



Development Services Public Meeting Agenda

Meeting Number 9

June 24, 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, ANGUS GLEN VILLAGE LTD., 4071 AND 4289 MAJOR MACKENZIE DRIVE EAST, SOUTH SIDE OF MAJOR MACKENZIE DRIVE, WEST OF KENNEDY ROAD, ZONING BY-LAW AMENDMENT AND SITE PLAN CONTROL APPLICATIONS TO PERMIT 173 TOWNHOUSES ON THE SUBJECT LANDS 3

FILE NO. ZA/SPC 18 154612 (WARD 6) (10.5, 10.6)

R. Cefaratti, ext. 3675

- 4.2 PRELIMINARY REPORT KINGSBERG WARDEN DEVELOPMENT INC. 3882 HIGHWAY 7 (NORTH SIDE, EAST OF VERCLAIRE GATE) APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT 22

TO PERMIT A 10 STOREY 80 UNIT APARTMENT BUILDING (WARD 3)

FILE NO. OP/ZA 18 233310 (10.3, 10.5)

S. Heaslip, ext. 3140

5. ADJOURNMENT



Report to: Development Services Committee

Meeting Date: June 10, 2019

SUBJECT: PRELIMINARY REPORT, Angus Glen Village Ltd., 4071 and 4289 Major Mackenzie Drive East, south side of Major Mackenzie Drive, west of Kennedy Road, Zoning By-law Amendment and Site Plan Control Applications to permit 173 townhouses on the subject lands, File No. ZA/SPC 18 154612 (Ward 6)

PREPARED BY: Rick Cefaratti, MCIP, RPP, Planner II, West District, (ext. 3675)

REVIEWED BY: Dave Miller, MCIP, RPP, Manager, West District, (ext. 4960)

RECOMMENDATION:

That the report dated June 10, 2019 entitled “PRELIMINARY REPORT, Angus Glen Village Ltd., 4071 and 4289 Major Mackenzie Drive East, south side of Major Mackenzie Drive, west of Kennedy Road, Zoning By-law Amendment and Site Plan Control Applications to permit 173 townhouses on the subject lands, File No. ZA/SPC 18 154612”, be received.

PURPOSE:

This report provides preliminary information on the applications and contains general information in regards to applicable Official Plan or other policies as well as other issues. The report should not be taken as Staff’s opinion or recommendation on the applications.

The applications have been deemed complete:

The applications submitted by Angus Glen Village Ltd. were deemed complete on January 7, 2019.

Next Steps:

1. A Statutory Public Meeting will be held on June 24, 2019.
2. Recommendation Report on the zoning by-law amendment and site plan approval applications.
3. Site Plan Endorsement by the Development Services Committee and Enactment of the zoning by-law if approved by Council.
4. Site Plan approval issued by Staff.
5. Submission Draft Plan of Condominium application required to establish ownership of the internal road network, private amenity areas and any other features associated with the proposed townhouse development.

BACKGROUND:**Property and Area Context**

The subject lands consist of 7.5 ha. (18.6 ac.) located on the south side of Major Mackenzie Drive, west of Kennedy Road, within the Angus Glen West Village (see Figures 1, 2 and 3). The subject lands are part of the final unregistered phase of Plan of Subdivision 19TM-03004. Previous phases of this subdivision have been registered and developed. Located to the north, across Major Mackenzie Drive, is vacant land that forms part of the Future Urban Area. To the south is the Angus Glen Golf Club and the York Downs Golf & Country Club

which is proposed to be redeveloped as a new residential neighbourhood. To the east is a rural single detached dwelling with access from Major Mackenzie Drive. To the west is the Bruce Creek Valley corridor and single detached dwellings.

PROPOSAL

The applicant is proposing a 173 unit common element condominium townhouse development on an approximately 4.5 ha. (11.1 acres) tableland portion of the subject lands (see Figure 4). The remaining lands contain natural features, including an environmental buffer and valley lands, which will be conveyed to the City with the registration of this final phase of the Plan of Subdivision. Access is proposed via a private road that connects to Major Mackenzie Drive East. Vehicular access to the townhouse units will be from a network of private lanes. An application for Draft Plan of Condominium approval will be required to establish ownership of the internal road network, private amenity areas and any other features associated with the proposed townhouse development. The proposal as illustrated in Figures 4, 5, 6 and 7 comprise:

- Townhouses with a frontage of 4.7 m (15.4 ft.) – 43 units
- Townhouses with a frontage of 5.8 m (19.0 ft.) – 57 units
- Townhouses with a frontage of 7.0 m (23.0 ft.) – 73 units

Proposed Parking Supply

The proposal includes 2 residential parking spaces per townhouse unit and 1 visitor space for every 4 townhouse units or 44 visitor spaces, which will comply with the Parking Standards By-law.

Private Open Space

The applicant is proposing 4 private open space amenity areas within the proposed townhouse development. Table 1 below provides the approximate size proposed for each of the 4 private open space amenity areas which are identified on the Site Plan (Figure 4):

Table 1

Private Open Space Area	Approximate Size
Area 1	475 m ² (5,113 ft ²)
Area 2	348 m ² (3,746 ft ²)
Area 3	163 m ² (1,755 ft ²)
Area 4	103 m ² (1,109 ft ²)

OFFICIAL PLAN

2014 Official Plan

The subject lands are designated 'Residential Mid-Rise' and 'Greenway' in the 2014 Markham Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018). The Residential designation provides for townhouses, including back to back townhouses, small multiplex buildings containing 3 to 6 units, stacked townhouses and mid-rise apartment buildings. Staff note that the 2014 Official Plan identifies Major Mackenzie Drive as a Regional Rapid Transit Corridor.

ZONING

These lands are currently zoned R4*387(H2) – Residential Four*387 Holding Two Zone and OS1 – Open Space One Zone under By-law 177-96, as amended, which permits residential development including townhouses and apartment buildings, subject to the current zone provisions under the above noted parent by-law.

The applicant is proposing to rezone the developable portion of the subject lands from R4*387(H2) – Residential Four*387 Holding Two Zone to an R2-Residential Two Zone category to permit a townhouse development with a number of exceptions from the zone provisions provided in the parent by-law (see Appendix 'A'). The owner is also proposing to revise the limits of the Open Space zoning for the valley land, woodlot, and open space areas. The boundary revisions to the Open Space are being requested to permit the proposed townhouse development to encroach approximately 0.11 ha. (0.27 ac.) into the valley land and woodlot areas on the subject lands. The applicant is proposing to convey approximately 0.30 ha. (0.74 ha.) of tableland along the western, southern and eastern boundaries of the subject lands to compensate for the above-noted encroachment.

Staff note that a previous application to permit 54 single detached dwellings on the subject lands has been abandoned (File No. ZA 15 107807) and replaced with the current Zoning By-law Amendment application.

Revised Draft Plan of Subdivision Required

Revisions to Draft Plan of Subdivision 19TM-03004 will be required to reflect the proposed boundary adjustments to the natural feature areas including the valley land, woodlot and environmental buffer(s). In addition, staff note that the previous Draft Plan approval conditions require that prior to final registration of the Plan of Subdivision an easement for public access across Block 178 to be conveyed to the City in order to connect Blocks 182 and 190 (see Appendix 'B'). Staff are reviewing the previous Draft Plan approval conditions to determine whether any revisions are required to facilitate the current proposal.

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:

Planning and Urban Design

- a) The applicant should revise the site plan to orient townhouse units to front onto valley lands, parks and open space, to eliminate back lotting.
- b) The applicant should consider making some of the proposed townhouses more accessible by including layouts that support future elevators, provide main floor master bedrooms, and at grade entrances.

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- c) A public access easement should be provided connecting from Major Mackenzie Drive through the central open space to the valley lands and trail system at the south end of the site.
 - d) Snow storage areas should be identified.
 - e) No parkland dedication is provided through this proposed development. However, a parkland dedication summary, submitted by the applicant, for all phases of Plan of Subdivision 19TM-03004, is currently under review by staff to determine whether there is a requirement for an additional contribution of parkland, or cash-in-lieu of parkland.

Development Engineering

Engineering advises that stormwater management infrastructure and a retaining wall is shown within areas of the property that are proposed to be in public ownership. Engineering staff recommends that these components be relocated to areas that will remain in private ownership.

Natural Heritage

- a) Natural Heritage staff are satisfied with an Environmental Impact Study (dated October 2018), subject to the submission of a revised report that provides a conceptual buffer restoration plan including planting locations, quantities and recommended species.
- b) Natural Heritage staff are satisfied with the findings and recommendations of the Woodlot Management Plan (dated December 2017), subject to the submission of revised landscape plans that include restoration of the woodlot and valley land buffers.

Fire Department

The Fire Department requires two independent street access points to Major Mackenzie Drive East. York Region Transportation staff will not allow a second connection to Major Mackenzie Drive East (see York Region comments provided below).

Waste Management

Waste Management staff is concerned about the ability of Waste Management vehicles to enter/exit the townhouse development via the private lane connection at the west end of the plan.

External Agencies

York Region

- a) York Region's Transportation Engineering staff has advised that the proposed west access to Major Mackenzie Drive East will not be permitted.

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- b) The site plan drawings should be revised to demonstrate the proposed central full moves access, to Major Mackenzie, will align with the collector road identified in the Angus Glen Secondary Plan Area to the north, within the Future Urban Area.
 - c) A westbound left turn lane to the site from Major Mackenzie Drive with a 130.0 m (426.5 ft.) taper, 50.0 m (164.0 ft.) parallel lane, and a 15.0 m (49.2 ft.) minimum storage length with a width of 4.0 m (13.1 ft.), is to be provided.
 - d) An eastbound right turn lane from Major Mackenzie Drive East to the site with a 70.0 m (229.6 ft.) taper and a 40.0 m (131.2 ft.) storage length, is to be provided.

Toronto and Region Conservation Authority ("TRCA")

- a) TRCA staff advise that the existing woodlot contains an unevaluated wetland which contributes to an occupied reach of Redside Dace. The woodlot could qualify as Regionally Significant due to its size (0.5 ha. or 1.2 ac.), intersection with a watercourse, and its proximity to a wetland (within 30.0 m or 98.4 ft.).
- b) TRCA staff requires more details be provided on the proposed encroachment into the valleyland and the tableland area proposed to be added to the overall natural heritage system.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Environment – Natural heritage and buffer areas (valley lands and woodlot) would be conveyed into public ownership.

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

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

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Air Photo
Figure 4 – Site Plan
Figure 5 – Building Elevations
Figure 6 – Building Elevations
Figure 7 – Building Elevations

APPENDICES:

Appendix 'A' – Proposed Zoning Exceptions (Applicant's Draft Zoning By-law)

Appendix 'B' – Draft Plan of Subdivision 19TM-03004

OWNER:

Kylemore Communities (West Village) Ltd.

C/O Mike Montgomery

9980 Kennedy Rd.

Markham, ON

Phone: (905) 887- 5799, ext. 409

Fax: (905) 887-5197

Email: mmontgomery@angusglen.com

APPLICANT/AGENT:

Gatzios Planning + Development Consultants Inc.

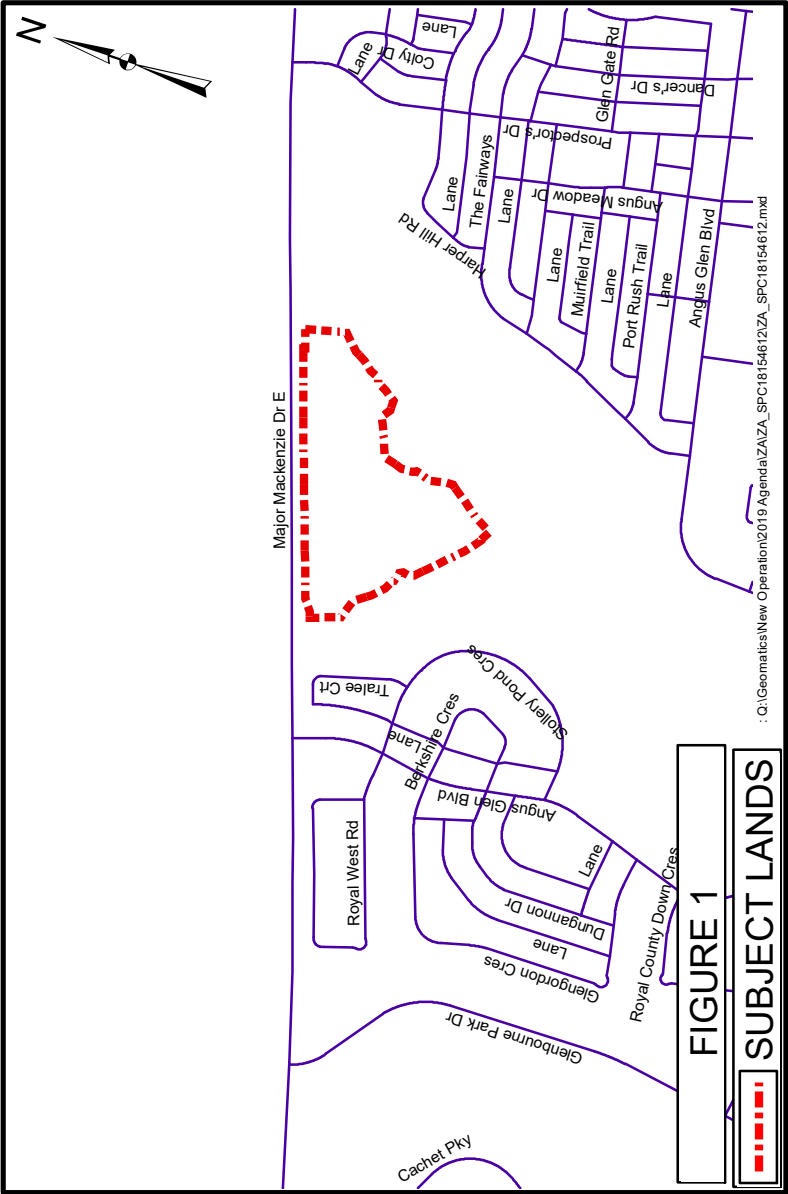
C/O James Koutsovitis

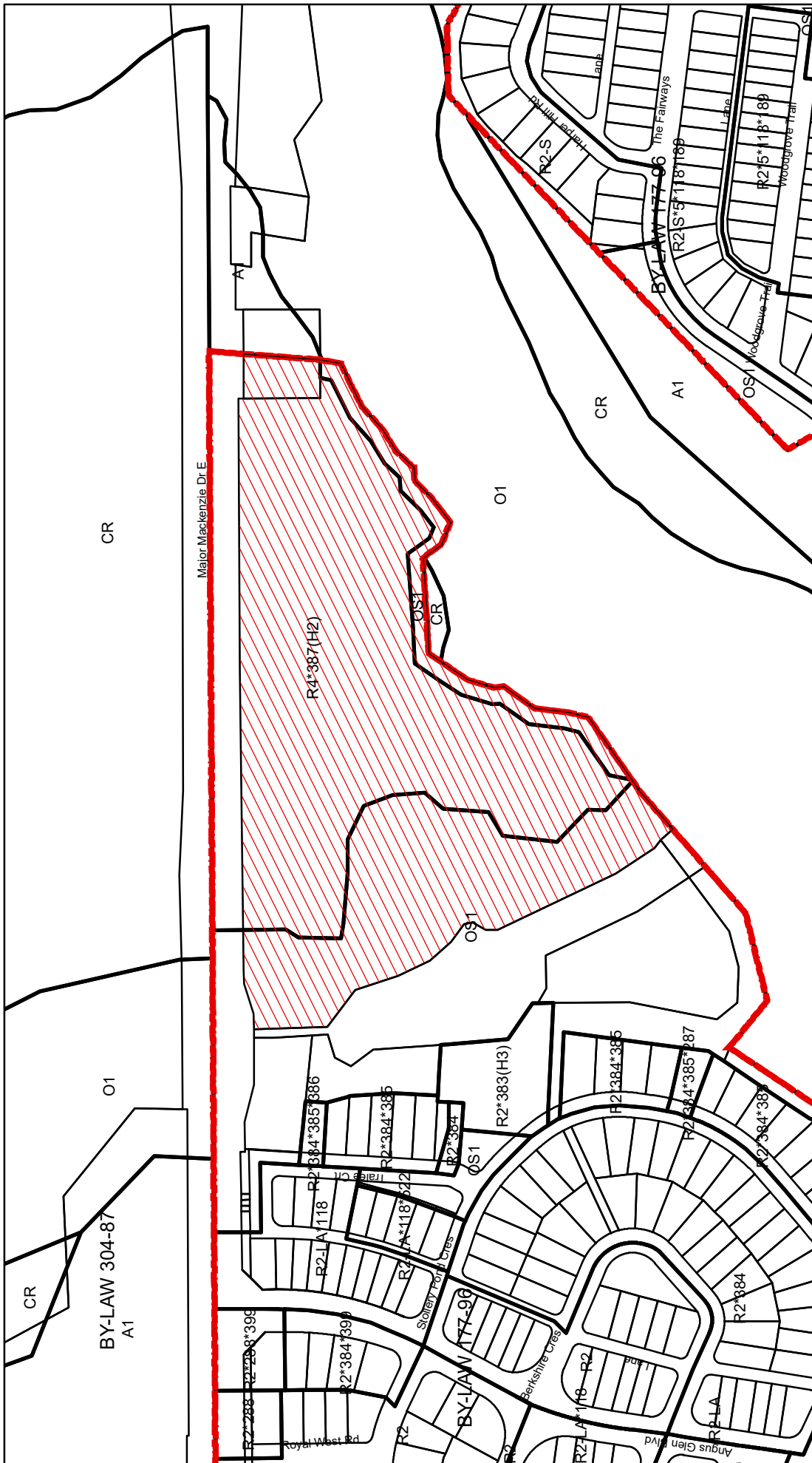
701 Mount Pleasant Road Unit 3

Toronto, Ontario M4S 2N4

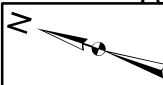
Phone (647) 748-9466, ext. 5

Email: james@gatziosplanning.com





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 SUBJECT LANDS

AREA CONTEXT/ZONING

APPLICANT: ANGUS GLEN VILLAGE LTD.
4071 & 4289 MAJOR MACKENZIE DR. E.

FILE No: ZA_SPC18154612 (RC)

DATE: 05/14/19

FIGURE No. 2



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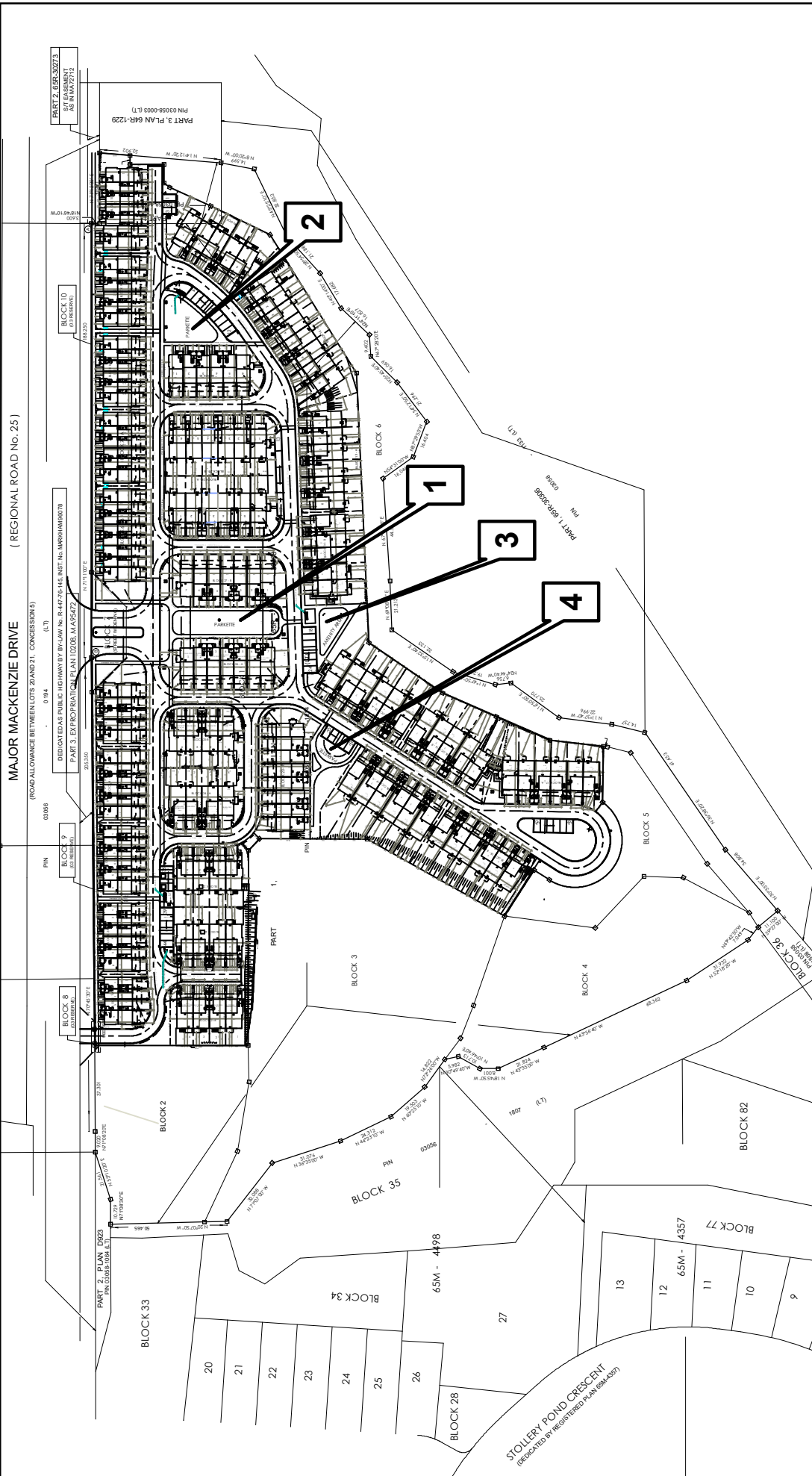
AREA CONTEXT/ZONING

APPLICANT: ANGUS GLEN VILLAGE LTD.
4071 & 4289 MAJOR MACKENZIE DR. E.

 SUBJECT LANDS

FILE No: ZA_SPC18154612 (RC)

DATE: 05/14/19



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SITE PLAN

APPLICANT: ANGUS GLEN VILLAGE LTD.

4071 & 4289 MAJOR MACKENZIE DR. E.

FILE No: ZA_SPC18154612 (RC)

1234 PRIVATE OPEN SPACE

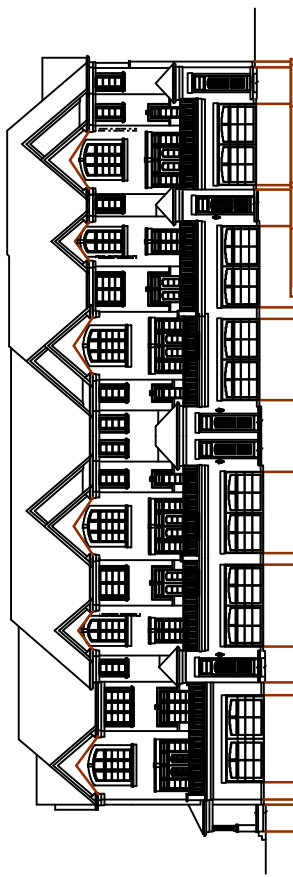
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FIGURE No. 4

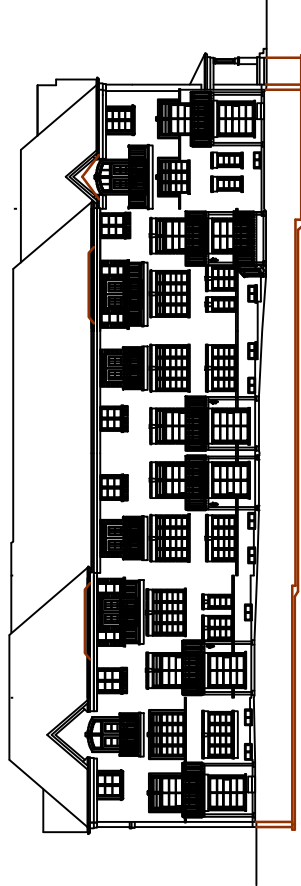
MARKHAM DEVELOPMENT SERVICES COMMISSION

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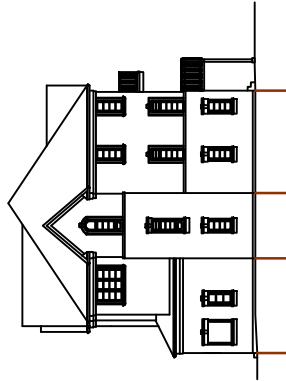
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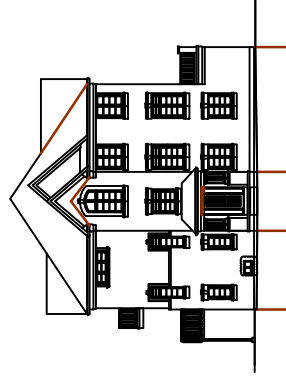
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REAR BLK 29



RIGHT BLK 29



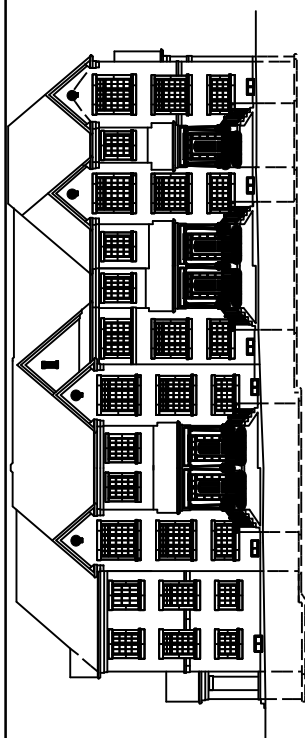
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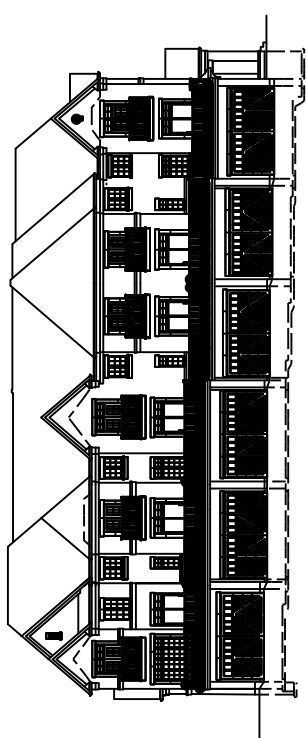
ELEVATIONS

APPLICANT: ANGUS GLEN VILLAGE LTD.
4071 & 4289 MAJOR MACKENZIE DR. E.

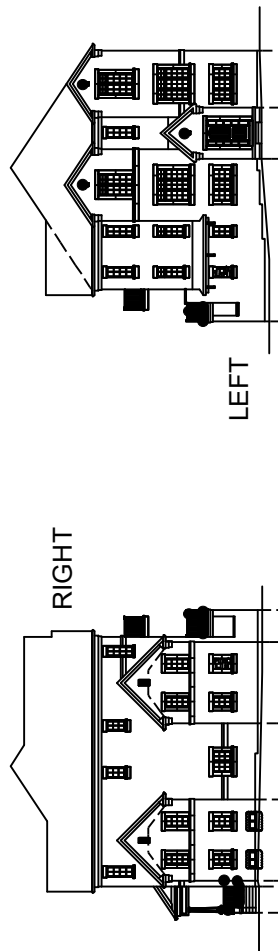
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FRONT



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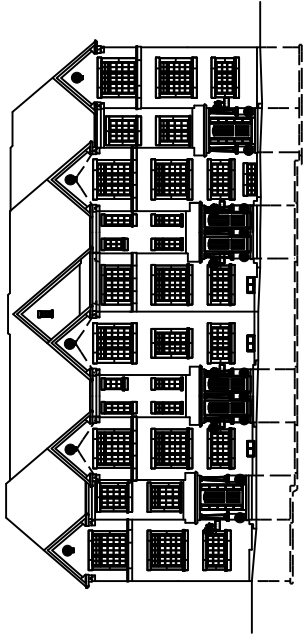
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ELEVATIONS

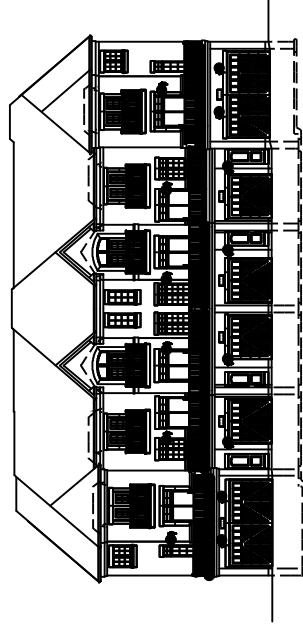
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4071 & 4289 MAJOR MACKENZIE DR. E.

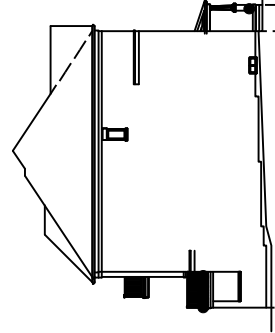
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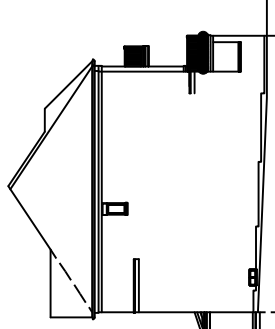
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ELEVATIONS

APPLICANT: ANGUS GLEN VILLAGE LTD.
4071 & 4289 MAJOR MACKENZIE DR. E.

FILE No: ZA_SPC18154612 (RC)



**DRAFT SUBJECT
TO REVISION**

BY-LAW 2018-_____

A By-law to amend By-law 177-96, as amended by By-law 2010-106

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:
 - 1.1 By zoning the subject lands, as outlined on Schedule 'A' attached to By-law #### as follows:

"Residential Two (R2) zone *AAA
Residential Two (R2) zone *BBB
Residential Two (R2) zone *CCC
Open Space One (OS1) zone"
 - 1.2 By adding to Section 7 – Exceptions, the following new subsection:

**"7.## Angus Glen Village Ltd.
4071 & 4289 Major Mackenzie Drive
South of Major Mackenzie Drive, west of Kennedy Road
Plan of Subdivision 19TM-03004**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the subject lands, as shown on Schedule 'A' attached to By-law. All other provisions of this By-law, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

7.##.1 Special Site Provisions

- 7.##.1.1 The following additional provision shall apply to the Residential Two (R2) zone *AAA:

(Blocks 1-4, 7-10, 20, 26-27,30)

 - a. For the purposes of this by-law, the rear yard shall be considered the yard abutting the private lane.
 - b. Minimum lot frontage on a lot accessed by a lane:
 - i. Interior unit: 4.5 metres
 - ii. End unit: 6.0 metres
 - iii. End unit on a corner lot: 8.0 metres
 - c. Minimum front yard on a lot accessed by a lane: 2.0 metres
 - d. Minimum interior side yard:
 - i. Interior unit: 0 metres
 - ii. End unit: 1.2 metres
 - iii. Flanking a lane: 1.2 metres
 - e. Minimum rear yard on a lot accessed by a lane: 2.0 metres
 - f. Maximum building height: 13.0 metres
 - g. Maximum garage width and driveway width for a lot accessed by a lane: 6.0 metres
 - h. Notwithstanding Section 6.6, porches are permitted to encroach in the required front yard a distance no less than 0.8 metres to the front lot line.
 - i. Notwithstanding Section 6.6, porches may be permitted to have a maximum height of 6.0 metres, with the height being measured from the established grade to the underside of the rafters, or ceiling of the porch.

**DRAFT SUBMITTAL
TO REVISION**

By-law 2018-____
Page 2

7.##.1.2 The following additional provision shall apply to the Residential Two (R2) zone *BBB:

(Blocks 5 and 6)

- a. For the purposes of this by-law, the rear yard shall be considered the yard abutting the private lane.
- b. Minimum lot frontage on a lot accessed by a lane:
 - i. Interior unit: 4.5 metres
 - ii. End unit: 6.0 metres
 - iii. End unit on a corner lot: 8.0 metres
- c. Minimum front yard on a lot accessed by a lane: 2.0 metres
- d. Minimum interior side yard:
 - i. Interior unit: 0 metres
 - ii. End unit: 1.2 metres
 - iii. Flanking a lane: 2.4 metres
 - iv. To the daylighting triangle: 0.6 metres
- e. Minimum rear yard on a lot accessed by a lane: 2.0 metres
- f. Maximum building height: 13.0 metres
- g. Maximum garage width and driveway width for a lot accessed by a lane: 6.0 metres
- h. Notwithstanding Section 6.6, porches are permitted to encroach in the required front yard a distance no less than 0.8 metres to the front lot line.
- i. Notwithstanding Section 6.6, porches may be permitted to have a maximum height of 6.0 metres, with the height being measured from the established grade to the underside of the rafters, or ceiling of the porch.

7.##.1.3 The following additional provision shall apply to the Residential Two (R2) zone *CCC:

(Blocks 11-19, 21, 21-25, 28-29)

- a. For the purposes of this by-law, the front yard shall be considered the yard abutting the private lane.
- b. Minimum lot frontage on a lot accessed by a lane:
 - i. Interior unit: 7.0 metres
 - ii. End unit: 8.3 metres
 - iii. End unit on a corner lot: 9.0 metres
- c. Minimum front yard on a lot accessed by a lane: 3.0 metres
- d. Minimum interior side yard:
 - i. Interior unit: 0 metres
 - ii. End unit: 1.2 metres
 - iii. Flanking a lane: 2.0 metres
- e. Minimum rear yard on a lot accessed by a lane: 5.0 metres
- f. Maximum building height: 14.0 metres
- g. Maximum garage width and driveway width for a lot accessed by a lane: 6.0 metres
- h. Notwithstanding Section 6.6, porches may be permitted to have a maximum height of 6.0 metres, with the height being measured from the established grade to the underside of the rafters, or ceiling of the porch.

- 2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

**DRAFT SUBJECT
TO REVISION**

By-law 2018-____
Page 3

Read a first, second and third time and passed on _____, 2018.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

By-law 2018-____
Page 4

**DRAFT SUBJECT
TO REVISION**



EXPLANATORY NOTE

BY-LAW 2018-____

A By-law to amend By-law 177-96, as amended by By-law 2010-106

**Angus Glen Village Ltd.,
4071 & 4289 Major Mackenzie Drive
South of Major Mackenzie Drive, west of Kennedy Road
Plan of Subdivision 19TM-03004**

Lands Affected

This by-law amendment applies to 7.5 hectares of land, located on the south side of Major Mackenzie Drive, west of Kennedy Road. The subject lands are municipally known as 4071 & 4289 Major Mackenzie Drive.

Existing Zoning

The lands are zoned Residential Four (R4) zone*387 (H2) and Open Space One (OS1) zone by By-law 177-96, as amended by By-law 2010-106.

Purpose and Effect

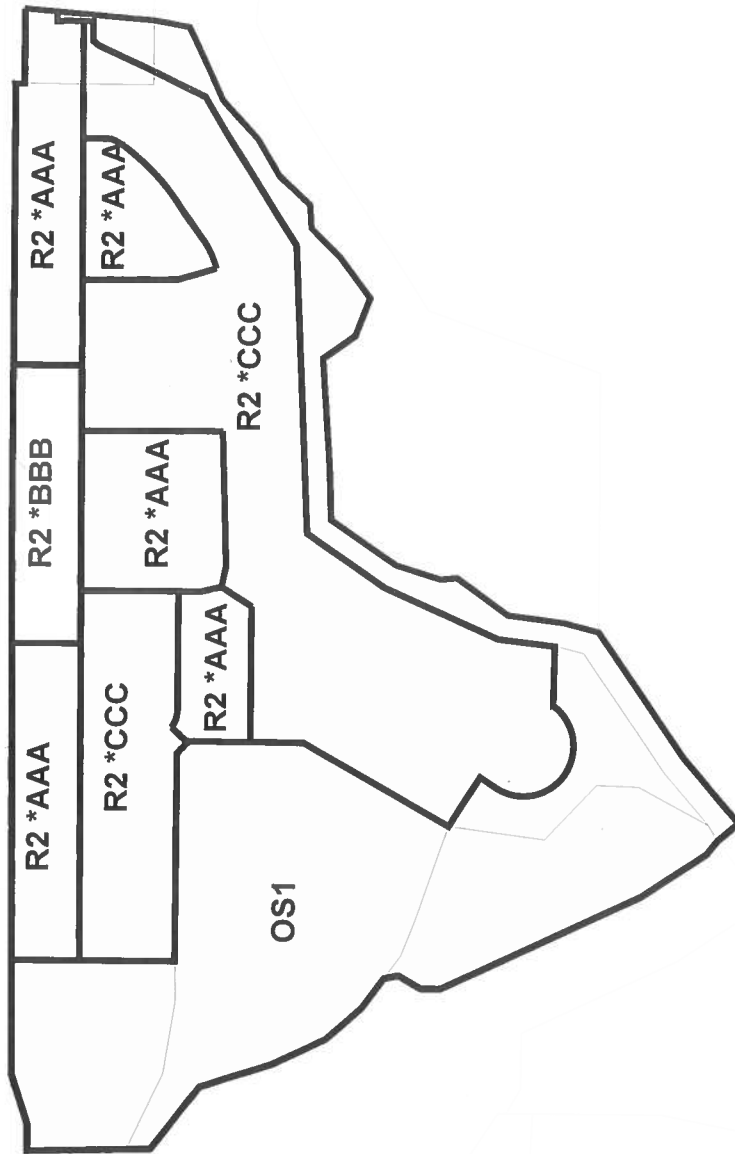
The purpose and effect of this Zoning By-law amendment is to revise the existing zone categories and introduce site-specific exceptions to the zone standards to permit the development of townhouses on the subject lands.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.

DRAFT SUBJECT
TO REVISION

MAJOR MACKENZIE DRIVE



ST. LLER. POND GRESCE. T

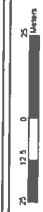
BY-LAW SCHEDULE "A" TO BY-LAW
AMENDING BY-LAW 177-96

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BOUNDARY OF ZONE DESIGNATION(S)

R2 RESIDENTIAL TWO
OS1 OPEN SPACE

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems in the event of a discrepancy between the zoning information contained on the Schedule and the text of the zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.



DATE:

CHECKED BY:

DRAWN BY:





Report to: Development Services Committee

Report Date: December 11, 2018

SUBJECT: PRELIMINARY REPORT
 Kingsberg Warden Development Inc.
 3882 Highway 7 (north side, east of Verclaire Gate)
 Applications for Official Plan and Zoning By-law
 Amendment to permit a 10 storey, 80 unit apartment building
 (Ward 3)
 File No. OP/ZA 18 233310

PREPARED BY: Scott Heaslip, M.C.I.P., R.P.P., ext. 3140
 Senior Development Coordinator, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
 Manager, Central District

RECOMMENDATION:

That the report titled "PRELIMINARY REPORT, Kingsberg Warden Development Inc., 3882 Highway 7 (north side, east of Warden Avenue), Applications for Official Plan and Zoning By-law Amendment to permit a 10 storey, 80 unit apartment building, (Ward 3), File No. OP/ZA 18 233310;" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the subject applications. It contains general information regarding applicable Official Plan or other policies and issues/concerns identified by staff from our preliminary review of the proposed development, and should not be taken as staff's opinion or recommendation on the applications. A Statutory Public Meeting has not been scheduled.

BACKGROUND:

The subject property is located on the north side of Highway 7, east of Verclaire Gate. (see Figures 1 and 3).

The property statistics are as follows:

- Area - 0.28 ha (0.7 acre).
- Frontage - 38.4 metres (126 feet) on Highway 7.
- Depth of approximately 147 metres (482 feet).
- Approximately 5.5 metres (18 feet) of frontage on Tenbury Drive.

The property contains a bungalow occupied by the Markville Montessori Private School.

Surrounding uses (see Figure 3):

- To the west, the 4-storey “Ellington Park” condominium apartment development.
- To the east, the St Justin Martyr Catholic Church.
- To the north, single detached dwellings fronting on Tenbury Drive and flanking onto the subject property.
- To the south across Highway 7, a proposed apartment development by the Times Group consisting of 8 and 16 storey components along highway 7 and 38 and 42 storey components to the south.

Process to date:

- The subject applications were deemed complete by staff on September 24, 2018.
- The preliminary report is to be considered by Development Services Committee on the current date (December 11, 2018)

Next Steps:

- A Statutory Public Meeting is required to provide an opportunity for formal public participation regarding the proposed zoning change.

Proposal

The applicant is seeking amendments to the City’s Official Plan and Zoning By-laws to permit the subject property to be developed with a 10 storey, 80 unit apartment building as shown on Figures 4 (Conceptual Site Plan) and 5 (Perspective). The applicant has not applied for site plan approval for the proposed development.

Provincial Policy Conformity

When considering a development application staff assesses 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). Matters still being assessed as part of the review of the zoning by-law amendment application include:

- Evaluating how the proposed development conforms with building strong healthy communities and managing growth;
 - a) by supporting the achievement of complete communities;
 - b) ensuring that there are adequate and accessible public and open spaces, parks and trails;
 - c) planning for sewage, water services and stormwater management;
 - d) providing transportation systems which are safe and energy efficient and facilitate the movement of people and goods and are appropriate to address projected needs; and
 - e) assessing the proposal with respect to the range (eg. type, sizes, affordability and accessibility) of housing proposed.

Official Plan

The applicable Official Plan policies include:

-
- The subject property is designated ‘Residential Mid Rise’ in the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018).
 - The “Residential Mid Rise” policies permit a broad range of residential uses in building ranging in height from 3 to 6 storeys, with a maximum overall density of 2.0 FSI (Floor Space Index is the ratio of the gross floor area of all buildings on a lot to the lot area), unless otherwise specified in a secondary plan or site-specific policy.
 - The property is subject to site-specific policy 9.19.9 e), which restricts building heights to a minimum of 2 storeys and the maximum of 3.5 storeys.
 - The Residential Mid Rise policies of the Official Plan include development criteria directing height and density away from low rise designations to frontages along arterial and major collector roads, and requiring buildings that are adjacent to areas designated for low rise development to respect an angular plane measured from the boundary of the designation in which the low rise building is located.

The property is zoned “Medium Density Residential One – Hold” [RMD1(H)] by By-law 118-79, as amended by By-law 75-98, By-law 75-98, which was approved in 1998, is a site specific amendment applying to the subject property and the lands to the west which are now occupied by the Ellington Park condominium. The highlights of this by-law are:

- It permits apartments and a broad range of commercial uses.
- It requires:
 - A minimum front yard of 12 metres (39 feet).
 - A minimum lot area of 0.75 hectares (1.8 acres).
 - A minimum rear yard of 17 metres (56 feet).
 - A minimum side yard of 12 metres (39 feet).
 - A maximum building height of 7.5 metres (25 feet) within 15 metres (49 feet) of the west lot line.
 - A maximum building height of 15 metres for the remainder of the lot.
 - A maximum density of 60 units per hectare (24 units per acre).

Staff understand that at the time By-law 75-98 was approved, the subject property was proposed to be included in what is now the Ellington Park condominium development.

The proposed development would require amendments to the City’s Official Plan to increase the maximum permitted building height from 3.5 to 10 storeys and the maximum permitted FSI from 2 to 4.24. It would also require a corresponding amendment to the City’s zoning by-laws to rezone the property to an appropriate high density residential zone incorporating site-specific development standards reflecting the proposed development.

OPTIONS/ DISCUSSION:

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

In 2009, the City established development objectives for the section of Highway 7 east of Warden Avenue through the City-led Highway 7 Precinct Plan Study, as follows:

- To transform Highway 7 from an “inter-regional highway” to a “mid-rise urban boulevard.”
- To ensure an appropriate interface with the established residential community to the north.

All subsequent development approvals along this section of Highway 7 implemented this direction, as follows:

- The Times Uptown Markham and Sheridan Nurseries developments on the south side of Highway 7 include 8 storey buildings fronting on Highway 7, with the taller buildings located to the south along the Rouge River corridor.
- The Times, Lee (now Wyview), Peak Gardens, and Hildebrand Gardens (now Mon Sheong) developments on the north side of Highway 7 included 8 storey buildings fronting on Highway 7, transitioning down to 3 storey townhouses, single detached dwellings, school and park blocks providing an appropriate transition of building height down the established residential community to the north. Council subsequently approved the “downzoning” of the Highway 7 frontages of the Times and Peak Gardens properties to townhouses.
- The designations and site specific policies incorporated into the 2014 Official Plan also implement the development objectives outlined above.

The subject property has a modest area [0.28 hectare (0.7 acre)] and width [38.4 metres (126 feet)] and is bordered on three sides by sensitive uses including single detached dwellings, a 4-storey apartment building and a place of worship. This creates a number of compatibility issues, including:

- The proposed apartment building backs directly onto the adjoining single detached dwellings on Tenbury Drive. Unlike the developments to the east, the subject property is not deep enough to accommodate lower building types (such as townhouses) to act as an interface between the taller buildings along Highway 7 and the established residential community to the north.
- The small size of the property makes it difficult to mitigate the privacy, overlook and shadow impacts on the single detached dwellings to the north, Ellington Park condominium to the west, and place of worship to the east.
- The driveway onto Highway 7 would be restricted to right-turn-in and right-turn-out movements by a centre median on Highway 7. York Region has provided written comments requiring the proposed development to include a driveway onto Tenbury Drive. Staff feel it would be inappropriate for a driveway serving an 80 unit apartment building to be introduced onto an existing local residential street. Staff also note that the subject property does not have sufficient frontage on Tenbury Drive to accommodate a driveway.
- Staff note that the proposed height, at 10 storeys, is taller than the 8 storey height approved by Council for the other developments to the east; the majority of which have developed, most at lower heights.

The applicant is proposing to satisfy their parkland requirement through the payment of “cash-in-lieu” of land dedication.

A number of area residents have submitted written comments in response to the notification of complete application. Identified concerns include building height, shadow impact, noise, traffic impact, construction impact, etc.

Next Steps


A Statutory Public Meeting is required to provide an opportunity for formal public participation regarding the proposed zoning change.


ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

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

RECOMMENDED BY:

Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager
Planning and Urban Design

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 - Site plan
Figure 5 - Perspective

AGENT:

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Report to: Development Services Committee

Report Date: December 11, 2018

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Patrick Chan

Kingsberg Warden Development Inc.

1 West Pierce Street, Unit 401

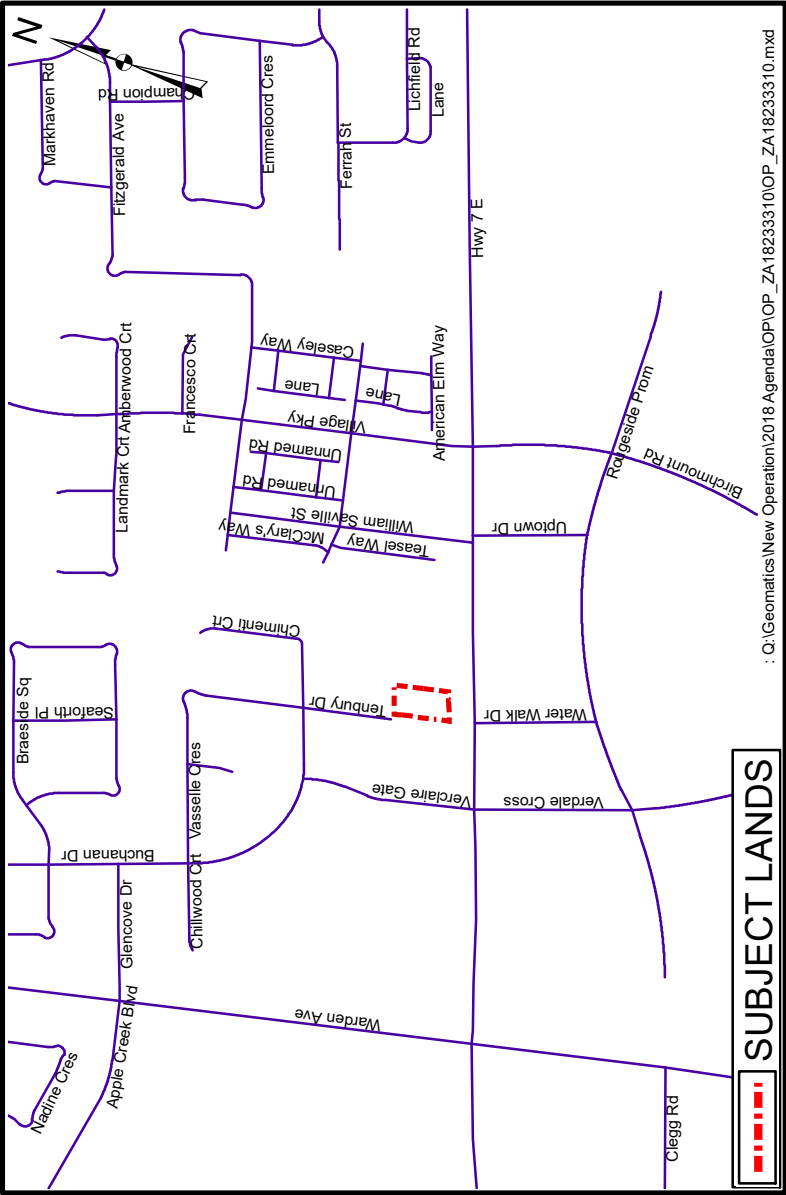
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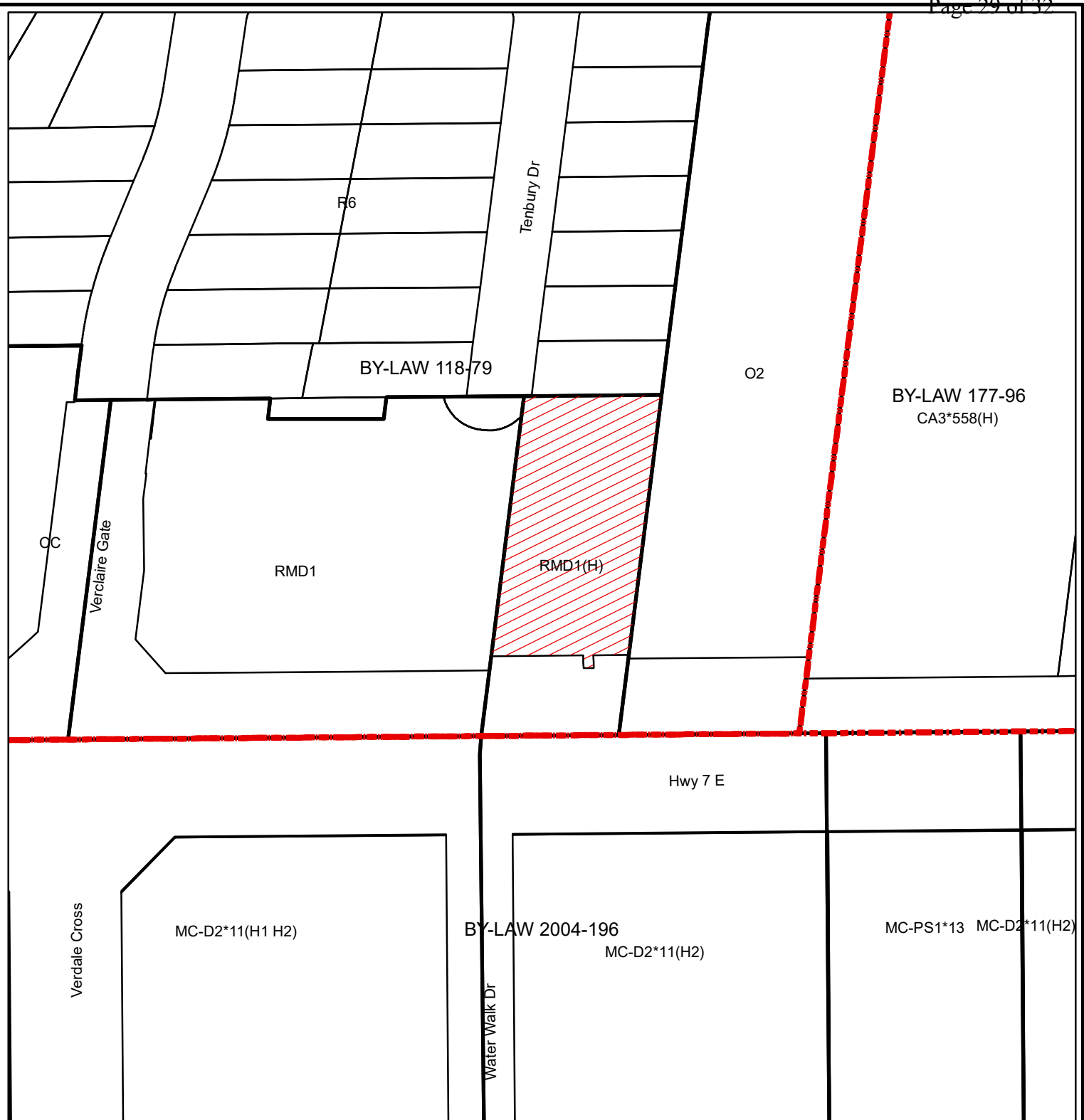
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File path: Amanda\File 18 233310\Documents\Recommendation Report





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AREA CONTEXT/ZONING

APPLICANT: KINGSBERG WARDEN DEVELOPMENTS INC.
3882 HIGHWAY 7

FILE No: OP/ZA 18233310(SH)

 SUBJECT LANDS

DATE: 11/14/18





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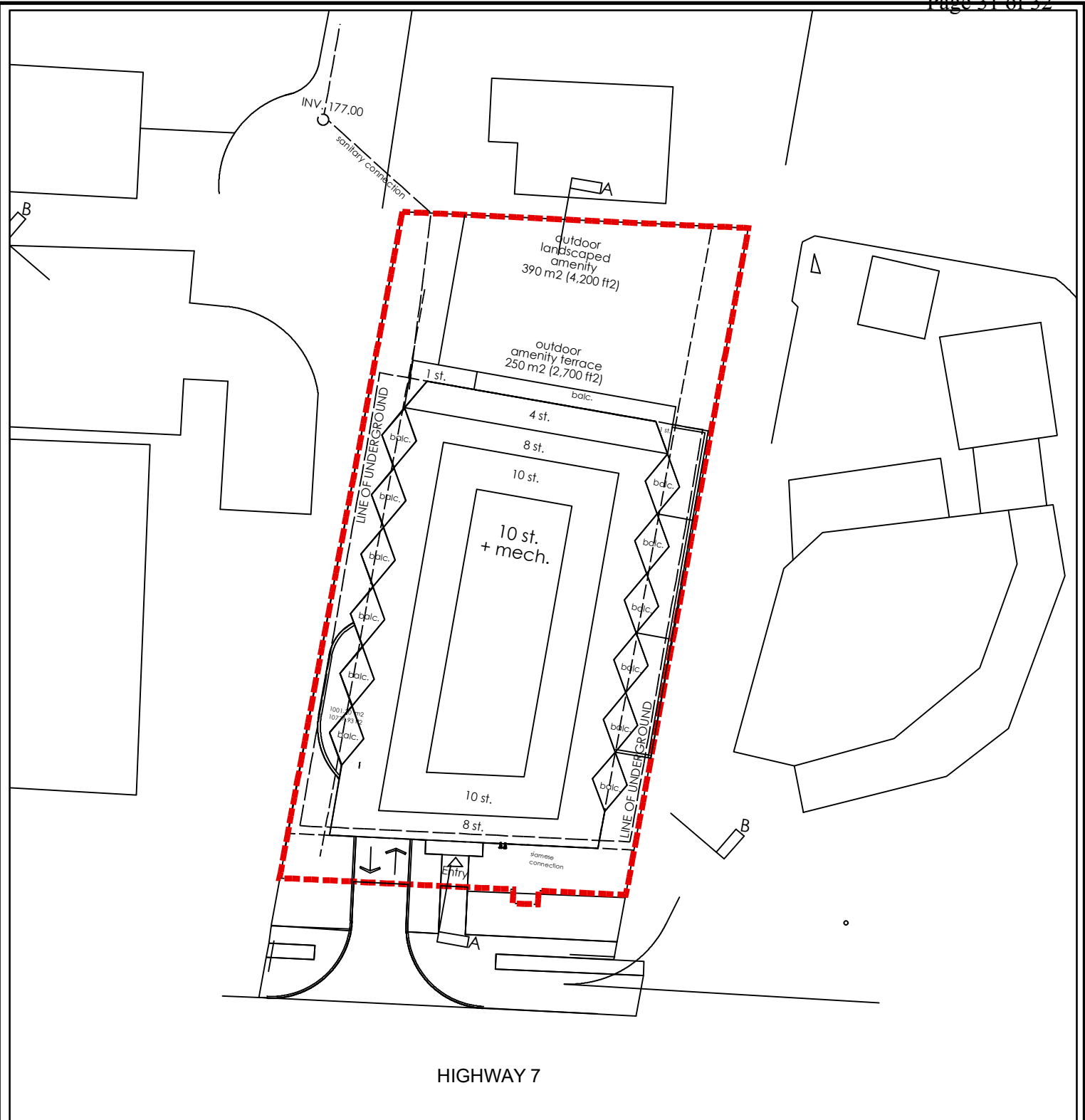
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SITE PLAN

APPLICANT: KINGSBERG WARDEN DEVELOPMENTS INC.
3882 HIGHWAY 7

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 SUBJECT LANDS

DATE: 11/14/18



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FIGURE No. 4



VIEW ALONG HIGHWAY 7



VIEW ALONG REAR



VIEW LOOKING WEST ON HIGHWAY 7



VIEW LOOKING EAST ON HIGHWAY 7



VIEW LOOKING SOUTH ON TENBURY DRIVE

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PERSPECTIVE

APPLICANT:KINGSBERG WARDEN DEVELOPMENTS INC.
3882 HIGHWAY 7

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FIGURE No. 5