



Report to: Development Services Committee

Report Date: April 1, 2019

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**SUBJECT:**                               **RECOMMENDATION REPORT**  
Applications for Official Plan Amendment, Draft Plan of Subdivision, Zoning By-law Amendment, and Site Plan Approval by Gemterra (Woodbine) Inc. to permit townhouses at 9064 to 9110 Woodbine Avenue (Ward 2)  
File Nos. OP/SU/ZA/SC 17 153653

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

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

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**RECOMMENDATION:**

- 1) That the Staff report titled “Recommendation Report – Applications for Official Plan Amendment, Draft Plan of Subdivision, Zoning By-law Amendment, and Site Plan Approval by Gemterra (Woodbine) Inc. to permit townhouses at 9064 to 9110 Woodbine Avenue (Ward 2) File Nos. OP/SU/ZA/ /SC 17 153653” be received;
- 2) That the proposed amendment to the 2014 Markham Official Plan, attached as Appendix ‘A’, be finalized and approved;
- 3) That Draft Plan of Subdivision 19TM-17004 submitted by Gemterra (Woodbine) Inc., be finalized and approved subject to the conditions outlined in Appendix ‘B’;
- 4) That the draft plan approval for Plan of Subdivision 19TM-17004 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
- 5) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix ‘B’ as may be amended by the Director of Planning and Urban Design;
- 6) That the amendments to Zoning By-laws 19-94 and 177-96, as amended ‘C’ approved and the draft implementing Zoning By-law, attached as Appendix ‘C’, be finalized and enacted without further notice;
- 7) That the Site Plan application by Gemterra (Woodbine) Inc. be endorsed, in principle, and that staff continue to work with the applicant to refine the site plan, prior to site plan endorsement by the Director of Planning and Urban Design;
- 8) That site plan endorsement shall lapse after a period of three (3) years from the date of Staff endorsement in the event that the site plan agreement is not executed within that period;

- 9) That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law attached as Appendix "B" to this report, before the second anniversary of the day on which the by-law was approved by Council;
- 10) That servicing allocation for thirty-three (33) townhouse units be assigned to the subject development;
- 11) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report recommends adoption of the Official Plan Amendment, and approval of the associated Draft Plan of Subdivision, and Zoning By-law Amendment Applications, and endorsement in principle of the Site Plan application to permit a 33 unit condominium townhouse development on the subject lands. Site Plan approval authority for the proposed townhouse development is delegated to the Director of Planning and Urban Design. Planning Department Staff is generally satisfied with the overall site plan and is continuing to work with internal departments to refine details of the site plan prior to Site Plan endorsement.

**BACKGROUND:**

The 0.95 ha (2.35 ac.) subject lands are located on the west side of Woodbine Avenue within the Buttonville Heritage Conservation District (Figure 1). A heritage dwelling ("Buttonville Mill House") is located on the southerly portion of the subject lands. The remainder of the lands are undeveloped. The heritage dwelling forms part of Buttonville's early history as a 19<sup>th</sup> century rural mill village. The first phase of the house, constructed *circa* 1840, is historically significant for its association with the Willcocks and Baldwin families of old Toronto.

The heritage dwelling is the last remaining feature of the milling operations that once formed the heart of the original hamlet of Millbrook (the original name for Buttonville), and also is the oldest remaining structure in the area. To the south and west is the former Markham Golf Course and tributary of the Rouge River. Further to the west, across the Rouge River, are employment uses and the Buttonville Airport. To the north, is an existing townhouse condominium development (Millbrook Village). Detached dwellings are located to the east, across Woodbine Avenue (Figure 3).

**PROPOSAL**

The applicant is proposing to develop the subject lands for thirty-three (33), three (3) storey townhouse dwellings, and to maintain the existing heritage dwelling (Figures 4, 5 & 6).

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Access to the site is proposed via a new private lane that connects to Woodbine Avenue at two locations. The proposed northerly connection, at an existing signalized intersection, is opposite Millbrook Gate (Figure 4). The second proposed access would be a non-signalized restricted right-in/right-out at the south end of the property adjacent to the heritage dwelling. Sixteen (16) units are proposed to front onto Woodbine Avenue with vehicular access provided from the private lane. These units contain a mix of single and double car garages. The remaining seventeen (17) units on the west side of the property are internal to the site and will face east onto the proposed private lane. All of these units contain single car garages. A width of 6.0 metres is proposed for all of the townhouses within this development.

## **PROCESS**

Applications submitted in support of the proposal include an Official Plan Amendment (to permit 3 storey townhouses on a private road), a Draft Plan of Subdivision approval (to establish townhouse blocks and open space blocks for an environmental buffer), a Zoning By-law Amendment (to implement site-specific development standards), Draft Plan of Condominium approval (to establish the common elements including a private amenity area and a private road), and Site Plan approval (to ensure the proposal is appropriate and compatible with adjacent development).

## **OFFICIAL PLAN**

### 2014 Official Plan

The subject lands are designated 'Residential Low Rise' in the 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018). This designation provides for townhouses, with or without frontage on a public road. These lands are also subject the Area and Site Specific Policies for Buttonville. The Area and Site Specific policies under Section 9.4.6.5 of the 2014 Official Plan provide for a maximum building height of two (2) storeys.

### Site Specific Official Plan Policy for townhouse development

The proposed amendment to the Official Plan will provide for three (3) storey townhouses to be developed on the subject property (See Appendix 'B'). In addition the Official Plan Amendment proposes to amend Map 3 of the 2014 Official Plan to re-designate the environmental buffer area to be conveyed to the City from 'Residential Low Rise' to 'Greenway'. Approval of the Official Plan Amendment has been delegated to the City.

### Buttonville Heritage Conservation District Plan

These lands are located within the Buttonville Heritage District, and are subject to the policies of the Buttonville Heritage Conservation District Plan. The Buttonville Heritage Conservation District Plan requires that new buildings on this property be in keeping with the existing townhouse development to the north which consists of traditional styled homes reflecting the types of materials and architectural detailing of Buttonville.

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## ZONING

The subject lands are zoned Residential Medium Density 1 (RMD1), Open Space 2 – Special Use (O2) and Open Space 3 - Environmental Buffer (O3) under By-law 19-94, as amended (see Figure 2). The RMD1 zone permits detached, semi-detached, townhouses and cluster housing. The O2 zone permits golf courses, public or private parks, athletic fields and cemeteries. The O3 zone only permits ‘environmental buffer landscaping’ which provides for an environmental buffer between the banks of the Rouge River and the adjacent residential lands.

The zoning by-law amendment (Appendix ‘C’) proposes to delete the residential portion of the subject lands from the designated area of By-law 19-94 to a Residential Two (R2) zone category under By-law 177-96, as amended. The owner is also proposing to increase the area of the Open Space zones elsewhere on these lands. The Open Space zoned portions of the property will remain under By-law 19-94.

Site specific amendments to the development standards of the zoning by-law are proposed to implement the proposed townhouse development.

- a maximum permitted building height of 13.5 m for the three (3) storey townhouses. The additional height will address the approximately 2.0 metre grade difference between the north end of the property and the south end of the property along Woodbine Avenue while maintaining the overall integrity of the proposed built form;
- a minimum of 0.24 visitor parking spaces per townhouse dwelling unit or 8 spaces provided that the maximum number of townhouses is restricted to thirty-three (33) units, whereas the Parking Standards By-law requires a minimum of 0.25 visitor spaces per townhouse dwelling unit or 9 visitor spaces. The number of townhouse dwelling units will be capped in the Zoning By-law at 33 units;
- the subject lands to be deemed one lot for the purposes of the By-law;
- the proposed minimum lot frontage of 6.0 m per interior lot, exceeds the requirements of By-law 177-96, as amended, which requires a minimum width of 5.5 m for interior lots;
- a minimum lot frontage of 6.0 m is proposed for end units, whereas By-law 177-96, as amended, requires a minimum frontage of 6.7 m. However, Staff consider this reduction to be minor and compatible with the design standards typically associated with common element townhouses built on private roads;

As noted above, the width of the proposed townhouses (6.0 m) on an interior lot will comply the zoning provisions for lane-based townhouses under By-law 177-96, as amended. However, the proposed townhouse end units are proposed to be 0.7 m narrower.

## OPTIONS/ DISCUSSION:

### Issues identified in the Preliminary Report and Public Meeting

Several matters relating to the proposal were identified in the June 25, 2018 preliminary report including:

- The Region of York's initial requirement to limit vehicular access to one access point on Woodbine Avenue (at the signalized intersection of Woodbine Avenue and Millbrook Gate), whereas the site plan proposed a second right-in-right access to the south;
- the potential impacts on the proposal of a 43.0 m road widening requested by York Region over the entire Woodbine Avenue road frontage;
- a required conveyance of a 10.0 m by 10.0 m daylight triangle to York Region at Millbrook Gate; proposed encroachments into the required environmental buffer;

The Statutory Public Meeting was held on September 4, 2019. Comments made by the residents who attended the Public Meeting included objections to the proposed heights of the townhouses, overall site density and concerns about additional traffic that could be generated from this development. The City has also received written submissions from the public that reiterated the objections noted above.

**These and other issues are addressed as follows:**

Building Design is Appropriate

Figures 5 and 6 illustrate that the proposed townhouses will generally conform to the policies and guidelines of the Buttonville Heritage Conservation District Plan. Staff is of the opinion that the architectural style, scale and orientation of the townhouses are appropriate. The building elevations illustrate that the third storey of each townhouse unit will be incorporated within the roof structure to minimize the visual impact of the additional storey. The exterior building materials will be comprised of clay brick reflective of local historical brick, and stone veneer that will be complementary to surrounding developments and reflective of the local granite field stone. Staff will continue to work with the applicant through the site plan approval process to ensure that the building materials and the window treatment for the proposed townhouses are reflective of the historic patterns found in Buttonville.

Heritage Planning

Heritage Markham Committee reviewed the current proposal to develop thirty three (33) townhouses and to expand the existing heritage dwelling at their meeting on July 11, 2018. The Committee generally supported the form, massing and height of the proposed townhouses and their orientation to Woodbine Avenue from a heritage perspective, and recommended that any development application to revise the existing heritage dwelling be delegated to Heritage Planning Staff.

Heritage Planning staff further advises that the revised proposal conforms to the District Plan in terms of scale, architectural form, and height, but requires some minor revisions to the proposed materials and architectural detailing (including window treatment) of the proposed townhouses. Heritage Planning staff will continue to work with the applicant to ensure that the townhouses will be compatible with the existing heritage buildings of Buttonville.

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#### Site Layout is Appropriate and Compatible with Adjacent Development

The proposed height and location of the subject townhouses are, in staff's opinion, compatible with the existing residential low rise development to the north and the single detached dwellings to the east across Woodbine Avenue. An appropriate separation distance to buffer the existing residential development to the north from the proposed townhouses has been provided.

#### Transportation Impacts Minimal

Transportation Engineering Staff has reviewed a Traffic Study, which was submitted in support of the proposal. Staff concurs with the Study's findings that the anticipated traffic volumes for the proposed townhouse development will not adversely impact the surrounding neighbourhood, subject to the provision of a northbound left turn lane from Woodbine Avenue into the site at the Millbrook Gate intersection, to the satisfaction of York Region.

#### York Region to allow two access locations from Woodbine Avenue

Following various discussions between Regional staff, Markham staff and the applicant, York Region Transportation staff has agreed in principle to permit two access locations onto Woodbine Avenue – a full moves access at the north end of the property (at the existing Millbrook Gate signalized intersection), and a second restricted moves right-in/right out access at the south end of the property adjacent to the heritage dwelling. The applicant will be financially responsible for the installation of a centre median along Woodbine Avenue to prevent northbound left turn movements from this access location.

York Region has reduced the road widening requirement for Woodbine Avenue over the entire frontage. York Region is now protecting for a 36.0 m wide right-of-way for this section of Woodbine Avenue, whereas a 43.0 m wide right-of-way was previously planned for in this location. The revised site plan provides a sufficient property conveyance to provide 18.0 m from the centerline of construction for Woodbine Avenue.

York Region has also agreed in principle to reduce the area requirement for the daylight triangle from 10.0 m by 10.0 m to 7.5 m by 7.5 m at the signalized intersection of Millbrook Gate and the proposed full move access onto Woodbine Avenue.

The Region has provided conditions of Draft Plan of Subdivision approval and Site Plan approval, which have been incorporated into Appendix 'B' and 'D', respectively.

#### Toronto and Region Conservation Authority (TRCA)

The applicant has delineated the natural features and associated environmental buffers in consultation with the TRCA and City of Markham staff. This delineation includes some encroachments into the required 10.0 metre environmental buffer in exchange for the conveyance of other sections of the environmental buffer areas that are wider than 10.0 metres. TRCA staff and City staff are generally satisfied with the proposed restoration planting plan submitted with this proposal. As a condition of approval, the TRCA and the City of Markham will require the environmental buffer area to be densely planted and dedicated to the City of Markham, free and clear of all encumbrances. The TRCA will

also require permits for the restoration of the open space/environmental buffer blocks and the site works associated with townhouse construction adjacent to the valley corridor. Staff further note that the valley lands to the west of the proposed environmental buffer area remain part of the former golf course lands. These lands remain in private ownership at this time.

#### Internal Driveways Revised

As requested by staff, the length of the proposed driveways of units facing Woodbine Avenue (garage and driveways face the private lane) has been reduced to discourage parking that could potentially obstruct the required fire route.

#### Garage sizes for townhouse units will comply with Parking Standards By-law 28-97

The site plan submitted with the applications illustrate a garage width of 3.0 m and a length of 6.0 m for townhouses with single car garages, and a garage width of 6.0 m and a length of 6.0 m for townhouses with double car garages. The size of each garage will meet the provisions of the Parking Standards By-law and Staff have no concerns in this regard. In addition, two (2) parking spaces will be provided for each townhouse unit in compliance with the Parking Standards By-law.

#### Site Plan Approval Granted for Modifications to the Heritage Dwelling

Heritage Planning staff approved a separate Site Plan application (File SC 18 248845) on November 19, 2018 to demolish the rear portion of the heritage dwelling at 9064 Woodbine Avenue, and to make secure the remaining portion of the house. Heritage Planning staff recommends that the owner agrees in the subdivision agreement to protect and conserve the heritage building. Heritage conditions of Draft Plan of Subdivision approval are provided in Appendix 'B'.

#### Snow Storage

The Development Services Committee noted at the Public Meeting that the original site plan did not identify snow storage areas. The revised site plan (Figure 4) shows a snow storage area adjacent to the north driveway of the proposed townhouse development and within the private open space area at the south end of the property. The proposed development will be accessed via a rear private lane and the future condominium corporation will be responsible for snow clearing along the rear lane. Staff will continue to work with the applicant to determine the optimal on-site snow storage locations.

#### Parkland Dedication

The site plan shows a private open space area (hatched area on Figure 4). Due to its size and location, and the fact that it is not publicly accessible, this open space area is not eligible for parkland credit. Consequently, the applicant will be required to fulfill their parkland dedication requirements through a cash-in-lieu of parkland contribution.

Staff will continue to work with the applicant to refine the site plan, including the elements of the above-noted 293 m<sup>2</sup> (3,154 ft<sup>2</sup>) private open space area.

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Compensation for Tree Removal Required

As a result of the proposed development, there are a number of mature trees that need to be removed. Compensation for tree removal will be determined at the site plan agreement stage.

Public Art

The applicant will be required to provide a Public Art contribution in accordance with the City public art policies and Section 37 of the Planning Act. The contribution amount will be identified in the Zoning By-law Amendment and obtained through the site plan approval process.

Draft Plan of Condominium Comments

Staff recommends that the associated Draft Plan of Condominium (File CU 17 153653 and illustrated in Figure 8) include the front yard areas of the proposed townhouse dwellings fronting onto Woodbine Avenue as part of the common elements to ensure these lands are properly maintained. The authority to approve the Draft Plan of Condominium is delegated to the Director of Planning and Urban Design.

**CONCLUSION:**

The proposed townhouse development is appropriate and Staff recommends adoption of the Official Plan Amendment (Appendix 'A'), approval of the associated Draft Plan of Subdivision application, subject to the draft plan conditions in Appendix 'B', and approval of the Zoning By-law Amendment (Appendix 'C').

**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 and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

These applications have been circulated to various City departments and external agencies and no objections to the proposal have been raised.

**RECOMMENDED BY:**

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

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



**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Area / Context Map

Figure 3 – Air Photo

Figure 4 – Site Plan

Figure 5 – Elevations Private Road

Figure 6 – Elevations Woodbine Avenue

Figure 7 – Draft Plan of Subdivision

Figure 8 – Draft Plan of Condominium

Appendix 'A' – Draft Official Plan Amendment

Appendix 'B' – Draft Plan of Subdivision Conditions

Appendix 'C' – Draft Zoning By-law Amendment

**OWNER:**

Gemterra (Woodbine) Inc.

C/O Maurice Lerman, General Manager

Gemterra Developments

7755 Warden Ave. Unit 6

Markham, ON L3R 0N3

Tel: 905-415-8595

Email: [mlerman@gemterra.com](mailto:mlerman@gemterra.com)

**APPLICANT:**

Matthew Cory, MCIP, RPP, PLE, PMP

Principal

Malone Given Parsons Ltd.

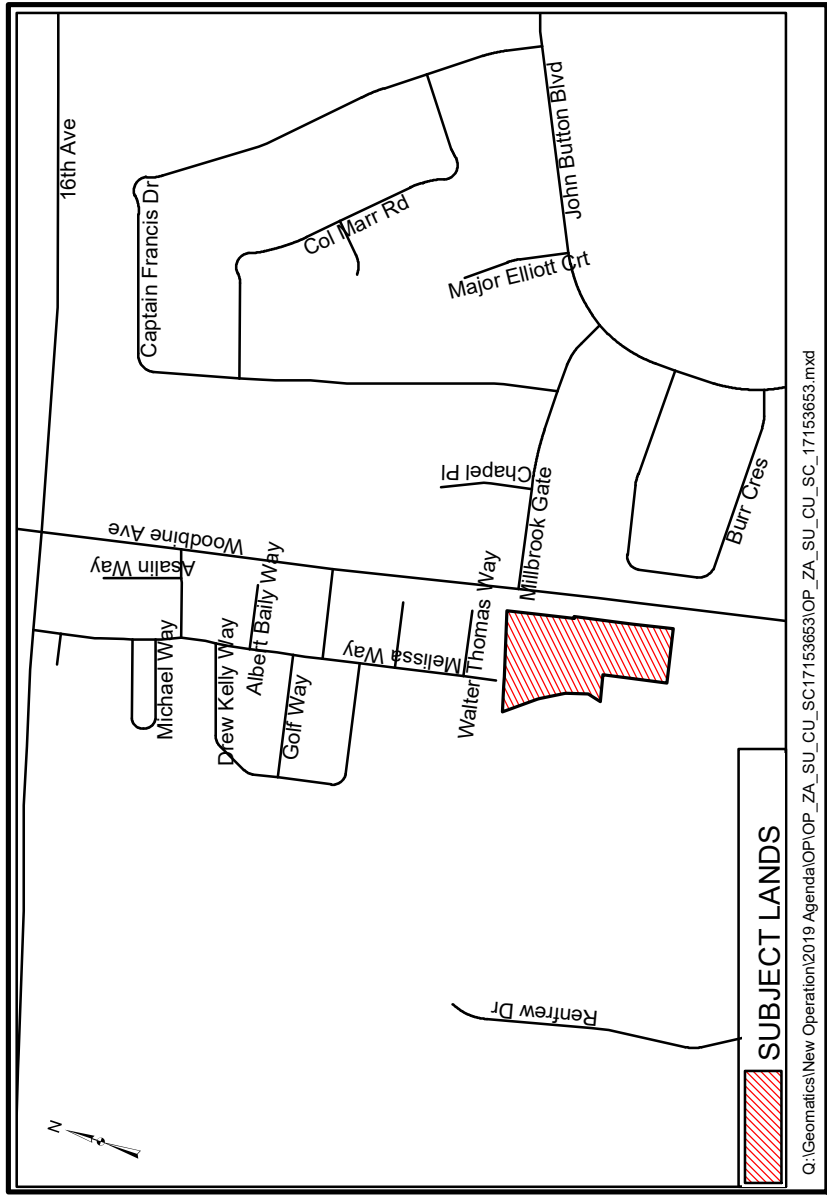
140 Renfrew Drive, Suite 201

Markham, ON, L3R 6B3

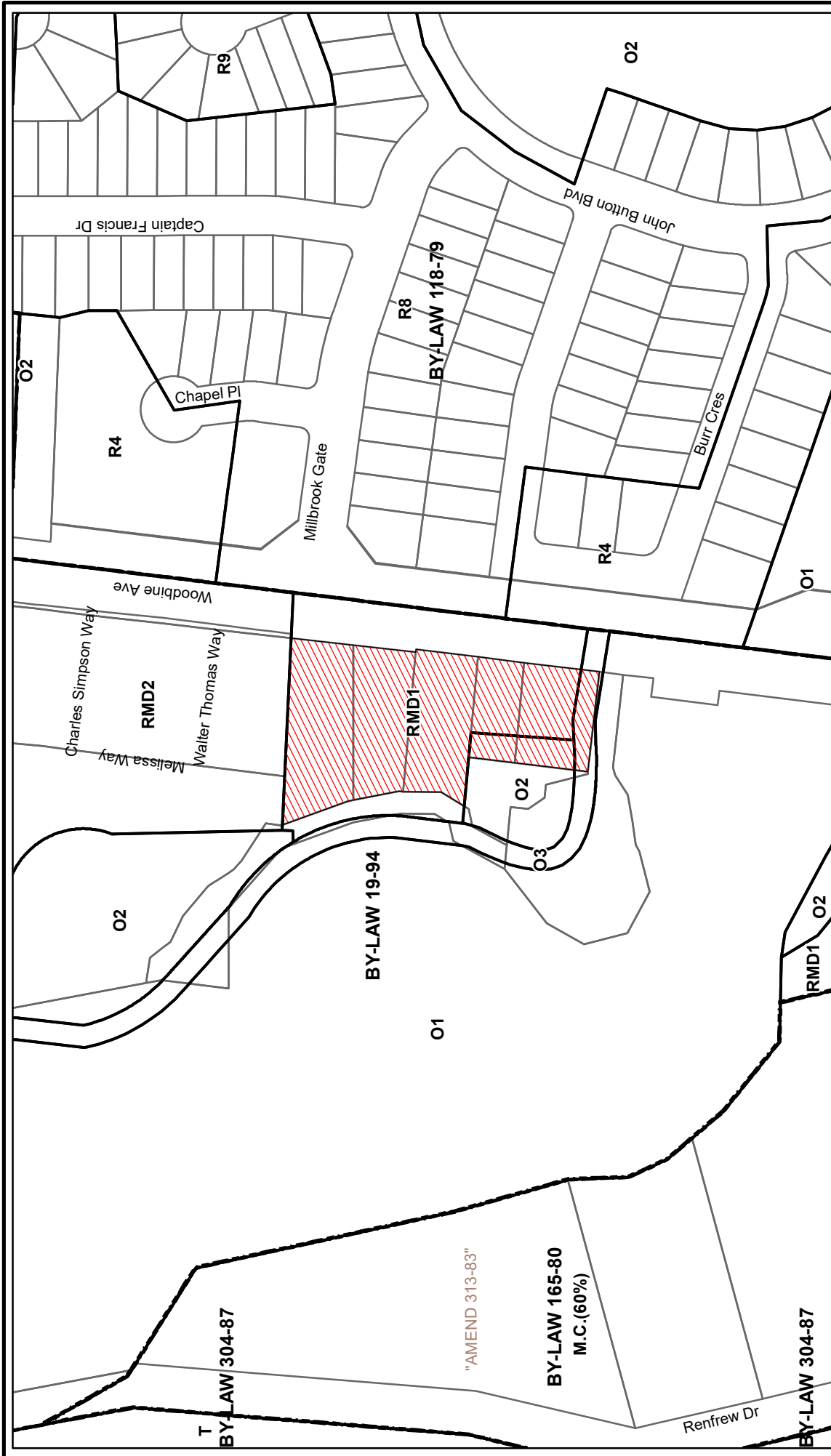
Tel: 905-513-0170 ext.138

Email: [mcory@mgp.ca](mailto:mcory@mgp.ca)

File path: Amanda\File 17 153653\Documents\Recommendation Report



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# AREA CONTEXT / ZONING

APPLICANT: GENTERRA (WOODBINE) INC.  
 9064 - 9110 WOODBINE AVE

FILE No. OP\_ZA\_SU\_CU\_SC\_17153653 (RC)

 SUBJECT LANDS

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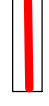
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Date: 11/01/2019

FIGURE No. 2



 SUBJECT LANDS

# AERIAL PHOTO (2018)

APPLICANT: GENTERRA (WOODBINE) INC.  
9064 - 9110 WOODBINE AVE

FILE No. OP\_ZA\_SU\_CU\_SC\_17153653 (RC)

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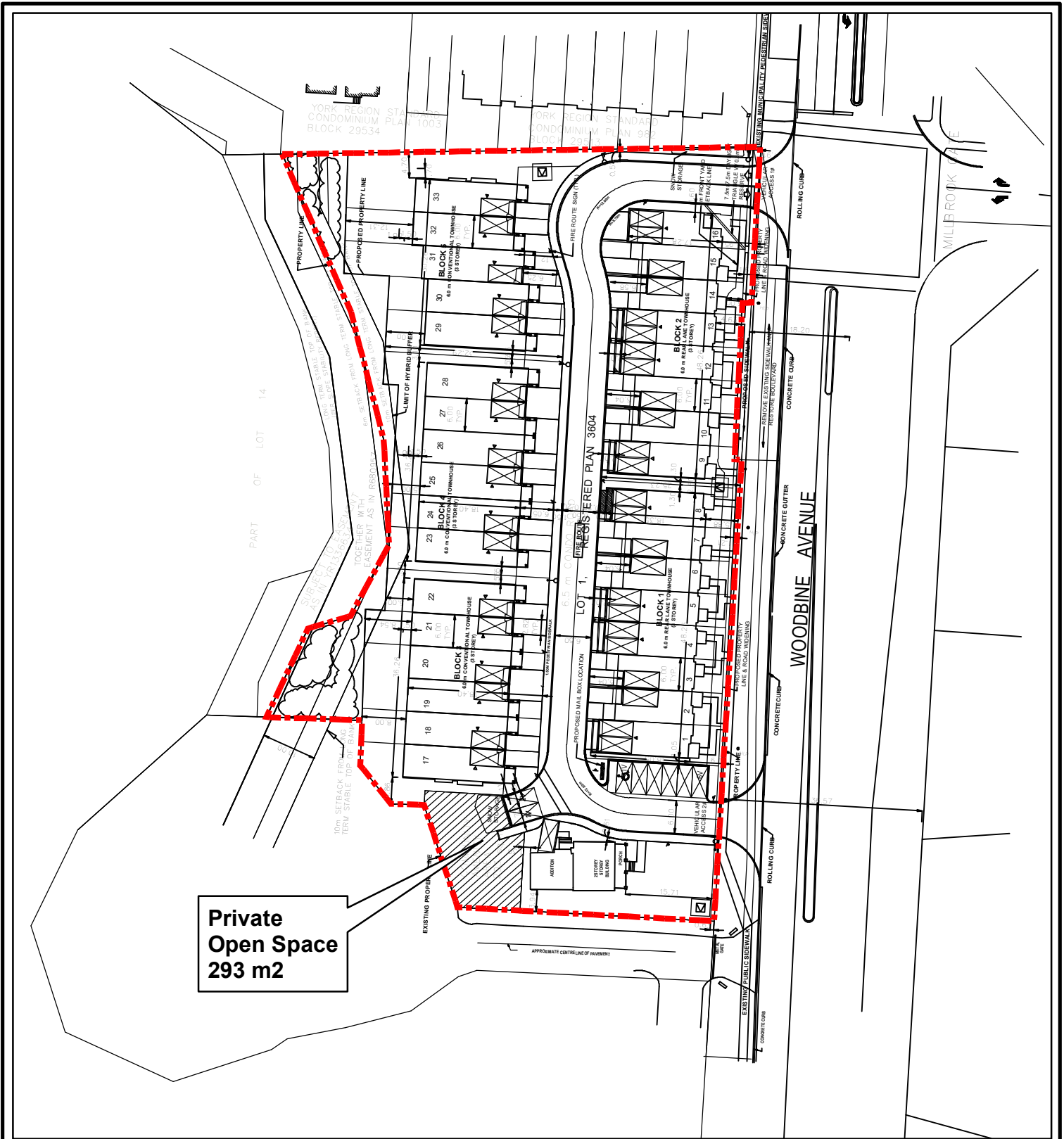


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Date: 11/01/2019

FIGURE No. 3





**Private  
Open Space  
293 m<sup>2</sup>**

# SITE PLAN

APPLICANT: GENTERRA (WOODBINE) INC.  
9064 - 9110 WOODBINE AVE

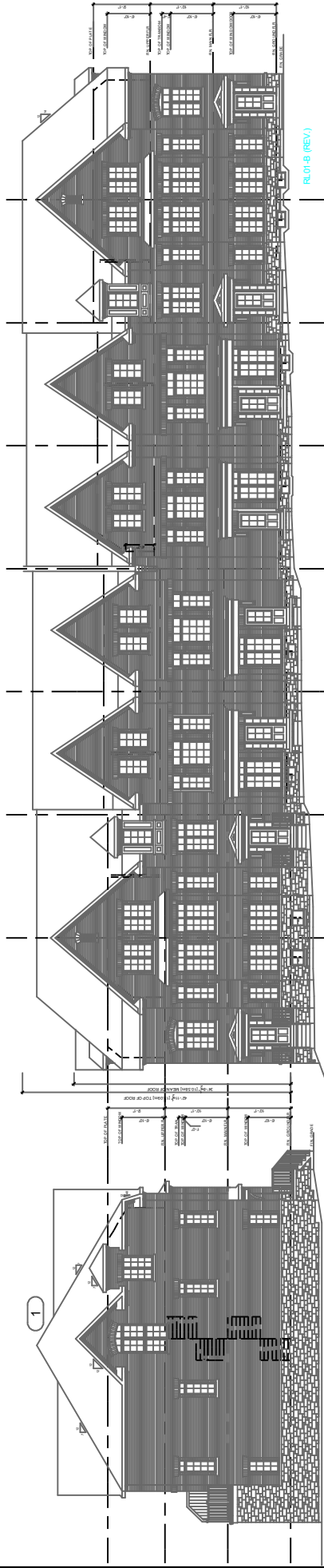
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-  SUBJECT LANDS
-  PRIVATE OPEN SPACE

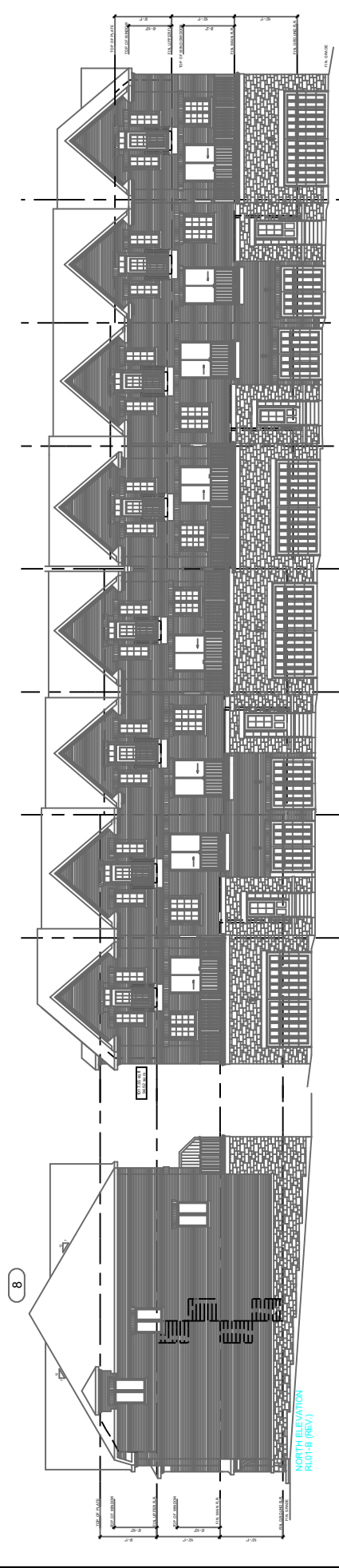
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DATE: 11/01/2019





FRONT ELEVATION (EAST)



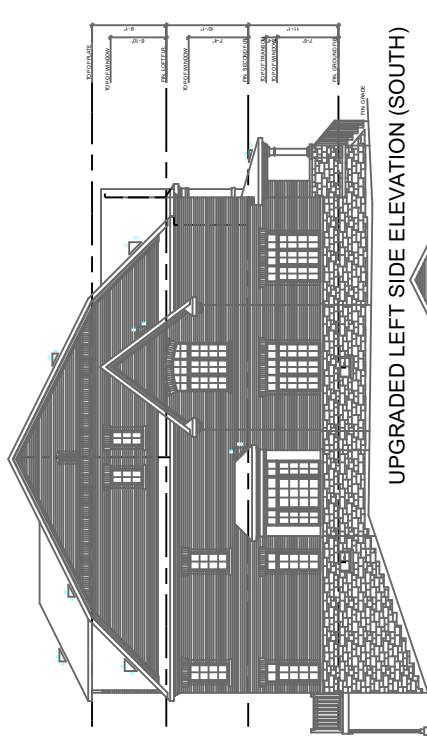
WEST ELEVATION

# TYPICAL ELEVATION - PRIVATE ROAD

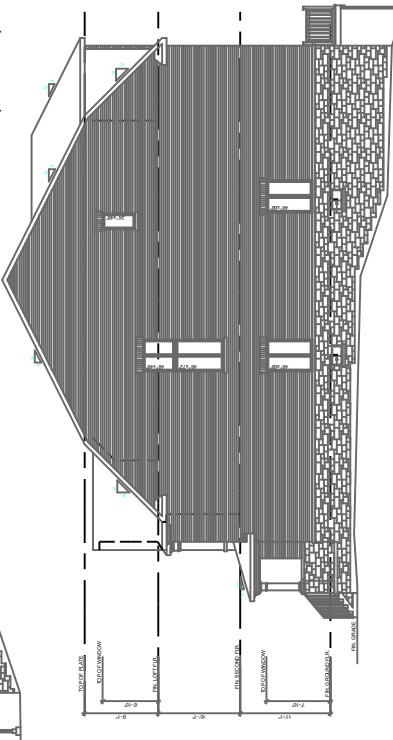
APPLICANT: GENTERRA (WOODBINE) INC.  
 9064 - 9110 WOODBINE AVE

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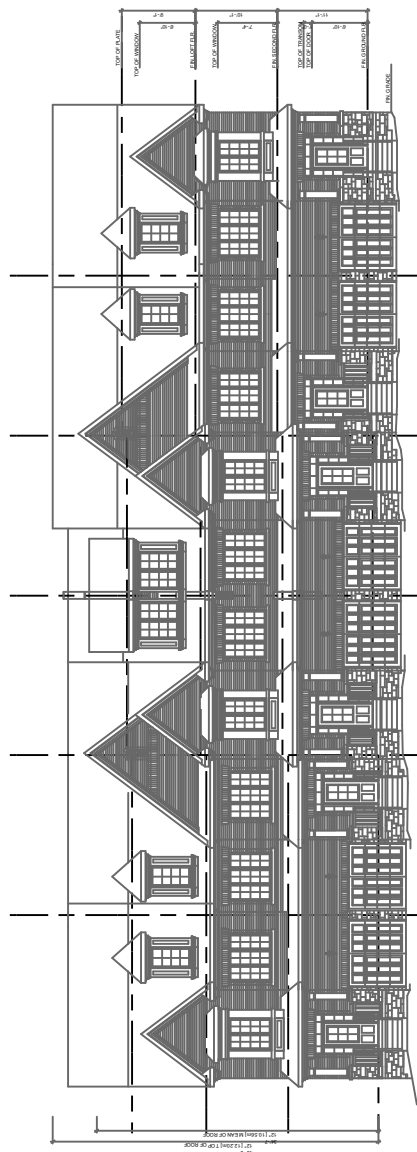
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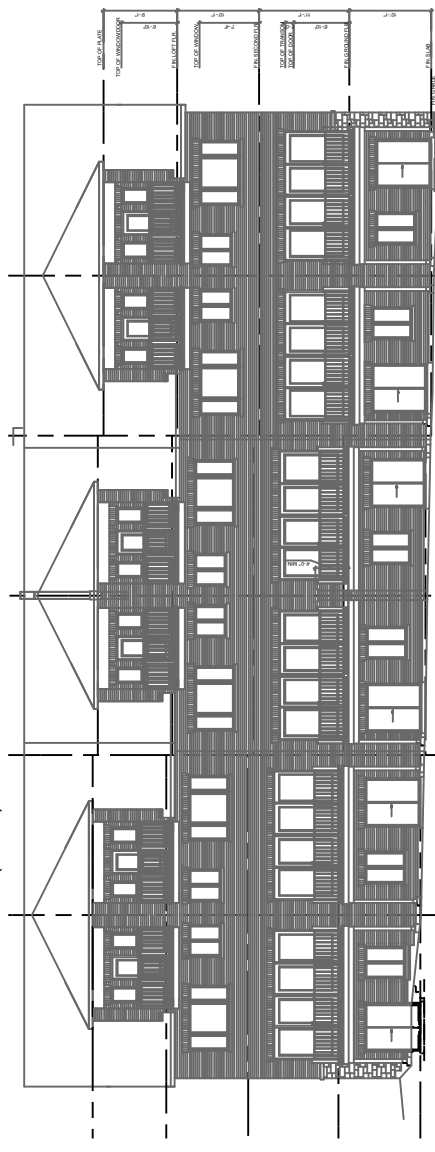
UPGRADED LEFT SIDE ELEVATION (SOUTH)



RIGHT SIDE ELEVATION (NORTH)



FRONT ELEVATION (EAST)



REAR ELEVATION (WEST)

# TYPICAL ELEVATION - WOODBINE AVE

APPLICANT: GENTERRA (WOODBINE) INC.  
 9064 - 9110 WOODBINE AVE

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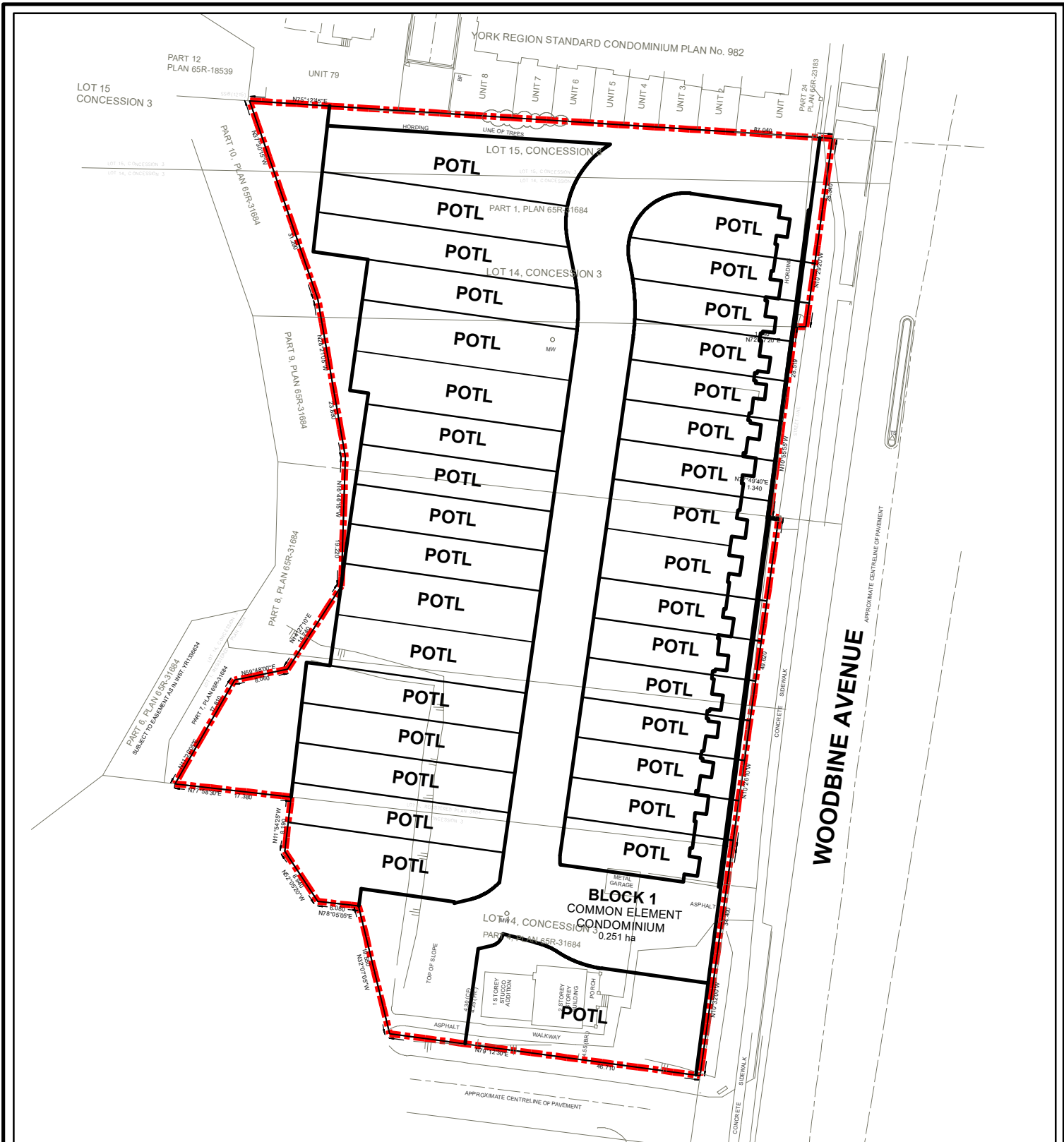
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FIGURE No. 6







# DRAFT PLAN OF CONDOMINIUM

APPLICANT: GENTERRA (WOODBINE) INC.  
 9064 - 9110 WOODBINE AVE

FILE No. OP\_ZA\_SU\_CU\_SC\_17153653 (RC)

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DATE: 11/01/2019



DEVELOPMENT SERVICES COMMISSION

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FIGURE No. 8

