



Report to: Development Services Committee

Report Date: April 21, 2020

SUBJECT: PRELIMINARY REPORT
Digram Developments (Helen) Inc.
Applications for Official Plan Amendment, Zoning By-law
Amendment, and Draft Plan of Subdivision to permit an
eight-storey residential building at 55, 63, and 83 Helen
Avenue (Ward 3)

File Nos. PLAN 19 137397 and SU/ZA 17 135415

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Senior Planner, Central District

REVIEWED BY: Stephen Lue, M.C.I.P., R.P.P., extension 2520
Manager, Central District

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Digram Developments (Helen) Inc., Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit an eight-storey residential building at 55, 63, and 83 Helen Avenue (Ward 3), File Nos. PLAN 19 137937 and SU/ZA 17 135415” be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision (the “Applications”) submitted by Digram Developments (Helen) Inc. (the “Owner”). This report contains general information in regards to applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation on the Applications.

Applications deemed complete

Staff deemed the Applications complete on December 19, 2019.

The next steps in the planning process include:

- Holding the statutory Public Meeting at a future date when appropriate; and,
- Consideration of a recommendation report by the Development Services Committee (“DSC”).

It should be noted that the Applications are moving forward during a period when the Province of Ontario has suspended the *Planning Act* timelines for the appeal of an application to the Local Planning Appeal Tribunal. Municipalities have the discretion to continue the processing of applications, so long as the procedural requirements of the *Planning Act* can be met (e.g. sending of notices, public meetings, etc.). The Applications have been circulated to commenting departments and agencies. Further, Staff will proceed with the normal resolution of issues and case management will be undertaken. At the time of the writing of this report, matters respecting the holding of Public Meetings, finalization of approvals and appeals are still being resolved. The Clerk, Legal Services and Development Services are working together to address the mandatory requirements and any technical issues that arise as a result of the emergency.

BACKGROUND:

The subject lands are generally located east of Kennedy Road, north of Highway 407 and are municipally known as 55, 63, and 83 Helen Avenue (the “Subject Lands”), as shown on Figure 1. The Subject Lands have an approximate area of 1.18 ha (2.91 ac) with approximate frontages of 112 m (367 ft) along Helen Avenue and 23 m (75 ft) along Greenberg Gate. Three single detached dwellings and accessory structures occupy the Subject Lands, which are generally flat with vegetation dispersed throughout. The surrounding land uses are shown on Figure 3.

Application History

The following summarizes the history of the Applications:

January 2, 2018: the Owner submitted the applications for Draft Plan of Subdivision and Zoning By-law Amendment for the Original Proposal, as shown on Figure 4, which included 11 single-detached dwellings, 26 townhouse units (approximately 29 units when combined with part lots), extensions of Caboto Trail and Peshawar Avenue, a 0.235 ha park block to be merged with the existing 0.130 ha (0.321 ac) separate park block to the north (already City-owned and secured through a previous development application), and a 0.162 ha (0.4 ac) future development block.

February 2, 2018: Staff deemed the original applications complete.

April 16, 2018: A Preliminary Report was received by the DSC based on the Original Proposal, which the Owner revised prior to the statutory Public Meeting.

June 19, 2018: the statutory Public Meeting was held to consider the Revised Proposal, as shown on Figure 5, which included 11 single-detached units, 15 townhouse units (approximately 29 units when combined with part lots), extensions of Caboto Trail and Peshawar Avenue and a new Street “1”, and a 0.312 ha park block. At the conclusion of the

statutory Public Meeting, the applications were referred back to Staff for further review and a final recommendation report.

Nov. 29, 2019: the Owner submitted applications for a new Official Plan Amendment and further revisions to the Draft Plan of Subdivision and Zoning By-law Amendment for the development shown on Figures 6 and 7, which includes a high-density residential block, extension of Peshawar Avenue, and a 0.233 ha (0.576 ac) park block to be merged with the existing 0.130 ha (0.321 ac) separate park block to the north (already City-owned and secured through a previous development application), as detailed below.

Dec. 19, 2019: Staff deemed the Applications complete.

Official Plan and Zoning

The Subject Lands are designated “Residential Low Rise” in the 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018). This designation permits a variety of grade-related, low-density housing types, including detached dwellings, semi-detached dwellings, townhouses excluding back-to-back townhouses and small multiplex buildings containing three to six units.

Following the statutory Public Meeting, the Owner further revised the development proposal, by replacing the ground-oriented units in the earlier proposals with a high-density residential block, as discussed further below, which does not conform to the “Residential Low Rise” policies of the 2014 Official Plan. The Owner submitted an Official Plan Amendment application to redesignate the Subject Lands to “Residential High Rise” and increase the maximum density from 2.5 to 3.46 times the area of the lot [Floor Space Index (“FSI”)].

The Subject Lands are zoned “Rural Residential One” (RR1) by By-law 304-87, as amended (Figure 2), which permits one single-family detached dwelling per lot. The Owner submitted a Zoning By-law Amendment application to delete the Subject Lands from the designated area of By-law 304-87, as amended, in order for new zoning provisions to be enacted under the “Residential Four” (R4) zone category of By-law 177-96, as amended, including but not limited to site-specific development standards and parking requirements.

If the Applications are approved, the proposed park block will also need to be rezoned from “Rural Residential One” (RR1) by By-law 304-87 to “Open Space One” (OS1) in By-law 177-96, as amended.

The Owner proposes an eight-storey residential building on Block 1

The Owner’s development proposal (the “Proposed Development”) includes the following, as conceptually shown in Figures 6 and 7:

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- a high-density block fronting Helen Avenue (Block 1) that includes an eight-storey residential building
 - 301 units with an approximate gross floor area (“GFA”) of 22,061 m² (237,470 ft²)
 - a park block (Block 2), with an approximate area of 0.233 ha (0.576 ac) at the southeast portion of the revised draft plan, to be integrated with an existing park block to the north that the City has already secured through a previous development application
 - the westerly extension of Peshawar Avenue, which turns 90 degrees north to connect with Helen Avenue

With the Owner’s submission of an Official Plan Amendment application to facilitate the high-density residential block, the Owner scoped the development limits of the original Draft Plan of Subdivision and Zoning By-law Amendment applications as shown in Figures 6 and 7. The remainder of the Owner’s lands, south of the proposed westerly extension of Peshawar Avenue, are no longer part of the Applications. The original applications for Draft Plan of Subdivision and Zoning By-law Amendment were revised to reflect the Proposed Development.

The details of the Proposed Development will be refined further through a separate future Site Plan Approval application, should Council approve the current Applications. At this time, the Owner conceptually proposes a “U- shaped” building as shown in Figure 7. The Proposed Development steps down to five and three storeys along the easterly building interface with the existing single-detached dwellings.

The Owner proposes two full movement driveway accesses to provide access to the Proposed Development: one along the proposed westerly extension of Peshawar Avenue and one along Helen Avenue (Figure 7). The Owner proposes to locate the main building entrance along Helen Avenue, with a pick-up and drop-off area located within in the proposed internal courtyard. Surface parking for 31 visitor parking spaces and associated drive aisles are located within the proposed internal courtyard with the remaining parking (334 spaces) in two underground levels accessed by a ramp under the east side of the south wing. The Owner further proposes a parking reduction, as discussed further below.

OPTIONS/ DISCUSSION:

The following summarizes the matters raised to date for consideration. These matters, among others, identified through the circulation and detailed review of the Proposed Development will be addressed in a final report to the DSC:

- Review of the submitted Planning Justification Report and Urban Design Brief, draft Official Plan Amendment, and draft Zoning By-law Amendment, submitted by the Owner, as prepared by KLM Planning Partners Inc.
- Review of the conceptual block plan prepared by the Owner that encompasses the area bounded by Helen Avenue to the north, Greenberg Gate to the east, Highway 407 to the south and Kennedy Road to the west, and in the context of the Markham Centre Secondary Plan Update, which the City is currently undertaking.

- Review of the appropriateness of the Owner's Proposed Development having regard for matters, including, but not limited to, the following:
 - compatibility with the existing and planned surrounding land uses
 - the appropriateness of the proposed density and building height
 - contribution to community benefits including public art
 - built form and massing, building orientation, transitions, and angular planes
 - traffic impacts, parking, and transportation demand management
 - municipal servicing, including upgrades to existing sewers
 - the appropriateness of the proposed park block size, configuration, and appropriate ratios of parkland dedication requirements and cash in lieu of parkland
 - affordable housing, purpose-built rental, senior-focused housing, and family friendly units
 - the potential for additional land consolidation
- Prior to the formal future submission of a Site Plan Application, the review of the Applications will consider the following, but not limited to matters, which will be fine-tuned at the site plan stage:
 - Sun and shadow and wind effects
 - Pedestrian connections, driveway accesses and locations
 - Sustainability measure, bird-friendly guidelines, and accessibility
- The City's Parking Standards By-law 28-97, as amended, requires parking for an apartment dwelling to be provided at a rate of 1.25 parking spaces per dwelling unit, plus 0.25 parking spaces per dwelling unit for visitors. The Owner proposes a reduced parking rate of 1 parking space per dwelling unit, plus 0.20 parking spaces per dwelling unit for visitors. The Owner submitted a Parking Utilization Study that is currently under review by the City's Transportation Planning Staff.
- Review of all technical studies submitted in support of the Applications including, but not limited to, the following:
 - Tree Inventory and Preservation Plan
 - Shadow Study
 - Angular Plane Study
 - Functional Servicing and Stormwater Management Report
 - Geotechnical Investigation
 - Hydrogeological Investigation
 - Traffic Impact Study and Functional Servicing Report
 - Parking Utilization Study
 - Phase 1 and Phase 2 Environmental Site Assessments
- The Proposed Development shall consider any requirements of external agencies including, but not limited to, the Ministry of Transportation and York Region.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications will be evaluated in the context of growth management, environmental considerations and other strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications have been circulated to various departments and external agencies and their requirements will be addressed as part of a future staff recommendation report, if necessary.

RECOMMENDED BY:

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 (2019)

Figure 4: Original Proposal

Figure 5: Revised Proposal – June 19, 2018 Public Meeting

Figure 6: Proposed Development

Figure 7: Conceptual Site Plan (Block 1)

AGENT:

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