



Report to: Development Services Committee

Report Date: June 20, 2016

SUBJECT: PRELIMINARY REPORT

Application by First Markham Properties Inc. for Zoning By-law Amendment to add a supermarket to the list of permitted uses on the property known municipally as 3265 and 3275 Highway 7 East

File No: ZA 16 170952

PREPARED BY: Daniel Brutto, Planner I, Central District

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

RECOMMENDATION:

- 1) THAT the report dated June 20, 2016 titled "PRELIMINARY REPORT, Application by First Markham Properties Inc. for a Zoning By-law Amendment to add a supermarket to the list of permitted uses on the property known municipally as 3265 and 3275 Highway 7 East", be received;
- 2) THAT a Public Meeting be held to consider the application; and further,
- 3) 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 a zoning by-law amendment application to add a supermarket to the list of permitted uses on the property known municipally as 3265 and 3275 Highway 7 East. The report also seeks authorization for a statutory Public Meeting to consider this application. 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.

Application deemed complete

The Zoning By-law Amendment application was received on April 11, 2016 and deemed complete on April 29, 2016.

PROPOSAL:

The applicant proposes a zoning by-law amendment to add a supermarket (the "proposed use") to the list of uses permitted to allow a supermarket to occupy one of the existing vacant units in the building. The vacant unit referred to has an area of approximately 2,546 m² (27,400 ft²) and was formerly occupied by Golf Town (the "former use") (see Figure 4 – Site Plan). No physical changes are proposed to the subject property or the

existing building, except for the introduction of three shopping cart corrals within the parking lot.

BACKGROUND:**Subject property and area context**

3265 and 3275 Highway 7 East (the “subject property”) is located at the southeast corner of Highway 7 East and Fairburn Drive, west of Rodick Road (see Figure 1 – Location Map). The subject property has an area of approximately 4.1 hectares (10.00 acres) and contains a 7,416.6 m² (79,832 ft²) retail building which is anchored by a Home Outfitters. The subject property contains 713 parking spaces and forms the northern portion of the larger fully integrated (i.e parking, access, servicing) retail development, known as First Markham Place (the “retail centre”) (see Figure 2 – Aerial Photo).

The retail centre is bounded by Highway 7 East to the north, Fairburn Road to the west and south, and Rodick Road/Rouge River valley to the east (see Figure 2 – Aerial Photo). The retail centre is comprised of five separate properties (including the subject property) which have a combined area of approximately 11.1 hectares (27.4 acres) and contains a 35,228 m² (379,191 ft²) commercial development. There exists one large commercial building with multiple tenants, as well as two free standing commercial buildings located adjacent to the south and west lot lines. The retail centre contains a variety of uses including, but not limited to: retail, restaurants, offices, medical offices, personal services, banks, specialty foods and entertainment uses. The total number of parking spaces available to the retail centre is 1,443.

Land uses surrounding the retail centre include (see Figure 3 – Area Context/Zoning):

- North: North of Highway 7 East are low density single detached dwellings;
- West: Retail commercial uses located within the development known as Woodside Square Shopping Centre;
- South: Multi-unit industrial buildings; and,
- East: Rodick Road and the Rouge River valley.

Zoning

The subject property is zoned “Retail Warehouse, Open Space and Open Space-Environmental Buffer (RW, O1 & O3)” under By-law 165-80, as amended (see Figure 3 – Area Context/Zoning). The “Open Space and Open Space-Environmental Buffer (O1 & O3)” zones apply to a small portion of the subject property located along the east lot line. The majority of the subject property is zoned “Retail Warehouse (RW)” which permits a wide variety of commercial/industrial/retail/restaurant uses. Since a supermarket is a defined term under the zoning by-law and not included in the list of permitted uses, a zoning by-law amendment application is required to add a supermarket to the list of permitted uses.

Official Plan (1987 Revised)

The subject property is designated “Commercial – Retail Warehouse Area” in the in-force Official Plan (1987 Revised) as amended which provides for a wide variety of

commercial uses. Among other uses, retail uses with individual premises generally not less than 300 m² gross floor area are provided for. These areas are intended to accommodate medium to large format retail stores, often referred to as “retail warehouses” and large scale, “themed” retail development. The proposed supermarket use is provided for in this designation as it is considered a retail use and meets the floor area requirement.

2014 Official Plan, as partially approved on October 30, 2015 and May 26, 2016 (2014 Official Plan)

The subject property is designated “Mixed Use Mid Rise” in the 2014 Official Plan which provides for a wide variety of uses. Lands designated “Mixed Use Mid Rise” are described as follows:

“Lands designated “Mixed Use Mid Rise” are located primarily along arterial and major collector roads, some of which are intensification areas. For the most part, they are characterized by mid to large scale retail development and other facilities providing services such as supermarkets, specialty grocery (underline added) hardware, clothing and electronics stores for residents, workers and businesses over larger areas than are generally served by ‘Mixed Use Low Rise’ areas. These lands serve an important function for nearby residents by providing access to needed goods and services. Over time, the intent is to encourage intensification that supports existing and planned transit services adjacent to these lands and transform these lands to mixed-use neighbourhoods.”

The 2014 Official Plan recognizes that existing commercial developments will remain with the intent being to encourage mixed use intensification over time. Retail stores, including supermarkets and specialty grocery stores, are specifically provided for under this designation.

DISCUSSION:

Parking Study submitted

The City’s Parking By-law requires that parking be calculated and provided for the retail centre as a whole. The subject property contains 713 spaces which combined with the retail centre, provides a total of 1,443 spaces. The required number of spaces based on the size and intended location of the proposed supermarket would not change, as the proposed use and the former use share the same shopping centre parking rate. Staff note that the City’s parking by-law requirements for a supermarket are slightly less than the shopping centre rate.

The parking study submitted, which addresses parking utilization, site circulation and Transportation Demand Management measures is under review.

Outstanding comments

Comments from various internal departments and external agencies remain outstanding.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

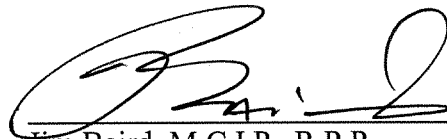
BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Acting Senior Development Manager



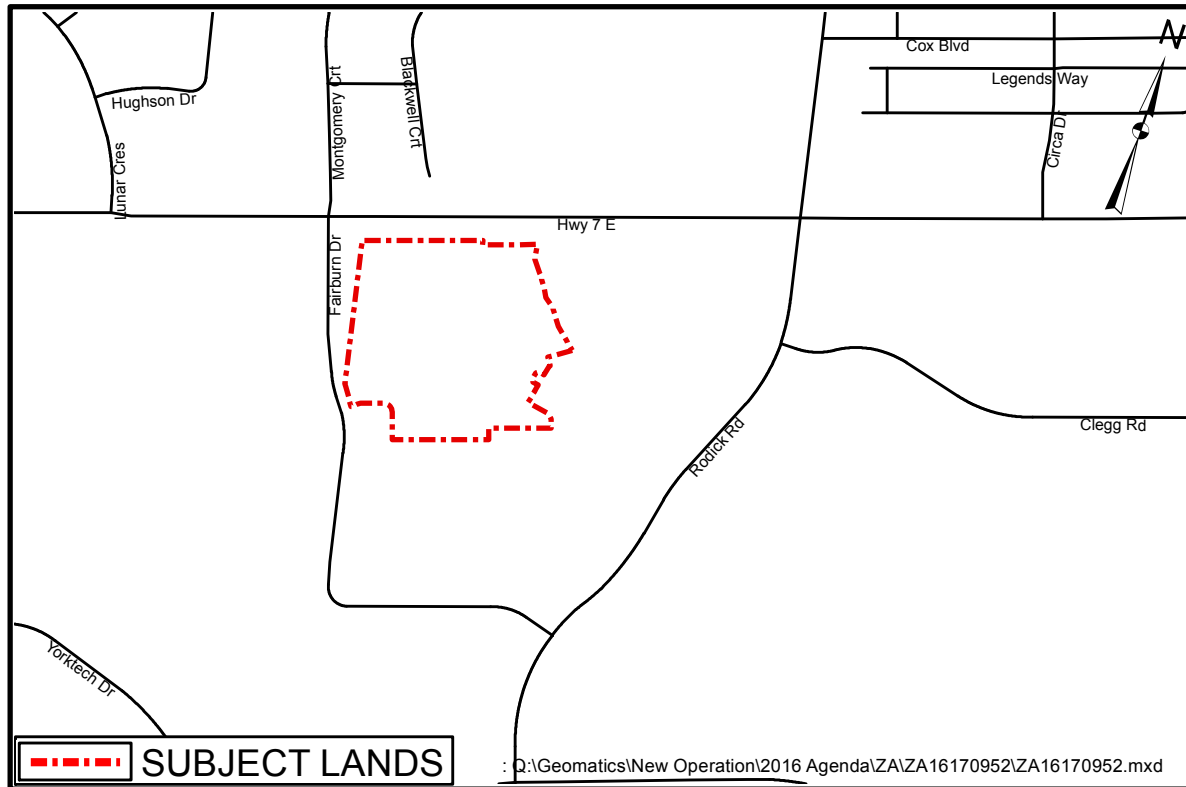
Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Aerial Photo
Figure 3: Area Context/Zoning
Figure 4: Site Plan

APPLICANT/AGENT:

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AIR PHOTO

APPLICANT: FIRST MARKHAM PROPERTIES INC.
3265 AND 3275 HIGHWAY 7 EAST

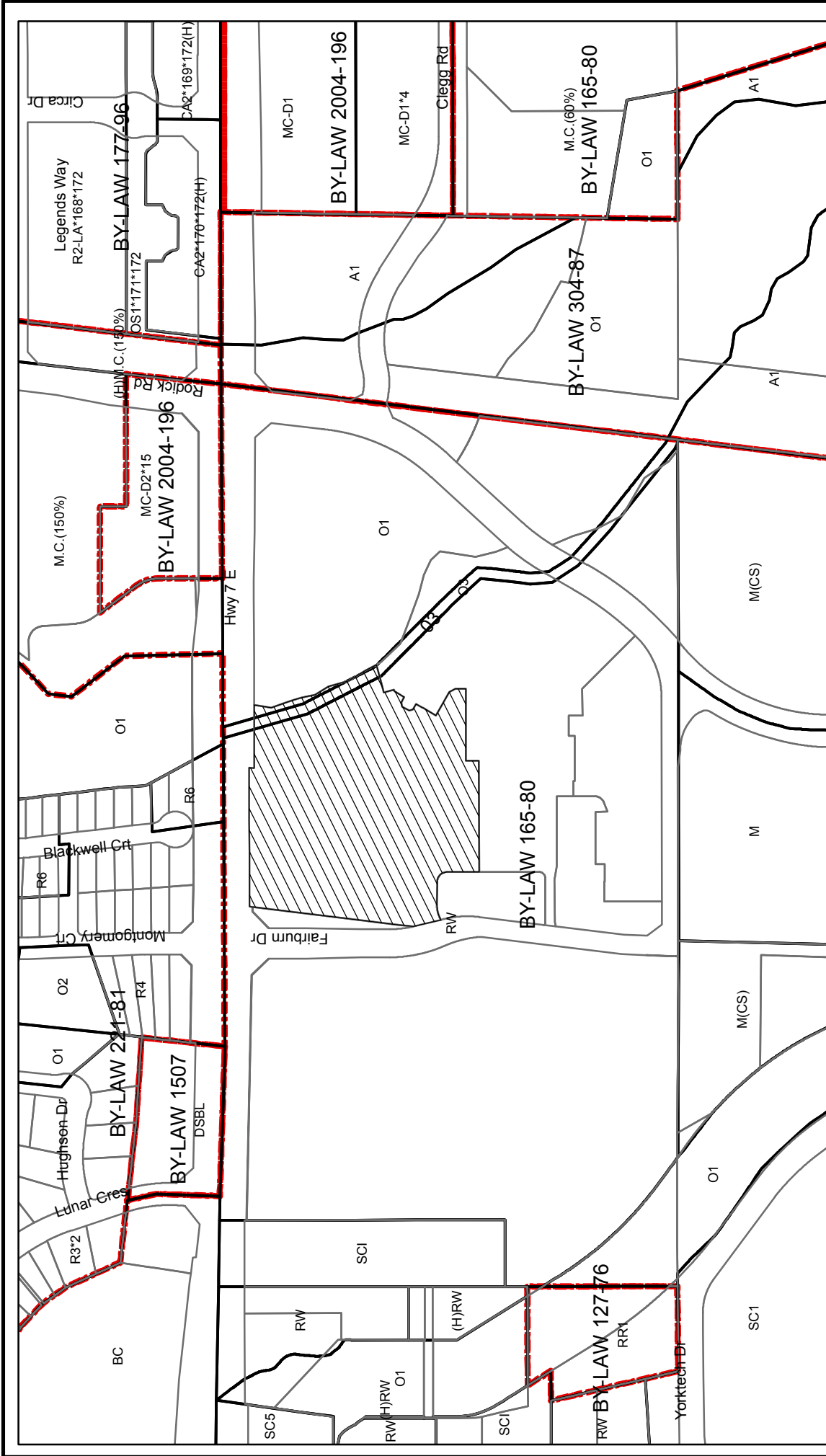
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 SUBJECT LANDS

DATE: 16/05/16

FIGURE No. 2





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AREA CONTEXT/ZONING

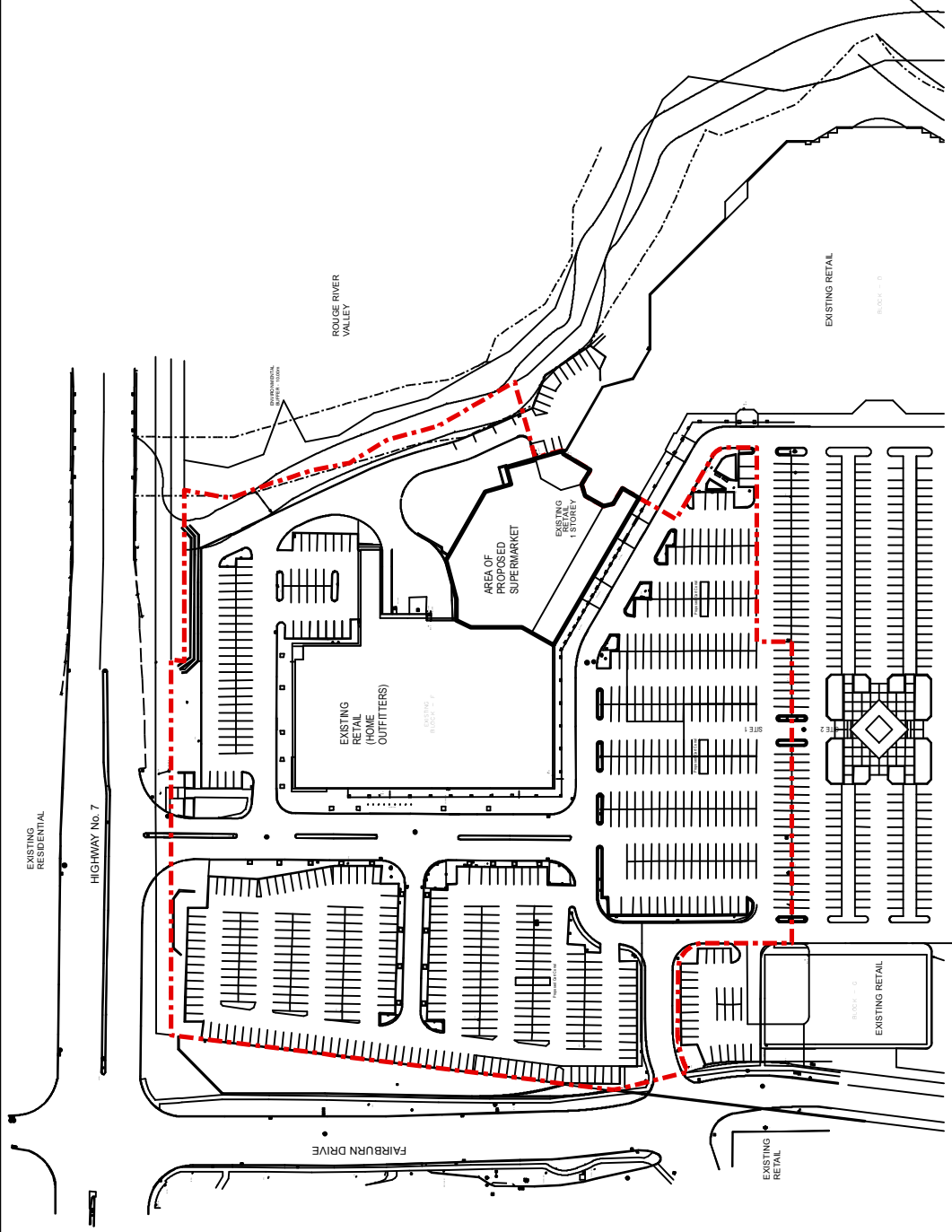
APPLICANT: FIRST MARKHAM PROPERTIES INC.
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FIGURE No. 3



SITE PLAN

APPLICANT: FIRST MARKHAM PROPERTIES INC.
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FIGURE No.4

DEVELOPMENT SERVICES COMMISSION

Drawn By:DD

Checked By:DB

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