



Report to: Development Services Committee

Meeting Date: September 27, 2021

SUBJECT: Preliminary Report, Application by Thornheights Homes Inc., for a Zoning By-law Amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)

PREPARED BY: Hailey Miller
Planner I, West District, (Ext. 2945)

REVIEWED BY: Ron Blake, MCIP, RPP
Senior Development Manager, West District, (Ext. 2600)

RECOMMENDATION:

That the report entitled “Preliminary Report, Application by Thornheights Homes Inc., for a Zoning By-law Amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)”, be received.

PURPOSE:

This report provides preliminary information on the Zoning By-law Amendment application submitted by Thornheights Homes Inc., to permit 8 townhouse units on the subject property. This report contains general information in regards to applicable Official Plan and other policies as well as development issues and should not be taken as Staff’s opinion or recommendations on the application.

Process to date:

The application to amend the Zoning By-law was deemed complete on May 4, 2021. The 90 day period set out in the Planning Act before an applicant can appeal the Zoning By-law Amendment application to OLT for a lack of decision expired on August 2, 2021.

Next Steps:

1. The Ward 1 Councillor has indicated that a Community Information Meeting will be arranged prior to the statutory public meeting;
2. A Statutory Public Meeting is planned for fall of 2021;
3. Staff will prepare a Recommendation Report on the Zoning By-law Amendment at a future date;
4. If the Zoning By-law Amendment application is approved, a holding provision will be applied requiring the proponent to enter into a Development Agreement with the City prior to the removal of the holding provision. This is discussed in more detail in the sections below;
5. Future applications for Hold Removal and Exemption from Part Lot Control are required.

BACKGROUND:

Site and Area Context

The subject property, municipally known as 16 Kirk Drive, is located at the northwest corner of Kirk Drive and Thornheights Road, with frontage on both Kirk Drive and Thornheights Road. The subject property has an area of 0.5 ha. (0.37 ac.) with a lot

frontage of 54.6 m (179 ft) and a lot depth of 27.43 m (90 ft). The subject property is currently developed with a single detached dwelling and is located approximately 95 m (312 ft.) east of Yonge Street. To the north are existing single detached dwellings and Holy Cross Cemetery, to the south and east are existing single detached dwellings, and to the west is an existing car rental shop and Yonge Street (see Figure 1 – Location Map, Figure 2 – Area Context and Zoning Map, and Figure 3 – Air Photo).

Proposal

The applicant is proposing to amend Zoning By-law 2150 to permit eight (8) freehold townhouse units with site-specific development standards. The proposed townhouses would front onto Kirk Drive with rear yards backing onto an existing single detached dwelling to the north. The majority of the proposed townhouse units would have unit widths of 6.0 m, with the east corner unit having a proposed unit width of 6.39 m (see Figure 4 – Site Plan). The townhouse block is proposed to have a maximum building height of 11.50 m measured to the deck line of the mansard roof.

Provincial and Regional Policy Framework

Provincial and Regional Policy Conformity

This proposal must be consistent with the Regional Official Plan, Provincial Policy Statement 2020, and conform to the Growth Plan for the Greater Golden Horseshoe, 2019, and the Planning Act. The applications will be evaluated against this Policy Framework during processing.

Markham Official Plan

Markham Official Plan 2014

The subject lands are designated ‘Residential Low Rise’ under the 2014 Official Plan (as partially approved on November 24, 2017 and further updated by the Local Planning Appeal Tribunal on April 9, 2018). The ‘Residential Low Rise’ designation provides for single detached, semi-detached, townhouses excluding back to back townhouses, small multiplex buildings containing 3-6 units, all with direct frontage onto a public street, with a maximum building height of 3 storeys.

Zoning

A Zoning By-law Amendment application has been submitted to rezone the subject lands from Second Density Single Family Residential (R2A) under By-law 2150 to Residential Two (R2) under By-law 177-96. The R2 designation permits townhouse dwellings. The applicant is also proposing the following site-specific development standards:

- A minimum lot frontage of 6.0 m;
- A maximum building height of 11.50 m.

Site Plan Approval is Not Required

Site Plan Control By-law 262-94 exempts this type of street townhouse development from Site Plan Approval. However, there are matters related to the proposed development that need to be addressed and which are typically secured through a Site Plan Agreement. These include, but are not limited to, cash-in-lieu of parkland dedication, service connections, and approval of engineering drawings such as site grading. Staff have

determined that a holding provision should be placed on the subject property through the implementing Zoning By-law. The holding provision will only be lifted when the applicant has entered into a Development Agreement with the City. The Development Agreement will commit the developer to construct in accordance with City Standards and Specifications, including civil engineering works, service connections and landscape details, as well as the payment of fees and levies, including cash-in-lieu of parkland, and other development securities.

OPTIONS/ DISCUSSION:

Issues or concerns identified through the detailed review of these applications and public meetings will be discussed in a future recommendation report to DSC. Some of the preliminary matters identified for consideration include, but are not limited to, the following:

- Review of the submitted Planning Justification Report and draft Zoning By-law Amendment, prepared by JKO Planning Services Inc. Staff will provide further comments on these documents, if required, in a future Recommendation Report;
- The Metrolinx Yonge North Subway Extension is proposed to extend subway service north from Finch Station to Vaughan, Markham, and Richmond Hill. Various studies and planning initiatives are underway along this corridor that must be considered in reviewing this application.
- The appropriateness and compatibility of the proposed built form and massing, with a focus on impacts to the existing single detached dwellings to the north, east, and south of the subject property;
- The appropriateness of the proposed development standards, including setbacks and height;
- The size of the proposed rear yard amenity spaces;
- Any issues resulting from the review of technical studies including, but not limited to, stormwater management and servicing reports, tree preservation plan, grading and drainage plans; and,
- If approved, the Zoning By-law Amendment should include a holding provision to ensure that technical matters are addressed and financial obligations secured.

FINANCIAL CONSIDERATIONS

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being evaluated in the context of the City's strategic priorities, including Growth Management and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:

Biju Karumanchery
Director of Planning and Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context/Zoning
Figure 3 – Air Photo
Figure 4 – Site Plan

OWNER:

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