



Report to: Development Services Committee

Report Date: March 26, 2024

SUBJECT: RECOMMENDATION REPORT
404 Major Mac West Developments Limited, Zoning By-law Amendment
Application to permit a motor vehicle sales and repair establishment on the west
side of Markland Street, north of Major Mackenzie Drive (Ward 2)
File PLAN 23 116352

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

REVIEWED BY: Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATION:

1. THAT the report dated March 26, 2024, titled “RECOMMENDATION REPORT, 404 Major Mac West Developments Limited, Zoning By-law Amendment Application to permit a motor vehicle sales and repair establishment on the west side of Markland Street, north of Major Mackenzie Drive (Ward 2), File PLAN 23 116352”, be received;
2. THAT the amendment to Zoning By-law 177-96, as amended, be approved and the draft implementing Zoning By-law, attached as Appendix ‘A’, be finalized and enacted, without further notice;
3. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends approval of a Zoning By-law Amendment application (the “Application”) to permit a motor vehicle sales and repair establishment (the “Proposed Development”) on the west side of Markland Street, north of Major Mackenzie Drive (the “Subject Lands”), and to rezone the Open Space portion of the Subject Lands to a Commercial Zone category under By-law 177-96, as amended, to facilitate the future development on these lands.

BACKGROUND:

The currently undeveloped 5.93 ha (14.66 ac) Subject Lands have frontage on Markland Street and Major Mackenzie Drive (see Figures 1 and 2). Figure 3 shows the land north of the Subject Lands are vacant, undeveloped and designated for Employment uses, whereas the lands to the south and east are developed with a large format industrial building and two free standing commercial buildings.

Application Status

- The statutory Public Meeting was held on October 24, 2023
- The Owner submitted a Site Plan application (File SPC 24 159325) to facilitate the development of the proposed motor vehicle sales and repair establishment, which staff deemed incomplete pending approval of this Application

Should the Development Services Committee support the Application, the planning process will include the following next steps

- The Zoning By-law Amendment (see Appendix ‘A’) will be enacted at a future Council meeting
- Deeming complete Site Plan File SPC 24 159325, with staff delegated approval in 60-days

The Proposed Development includes the development of a stand-alone commercial self-storage building with the following:

Table 1: the Proposed Development	
Phase 1: Proposed Gross Floor Area	Building A (motor vehicle sales and repair building): 4,650 m ² (50,051 ft ²)
Future Phases: Gross Floor Area	Building B1: 4104.5 m ² (44,181 ft ²) Building B2: 1398.3 m ² (15,051 ft ²) Building B3: 1427.8 m ² (15,369 ft ²) Building B4: 594.4 m ² (6,398 ft ²)
Access	Proposed private driveway access to Markland Street and to the future Highway 404 off-ramp extension
Parking	786

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. The Subject Lands are located in 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 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 2022 ROP designates the Subject Lands ‘Urban Area’, which permits a wide range of land uses including employment. Map 1A – Land Use Designations designates the Subject Lands ‘Community Area’, which are areas where a majority of residential, personal services, retail, arts, culture, recreational facilities, and human-services needs would be located. The Application establishes a motor vehicle sales and repair establishment as an additional use on the Subject Lands, which conforms to the provincial policies.

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

The 2014 OP designates the Subject Lands “Commercial”, which permits a range of service and retail uses together with light industrial, warehousing, office uses, including motor vehicle sales and repair. The 2014 OP permits the Proposed Development, subject to a site-specific zoning application. Staff opine that the proposed motor vehicle sales and repair establishment is compatible with the surrounding land uses.

The Owner proposes to add a Motor Vehicle Sales and Motor Vehicle Repair Use and rezone a portion of the Subject Lands from Open Space Zone to Commercial

The Subject Lands are zoned MJC*294 – Major Commercial Zone, Business Corridor _BC*293 Zone and OS1*300 Open Space Zone, under By-law 177-96, as amended. The Major Commercial Zone permits offices, financial institutions, gas bars, personal service, and retail store uses. The Business Corridor Zone on the west side of the property adjacent to Highway 404 permits offices, limited industrial uses, personal service, limited retail, commercial schools, trade and convention centres, and restaurant uses. The Open Space Zone permits private or public parks. The draft site-specific zoning by-law amendment (see Appendix ‘A’) proposes a motor vehicle sales and repair as a permitted use on the Subject Lands, and rezones a portion of the Subject Lands from Open Space to Commercial in order to facilitate the development of the motor vehicle sales and repair establishment. The proposed rezoning of the Open Space area of the Subject Lands will bring it into conformity with the Commercial land use designation of the Official Plan.

OPTIONS/ 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 addressed.

No comments from the audience were received at the October 24, 2023, Statutory Public Meeting, but Staff received comments from members of the Development Services Committee as summarized below

- a) Autobody Repair Use: concern heavy chemicals, including paint
 - The Owner confirmed that no auto body repair will be undertaken within the motor vehicle sales and repair establishment. A Motor Vehicle Body Shop is defined separately in the Zoning By-law as the painting and/or repairing of the exterior and/or the undercarriage of motor vehicle bodies. This use is not being requested through the Application.
- b) Autobody Repair Contamination: concern with possible lubricant spillage and contamination to adjacent properties
 - The Subject Lands will be developed with a stormwater oil and grit separator to ensure that oil and sediments from stormwater runoff is captured before water is released into the municipal stormwater sewer system, which is subject to Ministry approval.
- c) Traffic: concern with increased motor vehicle traffic
 - Transportation staff anticipates that the proposed use, which is permitted in the 2014 OP, will result in an acceptable level of traffic impact to the surrounding area, consistent with commercial land use designations.

Staff opine that the Proposed Motor Vehicle Sales and Repair use is appropriate

The Proposed Development is a permitted in the 2014 OP and is complimentary to the broad range of retail and service uses within the surrounding context.

Staff opine that the rezoning of the Open Space area to a Commercial Zone is appropriate

Planning staff support the rezoning of the existing woodlot on the Subject Lands (Open Space zone) to a Commercial Zone. The City is undertaking an addendum to the approved Environmental Assessment for a Highway 404 off-ramp extension (the “Off-ramp Extension”) at Major Mackenzie Drive East. The proposed road extension will run parallel to Highway 404 to provide a future connection between Major Mackenzie Drive and Markland Street. The anticipated Off-Ramp Extension alignment will bisect the Subject Lands and require removal of significant existing vegetation and alteration to site grading.

A Toronto and Region Conservation Authority (“TRCA”) Permit is required

A portion of the Subject Lands are located within the TRCA’s regulated area that would require a permit from the TRCA under Ontario Regulation 166/06. A wetland feature (intermittent stream) identified on the Subject Lands will be diverted and piped to facilitate both the construction of the Off-ramp Extension and the development of the Subject Lands for commercial uses. The wetland feature removal will require a comprehensive compensation strategy, to the satisfaction of the TRCA and the City. The Owner provided a commitment letter, as requested by the TRCA, to deliver their proportionate share of compensation for the removal of the wetland feature that is not attributed to the Off-ramp Extension.

CONCLUSION:

Staff reviewed the Application in accordance with the provisions of the Provincial, Regional, City’s Official Plans, Zoning By-law, and City development standards and are satisfied that the Application is appropriate and represents good planning. The Proposed Development utilizes existing infrastructure, diversifies the range of commercial uses, and promotes economic development. Staff recommend approval of the proposed Zoning By-law Amendment, subject to the recommendations of this report and reflected in Appendix ‘A’.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

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 Transportation and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Application has been circulated to various departments and external agencies and their comments have been addressed and reflected in Appendix ‘A’.

RECOMMENDED BY:

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

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDIX:

Figure 1: Location Map
Figure 2: Aerial Photo
Figure 3: Area Context and Zoning
Figure 4: Conceptual Site Plan
Appendix ‘A’: Draft Zoning By-law Amendment

OWNER:

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