



MEMORANDUM

DATE: February 27, 2018
TO: Mayor and Members of Council
FROM: Biju Karumanchery, Acting-Commissioner of Development Services
PREPARED BY: Rick Cefaratti, Planner II, West District
SUBJECT: Hold Removal By-law
Yonge Grandview Corp.
7089 Yonge Street, 11 & 15 Grandview Avenue
(Northeast corner of Yonge Street at Grandview Avenue)
File No. ZA 17 182948 (Ward 1)

B.K.

RECOMMENDATION:

- 1) That the memorandum titled "Hold Removal, Yonge Grandview Corp., 7089 Yonge Street, 11 & 15 Grandview Avenue (Northeast corner of Yonge Street at Grandview Avenue) File No. ZA 17 182948, dated February 27, 2018 be received;
- 2) That the application submitted Yonge Grandview Corp., to amend Zoning By-law 2237, as amended by Site Specific Zoning By-law 2013-56, to remove the Hold provision be approved;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This memorandum recommends removal of the 'H' provision from the applicable Zoning By-law to allow for the development of a 25 storey residential mixed use building located at 7089 Yonge Street and 11 and 15 Grandview Avenue.

BACKGROUND

The subject lands are located within the Thornhill Community and comprise an area of approximately 0.60 ha (1.5 acres) (See Figures 1 to 4). The property at 7089 Yonge Street is located on the south east corner of Yonge Street and Grandview Boulevard and the properties at 11 and 15 Grandview Avenue are located immediately to the east. The original property at 7089 Yonge Street was a commercial plaza, and two single detached dwellings are located at 11 and 15 Grandview Avenue.

These lands were the subject of an Ontario Municipal (OMB) order issued on April 22, 2013. The OMB approved Site Specific Official Plan and Zoning By-law Amendments to facilitate a development proposal by Frangian Holdings Limited of a 21 storey building on the subject lands consisting of a 17 storey residential point tower above a 4 storey retail/office mixed use podium. The properties are now owned by Yonge Grandview Corp. The OMB approved Zoning By-law Amendment includes, conditions to be met prior to lifting the 'H' Provision that applies to these lands, such as confirmation of servicing allocation, approval of a transportation study, and the execution of a site plan

MEMOMRANDUM

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agreement. A Minor Variance (A/167/15) was approved to allow for an increase in the maximum number of storeys to 25 for the proposed development. The approved variance conforms to the OMB mandated 2 to 1 angular plane for this development.

The associated Site Plan application (SC15 108978) was endorsed in principle by Development Services Committee on February 27, 2017. Site Plan endorsement was issued by the Planning and Urban Design Department on May 10, 2017.

OPTIONS/ DISCUSSION:

The 'H' provision only applies to a 0.4 ha (1.0 ac) portion of the 'subject lands', at the northeast corner of Yonge Street and Grandview Avenue (See Figure 2).

The applicant is requesting that the City remove the holding provision at this time in order to meet its building program. The applicant also wishes to qualify for current Development Charge rates if the associated Site Plan application is approved and a full building permit is issued on or before March 30, 2018. The Building Department has advised that a full building permit cannot be issued until such time as the applicant obtains final Site Plan approval and the "H" provision is lifted by Council. With exception of the execution of a Site Plan Agreement, the above noted conditions for lifting the 'H' provision have been satisfied.

The applicant has provided a written undertaking (see Attachment 1) not to compel the City to issue a building permit until a Site Plan Agreement is executed and final Site Plan approval is obtained.

Staff support removing the holding provision at this time and have attached a copy of the draft Zoning By-law for your consideration (see Attachment 2).

FIGURES:

Figure 1: Location Map

Figure 2: Area/Context Map

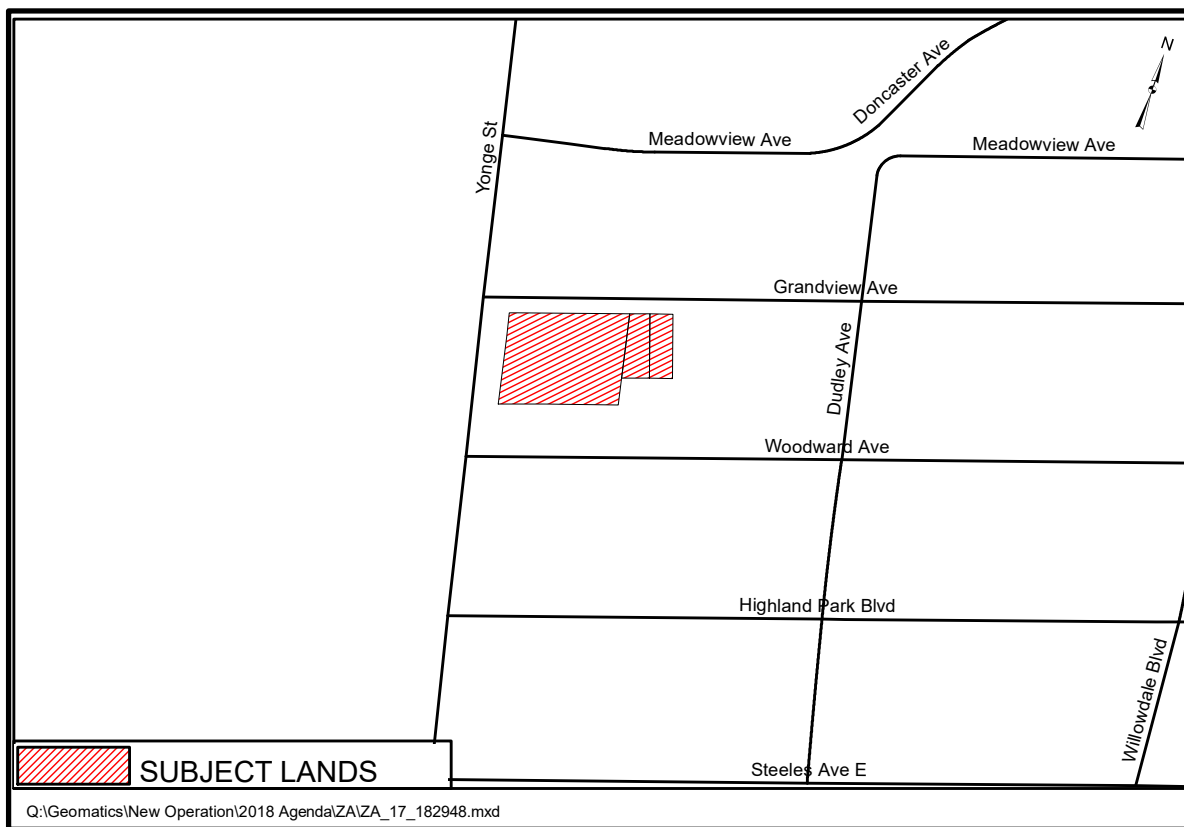
Figure 3: Air Photo

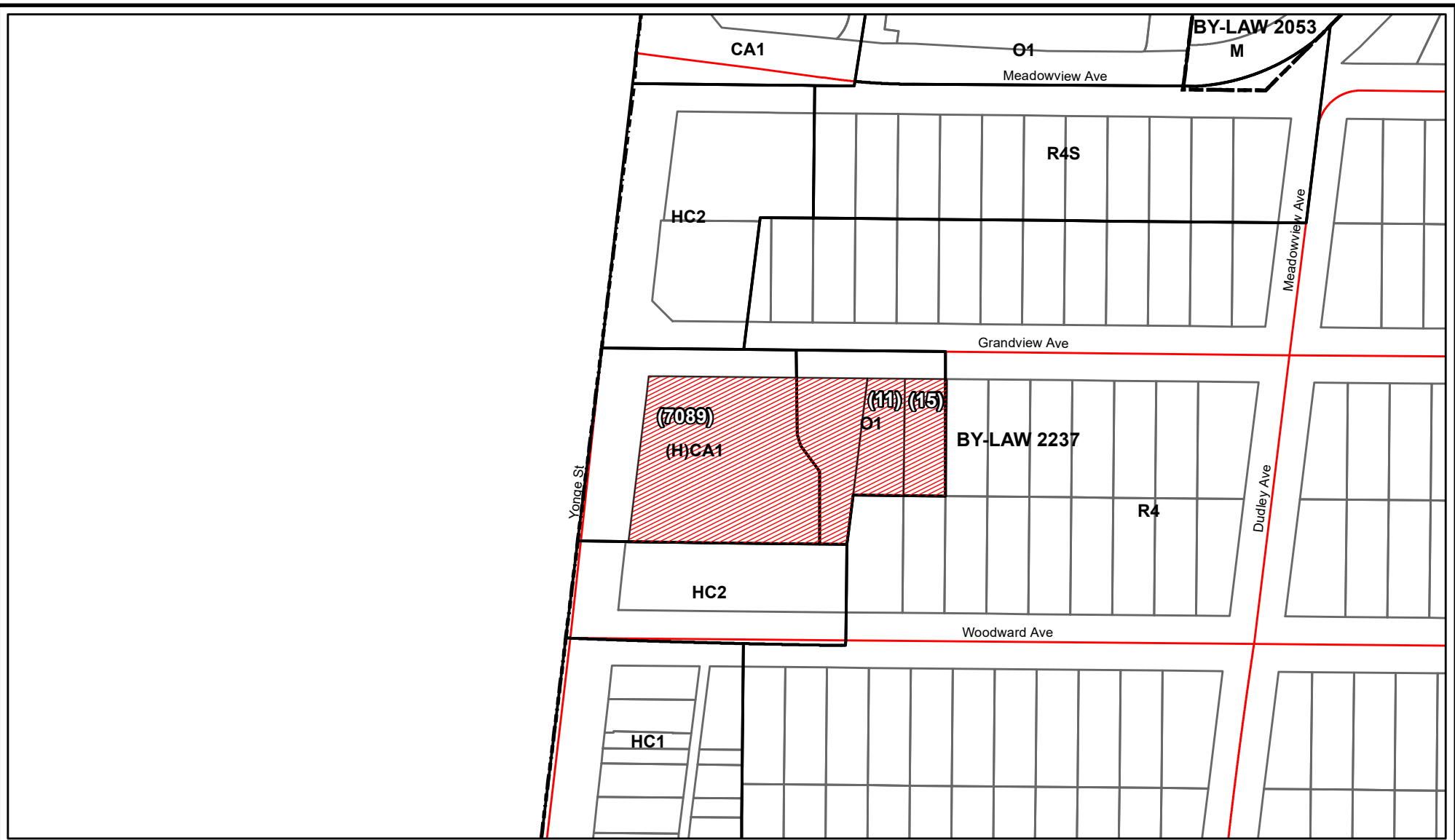
Figure 4: Site Plan

ATTACHMENTS:

Attachment 1: Letter of Undertaking

Attachment 2: Zoning By-law Amendment (Removal of Hold Provision)





AREA CONTEXT / ZONING

APPLICANT: YONGE GRANDVIEW CORP.
7089 YONGE ST & 11 & 15 GRANDVIEW AVE

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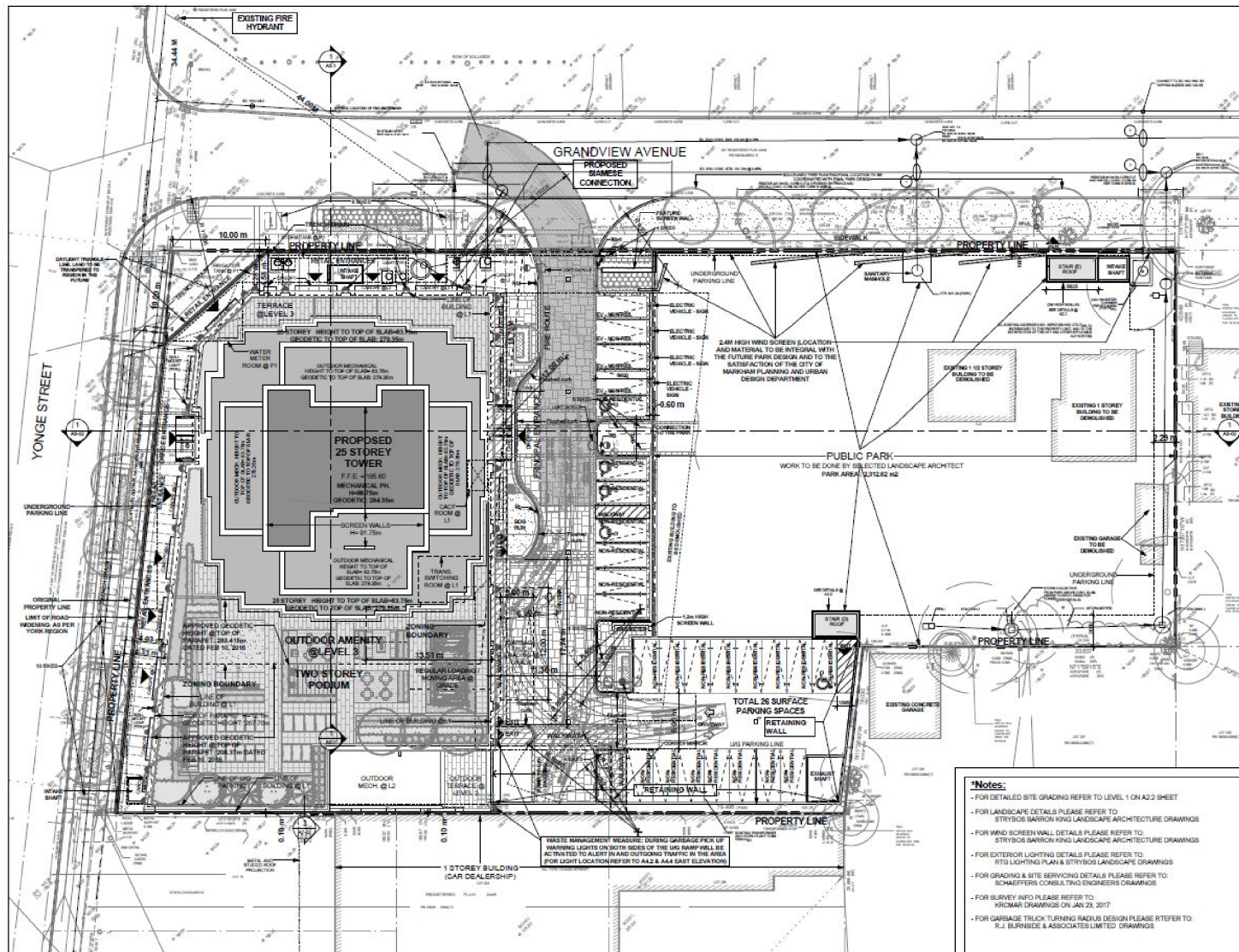
AIR PHOTO

APPLICANT: YONGE GRANDVIEW CORP.
7089 YONGE ST & 11 & 15 GRANDVIEW AVE

FILE No. ZA_17_182948

 SUBJECT LANDS

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SITE PLAN

APPLICANT: YONGE GRANDVIEW CORP.
7089 YONGE ST & 11 & 15 GRANDVIEW AVE

FILE No. ZA_17_182948

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Attachment 1

LETTER OF UNDERTAKING

To: Corporation of the City of Markham
101 Town Centre Boulevard
Markham, Ontario, L3R 9W3

February 26 2018

Re: 7089 Yonge Street, 11 and 15 Grandview Avenue
(Southeast corner of Yonge Street and Grandview Avenue, Thornhill)
Owner – Yonge Grandview Corp.

WHEREAS Yonge Grandview Corp. is the 'Owner' and applicant with respect to development approvals for the property described as 7089 Yonge Street, 11 and 15 Grandview Avenue, City of Markham, hereinafter referred to as the 'subject lands';

AND WHEREAS the applicant has formally applied to the City for removal of the holding symbol attached to the zoning category of the 'subject lands';

THEREFORE THE OWNER UNDERTAKES AND AGREES as follows:

1. Not to compel the City of Markham to issue an above-grade building permit for the Subject Lands until confirmation is provided that a Site Plan Agreement is executed and final Site Plan Approval is obtained.

IN WITNESS WHEREOF the Owner has executed this undertaking by the hands of their duly authorized signing officers in that regard.

Yonge Grandview Corp.



Date: February 26 2018



EXPLANATORY NOTE

BY-LAW 2018-xx

A By-law to amend By-law 2237, as amended

**Devron Developments, Inc. (Yonge Grandview Corp.)
7089 Yonge Street, 11 and 15 Grandview Avenue
PLAN 2446 PART BLK A
ZA 17 182948**

Lands Affected

The proposed by-law amendment applies to 0.6 hectares (1.5 acres) of land comprised of three properties located on the southeast corner of Yonge Street at its intersection with Grandview Avenue, and are municipally known as 7089 Yonge Street and 11 and 15 Grandview Avenue.

Existing Zoning

By-law 2237, as amended, currently zoned the subject lands as Community Amenity Area 1 (Hold) [(H)CA1] Zone and Open Space [O1] Zone. The purpose of the Holding provision is to ensure certain conditions have been satisfied, such as confirmation of servicing allocation; approval of a transportation study; and execution of a site plan agreement. With the exception of the execution of a site plan agreement, the above criteria have been satisfied. The associated Site Plan application is close to obtaining final approval, and staff are satisfied that the Holding provision can be removed at this time. In addition, the applicant has submitted an undertaking to not compel the City to issue an above-grade building permit for the project until the site plan agreement has been executed, and final Site Plan approval has been obtained.

Purpose and Effect

The purpose and effect of this by-law is to remove the Holding (H) symbol provision from the zoning of the subject lands in order to allow a 25 storey mixed use high density residential and retail/commercial development on the subject lands.



BY-LAW 2018-xx

A By-law to amend By-law 2237, as amended (Removal of Hold Provision)

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and,

WHEREAS Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law; and,

WHEREAS Zoning By-law No. 2237 is the governing By-law of the Corporation of the City of Markham pertaining to the subject lands; and

WHEREAS the Council of the Corporation of the City of Markham has deemed it advisable to amend Zoning By-law No. 2237; and,

WHEREAS it has been confirmed to Council that all of the conditions required for the removal of the Holding (H) Symbol from the subject lands have been completed to the satisfaction of the City;

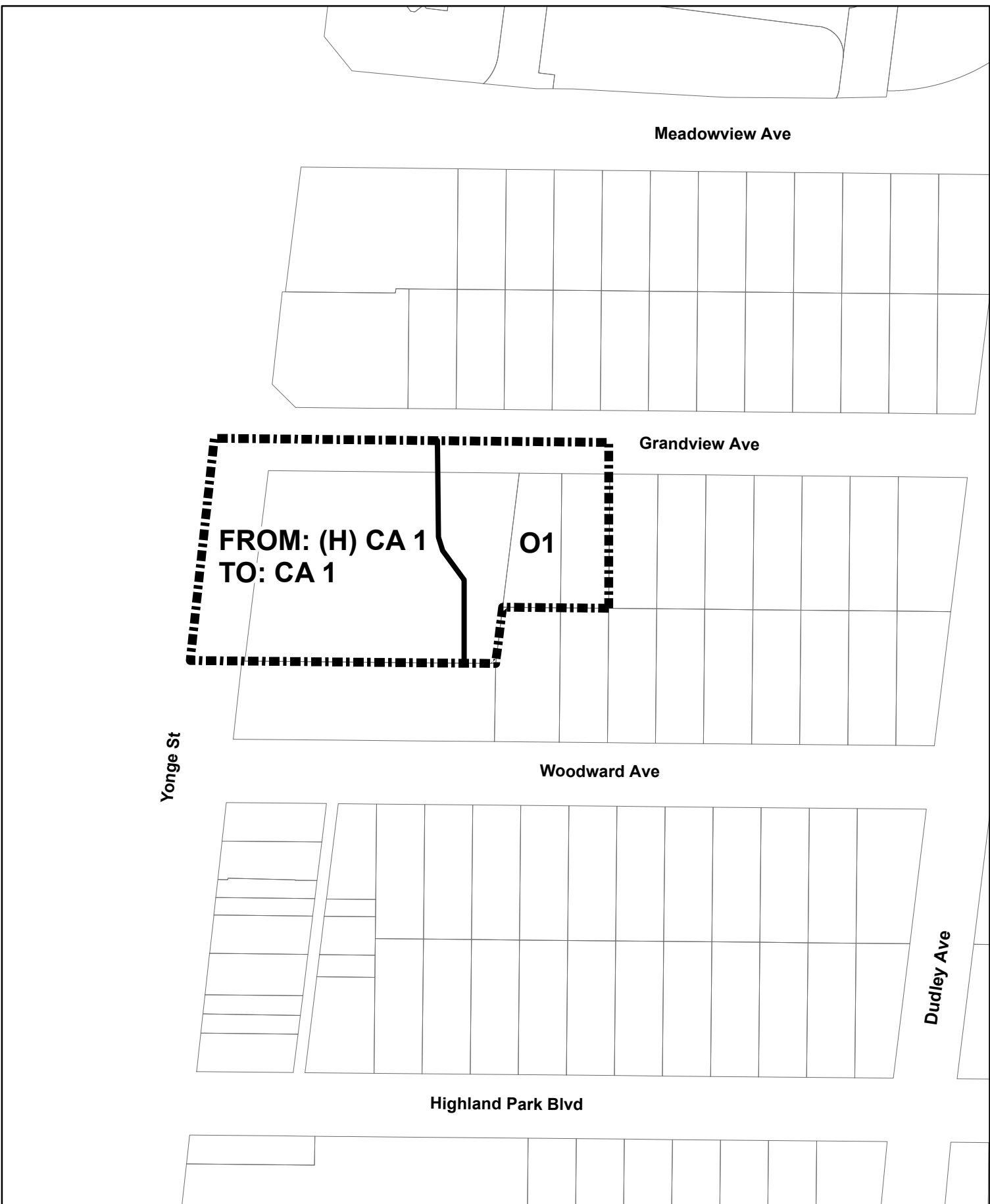
NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. By-law 2237, as amended, is hereby further amended as follows:
 - 1.1 By removing the Holding (H) provision from the **[(H)CA1] Zone** for the lands outlined on Schedule 'A' attached hereto.
2. THAT Zoning By-law No. 2237 is hereby amended to give effect to the foregoing, but shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into effect upon final passing, pursuant to Section 34(21) of the Planning Act, 1990.

Read a first, second and third time and passed on February 27, 2018.




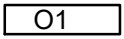
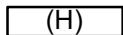
Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW

AMENDING BY-LAW 2237 DATED

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  CA 1 COMMUNITY AMENITY AREA ONE
-  O1 OPEN SPACE ONE
-  (H) HOLD PROVISION

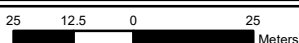


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THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.



DEVELOPMENT SERVICES COMMISSION



Drawn By: LW Checked By: RC

Date: 20/02/2018

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office