

SUBJECT: PRELIMINARY REPORT
Cadillac Fairview Corporation Ltd.
Application for Zoning By-law Amendment to permit a motor vehicle sales establishment and accessory motor vehicle service station and motor vehicle repair garage, and incorporate previously approved minor variances at Markville Mall Shopping Centre
5000 Highway 7 (Ward 3)

File No. ZA 17 156158

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P., ext. 8230
Senior Planner, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
Manager, Central District

RECOMMENDATION:

- 1) That the report titled "PRELIMINARY REPORT, Cadillac Fairview Corporation Ltd., Application for Zoning By-law Amendment to permit a motor vehicle sales establishment and accessory motor vehicle service station and motor vehicle repair garage, and incorporate previously approved minor variances at Markville Mall Shopping Centre, 5000 Highway 7 (Ward 3), ZA 17 156158" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the application. 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 applications.

PROCESS TO DATE:

- Application for Zoning By-law Amendment deemed complete by staff on April 28, 2017.
- Preliminary Report considered by Development Services Committee (DSC) on June 12, 2017.

Next Steps:

- Statutory Public Meeting scheduled for June 20, 2017.
- Enactment of the Zoning By-law Amendment, if resolution at Public Meeting is to send By-law directly to Council; or,
- Recommendation Report for DSC's consideration at a future date.

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- Application for site plan approval for consideration by DSC at a future date.

BACKGROUND:**Subject Property and Area Context**

The subject lands (which contain Markville Mall and two restaurant pads along Highway 7) are approximately 28.5 ha (70.4 ac) in size and are located at the northeast corner of Highway 7 and McCowan Road, municipally known as 5000 Highway 7 (Figure 1). More specifically, the development proposal outlined in this report is located at the northeast portion of the subject lands at the southwest corner of Bullock Drive and McCowan Road.

Surrounding uses are as follows (Figure 3):

- To the north, on the north side of Bullock Drive, are single-detached dwellings, Centennial Park and the Centennial Community Centre. North of the Community Centre is the Centennial GO transit station.
- To the east, across McCowan Road, are a variety of retail and commercial uses;
- To the south, is the reconfigured Sears Store, which forms part of the main Markville Mall Shopping Centre. Further south, across Highway 7, are additional commercial and restaurant uses;
- To the west, on the northwest corner of the intersection of Highway 7 and Bullock Drive, is a high-rise development consisting of three residential towers.

History of Previous Applications

In March 2016, Cadillac Fairview Corporation Ltd. submitted a site plan approval application (SC 16 178643) for the subject lands that proposed to redevelop the northeasterly portion of the property. This proposal included re-configuration of the north end of the Shopping Centre (the former Sears store) and the construction of a new stand-alone, two-storey, mixed-use (retail-office) building at the southwest corner of the intersection of Bullock Drive and McCowan Road (Figure 4). This site plan application was endorsed in November 2016. Demolition of the former Sears store has begun.

Revised Proposal

The development concept for the proposed Zoning By-law Amendment maintains the reconfiguration of the former Sears store; however, it revises the development proposed within the northeasterly portion of the property to include a motor vehicle sales establishment, with accessory motor vehicle service station and motor vehicle repair garage, and a mixed-use (retail-office) development.

More specifically, the revised development concept includes (Figure 5):

- Construction of a new, 4,712 m² (50,721 ft²), two-storey automobile dealership (Building 'B'), with accessory motor vehicle service station and motor vehicle repair garage, at the northeast corner of the subject lands (* see note below);
- West of the automobile dealership, a new, 6,256 m² (67,341 ft²) stand alone, four-storey mixed-use building (Building 'A') with 1,280 m² (13,778 ft²) of retail GFA

located on the ground floor and 4,976 m² (53,563 ft²) office GFA located above;
and,

- Reconfiguration of the existing parking lot, within the vicinity of the proposed development (both above grade and below grade), to provide for a total of 5,054 parking spaces to service the entirety of the Shopping Centre (**see note below).

***NB:** The Applicant has requested that motor vehicle sales service station and motor vehicle repair garage be added to the list of permitted uses in order to allow for the sale of vehicle parts/accessories and the typical servicing and repairs that are associated with motor vehicle sales establishments. The Applicant has advised that there will be no sale of gasoline on site.

****NB:** The total number of required parking spaces, based on a reduced parking standard of 1 parking space per 20 m² of Gross Leasable Area (GLA) (as discussed below), is 4,986. A total of 5,054 parking spaces are proposed across the entire site, representing a surplus of 68 parking spaces.

In addition to the use permissions requested in this Zoning By-law Amendment application, the Applicant is also requesting that the following previously granted minor variances (file A/132/16) associated with the previous site plan applications (SC16 178643) be incorporated in the amendment:

- Increase the maximum permitted GFA devoted to business and professional offices permitted within the Planned Shopping Centre to 12,575 m²; whereas, the By-law permits a maximum GFA of 1,860 m² devoted to business and professional offices, in order to permit what is currently proposed and to accommodate any future additions of office space;
- Reduce the minimum setback from Bullock Drive for a stand-alone building from 80 m to 1.1 m;
- Reduce the minimum setback from Bullock Drive for an outdoor patio area from 35 m to 1.1 m;
- Reduce the minimum setback from McCowan Road for a stand-alone building from 50 m to 7.05 m;
- Reduce the minimum setback from centerline of an arterial road (McCowan Road) from 35 m to 25 m; and,
- Reduce the minimum parking requirement from 1 parking space per 18.5 m² of Gross Leasable Area to a minimum of 1 parking space per 20 m² of Gross Leasable Area.

The Applicant has requested that these approved variance be incorporated into the proposed Zoning By-law Amendment as the previous approval was tied to the specific plans/drawings submitted with that site plan application (SC 16 178643).

It should also be noted that a future site plan application is required to facilitate the proposed development.

New driveway access off of Bullock Drive continues to be proposed

As part of the original site plan application, a new right-in/right-out driveway access into the subject lands off Bullock Drive was proposed, at the existing signalized intersection across from Centennial Park and the Centennial Community Centre. City staff have reviewed and approved a functional intersection design as shown on the conceptual site plan submitted with this application.

Official Plan and Zoning*In-force Official Plan (1987 Revised)*

The subject lands are designated "Major Commercial Area" in the City's in-force Official Plan (1987 Revised). This designation is intended to provide for "a large scale, multi-use, multi-purpose centre or area offering a diverse range of retail, service, community, institutional and recreational uses servicing a major portion of the municipality and/or a broader regional market". Automobile service stations, car washes, automobile repair uses (excluding autobody paint and repair) and retail uses involving accessory outdoor storage and/or display of merchandise are provided for in the "Major Commercial Area" designation subject to the review of a specific development proposal and rezoning.

2014 Official Plan

Map 1 – "Markham Structure" and Map 2 – "Centres and Corridors and Transit Network" of the 2014 Official Plan (partially approved on October 30, 2015, May 26, 2016, and March 10, 2017) identifies the subjects lands as being located within the 'Mixed Use Neighbourhood Area' portion of the Markville key development area. Key development areas are intended to be a focus for higher intensity mixed-use development along rapid transit corridors. The lands within the vicinity of the Centennial GO transit station (Markville) are also identified as a Potential Secondary Hub. This policy framework contemplates higher order, more intense, levels of development to take full advantage of transit, community and other infrastructure.

The subject lands are designated "Mixed Use Mid Rise" on Map 3 – "Land Use". Uses contemplated in this designation include a mix of residential, retail, restaurant and service uses that contribute to the creation of complete communities. This designation provides for a "motor vehicle sales facility wholly contained within a building", as well as a "motor vehicle service station in accordance with Section 8.13.5".

Section 9 of the 2014 Official Plan contains area and site specific policies for the Markville key development area lands, which includes the subject lands and surrounding development parcels. Section 9.14.4 calls for a new secondary plan to be established for the Markville key development area lands, and also states that the in-force Official Plan (1987 Revised) shall apply until a new secondary plan is approved. A new secondary plan has not been prepared to date, nor has a timeline been established for the preparation of the same. As such, the in-force Official Plan (1987 Revised) policies continue to apply.

Existing Zoning

The subject lands are zoned "District Commercial" (DC) by By-law 184-78, as amended. Uses permitted within the DC zone include: one Planned Shopping Centre (which allows for retail stores, banks, places of entertainment and recreation, etc., and which also allows for not more than one automobile service centre), community institutional uses (such as a library or museum), business and professional offices, one gas bar for the sale of gasoline and motor oil, and taxi stands and bus bays for public transit vehicles.

OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues or matters of importance raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, as necessary, in a final report to Committee:

- 1) Staff are reviewing the Planning Rationale Report prepared by Malone Given Parsons and submitted with the application.
- 2) Staff are reviewing the appropriateness of the proposed motor vehicle sales establishment, with accessory motor vehicle service station and motor vehicle repair garage, given the site's location opposite the Centennial Community Centre and the Centennial GO station, and the 2014 Official Plan policy context which provides for an intensified mixed-use key development area comprising employment and residential development, including office, retail, service, entertainment and recreational uses, and a variety of higher order density housing types, based on the proximity to the Highway 7 rapid transit corridor and GO rail line.
- 3) McCowan Road is a Regional Road under the jurisdiction of York Region. The subject application has been circulated to York Region for their review and comments.
- 4) Review of technical studies including Traffic Impact Study Update Memorandum, Stormwater Management Design Brief and Functional Servicing Report are currently under review.
- 5) The proposed building designs will be reviewed as part of a future site plan approval application.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:

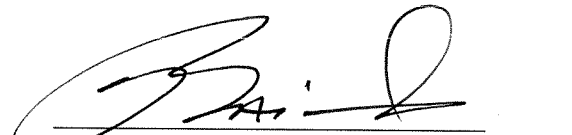
The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

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.
Senior Development Manager


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

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Area Context/Zoning

Figure 3: Air Photo

Figure 4: Previous Conceptual Site Plan (Upper Level) (SC 16 178643)

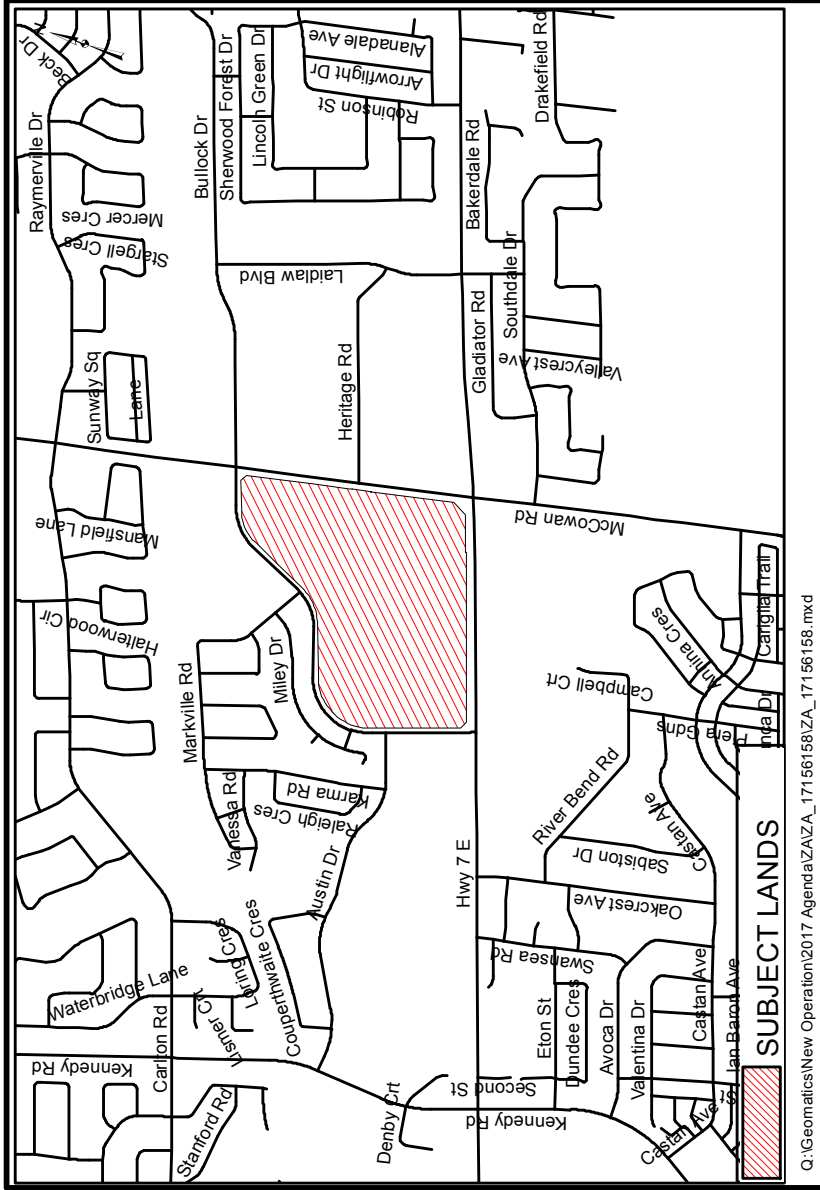
Figure 5: Current Conceptual Site Plan (Upper Level)

AGENT:

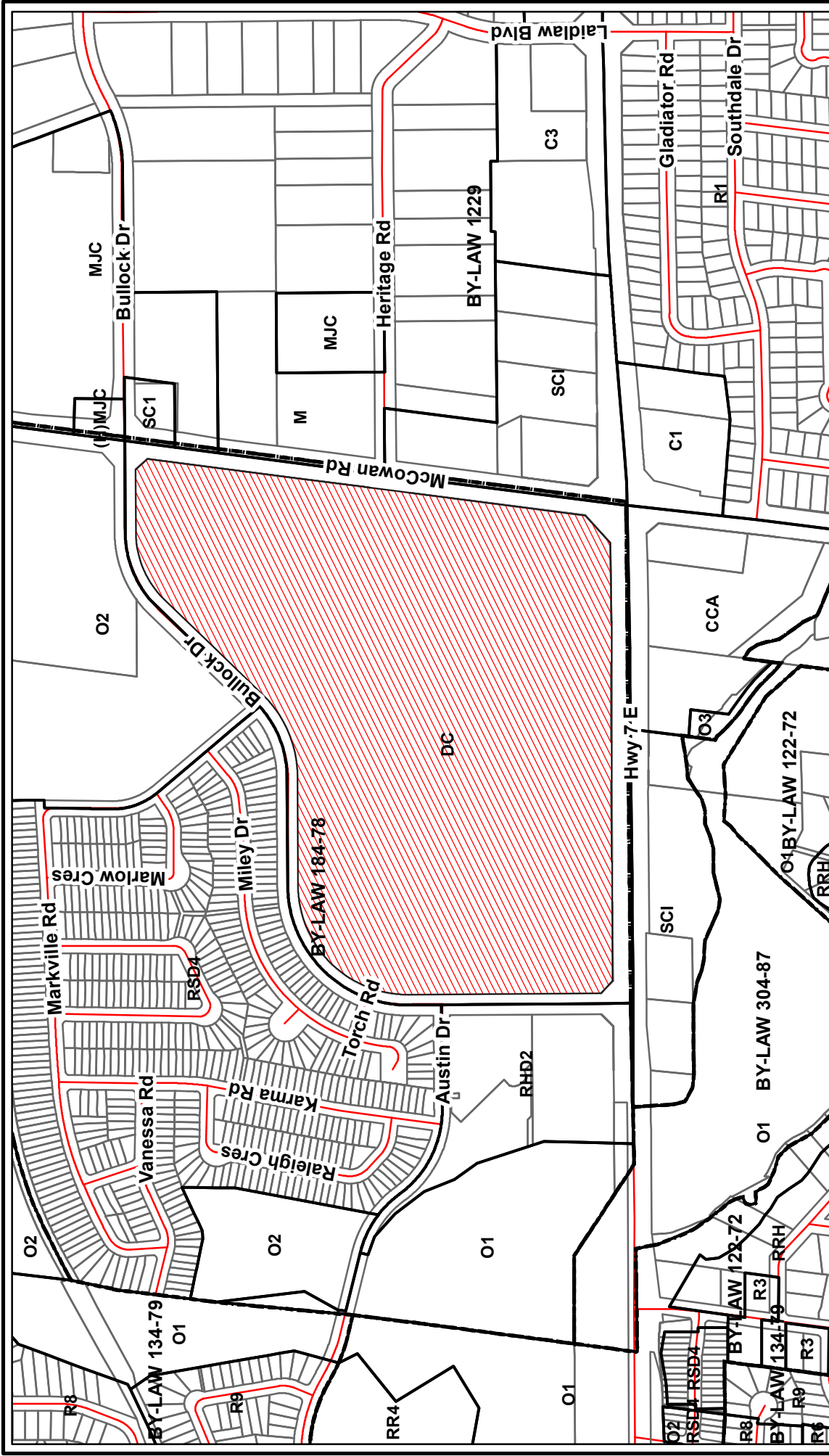
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 SUBJECT LANDS

AREA CONTEXT / ZONING

APPLICANT: CADILLAC FAIRVIEW CORPORATION LIMITED
5000 HIGHWAY 7

FILE No. ZA 17 156158

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AIR PHOTO

APPLICANT: CADILLAC FAIRVIEW CORPORATION LIMITED
5000 HIGHWAY 7

FILE No. ZA 17 156158

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FIGURE No. 3

Date: 19/05/2017

 SUBJECT LANDS



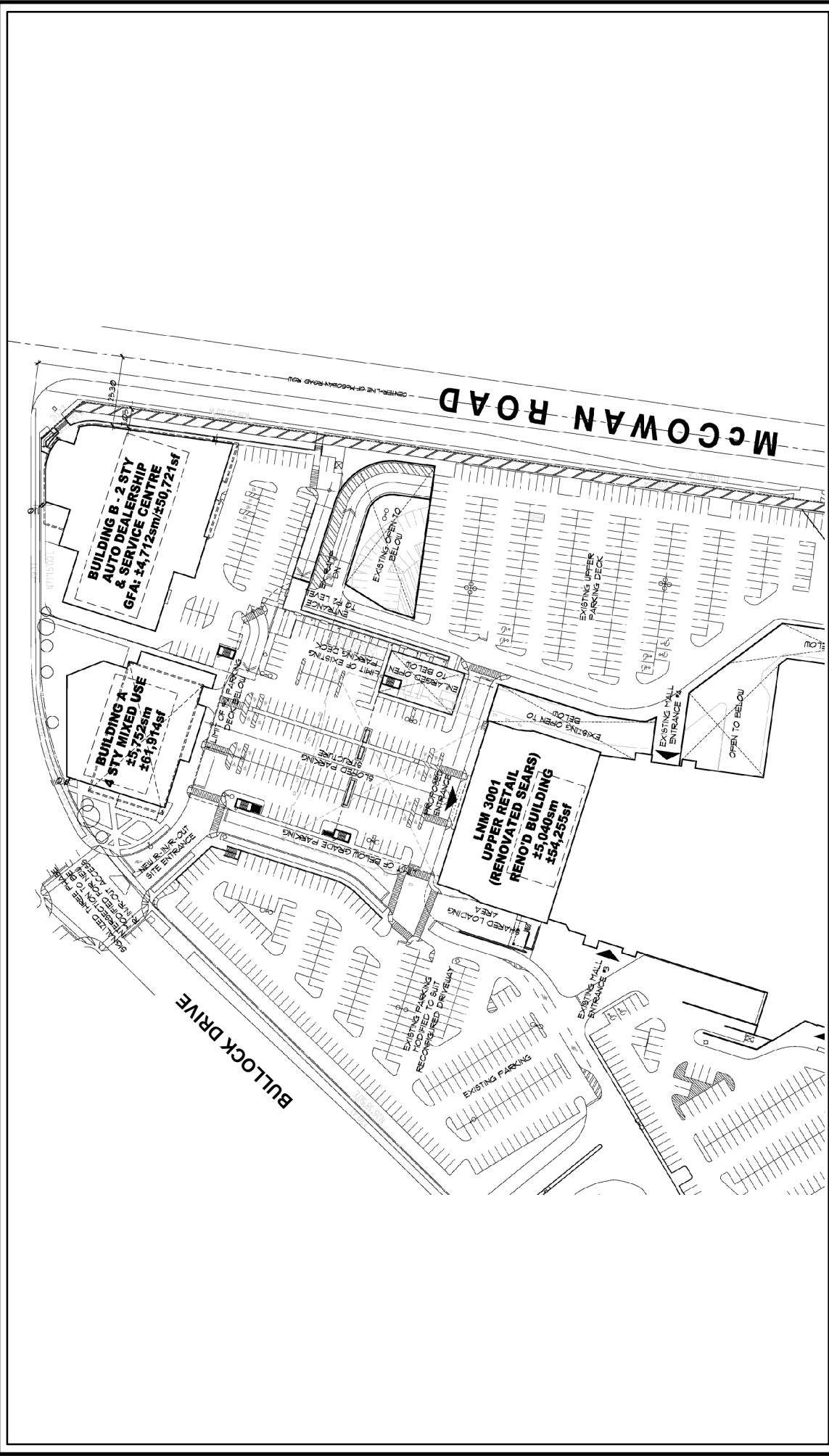


PREVIOUS CONCEPTUAL SITE PLAN (UPPER LEVEL) (SC 16 178643)

APPLICANT: CADILLAC FAIRVIEW CORPORATION LIMITED
 5000 HIGHWAY 7

FILE No. ZA 17 156158

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CURRENT CONCEPTUAL SITE PLAN (UPPER LEVEL)

APPLICANT: CADILLAC FAIRVIEW CORPORATION LIMITED
 5000 HIGHWAY 7

FILE No. ZA 17 156158

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DATE: 11/05/2017

FIGURE No. 5