



Report to: Development Services Committee

Meeting Date: May 13th, 2019

SUBJECT: PRELIMINARY REPORT, Sasson Construction Inc.,
Zoning By-law Amendment application to permit high
density mixed use development at 9351-9399 Markham Road,
Ward 5, File No: ZA 18 140091

PREPARED BY: Stacia Muradali, Ext. 2008
Senior Planner, East District

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

RECOMMENDATION:

1. That the report titled “PRELIMINARY REPORT, Sasson Construction Inc., Zoning By-law Amendment application to permit high density mixed use development at 9351-9399 Markham Road, Ward 5, File No: ZA 18 140091”, be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the application submitted by Sasson Construction Inc. to amend the Zoning By-law to permit mixed use high density development at 9351-9399 Markham Road. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff’s opinion or recommendation on the application.

Application deemed complete

The Zoning By-law Amendment application was deemed complete on December 13th, 2018 for circulation purposes. The application materials have been circulated to all City departments and external agencies for review.

Next Steps

1. Statutory Public Meeting – tentatively scheduled for May 21st, 2019.
2. Recommendation report on the zoning by-law amendment application when appropriate and after the draft vision for the Markham Road/ Mount Joy Corridor Secondary Plan has been accepted by Council.
3. Enactment of the zoning by-law if approved by Council.
4. Submission of a site plan application.
5. Recommendation report on the site plan application.
6. Site plan endorsed by Development Services Committee and site plan

approval issued by Staff.

7. Submission of a condominium application.

BACKGROUND:

Subject land and area context

The subject land (9351-9399 Markham Road) is located on the east side of Markham Road, south of Bur Oak Avenue, north of the termination of Edward Jeffreys Avenue to the west, west of the rail corridor and is approximately 0.76 hectares (1.89 acres) (Figure 1). There are several existing industrial and commercial buildings located on the subject land, one of which is a wheel and tire establishment. Markham Subaru, a single storey commercial building in which the Cham Shan Temple is located, and Mount Joy GO Station are located to the north. There are high density mixed use buildings ranging from 14 to 20 storeys across the street fronting onto the west side of Markham Road, and medium and low density development further west. Car rental establishments and commercial/ retail development are located to the south. The GO/ Metrolinx rail corridor is to the east and further east across the rail corridor are the Mount Joy Community Centre and community amenities (Figure 3).

Proposed development

The proposed development will be comprised of two (2)- 19 storey residential towers situated on top of a four (4) storey podium for a combined height of 23 storeys (Figure 5). Grade related commercial uses of approximately 585 square metres (6,297 square feet) and 40,392 square metres (434,775 square feet) of residential gross floor area (GFA) are proposed. The proposed development will also consist of a total of 438 residential units and 540 parking spaces. Two (2) driveways are proposed, one (1) north of the proposed building (Tower A) which will be used primarily for loading, and a second driveway on the south side of the proposed building which will access the parking garage and building lobby (Figure 4). There will be an underground parking garage as well as the provision of above-grade parking located in the podium. 1,337 square metres (14,391 square feet) of outdoor amenity space will be provided on the fifth floor in addition to 860 square metres (9,257 square feet) of indoor amenity space. A total of 540 parking spaces is proposed which represents a total parking deficiency of 144 parking spaces (98 residents, 45 visitors and 1 commercial parking space deficiency).

Provincial policy framework

Provincial Policy Statement, 2014 (PPS, 2014)

The proposed zoning by-law amendment will be evaluated against the PPS, 2014 especially in terms of managing and directing land use to achieve efficient and resilient development and land use patterns. Specifically the following will be evaluated:

- Promoting efficient development and land use patterns;
- Accommodating an appropriate range and mix of residential, employment, institutional, recreational, parks and open space, and other land uses to meet long term needs;
- Improving accessibility for persons with disabilities and older persons;
- and
- Integrating servicing, transportation and land use considerations.

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017)

The proposed zoning by-law amendment will be evaluated against the Growth Plan, 2017 especially in terms of supporting the achievement of complete communities that:

- Feature a diverse mix of land uses;
- Provide a diverse range and mix of housing options;
- Expand convenient access to a range of transportation options, public service facilities, and an appropriate supply of safe, publicly-accessible open spaces, trails and recreational facilities; and
- Integrate green infrastructure and low impact development.

The applicant is required to demonstrate how they are achieving the overall objectives of the PPS, 2014 and the Growth Plan, 2017. Staff will work with the applicant to ensure that these objectives are achieved.

York Region Official Plan

The subject site is located within the “Urban Area” in the York Region Official Plan (2010), as amended (“Region Official Plan”). One of the objectives of the Region’s Official Plan is to ensure that buildings throughout York Region achieve a high level of water and energy conservation performance as a key component of sustainable communities by:

- Achieving energy efficiency levels that exceed the Ontario Building Code (OBC) for residential buildings;
- Achieving 10% greater water conservation than the (OBC) for all new buildings;
- Encouraging new buildings to be designed and certified to LEED Silver, Gold or Platinum;
- Encouraging enhanced indoor air quality in buildings and the use of environmentally preferable materials in all new development;
- Requiring the installation of rainwater harvesting systems on all new residential buildings for outdoor irrigation and outdoor water use;
- Encouraging the use of water conserving, drought resistant landscaping;
- Encouraging local heat island effects mitigation in all development; and
- Encouraging the use of locally/ regionally sourced building materials.

Official Plan and Zoning

The subject land is shown as “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the “City’s 2014 Official Plan”). However, the subject land is located within the Markham Road/ Mount Joy Corridor (“Mount Joy Corridor”) in the City’s 2014 Official Plan which requires a new Secondary Plan for the Mount Joy Corridor. The Mount Joy Corridor Secondary Plan (the “Secondary Plan”) will incorporate a land use planning study, transportation study and municipal servicing study which ultimately will inform opportunities and constraints facing development and growth along the Mount Joy Corridor. One of the main components of the Secondary Plan is to determine if and how

much to increase population and employment density, and the services and amenities which are needed to support the population (both residential and employment).

Until the Secondary Plan is approved, the policies of the City's Official Plan (Revised 1987), as amended, shall apply. The Official Plan (Revised 1987), as amended designates the subject property "Community Amenity Area" which provides for a range of commercial, retail, service, community, institutional, and recreation services. Medium and high density may be allowed, if appropriate, subject to a rezoning and specific development proposal.

The subject land is zoned "Highway Commercial ("M.HC)" in by-law 88-76, as amended (Figure 2). The current zoning permits a range of commercial uses. The subject land needs to be rezoned to permit the proposed development.

OPTIONS/ DISCUSSION:

The following is a list or preliminary summary of concerns/ issues raised to date. Other matters that are identified through the detailed review of these applications will be discussed in a future recommendation report. Some of the issues identified include, but are not limited to:

1. Recent applications, especially for high density development in the Mount Joy Corridor have not been advancing beyond the statutory Public Meeting until the draft vision for the Secondary Plan has been accepted by Council. This is important because the Mount Joy Corridor has and continues to experience growth through primarily medium and high density developments. The Secondary Plan allows the City to comprehensively plan for growth in the area and to ensure that the transportation and municipal services infrastructure, community services including parks, community and recreational facilities and schools etc., needed to serve the population (both residential and employment) are provided.
2. Review of the appropriateness of the proposed zoning by-law amendment including compatibility with existing and future planned land uses, the appropriateness of the proposed density and development in the context of the Secondary Plan, and appropriateness of the proposed parking reduction is on-going.
3. The proposed development substantially increases the peak water flow compared to the existing flow. The City's sanitary sewers downstream of the proposed development also has capacity constraints that relate to the proposed development. Servicing issues for all proposed and potential future development including the subject site will be examined and addressed as part of the Secondary Plan exercise.
4. The proposed southerly access is located immediately north of the existing signalized intersection at Markham Road and Edward Jeffreys Avenue

- which is problematic because of insufficient spacing. It is recommended that the driveway be consolidated with the access on the adjacent property to the south or an alternative access be proposed.
5. Appropriate Section 37 contributions, including public art contributions, will be implemented in the amending zoning by-law and any site plan approvals.
 6. The proposed development is required to achieve minimum LEED Silver.
 7. Comments from external agencies including Metrolinx must be addressed, including provision of a sufficient buffer relative to the railway track. Metrolinx will also comment on whether the proposed parking located within the building podium will be permitted within the buffer.
 8. A future site plan application will be required which will evaluate the interface of the proposed development with surrounding development, the site layout, building elevations and materials, landscaping, amenity space and parking configuration, and determination of the appropriate amount of parkland dedication.
 9. A Holding (H) provision may be required subject to confirmation that the downstream sanitary system along the Mount Joy Corridor has available capacity to service the proposed development.
 10. Analysis of the proposed parking reduction from 684 parking spaces to 540 parking spaces is being undertaken and review of the parking justification study submitted by the applicant.
 11. Demonstration of conformity of the proposed development with the provincial and regional planning policy context.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being considered within the context of the City's safe and sustainable community strategic priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various departments and external agencies and is currently under review. All conditions and requirements received will be reviewed and if appropriate, will be incorporated into the proposed amendment.

RECOMMENDED BY:

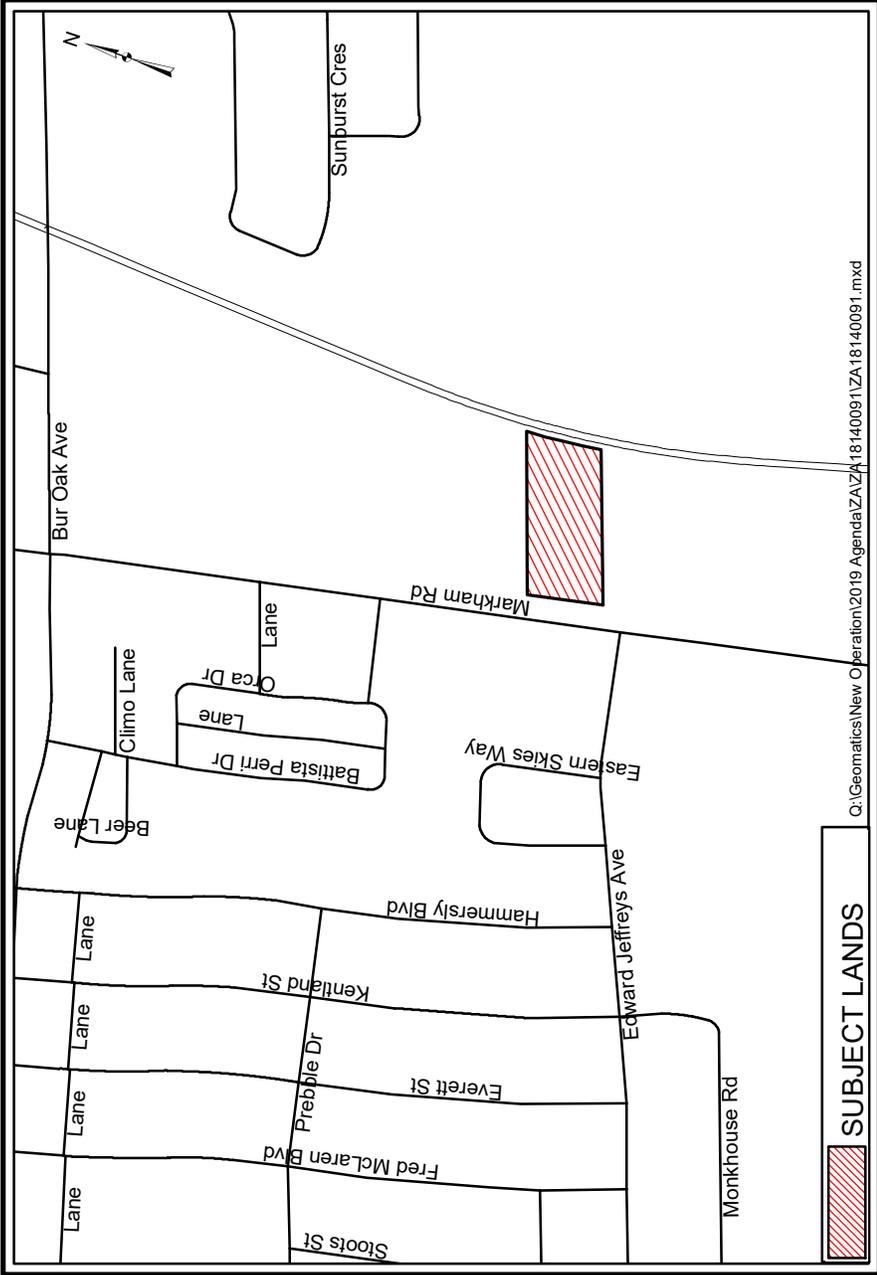
Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager

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

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Area Context/ Zoning
- Figure 3: Air Photo
- Figure 4: Proposed Conceptual Site Plan
- Figure 5: Proposed Conceptual Renderings

File path: Amanda\File 18 140091\Documents\Preliminary Report



SUBJECT LANDS

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AERIAL PHOTO (2018)

APPLICANT: Sasson Construction Inc.
9351-9399 Markham Road

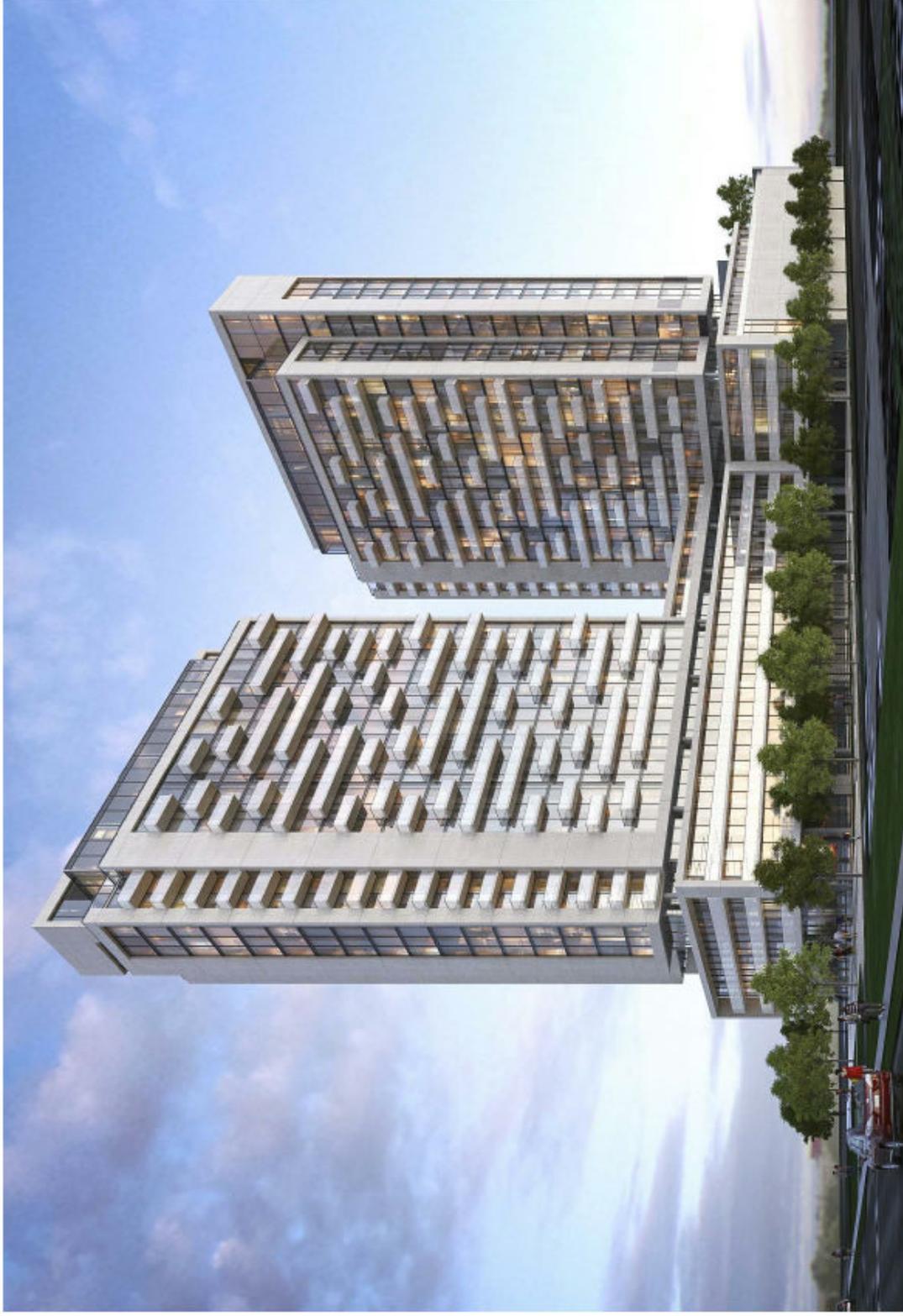
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 Subject Lands

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Date: 19/03/2019





PROPOSED COLOURED RENDERING

APPLICANT: Sasson Construction Inc.
9351-9399 Markham Road

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Drawn By: CPW

Checked By: SM

Date: 19/03/2019

FIGURE No. 5