

**SUBJECT:** RECOMMENDATION REPORT  
Application for Zoning By-law Amendment by Riverwalk Meadows Inc. to facilitate a future severance to create eight residential lots at 7605 9<sup>th</sup> Line, 7597 9<sup>th</sup> Line & Block 228, Plan 65M-3976 (Ward 7)

**FILE:** ZA 17 132402

**PREPARED BY:** Sean Lapenna, Planner II, ext. 2230

**REVIEWED BY:** Sally Campbell, MCIP. RPP. ext. 2645  
Development Manager, East District

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**RECOMMENDATION:**

- 1) That the report titled "RECOMMENDATION REPORT, Application for Zoning By-law Amendment by Riverwalk Meadows Inc. to facilitate a future severance to create eight residential lots at 7605 9<sup>th</sup> Line, 7597 9<sup>th</sup> Line & Block 228, Plan 65M-3976 (Ward 7) File ZA 17 132402" be received;
- 2) That the application by Riverwalk Meadows Inc. to amend Zoning By-law 194-82, as amended & Zoning By-law 177-96, as amended, be approved and that the draft by-law attached as Appendix 'A', be finalized and enacted without further notice;
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report recommends approval of a zoning by-law amendment application to facilitate the redevelopment of two existing residential lots and one open space parcel at the northeast corner of 9<sup>th</sup> Line and Riverwalk Drive. A subsequent severance application through the Committee of Adjustment will need to be submitted to create eight single detached lots in the future.

**BACKGROUND:**

The subject properties are located south of 14<sup>th</sup> Avenue within Box Grove and are at the northeast corner of 9<sup>th</sup> Line and Riverwalk Drive (See Figure 1 – Location Map). These properties have a combined area of approximately 5,135.15 m<sup>2</sup> (55,274 ft<sup>2</sup>). Two single detached dwellings currently exist on the subject properties with one at 7605 9<sup>th</sup> Line and one at 7597 9<sup>th</sup> Line. Each dwelling is proposed to be demolished. The subject lands also include Block 228 on Registered Plan 3976 (Figure 3), which abuts 7597 9<sup>th</sup> Line and is a remnant open space parcel running along the north side of Riverwalk Drive, created when the Balgreen and Winter Garden Estates subdivisions were approved in 2006. Block 228 is owned by the applicant.

**PROPOSAL:**

The applicant is proposing to create eight lots for the purpose of building eight individual single detached dwellings. The lots will be created through a subsequent application for consent to sever the lands, which will be dealt with by the Committee of Adjustment. However, the appropriate zoning needs to be in place before a severance application can be submitted for consideration. The Draft R-Plan (Figure 3) submitted with the application outlines the proposed conceptual configuration of each new lot to be created. This severance is not the subject of this report. The proposed lots would have frontages ranging from 12 metres to 15.25 metres (40 feet to 50 feet), depths ranging from 34 metres to 55 metres (111 feet to 180 feet) with lot areas ranging from 524 m<sup>2</sup> to 760 m<sup>2</sup> (5,640 ft<sup>2</sup> to 8,180 ft<sup>2</sup>).

**OFFICIAL PLAN AND ZONING****Official Plan**

The properties are designated 'Residential Low Rise' in the 2014 City of Markham Official Plan (partially approved as of October 29, 2015, May 26, 2016, March 10, 2017 & April 21, 2017) (the 2014 OP), which provides for a variety of low density housing types, including single-detached dwellings. The development criteria for infill development in the 2014 OP also applies, which seeks to ensure that infill development respects and reflects the existing pattern and character of adjacent development. This is further described in this report, but it is staff's opinion that the proposal does meet the intent of the applicable official plan policies.

**Zoning**

As shown in Figure 2, the following zoning designations currently apply to each subject property:

7605 9th Line: Zoned RRH - Single Family Rural Residential, under By-law 194-82;  
7597 9th Line: Zoned RRH - Single Family Rural Residential, under By-law 194-82;  
Block 228: Zoned OS1 – Open Space One, under By-law 177-96.

The application proposes to rezone the lands fronting onto 9<sup>th</sup> Line from RRH under By-law 194-82 to R2 – Residential Zone under By-law 177-96. The four lots fronting onto Riverwalk Drive are proposed to be rezoned from RRH under By-law 194-82 to R2 – Residential Zone under By-law 177-96; and the open space block from OS1 under By-law 177-96 to R2. No relief has been requested from any of the R2 standards which have been described in Table 1 below and the applicant proposes to build within the by-law if the rezoning to R2 is approved.

<b>Development Standard</b>	<b>R2 requirements By-law 177-96</b>	<b>Existing RRH Zone Requirements By-law 194-82</b>	<b>Existing OS1 Zone Requirements By-law 177-96</b>
Minimum Lot Frontage	9.0 m (29.5 ft)	30.0 m (98.4 ft)	n/a
Minimum Lot Area	n/a	2,040 m <sup>2</sup> (21, 958 ft <sup>2</sup> )	n/a
Minimum Exterior Side Yard	2.4 m (7.9 ft)	4.5 m (14.8 ft) or ½ height of building.	n/a
Minimum Interior Side Yard	1.2 m / 0.3m (3.94 ft / 0.98 ft)	3.0 m (9.84 ft)	n/a
Minimum Front Yard	4.5 m (14.8 ft)	7.5 m (24.60 ft)	n/a
Minimum Rear Yard	7.5 m (24.60 ft)	7.5 m (24.60 ft)	n/a
Maximum Building Height	11. 0 m (36.09 ft)	10.5 m (34.44 ft)	n/a

### **Application Process and Next Steps**

- The rezoning application was submitted on January 9, 2017 and deemed complete on February 6, 2017.
- A preliminary report was provided to DSC on May 23, 2017 in advance of the statutory public meeting held on June 6, 2017.
- The ward councillor arranged a community meeting, which took place at the subject property on June 20, 2017 to allow the applicant to see some of the concerns of neighbouring residents, which are set out below.
- In the event that the zoning by-law application is approved and enacted at Council this year then the applicant can proceed to submit an application to the Committee of Adjustment for consent to sever the subject properties to create eight lots.
- If the severance is approved then the applicant would be required to enter into a development agreement with the City. Following execution of said agreement, satisfying the agreement conditions and registration of the severance then the applicant would be in a position to apply for building permits.

### **Public Input**

The following issues were raised at the Statutory Public Meeting held on June 6, 2017 and the Community Information Meeting on July 10, 2017:

- Proposed lotting pattern
- Compatibility of proposed development with existing dwellings
- Grading and drainage

These matters are addressed in the discussion section of this report.

**OPTIONS/ DISCUSSION:**Consent (land severance)

As mentioned, prior to any development proceeding, the applicant will require approval from the Committee of Adjustment (C of A) to create the eight lots proposed. The consent application would be submitted following approval of the Zoning By-law Amendment application and the consent application would be required to include a stormwater management report, a site servicing and grading plan, and a utility composite plan in support of the development. Matters relating to parkland dedication, tree protection and replacement and other fees and securities would be secured as a condition of provisional consent if approved by the C of A.

Submitted Arborist Report

The applicant submitted an arborist report and tree preservation plan with the zoning application and planning staff have pinpointed areas onsite where trees can be retained and preserved. Due to the difference between the existing grades along Riverwalk Drive and the lower grades on 7597 9<sup>th</sup> Line many of the existing trees on the north side of Riverwalk Drive will need to be removed. Where conflicts exist between grading and trees, the applicant will be responsible for tree replacement and compensation as necessary, in accordance with the Streetscape Manual.

Proposed lotting pattern is appropriate

The proposed lots would have frontages ranging from 12 metres to 15.25 metres (40 feet to 50 feet), depths ranging from 34 metres to 55 metres (111 feet to 180 feet) with lot areas ranging from 524 square metres to 760 square metres (5,640 ft<sup>2</sup> to 8,180 ft<sup>2</sup>).

The proposed lot configuration is consistent with other single detached lots located in the immediate vicinity, including some of the single detached lots located directly to the east which front onto Coakwell Drive, Barter Street and Riverwalk Drive (Figure 2). These existing lots have an average frontage of 13.80 m (45.27 ft), depth of 33.53 m (110 ft) and lot area of 441.51 square metres (4,752.37 ft<sup>2</sup>).

Whilst the five existing lots abutting the subject properties to the east do have larger frontages on average of approximately 19.69 m (64.60 ft), with average lot depths of 35.22 m (116 ft) and with average lot areas of 6,919.60 (643 m<sup>2</sup>) it is considered that the proposed lots are compatible with what exists in the neighbourhood to the east. Again, after reviewing the single detached lots located directly to the south of the subject lands which have an average frontage of 14.89 m (48.86 ft), depth of 31.06 m (102 ft) and lot area of 488.20 square metres (5,255 ft<sup>2</sup>) it is evident that the proposed lots reflect the pattern of existing surrounding development and is therefore considered to be compatible.

Compatibility with existing dwellings

With respect to building compatibility with the surrounding dwellings in the existing community, building elevations have yet to be formally submitted, but the applicant has

provided conceptual renderings of the single detached dwellings to be constructed, which reflect two storey residential built form. The applicant is aware that the dwellings will be required to comply with the approved Architectural Design Guidelines for the Box Grove Community (2004), which will ensure that the principles of ground-related residential development relating to siting, architectural design and landscaping are adhered to. The submission of site plan details will be required as a condition of the future severance application, if approved, to ensure that the overall design of each dwelling is appropriate and in keeping with the character of the existing neighbourhood.

#### Existing grading and drainage concerns

In response to concerns raised at both the public meeting and community information meeting, the applicant has committed to complete the following:

1. Regrade the western portion of 10 Riverwalk Drive in order to provide a more level and usable yard space. This property abuts 7597 9th Line, as well as Block 228;
2. Regrade the southwest portion of 6 Coakwell Drive and relocate the existing rear yard catch basin to inside the south property line of 7605 9<sup>th</sup> Line to rectify an existing drainage problem at this property and to provide a more usable yard space;

These works will be addressed in a development agreement which will be required as a condition of approval in the forthcoming consent application. It is acknowledged that the subject lands, particularly 7597 9<sup>th</sup> Line, will require fairly substantial re-grading to bring the development site up to the grade of Riverwalk Drive thereby enabling new driveways onto Riverwalk. Consequently, the existing trees in the open space area on the north side of Riverwalk Drive and several trees on the future development parcel will be required to be removed. As previously mentioned these will be compensated for as a condition of any future severance approval.

#### Engineering considerations

As part of the zoning amendment application, the applicant submitted a Functional Servicing Report which has been reviewed by the Engineering Department. This report concluded that the proposed development will not have any negative impact on the capacity of the existing storm sewer within the Box Grove Winter Garden Estates Subdivision. This report also concluded that water servicing to each future residential unit can be accommodated. Finally, this report concluded that the existing sanitary sewer has capacity to accommodate the proposed sanitary flow generated by the proposed development. The City's Waterworks and Engineering Departments concurred with these conclusions.

### **CONCLUSION**

In considering the zoning by-law amendment application, staff have had regard for the infill development policies of the 2014 OP and are of the opinion that, whilst the proposed lots are not identical to the existing neighbouring properties, which is not the intent of the policy, they are compatible with the existing adjacent lots within the Box

Grove community. The proposed R2 zone category has the same development standards as the adjacent dwellings, which are also zoned R2. Therefore, in terms of building height and setbacks the new homes will have heights and setbacks consistent with the neighbouring homes and compliance with the approved architectural design guidelines for Box Grove as a condition of any future severance approval will ensure that the architectural style of the new homes will reflect the character of the adjacent development. It is therefore recommended that the application for zoning by-law amendment to establish the zone category and development standards to facilitate the creation of eight new lots in the future be approved.

**FINANCIAL CONSIDERATIONS**

None

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

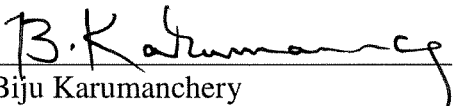
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

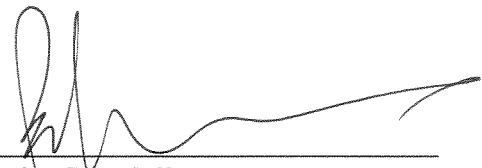
The proposal has been reviewed in the context of Growth Management, Transportation and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The application has been circulated to various City departments and no objections to the proposal have been raised. Technical matters will be dealt with through the future severance application and any conditions and requirements will be incorporated into a future development agreement.

**RECOMMENDED BY:**

  
Biju Karumanchery  
Director, Planning & Urban Design

  
Brian Lee, P.Eng.  
Acting Commissioner of Development  
Services

**ATTACHMENTS:**

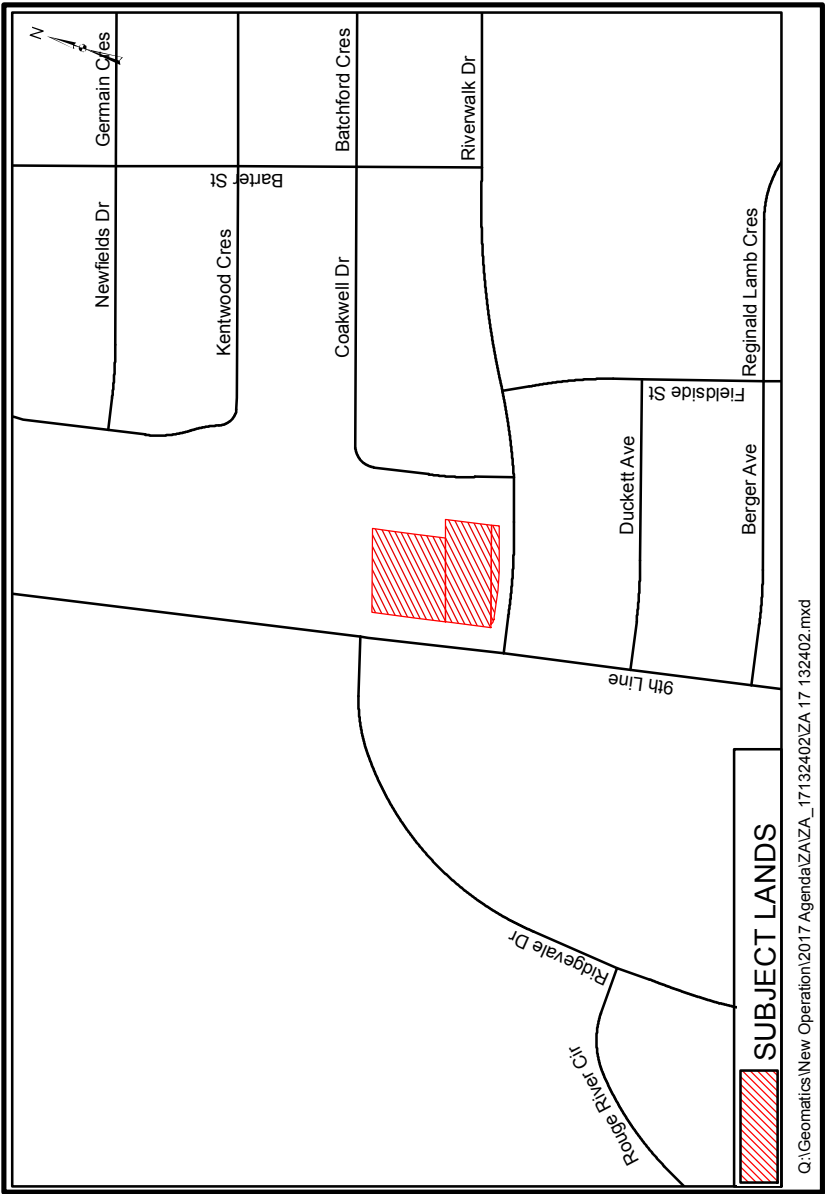
- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Site Plan
- Figure 4: Air Photo

**Owner:**

Riverwalk Meadows Inc  
3621 Highway 7 E  
Markham, Ontario L3R 0G6

**Applicant:**

QX4 Investments Ltd. – Consulting Services  
17 Bauer Crescent  
Markham, Ontario L3R 4H3



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# AREA CONTEXT / ZONING

APPLICANT: QX4 INVESTMENTS LTD.  
 7605 9TH LINE, 7597 9TH LINE, PLAN 65M-3976 BLK 228

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 SUBJECT LANDS

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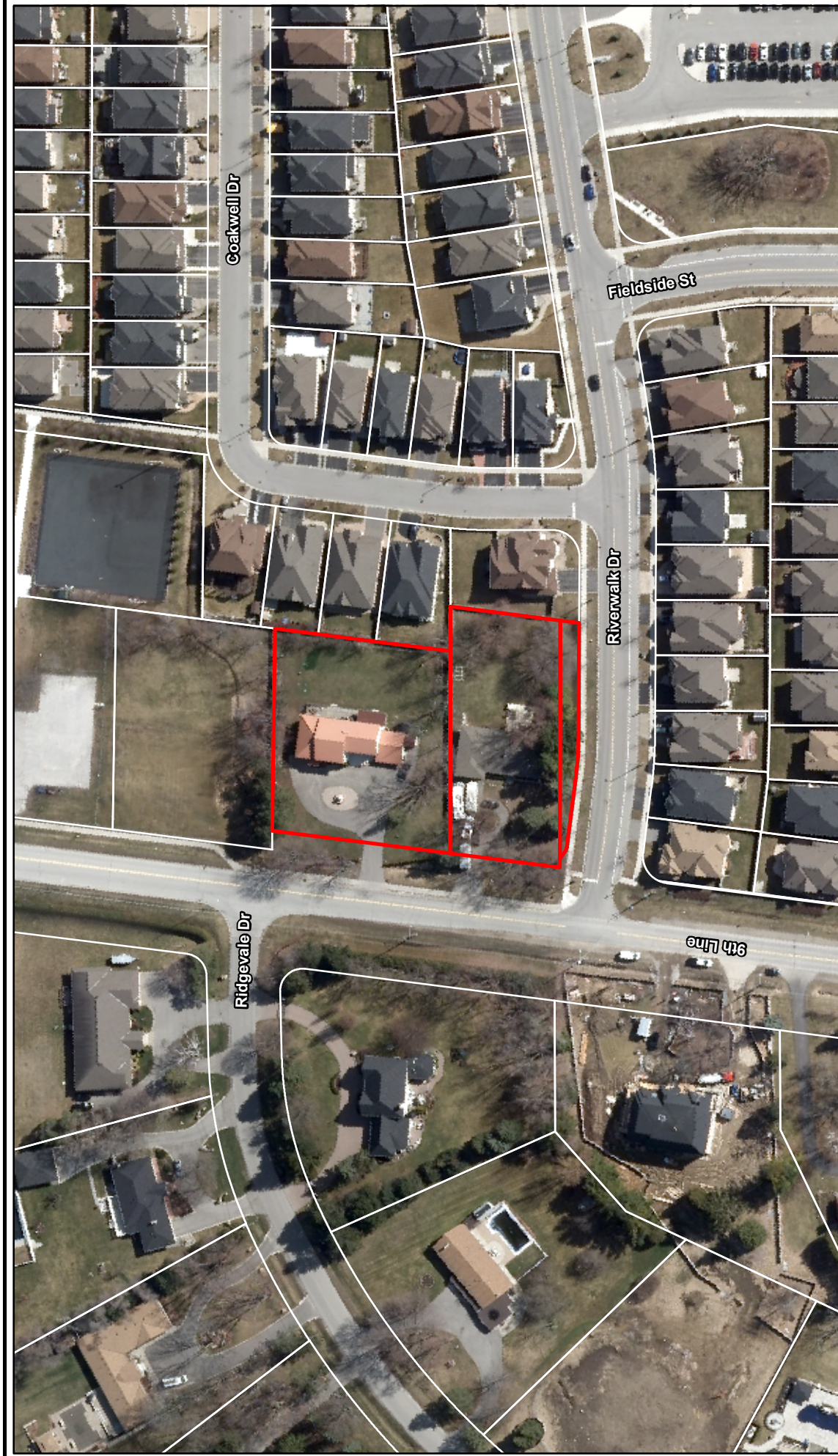
# CONCEPTUAL LOT LAYOUT

APPLICANT: QX4 INVESTMENTS LTD.  
7605 9TH LINE, 7597 9TH LINE, PLAN 65M-3976 BLK 228

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 SUBJECT LANDS




# AIR PHOTO

APPLICANT: QX4 INVESTMENTS LTD.  
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