



Report to: Development Services Committee

Report Date: April 25, 2016

SUBJECT:	RECOMMENDATION REPORT, Yanli Zhang, Zoning By-law Amendment to permit the development of two (2) single detached dwellings at 344 Steeles Avenue East File No. ZA 14 117680
PREPARED BY:	Rick Cefaratti, MCIP, RPP, Planner II, West District ext. 3675
REVIEWED BY:	Dave Miller, MCIP, RPP, Manager, West District

RECOMMENDATION:

- 1) That the report titled "Recommendation Report, Yanli Zhang, Zoning By-law Amendment to permit the development of two (2) single detached dwellings at 344 Steeles Avenue East, File No. ZA 14 117680" dated April 25, 2016, be received;
- 2) That the application submitted by Yanli Zhang, to amend Zoning By-law 1767, as amended, to permit two (2) single detached dwellings at 2968 Elgin Mills Road East be approved;
- 3) That the proposed amendment to Zoning By-law 1767, as amended, attached as Appendix 'A', be finalized and forwarded to Council for approval and enacted without further notice;
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report discusses and makes recommendations regarding a Zoning By-law Amendment application to permit two (2) single detached dwellings on the subject lands.

BACKGROUND:

The 0.16 ha. (0.40 ac.) site is located on the north side of Steeles Avenue East, approximately 250 m (820 ft.) east of Old English Lane and 75 m (246 ft.) west of Valloncliffe Road in Thornhill (Figures 1 and 2). Located to the north is an established residential neighbourhood comprised of single detached dwellings on large lots. To the south, across Steeles Avenue East in the City of Toronto are single detached dwellings. To the east are lane based townhouses; and to the west are single detached dwellings on large lots.

The application was deemed complete in September 2014, and the statutory Public Meeting was held on October 20, 2015. The proponent used the time between the submission of a complete application and the Public Meeting to consider revising the proposal from singles with access on Steeles Avenue East to townhouses with rear lane access to Valloncliffe Road through the existing private lane servicing the townhouse development to the east (Vallencourt Estates).

PROPOSAL:

The applicant is proposing to rezone the subject lands to an appropriate residential zone category that will facilitate a lot severance to create one additional residential lot (B/16/14). The retained and severed lots are proposed to be approximately the same size. They will have lot frontages of approximately 60 ft. (19.6 m) and lot areas of approximately 9000 ft² (836.0 m²). Vehicular access is proposed on Steeles Avenue East (Figure 4). Steeles Avenue East is under the jurisdiction of the City of Toronto.

Official Plan and Zoning By-lawMarkham Official Plan

The site is designated Urban Residential Low Density Housing under the in force Markham Official Plan (revised 1987). This designation permits single detached dwellings as proposed. The property is also subject to the policies of the Thornhill Secondary Plan which designates these lands as Low Density Housing. This designation also permits single detached dwellings. The Thornhill Secondary Plan specifies that when applications for severances and zoning amendments are made “the applicant shall be expected to demonstrate compatibility with the existing character of the adjacent area with respect to natural vegetation and development standards, such as lot frontages and area, coverage and density, buildings setbacks and height”.

The City’s new Official Plan 2014 (partially approved on October 29, 2015) designates the property Residential Low Rise. This designation permits new single detached, semi-detached, duplex and townhouse development, provided that such infill development respects and reflects the existing pattern and physical character of adjacent development. However, the implementation policies of the new Official Plan discourage lot creation having frontage on designated provincial highways and major and minor arterial roads, particularly when creating a new entrance to serve a new lot that will have the effect of creating a traffic hazard.

Zoning

The subject property is zoned Single Detached Residential (SR2) under By-law 1767, as amended. This zone category permits single detached residential development requiring a minimum lot frontage of 120 ft. (36.5 m) and a minimum lot area of 18,000 ft² (1,672 m²) (Figure 3). A zoning amendment is required to permit a reduced minimum lot frontage from 120 ft. (36.6 m) to 60 ft. (19.6 m), and a reduced minimum lot area from 18,000 ft² (1,672 m²) to 9000 ft² (836.0 m²).

Residential Infill Zoning By-law

The property is also subject to Residential Infill Zoning By-law 100-90. The intent of this by-law amendment is to ensure that residential redevelopment reflects the established and stable character of the neighbourhood. In order to maintain the character of the existing neighbourhood, the infill by-law specifies zoning standards for building depths, garage projection, garage width, floor area ratio, height, front yard setback, and number of storeys.

OPTIONS/ DISCUSSION:**Implementing Zoning By-law**

The proposed Zoning By-law Amendment (Appendix 'A') will rezone the subject lands from Single Detached Residential (SR2) to Single Family Residential Third Density (R3). This designation requires minimum lot frontages of 60 ft. (19.6 m) and minimum lot areas of 9,000 ft².

Site-Specific Zone provisions proposed for By-law 1767

The following site-specific zone provisions are also recommended by staff to implement the development:

- a) a maximum building height of 35.0 ft. (10.6 m), whereas, the current provisions for a Single Family Residential Third Density (R3) zone permit a maximum building height of 32.15 ft. (9.8 m);

The proposed building height noted above will be comparable to the townhouses to the east which have a height of 36.0 ft. (11.0 m). The character of Steeles Avenue East lends itself to buildings with moderately higher heights than the neighbouring single detached houses to the north. The increased building height will allow for three storey massing for a dwelling. However, the applicant intends to construct a two storey dwelling with a mansard roof. The mansard roof is characterized as a steeply pitched roof. The applicant is proposing a 12:20 roof pitch (a rise of 20 inches for every run of 12 inches), ceiling heights of 2.7 m (9.0 ft.) for the basement, 3.0 m (10.0 ft.) for the first floor, and 2.7 m (9.0 ft.) for the second floor.

- b) the requirement for a hammerhead driveway to allow vehicles to turn around on site and exit on to the road in a forward position.

Issues Identified by City Departments and Public Agencies

The following matters were raised during the circulation of the applications to City Departments and Public Agencies:

- a) Permits and approvals from the City of Toronto are required to service the proposed retained and severed lots;
- b) The feasibility of a shared vehicular access location on Steeles Avenue East for the proposed severed and retained lots;
- c) Whether the proposed zoning amendment respects and reflects the existing pattern and physical character of adjacent development.

Issues identified at Public Meeting

At the October 20, 2015 statutory Public Meeting for the Zoning By-law Amendment application, Staff provided an overview of the applications. The applicant then provided a brief presentation of the proposal to permit two (2) single detached dwellings on the property. Following the presentations, the issues noted below were identified by the public and Committee members:

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- a) That the applicant make efforts to preserve as much of the existing mature vegetation on the property as possible;
 - b) That the applicant reconsider the development of lane-based townhouses or semi-detached dwellings in coordination with the adjoining property to the east (Valloncourt Estates);

The issues identified at the Public Meeting as noted above as well those identified by City Staff and Public Agencies have been addressed by the proponent as follows:

Proposed Development can be municipally serviced

The proposed development can be appropriately serviced by connecting to existing infrastructure serving the Thornhill community.

Lane Based Residential Development Not Pursued

A lane based residential development with access from the existing private lane of the neighbouring townhouse development to the east could be considered, however, it would require an easement agreement with the owners of these adjacent townhouses. The owner has advised that they do not intend to pursue a lane based residential development. Their preference is to create a new lot with access from Steeles Avenue East. Direct access from single detached lots to Steeles Avenue East is the established pattern of development in this area.

The City of Toronto has no objections

The City of Toronto's Transportation Services – North York District advise that they have no objections to the proposal. The applicant will be required to obtain formal access approval from the City of Toronto for two dwellings, as vehicular access from Steeles Avenue East along Markham's southerly border falls within the City of Toronto's jurisdiction.

Application for Consent Required

The creation of an additional residential lot from the original parcel requires an application for Consent, subject to approval by the Committee of Adjustment. A Consent application is currently under review by staff (File No. B/16/14). A Committee of Adjustment Hearing regarding this property has not yet been scheduled. It is anticipated that a Committee of Adjustment Hearing for the Consent application will be scheduled following a Council decision on the Zoning By-law Amendment application. If the applications are approved then matters such as parkland dedication requirements, tree preservation and replacement, service connections, lot grading, driveway locations and configurations will be addressed through severance approval conditions.

Development Agreement Required

In the event that Council supports the current zoning proposal, Staff comments to the Committee of Adjustment will recommend that any approval of the Consent application include a requirement that the owner enter into a Development Agreement. This Agreement will include, but would not be limited to, parkland dedication requirements, tree preservation and replacement, service connections and lot grading, and driveway

CONCLUSION

Staff is satisfied that the proposal to allow two (2) single detached dwellings on the property is compatible with neighbouring residential development and recommends approval of the Zoning By-law Amendment application.

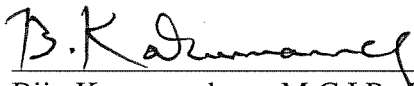
ALIGNMENT WITH STRATEGIC PRIORITIES:

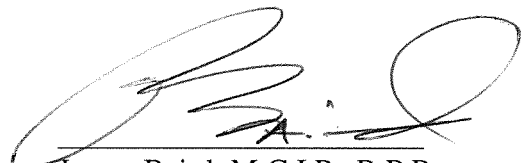
The proposal will align with the City's strategic priorities of Growth Management by implementing the proposed development in coordination with available servicing infrastructure.

BUSINESS UNITS CONSULTED AND AFFECTED:

Requirements of the City and external agencies have been reflected in the draft Zoning By-law amendment. The requirements of the City and external agencies will continue to be addressed through the Consent application and all other future Development approval processes.

RECOMMENDED BY:


Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning & Urban Design


James Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Air Photo
Figure 4 – Conceptual Site Plan

APPENDICIES:

Appendix 'A' – Draft Zoning By-law Amendment

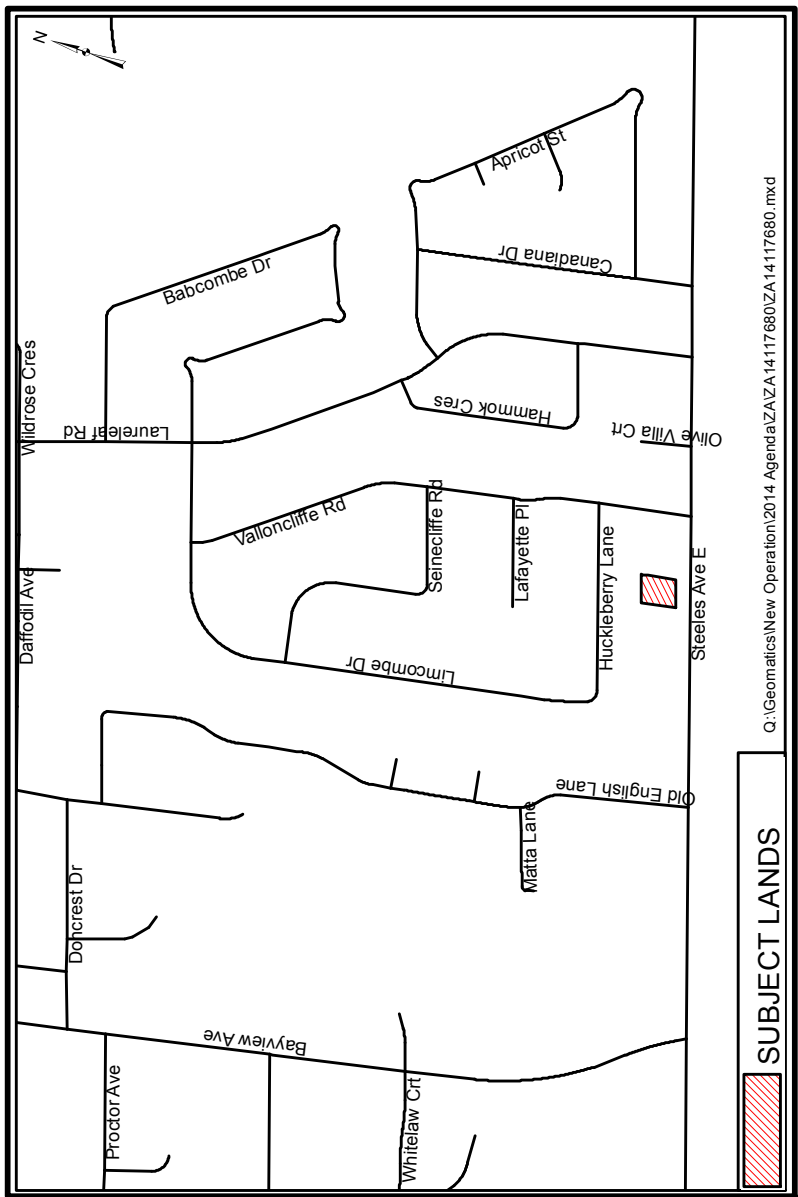
OWNER / APPLICANT CONTACT INFORMATION:

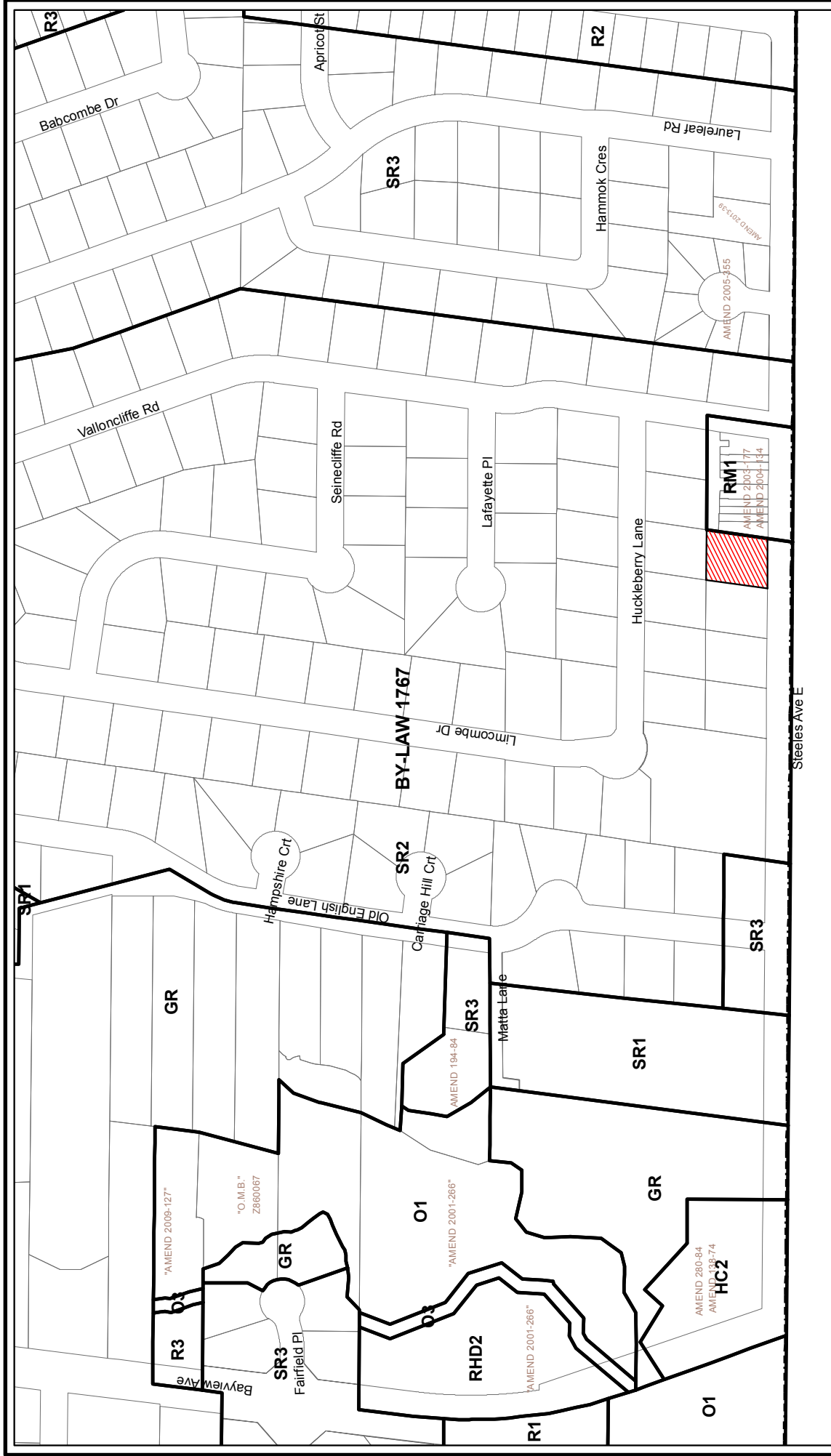
Owner

Yanli Zhang
26 Norton Avenue 607
Toronto, Ontario, M2N0H6
Tel: (647) 388-6728

Applicant

Alan Wu
26 Norton Avenue 607
Toronto, Ontario, M2N0H6
Tel: (647) 388-6728
Email: wujintian23@hotmail.com






AREA CONTEXT / ZONING

OWNER : YANLI ZHANG
344 STEELES AVENUE EAST

FILE No. ZA. 14117680 (RC)

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 SUBJECT LANDS

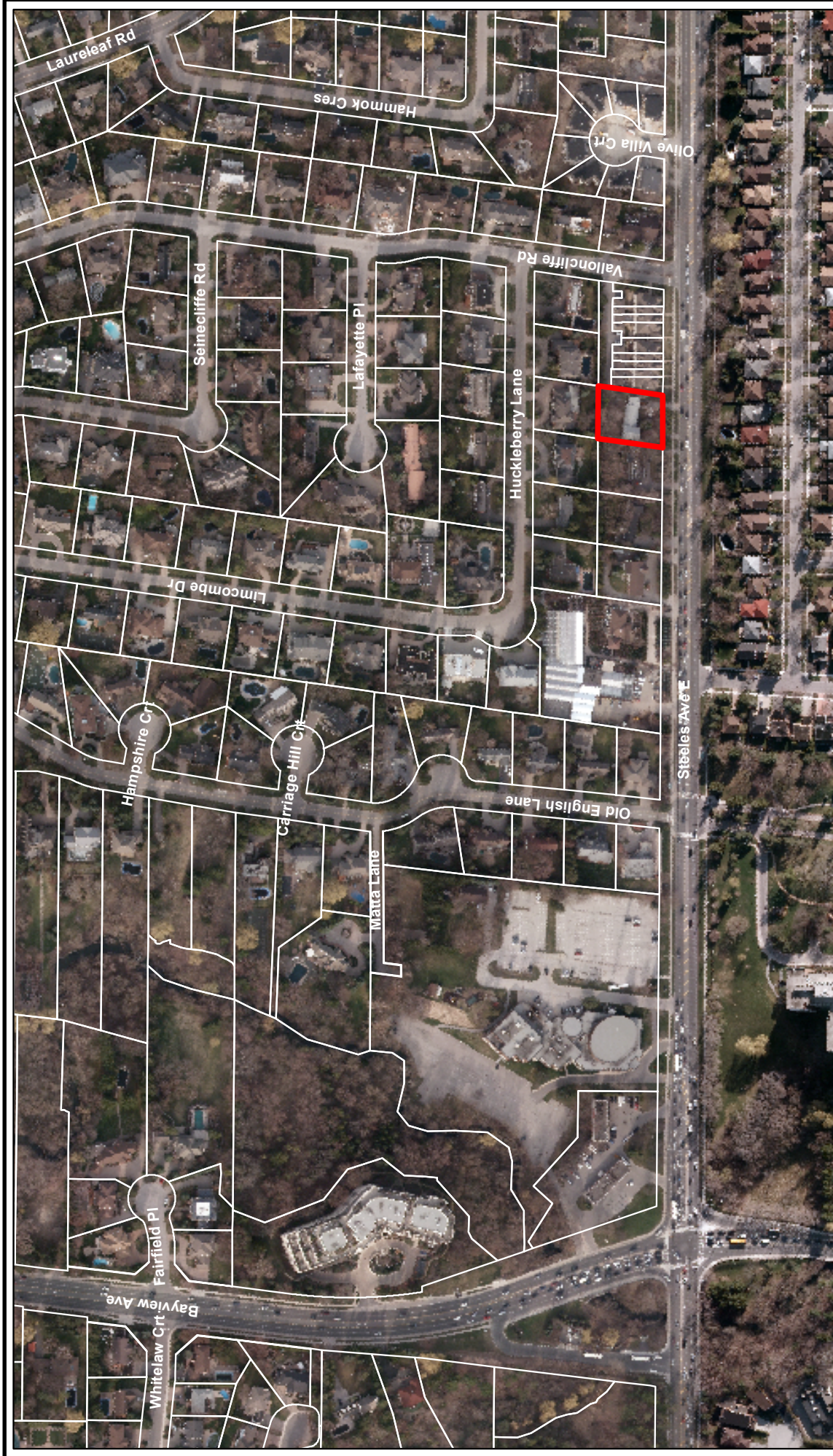


DATE: 28/10/2014

Checked By: RC

Drawn By: CPW

FIGURE No. 2



AIR PHOTO

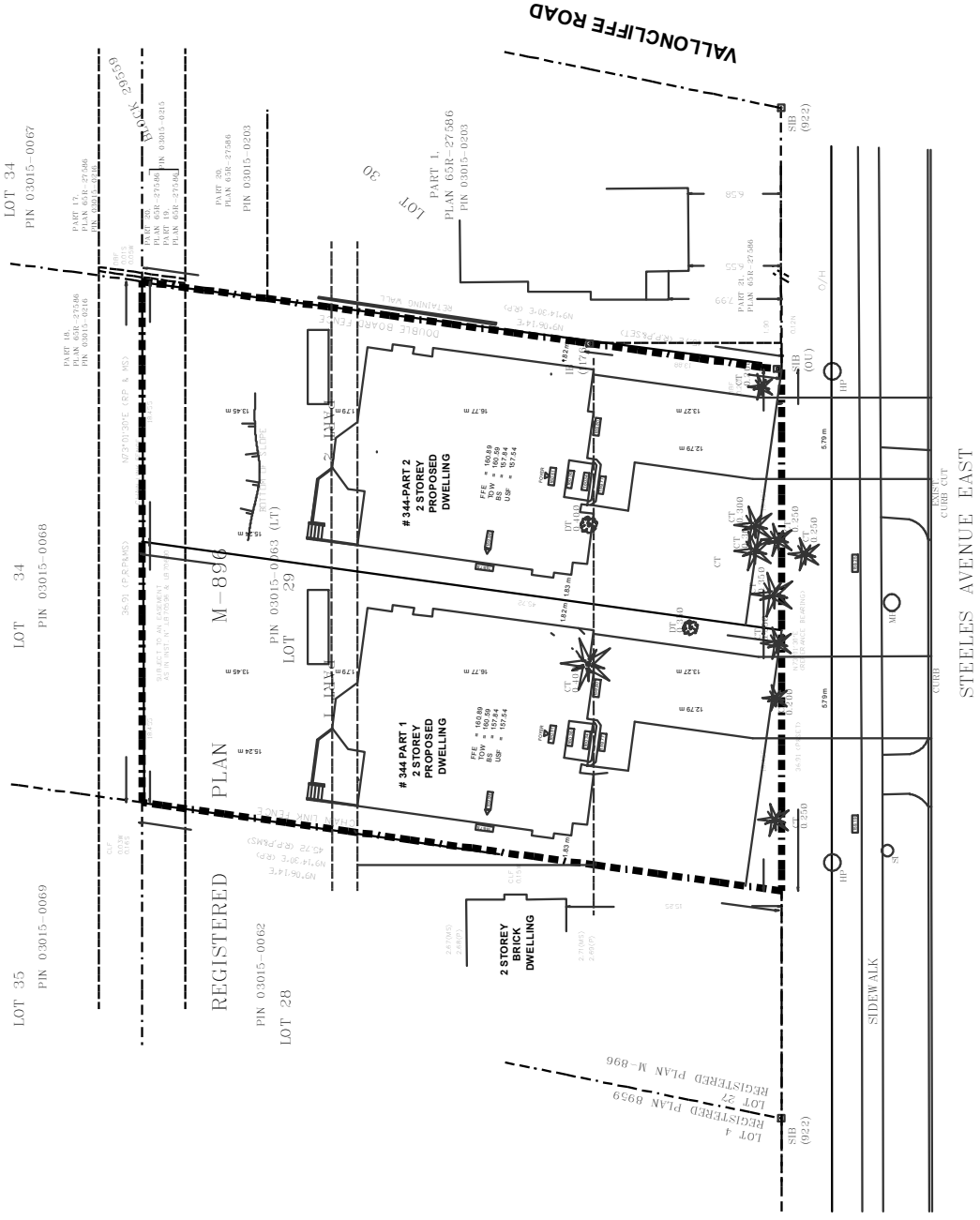
OWNER : YANLI ZHANG
344 STEELES AVENUE EAST

FILE No. ZA. 14117680 (RC)

 SUBJECT LANDS



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SITE PLAN

OWNER : YANLI ZHANG

344 STEELES AVENUE EAST

FILE No. ZA. 14117680 (RC)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

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Checked By: RC

DATE: 28/10/2014

FIGURE No. 4

SUBJECT LANDS





BY-LAW 2016-_____

A By-law to amend By-law 1767, as amended

The Council of the Corporation of the City of Markham hereby enacts as follows:

- 1.0 By-law 1767, as amended, is hereby further amended as follows:
- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto as follows:
- from
Single Detached Residential (SR2)
to
Single Family Residential Third Density (R3)
- 2.0 Notwithstanding and other provisions of By-law 1767, as amended, the following provisions shall apply to those lands shown on the attached Schedule 'A'. All other provisions of By-law 1767, as amended, unless specifically amended or modified by this by-law, shall continue to apply to the lands subject to this by-law.
- 2.1 **Special Zone Provisions**
The following special zone provisions shall apply:
- a) Maximum *height* – 10.7 m,
 - b) A *driveway* shall include a hammerhead extension for vehicular access subject to the following requirements:
 - i) Maximum width of the hammerhead extension of the *driveway* – 3.0 m;
 - ii) Maximum length of a hammerhead extension perpendicular from the *driveway* – 2.1 m;
 - iii) Maximum *driveway* width including a hammerhead extension – 9.14 m; and
 - iv) Minimum *setback* of a hammerhead extension from the *front lot line* – 1.8 m,
 - c) The hammerhead extension of the driveway may extend beyond total width of the garage.

Read a first, second and third time and passed on May 3rd, 2016.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW AMENDING BY-LAW 1767 DATED



 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 RESIDENTIAL THIRD DENSITY

 SINGLE DETACHED RESIDENTIAL

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NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office



EXPLANATORY NOTE

BY-LAW 2016-____

A By-law to amend By-law 1767, as amended

Yanli Zhang
344 Steeles Avenue East
Lot 29, Registered Plan M-896

Lands Affected

The proposed by-law amendment applies to lands known as Lot 29, Plan M-896, municipally known as 344 Steeles Avenue East, located on the north side of Steeles Avenue East, west of Valloncliffe Road.

Existing Zoning

By-law 1767, as amended, currently zones the subject lands as Single Detached Residential (SR2). This zone category permits single detached residential development requiring a minimum lot frontage of 120 ft. (36.5 m) and a minimum lot area of 18,000 ft² (1,672 m²).

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 1767, as amended, to rezone the lands from Detached Residential (SR2) to Residential Third Density (R3) in order to facilitate the development of two (2) single detached dwelling units providing a minimum lot frontage of 60 ft. (19.6 m) and a minimum lot area of 9000 ft² (836.0 m²). This by-law will also implement site specific development standards for, building height and driveway widths.