

**Final Report
Zoning Application
28 Orchid Place Drive**

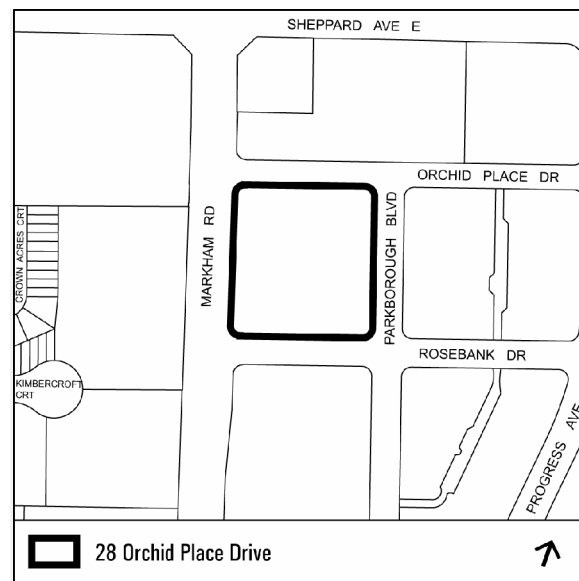
Date:	December 21, 2006
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 42 –Scarborough Rouge-River
Reference Number:	05 208487 ESC 42 OZ

SUMMARY

This report reviews and recommends approval of an application to amend the zoning by-law to permit a four-storey commercial, retail and office building along the Markham Road frontage of the site.

This proposal is appropriate and represents good planning. The provision of small-scale retail, service and office uses that serve the needs of area residents are consistent with the Apartment Neighbourhoods designation of the Official Plan. The scale, siting and proposed commercial uses will add animation and pedestrian traffic to the east side of Markham Road and will help mitigate the noise emanating from Markham Road from the future residential uses immediately to the east.

It is recommended that Community Council approve this zoning by-law amendment application to permit the development of a four-storey commercial, retail and office building as reflected in the attached draft zoning by-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning By-law for the Malvern (West) Community Zoning By-law No. 14402, substantially in accordance with the draft Zoning By-law shown in Attachment No. 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

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The subject lands are one of two remaining blocks within the Aspen Ridge subdivision that have not been developed. The Aspen Ridge subdivision is bounded by Sheppard Avenue, Markham Road, Milner Avenue and Progress Avenue. This 1,600 residential unit subdivision was approved by the Ontario Municipal Board in 1994, where 417 of those units were allocated to the subject lands.

ISSUE BACKGROUND

Proposal

This zoning by-law amendment application is to permit a 5 900 square metre (63,500 square feet) four-storey commercial, retail and office building along the Markham Road frontage of the site. Parking for this structure will be provided on the surface immediately to the east of this building and in the proposed underground parking garage (Attachment 1). Vehicular access to the lands is through a 6.0 metre (20 ft.) wide driveway extending north from Rosebank Drive to Orchid Place Drive.

The lands are currently zoned to permit a maximum of 417 residential units in a building(s) restricted to a maximum of 16 storeys. For contextual purposes, the plan shows a future residential development that will require site plan approval to permit two residential condominium buildings, each having 16 storeys as well as 9 street townhouses. Underground parking for the entire project will be provided by means of a three-level underground parking garage. Building A proposes 205 residential condominium units, while Building B proposes 203 residential condominium units. The street townhouses will have identical front elevations to the existing street townhouses on the south side of Rosebank Drive as well as the east side of Parkborough Boulevard.

Site and Surrounding Area

The site is approximately 1.4 hectares (3.4 acres) in area, vacant, treeless and generally square in shape with road frontages off Markham Road, Rosebank Drive, Orchid Place

Drive and Parkborough Boulevard. There is a gradual slope to the east from Markham Road.

Street townhouses abut the subject lands to the east and south. Commercial uses (Station Street Plaza) and an 8-storey apartment building are located on the west side of Markham Road, directly across from the subject lands. The lands north of the subject lands are grassed and vacant beyond which is an existing automobile service station.

In the vicinity are a number of other development applications including townhouse proposals at the north-east corner of Sheppard Avenue and Markham Road and on the north-east corner of Omerod Road and Markham Road. As well, there is a development proposal for commercial uses at the former Ford dealership site located on Markham Road, just north of Sheppard Avenue.

Official Plan

The subject lands are designated Apartment Neighbourhoods in the Toronto Official Plan. Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. In addition, detached and semi-detached houses, duplexes, triplexes, townhouses and interspersed walk-up apartments and home occupations are permitted in the Apartment Neighbourhoods designation. No amendment to the Toronto Official Plan is required.

Zoning

This application is to permit commercial, retail and office uses along the Markham Road frontage of the subject site. The subject site is currently zoned Multiple-Family Residential (MF) and Apartment (A) Zone by the Malvern (West) Community Zoning By-law No. 14402 (Attachment 3). The Multiple-Family Residential Zone permits correctional group homes, day nurseries, group homes, multiple-family dwellings, semi-detached dwellings, single-family dwellings and street townhouse dwellings. The Apartment Zone permits apartment buildings, day nurseries and group homes. This site needs to be rezoned in order to permit the commercial, retail and office uses.

Site Plan Control

A site plan control application has been submitted for the subject application as well as the proposed residential development. Appropriate urban design standards including access, building massing, and siting will be addressed in detail. Other issues such as traffic, lighting, shadowing, privacy, transition to the proposed residential uses, amenity space etc. will also be examined.

Tree Preservation

A tree declaration has been submitted confirming that there are no trees on the property. The proposed tree planting plan on both private and public property will be reviewed in detail through the site plan approval process.

Heritage Preservation

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.

Reasons for Application

A zoning by-law amendment is required since retail, commercial and office uses are not permitted in the Multiple-Family (MF) and Apartment (A) Zone. Appropriate performance standards have been established in order to regulate matters including setbacks, height, landscaping, parking etc. in the draft by-law. The lands are subject to site plan control where appropriate urban design standards will be established.

Community Consultation

The first Community Consultation meeting was held May, 2, 2006 at Burrows Hall Community Centre. Although the notice for the meeting was circulated beyond the 120 metre radius, as directed by Community Council, no members of the public attended.

At the request of the Councillor, a second Community Consultation meeting was held May 30, 2006, again at Burrows Hall Community Centre also with an expanded notification area. A total of 4 members of the public attended. Issues discussed were as follows:

1. Increased Traffic
2. Location and costs of parking
3. Price of townhouse units
4. Length of construction period
5. Timeline for SRT completion

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

This application results in the introduction of commercial, retail and office uses along the Markham Road frontage. The plan shows future residential development that will require site plan approval. The proposed townhouse units are large (approximately 2,500 sq. ft.) and up-scale to complement the existing townhouses on the south side of Rosebank Drive and to maintain a uniform streetscape. The proposed condominium units in Buildings A and B will be geared to first time buyers and young families.

Land Use

The proposed uses to be contained in a 5 900 sq. m (63,500 sq. ft.) four-storey building will be complementary to the existing retail/commercial uses to the west as well as being convenient to existing and future residents in the area. The built form of the proposed

building will also provide a buffer from Markham Road and offer additional community commercial and office uses. The scale, siting and proposed uses will add animation and pedestrian traffic to the east side of Markham Road and will help mitigate the noise emanating from Markham Road from the future residential uses immediately to the east.

The proposed uses are consistent with the policies of the Official Plan regarding use. However, since retail, commercial and office uses are not permitted in the Multiple-Family and Apartment Zone of the zoning by-law, an amendment is required.

Traffic Impact

Markham Road is a major arterial road and provides convenient access to Highway 401 to the south as well as Sheppard Avenue to the north.

A Traffic Impact Study dated April 2006, prepared by Marshall Macklin Monaghan was submitted and found to be acceptable. The study concluded that the proposed development can be readily accommodated by the existing boundary road network without causing any significant impacts to area traffic operations.

Access

There is no direct vehicular access from Markham Road to the subject lands. Vehicular access is provided from Rosebank Drive where access extends north to Orchid Place Drive and addresses many traffic concerns. The proposed development can be accommodated within the existing road network while maintaining an acceptable level of service. This is supported by the traffic impact study submitted by the applicant.

Parking

Parking for commercial visitors will be provided on the surface immediately to the rear (east) of the proposed building and in the underground parking garage. Staff are advised that parking will be free of charge to commercial visitors.

Transit

Transit service to the area is currently by bus. Provisions have been made to accommodate a future transit facility across the eastern portion of the site to terminate at Markham Road and Sheppard Avenue. This extension of the SRT to Markham Road and Sheppard Avenue has been approved and should be built in the future.

Construction

This is a phased development. Construction of the commercial building, proposed townhouses and Building A is expected to take about 2 years. Market conditions will determine the timing for construction of Building B.

Servicing

There exists adequate municipal services to support the existing and proposed development in the area.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations - Townhouses

Attachment 3: Elevations - Commercial Retail

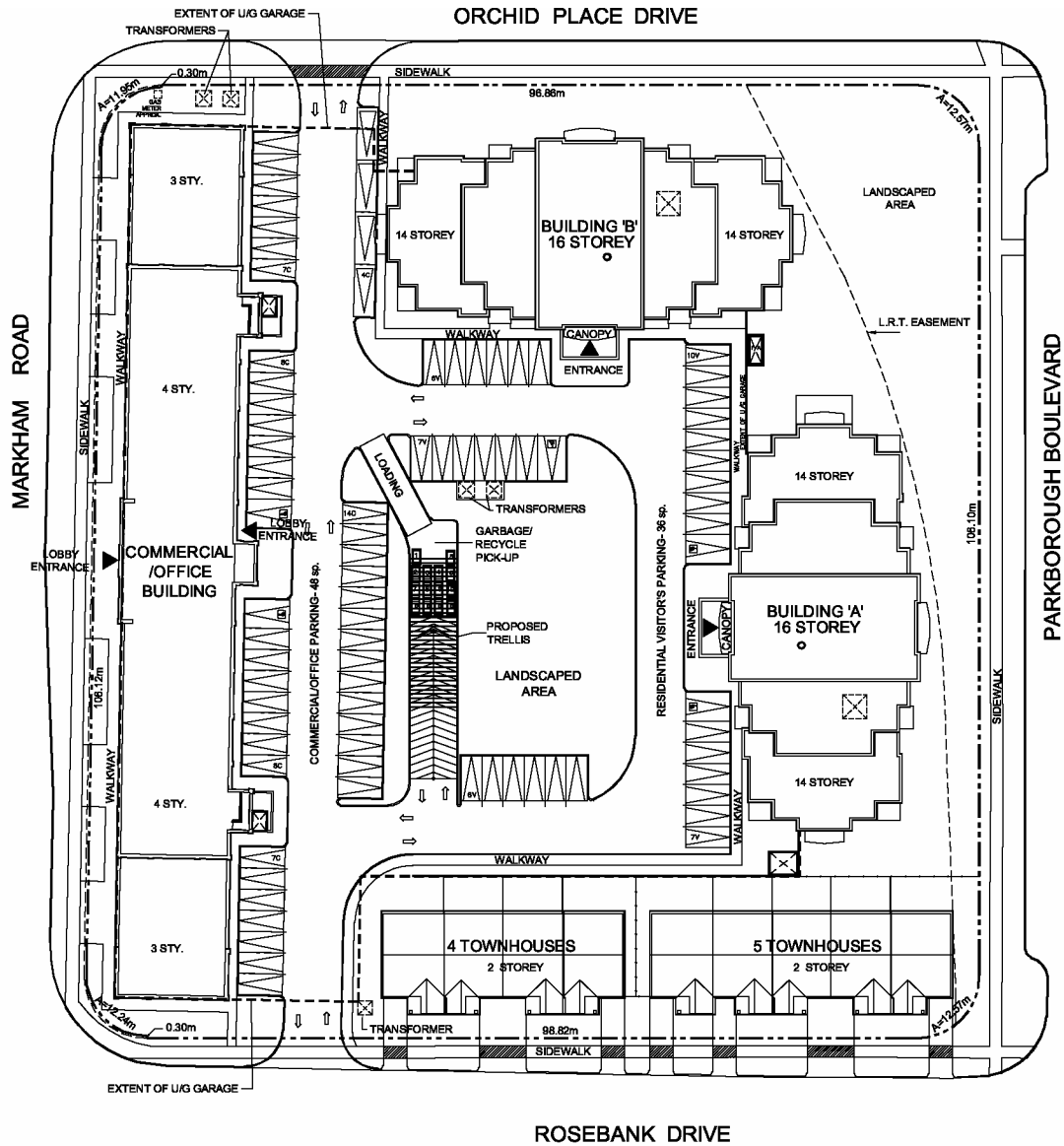
Attachment 4: Elevations - Towers

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/7/06

28 Orchid Place Drive

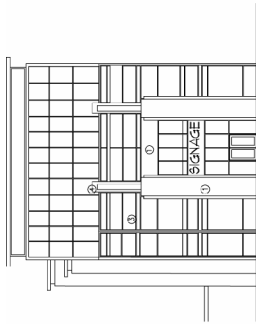
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Attachment 2: Elevations - Townhouses

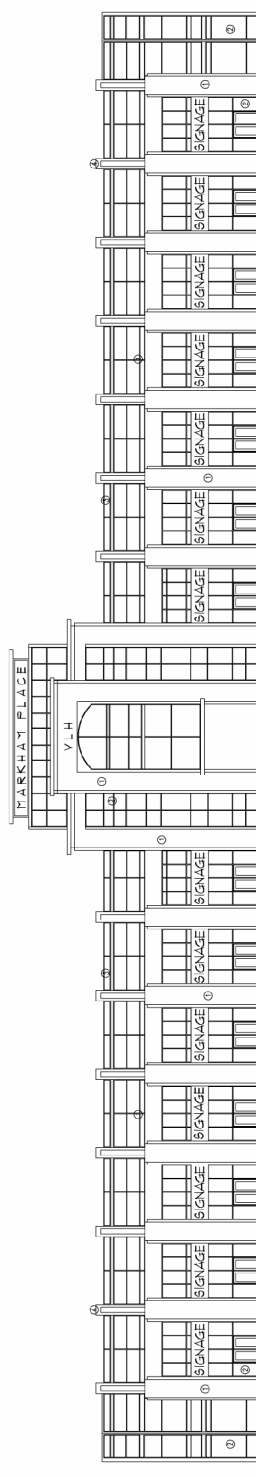


Elevation Plan (Townhouses)	28 Orchid Place Drive
Applicant's Submitted Drawing	File # 05-208487 OZ and 05-208491 SA
Not to Scale 12/16/05	

Attachment 3: Elevations - Commercial Retail



North Elevation
(Orchid Place Drive)



West Elevation
(Markham Road)

Elevation Plan (Commercial / Retail)

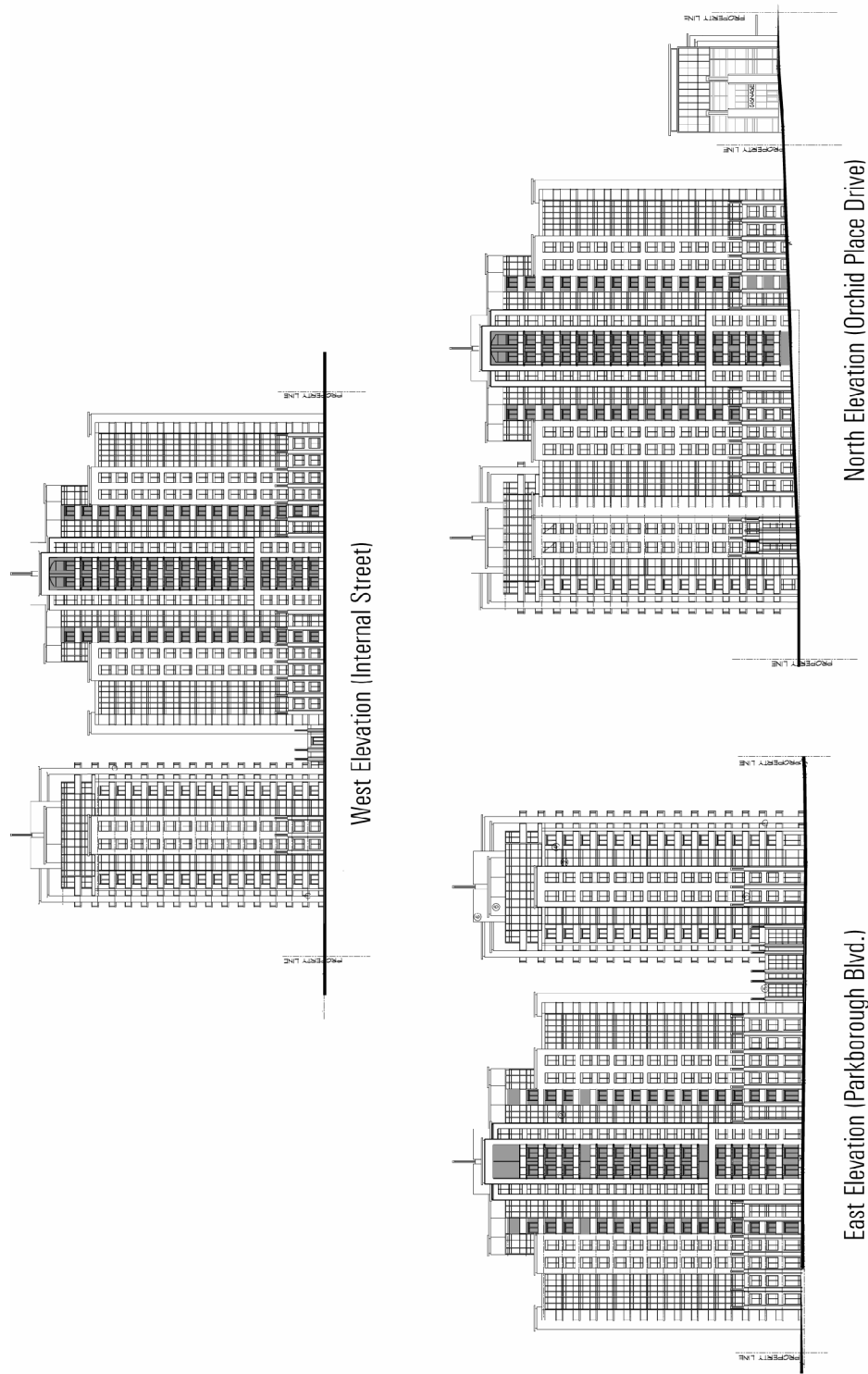
28 Orchid Place Drive

Applicant's Submitted Drawing

Not to Scale
12/16/05

File # 05-208487 OZ and 05-208491 SA

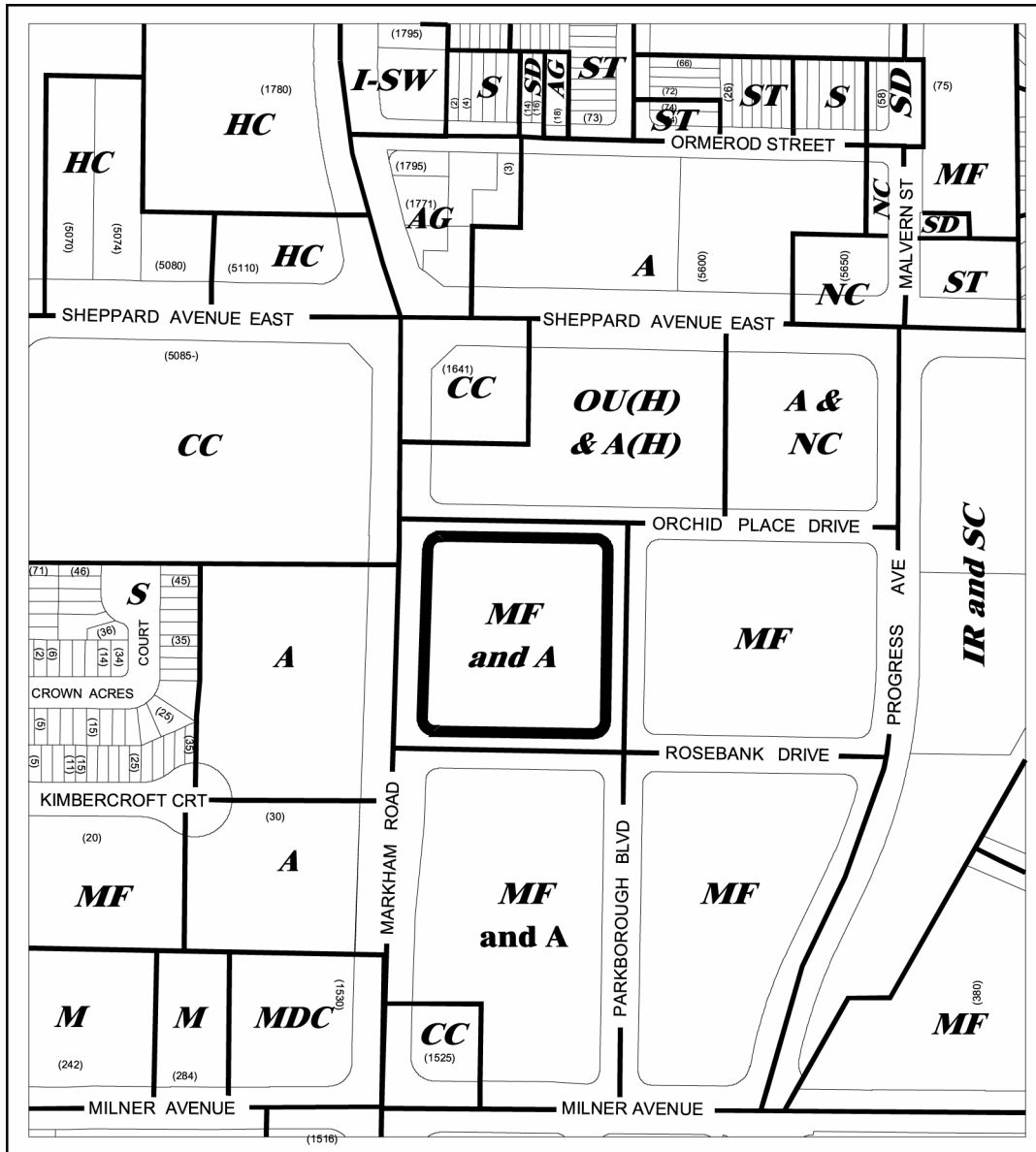
Attachment 4: Elevations - Towers



Elevation Plan (Towers)
Applicant's Submitted Drawing
Not to Scale
12/16/05

28 Orchid Place Drive
File # 05-208487 OZ and 05-208491 SA

Attachment 5: Zoning



TORONTO City Planning
Division
Zoning

28 Orchid Place Drive
File # 05-208487 OZ and 05-208491 SA

S Single-Family Residential
SD Semi-Detached Residential
ST Street Townhouse Residential
MF Multiple-Family Residential

A Apartment Residential
NC Neighbourhood Commercial
CC Community Commercial
HC Highway Commercial

AG Agricultural Uses
SC School
(H) Holding Provision
M Industrial Zone

I-SW Institutional - Social Welfare
IR Institutional - Private And Public
MDC Recreational Uses
Industrial District Commercial Zone

Malvern Community By-law
Not to Scale
12/16/05



Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	05 208487 ESC 42 OZ
Details	Rezoning, Standard	Application Date:	December 8, 2005

Municipal Address: 28 ORCHID PLACE DR, TORONTO ON
 Location Description: PL 66M2300 BLK 3 **GRID E4211
 Project Description: Proposal for a four-storey commercial/retail/office building along the Markham Road Frontage.

Applicant:	Agent:	Architect:	Owner:
VHL DEVELOPMENTS INC.	Marc Freedman	Burka Varacalli	ASPEN RIDGE HOMES

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	Numbered Policy 34
Zoning:	MF (Multiple Family Residential) & A(Apartment Residential)	Historical Status:	
Height Limit (m):	16 storey's (max)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	13800	Height:	Storeys:	4
Frontage (m):	99 metre		Metres:	
Depth (m):	107.42			
Total Ground Floor Area (sq. m):	1662			Total
Total Residential GFA (sq. m):			Parking Spaces:	176
Total Non-Residential GFA (sq. m):	5860		Loading Docks	3
Total GFA (sq. m):				
Lot Coverage Ratio (%):	12			
Floor Space Index:	.4			

DWELLING UNITS**FLOOR AREA BREAKDOWN** (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):		
Bachelor:	0	Retail GFA (sq. m):	5860	0
1 Bedroom:		Office GFA (sq. m):	0	0
2 Bedroom:		Industrial GFA (sq. m):	0	0
3 + Bedroom:		Institutional/Other GFA (sq. m):	0	0
Total Units:				

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

Attachment 7: Draft Zoning By-law Amendment

Authority: Scarborough Community Council 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 (West) Zoning By-law No. 14402, as amended,
With respect to the lands municipally known as 28 Orchid Place Drive,
located within the Malvern Community (West)**

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*;

Therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. SCHEDULE “A” of the Malvern Community (West) Zoning By-law is amended by adding commercial, retail, office uses to the Multiple-Family Residential (MF) and Apartment Residential (A) Zone and replacing the Performance Standards with the following:

MF and A-137(a)-144(a)-264-405-427-432-436-439(a)-530-541-557-610-
Exception 41

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

MINIMUM BUILDING SETBACK

137(a) Townhouse: building setback from the front lot line minimum 3.0 metres. The main wall containing the vehicle access shall be setback a minimum of 5.6 metres.

144(a) Commercial building; minimum 3.0 metres from all street lines

REAR YARD

264 Townhouse: minimum rear yard setback 5.2 metres.

HEIGHT

439(a) Maximum 16-storeys beyond 30 metres of Markham Road

PARKING STANDARD

530 Minimum total of 666 parking spaces to be provided on the following basis:

- i) For Residents - a minimum of 1 parking space per dwelling unit underground.
- ii) For Residential Visitors - a minimum of 0.2 parking spaces per dwelling unit to be provided either on the surface or underground.
- iii) For Commercial Uses - a minimum of 3 parking spaces per 100 square metres of gross floor area either on the surface or underground.

INTENSITY OF USE

557 Commercial, retail and office uses shall not exceed 5 900 square metres (63,500 square feet)

610 Maximum height of the commercial building is restricted to 4-storeys.

EXCEPTIONS LIST – SCHEDULE “C”, of the Malvern Community (West) Zoning By-law, as amended, is hereby amended by adding the following Exception:

ADDITIONAL PERMITTED USES

41 In addition to the residential uses permitted, retail and office uses shall be permitted.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal

