



Report to: Development Services Committee

Report Date: December 6, 2011

SUBJECT: PRELIMINARY REPORT
1820266 Ontario Inc. (Times Group Inc.)
4002/4022 Highway 7
Applications for Official Plan and zoning by-law amendment
to permit a residential development
File Nos. OP 11 129271 and ZA 11 129271

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 December 6, 2011 titled "1820266 Ontario Inc. (Times Group), 4002/4022 Highway 7, Applications for Official Plan and zoning by-law amendment to permit a residential development;" be received.
- 2) That a Public Meeting be scheduled for the applications following review of the traffic impact study as outlined in the staff report.
- 3) 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 provide preliminary information on the applications and to seek authorization to hold a statutory Public Meeting once the issues outlined in the report have been addressed. This report contains general information in regards to applicable Official Plan or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND:

Subject Property and Area Context (Figures 1, 2 and 3)

The subject property has an area of 4.44 hectares (11 acres) and is located at the north-east corner of Highway 7 and Village Parkway. The property is traversed by a drainage channel and a roadside ditch along Village Parkway. There is a stand of trees in the south-west portion of the site and hedgerows around portions of the perimeter.

To the east are two vacant commercial buildings (former White Rose Nurseries garden centre and head office), which have been approved to be renovated for new commercial tenants. To the south across Highway 7 is the Times Group's Uptown Markham commercial development, currently under construction. To the west across Village Parkway are vacant lands owned by Lee Developments, approved in 1994 by the Ontario Municipal Board for residential development. To the north and north-east are homes fronting on Amberwood Court and Fitzgerald Avenue and backing onto the subject property.

Current Development Approvals

In 1994, the Ontario Municipal Board (OMB) approved applications for Official Plan and zoning by-law amendments, draft plan of subdivision, and site plan approval to permit the owner, at the time Treasureland, to develop of the subject property with a total of approximately 234 residential units, as follows:

- South portion - two apartment buildings, having a maximum height of six storeys, accommodating a maximum of 181 residential units.
- Centre portion – Up to 28 street (freehold) townhouse units and 4 semi-detached units.
- North portion –single detached dwellings. (the concept plan submitted by Treasureland shows 21 single detached dwellings in this area)

The OMB also approved a similar development on the west side of Village Parkway (Lee Developments).

In 1994, the Town adopted Secondary Plan PD1-15 (OPA #15) for the lands on the north side of Highway 7, including the subject lands, incorporating site specific policies implementing the OMB approvals outlined above.

Treasureland and Lee did not proceed in 1994 because the required sanitary and storm sewer and water main infrastructure was not available and could not be economically extended to the subject lands at the time.

In 2009, consultants working for the Town prepared a draft Precinct Plan for the lands along both sides of Highway 7, east of Warden Avenue (Figure 7). The Town subsequently approved a separate precinct plan for the lands on the south side of Highway 7 (the Times and Aryeh lands). The precinct plan for the lands on the north side of Highway 7 was not finalized at the time, primarily because Lee Developments had not agreed to the road network proposed by the Precinct plan. Lee Developments is now advising that they will be proceeding on the basis of the road pattern approved by the OMB in 1994, which is different than that shown on the draft precinct plan.

Treasureland sold the subject property to Sobeys, who subsequently sold it to the applicant, the Times Group.

With the approval of the Times Uptown Markham development on the south side of Highway 7, the sanitary sewer and water mains required to service the lands on the north

side of Highway 7 are being installed by Times, and construction of the required storm sewer infrastructure will commence shortly.

Earlier this year Lee applied to the Committee of Adjustment for a minor variance to permit an additional 49 apartment units and a 2 metre increase in height for their proposed apartment building. A number of area residents objected to the variance, primarily citing concerns regarding traffic impact. The Committee denied the application. Lee appealed the decision to the OMB, but subsequently withdrew the appeal. Lee advises that they will now be proceeding on the basis of their 1994 OMB approvals.

Proposal (see Figures 4, 5 and 6, attached)

The applicant proposes to develop the subject property with a total of 540 residential units, as follows:

- South portion – two 8-storey condominium apartment buildings, with a 2-storey link adjacent to Highway 7, accommodating a total of 444 apartment dwelling units and a 342 square metres (3680 square feet) of commercial space.
- Centre portion – 96 condominium townhouse units in a “back-to-back” configuration, with underground parking.
- North portion (1.4 hectares or 3.4 acres) – proposed to be conveyed to the Town for parkland purposes.

The plan includes two east-west local streets aligned with the OMB approved locations of the streets on the Lee plan. The northern east-west street is designed to allow it to ultimately connect to Fitzgerald Avenue. The plan also includes a partial right-of-way of a local street adjoining the east boundary of the property. This street would initially be constructed with a narrower than standard pavement width, and later be expanded to a standard cross section when the adjoining property (former White Rose Nurseries) is redeveloped.

The applicant has applied to amend the Town’s Official Plan and zoning by-laws to permit the following:

- An increase in the overall residential unit count from 234 (approx) to 540.
- An increase in the number of apartment units from 181 to 444.
- An increase in the height of the apartment building(s) from the lesser of 6 storeys or 18.5 metres, to the lesser of 8 storeys or 30 metres.
- Permission for the proposed commercial component.
- Permission for 96 back-to-back condominium townhouse units in place of currently permitted 28 street townhouses and 4 semi-detached units.
- Adjustments to development standards (setbacks, parking, etc.) to reflect the proposed development.
- Permission for the north portion of the property (currently permitted to be developed with single detached dwellings) to be a public park.

The applicant has not yet applied for site plan approval.

OPTIONS/ DISCUSSION:**Potential Benefits of Approval of Proposal**

The lands on the north side of Highway 7 between Warden Avenue and Sciberras Road, including the subject lands, have been identified in the Town's Growth Management Strategy (to form the basis of the new Official Plan) as a "Major Corridor," recognizing the potential for residential intensification in this area. The Town is also establishing development objectives for these lands through the draft 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 proposed built form and density transitions are generally consistent with the Town's emerging policy directions for the subject lands.

Identified Concerns/Issues with Proposal

The concerns/issues identified below, and any others identified through the circulation and detailed review of the proposal, will be addressed in the final staff report to be presented to Committee at a later date.

Traffic Impact: The applicant submitted a traffic impact study in support of the proposed development. Staff have directed the applicant to update the study to ensure that it explicitly addresses all of the approved, proposed and potential future developments in the vicinity. The traffic impact study will be subject to review by Town and Region of York Transportation staff.

Highway 7 Precinct Plan: The proposed north-south road is consistent with the draft precinct plan (Figure 7). The proposed east-west roads align with the proposed roads on the Lee property. Assuming that Lee Developments proceeds on the basis of the road pattern approved by the OMB in 1994, as Lee has advised, the road pattern proposed by the applicant is appropriate. Although not identified on the draft precinct plan, the proposed park block is a potential amenity feature for the residents of the existing community and the proposed development. Finalizing the road and land use program for the subject property would assist in resolving the overall precinct plan for the lands on the north side of Highway 7.

Impact on lands adjoining proposed park block: There is a vacant residentially zoned block (Block 24, 65M-2742) located between the east boundary of the proposed park block and the rear boundaries of the existing homes on Fitzgerald Avenue (see Figure 4). On the OMB approved draft plan of subdivision this block is combined with the adjoining portion of the subject property to create residential building lots (see Figure 8). The applicant's proposal to convey the lands adjoining this block to the Town for a park block would effectively sterilize this block to the east. Staff would not recommend that

the Town accept the proposed park block unless the applicant acquires Block 24 and incorporates it into the park block.

Servicing allocation: Servicing allocation is available for the residential units approved by the OMB in 1994. However, no allocation is currently available for the 306 additional residential units requested by the applicant.

Built form: The height, massing and detailed design of the proposed apartment buildings, in particular the built form relationship to Highway 7, as well as the detailed design of the proposed “back-to-back” townhouses, needs to be reviewed further.

CONCLUSIONS

Given the concerns previously expressed by area residents regarding the traffic impact of the additional 49 residential units proposed for the Lee Development, staff recommend that a public meeting not be scheduled for the subject applications (which request an additional 306 residential units) until the updated traffic study has been reviewed by York Region and Town of Markham Transportation Departments. Staff will work with the applicant and the other effected landowners to ensure that this review is completed promptly.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable at this time.

HUMAN RESOURCES CONSIDERATIONS

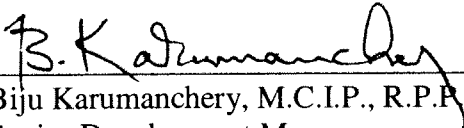
Not applicable.

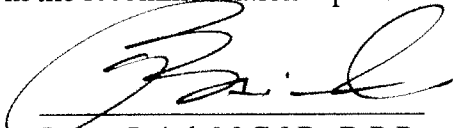
ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development must be reviewed in the context of a number of key goals including Growth Management (intensification along a transit corridor), Transportation/Transit (transit supportive density/built form), and Parks, Recreation and Culture (proposed park dedication).

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to Town Departments and public agencies for comment, which will be addressed in detail in the recommendation report.


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

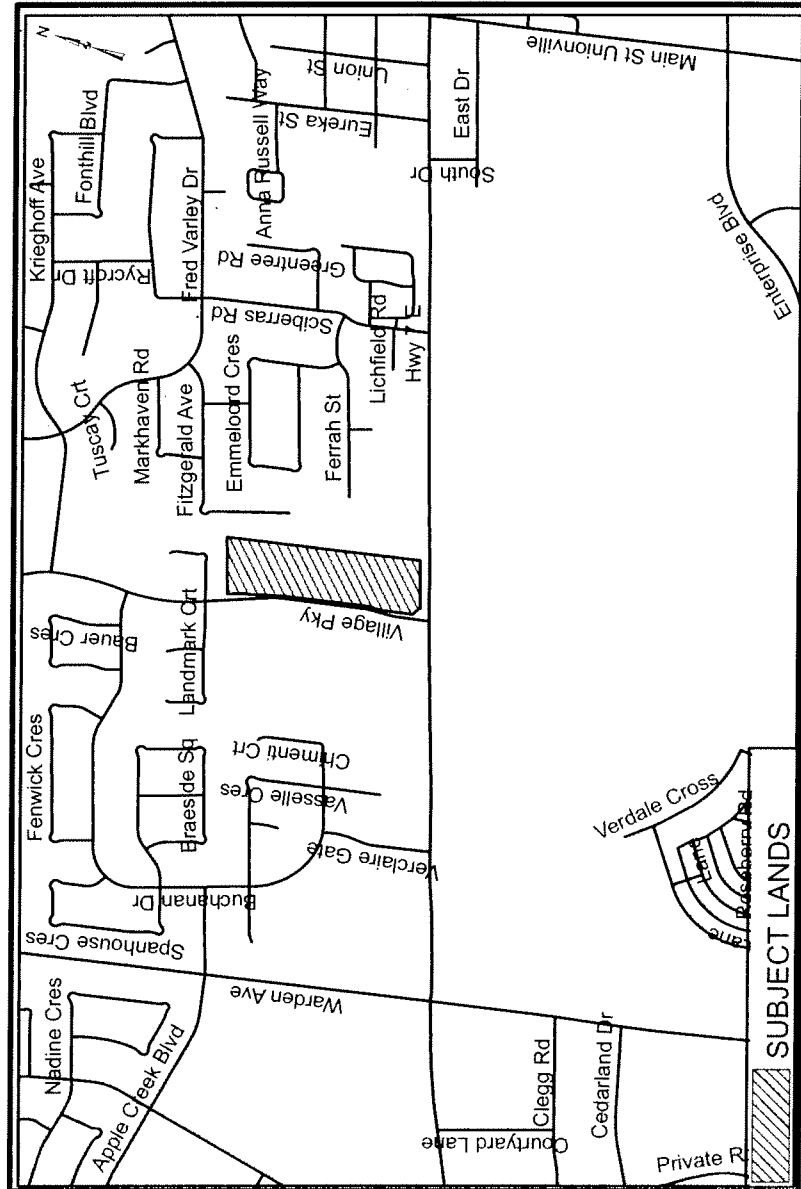

James Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1 – Property Location Map
- Figure 2 – Area Context / Zoning
- Figure 3 – Air Photo
- Figure 4 – Site Plan
- Figure 5 – Elevations – apartment buildings
- Figure 6 – Elevations – townhomes
- Figure 7 – Draft Precinct Plan
- Figure 8 – Detail of OMB approved draft plan of subdivision

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Email: npileggi@mgp.ca

File path: Amanda\File 11 129271\Documents\Preliminary Report



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AIR PHOTO (2009)

APPLICANT: 1820266 ONTARIO INC. (TIMES GROUP INC.)
4002 & 4022 HIGHWAY 7

FILE No. ZA. 11129271 (SH)

SUBJECT LANDS

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DATE: 11/07/2011

VIARKHAM DEVELOPMENT SERVICES COMMISSION

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FIGURE No. 3



SITE PLAN

APPLICANT: 182066 ONTARIO INC. (TIMES GROUP INC.)
4002 & 4022 HIGHWAY 7

--- SUBJECT LANDS

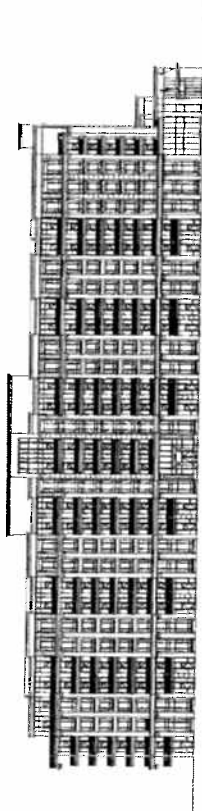
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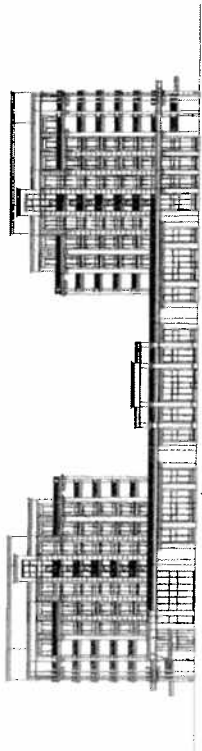
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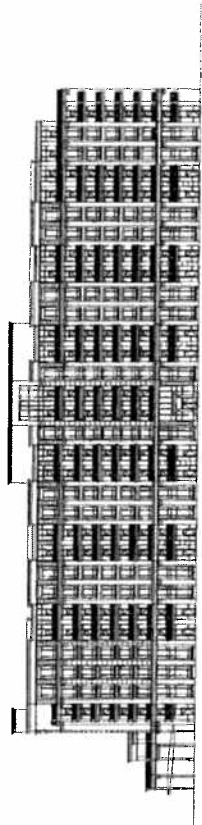
NORTH ELEVATION



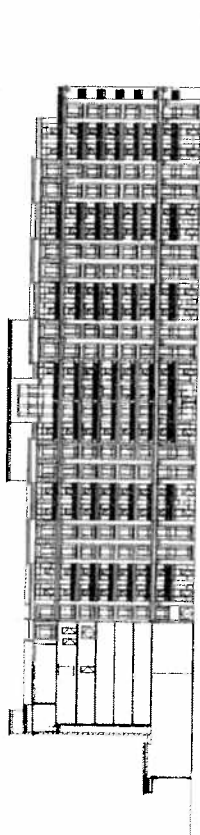
WEST ELEVATION



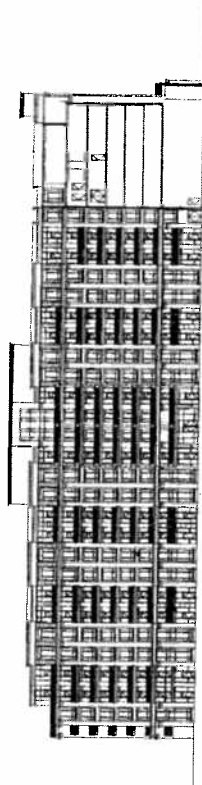
SOUTH ELEVATION



EAST ELEVATION



WEST INTERIOR COURT YARD ELEVATION



EAST INTERIOR COURT YARD ELEVATION

APARTMENT ELEVATIONS

APPLICANT: 1820266 ONTARIO INC. (TIMES GROUP INC.)

4002 & 4022 HIGHWAY 7

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FIGURE No. 5





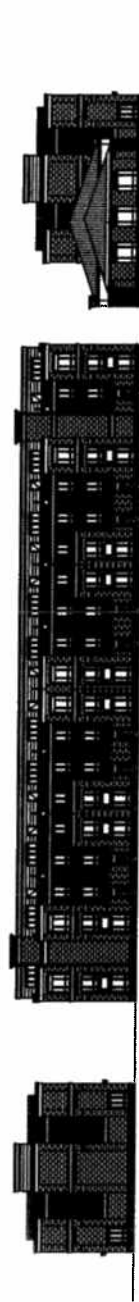
BLOCK C, N, & L NORTH ELEVATIONS



BLOCK F, & G SOUTH ELEVATIONS



BLOCK C, D, E, F EAST ELEVATIONS



BLOCK M WEST ELEVATIONS

ELEVATIONS (TOWNHOUSE)

APPLICANT: 1820266 ONTARIO INC. (TIMES INC.)
4002 & 4022 HIGHWAY 7

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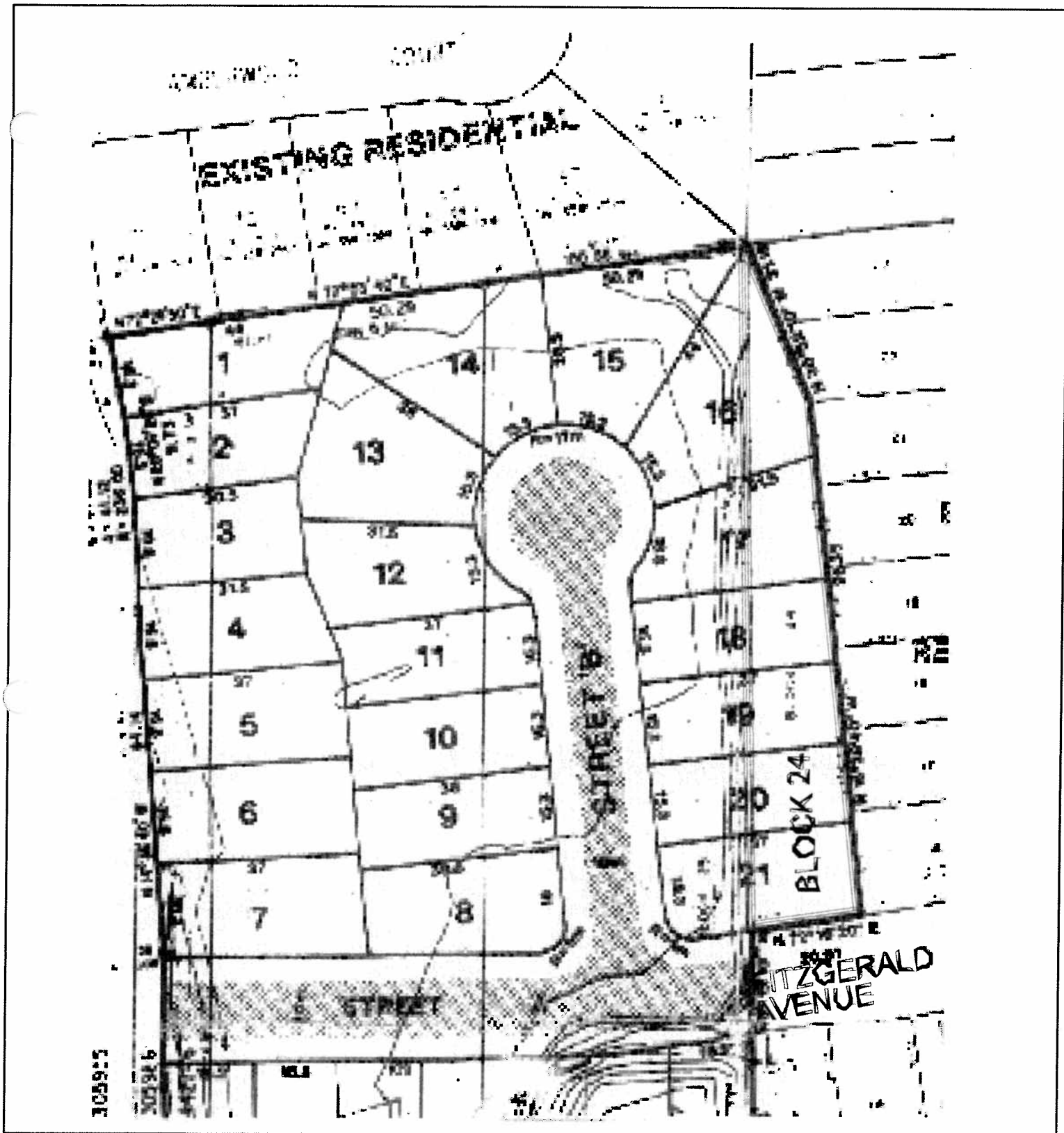
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FIGURE No.6





DETAIL OF OMB APPROVED DRAFT PLAN OF SUBDIVISION

APPLICANT: 182066 ONTARIO INC. (TIMES GROUP INC.)
4002 & 4022 HIGHWAY 7

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FIGURE No. 8

