



MEMORANDUM

BK.

From: Arvin Prasad, Commissioner of Development Services

To: Members of Council

Prepared by: Sally Campbell, Development Manager, East District

Date: May 9, 2019

Re: **2522584 Ontario Inc.**
Zoning By-law Amendment Application
Eight (8) townhouse dwellings on the east side of Marydale Avenue
File No. ZA 18 229047
Supplementary Information

At their meeting on April 29, 2019, Development Services Committee (DSC) resolved to approve in principle the zoning by-law amendment application submitted by 2522584 Ontario Inc., to permit one block of eight, three-storey townhouse dwellings on the lands located on the east side of Marydale Avenue, south of Denison Street and west of Markham Road (See Figures 1 - 4).

DSC received deputations from area residents and businesses who cited concerns relating to the compatibility of the proposed building type, height and massing in relation to the neighbouring single detached two-storey homes to the south and west of the subject lands. Committee consented to approve the application in principle while allowing the applicant to consider additional comments received during a community information meeting prior to the development receiving Council approval.

The purpose of this memorandum is to provide Council with an update on these matters prior to the Zoning By-law Amendment being enacted.

Community Information Meeting held May 8, 2019

The Ward 7 Councillor delivered 249 notices to residents and property owners within 200 metres of the subject lands inviting people to the community meeting, which was at one of the commercial units adjacent to the subject lands.

The applicant's representative made a brief presentation confirming the 2014 Official Plan designation, which permits the proposed development. It was explained that the zoning amendment is required to implement the proposed townhouses because the current zoning on the subject lands permits only restaurants, offices, financial institutions, retail stores, dry-cleaning establishments and other service related uses. The current zoning also permits maximum building heights of 12 metres. A series of display boards showed the 2014 Official Plan and Zoning information and demonstrated that the height of mid-point of the townhouse unit closest to the

existing single detached home to the south is 10.7 metres. While the dwelling to the south is physically lower than 10.7 metres in height, it is zoned to permit a maximum building height of 10.7 metres, as illustrated in Appendix 'B', attached to this memo.

It was described how the proposed three-storey townhouse block provides an appropriate transition [in terms of building type, the proposed use and building height] between Markham Road, along which is a proposed three-storey (13.4 metre high) medical / office building and three-and-a-half storey stacked townhouses, both of which were supported by the City, and the single detached homes to the south and west.

Approximately 30 people attended the community information meeting and several voiced concerns to which the staff response is as follows:

- *The proposal does not meet the Official Plan requirements for mixed-use.*

The 'Mixed Use Mid Rise' designation provides for townhouses. A mix of uses is required on larger sites of one hectare or bigger. The subject lands are 0.17 hectares in area and can be developed with solely residential uses. The proposed development conforms to the 2014 Official Plan.

- *Three-storey townhouses are not appropriate next to existing single detached homes.*

Three-storey and two-storey buildings are compatible and can exist side by side. The existing single detached homes in the vicinity are designated 'Residential Low Rise' in the 2014 Official Plan, which also provides for townhouses up to three-storeys in height together with other low rise residential building forms. Notwithstanding the subject lands are designated 'Mixed Use Mid Rise' the built form and heights proposed are the same as those of the 'Residential Low Rise' designation. The proposed development provides an appropriate built form adjacent to two-storey detached homes.

- *Existing traffic congestion will be worse.*

A traffic impact study was submitted with the zoning by-law amendment application and is acceptable to Transportation Engineering staff.

- *Insufficient parking and concerns about front yard parking and street parking.*

Each townhouse unit will have one parking space in the garage and one on the driveway, which meets the City's parking by-law requirements. The garages are extra deep meaning that a third small car can be parked or other items to be stored. The third space does not meet the required dimensions for a parking space and is not counted towards the overall parking supply. In the event that residents park in a manner that contradicts the City's parking by-law then enforcement action can be taken.

- *There should be another statutory public meeting, as insufficient notices was given.*

The City has fulfilled its notice obligations and public meeting requirements under the Planning Act. Residents were notified that the application had been received in October 2018 and a sign was installed on the subject lands. Notices of the statutory public meeting were mailed on December 28, 2018 and a sign about the meeting was installed on the subject lands. The statutory public meeting was held on January 22, 2019.

Summary

At DSC on April 29th, 2019 staff considered that reducing the height of part of the townhouse block to two-storeys would offend the 2014 Official Plan. Following further discussion and considering of the intent of the minimum height provisions, staff can confirm that provided, the main building meets the minimum height requirement of three-storeys, a smaller two-storey component would not result in an OP compliance issue. However, the applicant has decided to maintain the three-storey built form, as proposed.

In accordance with the resolution of DSC at the April 29th, 2019 meeting, staff recommend that the zoning by-law amendment be finalized and enacted at the May 14, 2019 Council meeting without further notice.

Attachments:

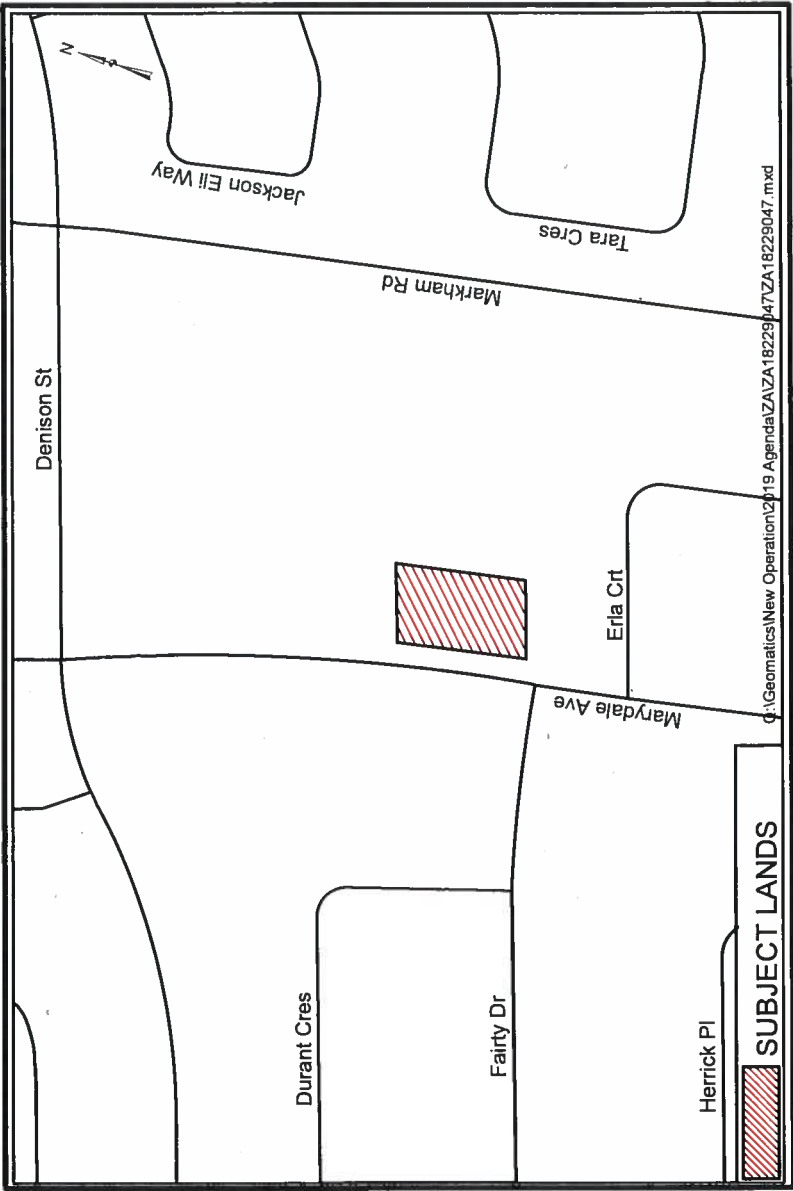
Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Proposed Siting Plan

Appendix 'B' – Proposed Building Height demonstration





AREA CONTEXT / ZONING

APPLICANT: 2522584 Ontario Inc.

Reg. Plan 65M-2599, Blk. 93 (Marydale Ave)

FILE No. ZA 18229047 (LJ)

 SUBJECT LANDS

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Date: 20/03/2019



REVISED SITE PLAN

APPLICANT: 2522584 Ontario Inc.
Reg. Plan 65M-2599, Blk. 93 (Marydale Ave)

FILE No. ZA 18229047 (LJ)

 Subject Lands

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Date: 20/03/2019



AERIAL PHOTO (2018)

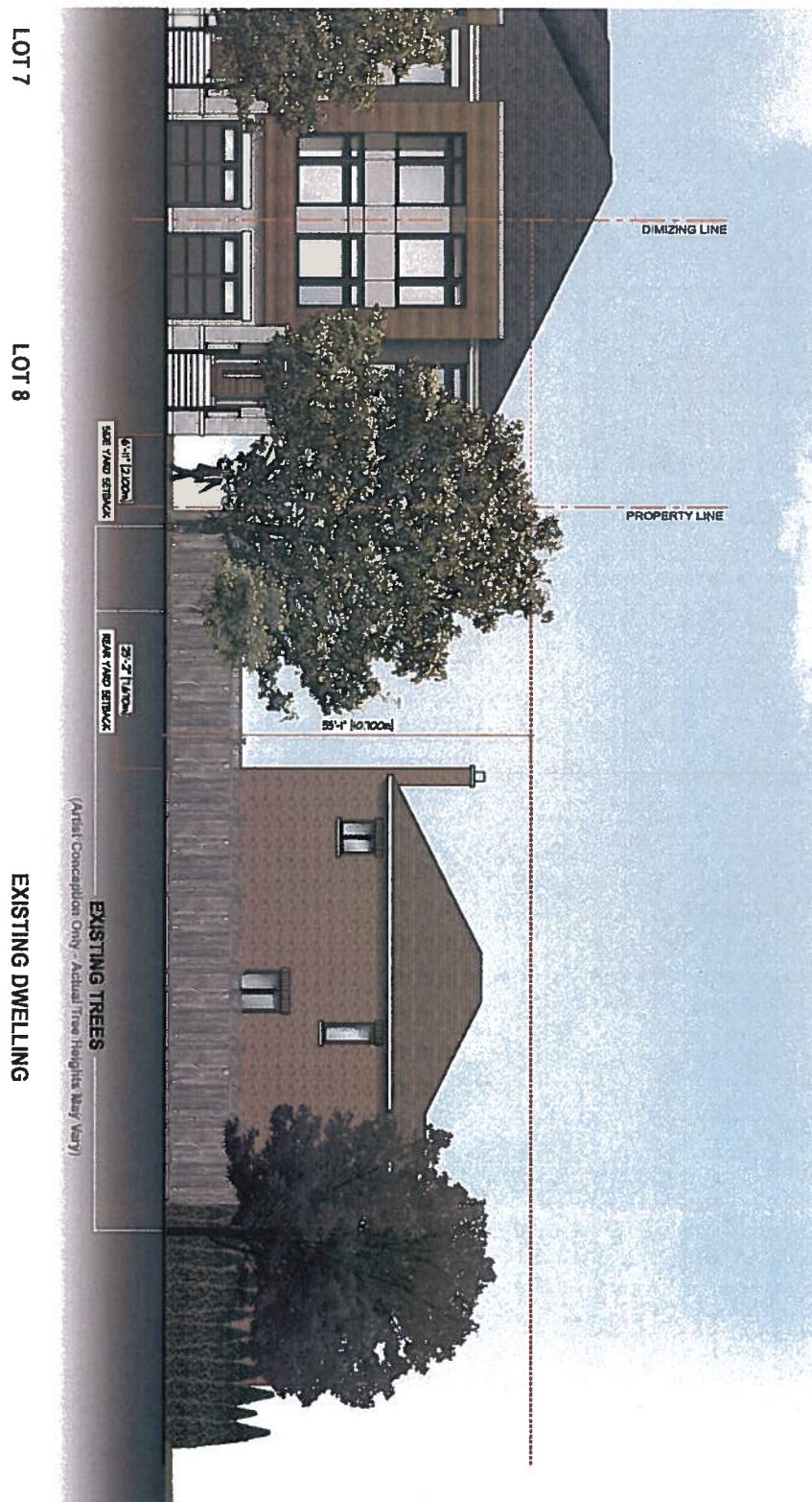
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Date: 20/03/2019



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