



Report to: Development Services Committee

Meeting Date: October 29, 2024

SUBJECT: RECOMMENDATION REPORT
Zoning By-law Amendment Application submitted by Orchardale Homes (Steeles) Inc. to facilitate the development of 17 townhouse units at 330 and 336 Steeles Avenue East, File PLAN 21 139369 (Ward 1)

PREPARED BY: Hailey Miller, Senior Planner, West District, Ext. 2945

REVIEWED BY: Rick Cefaratti, MCIP, RPP, Acting Manager, West District, Ext. 3675
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATION:

1. THAT the report dated October 29, 2024, titled, “Zoning By-law Amendment Application submitted by Orchardale Homes (Steeles) Inc. to facilitate the development of 17 townhouse units at 330 and 336 Steeles Avenue East, File PLAN 21 139369 (Ward 1)”, be received;
2. THAT the Zoning By-law Amendment application be approved and that the draft site-specific Zoning By-law Amendment, attached as Appendix ‘A’, be finalized and enacted without further notice;
3. THAT servicing allocation for 17 townhouse units be assigned and that servicing allocation will be revoked or reallocated after a period of three (3) years from the date of Council Approval, should the development not proceed in a timely manner;
4. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends approval of the Zoning By-law Amendment application (the “Application”) submitted by Orchardale Homes (Steeles) Inc. (the “Owner”) to facilitate the development of 17 townhouse units (the “Proposed Development”) on the lands municipally known as 330 and 336 Steeles Avenue East (the “Subject Lands”).

Process to Date

- Staff deemed the Application complete on January 17, 2022
- The Development Services Committee (the “DSC”) received the Public Meeting Information Report on June 7, 2022
- The statutory Public Meeting was held on June 7, 2022

The 90-day period set out in the *Planning Act* before the Owner can appeal the Application to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on April 16, 2022. Accordingly, the Owner can appeal the Application to the OLT.

Next Steps

Should the DSC support the Application, the planning process would include the following next steps:

- Enactment of the site-specific Zoning By-law Amendment (“ZBA”) at the November 6, 2024, Council meeting
- Future required applications for Site Plan Control, Draft Plan of Condominium (common element), and Part Lot Control Exemption

BACKGROUND:

Subject Lands and Area Context

The 0.33 ha (0.82 ac) Subject Lands are located along the north side of Steeles Avenue East, east of Bayview Avenue, and are currently developed with two single detached dwellings that are proposed to be removed to accommodate the Proposed Development (see Figures 1 to 3). Figure 3 shows the surrounding land uses.

PROPOSAL:

The Owner proposes to amend Zoning By-law 177-96 to permit the Proposed Development (see Figure 4) serviced by an internal private driveway with two accesses from Steeles Avenue East (see Table 1).

TABLE 1: Proposed Development Key Statistics	
Number of Units	17
Unit Widths	4.9 m to 7.1 m (16.1 ft to 23.3 ft)
Building Height	3 storeys - 13 m (42.7 ft)
Parking Spaces	38 34 residential (plus 4 visitor)

PLANNING POLICY AND REGULATORY CONTEXT:

The following describes how the Application meets the planning policy framework established by the Province, York Region, and the City under the *Planning Act*, R.S.O. 1990.

The Proposed Development is consistent with the policies of Provincial Policy Statement, 2020 (the “2020 PPS”) and the Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development and land use patterns, and wise use and management of resources. The Subject Lands are designated for development in the York Region and City Official Plans.

The Growth Plan provides, in-part, a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041, with building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth. The Subject Lands are located within the Growth Plan’s ‘Built-Up Area’ that specifies minimum intensification targets and the objective of achieving complete communities with a mix of land uses and housing options, expanding convenient access to a range of transportation options, and fostering a compact built form and an attractive and vibrant public realm.

Provincial Planning Statement, 2024 (“2024 PPS”)

On August 20, 2024, the Province released the draft Provincial Planning Statement. The 2024 PPS came into effect on October 20, 2024, and subject to transition regulations, all planning decisions made after the

effective date will be required to be consistent with the 2024 PPS. Planning Staff have reviewed the policies of the 2024 PPS and opine the Proposed Development is consistent with its policies.

The Proposed Development conforms to the York Region Official Plan (the “2022 ROP”)

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) (“Bill 185”) received Royal Assent, which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024. Pursuant to subsection 70.13(2) of the *Planning Act*, 2022 ROP is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The 2022 ROP designates the Subject Lands ‘Urban Area’ on Map 1 - Regional Structure, which permits a wide range of land uses including residential, commercial, employment, and institutional uses. Map 1A – Land Use Designations designates the Subject Lands ‘Community Area’, which are areas where many residents, personal services, retail, arts, culture, recreational facilities, and human-services needs would be located. The Owner proposes uses that are contemplated under the ‘Community Area’ designation and are considered compatible with the surrounding area.

The Proposed Development conforms to the 2014 Markham Official Plan (“2014 Official Plan”)

The 2014 Official plan designates the Subject Lands “Residential Low Rise”, which permits single detached, semi-detached, townhouses excluding back-to-back townhouses, small multiplex buildings containing three to six units, all with direct frontage onto a public street, with a maximum building height of three storeys. Section 8.2.3.3 of the 2014 Official Plan further specifies that a Zoning By-law Amendment to permit a townhouse development without direct frontage on a public street would be considered where a development block has frontage on an arterial road or a major collector road (i.e., Steeles Avenue East).

In addition, the Infill Development policies for Thornhill apply to the Subject Lands. These policies require that the development of new dwellings respects and reflects the existing pattern and character of adjacent developments. The Application has been reviewed against the Official Plan policies and Staff opine the Proposed Development can be supported as it represents an appropriate intensification of the site and is compatible with the existing pattern and character of the area.

The draft ZBA (Appendix ‘A’) zones the Subject Lands Residential Two (R2) with site-specific development standards

Zoning By-law 1767, as amended, zones the Subject Lands “Single Family Detached Dwelling Special Residential Second Density” (SR2), as shown on Figure 2. The Owner proposes to rezone the Subject Lands to “Residential Two (R2)” under By-law 177-96, as amended, and include site-specific development standards including, but not limited to: minimum rear, front, and side yard setbacks, minimum lot frontage, maximum number of dwelling units, minimum dwelling unit width, and maximum building height.

DISCUSSION:

This section identifies how the matters raised through the review process for the Proposed Development, including those raised at the June 7, 2022, statutory Public Meeting, have been resolved or considered. The City received one written submission and no deputations. The following is a summary of the key comments and concerns raised at the meeting:

- Adequate tree planting to assist in replacing the trees that would be removed to accommodate the Proposed Development, particularly at the rear of the Subject Lands
- A Proposed Development developed in a way that complements existing and future development

- On-site snow storage locations
- Appropriate truck maneuvering of the City's waste vehicles through the Subject Lands
- Concern with the proposed amount of amenity space
- Concern with potential traffic along Steeles Avenue East

a) **Density and Compatibility**

The Proposed Development is generally compatible with the surrounding context consisting of a mix of building types, including an existing townhouse development to the east, a commercial garden centre directly west and adjacent to the Subject lands, and existing single detached dwellings. The Owner proposes a 5 m rear yard setback as a buffer to the existing single detached dwellings located on Huckleberry Lane. The Proposed Development represents an appropriate intensification of the Subject Lands, particularly given its location fronting Steeles Avenue East.

b) **Downstream Sanitary Sewer Capacity Constraints**

City Engineering Staff identified downstream sewer capacity constraints along Steeles Avenue East and through consultation with City Staff, the Owner agrees to contribute \$60,000 to the City towards additional flow monitoring to support future inflow and infiltration reduction in the area. This contribution will be collected through the Site Plan Control application. Engineering Staff have indicated no concerns about the approval of the Application.

c) **City of Toronto**

The Proposed Development fronts onto Steeles Avenue East, which is under the jurisdiction of the City of Toronto. Through review of the Application, the City of Toronto identified the requirement for a 4.21m road widening along Steeles Avenue East. This would be conveyed through the future Site Plan Control application. The City of Toronto indicated they have no concerns with the approval of the Application, subject to their further review through the future Site Plan Control Application.

d) **Access and Site Layout**

The City's Waste and Fire Department identified concerns with the original site layout and access design. The original design shown at the statutory Public Meeting included one access from Steeles Avenue East. In response to the Staff comments the Owner revised their proposal to include two accesses onto Steeles Avenue East to allow waste vehicles to appropriately maneuver through the site.

e) **Amenity Space and Cash-in-lieu**

In consultation with City Staff, the Owner revised their plans so that each unit will provide a minimum of 20 m² contiguous private amenity space to satisfy Planning and Urban Design requirements. The Proposed Development will also require payment of cash-in-lieu of parkland. The value of the cash-in-lieu requirement will be reviewed through the future Site Plan Control Application.

f) **Tree Protection**

Tree planting will be provided on-site to ensure sufficient screening and privacy for the existing surrounding dwellings. Final tree removals and on-site planting will be finalized through the future Site Plan Control and Tree Permit Applications.

g) **Transportation Review**

Concerns were raised by members of the public that the Proposed Development would generate increased traffic in the area. The Owner submitted a Traffic Impact Study, prepared by GHD, that indicates the traffic generated as part of the Proposed Development can be accommodated by the existing

transportation infrastructure. The City's Transportation Planning Staff commented that the submitted Traffic Impact Study in support of the Proposed Development has been reviewed to their satisfaction.

h) Parking and Snow Storage

The Proposed Development provides the minimum number of parking spaces for residents and visitors required by the City's Parking By-law. Moreover, the Owner identified two potential snow storage locations, which will be finalized through the future Site Plan Control Application.

i) Lane Connection to Existing Townhouse Development at the Northwest Corner of Steeles Avenue East and Valloncliffe Road

Planning Staff initially requested an internal laneway connection between the Proposed Development to the existing townhouse development at the northwest corner of Steeles Avenue East and Valloncliffe Road. However, through consultation with City Staff, and with the required two points of access onto Steeles Avenue East for waste and fire vehicles, this connection is not feasible. The properties located east of the Subject Lands (338-344 Steeles Avenue East) could still connect to the existing townhouse development in the future where the City had already secured a public access easement that would allow 338-344 Steeles Avenue East to connect to the existing laneway.

CONCLUSION:

Staff are satisfied that the proposed ZBA is appropriate and represents good planning. The Proposed Development is compatible and complementary with the surrounding area context and, therefore, Staff recommend approval of the Application, subject to the ZBA attached as Appendix 'A'.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Application is being evaluated in the context of the City's strategic priorities, including Growth Management and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Application has been circulated to various City departments and external agencies and their requirements are reflected in the implementing draft Zoning By-law Amendment (see Appendix 'A').

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDIX:

Figure 1: Location Map
Figure 2: Area Context and Zoning
Figure 3: Aerial Photo (2023)
Figure 4: Conceptual Site Plan
Appendix 'A': Draft Zoning By-law Amendment

APPLICANT:

Malone Given Parsons
C/O Catalina Cardenas
140 Renfrew Drive Unit 200
Tel: 905-513-0170