



Report to: Development Services Committee

Report Date: September 11, 2017

SUBJECT:

PRELIMINARY REPORT

Applications by Ontario Underwriting Properties Inc. for Official Plan and Zoning By-law Amendments to permit a business office use subject to site-specific provisions, to completely occupy the existing building on the property known municipally as 10 Konrad Crescent, west of Woodbine Avenue, north of 14th Avenue (Ward 8)

File Nos: OP/ZA 17 149763

PREPARED BY:

Daniel Brutto, ext. 2468, Planner I, West District

REVIEWED BY:

Dave Miller, M.C.I.P., R.P.P., Manager, West District

RECOMMENDATION:

- 1) THAT the report dated September 11, 2017 titled "PRELIMINARY REPORT, Ontario Underwriting Properties Inc., Official Plan and Zoning By-law to permit a business office use subject to site-specific provisions, to completely occupy the existing building on the property known municipally as 10 Konrad Crescent, west of Woodbine Avenue, north of 14th Avenue (File Nos. OP & ZA 17 149763)", be received;
- 2) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on Official Plan and Zoning By-law Amendment applications to permit a business office use subject to site-specific provisions, to completely occupy the existing building on the property known municipally as 10 Konrad Crescent, west of Woodbine Avenue, north of 14th Avenue.

This report contains general information regarding applicable Official Plan and Zoning policies, as well as other issues. The report should not be taken as Staff's opinion or recommendation on the application.

Applications deemed complete

The Official Plan and Zoning By-law Amendment applications were deemed complete on July 4, 2017.

PROPOSAL:

The applicant has applied for Official Plan and Zoning By-law Amendments to permit a business office use subject to site-specific provisions, to completely occupy the existing building on the property known municipally as 10 Konrad Crescent.

It is noted a minor variance approved in 2012 (A/142/11) permits a business office use, subject to a condition which restricts its size. The variance also permits a reduced parking standard on the subject property (refer to the background section of this report for further details). The purpose and effect of the proposed applications is to expand upon the Committee of Adjustment permissions granted, to allow a business office use to completely occupy the existing building.

No additions or alterations to the existing building, or changes to the site plan are proposed as part of these applications (see Figure 4 – Site Plan). Below are the site-specific provisions that have been requested:

- restrict the gross floor area devoted to a business office use on the subject property to 1,500 m² (the approximate area of the existing building)
- permit 34 parking spaces on the subject property
- apply the following definition of business office, adapted from By-law 177-96, as amended, on the subject property:

***BUSINESS OFFICE:** means a premises used for conducting the affairs of businesses, professions, services, industries, governments, or like activities in which the chief product of labour is the processing and/or storage of information rather than the production and distribution of goods.*

BACKGROUND:**Subject property and area context**

10 Konrad Crescent (the “subject property”) is located at the south-west corner of Konrad Crescent and Shields Court, which is west of Woodbine Avenue, north of 14th Avenue (see Figure 1 - Location Map).

The subject property is approximately 0.36 hectares (0.89 acres) and contains a one-storey office/warehouse with a gross floor area of approximately 1,420 m² (15,285 ft²). There are a total of 34 parking spaces (including 2 accessible spaces) provided on the subject property. Mature landscaping exists along the Konrad Crescent and Shields Court frontages (see Figure 2 - Aerial Photo). The subject property is located within an established industrial/business park area (see Figure 3 - Area Context/Zoning).

Zoning By-law 28-82

The subject property is zoned “M3 – Select Industrial” under By-law 28-82, as amended (see Figure 3 – Area Context/Zoning). The M3 zone permits various industrial uses (i.e. warehousing, manufacturing, assembly of manufactured goods, etc.) as well as private clubs, health centres and certain public uses.

Committee of Adjustment Decision A/142/11

In 2012 the Committee of Adjustment approved variance requests on the subject property to permit:

- a) professional and business offices, whereas the by-law did not specifically permit this use;
- b) a reduction in the number of required parking spaces to 34, whereas the by-law required a minimum of 41 parking spaces, as they related to a proposed insurance brokerage office within the existing building.

As a condition of approval, amongst others, the business office use was restricted to 50% of the floor area devoted to the insurance brokerage use (see Appendix A – Committee of Adjustment Notice of Decision A/142/11).

Official Plan (1987 Revised)

The subject property is designated “Industrial – General Industrial Area” in the 1987 Official Plan. The planned function of this designation is to accommodate industrial activities related to manufacturing, processing, repair and service, warehousing and similar such uses. This designation also provides for complimentary uses to serve employees and business needs.

2014 Official Plan, as partially approved on Oct 30, 2015, May 26, 2016, Mar 10, 2017 and Apr 21, 2017 (2014 Official Plan)

The subject property is designated “General Employment” in the 2014 Official Plan. This designation remains under appeal and thus not in force. Notwithstanding, the general intent and purpose of this designation is to primarily provide for manufacturing, processing and warehousing uses supplemented with accessory retail and service uses.

MATTERS TO BE RESOLVED:

The following is a brief summary of the issues raised to date. These matters, and others identified at the Public meeting and through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee:

1. Staff are of the opinion that the proposed Official Plan amendment is likely to be of local significance and will not adversely impact Regional interests. Accordingly, staff have requested that the proposed Official Plan amendment be exempt from Regional approval;
2. Staff are in the process of reviewing the following studies/reports: Land Use Planning Brief, Parking Brief and a Servicing Brief; and,
3. Comments from various internal departments and external agencies remain outstanding and may result in modifications to the plan.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

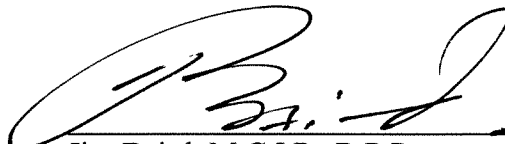
BUSINESS UNITS CONSULTED AND AFFECTED:

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.
Senior Development Manager



Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context/Zoning

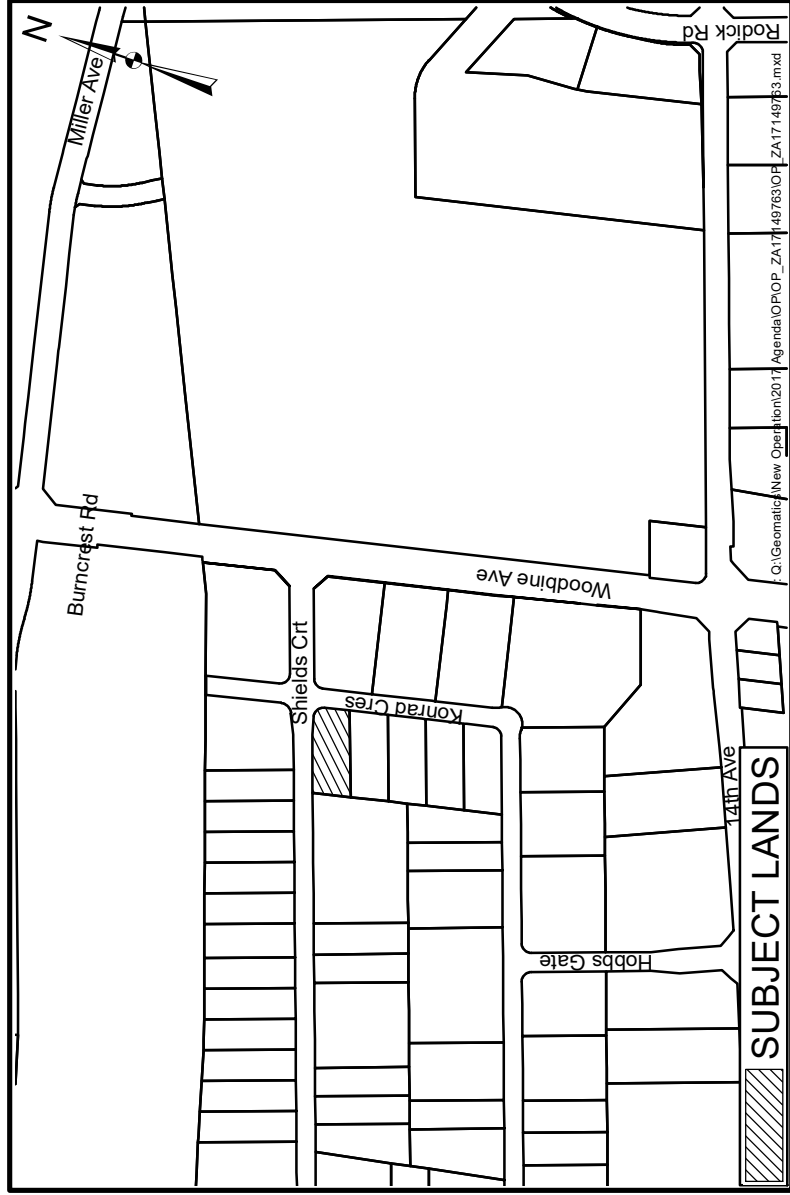
Figure 4: Site Plan

Appendix A - Committee of Adjustment Decision A/142/11

APPLICANT/AGENT:

Gatzios Planning and Development Consultants Inc.
James Koutsovitis
701 Mount Pleasant Road
Toronto, ON M4S 2N4
647-748-9466
james@gatziosplanning.com

File path: Amanda\File 17 149763\Documents\Recommendation Report





AIR PHOTO

APPLICANT: ONTARIO UNDERWRITING PROPERTIES INC.

FILE No. OP ZA 17 149763

Q:\Geomatics\New Operation\2017 Agenda\OP_ZA_17\149763\OP_ZA 17 149763.mxd



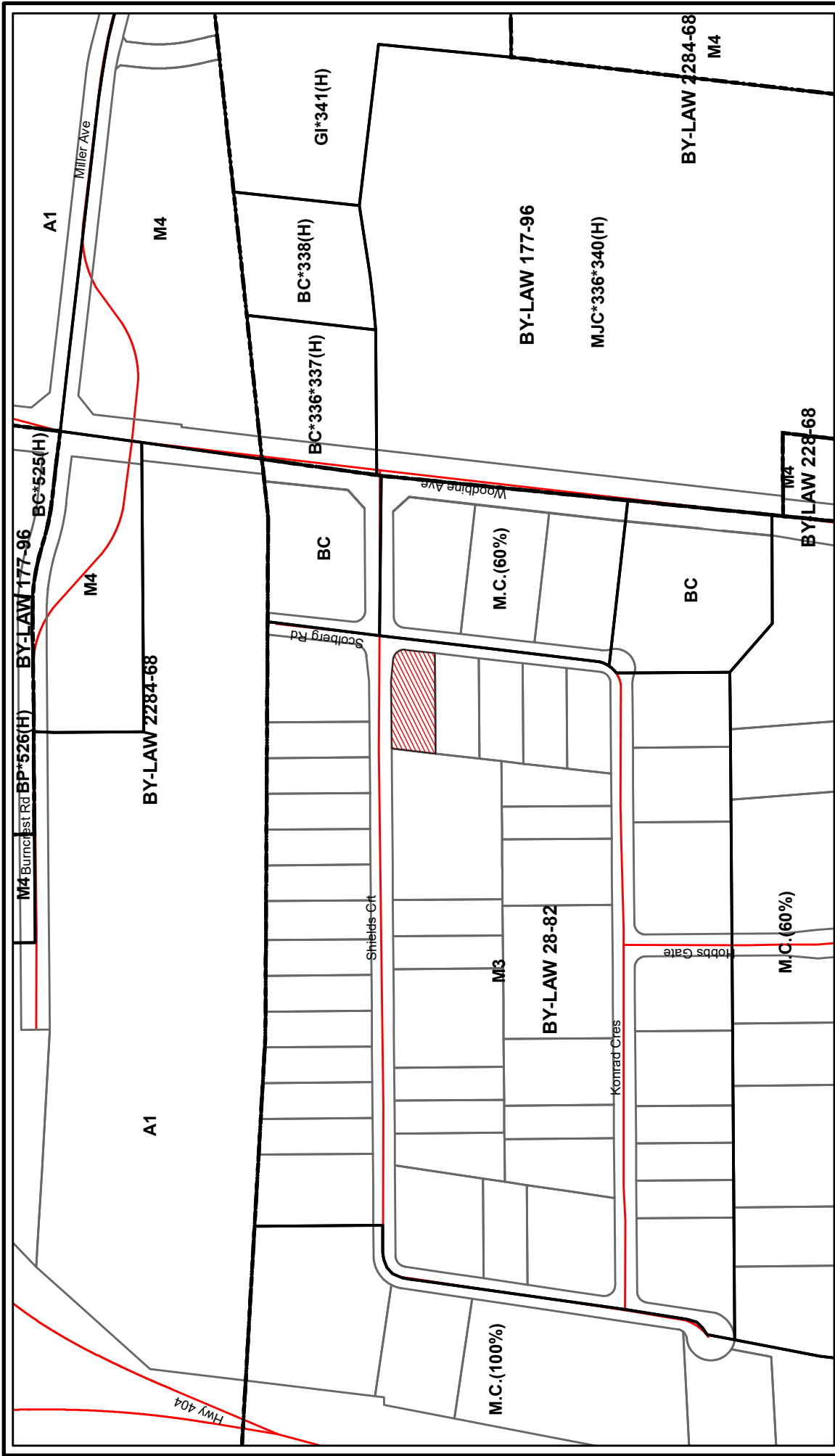
Drawn By: LW

Checked By: DB

 SUBJECT LANDS

Date: 27/07/2017

FIGURE No. 2



AREA CONTEXT / ZONING

APPLICANT: ONTARIO UNDERWRITING PROPERTIES INC.

FILE No. OP ZA 17 149763


Q:\Geomatics\New Operation\2017 Agenda\OPIOP_ZA17149763\OP ZA 17 149763.mxd



Drawn By: LW
Checked By: DB

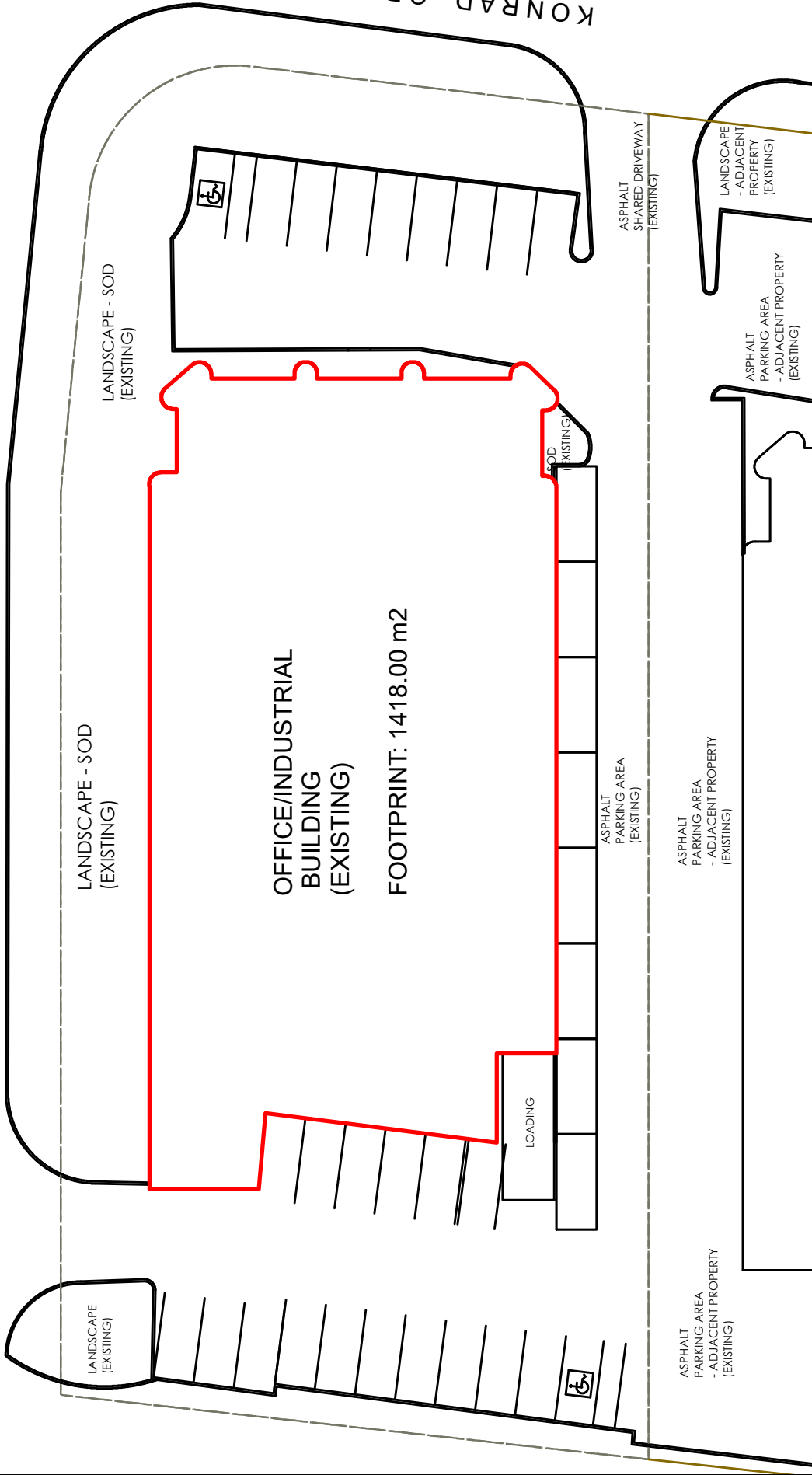
Date: 28/07/2017

FIGURE No. 3

 SUBJECT LANDS

SHIELDS COURT

KONRAD CRESCENT



LANDSCAPE - SOD (EXISTING)

LANDSCAPE - SOD (EXISTING)

OFFICE/INDUSTRIAL BUILDING (EXISTING)

FOOTPRINT: 1418.00 m²

LOADING

SOD (EXISTING)

ASPHALT PARKING AREA (EXISTING)

ASPHALT SHARED DRIVEWAY (EXISTING)

ASPHALT PARKING AREA - ADJACENT PROPERTY (EXISTING)

ASPHALT PARKING AREA - ADJACENT PROPERTY (EXISTING)

ASPHALT PARKING AREA - ADJACENT PROPERTY (EXISTING)

LANDSCAPE - ADJACENT PROPERTY (EXISTING)

SITE PLAN

APPLICANT: ONTARIO UNDERWRITING PROPERTIES INC.

FILE No. OP ZA 17 149763

Q:\Geomatics\New Operation\2017 Agenda\OP\OP_ZA17149763\OP ZA 17 149763.mxd

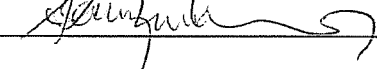


COMMITTEE OF ADJUSTMENT RESOLUTION

Application: A/142/11
 Hearing Date: January 18, 2012
 Name: Best Fields Services Limited
 Location: 10 Konrad Cres Markham
 PLAN 65M2481 LOT 38

Last Date of Appeal: ~~Tuesday~~ February 7, 2012

Moved by 2 

Seconded by 3 

THAT Application No. A/142/11, submitted by Best Fields Services Limited, owners of 10 Konrad Cres, Markham (PLAN 65M2481 LOT 38), requesting relief from the requirements of By-law No. 28-82, as amended, to

a) permit professional and business offices; whereas, the By-law does not specifically permit this use; and
 b) to reduce the number of parking spaces to 34; whereas, the by-law requires a minimum of 41 parking spaces to be provided on site, as they relate to a proposed insurance brokerage office within the existing building on the subject property, be **approved** for the following reasons:

- (a) in the opinion of the Committee, the general intent and purpose of the by-law will be maintained;
- (b) in the opinion of the Committee, the general intent and purpose of the Official Plan will be maintained;
- (c) in the opinion of the Committee, the granting of the variance is desirable for the appropriate development of the lot;
- (d) in the opinion of the Committee, the requested variance is minor in nature.

SUBJECT to the following conditions:

- 1) That the business office shall not exceed 50% of the floor area devoted to the insurance brokerage uses;
- 2) That the owner provide 34 parking spaces appropriately delineated on the subject property;
- 3) That the variance apply as long as the subject use remains;

Resolution carried.

SPECIAL NOTE TO OWNERS AND AGENTS: It is the responsibility of the owner and/or agent to ensure that all conditions of approval are met through the respective departments noted therein. Failure to do so may result in additional approvals being required.