



Report to: Development Services Committee

Meeting Date: May 13, 2019

SUBJECT: Preliminary Report-Garden Homes (Markham) Inc.
Applications for Official Plan Amendment, Zoning
Amendment, Draft Plan of Subdivision and Site Plan Control
to permit a Townhouse Development - 73 Main Street South,
Markham Village

PREPARED BY: Peter Wokral, Senior Heritage Planner ext. 7955

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Garden Homes (Markham) Inc. Applications for an Official Plan Amendment and Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control to permit a Townhouse Development, 73 Main Street South, Markham Village, Files OP 15 108135, ZA 15 108135, SU 17157341 and SC 17 157341,” dated May 13, 2019, be received;
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide preliminary information on the resubmission of Official Plan and Zoning By-law Amendments, Draft Plan of Subdivision and Site Plan applications seeking permission for a townhouse development at 73 Main Street South Markham Village. This report contains general information regarding applicable Official Plan policies and zoning, identifies issues, and does not represent Staff’s opinion or recommendation on the applications.

The Applications have been deemed complete

The Official Plan and Zoning By-law Amendment applications were submitted by the previous owner of the property, The Estate of Michael Werniuk, on September 24, 2015 and deemed complete in October 19, 2015. The Draft Plan of Subdivision and Site Plan Control applications were submitted by Garden Homes (Markham) Inc. to the City on September 6, 2017 and deemed complete on October 22, 2017. Garden Homes (Markham) Inc. assumed responsibility for the Official Plan and Zoning By-law Amendment applications submitted by the previous owner of the land.

BACKGROUND:

The subject property is a vacant naturalized parcel of land located on the east side of Main Street South, where it intersects Mill Street, north of Highway 407, south of Highway 7 East, in the Markham Village Heritage Conservation District (See Figure 1 and Figure 2–Location Map and Aerial Map). The irregular shaped lot is 0.41 ha (1.01 acres) in area and has a frontage on Main Street South of 63.61m, a Mill Street frontage of 33.53m to the north, and a Mill Street frontage of 23.36m to the east.

Surrounding Land Uses

Surrounding land uses include the wooded valley lands of the Rouge River to the north across Mill St., single detached dwellings to the south and across Main Street, and two semi-detached dwellings constructed in the 1960's to the east that front Mill Street. Large modern townhouse developments constructed in the last thirty years are located furthersouth on both sides of James Scott Road (See Figure 2-Aerial Photograph).

Application History

The Official Plan and Zoning By-law Amendment applications for 73 Main Street South were submitted to the City in the Fall of 2015 by MPlan Inc. under the 1987 Markham Official Plan. The original submission proposed 3 freehold townhouses fronting on Mill Street (eastern portion of the site) and 11 townhouses in the form of a rear lane condominium within the larger western portion of the site. The units fronting Main Street and Mill Street were proposed to be three storeys high.

A Community Information Meeting was held on the proposed development

This development proposal was the subject of a Community Information Meeting held on January 29th 2016. The majority of residents who attended the meeting were opposed to the proposed development due to the three storey height, the density of the proposed townhouses, and traffic concerns regarding the access to Mill Street. Following the Community Information Meeting, the applicant paused the application to reconsider the proposal, and no preliminary report was prepared, or Statutory Public Meeting scheduled.

The original applicant sold the property to another developer

The property was subsequently purchased by a new owner, Garden Homes (Markham) Inc., who assumed responsibility of the earlier Official Plan and Zoning By-law Amendment applications and submitted the Draft Plan of Subdivision and Site Plan Control applications on August 20, 2017 when the Residential Low Rise policies of the Official Plan 2014 had already come into effect.

The applications have been appealed to the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board (O.M.B.))

On November 8th and 24th, 2017, Garden Homes (Markham) Inc. appealed all four applications to the O.M.B. due to the City's lack of a decision on the applications, and to have the appeals subject to the O.M.B. procedures in force at the time, rather than the current Local Planning Appeal Tribunal (LPAT) procedures which came into effect on April 3, 2018.

The applicant requested a deferral of the LPAT/O.M.B. appeal

In December of 2017, the applicant requested the O.M.B. to hold the appeal of the applications in abeyance in order to facilitate direct discussions with the City's Planning Department.

The applicant added additional lands to the applications

In October of 2018, the applicant submitted Consent applications to the Committee of Adjustment seeking approval for the severance and conveyance of 24.38m (80 ft.) in depth from the rear yards of the adjacent residential properties at 14, 16, and 20 Mill

Street to be added to the subject property at 73 Main Street South. The severances were approved, and added a total of 783.2m² (8,419 ft²) to the subject property (See Figure 3-Additional lands).

PROPOSAL:**Original Submission**

The original submission proposed 3 freehold townhouses fronting on Mill Street (eastern portion of the site) and 11 townhouses in the form of a rear lane condominium within the larger western portion of the site. The townhouse units fronting both Main Street and Mill Street were proposed to be three storeys high (See Figures 4 and 5-Previous Site Plan and Perspective View).

Revised Current Concept

The applicant now proposes to construct 15 three storey townhouse dwellings divided into an 8 unit block fronting Main Street South, and a 7 unit block fronting an internal condominium road. The applicant also proposes to construct a new, free hold, semi-detached dwelling immediately south of the two existing 1960's semi-detached dwellings that front Mill Street (See Figures 6 and 7 & 8 Site Plan and Elevations)

OFFICIAL PLAN AND ZONING:Official Plan (Revised 1987)

When the Official Plan Amendment was deemed complete for the subject property, the land use policies of the Official Plan (Revised 1987) were in force. The subject property was designated as Urban Residential. This designation provides that Low Density Housing was to consist of single detached, semi-detached and single-attached dwellings with direct frontage on a public street such as street townhouses and linkhouse dwellings, and generally not exceed a gross residential density of 14.8 units per hectare (6 units per acre).

Medium Density I Housing was to consist of multiple dwelling types such as townhouses, street townhouses, terrace houses, duplexes, triplexes, fourplexes, maisonettes, etc at an overall site density not exceeding 31 units per hectare (12.5 dwelling units be acre).

Medium Density II Housing was to consist of multiple dwelling types at a net site density of 32 to 62 units per hectare (13-25 units per acre).

Official Plan 2014

The subject property is designated "Residential Low Rise" in the Official Plan 2014 (partially approved Nov. 24/17, and further updated on Apr. 9/18) which provides for a variety of lower-scale residential buildings including detached, semi-detached, and duplex dwellings, townhouse dwellings excluding back to back townhouses, and small multiplex buildings of 3 to 6 units all with direct frontage on a public street. Zoning By-law amendments to permit the above building types without direct frontage on a public street may be considered, at appropriate locations where a development block has frontage on an Arterial Road or Major Collector Road. The portion of Main Street South that the property fronts is designated as a Minor Collector road, but transitions to an Arterial Road south of the 407 interchange. The Official Plan also contains site specific

policies in section 9.13.4.8 which apply to the subject property that only permit detached and semi-detached dwellings, and a maximum building height of 2 storeys.

The Official Plan Amendment is therefore required to permit the type of dwellings (townhouses) and the height (3 storeys).

Land use objectives of this area of Markham Village include:

- Providing a variety of residential housing forms, tenures and densities;
- Recognizing the distinct character of the heritage buildings, historic sites and landscapes of the Markham Village Heritage Conservation District;
- Ensuring that infill development is compatible in terms of building design, building materials and treatments, landscaping and tree preservation;

Zoning

The subject property is zoned Residential (R1) under By-law 1229 which only permits one single detached dwelling on a lot, which would also be subject Infill By-law 99-90. Therefore, a Zoning By-law Amendment application is required to permit the proposed townhouse and semi-detached dwellings.

Markham Village Heritage Conservation District Plan

The Markham Village Heritage Conservation District Plan contains policies and guidelines intended to foster new buildings that are compatible with the heritage character of the district in terms of form, massing, scale proportions, and materials. Although the Markham Village Heritage Conservation District is primarily composed of single detached dwellings, it also contains both new and historic examples of townhouse dwellings.

OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues raised to date.

Site Grading:

- In order to have the internal condo road conform to Engineering Standards which permit a maximum slope of 6%, the current development proposal relies on the use of a retaining walls along its southern boundary which rises to a maximum height of 3.56m (11.7 ft.). The City's Engineering Department has indicated that the proposed retaining wall will not impact the neighbouring properties or prevent their owners from developing their properties in the future. The condominium corporation is proposed to be responsible for all future maintenance or replacement of the proposed retaining wall.

Tree Preservation:

- The subject property is heavily treed, and the proposed regrading of the property will necessitate the removal of all existing vegetation. If the applications are approved, appropriate tree replacements on the subject property, or compensation will be determined by the City's Urban Design Section through the Site Plan

review process in accordance with the City of Markham Trees for Tomorrow guidelines.

Architectural Style:

- The proposed townhouses and semi-detached dwellings are subject to the policies for new buildings contained in the Markham Village Heritage Conservation District Plan which are intended to encourage architecturally compatible buildings in terms of form, massing, scale and materials. The proposed grading of the property allows for basement garages accessible from the rear lane, which are only visible from the internal condominium road. The appearance of two storey dwellings is thus maintained from Main Street South and the adjacent properties to the east. The current concept will be reviewed by the Heritage Markham Committee for comments and recommendations.

Site Access:

- The fifteen proposed townhouses are accessed by an internal condominium road which connects to Mill Street. The portion of Mill Street that borders the subject property does not meet the City's minimum 6m wide requirement to permit two way traffic. The applicant proposes to dedicate 4m of land along the north end of the property to provide for the widening of Mill Street where it connects to Main Street South. The intersection of Mill Street and Main Street South is not signalized, which makes turning into and out of Mill Street difficult at certain times of day. However, residents of the proposed development seeking a safe access can travel two blocks south to the signalized intersection at James Scott Road and Main Street South.

Waste Management:

- The City's Waste Management Department requires a minimum pavement width of 6.0m, a minimum turning radius of 12m both within the site, and eastbound on to Mill Street, so that collection vehicles will not have to travel in reverse gear. The current site plan addresses these requirements by providing a secondary one way access to the eastern Mill Street frontage.

Parking/Snow Storage:

- The proposed townhouse units provide two parking spaces for the occupants of each unit and require a minimum of 3.75 (4) visitor parking spaces. The current proposal provides the minimum number of parking spaces required by the Parking By-law, but there are few opportunities in the immediate vicinity on local roads for additional on-site visitor parking. The proposed site plan also does not indicate any areas dedicated for the storage of snow. The developer has indicated that private snow removal will be required.

Access to Parks/Open Spaces:

- The subject property is not located close to any public park but provides an outdoor landscaped amenity space adjacent to Mill Street and is located near to

open spaces such as Milne Dam Conservation Park and valley lands and trails of the Rouge River valley.

Application Status/ Next Steps:

Because the applications have been appealed to the O.M.B (now the Local Planning Appeal Tribunal – LPAT), the decision to approve, or not, rests with this body, and Council is no longer the approval authority. Furthermore, because of the appeal, there is no requirement to schedule a Statutory Public Meeting. Despite this, planning and legal staff recommend the scheduling of a Public Meeting on May 21, 2019 to provide an opportunity for the public to review and comment on the proposal. Staff will then prepare a public information report on the proposed development and an in-camera recommendation report on the merits of the application for Council to review and provide recommendations and instructions regarding the revised proposal at a future Development Services Committee meeting.

FINANCIAL CONSIDERATIONS

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application will be considered with the context of the City's growth management and strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies, as well as the Heritage Markham Committee, and was partially reviewed prior to the applicants appeal to the O.M.B. The O.M.B. is now the approval authority.

RECOMMENDED BY:

Biju Karumanchery, RPP, MCIP
Director, Planning and Urban Design

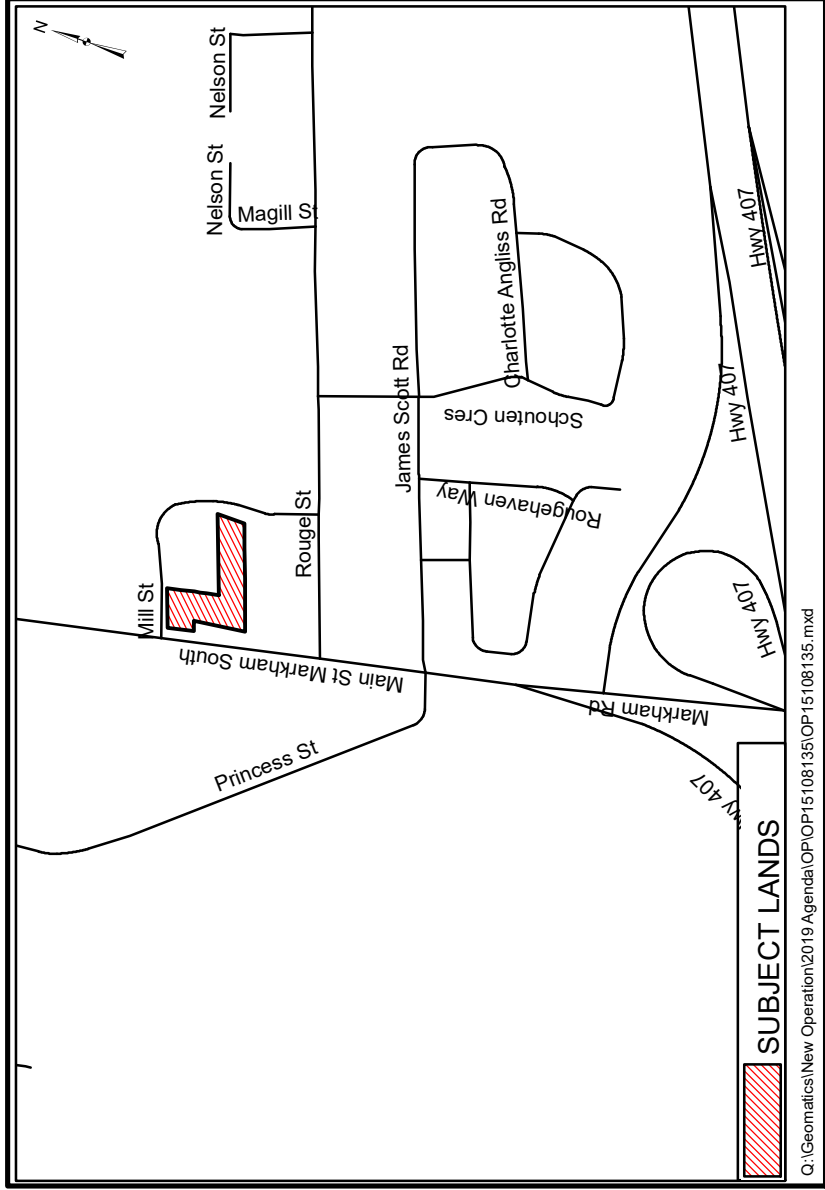
Arvin Prasad, MPA, RPP, MCIP,
Commissioner of Development
Services

ATTACHMENTS:

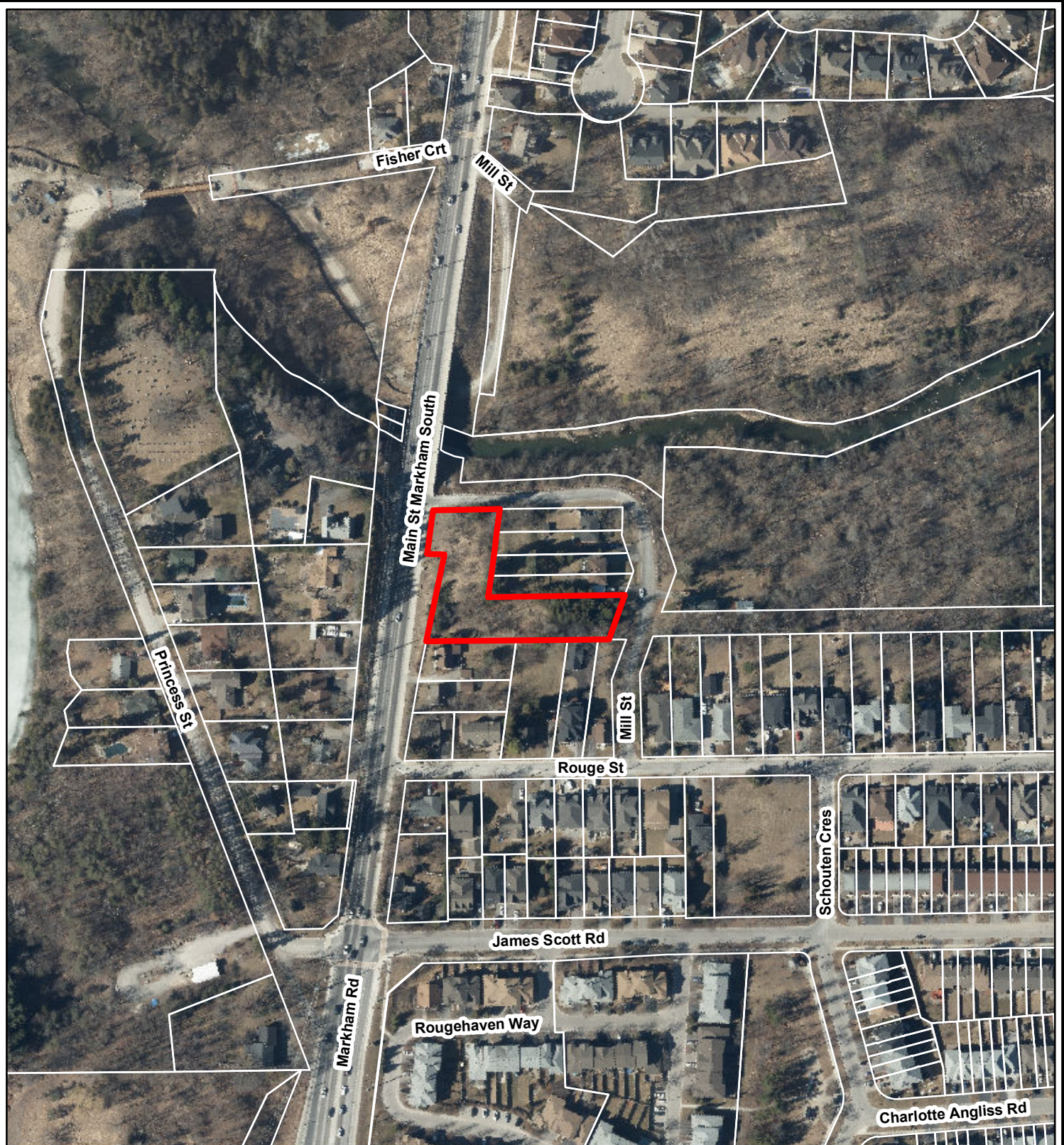
Figure 1	Location Map
Figure 2	Aerial Map
Figure 3	Additional Lands
Figure 4	Previous Concept Site Plan
Figure 5	Previous Concept Perspective Views
Figure 6	Current Site Plan
Figure 7	Current Main Street South Townhouse Elevations

Figure 8

Current Semi-Detached Dwelling Elevation



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AERIAL PHOTO (2018)

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

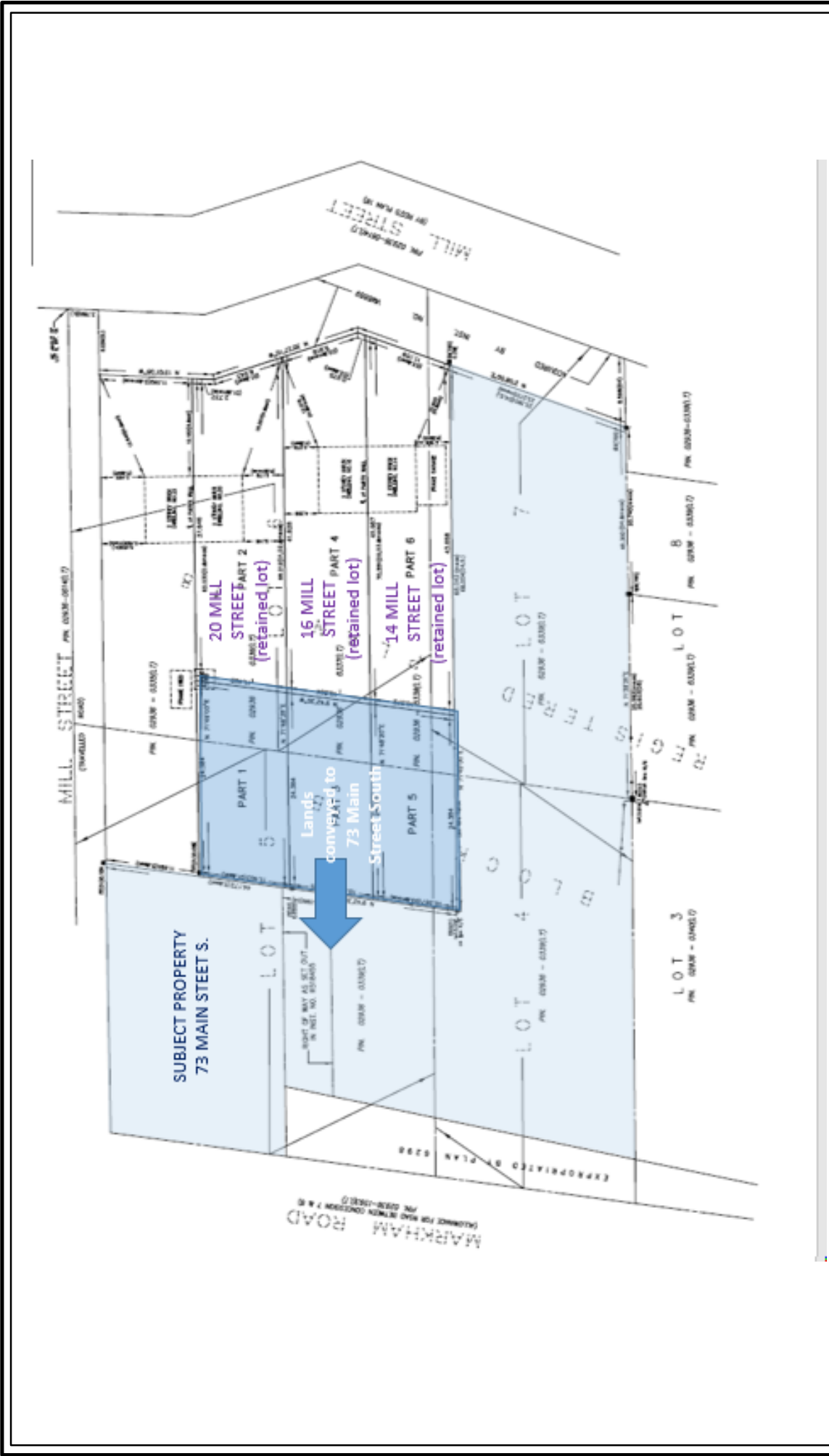
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 Subject Lands

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ADDITIONAL LANDS

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

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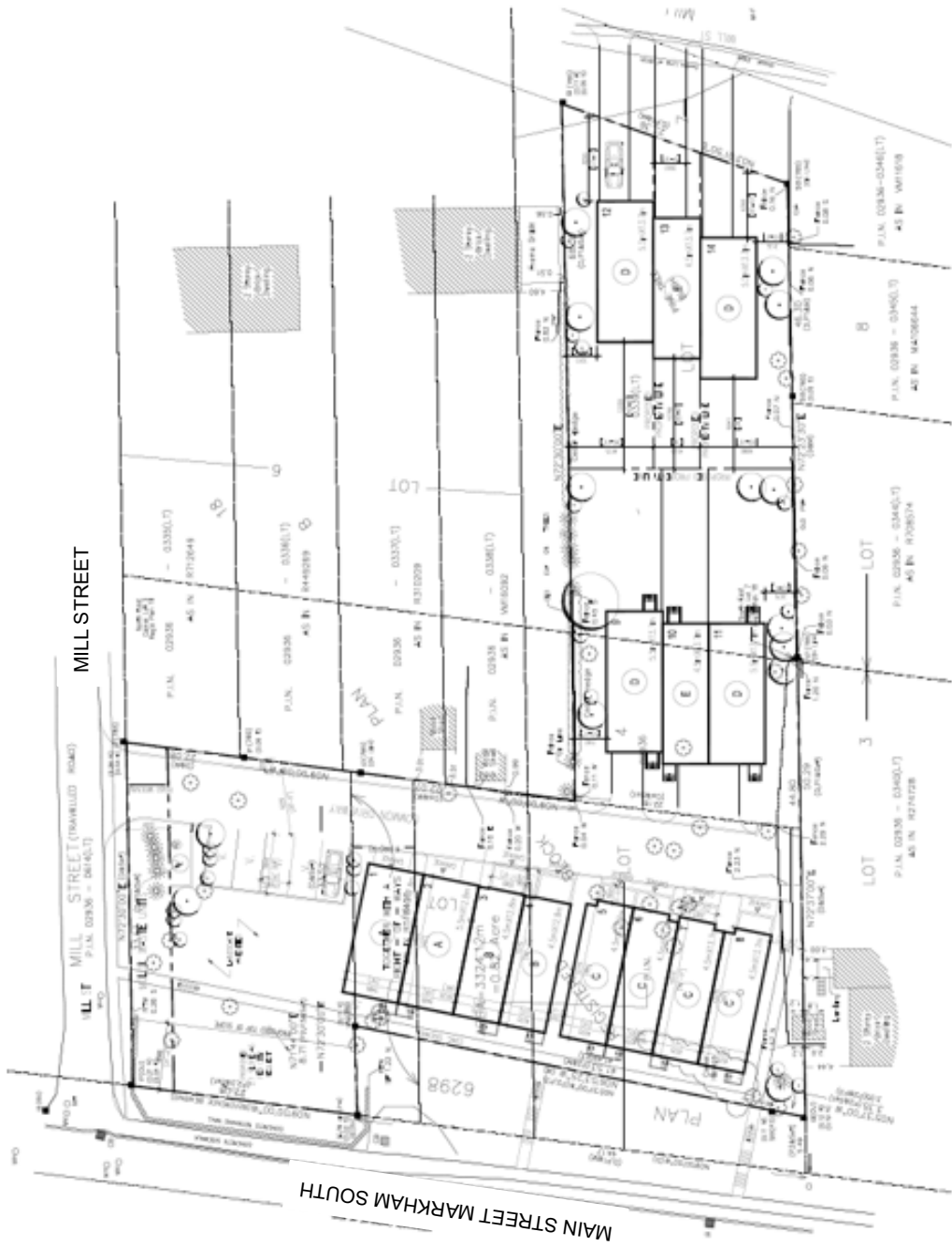


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FIGURE No.3

Date: 01/04/2019





PREVIOUS CONCEPT SITE PLAN

APPLICANT: Garden Homes (Markham) Inc.

73 Main St. South

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FIGURE No.4

Date: 01/04/2019





View of the Proposed Develop

PREVIOUS CONCEPT PERSPECTIVE VIEWS

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

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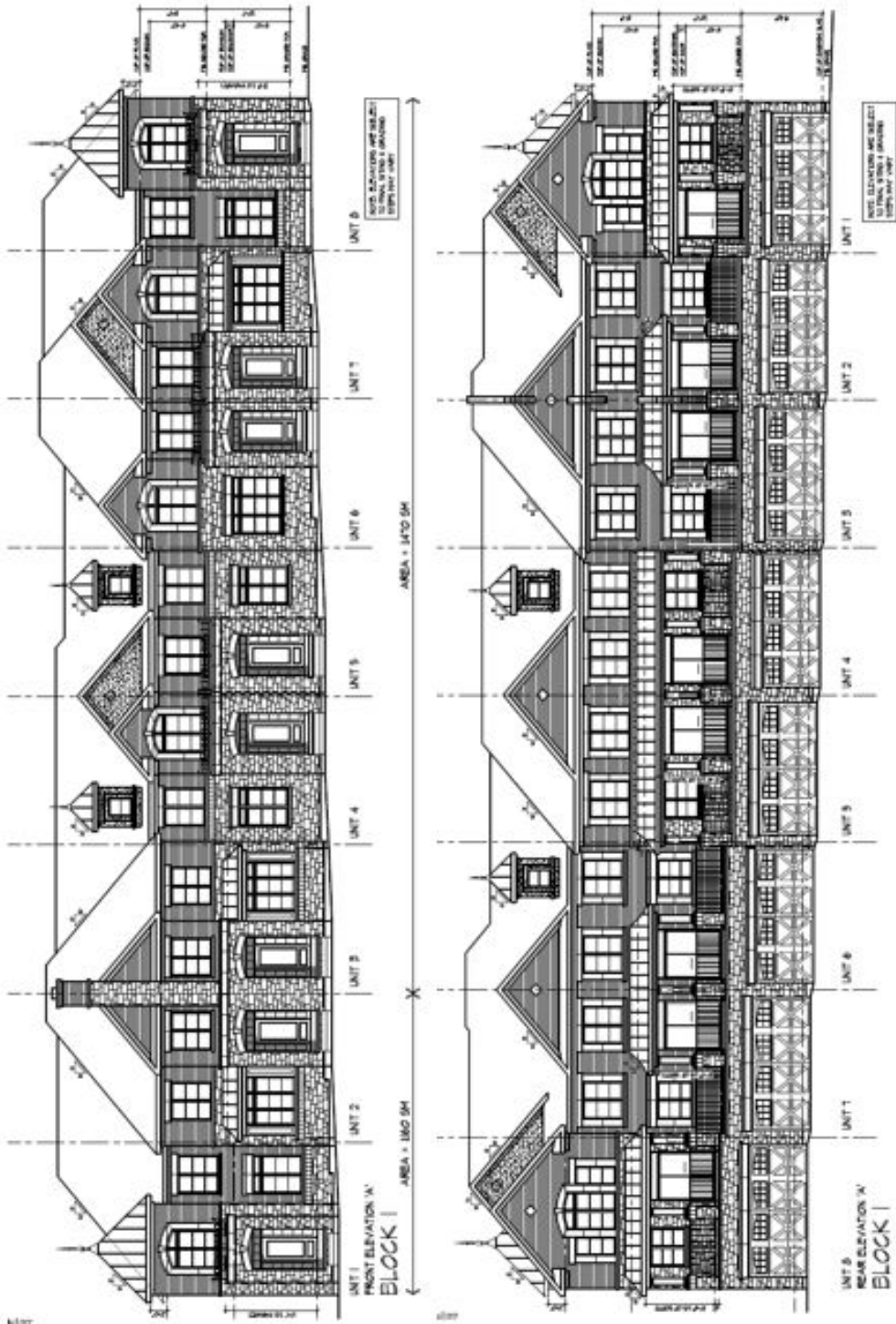


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FIGURE No.5





Front and Rear Elevations of Main Street South Block of Townhouses

CURRENT MAIN STREET SOUTH TOWNHOUSE ELEVATIONS

APPLICANT: Garden Homes (Markham) Inc.
 73 Main St. South

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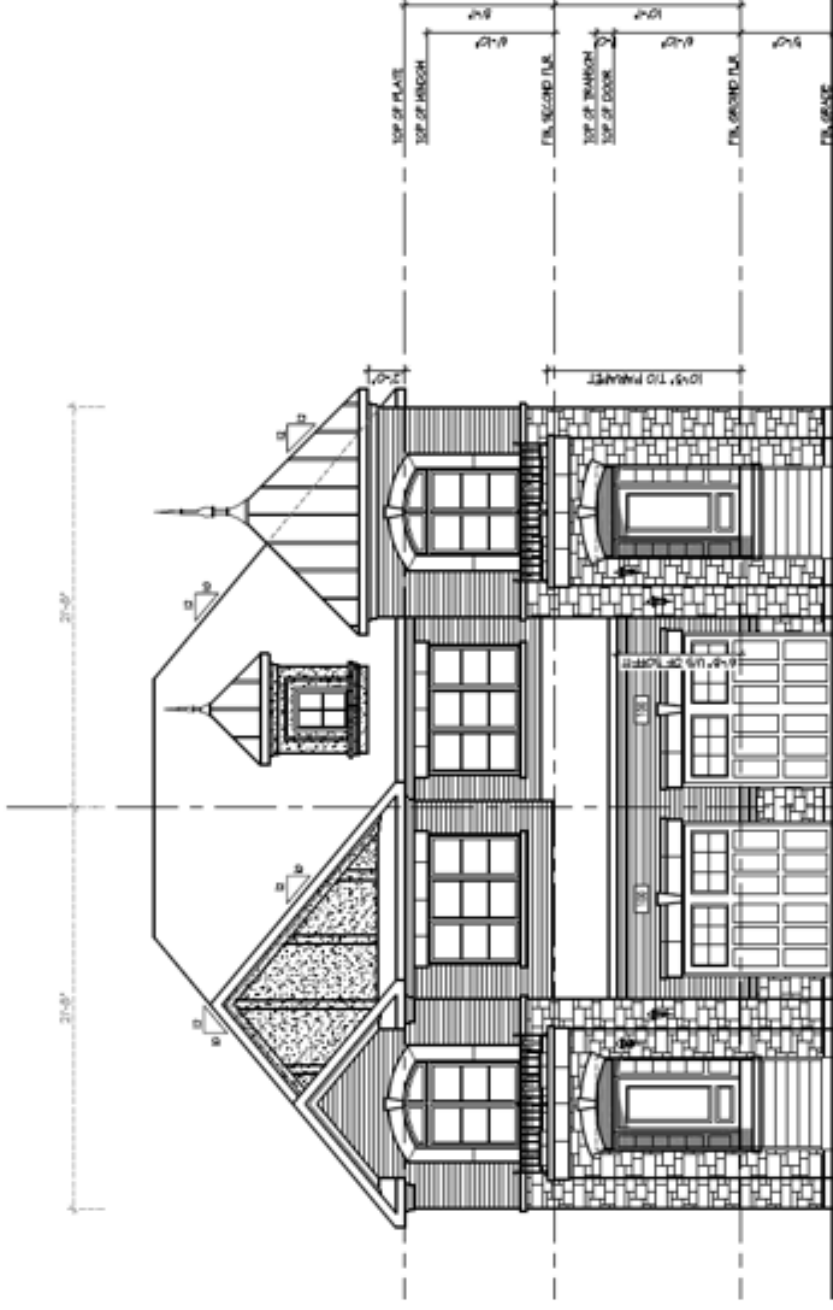
MARKHAM DEVELOPMENT SERVICES COMMISSION

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FIGURE No.7

Date: 01/04/2019



NOTE: ELEVATIONS ARE SUBJECT TO FINAL SITING & GRADING STEPS MAY VARY

FRONT ELEVATION 'A'
BLOCK 3

Elevation of Proposed Semi-Detached Dwelling
Fronting Mill Street

CURRENT MILL STREET SEMI DETACHED DWELLING ELEVATION

APPLICANT: Garden Homes (Markham) Inc.
73 Main St. South

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FIGURE No.8

