



Report to: Development Services Committee

Report Date: September 10, 2018

SUBJECT: PRELIMINARY REPORT
186 Old Kennedy Development Inc. & 31 Victory
Development Inc.
Applications for Draft Plan of Subdivision and Zoning By-
law Amendment to permit the development of 222 townhouse
units at 186 Old Kennedy Road and 31 & 51 Victory Avenue
(Ward 8)

File Nos: SU/ZA 18 149630

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P.
Senior Planner, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P.
Manager, Central District

RECOMMENDATION:

- 1) That the report titled "PRELIMINARY RERPORT, 186 Old Kennedy Development Inc., & 31 Victory Development Inc., Applications for Draft Plan of Subdivision and Zoning By-law Amendment to permit the development of 222 townhouse units at 186 Old Kennedy Road and 31 & 51 Victory Avenue (Ward 8), File Nos. SU/ZA 18 149630" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the applications. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as staff's opinion or recommendation on the applications.

Applications deemed complete

The proposed Draft Plan of Subdivision and Zoning By-law Amendment applications were deemed complete by staff on May 3, 2018.

Next Steps:

- Scheduling of Statutory Public Meeting;
- Recommendation Report respecting the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications; and if approved,
- Issuance of Draft Plan Approval;
- Enactment of Zoning By-law Amendment;

- Execution of Subdivision Agreement;
- Registration of Draft Plan of Subdivision;
- Submission of future applications for Site Plan Approval and Draft Plan of Condominium.

BACKGROUND:

The subject lands are approximately 3.9 ha (9.6 ac) in size (combined) and have frontage along Old Kennedy Road, Aldergrove Drive and Victory Avenue (Figure 1). The subject lands are comprised of three contiguous properties municipally known as: 186 Old Kennedy Road, 31 Victory Avenue and 51 Victory Avenue. The property municipally known as 186 Old Kennedy Road contains a large, one-storey, commercial/industrial building. Two long, narrow storage structures are located to the west of the commercial/industrial building. The property municipally known as 31 Victory Avenue contains a single-detached dwelling having cultural heritage value (the Alexander McPherson House). It should be noted that the Applicant is proposing to relocate the heritage house from its current location to the northeast corner of the subject lands. The property municipally known as 51 Victory Avenue is vacant (Figure 3).

Surrounding uses are as follows:

- 2 Tang Automotive Centre Limited (municipally known as 210 Old Kennedy Road) abuts the northeast corner of the subject lands. Vacant lands occupy the majority of lands immediately to the north of the subject lands, in addition to a few single detached dwellings fronting Old Kennedy Road;
- To the east, on the east side of Old Kennedy Road, is low density, single-detached, residential;
- To the south, on the south side of Aldergrove Drive, is a stacked townhouse development and vacant lands abutting Old Kennedy Road (it should be noted that an application for site plan approval on the vacant lands has been submitted to permit 48 stacked townhouse units and 16 stacked live-work units fronting Old Kennedy Road). A 0.1 ha (0.25 ac) public park is centrally located within the stacked townhouse units.
- To the west, is GO Transit's Stouffville Rail Corridor and commercial (Market Village Markham and Pacific Mall) beyond.

Applicant proposing a townhouse development with both an interim and ultimate condition

The Applicant is proposing to develop the subject lands with two hundred and twenty-two (222) lane based townhouse dwellings to be accommodated within thirty-four (34) blocks (Figure 5). The proposed townhouse dwellings will have a height of three (3) storeys, a typical unit width of 4.5 metres, and will have rear lane access to garages. Private outdoor amenity space is proposed on roof top terraces, private balconies and green roofs for each townhouse dwelling.

A segment of a new north-south public street (Street B) through the centre of the subject lands is proposed, as well as a proposed realignment of Victory Avenue (Street A) south

of its current location. At the time of writing this report, current land use concepts developed for the Main Street Milliken Secondary Plan update, as discussed below, envision the realignment of Victory Road south of its current location in order to accommodate a future park and school block to north, as well as the termination of Victory Avenue at Street B. As such, the Applicant is seeking to acquire this potentially surplus portion of the current Victory Avenue right-of-way, west of Street B, from the City and incorporate the lands into their development concept. A site plan for both the interim and ultimate development concepts has been provided by the Applicant, as discussed below (Figures 4 & 5).

Interim Condition

The proposed interim condition provides for a 207 unit townhouse development (Figure 4). This condition represents the existing extent of the subject lands without accommodating the potential acquisition of the existing Victory Avenue right-of-way west of Street B.

Ultimate Condition

The proposed ultimate condition provides for a 222 unit townhouse development (Figure 5). The ultimate condition includes a portion of the currently existing Victory Avenue right-of-way, west of the extension of Street B, as part of the subject lands, providing for additional units to be incorporated into the design.

In both the interim and ultimate conditions, an Open Space/Multi-use Pedestrian Block (Block 3) is proposed along the westerly limit of the subject lands adjacent to the GO Transit Rail Corridor. While staff note that the provision of the proposed Open Space/Multi-use Pedestrian Block is consistent with the Main Street Milliken Secondary Plan discussion document, staff cannot confirm the width of the block until the ultimate design has been determined through the secondary plan update process.

N.B.: In both the interim and ultimate condition the proposed townhouse blocks are arranged in a north-south configuration, with the exception of Blocks R – V, which are arranged in an east-west manner to front onto Street A. Staff have expressed concerns with the block orientation and have recommended that the blocks along Aldergrove Drive be re-oriented in an east-west manner in order to frame the street with building frontages.

Draft Plan of Subdivision has been submitted

A Draft Plan of Subdivision application has been submitted by the Applicant (Figure 6) and will facilitate the development of three blocks: Block 1 [Residential Condominium Townhouses (west of Street B)], Block 2 [Residential Condominium Townhouses (east of Street B)] and Block 3 (Open Space/Multi-use Pedestrian Block). Allowances for the newly proposed roads (Street A and Street B) are also provided for in the proposed draft plan of subdivision (Figure 6), which is currently under review by City staff and external agencies. It should be noted that in their comments, Engineering staff have advised that a road widening block, north of the existing Aldergrove Drive, should also be identified on the proposed Draft Plan of Subdivision.

Official Plan and Zoning**2014 Official Plan**

The 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) designates the subject lands as “Mixed Use Mid Rise” (front portion of the site adjacent to Old Kennedy Road) and “Residential Mid Rise” (remainder of the site). The “Mixed Use Mid Rise” designation provides for apartment buildings, multi-storey non-residential or mixed use buildings, stacked townhouses and townhouses including back-to-back. The “Residential Mid Rise” designation provides for townhouses including back-to-back, small multiplex buildings containing 3 to 6 units, stacked townhouses, apartment buildings and buildings associated with day care centres, places of worship and public schools. It should be noted that Section 9.15.3.3 of the 2014 Official Plan states that until an updated secondary plan is approved for the Milliken Centre lands, the provision of the of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 2-4 (OPA 144), as amended, apply to the lands (as discussed below).

Official Plan (Revised 1987)

The City’s Official Plan (Revised 1987) designates the subject lands “Commercial – Community Amenity Area” (front portion of the site adjacent to Old Kennedy Road) and “Urban Residential” (remainder of the site). The “Commercial – Community Amenity Area” designation provides for medium and high density residential uses, subject to a rezoning, provided that the planned function of the lands is maintained, that the location is appropriate and that the applicable provisions of the plan are maintained (Section 2.13). Lands designated “Urban Residential” shall be used for housing and related purposes, with secondary plans establishing permitted residential uses and densities. Since a new secondary plan has not yet been approved, the Official Plan (1987 Revised) and the Main Street Milliken Secondary Plan (OPA 144) continue to apply.

Main Street Milliken Secondary Plan (OPA 144)

The subject lands are further designated “Community Amenity Area - Main Street” (front portion of the site adjacent to Old Kennedy Road) and “Urban Residential Medium Density” (remainder of the site) in the Main Street Milliken Secondary Plan (OPA 144). The “Community Amenity Area - Main Street” designation provides for small to moderate scale retail, personal service, restaurants and business uses. Generally, residential uses are not permitted on the ground floor of buildings facing Old Kennedy Road. However, Section 5.3.3 c) of the secondary plan states “Notwithstanding Section 5.3.3 (b), residential uses are permitted on the ground floor of buildings on lands designated “Community Amenity Area – Main Street” on the west side of Old Kennedy Road between Aldergrove Drive and Victory Avenue.” A minimum Floor Space Index (FSI) of 1.0 is permitted with a maximum of 1.25 subject to a Zoning By-law Amendment and traffic impact analysis (*see note below).

The “Urban Residential – Medium Density” designation provides for a variety of housing types including townhouses, street townhouses, stacked townhouses, garden court apartments, terrace houses, duplexes, triplexes and other forms of multiple unit housing. In accordance with Section 5.5.2 b) of the Main Street Milliken Secondary Plan (OPA

144), the density shall not exceed 79.9 units per hectare (UPH) (32 units per acre) (*see note below).

***N.B.:** The Applicant is currently confirming that the FSI and UPH of the proposed development complies with the secondary plan policies to determine whether an Official Plan Amendment is required. The Applicant will need to confirm this prior to the scheduling of the Statutory Public Meeting.

The maximum height of buildings within both the “Community Amenity Area - Main Street” and the “Urban Residential – Medium Density” designations shall generally be three (3) storeys. Exceptions to increase the height limitation to four (4) storeys may be considered subject to appropriate integration with surrounding development, and approval of a specific development proposal. As previously indicated, the Applicant is proposing three (3) storey townhouse dwellings.

Update to Main Street Milliken Secondary Plan is Underway

An update to the Main Street Milliken Secondary Plan is underway by the City, in cooperation with the Landowner’s Group and their planning and engineering consultants. The update is being undertaken in accordance with Section 9.15 of the 2014 Official Plan and includes an expanded secondary plan area beyond the existing Milliken Mills Secondary Plan. The objective of the update is to provide a pedestrian and transit oriented community with a balance of residential, retail, office and public uses. The aim is to finalize the secondary plan in mid-2019. It should be noted that the subject lands, and proposed development intended for the same, may be impacted by road patterns, capacity constraints, pedestrian linkages, open space requirements, etc. that may emerge from the secondary plan update exercise.

Given that the secondary plan update is in progress many issues are unresolved and the processing of the applications should have regard for the on-going studies and preliminary recommendations associated with the secondary plan process including built form, density, sanitary sewer capacity, open space requirements, road alignment(s), right-of-way width(s) (for Street A – to be confirmed), road widening(s) (for Aldergrove Drive – to be confirmed), width of the proposed Open Space/Multi-Use Pedestrian Block (Block 3 – to be confirmed), on-street parking, connectivity, the design and construction of walkways and cycling facilities, etc.

Based on the latest development concept plan for the secondary plan update, a 2.8 ha (6.9 ac) neighbourhood park and elementary school campus is planned north of the subject lands, central to the community. This proposed neighborhood park is located within a (less than) 5 minute walk from the subject lands. Two additional local parks are also planned in the north-west and south-east quadrants of the community. The proposed parkette in the north-west quadrant is 0.76 ha (1.8 ac) in size and the proposed parkette in the south-east quadrant is 0.6 ha (1.5 ac) in size. The 0.6 ha (1.5 ac) parkette is the closer of the two parkettes from the subject lands, within an approximately 5-10 minute walk. As previously mentioned, a 0.1 ha (0.25 ac) public park is centrally located within the

stacked townhouse units south of the subject lands, within a (less than) 5 minute walk from the subject lands.

Zoning

The subject lands are zoned “Community Amenity Two *284 (Hold) *274 (Hold 2)” [CA2*284(H)*274(H2)], “Residential Three *273 (Hold) *274 (Hold 2)” [R3*273(H)*274(H2)], “Residential Three *272 (Hold) *274 (Hold 2)” [R3*272(H)*274(H2)], “Residential Three *273 (Hold)” [R3*273(H)] and “Residential Three *272 (Hold)” [R3*272(H)] by By-law 177-96, as amended (Figure 2). The Applicant has submitted a Zoning By-law Amendment application to implement the necessary zoning provisions to facilitate the proposed development. It should be noted that in the draft Zoning By-law Amendment submitted with the applications, that the Applicant is seeking permissions to allow for townhouse dwellings, multiple dwellings, apartment dwellings, home occupations and home child care. These proposed uses will be further reviewed by staff and discussed in a future Recommendation Report.

Proposed visitor parking supply to be confirmed

In accordance with the City’s Parking By-law 28-97, as amended, 2 parking spaces per townhouse dwelling is required, plus 0.25 parking spaces per visitor parking. This would require a total of 500 parking spaces to be provided for the proposed development in its ultimate condition. The Applicant is proposing 2 tandem parking spaces per dwelling in accordance with the City’s by-law requirement (444 parking spaces). An additional seventy-six (76) parking spaces are proposed, which form a combination of visitor parking spaces (dispersed throughout the site) and parallel lay-by parking spaces (located along the proposed Open Space/Multi-use Pedestrian Block, the east and west sides of Street B, and partially within the Aldergrove Drive extension).

Staff have requested clarification on the proposed visitor parking supply and have asked the Applicant to clearly identify and label the location of visitor parking spaces on the site plan. The Applicant has been advised that all visitor parking must be contained on site and outside of publicly owned lands (or lands to be conveyed), including rights-of-way. Staff have also expressed concerns with the proposed lay-by parking spaces located on the east and west sides of Street B, as well as those partially located within the Aldergrove Drive extension, as it increases the amount of pavement within the cross section and compromises street tree locations within the public realm.

OPTIONS/ DISCUSSION:

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

- Staff are reviewing the Planning Justification Report prepared by Weston Consulting and submitted with the applications.
- Staff have expressed concerns with respect to the prematurity of the applications given the status of the secondary plan update and the various components that are still in discussion.

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- The applications have been circulated to Heritage Markham who have indicated the importance of retaining the heritage building in its original location and integrating it into the proposed development as opposed to relocating elsewhere on site.
 - The current proposal shows a proposed realignment of Victory Avenue (Street A) running through the 2 Tang Automotive site at 210 Kennedy Road. The Applicant will need to demonstrate how the proposed development at 210 Kennedy Road will not be impacted as part of the processing of these applications.
 - The corner of Old Kennedy Road and Aldergrove Drive is identified as a “Secondary Gateway” (entry point that reflects the importance of the intersection through built form and streetscape enhancement) in the Main Street Milliken Secondary Plan (OPA 144). The Applicant has been asked to demonstrate how the proposed development will accommodate a gateway feature design through built form, landscaping and public realm components. A public art feature should be considered by the Applicant at this location.
 - There is no public parkland being dedicated as part of the proposed development. As such, cash-in-lieu of parkland will be required as a condition of draft plan approval, should the proposed development be approved.
 - Studies associated with the Main Street Milliken Secondary Plan update, including but not limited to, Transportation Study, Master Environmental Servicing Plan (MESP) and Retail Study, are underway.
 - Review of all technical studies submitted in support of the proposed development, including Functional Servicing Report, Stormwater Management Report, Phase 1 & 2 Environmental Site Assessments, Hydrogeological Site Assessment, Geotechnical Investigation, Transportation Mobility Plan (including TDM strategy) and Arborist Report, is currently on-going as part of the application review.
 - Staff have expressed concerns with several components of the proposed layout of the development including, but not limited, to: block layout/orientation, number of townhouse units per block, greater variety of unit types, setbacks, visitor parking (both provision and distribution throughout the site), lay-by parking location(s), pedestrian linkages/connectivity and private/shared amenity/open spaces.
 - Matters such as elevation design, access, landscaping, sustainability measures, snow storage/removal, service connections and the location of utilities are currently under review by staff. A future site plan application is required.
 - Section 37 agreement for public art is required.
 - A formal pre-consultation meeting was held with the Applicant and staff on January 16, 2017. A Statutory Public Meeting is tentatively scheduled for November 13, 2018.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development will be reviewed in the context of the Growth Management strategic priority.

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.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager



Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

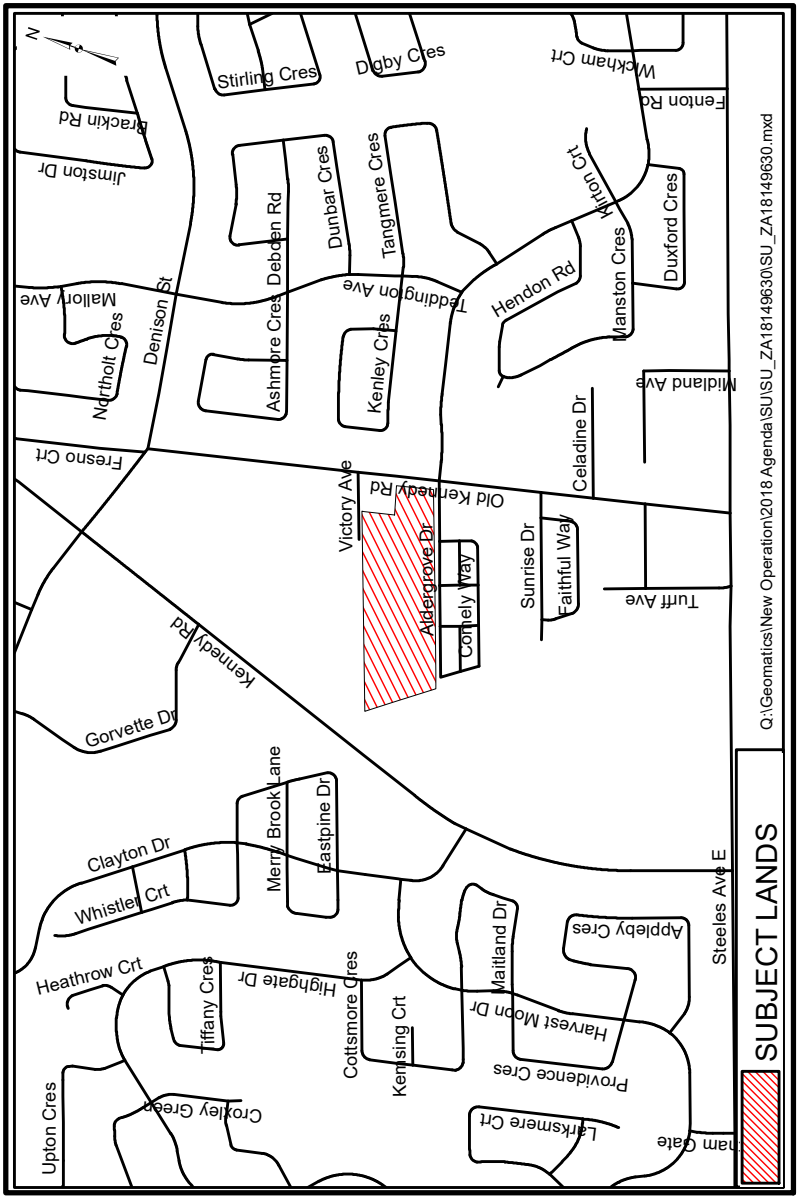
- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Air Photo
- Figure 4: Site Plan – Interim Condition
- Figure 5: Site Plan – Ultimate Condition
- Figure 6: Proposed Draft Plan of Subdivision

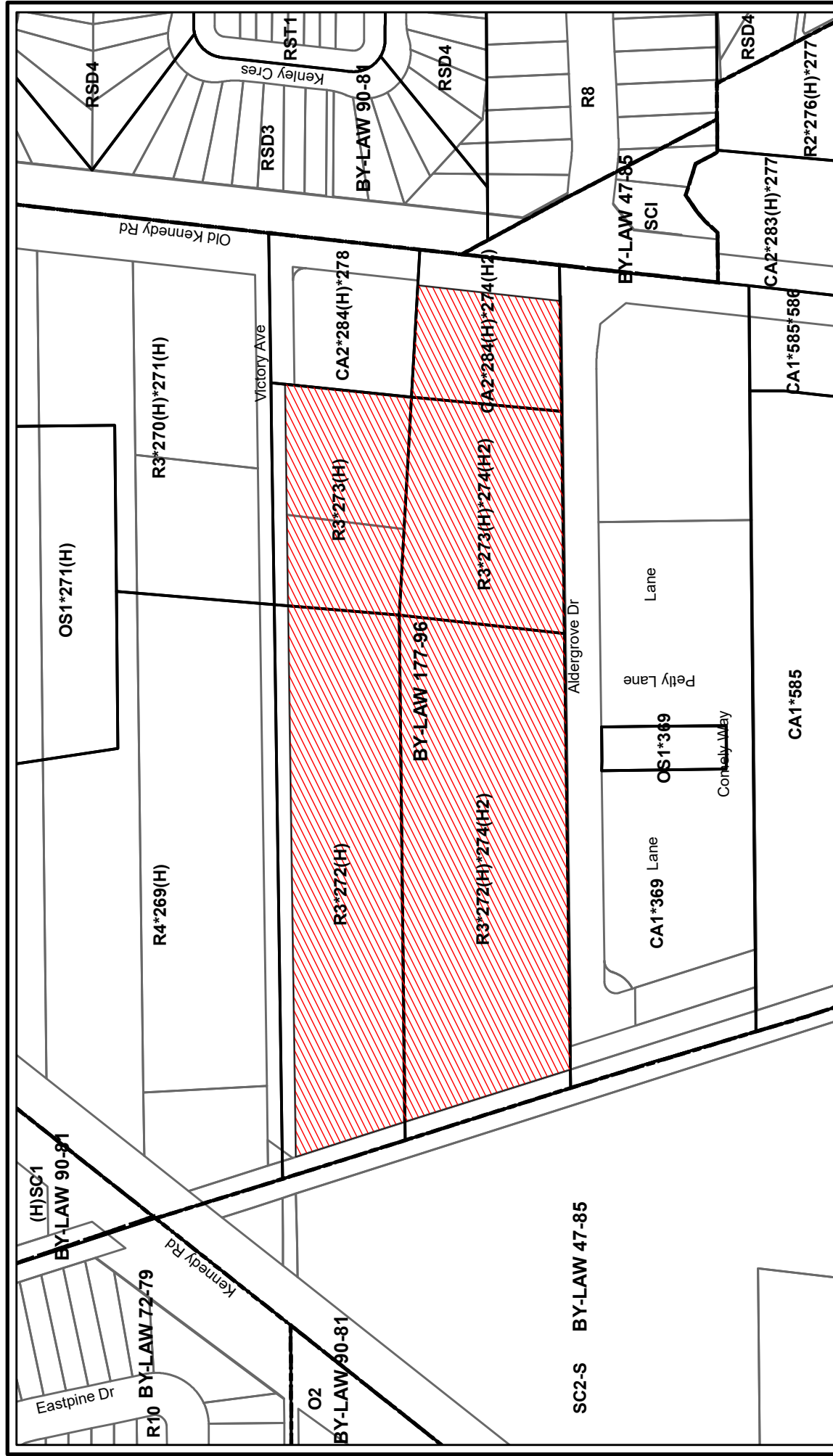
AGENT:

Ryan Guetter
Weston Consulting
201 Millway Avenue, Unit 19
Vaughan, ON
L4K 5K8

Tel: (905) 738.8080 ext. 241
Email: rguetter@westonconsulting.com

File path: Amanda\File 18 149630\Documents\Preliminary Report





AREA CONTEXT / ZONING

APPLICANT: 186 OLD KENNEDY DEVELOPMENT INC. & 31 VICTORY DEVELOPMENT INC.
186 OLD KENNEDY ROAD & 31 & 51 VICTORY AVENUE

FILE No. SU_ZA 18149630 (SB)

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ARKHAM DEVELOPMENT SERVICES COMMISSION

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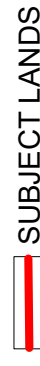
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FIGURE No. 2



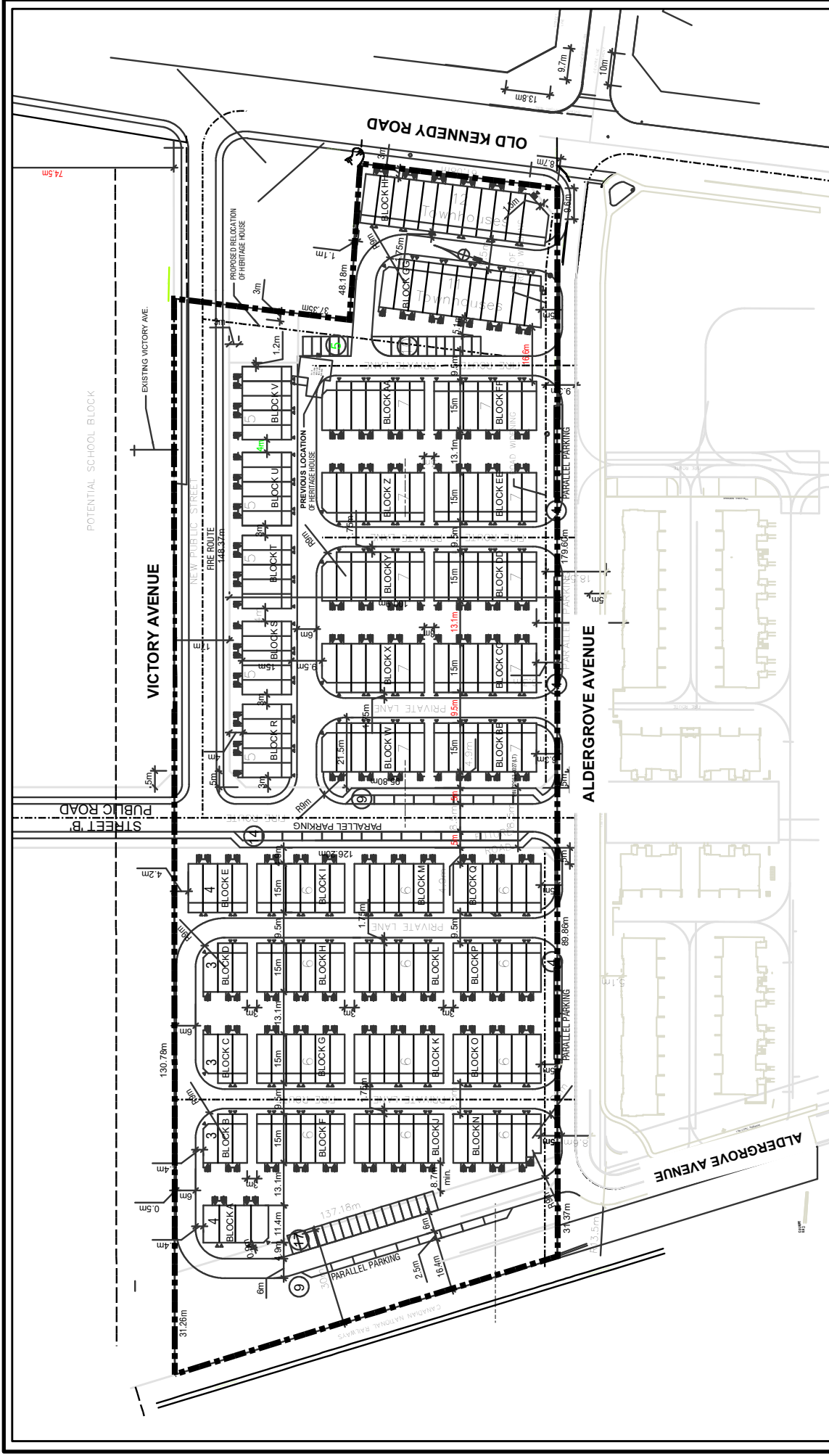
AERIAL PHOTO (2017)

APPLICANT: 186 OLD KENNEDY DEVELOPMENT INC. & 31 VICTORY DEVELOPMENT INC.
186 OLD KENNEDY ROAD & 31 & 51 VICTORY AVENUE



FILE No. SU_ZA 18149630 (SB)

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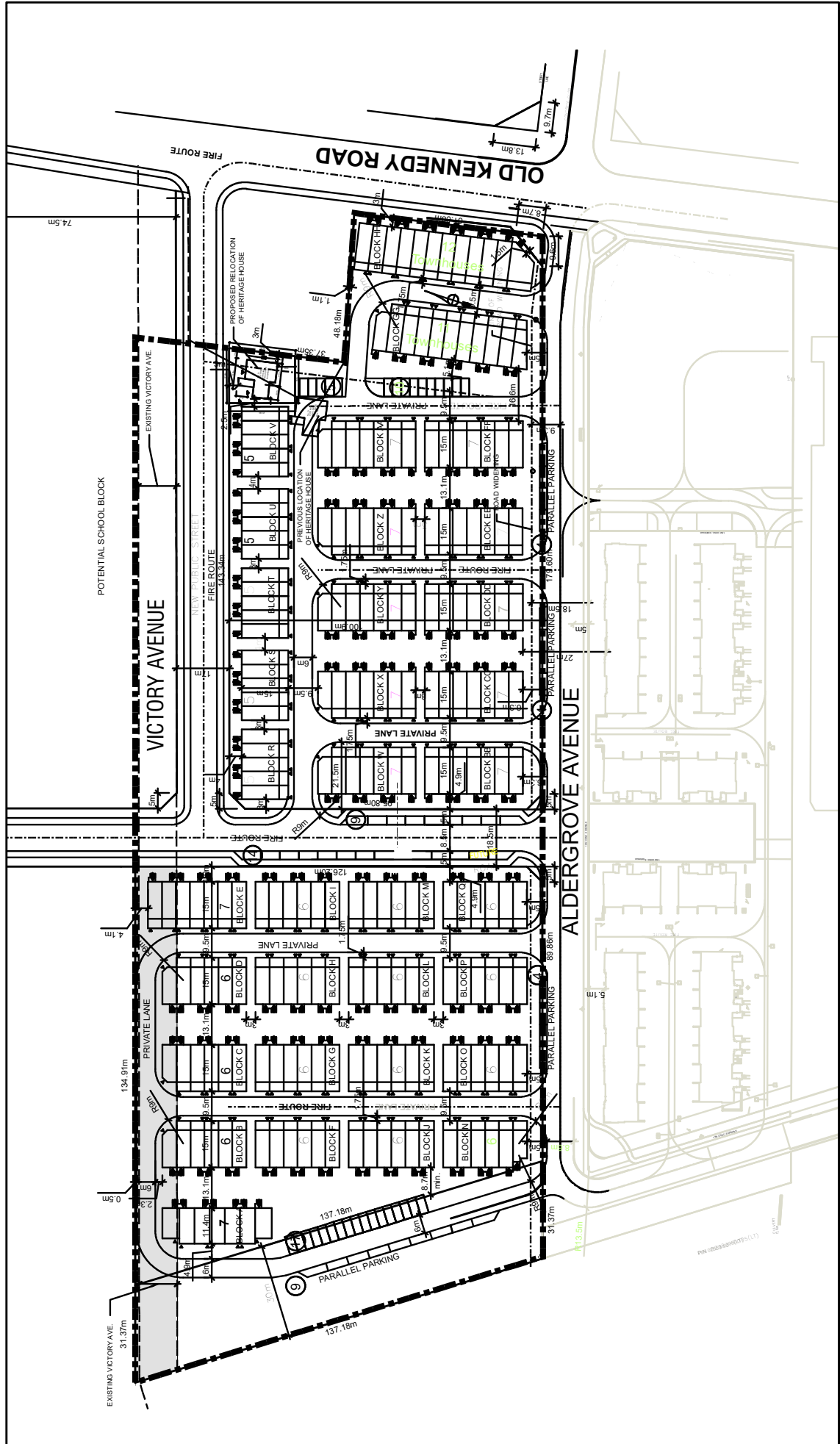


SITE PLAN (Interim Condition)

APPLICANT: 186 OLD KENNEDY DEVELOPMENT INC. & 31 VICTORY DEVELOPMENT INC.
 186 OLD KENNEDY ROAD & 31 & 51 VICTORY AVENUE

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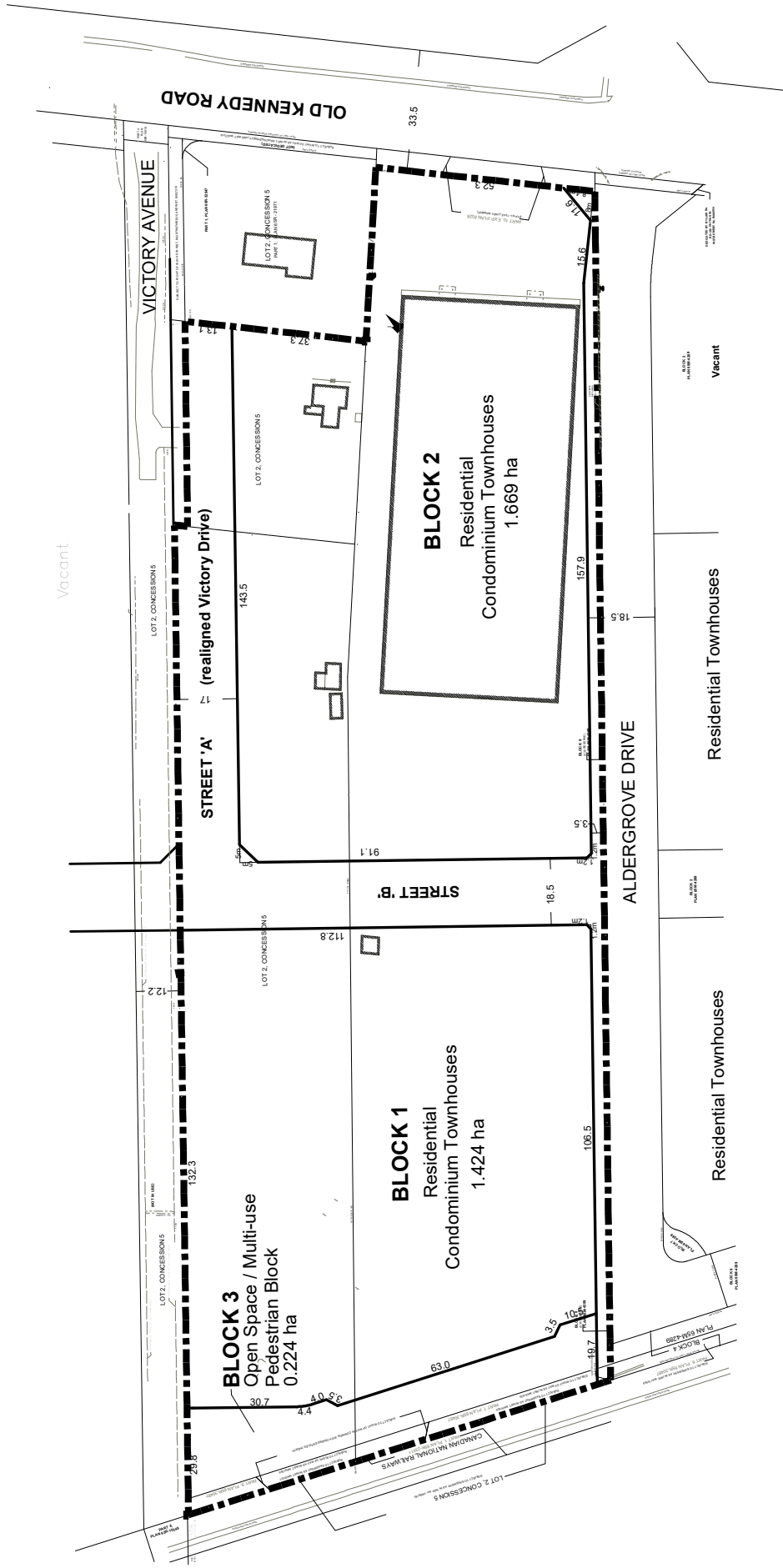
SITE PLAN (Ultimate Condition)

APPLICANT: 186 OLD KENNEDY DEVELOPMENT INC. & 31 VICTORY DEVELOPMENT INC.
186 OLD KENNEDY ROAD & 31 & 51 VICTORY AVENUE

FILE No. SU_ZA 18149630 (SB)

- Subject Lands
- Potential surplus lands (Victory Ave R.o.W)

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PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: 186 OLD KENNEDY DEVELOPMENT INC. & 31 VICTORY DEVELOPMENT INC.
186 OLD KENNEDY ROAD & 31 & 51 VICTORY AVENUE

SUBJECT LANDS

FILE No. SU_ZA 18149630 (SB)

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