
SUBJECT: PRELIMINARY REPORT
Nest (Vs) GP Inc.
Applications for Zoning By-law Amendment, Draft Plan of
Subdivision and Site Plan Control to permit 12

PREPARED BY: Carlson Tsang, Ext. 2945, Planner II, West District

REVIEWED BY: Dave Miller M.C.I.P., R.P.P., ext. 4960, Manager, West District

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Nest (Vs) GP Inc., Applications for Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control to permit 12 townhouses at 10165 Victoria Square Blvd, and Zoning By-law Amendment and Draft Plan of Subdivision to permit 4 street townhouses at 10197 Victoria Square Blvd (Ward 2), File Nos. ZA 19 179145, SU 19 179147, SU 19 179146 & SPC 19 179145” be received.

PURPOSE:

This report provides preliminary information on the above noted Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control applications submitted by Nest (Vs) GP Inc. This report contains general information in regards to applicable Official Plan or other policies as well as other outstanding issues identified by Staff to date. The report should not be taken as Staff’s opinion or recommendation on the application.

PROCESS TO DATE:Applications deemed complete

The Zoning By-law Amendment and Draft Plan of Subdivision applications were deemed complete on March 6th, 2019. The first submission of the applications have been circulated to all City Staff and external agencies for review.

Next Steps

- Statutory Public Meeting;
- A recommendation report respecting the subject Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control applications will be provided at a future Development Services Committee meeting;
- Site Plan Approval (10165 Victoria Square Blvd only)
- Submission of a Common Element Condominium application for the proposed private driveway at 10165 Victoria Square Boulevard

BACKGROUND:Property Description

The subject lands, municipally known as 10165 & 10197 Victoria Square Boulevard, are located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive and east of Highway 404 (See Figure 1). The subject lands are separated by a non-participating lot in the center, municipally known as 10183 Victoria Square Boulevard.

The north parcel (10165 Victoria Square Boulevard) has an area of approximately 0.42 ha (1.04 ac) and a frontage of approximately 50.44 m (165.5 ft). It contains a single-storey dwelling, a detached garage and three small sheds. This parcel is bisected by the Carlton Creek. The south parcel (10197 Victoria Square Boulevard) has an area of approximately 0.58 ha (1.44 ac) and a frontage of approximately 80.55 m (264.3 ft). There is a barn and

an outbuilding on this parcel. The rear portion of the site is traversed by the Carlton Creek along the eastern boundary. There is mature vegetation on the subject lands.

The surrounding context is as follows (See Figure 3):

- To the north are vacant lands with natural features and open spaces;
- To the west is a residential neighborhood consisting of low rise residential units, a public elementary school (Sir John A. Macdonald Public School) and a park;
- To the south is a private school (Victoria Square Montessori School) and natural areas with mature vegetation;
- To the east is the Carlton Creek and associated valleylands which bisects the rear of both properties in a north-south direction. The area further to the east is a residential neighborhood characterized by single detached dwellings.

Proposal

10197 Victoria Square Boulevard (North Parcel)

A draft plan of subdivision (SU 19 179146) has been submitted for the north parcel to create a 0.12 ha (0.29 ac) development block (Block 1) fronting on Victoria Square Boulevard, and a 0.29 ha (0.72 ac) open space block (Block 3) which includes the remaining valleylands and environmental buffers to the east (See Figure 5). All existing structures on the subject property are proposed to be demolished.

Four 2-storey street townhouses with two shared driveway entrances on Victoria Square Boulevard are proposed for Block 1 (See Figure 5 & 6). The units range between 221.58 m² (2385 ft²) and 218.79 m² (2,355 ft²). Each townhouse will have two parking spaces, one in a garage and one on the driveway. The proposal includes a hammer head, in each front yard, to provide turnaround space for vehicles.

The valleylands associated with the Carlton Creek to the east and a buffer area comprised of the greater of the meander belt and floodplain plus 10 m (32.8 ft) are included in Block 3. These lands would be conveyed to the City for their long term protection and enhancement.

10165 Victoria Square Boulevard (South Parcel)

A separate draft plan of subdivision (SU 19 179147) has been submitted for the south parcel to create a 0.35 ha (0.86 ac) development block (Block 2) on Victoria Square Boulevard and a 0.23 ha (0.56 ac) open space block (Block 4) for the valleylands and associated environmental buffers to the east (See Figure 5). All existing structures on the subject property are proposed to be demolished.

Twelve 2-storey block townhouses and a private driveway with two connections to Victoria Square Boulevard are proposed for Block 2 (See Figure 5 & 6). Each townhouse will have two parking spaces, one in a garage and one on the driveway. Six parallel visitor parking spaces are being proposed on the west side of the private driveway. The detailed layout and elevation design of the development proposal is currently under review under site plan application SPC 19 179145.

The valleylands associated with the Carlton Creek to the east and a buffer area comprised of the greater of the meander belt and floodplain plus 10 m (32.8 ft) are included in Block

4. These lands would be conveyed to the City for their long term protection and enhancement.

Official Plan 2014

The front portion of both properties is designated 'Residential Low Rise' in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018), which provides for low rise built forms including single and semi-detached dwellings, townhouses (excluding back to back townhouse) and small multiplex building.

The balance of the lands, are designated 'Greenway' to protect valleylands, stream corridors, woodlands, wetlands, agricultural lands, certain naturalized stormwater management facilities and enhancement lands to support ecological linkages to the City's Natural Heritage Network.

The 2014 Official Plan (Section 3.1.1.3 b) indicates that refinements to the 'Greenway' boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to the Official Plan, where supported by a subwatershed study, master environmental servicing plan and environmental impact study or equivalent study (See Figure 4). The applicant has submitted a Natural Heritage Evaluation and Meander Belt Width study in support of the application. The study is currently under review by the City staff and Toronto and Region Conservation Authority to assess the environmental impact of the development proposal and determine whether the proposed encroachment into the 'Greenway' designation can be supported.

Zoning

The subject lands are zoned 'RR1- Rural Residential' under By-law 304-87, as amended, which only permits one single detached dwelling, home occupation and private home day care. The proposed development is not permitted by the Zoning By-law. The applicant is proposing to incorporate the subject lands into By-law 199-76, as amended, within appropriate zoning designations to accommodate the proposed development.

OPTIONS/DISCUSSION:

The following is a brief summary of issues raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to the Committee:

- Staff are concerned about overdevelopment of the North Parcel due to the lack of space for snow storage and landscaping opportunities. Staff are working with the applicant to explore other layout options to address these concerns.
- Staff and TRCA need to determine the appropriateness of the proposed setback from the natural and hydrologic features associated with the Carlton Creek.
- The applicant will need to address any issues resulting from the review of technical studies including, but not limited to, Transportation Impact Assessment, Environmental Site Assessment, Functional Servicing Report and Noise Impact Study.
- Staff are reviewing the elevation design to ensure consistency with the provisions and urban design guidelines of the East Cathedral and Cathedral Community Design Plans.

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- Staff need to confirm any outstanding financial obligation, including but not limited to, cost sharing with the local developer's group, parkland contribution including cash-in-lieu, tree replacement/ compensation and Public Art contribution.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED

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

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 – Aerial Photo
Figure 4- Official Plan Designation
Figure 5 - Site Plan
Figure 6- Elevation Plan

AGENT:

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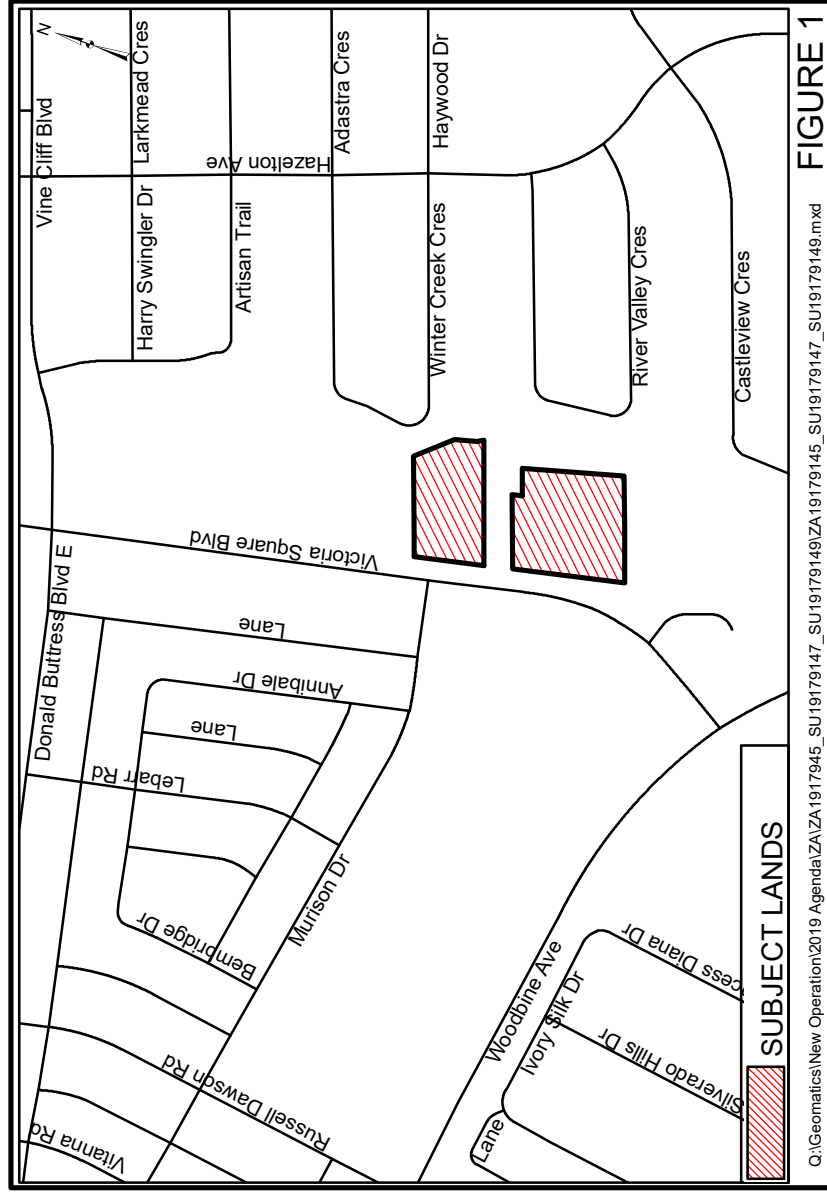
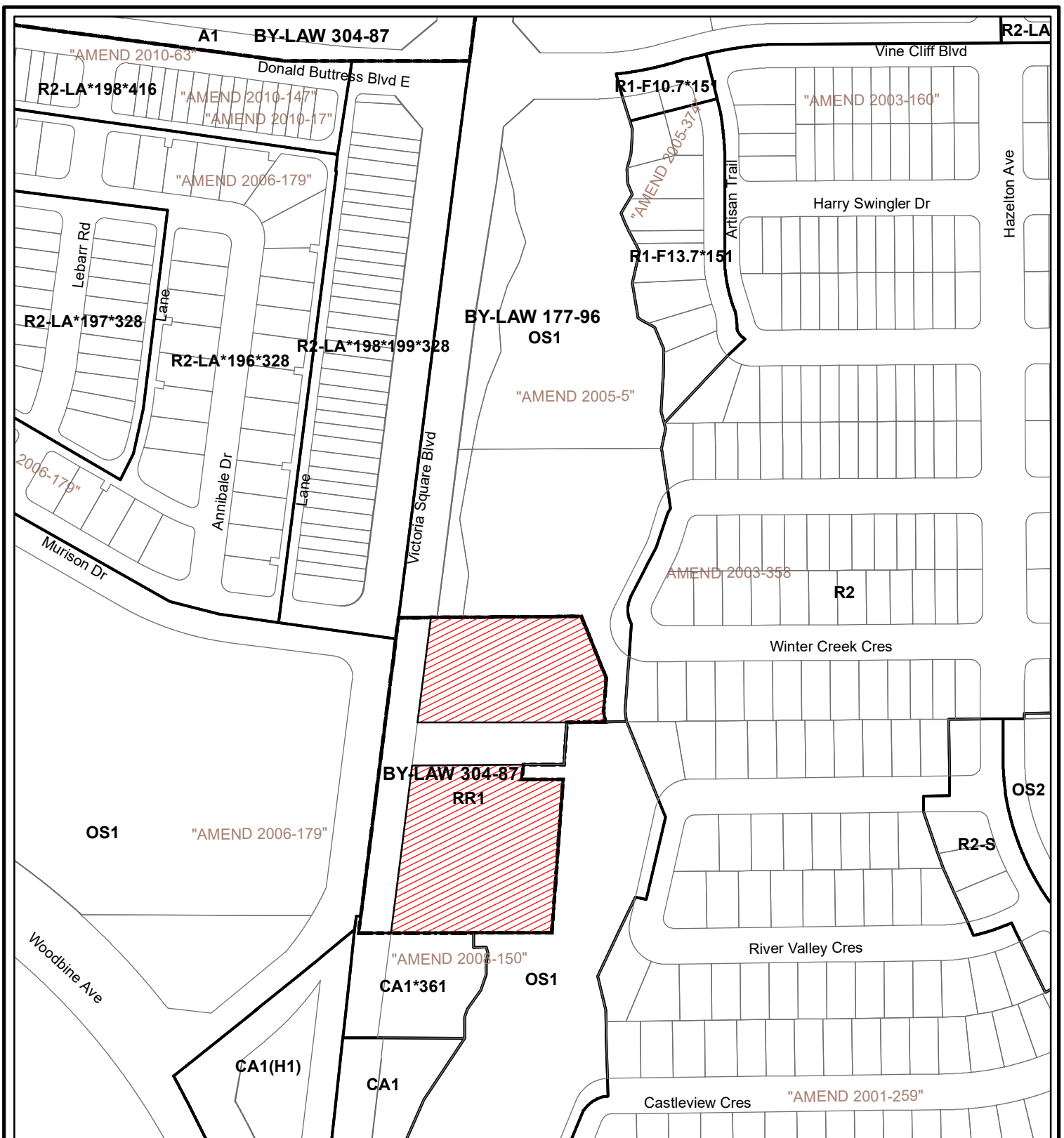


FIGURE 1

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AREA CONTEXT / ZONING

APPLICANT: Nest (VS) GP. Inc.
10165 & 10197 Victoria Square Blvd.

FILE No. ZA 19179145_SU 19179147_ SU 19179149 (CT)

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 Subject Lands

Date: 27/03/2019



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: CT

FIGURE No. 2




AERIAL PHOTO (2018)

APPLICANT: Nest (VS) GP. Inc.
10165 & 10197 Victoria Square Blvd.

FILE No. ZA 19179145_SU 19179147_ SU 19179149 (CT)

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 Subject Lands

Date: 27/03/2019

3.1.1 General Policies

It is the policy of Council:

3.1.1.1 **That** the components of the Greenway System include the following:

- a) Natural Heritage Network lands;
- b) Natural Heritage Network Enhancement Lands;
- c) Rouge Watershed Protection Area lands;
- d) Oak Ridges Moraine Conservation Plan Area lands;
- e) Greenbelt Plan Area lands; and
- f) certain naturalized stormwater management facilities.

To the extent possible, given the limitation of available data, these components are generally identified on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Map 7 – Provincial and Federal Policy Areas.

3.1.1.2 **To identify, protect and enhance** Markham's Greenway System as shown on Map 1 – Markham Structure by:

- a) protecting a network of *natural heritage and hydrologic features* (as defined as *key natural heritage features, key hydrologic features, valleylands and woodlands*, and their functions) and associated *vegetation protection zones*, protected agricultural lands and Natural Heritage Network Enhancement Lands, to improve the *biodiversity* and connectivity of natural heritage features and their *ecological function*;
- b) directing permitted development, *redevelopment* and *site alteration* away from *natural heritage and hydrologic features* within the Greenway System;
- c) protecting the *ecological integrity* of the Oak Ridges Moraine;
- d) providing protection for agricultural lands and *ecological features* and functions in the Greenbelt;
- e) providing public access to publicly owned natural areas for nature-based recreation uses, where appropriate, in a manner that respects ecological sensitivities in support of a healthy and active community;
- f) encouraging public acquisition of the Natural Heritage Network lands where possible over the long term; and
- g) encouraging stewardship of privately owned natural areas by private landowners until the lands come into public ownership.

3.1.1.3 **That** the boundaries of the Greenway System and Natural Heritage Network, including the delineation of *natural heritage and hydrologic features* as shown on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, and Map 6 – Hydrologic Features reflect the most accurate information available and are to be confirmed and may be refined or modified as follows:

- a) confirmation of the boundaries will be undertaken in the field, in consultation with appropriate agencies, and any corresponding changes to the mapping shall be undertaken without amendment to this Plan;
- b) refinements to the boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to

**Section 3.1.1.2
subject to
Area/Site Specific
Appeal No. 22
(Issue 281A)**

this Plan, where supported by a *subwatershed* study, master environmental servicing plan, environmental impact study or equivalent study; and

- c) modifications to the boundaries, other than refinements, including the delineation of the boundaries of the Natural Heritage Network Enhancement Lands in accordance with Section 3.1.3.2, may be considered through an amendment to this Plan, where supported by a *subwatershed* study, master environmental servicing plan, environmental impact study or equivalent study.

The outer boundaries of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area can only be refined or modified by the Province through amendments to the relevant Provincial Plan or as identified in applicable legislation. Any modifications to these boundaries approved by the Province shall be addressed in accordance with provincial requirements.

3.1.1.4 **That** where compensation for removal of *natural heritage and hydrologic features* is determined to be appropriate, Council shall:

- a) work with the Province, York Region, the Toronto and Region Conservation Authority and other agencies seeking compensation and encourage all compensation to be located in Markham; and
- b) seek appropriate compensation in accordance with Section 3.2.1 c).

3.1.1.5 **To coordinate** with Parks Canada, the Province, York Region and the Toronto and Region Conservation Authority efforts to ensure a consistent approach towards the protection of a system of *natural heritage and hydrologic features*.

3.1.1.6 **To incorporate** the protection and enhancement of the Greenway System as a component of the parks and open space system in accordance with Section 4.3.1.2 and a required secondary plan in accordance with Section 10.1.1.

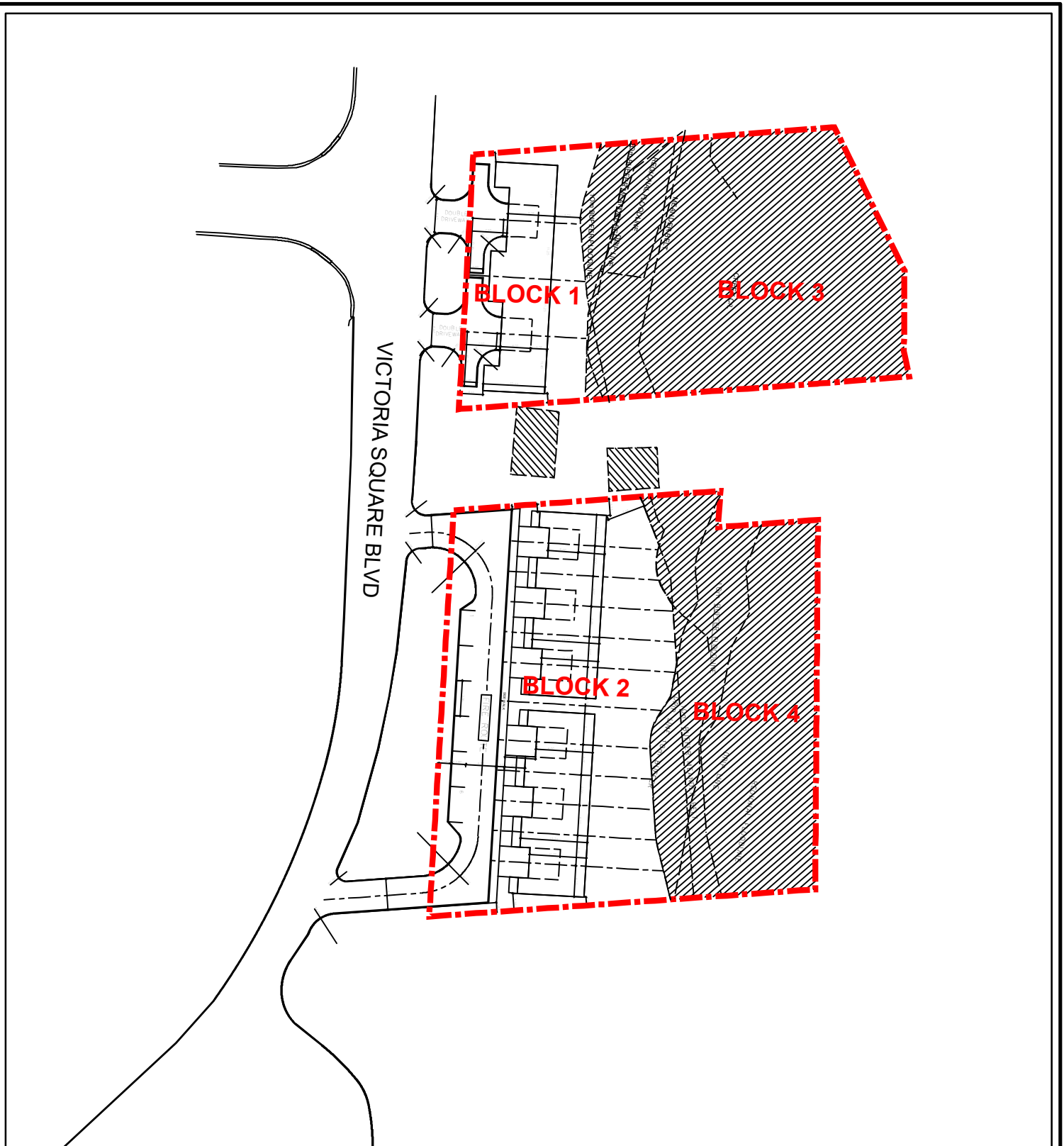
3.1.1.7 **That** lands within the Greenway System are subject to the policies of this Plan, and where applicable, policies in the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and Minister's Zoning Order – Airport and other applicable land use policy regulations and/or standards. In the event of conflict among plans, regulations and standards the most restrictive requirements prevail, except in the case of agriculture, mineral aggregates and wayside pits where provincial plans and policies prevail.

3.1.1.8 **To collaborate** with Parks Canada and the Toronto and Region Conservation Authority, where appropriate, to prepare plans to guide the management of public parks and recreation uses within the Greenway System while safeguarding and enhancing natural features and functions.

3.1.1.9 **To minimize** the impacts of nature-based recreation infrastructure such as trails, trailheads, foot bridges, parking, signage, picnic facilities, washrooms and interpretative facilities on the *ecological integrity* of the Greenway System.

3.1.1.10 **To require** minimum *vegetation protection zones*, as identified in Section

Section 3.1.1.4
subject to Area/Site
Specific Appeal Nos.
22 and 24 (OMB
Hearing Issues 3)




SITE PLAN

APPLICANT: Nest (VS) GP. Inc.
10165 & 10197 Victoria Square Blvd.

FILE No. ZA 19179145_SU 19179147_ SU 19179149 (CT)

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 Subject Lands

Date: 09/05/2019



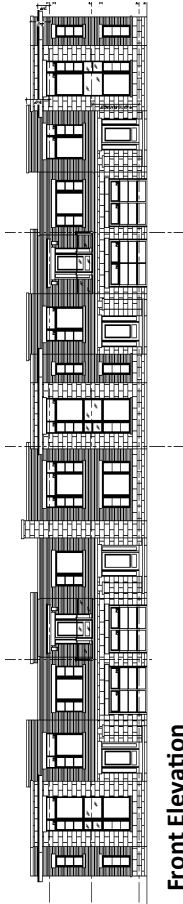
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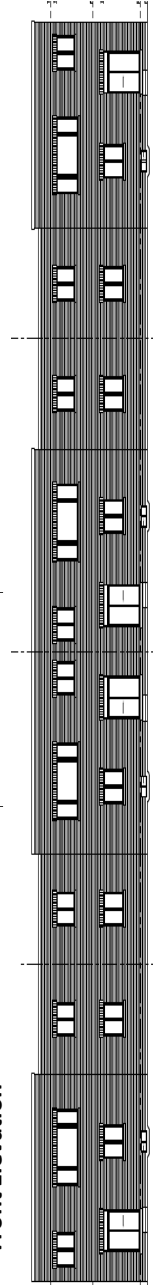
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FIGURE No.5

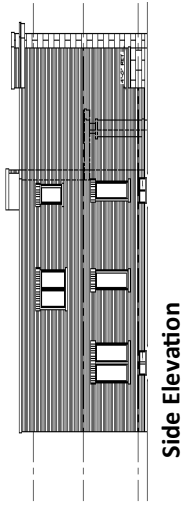
10197 Victoria Square Boulevard (North Parcel)



Front Elevation

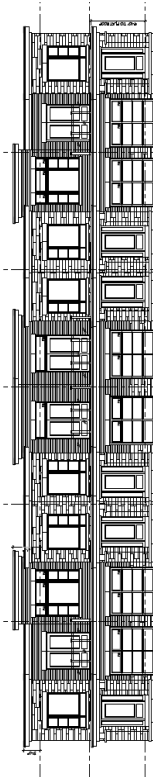


Rear Elevation

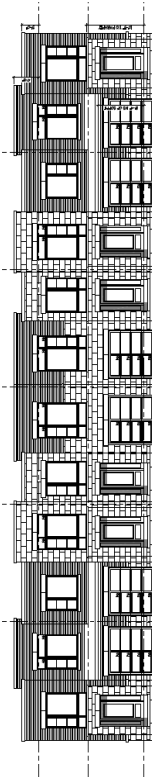


Side Elevation

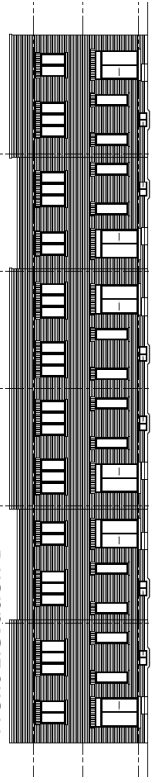
10165 Victoria Square Boulevard (South Parcel)



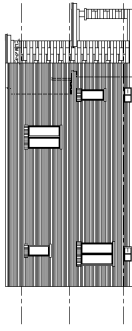
Front Elevation A



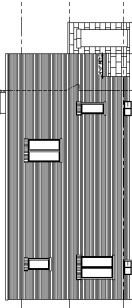
Front Elevation B



Rear Elevation A & B



Side Elevation A



Side Elevation B

CONCEPTUAL ELEVATIONS

APPLICANT: Nest (Vs) GP Inc.

10165 & 10197 Victoria Square Boulevard

File No: ZA 19 179145, SU 19 179147, SU 19 179146 & SPC 19 179145

Date: 13/05/2019