



Development Services Public Meeting Agenda

Meeting Number 7

May 21, 2019, 7:00 PM - 10:00 PM

Council Chamber

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones

Vice Chair: Keith Irish

Development Services meetings are live video and audio streamed on the City's website.

Alternate formats for this document are available upon request.

Pages

1. CALL TO ORDER

2. DISCLOSURE OF PECUNIARY INTEREST

3. DEPUTATIONS

4. REPORTS

- | | | |
|-----|---|----|
| 4.1 | PRELIMINARY REPORT-GARDEN HOMES (MARKHAM) INC.
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING
AMENDMENT, DRAFT PLAN OF SUBDIVISION AND SITE PLAN
CONTROL TO PERMIT A TOWNHOUSE DEVELOPMENT - 73 MAIN
STREET SOUTH, MARKHAM VILLAGE (10.3, 10.5, 10.7, 10.6)

P. Wokral, ext. 7955 | 3 |
| 4.2 | PRELIMINARY REPORT 9015183 CANADA INC. APPLICATIONS TO
AMEND THE OFFICIAL PLAN AND ZONING BY-LAW TO ALLOW HIGH
DENSITY MIXED USE DEVELOPMENT AT 9900 MARKHAM ROAD
SOUTH OF MAJOR MACKENZIE DRIVE, WARD 6. FILE NOS: OP/ZA 17
159779 (10.3, 10.5)

S. Muradali, ext. 2008 | 18 |
| 4.3 | PRELIMINARY REPORT, BUR OAK (ARH) DEVELOPMENTS INC.,
ZONING BY-LAW AMENDMENT TO PERMIT A 20-STOREY
APARTMENT BUILDING A 1709 BUR OAK AVENUE(SOUTH-WEST | 28 |

**CORNER OF BUR OAK AVENUE AND MARKHAM ROAD), WARD 4,
FILE NO: ZA 258912 (10.5)**

S. Muradali, ext. 2008

- 4.4 PRELIMINARY REPORT, SASSON CONSTRUCTION INC., ZONING BY-
LAW AMENDMENT APPLICATION TO PERMIT HIGH DENSITY MIXED
USE DEVELOPMENT AT 9351-9399 MARKHAM ROAD, WARD 5, FILE
NO: ZA 18 140091 (10.5)**

39

S. Muradali, ext. 2008

5. ADJOURNMENT



Report to: Development Services Committee

Meeting Date: May 13, 2019

SUBJECT: Preliminary Report-Garden Homes (Markham) Inc.
Applications for Official Plan Amendment, Zoning
Amendment, Draft Plan of Subdivision and Site Plan Control
to permit a Townhouse Development - 73 Main Street South,
Markham Village

PREPARED BY: Peter Wokral, Senior Heritage Planner ext. 7955

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Garden Homes (Markham) Inc. Applications for an Official Plan Amendment and Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control to permit a Townhouse Development, 73 Main Street South, Markham Village, Files OP 15 108135, ZA 15 108135, SU 17157341 and SC 17 157341,” dated May 13, 2019, be received;
- 2) 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 resubmission of Official Plan and Zoning By-law Amendments, Draft Plan of Subdivision and Site Plan applications seeking permission for a townhouse development at 73 Main Street South Markham Village. This report contains general information regarding applicable Official Plan policies and zoning, identifies issues, and does not represent Staff’s opinion or recommendation on the applications.

The Applications have been deemed complete

The Official Plan and Zoning By-law Amendment applications were submitted by the previous owner of the property, The Estate of Michael Werniuk, on September 24, 2015 and deemed complete in October 19, 2015. The Draft Plan of Subdivision and Site Plan Control applications were submitted by Garden Homes (Markham) Inc. to the City on September 6, 2017 and deemed complete on October 22, 2017. Garden Homes (Markham) Inc. assumed responsibility for the Official Plan and Zoning By-law Amendment applications submitted by the previous owner of the land.

BACKGROUND:

The subject property is a vacant naturalized parcel of land located on the east side of Main Street South, where it intersects Mill Street, north of Highway 407, south of Highway 7 East, in the Markham Village Heritage Conservation District (See Figure 1 and Figure 2–Location Map and Aerial Map). The irregular shaped lot is 0.41 ha (1.01 acres) in area and has a frontage on Main Street South of 63.61m, a Mill Street frontage of 33.53m to the north, and a Mill Street frontage of 23.36m to the east.

Surrounding Land Uses

Surrounding land uses include the wooded valley lands of the Rouge River to the north across Mill St., single detached dwellings to the south and across Main Street, and two semi-detached dwellings constructed in the 1960's to the east that front Mill Street. Large modern townhouse developments constructed in the last thirty years are located furthersouth on both sides of James Scott Road (See Figure 2-Aerial Photograph).

Application History

The Official Plan and Zoning By-law Amendment applications for 73 Main Street South were submitted to the City in the Fall of 2015 by MPlan Inc. under the 1987 Markham Official Plan. The original submission proposed 3 freehold townhouses fronting on Mill Street (eastern portion of the site) and 11 townhouses in the form of a rear lane condominium within the larger western portion of the site. The units fronting Main Street and Mill Street were proposed to be three storeys high.

A Community Information Meeting was held on the proposed development

This development proposal was the subject of a Community Information Meeting held on January 29th 2016. The majority of residents who attended the meeting were opposed to the proposed development due to the three storey height, the density of the proposed townhouses, and traffic concerns regarding the access to Mill Street. Following the Community Information Meeting, the applicant paused the application to reconsider the proposal, and no preliminary report was prepared, or Statutory Public Meeting scheduled.

The original applicant sold the property to another developer

The property was subsequently purchased by a new owner, Garden Homes (Markham) Inc., who assumed responsibility of the earlier Official Plan and Zoning By-law Amendment applications and submitted the Draft Plan of Subdivision and Site Plan Control applications on August 20, 2017 when the Residential Low Rise policies of the Official Plan 2014 had already come into effect.

The applications have been appealed to the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board (O.M.B.))

On November 8th and 24th, 2017, Garden Homes (Markham) Inc. appealed all four applications to the O.M.B. due to the City's lack of a decision on the applications, and to have the appeals subject to the O.M.B. procedures in force at the time, rather than the current Local Planning Appeal Tribunal (LPAT) procedures which came into effect on April 3, 2018.

The applicant requested a deferral of the LPAT/O.M.B. appeal

In December of 2017, the applicant requested the O.M.B. to hold the appeal of the applications in abeyance in order to facilitate direct discussions with the City's Planning Department.

The applicant added additional lands to the applications

In October of 2018, the applicant submitted Consent applications to the Committee of Adjustment seeking approval for the severance and conveyance of 24.38m (80 ft.) in depth from the rear yards of the adjacent residential properties at 14, 16, and 20 Mill

Street to be added to the subject property at 73 Main Street South. The severances were approved, and added a total of 783.2m² (8,419 ft²) to the subject property (See Figure 3-Additional lands).

PROPOSAL:**Original Submission**

The original submission proposed 3 freehold townhouses fronting on Mill Street (eastern portion of the site) and 11 townhouses in the form of a rear lane condominium within the larger western portion of the site. The townhouse units fronting both Main Street and Mill Street were proposed to be three storeys high (See Figures 4 and 5-Previous Site Plan and Perspective View).

Revised Current Concept

The applicant now proposes to construct 15 three storey townhouse dwellings divided into an 8 unit block fronting Main Street South, and a 7 unit block fronting an internal condominium road. The applicant also proposes to construct a new, free hold, semi-detached dwelling immediately south of the two existing 1960's semi-detached dwellings that front Mill Street (See Figures 6 and 7 & 8 Site Plan and Elevations)

OFFICIAL PLAN AND ZONING:*Official Plan (Revised 1987)*

When the Official Plan Amendment was deemed complete for the subject property, the land use policies of the Official Plan (Revised 1987) were in force. The subject property was designated as Urban Residential. This designation provides that Low Density Housing was to consist of single detached, semi-detached and single-attached dwellings with direct frontage on a public street such as street townhouses and linkhouse dwellings, and generally not exceed a gross residential density of 14.8 units per hectare (6 units per acre).

Medium Density I Housing was to consist of multiple dwelling types such as townhouses, street townhouses, terrace houses, duplexes, triplexes, fourplexes, maisonettes, etc at an overall site density not exceeding 31 units per hectare (12.5 dwelling units be acre).

Medium Density II Housing was to consist of multiple dwelling types at a net site density of 32 to 62 units per hectare (13-25 units per acre).

Official Plan 2014

The subject property is designated "Residential Low Rise" in the Official Plan 2014 (partially approved Nov. 24/17, and further updated on Apr. 9/18) which provides for a variety of lower-scale residential buildings including detached, semi-detached, and duplex dwellings, townhouse dwellings excluding back to back townhouses, and small multiplex buildings of 3 to 6 units all with direct frontage on a public street. Zoning By-law amendments to permit the above building types without direct frontage on a public street may be considered, at appropriate locations where a development block has frontage on an Arterial Road or Major Collector Road. The portion of Main Street South that the property fronts is designated as a Minor Collector road, but transitions to an Arterial Road south of the 407 interchange. The Official Plan also contains site specific

policies in section 9.13.4.8 which apply to the subject property that only permit detached and semi-detached dwellings, and a maximum building height of 2 storeys.

The Official Plan Amendment is therefore required to permit the type of dwellings (townhouses) and the height (3 storeys).

Land use objectives of this area of Markham Village include:

- Providing a variety of residential housing forms, tenures and densities;
- Recognizing the distinct character of the heritage buildings, historic sites and landscapes of the Markham Village Heritage Conservation District;
- Ensuring that infill development is compatible in terms of building design, building materials and treatments, landscaping and tree preservation;

Zoning

The subject property is zoned Residential (R1) under By-law 1229 which only permits one single detached dwelling on a lot, which would also be subject Infill By-law 99-90. Therefore, a Zoning By-law Amendment application is required to permit the proposed townhouse and semi-detached dwellings.

Markham Village Heritage Conservation District Plan

The Markham Village Heritage Conservation District Plan contains policies and guidelines intended to foster new buildings that are compatible with the heritage character of the district in terms of form, massing, scale proportions, and materials. Although the Markham Village Heritage Conservation District is primarily composed of single detached dwellings, it also contains both new and historic examples of townhouse dwellings.

OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues raised to date.

Site Grading:

- In order to have the internal condo road conform to Engineering Standards which permit a maximum slope of 6%, the current development proposal relies on the use of a retaining walls along its southern boundary which rises to a maximum height of 3.56m (11.7 ft.). The City's Engineering Department has indicated that the proposed retaining wall will not impact the neighbouring properties or prevent their owners from developing their properties in the future. The condominium corporation is proposed to be responsible for all future maintenance or replacement of the proposed retaining wall.

Tree Preservation:

- The subject property is heavily treed, and the proposed regrading of the property will necessitate the removal of all existing vegetation. If the applications are approved, appropriate tree replacements on the subject property, or compensation will be determined by the City's Urban Design Section through the Site Plan

review process in accordance with the City of Markham Trees for Tomorrow guidelines.

Architectural Style:

- The proposed townhouses and semi-detached dwellings are subject to the policies for new buildings contained in the Markham Village Heritage Conservation District Plan which are intended to encourage architecturally compatible buildings in terms of form, massing, scale and materials. The proposed grading of the property allows for basement garages accessible from the rear lane, which are only visible from the internal condominium road. The appearance of two storey dwellings is thus maintained from Main Street South and the adjacent properties to the east. The current concept will be reviewed by the Heritage Markham Committee for comments and recommendations.

Site Access:

- The fifteen proposed townhouses are accessed by an internal condominium road which connects to Mill Street. The portion of Mill Street that borders the subject property does not meet the City's minimum 6m wide requirement to permit two way traffic. The applicant proposes to dedicate 4m of land along the north end of the property to provide for the widening of Mill Street where it connects to Main Street South. The intersection of Mill Street and Main Street South is not signalized, which makes turning into and out of Mill Street difficult at certain times of day. However, residents of the proposed development seeking a safe access can travel two blocks south to the signalized intersection at James Scott Road and Main Street South.

Waste Management:

- The City's Waste Management Department requires a minimum pavement width of 6.0m, a minimum turning radius of 12m both within the site, and eastbound on to Mill Street, so that collection vehicles will not have to travel in reverse gear. The current site plan addresses these requirements by providing a secondary one way access to the eastern Mill Street frontage.

Parking/Snow Storage:

- The proposed townhouse units provide two parking spaces for the occupants of each unit and require a minimum of 3.75 (4) visitor parking spaces. The current proposal provides the minimum number of parking spaces required by the Parking By-law, but there are few opportunities in the immediate vicinity on local roads for additional on-site visitor parking. The proposed site plan also does not indicate any areas dedicated for the storage of snow. The developer has indicated that private snow removal will be required.

Access to Parks/Open Spaces:

- The subject property is not located close to any public park but provides an outdoor landscaped amenity space adjacent to Mill Street and is located near to

open spaces such as Milne Dam Conservation Park and valley lands and trails of the Rouge River valley.

Application Status/ Next Steps:

Because the applications have been appealed to the O.M.B (now the Local Planning Appeal Tribunal – LPAT), the decision to approve, or not, rests with this body, and Council is no longer the approval authority. Furthermore, because of the appeal, there is no requirement to schedule a Statutory Public Meeting. Despite this, planning and legal staff recommend the scheduling of a Public Meeting on May 21, 2019 to provide an opportunity for the public to review and comment on the proposal. Staff will then prepare a public information report on the proposed development and an in-camera recommendation report on the merits of the application for Council to review and provide recommendations and instructions regarding the revised proposal at a future Development Services Committee meeting.

FINANCIAL CONSIDERATIONS

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application will be considered with the context of the City's growth management and strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies, as well as the Heritage Markham Committee, and was partially reviewed prior to the applicants appeal to the O.M.B. The O.M.B. is now the approval authority.

RECOMMENDED BY:

Biju Karumanchery, RPP, MCIP
Director, Planning and Urban Design

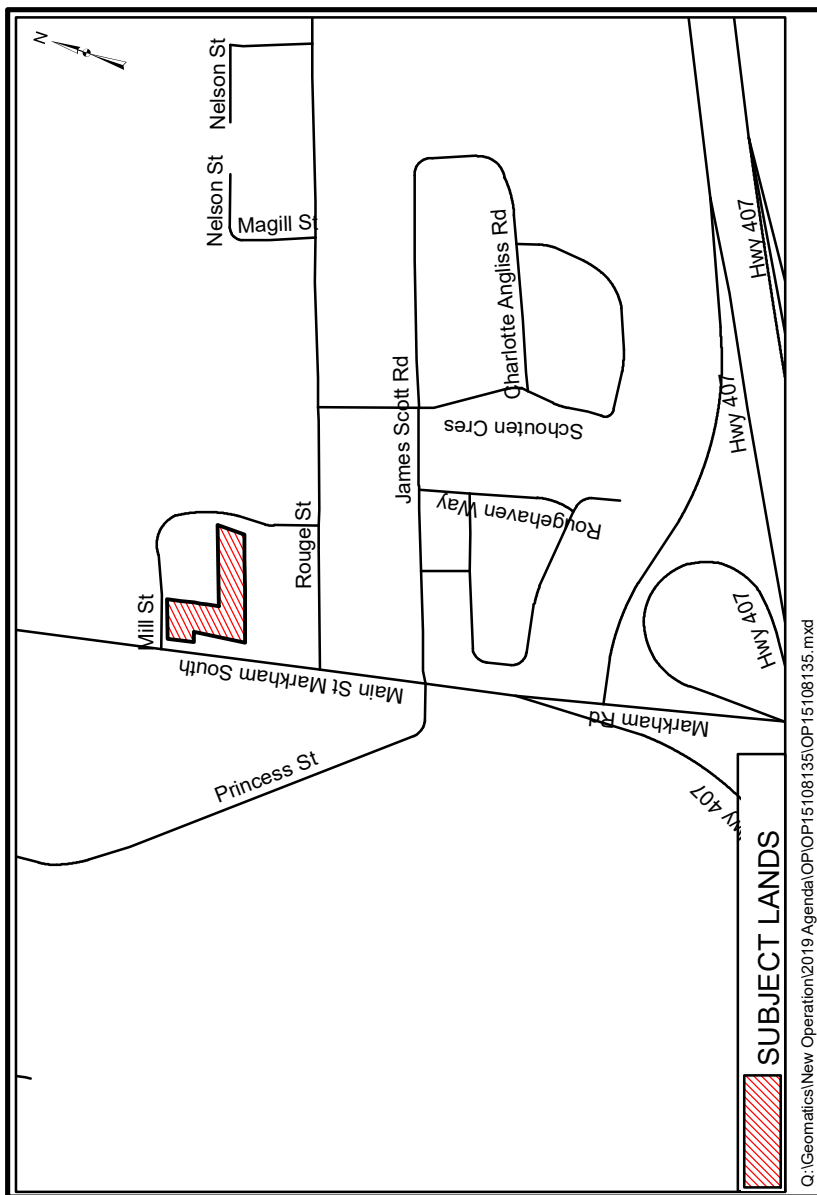
Arvin Prasad, MPA, RPP, MCIP,
Commissioner of Development
Services

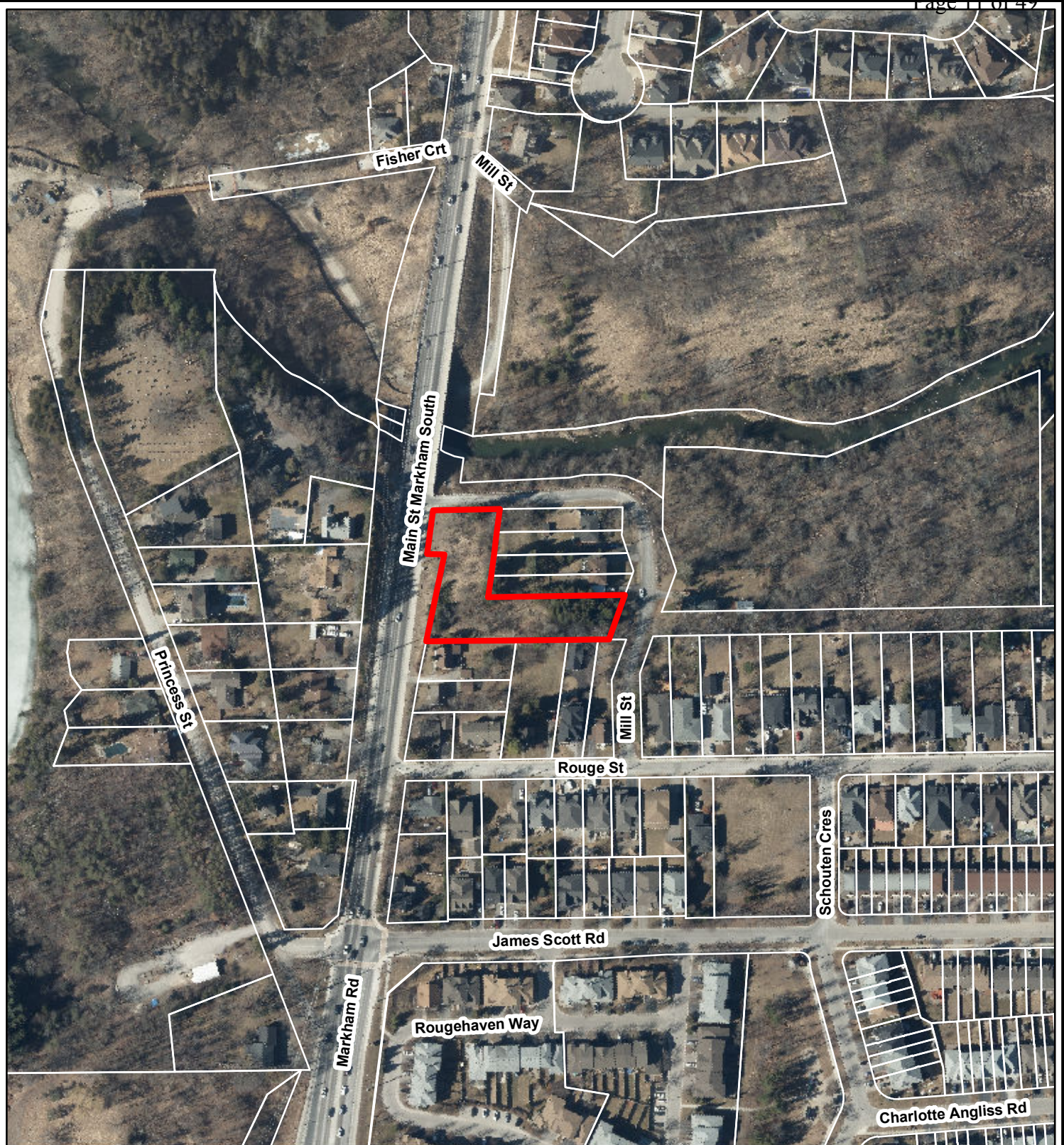
ATTACHMENTS:

Figure 1	Location Map
Figure 2	Aerial Map
Figure 3	Additional Lands
Figure 4	Previous Concept Site Plan
Figure 5	Previous Concept Perspective Views
Figure 6	Current Site Plan
Figure 7	Current Main Street South Townhouse Elevations

Figure 8

Current Semi-Detached Dwelling Elevation





AERIAL PHOTO (2018)

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

FILE No. OP 15108135 (PW)

 Subject Lands

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Date:01/04/2019

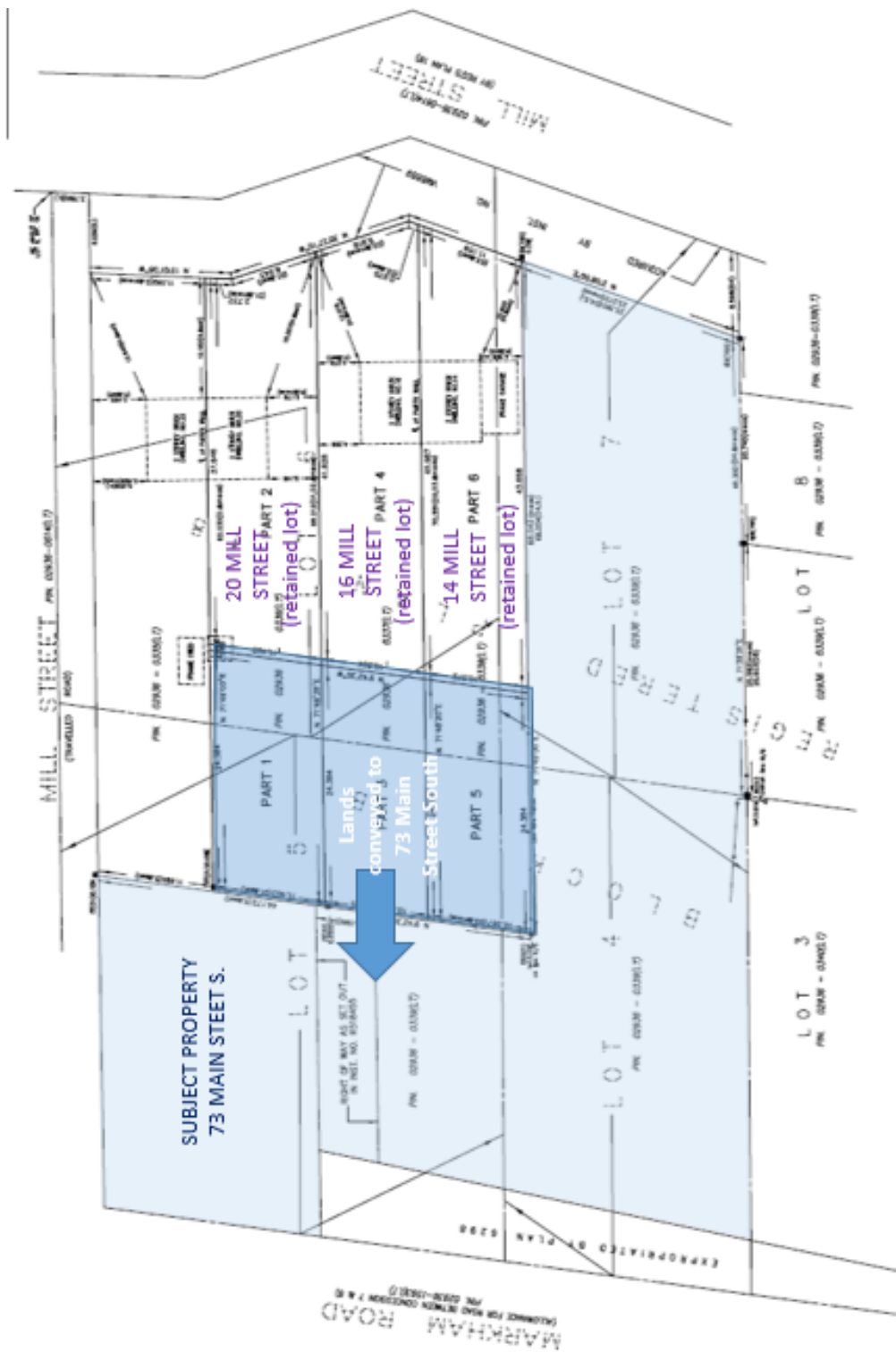


DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By:PW

FIGURE No.2



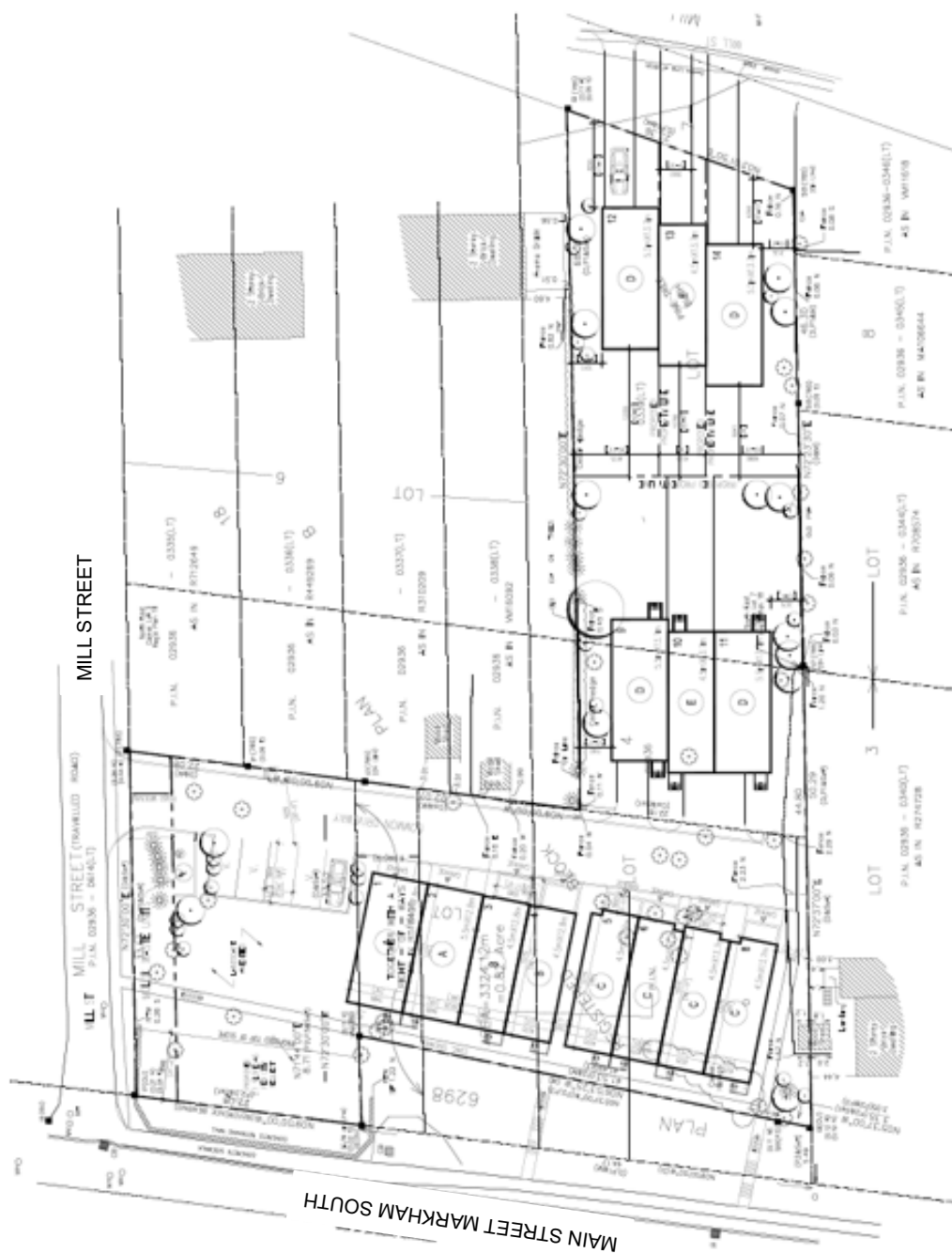
ADDITIONAL LANDS

APPLICANT: Garden Homes (Markham) Inc.

73 Main St. South

FILE No. OP 15108135 (PW)

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PREVIOUS CONCEPT SITE PLAN

APPLICANT: Garden Homes (Markham) Inc.

73 Main St. South

FILE No. OP 15108135 (PW)

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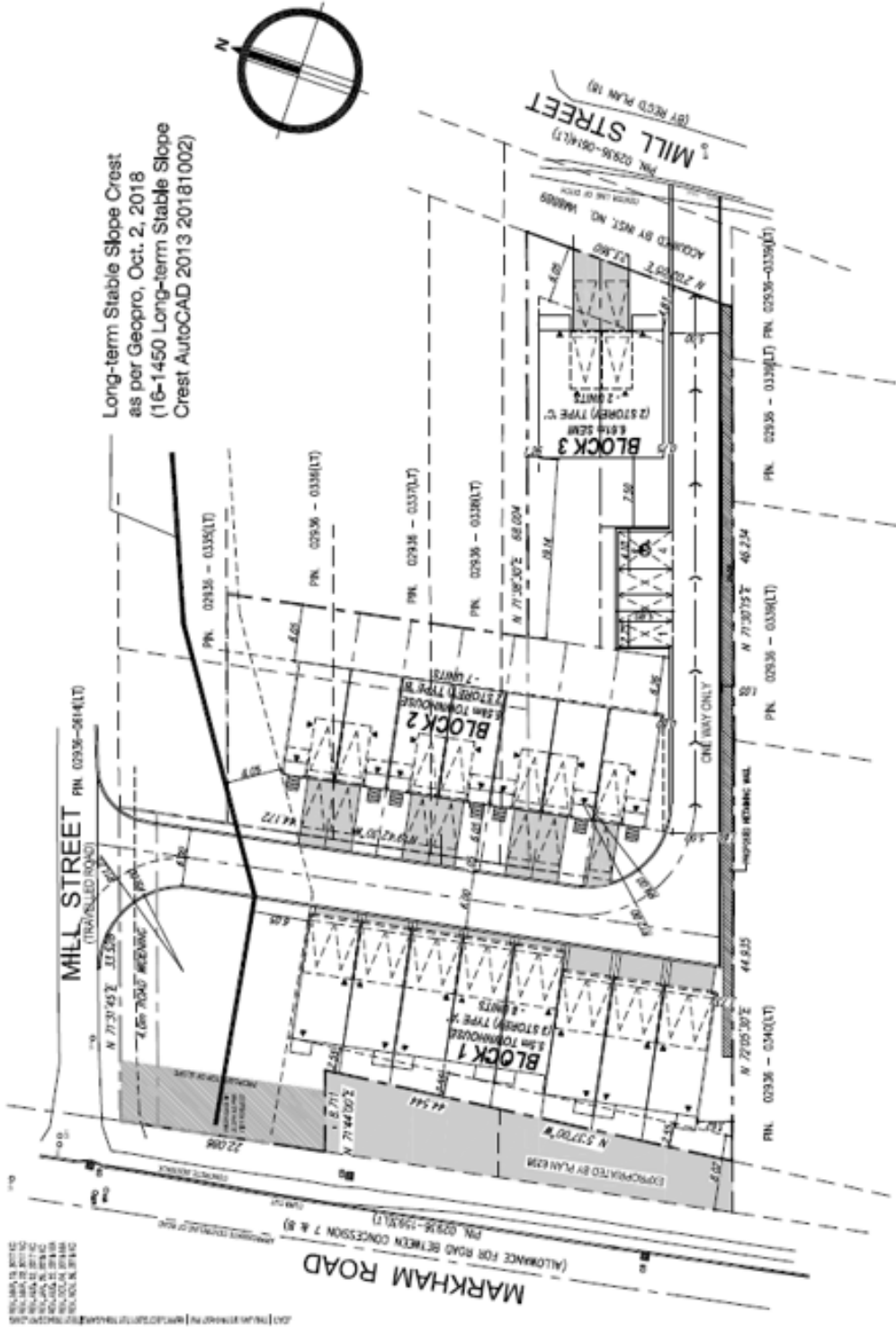
View of the Proposed Develop

PREVIOUS CONCEPT PERSPECTIVE VIEWS

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

FILE No. OP 15108135 (PW)

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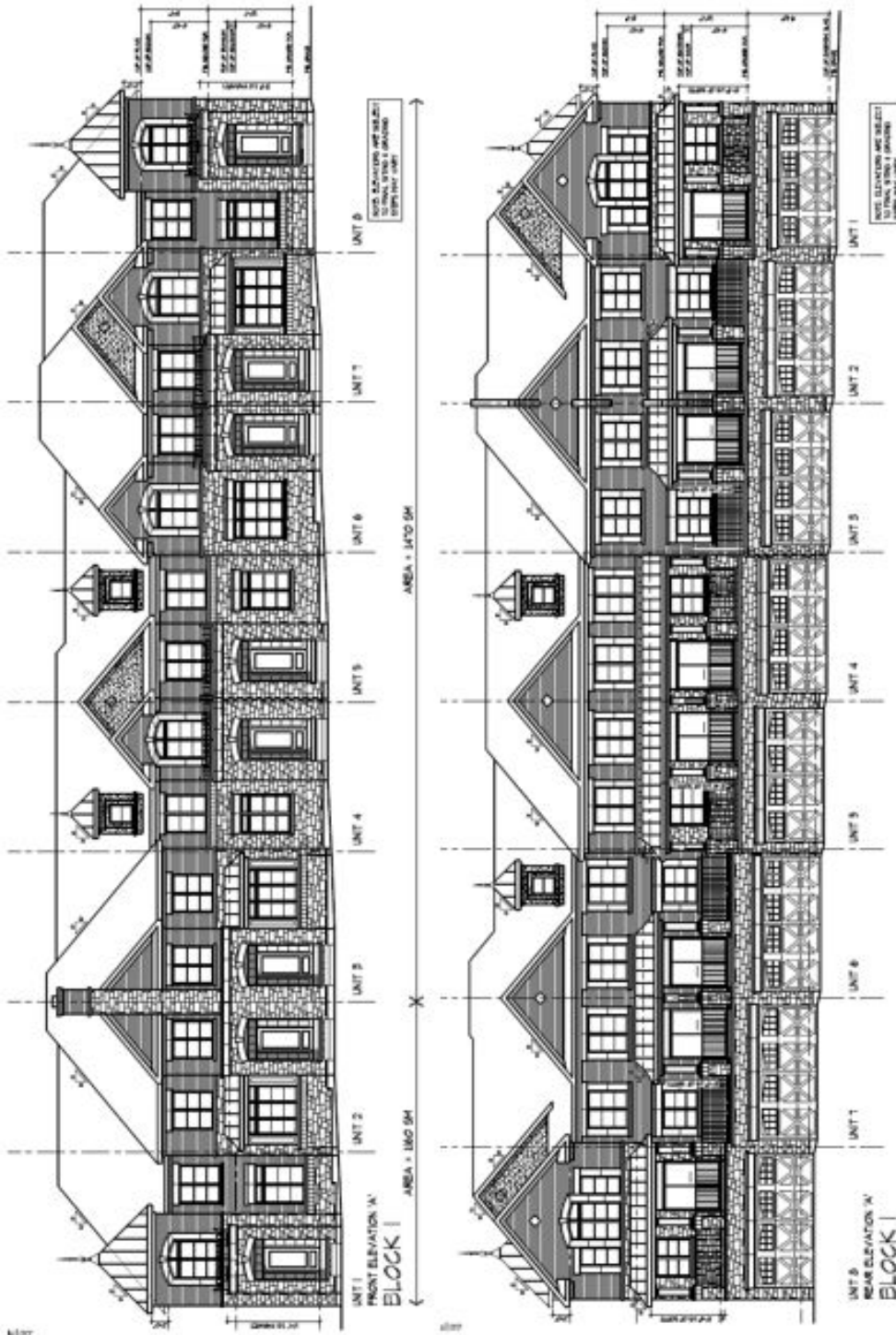


CURRENT SITE PLAN

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

FILE No. OP 15108135 (PW)

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Front and Rear Elevations of Main Street South Block of Townhouses

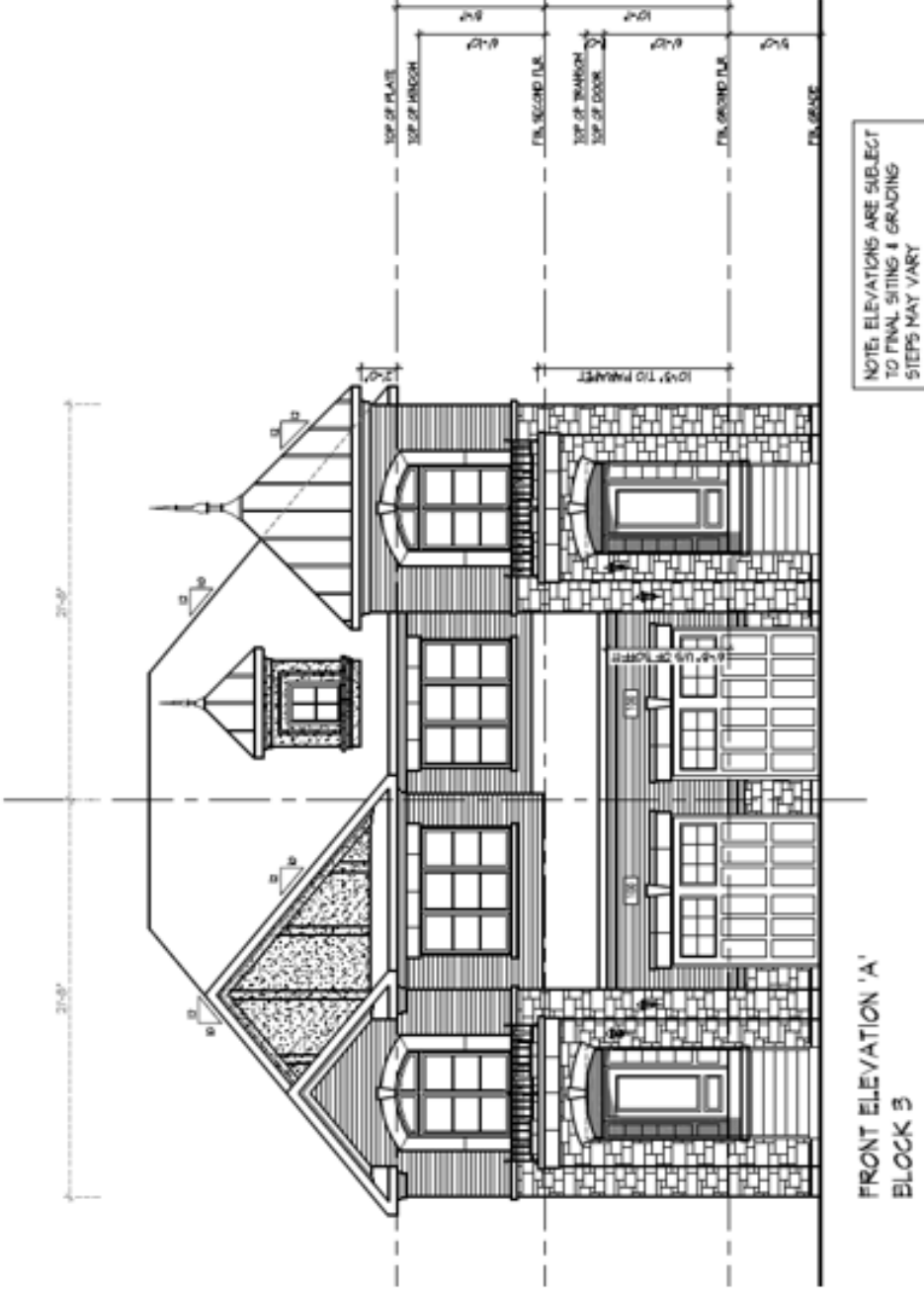
CURRENT MAIN STREET SOUTH TOWNHOUSE ELEVATIONS

APPLICANT: Garden Homes (Markham) Inc.

73 Main St. South

FILE No. OP 15108135 (PW)

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Elevation of Proposed Semi-Detached Dwelling
Fronting Mill Street

CURRENT MILL STREET SEMI DETACHED DWELLING ELEVATION

APPLICANT: Garden Homes (Markham) Inc.

73 Main St. South

FILE No. OP 15108135 (PW)

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Report to: Development Services Committee

Report Date: December 11th, 2018

SUBJECT: PRELIMINARY REPORT
 9015183 Canada Inc.
 Applications to amend the Official Plan and Zoning By-law to allow high density mixed use development at 9900 Markham Road, south of Major Mackenzie Drive, Ward 6.

File Nos: OP/ZA 17 159779

PREPARED BY: Stacia Muradali, M.C.I.P., R.P.P. Ext. 2008
 Senior Planner, East District

REVIEWED BY: Sally Campbell, M.C.I.P., R.P.P. Ext. 2645
 Manager, East District

RECOMMENDATION:

- 1) That the report dated December 11th, 2018 and titled "PRELIMINARY REPORT, 9015183 Canada Inc., Applications to amend the Official Plan and Zoning By-law to allow high density mixed use development at 9900 Markham Road, south of Major Mackenzie Drive, Ward 6, File Nos: OP/ZA 17 159779", be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the applications submitted by 9015183 Canada Inc. to amend the Official Plan and Zoning By-law to allow high density mixed use development at 9900 Markham Road. 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.

Applications deemed complete

The Official Plan and Zoning By-law Amendment applications were deemed complete on November 24th, 2017.

Next steps

- Scheduling of the statutory Public Meeting. Staff propose holding the statutory Public Meeting once the Mount Joy/ Markham Road Corridor Secondary Plan study(discussed later in this report) has progressed to the point where a draft vision has been prepared.
- Recommendation Report on the applications once the Mount Joy Secondary Plan has been completed;

- Adoption and enactment of the proposed amendments if approved by Council;
- Submission of site plan application; and
- Submission of condominium application.

BACKGROUND:

Subject land and area context

The subject land is located on the west side of Markham Road, south of Major Mackenzie Drive and is approximately 1.7 hectares (4.3 acres) (Figure 1). The subject land was previously part of a larger property comprised of the new townhouse development, which is currently under construction to the west, and the water channel to the north, which was conveyed into public ownership as part of a plan of subdivision which was registered on June 28th, 2018. The subject land was proposed for future commercial development as part of the earlier draft plan of subdivision. There is a Tim Hortons / Wendy's and Esso gas station to the north, a commercial plaza to the south, a townhouse development (under construction) and existing low rise homes to the west. The property across the street on the east side of Markham Road is the subject of Zoning By-law Amendment and Draft Plan of Subdivision applications to allow phased development comprised of townhouses and mid-rise buildings and future mixed use development (Figure 3). There are also commercial and light industrial uses on the east side of Markham Road further south.

Proposed development

9015183 Canada Inc. is proposing to develop one (1) mid-rise apartment building and two (2) mixed use high rise buildings with an overall Floor Space Index (FSI) of approximately 3.32. FSI refers to the Gross Floor Area (GFA) of all buildings on a lot divided by the lot area.

The proposed mid-rise building, oriented along the west property line directly abutting the townhouse development to the west, would be six (6) storeys in height with a total of 66 residential units. It would include a mix of 2-storey dwelling units on the first two storeys with the remaining floor levels comprised of apartment units. The proposed GFA is 10,014.44 square metres (107,794.5 square feet) (Building A on Figure 4).

A 26 storey mixed use building with a podium stepping from two (2) storeys to seven (7) storeys is proposed fronting onto Markham Road. The proposed GFA is 26,813.66 (288,619.8 square feet) which includes 299 apartment units and 1,921 square metres (20,677.5 square feet) of commercial ground floor space (Building B on Figure 4).

A second 25 storey high rise mixed use building is proposed on Markham Road with a GFA of 21,265.71 square metres (228,902 square feet). This building (Building C on Figure 4) would flank Markham Road as well as the townhouse development to the west. It would include a 4-storey podium stepping down to 2 storeys with five (5) townhouses. In addition 243 apartment units and 635 square metres (6,835 square feet) of commercial space on the ground floor are proposed.

Provincial Policy Conformity

When considering a development application staff assess whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017). At this stage of the application review, it is premature to determine if the proposed development conforms to provincial policy until the Mount Joy/Markham Road Corridor Secondary Plan has been undertaken. The applications review and assessment of conformity with provincial policy will include evaluating how the proposed development conforms with building strong healthy communities and managing growth by:

- a) supporting the achievement of complete communities that are designed to support healthy and active living and meets people's needs for daily living throughout an entire lifetime;
- b) that there are adequate and accessible public and open spaces, parks and trails;
- c) planning for sewage, water services and stormwater management; and
- d) providing transportation systems which are safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs.

Official Plan and Zoning

The subject land is located within the Mount Joy/Markham Road Corridor of the City's 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the "2014 Official Plan"). This local corridor is intended to provide a mix of uses at transit-supportive densities in proximity to the GO Station. The 2014 Official Plan identifies the requirement for a new Secondary Plan for this area (the "Mount Joy Secondary Plan"). In the meantime, the provisions of the Official Plan (Revised 1987), as amended, including the Wismer Commons Secondary Plan (OPA 37) continue to apply.

The subject land is designated "Major Commercial Area" in the Wismer Commons Secondary Plan and Official Plan (Revised 1987), as amended. The "Major Commercial Area" designation provides for a mix of uses including commercial and medium and high density residential uses with a maximum FSI of 1.75. An amendment to the Official Plan (1987), as amended, is required to increase the FSI to approximately 3.32.

The subject land is zoned Major Commercial (MJC*551) in Zoning By-law 177-96, as amended, which permits a range of commercial uses. An amendment to the current zoning is required to permit the proposed residential dwelling units, to increase the maximum permitted height, which is currently 14 metres, and to implement other site-specific development standards, such as setbacks and open space requirements. The applicant is also seeking a reduction in the required parking which is still under review and the extent of the parking reduction remains to be determined.

OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues raised to date. Other matters that are identified through the detailed review of the application will be discussed in a future recommendation report.

Requirement for a Mount Joy Secondary Plan

The 2014 Official Plan requires a new secondary plan to be established for this corridor, which will comprehensively analyze and determine appropriate land uses, densities, built form, need for and locations of additional parkland, school and community services. The amount of development and increase in population that has recently occurred along the corridor, coupled with anticipated future intensification, needs to be comprehensively reviewed to ensure that there are sufficient services available to serve the growing community in this part of Markham. Existing transportation and servicing constraints will also be studied as part of the Mount Joy Secondary Plan to determine how much more development and population can be accommodated in the area and the type of improvements which will be needed.

The proposed development does not conform to the Official Plan (Revised 1987), as amended, and is almost double the density contemplated for the subject land. Staff are of the opinion that the proposal should be reviewed in the context of a broader planning analysis of the Mount Joy Secondary Plan and that Staff recommendations on the application should be based on a comprehensive analysis of the amount of development that can be accommodated in the corridor and a determination of the provision of parkland, schools, community services, transportation infrastructure and servicing to accommodate future development all of which will be addressed in the Secondary Plan Study.

Some of the commenting departments and external agencies are not in a position to provide detailed comments respecting the development applications until the Mount Joy Secondary Plan work has been advanced following which Staff will be in a better position to make an informed recommendation on the applications. Staff recommend scheduling the statutory Public Meeting at such time as there is at minimum, a draft vision for the Mount Joy Secondary Plan area. The applicant is aware of the requirement for a secondary plan and the implications on the timing and progress of the development applications, which was made clear at the pre-consultation meeting on June 5th, 2017, before the development applications were formally submitted.

The budget for the Mount Joy Secondary Plan was approved in November 2018 enabling a consultant to be retained immediately to commence the secondary plan work early 2019. It is anticipated that the Mount Joy Secondary Plan will be completed within one (1) year.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications are being considered within the context of the City's strategic goal for a safe and sustainable community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various departments and external agencies and are currently under review. Comments and requirements will be provided when the Mount Joy Secondary Plan has advanced to a point where Staff are in a position to provide those comments and requirements.

RECOMMENDED BY:

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

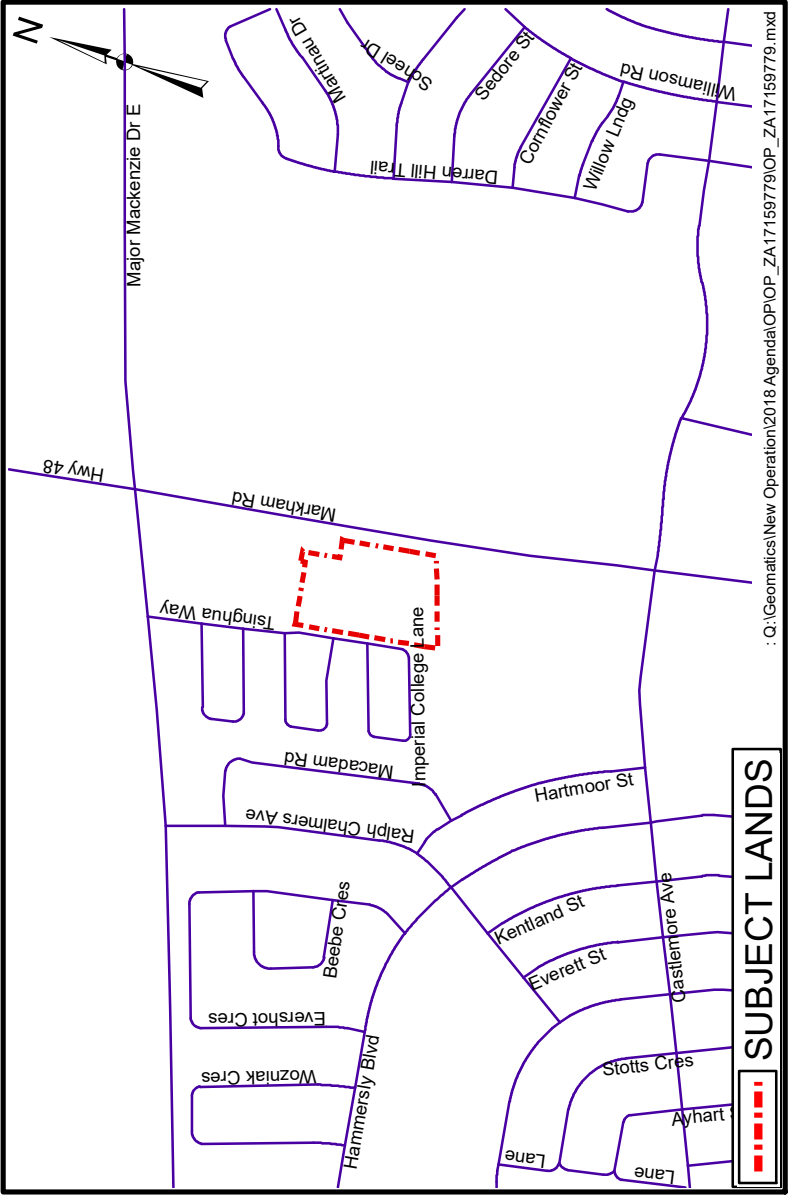


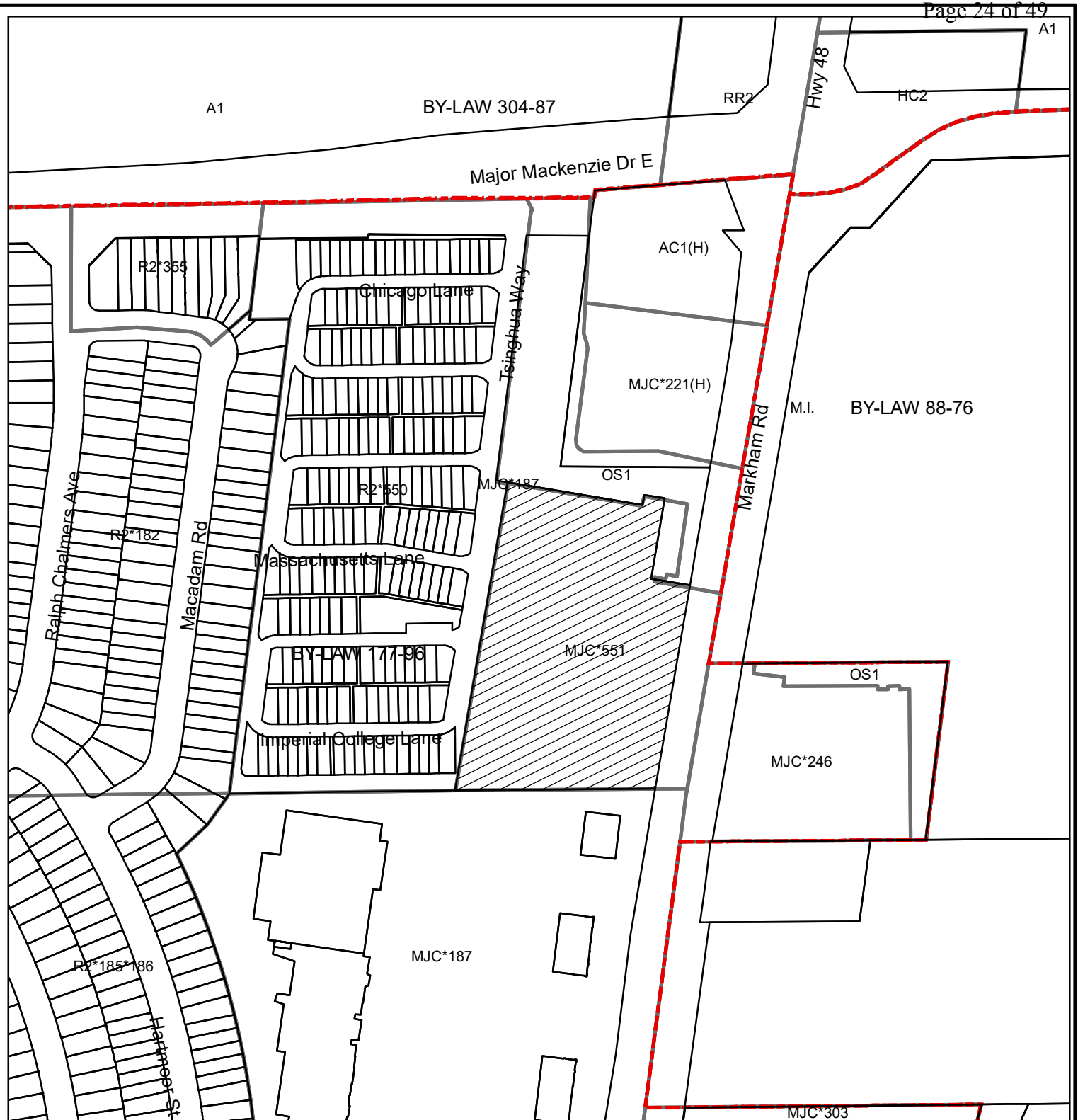
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Area Context/ Zoning
- Figure 3: Air Photo
- Figure 4: Proposed Site Plan
- Figure 5: Preliminary Concept (Markham Road Frontage)

File path: Amanda\File 17 159779\Documents\Preliminary Report





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AREA CONTEXT/ZONING

APPLICANT: 9015183 CANADA INC.
9900 MARKHAM ROAD

FILE No: OP ZA17159779(SM)

 SUBJECT LANDS

DATE: 11/09/18



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AIR PHOTO 2017

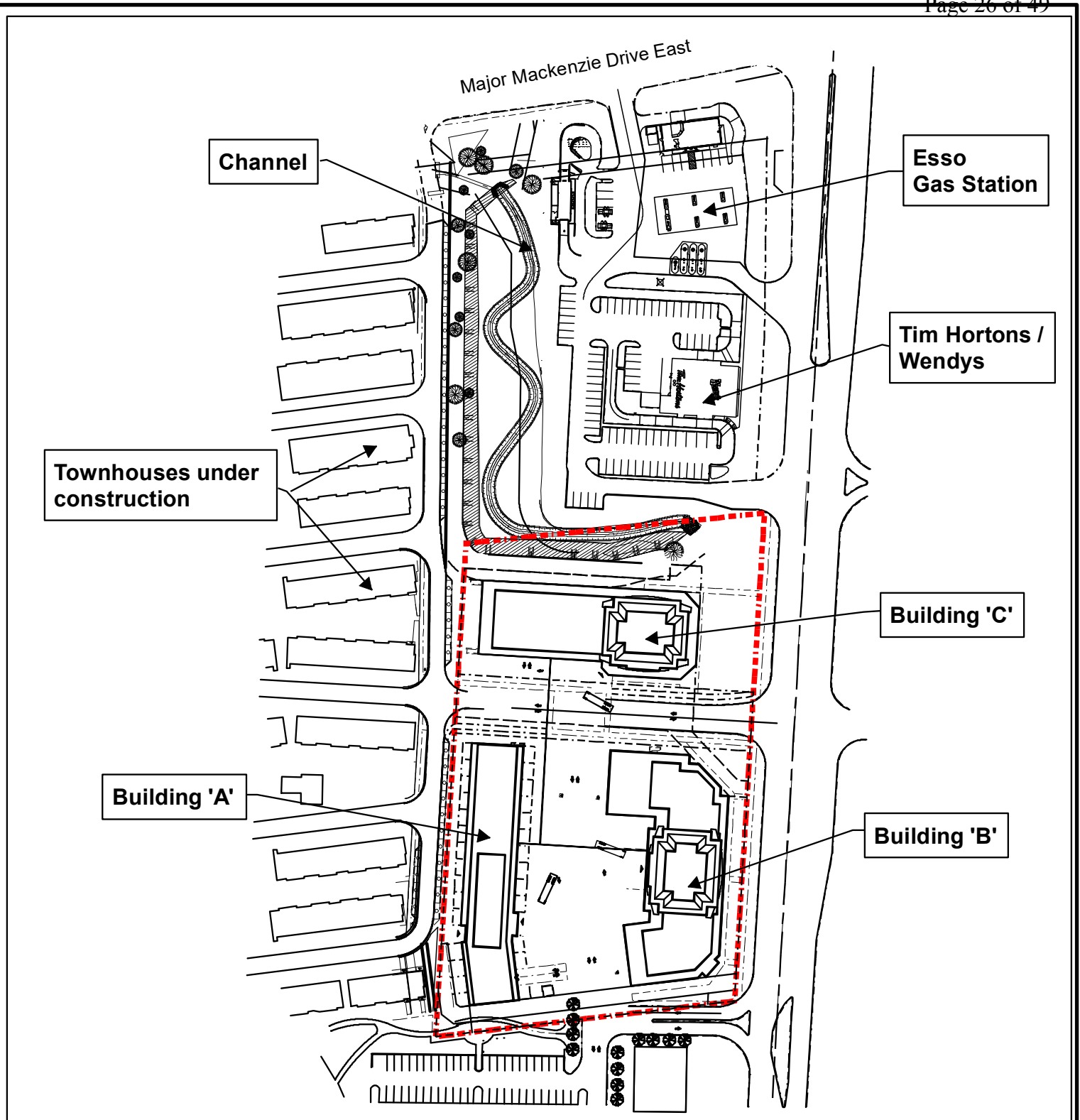
APPLICANT: 9015183 CANADA INC.
9900 MARKHAM ROAD

FILE No: OP ZA17159779(SM)

 SUBJECT LANDS

DATE: 11/09/18

FIGURE No. 3



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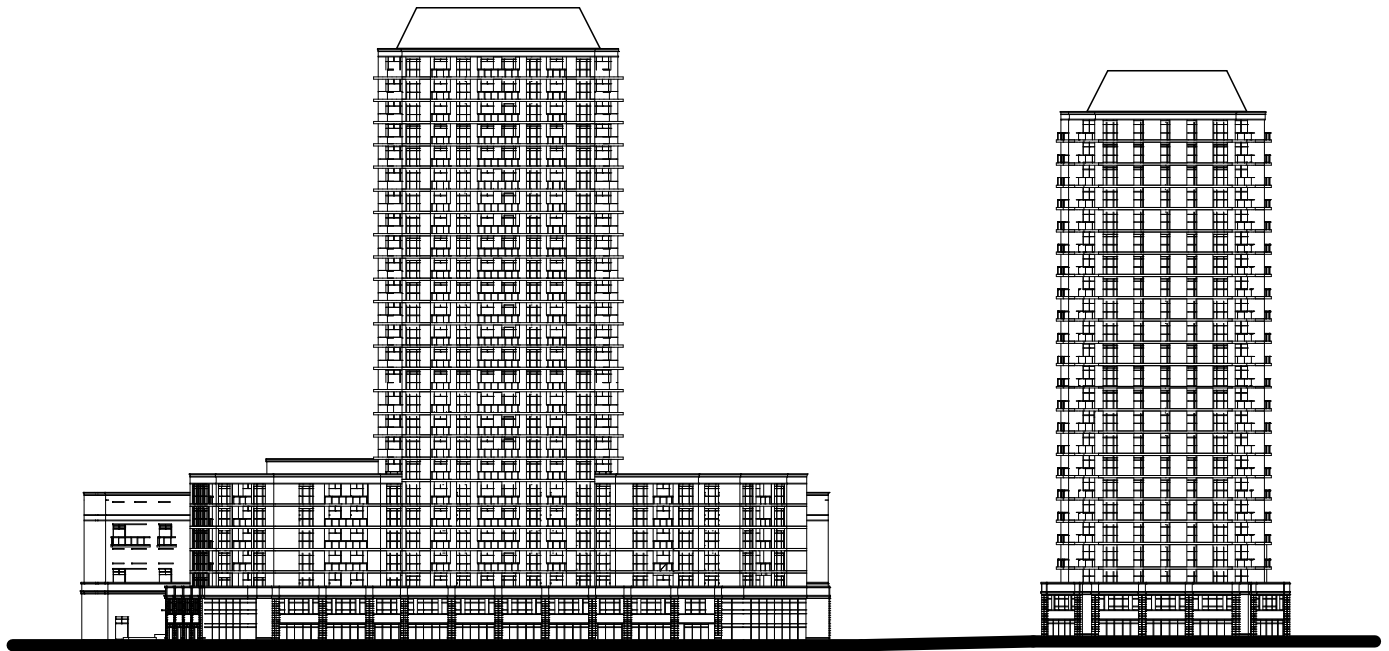
SITE PLAN

APPLICANT: 9015183 CANADA INC.
9900 MARKHAM ROAD

FILE No: OP ZA17159779(SM)

 SUBJECT LANDS

DATE: 11/09/18



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PRELIMINARY CONCEPT (MARKHAM ROAD FRONTAGE)

APPLICANT: 9015183 CANADA INC.
9900 MARKHAM ROAD

FILE No: OP ZA17159779(SM)

DATE: 11/09/18



Report to: Development Services Committee

Meeting Date: May 13th, 2019

SUBJECT: PRELIMINARY REPORT, Bur Oak (ARH) Developments Inc., Zoning By-law Amendment to permit a 20-storey apartment building at 1709 Bur Oak Avenue (south-west corner of Bur Oak Avenue and Markham Road), Ward 4, File No: ZA 258912

PREPARED BY: Stacia Muradali, M.C.I.P., R.P.P.
Senior Planner, East District, Ext. 2008

REVIEWED BY: Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager, Ext. 2600

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Bur Oak (ARH) Developments Inc., Zoning By-law Amendment application to permit a 20-storey apartment building at 1709 Bur Oak Avenue (south-west corner of Bur Oak Avenue and Markham Road), Ward 4, File No: ZA 18 258912”, be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE: The purpose of this report is to provide preliminary information on the applications by Bur Oak (ARH) Developments Inc. to amend the zoning by-law and for site plan approval to allow a 20-storey apartment building at 1709 Bur Oak Avenue. 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.

Zoning By-law amendment application deemed complete

The zoning by-law amendment application was deemed complete on January 18th, 2019 for circulation purposes. The materials have been circulated to all City staff and external agencies for review.

Next steps

1. Statutory Public Meeting tentatively scheduled for May 21st, 2019.
2. Recommendation Report on the zoning by-law amendment and site plan applications when appropriate and after at minimum, the draft vision for the Markham Road/ Mount Joy Corridor Secondary Plan has been accepted by Council (discussed later in this report).
3. Enactment of the zoning by-law if approved by Council.
4. Issuance of site plan endorsement.

5. Execution of the site plan agreement and issuance of site plan approval.
6. Submission of a condominium application.

Please note that the applicant has submitted a site plan application which is under review and will be addressed in detail in the Recommendation Report.

BACKGROUND:

Subject site and area context

The subject site (1709 Bur Oak Avenue) is located at the south-west corner of Bur Oak Avenue and Markham Road and is approximately 0.36 hectares (0.9 acres) (Figure 1). The subject site is currently part of a larger property which extends westward and the overall size of the larger property including the subject site is approximately 1.74 hectares (4.3 acres). A site plan application (SC 13 125328) was approved in December 2017 to allow the development of townhouses, two (2) mid rise buildings and the extension of Battista Perri Drive through the remainder of the overall property to the west of the subject site. Eventually, once the plan of condominium is established on the remainder of the overall land, the subject site will become a separate parcel.

There is commercial development to the north across Bur Oak Avenue, the Mount Joy GO Station, industrial and commercial development and the Rail Corridor to the east across Markham Road. There are 14-20 storey mixed use buildings, townhouses and a future park to the south and residential development to the west of the subject site (Figure 3). There is a 10 metre servicing easement owned by the City along the entire frontage of the subject site on Markham Road.

Proposed development

A 20-storey residential building, with a total gross floor area (GFA) of approximately 21,169 square metres (227,861.12 square feet) is proposed (Figure 4). The building will contain 242 residential units. There will be indoor and outdoor amenity space. The applicant is proposing to design an outdoor amenity area along Markham Road. The proposed building will share the underground parking garage with the Phase 1 development to the west. The proposed development will also share the private driveway located on the Phase 1 land to access Battista Perri Drive. There is no proposed vehicular access on Markham Road. The proposed conceptual renderings are attached (Figure 5). The applicant is proposing to provide 285 parking spaces, the majority of which will be provided in an underground parking garage. A parking reduction will be required as 367 parking spaces is required by the City's parking by-law. This will result in a 57 parking space deficiency for residents, and 25 parking space deficiency for visitors.

Provincial policy context

Provincial Policy Statement, 2014 (PPS, 2014)

The proposed zoning by-law amendment and site plan will be evaluated against the PPS, 2014 especially in terms of managing and directing land use to achieve efficient and resilient development and land use patterns. Specifically, the following will be evaluated:

- Promoting efficient development and land use patterns;
- Accommodating an appropriate range and mix of residential, employment,

-
- institutional, recreational, park and open space, and other uses to meet long term needs;
 - Improving accessibility for persons with disabilities and older persons; and
 - Integrating servicing, transportation and land use considerations.

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017)

The proposed zoning by-law amendment and site plan will be evaluated against the Growth Plan, 2017 especially in terms of supporting the achievement of complete communities that:

- Feature a diverse mix of land uses;
- Provide a diverse range and mix of housing options;
- Expand convenient access to a range of transportation options, public service facilities, and an appropriate supply of publicly-accessible open spaces, parks, trails and recreational facilities; and
- Integrate green infrastructure and low impact development.

The applicant is required to demonstrate how they are achieving the overall objectives of the PPS, 2014 and the Growth Plan, 2017. Staff will work with the applicant to ensure that these objectives are achieved and implemented in the amending zoning by-law and site plan.

York Region Official Plan

The subject site is located within the “Urban Area” in the York Region Official Plan (2010), as amended (“Region Official Plan”). One of the objectives of the Region’s Official Plan is to ensure that buildings throughout York Region achieve a high level of water and energy conservation performance as a key component of sustainable communities by:

- Achieving energy efficiency levels that exceed the Ontario Building Code (OBC) for residential buildings;
- Achieving 10% greater water conservation than the (OBC) for all new buildings;
- Encouraging new buildings to be designed and certified to LEED Silver, Gold or Platinum;
- Encouraging enhanced indoor air quality in buildings and the use of environmentally preferable materials in all new development;
- Requiring the installation of rainwater harvesting systems on all new residential buildings for outdoor irrigation and outdoor water use;
- Encouraging the use of water conserving, drought resistant landscaping;
- Encouraging local heat island effects mitigation in all development; and
- Encouraging the use of locally/ regionally sourced building materials.

Official Plan and Zoning

The subject land is shown as “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the

“City’s 2014 Official Plan”). The subject land is located within the Markham Road/Mount Joy Corridor (“Mount Joy Corridor”). The City’s 2014 Official Plan requires a new Secondary Plan for the Mount Joy Corridor (the “Secondary Plan”). The Secondary Plan will incorporate a land use planning study, transportation study and municipal servicing study which will ultimately inform opportunities and constraints facing development and growth along the Mount Joy Corridor. One of the main components of the Secondary Plan’s land use planning study is to determine if and how much to increase population and employment density, and the services and community amenities which are needed to support the population (both residential and employment).

Until the Secondary Plan is approved, the policies of the City’s Official Plan (Revised 1987), as amended, including the Wismer Commons Secondary Plan shall apply. The Official Plan (Revised 1987), as amended, designates the subject land “Major Commercial Area” which provides for a diverse range of retail, service, community, institutional and recreational uses. Medium and high density residential uses, if appropriate, may be allowed subject to a specific development proposal and rezoning. The “Major Commercial Area” designation in the Wismer Commons Secondary Plan allows a maximum floor space index (FSI) of 1.75, however, the applicable zoning permits a maximum FSI of 2.0.

The subject land is zoned “Major Commercial *188 (MJC*188)” (Figure 2) which permits a range of commercial uses and medium and high density residential uses. An amendment to the existing zoning is required to change some of the site-specific development standards including increasing the permitted height, increasing the Floor Space Index (FSI), reducing the required parking for both residents and visitors, and implementing setbacks specific to the proposed development.

OPTIONS/ DISCUSSION:

The following is a preliminary summary of concerns/issues raised to date. Other matters as identified through the detailed review of these applications will be discussed in a future recommendation report. Some of the issues identified include but are not limited to:

1. Recent applications for high density developments in the Mount Joy Corridor have not been advancing beyond the statutory Public Meeting until the draft vision for the Secondary Plan has been accepted by Council. This is important because the Mount Joy Corridor has and continues to experience growth through primarily medium and high density developments. The Secondary Plan allows the City to comprehensively plan for growth in the area and to ensure that the transportation and municipal services infrastructure, community services including parks, community and recreational facilities and schools etc., needed to serve the population (both residential and employment) are provided.
2. Review of the appropriateness of the proposed zoning by-law amendment

-
- including compatibility with existing and planned land uses, the appropriateness of the proposed density and development in the context of the Secondary Plan, and appropriateness of the proposed parking reduction is on-going.
3. The downstream sanitary system has capacity constraints to service the subject site and other proposed development sites along the Mount Joy Corridor. These servicing constraints will be examined and addressed as part of the Secondary Plan exercise.
 4. Appropriate Section 37 contributions, including public art contributions, remain to be finalized for implementation through the amending zoning by-law.
 5. The proposed development is required to achieve minimum LEED Silver.
 6. Review of the site plan layout, building elevations and building materials, interface with surrounding development, landscaping, application of bird-friendly guidelines, amenity space and parking configuration, treatment of the existing servicing easement along the Markham Road frontage, and determination of the appropriate amount of parkland dedication among other things is on-going.
 7. Comments from external agencies including Metrolinx must be addressed.
 8. A Holding (H) provision may be required subject to confirmation that the downstream sanitary system along the Mount Joy Corridor has available capacity to service the proposed development.
 9. Analysis of the proposed parking reduction from 367 parking spaces to 285 is being undertaken and review of the parking justification study submitted by the applicant.
 10. Demonstration of conformity of the proposed development with the provincial and regional planning policy context.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications are being considered within the context of the City's safe and sustainable community strategic priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various departments and external agencies and are currently under review. All conditions and requirements received will be reviewed

and if appropriate, will be incorporated into the proposed amendment and site plan conditions.

RECOMMENDED BY:

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

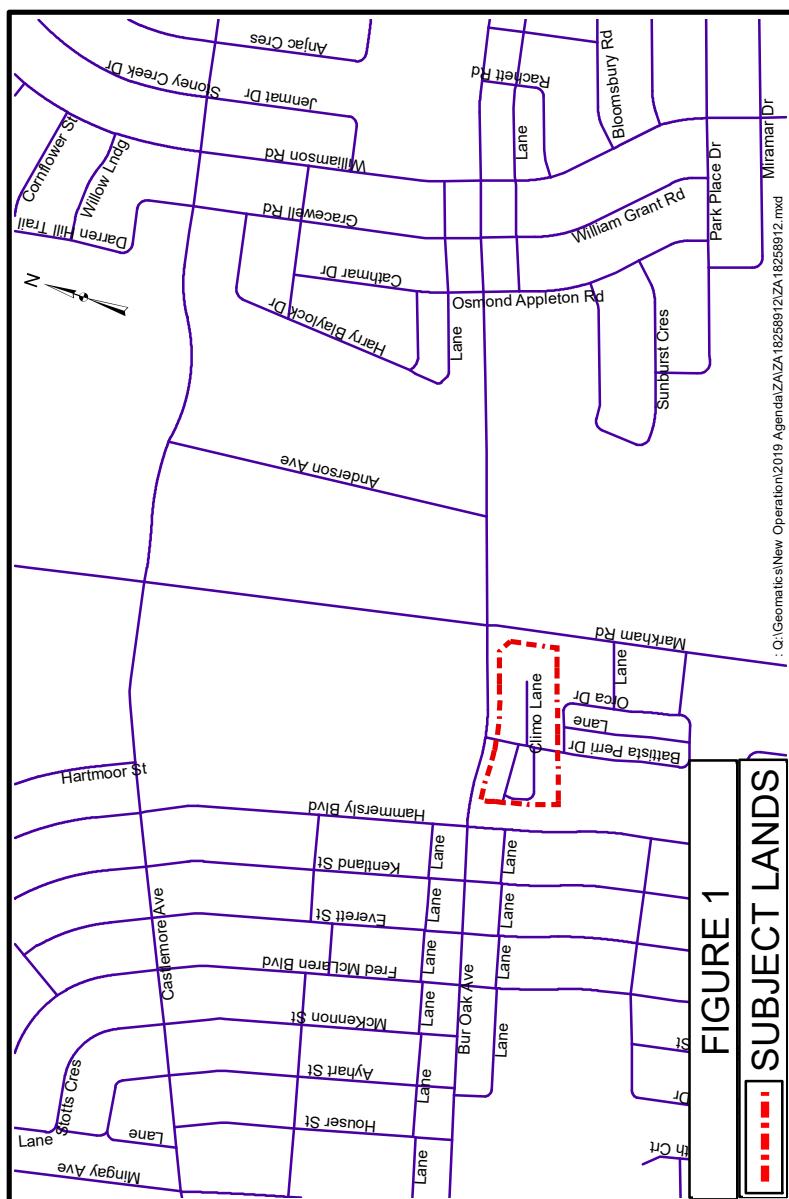
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

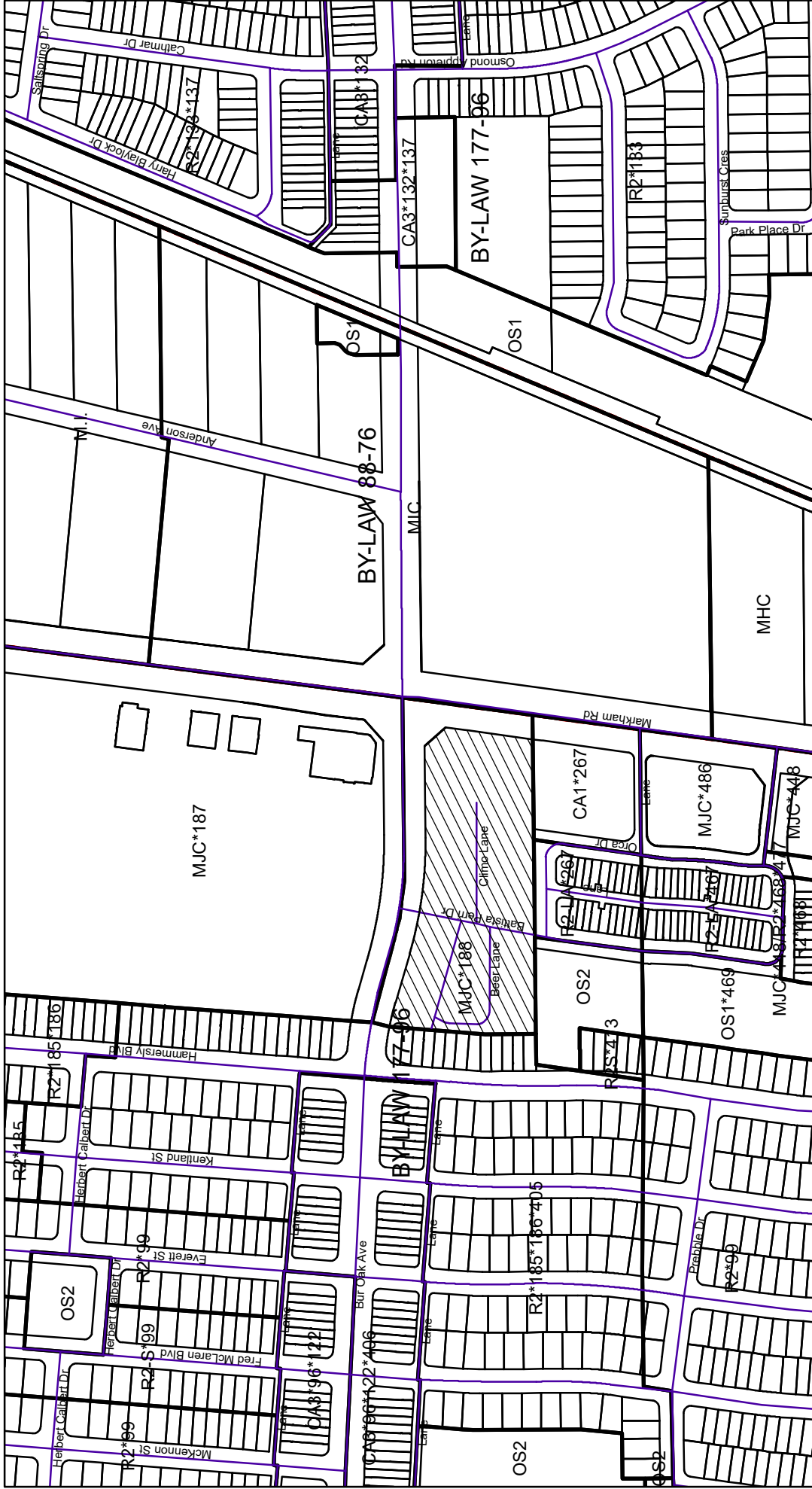
ATTACHMENTS:

Figure 1: Location Map
Figure 2: Area Context/ Zoning
Figure 3: Air Photo
Figure 4: Proposed Site Plan
Figure 5: Proposed Renderings

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AREA CONTEXT/ZONING

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
1709 BUR OAK AVENUE

FILE No: ZA18258912(SM)

 SUBJECT LANDS



DATE:03/21/19

FIGURE No. 2

Checked By:SM

Drawn By:DD



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AIR PHOTO 2018

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
1709 BUR OAK AVENUE

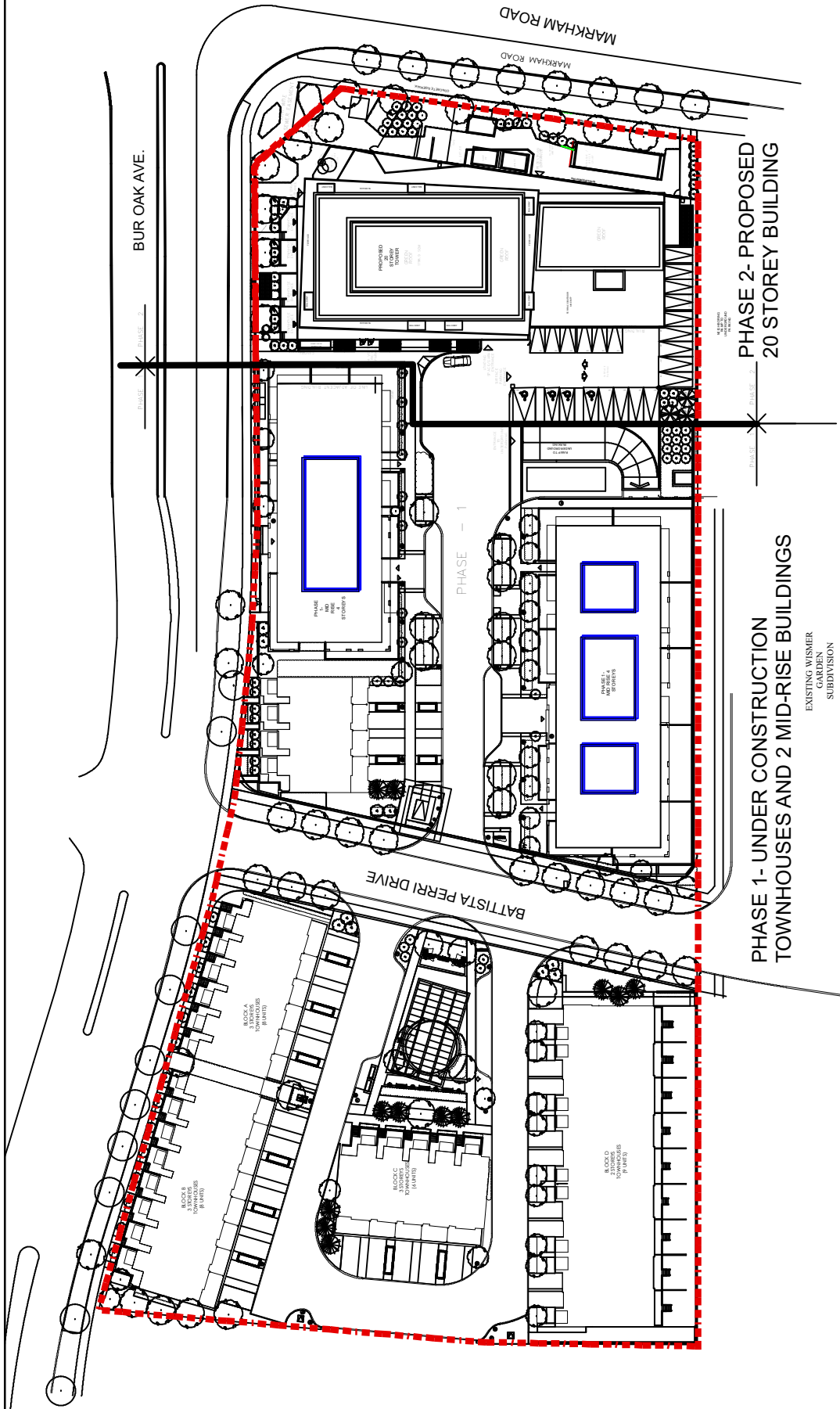
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 SUBJECT LANDS

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.

FILE No: ZA18258912(SM)

PHASE 2- PROPOSED 20 STOREY BUILDING





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CONCEPTUAL RENDERING

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.

1709 BUR OAK AVENUE

FILE No: ZA18258912(SM)

DATE: 03/21/19

FIGURE No. 5



Report to: Development Services Committee

Meeting Date: May 13th, 2019

SUBJECT: PRELIMINARY REPORT, Sasson Construction Inc.,
Zoning By-law Amendment application to permit high
density mixed use development at 9351-9399 Markham Road,
Ward 5, File No: ZA 18 140091

PREPARED BY: Stacia Muradali, Ext. 2008
Senior Planner, East District

REVIEWED BY: Ron Blake, Ext. 2600
Senior Development Manager

RECOMMENDATION:

1. That the report titled “PRELIMINARY REPORT, Sasson Construction Inc.,
Zoning By-law Amendment application to permit high density mixed use
development at 9351-9399 Markham Road, Ward 5, File No: ZA 18 140091”, be
received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the application submitted by Sasson Construction Inc. to amend the Zoning By-law to permit mixed use high density development at 9351-9399 Markham Road. 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.

Application deemed complete

The Zoning By-law Amendment application was deemed complete on December 13th, 2018 for circulation purposes. The application materials have been circulated to all City departments and external agencies for review.

Next Steps

1. Statutory Public Meeting – tentatively scheduled for May 21st, 2019.
2. Recommendation report on the zoning by-law amendment application
when appropriate and after the draft vision for the Markham Road/ Mount
Joy Corridor Secondary Plan has been accepted by Council.
3. Enactment of the zoning by-law if approved by Council.
4. Submission of a site plan application.
5. Recommendation report on the site plan application.
6. Site plan endorsed by Development Services Committee and site plan

approval issued by Staff.

7. Submission of a condominium application.

BACKGROUND:

Subject land and area context

The subject land (9351-9399 Markham Road) is located on the east side of Markham Road, south of Bur Oak Avenue, north of the termination of Edward Jeffreys Avenue to the west, west of the rail corridor and is approximately 0.76 hectares (1.89 acres) (Figure 1). There are several existing industrial and commercial buildings located on the subject land, one of which is a wheel and tire establishment. Markham Subaru, a single storey commercial building in which the Cham Shan Temple is located, and Mount Joy GO Station are located to the north. There are high density mixed use buildings ranging from 14 to 20 storeys across the street fronting onto the west side of Markham Road, and medium and low density development further west. Car rental establishments and commercial/ retail development are located to the south. The GO/ Metrolinx rail corridor is to the east and further east across the rail corridor are the Mount Joy Community Centre and community amenities (Figure 3).

Proposed development

The proposed development will be comprised of two (2)- 19 storey residential towers situated on top of a four (4) storey podium for a combined height of 23 storeys (Figure 5). Grade related commercial uses of approximately 585 square metres (6,297 square feet) and 40,392 square metres (434,775 square feet) of residential gross floor area (GFA) are proposed. The proposed development will also consist of a total of 438 residential units and 540 parking spaces. Two (2) driveways are proposed, one (1) north of the proposed building (Tower A) which will be used primarily for loading, and a second driveway on the south side of the proposed building which will access the parking garage and building lobby (Figure 4). There will be an underground parking garage as well as the provision of above-grade parking located in the podium. 1,337 square metres (14,391 square feet) of outdoor amenity space will be provided on the fifth floor in addition to 860 square metres (9,257 square feet) of indoor amenity space. A total of 540 parking spaces is proposed which represents a total parking deficiency of 144 parking spaces (98 residents, 45 visitors and 1 commercial parking space deficiency).

Provincial policy framework

Provincial Policy Statement, 2014 (PPS, 2014)

The proposed zoning by-law amendment will be evaluated against the PPS, 2014 especially in terms of managing and directing land use to achieve efficient and resilient development and land use patterns. Specifically the following will be evaluated:

- Promoting efficient development and land use patterns;
- Accommodating an appropriate range and mix of residential, employment, institutional, recreational, parks and open space, and other land uses to meet long term needs;
- Improving accessibility for persons with disabilities and older persons;
- and
- Integrating servicing, transportation and land use considerations.

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017)

The proposed zoning by-law amendment will be evaluated against the Growth Plan, 2017 especially in terms of supporting the achievement of complete communities that:

- Feature a diverse mix of land uses;
- Provide a diverse range and mix of housing options;
- Expand convenient access to a range of transportation options, public service facilities, and an appropriate supply of safe, publicly-accessible open spaces, trails and recreational facilities; and
- Integrate green infrastructure and low impact development.

The applicant is required to demonstrate how they are achieving the overall objectives of the PPS, 2014 and the Growth Plan, 2017. Staff will work with the applicant to ensure that these objectives are achieved.

York Region Official Plan

The subject site is located within the “Urban Area” in the York Region Official Plan (2010), as amended (“Region Official Plan”). One of the objectives of the Region’s Official Plan is to ensure that buildings throughout York Region achieve a high level of water and energy conservation performance as a key component of sustainable communities by:

- Achieving energy efficiency levels that exceed the Ontario Building Code (OBC) for residential buildings;
- Achieving 10% greater water conservation than the (OBC) for all new buildings;
- Encouraging new buildings to be designed and certified to LEED Silver, Gold or Platinum;
- Encouraging enhanced indoor air quality in buildings and the use of environmentally preferable materials in all new development;
- Requiring the installation of rainwater harvesting systems on all new residential buildings for outdoor irrigation and outdoor water use;
- Encouraging the use of water conserving, drought resistant landscaping;
- Encouraging local heat island effects mitigation in all development; and
- Encouraging the use of locally/ regionally sourced building materials.

Official Plan and Zoning

The subject land is shown as “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the “City’s 2014 Official Plan”). However, the subject land is located within the Markham Road/ Mount Joy Corridor (“Mount Joy Corridor”) in the City’s 2014 Official Plan which requires a new Secondary Plan for the Mount Joy Corridor. The Mount Joy Corridor Secondary Plan (the “Secondary Plan”) will incorporate a land use planning study, transportation study and municipal servicing study which ultimately will inform opportunities and constraints facing development and growth along the Mount Joy Corridor. One of the main components of the Secondary Plan is to determine if and how

much to increase population and employment density, and the services and amenities which are needed to support the population (both residential and employment).

Until the Secondary Plan is approved, the policies of the City's Official Plan (Revised 1987), as amended, shall apply. The Official Plan (Revised 1987), as amended designates the subject property "Community Amenity Area" which provides for a range of commercial, retail, service, community, institutional, and recreation services. Medium and high density may be allowed, if appropriate, subject to a rezoning and specific development proposal.

The subject land is zoned "Highway Commercial ("M.HC)" in by-law 88-76, as amended (Figure 2). The current zoning permits a range of commercial uses. The subject land needs to be rezoned to permit the proposed development.

OPTIONS/ DISCUSSION:

The following is a list or preliminary summary of concerns/ issues raised to date. Other matters that are identified through the detailed review of these applications will be discussed in a future recommendation report. Some of the issues identified include, but are not limited to:

1. Recent applications, especially for high density development in the Mount Joy Corridor have not been advancing beyond the statutory Public Meeting until the draft vision for the Secondary Plan has been accepted by Council. This is important because the Mount Joy Corridor has and continues to experience growth through primarily medium and high density developments. The Secondary Plan allows the City to comprehensively plan for growth in the area and to ensure that the transportation and municipal services infrastructure, community services including parks, community and recreational facilities and schools etc., needed to serve the population (both residential and employment) are provided.
2. Review of the appropriateness of the proposed zoning by-law amendment including compatibility with existing and future planned land uses, the appropriateness of the proposed density and development in the context of the Secondary Plan, and appropriateness of the proposed parking reduction is on-going.
3. The proposed development substantially increases the peak water flow compared to the existing flow. The City's sanitary sewers downstream of the proposed development also has capacity constraints that relate to the proposed development. Servicing issues for all proposed and potential future development including the subject site will be examined and addressed as part of the Secondary Plan exercise.
4. The proposed southerly access is located immediately north of the existing signalized intersection at Markham Road and Edward Jeffreys Avenue

-
- which is problematic because of insufficient spacing. It is recommended that the driveway be consolidated with the access on the adjacent property to the south or an alternative access be proposed.
5. Appropriate Section 37 contributions, including public art contributions, will be implemented in the amending zoning by-law and any site plan approvals.
 6. The proposed development is required to achieve minimum LEED Silver.
 7. Comments from external agencies including Metrolinx must be addressed, including provision of a sufficient buffer relative to the railway track. Metrolinx will also comment on whether the proposed parking located within the building podium will be permitted within the buffer.
 8. A future site plan application will be required which will evaluate the interface of the proposed development with surrounding development, the site layout, building elevations and materials, landscaping, amenity space and parking configuration, and determination of the appropriate amount of parkland dedication.
 9. A Holding (H) provision may be required subject to confirmation that the downstream sanitary system along the Mount Joy Corridor has available capacity to service the proposed development.
 10. Analysis of the proposed parking reduction from 684 parking spaces to 540 parking spaces is being undertaken and review of the parking justification study submitted by the applicant.
 11. Demonstration of conformity of the proposed development with the provincial and regional planning policy context.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being considered within the context of the City's safe and sustainable community strategic priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various departments and external agencies and is currently under review. All conditions and requirements received will be reviewed and if appropriate, will be incorporated into the proposed amendment.

RECOMMENDED BY:

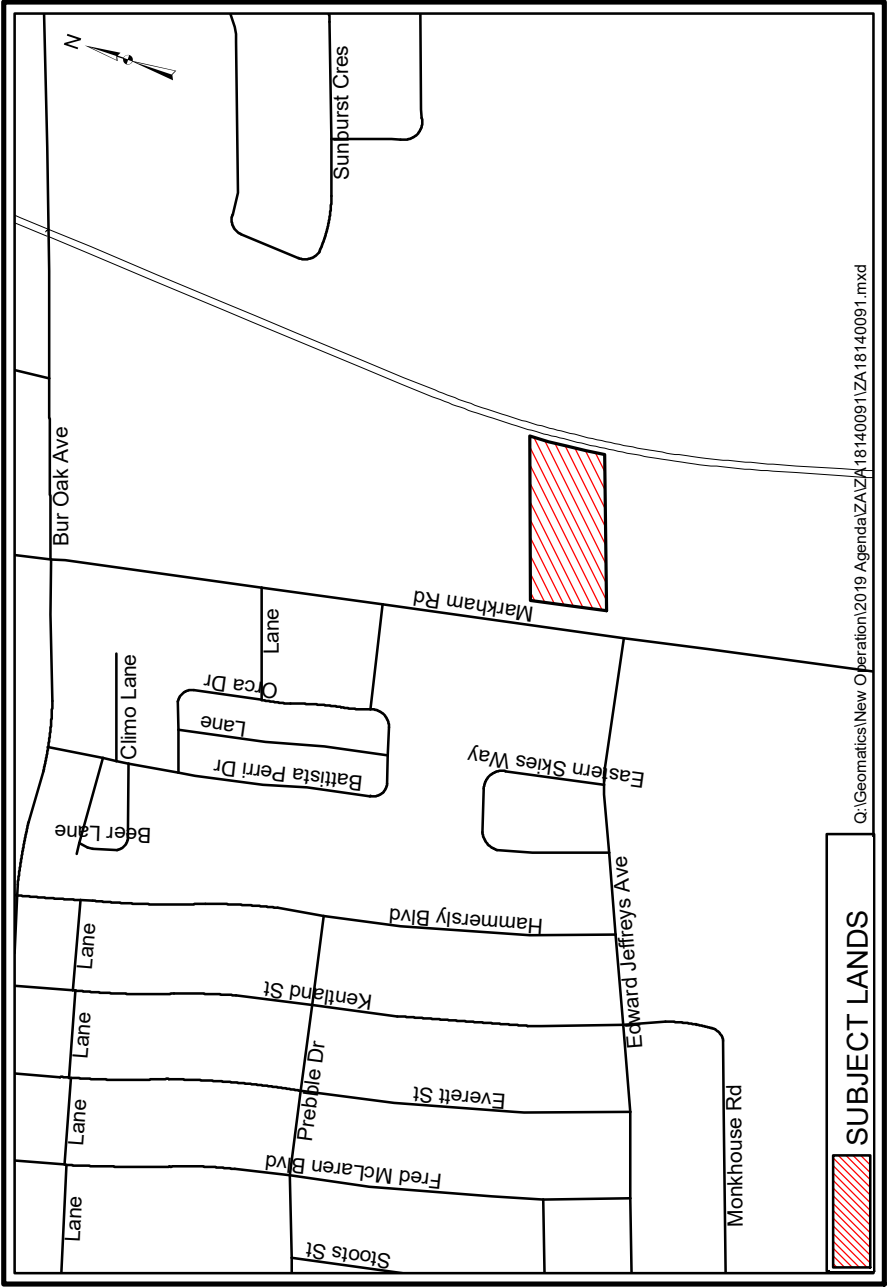
Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager


Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Area Context/ Zoning
Figure 3: Air Photo
Figure 4: Proposed Conceptual Site Plan
Figure 5: Proposed Conceptual Renderings

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 Subject Lands


Date: 19/03/2019



AERIAL PHOTO (2018)

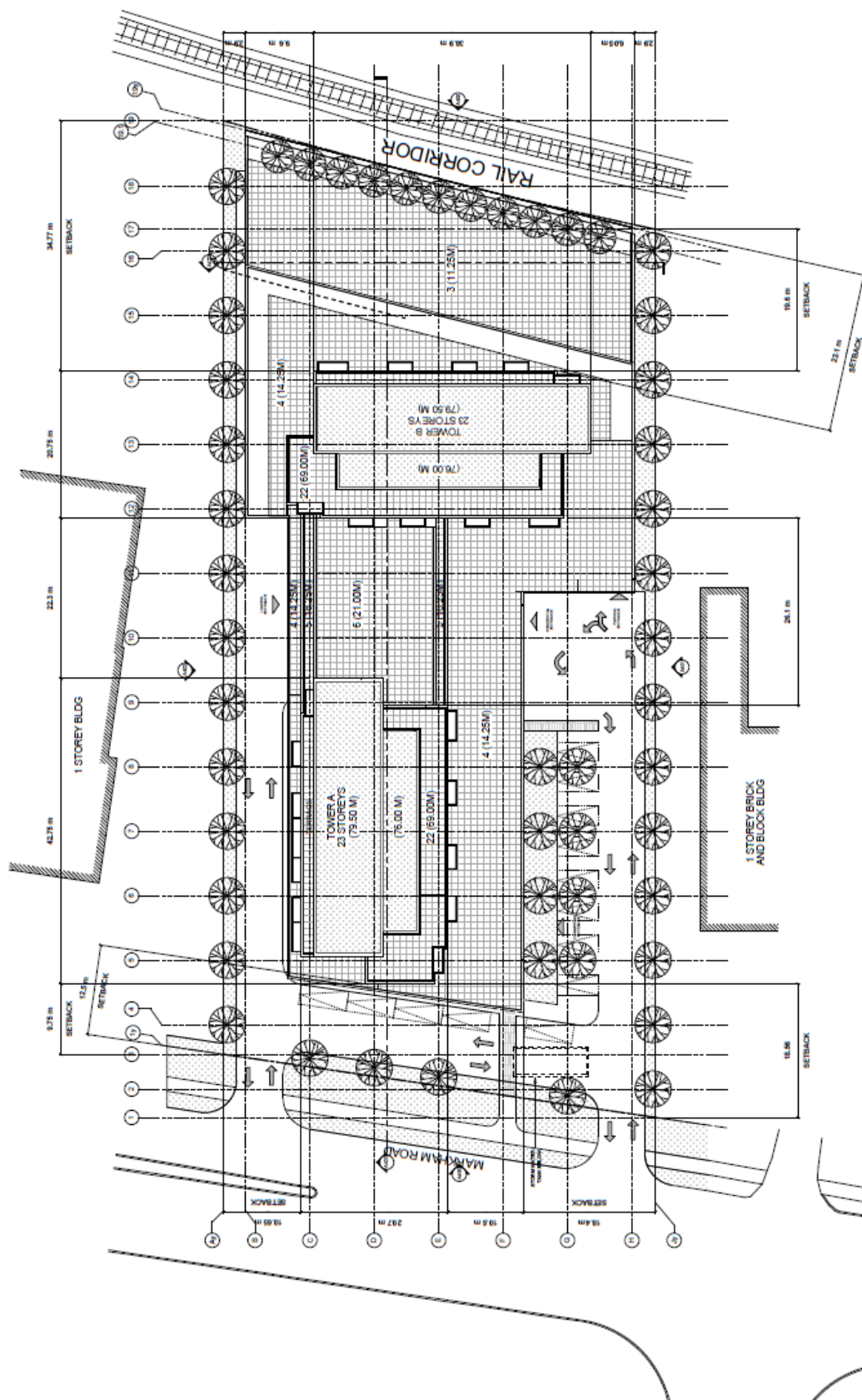
APPLICANT: Sasson Construction Inc.
9351-9399 Markham Road

FILE No. ZA 18140091 (SM)

 Subject Lands

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Date: 19/03/2019



SITE PLAN

APPLICANT: Sasson Construction Inc.
9351-9399 Markham Road

FILE No. ZA 18140091 (SM)

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WARKHAM
DEVELOPMENT SERVICES COMMISSION

Date: 19/03/2019

FIGURE No. 4

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Checked By: SM



PROPOSED COLOURED RENDERING

APPLICANT: Sasson Construction Inc.

9351-9399 Markham Road

FILE No. ZA 18140091 (SM)

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