

SUBJECT: 1891421 Ontario Ltd. c/o Kylemore Communities
Preliminary Report
Proposed Zoning By-law Amendment Application to permit a
Retail Store within Units 4 and 5 of an existing Multi-Unit
Building at 166 Bullock Drive
File No. ZA 14 108485

PREPARED BY: Stephen Corr
Planner II, East District x. 2624

REVIEWED BY: Sally Campbell, M.C.I.P., R.P.P.
Acting East District Manager x 2645

RECOMMENDATION:

That the Preliminary Report, entitled, "Proposed Zoning By-law Amendment Application to permit a Retail Store within Units 4 and 5 of an existing Multi-unit building at 166 Bullock Drive, File No. ZA 14 108485", be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the proposed Zoning By-law amendment application, to permit a retail store within units 4 and 5 of the existing multi-unit building at 166 Bullock Drive. This report contains general information regarding applicable Official Plan policies as well as other policies or issues. The report should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND:

The 1.17 ha (2.89 ac) subject property is located on the north side of Bullock Drive, which is east of McCowan Road and north of Highway 7 East (See Figure 1, 2 and 3). Surrounding land uses include industrial and commercial businesses to the east and west along Bullock Drive, and a low density residential subdivision to the southeast (across Bullock Drive). The Canadian National (CN) railway corridor abuts the property to the north. A low density residential subdivision is located further north, across the CN railway line.

The site is developed with a one-storey, multi-unit industrial/commercial condominium building. There are 37 units in the building. Thirty industrial units are located along the east and west sides of the building and are used predominantly for automotive repair purposes. Seven commercial units are located at the front (south side) of the building, facing Bullock Drive. These units are occupied by a kitchen cabinet warehouse and showroom, a bakery/caterer, an automotive parts distributor and a fitness facility. A ground floor plan is provided as Figure 4 which identifies the location of the vacant subject units.

A Memorandum dated August 14, 2014 (see Appendix 'A') was provided to the Chief Administrative officer (CAO) during the Development Services summer recess to provide background information on this application and to request authorization to schedule the Statutory Public Meeting. Scheduling of a Public Meeting was authorized on August 18, 2014.

PROPOSAL

The applicant has submitted a Zoning By-law Amendment application to permit a retail (men's clothing) store within units 4 and 5 of the existing multi-unit building on the subject lands. The proposed retail store will have an approximate Gross Floor Area (GFA) of 250 m² (2690 ft²).

OFFICIAL PLAN AND ZONING

The subject lands are designated "Industrial – Business Corridor Area" in the the in-force Official Plan (1987 Revised), as amended. This designation allows retail uses, providing individual retail premises are 'generally not less than 300 m² (3,229 ft²) and not more than 1,000 m² (10,764 ft²)'.

The subject lands are designated "Service Employment" in the Official Plan 2014 (not yet in force). This designation also allows for retail uses, provided such uses do not exceed an individual GFA of 1,000 m² (10,764 ft²), and that the combined total GFA of all retail uses in a multi-unit building does not exceed the lesser of 3000 m² or 50% of the total GFA of the building.

The subject lands are zoned Industrial under By-law 1229, as amended. The Zoning By-law permits industrial uses such as manufacturing and warehousing. It also permits commercial uses, including banks, offices, car washing establishments and health clubs. Retail sales are only permitted as accessory to an industrial use, providing the retail component does not exceed 10% of the GFA of a related industrial premise, and is physically separated from the industrial use. The Zoning By-law amendment, if approved, will allow retail sales as a stand-alone use in units 4 and 5 of the existing building.

OPTIONS/ DISCUSSION:

The use proposed by the Zoning By-law Amendment application is allowed in the in-force Official Plan (revised 1987) and the 2014 Official Plan (not yet in force), subject to the floor area restrictions described above. The GFA of the proposed retail store is 250 m² (2690 ft²), which is slightly less than the general minimum floor area recommended for retail premises in the in-force Official Plan, which directs individual retail premises to be 'generally not be less than 300 m² (3,229 ft²)'. The subject units are located in a portion of the building comprised of similar sized commercial units facing Bullock Drive. The applicant proposes that the 250m² (2690 ft²) premises is sufficient in size to support a viable retail use in this instance that meets the intent of the Official Plan policy.

The technical review of this application has been completed by staff and external agencies. To date, no issues or concerns have been raised through the review of this

application by staff or external agencies. Sufficient on-site parking is available to serve the proposed retail use and the existing uses on the subject lands in accordance with the Parking Standards By-law 28-87, as amended.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed application will align with the City's strategic priorities of Growth Management by allowing expanded use opportunities on the subject property, in accordance with the City's Official Plan policies.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not Applicable

RECOMMENDED BY:



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

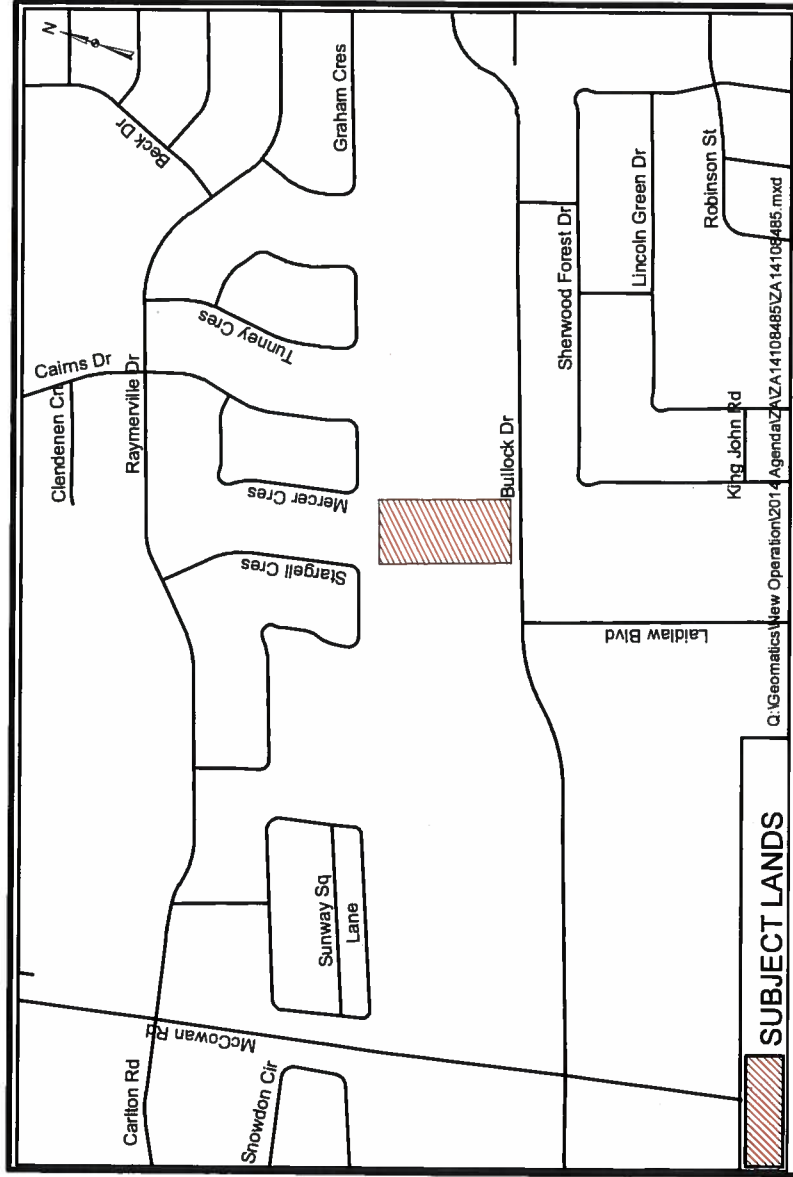


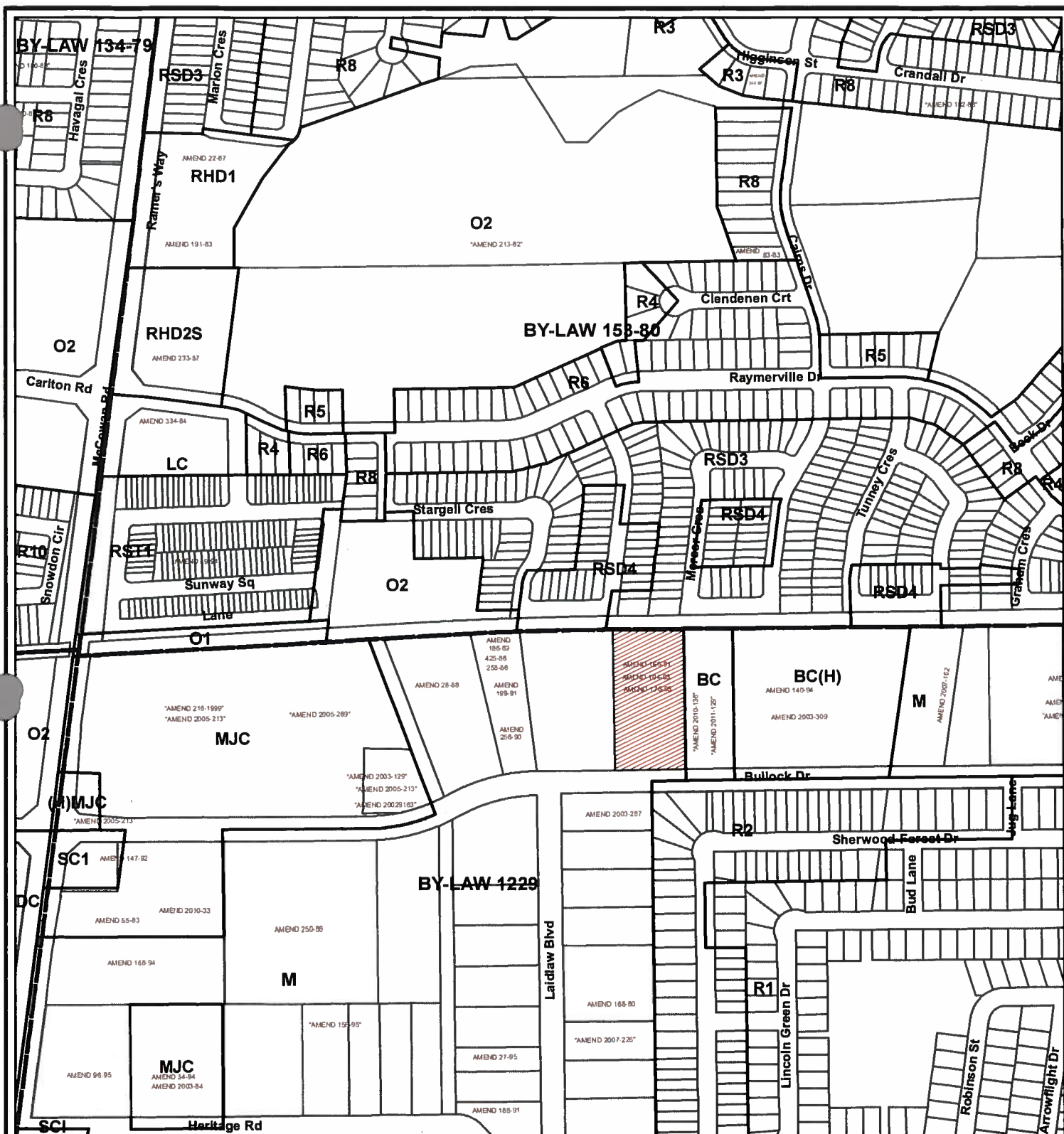
Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1 – Site Location
- Figure 2 – Area and Zoning Context
- Figure 3 – Aerial Photograph
- Figure 4 – 166 Bullock Unit Layout
- Appendix 'A' – Memorandum dated August 14, 2014

File path: Amanda\File 14 108485\Documents\Recommendation Report





AREA CONTEXT / ZONING

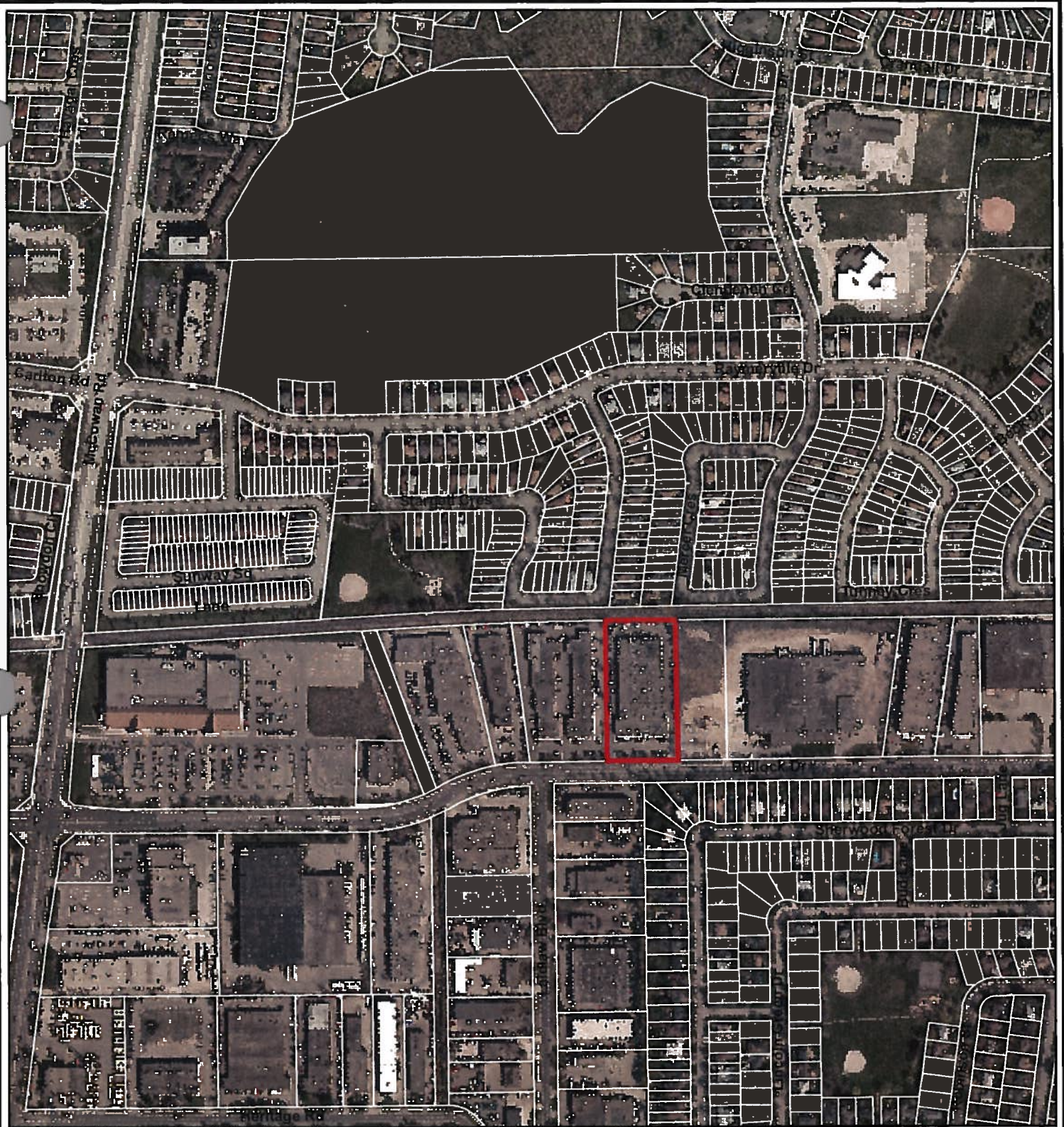
APPLICANT: 1891421 ONTARIO LTD.
166 BULLOCK DR.

FILE No. ZA 14108485 (SC)

 SUBJECT LANDS

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DATE: 10/07/2014



AIR PHOTO

APPLICANT: 1891421 ONTARIO LTD.
166 BULLOCK DR.

FILE No. ZA 14108485 (SC)

 SUBJECT LANDS

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DATE: 10/07/2014



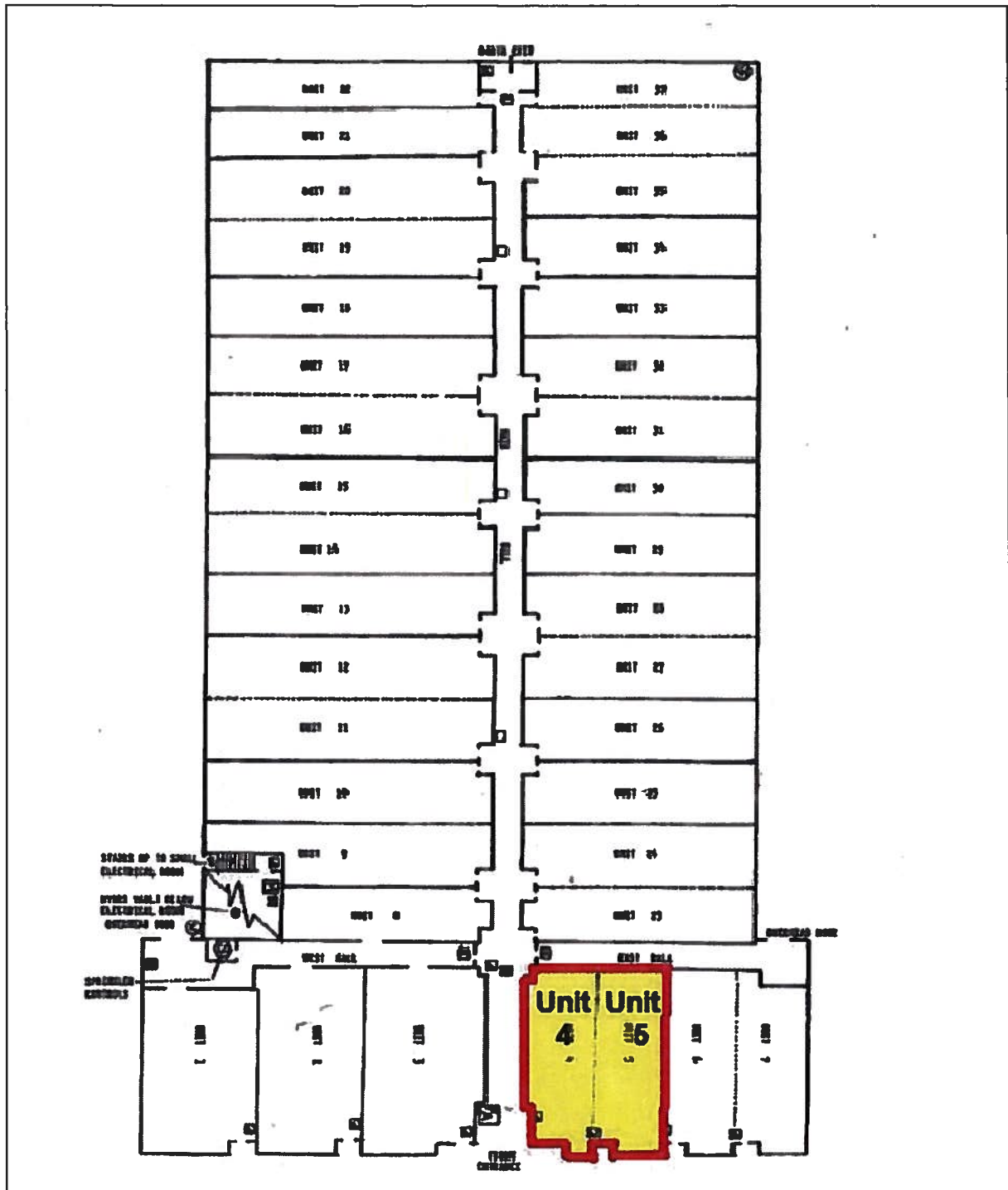
DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SC

FIGURE No.3

Figure 4 – 166 Bullock Drive Unit Layout





MEMORANDUM

To: Andy Taylor, Chief Administrative Officer

From: Biju Karumanchery, Senior Development Manager

Prepared by: Stephen Corr, Planner II, East District

Date: August 14, 2014

RE: 1891421 Ontario Ltd. c/o Kylemore Communities
Proposed Zoning By-law Amendment application to permit a
Retail Store within Units 4 and 5 of the existing multi-unit
building at 166 Bullock Drive
File ZA 14 108485

B.K.
U.A.S.
08/18/14

RECOMMENDATION

That staff be authorized to schedule a Public Meeting in September to consider the proposed Zoning By-law Amendment application (ZA 14 108405).

PURPOSE

This memorandum provides preliminary information about the application and seeks authorization to hold a statutory Public Meeting. This memorandum contains general information in regards to applicable Official Plan policies, as well as other issues. This memorandum should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND

The 1.17 ha (2.89 ac) subject property is located on the north side of Bullock Drive, which is east of McCowan Road and north of Highway 7 East (See Figure 1, 2 and 3). Surrounding land uses include industrial and commercial businesses to the east and west along Bullock Drive, and a low density residential subdivision to the southeast (across Bullock Drive). The Canadian National (CN) railway corridor abuts the property to the north. A low density residential subdivision is located north of the CN railway line.

The site is developed with a one-store, multi-unit industrial/commercial condominium building. There are 37 units in the building. Thirty industrial units are located along the east and west sides of the building. These industrial units are all used for automotive repair purposes. A total of 7 units are located at the front (south side) of the building, facing Bullock Drive. These units are occupied by a kitchen cabinet's warehouse and showroom, a bakery/caterer, an automotive parts distributor and a fitness facility. The

subject units (Units 4 and 5) are currently vacant. A ground floor plan is provided as Figure 4 which identifies the location of the subject units.

PROPOSAL

The applicants have submitted a Zoning By-law Amendment application to permit a retail store within Units 4 and 5 of the existing multi-unit building on the subject site. The retail store will have an approximate Gross Floor Area (GFA) of 250 m² (2690 ft²) and will be used as a men's clothing store. The Zoning By-law Amendment proposes to permit a retail store in the subject units only.

OFFICIAL PLAN AND ZONING

The subject lands are designated "Industrial – Business Corridor Area" in the City of Markham Official Plan (revised 1987). This designation allows retail uses, providing individual retail premises are 'generally not less than 300 m² and not more than 1,000 m² (10,764 ft²)'.

The subject lands are designated "Service Employment" in the City of Markham Official Plan that was adopted by Council and December of 2013 and approved by the Region in June of 2014 (currently under appeal). This designation also allows for retail uses, providing the retail use is not greater than 1,000 m² (10,764 ft²), and that the combined total of all retail uses in a multi-unit building does not exceed the lesser of 3000 m² or 50% of the total GFA of the building.

The subject lands are zoned Industrial under By-law 1229, as amended. The Zoning By-law permits industrial uses such as manufacturing and warehouses. It also permits commercial uses, including banks, offices, car washing establishments and health clubs. Retail sales are only permitted as an accessory component of an industrial use, providing the retail component does not exceed 10% of the GFA of a related industrial premise, and is physically separated from the industrial use.

Attachments:

Figure 1 – Site Location

Figure 2 – Area and Zoning Context

Figure 3 – Aerial Photograph

Figure 4 – 166 Bullock Unit Layout