

SUBJECT: SUPPLEMENTARY REPORT
Litchfield Developments Limited (Lanterra Developments)
4116, 4128 and 4142 Highway 7 (north side, west of
Sciberras Road)
Applications for Official Plan and zoning by-law amendments
and draft plan of subdivision to permit a townhouse
development

FILE NOS. OP 13 125529, ZA 13 125529 and SU 13 125529

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

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

RECOMMENDATION:

- 1) That the staff report dated May 6, 2014 titled "SUPPLEMENTARY REPORT, Litchfield Developments Limited (Lanterra Developments), Applications for Official Plan and zoning by-law amendment and draft plan of subdivision to permit a townhouse development," be received.
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide Committee with staff comments on a potential alternative street layout for a proposed townhouse development on the north side of Highway 7 west of Sciberras Road, in advance of the statutory public meeting to consider the development, which is scheduled for the evening of May 6.

BACKGROUND:

On February 4, 2014, Committee considered a preliminary staff report (attached as Appendix 'A') on applications for Official Plan and zoning by-law amendment and draft plan of subdivision to permit the subject property to be developed as follows:

- The extension of Lichfield Road through the subject lands connecting the existing sections of Lichfield Road to the east and north.
- Three development blocks on the north side of Lichfield Road containing 2-storey townhouse buildings of 4-6 units each, accommodating a total of 16 freehold townhouse units. Each dwelling would include a front facing single car garage with space for a second car on the driveway in front of the garage.

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- A 0.57 hectare (1.4 acre) block between Highway 7 and future Lichfield Road containing five, 3-storey condominium townhouse buildings of 6 – 8 units each, accommodating a total of 34 condominium townhouse dwellings. The townhouse buildings would face onto either Highway 7 or Litchfield Road and back onto a private lane. Each dwelling would include a double car garage accessed from a private lane
 - A total of 50 townhouse dwelling units.

The plan submitted with the applications, hereafter referred to as the “applicant’s original plan,” is attached as Figure 4.

At the request of the Ward Councillor, Development Services Committee deferred the applications for two months to provide him with an opportunity to meet with the applicant and the community.

In early March, following discussions with the Ward Councillor, the applicant submitted a revised street and block plan, attached as Figure 5 (hereafter referred to as the “applicant’s revised plan”) to the Ward Councillor. This plan terminates Lichfield Road in a cul-de-sac and incorporates a small park block adjacent to the cul-de-sac. This plan includes a total of 49 townhouse dwelling units.

On March 31, 2014, the Ward Councillor held a community information meeting, which was attended by approximately 20 nearby residents. The applicant presented the applicant’s original plan and the applicant’s revised plan. The applicant also presented a plan showing 6-storey apartment buildings on the north and south sides of Lichfield Road to illustrate the potential for a higher density development. Following lengthy discussion regarding the respective merits of the original and revised plans, and in particular the merits of connecting Lichfield Road to Ferrah Street or terminating it in a cul-de-sac, the residents in attendance indicated by a show of hands that they preferred the applicant’s revised plan, which terminates Lichfield Road in a cul-de-sac.

DISCUSSION:

Planning staff have reviewed the applicant’s original plan and the applicant’s revised plan with Urban Design, Parks, Operations, Fire and Legal staff, and have the following comments:

- The applicant’s original plan connects the two existing sections of Lichfield Road, as long contemplated and as shown on the schedules to the applicable Secondary Plan (OPA15/PD1-15).
- As noted in the preliminary staff report, the City’s Parks and Open Space Development Section has not identified a requirement for a city park at this location.
- The applicant’s revised plan does not utilize the road stub to the north which was constructed at the time the lands to the north were developed in the early 1970’s to provide for the extension of Lichfield Road into the subject lands. The front doors of the existing adjoining homes face onto this road stub, with their

- driveways opening onto Ferrah Street. Council would need to decide to either leave the road stub in place or remove it and convert it to a small parkette. Given the size and configuration of the road stub lands and its relationship to the adjoining homes, it would not be appropriate to program this area as parkland. It would therefore essentially function as an extra-wide walkway block.
- The park block shown on the applicant's revised plan includes portions of what would normally be the boulevard of the adjoining street and lane. These areas are required for utilities and snow storage, and cannot functionally form part of a park. The remaining area is awkwardly configured and not large enough to program. Staff would not recommend that the City accept this area as public parkland.
 - The applicant's revised plan shows a portion of a townhouse block located within the lands previously conveyed to the City for the Lichfield Road extension as a condition of site plan approval of the Volvo/Audi dealerships. Council would need to formally declare this land surplus to the City's needs before it could be acquired by the applicant. The applicant has suggested that the City should consider conveying this land to them at no cost considering that the revised plan yields one fewer unit than the original plan. The City's Legal Department advises that, although the City may be capable of conveying the lands for a nominal consideration, at a staff level they would not recommend it.
 - The applicant's revised plan has dwellings located much closer to the rear yard of the adjacent automobile dealerships than the original plan, which has the dwellings separated from the rear yard of the dealership property by Lichfield Road. The noise generated by dealership operations, and in particular the service areas to the rear, can be a nuisance to nearby residents and generate complaints to the City. This is not an ideal relationship.
 - The road layout of the applicant's original plan is preferred by the City's Operations Department as it is easier to maintain, especially during the winter months.

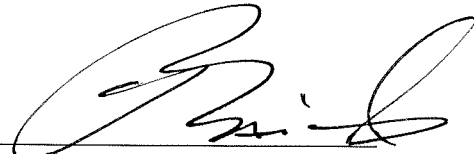
In response to the applicant's revised plan, staff prepared a concept plan (Figure 6) which also terminates Lichfield Road in a cul-de-sac and provides an open space block, but addresses staff's concerns with the applicant's revised plan. The open space block on this plan is larger, more appropriately configured and more accessible to the surrounding community. This plan, however, provides 49 units, one fewer than on the applicant's original plan, and includes two fewer freehold townhouse units. The applicant expressed concern that the loss of one unit, and in particular the reduction of two freehold townhouse units (which the applicant advises are more valuable than the condominium townhouse units) would compromise the financial viability of the project.

Staff subsequently prepared a revised concept plan (Figure 7) which also provides a total of 49 units, including 16 freehold units as originally proposed. Although the open space block on this plan would not be large enough to formally program, it is more appropriately configured than the applicant's revised concept. The applicant advises that they continue to have concerns with this plan.

RECOMMENDED BY:



Biju Karumanchery, M.C.I.P., R.P.P.
Senior Development Manager



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

ATTACHMENTS:

- Figure 1 - Location Map/Google link
- Figure 2 - Area Context/Zoning
- Figure 3 - Air Photo 2012
- Figure 4 - Applicant's Original Plan
- Figure 5 - Applicant's Revised Plan
- Figure 6 - Staff Concept Plan
- Figure 7 - Revised Staff Concept Plan

Appendix 'A' – Preliminary Staff Report

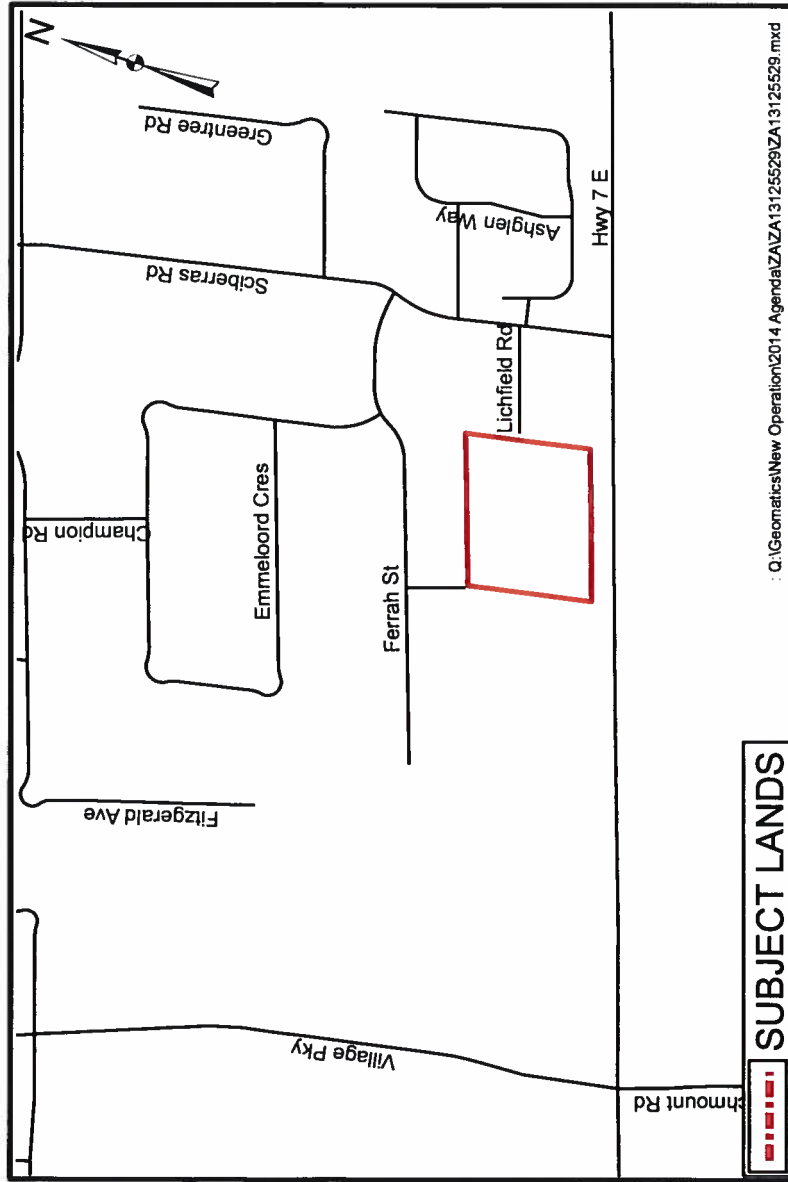
APPLICANT:

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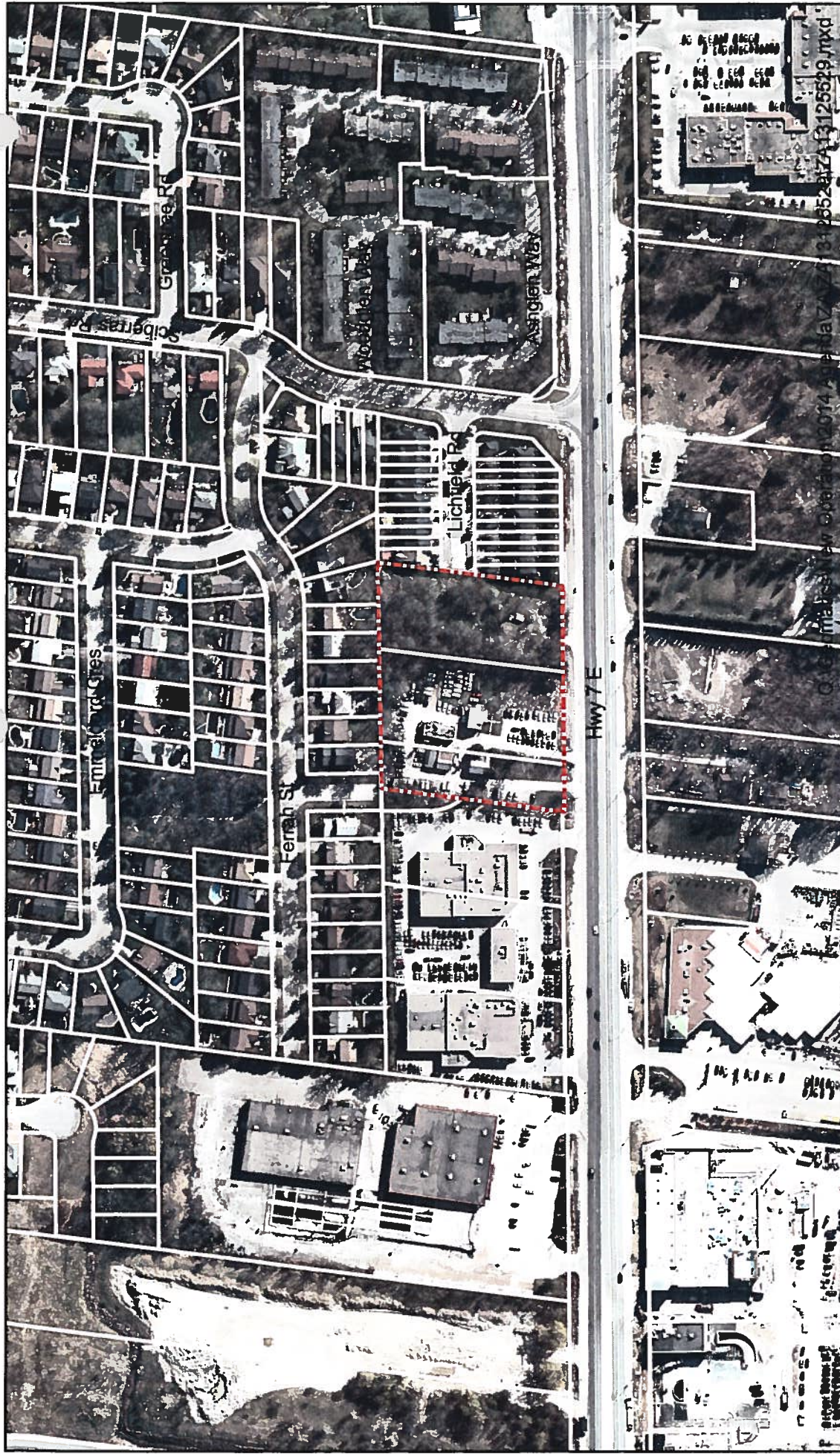
AREA CONTEXT/ZONING

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

 SUBJECT LANDS

FILE No: ZA13125529(SH)

DATE: 01/16/14

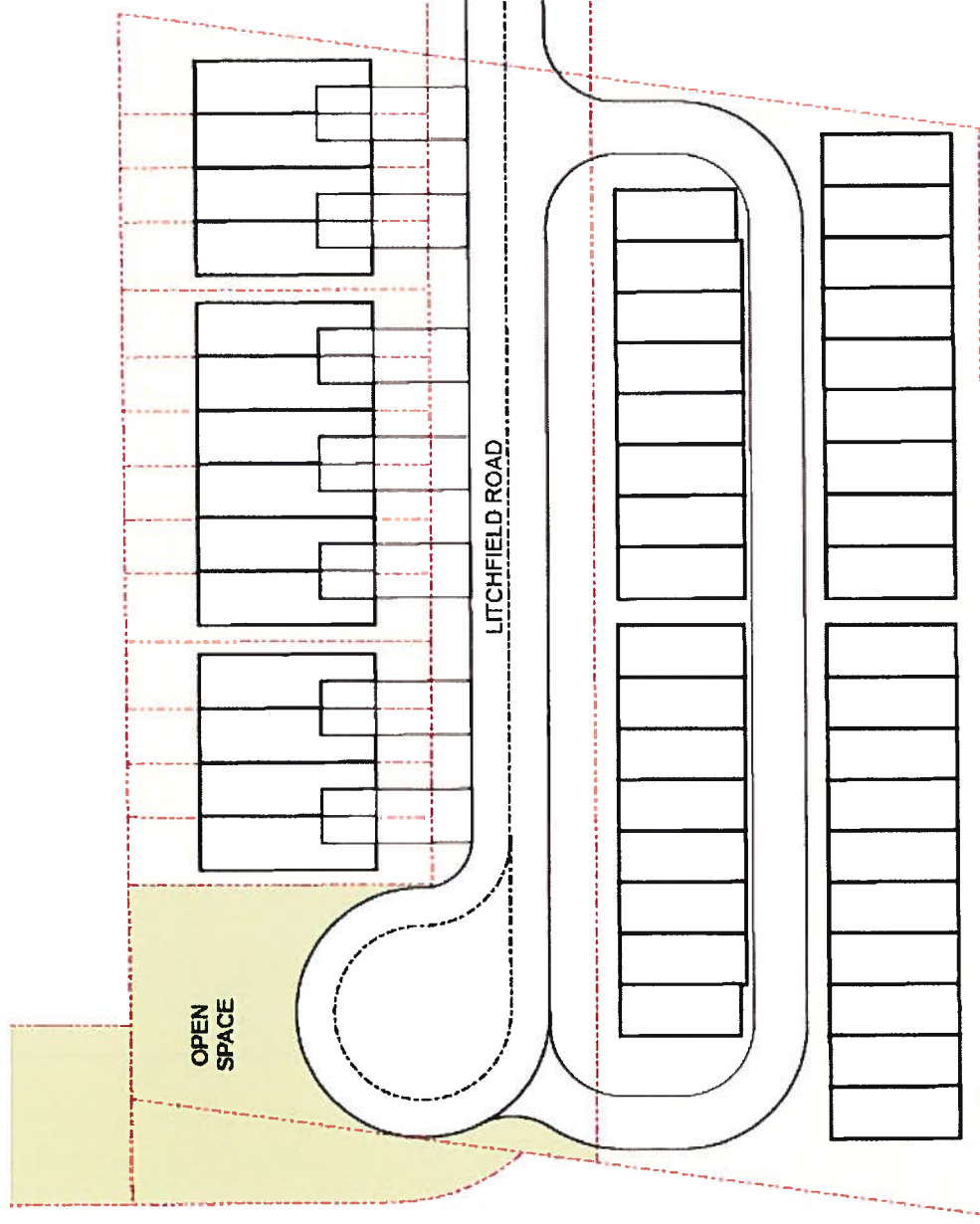


AIR PHOTO 2012

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

FILE No: ZA13125529(SH)

 SUBJECT LANDS



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STAFF CONCEPT PLAN

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

FILE No: ZA13125529(SH)

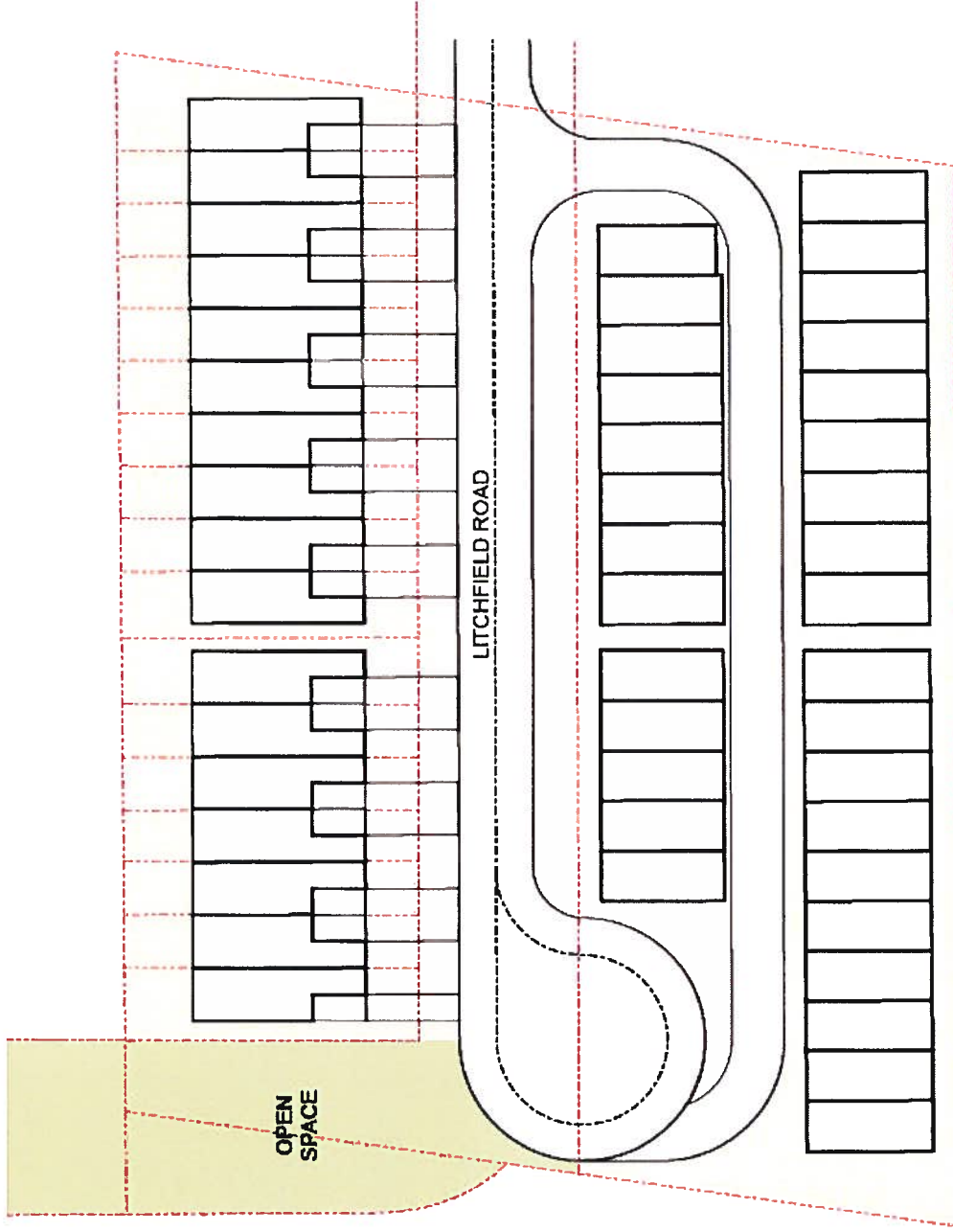
MARKHAM DEVELOPMENT SERVICES COMMISSION

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Checked By: DD

DATE: 05/30/14

FIGURE No. 6



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REVISED STAFF CONCEPT PLAN

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

FILE No: ZA13125529(SH)

Report to: Development Services Committee

Report Date: February 4, 2014

SUBJECT: Litchfield Developments Limited (Lanterra Developments)
4116, 4128 and 4142 Highway 7 (north side, west of
Sciberras Road)
Applications for Official Plan and zoning by-law amendments
and draft plan of subdivision to permit a townhouse
development

FILE NOS. OP 13 125529, ZA 13 125529 and SU 13 125529

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

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

RECOMMENDATION:

- 1) That the staff report dated February 4, 2014 titled "PRELIMINARY REPORT, Litchfield Developments Limited (Lanterra Developments), Applications for Official Plan and zoning by-law amendment and draft plan of subdivision 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.

PURPOSE:

The purpose of this report is to provide preliminary information on applications to amend the City's Official Plan and zoning by-laws and for draft plan of subdivision to accommodate a townhouse project, 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.

BACKGROUND:

Property and Area Context

The subject lands comprise three adjoining former residential properties on the north side of Highway 7 between Sciberras Road and Village Parkway. The properties have a combined frontage of 174 metres (570 feet), a depth of 99 metres (325 feet) and an area of 1.2 hectares (3 acres). The west portion is occupied by two older dwellings and

several garages/sheds which are being used for commercial purposes. The east portion is vacant. The lands contain a number of mature trees associated with the dwellings. To the north are existing homes fronting on Ferrah Street and backing onto the subject lands. To the west is an automobile dealership (Volvo/Audi) and a block of land conveyed to the City as a condition of site plan approval of the Volvo/Audi dealerships for the extension of Litchfield Road (orange area on Figure 4). To the east are existing freehold townhouses fronting on Litchfield Road and flanking onto the subject property. To the south across Highway 7 are several homes on large rural residential lots fronting on Highway 7.

Official Plan

The subject lands are designated "Urban Residential" by the Official Plan (Revised 1987).

Secondary Plan PD1-15 (Amendment #15 to the 1987 Official Plan) further designates the lands "Urban Residential – Medium Density 1 (Area 1)", which permits a range of multiple housing types, at an overall density not to exceed 31 units per hectare (12.5 units per acre), and heights generally in the range of 2 to 3 ½ storeys. The proposed development has a density of 42 units per hectare (17 units per acre), which exceeds the maximum density permitted by the secondary plan.

The lands are designated "Residential Mid Rise" in the new Official Plan. This designation permits mid-rise residential buildings at a maximum overall density of 2.0 FSI (floorspace index) and heights between 3 and 8 storeys. The lands are subject to a site specific policy (9.19.1), which restricts building heights to not less than 2 and not more than 3.5 storeys. The proposed development conforms with the policies of the new Official Plan.

Zoning

The subject lands are zoned "Rural Residential One" (RR1) by By-law 122-72. This zone permits single family detached dwellings on lots having a minimum area of 0.4 ha (1 acre). The proposed development requires the subject lands to be rezoned to an appropriate medium density category, with site specific development standards reflecting the proposed development.

Proposed development (see Figure 4)

The applicant has applied to amend the City's Official Plan and zoning by-laws, and for draft plan of subdivision, to permit:

- The extension of Litchfield Road through the subject lands between the existing sections of Litchfield Road to the east and north.
- Three development blocks on the north side of Litchfield Road containing 2-storey townhouse buildings of 4-6 units each, accommodating a total of 16 freehold townhouse units. Each dwelling includes a front facing single car garage with space for a second car on the driveway in front of the garage.
- A 0.57 hectare (1.4 acre) block between Highway 7 and future Litchfield Road containing five 3-storey condominium townhouse buildings of 6 – 8 units each,

accommodating a total of 34 condominium townhouse dwellings. The townhouse buildings face onto either Highway 7 or Litchfield Road and back onto a private lane. Each dwelling includes a double car garage accessed from a private lane. Conceptual elevations of these building are shown on Figure 5.

Requested Amendments

The subject applications were submitted after adoption by Council of the new Official Plan. However, until the new Official Plan receives final approval from York Region, the 1987 Official Plan remains the operative document.

The owner has applied to amend the 1987 Official Plan to increase the permitted residential density from 31 units per hectare (12.5 units per acre) to 42 units per hectare (17 units per acre). The applicant is proposing a total of 50 units.

The owner has also applied to amend to the City's zoning by-laws to rezone the property from "Rural Residential One" to a medium density residential category, and for draft plan of subdivision.

OPTIONS/ DISCUSSION:

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

Proposed development conforms with the policies of the new Official Plan

The proposed development conforms with the policies of the new Official Plan. Therefore, if the subject development had been proposed after final approval of the new Official Plan, the requested Official Plan Amendment would not have been required.

Proposed development is appropriate for the site

The proposed development completes Litchfield Road as shown on the schedules to Secondary Plan PD15-1. No vehicular connections are proposed to either Highway 7 or the adjacent automobile dealerships. Pedestrian walkway connections are proposed to Highway 7.

The townhouses on the north side of the road continue the pattern of development on the existing section of Litchfield Road. The two storey height of these townhouses, in combination with a generous 7.5 metre rear yard setback, ensures compatibility with the existing homes to the north.

The configuration of the townhouses on the south side of the road – with one group of buildings facing Litchfield Road and the other facing Highway 7 – is compatible with the townhouses on the south side of existing Litchfield Road, and ensures that there are homes facing onto, rather than backing onto, this section of Highway 7, contributing to the City's and the Region's urban design objectives for Highway 7.

No significant technical issues have been identified

Consultants for the applicant consulted extensively with City staff when preparing the project plans and have addressed identified technical issues.

The City's Parks and Open Space Development Section has reviewed the applications and advises the subject lands are not required for, or an appropriate location for, a City park. The applicant will be required to pay cash-in-lieu of dedication of land for parkland purposes.

The applicant will be required to enter into cost sharing agreement(s) with other developers in the area for the sanitary and storm sewer and water main infrastructure upfronted by these groups.

The applicant has not yet applied for site plan approval for the proposed townhouses. The detailed design of the buildings and other issues including tree preservation and compensation and buffer landscaping, will be addressed through the site plan approval process. The applicant has been encouraged to apply for site plan approval in advance of the Public Meeting for the subject applications.

Conclusions

Staff recommend that a Public Meeting be scheduled to consider the subject applications.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

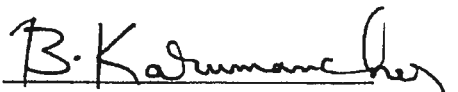
ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposal development aligns with the City's growth management priority.

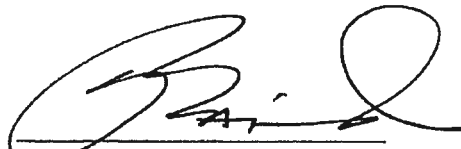
BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:



Biju Karumanchery, M.C.I.P., R.P.P.
Senior Development Manager



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

ATTACHMENTS:

Figure 1 - Location Map/Google link

Figure 2 - Area Context/Zoning

Figure 3 - Air Photo 2012

Figure 4 - Site Plan

Figure 5 - Conceptual Elevations – Condominium Townhouses

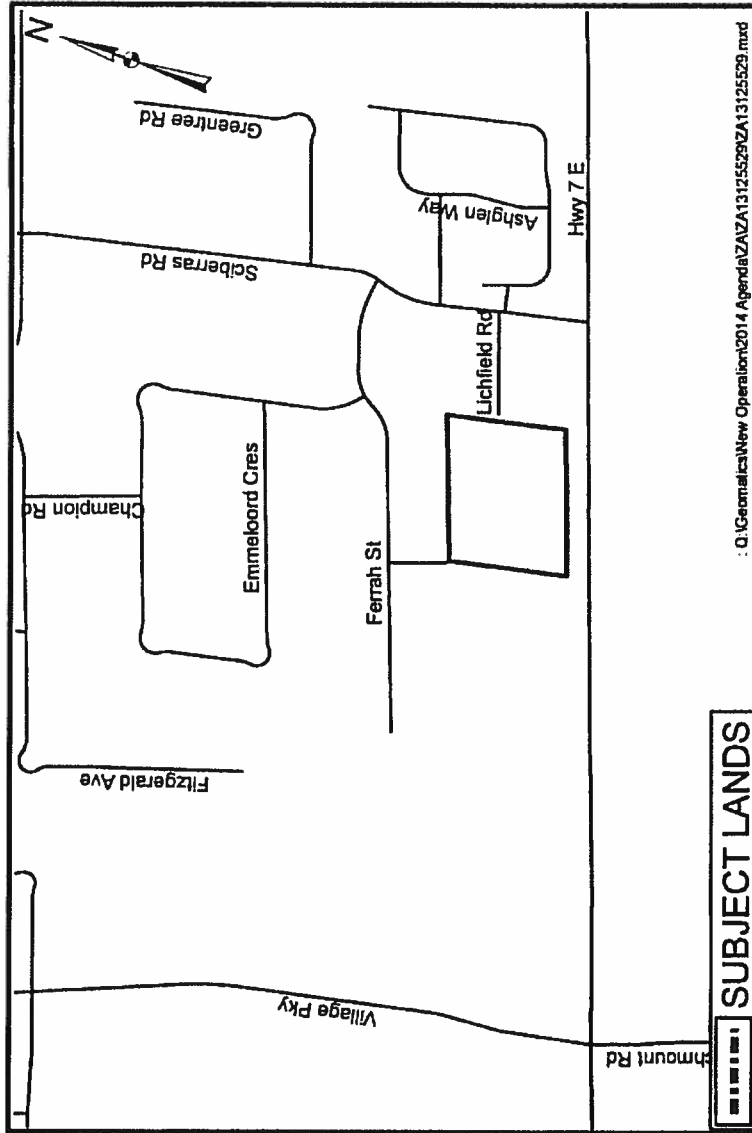
APPLICANT:

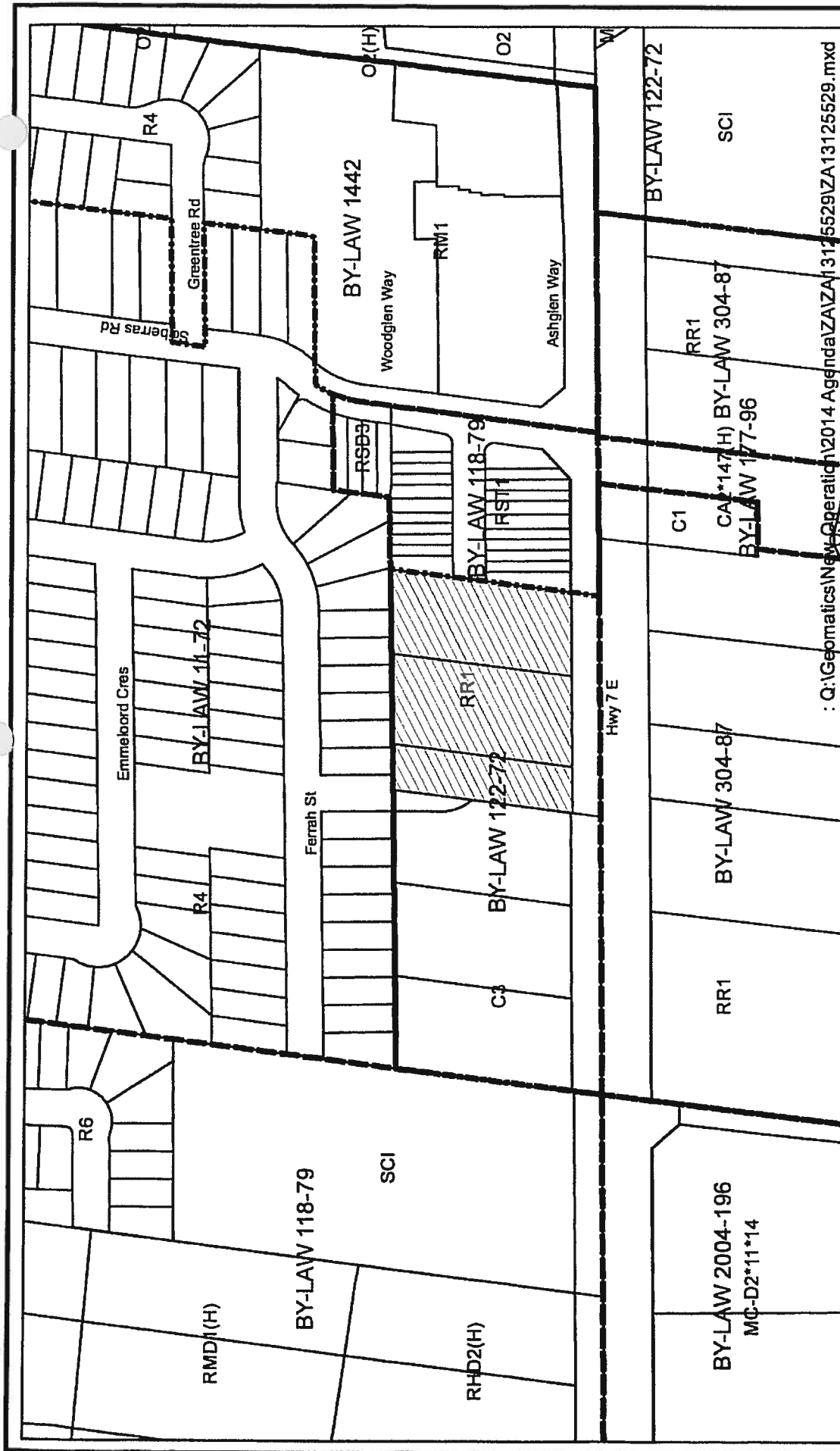
Rosemary Humpheries
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AREA CONTEXT/ZONING

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

FILE No: ZA13125529(SH)

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FIGURE No. 2



AIR PHOTO 2012

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

FILE No: ZA13125529(SH)

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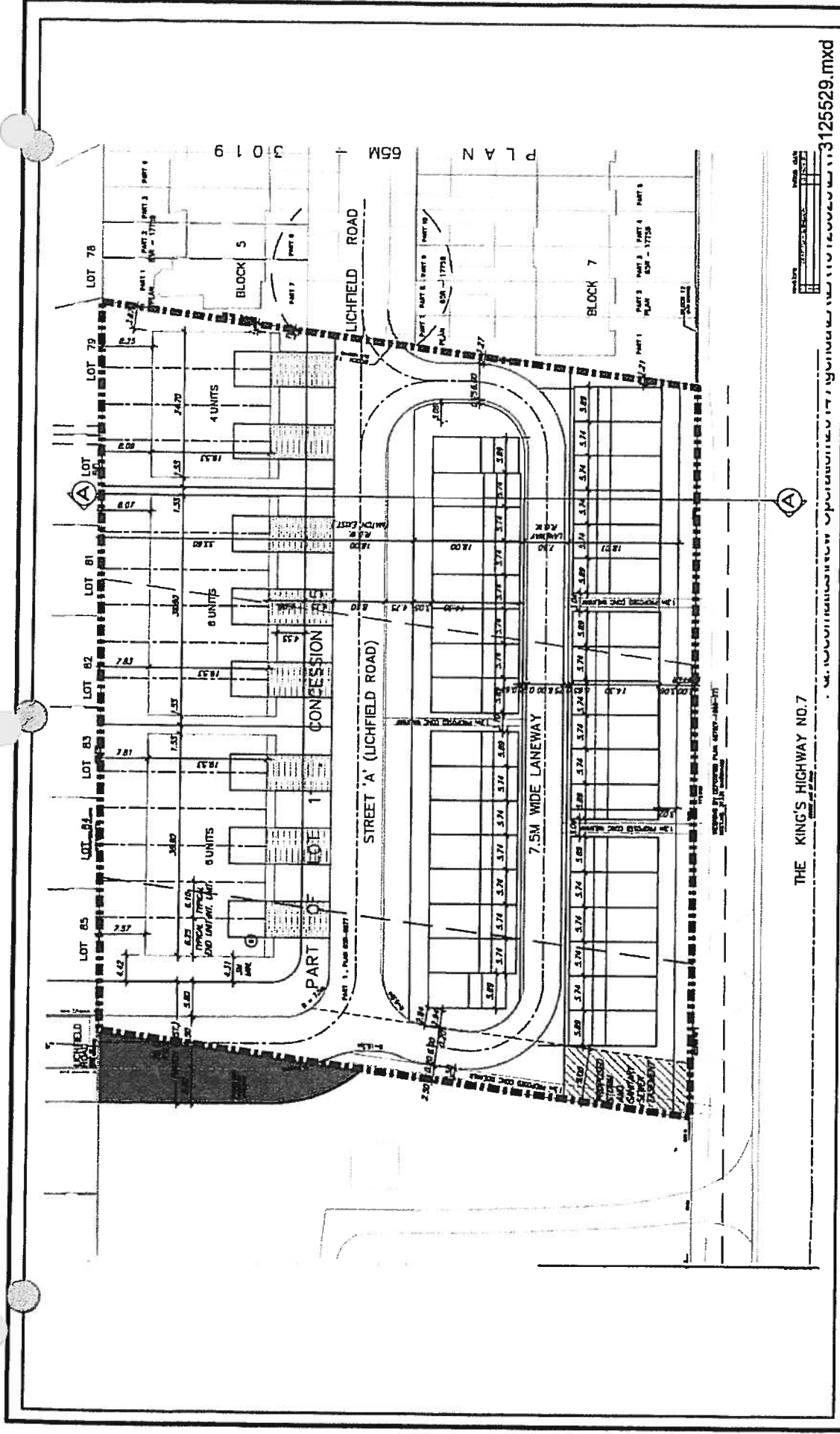
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FIGURE No. 3



SITE PLAN

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
4116, 4128, AND 4142 HIGHWAY 7

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MARKHAM DEVELOPMENT SERVICES COMMISSION

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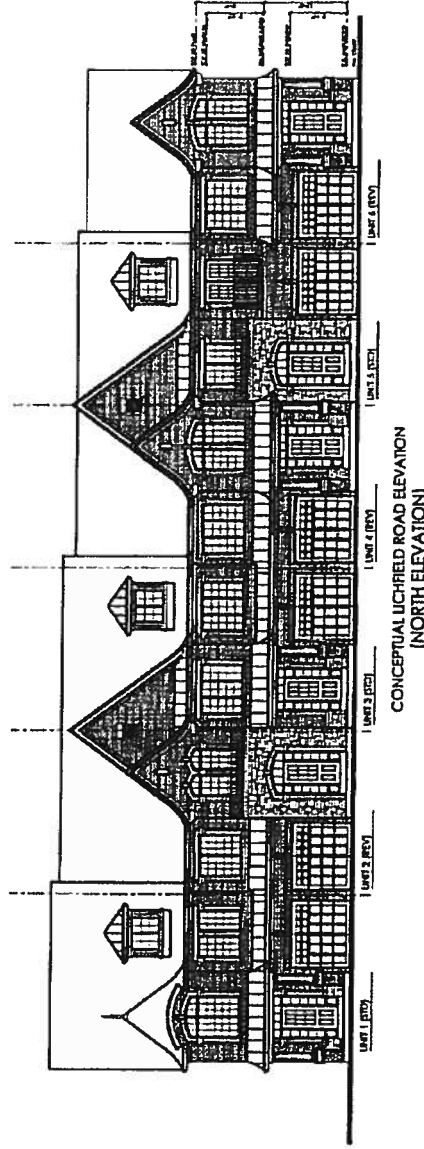
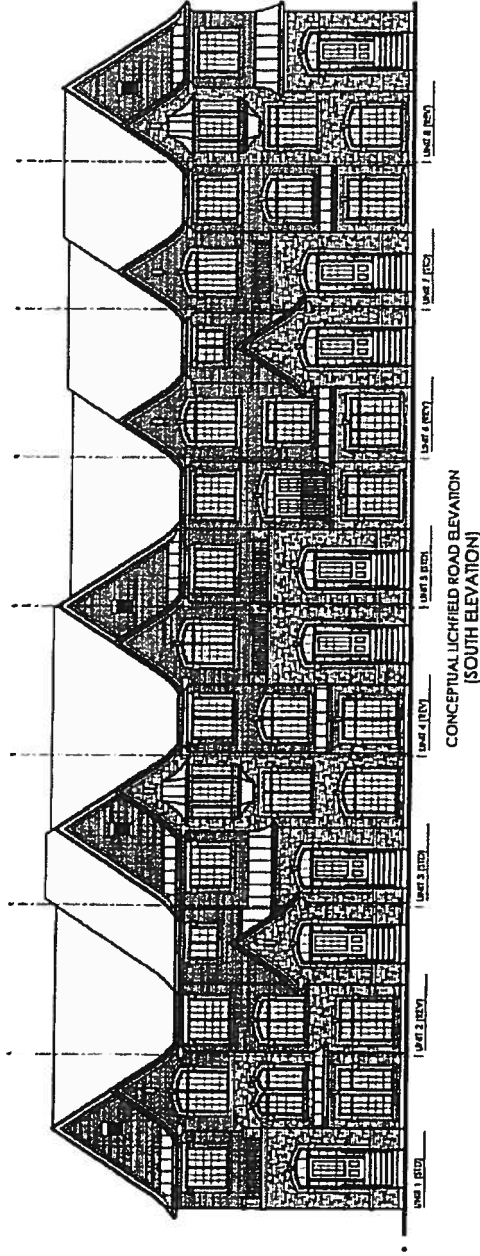
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CONCEPTUAL ELEVATIONS - CONDOMINIUM TOWNHOUSES

APPLICANT: LITCHFIELD DEVELOPMENTS LIMITED
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MARKHAM DEVELOPMENT SERVICES COMMISSION

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DATE:01/16/14

FIGURE No. 5