

SUBJECT: Preliminary Report- 723187 Ontario Inc. Application for Zoning By-law Amendment to permit Business Office, Restaurant, Retail, Health/Fitness Facility and Residential Use, 180 Main Street North, Markham Village

File No. ZA 15 109007

PREPARED BY: Peter Wokral, Heritage Planner ext. 7955

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning ext. 2080

RECOMMENDATION:

- 1) That the report titled "PRELIMINARY REPORT, 723187 Ontario Inc. Application for a Zoning By-law Amendment to permit Business Office, Restaurant, Retail, Health/Fitness Facility and Residential Use, 180 Main Street North, Markham Village, File ZA 15 109007, dated March 29, 2016" be received;
- 2) That the Development Services Committee authorize staff to schedule a statutory Public Meeting for 723187 Ontario Inc. to consider the proposed Zoning By-law amendment application to permit business office, restaurant, retail, health/fitness facility, and residential uses at 180 Main Street North Markham Village;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide preliminary information on the Zoning Amendment application to permit business office, restaurant, retail, health/fitness facility and residential uses at 180 Main Street North in Markham Village. This report contains general information in regards to applicable Official Plan or other policies as well as other issues, and the report should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND:

The subject property is located on the south west corner of Markham Main St. N. and Bullock Dr., within the Markham Village Heritage Conservation District (See Figure 1,- Location Map, Figure 3-Air Photo 2015). The lot has an area of 1, 535 m² (16,523 ft²) and is occupied by a 2 ½ storey, single-detached heritage dwelling. The existing house is identified as a Class 'A' heritage building in the Markham Village Heritage Conservation District Plan which helps define the historic character of the neighbourhood. (See Figure 6-Photograph of the existing heritage house).

Surrounding uses include:

- Street townhouse units to the west, fronting on Bullock Dr;
- A Dental Office on the north west corner of Bullock Dr. and Main St. N.;
- Single detached residences on the north east and south-east corners of Bullock Dr. and Main St. N.;

- The Dixon Garland Funeral Home, and two single detached residences to the south;
- The Sutton Group and Century 21 Real Estate Offices across the street at 161 and 165 Main St. N.

Proposal

The applicant is proposing to re-zone the property to permit business office, restaurant, retail, and health/fitness facility uses in addition to four residential units, in an effort to make the property more marketable for sale. The applicant has also submitted a conceptual site plan showing a possible addition to the existing house, and parking layout (See Figures 4 and 5 Site Plan and Building Elevations).

Official Plan and Zoning

Current Official Plan

The subject property is designated “Urban Residential” in the in-force Official Plan (1987) as amended, which permits a wide range of residential housing forms.

Markham Main Street Area Secondary Plan (OPA 108)

The subject lands are also within the Markham Main Street Area Secondary Plan (OPA 108) which amends and provides more detailed guidance on land use policies in this area. The property is designated as “Medium Density 1 Housing /Office” under the “Urban Residential” category of the Secondary Plan. Lands designated “Medium Density 1 Housing / Office permit:

- Detached;
- Semi-detached;
- Duplex;
- Triplex, and;
- Fourplex dwellings.

Business Offices are also permitted under this designation up to a maximum of 45% of the total gross floor area of the building unless a building by virtue of its size or configuration, is not suitable for mixed residential professional office, where Council may permit a single use only, provided it is located within the existing building.

The Secondary Plan also contains a site specific clause for 180 Main Street North which may permit restaurant use based on the submission of detailed plans satisfactory to the City, as well as compliance with the following criteria;

- The protection and preservation of the existing heritage building on the site;
- Adequate off-street parking; and
- Protection and preservation of existing mature trees on the site.

In order to minimize impacts on adjacent residential use, and to preserve and improve the historic residential appearance of the areas designated as Medium Density 1 Housing / Office, the Secondary Plan provides that redevelopment shall have regard for the following matters:

- The protection and preservation of any heritage buildings existing on-site;

- The capacity of the site for additional uses, parking and supporting infrastructure;
- The effect of landscaping, setbacks and other amenities in terms of both site development and separation and buffering from adjacent lands;
- The effect of the height and form of development so that there are no adverse effects in terms of overshadowing or loss of amenity;
- The effect of increased traffic so that there are no undue adverse impacts;
- The external design of additions, alterations or new construction so that is shall be in keeping with the area's residential buildings, in terms of size and appearance;
- Buildings to be used for business and professional office use shall not have any exterior indications of the nature of the business carried on, other than one modestly sized, non-illuminated identification sign;
- Provision of adequate off-street parking facilities, located in a sensitive manner relative to site characteristics and appropriately screened from any residential lots and from the street.

In addition, the property is located outside of the commercial core of Main Street North. The permitted use policies, Section 5.5 of the Secondary Plan clearly indicate that "***The Main Street Commercial Core should not be extended beyond its existing boundaries, as represented by the current commercial zoning,*** but rather its retail function should increase through improvements and intensification. Outside of the Commercial Core, the Secondary Plan Area remains predominantly residential, and the Area is felt to be suited for residential intensification in the form of converted heritage dwellings and limited new medium density residential infilling. ***Office uses in the Area should expand incrementally from the Commercial Core...*** Mixed residential-office uses should be directed to the area immediately north of the Commercial Core up to the CNR."

The applicant also proposes re-zoning the property to permit retail and health/fitness facility uses. These uses are not permitted by the existing secondary plan policies and would require an Official Plan amendment, for which the applicant has not applied.

New Official Plan 2014 (not yet in force)

The subject lands are designated "Residential Low Rise" in the City's New Official Plan 2014 (*not yet in force*). The Official Plan also includes "Area and Site Specific Policies" (Section 9.13) that effect the subject property. Section 9.13.4.4 sets out similar permitted uses as contained in the Secondary Plan. It should be noted that this application was submitted after the new Official Plan, which is currently under appeal, was adopted by Markham Council, and approved by the Region.

Existing Zoning

The subject lands are currently zoned "Residential" (R1) (See Figure 2-Area Context Zoning) which permits:

- A single detached dwelling;

The applicant is requesting that the subject property be rezoned from (R1) to (C4) under By-law 1229, as amended, to implement the Medium Density 1 Housing / Office designation of the Markham Main Street Area Secondary Plan (OPA 108).

OPTIONS/ DISCUSSION:

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

- The conceptual parking layout does not provide the typical 3m (10 ft) wide landscape buffers required between commercial and adjacent residential properties. However, retention of existing vegetation and new plantings may help screen views of on-site parking from adjacent properties;
- Heritage Markham has reviewed the proposed zoning amendment and only supports the business office, restaurant and residential uses permitted by the Markham Main Street Area Secondary Plan. The Heritage Committee also recommended that no parking spaces be located in the front yard of the property;
- It is not clear at this time how the floor space of the existing building and any proposed addition would be used. The conceptual parking layout (Figure 4) attempts to illustrate the maximum parking that can be achieved on the site, notwithstanding the uses. Future occupancy by use will need to comply with required parking ratios;
- The proposed retail and health/fitness facility uses are not permitted by the in-force Official Plan (1987) as amended, the City's New Official Plan 2014 (not currently in-force), and the Markham Main Street Area Secondary Plan (OPA 108). These uses would therefore require an Official Plan Amendment application and cannot be approved by a Zoning Amendment alone.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

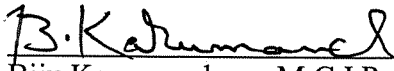
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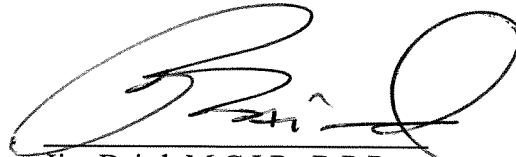
The application will be considered within the context of the City's growth management and strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

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

RECOMMENDED BY:


Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and Urban Design


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

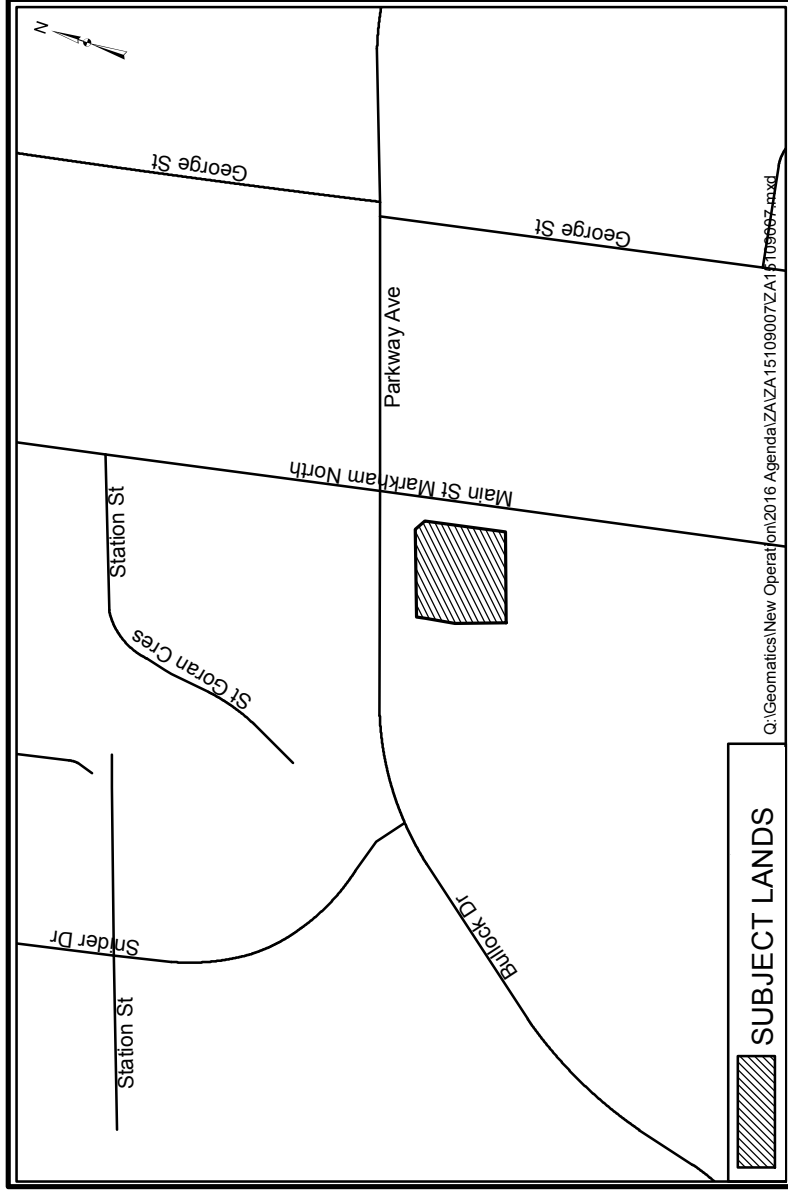
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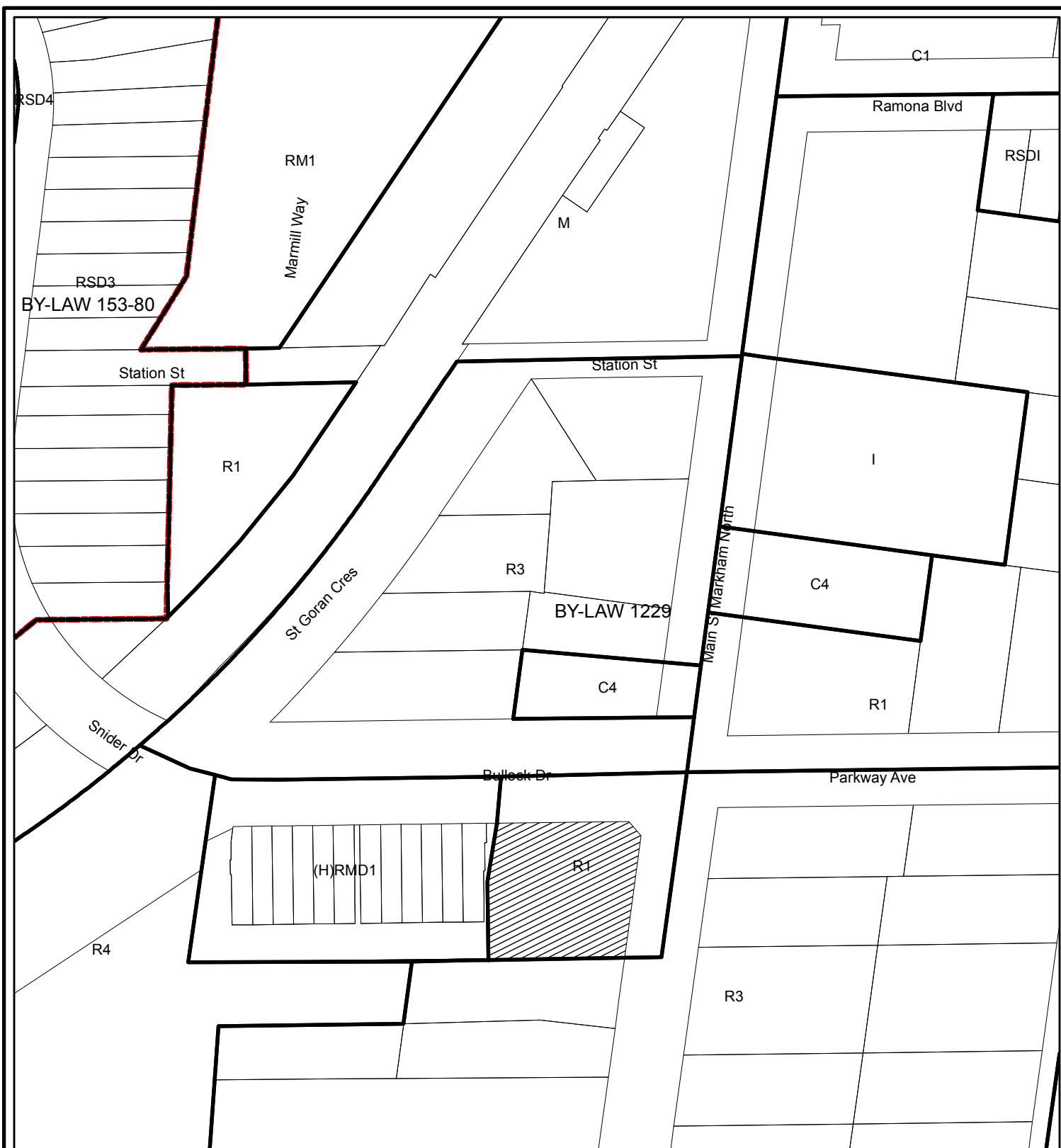
Figure 1: Location Map
Figure 2: Area Context & Zoning
Figure 3: Aerial Photograph 2015
Figure 4: Conceptual Site Plan
Figure 5: Conceptual Elevations
Figure 6: Photograph of the Existing House

AGENT:

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AREA CONTEXT/ZONING

APPLICANT: 723187 ONTARIO INC.
180 MAIN ST. N. MARKHAM VILLAGE

FILE No. ZA15109007(PW)

 SUBJECT LANDS

DATE: 02/29/16



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AIR PHOTO 2015

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 SUBJECT LANDS

FIGURE No. 4



FRONT



REAR



NORTH



SOUTH

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ELEVATIONS

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PHOTOGRAPH OF EXESTING HERITAGE HOUSE

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