



Report to: Development Services Committee

Report Date: September 13, 2011

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**SUBJECT:** PRELIMINARY REPORT  
**Glenn & Cheryl Harrington**  
**Zoning Amendment to permit a business office on the subject**  
**lands (6882 14<sup>th</sup> Avenue)**

**ZA 11 116392**

**PREPARED BY:** Rick Cefaratti, Planner II, East District, ext. 3675  
**REVIEWED BY:** David Miller, Manager, East District, ext. 4960

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**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, Glenn & Cheryl Harrington, Zoning Amendment to permit a business office use within the existing residential dwelling at 6882 14<sup>th</sup> Avenue, File No. ZA 11 116392," dated September 13, 2011 be received;
- 2) That a Public Meeting be held to consider the Zoning Amendment application submitted by Glenn & Cheryl Harrington, to permit a business office use, as defined in By-law 177-96, as amended, on the subject lands; 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 application 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 Glen & Cheryl Harrington, to permit a business office on the subject lands was deemed complete on May 17, 2011.

**BACKGROUND:**

The subject lands are located on the north side of 14<sup>th</sup> Avenue, east of 9<sup>th</sup> line and west of the Box Grove By-Pass (Figures 1 and 2). The site is approximately 0.13 ha (0.32 ac) in size. A two storey, residential dwelling with an approximate Gross Floor Area of 137 m<sup>2</sup> (1,478 sq. ft.) and a detached garage with an approximate Gross Floor Area of 74 m<sup>2</sup> (796 sq. ft.) exist on the property (see attached Site Plan – Figure 4). The dwelling is listed on the Markham Register of Property of Cultural Heritage Value or Interest, and in the Box Grove Secondary Plan as a cultural heritage resource. A stormwater management pond abuts the property to the

north. A one storey multi-unit commercial building (The Shoppes of Box Grove) is located to the south of the property, across 14<sup>th</sup> Avenue. A mixed-use, two storey residential/commercial development is currently under construction and abuts the property to the east. Detached dwellings abut the property to the west.

The applicants are proposing to relocate their Landscape Architecture Consulting business currently operating at 91 Anderson Avenue in the Town of Markham to the the subject property.

### **Official Plan and Zoning**

The subject lands are designated Commercial in the Town's Official Plan and 'Community Amenity Area – Village Centre' in the Secondary Plan for the Box Grove Planning District (OPA No. 92). The Official Plan contemplates and allows small scale retail, personal service and business uses under this designation.

The property is zoned "RRH" Rural Residential Zone under Bylaw 304-87, as amended (see Figure 3). This zone category does not permit business office uses. In addition, as the building will no longer be used as a principle residence, the proposed business use does not qualify as a permitted use through the Home Occupation By-law which regulates home occupation uses in residential dwellings.

### **Parking Requirements**

The Town's Parking Standards By-law (By-law 28-97) requires parking for business office uses to be provided at a rate of 1 space per 30 m<sup>2</sup> of net floor area. Based on this parking rate, the proposed office use will require a minimum of 7 parking spaces to be provided on the site. The proposed site plan shows 6 surface parking spaces, including 1 handicapped space. Two additional parking spaces are available within the detached garage at the rear of the property. All of these parking spaces meet the minimum dimensions required by the Parking Standards By-law. The site plan also shows an additional parking space for a compact vehicle, that does not meet the minimum dimensions required to be in compliance with the by-law. It is not included in the parking calculations for this proposal.

### **Site Plan Control**

Prior to commencing any site alterations (including surface parking) proposed, the applicants must obtain Site Plan approval. An application for Site Plan control is currently being processed under file SC 11 116393. 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 2002-02.

### **OPTIONS/ DISCUSSION:**

Town 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. As noted above, the existing dwelling is listed as a heritage resource and, consequently, the proposal remains to be reviewed by the Heritage Markham Committee meeting on September 14<sup>th</sup>, 2011;
2. Engineering Staff have not yet completed their review of the associated Traffic Impact Study prepared by Sernas Transtech;
3. The applicants will be required to clearly demonstrate how the increase in run-off from the proposed additional pavement area will be managed – this matter will be reviewed through the associated Site Plan control application.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

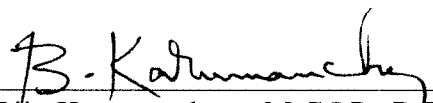
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

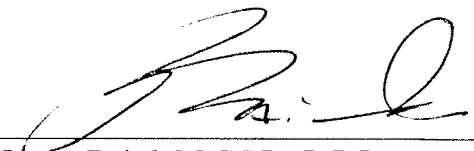
The application should be considered within the context of the Town's growth management, and strategic priorities.

**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.  
Senior Development Manager

  
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 11 116392\Documents\Recommendation Report