access to John Street is provided from a driveway that is shared with the adjacent self-storage facility property to the west at the signalized intersection of John Street and the CN Rail overpass. A second access exists approximately 25 metres (82 feet) east of the John Street/CN Rail overpass intersection.

PROPOSAL

The proposal is to permit a motor vehicle dealership including the outdoor storage, display and sale of motor vehicles, as well as a restaurant and a recreational establishment (bowling alley) on the subject lands. The applicant is proposing amendments to the Zoning By-law to add commercial uses including motor vehicle sales and storage, a restaurant, and a recreational establishment.

The existing buildings will be renovated and expanded to accommodate a motor vehicles sales showroom, parts sales and a motor vehicle repair shop, a restaurant and a bowling alley. A new building is proposed to accommodate a service drive-thru and service bay. A freestanding building for the storage of motor vehicles and parts is also proposed adjacent to the CN Rail Corridor (see Figures 4 and 5, Conceptual Site Plan and Perspective drawings). In addition, two site-specific development standards are proposed:

- a) Recognize an existing front yard setback of 3.89 metres (12.76 feet), whereas a minimum of 12.00 metres (39.37 feet) is required; and
- b) Provide 178 parking spaces, whereas a minimum of 212 spaces are required.

OFFICIAL PLAN AND ZONINGMarkham Official Plan

The subject lands are designated ‘Service Employment’ on Map 3 – ‘Land Use’ in the Markham Official Plan 2014 (as partially approved on November 24, 2017 and further updated by the Local Planning Appeal Tribunal on April 9, 2018). This designation provides for motor vehicles sales, limited outdoor storage, restaurants and recreational establishments. The proposed uses conform to the Official Plan.

Zoning

The subject lands are zoned Industrial Zone (M) under By-law 77-73, as amended. The current zoning permits industrial uses including manufacturing and warehousing and repair of goods within enclosed buildings, commercial schools and private clubs. Limited

retail sales accessory to a principal industrial use are also permitted. A Zoning By-law Amendment is required to permit:

- a) a motor vehicle dealership including, outdoor storage and display,
- b) a restaurant, and
- c) a recreational establishment (bowling alley)

OPTIONS/ DISCUSSION:

The following is a summary of comments raised to date. Other matters that are identified through the detailed review of this application will be discussed in a future recommendation report if required. These matters include, but are not limited to:

Transportation Comments

Transportation Engineering staff have provided preliminary comments on the proposal including the following:

- A Transportation Impact Study (TIS) and a Parking Justification Study have been requested for review and comment;
- The “Service Drive Thru” driveway (see Figure 4 – Conceptual Site Plan) is proposed in the same location as the existing east driveway, and is in close proximity to the traffic signals. This issue requires further review to confirm that the spacing either meets operational requirements or needs to be reconfigured.

Operations Comments

- Snow storage areas require identification on the site plan and shall not be located in required parking spaces, roadways or fire routes.

Development Engineering Comments

- The lands are subject to a municipal servicing easement for a storm sewer, which is required to remain unencumbered by buildings and structures, whereas the drawings submitted with the application shows two buildings encroaching into the easement (see Figure 4 – Conceptual Site Plan).

Site Plan Application Required

The proposed development is also subject to site plan approval. This application has not yet been submitted.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being evaluated in the context of the City's strategic priority of Growth Management. The applicant's intention is to redevelop the subject lands in accordance with the Service Employment Policies of the 2014 Official Plan.

BUSINESS UNITS CONSULTED AND AFFECTED:

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

RECOMMENDED BY:

Biju Karumanchery
Director of Planning and Urban Design

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

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Air Photo
Figure 3 – Area Context/Zoning
Figure 4 – Conceptual Site Plan
Figure 5 – Conceptual Perspective

OWNER:

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