



Report to: Development Services Committee

Report Date: May 08, 2012

SUBJECT: RECOMMENDATION REPORT
Amber Plain Investments Ltd.
Applications for Draft Plan of Subdivision and Zoning By-law Amendment
5443, 5521, and 5565 Major Mackenzie Drive
File Numbers: SU.11-120547 and ZA.11-120546

PREPARED BY: Stephen Kitagawa, Senior Planner, East District

REVIEWED BY: David Miller, Manager, East District

RECOMMENDATION:

- 1) That the report dated May 08, 2012, entitled "Recommendation Report, Amber Plain Investments Ltd., Applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment, 5443, 5521 and 5565 Major Mackenzie Drive East, File Nos.: SU.11-120547 and ZA.11-120546", be received;
- 2) That the record of the Public Meeting held on January 17, 2012, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received;
- 3) That the Mayor and Clerk be authorized to enter into a No Presale Agreement with the Owner of Plan 19TM-11002 which agreement shall be registered on title, committing the Owner to:

Not enter into any agreements of purchase and sale with end users for the lands (residential unit purchasers), until such time as:

- a. the Town of Markham approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or,

- b. i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Southeast Collector Trunk Sewer and,
- ii. The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

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- c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development;

AND

Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the Town of Markham, which agreement shall be registered on title, committing the new Owner to the same terms as set out in items a, b and c above;

- 4) That draft plan of subdivision 19TM-11002 submitted by Amber Plain Investments Ltd., be draft approved subject to the conditions outlined in Appendix 'A'.
- 5) The Director of Planning and Urban Design or his designate, shall 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;
- 6) That the application submitted by Amber Plain Investments Ltd. to amend Zoning By-laws 304-87 and 177-96, as amended, be approved and the draft by-laws attached as Appendix 'B' be finalized and enacted without further notice;
- 7) That the Owner provide the Town with the required payment of 30% processing fees in accordance with the Town's applicable Fee By-law;
- 8) That the Regional Municipality of York be advised of the servicing allocation for this development;
- 9) That the draft plan approval for plan of subdivision 19TM-11002 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
- 10) And 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 recommend approval of plan of subdivision and zoning by-law amendment applications in the Wismer Commons Community.

BACKGROUND:**Site location and area context**

The 2.4 ha (5.9 ac) subject property addressed in this report is located on the south side of Major Mackenzie Drive, east of Roy Rainey Avenue in the Wismer Commons Community. (See Figure 1).

Surrounding uses are as follows:

- To the west and south are single detached dwellings.
- To the east are vacant future low density residential lands.
- To the north, across Major Mackenzie Drive, is a golf driving range and lands designated Agriculture in the Official Plan.

Official Plan and Zoning Context

The Wismer Commons Community is subject to the policies of the Town of Markham Official Plan (Revised 1987) and the Wismer Commons Secondary Plan (OPA 37). The Official Plan designates the lands Urban Residential. The secondary plan designates the portion of the property adjacent to Major Mackenzie Drive, north of Hammersley Blvd. Medium Density Residential and the remaining lands Low Density Residential.

Proposal

The Amber Plain Investments draft plan has 67.5 units distributed as follows (Table 1):

TABLE 1	
Amber Plains Investments Ltd	
Land Uses	Units
Parkette	n/a
Single detached 13.3 m	4
Single detached 12.2 m	0.5
Single detached 11 m	9
Single detached 10.7	4
Single detached blocks	n/a
Semi-detached 17.4 m	32
Semi-detached 15.0	18
Semi-detached blocks	n/a
Townhouses 7.5 m	n/a
Townhouse blocks	n/a
Total Units	67.5
Gross Site Area	2.4 ha

OPTIONS/ DISCUSSION:**Servicing allocation**

The Wismer Commons Developers Group has indicated that there is no servicing allocation available for this draft plan. A Holding provision will be appended to the

zoning. Conditions to remove the Holding provision will require confirmation that sufficient allocation is available.

Draft zoning by-law

The draft zoning by-laws removes the lands from By-law 304-87, as amended, so that they may be incorporated into appropriate zone categories in By-law 177-96, as amended. The lands are currently zoned Rural Residential Four (RR4) and the draft zoning by-law rezones the lands to Residential Two (Hold) [R2(H)] which will permit the proposed single-detached and semi-detached dwellings and implement development standards.

Pattern of development and the mix of unit types is consistent with the Wismer Commons Community Design Plan

The pattern of single-detached and semi-detached dwellings proposed in the Draft Plan is consistent with the approved Wismer Commons Community Design Plan, April 3, 2000.

Road pattern

There are three draft plans that have been submitted for this general area, all adjacent to each other (Figure 2 and 4) (Amber Plain Investments Ltd., Arrowdale Developments Ltd. and Bonnydon Ltd. and Mackenzie Building and Developers Ltd.) and which share common roads that link each of the draft plans (via Greenspire Avenue and Hammersly Blvd) to the existing urban fabric within the Wismer Commons Community. The draft plan submitted by Mackenzie Building and Developers Ltd., draft approved by Council on February 21, 2012, will proceed in advance of the draft plans by Amber Plains Investments (subject application) and Arrowdale Developments Ltd. and Bonnydon Ltd. (subject of another staff report on this date) because it has full servicing allocation. Consequently, Greenspire Avenue and Hammersley Blvd. will likely be constructed on the Amber Plain Investments Ltd. and Arrowdale Developments Ltd and Bonnydon Ltd. lands prior to the Holding provision being removed and development occurring.

Notwithstanding that Arrowdale Developments Ltd and Bonnydon Ltd and Amber Plain Investments Ltd cannot proceed with construction at this time, the Wismer Commons Developers Group Agreement requires that easements be provided by Group members to permit the construction of any common roads should it be necessary to complete another development.

Complies with the density provisions of the Wismer Commons Secondary Plan

The Wismer Commons Secondary Plan designates the portion of the draft plan north of Hammersly Blvd. as Medium Density Residential. The Secondary Plan permits the average net site density of medium density lands to be within the range of 37.1 to 79.9 units per hectare (15 to 32.3 units per acre). The lands south of Hammersly Blvd are designated Low Density Housing with an average net site density range of 17.0 to 37 units per hectare (6.9 to 14.9 units per acre). The draft plan complies with the density requirements (see Table 2 and 3 below).

TABLE 2		
Medium Density Calculation (North of Hammersly)		
Unit type	Number of Units	Area
Single detached and part lot	7.5	0.21 ha/0.51 ac
Semi detached	34	0.81 ha/2.00 ac
Total	41.5	1.02 ha/2.51 ac
		40.68 uph/16.53 upa

TABLE 3		
Low Density Calculation (south of Hammersly)		
Unit type	Number of Units	Area
Single detached	10	0.35 ha/0.86 ac
Semi detached	16	0.37 ha/0.91 ac
Total	26	0.72 ha/1.77 ac
		36.11 uph/14.6 upa

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:

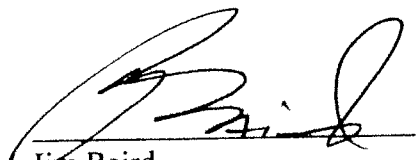
The proposed applications will align with the Town's strategic priority of Growth Management by implementing the proposed development in phases in coordination with available servicing allocation.

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.

RECOMMENDED BY:


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


Jim Baird
Commissioner of Development Services

ATTACHMENTS:

Figure 1 – Location Map

Figure 2 – Area Context

Figure 3 – Air Photo

Figure 4 – Proposed Draft Plan of Subdivision

Appendix 'A' – Draft Conditions

Appendix 'B' – Draft By-laws

Owner: Amber Plain Investments Ltd.

Attn: Phil Rubinoff
150 Connie Crescent
Concord, ON
L4K 1L9

Agent: S.C. Land Management Corporation

Attn: Sal Crimi
40 Vogell Road
Richmond Hill, ON
L4B 3N6

Ph: 905-669-4055 ext 221
Email: scland@rogers.com

File path: Amanda\File 11 120547\Documents\Recommendation Report