



Report to: Development Services Committee

Report Date: April 21, 2015

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**SUBJECT:** Preliminary Report  
Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Kai Tak International Investment Inc. to permit a 35 unit low rise residential townhouse development including the restoration of a heritage dwelling at 9721 Kennedy Road

**FILE NO'S:** SU/ZA 14 134440

**PREPARED BY:** Geoff Day MCIP, RPP ext. 3071 – Senior Planner, West Development District

**REVIEWED BY:** David Miller MCIP, RPP ext. 2600 – Manager, West Development District

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**RECOMMENDATION**

1. THAT the report dated April 21, 2015, titled “Preliminary Report, Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Kai Tak International Investment Inc. to permit a 35 unit low rise residential townhouse development including the restoration of a heritage dwelling at 9721 Kennedy Road, File No's: SU/ZA 14 134440”, be received;
2. AND THAT a Public Meeting be held to consider the applications for Draft Plan of Subdivision and Zoning By-law Amendment by Kai Tak International Investment Inc. to permit a 35 unit low rise residential townhouse development including the restoration of a heritage dwelling at 9721 Kennedy Road, on the subject lands;
3. AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report provides preliminary information regarding applications for Draft Plan of Subdivision and Zoning By-law Amendment at 9721 Kennedy Road to permit the development of a 35 unit low rise residential townhouse development, including the restoration of a heritage dwelling on the subject lands. It is recommended that a statutory Public Meeting be held to consider these applications.

This report contains general information regarding applicable Official Plan and Zoning policies as well as other matters. The report should not be taken as Staff's opinion or recommendation on the application.

**BACKGROUND**

**Applications deemed complete**

The applications submitted by Kai Tak International Investment Inc. were deemed complete on February 3, 2015.

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**Subject property and area context**

The subject property is located on the east side of Kennedy Road, north of Bur Oak Avenue and south of Castlemore Avenue within the Berczy Village Secondary Plan area (Planning District 37-1) (Figure 1).

The subject property was occupied by the York Downs Garden Centre which closed in October of 2014. An existing heritage dwelling designated under Part IV of the Ontario Heritage Act is also located on the property.

Surrounding uses include:

- To the north, a low density residential neighbourhood including single and semi-detached dwelling units;
- To the immediate south, a vacant parcel of land municipally known as (9703 Kennedy Road), owned by the York District School Board;
- Further to the south 9693 Kennedy Road is occupied by IPS (Industrial Property Services) and 10 Bur Oak Avenue is occupied by a multi-tenant commercial plaza;
- To the east, an unopened road allowance for the future extension of Harbord Street from Thomas Foster Street south to Bur Oak Avenue;
- East of future Harbord Street, are Pierre Elliott Trudeau High School and medium density residential townhouse dwelling units; and,
- To the west, Kennedy Road and further to the west, a low density residential neighbourhood within the Angus Glen Secondary Plan area.

**Previous applications**

On February 3, 2014, a preliminary report was sent to the Development Services Committee for a Zoning By-law Amendment application submitted by the previous owners of this property. That proposal contemplated a 34 unit semi detached low rise residential condominium development and the preservation of the heritage dwelling. The development proposed an access from Thomas Foster Street to the east, along a private common element road through the middle of the site which terminated in a 'hammerhead' turnaround adjacent to Kennedy Road (Figure 7). On April 10, 2014, an informal community meeting was held at the request of the local Ward Councillor. The meeting was well attended by the local community. A statutory Public Meeting was never held for the proposal. Staff were advised in September of 2014, that the sale of the property to the current Owner was imminent. The sale was finalized in October of 2014.

**Proposal**

The Draft Plan of Subdivision and Zoning By-law amendment applications submitted in support of this proposal contemplate the development of the site for a 35 unit 2 ½ storey residential street townhouse development. The applicant proposes to retain and restore the heritage dwelling identified above.

As submitted by the Owner, the following table provides a statistical summary of the development:

**SITE STATISTICS**  
**TABLE 1**

<b>Site Area:</b>	<b>0.80 hectares (1.96acres)</b>
Townhouse Units:	35
Heritage Dwelling:	1
Equivalent Population @ 2.86 people per unit (ppu) – town's + 3.7 people per unit (ppu) - heritage dwelling:	103.8*
Net Residential Density - units per hectare (units per acre):	45 (18.4 upa)

\* People per unit (ppu) multiplier was determined by the findings of the 2013 Hemson development charges background study

The development proposes a new 16.5m wide public road that connects Tannis Street and Lorne Glen Street (Figure 5). The proposed right-of-way (R.O.W.) is consistent with the existing ROW's of both Tannis Street and Lorne Glen Street. Tannis Street was designed as a temporary cul-de-sac when Plan of Subdivision (19TM-05003) to the north was registered. The extension of Tannis Street into the subject site will require the relocation of the heritage building which would be within the R.O.W. of the proposed road extension. The Owner is willing to restore and relocate the heritage dwelling on site.

The proposal contemplates minimum interior unit townhouse widths of 5.0m (16'5"), end unit widths of 6.5m (21'4") and minimum lot areas of 110m<sup>2</sup> (1,184ft<sup>2</sup>) for interior units and 143m<sup>2</sup> (1,539ft<sup>2</sup>) for end units (Figure 4).

#### **Official Plan and Zoning By-law**

The subject lands are designated Community Amenity Area in the Official Plan (Revised 1987).

The subject lands are designated Community Amenity Area - Arterial in the Berczy Secondary Plan (Planning District 37-1). This designation provides for a variety of housing types including medium density housing in the form of semi-detached units at a net site density of 37.1 to 79.9 units per hectare (13 to 25 units per acre). The density of the proposed development is within the density range provided by the Secondary Plan.

In the adopted Markham Official Plan 2014 (not yet in force), the lands are bisected by the Mixed Use Mid Rise designation along the southerly half of the property and the Residential Low Rise designation along the northerly half of the property. The proposal is consistent with the policies contained in the Markham Official Plan 2014 (not yet in force).

The lands are zoned Rural Residential 4 [RR4] by By-law 304-87, as amended, which permits agricultural and rural residential uses on large lots. A Zoning By-law Amendment is required to permit the proposed 35 unit townhouse development.

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**OPTIONS/DISCUSSION:****Benefits of the proposed development**

The proposed development will implement the Community Amenity Area - Arterial designation in the Berczy Secondary Plan by providing for medium density housing on the subject property. The proposed residential development is more compatible with the existing communities to the north, east and west than the garden centre use that existed. The heritage dwelling is to be retained and restored, which is consistent with Heritage Markham's resolutions of December 18, 2013 and February 11, 2015 (attached as Appendices 'A' & 'B').

**Matters to be resolved**

The matters below and any others identified through the circulation and detailed review of the proposal will be addressed in more detail in a final staff report to be presented to Committee at a later date.

Applications presently under review

The Region of York and the City's Engineering, Fire, Waste Management, Operations Planning and Urban Design Department's are presently reviewing the applications. Revisions to the plan may be required resulting from a full assessment of the plans, studies and reports. To date, a high level review of the applications have resulted in these preliminary comments:

Temporary Cul-de-sacs (Tannis and Lorne Glen Streets)

When the Plan of Subdivision to the immediate north of the subject site (19TM-05003) was registered, both Lorne Glen Street and Tannis Street were shown terminating as temporary cul-de-sacs (Figure 8). The applicant is proposing to extend both streets to the south into their site. Currently, 7 properties (15, 17 and 19 Tannis Street and 4, 6, 8 and Part of Block 118 on Registered Plan 65M-3536 on Lorne Glen Street), are subject to temporary easements along their associated lot frontages, which accommodate the temporary cul-de-sacs. The lands subject to these easements are owned privately by individual owners of the residential lots. If these applications are approved, the temporary easements will need to be released from title of the affected lands, and the temporary cul-de-sacs will need to be restored to landscaped front yards and driveways. The City is holding securities for restoration and removal of the cul-de-sacs under the Subdivision Agreement for these lands. However, the Owner of 9721 Kennedy Road will need to make arrangements to satisfy the City to cover any additional costs (including construction costs and legal costs) associated with the release of the easements, restoration of the affected front yard landscaping and driveways, and roadwork. In addition, all grading plans will need to be reviewed and approved by the City.

Municipal Infrastructure (Connection to City watermain)

- The watermain under Lorne Glen Street may need to be modified in accordance with City standards.
- The proposed development would also require a connection to the existing City watermain along Kennedy Road at the Owner's expense.

### Urban Design

Further review of Urban Design matters including, but not limited to:

- ensuring a high quality streetscape;
- appropriate lot frontages and lot areas to ensure a compatible interface/transition into the existing established community to the north;
- site design including (landscaping, visitor parking, outdoor lighting, accessibility and pedestrian walkways);
- ensuring that all building entries contain no more than four exterior risers;
- sustainable design measures;
- the provision for public parkland dedication and or cash-in-lieu of parkland;
- ensuring that the development adheres to City of Markham dark sky and bird friendly requirements; and,
- public art contribution

### Preservation of Heritage Dwelling

The extension of Tannis Street to the south does not allow for the continued siting of the heritage building 'in situ'. Therefore, the Owner has proposed to relocate the building to the south side of the lot adjacent to Kennedy Road (Figure 4). On February 11, 2015 Heritage Markham Committee discussed the proposal and expressed concerns over potential noise issues if the relocation of the heritage building was sited so close to Kennedy Road. Heritage Markham Committee recommended that the heritage building be relocated slightly to the east of its existing location to accommodate the Tannis Road extension. This is not reflected in the current plan. Heritage Planning Staff note that the replication of the original veranda should be reflected in the proposal. Additional consultation is required between the City and the Owner over these matters (Appendices 'A' & 'B').

### Developer's Group membership and servicing allocation have not been resolved

- Confirmation that the applicant is a member in good standing is required from the Berczy Village Developers Group.
- Servicing allocation to be assigned for the proposed 35 townhouse and 1 heritage dwelling with a total population of 104 by the Trustee for the Berczy Village Developers Group.

### **CONCLUSION:**

Staff recommend that a statutory Public Meeting be held to consider this application and obtain public input.

### **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

There are no financial matters to be considered in this report.

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

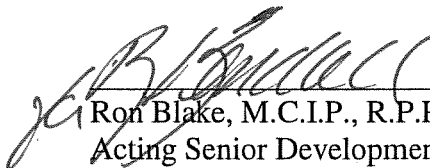
The proposal will align with the City's strategic priorities of Growth Management by implementing the proposed development in coordination with available servicing allocation.

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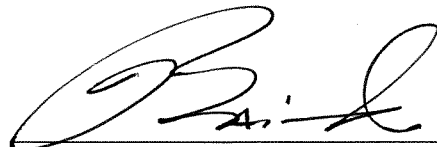
**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and are currently under review. Requirements of the City and external agencies will be reflected in the preparation of the Draft Plan of Subdivision conditions and Zoning By-law Amendment processes.

**RECOMMENDED BY:**



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



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

**ATTACHMENTS:**

Appendix A: Heritage Markham's resolution of December 18, 2013

Appendix B: Heritage Markham's resolution of February 11, 2015

- Figure 1: Location Map
- Figure 2: Area Context and Zoning
- Figure 3: Air Photo
- Figure 4: Conceptual Site Plan
- Figure 5: Conceptual Draft Plan
- Figure 6: Conceptual Elevations
- Figure 7: Previous Proposal
- Figure 8: Temporary Cul-de-sacs and associated temporary easements (Tannis Street and Lorne Glen Street)

**Agent:**

Murray Evans  
Evans Planning Inc.  
8481 Keele Street, No. 12  
Vaughan, Ontario  
L4K 1Z7  
(905)-669-6992

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Appendix 'A'  
Heritage Markham's resolution of December 18, 2013

**HERITAGE MARKHAM  
EXTRACT**

DATE: December 18, 2013  
TO: R. Hutcheson, Manager of Heritage Planning  
G. Day, Project Planner

EXTRACT CONTAINING ITEM #20 OF THE TWELFTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON DECEMBER 11, 2013

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20. ZONING BY-LAW AMENDMENT APPLICATION  
9721 KENNEDY ROAD  
PROPOSED RE-DEVELOPMENT OF  
PROPERTY FOR 34 SEMI-DETACHED DWELLINGS (16.11)  
FILE NO. ZA 13 121844  
Extracts: R. Hutcheson, Manager of Heritage Planning  
G. Day, Project Planner
- 

The Heritage Planner advised that the building is currently used as a garden centre and the owners wish to develop the surrounding property with 34 semi-detached dwellings and to restore the existing heritage house as a single detached dwelling.

The Committee discussed the appropriate amount of land for the heritage dwelling, including the need for amenity area and potential garage, and suggested reducing the height of the adjacent semi-detached building.

**HERITAGE MARKHAM RECOMMENDS:**

That Heritage Markham supports the proposed location and orientation of the existing heritage house at 9721 Kennedy Road shown in the proposed by-law amendment application; and,

That Heritage Markham has no objection to the demolition of the modern frame rear addition to the heritage dwelling only; and,

That the applicant either provide a larger lot for the heritage house in order to provide a larger amenity space and opportunity to construct an addition to the house and garage that will not negatively impact the heritage house and make it a more viable and desirable dwelling; or that the applicant architecturally link the heritage house to the semi-detached unit immediately to the east to achieve a more viable and desirable single living unit; and,

That the height of the attached semi be reduced to two storeys to transition to the heritage dwelling;

That the applicant provide a restoration plan for the heritage house which provides for the replication of the original bell-cast roof veranda; and,

That the applicant enter into a Heritage Conservation Easement Agreement and install a "Markham Remembered" plaque as a condition of site plan approval; and further,

That approval be delegated to Heritage Section Staff for further review and comment.

CARRIED



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Appendix 'B'  
Heritage Markham's resolution of February 11, 2015

**HERITAGE MARKHAM  
EXTRACT**

**DATE:** February 23, 2015  
**TO:** File  
R. Hutcheson, Manager of Heritage Planning  
P. Wokral, Heritage Planner  
G. Day, Senior Planner

**EXTRACT CONTAINING ITEM #17 OF THE SECOND HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON FEBRUARY 11, 2015.**

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- 17. Request for Feedback**  
**9721 Kennedy Road,**  
**Proposed Relocation of the Stiver Tenant House (16.11)**  
**Extracts:** R. Hutcheson, Manager of Heritage Planning  
P. Wokral, Heritage Planner  
G. Day, Senior Planner
- 

The Heritage Planner reviewed the proposal to relocate the Stiver tenant house on the development site, closer to Kennedy Road to accommodate the extension of Tannis Street. Heritage Markham had reviewed an earlier proposal that kept the building on its original foundation.

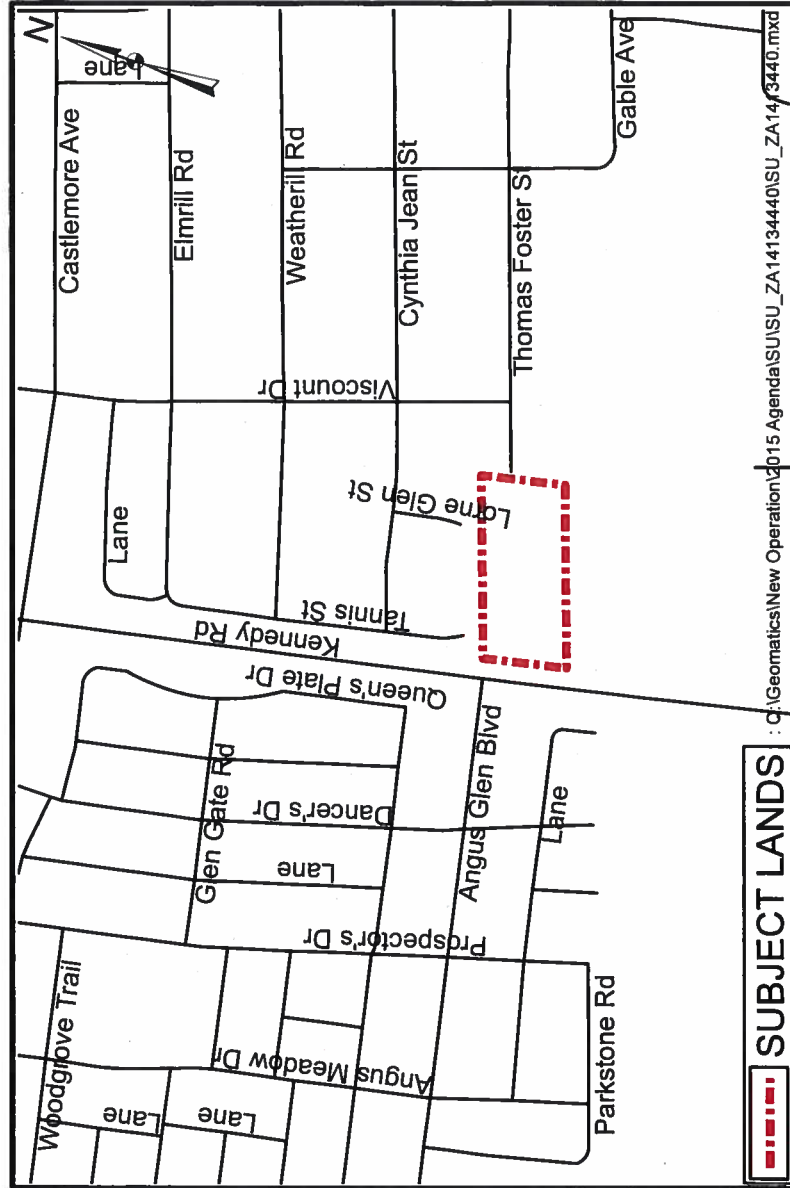
Vincent Santamaura of SRN Architects Inc, representing the applicant, discussed the proposal and displayed additional drawings to clarify the plan. He advised that the front veranda would be restored as close to the original as possible.

The Committee discussed the noise impacts from the proximity to Kennedy Road and suggested the dwelling be pulled back on the original site to accommodate the new road, with the displaced townhouses moving to the Kennedy Road site. Mr. Santamaura advised that they will consider the suggestion.

**HERITAGE MARKHAM RECOMMENDS:**

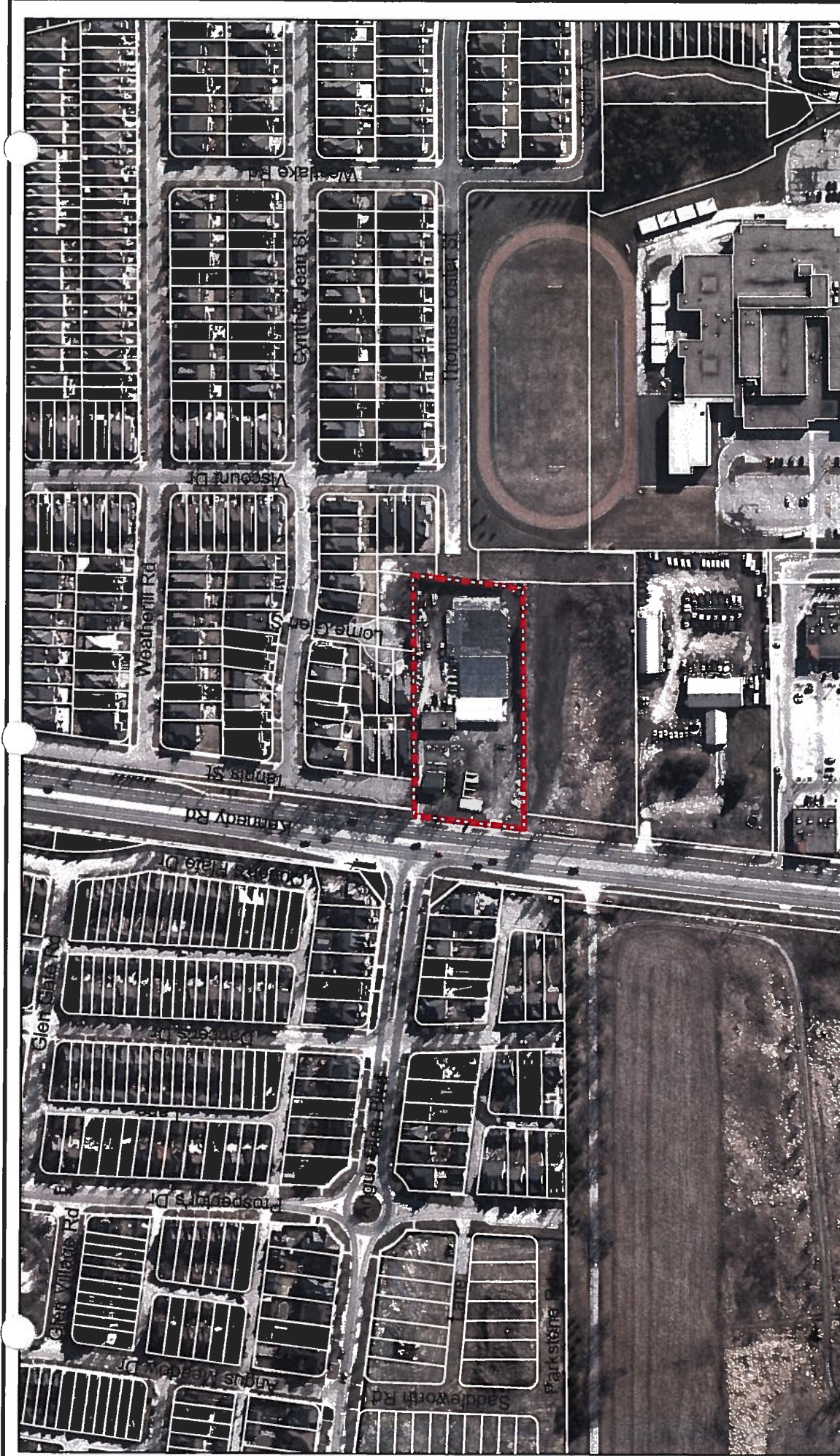
That Heritage Markham receive as information.

**CARRIED**









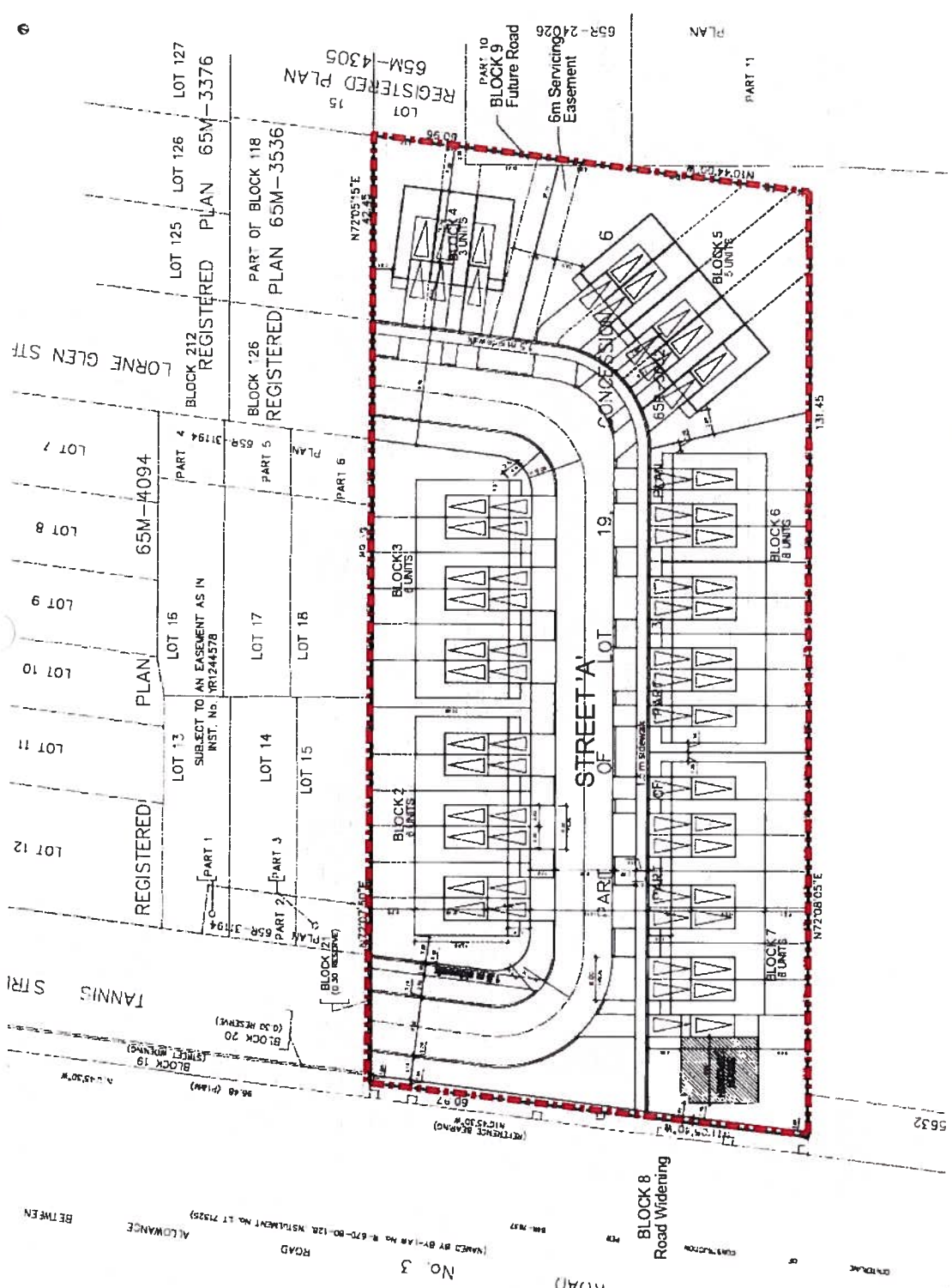
# AIR PHOTO 2014

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.  
9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)

 SUBJECT LANDS





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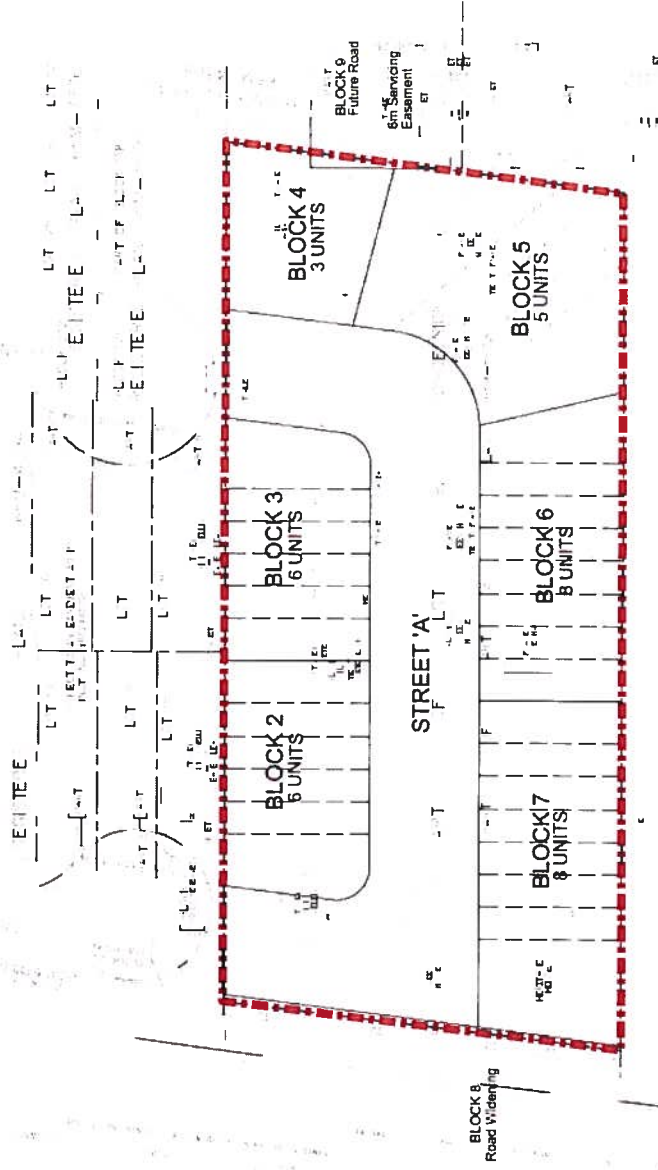
# CONCEPTUAL SITE PLAN

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.  
9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)

 SUBJECT LANDS

DATE: 04/09/15



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# CONCEPTUAL DRAFT PLAN

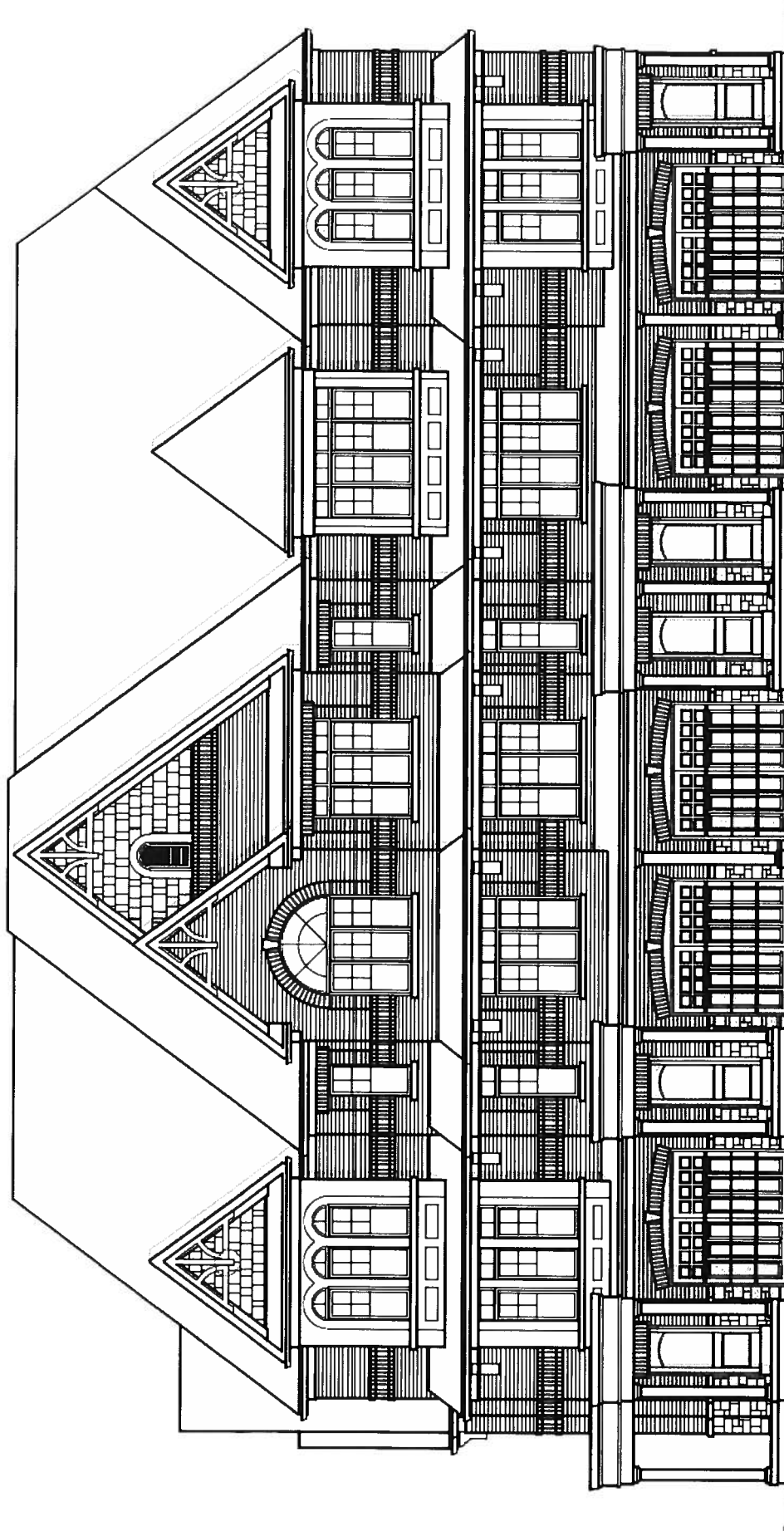
APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.

9721 KENNEDY RD.

 SUBJECT LANDS

FILE No: SU/ZA14134440(GD)

DATE: 04/09/15



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# CONCEPTUAL ELEVATIONS

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.  
9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)





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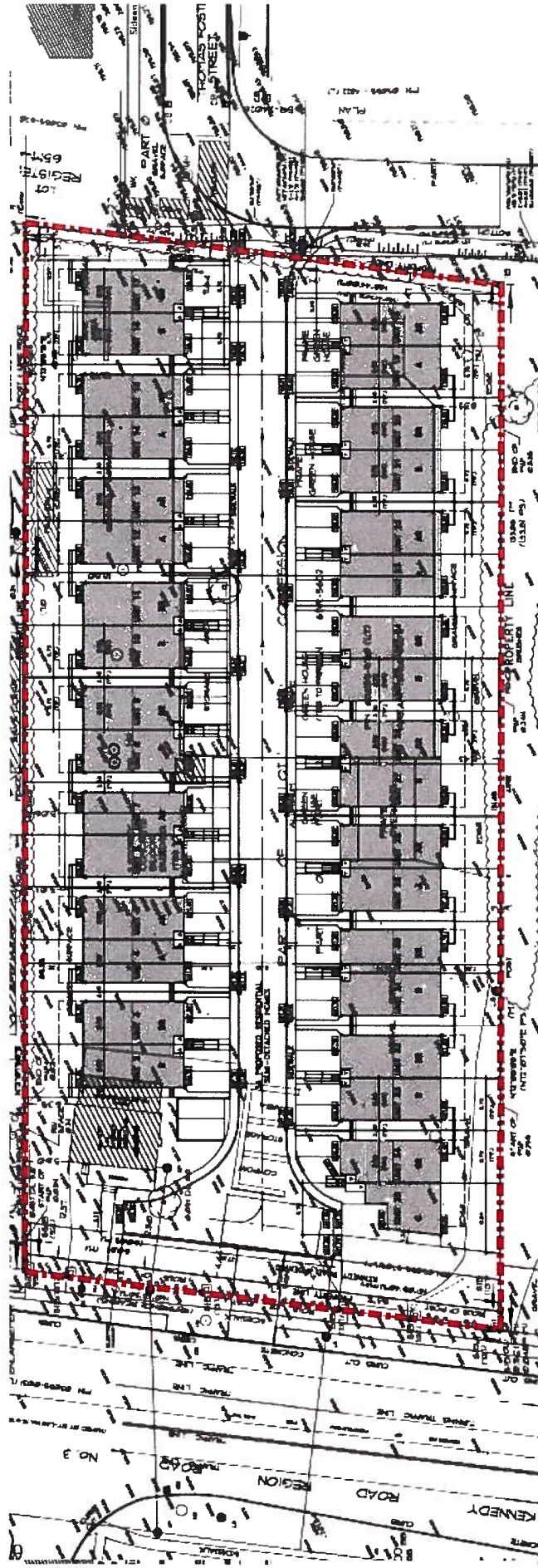
# CONCEPTUAL ELEVATIONS

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.

9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)





## PREVIOUS PROPOSAL

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.  
9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)

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**SUBJECT LANDS**

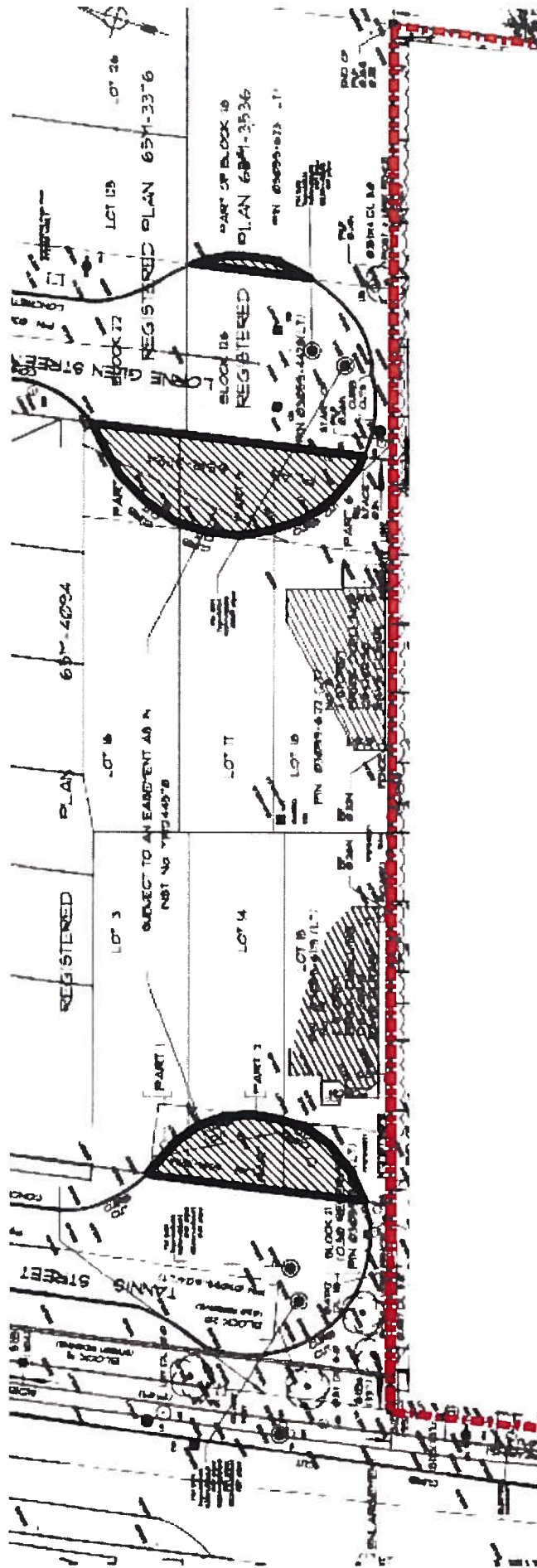
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**IV**ARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By:DD

Checked By:GD

**FIGURE No. 7**



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# TEMPORARY CUL-DE-SAC & ASSOCIATED TEMPORARY EASEMENTS TO BE REMOVED

APPLICANT: KAI TAK INTERNATIONAL INVESTMENT INC.  
9721 KENNEDY RD.

FILE No: SU/ZA14134440(GD)

- AREAS SUBJECT TO TEMPORARY EASEMENTS
- SUBJECT LANDS

DATE:04/09/15

FIGURE No. 8