



Report to: Development Services Committee

Meeting Date: March 5, 2024

SUBJECT: RECOMMENDATION REPORT
Application for a Zoning By-law Amendment submitted by HNT Inc. to permit a multi-unit commercial building at 8310 Woodbine Avenue (Ward 8)
File No. PLAN 22 258667

PREPARED BY: Hailey Miller, Planner II, West District, Ext. 2945

REVIEWED BY: Rick Cefaratti, MCIP, RPP, Senior Planner, West District, Ext. 3675
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATION:

1. That the report titled, “RECOMMENDATION REPORT, Application for a Zoning By-law Amendment submitted by HNT Inc. to permit a multi-unit commercial building at 8310 Woodbine Avenue (Ward 8), File No. PLAN 22 258667”, be received;
2. THAT the application submitted by HNT Inc. to amend Zoning By-law 165-80, as amended, be approved and the Zoning By-law, attached hereto as Appendix ‘A’, be approved; and
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends approval of the Zoning By-law Amendment application (the “Application”) submitted by HNT Inc. (the “Owner”) to facilitate the development of a one-storey multi-unit commercial building (the “Proposed Development”) on the lands municipally known as 8310 Woodbine Avenue (the “Subject Lands”). Staff opine that the Application represents good planning and is appropriate and compatible with the surrounding context.

Process to Date

- Staff deemed the Application complete on November 7, 2022
- The statutory Public Meeting was held on February 6, 2023

The 90-day period set out in the *Planning Act* before the Owner can appeal the Application to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on February 5, 2023. Accordingly, the Owner is in a position to appeal the Application to the OLT.

If the Development Services Committee (“DSC”) supports the Application, the planning process will include the following next steps

- The Zoning By-law Amendment attached as Appendix ‘A’ will be enacted at a future Council meeting
- Review and approval of a future Site Plan Control application

BACKGROUND:**Location and Area Context**

The 0.38 ha (0.95 ac) vacant Subject Lands are located at the southwest corner of Woodbine Avenue and Lanark Road, as shown on Figures 1 to 3. Figure 2 shows the surrounding land uses (industrial, commercial, and office). The Subject Lands include an existing access easement along the west lot line, which provides vehicular access for the abutting property to the south (8300 Woodbine Avenue).

The Owner proposes to permit additional commercial uses, as described in Table 1 below, to facilitate the development of a one-storey multi-unit commercial building

Figures 4 and 5 show the proposed full-moves access from Lanark Road and one right-in/right-out access on Woodbine Avenue. No changes are proposed to the existing easement. Table 1 shows the details of the Proposed Development.

Table 1: The Proposed Development	
Building Height	6.8 m (one-storey)
Gross Floor Area	1,056 m ² (11,370 ft ²)
Parking	44 spaces
Uses Requested:	Art Gallery, Business Office, Motor Vehicle Service Station, Motor Vehicle Sales Establishment, Commercial Fitness Centre, Financial Institution, Hotel, Library, Medical Office, Motel, Non-Profit Fitness Centre, Personal Service Shop, Private Club, Recreational Establishment, Restaurant, Take-Out Restaurant, Retail Store, Commercial School, Place of Amusement, Veterinary Clinic

Public Consultation at the February 6, 2023, statutory Public Meeting

There were no comments received from members of the public at the Public Meeting. However, the DSC commented that traditional retail may not be the best land use for this location, as this area of Woodbine Avenue is in proximity to Markham Centre. The Discussion Section of this report responds to this comment.

PLANNING POLICY AND REGULATORY CONTEXT:

The Application is subject to a planning policy framework established by the Province, York Region, and City under the Planning Act, R.S.O. 1990. The following sections describe how the Application meets the respective policies and legislation.

The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”) and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan 2020”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development and land use patterns, and wise use and management of resources. Among other reasons, the Application is located within a settlement area where development is focused to meet the current and projected needs of the City and it is compatible with the existing uses and planned employment function of the surrounding area.

The Growth Plan provides, in-part, a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051, with building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth. The Application is located within a built-up area where there are existing municipal services.

The Proposed Development conforms to the 2022 York Region Official Plan (the “2022 ROP”)

The Subject Lands are designated ‘Urban Area’ on Map 1 - Regional Structure, which permits a wide range of land uses including residential, commercial, employment, and institutional uses. Map 1A – Land Use Designations designates the Subject Lands ‘Community Area’, which are areas where the majority of residents, personal services, retail, arts, culture, recreational facilities and human-services needs would be located. The Application proposes uses that are contemplated under the ‘Community Area’ designation and are considered compatible with the surrounding area.

The Proposed Development conforms to the 2014 Markham Official Plan (the “2014 OP”)

The 2014 OP designates the Subject Lands ‘Commercial’ and permits a broad range of commercial uses including large format retail, complementary retail, service, office uses, restaurants, banquet halls, financial institutions, light manufacturing, and processing and warehousing. The Owner proposes uses that are permitted in the ‘Commercial’ designation and are therefore compatible with the surrounding area.

The Zoning By-law Amendment zones the Subject Lands “Business Corridor (BC)” with site-specific uses and development standards

By-law 165-80, as amended, zones the Subject Lands ‘Select Industrial and Automotive Commercial (M.AC)’, as shown on Figure 2. The Owner proposes to rezone the Subject Lands to ‘Business Corridor’ with additional permitted uses and site-specific development standards related to setbacks, landscape buffers, and building height, as shown in Appendix A.

DISCUSSION:

The following section identifies how the matters raised through the review of the Application, including those raised at the statutory Public Meeting, have been resolved or considered.

Table 2: Matters raised by DSC Members

- 1. A DSC member suggested that traditional retail may not be the best land use for this location, as this area of Woodbine Avenue is in proximity to Markham Centre.**

The Subject Lands are designated ‘Commercial’ in the 2014 OP, which provides for the proposed commercial uses and built form. Staff opine the proposed retail and commercial uses, support the planned function and compliment the surrounding area context.

Table 3: Matters raised by City Staff and Public Agencies

- 1. The Proposed Development meets the planned function of the surrounding employment area**

The surrounding area consists of a variety of land uses including office, hotel, commercial, and industrial (see Figure 2). The Proposed Development compliments the area and will accommodate the service needs of the general public and businesses adjacent to the Subject Lands. Staff opine that the proposed development and requested uses are appropriate and compatible with the surrounding context.

<p>2. The Proposed Development can be supported by the existing transportation network and provides the minimum number of parking spaces required</p>
<p>The Owner submitted a Transportation Impact Study (“TIS”), prepared by CGE Consulting, that indicates the site traffic proposed to be generated can be supported by the existing transportation network. York Region and City Staff reviewed the TIS and identified no major concerns. The Owner proposes 44 parking spaces that meet the Parking By-law requirements. York Region and City Staff will review the proposal through the required future Site Plan Control application.</p>
<p>3. The Owner provided City Staff proof of previous cash-in-lieu of parkland payment</p>
<p>City Staff confirmed that no new cash-in-lieu of parkland payment is required.</p>
<p>4. York Region advises no objection to the approval of the Application</p>
<p>The Subject Lands front onto Woodbine Avenue, which is under York Region’s jurisdiction. York Region will review the proposal through the required future Site Plan Control application.</p>
<p>5. A Site Plan Control application will be required, in which approval is delegated to staff</p>
<p>The Proposed Development is subject to site plan approval, which is delegated to Staff per Delegation By-law 2023-19, as amended.</p>

CONCLUSION:

The Owner proposes to rezone the Subject Lands, as shown in Appendix A, to facilitate the development of a one storey multi-unit commercial building on the Subject Lands. Based on the discussion above, Staff opine that the Application is consistent with the Provincial Policy Statement, 2020, conforms to all applicable Provincial, Regional and Municipal plans, represents good planning and is in the public interest. Therefore, Staff recommend approval of the Application.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Application has been reviewed in the context of the City’s Strategic Priorities of Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Application was circulated to internal City departments and external agencies. Any requirements have been reflected in the draft Zoning By-law amendment.

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
 Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP
 Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Area Context and Zoning

Figure 3: Aerial Photo

Figure 4: Conceptual Site Plan

Figure 5: Conceptual Elevations

Appendix A: Zoning By-law Amendment

OWNER:

HNT Inc. C/O David Banyasz

1270 Finch Avenue West, Suite 11, Toronto, ON, M3J 3J7 | T: 416-669-9922

APPLICANT/AGENT:

Gagnon Walker Domes C/O Marc De Nardis

21 Queen Street East, Unit 500, Brampton, ON, L3R 6B3

Email: mdenardis@gwdplanners.com; T: 905-796-5790 ext. 257