

SUBJECT: RECOMMENDATION REPORT
Beaver Valley Stone Ltd.
8081 Woodbine Avenue
Request for comments from the Ministry of Municipal Affairs
and Housing on applications to amend the Parkway Belt West
Plan and the Minister's Zoning Order to permit a proposed
landscaping supply business
Ministry of Municipal Affairs File No. 11.640
City of Markham File No. ZA 12 136584

PREPARED BY: Scott Heaslip, Senior Project Coordinator
Central District, ext. 3140

REVIEWED BY: Richard Kendall, Manager
Central District, ext. 6588

RECOMMENDATION:

- 1) That the staff report titled "Recommendation Report, Beaver Valley Stone Ltd., 8081 Woodbine Avenue, Request for comments from the Ministry of Municipal Affairs and Housing on applications to amend the Parkway Belt West Plan and the Minister's Zoning Order to permit a proposed landscaping supply business", be received.
- 2) That the Ministry of Municipal Affairs and Housing be advised that the City of Markham has no objection to the approval of the applications, subject to the following condition:
 - That the amendment to the Ministers Zoning Order require a strip of land having a minimum depth of 14 metres immediately abutting the street line with Highway 407 be used for no other purpose than landscaping to ensure that the outdoor storage area is visually buffered from the highway.
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to recommend that Council express no objection to the approval of applications to the Ministry of Municipal Affairs and Housing to amend the Parkway Belt West Plan and the corresponding Minister's Zoning Order to permit a landscaping supply business on the lands between Woodbine Avenue and Rodick Road, immediately south of Highway 407. Staff are recommending a condition requiring a 14

metre wide landscape strip along the Highway 407 frontage of the property to ensure that the proposed outdoor storage area is visually buffered from the highway. This buffer landscaping will be further developed at the site plan approval stage and enforced through the site plan agreement.

BACKGROUND:

Subject Property and Area Context (Figures 2 and 3)

The subject property has an area of 7.27 hectares (18 acres) and is located between Woodbine Avenue and Rodick Road, immediately south of Highway 407.

The property has been cleared of trees pursuant to a tree compensation agreement with York Region and the contaminated soils from the previous use (an auto wrecker) are being remediated in consultation with the provincial Ministry of the Environment.

To the south is a Hydro One transmission corridor. The plans for the future 407 Transitway show it passing through the hydro corridor, immediately south of the subject property, with a station immediately east of Woodbine Avenue. A portion of the corridor immediately south of the subject lands is being leased to Miller Paving for a temporary aggregate recycling facility (not yet constructed), truck storage and employee parking. A City of Markham off-lease dog park occupies the east portion of the corridor adjacent to Rodick Road. Further south across Miller Avenue is the Miller Paving asphalt plant and yard, to be redeveloped for industrial and commercial uses. To the east across Rodick Road is vacant land and the hydro corridor. To the west is a Highway 407 on-ramp. Further west across Woodbine are additional ramps. To the north across Highway 407 are the Powerstream Building and other industrial uses.

Provincial Parkway Belt West Plan and Zoning Order

The subject property is within the Provincial Parkway Belt West Plan. The west portion is designated "General Complementary Use Area", which permits a landscaping supply business. The east portion is designated "Road", which does not permit this use.

The property is within the Provincial Minister's Zoning Order, which implements the Parkway Belt West Plan. The Zoning Order was amended in 1985 to permit the subject property to be used for "dry industry" subject to certain lot, building and open storage regulations. The 1985 amendment applies to the entire subject property, including the portion designated "Road." A landscaping supply business is a "dry industrial" use, as defined by the Zoning Order, as amended.

City of Markham Official Plan and Zoning (Figure 4)

The subject property is designated "Industrial" on Schedule "A - Land Use and "Lands under Minister's Order (Parkway Belt)" on Schedule B - Planning Districts to the current (1987) Official Plan. The Official Plan provides that lands within the Parkway Belt West Planning District are governed by the provisions of the Parkway Belt West Plan and the City's Official Plan, and that in the event of a discrepancy the provisions of the Parkway Belt West Plan shall prevail.

The property is zoned A1 – Agricultural by Zoning By-law 2284-68. However, the Minister's Zoning Order supersedes the City's zoning.

The draft new Official Plan, released for public comment in September 2012, identifies the lands as "Business Park," with a "Parkway Belt West" overlay. Lands in this designation are intended to be developed for prestige industrial and office uses in the event they are removed from the Parkway Belt West Plan.

Proposed Development (Figure 4)

The applicant currently operates a landscaping supply business (Beaver Valley Stone) at 25 Langstaff Road East in Thornhill. That property is within the Langstaff Gateway Secondary Plan Area, which is planned for high-density, transit-supportive, mixed-use development in accordance with the Langstaff Secondary Plan (OPA 183).

The applicant is proposing to relocate the landscaping supply business to the subject property, facilitating the redevelopment of the Langstaff property in accordance with OPA #183.

The proposed development comprises the following:

- A one-storey, 1400 square metre (15,000 square foot) building comprised of warehouse, retail, office, maintenance and showroom uses.
- A surface parking lot accommodating 44 parking spaces.
- An outdoor storage area for landscape materials and natural stone and concrete products. The plans submitted with the application show the outdoor storage area being set back 14 metres from the Highway 407 and future 407 transitway property lines.

Access will be from a driveway onto Miller Avenue, east of Woodbine Avenue utilizing an existing access easement across the hydro corridor.

The owner has not applied for site plan approval for the proposed development.

Requested Amendments

The Ministry of Municipal Affairs has requested comments from the City regarding the following applications:

1. An amendment to the Provincial Parkway Belt West Plan to permit the proposed use within the east portion of the property which is designated "Road."
2. An amendment to the provincial Minister's Zoning Order to adjust the development standards for the subject property, as follows:
 - To permit 54% of the property to be occupied by open storage, whereas the Zoning Order currently restricts open storage to 30% of the property.
 - To permit open storage in front and side yard locations, whereas the Zoning Order currently restricts open storage to a rear yard as defined by the zoning order.

OPTIONS/ DISCUSSION:

Given the planned 407 transitway station in the immediate vicinity of the subject property, there is potential in the long term for higher order transit supportive uses at this location. However, in the near term the subject property is isolated and adjacent to existing and proposed unattractive open storage industrial uses. As such, it is an appropriate location for the proposed landscaping supply business, which represents a relatively modest investment in the property, allowing it to be redeveloped for higher order uses in the future. The relocation of the business to the subject property will also facilitate the redevelopment of the Langstaff property in accordance with the Langstaff Secondary Plan (OPA 183).

York Region Planning has advised the Ministry of Municipal Affairs and Housing that they have no objection to the requested amendments. Given the planned 407 Transitway, Regional Planning has suggested to the Ministry that there should be assurances that the access road will not impede construction of the transitway in the future, and that the landowner will be responsible for any additional cost to the transitway if additional works are required to accommodate continued access to the property.

The Ministry of Transportation, which has jurisdiction over Highway 407 and the future 407 Transitway, has advised the Ministry of Municipal of the following conditions:

- The lands must be fully outside the designated 407 Transitway right-of-way.
- All above and below ground structures must be set back 14 metres from the Highway 407 and 407 Transitway property lines.
- MTO will not be held responsible for any costs associated with the upgrade of the temporary access road from Miller Avenue.
- The Owner must obtain Building/Land-Use permits from MTO.

Conclusion

The requested amendment to the Parkway Belt West Plan addresses an inconsistency dating from 1985 when the Zoning Order was amended to permit uses dry industrial uses on the entire subject property notwithstanding that the east portion is designated "Road".

Staff have no objection to the approval of the requested amendments to the regulations in the Minister's Zoning Order subject to the following condition:

- That the amendment to the Ministers Zoning Order require a strip of land having a minimum depth of 14 metres immediately abutting the street line with Highway 407 be used for no other purpose than landscaping to ensure that the outdoor storage area is visually buffered from the highway.

The proposed development will be subject to site plan approval. The project plans will be further developed at the site plan approval stage to address the City's expectations and requirements, including the details of the landscaping and fencing adjacent to Highway 407.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development will support a number of the City's "Building Markham's Future Together" initiatives (Transit, Growth Management) by facilitating development in the Langstaff Gateway Secondary Plan Area, which is planned for high-density, transit-supportive, mixed-use development.

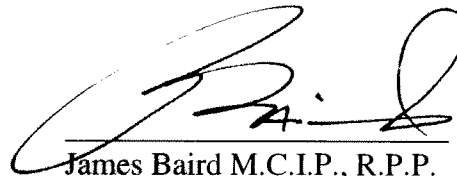
BUSINESS UNITS CONSULTED AND AFFECTED:

The applications were circulated to other City department for review and comment.

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning and Urban Design



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

ATTACHMENTS:

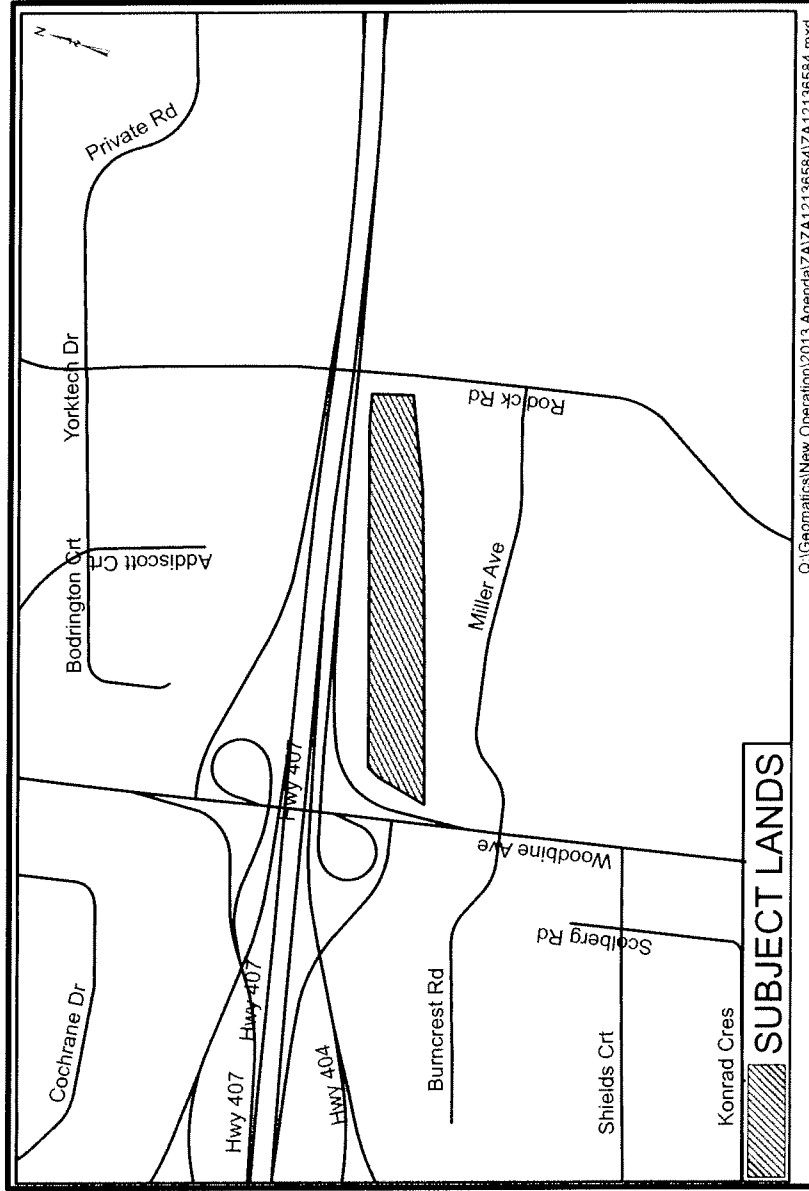
- Figure 1 - Location Map
- Figure 2 - Area Context/Zoning
- Figure 3 - Air Photo
- Figure 4 - Conceptual Site Plan

APPLICANT/AGENT:

Peter Walker
Walker, Nott, Dragicevic Associates Limited
90 Eglinton Avenue East
Toronto, Ontario
M4P 2Y3

Tel: 416-968-3511
Email: pwalker@wndplan.com

File path: Amanda\File 12 136584\Documents\Recommendation Report





AIR PHOTO

APPLICANT: BEAVER VALLEY STONE
8081 WOODBINE AVENUE

FILE No. ZA.12136584 (SH)

Q:\Geomatics\New Operation\2013 Agendum\ZA\ZA12136584\ZA12136584.mxd

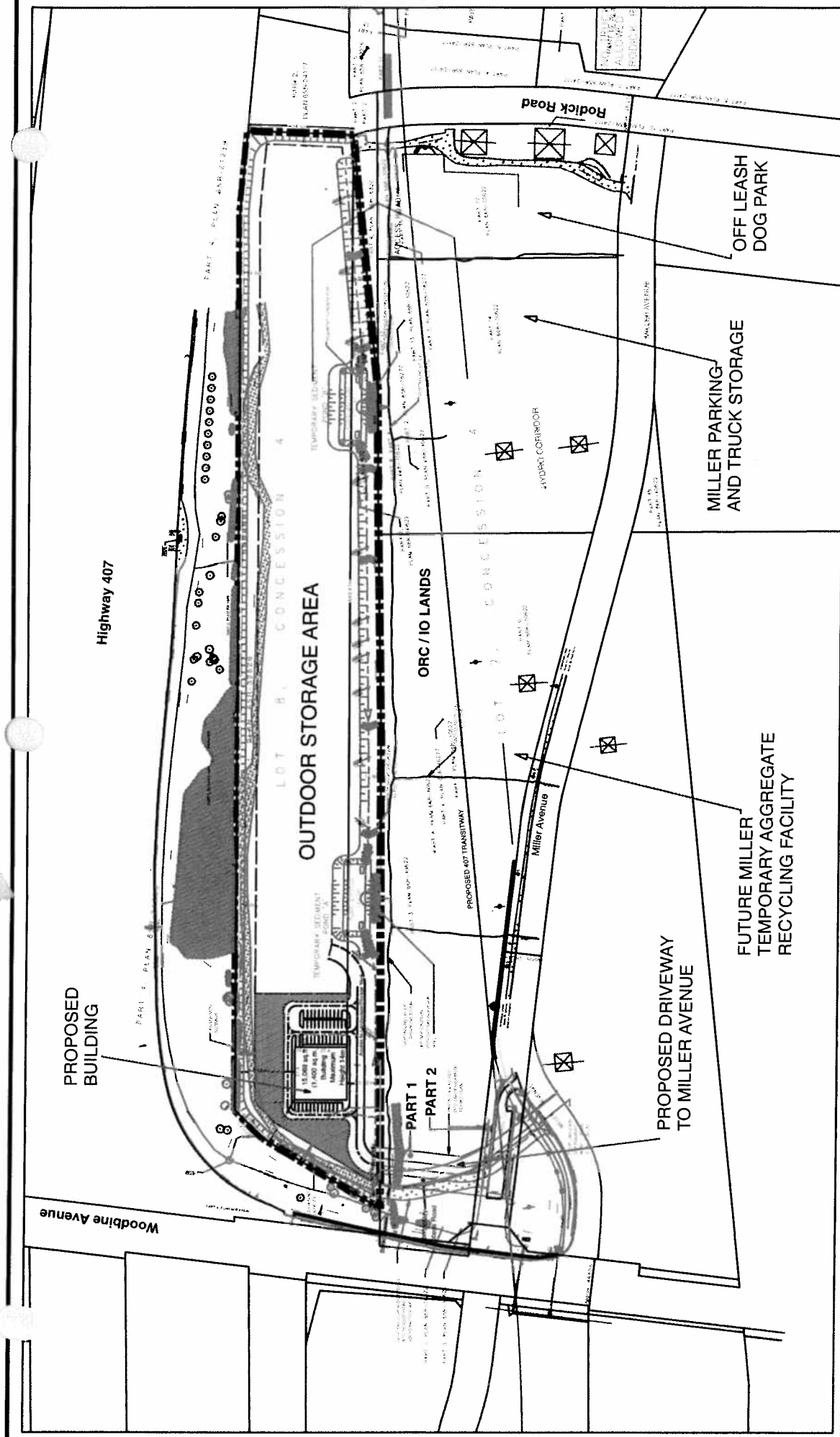


Drawn By: CPW

Checked By: SH


DATE: 03/26/2013

FIGURE No. 3



SITE PLAN

APPLICANT: BEAVER VALLEY STONE
 8081 WOODBINE AVENUE
 FILE No. ZA.12136584 (SH)

 SUBJECT LANDS

Q:\Geomatics\New Operation\2013 Agenda\ZA\12136584\ZA12136584.mxd

 DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SH

DATE: 03/26/2013

FIGURE No. 4