




**DATE:** June 26, 2013

**TO:** Development Services Committee

**FROM:** Jim Baird, Commissioner of Development Services 

**PREPARED BY:** Stephen Corr, Planner II, East District

**REVIEWED BY:** Dave Miller, Manager, East District

**SUBJECT:** 2223156 Ontario Inc. (Gabriele Group of Companies)  
Proposed Private School and Day Care  
150 Bullock Drive  
File Number: ZA 12-115762

**RECOMMENDATION:**

- 1) That the Memorandum dated June 26, 2013, entitled "2223156 Ontario Inc. (Gabriele Group of Companies), Proposed Private School and Day Care, 150 Bullock Drive, File Number ZA 12 115762", be received;
- 2) That the Draft zoning By-law (attached) to permit a Private School and Day Care as additional uses at 150 Bullock Drive, be approved;
- 3) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE**

This memorandum recommends that a Zoning By-law to permit a Private School and Day Care as additional uses at 150 Bullock Drive be approved.

**BACKGROUND**

The 2.88 ha (7.12 ac) subject property is located on the north side of Bullock Drive, which is east of Mc Cowan Road and north of Highway 7 East, as shown in Figure 1.

On August 22, 2012 the Committee of Adjustment approved minor variance A/149/12 to permit a private school and day nursery on the site, and to reduce the required number of onsite parking associated with the proposed and existing uses. Approval of this minor variance was conditional upon the following:

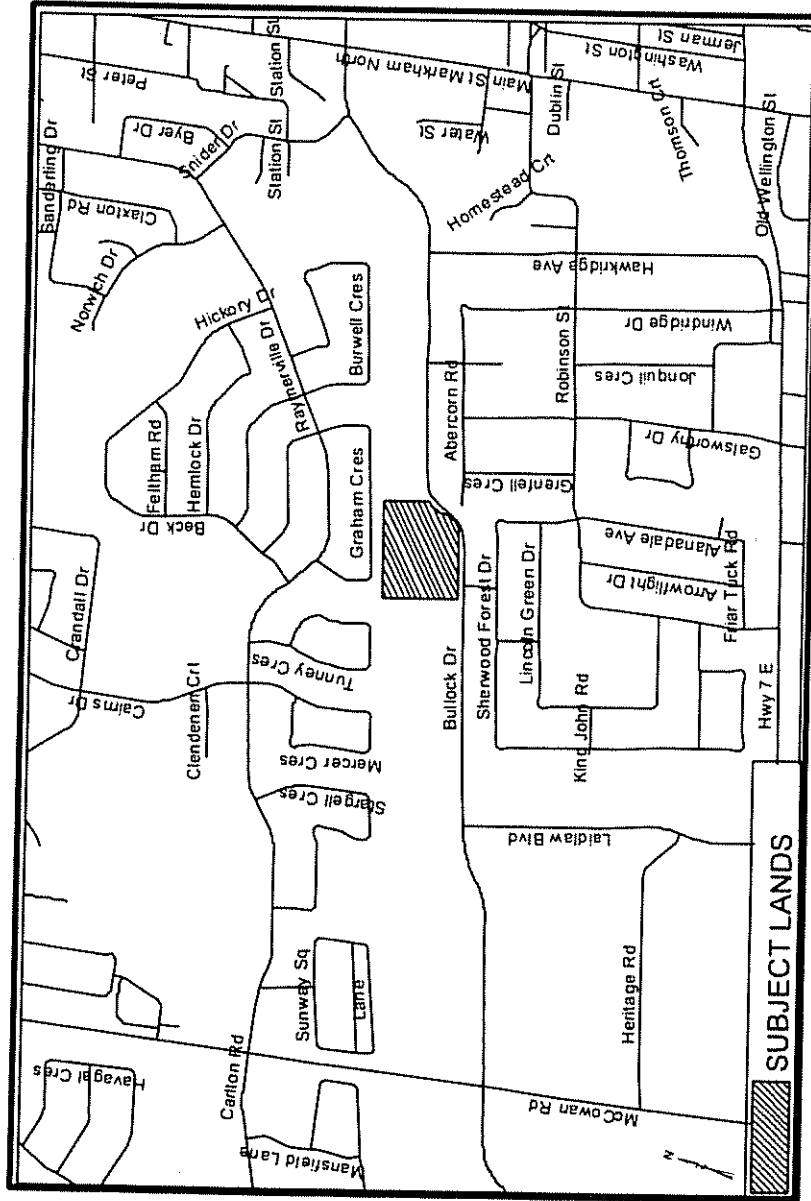
- a) That the Owner obtains site plan approval from the City of Markham for the proposed private school and day care, prior to the issuance of any building permit;
- b) That a rezoning application is submitted for the private school and day care within 3 months of the date of this decision; and
- c) That the variance to permit a private school and day care be in effect for a maximum period of 2 years from the date of this decision.

To satisfy the above conditions, and to permit the private school and day care beyond the temporary two year period, the applicants submitted a rezoning application and a related site plan application on January 4, 2013.

A preliminary report to Development Services Committee (DSC) on April 9, 2013 provided information regarding the rezoning application. The statutory Public Meeting was held on May 7<sup>th</sup>, 2013. No written comments from the public were received in regards to the proposal. At the Public Meeting Committee endorsed a resolution to approve the Zoning By-law amendment and to have it enacted without further notice, or a staff recommendation report. Although no comments were made by the public at the Public Meeting, Committee did note a concern of a resident regarding the east driveway location accessing Bullock Drive. With regards to this concern, staff and two members of Council discussed this matter with the resident, and advised that the east driveway is required as it is the only access to the parking area located on the east side of the property. The resident was also advised that in order to alleviate traffic accessing Bullock Drive, one of the three existing driveways onsite was proposed to be closed. The City Engineering and Transportation Division have reviewed the application and have indicated the driveway locations are acceptable.

Approval of the related site plan application is delegated to the Director of Planning and Urban Design. The proposed site alterations include changes to the parking layout to provide more surface parking and improved site circulation; additional landscaping; improved pedestrian connectivity throughout the site; and façade enhancements associated with the proposed private school and daycare.

The applicants are currently in the process of revising the site plan, landscaping and engineering drawings to address staff comments. The proponent anticipates that they will submit final plans for site plan endorsement shortly. Assuming all staff comments have been addressed, the plans can be endorsed and forwarded to the Legal Services department to finalize a site plan agreement. Staff are recommending that the By-law be enacted.





## **EXPLANATORY NOTE**

### **BY-LAW 2013-XX**

**A By-law to amend By-law 1229, as amended**

**2223156 Ontario Inc. (Gabriele Group of Companies)  
150 Bullock Drive**

### **Lands Affected**

This By-law amendment applies to a 2.88 hectare (7.12 acre) site that is located on the north side of Bullock Drive, which is east of McCowan Road and north of Highway 7 East.

### **Existing Zoning**

The subject lands are zoned Industrial (M) under By-law 1229, as amended.

### **Purpose and Effect**

The purpose and effect of this Zoning By-law Amendment is to permit a private school and day nursery on the subject property, and to establish site specific parking standards related to the proposed and existing uses on the site.



## BY-LAW 2013-

A By-law to amend Zoning By-law 1229, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1. That By-law 1229, as amended, is hereby further amended as follows:

1.1 By adding to Section 12 – EXCEPTIONS, the following:

“12.34 Notwithstanding any other provisions of By-law 1229, the provisions in this Section shall apply to those lands subject to By-law 2013-XX, as shown on Schedule ‘A’ attached hereto. All other provisions of By-law 1229, as amended unless specifically modified /amended by this section continue to apply to the lands subject to this section.

12.34.1 ADDITIONAL USES PERMITTED

The following additional uses are permitted;

- a) *Private School*
- b) *Day Nursery*

12.34.2 SPECIAL PARKING PROVISIONS

The following parking provisions apply:

- a) Minimum number of required parking spaces for a private school and day nursery – four spaces per classroom
- b) Minimum number of required parking spaces for a Health Club premises with a Gross Floor Area greater than 9000 square metres - one space per 75 square metres of Net Floor Area.

12.34.3 SPECIAL SITE PROVISIONS

The following additional provisions apply:

- a) A Health Club premises with a Gross Floor Area greater than 9000 square metres shall only include an indoor bike facility and related accessory uses
- b) Loading Spaces are not required.

2. All other provisions of By-law 1229, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
\*\* DAY OF \*\*\*, 2013.

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KIMBERLEY KITTINGHAM  
CITY CLERK

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FRANK SCARPITTI  
MAYOR



## BY-LAW SCHEDULE "A" TO AMEND BY-LAW 1229



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



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BY-LAW AMENDMENT No. ....PASSED.....

50 0 50 Meters

.....(MAYOR).....(CLERK)



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SC

DATE: 05/30/2013

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the Town of Markham Clerk's Office