



Report to: Development Services Committee

Meeting Date: September 5, 2018

---

**SUBJECT:** PRELIMINARY REPORT  
Garden Homes (Markham) Inc.  
Proposed Official Plan and Zoning By-law Amendments, and  
Draft Plan of Subdivision and Site Plan Approval applications  
for 11 townhouses and a semi-detached dwelling at 73 Main  
Street South Markham Village  
Ward 4

**FILES:** OP 15 108135, ZA 15 108135, SU 17 157341 & SC 17  
157341

**PREPARED BY:** Peter Wokral, Heritage Conservation Planner ext. 7955

**REVIEWED BY:** Regan Hutcheson, MCIP, RPP, Manager of Heritage Planning  
ext. 2080

---

**RECOMMENDATION:**

- 1) That the report entitled “PRELIMINARY REPORT, Garden Homes (Markham) Inc., Proposed Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision and Site Plan Approval applications for 11 townhouses and a semi-detached dwelling at 73 Main Street South, Markham Village, Files OP 15 108135, ZA 15 108135 & SU 17 157341 & SC 17 157341” dated September 5, 2018, be received.

**PURPOSE:**

The purpose of this report is to provide preliminary information on applications submitted for Official Plan and Zoning By-law amendments, and for Draft Plan of Subdivision and Site Plan Approval. This report contains general information in regards to applicable Official Plan or other policies as well as other issues. The report should not be taken as staff’s opinion or recommendation on the application.

**The Applications have been deemed complete**

The Official Plan and Zoning amendment applications were submitted by MPlan Inc. on September 24, 2015 and deemed complete on October 22, 2015. The Draft Plan of Subdivision and Site Plan Control Applications were submitted by Garden Homes (Markham) Inc. on August 30, 2017 and deemed complete on October 13, 2017. A statutory Public Meeting has been scheduled for November 13, 2018.

**BACKGROUND:**

**Subject Property**

The 0.332 ha (0.82 acre) irregular shaped lot is known municipally as 73 Main Street South Markham Village and is located on the east side of Main Street South where it intersects with Mill Street, north of Highway 407 and south of Highway 7 East (See Figure 1-Location Map). The property is also located within the Markham Village Heritage Conservation District, but is vacant.

---

**Surrounding Land Uses**

Surrounding land uses include naturalized open space to the north, non-heritage single detached dwellings immediately to the south and across Main Street, and a pair of semi-detached dwellings constructed in the 1960's located to the east fronting Mill Street. Large modern townhouse developments constructed in the last thirty years are located to the south on both sides of James Scott Road (See Figure 2-Aerial Photograph).

**Application History**

The Official Plan and Zoning Amendment applications for 73 Main Street South were submitted to the City in the autumn of 2015 by MPlan Inc. under the 1987 Markham Official Plan. These applications were accompanied by a different development proposal composed of four blocks of townhouses, three storeys in height having fourteen residential units.

This development proposal was the subject of a Community Information Meeting held on January 29<sup>th</sup> 2016. The majority of residents who attended the meeting were opposed to the proposed development due to the proposed three storey height and density of the proposed townhouses as well as traffic concerns regarding the access to Mill Street. Following the Community Information Meeting, the applicant paused the application to reconsider the proposal, and no preliminary report was prepared or Statutory Public Meeting scheduled.

The property was subsequently purchased by a new owner Garden Homes (Markham) Inc. who assumed the Official Plan and Zoning Amendment applications submitted by MPlan Inc. and then submitted the Draft Plan of Subdivision and Site Plan Control applications on August 20, 2017. The Draft Plan of Subdivision and Site Plan applications reduced the height of the proposed townhouses to two storeys.

The Draft Plan of Subdivision and Site Plan applications were deemed complete on October 13, 2017 and the applicant indicated that they would soon be submitting a revised Draft Official Plan Amendment to reflect the City's newly in-force Official Plan 2014.

In November of 2017, the applicants appealed the Site Plan Control, Official Plan and Zoning Amendment applications to the Ontario Municipal Board due to the lack of a decision, and to have their appeal considered under the former rules pertaining to O.M.B. hearings, which were changed in January of 2018.

Since that time, Planning Staff, in consultation with the City Solicitor, met with the applicants in an attempt to resolve issues and develop a proposal acceptable to both parties.

**PROPOSAL****Original Submission**

The original submission proposed 3 freehold townhouses fronting on Mill Street (eastern portion of the site) and 11 townhouses in the form of a rear lane condominium within the

larger western portion of the site. The units fronting Main Street, the townhouse units and those fronting Mill Street were to be three storeys high.

**Revised Concept**

Based on feedback provided by City staff, the applicants have developed a concept that reduces the number of townhouse units from fourteen to eleven. These townhouses are to be accommodated in three blocks, two storeys in height, and to be accessed by an internal condominium road. A two storey, semi-detached dwelling would front on Mill Street. Two of the three proposed townhouse blocks are designed to architecturally front Main Street South, and the third block fronts the internal condo road. The proposed semi-detached dwelling fronts Mill Street in a manner similar to the existing pair of semi-detached houses immediately to the north. The proposed development now has 13 dwellings units and represents a density of 15.9 units per acre (39 units per hectare).

**Topographic Issue**

The subject property is located on a portion of north facing slope of Vinegar Hill which rises from the valley lands to the north. Due to the significant slope, the proposed development would require extensive use of retaining walls along its boundaries to provide a more moderate slope for the internal condominium road, which in turn would permit the townhouses to accommodate two car garages in a basement level on the opposite side from the Main Street South frontage.

The design of the proposed townhouses and semi-detached dwellings are subject to the policies and guidelines for new buildings contained in the Markham Village Heritage Conservation District Plan.

**OFFICIAL PLAN AND ZONING***Official Plan (Revised 1987)*

When the Official Plan Amendment was deemed complete for the subject property, the land use policies of the Official Plan (Revised 1987) were in force. The subject property was designated as Urban Residential. Low Density Housing was to consist of single detached, semi-detached and single-attached dwellings with direct frontage on a public street such as street townhouses and linkhouse dwellings, and generally not exceed a gross residential density of 14.8 units per hectare (6 units per acre).

Medium Density I Housing was to consist of multiple dwelling types such as townhouses, street townhouses, terrace houses, duplexes, triplexes, fourplexes, maisonettes, etc at an overall site density not exceeding 31 units per hectare (12.5 dwelling units per acre).

Medium Density II Housing was to consist of multiple dwelling types at a net site density of 32 to 62 units per hectare (13-25 units per acre).

*Official Plan, 2014*

The subject lands are designated “Residential Low Rise” in the 2014 Official Plan, as partially approved on November 24, 2017 and further updated on April 9, 2018. This land use category provides for detached and semi-detached dwellings, townhouses (excluding back to back townhouses), small multiplex buildings (3-6 units) all with direct frontage on a public street at a maximum building height of three storeys. These building types

without direct frontage on a public street may also be considered through a zoning by-law amendment at appropriate locations where a development block has frontage on an arterial road or a major collector road. However, section 9.13.4.8 (Area and Site Specific Policies) limits the building type and height provisions for this property to only detached and semi-detached dwellings at a maximum height of 2 storeys. Also in addition to standard development criteria applicable to all development in Low Rise Residential areas (i.e. section 8.2.3.5 - Infill Development), there are also specific land use objectives and development criteria for properties within the Heritage Centre – Markham Village Heritage Conservation District (section 9.13.4)

The proposed Official Plan Amendment seeks to permit townhouses.

#### *Existing Zoning*

The subject lands are zoned Residential (R1) under By-law 1229 which only permits single detached dwellings. The proposed Zoning By-law Amendment seeks to permit townhouses (See Figure-3 Area Context and Zoning).

#### **Markham Village Heritage Conservation District Plan**

The Markham Village Heritage Conservation District Plan contains policies and guidelines intended to foster new buildings that are compatible with the heritage character of the district in terms of form, massing, scale proportions, and materials. Although the Markham Village Heritage Conservation District is primarily composed of single detached dwellings, it also contains both new and historic examples of townhouse dwellings.

#### **OPTIONS/ DISCUSSION:**

The following is a brief summary of the concerns/issues raised to date.

#### Site Grading:

- In order to have the internal condo road conform with Engineering Standards for the maximum amount of slope of 6%, the current development proposal relies on the extensive use of retaining walls along its boundaries which rise to a maximum height of 3.56m (11.7 ft.). The City's Engineering Department has indicated that the proposed retaining walls will not impact the neighbouring properties or prevent their owners from developing their properties in the future. The condominium corporation will be responsible for all future maintenance or replacement of the proposed retaining walls.

#### Tree Preservation:

- The subject property is heavily treed, and the proposed regrading of the property will necessitate the removal of all existing vegetation. Appropriate tree replacements on the subject property, or compensation will be determined by the City's Urban Design Section through their review process.

#### Architectural Style:

- The proposed townhouses and semi-detached dwellings are subject to the policies for new buildings contained in the Markham Village Heritage Conservation

District Plan which are intended to encourage architecturally compatible buildings in terms of form, massing, scale and materials. The proposed grading of the property allows for basement garages accessible from the rear lane, which are only visible from the internal condominium road. The appearance of two storey dwellings is maintained from Main Street South.

Site Access:

- The eleven proposed townhouses are accessed by an internal condominium road which connects to Mill Street. The portion of Mill Street that borders the subject property does not meet the City's minimum 6m wide requirement to permit two way traffic. The applicant proposes to dedicate 4m of land along the north end of the property to provide for the widening of Mill Street where it connects to Main Street South. The intersection of Mill Street and Main Street South is not signalized, which makes turning into and out of Mill Street difficult at certain times of day. However, residents of the proposed development seeking a safe access can travel two blocks south to the signalized intersection at James Scott Road and Main Street South.

Waste Management:

- The City's Waste Management Department requires a minimum pavement width of 6.0m wide, a minimum turning radius of 12m both within the site, and eastbound on to Mill Street, so that collection vehicles will not have to travel in reverse gear. The current site plan does not provide an appropriate hammerhead or 12 m turning radius required by Waste Management which would permit waste collection vehicles to turn around, and not have to travel in reverse gear.

Parking/Snow Storage:

- The proposed townhouse units provide two parking spaces for the occupants of each unit and require a minimum of 3 visitor parking spaces, whereas only two visitor parking spaces are provided. There are also very few opportunities in the immediate vicinity on local roads for visitor parking. The proposed site plan also does not indicate any areas dedicated for the storage of snow. The developer has indicated that private snow removal will be required.

Access to Parks/Open Spaces:

- The subject property is not located close to any public parks but is located near to open spaces such as Milne Dam Conservation Park and valley lands and trails of the Rouge River valley.

**Application Status:**

Because the applications have been appealed to the O.M.B (now the Local Planning Appeal Tribunal – LPAT), the decision to approve, or not, rests with this body, and Council is no longer the approval authority. Furthermore, because of the appeal, there is no requirement to schedule a Statutory Public Meeting. Despite this, planning and legal staff recommend the scheduling of a Public Meeting to provide an opportunity for the public to review and comment on the proposal prior to Markham Council considering the merits of the applications.

---

**FINANCIAL CONSIDERATIONS**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable


**ALIGNMENT WITH STRATEGIC PRIORITIES:**


The application will be considered with the context of the City's growth management and strategic priorities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and was partially reviewed prior to the applicants appeal to the O.M.B. The O.M.B. is now the approval authority.

**RECOMMENDED BY:**

  
\_\_\_\_\_  
Ron Blake, RPP, MCIP  
Director, Planning and Urban Design

  
\_\_\_\_\_  
Arvin Prasad, MPA, RPP, MCIP,  
Commissioner of Development  
Services

**ATTACHMENTS:**

Figure 1	Location Map
Figure 2	Aerial Photograph
Figure 3	Area Context and Zoning
Appendix A -	Original Site Plan and Elevations
Appendix B -	Revised Site Plan and Elevations

Figure 1- Location Map

73 Main Street South, Markham Village

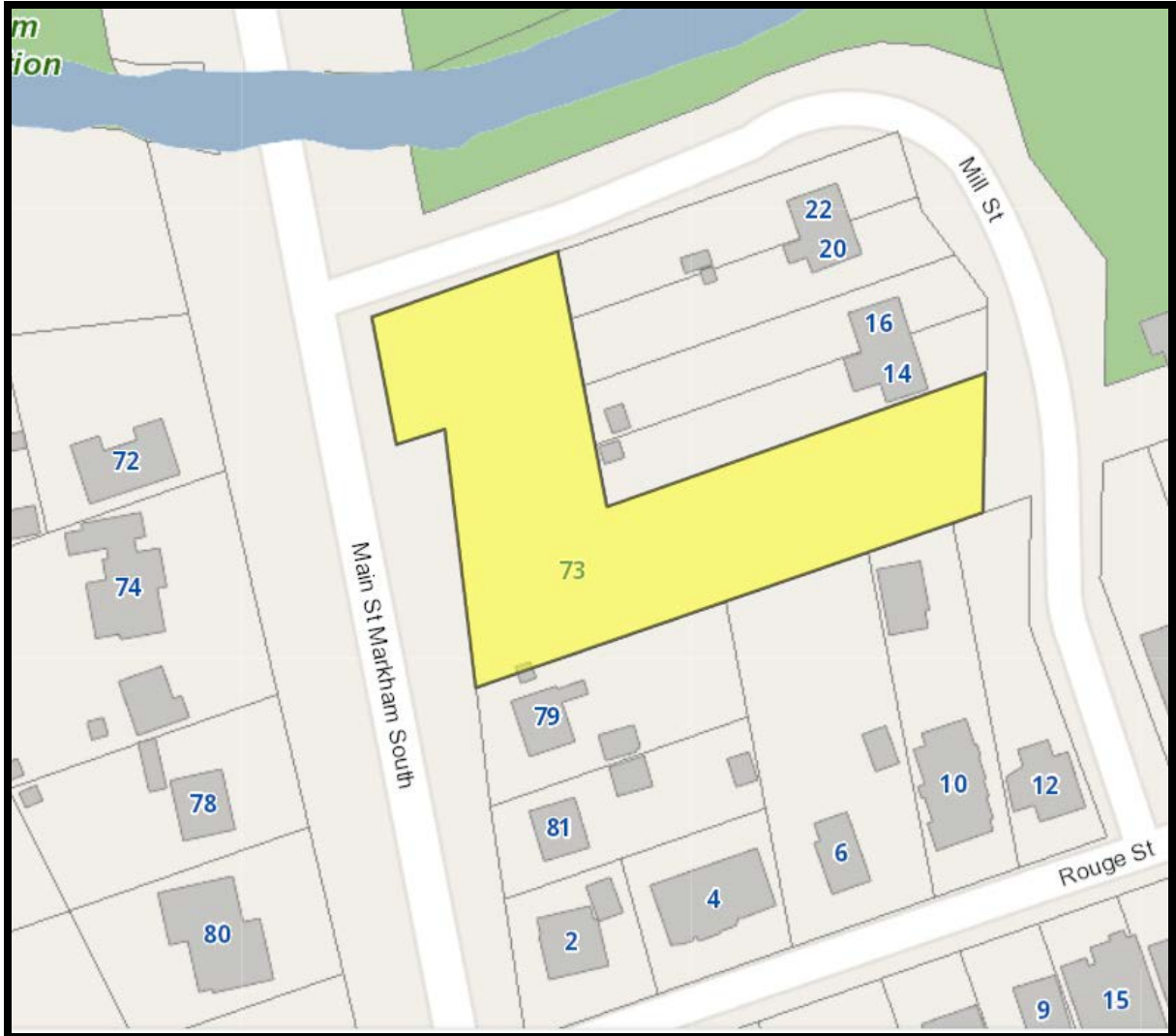
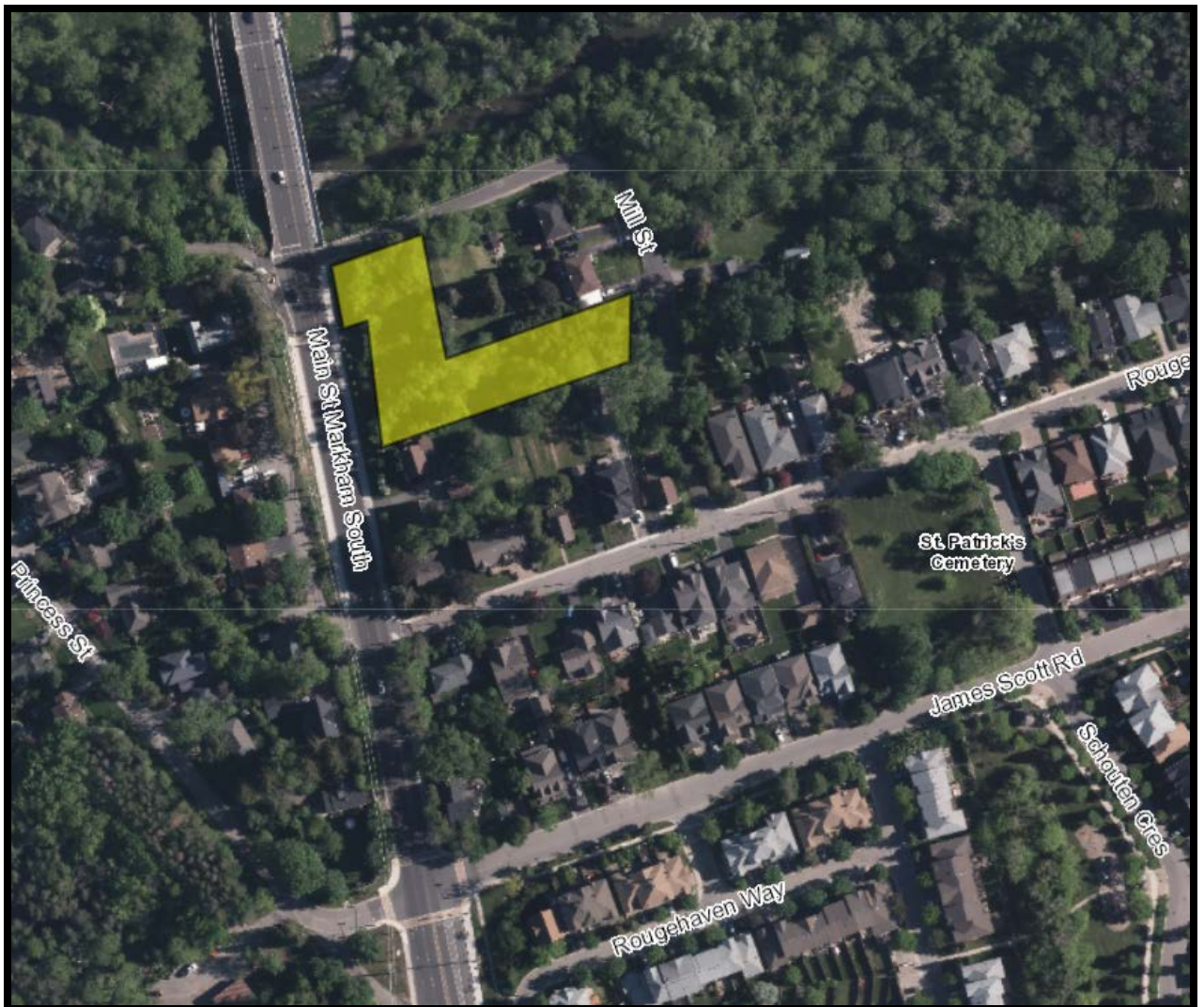




Figure 2- Aerial Map





## Appendix ‘A’

Original Development Concept, Site Plan Elevations and Perspective Drawings by MPlan Inc.







View of the Proposed Development at North-East Corner



## Appendix 'B'

Revised Site Plan and Elevations by Garden Homes (Markham) Inc.

