

SUBJECT: PRELIMINARY REPORT
2310601 Ontario Inc.
3912 and 3928 Highway 7
Applications for Official Plan and zoning by-law
amendment and draft plan of subdivision to permit a high
and medium density residential development

FILE NOS. SU 13 113228, OP 13 113228 and ZA 13 113228

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 November 5, 2013 titled "PRELIMINARY REPORT, 2310601 Ontario Inc., Applications for Official Plan and zoning by-law amendment and draft plan of subdivision to permit a high and medium density residential 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 draft plan of subdivision, 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 property is located on the north side of Highway 7, between Verclaire Gate and Village Parkway. The property has a frontage of 94.6 metres (310 feet), a depth of 403 metres (1322 feet) and an area of 4 hectares (9.9 acres). It is currently occupied by J B & D Company, which manufactures and distributes lawn care and farming products.

To the north is a City park (Sablewood Park) and existing homes fronting on Landmark Court. To the west is St Justin Martyr Catholic Church, existing homes fronting on Chimenti Court and a City-owned park block, which is currently occupied by a temporary storm water management facility. To the south across Highway 7 are vacant lands owned by the Times Group Inc., which are zoned for mixed-use, higher density residential development. To the east is an older 1 ½ storey brick dwelling. This property to the east is zoned for a proposed high and medium density residential development as outlined below.

Official Plan

The subject property is designated “Urban Residential” by the current (in force) Official Plan.

Secondary Plan PD1-15 (OPA #15) further designates the property as follows:

- South portion (area next to Highway 7) - “Urban Residential – High Density I”, which permits apartments and other multiple housing types, overall density not to exceed 87 units per hectare (35 units per acre), maximum height 5 storeys.
- Middle portion (area on south side of future Buchanan Drive) - “Urban Residential – Medium Density 1”, which permits a range of multiple housing types, overall density not to exceed 31 units per hectare (12.5 units per acre), heights generally in the range of 2 to 3 ½ storeys.
- North portion (area north of future Buchanan Drive) - “Open Space – Neighbourhood Park”.

Zoning

The subject property is zoned “Residential Development” (RD) by By-law 118-79. This zone permits “one single family detached dwelling on a lot existing on the date of passing of this by-law.” This in an interim zoning condition, and the lands are intended to be rezoned to accommodate future development in the context of development approvals.

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:

- A 1.7 hectare (4.22 acre) block between Highway 7 and future Buchanan Drive containing four 8-storey apartment buildings, 662 units, net site density 388 units per hectare (157 units per acre).
- A 1.2 hectare (2.88 acre) block on the north side of future Buchanan Drive containing six 3 ½ storey back-to-back stacked townhouse buildings, 148 units, net site density 127 units per hectare (51 units per acre).
- North portion (0.825 hectares or 2.04 acres) - proposed to be conveyed to City for parkland.
- A 6 metre wide linear park block adjoining the west boundary extending from Highway 7 to future Buchanan Drive.

Requested Amendments

The proposed development would require the following amendments to the City's currently approved Official Plan:

Proposed apartment block:

- Redesignate north half of block from "Urban Residential – Medium Density 1" to "Urban Residential – High Density I".
- Increase density from 87 units per hectare (35 units per acre) to 388 units per hectare (157 units per acre).
- Increase building height from 5 to 8 storeys.

Proposed townhouse block:

- Redesignate entire block from "Open Space – Neighbourhood Park" to "Urban Residential – Medium Density 1"
- Increase density of "Urban Residential – Medium Density 1" from 31 units per hectare (12.5 units per acre) to 127 units per hectare (51 units per acre).

The proposed development would require amendments to the City's zoning by-laws to rezone the property from "Residential Development" to medium and high density residential and open space zone categories, subject to specific development standards to reflect the proposed development.

OPTIONS/ DISCUSSION:

The following issues/concerns have been identified during staff's preliminary review of the applications:

The development objectives for this area have been established and are reflected in the draft new Official plan

The development objectives for this area were established in 2009 through the 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.

The new Official Plan is currently proposing to designate the south and middle portions (area between Highway 7 and future Buchanan Drive) "Residential Mid Rise" and the remainder "Residential Low Rise." A site specific policy is proposed to identify the north portion (area north of future Buchanan Drive) as "Park," reflecting the existing secondary plan designation.

Any changes in policy direction arising from the consideration, by approval authorities, of the subject application for Official Plan Amendment will be reflected in the new Official Plan.

Comparison with OMB approvals for Peak Gardens, Lee and Times developments

The Owners of the three properties to the east of the subject property appealed their development applications to the Ontario Municipal Board. On August 28, 2013, the Ontario Municipal Board issued its decision on these appeals. The OMB approvals, which implement settlements reached between the City and the appellants, established the general development parameters for the lands on the north side of Highway 7 in this vicinity (see Figure 5).

The OMB approvals permit the following pattern of development:

- South blocks - 8-storey apartment buildings fronting on Highway 7, with 3-storey townhouses along the south side of Buchanan Drive. Residential density ranging from 277 units per hectare (112 units per acre) to 341 units per hectare (138 units per acre).
- Middle block (between future Buchanan Drive and future Fitzgerald Avenue) – 3-storey condominium townhouses. Residential density ranging from 52 units per hectare (21 units per acre) to 74 units per hectare (30 units per acre).
- North block (area north of future Fitzgerald Avenue), west of Village Parkway (on the Peak Gardens and Lee properties) - reserved for acquisition by the York Region District School Board as part of a future public elementary school site.
- North block, east of Village Parkway (on the Times property) – single detached dwellings or a public park.

The proposed development varies from the development parameters approved for the other three properties, as follows:

- The proposed density of the apartment block is 23% higher than the average of the approved densities of other three developments (662 units proposed, whereas the comparable number would be approximately 538 units).
- An 8-storey apartment building is proposed on the south side future Buchanan Drive, whereas the other three developments have 3-storey townhouses in this location.
- The proposed density of the townhouse block is approximately 112% higher than the average of the approved densities of the other three developments. (148 units proposed, whereas the comparable number would be approximately 70 units).
- The applicant is proposing back-to-back stacked townhouses, whereas standard, ground oriented townhouses were approved for the other three properties.

School Board Requirements

The York Region District School Board has secured the north portions of the adjoining properties to the east (Peak Gardens and Lee) for a future elementary school site. The lands currently secured by the Board have an area of approximately 4 acres. The Board advises that they require a school site of approximately 6 acres to meet the current and anticipated demand for elementary school students from the surrounding catchment area. Staff anticipate that the Board will require that the north 2 acres of the subject property be reserved for acquisition by the Board to complete the school site.

At the Ontario Municipal Board hearing of the Peak Gardens, Lee and Times appeals, Peak Gardens contested the School Board's requirement for the north portion of their property. The OMB accepted the School Board's evidence and ordered that the north portion of the Peak Gardens property be reserved for future acquisition by the School Board.

Parkland

The north half of the subject property, including the proposed townhouse block, is designated "Open Space – Neighbourhood Park" by the City's Official Plan (OPA #15).

The proposed development would generate the following parkland dedication requirement (prior to any changes in land use and density as may be required):

- Apartment block - approximately 1.3 hectares (3.24 acres)
 - Townhouse block - approximately 0.53 hectares (1.31 acres)
- Total 1.83 hectares (4.55 acres)

The applicant is proposing to convey the north 0.825 hectares (2.04 acres) of the property to the City for parkland purposes (see Figure 4) and satisfy their remaining parkland dedication requirement by paying cash-in-lieu of land dedication. As noted above, staff anticipate that the York Region District School Board will require this portion of the property for school purposes. This area is therefore unlikely to be available for conveyance to the City for parkland.

The proposed 6 metre wide linear park adjoining the west boundary of the apartment block is essentially a walkway connection between Buchanan Drive and Highway 7. As discussed below, the walkway function would be better achieved through the introduction of a public road at this location.

The subject property potentially represents the last remaining opportunity to provide any additional parkland to serve the residents of the proposed development and the nearby community, as contemplated by the open space designation in OPA 15 on the northerly portion of the property.

Transportation

Previous planning for the lands on the north side of Highway 7, including a "precinct plan" study undertaken for the City in 2009/2010, identified an opportunity for a new north-south public road between Highway 7 and Buchanan Drive, immediately east of the St. Justin Martyr Catholic Church. This road could potentially be signalized with Highway 7, providing an additional safe pedestrian crossing of Highway 7 between Village Parkway and Verclaire Gate, as well as additional local traffic capacity. The traffic impact study submitted in support of the Lee and Times developments took this potential road into account. The plans submitted in support of the subject applications do not include this road.

York Region has not yet provided comments on the subject applications. Staff anticipate that York Region may have concerns with the location of the proposed private driveway onto Highway 7, which is very close to the existing driveways to St. Justin Martyr Church (See Figure 4).

The traffic impact study submitted by the applicant in support of the requested approvals is currently under review by the City's Engineering Department.

Compatibility with the existing community

The proposed 3-storey, back-to-back, stacked townhouses and a related parking garage entrance ramp are located 3.6 metres (12 feet) from Chimenti Court, immediately across from existing larger single detached dwellings. This is not an appropriate built form relationship. Staff are also concerned that notwithstanding the provision of on-site visitor parking, it is likely that visitors to the proposed townhouses may be inclined to park on Chimenti Court.

The northern-most 8-storey apartment building is proposed to be located 3 metres (10 feet) from Buchanan Drive, essentially across the street from the closest single detached dwelling on Chimenti Court. As noted above, the Peak, Lee and Times developments include 3-storey townhouses along the south side of Buchanan Drive, which would be a more appropriate built form relationship.

Other issues

The following additional issues/concerns were identified during staff's preliminary review of the applications:

- There is insufficient separation between the proposed back-to-back stacked townhouse buildings and Peak Garden's proposed townhouse buildings.
- The proposed east-west road through the north part of the Peak Gardens and Lee properties is not addressed in the plan.

Conclusions

As noted above, staff have a number of significant concerns with the proposed development.

Staff recommend that a Public Meeting be held before any decision is made by Council on the subject applications.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

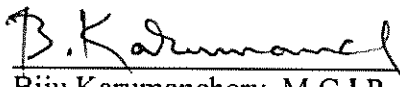
ALIGNMENT WITH STRATEGIC PRIORITIES:

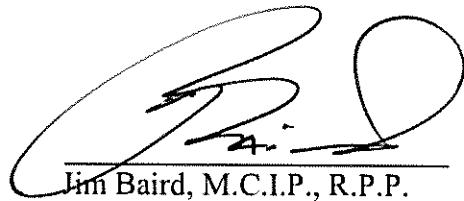
The proposal will be evaluated in the context of the city's strategic priorities, including growth management, transportation/transit and environment.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review. The requirements of City departments and external agencies, including York Region and the York Region District School Board, will be addressed in a future recommendation report.

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:

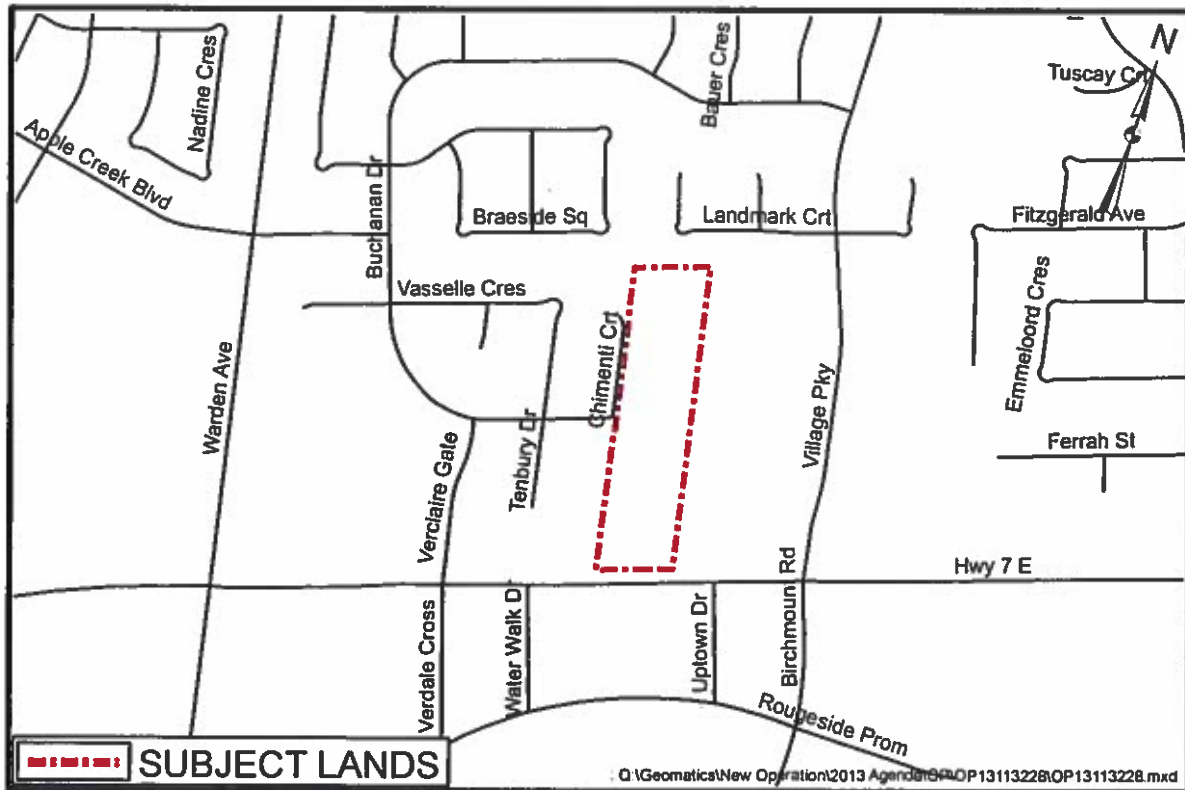
Figure 1 - Location Map
Figure 2 - Area Context/Zoning
Figure 3 - Air Photo
Figure 4 - Site Plan
Figure 5 - C0omposite

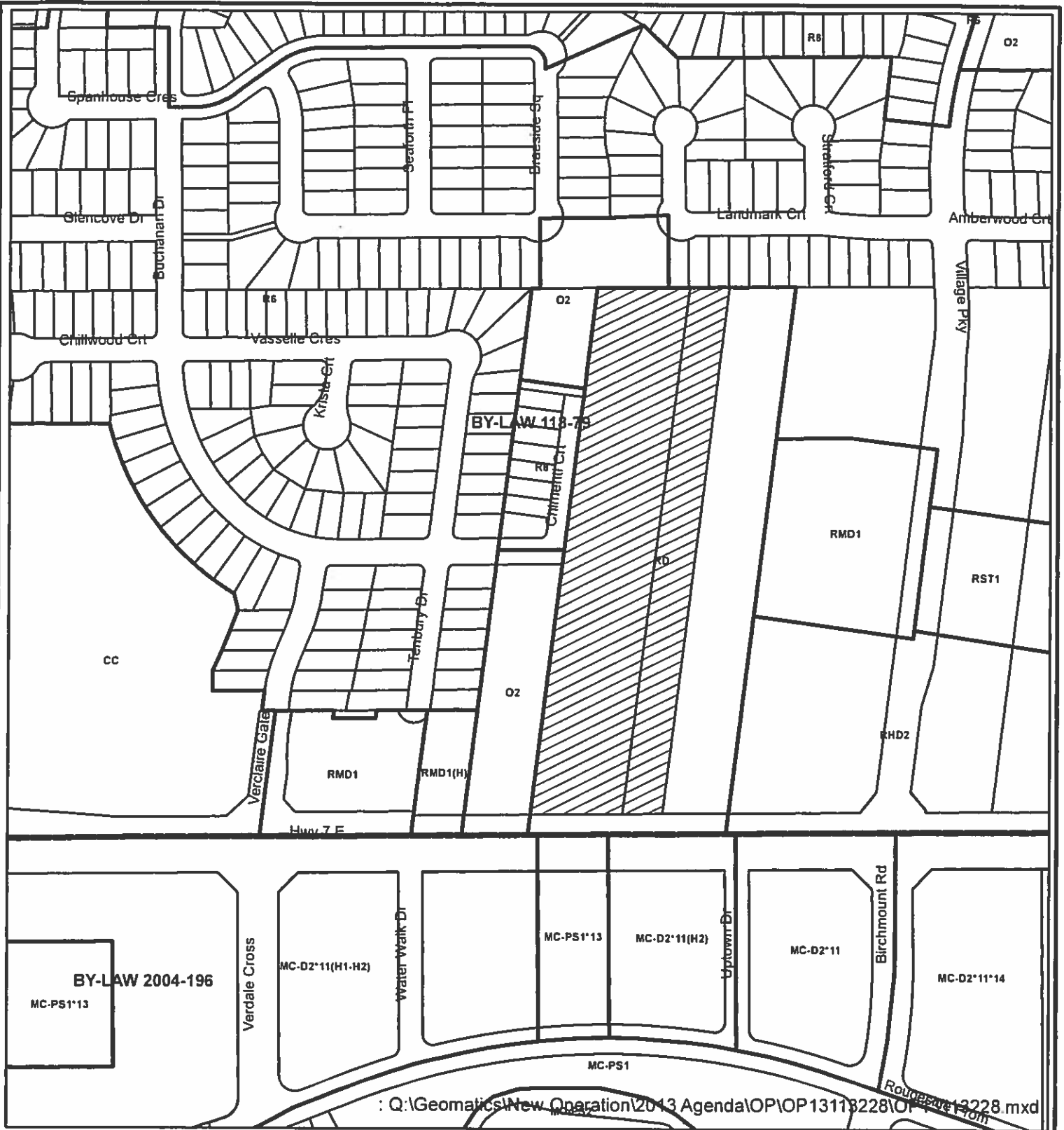
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File path: Amanda\File 13 113228\Documents\Recommendation Report





AREA CONTEXT/ZONING

APPLICANT: 2310601 ONTARIO INC.
3912 AND 3928 HIGHWAY 7

FILE No. OP 13113228(SH)

 SUBJECT LANDS

DATE: 09/24/13





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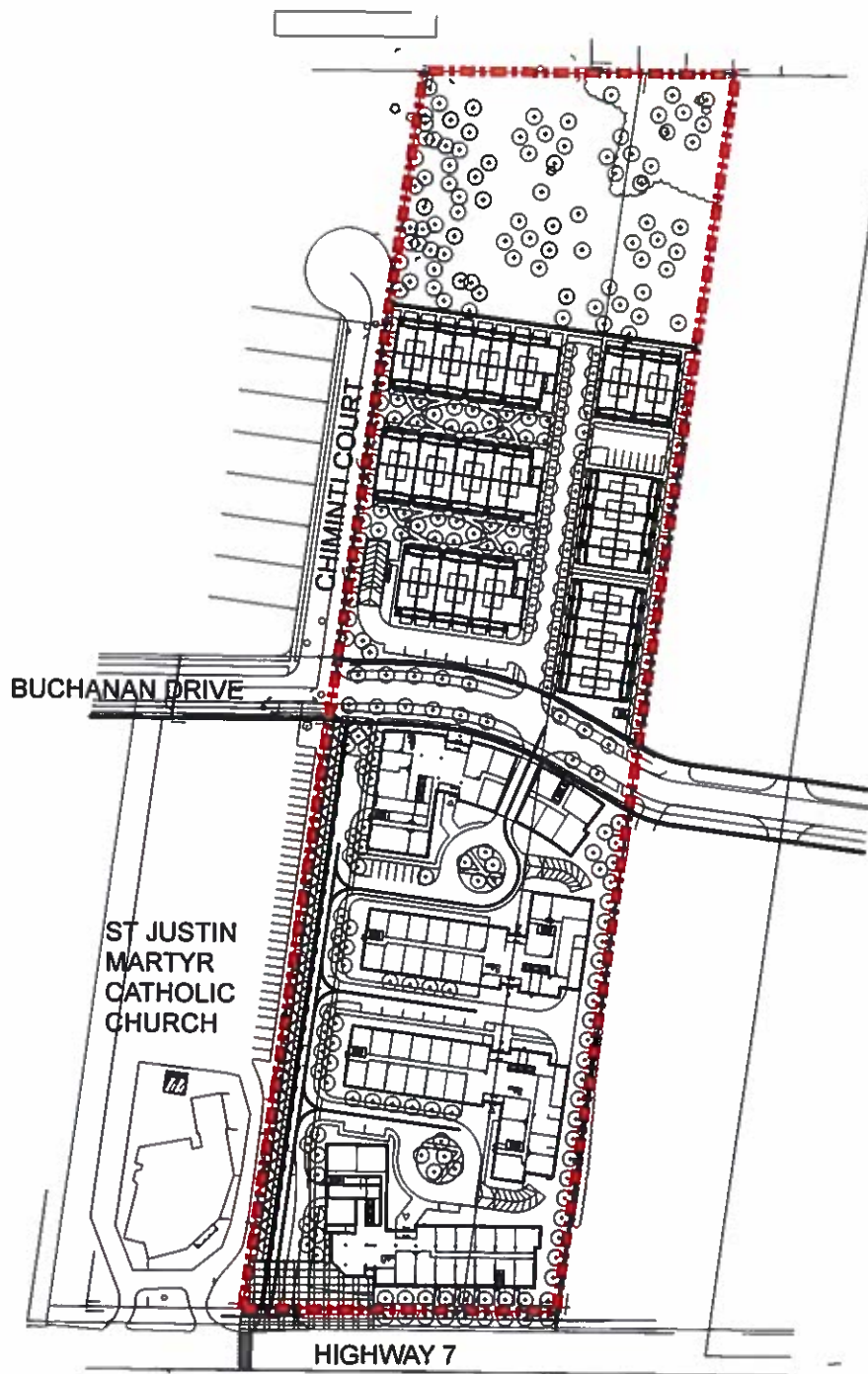
AIR PHOTO

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3912 AND 3928 HIGHWAY 7

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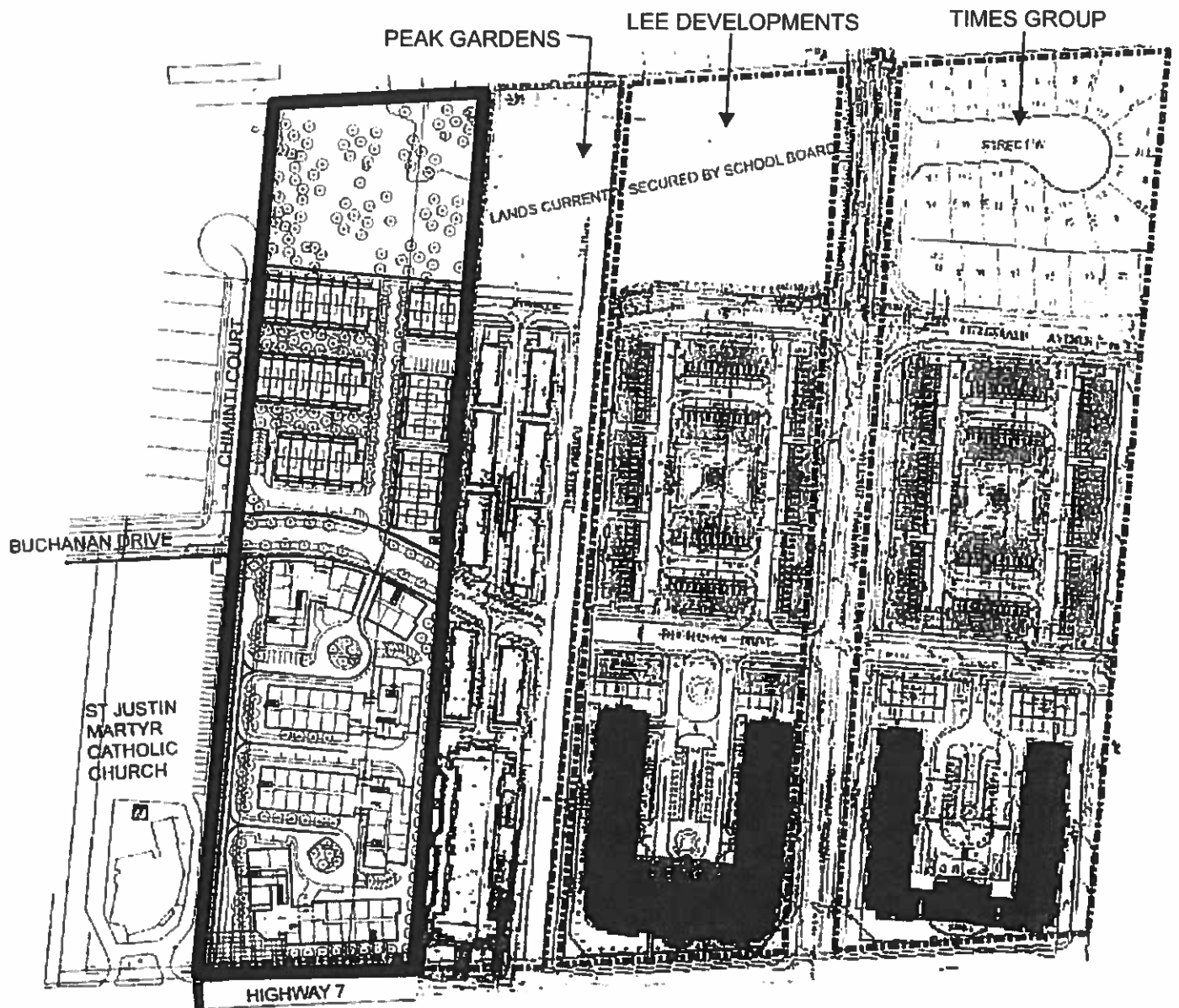
SITE PLAN

APPLICANT: 2310601 ONTARIO INC.
3912 AND 3928 HIGHWAY 7

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COMPOSITE

APPLICANT: 2310601 ONTARIO INC.
3912 AND 3928 HIGHWAY 7

FILE No. OP 13113228(SH)

 SUBJECT LANDS

DATE: 09/24/13