

**SUBJECT:** PRELIMINARY REPORT  
C.W. Kowolia Inc.  
C/O QX4 Investments Ltd.  
Zoning By-law Amendment to permit a 4 storey hotel and  
ground floor restaurants at 15 Minthorn Boulevard, (Ward 8)  
File No. ZA 17 157688

**PREPARED BY:** Rick Cefaratti M.C.I.P., R.P.P., ext. 3675  
Planner II, West District

**REVIEWED BY:** Dave Miller M.C.I.P., R.P.P., ext. 4960  
Manager, West District

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**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, C.W. Kowolia Inc, c/o QX4 Investments Inc., Zoning By-law Amendment to permit a 4 storey hotel and ground floor restaurants at 15 Minthorn Boulevard, (Ward 8), File No. ZA 17 157688" be received.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on an application for a hotel with associated restaurants. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the application. A Statutory Public Meeting has not been scheduled.

**BACKGROUND:**

The 1.13 ha (2.8 ac.) property is located south of Highway 7 East at the southwest corner of Minthorn Boulevard and Commerce Valley Drive East (see Figures 1 and 3 – Location Map and Air Photo). The lands are presently undeveloped. To the north is a 1 storey multi-unit restaurant complex and a 6 storey hotel (Hilton Garden Inn). To the south is a private high school (Westfield Education). To the east across Commerce Valley Drive East is an outdoor storage yard and undeveloped land. To the west is a home furnishing company (Winsham Fabrik Canada Limited).

**Process to date:**

- Application for Zoning By-law Amendment deemed complete by staff on November 1, 2017.
- Preliminary Report to be considered by Development Services Committee (DSC) on the current date (March 19, 2018)

**Proposal**

The applicant is seeking a Zoning By-law Amendment to permit hotel and restaurant uses on the property. The proposed Zoning By-law Amendment will facilitate the development of a 4 storey hotel with accessory restaurants on the ground floor (see Figures 4 and 5 - Conceptual Site Plan and Building Elevation). A site plan application is also required. It has not yet been submitted.

## **Official Plan**

### Official Plan (1987)

The property was designated 'Business Park Area' in the City's Official Plan (Revised 1987). Uses provided for within this designation included offices, light industrial uses, accessory and incidental retail uses to permitted light industrial uses, banks and financial institutions, and hotels with accessory restaurants. The current Zoning By-law Amendment application was deemed complete (November 1, 2017) before the date that the Employment Lands policies of the 2014 Official Plan come into force, therefore this application is proceeding under the policies of the 1987 Official Plan.

### 2014 Markham Official Plan

The property is designated 'Business Park Office Priority Employment' in the 2014 Official Plan (as partially approved on October 30, 2015, May 26, 2016, March 10, 2017, April 21, 2017 and November 24, 2017). The subject lands are identified as being located within the Commerce Valley/Leitchcroft Key Development Area and Intensification Area along the Highway 7 Regional Rapid Transit Corridor.

The 'Business Park Office Priority Employment' designation is intended primarily for major office development. Additional uses provided within this designation include community colleges and universities, ancillary uses such as retail, service, restaurant, and commercial fitness centre uses within an industrial building. This designation does not provide for hotels.

The 'Business Park Office Priority Employment' designation and associated policies were under appeal as part of the City wide appeal of the 2014 Official Plan. On November 24, 2017 at a Pre-hearing Conference, the Ontario Municipal Board (OMB) approved the designation in principle through a partial approval order. On January 15, 2018, the OMB issued a decision that brought into force the above-noted partial order. Consequently, the site is subject to the 'Business Park Office Priority Employment' designation and associated policies of the 2014 Official Plan.

### **Proposed Hotel Use does not conform to the 2014 Official Plan**

If the proposed Zoning By-law Amendment is approved as provided for by the 1987 Official Plan, the hotel/restaurant development use will not conform to the 'Business Park Office Priority Employment' policies of the 2014 Official Plan. This lack of conformity with the 2014 Official Plan could become an issue for the owner to obtain any future Planning approvals for this property, including any required minor variances. Consequently, staff has encouraged the owner to submit an Official Plan Amendment to address this issue.

## **Zoning**

The lands are presently zoned Select Industrial with Limited Commercial (M.C) 40% by By-law 165-80, as amended, and by By-law 237-89 (see Figure 2 – Area Context/Zoning). The site specific M.C 40% zoning only permits a business office. Hotels and restaurant uses are not permitted on the property. In 1989, amending By-law

237-89 was passed. It was based on a proposal to exclusively develop an office building on the subject property. The office building proposal did not proceed. This amending by-law restricted the uses permitted to offices only. Hotels with accessory restaurant uses are permitted on adjacent lands, which are zoned M.C by By-law 165-80, as amended. A Zoning By-law Amendment, to re-establish hotel and restaurant permission on the subject property, is required to facilitate the proposed development.

**OPTIONS/ DISCUSSION:**

Engineering Staff has reviewed the Functional Report and Stormwater Management Report submitted with the application. The Engineering Department concurs with the report's findings that the capacity of the existing storm sewer can accommodate the proposed development. Additional comments and requirements regarding municipal services and other site plan related issues will be addressed through the review process.

**Next Steps**

A Statutory Public Meeting is required to provide an opportunity for formal public participation regarding the proposed zoning change.

**Site Plan Application required**

An application for Site Plan approval will be required. Staff have some concerns regarding the proposed site plan and will provide detailed comments at the time of the Site Plan application review process. The approval authority is the Development Services Committee in this instance.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.


**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.  
Acting Director,  
Planning and Urban Design

  
\_\_\_\_\_  
Biju Karumanchery, M.C.I.P., R.P.P.  
Acting- Commissioner,  
Commissioner of Development  
Services

**ATTACHMENTS:**

Figure 1 – Location Map  
Figure 2 – Area Context/Zoning  
Figure 3 – Air Photo  
Figure 4 – Conceptual Site Plan  
Figure 5 – Building Elevation

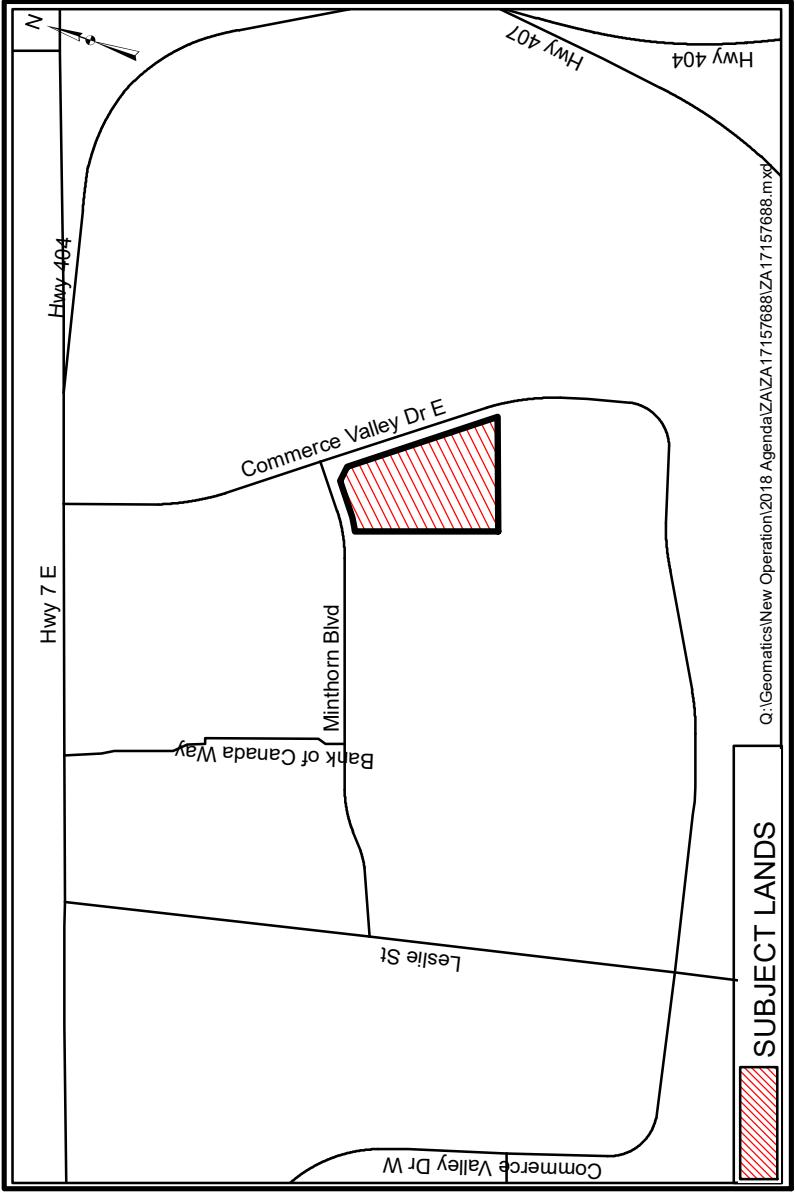
**APPLICANT:**

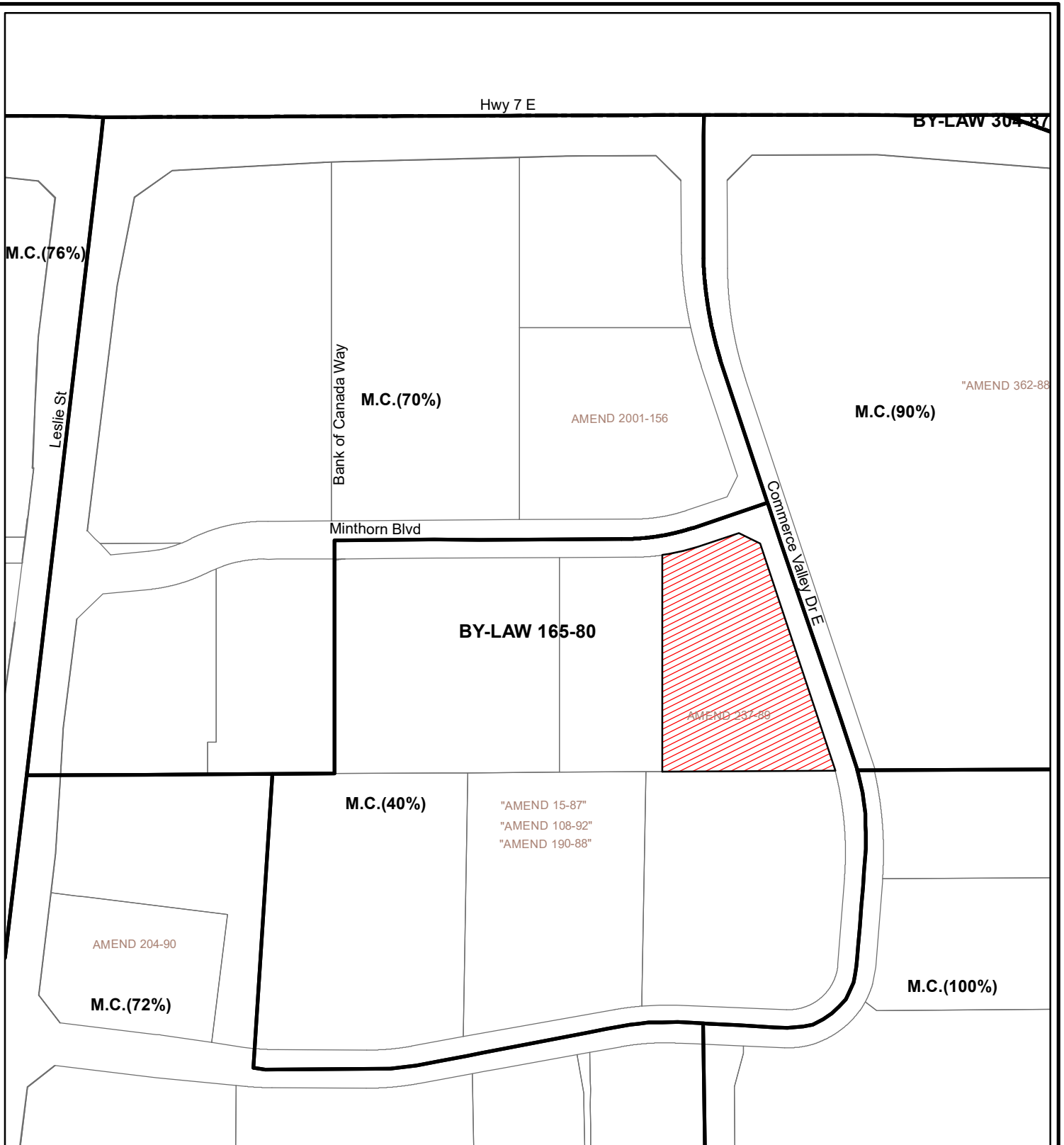
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Tel: (416) 564-0351  
Email: [ben.quan@rogers.com](mailto:ben.quan@rogers.com)

**OWNER:**

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North York, ON M2L 1Y4

File path: Amanda\File 17 157688\Documents\Recommendation Report





# AREA CONTEXT/ZONING

APPLICANT: C.W. KOWOLIA INC.  
15 MINTHORN BLVD.

FILE No. ZA. 17157688 (RC)

 SUBJECT LANDS

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DATE: 01/03/2018



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**FIGURE No.2**





# AERIAL PHOTO

APPLICANT: C.W. KOWOLIA INC.  
15 MINTHORN BLVD.

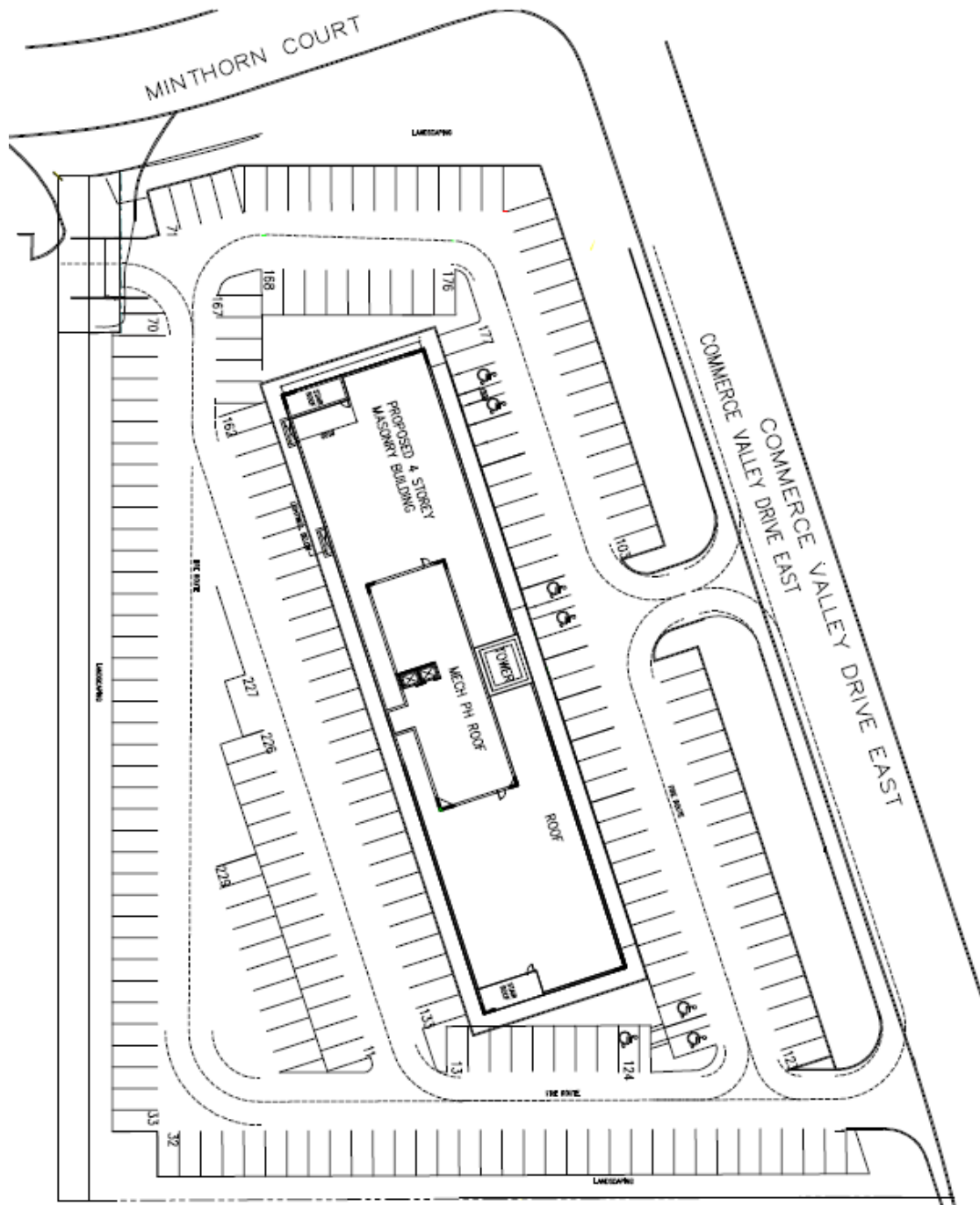
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 SUBJECT LANDS

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# SITE PLAN

APPLICANT: C.W. KOWOLIA INC.  
15 MINTHORN BLVD.

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FIGURE No.4



