

**SUBJECT:** PRELIMINARY REPORT  
1820266 Ontario Inc. (Times Group Inc.)  
4002/4022 Highway 7 (north-east corner of Highway 7  
and Village Parkway)  
Applications for Official Plan and zoning by-law  
amendments to permit a townhouse development  
File Nos.: OP/ZA 14 117506

**PREPARED BY:** Scott Heaslip, Senior Project Coordinator,  
Central District, ext. 3140

**REVIEWED BY:** Richard Kendall, Manager,  
Central District, ext. 6588

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**RECOMMENDATION:**

- 1) That the staff report dated November 18, 2014, titled "PRELIMINARY REPORT, 1820266 Ontario Inc. (Times Group Inc.), 4002/4022 Highway 7 (north-east corner of Highway 7 and Village Parkway), Applications for Official Plan and zoning by-law amendments to permit a townhouse development," be received.
- 2) That a public meeting be held to consider the applications.
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

The purpose of this report is to provide preliminary information on applications to amend the City's Official Plan and zoning by-laws to permit a proposed townhouse development, and to seek authorization to hold a statutory Public Meeting. This report contains general information regarding applicable Official Plan and other policies as well as any issues/concerns identified during staff's preliminary review of the applications, and should not be taken as Staff's opinion or recommendation on the applications.

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**BACKGROUND:****Subject Property and Area Context (Figures 1 - 3)**

The Times Group Inc. owns a 4.44 hectare (11 acre) property at the north-east corner of Highway 7 and Village Parkway. The subject lands of this report are the south (approx.) quarter of the property, having an area of 1.2 hectares or 2.9 acres.

To the east is a commercial building (Canada Computers) and a vacant 1-storey office building (formerly the White Rose Nurseries head office) to the rear. To the south across Highway 7 is the Times Group's Uptown Square commercial development, anchored by a Whole Foods supermarket. To the west across Village Parkway are vacant lands which have been approved for development. To the north and north-east are homes fronting on Amberwood Court and Fitzgerald Avenue and backing onto the Times Group property.

**Existing approvals**

In August, 2013, the Ontario Municipal Board (OMB) approved site specific Official Plan and zoning by-law amendments permitting the Times Group property to be developed as follows:

- South block (the subject lands of this report) - apartment building(s), having a maximum height of eight storeys, accommodating a maximum of 393 apartment units and a maximum of 12 townhouse units.
- Centre block - Up to 60 condominium townhouse units.
- North block - single detached dwellings.

A the same hearing the OMB granted similar approvals for the Lee and Peak Gardens properties on the west side of Village Parkway.

These approvals implemented settlements between Times Group, Lee Developments, Peak Gardens and the City. The minutes of settlement between the Owners and the City address the content of the Official Plan and zoning by-law amendments, the Section 37 payments, servicing allocation, cost sharing, and arrangements for the reconstruction of Village Parkway.

The Times Group property also has draft plan of subdivision approval dating from an earlier OMB decision in 1994. Staff are currently finalizing the required subdivision agreement.

In January 2014, Development Services Committee endorsed site plan approval for the centre (townhouse) and south (apartment/townhouse) blocks. Staff are currently processing the site plan agreement for the centre block.

**Applicant is now proposing to develop the south block with townhouses only**

The Times Group has applied to amend the City's Official Plan and zoning by-laws to permit the south block to be developed exclusively with three storey townhouses. The concept plan submitted with the applications (Figure 5) shows a total of 55 condominium townhouses, similar to the townhouses proposed for the centre block. The proposed unit count (55 units) is approximately 24% of the currently permitted unit count (405 units).

The requested approvals would require amendments to the “in force” Official Plan (Revised 1987), the Official Plan 2014 (not yet in force) and Zoning By-law 118-79, as amended.

### **OPTIONS/ DISCUSSION:**

Staff have conducted a preliminary review of the applications and have the following comments:

#### **The proposed townhouse development is not consistent with the City’s development objectives for Highway 7**

In 2009 the City established development objectives for this section of Highway 7 through the City-led Highway 7 Precinct Plan Study, as follows:

- To transform Highway 7 from an “inter-regional highway” to a “mid-rise urban boulevard.”
- To ensure an appropriate interface with the established residential community to the north.

All of the subsequent development approvals in this area, including Times Uptown Markham and Sheridan Nurseries on the south side of Highway 7, and Times, Lee and Peak Gardens on the north side of Highway 7, implement the City’s development objectives, as follows:

- The approved built form program of the Times Uptown Markham and Sheridan Nurseries developments on the south side of Highway 7 consists of mid rise (6-8 storey) buildings fronting on Highway 7, transitioning up to taller (20-25 storey) buildings to the south overlooking the Rouge River valleylands.
- The approved built form program of the Times, Lee and Peak Gardens developments on the north side of Highway 7 consists of 8-storey apartment buildings fronting on Highway 7, transitioning down to townhouses and then to single detached dwellings or a school or park.

The currently permitted mid-rise (8-storey) apartment building would contribute to the desired character of Highway 7 as a “mid-rise urban boulevard,” whereas the proposed townhouses would be out of character with the other existing or approved developments in the vicinity, and would detract from the desired character of Highway 7, especially at this significant intersection.

York Region is currently finalizing plans for the reconstruction of this section of Highway 7, including widening to 6 lanes, designation of the curb lanes for HOV (high occupancy vehicles) and transit, the introduction of off-road bicycle lanes, and the urbanization of the boulevards with wide sidewalks and planters. York Region staff advise that in addition to regular YRT buses, VIVA will be running on this section of Highway 7.

The currently permitted apartment development would be much more supportive of the Regions' and the City's TOD (transit oriented development) objectives than the proposed townhouse development.

**Down zoning to townhouses is not supported by the policies of the York Region Official Plan**

The York Region Official Plan includes the following policy (which is under appeal):

- 3.5(23) "To prohibit the approval of local municipal official plan and zoning by-law amendments that would have the effect of reducing the density of a site in areas that have been approved for medium or high density development, unless the need is determined through a municipal comprehensive review."

The applicant has submitted a Planning Rationale Report in support of the subject applications. This report is currently under review by York Region and Markham Planning staff.

**Down zoning could set a precedent for down zonings in other areas of the City**

Staff have received enquiries from other landowners in the vicinity as well as other areas of the City regarding the potential to down zone sites currently zoned for higher density development to townhouses. Staff understand that this is in response to the current strong market demand for townhouses and relatively soft demand for condominium apartments. While staff acknowledge the commercial considerations of the landowners, we are concerned that the approval of the subject applications could set a precedent for the down zoning of other transit accessible properties along arterial road corridors. Once a property is developed at a lower, less transit supportive density, the opportunity to develop the property at a higher, more transit supportive density is lost.

**Conclusions**

Staff have concerns with the subject applications on the basis that the townhouse proposal is not in keeping with the City's growth management strategy of intensification and higher order development along major transit corridors. It would be appropriate to schedule a public meeting to consider the applications.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed development is being evaluated in the context of the City's Strategic Priorities, including "Growth Management" and "Transportation and Transit."

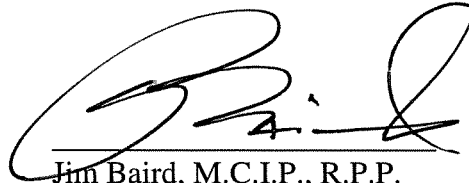
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**BUSINESS UNITS CONSULTED AND AFFECTED:**

The proposed development has been circulated to internal City departments and external agencies for review and comment.



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



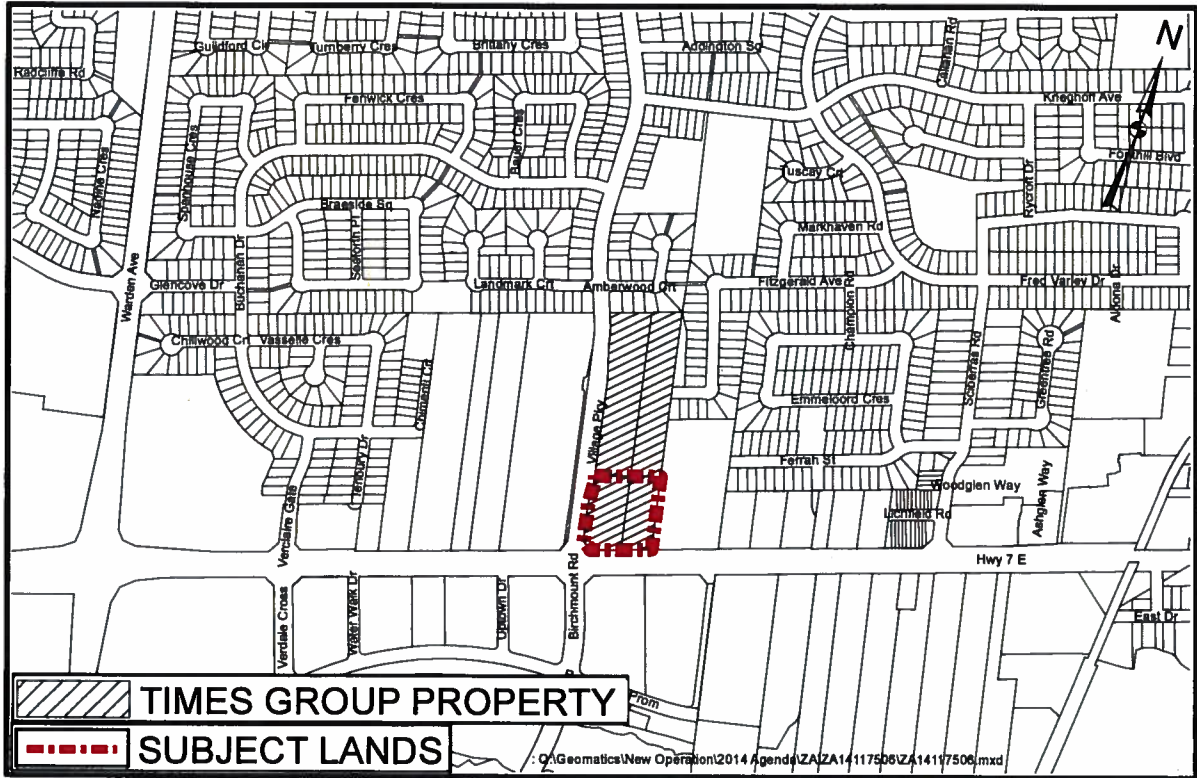
Jim Baird, M.C.I.P., R.P.P.  
Commissioner, Development Services

**ATTACHMENTS:**

- Figure 1 – Property Location Map
- Figure 2 – Area Context / Zoning
- Figure 3 – Air Photo
- Figure 4 – Draft Plan of Subdivision
- Figure 5 – Site Plan
- Figure 6 – Endorsed Site Plan of Apartment Development

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# AREA CONTEXT/ZONING

APPLICANT: 1820266 ONTARIO LIMITED (TIMES GROUP INC.)  
4002/4022 HIGHWAY 7

FILE No. ZA14117506(SH)

 TIMES GROUP PROPERTY

 SUBJECT LANDS

DATE: 10/15/14





# AIR PHOTO 2013

APPLICANT: 1820266 ONTARIO LIMITED (TIMES GROUP INC.)  
4002/4022 HIGHWAY 7

FILE No. ZA14117506(SH)

 TIMES GROUP PROPERTY

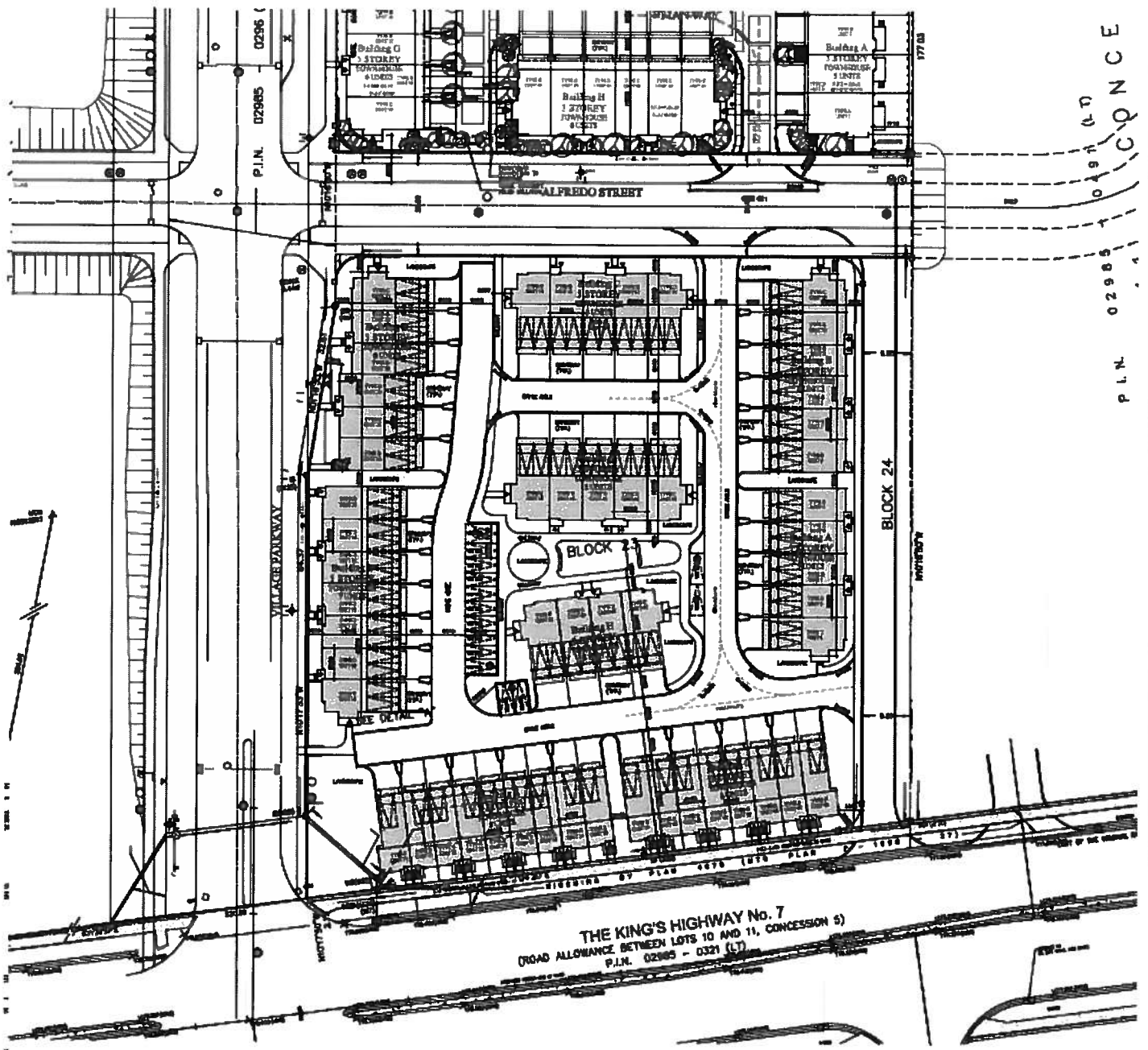
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# SITE PLAN

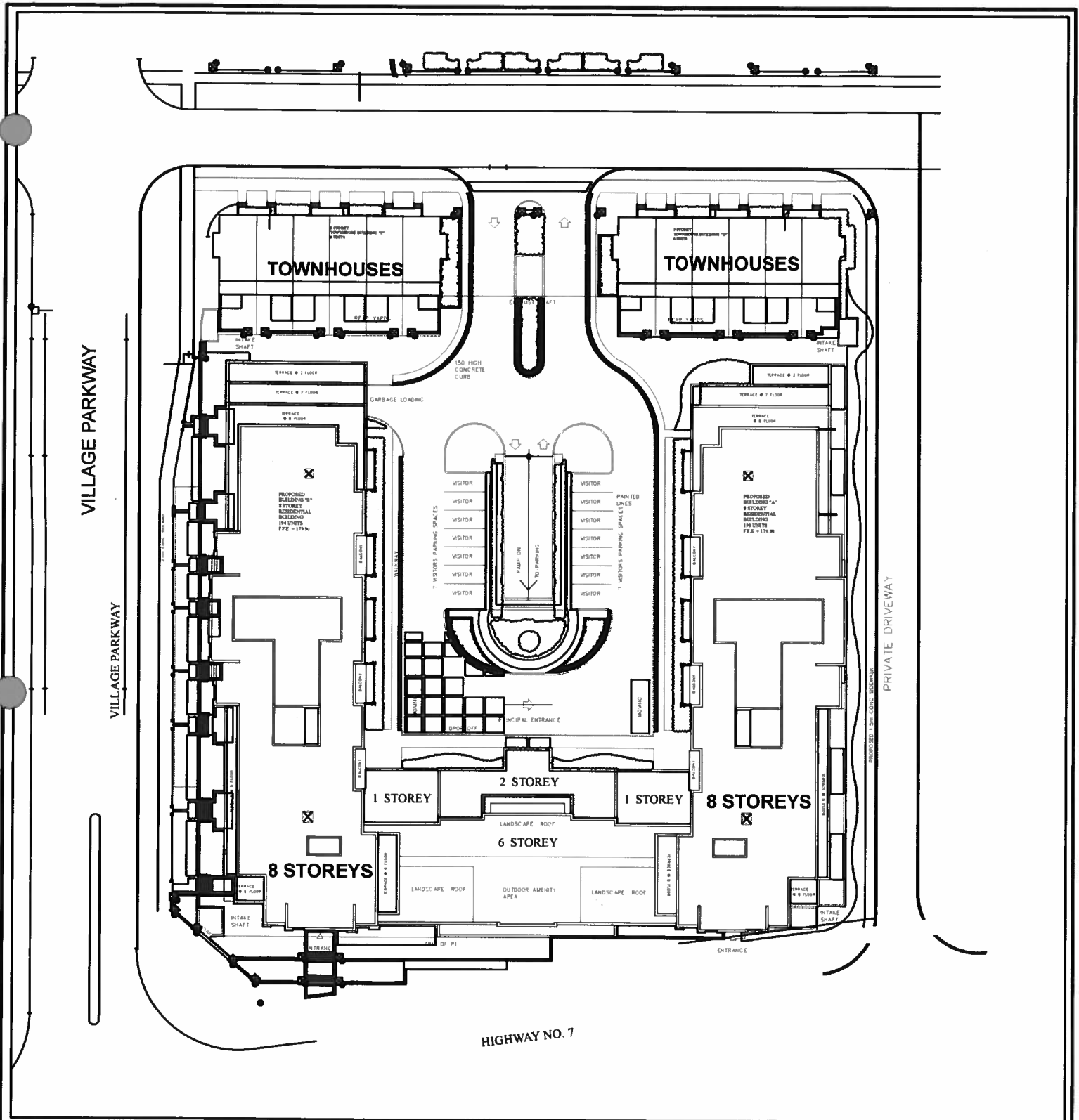
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DATE: 10/15/14



# ENDORSED SITE PLAN OF APARTMENT DEVELOPMENT

APPLICANT: 1820266 ONTARIO LIMITED (TIMES GROUP INC.)  
4002/4022 HIGHWAY 7

FILE No. ZA14117506(SH)

DATE: 10/15/14