



Report to: Development Services Committee

Report Date: April 9, 2013

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**SUBJECT:** PRELIMINARY REPORT  
2223156 Ontario Inc. (Gabriele Group of Companies), Zoning Amendment to permit a private school with a daycare component as an additional use on the subject property and to permit a minimum of 245 parking spaces to accommodate the proposed and existing uses, File ZA 12-117562

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

**REVIEWED BY:** Stephen Kitagawa, Acting Manager, East District ext. 2531

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**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, 2223156 Ontario Inc. (Gabriele Group of Companies), Zoning Amendment to permit a private school with a daycare component as an additional use on the subject property and to permit a minimum of 245 parking spaces to accommodate the proposed and existing uses, File ZA 12-117562; be received;
- 2) That staff be authorized to hold a Public Meeting to consider the proposed Zoning By-law amendment application; and
- 3) 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 applications and to seek authorization to hold a statutory Public Meeting. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the application.

**The Rezoning application has been deemed complete**

The rezoning application submitted by MHBC, to permit a private school with a daycare component as an additional use on the subject property and to permit a minimum of 245 parking spaces to accommodate the proposed and existing uses was deemed complete on January 18, 2013.

**BACKGROUND:**

The subject property is located on the north side of Bullock Drive, which is east of McCowan Road and north of Highway 7 East, as shown in Figures 1 and 2. The site is approximately 2.88 ha (7.12 acres) in size and is developed with a 12,914.21 square metre (139,007 square feet) building that was originally used for industrial warehouse purposes. The subject building has been converted to commercial and fitness related uses, and is leased to Joyride (an indoor bike park), Olympian Swimming (a swimming and fitness centre) and School of Rock (a music consulting agency and band rehearsal

space). In addition to the occupied space there is 896.36 square metres (9,648) of vacant space located on the second floor within the east side of the building and 993.33 square metres (10,692.12 square feet) of vacant space on the ground floor at the front of the building, adjacent to Bullock Drive.

The Applicants are proposing to establish a private school which includes a daycare, known as the Pris-T-Gis Montessori School within the vacant ground floor space at the front of the building.

The surrounding areas include existing commercial and industrial land uses east and west of the subject property along Bullock Drive and low density residential communities to the south and north. A GO Transit railway corridor is also located adjacent to the subject property along the north property boundary.

#### **Site Plan Control**

Prior to commencing the proposed site alterations, which include façade changes to the proposed private school and daycare, increasing the availability of onsite surface parking and development of a fenced in play area within the front yard, the applicants must obtain Site Plan Approval. An application for site plan is currently being processed under file SC 12-117562. The site plan control application approval authority is delegated to the Director, Planning & Urban Design, in accordance with the criteria established by Delegation By-law 2002-202.

#### **Official Plan and Zoning**

The subject property is designated Business Corridor Area under the City of Markham Official Plan, which provides for a daycare centre. A private school is also permitted as discretionary land use under the Official Plan within the Business Corridor Area providing it is consistent with the planned function of the area.

The subject property is zoned Industrial – ‘M’ under By-law 1229, as amended. Section 5 of By-law 1229, as amended provides ‘General Provisions for all Zones’, and includes private schools as a permitted land use. Therefore a private school is a permitted use on the subject property. The proposed private school however is anticipated to have a daycare component and the daycare is currently not a permitted land use under the applicable Zoning By-law. This rezoning application has been submitted to permit the daycare component within the private school.

#### **Previous Minor Variance Application**

The Committee of Adjustment granted approval of Minor Variance A/149/12 on August 22, 2012 to permit a private school and daycare on the subject property and to reduce the required onsite parking to allow a minimum of 229 spaces, whereas the By-law would normally require a minimum of 311 parking spaces. This variance was approved subject to the following conditions:

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- (1) That the Owner obtains site plan approval from the City of Markham for the proposed private school and day care, prior to the issuance of any building permit;
  - (2) That a rezoning application is submitted for the private school and day nursery within 3 months of the date of this decision; and
  - (3) That the variance to permit a private school and day nursery be in effect for a maximum period of 2 years from the date of this decision.

In order to satisfy the conditions imposed by the Committee of Adjustment, including the maximum two year term to permit the proposed private school and daycare, the applicant has submitted the rezoning and site plan control applications that are the subject of this report. Additionally, modifications to the site, including alterations to the landscaping configuration and removal of a third driveway accessing Bullock Drive on the west side of the subject property are being proposed through the site plan control application to provide additional onsite parking that was not previously identified through the minor variance application. Further details regarding onsite parking as it relates to the rezoning and site plan control application is provided below.

#### **Parking Requirements**

The City of Markham Parking Standards By-law 28-97 regulates the minimum number of required onsite parking spaces based on the uses. Requirements are generally relative to the Net Floor Area (NFA) and in the case of the proposed private schools and daycare, the number of classrooms within it. Under By-law 28-97, commercial fitness centres (Joyride) and offices (School of Rock) require a minimum of one parking space per 30 sq m of NFA. The commercial School (Olympian Swimming) requires a minimum of one space per 20 sq m of NFA and the proposed Pris-T-Gis Montessori school and daycare requires a minimum of four spaces per classroom. In addition to these uses, the building contains 896.36 square metres (9,648 square feet) of vacant space, which could be occupied by other uses that are permitted under the Zoning By-law such as industrial or office type uses. For the purposes of calculating onsite parking requirements, two calculations were made that contemplated this vacant space as either an office use which requires a minimum of one space per 30 sq m NFA or industrial uses which requires a minimum of one space per 40 sq m NFA.

Section 4.0 of Parking By-law 28-97 includes 'shared parking' requirements for buildings that contain multiple uses and establishes parking requirements based upon their anticipated occupancy rates during different times of the day. Shared Parking requirements were used to determine the minimum onsite parking requirements on the subject property based upon the tenant mix described above. Staff have determined that the minimum required onsite parking is 395 spaces should the vacant space be used for industrial purposes and 396 spaces should the vacant space be used as an office. These totals also include a minimum of 9 accessible spaces that are required onsite.

The site plan submitted for review as part of the Rezoning and Site Plan Control applications proposes 245 parking spaces onsite, including 5 accessible spaces. The proponents therefore have also included a request to permit a reduction to the onsite

parking requirements as part of the rezoning application. The proponents have submitted a Parking Justification regarding the deficiency in onsite parking, which is currently being reviewed by Engineering Department staff.

**OPTIONS/ DISCUSSION:**

City Staff have identified the following concerns/issues to date with the proposed zoning by-law amendment and site plan control application that will need to be addressed as part of the application review process and prior to approval:

- 1) Engineering Staff have not yet completed their review of the associated Parking Justification Study prepared by Cole Engineering.
- 2) Recognizing that the proposed daycare is a sensitive land use, staff will circulate the application to the Ministry of the Environment, and consider any comments received from the Ministry of the Environment regarding existing industrial uses within the vicinity.
- 3) Given the proximity to the adjacent GO Transit railway corridor to the north of the subject property, this application was circulated to Metrolinx for their review and comments, which will be incorporated into the Staff recommendation report

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

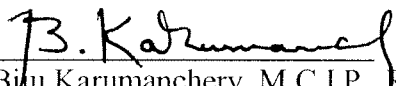
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

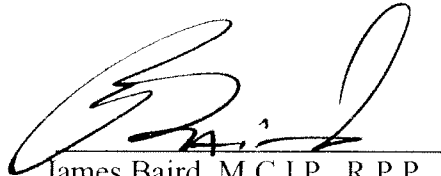
The application should be considered within the context of the City's growth management and strategic priorities

**BUSINESS UNITS CONSULTED AND AFFECTED:**

This application has been circulated to various departments within the Town and applicable agencies for comment.

**RECOMMENDED BY:**

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

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

**ATTACHMENTS:**

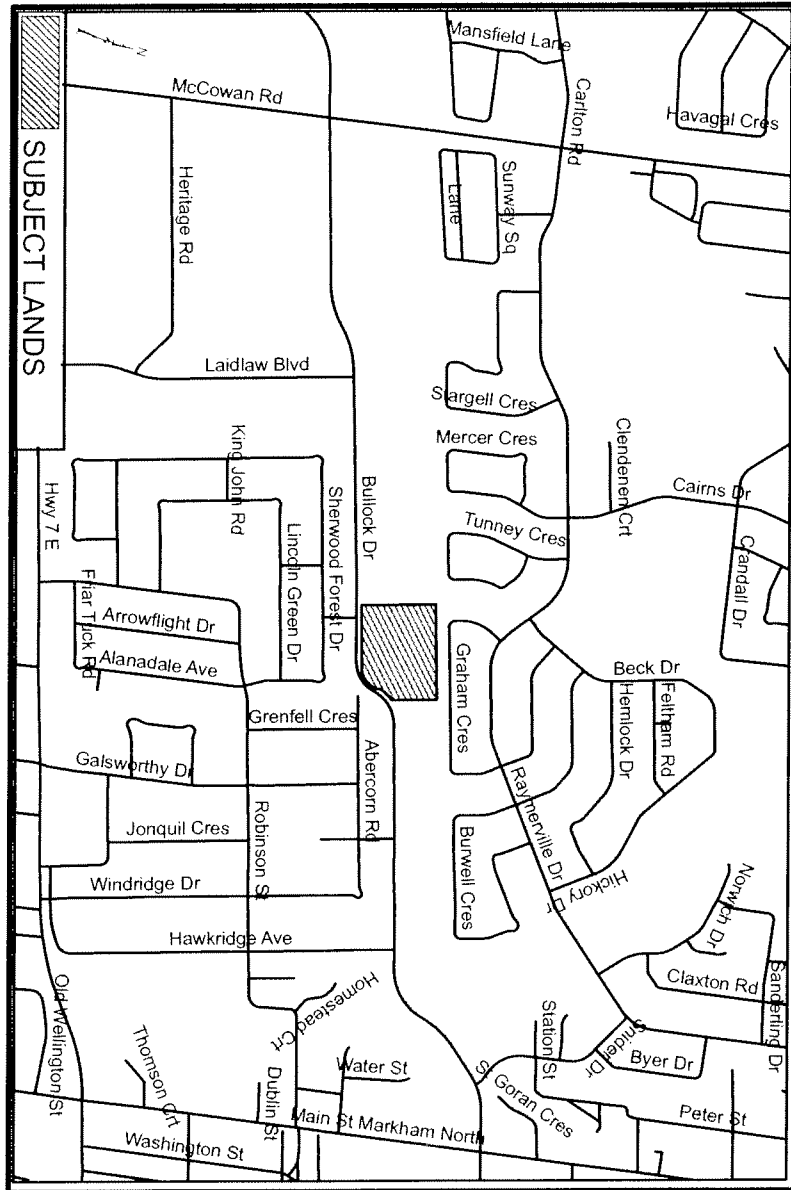
Figure 1 – Property Location

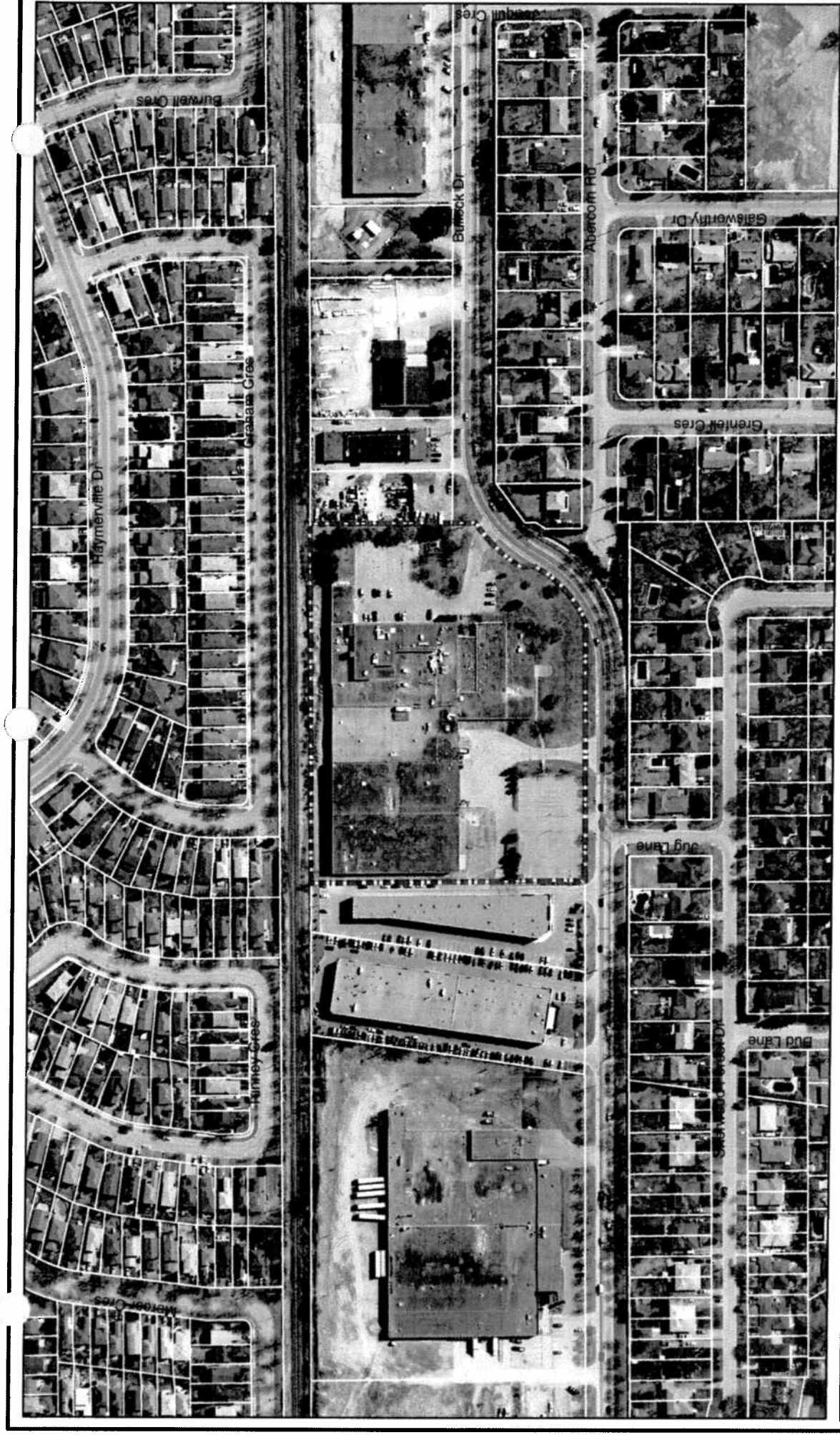
Figure 2 – Air Photo

Figure 3 – Area Context/Zoning

Figure 4 – Site Plan

File path: Amanda\File 12 117562\Documents\Recommendation Report






# AIR PHOTO 2011

APPLICANT: 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES)  
150 BULLOCK DRIVE

FILE No. ZA12117562(SC)

 SUBJECT LANDS






# AREA CONTEXT / ZONING

APPLICANT: 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES)

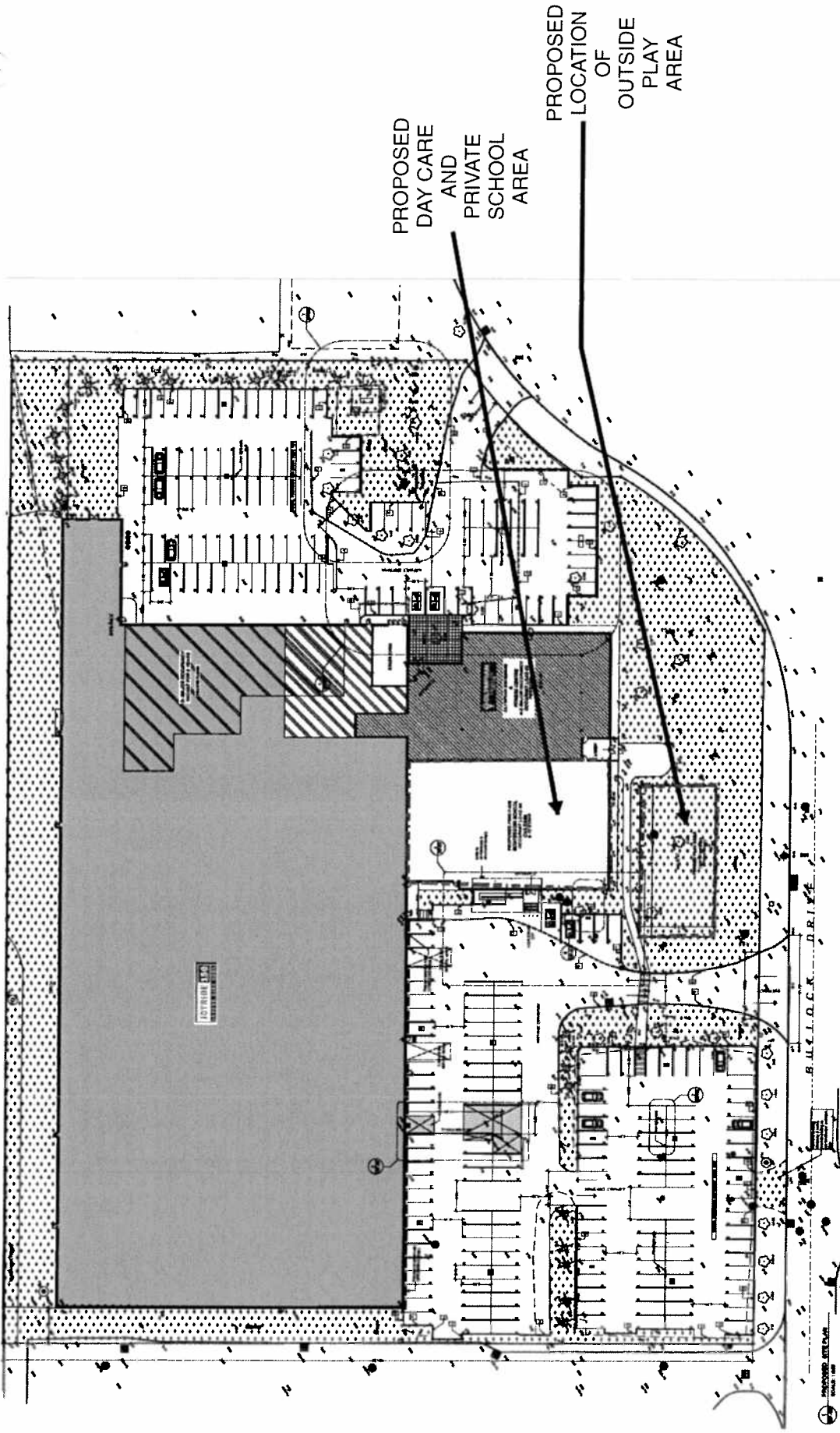
150 BULLOCK DRIVE

FILE No. ZA12117562(SC)

 SUBJECT LANDS

DATE: 02/25/13.

FIGURE No. 3



# SITE PLAN

APPLICANT: 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES)  
150 BULLOCK DRIVE

FILE No. ZA12117562(SC)