



Report to: Development Services Committee

Report Date: September 22, 2015

SUBJECT: PRELIMINARY REPORT, Can-Am Express, Zoning By-law Amendment Application to permit the parking of licensed charter buses on a temporary basis at 332 John Street
File No. ZA 15 131193

PREPARED BY: Rick Cefaratti, MCIP, RPP, Planner II, West District
REVIEWED BY: Dave Miller, MCIP, RPP, West District Manager

RECOMMENDATION:

- 1) That the report titled "Preliminary Report, Can-Am Express, Zoning Amendment Application to permit the parking of licensed charter buses on a temporary basis at 332 John Street, File No. ZA 15 131193" dated September 22, 2015, be received;
- 2) 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 the applications and seeks authorization to hold a statutory Public Meeting. 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 0.38 ha. (0.94 ac.) site is located on the north side of John Street, between the CN Rail Line and McKelvey Drive in Thornhill. To the north is a commercial plaza which fronts on to Green Lane; to the south across John Street, is a commercial self-storage facility and several vacant buildings zoned for industrial uses; to the east are a number of employment uses; and, to the west is an automotive preparation / reconditioning facility (Mercedes Benz Canada) and the CN Rail Line (Figures 1 and 2). The Zoning Amendment Application was deemed complete on March 23, 2015. The City's Chief Administrative Officer authorized a Public Meeting regarding the revised proposal on August __, 2015.

PROPOSAL:

The Zoning By-law Amendment by Can-Am Express requests that outside parking and storage of licensed buses be permitted on a temporary basis on the subject property. No additional buildings are being considered as part of the proposal (see Figure 4 – Site Plan). Section 39 of the Planning Act authorizes a municipality to enact Temporary Use By-laws for a maximum period of 3 years.

OFFICIAL PLAN AND ZONING:

Markham Official Plan

The site is designated Industrial – Business Corridor Area under the in force Markham Official Plan (revised 1987) which permits industrial uses, offices and other similar uses but does not permit outdoor storage. The property is also subject to the policies of the Thornhill Secondary Plan which designates these lands as Business Corridor Area – John Street / Green Lane. This designation permits industrial uses and offices as described under Section 3.5.6.3 of the in force Official Plan.” Outdoor storage is not a permitted use under the policies of the Thornhill Secondary Plan.

The temporary use policies of the in force Official Plan establish that Council may pass by-laws to authorize the temporary use of land for a use that is not permitted under the Industrial – Business Corridor Area land use designation for a period not exceeding 3 years.

The City’s new Official Plan 2014 (not yet in force) designates the property Service Employment. This designation permits a range of employment uses including, service, office manufacturing, warehousing and limited retail and commercial uses. Accessory outdoor storage is only permitted in conjunction with manufacturing, warehousing, a motor vehicle body shop, motor vehicle repair and motor vehicle retail uses. Outdoor storage is not permitted as a principle use on this property.

The temporary use policies of the new Official Plan 2014 (not yet in force) also state that Council may pass by-laws to authorize the temporary use of land for a use that is not permitted under the Service Employment land use designation for a period not exceeding 3 years.

Zoning

The subject property is zoned M – Industrial under By-law 77-73, as amended. This zone permits industrial uses, including warehousing and / or manufacturing of goods, service and repair of goods and permits indoor storage of goods and materials. Outdoor storage of licensed buses is not a permitted use on the property.

A Zoning By-law Amendment is required to permit outdoor storage of licensed buses on the property.

OPTIONS/ DISCUSSION:

No issues have been raised to date. Any issues identified through the circulation and detailed review of the proposal will be addressed in a final staff report to be presented to Committee at a later date, if required.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Growth Management: The permission for the temporary use will allow outdoor storage to be maintained until such time as a redevelopment proposal for the property is contemplated.

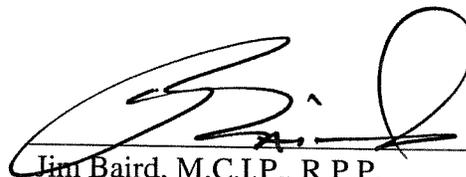
BUSINESS UNITS CONSULTED AND AFFECTED:

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 of Development Services

ATTACHMENTS:

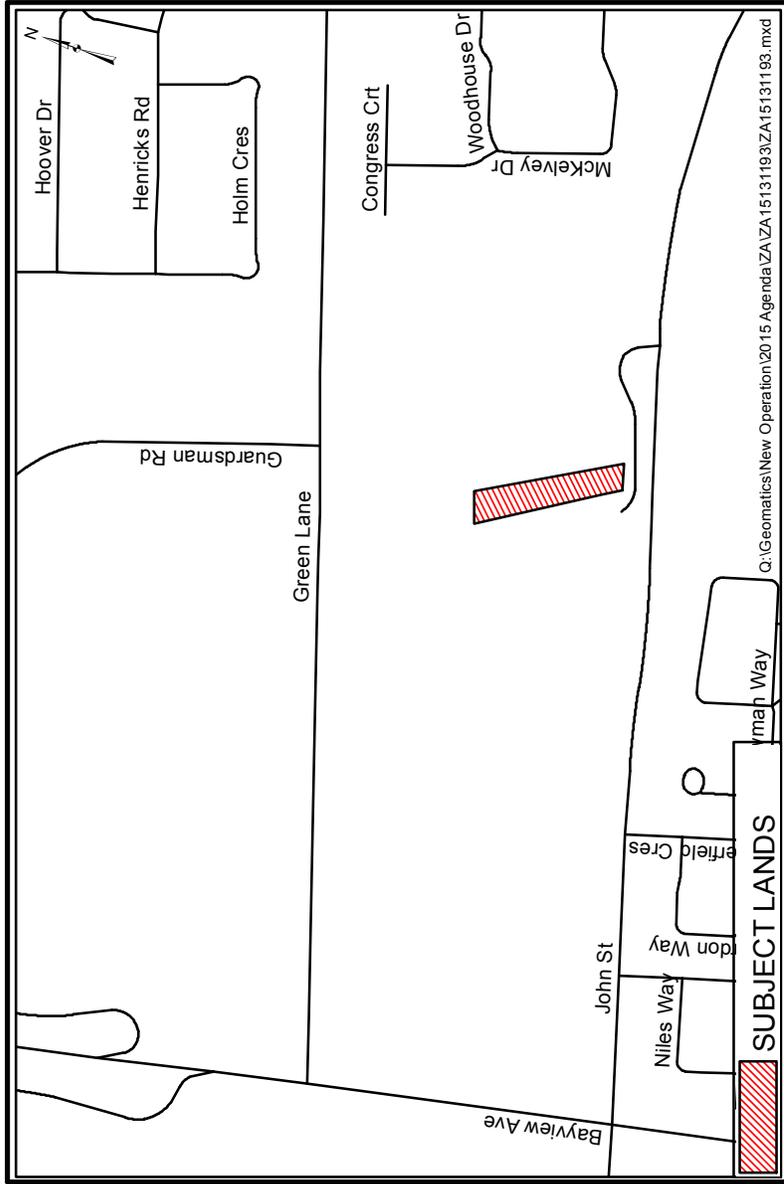
- Figure 1: Location Map
- Figure 2: Aerial Photo
- Figure 3: Area Context/Zoning
- Figure 4: Site Plan

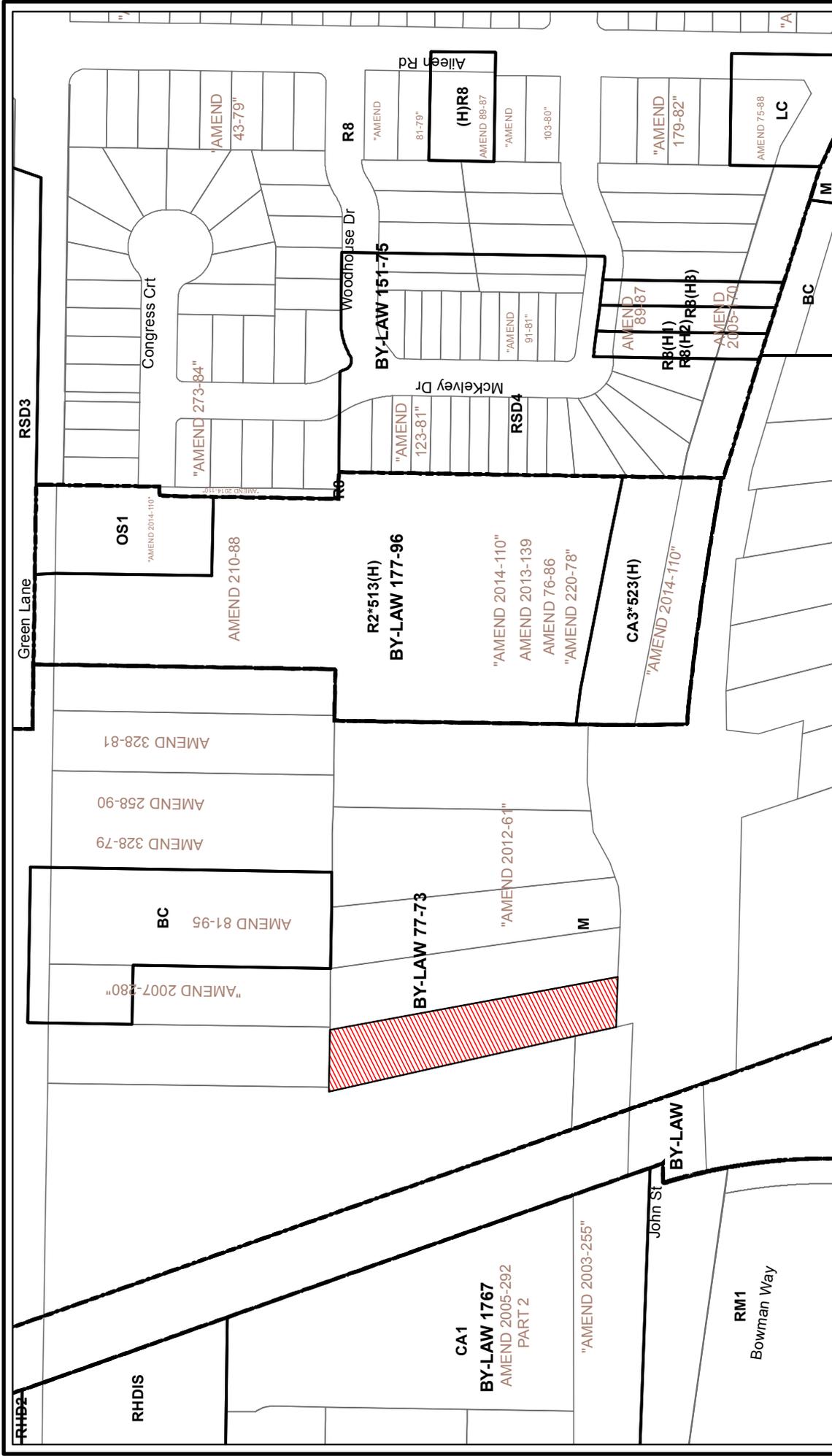
OWNER:

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C/O Yefim Ostirov
332 John Street
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Email: canamx@hotmail.com

APPLICANT:

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Solutions
C/O Bill Haley
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Toronto, Ontario, M6C 2B1
Tel: (905) 561-2946
Email: billhaley@rogers.com





AREA CONTEXT / ZONING

OWNER : CAN-AM EXPRESS
332 JOHN STREET

FILE No. ZA. 15131193 (RC)

 SUBJECT LANDS

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AIR PHOTO

OWNER: CAN-AM EXPRESS
332 JOHN STREET

FILE No. ZA. 15131193 (RC)

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Drawn By: CPW

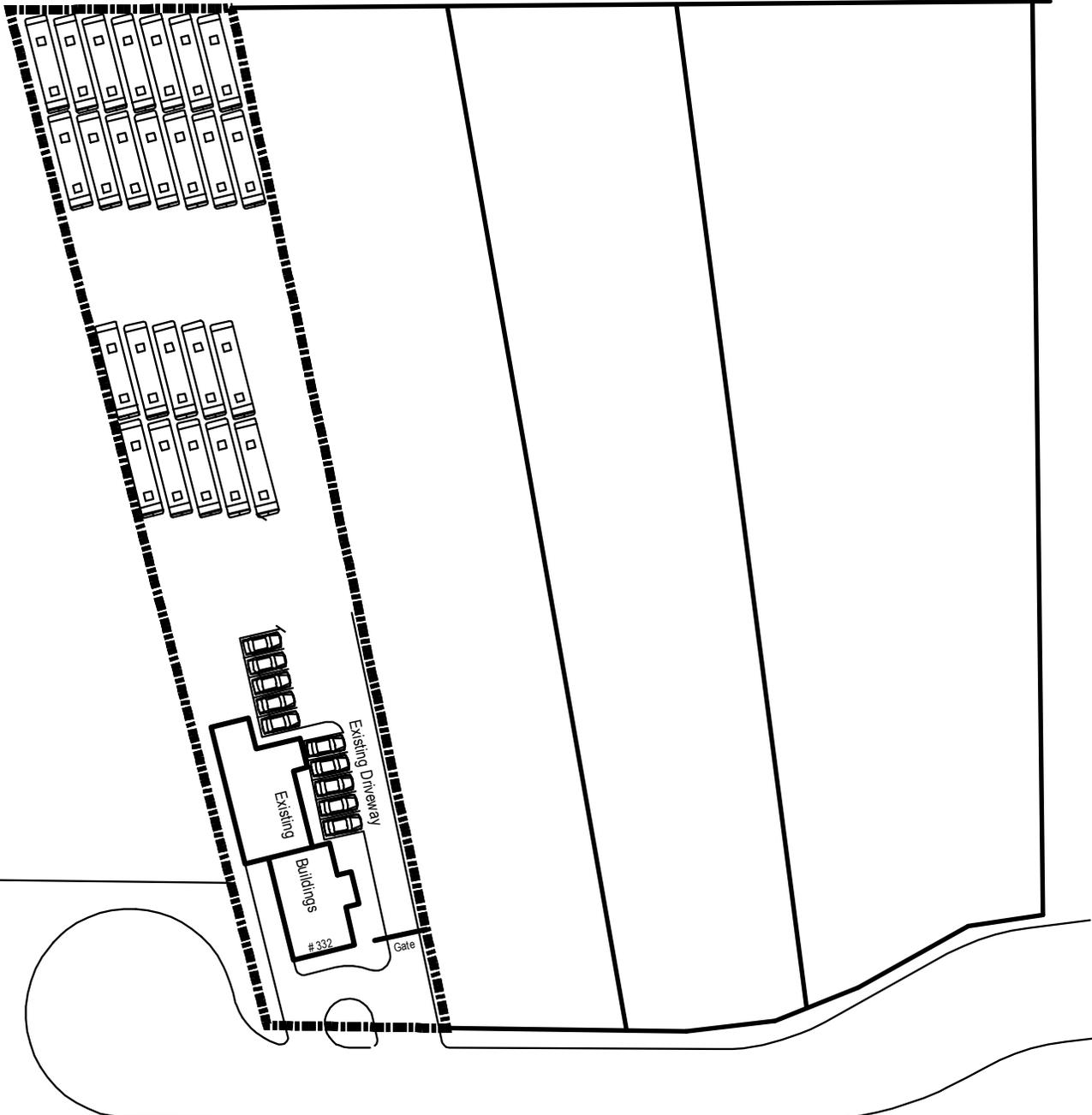
Checked By: RC

DATE: 04/05/2015

FIGURE No. 3



 SUBJECT LANDS



John Street

SITE PLAN

OWNER : CAN-AM EXPRESS
332 JOHN STREET

FILE No. ZA. 15131193 (RC)

 SUBJECT LANDS

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DATE: 04/05/2015