



Report to: Development Services Committee

Meeting Date: November 25, 2019

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**SUBJECT:** RECOMMENDATION REPORT The Ladies' Golf Club of Toronto, Applications by 2526574 Ontario Limited (Tridel) for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit a twelve storey residential building and a fourteen storey residential building on the south east side of Royal Orchard, west of Bayview Avenue (7859 Yonge Street) File Nos. OP/ZA 18 171600 and SPC 18 256868 (Ward 1)

**PREPARED BY:** Rick Cefaratti, M.C.I.P., R.P.P., ext. 3675  
Senior Planner, West District

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

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**RECOMMENDATION:**

1. That the report titled "RECOMMENDATION REPORT The Ladies' Golf Club of Toronto, Applications by 2526574 Ontario Limited (Tridel) for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit a twelve storey residential building and a fourteen storey residential building on the south east side of Royal Orchard, west of Bayview Avenue (7859 Yonge Street) File Nos. OP/ZA 18 171600 and SPC 18 256868 (Ward 1)" be received;
2. That the proposed amendment to the 2014 Markham Official Plan, attached as Appendix 'A', be finalized and approved;
3. That the amendments to Zoning By-laws 2150 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix 'B', be finalized and enacted, without further notice;
4. That the Site Plan application by The Ladies' Golf Club of Toronto be endorsed in principle, subject to the Conditions attached as Appendix 'C' and that Site Plan approval be delegated to the Director of Planning and Urban Design or his designate;
5. 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;
6. 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;

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7. That servicing allocation for one hundred seventy three (173) dwelling units be assigned to the subject development;
  8. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner;
  9. That Council authorizes the City to enter into an agreement with the developer, to share the costs associated with municipal service upgrades required along Royal Orchard Boulevard, to accommodate the development of the “Subject Lands” for high rise residential condominium buildings, to the satisfaction of the CAO and the City Solicitor; and,
  10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

This report discusses and recommends approval of applications to amend the Official Plan and Zoning By-law, and endorsement in principle of a Site Plan application submitted by 2526574 Ontario Limited (Tridel), for a proposed high density residential development and public parkette on a 1.07 ha. (2.64 ac.) portion (the “Subject Lands”) of the Ladies’ Golf Club of Toronto (the Golf Club) property. The “Subject Lands” are located at the north-east corner of the Golf Club on Royal Orchard Boulevard near Bayview Avenue. Tridel is proposing two apartment buildings, one with twelve (12) storeys and one with fourteen (14) storeys. They will have a combined Gross Floor Area of 32,856.21 m<sup>2</sup> (353,661 ft<sup>2</sup>) and a total of 173 residential units.

The “Subject Lands” are designated “Private Open Space” in the City’s 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018). This designation allows for private golf courses. Residential uses are not allowed within this designation, and hence the need for an Official Plan Amendment.

The “Subject Lands” are currently zoned O2 – Special Use under Zoning By-law 2150, as amended. An amendment, to the Zoning By-law, is required to permit high rise residential development, and to implement site-specific development standards, including a maximum permitted height of 49.0 m (160.76 ft.) and a maximum Floor Space Index (FSI) of 3.7.

The applicant will enter into a Section 37 Agreement with the City for community benefits, including the provision of a Public Art contribution, in return for the increase in density.

This report recommends approval of the Official Plan and Zoning By-law Amendments (Appendix ‘A’ and ‘B’) as the proposed development will not adversely impact the surrounding properties. There are adequate community services in the area, such as those at the Thornhill Community Centre, and the existing transportation network can accommodate the anticipated traffic. Staff also recommend endorsement in principle of the Site Plan application, subject to the conditions provided in Appendix ‘C’.

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**PURPOSE:**

This report recommends approval of the Official Plan Amendment and Zoning By-law Amendment applications, and endorsement in principle of the associated Site Plan application, to permit a twelve storey apartment building and a fourteen storey apartment building and public parkette on a 1.07 ha. (2.64 ac.) portion of the Golf Club. The public parkette will have an area of approximately 0.18 ha. (0.44 ac.).

**BACKGROUND:**

The Golf Club is a 52.37 ha. (129.42 ac.) property located between Yonge Street and Bayview Avenue in Thornhill (see Figures 1, 2 and 3 – Location Map, Area Context and Air Photo). The Golf Club is bisected by the East Branch of the Don River Valley corridor and by Pomona Creek. Surrounding uses include:

- Royal Orchard Park, along the Pomona Creek north of the Golf Club (adjacent to Royal Orchard Boulevard);
- Cricklewood Park (adjacent to Yonge Street) and Pomona Mills Park south of the Golf Club;
- existing low rise residential development, bordering the north and south sides of the Golf Club;
- Shouldice Hospital and Glynnwood Retirement Residence to the southeast;
- Drake Park, the Landmark of Thornhill apartment complex; a fire hall; retail uses and the Thornhill Community Centre and Library are located to the east, across Bayview Avenue; and,
- The City of Vaughan is located to the west, across Yonge Street.

The 1.07 ha. (2.64 ac.) “Subject Lands” are located at the northeast corner of the Golf Club (see Figure 3), on Royal Orchard Boulevard near Bayview Avenue. Frontage on the east-west section of Royal Orchard Boulevard will be approximately 46 m (151 ft.), and frontage on the north south portion of Royal Orchard Boulevard will be approximately 166 m (545 ft.). The “Subject Lands” are currently occupied by Hole #9 of the Golf Club and the Course Half Way House. The area is landscaped, and mature trees line the property along the Royal Orchard Boulevard frontages. The Golf Club will require approval of a severance application to create the “Subject Lands” as a separate lot that can be sold to Tridel. This application has not yet been submitted.

**PROCESS**

Applications submitted in support of the proposal include:

- an Official Plan Amendment (to amend the 2014 Official Plan as it applies to the “Subject Lands”, from “Private Open Space” to “Residential High Rise”);
- a Zoning By-law Amendment (to rezone the “Subject Lands” from O2 – Special Use, under By-law 2150, as amended, to a site specific Residential Three (R3) exception zone under By-law 177-96, as amended;

These applications were deemed complete in April, 2018 and circulated to internal departments, and senior levels of government for review and comment. A Statutory Public Meeting was held on January 22, 2019. The Ward Councillor hosted a non-statutory Community Information Meeting on March 27, 2019.

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An application for Site Plan approval (SPC 18 258868) was submitted late in December, 2018 and circulated to internal departments, external agencies and senior levels of government for review and comment in January, 2019.

## **PROPOSAL**

The proposed development includes a twelve (12) storey residential building (Building 'A') with a Gross Floor Area of approximately 14,943.81 m<sup>2</sup> (160, 854 ft<sup>2</sup>) and a height of approximately 42.0 m (138 ft.), and a fourteen (14) storey residential building (Building 'B') with a Gross Floor Area of approximately 17,912.40 m<sup>2</sup> (192,807 ft<sup>2</sup>) and a height of approximately 48.5 m (159 ft.) (see Figures 4-10). A total of 173 residential units are proposed and will include one, two and three-bedroom unit types. Building 'A' has 81 units and Building 'B' has 92 units (Figures 4 and 9 – Site Plan and Figures 5, 6, 7, 8 and 10 – Elevations).

The applications to amend the Official Plan and Zoning By-law originally proposed 192 residential units with a Floor Space Index (FSI) of 3.77. The most recent submissions including the application for Site Plan approval reduced the total number of residential units from 192 to 173, and reduced the Floor Space Index (FSI) from 3.77 to less than 3.7. FSI is the ratio of total floor area of a development to the lot area. In this instance, the 'lot area' means the "Subject Lands" minus the area of the parkette, which will be conveyed to the City.

The two buildings, which are generally oriented in a north-south direction, will be linked by a single storey lobby area (the Gross Floor Area of the lobby area is included in the floor area calculation for Building 'A').

The proposal includes 324 parking spaces for residents and 43 spaces for visitors, for a total of 367 spaces. (All of these spaces will be located underground). The City's Parking Standards By-law requires 1.25 spaces per unit, plus 1 visitor space for every 4 units, or 216 spaces for residents and 43 spaces for visitors. Consequently, 108 additional parking spaces are being provided, or approximately 1.9 spaces per unit.

The approximately 750 m<sup>2</sup> (8,073 ft<sup>2</sup>) of indoor amenity space, includes a fitness area, indoor pool, lounge area, and formal party and dining rooms. It will be shared by the residents of the two buildings.

The proposed built form introduces a variety of transitional elements, including the use of step backs, setbacks and angular planes, to mitigate potential impacts on surrounding properties. These elements were developed in consultation with City staff. The proposal also includes a public parkette, with an approximate size of 0.18 ha. (0.44 ac.) at the north end of the property, where it provides a transition between the proposed development and existing residences to the north. (See Figures 4 and 9 – Site Plan and Figures 5, 6, 7, 8 and 10 – Elevations).

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## **Official Plan and Zoning**

### York Region Official Plan

The “Subject Lands” are designated “Urban Area” in the York Region Official Plan, 2010 (YROP), which permits residential, commercial, industrial and institutional uses. The proposal conforms to the 2010 YROP. In addition, York Region Planning staff has advised that the proposed Official Plan Amendment is a routine matter of local significance and is exempted from approval by Regional Planning Committee and Council.

### 2014 Markham Official Plan

The 1.07 ha. (2.46 ac.) “Subject Lands” are designated “Private Open Space” on Map 3 – “Land Use” in the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018). The Private Open Space designation provides for, amongst other uses, private golf courses. Residential uses are not permitted within this land use designation. Therefore, an Official Plan Amendment is required to allow for the proposed use.

The draft Official Plan Amendment (Appendix ‘A’) proposes to re-designate the “Subject Lands” from “Private Open Space” to “Residential High Rise” to facilitate the residential high rise development proposal.

The proposed amendment to the Official Plan also includes a site-specific policy to permit an increased maximum permitted density from 2.5 Floor Space Index (FSI) to 3.7 FSI under the “Residential High Rise” designation in the 2014 Official Plan.

### Zoning

The “Subject “Lands” are zoned O2 – Special Use, under By-law 2150, as amended. The existing golf course is a permitted use on the property. The establishment of residential apartment buildings as proposed, requires a Zoning By-law Amendment.

The draft Zoning By-law amendment (Appendix ‘B’) proposes to delete the “Subject Lands” from the designated area of By-law 2150 and to add it to By-law 177-96, as amended as a Residential Three (R3) zone to permit the proposed development.

A number of site specific development standards, including:

- a maximum permitted building height of 42.0 m (137.79 ft.) for the twelve storey apartment building (Building A) adjacent to the proposed parkette;
- a maximum permitted building height of 49.0 m (160.76 ft.) for the fourteen storey use apartment (Building B);
- a maximum of 175 dwelling units
- a maximum GFA of 32,857 m<sup>2</sup> (353,670 ft<sup>2</sup>)

The draft Zoning By-law Amendment also includes a holding provision. The provision requires the execution of an agreement with the City for cost sharing for servicing upgrades to facilitate the proposed development. This matter is discussed in more detail later in this report.

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**OPTIONS/ DISCUSSION:****Issues identified in the Preliminary Report, at the Community Meeting, and Public Meeting**Preliminary Report

Several matters for consideration were identified in the June 11, 2018 preliminary report including:

- appropriateness of the proposed site density;
- the Region's traffic/transportation requirements (i.e. road widening, vehicular access restrictions etc.)
- compatibility between the proposed building heights and adjacent low rise residential development;
- the proposed size and location of the public park feature;

Public Meeting

The Statutory Public Meeting was held on January 22, 2019. Comments made at the Public Meeting included:

- objections by residents of the "Landmark of Thornhill" apartment buildings to the heights, site density, and loss of privacy;
- concerns about adding dwelling units to the area without first resolving existing traffic issues, including: improving the intersection at Bayview Avenue and Royal Orchard Boulevard, and access to Green Lane from Royal Orchard Boulevard;
- a desire to create a pedestrian and cycling trail to connect Royal Orchard Boulevard to Pomona Park;

The City has also received written submissions from the public that provide comments and objections similar to those noted above.

Community Meeting

A non-statutory Community information meeting was held on March 27, 2019. This meeting was hosted by the Ward Councillor in conjunction with the representatives of the Golf Club and the developer (Tridel), and was also attended by Staff. Comments made at this meeting included concerns about:

- the Golf Club's intentions with respect to selling off additional land for development in the future; and,
- traffic, including the ability of the current road networks to accommodate the additional cars generated, by the proposed development of the "Subject Lands";

**These and other issues are addressed as follows:**Site Layout, Building Design and Density Are Appropriate

The scale and orientation of the proposed high rise buildings will be compatible with the surrounding area (See Figures 9 and 10). The proposed massing and north-south orientation provides for an appropriate scale and transition to the nearby low rise residential dwellings on Royal Orchard Boulevard.

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The proposed site layout has been designed to minimize potential impacts to the existing residences in the area. The proposed location of the parkette, at the north end of the “Subject Lands”, will provide a further transition and open space buffer between the high rise buildings and the residences on the north side of Royal Orchard Boulevard. Aligning the buildings along the north south leg of Royal Orchard Boulevard also maximizes the distance between the proposed buildings and existing residences.

To better understand the potential impact to the existing residences on the north side of Royal Orchard Boulevard, an angular plane study was submitted in support of the application (See Figure 11). Angular plane analysis is a diagrammatic tool. It is used to evaluate the relationship between a proposed high rise building and existing low rise buildings. The City typically requires angular planes with a maximum 1:1 slope, where the slope is taken from the closest low rise residential use property line to the top of a high rise building (1:1 slope means 1 metre away for every metre in building height). The proposed development achieves a 2:1 angular plane slope (2:1 slope means 2 metres away for every metre of building height). Figure 11 compares a 1:1 angular plane to a 2:1 angular plane.

Tridel also submitted Shadow Studies (see Appendix ‘D’ and Appendix ‘E’ which shows the shadows from the proposed buildings at the spring and fall equinoxes (March 21<sup>st</sup> and September 21<sup>st</sup>), and at the summer solstice (June 21<sup>st</sup>), for each hour from 9:00 am to 4:00 pm). These studies demonstrate that impacts from sun shadow on surrounding residences are minimal.

#### Parcel Delivery Management

Tridel is considering implementing an automated parcel delivery management system for the residents. This system will send residents a digital message that a parcel containing a product ordered through e-commerce is being held for them. The details of this system will be explored further during site plan discussions.

#### Dog Facilities

Tridel has indicated that dog runs will be provided to ensure that the proposed development is dog friendly. Details to ensure the proposed development is dog friendly shall be secured through the site plan agreement process.

#### Transportation Impacts Minimal

Markham’s Transportation Engineering Staff has reviewed the Traffic Impact Study (TIS), which was submitted in support of the proposal. Staff agree with the TIS findings that the intersections of Royal Orchard Boulevard East and Royal Orchard Boulevard West, and Bayview Avenue and Royal Orchard Boulevard (see Figure 3), are expected to continue to operate at levels of service similar to today. The study demonstrates that the proposed development will have a minimal impact, on the surrounding traffic network and traffic conditions.

York Region Transportation Planning, in coordination with York Region Traffic Signal Operations, York Region Development Engineering and York Region Transit/Viva, have also reviewed the TIS. They have no objections to the proposal, subject to providing a northbound left-turn lane from Royal Orchard Boulevard into the apartment site being

provided. The final design of the northbound turn lane will be determined through the site plan approval process. Regional Transportation Staff were also asked to consider intersection signal improvements on southbound Bayview Avenue, at Royal Orchard Boulevard. They concluded that signal controls on southbound Bayview Avenue and Royal Orchard Boulevard is not warranted at this time.

Transportation Demand Measures (TDM) required

In an effort to provide alternatives to automobile transportation, the applicant will be required to provide a number of TDM measures including: maintaining long-term and short-term bicycle parking spaces, a Car-Share service, together with a New Resident Information Package & Transit Incentive Program. These matters shall be secured through the site plan agreement process.

Site Specific Amendment to the City's 2014 OP is appropriate

The proposed amendment will allow a high rise residential condominium development to occur on a portion of the "Subject Lands". It is Staff's opinion that the proposal is compatible with existing low rise development in the area. The height and density, of this project, has been thoughtfully designed to respect light, views and privacy of the existing low rise residential in the area. This has in part been achieved by orienting the length of the buildings in a north-south direction. This development will also support existing and planned transit services including the proposed Yonge Street subway extension, and is well served by the community services available in the area.

Site Specific Official Plan Policy requested to permit an increase in Maximum Floor Space Index (FSI) is appropriate

As noted earlier in this report, the proposed amendment, to the 2014 OP "Residential High Rise" designation includes a site-specific policy to increase the maximum permitted FSI from 2.5 to 3.7. The FSI is derived from the size of the property the buildings will ultimately occupy, and the GFA of the proposed building. The proposed development will be adjacent to a large open space area (Golf Course) and future public parkette. These open space areas are not included in the density calculation.

The scale of the proposed developments has been assessed in light of a detailed review of a number of Studies, including the transportation studies, servicing studies, and analysis of the built form. Density, in the form of an FSI number, does not in and of itself indicate whether or not a proposed development is appropriate or compatible. As noted elsewhere in this report, careful attention has been given to the design, layout, massing and height transitions of the proposed development, with the intent of mitigating negative impacts on surrounding residences.

Following a detailed review of the materials submitted in support of the applications, staff are of the opinion that, due to its design and the context of the location, the proposed density can be supported.



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Site Specific Amendment to add the subject lands to Zoning By-law 177-96, as amended, is appropriate

Amendments to the zoning by-law are required to facilitate the development of the proposed condominium apartment buildings. A number of site-specific development standards will permit the proposed development to proceed, in accordance with the proposal as shown in Figures 4 to 10. The proposed Zoning By-law Amendment will include a Holding (H) provision. The H provisions will require the developer to enter into a cost sharing agreement for servicing upgrades, prior to the start of the development. Lifting of the H would only occur after the servicing matters have been resolved to the satisfaction of Council.

The proposed amendment to remove the “Subject Lands” from Zoning By-law 2150 and add them to Urban Residential Zoning By-law 177-96, as amended, is appropriate.

Cycling/Pedestrian Link to Pomona Park Not Practical

A cycling and pedestrian trail link connecting Royal Orchard Boulevard to Pomona Park, which was raised at the Public Meeting, is not feasible at this time. Land and access rights from other property owners would have to be secured, including a public rights-of-way through the Golf Club. This is not practical nor safe on an open and operational golf course. Cycling/pedestrian trail links options can be identified if and when development is proposed on other properties in the area. The site plan has been revised to show an extension to the sidewalk along the south side of Royal Orchard Boulevard. This sidewalk extension will provide a pedestrian connection to the existing bus stops at Doral Gate and the proposed public parkette.

Sustainable measures proposed

Tridel has agreed to incorporate a number of sustainable development measures, including:

- Bird friendly and dark sky compliance;
- Water efficient landscaping, through the planting of native and drought tolerant vegetation; and,
- 64 bicycle parking spaces to support the use of active transportation;

Staff will continue to work with the applicant to achieve additional sustainability features, such increasing energy efficiency, incorporating environmentally preferable building materials and reducing the local-heat island affects. These matters will be secured through the site plan agreement.

Parkland Dedication

The approximately 0.18 ha. (0.44 ac.) parkette, proposed at the north end of the “Subject Lands”, is in a suitable location (see Figure 4). Its proposed size does not meet the total parkland dedication requirement of 0.466 ha. (1.15 ac.) that this development is required to provide. Therefore, the applicant will be required to fulfill the parkland shortfall of 0.286 ha. (0.70 ac.) through a cash-in-lieu of parkland payment, as a condition of site plan approval.

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#### Upgrades to municipal services required

Municipal services along Royal Orchard Boulevard, in the vicinity of the site, will require upgrades to accommodate the proposed development. The applicant will be required to pay the costs associated with these service upgrades on Royal Orchard Boulevard. The City already had plans in place to upgrade services on Royal Orchard Boulevard in the next 4 years. Tridel's proposal will advance this work so that it occurs concurrently. As noted earlier in the report, the proposed Zoning By-law Amendment will include a Holding (H) provision to ensure that development does not occur until municipal servicing improvements have been addressed.

#### Compensation for Tree Removal Required

There are a number of mature trees that are proposed to be removed from the "Subject Lands". The trees to be removed include a number of native and non-native species. Compensation for tree removal will be determined prior to site plan endorsement, and secured through the site plan agreement.

#### Committee of Adjustment Rights

Due to the scale and complexity of the proposal, it is recommended that Council approve a resolution so as to allow the applicant to apply to the Committee of Adjustment for minor variances from the provisions of the zoning by-law before the second anniversary of the day on which the proposed by-law is approved by Council.

#### Section 37 and Public Art

The applicant will be required to provide Section 37 benefits, including a Public Art contribution, in accordance with the City policies and Section 37 of the Planning Act. The requirement for a contribution will be identified in the Zoning By-law Amendment and provided with the execution of the site plan agreement.

#### Draft Plan of Condominium Comments

Approval of a Draft Plan of Condominium application, to allow the sale of the individual apartment dwelling units to be sold and to create the common elements is also required. The authority to approve the Draft Plan of Condominium is delegated to the Director of Planning and Urban Design. This application has not been submitted.

#### Market Based Apartments Proposed

Based on the materials submitted with the applications and discussions with Tridel, the proposed high rise condominium apartments will be marketed as premium units. The proposed apartments will not be developed with the intent of adding affordable housing units to the supply for Thornhill. However, Tridel has indicated that they are supportive and open to having future discussions with staff to assist the City with its initiatives to address housing gaps in Markham.

#### **CONCLUSION:**

The proposed high rise condominium apartment development is appropriate. The built form will not adversely impact the surrounding properties. The articulated design will be of visual interest and the orientation of the proposed buildings will be sympathetic to their surroundings. The lower 2:1 angular plane demonstrates that impacts from the proposed

buildings will be minimized. Consequently, Staff recommends: that the draft Official Plan Amendment (Appendix 'A') be finalized and approved, that the draft Zoning By-law Amendment (Appendix 'B') be finalized and enacted, and that the associated Site Plan application be endorsed in principle, subject to the conditions outlined in 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 of Development Services

**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Site Plan

Figure 5 – East Elevations

Figure 6 – West Elevations

Figure 7 – North Elevations

Figure 8 – South Elevations

Figure 9 – Colour Rendering – Site Plan

Figure 10 – Colour Rendering – Building Bayview Avenue Perspective

Figure 11 – Angular Plane Illustration

**APPENDICES:**

Appendix 'A' – Draft OPA

Appendix 'B' – Draft ZBA

Appendix 'C' – Site Plan Conditions

Appendix 'D' – Shadow Study: Spring and Fall Equinoxes

Appendix 'E' – Shadow Study: Summer Solstice

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