

**1795 Markham Road - Zoning Application
Final Report**

Date:	May 14, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 42 – Scarborough – Rouge River
Reference Number:	File No. 06 154973 ESC 42 OZ

SUMMARY

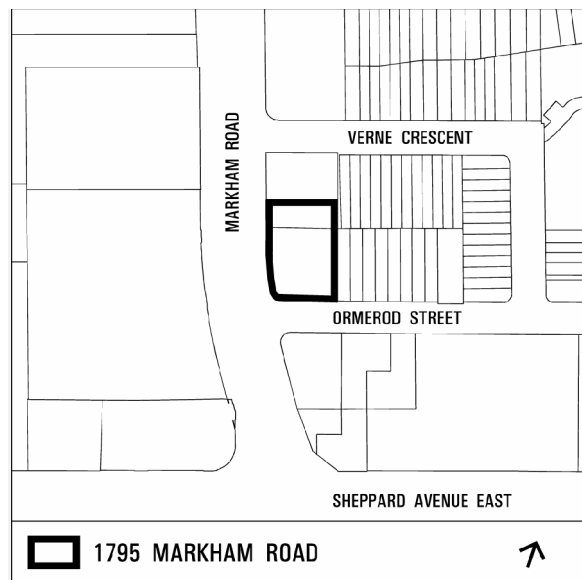
This application proposes to develop the site at 1795 Markham Road with 44 stacked condominium townhouses. The proposed use is consistent with the Neighbourhoods designation of the Toronto Official Plan, the Provincial Policy Statement and conforms with the Growth Plan for the Golden Horseshoe. The provision of low scale compact housing integrates well within the surrounding community and existing road network.

This report reviews and recommends approval of the application to amend the zoning by-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the zoning by-law for the Malvern Community substantially in accordance with the draft zoning by-law amendment in Attachment 5; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.



Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In June 2001, City Council enacted an official plan and zoning by-law amendment to permit 116 senior citizen's homes and apartments to a maximum of 5 storeys with reduced parking on the subject lands. This approval was not pursued.

The current applicant originally proposed developing the subject lands with 64 stacked townhouses, 4 storeys in height in three separate buildings. Vehicular access to the site and the underground parking garage bisected the site. Preliminary concerns regarding compatibility and integration into the surrounding community, setbacks, height, density, built form and parking were identified by staff. The applicant has responded to these concerns and revised their proposal to its current form.

ISSUE BACKGROUND

Proposal

This zoning by-law amendment application proposes to permit 44 stacked townhouses within 3 blocks on the subject lands (Attachment 1).

Block A, would contain 16 stacked townhouse units in a 4-storey building having the townhouse units oriented in a back-to-back manner. A total of 8 townhouse units will front Omerod Street while the remaining 8 townhouse units in Block A, will front onto the proposed interior 'mews' type space.

Block B, would contain 20 stacked townhouse units in a 4-storey building, also having the townhouse units oriented in a back-to-back manner. A total of 10 townhouse units will front Markham Road while the remaining 10 townhouse units in Block B, will front onto the proposed interior 'mews' type space.

Block C, would contain 8 stacked townhouse units in a 2-storey building. These townhouse units would be oriented in a 'through' manner, with the entry for each townhouse unit facing the proposed interior 'mews' type space. The townhouse units in Block C, will have no frontage on a public road and instead will be accessed by the internal pathway system of the complex.

Resident and visitor parking for the entire project is contained in a one-level, partially below grade parking garage having vehicular access off Omerod Street only. A total of 64 parking spaces are proposed.

Residential units will be accessed from 3 separate staircases in the underground parking garage. Visitors will go through the door beside the ramp at the southeast corner of the building and then up the stairs onto the deck. Residents will access their units from two separate set of stairs in the underground; one from the middle west, the other from the middle north onto the deck.

Common amenity space is provided by means of landscaping, a children's play area and paved pathways.

Site and Surrounding Area

The site is located at the north-east corner of Markham Road and Omerod Street, north of Sheppard Avenue. The site is approximately 0.26 hectares (0.6 acres) in size with about 35 metres (115 ft.) of frontage on Omerod Street as well as 60 metres (197 ft.) flankage on Markham Road. The site is vacant, with the exception of a 1 ½ -storey residential dwelling at the north-west corner of the site which will be demolished. The site is generally flat.

Detached and semi-detached residential dwellings abut the subject lands to the east. West of the subject lands and Markham Road are industrial uses that include a former Ford dealership and service centre. Immediately north of the subject lands, on the south-east corner of Markham Road and Verne Crescent, is a small cemetery, owned by The Toronto United Church Council.

Further north, on the east side of Markham Road is a 3 storey office/commercial building.

There is currently a zoning by-law amendment application to develop the lands south of the subject property at 1771 Markham Road with 32 stacked townhouses containing a total of 64 residential units. There are however, development constraints on these lands that need to be addressed prior to holding a public meeting. Staff are advised by this applicant that a revised proposal will be forthcoming shortly.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The proposed higher density housing will front onto Markham Road, a major arterial. Blocks A and B will have maximum heights of 4 storeys, while Block C, which abuts existing residential units to the east will be restricted to 2 storeys. The subject proposal is accessible to public transit on both Markham Road and Sheppard Avenue. The future extension of the Scarborough Light Rapid Transit system will provide residents with further public transit opportunities.

The subject application is consistent with the PPS and conforms with the Growth Plan for the Golden Horseshoe.

Official Plan

The Toronto Official Plan designates the subject lands “Neighbourhoods”. The site is also subject to Site Specific Policy No. 118, which provides for a maximum building height of 5 storeys.

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwellings, townhouses and interspersed walk-up apartments that are no higher than 4 storeys. Site Specific Policy No. 118, provides for an exception to the height limit to permit 5 storeys.

Development in established Neighbourhoods as well as infill developments that vary from the local pattern will respect and reinforce the physical character of the neighbourhood, by having regard for existing built form, size and configuration of lots, heights, urban design issues etc.

Zoning by-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential Neighbourhoods.

The proposed layout, height, massing, setbacks, street orientation, landscaping and garbage pick-up area will achieve the objectives of the Toronto Official Plan.

No amendment to the Toronto Official Plan is required.

Zoning

The subject lands are zoned Institutional-Social Welfare (I-SW), which allows a 5 storey, 116 unit building with a reduced parking standard. Exception Number 40 restricts the development of the lands to senior citizens’ homes and apartments only. The subject lands need to be rezoned to permit the proposed development.

Site Plan Control

A site plan control application has been submitted and staff have worked with the applicant to resolve matters including access, building massing, landscaping, lighting and siting. Concerns regarding shadowing, privacy, amenity space and streetscape have been addressed in detail and reflected in the draft zoning by-law.

The recommendations in the stormwater management report and traffic impact study have been incorporated into the site plan and will be reflected in the site plan agreement.

Reasons for Application

The zoning by-law in effect does not permit stacked townhouses. Exception Number 40 of the zoning by-law restricts permitted uses to senior citizens' homes and apartments only.

Community Consultation

A Community Consultation meeting was held February 7, 2007 at Burrows Hall Community Centre. A total of 25 members of the public attended. Generally, those in attendance were supportive of the application and felt this form of housing was needed and will strengthen their community.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Development of the subject lands for stacked townhouses is appropriate and integrates well into the surrounding community.

The Toronto Official Plan provides policies for Neighbourhoods to ensure that new developments respect and reinforce the physical pattern and character of established neighbourhoods. The proposed layout, height, massing and setbacks will achieve the objectives of the official plan in this regard. Further, the proposed landscaping, common amenity space and (east) building setback will lessen any negative impacts to the existing residential units to the east.

The largest building is oriented towards Markham Road, while the smaller buildings address Omerod Street and the residential property abutting the east lot line. This descending transition in height and density respects and reinforces the existing built form and scale along Omerod Street and integrates well into the surrounding community.

The proposed development is a change over what is allowed as-of-right under the current zoning as follows:

1. Density is reduced from 116 units to 44 units
2. Height is reduced from 5 storeys to 4 and 2 along east lot line
3. East side yard setback is increased from 2 metres (6.7 ft.) to 4 metres (13 ft.)
4. Parking is increased from 0.25 spaces per unit to 1.45 spaces per unit

Traffic / Parking

A Traffic Assessment, dated June 2006, prepared by Mark Engineering was submitted and found to be acceptable by staff. The assessment concluded that the proposed development will not generate a significant volume of vehicle trips and trips generated

will not have a significant impact on the operations of the adjacent roadway network. Vehicular access to the subject lands is restricted to Omerod Street only.

Parking for residents and visitors will be provided entirely in the partially below grade parking garage. Based on a minimum by-law standard of 1.4 parking spaces per residential unit, a total of 62 parking spaces are required. The applicant is providing 64 parking spaces.

There are 48 large walk-in type storage lockers in the underground parking area that could easily accommodate bicycle storage/parking. Staff will pursue further opportunities on the below grade parking garage to create additional bicycle parking spaces.

Density / Land Use

A 116 unit, 4 to 5 storey senior citizen apartment is permitted on the subject lands as-of-right. The proposed 44 stacked townhouses will result in fewer, but larger units, reduced gross floor area and building heights. The proposed stacked townhouse units will be 2 and 3 bedroom units and range in size from 84 sq. m to 106 sq. m (900 to 1,140 sq. ft.), likely geared to first time buyers, seniors and young families. The proposed development will have less of an impact over what is currently permitted by the zoning of the site in terms of density, height and separation distances from the east lot line.

The change in built form and scale of the subject application will be more compatible with the existing residential dwellings in the surrounding area. Vehicular access to the subject buildings is from Omerod Street only, where all parking is provided in a partially below grade parking garage.

Common Outdoor Amenity Space

The building footprint of the three blocks covers approximately 50 percent of the top of the parking deck, with the remainder being reserved for common outdoor amenity space. These amenity areas contain a variety of landscaping and treatments which includes grassed and planted areas, a children's play area with a play structure and patterned paved pathways. This is a compact development. However, the orientation and spacing of the blocks as well as the location of these amenities will provide opportunities for interaction between residents.

Urban Design

The proposed development has been assessed and is generally consistent with the development criteria of the City's Urban Design Guidelines for townhouses. The proposed development's interface with the adjacent houses to the east and its relationship to Markham Road is important and has been satisfactorily addressed.

The proposed sidewalk on the Omerod Street flankage will be constructed 0.5 metres (1.6 ft.) south of the street line. This will provide a 3 metre (9.8 ft.) wide grassed boulevard between the curb and sidewalk for additional tree planting.

The proposed paved patios fronting Markham Road have been replaced with a grassed area. This will allow additional tree planting within the road allowance and will eliminate encroachment issues with concrete patios or walkways.

Heritage Preservation

Development of the property has the potential for causing impacts to archaeological resources and impact upon burials associated with the adjacent cemetery immediately to the north.

Heritage Preservation Services are satisfied with the findings of the Phase 1 Archaeological Assessment and recommends approval. Conditions of approval from Heritage Preservation Services will be incorporated into the site plan agreement.

Tree Preservation

The lands are subject to the City's Tree Preservation By-law. An Arborist Report which included a Tree Preservation Plan has been received and is satisfactory to Urban Forestry Services. Upon completion of construction, replacement tree planting on private property will be implemented to the satisfaction of Urban Forestry Services. A letter of credit guaranteeing replanting will be included in the site plan agreement.

Schools / Libraries / Community Centres

Burrows Hall Community Centre and library and the Chinese Cultural Centre are within walking distance of the subject property. There are a number of elementary schools (Malvern Public School, Dr. Marion Hilliard Public School, Burrows Hall Public School and St. Barnabas Separate School) located within the community.

The proposed development has the potential of generating approximately 17 elementary school age students. The local school boards are currently operating above capacity. The boards wish to advise potential purchasers and the community that students may be accommodated in schools outside this area until spaces become available.

The applicant will be required to enter into an agreement to erect and maintain signs, at points of egress and ingress to the development advising the community and potential purchasers of this.

Green Development Standard

City Council approved a set of recommendations that work towards the implementation of the Toronto Green Development Standard. The use of the term 'Green' is intended to be associated with the concept of 'sustainability' or 'sustainable development'. Based on the applicant's submission, the proposed development is intended to achieve the following targets: Minimum Energy Performance, Urban Heat Island Reduction (Roof), Storm Water Management, Storage and Collection of Recyclables and Compostables.

Tenure

The proposed tenure for the project will be common element condominium. The applicant will be submitting a condominium application once appropriate zoning is in place.

Draft Zoning By-law Amendment

The draft zoning by-law amendment sets out performance standards which will define the project as proposed with some slight flexibility (Attachment 5). Completion of the review of the site plan control application will ensure compliance with the approved zoning by-law.

Development Charges

It is estimated that the development charges for this project will be \$341,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Renrick Ashby, Senior Planner

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Fax No. (416) 396-4265

E-mail: rashby2@toronto.ca

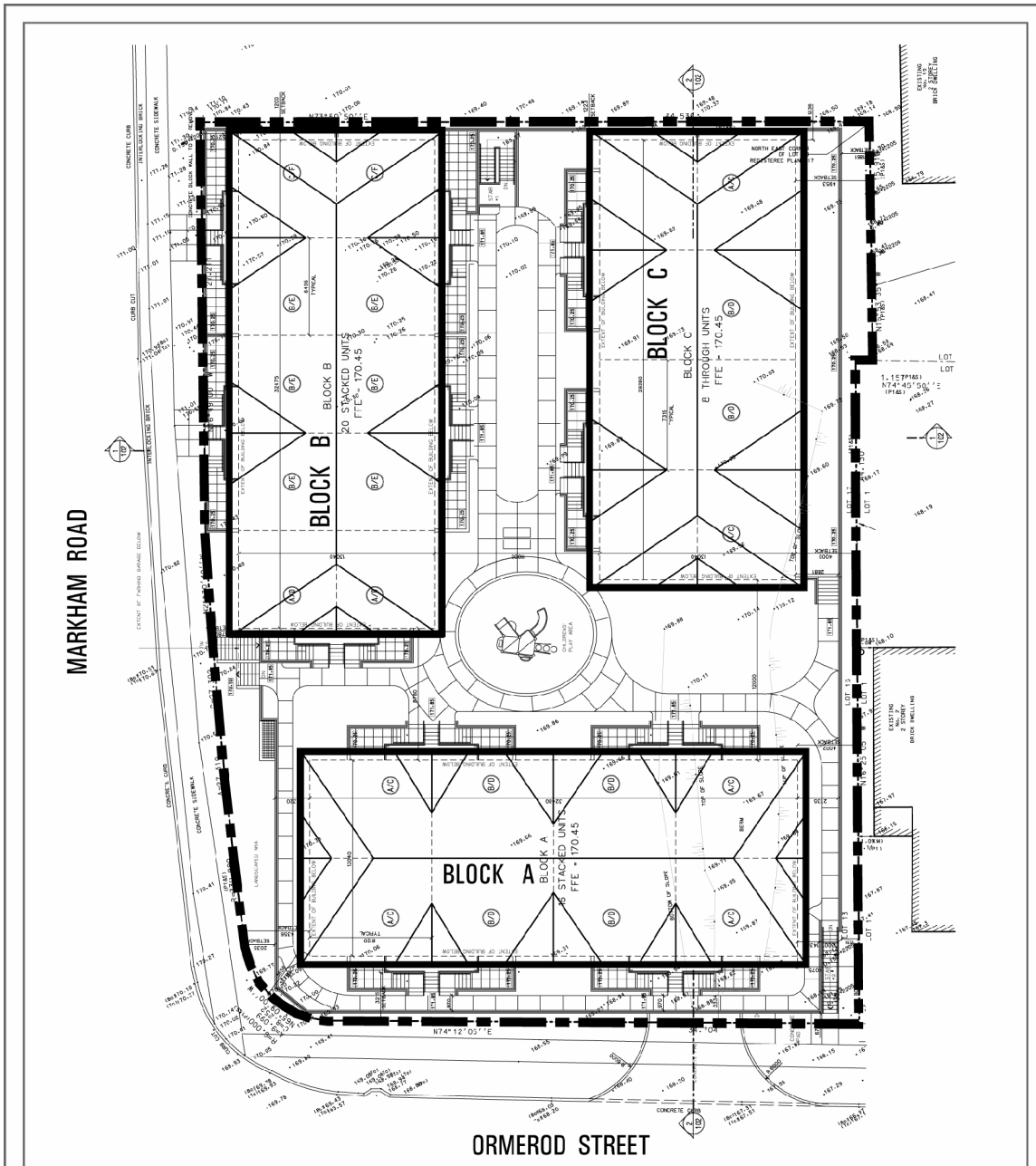
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations, Block A
- Attachment 3: Elevations Block A & C
- Attachment 4: Elevations Block B
- Attachment 5: Elevations Block C
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

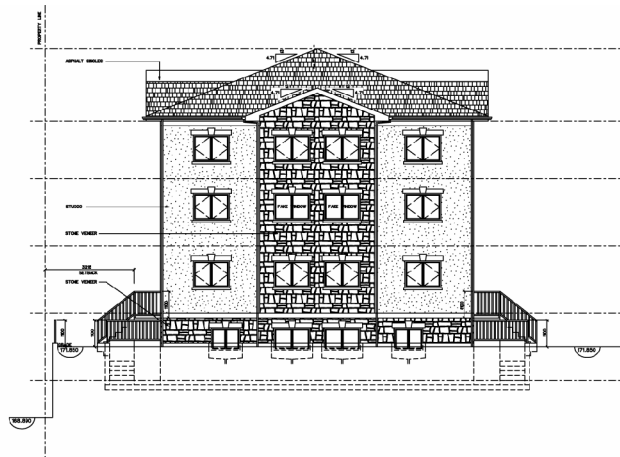
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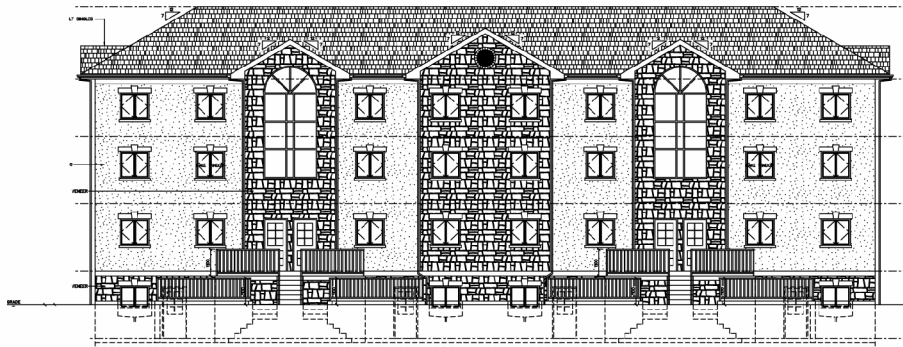
1795 Markham Road

File # 06 154973 OZ

Attachment 2: Elevations Block A



East Elevation - Block A



North and South Elevation - Block A

Elevation Plan - Block A

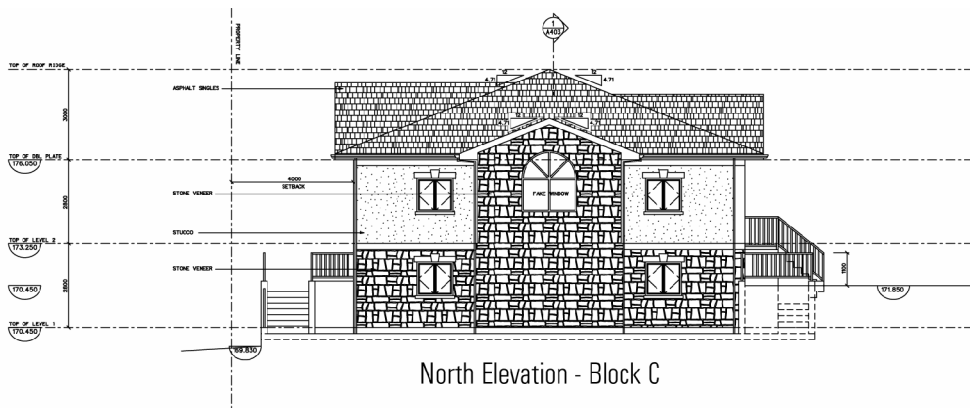
Applicant's Submitted Drawing

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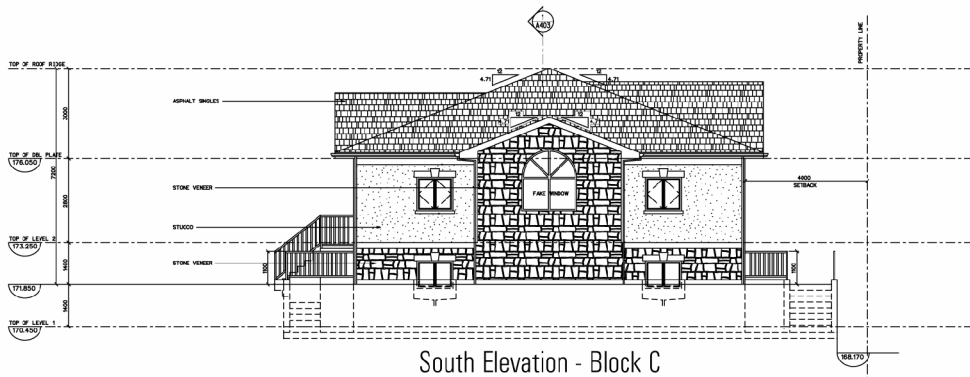
1795 Markham Road

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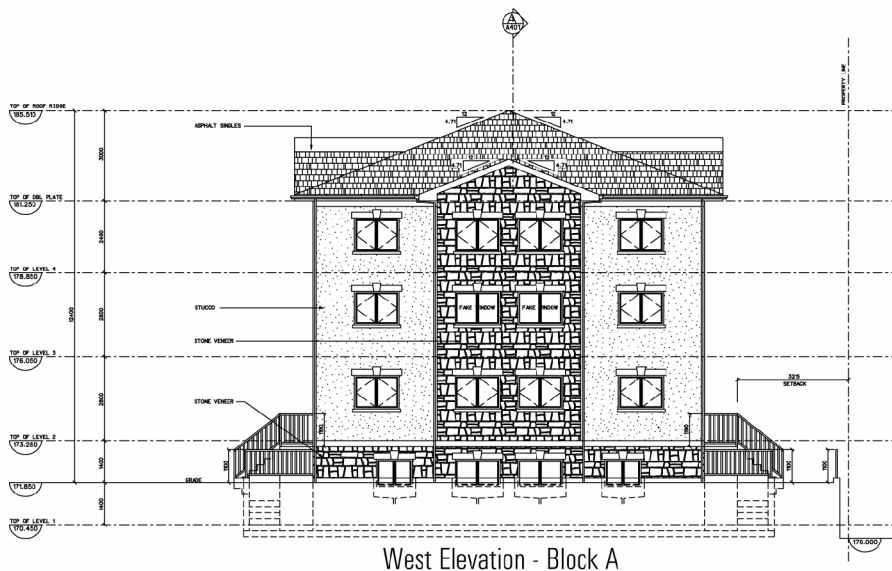
Attachment 3: Elevations Block A and C



North Elevation - Block C



South Elevation - Block C



West Elevation - Block A

Elevation Plan - Blocks A and C

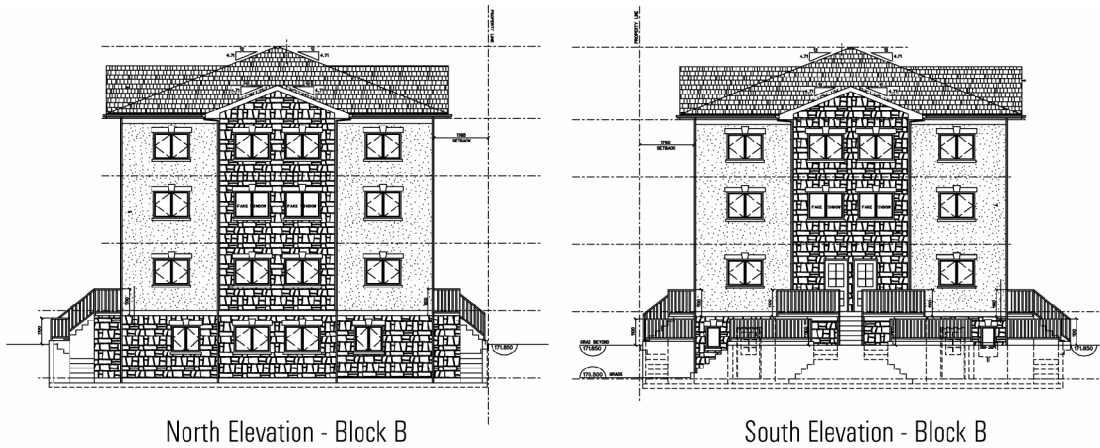
1795 Markham Road

Applicant's Submitted Drawing

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File # 06 154973 0Z

Attachment 4: Elevations Block B



Elevation Plan - Block B

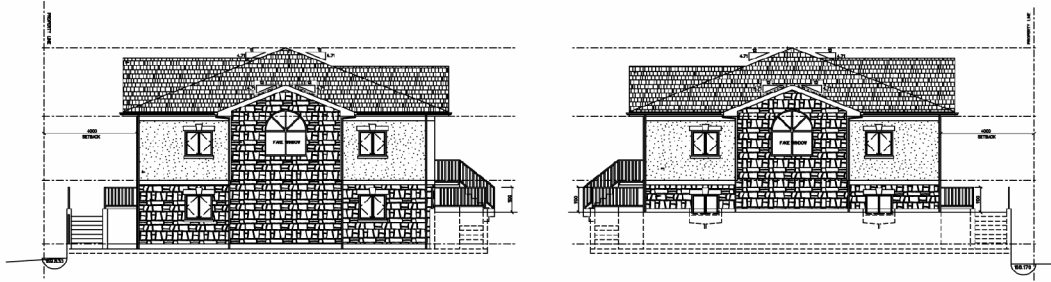
1795 Markham Road

Applicant's Submitted Drawing

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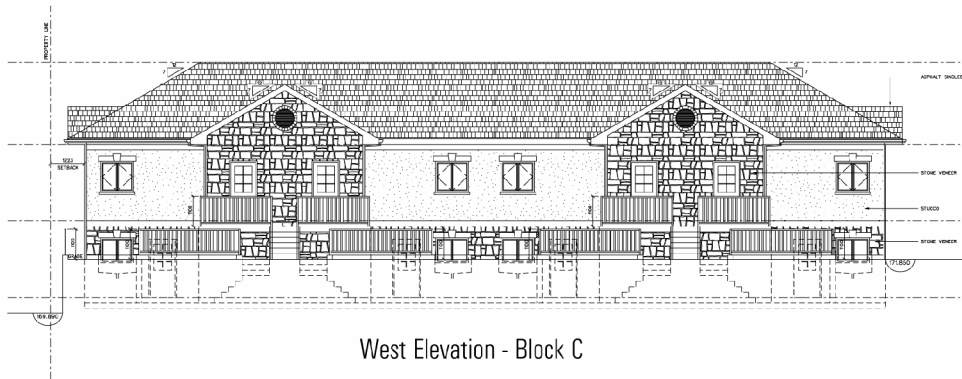
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Attachment 5: Elevations Block C



North Elevation - Block C

South Elevation - Block C



West Elevation - Block C



East Elevation - Block C

Elevation Plan - Block C

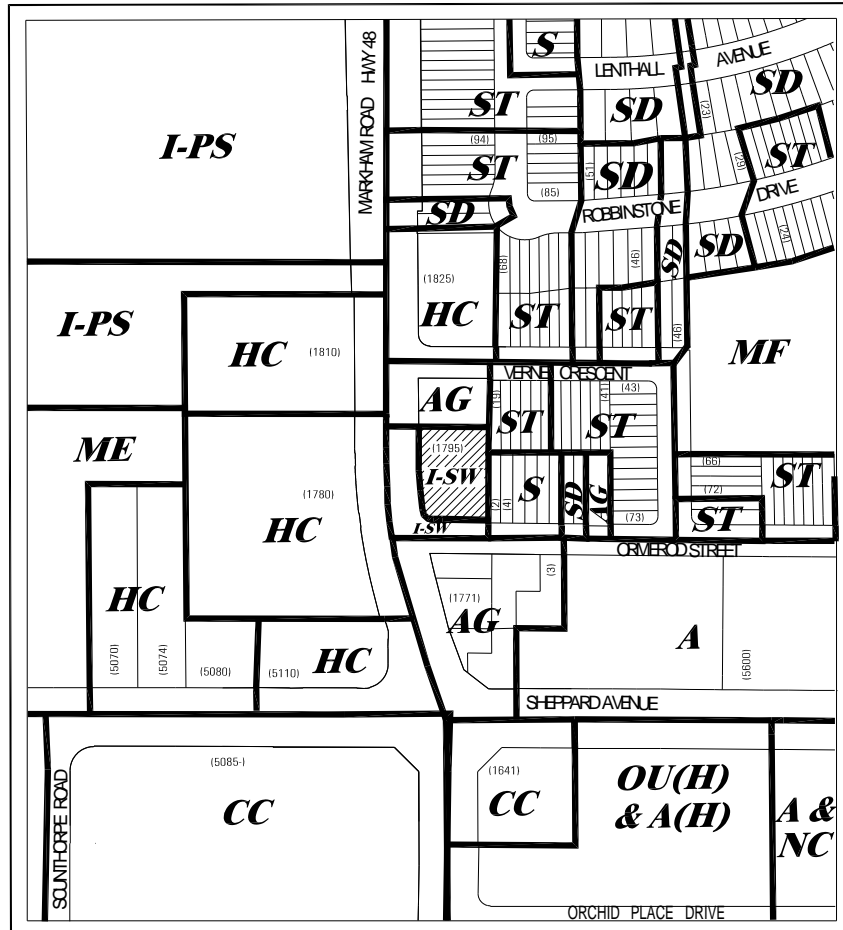
Applicant's Submitted Drawing

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1795 Markham Road

File # 06 154973 0Z

Attachment 6: Zoning



Toronto City Planning
Division
Zoning

1795 Markham Road
File# 06-154973 OZ

<i>S</i> SINGLE FAMILY RESIDENTIAL	<i>MF</i> MULTIPLE FAMILY RESIDENTIAL	<i>AG</i> AGRICULTURAL USES	Matern Community Bylaw
<i>SD</i> SEMI-DETACHED RESIDENTIAL	<i>CC</i> COMMUNITY COMMERCIAL	<i>I-SW</i> INSTITUTIONAL - SOCIAL WELFARE	Not to Scale
<i>ST</i> STREET TOWNHOUSE RESIDENTIAL	<i>HC</i> HIGHWAY COMMERCIAL	<i>I-PS</i> INSTITUTIONAL - PUBLIC SERVICES ZONE	7/27/06
<i>A</i> APARTMENT RESIDENTIAL	<i>NC</i> NEIGHBOURHOOD COMMERCIAL	<i>H</i> HOLDING PROVISION	
<i>OU</i> OFFICE USES	<i>ME</i> MIXED EMPLOYMENT ZONE		

Attachment 7: Application Data Sheet

Application Type Rezoning Application Number: 06 154973 ESC 42 OZ
 Details Rezoning, Standard Application Date: July 10, 2006

Municipal Address: 1795 MARKHAM RD, TORONTO ON
 Location Description: PL 217 BLK A LT19 **GRID E4205
 Project Description: Zoning by-law amendment to permit the development of the subject lands with 44 stacked townhouses.

Applicant: **Agent:** **Architect:** **Owner:**
 INTELLITERRA YAQOOB ASHRAF
 PLANNING & KHAN
 DEVELOPMENT
 CONSULTING BRUCE
 HALL

PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: Exception #40
 Zoning: Institutional - Social Welfare Historical Status:
 Height Limit (m): 5-storeys Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2566.52	Height:	Storeys:	3.5
Frontage (m):	60		Metres:	0
Depth (m):	44			
Total Ground Floor Area (sq. m):	1304.54			Total
Total Residential GFA (sq. m):	4227.09		Parking Spaces:	64
Total Non-Residential GFA (sq. m):	n/a		Loading Docks	0
Total GFA (sq. m):	4227.09			
Lot Coverage Ratio (%):	50.83			
Floor Space Index:	1.65			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	4227.09	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	20	Industrial GFA (sq. m):	0	0
3 + Bedroom:	24	Institutional/Other GFA (sq. m):	0	0
Total Units:	44			

CONTACT: **PLANNER NAME:** **Renrick Ashby, Senior Planner**
TELEPHONE: **(416) 396-7022**

Attachment 8: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2007
Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

**To amend the Malvern Community Zoning By-law No. 14402, as amended,
With respect to the lands municipally known as, 1795 Markham Road,
Located within the Malvern Community**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one Public Meeting in accordance with the *Planning Act*;

The Council of the City of Toronto **HEREBY ENACTS** as follows:

- 1.** SCHEDULE “A” is amended with respect to the land outlined on Schedule “1” by removing the Institutional-Social Welfare (I-SW) designation and replacing it with the Multiple-Family Residential (MF) Zone designation with the following Performance Standards:

Block A: MF-442-443-495-496-558-801-902-903

Block B: MF-442-443-495-558-801-902-903

Block C: MF-442-443-444-495-496-558-801-902-903

- 2.** **PERFORMANCE STANDARDS CHART – SCHEDULE “B”**, of the Malvern Community Zoning By-law, as amended, is hereby amended by adding the following Performance Standards:

MISCELANEOUS

442 Block A: maximum 4-storey’s
Block B: maximum 4-storey’s
Block C: maximum 2-storey’s
Excluding basements, stairwells, chimneys, skylights, vents, antennae, elevator machine rooms, parking garage and parapet wall.

443 Maximum building coverage 51%
Notwithstanding its future division into two or more parcels of land.

444 The provisions of Clause VI Section 4, of the Malvern Community By-law shall not apply to Block C.

445 Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

LANDSCAPING

495 Minimum 49% of lot area to be landscaped

496 The side yard abutting the easterly lot line shall be used only for landscaping with the exception that a pedestrian walkway is permitted.

INTENSITY OF USE

558 Maximum 44 dwelling units allocated as follows:

Block A: maximum 16 dwelling units

Block B: maximum 20 dwelling units

Block C: maximum 8 dwelling units

PARKING

801 Minimum 62 parking spaces to be provided on the following basis:

- i) For Residents: a minimum of 1.2 parking spaces per dwelling unit underground
- ii) For Residential Visitors: a minimum of 0.2 parking spaces per dwelling unit underground

MINIMUM BUILDING SETBACK

902 Minimum building setbacks shall be provided as follows:

- Block A: i) Minimum 4.3 metres from the street line of Markham Road
- ii) Minimum 3.2 metres from the street line of Omerod Street
- iii) Minimum 4 metres from the easterly lot line

- Block B: i) Minimum 2 metres from the street line of Markham Road
- ii) Minimum 1.2 metres from northerly lot line

- Block C: i) Minimum 1.2 metres from northerly lot line
- ii) Minimum 4 metres from easterly lot line

903 Notwithstanding the provisions of Clause VII Section 1.5.2 of the Malvern Community By-law, the underground parking garage shall be minimum 0.5 metres from all lot lines.

3. EXCEPTIONS LIST – SCHEDULE “C”, of the Malvern Community Zoning By-law, as amended, is hereby further amended by removing Exception #40 in its entirety.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

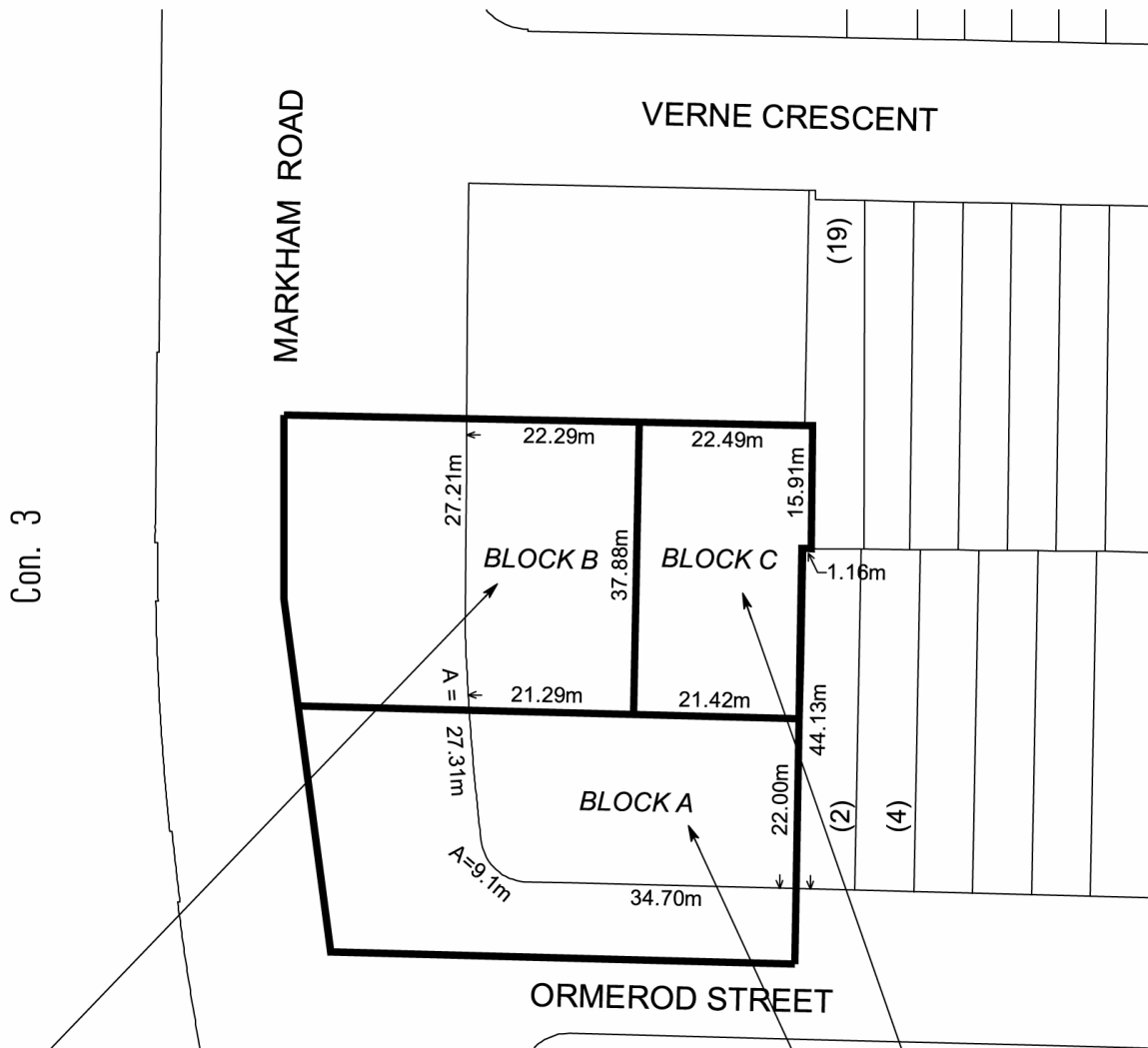
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 18



MF-442-443-495-558-801-902-903
 MF-442-443-495-496-558-801-902-903
 MF-442-443-444-495-496-558-801-902-903

TORONTO City Planning Division
Zoning By-Law Amendment

1795 Markham Road
 File # 06-154973 OZ

 Area Affected By This By-Law

Malvern Community By-law
 Not to Scale
 5/11/07