



Report to: Development Services Committee

Date: May 8, 2017

SUBJECT: RECOMMENDATION REPORT
Times Group Corporation
South of Highway 7, east of Bayview Avenue
Block 45 and Part of Block 49, Plan 65M-3226 and Block 3, Plan 65M-3575
Ward No. 8
Official Plan, Zoning By-law Amendment and Site Plan Approval applications to permit a townhouse residential development
File No.'s: OP 13 131100, ZA 14 131100 and SC 16 131100

PREPARED BY: Gary Sellars, MCIP, RPP, Ext. 2960
Senior Planner, West District

REVIEWED BY: David Miller, MCIP, RPP, Ext.4960
Manager, West District

RECOMMENDATION:

- 1) That the Staff report dated May 8, 2017 entitled "RECOMMENDATION REPORT, Times Group Corporation, South of Highway 7, east of Bayview Avenue, Block 45 and Part of Block 49, Plan 65M-3226 and Block 3, Plan 65M-3575, Official Plan and Zoning By-law Amendment applications to permit a townhouse residential development" be received;
- 2) THAT Staff be authorized and directed to finalize for enactment by Council amendments to the 1987 Official Plan and the Leitchcroft Secondary Plan, and the 2014 Official Plan for the conversion of the subject lands from employment lands to residential lands, and to secure a public elementary school site in the Leitchcroft community;
- 3) THAT Staff be authorized and directed to finalize for approval by Council an amendment to Zoning By-law 177-96, as amended, for the townhouse and school block component of the proposed development plan;
- 4) THAT the site plan for the town house component of the development plan be endorsed in principle and that the authority for granting site plan endorsement and final approval be delegated to the Director of Planning and Urban Design;
- 5) THAT servicing allocation for 134 townhouse units be assigned to the townhouse component of the proposed development plan;
- 6) THAT the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;

- 7) THAT the Region of York be advised that servicing allocation for 134 units has been confirmed;
- 8) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report provides an overview, evaluation and recommendation for Official Plan and Zoning By-law amendments for conversion of employment lands to residential lands, and site plan approval to permit the development of a 134 unit townhouse development.

Process to date

- Official Plan and Zoning By-law amendment applications were deemed complete on March 19, 2015
- Preliminary report presented to Development Services Committee on February 23, 2016
- Statutory Public Meeting held on February 23, 2016
- Community Information Meetings held on March 29, 2016 and May 11, 2016

Next steps

- Finalize Official Plan Amendments for enactment by Council
- Finalize Zoning By-law Amendment for approval by Council
- Site Plan endorsement and approval for townhouse component of development plan by staff

BACKGROUND:

Property and Area Context

The subject lands are located on the south side of Highway 7, east of Bayview Avenue and consist of blocks on two registered plans of subdivision (Block 45 and Part of Block 49, Plan 65M-3226 and Block 3, Plan 65M-3575). The blocks are separated from each other by South Park Road and Saddlecreek Drive. The lands total 7 ha. (17.3 ac.) and are part of the remaining portion of the Leitchcroft community yet to be developed (see Figure 1).

To the south is the Highway 407 corridor, to the north, across Highway 7 are retail and commercial uses in the Town of Richmond Hill, to the east is the existing Leitchcroft community and to the west are vacant lands owned by Times Group that are designated 'Business Park Office Priority Employment' in the 2014 Official Plan as partially approved on October 30, 2015, May 26, 2016, and March 10, 2017 (2014 Official Plan).

Proposal

Times Group Corporation has submitted applications for Official Plan and Zoning By-law amendments for the subject lands to permit two 38 storey apartment buildings attached by a 4 storey podium comprising a total of 744 units fronting on Highway 7, 134 three storey lane based condominium townhouse units, a public park, a public elementary school site south of South Park Road and four storey office buildings at the southwest

and southeast corners of Highway 7 and Saddlecreek Drive (see Figure 4). The extension of Galleria Parkway through the subject lands is proposed to be a public road and the extension of Suncrest Boulevard is proposed to be a condominium road.

The applicant has submitted a site plan application for the townhouse component of the proposal. Future site plan applications will be required for the proposed apartment buildings and office buildings fronting Highway 7, and the future elementary school.

Markham Official Plan and Zoning By-law

The lands are designated 'Business Park Area' and 'Community Amenity Area - Mixed Use' in the Leitchcroft Secondary Plan. Residential uses are not permitted in the Business Park Area designation.

The lands are designated 'Business Park Office Priority Employment' in the 2014 Official Plan and all of the lands, except for the portion at the southeast corner of Highway 7 and Saddlecreek Drive, are subject to a deferral pending consideration of an employment land conversion (Section 9.6.5), as discussed below.

Site specific policy 9.6.5 provides for a land use designation other than an 'Employment Lands' designation on the lands by amendment to the Plan. This application was one of a number of employment land conversion applications considered by Markham Council prior to the adoption of the new Official Plan. In accordance with Council direction, the 'Business Park Office Priority Employment' designation was shown as 'Deferred' on Map 3-Land Use and site specific policy 9.6.5 was included which provided a set of criteria for consideration during review of an application. These criteria include the following:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the "Employment Lands" designation on the subject land, or at minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

York Region Council considered Markham's employment land conversion applications in April 2015 and endorsed the proposed residential uses on the subject lands. Markham Council will determine the specific uses to be provided for on the subject lands through review of this application and adoption of a site specific official plan amendment.

The subject lands are zoned Business Park (BP [H]) and Community Amenity Two (CA2) by By-law 177-96, as amended (see Figure 2). Residential uses are not permitted by the site-specific zoning provisions applying to either of these zones.

Public Consultation

A Statutory Public Meeting, to consider the proposed Official Plan and Zoning By-law amendment applications, was held on February 23, 2016. Community Information Meetings were held by the Ward Councillor on March 29, 2016 and May 11, 2016. Comments and concerns received related to the proposed apartment building component of the development plan (number of buildings, design, height, location and traffic impacts). The general consensus at the meetings was that the townhouse component of development plan was acceptable. Concerns were expressed with the speed of traffic on South Park Road and Saddlecreek Drive and requests were made for traffic calming measures on these roads. Concerns with respect to the proposed apartment building component of the development plan will be considered by staff as part of our continuing review of the site plan and zoning by-law amendment for it. Concerns with respect to speed of traffic and the need for traffic calming measures will be addressed during the site plan approval processes.

DISCUSSION:**Official Plan - Employment Land Conversion Criteria****Staff have encouraged the applicant to have regard for the employment land conversion criteria prescribed by Council**

Staff have worked with the applicant to finalize a development plan for the subject lands, and in this process have encouraged the applicant to have regard for the employment land conversion criteria prescribed by Council:

- Compatibility to adjacent uses
Staff are of the opinion that the townhouse component of the development plan is compatible with adjacent land uses. Discussions are still ongoing with the applicant with respect to the proposed apartment buildings and office buildings adjacent to Highway 7.
- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site
The proposed development plan includes 2 four storey office buildings adjacent to Highway 7. In addition, commercial and retail uses are proposed on the lands to the west of South Park Road that are owned by the applicant; development applications are currently under review for these lands.
- Proximity to transit
The area is currently served by the Highway 7 VIVA Rapid Transit Line
- Provision of lands for a VIVA terminal
The Region of York does not require a VIVA terminal at this location.

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- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces

The applicant has agreed to:

provide a financial contribution to the City for Section 37 community benefits, in accordance with City public art policies and Section 37 of the Planning Act.

provide floor space in one of the apartment buildings on Highway 7 for a Markham Library facility to be secured through future zoning amendment and site plan approvals

dedicate to the City additional parkland required to serve the needs of the future residents of Leitchcroft community.

- Where the location is appropriate, provide for affordable or seniors housing.
The applicant was encouraged to consider providing opportunities for affordable or seniors housing, but has chosen not to provide such opportunities. Staff will continue to work with the applicant with respect to the provision of affordable housing as part of the future Zoning By-law amendment and site plan approvals for the apartment buildings fronting Highway 7.

Proposed Development Plan

The site plan for the proposed townhouse portion of the lands has been finalized

Through numerous discussions with staff, the applicant has finalized a site plan for the proposed townhouse portion of the lands to staff's satisfaction (see Figure 5). The proposal includes 134 three storey lane based condominium townhouses. The proposed townhouses are 6 and 4.6 metres (20 and 15 feet) wide and have attached rear garages with outdoor amenity space above the garages. Parking spaces are also provided in the driveways. Visitor parking is provided within the condominium project. The future condominium corporation will own and be responsible for maintenance of the lanes, including snow removal and storage. The proposed Zoning By-law amendment will apply to the townhouse, park and elementary school portions of the lands.

The site plan for the proposed apartment building portion of the lands has not yet been finalized

Discussions with respect to the proposed apartment buildings adjacent to Highway 7 are ongoing and a site plan has not yet been finalized. Consequently, the proposed Zoning By-law amendment will not include the condominium apartment block. A recommendation regarding the zoning for the condominium apartment block will be finalized at a later date concurrently with the related site plan. The proposed Official Plan amendment will only allow high density residential and office uses on the portion of the property that fronts on Highway 7. The Buttonville Airport height restriction that applies to the subject lands, which allows a height of approximately 11 -12 storeys, will remain applicable until they are repealed or amended by Transport Canada.

A parkland block will be conveyed to the City.

The subdivision proposal includes a 0.42 hectare (1.03acre) park block that will be dedicated to the City. The proposed park block fulfills 95% of the parkland dedication requirement for the proposed townhouse development; it is recommended that the balance be taken as cash-in-lieu. Cash-in-lieu of parkland dedication will also be required for the apartment building component of the development plan. The proposed park is centrally located within the new community to optimize walkability and will provide an important open space and recreational focal point for this portion of the community. The applicant is also required to provide a pedestrian access under Highway 407 through an existing underpass to Huntington Park as part of any approvals for the apartment building component of the development plan.

The applicant has included a block within the proposed development for a potential future public elementary school.

At the request of the York Region District School Board, the applicant has included a block within the proposed development for a potential future public elementary school. City staff are currently in discussions with the School Board with respect to opportunities for the sharing of floor space for City recreational programs and library uses.

The proposed Official Plan amendment will include a requirement that a school block be secured, within the Leitchcroft area, to the satisfaction of the School Board, prior to the approval of the zoning by-law amendment and site plan for the apartment building component of the development plan.

A Community Design Plan update is being prepared by the applicant

The applicant will be required to finalize an update to the Leitchcroft Community Design Plan prior to any Official Plan and Zoning By-law amendment and site plan approvals, to the satisfaction of staff and approval by Development Services Committee. The Plan will include, requirements with respect to the community structure, including sustainability measures, visitor parking, snow storage and removal, and public art.

CONCLUSION:

On the basis of the proposed development plan for the subject lands, staff recommend that Development Services Committee:

- authorize staff to finalize for approval the required Official Plan Amendments for the conversion of the subject lands from employment lands to residential lands, and to secure a public elementary school site in the Leitchcroft community
- authorize staff to finalize for approval the required Zoning By-law Amendment for the townhouse and school block component of the development plan
- endorse in principle the site plan for the town house component of the development plan and delegate to the Director of Planning and Urban Design the authority for granting site plan endorsement and final approval

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

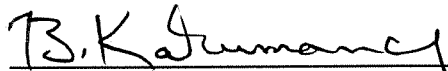
ALIGNMENT WITH STRATEGIC PRIORITIES:

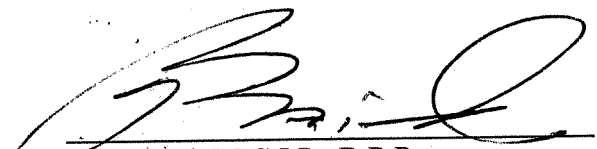
The proposed applications will align with the City's strategic priorities of Growth Management, Transportation, Municipal Services and the Environment.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been reviewed by various City departments and external agencies. Requirements of the City and external agencies will be reflected in the Official Plan and Zoning By-law Amendments and site plan agreements.

RECOMMENDED BY:


Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and Urban Design


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

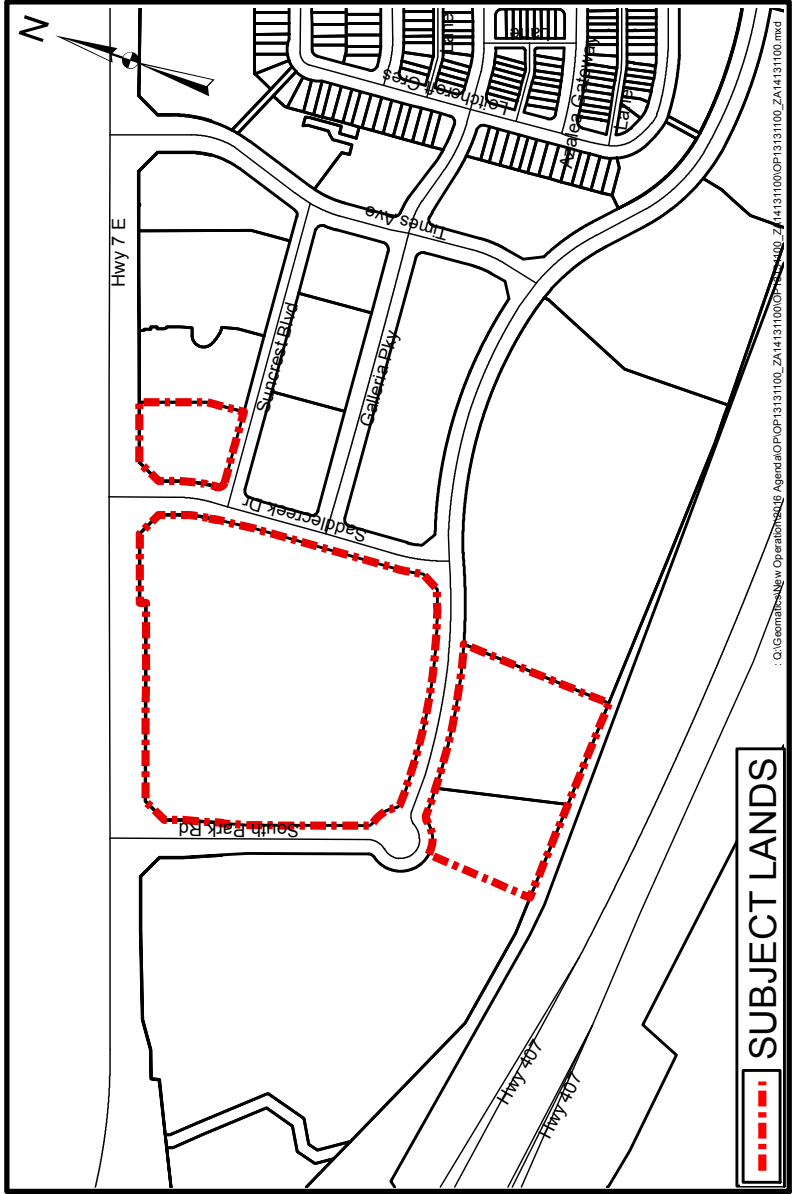
ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Air Photo
- Figure 4: Proposed Development Plan
- Figure 5: Proposed Townhouse Site Plan

APPLICANT/CONTACT:

Lincoln Lo
Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, ON
L3R 6B3
Tel: (905) 513-0170
Email: llo@mgp.ca

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AREA CONTEXT/ZONING

APPLICANT: TIMES GROUP CORPORATION
 HIGHWAY 7 EAST OF BAYVIEW AVENUE

FILE No: OP13131100 ; ZA14131100

 SUBJECT LANDS



DATE: 01/20/16


FIGURE No. 2



AIR PHOTO 2015

APPLICANT: TIMES GROUP CORPORATION
HIGHWAY 7 EAST OF BAYVIEW AVENUE

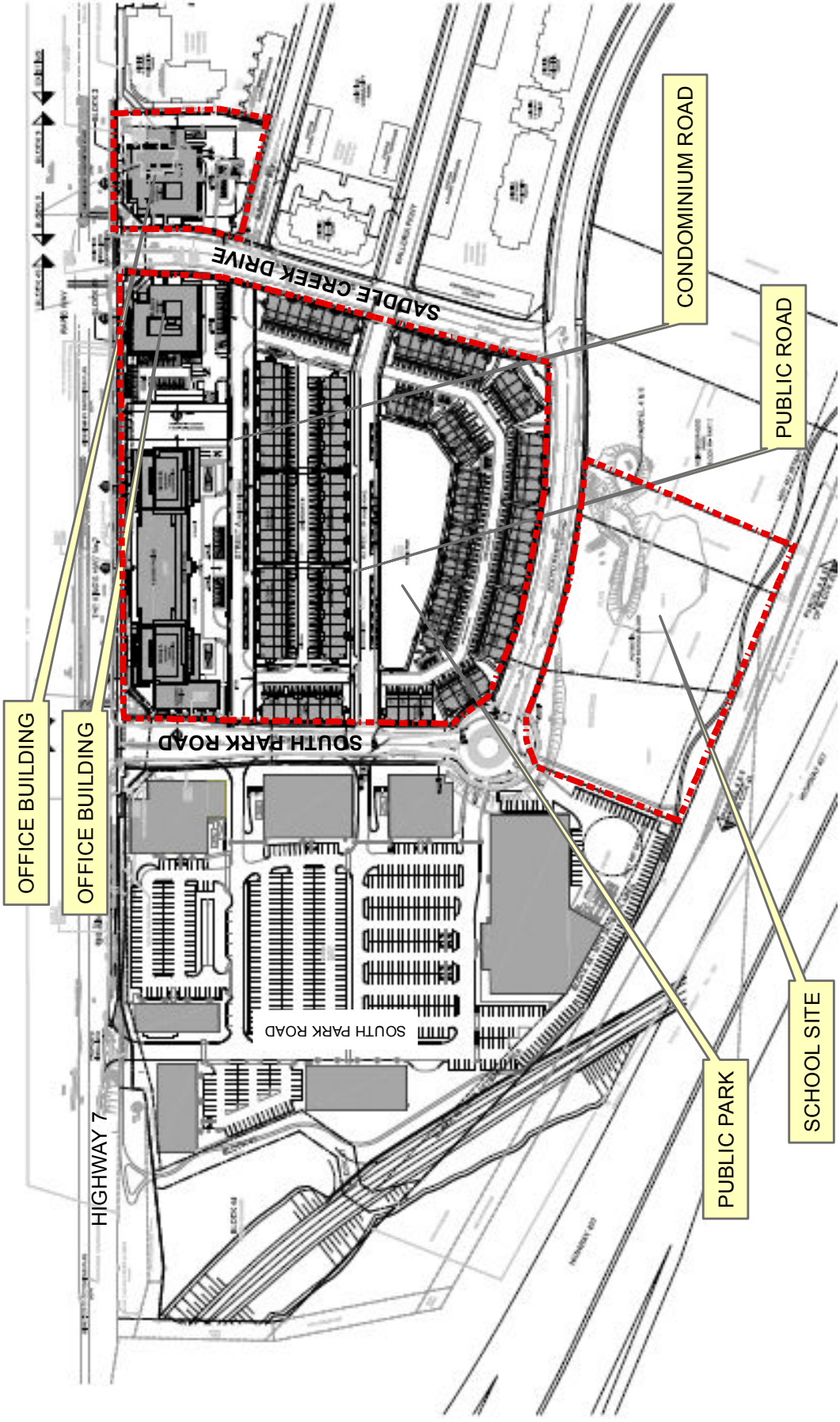
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 SUBJECT LANDS

DATE: 01/20/16

FIGURE No. 3





PROPOSED DEVELOPMENT PLAN

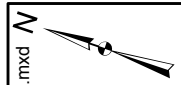
APPLICANT: TIMES GROUP CORPORATION
 HIGHWAY 7 EAST OF BAYVIEW AVENUE

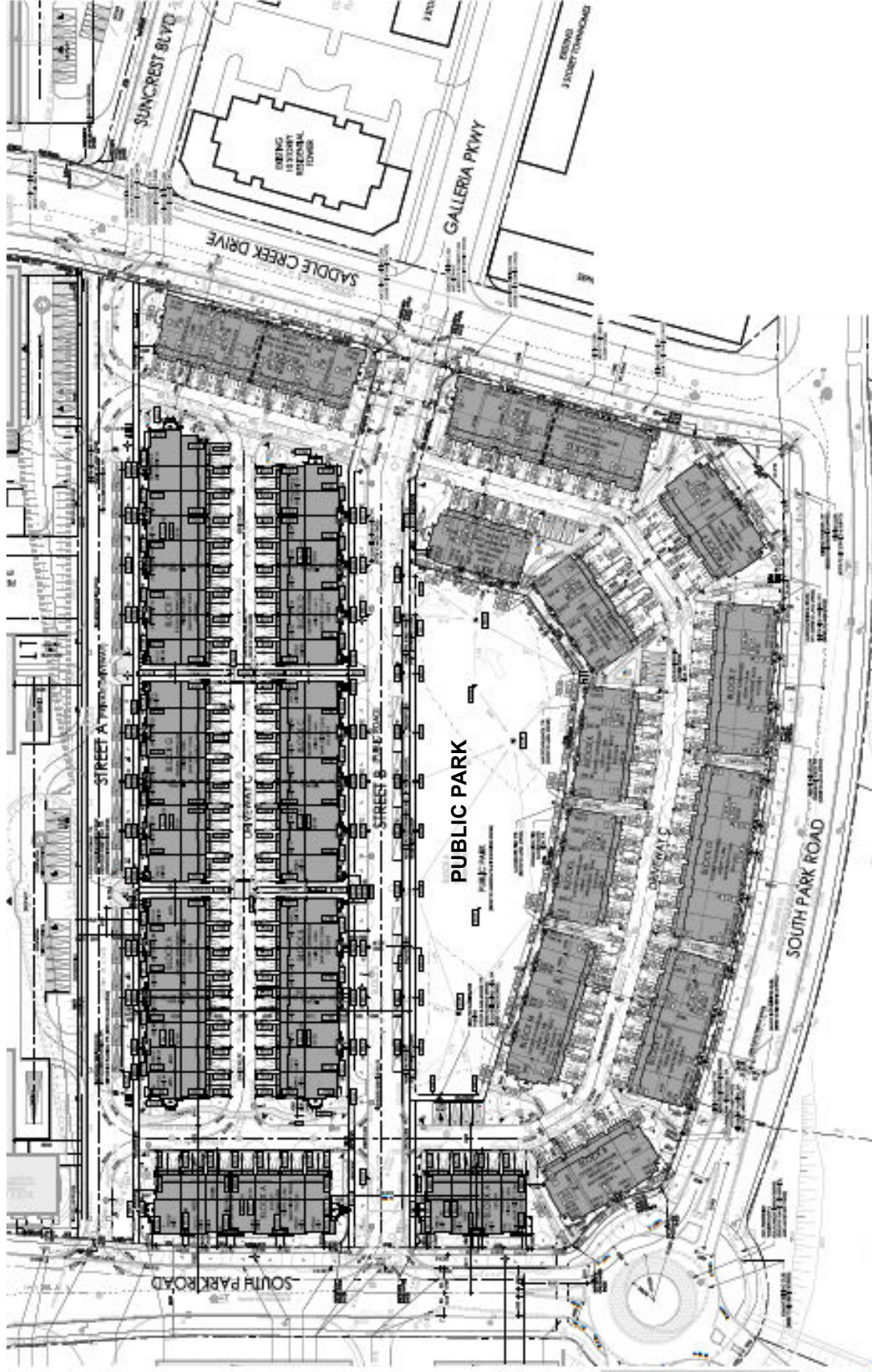
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 SUBJECT LANDS

DATE: 05/02/17

FIGURE No. 4





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PROPOSED TOWNHOUSE SITE PLAN

APPLICANT: TIMES GROUP CORPORATION
 HIGHWAY 7 EAST OF BAYVIEW AVENUE

FILE No: OP13131100 ; ZA14131100

DATE: 05/02/17

FIGURE No. 5