

**SUBJECT:** PRELIMINARY REPORT Weins Canada Inc. Applications for Official Plan Amendment and, Zoning By-law Amendment, and Site Plan Application to permit an automotive service building at 205 Torbay Road (Ward 8) File Nos. PLAN 20-119485 and SPC 20-119485

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

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

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**RECOMMENDATION:**

1. That the report titled “PRELIMINARY REPORT, Weins Canada Inc., Applications for Official Plan and Zoning By-law Amendment to permit an automotive service building at 205 Torbay Road (Ward 8) File No. PLAN 20-119485”, be received.

**PURPOSE:**

The purpose of this report is to provide preliminary information on the Official Plan Amendment, Zoning By-law Amendment, and Site Plan applications (the “Applications”) submitted by Weins Canada Inc. (the “Owner”). This report contains general information regarding applicable Official Plan and/or other policies, as well as related issues and should not be taken as Staff’s opinion or recommendation on the Applications.

**Process to date**

- The Official Plan Amendment and Zoning By-law Amendment were deemed complete on February 12, 2021. The 120 day period set out in the Planning Act before an applicant can appeal the Official Plan and Zoning By-law Amendment applications to LPAT for a lack of decision, expires on June 12, 2021.

**The next steps in the planning process include:**

- Holding a statutory Public Meeting at a future date, when appropriate
- Consideration of a recommendation report by the Development Services Committee (“DSC”)
- In the event of an approval, the adoption of the site-specific Official Plan Amendment and enactment of a site specific Zoning By-law Amendment by Council, and the endorsement of the associated Site Plan application (File SPC 20 119485) would follow.

## BACKGROUND

### Subject Lands and Area Context

The 2.09 ha (5.14 ac) subject lands, known municipally as 205 Torbay Road (the “Subject Lands”), have 87 m (185 ft.) frontage on the south side of Torbay Road, and are located west of the intersection of Torbay Road and Victoria Park Avenue (See Figure 3).

The Subject Lands contain an existing one-storey, multi-unit industrial, mixed-use office/warehouse building with a gross floor area (“GFA”) of 8,782 m<sup>2</sup> (94,534 ft<sup>2</sup>) and associated surface parking spaces. The Don Mills Channel and the associated floodplain run along the western and southern boundaries of the Subject Lands (see Figures 1-3). Figure 3 shows the surrounding lands uses.

### The Proposed Development

The Owner proposes to demolish half of the west portion of the existing building on the Subject Lands to construct a two-storey automotive service building with 31 vehicular servicing stalls for automotive repair and servicing, a parts department, office, storage, and various employee amenities, and associated surface parking (the “Proposed Development”), as shown in Table 1 and on Figures 4 to 6:

<b>Table 1: Proposed Development</b>	
<b>GFA to be demolished</b>	4,677m <sup>2</sup> (50,346 ft <sup>2</sup> )
<b>Gross Floor Area (“GFA”) of new building</b>	3,033 m <sup>2</sup> (32,656 ft <sup>2</sup> )
<b>Total GFA (after demo and new build)</b>	7,139m <sup>2</sup> (76,844 ft <sup>2</sup> )
<b>Total Coverage (including new building)</b>	32%
<b>Parking</b>	196 parking spaces

The Owner proposes vehicular access on the Subject Lands from 205 Torbay Rd and from the lands to the south, the Don Valley North Lexus dealership, municipally known as 3120 Steeles Ave East (“3120 Steeles”). The Owner indicated that the Proposed Development would provide an additional level of service to the other Weins automotive sales and service facilities within the immediate vicinity, which includes Don Valley North Lexus dealership at 3120 Steeles and Don Valley North Toyota at 3300 Steeles Ave East.

### Provincial and Regional Policy Conformity

In considering the Applications, Staff will assess consistency with the 2020 Provincial Policy Statement (the “PPS”), the 2019 Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”), and the York Region Official Plan.

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**2014 Markham Official Plan (the “2014 Official Plan”)**

The 2014 Official Plan designates the Subject Lands “General Employment” and “Greenway”.

The “General Employment” designation permits manufacturing, processing and warehousing uses with accessory outdoor storage, accessory retail and/or service uses, accessory office uses, and trade schools. The following discretionary uses are also provided for, subject to review of a site specific development application for zoning approval: restaurant service, commercial school, and office uses (ancillary uses within an industrial building), motor vehicle body shop and repair facility with accessory outdoor storage and crematorium uses. Motor vehicle service station and motor vehicle sales or rental uses are not permitted in this designation. The Owner submitted an Official Plan Amendment application to permit the automotive service use on the Subject Lands.

The Proposed Development will be examined with respect to the employment land conversion policy within the 2014 Official Plan, to determine whether the proposed use would be considered an introduction of a non-employment use, including major retail, and non-ancillary uses as per the 2014 OP.

The “Greenway” designation (the Don Mills Channel and associated floodplain) is located at the west and south periphery of the Subject Lands. Within this designation, any new development would require an appropriate setback from the environmental buffer, which will be determined in consultation with Natural Heritage staff and the Toronto Region Conservation Authority. In addition, development or redevelopment within the ‘Greenway’ shall require site plan approval (i.e. File SPC 20 119485) to address appropriate setbacks, building size, location and parking, lighting, drainage, buffering, protection of natural heritage and hydrologic features and associated vegetation protection zones, landscape and any studies that may be required. The associated applications will be reviewed in this context with respect to the protection of key natural heritage and key hydrological features.

**Zoning**

Zoning By-law 108-81, as amended, zones the Subject Lands ‘M’ - Select Industrial (see Figure 2). This zone category permits a range of industrial uses including, but not limited to, warehousing of goods and materials, assembly of manufactured goods, repair and servicing. The zone category does not permit the Proposed Development and prohibits the “repair and servicing of internal combustions engines, motor vehicles and similar uses.” Therefore, the Owner submitted a Zoning By-law Amendment application to permit the Proposed Development.

**OPTIONS/ DISCUSSION:**

The following summarizes the matters raised to date for consideration. These matters, and others identified through the circulation and detailed review of the Proposed Development, will be addressed, if necessary, in a final report to the DSC:

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1. The Proposed Development will be examined with respect to the employment land conversion policy within the 2014 Official Plan.
  2. The Owner is required to provide confirmation if there will be any disposal, manufacturing, treatment or storage of hazardous substances associated with the Proposed Development, as it relates to impacts on the associated floodplain.
  3. The review of all technical studies submitted in support of the Applications include, but are not limited to, the following:
    - a) Planning Justification Report
    - b) Functional Servicing Report
    - c) Floodplain Analysis
    - d) Geotechnical Report
    - e) Source Water Protection Review
    - f) Species at Risk
    - g) Transportation Memorandum
    - h) Accessible Design Guideline
    - i) Arborist Report
  4. A portion of the Subject Lands are located in the TRCA Screening Zone. As such, the Owner will be required to address any comments the TRCA may have on the Applications.
  5. The details of the Proposed Development will be reviewed in the context of the following through the Site Plan Control application:
    - a) regard for the Urban Design and Sustainable Development policies and to the development criteria regarding the siting of the building;
    - b) Ensure that the Proposed Development enhances pedestrian safety and comfort linked to a system of pedestrian routes providing direct connections to transit services;
    - c) appropriate building interface with other uses in the vicinity;
    - d) the building's proximity to the street edge in attractively landscaped settings;
    - e) truck movements and loading along with coordinated and consolidated vehicular access points from the street
    - f) the appropriate location parking and design to provide convenient access

**FINANCIAL CONSIDERATIONS**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

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**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 City departments and external agencies and are currently under review.

**RECOMMENDED BY:**

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

**Biju Karumanchery, M.C.I.P., R.P.P.**  
Acting Commissioner of Development  
Services

**ATTACHMENTS:**

Figure 1: Location Map  
Figure 2: Area Context/Zoning  
Figure 3: Aerial Photo  
Figure 4: Conceptual Site Plan  
Figure 5: Floor Plan  
Figure 6: Elevations

**AGENT:**

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