

**SUBJECT:** PRELIMINARY REPORT  
Suncor Energy Products Inc.  
Application for Zoning By-law Amendment to permit a variety of uses associated with an automobile service station located at the northeast corner of Woodbine Avenue and 14<sup>th</sup> Avenue, municipally known as 7761 Woodbine Avenue and 405 Miller Avenue (Ward 8)

File No. PLAN 21 132381

**PREPARED BY:** Melissa Leung, extension 2392  
Planner I, Central District

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

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**RECOMMENDATION:**

That the report titled “PRELIMINARY REPORT, Suncor Energy Products Inc., Application for Zoning By-law Amendment to permit a variety of uses associated with an automobile service station located at the northeast corner of Woodbine Avenue and 14<sup>th</sup> Avenue, municipally known as 7761 Woodbine Avenue and 405 Miller Avenue (Ward 8), File No. PLAN 21 132381”, be received.

**PURPOSE:**

This report provides preliminary information on the Zoning By-law Amendment application (the “Application”) submitted by Suncor Energy Products Inc., the owner of the lands municipally known as 7761 Woodbine Avenue, and on behalf of White Owl Properties Limited, the owner of 405 Miller Avenue (collectively referred herein as the “Owner”) to permit a variety of uses associated with an automobile service station.

This report contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation on the Application.

**Process to Date**

The Application was deemed complete by Staff on September 10, 2021. The *Planning Act* sets out the 90-day period after which an applicant can appeal a zoning amendment application to the Ontario Land Tribunal (the “OLT”) for a non-decision. This period ends on December 9, 2021, after which the applicant would be in the position to appeal the Application for a non-decision to the OLT.

The Owner is also in the process of submitting a Site Plan Control application (File No. SPC 21 132381), which will be reviewed concurrently with the Zoning Application.

**Next Steps:**

- Holding the 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, adoption of the site-specific Zoning By-law Amendment by Council
- Submission of future Consent application(s) to the Committee of Adjustment will follow to address land consolidation and property line adjustments between 7761 Woodbine Avenue (Suncor Energy Products Inc.) and 405 Miller Avenue (White Owl Properties Limited)
- Approval of the Site Plan Control application.

**BACKGROUND:****Location and Area Context**

The Subject Lands have a combined site area of approximately 0.53 ha (1.31 ac) and include two properties, specifically 7761 Woodbine Avenue (fronting the corner) and a small portion of 405 Miller Avenue (located immediately to the north and east), as shown on Figures 2 and 3. Both Figures show the surrounding land uses. 7761 Woodbine Avenue includes an existing automobile service station with frontages along Woodbine Avenue (83.78 m or 274.87 ft) and 14<sup>th</sup> Avenue (80.34 m or 263.58 ft). The portion of 405 Miller Avenue within the Subject Lands is vacant.

**Proposed Development**

The Owner proposes to demolish the existing automobile service station and construct a new automobile service station with an associated convenience retail store, restaurant, and drive-through facility, as shown conceptually on Figure 4 (the “Proposed Development”). The development is to be serviced by municipal water and sanitary sewer services. The Proposed Development would have access from Woodbine Avenue and 14<sup>th</sup> Avenue, and would provide 20 parking spaces, including one accessible parking space.

**Provincial Policies**

In considering the Application, Staff will assess consistency with the 2020 Provincial Policy Statement, conformity with the 2019 Growth Plan for the Greater Golden Horseshoe, and conformity with the York Region 2010 Official Plan.

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

The Subject Lands are designated “Commercial”, which represents existing or approved large-format retail development serving a wide area and located adjacent to Employment Lands. This designation permits a range of commercial uses including, but not limited to, retail, service, motor vehicle service station, and restaurant uses.

**Zoning**

The Subject Lands are split into two zones (see Figure 2), as follows:

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- a) 7761 Woodbine Avenue: “Industrial Fourth Category Zone” (M4) under Zoning By-law 2284-68 (“By-law 2284-68”), which does not permit commercial uses that require municipal servicing; and,
  - b) 405 Miller Avenue: “Major Commercial Zone” (MJC\*336\*340(H)) under Zoning By-law 177-96 (“By-law 177-96”), as amended by site-specific Zoning By-law 2007-150, which permits a range of commercial uses including, but not limited to, retail and restaurants. This designation does not permit automobile service stations or drive through service facilities.

The draft Zoning By-law Amendment (“draft ZBLA”) submitted by the Owner in support of the Application proposes to amend By-laws 2284-68 and 177-96 to permit commercial uses requiring municipal water or municipal sanitary sewers, automobile service station, restaurant and retail uses accessory to the principal automobile service station, and a drive-through service facility.

#### **OPTIONS/ DISCUSSION:**

The following summarizes the matters raised to date. These matters, as well as other matters identified through the circulation and detailed review of the Application for the Proposed Development will be addressed in a final Recommendation Report to the DSC:

- 1) Staff are reviewing the submitted Planning Justification Brief and draft ZBLA, prepared by Brutto Consulting. Staff will provide further comments on these documents, if necessary, in a future Recommendation Report.
- 2) Review of the appropriateness of the Proposed Development and consolidation of the properties, through review of a subsequent Consent application and concurrent Site Plan Control application, with regard for the following:
  - a) compatibility with existing and planned surrounding land uses;
  - b) the appropriateness of the proposed buildings and site design;
  - c) built form and massing, and building location/orientation;
  - d) traffic impacts, driveway access, parking and transportation demand management;
  - e) internal traffic circulation and surrounding pedestrian and vehicular; connectivity, including pedestrian and barrier-free accessibility; and,
  - f) municipal servicing.
- 3) Review of all technical studies submitted in support of the Proposed Development including, but not limited to, the following:
  - a) Geotechnical Investigation;
  - b) Functional Servicing Report;
  - c) Stormwater Management Report;
  - d) Functional Traffic Design Study; and,
  - e) Transportation Mobility Plan, including Parking Study, Traffic Impact Study, and Transportation Demand Management.

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- 4) The Proposed Development must have regard for any requirements of external agencies including, but not limited to, York Region.

**FINANCIAL CONSIDERATIONS:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Application will be evaluated in the context of municipal services, environmental considerations, and other strategic priorities of Council.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Application, including the Site Plan Control application, has been circulated to various departments and external agencies and their requirements will be addressed as part of a future staff recommendation report.

**RECOMMENDED BY:**

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

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

**ATTACHMENTS:**

Figure 1: Location Map

Figure 2: Area Context / Zoning

Figure 3: Aerial Photo (2020)

Figure 4: Conceptual Site Plan

**AGENT:**

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