



Report to: Development Services Committee

Report Date: September 22, 2015

SUBJECT: **PRELIMINARY REPORT**
1932585 Ontario Incorporated
Zoning By-law Amendment application to introduce
additional commercial uses within the existing heritage
building at 4802 Highway 7 East

File No.: ZA 15 110273

PREPARED BY: Daniel Brutto, Planner I, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., Manager, Central District

RECOMMENDATION:

- 1) THAT the report dated September 22, 2015 titled “PRELIMINARY REPORT, 1932585 Ontario Incorporated, Zoning By-law Amendment application to introduce additional commercial uses within the existing heritage building at 4802 Highway 7 East”, be received;
- 2) AND THAT a Public Meeting be held to consider the application.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on a Zoning By-law Amendment application which proposes to introduce additional commercial uses within the existing heritage building at 4802 Highway 7 East. The report also seeks authorization for a statutory Public Meeting to consider this application.

This report contains general information regarding applicable Official Plan and Zoning policies, as well as other issues. This report should not be taken as Staff’s opinion or recommendation on the application.

Application deemed complete

The Zoning By-law Amendment application was deemed complete on July 22, 2015.

BACKGROUND:

Subject Property and Area Context

4802 Highway 7 East (the “subject property”) is located approximately 100 metres (330 ft) east of Kennedy Road, on the north side of Highway 7 East (see Figure 1 – Location

Map). The 0.25 hectare (0.62 acre) subject property is irregular in shape and has a frontage of approximately 44 metres (144 ft) along Highway 7 East.

The subject property contains a 192 m² (2,067 ft²) two-storey building circa 1930, which is of heritage value. The Rouge River occupies a portion of the subject property at the rear. A gravel driveway provides access to the subject property from Highway 7 East. Mature vegetation exists in the rear yard within the valley land (see Figure 2 – Aerial Photo).

Lands abutting the subject property to the north include the Rouge River Valley and single-detached dwellings on Second Street North, to the west is a dental office and to the east is a one-storey single detached dwelling with commercial use permissions, subject to a holding provision. Across from the subject property, on the south side of Highway 7 East, is a one-storey commercial strip plaza.

Subject property is designated under Part IV of the Ontario Heritage Act

The subject property is designated under Part IV of the Ontario Heritage Act. The existing heritage building, known as the Hiram Powers House, is a good example of an early 20th century dwelling in the Arts and Crafts Style and is clad in stucco and wood shingles (see Figure 3 – Existing Building).

Proposal to introduce additional commercial uses within the existing heritage building

The applicant is proposing to re-zone the subject property from “Single Family Rural Residential and Open Space (RRH & O1)” under By-law 122-72, as amended to “General Commercial and Open Space (C1 & O1)” under By-law 122-72, as amended with site-specific zone requirements.

The purpose of the proposed amendment is to introduce additional commercial uses, including: retail, banks and financial institutions, personal service shops, medical clinics, business offices and commercial schools. These uses are generally consistent with uses permitted in the General Commercial (C1) zone.

No additions are being contemplated or requested as part of this application. Site specific zone requirements will need to be incorporated into the zoning by-law amendment to recognize the existing setbacks as they relate to the existing building and any potential land conveyance as it relates to planned street width of Highway 7 East and the valley land, amongst other matters.

Official Plan and Zoning

The subject property is designated “Commercial – Commercial Corridor Area, Special Policy Area and Hazard Lands” in the in-force Official Plan (1987 Revised), as amended. Lands designated “Commercial Corridor Area” provide for the uses identified above. There is no statutory Secondary Plan for this area of the City.

The subject property is designated “Mixed Use Mid Rise and Greenway” in the Official Plan 2014 (not yet in force). Lands designated “Mixed Use Mid Rise” provide for the uses identified above.

The subject property is zoned “Rural Residential and Open Space (RRH & O1)” under By-law 122-72, as amended (see Figure 4 – Area Context/Zoning). Permitted uses under the RRH zone include: single-family detached dwellings, private home day cares and home occupations. Site-specific By-Law 305-79 was enacted in 1979 to permit the retail sale of brass beds and brassware within the existing building. Permitted uses under the O1 zone include: golf courses, public or private parks, athletic fields and public conservation projects. The requested commercial uses identified above would require a zoning by-law amendment.

Site plan application received

The subject property requires site plan approval under Site Plan Control By-law 262-94, as amended. During the site plan review process, staff will examine in more detail the proposed parking layout, site servicing, landscaping and tree preservation, among other matters (see Figure 5 – Site Plan). A site plan control application has been received.

OPTIONS/ DISCUSSION:**MATTERS TO BE RESOLVED:**

The following is a brief summary of issues raised to date. These matters, and others identified at the Public Meeting and through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee:

1. The northern portion of the subject property is within the Toronto and Region Conservation Authority (TRCA) screening zone and floodplain. Any works are subject to a permit application pursuant to Ontario Regulation 166/06 of the Conservation Authorities Act;
2. The City of Markham and/or the TRCA may require that a portion of the subject property be conveyed into public ownership for environmental protection purposes;
3. Highway 7 East is a Region of York arterial road with a planned street width of up to 45 metres abutting the subject property. As such, the proposed access point and potential land conveyance for road widening (which may impact the proposed site layout and zone standards) is subject to review and approval by the Region of York;
4. Based on the information provided, the supply of parking in conjunction with the uses proposed appears sufficient, however a detailed review of the floor plans will be required to confirm the parking required;
5. Given the servicing constraints due to the lack of a sanitary sewer along Highway 7 East, the applicant is proposing to install a new septic system abutting the valley land. Review of the location and technical specifications is ongoing between the City’s engineering department and the TRCA; and
6. Existing setbacks, landscaping etc. remains to be determined.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

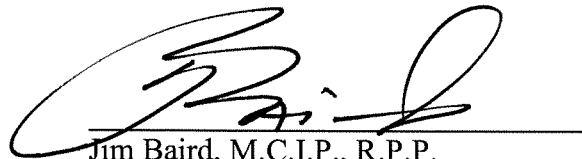
BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:



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



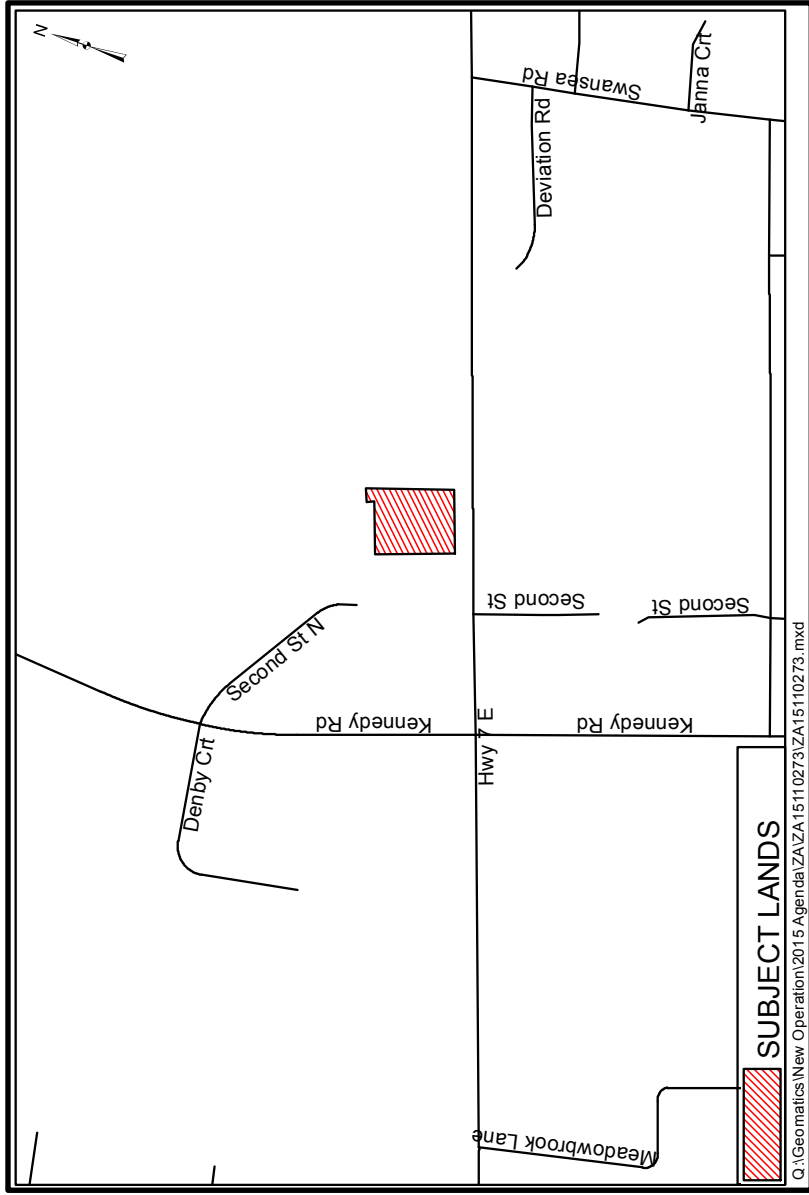
Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Aerial Photo
- Figure 3: Existing Building
- Figure 4: Area Context/Zoning
- Figure 5: Site Plan

APPLICANT/AGENT:

The Grand Circus (Joseph Cimer)
15 Berkeley Court
Markham, Ontario L3R 6M4
416-705-3370



SUBJECT LANDS

C:\Geomatics\New Operation\2015 Aгенда\ZA\ZA 15110273\ZA 15110273.mxd



EXISTING BUILDING

APPLICANT: 1932585 ONTARIO INC.
4802 HIGHWAY 7 EAST

FILE No. ZA. 15110273 (DB)

Q:\Geomatics\New Operation\2015 Agenda\ZA\ZA15110273\ZA15110273.mxd

DATE: 08/10/15



AIR PHOTO

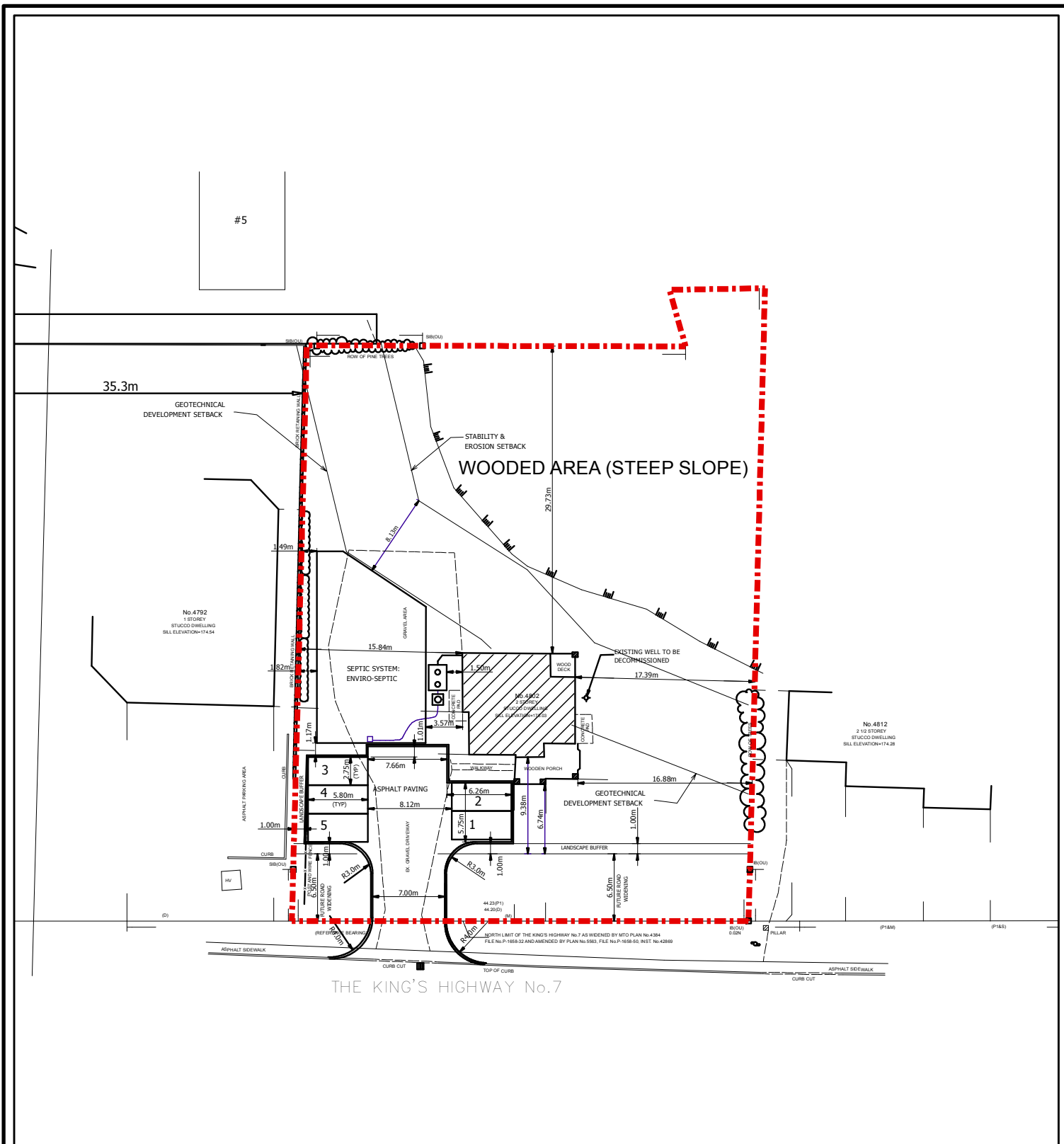
APPLICANT: 1932585 ONTARIO INC.
4802 HIGHWAY 7 EAST

FILE No. ZA. 15110273 (DB)

 SUBJECT LANDS

Q:\Geomatics\New Operation\2015 Agenda\ZA\ZA15110273\ZA15110273.mxd

DATE: 15/07/2015




SITE PLAN

APPLICANT: 1932585 ONTARIO INC.
4802 HIGHWAY 7 EAST

FILE No. ZA. 15110273 (DB)

Q:\Geomatics\New Operation\2015 Agenda\ZA\ZA15110273\ZA15110273.mxd

 SUBJECT LANDS

