

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

Official Plan and Zoning By-law Amendment Applications submitted by 10-20 Fincham Inc. to permit fourteen townhouse and two semi-detached dwellings at 10 and 20 Fincham Avenue (Southeast intersection of 16<sup>th</sup> Avenue and Fincham Avenue) (Ward 4)

Files OP/ZA 18 108216

**PREPARED BY:**

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Senior Planner, East District

**REVIEWED BY;**

Sally Campbell, MCIP, RPP, ext 2645  
Manager, East District

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**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, Official Plan and Zoning By-law Amendment Applications submitted by 10-20 Fincham Inc. to permit fourteen townhouse and two semi-detached dwellings at 10 and 20 Fincham Avenue (Southeast intersection of 16<sup>th</sup> Avenue and Fincham Avenue) (Ward 4)", be received.

**PURPOSE:**

This report provides preliminary information on official plan and zoning by-law amendment applications submitted by 10-20 Fincham Inc. prior to the statutory Public Meeting. 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 application was deemed complete on October 23, 2018.

*Next Steps:*

- The ward 4 Councillor has arranged a Community Information Meeting for February 28, 2019 prior to the statutory Public Meeting.
- The Statutory Public Meeting is scheduled for March 5, 2019.
- A Site Plan Control application is required to allow review of the detailed design in conjunction with the proposed Official Plan and Zoning By-law amendment applications;
- A future recommendation report respecting the Official Plan and Zoning By-law amendment applications will be provided at a future Development Services committee meeting. Subject to the timing of the submission of the site plan application, the final report may also incorporate a recommendation relating to the site plan application.
- The applicant would be required to finalize the site plan to satisfy site plan endorsement conditions and enter into a site plan agreement with the City prior to development occurring on the subject lands.

- A draft Plan of Condominium application has been submitted for the common element condominium, which includes the shared private road, services and any other common spaces and amenities such as landscaping and walkways. The condominium cannot be draft approved until the site plan application is endorsed. Final condominium registration cannot occur until site plan approval is issued.

## **BACKGROUND**

### **Subject land and area context**

The 0.4 ha (1.0 ac) subject property (10 and 20 Fincham Avenue) is located at the southeast intersection of 16<sup>th</sup> Avenue and Fincham Avenue. The site is developed with two one-story multi-tenant commercial buildings. The interior of the site is an asphalt-paved parking area. Vehicular access is via driveways onto 16<sup>th</sup> Avenue and Fincham Avenue. Access to 16<sup>th</sup> Avenue is limited to right-in and right-out movements.

The surrounding area includes the following land uses:

- St. Brother Andre Catholic High School and the Avida storm pond are to the north (across 16<sup>th</sup> Avenue);
- The Mount Joy storm pond, Community Centre and a larger commercial shopping centre are further northwest, towards the intersection of 16<sup>th</sup> Avenue and Markham Road;
- Common element condominium townhouse developments to the north east (across 16<sup>th</sup> Avenue); and
- Single detached dwellings to the east, south and west.
- Fincham Pak is also located approximately 310 m (1015 ft) to the south.

### **Proposal**

The applicant is proposing to demolish the existing commercial plaza and redevelop the site with residential uses. More specifically, the Official Plan and Zoning By-law Amendment applications are to permit fourteen (14) townhouse dwellings within a common element condominium development and two (2) freehold semi-detached dwellings. The Conceptual Site Plan is shown in Figure 4 and Conceptual Elevations are shown in Figures 5, 6 and 7.

### **Townhouse Component**

The proposed townhouses will be freehold units but part of a common element condominium comprising the shared components of the site, such as the shared private access road and common spaces, services and amenities. The proposed development consists of two blocks with 7 units each, where one block fronts 16<sup>th</sup> Avenue and the other fronts the internal private street. Vehicle access to all the townhouses will be via the internal street that connects to Fincham Avenue. The proposed townhouse blocks will be 3-storeys in height, ranging between 10.94 m (35.9 ft) to 11.21 m (36.8 ft). The unit widths ranging from 5.5 m (18 ft) to 7.07 m (23 ft). With respect to parking, each townhouse unit will have a driveway and a single private garage to provide a total of two parking spaces. Visitor parking for three additional vehicles is proposed and shown on the conceptual site plan (Figure 4). The proposed amount of parking, including visitor space provisions, complies with the City of Markham Parking Standards By-law 28-97,

as amended. Private amenity space for the townhouse block fronting 16<sup>th</sup> Avenue is provided in the form of a balcony located above the garage. For the townhouses fronting the private street, amenity space is provided within a landscaped rear yard, having depths ranging between 6.08 m (19.9 ft) to 6.7 m (22 ft).

#### Semi-detached Component

The proposed semi-detached dwellings will front Fincham Avenue. Each unit will be 3-storeys, totaling 10.8 m (35.4 ft) in height. Each semi-detached unit is proposed to have a lot frontage of approximately 6.65 m (21.8 ft). The semi-detached dwellings will be freehold units and are not part of the common element condominium. Parking is proposed on a private driveway and within a single private garage to provide 2 spaces per dwelling. Private amenity space is provided as landscaped rear yard, with rear yard depths of 7.05 m (23.1 ft) and 7.51 m (24.6 ft).

#### **Provincial Policy Conformity**

Generally, the proposed development conforms to the applicable provincial policy framework. However, there are matters being assessed as part of the review of the official plan and zoning by-law amendment applications where conformity with the Provincial Policy Statement, 2014 and Growth Plan for the Greater Golden Horseshoe 2017, still needs to be determined. These matters will be addressed in a future recommendation report, and are summarized as follows:

- Assessing the proposal with respect to the range of housing, including but not limited to, unit types and sizes, affordability, rental housing, secondary suites, and accommodations for various age groups and accessibilities;
- Assessing measures to mitigate climate change and promoting environmental conservation, including the use of sustainable building technologies, low impact development, and related matters.

#### **Region of York Official Plan, 2010**

The subject lands are designated 'Urban Area' in the Region of York Official Plan, 2010 (ROP) which permits residential, commercial, industrial and institutional uses. The proposed lands uses conform to the Region of York Official Plan 2010. In a letter dated January 14, 2019, the Region of York delegated approval of the Official Plan Amendment to the City of Markham. This letter also provided preliminary comments on the proposed Official Plan and Zoning By-law amendment applications, including:

- That the Region "encourages the City to consider the role of the existing 'Mixed Use Low Rise' designation and how it serves the surrounding residential area and assists in creating a complete community". This is in relation to the proposed Official Plan Amendment to redesignate to 'Residential Low Rise' to permit residential uses only;
- Ensuring a 43 m right-of-way is protected for this section of 16<sup>th</sup> Avenue;
- That no vehicular access to 16<sup>th</sup> Avenue be permitted from the site; and,
- That at the site plan stage, the applicant is to contact the Region to discuss Transportation Demand Management options.

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**Official Plan and Zoning**

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

The subject lands are designated “Mixed Use Low Rise” in the 2014 Official Plan, which provides for range of commercial and residential uses, within small scale non-residential or mixed use buildings not exceeding 3-storeys in height.

An Official Plan Amendment is required to permit solely residential uses in the townhouse and semi-detached typology proposed. Approval of the Official Plan Amendment would redesignate the subject lands to Residential Low Rise, which would allow the contemplated building typologies without any mixed use / non-residential component.

**Zoning**

The subject property is zoned Local Commercial (LC) under By-law 163-78, as amended, which permits a range of commercial retail and service uses reflecting the existing uses on the subject lands.

A zoning by-law amendment application is required to permit the proposed townhouses and semi-detached dwellings on the subject lands. Approval of the zoning by-law amendment would rezone the subject lands to a Residential Two (R2) zone in By-law 177-96, as amended, to permit the proposed residential use, including site-specific standards to implement the proposed and residential uses and built form.

**OPTIONS/ DISCUSSION:**

The following is a brief summary of concerns, 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 compatibility of built form, building setbacks, landscaping, height, scale and massing;
- Assessing the proposed official plan amendment with respect to the loss of existing commercial land uses on the site, as contemplated by the current Mixed Use Low Rise designation.
- Interface and compatibility with the adjacent residential neighbourhood to the south, west and east;
- The applicant is advised to submit a site plan application to be reviewed in conjunction with the Official Plan and Zoning By-law Amendments prior to a recommendation report. This will initiate the technical review and therefore identify any potential constraints to development prior to final consideration of the official plan and zoning by-law amendments.
- Assessing 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;
- Confirmation of any outstanding financial obligations, including but not limited to, cash in lieu of parkland dedication, tree replacement/compensation and public

art contributions, to the satisfaction of the City of Markham and Region of York, as necessary;

- Assessing the provision for visitor and resident parking, including the sizes of parking within a private garage;
- Assessing the adequacy areas onsite for snow storage;
- Considerations for pedestrian connectivity from the site to 16<sup>th</sup> Avenue and to the adjacent existing community to the south, including potential for a public access easement through the site;
- Assessing matters related to provincial policy including the range and type of proposed housing, and inclusion of sustainable features within the development.

**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 – Block 1 (16<sup>th</sup> Avenue Townhouses)

Figure 6: Conceptual Elevations – Block 2 (Internal Street Townhouses)

Figure 7: Conceptual Elevations – Block 3 (Semi-detached Dwellings)

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