

Date:	Tuesday, May 14, 2024		
Application Type:	Zoning By-law Amendment (the "Application")		
Owner:	White Owl Properties Limited (the "Owner")		
Agent:	Nick Pileggi c/o Macaulay Shiomi Howson Ltd.		
Proposal:	An industrial/commercial development including six future buildings, accessed by a new public road (Street 'A') connecting Woodbine Avenue to Miller Avenue, and the addition of "industrial" as a proposed use on Block 2 of the Approved Draft Plan of Subdivision with a new site-wide parking rate, while retaining the existing permitted commercial uses (the "Proposed Development").		
Location:	405 & 505 Miller Avenue (the "Subject Lands")		
File Number:	PLAN 23 150318	Ward:	8
Prepared By:	Elizabeth Martelluzzi, RPP, MCIP, extension 2193 Senior Planner, Central Planning District		
Reviewed By:	Sabrina Bordone, MCIP, RPP Manager, Central	Stephen Lue, MCIP, RPP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Application submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff's opinion or recommendation.

PROCESS TO DATE

Staff received the Application and fees on March 18, 2024, and deemed the Application complete on April 12, 2024. The 90-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for non-decision ends on June 16, 2024.

NEXT STEPS

- The statutory Public Meeting is scheduled for May 14, 2024
- Recommendation Report for consideration by the Development Services Committee ("DSC")
- In the event of an approval, enactment of the site-specific Zoning By-law Amendment

- Submission of future planning applications for redline revision for Draft Plan of Subdivision (see Figure 4) and Site Plan Control.

BACKGROUND

Subject Lands and Area Context

The 29.24 ha (72.69 ac) Subject Lands are currently developed with an asphalt plant and aggregate transfer facility at the northeast corner that is operated by Miller Paving, while the remainder is vacant (see Figures 1 to 3). Figure 2 shows the surrounding land uses.

Application History

There was a previous Draft Plan of Subdivision (19TM-06001) on the Subject Lands, which is in process with Staff for re-approval (see Figure 4). Further, redline revisions to the said Draft Plan of Subdivision are required to re-align Street ‘A’ and revise the development blocks.

The Proposed Development includes 139,563 m² (1,502,247 ft²) Gross Floor Area

Table 1: the Proposed Development (see Figure 5)	
Gross Floor Area:	Building ‘A’: 7,301 m ² (78,593 ft ²) Building ‘B’: 11,741.80 m ² (126,388 ft ²) Building ‘C’: 37,736.38 m ² (406,191 ft ²) Building ‘D’: 40,119.77 m ² (431,846 ft ²) Building ‘E’: 32,072.33 m ² (345,224 ft ²) Building ‘F’: 10,591.37 m ² (114,005 ft ²)
Parking Spaces:	1,551 (1 parking space per 200 m ²)

The following table summarizes the Official Plan Information:

Table 2: Official Plan Information	
Current Designations:	“Commercial”, “Service Employment”, and “General Employment”. The Subject Lands are also located within the Site-Specific Policy Area – Miller Lands (Section 9.17.2)
Permitted uses:	<u>“Commercial”</u> : Retail, service, office, banquet halls, sports and fitness recreation, commercial parking garage, financial institution, hotel, light manufacturing, processing, and warehouse use, with no outdoor storage or outdoor processing, motor vehicle retail sales and motor vehicle service

Table 2: Official Plan Information	
	<p>station, entertainment, private club, restaurant, trade and convention centre, trade school, and commercial school.</p> <p><u>“Service Employment”</u>: service, office, financial institution, manufacturing, processing, and warehousing use, with no accessory outdoor display or outdoor storage, motor vehicle body shop or repair facility with no accessory outdoor storage, retail uses (subject to size limitations), retail and/or service use that is accessory to a manufacturing use, trade school, commercial school, commercial parking garage, and hotel.</p> <p><u>“General Employment”</u>: manufacturing, processing, and warehousing with accessory outdoor storage, retail and/or service that is accessory to the primary manufacturing, processing or warehousing use, office use that is accessory to a primary manufacturing, processing or warehousing use, and trade school.</p>
Area and Site-Specific Policy 9.17.2	<p>Includes site-specific provisions relating to the “Service Employment” and “Commercial” designations regarding minimum GFA for office and maximum GFA for retail uses.</p> <p>Requires a comprehensive block plan and a plan of subdivision be prepared addressing matters including, but not limited to, the provision of vehicular access to 14th Avenue, the protection of trees through an approved tree preservation plan, and confirmation/approval by the Ministry of Natural Resources that the rehabilitation site plans required pursuant to the Aggregate Resources Act, R.S.O 1990, C.A.8, have been completed.</p> <p>Holding provisions shall be applied to the lands to ensure appropriate environmental remediation and that adequate infrastructure and services are available.</p>

A Zoning By-law Amendment application is proposed to permit the Proposed Development
The Proposed Development is subject to By-law 177-96, as amended by site-specific Zoning By-law 2007-150 (“By-law 2007-150”), as shown in Figure 3.

Table 3: Zoning By-law Amendment Information

<p>Current Zone:</p>	<p>“Major Commercial Area *336*340 (Hold) [MJC*336*340 (H)]”, “Business Corridor *336*337 (Hold) [BC*336*337(H)]”, “Business Corridor *338 (Hold) [BC*338(H)]”, and “General Industrial *341 (Hold) [GI*341(H)]”.</p> <p>Staff also note that the Subject Lands are located within the Parkway Belt West Plan, regulated by the Ministry of Municipal Affairs and Housing (“MMAH”).</p>
<p>Permissions:</p>	<p><u>Major Commercial Area – MJC*336*340 (H)</u>: Art galleries, business offices, commercial fitness centers, day nurseries, financial institutions, medical offices, personal service shops, places of entertainment, restaurants, retail stores, commercial and private schools, supermarket, and theatres.</p> <p><u>Business Corridor – BC*336*337(H)</u>: Business Offices, restaurants.</p> <p><u>Business Corridor – BC*338(H)</u>: Art galleries, business offices, commercial fitness centers, day nurseries, financial institutions, hotel, industrial uses, medical offices, personal service shops, recreational establishments, restaurants, retail stores, commercial schools, and veterinary clinics.</p> <p><u>General Industrial – GI*341(H)</u>: Any use operated an/or financed (in whole or in part) by a <i>public authority</i>.</p> <p>By-law 2007-150 includes a Holding Provision ‘H’ with conditions that must be met prior to its removal, including matters not limited to: registration of a subdivision agreement, site plan approval, and implementation of a stormwater management strategy, to the satisfaction of the City and the Toronto and Region Conservation Authority (the “TRCA”).</p>
<p>2024-19 Zones:</p>	<p>“Commercial (COM)”, “Employment - General Employment (EMP-GE)”, and “Employment - Service Employment (EMP-SE)”</p>
<p>Proposal:</p>	<p>The Owner proposes to amend the Zoning By-law on the portion of the lands currently zoned “MJC*336*340(H)” (Block 2) to permit the following:</p> <ul style="list-style-type: none"> • Manufacturing, processing, and warehousing • Retail and/or service accessory to the primary manufacturing, processing, and warehousing use, and located in the same premise as the primary use • Office accessory to a primary manufacturing, processing, and warehousing use, and located within the same premise as the primary use • Trade school

Table 3: Zoning By-law Amendment Information

	<p>Additionally, the Owner proposes a new site-wide parking rate of two parking spaces per premises, plus one parking space per 200 m² of gross floor area for industrial uses.</p> <p>The Owner does not propose outdoor storage nor changes to the existing buildings that are located within the “GI*341(H)” zone.</p>
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Staff identified the following preliminary list of matters that will be assessed through the review of the Application, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plans**
 - i) The appropriateness of the proposed Zoning By-law amendment to add Industrial uses to Block 2 and a new site-wide parking rate.
- b) Parkland Dedication and Other Financial Contributions**
 - i) The Application will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, public art contribution, and other financial contributions.
- c) Allocation and Servicing**
 - i) The availability of water and sanitary servicing capacity for the Proposed Development must be identified and allocated by Council, if the Application is approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol, which will be removed once Council allocates servicing capacity to the Subject Lands.
- d) Review of the Proposed Development will include, but not limited to, the following:**
 - i) Evaluation of the compatibility with existing and planned development within the surrounding area.
 - ii) Traffic impacts and adequate parking supply for the commercial and industrial uses.
 - iii) The submission, review, and approval of a future Site Plan Application.
- e) External Agency Review**
 - i) The Application must be reviewed by the York Region, the TRCA, MMAH, Ministry of Transportation Ontario, and any applicable requirements must be incorporated into the Proposed Development.
- f) Required Future Applications**

- i) The Owner must submit applications for a redline revision for Draft Plan of Subdivision and Site Plan Control, should the Application be approved, to permit the Proposed Development and facilitate the creation of Street 'A' and the development blocks.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Approved Draft Plan of Subdivision (to be Redline Revised)

Figure 5: Conceptual Site Plan

Figure 1

Location Map

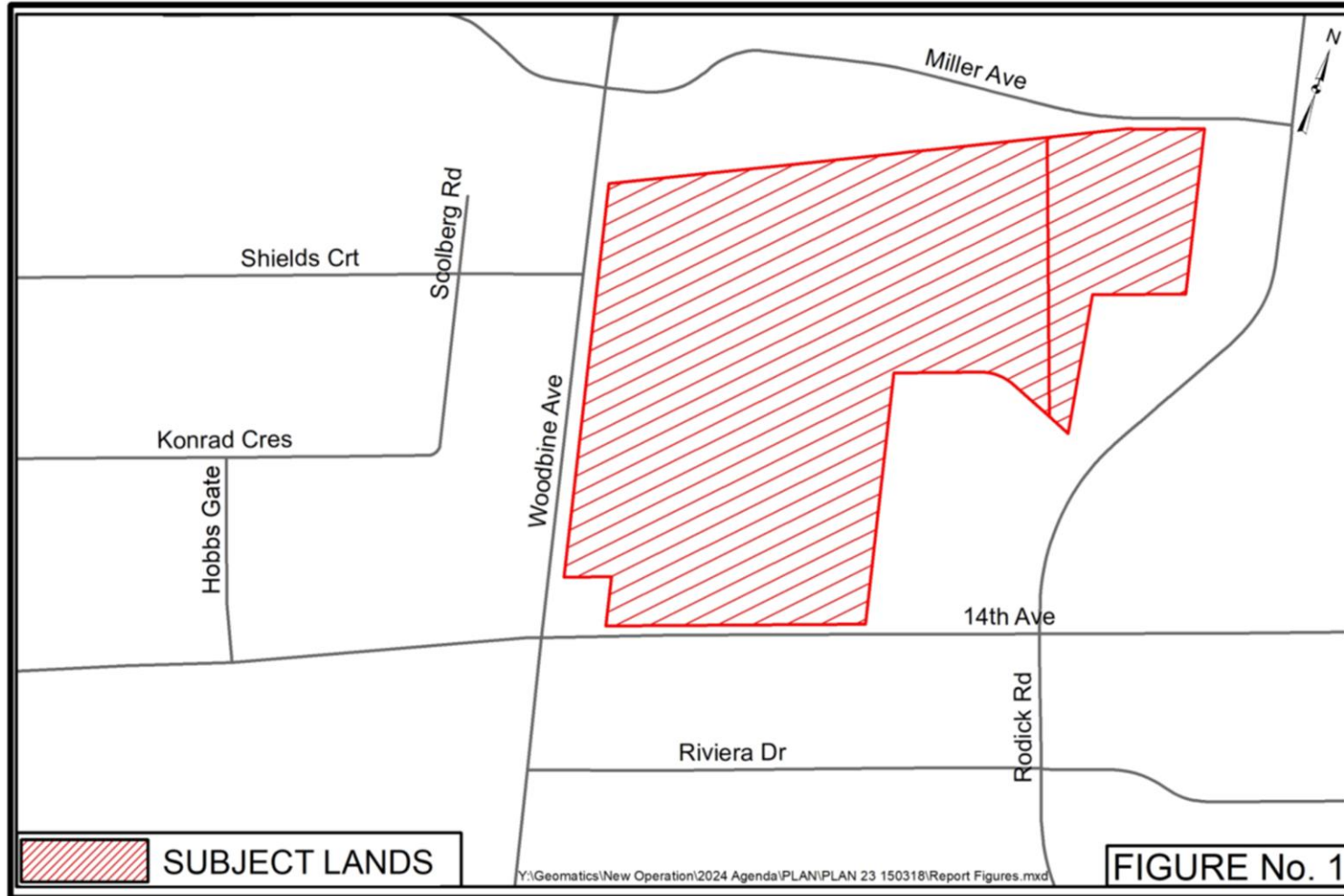


Figure 2

Aerial Photo



AERIAL PHOTO (2023)

APPLICANT: White Owl Properties Limited
405 & 505 Miller Avenue
FILE No. PLAN 23 150318

 SUBJECT LANDS



Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN 23 150318\Report Figures.mxd

 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: BE

Checked By: EM

DATE: 4/30/2024

FIGURE No. 2

Figure 3

Area Context and Zoning

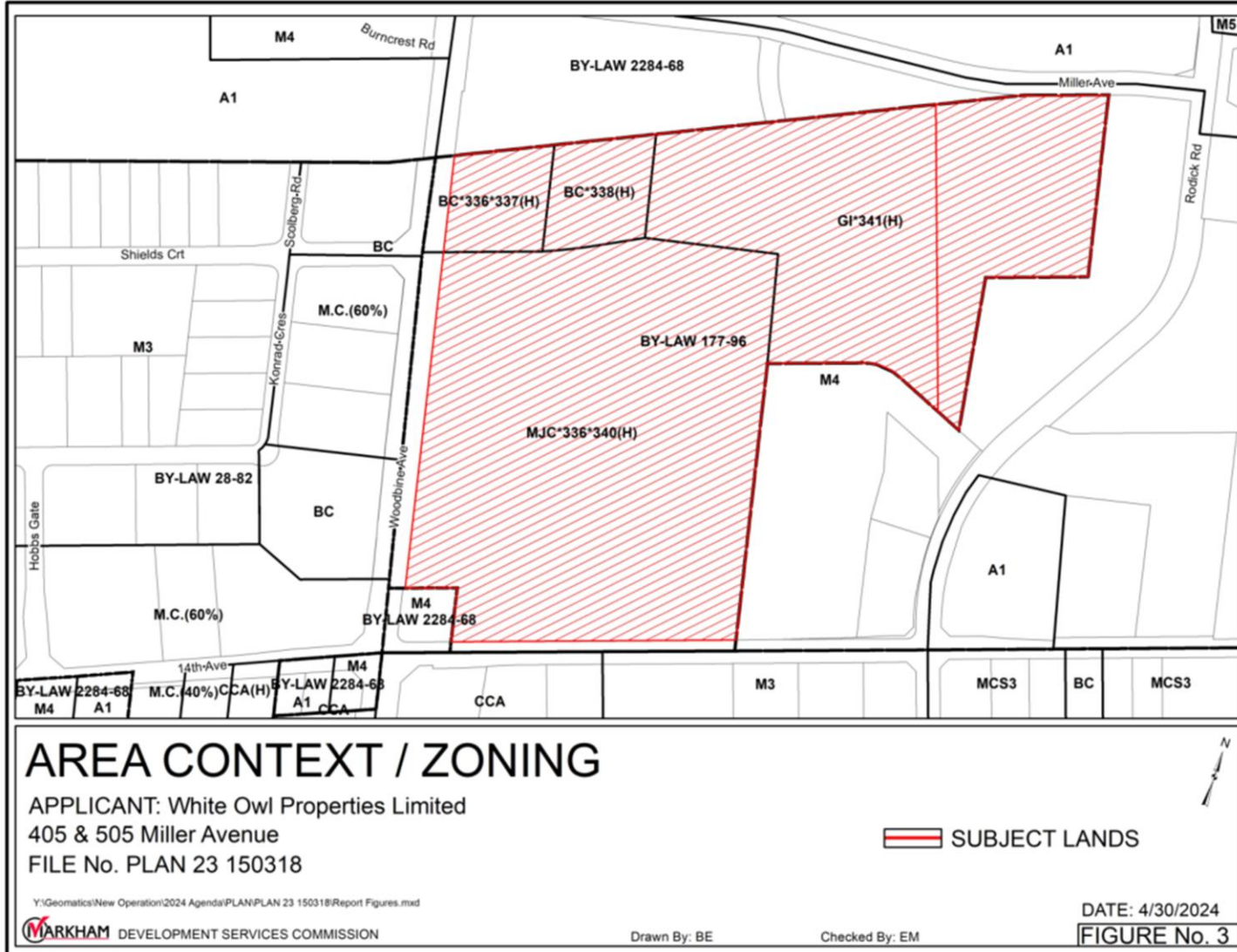


Figure 4

Approved Draft Plan of Subdivision (to be Redline Revised)

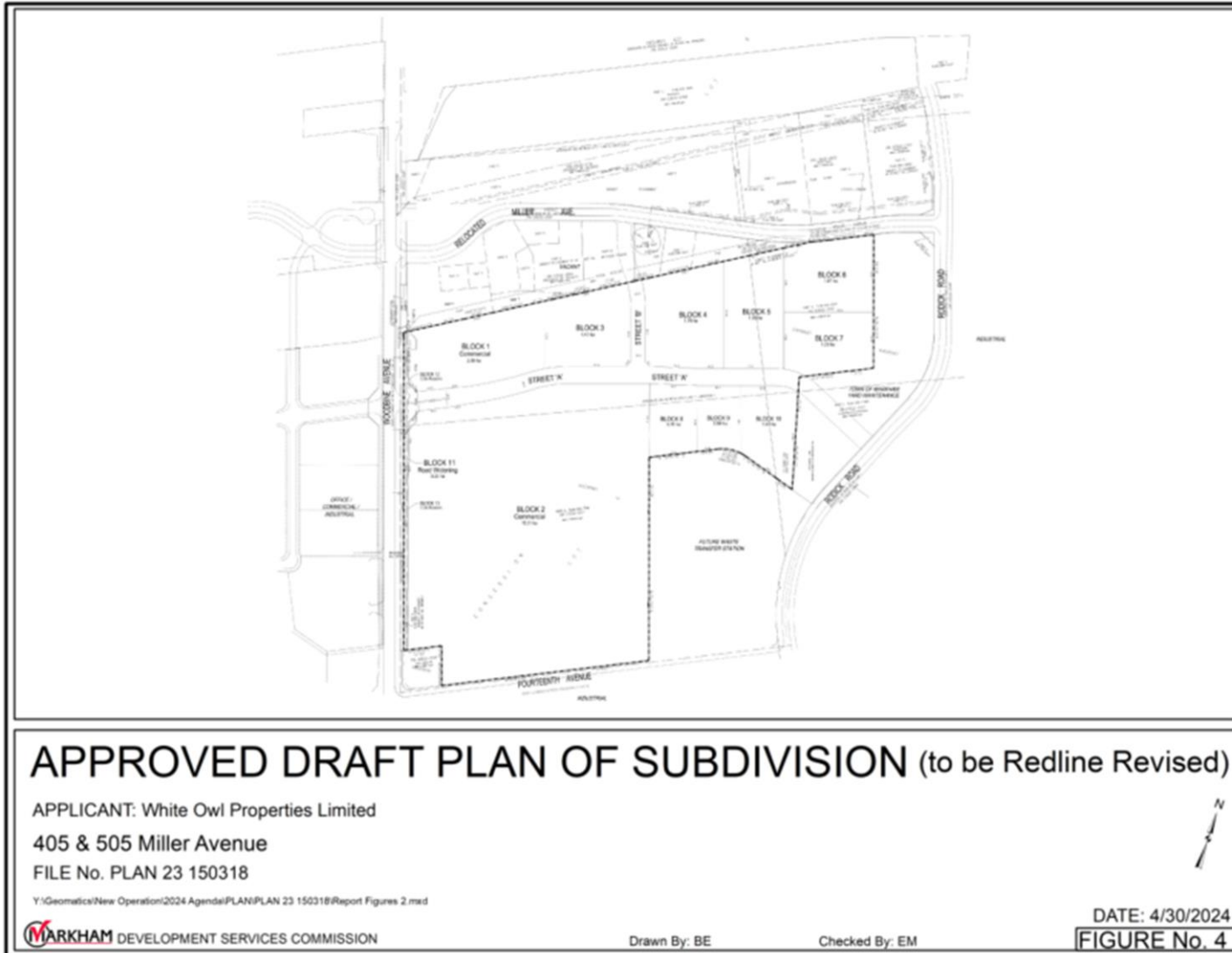


Figure 5

Conceptual Site Plan

