

**SUBJECT:** RECOMMENDATION REPORT  
Forest Bay Homes Ltd.  
Applications for Draft Plan of Subdivision 19TM-14004 and  
Zoning By-law Amendment, 359 Elson Street

File Numbers: SU 14 - 133398 and ZA 14 - 133398

**PREPARED BY:** Stephen Corr, B.E.S. Ext. 2624  
Planner II, East District

**REVIEWED BY:** Biju Karumanchery, M.C.I.P., R.P.P. Ext 2970  
Senior Development Manager

---

**RECOMMENDATION:**

- 1) That the report dated September 9, 2014, entitled "Recommendation Report, Forest Bay Homes Ltd., Applications for Draft Plan of Subdivision 19TM-14004 and Zoning By-law Amendment, 359 Elson Street, File Numbers SU 14 – 133398 and ZA 14 – 133398", be received.
- 2) That the record of the Public Meeting held on June 17, 2014, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received;
- 3) That draft plan of subdivision 19TM-14004 submitted by Forest Bay Homes Ltd., be draft approved subject to the conditions outlined in Appendix 'A'.
- 4) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'A' as may be amended by the Director of Planning and Urban Design;
- 5) That the application submitted by Forest Bay Homes Ltd. to amend Zoning By-law 90-81, as amended, be approved and the draft by-law attached as Appendix 'B' be finalized and enacted without further notice;
- 6) That the draft plan approval for plan of subdivision 19TM-14004 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period;
- 7) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report recommends approval of plan of subdivision and implementing zoning by-law amendment applications for the subject lands within the Villages of Fairtree Community.

**BACKGROUND:**

359 Elson Street (the “subject property”) is located at the south-east corner of Elson Street and Eastvale Drive, which is north of Steeles Avenue and east of Markham Road (Figure 1). The subject property is 2.03 hectares (5 acres) and is currently vacant. Surrounding land uses include single detached dwellings to the north and west across Elson Street and Eastvale Drive respectively, a wood lot to the south, and Eastvale Park and cricket pitch to the east (Figure 3).

**The subject property is no longer required as a school site**

The subject property was designated as a school block for the York Catholic District School Board (YCDSB), when plan of subdivision 65M-3616 was registered in 2002. In 2013, the YCDSB advised the City that the site was not required and that they would not be purchasing it from the landowner. The subdivision agreement which was registered on title, gives the City the first right of refusal to acquire all or part of the subject property.

**A portion of the property is required for parking to serve the adjacent community park**

The subject property is located immediately to the west of an existing community park, which comprises play areas and passive recreation areas, as well as a regionally significant cricket pitch and associated facilities. The cricket facility is one of only a handful in the GTA and is heavily used, attracting visiting teams from a larger area. As a result, the City’s Parks & Open Space Development Group together with Parks Operations and Roads Department have identified a need to expand the park facility to accommodate parking to serve the community park.

**Proposal for single family homes**

Forest Bay Homes is proposing to develop 32 single detached dwellings on the subject property. The proposed homes will be developed along the Elson Street frontage and along a new public road which will terminate in a cul-de-sac within the property (Figure 4). The majority of lots will have frontages of 12 metres (39.3 feet) and lot depths ranging from approximately 35 to 42 metres (114.8 to 137.8 feet).

---

To address the need to expand the adjacent park facility, the applicant is also proposing to convey Block 33 (see Figure 4) to the City for parkland purposes. This 0.22 ha (0.54 ac) Block is located at the northeast section of the property. It will be developed as a parking lot for users of the existing cricket pitch, (with approximately 35 to 40 parking spaces, to

be appropriately landscaped and screened). The layout of this parking lot is yet to be finalized by City Parks & Open Space Development staff, however it is intended that this parking lot will be a pilot project to incorporate sustainable design features, including permeable surface pavers, as part of its design. Staff will ensure that sustainable features are incorporated and implemented into the design of this parking lot. Additionally, Block 34 (see Figure 4) is proposed to be conveyed to the City, and added to the existing valley lands to the south of the property. This 0.05 ha (0.12 ac) Block is located at the south side of the subject lands. It is noted that the amount of open space being dedicated to the municipality exceeds Planning Act requirements, and the applicant is not seeking any compensation for the over-dedication.

**OPTIONS/ DISCUSSION:****Servicing allocation**

The draft plan of has sufficient current servicing allocation as noted in the City's June 11, 2014 Development Services Committee report on servicing allocation. It should be noted that the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;

**Official Plan and Zoning**

The subject property is designated "Urban Residential – Low Density" in the in force Official Plan (1987 Revised), as amended, and elementary school site in the Armadale East Secondary Plan. The Secondary Plan allows for Urban Residential (Low Density) development where an elementary school is not required. The subject property is also designated "Residential Low Rise" in the Official Plan 2014 (not yet in force), which also provides for the proposed residential development. Staff are satisfied that the proposed development conforms with the density requirements of the Secondary Plan and both Official Plans.

The site is zoned "Institutional and Open Space (O2)" in Zoning By-law 90-81, as amended. Consequently a Zoning By-law amendment application is required to permit the proposed residential development.

**Proposed Rezoning and Draft Plan of Subdivision**

As noted above, the proposed draft plan of subdivision will facilitate the development of 32 single detached dwellings, fronting on Elson Street and a new public road. One Block will be created and conveyed to the City for park purposes. A second Block will be created and conveyed to the City to be added to adjacent valley lands to the south.

If approved, the draft Zoning By-law (Appendix 'B') will rezone the residential portion of the draft plan of subdivision from Open Space and Institutional (O2) to Residential Ninth Density (R9) under By-law 90-81, as amended. This will facilitate the development of 32 single detached dwellings and implement appropriate development standards. The Blocks being conveyed to the City for park purposes will remain zoned OS2 under By-law 90-81, as amended.

**Residential Development and Road Pattern are Considered Appropriate**

The pattern of single-detached dwellings proposed in this Draft Plan is consistent with the type of development in the approved Village of Fairtree Community Design Plan. Nine of the proposed dwellings front onto the south side Elson Street, an existing public road. The remaining 23 dwellings front onto a new public road, which terminates as a cul-de-sac within the subject property, adjacent to the existing community park to the east. The proposed single detached dwellings and the new public road is an appropriate form of infill development within the Villages of Fairtree community.

**CONCLUSION**

Based on the discussion above staff are of the opinion that the proposed draft plan of subdivision is consistent with the patterns of development within the surrounding community. Further, the proposed road pattern and built form are in keeping with the Community Design Plan, Current Official Plan (revised 1987), Armadale East Secondary Plan and Official Plan 2014 (not yet in force). The proposed Zoning By-law amendment will implement this draft plan of subdivision, and permit residential development on the subject lands. Staff recommends approval of the applications.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed applications will align with the City's strategic priority of Growth Management by ensuring that the proposed infill development compliments the existing community, while accommodating the City's park related parking requirements.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

These applications have been circulated to various departments and external agencies and their requirements are reflected in the draft plan of subdivision, draft conditions and draft zoning by-law amendment.

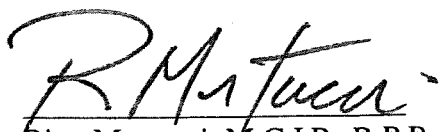
**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

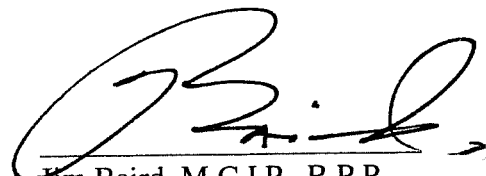
Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**RECOMMENDED BY:**

  
Rino Mostacci, M.C.I.P., R.P.P.  
Director of Planning

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

**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Proposed Draft Plan of Subdivision

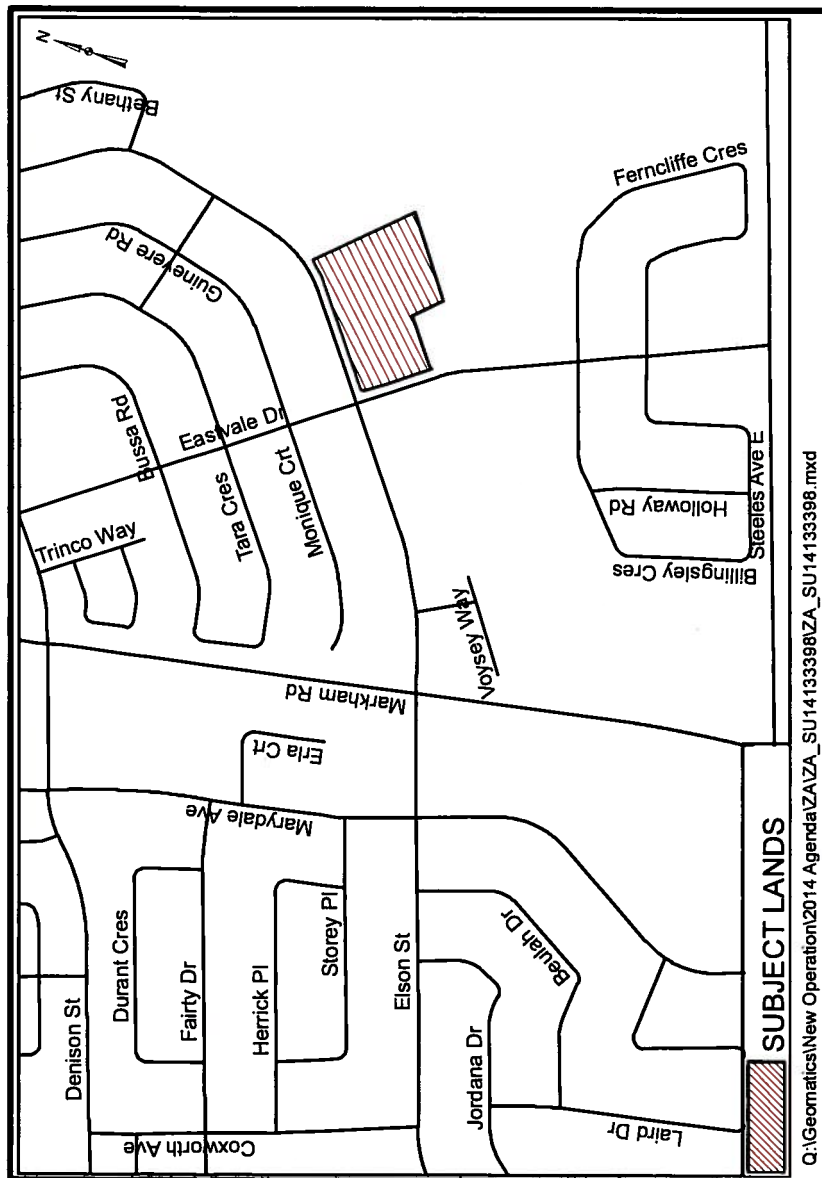
Appendix 'A' – Draft Conditions

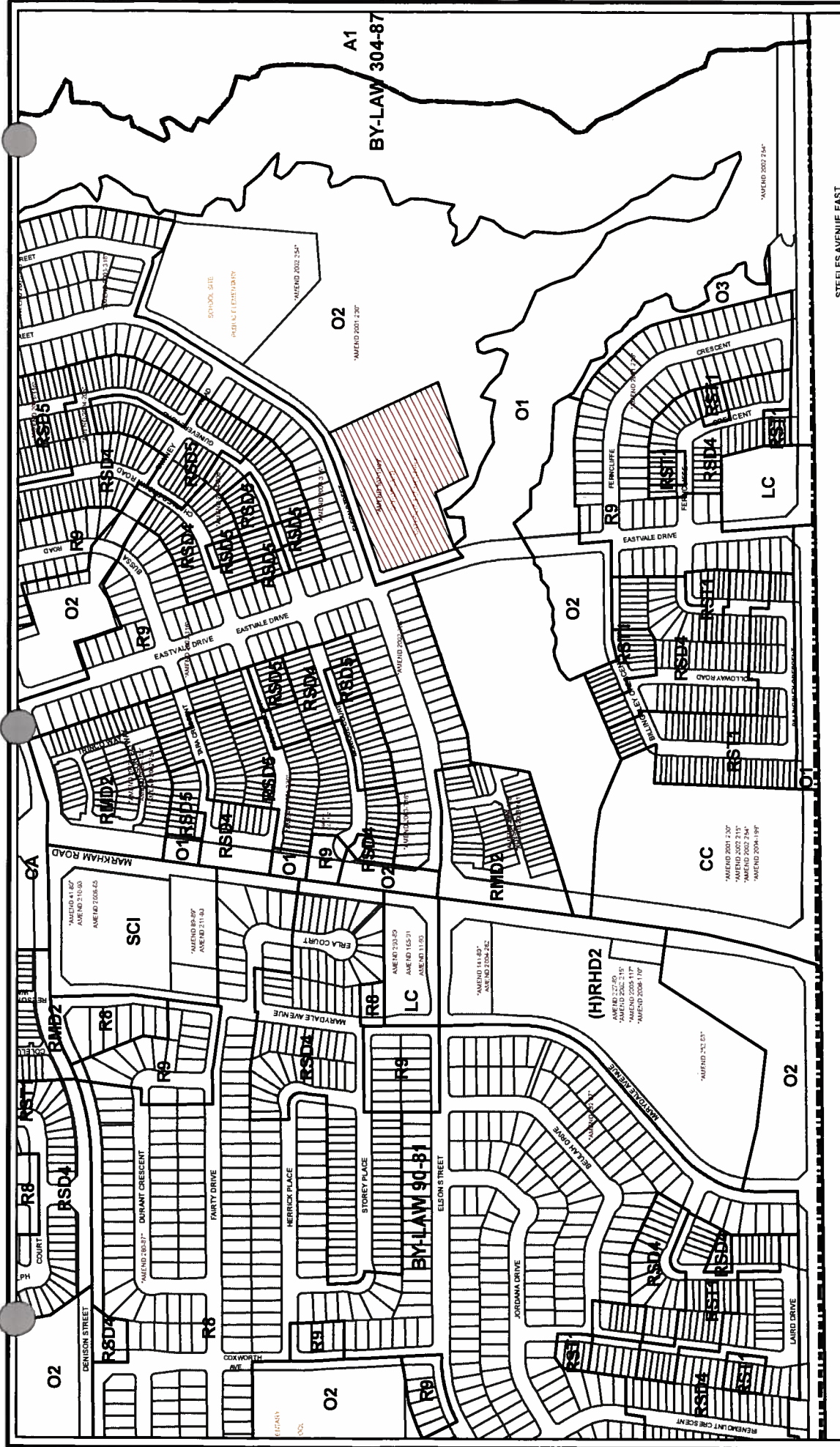
Appendix 'B' – Draft By-law

**Owner:** Forest Bay Homes  
Attn: Mr. Clay Leibel  
7800 Kennedy Road  
Markham ON L3R 207  
(905) 479-5793

**Agent:** Julius De Ruyter Planning and Development Services  
Attn: Mr. Julius De Ruyter  
102 Courcelette Road  
Toronto, ON M1M 2TZ  
Ph: 416-980-4242

File path: Amanda\File 14 133398\Documents\Recommendation





# AREA CONTEXT / ZONING

APPLICANT: FOREST BAY HOMES  
359 ELSON STREET

FILE No. ZA, SU 14133398 (SM)

Q:\Geomatics\New Operation\2014 Agenda\ZA\_ZA\_SU14133398\ZA\_SU14133398.mxd





# AIR PHOTO

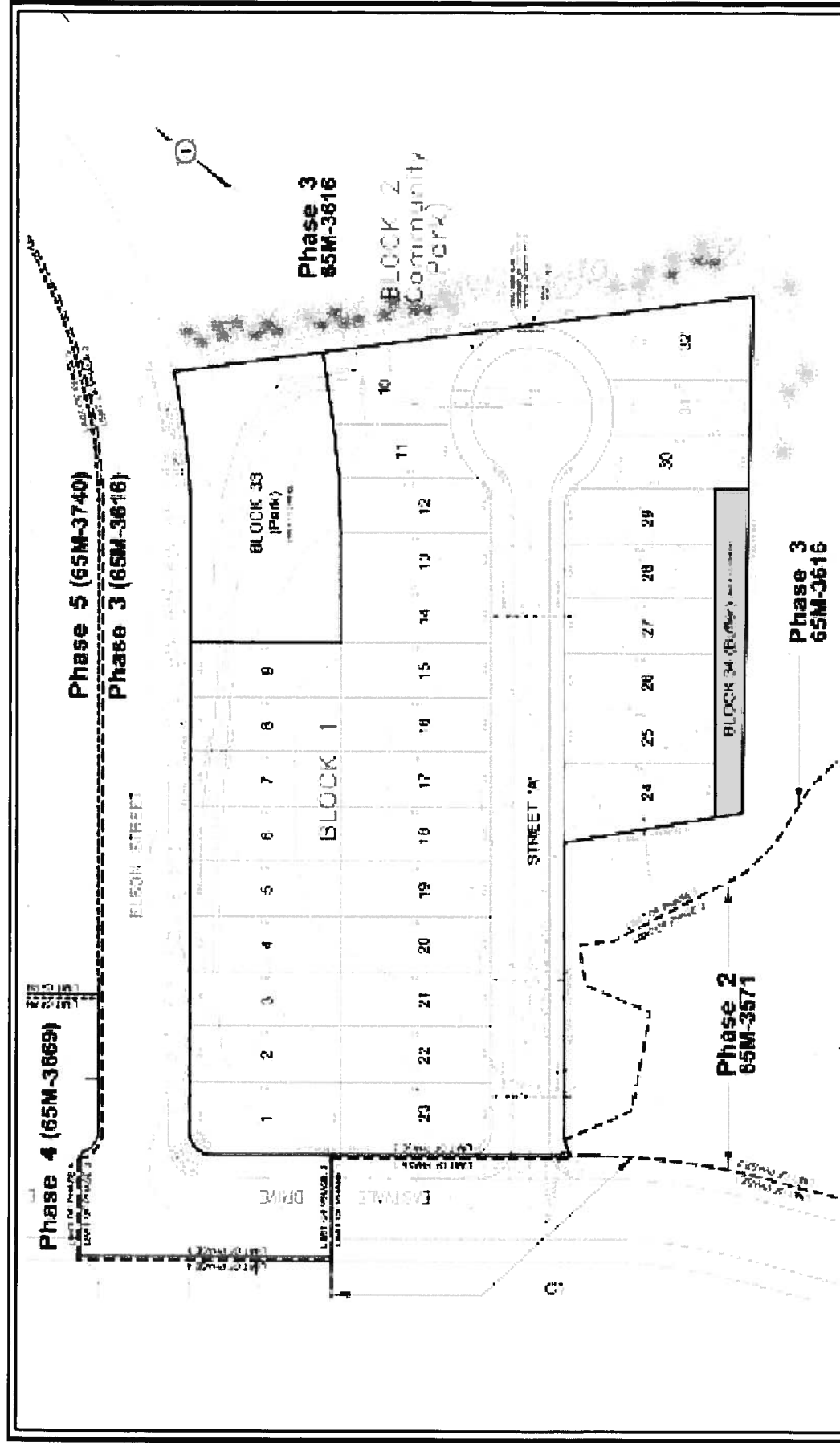
APPLICANT: FOREST BAY HOMES  
359 ELSON STREET

FILE No. ZA, SU 14133398 (SM)

Q:\Geomatics\New Operation\2014 Agenda\ZA\ZA\_SU14133398\ZA\_SU14133398.mxd

 SUBJECT LANDS





# DRAFT PLAN OF SUBDIVISION

APPLICANT: FOREST BAY HOMES  
359 ELSON STREET

FILE No. ZA, SU 14133398 (SM)

C:\Geomatics\New Operation\2014 Agenda\ZA\ZA\_SU 14133398\ZA\_SU 14133398.mxd


**MARKHAM** DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

DATE: 05/27/2014

**FIGURE No.4**

 SUBJECT LANDS