



Development Services Public Meeting Agenda

Meeting Number 10

October 7, 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 1938540 ONTARIO LTD., UNIONVILLE
MONTESSORI SCHOOL, TEMPORARY USE ZONING BY-LAW
AMENDMENT APPLICATION TO PERMIT A PRIVATE SCHOOL AND
DAY NURSERY TO OPERATE WITHIN THE EXISTING PORTABLE

AT 9286 KENNEDY ROAD, FILE NO. PLAN 19 256209 (WARD 6) (10.5)

R. Cefaratti, ext. 3675 | 3 |
| 4.2 | PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW
AMENDMENT TO FACILITATE A FUTURE LAND SEVERANCE AND
PERMIT ONE SINGLE DETACHED DWELLING WITH SITE-SPECIFIC
ZONE EXCEPTIONS AT 7739 9TH LINE, ON THE SOUTH SIDE OF 14TH
AVENUE

(WARD 7) FILE NO. ZA 19 126535 (10.5)

A. Malik, ext. 2230 | 14 |
| 4.3 | PRELIMINARY REPORT - OP TRUST OFFICE INC. APPLICATION FOR | 24 |

**ZONING BY-LAW AMENDMENT TO PERMIT A CAMPUS-STYLE
BUSINESS PARK DEVELOPMENT AT 101 MCNABB ST. (WARD 8) FILE
NO ZA 17151261 (10.5)**

S. Bordone, ext. 8230

5. ADJOURNMENT



PUBLIC MEETING

NOTICE OF MEETING

You are invited to attend a Public Meeting to be held by the Development Services Committee of the City of Markham to consider the following application by 1938540 Ontario Ltd.

- Amendment to the City's Zoning By-law 304-87

DATE: Tuesday, October 7, 2019

TIME: 7:00 p.m.

PLACE: Council Chambers
Anthony Roman Centre
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

BACKGROUND

The subject lands are located on the west side of Kennedy Road, north of 16th Avenue. A heritage dwelling (George Hunter House, circa 1860) and portable are located on the property fronting onto Kennedy Road. Buildings associated with Unionville Montessori Private School and Private Daycare are located to the north and west of the subject lands.

The City's 2014 Official Plan designates the subject lands as "Mixed Use Mid Rise". This designation provides for private schools provided they are located on arterial or major collector roads. The property at 9286 Kennedy Road is zoned Rural Residential (RR1) by By-law 304-87, as amended. The RR1 zone does not permit a Private School or Day Nursery.

A previous temporary use zoning by-law to permit the private school and daycare to operate within the existing portable at 9286 Kennedy Road was passed on June 23, 2015, in accordance with the provisions of Section 39 of the Planning Act, RSO 1990, as amended. The previous temporary use by-law has expired.

PROPOSAL

The applicant is proposing to permit the existing portable to continue to be used in association with Unionville Montessori Private School and Private Daycare.

PURPOSE AND EFFECT OF THE PROPOSED AMENDMENT

The proposed amendment to Zoning By-law 304-87 will facilitate the temporary operation of private school and daycare classes within the exiting portable for up to a maximum period of 3 years.

NOTE REGARDING THE APPLICATION

Prior to the passing of a Zoning By-law amendment there will be at least one Public Meeting to give the public an opportunity to make representations about the proposed By-law. The date of the Public Meeting has not yet been determined. Notice of the Public Meeting will be given at least 20 days before the Public Meeting is held, in accordance with the provisions of the Planning Act.

- i If a person or public body does not make oral submissions at a Public Meeting or make written submissions to the City of Markham before the By-law is passed, the person or public body is not entitled to appeal the decision of the Council of the City of Markham to the Local Planning Appeal Tribunal (LPAT).



- ii. If a person or public body does not make oral submissions at a Public Meeting, or make written submissions to the City of Markham before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before LPAT unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL INFORMATION

A copy of the proposed Zoning By-law Amendment is available for public viewing at the Development Services Counter of the City Municipal Offices between the hours of 8:30 a.m. and 4:30 p.m.

For more information about this matter, including information about preserving your appeal rights, contact Rick Cefaratti, MCIP, RPP, Planner II ext. 3675 of the City's Planning and Urban Design Department, telephone (905) 477-7000, extension 3675, quoting file number PLAN - 19 - 256209.

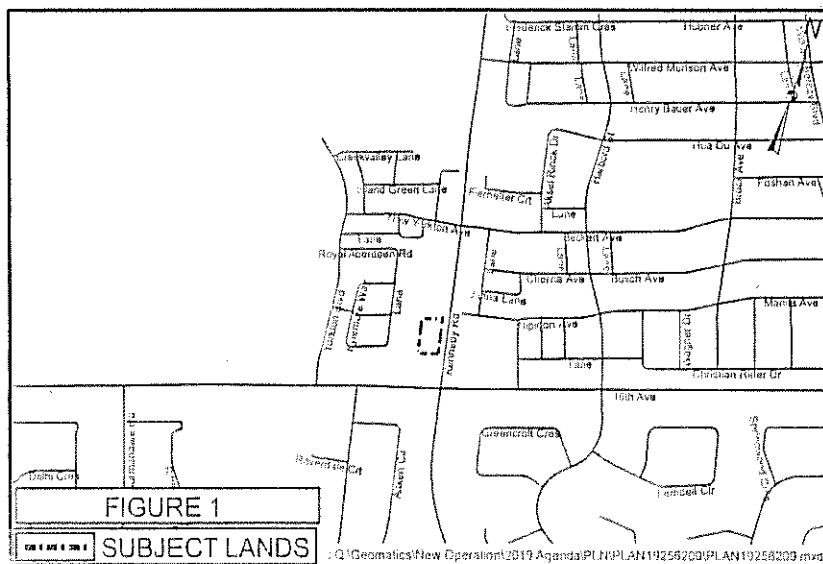
Written submissions may be mailed or personally delivered to the Clerk's Department at the address noted below, or by e-mail to mcourchesne@markham.ca, by Friday, October 4, 2019.

The City of Markham
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

Personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be made public.

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Jim Jones, Chair
Development Services Committee





October 7, 2019
PLAN 19 256209

Resolution to use if application sent directly to Council
Suggested Resolution for Consideration
of the Development Services Committee

-
- A. That the report titled “**PRELIMINARY REPORT**, 1938540 Ontario Ltd., Unionville Montessori School, Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received;
 - B. THAT the Record of the Public Meeting held on October 7, 2019, with respect to the Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received;
 - C. THAT the application by 1938540 Ontario Ltd., Unionville Montessori School, to amend Zoning By-law 304-87, as amended, be approved;
 - D. THAT the proposed amendment to Zoning By-law 304-87, as amended, be enacted without further notice; and
 - E. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

Resolution to use if application to be referred back to staff for report
Suggested Draft Resolution for Consideration
of the Development Services Committee

-
- A. That the report titled “**PRELIMINARY REPORT**, 1938540 Ontario Ltd., Unionville Montessori School, Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received;
 - B. THAT the Record of the Public Meeting held on October 7, 2019, with respect to the Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received;
 - C. THAT the application by 1938540 Ontario Ltd., Unionville Montessori School, to amend Zoning By-law 304-87, as amended, be referred back to staff for a report and recommendation to evaluate the proposal.



Report to: Development Services Committee

Meeting Date: September 23, 2019

SUBJECT: PRELIMINARY REPORT 1938540 Ontario Ltd., Unionville Montessori School, Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery to operate within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)

PREPARED BY: Rick Cefaratti, MCIP, RPP, Ext. 3675
Planner II, West District

REVIEWED BY: Dave Miller, MCIP, RPP, Ext. 4960
Manager, West District

RECOMMENDATION:

1. That the report dated September 23, 2019 entitled “PRELIMINARY REPORT, 1938540 Ontario Ltd., Unionville Montessori School, Temporary Use Zoning By-law Amendment Application to permit a private school and day nursery within the existing portable at 9286 Kennedy Road, File No. PLAN 19 256209 (Ward 6)” be received;

PURPOSE:

This report provides preliminary information on a Temporary Use Zoning By-law to permit an existing portable containing three classrooms to continue. The portable operates in association with the existing school and day nursery on the site. This report also contains general information in regards to applicable Official Plan and related policies as well as other issues and should not be taken as Staff’s opinion or recommendation on the application.

BACKGROUND:

Property and Area Context

The Unionville Montessori School (“UMS”) lands include three adjoining properties that are located on the west side of Kennedy Road, north of 16th Avenue (see Figures 1, 2 and 3). A vacant heritage dwelling (George Hunter House, circa 1860) and portable are located on the property fronting onto Kennedy Road. The house is designated under Part IV of the *Ontario Heritage Act*. The portion of the school’s lands at the corner of Kennedy Road and 16th Avenue are currently vacant (4488 16th Avenue). The school buildings (4486 and 4484 16th Avenue) are located on the north and west portion of the subject lands. A day nursery (9302 Kennedy Road) also fronts onto Kennedy Road.

Single detached residential lots fronting onto Kennedy Road are located to the north. To the east, across Kennedy Road, is the recently developed Upper Unionville community. To the west is the Kylemore Communities Yorkton residential condominium development and the Village Grocer on 16th Avenue. To the south, across 16th Avenue, are single detached residential lots that back onto 16th Avenue.

The previous Temporary Use Zoning By-law Amendment (By-law# 2015-105) was approved (File No. ZA 14 125142) to permit the existing school portable on the above noted lands. The Temporary Use Zoning By-law expired on June 23, 2018. Consequently, the applicant is asking to extend permission to allow the existing portable to remain on a temporary basis for an additional three years.

Process to date and next steps:

- The application to amend the Zoning By-law was deemed complete on April 26, 2019.
- A Statutory Public Meeting will be scheduled for October 7, 2019 to provide an opportunity for the public to comment on the proposed amendment to the Zoning By-law;
- Following the Public Meeting, Development Services Committee will receive a recommendation report regarding the proposed Temporary Use Zoning By-law Amendment application that address matters raised in this report and at the Public Meeting;

OFFICIAL PLAN AND ZONING2014 Official Plan

The City's 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018) designates the subject lands as "Mixed Use Mid Rise". This designation provides for private schools provided they are located on arterial or major collector roads.

Zoning

The Unionville Montessori School lands are zoned Community Amenity One (CA1*260) by By-law 177-96, as amended and Rural Residential One (RR1) by By-law 304-87, as amended (see Figure 2). The CA1*260 zone permits Private Schools. The RR1 zone on the vacant lands at Kennedy Road and 16th Avenue, and on the lands on which the heritage dwelling is located, does not permit a Private School or Day Nursery. The existing portable is located on the portion of the school's lands that is zoned RR1 (see Figure 4) and was permitted subject to the previous temporary use by-law.

OPTIONS/ DISCUSSION:

Council may authorize extensions to temporary use by-laws provided that such extensions do not jeopardize the long-term development intentions for the subject lands.

Provided that no significant concerns are raised at the Public Meeting, it may be reasonable to extend the temporary use permission for another 3 years starting on the expiry of the previous temporary use by-law (By-law #2015-105 expired June 23, 2018).

Due to its prominent location adjacent to Kennedy Road, a permanent zoning change to permit private school and daycare uses to operate within the existing portable was not considered appropriate and a temporary use by-law was approved. Staff has had discussions, with the owner of UMS, regarding their proposed expansion, which includes the addition of permanent multi-storey buildings on these lands. The extension of the

temporary use by-law, will provide the owner an opportunity to develop an expansion proposal prior to the submission of formal development applications.

No issues have been raised to date. If any issues are identified through the circulation and detailed review of the proposal or at the Public Meeting they can be addressed in a final staff report, if required.

The previous Temporary Use By-law included the following special Zone Standards:

Zone Standards

- a) minimum required *rear yard* – 0 metres;
- b) a *private school* and a *nursery school* may only be located within a portable building;
- c) the provisions of Section 5.5 shall not apply; and,
- d) required parking spaces for the additional uses permitted on those lands may be located on adjacent lands to the west.

These zone standards and parking provisions should continue to apply to an extended temporary use by-law on the subject lands, if approved.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications were reviewed in the context of the City's strategic priorities of Growth Management – providing for complete communities that include both public and private institutional uses.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review. Requirements of the City and external agencies will be reflected in the Zoning By-law amendment.

RECOMMENDED BY:

Biju Karumanchery, R.P.P., M.C.I.P.
Director of Planning and Urban Design

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

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Air Photo
Figure 4 – Site Plan

APPLICANT / AGENT:

Malone Given Parsons Ltd.

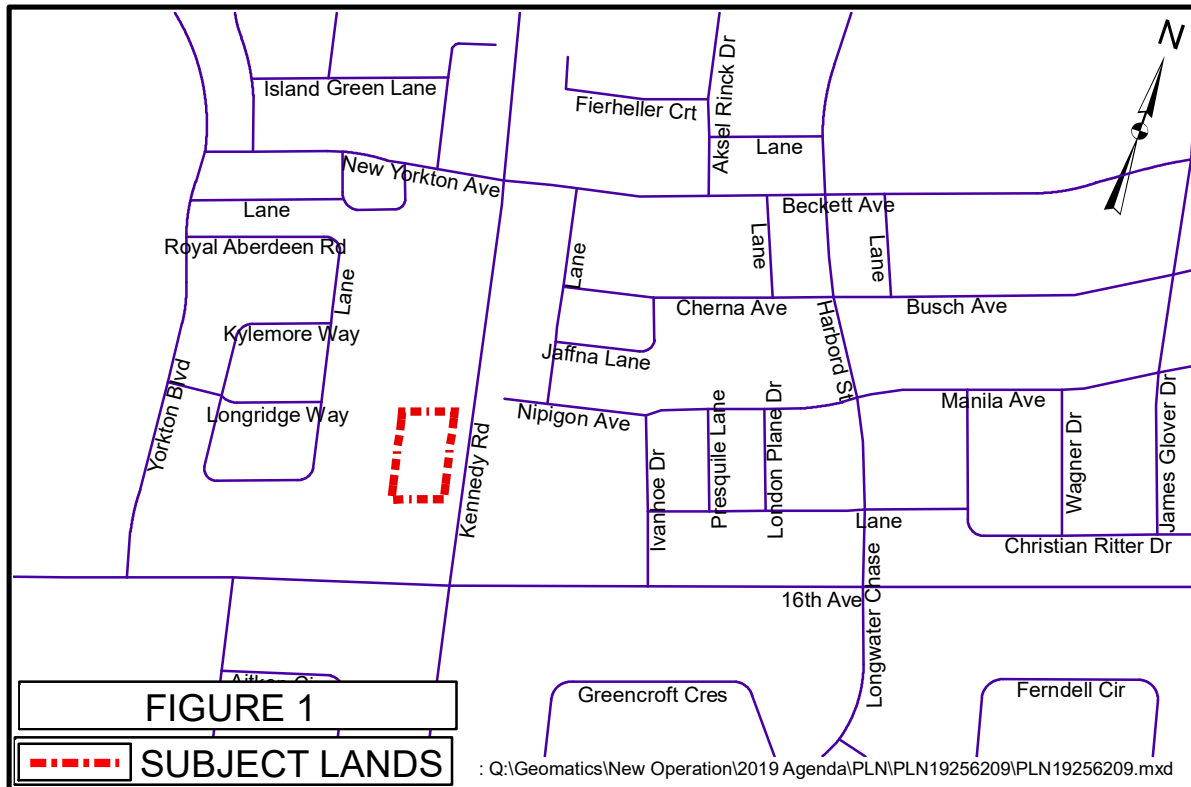
C/O Lauren Capilongo

140 Renfrew Drive Suite 201

Markham, ON L3R 6B3

Tel: (905) 513-0170 ext. 112

Email: lcapilongo@mgp.ca





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AREA CONTEXT/ZONING

APPLICANT: 1938540 ONTARIO LTD.
9286 KENNEDY ROAD

FILE No: PLN19256209(RC)

 SUBJECT LANDS

DATE: 08/15/19



DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: RC

FIGURE No. 2





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AREA CONTEXT/ZONING

APPLICANT: 1938540 ONTARIO LTD.
9286 KENNEDY ROAD

FILE No: PLN19256209(RC)

 SUBJECT LANDS

DATE: 08/15/19

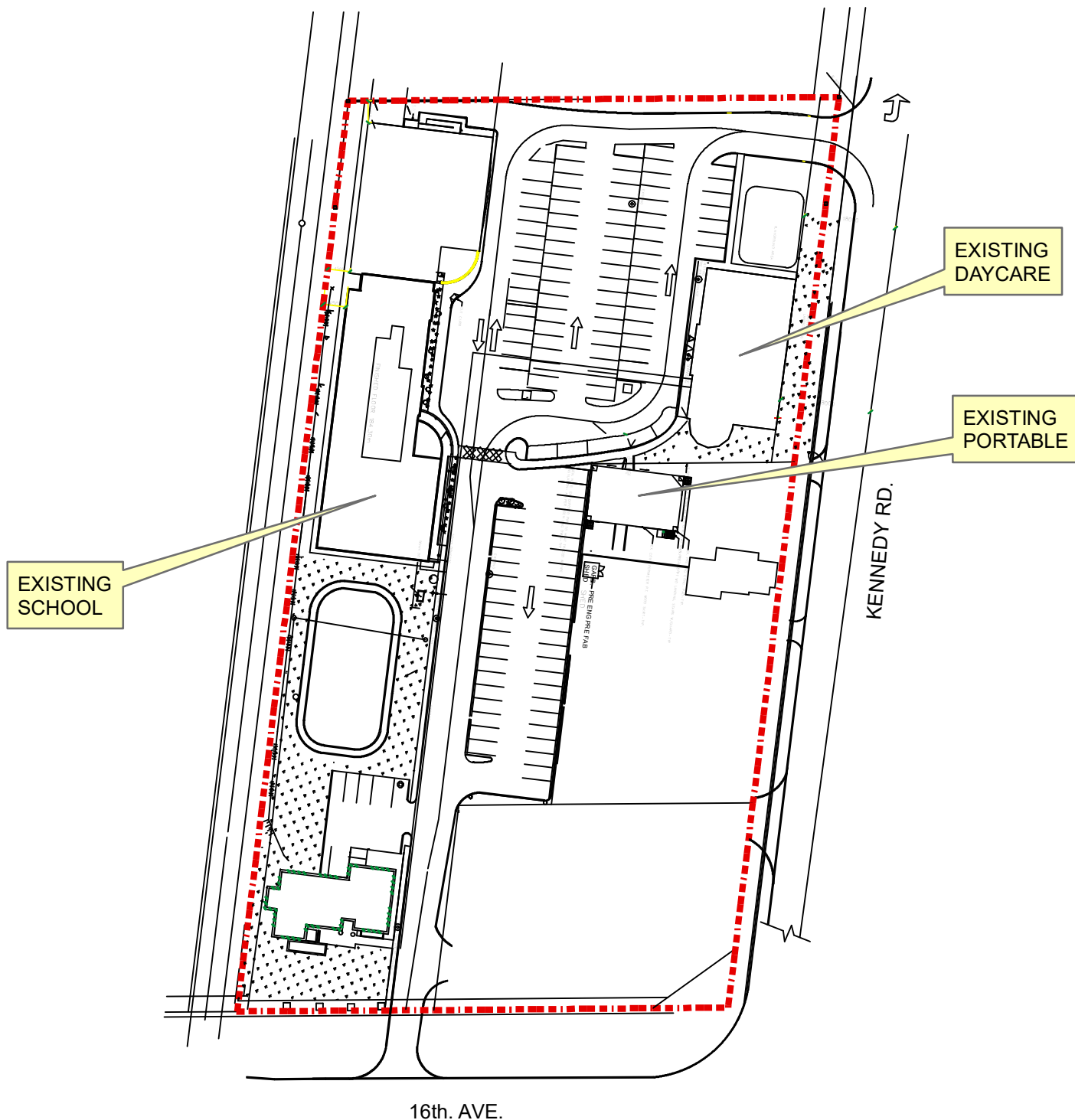


DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: RC

FIGURE No. 3



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SITE PLAN

APPLICANT: 1938540 ONTARIO LTD.
9286 KENNEDY ROAD

FILE No: PLN19256209(RC)

 SUBJECT LANDS

DATE: 08/15/19



PUBLIC MEETING

NOTICE OF MEETING

You are invited to attend a Public Meeting to be held by the Development Services Committee of the City of Markham to consider an application for a Zoning By-Law Amendment submitted by Memar Architects Inc. for 7739 9th Line.

DATE: Tuesday, October 7th, 2019

TIME: 7:00 pm

PLACE: Council Chambers
Anthony Roman Centre
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

BACKGROUND

The 0.20 ha (0.51 ac) site is located in the Box Grove Community at the southeast corner of 9th Line and 14th Avenue. The subject property is developed with an existing two-storey detached dwelling that was built circa 1890 and is designated under Part IV of the Ontario Heritage Act as a property of cultural heritage value or significance. There is an existing pool and frame shed also on the property, as well as mature vegetation throughout the site. The site is predominantly surrounded by existing single detached dwellings to the north, south, east and west, which includes residential subdivisions built in the 2000s and a mix of heritage homes built in the mid-1800s to early-1900s and, newer infill redevelopment along 9th Line and 14th Avenue.

The subject property is designated 'Residential Low Rise' in the 2014 City of Markham Official Plan (partially approved on Nov 24/17, and further updated on April 9/18)(the "2014 Official Plan") which provides for low rise housing forms, including single detached dwellings.

The subject property is zoned 'Single Family Residential' (RRH) under Zoning By-law 194-82, as amended, which permits a single detached dwelling on a lot with a minimum lot area of 2,040 m² (21,958.4 ft²) and frontage of 30 m (98.42 ft).

PROPOSAL

A zoning by-law amendment application has been submitted by Memar Architects Inc. for 7739 9th Line, which proposes site-specific development standards to facilitate the future severance of the subject land into two lots. The intention is to create a lot to accommodate retention of the existing heritage dwelling and a lot for a new single detached dwelling. More specifically, the by-law amendment proposes a reduced lot frontage and reduced lot areas to facilitate the future land severance and, proposes site-specific development standards for the existing heritage dwelling and for the proposed dwelling on the subject lands.

PURPOSE AND EFFECT OF THE PROPOSED AMENDMENT

The purpose and effect of the proposed zoning by-law amendment is to permit site-specific development standards to permit a future land severance on the subject lands. This will accommodate retention of the existing heritage dwelling and for the construction of a new dwelling on the parcel to be severed. It should be noted that if the zoning amendment is approved, a future Committee of Adjustment application will be required to permit the future land severance.

NOTE REGARDING THE APPLICATION

- i) If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Markham before the zoning by-law is passed, the person or public body is not entitled to appeal the decision of the City of Markham to the Local Planning Appeal Tribunal.
- ii) If a person or public body does not make oral submissions at a public meeting or make written submission to the City of Markham before the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add a person or public body as a party.



iii) If you wish to be notified of the decision of the City of Markham in respect of the proposed plan of zoning by-law amendment, you must make a written request to the Clerk's Department at the address noted above or by email to mcourchesne@markham.ca.

ADDITIONAL INFORMATION

A copy of the proposed Zoning By-Law Amendment is available for public viewing at the Development Services Counter of the City Municipal Offices between the hours of 8:30 a.m. and 4:30 p.m.

For more information about this matter, including information about preserving your appeal rights, contact Aqsa Malik – Planner, of the City's Planning Department, tel. (905) 477-7000, ext. 2230 quoting file number PLAN - 19 - 126535.

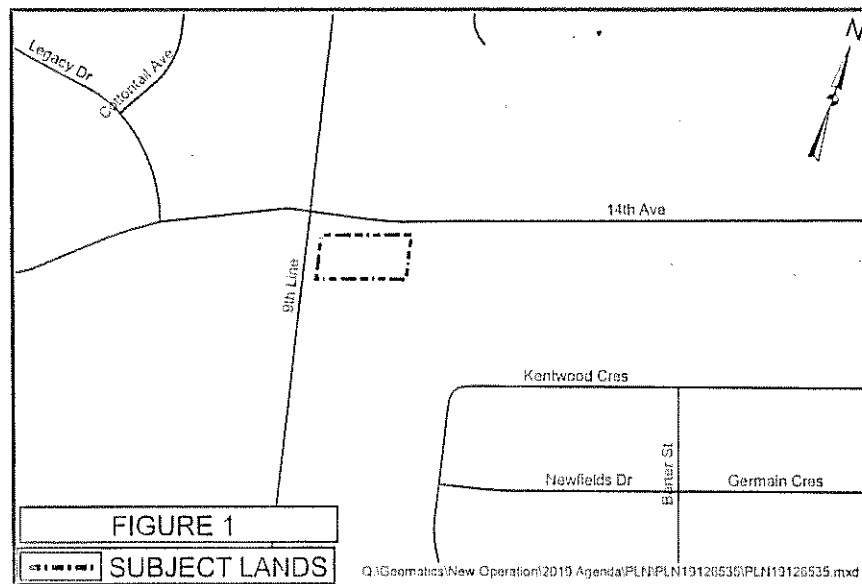
Written submissions may be mailed or personally delivered to the Clerk's Department at the address noted below, or by e-mail to mcourchesne@markham.ca (ext. 7935) by not later than 4:30 p.m. on October 4, 2019.

Personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be made public.

DATED: Tuesday, September 17th, 2019

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Jim Jones, Chair
Development Services Committee



**Suggested Draft Resolutions
for Consideration of the Development Services Committee**

Resolution if proposed amendment to be enacted without further notice

1. That the Development Services Commission report dated September 23, 2018, entitled "Preliminary Report Application for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site-specific zone exceptions at 7739 9th Line, on the south side of 14th Avenue. (Ward 7). File No. ZA 19 126535", be received.
2. That the Record of the Public Meeting held on October 7th, 2019 with respect to the proposed application for Zoning By-law Amendment, be received.
3. That the applications by Memar Architects Inc., for a Zoning By-law Amendment (ZA 19 126535) be approved and the draft Zoning By-law Amendment be finalized and enacted without further notice.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Resolution if application to be referred back to staff for a report and recommendation

1. That the Development Services Commission report dated September 23, 2018, entitled "Preliminary Report Application for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site-specific zone exceptions at 7739 9th Line, on the south side of 14th Avenue. (Ward 7). File No. ZA 19 126535", be received.
1. That the Record of the Public Meeting held on October 7th, 2019 with respect to the proposed application for Zoning By-law Amendment, be received.
2. That the applications by Memar Architects Inc., for a Zoning By-law Amendment (ZA 19 126535) be referred back to staff for a report and a recommendation.
3. That staff be authorized and directed to do all things necessary to give effect to this resolution



Report to: Development Service Committee

Meeting Date: September 23rd, 2019

SUBJECT: PRELIMINARY REPORT
Application for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site-specific zone exceptions at 7739 9th Line, on the south side of 14th Avenue. (Ward 7). File No. ZA 19 126535.

PREPARED BY: Aqsa Malik, Planner I, East District. Ext. 2230

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

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Application for Zoning By-law Amendment to facilitate a future land severance and permit one single detached dwelling with site-specific zone exceptions at 7739 9th Line, on the south side of 14th Avenue. (Ward 7). File No. ZA 19 126535” be received.

PURPOSE:

This report provides preliminary information on the above noted Zoning By-law Amendment, application submitted by Indrajit Chakraborty and Ujjaini Sircar. This report contains general information in regards to applicable Official Plan or other policies as well as other issues identified by Staff to date. The report should not be taken as Staff’s opinion or recommendation on the application.

PROCESS TO DATE:

Application deemed complete

The Zoning By-law Amendment application was deemed complete on July 30th, 2019.

Next Steps

- A Statutory Public Meeting will be scheduled for fall 2019;
- A recommendation report will be provided at a future Development Services Committee meeting if required; and
- An application to the Committee of Adjustment for consent to sever the subject land will be required in the future.

BACKGROUND:

Property Description

The subject lands, municipally known as 7739 9th Line are located in the Box Grove Community at the southeast corner of 9th Line and 14th Avenue, fronting 14th Avenue (See Figure 1). The subject lands have an area of approximately 0.20 ha (0.51 ac) and a lot frontage of approximately 65.18 ft. The subject lands, which are developed with an existing two-storey detached dwelling

circa 1890, are designated under Part IV of the Ontario Heritage Act as a property of cultural heritage value or significance. There is an existing pool and frame shed on the property, as well as mature vegetation. To the north, south, east and west are existing residential neighbourhoods characterized by single detached dwellings, some originally developed in the 1950's and others more recently developed (See Figure 3).

Proposal

7739 9th Line Avenue

A zoning by-law amendment application has been submitted to rezone the subject lands from Single Family Residential (RRH) under Zoning By-Law 194-82 to RRH with exceptions to permit a reduced lot frontage and lot area to facilitate a future land severance resulting in one additional residential development lot. The Zoning Amendment also proposes site-specific setbacks for the existing heritage dwelling and for a proposed dwelling on the subject lands. The future land severance will include the conveyance of road widening to the Region of York, as shown on Part 1 on the attached Figure 4.

Development Standards	RRH Zone Requirements	Existing Heritage Lot	Proposed Heritage Lot	Proposed Development Lot
Lot Area	2,040 m ² (21,958.4 ft ²)	2,071 m ² (22,300 ft ²)	916 m ² * (9,859.74 ft ²)	797 m ² * (8,578.84 ft ²)
Lot Frontage	30 m (98.43 ft)	65.18 m (213.85 ft)	29 m* (95.14 ft)	30.24 m (99.21 ft)
Front Yard Setback	7.5 m (24.61 ft)	2.16 m (7.09 ft)	0.27 m* (0.89 ft)	2.40 m* (7.87 ft)

*Special provisions the applicant is seeking.

2014 Official Plan

The subject lands are designated 'Residential Low Rise' in the City of Markham Official Plan 2014 (partially approved on Nov 24/17, and further updated on April 9/18)(the "2014 Official Plan"), which provides for low rise housing forms, including single detached dwellings.

Zoning

The subject lands are zoned Single Family Residential (RHH) under Zoning By-Law 194-82, as amended, which permits a single detached dwelling on a lot with a minimum lot area of 2,040 m² (21,958.4 ft²) and frontage of 30 m (98.43 ft).

OPTIONS/DISCUSSION:

The following is a brief summary of the matters that will be considered:

- Appropriateness of the proposed zoning amendment in terms of the resulting lot areas and frontages and the relationship with the existing lotting pattern in the immediate vicinity and neighbourhood character;
- The orientation and size of the new lots that the zoning by-law amendment would facilitate;

-
- Consistency of potential future lots with regard to front, rear and side yard setbacks in the area; and
 - Removal or retention of existing mature trees and vegetation, as a result of the rezoning to facilitate the creation of future development lots.

No issues have been raised to date. Any additional matters identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to the Committee.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:

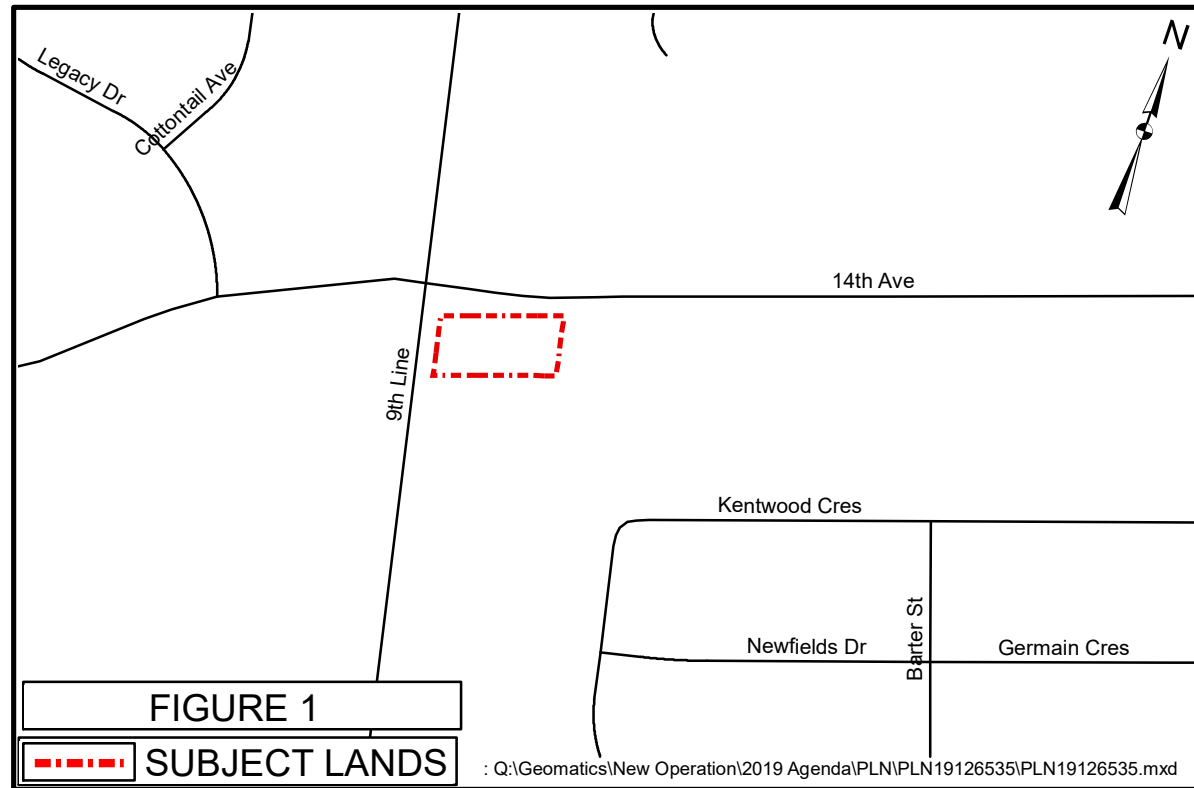
Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning and Urban Design

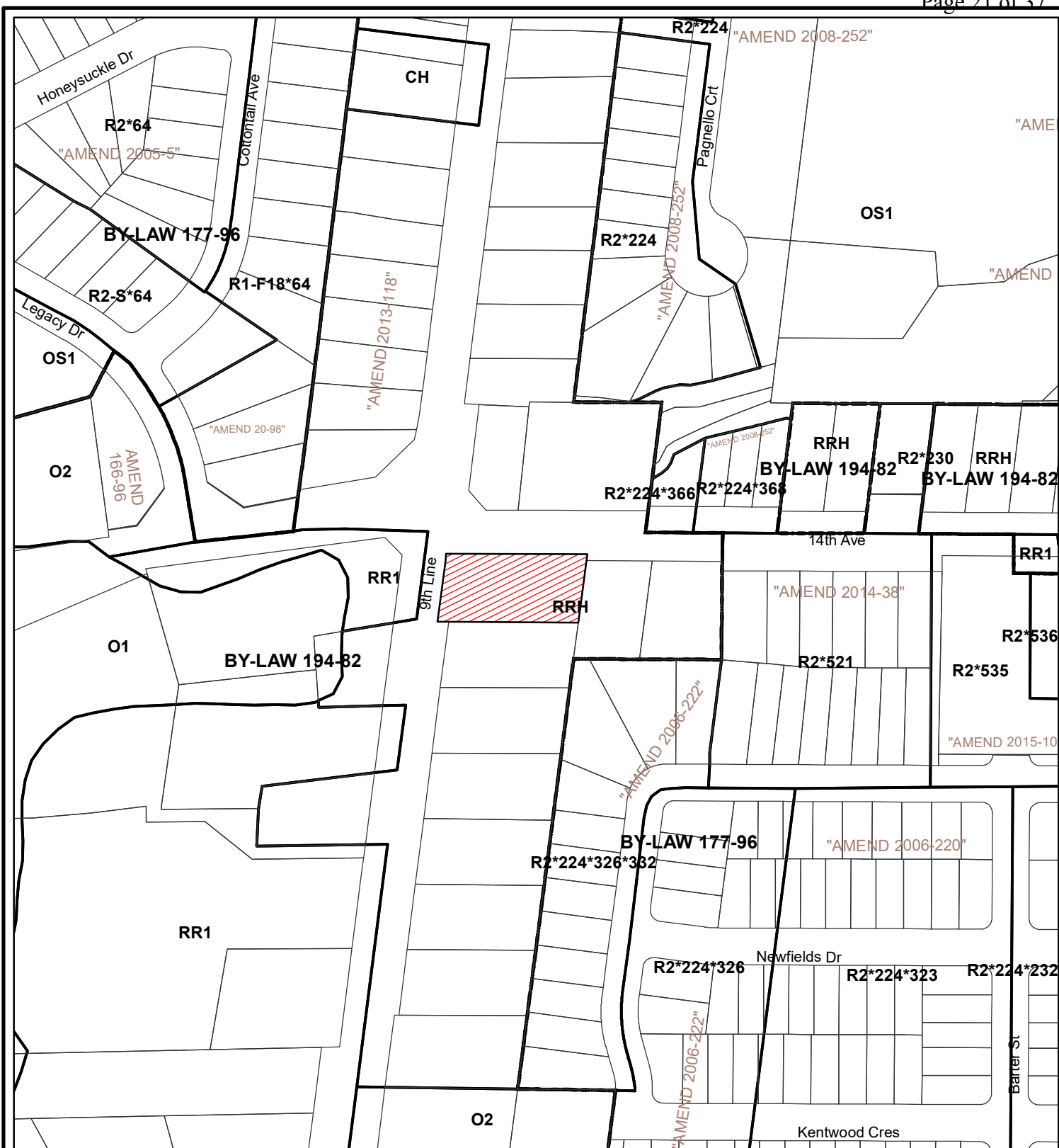
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Planning

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Aerial Photo
Figure 4 – Site Plan

Lucy Mar Guzman
Memar Architects Inc.
2323 Yonge Street, Unit 503
Toronto, Ontario M4P 2C9
Tel: (416) 551-5764
Email: lucy@memararchitects.com





AREA CONTEXT / ZONING

APPLICANT: Memar Architects Inc. (Lucy Mar Guzman)
7739 9th Line

FILE No. ZA 19126535 (AM)

 SUBJECT LANDS

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Date: 07/08/2019

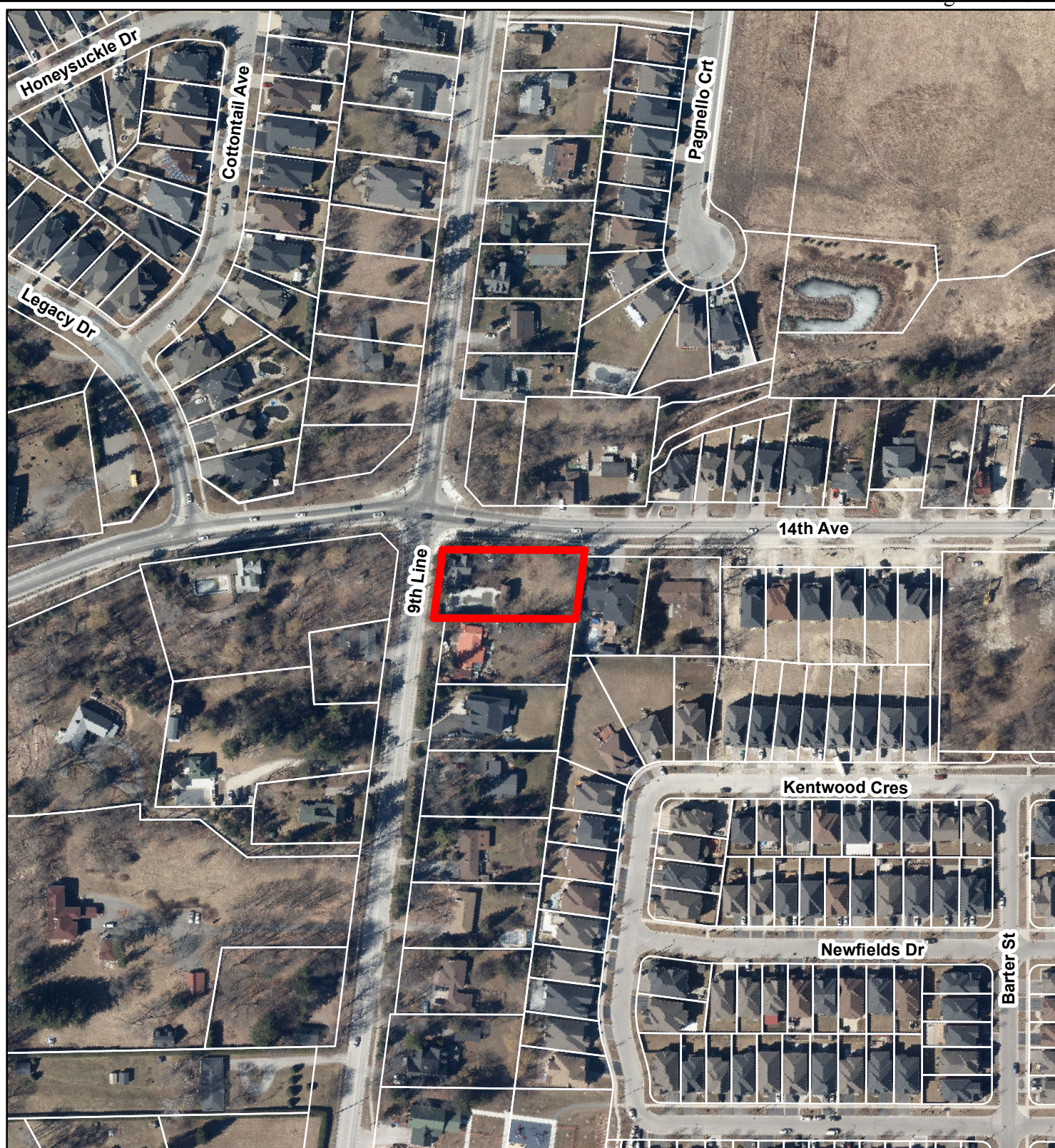


DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: AM

FIGURE No.2



AERIAL PHOTO (2018)

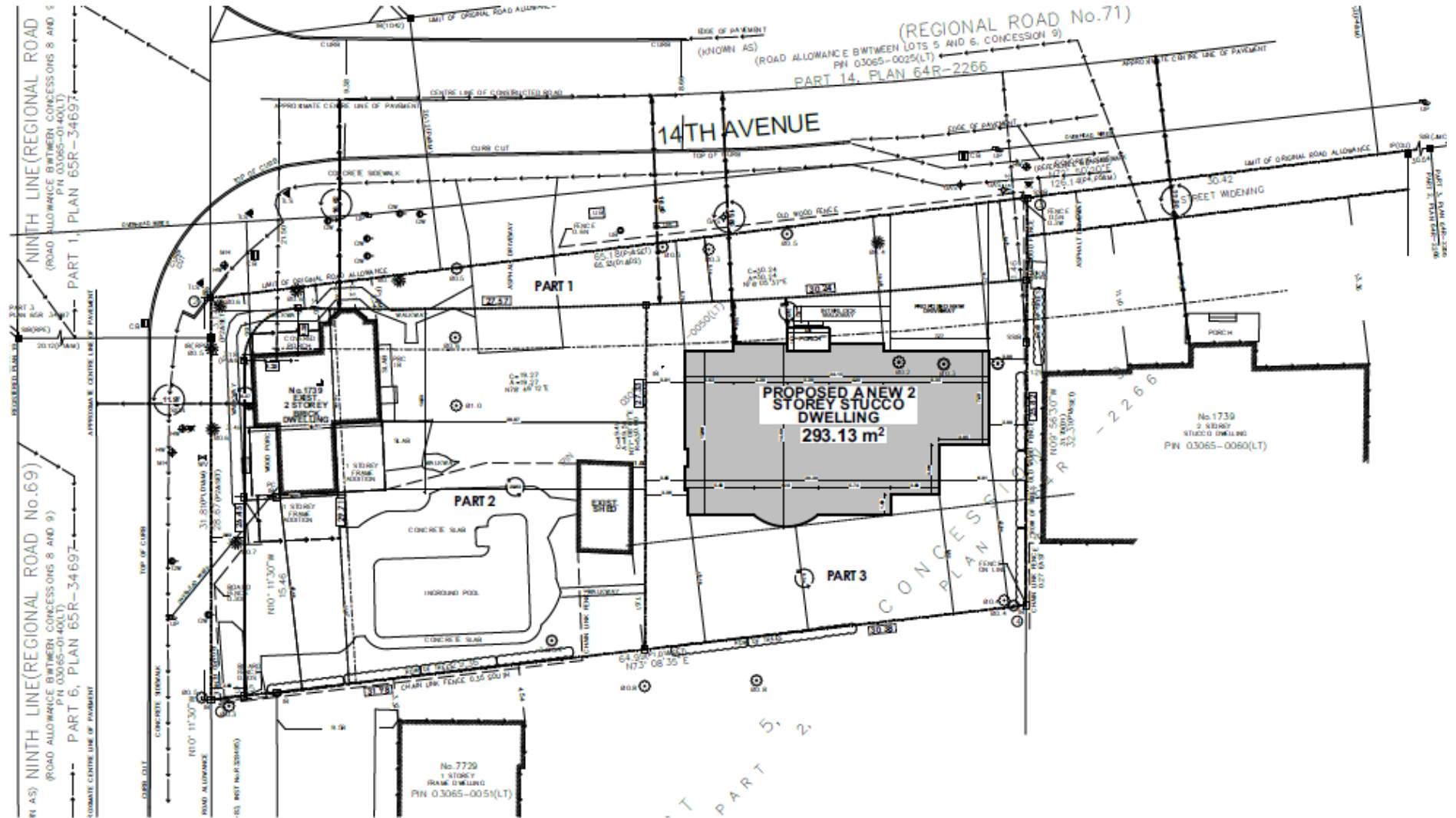
APPLICANT: Memar Architects Inc. (Lucy Mar Guzman)
7739 9th Line

FILE No. ZA 19126535 (AM)

 SUBJECT LANDS

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Date: 07/08/2019



SITE PLAN

APPLICANT: Memar Architects Inc. (Lucy Mar Guzman)
7739 9th Line

FILE No. ZA 19126535 (AM)

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PUBLIC MEETING

NOTICE OF MEETING

You are invited to attend a Public Meeting to be held by the Development Services Committee of the City of Markham to consider an application for Zoning By-law Amendment submitted by OPTrust Office Inc. for 101 McNabb Street.

DATE: Tuesday, October 7, 2019

TIME: 7:00 p.m.

PLACE: Council Chambers
Anthony Roman Centre
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

BACKGROUND

The 11.77 ha (29.08 ac) subject lands have frontage along Warden Avenue, McNabb Street and Denison Street (see map below). An existing three-storey, 31,100 m² (334,769 ft²), office building with ancillary surface parking spaces accessed by three existing driveways (primary access at McNabb Street and secondary accesses at Warden Avenue and Denison Street), currently occupies the subject lands.

The subject lands are designated "Business Park Employment" in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018). This designation permits, in part, office, manufacturing, processing and warehousing uses with no accessory outdoor storage, and hotels. The designation also permits ancillary uses (such as retail, service, restaurant, and sports and fitness recreation uses) and discretionary uses (such as banquet hall and/or night club, community college or university and day care centre) all subject to certain criteria and the review of a site-specific development application for zoning approval.

The subject lands are zoned "Select Industrial and Limited Commercial" [M.C.(40%)] by By-law 108-81, as amended, which permits a range of industrial and limited commercial uses, including banks and financial institutions, professional and business offices, commercial schools, hotels and motels.

PROPOSAL

The Applicant proposes to rezone the subject lands from "Select Industrial and Limited Commercial" [M.C.(40%)] by By-law 108-81, as amended, to "Business Park" (BP) in By-law 177-96, as amended, to permit a phased campus-style business park. The Applicant proposes to add additional permitted uses in accordance with the ancillary and discretionary uses of the "Business Park Employment" designation of the 2014 Official Plan. These additional permitted uses include: colleges, universities, child care centres, commercial schools, commercial fitness centers and night clubs, all in accordance with the policies of the "Business Park Employment" designation. Amendments to certain development standards are also proposed, including but not limited to setbacks and parking standards, in order to facilitate the proposed development, which is conceptualized into two phases, as discussed below:

Phase 1

Phase 1 of the concept plan introduces two new office buildings to the site while maintaining the existing office building. The proposal would allow the opportunity for the on-site expansion for the tenants in the existing office building or the introduction of new tenants on the subject lands. The Applicant anticipates the final Phase 1 build out within the next five years.

To service the proposal, 1,618 parking spaces are required; whereas, 1,515 are provided (a deficiency of 103 parking spaces) and accommodated within the existing surface parking area. As part of the proposal, the Applicant seeks to reduce the parking standard for business and professional office uses from 1 per 30 m² of net floor area to 1 per 33 m² of net floor area.

Final Build Out

At final build out, the proposed concept plan envisions ten standalone buildings with heights ranging from five to seven-storeys, serviced with four above grade parking structures with a range of heights from three to five-storeys, and the eventual demolition of the existing office building. The ten standalone buildings propose a combined GFA of 133,930 m² (1,441,658 ft²) and frame a new



internal public and private road network. The proposed final build out concept plan also contemplates open spaces, parkettes and pedestrian pathways throughout the subject lands.

The Applicant proposes 3,351 parking spaces as part of the final build out, which are intended to be accommodated through a mix of at-grade parking areas and below-grade and above-grade parking structures. The Applicant anticipates the final build out within the next fifteen years or more.

PURPOSE AND EFFECT OF THE PROPOSED AMENDMENT

The purpose and effect of the proposed amendment is to permit a phased campus-style business park on the subject lands and associated development standards.

NOTE REGARDING THE APPLICATION

i) If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Markham before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Markham to the Local Planning Appeals Tribunal.

ii) If a person or public body does not make oral submissions at a public meeting or make written submission to the City of Markham before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeals Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add a person or public body as a party.

iii) If you wish to be notified of the decision of the City of Markham in respect of the proposed plan of subdivision, you must make a written request to the Clerk's Department at the address noted above or by email to MCourchesne@markham.ca

LANDS CONTAINING SEVEN (7) OR MORE RESIDENTIAL UNITS

A copy of this notice **must be posted** by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents.

ADDITIONAL INFORMATION

A copy of the proposed Zoning By-law Amendment is available for public viewing at the Development Services Counter of the City Municipal Offices between the hours of 8:30 a.m. and 4:30 p.m.

For more information about this matter, including information about preserving your appeal rights, contact Sabrina Bordone - Senior Planner of the City's Planning Department, tel. (905) 477-7000, ext. 8230 quoting file number ZA 17 151261.

Written submissions may be mailed or personally delivered to the Clerk's Department at the address noted above or by e-mail to MCourchesne@markham.ca by not later than 4:00 p.m. on Friday, October 4, 2019.

Personal information collected in response to this planning notice will be used to assist City staff and Council to process this application and will be made public.

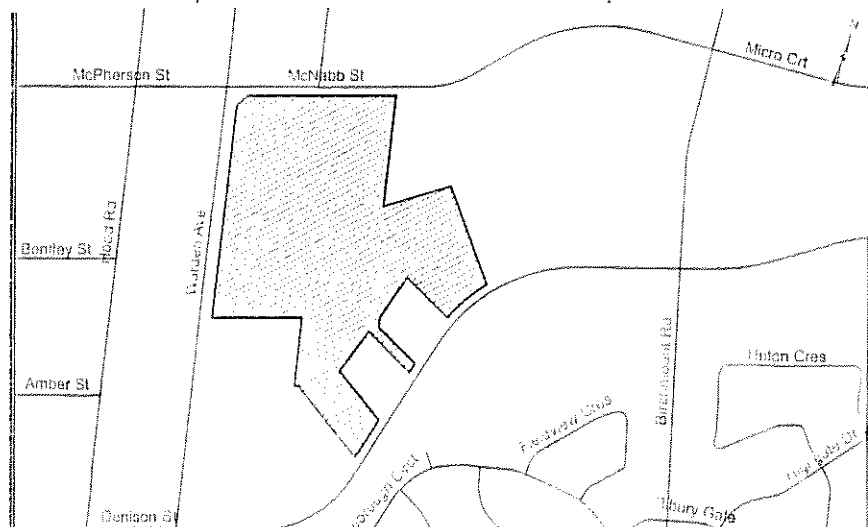
DATED September 17, 2019

Arvin Prasad, MCIP, RPP

Commissioner of Development Services

Jim Jones, Chair

Development Services Committee



**Suggested Draft Resolutions
for Consideration of the Development Services Committee**

Resolution to refer the Zoning By-law amendment application back to staff for a report and recommendation:

1. That the Development Services Commission report dated September 9, 2019, entitled "Preliminary Report, OP Trust Office Inc., Application for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb St. (Ward 8), File No. ZA 17 151261", be received.
2. That the Record of the Public Meeting held on October 7, 2019 with respect to the proposed Zoning By-law Amendment application, be received.
3. That the application by OP Trust Office Inc., for a proposed Zoning By-law Amendment (ZA 17 151261), be referred back to staff for a report and a recommendation.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Resolution if proposed Zoning By-law Amendment is to be enacted without further notice:

1. That the Development Services Commission report dated September 9, 2019, entitled "Preliminary Report, OP Trust Office Inc., Application for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb St. (Ward 8), File No. ZA 17 151261", be received.
2. That the Record of the Public Meeting held on October 7, 2019 with respect to the proposed Zoning By-law Amendment application, be received.
3. That the application by OP Trust Office Inc. for a proposed Zoning By-law Amendment (ZA 17 151261) be approved and the draft implementing Zoning By-law Amendment be finalized and enacted without further notice.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**DEVELOPMENT SERVICES COMMITTEE
SEPTEMBER 9, 2019
EXTRACT**

To: Senior Planner (S. Bordone)
Notifications Officer (M. Courchesne)

7.2 PRELIMINARY REPORT - OP TRUST OFFICE INC. APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A PHASED CAMPUS-STYLE BUSINESS PARK DEVELOPMENT AT 101 MCNABB ST. (WARD 8) FILE NO ZA 17 151261 (10.5)

Ron Blake, Senior Manager, Development, addressed the Committee and provided members with a brief overview of the development application.

Stephen Chait, Director, Economic Development, Culture & Entrepreneurship, addressed the Committee and provided members with an overview of the site history as well as the business expansion aspirations expressed by the applicant and reflected in the development application.

There was discussion regarding the City's ability to attract and maintain the intensity of office use contemplated by the development application in the immediate and long-term. Staff advised Committee of the vibrancy of the site's existing office space as well as the current market demand for site expansion by both existing and future tenants. There was also discussion on the importance of creating a supportive environment for this type of high quality commercial employment to the overall economic development of the City.

Moved by Councillor Isa Lee

Seconded by Deputy Mayor Don Hamilton

1. That the report titled "PRELIMINARY REPORT, OP Trust Office Inc., Application for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb St. (Ward 8), File No. ZA 17 151261" be received.

Carried



Report to: Development Services Committee

Report Date: September 9, 2019

SUBJECT: PRELIMINARY REPORT
 OP Trust Office Inc.
 Application for Zoning By-law Amendment to permit a
 phased campus-style business park development at 101
 McNabb St. (Ward 8)

File No. ZA 17 151261

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P., extension 8230
 Senior Planner, Central District

REVIEWED BY: Stephen Lue, M.C.I.P., R.P.P., extension 2520
 Interim Manager, Central District

RECOMMENDATION:

That the report titled “PRELIMINARY REPORT, OP Trust Office Inc., Application for Zoning By-law Amendment to permit a phased campus-style business park development at 101 McNabb St. (Ward 8), File No. ZA 17 151261” be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the Zoning By-law Amendment application (the “proposal”). This report contains general information on the applicable Official Plan policies and the identified issues. This report should not be taken as Staff’s opinion or recommendation on the application.

Application deemed complete

Staff deemed the application complete on November 15, 2017. Since then, the Applicant met with City and Regional staff on a number of occasions to address the matters identified during the initial circulation of the proposal, specifically, Staff’s requirement for the extension of the public road network through the subject lands as it redevelops over time.

Next Steps:

- Scheduling the Statutory Public Meeting,
- Drafting the Recommendation Report for consideration at a future Development Services Committee; and, if approved,
- Enacting the Zoning By-law Amendment.

BACKGROUND:**Subject Lands and Area Context**

The 11.77 ha (29.08 ac) subject lands have frontage along Warden Avenue, McNabb Street and Denison Street (Figures 1 & 3). An existing three-storey, 31,100 m² (334,769 ft²), office building with ancillary surface parking spaces accessed by three existing driveways (primary access at McNabb Street and secondary accesses at Warden Avenue and Denison Street), currently occupies the subject lands (Figure 3). Figure 2 shows the surrounding land uses.

Provincial Policy Conformity

In consideration of a development application, staff assess the consistency with the Provincial Policy Statement, 2014, (“PPS”) and conformity with the Growth Plan for the Greater Golden Horseshoe, 2017, (the “Growth Plan”). The proposal is consistent with the PPS and Growth Plan as it contributes to the City’s economic development by providing an appropriate mix and range of employment uses that support a diversified economic base.

Official Plan and Zoning2014 Official Plan

The subject lands are designated “Business Park Employment” in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018). This designation permits, in part, office, manufacturing, processing and warehousing uses with no accessory outdoor storage, and hotels. The designation also permits ancillary uses (such as retail, service, restaurant, and sports and fitness recreation uses) and discretionary uses (such as banquet hall and/or night club, community college or university and day care centre) all subject to certain criteria and the review of a site-specific development application for zoning approval.

Zoning By-law 108-81, as amended (the “Zoning By-law”)

The subject lands are zoned “Select Industrial and Limited Commercial” [M.C.(40%)] by By-law 108-81, as amended, which permits a range of industrial and limited commercial uses, including banks and financial institutions, professional and business offices, commercial schools, hotels and motels.

The Applicant proposes to rezone the subject lands from “Select Industrial and Limited Commercial” in By-law 108-81, as amended, to “Business Park” (BP) in By-law 177-96, as amended, to permit a phased campus-style business park. The Applicant proposes to add additional permitted uses in accordance with the ancillary and discretionary uses of the “Business Park Employment” designation of the 2014 Official Plan, which includes the following, all in accordance with the policies of the “Business Park Employment” designation:

- colleges,
- universities,
- child care centres,

-
- commercial schools,
 - commercial fitness centers; and,
 - night clubs.

The Applicant also proposes amendments to certain development standards including, but not limited to, setbacks and parking standards to facilitate the proposal.

The Applicant proposes a two-phase campus-style business park development

The Applicant proposes a campus-style business park in two phases, as described below:

Phase 1 (Figure 4)

The introduction of the following two new office buildings on the subject lands (Figure 4):

- a) Building A1 – consisting of seven-storeys and a gross floor area (“GFA”) of 16,240 m² (174,812 ft²), located at the southwest corner of the subject lands, at the intersection of Warden Avenue and an existing access driveway (proposed future Public Street B); and,
- b) Building B1 – consisting of seven-storeys and a GFA of 17,360 m² (186,868 ft²), located at the northeast corner of the subject lands, at the intersection of McNabb Street and an existing access driveway (proposed future Public Street A).

The proposed office buildings are in addition to the existing office building. The proposal would allow the opportunity for the on-site expansion for the tenants in the existing office building or the introduction of new tenants on the subject lands. The Applicant anticipates the final Phase 1 build out within the next five years.

To service the proposal, 1,618 parking spaces are required; whereas, 1,515 are provided (a deficiency of 103 parking spaces) and accommodated within the existing surface parking area. As part of the proposal, the Applicant seeks to reduce the parking standard for business and professional office uses from 1 per 30 m² of net floor area to 1 per 33 m² of net floor area, subject to the final review of the parking supply study by Transportation Planning Staff.

Final Build Out (Figure 5)

At final build out, the proposed concept plan envisions ten standalone buildings with heights ranging from five to seven-storeys, serviced with four above grade parking structures with a range of heights from three to five-storeys, and the eventual demolition of the existing office building (Figure 5). The ten standalone buildings propose a combined GFA of 133,930 m² (1,441,658 ft²) and frame a new internal public and private road network that would connect the subject lands to the surrounding area. The proposed final build out concept plan also contemplates open spaces, parkettes and pedestrian pathways throughout the subject lands.

The final built out remains conceptual and staff note that though the Applicant intends for it to evolve generally in line with the proposed concept plan, the exact design and building layout would depend on the future tenant needs, market conditions, and/or future decisions by the Applicant.

The proposed final road network (Figure 5) consists of the following:

- a) Public Streets:
 - i) two east-west roads (Public Street B and Public Street C),
 - ii) two north-south roads (Public Street A and Public Street D).
- b) Private Streets:
 - i) private street connecting Public Street B to Denison Street,
 - ii) private street connecting Public Street C to Warden Avenue.

Through the final road network, the Applicant intends to create additional connectivity to the surrounding existing road network. The exact alignment and timing of the final road network would be based on development phasing. Although depicted on Figure 5, staff note that the easterly extension of Public Street C and Public Street D are located partially outside of the Applicant's lands.

The Applicant proposes 3,351 parking spaces as part of the final build out, which are intended to be accommodated through a mix of at-grade parking areas and below-grade and above-grade parking structures. The total required number of parking spaces for the final build out would depend ultimately on the range of uses and would require continual review as part of the phased development of the subject lands, to the satisfaction of the City. The Applicant anticipates the final build out within the next fifteen years or more.

The proposed Zoning By-law Amendment will likely incorporate the use of holding provisions

If approved, the proposed Zoning By-law Amendment will likely incorporate the use of holding provisions over all areas of the subject lands with the exception of the proposed two office buildings in Phase 1 (Buildings A1 & B1). The proposed holding provisions will require the Applicant to satisfy certain conditions, including but not limited to, the submission of technical studies and, if required, entering into agreements, so that staff can evaluate the potential impacts and infrastructure requirements for the future development phases on the subject lands. The holding provisions will be lifted by Council in the future once the Applicant has satisfied the required conditions.

OPTIONS/ DISCUSSION:

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

- Staff are reviewing the Planning Rationale and draft Zoning By-law Amendment prepared by Urban Strategies Inc. and submitted with the application.
- York Region has jurisdiction over Warden Avenue. The Applicant will be required to address the Region's requirements.
- The merits of the proposed parking rate reduction for business and professional office uses are currently under review by Transportation Planning staff.
- Review of all technical studies submitted in support of the proposal, including but not limited to, a Tree Inventory and Preservation Plan, Comprehensive Block Plan, Functional Servicing Report and Transportation Impact Study, are currently on-going as part of the application review.
- Site plan matters including but not limited to: building placement, built form, building setbacks, access, parking, etc., are under review by staff.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various departments and external agencies and their requirements will be addressed as part of a future staff recommendation report.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning & 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: Phase 1 - Conceptual Site Plan

Figure 5: Full Build Out - Conceptual Site Plan

Report to: Development Services Committee

Report Date: September 9, 2019

Page 6

AGENT:

Cyndi Rottenberg-Walker/Anna Iannucci

Urban Strategies Inc.

197 Spadina Avenue, Suite 600

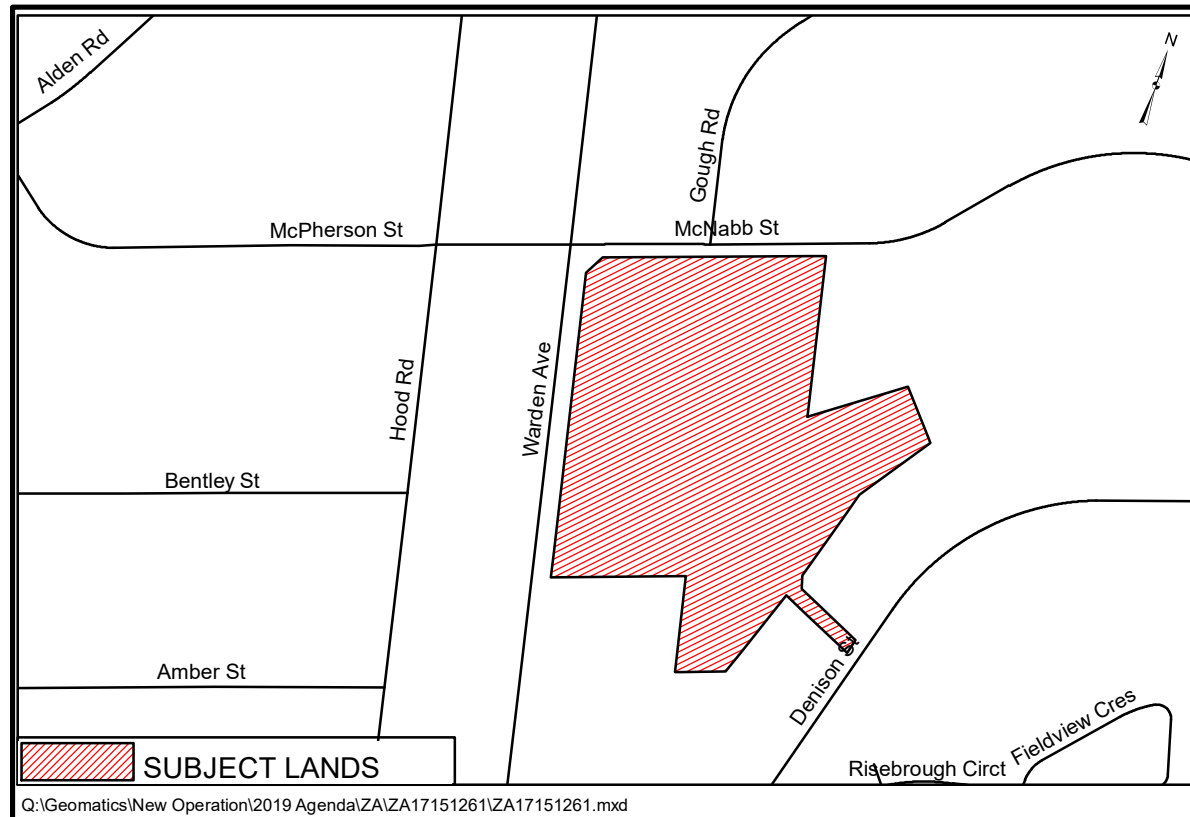
Toronto, ON

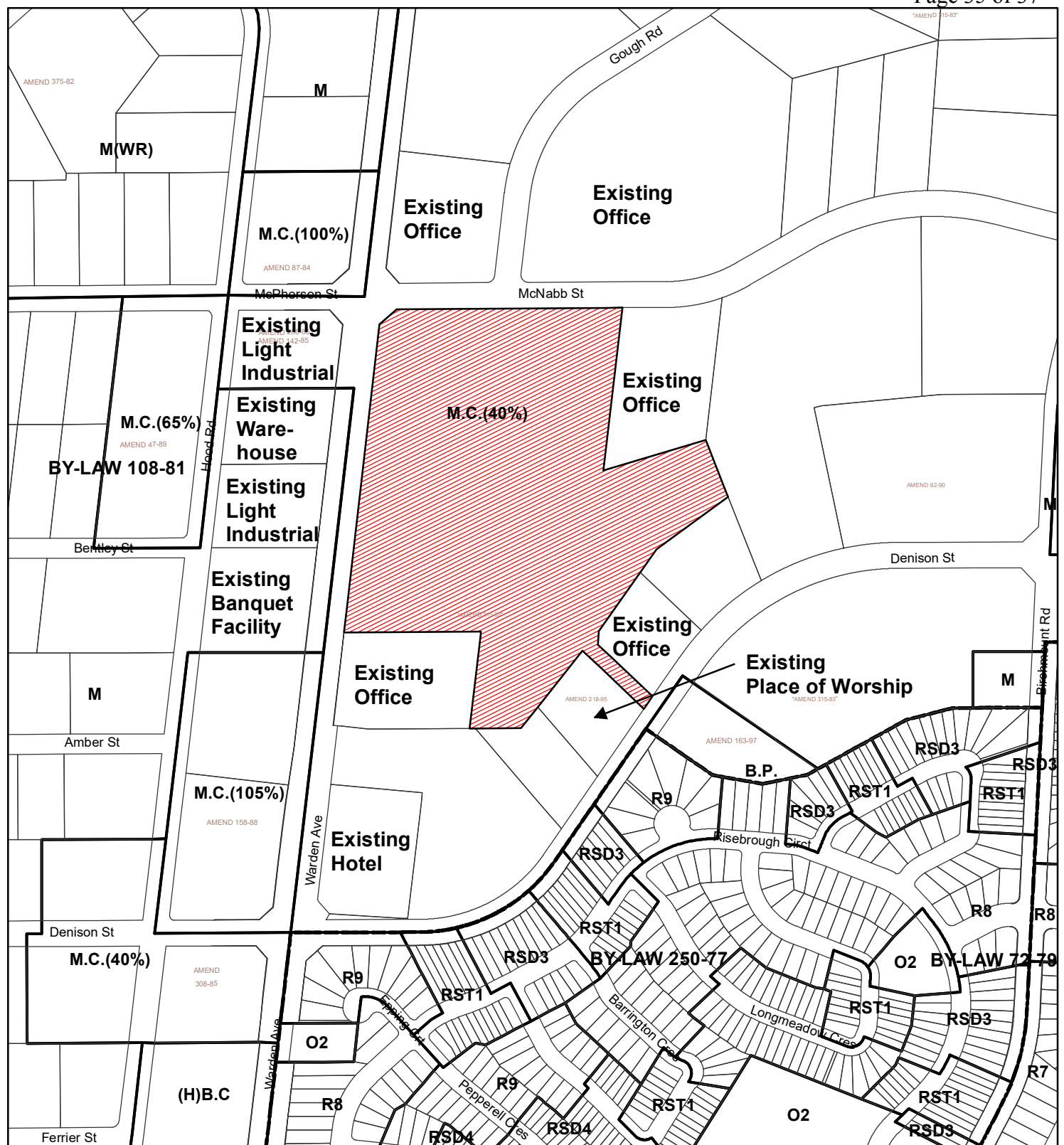
M5T 2C8

Tel: (416) 340-9004

Fax: (416) 340-8400

File path: Amanda\File 17 151261\Documents\Preliminary Report





AREA CONTEXT/ ZONING

APPLICANT: OP Trust Office Inc.
101 McNabb Street

FILE No. ZA 17151261 (SB)

 SUBJECT LANDS

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Date: 07/08/2019



AERIAL PHOTO (2018)

APPLICANT: OP Trust Office Inc.
101 McNabb Street

FILE No. ZA 17151261 (SB)

 SUBJECT LANDS

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Date: 07/08/2019

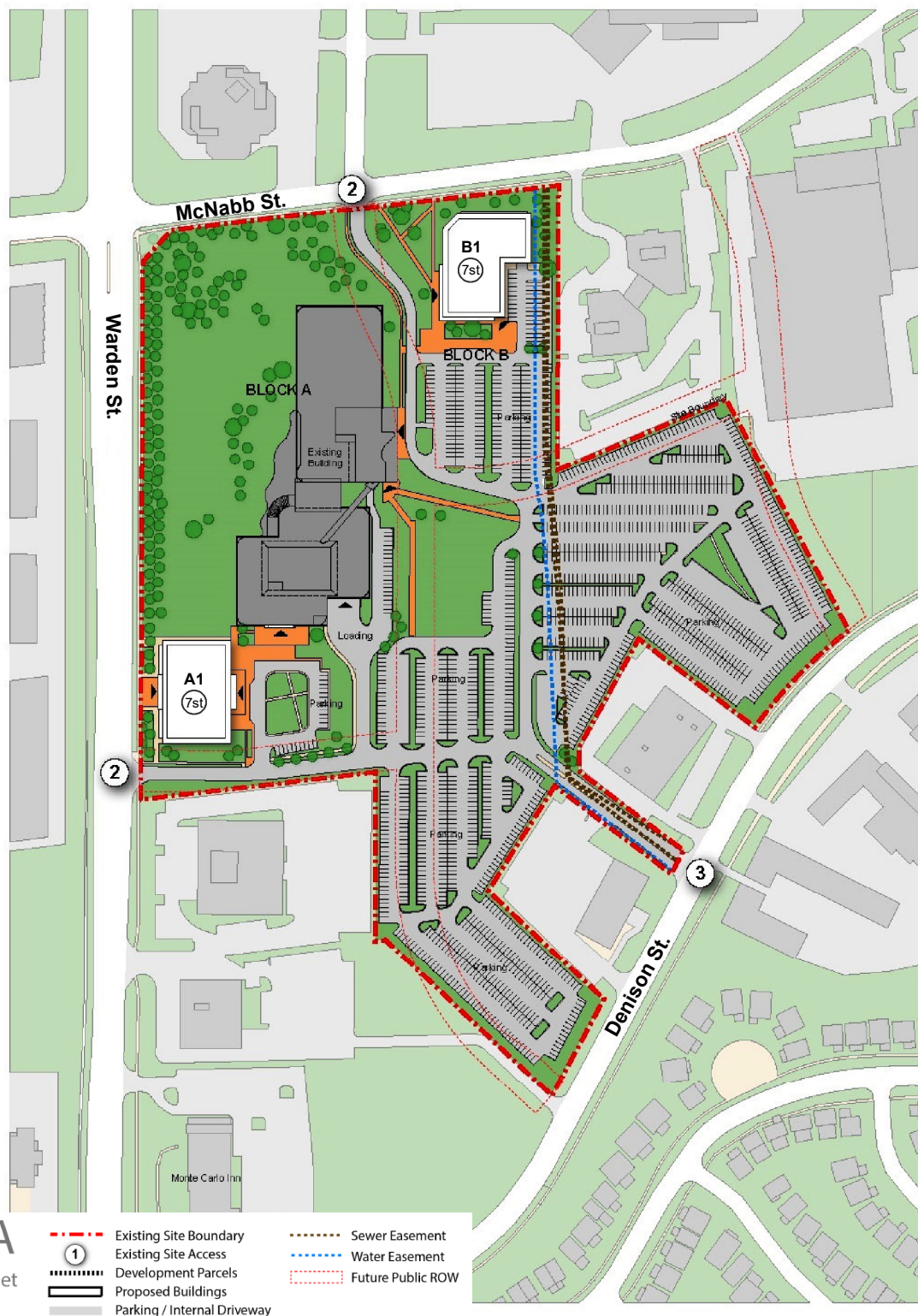


DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No. 3



PHASE 1 CONCEPTUAL SITE PLAN

APPLICANT: OP Trust Office Inc.
101 McNabb Street

FILE No. ZA 17151261 (SB)

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Date: 07/08/2019



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No. 4