



# Development Services Public Meeting Agenda

Meeting Number 3  
February 19, 2019, 7:00 PM - 9:00 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.

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	<b>Pages</b>
1. CALL TO ORDER	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. DEPUTATIONS	
4. REPORTS	
4.1 PRELIMINARY REPORT APPLICATION BY KING SQUARE LIMITED FOR ZONING BY-LAW AMENDMENT TO PERMIT ADDITIONAL USES ON THE PHASE 1 LANDS KNOWN MUNICIPALLY AS 9390 WOODBINE AVENUE FILE NO. ZA 18 176569 (10.5)	2
A. Crompton, ext. 2621	
4.2 PRELIMINARY REPORT WND ASSOCIATES LTD. ON BEHALF OF NEWDEV INVESTMENTS LTD. APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT 32 STACKED BACK-TO-BACK TOWNHOUSE UNITS WITH UNDERGROUND PARKING AT	10
5305 & 5307 HIGHWAY 7 EAST (WARD 4) FILE NOS. OP/ZA 18 139486 (10.3, 10.5)	
S. Corr, ext. 2624	
5. ADJOURNMENT	



Report to: Development Services Committee

Report Date: January 28, 2019

**SUBJECT:** PRELIMINARY REPORT  
Application by King Square Limited for Zoning By-law Amendment to permit additional uses on the Phase 1 lands known municipally as 9390 Woodbine Avenue

File No. ZA 18 176569

**PREPARED BY:** Amanda Crompton, Planner II, ext. 2621

**REVIEWED BY:** Dave Miller, M.C.I.P., R.P.P., ext. 4960  
Manager, West District

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**RECOMMENDATION:**

- 1) THAT the report dated January 28, 2019 titled "PRELIMINARY REPORT, Application by King Square Limited for Zoning By-law Amendment to permit additional uses on the Phase 1 lands known municipally as 9390 Woodbine Avenue" be received.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on a Zoning By-law Amendment application submitted by King Square Ltd. to permit additional uses on their Phase 1 lands, known municipally as 9390 Woodbine Avenue. This report contains general information regarding applicable Official Plan policies and Zoning By-law permissions, as well as other issues identified during a preliminary review of the application. The report should not be taken as Staff's opinion or recommendation on the application.

**Process to date**

- Zoning By-law Amendment application received on August 15, 2018 and deemed complete on September 13, 2018.
- Zoning By-law Amendment application circulated to internal departments and external agencies for comment.
- Preliminary Report considered by Development Services Committee (DSC) on January 28, 2019.

**Next steps**

- Statutory Public Meeting to be held in 1<sup>st</sup> Quarter.
- Enactment of the Zoning By-law Amendment, if resolution at the Public Meeting is to send the By-law directly to Council; or
- Recommendation Report for DSC's consideration at a future date.

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**BACKGROUND:****Property and Area Context**

The approximately 2.09 ha (5.2 ac) subject lands are located at the northwest corner of Woodbine Avenue and Markland Street (see Figure 1). These lands are referred to as Phase 1 of the King Square Ltd. lands and are known municipally as 9390 Woodbine Avenue. Construction of a mixed-use building containing retail, restaurant, trade and convention centre, and office uses is nearing completion.

Surrounding land uses include (see Figure 2):

- A low-rise residential subdivision and stormwater management pond are located immediately north of the subject lands.
- Ashton Meadows Park is located on the east side of Woodbine Avenue. Sanatan Mandir Cultural Centre and Cachet Centre commercial plaza are located east of Woodbine Avenue and south of Calvert Road.
- Vacant lands are located to the south and southwest of the subject lands across Markland Street. These lands include vacant lands zoned for Industrial and Commercial uses and the former Markham Golf and Country Club. Buttonville Municipal Airport is located south of 16<sup>th</sup> Avenue.
- Phases 2, 3 and 4 of the King Square Ltd. development are proposed for the lands abutting the subject lands to the west. A 70-unit condominium townhouse development is proposed for the lands located to the immediate west of the Phase 2, 3 and 4 King Square Ltd. lands.

**Application History**

Applications for Official Plan and Zoning By-law Amendments were submitted to the City of Markham in September 2007 to permit a mixed-use development on the entirety of the King Square Ltd. lands (Phase 1, 2, 3 and 4 lands). Official Plan Amendment No. 181 was adopted by Council on June 23, 2009 and received Regional approval on August 12, 2009. Council passed site-specific Zoning By-law 2009-116 on June 23, 2009. An application for Site Plan Approval to permit Phase 1 retail and commercial uses at 9390 Woodbine Avenue was endorsed by the City in December 2011.

Since Council passed site-specific Zoning By-law 2009-116, minor variance applications seeking additional land use permissions on the Phase 1 lands have been submitted to the City of Markham. These uses include medical offices, retail stores, supermarket, personal service shops, restaurants and take-out restaurants, and a commercial school on Block 1.

Construction of Phase 1, which includes a total gross floor area of approximately 31,900 square metres, is nearing completion. The development includes approximately 2,320 square metres of convention centre space, approximately 23,880 square metres of retail/restaurant/personal services uses and 5,700 square metres of office space.

Official Plan and Zoning By-law Amendment applications to permit a mixed-use residential, retail and hotel development on the remainder of the King Square Ltd. lands (Phases 2, 3 and 4) were submitted to the City of Markham in December 2014 and

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resubmitted in June 2018. These applications are currently being reviewed, and are not yet approved (File No. OP/ZA 14 129350).

**Proposal**

The applicant is proposing to amend site-specific Zoning By-law 2009-116 for the Phase 1 King Square Ltd. lands to permit the following additional uses on the subject lands:

- Car wash internal and accessory to the underground parking garage;
- Commercial school;
- Indoor children's playground; and
- Karaoke bar.

The Zoning By-law Amendment applicant also seeks to permit additional restaurant uses of 560 square metres on the third floor.

**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).

The proposal is consistent with the Provincial Policy Statement (2014) and Growth Plan for the Greater Golden Horseshoe (2017) in terms of promoting economic development by:

- providing for an appropriate mix and range of employment uses;
- encouraging compact development that incorporates compatible employment uses to support liveable and resilient communities;
- making efficient use of existing employment areas; and,
- ensuring the necessary infrastructure is provided.

**Official Plan**

The 2014 Official Plan designates the subject lands 'Commercial' as per Map 3 – Land Use, and identifies the lands as being subject to site specific policy 9.4.7.

Lands designated 'Commercial' form part of the City's 'Employment Area', as shown on Map 1 – Markham Structure, and accommodate existing or approved large-format retail development. It is the intent of the Official Plan for lands designated 'Commercial' to evolve to more intensive building forms with office, retail and service uses, while remaining compatible as part of the City's Employment Area.

The proposed uses are provided for by the 'Commercial' designation, as detailed below:

- A 'Car wash internal and accessory to the parking garage' is provided for as a service use.
- A 'Commercial school' is provided for by the 'Commercial' designation.
- An 'Indoor children's playground' is considered 'Sports and fitness recreation', which is provided for by the 'Commercial' designation.

- A 'Karaoke bar' is considered 'Entertainment', which is provided for by the 'Commercial' designation.

The subject lands are located within the Buttonville district, and are subject to site specific policy 9.4.7 of the 2014 Official Plan, which specifies height and density provisions for the lands located at 9390 Woodbine Avenue. Part a) of the policy states that "the mixed use trade and convention centre building fronting on Woodbine Avenue and the hotel fronting on Markland Street shall not exceed 36 metres in height and the remainder of the buildings on the lands shall not exceed 3 storeys in height". Part b) outlines that "the total floor space index of all buildings on the lands shall not exceed 1.8". Part c) of the policy applies only to the Phase 2, 3 and 4 King Square Ltd. lands. As the Zoning By-law Amendment application does not propose to alter the building height or floor space index, site specific policy 9.4.7 is not applicable to this application.

### **Zoning**

The subject lands are zoned 'Select Industrial with Limited Commercial (M.C.) 170%' by site specific By-law 2009-116 (see Figure 3). Uses permitted on the subject lands under By-law 2009-116 include: health centres, personal service shops, business offices, restaurants (including take-out), retail stores and trade and convention centres. The Zoning By-law Amendment application seeks to add an internal accessory car wash, commercial school, indoor children's playground and karaoke bar to the list of permitted uses on the subject lands.

### **OPTIONS/ DISCUSSION:**

The following is a brief summary of key matters raised to date during the circulation of the applications to internal departments and external agencies.

#### Parking

A parking assessment to address the modified Phase 1 uses concludes that the minimum parking requirement for all of the proposed uses within Phase 1 is 1,345 spaces, whereas 1,373 parking spaces were required to accommodate the land uses previously approved. City staff are currently reviewing the July 2018 parking assessment prepared by WSP Canada Group Limited.

#### Servicing

The existing sanitary sewer along Markland Street can accommodate the Phase 1 development with proposed changes in the August 2018 Functional Servicing Report (FSR) submission. As identified in the previous FSR dated November 2014, sanitary sewers along Markland Street need to be upgraded to accommodate Phase 2 development of the site.

### **Outstanding Comments**

Comments from various internal departments and external agencies remain outstanding.

### **FINANCIAL CONSIDERATIONS:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The application is being evaluated in the context of the City's strategic priorities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

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

**RECOMMENDED BY:**



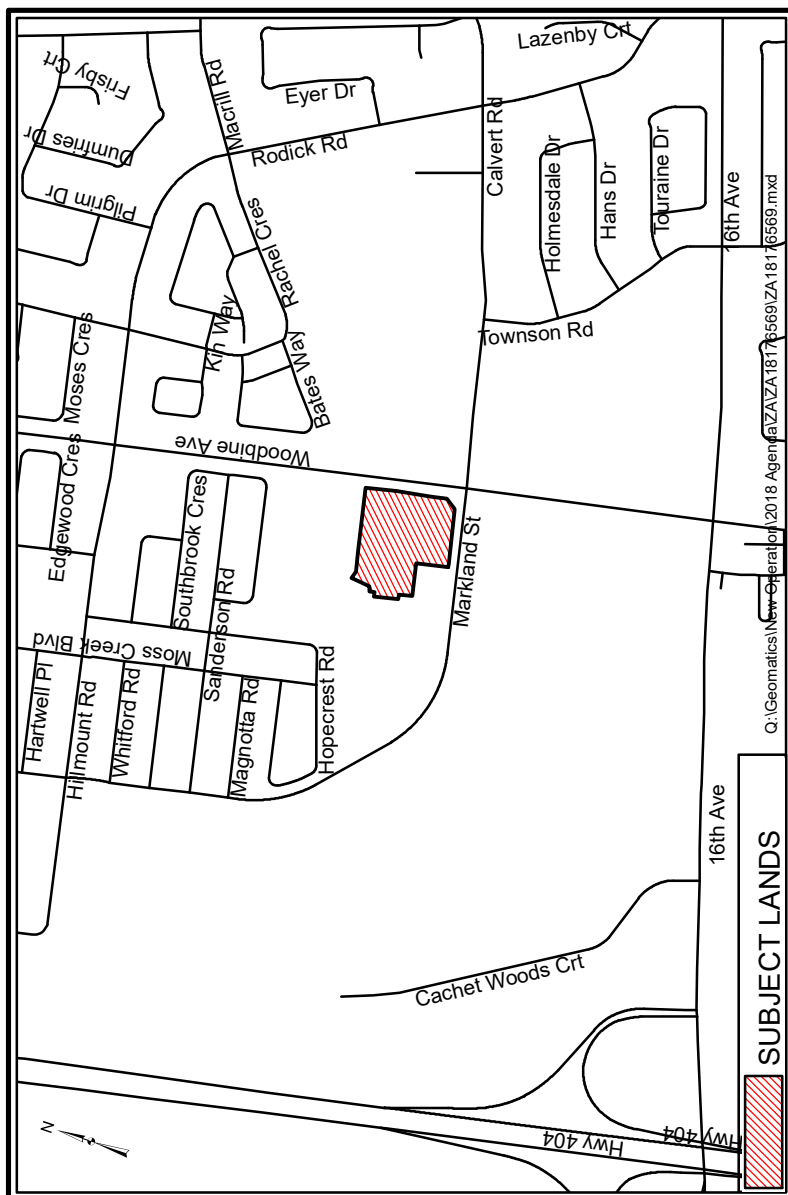
Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

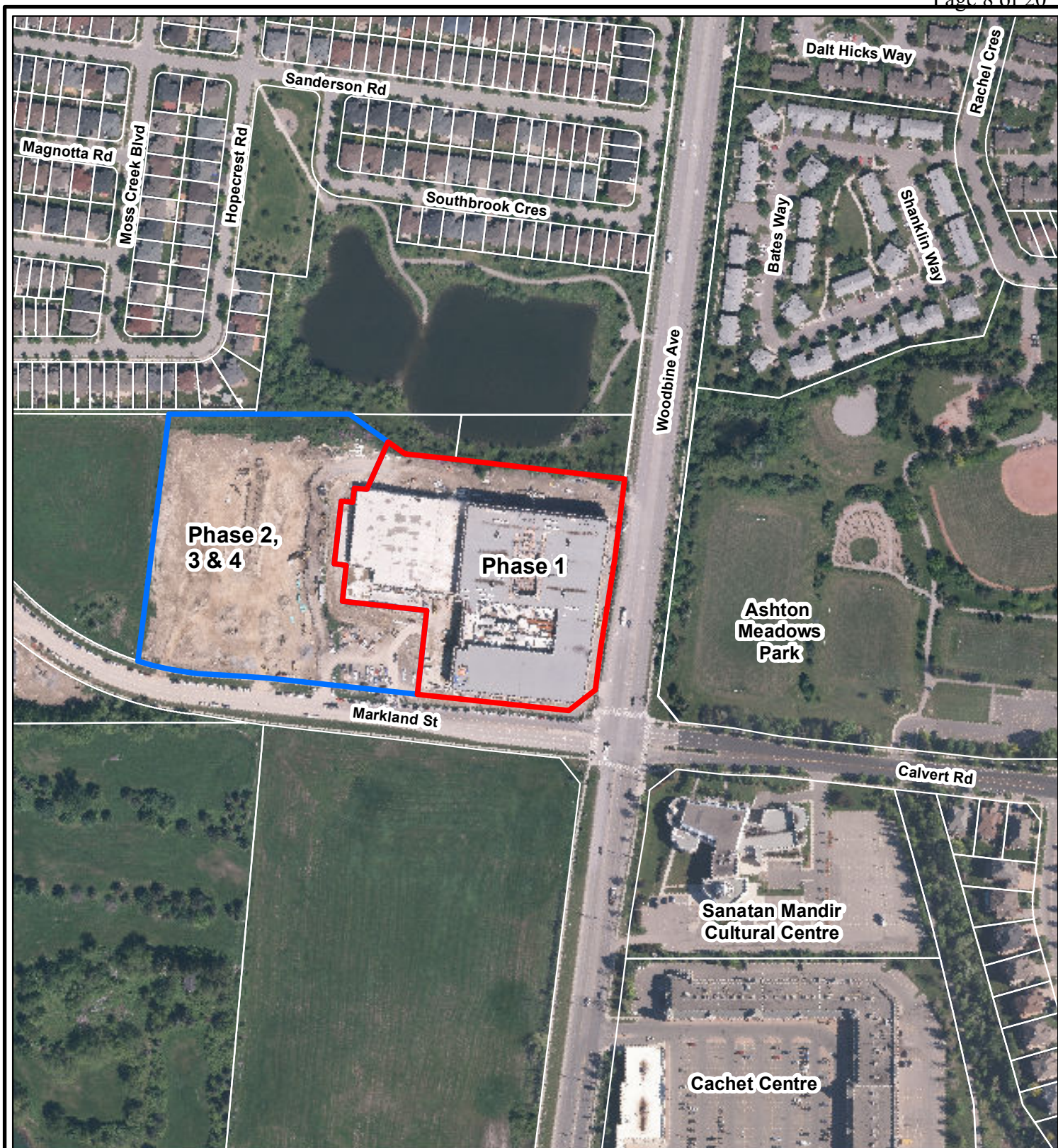


Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

- Figure 1: Location Map
- Figure 2: Aerial Photograph
- Figure 3: Area Context/ Zoning





# AERIAL PHOTO (2017)

APPLICANT: KING SQUARE LTD.  
9390 WOODBINE AVENUE

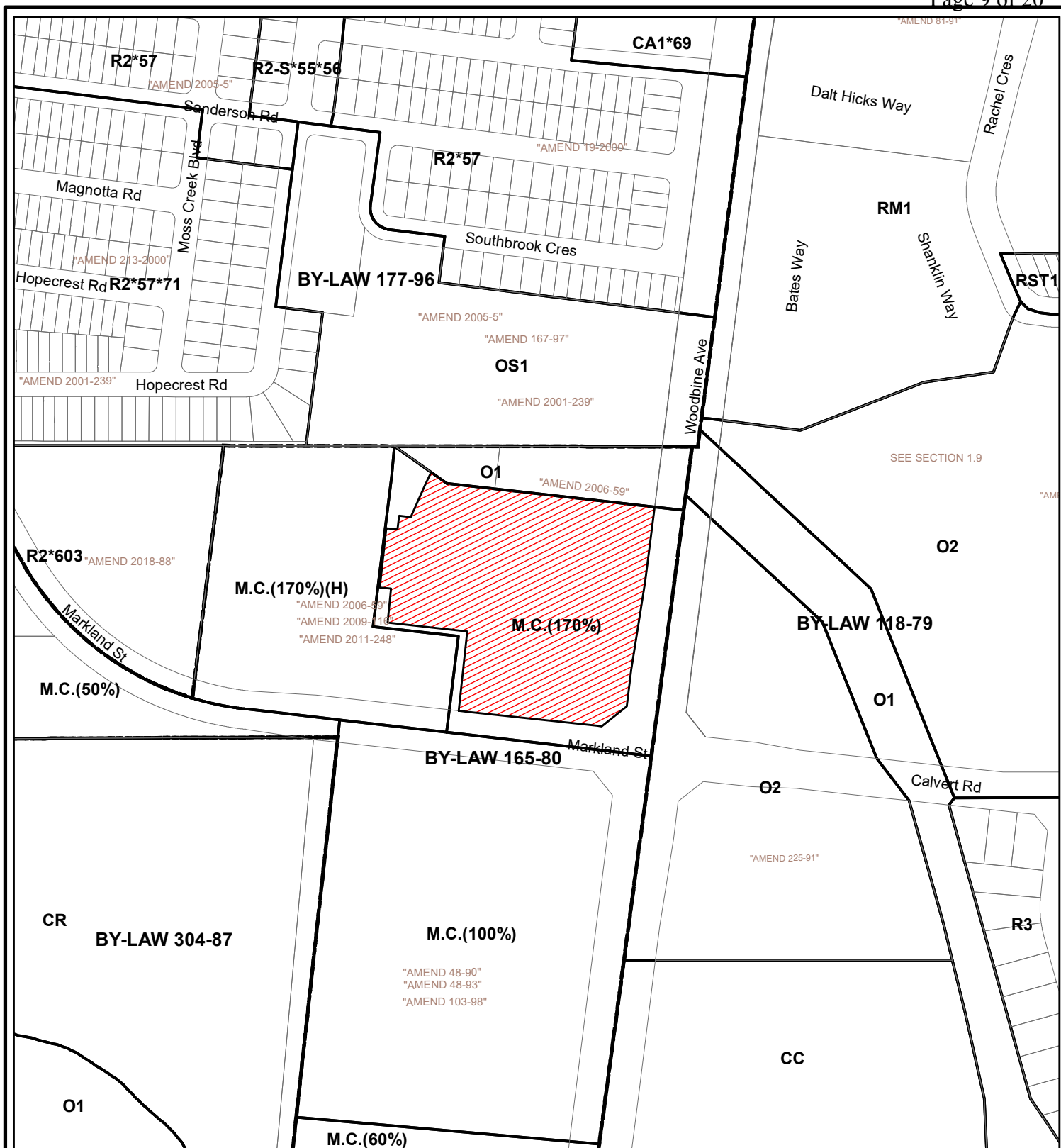
- Subject Lands
- Other King Square Ltd. Lands

FILE No. ZA18176569 (AC)

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DATE: 11/09/2018





# AREA CONTEXT / ZONING

APPLICANT: KING SQUARE LTD.  
9390 WOODBINE AVENUE



FILE No. ZA18176569 (AC)

 SUBJECT LANDS

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DATE: 11/09/2018

Report to: Development Services Committee

Report Date: November 19, 2018

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**SUBJECT:****PRELIMINARY REPORT**

WND Associates Ltd. on behalf of Newdev Investments Ltd., Applications for Official Plan and Zoning By-law Amendments to permit 32 stacked back-to-back townhouse units with underground parking at 5305 & 5307 Highway 7 East (Ward 4).

File Nos. OP/ZA 18 139486

**PREPARED BY:**

Stephen Corr, Senior Planner, East District, ext. 2624.

**REVIEWED BY:**

Sally Campbell, Manager, East District, ext. 2645.

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**RECOMMENDATION:**

- 1) That the report titled “PRELIMINARY REPORT, WND Associates Ltd. on behalf of Newdev Investments Ltd., Applications for Official Plan and Zoning By-law Amendments to permit 32 stacked back-to-back townhouse units with underground parking at 5305 & 5307 Highway 7 East (Ward 4)”, be received.

**PURPOSE:**

This report provides preliminary information on the Official Plan and Zoning by-law amendments submitted by WND Associates Ltd. on behalf of Newdev Investments Ltd. prior to the statutory Public Meeting being held. This report contains general information in regards to the proposal, 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 were deemed complete on July 26, 2018.

*Next Steps:*

- Scheduling of the Statutory Public Meeting. The ward 4 Councillor would like to host a Community Information Meeting prior to the statutory Public Meeting. Applicant is to submit a Site Plan Control application to review the detailed design component in conjunction with the proposed Official Plan and Zoning By-law amendment applications. (Note, the approval authority of the site plan control application is delegated to the Director of Planning and Urban Design);
- Future recommendation report respecting the Official Plan and Zoning By-law amendment applications.
- Should the Official Plan and Zoning By-law amendments be approved, the applicant would then be required to finalize the site plan review by addressing any outstanding comments, satisfy any site plan endorsement conditions and enter into a site plan agreement with the City prior to development occurring on the subject lands.
- A future application for Plan of Condominium will be required.

**BACKGROUND****Subject land and area context**

The 0.2101 ha (0.5191 ac) subject land (5305 & 5307 Highway 7 East) is located east of McCowan Road and on the south side of Highway 7 East (Figures 1, 2 and 3). The

properties have a combined lot frontage of 174 ft (53.0 m) and a lot depth of 115 ft (34.94 m). A one storey single-detached dwelling exists on the property, which according to City records, was built in 1948. The total Gross Floor Area (GFA) for the existing Single-Detached Dwelling is 1,855 ft<sup>2</sup> (173.0 m<sup>2</sup>). There are a number of mature trees and vegetation throughout the site, which would be required to be removed to allow the proposed development.

Surrounding uses are as follows:

- A commercial retail plaza to the north, across Highway 7;
- Markville Mall to the northwest, across McCowan Road and Highway 7;
- Existing single detached homes to the south and east;
- Medical centre, commercial retail uses and a bank to the west.

Milne Dam Conservation Park is also within the vicinity, approximately 350 m (1150 ft) to the south. The current proposal does not contemplate pedestrian permeability to the existing subdivision to the south and access to the park would require travel along sidewalks on Highway 7 East and McCowan Road. Overall site connectivity, including access and proximity to parks will be evaluated by City staff when reviewing and providing a future recommendation on the proposal.

### **Proposal**

The applicant is proposing to demolish the existing single detached dwelling and develop 32 stacked, back-to-back, condominium townhouses with underground parking. The conceptual site plan is attached as Figure 4, which proposes two stacked-townhouse building blocks. The first building contains 10 units. Twenty-two (22) units are proposed in the second building. Conceptual elevations are attached at Figure 5. Both building blocks are three storeys in height, ranging between 11.49 m (37.70 ft) and 11.74 m (38.51 ft) high. In terms of architectural treatment, the blocks present a more contemporary style and comprise a variety of materials such as brick, stucco, metal spandrel and glazed windows.

In terms of unit mix, 7 two-bedroom units and 25 three-bedroom units are proposed. 12 units will front onto Highway 7 East with the remaining 20 units fronting landscaped common element courtyards internal to the development. Floor plans have not been provided and these will be submitted with a future site plan application. An arborist report has not been provided, however there are several mature trees on the subject property, which will need to be inventoried and assessed. According to the submitted plans, the following building setbacks are proposed:

- Front yard setback of 10.20 ft (3.11 m);
- Side yard setback (to the west) of 3.81 ft (1.16 m);
- Side yard setback (to the east) of 19 ft (5.79 m);
- Rear yard setbacks of 11.20 ft (3.416 m) & 9.81 ft (2.993 m).

The units will have floor areas ranging between 115 and 140 square metres (1,238 – 1,507 square feet), resulting in a total building GFA of 3,985 m<sup>2</sup> (42, 894 ft<sup>2</sup>) for both

building blocks, which equates to overall Floor Space Index (FSI) of 1.92. The proposed total lot coverage is 49.7%. Vehicle access is to Highway 7 East only and a private driveway leads directly to an underground parking garage containing 49 parking spaces (43 resident spaces & 6 visitor spaces). No barrier free parking spaces are provided.

A central amenity space is proposed consisting of both hard and soft landscaping, including benches, flowering trees and evergreen ground cover. The landscape plan (Figure 6) indicates that the total landscaped area will be 702 m<sup>2</sup> (7,556.27 ft<sup>2</sup>) or 33.39 % of the site area. Each unit has private amenity space in the form of sunken terraces for the lower units and balconies for the upper units. The 16 upper level units also have roof top terraces.

### **Official Plan and Zoning**

The 2014 Official Plan (partially approved on Nov. 24, 2017 and further updated on April 9, 2018 (the “2014 Official Plan”))

The subject land is designated ‘Residential Low Rise’ in the 2014 Official Plan, which provides for a variety of low rise residential uses including single detached, semi-detached and townhouse dwellings with street frontage, and small multi-plex buildings containing 3 to 6 units. This designation does not provide for stacked townhouses or back-to-back townhouses. Accordingly, the applicant has submitted an official plan amendment to permit the proposed development.

### Existing Zoning

The subject property is zoned Residential One (R1) under By-law 1229, as amended, which permits single detached dwellings. The subject properties are also subject to infill Zoning By-law 99-90, which includes additional provisions to regulate the size of dwellings, which are related to maximum net floor area ratio, building height, building depth and garage projection, amongst other standards. The applicant has submitted a zoning by-law amendment to permit the proposed stacked back to back townhouses, including site specific development standards related to the built form, setbacks, building height, and parking requirements, as necessary. Sufficient parking is provided for the residential units (42 provided compared 40 required), but the proposal is deficient in required visitor parking (6 provided compared to 8 required) and accessible parking requirements.

### **OPTIONS/ DISCUSSION:**

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

- Appropriateness of the proposed development, including but not limited to the number of units (density), compatibility of built form, unit widths and sizes, building setbacks, landscape buffers, height, scale and massing;
- Interface and compatibility with the adjacent residential neighbourhood to the south and east, and the existing commercial development to the west;
- Location and proximity of parks in the area to serve the development;

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- Adequate provision of private amenity space on site to serve future residents;
  - Review of the Fire Route access to townhouse units;
  - Any issues resulting from the review of technical studies including, but not limited to, stormwater management and servicing reports, tree preservation plan, grading and drainage plans;
  - Assessing the adequacy of onsite snow storage and removal;
  - Examination of how waste management can be appropriately accommodated;
  - The applicant is required to provide a legal opinion to the satisfaction of the City Solicitor on how the two separate lots will merge as one property as the subject lands were previously severed from one original parcel into the two separate lots;
  - Confirmation of financial obligations, including but not limited to, cash in lieu of parkland dedication, Section 37 and public art contributions;
  - Provision of required parking spaces, including the required number of accessible parking spaces and visitor parking spaces;
  - The submission of an arborist report and the resulting tree replacement / compensation;
  - Determining appropriate landscape buffering and screening throughout the site;
  - The submission of a subsequent site plan application that will be required in order to further review and evaluate building elevations, building materials, overall pedestrian and vehicular circulation and connectivity, etc.;
  - Assessing the provision of affordable housing, rental housing, unit types and sizes to accommodate a variety of ages and abilities.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposal will be reviewed in the context of Growth Management, Transportation and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various departments and external agencies and are currently under review. Requirements of the City and external agencies will be reflected in a future recommendation report and/or as conditions of approval.

**RECOMMENDED BY:**


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



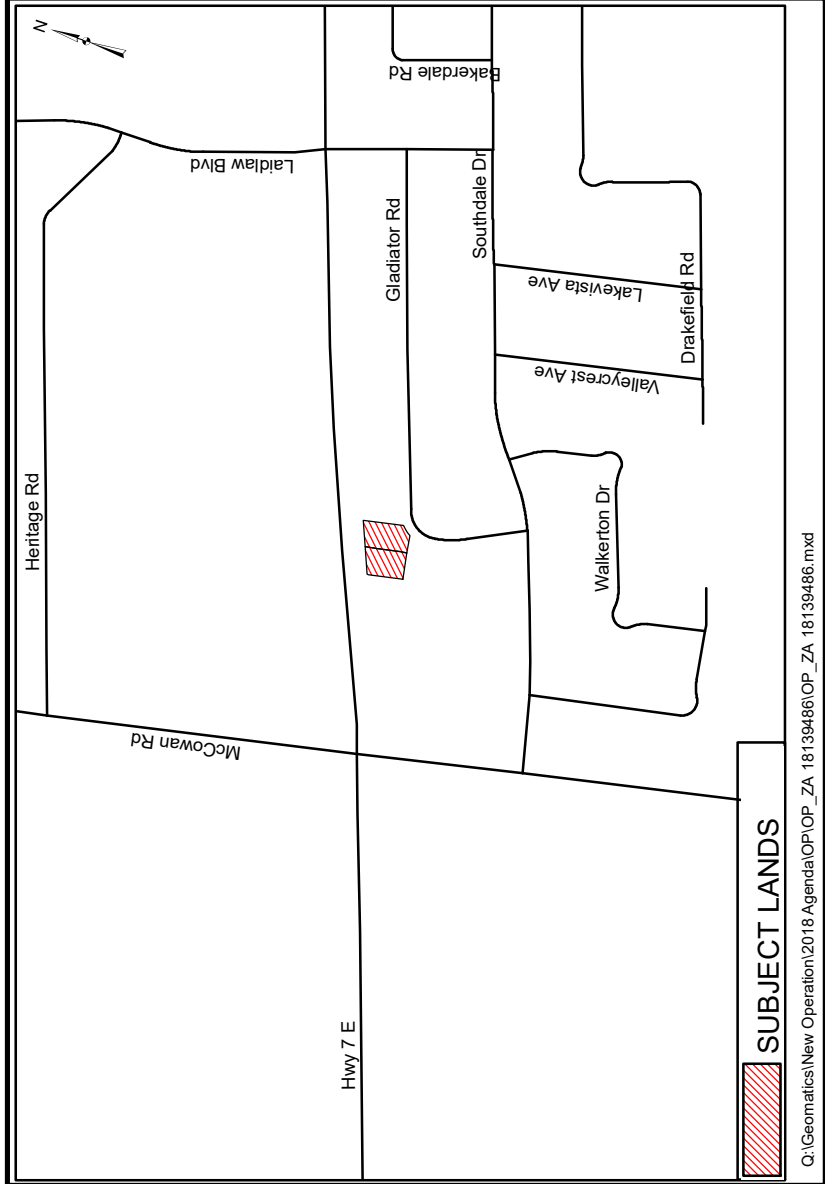
Arvin Prasad, R.P.P, M.C.I.P.  
Commissioner of Development  
Services

**ATTACHMENTS:**

- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Aerial Photo
- Figure 4: Site Plan
- Figure 5: Conceptual Elevations
- Figure 6: Landscaping Plan

**AGENT:**

Wendy Nott  
WND Associates Ltd.  
90 Eglinton Avenue E (Unit 970)  
Toronto, ON  
M4P 2Y3



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 SUBJECT LANDS

# AREA CONTEXT / ZONING

APPLICANT: WENDY NOTT - WND ASSOCIATES LTD.  
5305 and 5307 Highway 7 E

FILE No. OP\_ZA 18139486 (SC)

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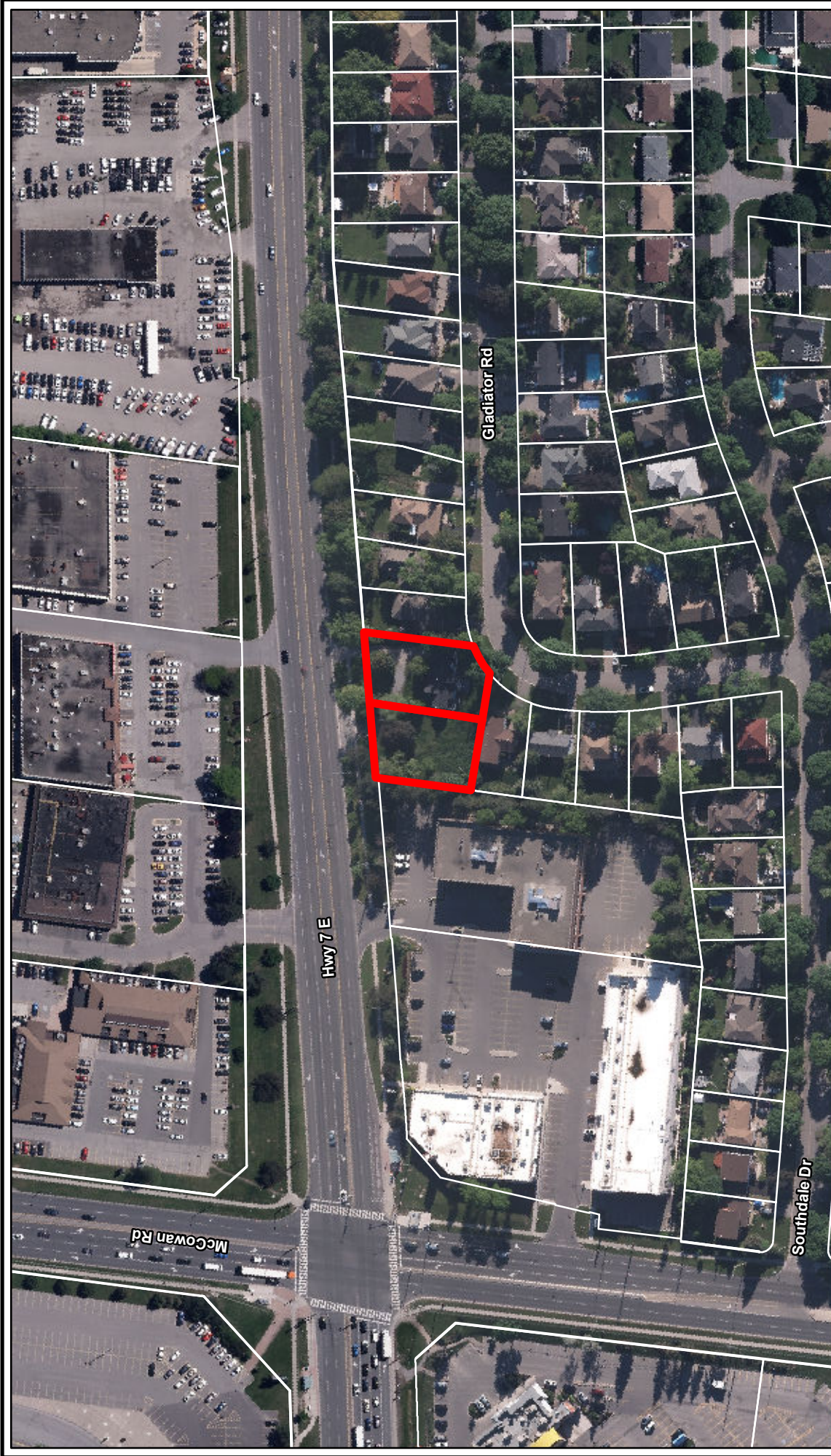
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Date: 19/09/2018

**FIGURE No. 2**






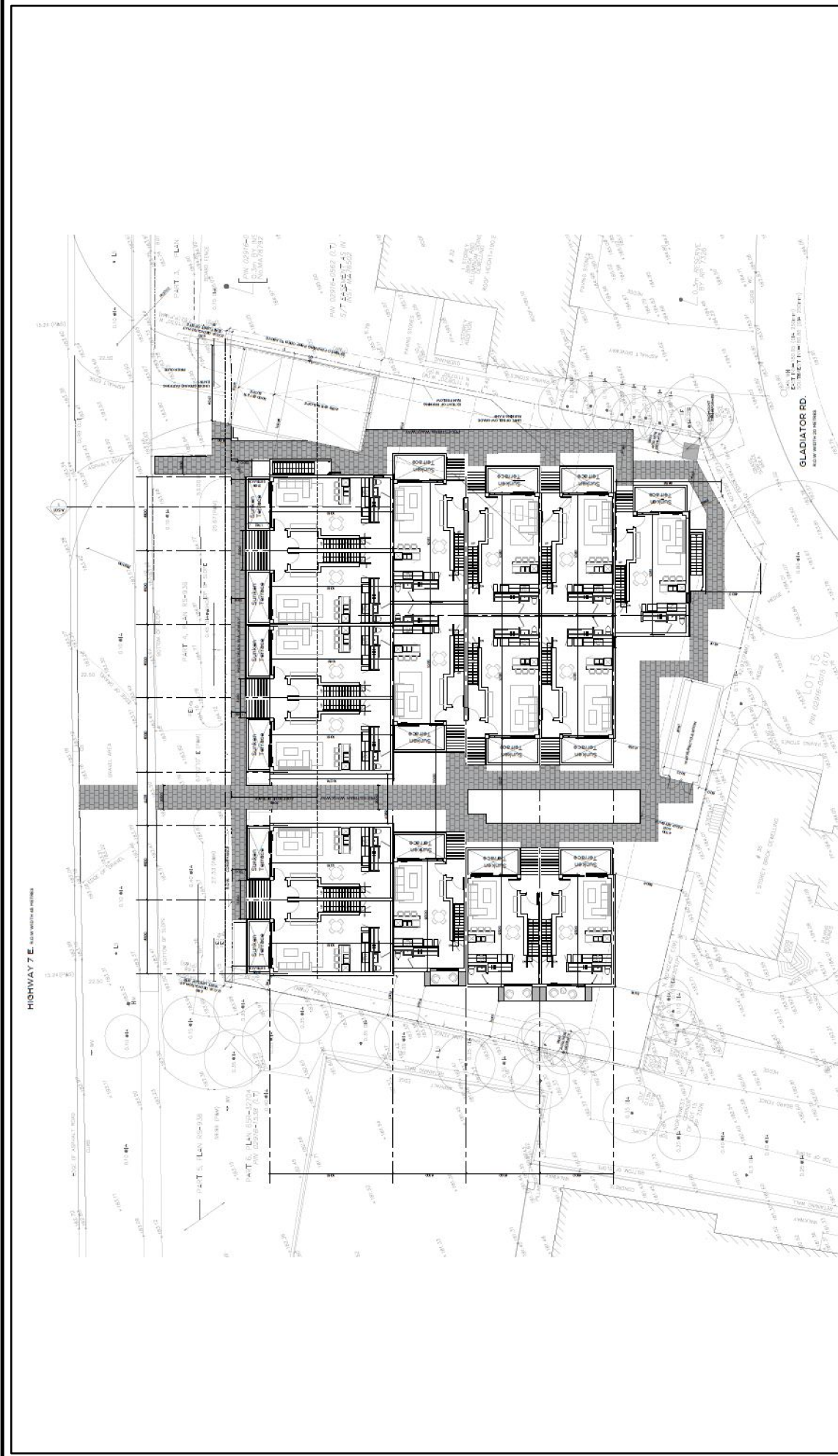
# AIR PHOTO

APPLICANT: WENDY NOTT - WND ASSOCIATES LTD.  
5305 and 5307 Highway 7 E

FILE No. OP\_ZA 18139486 (SC)

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 SUBJECT LANDS



# SITE PLAN

APPLICANT: WENDY NOTT - WND ASSOCIATES LTD.  
 5305 and 5307 Highway 7 E

FILE No. OP\_ZA 18139486 (SC)

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Date: 19/09/2018

FIGURE No. 4



3 MASSING PERSPECTIVE  
SCALE N/A

# CONCEPTUAL ELEVATION

APPLICANT: WENDY NOTT - WND ASSOCIATES LTD.  
5305 and 5307 Highway 7 E

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Date: 19/09/2018

FIGURE No. 5



# LANDSCAPE PLAN

APPLICANT: WENDY NOTT - WND ASSOCIATES LTD.  
5305 and 5307 Highway 7 E

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FIGURE No. 6